

Attachment F

Racelle Escolar

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

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

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

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

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

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

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

Thank you for your time,

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

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

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

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

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

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

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

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

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

3. Examples–Conflict of Interest

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

a. Owns Property in Close Proximity

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

b. Worked Previously for Firm

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

c. Corporate Officer of Competitor

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

d. Developer

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

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

e. Realtor Listing Agreement

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

f. Owner of Regulated Business

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

g. Property Uniquely Affected by Land Use Plan

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

h. Contract of Close Relative

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

i. Source of More Than 5% Income

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

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

During the last meeting, I asked a general question to SMVPC:

“How will you know how much amending and rezoning is too much?”

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

Is there a conflict between the proposed land use and physical constraints or the environmental sensitivity of the area?

Yes, the issue is well-documented with increased traffic, increased heat, flooding problems, and reduced capacity for emergency vehicles restricted by one-lane roads (19th Avenue and Dobbins Road). The impact of emergency vehicles should not be under-estimated. The project has only one entry.

How does the proposed change affect the underlying character of the area?

Yes, there is a demonstrated negative impact to access the 19th Avenue Trail in South Mountain park because of increased congestion, traffic, reduced views, loss of space in the surrounding areas.

Does the proposed land use have any positive or negative impacts on goals and policies within the general plan?

Yes, there is a negative impact because it reduces the capacity to carry out the portions of PlanPHX (2015) and the 2025 Food Action Plan.

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

Sincerely,

Dean Chiarelli

Dean Chiarelli, MA, RDN, CEP, CHES, REHS

Clinical Assistant Professor

**ASU Edson College of
Nursing and Health Innovation**

Arizona State University

500 North 3rd Street | Phoenix, AZ 85004

Ph: 602.496.1867 | dean.chiarelli@asu.edu

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



Racelle Escolar

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

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

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

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

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

Respectfully,

Erin Hegedus
8630 South 19th Avenue
Phoenix, AZ 85041

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

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

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

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

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

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

Sent from my iPhone

Racelle Escolar

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

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

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

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

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

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

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

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

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

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

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

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H. Jewel Clark
hjewelclark@fastmail.com

Racelle Escolar

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

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

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

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

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

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

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

Thank you.

JoAnne Jensen
480-213-6499
8303 S. 17th Drive
Phoenix AZ 85041

December 9, 2021

To: South Mountain Village Planning Committee

Re: Opposition to Z-58-21 and GPA-SM-3-21-8 K. Hovnanian Andora Development

K. Hovnanian Homes' proposal to build 67 single family home on the 20 acres located on the southwest corner of 19th Avenue and West South Mountain Avenue is inappropriate in scale, density, and character in a neighborhood that consists of homes on lots three quarters of an acre and larger, and active agricultural uses. The proposed Andora site plan is a perfect example of the "dominoes in a row" lots that the Rio Montana Plan uses to illustrate what NOT to build.

During an informational meeting held on December 7, K. Hovnanian Homes' representative, Chuck Chisholm, admitted that he had never read the Rio Montana Plan. After that statement, it was impossible to find credible his arguments that Andora would benefit the neighborhood and was compatible with neighborhood character.

Judging from linear grid site plan presented it is probable that Harrington Planning + Design, the project's designers, have never read the Rio Montana Plan either. The site plan appears to have one overriding design factor: crowd as many lots as possible onto the site, resulting in an unimaginative, generic "cookie cutter" subdivision that would not enhance the character of the surrounding neighborhood.

The proposed Andora development would cut through the middle of a cohesive, community, destroying the unique blend of homes on R1-18 and larger lots and small specialty farms and tree nurseries which define the character of our neighborhood. The South Mountain Village Character Plan states that new development should "[p]romote 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." Our neighborhood character is spacious, diverse, and green. The proposed Andora development is crowded, dominated by sameness, and urban.

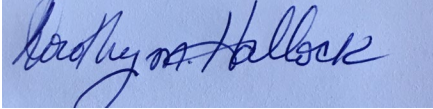
The Rio Montana Plan states on p. 22 that

The goal of any site plan should be sensitive to the surrounding area. This includes the environment, to the existing development, the history of a place and to the dreams of the community for the future.

A site plan for new development should consider not only the site and its attributes, but also the larger context in which the site is located.

The proposed Andora development does not respect the existing neighborhood character, is inconsistent with the goals of the South Mountain Village Character Plan, and disregards the planning and design guidelines of the Rio Montana Plan.

I respectfully ask the Committee Not to approve either the GPA or zoning change for this project.

A handwritten signature in blue ink on a light blue rectangular background. The signature is cursive and reads "Dorothy M. Hallock".

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

From: [Norberto](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: I oppose GPA-SM-3-21-8 and Z-58-21-8" in your subject line.
Date: Friday, December 10, 2021 4:54:25 PM

I live in the neighborhood and oppose the development as is proposed...

NORBERTO RIVERA

From: [Steven & Rebekah Higginbotham](#)
To: [Enrique A Bojorquez-Gaxiola](#); [Council District 8 PCC](#)
Subject: I oppose GPA-SM-3-21-8 and Z-58-21-8
Date: Sunday, December 12, 2021 7:49:13 AM

I live near 19th Avenue and South Mountain and I oppose GPA-SM-3-21-8 and Z-58-21-8 (aka the Andora project).

I would like to request time on the SMVPC agenda for Tuesday, December 14, 2021, at 6:00 p.m. and to then yield that time to Zach Brooks.

Best,
Rebekah

From: [Steven Higginbotham](#)
To: [Enrique A Bojorquez-Gaxiola](#); [Council District 8 PCC](#)
Subject: I oppose GPA-SM-3-21-8 and Z-58-21-8
Date: Sunday, December 12, 2021 10:18:50 PM

I live near 19th Avenue and South Mountain and I oppose GPA-SM-3-21-8 and Z-58-21-8 (aka the Andora project).

I would like to request time on the SMVPC agenda for Tuesday, December 14, 2021, at 6:00 p.m. and to then yield that time to Zach Brooks.

regards,
Steven Higginbotham
1804 w Magdalena Ln, Phoenix, AZ 85041

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Steven Higginbotham

From: [Dianne Olivo](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: I/ we oppose am in Opposition of GPA-SM-3-21-8 and Z-58-21-8
Date: Monday, December 13, 2021 11:15:01 AM

We wish to go on record as in opposition to this proposal for a number of reasons. Proven need for density increase. Construction of another non descript Blight on pastoral agriculture.” Gardens “ may be name but not in design . Etc as well as unacceptable address of toxic fumes from south property at 8811 S 19th Ave .

We have invested well over 1.5 million in our properties and maintaining the historic nature of this horse property. No need to change zoning especially for financial doubling!

Ted and Dianne Olivo
8804 S 19th Ave and
8624 S 19th Ave

From: [Erin Hegedus](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: Re: I oppose GPA-SM-3-21-8 and Z-58-21-8
Date: Tuesday, December 14, 2021 5:14:23 AM
Attachments: [image001.png](#)

I would like to add a comment that I signed a petition in August which was misrepresented to me. I was in favor of upscale housing that followed The Rio Montana plan. Not this plan and I resent the misrepresentation

Sent from my iPad

On Dec 13, 2021, at 6:47 PM, Enrique A Bojorquez-Gaxiola <enrique.bojorquez-gaxiola@phoenix.gov> wrote:

Thanks Erin, I will add this as well.

Have a great evening,

Enrique Bojórquez Gaxiola
Planner III
City of Phoenix
Planning & Development Department
Long Range Planning Division
200 W. Washington Street
Phoenix, AZ 85003
Office: (602) 262-6949

<[image001.png](#)>

I am currently working remotely on a rotational schedule, but will be checking voicemails multiple times per day. Please feel free to leave me a voice message or email me for a more timely response. Thank you.

From: Erin Hegedus <erintkhegedus@hotmail.com>
Sent: Monday, December 13, 2021 6:46 PM
To: Enrique A Bojorquez-Gaxiola <enrique.bojorquez-gaxiola@phoenix.gov>
Subject: RE: I oppose GPA-SM-3-21-8 and Z-58-21-8

Thank you. I forgot to include my address:

8630 South 19th Avenue

Sent from [Mail \[go.microsoft.com\]](#) for Windows

From: [Enrique A Bojorquez-Gaxiola](#)
Sent: Monday, December 13, 2021 6:37 PM
To: [Erin Hegedus](#)
Subject: RE: I oppose GPA-SM-3-21-8 and Z-58-21-8

Good evening Erin,

How are you? Thank you for providing this statement (below) regarding these two cases. I will add this to the case file and will share it with the South Mountain VPC ahead of our meeting tomorrow evening.

If questions arise, please contact me.

Regards,

Enrique Bojórquez Gaxiola
Planner III
City of Phoenix
Planning & Development Department
Long Range Planning Division
200 W. Washington Street
Phoenix, AZ 85003
Office: (602) 262-6949

<image001.png>

I am currently working remotely on a rotational schedule, but will be checking voicemails multiple times per day. Please feel free to leave me a voice message or email me for a more timely response. Thank you.

From: Erin Hegedus <erinTKhegedus@hotmail.com>
Sent: Monday, December 13, 2021 6:33 PM
To: Enrique A Bojorquez-Gaxiola <enrique.bojorquez-gaxiola@phoenix.gov>
Subject: I oppose GPA-SM-3-21-8 and Z-58-21-8

Three years ago this plan was presented and the South Mountain Village Planning Council objected to it.

We are here again to oppose this development. It has actually become even more disturbing than originally presented because the developer is known for developing low income housing, is not familiar with the Rio Montana Plan, stated that they are not interested in building energy efficient homes and has not offered to the neighborhood (the one time we were able to meet with them) any reason why we would this high

density development would enhance our neighborhood.

The developer basically told our group on 12/6 that they are looking to build to meet their profit margin.

Again, this is an out of state developer with no ties to the community. Additionally, there has been no traffic plan conducted and the infrastructure does not support the current traffic, let alone the addition of this development.

I ask that the council oppose this plan.

Our neighborhood cannot manage more traffic, more noise, more heat and a builder that is just looking to make a fast buck, and our community is left behind to live with this destruction of a beautiful and unique neighborhood.

Sent from [Mail \[go.microsoft.com\]](mailto:Mail[go.microsoft.com]) for Windows

From: [Patti Trites](#)
To: [Tamala Daniels](#); [Enrique A Bojorquez-Gaxiola](#); trentchristopher@gmail.com
Cc: [Marcia Busching](#); twanna.bhna@yahoo.com; [Greg Brownell](#); edward@yourgreatestself.com; [Adriana Garcia Maximiliano](#)
Subject: Andora - Z-58-21-8 and GPA-SM-3-21-8
Date: Monday, December 13, 2021 12:01:49 PM

Dear Enrique,

I would like to register to speak at tomorrow's SMVPC Meeting.

I would also like to speak for Agenda Item # 8 & 9 for Z-58-21-8 companion case GPA-SM-3-21-8

- Thank you in advance for contacting the Maricopa County Flood Control District and looking at the flood maps of this property.

Housing placement is important in relation to any water flows that enter/exit the new proposed community.

There has been reported flooding in that intersection of 19th Avenue and South Mountain.

Please adhere to the new COP Planning and Development Guidelines and overlay the new proposed lots with the FLO-2D mapping of the area done by MCFCD. NOTE: An approved Preliminary Plot is not a guarantee of the total number of lots allowed by the COP until D&G is approved.

- 19th Avenue is unique and special in the City. It is a destination and marketed that way by the City and State.

19th Avenue is the entrance to the South Mountain Trailhead: 19th Ave. (Ma-Ha-Tauk) Trailhead at 10484 S. 19th Ave.

This is a HUGE marketing and benefit to the developer and future homeowners.

Per the COP own site: At more than 16,000 acres, South Mountain Park/Preserve is one of the largest municipally managed parks in the nation and consists

of three mountain ranges - the Ma Ha Tauk, Gila and Guadalupe. The park boasts more than 50 miles of trails for hiking, horseback riding and mountain biking. Additionally, the roadways throughout the park are a favorite for bicyclists.

- Safety and the beauty of South Mountain should be maintained as new development happens in the area.

Many people - residents and visitors - utilize 19th Avenue as their entrance onto South Mountain Trailhead.

Keep it safe. **Do not allow entrance or exits onto 19th avenue for new developments.**

PLEASE keep the entrance and exit off of 19th avenue. Please move it to South Mountain Avenue.

- Flood Control and COP are also planning on a 66" storm drain pipe and catch basins along 19th Avenue to South Mountain.

Keep 19th Avenue free of resident traffic as possible for safety.

- Please keep the South Mountain Area looking complementary to its surroundings;

Avoid block walls 'prison' effect around the new communities.

- Please include plenty of plants/trees and Decorative Iron Fencing to surround the new developments.

- Please include green spaces on the interior and exterior of the property.

The developer will gain \$\$ due to the location of this land and can make up the housing

loss with the location premium.

Thank you.

Patti Trites
Homeowner in South Mountain
President of Southern Hills HOA

Cell: 402 213 7126

Email: pattihoash@gmail.com

From: [Ravi Sharma](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Cc: [Ravi Sharma](#)
Subject: I oppose GPA-SM-3-21-8 and Z-58-21-8
Date: Monday, December 13, 2021 4:07:32 PM

Hello Mr. Bojorquez-gaxiola,

I live in the neighborhood and oppose the development as is proposed.

Thanks,

Dr. Sharma

From: [Ravi Sharma](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Cc: [ushma sharma](#)
Subject: I oppose GPA-SM-3-21-8 and Z-58-21-8
Date: Monday, December 13, 2021 4:10:22 PM

Hello Mr. Bojorquez-gaxiola,

I live in the neighborhood and oppose the development as is proposed.

Thanks,

Mrs. Sharma

From: [Dean Chiarelli](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: December 14: SMVPC Meeting
Date: Tuesday, December 14, 2021 11:45:32 AM
Attachments: [Outlook-rmpvn2ah.png](#)
[Outlook-o00zkkho.png](#)

Mr. Bojorquez-Gaxiola:

I have been a South Mountain resident and homeowner for 9.5 years. I registered for the South Mountain Village Planning Committee meeting on December 14th and would like to comment if possible. In case I cannot speak, I'm documenting my opposition to three rezoning items. The Committee should disapprove rezoning to increase the number of residential units. The proposed changes will cause excessive vehicle traffic and congestion on the local streets. The new homes currently under construction in the surrounding area are not even fully built yet, and there is already much traffic at the intersection where 19th Avenue meets Dobbins Road. Many of the streets in the rezoning area were built as "country roads" -- not meant for higher-density residential developments. In the future, there should be a new traffic study when the latest homes along the Dobbins corridor (7th Avenue to Loop 202) are occupied.

The right developers for this land should integrate their plans within the current zoning. The South Mountain area is a unique and historic location, and it is quickly becoming a generic bedroom community with roads not built to meet the needs of higher-volume residential developments.

Z-31-21-8 (Companion Case GPA-SM-2-21-8)- OPPOSE
GPA-SM-3-21-8 (Companion Case Z-58-21-8)- OPPOSE
Z-58-21-8 (Companion Case GPA-SM-3-21-8)- OPPOSE

Dean Chiarelli, Mobile phone 702-994-8077

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



500 North 3rd Street | Phoenix, AZ 85004

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



Opposition to Cases GPA-SM-3-21-8 and Z-58-21-8

Agenda items 7 and 8

The proposed Andora development is nearly identical to a development application of the same name this committee voted against 10-2 in 2018. I and many of my neighbors oppose the development as submitted for reasons outlined here.



Andora 2018



Andora 2021

This development does not conform to the Phoenix General Plan or the Rio Montana Plan as it applies to our area.

Our area consists of:

RURAL CHARACTER

CUSTOM HOMES

LARGE LOTS

FARMS AND EQUESTRIAN PROPERTIES

RURAL INFRASTRUCTURE

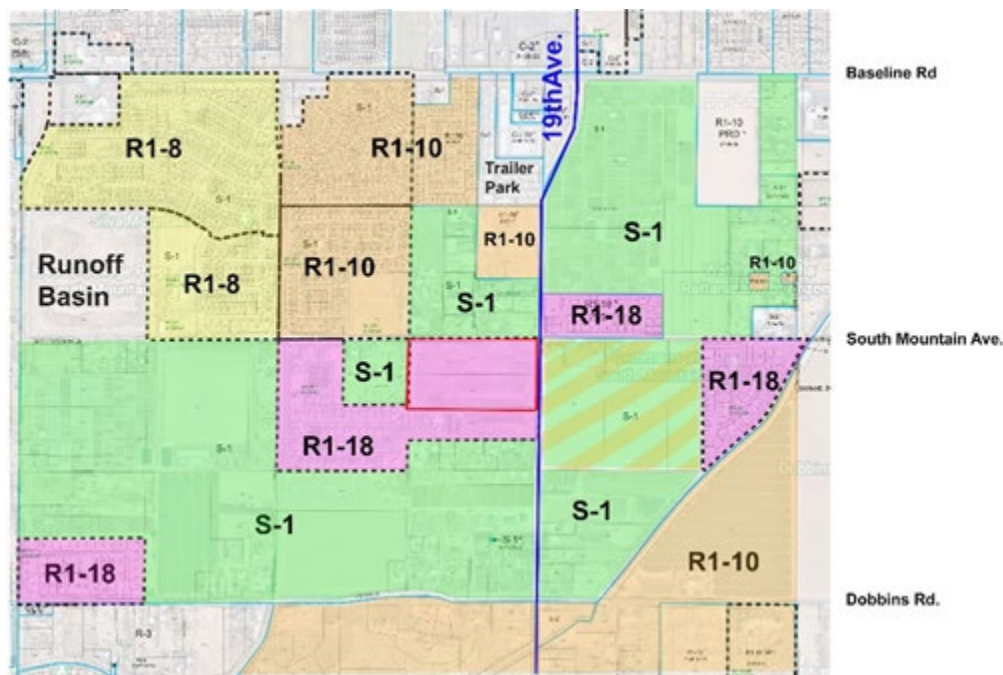
Rural Character

We are a community of S-1 and R1-18 homes and properties. We purchased property in this area, as did our neighbors, for the large lots, open space, and the quiet rural character we currently enjoy. We know that the area will develop, and we support low density development that preserves and enhances our rural character, and protects certainty and character as

outlined in the Phoenix General Plan. We support housing designs and site planning that conforms to the Rio Montana guidelines for our area: low density, rural, open spaces, staggered lots, houses with alley garage entrances/side entrances.

The proposed density, cookie-cutter, garage-scaped housing designs of the Andora project, is incompatible in scale and design and existing use to the surrounding area. *It was incompatible in 2018 and remains so today.*

This area is swiftly losing its S-1 and R1-18 land as is the rest of the Valley. There is plenty of R1-10 and higher density all around. Once lower density land is lost, it's gone forever. Please preserve what remains for future homeowners to enjoy what we already do.



Traffic

The increase in traffic along 19th Ave. and West South Mountain Ave. poses serious hazard to existing residents. 19th Ave. is not an arterial street south of Baseline. It hasn't had a traffic count since 2012 and the area has seen exponential increase in development. West South Mountain Ave. hasn't had a traffic count since 2013 and narrows to one lane just west of the proposed development. Tractors and other farm equipment regularly use both roadways. A traffic report is warranted for the safety of the existing neighbors, and any future residents.

Flooding

Street flooding, esp. on the west side of 19th Ave. at W. South Mountain Ave. is particularly dangerous. There is no timeline for approved flood mitigation by the city. Until that is in place, development should favor low density.

The photo below is just off the intersection at 19th Ave. and W. South Mountain Ave. on the west side. The water is runoff from the park and when it comes down 19th Ave. it banks left and has been so powerful it has bent steel fence posts.



K. Hovanian

A representative for K. Hovanian hosted an initial virtual presentation Oct. 20. The neighborhood told them it was too dense, there were flooding issues, etc. There was little contact afterwards until their lawyers arranged an in-person presentation Dec. 7. At that meeting, Chuck Chisolm, Director of Planning and Entitlement, presented us with a slightly revised plan with a density reduction of 5 houses. We brought up flooding issues, density, etc. again. We asked questions about working with us to reduce the density, using more appropriate housing designs for the area, etc. His response was that this is what K. Hovanian does, and they really don't deviate. It was basically, the same pitch line we kept getting from Scott Ward in 2018, "Trust me, you'll love it (but I'm not going to change it if you don't)."

Mr. Chisolm, when asked, said, "I've heard of the Rio Montana Plan." He admitted he has not looked at it. It appears neither he nor his team have acquainted themselves with the area's design guidelines, which is witnessed by the poor site plan, and the housing styles submitted. What else about the area, about the South Mountain Village Plan, have they not studied to better build here?

Summary

This plan is not appropriate, and this builder is not appropriate for the unique character of the area.

Please vote **no** on both cases.

Sincerely,

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

--

H. Jewel Clark
hjewelclark@fastmail.com

From: [JoAnne Jensen](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: GPA-SM-3-21-8 and Z-58-21-8 - Andora - Opposition
Date: Monday, December 13, 2021 7:43:57 PM

Hello -

I am writing to oppose the requests to modify the general plan and rezone the parcel in question for the development of tract housing.

In the first place, outreach by developers is required, but there has only been a single meeting - last week - for neighbors to hear the proposal. In most cases, at the very least, more time would be needed for further discussions; however, this developer made it very clear that they are not interested in engaging in any discussion that does not include changing the density to R1-10 zoning. In fact, the developer reported that the land is being held in escrow, and that they would walk away from the deal if the parcel is not approved for R1-10 zoning. This is the attitude of a public company, whose headquarters is many states away, and which does not have any particular interest in providing value for the South Mountain neighborhood. When asked, they could not identify one feature which they would bring value to this area.

In the second place, the developer did agree to review their site plan, given that their proposal is very nearly identical to the one which was rejected by the South Mountain Village Planning Committee several years ago. However, again, this will be the proverbial finger puzzle exercise rather than engaging in honest dialog aimed toward identifying a compromise reasonable for both the neighbors and the developer.

In the third place, inasmuch as the developer has stated firmly that there is no way they will entertain density less than 3.5 units / acre, problems with congestion, traffic safety, and noise will abound.

In the fourth place, their plan for the expansion of South Mountain, on the northern boundary of Andora, is physically impossible to achieve - given that there would be a sidewalk, an all use bridle path, and an additional lane installed.

In sum, they know the current zoning, and are willing to ask the City to change it. Why are their interests any more important than the interests of those of us who have already made the investment of money and time, and who make this community unique? We all chose to become part of South Mountain because we were told, promised, that farm property which would become housing would be rezoned to R1-18 so we could retain as much a rural and unusual flavor as possible - is that promise unreliable?

Please add me to the list of many neighbors who request that the South Mountain Village Planning Committee reject this proposal.

Thank you.

JoAnne Jensen
8303 S.17th Drive (Magdalena Estates)
Phoenix AZ 85041
480-213-6499

Racelle Escolar

From: Dean Chiarelli <Dean.Chiarelli@asu.edu>
Sent: Monday, January 3, 2022 5:24 PM
To: PDD Planning Commission
Subject: SMVPC Meeting January 6th - Opposition Notice

To South Mountain Village Planning Committee:

Re: Meeting Thursday, January 6th

I am strongly opposed to the items indicated below and request to speak.

Case numbers GPA-SM-3-21-8 and Z-58-21-8 (Agenda items 2 and 3).

Case numbers GPA-SM-2-21-8 and Z-31-21-8 (Agenda items 8 and 9).

I am opposed to the items because of excessive congestion on surface roads. The SMVPC is authorizing excessive approvals of rezoning in the area in tandem with a lack of new cultural amenities/ businesses to enhance quality of life in the area. The rural character of the area is rapidly changing for the worst, and this is against the City of Phoenix planning codes and Food Plan for South Phoenix. I respectfully request an updated traffic study which includes activity for homes currently under construction in the Dobbins Corridor. There are new homes along Dobbins Road from 16th Street all the way to the Loop 202 which aren't even built yet that will increase the congestion.

I also want to express concern the Chair of the Committee stated in the December 2021 meeting that she is a Realtor who grew up in South Phoenix. There is an appearance of bias towards approval of higher-density residential zoning for which the Chair may personally benefit.

Dean Chiarelli, MA, RDN, CEP, CHES, REHS

Clinical Assistant Professor

ASU Edson College of
Nursing and Health Innovation
Arizona State University

500 North 3rd Street | Phoenix, AZ 85004

Ph: 602.496.1867 | dean.chiarelli@asu.edu

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



Racelle Escolar

From: Erin Hegedus <erinTKhegedus@hotmail.com>
Sent: Tuesday, January 4, 2022 5:44 PM
To: PDD Planning Commission; Council District 8 PCC; Adriana Garcia Maximiliano
Subject: Z-58-21-8 and GPA-SM-3-21-8

I am writing to oppose the referenced requests. The developer is asking to modify current zoning without regard to the impact of the neighborhood.

The impact of this zoning modification is extremely harmful to the character and safety of this community.

The infrastructure does not support this nor several of developments under consideration. The roads are already congested and dangerous. There are also concern to the heat island this and others will cause.

There are many neighborhoods in the South Phoenix area that this developer can utilize that will not fundamentally change and disrupt the character of this unique community.

Regards,

Erin Hegedus, CMRP
8630 South 19th Avenue
Phoenix, AZ 85041

Sent from [Mail \[go.microsoft.com\]](mailto:erinTKhegedus@hotmail.com) for Windows

Racelle Escolar

From: H. Jewel Clark <hjewelclark@fastmail.com>
Sent: Tuesday, January 4, 2022 6:08 PM
To: PDD Planning Commission
Subject: Letter of opposition GPA-SM-3-21-8 and Z-58-21-8

I am writing in opposition to **GPA-SM-3-21-8 and Z-58-21-8 (Agenda items 2 and 3)** as currently submitted and approve of the continuance voted on at the Dec. 14 SMVPC.

I am disappointed to say K. Hovnanian has shown zero interest in working with the neighborhood to try and reach any compromise on our core opposition of density. We have yet to see if they will work with us on additional heat mitigation and better housing design. Their stance has so far been, "This is what we do." We are working with the Vice Mayor to try and find some middle ground and will hopefully see some movement before the next SMVPC meeting.

Sincerely,

Jewel Clark

2020 W. South Mountain Ave.

Phoenix, AZ 85041

--

H. Jewel Clark

hjewelclark@fastmail.com

Racelle Escolar

From: JoAnne Jensen <joannejensen@cox.net>
Sent: Tuesday, January 4, 2022 5:18 PM
To: PDD Planning Commission
Cc: Adriana Garcia Maximiliano; Council District 8 PCC
Subject: GPA-SM-3-21-8 and Z-58-21-8 / Andora

Hello and thank you for taking my comments.

My name is JoAnne Jensen, our address is 8303 So. 17th Drive, Phoenix AZ 85041; this is in Magdalena Estates, which is on the northeast corner of the intersection of 19th Avenue and South Mountain, at a diagonal to the parcel under consideration in the two requests named above.

These two requests appear on your agenda under Continuances and Withdrawals. I would absolutely support either action regarding both requests. The current proposal is unacceptable to the neighbors, who have offered constructive criticism and suggestions for the developer's consideration; however, a continuation would support potential further discussions between the developers and the neighbors – following two face to face meetings.

I am also signing up to speak on this issue, and would yield my time to Zach Brooks.

Again thank you.

JoAnne Jensen
Cell – 480-213-6499
Email – joannejensen@cox.net

Racelle Escolar

From: Mike Josic <mikejosic@gmail.com>
Sent: Tuesday, January 4, 2022 6:09 PM
To: PDD Planning Commission
Subject: GPA-SM-3-21-8 and Z-58-21-8

Dear Planning Commision Members,

I oppose both agenda items GPA-SM-3-21-8 and Z-58-21-8 and support a continuation to allow for further discussion between the developer and the neighborhood. My property is directly across the street from this site.

Thank you,

Mike Josic
2020 W. South Mountain Ave
Phoenix AZ 85041

From: [Steven & Rebekah Higginbotham](#)
To: [Enrique A Bojorquez-Gaxiola](#); [Council District 8 PCC](#)
Subject: I oppose GPA-SM-3-21-8 (Companion Case Z-58-21-8)
Date: Monday, January 10, 2022 9:50:27 AM

Hi Enrique,

I'm sorry for the delay, I think I missed the deadline but am sending in case it's not too late...

I live near 19th Avenue and South Mountain. I oppose GPA-SM-3-21-8 (Companion Case Z-58-21-8, aka the Andora project) and want to donate my speaking time to Zach Brooks.

I would like to request time on the SMVPC agenda for January 11 and to then yield that time to Zach Brooks.

Best,
Rebekah

Racelle Escolar

From: Steven & Rebekah Higginbotham <steven.rebekah.hz@gmail.com>
Sent: Tuesday, January 4, 2022 4:14 PM
To: PDD Planning Commission; Council District 8 PCC; adriana.garcia.maximilliano@phoenix.gov
Subject: I support continuance for cases GPA-SM-3-21-8 and Z-58-21-8

I live near 19th Avenue and South Mountain and I support continuance for cases GPA-SM-3-21-8 and Z-58-21-8, while opposing the development itself (aka the Andora project) on the following grounds: the currently submitted stipulations are inadequate for the safety and quality of life of this community.

I would like to request time on the Planning Commission agenda for Thursday, January 6 and to then yield that time to Zach Brooks.

Best,
Rebekah

Racelle Escolar

From: Ravi Sharma <ravi6161sharma@gmail.com>
Sent: Tuesday, January 4, 2022 5:03 PM
To: PDD Planning Commission
Cc: Council District 8 PCC; adriana.garcia.maximilliano@phoenix.gov
Subject: Item # 2 and Case # GPA-SM-3-21-8, Item #3 and Case # Z-58-21-8, Item # 8 and Case #GPA-SM-2-21-8
(Continued from 12/2/2021), Item # 9 and Case #

Z-31-21-8 (Continued from 12/2/2021)

We are opposed to the proposed changes.

Dr. Ravi and Mrs. Snigdha Sharma

Racelle Escolar

From: Steven Higginbotham <steven.w.higginbotham@gmail.com>
Sent: Tuesday, January 4, 2022 4:14 PM
To: PDD Planning Commission; Council District 8 PCC; adriana.garcia.maximilliano@phoenix.gov
Subject: I support continuance for cases GPA-SM-3-21-8 and Z-58-21-8

I live near 19th Avenue and South Mountain and I support continuance for cases GPA-SM-3-21-8 and Z-58-21-8, while opposing the development itself (aka the Andora project) on the following grounds: the currently submitted stipulations are inadequate for the safety and quality of life of this community.

I would like to request time on the Planning Commission agenda for Thursday, January 6 and to then yield that time to Zach Brooks.

--

Steven Higginbotham

From: [Dean Chiarelli](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: SMVPC Meeting January 11th
Date: Friday, January 7, 2022 4:15:59 PM
Attachments: [Outlook-5rax1jrd.png](#)
[Outlook-m4mhurz5.png](#)

Re: GPA-SM-3-21-8 (Companion Case Z-58-21-8)

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

I have been a homeowner and resident in South Phoenix for 10 years. I oppose the amendment to the General Plan Land Use and Rezoning. Andora is a generic housing development that will produce higher-density problems (traffic, congestion, reduced emergency vehicle access on one-lane roads). It will reduce the availability of premium land with a high potential for use in agricultural business such as "agritainment". It will increase heat, thereby impacting an environmentally-sensitive area used for farming.

Approving Andora confounds the PlanPHX (2015), which promotes land use for healthy & grocery stores, urban farms, community gardens, and agricultural businesses such as the Farm at South Mountain. Harm will occur to codes and ordinances that eliminate barriers towards developing a healthy food infrastructure.

Furthermore, citing the 2025 Food Action Plan, I strongly oppose amending and rezoning prime land currently well-suited for an "agritainment" zoning district that permits uses and accessory uses for primary agricultural use. The Grandma's Farm™, and the Farm at South Mountain™ are great examples of the type of enterprises I advocate for. The SMVPC should prioritize & value prime land as best used for development such as the AZ Fresh Food and Innovation Hub in the Rio Salado area.

During the last meeting, I asked a general question to all Planning Committee.
"How will you know how much amending and rezoning is too much"?

I am Pro-Development. I firmly believe the right developer(s) will be able to profit without the need to amend and rezone this land in a way that will inevitably reduce the quality of life for existing residents.

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

Is there a conflict between the proposed land use and physical constraints or the environmental sensitivity of the area?

Yes, the issue is well-documented with increased traffic, increased heat, flooding problems, and reduced capacity for emergency vehicles restricted by one-lane roads (19th Avenue and Dobbins Road). The impact of emergency vehicles should not be under-estimated. The project has only one entry.

How does the proposed change affect the underlying character of the area?

Yes, there is a demonstrated negative impact to access the 19th Avenue Trail in South Mountain park because of increased congestion, traffic, reduced views, loss of space in the surrounding areas.

Does the proposed land use have any positive or negative impacts on goals and policies within the general plan?

Yes, there is a negative impact because it reduces the capacity to carry out the portions of PlanPHX (2015) and the 2025 Food Action Plan.

The opportunity cost for this land is too high. The SMVPC has approved an excessive amount of amending & rezoning for increased residential density, and at the same time, an absence of exciting & appealing businesses which embody the unique character and rural appeal. Phoenix is poised to be an agricultural hub and food innovation center. The South Mountain Village (District 8) is ideally

suitied to be part of this longer-term infrastructure. These case items have many oppositions from the community and should NOT be approved.

Sincerely,

Dean Chiarelli

Dean Chiarelli, MA, RDN, CEP, CHES, REHS

Clinical Assistant Professor

ASU Edson College of
Nursing and Health Innovation

Arizona State University

500 North 3rd Street | Phoenix, AZ 85004

Ph: 602.496.1867 | dean.chiarelli@asu.edu

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



From: [H. Jewel Clark](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: Opposition to GPA-SM-3-21-8 and Z-58-21-8 (agenda items 8 and 9)
Date: Friday, January 7, 2022 4:51:56 PM

I am writing to oppose applicant case numbers GPA-SM-3-21-8 and Z-58-21-8 (agenda items 8 and 9).

I am sorry to report that since the last SMVPC meeting, the applicant, K Hovnanian, has been unwilling to work with the neighborhood on any changes to this project, specifically in regards to density, which is entirely inappropriate for our area. While the Kimura development approved across the street, sadly, is also entirely inappropriate for our area, the developer has nevertheless worked to reduce that density and we are in continuing negotiations to work out additional heat mitigation and sustainable/green building for the site.

This developer is just Scott Ward all over again, who we opposed at this location in 2018 with the same density and the same unwillingness to do anything to accommodate the existing neighbors. K Hovnanian's attitude is, just like Scott Ward's was, "Trust me, you'll love it." Mr. Chisolm, to his credit, has been completely open about not budging. He represents a national home builder and they have their way of doing things. The message we are getting is: our only tool a hammer, so all our builds need to be nails. No deviation.

This is not what our area is about. We are a diverse, unique mix of custom homes, active farmland, horse properties and R1-18 small developments. Any developer who wants to build in our area should work with existing neighbors to craft a design and density that is "livable" for those who already live there. If development has to happen, we support a density at R1-18, particularly since it borders 2 active farming properties. The current plan, with the entrance back on W. South Mountain Ave., and the density and cookie-cutter lots proposed are anathema for us.

Please do not approve either the GPA or the zoning request. Thank you.

Jewel Clark
2020 W. South Mountain Ave.
Phoenix, AZ
85401

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H. Jewel Clark
hjewelclark@fastmail.com

From: [Bryan Martin](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Cc: [Enrique A Bojorquez-Gaxiola](#)
Subject: Meeting time deferral GPA-SM-3-21-8 (Companion Case Z-58-21-8).
Date: Sunday, January 9, 2022 5:29:51 PM

> Hello

>

> I appose GPA-SM-3-21-8 (Companion Case Z-58-21-8) and want to donate my speaking time to Zach Brooks.

>

> Warm thanks

> Bryan Martin

> 602-909-0948

>

> **** Please hold me harmless against any and all opinions that were presented here as facts. However shocking they may seem, just know that they are fueled by excitement and shared with love. Warm thanks in advance. ****

From: [donatus agbakwu](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: Objection
Date: Monday, January 10, 2022 5:27:11 PM

Hello Enrique

This is to inform that I oppose applicant case numbers GPA-SM-3-21-8 and Z-58-21-8 (agenda items 8 and 9). The applicant, K Hovnanian, has been unwilling to work with the neighborhood on any changes to this project, specifically in regards to density, which is entirely inappropriate for our area.

Regards

Donarus Agbakwu

Magdalena Estate

From: [Dorothy Hallock](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: Opposition to GPA-SM-3-21 and Z-58-22-8 KHovnanian Andora
Date: Sunday, January 9, 2022 11:54:23 AM

I am opposed to a General Plan Amendment and Rezoning for the above project.
Please give my speaking time to Zach Brooks at the SMVPC meeting.
Thank you
Dorothy Hallock

Sent from my iPhone

From: [Erin Hegedus](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: GPA-SM-3-21-8 and Z-58-21-8
Date: Monday, January 10, 2022 1:12:40 PM

I am writing to oppose this request for rezoning.

The same design was presented four years ago and this committee rejected the request. This developer is basically submitting the same plan.

The design is not consistent with the neighborhood. Adds no value to the neighbors and consequently is adding more traffic than the roadways can handle, additionally, more noise and heat.

The bus stop that was added is a negation as currently there is not s bus route and this will add even more noise and traffic.

Please be aware that this developer does not own this property so he technically has no rights.

Please also note that we have offered many suggestions to make this development palatable to the neighbors but every idea we have suggested has been ignored.

Sent from my iPhone

From: [JoAnne Jensen](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: GPA-SM-3-32-8 and companion case Z-58-21-8 / Opposition Comments
Date: Monday, January 10, 2022 11:12:34 AM

Hello and good morning -

Please forward my opposition comments with respect to the cases cited above to the South Mountain Village Planning Committee ahead of their meeting tomorrow evening.

Our neighborhood group has met twice with the developer, who has been consistent in not accommodating or directly responding to our concerns. We do not oppose residential development, however, we do believe that maintaining the rural / agricultural / equestrian nature of this part of Phoenix demands the lower density of R1-18 zoning.

Beyond that, the streets in question - 19th Avenue and South Mountain Avenue - are largely unimproved and are woefully inadequate to safely handle the current amount of traffic much less cars from a densely populated development. There have been collisions, including a fatality, at the uncontrolled intersection of these two streets.

Please vote to oppose the developer's plan which offers no benefit or improvement to this community.

Thank you.

JoAnne Jensen
8303 S. 17th Drive
Phoenix AZ 85041
480-213-6499

From: [Leticia Rivera](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: GPA-SM-3-21-8
Date: Sunday, January 9, 2022 5:07:41 PM

Hello Mr. Bojórquez-Gaxiola,

I oppose GPA-SM-3-21-8 (Companion Case Z-58-21-8) and want to donate my speaking time to Zach Brooks.

Leticia Rivera
1716 W. Magdalena Ln
Phoenix, AZ 85041

From: [Miguel Rubio](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: GPA-SM-3-21-8
Date: Monday, January 10, 2022 1:57:14 PM

I oppose GPA-SM-3-21-8 (CAMPANION CASE Z-58-21-8) and want to donate my speaking time to Zach Brooks.

MIGUEL RUBIO

RB CONTRACTING LLC
8020 S 20TH AVE
PHX,AZ 85041
(602) 366 9334

From: [Mike Josic](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Cc: [Mike Josic](#)
Subject: GPA-SM-3-21-8 and Companion Case Z-58-21-8 Opposition
Date: Sunday, January 9, 2022 7:55:44 PM

Hi Enrique,
Please register my opposition and speaking time.
I oppose GPA-SM-3-21-8 and Companion Case Z-58-21-8 and want to donate my speaking time to Zach Brooks.

Thank you,

Mike Josic

From: [Norberto](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: Fw: City of Phoenix - Update on case GPA-SM-3-21-8
Date: Sunday, January 9, 2022 6:52:35 PM

I oppose GPA-SM-3-21-8 (Companion Case Z-58-21-8) and want to donate my speaking time to Zach Brooks"

Thank you

Norberto Rivera
1716 w Magdalena ln
Phx 85041

|

From: [Ravi Sharma](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Cc: [Ravi Sharma](#); zach@zbrooks.com
Subject: GPA-SM-3-21-8 (Companion Case Z-58-21-8)
Date: Sunday, January 9, 2022 5:15:52 PM

I oppose GPA-SM-3-21-8 (Companion Case Z-58-21-8) and want to donate my speaking time to Zach Brooks.

Thanks,

Ravi Sharma

From: [Snigdha Sharma](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Cc: [Ushma-email; zach@zbrooks.com](#)
Subject: GPA-SM-3-21-8 (Companion Case Z-58-21-8)
Date: Sunday, January 9, 2022 5:08:01 PM

I oppose GPA-SM-3-21-8 (Companion Case Z-58-21-8) and want to donate my speaking time to Zach Brooks

Thanks,

Mrs. Snigdha Sharma

From: [stephanie rubio](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: GPA-SM-3-21-8
Date: Monday, January 10, 2022 1:18:42 PM

I oppose GPA-SM-3-21-8 (Companion Case Z-58-21-8) and want to donate my speaking time to Zach Brooks.

Sent from my T-Mobile 4G LTE Device

From: [Steven Higginbotham](#)
To: [Enrique A Bojorquez-Gaxiola](#); [Council District 8 PCC](#)
Subject: I oppose GPA-SM-3-21-8 (Companion Case Z-58-21-8)
Date: Monday, January 10, 2022 9:49:52 AM

I live near 19th Avenue and South Mountain. I oppose GPA-SM-3-21-8 (Companion Case Z-58-21-8, aka the Andora project) and want to donate my speaking time to Zach Brooks.

I would like to request time on the SMVPC agenda for January 11 and to then yield that time to Zach Brooks.

--

Steven Higginbotham

From: [Dean Chiarelli](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: Andora revised site plan submitted January 10th, 2022
Date: Tuesday, January 11, 2022 11:36:58 AM

I am Dean Chiarelli and my address is 912 East La Mirada Drive, Phoenix AZ 85042.

I agree with the statement submitted by Jewel Clark regarding the updated Andora site plan submitted on January 10th, 2022. I advocate for the SMVPC to NOT approve an amendment to map and rezoning the area. The right developer will be able to make a profit without the need to amend the GPA and rezone. There is already a large and excessive amount of higher-density residential development under construction in the area right now.

Ms. Clark's rebuttal is cut and pasted below:

"After receiving the updated site plan submitted 1/10/22 I feel compelled to write a rebuttal and update from my original letter.

This plan appears to be an attempt to comply with SMVPC member requests and create the appearance of "working with the neighbors" and attempted the meagerest of reductions based on hearing the Vice Mayor say he wouldn't support 66 houses at our last meeting. The neighbors do not want a higher density development smack in the middle of S-1 acre+ lots with custom homes, active farmland, and horse properties.

While Mr. Gilbert may argue that K Hovnanian has now come down to the same density (in fact they've just copied the Kimura specs) the neighbors negotiated with John Poulsen across the street for the Kimura development, no one in the neighborhood wanted the density that was approved. We lacked any additional leverage to force the number lower and so agreed to the final density offer in exchange for other accommodations like the deep setback, and heat mitigation that we are still in negotiations on.

The neighborhood, as a body, wants lower density to prevail in our area because that is what we bought into this area for, and what the Rio Montana and 2015 General Plans dictate to preserve our rural character and certainty, and when we have the ability to hold a developer accountable to that lower density, we are prepared to use it, as we are here.

The property is zoned S-1. There is an R1-18 overlay that the developer could take advantage of to build to the density that the neighborhood would accept, along with other aspects like heat mitigation and building practices that would help keep our area cooler and more in line with the current rural character. As committee member Busching said at the December meeting, "There is no right to rezone." These particular cases are an excellent example with

which to practice this truth. There is nothing compelling in this site plan to warrant approving this GPA or rezoning request. There is no neighborhood support. Please vote no on both cases.

As an aside, I would like to address Dr. Brooks' eloquent words from the December meeting about a "growing inequity" between the developers and the neighborhoods who come before you. I very much appreciated hearing that and also hearing many other committee members support his statement. I would only differ in my agreement by saying the inequity is not growing but it is here. The virtual meetings, while convenient and we can agree necessary in these times, make it impossible for you to see the full quantity of opposed neighbors. A room full of people makes a certain impression that a list of attendees on Zoom can't. That and the lack of time for the neighborhood to present compared to the developer's lawyers and the lack of any rebuttal time for the neighborhood further stacks the deck in favor of the developer. I don't know if you have the power to adopt a more equitable format without turning the meeting into a 6 hour ordeal, but I do hope you can find a way".

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

--

H. Jewel Clark
hjewelclark@fastmail.com

From: [Dean Chiarelli](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: SMVPC Meeting Jan 11, 2022--- Abstain from vote
Date: Tuesday, January 11, 2022 2:58:06 PM

Re: GPA-SM-3-21-8 (Companion Case Z-58-21-8)
South Mountain Village Planning Committee [SMVPC]
Meeting January 11, 2022

I request that Ms. Daniels, SMVPC Chair, abstain from voting on the items. Ms. Daniels is a Realtor in the South Mountain area, and her real-estate business activities give the appearance of a conflict of interest. During prior meetings, Ms. Daniels declared herself a Realtor in South Phoenix, and remarked publicly that perhaps she could sell some properties reviewed by the SMVPC. It is unethical if she (or any other Planning Member) votes on an item they will benefit commercially and financially. Within Ms. Daniels' position of authority as Chair, she should exercise good judgment and abstain from voting.

The ***Village Planning Handbook*** item 8., page 9, states that a committee member should refrain from participating when a conflict of interest exists, and it includes language for a perceived conflict of interest.

8. A committee member shall refrain from participating in the discussion of or activity on any matter in which a conflict of interest exists. A conflict of interest refers to a situation when a board member has a competing financial or ownership interest that would make it difficult to fulfill his or her duties fairly. A true conflict involves a financial or ownership interest. However, a person may also have a perceived conflict of interest, even if no financial interest is involved. The ultimate obligation for complying with the conflict of interest laws lies with the individual. A committee member convicted of violating the conflict of interest laws is subject to criminal penalties and forfeiture of office. The City Attorney's Office is available to advise any person who thinks he or she may have a conflict of interest. A complete discussion of conflict of interests can be found in the Board and Commission member Resource Guide prepared by the City Clerk's Department.

Source:

https://www.phoenix.gov/villagessite/Documents/pdd_pz_pdf_00020.pdf#search=village%20planning%20handbook

Accessed January 11, 2022

Furthermore, the ***City of Phoenix Ethics Handbook- Employees & Volunteers*** page 8 clearly defines an example of conflict-of-interest for a Realtor Listing Agreement. The handbook states "If a board member participated in consideration of the matter, the board member should not later enter the listing agreement."

3. Examples–Conflict of Interest

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

a. Owns Property In Close Proximity

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

b. Worked Previously for Firm

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

c. Corporate Officer of Competitor

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

d. Developer

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

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

e. Realtor Listing Agreement

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

f. Owner of Regulated Business

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

g. Property Uniquely Affected by Land Use Plan

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

h. Contract of Close Relative

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

i. Source of More Than 5% Income

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

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

Ms. Daniel's appearance of a conflict of interest is based on LinkedIn™ website data regarding The Courtyards at Madison Ranch [Z-36-06], and Copper Leaf [Z-22-02]. Both were reviewed during Ms. Daniels' appointment to the SMVPC. Upon approval, Ms. Daniels had the opportunity to benefit commercially and financially as demonstrated below.



TAMALA L DANIELS

ING PROPERTIES ■ CREATING HOMES ■ LUXURY LIFESTYLE

Tamala L. Daniels, PLLC

New Home Developer Consultant, New Home Specialist at Surprise Estates at Trail of Light for Trail of Light Development Inc. Sales & Marketing #ONELUXE Realty One Group

Scottsdale, Arizona, United States · 500+ connections

Join to Connect



Trail of Light Development Inc.
Sales & Marketing #ONELUXE...



Ottawa University-Phoenix

Source: <https://www.linkedin.com/in/tamala-l-daniels-llc-b3372bb> [linkedin.com]

Accessed January 7, 2022.

Ms. Daniels LinkedIn™ profile identifies her as “**Exclusive Realtor**” for The Courtyards at Madison Ranch [Z-36-06].



<https://www.linkedin.com/in/tamala-l-daniels-llc-b3372bb>

Show more ▼



Realtor

The Courtyards at Madison Ranch

Mar 2014 - Feb 2016 · 2 years

NE Corner of 19th Avenue and Baseline Road

Exclusive Realtor for The Courtyards at Madison Ranch by Divinity Homes located in the Heart of South Mountain area.

Ms. Daniels' LinkedIn™ profile identifies her as “**New Home Developer Consultant, New Home Specialist**” for Copper Leaf [Z-22-02].



People ▼

Tamala L.

Daniels, PLLC



New Home Developer Consultant, New Home Specialist

Copper Leaf Development, Inc

May 2016 - May 2020 · 4 years 1 month

Phoenix, Arizona Area

SOLD OUT! Copper Leaf Villas community of 155 single family condominiums are the perfect location to keep you connected with all that Phoenix has to offer.

Beautifully designed condominiums are built in an amenity rich neighborhood and an ideal location make this the right choice for Phoenix home shoppers. Copper Leaf Villas is convenient to major transportation, health facilities, dining, shopping and nightlife. Minutes to Downtown Phoenix, Sky-Harbor Airport and Golf Courses. Offers...

I perceive Ms. Daniels' residential real-estate activity as a conflict of interest. I verbally stated my concern to Vice-Mayor Carlos Garcia during the community meeting on January 3rd, 2022. As Chair, Ms. Daniels has authority to facilitate meetings and alter the agenda order. In December, 2021 I observed her unfairly limit speaking time to various stakeholders, especially JoAnne Jensen who represented a community group. Other meeting attendees expressed agreement and appreciate this issue being brought to the table.

Village Planners function as volunteers, and I genuinely appreciate their devotion of time and energy to fulfilling their roles. As volunteers, Planners have an ethical obligation not to appear to have an actual or the appearance of a conflict of interest. I request that Ms. Daniels, and any other Committee Member who is a realtor or otherwise has a commercial interest, abstain from voting on GPA-SM-3-21-8 (Companion Case Z-58-21-8). There is a high-level of opposition which is well-documented within the community.

I am Pro-Development, and my position on these items is that the SMVPC should OPPOSE. The right builder will make a profit without the need to amend the map and rezone. This land is prime, and the best use is as part of PlanPHX 2015 and South Phoenix Food Plan enterprises (related to agricultural enterprise such as "agritainment") or residential, which does not increase density. A precedent is set by the City of Phoenix AZ Fresh™ initiative. I would like to see more businesses such as Grandma's Farm™, The Farm at South Mountain™, Arizona Worm Farm™ contribute to the unique, rich, historic location. Phoenix is poised to become a food innovation and agricultural hub. Prime land is lost forever when GPA map is amended and rezoned for higher-density, generic housing.

Dean Chiarelli

From: [Gina Baker](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: Fwd: Andora opposition letter to latest plan for anyone who wants to read/sign on.
Date: Tuesday, January 11, 2022 11:06:08 AM

Hi Enrique,

I'd like to add this as my written statement to the SMVP Committee regarding my opposition to the zoning change.

I agree wholeheartedly agree with the entire statement below.

>

> -----

>

> After receiving the updated site plan submitted 1/10/22 I feel compelled to write a rebuttal and update from my original letter.

>

> This plan appears to be an attempt to comply with SMVPC member requests and create the appearance of "working with the neighbors" and attempted the meagerest of reductions based on hearing the Vice Mayor say he wouldn't support 66 houses at our last meeting. The neighbors do not want a higher density development smack in the middle of S-1 acre+ lots with custom homes, active farmland, and horse properties.

>

> While Mr. Gilbert may argue that K Hovnanian has now come down to the same density (in fact they've just copied the Kimura specs) the neighbors negotiated with John Poulsen across the street for the Kimura development, no one in the neighborhood wanted the density that was approved. We lacked any additional leverage to force the number lower and so agreed to the final density offer in exchange for other accommodations like the deep setback, and heat mitigation that we are still in negotiations on.

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> The neighborhood, as a body, wants lower density to prevail in our area because that is what we bought into this area for, and what the Rio Montana and 2015 General Plans dictate to preserve our rural character and certainty, and when we have the ability to hold a developer accountable to that lower density, we are prepared to use it, as we are here.

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> The property is zoned S-1. There is an R1-18 overlay that the developer could take advantage of to build to the density that the neighborhood would accept, along with other aspects like heat mitigation and building practices that would help keep our area cooler and more in line with the current rural character. As committee member Busching said at the December meeting, "There is no right to rezone." These particular cases are an excellent example with which to practice this truth. There is nothing compelling in this site plan to warrant approving this GPA or rezoning request. There is no neighborhood support. Please vote no on both cases.

>

> As an aside, I would like to address Dr. Brooks' eloquent words from the December meeting about a "growing inequity" between the developers and the neighborhoods who come before you. I very much appreciated hearing that and also hearing many other committee members support his statement. I would only differ in my agreement by saying the inequity is not growing but it is here. The virtual meetings, while convenient and we can agree necessary in these times, make it impossible for you to see the full quantity of opposed neighbors. A room full of people makes a certain impression that a list of attendees on Zoom can't. That and the lack of time for the neighborhood to present compared to the developer's lawyers and the lack of any rebuttal time for the neighborhood further stacks the deck in favor of the developer. I don't know if you have the power to adopt a more equitable format without turning the meeting into a 6 hour ordeal, but I do hope you can find a way.

>

> Sincerely,

> Jewel Clark

> 2020 West South Mountain Ave.

> Phoenix, Az

Gina Johnson

1816 W Magdalena Ln
Phoenix, AZ 85041
Magdalena Estates
>
>

From: [H. Jewel Clark](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: Opposition to GPA-SM-3-21-8 and Z-58-21-8 (agenda items 8 and 9) - latest plan
Date: Tuesday, January 11, 2022 10:01:53 AM

Hi Enrique,

After receiving the updated site plan submitted 1/10/22 I feel compelled to to write a rebuttal and update from my original letter.

This plan appears to be an attempt to comply with SMVPC member requests and create the appearance of "working with the neighbors" and attempted the meagerest of reductions based on hearing the Vice Mayor say he wouldn't support 66 houses at our last meeting. The neighbors do not want a higher density development smack in the middle of S-1 acre+ lots with custom homes, active farmland, and horse properties.

While Mr. Gilbert may argue that K Hovnanian has now come down to the same density (in fact they've just copied the Kimura specs) the neighbors negotiated with John Poulsen across the street for the Kimura development, no one in the neighborhood wanted the density that was approved. We lacked any additional leverage to force the number lower and so agreed to the final density offer in exchange for other accommodations like the deep setback, and heat mitigation that we are still in negotiations on.

The neighborhood, as a body, wants lower density to prevail in our area because that is what we bought into this area for, and what the Rio Montana and 2015 General Plans dictate to preserve our rural character and certainty, and when we have the ability to hold a developer accountable to that lower density, we are prepared to use it, as we are here.

The property is zoned S-1. There is an R1-18 overlay that the developer could take advantage of to build to the density that the neighborhood would accept, along with other aspects like heat mitigation and building practices that would help keep our area cooler and more in line with the current rural character. As committee member Busching said at the December meeting, "There is no right to rezone." These particular cases are an excellent example with which to practice this truth. There is nothing compelling in this site plan to warrant approving this GPA or rezoning request. There is no neighborhood support. Please vote no on both cases.

As an aside, I would like to address Dr. Brooks' eloquent words from the December meeting about a "growing inequity" between the developers and the neighborhoods who come before you. I very much appreciated hearing that and also hearing many other committee members support his statement. I would only differ in my agreement by saying the inequity is not growing but it is here. The virtual meetings, while convenient and we can agree necessary in these times, make it impossible for you to see the full quantity of opposed neighbors. A room full of people makes a certain impression that a list of attendees on Zoom can't. That and the lack of time for the neighborhood to present compared to the developer's lawyers and the lack of any rebuttal time for the neighborhood further stacks the deck in favor of the developer. I don't know if you have the power to adopt a more equitable format without turning the meeting into a 6 hour ordeal, but I do hope you can find a way.

Sincerely,
Jewel Clark

2020 West South Mountain Ave.
Phoenix, AZ 85041

--

H. Jewel Clark

hjewelclark@fastmail.com

From: [Leticia Rivera](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: I support the following statement
Date: Tuesday, January 11, 2022 10:58:26 AM

Mr Bojórquez-Gaxiola,

This statement was not written by me but am in support of the request it makes.

“This plan appears to be an attempt to comply with SMVPC member requests and create the appearance of "working with the neighbors" and attempted the [most meager] of reductions based on hearing the Vice Mayor say he wouldn't support 66 houses at our last meeting. The neighbors do not want a higher density development smack in the middle of S-1 acre+ lots with custom homes, active farmland, and horse properties.

While Mr. Gilbert may argue that K Hovnanian has now come down to the same density (in fact they've just copied the Kimura specs) the neighbors negotiated with John Poulsen across the street for the Kimura development, no one in the neighborhood wanted the density that was approved. We lacked any additional leverage to force the number lower and so agreed to the final density offer in exchange for other accommodations like the deep setback, and heat mitigation that we are still in negotiations on.

The neighborhood, as a body, wants lower density to prevail in our area because that is what we bought into this area for, and what the Rio Montana and 2015 General Plans dictate to preserve our rural character and certainty, and when we have the ability to hold a developer accountable to that lower density, we are prepared to use it, as we are here.

The property is zoned S-1. There is an R1-18 overlay that the developer could take advantage of to build to the density that the neighborhood would accept, along with other aspects like heat mitigation and building practices that would help keep our area cooler and more in line with the current rural character. As committee member Busching said at the December meeting, "There is no right to rezone." These particular cases are an excellent example with which to practice this truth. There is nothing compelling in this site plan to warrant approving this GPA or rezoning request. There is no neighborhood support. Please vote no on both cases.

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Leticia Rivera
1716 W. Magdalena Ln
Phoenix 85041

From: [Ravi Sharma](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Cc: [Ravi Sharma](#)
Subject: City of Phoenix - Update on case GPA-SM-3-21-8
Date: Tuesday, January 11, 2022 1:59:12 PM

Hello Mr. Bojorques-gaxiola,

Upon reviewing the updated plan submitted 1/10/2022, my wife and I oppose the latest plans offered by the developer.

The neighborhood, as a body, wants lower density to prevail in our area because that is what we bought into this area for, and what the Rio Montana and 2015 General Plans dictate to preserve our rural character and certainty, and when we have the ability to hold a developer accountable to that lower density, we are prepared to use it, as we are here.

The property is zoned S-1. There is an R1-18 overlay that the developer could take advantage of to build to the density that the neighborhood would accept, along with other aspects like heat mitigation and building practices that would help keep our area cooler and more in line with the current rural character. As committee member Busching said at the December meeting, "There is no right to rezone." These particular cases are an excellent example with which to practice this truth. There is nothing compelling in this site plan to warrant approving this GPA or rezoning request. There is no neighborhood support. Please vote no on both cases.

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My wife and I support the above statements.

Dr. Ravi and Snigdha Sharma
8012 S. 20th. Avenue
Phoenix, AZ85041

From: [Rob Barnes](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: FW: Opposition to development
Date: Tuesday, January 11, 2022 10:57:45 AM

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Rob Barnes <rob@copperstatemetals.com>
Date: 1/11/22 10:54 AM (GMT-07:00)
To: enrique.bojorquezgaxiola@phoenix.gov
Subject: Opposition to development

I agree with the following statement from H.Jewel Clark, additionally I would like to yield my speaking time to Zach Brooks.

Respectfully,
Robert Barnes
Magdalena Estates
8312 S 18th Ln
Phoenix AZ 85041

After receiving the updated site plan submitted 1/10/22 I feel compelled to to write a rebuttal and update from my original letter.

This plan appears to be an attempt to comply with SMVPC member requests and create the appearance of "working with the neighbors" and attempted the meagerest of reductions based on hearing the Vice Mayor say he wouldn't support 66 houses at our last meeting. The neighbors do not want a higher density development smack in the middle of S-1 acre+ lots with custom homes, active farmland, and horse properties.

While Mr. Gilbert may argue that K Hovnanian has now come down to the same density (in fact they've just copied the Kimura specs) the neighbors negotiated with John Poulsen across the street for the Kimura development, no one in the neighborhood wanted the density that was approved. We lacked any additional leverage to force the number lower and so agreed to the final density offer in exchange for other accommodations like the deep setback, and heat mitigation that we are still in negotiations on.

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Sent from my Verizon, Samsung Galaxy smartphone



TDRANCH

January 4, 2022

Mr Vice Mayor Garcia
Cc: Mayor Kate Gallego
CC: Planning commission

RE: Z-31-21 GPA-SM-2-21.
Z-58-21-8 GPA-SM-3-21-8 and Z-71-21-8
GPA-SM-4-21-8

Dear Sir and all,

We wanted to contact you further with our thoughts on the developments that have been proposed that surround our property on three sides. Thank you for your time and "listening" meetings. It appears you have made sincere efforts to understand our community and its true needs. Reflecting on your comments in regards to need for infrastructure funding and support by developers and the balance with our community and "your constituents" opposition. Clearly you can see these projects are wrong in concept, wrong in vision and complicate the stress that already exists on environment and water. Arizona in general is filled with this type of uninspired walled in "stick built" trailer parks. This area in particular had a plan in place for the type of development and zoning that reflects a blend of development and community. It is your job and planning persons to be true advocates for your constituents. Not the carpetbaggers with a slick lawyer that come into agricultural communities create the blight they blindly build and move on forever removing viable fertile land available to agriculture. The innovative Zach Brooks and the Worm Farm represent a future with exciting use and possibilities in agriculture. We urge you and all decision makers to take a stand for the future and our community by sending these developers a "NO SALE" notice. If zoning is allowed to be changed on all 3 projects, our lives and negative impact will set the table for complete destruction of agriculture within the city limits. These type of developers should be encouraged by the mayor and city to move to inner city blighted lots and build and make it a win win for both. These projects do not represent the highest and best use nor do they address the high demand for quality of life balanced with innovative housing solutions and should be denied out of hand.

Sincerely yours,

Ted and Dianne Olivo

CONTACT

8804 S 19TH AVE PHOENIX AZ 85041. 617-645-8591 TDRANCH@ICLOUD.COM

Enrique A Bojorquez-Gaxiola

To: Erin Hegedus
Subject: RE: Rezoning request for 19th Avenue & Southern

For Z-31-21-8 and GPA-SM-2-21-8, and Z-58-21-8 and GPA-SM-3-21-8 case files.

From: [Erin Hegedus](#)
Sent: Wednesday, October 20, 2021 5:10 PM
To: info@TechnicalSolutionsAZ.com; [Council District 8 PCC](#)
Subject: Rezoning request for 19th Avenue & Southern

I reside at 8630 South 19th Avenue and am very concerned with the request to rezone this property. Myself and our neighbors have aggressively contested this previously and continue to do so.

My concerns, to list a few are:

Infrastructure does not support an increase in density.

- South Mountain Avenue is at best a two lane road from 7th Street to 27th Avenue. There are several areas of this road that are only one lane and the road is continually backed up especially when school is in session.
- 19th Avenue is also a two lane road with open canals to the east and the west and cannot support the current traffic and has been subject to several fatalities in the last 3 years.
- Additionally, Dobbins Road is a two lane road from 20th Street to 43rd Avenue and has been heavily backed up for years.

There are many developments on Dobbins Road that are in process that are going to affect all of us that reside in the area.

Furthermore, the housing that is proposed is not compliant with the homes that are in the area, which are larger lots, higher value and conform to the current Rio Montana plan that was approved by the City Council.

I am not only concerned with the lack of infrastructure but the fact that the higher density homes will greatly devalue our homes that conform to the current zoning.

I ask that you review the plans and decrease the density to conform to the Rio Montana plan as we have requested previously.

Sincerely,
Erin Hegedus, CMRP

Sent from [Mail \[go.microsoft.com\]](mailto:info@TechnicalSolutionsAZ.com) for Windows