

# Attachment B



## City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

### Staff Report Z-60-20-8 (Carver Canyon PUD) April 7, 2021

<a href="#">Laveen Village Planning Committee Meeting Date</a>	April 12, 2021
<a href="#">Planning Commission Hearing Date</a>	May 6, 2021
<b>Request From:</b>	R1-8 (Single-Family Residence District) (19.35 acres)
<b>Request To:</b>	PUD (Planned Unit Development) (19.35 acres)
<b>Proposed Use</b>	Planned Unit Development to allow single-family residential development
<b>Location</b>	Northwest corner of 35th Avenue and Carver Road
<b>Owner/Applicant</b>	Virtua 35th, LLC
<b>Representative</b>	Paul E Gilbert, Beus Gilbert McGroder
<b>Staff Recommendation</b>	Approval, subject to stipulations

General Plan Conformity			
<a href="#">General Plan Land Use Map Designation</a>		Residential 3.5 to 5 dwelling units per acre	
<a href="#">Street Map Classification</a>	35th Avenue	Arterial Scenic Drive	33-foot west half street
	Carver Road	Local Street	Varies, 35-56.6-foot northwest half street

***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 proposed PUD will provide new housing options in Laveen while remaining respectful of the local surroundings. The maximum permitted density in the PUD narrative is below what is currently allowed under the existing zoning of the site, and several mitigating elements have been incorporated to help buffer the development from the surrounding community, such as generous open space areas and robust landscaping standards.

**BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; DESERT LANDSCAPE; DESIGN PRINCIPLE: Propose new design standards that address drainage, use of native plants, edge treatment, and access – both visual and physical – for private and public development adjacent to public preserves, parks, washes and open spaces.**

The project site is located in close proximity to the Carver Mountains, and is situated along 35th Avenue, which is an arterial scenic drive. To ensure a natural transition from the mountains to the site and the preservation of the natural environment, the PUD proposes several enhanced standards that address the use and development of culverts, washes, and drainage channels, as well as special attention to hillside edge treatments.

**CONNECT PEOPLE AND PLACES CORE VALUE; CANALS & TRAILS; DESIGN PRINCIPLE: Provide multi-use trail connections where appropriate.**

This PUD proposes a multi-use trail along 35th Avenue, which will connect to the overall City of Phoenix trail system.

**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.**

This PUD sets forth enhanced landscaping and shade standards along the public street frontages, interior streets, and common open space areas.

#### Applicable Plan, Overlays, and Initiatives

[Laveen Southwest Growth Study](#) – See Background Item No. 4.

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

[Housing Phoenix Plan](#) – See Background Item No. 9.

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

[Complete Streets Guiding Principles](#) – See Background Item No. 11.

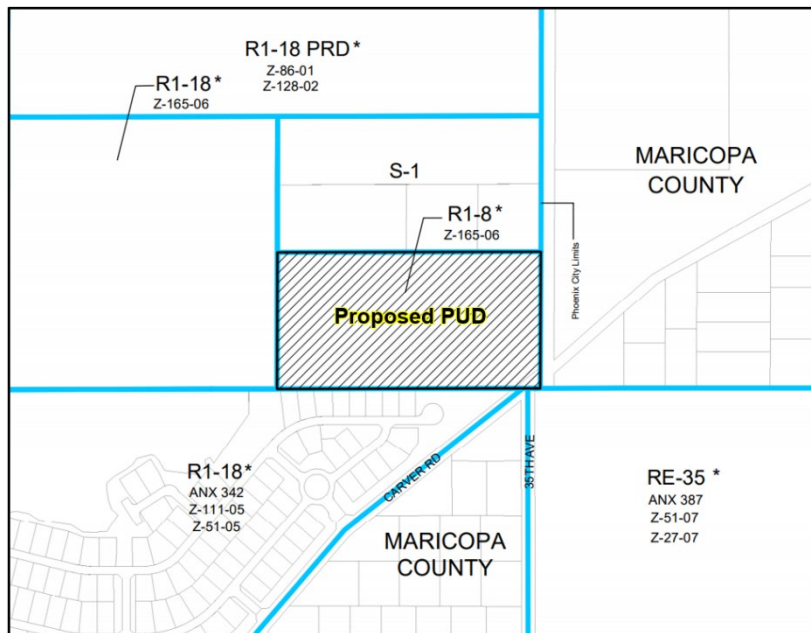
[Zero Waste PHX](#) – See Background Item No. 12.

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Vacant, former mining site	R1-8
<b>North</b>	Vacant	S-1
<b>South</b>	Vacant (single-family subdivided land)	R1-18
<b>East (across 35th Avenue)</b>	Farmland and single-family residences	Maricopa County RU-43
<b>West</b>	Vacant	R1-18

**Background/Issues/Analysis**

**SUBJECT SITE**

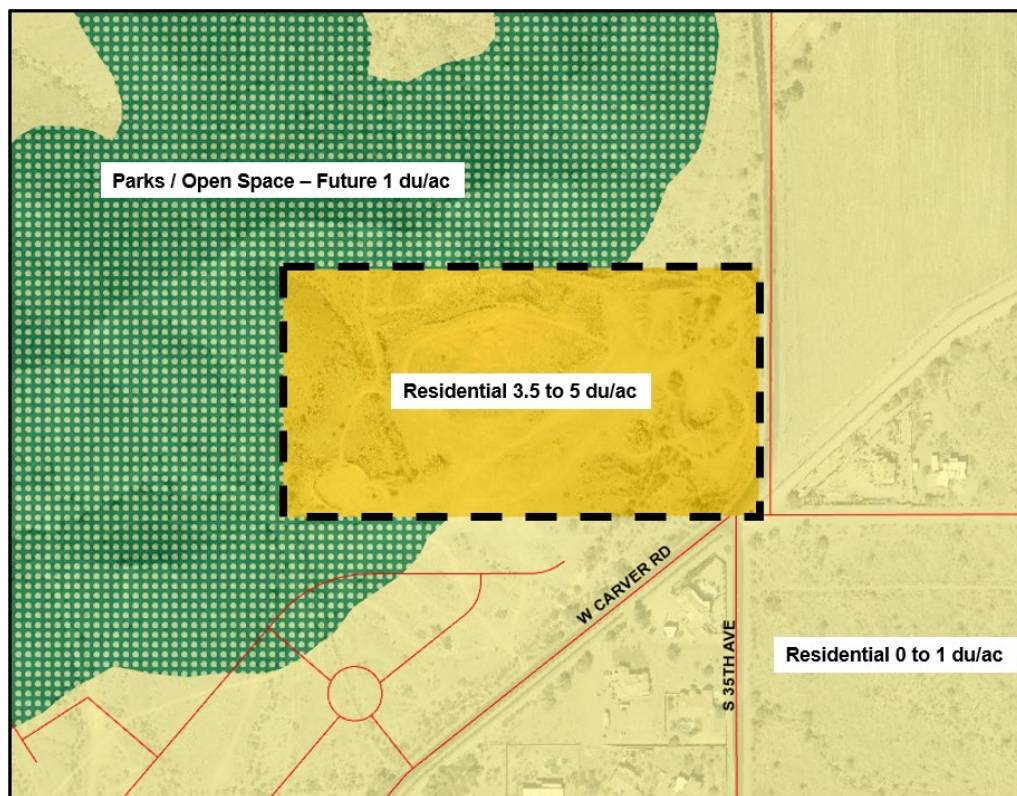
1. This request is to rezone a 19.35-acre site located at the northwest corner of 35th Avenue and Carver Road from R1-8 (Single-Family Residence District) to PUD (Planned Unit Development) to allow a single-family residential development.



**Zoning Map**

**Source: City of Phoenix Planning and Development Department**

2. The site has a General Plan Land Use Map designation of Residential 3.5 to 5 dwelling units per acre. The proposed PUD with a density of 3.15 dwelling units per acre is consistent with this designation.



**General Plan Land Use Map**

**Source: City of Phoenix Planning and Development Department**

The surrounding General Plan Land Use Map designations are as follows:

**NORTH & SOUTH**

Parks / Open Space – Future 1 du/ac, Residential 0 to 1 dwelling units per acre.

**EAST**

Residential 0 to 1 dwelling units per acre.

**WEST**

Parks / Open Space – Future 1 du/ac.

### EXISTING CONDITIONS & SURROUNDING ZONING

3. The subject site is zoned R1-8 (Single-Family Residence District) and is currently vacant.

The surrounding conditions are as follows:

#### **NORTH**

Vacant hillside properties zoned S-1 (Ranch or Farm Residence District).

#### **SOUTH**

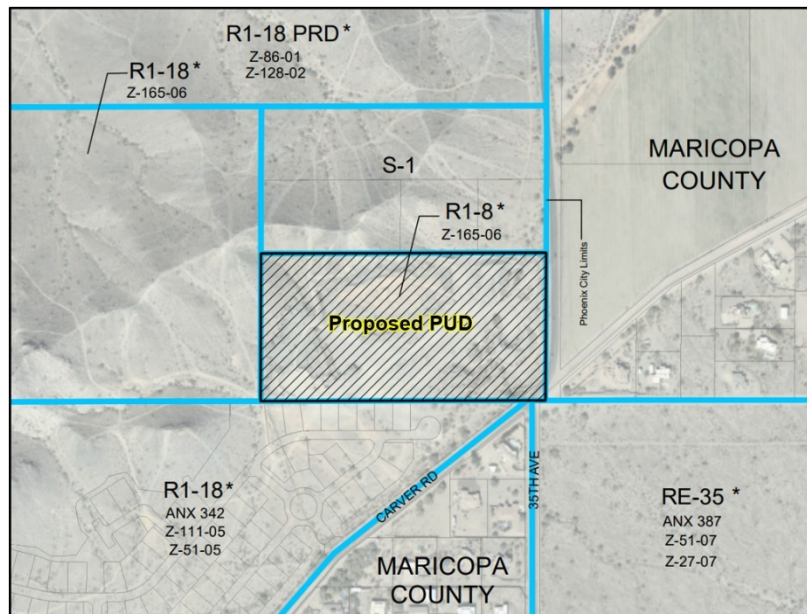
Vacant land zoned R1-18 (Single-Family Residence District).

#### **EAST**

Farmland and large-lot single-family residence homes that are outside the boundaries of the City of Phoenix and zoned Maricopa County RU-43 (One Acre Per Dwelling Unit).

#### **WEST**

Vacant hillside property zoned R1-18 (Single-Family Residence District).



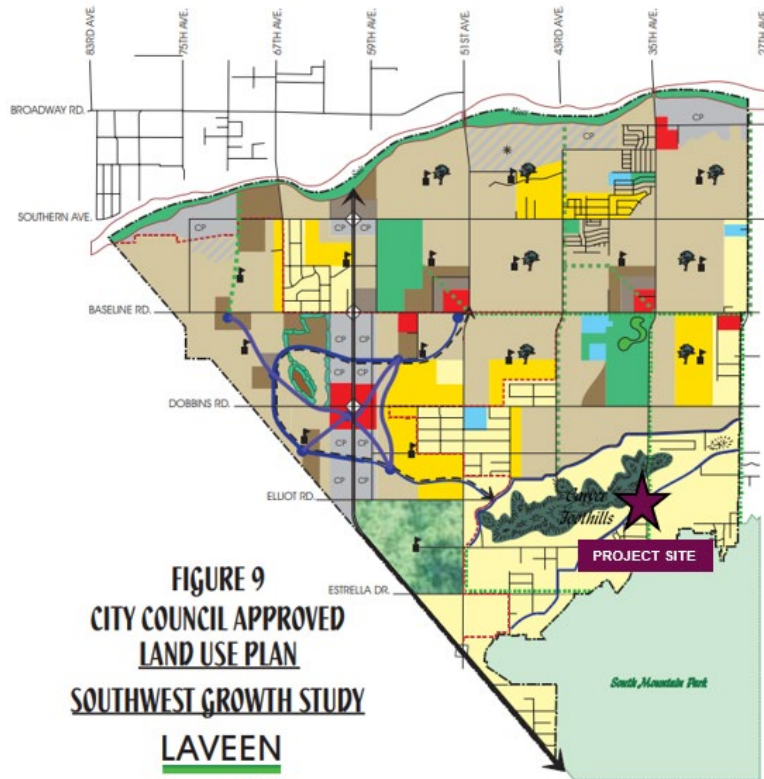
Source: City of Phoenix Planning and Development Department



### LAVEEN SOUTHWEST GROWTH STUDY

4. The site is located within the boundaries of the Laveen Southwest Growth Study, which was developed in 1997 to analyze the existing conditions of the Laveen Village. It provides a land use and design planning framework to help shape the growth in Laveen, while accounting for newly annexed farmland as well as the future development of the South Mountain Freeway Loop, which has since been completed.

This plan designates the project as Residential 0 to 1 dwelling units per acre, which calls for less density than the current General Plan Land Use Map designation of 3.5 to 5 dwelling units per acre. The proposal is not consistent with the Laveen Southwest Growth Study Land Use Plan. However, the PUD narrative incorporates several of the key elements from the study.



**FIGURE 9**  
**CITY COUNCIL APPROVED**  
**LAND USE PLAN**  
**SOUTHWEST GROWTH STUDY**  
**LAVEEN**  
January, 1998

LEGEND	
0-1 DU/ACRE	PARKS/OPEN SPACE
0-2 DU/ACRE	CONSERVATION COMMUNITY
2-5 DU/ACRE	SCHOOL
5-10 DU/ACRE	WATER COURSE/MULTI-USE TRAIL
10-15 DU/ACRE	PARKWAY
COMMERCIAL	PLANNED COMMUNITY
COMMERCE PARK	MULTI-USE TRAIL
PUBLIC/QUASI-PUBLIC	Existing Sand & Gravel to transition to Residential
HILLSIDE	OPEN SPACE FEATURE

**Source: City of Phoenix Planning and Development Department**

The Laveen Southwest Growth Study outlines specific design policies and standards for various types of developments that will enhance Laveen's built environment while remaining respectful of its agricultural heritage. The study encourages all new developments to use durable, high-quality building materials and to provide enhanced building design that will contribute to the character of the area. The Carver Canyon PUD proposes design standards that exceed those required by the Phoenix Zoning Ordinance, which are outlined in Background Item No. 7.e.

## ZONING HISTORY

5. The subject site was rezoned to R1-8 in 2007 as part of a larger rezoning area via Rezoning Case No. Z-165-06-7. The stipulated site plan from this case depicted 22 one-acre lots on the R1-18 portion and 99 single-family detached units on the portion of the site that now corresponds to the boundaries of the proposed PUD. In 2019, the applicant submitted a Planning Hearing Officer (PHO-1-19—Z-165-06-7) application to modify the stipulations of entitlement from Rezoning Case No. Z-165-06-7 to facilitate development of the site at a density similar to the original stipulated site plan. The proposed site plan depicted 92 single-family detached residential units, with vehicular connections to the west and south of the site. The PHO application received opposition from the community. The community concerns expressed were as follows:

- Amend the General Plan to reflect Residential 0-1 dwelling units per acre and Parks/Open Space;
- Stipulation 19 regarding conditional approval upon development commencing within 48 months of City Council approval;
- Deletion of Stipulation 19 breaks trust with Laveen residents;
- Approval of the request means loss of local personality, culture, and pride;
- Proposed housing density is too high for the area;
- Residents only want to see 2,000+ square foot houses with generous lots and ample parking.

The applicant subsequently modified the proposal in response to the community's concerns, reducing the density to a maximum of 63 single-family residential lots. The case was continued several times by the Planning Commission, then continued again by the City Council to give the applicant more time to work with community members to resolve their concerns. On October 7, 2020, the City Council continued the case to the April 17, 2021 hearing date to allow the applicant to pursue a "downzoning" of the site and reduce the maximum permitted density. The applicant has requested a continuance of this request to the June 2, 2021 City Council hearing date.

The proposed PUD permits a maximum density of 61 lots, which is a further reduction from the previous proposed site plan for PHO-1-19—Z-165-06-7. The PUD development narrative also incorporates several development standards and design guidelines that the developer agreed to include after extensive discussions with Laveen Village Planning Committee members and members of the community.

Site plan submitted with PHO-1-19—Z-165-06-7  
(November 21, 2019)



Revised site plan for PHO-1-19—Z-165-06-7  
(May 26, 2020)



Source: Gilmore Planning and Landscape Architecture

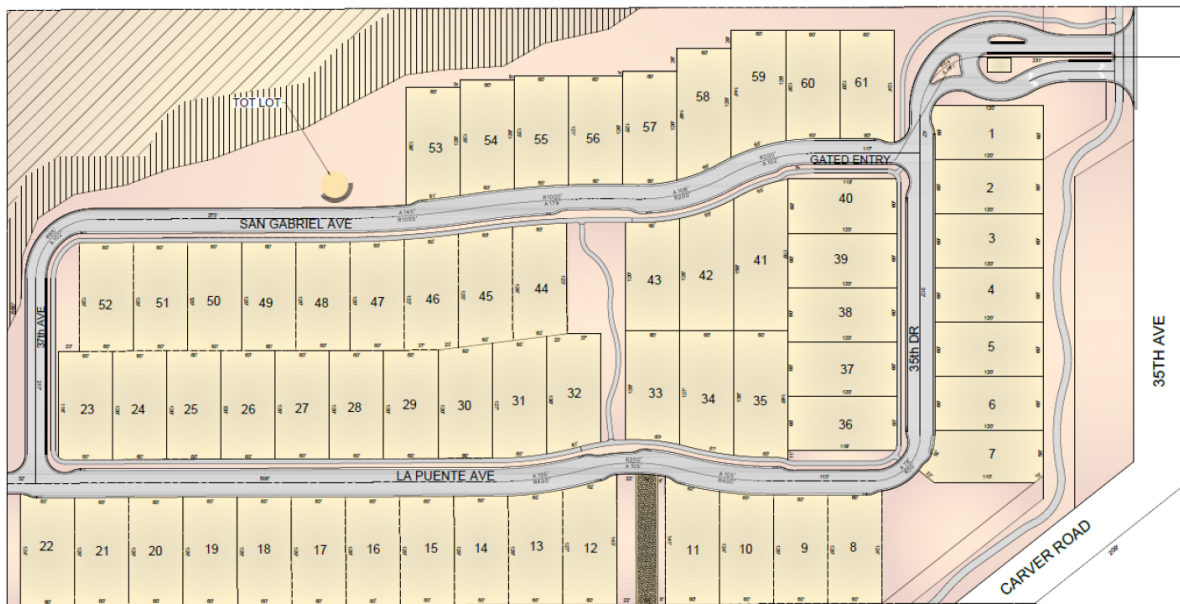


PROPOSAL

- 6. The proposal was developed utilizing the PUD zoning designation. The Planned Unit Development (PUD) is intended to create a built environment that is superior to that produced by conventional zoning districts and design guidelines. Using a collaborative and comprehensive approach, an applicant authors and proposes standards and guidelines that are tailored to the context of a site on a case by case basis. Where the PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.
- 7. Below is a summary of the proposed standards for the subject site as described in the attached PUD Development Narrative date stamped April 5, 2021. The PUD would allow single-family residential uses on the site. The comparative zoning district utilized in this staff report is R1-8 (Single-Family Residence District), PRD (Planned Residential Development) option.

a. **Land Use Plan**

The PUD proposes a single-family detached residential subdivision, with other limited permitted uses per Section 608 (Residence Districts) of the Phoenix Zoning Ordinance. Additionally, per staff's request, a community garden is a permitted use by right, and accessory sales of products cultivated on the site are permitted at a home produce stand within ten days of harvesting (removing the Zoning Ordinance requirement for a use permit). Special Permit uses and multifamily residential shall not be permitted in this PUD.



**Conceptual Site Plan**

**Source: Gilmore Planning and Landscape Architecture**

**b. Development Standards**

The proposed development standards in the PUD are comparable to the R1-8 (Single-Family Residence) zoning district, as the site plan was originally conceptualized based on this designation. Where the development standards deviate from this district, they do so to solidify the elements that the applicant worked on with the community during the PHO process.

Density

The PUD proposes a maximum of 61 single-family residential lots. This is a reduction of 2 additional lots from the most recently submitted site plan for the PHO case and is also more restrictive than the R1-8 district.

Building Height

The proposed building height is a maximum of two stories and 30 feet, with a limitation of one story and 15 feet for lots that are adjacent to 35th Avenue.

Lot Dimensions

The PUD proposes a minimum individual lot size of 6,050 square feet, minimum lot width of 55 feet, and minimum lot depth of 110 feet. These standards are more restrictive than the R1-8 district.

Lot Coverage

Individual residential lots shall have a maximum lot coverage of 40 percent for the primary structure, and a maximum of 50 percent including attached shade structures. This corresponds to the standards of the R1-8 district.

Minimum Perimeter Building Setbacks

The PUD proposes minimum perimeter building setbacks of 15 feet along the western perimeter, minimum 15 feet along the northern perimeter, and no minimum setback along the southern perimeter. To preserve the view corridors along 35th Avenue and Carver Road, and to minimize the impact of this development on the streetscape, the proposed minimum perimeter building setbacks for the two street frontages are 100 feet along 35th Avenue and 50 feet along Carver Road.

Perimeter Landscape Setbacks

The proposed perimeter landscape setbacks in this PUD correspond to the same perimeter building setbacks, with an allowance along the northern property line, where, within 220 feet of the northeast corner of the property and generally located by the main community entrance drive access point, there shall be a 10-foot average landscape setback.

Minimum Individual Lot Building Setbacks

The PUD proposes a minimum 10-foot front yard building setback, with a minimum 22-foot setback for residential lots where the garage is street-facing, and a

minimum 10-foot rear yard building setback. The front and rear yard setbacks shall be a minimum of 35 feet when combined. There is no minimum individual interior side yard setback, however when combined there shall be a minimum of 13 feet. The side yard setback for units siding the street shall be a minimum of 10 feet.

#### Open Space

The PUD proposes a minimum total open space of 26 percent of the entire site. The open space is further broken down into the following categories: 12 percent minimum usable open space, five percent minimum undisturbed open space, and 4 percent minimum rock slope open space area. This exceeds the open space requirements of the R1-8 district.

#### Lighting

This PUD outlines standards for both street and accent lighting, both of which are encouraged to be designed in a way to promote a “dark sky” environment within the development, including using low voltage lighting and shielded light sources.

#### Drainage Channels, Culverts, and Washes

This PUD sets forth a standard for developing drainage channels, culverts, and washes to be compatible with the existing natural environment, while minimizing the impact to the area.

#### Parking

Parking standards shall be in adherence to the Phoenix Zoning Ordinance.

#### Hillside Treatment

All hillside development standards within this PUD shall adhere to all City of Phoenix Hillside Development Standards, including but not limited to density restrictions, which may require deviations from the included exhibits that have not been reviewed for Hillside compliance. All Hillside Standards and Requirements shall override all zoning standards, including conflicts with any of the standards in this PUD narrative.

### **c. Landscape Development Standards**

The proposed planting standards in this PUD are more robust than those required for single-family subdivisions in the Phoenix Zoning Ordinance.

#### Streetscape Planting Standards (35th Avenue and Carver Road)

This PUD proposes the following planting standards for landscape tracts located next to public streets:

- Minimum 60 percent two-inch caliper trees, and minimum 40 percent one-inch caliper trees planted 20 feet on center or in equivalent groupings;
- Minimum of five, five-gallon shrubs per tree

- Minimum 50 percent live groundcover

#### Open Space Planting Standards

The following minimum landscaping standards shall apply to open space areas and perimeter areas not along 35th Avenue and Carver Road:

- A mix of 10 percent three-inch caliper, 40 percent two-inch caliper, and 50 percent one-inch caliper trees:
  - Trees shall be planted at a minimum of one tree per 1,000 square feet of total landscape area;
  - Three-inch and two-inch caliper trees shall be placed so they provide a minimum of 40 percent shade for pedestrian pathways and open space gathering areas such as tot lots, benches, and picnic tables.
- Minimum of five, five-gallon shrubs per tree
- Minimum 50 percent live groundcover
- The use of turf is limited to a maximum of 50 percent of the total landscape area

#### Interior Streetscape Planting Standards

This PUD proposes standards for interior streetscape standards for both attached and detached sidewalks. For attached sidewalks, minimum 2-inch caliper trees shall be planted at a minimum of one per lot, or at 60 feet on center. These plantings will be maintained by the homeowners' association. For detached sidewalks, the landscape strip between the sidewalk and back of curb shall be planted with minimum two-inch caliper trees, placed 20 feet on center or in equivalent groupings, with five, five-gallon shrubs per tree, and minimum 50 percent live groundcover. Both of these standards exceed those required by the Zoning Ordinance for single-family subdivisions.

#### Shade

This PUD proposes landscape design standards to ensure that all sidewalks, pedestrian pathways, and communal outdoor areas are shaded at 50% at full tree maturity.

### **d. Circulation**

#### Pedestrian Pathways

The PUD proposes to provide detached sidewalks along a minimum of one side of all internal streets, as well as pedestrian connections to the main common open space area. Additional approvals for the design of internal streets may be needed where the requirements of the PUD narrative are not clear. An additional pedestrian pathway will be provided, connecting the southernmost residential lots to the open space area located on the northwestern portion of the site. The right-of-way along 35th Avenue and Carver Road falls within Maricopa County jurisdiction, so sidewalk standards for this area have not been included in the PUD narrative, as they will be



subject to Maricopa County Department of Transportation review and approval. In the event sidewalks are not required along these street frontages, a 10-foot-wide multi-use trail will be constructed within the boundaries of the property along 35th Avenue, which will be able to serve as a public pedestrian pathway.

#### Multi-Use Trail

A 10-foot-wide multi-use trail within a 30-foot multi-use trail easement shall be provided along 35th Avenue.

#### Vehicular Circulation

The project will provide a vehicular connection to the property directly adjacent to the west, as it does not have any street frontage. This PUD proposes to provide a connection that will terminate as a stub street until the property to the west is developed, at which point a connection can be completed.

#### **e. Design Guidelines**

The PUD contains design guidelines addressing building facades, which are intended to enhance the visual interest of the structures, mitigate the impact of building massing and height, and provide a high-quality design. Guidelines include consistency with the Southwest Contemporary theme of the community, building elements that appear to be drawn from the local climate and terrain, breaking up of building masses, and ground-mounted mechanical equipment that shall be fully screened from view.

The proposed design guidelines within this PUD are consistent with many of those outlined in the Laveen Southwest Growth Study. The following elements from the Study have been incorporated into the design guidelines of this PUD: the use of durable, permanent, high quality materials, lot design that follows natural topography, and a minimum of two building materials for architectural elevations.

#### Walls, Fencing and Railing

This PUD proposes screen walls that shall not exceed six feet in height, and that all screen walls and fencing shall be compatible in style and materials with the overall theme of the community and each individual home.

#### **f. Signage**

The PUD proposes conformance with the Section 705 of the Phoenix Zoning Ordinance.

### AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

#### **8. Phoenix Food Action Plan**

In 2016, Phoenix City Council adopted the 2050 Environmental Sustainability Goals, including a Local Food System Goal to maintain a healthy, sustainable, equitable, and thriving local food system. To support this effort, the City has created

its first 2025 Food Action Plan to outline actions and policies, develop and enhance partnerships, to support people most impacted by food insecurity and hunger, and to achieve the goals of access to healthy food for everyone in Phoenix. Per staff's recommendation, this PUD has included permitted land uses that promote the growth and cultivation of food locally.

9. **Housing Phoenix Plan**

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with 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 the city's housing stock.

10. **Tree and Shade Master Plan**

The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. By investing in trees and the urban forest, the city can reduce its carbon footprint, decrease energy costs, reduce storm water runoff, increase biodiversity, address the urban heat island effect, clean the air, and increase property values. In addition, trees can help to create walkable streets and vibrant pedestrian places. The proposal includes enhanced planting standards along external and internal streets, as well as landscaping in common areas to provide shade where there are pedestrian pathways and community gathering spaces.

11. **Complete Streets Guiding Principles**

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. To support these principles related to pedestrian connectivity and safety, the development proposes a gated vehicular entry off of 35th Avenue, which will require cars to slow down and stop before entering or exiting the community, detached sidewalks along at least one side of each street, which will be shaded with large caliper trees, and a shaded multi-use trail along 35th Avenue.

12. **Reimagine Phoenix**

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. Add details on proposal. This PUD proposes single-family residential homes, which will be serviced by the City of Phoenix Public Works Department, Solid Waste Division.

#### COMMUNITY INPUT SUMMARY

13. At the time this staff report was written, staff received 21 letters in opposition to the development. The main points of concern are as follows:
- The density and lot sizes are incompatible with the surrounding neighborhoods;
  - The proposed PUD is not an improvement of the previous PHO case, but rather a repackaging of the same development proposal;
  - The proposed site plan does not work with the natural contours of the site;
  - The applicant has not provided adequate open space or landscape buffers;
  - The proposal is inferior to a conventional zoning case and is not in the best interest of the community.

#### INTERDEPARTMENTAL COMMENTS

14. The Phoenix Fire Department has noted that they do not anticipate any problems with this case and that the site and/or buildings shall comply with the Phoenix Fire Code.
15. The City of Phoenix Floodplain Management division of the Public Works Department has determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 2660 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
16. The Phoenix Public Transit Department has required that the developer provide clearly defined, accessible pedestrian pathways that connect all sidewalks and community amenities to provide a safe and direct route for pedestrians. Further, where pedestrian paths cross drive aisles (not individual residential driveways), they shall be constructed in a manner so as to visually contrast with the adjacent parking and drive aisle surfaces. These requirements are addressed in Stipulation Nos. 9 and 10.
17. The Phoenix Street Transportation Department has required that the developer dedicate 55-feet of right-of-way on the west half of 35th Avenue and 40-feet of right-of-way on the north half of Carver Road. Since Carver Road and 35th Avenue are under MCDOT jurisdiction, additional right-of-way dedication and improvements shall be approved by the Maricopa County Department of Transportation and verification of approval shall be provided to the City of Phoenix Street

Transportation Department prior to preliminary submittal. Further, the applicant shall be required to submit a Traffic Impact Study, as well as a Developer Project information Form for the Maricopa Association of Governments Transportation Improvement Program, which is a requirement of the Environmental Protection Agency to meet clean air quality requirements. Also, all streets shall be updated to meet current ADA guidelines. These requirements are addressed in Stipulation Nos. 2 through 8.

#### MISCELLANEOUS

18. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. 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 Nos. 11, 12, and 13.
19. The project site is located in close proximity to a privately owned airstrip with active aviation uses. The developer will be required to disclose these aviation uses to all prospective home buyers. This is addressed in Stipulation No. 14.
20. Several of the nearby properties are agricultural in nature and include housing of non-domesticated animals. The developer will be required to disclose this to all prospective homebuyers. This is addressed in Stipulation No. 15.
21. 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 in regard to lot space and density.
22. 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 abandonments, may be required.

#### **Findings**

1. The proposed PUD is consistent with the General Plan Land Use Map designation of 3.5 to 5 dwelling units per acre.



2. The maximum permitted density within this proposal is significantly less than what is permitted by right under the site's current zoning designation.
3. The proposal effectively solidifies the development standards that were developed as a collaboration between the applicant and members of the community over a year-long PHO process.

### **Stipulations**

1. An updated Development Narrative for the Carver Canyon PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped April 5, 2021, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: April 5, 2021; City Council adopted: [Add adoption date].
  - b. Page 8, Delete "Churches/Places of Worship (pursuant to the restrictions of Section 608.E.1 of the Phoenix Zoning Ordinance; including, Pocket Shelters shall not be permitted)" from the Prohibited Uses list.
2. Carver Road and 35th Avenue are under MCDOT jurisdiction, the applicant shall submit verification of MCDOT approval for improvements prior to preliminary site plan approval.
3. The developer shall dedicate minimum 55-feet of right-of-way for the west half of 35th Avenue, as approved by the Planning and Development Department
4. The developer shall dedicate minimum 40-feet of right-of-way for the north half of Carver Road, as approved by the Planning and Development Department.
5. The developer shall dedicate additional right-of-way and provide improvements to the 35th Avenue and Carver Road intersection as per geometric design approved by the Maricopa Department of Transportation. Provide approved design and verification of approval to the City of Phoenix, Street Transportation Department prior to preliminary submittal. The design will need to provide access to 35th Avenue south of Carver Road.

6. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Development Coordination Section.
7. The applicant shall complete and submit the Developer Project Information Form for the Maricopa Association of Governments Transportation Improvement Program. This form is a requirement of the Environmental Protection Agency to meet clean air quality requirements.
8. 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.
9. Clearly defined, accessible pedestrian pathways shall be provided to connect building public sidewalks and community amenities using the most direct route for pedestrians, as approved by the Planning and Development Department.
10. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
11. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
12. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
13. 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.

14. Prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active aviation uses in the Hangar Haciendas Units One, Two, and Three subdivisions located approximately 2,300 feet to the east of the subject property in Maricopa County. 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.
15. Prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active agricultural uses and non-domesticated animal keeping. 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

**Writer**

Sofia Mastikhina

April 7, 2021

**Team Leader**

Samantha Keating

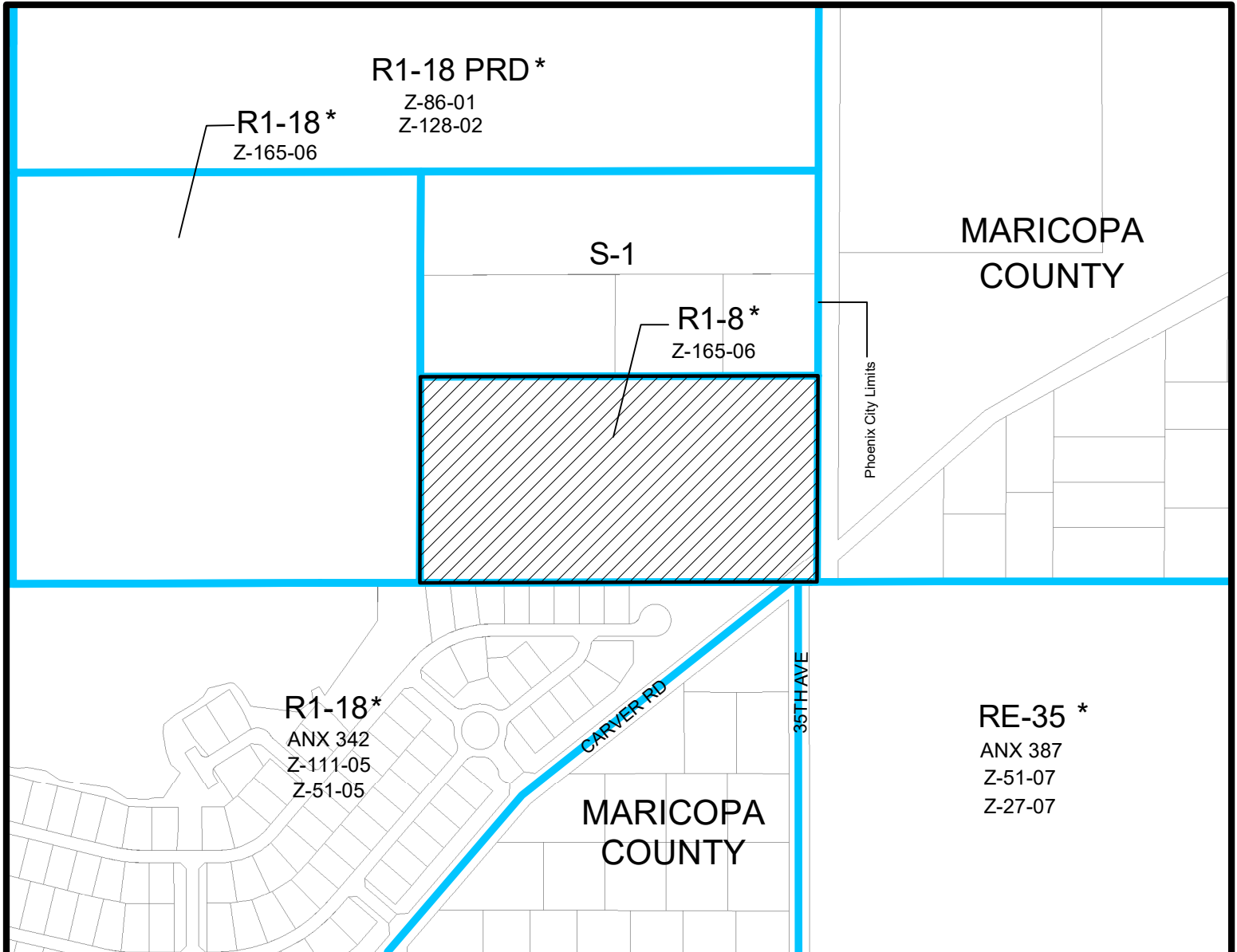
**Exhibits**

Sketch Map

Aerial Map

Community Correspondence (41 pages)

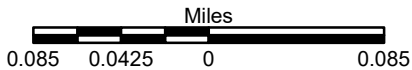
[Carver Canyon PUD Development Narrative](#) date stamped April 5, 2021



R1-18\*  
ANX 342  
Z-111-05  
Z-51-05

MARICOPA COUNTY

RE-35\*  
ANX 387  
Z-51-07  
Z-27-07



**LAVEEN VILLAGE**  
CITY COUNCIL DISTRICT: 8

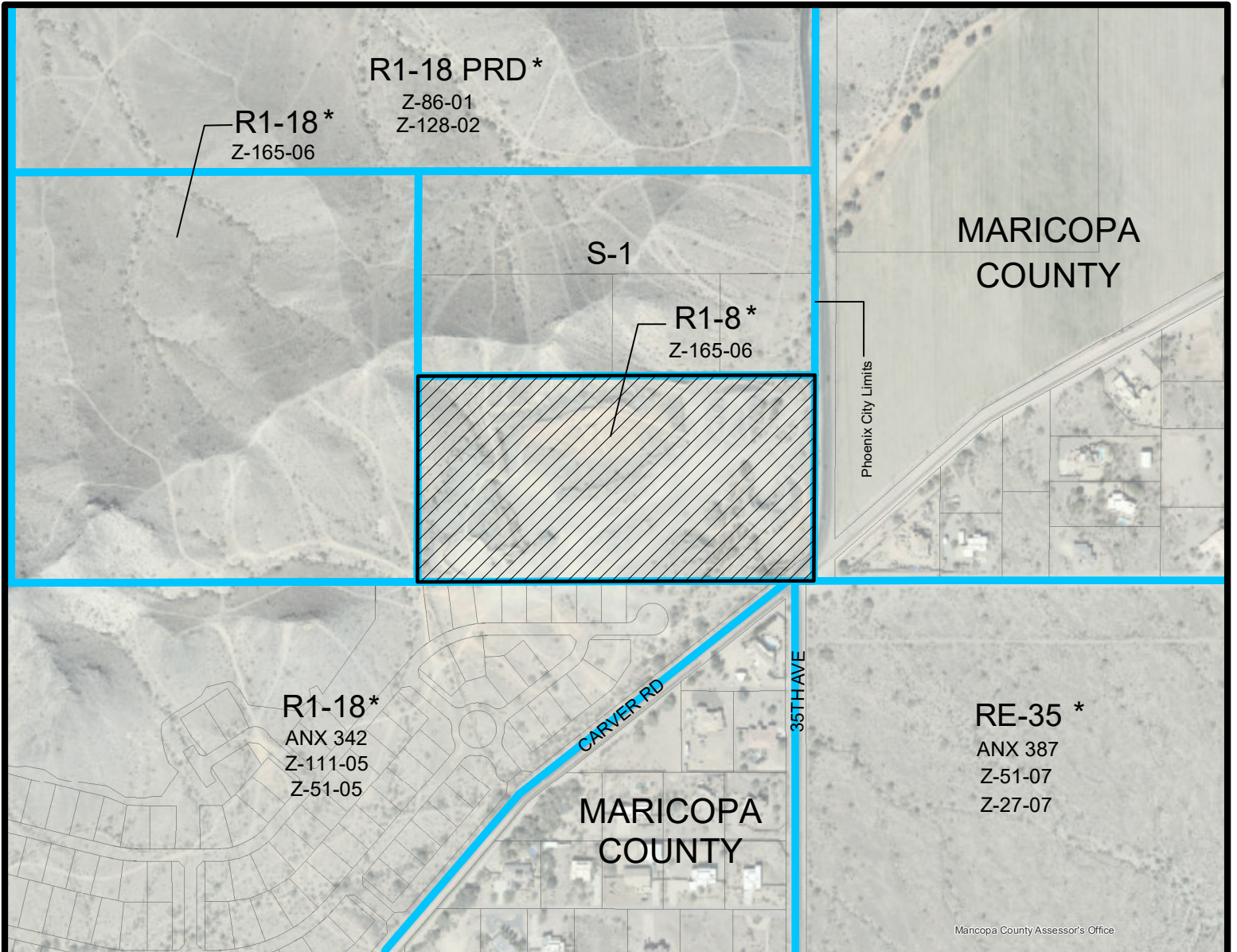


Z-60-20

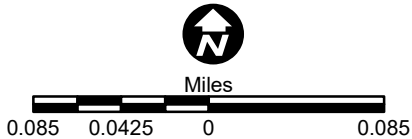


<b>APPLICANT'S NAME:</b> Virtua 35th LLC		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-60-20		<b>FROM:</b> R1-8 ( 19.35 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>19.35 Acres</b>		<b>TO:</b> PUD ( 19.35 a.c.)	
<small>DATE:</small> 1/29/2021 <small>REVISION DATES:</small>			
<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> <b>QS 04-20</b>		<small>ZONING MAP</small> <b>C-6</b>	
<b>MULTIPLES PERMITTED</b>		<b>* UNITS P.R.D. OPTION</b>	
R1-8		106	
PUD		N/A	
<b>* Maximum Units Allowed with P.R.D. Bonus</b>			





Maricopa County Assessor's Office



**LAVEEN VILLAGE**  
CITY COUNCIL DISTRICT: 8



<b>APPLICANT'S NAME:</b> Virtua 35th LLC		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.:</b> Z-60-20		<b>FROM:</b> R1-8 ( 19.35 a.c.)	
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<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> <b>QS 04-20</b>		<small>ZONING MAP</small> <b>C-6</b>	
<b>MULTIPLES PERMITTED</b>		<b>* UNITS P.R.D. OPTION</b>	
R1-8		106	
PUD		N/A	
<b>CONVENTIONAL OPTION</b>			
R1-8		83	
PUD		61	

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

10 December 2020

Re: Case Z-60-20, "Carver Canyon" PUD Zone Request

To whom it may concern:

My name is Ben Fisher and I am a property owner in multiple states and my primary residence is in Laveen, AZ. I hope this message finds you and your loved ones well amidst the pandemic.

Regarding the aforementioned case, I have reviewed the Applicant's Narrative for the proposed project, explaining in basic detail about the intent of the ~19 acres located at the NW Corner of 35<sup>th</sup> Avenue and Carver Road; in the previous reference of concerns brought by neighbors, I find myself largely concerned about this development.

"The proposed Carver Canyon PUD's 61 residential lot subdivision will be below this land use designation (i.e., 3.13 du/ac)." It sounds as though the proposed plan consisting of 61 residential lot subdivision is more consistent with developments which would be located in Central Phoenix or closer to the urban/suburban city locale, which, the volume of homes in the net area of 18.5319 acres the total lot area is only 10.3543 acres for 61 homes. For Laveen, this is a concerning because of the large density in a small area. While it holds true other local developments have similar lot/parcel sizes, these subdivisions are also not consistent with the rich agrarian history that Laveen is striving to support.

Please use parcel viewer for Highland Estates at 20<sup>th</sup> Street and Highland, Wellington Place at 3<sup>rd</sup> Avenue and Cambridge, and Campus Vista at 11<sup>th</sup> Avenue and Catalina. Each of those developments are R1-6, however these lot sizes are larger than what is requested in the change for Carver Canyon. The lot minimum width and depth is 55x110 which totals to 6,050 sq ft lot per dwelling, which does not blend in with the existing development of the surrounding area. Parcel sizes in Campus Vista are as large as ~9,000 sq ft.

- Parcel 300-15-135 is zoned as RU-43 and consists of 76,092 sq ft lot. This parcel is east of the proposed Carver Canyon.
- All parcels located on the east/southeast side of Carver and 35<sup>th</sup> are no less than an acre (43,560 sq ft), and a max of 3 homes per acre doesn't blend with the existing environment.

"The Laveen Southwest Growth Study also provides a framework for an overall multi-use trail system which will help connect the community together as well as assets such as: parks/open space areas and the South Mountain Preserve. The proposed Carver Canyon PUD will be in line with the General Plan and the final development plan will provide a multi-use trail along the eastern perimeter of the proposed subdivision (i.e., along 35<sup>th</sup> Avenue and Carver Road), which will connect up to future trails to be built south..."

- There is no guarantee in this statement a plan a multi-use trail. I'm concerned that if a scope change occurs as this progresses, this proposed trail would meander through the proposed development, thereby disallowing community members outside of Carver Canyon use of the said pathways should the Carver Canyon Development be considered a Private or Gated Community.
- It has also been my experience, in surrounding mass-residential developments (Such as Dobbins Point) the HOA has posted signage conveying the area is exclusive to residents only. Again, if scope changes and the trail is moved through the development AND the development is an

exclusive gated community, then this will go against connecting the community together as outlined in the Laveen Village Character Plan.

- Due to the uncertainty of vehicle drivers driving on 35<sup>th</sup> Avenue and going over the 'hill' to segue onto Carver road I would be very concerned to be walking the trail outlined under exhibit 'A' – Page 20 due to the risk of a careless driver.

“Examples of Southwest Contemporary Architecture\*”: The designs listed on page 14 does not resonate with the agricultural, farming and ranch-styles Laveen should continue to retain. A classic example Laveen has historically fought for is the farm and ranch style mandated on the local Walmart at 35<sup>th</sup> Avenue south of Southern which is not aligned with the generic Walmart Supercenters we've come to know. Continuing a Ranch and Farm Style would most certainly make a subdivision like this more of a point of pride as the proposal conveys.

Page 17, Section H: “The proposed Carver Canyon PUD's is lower than the original rezoning (i.e., 61 residential lots vs. 99 residential lots previously approved) and will not impact the level-of-service in the area (i.e., 35th Avenue and Carver Road). As such, the proposed 61 residential lots will have no impact to traffic. Moreover, improvements to the ½-streets will be completed with this residential community and will help to enhance vehicular flow. “

- 61 homes, times generally two vehicles per single family home = approximately 122 additional vehicles (or more) driving on 35<sup>th</sup> Avenue/Carver Road as a thoroughfare. The hill changing from 35<sup>th</sup> Avenue to Carver Road and the curvature of the road can be a dangerous road. Especially at night and when intoxicated drivers are present or drivers who may not pay attention (e.g. Texting) – which is common in this area.
- The four-way stop in the morning and evening commute at 35<sup>th</sup> Avenue and Dobbins is also chaotic 'today' (not factoring in the Pandemic). Oftentimes drivers do not comprehend road rules as it comes to vehicles in all four directions at a 4-way stop, and the backup of traffic on Northbound 35<sup>th</sup> Avenue at Dobbins Road, on East and Westbound Dobbins Road is stressful today to existing residents.
- I have also personally witnessed a complete disregard to the four-way stop at Dobbins Road and 35<sup>th</sup> Avenue – for traffic coming from Carver Road at hours in the late evening and early morning. I have seen drivers going through without stopping as the driver was checking for social media updates.

The above taken into consideration, with an additional 122 vehicles using the road, there most definitely will be an impact and I strongly recommend the City Of Phoenix Transportation Department revisit and complete an updated analysis/study as much as changed in the area since 2007. The currently existing residents will not respond well to more vehicles traveling this route.

I certainly realize that Developers, Engineers, Land Owners, Planners and Graphic Artists may have high-stakes in terms of financial incentives to pack homes tightly to generate highest revenue as possible (as a capitalist our goal is financial success – I get that), though Laveen is not suited towards this. I do not support the change from R1-8 to PUD and in fact believe the number of units/overall density should be decreased closer to two (2) units per acre. Or less. Laveen's focus going forward should be to restrict future development to stand and closely align with its farming and agricultural history. A development with 61 homes contained in less than 19 acres does not honor that heritage.

I appreciate you taking the time listening to me voice my concerns as the community at large is very charged to increased development – especially those who had built homes here as early as the 1950's,

60's and 70's, when some of these residents can remember a time when they could see the Milky Way in the nighttime skies of Laveen nearly until the 1990's.

Thank you kindly and sincerely yours,

A handwritten signature in black ink, appearing to read 'Benjamin Fisher'. The signature is stylized with a large 'B' and 'F' and a long horizontal line extending to the right.

Benjamin Fisher  
4745 W. Piedmont Drive  
Laveen, AZ 85339  
benjamin\_fisher@hotmail.com



## Sofia Mastikhina

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**From:** Elizabeth Banta <ebanta3938@gmail.com>  
**Sent:** Friday, December 11, 2020 7:55 AM  
**To:** Sofia Mastikhina  
**Subject:** PUD case Z-60-20-8

Good morning. This email is regarding PUD case Z-60-20-8. I wish to register to speak at the meeting scheduled for Dec 14th at 6:30 p.m.. (or to be able to donate my time to another speaker). I urge the City of Phoenix including the Laveen Planning Village to treat our community like the precious place that it is. Yes, property owners' rights are important - including those of people who already live in the community. Please work to preserve an area that is truly unique to the Valley. Drive in the area if you have not already done so. You have power to make a real difference through your actions. Thank you for your consideration. My feedback is consistent with many of my neighbors, as follows. I am grateful to my neighbors who have spent countless hours following the nuances of the developer's efforts, as well as responses of city decision-makers and staff, and together we have provided input and recommendations. Consider the following:

- The number of lots and the density is still too high
- The proposed 61 lots at 3+ du/a is still completely incompatible with the area.
- This plan is not a reduction in zoning (aka: down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
- The applicant continues to ignore the community and our proposal of 46 lots at R1-18 zoning, which is compatible with the area, and is an executable site plan with conforming stipulations.
- The applicant has not incorporated the stipulations from case PHO-1-19-Z-165-06-7/8 which they previously agreed to.
- The applicant has not incorporated the Laveen Residential Guidelines that have been sanctioned by Planning Staff and the LVPC.
- The proposed site plan does not work with the elevations and contours of the site.
- The applicant has not addressed how to treat the escarpment.
- The applicant has not addressed safety issues for ingress and egress on 35<sup>th</sup> Avenue.
- The applicant has not provided adequate open space.
- The applicant has not provided adequate landscaping buffers.
- The applicant has failed to recognize or plan for drainage issues and how storm water will be captured on site.
- A PUD in general does not provide specific details or requirements of what will be built. This blank check or "framework of development standards" is inferior to a conventional zoning case and is not in the best interest of the neighborhood or broader Laveen Village. This special area of Laveen deserves a far superior and compatible plan than anything this applicant has proposed over the course of a year.

## Sofia Mastikhina

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**From:** Irma Cazarez <irmacazarez@gmail.com>  
**Sent:** Friday, December 11, 2020 6:49 PM  
**To:** Sofia Mastikhina  
**Subject:** Agenda Item 5, case Z-60-20-8

Good evening,

In reference to the above mentioned PUD application, I'd like to express my opposition to it. The proposed development is non-confirming with the surrounding area. The community in general is opposed to this and we simply hope that the applicant realizes that the community is not opposed to the right kind of development. Unfortunately, the development the applicant proposes is not something we can support.

--

Thank you,

Irma Cazarez

phone: (602)363-5381

## Sofia Mastikhina

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**From:** Kim Henshaw <Kim.Henshaw@exelaonline.com>  
**Sent:** Friday, December 11, 2020 8:07 AM  
**To:** Sofia Mastikhina  
**Subject:** Request to speak at Dec 14 LVPC Meeting 12/14, Agenda Item 5, case z-60-20-8

I want to speak on behalf of my community about the development planned for the Quarry. I have been a resident in this area for 10 years (11706 S.42<sup>nd</sup> Ave). We moved here from Ahwatukee.

Laveen has been a hidden gem for many years, but as you are aware it is now growing rapidly. All of the cotton fields, corn fields, and other agricultural interests are being replaced with rapid build, compact single family residence developments.

What is important about the quarry area is the size and spread of the lots/houses and its protection from the surrounding foothill/mountain, thus retaining that rural feel in the surrounding area.

While the freeway and housing growth is important, it is also necessary that Laveen retain some sense of its unique community. Otherwise, there is nothing to distinguish us from the spread of Mesa and other suburban Phoenix areas. This is an important pocket of Laveen, one of the few places where wildlife (already pushed away from freeway and housing developments) can reside on Carver Mountain & South Mountain.

Those who purchased property and have lived for some time need some protection from the City to honor the plans and guidelines previously in place for this area, which is to prevent the density the developer is currently seeking.

The area of 35<sup>th</sup> and Carver has also become more dangerous due to the increase in traffic. There are rollover several times a year on Carver hill next to the Quarry (35<sup>th</sup> ave) and also several times a year cars end up in the canal. Although some improvements seem to be in the works for 35<sup>th</sup> ave, increasing the traffic with another dense development creates additional risks and more traffic on Carver Rd. which is not designed to support it.

I ask the City of Phoenix to consider that part of Phoenix's identity is having surrounding communities with their own 'feel' and attractions. Keeping Laveen 'Laveen' is also in the best interest of the City of Phoenix. Our identity is drawing growth, people, amenities, to this area, but we cannot forsake what made this community unique.

Thank you for considering my comments and I look forward to sharing my perspective as a long term resident of this area.

**Kim Henshaw**  
Director, Client Services



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## Sofia Mastikhina

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**From:** Steven Dougherty <steven@stevendougherty.com>  
**Sent:** Friday, December 11, 2020 7:27 PM  
**To:** Sofia Mastikhina  
**Cc:** Steven Dougherty  
**Subject:** Dec. 14 LVPC meeting Agenda Item 5, Case Z-60-20-8

Hello Sofia,

I believe I'm registered now

Submitting my comment:

Dec. 14 LVPC meeting Agenda Item 5, Case Z-60-20-8

OPPOSED

**Feedback on the new PUD case Z-60-20-8 for use:**

- The number of lots and the density is still too high
- The proposed 61 lots at 3+ du/a is still completely incompatible with the area.
- This plan is not a reduction in zoning (aka: down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
- The applicant continues to ignore the community and our proposal of 46 lots at R1-18 zoning, which is compatible with the area, and is an executable site plan with conforming stipulations.
- The applicant has not incorporated the stipulations from case PHO-1-19-Z-165-06-7/8 which they previously agreed to.
- The applicant has not incorporated the Laveen Residential Guidelines that have been sanctioned by Planning Staff and the LVPC.
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- The applicant has not addressed how to treat the escarpment.
- The applicant has not addressed safety issues for ingress and egress on 35<sup>th</sup> Avenue.
- The applicant has not provided adequate open space.
- The applicant has not provided adequate landscaping buffers.
- The applicant has failed to recognize or plan for drainage issues and how storm water will be captured on site.
- A PUD in general does not provide specific details or requirements of what will be built. This blank check or "framework of development standards" is inferior to a conventional zoning case and is not in the best interest of the neighborhood or broader Laveen Village. This special area of Laveen deserves a far superior and compatible plan than anything this applicant has proposed over the course of a year.

Sincerely,  
Steven Dougherty  
[Steven@StevenDougherty.com](mailto:Steven@StevenDougherty.com)  
480-430-6130 Cell

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## Sofia Mastikhina

---

**From:** Bret Burchard <bretburchard3@yahoo.com>  
**Sent:** Monday, December 14, 2020 1:45 PM  
**To:** Sofia Mastikhina  
**Subject:** Re: Dec. 14 LVPC Meeting - Agenda Item 5, Case Z-60-20-8

Sofia,

Unfortunately I have a family obligation this evening that won't allow me to be present for the meeting. I have written my statement below. Could you please have this read during my speaking time and submit it on record related to this case?

Thank you.

My wife and I have lived all over the Valley: from Peoria to Tempe, from Arcadia to central Phoenix. We found our home in Laveen because of its rural living with urban access; with spacious lots, an abundance of outdoor activity (hiking trails, horses, ranches), minimal light and noise pollution for star gazing, and picturesque views all within a reasonable commute to downtown work, this was the perfect place for us and to find people like us. Three things were especially attractive about making this a longterm placement for us: (1) the uniquely Arizona landscape, (2) the potential for growth, (3) the apparent commitment by the community to preserve its uniqueness as it grows.

I encourage the committee to not take this application at face value, but truly understand the details of the proposal and the process behind pursuing this PUD application. This is not a unique, creative proposal requiring a special zoning code. It's a rebranding of an incompatible proposal. The applicant makes many attempts to appear to be a good neighbor, but their actions do not align. Consider the negotiation process from the neighbor's point of view, or the references within the proposal to the Southwest Laveen Growth Study. The references cherry pick low-hanging fruit like building materials and perimeter walls to portray compliance, but ignore higher priority issues and the larger picture. I would like to call your attention to Page 13 of the study, which emphasizes the need for a buffer between existing lower-density lots and new subdivisions with the more standard 2-5 du/ac and the specific mention of this location. Quoting from the Growth Study: "The southern portion of the area, from the Carver Foothills to South Mountain Park, will be very low density housing in a Sonoran Desert environment." This is far from "very low density" and eliminates any opportunity for a "buffer" between densities.

As mentioned, my wife and I are excited about the growth coming to Laveen as well as the intention to protect its unique rural way of life, which is why we support the more-than-compromised proposal from the community that includes the 46 lots at R1-18 zoning. We are not against growth. We are not against development. We are excited about welcoming more like-minded individuals and families to the community. We are also supportive of an overall plan that protects the unique qualities of this area that attracted us here in the first place.

Thank you,

Bret Burchard

11244 S 35th Ave  
Laveen, AZ 85339

On Thursday, December 10, 2020, 10:12:33 AM MST, Sofia Mastikhina <sofia.mastikhina@phoenix.gov> wrote:

Good morning Bret,

You have been registered to speak at the December 14 Laveen Village Planning Committee meeting. Please use the link on the [agenda](#) to access the meeting. Staff will unmute you when the Chair calls your name. Let me know if you have any questions.

Best regards,

**Sofia Mastikhina, CNU-A**

*(she/her/hers) [What is this?](#)  
[\[mypronouns.org\]](#)*



Planner II - Village Planner

City of Phoenix

Long Range Planning

Office: 602-256-5648

200 West Washington Street

Phoenix, AZ 85003



---

**From:** Bret Burchard <bretburchard3@yahoo.com>  
**Sent:** Wednesday, December 9, 2020 1:34 PM  
**To:** Sofia Mastikhina <sofia.mastikhina@phoenix.gov>  
**Subject:** Dec. 14 LVPC Meeting - Agenda Item 5, Case Z-60-20-8

Sofia,

I would like to register for the upcoming Dec. 14 LVPC meeting, specifically related to Agenda Item 5, Case Z-60-20-8.

Thank you,

Bret Burchard

11244 S 35th Ave

Laveen, AZ 85339

## Sofia Mastikhina

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**From:** D in AZ <darcy3535@gmail.com>  
**Sent:** Monday, December 14, 2020 8:51 PM  
**To:** Sofia Mastikhina  
**Subject:** For the Record of Z-60-20-8

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

In follow up to the LVPC meeting on 12/14/20, I'd like to give you my notes for the record of Z-60-20-8.

Our family lives within walking distance of this property. The history with this lot has put this community through a roller coaster.

As you know Laveen is growing by leaps and bounds. Fields and farms that defined Laveen are quickly disappearing and housing developments are everywhere. BUT this part of Laveen is different from the rest. I hope you are familiar with the south side of Carver Mtn. Most lots are 1 house per acre (or more). We moved here to get away from the influx of huge housing developments and consider it our escape from the city.

We are dealing with this applicant already with the city council. The applicant has used multiple continuances and delay tactics to discourage the neighbors from continually opposing this. The city council refuses to enforce a required zone reversion per Ordinance-5020 from 2007, but aside from the council ignoring this, the community HAS tried to propose compatible development for this lot to try and meet in the middle, but the applicant doesn't seem to want to abide with the community's wishes-community, meaning the people that have to live next door and drive by this development forever.

It is not compatible to bring the number of homes to this lot that the applicant has put forth. It will change the feel of our neighborhood drastically. BUT not only is this a development issue, it also is a safety issue. I wish I had the statistics of how many accidents happen around the bend, on the hill on 35<sup>th</sup>, how many cars have hit poles causing power outages, how many have gone through the William's fence or how many cars end up IN the canal along Carver. It's a lot more than you realize. High density zoning will only make this stretch more dangerous.

If any of you lived on this south side of the quarry, YOU would be fighting to oppose the type of density that this applicant is proposing FOR development AND safety reasons. I hope the Laveen Community Council will understand why we oppose this and agree with us rather than the applicant that wants to just profit from our unique area of Laveen.

Darcy Meyer

480-332-4120

## Sofia Mastikhina

---

**From:** Cyd Manning <SweetBeat@q.com>  
**Sent:** Wednesday, December 16, 2020 5:30 PM  
**To:** Sofia Mastikhina  
**Subject:** Feedback regarding LVPC Meeting Dec. 14, 2020 and Discussion on Case Z-60-20-8  
**Attachments:** Community Site Plan (PHO-1-19) Z165-06-7 (8) Site Plan Dated 062420.pdf

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Sofia,

Please forward this email and attachments to all members of the Laveen Village Planning Committee (LVPC) and also include this in the subject case file. I'd appreciate confirmation both actions have been completed.

Thank you very much and all my best to you and your family for a wonderful holiday.

Best regards,  
Cyd

Cyd Manning  
[sweetbeat@q.com](mailto:sweetbeat@q.com)  
480-747-0769

LVPC Members,

Thank you for your attention to community concerns regarding PUD Case Z-60-20-8 at Monday's LVPC meeting. I also appreciate your questions during the meeting and the request from Vice Chair Glass to provide the community's proposal for the committee's review and consideration.

The community proposal is compatible land use with the adjacent and surrounding area. Our plan requires a zoning change on the 20 acre parcel from R1-8 to R1-18. Our site plan is executable and utilizes the topography of the site, preserves views and open space, and is specifically at the upper end of the R1-18 zoning range to allow the applicant to have the most lots possible in that R1-18 zoning district. Conforming stipulation modifications for inclusion with our plan are:

- **Stipulation 1:** THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED JUNE 24, 2020, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, AND WITH SPECIFIC REGARD TO THE FOLLOWING:
  - A. THE DEVELOPER SHALL PROVIDE A PRIMARY ROADWAY FROM 35TH AVENUE EXTENDED TO THE WESTERN PROPERTY BOUNDARY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
  - B. THE PRIMARY ROADWAY CONNECTING 35TH AVENUE TO THE WESTERN EDGE OF THE PROPERTY LINE SHALL PROVIDE A VEHICULAR CONNECTION TO, FOR AND INTEGRATED WITH BOTH THE 20-ACRE AND 40-ACRE PORTIONS OF THE PARCEL.
- **Stipulation 2:** CONCEPTUAL ELEVATIONS FOR THE 20-ACRE DEVELOPMENT SHALL BE REVIEWED AND APPROVED BY THE PLANNING HEARING OFFICER THROUGH THE PUBLIC HEARING PROCESS FOR STIPULATION MODIFICATION PRIOR TO PRELIMINARY SITE PLAN APPROVAL. THIS IS A LEGISLATIVE REVIEW FOR CONCEPTUAL

PURPOSES ONLY. SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS MAY BE DETERMINED BY THE PLANNING HEARING OFFICER AND THE PLANNING AND DEVELOPMENT DEPARTMENT.

- Stipulation 4: DEVELOPMENT OF THE 40-ACRE R1-18 PORTION OF THE SITE SHALL NOT EXCEED 22 LOTS.
- Stipulation 5: DEVELOPMENT OF THE 20-ACRE CURRENT R1-8 PORTION OF THE SITE SHALL NOT EXCEED A DENSITY OF 46 LOTS AND SHALL BE REZONED TO R1-18.
- Stipulation 6. THE 20-ACRE DEVELOPMENT SHALL PROVIDE A MINIMUM OF 26% OPEN SPACE, OF WHICH A MINIMUM OF 12%, SHALL BE USABLE OPEN SPACE, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
- Stipulation 15: THE DEVELOPER SHALL DEDICATE A MULTI-USE TRAIL EASEMENT AND CONSTRUCT A MULTI-USE TRAIL PER ADOPTED STANDARDS ALONG THE NORTH SIDE OF CARVER ROAD AND ALONG THE WEST SIDE OF 35<sup>TH</sup> AVENUE, AS APPROVED BY THE PARKS AND RECREATION DEPARTMENT.
- Stipulation 35: A MINIMUM OF THREE TERRACED BERMS WITH 2:1 FILL SLOPES SHALL BE INSTALLED ALONG THE FULL LENGTH OF THE QUARRY CUT SLOPE BASE. THE TERRACES SHALL BE A MINIMUM HEIGHT OF 8 FEET TALL AND SHALL BE PLANTED WITH A STAGGERED COMBINATION OF 2-INCH AND 4-INCH CALIPER, DROUGHT RESISTANT, DECIDUOUS TREES AT 25 FEET ON CENTER OR IN EQUIVALENT GROUPINGS TO CENTER, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT.
- Stipulations 43 & 44: Require Staff to update these stipulations to include notification to all individuals on record who have written and/or attended public meetings regarding this case
- All other stipulations, including Stipulation 19, to remain unchanged
- A conforming site plan dated June 24, 2020 is attached

I believe a few LVPC members are new to this parcel, the issues and the multiple cases, so I've also taken the opportunity to provide an executive summary and history in addition to the community proposal. FYI, the entire City Council has received the below information, other than the updates I've provided regarding the new PUD case. Thank you in advance for your careful review and consideration of the materials. If you have follow-on questions, please let me know.

Thank you for serving the community as LVPC members and I wish you and your families a very safe and enjoyable holiday season.

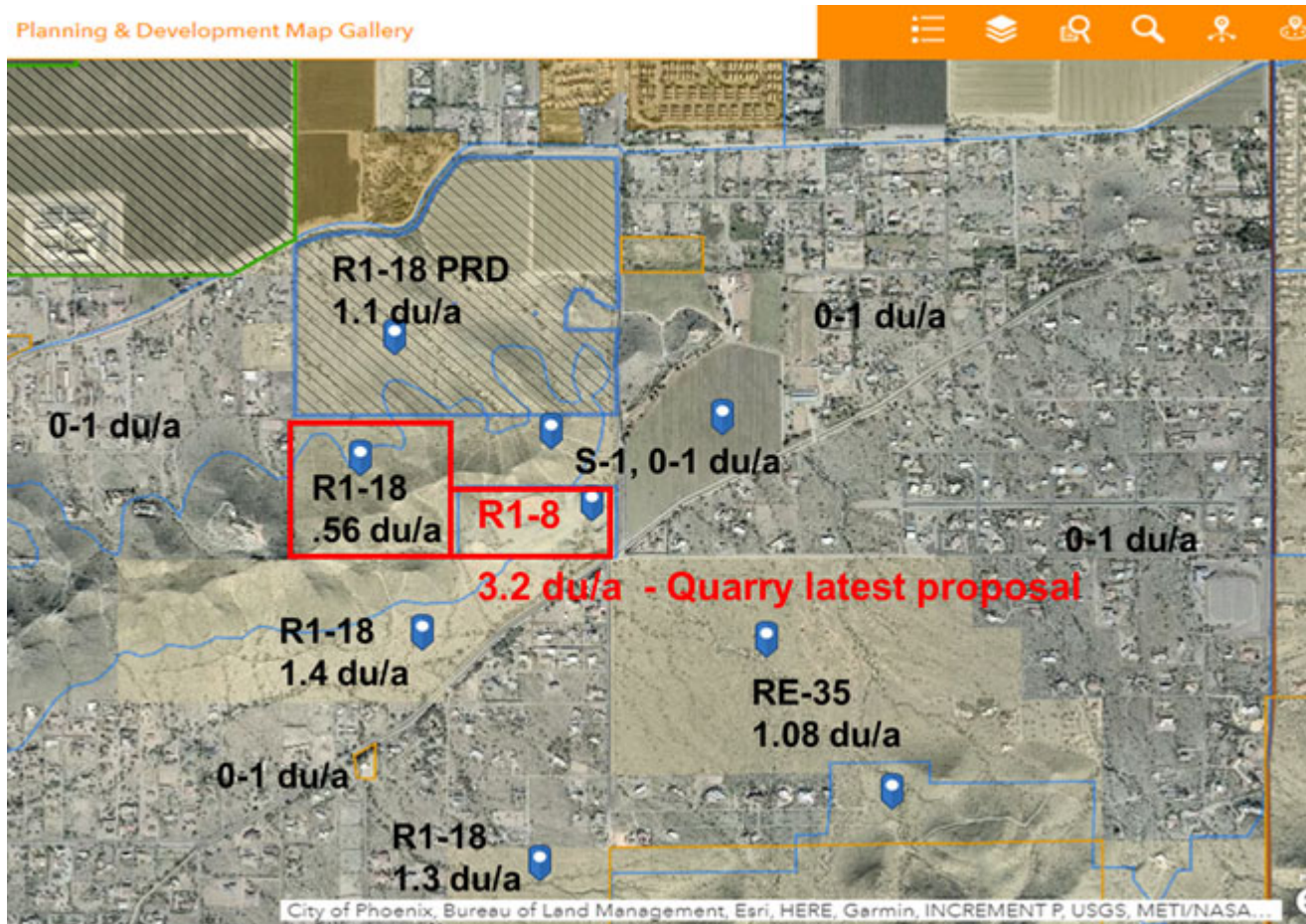
Best regards,  
Cyd Manning

**Executive Summary:**

The original case in 2006/2007 was very contentious due to the high-density development plan in an area that for 25+ years has been planned to be 0-1 homes per acre. This incompatible land use of speculative spot zoning was pushed through regardless of community involvement. The large outpouring of community opposition remains today with the current case/PHO application PHO-1-19-Z-165-06-7/8. The applicant/owner's revised proposal of 63 (recently 61) lots on the 20-acre portion with no zoning district change from R1-8 is still incompatible land use at 3 times the density of adjacent and nearby parcels zoned at R1-18 and RE-35. They also have an active Proposition 207 waiver on file that waives their right to sue the City of Phoenix.

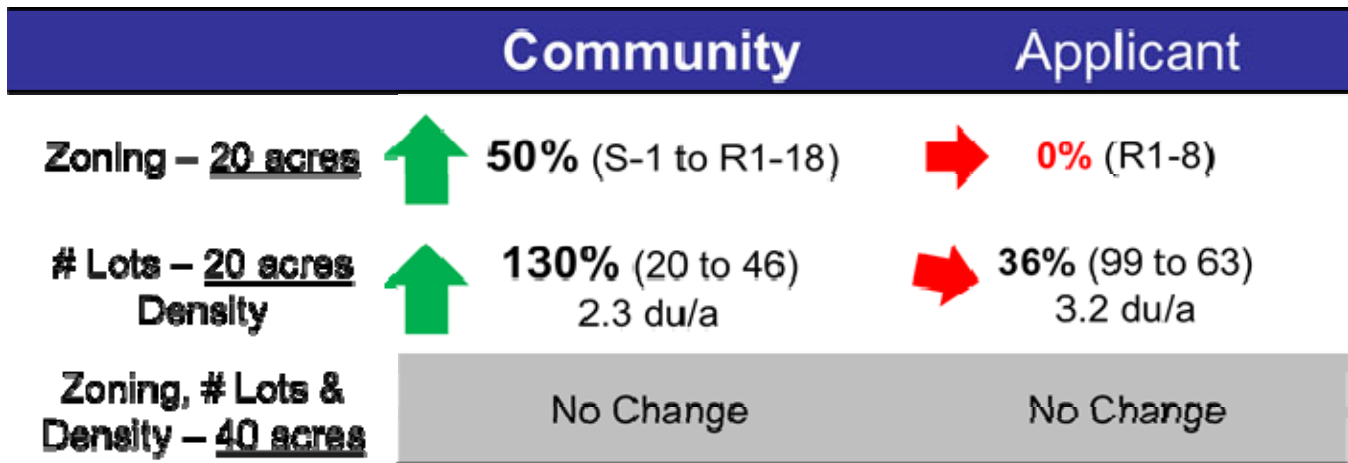
As you heard with the PUD case on Monday, the issue has been and is about zoning and density.





The community has continued to propose a compatible land use alternative (described above) with a conforming site plan and applicable stipulation revisions, along with a zoning district change, that is supported by Councilmember Garcia. This option essentially “splits the baby” with the community moving up two zoning districts and the applicant/owner moving down two zoning districts. Our proposal is a true middle ground and “cuts to the chase” given the City’s inability to codify the zoning reversion required in 2011, along with the realignment of the General Plan, to 0-1 du/a.

You can clearly see by the green arrows in the below graph that the community has compromised significantly more than the applicant.



- Note - The 20-acre and 40-acre parcels are zoned separately and cannot be calculated together

The PHO case was continued twice (July 1<sup>st</sup> and August 26<sup>th</sup>) at the applicants request to review and respond to the community proposal. The applicant contacted us 6+ weeks after the July 1<sup>st</sup> continuance and had not performed a detailed review/analysis of our plan. After the August 26<sup>th</sup> continuance, the applicant reached out after 3 weeks to propose zero zoning change and a token reduction of 2 lots (63 to 61). The PHO case was set for the Council agenda on October 7 and ended up being continued for a third time. In the motion to continue, Councilmember Garcia stated his motion was *“to continue this item for 6 months to the April formal meeting to allow the property owner to file a zoning case to down-zone the property”*. The PHO case is scheduled to be heard at the April 7, 2021 City Council formal meeting.

Now the applicant has filed a second and separate case for a PUD, Z-60-20-8. This new PUD case **is not** a down-zoning (e.g. reduction in zoning). It is simply a repackaging of the PHO case.

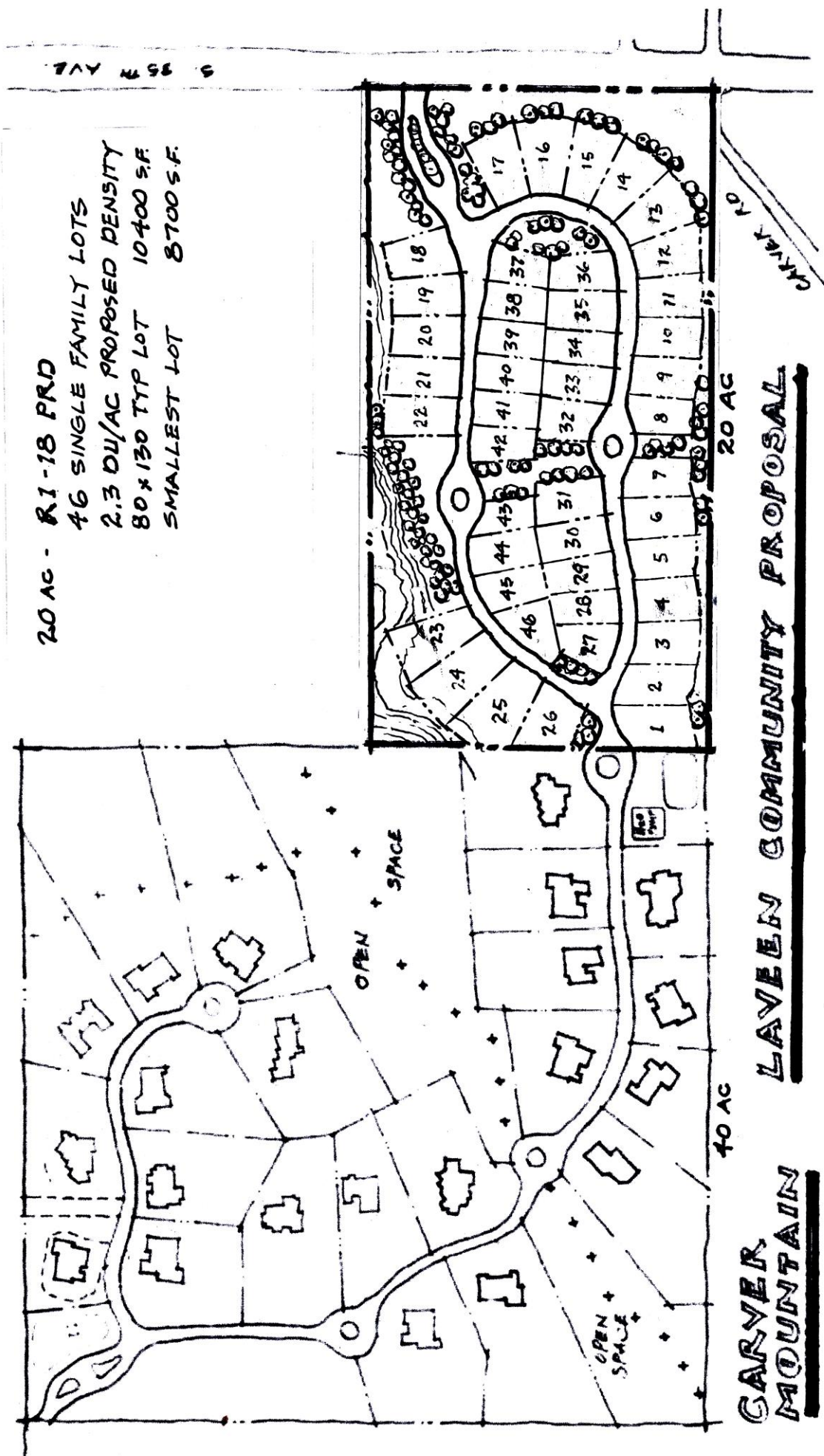
#### Case History Details:

- We are residents of all social and economic backgrounds who have worked hard for our homes and love our community. Even those neighbors with occupations who stand to benefit from more development (e.g. realtors, insurance agents, civil engineers, contractors, etc.) have been and are opposed to this high-density development because it does not fit the area. We are not against change, development, growth or affordable housing. We are for responsible development that is compatible with the area. We have supported high-density developments, including several cases in the last year+, because they fit the area being proposed.
- The video of our area is only 42 seconds long and can be played directly from this secure Dropbox link: <https://www.dropbox.com/s/Otfmz2e6htiasgd/Laveen.mp4?dl=0> [dropbox.com]
- The original GPA and Zoning cases in 2006/2007 were very contentious and lasted almost 1 year (GPA-LV-2-06-7 and Z-165-06-7)
  - Owner/applicant proposed:
    - GPA 5-10 du/a from 0-1 Residential/Parks/Open Space
    - R1-18, 40 acres, 22 lots at .56 du/a
    - R2, 20 acres, 136 multi-family units at 6.8 du/a
  - Significant community opposition
    - 200+ community members petitioned in opposition; LVPC & LCRD unanimously opposed; GPA and Zoning cases appealed
    - District 7 candidates Pastor & Nowakowski opposed; Councilmembers Johnson and Simplot voted in opposition
  - Claims of blight, hazardous material, etc. were all proved to be false
  - To help protect the neighborhood from speculative spot zoning and incompatible high-density development, then Mayor Gordon insisted on including a time stipulation (Stipulation 19) for zoning reversion if development did not occur in 48 months.
  - Ultimately the 40-acre portion at R1-18 and 22 lots, the 20-acre portion at R1-8 with 99 detached villas, and Stipulation 19 for zoning reversion was approved and codified in Ordinance G-5020
- The City did follow process in July 2008 and codified a GPA alignment on this parcel
  - The Planning Director letter in the case file states *“The Laveen Village Planning Committee initiated GPA-LV-1-08-7 to create consistency between the Land Use Map and the approved R1-8 zoning and to avoid creating a precedent for higher densities on the surrounding parcels.”*
- The current PHO case is equally contentious with the applicant/owner ignoring the community’s input until encouraged by Councilmember Garcia
  - The applicant continues to ignore, or claims to be surprised, that zoning is and has been the issue for 13 years
  - Significant community opposition remains:
    - 140+ community members in opposition at LVPC; 40+ community members in opposition at PHO; 70+ community members in opposition at Planning Commission
    - LVPC & LCRD unanimously opposed; significantly over 250+ community letters submitted in opposition to date
    - PHO and Planning Commission recommendations were appealed

- Councilmember Garcia and other community leaders are opposed to the applicant's plan
- The City has refused to enforce Ordinance G-5020 Stipulation 19 which states ***“That approval shall be conditional upon development commencing within 48 months of the City Council approval of this change of zoning in accordance with Section 506.B.1 of the Zoning Ordinance. For purposes of this stipulation, development shall commence with the issuance of building permits and erection of building walls on site.”***
  - City Council approval was on October 10, 2007 and with the 48-month timing, **the zoning was set to revert to S-1 as of 2011.**
  - To date there has been no development on the property and no action taken by the City to revert the zoning as required, despite multiple requests to do so.
- **Technically the zoning classification for this property has been S-1 since late 2011, but has yet to be codified by the City per Ordinance G-5020**
- **Technically the General Plan is 0-1 du/a, NOT 3.5 to 5, and the City is also obligated to codify that designation**



# PHO-1-19-Z-165-06-7(8) Site Plan Dated June 24, 2020



20 AC - R1-18 PRD  
 46 SINGLE FAMILY LOTS  
 2.3 DU/AC PROPOSED DENSITY  
 80 x 130 TYP LOT 10400 S.F.  
 SMALLEST LOT 8700 S.F.

**GARVER  
MOUNTAIN**

**LAVEN COMMUNITY PROPOSAL**

40 AC

20 AC

CREEK RD

OPEN +  
SPACE

OPEN +  
SPACE

Map Point

## Sofia Mastikhina

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**From:** Vializ, Lisa <Lisa.Vializ@Honeywell.com>  
**Sent:** Thursday, December 17, 2020 11:52 AM  
**To:** Sofia Mastikhina  
**Subject:** Feedback regarding LVPC Meeting Dec. 14, 2020 and Discussion on Case Z-60-20-8

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Sofia,

I am opposed to the PUD on this property, as the reversion is still an active and open issue.

We have been meeting with the Applicant's council and discussing this case for almost 12 months now. The Community has remained consistent.. the issue here is the zoning WHICH equals density and the DENSITY proposed is TOTALLY INCOMPATIBLE with this area. It is a mere shortcut to accomplish a plan that is ACTUALLY worse than WHAT we have been opposing....a 'blank check' for the Applicant to do whatever they want.

### TO SUMMARIZE:

- It does NOT incorporate all of the stipulations from the PHO- that they previously agreed to.
- It does NOT incorporate all of the Laveen Residential Guidelines that have been sanctioned by Planning Staff and the LVPC.
- As a reminder, The LVPC unanimously opposed this case.
- The surrounding density's referenced in Mr. Gilbert's presentation are inaccurate. We have: S-1, R-43, and R-18 in the surrounding area. As we all know the density REDUCES as we move south toward South Mountain. We are asking for comparable lot sizes to the surrounding area and not what is 2 miles NORTH to Dobbins.
- 60x120 lots may sound good, but NOT in an area with ½ to 1 acre lots. Density and zoning is the issue.
- The density reduction number referenced in Mr. Gilbert's presentation is NOT correct since he combined the 40 and 20 acre parcels to bolster his density reduction number (fake math) and this case is ONLY addressing the 20A parcel.
- The Applicant is flipping the property. This entire time they stated they were building on the property and finally just admitted they are going to flip it.
- Councilman Garcia has **reiterated time and time again he would NOT support a density or zoning at this level (R1-8 nor R1-10)**. He asked us to compromise and we did; **we agreed to R1-18 at 46 lots AND COUNCILMAN SUPPORTS THIS ZONING LEVEL AND LOT COUNT.**
- Again this sets a very bad precedent for this area and all of the property around South Mountain currently zoned S-1. We need to maintain the low density in this area. There are plenty of properties/land near the freeway and areas North of Baseline where higher density housing is appropriate but it is not appropriate in and around the foothills.
- We should allow the original case to continue on thru City council instead of ramrodding thru a PUD which is NOT in the best interest of the community.

Please vote to deny this PUD. The neighbors have been speaking loud and clear for a year (all the way back to 2007 actually). High density has its place but not in this area at any price point.

Thank you,  
Lisa Vializ  
8921 S 53<sup>rd</sup> Dr.  
Laveen, AZ 85339

## Sofia Mastikhina

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**From:** John Knight <john.knight@aircomm.com>  
**Sent:** Monday, December 28, 2020 10:08 AM  
**To:** Sofia Mastikhina  
**Subject:** Re: Laveen Planning Meeting Dec 11

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Sofia, thank you so much for the update. I am truly sorry to have missed. Looking forward to the next steps. As we invested in this area over 18 years ago, we have seen the same type of custom quality building continue as others look for a place of open space. That was what the City and County told us. We would love to have you out to our area and our home so you get the feel of how the new Developer's requests are Polar Opposites to what is here today. It is truly hard to understand unless you come through here with a resident. Please think about this. I know that you must remain neutral, but it will help you understand our passion to continue this. The builders hope we get tired of all these meetings. and hope to give up. When you come South over the Carver Mountains, you see an area close to Paradise Valley or even Tucson. Most people don't know this area is here. Please let me know if that would help Happy New Year

On Thu, Dec 24, 2020 at 8:51 AM Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)> wrote:

Good morning John,

The meeting went well – a good number of community members attended and expressed their opposition to the case. It has not yet been scheduled to come back to the VPC for a vote, as the applicant is still working with us on revisions to their development narrative. Please let me know if you have any questions.

I hope your health is better, and have a wonderful holiday!

Best regards,

**Sofia Mastikhina, CNU-A**



*(she/her/hers) [What is this? mypronouns.org](https://www.mypronouns.org/)*

Planner II - Village Planner

City of Phoenix

Long Range Planning







Office: 602-256-5648  
200 West Washington Street  
Phoenix, AZ 85003

**From:** John Knight <[john.knight@aircomm.com](mailto:john.knight@aircomm.com)>  
**Sent:** Tuesday, December 15, 2020 7:47 AM  
**To:** [SweetBeat@q.com](mailto:SweetBeat@q.com); Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)>; Elizabeth Banta <[ebanta3938@gmail.com](mailto:ebanta3938@gmail.com)>  
**Subject:** Re: Laveen Planning Meeting Dec 11

Sofia, I apologize for missing last night. I had some health issues. How did it go? I will try and attend Thursday" Thank you all very much.

	<b>John Knight</b> <b>VP Integrated Solutions</b> <b>P:</b> (602) 237-4915 <b>C:</b> (602) 549-1885 <b>E:</b> <a href="mailto:john.knight@aircomm.com">john.knight@aircomm.com</a> <b>W:</b> <a href="http://www.aircomm.com">www.aircomm.com</a> [ <a href="http://cloud.letsignit.com">cloud.letsignit.com</a> ]
	
	 <a href="http://cloud.letsignit.com">[cloud.letsignit.com]</a>

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On Mon, Dec 14, 2020 at 9:57 AM Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)> wrote:

Good morning John,

You have been registered to speak at the December 14 Laveen Village Planning Committee meeting. Please use the link on the [agenda](#) to access the meeting. Staff will unmute you when the Chair calls your name. Let me know if you have any questions.

Best regards,

**Sofia Mastikhina, CNU-A**

*(she/her/hers) [What is this?](#)  
[\[mypronouns.org\]](http://mypronouns.org)*



Planner II - Village Planner

City of Phoenix

Long Range Planning

Office: 602-256-5648

200 West Washington Street

Phoenix, AZ 85003



**From:** John Knight <[john.knight@aircomm.com](mailto:john.knight@aircomm.com)>

**Sent:** Saturday, December 12, 2020 5:28 PM

**To:** Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)>; John Hampton Knight <[john.knight@synergydatascience.com](mailto:john.knight@synergydatascience.com)>;  
Dr. Dean G. Gordy Fairchild, Ph.D. <[founder@synergydatascience.com](mailto:founder@synergydatascience.com)>; [SweetBeat@q.com](mailto:SweetBeat@q.com)

**Subject:** Laveen Planning Meeting Dec 11

Sofia, I hope this finds you well. I am requesting to speak at the meeting.

1. Average Lot Size South of Carver Hills 51st Avenue to 19th Avenue
2. Average Size of house in the same area?
3. Average Size of Open Area for each parcel?
4. Average Price of home in this area?
5. Number of Acre+ Lots compared to less than Acre lots?
6. Do you have pictures of this area during Monsoon, Hurricane or large rain seasons?
7. What is the breakdown of Architectural design of homes today in this area?
8. Compare the above to the proposal before us please.
9. How does your product compare to the area surrounding your proposed development versus what we have seen on 51st Avenue.
10. What is the average devaluation of this area when you build small homes compared to larger, custom acre homes?
11. Why have you not looked at the area and provided a product commensurate with the surroundings?
12. What makes your proposed design unique and desirable? .
13. How do we protect the integrity of the existing homeowners who bought in to the Laveen plan of the 1990's and invested in this area? Why should you be granted an exception?

Those are things that we all want to know. We will try and pull the statistics by Monday. ty

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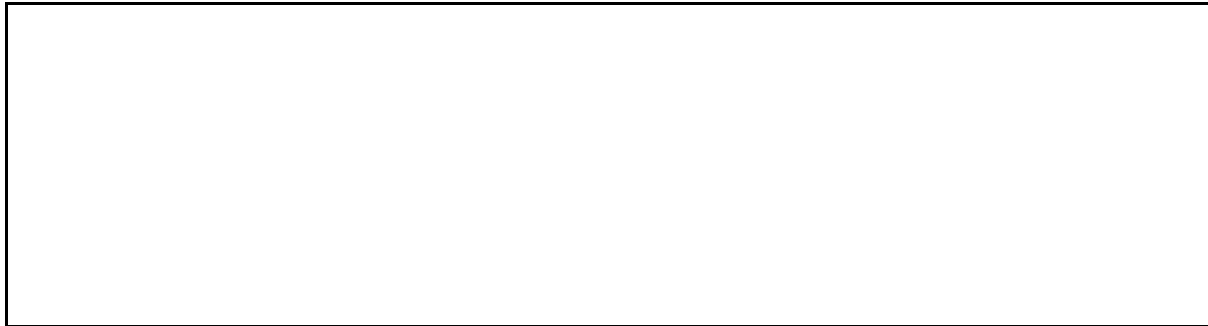


**John Knight**  
**VP Integrated Solutions**

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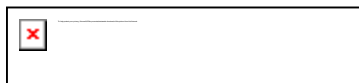


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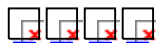


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**VP Integrated Solutions**

**P:** (602) 237-4915

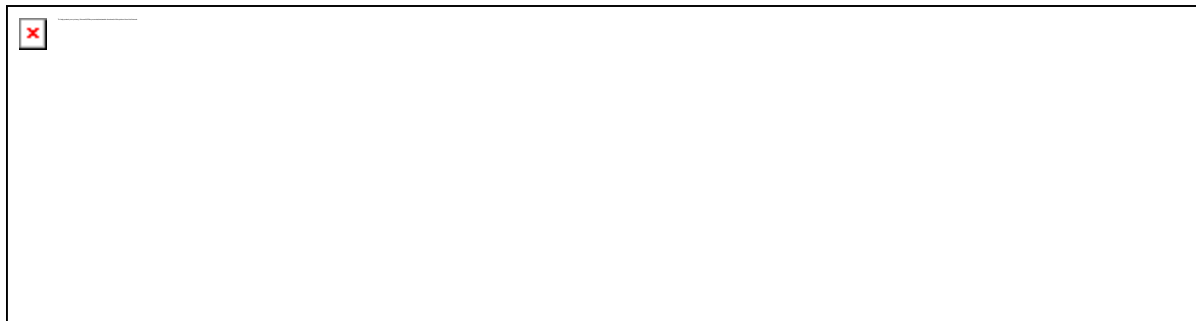
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[\[cloud.letsignit.com\]](http://cloud.letsignit.com)

## Sofia Mastikhina

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**From:** chris johns <christopher.1.johns@outlook.com>  
**Sent:** Monday, January 4, 2021 8:47 PM  
**To:** Sofia Mastikhina  
**Subject:** Fw: PUD case Z-60-20-8.

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Sofia,

I am writing to express my concern about PUD case Z-60-20-8. The proposed 61 lots with more than 3 dwelling units per acre is completely incompatible with the area. The number of lots and density is far too high and does not fit with the surrounding area between the Carver foothills and south mountain park. The applicant continues to ignore the community and our proposal of 46 lots at R1-18 zoning, which is compatible with the area, and is an executable site plan with conforming stipulations.

In addition, the neighborhood community members have voiced the following concerns with this case:

**Feedback on the new PUD case Z-60-20-8 for use:**

- This plan is not a reduction in zoning (aka: down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
- The applicant has not incorporated the stipulations from case PHO-1-19-Z-165-06-7/8 which they previously agreed to.
- The applicant has not incorporated the Laveen Residential Guidelines that have been sanctioned by Planning Staff and the LVPC.
- The proposed site plan does not work with the elevations and contours of the site.
- The applicant has not addressed how to treat the escarpment.
- The applicant has not addressed safety issues for ingress and egress on 35<sup>th</sup> Avenue.
- The applicant has not provided adequate open space.
- The applicant has not provided adequate landscaping buffers.
- The applicant has failed to recognize or plan for drainage issues and how storm water will be captured on site.
- A PUD in general does not provide specific details or requirements of what will be built. This blank check or "framework of development standards" is inferior to a conventional zoning case and is not in the best interest of the neighborhood or broader Laveen Village. This special area of Laveen deserves a far superior and compatible plan than anything this applicant has proposed over the course of a year.20-8

Chris Johns

## Sofia Mastikhina

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**From:** Sarah VanSchyndel <sarah.vanschyndel@gmail.com>  
**Sent:** Monday, January 4, 2021 11:42 AM  
**To:** Sofia Mastikhina  
**Subject:** PUD case Z-60-20-8.

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Sofia,

I am writing to express my concern about PUD case Z-60-20-8. The proposed 61 lots with more than 3 dwelling units per acre is completely incompatible with the area. The number of lots and density is far too high and does not fit with the surrounding area between the Carver foothills and south mountain park. The applicant continues to ignore the community and our proposal of 46 lots at R1-18 zoning, which is compatible with the area, and is an executable site plan with conforming stipulations.

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- The applicant has not incorporated the Laveen Residential Guidelines that have been sanctioned by Planning Staff and the LVPC.
- The proposed site plan does not work with the elevations and contours of the site.
- The applicant has not addressed how to treat the escarpment.
- The applicant has not addressed safety issues for ingress and egress on 35<sup>th</sup> Avenue.
- The applicant has not provided adequate open space.
- The applicant has not provided adequate landscaping buffers.
- The applicant has failed to recognize or plan for drainage issues and how storm water will be captured on site.
- A PUD in general does not provide specific details or requirements of what will be built. This blank check or "framework of development standards" is inferior to a conventional zoning case and is not in the best interest of the neighborhood or broader Laveen Village. This special area of Laveen deserves a far superior and compatible plan than anything this applicant has proposed over the course of a year.20-8



## Sofia Mastikhina

---

**From:** Donna Schober <donna.schober@gmail.com>  
**Sent:** Tuesday, January 5, 2021 5:56 PM  
**To:** Sofia Mastikhina  
**Subject:** PUD case Z-60-20-8

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Ms. Mastikhina. My husband and I have lived in Laveen for 22+ years. We live near the proposed development (PUD case Z-60-20-8) that is the subject of various meetings. We are in strong opposition to PUD case Z-60-20-8. We will list only a few of the reasons we oppose this case.

Chief among our reasons is the high number of lots for this area and the density is much too high for this area. The number of lots is completely incompatible with this area. The applicant has ignored our community and our own proposal of fewer lots and less density which is more compatible with the area and could be implemented rather quickly with some conforming stipulations.

The applicant has not worked with the site, has not addressed traffic safety issues, has not provided adequate open space, adequate landscaping buffers, failed to plan for drainage issues and storm water. These are items of importance to our neighborhood. We do not feel it is appropriate to give this developer a blank check through approval of this case.

As you may already know this is the second and a separate case filed by the developer for this same area. The neighborhood opposes both cases (PHO-1-19-Z-165-06-7/8 is the other case) and has been fighting for a responsible development in the area for more than 10 years.

Please visit our neighborhood. You will see this is a special area of Laveen and it deserves a far superior plan than anything this particular applicant has proposed.

Sincerely,

Donna J. Schober  
Marvin A. Sondag  
10840 S 30th Ave  
Laveen, AZ 85339

602-237-4887

## Sofia Mastikhina

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**From:** EMAIL TEAM <garyinlaveen@yahoo.com>  
**Sent:** Tuesday, January 5, 2021 12:56 PM  
**To:** Sofia Mastikhina  
**Subject:** zoning meetings

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Sofie,  
I am against the proposals: PUD Z-60-20-8 and PHO-1-19-Z-165-06-7/8.  
Sincerely  
Gary Jordan  
3603 W. Shawnee Dr.  
Laveen, Az 85339  
602-237-4727

## Sofia Mastikhina

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**From:** Laura Murphy <lmurphy@acswinc.com>  
**Sent:** Wednesday, January 6, 2021 5:54 PM  
**To:** Sofia Mastikhina  
**Subject:** PUD CASE Z-60-20-8 Laveen Carver Mountain

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good afternoon Sofia,

I am writing in to oppose the PUD case for the Quarry/Carver Mountain case. This also includes an opposition to case PHO-1-19-Z-165-7/8.

The Hidden Valley residents living in Laveen chose to come here for a reason. To get out of the City. We did not want HOA's. We wanted space and to see the Milky Way! We have NO streetlights and we like it that way. We have less traffic, although with the new Loop 202 in our backyard, the traffic has doubled on our residential streets and it is now hard to see the Milky Way due to the freeway lights. Plus people our using our residential streets as a cut through to get to 35<sup>th</sup> Ave and Baseline faster or dodging the law by coming from the Casino drunk. We now even have semi's using our residential streets as a cut through. The drunk drivers just end up in the irrigation ditch. This happens quite a lot. Or they hit a power pole and wipe us out of power for hours on end. We do not need to increase the traffic with high density housing.

We do not have any housing projects in our neighborhood. We do not need to start now. The is a mountain side property. This is not welcome. In fact, it would deface the beauty. This is a special and tranquil place to live and raise a family. Allowing a high density housing project will bring crime. The beauty will be erased.

We have lost most of our cotton farms along 51<sup>st</sup> Ave due to high density housing. This was hard enough to bear a couple of years ago. It is so sad that we are losing farmers in our metro area. If they can relocate due to costs they are struggling on where to move to without the costs going out of this world. Some, have decided not to farm anymore. This is not good for our economy.

We want to preserve our mountains, not destroy them. I am not opposed to custom homes. But, it should remain R-18 with one house per acre. And no more!

The following is the feedback on the new PUD case Z-60-20-8.

1. The number of lots and the density is still too high
2. The proposed 61 lots at 3+ du/a is still completely incompatible with the area.
3. This plan is not a reduction in zoning (aka: down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
4. The applicant continues to ignore the community and our proposal of 46 lots at R1-18 zoning, which is compatible with the area, and is an executable site plan with conforming stipulations.
5. The applicant has not incorporated the stipulations from case PHO-1-19-Z-165-06-7/8 which they previously agreed to.
6. The applicant has not incorporated the Laveen Residential Guidelines that have been sanctioned by Planning Staff and the LVPC.

7. The proposed site plan does not work with the elevations and contours of the site.
8. The applicant has not addressed how to treat the escarpment.
9. The applicant has not addressed safety issues for ingress and egress on 35<sup>th</sup> Avenue.
10. The applicant has not provided adequate open space.
11. The applicant has not provided adequate landscaping buffers.
12. The applicant has failed to recognize or plan for drainage issues and how storm water will be captured on site.
13. A PUD in general does not provide specific details or requirements of what will be built. This blank check or "framework of development standards" is inferior to a conventional zoning case and is not in the best interest of the neighborhood or broader Laveen Village. This special area of Laveen deserves a far superior and compatible plan than anything this applicant has proposed over the course of a year.

We do not want high density in our neighborhood. We do not want additional traffic that is associated with a dense housing project. We do not want HOA's. We do not want perimeter fencing.

We want our voices heard and recognized. We want peace and quiet.

Please support the Hidden Valley residents.

Thank you for this opportunity to express my concerns and I do hope you will take this into consideration when the time comes to vote.

Sincerely,

Laura A Murphy  
 4824 W. Estrella Dr.  
 Laveen, AZ 85339  
 602-318-3442



**Laura "Murph" Murphy | Controller**

2430 W. Mission Ln., Ste. 1, Phoenix, AZ 85021  
 lmurphy@acswinc.com P: 480.664.3185 ext 11 C: 602.318.3442

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## Sofia Mastikhina

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**From:** Benjamin Meyer <ben.meyer3456@gmail.com>  
**Sent:** Wednesday, January 6, 2021 8:36 PM  
**To:** Sofia Mastikhina  
**Subject:** PUD Z-60-20-8 Opposition

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

1/6/21

Re: For the Record of PUD (Z-60-20-8)

Dear Sirs,

It is not compatible to bring the number of homes to this lot that the applicant has put forth. It will change the feel of our neighborhood drastically and will decrease our property values. It is not right for our area and we feel very strongly about this.

This is also a safety issue. The number of cars that will increase because of your high density zoning will only make this stretch more dangerous.

If you lived on this south side of the quarry, YOU would be fighting to oppose 61 homes that this applicant is proposing for development AND safety reasons. We oppose this and our neighbors oppose this.

Benjamin Meyer

35<sup>th</sup> & Carver

Laveen

## Sofia Mastikhina

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**From:** D in AZ <darcy3535@gmail.com>  
**Sent:** Wednesday, January 6, 2021 7:28 PM  
**To:** Sofia Mastikhina  
**Subject:** Quarry/Carver Mtn case PUD Z-60-20-8 for the record

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I'd like to submit my feedback in in opposition of Z-60-20-8 for the record. Thank you.

To Jeremy and Mr. Gilbert,

As a neighbor of this property, I'd like to express my opposition to the high-density development of Carver Mountain. This isn't a typical neighborhood to squeeze in a bunch of homes and put some covering on the rock to make it feel natural. We get the natural look by looking out our window that doesn't have a house right next to you. This south side of Carver isn't the typical area either. We moved here to be away from the city, where you see horses go up and down the street, kids can play outside, it's quiet and dark and the neighbors can keep to themselves when they want to. Please don't make this another subdivision that we are forced to pass by like all the others that have destroyed the look and feel of Laveen. I can guarantee that you will find buyers for homes at an increased cost to have a bit of land on them. People are paying big money for property because it's hard to find nowadays

I also oppose this because it will bring in extra cars that belong to 61 houses that need to come into your lot. The curve around Carver is way too dangerous. It is dangerous now, and no one even lives on this property. It cannot sustain an increase of cars going in and out and around.

I urge that you side with the neighbors that actually live here and if you can find someone that actually wants this and lives on this side of the mountain, please have them call me.

Darcy Meyer

35<sup>th</sup> & Carver

## Sofia Mastikhina

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**From:** Jane Craig <eddibtyboop@hotmail.com>  
**Sent:** Saturday, January 9, 2021 11:31 AM  
**To:** Sofia Mastikhina  
**Subject:** OPPOSE - New PUD case Z-60-20-8

Ms. Sofia Mastikhina,

I respectfully "OPPOSE" the PUD Case Z-60-20-8, due to the following reasons listed below.  
Please deny this request.

- The number of lots and the density is still too high
- The proposed 61 lots at 3+ du/a is still completely incompatible with the area.
- This plan is not a reduction in zoning (aka: down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
- The applicant continues to ignore the community and our proposal of 46 lots at R1-18 zoning, which is compatible with the area, and is an executable site plan with conforming stipulations.
- The applicant has not incorporated the stipulations from case PHO-1-19-Z-165-06-7/8 which they previously agreed to.
- The applicant has not incorporated the Laveen Residential Guidelines that have been sanctioned by Planning Staff and the LVPC.
- The proposed site plan does not work with the elevations and contours of the site.
- The applicant has not addressed how to treat the escarpment.
- The applicant has not addressed safety issues for ingress and egress on 35<sup>th</sup> Avenue.
- The applicant has not provided adequate open space.
- The applicant has not provided adequate landscaping buffers.
- The applicant has failed to recognize or plan for drainage issues and how storm water will be captured on site.
- A PUD in general does not provide specific details or requirements of what will be built. This blank check or "framework of development standards" is inferior to a conventional zoning case and is not in the best interest of the neighborhood or broader Laveen Village. This special area of Laveen deserves a far superior and compatible plan than anything this applicant has proposed over the course of a year.

Respectfully,

Jane Craig  
2905 W Ceton Drive  
Laveen, AZ 85339-1744

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

## Sofia Mastikhina

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**From:** Bret Burchard <bretburchard3@yahoo.com>  
**Sent:** Tuesday, April 6, 2021 4:29 PM  
**To:** Sofia Mastikhina  
**Subject:** Quarry Case - Agenda Item #5 - PUD Z-60-20-8

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Laveen Village Planning Committee Members,

I ask that you please vote to deny the PUD application Z-60-20-8 that will come before you on Monday, April 12, and move to support the community proposal of 46 lots and a conventional R1-18 zoning district for the Carver Mountain development.

This PUD case is a repackaging of the PHO case 1-19-Z-165-06-7(8) that you unanimously denied previously. It is an attempt by the applicant to put lipstick on a pig and present it as a compromise. But it still stinks and doesn't meet the primary concerns of the community.

The priority for the community is and always has been zoning and density. The applicant likes to highlight that a PUD is more restrictive than a traditional zoning application and so should be more attractive for the community, but the stipulations are primarily cosmetic in nature. The density of the PUD is still incompatible with the surrounding area and the inferred zoning of their 61-lot plan sets an irreversible precedent for future development.

The applicant also likes to cite the Laveen Southwest Growth Study to show they have listened to the neighbors' concerns. Again, they cherry picked low hanging fruit that is mostly cosmetic. They fail to address the part that states, "*...the 0-1 designation was placed on properties adjacent to the Carver Foothills and South Mountain Park. The latter parcels are appropriate for low density development due to the topography of slopes and washes and the desert vegetation. The majority of the 0-2 property is to serve as a buffer between existing lower density lots and new subdivisions with the more standard 2-5 du/a.*"

Laveen is growing rapidly. That growth is one of the reasons my wife and I moved to this area just over 2 years ago. We are not opposed to growth and development. We are, however, in favor of responsible development that also preserves the unique rural lifestyle of this area that hardly exists anywhere else in the Valley. We moved here looking for a lifestyle you can't find anywhere else. Please, don't allow this beautiful corner of the Valley to turn into just another Gilbert, Chandler, or cookie cutter American suburb.

Thank you for your continued support and representation of the community in this case.

Sincerely,

Bret Burchard  
11244 S 35th Ave  
Laveen, AZ 85339



## Sofia Mastikhina

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**From:** Donis Canisales <cyrannc@hotmail.com>  
**Sent:** Tuesday, April 6, 2021 6:36 AM  
**To:** Sofia Mastikhina  
**Subject:** Letter of opposition

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Laveen Village Planning Committee Members,

PUD Z-60-20-8 is a **second and separate case** at the NWC of 35<sup>th</sup> Avenue and Carver Road, known as the Quarry/Carver Mountain. You, this Village, were supportive of the community and early last year were rightly unanimous in your denial of the PHO version of this case, PHO-1-19-Z-165-06-7(8). Do not let your unanimity or support of the community wane. Unanimously reject this case and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

The applicant likes to use the Laveen Southwest Growth Study in their narrative but fails to include the part stating “*the 0-1 designation was placed on properties adjacent to the Carver Foothills and South Mountain Park. The latter parcels are appropriate for low density development due to the topography of slopes and washes and the desert vegetation. The majority of the 0-2 property is to serve as a buffer between existing lower density lots and new subdivisions with the more standard 2-5 du/a.*”

**ALL** the adjacent and nearby parcels, including the applicant’s 40-acre site and the community R1-18 proposal are 0-2 du/a. Density and zoning are the issues here. Laveen lacks diversity of large lots and this is the area for them! The area south of Carver Foothills is special and deserves so much better. A few of the many reasons to deny this PUD as filed are:

- The number of lots and the density is still too high
- The proposed 61 lots at 3+ du/a is still completely incompatible with the area.
- This plan is not a reduction in zoning (aka: down-zoning). It is simply a repackaging of the previous inferior site plan from case PHO-1-19-Z-165-06-7/8.
- The applicant continues to ignore the community and our proposal of 46 lots at R1-18 zoning, which is compatible with the area, and is an executable site plan with conforming stipulations.
- The proposed conventional flat-land site plan does not work with the elevations and contours of the site.
- The applicant has not provided adequate open space or landscaping buffers.
- The PUD may look good on paper, but too many things are open-ended in the application/narrative that states the applicant MAY vs. SHALL or WILL. The stipulations in the PHO case are more stringent than the PUD.
- A PUD in general does not provide specific details or requirements of what will be built. This blank check or “framework of development standards” is inferior to a conventional zoning case and is not in the best interest of the neighborhood or broader Laveen Village. This special area of Laveen deserves a far superior and compatible plan than anything this applicant has proposed over the course of a year.

This PUD case is no significant improvement over the PHO case. The applicant is running both cases in parallel to mask the structural and real issues of density and zoning and to “see what sticks”. Please support the community! Again, deny this case as filed and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

Best regards,

Frank and Donis Canisales, Jr  
11020 S 35th Ave Laveen Az 85339

Frank and Esperanza Canisales  
11631 S 51st Ave Laveen Az 85339

Francisco, iii and Becca Canisales  
9411 S 33rd Ave Laveen Az 86339

Antonio Canisales  
2305 w tuckey lane, Phoenix Az 85015

Sent from my iPhone

## Sofia Mastikhina

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**From:** Steven Dougherty <steven@stevendougherty.com>  
**Sent:** Tuesday, April 6, 2021 9:42 AM  
**To:** Sofia Mastikhina  
**Cc:** Steven Dougherty  
**Subject:** Laveen Village Planning Committee Members,

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Laveen Village Planning Committee Members,  
PUD Z-60-20-8 is a **second and separate case** at the NWC of 35<sup>th</sup> Avenue and Carver Road, known as the Quarry/Carver Mountain. You, this Village, were supportive of the community and early last year were rightly unanimous in your denial of the PHO version of this case, PHO-1-19-Z-165-06-7(8). Do not let your unanimity or support of the community wane. Unanimously reject this case and instead recommend approval of the community proposal for 46 lots and a conventional R1-18 zoning district.

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Sincerely,  
Steven Dougherty  
11222 S 39th LN  
Laveen AZ 85339  
[Steven@StevenDougherty.com](mailto:Steven@StevenDougherty.com)  
480-430-6130 Cell

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