

## Attachment B



### City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

#### Staff Report Z-31-21-8 November 5, 2021

South Mountain [Village Planning Committee](#) Meeting Date:

November 9, 2021

[Planning Commission](#) Hearing Date:

December 2, 2021

Request From:

[S-1](#) (Ranch or Farm Residence District)  
(49.52 acres)

Request To:

[R1-10](#) (Single-Family Residence District)  
(49.52 acres)

Proposed Use:

Single-family detached residential  
community

Location:

Southeast corner of 19th Avenue and South  
Mountain Avenue

Owner:

New Castle Development, LLC

Applicant:

Providence Homes

Representative:

Benjamin Tate, Withey Morris, PLC

Staff Recommendation:

Approval, subject to stipulations

<a href="#">General Plan Conformity</a>			
<a href="#">General Plan Land Use Map Designation</a>		Current: Residential 1 to 2 dwelling units per acre  Proposed (GPA-SM-2-21-8): Residential 2 to 3.5 dwelling units per acre	
<a href="#">Street Map Classification</a>	19th Avenue	Arterial Street	33-foot east half street
	South Mountain Avenue	Local Street	0-foot south half street (roadway easement widths vary)

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

As stipulated, the development will promote neighborhood identity by incorporating density and building height limitations, landscape enhancements, large perimeter lots, and decorative fencing, among other enhancements. These will also promote the agrarian character of the area and vision of the Rio Montaña Area Plan.

***CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.***

The proposal for a single-family detached residential community would allow development of a housing product that is consistent with other single-family uses in the area. As stipulated, the development will incorporate wide perimeter lots and open space areas, enhanced landscaping and height restrictions, which will also help to provide a transition from the proposed development to adjacent residential properties and to respect local conditions.

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

The proposal, will be required to provide shade along the adjacent public sidewalks and pedestrian pathways located within or adjacent to open space tracts. This will help to encourage walking and to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the project vicinity.

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

[Rio Montaña Area Plan](#): See Background Item No. 4.

[Tree and Shade Master Plan](#): See Background Item No. 10.

[Complete Streets Guidelines](#): See Background Item No. 11.

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

**Housing Phoenix**: See Background Item No. 13.

<b>Surrounding Land Uses and Zoning</b>		
	<b><u>Land Use</u></b>	<b><u>Zoning</u></b>
<b>On Site</b>	Agricultural	S-1
<b>North (across South Mountain Avenue)</b>	Single-family residential and vacant	R1-18 and S-1
<b>South</b>	Agricultural	S-1
<b>East</b>	Single-family residential	S-1 (Approved R1-18)
<b>West (across 19th Avenue)</b>	Agricultural, single-family residential and vacant	S-1, S-1 (Approved R1-18)

<b>R1-10 – Single-Family Residential District (Planned Residential Development Option)</b>		
<b><u>Standards</u></b>	<b><u>R1-10 Requirements</u></b>	<b><u>Provisions on the proposed site plan</u></b>
Gross Acreage	-	49.52 acres
Total Maximum Number of Units	223 units	160 units (Met)
Maximum Density	3.5 dwelling units per acre, up to 4.5 with bonus	3.23 dwelling units per acre (Met)
Minimum Lot Width	45 feet	55 feet (Met)
Minimum Lot Depth	110 adjacent to arterial	119 (Met)
Maximum Building Height	2 stories and 30 feet	Not specified**
Maximum Lot Coverage	40 percent, up to 50 percent including attached shade structures	Not specified*

<b>MINIMUM BUILDING SETBACKS</b>		
Perimeter Streets: (19th Avenue and South Mountain Avenue)	15 feet	19th Avenue: 170 feet (Met)  South Mountain Avenue: 15 feet (Met)
Interior Perimeter Property Lines: (Side and Rear)	Rear: 15 feet (1-story), 20 feet (2-story)  Side: 0 feet (1-story), 15 feet (2-story)	Not specified*
<b>MINIMUM LANDSCAPE SETBACKS AND STANDARDS</b>		
Adjacent to street (19th Avenue and South Mountain Avenue)	15 feet average, 10 feet minimum	19th Avenue: 15 feet (Met)  South Mountain Avenue: 15 feet (Met)
Minimum Common Area	5% of gross site area	17% (Met)

\*Variance or site plan revision required.

\*\*Staff recommend Stipulation No. 4 to limit the maximum building height in the development to one story and 20 feet or two stories and 30 feet, depending on the location of the lot.

## **Background/Issues/Analysis**

### **SUBJECT SITE**

1. This request is to rezone 49.52 acres located at the southeast corner of 19th Avenue and South Mountain Avenue from S-1 (Ranch or Farm Residence District) to R1-10 (Single-Family Residence District) for single-family residential uses. The site is presently used for agricultural purposes.

In 1960, the subject site was annexed into the City of Phoenix from unincorporated Maricopa County and zoned S-1. Historic aerial imagery shows that the site was historically utilized for agricultural uses.

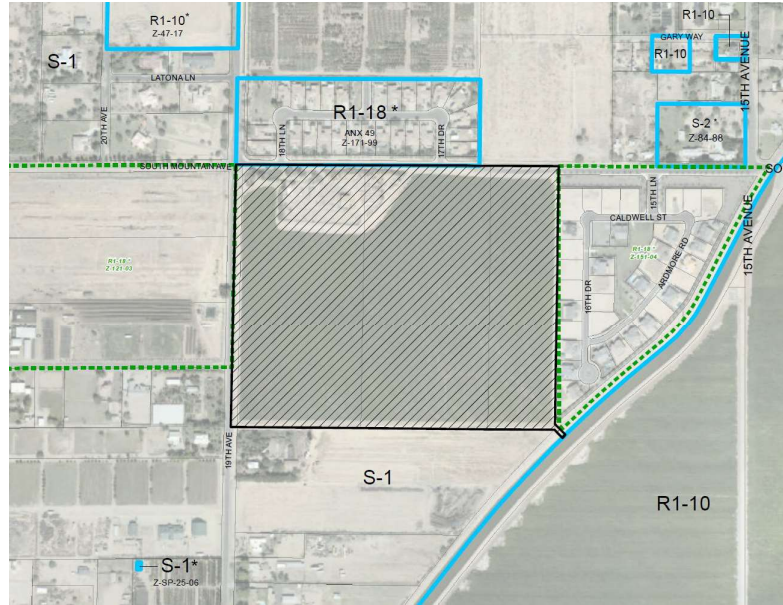
### **SURROUNDING LAND USES AND ZONING**

2. The surrounding area contains a variety of agricultural and residential zoning districts including S-2 (Ranch or Farm Commercial District), S-1 (Ranch or Farm Residence District), R1-18 (Single-Family Residence District), and R1-10 (Single-Family Residence District). Properties north and west of the site, across 19th Avenue and South Mountain Avenue, are zoned S-1 and S-1 (Approved R1-18).



The property south of the site is zoned S-1, while the property east of the site is zoned R1-18.

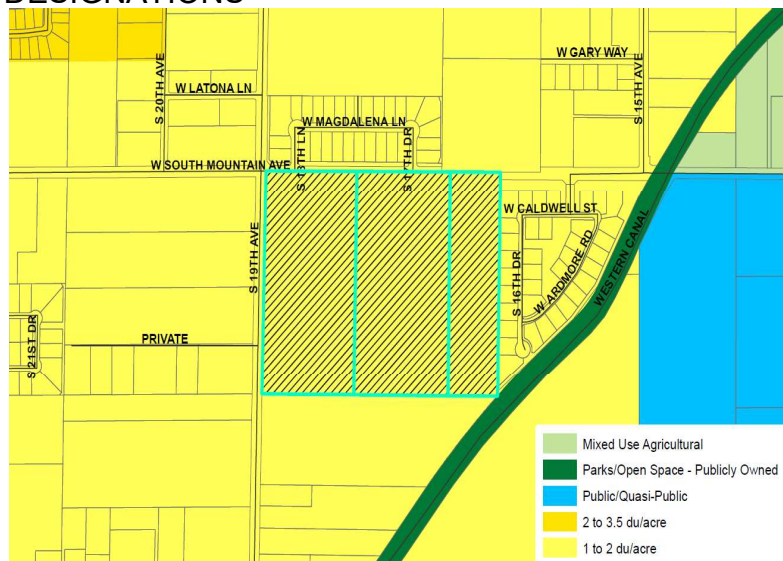
Approximately 0.1 miles north and northeast of the site are properties zoned R1-10. Furthermore, properties to the southeast of the site, across the Western Canal, are zoned R1-10. Lastly, numerous properties south of Dobbins Road, along 19th Avenue, are also zoned R1-10.



Zoning Aerial Map, Source: Planning and Development Department

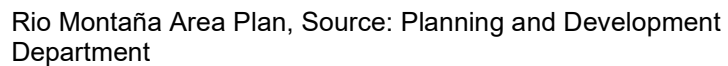
### GENERAL PLAN LAND USE MAP DESIGNATIONS

3. The General Plan Land Use Map designation for the subject site is Residential 1 to 2 dwelling units per acre, which is not consistent with the proposed R1-10 zoning district. Thus, a concurrent Minor General Plan Amendment case GPA-SM-2-21-8 proposes to change the land use map designation to Residential 2 to 3.5 dwelling units per acre. North, south, east and west of the site is designated as Residential 1 to 2 dwelling units per acre. Southeast of the site is designated Parks/Open Space – Publicly Owned along the Western Canal.



General Plan Land Use Map, Source: Planning and Development Department

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

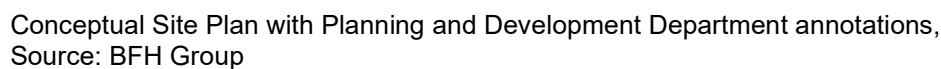


The Rio Montaña Area Plan intends to accomplish this vision through seven goals that include:

1. Promoting balanced, high quality development;
2. Protecting and improving neighborhoods through maintenance, rehabilitation and infill projects;
3. Keeping a distinctive character that reflects the diversity in its equestrian heritage, culture, history and architecture;
4. Protecting the rural character, the Sonoran Desert and the riparian potential of the Rio Salado Habitat Restoration Project;
5. Promoting future business development and economic growth;
6. Developing the tourism industry through a wide range of opportunities;
7. Providing a variety of transportation options.

The site is centrally located and designated by the land use map as Residential 1 to 2 dwelling units per acre within the Plan. As previously mentioned, a concurrent General Plan Land Use Map amendment case GPA-SM-21-8 proposes to change this designation to Residential 2 to 3.5 dwelling units per acre. Per the proposed stipulations, the development will incorporate wide perimeter lots along the north and east property lines, provide a wide open space area along the western perimeter, require pitched roofs to be incorporated on all buildings, incorporate one-story limitations and open view fencing elements along the perimeter streets. These elements will help provide an appropriate land use transition consistent with development patterns in the area, while furthering many of the goals of the Rio Montaña Area Plan.

5. The proposal is to develop a 160-lot, single-family detached residential subdivision with street access points along 19th Avenue on the west and South Mountain Avenue on the north. A density of 3.23 dwelling units per acre is depicted in the proposed site plan, which also depicts a variety of lot widths ranging from 55 feet to 75 feet in width.



Conformance to the conceptual site plan provided by the applicant is recommended by staff to provide certainty in how the project will develop and also to preserve the perimeter transitions along the north, east and west property lines via 75-foot-wide perimeter lots or deep open space areas. Open space areas are also provided throughout the site for easy access by future residents. Furthermore, enhanced building setbacks along 19th Avenue will ensure that future homes will be placed more internally within the site to create an open feel along this part of the

development. Stipulation No. 1 addresses conformance to the site plan.

Staff also recommends Stipulation No. 2 which addresses landscaping enhancements along perimeter landscape setbacks that will help screen the site from existing residential homes in the neighborhood.

Lastly, Stipulation No. 3 as recommended by staff, will limit the building height to two stories and 30 feet, except for lots along the perimeters which shall be one story and 20 feet in height. These stipulations will help provide appropriate an transition from existing residential uses in the area, and further the goals for the Rio Montaña Area Plan by protecting existing neighborhoods and maintaining an distinctive character plus scale.

6. No conceptual building elevations were submitted by the applicant, but renderings of the housing product envisioned on this site were submitted. These renderings depict a variety of architectural styles, with various colors and textures proposed. These renderings also show one and two-story housing products.

Staff does not recommend conformance to these building renderings, as details of building materials and other design elements were not included. However, staff recommends that all lots, including 75-foot wide lots, be subject to the Single-Family Design Review standards outlined in Section 507 Tab.A. II. of the Zoning Ordinance. This is addressed in Stipulation No. 4.

Furthermore, staff recommends Stipulation No. 5 to require that all building elevations incorporate several enhancements including: multiple colors, exterior accent materials, and textural differences that exhibit quality and durability.



Stipulation No. 5 also requires that a minimum of 50 percent of the elevations for each floor plan shall provide a covered front porch in the front yard. This design feature will reinforce community orientation, consistent with the Rio Montaña Area Plan.



Conceptual Building Renderings, Source: Not specified

7. A fencing exhibit was submitted as part of this request, depicting various materials and fencing elements. Full open view fencing is proposed along 19th Avenue, while a combination of solid and open view fencing is proposed along South Mountain Avenue and other internal open space areas. These elements will increase visibility within these areas and promote an open feel both within the community and along adjacent streets. Staff recommends conformance to this fencing exhibit (landscape plan) in Stipulation No. 6 in order to ensure that these fencing elements are incorporated into this community.

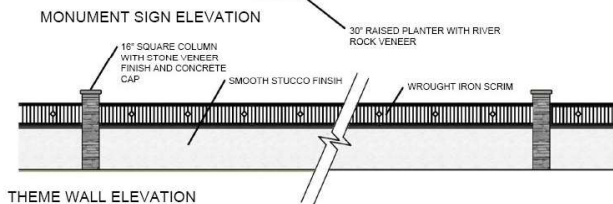


Wall Schedule

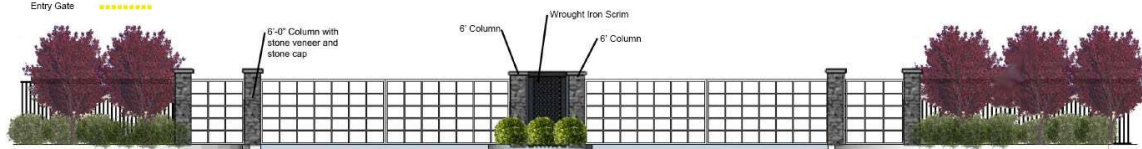
Theme Wall: Red dashed line  
 Builder Wall: Black dashed line  
 Wrought Iron: Blue dashed line  
 Entry Gate: Yellow dashed line



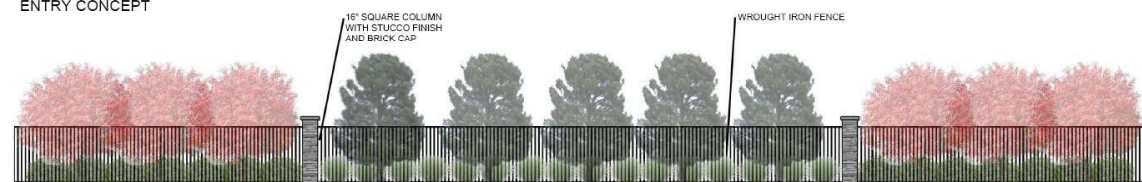
MONUMENT SIGN ELEVATION



THEME WALL ELEVATION



ENTRY CONCEPT



WROUGHT IRON FENCE ALONG 19TH AVENUE

Conceptual Landscape Exhibit (Landscape Plan), Source: ela

The development proposes vehicular access to the community along 19th Avenue and South Mountain Avenue. In order to promote a sense of place for future residents, Stipulation No. 7 recommends that each of the vehicular entryways incorporate decorative materials. Furthermore, staff recommend Stipulation No. 8 to require enhanced landscaping on both sides of each entryway into the development containing a variety of plant materials for visual interest.

8. Staff recommends various pedestrian connections and enhancements throughout the community to promote recreation, walking and alternative transportation methods. Stipulation No. 9 addresses the following connections to/between:
- Amenity areas;
  - Sidewalks;
  - Centralized pedestrian path connecting the northern and southern portion of the site;
  - Shaded pedestrian path that connects to either 19th Avenue or South Mountain Avenue near this intersection.
  - Pedestrian pathway connecting to the Western Canal.
9. The conceptual site plan also depicts various open space areas distributed throughout the development for future residents to enjoy. Staff is recommending Stipulation No. 10 to limit the use of high-water use plants within common landscape areas to help conserve water and to allow the applicant to strategically place plants, such as turf, in areas of high activity and retention basins, among other areas. Staff recommends Stipulation No. 11 to require several amenities distributed throughout the development including:
- Tot lot with shade equipment;
  - Two picnic areas each with a barbeque grill, shade ramada and a picnic table;
  - Four benches or seating features;
  - Garden amenity of no less than a combined 1,000 square feet in size.

These amenities will promote the health of future residents by providing recreational opportunities through various activities, allowing the enjoyment of sunlight, and having a communal space that enables social interactions.

## STUDIES AND POLICIES

### 10. [Tree and Shade Master Plan](#)

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. Staff is recommending several stipulations designed to provide trees and enhance shade within the development.

Staff is recommending stipulations for enhanced landscaping and shaded sidewalks along the perimeter property lines as follows:

- Fifty-percent two-inch caliper and 50-percent three-inch caliper trees within the required landscape setbacks (Stipulation No. 2);
- Shaded pathway connecting the community to or near the intersection of 19th Avenue and South Mountain Avenue (Stipulation No. 3);
- Tot lot amenity with shade equipment (Stipulation No. 11);
- The sidewalks along 19th Avenue and South Mountain Avenue shall be detached and shaded a minimum of 75 percent with two-inch caliper trees (Stipulation No. 12 and 13).

11. **Complete Streets Guidelines**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. This development will help to pedestrianize the immediate street frontages by providing shaded detached sidewalks and constructing a multi-use trail plus dedicating a multi-use trail easement along 19th Avenue to promote recreation in the area. This trail will help to establish a new trail alignment that could connect the trails along South Mountain Avenue to Dobbins Road in the future, as other properties along 19th Avenue develop. This is addressed in Stipulation No. 14.

12. **Zero Waste PHX**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The application materials submitted by the applicant indicate that recycling facilities will be available to residents.

13. **Housing Phoenix**

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



goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

Stipulation No. 1 would allow the developer to construct up to 160 single-family detached residential units. If this development is approved, it would allow further diversity in housing products within the area and new housing choice for existing and new residents to the area.

#### COMMUNITY INPUT SUMMARY

14. As of the writing of this report, staff received 15 letters in opposition, one letter of support, a support petition with 22 signatures and two letter listing concerns and recommendations. The letters of concern cited issues with land use compatibility due to the rural nature of the area, density concerns, impacts to existing neighbors, inadequate infrastructure, increased traffic, inadequate services for the area, impacts to property values, regional drainage impacts, notification concerns, and lack of conformance to the Rio Montaña Area Plan. One of the letters in opposition was conditioned upon lowering the density to no more than three dwelling units per acre on the site.

The letter of support cited the proposed density and housing affordability as reasons to support the project. The 22 signatures in support were signed by residents of the adjacent subdivision to the east of this site. Other letters received contained comments pertaining to neighborhood outreach and listed other concerns pertaining to drainage, notification, project justification, compatibility, and conformance to the Rio Montaña Area Plan.

#### INTERDEPARTMENTAL COMMENTS

15. The Public Transit Department provided comments pertaining to pedestrian pathways connecting building entrances and public sidewalk via the most direct route. Also, comments were provided to recommend alternative paving material where pedestrian pathways cross drive aisles, and providing a minimum of 75 percent shade along pedestrian paths, including public sidewalks. These comments are addressed in Stipulation Nos. 7, 9, 12 and 13.
16. The Street Transportation Department provided comments pertaining to detached sidewalks along adjacent streets. Other comments provided pertained to adjacent right-of-way dedication and street construction, overhead utility undergrounding, junction box installation at street intersections, relocation of irrigation facilities, and other general street improvement requirements. These comments are addressed in Stipulation Nos. 12, 13, and 15 through 20.

17. The Fire Department indicated there are no problems anticipated with the case and that the site and/or buildings shall comply with the 2018 International Fire Code with Phoenix Amendments. Further, the Department commented that they do not know the water supply at this site and noted that additional water supply may be required to meet the required fire flow per the Fire Code.
18. The Water Services Departments commented that there are water and sewer mains that can potentially serve the development. However, capacity is a dynamic condition that can change over time due to a variety of factors. Furthermore, the City intends to provide water and sewer service, requirements and assurances for which are determined during the site plan review process. For any given property, water and sewer requirements may vary over time to be less or more restrictive depending on the status of the City's water and sewer infrastructure.
19. The Floodplain Management division of the Public Works Department did not have any comments on this case.

#### OTHER

20. The subject site is within close proximity to properties used for farming or agricultural uses, thus potentially leading to dust, odors or other impacts to future residential uses on the site. Stipulation No. 21 would require the disclosure to purchasers of property and tenants within the development, the existence and operational characteristics of agricultural uses in the area.
21. The Aviation Department requires that the property owner record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. Furthermore, that an aviation easement is dedicated to the City of Phoenix as this property is within the PHX International Airport traffic pattern airspace and seeking noise sensitive land use. Lastly, that a No Hazard Determination for the proposed development be provided from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process. These are addressed in Stipulation Nos. 22, 23 and 24.
22. The site is not identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 25.
23. The developer shall provide a hydraulic/hydrologic analysis of offsite storm water flows, when present, at the time of preliminary site plan submittal for verification of

required infrastructure regarding lot space and density.

24. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements such as obtaining a use permit to conduct the proposed outdoor use in this zoning district. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

### **Findings**

1. This proposed development provides a housing option that is consistent with development patterns in the general area.
2. As stipulated, the proposed development is generally consistent with design policies and the intent of the Rio Montaña Area Plan.
3. This proposed development is appropriately located along an arterial street, 19th Avenue, which connects to Baseline Road where transit service is present.

### **Stipulations**

1. The development shall be in general conformance with the site plan date stamped November 2, 2021, as modified by the following stipulations and approved by the Planning and Development Department with specific regard to the following:
  - a. Lots 1 through 28 shall be a minimum of 75 feet in width.
  - b. All other lots shall be a minimum of 55 feet in width.
  - c. Portions of lots 28 and 29 may be modified to accommodate any required canal frontage standards.
  - d. The location of the open space areas.
  - e. A minimum of 17 percent of the gross site area shall be provided as open space.
  - f. A minimum building setback of 150 feet, exclusive of fencing or entry features, shall be provided along the western perimeter property line along 19th Avenue.

2. The required landscape setbacks shall be planted with minimum 50-percent 2-inch caliper and 50-percent 3-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, with five 5-gallon shrubs per tree, as approved by the Planning and Development Department.
3. The maximum building height shall be limited to two stories and 30 feet, except that lots 1 through 53, 82, 83, 108, 109, 159 and 160 as depicted on the site plan date stamped November 2, 2021, shall be limited to one story and 20 feet.
4. All lots within the development shall be subject to Single-Family Design Review, including 75-foot wide lots, as approved by the Planning and Development Department.
5. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department:
  - a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment.
  - b. A minimum of 50 percent of the elevations for each floor plan shall provide a covered front porch in the front yard with a minimum of 60 square feet in area at a depth of at least six feet. No porch shall terminate within the plane of a door or window.
  - c. Pitched roofs shall be provided on all building elevations.
6. The development shall be in general conformance with the fencing exhibit (landscape plan) and elevations date stamped October 14, 2021, as modified by the following stipulations and approved by the Planning and Development Department.
  - a. Full open view fencing shall be utilized where an open space tract is adjacent to a canal.
  - b. Where view fencing is required by the Zoning Ordinance, a combination of solid masonry wall and view fencing may be utilized. The solid portion of the wall shall not exceed 4 feet in height.
  - c. Perimeter walls bounding the rear yard property lines of residential lots along South Mountain Avenue shall include minimum 3-foot offsets.

- d. Perimeter walls bounding the rear yard property lines of residential lots along South Mountain Avenue shall be limited to a maximum of 5 feet solid and topped with open view fencing, as approved by the Planning and Development Department.
7. Project entry drives along 19th Avenue and South Mountain Avenue shall be constructed of decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.
8. Project entry drives shall incorporate enhanced landscaping on both sides planted with a variety of at least three plant materials, as approved by the Planning and Development Department. Each landscaped area shall be a minimum of 250-square feet.
9. A minimum system of pedestrian connections shall be provided, as described below and as approved by the Planning and Development Department:
  - a. A system of pedestrian connections to/between via the most direct route:
    - (1) Amenity areas.
    - (2) Sidewalks.
    - (3) Pedestrian path connecting the northern and southern portions of the site via a centralized pathway.
    - (4) The common open space tract along the southeast corner of 19th Avenue and South Mountain Avenue shall contain a minimum 8-foot wide pedestrian pathway that connects the development with the sidewalk at 19th Avenue or South Mountain Avenue near the street intersection. This pathway shall be constructed of decomposed stabilized granite, decorative pavers, stamped or colored concrete, or similar alternative material. The landscaped tract shall contain minimum 2-inch caliper shade trees planted a minimum of 25 feet on center or equivalent groupings, along both sides of the pedestrian pathway.
    - (5) A minimum 8-foot wide pedestrian pathway shall connect the development with the multi-use trail along the Western Canal. This pathway shall be provided within an average 30-foot wide landscape tract and constructed of decomposed stabilized granite, decorative pavers, stamped or colored concrete, or similar alternative material.
10. No more than 50 percent of the landscape areas within common areas or 10 percent of

the net development area whichever is less, should be planted in turf or high-water use plants. Turf areas should be located only in the common open space areas, including retention basins, as approved by the Planning and Development Department. This requirement does not apply to landscaping located within private yards on individual lots.

11. The following minimum shall be provided and dispersed throughout the development, as approved by the Planning and Development Department:
  - a. Tot lot with shade equipment;
  - b. Two picnic areas each with a barbeque grill, shade ramada and a picnic table;
  - c. Four benches or seating features; and
  - d. Garden amenity of no less than a combined 1,000 square feet in size.
12. All sidewalks along 19th Avenue shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved by the Planning and Development Department.
  - a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 25 feet on center or in equivalent groupings that provide shade to a minimum 75 percent.
  - b. Drought tolerant vegetation to achieve 75 percent live coverage.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

13. All sidewalks along South Mountain Avenue shall be detached with a minimum five-foot wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
  - a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 25 feet on center or in equivalent groupings that provide shade to a minimum 75 percent.
  - b. Drought tolerant vegetation to achieve 75 percent live coverage.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

14. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along the east side of 19th Avenue and construct a minimum 10-foot wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail, as approved by the Planning and Development Department. The developer shall work with the Site Planning section on an alternate design for this requirement through the technical appeal process.
15. The developer shall dedicate minimum 50 feet of right-of-way and construct the east side of 19th Avenue, as approved by the Planning and Development Department.
16. The developer shall provide the following dedications and construct the south half of South Mountain Avenue in the following manner, as approved by the Planning and Development Department:
  - a. Thirty feet of right-of-way between 19th Avenue and 17th Drive.
  - b. Forty-four feet of right-of-way east of 17th Drive extending to the eastern boundary of the subject site.
17. The developer shall underground all existing overhead utility lines adjacent to the site.
18. The developer shall provide conduit and junction boxes at the southeast corner of 19th Avenue and South Mountain Road for future traffic signal equipment, as approved by the Street Transportation Department.
19. Existing irrigation facilities along 19th Avenue and South Mountain Avenue shall be undergrounded and/or relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
20. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
21. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development(s) the existence and

operational characteristics of agricultural and farming activities. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

22. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
23. The developer shall grant and record an aviation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
24. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.
25. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

**Writer**

Enrique Bojórquez Gaxiola

November 5, 2021

**Team Leader**

Samantha Keating

**Exhibits**

Zoning sketch map

Aerial sketch map

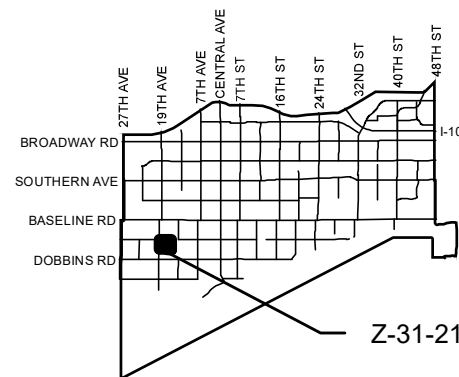
Conceptual Site Plan date stamped November 2, 2021

Conceptual Fencing Exhibit (Landscape Plan) date stamped October 14, 2021

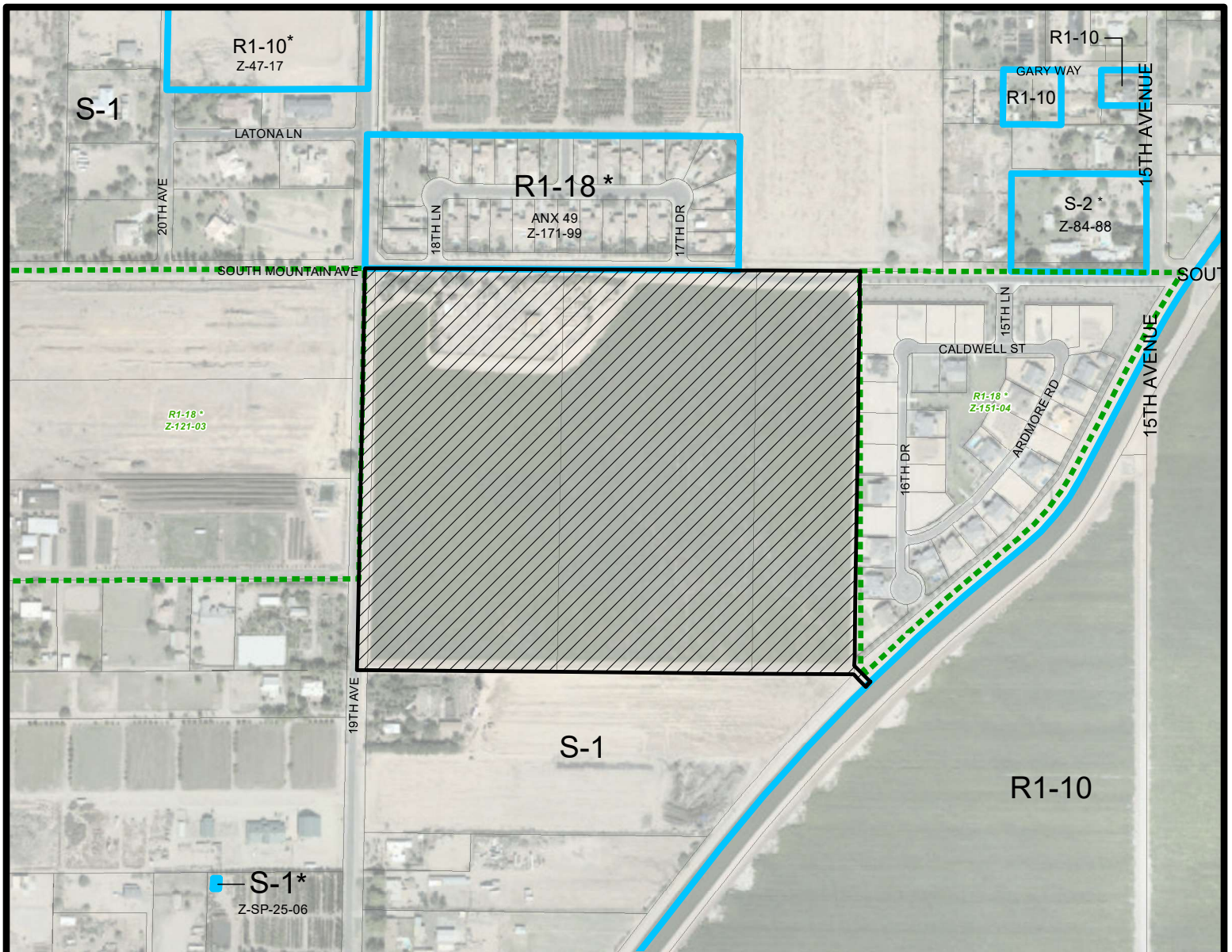
Conceptual Building Renderings date stamped May 25, 2021 (9 pages)

Community Correspondence (39 pages)

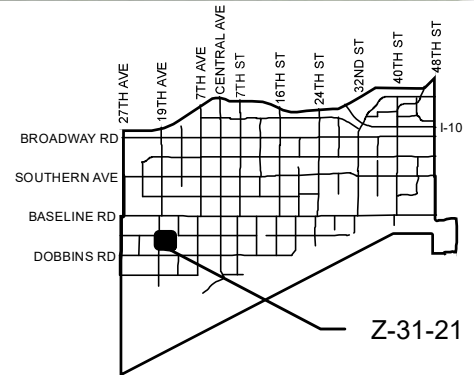




Document Path: S:\Department Share\Information Systems\PL GIS\IS\_Team\Core\_Functions\Zoning\sketch\_maps\2021\Z-31-21.mxd

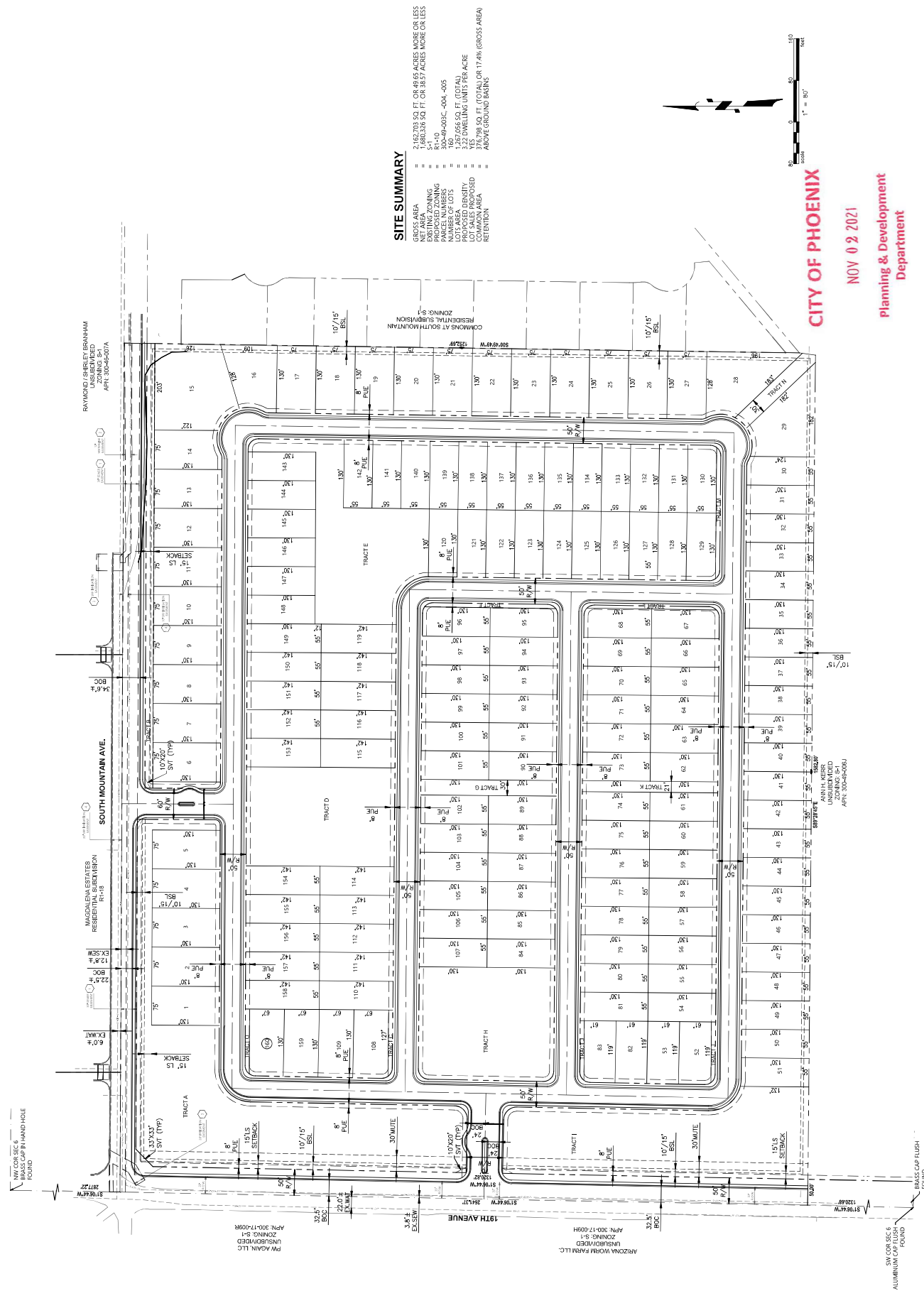


0.09 0.045 0 0.09  
Miles  
**SOUTH MOUNTAIN VILLAGE**  
CITY COUNCIL DISTRICT: 8



<b>APPLICANT'S NAME:</b> Providence Homes		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-31-21		<b>FROM:</b> S-1 ( 49.52 a.c.)	
<b>DATE:</b> 6/14/2021 <b>REVISION DATES:</b>		<b>TO:</b> R1-10 ( 49.52 a.c.)	
<b>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</b> 49.52 Acres		<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 02-25 <b>ZONING MAP</b> C-7	
<b>MULTIPLES PERMITTED</b> S-1 R1-10		<b>CONVENTIONAL OPTION</b> 49 173	
		<b>* UNITS P.R.D. OPTION</b> N/A 223	

\* Maximum Units Allowed with P.R.D. Bonus



## SITE SUMMARY

2.162.703 SQ. FT. OR 49.65 ACRES MORE OR LESS
1.680.326 SQ. FT. OR 38.57 ACRES MORE OR LESS
S-1
R1-10
300-49-003C--004--005
160
1.267.056 SQ. FT. (TOTAL)
3.22 DWELLING UNITS PER ACRE
YES
376.798 SQ. FT. (TOTAL) OR 17.4% (GROSS AREA)
ABOVE GROUND BASINS

CITY OF PHOENIX

NOV 02 2021

**Planning & Development  
Department**

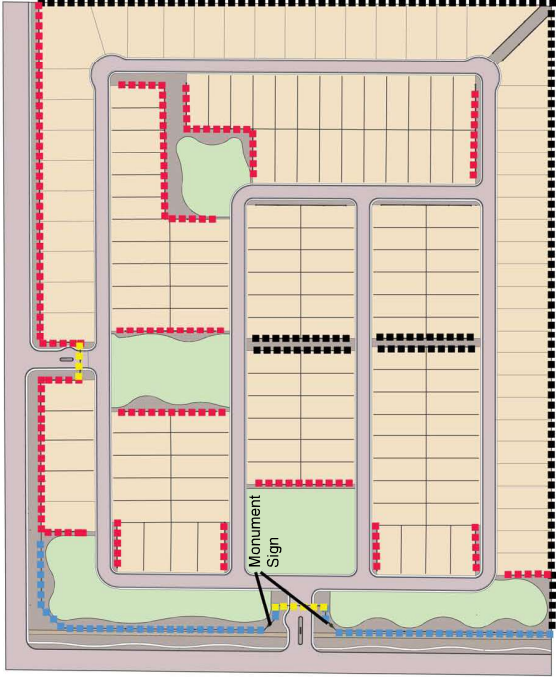
SW COR SEC 6

ALUMINUM CAP FLUSH FOUND

BRASS CAP FLUSH FOUND

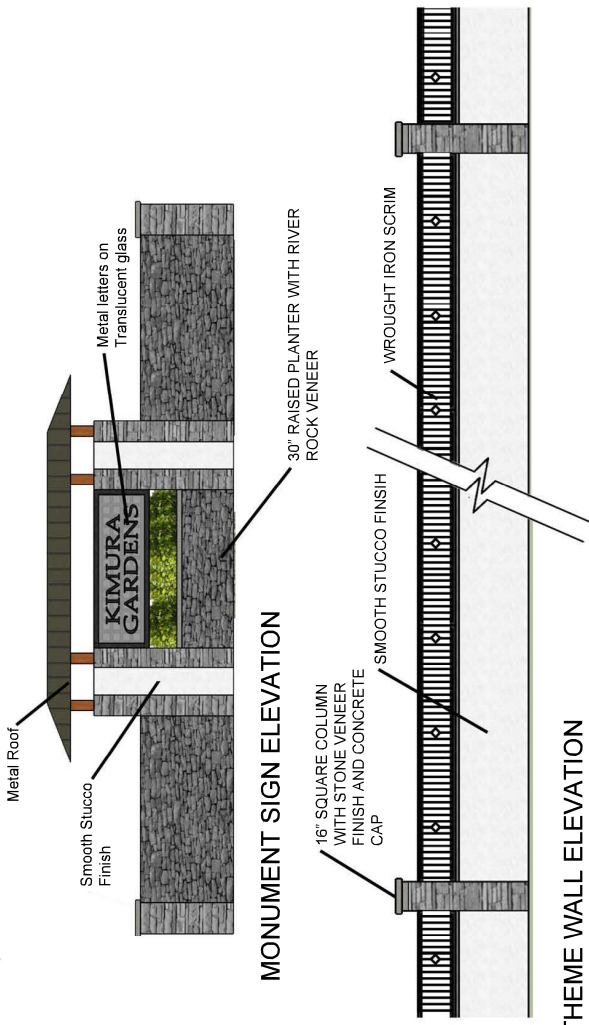
\\ENGR\2021\00202110020KIMURA GARDENS\DWG\CIVIL\PRELIMINARY\CONCEPTUAL\CONTEXT PLAN\Fram SP01 101321.dwg, 11/02/2021 3:47:42 PM





- Wall Schedule**
- Theme Wall
  - Builder Wall
  - Wrought Iron
  - Entry Gate

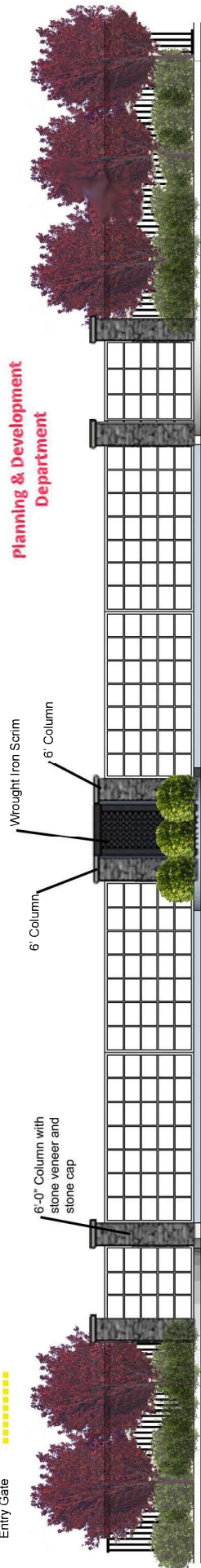
**THEME WALL ELEVATION**



**CITY OF PHOENIX**

**OCT 14 2021**

**Planning & Development  
Department**



**ENTRY CONCEPT**



**WROUGHT IRON FENCE ALONG 19TH AVENUE**



**KIMURA GARDENS**  
PHOENIX, ARIZONA

DATE	5/14/2021
SHEET TITLE	LANDSCAPE PLAN
2015	

Sheet Title



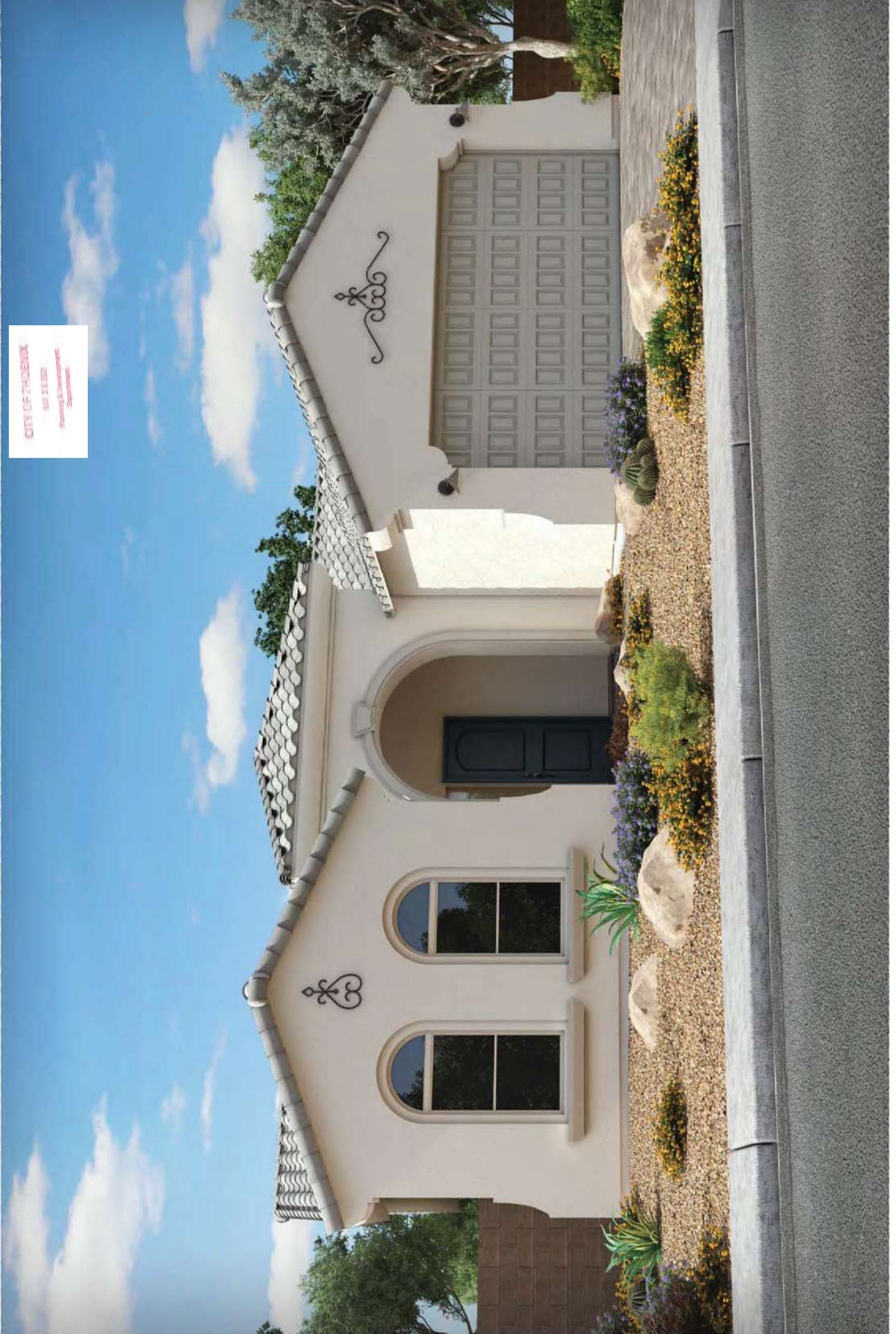


CITY OF PHOENIX

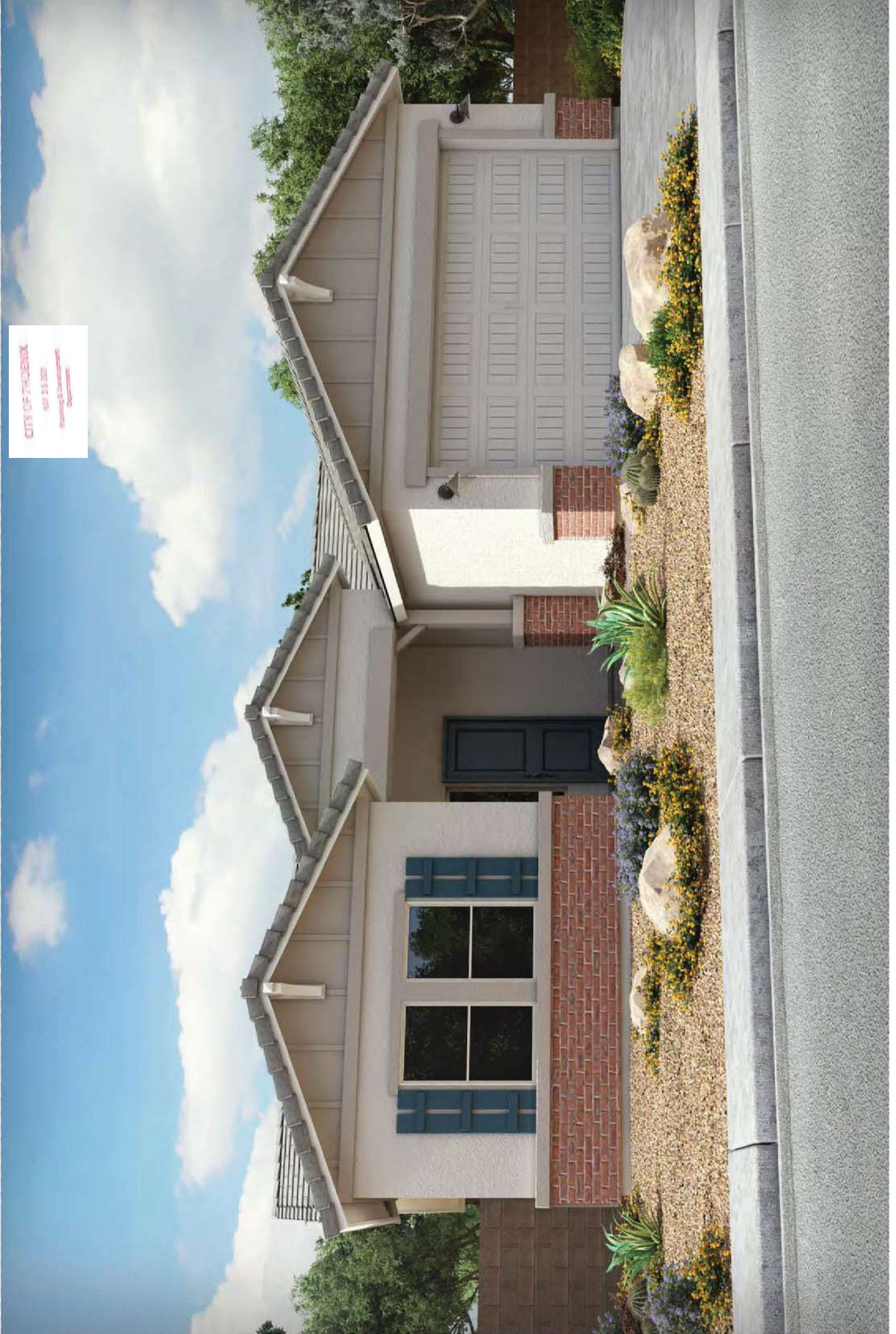
800.55.2020

Planning & Development  
Department

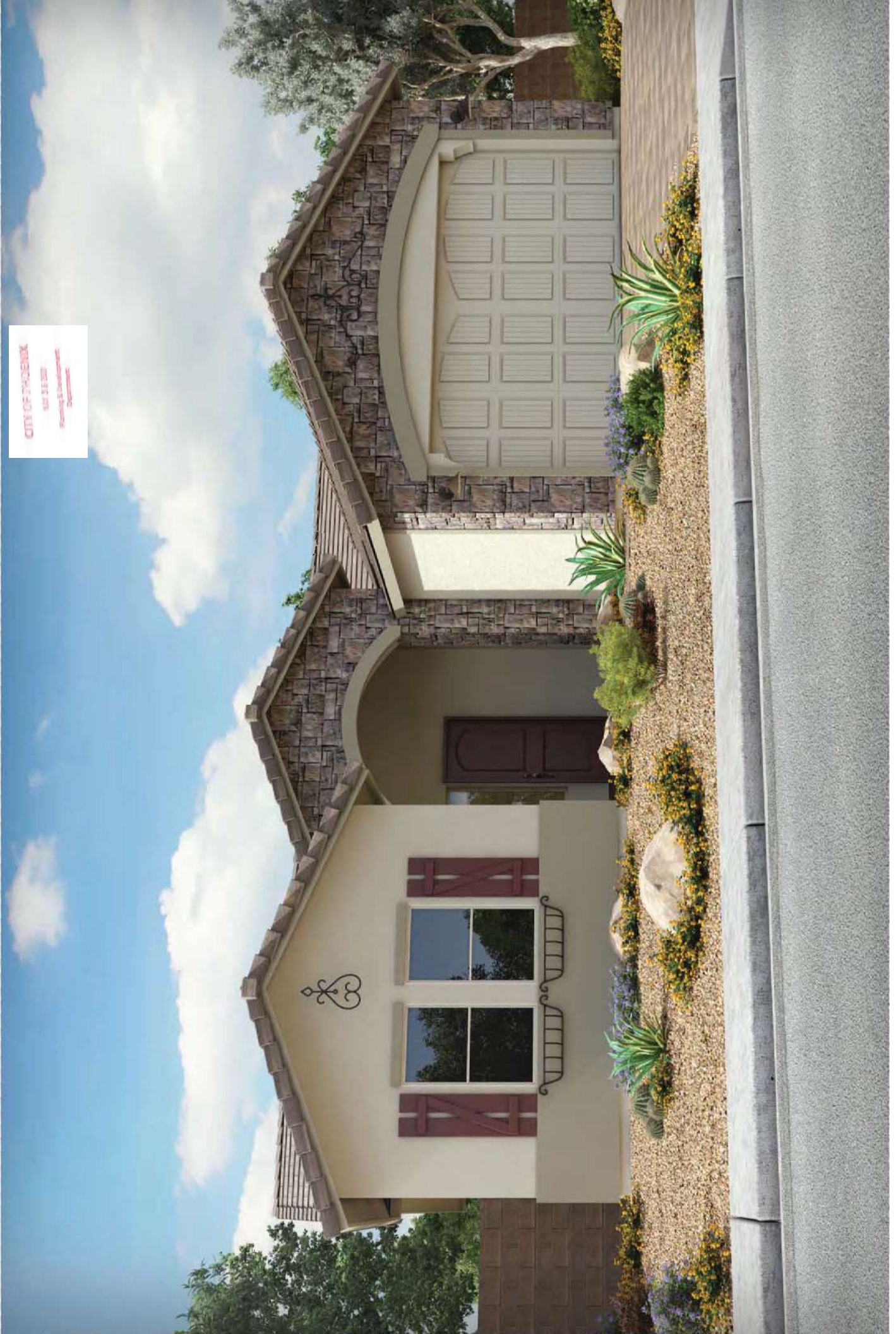




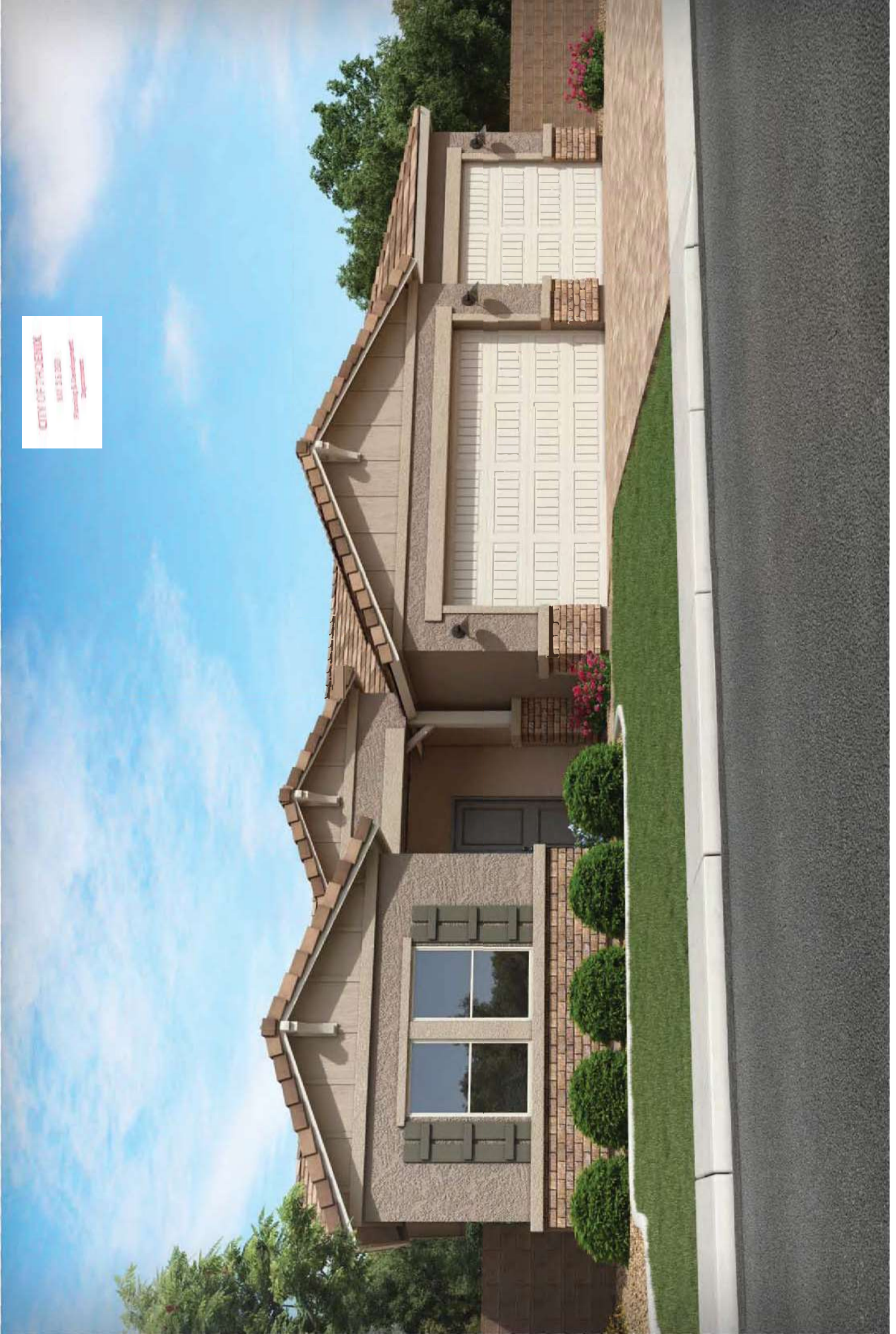












CITY OF PHOENIX

800.353.2829

Planning & Development  
Department







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2017-2018  
Planning & Development  
Department





CITY OF PHOENIX  
800.525.3300  
Planning & Development  
Department





CITY OF PHOENIX  
303 312 3300  
Planning & Development  
Department



**From:** [Larry Brown](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Application to amend zoning ordinance #Z-31-21  
**Date:** Friday, October 29, 2021 7:48:31 PM

---

Greetings sir,

I am writing again to request a concern about this application for amendment. If the amendment is ratified, I'm concerned that it will negatively impact the quality of life for the residents on the Western perimeter of The Commons at South Mountain neighborhood which is adjacent to this 49.5 acres parcel. By authorizing 2-3.5 du/ac this will result in more than one home being built directly behind each of the homes on this property boundary.

We respectfully request that the zoning require a green space between the 2 neighborhoods since the number of dwellings per acre would result in multiple homes directly behind each of our homes on the western perimeter of our community.

We believe a green space between our neighborhood and the new construction will result in a mutual benefit for all parties involved.

Respectfully,

Larry and Hope Brown  
8796 S. 16th Drive  
Phoenix, Arizona 85041  
(520)313-6339  
[topbrown10@gmail.com](mailto:topbrown10@gmail.com)

--

Respectfully,  
Larry A. Brown  
(520) 313-6339

**From:** [Amber Harrison](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** 19th AVE and South Mountain  
**Date:** Saturday, June 26, 2021 11:22:05 AM

---

I am writing to protest concurrent cases GPA-SM-2-21-8 (General Plan Amendment) and Z-31-21-8 (Rezoning) for the property at the southeast corner of 19th Avenue and South Mountain Avenue.

Please do not allow corporate greed here. As with many residents in South Phoenix, weaved here for the some what rural feel. Allowing this property to be used other than what it is currently used for will remove that feel and lower our property values even further.

[Sent from Yahoo Mail on Android \[go.onelink.me\]](#)

**From:** [Beckett Aguirre](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Rezoning of 19th Ave & South Mtn Ave  
**Date:** Thursday, August 5, 2021 7:53:52 AM

---

Mr. Bojorquez,

I am writing to protest concurrent cases GPA-SM-2-21-8 (General Plan Amendment) and Z-31-21-8 (Rezoning) for the property at the southeast corner of 19th Avenue and South Mountain Avenue.

I am a disabled Marine combat veteran & my wife & I just moved to the area. We are at Silva Mountain Estates, the Elliot homes on 23rd Ave & South Mtn Ave. I moved to this area to get away from the high density housing that is closer to the center of the valley. I suffer from PTSD & other combat related ailments. Living in this rural area is good for my mental health, which is why we moved here.

This proposed development will add more homes & traffic to the area, taking away from the rural feel & climate.

Please do not allow the rezoning of this property. Thank you for you time.

Beckett Aguirre  
USMC Veteran  
623.271.5015



**From:** [eliza williamson](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Rezoning request in South Mountain area  
**Date:** Monday, June 14, 2021 11:57:06 AM

---

Dear Mr. Bojorquez-gaxiola,

In reference to case #GPA-SM-2-21-8. I mirror all the concerns voiced to you by my neighbor, Patti Trites. This area is already becoming too congested, the infrastructure here is old and not intended for such growth.

Please assist in this matter and prevent the rezoning of this area of 19<sup>th</sup> Ave and South Mountain road.

Thank you for your time.

Eliza Williamson

2433 W. Hayduk Rd, 85041.



The true measure of any society can be found in how it treats its most vulnerable members

**Mahatma Gandhi** [\[azquotes.com\]](http://azquotes.com)

Sent from [Mail \[go.microsoft.com\]](mailto:Mail[go.microsoft.com]) for Windows 10

**From:** [Eric Zimtbaum](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Protest cases GPA-SM-2-21-8 and Z-31-21-8  
**Date:** Tuesday, June 29, 2021 1:11:34 PM  
**Attachments:** [image003.png](#)

---

Hi Enrique,

I am writing to protest concurrent cases GPA-SM-2-21-8 (General Plan Amendment and Z-31-21-8 (Rezoning) for the property at the southeast corner of 19<sup>th</sup> Avenue and South Mountain Avenue.

Thank you,  
Eric

**Eric Zimtbaum**  
eRX Management



[ezimtbaum@drfirst.com](mailto:ezimtbaum@drfirst.com)  
O: 301-231-9510 ext 7292  
M: 602-616-9576  
F: 240-547-1767  
Support: 866-263-6512  
[DrFirst.com](#) | [twitter](#) | [facebook](#) | [blog](#)

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**From:** [Erin Hegedus](#)  
**To:** [AZleatherking@aol.com](#); [Enrique A Bojorquez-Gaxiola](#); [jpoulsen@provhomes.com](#); [ben@wtheymorris.com](#); [Helen Jewel Clark](#); [mikejosic@gmail.com](#); [zach@zbrooks.com](#); [Dorothy Hallock](#); [Cyd Manning](#)  
**Subject:** Rezoning Application #GPA-SM-2-21-8  
**Date:** Thursday, June 10, 2021 6:03:36 PM

---

Good afternoon, I am in receipt of your letter advising that you are requesting rezoning from 1-2 DU/AC to 2-3.5 DU/AC

I am writing to contest the rezoning. Among many other issues, the infrastructure, does not support this change. Dobbins Road, 19<sup>th</sup> Avenue, South Mountain Avenue are two lane roads that are already exhausted by traffic.

I am asking at this time is that when you schedule your "neighborhood meeting" as stated in your letter dated 6/7/2021 that you schedule it at a time/location that is convenient for the neighbors that this rezoning affects.

Perhaps after 6 pm at a location in the 85041 location

Sent from [Mail \[go.microsoft.com\]](mailto:Mail[go.microsoft.com]) for Windows 10

## 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](mailto:info@TechnicalSolutionsAZ.com); [Council District 8 PCC](#)  
**Subject:** Rezoning request for 19th Avenue & Southern

I reside at 8630 South 19<sup>th</sup> 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 7<sup>th</sup> Street to 27<sup>th</sup> 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.
- 19<sup>th</sup> 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 20<sup>th</sup> Street to 43<sup>rd</sup> 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

**From:** [JAMES TORRES](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Fw: Fwd: GPA-SM-2-21-8  
**Date:** Monday, June 14, 2021 11:40:02 AM  
**Attachments:** [Enhanced Notification Form GPA-SM-2-21-8 dated 06-11-21.pdf](#)

---

I'm a resident at Southern Hills, I hope you don't rezone the property mentions below. All the other Builders are dealing with the temporary increase in building materials. Please don't open a can of worms by rezoning this parcel. All the other Builders are making money building houses in Phoenix.

Thank you,  
James Torres  
2337 W Corral Rd  
Phoenix, AZ. 86041

[Sent from Yahoo Mail for iPhone \[overview.mail.yahoo.com\]](#)

Begin forwarded message:

On Monday, June 14, 2021, 10:33 AM, Patti Trites <[pattihoash@gmail.com](mailto:pattihoash@gmail.com)> wrote:

Hi Neighbors,  
I am writing to you as a neighbor, not as the HOA.

I was recently made aware that the developer/owner of the land at 19th AVENUE and SOUTH MOUNTAIN;  
which is across the street from the Worm Farm and  
just west of the new development The Commons at South Mountain

WANTS TO CHANGE THE ZONING FROM 0-2 DU/ACRE TO 3.5  
DU/ACRE.

more homes - closer together - more congestion.

Please send your comments to the City Planner referencing this case GPA-SM-2-21-8:  
Enrique Bojorquez-Gaxiola at [enrique.bojorquez-gaxiola@phoenix.gov](mailto:enrique.bojorquez-gaxiola@phoenix.gov)

You can see my comments below.

The Developer is claiming increased costs of materials as to why he needs the increased density.

The details of what they propose is attached. None of us got notice of this zoning change either.

Please stay engaged and keep South Mountain beautiful.  
pass this one.

Thank you.

Patti

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

From: **Patti Trites** <[pattihoash@gmail.com](mailto:pattihoash@gmail.com)>

Date: Mon, Jun 14, 2021 at 9:54 AM

Subject: GPA-SM-2-21-8

To: Enrique A Bojorquez-Gaxiola <[enrique.bojorquez-gaxiola@phoenix.gov](mailto:enrique.bojorquez-gaxiola@phoenix.gov)>

Cc: Tamala Daniels <[bestofphxliving@gmail.com](mailto:bestofphxliving@gmail.com)>, M Busching (Cartof) <[mjb@cartof.com](mailto:mjb@cartof.com)>, Greg Brownell <[brownell@cox.net](mailto:brownell@cox.net)>, Edward Aldama <[edward@yourgreatestself.com](mailto:edward@yourgreatestself.com)>

Dear Enrique,

Hope you are fine.

I wanted to make you aware of my concerns on this case:  
GPA-SM-2-21-8

A few items I wish to point out:

**- I and my neighbors were never notified of this proposed zoning change.**

I am the HOA President of Southern Hills and have been since 2016.

**- There is no hydrology report done for this zoning change.**

How does it impact the water in a 100 year storm event, especially downstream?

The City incorporated this requirement for rezoning cases...if you recall.

**- I have a problem with their reasoning on the need to rezone.."due to increased costs of lumber etc."**

"The primary reason for this density of 3.5 du/ac are the runaway costs of homebuilding and development. The primary reason for this density of 3.5 du/ac

are the runaway costs of homebuilding and development. By example, according

to the NAHB, just lumber alone is 300% greater in cost since April 2020 causing

new single-family homes to increase by nearly \$36,000 on average. There have

been significant increases in almost every other component of home building,

plumbing, roofing, concrete, etc. Price increases have also hit development very

hard also. Asphalt and piping have gone up dramatically over the past year. The cost of materials, labor, developing lots, and homebuilding has increased so

dramatically that homes built on 55'-wide lots will cost more than homes built on

80'-wide lots just one year ago. Thus the, 0-2 du/ac density currently assigned to

this property would push home prices out of the range for all but a very few, and

certainly beyond what the market can support in this area."

a. They will charge more for the homes; these are not affordable housing.

**Builders are 'recouping these prices.**

b. The development just next to this land, to the East, is by the same developer.  
He kept that zoning at 0-2 du/acre for The Commons at South Mountain.

**The builder had told me, at an initial call with Ben in 2020, that he was selling the homes there quickly.**

Those prices were 480K - over \$600K.

He can make that money on the existing zoning.

**I am certain that the new homeowners at The Commons at South Mountain would be very upset with the zoning change if they were aware the same builder/developer wants to put smaller homes in smaller lots next to them.**

**c. They must follow Rio Montana Guidelines....or what is the point of having guidelines**

Finally - when I had a call with the Developer and Ben in 2020, I told them to keep the same zoning; due the hydrology (i showed him the FLO-2D mapping for the area available by Maricopa County; and to get buy in from the Rio Montana Group across the street.

The worm farm and the landscape companies do not want the zoning change, he told me then.

I asked why the zoning change - *he told me then that it was due to needing more homes to pay for the upgrade to 19th Avenue with sidewalks and sewers and the upgrade to South Mountain the city will want.*

- I don't see that reason on this document.

Do I have an opportunity to speak to this at the village?  
Kindly please advise.

Thank you.

Patti



**From:** [H. Jewel Clark](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [Erin Hegedus](#); [mijosic](#); [zacharyrbrooks@hotmail.com](#); [Zachary Brooks](#); [Stephen Williams](#); [Dorothy Hallock](#); [rhornback](#); [azleatherking](#); [ravi6161sharma@gmail.com](#); [kimberly gomez](#); [M.Rubio23@hotmail.com](#); [M.Rubio\\_23@hotmail.com](#)  
**Subject:** Rezoning Application #GPA-SM-2-21-8  
**Date:** Friday, June 11, 2021 11:26:50 AM  
**Attachments:** [4826\\_001.pdf](#)

---

Dear Mr. Bojorquez-Gaxiola,

I am writing to protest concurrent cases GPA-SM-2-21-8 (General Plan Amendment) and Z-31-21-8 (Rezoning) for the property at the southeast corner of 19th Avenue and South Mountain Avenue. My husband and I own property just on the other side of the proposed development at 2020 W. South Mountain Ave., and according to my husband who checks the mail, we did not receive notification of this zoning request. We were forwarded a copy by a neighbor just last night, June 10. Surely we are within the notification area for this development since it directly affects our transit to and from our home and our view from our property?

The proposed rezoning is in direct conflict with the city's Rio Montana development plan. As stated clearly in the plan on page 17, "Residential densities should transition from north to south in decreasing intensity." And as clearly laid out on the map on the following page, the area south of South Mountain Ave, and 19th Ave. is intended for 0-2 Du/ac. The current residents of the area have invested in and built on their properties to this standard and we have reasonable expectations of the city to uphold the tenets of this plan.

In addition, as we demonstrated just over 2 years ago when opposing similar development on the southwest side of South Mountain Ave. and 19th Ave., the infrastructure at the intersection of 19th Ave. and South Mountain Ave. is wholly inadequate to accommodate torrential run-off from South Mountain Park or the traffic congestion of an already overburdened intersection, which includes school traffic. This is not something a developer can remediate.

The developments that have adhered to the density and other design aspects of the Rio Montana plan have not been opposed in our area and we welcome new development when it aligns with that plan. Again, since we did not receive official notification for this rezoning request (assuming we are within the notification range) I would petition that there should be a delay in any hearing to verify all surrounding property owners have actually received official notification.

Sincerely,  
Jewel Clark

--

H. Jewel Clark  
[hjewelclark@fastmail.com](mailto:hjewelclark@fastmail.com)

**From:** [Kim Nelson](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Protest cases GPA-SM-2-21-8 and Z-31-21-8  
**Date:** Monday, August 2, 2021 11:16:05 AM  
**Attachments:** [image001.png](#)

---

Hello Enrique,

I would like to write in and protest concurrent cases GPA-SM-2-21-8 (General Plan Amendment and Z-31-21-8 (Rezoning) for the property at the southeast corner of 19<sup>th</sup> Avenue and South Mountain Avenue.

Please consider!!

Thank you so much,  
Kim

**KIMBERLY ZIMTBAUM**  
Regional Portfolio Executive

C: 602-478-9826 | O: 480-483-4981 Ext 3026  
kimberly.nelson@chrobinson.com  
[www.chrobinson.com](http://www.chrobinson.com) [[chrobinson.com](http://chrobinson.com)]  
20860 N. Tatum Blvd | Suite 350 | Phoenix, Az 85050



\*\*\*\*\*  
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\*\*\*\*\*

**From:** [Larry Brown](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Rezoning application  
**Date:** Thursday, June 24, 2021 3:16:52 PM

---

Greetings Enrique,

I am Larry Brown of 8706 S. 16th Dr. PHOENIX, AZ 85041. I am writing in regards to the Rezoning application and Minor General Plan Amendment (Z-31-21-8 and GPA-Sm-2-21-8). According to the letter I received today from Withey Morris LLC., Providence Homes wishes to build on 55-foot-wide and 75-foot-wide lots with the 75-foot-wide lots being placed on the West and North perimeter. As a current resident in The Commons at South Mountain and my home being on the western perimeter of our neighborhood, I am concerned that we will have up to 3 homes adjacent to ours with the 55-Foot-wide lots being placed on the Eastern perimeter rather than possibly 2 homes if it were to place the 75-foot-wide lots here. Is it possible they put the incorrect location of these wider lots in this letter? Is it possible to require a green space between the neighborhoods in order to better protect the property value of the homes here in The Commons at South Mountain?

I appreciate your time and look forward to your response.

Respectfully,  
Larry A. Brown  
(520) 313-6339

**From:** [Nicole](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Change in zoning in south mountain  
**Date:** Thursday, June 17, 2021 3:06:11 PM

---

Hello I have made aware of developers changing the zoning in south mountain. South mountain is a beautiful area with low density with some farms and people riding horses in the area. I understand things change as I have seen the change the 12 years I have lived in the area. It would be nice if the slightly rural feel and not densely populated areas closer to downtown. Please take this into consideration with case: GPA-SM-2-21-8.

Thank you  
Nicole Stovall

Sent from my iPhone

**From:** [Stan Flowers](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** GPA-SM-2-21-8  
**Date:** Thursday, June 24, 2021 1:49:11 PM

---

Dear Enrique,

I am writing to express my opposition to the GPA proposed for the Kimura Gardens housing project at 19th Avenue and South Mountain Road to change the current Plan's residential density from 0-2 du/acre to 2-3.48 du/acre. I've been a resident of the immediate area for 9 years and a south Phoenix/Laveen resident for 12 years.

The primary reason noted in the request is that costs of homebuilding and development have increased. In other words, the developers want to decrease the size of lots in order to squeeze more houses into this 49 acre plot of land in order to sell more houses. It's merely a profit-driven decision and not at all related to community development or wealth and quality of life.

The area south of South Mountain/19th Avenue is already becoming congested with traffic. Housing developments are either in the process or planned in several areas along Dobbins Road which is the next major east-west transportation artery south of this area:

- Silva Mountain - 67 lots already built and directly east of Kimura Gardens on South Mountain Road
- Dobbins Heights - 176 homes currently being built at 15th Avenue/Dobbins
- Winde Farms - 46 lots planned for the northeast corner of 27th Avenue/Dobbins
- Dobbins Manor - excavation underway on the southwest corner of 27th Avenue/Dobbins; I don't have information on the number of lots but the plat of land is probably 35-40 acres

19th Avenue via Dobbins Road has already become a viable shortcut for access to downtown Phoenix/I-17, and areas east of Central Avenue, due to serious and constant congestion on Baseline Road from 19th Avenue to 16th Street.

In regards to increasing the density unit per acre to support retail and commercial development at 19th Avenue and Baseline Road, that's a bit of a stretch. There's a lack of, and has always been a lack of, desirable amenities at that intersection other than fast food and of course the Lowe's store and CVS, despite constant homebuilding in this area. That's a problem looking for a solution from the Community and Economic Development Department and developers. So many of our local friends and neighbors travel out of the area to patronize.

As a south Phoenix resident whose 2-year old home was nearly destroyed by the 25 and 100-

year floods in August and September 2014, I am always concerned about the impacts of water flow from the mountains. 19th Avenue is a natural waterway from South Mountain down to Baseline. Intersections consistently flood between these two points. Has the developer been able to determine how this natural water flow will impact this development? The residents in our community are diligent in keeping our friends and neighbors aware of the need to inquire about water flow in these areas being developed for more homes.

In summary, it's obvious that the rural feel of South Mountain area and nearby Laveen are slowly disappearing. Housing developments are going to continue. However, allowing developers to amend General Plan decisions just to increase their profit margin, should not be a determinant for amendments. Community improvement and quality of life enhancements need to play a role.

Thank you for the opportunity to comment.

Stan Flowers  
2425 W. Hayduk Rd.  
Phoenix, AZ 85041  
Southern Hills Community

**From:** [T. Ryan](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** #Z-31-21-8 South Mountain and 19th Avenue  
**Date:** Tuesday, June 29, 2021 4:19:02 PM

---

I'm writing to urge the Planning and Zoning Committee to deny the application to upzone the property at 19<sup>th</sup> Avenue and South Mountain. The original plan for the area south of Baseline was to maintain the agricultural/rural feel of the area. The roads and streets in this area cannot handle more people. 19<sup>th</sup> Avenue is 2 lanes (not two lanes each way, 2 lanes period). There is no shoulder on the road nor any turn lanes.

The two east/west roads for leaving the neighborhood are Baseline and Dobbins. Dobbins is another 2 lane road and Baseline is bumper to bumper with numerous car accidents daily. Please pull the police reports and you will see I am not exaggerating this. The new school at Baseline and 15<sup>th</sup> Avenue has also created a large traffic issue both before and after school. A new large apartment complex is under construction at 19<sup>th</sup> Avenue and Southern. This development will add to the traffic on Baseline as well since I'm sure many of their children will attend the school.

In short, the infrastructure from Baseline to the south does not lend itself to higher density building. Please contact me if you have further questions or would like me to testify before a hearing.

Regards,

Tammy Ryan  
1822 W Moody Trail  
Phoenix, AZ 85041  
(602) 430-5965

Sent from [Mail \[go.microsoft.com\]](mailto:go.microsoft.com) for Windows 10

**From:** [zach@zbrooks.com](mailto:zach@zbrooks.com)  
**To:** [Enrique A Bojorquez-Gaxiola](#); [jpoulsen@provhomes.com](mailto:jpoulsen@provhomes.com); [ben@wtheymorris.com](mailto:ben@wtheymorris.com); [Erin Hegedus](#)  
**Subject:** Re: Rezoning Application #GPA-SM-2-21-8  
**Date:** Friday, June 11, 2021 11:27:42 AM  
**Attachments:** [image001.png](#)

---

Enrique -

The Arizona Worm Farm, the property I own directly across from this proposed development is also opposed to this development as presented.

We will be sending you a formal response in the near future, but would appreciate an opportunity to meet with you (even virtually) while the project is still in review - before it gets formally presented to the South Mountain Village Planning Committee.

I would like to share my concerns with you and explain ways the development could be more consistent with the neighborhood and the general plan for the area. That way, perhaps you can help us get it to a desirable project before it gets a favorable recommendation from the planning department.

Can we meet?

Zach Brooks  
602-418-6704

As always, leave us a comment with any questions regarding your worm farm, composting or anything sustainable farming related! Our farm hours of operation are listed below with links to our website and Facebook page where you can find out about our farm and sign up for vermicomposting classes held once a month at the farm!

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FB: Arizona Worm Farm <https://www.facebook.com/arizonawormfarm/> [[facebook.com](#)]  
Website: <http://www.arizonawormfarm.com/> [[arizonawormfarm.com](#)]

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Hours of Operation/Visitation  
Monday - Friday 8 am - 4 pm  
Saturday 8 am - 1 pm  
Closed Sundays

On Friday, June 11, 2021, 10:58:15 AM MST, Erin Hegedus <[erintkhegedus@hotmail.com](mailto:erintkhegedus@hotmail.com)> wrote:

Thank you for your response, I am sure you will be receiving many more emails contesting the rezoning as we have previously presented our case when the southwest corner was requested for rezoning to higher density housing.



Get [Outlook for iOS \[aka.ms\]](#)

---

**From:** Enrique A Bojorquez-Gaxiola <enrique.bojorquez-gaxiola@phoenix.gov>

**Sent:** Friday, June 11, 2021 10:29:04 AM

**To:** Erin Hegedus <erinTKhegedus@hotmail.com>; AZleatherking@aol.com  
<AZleatherking@aol.com>; jpoulsen@provhomes.com <jpoulsen@provhomes.com>;  
ben@wtheymorris.com <ben@wtheymorris.com>; Helen Jewel Clark <hjewelclark@fastmail.com>;  
mikejosic@gmail.com <mikejosic@gmail.com>; zach@zbrooks.com <zach@zbrooks.com>; Dorothy  
Hallock <dh@hallockgross.com>; Cyd Manning <sweetbeat@q.com>

**Subject:** RE: Rezoning Application #GPA-SM-2-21-8

Good morning Erin,

How are you? This is Enrique Bojorquez, South Mountain Village Planner with the city of Phoenix. Thank you for your statement in regards to concurrent cases GPA-SM-2-21-8 (General Plan Amendment) and Z-31-21-8 (Rezoning) for the property at the southeast corner of 19th Avenue and South Mountain Avenue. I will add your statement to the case file for the review of our team and the public bodies that will hear these two cases in the next few months.

At the moment, rezoning cases are required by the city to host an online virtual meeting, teleconference or another alternative meeting format where members of the public can safely engage with the applicant on the project (due to the Emergency Declaration issued by City Council in 2020 arising from COVID-19 concerns). Over the past year, most applicants have elected to host an online virtual meeting to meet this requirement. There will also be a website created by the applicant on these cases where project documents will be displayed for public review.

If you have any questions about the city process, public hearings, other aspects of these cases involving the city, please contact me at your convenience.

Thank you very much,

**Enrique Bojórquez Gaxiola**  
Planner II – Village Planner  
City of Phoenix  
Planning & Development Department  
Long Range Planning  
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:** Erin Hegedus <erinTKhegedus@hotmail.com>  
**Sent:** Thursday, June 10, 2021 6:04 PM  
**To:** AZleatherking@aol.com; Enrique A Bojorquez-Gaxiola <enrique.bojorquez-gaxiola@phoenix.gov>; jpoulsen@provhomes.com; ben@wtheymorris.com; Helen Jewel Clark <hjewelclark@fastmail.com>; mikejosic@gmail.com; zach@zbrooks.com; Dorothy Hallock <dh@hallockgross.com>; Cyd Manning <sweetbeat@q.com>  
**Subject:** Rezoning Application #GPA-SM-2-21-8

Good afternoon, I am in receipt of your letter advising that you are requesting rezoning from 1-2 DU/AC to 2-3.5 DU/AC

I am writing to contest the rezoning. Among many other issues, the infrastructure, does not support this change. Dobbins Road, 19<sup>th</sup> Avenue, South Mountain Avenue are two lane roads that are already exhausted by traffic.

I am asking at this time is that when you schedule your "neighborhood meeting" as stated in your letter dated 6/7/2021 that you schedule it at a time/location that is convenient for the neighbors that this rezoning affects.

Perhaps after 6 pm at a location in the 85041 location

Sent from [Mail \[go.microsoft.com\]](mailto:mailto:go.microsoft.com) for Windows 10

**From:** [Dean Chiarelli](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** CORRECTION Rezoning Feedback  
**Date:** Tuesday, June 29, 2021 8:00:11 PM

---

Mr. Bojorquez-Gaxiola,

Please disregard my e-mail sent earlier today regarding Application #Z-31-21-8, and GPA-SM-2-21-8

I am a resident in South Phoenix and DO NOT support approval of the application. I encourage the South Mountain Village Planning Committee to limit rezoning residential development to 2-3 homes per acre maximum.

Dean Chiarelli, Master of Arts, Registered Dietitian, Registered Environmental Health Specialist  
Electronic Signature *Dean Chiarelli*

**From:** [Patti Trites](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [Tamala Daniels](#); [Marcia Busching](#); [Greg Brownell](#); [edward@yourgreatestself.com](mailto:edward@yourgreatestself.com)  
**Subject:** GPA-SM-2-21-8  
**Date:** Monday, June 14, 2021 9:55:06 AM

---

Dear Enrique,

Hope you are fine.

I wanted to make you aware of my concerns on this case:  
GPA-SM-2-21-8

A few items I wish to point out:

**- I and my neighbors were never notified of this proposed zoning change.**

I am the HOA President of Southern Hills and have been since 2016.

**- There is no hydrology report done for this zoning change.**

How does it impact the water in a 100 year storm event, especially downstream?

The City incorporated this requirement for rezoning cases...if you recall.

**- I have a problem with their reasoning on the need to rezone.."due to increased costs of lumber etc."**

"The primary reason for this density of 3.5 du/ac are the runaway costs of homebuilding and development. The primary reason for this density of 3.5 du/ac are the runaway costs of homebuilding and development. By example, according to the NAHB, just lumber alone is 300% greater in cost since April 2020 causing new single-family homes to increase by nearly \$36,000 on average. There have been significant increases in almost every other component of home building, plumbing, roofing, concrete, etc. Price increases have also hit development very hard also. Asphalt and piping have gone up dramatically over the past year. The cost of materials, labor, developing lots, and homebuilding has increased so dramatically that homes built on 55'-wide lots will cost more than homes built on 80'-wide lots just one year ago. Thus the, 0-2 du/ac density currently assigned to this property would push home prices out of the range for all but a very few, and certainly beyond what the market can support in this area."

a. They will charge more for the homes; these are not affordable housing. **Builders are 'recouping these prices.**

b. The development just next to this land, to the East, is by the same developer.

He kept that zoning at 0-2 du/acre for The Commons at South Mountain.

**The builder had told me, at an initial call with Ben in 2020, that he was selling the homes there quickly.**

Those prices were 480K - over \$600K.

He can make that money on the existing zoning.

**I am certain that the new homeowners at The Commons at South Mountain would be very upset with the zoning change if they were aware the same builder/developer wants to put smaller homes in smaller lots next to them.**

c. **They must follow Rio Montana Guidelines....or what is the point of having guidelines**

Finally - when I had a call with the Developer and Ben in 2020, I told them to keep the same zoning; due the hydrology (i showed him the FLO-2D mapping for the area available by Maricopa County; and to get buy in from the Rio Montana Group across the street.

The worm farm and the landscape companies do not want the zoning change, he told me then.

**I asked why the zoning change - he told me then that it was due to needing more homes to pay for the upgrade to 19th Avenue with sidewalks and sewers and the upgrade to South Mountain the city will want.**

- I don't see that reason on this document.

Do I have an opportunity to speak to this at the village?  
Kindly please advise.

Thank you.

Patti

--

Hope you have a great day. Thank you.

Patti Trites  
Southern Hills HOA

Cell: 402 213 7126

Email: [pattihoash@gmail.com](mailto:pattihoash@gmail.com)



**From:** [Patti Trites](#)  
**To:** [Adam Baugh](#); [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [John S. Poulsen \(jpoulsen@provhomes.com\)](#); [Tamala Daniels](#); [Marcia Busching](#)  
**Subject:** Re: FW: Opposition Letter - Z-31-21-8 and GPA-SM-2-21-8  
**Date:** Friday, June 25, 2021 7:07:10 AM  
**Attachments:** [image004.png](#)

---

Dear Adam,

Hello. Thank you for your email.

I remain open to meey with you and your client, John.

I would request that you invite two others critical to this project: someone from the new development John built, The Commons at Providence, and someone from the Rio Montana subdivision.

These immediate neighbors' feedback along with other neighbor's is critical as you move forward.

Let me know when you have them available and I will gladly meet.

Always working to help out.

By the way, I never received the first notice. I received the second notice yesterday of the zoom meeting July 7th, but it came to me due to my complaint not as a homeowner. My neighbors have not been notified by your client.

Enrique- please include in correspondence to the Village on this project..

Thank you.

Patti

On Fri, Jun 25, 2021, 2:17 AM Adam Baugh <[adam@witheymorris.com](mailto:adam@witheymorris.com)> wrote:

Hi Patti,

I hope you're doing well. I miss seeing you on the village. You were always very kind to me.

I just wanted to follow up with you about a project we discussed back in February. I hope you might recall the zoom call we did with you and my client John Poulsen. He is a sweet man, very warm and grandfatherly. You might recall we mentioned how he developed The Commons on South Mountain Avenue east of 19<sup>th</sup> Avenue, and was soon going to develop the land he owns at the southeast corner of that intersection. When we shared our plans with you in February you were complementary to the project and warned us to pay close attention to the drainage study, which we did thankfully based on your advice.

Enrique forwarded me your letter of opposition which surprised me and is a different tone. But I also know I need to do the necessary work to address concerns. Would you be open to meeting with John and I soon?

G. Adam Baugh, Esq.

Withey Morris PLC

2525 E Arizona Biltmore Circle #A-212

Phoenix, AZ 85016

Ph: (602) 230-0600

Fax: (602) 212-1787



[\[linkedin.com\]](#)

WM\_Logo\_1615U\_K



[\[witheymorris.com\]](#)



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Enrique Bojorquez-Gaxiola  
 South Mountain Village Planner  
 Planning & Development Department  
 200 West Washington Street  
 Phoenix, AZ 85003

**Re: New Residential Community at SEC of 19<sup>th</sup> Avenue and South Mountain Ave**

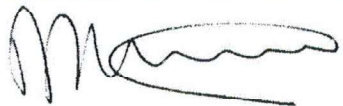
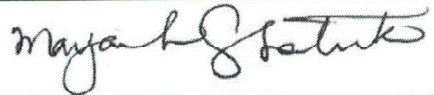
Dear Enrique:

We are homeowners at the Commons at South Mountain which is located east of the southeast corner of 19<sup>th</sup> Avenue and South Mountain Avenue. We are aware Providence Homes/Newcastle Development plans to build a new residential neighborhood on the vacant land directly west of us. Providence Homes was also the homebuilder of our community and we know and trust the quality and workmanship of their homebuilding craft.

We are delighted to see their new community next door and we are pleased Providence Homes has agreed to build only one-story homes along our shared property line. This is a good example of compatible development next to our community.

We wish them success in their endeavor, and we support their pending rezone application with the City of Phoenix.

Sincerely,

Name	Address	Signature
1. David Gilpatrick	8432 S. 16 <sup>th</sup> Drive Phoenix Az 85041	
2. Marjaneh Gilpatrick	8432 S. 16 <sup>th</sup> Drive Phoenix Az 85041	
3.		
4.		
5.		

Enrique Bojorquez-Gaxiola  
 South Mountain Village Planner  
 Planning & Development Department  
 200 West Washington Street  
 Phoenix, AZ 85003

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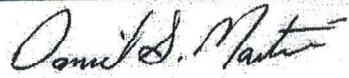
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Sincerely,

Name	Address	Signature
1. DANIEL S. MARTIN	8612 S 16 <sup>th</sup> DR PHOENIX, AZ 85041	
2.		
3.		
4.		
5.		
6.		



Enrique Bojorquez-Gaxiola  
 South Mountain Village Planner  
 Planning & Development Department  
 200 West Washington Street  
 Phoenix, AZ 85003

**Re: New Residential Community at SEC of 19<sup>th</sup> Avenue and South Mountain Ave**

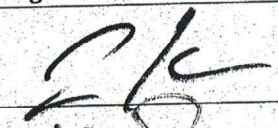
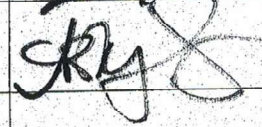
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Sincerely,

Name	Address	Signature
1. Joe Flankins	1520 W Ardmore Rd	
2. Ashley Flankins	1520 W Ardmore Rd	
3.		
4.		
5.		



Enrique Bojorquez-Gaxiola  
 South Mountain Village Planner  
 Planning & Development Department  
 200 West Washington Street  
 Phoenix, AZ 85003

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Sincerely,

Name	Address	Signature
1. Susanna B Mayers	1517 West Ardmore Road	<i>Susanna B Mayers</i>
2.		
3.		
4.		
5.		

Enrique Bojorquez-Gaxiola  
 South Mountain Village Planner  
 Planning & Development Department  
 200 West Washington Street  
 Phoenix, AZ 85003

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Sincerely,

Name	Address	Signature
1. Paul Moore	1509 W Ardmore Rd Phoenix, AZ 85041	<i>Paul Moore</i>
2. Patricia Moore	1509 W Ardmore Rd Phoenix, AZ 85041	<i>Patricia Moore</i>
3.		
4.		
5.		

Enrique Bojorquez-Gaxiola  
South Mountain Village Planner  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

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Sincerely,

Name	Address	Signature
1. Anne VanLeeuwen	8007 S 16 <sup>th</sup> Drive	Anne VanLeeuwen
2. Lynda Sano	" "	Lynda Sano
3. Tina McAllister	1508 West Ardmore Phoenix AZ	Tina McAllister
4. Steve LaPine	8509 S 16 <sup>th</sup> Dr Phx Az 85041	Steve LaPine
5.		



Enrique Bojorquez-Gaxiola  
South Mountain Village Planner  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

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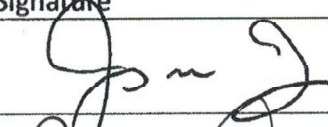
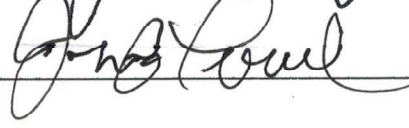
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Sincerely,

Name	Address	Signature
1. James m Irely	1521 W. Ardmore Rd Phoenix, AZ 85041	
2. Jennifer Terstriep	8513 S. 16 <sup>th</sup> DR. Phoenix, AZ 85041	
3.		
4.		
5.		

Enrique Bojorquez-Gaxiola  
 South Mountain Village Planner  
 Planning & Development Department  
 200 West Washington Street  
 Phoenix, AZ 85003

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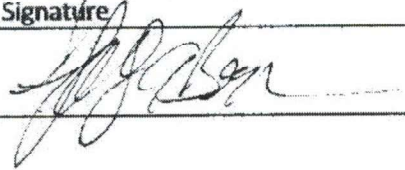
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Sincerely,

Name	Address	Signature
1. Larry A. Brown Hope Ann Brown	8706 S 16th Drive	
2.		
3.		
4.		
5.		



Enrique Bojorquez-Gaxiola  
 South Mountain Village Planner  
 Planning & Development Department  
 200 West Washington Street  
 Phoenix, AZ 85003

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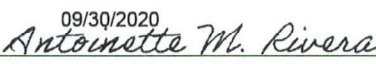
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Sincerely,

Name	Address	Signature
1. Charles & Antoinette Rivera	1506 W Caldwell Street	 Charles F Rivera and Antoinette M Rivera 09/30/2020 
2.		
3.		
4.		
5.		

Enrique Bojorquez-Gaxiola  
 South Mountain Village Planner  
 Planning & Development Department  
 200 West Washington Street  
 Phoenix, AZ 85003

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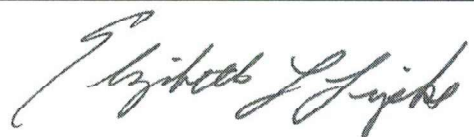
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We wish them success in their endeavor, and we support their pending rezone application with the City of Phoenix.

Sincerely,

Name	Address	Signature
1. Elizabeth Lipke & Scott Hennen	1513 W Ardmore Road Phoenix, AZ 85041	
2.		
3.		
4.		
5.		

Enrique Bojorquez-Gaxiola  
South Mountain Village Planner  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

**Re: New Residential Community at SEC of 19<sup>th</sup> Avenue and South Mountain Ave**

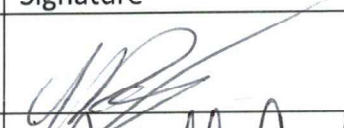
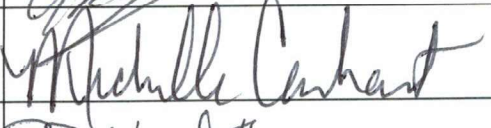
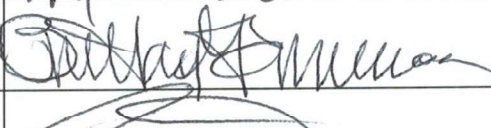

Dear Enrique:

We are homeowners at the Commons at South Mountain which is located east of the southeast corner of 19<sup>th</sup> Avenue and South Mountain Avenue. We are aware Providence Homes/Newcastle Development plans to build a new residential neighborhood on the vacant land directly west of us. Providence Homes was also the homebuilder of our community and we know and trust the quality and workmanship of their homebuilding craft.

We are delighted to see their new community next door and we are pleased Providence Homes has agreed to build only one-story homes along our shared property line. This is a good example of compatible development next to our community.

We wish them success in their endeavor, and we support their pending rezone application with the City of Phoenix.

Sincerely,

Name	Address	Signature
1. Isaac Perez	1541 W. Ardmore	
2. Michelle Carhart	" "	
3. Brittany Emmernann	8605 S 16th Dr. Phoenix 85041	
4. Carlos Emmernann	" "	
5.		
6.		

Enrique Bojorquez-Gaxiola  
South Mountain Village Planner  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

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Sincerely,

Name	Address	Signature
1. ANDY WILLETT	1529 W ARDMORE RD, PHX	
2.		
3.		
4.		
5.		

**From:** [Seidy Lasker](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Rezoning  
**Date:** Tuesday, June 29, 2021 3:57:10 PM

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Hi, I would just like to say I 100% support all rezoning efforts in South Phoenix including the one on 19th ave & South Mountain. I think 3+ lots per acre is great and more higher density housing to increase affordability including condos.

I believe there needs to be a bigger push towards rezoning to create more affordable living in Buckeye, Goodyear, Avondale.

I don't believe in single family rentals though. I think if houses are to be built, they should be built for sale and not an entire community for rent unless its an apartment complex.

Thanks

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**Seidy Lasker** | Personal: 602-710-7835