

# CITY OF PHOENIX

JAN 07 2025

Planning & Development  
Department

1/7/2025

## BENEFITS

- Density
  - Requires compromise from all parties involved
  - Consistency with other developments inside the neighborhood
  - Provide enhanced landscape opportunities
    - Environmental Sensitive
    - Mitigates Heat Island effects for parking lot
    - Ensures privacy for neighboring properties
- General/Character Plans
  - Consistent with the General and Village Plans
  - Does not establish a precedence for disregarding the General or Village Plans
- Housing
  - Supports providing housing in the village

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## PLEASE STAND IF YOU...

- |   |  |
|---|--|
| <b>Oppose:</b>                              | <b>Support:</b>  |
| R-5 Zoning                                  | R-3A Zoning with Variance                                  |
| High Density (Approx 200% increase)         | Density Consistent with Area (28 units/acre)               |
| 4-Stories                                   | 3-Stories  |
| Non-Conformance with General Plan           | Conformance with the General Plan & Village Character Plan |
| Non-Conformance with Village Character Plan | Adequate Landscape Setbacks for Single Family Properties   |
| Inadequate Landscape Setbacks               | Reasonable Development in scale & density                  |

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## NEIGHBORHOOD STIPULATIONS

1. Building height not to exceed 3-stories or 40-ft, excluding a 7-ft screening for equipment.
2. A 10-ft minimum landscaping buffer along all property lines, particularly adjacent to the parking lot
3. Planting of trees that reach a minimum height of 20-ft, spaced at 20-ft on center along the property lines, especially adjacent to the parking lot.
4. Commercial activities are prohibited, except for work-from-home arrangements.
5. Traffic calming measures are to be implemented on Turney from 20<sup>th</sup> Street to 22<sup>nd</sup> Street and on 21<sup>st</sup> Street from Campbell to Glenrosa, with the neighborhood responsible for obtaining signatures.
6. A designated construction parking must be established to reduce disruptions to neighborhood and school traffic.
7. On-street parking or deliveries on 21<sup>st</sup> Street and Turney that could obstruct school pick-up and drop-off are not permitted
8. Construction is prohibited on weekends or holidays, with work hours from 7 am to 6 pm year-round.
9. Balconies and roof-top activities above a 3<sup>rd</sup> story facing north and east are not permitted.

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GOOGLE EARTH REVIEW

12

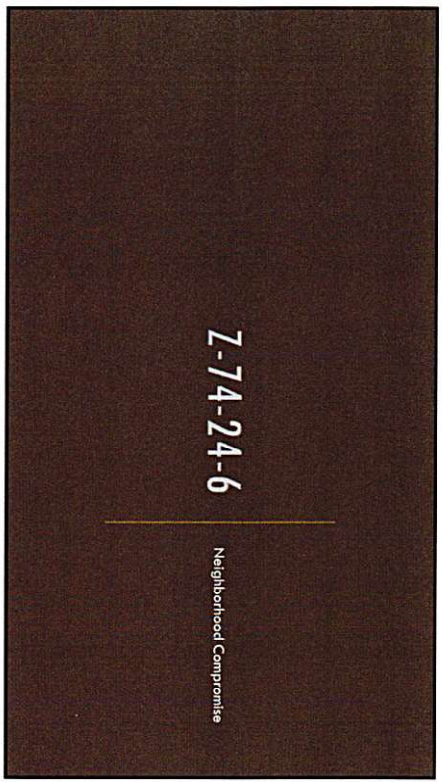


# CITY OF PHOENIX

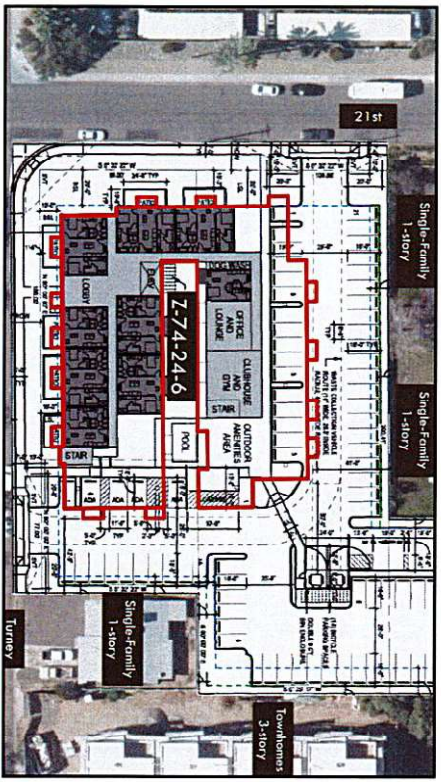
JAN 07 2025

Planning & Development  
Department

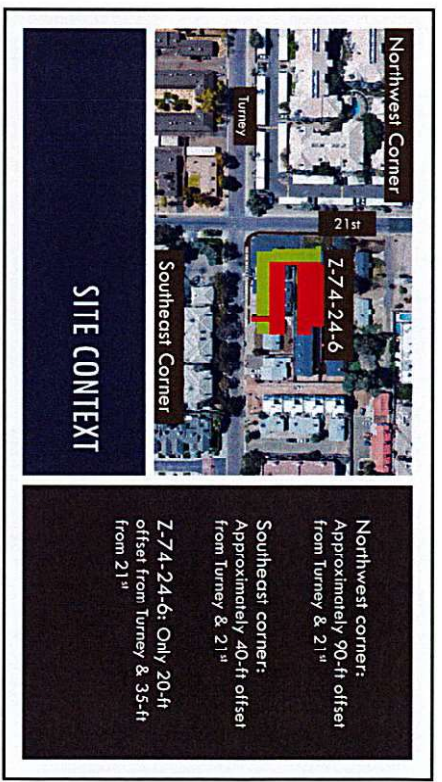
1/7/2021



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2



4



## HISTORY OF EAST MORNINGSIDE NEIGHBORHOOD

Rezoning Case Z-74-24-6  
Camelback East Village Planning Committee  
January 7, 2025, Devonshire Senior Center

JAN 07 2025

Planning & Development  
Department**Detailed overview of zoning challenges that our community has confronted since 1986**

1986 a significant event transpired when a developer acquired the property directly across from my residence. This acquisition began transformative changes within our neighborhood and initiated zoning case Z-210-86. The proposal aimed to rezone an area encompassing ten acres between Glenrosa Avenue and Turney Avenue, including 21st Street and 22nd Street. The primary objective was to convert this region from owner-occupied single-family homes to a four-story apartment complex.

The implications of this proposed rezoning were considerable, it would have facilitated the development of 357 four-story apartments. Additionally, the plan included a driveway directly in front of my home, which raised significant concerns.

Our community mobilized effectively to address the rezoning proposal. The council meeting exhibited notable attendance from residents who articulated their collective concerns regarding the potential consequences of such a substantial change. The strength of our community's voice resulted in the rejection of the original rezoning request. A compromise was established to down-zone the parcel from R3 to R2, permitting the construction of owner-occupied townhouses while allowing for R5 zoning on the southeast corner of Turney and 21st Street. This compromise aligns with the R5 zoning referenced by counsel, which included specific guidelines for the construction of two-story structures surrounding centrally located three-story buildings. Another instance of R5 development cited by the opposing attorney was the Dakota Apartments, located at the northeast corner of Turney and 21st Street. This development, akin to our previous case, emerged from a negotiated compromise with the city, which aimed to reconcile developmental needs with community interests.

Looking back further, in 1978, the southeast corner of 20th Street and Campbell underwent a rezoning to midrise, permitting the construction of structures ranging from 8 to 10 stories. Although this midrise development did not proceed, it culminated in another compromise, leading to the establishment of the Dakota Apartments, developed under stringent stipulations. This series of events illustrates how our neighborhood adeptly navigated the complexities associated with high-density R5 zoning, ensuring the preservation of our owner-occupied residences and the protection of our community's overall character.

As we assess the current rezoning case, we remain optimistic about the potential for further compromise. We express particular interest in an R3A designation that encompasses stipulations informed by the expertise of the Planning and Zoning Department.

East Morningside Neighborhood  
John Paletta



# Apartment boom irks homeowners

## Neighborhood opposition may spread

CITY OF PHOENIX

JAN 07 2025

Wednesday

November 30, 1994

THE PHOENIX GAZETTE **Development Department**

### APARTMENTS

From A1



James Garcia / THE PHOENIX GAZETTE  
The apartments that John Paletta and neighbors worked to keep out of the area have been resurrected by a new builder.

By Russ Hemphill  
THE PHOENIX GAZETTE

Lead, John Paletta thought. The apartment project he worked so hard to keep out of his neighborhood died eight years ago in a compromise with the developer.

But a boom in apartment construction is threatening to wipe all that away.

Reaching into Paletta's neighborhood in the form of a proposed 216-unit complex, the apartment boom has hit most Valley cities in the past year — and provoked neighborhood fights not seen on this scale since the mid-1980s.

In many cases new complexes are coming in on land zoned for apartments during the boom of the mid-1980s. There is little neighbors can do in those cases.

But the zoning fight being fought in Paletta's central Phoenix neighborhood may be a picture of the future for many Valley cities.

In Paletta's neighborhood, the zoning on 10 acres at 21st Street and Glenrosa Avenue was changed in the mid-1980s to allow 65 condos — only 14 of which have been built. The condo zoning was part of a deal struck with heart surgeon turned developer Dr. Ted Diethrich that kept apartments off the site.

But now Trammel Crow Residential, apparently without Diethrich, has asked the City Council to allow apartments on the site.

Paletta's neighborhood has responded by dusting off zoning tactics, organizing the neighborhood and getting ready to fight the proposal — again.

"It's like it never happened," he said of the deal struck between developer and

See ■ APARTMENTS, Page A9

neighborhood.

"We're not going to make any further compromises," Dean Anderson, one of Paletta's neighbors, said. "We feel we stuck our hand out very far . . . We've reached the limit of our patience."

If the numbers are any indication, Anderson won't be alone in the coming months as increasing numbers of apartment projects try the patience of Valley residents.

Consider:

■ About 3,000 units will be built this year, the most since 1988.

■ Analysts say as many as 12,000 apartments could go up in 1995 — the most since 1987. "Next year is what everybody is bracing themselves for," said apartment analyst Mike Mueller of CB Commercial Real Estate Inc.

■ Feeding on population growth and rising interest rates, long-term apartment construction should continue at 8,000 to 11,000 units a year, analysts say. "Everybody is making money and smiling right now," Mueller said.

To date, most apartments have been built where the rents are the highest — north Phoenix, Paradise Valley, north Scottsdale, west Chandler and the Ahwatukee-Foothills area.

The construction of apartments near Rural and Baseline roads in Tempe has generated concerns of overcrowding at nearby elementary and middle schools. A flurry of construction near The Lakes, including the Lakeview by the Bay apartments, has filled much of the remaining vacant land in the area.

Some projects have met more than neighborhood opposition.

In Tempe, officials this year urged a moratorium on apartments before the City Council opted for efforts to make sure projects are of a high quality.

Scottsdale hasn't weighed a moratorium but "we're watching very carefully the apartment applications because we're concerned we're going to end up with a glut of apartments," Mayor Herb Drinkwater said.

#### Neighborhood fears

Phoenix has made no such noises so far.

But demands for changes could get louder as the apartment boom continues.

Neighborhoods fear apartments, blaming them for, among other things, crime, traffic and noise.

Tempe officials considered a moratorium partly because of Police Department worries that the apartments, as they age, become trouble spots, Deputy City Manager Gary Brown said.

Apartment backers say times have changed from the last boom when the apartment market was driven not by supply and demand but in large part by tax benefits.

Builders often built apartments intending only to sell them to syndicates who then sold them to investors looking for tax shelters.

#### Tax law changes

The Tax Reform Act of 1986, however, wiped that out and the collapse of many Arizona savings and loans also dried up easy-to-come-by building capital.

Phoenix Councilman John Nelson said apartments built today are less likely to be bad neighbors because the tax law changes encourage owners to look at managing complexes for the long-term.

That would encourage owners to better maintain their projects, Nelson said.

During the last apartment boom builders "were doing it for all the wrong reasons," Hank Ragland, first vice president at CB Commercial, said.

The result was a rash of apartment projects that reinforced many of the stereotypes and neighborhood fears planners must contend with.

#### Wrong crowd?

"I think there is a perception that if you put apartments in, the people who will live there will not have the stake in the community the neighbors have," said Joel Thompson of the Camelback East Village Planning Committee.

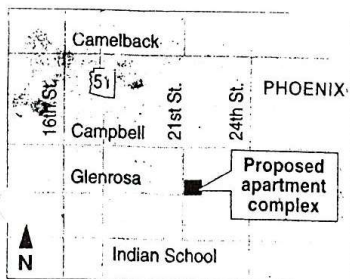
But, he said, "I think what you try and do is balance the legitimate concerns of the neighbors with our responsibility, which is to do what is best for the city as a whole."

It is "not in the public interest to have vacant lots in the city, and particularly the inner city," he said.

The projects Thompson's group has seen are mostly high-end properties, he said, but neighborhood opposition, nonetheless, has been strong at times.

Many residents just don't believe developers' promises.

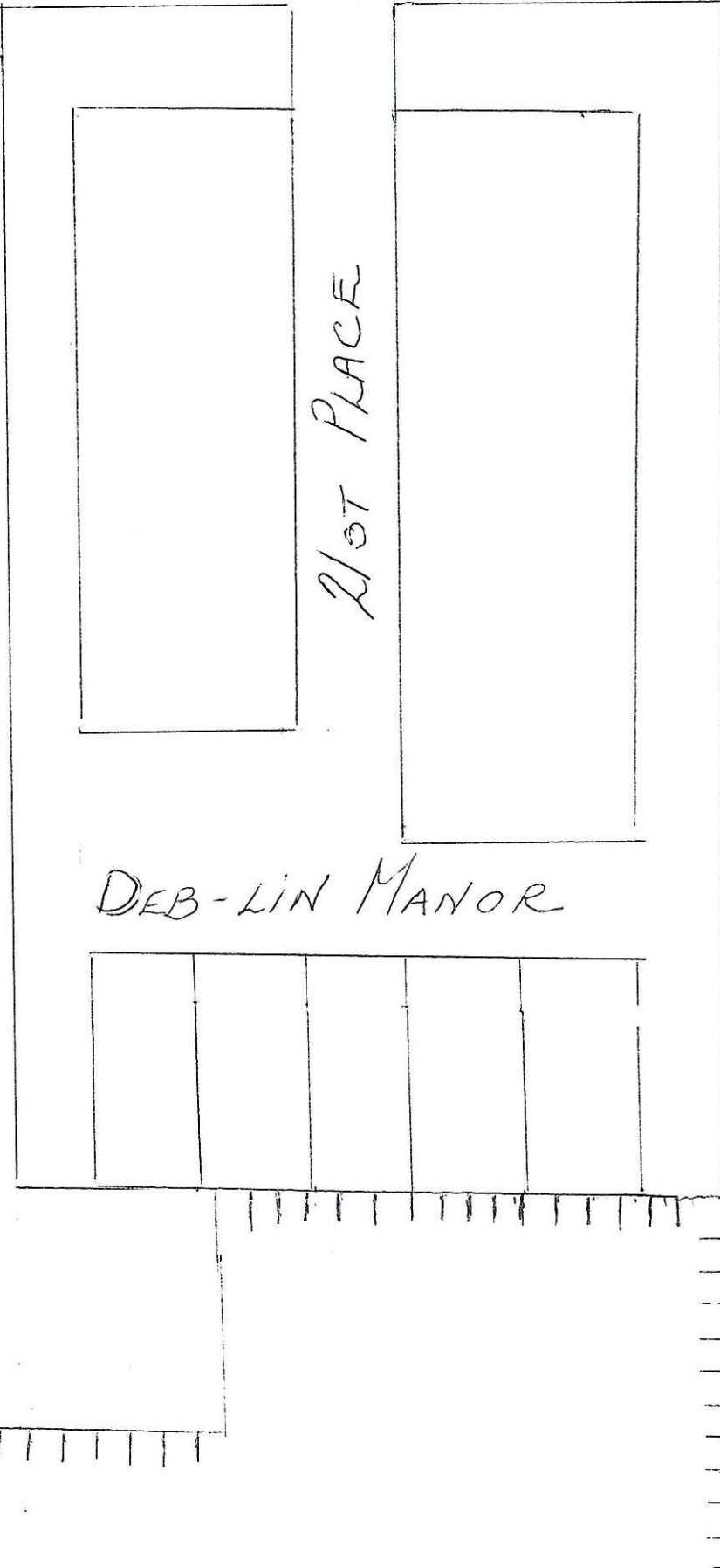
"They'll say one thing," Paletta neighbor Joseph Gour, 69, said, "and then they'll come along and to fill them up they'll put everybody and anybody in there."



THE PHOENIX GAZETTE

CAMPBELL

N ↑



LOT PLACE

DEB-LIN MANOR

CITY OF PHOENIX

JAN 07 2025

Planning & Development  
Department

**From:** jpaletta1 <jpaletta1@cox.net>  
**Sent:** Tuesday, January 14, 2025 6:28 AM  
**To:** Mayor Gallego  
**Cc:** Racelle Escobar; Cody Kellogg; Jennifer Wingenroth; Melissa Rhodes; Betsy & Robert Greenberg; L. B.; Kathy DeLorey  
**Subject:** Subject: Immediate Action Required: Unacceptable City Council Meeting Scheduling Issues

**CAUTION: This email originated outside of the City of Phoenix.**

Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Mayor Gallego,

I am writing to register my objection to the scheduling of the City Council meeting at 2:30 PM on January 22, 2026. This timing is not only inconvenient; it outright excludes local property owners from participating, placing us at a significant disadvantage. It is abundantly clear that this arrangement primarily serves the interests of developers, while disregarding the working individuals in our community, particularly those who are hesitant to engage through virtual platforms.

Property owners have been grappling with serious issues since July 2024 that demand your immediate attention:

1. The claim that 400 postcards were sent out regarding the original rezone is unequivocally false—numerous property owners did not receive any notification.
2. The neighborhood notification meetings held at the Devonshire Senior Center were far from legitimate opportunities for engagement. Instead of fostering constructive dialogue, they merely presented sketches and plans, failing to promote any meaningful exchange.
3. Scheduling the notification meeting and the Village Planning Committee during the summer severely hampered our ability to organize community support effectively.
4. The planning department's summary is clearly biased in favor of the project, Village Planning Committee's narrow 9-7 vote against a recommendation. The re-evaluation on January 7, 2026, was undermined by the New Year holiday, which disrupted the Committee's composition and skewed the outcome.
5. The absence of a 3/4 vote has resulted in lost opportunities for crucial signatures, exacerbated by tight deadlines, holiday delays, and a lack of adequate guidance from the Planning Department.
6. A continuance was granted only because the developer had no choice but to acknowledge the overwhelming opposition to the rezoning. Claims of "compromise" with property owners after multiple meetings are entirely disingenuous.
7. Councilman Robinson and property owners participated in three meetings with the belief that a genuine compromise was possible. The developer's inadequate communication with us is simply unacceptable.

8. The behavior of the Village Planning Committee throughout this process has been nothing short of embarrassing. It is evident that the lawyer manipulated the audience by filling it with real estate agents, developers, and contractors who do not live in our neighborhood. The submission of 171 letters of support—100 of which were form letters from individuals outside our community—along with endorsements from the lawyer's associates in real estate and development, constitutes a blatant violation of ethical standards.

9. Lee B.'s presentation effectively refuted all the misrepresentations made by the lawyer. Using Google Earth, she clearly illustrated how the height of the proposed four-story apartment was misrepresented in the lawyer's sketches.

10. The committee members ignored the points raised during Lee's presentation, clearly pushing to expedite the process despite the fact that this is not the same group that voted 9-7 in August 2024.

I demand that you take this feedback seriously and advocate for a meeting schedule that genuinely allows for participation from all stakeholders. A prompt and substantive response to address this critical issue is not just expected—it is necessary.

Best regards,

John Paletta  
East Morningside Neighborhood

[Sent from Yahoo Mail for iPhone \[mail.onelink.me\]](mailto:mail.onelink.me)



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**From:** jpaletta1 <jpaletta1@cox.net>  
**Sent:** Thursday, January 16, 2025 4:21 PM  
**To:** Council District 6 PCC <District6@phoenix.gov>; Cody Kellogg <cody.kellogg@phoenix.gov>; Jennifer Wingenroth <jennifer.wingenroth@phoenix.gov>  
**Cc:** Council District 3 PCC <council.district.3@phoenix.gov>; Council District 1 PCC <council.district.1@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>  
**Subject:** Request for Fair Representation and Equitable Meeting Scheduling

January 15, 2025

Councilman Kevin Robinson  
Phoenix City Council  
200 West Jefferson Street  
Phoenix, AZ 85003

Subject: Request for Fair Representation and Equitable Meeting Scheduling

Dear Councilman Robinson,

I am writing to express my deep frustration and disappointment regarding the proposed rezoning case Z-74-24-6 at the northeast corner of 21st Street and Turney Avenue, as well as the City's mishandling of this critical issue.

While your story of rising from a modest Maryvale upbringing to serve on the City Council is inspiring, many of us feel that your alignment with Mayor Gallego has distanced you from the communities you once championed. Your commitment to representing us appears compromised, favoring developers over property owners and working families who rely on your advocacy.

The Phoenix City Council meeting on January 22, 2025, at 2:30 PM is an unacceptable arrangement. This timing excludes local property owners, many of whom cannot attend during business hours, and is clearly structured to serve developers' interests. I urge you to advocate for this meeting to be rescheduled to 6:00 PM, enabling full community participation.

The concerns we've been grappling with since July 2024 underscore the systemic flaws in the City's engagement process:

1. The assertion that 400 notifications were disseminated regarding the initial rezone is misleading, as a significant number of property owners did not receive any communication from the developer sd stated by lawyer at Village Planning Meeting.



2. The neighborhood notification meetings at Devonshire Senior Center were not legitimate forums for dialogue; they were superficial presentations.

3. Holding key meetings during the summer hindered our ability to organize community opposition.

4. Planning Department Bias - The planning department's summary exhibits a clear bias favoring the proposed project, evident by the Village Planning Committee's narrow 9-7 vote against a supportive recommendation.

The re-evaluation session of the VPC on January 7, 2026, was compromised by the inclusion of new members on the VPC - restricting participation and potentially influencing the decision-making process.

5. Tight deadlines, holiday delays, and inadequate guidance led to the loss of crucial signatures for obtaining the 3/4 vote.

6. Continuance were granted solely because of overwhelming opposition to the rezoning. The developer's claims of "compromise" are misleading.

7. Meetings with you and staff created a false impression that compromise was possible, but the developer's lack of genuine communication has betrayed our trust.

8. The Village Planning Committee process was manipulated. Their behavior throughout this process has raised concerns. It appears the lawyer coordinated attendance by real estate agents, developers, and contractors who are not residents of our neighborhood. The 171 letters of support predominantly form letters from individuals outside our community, alongside endorsements from the lawyer's affiliates in real estate and development, indicate a troubling potential breach of ethical standards.

9. Lee Busenback's Google Earth presentation debunked the developer's misrepresentations of the four-story apartment height, yet her points were ignored.

This is not just about rezoning; it is about fairness, transparency, and ethical governance. East Morningside residents are not against development, but we demand a process that respects our voices and aligns with the character of our neighborhood.

I implore you to advocate for transparency and equity in this process. Additionally, I request that you work with Mayor Gallego to change the meeting time to 6:00 PM to enable better participation.

This rezoning case is a defining moment for our community. We need leaders who will champion fairness, inclusivity, and genuine representation. I trust you will act on behalf of the residents who entrusted you with this responsibility.

Sincerely,

John Paletta  
East Morningside Neighborhood  
[Sent from Yahoo Mail for iPhone \[mail.onelink.me\]](mailto:mail.onelink.me)