



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM C

Staff Report: Z-58-21-8

February 3, 2022

South Mountain Village Planning Committee Meeting Date:	January 11, 2022 December 14, 2021
Planning Commission Hearing Date:	February 3, 2022 January 6, 2022
Request From:	S-1 (Ranch or Farm Residence District), approved R1-18 (Single-Family Residence District) (20.76 acres)
Request To:	R1-10 (Single-Family Residence District) (20.76 acres)
Proposed Use:	Detached single-family residential
Location:	Southwest corner of 19th Avenue and South Mountain Avenue
Owner:	PW Again, LLC
Applicant:	Paul Gilbert, Beus Gilbert McGroder, PLLC
Representative:	Paul Gilbert, Beus Gilbert McGroder, PLLC
Staff Recommendation:	Approval, subject to stipulations

On February 2, 2022, an updated site plan and wall plan were submitted by the applicant after the Addendum B Staff Report. The changes from Addendum B proposed in the current site plan include a decrease in the number of lots from 63 to 52, a minimum lot width of 75 feet, and relocation of the primary vehicular entrance area to 19th Avenue.

Due to these changes, staff recommends modifying the following stipulations:

- **Stipulation No. 1** regarding general conformance with the site plan and updates reflected within the latest plan pertaining to lot widths and site access;
- **Stipulation No. 4** regarding clarification on the new proposed lot widths;
- **Stipulation No. 6** regarding general conformance to the new proposed wall plan;
- **Stipulation Nos. 7 and 8** regarding updates due to the proposed primary access to the site along 19th Avenue;
- **Stipulation No. 25** regarding the dedication and construction of a multi-use trail per city standards;
- **Stipulation No. 26** regarding a total of two trees to be provided per lot as part of the landscape incentive package for the development; and

- New **Stipulation No. 28** which requires a proposition 207 waiver form to be submitted.

Following the publication of the Addendum B Staff Report, staff received additional correspondence from the public regarding this case. This additional correspondence is also attached.

Staff recommends approval per the modified stipulations, reflecting updates to the site plan, provided below:

Stipulations

1. The development shall be in general conformance with the site plan date stamped ~~November 22, 2021~~ ~~JANUARY 3, 2022,~~ ~~JANUARY 11, 2022,~~ **FEBRUARY 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 ~~67 66 63~~ **52** lots.
 - b. ~~Lots 1 through 14 7, 13 THROUGH 27, AND LOTS 62 58 THROUGH 66 63~~ shall be a minimum of 65 feet in width.
 - c. ~~Lots 15, 16, 17 and 49 8 THROUGH 13~~ shall be a minimum of 60 feet in width.
 - d. ~~Lots 50 14 28 through 67 28 31 AND LOT 61~~ shall be a minimum of 70 feet in width.
 - e. All ~~other~~ lots shall be a minimum of ~~50 60~~ **75** feet in width.
~~D.~~
B.
 - f. Lots shall be a minimum of 45 feet from the southern perimeter property line.
~~E.~~
C.
 - g. Lots shall be a minimum of ~~25 50~~ feet from the western perimeter property line.
~~F.~~
D.
 - h. A minimum 10-foot wide landscape setback shall be provided along the southern and western perimeter of the site.
~~G.~~
E.

- ~~i.~~ The location of the open space areas.
- ~~H.~~
- F.**

- ~~j.~~ A minimum of 17 percent of the gross site area, exclusive of required landscape setbacks, shall be provided as open space.
- ~~I.~~
- G.**

- ~~k.~~ A minimum building setback of 50 feet, exclusive of fencing, entry features or detached accessory structures, shall be provided along the northern and eastern perimeter of the site along 19th Avenue and South Mountain Avenue.
- ~~J.~~
- H.**

- ~~l.~~ A minimum 25-foot wide landscape setback shall be provided along 19th Avenue and South Mountain Avenue. The landscape setback may be reduced to 20 feet for up to 50 percent of this frontage for the purpose of staggering the perimeter theme wall.
- ~~K.~~
- I.**

- ~~M.~~ FULL INGRESS AND EGRESS TO THE DEVELOPMENT SHALL BE LIMITED TO SOUTH MOUNTAIN AVENUE **19TH AVENUE.**
- ~~L.~~
- J.**

- 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 for ~~lots 1 through 17 and lots 49 through 67, as depicted on the site plan date stamped November 22, 2021,~~ shall be limited to one story and 20 22 feet.
- 4. All lots in the development shall be subject to Single-Family Design Review, **including lots that are wider than 65 feet**, as approved by the Planning and Development Department.
- 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 wall are subject to the following stipulations, in addition to the Zoning Ordinance requirements, and approved by the Planning and Development Department.~~ FENCES AND WALLS SHALL BE IN GENERAL CONFORMANCE WITH THE SITE WALL ELEVATIONS DATE STAMPED ~~DECEMBER 23, 2021~~ JANUARY 11, 2022 AND SITE WALL PLAN DATE STAMPED ~~JANUARY 3, 2022,~~ JANUARY 11, 2022 **FEBRUARY 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. ~~Where view fencing is required by the Zoning Ordinance, a combination of solid masonry wall and view fencing may be utilized. The solid portion of the wall shall not exceed 4 feet in height, or as otherwise required by a City or County barrier regulation.~~ THE WALL LAYOUT DEPICTED IN THE WALL PLAN SHALL BE MODIFIED WHERE NECESSARY TO ACCOMMODATE SITE LAYOUT CHANGES THAT AVOID CONFLICTS WITH THE ZONING ORDINANCE OR CITY CODE REQUIREMENTS.
 - c. Perimeter walls bounding the rear yard property lines of residential lots along 19th Avenue and South Mountain Avenue 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.
7. Project entry/exit drives along ~~19th Avenue and South Mountain~~ **19TH** Avenue 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 ~~19th Avenue and South Mountain~~ **19TH** Avenue 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 path connecting the ~~northem~~ PRIMARY AMENITY AREA and

~~southern~~ WITH THE SOUTHERN AND WESTERN portions of the site via a centralized pathway.

- d. The common open space tract along the southwest corner of 19th Avenue and South Mountain Avenue shall contain a minimum 8-foot wide pedestrian pathway that connects the development with the sidewalk at 19th Avenue or South Mountain Avenue near the street intersection. This pathway shall be constructed of decomposed stabilized granite, decorative pavers, stamped or colored concrete, or similar alternative material. The landscaped tract shall contain minimum 2-inch caliper shade trees planted a minimum of 25 feet on center or equivalent groupings, along both sides of the pedestrian pathway.
 - E. 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 CENTRAL 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. Two benches or seating features.
 12. The sidewalk along 19th Avenue shall be a minimum of five feet in width and detached with a minimum 13-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 75 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.

13. All sidewalks along South Mountain Avenue shall be 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 75 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.

14. The developer shall dedicate 50-feet of right-of-way and construct the west half of 19th Avenue, as approved by the Planning and Development Department.
15. The developer shall provide conduit and junction boxes at 19th Avenue and South Mountain Avenue for future traffic signal equipment on the southwest corner of the intersection. All work related to the construction or reconstruction of the conduit runs and junction box installation shall be the responsibility of the Developer.
16. Existing irrigation facilities along 19th Avenue are to be undergrounded and relocated outside of City of Phoenix right-of-way. Contact SRP to identify existing land rights and establish appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
17. The developer shall underground all existing electrical utilities located within the public right-of-way that are impacted/ or need to be relocated as part of this project. Coordinate with the affected utility companies for their review and permitting.
18. 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.
19. 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.

20. 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.
21. 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 approved by the Planning and Development Department.
22. 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.
23. 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.
24. 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.
25. ~~IN ADDITION TO THE PUBLIC SIDEWALK, A MINIMUM 8 FOOT WIDE PEDESTRIAN PATHWAY OR TRAIL SHALL BE PROVIDED AND MAINTAINED WITHIN THE DEVELOPMENT ALONG 19TH AVENUE AND SOUTH MOUNTAIN AVENUE, CONSTRUCTED OF DECOMPOSED GRANITE OR SIMILAR ALTERNATIVE MATERIAL, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.~~ **THE DEVELOPER SHALL DEDICATE A MULTI-USE TRAIL EASEMENT (MUTE) ALONG THE WEST SIDE OF 19TH AVENUE AND SOUTH SIDE OF SOUTH MOUNTAIN 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.**
26. THE DEVELOPER SHALL PROVIDE 3 DIFFERENT FRONT YARD PALETTES CONSISTING OF ~~ONE~~ **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.

27. THE DEVELOPER SHALL CONSTRUCT ONE BUS STOP PAD ALONG SOUTHBOUND 19TH AVENUE. THE BUS STOP PAD SHALL BE CONSTRUCTED ACCORDING TO CITY OF PHOENIX STANDARD DETAIL P1260 WITH A MINIMUM DEPTH OF 10 FEET AND SHALL BE SPACED FROM THE INTERSECTION OF SOUTH MOUNTAIN AVENUE ACCORDING TO CITY OF PHOENIX STANDARD DETAIL P1258.
28. **PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.**

Exhibits

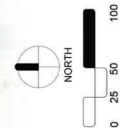
Conceptual Site Plan date stamped February 2, 2022

Conceptual Wall Plan date stamped February 2, 2022

Community correspondence (9 pages)



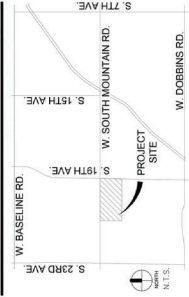
CITY OF PHOENIX
FEB 02 2022
Planning & Development Department



SITE DATA

PROPOSED DEVELOPMENT STANDARDS WILL FOLLOW ZONING ORDINANCE REQUIREMENTS (R1-10 PRD)
 NET AREA = 19.3 AC
 GROSS AREA = 20.74 AC
 GROSS DENSITY = 2.5 DU/AC
 TOTAL LOTS: 52
 TYPICAL LOT DIMENSIONS: 75 X 115
 % OPEN SPACE (EXCLUDING LANDSCAPE SETBACKS): 17% OF GROSS AREA
 % OPEN SPACE (INCLUDING LANDSCAPE SETBACKS): 22% OF GROSS AREA
 ALL LOTS ARE SINGLE STORY HOMES

VICINITY MAP



LANDSCAPE ARCHITECT

HARRINGTON PLANNING + DESIGN (HP+D)
 10000 W. BUCKLEBROOK RD.
 MESA, AZ 85209
 JASON HARRINGTON, RLA, ASLA, ASIC, APWA
 (480) 250-0116
 JASON@HARRINGTONPLANNINGDESIGN.COM

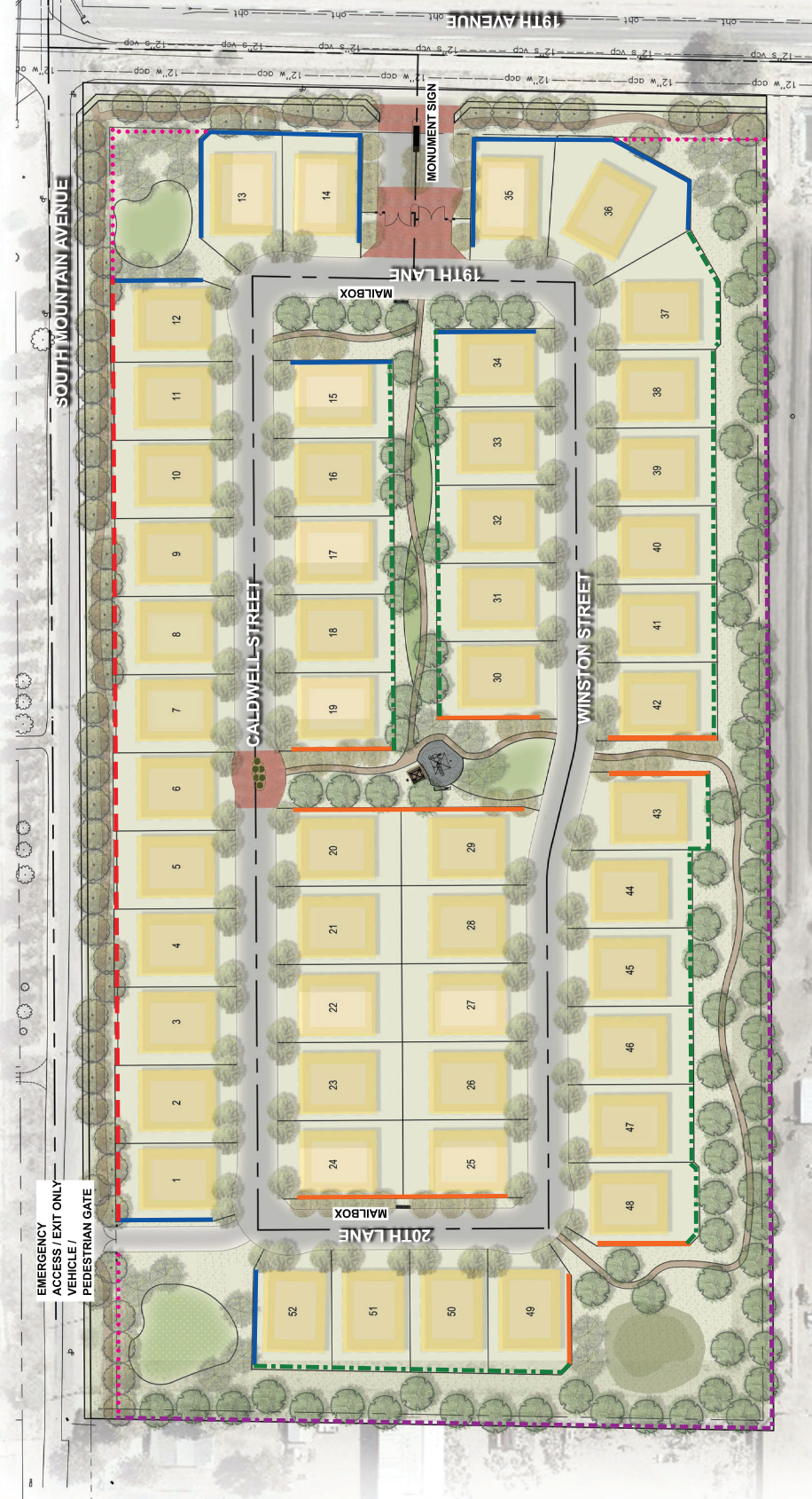
OWNER CONTACT

K. HOVNANIAN HOMES
 SUITE 250
 PHOENIX, ARIZONA 85020
 ATTN: CHUCK CHISHOLM
 (480) 824-4175
 CCHISHOLM@KHOV.COM

SITE PLAN
 Andora
 Phoenix, Arizona



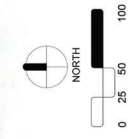
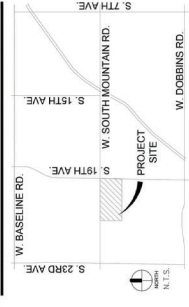
Harrington Planning + Design
 landscape architecture environmental planning urban design



EMERGENCY ACCESS / EXIT ONLY
VEHICLE / PEDESTRIAN GATE

- KEYNOTE LEGEND**
- 1 THICK WALL 6'-0" SLUMP BLOCKS WITH MORTAR WASH FINISH
 - 2 THIN PARTIAL VIEW WALL 6'-0" WITH 5'-0" MORTAR WASH FINISH SLUMP BLOCKS AND 1'-0" METAL FENCE
 - 3 PARTIAL VIEW WALL 6'-0" WITH 4'-0" MORTAR WASH FINISH SLUMP BLOCKS AND 2'-0" METAL FENCE
 - 4 FULL VIEW FENCE METAL 6'-0" BRONZE FINISH
 - 5 SECONDARY WALL ONLY 4'-0" STANDARD FACE BLOCK SLUMP BLOCKS AND 4'-0" METAL FENCE

VICINITY MAP



CITY OF PHOENIX
FEB 02 2022
Planning & Development Department



SITE WALL PLAN
Andora
Phoenix, Arizona
L 1.0

Harrington Planning + Design
landscape architecture environmental planning urban design

Racelle Escolar

From: Erin Hegedus <erinTKhegedus@hotmail.com>
Sent: Wednesday, January 26, 2022 2:59 PM
To: PDD Planning Commission; Adriana Garcia Maximiliano; Council District 8 PCC
Subject: GPA-SM-3-21-8 and Z-58-21-8

I am writing to oppose the request to rezone the referenced proposals.

This request was rejected by the Village Planning Commission four years ago and again in January of this year.

The amount of homes and the style of homes strongly conflict with the surrounding community and do not add any value to the neighborhood or does it maintain the rural character of this unique area.

Specifically, to allow 2 to 3.5 dwellings per acre would negatively impact the neighborhood in regards to traffic congestion and safety. South Mountain Avenue is a 1 lane road at points and has two elementary schools that when school is in session, the roads are completely backed up.

Additionally, this developer has not listened to the neighbors in regards to our asking for a better design and fewer homes. Maintaining the rural character of the neighborhood, maintaining open spaces or considerations for heat mitigation. They have only stated that they are interested in building as many homes as possible at a cost that will be profitable to them. This does not sound to me or the over 30 neighbors that are in opposition.

I ask you to either oppose or continue this case in order that the developer make an effort to build a development that would enhance not detract from the current characteristic.

Thank you for your time,

Erin Hegedus, CMRP
8630 South 19th Avenue
Phoenix, AZ 85041
602-717-3185

Racelle Escolar

From: Dean Chiarelli <Dean.Chiarelli@asu.edu>
Sent: Thursday, January 27, 2022 2:46 PM
To: PDD Planning Commission
Subject: Opposition: Andora GPA-SM-3-21-8 & Z-58-21-8

Re: Application #: GPA-SM-3-21-8 (Continued from 1/6/2022)
Application #: Z-58-21-8 (Continued from 1/6/2022)

I oppose both cases and request to speak about both items.

I am a Registered Dietitian Nutritionist, a Registered Environmental Health Specialist, and a homeowner & resident in South Phoenix for 10 years. I oppose the amendment to the General Plan Land Use and Rezoning because the right developer will be able to profit without the need to amend and rezone. Andora is a generic and dull housing development that adds very little to South Mountain. Strong community opposition is well-documented: excess traffic on one-lane roads, emergency vehicle access, negative environmental impact on agriculture (heat, water scarcity), and loss of prime land well-suited agricultural enterprise (per PlanPHX 2015 and the South Mountain Food Plan) such as "agritainment". The City of Phoenix traffic study for the area is 10+ years old. It does not provide objective data for Dobbins Corridor in 2022 with all the new houses not yet built.

I am Pro-Development and believe with confidence the right developer(s) will be able to profit without the need to amend and rezone this land in a way that will inevitably reduce the quality of life for existing residents. The Grandma's Farm™, and the Farm at South Mountain™ are great examples of the type of enterprises I advocate for. The Planning Commission should prioritize & value prime land as best used for development such as the AZ Fresh™ Food and Innovation Hub in the Rio Salado area. If residential development occurs it needs to comply with existing zoning. I demand the Planning Commission balance the abundant and quick approvals of higher-density real estate with cultural amenities and businesses which honor the existing zoning. South Mountain is unique. It does not need more gas stations, fast-food, and storage units, and cookie-cutter development.

Several SMVPC member, including Chair, are realtors and there is a perceived conflict of interest in which Planners go on to profit commercially AFTER they participate in a Planning business. I recorded in detail my concerns in opposition letters to SMVPC. Conflicts of interest are defined in the *Village Planning Handbook* page 8, and *City of Phoenix Ethics Handbook- Employees & Volunteers* page 9

8. A committee member shall refrain from participating in any matter in which a conflict of interest exists. A conflict of interest exists if a board member has a competing financial or ownership interest that may prevent him or her to fulfill his or her duties fairly. A true conflict of interest involves a financial interest. However, a person may also have a perceived conflict of interest if a financial interest is involved. The ultimate obligation for compliance with the conflict of interest laws lies with the individual. A committee member convicted under the conflict of interest laws is subject to criminal penalties and forfeiture of office. A conflict of interest disclosure form is available to advise any person who thinks he or she has a conflict of interest. A complete discussion of conflict of interests can be found in the Conflict of Interest member Resource Guide prepared by the City Clerk's Office.

Source: https://www.phoenix.gov/villagesite/Documents/pdd_pz_pdf_00020.pdf#search=village%20planning%20handbook
Accessed January 11, 2022

3. Examples–Conflict of Interest

The following examples help give board members an idea how Arizona's conflict of interest laws apply. Each situation will be decided on the unique facts and circumstances involved. The goal of these examples—and indeed this entire handbook—is to help develop greater sensitivity to ethical considerations. **If a board member is in doubt of what should be done, opt not to participate.** All examples assume the matter will come before the board for consideration and apply to the board member's relative or partner as well as the board member.

a. Owns Property in Close Proximity

The board member owns property in close proximity to property subject to board's approval of a zoning or license application that may affect the value of the board member's property.

b. Worked Previously for Firm

The board member has done work in the past for a firm that seeks a City contract and the board member anticipates doing further work for the firm in the future. A potential conflict exists regardless of whether the work involves the matter that is the subject of the contract. (However, mere past association does not of itself constitute a conflict if the business relationship is not a continuing one.)

c. Corporate Officer of Competitor

The board member is an officer of a corporation that operates a chain of stores. An application by a competitor seeks zoning approval for a store within the service area of one of the stores owned by the board member's corporation.

d. Developer

The board member is a developer who files an application for approval of a project. Not only must the

board member declare a conflict and disqualify oneself from consideration of the application, the board member also may not participate in any manner.

e. Realtor Listing Agreement

The board member is a realtor who has had discussions concerning a listing agreement with an owner of a property that is the subject of a zoning application. If the board member wishes to pursue the agreement, the board member should declare the conflict and refrain from considering the application. **If the board member participated in consideration of the matter, the board member should not later enter the listing agreement.**

f. Owner of Regulated Business

A proposed amendment to the City Code seeks to regulate a specific type of business activity. The board member has an exclusive or specific right to conduct the activity in the City.

g. Property Uniquely Affected by Land Use Plan

The board member has an interest in property that will be uniquely affected by a proposed land use plan, and the adoption of the plan may affect the value of the property (e.g., the plan confers special benefits on the property that are not applied to other similarly situated properties).

h. Contract of Close Relative

The close relative of a board member is in business with a person whose application or contract is being considered by the board.

i. Source of More Than 5% Income

The board member receives more than 5% of the member's total annual income from a corporation that has an application or a contract pending before the board.

Source: https://www.phoenix.gov/citymanagersite/Documents/Ethics/Ethics_Handbook_Employee_Volunteers.pdf
 Accessed: January 11, 2022

During the last meeting, I asked a general question to SMVPC:
“How will you know how much amending and rezoning is too much?”

The Village Planning Committee handbook, on pages 6 -8, identifies some key points to consider for land use map amendments and rezoning.

Is there a conflict between the proposed land use and physical constraints or the environmental sensitivity of the area?
Yes, the issue is well-documented with increased traffic, increased heat, flooding problems, and reduced capacity for emergency vehicles restricted by one-lane roads (19th Avenue and Dobbins Road). The impact of emergency vehicles should not be under-estimated. The project has only one entry.

How does the proposed change affect the underlying character of the area?
Yes, there is a demonstrated negative impact to access the 19th Avenue Trail in South Mountain park because of increased congestion, traffic, reduced views, loss of space in the surrounding areas.

Does the proposed land use have any positive or negative impacts on goals and policies within the general plan?
Yes, there is a negative impact because it reduces the capacity to carry out the portions of PlanPHX (2015) and the 2025 Food Action Plan.

Many residents, including myself, carefully study zoning before making the decision to purchase a home. South Mountain's excessive rezoning and amending the GPA is a broken promise. The opportunity cost for excessive development in South Mountain, including Andora, is too high. The Planning Commission and South Mountain Village Planning Committee are deviating from smart growth. Whoever has the most expensive attorneys are winning. Developers are bulldozing & paving their way to profit with little regard to opposition and real concerns about quality-of-life and preservation of existing zoning. Phoenix is poised to be an agricultural hub and food innovation center. The South Mountain Village (District 8) is ideally suited to be part of this longer-term infrastructure. Again, I am "Pro-Development" and there is too much higher-density development, too fast, and not balanced by smart growth. These case items have immense opposition from the community and should NOT be approved.

Sincerely,

Dean Chiarelli

Dean Chiarelli, MA, RDN, CEP, CHES, REHS
Clinical Assistant Professor

**ASU Edson College of
Nursing and Health Innovation**
Arizona State University

500 North 3rd Street | Phoenix, AZ 85004

Ph: 602.496.1867 | dean.chiarelli@asu.edu

<https://nursingandhealth.asu.edu> [nursingandhealth.asu.edu]



Racelle Escolar

From: Hegedus, Erin <ehgedus@phoenixchildrens.com>
Sent: Monday, January 31, 2022 3:04 PM
To: PDD Planning Commission
Subject: GPA-SM-3-21-8

I am very concerned about overall the development of this area, this area if developed, should be done I a way that would enhance the neighborhood not to just bring in more housing, regardless of infrastructure that does not support all of the growth.

Equally concerning is something I want to bring to your attention.

Southwest Phoenix in the 85041 area is the only remaining agriculture that is left in the city. Up until recently, these fields were growing corn, cotton, alfalfa. Recently a number of developers are asking to rezone to build homes. Modifying the density to up to 4 homes per acre with block walls.

Our neighbors have been fighting to retain the rural characteristics of the neighborhood but the Planning Commissions seems to be pro development and support the housing proposals without regard to the neighbors that have live with the extra housing that brings noise, traffic, night lights that obscure the stars, heat and other nuisances.

Respectfully,

Erin Hegedus
8630 South 19th Avenue
Phoenix, AZ 85041

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From: [Dorothy Hallock](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: Opposition to Andora
Date: Tuesday, February 1, 2022 1:38:28 PM

I am opposed to GPA-SM-3-21-8 and Z-58-21-8, the proposed Andora development by K. Hovnanian.

The project entry on W. South Mountain Ave. would create a hazard because of significantly increased traffic on a one lane road used by pedestrians (including school children), cyclists, and equestrians.

The proposed density and design are completely out of character with adjacent properties and the neighborhood.

I request time to speak, but donate my time to Zach Brooks.

Respectfully,
Dorothy Hallock
2050 W. South Mountain Ave.
Phoenix, AZ 85041

Sent from my iPhone

Racelle Escolar

From: PDD Planning Commission
Subject: FW: Planning Commission meeting comments for 2/2/22 - Opposition to cases GPA-SM-3-21-8 and Z-58-21-8, item #6 and #7

From: H. Jewel Clark <hjewelclark@fastmail.com>
Sent: Tuesday, February 1, 2022 2:42 PM
To: PDD Planning Commission <pdd.planningcomm@phoenix.gov>
Subject: Planning Commission meeting comments for 2/2/22 - Opposition to cases GPA-SM-3-21-8 and Z-58-21-8, item #6 and #7

I am writing in opposition to Agenda items 6 and 7, cases GPA-SM-3-21-8 and Z-58-21-8. The immediate area around the property requesting rezoning from S-1 to R1-10 is S-1 **active agriculture and horse properties, plus acre+ lots with custom homes**. The highest density currently built is to R1-18 across the street. Our area has followed the guidelines laid out in the Rio Montana Plan and the 2015 Phoenix General Plan (which upholds the design guidelines of the Rio Montana Plan) and those guidelines call for:

- Lower density south of Baseline and towards South Mountain Park
- New construction should fit in with the surrounding neighborhoods- contextualism
- New construction should follow certain design guidelines like no 'garagescaping', unique housing designs, staggered lot sizes, open fencing, open spaces, etc. - certainty of character

The proposed plan by K Hovnanian follows none of those guidelines. They seek to plop the same cookie-cutter style houses crammed onto tiny lots that can be found anywhere in the Valley with no regard to the neighborhood that is already in place. They argue that Phoenix needs new homes. They argue that the development across the street is positioned to have their zoning approved at R1-10.

- Phoenix will not be a livable city if you continue to let developers gobble up land without regard to the development requirements the city is supposed to uphold.
 - **You have the obligation to require this**
- Existing residents have lost faith in the process to protect their properties from inappropriate development.
 - **You have the power to restore it**
- Existing residents should have more say in what their neighborhoods look like than developers.
 - **Help us**

You aren't going to solve the housing shortage with indiscriminate development.

The city is supposed to encourage diversity of development. There is no diversity when every piece of open property is getting rezoned for higher and higher density that is better suited closer to the city core. Larger properties and agricultural land is being gobbled up and it's now rare and precious. It should be preserved. There is plenty of high density property in the valley. Help us protect the low density property that remains.

As a united neighborhood, we didn't want the other development to be rezoned. If we'd possessed the power to stop it, we would have. We don't want this property rezoned. This density is utterly incompatible with the surrounding homes and properties. The proposed housing designs do not fit with our area.

Neighborhoods are at a complete disadvantage here. We don't have deep pockets. Lawyers won't even represent us b/c they don't want to make developers angry and lose out on business. We're not land use experts. We all have other jobs besides fighting for our neighborhoods. We deserve and need your help to make Phoenix development something to be proud of. We understand development is inevitable. But it can be done well or poorly. It should be done with the support of the existing neighbors. We already live here. We deserve to be listened to. We don't want this development. Please vote no on both cases. Thank you.

Jewel Clark
2020 West South Mountain Ave.
Phoenix, AZ 85041

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H. Jewel Clark
hjewelclark@fastmail.com

Racelle Escolar

From: JoAnne Jensen <joannejensen@cox.net>
Sent: Tuesday, February 1, 2022 5:24 PM
To: PDD Planning Commission
Subject: GPA-SM-3-21-8 and Z-58-21-8/ Andora

Hello – thank you for taking my comments with respect to the proposed K Hovnanian development on the southwest corner of 19th Avenue and South Mountain.

I join others in opposing rezoning the parcel from S-1 to R1-10, along with the plans for the development itself. S-1 is active agriculture and horse property with lots one acre or more and in no way either follows the guidelines in the Rio Montana Plan and the 2015 Phoenix General Plan (which match one another). Specifically, these two plans call for lower density south of Baseline toward South Mountain Park; new construction that fits in with the currently in place surrounding neighborhoods; and new construction that involves unique housing designs, staggered lot sizes, open fencing, open spaces and other hallmarks of a unified character.

Unfortunately, this K Hovnanian proposal follows none of those guidelines with cookie-cutter style homes on small lots – like so much other development in the Valley. There is nothing that distinguishes this set of homes nor do they fit with the existing homes.

Preservation versus development is difficult, particularly in an environment when there is a housing shortage. There are locations which are well suited to dense development – but South Mountain is not one of them. This is a rural / agricultural / equestrian community. Those of us who live here have purposely chosen a country lifestyle and dense / bland looking homes on small lots is development incompatible with this section of Phoenix.

To be honest, as people who live here, we would like to have a say in the appearance and development of our neighborhood and to know that our voices will carry some weight in these matters. We do not oppose development – everything changes, but we would like to feel we have a seat at the table when these decisions are made, and that developers are not allowed carte blanche.

In sum, please oppose this development in its current configuration. We are working with this developer to try to find common ground – a suggestion is to continue these requests until an agreement can be reached, at which time this Commission can evaluate a plan which has agreement on both sides.

Thank you.

JoAnne Jensen
480-213-6499
8303 S. 17th Drive
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