

## Staff Report Z-58-24-8 June 25, 2024

South Mountain Village Planning July 9, 2024

**Committee Meeting Date:** 

Planning Commission Hearing Date: August 1, 2024

**Request From:** S-1 (Ranch or Farm Residence)

(4.54 acres)

**Request To:** R1-10 (Single-Family Residence District)

(4.54 acres)

**Proposal:** Single-family residential

**Location:** Approximately 710 feet north and 305

feet west of the northwest corner of 20th Avenue and South Mountain Avenue

Owner: Dorothy M. Hallock

Applicant/Representative:John Fox, William Seymour Co. Inc.Staff Recommendation:Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Residential 2 to 3.5 dwelling units per acre	
Street Map Classification	20th Lane	Local	0-foot full street

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CLEAN NEIGHBORHOODS; LAND USE PRINCIPLE: Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.

The proposal, as stipulated, will facilitate development of this vacant lot in a manner that will be compatible in scale and character with the adjacent single-family residential uses.

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Promote neighborhood identity through planning that reinforces the existing landscaping and character of the area. Each new development should contribute to the character identified for the village.

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As stipulated, the proposal will promote neighborhood identity by requiring the site plan, landscape plan, and elevations be reviewed and approved by the Planning Hearing Officer through a public hearing process, including review by the South Mountain Village Planning Committee. This will also promote the existing character of the area and the vision for the Rio Montaña Area Plan.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The proposal includes detached sidewalks within the development that will be planted with shade trees and enhanced landscaping within the front yards of individual lots. These improvements will be required to earn the necessary bonus points to achieve the proposed density. The proposal, will create a comfortable pedestrian environment within the development, reduce the urban heat island effect, and make the walk to nearby destinations safer and more comfortable.

## **Applicable Plans, Overlays, and Initiatives**

Rio Montaña Area Plan: Background Item No. 6.

Housing Phoenix Plan: Background Item No. 7.

Phoenix Climate Action Plan: Background Item No. 8.

Conservation Measures for New Development: Background Item No. 9.

Tree and Shade Master Plan: Background Item No. 10.

Complete Streets Guiding Principles: Background Item No. 11.

**Zero Waste PHX:** Background Item No. 12.

Surrounding Land Uses and Zoning			
	Land Use	<u>Zoning</u>	
On Site	Vacant	S-1	
North	Single-family residential	R1-10	
South	Single-family residential	S-1	
East	Single-family residential	S-1	

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West	Single-family residential	S-1 (Approved R1-10)
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R1-10 – Single-Family Residence District (Planned Residential Development Option)		
<u>Standards</u>	R1-10 Requirements	Provisions on the proposed site plan
Gross Acreage	-	4.54
Total Maximum Number of Units	16; 20 with bonus	20 with 90 bonus points required (Not specified)
Maximum Density	3.5; 4.5 with bonus	4.4 (Met)
Minimum Lot Width	45 feet	50 to 60 feet (Met)
Minimum Lot Depth	None, except 110 feet adjacent to freeway or arterial	110 to 140 (Met)
Maximum Building Height	2 stories and 30 feet	2 story (24 feet and 4 inches) (Met)
Maximum Lot Coverage	50 percent, up to 60 percent for an ADU and/or attached shade structures	Not specified
Minimum Building Setback		
Perimeter Streets	15 feet (in addition to landscape setback)	No perimeter street
Perimeter Property Lines (Side and Rear)	Rear 1-story building: 15 feet	Rear: Not specified
	2-story building: 20 feet  Side 1-story building: 10 feet 2-story building: 15 feet	Side: Not specified
Minimum Landscape Setba	acks and Standards	
Common landscaped setback adjacent to perimeter streets	15 feet average, 10 feet minimum	No perimeter street
Minimum Common Area	5 percent of gross site area	Not specified

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## Background/Issues/Analysis

## SUBJECT SITE

- This request is to rezone 4.54 acres located approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue from S-1 (Ranch or Farm Residence) to R1-10 (Single-Family Residence District) for a detached single-family residential subdivision. The subject site is presently vacant.
- 2. The subject site is designated as Residential 2 to 3.5 dwelling units per acre on the General Plan Land Use Map. The areas to the north, east, and west are also designated Residential 2 to 3.5 dwelling units per acre. The area to the south is designated as Residential 1 to 2 dwelling units per acre. The request to rezone to R1-10 is consistent with the General Plan Land Use Map designation on the site.



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## SURROUNDING LAND USE AND ZONING

To north is a single-family subdivision zoned R1-10; to the east are single-family residences zoned S-1; to the west is a single-family subdivision zoned S-1 (Approved R1-10); and to the south is a single-family residence zoned S-1



Location Map; Source: Planning and Development Department

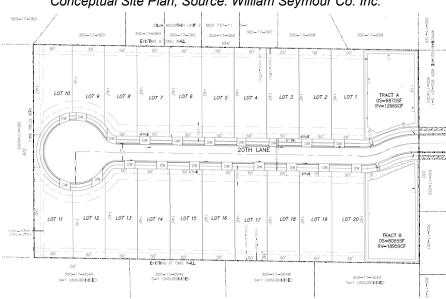
## **PROPOSAL**

## Site Plan

The proposal is for a 20-lot subdivision. The requested R1-10 zoning district allows for 16 units, and up to 20 units with a density bonus. To achieve 20 units the development will need 90 bonus points, the development proposes to achieve the 90 bonus points

through the

Conceptual Site Plan; Source: William Seymour Co. Inc.



provision of detached sidewalks, enhanced landscaping, additional open space, enhanced architectural design, and entry monuments. The proposed bonus points will be reviewed through the development review process.

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The conceptual site plan, attached as an exhibit, depicts the site layout including the location of each lot, the open space areas, proposed lot widths, proposed lot depths, the connection to the existing subdivision to the north, and pedestrian circulation. The site will have access to Baseline Road through the subdivision to the north. A temporary cul-de-sac will be constructed at the southern portion of the site until a future connection to South Mountain Avenue is constructed.

To ensure compatibility with the surrounding area and the Rio Montaña Area Plan, staff recommends Stipulation No. 1 to require that the site plan and landscape plan for future development of the site be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee.

## 5. Conceptual Building Elevations

The conceptual building elevations and renderings, attached as an exhibit, feature two, one-story and two, two-story elevations. Each elevation highlights four-sided architecture and a diverse mix of building materials. The designs incorporate enhanced architectural variation that is needed to earn the necessary bonus points to achieve the proposed density. Staff recommends Stipulation No. 2 to require that the building elevations for future development of the site be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee. *Conceptual Building Elevations; Source: E-Project International* 



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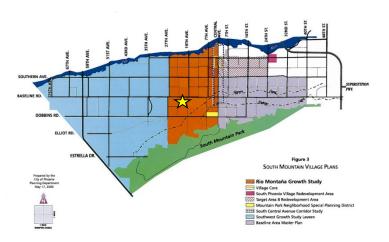
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## STUDIES AND POLICIES

## 6. Rio Montaña Area Plan:

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

Source: Planning and Development Department



The Rio Montaña Area Plan intended to accomplish this vision through seven goals that include: promoting balanced, high quality development; protecting and improving neighborhoods through maintenance, rehabilitation and infill projects; keeping a distinctive character that reflects the diversity in its equestrian heritage, culture, history and architecture; protecting the rural character, the Sonoran Desert and the riparian potential of the Rio Salado Habitat Restoration Project; promoting future business development and economic growth; developing the tourism industry through a wide range of opportunities; and providing a variety of transportation options.

This site is located in the center of the Rio Montaña Area Plan boundaries in an area with a mix of rural residential neighborhoods, single-family subdivisions, commercial, and agricultural uses. The development of this vacant parcel will further the Rio Montaña Area Plan goal of promoting infill projects.

The proposal will further address design and pedestrian connectivity goals by providing detached sidewalks within the development, entry monuments, enhanced landscaping, and enhanced building elevations. These improvements will be required to earn the necessary bonus points to achieve the proposed density.

Additionally, to ensure the development is compatible with the Rio Montaña Area Plan design goals, Stipulation Nos. 1 and 2 require that the site plan, landscape plan, and elevations for future development of the site be reviewed and approved

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by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee

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

## 7 Housing Phoenix Plan:

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with the vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing.

The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by providing housing that will address the supply shortage at a more rapid pace while using vacant or underutilized land in a more sustainable fashion.

## 8. Phoenix Climate Action Plan

In October 2021, the Phoenix City Council approved the Climate Action Plan. The Climate Action Plan will serve as a long-term plan to achieve greenhouse gas emissions reductions and resiliency goals from local operations and community activities as well as prepare for the impacts of climate change. This plan contains policy and initiatives regarding stationary energy, transportation, waste management, air quality, local food systems, heat, and water. Goal W2 (Water), Action W2.4, pertains to the implementation of the Greater Phoenix Metro Green Infrastructure (GI) and Low Impact Development Details for Alternative Stormwater Management to benefit the environment, promote water conservation, reduce urban heat, improve the public health, and create additional green spaces. This goal is addressed in Stipulation No. 8, which requires a minimum of two GI techniques for stormwater management to be implemented in this development.

## 9. Conservation Measures for New Development:

In June 2023, the Phoenix City Council adopted the Conservation Measures for New Development policy as part of a resolution addressing the future water consumption of new development (Resolution 22129). This resolution addresses the future water consumption of new development to support one of the City's Five Core Values in the General Plan which calls for Phoenix to - Build the Sustainable Desert City. The Conservation Measures for New Development policy includes

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direction to develop standards for consideration as stipulations for all rezoning cases that will address best practices related to water usage in nine specific categories. This is addressed in Stipulation Nos. 3 through 10.

## 10. Tree and Shade Master Plan:

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontage should be detached from the curb to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. The proposal will create a comfortable streetscape environment with enhanced landscaping and shaded, detached sidewalks within the development. These improvements will be required to earn the necessary bonus points to achieve the proposed density.

Additionally, to ensure the proposal provides adequet shading and landscaping, the landscape plan for future development, as stipulated, will be required to be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee. This is addressed in Stipulation No. 2.

## 11. Complete Streets Guiding Principles:

The City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles.

The proposed development, as stipulated, will support walking, bicycling, and transit-use by proposing sidewalks along both sides of 20th Lane. This is addressed in Stipulation No. 13. Additionally, to earn the necessary bonus points to achieve the proposed density, detached sidewalks within the development are proposed.

## 12. Zero Waste Phoenix PHX:

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

The city provides recycling service to single-family developments.

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## COMMUNITY CORRESONDENCE

13. At the time this staff report was written, staff has received two letters of opposition regarding the request. Concerns include increased traffic congestion, developer's credibility, public outreach, impact on community character and quality of life, and environmental and infrastructure strain.

## INTERDEPARTMENTAL COMMENTS

- 14. The Street Transportation Department requested that right-of way be dedicated for 20th Lane; a temporary turnaround easement be dedicated until 20th Lane is extended to the south, alternatively, a permanent turn around design may be considered and shall include a center landscaped island; and all improvements in the right-of-way be constructed with all required elements and to ADA standards. These are addressed in Stipulation Nos. 11 through 13.
- 15. The Aviation Department requested the airport disclosure stipulation. This is addressed in Stipulation No. 14.

## OTHER

- 16. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 15.
- 17. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to final site plan approval. This is addressed in Stipulation No. 16.
- 18. Development and use of the site are subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments may be required.

## **Findings**

- 1. The proposal is consistent with the General Plan Land Use Map designation, the Rio Montaña Area Plan, and with the character of the surrounding area.
- 2. The requested R1-10 zoning district is consistent with surrounding zoning and development patterns in the general area.

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3. The proposal will offer additional housing options within the area, contributing to the mix of housing types in the vicinity, and aiding in alleviating the housing shortage in Phoenix.

## Stipulations:

- 1. The conceptual site plan and landscape plan for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.
- 2. The conceptual elevations for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to final site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.
- 3. Prior to preliminary plat approval, documentation shall be provided that demonstrates participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, as approved by the Planning and Development and Water Services departments.
- 4. A WaterSense inspection report from a third-party verifier shall be submitted that demonstrates successful participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, prior to certificate of occupancy, as approved by the Planning and Development Department.
- Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized in the common areas and within the front yards of individual residential lots, as approved or modified by the Planning and Development Department.
- 6. Natural turf shall only be utilized on individual single-family lots (behind the front yard); required retention areas (bottom of basin); and functional turf areas

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within common areas, as approved by the Planning and Development Department.

- 7. Pressure regulating sprinkler heads and/or drip lines shall be utilized in any turf areas to reduce water waste.
- 8. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low-Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
- 9. Participation in the City of Phoenix Homeowner's Association Water Efficiency Program shall be incorporated into to Covenants, Conditions, and Restrictions for the subdivision, prior to final site plan approval.
- 10. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.
- 11. A minimum 50 feet of right-of-way shall be dedicated and constructed for the full width of 20th Lane for the full length of the subject site, connecting to the southern adjacent parcel.
- 12. A minimum 50-foot radius easement shall be dedicated and a minimum 45-foot radius temporary turnaround shall be constructed at the southern terminus of 20th Lane. Alternatively, a permanent turn around design may be considered and shall include a center landscaped island, designed to City of Phoenix standards, as approved by the Street Transportation Department.
- 13. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
- 14. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

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- 15. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.
- 16. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

## <u>Writer</u>

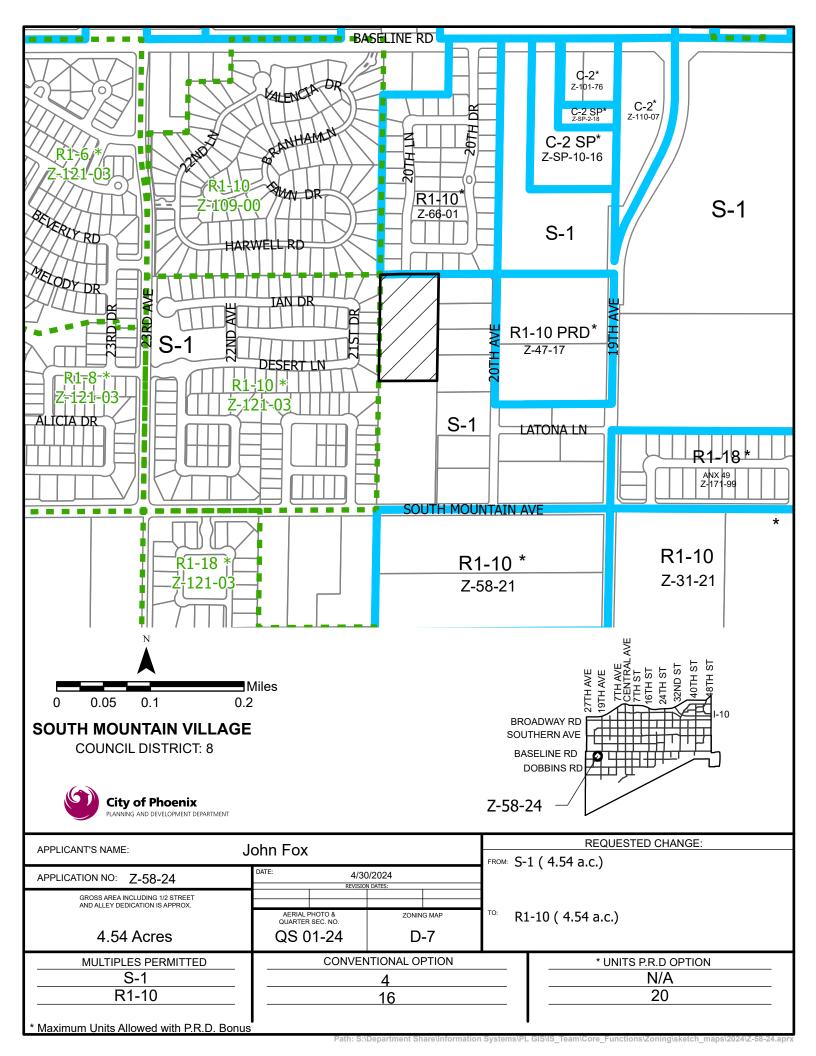
Samuel Rogers June 25, 2024

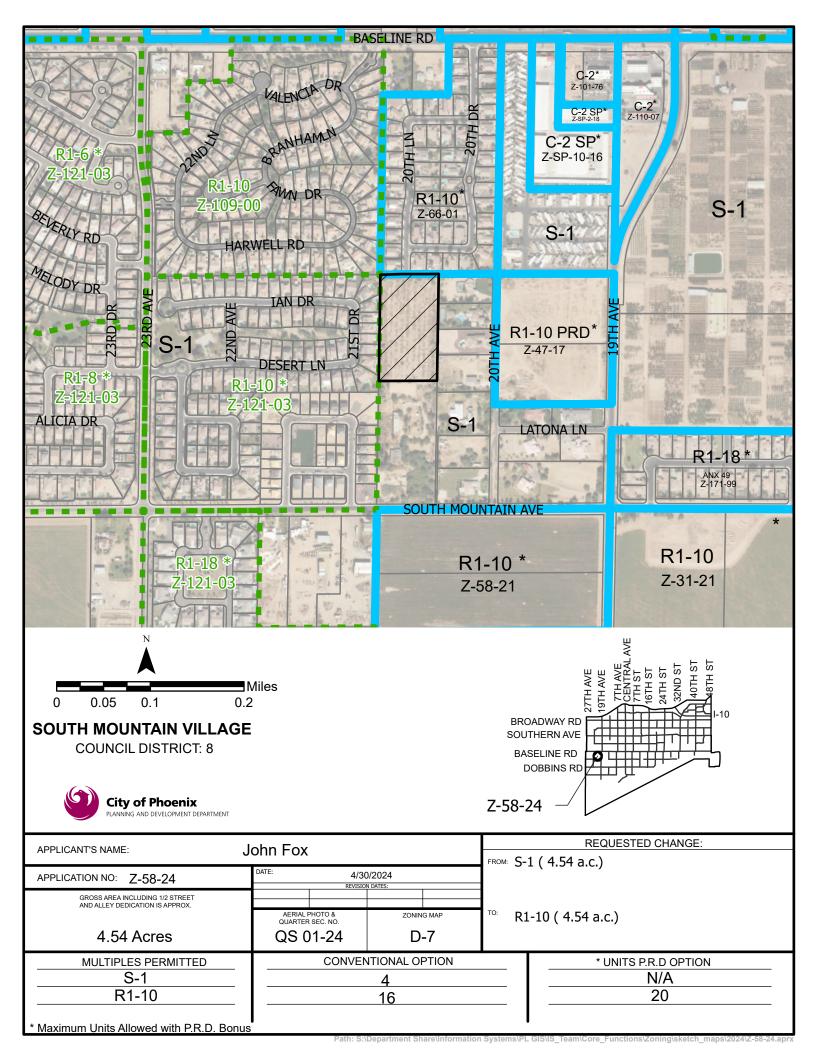
## Team Leader

Racelle Escolar

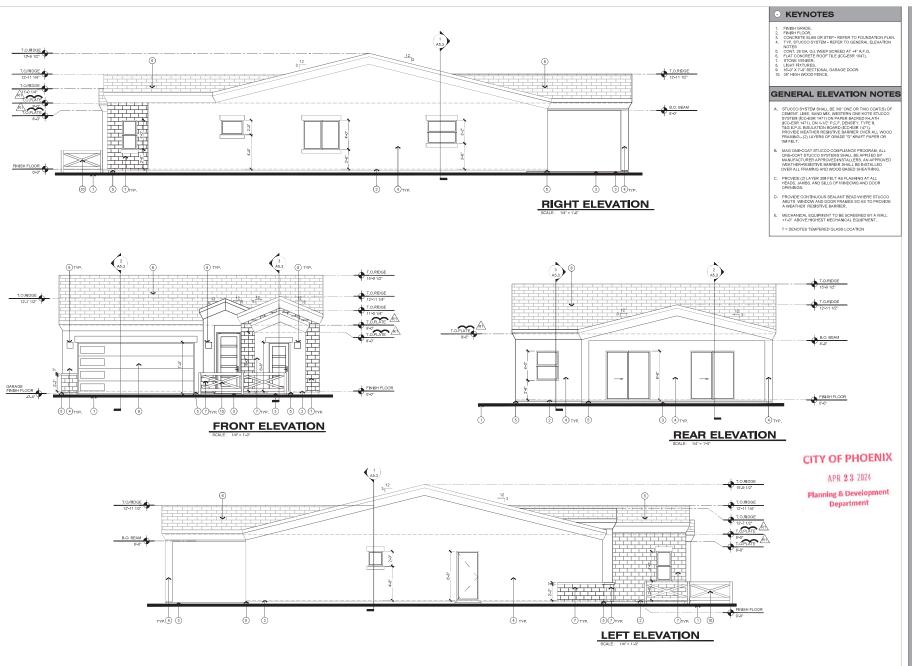
## **Exhibits**

Zoning sketch map
Aerial sketch map
Conceptual Site Plan date stamped April 23, 2024
Conceptual Building Elevations and Renderings date stamped April 23, 2024 (6 pages)
Conceptual Landscape Plan date stamped April 23, 2024
Correspondence (7 pages)





#### PRE-APPLICATION SITE PLAN SOUTH MOUNTAIN MODERN WILLIAM SEYMOUR CO, INC JOHN K. FOX 428 ETHUNGERISS RD#234 PHONIX ARIZONA 68022 PHONEI (602) 573-2895 RI-10 PRD TABLE-A PLANNED RESIDENTIAL DEVELOPMENT SILVA WYNDHAM SQUARE UNIT 2 PROJECT SITE 300-17-062 SILVA MOUNTAIN UNIT 2 MCR 737-11 WYNDHAM -17-125 300-17-067 300-17-064 300-17-063 300-17-065 300-17-068 300-17-069 300-17-066 EXISTING 6' CMU WALL 595' 50' \_\_50'\_ <u>50</u>' \_\_\_\_\_50' 50' 50' \_\_50'\_ 50' SQUARE <u>50'</u> VICINITY MAP E MCR 602-27 S-1 300-17-053 SOUTH MOUNTAIN MODERN 2050 SOUTH MOUNTAIN NORTH PHOENIX, MARICOPA COMPY, AZ | <sup>₹</sup> LOT 6 LOT 10 lot 4 TRACT A LOT 9 LOT 8 LOT 5 ₹ LOT 3 LOT 2 B LOT 1 PROJECT DESCRIPTION 0S=6870SF THIS APPLICATION IS FOR THE REZONING OF THE PROPERTY FROM S-1 TO R1-10 TABLE A PLANNED RESIDENTIAL DEPELOPMENT OF THE PROPERTY OF THE PROPERTY AS OF THE PROPERTY OF THE PROPERTY AS OF THE PROPERTY OF THE PR RV=12669CF DW DW 329' 300-17-004Z THE PROJECT CONSISTS OF 4.5 ACRES, NORTH OF SOUTH MOUNTAIN ROAD ZONING CONTIGUOUS NORTH R1-10, SOUTH, EAST & WEST S-1 GENERAL PLAN IS 3.5 -5.0 DU/AC 5' SW DW DW THE ACCESS TO THE SITE IS 20TH LANE, AN EXTENSION OF WYNDHAM SQUARE SUBDIVISION TO THE NORTH. A 50 ROW DEDICATION IS PROPOSED WITH 5 OFFSET SIDEWALKS CONSISTENT WITH WYNDHAM SQUARE WATER AND SEWER AND DET UTILITIES ARE IN 20TH LANE 20TH LANE ..... DW □ nw Dw \_50'\_\_ OWNER DOROTHY M HALLOCK 2050 W SOUTH MOUNTAIN AVE PHOENIX AZ. 85041 PHONE#: 480-720-6854 CONSULTANT JOHN FOX WILLIAM SEYMOUR CO. INC. 428 E. THUNDERBIRD RD. #234 PHOENIX AZ. 85022 PHONE# 602-573-2895 WSCING@COX.NET | LOT 15 | LOT 16 . LOT 13 LOT 11 ₹ LOT 14 ₽ LOT 17 LOT 18 1 LOT 19 LOT 20 \$ 15'BSL-2STORY 10'BSL-1STORY TRACT B 0S=8065SF PROJECT NUMBERS RV=18959CF KIVA# 24-140 60 50' 50' 50' 50' 50' ZPA 4-24 EXISTING 6' CMU WALL QS# 01-24 50' PAPP# 2400620 300-17-004V S-1 UNSUBDIVIDED 300-17-004R 300-17-004W 300-17-004X S-1 UNSUBDIVIDED S-1 UNSUBDIVIDED S-1 UNSUBDIVIDED CITY OF PHOENIX SITE PLAN APR 23 2024 Planning & Development Department Scale 1'





project 2022-2023

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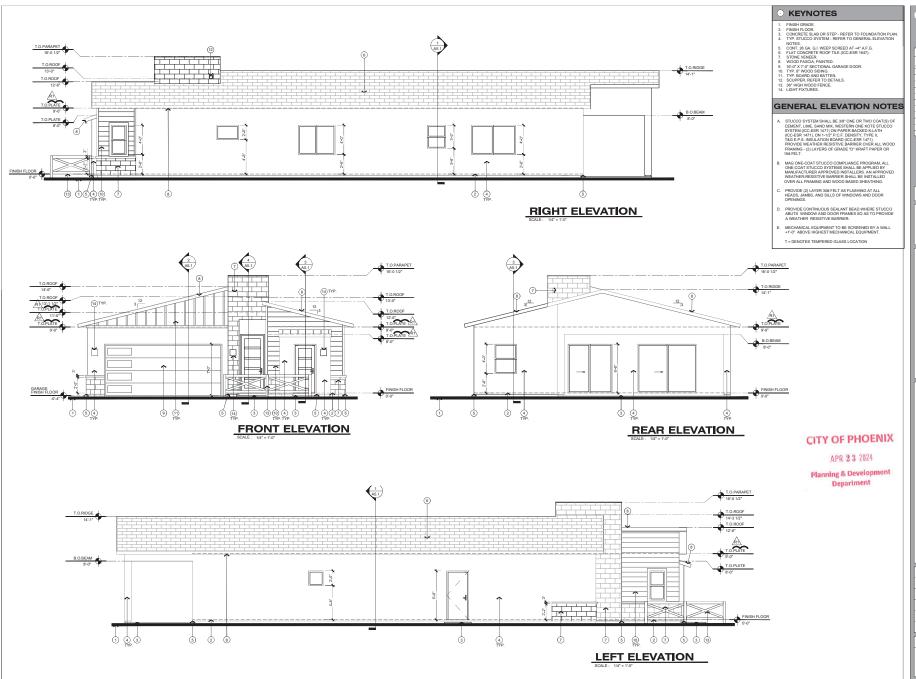
Plan 1500

Elevations Modern Mediterranean

Date:	11-17-2023
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e project

Scottsdale, AZ 85250 phone: 480/626-3648 e-mail: info@e-projectinterns Rev. Date Submittal

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EXPIRATION DATE: 09/30/2/ SIGNED AND SEALED

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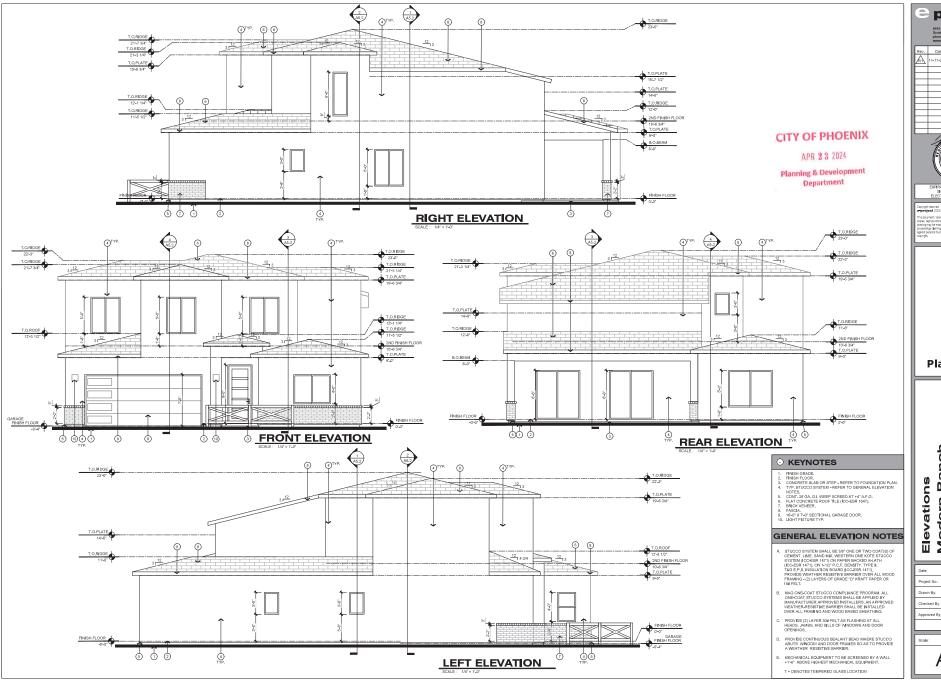
Plan 1700

Elevations Modern Craftsman

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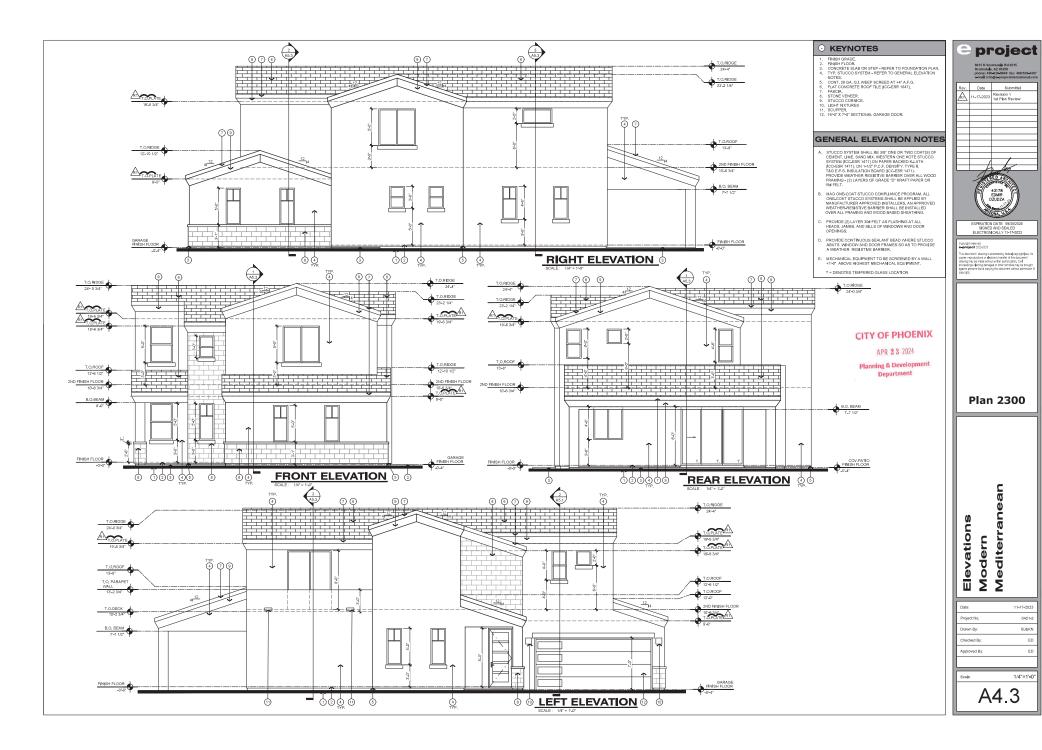


Plan 2100

Modern Ranch

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Planning & Development Department









## CITY OF PHOENIX

APR 23 2024

Planning & Development Department

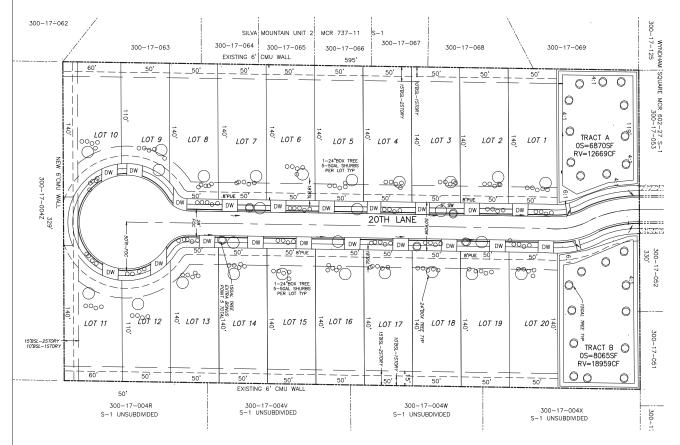








# PRELIMINARY LANDSCAPE AND DENSITY BONUS PLAN SOUTH MOUNTAIN MODERN RI-10 PRD TABLE-A PLANNED RESIDENTIAL DEVELOPMENT



SITE PLAN





DOROTHY M HALLOCK 2050 W SOUTH MOUNTAIN AVE PHOENIX AZ. 85041 PHONE#: 480-720-6854

OWNER

### **CONSULTANT**

JOHN FOX WILLIAM SEYMOUR CO. INC. 428 E. THUNDERBIRD RD. ∯234 PHOENIX AZ. 85022 PHONE∯: 602-573-2895 WSCING⊕COX.NET

## NOTES

SOUTH MOUNTAIN MODERN BONUS POINTS TABLE 608,1,2,A

STRETISCAPE

1. 20 POINTS -DETACHED SIDEWALK WITH PLANTING: 1

24'-BOX TREE OR 5-5 GAL SHRUBS/PER LOT

2 10 POINTS -LANDSCAPE IRRIGATION FRONT YARDS 1-24'BOX TREE, 5-5 GAL SHRUBS, GROUND COVER

2A. 25 POINTS -5 ADDITIONAL 15 GAL TREE

4. 10 POINTS - PARTIAL TREATMENT OF PAVING SURFACES

#### OPEN SPACE / RECREATION

1. 10 POINTS - ADDITIONAL OPEN SPACE OPEN SPACE REQUIRED 4.56.043560SF/AC\*5%=9801ST 1% OPENS SPACE NEREEXE = 9802PTS OPEN SPACE STACE SPACE SPACE STACE SPACE SPACE STACE SPACE SPAC

ARCHITECTURAL DESIGN 2. 25 POINTS-PROVIDE HOUSE PLANS WHICH DEMONSTRATE AN ENHANCED LEVEL OF ARCHITECTURAL DESIGN AS APPROVED BY THE DESIGN ADVISOR.

BONUS POINTS REQUIRED = 99 BONUS POINTS PROVIDE = 100

MINIMUM LANDSCAPE REQUIREMENTS PERIMETER OF COMMON AREA SPACE 1-15 GAL TREE EVERY 20-30\*

## CITY OF PHOENIX

## APR 23 2024

Planning & Development Department

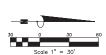
PROJECT NUMBERS KIVA# 24-140 ZPA 4-24 QS# 01-24 PAPP# 2400620 REVISIONS NO. DATE ARM DESCRIPTOR

SOUTH MOUNTAIN MODERN 2050 SOUTH MOUNTAIN NORTH PHOENIX, MARICOPA COMPY, AZ

WILLIAM SEYMOUR CO, INC JOHN K. FOX 428 ETHUNDERIRS RD #234 PHOBIN. ARIZON 85022 PHONEI (602) 573-2895



DESIGNED:
DRAWN:
CHECKED:
DATE: APRIL 2024
SCALE 1\*=30'
PROJECT
FILE NAME
SHT: SP2



## Sarah Stockham

From: Carlo <charles.carbaj@gmail.com>
Sent: Tuesday, June 18, 2024 1:57 PM

**To:** Samuel S Rogers; PDD Long Range Planning

**Subject:** Case Z-58-24 : Opposition to Proposed Zoning Development Near Wyndham Square HOA

## **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

Dear Members of the Phoenix Planning and Development Department,

I am writing on behalf of the Wyndham Square HOA community, located near Baseline Rd and 20th Ln in ZIP code 85041, to express our strong opposition to the proposed development of 20 houses on the empty land adjacent to our community. As residents deeply invested in the well-being and safety of our neighborhood, we have several serious concerns regarding this development.

## 1. Increased Traffic Congestion:

Our community already faces significant congestion issues, particularly at the single exit onto Baseline Rd. The addition of 20 houses, each potentially contributing an average of 2-3 cars, would introduce approximately 50-60 more vehicles to this already congested exit. This substantial increase in traffic volume would exacerbate existing delays, increase the risk of accidents, and create a hazardous environment for both drivers and pedestrians.

## 2. Developer's Credibility:

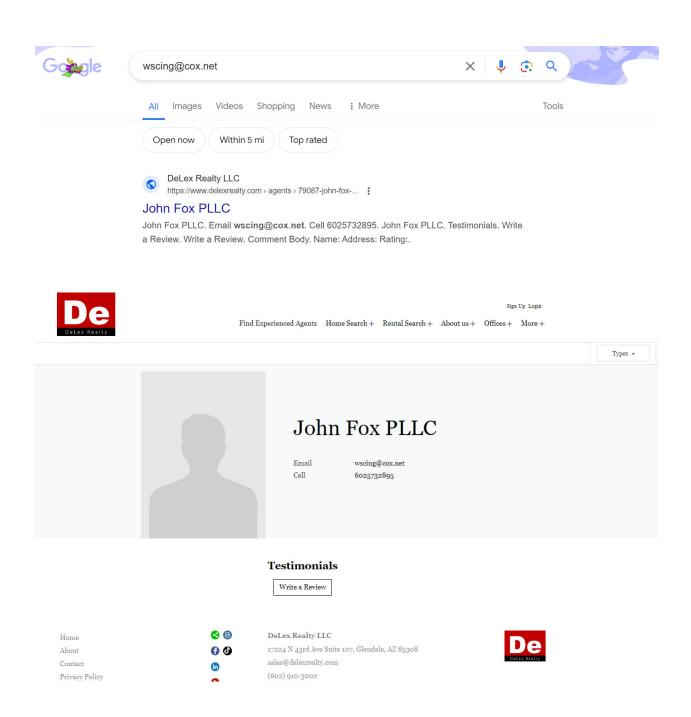
The developer assigned to this project, DeLex Realty LLC, is not accredited by the Better Business Bureau (BBB) and currently holds an "F" rating. This poor rating raises serious concerns about the reliability and integrity of the developer, and their ability to responsibly manage a project of this scale. We question their capacity to meet the community's standards and to follow through on commitments to mitigate negative impacts on our neighborhood.

## Evidence for #2:

The applicant for the zoning is "John Fox", with an email of "wscing@cox.net"

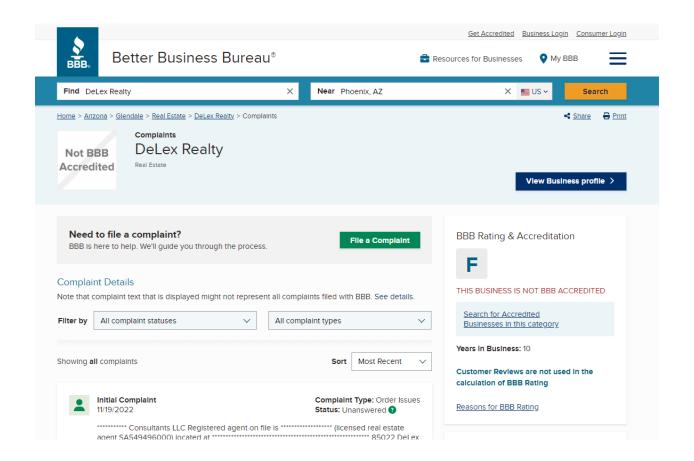
A simple google search on "wscing@cox.net", reveals that "DeLex Realty LLC" is the real estate broker.

https://www.delexrealty.com/agents/79087-john-fox-pllc [delexrealty.com]



BBB rating of "F" with multiple complaints.

https://www.bbb.org/us/az/glendale/profile/real-estate/delex-realty-1126-1000047946 [bbb.org]



## 3. Impact on Community Character and Quality of Life:

The proposed development threatens to alter the character of our close-knit community. Our neighborhood values open spaces and the tranquility that comes with lower housing density. The introduction of 20 additional houses will not only strain our infrastructure but also detract from the peaceful environment that our residents cherish. Increased noise, reduced privacy, and potential overcrowding are all significant concerns that have not been adequately addressed.

## 4. Environmental and Infrastructure Strain:

The proposed development will likely put additional strain on our local infrastructure, including water supply, sewage systems, and public services. Without significant upgrades to these systems, which have not been outlined by the developer, the quality of service for current residents could deteriorate. Furthermore, we are concerned about the environmental impact, including increased runoff and potential flooding issues, due to the reduction of permeable land.

Given these substantial concerns, we urge the City of Phoenix Planning and Development Department to reconsider the approval of this zoning plan. The long-term welfare and safety of our community depend on responsible and sustainable development practices. We strongly believe that this proposed development does not align with these principles and would negatively impact our neighborhood.

We appreciate your attention to our concerns and look forward to your thoughtful consideration of our position. Please feel free to contact me at <a href="mailto:character-state-st

Sincerely,

Carlos Carbajal

Owner of : 2017 W. Harwell Rd Phoenix, AZ 85041

480-326-1981

Questions and comments concerning rezoning case Z-58-24 and the proposed development

## H. Jewel Clark <hjewelclark@fastmail.com>

Mon 6/24/2024 9:55 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov> Cc:Mike Josic <mijosic@fastmail.fm>

1 attachments (3 MB)

20th and South Mountain 24-4-18-SITE (6).pdf;

## **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

Hello Samuel,

My name is Jewel Clark. I am writing regarding rezoning case number Z-58-24. My husband (cc'd on this email) and I own property at 2020 W. South Mountain Ave (APN # 300-17-004S). Attached you will find what we received from the applicant for your convenience and cross-reference.

The application for rezoning and development centers on a 4.5 acre parcel which we are adjacent to. While these plans were received and stamped by the planning department in November of 2023, the first meeting request the surrounding neighbors received concerning this proposal was May 17. May 17, which was a Friday, notified us of a meeting to be held by the developers on May 18. One day's notice. The letter was postmarked May 13, which was Monday. I was unable to attend because of a standing appointment that Saturday but my husband went. The developer had picked a pizza parlor for the meeting. Approximately 50 concerned neighbors attended but according to my husband it was practically impossible to hear (this was not in a reserved room away from the rest of the guests) and it was difficult for everyone to get close to the posters of the proposal for details. However, the neighbors were able to communicate opposition to key elements of the proposal: increased traffic, density and multiple stories.

Approximately 1 month later, the weekend of June 15, the developer, Mr. John Fox, held another meeting with the neighbors. We received that letter on the 10<sup>th</sup>. It was postmarked 6-4-24. Two of our neighbors whose properties are adjacent to this proposed development had not received a letter notifying them of the meeting. These neighbors are very concerned about how this proposal could affect their properties and would have been there had they known about it.

## Some questions are:

- 1. Is there a minimum notification time for developers to alert neighbors within the 600 ft minimum for these kinds of meetings?
- 2. How is the 600' notification zone measured for developers to build their contact list?
- 3. Should the ADU's have been shown on the drawings they provided? They were not.
- 4. I may be misreading the plans attached but on the lot diagram page under Project Description, it appears they list R1-10 density as 3.5-5 DU/AC. My understanding is that R1-10 is 3-3.5, 4.5 with bonus. Do the submitted plans have to be correct or corrected to be allowed to move forward?
- 5. Should there be updated plans at this point that are not designated "pre-application"? If so, the neighbors have not seen anything different from the attachment enclosed.
- 6. Will this application also require a general plan amendment application?
- 7. My husband said the developers told the neighbors that approval for developments/rezoning no longer went through the city council. According to what I could find on the city website, rezoning requests, either opposed or unopposed were still heard by the city council as the final arbiters. Is this incorrect?

I'd also like to let you know that according to my husband, the plan had not changed at all in the month the developer had to incorporate neighbor concerns. They showed up with exactly the same designs/plans. So, on two fronts, they don't appear to be listening to or trying to work with any of the surrounding neighbors who would be affected by this development, and they said they are planning on presenting this proposal to the South Mountain Village Planning Committee at the next meeting on July 9.

Since the neighbors confronted them with the fact that nothing had changed, they said they would look into making changes and call another meeting before the SMVPC meeting but I'm concerned that yet again, the neighbors may not be notified in a timely enough fashion to attend whatever meeting is scheduled.

## So to recap the timeline:

- 1. Application submitted Nov. '23
- 2. First notice to neighbors mailed May 13, 2024 for a May 18 meeting. We got our letter the day before and so did many others. Developers heard from approx. 50 people that density was too high, 2 story designs were opposed and concern about increased traffic in an existing development with only one entrance/egress point onto Baseline were paramount, among other concerns.
- 3. One month later, June 15, developer held another meeting. Notification letter postmarked 6-4, received on 6-10, at least by us. Some neighbors confirmed they did not receive their letters by the meeting date and missed the meeting. Plans had not changed at all. Neighbors reiterated concerns.
- 4. Developers said they would look at some changes and call another meeting but said they were still planning on moving the application through to the SMVPC July 9 meeting.

## The main issues: density, traffic for the north neighborhood, multiple stories

The current plan is requesting a density of approximately 4.5, which means they are requesting a bonus designation and I do not see where they are calling out enhancements per city requirements to justify or earn the points for such density. In addition, this parcel is fully bordered on the east by S-1 acre+ homes, which would be a tremendously incongruous jump in density if approved. As well, there are no developments surrounding that are more than 3.5 R1-10 in density, making 4.5 units per acre unprecedented for the immediate area.

This new development would be an extension of an existing development to the north with only 1 entrance/exit onto Baseline Rd for an already existing 54 houses. There is no way for this addition to have another entrance/exit onto a different street because it is surrounded by already developed land. There is no light at Baseline for the current neighborhood and the residents say that getting in and out of their neighborhood is already extremely difficult. Are there any safety requirements for the number of houses in a development to the number of entrance/exits? It seems like this ratio should be a concern for the city in case of evacuation or other emergencies.

The neighborhood around this parcel has been very active in working to keep housing height to one story, per Rio Montana guidelines, which takes into account view obstruction to South Mountain for existing neighbors. This is a priority for the northbound neighborhood and the east-bordering homes who don't want 2-story houses right up on their property line looking into their backyards. The precedent for all surrounding construction we have been involved with for single family homes has been overwhelmingly single story and that is what all the neighbors want.

Any information, clarification, links to specific city web pages, etc. you can provide is most appreciated. Thank you!

Sincerely, Jewel Clark

\_\_\_

H. Jewel Clark

<u>hjewelclark@fastmail.com</u>