



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-35-23-8
August 4, 2023

South Mountain [Village Planning Committee](#) Meeting Date: August 8, 2023
[Planning Commission](#) Hearing Date: September 7, 2023
Request From: [S-1](#) (Ranch or Farm Residence) (0.28 acres), [R1-6](#) (Single-Family Residence District) (0.62 acres), [R-4](#) (Multifamily Residence District) (0.15 acres), and [C-1](#) (Neighborhood Retail) (1.93 acres)
Request To: [C-1](#) (Neighborhood Retail) (2.98 acres)
Proposal: Convenience store, gas station, and retail
Location: Northeast corner of 27th Avenue and Southern Avenue
Owner: AD Alliance II, LP, Et al.
Applicant/Representative: Jason Morris, Withey Morris Baugh, PLC
Staff Recommendation: Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Commercial and Residential 5 to 10 dwelling units per acre	
Street Map Classification	Southern Road	Arterial	65-foot north half street
	27th Avenue	Arterial	55 to 58.6-foot east half street
<p><i>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; HEALTHY NEIGHBORHOODS; DESIGN PRINCIPLE: Establish design standards and guidelines for parking lots and structures, setback and build-to lines, blank wall space, shade, and other elements affecting pedestrians, to encourage pedestrian activity and identify options for providing pedestrian-oriented design in different types of development.</i></p> <p>The proposal, as stipulated, includes design and development standards to encourage walking, bicycling, and transit use. These standards include the provision of shaded</p>			

bicycle parking, shade throughout the development, and a multi-use trail that connects the development with the existing multi-use trail to the north along 27th Avenue.

CONNECT PEOPLE AND PLACES CORE VALUE; BICYCLES; DESIGN

PRINCIPLE: Development should include convenient bicycle parking.

The proposal, as stipulated, includes shaded bicycle parking to encourage bicycling and transit use by leveraging its proximity to adjacent commercial developments, neighborhoods, and the multi-use trail along 27th Avenue.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; DESIGN PRINCIPLE:

Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The proposal, as stipulated, includes a landscape detachment along Southern Avenue that will be planted with shade trees, shaded public and private sidewalks, and shaded bicycle and vehicle parking areas. These improvements will create a comfortable pedestrian environment along Southern Avenue and 27th Avenue, reduce the urban heat island affect, and make the walk to nearby destinations safer and more comfortable.

Applicable Plans, Overlays, and Initiatives

[Tree and Shade Master Plan](#): Background Item No. 6.

[Complete Streets Guidelines](#): Background Item No. 7.

[Transportation Electrification Action Plan](#): Background Item No. 8.

[Zero Waste PHX](#): Background Item No. 9.

[Comprehensive Bicycle Master Plan](#): Background Item No. 10.

[Rio Montaña Area Plan](#): Background Item No. 11.

Surrounding Land Uses and Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant	S-1, R1-6, R-4, and C-1
North	Subdivision open space tract and single-family residences	R1-6 and C-1

West (across 27th Avenue)	Commercial	C-2
East	Subdivision open space tract and single-family residences	R1-6 and R-4
South (across Southern Avenue)	Vacant and Nursery School	C-1

C-1 (Neighborhood Retail)		
<u>Standards</u>	<u>Requirements of C-1 District</u>	<u>Provisions on the Proposed Site Plan</u>
<i>Minimum Building Setbacks</i>		
Streets (Southern Avenue and 27th Avenue)	Average 25 feet; minimum 20 feet for up to 50 percent of structure.	Southern Avenue: 85 feet (Met) 27th Avenue: 82 feet and 1 inch (Met)
Not adjacent to Streets (North, adjacent to R1-6) (North, adjacent to C-1) (East, adjacent to R-4)	50 feet 15 feet 0-foot 15 feet	North: 54 feet (Met) East: 82 feet and 9 inches (Met)
<i>Minimum Landscaped Setbacks</i>		
Streets (Southern Avenue and 27th Avenue)	Average 25 feet for structures not exceeding two stories or 30 feet, minimum 20 feet permitted for up to 50% of the frontage	Southern Avenue: 25 feet (Met) 27th Avenue: 25 feet (Met)
Property lines not adjacent to a street (North and East, adjacent to R1-6 and R-4)	10 feet	North: 10 feet (Met) East: 10 feet and 9 inches (Met)
Maximum Lot Coverage	50 percent	12.1% (Met)
Maximum Building Height	30 feet	23 to 26 feet (Met)
Minimum Parking	51 spaces	57 spaces (Met)

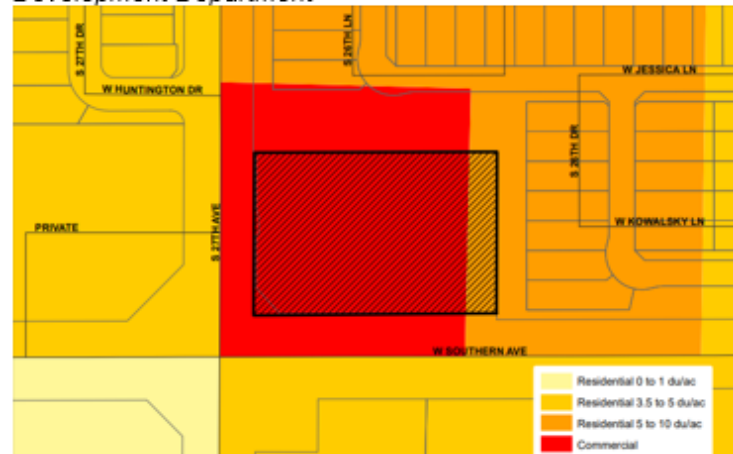
Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 2.98 acres located on the northeast corner of 27th Avenue and Southern Avenue from S-1 (Ranch or Farm Residence), R1-6 (Single-Family Residence District), R-4 (Multifamily Residence District), and C-1 (Neighborhood Retail) to C-1 for a convenience store, gas station, and retail use. The subject site is currently vacant.

2. A majority of the subject site is designated as Commercial on the General Plan Land Use Map. The eastern portion of the site is designated Residential 5 to 10 dwelling units per acre on the General Plan Land Use Map. The area to the west of the subject site across 27th Avenue is designated Residential 3.5 to 5 dwelling units acre and the area to the east is designated Residential 5 to 10 dwelling units acre. The area to the north is designated Commercial and Residential 5 to 10 dwelling units acre. The area to the south across Southern Avenue is designated Residential 3.5 to 5 dwelling units acre and the area to the southwest across the intersection at 27th Avenue and Southern Avenue is designated Residential 0 to 1 dwelling units acre. The requested C-1 zoning district is consistent with the General Plan Land Use Map designation of Commercial.

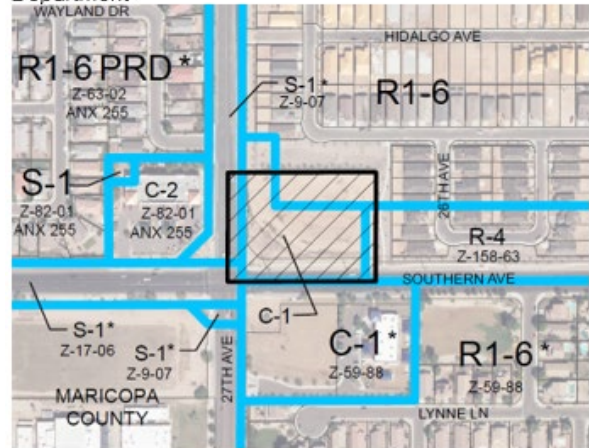
General Plan Land Use Map; Source: Planning and Development Department



EXISTING CONDITIONS AND SURROUNDING ZONING

3. The subject site is zoned S-1, R1-6, R-4, and C-1 and is currently vacant. To north is a subdivision open space tract and single-family residences zoned R1-6 and C-1; to the east is a subdivision open space tract and single-family residences zone R1-6 and R-4; to the south across Southern Avenue is vacant land and a preschool zoned C-1; and to the west across 27th Avenue is commercial development zoned C-2. To the southwest across the intersection at 27th Avenue and Southern Avenue is a school within Maricopa County.

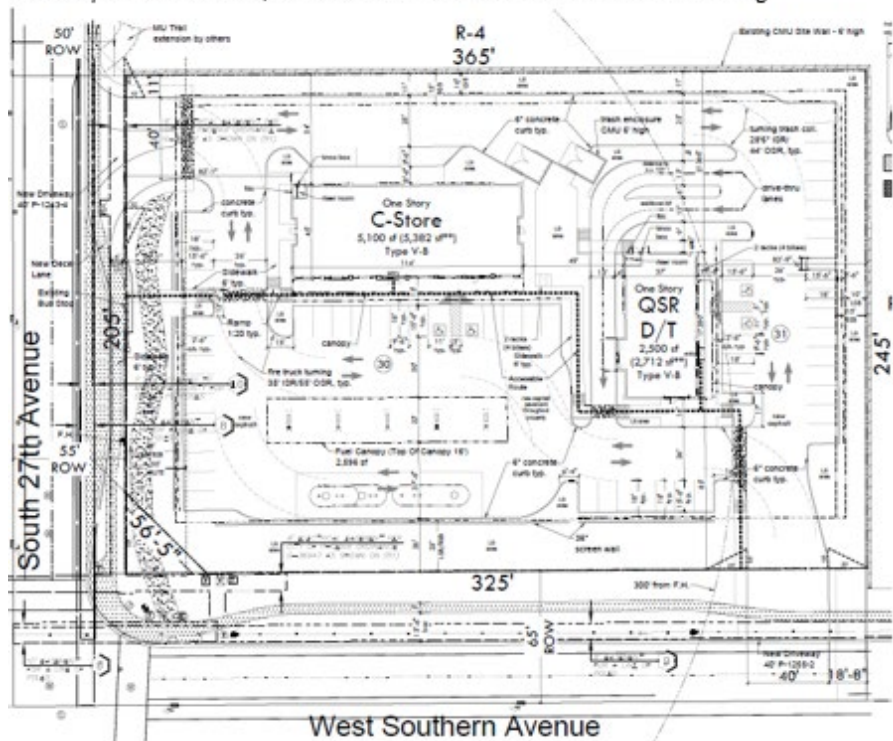
Location Map; Source: Planning and Development Department



PROPOSAL

4. Site Plan
The proposal is for a convenience store/gas station and retail building with a drive through. The conceptual site plan, attached as an exhibit, depicts the site layout including the location of each building, the drive through, fuel canopy, trash enclosure, parking areas, detached sidewalks along Southern Avenue, and a multi-use trail along 27th Avenue.

Conceptual Site Plan; Source: Suite-Six Architecture + Planning



The site will have two points of ingress/egress. One on Southern Avenue and the other on 27th Avenue.

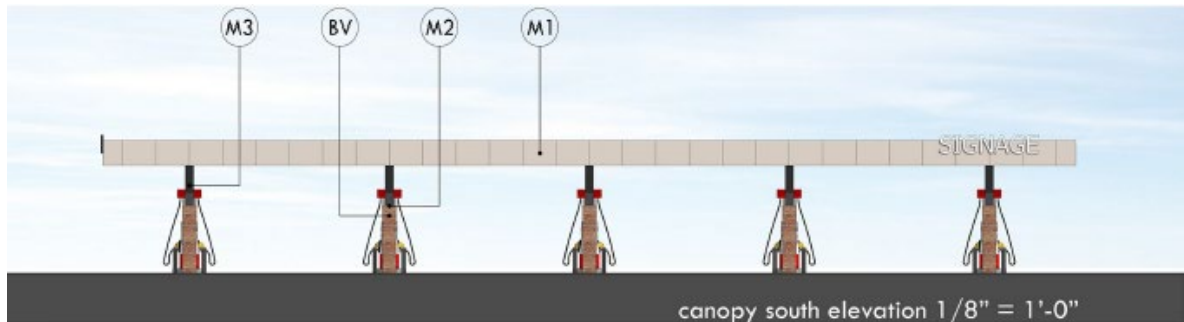
Staff is recommending Stipulation No. 2 to require pavement treatments that visually contrast parking and drive aisles where pedestrian walkways cross a vehicular path. To promote enhanced walking, cycling, and transit-use staff is recommending Stipulation No. 8 to require a multi-use trail along the west portion of the development, Stipulation Nos. 3 through 5 require shaded bicycle parking, and Stipulation No. 7 requires the vegetation in the existing detached sidewalk along Southern Avenue to be replenished. Additionally, Stipulation No. 9 requires that all public and private pedestrian pathways will be shaded to a minimum of 75 percent. Stipulation No. 6 requires a gateway entry feature according to the Rio Montaña Area Plan.

5. Conceptual Building Elevations

The conceptual building elevations, attached as an exhibit, depict four-sided architecture on each building with brick veneer, materials consistent with structures in the area, and glazing along the building frontages. Additionally, the fuel pumps are proposed to be consistent with the building elevations with brick veneer incorporated into the design. Staff is recommending Stipulation No. 1 to require the site be developed in general conformance to the conceptual elevations date stamped May 31, 2023, so the design of the development is consistent with the surrounding area.

Conceptual Building Elevations; Source: Suite-Six Architecture + Planning.





STUDIES AND POLICIES

6. [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 frontage should be detached from the curb 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. The development proposal, as stipulated, will create a comfortable streetscape environment with shaded and detached sidewalks along Southern Avenue, shaded bicycle parking, shaded walkways, and shaded parking lots. These are addressed in Stipulation Nos. 5, 7, 9, and 10.

7. [Complete Streets Guidelines:](#)

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. The proposed development, as stipulated, will support walking, bicycling, and transit-use by including bicycle parking on the site, providing a multi-use trail along 27th Avenue, and by constructing a shaded and detached sidewalk along Southern Avenue. These are addressed in Stipulation Nos. 2 through 5, 7, and 8.

8. [Transportation Electrification Action Plan](#)

In June 2022, the Phoenix City Council approved the Transportation Electrification Action Plan. The current market desire for the electrification of transportation is both a national and global phenomenon, fueled by a desire for better air quality, a reduction in carbon emissions, and a reduction in vehicle operating and maintenance costs. Businesses, governments and the public are signaling strong future demand for electric vehicles (EVs), and many automobile manufacturers have declared plans for a transition to fully electric offerings within the coming decade. This Plan contains policy initiatives to prepare the City for a future filled with more EVs, charging infrastructure and e-mobility equity, and outlines a

roadmap for a five-step plan to prepare for the EV infrastructure needs of 280,000 EVs in Phoenix by 2030. One goal of the Plan to accelerate public adoption of electric vehicles through workplace, business, and multifamily charging infrastructure recommends a standard stipulation for rezoning cases to provide EV charging infrastructure. This is addressed in Stipulation Nos. 4 and 11 which require a minimum of two electric bicycle charging stations and a minimum 10 percent of the required parking spaces to be EV Ready.

9. **Zero Waste Phoenix 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.

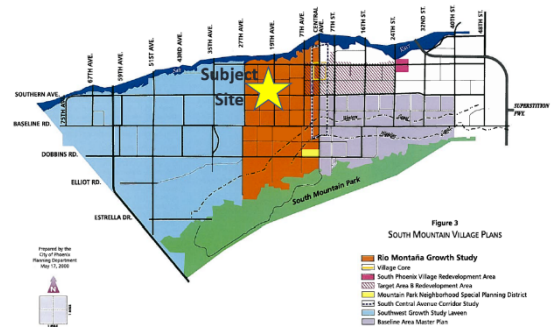
Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial, and mixed-use developments meeting certain criteria. The provision of recycling containers was not addressed in the applicant's submittals.

10. **Comprehensive Bicycle Master Plan:**

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its bikeway system and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. As stipulated, the development will provide shaded bicycle parking, two electrical bike charging receptacles, and a Multi-Use Trail along 27th Avenue. This is addressed in Stipulation Nos. 3 through 5, and 8.

11. **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.



Source: Planning and Development

The Rio Montaña Area Plan intended to accomplish this vision through seven goals that include: promoting balanced, high quality development; protecting and improving neighborhoods through

maintenance, rehabilitation and infill projects; keeping a distinctive character that reflects the diversity in its equestrian heritage, culture, history and architecture; protecting the rural character, the Sonoran Desert and the riparian potential of the Rio Salado Habitat Restoration Project; promoting future business development and economic growth; developing the tourism industry through a wide range of opportunities; and providing a variety of transportation options.

This infill site is located in the western portion of the Rio Montaña Area Plan boundaries in an area with a mix of single-family residential neighborhoods, commercial, and educational uses. Per Stipulation No. 7, the project site will enhance the connectivity and pedestrian comfort in the area by providing street improvements, including sidewalks and landscaping, along Southern Avenue. Similarly, this development will provide a multi-use trail along 27th Avenue. This is addressed in Stipulation No. 8.

In terms of design, this project replicates the size and character of the surrounding built environment. Per Stipulation No.1, the building elevations are required to include brick and stucco to match the colors and materials found in the surrounding area. Additionally, the Rio Montaña Area Plan identifies the subject site as a location where a Gateway Feature that announces the arrival to the area should be placed. This is addressed in Stipulation No. 6.

Other design elements of the Rio Montaña Area Plan will be addressed through the design guidelines of the Phoenix Zoning Ordinance in Chapter 5, Section 507 Tab. A (Guidelines for Design Review).

COMMUNITY CORRESPONDENCE

12. As of the writing of this report two letters of opposition have been received for the request. Concerns raised were regarding the proposal's contribution to urban blight in the area, noise pollution, homelessness, crime, and lowering property values.

INTERDEPARTMENTAL COMMENTS

13. The Street Transportation Department recommended limiting the vehicular access points on Southern Avenue and 27th Avenue to be right-in and right-out only. This is addressed in Stipulation Nos. 12 and 13. The Street Transportation Department also recommended the developer construct all improvements in the right-of-way with all required elements and to ADA standards. This is addressed in Stipulation No. 14.
14. The Public Transit Department requested that the bus bay on northbound 27th Avenue be retained. This is addressed in Stipulation No. 15.

OTHER

15. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. These are addressed in Stipulation Nos. 16 through 18.
16. 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. 19.
17. Development and use of the site are subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments may be required.

Findings

1. The proposal is consistent with the General Plan Land Use Map designation of Commercial, the Rio Montaña Area Plan, and with the character of the surrounding area.
2. The proposal, as stipulated, will create a strong pedestrian environment along Southern Avenue with shaded and detached sidewalks and a multi-use trail alignment along 27th Avenue. These pathways will convey individuals safely and comfortably to the nearby educational uses, commercial uses, and residential neighborhoods.
3. The proposed C-1 zoning district is compatible with the C-2 zoning district to the west across 27th Avenue and the C-1 zoning district to the south across Southern Avenue.

Stipulations:

1. The development shall be in general conformance with the elevations date stamped May 31, 2023 with specific regard to the brick veneer and synthetic stucco building material, as approved by the Planning and Development Department.
2. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
3. Eight bicycle spaces shall be provided on the site through Inverted U and/or artistic racks located near the building entrances or in a secure location inside the building and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
4. A minimum of two of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
5. Bicycle parking spaces shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide a minimum of 75% shade, measured at summer solstice at noon as shown on a shading study, as approved by the Planning and Development Department.
6. A gateway feature announcing entry into the Rio Montaña Area shall be provided on the southwest corner of the site, as approved by the Planning and Development Department.
7. Existing streetscape beginning at back of curb shall be replenished with trees and ground cover along Southern Avenue, as specified below and approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.
 - b. Shrubs, accents and vegetative groundcovers maintained to a maximum height of 24 inches to achieve a minimum of 75% live coverage at maturity.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

8. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the east side of 27th Avenue and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement, in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development Department.
9. All pedestrian walkways, including sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide a minimum of 75% shade, measured at summer solstice at noon as shown on a shading study, as approved by the Planning and Development Department.
10. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.
11. A minimum of 10% of the required parking spaces shall be EV Ready.
12. Access along Southern Avenue shall be located at the easternmost limits of the parcel and shall be restricted to right-in / right-out only.
13. Access on 27th Avenue shall be located at the northernmost limits of the parcel and shall be restricted to right-in / right-out only.
14. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
15. The bus bay on northbound 27th Avenue shall be retained, as approved by the Planning and Development Department.
16. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

17. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
18. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
19. 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.

Writer

Samuel Rogers

August 4, 2023

Team Leader

Racelle Escolar

Exhibits

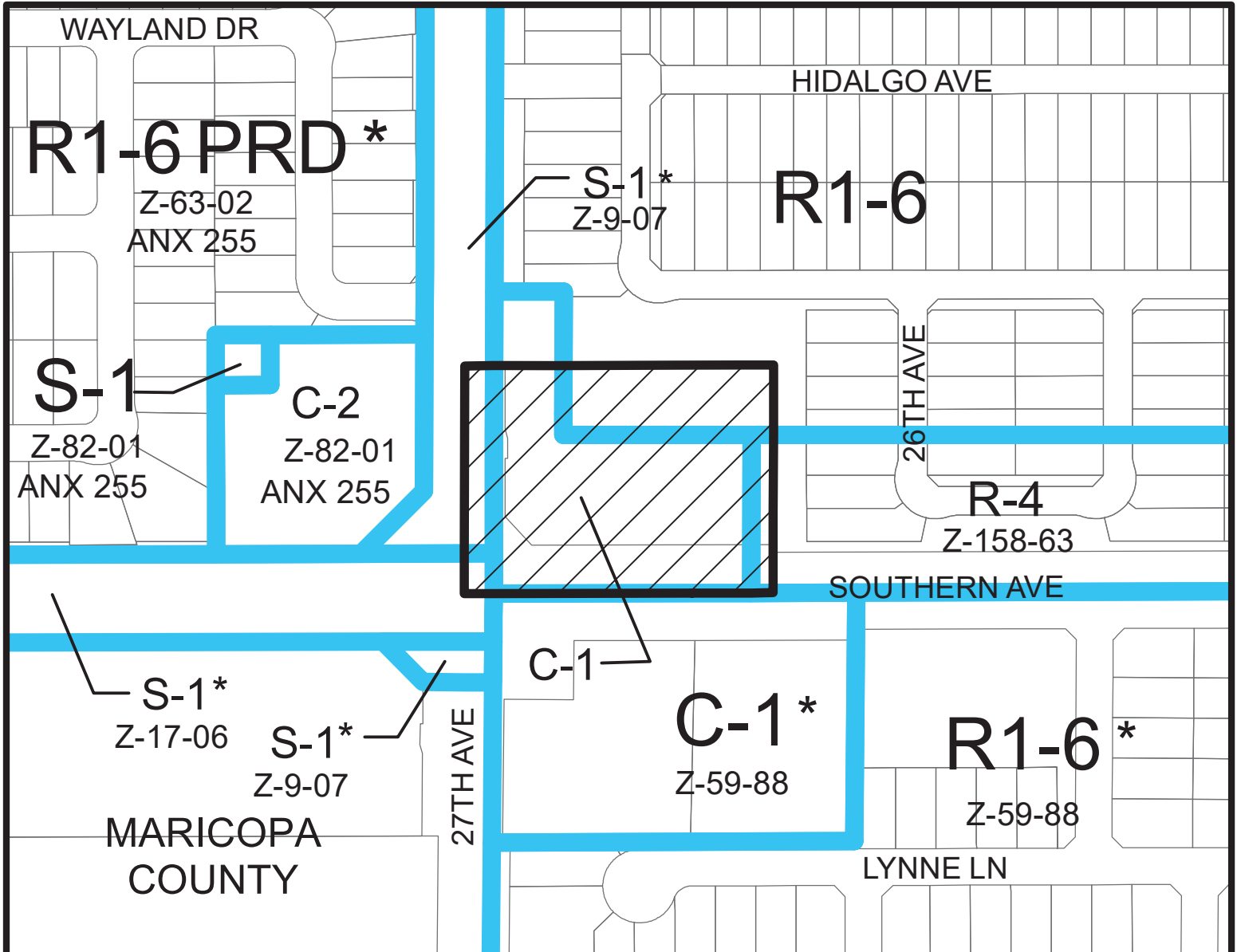
Zoning sketch map

Aerial sketch map

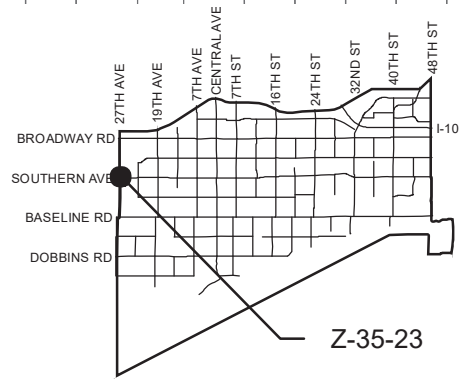
Conceptual Site Plan date stamped May 31, 2023; (2 pages)

Conceptual Building Elevations date stamped May 31, 2023; (4 pages)

Correspondence (4 Page)

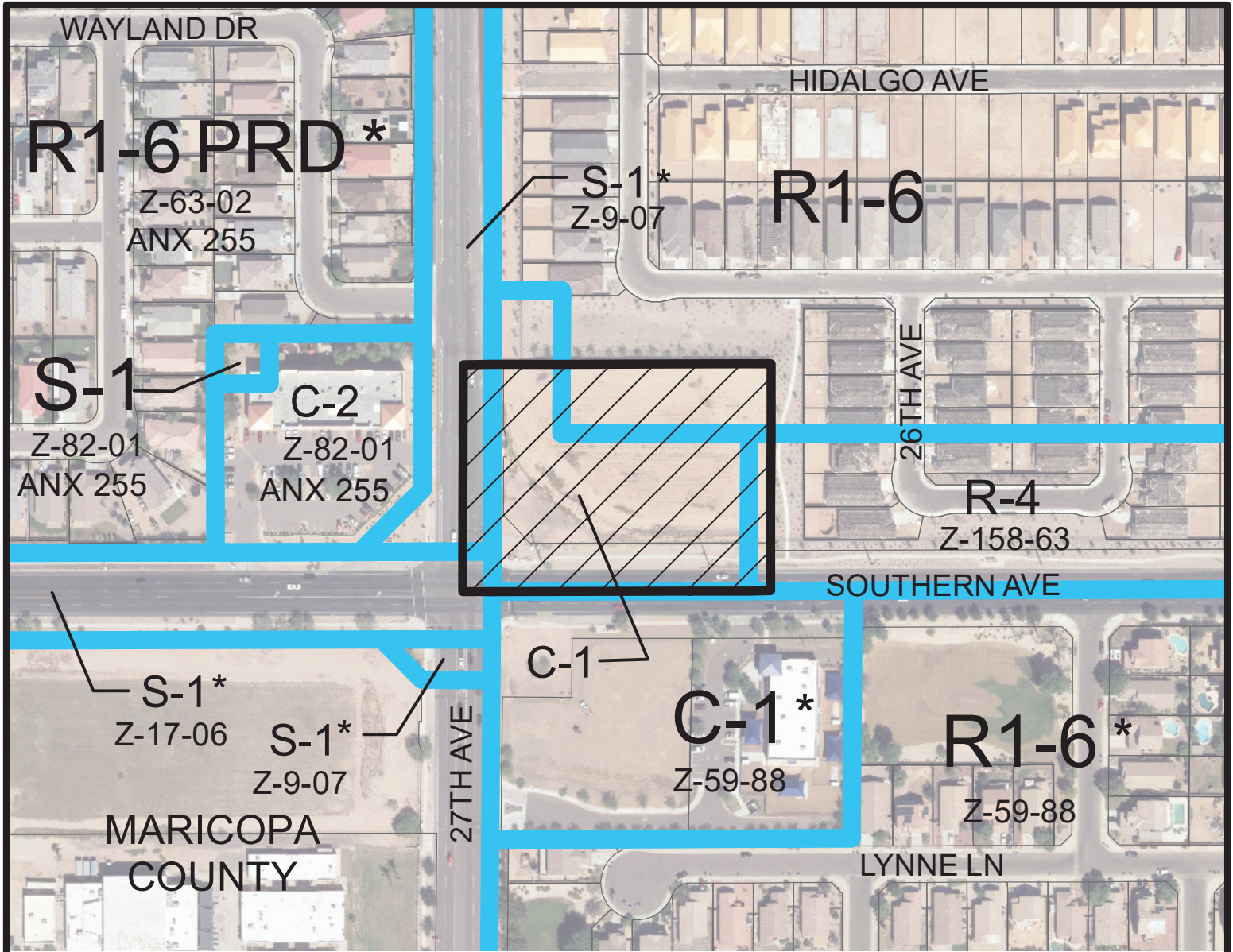


SOUTH MOUNTAIN VILLAGE
CITY COUNCIL DISTRICT: 8



APPLICANT'S NAME: Jason Morris, Withey Morris Baugh PLC		REQUESTED CHANGE:	
APPLICATION NO. Z-35-23	DATE: 6/08/2023 REVISION DATES:	FROM: S-1 (0.28 a.c.) R1-6 (0.62 a.c.) R-4 (0.15 a.c.) C-1 (1.93 a.c.) TO: C-1 (2.98 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 2.98 Acres	7/19/2023		
	AERIAL PHOTO & QUARTER SEC. NO. QS 3-23	ZONING MAP D-7	
MULTIPLES PERMITTED S-1, R1-6, R-4, C-1 C-1	CONVENTIONAL OPTION 0, 3, 4, 28 43		* UNITS P.R.D. OPTION N/A, 4, 5, 33 52

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



Miles

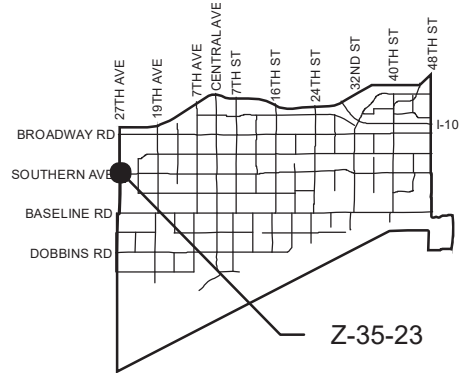
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SOUTH MOUNTAIN VILLAGE

CITY COUNCIL DISTRICT: 8



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: Jason Morris, Withey Morris Baugh PLC		REQUESTED CHANGE:	
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<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 2.98 Acres	7/19/2023		
	AERIAL PHOTO & QUARTER SEC. NO. QS 3-23	ZONING MAP D-7	
MULTIPLES PERMITTED S-1, R1-6, R-4, C-1 C-1	CONVENTIONAL OPTION 0, 3, 4, 28 43		* UNITS P.R.D. OPTION N/A, 4, 5, 33 52

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



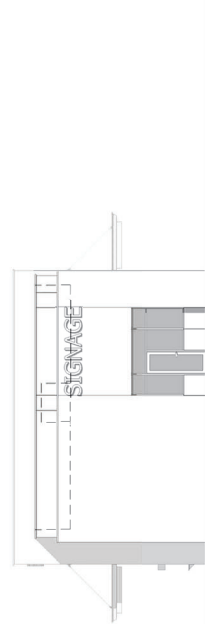
COWLEY COMPANIES

Owner/Title

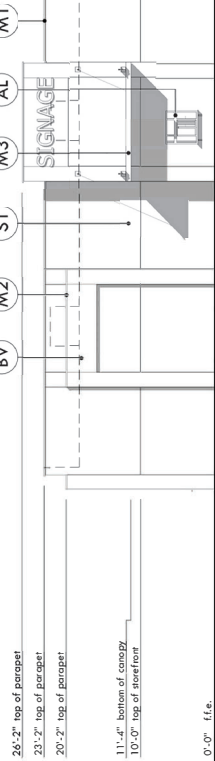
Phoenix, Arizona
NEC 27th Avenue and Southern

Materials

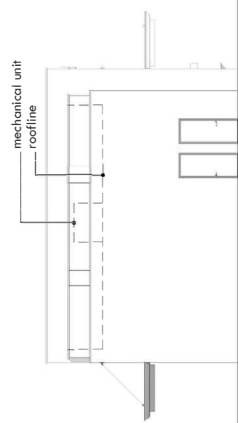
- AL aluminum store front - Kawneer - "Dark Bronze No. 40"
- BV brick veneer 2.5x8 - Eldorado Stone - "Lundia Brick "Hartford"
- S1 paint on synthetic stucco - Dunn Edwards - DE6219 "Crystal Haze"
- M1 painted steel - Dunn Edwards - DE6219 "Crystal Haze"
- M2 painted steel - Dunn Edwards - DE6035 "Wild West"
- M3 painted steel - Dunn Edwards - DE6378 "Jet"



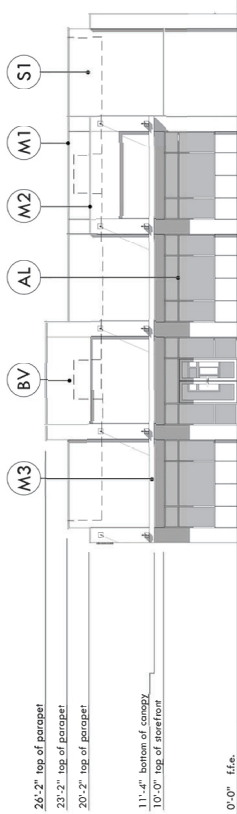
drive thru south elevation 1/8" = 1'-0"



drive thru west elevation 1/8" = 1'-0"



drive thru north elevation 1/8" = 1'-0"



drive thru east elevation 1/8" = 1'-0"

26'-2" top of parapet
23'-2" top of parapet
20'-2" top of parapet
11'-4" bottom of canopy
10'-0" top of storefront
0'-0" f.f.s.

26'-2" top of parapet
23'-2" top of parapet
20'-2" top of parapet
11'-4" bottom of canopy
10'-0" top of storefront
0'-0" f.f.s.

BYA: 231151
SDE: 231049
QS: 03/23
PAPP: 2300440

CITY APPROVALS

CITY OF PHOENIX
MAY 31 2023
Planning & Development
Department



Soil
Date: March 9, 2023
Project Number: 231
Drawn By: EJM/MS
Sheet Number

A4.3
drive thru
black & white

Note: all building windows shall have a maximum reflectivity of 20% per Stipulation #11 of Z-5.6-19.



Revisions:

▲ Development Review Set
△ BM Set
△ City Submitted
△ Construction Set

Ownership of Instruments of Service:
This drawing is not to be used or reproduced without the consent of Sui Sui Architects + Engineers, Inc. This property is held in fee simple & Planning, Inc.

FW: Z-35-23

David Urbinato <david.urbinato@phoenix.gov>

Tue 6/27/2023 10:52 AM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

Cc: Sarah Stockham <sarah.stockham@phoenix.gov>

 3 attachments (3 MB)

76230119 27th Ave PreApp Narrative.pdf; 121422-Site Plan-DSD.pdf; 23-151 PAPP 2300440 27th Ave & Southern commercial.pdf;

**David Urbinato**

Economic Development Program Manager

Ombudsman Section

Phone: 602-534-3630

City of Phoenix

► Planning & Development Department

Ombudsman Section

200 West Washington St., 3rd Floor

Phoenix, AZ 85003

pdd.ombudsman@phoenix.gov

From: David Urbinato**Sent:** Tuesday, June 27, 2023 10:49 AM**To:** Council District 8 PCC <council.district.8@phoenix.gov>**Cc:** Matthew T Miles <matthew.miles@phoenix.gov>; Elias Valencia <elias.valencia@phoenix.gov>; Brianna C Quintero <Brianna.Quintero@phoenix.gov>; Joshua States <joshua.states@phoenix.gov>**Subject:** Z-35-23

Israel, I have attached the Pre-Application report, the development narrative submitted by the developer as well as an early site plan (these can change during the rezoning process).

As of today, I don't see that any meetings on the rezoning request have been scheduled. The applicant will have to post a sign on the parcel when meetings are scheduled. I've copied the village planner on this e-mail. He'll keep this e-mail in the record.

Most of the lot is zoned C-1, which allows gas stations. C-1 is a very common zoning on corner lots like this one. This development proposes a gas station and a drive-through restaurant (see attached site plan). You can see from the aerial that the northeast and southeast corners have overlapping residential zoning from the neighboring areas. The rezoning would extend the C-1 into those areas as the hodgepodge of existing zoning on the lot makes development difficult.



David Urbinato
 Economic Development Program Manager
 Ombudsman Section
 Phone: 602-534-3630
 City of Phoenix
 ► Planning & Development Department
 Ombudsman Section
 200 West Washington St., 3rd Floor
 Phoenix, AZ 85003
pdd.ombudsman@phoenix.gov

From: Council District 8 PCC <council.district.8@phoenix.gov>
Sent: Tuesday, June 27, 2023 9:52 AM
To: David Urbinato <david.urbinato@phoenix.gov>
Subject: FW: Rezoning Efforts 27th Avenue & Southern

Hi David,

I hope all is well. I just wanted to forward this email to you that we received from a constituent who doesn't like the rezoning efforts on 27th Avenue and Southern.

Do you know will this zoning proposal go before the Council or where it is in the process? Also, do you know what gas station is interested in being placed in this area?

Sincerely,

Israel Kiyogera

Office of Councilwoman Kesha Hodge Washington

Phoenix City Council District 8
Main Office: 602-262-7493

From: Charlotte Noonan <cepinaz@gmail.com>

Sent: Monday, June 26, 2023 4:27 PM

To: Council District 8 PCC <council.district.8@phoenix.gov>; Israel Kiyogera <israel.kiyogera@phoenix.gov>; Sina Matthes <sina.matthes@phoenix.gov>

Subject: Rezoning Efforts 27th Avenue & Southern

I have been in contact through the years with various council members regarding the urban blight of the South Mountain/Laveen area with very little action to address the issues.

This rezoning effort to put a gas station at the corner of 27th Avenue and Southern is just another effort to put business above resident's needs. The last thing our neighborhood needs is a gas station on that corner! With two daycares, two schools, and multiple neighborhoods attracting families, why on earth would it even be considered to put a gas station on that corner? Please do not allow this to occur!

There is so much urban blight on 27th Avenue with a home that should have been condemned and torn down 15 years ago. The skeleton still stands and it has now become a junkyard. When I built my house in 2003, I was promised no more junk yards and this home was a working small farm at that time. Yet junkyards keep popping up along 27th Avenue, bordering the Grayson Square subdivision. I'm told council members cannot do anything about this condemned house because it's a Maricopa County island, so we just have to live with the unsightly eyesore?

The hazardous waste that is seeping into our groundwater along Broadway from the junkyards is beyond comprehension. Democrats are supposed to be about the environment and I see absolutely no movement on cleaning up those areas, making them compliant with hazardous waste regulations or better yet, removing them altogether. There are so many code violations but they just keep operating however they choose with no oversight. Hand printed signage, parking on sidewalks, blocking the street, placing junk cars by the road, etc.

The weeds and trash along Roeser Road between 27th Avenue and 35th Avenue are completely out of control. The trash is horrible. I still don't understand why Roeser does not have curbing on one part of the road. It is a very dangerous road.

Now, on a regular basis semi trucks are parking along 27th Avenue and no one does anything about it even with multiple no parking signs.

Will all that we have to tolerate in our neighborhood, please do not add more unsightly businesses to add to our urban blight. We've invested in gentrifying South Mountain, please do not impact that investment with a gas station.

Best regards,
Charlotte Noonan
602.418.4728

Case No. Z-35-23-8 Rezoning 27th Ave & Southern Residence Comments

Austin Mutschler <austinmutschler@gmail.com>

Thu 6/22/2023 7:25 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

Hello Sam Rogers,

I received a letter in the mail disclosing that Cowley Companies is attempting to re-zone the northeast corner of 27th Ave & Southern to build a gas station.

I would like it to be known that as a resident who lives on the Southeast corner of 27th Ave & Southern I am completely against the idea of a gas station being put in at this location. Many new gas stations have opened recently in the area including the Circle K on the northwest corner of 19th Ave & Southern. When these gas stations open they bring with them homeless and crime. This will make the area unsafe and undoubtedly lower property values in the area.

Besides the safety issues involved, the noise pollution would be much greater than it currently is. As someone who works from home, excess noise during the day would disrupt productivity and noise at night would disrupt sleep.

In conclusion, no re-zoning should be permitted unless it is for less disruptive uses.

Thank you,

Austin Mutschler