

Attachment G

From: [Erin Hegedus](#)
To: [Enrique A Bojorquez-Gaxiola](#); [Council District 8 PCC](#)
Cc: [bassinby@msn.com](#); [erintkhegedos@hotmail.com](#)
Subject: GPA-SM-2-21-8 (Companion Case Z-31-21-8):
Date: Sunday, November 7, 2021 4:26:47 PM

I am writing to request to speak to the referenced rezoning request by Providence Homes and Newcastle Development.

I want to state in advance that although I would rather maintain the last of the agriculture that is left in Phoenix, I know that ultimately the land will be developed.

I ask for consideration of the following:

- An explanation of how the already exhausted infrastructure of South Mountain Avenue, Dobbins Road and 19th Avenue would tolerate the approximately 300 + more vehicles this development will create.
- Currently, Dobbins Road, South Mountain Avenue and 19th Avenue are only two lane roads surrounded by irrigation canals ... In some areas of South Mountain Avenue, this road reduces to one lane.

I am aware that the developer will present to the Council that there is a shortage of housing,, however, there are hundreds of developments underway in this area code which would offset that concern.

Additionally, I ask to respect the Rio Montana Plan that was strategically planned to maintain the integrity of this neighborhood.

Higher density housing and lower cost housing are a conflict to that plan and would negatively affect this neighborhood and any additional interest in retailers that might consider this area.

Respectfully,

Erin Hegedus, CMRP
8630 South 19th Avenue
Phoenix, AZ 85016

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

From: [Miguel Rubio](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: RE: Kimura gardens opposition lette
Date: Tuesday, November 9, 2021 2:18:52 PM
Attachments: [image001.png](#)

Hello Enrique once again..

We are opposed to this project ,because it will affect us pretty bad, as we have a hard time getting out of our property on 8020 s 20th ave , every time we get on the intersection of latona and 19th ave , it takes forever for us to have access and having several hundred of vehicles is going to make it worse.

That reason the we bough our property is because we like the rural life, and having all that people living here next to us is going to affect me and my family.

The value on our property is going to decrease and is not what I want for me and my family.

We figth it over this with mister ward on the opposite corner, and this is going to be the same we are a really good community , we stay together and this is what we want for our kids and grandkids.

This is one of the last places the still have the opportunity to have this privacy and this people is trying to take it from us.

We are not opposed of them building we just wanted to preserve large lots and low density.

I am pretty sure that you guys would do the same for your family.

Thank you very much and have a great day.

MIGUEL RUBIO

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

From: [Enrique A Bojorquez-Gaxiola](#)
Sent: Tuesday, November 9, 2021 8:15 AM
To: [Miguel Rubio](#)
Subject: RE: Kimura gardens

Good morning Miguel,

How are you? You may email me your opposition letter in regards to this project (Case Nos. GPA-SM-

2-21-8 and Z-31-21-8).

Let me know if questions arise.

Thank you!

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



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: Miguel Rubio <Rb_contracting1lc@outlook.com>
Sent: Monday, November 8, 2021 9:10 PM
To: Enrique A Bojorquez-Gaxiola <enrique.bojorquez-gaxiola@phoenix.gov>
Subject: Kimura gardens

Hello Enrique, this is MIGUEL RUBIO.

I would like to know where can I send my opposition letter to..?

Rb contracting llc
8020 s 20th Ave
Phoenix az, 85041
602 366 9334

Racelle Escolar

From: Robin Shared <steven.rebekah.hz@gmail.com>
Sent: Tuesday, November 30, 2021 12:17 PM
To: Racelle Escolar; Enrique A Bojorquez-Gaxiola; PDD Planning Commission; Council District 8 PCC; Adriana Garcia Maximiliano
Subject: community comments re development case numbers: Z-31-21 and GPA-SM-2-21

Hello,

I am writing to express my concerns about the proposed Kimura Gardens development at the intersection of South Mountain Lane and 19th Avenue. Some of these concerns are specific to this development and its developer (Providence Homes), while others, especially traffic and flood management, relate to both Kimura Gardens and to the area as a whole including other developments in planning stages.

For the reasons below, I'm requesting more time for the community, the city and the developer to work together to find solutions to the concerns about this development and the way the approvals process has functioned thus far.

Providence Homes proposes to build a development on about 49 acres with at least 160 units at the SE corner of 19th Ave and South Mountain Lane.

The busiest corner of South Mountain lane is the northeast corner where Magdalena Estates development has 26 houses. Immediately east of the proposed location for Kimura Gardens is another Providence Homes development, The Commons, which has 35-40 homes. The northwest corner has 3 houses and the southwest corner is open land.

There is no way that 160 units in the middle of this community will not have a serious impact that goes far beyond obliterating the very real neighborhood character that Providence Homes claims to respect.

South Mountain Lane is a very busy stretch of multipurpose road that includes traffic from pedestrians, bicycles and equestrians in addition to a wide variety of vehicle traffic from Mini Coopers to large scale farm equipment.

Improvements are needed to make this area safe for the wide variety of foot, bike, horse and vehicle traffic that are already exists. Simply widening the road will not be sufficient, as functional wide paths are needed to safely separate the volume of diverse traffic the area already gets.

Adding at least 160 vehicles to this area will be an immediate and serious unsafe impact on everyone who uses this street.

Flooding off of South Mountain is an ongoing issue in the area as a whole and especially at the intersection of 19th Ave and South Mountain Lane. This intersection is not safe to drive through in any amount of rain, which at times will flood not only the intersection but much of 19th Ave north of the intersection.

Replacing what is currently a highly absorbant cotton field on the southeast with houses, streets and driveways will significantly impact water movement in this area which must be considered and safely managed to protect drivers on 19th Ave as well as the existing properties that surround the area.

This is especially a concern given that the developer representative claimed in the November 9 meeting that he doesn't have up to date flood maps because he hasn't been "given them." (This despite multiple attempts to rush the process).

We absolutely do not want a development going in near us that threatens our safety in multiple ways, as Kimura Gardens currently does by proposing to more than double the drivers at this intersection without

making plans for traffic or flooding, let alone showing any awareness or respect for the community's semi-rural zoning and lifestyles.

The developer has also told multiple people in the community that Providence Homes will show their respect for the community by committing to single story buildings, to following the Rio Montana plans and to minimal zoning increases - yet in meetings, he proposes increasing units per lot to 3.5 (instead of 2) and showed multistory buildings with garage prominent designs. The developer's representative also responded with noticeable aggravation to questions about the multiple significant deviations from the Rio Montana plans they claim to be following and to questions about the discrepancies between the several different lot layouts shown and the inconsistent representation of green areas which make evaluating the plans for lot size, unit size and responsible water management impossible.

In addition to my concerns about Kimura Gardens and about large scale development in the South Mountain Village area, I have serious concerns about the procedures and transparency of the Nov 9 zoning meeting.

In this meeting, the developer took intellectual property from community members and incorporated it into his presentation with the aid of the staff who set up the meeting and shared her materials without her knowledge or consent, while in turn the developer's presentation materials were not made available to other commenters by the staff.

This is highly concerning - as are the multiple procedural irregularities noted by board members throughout the meeting and especially during this presentation. Procedural concerns included (but were not limited to) the developer's presentation being submitted late, the board members not having a chance to review the material, the developer rushing approval process steps and trying to piggyback additional approvals into the process and other breaks with procedure for the process and for the meeting itself.

The impression given to the audience was that participation in the approval process is not equal or transparent and that many of the board members are willing to skip following procedure and not listen to the board members who are concerned about following the rules laid out for equity and transparency.

Best,
Rebekah

From: Gina Johnson <bakergmb@gmail.com>
Sent: Tuesday, November 30, 2021 3:30 PM
To: PDD Planning Commission; Southmountainand19th@gmail.com
Subject: 12/2/21 comment for Item 4. GPA-SM-2-21-8

Hello,

I am a resident of Magdalena Estates, adjacent to the general plan amendment consideration for Kimura Gardens at 19th Ave and South Mountain Ave, Item 4: GPA-SM-2-21-8 (Item 3: Companion Case Z-31-21-8) . I would like to appeal to the committee to ensure the general plan submitted aligns to the City plan of Rio Montana recommendations and continue this request by sending back to the South Mountain Village Planning Committee for further review, community discussion, and planning.

Rio Montana plan states the closer to South Mountain the lesser the density. I believe this property should be zoned as R1-18 to support 2.34 (with bonus) units/acre rather than the proposed R1-10 that would put 3.25 units/acre. This is too dense for this rural area. I understand the growth of Phoenix, but we must maintain quality of rural life in one of the few places in Phoenix it's still found while maintaining mountain view property values. The developer has much to do still to support the Rio Montana plan and enhance the South Mountain area, not continue to reduce it.

Additionally, the staff for the South Mountain Village (SMV) Planning Committee handled this process poorly by trying to rush through the GPA and the rezoning at the same time with insufficient time for review by the SMV Planning Committee and the Public. Not allowing the neighborhood to provide input on the GPA. Thankfully, the committee recognized this poor management and continued the zoning process.

It is not often I would submit my comment but I care for this community, the resale values. and continued uplifting and improvement of South Phoenix areas. Please consider not approving this General Amendment Plan and send it back to the South Mountain Village Planning Committee. As of 11/29/21 the developer didn't have an amended plan to share with the community or to present to you. I think they need more time to complete their plan and I ask that you, at minimum, continue this request for the developer to submit an adjusted plan.

Thank you,
Gina Johnson
Magdalena Estates
1816 W. Magdalena Lane Phoenix, AZ 85041
bakergmb@gmail.com

Racelle Escolar

From: Steven Higginbotham <steven.w.higginbotham@gmail.com>
Sent: Tuesday, November 30, 2021 5:13 PM
To: Racelle Escolar; Enrique A Bojorquez-Gaxiola; PDD Planning Commission; Council District 8 PCC; Adriana Garcia Maximiliano
Subject: community comments re development case numbers: Z-31-21 and GPA-SM-2-21

I'm commenting as a community resident near where Kimura Gardens will be built, to ask that the approval process be slowed.

There are several concerns about this development that have yet to be answered, including safety issues for current residents and future residents. The infrastructure in this area is simply not prepared for 160 units and the estimated 300+ more drivers that would accompany them. The intersection at South Mountain Lane and 19th Avenue is already overwhelmed with just two neighborhoods under 40 units each, as is South Mountain Lane, which is barely a lane and a half.

Our community supports development that follows zoning R1-18 and layouts like that in the Rio Montana Plan.

I believe more time would allow the community, the city and the developer to work together to find solutions to the concerns.

Sincerely,
Steven Higginbotham

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Steven Higginbotham

Racelle Escolar

From: Erin Hegedus <erinTKhegedus@hotmail.com>
Sent: Tuesday, November 30, 2021 5:21 PM
To: PDD Planning Commission; Adriana Garcia Maximiliano; Council District 8 PCC; Council District 3 PCC; Enrique A Bojorquez-Gaxiola
Subject: Z-31-21-8

I am writing to address my concerns with the referenced plan as it does not conform to the Rio Montana Plan that was purposely thought out to maintain the integrity of this unique are in Phoenix. There are few areas of this density and agriculture presence in the valley and once developed will never return.

Among my concerns are the following:

- Alleys for rear entry garages (indicated in the Rio Montana Plan for R1-10 and lower density)
- Side entry garages if not all areas can have alleys
- Any garages left that are font-facing have a minimum 10' setback to the front of the house. All of the facade examples have front facing garages that are or are nearly 50% of the front of the house. This is a no-no.
- Actual porches on all home designs. This is in the stipulations by the city planning staff but not reflected in the housing design examples. That said, the staff does not recommend adherence to those designs.
- Staggered lot sizes side by side. The RM Plan specifically calls for lot widths to vary in an alternating pattern, for example: 55ft, 65ft, 55ft, 65ft, etc. As laid out, the current site design groups the same sized lots together.
- Commitment to drought tolerant/native trees on properties and not just in the open spaces to mitigate heat island effect.
- Shaded sidewalks within the development and not just on the perimeter landscaping
- Preserve irrigation (this was a subject requested/asked about by one of the committee members)
- LEED building practices

Additionally, and most importantly to me, the infrastructure does not support the current traffic, let alone the additional traffic that the request for increased density will bring to the area.

I ask for you to look at this request with the eyes that believe in maintaining unique neighborhoods in Phoenix.

Thank you.

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

Racelle Escolar

From: H. Jewel Clark <hjewelclark@fastmail.com>
Sent: Tuesday, November 30, 2021 5:44 PM
To: PDD Planning Commission
Cc: Racelle Escolar; Enrique A Bojorquez-Gaxiola
Subject: Comments for Item #4, Case GPA-SM-2-21-8 - City of Phoenix Planning Commission meeting- Dec. 2, 2021

Agenda item #4, Case GPA-SM-2-21-8

To Whom It May Concern,

I am writing to oppose the approval, at this meeting, of case GPA-SM-2-21-8, which changes the zoning of 49.5 acres on the southeast corner of 19th Ave. and West South Mountain Ave. from S-1 to R1-10 and request that it be returned to the South Mountain Village Planning Committee for further discussion in conjunction with its companion case Z-31-21-8.

My husband and I have our home at 2020 W. South Mountain Ave., and we have owned that property since Nov. 2009. We purchased in the area for the larger lots, custom homes, and equestrian/rural character of the South Mountain area. While we are not opposed to development, we and our neighbors strongly believe that the design and planning guidelines of the 2015 Phoenix General Plan and the Rio Montana Plan be adhered to- just as we have adhered to them- when any new development is proposed. That plan, and the future certainty that it provided, factored highly in our decision to buy our property here.

Mr. John Poulsen of Providence Homes has requested a zoning density of R1-10 that is flatly incompatible with the neighborhood character of the surrounding area and in an area with a known history of street flooding and undeveloped infrastructure. That said, Mr. Poulsen does seem to be working in good faith with the neighbors to try and find compromise, and we welcome that. However, there is much that is still up in the air. Mr. Poulsen and Ben Tate from Withey Morris met for the first time since the SMVPC meeting just this Monday, Nov. 28, with the neighbors to hear our concerns and our ideas. We felt the conversation was productive, but they have not had time to draft any changes to the site plan to present or have additional dialog with the neighbors as of this letter.

The companion case Z-31-21-8 was not approved by the South Mountain Village Planning Committee because there was a lack of adherence to the Rio Montana Plan, many neighbors were opposed- citing very real concerns about neighborhood character, home values, and inadequate infrastructure for traffic and flooding- and that the city planning staff did not submit their documents until the Friday before the meeting, providing inadequate time for the public and the committee to thoughtfully review the proposal.

I respectfully request that GPA-SM-2-21-8 remain with its companion case Z-31-21-8 at the South Mountain Village Planning Committee in the approval process and only move forward once Mr. Poulsen and the neighbors have had more time to work together and resolve the development concerns therein.

Jewel Clark
2020 West South Mountain Ave.
Phoenix, AZ 85041
480.664.9436
hjewelclark@fastmail.com

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H. Jewel Clark
hjewelclark@fastmail.com

Racelle Escolar

From: JoAnne Jensen <joannejensen@cox.net>
Sent: Tuesday, November 30, 2021 5:48 PM
To: PDD Planning Commission
Subject: Z-31-21-8 and GPA-SM-2-21-8

Hello and thank you for taking my comments.

We live in Magdalena Estates, a group of homes immediately north of the planned Kimura Gardens development.

First – thanks to the Poulson group for engaging in ongoing conversations with us and our neighbors to best work out how we all can be comfortable with inevitable change. They have been very attentive and have been patiently willing to modify their plans.

In fact, a sizable group of neighbors met with Mr. Poulson and Mr. Tate on the afternoon of Monday (11/29) at the planned Kimura Gardens site to review our collective wants and needs. And, as of this writing, a telephonic conference call is being scheduled for later this week.

Which brings me to my second, and main, point. The review process for these two requests (which go hand in hand) is so compressed that it is ahead of the ongoing evolution of the plan. In other words, there has been no time to formalize the modifications. This is not the fault of the Planning Commission or of any governmental organization, it is just a timing issue. And timing issues can easily be remedied by taking a time out, which by no means is the same as denying a request.

This is my request – can we please return to the Village Planning level with both requests and take a breath before any further formal action is taken? We need this to give us a chance to help prepare the best possible development plan which will be acceptable to the largest number of people and to present a concrete proposal rather than an ever changing and amorphous concept. Procedurally and administratively, it makes most sense if these two requests are kept in synch. Just as it makes the most sense for all the details to be in place before the concept is approved.

There is no one with whom I have spoken who opposes development, if the density and home sizes / construction are consonant with The Commons and Magdalena Estates. We know growth and change are coming and, when properly done, will bring benefits for everyone. The willingness of Mr. Poulson and Mr. Tate to sit and discuss and listen is impressive and I am confident that by encouraging the design guidelines from the Rio Montana Plan for this area, the Poulson group will find support. We purchased our home because of the demographics, the lot sizes, the quality of construction, and the quiet rural nature of Magdalena Estates. Our goal is to continue that quality of life.

Thank you for considering my remarks. Based on comments from other neighbors, I can safely say that this represents the perspectives of the majority of our community.

Racelle Escolar

From: Dianne Olivo <tdranch@icloud.com>
Sent: Thursday, December 2, 2021 1:17 PM
To: PDD Planning Commission
Subject: GPA-SM-2-21-8

I am directly across from this proposed project.

I am opposed to the rezoning of agriculture property it should remain as zoned agriculture And 1 dwelling per acre for following reasons:

- # 1 Density would increase strain on already stretched water resources especially during drought. There should be an impact study of the water use and needs as well as all the other reasons i.e. traffic and especially the pollution impact of adjacent neighbor to south (produces methane gas) into the air.
- 2- buildout irrigation throughout development to each 1 acre lot and increase pricing to offset.
- 3- Bottom line there is no proven need for more nondescript housing anywhere currently. especially taking out valuable agricultural quickly disappearing land to be paved under asphalt adding to our climate change and O-Zone problems that's why we have zoning and hopefully responsible people on the board

Dianne Olivo
TDRANCH
8804 S 19th Ave

From: [Steven & Rebekah Higginbotham](#)
To: [Council District 8 PCC](#); [Enrique A Bojorquez-Gaxiola](#)
Subject: I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8
Date: Sunday, December 12, 2021 9:45:30 PM

I live near 19th Avenue and South Mountain and I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8 (aka Kimura Gardens).

Best,
Rebekah

From: [Steven Higginbotham](#)
To: [Enrique A Bojorquez-Gaxiola](#); [Council District 8 PCC](#)
Subject: I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8
Date: Sunday, December 12, 2021 10:18:14 PM

Hello,

I live near 19th Avenue and South Mountain and I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8 (aka Kimura Gardens).

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Steven Higginbotham
1804 w Magdalena Ln, Phoenix, AZ 85041

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Steven Higginbotham

From: [Patti Trites](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Cc: [Tamala Daniels](#); trentchristopher@gmail.com; [Marcia Busching](#); twanna.bhna@yahoo.com; [Greg Brownell](#); edward@yourgreatestself.com; [Adriana Garcia Maximiliano](#)
Subject: REquest to speak and comment: Z-31-21-8 GPA-SM-3-21-8
Date: Monday, December 13, 2021 12:05:57 PM

Dear Enrique

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

I would like to also speak for Agenda Item # 6 & 7 for Z-31-21-8 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.

- Thank you also for keeping the entrance and exit into this new proposed community off of 19th Avenue.

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

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.

- 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;

1. Avoid block walls 'prison' effect around the new communities.
2. Please include plenty of plants/trees and Decorative Iron Fencing to surround the new developments.
3. Please have interior green space for the new residents.

These three items - when done correctly - will enhance the area and match the unique South Mountain Preserve Area.

Lets keep South Mountain Preserve beautiful.

Thank you.

Patti Trites
Homeowner at South Mountain
President of Southern Hills HOA

Cell: 402 213 7126

Email: pattihoash@gmail.com

From: [Erin Hegedus](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: Kimura - case Z-31-21-8 (GPA-SM-2-21-8 is currently continued)
Date: Monday, December 13, 2021 6:45:09 PM

I am asking for a continuance to this case.

The developer has recently met with the community but has submitted to the Council a different plan that was discussed. I believe this project is being accelerated without documentation on what the community is asking in order to maintain the character and diversity of our neighborhood.

I am extremely concerned with how the infrastructure is going to support this development in addition to the existing, let alone the new homes that are currently under construction on South Mountain Avenue and Dobbins Road.

These roadways are 1 to 2 lane roads that currently cannot support the traffic, I ask that you consider this, and before approving further development, conduct a study plan in advance to understand the impact, not only on the traffic but the heat island this and other developments are creating.

Respectfully,
Erin Hegedus
8630 South 19th Avenue

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

From: [JoAnne Jensen](#)
To: [Enrique A Bojorquez-Gaxiola](#)
Subject: Z-31-21-8 and GPA-SM-2-21-8 Continuance Recommendation
Date: Monday, December 13, 2021 7:54:18 PM

Hello -

This is to request a continuance for item Z-31-21-8, to rezone the 49.5 acre parcel on the southeast corner of 19th Avenue and South Mountain to R1-18.

The community is in ongoing discussions with the Providence group, who is developing this parcel. The current stipulations do not and will likely not be reflected in the final proposal, when all is said and done. It is my feeling that the South Mountain Village Planning Committee should have the opportunity to review the final version and make its recommendation to the Planning Commission based on something that is more than notional.

We thank the Providence group for their time and attention to the neighbors and hope that we are nearing completion of our talks.

We also believe that there is no harm done by taking a deep breath; by taking our time, we will get it right rather than rushing into something which is ill-conceived and which may have unintended consequences.

Please add me to the list of those requesting a continuance. A continuance is not a rejection, nor does it equate with opposition. We know there will be development, we just want to be sure it is appropriate to this area.

Thank you all very much for your efforts on behalf of our unique rural community.

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

Enrique A Bojorquez-Gaxiola

From: H. Jewel Clark <hjewelclark@fastmail.com>
Sent: Tuesday, December 14, 2021 11:40 AM
To: Enrique A Bojorquez-Gaxiola
Subject: Re: Opposition to Cases GPA-SM-3-21-8 and Z-58-21-8 - SMVPC meeting Dec. 14, 2021

Hi Enrique,

Thank you! Here's my letter for Kimura.

Opposition to case Z-31-21-8, agenda item #6

I am writing in opposition to the Kimura Gardens development project (case number referenced above) and to request a continuance for the reasons stated here.

Despite the committee voting to approve the General Plan Amendment (case GPA-SM-2-21-8), both plans are overwhelmingly opposed by the surrounding community for the principal reason that the density is wholly inappropriate for our area in addition to issues of traffic, flooding, and heat island concerns that have not been addressed. Since the last committee meeting there have been other developments that keep the community opposed to the plan as submitted.

We've had some challenges in working with Withey Morris and Mr. Poulsen to find common ground.

The Vice Mayor is aware of the neighborhood's concerns and has arranged a meeting, which he will attend, for the neighbors and Mr. Poulsen/Withey Morris to talk through our outstanding issues with this development. That meeting is scheduled for Wednesday, Dec. 15. A continuance until such talks are complete is respectfully requested.

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

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H. Jewel Clark
hjewelclark@fastmail.com

On Tue, Dec 14, 2021, at 8:16 AM, Enrique A Bojorquez-Gaxiola wrote:

Good morning Jewel,

How are you? Thank you for sending over the following information on these two cases. I will save a copy in the case file and will share it with the South Mountain VPC as well.

By the way, the Chair has agreed to hear your presentation tonight. I would anticipate maybe 2 minutes for the presentation, but she will assign the actual time to all speakers.

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

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: 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: rob@copperstatemetals.com
Sent: Tuesday, January 4, 2022 8:49 AM
To: PDD Planning Commission
Subject: GPA-SM-2-21-8 and Z-31-21-8 items 8 and 9

4 JAN 2022

Honorable Planning Commission Members:

We are writing to voice our opposition to the Kimura development as it currently stands. Our concerns are the increase in traffic on streets which are already used beyond their capacity. By any definition, portions of South Mountain Ave. and 15th Ave. are only one lane and poorly maintained. Additionally the intersection of South Mountain and 19th Ave. is already dangerous and will only get worse with the addition of well over 100 homes in this development alone. We would also ask the Commission to consider the effect on the property values of the current residents. Most lots are 1/4 acre and more in the area, and most homes are well over 2200 sf as well as single story only. Allowing smaller homes on smaller lots will only exacerbate the current traffic and drainage issues in the area and negatively impact the property values of the established residents in order to allow the developers to make more money. This is not good for the community and it is not just. Thank you for your time and consideration.

Respectfully,

Robert D. Barnes
Geniveve R. Tapia

8312 S. 18th Lane
Phoenix, AZ 85041

Racelle Escolar

From: azleatherking <azleatherking@aol.com>
Sent: Tuesday, January 4, 2022 3:19 PM
To: PDD Planning Commission
Subject: Kimura project 19th ave

My name is Don Olson, and I own 8640 s 19ave, across the street from the proposed Kimura project. I am vehemently opposed to the density of homes being asked for by the developer. This area is ag/residential, and the infrastructure does not support what is here now, much less adding 150 houses.

GPA-sm-2-21-8

Z-31-21-8

Don olson 8640 s 19 ave, phx 85041
602 434 5641

Sent from my T-Mobile 4G LTE Device

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 Z-31-21-8 and GPA-SM-2-21-8

I live near 19th Avenue and South Mountain and I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8 (aka Kimura Gardens) on the following grounds: discussions between the community and the developers are ongoing and the currently submitted stipulations are not only inconsistent with those conversations but also inadequate for the safety and quality of life of this community.

Best,
Rebekah

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 Z-31-21-8 and GPA-SM-2-21-8

I live near 19th Avenue and South Mountain and I support continuance for cases Z-31-21-8 and GPA-SM-2-21-8 (aka Kimura Gardens) on the following grounds: discussions between the community and the developers are ongoing and the currently submitted stipulations are not only inconsistent with those conversations but also inadequate for the safety and quality of life of this community.

--

Steven Higginbotham

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

From: JoAnne Jensen <joannejensen@cox.net>

Sent: Tuesday, January 4, 2022 5:08 PM

To: PDD Planning Commission <pdd.planningcomm@phoenix.gov>

Cc: Adriana Garcia Maximiliano <adriana.garcia.maximiliano@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>

Subject: GPA-SM-2-21-8 and Z-31-21-8 / Kimura Gardens

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 to the immediate north of the parcel which the Providence group wishes to develop, and which is the subject of the two requests, named above.

I have been one of two points of contact between the South Mountain neighbors and the Providence group and thank Mr. Poulsen, Ben Tate, and Adam Baugh of the Providence group for their patient attention throughout our discussions.

It is important to note that these discussions are ongoing and in fact, the present stipulations are out of date with current conversations and likely agreements. What we need more than anything is a continuation so that we can maintain progress toward resolving our remaining differences.

If a continuation is not granted, then I cannot support the current stipulations, particularly the absence of robust heat mitigation measures and the presence of a high number of dwellings. To be very specific – this is not an objection to the development, or to a future agreement regarding stipulations, but solely to the current stipulations – density and absence of heat mitigation efforts.

General consensus within this community is that responsible development in the face of climate change and the proximity of the warmest location in Phoenix must necessarily include heat mitigation efforts. One might argue that heat mitigation efforts on one 50 acre development will make no difference – but this is the kind of argument which has led to today's problems with excessive heat and parching conditions. Absent sufficient stipulations, this plan is unacceptable.

Neighbors do not object to development, per se, however we feel it should be in keeping with the Rio Montana general plan, which was in place when we each decided to invest in this rural and agricultural part of town. There is a general sense that the concerns of current residents and business owners are being set aside to meet economic interests of the developer. We would not have objected to R1-18 zoning. Indeed, we would not have objected to R1-18 with bonus, which would have enabled 114 dwellings, as that is similar to the two adjacent developments, The Commons (which, incidentally, is also a Providence development) and Magdalena Estates. However, we do not support the building of 156 homes, as the stipulation currently reads. Mr. Poulsen and the Providence group have argued that they have been making many concessions – from two stories to one, from 180 units to 173 to 156, and these are appreciated. However, the neighbors likewise feel that density beyond R1-18 with bonus is a significant concession.

We are concerned that the last City traffic study in this area with in the 2012 – 2013 timeframe. Since then, quite a few homes have been built and we believe that the addition of this development at the currently requested density will lead to even more traffic congestion than we already experience. At present, the thoroughfares are woefully inadequate to support this level of growth and developers are required to improve only the lengths of pavement parallel to the development property line. We believe that the lack of uniformity will not be sufficient to provide safe and uncongested traffic flows on either 19th Avenue or South Mountain.

In summary – my primary request is that the Planning Commission issues a continuation for the two above-referenced requests so that the neighbors and the Providence group can pursue ongoing discussions and come to a reasonable resolve. Again, we do not object to development, per se, but we request time to achieve this goal.

Thank you for your time and attention.

JoAnne Jensen

Cell – 480-213-6499

Email – joannejensen@cox.net

Racelle Escolar

From: Erin Hegedus <erinTKhegedus@hotmail.com>
Sent: Tuesday, January 4, 2022 5:47 PM
To: PDD Planning Commission; Council District 8 PCC; Adriana Garcia Maximiliano
Subject: GPA-SM-2-21-8 and Z-31-21-8

I am writing to request a continuance of the referenced. We have had very promising negotiations with the developer, however, we ask that a formal submission of the changes the developer agreed to be presented to the neighbor before this council votes.

Respectfully,

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

Racelle Escolar

From: H. Jewel Clark <hjewelclark@fastmail.com>
Sent: Tuesday, January 4, 2022 6:01 PM
To: PDD Planning Commission
Subject: Letter of opposition GPA-SM-2-21-8 and Z-31-21-8 (Agenda items 8 and 9)

I am writing to oppose **GPA-SM-2-21-8 and Z-31-21-8 (Agenda items 8 and 9)** and request a continuance on both cases. The surrounding community is still in discussions with Mr. Poulsen and Withey Morris on final density and heat mitigation and the Vice Mayor has scheduled another meeting for us to try to finalize a plan that both the developer and the community can live with Jan. 13. Due to the holidays, it has not been feasible to arrange an earlier meeting since our last one Dec. 15.

The assertion you may hear from Withey Morris that they have been working with the neighbors on this project for a year is not accurate. Withey Morris started dialog with the broader community surrounding this property only in the Fall of 2021, with limited changes from the original plan submitted at the first SMVPC meeting.

For example, Adam Baugh included a timeline in his presentation to the South Mountain Village Planning Committee that read in part:

“Proposed site plan developed through extensive outreach and input with surrounding residents, additional changes after November SMVPC due to input from on -site neighbor meeting and follow -up conversations.”

The plan that was shown at the Dec. 14 SMVPC meeting was stamped by the City Planning Office Nov. 24, ***5 days before the first neighborhood meeting on-site that he references.*** The changes on that plan were based on input from the SMVPC, NOT the neighborhood meeting or follow up conversations. The neighbors need to be included in whatever changes are made next.

The community would love to be done with this, but based on the last plan we have seen, it is simply not acceptable to the existing neighbors. However, I am optimistic we can find compromise.

South Mountain is under tremendous pressure from developers, and we are swiftly losing the rural character and agricultural practice that make it such a unique place to live. We have already bought our properties and built to preserve that open, rural sense of place. We want to work with developers interested in building here to create something that fits. We can make that happen but we need you to hold developers accountable to working in good faith with the existing community. We can do it, but we need more time. Please vote to continue.

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

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H. Jewel Clark
hjewelclark@fastmail.com



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

From: [Erin Hegedus](#)
To: [Enrique A Bojorquez-Gaxiola](#); [Council District 8 PCC](#); [Arizona Republic](#); [Helen Jewel Clark](#); [mijosic@fastmail.fm](#); [JoAnne Jensen](#); [Dianne & Ted Olivo](#); [steamboat332@msn.com](#); [zach@zbrooks.com](#); [Arizona Republic](#); [AZleatherking@aol.com](#); [Rebekah Higginbotham](#)
Subject: RE: City of Phoenix - Update on case Z-31-21-8
Date: Thursday, January 6, 2022 9:18:23 PM
Attachments: [image001.png](#)

I have to say I have not witnessed such obvious bias since I lived in the east coast.
Allowance for developers to speak
Commissioners asking developers how much time they needed and then offering citizens one minute.

I am very concerned regarding our council members and the entire planning commission that seems to support developers and have no respect to our citizens

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

From: Enrique A Bojorquez-Gaxiola <enrique.bojorquez-gaxiola@phoenix.gov>
Sent: Thursday, January 6, 2022 4:53:10 PM
To: Enrique A Bojorquez-Gaxiola <enrique.bojorquez-gaxiola@phoenix.gov>
Subject: City of Phoenix - Update on case Z-31-21-8

Good afternoon,

How are you? I hope you are doing well. I am reaching out in regards to case Z-31-21-8, scheduled for tonight's Planning Commission (PC) meeting, to inform you that the applicant has submitted an updated site plan and landscape plan for this project. Staff has drafted an updated report **(Addendum B – please see attached)** that reflects updates to the stipulations on the case that were approved by the South Mountain Village Planning Committee in December of 2021.

This report will also be presented to the Planning Commission (PC) ahead of tonight's meeting, in addition to correspondence from the public received on this case.

Please let me know if you have any questions about this report.

Thank you very much,

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