

ATTACHMENT B



City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-81-25-2
August 29, 2025

[Paradise Valley Village Planning Committee](#) Hearing Date:

September 8, 2025

[Planning Commission](#) Hearing Date:

October 6, 2025

Request From:

[C-1](#) (Neighborhood Retail) (3.33 acres)

Request To:

[C-2](#) (Intermediate Commercial) (3.33 acres)

Proposal:

Commercial Center

Location:

Approximately 200 feet west of the southwest corner of 64th Street and Bell Road

Owner:

Superstition Associates, LLC

Applicant/Representative:

Brian Greathouse, Burch & Cracchiolo, P.A.

Staff Recommendation:

Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Commercial	
<u>Street Map Classification</u>	Bell Road	Major arterial	40-foot south half street
<i>STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; ENTREPRENEURS AND EMERGING ENTERPRISES; LAND USE PRINCIPLE: Encourage land uses that promote the growth of entrepreneurs or new businesses in Phoenix in appropriate locations.</i>			
The proposal will allow a restaurant to continue to operate within an existing shopping center and expand to a restaurant/bar use.			
<i>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Communities should consist of a mix of land uses to provide housing, shopping, dining and recreational options for residents.</i>			
The proposal increases the range of commercial uses available to nearby residents in an already established shopping center.			
<i>BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES & SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.</i>			

General Plan Conformity

Upon future redevelopment, the proposal, as stipulated, will provide enhanced shading along the Bell Road streetscape and within the surface parking lot. Also, as stipulated the existing landscape area along the south property line, adjacent to Juniper Avenue, shall be replenished with trees, shrubs and vegetative live coverage.

Applicable Plans, Overlays and Initiatives

[Complete Streets Guidelines](#) – See Background Item No. 5

[Comprehensive Bicycle Master Plan](#) – See Background Item No. 6.

[Shade Phoenix Plan](#) – See Background Item No. 7.

[Phoenix Climate Action Plan](#) – See Background Item No. 8.

[Transportation Electrification Action Plan](#) – See Background Item No. 9.

[Zero Waste PHX](#) – See Background Item No. 10.

[Conservation Measures for New Development](#) – See background Item No. 11.

Surrounding Land Uses/Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Shopping center	C-1
North (Across Bell Road)	Church	R1-18
South	Single-family residential	R1-10
East	Medical offices	C-1
West	Preschool and restaurant	C-1

C-2 (Intermediate Commercial)

<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the proposed site plan</u>
<i>Building Setbacks</i>		
Street		
Bell Road (north)	Average 25 feet, Minimum 20 feet	Not provided
Juniper Avenue (south)	Average 25 feet, Minimum 20 feet	Not provided

C-2 (Intermediate Commercial)		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the proposed site plan</u>
Not adjacent to street (East property line)	0 feet	Not provided
(West property line)	0 feet	0 feet
<i>Landscape Setbacks</i>		
Streetscape Bell Road (north)	Average 25 feet, Minimum 20 feet	Not provided
Juniper Avenue (south)	Average 25 feet, Minimum 20 feet	Not provided
Not adjacent to street (East property line)	None	Not provided
(West property line)	None	Not provided
Lot Coverage	Maximum 50 percent	Not provided
Building Height	Maximum 2 stories, 30 feet	Not provided
Parking	Retail: 1 space per 300 square feet Restaurant: 1 space per 50 square feet	Not provided

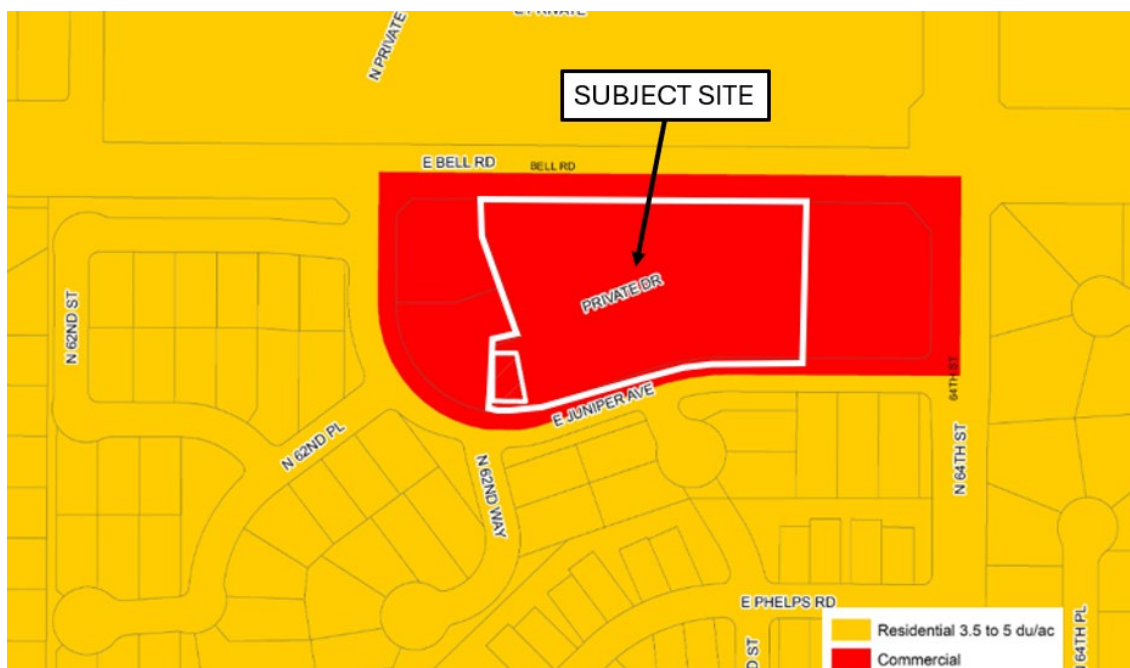
Background/Issues/Analysis

SUBJECT SITE

1. This is a request to rezone a 3.33-acre site from C-1 (Neighborhood Retail) to C-2 (Intermediate Commercial) to allow a commercial center. This request is to allow a bar/restaurant to operate within the existing shopping center, and no new construction is proposed in conjunction with this request.

GENERAL PLAN LAND USE MAP

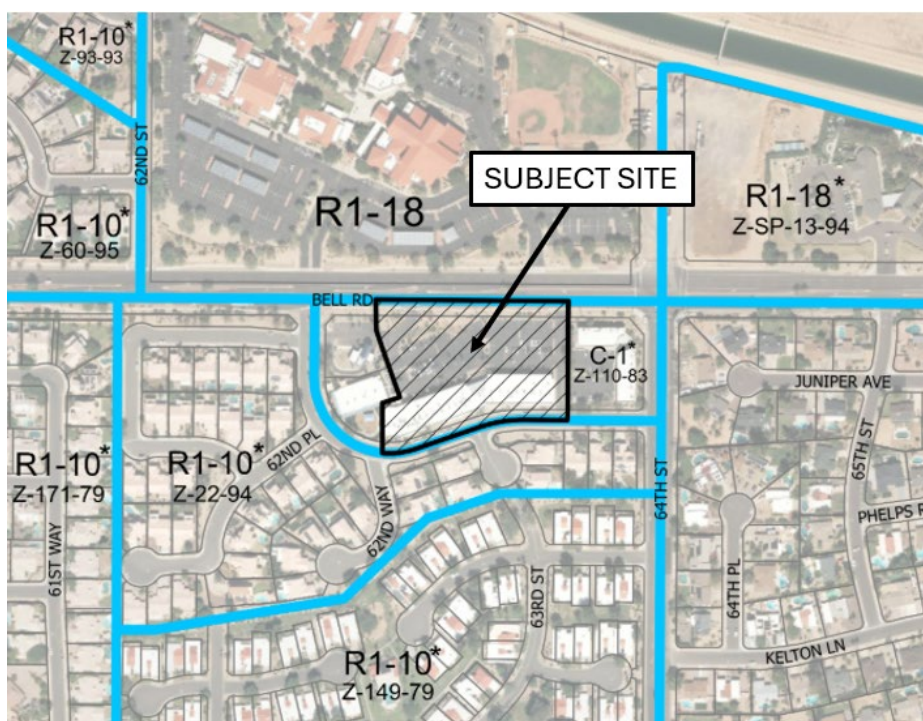
2. The General Plan Land Use Map designation for the subject site is Commercial. The proposal is consistent with the designation. Properties to the north and south are designated Residential 3.5 to 5 dwelling units per acre, while those to the east and west are designated Commercial on the General Plan Land Use Map.



General Plan Land Use Map, Source: Planning and Development

SURROUNDING LAND USES AND ZONING

3. Across Bell Road to the north is a church zoned R1-18 (Single-Family Residence District). To the south are single-family homes zoned R1-10 (Single-Family Residence District). To the east and west is the remainder of the shopping center zoned C-1.



Aerial Map, Source: Planning and Development Department

PROPOSAL

4. The proposed rezoning would cover a portion of the existing North Ranch Center shopping center, including the 4,210-square-foot Arena Sports Grill at the southwestern edge of the property. The applicant proposes to allow a restaurant and bar in the existing suite. The proposed use would be classified as a “bar” in the Zoning Ordinance, requiring a minimum of C-2 zoning. There are no proposed changes to the site plan. Landscaping is to be replenished on the south side of the building adjacent to the single-family neighborhood, per Stipulation No. 2. This will provide a buffer, soften the architecture, and reduce the heat island effect.

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

5. **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. Per Stipulation No. 1.i. upon redevelopment of the site, where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments, that visually contrasts parking and drive aisle surfaces. This will promote a more safe and friendly pedestrian environment.
6. **Comprehensive Bicycle Master Plan**
The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its Bikeway System and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. Upon future redevelopment, bicycle parking will be provided, per Stipulation No. 1.j.
7. **Shade Phoenix Plan**
In November 2024, the Phoenix City Council adopted the Shade Phoenix Plan. The Shade Phoenix Plan prioritizes increasing shade coverage throughout the City to improve health and quality of life. Investing in shade can address the urban heat island effect, clean the air, preserve Sonoran vegetation, and prevent health complications related to prolonged exposure to heat. The Shade Phoenix Plan provides numerous strategies to increase shade including expanding and maintaining existing shade, strengthening tree code enforcement, and developing shade stipulations in rezoning cases.

The existing landscape area along the south property line, adjacent to Juniper Avenue, shall be replenished with shade trees and live vegetative coverage per Stipulation No. 2. Upon future redevelopment, the streetscape along Bell Road shall be planted on both sides of the sidewalk with shade trees to provide thermal comfort for pedestrians and to reduce the urban heat island effect per Stipulation No. 1.a. Also, enhanced shading would be incorporated for surface

parking lot areas and existing retention areas, per Stipulation No. 1.b., 1.c. and 1.e. Additionally, bicycle parking spaces and pedestrian pathways, including sidewalks, shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75 percent shade per Stipulation No. 1.k.

8. **Phoenix Climate Action Plan**

In October 2021, the Phoenix City Council approved the Climate Action Plan. The Climate Action Plan will serve as a long-term plan to achieve greenhouse gas emissions reductions and resiliency goals from local operations and community activities as well as prepare for the impacts of climate change. This plan contains policy and initiatives regarding stationary energy, transportation, waste management, air quality, local food systems, heat, and water. Goal W2 (Water), Action W2.4, pertains to the implementation of the [Greater Phoenix Metro Green Infrastructure \(GI\) and Low Impact Development Details for Alternative Stormwater Management](#) to benefit the environment, promote water conservation, reduce urban heat, improve the public health, and create additional green spaces. This goal is addressed in Stipulation No. 1.h, which requires a minimum of two GI techniques for stormwater management to be implemented upon any future redevelopment.

9. **Transportation Electrification Action Plan**

In June 2022, the Phoenix City Council approved the Transportation Electrification Action Plan. The current market desire for the electrification of transportation is both a national and global phenomenon, fueled by a desire for better air quality, a reduction in carbon emissions, and a reduction in vehicle operating and maintenance costs. Businesses, governments and the public are signaling strong future demand for electric vehicles (EVs), and many automobile manufacturers have declared plans for a transition to fully electric offerings within the coming decade. This Plan contains policy initiatives to prepare the City for a future filled with more EVs, charging infrastructure and e-mobility equity, and outlines a roadmap for a five-step plan to prepare for the EV infrastructure needs of 280,000 EVs in Phoenix by 2030. One goal of the Plan to accelerate public adoption of electric vehicles through workplace, business, and multifamily charging infrastructure recommends a standard stipulation for rezoning cases to provide EV charging infrastructure. Stipulation No. 1.l provides requirements for electric vehicle parking, charging and infrastructure upon redevelopment. Additionally, there is a requirement for standard electrical receptacles for electric bicycle charging capabilities per Stipulation No. 1.m.

10. **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 state the tenants have the opportunity to participate in recycling.

11. **Conservation Measures for New Development**

In June 2023, the Phoenix City Council adopted the Conservation Measures for New Development policy as part of a resolution addressing the future water consumption of new development (Resolution 22129). This resolution addresses the future water consumption of new development to support one of the City's Five Core Values in the General Plan which calls for Phoenix to "Build the Sustainable Desert City". The Conservation Measures for New Development policy includes direction to develop standards for consideration as stipulations for all rezoning cases that will address best practices related to water usage in nine specific categories. This is addressed in Stipulations Nos. 1.d. through 1.g., which includes the following:

- Natural turf to only be utilized in required retention areas (at the bottom of the basin, and only allowed on slopes if required for slope stabilization) and functional turf areas;
- Minimum 25 percent shade for surface parking areas to be achieved via trees or structures;
- Irrigation plan which includes zones to consider the maturity of the landscaping;
- Participation in the Phoenix Water Efficiency Checkup Program.

COMMUNITY INPUT SUMMARY

12. At the time this staff report was written, staff has received two letters in opposition to this request. These concerns include: outdoor storage and clutter in view of neighbors, unpermitted structures, dumpster conditions and placement, neglected landscaping, concrete damage and staining, unfinished paint work, rear entrance maintenance, inconsistent maintenance, and block wall repair.

OTHER

13. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 1.n.
14. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to final site plan approval. This is addressed in Stipulation No. 3.

15. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonment may be required.

Findings

1. The proposal is consistent with the General Plan Land Use Map designation.
2. The proposal will provide additional retail and service options for the surrounding neighborhoods within an existing shopping center.
3. Upon redevelopment, as stipulated, the proposal will provide enhanced standards for landscaping, shade, electric vehicle and bicycle parking, in alignment with several city policies and goals.

Stipulations

1. Upon complete redevelopment or development that increases the cumulative floor area of the building by more than 15% from that depicted on the site plan date stamped July 22, 2025, the following shall apply:
 - a. The existing streetscape along Bell Road, adjacent to the development, shall be replenished to the following standards, as approved by the Planning and Development Department.
 - i. Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings.
 - ii. A mixture of drought-tolerant shrubs, accents, and vegetative groundcovers, maintained to a maximum height of two feet, evenly distributed throughout the landscape areas to achieve a minimum of 75% live coverage.

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

- b. The existing landscape planters within the surface parking lot shall be replenished with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees per 120 square feet of landscape planter area, and a minimum of five 5-gallon drought-tolerant shrubs per tree and a mixture of drought-tolerant shrubs, accents, and vegetative groundcovers, maintained to a maximum height of two feet, evenly distributed

throughout the landscape areas to achieve a minimum of 50% live coverage, as approved by the Planning and Development Department.

- c. Existing retention areas shall be replenished with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings, around the perimeter of the retention areas, and a minimum of five 5-gallon shrubs per tree and a mixture of drought-tolerant shrubs, accents, and vegetative groundcovers, as approved by the Planning and Development Department.
- d. Natural turf shall only be utilized for required retention areas (bottom of basin, and only allowed on slopes if required for slope stabilization) and functional turf areas located on properties, as approved by the Planning and Development Department.
- e. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.
- f. Provide a landscape irrigation plan that includes zones to establish the amount of irrigation to apply based on maturity and type of the landscaping. Irrigation should be applied efficiently based on the maturity and need for the vegetation.
- g. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the City of Phoenix Water Efficiency Program for a minimum of 10 years, or as approved by the Planning and Development Department.
- h. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
- i. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments, that visually contrasts

- parking and drive aisle surfaces, as approved by the Planning and Development Department.
- j. A minimum of 6 bicycle parking spaces shall be provided and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
 - k. All bicycle parking spaces and pedestrian pathways, including sidewalks, shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.
 - l. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Installed infrastructure, as approved by the Planning and Development Department.
 - m. A minimum of one of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
 - n. In the event archaeological 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 Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
- 2. The existing landscape area along the south property line, adjacent to Juniper Avenue, shall be replenished with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings, and a minimum of five 5-gallon drought-tolerant shrubs per tree and a mixture of drought-tolerant shrubs, accents, and vegetative groundcovers, evenly distributed throughout the landscape areas to achieve a minimum of 50% live coverage, as approved by the Planning and Development Department.
 - 3. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Writer

Matteo Moric

August 29, 2025

Staff Report: Z-81-25-2

August 29, 2025

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Team Leader

Racelle Escolar

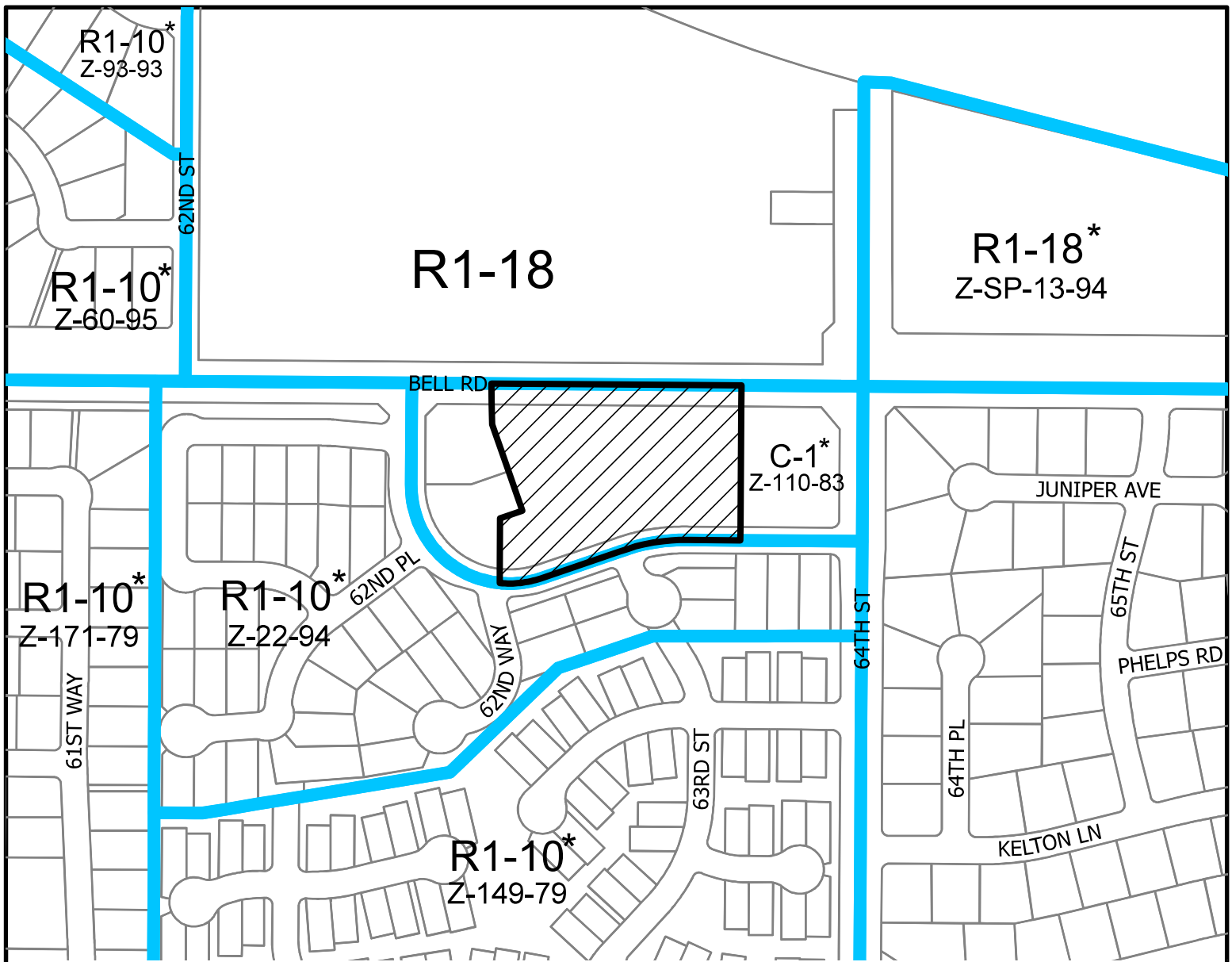
Exhibits

Sketch Map

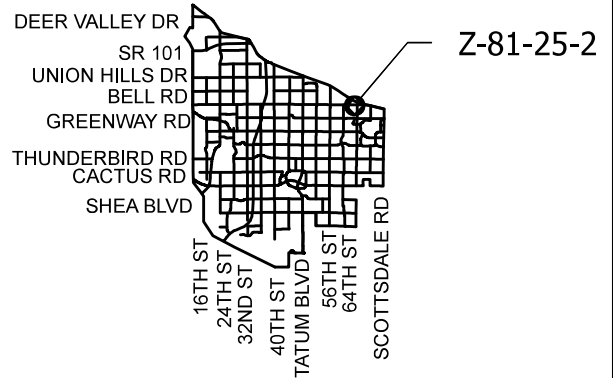
Aerial Map

Site Plan date stamped July 22, 2025 (2 pages)

Community Correspondence (26 pages)

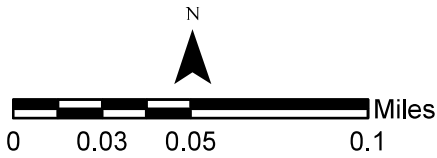
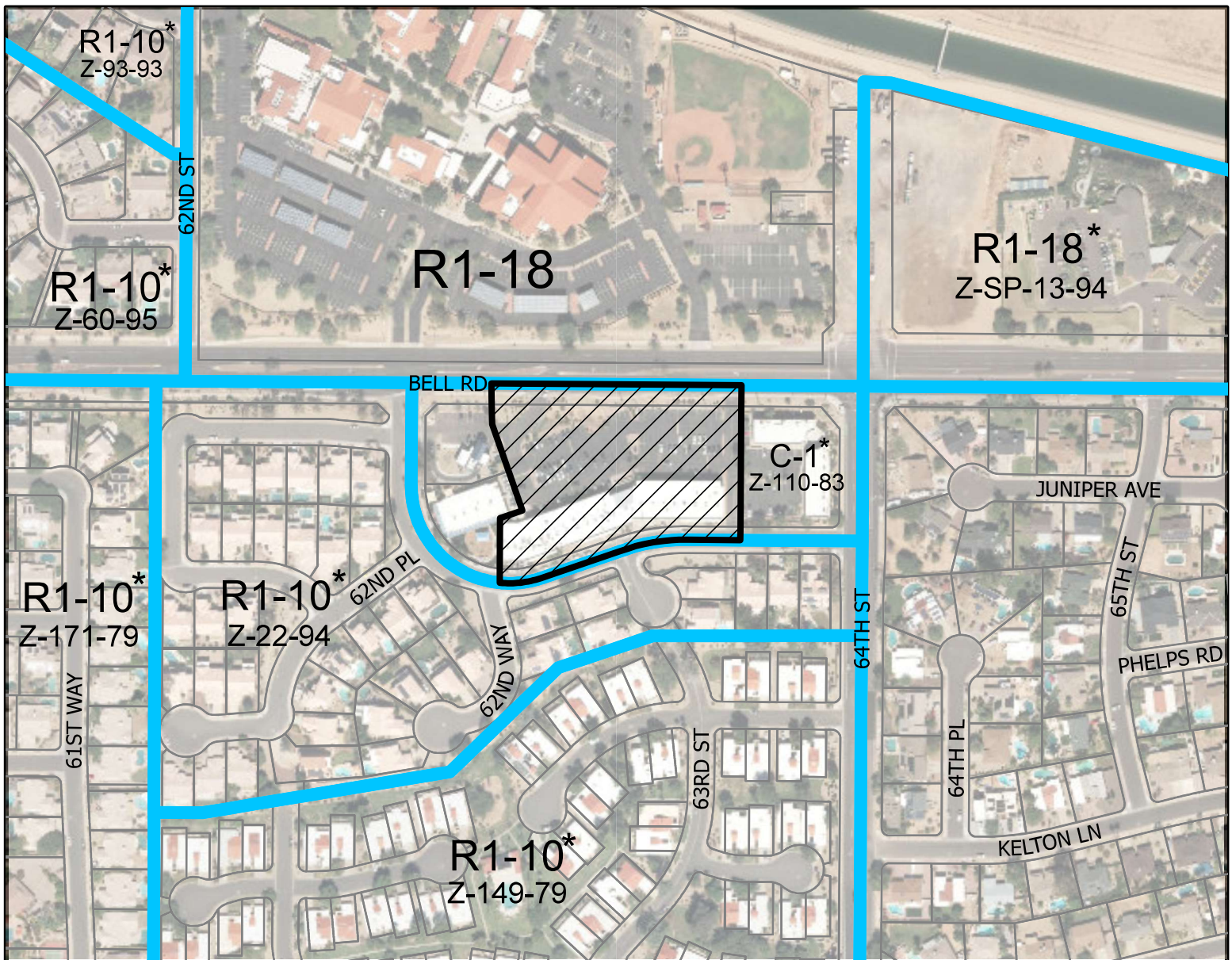


PARADISE VALLEY VILLAGE
COUNCIL DISTRICT: 2

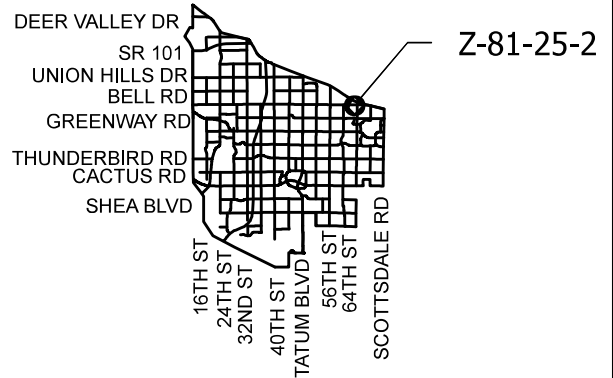


APPLICANT'S NAME: Burch & Cracchiolo, P.A.		REQUESTED CHANGE:	
APPLICATION NO: Z-81-25-2	DATE: 6/16/2025	FROM: C-1 (3.33 ac.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 3.33 Acres	REVISION DATES:		TO: C-2 (3.33 ac.)
	AERIAL PHOTO & QUARTER SEC. NO. QS 36-42	ZONING MAP M-12	
MULTIPLES PERMITTED	CONVENTIONAL OPTION		* UNITS P.R.D OPTION
C-1	48		58
C-2	48		58

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



PARADISE VALLEY VILLAGE
COUNCIL DISTRICT: 2

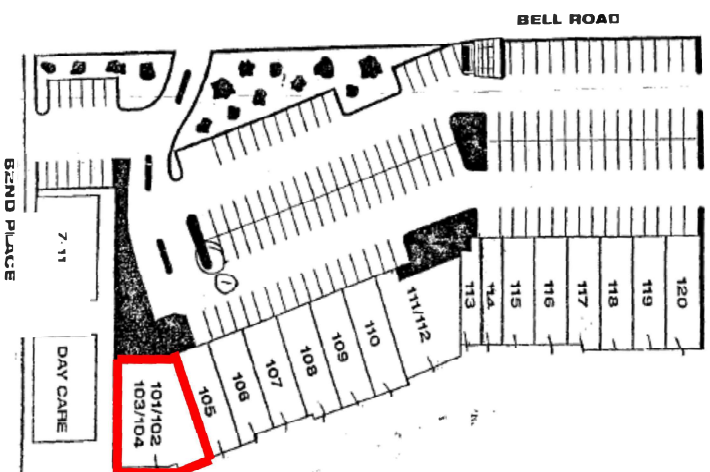


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	AERIAL PHOTO & QUARTER SEC. NO. QS 36-42	ZONING MAP M-12	
MULTIPLES PERMITTED	CONVENTIONAL OPTION		* UNITS P.R.D OPTION
C-1	48		58
C-2	48		58

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

NORTH RANCH CENTER

6245 East Bell Road
Scottsdale, Arizona 85254

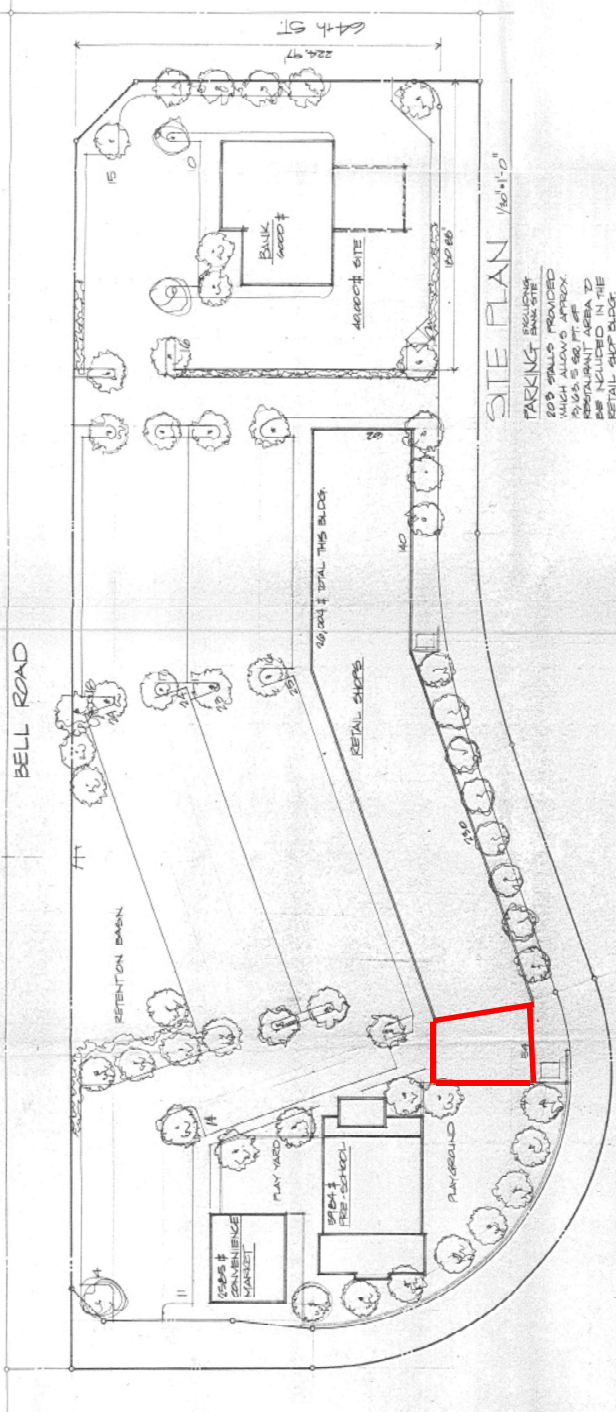


Building Total: $\approx 26,004$ sq ft
Suites 101/102/103/104: $\approx 4,210$ sq ft

CITY OF PHOENIX

JUL 22 2025

Planning & Development
Department



CITY OF PHOENIX

JUL 22 2025

Planning & Development
Department

From: mjhbis@gmail.com
To: [Matteo Moric](#)
Cc: ["Andrea D"Addone"](#)
Subject: Concerns Regarding Rezoning Request - Case # Z-81-25-2
Date: Monday, July 14, 2025 2:10:51 PM

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

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

[Report Suspicious](#)

Good Afternoon Matteo,

Thank you for our conversation last week regarding Case # Z-81-25-2. My name is Michael Hall, and I am the President of the Juniper Trails HOA, which is directly impacted by the Bell Road Plaza. Attached is a reference document.

We have serious concerns about the property owner's request to rezone from C-1 to C-2. As it stands, the current owners are not even adhering to existing C-1 zoning regulations for commercial businesses in residential neighborhoods, nor are they ensuring their tenants do. When we've approached the owner about these issues, the response has been dismissive, and they've only taken limited action and only after City involvement. As such, Juniper Trails HOA has no confidence or trust in the owner's assurances related to the rezoning. If they cannot comply with C-1 regulations, we can only imagine how much worse the situation would become under C-2 zoning.

Below is a formal list of complaints our HOA has reported to the City of Phoenix regarding C-1 zoning violations. We've made multiple attempts over several years to resolve these matters directly with the property owners, without success. As a result, we filed official complaints with the City and notified vendors operating at the plaza. To date, only two issues advertising in the rear windows and dumpster dumping hours have been partially addressed. We have many photos documenting these violations, but the files are too large to send via email. If there is a way to upload large files to you, please let me know.

These concerns pertain to businesses located between 62nd Street (Dutch Bros) and 64th Street on Bell Road. While the owners maintain the front of the plaza for customer-facing purposes, the rear of the property, which borders our community, is neglected and poorly maintained directly impacting nearby homeowners and property values.

Summary of Zoning Code Violations and Concerns

1. Outdoor Storage and Clutter in view of neighbors

- Kitchen equipment, tables, bins, crates, and storage sheds are being stored outside

behind the building, which is prohibited under C-1 zoning.

2. Unpermitted Structures

- Several non-permitted structures (e.g., sheds, fences) have been erected.

3. Dumpster Conditions and Placement

- Dumpster is not properly enclosed or gated.
- Gates are damaged and cannot close.
- Dumpster area is dirty and lids are frequently left open.
- Dumping occurs between 3:00 AM and 6:00 AM—within 50 feet of homes. **(Partially Resolved)**
- Use between 10:00 PM and 6:00 AM violates C-1 operational hour restrictions unless a special permit is obtained.

4. Rear Window Advertising (Resolved)

- Previously, signage and visible storage in rear windows were unsightly. This has been partially resolved in recent months.

5. Neglected Landscaping

- Landscaping is not maintained per original plans or minimum code standards.
- Approximately 98% of trees have been removed and never replaced.
- Dead plant drip lines remain exposed.

6. Concrete Damage and Staining

- Multiple areas of damaged concrete.
- Visible oil stains from improper waste disposal.

7. Unfinished Paint Work

- Side of the building remains unpainted for several years.

8. Rear Entrance Maintenance

- Security doors require repainting and upkeep to match the front of the plaza.

9. Inconsistent Maintenance

- The front is maintained for customer appeal, but the rear—facing residents—is neglected.

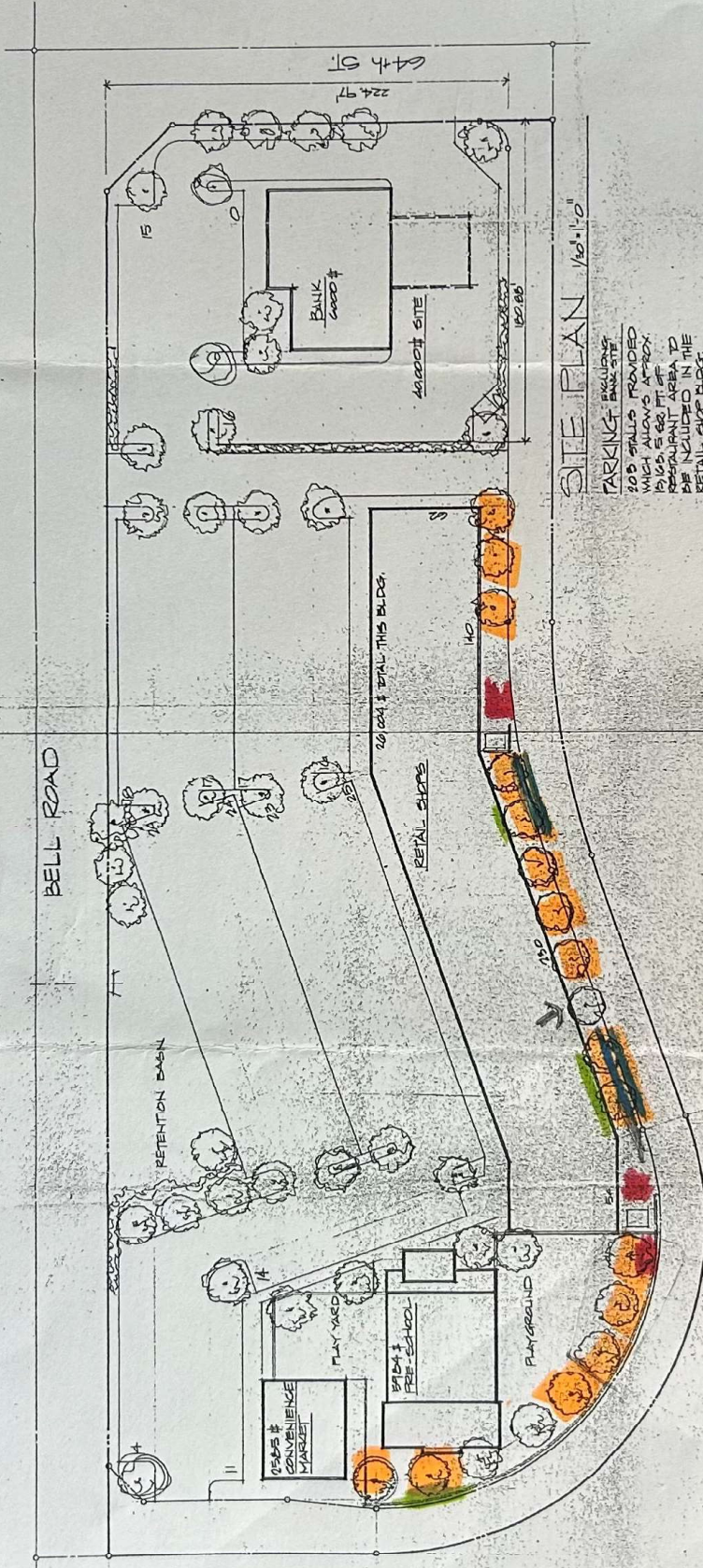
10. Block Wall Disrepair

- The block wall near the preschool is unfinished in various repair stages.

Please let me know how we can share our photo documentation with you. We appreciate your attention to this matter and hope the City will consider the long-standing issues at this site before approving any zoning changes.

Sincerely,

Michael Hall
480-360-7600
President, Juniper Trails HOA



SITE PLAN 1/8" = 10'

TAKING EXISTING
BANK SITE
205 STALLS PROVIDED
WHICH ALLOW APPROX.
1500 S.F. OF
RESTAURANT AREA TO
BE INCLUDED IN THE
RETAIL SHOP BLOCK

- Landscaping woven maintained and Trees are cut down
- Wood fences add - not permitted or legal for C1 Zone
- Storage outside - wood & plastic storage built - Not permitted C1
- Dumpsters - not behind wall and gate as original design

EXISTING CONCEPTUAL SITE PLAN

Subject: Proposed Rezoning of Bell Road Plaza from C-1 to C-2

1. Hours of Operation

- a. All commercial operations shall occur only between 6:00 AM and 10:00 PM.
- b. No business activity of any kind shall occur outside these hours.
- c. This restriction shall not be eligible for modification through any Special Use Permit or variance.

2. Dumpster Use Limits

- a. Dumpsters shall not be emptied before 8:00 AM or after 10:00 PM.
- b. Use of dumpsters (including loading, lid use, or dumping) is strictly prohibited between 10:00 PM and 6:00 AM.
- c. Juniper Trails HOA - Gates around dumpsters must remain closed when not in use.

3. Rear Sound Barrier / Block Wall An 8-foot-high decorative masonry block wall shall be constructed along the entire rear of the plaza, from 62nd Street to 64th Street, with solid locking gates at all service access points.

4. Landscaping and Aesthetic Buffering Landscaping must be installed and maintained between the rear wall and adjacent roadway, including:

- a. Drought-tolerant shrubs and trees
- b. Replacement of removed trees
- c. Repair and upkeep of irrigation

5. Rear Façade Maintenance Rear

- a. facing building exteriors must be kept clean, painted, and free of clutter. All rear signage and external storage are prohibited.

6. Lighting Controls All rear lighting must be shielded and downward-facing to prevent light trespass into residential properties.

CITY OF PHOENIX

AUG 18 2025

Planning & Development
Department

From: mjhbis@gmail.com
Sent: Tuesday, July 22, 2025 07:45 AM
To: bgreathouse@bcattorneys.com; mleake@bcattorneys.com
Cc: 'Michael Hall'; 'Andrea D'Addone'
Subject: RE: Follow-up on Rezoning Meeting - HOA Expectations

Good Morning. Please reply received. Thank you.

From: mjhbis@gmail.com <mjhbis@gmail.com>
Sent: Friday, July 18, 2025 9:31 AM
To: bgreathouse@bcattorneys.com; mleake@bcattorneys.com
Cc: Michael Hall <mhall@mhpropertysolutions.com>; 'Andrea D'Addone' <andrea@precisepropmgt.com>
Subject: Follow-up on Rezoning Meeting - HOA Expectations

Good Morning Brian and Madison,

It was a pleasure meeting with you yesterday. Thank you for taking the time to clarify the purpose of the rezoning request and helping us understand the terms and conditions that can be applied to a C-2 zoning change. Attached is a summary of the notes we shared during our meeting. These outline the minimum expectations from our HOA for supporting the rezoning to C-2 primarily focused on maintaining all existing standards and protections provided under C-1 zoning regulations.

Please note:

Our HOA has no objection to Arena Sports Grill continuing operations as they have been to date. However, our main concerns center on Hours of operation, the condition of the rear area of the plaza and noise disturbances caused by workers and service activity outside of the permitted C-1 hours (6:00 AM to 10:00 PM for operations, and 7:00 AM to 10:00 PM for dumpster service).

We believe it may be helpful to explain to the property owners the benefits of constructing an 8-foot sound barrier wall with secured gates and doors. This would help:

- Block both the view of the dumpsters, tenant storage and noise of rear business activities,
- Provide added storage capacity for tenants,
- And bring the property into closer compliance with current zoning rules and original site plan.

As you know, C-1 zoning prohibits any form of storage behind the building. The current use of wood sheds, storage bins, oil waste containers, and cigarette receptacles violates C-1 regulations. Additionally, the wooden fences and storage sheds are not part of the approved site plan and are therefore not permitted structures.

In addition to the sound barrier wall, we also request that landscape vegetation be planted along the rear of the plaza, with quality, design, and maintenance standards similar to those at the front of the property. This would help restore the aesthetics of the site to better align with the original approved site plan or, at minimum, meet comparable standards.

The current lack of vegetation and consistent maintenance in the rear area continues to negatively affect property values, residential views, and the overall appearance of the site.

We believe these enhancements would benefit all parties involved offering better functionality for tenants, added value for owners, and resolution to longstanding concerns expressed by the HOA and surrounding neighbors.

Please let us know if we can assist further as you communicate these expectations to the property owners.

FYI the Cc email is the Juniper Trails HOA Property Manager.

Best regards,

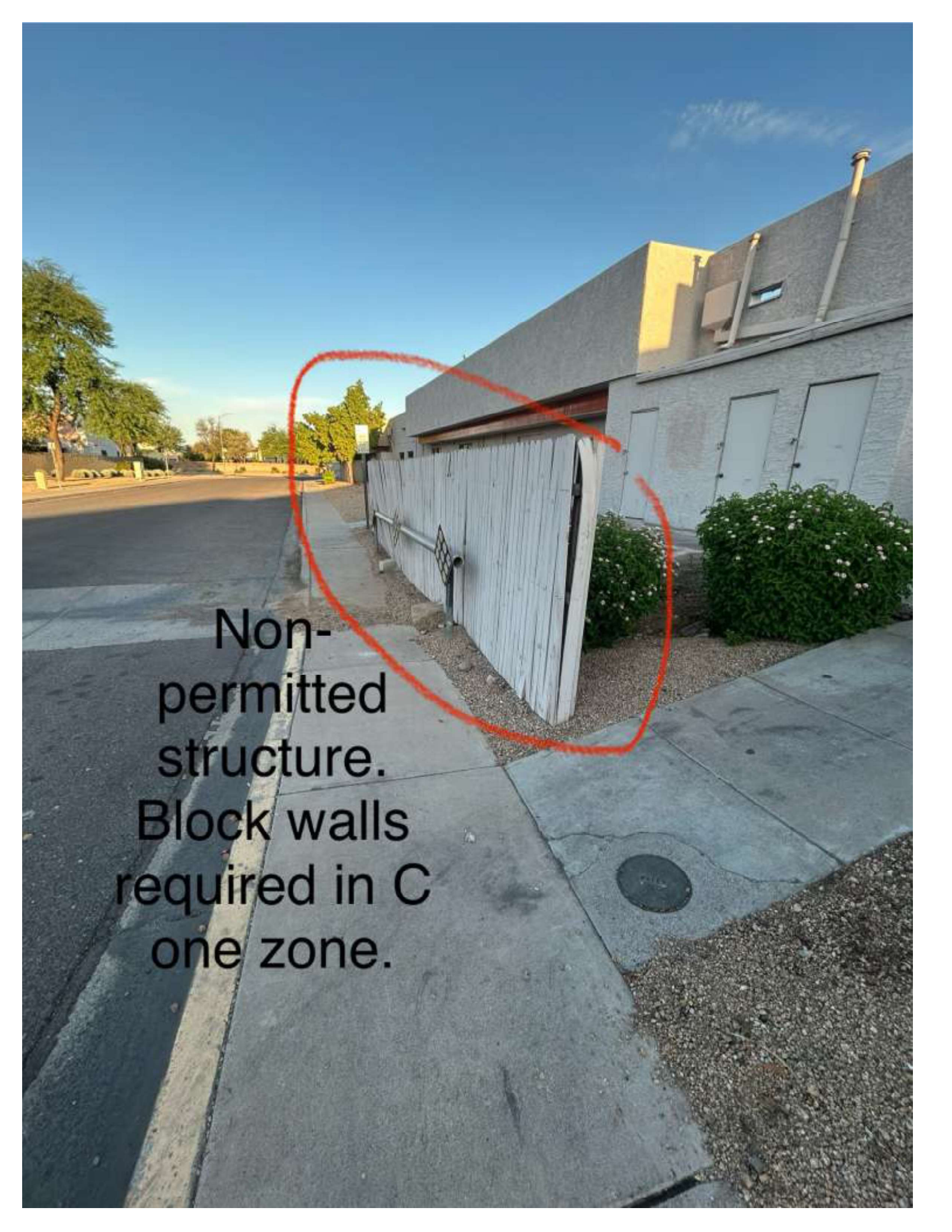
Michael Hall
President
Juniper Trails HOA
480-360-7600

Storage in view of Oil
bin. And dumpster not
behind inclosure with lids
open .



Vegetation not
maintained and
missing all the drip
lines are still there





Non-
permitted
structure.
Block walls
required in C
one zone.

A photograph of a building with a red cart and a fence, with handwritten red annotations and overlaid text. The building is a single-story structure with a light-colored stucco finish and a red horizontal band near the roofline. A red cart is parked on a gravel area next to a concrete sidewalk. A fence runs along the sidewalk. The sun is visible in the background, creating a lens flare. Handwritten red circles and lines highlight the cart and the fence area. Overlaid text reads: "Cart stored in view of Neighbors landscape not maintained".

Cart stored in
view of
Neighbors
landscape not
maintained

Cart storage visible to neighbors. Landscape not maintained

Landscape not
maintained original
vegetation missing





Plastic bin
stored in
view of
Neighbors



Storage in view of
Neighbors non-
permitted structures

Wood fences and sheds
are not allowed to C1
construction. Block
Walls only.

All vegetation
not maintained
and missing





Storage Oil bin and in view
of Neighbors, dumpster
not behind gates Dumpster
lids always open




Landscape not
maintained vegetation,
missing, storage in view
of Neighbor



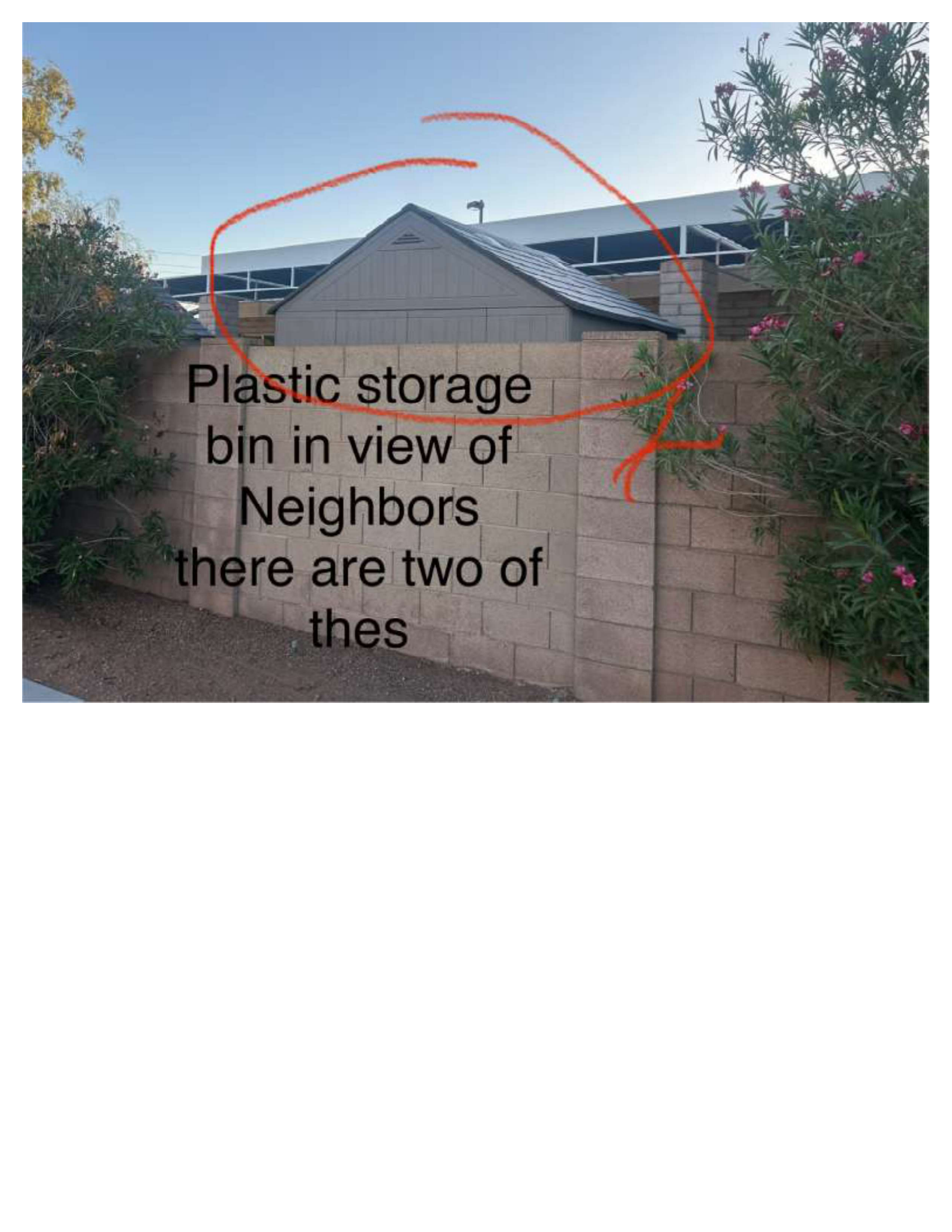
Damage gates don't
close Dumpster lids
left open



Walls not
maintained repairs
not complete




Block wall repair not
complete. It has been
years uncompleted.

A photograph of a grey plastic storage bin with a gabled roof, situated behind a light-colored brick wall. A red hand-drawn circle highlights the bin. The background shows a larger building with a blue roof and some greenery with pink flowers on the right. The sky is clear and blue.

Plastic storage
bin in view of
Neighbors
there are two of
thes

Building was repainted
wall, not complete. It has
been years block wall,
not maintain. And
vegetation gone.

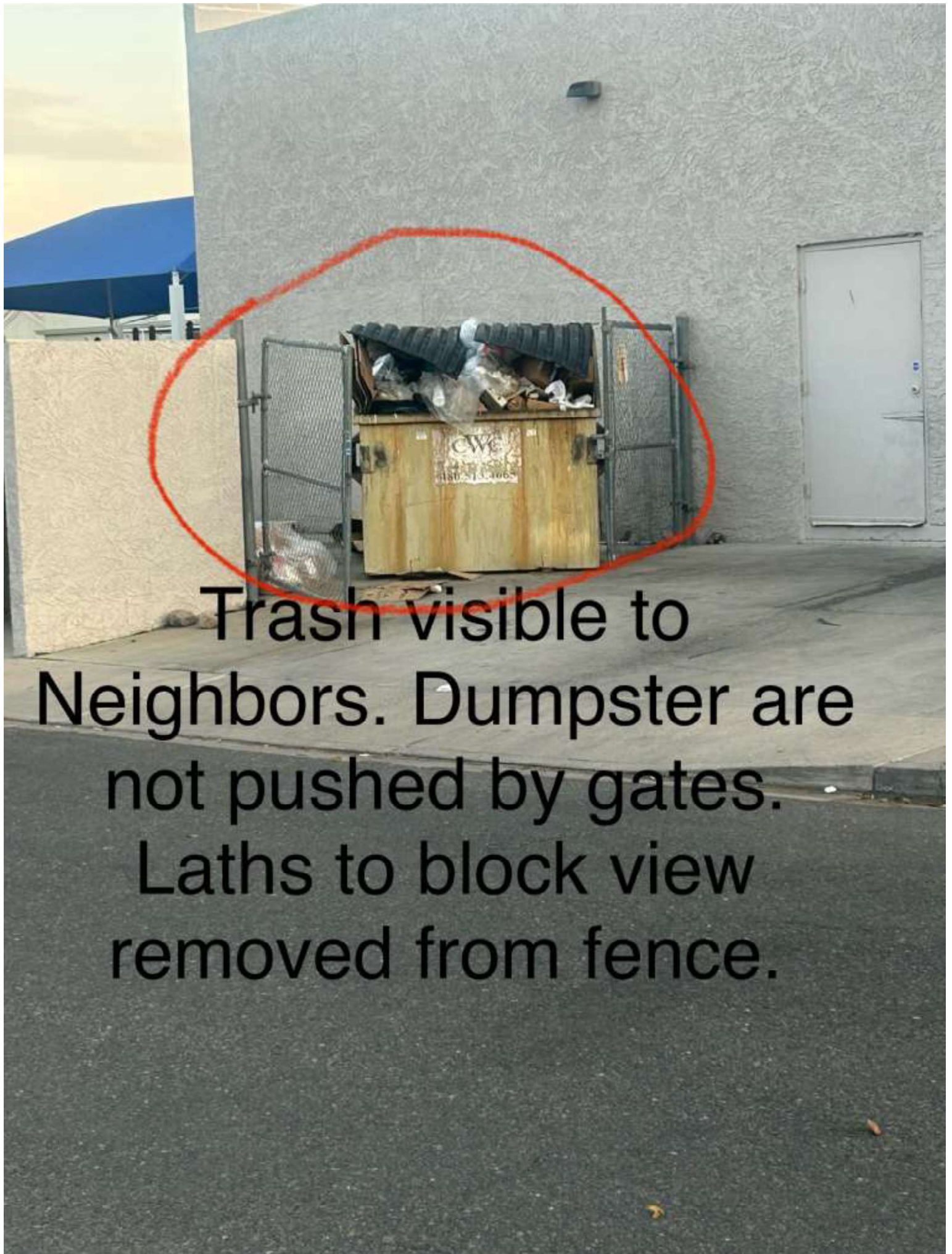




All vegetation
missing. Random
displays visible to
Neighbors.

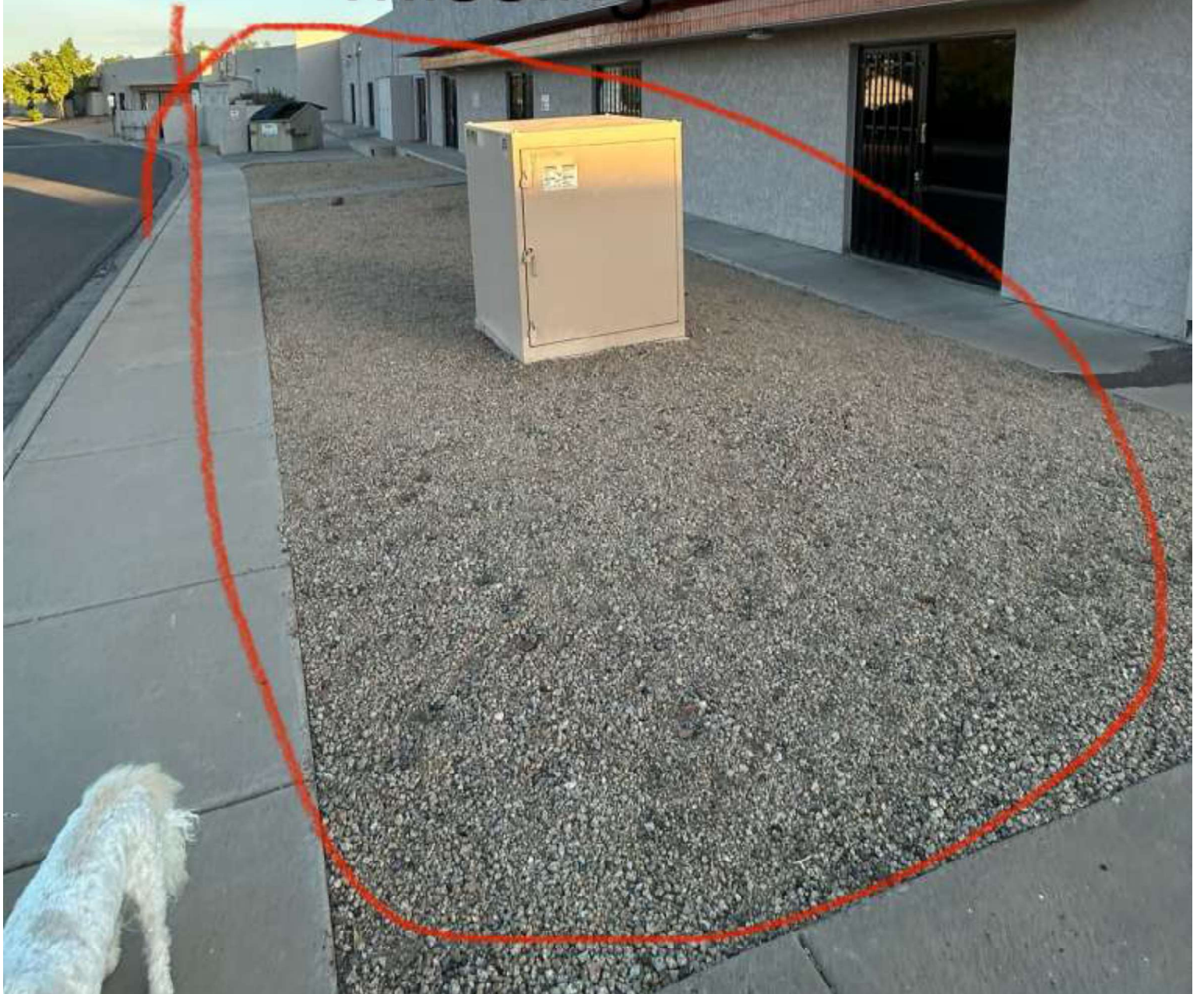


Another view of
storage visible to
Neighbors dumpster
lids open



Trash visible to
Neighbors. Dumpster are
not pushed by gates.
Laths to block view
removed from fence.

All vegetation not
maintained and
missing



Concrete not
maintained
busted up

Text

