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FOR CITY COUNCIL PACKET
JULY 2, 2013

The July 2, 2013 Executive Session and Policy Session have been Cancelled.

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GENERAL INFORMATION

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June 21, 2013](#)
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Packet Date: July 2, 2013

CITY COUNCIL REPORT

FORMAL AGENDA

TO: City Council AGENDA DATE: July 3, 2013
FROM: Greg Stanton ITEM:1 PAGE: 1
Mayor
SUBJECT: BOARDS AND COMMISSIONS

Phoenix Arts and Culture Commission

Mayor Greg Stanton recommends the following reappointments:

Richard Arroyo

Mr. Arroyo is a retired citizen who resides in District 6 and is recommended by Mayor Greg Stanton. He will serve a second term that will expire August 30, 2014.

Gary Egan

Mr. Egan is the Deputy Director for the Phoenix Art Museum, resides in District 03 and is recommended by Mayor Greg Stanton. He will serve a third time that will expire September 30, 2014.

Robert Miley

Mr. Miley is the Founder and Executive director for Release the Fear, resides in District 7 and is recommended by Mayor Greg Stanton. He will serve a first term that will expire September 30, 2014.

Susan Shaffer-Nahmias

Ms. Shaffer-Nahmias is the Interpretive Planner for Interpretive Planning | Instructional Design, resides in District 6 and is recommended by Mayor Greg Stanton. She will serve a third term that will expire September 30, 2014.

Mayor Greg Stanton recommends the following new appointments:

Joseph Benesh

Mr. Benesh is the Director for the Phoenix Center for the Arts, resides in District 8 and is recommended by Mayor Greg Stanton. He will serve a first term that will expire July 3, 2016.

Teniqua Broughton

Ms. Broughton is the Arts Administrator/Executive Director for Act One Foundation, resides in District 4 and is recommended by Mayor Greg Stanton. She will serve a first term that will expire July 3, 2016.

Phyllis Bunch

Ms. Bunch is a retired Educator, resides in District 2 and is recommended by Mayor Greg Stanton. She will serve a first term that will expire July 3, 2016.

Susan Ehrlich

Ms. Ehrlich is a retired Appellate Judge, resides in District 3 and is recommended by Mayor Greg Stanton. She will serve a first term that will expire July 3, 2016.

Silvana Salcido Esparza

Ms. Esparza is a Chef/Restaurateur and owner of Barrio Café, Inc., resides in District 4 and is recommended by Mayor Greg Stanton. She will serve a first term that will expire July 3, 2016.

Michele Robins Goldstein

Ms. Goldstein is the Radio Announcer/Event Coordinator for KJZZ, resides in District 4 and is recommended by Mayor Greg Stanton. She will serve a first term that will expire July 3, 2016.

Geoffrey Gonsler

Mr. Gonsler was an Encore Fellow for the Arizona State University School of Public Affairs, resides in District 5 and is recommended by Mayor Greg Stanton. He will serve a first term that will expire July 3, 2016.

Edward C.H. Jenson

Mr. Jenson is the Digital Knowledge Architect for the Arizona School for the Arts, resides in District 4 and is recommended by Mayor Greg Stanton. He will serve a first term that will expire July 3, 2016.

Edward Jones

Mr. Jones is the Architect for Jones Studio, Inc., resides in District 6 and is recommended by Mayor Greg Stanton. He will serve a first term that will expire July 3, 2016.

Sarah Kriehn

Ms. Kriehn is the Artist for Sarah Kriehn Art, resides in District 6 and is recommended by Mayor Greg Stanton. She will serve a first term that will expire July 3, 2016.

Hugo Medina

Mr. Medina is a Muralist and Artist, resides in District 7 and is recommended by Mayor Greg Stanton. He will serve a first term that will expire July 3, 2016.

Regina Nixon

Ms. Nixon is the Executive Director for the Phoenix Conservatory of Music which is located in District 1 and is recommended by Mayor Greg Stanton. She will serve a first term that will expire July 3 2016.

Jenny Holsman Tetreault

Ms. Tetreault is the Executive Director for the ASU Alumni Association, resides in District 6 and is recommended by Mayor Greg Stanton. She will serve a first term that will expire July 3, 2016.

CITY COUNCIL REPORT

FORMAL AGENDA

TO: Mayor and Council Members AGENDA DATE: July 3, 2013

FROM: Penny Parrella, Executive Assistant ITEM:1 PAGE: 1
to the City Council

SUBJECT: BOARDS AND COMMISSIONS – CITY COUNCIL APPOINTEES

Ahwatukee Foothills Village Planning Committee

Councilman Sal DiCiccio recommends the following new appointment:

Kristin Middleton

Ms. Middleton is a Foreclosure Prevention Specialist for Nationstar Mortgage, resides in District 6 and is recommended by Councilman Sal DiCiccio. She replaces Michael Middleton who resigned and will serve a new term that will expire November 19, 2014.

Camelback East Village Planning Committee

Councilman Sal DiCiccio recommends the following re-appointment:

Lee Miller

Mr. Miller is an Attorney for The Law Office of Lee Miller, resides in District 6 and is recommended by Councilman DiCiccio. He will serve a term that will expire November 19, 2014.

Paradise Village Planning Committee

Vice Mayor Bill Gates recommends the following new appointments:

Toby Gerst

Ms. Gerst is a retired Superior Court Commissioner, resides in District 3 and is recommended by Vice Mayor Gates. She replaces Mark Steinbrueck who resigned and will serve a partial term that will expire November 19, 2014.

Jennifer Hall

Ms. Hall is a Land Use Project Manager for the Rose Law Group, resides in District 3 and is recommended by Vice Mayor Gates. She replaces Jon Griffin who resigned and will serve a partial term that will expire November 19, 2014.

CITY COUNCIL REPORT

FORMAL AGENDA

TO: Lisa Takata
Deputy City Manager

AGENDA DATE: July 3, 2013

FROM: Cris Meyer
City Clerk

ITEM: 41 PAGES: 76-79

SUBJECT: POLICE DEPARTMENT RECOMMENDATION FOR ONE LIQUOR
LICENSE ITEM ON THE JULY 3, 2013 FORMAL AGENDA

The attached memorandum supplements the Request for Council Action report for one liquor license item on the July 3rd Formal Council Agenda. This memorandum provides the Council with additional information regarding a Police Department disapproval recommendation for the following item:

New Business Item

- **District 7, LJH Super Mercado y Carniceria**

For further information regarding this item, please contact the City Clerk Department, License Services Section at 602-262-7003.

**POLICE DEPARTMENT RECOMMENDATION FOR ONE LIQUOR LICENSE
ITEM ON THE JULY 3, 2013 FORMAL AGENDA**

Application Information

Business Name	LJH SUPER MERCADO Y CARNICERIA	District	7
Business Location	3648 W. Southern Ave #148-149		
Applicant Name	Alma Ramos	Series Type	10

The Police Department recommends disapproval of this liquor license application for the following reasons:

- Additional reasons for disapproval include:** The applicant, Alma Ramos, currently holds a liquor license at 3449 W. Southern Ave, on a county island. She is married to Luis Alberto Hernandez Flores. Luis has an extensive criminal history that includes being arrested for Homicide, Drug Trafficking and Money Laundering between the dates of 2006 and 2012. Luis has been the subject of two major criminal syndicate investigations. These investigations developed probable cause for Luis to be charged with 50 felony counts, including Money Laundering, Narcotic and Marijuana Trafficking, Assisting in a Criminal Syndicate, and Using Electronic Communications for Drug Transactions. The most recent DEA investigation Involving Luis alleges the seizure of \$4.5 million dollars in cash and 1,000's of pounds of marijuana, cocaine and heroin. Luis was listed in a June 5th, 2013 Arizona Republic newspaper article where he was called a "kingpin in a major drug-trafficking organization" responsible for the movement of large amounts of Heroin, Cocaine and Marijuana. Alma and Luis live together.

During an initial interview, Alma denied having any associations with any illegal enterprises. She initially tried to hide her husband's past and only admitted she had knowledge of his arrests after the investigators related they were aware of his activities. Alma claimed she owned and operated her current business separate from her husband's activities. Alma explained that all of the paperwork for the business was in her name, and she provided documents to prove that assertion. This structuring, though apparently legal, does not prove that Luis is not involved in the business. It is, however, activity that is consistent with other criminal syndicates where all properties are put into the names of family members who are removed from the criminal activity in an attempt to prevent asset seizures if they are later convicted of the crimes they are committing.

During the initial interview, Alma claimed she was not associated with anyone involved in any illegal activity and attempted to hide her husband's criminal record. Later in the interview, investigators confronted her with their knowledge of Luis's criminal history. She then admitted to knowledge of Luis being arrested, but nothing more. Alma also tried to distance her current business from her husband and his activities, however, law enforcement reports paint a different picture. In 2011, Alma was kidnapped from her business shortly after opening the store. She was held for \$100,000 ransom. After she was rescued by law enforcement officers, the kidnappers were interviewed. One of the subjects related that they were sent

from California with specific orders to go to the Carniceria and collect \$100,000 from "Luis Alberto". Also, in 2011, the DEA informant who assisted in opening the most recent case against Luis for drug trafficking met Luis at the Carniceria.

Alma has misled investigators trying to cover up as to why she is moving her store. During the initial interview, when asked why she was opening a new store so close to her current store, she stated that the owner of the building was raising her lease from \$3,000 a month to \$7,000 a month. This seemed unusual to the investigator as it was a dramatic increase in rent and the quoted rate is not consistent with the condition of her current building or the area. To confirm this suspicion, investigators contacted the current landlord who related he never discussed raising her rates. He stated that Alma was consistently late with her rent and he was always getting notices from the county about all of the cars being illegally listed for sale on the property so he issued her a notice of eviction. The eviction is effective the end of July 2013. During a follow up interview, Alma altered her statement, relating that she was being evicted, but she continued to claim the owner was trying to raise her rates to \$7,000 a month.

Alma claims Luis is unemployed except for his work with her horses. She also claimed he makes no money except what she gives him from the proceeds of her horse racing business. Public records show the legal proceeds from her horse racing business as only \$13,602 from 2008 – 2013. Alma also claims that the only vehicle Luis has available to drive is a van that she does not have registered yet. However, MVD records show that Luis currently has a 2009 Dodge 1 ton pickup and a 1998 Chevy 1 ton pickup and a 2011 Chevy half ton registered in his name.

During both interviews with Alma, she has provided false or misleading information in an attempt to hide her husband's criminal records, and to explain her current business situation. She has a close association with an alleged major drug dealer which has brought violent crime not only to herself, but to her business. For these reasons I respectfully request that her application for a Series 10 Liquor License be denied.

This recommendation for disapproval is submitted by:

SIGNATURES	
Investigating Detective	Det. Shon Washburn #7786
Liquor Enforcement Detail Supervisor	Lt. Gallagher

CITY COUNCIL REPORT

FORMAL AGENDA

TO: Rick Naimark
Deputy City Manager

AGENDA DATE: July 3, 2013

FROM: Tim Valencia
Youth and Education Manager

ITEM: 48 PAGES: 93-94

SUBJECT: BACK UP TO JULY 3, 2013 FORMAL AGENDA - YOUTH AND
EDUCATION COMMISSION

This memo provides backup information to July 3, 2013 Formal Agenda Item 48, Pages 93-94 regarding revisions to the ordinance governing the Youth and Education Commission as recommended for City Council approval by the Downtown, Aviation and Redevelopment Subcommittee on June 18, 2013.

BACKGROUND

In 2003, the Phoenix Youth and Education Commission merged three governing bodies: the Phoenix Education Commission, Phoenix Youth Commission, and the Educational Access Governing Board.

In 2010, due to budgetary constraints, the Youth and Education Office was dissolved, and the Youth and Education Commission became inactive.

In June 2012, the City Council approved a Youth and Education Manager position to oversee the coordination and delivery of youth and education services citywide. A high priority of the newly formed Youth and Education Office has been to recruit and reengage the Youth and Education Commission. As a part of this effort, staff is recommending a number of changes to the Ordinance which establishes the Commission. These changes include adding a post-secondary education representative and reducing the Commission size from 25 to 17.

THE ISSUE

The Youth and Education Office is currently seeking individuals interested in advising the Mayor, City Council, and City management on how to enhance educational strategies and positive youth development approaches within City programs and the community.

The re-vamped Youth and Education Commission would be comprised of no more than seventeen members from local businesses, youth-serving organizations, secondary/postsecondary institutions, and the Arizona Department of Education. The Commission members would include one youth appointed from each council district and one youth appointed by the Mayor, to assist in advising the City on opportunities and challenges relating to youth. The goals of the Commission include:

- Creating and strengthening partnerships and communication between the City and secondary/postsecondary institutions
- Assisting in establishing policies, developing educational initiatives, and securing resources for school readiness, high school transition to postsecondary education, and career readiness
- Providing quality educational television programming targeted to educators, youth, and learners of all ages

Newly appointed commission members will begin meeting in the fall to develop a new vision, mission, and strategic plan for the next three years.

The Downtown, Aviation and Redevelopment Subcommittee recommended approval of this item on June 18, 2013.

RECOMMENDATION

This report is for information only.

CITY COUNCIL REPORT

FORMAL AGENDA

TO: Ed Zuercher
Assistant City Manager

AGENDA DATE: July 3, 2013

FROM: Ginger Spencer
Special Assistant to the City
Manager

ITEM:135 PAGE: 188

SUBJECT: BACK UP INFORMATION TO JULY 3, 2013 FORMAL AGENDA - FISCAL
YEAR 2013-2018 PUBLIC ART PROJECT PLAN

This report provides back up information to Item 135 on the July 3, 2013 City Council Formal Agenda.

THE ISSUE

The ordinance establishing the City's Percent-for-Art Program was adopted in December 1986, and requires the Phoenix Arts and Culture Commission to submit an annual Public Art Project Plan prior to May 1st in advance of each new fiscal year. The ordinance allows for one percent of funding from City Capital Improvement Program projects to be invested in public art to enhance the design and experience of public infrastructure, buildings, and spaces.

The proposed Fiscal Year (FY) 2013-2018 Public Art Project Plan has been developed by the Phoenix Office of Arts and Culture staff in consultation with the City Council, City departments, and community involvement.

The \$9,992,909 plan includes 60 public art projects. It follows the priorities established in the Phoenix Public Art Program Master Plan, which designates a wide variety of opportunities for art to improve public infrastructure throughout Phoenix, and includes goals for involving Arizona artists in the work.

OTHER INFORMATION

New Projects

The proposed FY 2013-2018 Public Art Project Plan includes three new projects totaling \$278,000. They are the North 32nd Street Improvement, 107th Avenue Streetscape, and Desert Sky Transit Center. The three projects were developed in response to community requests to integrate public art as part of the City's on-going multi-departmental efforts to improve streetscapes and transit facilities for increased pedestrian safety and comfort. Previous examples include the award-winning Baseline Road Streetscape Public Art Project and the recent addition of artist-designed shade structures at new Phoenix Transit Department Park-and-Ride locations, and bus shelters along 67th Avenue. The proposed new projects are listed as the first projects with the requested FY 2013-2018 allocations in Attachment A.

Continuing Projects

The 57 continuing projects in the proposed FY 2013-2018 Public Art Project Plan have a total budget of \$9,714,909. They are listed with requested FY 2013-2018 allocations in Attachment A.

Arizona Artist Involvement

In previous years, the Phoenix Arts and Culture Commission has recommended a minimum goal of involving Arizona artists and designers in 55 percent of art plan projects. While Arizona artists and designers are eligible and encouraged to compete for all projects, 57 percent (29 of the 51 projects that will involve hiring artists and contractors) of the projects in the proposed FY 2013-18 Art Plan either currently involve Arizona artists and design professionals, or are expected to involve Arizona professionals.

Public Involvement

Public involvement is critical to the success of Percent-for-Art projects. Neighborhood organizations, village planning committees, schools, and City departments are included as important participants in the public art process. The Office of Arts and Culture staff works closely with the Mayor and City Council offices, and numerous City departments to ensure that neighborhoods affected by an art project are included in the conceptual stage as well as the project's development.

PROGRAM CONTEXT

The proposed FY 2013-2018 Public Art Project Plan includes \$278,000 in new projects and \$9,714,909 in continuing projects, for a total budget of \$9,992,909. This total is approximately 15 percent less than the current FY 2012-2017 Public Art Project Plan.

The Phoenix Arts and Culture Commission approved this item on April 17, 2013. The Parks and Arts Subcommittee reviewed this item on June 12, 2013 and recommended approval.

RECOMMENDATION

Staff requests City Council authorization of the Phoenix Office of Arts and Culture FY 2013-18 Public Art Project Plan.

Attachments

Attachment A

Proposed FY 2013-18 Public Art Plan

<u>New Projects</u>	<u>Total 13-18</u>
<i>North 32nd Street Improvement</i>	158,000
<i>107th Avenue Streetscape</i>	100,000
<i>Desert Sky Transit Center</i>	20,000
<u>Continuing Projects</u>	
7 th Avenue and Melrose Curve	59,160
16 th Street & Bethany Home Road Streetscape	36,119
24 th Street & Baseline Road Park & Ride	51,000
32 nd Street Retrofit/Grand Canal	53,115
56 th Street Reservoir Streetscape	100,000
67 th Avenue Bus Shelters & Streetscape	88,000
Arizona Falls	35,200
Arterial Canal Crossings	347,557
Artists Initiative V Temporary Projects	54,417
Avenida Rio Salado/Broadway Road Streetscape	751,062
Aviation Portable Works Collection	120,000
Bola Tie Installation on Washington Street	35,000
Buckeye Road Streetscape	107,000
Connected Oasis	60,000
Cultural Voices--Arizona Artists	40,000
Deer Valley Water Treatment Plant Wall and Streetscape	233,000
Downtown Civic Space	13,791
Fire Station 55	107,000
Fire Station 74	120,000
Gimme Shelter Urban Shade	515,368
Grand Canal at Central Avenue	105,000

<u>Project Description</u>	<u>Total 13-18</u>
Harmon Branch Library	35,000
Hatcher Road Streetscape	138,634
Highline Canal at Circle K Park	10,000
Historic Phoenix Landmarks II	11,114
Isaac Streetscape II	65,000
Kuban Park II	29,000
La Pradera Park	257,880
Lift Station Projects	122,908
Light Rail Corridor	250,000
Matthew A Henson/Hope VI Housing Project	10,000
North Transfer Station Recycling Phase III	85,000
Park at 32 nd Avenue & McDowell Road	204,234
Phoenix Biomedical Campus	387,449
Pinnacle Peak Water Reservoir	116,000
Pioneer Living Heritage Village	120,000
Police Precinct Station 700	230,179
Police Precinct Station on Greenway Road	186,780
PSHIA Public Art Master Plan	86,000
PSHIA Phx Sky Train	30,000
PSHIA Phx Sky Train 44 th Street Station Interior	12,765
PSHIA Phx Sky Train Terminal 3 Station Platform	50,185
PSHIA Terminal Redevelopments	846,365
Public Works 27 th Avenue Solid Waste Management Facility	302,412
Pueblo Grande Entrance & Streetscape	1,802,437
Rio Salado Enhancements	117,053
Roosevelt Street Improvements	395,500
Skunk Creek Recreational Area	81,060
Sonoran Boulevard	10,000

South Mountain Library / Western Canal	70,000
Southwest Family Service Center	87,263
SR 51 Artwork Refurbishment	178,565
Street Views	34,557
Thomas Road Overpass Artwork Refurbishment	50,000
Tres Rios Wetlands	20,000
Washington Park Tennis Center	242,000
Water Public Art Plan	7,780
Grand Total	\$9,992,909

CITY COUNCIL REPORT

FORMAL AGENDA

TO: Rick Naimark
Deputy City Manager

AGENDA DATE: July 3, 2013

FROM: Derek D. Horn
Acting Planning & Development
Director

ITEM: 140 PAGES: 192-193

SUBJECT: BACKUP TO JULY 3, 2013 FORMAL AGENDA - APPEAL OF HISTORIC PRESERVATION COMMISSION DECISION ON A CERTIFICATE OF APPROPRIATENESS FOR 333 WEST CORONADO ROAD – APPLICATION HPCA 1200001

This report provides back-up information on Item 140 on the July 3, 2013 Formal Agenda.

THE ISSUE

The property owner has appealed the Certificate of Appropriateness (CoA) decision made by the Historic Preservation Commission (HPC) to the City Council because he wants approval for his entire project, including construction of a new front driveway curb cut and front driveway, and removal of one Mexican Fan palm in the right-of-way (ROW) on Coronado Road.

OTHER INFORMATION

Application

On March 18, 2013 the city of Phoenix Historic Preservation Office (HP) received a CoA application (HPCA 1200001) from Thomas Lenhardt, a representative for the property owner, Robert Russo. The application proposes to:

1. Construct an addition to the detached rear garage;
2. Expand an existing side driveway curb cut on 5th Ave. to access the new garage addition;
3. Construct a new front driveway curb cut and front driveway made with pavers that will partially dead-end at the front façade of the house;
4. Remove one Mexican Fan palm in the ROW on Coronado Road where the new front driveway will be located; and
5. Install four gates into the backyard, and a new concrete strip for parking in the back yard.

Historic Preservation Hearing Officer

On April 11, 2013, a public hearing was held by the HP Hearing Officer. The staff report recommended approval of the application subject to stipulations. The hearing officer

approved the project with stipulations modified from those recommended by staff. The hearing officer found that a front driveway curb cut and a front driveway that partially dead-ends at the front of the house are not typical of corner lot properties in the Willo Historic District. Historically, in cases where front driveways exist at corner properties, they either extend along the side of the house to a detached garage in the rear yard or lead to a garage that is located under the main house roof. The hearing officer also found that there is no historic or current pattern of palms in the ROW on this segment of Coronado Road, but, because the front driveway curb cut and front driveway were not approved, it was unnecessary to remove one palm.

Historic Preservation Commission

The property owner appealed the decision to the HPC because he seeks approval of all proposed work, which was also recommended by staff including the staff stipulations. The staff report and presentation materials for the HPC hearing are attached (Attachments A and B). On May 20, 2013, the HPC conducted a public hearing, voted 4-3 to uphold the decision of the HP Hearing Officer, and agreed with the findings of the hearing officer. The Commission also found that the amount of land proposed for parking that would be visible from Coronado Road and 5th Avenue is incompatible with the historic setting in the Willo Historic District. The HPC approved the application subject to same stipulations approved by the HP Hearing Officer:

1. That there be no new driveway cut or new driveway, and no removal of one palm in the Right-of-Way on Coronado Road; and
2. That the new driveway cut on 5th Avenue for the garage addition be concrete to match existing driveway cuts and that the new driveway between the sidewalk and garage on 5th Avenue be visually distinguishable from the adjoining concrete driveway by using a different surface, colored concrete or other technique to break up the appearance of a wide expanse of concrete; and
3. That if the sidewalk on 5th Avenue is damaged by the construction of the new driveway and curb cut, that it be replaced and that the new sidewalk panels match the width, joint, and scoring patterns of the existing sidewalk.

POSSIBLE ACTIONS

The City Council may uphold, modify or reverse the decision of the HPC.

RECOMMENDATION

This report is for information only because this is an appeal to the City Council through the “quasi-judicial” hearing process.

Attachments:

- A. Staff Report
- B. HPC Presentation Materials

Attachment A: Staff Report



STAFF REPORT

To: City of Phoenix Historic Preservation Commission

From: Liz Wilson, Historic Preservation Planner

Subject: Appeal of Hearing Officer's Decision – Application HPCA 1200001
333 W. Coronado Rd.

This report requests that the Historic Preservation Commission approve the exterior work proposed in Certificate of Appropriateness (CoA) application no. HPCA 1200001, subject to stipulations recommended by HP staff, and to partially reverse the decision rendered by the Historic Preservation Hearing Officer.

Background

This is an appeal of the hearing officer's April 11, 2013 decision in CoA case number HPCA 1200001 for exterior work at 333 W. Coronado Rd. in the Willo Historic District. The appeal was filed on April 11, 2013 by the property owner, Robert Russo.

The subject property consists of a residential corner lot measuring approximately 60' x 123' with a one-story, single-family ranch style residence constructed in 1941 and a detached garage at the rear, accessible from a driveway off 5th Avenue. See the attached Historic Property Inventory Form for additional information. Since the inventory form was prepared, the original steel casement windows have been replaced with vinyl sliding and single-hung windows; the original opening sizes were not altered. Originally, the house was probably an unpainted red brick; it is now painted, but the mortar joints, bricks and their row-lock installation method remain visible. The original wood shingles on the roof have been replaced with asphalt shingles. Both the house and garage are classified as contributing to the Willo Historic District.

The applicant proposes to complete the following exterior work:

1. Construct a 14' wide x 21' deep garage addition to the north side of the existing detached rear garage with its front façade located 1' back/east of the front façade of the existing garage as seen from 5th Ave., and with a hipped roof form and 12' ridge height to match the existing garage; and to
2. Expand the existing concrete driveway from 5th Ave by 13'6" to access the new garage addition, increasing the overall driveway width off 5th Ave. to about 33'; and
3. To expand the existing concrete radius style vertical curb-cut to access the new driveway and garage on 5th Ave. to a total width of approximately 38' at the street; and to
4. To install a new 13'6' wide x 39' long concrete paver driveway (from sidewalk to front of house) in the front yard; and to
5. Create a new radius concrete curb-cut at the east edge of the lot on Coronado Rd. that would be approximately 22' at its widest and 13'6" at its narrowest point for access to the new driveway; and

6. Remove one Mexican palm tree in the right-of-way (ROW) to allow for the new Coronado Rd. driveway cut; and to
7. Install a 7' wide pair of gates at the east side of the house, located 3' back/south of the front NE house corner, which would open to a new 8' concrete slab that would extend to the rear fence with a new 3' wide gate off the alley, and a 10' wide pair of gates located at the north edge of the new driveway off 5th Avenue.

At the CoA hearing staff's recommendations and the Hearing Officer's decision were as follows:

Proposed Work	Staff Recommendation	Hearing Officer Decision
1. garage addition	Recommended approval as proposed	Approved as proposed
2. expanded driveway off 5 th Ave	Recommended approval as proposed	Approved with stipulation that the new driveway be visually distinguishable from the adjacent concrete driveway by use of a different surface, colored concrete, or other technique
3. expanded curb-cut off 5 th Ave	Recommended approval as proposed	Approved as proposed
4. new brick paver driveway in front yard	Recommended approval as proposed	Denied
5. new curb-cut off Coronado Rd.	Recommended that curb cut be reduced to a maximum of 16' at the widest point of the radius and 11' at its narrowest point (adjacent to the sidewalk)	Denied
6. Remove palm tree in ROW on Coronado Rd.	Recommended approval as proposed	Denied
7. Install new gates & concrete pad in backyard	Recommended approval as proposed	Approved as proposed
Not in scope of work	Recommended that any damaged sidewalks be replaced in-kind	Approved as recommended by staff

Three Willo residents sent e-mails in opposition to some or all of the proposed work. These comments are attached.

Findings

The work generally appears to meet the Standards for consideration of a Certificate of Appropriateness as set forth in Section 812.D of the Zoning Ordinance. The Standards state that "the proposed work will be compatible with the relevant historic... or architectural qualities characteristic of the structure, site, or district and shall include but not be limited to elements of size, scale, massing, proportions, orientation, surface textures and patterns, details, and embellishments and the relation of these

elements to one another. The Standards also require “conformance with the guidelines approved by the HP Commission.” *General Design Guidelines for Historic Properties* were adopted by the HPC on February 26, 1996.

The garage addition is sited appropriately — in the rear yard with access from the 5th Avenue — following the historic pattern of detached garages on corner lots in the neighborhood. Even though the garage addition will result in a three-bay garage, which staff acknowledges is larger than the historic garages generally found in the neighborhood, there are other examples in the district of additions to side-street garages. Also, the new garage addition will appear subordinate to the historic garage because it will be recessed 1’ back/east from the front façade of the original garage and will be almost 5’ narrower than the original double-bay garage, which is 18’8” wide. The offset will help to break up the overall massing of the new, larger garage. The materials proposed for the new garage addition—frame wood, sand finish stucco, and dimensional asphalt shingles, etc.—are compatible with the historic garage and with other original garages found in the historic district yet are still reflective of modern construction.

Of the 118 corner lot properties in Willo, 89 originally had rear garages that were accessed by a single or double-wide driveway off of either 3rd or 5th Avenues. Staff finds that at least ten of these driveways and curb cuts have been expanded to accommodate three or more vehicles. Staff also finds that some of these side-street driveways now dead-end into a fence or building wall because the original garages have been demolished or converted to living space. There have been other alterations to the historic streetscape along 3rd and 5th Avenues as well, including the removal of landscaping in the right-of-way and the addition of traffic-calming devices such as roundabouts, medians, and new sidewalks.

Staff does have some concerns about the proposed front driveway cut and new driveway on Coronado Rd. since the majority of these corner properties (approximately 75%) historically had only a side driveway, with access to the garage from either 3rd or 5th Avenues, and an additional 14% had no driveway at all because the detached garage was accessed off an alley. However, staff analysis does reveal some precedent for the existence of front yard driveways on corner lots in the Willo Historic District. There are 13 corner properties (11%) that do have a front driveway and among these are two houses that originally appear to have had both front and side driveways as proposed in the current case. Six of the front driveways on corner lots appear to be original and the other seven were later additions. In most cases, the front driveway provides access to parking at the side or rear of the house although a couple of the front driveway additions do partially dead-end into the front of the house. There are also a few other examples of interior lot houses with front driveways that now dead-end into the house due to alterations to the original carport or garage at these properties.

Staff does find that the proposed location of the front driveway on the east side of the lot follows the prevailing pattern in the neighborhood and on this block, where the majority of front yard driveways are located at east edge of their respective lots. While it would better fit the pattern if the new front driveway lead to side or rear parking access, staff finds that 8’ of the new driveway will lead to the sideyard, leaving a 5’5” wide portion that will end at the house. Staff finds that the visual impact of the new driveway on the setting will be minimized by use of reddish-brown concrete pavers instead of poured concrete because it will better visually blend into the landscape and will help to distinguish it as a later addition.

Staff has concerns about the width of the proposed front yard driveway cut (13’6” at its narrowest and 22’ at its widest) because it is wider than the typical front yard driveway cuts found in the

neighborhood. The width of the driveway cuts for the two houses across the street and the house next to this one vary from 9' to 12' at their narrowest point and from approximately 13'6" to 16'6" at their widest. To better conform to historic driveway cut patterns in the neighborhood staff recommends that the width of the cut be reduced so that it is no wider than 11' where it is adjacent to the sidewalk and no wider than 16' at the outer edge of the radius at Coronado Rd. (staff is not recommending that the actual driveway be reduced from 13'6" to 11' since the driveway will be built with colored concrete pavers as discussed above).

While initially concerned about removal of one Mexican fan palm in the right-of-way where the new driveway cut is proposed, staff finds that it will not adversely affect the streetscape because there is no prevailing pattern of palm plantings on this block. A review of aerial photos from 1949, 1957 and 1959 shows that historically there was never a prevailing pattern of palms in the right-of-way on this block of Coronado. Those palms that do still exist are mostly California fan palms, which have wider trunks and are shorter than Mexican fan palms.

In spite of the proposed alterations, staff finds that the house would still be considered a contributor to the Willo Historic District and that the historic status of the district would not be threatened by approval of this work. However, to minimize the impact to the historic neighborhood setting and better fit with historic neighborhood patterns, staff recommends that the Coronado Rd. curb-cut be reduced in width.

Recommendation

Based on the findings above, staff recommends that the Historic Preservation Commission approve HPCA 1200001 with the following three stipulations: that the driveway cut on Coronado Rd. be reduced in width to a maximum of 16' at the widest point of the radius and 11' at the narrowest point; and that the new driveway (but not the driveway curb cut) on 5th Avenue be constructed with the same concrete paver materials proposed for the front driveway; and that any sidewalks damaged during construction be reconstructed in-kind to match the width, scoring, and joint patterns of the existing adjacent sidewalks.

Attachments: Historic Property Inventory Form
 E-mail comments from three neighborhood residents
 Photos

"HISTORICAL BUILDING FORM"

SHPO INVENTORY NO. _____

ARIZONA STATE HISTORIC PROPERTY INVENTORY

INVENTORY NUMBER: 47

SURVEY AREA NAME:

WILLO-Alvarado

HISTORIC NAME:

Herman H. Stein House

ADDRESS: 333 W. Coronado

CITY/TOWN: Phoenix, Arizona

TAX PARCEL NUMBER:

OWNER:

OWNER ADDRESS:

USGS QUAD: Phoenix

T__ R__ S__ / __ 1/4 OF THE __ 1/4

UTM: n/a

DESCRIPTION: (cont'd)

ROOF TYPE: Hip, with ventilators

ROOF SHEATHING: Wood Shingle

EAVES TREATMENT: Cornice Molding

HISTORIC USE: Residential

PRESENT USE: Residential

BUILDING TYPE: House

STYLE: Period Revival

CONSTRUCTION DATE:

1941

ARCHITECT:

BUILDER: W. C. Stacey

INTEGRITY: Unaltered

WINDOWS: STL-CMT 4/LF

WINDOWS: STL-CMT 3/LF

ENTRY: Central, Recessed

Wood Panel

PORCHES: Canopy

Shed

STOREFRONTS:

NOTABLE INTERIOR:

OUTBUILDINGS: Garage

Similar Style, Contributing

ALTERATIONS:

CONDITION: Good

DESCRIPTION

STORIES: 1

DIMENSIONS: (L) (W)

STRUCTURAL MATERIAL:

Brick

FOUNDATION MATERIAL:

Concrete

WALL SHEATHING: Brick

APPLIED ORNAMENT:

Wood shutters at doors

PHOTOGRAPH:

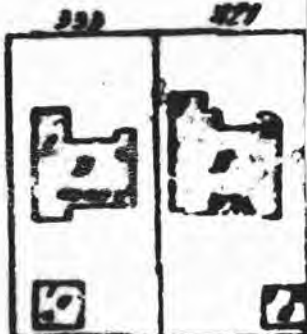
PHOTOGRAPHER: Mike Hamberg

DATE: January, 1989

VIEW: South

NEGATIVE NUMBER: WA- 2-28

ADDITIONAL ALTERATIONS:



ADDITIONAL DESCRIPTION/ANALYSIS (annotated form):

This property does retain sufficient integrity of design to convey its historical identity.

EXPLANATION:

SIGNIFICANCE: COMMUNITY PLANNING AND DEVELOPMENT

CONTEXT:

Trends and patterns of Residential Subdivision Development in Phoenix, 1920 to 1940.

SEE PAGE OF REPORT

RELATIONSHIP:

Relates to infill development of subdivision associated with late 1930's building boom.

SIGNIFICANCE:

CONTEXT:

SEE PAGE OF REPORT

RELATIONSHIP:

SIGNIFICANCE: ARCHITECTURE

CONTEXT:

The evolution of residential architectural styles and building technology in Phoenix, 1920 to 1940.

SEE PAGE OF REPORT

RELATIONSHIP:

Example of typical early 1940's house design based on French Provincial period revival style. Bay window, hip roof, cornice molding, and large chimney are elements of style.

ASSOCIATED WITH SIGNIFICANT PERSON(S):

CONTEXT: residential street

BIBLIOGRAPHY/SOURCES:

AR 10/5/41

LISTING IN OTHER SURVEYS:

NATIONAL REGISTER STATUS:

RECOMENDATIONS THIS SURVEY: eligible in historic district, contributing

COMMENTS:



Bradley Brauer
<brad@b3re.com>
04/11/2013 08:52 AM

To Elizabeth Wilson/DSD/PHX@PHXENT
cc
bcc
Subject Fwd: Info Request

Liz - additional comments from neighbors attached. I will not be able to attend, but would appreciate an email regarding the outcome of this application.

Brad

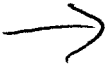
Bradley B. Brauer, Associate Broker
ABR, CRS, GRI. e-PRO
HomeSmart Elite Group
Phoenix, AZ
P) 602.690.1400
mailto:Brad@B3RE.com
www.B3RE.com

----- Forwarded message -----

From: <contact@willohistoricaldistrict.com>
Date: Wed, Apr 10, 2013 at 12:54 PM
Subject: Info Request
To: brad@bradbrauer.com

email: sbendalin@393palm.com
name: Sherman Bendalin
phone: 602-254-7560

msg: I hope you got my message yesterday about the Historic District hearing tomorrow regarding 333 West Coronado. I am opposed to the driveway, curb cut, and tree removal part of the request. We, my spouse and I, are fearful about what will happen to those modifications when the house turns again, as it has several times since we have lived in Willo. Besides, the current residents have done nothing to cooperate with the ambiance of the neighborhood since moving in; the grass is dead, one of the trees along 5th Ave. is gone, and a peek into the backyard shows they have done nothing too maintain it. I have conveyed these thoughts to the application monitor at the City, and hope someone from the District Board will likewise object. Thank you. Sherman and Evey Bendalin





flower8686@aol.com
04/10/2013 10:02 PM

To brad@b3re.com, Elizabeth Wilson/DSD/PHX@PHXENT
cc dick@couplecare.com, dleek@cox.net,
jbliss@cavanaghlaw.com
bcc

Subject Re: 333 W. Coronado Road

Hi Brad,

→ I had a look at 333 W. Coronado and read the hearing request. I agree with your assessment that these requests are not permissible. Another thing that I noticed is that the garage request will not meet setback requirements.

See you tomorrow,

Marilyn

-----Original Message-----

From: Bradley Brauer <brad@b3re.com>
To: elizabeth.wilson <elizabeth.wilson@phoenix.gov>
Cc: Richard Staats <dick@couplecare.com>; Leslie Stackpole <dleek@cox.net>; jbliss <jbliss@cavanaghlaw.com>; Rendon, Marilyn <flower8686@aol.com>
Sent: Wed, Apr 10, 2013 11:21 am
Subject: 333 W. Coronado Road

→ Liz - we spoke last week about the variance request at 333 W. Coronado Road, in the Willo Historic District.

I do oppose the removal of the palm tree to create a drive way. The palm trees are a symbol in the neighborhood and are protected by historic overlay - historic preservation needs to step up and keep these requirements in place. There are two perfectly placed in the city easement and they should remain. A drive way in the front was not the design of the house and would detract from the house itself. The property appears to have a two car garage in the back, which is not common in the district but a nice thing to have. To add an additional 14' x 21' garage and a driveway would detract from the home and add a "garagescape" design common in new home build homes, not an historic district. I think the property is too small for what this applicant wants to do and puts too much improvement/buildings on the property, leaving little yard space which is more appropriate for the neighborhood. While this may appeal to this particular owner, it will have little appeal to the neighbors and future residents. Some other neighbors on the street have expressed these same concerns, along with the fear that a front driveway would provide parking for RV type vehicles that move rarely and are an eyesore. As we do not have a home owners association in these neighborhoods with governing CC&R's we do depend on the city to protect the historic character and integrity of the area. Removing the palm trees sets a bad precedent that we don't want to become common, nor adding garagescape type elevations to this neighborhood. Neither of which would protect the integrity or character. The above opinions are mine alone as a long time resident of Willo.

Thank you,

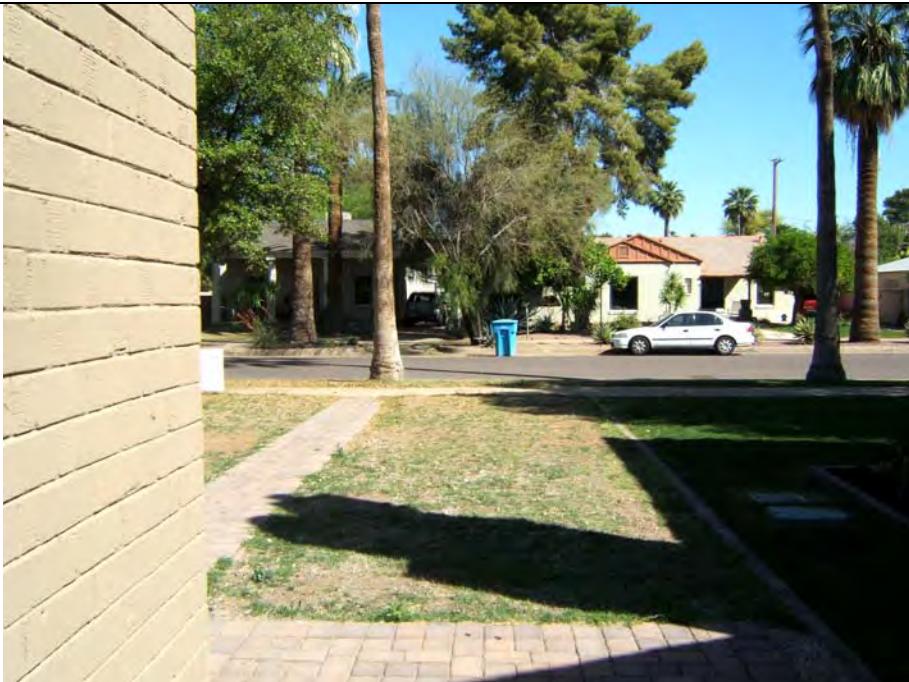
Bradley B. Brauer, Associate Broker
ABR, CRS, GRI. e-PRO
HomeSmart Elite Group
Phoenix, AZ
P) 602.690.1400
mailto:Brad@B3RE.com



View facing S/SW: front and east side of historic house



View facing south: location of proposed Coronado Rd. driveway and curb cut and palm to be removed



View facing north: proposed Coronado Rd. driveway to be located here and built with pavers seen in walkways



View facing S/SE: house with detached garage at rear



View facing N/NE: detached rear garage and house



View facing west: garage addition to be constructed on north side of existing garage



View facing east: existing garage – the new driveway and garage addition to be located north of existing driveway and garage



View facing S/SW: general area where garage addition to be built



View facing north: location of proposed 8' wide concrete slab in back yard



View facing east: Coronado Rd. streetscape (subject property to right)



View facing west: Coronado Rd. streetscape (subject property to left)



View facing W/SW: streetscape in front of subject property; palm in foreground to be removed



Corner house across the street from subject property at 3rd Ave & Coronado Rd. with original front driveway (driveway is 9', flare is approx 13'6")



Corner house at 334 W. Palm Lane with original front driveway (original garage under main roof has been converted to living space)



Corner house with front driveway addition at 3rd Ave. & Windsor Ave.



Corner house with original front driveway cut and front driveway addition at 5th Ave & Holly St.



Corner house with carport addition and new side driveway at 3rd Ave. & Monte Vista Rd.



Corner house with garage addition and driveway expansion at 3rd Ave. & Holly St.



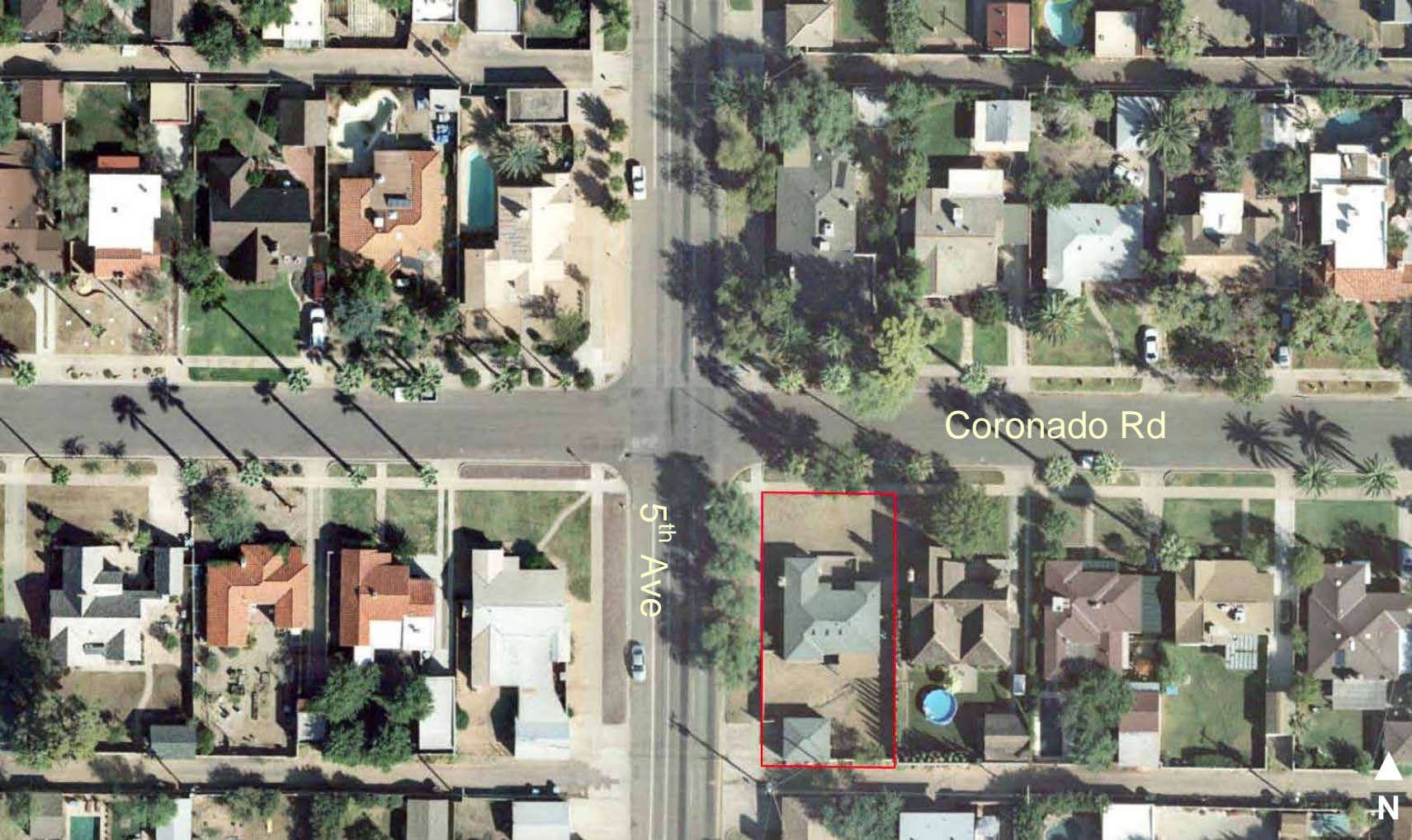
Corner house with curb cut expansion at 5th Ave. & Encanto Blvd.



Corner house with curb cut expansion at 3rd Ave & Encanto Blvd.

Attachment B: Historic Preservation Commission Presentation Materials

333 W. Coronado Rd. Aerial



WEST CORONADO RD.

REMOVE EXIST. PALM

EXIST. TREE

EXIST. CURB

EXIST. 5' SIDEWALK

EXIST. PALM

H.C. RAMP

EXIST. 3" CURB

REMOVE EXIST. 3'-0" PAVERS WALK

REMOVE EXIST. GATE

REMOVE EXIST. PAVERS

EXIST. 3" CMU WALL

EXIST. 3" CMU WALL

38'-3"

REMOVE EXIST. GATE

REMOVE EXIST. UTILITY POLE

EXIST. 8" x 24" CMU WALL

EXIST. PAVERS

EXIST. HOUSE

44'-8"

EXIST. GARAGE

ALLEY

29'-0"

F.P.

10'-0"

REMOVE EXIST. GATE

REMOVE EXIST. 6" CMU WALL

EXIST. CONC. DRIVEWAY

EXIST. 5' CONC. SIDEWALK

EXIST. TREES (4)

POLE & STREET LIGHT

EXIST. CURB

NORTH 5TH AVE.

NORTH

PLAN EXIST. SITE 333 W. CORONADO RD.

1" = 10'-0"

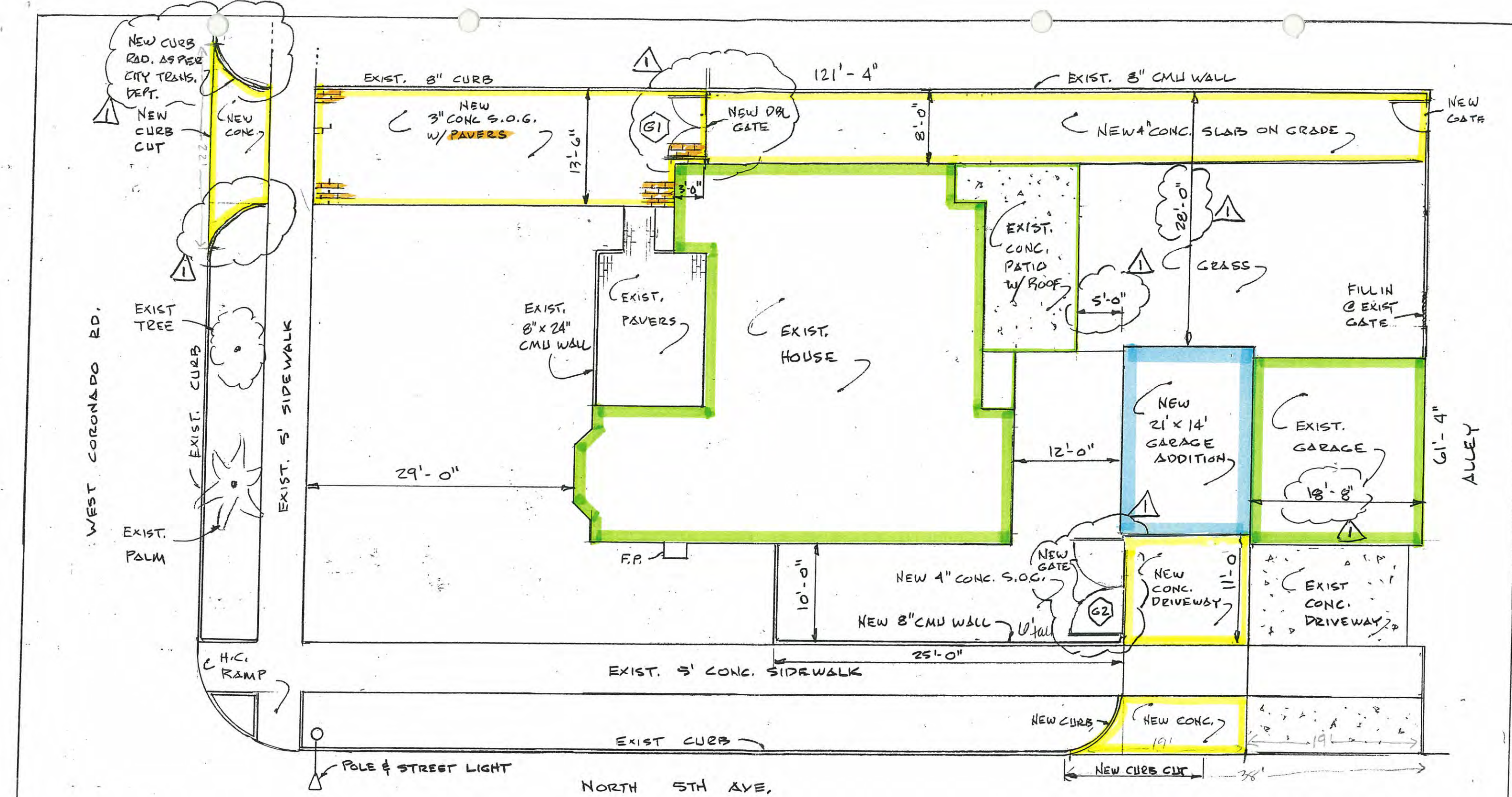
CoA Plans submitted 3/27/13 administrative complete

RUSSO RESIDENCE

EXIST. SITE PLAN

DRAWN	DATE	
TL	3.1.2013	C-1

WEST CORONADO RD.



- EXISTING BUILDINGS
- PROPOSED BUILDING
- PROPOSED DRIVEWAY / CURBCUT

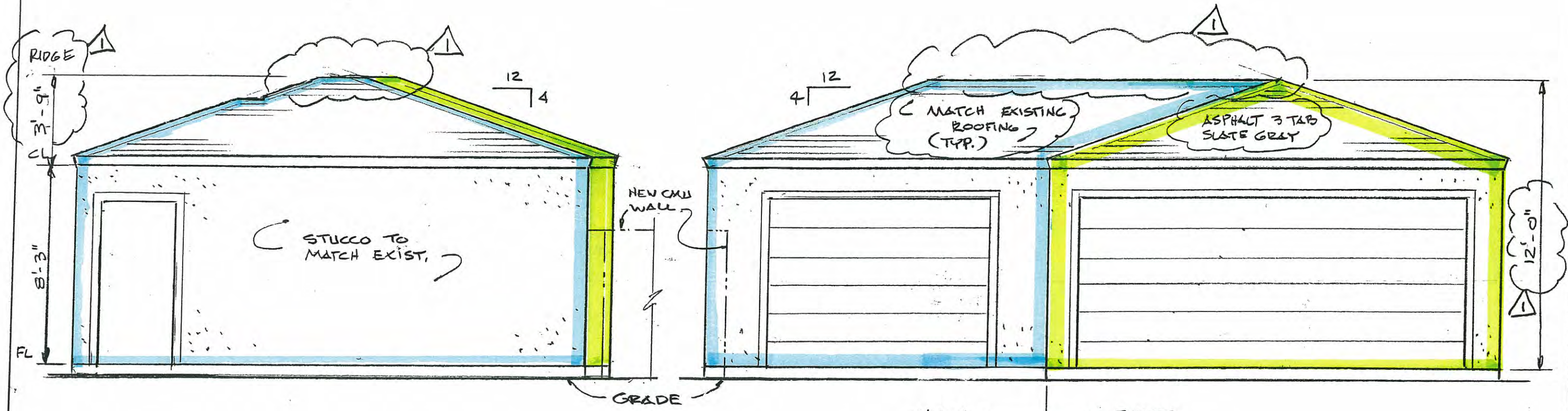


PLAN EXIST. SITE 333 W. CORONADO RD.

1" = 10'-0"

CURRENT S.F. ROOF AREA = 2139 S.F. = .29
 NEW CONSTRUCTION AREA = 294 S.F.
 TOTAL S.F. ROOF AREA = 2433 S.F. = .33
 SEE SHEET A-4 FOR NEW GATE ELEVATIONS

REV. 3/27/2013		
RUSSO RESIDENCE		
NEW SITE PLAN		
PRWV TL	DATE 3.1.2013	C-2



NORTH ELEVATION

1/8" = 1'-0"

WEST ELEVATION

1/8" = 1'-0"

- EXISTING BUILDING
- PROPOSED BUILDING

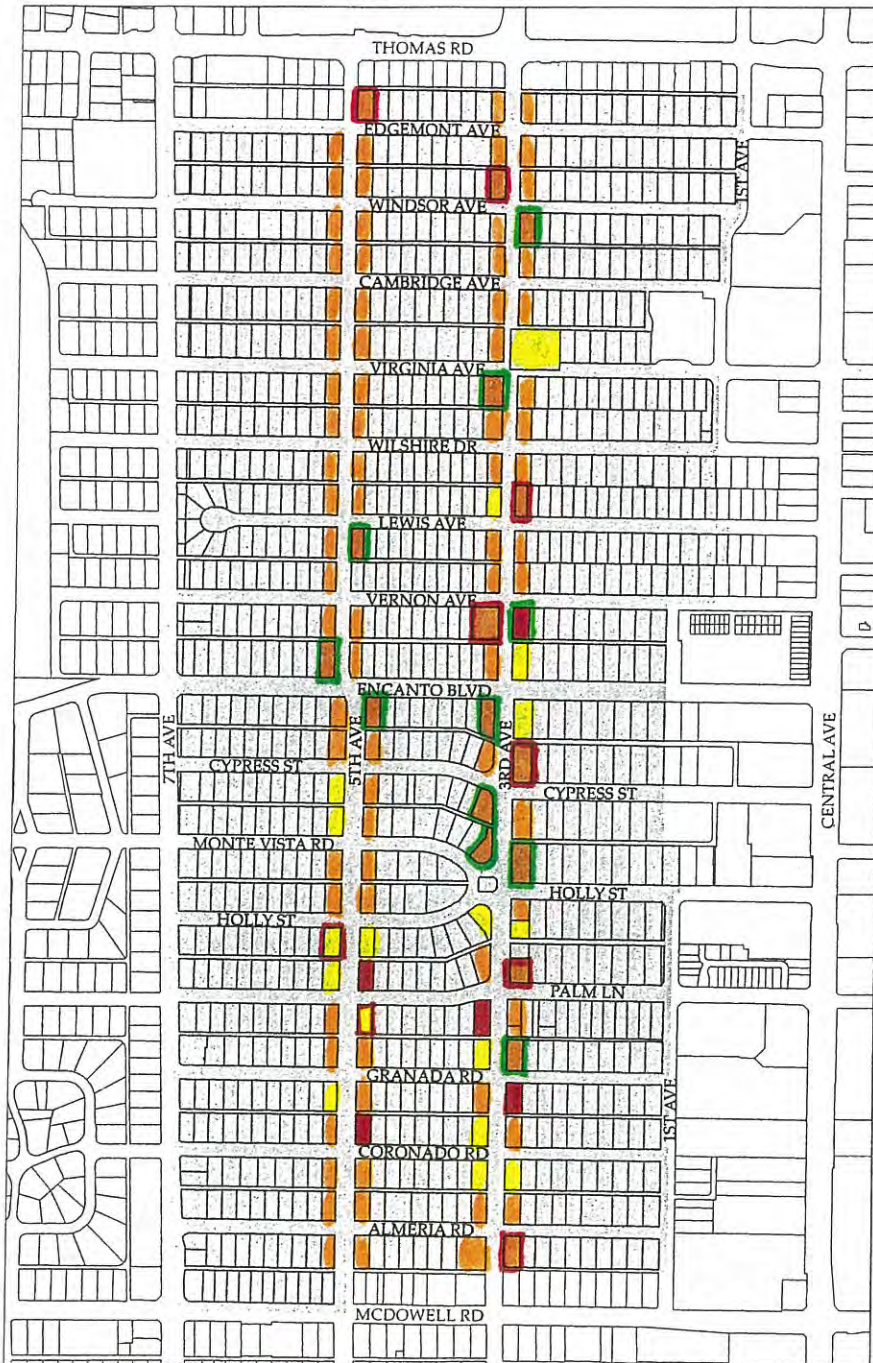
REV. 3/27/2013





RUSSO RESIDENCE

GARAGE ELEVATION

DRAWN T.L.	DATE 3-5-2013	A-3
---------------	------------------	-----

Driveway Pattern Analysis



-  = 89* side only driveways from 3rd or 5th Aves = 75%
 -  = 15 alley only side access driveways = 13%
 -  = 5 front only driveways = 4%
 -  = 9 front driveway with side driveway (7) OR side alley access (2)
- 118 total corner lot properties


Willo (14)

HISTORIC DISTRICT

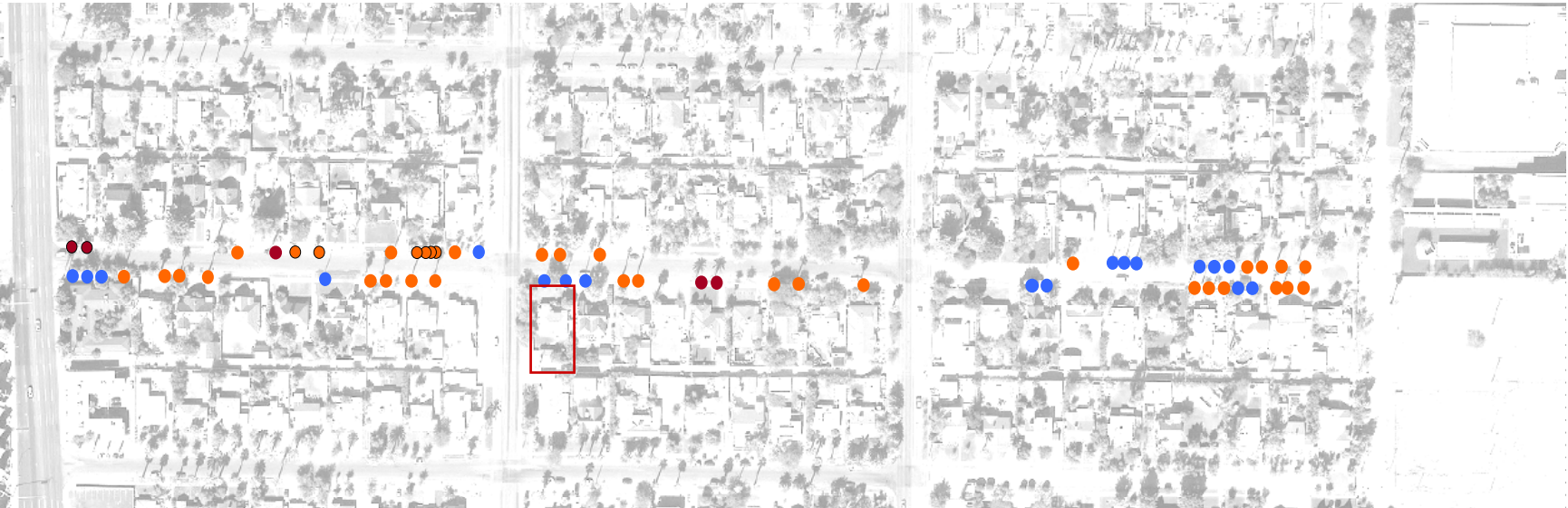
Phoenix Historic Property Register

December 2006



*  = expanded side driveway

333 W. Coronado Rd. – Existing Palm Pattern Analysis on block



- Palm Species**
- California Fan
 - Mexican Fan
 - Date
 - short/young palm

HPCA 1200001

333 W. Coronado Rd. – Work Recommended by HP Staff:

1. Garage addition*
2. Expanded driveway curb cut on 5th Ave*
3. Expanded side driveway *made with pavers***
4. New front driveway curb cut *with reduced width*** (11' wide at sidewalk, 16' max at curb)
5. New front driveway made with pavers*
6. Remove one palm in ROW on Coronado Rd.*
7. Install new gates & concrete pad in backyard*
8. *Repair any sidewalks damaged by construction***

*As proposed in original application

**Recommended staff stipulation (*modified from original application*)



CITY COUNCIL REPORT

FORMAL AGENDA

TO: Rick Naimark
Deputy City Manager

AGENDA DATE: July 3, 2013

FROM: Derek D. Horn
Acting Planning & Development
Director

ITEM: 141 PAGE: 193-197

SUBJECT: BACK UP INFORMATION TO JULY 3, 2013 FORMAL AGENDA - PUBLIC HEARING/ORDINANCE ADOPTION OF PHO-1-13-Z-115-07-8 LOCATED APPROXIMATELY 700 FEET WEST OF THE NORTHWEST CORNER OF 32ND STREET AND CANAL AVENUE

This report provides back-up information on Item 141 on the July 3, 2013, Formal Agenda.

THE ISSUE

A request to modify stipulations from an approved 2009 rezoning case has been submitted for approval to the City Council. The request is for a 10.0-acre parcel located approximately 700 feet west of the northwest corner of 32nd Street and Canal Avenue. Application is being made by Ed Bull of Burch & Cracchiolo on behalf of Sean Cummings of Canal Crossing Phoenix # 2.

OTHER INFORMATION

Modification of Stipulation case PHO-1-13-Z-115-07-8 is a request to modify stipulations to allow for the development of the third phase of the original project. The applicant proposes to combine the buildings into one larger building and gain approximately 36,866 square feet of building area. In addition, the applicant is proposing access to Old Southern and Southern Avenues.

The application was reviewed by the South Mountain Village Planning Committee on April 9, 2013, and recommended approval of Stipulation 6, technical corrections to Stipulations 2, 4, 7, and 8; and denial of Stipulations 1, 3, and 5 on a 6-4 vote.

The application was heard by the Planning Hearing Officer on April 17, 2013, and recommended for approval with modifications because:

- 1) The proposed modifications are in keeping with the intent of original rezoning,
- 2) The proposed development provides adequate perimeter buffers to mitigate impacts to the adjacent residential areas, and
- 3) The proposed site plan addresses existing traffic issues and keeps the landscape buffers for the residents to the west.

The application was heard by the Planning Commission on June 11, 2013, and recommended for approval per the Planning Hearing Officer recommendation with two additional stipulations outlined in the memo dated June 11, 2013, from Ed Bull on a 5-3 vote.

Staff recommends approval as recommended by the Planning Commission.

The opposition has appealed the approval recommendation for this case. Neighborhood objections have been expressed regarding potential traffic issues regarding ingress and egress as well as general large truck traffic. There were numerous concerns regarding large truck traffic turning onto the site and the diesel fumes. The placement of the cul-de-sac raised some concerns among neighbors and objections were expressed regarding the one large building configuration, number of truck docks on-site, and increase in building height.

Attachment includes the following:

- Staff Report PHO-1-13–Z-115-07-8 (Pages 1-26)
- June 11, 2013 letter from Ed Bull (Page 27)
- Planning Commission Minutes (Pages 28-41)
- Appeal (Page 42-54)
- Support Letters (Page 55-56)
- Opposition Letters (Page 57-193)



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

Staff Report: Z-115-07-8 (PHO-1-13)
May 15, 2013

- APPLICATION:** Z-115-07-8 (PHO-1-13)
- APPLICANT:** Ed Bull - Burch & Cracchiolo, P.A.
- REPRESENTATIVE:** Ed Bull - Burch & Cracchiolo, P.A.
- OWNER:** Canal Crossing Phoenix # 2-Sean Cummings
- LOCATION:** Approximately 700 feet west of the northwest corner of 32nd Street and Canal Avenue
- REQUEST:**
- 1) Modification of Stipulation 1 regarding general conformance to the site plan
 - 2) Modification of Stipulation 3 regarding the 6-foot CMU wall
 - 3) Modification of Stipulation 5 regarding building height
 - 4) Modification of Stipulation 6 regarding landscape standard for employee and visitor parking areas
 - 5) Technical corrections to Stipulations 2, 4, 7, 8, 9

STAFF RECOMMENDATION: It is recommended that this request be approved as recommended by the Planning Hearing Officer.

PLANNING HEARING OFFICER RECOMMENDATION: On April 17, 2013, the Planning Hearing Officer continued the case to May 15, 2013 without fee. On May 15, 2013, the Planning Hearing Officer recommended approval with modifications.

ANALYSIS/BACKGROUND: On October 31, 2007, City Council approved Rezoning Case No. Z-115-07, a request to rezone approximately 10.47 acres located approximately 900 feet west of the northwest corner of 32nd Street and Old Southern Avenue to CP/BP to allow for commerce park development, subject to stipulations. On April 17, 2013 the Planning Hearing Officer continued the case to the May 15, 2013 PHO hearing. A PHO was approved on May 15, 2013 to modify stipulations.

1. **Previous History:**

- On October 31, 2007, City Council approved Rezoning Case No. Z-115-07, a request to rezone approximately 10.47 acres located approximately 900 feet west of the northwest corner of 32nd Street and Old Southern Avenue to CP/BP to allow for commerce park development, subject to stipulations. The site plan included six separate buildings and extensive landscape buffer.

- Currently, the applicant proposes to modify these stipulations to allow for the development of the third phase of the original project. The applicant proposes to combine the buildings into one larger building and gain approximately 36,866 square feet of building area. In addition, the applicant is proposing access to Old Southern and Southern Avenues.

2. **Neighborhood Concerns**

- Objections were expressed regarding potential traffic issues regarding ingress and egress as well as general large truck traffic. There were numerous concerns regarding large truck traffic turning onto the site and the diesel fumes.
- The placement of the cul-de-sac raised some concerns among neighbors.
- Objections were expressed regarding the building configuration and number of truck docks on-site.

3. **Planning Hearing Officer's Decision:**

The Planning Hearing Officer recommended was based on the following:

- The proposed modifications are in keeping with the intent of original rezoning.
- The proposed development provides adequate perimeter buffers to mitigate impacts to the adjacent residential areas.
- The proposed site plan addresses existing traffic issues and keeps the landscape buffers for the residents to the west.

VILLAGE PLANNING COMMITTEE (VPC) RECOMMENDATION: The South Mountain Village Planning Committee reviewed this request on April 9, 2013, and recommended denial as filed and approval of Stipulation 6 and technical corrections to Stipulations 2, 4, 7, and 8; and denial of Stipulations 1, 3 and 5. Vote: 6-4

DEPARTMENT REVIEW COMMENTS:

- **Streets Transportation, Floodplain Management:**
It has been determined that this parcel/location is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 2135 F of the Flood Insurance Rate Maps (FIRM) dated September 30, 2005.
- **Fire Prevention**
Fire prevention does not anticipate any problems with this case.

The site or/and building(s) shall comply with the Phoenix Fire Code

Also we do not know what the water supply (gpm and psi) is at this site. Additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.

GENERAL PLAN DESIGNATION: Commerce/Business Park

CHARACTER OF SURROUNDING LAND USE:

	<u>Land Use</u>	<u>Zoning</u>
On-site:	Vacant	CP/BP
North:	Office, Retail, Warehouse	IND PK
South:	Vacant Commercial, SFR Residential Urban Subdivided, Auto-repair garage	C-2, R-5
East:	Commercial	CP/BP
West:	Residential Parcels	R1-6

RECOMMENDATION:

It is recommended that this request be approved as recommended by the Planning Hearing Officer with modifications as follows:

STIPULATIONS:

GENERAL

1. That development shall be in general conformance with the site plan and elevations BUILDING PERSPECTIVE date stamped ~~September 7, 2007~~ MAY 10, 2013, as modified by the following stipulations, and as approved or modified by the PLANNING AND Development Services Department, AND WITH SPECIFIC REGARD TO THE TRUCK DOCKS BEING LOCATED ONLY ALONG THE WEST ELEVATION OF THE BUILDING, AND WITH SPECIFIC REGARD TO THERE BEING ACCESS FOR TRUCKS (INCLUDING SEMI TRUCKS) TO AND FROM THE SITE AT THE CANAL AVENUE ALIGNMENT AT THE SOUTHWEST CORNER OF THE SITE AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.

SITE DESIGN

2. That a 50-foot building set back shall be provided from the south property line, as approved by the PLANNING AND Development Services Department.

3. That a 35-foot landscape setback shall be provided along the south property line, as approved by the PLANNING AND Development ~~Services~~ Department. ~~A 6-foot CMU wall shall be provided adjacent to the south landscape setback. The wall shall be offset two feet for every 50 feet of wall length; the two foot offset may encroach into the 35-foot landscape setback~~ IN ACCORDANCE WITH CITY DEVELOPMENT STANDARDS, A 40-INCH SCREEN WALL SHALL BE PROVIDED ADJACENT TO PARKING AREAS FACING THE SOUTH PROPERTY LINE AND AN 8-FOOT CMU WALL SHALL BE PROVIDED TO SCREEN LOADING BAYS/DOCKS FROM THE STREET.
4. That a minimum 35-foot, landscape setback shall be provided along the west property line, as approved by the PLANNING AND Development ~~Services~~ Department. Trash enclosures may encroach into the setback a maximum of 10 feet. The landscape setback shall contain a minimum of two staggered rows of trees, planted at rate of approximately 20 feet on center or equivalent groupings; 50 percent of the required trees shall be 2-inch caliper and 50 percent shall be 3-inch caliper. The landscape setback shall contain natural ground covering such as flowers and shrubs.
5. That the maximum BUILDING height of buildings adjacent to the south property line shall be ~~27~~ **36** feet, as approved by the PLANNING AND Development ~~Services~~ Department.
6. That development EMPLOYEE AND VISITOR PARKING AREAS WITHIN THE DEVELOPMENT shall be subject to the Parking Lot Area landscape requirements of Section 623 (C-2 District) of the Zoning Ordinance, as approved by the PLANNING AND Development ~~Services~~ Department.
7. That loading docks shall not be located between the south property line and the buildings adjacent to the south property line, as approved by the PLANNING AND Development ~~Services~~ Department.
8. That any lighting of signage shall be from a source exterior to the sign, signs shall not have interior lighting, as approved by the PLANNING AND Development ~~Services~~ Department.
9. That signage shall not be visible from the west property line, as approved by the PLANNING AND Development ~~Services~~ Department.

ARCHAEOLOGY

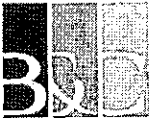
10. That in the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

PARKS AND RECREATION

11. That the developer shall dedicate a 20-foot trail easement along the north property line, as approved by the Parks and Recreation Department. Oleanders shall not be planted within the trail easement and any existing oleanders within the easement shall be removed.
12. THAT PRIOR TO COMMENCEMENT OF VERTICAL CONSTRUCTION OF THE DEVELOPMENT ~~ISSUANCE OF A CERTIFICATE OF OCCUPANCY,~~ DEVELOPER SHALL CONSTRUCT A CUL-DE-SAC ON CANAL AVENUE ADJACENT TO THE SITE. THE FINAL LOCATION AND DESIGN OF THE CUL-DE-SAC WILL BE REVIEWED BY THE STREET TRANSPORTATION DEPARTMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT'S SITE REVIEW PROCESSES.
13. THAT NO EXTERNAL LOUD SPEAKERS SHALL BE PROVIDED OR OPERATED ON THE PROPERTY.
14. ~~THAT PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE DEVELOPER SHALL SUBMIT AN APPLICATION TO THE CITY REQUESTING THE CITY'S ABANDONMENT OF THE CANAL AVENUE RIGHT OF WAY BETWEEN SOUTHERN AVENUE AND THE WESTERN EDGE OF THE CUL-DE-SAC THAT IS PROPOSED IN CANAL AVENUE AT THE SOUTHEAST CORNER OF THIS DEVELOPMENT. IF THE RESOLUTION OF ABANDONMENT IS APPROVED BY THE CITY COUNCIL, THEN PRIOR TO PHYSICALLY CLOSING THE ABANDONED PORTION OF CANAL AVENUE TO PUBLIC TRAFFIC, THE DEVELOPER (IF PREVIOUSLY REQUESTED IN WRITING BY SUCH PROPERTY OWNER(S)) SHALL GRANT TO THE REQUESTING OWNER(S) OF APN 122-68-003 (CURRENTLY CROTHER), 122-68-001A (CURRENTLY KENISON), AND/OR 122-68-001B (CURRENTLY GODFREY) AN APPROXIMATE 25 FOOT WIDE NON-EXCLUSIVE PRIVATE INGRESS AND EGRESS EASEMENT(S), TO/FROM THEIR RESPECTIVE PROPERTY(IES) AND SOUTHERN AVENUE. THE FINAL LOCATION AND DESIGN OF THE INGRESS/EGRESS EASEMENT(S) SHALL BE SUBJECT TO THE APPROVAL OF THE STREET TRANSPORTATION DEPARTMENT.~~
- ~~15-14.~~ THAT BUILDING MOUNTED SIGNAGE SHALL NOT BE PROVIDED ON THE WEST ELEVATION OF THE BUILDING.

ATTACHMENTS:

Applicant's Narrative dated March 1, 2013
G-Ordinance No. 5025
Rezoning Sketch Map
Zoning Map
Aerial
Approved Site plan date stamped September 7, 2007
Proposed Site plan date stamped May 10, 2013
PHO Summary of May 15, 2013



BURCH & CRACCHIOLO

EDWIN C. BULL
DIRECT LINE: 602.234.9913
DIRECT FAX: 602.343.7913
E-MAIL: EBULL@BCATTORNEYS.COM

March 1, 2013

Ms. Teresa Hillner
Planning Hearing Officer
City of Phoenix
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, Arizona 85003

RE: Z-115-07-8 - Approximately 690 feet west of the NWC of 32nd Street and Canal Avenue

Dear Teresa:

On behalf of Canal Crossing Phoenix #2, LLC ("CCP2"), with respect to the approximately 10.0 acres of the Canal Crossing Phase 3 development that is located at approximately 690 feet west of the northwest corner of 32nd Street and Canal Avenue (the "Site"), we are requesting modification of certain Stipulations of Rezoning Application Z-115-07-8. See Exhibit 1, Aerial Map. The proposed development will be constructed in accordance with one of two alternative site plans. See Exhibit 2 for Site Plan #1 and Exhibit 3 for Site Plan #2. CCP2 will provide additional exhibits (including building elevations) and determine which of the two Site Plans to move forward with as soon as possible, but no later than 10 days prior to the April 9, 2013 Village Meeting (if it is determined Village review is necessary). Site Plan #1 and Site Plan #2 include an approximate 155,000 square foot building, loading docks, and parking for trailers, employees and visitors. Our "Proposed Modifications of October 31, 2007 Stipulations (Z-115-07-8)" (prepared in table format) is attached as Exhibit 4. For your convenience, the City's Ordinance G-5025, passed by the City Council on October 31, 2007, setting forth the Site's current Stipulations is attached as Exhibit 5.

CCP2 requests revisions to the existing Zoning Stipulations to accommodate an updated Site Plan with an approximate 155,000 square foot building. The existing Zoning Stipulations approved a site plan (date stamped September 7, 2007) that included six separate buildings. See Exhibit 6, September 7, 2007 Site Plan. The proposed Site Plan generally conforms with the existing Commerce Park District zoning on the Site. This stipulation modification request is also necessary because several of the stipulations require technical corrections to eliminate references to "Development Services Department" ("DSD"), which is now "Planning and Development Department" ("P&D Dept.") and a few other stipulations require substantive modifications due to the layout of the proposed Site Plan. Generally, however, the proposed Site Plan conforms to the vast majority of the existing Zoning Stipulations.

The proposed modification to Stipulation 1 includes updating the reference to the new proposed Site Plan and a technical correction to the DSD reference.



Burch & Cracchiolo, P.A.
702 E. Osborn Rd., Suite 200 • Phoenix, AZ 85014
Main: 602.274.7611 • Fax: 602.234.0341

BCATTORNEYS.COM

The proposed modifications to Stipulations 2, 4, 7, 8, and 9 are merely technical corrections to the DSD reference. No substantive modifications are proposed for Stipulations 2, 4, 7, 8, and 9.

The proposed modification to Stipulation 3 includes the addition of a 40-inch screen wall for guest and employee parking facing the south property and an 8 foot CMU wall to screen loading bays/docks from the street. The proposed modifications replace the existing Stipulation 3 requirement of providing a 6 feet CMU wall adjacent to the south landscape setback. The proposed screen walls, which are in accordance with the Commercial Park District Standards, will be visually appealing from the street and will effectively screen the Site.

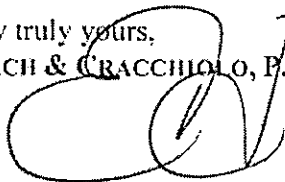
The proposed modification to Stipulation 5 is an updated maximum building height requirement of 36 feet. The proposed maximum building height of 36 feet increases the current Stipulation 5 building height of 27 feet. We need 36 feet of "building height" in order to provide 30 feet "clear" plus structure, joist and roofing. The proposed building height will not negatively impact any of the adjacent properties. We recognize we may need a Variance for either increased building height or decreased perimeter setbacks in order to achieve 36 feet of "building height."

The proposed modification to Stipulation 6 restricts its application to only the employee and visitor parking areas on the Site. The enhanced landscape standards of the C-2 District are most effective near areas that are used by employees, visitors and customers. The other areas of the Site will be landscaped in accordance with the Commerce Park District standards.

Stipulations 10 and 11 are unchanged.

Please contact Sean Cummings (602-515-0884), Ricki Horowitz (602-234-8728), Brian Greathouse (623-234-9903) or me if you have questions or need additional information. Thank you for your help and consideration.

Very truly yours,
BURCH & CRACCHIOLO, P.A.



Edwin C. Bull
For the Firm

ECB:lz

cc: Sean Cummings
Rick Butler
Toby Rogers
Brian Greathouse
Ricki Horowitz

ORDINANCE G-5025

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-115-07-8) FROM R1-6 (SINGLE FAMILY RESIDENCE DISTRICT) TO CP/GCP (COMMERCE PARK/GENERAL COMMERCE PARK).

WHEREAS, on September 7, 2007, the City of Phoenix Planning Department received, in compliance with the requirements of the City of Phoenix Zoning Ordinance, Section 506, a written request for rezoning from Beus Gilbert, PLLC, having authorization to represent the owner, Univision Television Group of an approximately 10.47 acre property located approximately 900 feet west of the northwest corner of 32nd Street and Old Southern Avenue in a portion of Section 26, Township 1 North, Range 3 East, as described more specifically in Attachment "A", attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to A.R.S. § 9-462.04, the Planning Commission, held a public hearing on October 10, 2007, and at this hearing recommended that the City Council approve this rezoning request with the recommended staff conditions, as modified; and

WHEREAS, the City Council, at their regularly scheduled meeting held on October 31, 2007, has determined that, in accordance with A.R.S. § 9-462.01.F, this rezoning request, with the appropriate site specific requirements provided in Section 2, is consistent with and conforms to the General Plan, will conserve and promote the public health, safety and general welfare, and should be approved, subject to the conditions herein.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1: The zoning of an approximately 10.47 acre property located approximately 900 feet west of the northwest corner of 32nd Street and Old Southern Avenue in a portion of Section 26, Township 1 North, Range 3 East, as described more specifically in Attachment "A", is hereby changed from "R1-6" (Single Family Residence District) to "CP/GCP" (Commerce Park/ General Commerce Park) and that the Planning Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Attachment "B".

SECTION 2: The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-115-07-8, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

GENERAL

1. That development shall be in general conformance with the site plan and elevations date stamped September 7, 2007, as modified by the following stipulations, and as approved or modified by the Development Services Department.

SITE DESIGN

2. That a 50-foot building set back shall be provided from the south property line, as approved by the Development Services Department.
3. That a 35-foot landscape setback shall be provided along the south property line, as approved by the Development Services Department. A 6-foot CMU wall shall be provided adjacent to the south landscape setback. The wall shall be offset two feet for every 50 feet of wall length; the two-foot offset may encroach into the 35-foot landscape setback.
4. That a minimum 35-foot, landscape setback shall be provided along the west property line, as approved by the Development Services Department. Trash enclosures may encroach into the setback a maximum of 10 feet. The landscape setback shall contain a minimum of two staggered rows of trees, planted at rate of approximately 20 feet center to center or equivalent groupings; 50 percent of the required trees shall be 2-inch caliper and 50 percent shall be 3-inch caliper. The landscape setback shall contain natural ground covering such as flowers and shrubs.
5. That the maximum height of buildings adjacent to the south property line shall be 27 feet, as approved by the Development Services Department.
6. That development shall be subject to the Parking Lot Area landscape requirements of Section 623 (C-2 District) of the Zoning Ordinance, as approved by the Development Services Department.
7. That loading docks shall not be located between the south property line and the buildings adjacent to the south property line, as approved by the Development Services Department.
8. That any lighting of signage shall be from a source exterior to the sign, signs shall not have interior lighting, as approved by the Development Services Department.
9. That signage shall not be visible from the west property line, as approved by the Development Services Department.

ARCHAEOLOGY

- 10. That 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.

PARKS AND RECREATION

- 11. That the developer shall dedicate a 20-foot trail easement along the north property line, as approved by the Parks and Recreation Department. Oleanders shall not be planted within the trail easement and any existing oleanders within the easement shall be removed.

SECTION 3: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the ^{Unofficial Document} City of Phoenix this 31st day of October,

2007.



ATTEST:

Blair D. Sawyer City Clerk

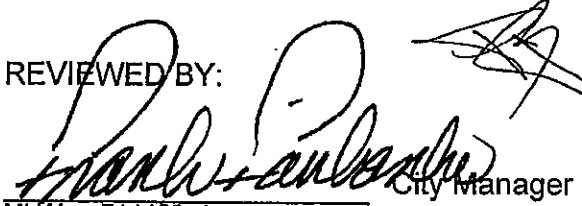
[Signature]
MAYOR

CITY CLERK DEPT.
2007 OCT 29 AM 10:28
AA

APPROVED AS TO FORM:


Acting City Attorney

REVIEWED BY:

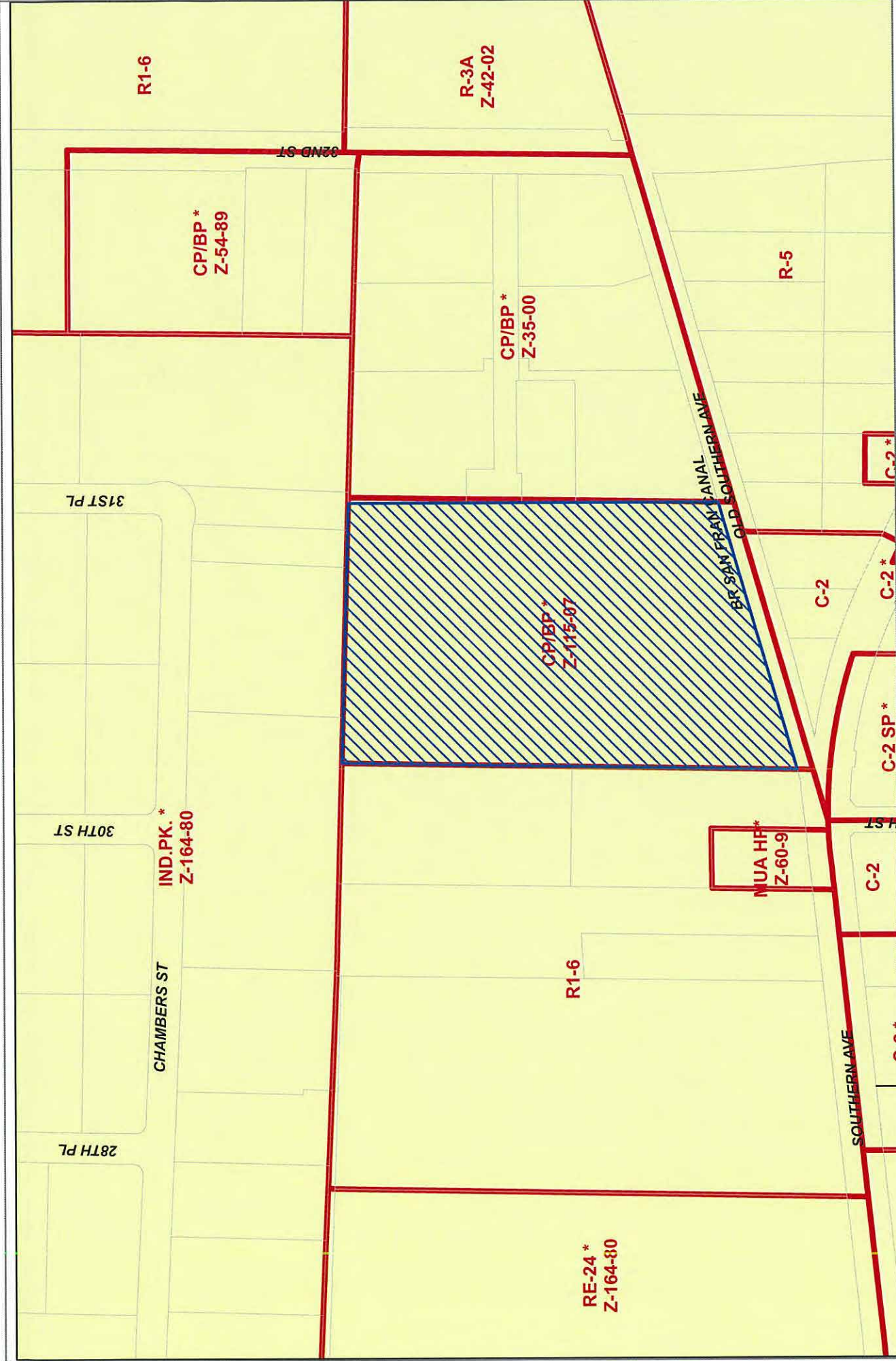

City Manager

MLW:cz:714453v1
10/31/07:CM#58

Attachments:

- A - Legal Description (1 Page)
- B - Sketch Map (1 Page)

Unofficial Document



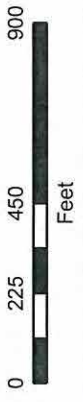
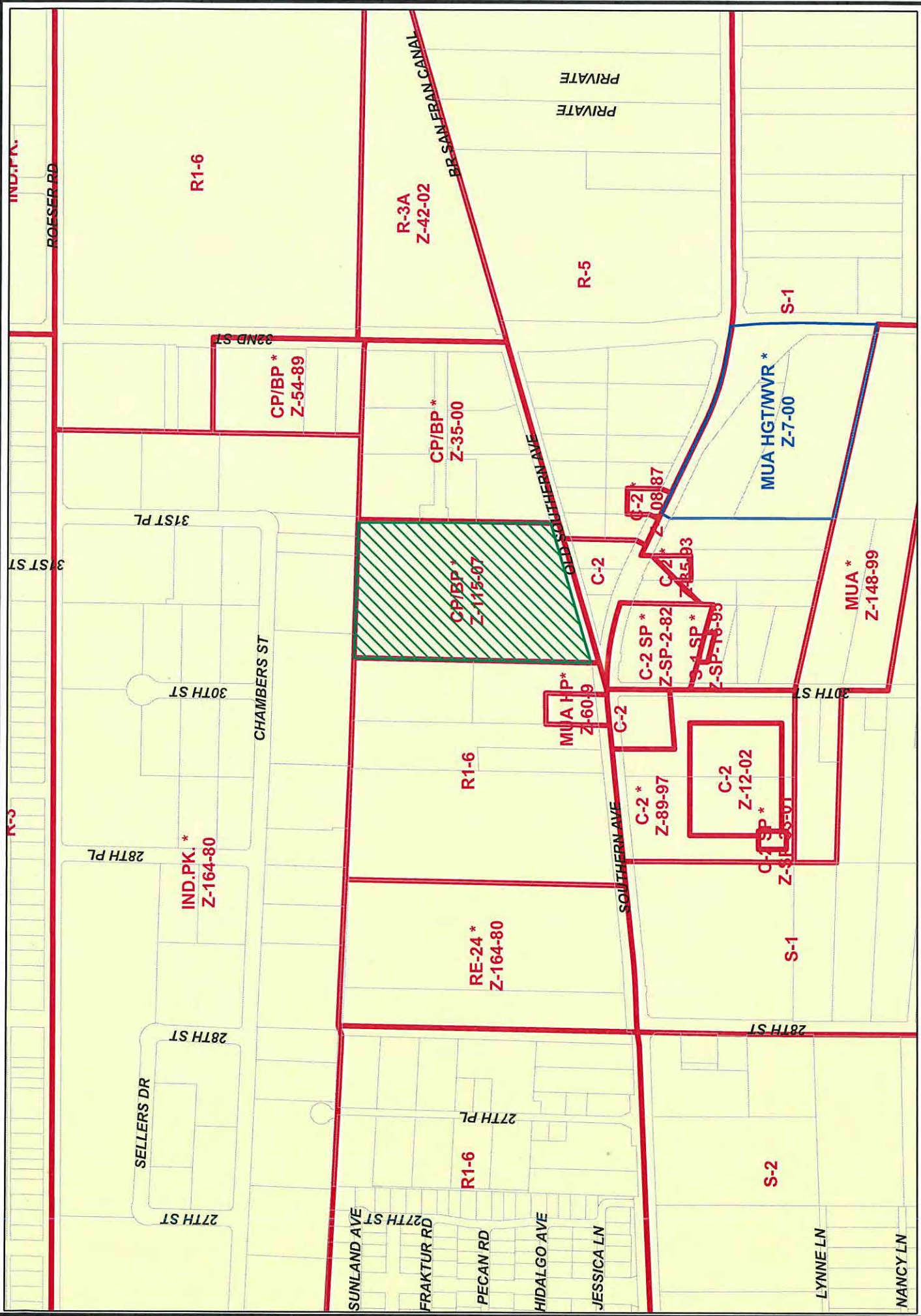
Case Number : Z-115-07 | Property Location : Approximately 700 feet west of the northwest corner of 32nd Street and Canal Avenue

Date: 3/7/2013



Planning & Development Department

0250100 Feet



Planning & Development Department



City of Phoenix



Z-115-07
Aerial Map
PHO appeal



Planning & Development Department



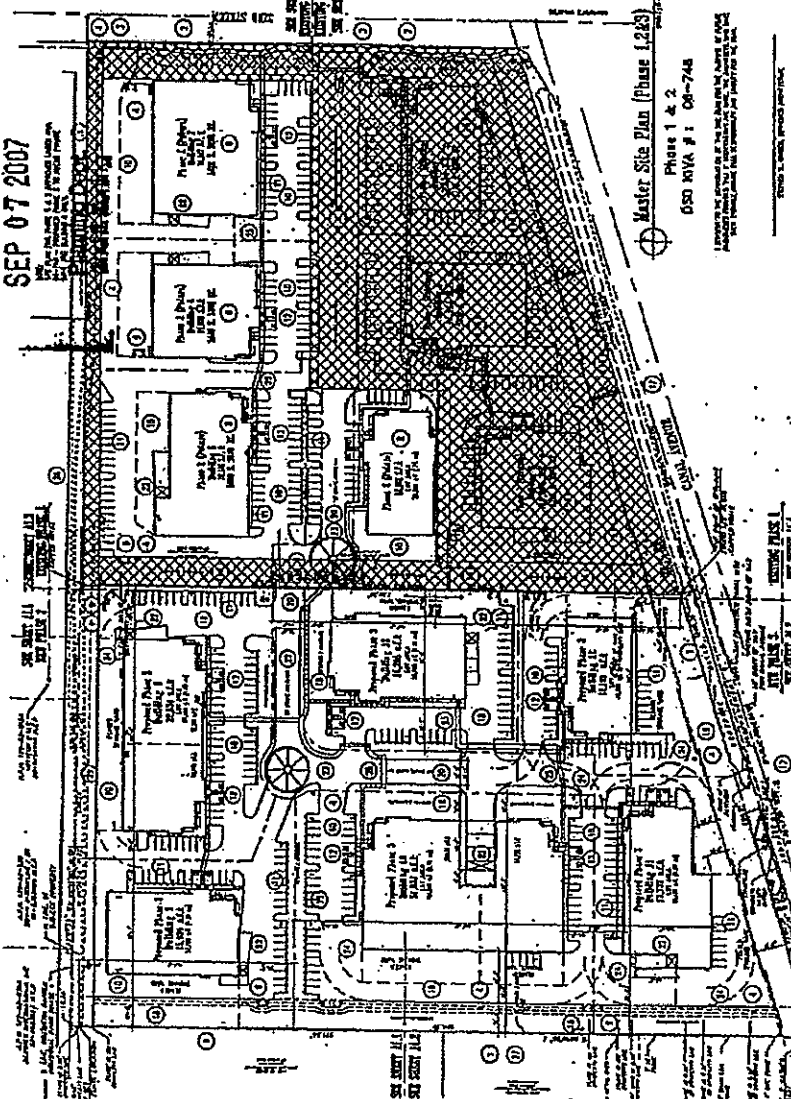
Z-115-07
Aerial Map
PHO appeal

CITY OF PHOENIX

SEP 07 2007

PHASE 1, I.E. 2

Z-50-00-B ZONING SPECIFICATIONS
The City of Phoenix has adopted the following zoning specifications for the City of Phoenix...



Master Site Plan (Phase 1, 2 & 3)
Phase 1 & 2
GSD NOVA # 1: 06-748

PROPOSED IMPROVEMENTS

- 1. IMPROVE THE EXISTING SIDEWALKS TO MEET THE CITY OF PHOENIX SIDEWALK SPECIFICATIONS...
2. PROVIDE NEW SIDEWALKS WHERE NECESSARY...
3. IMPROVE THE EXISTING DRIVEWAYS TO MEET THE CITY OF PHOENIX DRIVEWAY SPECIFICATIONS...

PROPOSED UTILITIES

- 1. PROVIDE NEW UTILITIES TO SERVE THE PROPOSED BUILDINGS...
2. IMPROVE THE EXISTING UTILITIES TO MEET THE CITY OF PHOENIX UTILITIES SPECIFICATIONS...

PROPOSED PAVING

- 1. PROVIDE NEW PAVING TO SERVE THE PROPOSED BUILDINGS...
2. IMPROVE THE EXISTING PAVING TO MEET THE CITY OF PHOENIX PAVING SPECIFICATIONS...

PROPOSED LIGHTING

- 1. PROVIDE NEW LIGHTING TO SERVE THE PROPOSED BUILDINGS...
2. IMPROVE THE EXISTING LIGHTING TO MEET THE CITY OF PHOENIX LIGHTING SPECIFICATIONS...

PROPOSED IMPROVEMENTS
1. IMPROVE THE EXISTING SIDEWALKS TO MEET THE CITY OF PHOENIX SIDEWALK SPECIFICATIONS...

PROPOSED UTILITIES
1. PROVIDE NEW UTILITIES TO SERVE THE PROPOSED BUILDINGS...

PROPOSED PAVING
1. PROVIDE NEW PAVING TO SERVE THE PROPOSED BUILDINGS...

PROPOSED LIGHTING
1. PROVIDE NEW LIGHTING TO SERVE THE PROPOSED BUILDINGS...

PROPOSED LANDSCAPING
1. PROVIDE NEW LANDSCAPING TO SERVE THE PROPOSED BUILDINGS...

PROPOSED SIGNAGE
1. PROVIDE NEW SIGNAGE TO SERVE THE PROPOSED BUILDINGS...

PROPOSED SECURITY
1. PROVIDE NEW SECURITY TO SERVE THE PROPOSED BUILDINGS...

PROPOSED ACCESSIBILITY
1. PROVIDE NEW ACCESSIBILITY TO SERVE THE PROPOSED BUILDINGS...

Entheosis
1234 N. 1st Avenue
Phoenix, AZ 85004
Tel: (602) 123-4567
Fax: (602) 987-6543

Canal Crossing - Phase 1, 2 & 3
General Development Company - Phoenix, Arizona
1234 N. 1st Avenue
Phoenix, AZ 85004
Tel: (602) 123-4567
Fax: (602) 987-6543



Professional Engineer
State of Arizona
No. 12345
Exp. 12/31/2010

April 17, 2013, PHO Hearing

Stipulated Site Plan

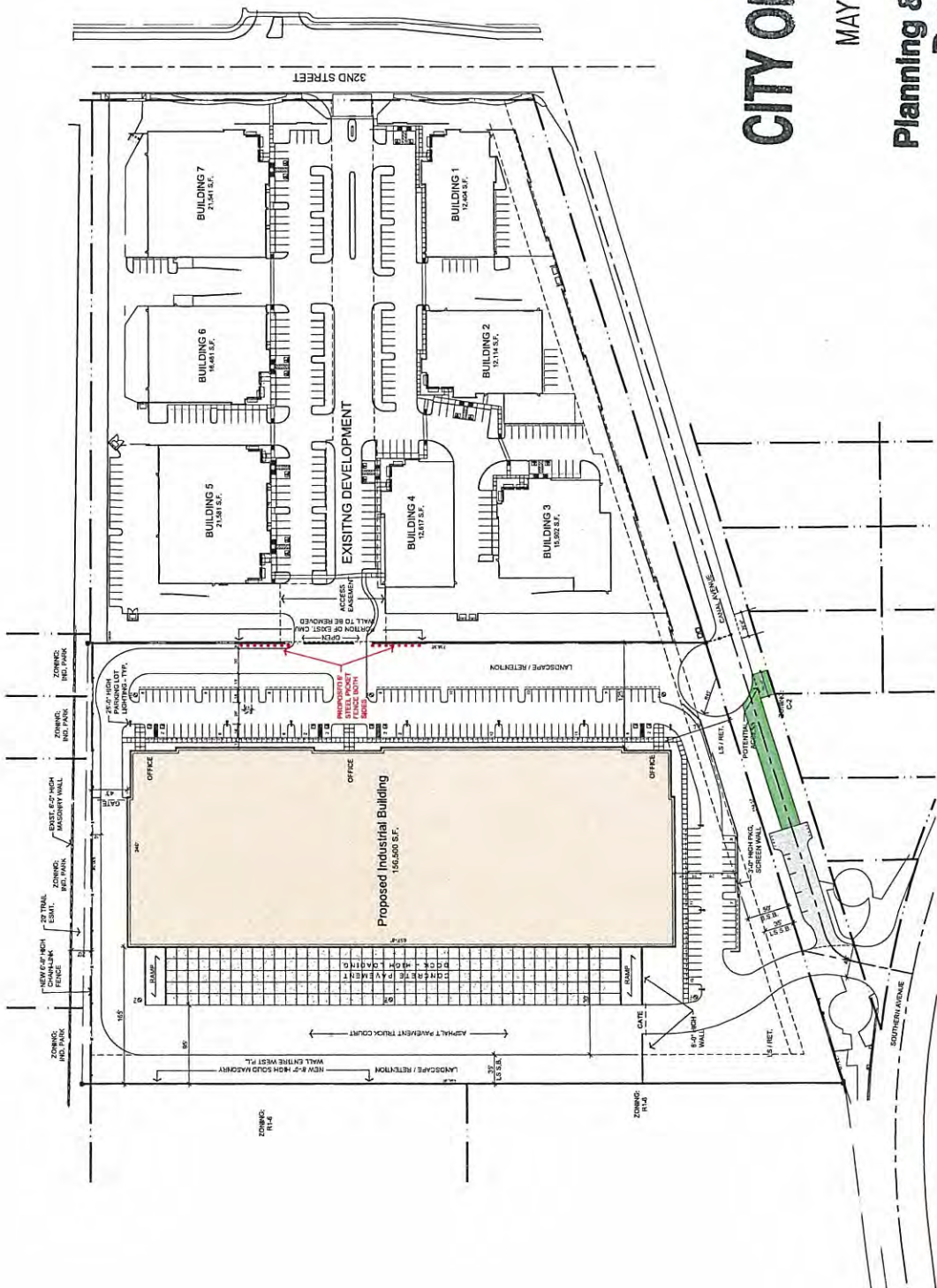
Z-115-07 (PHO-1-13)



SITE DATA

APN: 122-06-019
 Existing Zoning: CP/IGCP
 Net Site Area: 445,418 S.F. (10.16 AC.)
 Max. Site Area: 433,483 S.F. (10.0 AC.)
 Building: 156,500 S.F.
 % Coverage: 35.5%
 Proposed Building Height: 36'-0" ft.
 Proposed Parking Height: 42'-0" ft.
 Parking: 80 Spaces
 Accessible Parking: 15%
 Accessible Ramps: 8 Spaces
 Accessible Provisions:

VICINITY MAP



CITY OF PHOENIX

MAY 1 0 2013

**Planning & Development
Department**

Canal Crossing - Phase 3

32nd Street & Southern Avenue
Phoenix, Arizona



13023-ST06
05-09-13



Butler Design Group, Inc.
architects & planners



BURCH & CRACCHIOLO
702 E. Osborn Road, Suite 200
Phoenix, Arizona 85014
602-234-9913
ebull@bcattorneys.com

MEMORANDUM

To: Area Neighbors and Registered Neighborhood Organizations
From: Ed Bull
Date: May 10, 2013
Re: Case No. PHO-1-13-Z-115-07(08)

Dear Area Neighbors and Registered Neighborhood Organizations:

Each of you have either received prior notice and/or expressed interest in the above-referenced PHO Application which is being processed by Conor Commercial (f/k/a McShane Development Company), concerning 10 acres that is located approximately 700' west of the northwest corner of 32nd Street and Canal Avenue. In response to issues that were voiced during the initial April 17, 2013 PHO Hearing and during the prior South Mountain Village Planning Committee Meeting, numerous discussions were held with various neighbors and with various members of several City Departments. As a result, changes to the proposed Site Plan and Stipulations are being proposed for the PHO's consideration during the May 15, 2013 at 10:00 a.m. PHO Hearing. Those modifications are generally recapped in the attached May 10, 2013 letter to Alan Stephenson, in the attached updated Site Plan (dated May 9, 2013), and in the attached Modified Stipulations (dated May 10, 2013).

We appreciate the hard work of a lot of people (both inside and outside of the City) in identifying possible solutions to various issues. We also recognize there is no "perfect plan" that will make everyone 100% happy with how to develop this challenging, vacant infill property. However, we do believe that the attached updated Site Plan and updated Stipulations will help to eliminate some existing problems on Canal Avenue, will eliminate the risk of future problems that were of concern to some neighbors, and will help to assure a quality development that fits well within the Site's existing Commerce Park Zoning and General Plan designations.





BURCH & CRACCHIOLO

If you have questions about or want to discuss the attached materials, please contact Sean Cummings at Conor Commercial (602-515-0884), Brian Greathouse at Burch & Cracchiolo (602-234-9903), Ricki Horowitz at Burch & Cracchiolo (602-234-8728), or me (602-234-9913).

Thank you for your consideration.

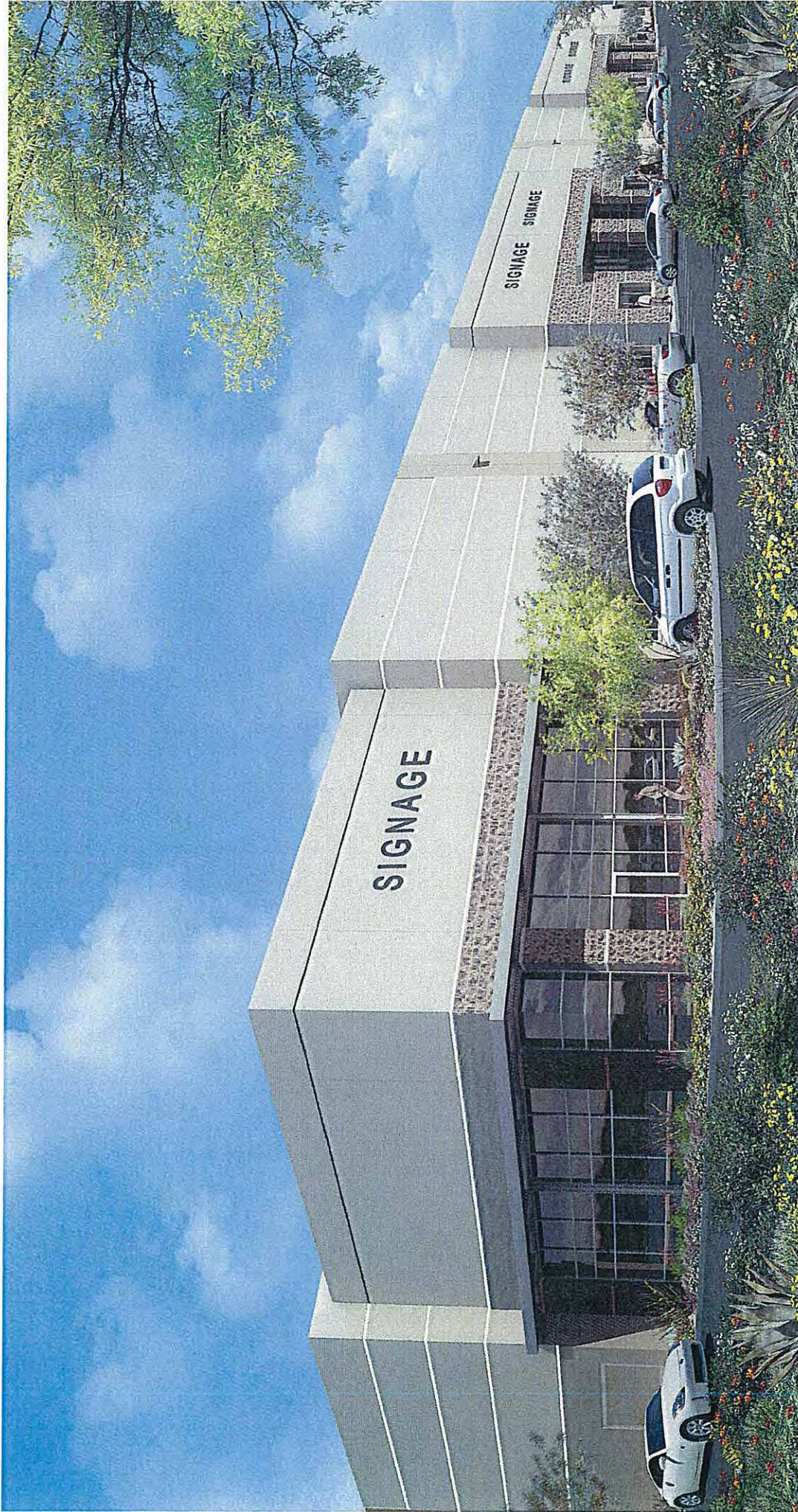
Very truly yours,

Ed Bull

/cf
Attachment

cc: Alan Stephenson
Kasandra Zobrist
Sean Cummings
Joe Villasenor





13023



Canal Crossing - Phase 3

Proposed Industrial Facility
32nd Street & Southern Avenue
Phoenix, Arizona



CITY OF PHOENIX

MAY 1 0 2013

**Planning & Development
Department**



13023



Butler Design Group, Inc.
architects & planners

Canal Crossing - Phase 3
Proposed Industrial Facility
32nd Street & Southern Avenue
Phoenix, Arizona



CITY OF PHOENIX

MAY 1 0 2013

**Planning & Development
Department**

REPORT OF PLANNING HEARING OFFICER ACTION
Teresa Hillner, Planner III, Hearing Officer
Anthony Chattley, Planner I, Assisting

May 15, 2013

ITEM 1

DISTRICT 8

SUBJECT:

Application #: Z-115-07-7(8) (Continued from April 17, 2013)
Zoning: CP/BP Q.S. 3-34
Location: Approximately 700 feet west of the northwest corner of 32nd Street and Canal Avenue
Acreage: 10.0
Request: 1) Modification of Stipulation 1 regarding general conformance to the site plan
2) Modification of Stipulation 3 regarding the 6-foot CMU wall
3) Modification of Stipulation 5 regarding building height
4) Modification of Stipulation 6 regarding landscape standard for employee and visitor parking areas
5) Technical corrections to Stipulations 2, 4, 7, 8, 9
Applicant: Ed Bull - Burch & Cracchiolo, P.A.
Owner: Canal Crossing Phoenix #2-Sean Cummings
Representative: Ed Bull - Burch & Cracchiolo, P.A.

ACTIONS:

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with modifications.

Village Planning Committee (VPC) Recommendation: The South Mountain Village Planning Committee reviewed this request on April 9, 2013, and recommended denial as filed and approval of Stipulation 6 and technical corrections to Stipulations 2, 4, 7, and 8; and denial of Stipulations 1, 3 and 5 by a 6-4 vote.

DISCUSSION:

Ed Bull, 702 East Osborn Road, presented the case and explained changes in the site plan from the hearing in April. He discussed how the applicant changed the building configuration to have the truck docks on the west side and were using an 8-foot CMU wall to screen from the property to the west. There will be no exterior loudspeakers and no building mounted signage on the west side of the building. Mr. Bull mentioned the possibility of abandoning Canal and providing private access easements to interested adjacent property owners.

Teresa Hillner acknowledged the community outreach the applicant has done and work towards reaching a successful compromise with the community.

Paul Van Buren, 6439 South 32nd Street, raised questions about traffic counts for trucks and hours of operation. There was some concern about this property having 24-hour-a-day operations. Mr. Van Buren was concerned some residents could not make this hearing and wanted to know about the possibility of having a meeting later in the day to accommodate people who have work.

Ms. Hillner noted how the Planning Hearing Officer hearing is the 3rd Wednesday of the month at 10:00 a.m. and if it is appealed, goes to the Planning Commission at 6:00 p.m.

Sam Crother, 3046 East Southern Avenue, stated how he liked the plan, except for the location of the cul-de-sac and how it was harassment towards him and his property. He does not see a need for the cul-de-sac.

Suzanne Johnson, 3131, 3139, & 3121 East Old Southern, stated how she really liked having the truck bays on the west side of the building and the cul-de-sac. She noted how traffic is bad on the street and the cul-de-sac or some other form of traffic mitigation was necessary.

Kay Shepard, 6022 South 36th Street, raised questions about the landscaping and its location behind the CMU wall. Her concern was related to how landscaping behind an 8-foot high wall would benefit the community. She also wanted to know if the hours of operation could be stipulated.

Ms. Hillner addressed the question about landscaping behind the CMU wall and how it is easier to maintain for the developer and what generally occurs.

Stephen Anderson, 2 North Central Avenue 15th Floor, is representing Canal Crossing Association. This is the group of commercial businesses from Phases 1 and 2. This association was formed 5 days after the application was filed, and 10 weeks old today. The association has reached out to the applicant and communicated a great deal. They agree to the compromise. They have discussed the cul-de-sac placement and possible land sales to accommodate encroachment onto their land.

Bill Glover, Awakening Seeds School 6630 South 40th Street, noted how he was concerned about high-density industrial, high numbers of trucks, and pollution. His issues are mainly with the large trucks and their subsequent pollution.

Jay Wolfson, 4212 East Sunrise Drive, was concerned with how this development will affect the general area, such as how the trucks get in and out of the area. Overall Mr. Wolfson is against this project.

Greg Brownell, 6102 South 32nd Street, discussed how he owns The Farm at South Mountain with his wife. He also noted he was on the village planning committee that approved the original plan in 2007. He is concerned with these modifications altering the original approval dramatically. He feels Southern Avenue has been neglected. He discussed the general conformance to site plans.

Ms. Hillner clarified on general conformance, which allows a 10% change and anything more requiring a public process to go above that change. This is the avenue to pursue a greater change.

Charles Burkham, 6020 South 28th Street, was concerned about traffic generated on Southern Avenue.

Tina Leadbetter, 3628 East Vineyard, was concerned with change in community and truck traffic in general.

William Randall Irvine, 3802 East Saint Catherine, was opposed because he feels commerce is invading the rural area.

Lisa Peterson, 6236 South 37th Street, was concerned with trucks and noise. She feels this will decrease the community's quality of life. She had questions about what business is going to be here.

Bobby Garza, 3115 East Old Southern, support the proposal as it is and lives directly across the street. Mr. Garza wants the street closed off, if this development goes through.

Tanis Earle, 3602 East Vineyard, is greatly opposed. She has questions.

Ms. Hillner noted the property is stipulated to the multi-use trail and there is no request to modify that.

Blake Peterson, 6236 South 37th Street, spoke about the corridor from the river to the mountain for access. He noted how he has been riding his horse along the access way for 15 years now. He stated if this project goes in, he will no longer ride his horse along the access.

Ms. Hillner discussed how there is nothing being proposed along 32nd Street. A letter from Barbara Schneider, representing her father at 3046 East Southern Avenue, was read into the record. Ms. Schneider opposes this request because the changes are tantamount to rezoning the property.

Ed Bull summarized the case and how the land uses are not being changed, the approved zoning already allows the land uses. Mr. Bull noted how this hearing is for lot and building configuration and how he has reached out to the south, to the Allen family to the west, and the commercial to the east. Many people in the area support this project. He spoke about the traffic analysis that was submitted and as per the ITE criteria the total traffic would be a very small number.

Ms. Hillner noted how there were many people here last month and commended the applicant for the outreach and effort to trying to find a solution acceptable to the community. This request comes down to what the development looks like. She approved the request, subject to modified stipulations.

FINDINGS:

1. The proposed modifications are in keeping with the intent of original rezoning.
2. The proposed development provides adequate perimeter buffers to mitigate impacts to the adjacent residential areas.

DECISION: The Planning Hearing Officer recommended approval with modifications

STIPULATIONS:

GENERAL

1. That development shall be in general conformance with the site plan and elevations BUILDING PERSPECTIVE date stamped ~~September 7, 2007~~ MAY 10, 2013, as modified by the following stipulations, and as approved or modified by the PLANNING AND Development Services Department, AND WITH SPECIFIC REGARD TO THE TRUCK DOCKS BEING LOCATED ONLY ALONG THE WEST ELEVATION OF THE BUILDING, AND WITH SPECIFIC REGARD TO THERE BEING ACCESS FOR TRUCKS (INCLUDING SEMI TRUCKS) TO AND FROM THE SITE AT THE CANAL

AVENUE ALIGNMENT AT THE SOUTHWEST CORNER OF THE SITE AS APPROVED
BY THE STREET TRANSPORTATION DEPARTMENT.

SITE DESIGN

2. That a 50-foot building set back shall be provided from the south property line, as approved by the PLANNING AND Development Services Department.
3. That a 35-foot landscape setback shall be provided along the south property line, as approved by the PLANNING AND Development Services Department. ~~A 6-foot CMU wall shall be provided adjacent to the south landscape setback. The wall shall be offset two feet for every 50 feet of wall length; the two-foot offset may encroach into the 35-foot landscape setback~~ IN ACCORDANCE WITH CITY DEVELOPMENT STANDARDS, A 40-INCH SCREEN WALL SHALL BE PROVIDED ADJACENT TO PARKING AREAS FACING THE SOUTH PROPERTY LINE AND AN 8-FOOT CMU WALL SHALL BE PROVIDED TO SCREEN LOADING BAYS/DOCKS FROM THE STREET.
4. That a minimum 35-foot, landscape setback shall be provided along the west property line, as approved by the PLANNING AND Development Services Department. Trash enclosures may encroach into the setback a maximum of 10 feet. The landscape setback shall contain a minimum of two staggered rows of trees, planted at rate of approximately 20 feet on center or equivalent groupings; 50 percent of the required trees shall be 2-inch caliper and 50 percent shall be 3-inch caliper. The landscape setback shall contain natural ground covering such as flowers and shrubs.
5. That the maximum BUILDING height of buildings adjacent to the south property line shall be ~~27~~ 36 feet, as approved by the PLANNING AND Development Services Department.
6. That ~~development~~ EMPLOYEE AND VISITOR PARKING AREAS WITHIN THE DEVELOPMENT shall be subject to the Parking Lot Area landscape requirements of Section 623 (C-2 District) of the Zoning Ordinance, as approved by the PLANNING AND Development Services Department.
7. That loading docks shall not be located between the south property line and the buildings adjacent to the south property line, as approved by the PLANNING AND Development Services Department.
8. That any lighting of signage shall be from a source exterior to the sign, signs shall not have interior lighting, as approved by the PLANNING AND Development Services Department.
9. That signage shall not be visible from the west property line, as approved by the PLANNING AND Development Services Department.

ARCHAEOLOGY

10. That 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.

PARKS AND RECREATION

11. That the developer shall dedicate a 20-foot trail easement along the north property line, as approved by the Parks and Recreation Department. Oleanders shall not be planted within the trail easement and any existing oleanders within the easement shall be removed.
12. THAT PRIOR TO COMMENCEMENT OF VERTICAL CONSTRUCTION OF THE DEVELOPMENT ISSUANCE OF A CERTIFICATE OF OCCUPANCY, DEVELOPER SHALL CONSTRUCT A CUL-DE-SAC ON CANAL AVENUE ADJACENT TO THE SITE. THE FINAL LOCATION AND DESIGN OF THE CUL-DE-SAC WILL BE REVIEWED BY THE STREET TRANSPORTATION DEPARTMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT'S SITE REVIEW PROCESSES.
13. THAT NO EXTERNAL LOUD SPEAKERS SHALL BE PROVIDED OR OPERATED ON THE PROPERTY.
- ~~14. THAT PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE DEVELOPER SHALL SUBMIT AN APPLICATION TO THE CITY REQUESTING THE CITY'S ABANDONMENT OF THE CANAL AVENUE RIGHT OF WAY BETWEEN SOUTHERN AVENUE AND THE WESTERN EDGE OF THE CUL-DE-SAC THAT IS PROPOSED IN CANAL AVENUE AT THE SOUTHEAST CORNER OF THIS DEVELOPMENT. IF THE RESOLUTION OF ABANDONMENT IS APPROVED BY THE CITY COUNCIL, THEN PRIOR TO PHYSICALLY CLOSING THE ABANDONED PORTION OF CANAL AVENUE TO PUBLIC TRAFFIC, THE DEVELOPER (IF PREVIOUSLY REQUESTED IN WRITING BY SUCH PROPERTY OWNER(S)) SHALL GRANT TO THE REQUESTING OWNER(S) OF APN 122-68-003 (CURRENTLY CROTHER), 122-68-001A (CURRENTLY KENISON), AND/OR 122-68-001B (CURRENTLY GODFREY) AN APPROXIMATE 25-FOOT WIDE NON-EXCLUSIVE PRIVATE INGRESS AND EGRESS EASEMENT(S), TO/FROM THEIR RESPECTIVE PROPERTY(IES) AND SOUTHERN AVENUE. THE FINAL LOCATION AND DESIGN OF THE INGRESS/EGRESS EASEMENT(S) SHALL BE SUBJECT TO THE APPROVAL OF THE STREET TRANSPORTATION DEPARTMENT.~~
15. 14. THAT BUILDING MOUNTED SIGNAGE SHALL NOT BE PROVIDED ON THE WEST ELEVATION OF THE BUILDING.

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BURCH & CRACCHIOLO

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June 11, 2013

Alan Stephenson
Acting Assistant Director
Planning and Development Department
200 W Washington St., 3rd Floor
Phoenix, AZ 85003-1611

RE: Application #Z-71-115-07-8 (PHO-1-13)
June 11, 2013 P&Z Commission Agenda Item #13

Dear Alan:

On behalf of Conor Commercial (f/k/a McShane Development) we request the two below additional Stipulations (both concerning Patrick Park) be added by the Planning Commission. The proposed additional Stipulations are:

15. That the developer shall maintain the Patrick Park landscape/hardscape as part of the perimeter landscaping of the project, as approved by the Street Transportation Department.

16. That the developer shall reconstruct the public art features of Patrick Park concurrent with the first phase of construction, as approved by the Office of Arts & Culture.

Both of the above proposed additional Stipulations are the result of on-going discussions among representatives of the Office of Arts & Culture, the Street Transportation Department, the Planning & Development Department, neighbors and others. The purpose of these Stipulations is to get Patrick Park back into a condition where it is once again a point of pride in the area.

Very truly yours,
BURCH & CRACCHIOLO, P.A.

Edwin C. Bull
For the Firm

ECB:lz

cc: Sean Cummings
Brian Greathouse
Ricki Horowitz



Burch & Cracchiolo, P.A.
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BCATTORNEYS.COM

Item #: 13
Application #: PHO-1-13--Z-115-07-7(8)
Existing Zoning: CP/BP
Acreage: 10.0
Location: Approximately 700 feet west of the northwest corner of 32nd Street and Canal Avenue
Proposal: 1) Modification of Stipulation 1 regarding general conformance to the site plan
2) Modification of Stipulation 3 regarding the 6-foot CMU wall
3) Modification of Stipulation 5 regarding building height
4) Modification of Stipulation 6 regarding landscape standard for employee and visitor parking areas
5) Technical corrections to Stipulations 2, 4, 7, 8, 9
Applicant: Ed Bull - Burch & Cracchiolo, P.A.
Owner: Canal Crossing Phoenix #2-Sean Cummings
Representative: Ed Bull - Burch & Cracchiolo, P.A.

Mr. Alan Stephenson presented PHO-1-13--Z-115-07(8); a request to modify Stipulations 1, 3, 5, 6 and technical corrections to Stipulations 2, 4, 7, 8 and 9 of rezoning application Z-115-07 to consolidate six buildings to one larger building located approximately 700 feet west of the northwest corner of 32nd Street and Canal Avenue. These requests are only stipulation modification requests as the zoning has already been granted for this parcel. The requests were appealed from the Planning Hearing Officer (PHO) by the opposition. The South Mountain Village Planning Committee reviewed this request and recommended approval of modification to Stipulation 6 to limit C-2 parking lot landscaping requirements to employee and visitor parking areas and technical corrections to Stipulations 2, 4, 7, 8 and 9. The Committee denied modifications to Stipulations 1, 3 and 5. The Planning Hearing Officer recommended approval of modifications to Stipulation 1, 3, 5 and 6 as requested and technical corrections to Stipulations 2, 4, 7, 8 and 9. The applicant has requested to add two additional stipulations that are outlined in a memo dated June 11, 2013 from Ed Bull as a result of on-going discussions with the Office of Arts & Culture, the Street Transportation Department, the Planning and Development Department, neighbors and others to retain/maintain existing improvements to Patrick Park and that the subject site be redesigned and improved for truck traffic to exit onto Canal Avenue and Old Southern through Patrick Park.

Mr. Ed Bull stated the PHO recommendation is a combination of some of the technical corrections that Mr. Stephenson stated and cleaning up some of the stipulations so the site can be developed and adding some additional stipulations to improve upon existing conditions. This property had been designated Commerce Park on the General Plan since 1989 and zoned Commerce Park for six years. The builder has been in the business for a long time and is confident on what will or will not work on this vacant in-fill site.

Mr. Bull presented an aerial of the area, outlining the subject site which was referred to as Phase III of Canal Crossing. Phase II are the buildings to the east. Mr. Bull indicated that they have not only worked with the Planning and Development staff but

also with the Street Transportation, Arts and Culture and a variety of other staff in the City to work on a plan that deals with the issues and problems to make the site viable.

The access to the site going east toward 32nd Street is a private access easement running through Phases I and II that benefits the Phase III site with access to and from 32nd Street. They have split the access points to be able to go to and from 32nd Street and Southern Avenue via Canal Avenue. There is also another access designation point to Southern Avenue; the site plan lays out intentionally for stipulation one with the loading docks on the west side of the building; truck access can circulate around all the east, north and west side of the building. The building is set up for one tenant although it is more likely it will be for multiple tenants. It is designed for up to three tenants in this particular building.

In the course of this process there have been many versions of the site plan and what to do with Canal Avenue which most people refer to as Old Southern; which is the street along the southern boundary. This plan has some support from the immediate neighbors and opposition from some distance neighbors. They have worked hard with the various city departments and neighbors to make this site the best it can be with split access and maintaining the stipulations in regards to landscaping set backs, walls, screening and other kinds of items to maximize the assurance that this is a compatibly developed site and to also add the stipulations to improve the existing conditions. The stipulations will also put further restrictions on signage and keeps the trail, which is very important to the neighbors along the northern edge of the property.

They are asking for stipulation #5 to be modified; the height of the two buildings next to Southern Avenue would be limited to 27 feet, the remainder of the site could be developed up to 56 feet which is permitted under the Commerce Park development standards. The site could also be developed with greater lot coverage than what is currently shown. They are not maximizing the site in terms of height, lot coverage or square footage.

They have dealt with many issues that continue to evolve through the two PHO meetings that they have held and have done their best to deal with the concerns of one neighbor that is opposed to the cul-de-sac which is near the southeastern corner of the site. This particular neighbor owns two parcels that front Southern Avenue and two that front Old Southern/Canal Avenue which he has legal access to. Other neighbors have expressed they want the cul-de-sac because of the speed of cut through traffic on Southern Avenue. They have intentionally placed the cul-de-sac conceptually in that location per discussions with the Street Transportation Department; the lots concerned can access Old Southern to travel east and have access to the cul-de-sac or Mr. Bull's client can provide a private egress/ingress easement. Old Southern/Canal Avenue can be abandoned between Southern around the odd bend to the west edge of the cul-de-sac. That was a stipulation that the Planning Hearing Officer did not believe should put into a PHO stipulation case; instead it should be dealt with through abandonment. As provided from that hearing and in the stipulations, they have told neighbors and agree with city staff to apply for the abandonment knowing that they will need to continue to provide parking to Patrick Park.

Mr. Bull thanked the neighbors that participated with them throughout this process. At the village meeting there was opposition from the commerce park to the east who has now submitted letters in favor and is here to speak this evening. Opposition from properties from the "triangle" area between Old Southern/Canal Avenue on the north and Southern Avenue on the south; with the exception of the issue of the cul-de-sac they believe they have worked out their concerns. They have also dealt with issues and concerns with neighbors to the immediate west; they do not have opposition there. The appeals that were filed came from distant properties not to the immediate area.

Mr. Bull is requesting the Planning Commission to concur with the PHO and staff recommendation with includes the stipulation in the staff report and the two additional stipulations that concern Patrick Park and stated in his letter that was mentioned at the beginning of the hearing.

Commissioner Montalvo asked about the opposition that was not from the immediate area. Were they property or home owners?

Mr. Bull stated there were two appeals that were filed, one by a property owner who lives approximately one mile away with other names attached to that appeal. The other appeal was filed by a homeowner that lives approximately one and a half miles from the site with other names attached to that appeal as well. Mr. Bull stated he believes they are residents in the one mile to mile and half range.

Commissioner Montalvo also asked about the immediate owners in opposition.

Mr. Bull stated on the west there is no opposition, to the immediate east which is also Commerce Park there was also no opposition. The Southeast area had no opposition to the development itself that he is aware of except for the one owner that owns the four parcels that he spoke about earlier.

Commissioner Montalvo asked why those in opposition of the cul-de-sac did not want it and who suggested the cul-de-sac.

Mr. Bull stated it is the one neighbor who owns the four parcels who is sensitive to losing public street access to his properties that legally front on Old Southern/Canal Avenue. Other neighbors that have been in this neighborhood for many years suggested the cul-de-sac because of prior discussions with the city that if the development occurred on the north side of Old Southern; a cul-de-sac would be put in. The PHO agreed with their suggested stipulations with one exception of the abandonment issue. The two added stipulations have evolved more recently in discussions as to how to deal with what unfortunately is not a very well maintained Patrick Park as it exist today. The city would like them to help with doing some reconstruction which may require changing the configuration of Old Southern; and as they maintain this that the landscaping is kept by trimming the trees, etc.

Ms. Carolyn Williams stated she represents the Canal Crossing Owners Association whose members are the immediate adjacent neighbors to the subject property to the east; they are the owners of Phase I and II. They voiced their concerns to the applicant

who was very diligent in working hard with them. All of their concerns have been addressed and have reviewed the revised site plan and the modifications to the stipulations that they have requested. Ms. Williams asked the Commission to approve all of the applicant's requests.

Mr. Bobby Garza stated he is the owner of the four parcels that have been spoken about. He is in favor of this project because the park will be refurbished and the cul-de-sac was part of the plan when the Commerce Park was first built; that as the area developed the cul-de-sac would be put in place because of the added traffic and now there will be additional traffic from this project. Currently it is an empty field used as a dump site and it is an eye sore. Mr. Garza believes this would be best for the neighborhood and stated he did not get any type of compensation for being in favor of this. Mr. Garza was a member of the Village Planning Committee for two years and was involved with this project when it was first presented.

Mr. Tony Aceto stated he owns several parcels in the area and Mr. Garza is his neighbor; they are the neighborhood and are the only ones who live on Old Southern. He agrees with what Mr. Garza stated. The developer has worked with them and has listened to their concerns. He is hoping that this will address the traffic problems.

Ms. Patty McKinstry stated she has lived in the South Mountain area for 25 years and is a former South Mountain Village Chair, BOA member and Chaired the Maricopa County Planning Commission. She believes this has been posted incorrectly; first as one acre then as ten acres. It was then zoned as multi-tenant although it has the look and feel of single-user option but does not carry that zoning. Ms. McKinstry asked the Planning Commission to postpone this hearing for time to obtain the correct information.

Ms. Tina Leadbetter stated in answer to the question that was asked about how far the neighbors are that are opposing; she lives almost one mile away but there are four who signed her appeal to this case that live on 28th Street which is a few blocks away. There is also a note within the PHO minutes that state a letter was received from Ms. Schneider who is opposed lives adjacent to several of the neighbors who spoke in favor. They are opposed because of the change in zoning based on some of the stipulations that have been made. Changing from six small building to one 155,000 square foot building has requested a 25% increase in space; as well as for the ceiling height to increase to 36 feet. Although this is not maxing out the zoning it tells them this will be used for a trucking distribution facility instead of a low density Commerce Park. Those in opposition may live more than a ½ mile or ¼ mile or 1 mile away but when the trucks are backing up they will be in hearing distance of those back-up beepers. They are working hard to bring agriculture back into the City of Phoenix. This is not in keeping with the rural character that they have in their community. Ms. Leadbetter also asked for a postponement to this case.

Ms. Lisa Peterson stated she is not one and a half miles away but approximately five blocks; four houses down from Southern. This is a truck depot that will probably get ten to twenty semi-trucks in an hour going into the facility. It is set up for forty bays of trucks. This will definitely change the neighborhood and will cause traffic problems on 32nd Street, Baseline Road and Southern Avenue where the traffic is already congested.

The area consists of golf courses and schools; there is a new school one block across this site on Southern Avenue. They do not have an objection to development; the six small buildings were the original plan. It is now a 155,000 square foot building which is not what was told it was going to be originally. Ms. Peterson is asking the Commission to delay this case to be looked into further because the impact is intense for those also living six blocks away.

Commissioner Davis asked for the name of the subdivision on 37th Street.

Ms. Peterson stated Bartlett Heard Ranch.

Ms. Tanis Earle declined to speak as to not to be redundant but did state she is in opposition and agrees with all that has been spoken in opposition this evening.

Mr. Bill Glover stated he is from the Awakening Seed School located on 40th Street between Baseline Road and Southern Avenue. Mr. Glover stated he is not against the Commerce Park; they are all over the neighborhoods; but the truck terminals are not good for schools. The west Phoenix area has many of these terminals and that is where this one should be; also there is much more land in that area. There is another huge project coming in across the street from this one and Mr. Glover believes if this case is approved the next one will also be. The South Mountain Village Planning Committee has spent many years in putting the village vision in place and would not like to see the hard work done for nothing. A comment was made that if this is not built jobs will be lost, he does not believe so; this can be built elsewhere, even a mile or so farther down from the proposed site. They are happy to have a commercial center but in the way it was designed; not this truck terminal.

Commissioner Katsenes asked Mr. Glover if he was representing the school and the name.

Mr. Glover stated he is representing the school which is called Awakening Seed School in its fourth year. The playground is along 40th Street.

Mr. Robert Peu stated he lives inside the golf course facility at the Legacy Golf Resort. He is not on a surface road but understands the impact it will have on the surface streets in his area. He is concerned with the height restrictions; 32nd Street is a single lane for the majority of the footage between Baseline Road and Broadway Road and with the additional impact he feels the city is getting ahead of themselves for the liability and impact that comes with the additional usage of the streets. Mr. Peu believes there needs to be additional time given to the neighbors in the area.

Mr. Paul Van Buren stated he lives very close to the proposed project. Because this is a change in stipulations and not a rezoning request the developer had no obligation to inform the community about this project. He became aware of this about three and a half weeks ago and became involved. Over the last week he has spoken to many neighbors in communities who are adjacent or close to this proposed project. The Legacy and Raven homes south of 32nd Street, condominium owners, etc; with the exception of the property owners that will cash in on this project; with increased property

values to go industrial, is not in favor of this project. Mr. Van Buren stated that Mr. Bull is a professional who has developed relationships with city planners for decades and typically get what he wants. Those in opposition do not want this project in their neighborhood. They will fight to keep it out. There is much residential growth with minorities and urban dwellers coming into this area reshaping the growth patterns and creating more development. People are attracted to this area because it is not all concrete; where there is fresh air and a comfortable feel.

Mr. Dan Peitzmeyer stated he is a resident of the Legacy; he moved out of central Phoenix 12 years ago to live in this area because of the beautiful and unique nature. There is much multi-use; agricultural, industrial, light Commerce Park, resorts, golf courses, etc. Mr. Peitzmeyer spoke of the many strong leaders this area has had which help defeat the Walmart that tried to develop the big box store on 24th Street and Baseline Road; Walmart is now there with a smaller grocery store which the neighborhood prefers. Mr. Peitzmeyer does not oppose development, but does not want a truck distribution center; the area cannot handle the current traffic volume. He noted that he became aware of this case only a week and a half ago.

Ms. Barbara Schneider stated she grew up on the property on Southern Avenue, the four parcels that Mr. Bull stated is in opposition to this project. Her grandparents purchased this property in 1946; her family has lived there since 1950. Some of the neighbors have stated they do not reside on the property, they do; they have a vested interest and passion for this area. Ms. Schneider served on the South Mountain Village Planning Committee; and as chair. The Village worked very hard on this project, without having to make changes. They believed this was a great compromise going from the rural zoning. In 1990, Southern Avenue was changed to a four lane street, it closed them off from entering Southern Avenue from their property; they had to exit from Canal Avenue/Old Southern Avenue. That is the access from the back of their property. By making these additional changes it will take away their access to the back parcels. They were not notified of the meeting or received late notices; other neighbors to the east received notices and invited to meetings, they were not.

Mr. Greg Brownell stated the site plan shown this evening is not the original site plan that was shown at the village meeting; it did not show the work that was done with six buildings. How can this jump from six buildings to one through one stipulation. This is a unique area with even those not living near will be impacted by this. Mr. Brownell spoke of a woman who lives on Tanner and 18th Street off of Broadway Road. She comes to the farm on South Mountain and knows every single tree in the area; this is not about the people within 600 feet of this project; this is about the entire community.

Ms. Jolyn Owen stated she served on the South Mountain Village Planning Committee many years ago and worked on the General Plans for years. The cul-de-sac is a separate issue from the building changing from six buildings to one. The cul-de-sac should have been put in years ago; favoring this project is not the way to get it. Commerce Park zoning has meant business offices not this big box transit. She is aware they are asking for time to further review this but she believes it should be denied. Just because the area is empty and affordable does not mean it is right.

Mr. George Randall stated he is within a one mile radius of this project. Mr. Randall directed the Commission to the first picture slide that was shown at the beginning of the hearing. Many of the neighbors to the north of the project were not heard from which is Commerce Park and Industrial which was put together in the 1980's when he was the spokes person for this home owners association. They worked diligently to put together that Industrial Park. It is very large and towards 24th Street there is a very large vacant piece of property which would be a better use of a large building. The area where it is now proposed is very small in comparison. Only the southern half of the area is being spoken to. In Phase I the canal was a natural barrier and provided all of the stoppage needed. There are two schools that are very near the proposed projects.

Additional cards submitted in opposition who did not wish to speak.

Bruce Leadbetter	Bruce McKinstry	Kent June
Thom Bawden	Sandy Bawden	Dan W Davis
Beverly Kaist	Dee Davis	Molly O'Neill
Jean Achley	Blake Peterson	Bill Schneider
Sam Crolter	Linda Bonhem	Dave Bonhem
Brian Lester	Kerry Lester	

Commissioner Madeksza left the hearing at 7:35 p.m.

Mr. Bull reemphasized that this is not a rezoning case; they are not adding any uses that are not already permitted under the approved vested zoning. Trucks are permitted. Truck access and any type of access are permitted to and from 32nd Street. Unlike Phases I and II that had stipulations prohibiting access from Canal/Old Southern, Phase III does not. The zoning is in place and is consistent with the General Plan. The traffic routing is permitted under the existing zoning. The adjustment in height caps it substantially below what is permitted under this permitted vested zoning. Commerce Park under the Business Park option; which is what they are, permits up to 56 feet in height; this project caps the height to 36 feet across the entire site. Mr. Bull stated they are also not maximizing the site in terms of lot coverage and square footage. Business Park allows 40% in lot coverage, 50% including shade canopies. They are at about 35%.

For buildings of this type from 2006 to 2012 that were 20,000 square feet or less in size had a negative absorption every year for six years. The developer of Phases I and II; if it would have been thought to be successful could have kept developing to the west; which is the proposed site; Phase III. Two different traffic studies were submitted, one based on ITE criteria; the other which is a comparative study to see how much more additional traffic, if any, is being generated by this proposed development versus what was shown on the prior site plan. The average daily truck trips per the ITE criteria which all traffic engineers use in calculating traffic for light manufacturing is 6 additional trips per day, not per hour or minute. For warehousing functions it would be 10 additional trips per day. Breaking this down further per truck, it is half as many because one trip is in and one trip is out with the same truck. Three additional trucks under one

land use pattern, five additional trucks per day comparing the square footage under the small building plan versus this plan.

Mr. Bull again went over one of the exhibits with the footprint of the building at an earlier version that had the loading docks on the east side of the site. That was one of the many changes that were made through the process of working with neighbors and staff. The light tan buildings are two-scale placements of the buildings that were shown on the 2007 site plan. The square footage increase did not start from zero; it starts with where they were. All of the advertising and posting were done; letters were sent. The people who attended the village meeting or the first or second PHO hearing, made a phone call or any type of contact from anyone who expressed an interest no matter where they lived where added to the contact list and were invited to attend all meetings and hearings.

Many of these issues have been talked through regarding the existing zoning and General Plan; not one has spoken about down zoning, the only way to get to where those in opposition are proposing is for the Planning Commission or the City to effectively down zone this property and change the General Plan designation on this property to take away some of the land use, traffic related and use rights that are part of the vested zoning on this property. Because of changing circumstances; which happens, the same plan does not make sense for what is needed today. Mr. Bull spoke to the neighbors who had history regarding the cul-de-sac and there are pros and cons for it. The applicant and the Street Transportation Department are doing everything they can as to not deny Ms. Schneider's access to their property. Mr. Bull also emphasized that no neighbor has been cashing in on this project.

Commissioner Montalvo asked which would bring in more traffic, the six buildings or the one large building.

Mr. Bull stated under the ITE criteria it does not differentiate numbers of trips between building size in this context. The additional trips that were shown are the net additional trips because of the increase in building size; again the size is less than what it could be under the approved zoning. It would be less traffic because there is less square footage; it might be a different type of traffic that could be higher than the kind of traffic they are talking about for this project.

Commissioner Davis stated she understands that the application does not specifically change the underlying zoning but specially wants to speak about the use that the client is asking for versus what is actually intended. Are the six buildings currently being utilized in the same context that the client intends to utilize in one? Commissioner Davis believes this is the underlying concern for the neighbors.

Mr. Bull stated under the Commerce Park/Business Park option, which is what they are, the uses can include light manufacturing, warehousing, etc. In the context of Phases I and II and in the original site plan there are trucks coming and going and there are truck docks. There is more truck docks on this proposed building if there were all used. There is no obligation that trucks serving a building necessary come to and from a dock but this does work better if the dock is accessible rather than double-parking a truck.

Mr. Bull stated he cannot speak on what the prior developers intended use of the property was in 2007, it certainly could and probably would have included some light manufacturing, office and warehousing functions occurring in smaller buildings. Today his client is anticipating that his uses will include some warehousing, light manufacturing or assembly and each use or user involved in these uses would also have an administrative office function, the same as in a small building. From his understanding Phases I and II are used in part for storage functions and light assembly functions. Also a health rehabilitation facility where there are some trucks coming and going. Phase III is vacant.

Commissioner Davis stated that although Mr. Bull commented in his rebuttal that anyone who contacted them was added to a list; one of the speakers stated that they had not been reached out to. Was there an affirmative outreach done for all impacted persons in the community?

Mr. Bull stated yes, he believes there were three speakers that stated they just heard of this case two to three weeks ago and Ms. Schneider also stated she had not heard about this. Notice letters were sent out.

Mr. Stephenson stated that the PHO process requires notice of all property owners within 300 feet and neighborhood association registered with the city within 600 feet.

Mr. Bull stated in the case of other abutting neighbors; notices were received because calls were made and this is also when they first heard the history of the cul-de-sac. The letter from Mr. Glover to the best of his knowledge did not come back; they had not heard anything from him until the first PHO hearing. They met with him and others and spoke about the case. They have tried to follow up since. Mr. Bull assured the Commission that they received copies of the cards from the village meetings which was a very different plan and neighborhood circumstances than what has now evolved.

Commissioner Davis asked Mr. Bull what is his position on a continuance based on the opposition that has been heard this evening.

Mr. Bull stated they would prefer a decision this evening if the Planning Commission is willing to do so. He believes the continuance is for this case to be linked to a future case coming through and to be on the same agenda with a General Plan amendment and rezoning case to the west of this project that has recently been filed.

Commissioner Davis stated she lives in this community and is familiar with the area and acknowledges the concerns this evening. There are several schools that have opened in this area and it sounds to her that the underlying uses currently on parcels one and two seem to be adequate in terms of what is happening in the neighborhood. The redesign to one large facility instead of six is an area of concern.

Commissioner Heck asked for clarification regarding the village approving this project in April except for stipulations 1, 3 and 5?

Mr. Stephenson stated that is correct.

Commissioner Heck continued that stipulations 1, 3 and 5 are stricter than what they were originally.

Mr. Stephenson stated that is correct, what the staff report reflects is what the Planning Hearing Officer approved. Even as the village recommended denying 1, 3 and 5; the Hearing Officer motioned to approve them subject to some additional requirements and changes. That is what is before the Commission this evening.

Commissioner Heck stated the Planning Hearing Officer approved the stricter guidelines than what the village had approved.

Mr. Stephenson stated the PHO made a motion to approve the site revision that the applicant requested that the village did not and then also stipulation #3 related to landscape set-backs and screen wall changes was voted for approval; as well as stipulation #5 about the maximum building height. PHO approved the height increase but the village did not.

Commissioner Heck stated she would like more clarification on the traffic study.

Mr. Bull stated that the traffic study estimates traffic based upon the original approval in 2007 compared to this proposed building in 2013. The average daily trip does not just include trucks, although the trucks are the focus. Any and all trips including employees are in this study. The second page of the study focuses on the semi-trucks. Under this analysis it anticipates that the total truck trips under a general light industrial type of classification would be about 32 a day which translate into 16 trucks. Mr. Bull is not aware where the number of 120 trucks came from. Under ITE criteria; under light manufacturing; there would be approximately 32 truck trips per day or approximately 42 trucks trips per day if it were entirely warehousing. Mr. Bull believes it will be a combination of both.

Commissioner Heck asked Mr. Bull if he would consider doing a study again specifically because of the existing traffic versus what it was in 2007?

Mr. Bull stated this is in the information because the traffic engineer looks at background traffic and other related information as well. The building square footage is what the traffic engineer was using in comparing 120,000 square feet that was shown on the smaller buildings in 2007 that were never built; to the proposed 156,000 square foot building that they hope to build. They are currently working on additional traffic related analysis to determine the most optimistic intersection geometry at the intersection of Southern and Old Southern. What is there today is odd. Mr. Bull is not aware of any additional requests on trip counts but is something they can check to see is it is needed.

Commissioner Heck stated it is an obvious concern for the neighborhood because of the amount of semi-trucks and the traffic circulation to get to where they need to go to get access to the freeway around the neighborhood and schools.

Mr. Bull stated some neighbors are very concerned with the traffic on 32nd Street and would prefer that there was no access to 32nd Street and others would prefer no access onto Southern Avenue.

Commissioner Heck had one more question for Mr. Stephenson regarding the stipulation that the village did not approve; stipulation #1; what would be the alternative.

Mr. Stephenson stated the alternative that the village proposed was to deny modification of stipulation 1 and leave the existing stipulation, and site plan in place and the same for stipulation 3 and 5.

Commissioner Beletz asked if there was blight or a transient problem on the property.

Mr. Bull stated there has been an ongoing problem with dumping of various things and other activities.

Mr. Bull asked if he could verify the question regarding the village stipulation #1; this is the heart and soul of this case. Part of the importance there is that the primary speaker who was comparing the 2007 site plan to the then proposed site plan was speaking on behalf; at that time; of the commerce park development to the east. This speaker is now in complete support of what they are requesting. Things have changed since 2007, April and this evening because of the kind of outreach and compromise the applicant is often encouraged to do.

Commissioner Davis made a MOTION to continue PHO-1-13—Z-115-07-7(8) for 60 days to the August 13, 2013 Planning Commission hearing so the applicant can further confer with the community and provide additional notices to individuals who are within the 1 to 2 mile radius.

Commissioner Heck SECONDED.

Commissioner Whiter asked if they are asking applicant to expand what is required by the city ordinance.

Commissioner Davis stated she is asking the Commission to recognize the community opposition and hold another neighborhood meeting so that the community can bring to that meeting whom ever they choose and be heard with the opportunity to work with the applicant towards a resolution that the Planning Commission would not have to necessarily have to decide for 60 days.

Mr. Stephenson further clarified if this motion passes to require the applicant to send a notice to everyone who submitted cards this evening and those who did may contact others in the area to attend the meeting. In that way everyone will be invited regardless of the location.

Commissioner Beletz made a SUBSTITUTE MOTION to approve PHO--1-13--Z-115-07-7(8) per the PHO recommendation with two additional stipulations outlined in the memo dated June 11, 2013 from Ed Bull.

Commissioner Montalvo SECONDED.

There being no further discussion, Chairman Awai called for a vote and the SUBSTITUTE MOTION PASSED 5-3 (Awai, Heck, Davis)

Chairman Awai asked Mr. Stephenson to clarify what was approved.

Mr. Stephenson stated the motion was passed by a vote of 5 to 3 to approve per the PHO recommendation with the two additional stipulations outlined in the memo dated June 11, 2013 by Ed Bull.

Chairman Awai explained a motion was made and it received a second. A substitute motion was offered and also seconded. The substitute motion must be voted on first and if it did not get a second then the first motion would be voted on. The substitute motion did receive a second so a roll call vote was taken and it passed with 5 in favor and 3 in opposition.

* * *

Stipulations:

GENERAL

1. That development shall be in general conformance with the site plan and ~~elevations~~ BUILDING PERSPECTIVE date stamped ~~September 7, 2007~~ MAY 10, 2013, as modified by the following stipulations, and as approved or modified by the PLANNING AND Development ~~Services~~ Department, AND WITH SPECIFIC REGARD TO THE TRUCK DOCKS BEING LOCATED ONLY ALONG THE WEST ELEVATION OF THE BUILDING, AND WITH SPECIFIC REGARD TO THERE BEING ACCESS FOR TRUCKS (INCLUDING SEMI TRUCKS) TO AND FROM THE SITE AT THE CANAL AVENUE ALIGNMENT AT THE SOUTHWEST CORNER OF THE SITE AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.

SITE DESIGN

2. That a 50-foot building set back shall be provided from the south property line, as approved by the PLANNING AND Development ~~Services~~ Department.
3. That a 35-foot landscape setback shall be provided along the south property line, as approved by the PLANNING AND Development ~~Services~~ Department. ~~A 6-foot CMU wall shall be provided adjacent to the south landscape setback. The wall shall be offset two feet for every 50 feet of wall length; the two-foot offset may encroach into the 35-foot landscape setback~~ IN ACCORDANCE WITH CITY

DEVELOPMENT STANDARDS, A 40-INCH SCREEN WALL SHALL BE PROVIDED ADJACENT TO PARKING AREAS FACING THE SOUTH PROPERTY LINE AND AN 8-FOOT CMU WALL SHALL BE PROVIDED TO SCREEN LOADING BAYS/DOCKS FROM THE STREET. .

4. That a minimum 35-foot, landscape setback shall be provided along the west property line, as approved by the PLANNING AND Development ~~Services~~ Department. Trash enclosures may encroach into the setback a maximum of 10 feet. The landscape setback shall contain a minimum of two staggered rows of trees, planted at rate of approximately 20 feet on center or equivalent groupings; 50 percent of the required trees shall be 2-inch caliper and 50 percent shall be 3-inch caliper. The landscape setback shall contain natural ground covering such as flowers and shrubs.
5. That the maximum BUILDING height of buildings adjacent to the south property line shall be ~~27~~ **36** feet, as approved by the PLANNING AND Development ~~Services~~ Department.
6. That ~~development~~ EMPLOYEE AND VISITOR PARKING AREAS WITHIN THE DEVELOPMENT shall be subject to the Parking Lot Area landscape requirements of Section 623 (C-2 District) of the Zoning Ordinance, as approved by the PLANNING AND Development ~~Services~~ Department.
7. That loading docks shall not be located between the south property line and the buildings adjacent to the south property line, as approved by the PLANNING AND Development ~~Services~~ Department.
8. That any lighting of signage shall be from a source exterior to the sign, signs shall not have interior lighting, as approved by the PLANNING AND Development ~~Services~~ Department.
9. That signage shall not be visible from the west property line, as approved by the PLANNING AND Development ~~Services~~ Department.

ARCHAEOLOGY

10. That 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.

PARKS AND RECREATION

11. That the developer shall dedicate a 20-foot trail easement along the north property line, as approved by the Parks and Recreation Department. Oleanders shall not be planted within the trail easement and any existing oleanders within the easement shall be removed.
12. THAT PRIOR TO COMMENCEMENT OF VERTICAL CONSTRUCTION OF THE DEVELOPMENT ~~ISSUANCE OF A CERTIFICATE OF OCCUPANCY,~~

DEVELOPER SHALL CONSTRUCT A CUL-DE-SAC ON CANAL AVENUE ADJACENT TO THE SITE. THE FINAL LOCATION AND DESIGN OF THE CUL-DE-SAC WILL BE REVIEWED BY THE STREET TRANSPORTATION DEPARTMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT'S SITE REVIEW PROCESSES.

13. THAT NO EXTERNAL LOUD SPEAKERS SHALL BE PROVIDED OR OPERATED ON THE PROPERTY.
- ~~14. THAT PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE DEVELOPER SHALL SUBMIT AN APPLICATION TO THE CITY REQUESTING THE CITY'S ABANDONMENT OF THE CANAL AVENUE RIGHT-OF-WAY BETWEEN SOUTHERN AVENUE AND THE WESTERN EDGE OF THE CUL-DE-SAC THAT IS PROPOSED IN CANAL AVENUE AT THE SOUTHEAST CORNER OF THIS DEVELOPMENT. IF THE RESOLUTION OF ABANDONMENT IS APPROVED BY THE CITY COUNCIL, THEN PRIOR TO PHYSICALLY CLOSING THE ABANDONED PORTION OF CANAL AVENUE TO PUBLIC TRAFFIC, THE DEVELOPER (IF PREVIOUSLY REQUESTED IN WRITING BY SUCH PROPERTY OWNER(S)) SHALL GRANT TO THE REQUESTING OWNER(S) OF APN 122-68-003 (CURRENTLY CROTHER), 122-68-001A (CURRENTLY KENISON), AND/OR 122-68-001B (CURRENTLY GODFREY) AN APPROXIMATE 25-FOOT WIDE NON-EXCLUSIVE PRIVATE INGRESS AND EGRESS EASEMENT(S), TO/FROM THEIR RESPECTIVE PROPERTY(IES) AND SOUTHERN AVENUE. THE FINAL LOCATION AND DESIGN OF THE INGRESS/EGRESS EASEMENT(S) SHALL BE SUBJECT TO THE APPROVAL OF THE STREET TRANSPORTATION DEPARTMENT.~~
14. THAT BUILDING MOUNTED SIGNAGE SHALL NOT BE PROVIDED ON THE WEST ELEVATION OF THE BUILDING.
15. THAT THE DEVELOPER SHALL MAINTAIN THE PATRICK PARK LANDSCAPE/HARDSCAPE AS PART OF THE PERIMETER LANDSCAPING OF THE PROJECT, AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.
16. THAT THE DEVELOPER SHALL RECONSTRUCT THE PUBLIC ART FEATURES OF PATRICK PARK CONCURRENT WITH THE FIRST PHASE OF CONSTRUCTION, AS APPROVED BY THE OFFICE OF ARTS AND CULTURE.



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

CITY OF PHOENIX

JUN 13 REC'D

PLANNING DEPT.
3rd FL. RECEPTION

The **PLANNING COMMISSION** agenda for June 11, 2013 is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

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2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the land included in the proposed change or of the land within 150 feet (not including the width of the street) of the front, back or any side of the property sought to be rezoned signed the petition. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

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3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. June 25, 2013.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

P150-1-13-2-115.07 (5)
APPLICATION NO.

700' W OF NW CORNER 32ND ST & CARSON
LOCATION OF APPLICATION SITE

6-11-13
DATE APPEALED FROM

OPPOSITION
 APPLICANT

TRICIA GOMES
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

DAN RITZMEYER
PRINTED NAME OF PERSON APPEALING

[Signature]
SIGNATURE

2714 E CARSON RD
STREET ADDRESS

6-13-2013
DATE OF SIGNATURE

PHOENIX AZ 85042
CITY, STATE & ZIP CODE

602-331-1998
TELEPHONE NO.

REASON FOR REQUEST DISAGREE WITH DECISION BECAUSE ROBERTS RULES WERE VIOLATED, BELIEVE 32ND IS ILLEQUIPPED

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

FOR TRAFFIC INCREASE



JUN 13 REC'D

PLANNING DEPT.
2nd fl. RECEPTION

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FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

PHO-1-13-2-115-2
APPLICATION NO.

32nd & Old Southern (canal)
LOCATION OF APPLICATION SITE

June 11-2013
DATE APPEALED FROM

OPPOSITION
 APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Jolyn Owen
PRINTED NAME OF PERSON APPEALING

Jolyn Owen
SIGNATURE

5624 S. 27th Pl
STREET ADDRESS

June 13-2013
DATE OF SIGNATURE

Phx Az 85040
CITY, STATE & ZIP CODE

602 909 4425
TELEPHONE NO.

REASON FOR REQUEST Against ~~S~~ Sight Plan Changes

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

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FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

PHD-1-13-2-115-07(B) 700' W OF NW CORNER 32ND ST & CANAL AVE
APPLICATION NO. LOCATION OF APPLICATION SITE

6/11/13
DATE APPEALED FROM

OPPOSITION
 APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Patricia C. McKinstry
PRINTED NAME OF PERSON APPEALING

Patricia McKinstry
SIGNATURE

3811 E St. Catherine
STREET ADDRESS

June 13, 2013
DATE OF SIGNATURE

Phoenix AZ 85042
CITY, STATE & ZIP CODE

602-431-1460
TELEPHONE NO.

REASON FOR REQUEST This case is a shift from light industrial to heavy industrial of 10 acres. It requires a General

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

Plan Amendment as per "Goal 12 - Policy 2" and is non conforming to the residential and Open Space areas surrounding it.



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

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FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

PHD-1-13-2-115-0718 700' W OF NW CORNER 32ND ST & CANAL AVE
APPLICATION NO. LOCATION OF APPLICATION SITE

6/11/13
DATE APPEALED FROM

OPPOSITION
 APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Bruce McKinstry
PRINTED NAME OF PERSON APPEALING

Bruce McKinstry
SIGNATURE

3811 E. ST. CATHERINE
STREET ADDRESS

13 JUNE 2013
DATE OF SIGNATURE

PHOENIX AZ 85042
CITY, STATE & ZIP CODE

602-820-5853
TELEPHONE NO.

REASON FOR REQUEST HEAVY INDUSTRIAL INTRUSION INTO STABLE NEIGHBORHOOD

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

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FORM TO REQUEST CITY COUNCIL HEARING

I HEREBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

PHD-1-13-2-115-07(B)
APPLICATION NO.

700' W of NW corner 32ND ST & CANAL AVE
LOCATION OF APPLICATION SITE

6/11/13
DATE APPEALED FROM

OPPOSITION
 APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL

LISA Peterson
PRINTED NAME OF PERSON APPEALING

[Signature]
SIGNATURE

6236 S. 37TH ST
STREET ADDRESS

6/11/13
DATE OF SIGNATURE

PHX AZ 85042
CITY, STATE & ZIP CODE

6024051800
TELEPHONE NO.

REASON FOR REQUEST

Loading Dock
opposed to this Building being built +
the traffic problems, noise + smell it
will CAUSE, Not appropriate for the
neighborhood.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

CITY OF PHOENIX

JUN 13 REC'D

PLANNING DEPT.
2nd fl. RECEPTION

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FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

PHD-1-13-2-115-07(B)
APPLICATION NO.

700' W of NW corner 32ND ST & CANAL AVE
LOCATION OF APPLICATION SITE

6/11/13
DATE APPEALED FROM

OPPOSITION
 APPLICANT

Kassandra Zobrist, South Mountain Village
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Molly O'Neill
PRINTED NAME OF PERSON APPEALING

Molly O'Neill
SIGNATURE

2719 E. Darrel Rd
STREET ADDRESS

6-13-13
DATE OF SIGNATURE

Phoenix, AZ 85042
CITY, STATE & ZIP CODE

602-595-7570
TELEPHONE NO.

REASON FOR REQUEST The project requires a General Plan Amendment before approval. The proposed development is a non-conforming use, and not beneficial for the neighborhood and entire South Mountain Village

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

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PHD-1-13-2-115-07(B)
APPLICATION NO.

700' W OF NW CORNER 32ND ST & CANAL AVE
LOCATION OF APPLICATION SITE

6/11/13
DATE APPEALED FROM

OPPOSITION
 APPLICANT

R. Eno
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

BLAICE PETERSON
PRINTED NAME OF PERSON APPEALING

[Signature]
SIGNATURE

6236 S. 37th ST.
STREET ADDRESS

6/13/13
DATE OF SIGNATURE

PHX, AZ. 85042
CITY, STATE & ZIP CODE

602-453-0344
TELEPHONE NO.

REASON FOR REQUEST

CITY OF PHOENIX

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTR

*City Council date July 3, 2013
at 1:00 pm.
PE*

JUN 17 REC'D

PLANNING DEPT.
2nd fl. RECEPTION



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

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3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. June 25, 2013.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

PHD-1-13-Z-115-07(8)

APPLICATION NO.

700 W OF NW CORNER 32ND ST & CANAL AVE

LOCATION OF APPLICATION SITE

6/11/13

DATE APPEALED FROM

OPPOSITION
 APPLICANT

R. Earle

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Tanis EARLE
PRINTED NAME OF PERSON APPEALING

Tanis Earle
SIGNATURE

CITY OF PHOENIX

3602 E Vineyard Rd
STREET ADDRESS

6/13/13
DATE OF SIGNATURE

JUN 17 REC'D

Phoenix AZ 85042
CITY, STATE & ZIP CODE

602 469 0617
TELEPHONE NO.

PLANNING DEPT.
2nd fl. RECEPTION

REASON FOR REQUEST Planning Commission did not consider relevant points presented at 6/11/13 meeting. Postponement and further studies needed.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

City Council date July 3, 2013 at 1:00 pm.

Rec



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

The **PLANNING COMMISSION** agenda for June 11, 2013 is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

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FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

P40-1-13-2-115-07(8)
APPLICATION NO.

700' W of NW corner of 32nd St.
LOCATION OF APPLICATION SITE Canal Ave.

6.11.13
DATE APPEALED FROM

OPPOSITION
 APPLICANT

R. E. [Signature]
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

CITY OF PHOENIX

Bruce Leadbetter
PRINTED NAME OF PERSON APPEALING

[Signature]
SIGNATURE

JUN 17 REC'D

3268 E. Vineyard Rd.
STREET ADDRESS

June 17, 2013
DATE OF SIGNATURE

PLANNING DEPT.
2nd fl. RECEPTION

Phx, AZ 85042
CITY, STATE & ZIP CODE

602-795-7828
TELEPHONE NO.

REASON FOR REQUEST This project is contrary to approved plan.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

City Council date July 3, 2013
at 1:00 pm.

FE



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

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PHO. 1.13.2.115.07(8)

APPLICATION NO.

700' W of NW corner of 32nd St.
Canal Ave.

LOCATION OF APPLICATION SITE

6.11.13

DATE APPEALED FROM

OPPOSITION
 APPLICANT

R. E...

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

TINA LEADBETTER, STONE HOE GARDENS

PRINTED NAME OF PERSON APPEALING

SIGNATURE

3268 E. VINEYARD RD

STREET ADDRESS

6.17.13

DATE OF SIGNATURE

PHOENIX AZ 85042

CITY, STATE & ZIP CODE

602.795.7828

TELEPHONE NO.

JUN 17 REC'D

REASON FOR REQUEST

Prior approval did not appropriately stipulations to existing zoning; Village Planning Comm.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

City Council date July 3, 2013 at 1:00 pm.

TC

PLANNING DEPT.
2nd fl. RECEPTION

Denied.



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

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PHD-1-13-2-115-07(B) 700' W OF NW CORNER 32ND ST & CANAL AVE
APPLICATION NO. LOCATION OF APPLICATION SITE

6/11/13 OPPOSITION R. E...
DATE APPEALED FROM APPLICANT PLANNER
(PLANNER TAKING THE APPEAL)

CITY OF PHOENIX

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Earl de Berge
PRINTED NAME OF PERSON APPEALING
3350 East Vineyard
STREET ADDRESS
Phx, AZ, 85042
CITY, STATE & ZIP CODE

Earl de Berge JUN 17 REC'D
SIGNATURE
6/15/2013 PLANNING DEPT.
DATE OF SIGNATURE 2nd fl. RECEPTION
602-268-6563
TELEPHONE NO.

REASON FOR REQUEST Is contrary to the land use plan. Will introduce
Industrial uses in an area reserved for residential use

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

There is sufficient mixed industrial zoning north of Southern
all across South Phoenix. Earl de Berge. City Council
date July 3, 2013
at 1:00 pm. PE



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

CITY OF PHOENIX

JUN 17 2013

Planning Department

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PHD-1-13-2-115-07(B)
APPLICATION NO.

700' W OF NW CORNER 32ND ST & CANAL AVE
LOCATION OF APPLICATION SITE

6/11/13
DATE APPEALED FROM

OPPOSITION
 APPLICANT

[Signature]
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

RANDY GERDES
PRINTED NAME OF PERSON APPEALING

[Signature]
SIGNATURE

2635 E. DARREL RD.
STREET ADDRESS

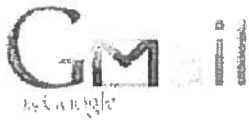
6/13/13
DATE OF SIGNATURE

PHOENIX, AZ 85042
CITY, STATE & ZIP CODE

480.280.6633
TELEPHONE NO.

REASON FOR REQUEST REQUEST TIME TO BETTER EVALUATE THE IMPACT ON SOUTH MTN VILLAGE

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER



(no subject)

MARYANN GODFREY <iron4768@msn.com>
To: "tom.bilsten@gmail.com" <tom.bilsten@gmail.com>

Tue, May 14, 2013 at 5:34 PM

Dear Mr. Tom Bilsten

I support the Canal Crossing phase 3 project.

Success,
Mary Ann Godfrey
12268001B

Monday, April 15, 2013

Regarding ZA-1-13-Z-115-07-8

To be heard: 4/17/2013

City of Phoenix Planning Hearing Officer:

I am writing to express my support for the modifications of stipulations on the property at approximately 700 feet west of the northwest corner of 32nd. Street and Canal Avenue. I feel this project will bring much needed employment to our Village. This is not an endorsement from the South Mountain Village Planning Committee.

Thank you for your consideration and please feel free to call me if you desire to discuss this issue further.

Sincerely,

George A. Young,
South Mountain Village Planning Committee
Chairman, South Mountain Village Planning Committee.
514 West Sunland Avenue
Phoenix, Az. 85041
gayoung@cox.net
602-243-3162-Home
602-751-1711-Cell

June 4, 2013

City of Phoenix Planning Department
Kassandra M. Zobrist, South Mountain Village Planner
200 W. Washington St. 3rd floor
Phoenix, AZ 85003

Dear Ms. Zobrist,

Please attach this letter to case Z-115-07-7.

In researching the different configurations of Commerce Park building designs, I believe that the stipulation changes, requested in the above referenced case, constitute a use associated more with "Industrial" than with "Commerce/Business Park."

The stipulations requested in Z-115-07-7 increase impact by adding:

- 1.) 18 wheeler traffic around the clock, along with its attendant noise, air pollution, road hazards and evening lights; "Commerce/Business Park" uses are typically in operation 5 days a week, 7am to 6pm (ref. PrismaGraphics at 32nd St and Broadway)
- 2.) Building height which affects air circulation, sunlight and view corridors
- 3.) A larger footprint, lending itself to fewer tenants (Ed Bull indicated a Single Tenant would be ideal) – which would require a minimum of 15 acres and would provide fewer jobs. (ref. Phx. Zoning Ordinances "Single User")

Because the land area is over 10 acres (10.3 per site plan), and the new stipulations dramatically change the nature of the land use, it appears City policy requires a General Plan Amendment before the stipulations and the Planning Hearing Officer's recommendations can be reviewed by the City of Phoenix Planning Commission.

Please postpone this case so that your department can adhere to its policies on changes to the Phoenix General Plan before granting a divergence of land use on areas larger than 10 acres.

Thank you for your consideration,

Patty McKinstry
Patty McKinstry
3811 E. St. Catherine Ave
Phoenix, AZ 8042

cc: Mr. Alan Stephenson ✓

COPY

June 3, 2013

Kasandra M. Zobrist, South Mountain Village Planner
Phoenix Planning Development Zoning
200 W Washington 3rd Floor
Phoenix, AZ 85003

The purpose of this letter is to inform you of our fierce opposition to both of the following applications:

General plan amendment GPA-SM-13-08. Conor Commercial Real Estate, off the Old Southern Rd./Southern Ave/32nd St. presently zoned commerce park - that wants stipulations changed to call it a "distribution facility" which would add many more truck docks than original design (approx 40 truck loading docks), one football field sized building with ingress/egress onto Southern and 32nd street. This was passed and the neighborhood has appealed the decision. It will be reviewed again on June 11.

Also, the Trammell Crow Company rezoning Z-19-13. 50 acres of presently zoned residential and MUA (Mixed Use Agriculture), located just east of 28th Street, North of Southern across from the new school. Trammell Crow is proposing that existing RE-24 (residential) and existing MUA (Mixed Use Agriculture - like us) be rezoned to Industrial, resulting in 2 football field sized buildings, ht 40' all around with a total of 60-80 truck loading docks - all ingress/egress onto Southern just east of 28th.

These types of development are wrong for this area on so many levels and would have a disastrous effect on the residential houses and parks in the area and the school across the street. Currently new homes have been approved and are being built in this area in accordance with city approval. To change existing residential and MUA zoning to industrial zoning is neither logical nor fair to the existing and future homeowners.

These developments would be very dangerous for the traffic on Southern as there is a curve in the road that would create a hazardous situation because of big trucks pulling out. Please don't jeopardize the safety of the neighbors who use Southern. Both 32nd Street and Southern are streets that cannot safely handle the increased traffic brought about by these developments.

These developments would significantly increase air pollution and bad diesel smell which the kids in the school across the street would be breathing as they played on their playground outside.

These developments would significantly increase noise pollution, as these 16 wheeler trucks always put out a loud beeping sound up as they back up.

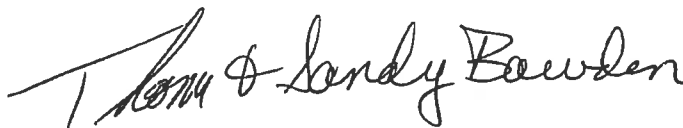
As with all distribution centers, there will be trucks idling at all hours day and night; and if there is no room at the distribution center, they will spill into the near-by neighborhoods, the school across the street and even nearby Esteban Park subjecting neighbors to increased traffic, noise and pollution.

Please keep these distribution centers where they belong..... in commercial and industrial areas that do not have nearby children playing and adults enjoying a good quality of life. These developments do not belong in the vicinity of neighborhoods, schools and parks.

We want it on record that we are very much in opposition to these two developments.

Thank you,

Thom and Sandy Bawden
3232 E. Vineyard Rd.
Phoenix, AZ 85042
602-276-5755



Barbara Schneider
2101 West Dobbins RD, Phoenix AZ 85041
Representing 3046 East Southern Ave -For Samuel Crother My Father

In opposition to the stipulation changes, modifications and additional stipulations.

Z-115-07-7 CP/BP 10 Acres 700 Feet west of the Northwest corner of 32nd street and Canal Ave.

Please read into the minutes of the meeting.

I attended the last hearing on this case in front of the PHO Hearing officer. The message was clear that the property owners desire was for everyone to work together and meet as a group which has not happened. Fact is that no notification was sent to my father Samuel Crother who is the property owner in the area and has been since 1956.

When this case was heard at the South Mountain Village planning committee prior to coming the the PHO, the village and denied the change in stipulations. This case was heard by the Village in back in 2007 for the whole entire parcel and was approved by the village as there were requirements put in this case to protect the property owners. Theses were height restrictions, set backs, lighting , truck traffic, set back for vegetation that allowed buffering for the property owners. At this time the traffic was discussed ,that is why there was not entrance or exit on to Canal Ave (Old Southern) again to protect the property owners.

There has been reference made to the Estaban Park Plan. In this plan there is acknowledgement of Southern Avenue is above the grade of the residential property on the north side of Southern and that Street Transportation Department is aware of the flooding issues. This is in the plan and nothing has been discussed with regards to this or the mitigation of. In this plan it notes that considering a cul-de-sac on Suthern Ave between Old Southern and 27th place which is west of Southern Ave, old Southern Ave and the property for the applicatant.

Barbara Schneider
2101 West Dobbins RD, Phoenix AZ 85041

With all of the changes to the stipulations on this plan it is more than general conformance it is more like a changing the zoning. The information that was received from Burch & Cracchiolo May 11th now has a New Stipulation 14 added. This is for Abandonment of the Canal Ave Right of way. This hearing is for changes in the current stipulations not additional stipulations and was not posted as such.

I am respectfully asking for a continuance on this case to require the developer to meet with all of the adjacent property owners together.

Barbara Schneider

My Cell is 602-689-1639

Alan Stevenson

Deputy Director of the Planning Department

City Of Phoenix

This letter is in reference to the zoning case for the property Canal Crossing Phase 3, PHO 1-13-z-115-07. This project will have a severe negative impact on the residents that live on E. Old Southern (also know as Canal Ave) unless there is something done to mitigate the traffic expected on this street. The street is a small residential street and is not an acceptable route for heavy truck traffic or the expected increase in car traffic. It will be in the best interests for this street to be cul-de-saced so that the project will not negatively impact the residents on this street. This has been a concern with the development since the beginning in 2000. At that time it was stipulated that a cul-de-sac be placed on the street to mitigate the traffic problems. It is also in the Estaban Park plan to cul-de-sac this street as the traffic on this street increased. The developers of this project are willing to cul-de-sac this street as is appropriate. I would like to see this added as a stipulation for this project and that the cul-de-sac should be done before construction begins.

The property owners in Canal Crossing Phase one and two are against this cul-de-sac. There is significant traffic on Old Southern form the Canal Crossings as people take this residential street as a short cut from 32nd st to Southern Ave. When these projects were going through the rezoning process a cul-de-sac was in the stipulations so this is not a new issue. This is why there was an access to Phase 3 placed trough from 32nd street, this access was supposed to be made to be able to handle the anticipated traffic to phase 3. All traffic to the Canal Crossings 1,2 and 3 were only supposed to have access from 32nd Street in the original stipulations.

This cul-de-sac would make this project acceptable and have the support of the next door residents.

Suzanne Johnsen

Tony Aceto

3131 E Old Southern

3121 E Old Southern

3139 E Old Southern

Baldemar & Evonne Garza
3115 E. Old Southern Ave.
Phoenix, AZ 85040
Cell 602-361-7840 or 602-390-6992

Alan Stevenson
Deputy Director of the Planning Department
City Of Phoenix

RE: ZONING FOR CANAL CROSSING PHASE 3, PHO 1-13-z-115-07

Mr. Stevenson:

This letter is in reference to the zoning case for above named property. We own two homes on this street and have lived there for over 26 years. This project will have a severe negative impact on the residents that live on E. Old Southern (also known as Canal Ave) unless there is something done to mitigate the traffic expected on this street.

The street is a small residential street and is not an acceptable route for heavy truck traffic or the expected increase in car traffic. It will be in the best interests for this street to be made into a cul-de-sac so that the project will not negatively impact the residents on this street. This has been a concern with the development since the beginning in 2000. At that time it was stipulated that a cul-de-sac be placed on the street to mitigate the traffic problems. It is also in the Esteban Park plan to cul-de-sac this street as the traffic on this street increased.

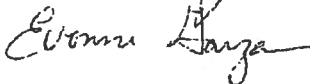
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There is significant traffic on Old Southern form the Canal Crossings as people take this residential street as a short cut from 32nd Street to Southern Ave. When these projects were going through the rezoning process a cul-de-sac was in the stipulations so this is not a new issue. This is why there was an access to Phase 3 placed from 32nd street, this access was supposed to be made to be able to handle the anticipated traffic to phase 3. All traffic to the Canal Crossings 1, 2 and 3 were only supposed to have access from 32nd Street in the original stipulations.

This cul-de-sac would make this project acceptable and have our support as well as the support of the other residents that live on Old Southern Avenue.

Sincerely,


Baldemar and Evonne Garza



**CANAL CROSSING OWNERS ASSOCIATION
2390 East Camelback Road – Suite 410
Phoenix, Arizona 95016**

March 29, 2013

To The Members of the South Mountain Village Planning Committee

**RE: Request for Modification of Stipulations
Z-115-2007-8
Canal Crossing Phase 3
600 Feet West of 32nd Street & Old Southern Avenue**

Dear Members of the South Mountain Village Planning Committee:

We, the owners of the seven recently completed individual buildings located in the open, spacious and beautifully landscaped Canal Crossing Business Park Phases 1 & 2 (*see attached photographs*) were appalled when we saw the two alternative site plans proposed for Phase 3 of the Canal Crossing Business Park.

The proposed massive building as long as two football fields and three stories tall covering three and a half acres with parking for 34 to 52 semi-tractor-trailers completely violates the carefully crafted site plan stipulated by the City Council as a condition of the original rezoning of the Phase 3 part of Canal Crossing Business Park with its garden office environment, low traffic generation, low building profiles and complete isolation of Canal Avenue (Old Southern Avenue) from all Canal Crossing project traffic.

The proposed parking slots for the 34 to 52 semi-tractor-trailer rigs plus additional semi-tractor trailers loading and unloading all along the city-block long warehouse building implies continuous, very heavy, noisy, gear-shifting and braking semi-tractor-trailer (“eighteen-wheeler”) truck traffic.

We, the owners of the built and operating Phases 1 and 2 of Canal Crossing Business Park, will strongly object to any of this additional traffic through our part of Canal Crossing Business Park from our only entrance on 32nd Street. The truck traffic will have to enter and exit onto Canal Avenue (Old Southern Avenue) – a narrow street with existing speed bumps and abutted by residences along its south side. At each end of Canal Avenue are awkward intersections – at the east end an angular connection to 32nd Street and at the west end an abrupt jog onto a curving alignment of Southern Avenue (*see attached photographs*).

The shortest route north to I-10 for this heavy truck traffic is on 32nd Street, passing by residential apartments on the east side of 32nd Street (Esteban Park Apartments), Esteban Park and single-family dwellings farther north. Also, as you are no doubt aware, there is already a traffic bottleneck on 32nd street between Broadway Road and I-10 and it will only get worse when the new office project on the southwest corner of I-10 and 32nd Street is filled. Alternative routes to I-10 are problematic: Southern Avenue to the east does not connect to I-10. 24th Street to the west only connects with I-10 via ramps to and from the east.

All prior plans and stipulations for Canal Crossing Business Park have had, as one of their primary objectives, the protection of Canal Avenue from any Canal Crossing Business Park traffic and from the visual intrusion of tall, massive buildings.

The Commerce Business Park District is somewhat unique in allowing the City Council "Where necessary to assure compatibility of buildings and uses with each other and with off-site properties the Commission may recommend and the Council may eliminate otherwise permitted uses." In its 2007 rezoning of this property to Commerce Business Park, by stipulating conformance to the attached site plan with its seven smaller buildings – none in excess of 22,000 square feet -- **the City Council eliminated a large 155,000 square foot distribution building as a permitted use and building for this site.**

(See the attached Section I. 2. of the Commerce Business Park Zoning Ordinance, and the language of Section 2 of Ordinance G-5025 passed by the City Council on October 31, 2007 specific to this site and its zoning case Z-115-07-8.)

Over the years the South Mountain Village Planning Committee has planned carefully to moderate the industrial / residential transitions in the Village. The currently approved, stipulated and partially constructed comprehensive site plan for ALL three phases of Canal Crossing Business Park is an excellent example of such a carefully moderated transition. *(See the attached site plan dated September 7, 2007.)*

Approving the requested modification of stipulations – and the requested change in the site plan – will greatly diminish the economic value and environmental enhancement of Canal Crossing Business Park to itself, to adjacent property owners and to nearby areas. **The request for modification of stipulations is not in the best interests of the Village and should be denied. The excellent existing site plan is a credit to the Village and should not be changed.**

Sincerely,



Tim Peterson
President
Canal Bank Crossing Owners Association

Copy to: Councilman Michael Johnson

June 2, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 W. Washington Street, Third Floor
Phoenix, AZ 85003

Dear Kasandra:

I am writing to add my voice in opposition to two ill-conceived projects that are apparently being considered near my neighborhood. These projects are not in keeping with our expectations for my neighborhood when I moved here six years ago. I am now told that, contrary to original planning, the City Planners intend to allow big box distribution centers in close proximity to our neighborhood.

The projects I have become aware of are:

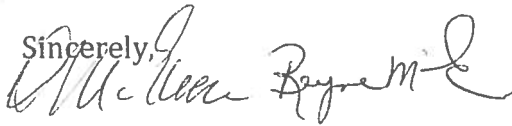
- Trammel Crow truck distribution center at 28th Street and Southern, and the accompanying General Plan Amendment (GPA-SM-13-08) and Rezoning Application (Z-19-13) involving a request to rezone from residential/mixed use agriculture to industrial in order to allow a 50 acre truck depot development of 2 buildings with football sized dimensions and 40 feet high walls.
- Connor Commercial Real Estate Z-115-07-7 at 32nd Street and Old Southern Avenue, involving a changed stipulation allowing the entire site to be dedicated to a single structure rather than the current plan requiring multiple structures. This change is also requested in order to allow a trucking facility.

These projects clearly do not belong adjacent to homes, parks and schools, as they represent a threat to the health and safety of those of us who live, play and attend school in nearby areas. The traffic congestion and the noise, light and air pollution generated by these facilities should be restricted to areas already dedicated to such uses and should not be allowed to encroach and degrade the quality of our neighborhood and its quality of life and property values.

As a native Arizonan, I can say with conviction that ours is truly a unique area within metro phoenix, with both historical and cultural significance, and it should be protected by City Planners. The agricultural character of the Bartlett-Heard ranch and planned residential communities such as the one I live in at the Legacy, along with surrounding areas, were intentionally planned to develop and preserve large green belt life, horse properties, tree lined streets, mini farms, and organically oriented venues such as The Farm. I have found these to be quite unique in Phoenix, and well worth preserving with intelligent planning. These projects are in no way consistent with that vision.

These projects, as I understand them, would represent a huge misstep by our planners and would result in a great loss to our city as well as current and future residents. Imagine if you will, our beautiful area becoming inundated with dozens of truck loading docks. All this would result in esthetic and economic loss of capital already invested in the area in order to revitalize this important part of our city.

Please reconsider these plans, and redirect their deployment to more appropriate locations.

Sincerely,


D. Daniel McEuen, Ph.D.
Reyne J. McEuen, R.N.
7039 South Golfside Lane
Phoenix, AZ 85042

602 323 1875

cc:

Councilman Michael Johnson
State Legislators:
Leah Landrum Taylor
Ruben Gallego
Catherine Miranda

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

I'm writing to add my voice to the opposition to two ill-conceived projects that are being considered for my neighborhood. This was not the original intention of the City Planners to allow big box distribution centers in close proximity to my neighborhood.

The projects are:

- Trammel Crow truck distribution center at 28th Street and Southern, and the accompanying General Plan Amendment (GPA-SM-13-08) and Rezoning Application (Z-19-13) involving a request to rezone from residential/mixed use agricultural to industrial in order to allow a 50 acre truck depot development of 2 buildings with football field sized dimensions and 40 feet high walls.
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Ours is a unique area of Phoenix, with both historical and cultural significance, and it should be protected by City planners. The agricultural character of the Bartlett-Heard ranch and residential communities like the Legacy, Raven and surrounding areas, expressed as large green belt life, horse properties, tree lined streets, mini-farms and commercial venues such as The Farm, are unique in the Phoenix area.

This would be a great loss to the City as well as the current residents if it were to become host to over 100 truck loading docks. These trucking facilities would also devalue the capital investments made by the city in the area along Baseline Road between 40th and 24th streets.

Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,

Geraldine McHartland
Encanto @ The Legacy
7035 S. Golfside Lane
Phoenix, AZ 85042

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

I'm writing to add my voice to the opposition to two ill-conceived projects that are being considered for my neighborhood. This was not the original intention of the City Planners to allow big box distribution centers in close proximity to my neighborhood.

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- Trammel Crow truck distribution center at 28th Street and Southern, and the accompanying General Plan Amendment (GPA-SM-13-08) and Rezoning Application (Z-19-13) involving a request to rezone from residential/mixed use agricultural to industrial in order to allow a 50 acre truck depot development of 2 buildings with football field sized dimensions and 40 feet high walls.
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This would be a great loss to the City as well as the current residents if it were to become host to over 100 truck loading docks. These trucking facilities would also devalue the capital investments made by the city in the area along Baseline Road between 40th and 24th streets.

Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,



602-206-1809

DATE: May 29, 2013

TO: City of Phoenix, Planning and Development Department
Kasandra M. Zobrist, South Mountain Village Planner

FROM: Kathryn Blumenfeld-Jones
5625 S. 27th Place, Phoenix
602-268-6559

RE: Trammell Crow's Proposed General Plan Amendment (GPA-SM-13-08) and
Rezoning Application (Z-19-13)

I'm writing to voice my opposition to Trammell Crow Company's proposed applications to amend the General Plan and rezone several parcels of land at 28th Street and Southern Ave., so they can build truck distribution warehouses on land presently zoned for residential. Please attach this letter to the staff report as it moves forward.

I have many, many objections to Trammell Crow's proposal, but will limit this letter to my top few.

There is no Valid Reason to Change the General Plan. Jim Mahoney, a Trammell Crow representative, explained his company's interest in these relatively small, land-locked parcels as follows: they are able to buy this land for \$2.67 a square foot, whereas comparable commercial land along Roeser and Broadway Roads is selling for between \$5 and \$10 a square foot. They were not able to offer any other reason for choosing these parcels for their distribution center (information presented at neighborhood meeting, March 27, 2013). The General Plan should not be subject to change by one private company looking only to maximize their profit margin. There are plenty of alternative sites for their project, sites that are already zoned for commercial development.

It Violates the Intent of a Carefully Constructed Area Plan. The Esteban Park Area Plan (EPAP, 2003) took three years to develop and incorporates public input from both residents and business owners at each step. The plan recognizes a particular need for comprehensive planning in this area because it is "*at a crossroads between diverse development patterns*" (p.1). A major goal of the EPAP is to ensure that future development is compatible with existing uses as well as with the other overlay plans that surround this area.

Spot zoning is never a good way to plan, but it is especially wrong when it violates the provisions of a well thought-out planning document that was three years in the making. The Esteban Park Area Plan is more than just a guide for development, it is a vision created by city planners and area residents of what this area could and should become. People (including my family) have located their businesses, schools and homes in the Esteban Park area based on the promise of this vision.

It Sets a Precedent that Will be Hard to Control in the Future. Trammell Crow Company's attempt to change these 30 acres of transitional land from single occupancy homes to trucking distribution centers substantially changes the vision that city planners had for this section of Southern Ave. If we let industrial development squeeze further south, it will set a precedent that will be difficult to contain. We have a Plan (The Esteban Park Area Plan) in place for this area that states clearly where the line is drawn between commerce to the north and residential to the south. Letting Trammell Crow work against this plan will only make it easier for the next developer to ask for an exception and soon the plan will be useless.

Distribution Warehouses are not a Compatible with Other Uses in this Area.

The historical Bartlett-Heard ranch of South Phoenix is still reflected today in the unique rural/agricultural character of this area. It should be protected. There are many other possible uses for the land that Trammell Crow Company wants to develop, uses that would be much more compatible with the homes, schools and small farms that surround it now, including but not limited to residential, small office buildings, neighborhood retail, or educational. We look forward to this property being developed and would welcome any of the above options into our neighborhood. Warehouses with their associated large tractor-trailer trucks are simply not a good fit.

Kathryn Blumefeld-Jones

5625 S. 27th Place



INNER LIGHT
INTEGRATIVE HEALTH CARE LLC.

5/30/13

City Of Phoenix, Planning and Development Department,

Please see that this letter be attached to Planning Department's staff report and will be taken into consideration by applicant Trammell Crow, South Mountain Village Committee, Planning Hearing Officer and City Council.

With regards to Trammell Crow proposed project at 28th Street and Southern Ave:
General Plan Amendment (GPA-SM-13-08)
Rezoning Application (Z-19-13)

With children at the Desert Marigold School and property owner in the area -

I am strongly opposed to these projects. I know many of the DMS families and our neighborhood share in this opposition.

Please to keep projects like this closer to the freeway in current industrial/commercial areas and away from our homes, schools and parks. Our streets cannot support the inevitable big truck traffic that this type of project would bring and we will not tolerate the pollution and noise in our neighborhoods!

Sincerely,

Dr. Andria Orłowski
6005 South 36th Street
Phoenix, AZ 85042
Orłowskinmd@gmail.com
(602) 524-1753

6005 South 36th Street - Phoenix, Arizona 85042

Phone: (602)426-1111 Fax: (602) 296-5399

Email: info@innerlighthealth.com

www.innerlighthealth.com

May 31, 2013

City of Phoenix, Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 W. Washington St., 3rd floor
Phoenix, Arizona 85003

Re: General Plan Amendment (GPA-SM-13-08) & Rezoning Application (Z-19-13)

7844 S. 9th St. Phoenix, AZ 85042
phone: 602-232-2883



manuel@heritageretailpartners.com
www.heritagetailpartners.com

March 25th, 2013

Mr. Jay Wolfson
4212 East Sunrise Drive
Phoenix, Arizona 85044

Re: Trammel Crow & APN 122-66-009, 122-66-005, 122-66-010

Dear Mr. Wolfson:

I write with respect to Trammell Crow's proposal to build a warehouse distribution facility on 24.4 acres of vacant land now owned by Univision. You've asked as to the project's suitability, its impacts and relative merits vis-à-vis area revitalization and *urban infill*. In the aggregate, it's my view a warehouse distribution facility *here* is *detrimental* to those objectives.

To be clear, Trammell Crow is among the country most experienced, best qualified and reputable developers within the industrial market. Their project situated just north of the subject property (Broadway & 32nd Street) is a case in point. That said, this new site plan poses *compatibility issues* beyond one's ability to mitigate.

In this case, the issues with respect to potential land use conflicts emanate from several fundamental - and frankly, inescapable, neighborhood integration and key site design elements;

- *Neighborhood Compatibility* – existing uses and future infill projects.
- *Public Safety & Schools* – children crossing the street against truck lanes;
- *Traffic Circulation* – ingress and egress of site-generated truck traffic;
- *Noise Attenuation* – operation of warehouse and distribution facility.

The project's lack of merit as an *urban infill* project is clarified further in the attached.

Without question, Univision is a valued stakeholder and Trammel Crow reflects the type of enterprise that helps support regional growth. In this case, our perusal of the Esteban Park Area Plan (2003) and the proposed site designs argue for an alternative land use strategy for the subject property.

Best regards,

Manuel J. Sandoval

- Neighborhood Compatibility – existing uses and future infill projects.

Implicit in oversight of city land use strategies are policies to guide Urban Village growth to foster *transition* and *integration* among various uses. For instance, The Estaban Park Area Plan "Goal 1: The Estaban Park area should be a community stabilized by a balanced mix of residential, neighborhood retail and commerce park development."(p.13) and Goal 3: "New development should be compatible with existing uses and consistent with adopted plans." (p.18). Thus, managing urban infill is critical!

This project poses challenges to both goals. By design, The Estaban Park Area Plan recognizes the need to integrate uses. Objective C states explicitly the goal to: "Revise the General Plan map to encourage more residential and Mixed Use Agricultural designations that will support retail, existing housing, Estaban Park and character preservation." (p.15)

In actuality, Trammell Crow seeks to change this adopted plan thus creating an imbalance as well as creating incompatibility issues (safety, traffic, noise impacts, air quality) that do not exist today. Regarding Existing Conditions, Zoning: "The existing conditions are comprised of existing land use, zoning and General Plan land uses. - Zoning is a land use classification system that designates permitted land use. It is intended to protect the health, safety and welfare of residents and property owners."(p.9) It appears this project takes land within the Estaban Park Area Plan *zoned* for residential uses, proposes that land for warehouse distribution uses, then seeks to make that project compatible with existing residential uses within the immediate area. Based on fact patterns described, mitigation of land use conflicts by merely reducing warehouse size and project setbacks might best be described as "re-defining the problem to fit the solution."

Secondly, the parcel in this project (or assemblage there of) appears to have been part of litigation exchanging approval of Industrial Park rezoning in exchange for residential zoning. The outcome was mutually agreed and supported by Univision. "The northeast corner of 28th Street extended and Southern Avenue...was part of a larger case that approved Industrial Park Zoning north of the site and along 24th Street. The downzoning was offered in response to community interests that supported the Industrial Park rezoning and desired large lot residential development that would extend south to the Bartlett-Heard Estates. The property owner (Univision) was in full agreement with the approved RE-24 rezoning."(p.11) At this point, an "upward" rezoning request would violate this community concession. Additionally, such action/approval would not represent a "balanced mix" as established in Goal 1 of the Estaban Park Area Plan.

- **Public Safety & Schools** – *children crossing the street against truck lanes;*

The issue of school-age children is evident by use of “crossing guards” to control existing traffic during mornings and after school. Even the “*minimized version*” of Trammel Crow’s site design shows the proximity of warehousing traffic to the existing school facility. Since education and warehousing are each largely “day time” activities - and, each use front on Southern Ave, it appears reasonable and essential to examine school safety and warehouse circulation at this site.

Similarly, an analysis of *level of service* standards at existing intersections, street capacity for infill development of vacant lands and street (traffic) impacts from planned public projects all warrant review and consideration in the context of the proposed warehouse facility. Existing and older residential uses especially, e. g. mobile home parks, are subject to adverse noise impacts since they often lack noise attenuation systems found in newer home construction methods.

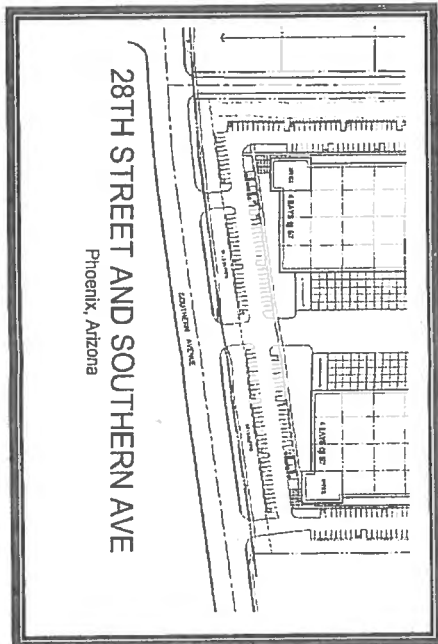
We encourage your review and response to public safety and school impact concerns.

- **Traffic Circulation** – *ingress and egress of project-generated truck traffic;*

As a general rule, warehouse distribution facilities are located with fairly direct access onto area freeways and transportation corridors. The applicant’s existing facility just north of the subject property is a case in point. As proposed here, the prospect of 500,000 SF (+-) of non-area residential site uses means integration of *employee traffic* and the actual *warehouse operations*. Generally, any labor force can adjust to reasonable standards that preserve a facility’s operation.

Project-generated *truck traffic* is an entirely different matter. On-site circulation is often resolved by the project team itself, since it’s in their best interest to do so. Here, residential uses immediately *west* of this site and educational uses situated just to the *southwest* are unavoidable; those uses are subject to noise and circulation interface with *semi tractor* during the entire day.

It’s reasonable for *hours of operation* and typical *delivery times* to allow the applicant to exercise control over the warehouse distribution project. Still, as implied by its characterization, the nature of a distribution facility here **requires** interface between residents and tractor trailers.



- Among its goals, the Esteban Village Plan seeks to “strengthen the predominant land use character of the area.” It’s reasonable to assume the vacant lands just east of the subject 24.4 acres will confront similar and greater compatibility issues with warehouse distribution verses an alternative use under existing zoning.
- Regardless of individual uses under consideration, existing traffic and circulation patterns often dictate the suitability of *infill uses* for certain parcels. The Village Plan and Esteban Park Study noted Southern Avenue “northwest corner” of area intersections offer the most compatible - “going home”- retail services.

Hence, a warehouse distribution use on subject 24.4 acres site dramatically reduces local retail growth.

At the core of infill and revitalization is *highest & best use* within a context of neighborhood and local resident community support. On this site, warehouse facility lacks that basic public interest.

Simply put, a warehouse distribution project, if built, would easily reflect an *isolated use* at odds with local traffic circulation within the local area. Further, it may hamper Esteban Village economic growth just as the city has re-focused on village-based urban infill.

- **Truck Noise Attenuation** – operation of warehouse and distribution facility;

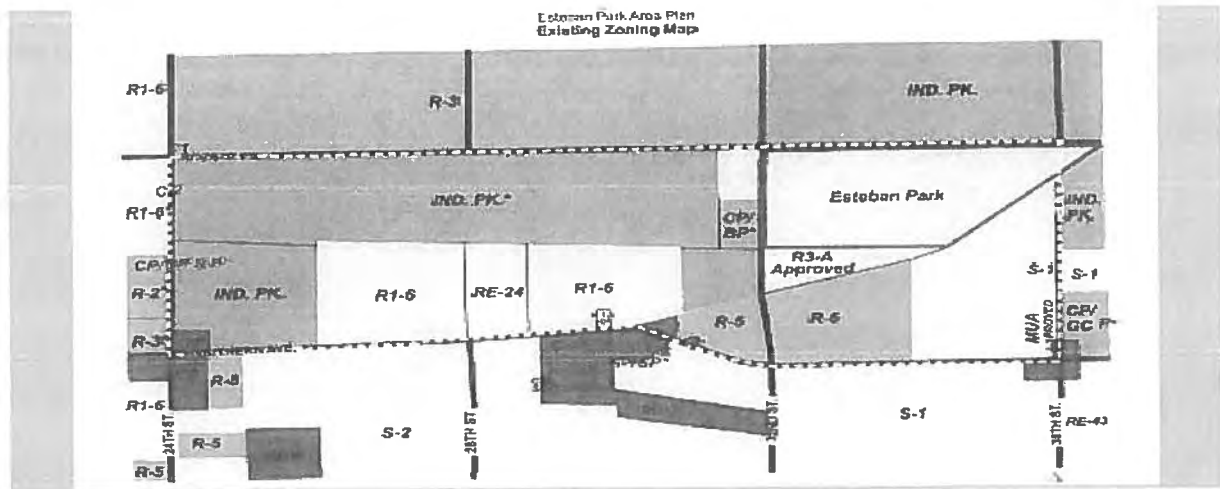
While warehouse uses are generally viewed as *self-contained* in nature, the element of *distribution operations* poses – by necessity – a basic review of exactly *how & when* trucks, delivery vehicles and so forth, utilize the facility. For simplicity’s sake, consider two options:

- Daytime Deliveries - how do semis interface, conflict with folks going to work, kids going to school, local traffic etc and how might this affect future area development?
- Nighttime Deliveries – while basic area street traffic is reduced, noise carries further and semi trucks in particular are distinct uses on local public streets.

Noise mitigation along a site's perimeters offers partial relief. The notion of a *walled-off facility* is unappealing as a contributor to local revitalization. From an Urban Village perspective, warehouse noise attenuation (semis) highlights the need for *infill project* serving area residents.

Summary of land use in Estaban Park Area (2003)

	Existing Land Use (2003)	Current General Plan
Industrial/Commerce	33	47
Residential	17	36
Mixed Use Agriculture	0	2
Parks/Open Space	15	15
Vacant	34	



*...inherited from past generations, maintained in the present and bestowed for the benefit of future generations" - Daniel Webster

May 28, 2013

Jay Wolfson
4212 E Sunrise Drive
Phoenix, AZ 85044-1012

Kasandra Zobrist, Village Planner for the City of Phoenix

Re: Southern Avenue & 28th Street development project
General Plan Amendment (GPA-SM-13-08) and Rezoning Application (Z-19-13)

If possible, I would like to have this letter added to the staff report for submission to the Village Planning Committee.

On May 8th, 2013 a letter from Stephen Earl (attorney for Trammell Crow - Southern Avenue & 28th Street) went out as public notice to property owners within the very limited, but minimally required notice area. My objections are as follow:

Mr. Earl and Trammell Crow have a very narrow view of the impact such a trucking development will have. The proposed general plan amendment is a "minor" change but in fact it will have a major, precedent setting, impact on the remaining residential land available. The 2003 Estaban Park Plan calls for: "*Goal 1: The Estaban Park area should be a community stabilized by a balanced mix of residential, neighborhood retail and commerce park development.*" (p.13) and *Goal 3: "New development should be compatible with existing uses and consistent with adopted plans."* (p.18). Allowing commerce park designation encroachment tips this balance. Consider saturation. A similar 10 acre project, some 500' east, is currently under review and inquiries for similar development on the northeast corner on 32nd Street & Southern Ave. have been received. As for goal 3, compatibility - there is absolutely nothing compatible about 40' tall, mammoth concrete tilt-up buildings with residential homes. Mr. Earl's assertion that such building will "contribute to the agrarian history" through petty design and landscaping is absurd if not contemptible. I and other homeowners see this general plan and rezoning application as an exercise in spot-zoning for personal gain and not an action that works in favor of the greater neighborhood. After a year of planning this project still has no tenant, and if built, will be sold. Trammell Crow has no long term commitment to this area. The residents who live and run businesses here do.

Both Mr. Earl's and Trammell Crows representative, Jim Mahoney, have long defended the rational behind this project as being, in part, the lots "...lack of productive use" or "fallow ground". This couldn't be further from the truth and a quick review of historical facts confirms this. The lot was used for agricultural purposes up to the late 90's, sold twice in 2000 with Univision becoming the owner. For the next ten years the property was down-zoned (with Univision's support) and came under new ownership in 2006 with the sale of Univision. The property was not actively marketed (likely due to the 2007 - 2011 bubble burst recession) until August 2011 when the property was listed by CBRE.

It's interesting to note that the listing markets the property as a "build to suit" rather than residential opportunity. It's also worth noting Trammell Crow is owned by CBRE. More interesting still involves two developers encountered at South Mountain Planning Commission meetings, Scott F. Ward (owner of Ward Real Estate & Development Company) and Myron Spencer (Vice President Land Acquisition, Beazer Homes). Both had presented letters of intent in 2012 to the broker, CBRE. In a meeting with Univision, representatives (Roberto Yañez & Gerardo Higginson, April 24, 2013) stated that neither were aware of any interested buyers other than Trammell Crow. For further consideration, Ryland Homes purchased a small unfinished subdivision in the Esteban Park area (Cardenas Villas - Southern Ave & 35th Place) and have sold 24 homes since March 1st. An active listing for 10 acres at 3338 E Southern Ave is under contract by Scott Ward for residential development and he said he would still buy this 24 acre parcel and open escrow within ten days, given the opportunity.

At a recent Trammell Crow sponsored neighborhood meeting Jim Mahoney was asked why they weren't looking at similar vacant lots closer to the freeway off Broadway or Roeser rather than across the street from two schools? He responded by saying they had and found lots off Broadway were selling for approximately \$10/sqft and lots off Roeser were around \$5/sqft. The lot on Southern Avenue is under contract for \$2.67/sqft. After all the meetings and talk finally the truth was spoken. This project has nothing to do with community building, compatibility, or "contributing to the agrarian history" - its about greed. Trammell Crow will face substantial resistance from area home and business owners because the project does not fit. It's a problem looking for a solution rather than a project that will contribute. Given willing buyers such as Ward Development and Beazer Homes (...who knows who else), I'd like to see a recommendation from planners for a subdivision on this lot or residential supportive development.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jay Wolfson', with a long horizontal flourish extending to the right.

Jay Wolfson

(Owner of numerous homes in the project & South Mountain area)

Jay Wolfson

From: Myron Spencer [mspencer@beazer.com]
Sent: Friday, December 28, 2012 1:34 PM
To: 'Jay Wolfson'
Cc: 'Kathryn Bjones'
Subject: RE: Vacant land @ Southern Avenue & 28th Street

Hi Jay, as discussed after the meeting, we did express an interest in the site at 28th Street and Southern earlier this year for residential development; however, the site was in escrow with a commercial developer at that time. Since that time we have moved forward with another site located at 24th street and Baseline Road

Sincerely,

Myron Spencer
VP of Land, Beazer Homes
1621 W. Rio Salado Pkwy, Suite #103
Tempe, AZ 85281
Direct: 480-921-4665
Email:



WARD REAL ESTATE
& DEVELOPMENT COMPANY

2152 South Vineyard, Suite 123
Mesa, AZ 85210

E-mail: warddevelopment@yahoo.com

Office 480.899.4330

Cell: 602.377.6553

To: Jay Wolfson
From: Scott F. Ward
Re: 28th Street and Southern Ave.
Date: May 22, 2013
WRED2013118

It was great to visit with you again. As I mentioned in our previous conversation we have interest in the large vacant parcel at approximately 28th Street and Southern Ave. across from the George Gervin School. We had sent the listing broker an offer about a year ago and never received a reply.

Our group is very committed to the South Mountain Planning Area. We currently are working on 7 subdivisions in this submarket. We would greatly appreciate a chance to develop this site.

Please keep me updated on your quest to keep this site residential.

Thank you.

JUNE 2, 2013

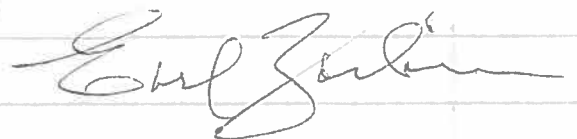
Phoenix Planning Development zoning
KASANDRA M. ZORBIST
200 W WASHINGTON 3rd floor
Phoenix, AZ 85003

THIS IS TO add our voice to opposition
to approval of GAA-SM-13-08 and
Z715-07-7.

Our neighborhood should NOT be used
as a TRUCKING INDUSTRY PARKWAY and
PARKING LOT. The DANGER OF SUCH
SPEAKS FOR ITSELF.

Thank you.

Yours truly,



3803 E St Catherine
Phoenix, AZ 85042

June 3, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

We are writing to voice our opposition to the proposed projects being considered for our neighborhood. The projects are:

- Trammel Crow truck distribution center at 28th Street and Southern, and the accompanying General Plan Amendment (GPA-SM-13-08) and Rezoning Application (Z-19-13) involving a request to rezone from residential/mixed use agricultural to industrial in order to allow a 50 acre truck depot development of 2 buildings with football field sized dimensions and 40 feet high walls.
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These projects clearly do not belong near homes, parks and schools as they represent a threat to the health and safety of those of us, who live, play and attend schools nearby. The traffic congestion and the noise, light and air pollution generated by these facilities should be restricted to areas already dedicated to such uses.

Ours is a unique area of Phoenix, with both historical and cultural significance, and it should be protected by City planners. The agricultural character of the Bartlett-Heard ranch and surrounding areas, expressed as large horse properties, tree-lined streets, mini-farms and commercial venues such as The Farm, are unique in the Phoenix area and it would be a loss to the City as well as the current residents if it were to become host to over 100 truck loading docks.

These trucking facilities would also devalue the capital investments made by the city in the area along Baseline Road between 40th and 24th streets.

These projects do not belong in this area.

Sincerely,



Alan Price and Erin Flinton
3702 East Vineyard Road
Phoenix, Arizona 85042
602.437.8022

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

I'm writing to add my voice to the opposition to two ill-conceived projects that are being considered for my neighborhood. This was not the original intention of the City Planners to allow big box distribution centers in close proximity to my neighborhood.

The projects are:

- Trammel Crow truck distribution center at 28th Street and Southern, and the accompanying General Plan Amendment (GPA-SM-13-08) and Rezoning Application (Z-19-13) involving a request to rezone from residential/mixed use agricultural to industrial in order to allow a 50 acre truck depot development of 2 buildings with football field sized dimensions and 40 feet high walls.
- Connor Commercial Real Estate Z-115-07-7 at 32nd Street and Old Southern Avenue, involving a changed stipulation allowing the entire site to be dedicated to a single structure rather than the current plan requiring multiple structures. This change is also requested in order to allow a trucking facility.

These projects clearly do not belong adjacent to homes, parks and schools as they represent a threat to the health and safety of those of us who live, play and attend school in nearby areas. The traffic congestion and the noise, light and air pollution generated by these facilities should be restricted to areas already dedicated to such uses and should not be allowed to invade and destroy our neighborhood and its quality of life and property values.


Ours is a unique area of Phoenix, with both historical and cultural significance, and it should be protected by City planners. The agricultural character of the Bartlett-Heard ranch and residential communities like the Legacy, Raven and surrounding areas, expressed as large green belt life, horse properties, tree lined streets, mini-farms and commercial venues such as The Farm, are unique in the Phoenix area.

This would be a great loss to the City as well as the current residents if it were to become host to over 100 truck loading docks. These trucking facilities would also devalue the capital investments made by the city in the area along Baseline Road between 40th and 24th streets.

Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,

Terry Neckar
2632. E. Carson Rd.
Phoenix, AZ 85042

 6/2/2013

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

I'm writing to add my voice to the opposition to two ill-conceived projects that are being considered for my neighborhood. This was not the original intention of the City Planners to allow big box distribution centers in close proximity to my neighborhood.

The projects are:

- Trammel Crow truck distribution center at 28th Street and Southern, and the accompanying General Plan Amendment (GPA-SM-13-08) and Rezoning Application (Z-19-13) involving a request to rezone from residential/mixed use agricultural to industrial in order to allow a 50 acre truck depot development of 2 buildings with football field sized dimensions and 40 feet high walls.
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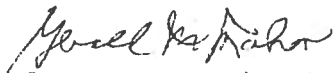
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Ours is a unique area of Phoenix, with both historical and cultural significance, and it should be protected by City planners. The agricultural character of the Bartlett-Heard ranch and residential communities like the Legacy, Raven and surrounding areas, expressed as large green belt life, horse properties, tree lined streets, mini-farms and commercial venues such as The Farm, are unique in the Phoenix area.

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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,


GERALD M. MAHON
2604 E. CARSON ROAD
PHOENIX, AZ 85042-5920
TEL# 602-354-4580

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

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I'm writing to add my voice to the opposition to two ill-conceived projects that are being considered for my neighborhood. This was not the original intention of the City Planners to allow big box distribution centers in close proximity to my neighborhood.

The projects are:

- Trammel Crow truck distribution center at 28th Street and Southern, and the accompanying General Plan Amendment (GPA-SM-13-08) and Rezoning Application (Z-19-13) involving a request to rezone from residential/mixed use agricultural to industrial in order to allow a 50 acre truck depot development of 2 buildings with football field sized dimensions and 40 feet high walls.
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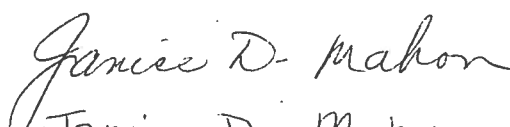
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Ours is a unique area of Phoenix, with both historical and cultural significance, and it should be protected by City planners. The agricultural character of the Bartlett-Heard ranch and residential communities like the Legacy, Raven and surrounding areas, expressed as large green belt life, horse properties, tree lined streets, mini-farms and commercial venues such as The Farm, are unique in the Phoenix area.

This would be a great loss to the City as well as the current residents if it were to become host to over 100 truck loading docks. These trucking facilities would also devalue the capital investments made by the city in the area along Baseline Road between 40th and 24th streets.

Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,


Janice D. Mahon
2604 E. Carson Rd.
Phoenix AZ 85042-5920
Tel# 602-354-4580

5/30/13

City Of Phoenix, Planning and Development Department,


Please see that this letter be attached to Planning Department's staff report and will be taken into consideration by applicant Trammell Crow, South Mountain Village Committee, Planning Hearing Officer and City Council.

With regards to Trammell Crow proposed project at 28th Street and Southern Ave:
General Plan Amendment (GPA-SM-13-08)
Rezoning Application (Z-19-13)

I am strongly opposed to these projects. Our streets cannot support the inevitable big truck traffic that this type of project would bring. We fought and will continue to fight, to keep our streets intentionally SMALL in order to prevent high volume, cut-through traffic (inc air and noise pollution). Our children walk to and from their school and our property. We bike and ride our horses on these streets. "Improving" the roads (by widening or traffic signals, etc) to accommodate the type of traffic that this type of project will bring, is not the answer that we will tolerate!

Please keep our streets small, keep our streets residential in nature, keep our streets safe!

Sincerely,

A handwritten signature in black ink, appearing to read 'Jorge Moscoso', with a long horizontal flourish extending to the right.

Jorge Moscoso
6005 South 36th Street
Phoenix, AZ 85042
602-426-1111

June 3, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

I'm writing to add my voice to the opposition to two ill-conceived projects being considered for my neighborhood. The projects are:

- Trammel Crow truck distribution center at 28th Street and Southern, and the accompanying General Plan Amendment (GPA-SM-13-08) and Rezoning Application (Z-19-13) involving a request to rezone from residential/mixed use agricultural to industrial in order to allow a 50 acre truck depot development of 2 buildings with football field sized dimensions and 40 feet high walls.
- Connor Commercial Real Estate Z-115-07-7 at 32nd Street and Old Southern Avenue, involving a changed stipulation allowing the entire site to be dedicated to a single structure rather than the current plan requiring multiple structures. This change is also requested in order to allow a trucking facility.

These projects clearly do not belong adjacent to homes, parks and schools as they represent a threat to the health and safety of those of us who live, play and attend school in nearby areas. The traffic congestion and the noise, light and air pollution generated by these facilities should be restricted to areas already dedicated to such uses and should not be allowed to invade and destroy our neighborhood and its quality of life and property values.

Ours is a unique area of Phoenix, with both historical and cultural significance, and it should be protected by City planners. At one time, it was my understanding that RE-24 zoning could not be changed. Period! The agricultural character of the Bartlett-Heard ranch and surrounding areas, expressed as large horse properties, tree lined streets, mini-farms and commercial venues such as The Farm, are unique in the Phoenix area. It would be a huge loss to the City as well as the current residents if it were to become host to over 100 truck loading docks. These trucking facilities would also devalue the capital investments made by the city in the area along Baseline Road between 40th and 24th streets.

Consider the negative economic impact to The Raven and Legacy golf courses. The clients (LPGA, Tourism, Local residents) that frequent the courses will disappear if they are subjected to commercial truck traffic, excessive diesel smoke and noise. This will equate to lost revenue for the business and subsequent tax revenue for the City of Phoenix. These companies brought forth a quality investment to our neighborhood. They should also be protected against future negative impact.

Last but not least, study the traffic and freeway access adjacent to these parcels. Southern is an older 4 lane street primarily traveled by local residents. Baseline was at one time a good alternative route. Currently, the traffic on Baseline and Southern during rush hour is solid. Additional semi truck traffic will only add to the daily congestion. Access to Interstate 10 from the proposed Connor development would require cross traffic left turns by the trucks to utilize 32nd Street. Or, they will need to travel to 40th street to the east, or 16th street to the west.

These Intersections, freeway access, and road conditions are not suitable for large semi trucks on a daily basis. Not to mention, the 40th street overpass is already at risk as it shakes with the current traffic loading. What will the impact be of daily semi traffic do to this structure?

Please point these projects toward appropriate locations. There is plenty of commercial land available in areas already zoned and built for this type of commercial business.

I am vehemently opposed to the current proposals.

Sincerely,

A handwritten signature in black ink that reads "Darcy Wekeff". The signature is written in a cursive, flowing style.

Darcy Wekeff
3702 East Saint Anne
Phoenix, AZ 85042
602-437-9494

June 5, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

I'm writing to add my voice to the opposition to two ill-conceived projects that are being considered for my neighborhood. This was not the original intention of the City Planners to allow big box distribution centers in close proximity to my neighborhood.

The projects are:

- Trammel Crow truck distribution center at 28th Street and Southern, and the accompanying General Plan Amendment (GPA-SM-13-08) and Rezoning Application (Z-19-13) involving a request to rezone from residential/mixed use agricultural to industrial in order to allow a 50 acre truck depot development of 2 buildings with football field sized dimensions and 40 feet high walls.
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Ours is a unique area of Phoenix, with both historical and cultural significance, and it should be protected by City planners. The agricultural character of the Bartlett-Heard ranch and residential communities like the Legacy, Raven and surrounding areas, expressed as large green belt life, horse properties, tree lined streets, mini-farms and commercial venues such as The Farm, are unique in the Phoenix area.

This would be a great loss to the City as well as the current residents if it were to become host to over 100 truck loading docks. These trucking facilities would also devalue the capital investments made by the city in the area along Baseline Road between 40th and 24th streets.

Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,

Donald J. Roberts
2423 E. FREMONT RD
PHOENIX, AZ 85042

Very Important - Front Page

To Neighbors concerned or unaware of the two proposed industrial developments for multiple "big box" diesel trucking distribution centers and warehouses located from 28th St. to 32nd St. on Southern Ave. Developed by Conner Commercial & Trammell Crow. This was not the original intention of the City Planners to allow this here!

Please, read this and do what you can by at least completing the letter on the reverse side or creating one yourself with your name, address, signature, contact information and mail it to Kasandra Zobrist our South Mountain Village Planner immediately! They will be counted and included in the staff reports. **If you don't mail it in ASAP then...**

**There may be hundreds of tractor trailers coming and going by your home 24 / 7
These two projects of identical nature are practically adjacent to each other:**

First, the Conner Commercial project at Southern Ave. & 32nd St. presently zoned Commerce Park. The Developer wants stipulations changed to call it a "*distribution facility*" allowing them to create a diesel trucking warehouse and distribution center larger than a huge football field. With the stipulations changed they can add more truck docks from a (minimum of 40 to 60 truck loading docks) with ingress/egress onto Southern and 32nd Street. *Do you want the zoning commission to allow large diesel truck terminals in your neighborhood?*

The City of Phoenix Planning Department just approved and passed these stipulation changes. However, the Bartlett-Heard neighborhood has appealed the decision and it will be reviewed again on June 11, 2013.

Now, to add insult to injury we just got word that Trammell Crow and the City Planners are trying to cram more detrimental trucking distribution warehouses into our neighborhood. The proposed 50-60 acre parcel currently zoned residential is located East of 28th Street and North of Southern. Trammell Crow is proposing that the existing 50-60 acres now zoned RE-24 (residential) be rezoned to hard industrial zoning.

This will result in another 2 or 3 larger than football field sized buildings for diesel trucks to come and go all hours of the day and night. Visualize the University of Phoenix Stadium with the height of each building increasing to 40' or greater and (a minimum of 80 to 100 truck loading docks.) *Do you want them to allow industrial warehousing between Baseline & Southern on 32nd Street next?* Take a stand now before it's too late...

The staff report is coincidentally scheduled to go out on this project June 11th the same day as our appeal. We need your help now to insure that our voices are heard in opposition to these ill-conceived projects

- Copy the letter on the reverse side and include your name, address, signature and phone number at the bottom of the letter ASAP or compose your own letter referencing these 2 cases by location and case numbers and keep this copy as you may need it later.
 - Trammell Crow proposed truck distribution center at 28th Street and Southern Ave.
 - General Plan Amendment (GPA-SM-13-08)
 - Rezoning Application (Z-19-13)
 - Conner Commercial change in stipulation (Z-115-07-7) at 32nd St. & Old Southern Avenue.

If you have any questions send an email, give me a call or go to our face book page to stay informed: www.facebook.com/SouthMountainVillagePPRG. We welcome and will be accountable for any contributions to assist in the cost of our efforts and mailings to defeat these ill-conceived projects. **Make your checks payable to: South Mountain Village Private Property Rights Group - P.O. Box 51503 - Phoenix, AZ 85076**

Paul Van Buren - 6439 S. 32nd St. / Cell (602) 791-8090 / Email: pvanburen@qwest.net

June 3, 2013

Kasandra M. Zobrist, South Mountain Village Planner
Phoenix Planning Development Zoning
200 W Washington 3rd Floor
Phoenix, AZ 85003

The purpose of this letter is to inform you of our fierce opposition to both of the following applications:

General plan amendment GPA-SM-13-08. Conor Commercial Real Estate, off the Old Southern Rd./Southern Ave/32nd St. presently zoned commerce park - that wants stipulations changed to call it a "distribution facility" which would add many more truck docks than original design (approx 40 truck loading docks), one football field sized building with ingress/egress onto Southern and 32nd street. This was passed and the neighborhood has appealed the decision. It will be reviewed again on June 11.

Also, the Trammell Crow Company rezoning Z-19-13. 50 acres of presently zoned residential and MUA (Mixed Use Agriculture), located just east of 28th Street, North of Southern across from the new school. Trammell Crow is proposing that existing RE-24 (residential) and existing MUA (Mixed Use Agriculture - like us) be rezoned to Industrial, resulting in 2 football field sized buildings, ht 40' all around with a total of 60-80 truck loading docks - all ingress/egress onto Southern just east of 28th.

These types of development are wrong for this area on so many levels and would have a disastrous effect on the residential houses and parks in the area and the school across the street. Currently new homes have been approved and are being built in this area in accordance with city approval. To change existing residential and MUA zoning to industrial zoning is neither logical nor fair to the existing and future homeowners.

These developments would be very dangerous for the traffic on Southern as there is a curve in the road that would create a hazardous situation because of big trucks pulling out. Please don't jeopardize the safety of the neighbors who use Southern. Both 32nd Street and Southern are streets that cannot safely handle the increased traffic brought about by these developments.

These developments would significantly increase air pollution and bad diesel smell which the kids in the school across the street would be breathing as they played on their playground outside.

These developments would significantly increase noise pollution, as these 16 wheeler trucks always put out a loud beeping sound up as they back up.

As with all distribution centers, there will be trucks idling at all hours day and night; and if there is no room at the distribution center, they will spill into the near-by neighborhoods, the school across the street and even nearby Esteban Park subjecting neighbors to increased traffic, noise and pollution.

Please keep these distribution centers where they belong..... in commercial and industrial areas that do not have nearby children playing and adults enjoying a good quality of life. These developments do not belong in the vicinity of neighborhoods, schools and parks.

We want it on record that we are very much in opposition to these two developments.

Thank you,

Thom and Sandy Bawden
3232 E. Vineyard Rd.
Phoenix, AZ 85042
602-276-5755



Brenda Maiden Caswell
2711 E. Darrel Rd.
Phoenix, AZ 85042
602-283-5838

June 3, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Ms Zobrist:

I'm writing to add my voice my to the opposition to two ill-conceived projects that are being considered for my neighborhood.

The projects are:

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These projects clearly do not belong adjacent to homes, parks and schools as they represent a threat to the health and safety of those of us who live, play and attend school in nearby areas. The traffic congestion, the noise and air pollution generated by these facilities should be restricted to areas already dedicated to such uses and **should not be allowed to invade and destroy our neighborhood and its quality of life and property values!**

This area should be protected by City Planners. This would be a great loss to the City as well as the current residents if it were to become host to over 100 truck loading docks. These trucking facilities would also devalue the capital investment made by the city in the area along Baseline Road between 40th and 24th streets.

Please point these projects toward appropriate locations. I am strongly opposed to the current proposals.

Sincerely,



Brenda Maiden Caswell

June 2, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,



Beverly Karst

2711 E. Fremont Road
Phoenix, Arizona 85042
602-268-6023
Beverlykarst276@gmail.com

June 5, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely, 

Robert Fester

2436 E DARREL RD
PHOENIX AZ 85042

623-205-4731

DATE: June 2, 2013
TO: City of Phoenix, Planning and Development Department
Kasandra M. Zobrist, South Mountain Village Planner

FROM: Donald Blumenfeld-Jones
5625 S. 27th Place, Phoenix, AZ 85040
602-268-6559, dbj@asu.edu

RE: Trammell Crow's Proposed General Plan Amendment (GPA-SM-13-08) and
Rezoning Application (Z-19-13)

I am writing you to register my opposition to the application for a change in the General Plan Amendment (GPA-SM-13-08) and Rezoning Application (Z-19-13) made by Steven Earl on behalf of the Trammel-Crow Corporation.

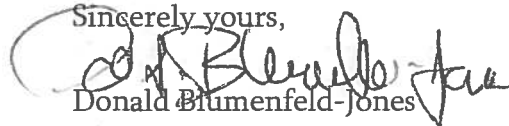
I have several reasons for opposing this proposal.

- This is an infill project calling for a spot rezoning from Residential to CP/BP. There are many other parcels not far from this parcel already zoned CB/BP which can accommodate this project. This is spot rezoning since the proposal turning the eastern residential properties commercial is not accompanied with plans to develop them as such (per the letter from the office of Steven Earl). This part of the request is simply a ruse to make it look as if it's not spot rezoning.
- This portion of South Mountain Village is quickly rebounding from the housing downturn with 4 residential developments in various stages of construction (24th and Baseline [planning stages] and 32nd Street and Baseline [closeout sale of homes], both by Beazer Homes; 36th and Southern by Ryland Homes [actively under construction]; 24th Street and Vineyard, Ward Construction [planning stages]. It is clear we are becoming a destination for residential developers. As you know, housing stock is much depleted and the whole of South Mountain Village is becoming a site for contributing to the replenishment of that stock. This parcel is already zoned residential. A trucking depot is an inappropriate project within a residentially developing area. It should be sited among similar projects of its own kind.
- Steven Earl has claimed this parcel will never be residentially developed. However both Beazer Homes and Ward Construction have inquired within the last 12 months about purchasing the parcel for residential development. Both inquires were turned away by CBRE, the commercial brokers (who also own Trammel-Crow). Therefore, Mr. Earl is incorrect.
- There is a General Plan and the Estaban Park Area Plan. Both the General Plan and the Estaban Park Area Plan specifically name this parcel as being, for a variety of reasons, preferably developed residentially. I am not opposed to appropriate development on this parcel but both plans are clear as to what should not be done with this parcel; projects verging on industrial are not considered appropriate. I urge you to honor both plans which are expressions of the people's

will. Do not, please, allow developers to become our planners. Ask developers to use the regulations of the General Plan and the guidance of the well-developed community Estaban Park Plan to make their development decisions. Do not allow developers to ignore the wishes of the people.

For these reasons I ask you to reject the Trammel-Crow request for a change to the General Plan. Thank you for your time.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Donald Blumenfeld-Jones". The signature is written in a cursive style with a large initial "D".

Donald Blumenfeld-Jones

May 31, 2013

Phoenix Planning Development Zoning
Kasandra M. Zobrist, South Mountain Village Planner
200 W Washington 3rd Floor
Phoenix, AZ 85003

The purpose of this letter is to inform you of my fierce opposition to both of the following applications:

Connor Commercial Real Estate Z-115-07-7 , off the Old Southern Rd./Southern Ave/32nd St. presently zoned commerce park - that wants stipulations changed to call it a "distribution facility" which would add many more truck docks than original design (approx 40 truck loading docks), one football field sized building with ingress/egress onto Southern and 32nd street. This was passed and the neighborhood has appealed the decision. It will be reviewed again on June 11.

And the Trammell Crow Company General plan amendment GPA-SM-13-08 and rezoning Z-19-13. 50 acres of presently zoned residential and MUA (Mixed Use Agriculture), located just east of 28th Street, North of Southern across from the new school. Trammell Crow is proposing that existing RE-24 (residential) and existing MUA (Mixed Use Agriculture - like us) be rezoned to Industrial, resulting in 2 football field sized buildings, ht 40' all around with a total of 60-80 truck loading docks - all ingress/egress onto Southern just east of 28th.

These types of development are wrong for this area on so many levels and would have a disastrous effect on the residential houses and parks in the area and the school across the street.

These developments would be very dangerous for the traffic on Southern as there is a curve in the road that would create a hazardous situation because of big trucks pulling out. Please don't jeopardize the safety of the neighbors who use Southern. Both 32nd street and Southern are streets that cannot safely handle the increased traffic brought about by these developments.

These developments would significantly increase air pollution and bad diesel smell which the kids in the school across the street would be breathing as they played on their playground outside.

These developments would significantly increase noise pollution, as these 16 wheeler trucks always put out a loud beeping sound up as they back up .

As with all distribution centers there will be trucks idling at all hours day and night and if there is no room at the distribution center they will spill into the near by neighborhoods,

the school across the street and even Estebon Park near by Estebon Park near by
subjecting neighbors to increased traffic, noise and pollution.

Please keep these distribution centers where they belong..... in commercial and
industrial areas that do not have nearby children playing and adults enjoying a good
quality of life. These developments do not belong in the vicinity of neighborhoods,
schools and parks.

I want it on record that I am very much in opposition for these two developments.

Thank you,
Blake Peterson
6236 South 37th Street
Phoenix, AZ 85042
602-453-0344

A handwritten signature in black ink, appearing to read "Blake Peterson", written in a cursive style.

June 5, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

I'm writing to add my voice to the opposition to two ill-conceived projects that are being considered for my neighborhood. This was not the original intention of the City Planners to allow big box distribution centers in close proximity to my neighborhood.

The projects are:

- Trammel Crow truck distribution center at 28th Street and Southern, and the accompanying General Plan Amendment (GPA-SM-13-08) and Rezoning Application (Z-19-13) involving a request to rezone from residential/mixed use agricultural to industrial in order to allow a 50 acre truck depot development of 2 buildings with football field sized dimensions and 40 feet high walls.
- Connor Commercial Real Estate Z-115-07-7 at 32nd Street and Old Southern Avenue, involving a changed stipulation allowing the entire site to be dedicated to a single structure rather than the current plan requiring multiple structures. This change is also requested in order to allow a trucking facility.

These projects clearly do not belong adjacent to homes, parks and schools as they represent a threat to the health and safety of those of us who live, play and attend school in nearby areas. The traffic congestion and the noise, light and air pollution generated by these facilities should be restricted to areas already dedicated to such uses and should not be allowed to invade and destroy our neighborhood and its quality of life and property values.

Ours is a unique area of Phoenix, with both historical and cultural significance, and it should be protected by City planners. The agricultural character of the Bartlett-Heard ranch and residential communities like the Legacy, Raven and surrounding areas, expressed as large green belt life, horse properties, tree lined streets, mini-farms and commercial venues such as The Farm, are unique in the Phoenix area.

This would be a great loss to the City as well as the current residents if it were to become host to over 100 truck loading docks. These trucking facilities would also devalue the capital investments made by the city in the area along Baseline Road between 40th and 24th streets.

Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,



June 5, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

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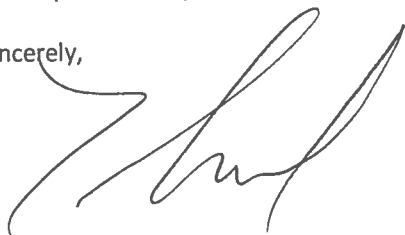
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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,



LISA SMITH
2436 E. DARREN ROAD
PHOENIX, AZ 85042

480-232-3771

June 3, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, AZ 85003

Dear Ms. Zobrist:

I am writing to oppose two projects being considered for my neighborhood. The projects are:

- Trammel Crow truck distribution center at 28th Street and Southern, and the accompanying General Plan Amendment (GPA-SM-13-08) and Rezoning Application (Z-19-13) involving a request to rezone from residential/mixed use agricultural to industrial to allow a 50 acre truck depot development.
- Conner Commercial real Estate Z-115-01-7 at 32nd Street and Old Southern Avenue, involving a changed stipulation allowing the entire site to be dedicated to a single structure rather than the current plan requiring multiple structures. This change is also requested in order to allow a trucking facility.

That Interstate 10 has a bottleneck traffic area between Baseline and 24th Street cannot be disputed.

- Just beyond Baseline, the convergence of the U.S. 60 with Interstate 10 results in severe traffic delays for eastbound traffic during morning rush hour.
- At approximately 24th Street, the convergence of Interstate 17/U.S.60 with Interstate 10 results in severe traffic delays for westbound traffic during evening rush hour.

The Interstate 10 exit/entrance at 32nd Street would be closest to both of the proposed projects. However, this 32nd Street exit/entrance to Interstate 10 is in the middle of the bottleneck traffic area!!

There should be no doubt in anyone's mind that – in order to avoid the severe delays in the Interstate 10 bottleneck traffic area – the following will occur:

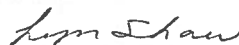
- Westbound truckers will choose to exit Interstate 10 at Baseline and will use City of Phoenix streets to get to the proposed facilities.
- Westbound truckers will choose to enter Interstate 10 at 16th Street and will use City of Phoenix streets to get from the proposed facilities to this 16th Street entrance.
- Eastbound truckers will choose to exit Interstate 10 at 16th Street and will use City of Phoenix streets to get to the proposed facilities.
- Eastbound truckers will choose to enter Interstate 10 at Baseline and will use City of Phoenix streets to get from the proposed facilities to this Baseline entrance.

The City of Phoenix streets that will be most affected run through residential areas. As a result of increased trucking traffic – likely 24/7 – my concerns relate to:

- Increased noise
- Increased local traffic congestion
- Increased pollution
- Increased street maintenance costs
- Overall safety (other vehicle, bicycle and pedestrian)

Please do not allow these projects to be built at the proposed locations! City of Phoenix residents in the affected areas deserve better. Thank you for your consideration.

Sincerely,



Ms. Lyn Shaw
2704 E. Fremont Rd.
Phoenix, AZ 85042

June 3, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Ms. Zobrist,

I'm writing in regards to two ill-conceived projects being considered for my neighborhood. The projects are:

- Trammel Crow truck distribution center at 28th Street and Southern, and the accompanying General Plan Amendment (GPA-SM-13-08) and Rezoning Application (Z-19-13) involving a request to rezone from residential/mixed use agricultural to industrial in order to allow a 50 acre truck depot development of 2 buildings with football field sized dimensions and 40 feet high walls.
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Additionally, we occupy and actively grow food in one of the few remaining agricultural spaces in the city, adjacent to one of the largest food deserts in Phoenix. The proposed changes to zoning & stipulations that these projects are requesting to pursue their livelihood will deny us the best opportunity to pursue ours.

The South Mountain Village Planning Committee years ago recognized that ours is a unique area of Phoenix, with both historical and cultural significance, and that it should be protected by City planners. The plans laid in place many years ago strove to retain the agricultural character of the Bartlett-Heard ranch and surrounding areas, expressed as large horse properties, tree lined streets, mini-farms and commercial venues such as The Farm. This area is unique in the Phoenix area and it would be a loss to the City as well as the current residents if it were to become host to over 100 truck loading docks. These trucking facilities would also devalue the capital investments made by the city in the area along Baseline Road between 40th and 24th streets.

Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,

A handwritten signature in black ink that reads "Tina Leadbetter". The signature is written in a cursive style with a large, looping initial "T".

Tina Leadbetter
3268 E. Vineyard Rd
Phoenix, Arizona 85042
602.795.7828

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

I'm writing to add my voice to the opposition to two ill-conceived projects that are being considered for my neighborhood. This was not the original intention of the City Planners to allow big box distribution centers in close proximity to my neighborhood.

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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely, *Ray PIANOWSKI + LINDA PIANOWSKI*

DEAR KASANDRA - please voice my opposition to these projects. I have everything invested in my home. The south mountain area has a wonderfully diverse population, and we need more residential opportunities for everyone, not trucking centers. These projects will not help the area, which is growing and becoming more desirable. Thank you

*Ray P. + Linda P. 7023 S. 30th Street Phoenix, AZ 85042
602-268-1070.*

June 5, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

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Sincerely,



James R. Walker
2434 E Fremont Road
Phoenix AZ 85042
(602) 840-0578

June 5, 2013

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c/o Kasandra M. Zobrist, South Mountain Village Planner
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Phoenix, Arizona 85003

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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,

ALEXANDER WERNOWITZ
(OPPOSED)
2446 E. GRASS LANE
PHOENIX, AZ 85042

June 5, 2013

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c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

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Sincerely,


Tommy Smith 602 276 0023
2442 E. Glenside
Phoenix, AZ 85042

June 5, 2013

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Phoenix, Arizona 85003

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Sincerely,

Jay D. Nelson 6022760023
2442 E. Glass Lane
Phoenix AZ 85042

June 3, 2013

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c/o Kasandra M. Zobrist, South Mountain Village Planner
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Phoenix, Arizona 85003

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Sincerely,

Tina Joiner
2612 E Glass Lane
Phx, AZ: 85042



June 3, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

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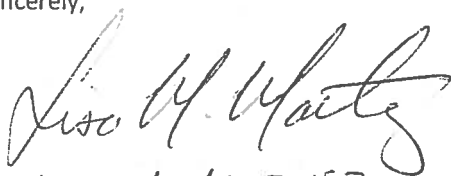
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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,



LISA M. MARTINEZ
2612 E. GLASS LAKE
PHOENIX, AZ 85042

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,


Stephen W. Luecking
2612 E. Corson rd.
Phoenix AZ 85042
602-268-6636

6/03/13

City Of Phoenix, Planning and Development Department,
Attn: Kasandra Zobrist South Mountain Village Planning
200 W Washington St 3rd Floor
Phoenix, AZ 85003

Please see that this letter be attached to Planning Department's staff report and will be taken into consideration by applicant Trammell Crow, South Mountain Village Committee, Planning Hearing Officer and City Council.

With regards to Trammell Crow proposed project at 28th Street and Southern Ave:
General Plan Amendment (GPA-SM-13-08)
Rezoning Application (Z-19-13)

My children are enrolled at Desert Marigold School - which is located just south of the above projects in question. These projects clearly do not belong adjacent to homes, parks and schools as they represent a threat to the health and safety of those of us who live, play and attend school in nearby areas. Our streets cannot support the inevitable big truck traffic that this type of project would bring. The traffic congestion, the noise and air pollution generated by these facilities should be restricted to areas already dedicated to such uses and should not be allowed to invade and destroy our neighborhood and its quality of life.

Ours is a unique area of Phoenix, with both historical and cultural significance and it should be protected by City planners. The agricultural character of Desert Marigold School and surrounding area are unique in the Phoenix area and it would be a loss to the City as well as the current residents and our school, if it were to become host to over 100 truck loading docks.

Please point these projects toward appropriate locations. I am opposed to the current proposals and wish to be notified of future notices relating to these projects.

Sincerely,

A handwritten signature in black ink, appearing to read 'David S. Hernandez', with a long horizontal flourish extending to the right.

David S. Hernandez
5643 S. 23rd Place
Phoenix, AZ 85040
(602) 437-4198
dhernandez@ssd.com

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

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Sincerely,

Martha Beach 602-323-9748
Ronda J. Beach
7015 S. Golfside Ln
Phoenix Az 85042

June 3, 2013

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c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

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These projects clearly do not belong adjacent to homes, parks and schools as they represent a threat to the health and safety of those of us who live, play and attend school in nearby areas. The traffic congestion and the noise, light and air pollution generated by these facilities should be restricted to areas already dedicated to such uses and should not be allowed to invade and destroy our neighborhood and its quality of life and property values.

Ours is a unique area of Phoenix, with both historical and cultural significance, and it should be protected by City planners. The agricultural character of the Bartlett-Heard ranch and surrounding areas, expressed as large horse properties, tree lined streets, mini-farms and commercial venues such as The Farm, are unique in the Phoenix area and it would be a loss to the City as well as the current residents if it were to become host to over 100 truck loading docks. These trucking facilities would also devalue the capital investments made by the city in the area along Baseline Road between 40th and 24th streets.

Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,



DOUG TURISHA

NBCIA BOR

June 3, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

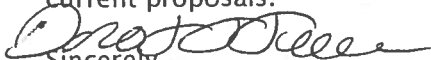
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Sincerely,

Dorothy Turner

Phoenix Planning Development Zoning

Kassandra M. Zobrist, South Mountain Village Planner

200 W Washington 3rd Floor

Phoenix, AZ 85003

The purpose of this letter is to inform you of my fierce opposition to both of the following applications:

General plan amendment GPA-SM-13-08. Conor Commercial Real Estate, off the Old Southern Rd./Southern Ave/32nd St. presently zoned commerce park - that wants stipulations changed to call it a "distribution facility" which would add many more truck docks than original design (approx 40 truck loading docks), one football field sized building with ingress/egress onto Southern and 32nd street. This was passed and the neighborhood has appealed the decision. It will be reviewed again on June 11.

And the Trammell Crow Company rezoning Z-19-13. 50 acres of presently zoned residential and MUA (Mixed Use Agriculture), located just east of 28th Street, North of Southern across from the new school. Trammell Crow is proposing that existing RE-24 (residential) and existing MUA (Mixed Use Agriculture - like us) be rezoned to Industrial, resulting in 2 football field sized buildings, ht 40' all around with a total of 60-80 truck loading docks - all ingress/egress onto Southern just east of 28th.

These types of development are wrong for this area on so many levels and would have a disastrous effect on the residential houses and parks in the area and the school across the street.

These developments would be very dangerous for the traffic on Southern as there is a curve in the road that would create a hazardous situation because of big trucks pulling out. Please don't jeopardize the safety of the neighbors who use Southern. Both 32nd street and Southern are streets that cannot safely handle the increased traffic brought about by these developments.

These developments would significantly increase air pollution and bad diesel smell which the kids in the school across the street would be breathing as they played on their playground outside.

These developments would significantly increase noise pollution, as these 16 wheeler trucks always put out a loud beeping sound up as they back up 12 hours a day.

As with all distribution centers there will be trucks idling at all hours day and night and if there is no room at the distribution center they will spill into the near by neighborhoods, the school across the street and even Estebon Park near by subjecting neighbors to increased traffic, noise and pollution.

The diesel smell and noise will be drifting over into The Farm at South Mountain (an outdoor restaurant across the street) potentially ruining their business. This is a very restaurant. Its one of a kind. People come from all over the valley to have this experience.

Please keep these distribution centers where they belong..... in commercial and industrial areas that do not have nearby children playing and adults enjoying a good quality of life. These developments do not belong in the vicinity of neighborhoods, schools and parks.

I want it on record that I am very much in opposition to these two developments

Please put people, neighborhoods and schools before business.

Thank you,

Lisa Peterson

6236 South 37th Street

Phoenix, AZ 85042

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,

Diana L. Young
7213 S. Golfside Lane
Phoenix 85042
602 254-9581

Please do not do this to us —

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

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Sincerely,



ANDREA FREEMAN
2612 E. CARSON RD.
PHX, AZ 85042

602-268-7490
602-542-8357

June 3, 2013

Phoenix Planning Development Zoning
Kasandra M. Zobrist, South Mountain Village Planner
200 W Washington 3rd Floor
Phoenix, AZ 85003

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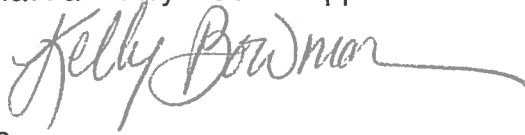
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I want it on record that I am very much in opposition to these two developments.

Kelly Bowman
6615 S. 38th St
Phoenix, AZ 85042



602-4549186

P.S. Kasandra Zobrist, would you want this in your back yard?

June 5, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,

Theresa M. Foster
THERESA M FOSTER
2419 E GLASS LN
PHOENIX, AZ 85042

June 3, 2013

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c/o Kasandra M. Zobrist, South Mountain Village Planner
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Sincerely,



Dr. Joseph Zello
6408 South 38th Street
Phoenix, Arizona 85042
602.437.0651

June 4, 2013

City of Phoenix Planning Department
Kassandra M. Zobrist, South Mountain Village Planner
200 W. Washington St. 3rd floor
Phoenix, AZ 85003

Dear Ms. Zobrist,

Please attach this letter to case Z-115-07-7.

In researching the different configurations of Commerce Park building designs, I believe that the stipulation changes, requested in the above referenced case, constitute a use associated more with "Industrial" than with "Commerce/Business Park."

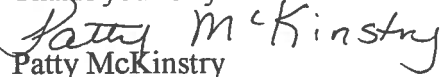
The stipulations requested in Z-115-07-7 increase impact by adding:

- 1.) 18 wheeler traffic around the clock, along with its attendant noise, air pollution, road hazards and evening lights; "Commerce/Business Park" uses are typically in operation 5 days a week, 7am to 6pm (ref. PrismaGraphics at 32nd St and Broadway)
- 2.) Building height which affects air circulation, sunlight and view corridors
- 3.) A larger footprint, lending itself to fewer tenants (Ed Bull indicated a Single Tenant would be ideal) – which would require a minimum of 15 acres and would provide fewer jobs. (ref. Phx. Zoning Ordinances "Single User")

Because the land area is over 10 acres (10.3 per site plan), and the new stipulations dramatically change the nature of the land use, it appears City policy requires a General Plan Amendment before the stipulations and the Planning Hearing Officer's recommendations can be reviewed by the City of Phoenix Planning Commission.

Please postpone this case so that your department can adhere to its policies on changes to the Phoenix General Plan before granting a divergence of land use on areas larger than 10 acres.

Thank you for your consideration,


Patty McKinstry

3811 E. St. Catherine Ave
Phoenix, AZ 8042

cc: Mr. Alan Stephenson

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,

Handwritten signature of Ian, appearing to read 'Ian' with a stylized flourish.

6/2/13

Very Important - Front Page

To Neighbors concerned or unaware of the two proposed Industrial developments for multiple "big box" diesel trucking distribution warehouses located from 28th Street to 32nd Street proposed by Conner Commercial Developers & Trammell Crow Commercial Developers. This was not the original intent proposed by our City Planners.

Please, read this and do what you can by at least completing the letter on the reverse side or creating one yourself with your name, address, signature, contact information and mail it to Kasandra Zobrist our South Mountain Village Planner immediately! They will be counted and included in the staff reports. **If you don't mail it in ASAP then...**

**There may be hundreds of tractor trailers coming and going by your home 24 / 7
These two projects of identical nature are practically adjacent to each other:**

First, the Conner Commercial project at Southern Ave. & 32nd St. presently zoned Commerce Park. The Developer wants stipulations changed to call it a "*distribution facility*" allowing them to create larger than a football field sized diesel trucking warehouse and distribution centers. With the stipulations changed they can add more truck docks too (minimum of 40 to 60 truck loading docks) with ingress/egress onto Southern and 32nd street. *Do you want the zoning commission to allow large diesel truck terminals in your neighborhood?*

The City of Phoenix Planning Department just approved and passed these stipulation changes. However, the Bartlett-Heard neighborhood has appealed the decision and it will be reviewed again on June 11, 2013.

Now, to add insult to injury we just got word that Trammell Crow and the City Planners are trying to cram another more consequential hard zoned industrial project into our neighborhoods. It's approximately 50-60 acres presently zoned residential located east of 28th Street and North of Southern across from the new school. **Trammell Crow is proposing that the existing 50-60 acres now zoned RE-24 (residential) be rezoned to hard industrial zoning.**

This will result in another larger than 2 or 3 football field sized buildings for diesel trucks to come and go all hours of the day and night. **The height of each building will increase to 40' or greater with (a minimum of 80 to 100 truck loading docks.)** *Do you want them to allow commercial warehousing South of Southern & 32nd Street?*

The staff report coincidentally is intended to go out on this project by June 11th as well. So, we need to make our voices counted in opposition for them to receive your letter before June 11, 2013.

- Copy the letter on the reverse side and include your name, address, signature and phone number at the bottom of the letter ASAP or compose your own letter referencing these 2 case by location and case numbers and keep a copy you may need it later.
 - Trammell Crow proposed truck distribution center at 28th Street and Southern Ave.
 - General Plan Amendment (GPA-SM-13-08)
 - Rezoning Application (Z-19-13)
 - Conner Commercial change in stipulation (Z-115-07-7) at 32nd St. & Old Southern Avenue.

If you have any questions send an email, give me a call or go to our face book page to stay informed: www.facebook.com/SouthMountainVillagePPRG. We welcome and will be accountable for any contributions to assist in the cost of our efforts and mailings to defeat these ill-conceived projects. **Make your checks payable to: South Mountain Village Private Property Rights Group - P.O. Box 51503 - Phoenix, AZ 85076**

Paul Van Buren - 6439 S. 32nd St. / Cell (602) 791-8090 / Email: pvanburen@qwest.net

June 5, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

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Sincerely,


BILL FOSTER
8419 E GLASS LN
PHOENIX, AZ 85042

June 3, 2013

Phoenix Planning Development Zoning
Kasandra M. Zobrist, South Mountain Village Planner
200 W Washington 3rd Floor
Phoenix, AZ 85003

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These developments would be very dangerous for the traffic on Southern as there is a curve in the road that would create a hazardous situation because of big trucks pulling out. Please don't jeopardize the safety of the neighbors who use Southern. Both 32nd street and Southern are streets that cannot safely handle the increased traffic brought about by these developments.

These developments would also significantly increase noise and air pollution.

This is an inappropriate site for a distribution center.
I am very much in opposition to these two developments.
Please reconsider their approval.

Thank you,
Jennyfer Stratman
3502 E. Vineyard Rd.

Phoenix, AZ 85042
602-803-1010

June 3, 2013

Phoenix Planning Development Zoning
Kasandra M. Zobrist. South Mountain Village Planner
200 W Washington 3rd Floor
Phoenix, AZ 85003

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Please reconsider their approval.

Thank you,
Brad Wilson
3502 E. Vineyard Rd.
Phoenix, AZ 85042
602-803-1010

June 4, 2013
City of Phoenix Planning Department
200 W. Washington, 3rd Floor
Phoenix, AZ 85003
Ms. Kasandra Zobrist, South Mountain Village Planner

Re: Requesting formal determination in re Z-115-07-7

This letter requests a formal determination if a General Plan Amendment is required for A-115-07-7, 32nd St. and Old Southern referenced above.

As you know, a second case adjacent to this one (GPA-SM-13-08/Z-19-13) makes our concerns more intense. The two cases should be heard concurrent with each other as they total 60 acres of what is designed so far as "Industrial" – neither cases resemble the lighter designation of "Commerce/Business Park" (many more truck bays, taller buildings, around the clock 18 wheeler traffic with the air pollution, noise and evening lights that come with it). The city Planning Process Guide, revised 5/1/13, states that a General Plan Amendment is required "when the land use shown on the map is different than that proposed and the site is greater than 10 (ten) acres." This case meets both those requirements. Additionally, in accordance with General Plan Goal 12, Policy 2, an amendment is required for: "Sites whose size exceeds 10 gross acres when combined with the acreage of all abutting zoning on the same side of the street, within no more than 150 ft. from the subject site which is also not in conformance with the General Plan. This prevents applicants from circumventing General Plan Amendments by breaking requests into a series of small cases. We would like your professional evaluation of the impact of both these cases as a whole.

Since the City did not require the applicant to file a GPA for Z-115-07-7, we are formally requesting the City provide us with a written determination of why a General Plan Amendment is not necessary prior to allowing this case to go before the Planning Commission.

We ask that the case be either postponed so the city can complete this review, or at least be combined with the adjacent GPA-SM-13-08 so that the proposals can be seen in their entirety.

Please include a copy of this letter in the staff report provided to the Planning Commission. If the Commission has already received the staff recommendation on this case, please provide this letter to the Commission prior to their meeting.

Regards, *Patty - for Bruce McKinstry per his request*
Patty McKinstry : *Bruce McKinstry*
3811 E. St. Catherine Ave – Phoenix, AZ 85042

June 5, 2013

Phoenix Planning Development Zoning
Kasandra M. Zobrist, South Mountain Village Planner
200 W Washington 3rd Floor
Phoenix, AZ 85003

The purpose of this letter is to inform you of my fierce opposition to both of the following applications:

Connor Commercial Real Estate Z-115-07-7 , off the Old Southern Rd./Southern Ave/32nd St. presently zoned commerce park - that wants stipulations changed to call it a "distribution facility" which would add many more truck docks than original design (approx 40 truck loading docks), one football field sized building with ingress/egress onto Southern and 32nd street. This was passed and the neighborhood has appealed the decision. It will be reviewed again on June 11.

And the Trammell Crow Company General plan amendment GPA-SM-13-08 and rezoning Z-19-13. 50 acres of presently zoned residential and MUA (Mixed Use Agriculture), located just east of 28th Street, North of Southern across from the new school. Trammell Crow is proposing that existing RE-24 (residential) and existing MUA (Mixed Use Agriculture - like us) be rezoned to Industrial, resulting in 2 football field sized buildings, ht 40' all around with a total of 60-80 truck loading docks - all ingress/egress onto Southern just east of 28th.

These types of development are wrong for this area on so many levels and would have a disastrous effect on the residential houses and parks in the area and the school across the street.

These developments would be very dangerous for the traffic on Southern as there is a curve in the road that would create a hazardous situation because of big trucks pulling out. Please don't jeopardize the safety of the neighbors who use Southern. Both 32nd street and Southern are streets that cannot safely handle the increased traffic brought about by these developments.

These developments would significantly increase air pollution and bad diesel smell which the kids in the school across the street would be breathing as they played on their playground outside.

These developments would significantly increase noise pollution, as these 16 wheeler trucks always put out a loud beeping sound up as they back up.

As with all distribution centers there will be trucks idling at all hours day and night and if there is no room at the distribution center they will spill into the near by neighborhoods,

the school across the street and even Estebon Park near by Estebon Park near by
subjecting neighbors to increased traffic, noise and pollution.

Please keep these distribution centers where they belong..... in commercial and
industrial areas that do not have nearby children playing and adults enjoying a good
quality of life. These developments do not belong in the vicinity of neighborhoods,
schools and parks.

I want it on record that I am very much in opposition for these two developments. My
personal experience with situations like this is from my former home on 38th Street in
Phoenix. We were told that the developer would not be able to do certain things but
when the buildings went up those restrictions went by the wayside, regardless of what we
had agreed on previously.

Thank you,

A handwritten signature in cursive script that reads "Bonnie L. Delco".

Bonnie Delco
5641 S 27th Place
Phoenix, AZ 85040
602-425-1307

Randy and Mary Gerdes
2635 E. Darrel Road
Phoenix, AZ 85042

June 5, 2013

Kassandra M. Zobrist, South Mountain Village Planner
City of Phoenix Planning & Development Department
200 West Washington St., Third Floor
Phoenix, AZ 85003

Dear Ms. Zobrist:

We are writing to declare our opposition to two ill-conceived projects that are being considered for our neighborhood. We don't believe this was the intention of the planners who originally set up the existing structure. Now, there is a risk of two developments going in that threaten our neighborhood with a high burden on traffic, increased noise, and increased air pollution. We are referring to:


Trammel Crow truck distribution center at 28th St. and Southern Avenue, and the accompanying General Plan Amendment (GPS-SM-13-08) and Rezoning Application (Z-19-13).

Connor Commercial Real Estate Z-115-07-7 at 32nd Street and Old Southern Avenue, involving a changed stipulation that would allow the entire site to be dedicated to one large single structure, rather than following the current plan.

Both projects involve large trucking operations and would increase traffic on Southern, Baseline Road, and 32nd Street in order to access I-10. Neither of these projects should be allowed near schools, homes and parks. Instead, they should be restricted to areas already designed to accommodate such facilities, where they will not threaten safety, quality of life, or our property values.

We would appreciate your serious consideration of the opposition to these two projects, and would be happy to comment further, or in person, if that would help persuade those making the decisions to preserve our South Mountain Village. We ask that you keep our best interests in mind, and we are counting on your good efforts and sound judgment on behalf of all of us who live in this unique area.

Thank you.



Randy and Mary Gerdes

6/03/13

City Of Phoenix, Planning and Development Department,
Attn: Kasandra Zobrist South Mountain Village Planning
200 W Washington St 3rd Floor
Phoenix, AZ 85003

Please see that this letter be attached to Planning Department's staff report and will be taken into consideration by applicant Trammell Crow, South Mountain Village Committee, Planning Hearing Officer and City Council.

With regards to Trammell Crow proposed project at 28th Street and Southern Ave:
General Plan Amendment (GPA-SM-13-08)
Rezoning Application (Z-19-13)

My children are enrolled at Desert Marigold School - which is located just south of the above projects in question. These projects clearly do not belong adjacent to homes, parks and schools as they represent a threat to the health and safety of those of us who live, play and attend school in nearby areas. Our streets cannot support the inevitable big truck traffic that this type of project would bring. The traffic congestion, the noise and air pollution generated by these facilities should be restricted to areas already dedicated to such uses and should not be allowed to invade and destroy our neighborhood and its quality of life.

Ours is a unique area of Phoenix, with both historical and cultural significance and it should be protected by City planners. The agricultural character of Desert Marigold School and surrounding area are unique in the Phoenix area and it would be a loss to the City as well as the current residents and our school, if it were to become host to over 100 truck loading docks.

Please point these projects toward appropriate locations. I am opposed to the current proposals and wish to be notified of future notices relating to these projects.

Sincerely,



Linda Marie Kalas
5643 S. 23rd Place
Phoenix, AZ 85040
(602) 437-4198
lkalas98@gmail.com

June 3, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003
<mailto:kasandra.zobrist@phoenix.gov>

Dear Kasandra,

I'm writing to add my voice to the opposition to two ill-conceived projects that are being considered for my neighborhood. This was not the original intention of the City Planners to allow big box distribution centers in close proximity to my neighborhood.

The projects are:

- Trammel Crow truck distribution center at 28th Street and Southern, and the accompanying General Plan Amendment (GPA-SM-13-08) and Rezoning Application (Z-19-13) involving a request to rezone from residential/mixed use agricultural to industrial in order to allow a 50 acre truck depot development of 2 buildings with football field sized dimensions and 40 feet high walls.
- Connor Commercial Real Estate Z-115-07-7 at 32nd Street and Old Southern Avenue, involving a changed stipulation allowing the entire site to be dedicated to a single structure rather than the current plan requiring multiple structures. This change is also requested in order to allow a trucking facility.

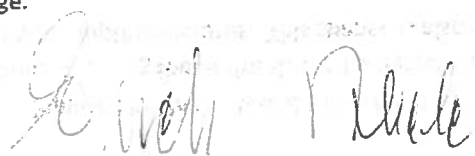
These projects clearly do not belong adjacent to homes, parks and schools as they represent a threat to the health and safety of those of us who live, play and attend school in nearby areas. The traffic congestion and the noise, light and air pollution generated by these facilities should be restricted to areas already dedicated to such uses and should not be allowed to invade and destroy our neighborhood and its quality of life and property values.

Ours is a unique area of Phoenix, with both historical and cultural significance, and it should be protected by City planners. The agricultural character of the Bartlett-Heard ranch and residential communities like the Legacy, Raven and surrounding areas, expressed as large green belt life, horse properties, tree lined streets, mini-farms and commercial venues such as The Farm, are unique in the Phoenix area.

This would be a great loss to the City as well as the current residents if it were to become host to over 100 truck loading docks. These trucking facilities would also devalue the capital investments made by the city in the area along Baseline Road between 40th and 24th streets.

Please point these projects toward appropriate locations such as the Buckeye and Lower Buckeye commercial truck terminal corridor. I am vehemently opposed to the current proposals being located in or near the South Mountain Village.

Sincerely,

 3131 LEGACY DR

June 5, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

I'm writing to add my voice to the opposition to two ill-conceived projects that are being considered for my neighborhood. This was not the original intention of the City Planners to allow big box distribution centers in close proximity to my neighborhood.

The projects are:

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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,


GREG VANNONI
So 24th PL
Phoenix AZ

June 5, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 W Washington St, 3rd Floor
Phoenix, Arizona 85003

Dear Kasandra,

I am concerned about the two commercial projects that are being considered for my neighborhood involving big box distribution centers. I understand the projects are planned for development as described here:

- Trammel Crow truck distribution center at 28th Street and Southern, and the accompanying General Plan Amendment (GPA-SM-13-08) and Rezoning Application (Z-19-13) involving a request to rezone from residential/mixed use agricultural to industrial in order to allow a 50 acre truck depot development of 2 buildings with football field sized dimensions and 40 feet high walls.
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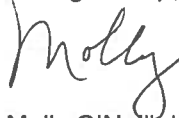
I recently purchased a home in this area, and these potential projects would most certainly de-value my property and decrease the quality of my life. I am also aware of the negative impact the projects would have on the other homes, parks, schools and businesses in the area. Specifically, the projects would create heavy truck traffic congestion as well as generate extensive diesel noise and air pollution.

I'm requesting your support in protecting this area of Phoenix and making it more, not less attractive as a residential location for professionals like me who want to live in close proximity to work and the airport, but also value the quiet, retreat-like life style of the South Mountain area. How can we work together to preserve and leverage the agricultural character of the Bartlett-Heard ranch and well-designed residential communities like the Legacy, Raven and other neighborhoods, expressed as large green belt life, tree lined streets, horse properties, mini-farms, and the lovely commercial venues such as The Farm and The Secret Garden, which are unique not only here, but in the Phoenix Valley?

So much has gone into developing this area as a viable residential option and it would be a tremendous loss to the City as well as the current residents if we were to accept this proposal to bring over 100 truck loading docks into the picture.

I'm sure there are more appropriate areas where the proposed projects would be a welcome addition to an already industrial area and have little or no negative impact on the surroundings. How can I help find a win-win solution for the location of these businesses?

Willing to help,



Molly O'Neill, home-owner at the Fairways at the Legacy
602-595-7570
2719 E Darrel Rd
Phoenix, AZ 85042

June 3, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003
<mailto:kasandra.zobrist@phoenix.gov>

Dear Kasandra,

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The projects are:

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Ours is a unique area of Phoenix, with both historical and cultural significance, and it should be protected by City planners. The agricultural character of the Bartlett-Heard ranch and residential communities like the Legacy, Raven and surrounding areas, expressed as large green belt life, horse properties, tree lined streets, mini-farms and commercial venues such as The Farm, are unique in the Phoenix area.

This would be a great loss to the City as well as the current residents if it were to become host to over 100 truck loading docks. These trucking facilities would also devalue the capital investments made by the city in the area along Baseline Road between 40th and 24th streets.

Please point these projects toward appropriate locations such as the Buckeye and Lower Buckeye commercial truck terminal corridor. I am vehemently opposed to the current proposals being located in or near the South Mountain Village.

Sincerely,

John & Mary Pelander
3131 E. Legacy Dr., # 1007
Phoenix, AZ 85042
john.pelander@yahoo.com

P.S. Please, please, do not approve these projects for these locations.

Richard & Susan Stewart
7035 S. 24th Pl.
Phoenix, AZ 85042

June 5, 2013

Kasandra M. Zobrist, South Mountain Village Planner
City of Phoenix Planning & Development Department
200 West Washington St., Third Floor
Phoenix, AZ 85003

Dear Ms. Zobrist:

We are writing to declare our opposition to two ill-conceived projects that are being considered for our neighborhood. We don't believe this was the intention of the planners who originally set up the existing structure. Now, there is a risk of two developments going in that threaten our neighborhood with a high burden on traffic, increased noise, and increased air pollution. We are referring to:

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Both projects involve large trucking operations and would increase traffic on Southern, Baseline Road, and 32nd Street in order to access I-10. Neither of these projects should be allowed near schools, homes and parks. Instead, they should be restricted to areas already designed to accommodate such facilities, where they will not threaten safety, quality of life, or our property values.

We would appreciate your serious consideration of the opposition to these two projects, and would be happy to comment further, or in person, if that would help persuade those making the decisions to preserve our South Mountain Village. We ask that you keep our best interests in mind, and we are counting on your good efforts and sound judgment on behalf of all of us who live in this unique area.

Thank you.

A handwritten signature in cursive script, appearing to read "Richard Stewart". The signature is written in dark ink and is positioned above the typed name.

Richard & Susan Stewart

31 May 2013

Phoenix Planning Development Zoning
Kasandra M. Zobrist, South Mountain Village Planner
200 W Washington 3rd Floor
Phoenix, AZ 85003

The purpose of this letter is to inform you of my fierce opposition to both of the following applications:

General plan amendment GPA-SM-13-08. Conor Commercial Real Estate, off the Old Southern Rd./Southern Ave/32nd St. presently zoned commerce park - that wants stipulations changed to call it a "distribution facility" which would add many more truck docks than original design (approx 40 truck loading docks), one football field sized building with ingress/egress onto Southern and 32nd street. This was passed and the neighborhood has appealed the decision. It will be reviewed again on June 11.

And the Trammell Crow Company rezoning Z-19-13. 50 acres of presently zoned residential and MUA (Mixed Use Agriculture), located just east of 28th Street, North of Southern across from the new school. Trammell Crow is proposing that existing RE-24 (residential) and existing MUA (Mixed Use Agriculture - like us) be rezoned to Industrial, resulting in 2 football field sized buildings, ht 40' all around with a total of 60-80 truck loading docks - all ingress/egress onto Southern just east of 28th.

These types of development are wrong for this area on so many levels and would have a disastrous effect on the residential houses and parks in the area and the school across the street.

These developments would be very dangerous for the traffic on Southern as there is a curve in the road that would create a hazardous situation because of big trucks pulling out. Please don't jeopardize the safety of the neighbors who use Southern. Both 32nd street and Southern are streets that cannot safely handle the increased traffic brought about by these developments.

These developments would significantly increase air pollution and bad diesel smell which the kids in the school across the street would be breathing as they played on their playground outside.

These developments would significantly increase noise pollution, as these 16 wheeler trucks always put out a loud beeping sound up as they back up .

As with all distribution centers there will be trucks idling at all hours day and night and if there is no room at the distribution center they will spill into the near by neighborhoods, the school across the street and even Estebon Park near by subjecting neighbors to increased traffic, noise and pollution.

Please keep these distribution centers where they belong..... in commercial and industrial areas that do not have nearby children playing and adults enjoying a good quality of life. These developments do not belong in the vicinity of neighborhoods, schools and parks.

I want it on record that I am very much in opposition to these two developments.

WILLIAM/JANET SILLS
3216 E. VINEYARD RD
PHX 85042
602-437-2689

5/31/2013

June 5, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003
Email: kasandra.zobrist@phoenix.gov

Dear Kasandra,

I'm writing to add my voice to the opposition to two ill-conceived projects that are being considered for my neighborhood. This was not the original intention of the City Planners to allow big box distribution centers in close proximity to my neighborhood.

The projects are:

- Trammel Crow truck distribution center at 28th Street and Southern, and the accompanying General Plan Amendment (GPA-SM-13-08) and Rezoning Application (Z-19-13) involving a request to rezone from residential/mixed use agricultural to industrial in order to allow a 50 acre truck depot development of 2 buildings with football field sized dimensions and 40 feet high walls.
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These projects clearly do not belong adjacent to homes, parks and schools as they represent a threat to the health and safety of those of us who live, play and attend school in nearby areas. The traffic congestion and the noise, light and air pollution generated by these facilities should be restricted to areas already dedicated to such uses and should not be allowed to invade and destroy our neighborhood and its quality of life and property values.

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This would be a great loss to the City as well as the current residents if it were to become host to over 100 truck loading docks. These trucking facilities would also devalue the capital investments made by the city in the area along Baseline Road between 40th and 24th streets.

Please point these projects toward appropriate locations such as the Buckeye and Lower Buckeye commercial truck corridor. I am vehemently opposed to the current proposals in or near South Mountain Village.

Sincerely,

Paul Van Buren
6439 S. 32nd St
Phoenix, AZ 85042
(602) 791-8090
Paul Van Buren

June 9, 2013

City of Phoenix Planning and Development Department

c/o Kasandra M. Zobrist, South Mountain Village Planner

200 West Washington Street, Third Floor

Phoenix, Arizona 85003

Dear Kasandra,

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The projects are:

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Please point these projects toward appropriate locations such as the Buckeye and Lower Buckeye Commercial truck terminal corridor. I am vehemently opposed to the current proposals being located in or near the South Mountain Village.

Sincerely,



Joseph Martin

3929 East Minton Street

Phoenix, Arizona 85042

(602) 647-3869

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

I'm writing to add my voice to the opposition to two ill-conceived projects that are being considered for my neighborhood. This was not the original intention of the City Planners to allow big box distribution centers in close proximity to my neighborhood.

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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,

A handwritten signature in purple ink, appearing to read "Janet B. [unclear]". The signature is stylized and cursive.

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

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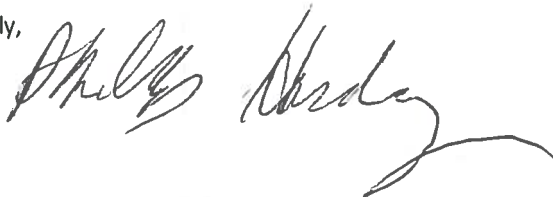
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June 3, 2013

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c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003
<mailto:kasandra.zobrist@phoenix.gov>

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Please point these projects toward appropriate locations such as the Buckeye and Lower Buckeye commercial truck terminal corridor. I am vehemently opposed to the current proposals being located in or near the South Mountain Village.

Sincerely,

LANNY & JANET McMAHILL
6818 S 39th PLACE
602.431.9164

Lanny McMahon
Janet McMahon

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

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Sincerely,



Tony Crow

June 3, 2013

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c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003
<mailto:kasandra.zobrist@phoenix.gov>

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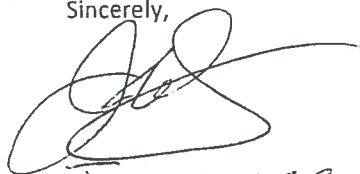
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Sincerely,



JAMES MCCAULEY
8518 S 29TH WAY
DHEWEN 17 5000

1 0 521 1011

June 3, 2013

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c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
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Sincerely,


8603 S. 30th Way
Phoenix, AZ 85042
williamandwendy@hotmail.com

June 3, 2013

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c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003
<mailto:kasandra.zobrist@phoenix.gov>

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8603 G. 30th Way
Phoenix, AZ 85042
wendymartin@hotmail.com

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A handwritten signature in blue ink, appearing to read "Jim J. Young", is written over the "Sincerely," text.

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Sincerely,

Lisa Summers
602-931-1408

June 4, 2013

Dear Ms. Zobrist,

I am writing you in regard to General Plan Amendment (GPA-SM-13-18) and re-zoning Application (Z-19-13).

I have been impressed with how the South Mountain area has improved over the last few years. The new library at South Mountain College is one of the most beautiful, unique buildings in Phoenix. Restaurants like The Farm and The Secret Garden have enhanced the appeal of the area, along with new attractive housing, golf courses and shopping centers. We are moving in a positive direction.

I feel that allowing over-sized warehouses into our community would be the worst possible use of the land at 28th St. and Southern. We would be subjected to glaring lights and constant noise. These gigantic structures would lower our property values and be completely incompatible with the surrounding neighborhoods and businesses. Locating a busy trucking business directly across from a school, seems to me, irresponsible and could endanger children.

I have lived on South 27th Place for over thirty years. I enjoy the quiet, rural atmosphere, the large lots and historic homes. My property abuts the western edge of this proposed project, and although I have twelve foot high oleanders in my backyard, I would still be able to see this distribution center.

When I first moved to 27th Place, the land in question was farmed. A single family home on ten acres was owner-occupied by a family for many years and then rented out for a number of years. Contrary to what some are saying, this land has been vacant for only a few years and was originally occupied as a single family home.

The South Mountain area has more than it's share of industrial development, and big warehouses should be in an appropriately zoned industrial settings and not next to older, established neighborhoods.

I urge you to reject this proposal and help the South Mountain area keep moving in a positive direction. This is a beautiful, interesting area and people want to live here. I envision a community of single family homes on this parcel. In my opinion, this would be the best possible use of this land.

Sincerely,

A handwritten signature in cursive script that reads "Mary Soderquist". The signature is written in black ink and is positioned below the word "Sincerely,".

June 7, 2013

City of Phoenix, Planning & Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 W. Washington St., 3rd Floor
Phoenix, AZ 85003

RE: General Plan Amendment (GPA-SM-13-08); Rezoning Application (Z-19-13); Trammell Crow commercial development at 28th Street and Southern.

Dear Ms. Zobrist,

It is with a heavy heart that I write to you regarding the proposed development listed above. I wish to make very clear my OPPOSITION to this development by Trammell Crow. I not only disagree with this development because the type of project they have planned is grossly inappropriate for this property and location, but ALSO because the handling of this project by the company has been borderline shady and inappropriate; displaying lack of respect for this community and lack of ethical handling on many fronts.

From the very first our community heard of this project, there has been an air of misleading people (us in the community), which has gradually grown into veiled threats by the company that they WILL win and have their way at any cost. It has become a perfect example of ALL the problems our society seems to experience with Money and Business and Power coming before the citizens and community interests. It is easy to paint a pretty picture, which Trammell Crow has tried to do many times; but NONE of our community's opposition and concerns for this project have been addressed at all. Unfortunately it feels as if some of the people that should be on the Community's side to this project are also viewing things as purely successful economics. Let us NOT forget that there is a LOT more, and I mean a LOT more to the Quality of our lives than that. The point here is to preserve a community, and in bigger terms, to preserve the integrity of the process that should be in place in this example.

Trammell Crow set about a "PR" person in the beginning to spread the surprise word of this project, right before the first Village Committee meeting to announce the project. As people discussed this person and compared notes – we find that she was deliberately misleading people as to what the project was, or what the purpose of the meeting was. In some cases, blatant lies like "It was already a done deal" which would discourage people from voicing opinions, or even telling people that a "preapproved housing project" was going in there. Why would she do that? Because Trammell Crow KNOWS the project will meet resistance. Because Trammell Crow KNOWS that the project is NOT appropriate for this area, but wants their way.

Once the meeting was held, and details were given; people in the community were talking to each other and some even hitting the streets to discuss the project and gather signatures in opposition. Despite the fact that our councilman chooses not to recognize signed petitions (which I object too), the fact is that EVERY person approached and willing to discuss the project was opposed to this. EVERY business owner in the area which was approached was ALSO opposed to this project in this area. There are several

schools and charter schools in the area and ALL of them opposed this project also. There are bus stops and children all around this immediate area, INCLUDING a school and school zone directly in front of this project property. Trammell Crow has NO concern about any of this, or the concerns of families with children and the general safety of EVERYONE in this area. This portion of Southern is already dangerous and tricky, there is absolutely no way around that for Trammell Crow. SAFETY of community and Children should be FIRST. The plant nurseries along this route already know of these dangers and express their concerns and opposition as well.

What is Trammell Crow's response? To pretty it up. They don't get it, and they KNOW there is not a thing they can do about the absolutely VALID points of people and businesses invested here with their families. All they can do is PUSH and try to get decision makers to view this as a pretty picture rather than what it truly is.

Ms. Zobrist – the problems with this project have absolutely NOTHING to do with making a building or a development prettier or more presentable. NOTHING at all. The problem is that NOTHING can be done about introducing a warehousing project like that and the Noise Pollution, Traffic Congestion and Dangers, and Air Pollution to this unique and historical portion of SE Phoenix. Children's safety and the free flow of the community can NOT be guaranteed at all in this location. 32nd Street is inadequate in it's current state for busy city traffic, and absolutely inappropriate for a Semi Trucks and Delivery vehicle in any regular use. Another HUGE impact to this unique area.

Then as more details arise to us in the community; we find that Trammell Crow and the Property Agent are related companies, including the property owner; and they admit that they are pushing so hard on this project because they are getting a real estate deal virtually pennies on the dollar – which is special interest and underhanded. We're told the property agent even turns down other interest in this property and offers deceit about it's status. Trammell Crow is now sending out letters and discussions with veiled threats that they will not stop until they get their way. WHAT?

This is everything that is WRONG with our politics, our economy, and in some areas of our country. We are suppose to be "OF THE PEOPLE, BY THE PEOPLE, AND FOR THE PEOPLE" according to the Constitution, AND NOT economic propriety at all costs; with no ethical concern to a community.

It is terribly clear that this situation is WRONG logically, and emotionally, and has NOTHING to do with people, family values, and simply doing what is right. I know there are a few people that are "for" this project. Their concerns brought up in meeting regarding their security and break-ins are of course valid, but that should be dealt with on a community level. Trammell Crow promising security to win them over is simply mute to the bigger picture.

The under handedness of some of this situation being dealt to the community is so disgusting in some ways between Trammell Crow, the property owner Univision, and the Property Agent – that I am copying a local news station on this letter in hoping that putting this in the public eye may open someone's eyes to the injustice of this project.

A closing thought without rearranging the entire letter – is that there is an equally large portion of land at 24th Street & Broadway. Broadway is already being industrialized and the roads made appropriate – what doesn't the company negotiate on that site. Because they won't get special treatment or special deals on that property... exactly.

There's already a lot of mumbling about the status of public officials in this area which don't support the community and are falling into the trap of Business first. Zoning has in the past ALREADY be passed on

this plot of land with the SOLE purpose of preserving this area of South Phoenix. WHY OH WHY has that view of that purpose suddenly changed? No officials or committee people have answered that at all. It just boils back down to the Business first shame.

I'm only 1 resident in this area. NONE of what I say is Untrue as we know it. It is all a part of all the information and details which we are told or discovering. Sure discussions are hard to document or validate. But candid, detailed meetings without the system abuse of attorney or corporation would shed light on this.

I pray that the founders of this community, and their foresight of the past to preserve the uniqueness of this pocket of South Phoenix will be seen and valued for it's vision, and quality that it provides to the area.

Those that will do the "Right Thing" no matter what; will preserve the quality of the system and the community.

Sincerely,



Jeffrey Hedding

CC: file

CC: CBS 5 News

5045 S. 27th Pl
Phoenix AZ 85040

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

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Sincerely,

Toni Holguin
2849 E. Fremont Rd.
Phoenix AZ 85042
602 224-5477

June 3, 2013

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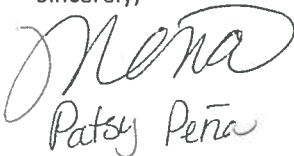
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Sincerely,


Patsy Peña

3020 E Caldwell St.
Phoenix, AZ 85042

Alice Trujillo
7215 South 30th Street
Phoenix, Arizona 85042
June 3, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

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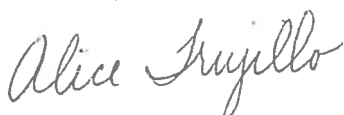
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Regards,

Alice Trujillo



June 3, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
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<mailto:kasandra.zobrist@phoenix.gov>

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Kim Knouse

June 3, 2013

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June 4, 2013

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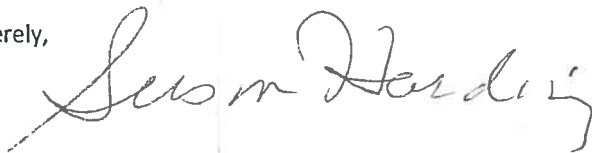
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June 3, 2013

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200 West Washington Street, Third Floor
Phoenix, Arizona 85003
<mailto:kasandra.zobrist@phoenix.gov>

KASANDRA, THIS IS A
HORRIBLE PLAN AND
WILL DESTROY SOUTH
PHOENIX REBUILDING A
BETTER COMMUNITY!

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Sincerely,

Scott and Lori Pett
8612 S. 30TH WAY
PHOENIX, AZ 85042 4802543062

DON'T SCREW UP
SOUTH PHOENIX WITH
THIS MESS PROJECT!
SOUTH PHOENIX IS JUST
STARTING TO IMPROVE.

June 5, 2013

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c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

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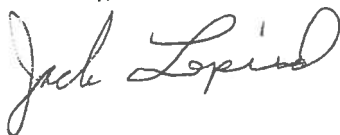
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Sincerely,



JACK LEPIRD
7006 S. 24th PL.
PHOENIX, AZ 85042
602-243-6249

June 3, 2013

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c/o Kasandra M. Zobrist, South Mountain Village Planner
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Sincerely,

Andrea Durnme

7816 S 31st PL

Phx AZ, 85042 - 602 795 3722

June 3, 2013

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200 West Washington Street, Third Floor
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Paul J. Duvall
7816 S. 31st PL
PHX 85042
602.795.3722

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Sincerely,



Mark Rohan
3734 E. Baseline Rd. #240
Phoenix, AZ

480-330-5779

June 3, 2013

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c/o Kasandra M. Zobrist, South Mountain Village Planner
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Sincerely,

Jerry Haase

I did not have time to contact all 150 owners here at our complex, but I assure you they would be against this also, thank-you.

June 3, 2013

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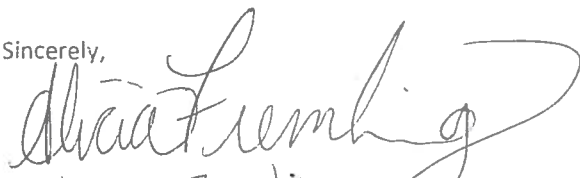
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Alicia Fremling
3434 E. Baseline Rd
#240
(480) 220-4939

June 3, 2013

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200 West Washington Street, Third Floor
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Cynthia Hill Piard

June 5, 2013

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These projects clearly do not belong adjacent to homes, parks and schools as they represent a threat to the health and safety of those of us who live, play and attend school in nearby areas. The traffic congestion and the noise, light and air pollution generated by these facilities should be restricted to areas already dedicated to such uses and should not be allowed to invade and destroy our neighborhood and its quality of life and property values.

Ours is a unique area of Phoenix, with both historical and cultural significance, and it should be protected by City planners. The agricultural character of the Bartlett-Heard ranch and residential communities like the Legacy, Raven and surrounding areas, expressed as large green belt life, horse properties, tree lined streets, mini-farms and commercial venues such as The Farm, are unique in the Phoenix area.

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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,

Leo Carr
2438 East Glass Lane
Phoenix, Arizona 85042

June 3, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003
<mailto:kasandra.zobrist@phoenix.gov>

Dear Kasandra,

I'm writing to add my voice to the opposition to two ill-conceived projects that are being considered for my neighborhood. This was not the original intention of the City Planners to allow big box distribution centers in close proximity to my neighborhood.

The projects are:

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Please point these projects toward appropriate locations such as the Buckeye and Lower Buckeye commercial truck terminal corridor. I am vehemently opposed to the current proposals being located in or near the South Mountain Village.

Sincerely,

Allison Palmer
Allison Palmer
3124 E Beautiful LN, Phoenix AZ 85042
602 438 7801

Brianna Cadena
3131 E Legacy Drive # 2111
Phoenix, AZ 85042
June 6, 2013

City of Phoenix
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, AZ 85003

Dear Kassandra:

I'm writing to add my voice to the "**Opposition**" to the two (2) ill-conceived projects that are being considered for my neighborhood. This was not the original intention of the City Planners to allow big box distribution centers in the close proximity to my neighborhood.

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Kasandra M Zobrist, South Mountain Village Planner

June 6, 2013

Page 2

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I respectfully urge you to please point these projects toward appropriate locations such as the Buckeye and Lower Buckeye Commercial Truck terminal corridor. I am vehemently **"OPPOSED"** to the current proposals being located in or near South Mountain Village.

Please make note of my contact information:

Brianna Cadena

3131 E Legacy Drive # 2111

Phoenix, AZ 85042

(602) 510-4641

Thank you in advance for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Brianna Cadena". The signature is written in dark ink and is positioned below the word "Sincerely,".

Brianna Cadena

Resident at Cachet Homes at the Legacy

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,

Greg Capillupo
2720 E. Fremont 
Phoenix, AZ 85042

June 3, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003
<mailto:kasandra.zobrist@phoenix.gov>

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Directing these projects toward appropriate locations such as the Buckeye and Lower Buckeye commercial truck terminal corridor. I am vehemently opposed to the current proposals being located in or near the South Mountain Village.

Sincerely,

Margaret AND Bobby SYDNOR
3131 EAST Legacy DRIVE #1088
PHOENIX, AZ 85042
Margaret Sydney

June 7, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 W. Washington St., Third Floor
Phoenix, AZ 85003

Dear Ms. Zobrist:

I'm writing to add my voice to the opposition to two ill-conceived projects that are being considered for my neighborhood. This was not the original intent of the City Planners to allow big box distribution centers in close proximity to my neighborhood.

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These projects are not appropriate to the area and I am vehemently opposed to the current proposals.

Sincerely,



Jim and Julie Muenich
2451 E. Darrel Rd
Phoenix, AZ 85042

Maria Cadena
3131 E Legacy Drive # 2111
Phoenix, AZ 85042
June 6, 2013

City of Phoenix
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, AZ 85003

Dear Kassandra:

I'm writing to add my voice to the "**Opposition**" to the two (2) ill-conceived projects that are being considered for my neighborhood. This was not the original intention of the City Planners to allow big box distribution centers in the close proximity to my neighborhood.

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Kasandra M Zobrist, South Mountain Village Planner
June 6, 2013
Page 2

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I respectfully urge you to please point these projects toward appropriate locations such as the Buckeye and Lower Buckeye Commercial Truck terminal corridor. I am vehemently **“OPPOSED”** to the current proposals being located in or near South Mountain Village.

Please make note of my contact information:

Maria Cadena
3131 E Legacy Drive # 2111
Phoenix, AZ 85042
(480) 734-7032
email:mcadena@arizonabeef.org

Thank you in advance for your time and consideration.

Sincerely,



Maria Cadena
Cachet at the Legacy Resident

2732 E. Carson Rd.
Phoenix, AZ 85042
June 5, 2013

Kasandra M. Zobrist, South Mountain Village Planner
City of Phoenix Planning & Development Department
200 West Washington St., Third Floor
Phoenix, AZ 85003

Dear Ms. Zobrist:

As a resident of the South Mountain neighborhood, I am deeply concerned about the proposals that would increase truck traffic on Southern Ave and 32nd St. This residential neighborhood with a rural flavor would be seriously damaged by allowing zoning variances for 2 industrial businesses. This is in reference to the proposed Trammel Crow truck distribution center at 28th St. and Southern Avenue, and the accompanying General Plan Amendment (GPS-SM-13-08) and Rezoning Application (Z-19-13), and the Connor Commercial Real Estate Z-115-07-7 plan at 32nd Street and Old Southern Avenue. This would change the essential nature of the community. There are other commercial/industrial areas which are better suited to these large trucking businesses. Please protect our neighborhood.

Regards,



Jolyn Moeller

June 3, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

I'm writing to add my voice to the opposition to two ill-conceived projects being considered for my neighborhood. The projects are:

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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,



Maria del Mar Damany
2115 E. Chanute Pass
PHOENIX AZ, 85040

5/28/13

City Of Phoenix, Planning and Development Department,

Please see that this letter be attached to Planning Department's staff report and will be taken into consideration by applicant Trammell Crow, South Mountain Village Committee, Planning Hearing Officer and City Council.

With regards to Trammell Crow proposed project at 28th Street and Southern Ave:
General Plan Amendment (GPA-SM-13-08)
Rezoning Application (Z-19-13)

Let me ask, when was the last time you revisited the BASELINE AREA MASTER PLAN?

This 40 page document, located at www.phoenix.gov (search Baseline Master Plan) is an amazing document that reflects years of hard work by public officials and the public in general. Interestingly, with regard to "Industrial" see page 11, the document reads: *"No industrial properties... Area residents do not believe the Baseline corridor is an appropriate place for ANY variety of industrial development. It would conflict with the rural atmosphere of the area."* **More unwanted industrial in our rural atmosphere, does that sound like a good match to the Trammell Crow proposal?**

Now let's turn to page 18 to learn about a VERY SPECIAL land use designation called MUA (Mixed Use Agriculture). *"Another new land use classification presented in the land use plan is mixed use agricultural. This category is intended to help preserve the special character of the Baseline corridor while allowing appropriate development. To implement this portion of the Plan, a new zoning district is needed specifying the range of land uses and development standards; the existing zoning districts do not provide the necessary flexibility or restrictions to make this idea succeed. As discussed throughout the Plan, a common theme expressed by many area residents and property owners during the Baseline planning process is the importance of maintaining the unique character of the corridor. Baseline has historically been an agricultural center with many acres in citrus, nurseries and flower gardens. Some of the recent development which has moved west along Baseline Road from the Pointe Hilton at South Mountain has compromised this character and detracted from the open space atmosphere of the area. A great city is comprised of many pieces and types of development. The Baseline corridor contributes a special flavor to Phoenix - a primarily open and agricultural area near the heart of a sprawling metropolitan region. The mixed use agricultural classification recognizes the need to build on the area's assets rather than blading it and replicating the standard subdivisions found throughout the Valley. With the right mix of uses and appropriate development standards in a new zoning district, this classification can preserve the feeling of the area while permitting viable use of the property. The district can help the area realize its potential without infringing on those assets which have attracted many residents. Potential uses for this classification include low density residential and limited retail, office, and agricultural development. Land use regulations could preclude agricultural uses with significant impacts, such as most large livestock/feedlot operations. These controls could also specify how residential and retail uses could develop to minimize their impacts on the character of the mixed use agricultural classification. Design guidelines can ensure low scale projects which enhance the character of the area. An ideal land use could combine a working nursery or other growing operation with some retail and restaurant activity, or could cluster single family homes on a large acreage of citrus trees."* **MUA was a very special creation. Folks worked long and hard on this one. Allowing Trammell Crow to build on MUA land, does that seem like a good use of MUA?**

Now what about the Baseline Area Master Plan and the careful planning of MULTI USE TRAILS? Here are a few points from Page 19 *"... multiple use trails are a key component of the land use plan. The trails will provide alternative transportation routes throughout the Baseline area. ...horses can be skittish near high volumes of traffic. Baseline Road will continue to have a multiple use trail which is most appropriate for recreational bicycle riders and joggers separated from the paved roadway. North-south trails are proposed along... 32nd Streets from the Western Canal to South Mountain Park ... The 32nd Street trail should extend to the Rio Salado as development occurs."* **Would it be wise to allow the proposal by Trammell Crow and thus all of the big truck traffic that comes with such a project, to run along the North-South 32nd street multi use trail? Myself and my neighbors frequent that trail on our horses. The Trammell Crow operation would completely end our ability to use the multi use trail on our horses.**

It is for these reasons and many more, let the record show that I strongly oppose this proposal from Trammell Crow.

Sincerely,



Tanis Earle
3602 E Vineyard Rd
Phoenix, AZ 85042
tanis@codeskills.com
602.469.0617

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

I'm writing to add my voice to the opposition to two ill-conceived projects that are being considered for my neighborhood. This was not the original intention of the City Planners to allow big box distribution centers in close proximity to my neighborhood.

The projects are:

- Trammel Crow truck distribution center at 28th Street and Southern, and the accompanying General Plan Amendment (GPA-SM-13-08) and Rezoning Application (Z-19-13) involving a request to rezone from residential/mixed use agricultural to industrial in order to allow a 50 acre truck depot development of 2 buildings with football field sized dimensions and 40 feet high walls.
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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,

Carmen Sanchez
7227 S. Golfside Lane
Phx, AZ 85042
Encanto at the Legacy

June 3, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003
<mailto:kasandra.zobrist@phoenix.gov>

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Please point these projects toward appropriate locations such as the Buckeye and Lower Buckeye commercial truck terminal corridor. I am vehemently opposed to the current proposals being located in or near the South Mountain Village.

Sincerely,

Chris Kaech
3131 E. Legacy Drive
Bldg. 13 #265
Phoenix, AZ

480-280-1662

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

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Sincerely,

Krista Stauffer - Krista Stauffer
7217 S Golfside Ln
Phoenix, AZ 85042
480-235-3487

June 3, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003
<mailto:kasandra.zobrist@phoenix.gov>

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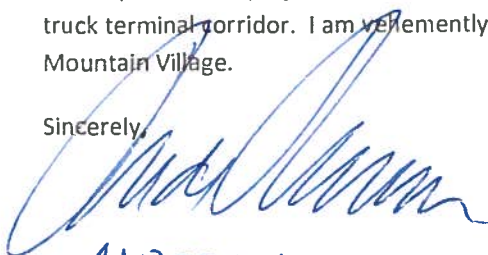
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This would be a great loss to the City as well as the current residents if it were to become host to over 100 truck loading docks. These trucking facilities would also devalue the capital investments made by the city in the area along Baseline Road between 40th and 24th streets.

Please point these projects toward appropriate locations such as the Buckeye and Lower Buckeye commercial truck terminal corridor. I am vehemently opposed to the current proposals being located in or near the South Mountain Village.

Sincerely,



ANDREJ MITROVIC, 8514 S. 30 WAY, PHOENIX, AZ 85042
(602) 418 1179

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

I'm writing to add my voice to the opposition to two ill-conceived projects that are being considered for my neighborhood. This was not the original intention of the City Planners to allow big box distribution centers in close proximity to my neighborhood.

The projects are:

- Trammel Crow truck distribution center at 28th Street and Southern, and the accompanying General Plan Amendment (GPA-SM-13-08) and Rezoning Application (Z-19-13) involving a request to rezone from residential/mixed use agricultural to industrial in order to allow a 50 acre truck depot development of 2 buildings with football field sized dimensions and 40 feet high walls.
- Connor Commercial Real Estate Z-115-07-7 at 32nd Street and Old Southern Avenue, involving a changed stipulation allowing the entire site to be dedicated to a single structure rather than the current plan requiring multiple structures. This change is also requested in order to allow a trucking facility.

These projects clearly do not belong adjacent to homes, parks and schools as they represent a threat to the health and safety of those of us who live, play and attend school in nearby areas. The traffic congestion and the noise, light and air pollution generated by these facilities should be restricted to areas already dedicated to such uses and should not be allowed to invade and destroy our neighborhood and its quality of life and property values.

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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,

Magnolia Mills
2210 S. 30th St.
Phoenix, AZ 85018

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,


Danny & Dee Davis
7023 So. 27th Way
Phoenix, AZ 85042
602-268-6796
drd2484@q.com

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,

London Mills

7210. S. 30th St.
Phoenix, AZ 85042

June 4, 2013

City of Phoenix Planning and Development Department
c/o Kasandra M. Zobrist, South Mountain Village Planner
200 West Washington Street, Third Floor
Phoenix, Arizona 85003

Dear Kasandra,

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Please point these projects toward appropriate locations. I am vehemently opposed to the current proposals.

Sincerely,



Legacy @ the Legacy:
7210 N. 30th St.
Phoenix, AZ 85042

CITY COUNCIL REPORT

GENERAL INFORMATION

TO: Lisa Takata
Deputy City Manager

PACKET DATE: June 27, 2013

FROM: Cris Meyer
City Clerk

SUBJECT: LIQUOR LICENSE APPLICATIONS RECEIVED FOR THE PERIOD OF
JUNE 17, 2013 THROUGH JUNE 21, 2013

This report provides advance notice of liquor license applications that were received by the City Clerk during the period of Monday, June 17, 2013 through Friday, June 21, 2013.

INFORMATION

The liquor license application process includes the posting of a public notice of the application at the proposed location for twenty days and the distribution of an application copy or a copy of this report to the following departments for their review: Finance, Planning and Development, Police, Fire, and Street Transportation. Additionally, License Services mails a notice to all registered neighborhood organizations within a one-mile radius of each proposed business location (excluding Special Events).

Additional information on the items listed below is generally not available until the twenty-day posting/review period has expired.

LIQUOR LICENSE APPLICATIONS

<u>Application Type Legend</u>					
<u>O</u> - Ownership	<u>L</u> - Location	<u>N</u> - New	<u>OL</u> - Ownership & Location	<u>AOC</u> - Acquisition of Control	<u>SE</u> - Special Event
<u>Liquor License Series Definitions</u>					
1	In State Producer	*7	On sale-beer & wine	11	Hotel/Motel-all liquor on premises
3	Microbrewery	8	Conveyance license-sale of all liquor on board planes & trains	12	Restaurant-all liquor on premises
4	Wholesaler	9	Off sale-all liquor	14	Clubs-all liquor on premises
5	Government	9S	Sampling Privileges	15	Special Event
*6	On sale-all liquor	10	Off sale-beer & wine		
		10S	Sampling Privileges		

*On-sale retailer means any person operating an establishment where spirituous liquors are sold in the original container for consumption on or off the premises and in individual portions for consumption on the premises.

Dist	App. Type	Agent/Owner Name Business Name/Address Phone	Lic. Type	Approx. Protest End Date	Within 2,000 Feet of Light Rail	Proposed Agenda Date
1	N	Ivy Lin, Agent Lin's Seafood Buffet 4961 West Bell Road, Ste. B3 602-628-8687	12	7/9/13	No	8/28/13
2	SE	Cherry Murray Phoenix Children's Hospital Foundation (8/31/13) 6902 East Greenway Pkwy. 602-933-2663	15	N/A	N/A	*8/31/13
2	AOC	Lenn Pritchard, Agent Los Osuna Distributing 4705 East Carefree Highway #130 480-595-2160	4	7/16/13	No	8/28/13
4	N	Toma Soro Athens Gyros 830 East Indian School Road 602-265-6606	12	7/12/13	No	8/28/13
8	SE	Kristina Tuba Saint Sava Serbian Orthodox Church (7/20/13) 4436 East McKinley Street 330-812-4520	15	N/A	N/A	*7/20/13

*Event Date – Application not received in time for Council review.

For further information regarding any of the above applications, please contact the City Clerk Department, License Services Section, at 602-262-6018.

RECOMMENDATION

This report is provided for information only. No Council action is required.

recommendations in December. Phoenix staff agreed with the majority of what was listed in the report. However, the three items that were of municipal concern were (1) transitioning the construction contracting tax formula to a point of sale process, (2) statewide TPT administration, and (3) single audits to only be performed by ADOR. The report reflects the municipal concern.

In January, Rep. Debbie Lesko (R-Glendale) introduced HB 2657: Transaction Privilege Tax Changes, which contained the three items of consternation for cities and towns. The bill passed the House and Ways Committee in February but did not advance. In March, Rep. Lesko used one of her bills, HB 2111, to receive a “strike everything” amendment in the Senate Appropriations Committee to incorporate the provisions of HB 2657 with one change: allowing municipalities to keep their local prime contracting TPT authority while eliminating the state prime contracting TPT and replacing it with a point of sale model. Under this revised proposal, City staff estimated the loss to Phoenix at \$28 million (The Joint Legislative Budget Committee pegged the loss to the state at \$80 million).

Over several months the League of Arizona Cities and Towns staff and Jeff DeWitt, Phoenix’s Chief Financial Officer, met with representatives from the Governor’s Office and the Arizona Department of Revenue (ADOR) and worked on compromise language that delivered the Governor’s goals while mitigating the financial impact on cities and counties.

In the final hours of the session, the League, Governor’s Office and the bill sponsor agreed on the following provisions:

- An online portal (housed by ADOR) would create one place where sales taxes could be remitted
- Taxpayers that do not use the online portal would pay their taxes to ADOR
- All audits (city/state) would be coordinated by ADOR
- Uniform audit procedures would be adopted to create consistency for taxpayers
- Independent service contractors (i.e. plumbers, HVAC, flooring, etc.) would be exempt from contracting tax, except for major remodel and subcontractor projects

The effective date for this legislation is December 31, 2014.

FINAL OUTCOME OF LEGISLATION MONITORED BY THE CITY

PUBLIC SAFETY

New Laws

SB 1324: Critical Infrastructure; Information Disclosure (Sen. Chester Crandell, R-Heber) adds clarifying language that protects the location of underground gas lines, water/sewer pipes, and other utilities information from general public records requests. SB 1324 was signed by the Governor on April 5. (Laws 2013, Chapter 69)

HB 2262: Scrap Metal Dealers; Registration (Rep. Tom Forese, R-Chandler) establishes a statewide scrap metal registration process to be administered by the Arizona Department of Public Safety (DPS). Provisions of the bill include requiring sellers of scrap metal to register with DPS; creation of a website that would allow local law enforcement agencies to submit stolen item reports; and regulation of aluminum can dealers. HB 2262 was signed by the Governor on April 29. (Laws 2013, Chapter 137)

HB 2455: Unclaimed Property; Firearms; Disposition (Rep. Brenda Barton, R-Payson) mandates that all state and local agencies sell unclaimed or forfeited firearms. HB 2455 was signed by the Governor on April 29. (Laws 2013, Chapter 145)

Bills not Enacted

SB 1057: AHCCCS; Ambulance Services; Rates (Sen. John McComish, R-Phoenix) increased the Arizona Department of Health Services reimbursement for emergency ambulance transports of AHCCCS patients to 80 percent of prescribed rates and 70 percent for non-emergency ambulance transports. The bill failed to move beyond the House Rules Committee.

HB 2036: Aerial Luminaries; Prohibited (Rep. John Kavanagh, R-Fountain Hills) clarified that the sale and use of aerial luminaries is prohibited and violations would be a class 1 misdemeanor. The bill never received a hearing in the House Judiciary Committee.

HB 2158: Court-Ordered Evaluations (Rep. John Kavanagh, R-Fountain Hills) authorized a law enforcement officer to detain a person believed to be a danger to self or others as a result of a mental disorder on probable cause. The proposed change would have permitted the officer to take into account various sources of information instead of the current standard where personal observation is the sole requirement. HB 2158 never received a hearing in the Senate Rules Committee.

HB 2185: Alarm Businesses; Alarm Agents (Rep. Karen Fann, R-Prescott) added clarifying language to assist the Arizona Department of Public Safety in conducting background checks on potential alarm agents and allowed local law enforcement to have access to key information from alarm businesses and agents. HB 2185 did not receive a vote on the Senate Floor.

HB 2481: Permissible Consumer Fireworks; Penalty (Rep. David Stevens, R-Sierra Vista) downgraded the penalty for violating regulations related to permissible consumer fireworks to a petty offense. HB 2481 was vetoed by the Governor on April 30.

HB 2501: State Liquor Board; Membership; Municipalities (Rep. Doug Coleman, R-Apache Junction) added a municipal representative to the seven-member Arizona State Liquor Board. This bill failed to receive a hearing in the House Commerce Committee.

REVENUE & TAXES

New Laws

HB 2347: Tax Levy; Bond Costs (Rep. Debbie Lesko, R-Glendale) limits the amount of a local government's property tax levy for payment of outstanding bonds to an amount sufficient to pay principal and interest on the bonds. HB 2347 was signed by the Governor on May 7, 2013. (Laws 2013, Chapter 188)

ECONOMIC DEVELOPMENT

Bills not Enacted

SB 1242: Multimedia Production; Tax Incentives (Sen. Al Melvin, R-Tucson) established an incentive to the multimedia industry to produce motion pictures, episodic TV series, interactive games, commercials and other formats within the state. The bill created a 20 percent refundable tax credit for qualified expenditures with an additional 5 percent to encourage hiring of Arizona residents. The incentive would have been capped annually at \$60 million with a maximum of \$15 million per project. The legislation also included a 15 percent refundable tax credit for construction of privately funded multimedia production facilities, capped at \$10 million each calendar year. SB 1242 never advanced beyond the Senate Finance Committee.

H2514: Economic Recapture Districts (Rep. Doug Coleman, R-Apache Junction) created a mechanism to capture the increment of increased sales tax revenue in a defined district in order to repay bonds or other financing used to improve the specified area. This bill never received a hearing in the House Ways and Means Committee.

NEIGHBORHOODS

New Laws

HB 2309: Criminal Offenses; Sentencing (Rep. Eddie Farnsworth, R-Gilbert) makes a number of changes to the criminal sentencing statutes. Of note, victim rights notification for all juvenile misdemeanor offenses will now include violations of city ordinances and petty offenses. As a result, there will be mandatory victim notification on these offenses, which means property owners – including the City – can seek financial restitution for damages that relate to graffiti crime, something that the Phoenix's Anti-Graffiti Task Force was pursuing. HB 2309 was signed by the Governor on April 5, 2013. (Laws 2013, Chapter 55)

TRANSPORTATION & AVIATION

New Laws

H2138: Municipalities; Right-of-Way; Transfer (Rep. Frank Pratt, R-Casa Grande) allows for an alternative annexation process pertaining to public right-of-way (ROW). This change eliminates the technical problem that a city or town cannot annex ROW if it

extends into county islands surrounded by the city. HB 2138 was signed by the Governor on April 29. (Laws 2013, Chapter 127)

HB 2188: Revisions to Construction Manager at Risk (Rep. Karen Fann, R-Prescott) authorizes price-based competition in the construction manager at risk selection process for projects using federal funds. HB 2188 was signed by the Governor on April 16. (Laws 2013, Chapter 107)

HB 2443: Cities; Counties; Regulatory Review (Rep. Justin Olson, R-Mesa) amends A.R.S. Section 9-832, exempting licenses and permits dealing with the operations of municipal airports, public and life safety, and zoning. The bill also adds flexibility in the suspension of timeframes for application review in order to not penalize the applicant. HB 2443 was signed by the Governor on April 10. (Laws 2013, Chapter 74)

PLANNING & ZONING

New Laws

SB 1466: Cities; Towns; Dilapidated Buildings (Sen. Gail Griffin, R-Hereford) adds a definition of dilapidated buildings to statute. SB 1466 was signed by the Governor on April 10. (Laws 2013, Chapter 82)

Bills not Enacted

HB 2371: Technical Correction; Materials; Resident Preference (NOW: Homeowners' Associations; Omnibus) (Rep. Michelle Ugenti, R-Scottsdale) was amended to address a number of homeowners association items. One aspect of the bill would have created an exemption that would exempt planned communities from maintaining landscaping in the public right-of-way adjacent to the property. The bill never received action on the Senate Floor.

HB 2404: Property Managers; Records; Storage (NOW: Building Codes; Energy Efficiency) (Rep. Heather Carter, R-Cave Creek) received a "strike everything" amendment that preempted the City from determining energy code compliance on residential buildings. HB 2404 failed to receive a final vote on the House Floor.

WATER & ENVIRONMENT

Bills not Enacted

SB 1403: United Nations Rio Declaration; Prohibition (Sen. Judy Burges, R-Sun City West) was amended to prohibit the state and its political subdivisions from recognizing the United Nations or any of its declarations as legal authority in Arizona. In addition, the state and local subdivisions were prohibited from spending or receiving money from groups that promoted the overthrow of the Constitution of the United States. SB 1403 was approved in the Senate but failed to receive action in the House. As a result, similar language was amended onto HB 2573: Prohibited Governmental Compliance; 2012 NDAA (Rep. Carl Seel, R-Phoenix), which did pass the House but did not receive a hearing in the Senate.

HB 2338: Regional Water Augmentation Authorities (Rep. Andy Tobin, R-Paulden) authorized the creation of Regional Water Augmentation Authorities (RWAA) that may receive financial assistance from the Water Supply Development Revolving Trust Fund (WSDRTF) administered by Water Infrastructure Financing Authority. The bill also appropriated \$30 million from the State General Fund in FY 2013-14 to the WSDRTF. The bill received an informational hearing in the House Agriculture and Water Committee then held.

MISCELLANEOUS

Bills not Enacted

SB 1045: Health Professionals; Specialty Status Claim (Sen. Nancy Barto, R-Phoenix) received a “strike everything” amendment that prohibited cities and towns from adopting ordinances that restrict businesses from regulating access to restrooms and privacy areas based on gender identity or expression. This bill never advanced beyond the House Rules Committee.

HB 2005: Political Subdivision Entities; Public Access (Rep. Michelle Ugenti, R-Scottsdale) required political subdivision entities to post their public meetings on their website and also comply with the open meeting and public records laws. This bill failed to receive a vote on the Senate Floor.

HB 2578: Licensing; Accountability; Penalties; Exceeding Regulation (Rep. Warren Petersen, R-Gilbert) added civil penalties for municipal employees who knowingly made licensing decisions that were not based on statute, rule, ordinance, or code. HB 2578 was vetoed by the Governor on April 5.