

# Attachment G

## Adam Stranieri

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**From:** Sofia Mastikhina  
**Sent:** Wednesday, March 4, 2020 8:14 AM  
**To:** Julianna Pierre; Adam Stranieri  
**Subject:** FW: Case Z-165-06 (PHO-1-19)

FYI



**Sofia Mastikhina**  
Planner II - Village Planner  
City of Phoenix  
Long Range Planning  
Office: 602-256-5648  
200 West Washington Street  
Phoenix, AZ 85003



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**From:** Ernst Bauer <ERNST.BAUER@asu.edu>  
**Sent:** Tuesday, March 3, 2020 6:20 PM  
**To:** Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>  
**Subject:** Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *“The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site’s specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance”*, which includes Stipulation 19.

Stipulation 19 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.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Dr. Ernst Bauer  
Professor Emeritus  
11581 S 28th Ave  
Laveen  
AZ 85339  
e-mail: [ernst.bauer@asu.edu](mailto:ernst.bauer@asu.edu)  
Webpage: <http://ernstbauer.physics.asu.edu> [[ernstbauer.physics.asu.edu](http://ernstbauer.physics.asu.edu)]

## Racelle Escolar

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**From:** Sofia Mastikhina  
**Sent:** Monday, March 23, 2020 7:52 AM  
**To:** Danielle M Jordan  
**Cc:** Racelle Escolar  
**Subject:** FW: Deny Case Z-165-06 (PHO 1-19)



**Sofia Mastikhina**  
Planner II - Village Planner  
City of Phoenix  
Long Range Planning  
Office: 602-256-5648  
200 West Washington Street  
Phoenix, AZ 85003



**From:** D M <darcy3535@gmail.com>  
**Sent:** Saturday, March 21, 2020 4:43 PM  
**To:** Sofia Mastikhina <sofia.mastikhina@phoenix.gov>  
**Subject:** Deny Case Z-165-06 (PHO 1-19)

Planning Commission Members, Planning Management and Staff,

I request you DENY Case Z-165-06 (PHO-1-19) when it comes before the Planning Commission on April 2. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing! Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Respectfully,

Name Darcy Meyer

Address 3535 W Bohl St, Laveen Village, AZ 85339

## Racelle Escolar

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**From:** Sofia Mastikhina  
**Sent:** Monday, March 23, 2020 7:52 AM  
**To:** Danielle M Jordan  
**Cc:** Racelle Escolar  
**Subject:** FW: Case Z-165-06 (PHO-1-19)



**Sofia Mastikhina**  
Planner II - Village Planner  
City of Phoenix  
Long Range Planning  
Office: 602-256-5648  
200 West Washington Street  
Phoenix, AZ 85003



**From:** Sarah VanSchyndel <sarah.vanschyndel@gmail.com>  
**Sent:** Sunday, March 22, 2020 5:58 AM  
**To:** Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>  
**Subject:** Case Z-165-06 (PHO-1-19)

Planning Commission Members, Planning Management and Staff,  
Councilmen, Councilwomen and Madam Mayor;

Case Z-165-06 (PHO-1-19) is scheduled for Planning Commission review April 2. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: "The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance", which includes Stipulation 19.

Stipulation 19 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.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a

violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sarah Johns

3913 W. Carver Rd.

Laveen, AZ 85339

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**Sarah Johns**

## Racelle Escolar

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**From:** Sofia Mastikhina  
**Sent:** Monday, March 23, 2020 11:19 AM  
**To:** Danielle M Jordan; Racelle Escolar  
**Subject:** FW: Case Z-165-06 (PHO-1-19) - Planning Commision Hearing - April 2, 2020



**Sofia Mastikhina**  
Planner II - Village Planner  
City of Phoenix  
Long Range Planning  
Office: 602-256-5648  
200 West Washington Street  
Phoenix, AZ 85003



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**From:** Scott Johnson <sjohnson@scottjce.com>  
**Sent:** Monday, March 23, 2020 11:15 AM  
**To:** Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>  
**Cc:** 'Cyd Manning' <SweetBeat@q.com>  
**Subject:** Case Z-165-06 (PHO-1-19) - Planning Commision Hearing - April 2, 2020

Planning Commission Members, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for Planning Commission review April 2. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *“The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site’s specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance”*, which includes Stipulation 19.

Stipulation 19 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.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Thank you for your consideration, Scott Johnson

**Scott Johnson, President**  
**Hangar Haciendas HOA**  
**3143 W. Avion Way**  
**Laveen, AZ 85339**  
**602-320-2382**  
**sjohnson@scottjce.com**



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[\[avg.com\]](http://avg.com)



## Racelle Escolar

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**From:** Sofia Mastikhina  
**Sent:** Monday, March 23, 2020 12:19 PM  
**To:** Racelle Escolar; Danielle M Jordan  
**Subject:** FW: Rezoning



**Sofia Mastikhina**  
Planner II - Village Planner  
City of Phoenix  
Long Range Planning  
Office: 602-256-5648  
200 West Washington Street  
Phoenix, AZ 85003



**From:** David Vaughan <azernot2@aol.com>  
**Sent:** Monday, March 23, 2020 12:15 PM  
**To:** Sofia Mastikhina <sofia.mastikhina@phoenix.gov>  
**Subject:** Rezoning

Planning Commission Members, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for Planning Commission review April 2. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *"The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance"*, which includes Stipulation 19.

Stipulation 19 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.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

## Racelle Escolar

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**From:** Sofia Mastikhina  
**Sent:** Tuesday, March 24, 2020 12:25 PM  
**To:** Danielle M Jordan; Racelle Escolar  
**Subject:** FW: Quarry Case at 35th Ave. & Carver/Ceton - Z-165-06-7



**Sofia Mastikhina**  
Planner II - Village Planner  
City of Phoenix  
Long Range Planning  
Office: 602-256-5648  
200 West Washington Street  
Phoenix, AZ 85003



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**From:** Steven Dougherty <steven@stevendougherty.com>  
**Sent:** Tuesday, March 24, 2020 12:24 PM  
**To:** Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>  
**Cc:** Steven Dougherty <steven@stevendougherty.com>  
**Subject:** Quarry Case at 35th Ave. & Carver/Ceton - Z-165-06-7

Planning Commission Members, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for Planning Commission review April 2. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *“The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site’s specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance”*, which includes Stipulation 19.

Stipulation 19 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.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

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

CONFIDENTIALITY NOTICE - This e-mail transmission and any documents, files or previous e-mail messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that you must not read or play this transmission and that any disclosure, copying, printing, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender by telephone or return e-mail and delete the original transmission and its attachments without reading, forwarding, saving or re-distributing in any manner.

**Racelle Escolar**

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**Subject:** FW: Case Z-165-06 (PHO-1-19)

**From:** Jo Ann Valenta <[jovalenta@gmail.com](mailto:jovalenta@gmail.com)>

**Sent:** Tuesday, March 24, 2020 3:21 PM

**To:** PDD Zoning <[zoning@phoenix.gov](mailto:zoning@phoenix.gov)>

**Subject:** Case Z-165-06 (PHO-1-19)

Planning Commission Members, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before the Planning Commission on April 2. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Jo Ann Valenta

The Sanctuary at South Mountain  
3224 W Carver Road  
Laveen, AZ 85339

## Racelle Escolar

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**From:** Sofia Mastikhina  
**Sent:** Wednesday, March 25, 2020 9:40 AM  
**To:** Racelle Escolar; Danielle M Jordan  
**Subject:** FW: Case Z-165-06 (PHO-1-19)



**Sofia Mastikhina**  
Planner II - Village Planner  
City of Phoenix  
Long Range Planning  
Office: 602-256-5648  
200 West Washington Street  
Phoenix, AZ 85003



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**From:** sonya fazio <sonyafazio777@gmail.com>  
**Sent:** Wednesday, March 25, 2020 9:38 AM  
**To:** Sofia Mastikhina <sofia.mastikhina@phoenix.gov>  
**Subject:** Case Z-165-06 (PHO-1-19)

Sofia Mastikhina

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Please do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Thank You for your time!

Sonya Fazio  
2414 W Corral Rd  
Phoenix AZ 85041

## Racelle Escolar

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**Subject:** FW:

**From:** PDD Zoning

**Sent:** Thursday, March 26, 2020 9:26 AM

**To:** Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Racelle Escolar <racelle.escolar@phoenix.gov>; Adam Stranieri <Adam.Stranieri@phoenix.gov>

**Subject:** FW:

From the zoning mailbox.

**From:** Brenda Miller <brendalynmiller@gmail.com>

**Sent:** Thursday, March 26, 2020 9:05 AM

**To:** PDD Zoning <zoning@phoenix.gov>

**Subject:**

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *"The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance"*, which includes Stipulation 19.

Stipulation 19 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.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Brenda Miller  
219 W. Mountain Sage Drive  
Phoenix, AZ 85045

**From:** JK Bronson-Groen <[bronson-groen@hotmail.com](mailto:bronson-groen@hotmail.com)>

**Sent:** Thursday, March 26, 2020 7:44 AM

**To:** Alan Stephenson <[alan.stephenson@phoenix.gov](mailto:alan.stephenson@phoenix.gov)>; Joshua Bednarek <[joshua.bednarek@phoenix.gov](mailto:joshua.bednarek@phoenix.gov)>; Samantha Keating <[samantha.keating@phoenix.gov](mailto:samantha.keating@phoenix.gov)>; PDD Laveen VPC <[laveenvpc@phoenix.gov](mailto:laveenvpc@phoenix.gov)>

**Cc:** Mayor Gallego <[mayor.gallego@phoenix.gov](mailto:mayor.gallego@phoenix.gov)>; Council District 7 PCC <[council.district.7@phoenix.gov](mailto:council.district.7@phoenix.gov)>; Council District 8 PCC <[council.district.8@phoenix.gov](mailto:council.district.8@phoenix.gov)>; Council District 3 PCC <[council.district.3@phoenix.gov](mailto:council.district.3@phoenix.gov)>; Council District 4 <[council.district.4@phoenix.gov](mailto:council.district.4@phoenix.gov)>

**Subject:** Case Z-165-06-07

## Good morning Laveen Village Planning Committee, Planning Management and staff,

I was surprised to see this posted on 35th ave and Carver rd. Due to these unprecedented times I do not believe holding a public hearing on April 2nd is appropriate. In lieu of attending the meeting I am emailing my thoughts and opinions regarding the changes and deletions being requested.

The owner is again requesting deletion of section 19. I am requesting you deny Case Z-165-06-07 when it comes before you on April 2nd. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter. The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area. Do the required and right thing. Deny Z-165-06-07 as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Thank you for your time and assistance in this very important matter.

Kyle Bronson  
503-890-7885  
4034 W Carver Rd  
Laveen, AZ 85339





# CITY OF PHOENIX HEARING



City Of Phoenix

## PLANNING COMMISSION HEARING

### HEARING DATE / TIME:

April 2, 2020  
6:00 PM

### LOCATION:

City Council Chambers  
200 West Jefferson Street  
Phoenix, AZ 85003

### CASE # Z-165-06-7

Northwest corner of  
35<sup>th</sup> Avenue and Carver Road

Existing Zoning: R1-8, R1-18  
Acreage: 59.48

#### REQUEST:

- 1) Modification of Stipulation 1 regarding general conformance to the site plan date stamped October 8, 2007 and elevations date stamped February 20, 2007.
- 2) Modification of Stipulation 7 regarding the landscape setback adjacent to 35<sup>th</sup> Avenue.
- 3) Deletion of Stipulation 19 regarding conditional development approval.
- 4) Modification of Stipulation 27 regarding height of terraced berms along the quarry cut slope base.
- 5) Modification of Stipulation 31 regarding raised, vertical curbs within the R1-18 portion of the site.
- 6) Modification of Stipulation 37 regarding detached sidewalks and landscape strips within the R1-8 portion of the site.
- 7) Deletion of Stipulation 39 regarding one-story homes along 35<sup>th</sup> Avenue.
- 8) Technical corrections to Stipulations 4, 5, 6, 8, 9, 15, 18, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 33, 34, 36, 38, 40.

Unlawful removal or destruction of this sign is punishable by law

**CONTACT: 602-262-7131**  
or [www.phoenix.gov](http://www.phoenix.gov)  
Zoning Services Counter



Sent from Kyle's iPhone

Begin forwarded message:

**From:** JK Bronson-Groen <[bronson-groen@hotmail.com](mailto:bronson-groen@hotmail.com)>

**Date:** January 13, 2020 at 9:56:09 AM MST

**To:** "[alan.stephenson@phoenix.gov](mailto:alan.stephenson@phoenix.gov)" <[alan.stephenson@phoenix.gov](mailto:alan.stephenson@phoenix.gov)>, "[joshua.bednarek@phoenix.gov](mailto:joshua.bednarek@phoenix.gov)" <[joshua.bednarek@phoenix.gov](mailto:joshua.bednarek@phoenix.gov)>, Samantha Keating <[samantha.keating@phoenix.gov](mailto:samantha.keating@phoenix.gov)>, "[LaveenVPC@phoenix.gov](mailto:LaveenVPC@phoenix.gov)" <[LaveenVPC@phoenix.gov](mailto:LaveenVPC@phoenix.gov)>

**Cc:** "[mayor.gallego@phoenix.gov](mailto:mayor.gallego@phoenix.gov)" <[mayor.gallego@phoenix.gov](mailto:mayor.gallego@phoenix.gov)>, "[council.district.7@phoenix.gov](mailto:council.district.7@phoenix.gov)" <[council.district.7@phoenix.gov](mailto:council.district.7@phoenix.gov)>, "[council.district.8@phoenix.gov](mailto:council.district.8@phoenix.gov)" <[council.district.8@phoenix.gov](mailto:council.district.8@phoenix.gov)>, "[council.district.3@phoenix.gov](mailto:council.district.3@phoenix.gov)" <[council.district.3@phoenix.gov](mailto:council.district.3@phoenix.gov)>, "[council.district.4@phoenix.gov](mailto:council.district.4@phoenix.gov)" <[council.district.4@phoenix.gov](mailto:council.district.4@phoenix.gov)>

**Subject:** Case Z-165-06 (PHO-1-19)

Good Morning Laveen Village Planning Committee, Planning Management and Staff,

I am a resident on Carver Rd, our property backs the beautiful Carver Mountain. I was very concerned when I saw the rezoning notice posted on the large gravel pit at 35<sup>th</sup> ave and Carver. This area is beautiful farm country land with minimum 1 acre lots.

I am requesting you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter. The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Thank you for your time and attention to this very important matter,

Kyle Bronson  
4034 W Carver Rd.  
Laveen, AZ. 85339  
C – 503-890-7885

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

## Racelle Escolar

---

**Subject:** FW: Case Z-165-06 (PHO-1-19)

**From:** Kieran Prendergast <[kieranfprendergast@gmail.com](mailto:kieranfprendergast@gmail.com)>

**Sent:** Thursday, March 26, 2020 2:40 PM

**To:** PDD Zoning <[zoning@phoenix.gov](mailto:zoning@phoenix.gov)>

**Subject:** Case Z-165-06 (PHO-1-19)

Laveen Village Planning Committee, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for both LVPC and PHO review next week. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *"The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance"*, which includes Stipulation 19.

Stipulation 19 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.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,  
Kieran Prendergast  
313 W Osborn Rd Phoenix, AZ 85013

## Racelle Escolar

---

**From:** Sofia Mastikhina  
**Sent:** Monday, March 30, 2020 8:20 AM  
**To:** Racelle Escolar; Danielle M Jordan  
**Subject:** Fwd: Please help

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**From:** Leah <lmariern@gmail.com>  
**Sent:** Friday, March 27, 2020 9:02:38 AM  
**To:** Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>  
**Subject:** Please help

Laveen Village Planning Committee, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before you on January 13 and 15. The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter.

The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Leah Wilson

15601 S 1st Ave  
Phoenix, AZ

Sent from my iPad

## Racelle Escolar

---

**Subject:** FW: Quarry Case at 35th Ave. & Carver/Ceton - Z-165-06-7

**From:** Heather Lott <[hlott1@gmail.com](mailto:hlott1@gmail.com)>

**Sent:** Monday, March 30, 2020 4:27 PM

**To:** Alan Stephenson <[alan.stephenson@phoenix.gov](mailto:alan.stephenson@phoenix.gov)>; Mayor Gallego <[mayor.gallego@phoenix.gov](mailto:mayor.gallego@phoenix.gov)>; Joshua Bednarek <[joshua.bednarek@phoenix.gov](mailto:joshua.bednarek@phoenix.gov)>; Council District 7 PCC <[council.district.7@phoenix.gov](mailto:council.district.7@phoenix.gov)>; Council District 8 PCC <[council.district.8@phoenix.gov](mailto:council.district.8@phoenix.gov)>; Council District 3 PCC <[council.district.3@phoenix.gov](mailto:council.district.3@phoenix.gov)>; Council District 4 <[council.district.4@phoenix.gov](mailto:council.district.4@phoenix.gov)>; Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)>

**Subject:** Quarry Case at 35th Ave. & Carver/Ceton - Z-165-06-7

Planning Commission Members, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for Planning Commission review April 2. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *“The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site’s specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance”*, which includes Stipulation 19.

Stipulation 19 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.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,

Heather Lott  
11610 S. 43rd Ave  
Laveen, AZ 85339

## Racelle Escolar

---

**Subject:** FW: Case Z-165-06 (PHO-1-19)  
**Attachments:** DSC\_8431.jpg

**From:** Sofia Mastikhina  
**Sent:** Tuesday, March 31, 2020 7:23 AM  
**To:** Racelle Escolar <racelle.escolar@phoenix.gov>; Danielle M Jordan <danielle.jordan@phoenix.gov>  
**Subject:** Fwd: Case Z-165-06 (PHO-1-19)

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**From:** Bryan Peltzer <[bpeltzer@pgg-eng.com](mailto:bpeltzer@pgg-eng.com)>  
**Sent:** Monday, March 30, 2020 5:58:40 PM  
**To:** Alan Stephenson <[alan.stephenson@phoenix.gov](mailto:alan.stephenson@phoenix.gov)>; Joshua Bednarek <[joshua.bednarek@phoenix.gov](mailto:joshua.bednarek@phoenix.gov)>; Mayor Gallego <[mayor.gallego@phoenix.gov](mailto:mayor.gallego@phoenix.gov)>; Council District 7 PCC <[council.district.7@phoenix.gov](mailto:council.district.7@phoenix.gov)>; Council District 8 PCC <[council.district.8@phoenix.gov](mailto:council.district.8@phoenix.gov)>; Council District 3 PCC <[council.district.3@phoenix.gov](mailto:council.district.3@phoenix.gov)>; Council District 4 <[council.district.4@phoenix.gov](mailto:council.district.4@phoenix.gov)>; Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)>  
**Subject:** Case Z-165-06 (PHO-1-19)

Planning Commission Members, Planning Management and Staff,

I request you deny Case Z-165-06 (PHO-1-19) when it comes before the Planning Commission on April 2 for several reasons. They are as follows:

- The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter. According to City Zoning Code 506 B.1, the City of Phoenix has a duty and obligation to initiate a hearing on the reversion of the zoning.
- The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area. The area along Carver Road between 27<sup>th</sup> and 51<sup>st</sup> Avenues is very rural and comprised almost entirely of 1-acre lots. As such there is a significant amount of room between homes and the area is relatively dark at night. An attached photograph depicts the area just after twilight. Approval of zoning that would allow much denser development would create an eyesore in the community and ruin the ambiance that has developed natural should not be encouraged.
- Due to the outbreak of Covid-19, attendance at city meetings, hearings, etc. has been severely curtailed and possibly eliminated entirely with Gov. Ducey's executive orders today (March 30, 2020). These restrictions undermine the ability of concerned residents to voice (and display with their attendance numbers) their displeasure with the proposed zoning changes. Going ahead with such hearings should give reasonable people concern regarding the legitimacy of such actions.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Bryan Peltzer  
3725 W. Fox Road  
Laveen, Arizona 85339



## Racelle Escolar

---

**Subject:** FW: 35th Avenue & Carver Proposed Building Project

**From:** Kingston, Suzanne <[suzanne.kingston@supportivecaresgroup.com](mailto:suzanne.kingston@supportivecaresgroup.com)>

**Sent:** Tuesday, March 31, 2020 8:52:26 AM

**To:** Joshua Bednarek <[joshua.bednarek@phoenix.gov](mailto:joshua.bednarek@phoenix.gov)>; Mayor Gallego <[mayor.gallego@phoenix.gov](mailto:mayor.gallego@phoenix.gov)>; Council District 7 PCC <[council.district.7@phoenix.gov](mailto:council.district.7@phoenix.gov)>; Council District 8 PCC <[council.district.8@phoenix.gov](mailto:council.district.8@phoenix.gov)>; Council District 3 PCC <[council.district.3@phoenix.gov](mailto:council.district.3@phoenix.gov)>; Council District 4 <[council.district.4@phoenix.gov](mailto:council.district.4@phoenix.gov)>; Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)>

**Subject:** 35th Avenue & Carver Proposed Building Project

March 31, 2020

Planning Commission Members, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for Planning Commission review April 2. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *“The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site’s specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance”*, which includes Stipulation 19.

Stipulation 19 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.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,

Suzanne Kingston  
11820 S. 38<sup>th</sup> Avenue  
Laveen, AZ 85339

**SECURITY/CONFIDENTIALITY WARNING:** *This message and any attachments are intended solely for the individual or entity to which they are addressed. This communication may contain information that is privileged, confidential, or exempt from disclosure under applicable law (e.g., personal health information, research data, financial information). If you are not the intended recipient, or the employee or person responsible for delivering the message to the intended recipient, any dissemination, distribution or copying of the communication is strictly prohibited. **If you received the communication in error, please notify the sender immediately by replying to this message AND deleting the message and any accompanying files from your system.** If, due to the security risks, you do not wish to receive further communications via e-mail, please reply to this message and inform the sender that you do not wish to receive further e-mail from the sender.*

## Racelle Escolar

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**From:** Sofia Mastikhina  
**Sent:** Tuesday, March 31, 2020 1:37 PM  
**To:** Racelle Escolar; Danielle M Jordan  
**Subject:** Fwd: Case Z-165-06 (PHO-1-19), April 2nd, 2020, 6:00 pm, Deny Re-Zoning Request

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**From:** Chris Luley <ccluley@gmail.com>  
**Sent:** Tuesday, March 31, 2020 9:32:31 AM  
**To:** Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>  
**Cc:** Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>  
**Subject:** Case Z-165-06 (PHO-1-19), April 2nd, 2020, 6:00 pm, Deny Re-Zoning Request

Good Morning Laveen Village Planning Committee, Planning Management & Staff,

I am a resident on Carver Road in Laveen and our property is adjacent to Carver Mountain. My wife and I have been made aware of the Re-Zoning request that you have received and are considering. Please let it be known that we are opposed to this rezoning request.

I am requesting you deny Case Z-165-06 (PHO-1-19) when it comes before you on April 2nd, The City of Phoenix first needs to enforce their ordinance, G-5020, which requires the zoning be placed back to S-1 (one house per acre) as of 2011. To date no action has been taken which violates City Zoning Ordinance and is a serious matter. The current owner is requesting to delete stipulation 19 of this ordinance which has protected the neighbors and community from providing a blank check for a high density development that does not fit the area. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

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

Thank you for your time and attention to this very important matter,

Christopher & Amy Luley

4030 West Carver Road

Laveen, Arizona (85339)



## Racelle Escolar

---

**Subject:** FW: CASE Z-165-06

**From:** Janet Morris <[janetmorriscpa@gmail.com](mailto:janetmorriscpa@gmail.com)>

**Sent:** Thursday, April 2, 2020 12:14 PM

**To:** Alan Stephenson <[alan.stephenson@phoenix.gov](mailto:alan.stephenson@phoenix.gov)>; Joshua Bednarek <[joshua.bednarek@phoenix.gov](mailto:joshua.bednarek@phoenix.gov)>; Mayor Gallego <[mayor.gallego@phoenix.gov](mailto:mayor.gallego@phoenix.gov)>; Council District 7 PCC <[council.district.7@phoenix.gov](mailto:council.district.7@phoenix.gov)>; Council District 8 PCC <[council.district.8@phoenix.gov](mailto:council.district.8@phoenix.gov)>; Council District 4 <[council.district.4@phoenix.gov](mailto:council.district.4@phoenix.gov)>; Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)>; Council District 3 PCC <[council.district.3@phoenix.gov](mailto:council.district.3@phoenix.gov)>

**Subject:** RE: CASE Z-165-06

Planning Commission Members, Planning Management and Staff,

Case Z-165-06 (PHO-1-19) is scheduled for Planning Commission review April 2. I respectfully request that you deny Z-165-06 (PHO-1-19) as filed.

The City of Phoenix is bound to enforce Ordinance G-5020 in which SECTION 2 specifies: *"The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-165-06-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this zoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance"*, which includes Stipulation 19.

Stipulation 19 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.

Before considering any revision to this case, now or in the future, the City of Phoenix first has an obligation and duty to enforce these requirements to execute and finalize the long-overdue zoning reversion to S-1 for the entire property. In addition, the City should also execute a companion General Plan Amendment from 3.5-5 du/a to 0-1 Residential/Parks/Open Space to match the reverted S-1 zoning. Precedent has already been set with Resolution 20714-GPA-LV-1-08-7 which was initiated by the City in July 2008 and approved by the City Council on October 15, 2008.

The current applicant/owner is not only requesting a site plan revision on the 20 acre portion, they are requesting multiple stipulation modifications and deletions, including deletion of Stipulation 19. Deleting this stipulation is a violation of the City of Phoenix Zoning Ordinance, a very serious matter, and simply wrong. It was written by City Planning professionals and included, reviewed and approved by the City Council. This stipulation protected the neighbors and community from providing a blank check for a high density development that does not fit the area.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Janet Morris  
3624 W. Bohl Street  
Laveen, AZ 85339  
602.561.9939

## Racelle Escolar

---

**From:** Steven Dougherty <steven@stevendougherty.com>  
**Sent:** Monday, April 20, 2020 5:41 PM  
**To:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; PDD Laveen VPC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating  
**Cc:** Steven Dougherty  
**Subject:** Quarry Case at 35th Ave. & Carver/Ceton - Z-165-06-7

To: Planning Commission Members  
Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:
  - **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
  - **Stipulation 1:** The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.
  - **Stipulation 10:** The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35<sup>th</sup> Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.
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Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Steven Dougherty  
11222 S 39th LN  
Laveen AZ 85339

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

CONFIDENTIALITY NOTICE - This e-mail transmission and any documents, files or previous e-mail messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that you must not read or play this transmission and that any disclosure, copying, printing, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender by telephone or return e-mail and delete the original transmission and its attachments without reading, forwarding, saving or re-distributing in any manner.

## Racelle Escolar

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**From:** D M <darcy3535@gmail.com>  
**Sent:** Tuesday, April 21, 2020 8:29 PM  
**To:** Council District 1 PCC; Council District 5 PCC; Council District 6 PCC; Council District 8 PCC; Council District 7 PCC; Council District 4; Council District 3 PCC; Council District 2 PCC; PDD Laveen VPC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating  
**Subject:** Deny Case Z-165-06 Do the right thing!

To: Planning Commission Members

Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,

I request you DENY Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Darcy Meyer

3535 W Bohl St

Laveen, AZ 85339

## Racelle Escolar

---

**From:** Ol' West <davidinlaveen@gmail.com>  
**Sent:** Tuesday, April 21, 2020 8:35 PM  
**To:** Council District 1 PCC; Council District 5 PCC; Council District 6 PCC; Council District 8 PCC; Council District 7 PCC; Council District 4; Council District 3 PCC; Council District 2 PCC; PDD Laveen VPC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating  
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To: Planning Commission Members

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David J. Meyer

3535 W Bohl St

Laveen, AZ 85339

## Racelle Escolar

---

**From:** Chris <chris@candssweeping.com>  
**Sent:** Wednesday, April 22, 2020 9:07 AM  
**To:** Council District 2 PCC; Council District 1 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; PDD Laveen VPC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating  
**Subject:** Case Z-165-06 (PHO-1-19)

To: Planning Commission Members  
Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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Christine A. Danielson  
2943 W. Ceton Dr.  
Laveen, AZ 85339

## Racelle Escolar

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**From:** Cyd Manning <SweetBeat@q.com>  
**Sent:** Sunday, April 26, 2020 1:23 PM  
**To:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; PDD Laveen VPC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating  
**Cc:** catherine@mirandaforhouse.com  
**Subject:** FW: Deny Case Z-165-06 (PHO-1-19) as filed

**Importance:** High

Forwarding the below to you as requested.

-----Original Message-----

From: Miranda For House [mailto:catherine@mirandaforhouse.com]  
Sent: Sunday, April 26, 2020 11:33 AM  
To: Cyd Manning  
Cc: Dan Penton  
Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Cyd,

Can you please forward this letter to appropriate leaders? Thank you for all you are doing!

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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Catherine Miranda  
5412 W. Ellis Dr.  
Laveen, Az 85339  
480-284-2690

## Racelle Escolar

---

**From:** cynthiarojas@cox.net  
**Sent:** Sunday, April 26, 2020 11:43 AM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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Cynthia Rojas  
1819 W. Desert View Drive  
Phoenix AZ 85041  
602-626-7102

## Racelle Escolar

---

**From:** E douglas <lizesd@gmail.com>  
**Sent:** Sunday, April 26, 2020 9:07 PM  
**To:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Case Z-165-06 (PHO-1-19)

To: Planning Commission Members

Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,

I would like to preface the below letter with some personal observations.

How many of you have driven to this area? Before making a decision take advantage of cheap gas and less traffic and come on down and drive from 51st Avenue across Carver to 35th Avenue. See the area on the ground, instead of relying on aerial photography.

When I moved to Laveen in 2000 all the nearby fields were zoned for one acre housing but were developed with four to six houses per acre. The city (and county) does not address the needed improvements to infrastructure, police/sheriff presence, fire department capability, surface streets, river crossings, schools, etc. Every month or two the newspaper runs an alarming article about water in the desert and yet you continue to approve high density developments throughout the city. I am dreading whatever ends up on the west side of 51st Avenue south of Olney.

With the above in mind:

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

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Elizabeth Douglas

4726 West Olney Avenue

Laveen, AZ 85339

## Racelle Escolar

---

**From:** KIM Domovich <rwvblkwatc@gmail.com>  
**Sent:** Sunday, April 26, 2020 11:31 AM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Samantha Keating; PDD Laveen VPC; Joshua Bednarek  
**Subject:** PLEASE Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

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Respectfully,

Kim and Mike Domovich

5218 West Sunland Ave

Laveen AZ 85339

[\[nextdoor.com\]](http://nextdoor.com)



## Racelle Escolar

---

**From:** Sarah VanSchyndel <sarah.vanschyndel@gmail.com>  
**Sent:** Sunday, April 26, 2020 10:48 AM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 2 PCC; Council District 1 PCC; Samantha Keating; Joshua Bednarek; Mayor Gallego; Council District 8 PCC; Council District 7 PCC; Council District 6 PCC; Council District 5 PCC; Council District 4; Council District 3 PCC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

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Sarah Johns

3913 W Carver Rd, Laveen Village, AZ 85339

## Racelle Escolar

---

**From:** eddd2@aol.com  
**Sent:** Sunday, April 26, 2020 1:19 PM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
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- Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
- Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.
- Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.
- Stipulation 35: The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.

2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.

3. I am supportive of PHO's recommendations for the remaining stipulations not noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Tina Banks

4334 W Apollo Rd

Laveen AZ 85339

## Racelle Escolar

---

**From:** Vance <vancevep@gmail.com>  
**Sent:** Sunday, April 26, 2020 11:53 AM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:

- Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
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2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.

3. I am supportive of PHO's recommendations for the remaining stipulations not noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Vance Pierce  
8216 S 42nd Ave  
Laveen, AZ 85339

## Racelle Escolar

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**From:** brian hicks <handymanhicks@gmail.com>  
**Sent:** Monday, April 27, 2020 10:53 AM  
**To:** Council District 2 PCC; Council District 1 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; PDD Laveen VPC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating  
**Cc:** sweetbeat@q.com  
**Subject:** Quarry Case at 35th Ave. & Carver/Ceton - Z-165-06-7

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:

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3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Brian Hicks

4715 W Carver Rd

Laveen, AZ 85339

## Racelle Escolar

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**From:** Brian & Karie <carvercottage2018@gmail.com>  
**Sent:** Monday, April 27, 2020 10:51 AM  
**To:** Council District 2 PCC; Council District 1 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; PDD Laveen VPC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating  
**Cc:** Cyd Manning  
**Subject:** Quarry Case at 35th Ave. & Carver/Ceton - Z-165-06-7

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

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2. **Stipulations 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Karie Hicks

4715 W Carver Rd

Laveen, AZ 85339

## Racelle Escolar

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**From:** Lara Andren <cheesethepit@gmail.com>  
**Sent:** Monday, April 27, 2020 9:39 AM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; PDD Laveen VPC; Samantha Keating; Council District 4; Council District 5 PCC; council.district.6@phoenix.org; Council District 7 PCC; Mayor Gallego; Joshua Bednarek; Council District 8 PCC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

CASSIE SAWYER

3621 W BOHL STREET  
LAVEEN, AZ. 85339

ADDRESS — with Brent Bialik and 15 others at Laveen, Arizona.

## Racelle Escolar

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**Subject:** FW: Deny Case Z-165-06 (PHO-1-19) as filed

**From:** Lara Andren <cheesethepit@gmail.com>

**Sent:** Monday, April 27, 2020 9:43 AM

**To:** Racelle Escolar <racelle.escolar@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>

**Cc:** Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; council.district.6@phoenix.org; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>

**Subject:** Fwd: Deny Case Z-165-06 (PHO-1-19) as filed

Subject: Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:

- Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
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2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.

3. I am supportive of PHO's recommendations for the remaining stipulations not noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Lara Andren  
3621 W BOHL STREET  
LAVEEN, AZ. 85339

## Racelle Escolar

---

**From:** lvializ@cox.net  
**Sent:** Monday, April 27, 2020 11:32 AM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) As Filed  
**Importance:** High

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7<sup>th</sup>, 2020. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date, the City has taken no action, despite NUMEROUS requests, which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulations:
  - **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should NOT be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
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2. **Stipulations 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
  
3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above.

Again, the **zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted**. In 2007, the Mayor and Council included this stipulation SPECIFICALLY to protect the neighbors and community from a high density development that DID NOT fit the area then and DOES NOT fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

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

## Racelle Escolar

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**From:** Rob <rockmano@aol.com>  
**Sent:** Monday, April 27, 2020 6:01 AM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Robert Olson  
2809 and 2821 W. Avion Way  
Laveen, AZ 85339

## Racelle Escolar

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**From:** chris johns <christopher.1.johns@outlook.com>  
**Sent:** Tuesday, April 28, 2020 4:47 PM  
**To:** Alan Stephenson; Racelle Escolar  
**Cc:** Council District 2 PCC; Council District 1 PCC; Joshua Bednarek; Samantha Keating; Mayor Gallego; Council District 8 PCC; Council District 7 PCC; Council District 6 PCC; Council District 5 PCC; Council District 4; Council District 3 PCC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Chris Johns

3913 W Carver Rd, Laveen Village, AZ 85339

## Racelle Escolar

---

**From:** Mike <luzader13@gmail.com>  
**Sent:** Tuesday, April 28, 2020 9:58 AM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

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3. I am supportive of PHO's recommendations for the remaining stipulations not noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Michael Luzader  
9446 S 34th Ln, Laveen

## Racelle Escolar

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**From:** Sylvia Cox <pugmobile.sly@gmail.com>  
**Sent:** Tuesday, April 28, 2020 9:56 AM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

Hello City of Phoenix Planning Commission,

As a 21-year resident of Laveen, I am highly opposed to any more high-density development in our area. Sadly, much of Laveen now looks like most of Phoenix. The rural feel and space that make our village so special are rapidly being destroyed. We have precious few opportunities left to preserve larger lots and open spaces. I beg of you, please work to preserve some of our rural feel by not approving more high-density development! Please adhere to the General Plan; once these spaces are developed, they will be gone forever. I am sure developers will still be able to make money, as the less-densely developed areas will be highly coveted by buyers who want some space between themselves and their neighbors.

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulations:

- Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
- Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.
- Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.
- Stipulation 35: The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.

2. I am supportive of PHO's recommendations for the remaining stipulations not noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Please do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Respectfully,  
Sylvia Cox  
4601 W. Crivello Ave.  
Laveen, AZ 85339

## Racelle Escolar

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**From:** alexis cherie <alexischerie@gmail.com>  
**Sent:** Wednesday, April 29, 2020 2:29 PM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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3. I am supportive of PHO's recommendations for the remaining stipulations not noted above

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Alexis Barnes  
4323 W Piedmont Rd, Laveen Village, AZ 85339

## Racelle Escolar

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**Subject:** FW: Deny Case Z-165-06 (PHO-1-19) as filed

**From:** Andrea Sigala <andrea\_sigala@yahoo.com>

**Sent:** Wednesday, April 29, 2020 5:34 PM

**To:** Racelle Escolar <racelle.escolar@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>

**Cc:** Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>

**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Andrea N. Sigala

4315 West Carver Road, Laveen AZ 85339

[Sent from Yahoo Mail on Android \[go.onelink.me\]](mailto:andrea_sigala@yahoo.com)

## Racelle Escolar

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**From:** B F <benjamin\_fisher@hotmail.com>  
**Sent:** Wednesday, April 29, 2020 1:55 PM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed  
**Importance:** High

Dear Planning Commission Members:

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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Respectfully yours,

**Benjamin W. Fisher**

4745 W. Piedmont Drive

Laveen, AZ 85339-9644

602.617.6143 – Cell

[benjamin\\_fisher@hotmail.com](mailto:benjamin_fisher@hotmail.com)



## Racelle Escolar

---

**Subject:** FW: Deny Case Z-165-06 (PHO-1-19) as filed

**From:** Janet Morris <[janetmorriscpa@gmail.com](mailto:janetmorriscpa@gmail.com)>

**Sent:** Wednesday, April 29, 2020 12:03 PM

**To:** Alan Stephenson <[alan.stephenson@phoenix.gov](mailto:alan.stephenson@phoenix.gov)>; Council District 1 PCC <[council.district.1@phoenix.gov](mailto:council.district.1@phoenix.gov)>; Council District 2 PCC <[council.district.2@phoenix.gov](mailto:council.district.2@phoenix.gov)>; Council District 3 PCC <[council.district.3@phoenix.gov](mailto:council.district.3@phoenix.gov)>; Council District 4 <[council.district.4@phoenix.gov](mailto:council.district.4@phoenix.gov)>; Council District 5 PCC <[council.district.5@phoenix.gov](mailto:council.district.5@phoenix.gov)>; Council District 6 PCC <[District6@phoenix.gov](mailto:District6@phoenix.gov)>; Council District 7 PCC <[council.district.7@phoenix.gov](mailto:council.district.7@phoenix.gov)>; Council District 8 PCC <[council.district.8@phoenix.gov](mailto:council.district.8@phoenix.gov)>; Mayor Gallego <[mayor.gallego@phoenix.gov](mailto:mayor.gallego@phoenix.gov)>; Joshua Bednarek <[joshua.bednarek@phoenix.gov](mailto:joshua.bednarek@phoenix.gov)>; Samantha Keating <[samantha.keating@phoenix.gov](mailto:samantha.keating@phoenix.gov)>; PDD Laveen VPC <[laveenvpc@phoenix.gov](mailto:laveenvpc@phoenix.gov)>

**Subject:** RE: Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members, I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter. In regards to the Planning Hearing Officer (PHO) recommendations: 1. I am adamantly opposed to these 4 stipulation:

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JANET D MORRIS  
3624 W BOHL STREET  
LAVEEN, AZ 85339

## Racelle Escolar

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**From:** Jessie McKinley <jessiemckinley602@gmail.com>  
**Sent:** Wednesday, April 29, 2020 6:45 PM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed...

Dear Planning Commission Members:

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date, the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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Respectfully yours,

Jessie L. McKinley  
4745 W. Piedmont Drive  
Laveen, AZ 85339  
480-648-5269  
[jessiemckinley602@gmail.com](mailto:jessiemckinley602@gmail.com)

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"Dance, like no one is watching..."

## Racelle Escolar

---

**Subject:** FW: Deny Case Z-165-06 (PHO-1-19) as filed

**From:** Steven Dougherty <steven@stevendougherty.com>

**Sent:** Wednesday, April 29, 2020 4:42 PM

**To:** Racelle Escolar <racelle.escolar@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>

**Cc:** Steven Dougherty <steven@stevendougherty.com>; Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>

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Steven Dougherty  
11222 S 39th LN  
Laveen AZ 85339

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

CONFIDENTIALITY NOTICE - This e-mail transmission and any documents, files or previous e-mail messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that you must not read or play this transmission and that any disclosure, copying, printing, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender by telephone or return e-mail and delete the original transmission and its attachments without reading, forwarding, saving or re-distributing in any manner.

## Racelle Escolar

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**From:** Susan Quintana <s.quintana888@gmail.com>  
**Sent:** Wednesday, April 29, 2020 9:00 AM  
**To:** Alan Stephenson; Council District 6 PCC; Racelle Escolar  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 7 PCC; Council District 8 PCC; Joshua Bednarek; PDD Laveen VPC; Mayor Gallego; Samantha Keating  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Susan Quintana  
5217 W Grenadine Rd  
Laveen, AZ 85339.

--

Susan Quintana

## Racelle Escolar

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**From:** R B <kroywen@icloud.com>  
**Sent:** Thursday, April 30, 2020 1:37 PM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** ESCALATE - Deny Case Z-165-06 (PHO-1-19) as filed

Good afternoon, below is a copy-paste of the same topic for which your office must have already received lots of inquiries from us Laveen residents.

Frankly, we as your constituents and fellow residents shouldn't have to be doing this over and over again - we already asked you to STOP these developers from building in our community.

Yet you continue to allow these developers to move ahead. You are not acting in the best interest of the people you are supposed to help and protect - us residents.

You continue to act in the interest of well-funded developers and that's not right.

Why do we need to keep begging you to do the right thing and make them stop?  
Why do we need to keep having meetings and do letter writing campaigns about this?  
We already said NO.  
Then we said NO again.

**We do not want this developer or any other developer to build in our area at this density level.** We made this clear. Then we made it clear again.

Now we are - once again - making it clear.

So please, add this email to your growing list of pleas to stop this development. We. Do. Not. Want. It.

Thank you

-Cenk Brown  
7259 S. 48TH GLN  
Laveen, Arizona 85339

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Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:

- Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
  - Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.
  - Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.
  - Stipulation 35: The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.
2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
  3. I am supportive of PHO's recommendations for the remaining stipulations not noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Cenk Brown  
7259 S. 48TH GLN  
Laveen, AZ 85339

## Racelle Escolar

---

**From:** Donna Snow <carart617@hotmail.com>  
**Sent:** Thursday, April 30, 2020 10:19 AM  
**To:** Racelle Escolar  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.

2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.

2. I am supportive of PHO's recommendations for the remaining stipulations not noted above,

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,

Donna Snow  
6806 W. Desert Lane  
Laveen, AZ 85339

## Racelle Escolar

---

**From:** Jody Monreal <mskitty1212@gmail.com>  
**Sent:** Thursday, April 30, 2020 10:40 AM  
**To:** Racelle Escolar; Alan Stephenson; Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Jody R Monreal 5327 W Allen Street Laveen, AZ 85339

Deny Case Z-165-06 (PHO-1-19) as filed

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

LAURA A MURPHY  
4824 W ESTRELLA DR  
LAVEEN, AZ 85339

Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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LISA K PIKE  
4824 W ESTRELLA DR  
LAVEEN, AZ 85339

## Racelle Escolar

---

**From:** M A <mavina480@gmail.com>  
**Sent:** Thursday, April 30, 2020 12:27 PM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members, I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter. In regards to the Planning Hearing Officer (PHO) recommendations: 1. I am adamantly opposed to these 4 stipulation:

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## Racelle Escolar

---

**Subject:** FW: Deny Case Z-165-06 (PHO-1-19) as filed.

**From:** Moises Quintana <Moises.Quintana@hotmail.com>

**Sent:** Thursday, April 30, 2020 11:46 AM

**To:** Racelle Escolar <racelle.escolar@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>

**Cc:** Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>

**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed.

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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Moises Quintana  
5217 W Grenadine Rd  
Laveen, AZ 85339

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

## Racelle Escolar

---

**Subject:** FW: Please deny Case Z-165-06 (PHO-1-19)

**From:** Randy Holmes <holmes1512@gmail.com>

**Sent:** Thursday, April 30, 2020 1:30 PM

**To:** Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Racelle Escolar <racelle.escolar@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>

**Subject:** Please deny Case Z-165-06 (PHO-1-19)

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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Randy L Holmes  
10909 S. 29th Ave  
Laveen, AZ 85339

## Racelle Escolar

---

**From:** ROB HARGREAVES <b737rob@msn.com>  
**Sent:** Thursday, April 30, 2020 3:02 PM  
**To:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; PDD Laveen VPC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating  
**Subject:** Case Z-165-06 (PHO-1-19)

To: Planning Commission Members  
Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

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Robert Hargreaves  
3102 W Ceton Dr.  
Laveen, AZ 85339

## Racelle Escolar

---

**Subject:** FW: Case Z-165-06 (PHO-1-19)

**From:** Kristofic, Stephanie L. <Stephanie.Kristofic@va.gov>

**Sent:** Thursday, April 30, 2020 1:11 PM

**To:** Racelle Escolar <racelle.escolar@phoenix.gov>

**Subject:** Case Z-165-06 (PHO-1-19)

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:
  - **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
  - **Stipulation 1:** The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.
  - **Stipulation 10:** The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35<sup>th</sup> Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.
  - **Stipulation 35:** The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.
2. **Stipulations 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
3. I am supportive of PHO's recommendations for the remaining stipulations not noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Warm regards,

*Stephanie Kristofic 10826 s 30<sup>th</sup> Ave Laveen*

Stephanie Kristofic BSN, RN, CDCES

Certified Diabetes Care and Education Specialist

Department of Endocrinology

Phoenix VA Health Care System

Phone: 602-277-5551 Ext 7081

Fax: 602-200-6034

Email: [stephanie.kristofic@va.gov](mailto:stephanie.kristofic@va.gov)

## Racelle Escolar

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**From:** Swati Joshi <sjoshi1729@yahoo.com>  
**Sent:** Thursday, April 30, 2020 10:57 AM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members, I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter. In regards to the Planning Hearing Officer (PHO) recommendations: 1. I am adamantly opposed to these 4 stipulation: • Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant. • Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion. • Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion. • Stipulation 35: The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion. 2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions. 3. I am supportive of PHO's recommendations for the remaining stipulations not noted above Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning. Swati Joshi  
8539 S. 40th Drive  
Laveen, AZ 85339

## Racelle Escolar

---

**Subject:** FW: Quarry Case at 35th Ave. & Carver/Ceton - Z-165-06-7

**From:** Anne McKinney <volnay@gmail.com>

**Sent:** Friday, May 1, 2020 1:33 PM

**To:** Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Racelle Escolar <racelle.escolar@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>

**Subject:** Quarry Case at 35th Ave. & Carver/Ceton - Z-165-06-7

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:
  - **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
  - **Stipulation 1:** The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.
  - **Stipulation 10:** The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35<sup>th</sup> Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.
  - **Stipulation 35:** The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.
2. **Stipulations 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above.

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Anne McKinney  
10827 S 30th Ave  
Laveen AZ 85339

## Racelle Escolar

---

**Subject:** FW: deny Case Z-165-06 (PHO-1-19)

**From:** Bernadette Buehlmann <bernadettebuehlmann@gmail.com>

**Sent:** Friday, May 1, 2020 5:03 PM

**To:** Racelle Escolar <racelle.escolar@phoenix.gov>

**Subject:** deny Case Z-165-06 (PHO-1-19)

To: Planning Commission Members

Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Thank you,

Bernadette Buehlmann, Laveen

## Racelle Escolar

---

**From:** RK <7359.apps@gmail.com>  
**Sent:** Friday, May 1, 2020 6:40 PM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

PLEASE do the required and right thing.

Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Kavi Raj,

4309 W Buist Ave, Laveen, 85339

## Racelle Escolar

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**From:** Kim Kissel <k.kissel@comcast.net>  
**Sent:** Friday, May 1, 2020 2:11 PM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as Filed

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action, which is in violation of City Zoning Ordinance, a very serious matter.

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2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.

3. I am supportive of PHO's recommendations for the remaining stipulations not noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.



Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

I pray you, your families and colleagues are staying safe and healthy during this new season in our lives.

God Bless,  
Kimberly Kissel  
June Skies  
5124 W Lydia Ln  
Laveen AZ 85339

“For every house is built by someone, but God is the builder of everything.” Heb 3:4

## Racelle Escolar

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**From:** Matt Klein <mattklein999@gmail.com>  
**Sent:** Friday, May 1, 2020 4:51 AM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members, I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter. In regards to the Planning Hearing Officer (PHO) recommendations: 1. I am adamantly opposed to these 4 stipulation: • Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant. • Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion. • Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion. • Stipulation 35: The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion. 2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions. 3. I am supportive of PHO's recommendations for the remaining stipulations not noted above Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning. Matt Klein  
9812 S 46th Ln  
Laveen, AZ

## Racelle Escolar

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**From:** drmelissaprice@aol.com  
**Sent:** Friday, May 1, 2020 3:08 PM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

Dear Planning Commission Members,

My neighbors all throughout the Laveen region and I feel that the following is so important. We are untied in the following statement because this is where we live. Personally, I have watched Laveen grow, in some ways for the better and some for the worse. Allowing the following four stipulations would clearly fall in the latter category.

As such, I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter. In regards to the Planning Hearing Officer (PHO) recommendations: 1. I am adamantly opposed to these 4 stipulation: • Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant. • Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion. • Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion. • Stipulation 35: The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion. 2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions. 3. I am supportive of PHO's recommendations for the remaining stipulations not noted above Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,

Dr. Melissa Price  
5333 W. Ian Dr.  
Laveen, AZ 85339

## Racelle Escolar

---

**From:** RK K <cars7359@gmail.com>  
**Sent:** Friday, May 1, 2020 6:43 PM  
**To:** Racelle Escolar; Alan Stephenson  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

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PLEASE do the required and right thing.

Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Rohini Kun,

4309 W Buist Ave, Laveen, 85339

## Racelle Escolar

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**From:** Cyd Manning <SweetBeat@q.com>  
**Sent:** Saturday, May 2, 2020 4:01 PM  
**To:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Z-165-06 (PHO-1-19) at May 7 Planning Commission  
**Importance:** High

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning to revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that was incompatible with the area then and remains incompatible today. The inaction since the time stipulation expired in 2011 has wronged the community of Laveen as we expected the zoning reversion to occur. The City needs and should want to do the right thing. This Commission and Council have the obligation, duty and authority to act and honor the zoning reversion.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:
  - **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
  - **Stipulation 1:** The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.
  - **Stipulation 10:** The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35<sup>th</sup> Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.
  - **Stipulation 35:** The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.
2. **Stipulations 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,

Cyd Manning  
3220 W. Ceton Drive  
[sweetbeat@q.com](mailto:sweetbeat@q.com)

## Racelle Escolar

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**From:** EMAIL TEAM <garyinlaveen@yahoo.com>  
**Sent:** Saturday, May 2, 2020 10:36 AM  
**To:** Council District 1 PCC; council.distict.2@phoenix.gov; coucil.district.3@phoenix.gov; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; laveenpc@phoenix.gov; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating  
**Subject:** Quarry Case Z-165-06-7 (PHO-1-19)\_1-15-20PHO.PDF

Hello All,

I request you deny the Case # above. And I am opposed to Stipulations 1, 10, 19, 35, 43 and 44.

Please take into consideration our Community life style when making your decision-we would like to keep it semi-rural.

Sincerly,

Gary Jordan

3603 W. Shawnee Dr.

Laveen, Az 85339



## Racelle Escolar

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**From:** C Gunderson <carrsgun@gmail.com>  
**Sent:** Sunday, May 3, 2020 8:36 PM  
**To:** Alan Stephenson; Racelle Escolar  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members, I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter. In regards to the Planning Hearing Officer (PHO) recommendations: 1. I am adamantly opposed to these 4 stipulation: • Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant. • Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion. • Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion. • Stipulation 35: The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion. 2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions. 3. I am supportive of PHO's recommendations for the remaining stipulations not noted above Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Regards,

Carolyn Gunderson  
3514 W Cheyenne Dr.  
Laveen, AZ85339

## Racelle Escolar

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**From:** Deirdre Sparling <dspard@icloud.com>  
**Sent:** Sunday, May 3, 2020 7:59 AM  
**To:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; PDD Laveen VPC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating  
**Subject:** Case Z-165-06 (PHO-1-19)

To: Planning Commission Members

Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you [on May 7](#). Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:
  - **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
  - **Stipulation 1:** The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.
  - **Stipulation 10:** The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35<sup>th</sup> Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.
  - **Stipulation 35:** The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.
2. **Stipulations 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,

Deirdre Sparling  
9819 S. 20th Ave  
Phoenix, 85041

## Racelle Escolar

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**From:** Donna Schober <donna.schober@gmail.com>  
**Sent:** Sunday, May 3, 2020 11:27 AM  
**To:** Council District 8 PCC; Council District 3 PCC; Alan Stephenson; Council District 4; Council District 7 PCC; Joshua Bednarek; Council District 1 PCC; Council District 2 PCC; Council District 5 PCC; Council District 6 PCC; PDD Laveen VPC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Samantha Keating  
**Subject:** CASE Z-165-06 (PHO-1-19)

Planning Commission Members,

We request that you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City enforces ordinance G-5020 which requires that the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

With regard to the Planning Hearing Officer (PHO) recommendations we are opposed to these four stipulations:

Deletion of original Stipulation 19 (zoning reversion).

Stipulation 1: The original plan is far superior to the applicant's current proposal. The original plan suits site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain.

Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. This will serve as a needed buffer to screen the higher density and 2-story buildings and provide better buffering surrounding the large acre plus parcels with custom homes.

Stipulation 35: The terraced berms should remain. This will help stabilize the slopes.

Stipulations 43 and 44: Please add our names to the notification stipulations so we will be notified of any future actions.

We support the PHO's recommendations for the remaining stipulations NOT noted above.

We have lived in Laveen, close to this land, for over 20 years. This is an area where large lots and custom homes live. Where homeowners and others take advantage of the mountain views and wide open spaces.

Please do the right thing. Deny Case Z-165-06 (PHO-1-19) as filed. Don't break faith and trust with the residents of this community.

Sincerely,

Donna J. Schober  
Marvin A. Sondag  
10840 S 30th Ave  
Laveen, AZ 85339  
602.237.4887

## Racelle Escolar

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**From:** Elizabeth Banta <ebanta3938@gmail.com>  
**Sent:** Sunday, May 3, 2020 12:28 PM  
**To:** Racelle Escolar  
**Subject:** Denial strongly requested for Case Z-165-06 (PHO-1-19)

To: Planning Commission Members

Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,

I am a member of the area greatly and negatively affected by Case Z-165-06 (PHO-1-19). So much of Greater Phoenix contains high density, cookie-cutter communities. Please preserve a unique jewel in our Valley by denying Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:

- **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
- **Stipulation 1:** The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.
- **Stipulation 10:** The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35<sup>th</sup> Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.
- **Stipulation 35:** The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces

also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.

2. **Stipulations 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,  
Elizabeth K Banta  
3938 W Kayenta Trail  
Laveen, AZ 85339  
480-353-6019

## Racelle Escolar

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**From:** Jamie Gunderson <jamiegunderson@gmail.com>  
**Sent:** Sunday, May 3, 2020 8:23 PM  
**To:** Alan Stephenson; Racelle Escolar  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members, I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter. In regards to the Planning Hearing Officer (PHO) recommendations: 1. I am adamantly opposed to these 4 stipulation: • Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant. • Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion. • Stipulation 10: The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion. • Stipulation 35: The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion. 2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions. 3. I am supportive of PHO's recommendations for the remaining stipulations not noted above Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today. Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Regards,

Jamie Gunderson  
3514 W Cheyenne Drive  
Laveen, AZ 85339



To: Planning Commission Members

Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

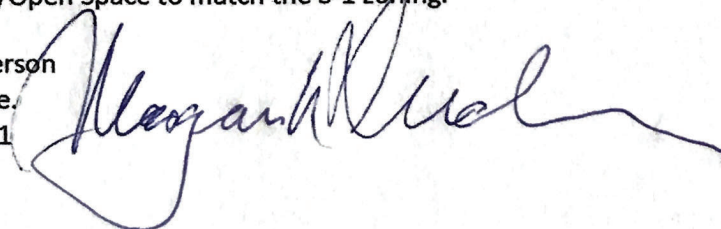
In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:
  - **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
  - **Stipulation 1:** The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.
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3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Margaret H. Anderson  
2010 W Olney Ave.  
Phoenix, AZ 85041





## Racelle Escolar

---

**Subject:** FW: Oppose case Z-165-06 (PHO-1-19)

**From:** Nicole Glasgow <nicole.glasgow821@gmail.com>

**Sent:** Sunday, May 3, 2020 2:19 PM

**To:** Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Racelle Escolar <racelle.escolar@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>

**Subject:** Oppose case Z-165-06 (PHO-1-19)

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you [on May 7](#). Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:
  - **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
  - **Stipulation 1:** The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.
  - **Stipulation 10:** The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35<sup>th</sup> Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.
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2. **Stipulations 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Nicole Glasgow  
3717 west Carver Rd  
Laveen, AZ 85339

## Racelle Escolar

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**From:** Paul Banta <pwbantaz@gmail.com>  
**Sent:** Sunday, May 3, 2020 12:53 PM  
**To:** Racelle Escolar  
**Subject:** Request to deny Case Z-165-06 (PHO-1-19)

To: Planning Commission Members

Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,

I live near the area addressed by Case Z-165-06 (PHO-1-19). I understand that a development company can make more money by getting a low density property re-zoned to high density; but that alone does not seem like a sufficient reason to allow the change. And, if this property is so easily re-zoned, how will you be able to deny the owners of the other properties in the area? This location does not have the roads to support high density development. There is lots of vacant land between this location and central Phoenix. Please fill that up first. Better, revitalize some of the decayed and run-down areas instead of just going farther out.

Please deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:

- **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
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- **Stipulation 10:** The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35<sup>th</sup> Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.
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2. **Stipulations 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
  3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,  
Paul W Banta  
3938 W Kayenta Trail  
Laveen, AZ 85339  
480-353-6014

To: Planning Commission Members

Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:
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2. **Stipulations 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
3. I am supportive of PHO's recommendations for the remaining stipulations not noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Randy Beyer  
2010 W Olney Ave.  
Phoenix, AZ 85041





## Racelle Escolar

---

**Subject:** FW: Oppose case Z-165-06 (PHO-1-19)

**From:** Nicole Glasgow <blue\_eyes821@aol.com>

**Sent:** Sunday, May 3, 2020 5:32 PM

**To:** Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Racelle Escolar <racelle.escolar@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>

**Subject:** Oppose case Z-165-06 (PHO-1-19)

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you [on May 7](#). Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulation:
  - **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
  - **Stipulation 1:** The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.
  - **Stipulation 10:** The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35<sup>th</sup> Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.
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3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to O-1 Residential/Parks/Open Space to match the S-1 zoning.

Thomas Glasgow  
[3717 west Carver Rd](#)  
[Laveen, AZ 85339](#)

To: Planning Commission Members

Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

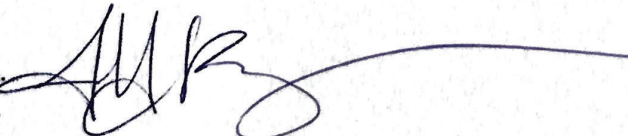
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Tiffany Beyer  
2010 W Olney Ave.  
Phoenix, AZ 85041



## Racelle Escolar

---

**From:** David Baker <david@beinphoenix.com>  
**Sent:** Monday, May 4, 2020 11:02 AM  
**To:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Alan Stephenson; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Cc:** David Baker  
**Subject:** Item 10 - PHO -1-19-Z-165--06-7(8)

Hello Folks,

Quick, simple note. Regarding the above mentioned development.

Myself, my wife, my kids and all our neighbors over here in the Sunset Cove and Carver Foothill area, DO NOT want this higher density development. Please do the right thing, keep the zoning at R-43, which is the plan for the area. It is a rural, horse property/acreage area.....not a developed area.

Thank you,

David Baker  
Keller Williams Realty Phoenix  
Cell:602.373.6345  
E-mail: david@beinPhoenix.com

Visit my websites at

<http://www.PhoenixLaveenHomes.com> [phoenixlaveenhomes.com]

<http://www.LaveenRealEstate.co> [laveenrealestate.co]

<http://www.LaveenAz85339.com> [laveenaz85339.com]

<http://www.CasasLaveen.com> [casaslaveen.com]

<http://www.Laveenhomesforsale.net> [laveenhomesforsale.net]

Subscribe today to my YOUTUBE Channel

<https://www.youtube.com/user/dabaker2121> [youtube.com]

"Like" me on Facebook at [Phoenix Residential Real Estate \[facebook.com\]](#)

## Racelle Escolar

---

**Subject:** FW: Case Z-165-06

**From:** gjnorton0744@gmail.com <gjnorton0744@gmail.com>

**Sent:** Monday, May 4, 2020 10:33 AM

**To:** Racelle Escolar <racelle.escolar@phoenix.gov>

**Subject:** Case Z-165-06

To: Planning Commission Members

Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

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  - **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
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3. I am supportive of PHO's recommendations for the remaining stipulations **not** noted above

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Gloria Norton  
10823 S 29 Ave  
Laveen, Az 85339



## Racelle Escolar

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**From:** Linda Abegg <linda.abegg@gmail.com>  
**Sent:** Monday, May 4, 2020 11:42 AM  
**To:** Racelle Escolar  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating  
**Subject:** Laveen Case

Good Morning,

I am a Laveen resident and member of the Laveen Village Planning Committee. I ask that this case be denied and that the reversion stipulation be maintained.

We always talk about having a balance in Laveen housing. This area is at Carver Rd is one of the few rural, low density areas left. It deserves to keep its character, especially considering all the high density already approved in Laveen.

Furthermore, the community has done its part to participate in the public hearing process. The original compromise with the reversion stipulation should be honored.

Thank you,

Linda Abegg  
5407 W Winston Dr

## Racelle Escolar

---

**Subject:** FW: Request to deny case Z-165-06 PHO-1-19 as filed

**From:** Margaret Anderson <mhanderson007@gmail.com>

**Sent:** Monday, May 4, 2020 3:05 PM

**To:** Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Racelle Escolar <racelle.escolar@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>

**Subject:** Request to deny case Z-165-06 PHO-1-19 as filed

To: Planning Commission Members  
Cc: Mayor Gallego, Councilmembers, Planning Management and Staff

Planning Commission Members,  
I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

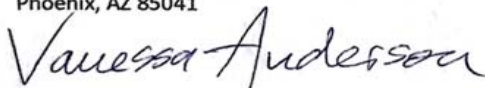
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Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Vanessa Anderson  
2010 W Olney Ave.  
Phoenix, AZ 85041



## Racelle Escolar

---

**Subject:** FW: All Laveen Residents Request You Deny Case Z-165-06 (PHO-1-19)

**From:** Bret Burchard <bretburchard3@yahoo.com>

**Sent:** Tuesday, May 5, 2020 3:43 PM

**To:** Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Racelle Escolar <racelle.escolar@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; laveenpvc@phoenix.gov

**Subject:** All Laveen Residents Request You Deny Case Z-165-06 (PHO-1-19)

Planning Commission Members,

I, along with my Laveen neighbors request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date, the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

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- **Stipulation 1:** The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.

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**2). Stipulation 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.

3). I am supportive of PHO's recommendations for the remaining stipulations NOT noted above.

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from high density development that did not fit the area then, and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversions action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,  
Bret Burchard  
11244 S. 35th Ave.  
Laveen, AZ 85339

## Racelle Escolar

---

**Subject:** FW: Deny Case Z-165-06 (PHO-1-19) as filed

**From:** Irma Cazarez <irmacazarez@gmail.com>

**Sent:** Tuesday, May 5, 2020 3:26 PM

**To:** Racelle Escolar <racelle.escolar@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>

**Cc:** Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>

**Subject:** Deny Case Z-165-06 (PHO-1-19) as filed

Planning Commission Members,

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Thank you,

Irma Cazarez

3517 W Shawnee Drive, Laveen, AZ 85339

## Racelle Escolar

---

**From:** Judy Brown <DT\_Jbrown@q.com>  
**Sent:** Tuesday, May 5, 2020 2:28 PM  
**To:** Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Cc:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego  
**Subject:** Case Z-165-06 (PHO-1-19)  
**Importance:** High

Greetings all:

I please request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City has taken no action which is in violation of City Zoning Ordinance.

This case should have been a done deal in 2011, with a reversion back to S-1. I have heard all of the stories why the City hasn't done reversions. Since 2011, twelve times the reversion process has been brought up in LVPC Minutes. At least one time this case number was mentioned in the minutes prior to the current owner purchasing the property. The stories vary in how the City of Phoenix refuses to do their job. It is a little hard to grasp a \$26,000,000 surplus in last year's budget and yet, no additional staff can be found to correct the wrongs on old zoning cases still sitting out there.

I'm not opposed to development. There is a time and place for everything. Honesty, integrity and fair business dealings are core values I was brought up on. I personally don't have the resources to fight the legalese or City for compliance with the law. As I see it, he with the most money or threats wins. That is just not right.

I have been involved in this case since day one when the original owner bought a piece of property for way too much money. With the help of Councilman Lingner and a prestigious law firm, the owner proceeded to cram a concept down the throats of residents in our community to make a buck. He was in way over his head on expenses and by trumping up the condition of the property and the costs associated with making it buildable; the foundation was formed for the argument that higher density was warranted. The original owner spent over 5 million for the red herring and the community knew he was going to flip.

We went through that process in 2007. A deal was brokered with Mayor Gordan to protect the community if building did not occur within 48 months. That is the stipulation #19 – Reversion of the zoning back to S-1. This way the new owner would have a clean slate to work with the neighborhood. Stipulation #19, #10, #35, #43, #44 at the very least should be kept in the PHO's recent ruling.

The new owner is not a developer and bought the property cheap, \$18, 333 per acre or \$ .42 psf. That is a total of \$366,660 for the twenty acres in this discussion. The Rose Law Group tried the story of blight, dangerous ordinance, threatening Prop. 207, and submitting an off the shelf inferior flatland building envelop community that just doesn't fit with the surroundings. It is aesthetically unappealing and is not the right fit for our community, the proposed planned unit community, or the original General Plan.

I am a minority, not papered with degrees or pedigree. I am a simple resident of this community that I love. We are a diverse community with different socioeconomic backgrounds, ethnicities, and orientations. What makes this area of Laveen special are the people that live here. We respect each other and our surroundings. We respect the wildlife, open

spaces, and equestrian lifestyle. Twenty years ago I uprooted from Tempe to live under the crown jewel of South Mountain. What is being proposed on the above mentioned property is a disservice to current and future residents with regards to density.

Trust me, I'm no Karen, this is just wrong. We need to work together to do the right thing for the community. Please deny Case Z-165-06 (PHO-1-19) as filed on May 7, 2020 and execute the zoning reversion.

Kind regards,

Judy Brown  
602.363.1312  
3220 W. Ceton Drive  
Laveen, AZ 85339

## Racelle Escolar

---

**Subject:** FW: Laveen Residents Request You Deny Case Z-165-06 (PHO-1-19)

**From:** Tayler Bell <taylerbell691@yahoo.com>

**Sent:** Tuesday, May 5, 2020 3:25 PM

**To:** Council District 1 PCC <council.district.1@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Council District 7 PCC <council.district.7@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Racelle Escolar <racelle.escolar@phoenix.gov>; Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>; PDD Laveen VPC <laveenvpc@phoenix.gov>; Bret Burchard <bretburchard3@yahoo.com>

**Subject:** Laveen Residents Request You Deny Case Z-165-06 (PHO-1-19)

Planning Commission Members,

I, along with my Laveen neighbors request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date, the City has taken no action which is in violation of City Zoning Ordinance, a very serious matter.

In regards to the Planning Hearing Officer (PHO) recommendations:

1). I am adamantly opposed to these four stipulations:

- **Deletion of original Stipulation 19 (zoning reversion):** This zoning reversion stipulation should not be deleted. Instead, it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.

- **Stipulation 1:** The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours, provides smoother connection to the R1-18 portion to the west, and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.

- **Stipulation 10 :** The 200 foot minimum landscaped setback along the east property line should remain. Due to the elevation difference at 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200 foot minimum landscaped setback should remain intact as you act on the zoning reversion.

- **Stipulation 35 :** The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept and debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.

2). **Stipulation 43 and 44:** I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.

3). I am supportive of PHO's recommendations for the remaining stipulations NOT noted above.

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from high density development that did not fit the area then, and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversions action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,  
Tayler Burchard  
11244 S. 35th Ave.  
Laveen, AZ 85339



Dear Planning Commission Members,

I request you deny Case Z-165-06 (PHO-1-19) as filed when it comes before you on May 7, 2020. Any revisions to this case requested by the applicant should not be considered until after the City of Phoenix enforces ordinance, G-5020, which requires the zoning revert to S-1. The current zoning expired in 2011 and to date the City of Phoenix has taken no action which is in violation of city zoning ordinance, a profoundly serious matter.

Regarding the Planning Hearing Officer (PHO) recommendations:

1. I am adamantly opposed to these 4 stipulations:
  - Deletion of original Stipulation 19 (zoning reversion): This zoning reversion stipulation should not be deleted. Instead it should remain as is with immediate Planning Commission action to revert the zoning. Once the reversion is complete, my neighbors and I stand ready to develop a better plan that fits the area, with the applicant.
  - Stipulation 1: The original plan is of superior quality compared to the current applicant's proposal. The original follows site contours provide smoother connection to the R1-18 portion to the west and preserves views of the Estrella Mountains and South Mountain. The original plan should remain intact as you act on the zoning reversion.
  - Stipulation 10: The 200-foot minimum landscaped setback along the east property line should remain. Due to the elevation difference of 35th Avenue (lower) and existing terrace to the west (higher), 200 feet provides a much better buffer to screen the higher density and 2-story product, as well as provide better buffering for the surrounding the large acre plus parcels with custom homes. The 200-foot minimum landscaped setback should remain intact as you act on the zoning reversion.
  - Stipulation 35: The terraced berms should remain. They reduce the apparent height of the exposed escarpment and can be further stabilized and treated with compatible colors. These terraces also provide safety drop zones to intercept any debris that could fall from the upper slopes. The original terraced stipulation should remain intact as you act on the zoning reversion.
2. Stipulations 43 and 44: I request my name and address be added to these notification stipulations so I will be formally notified of any future actions.
3. I am supportive of PHO's recommendations for the remaining stipulations not noted above

Again, the zoning reversion stipulation 19 of Ordinance G-5020 should not be deleted. In 2007, the Mayor and Council included this stipulation specifically to protect the neighbors and community from a high-density development that did not fit the area then and does not fit the area today.

Do the required and right thing. Deny Z-165-06 (PHO-1-19) as filed. Then immediately move to initiate, approve and finally codify the required zoning reversion action to S-1 and amend the General Plan to 0-1 Residential/Parks/Open Space to match the S-1 zoning.

Sincerely,

Terry Klein  
4012 W. Carver Rd  
Laveen, AZ 85339

## Racelle Escolar

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**From:** Bret Burchard <bretburchard3@yahoo.com>  
**Sent:** Friday, May 8, 2020 10:12 AM  
**To:** Council District 1 PCC; Council District 2 PCC; Council District 3 PCC; Council District 4; Council District 5 PCC; Council District 6 PCC; Council District 7 PCC; Council District 8 PCC; Mayor Gallego; Racelle Escolar; Sofia Mastikhina; Alan Stephenson; Joshua Bednarek; Samantha Keating; PDD Laveen VPC  
**Subject:** Follow Up to Council Meeting - May 7

Mr. Chair and Members,

My name is Bret Burchard and I live at 11244 S 35th Ave in Laveen. I attended - virtually - last night's meeting, specifically as it related to the development project on Carver mountain. First, I want to thank you for enduring the pains of hosting a meeting virtually. I know it wasn't easy for you, but under the circumstances I was able to attend while sitting on the swing on my front porch, which has an unobstructed, picturesque view of the Phoenix skyline. While you all were diligently hearing all sides of every argument, I was watching the Super Moon rise over South Mountain. Not to rub it in :-)

A year and a half ago my wife and I overpaid for a modified trailer as our first home because it had a 900-square-foot front patio with panoramic views and no one encroaching on either side. The first thing any visitor does when arriving at our house is pull out their camera to take pictures.

Part of our view looks directly at the east side of Carver Mountain, the highest density portion of the development in question. Like Mrs. Irma Cazarez mentioned in her comments during the meeting, this is a uniquely quiet area of Laveen Village, where neighbors take care of each other. During the meeting our dog was standing guard, chasing coyotes out of the front yard. As I tried to fall asleep last night I couldn't get out of my head the idea of 92 houses crammed at the bottom of our hill. There aren't 92 houses within the eight walking blocks of our neighborhood! The current pandemic situation has substantially increased the amount of traffic up our dead end road since we moved in, already making it more dangerous for Irma's kids to skateboard, the Schroeder's kids to ride their scooters, Katherine's grandkids to learn to ride a bike, Mackenzie to walk her five dogs, and G dog's casual patrol of the nighttime wildlife. What will 92 more homes, three blocks away add on top of that?

I specifically want to commend Commissioner Busching for taking the time to drive out here and see the area for herself. It is certainly unique. Even since we moved in 18 months ago there have been improvements made in the surrounding area with the extension of the 202, the Sprouts and adjacent shops, and high-density development projects. We are excited about all of it improving the quality of our life here. Commissioner Busching's point of view is correct though. This is just not the place for one of those developments. Come see for yourself.

I understand you sent the case back to the developer and the Laveen community for further discussion and compromise. I would like to caution you in your judgement process, however. There was a comment made in conjunction with the motion that suggested favor would be shown to the side that concedes the most in the next iteration of the proposal. Logically, that doesn't make sense. Hypothetically, if we concede to all of the developer's stipulations, does that mean you will support our opposition in the next meeting? Let me be clear, I am not speaking on behalf of the entire Laveen community. I just went to bed puzzled by this logic.

Secondly, and finally, I don't believe one of the Commissioner's questions was adequately addressed. He can correct me if I'm wrong, but I believe he was asking if there was actually a 48-month trigger on a previous compromise that wasn't honored. I believe it was Ms. Manning who made the Commission aware of this clause that should have automatically reverted the property back to previous zoning if it wasn't developed within 48 months of the agreement - which it wasn't. I hope the Commission can clear up this misunderstanding amongst the members. It seems to me as the two parties work toward more compromises, the Commission needs to also review the documents and its scope of authority to help facilitate the correct course of action. There seemed to be a lot of confusion on what you were and were not able to enforce, or even what you were exactly voting on, and I don't believe the video conferencing setup assisted in clarity.

I understand you are in a very difficult position. This is a tough case to decide. The difficulty of this should spur us on to more diligent study. My suggestion to you is come take a drive down 35th Ave. Feel free to stop by our porch (it's the one with the red roof) and take a look. G dog doesn't bite and you can see the whole neighborhood from where we sit. And ask yourself, "Does it make sense? Does it fit?"

Oh yeah, and don't forget to bring your camera.

Respectfully,

Bret Burchard

## Racelle Escolar

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**From:** Cyd Manning <SweetBeat@q.com>  
**Sent:** Monday, May 11, 2020 7:43 PM  
**To:** Racelle Escolar  
**Cc:** Alan Stephenson; Adriana Garcia Maximiliano  
**Subject:** Planning Commission Meeting May 7, 2020 and Z-165-06 (PHO-1-19) Item 10

**Importance:** High

Hi Racelle,

Please provide this letter to the Planning Commission members and Staff, as well as include it in the case file. Thank you very much.

Best regards,  
Cyd

\*\*\*

Planning Commission Members and Staff,

I am writing to you today regarding the subject case heard during the May 7 Planning Commission meeting, specifically to provide feedback on the new virtual process, address a few issues and correct a factual error made by the applicant's representative. I respectfully request this correspondence be added to the official case file.

Regarding feedback on the new virtual meeting process, I would like to first thank Racelle Escolar and Vikki Cipolla-Murillo for their excellent work coordinating all the participation and presentation details for public input. They thoroughly and patiently answered questions, tested the system and ensured those without technology who wanted to speak were able to do so. I would also like to thank Chairman Johnson for a job well done facilitating the session. The meeting wasn't without challenges, but ran pretty smoothly for the first virtual Planning Commission meeting.

Commissioner Gaynor expressed dissatisfaction with submission of written comments into the chat window of the WebEx meeting. I want to be clear that I intended no disrespect to the Commission or disruption to the process and I apologize if that action offended anyone. I absolutely respect the public hearing process and rules of order. I believe that a factual error is an appropriate reason to raise a hand in order to be called upon. Thus, I utilized the raise hand feature to correct a factual error made by Mr. Galvin and waited several minutes to be called upon. After waiting, I submitted the written request and ultimately provided the correction so it would become part of the record. Please reference the below screen capture. I have firsthand knowledge that the applicant did not agree to a request by Councilmember Garcia to meet with the neighbors regarding this case.

There are two issues of great concern that occurred during the meeting:

1. With all due respect, the Commission's request of the applicant's representative, Mr. Galvin, to provide an answer regarding the Commission's authority on zoning reversions may have the appearance of bias.
  - Staff clearly advised the Commission and stated that zoning reversion would be a separate action to initiate a case to be heard as an upcoming agenda item due to posting requirements. Staff also advised that the commission has the power to initiate a reversion if they want to do it.
  - The community request has been and still is clearly consistent with what Staff advised. Again that request has been and is to deny this current case as filed. Then, immediately initiate and ultimately approve a zoning reversion case back to S-1 along with a companion action to revise the General Plan back to O-1 which aligns with the S-1 zoning.
  - Clearly the Commission discussion, before this question was posed to Mr. Galvin, displayed understanding and agreement of the process to initiate a case for action on a reversion.

- Mr. Galvin's opinion on reversion clouded the discussion and the community was denied equal opportunity to address the question after respectfully submitting a raised hand, waiting with no recognition and then submitting the request in writing. Please reference the below screen capture.
  - Had the community been able to respond, I would have re-stated Staff's explanation and referenced the applicable City zoning ordinance (Chapter 5, Section 506, B.1 through B.3) as well as ARS Article 6.1 Municipal Zoning, 9-462.
  - Even though the community was not afforded equal opportunity to answer the Commission's question, authorized City personnel are the appropriate entities who should be providing answers to the process and Commission's powers.
2. The lack of adequately addressing Commissioner McCabe's question regarding the time stipulation expiration as a clause previously adopted by Ordinance clouded the discussion.
- Unfortunately Staff did not directly or clearly provide the actual language of 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."
  - This Ordinance condition of zoning approval expired in October of 2011. A required entitlement expiration should be enforced.
  - Staff did advise the Commission of the process to initiate a zoning reversion case, which is exactly what the community has asked for many times since 2011, up to and including in this May 7 meeting.

I respectfully request Ordinance G-5020, which was adopted by the City Council on October 10, 2007, and the minutes from that meeting be provided to and reviewed by all Commissioners. In addition, I respectfully request review of GPA-LV-1-08-7 – Resolution 20714. This case resulted from neighborhood requests of the City to act on their policy of creating consistency between the General Plan and zoning classification. There is a letter in this case file from the Planning Director at that time that states the action was taken 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." This neighborhood requested City action was to ensure that an applicant wasn't going to try and increase the R1-8 zoning **before** it could be reverted in 2011.

Your review of the above records will provide valuable context. If you also review the overwhelming number of letters in opposition to this case, you will see there are many of us from 2007 that are still residents today. Again, we welcome development and want and expect it to be consistent land use with the existing neighborhoods.

I sincerely appreciate Commissioner Busching's action of getting a first-hand look at the area to truly understand the unique community, large lots and spacing that we want to preserve. The type of low density in this specific area of Laveen has been carefully planned that way for well over two decades. Furthermore, low density zoning is appropriate land use in this area and low density zoning classifications are very underrepresented in Laveen. The video of our area is only 42 seconds long and can be played directly from this Dropbox link: <https://www.dropbox.com/s/0tfmz2e6htiasqd/Laveen.mp4?dl=0> [dropbox.com]

I would welcome and respectfully request a conversation or meeting with each individual member of the Commission. I was significantly involved in the original case and would be happy to answer any questions. In addition, I'd be pleased to host a tour of the area for anyone who would like to do so.

I understand this is a difficult case for everyone involved. It truly is very unfortunate that enforcement of this reversion entitlement was overlooked or missed over the last 9+ years, even though the community requested it be done. The fact of the matter is it is still valid today and the City has a duty and obligation to enforce it.

I sincerely appreciate your time and careful review and consideration of all information.

Respectfully,  
Cyd Manning

3220 W. Ceton Drive  
480.747.0769  
[sweetbeat@q.com](mailto:sweetbeat@q.com)

Attached screen capture as referenced above:

Chat

Speaking: use Cyd Manning's phone line for his speaking time.  
Racelle should be aware. Would like to please verify  
from emilio gaynor to all participants: 6:29 PM  
I cannot get on phone. please call me at 6025246515.  
from emilio gaynor to all participants: 6:29 PM  
This is Emilio Gaynor  
from emilio gaynor to all participants: 6:30 PM  
ok  
from Cyd Manning to all panelists: 10:20 PM  
I need to correct a factual error stated by Mr. Galvin.  
from Cyd Manning to all panelists: 10:21 PM  
I was told directly from Councilmember Garcia's office  
that this applicant declined to meet and have that in  
writing.  
from Justin Johnson to all participants: 10:35 PM  
We dont go back after rebuttal. I apologize  
from Cyd Manning to presenter (privately): 10:35 PM  
Is the community able to react to that as well?  
from Cyd Manning to host & presenter: 10:36 PM  
Is the community able to react to that as well

To: Host & Presenter

PD EG

Planning and Development (Host) emilio gaynor

Participants ×

Search

Panelist: 10

- PD Planning a...  
Host
- EG emilio gaynor
- JM Joel McCabe
- JB Joshua Bednarek
- JJ Justin Johnson
- LM LACHELE Mangum
- MB Marcia Busching
- NH Nico Howard
- PG Pete Gorraiz
- SS Sissie Shank

Attendee:

- CM Cyd Manning  
Me

10:36 PM  
5/7/2020



May 20, 2020

To: Phoenix Planning Commission

Subject: Meeting held 6PM, May 7, 2020 re: Z-165-05-(PHO-1-19)

Thank you for providing me the opportunity on during the May 7, 2020 Planning Commission meeting to speak for 60 seconds regarding the subject case.

First, I would like to remind the Planning Commission of its role....and I quote from your Charter below and would draw your attention to the **bolded** print:

***The Planning Commission makes recommendations to the City Council on all matters that might be referred to it by the City Council concerning or relating to a comprehensive plan of City building and improvement and recommends to the City Council, from time to time, amendments to the City Charter, ordinances providing for the purchase of sites for City buildings; opening, widening or other changes in streets and other public ways, and the ornamentation of such sites, streets, grounds and other public places; and such other ordinances as it may deem necessary and proper in the premises and that may tend in connection with such comprehensive plan to promote the public health, comfort, safety, convenience, utility and welfare. The Planning Commission is also authorized to confer and advise with other similar City planning commissions or county planning commissions.***

It became very obvious that during the subject meeting that several members were uncomfortable with the issue at stake here, the S1 Zoning Reversion specifically called out in Stipulation #19 which states, and I quote:

***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.***

Near the end of meeting the question to Staff was asked “has any action be taken to revert this case” and the answer was “no”. Herein lies the problem, no action has been taken by the City of Phoenix because of Senior Leadership (specifically Alan Stephenson and his Deputy Joshua Bednarek) have unwisely, unethically and likely illegally chosen not to enforce Reversion which is a current documented process required in Zoning Ordinance Section 506, paragraph B 1 for this case.

Before seeking legal action on behalf of the Community I am providing EVERY opportunity for the City of Phoenix to help remedy the lack of Senior Leadership Personal Accountability for enforcement of the previously referenced Reversion Policy. Due to the current Covid-19 situation a face to face meeting is unpractical so I have contacted via e-mail and telecon Leigh Ann Mauger, Sr. Internal Auditor, City of Phoenix - Audit Department and she has initiated a case to investigate whether the allegations that I have made regarding the City’s refusal to follow documented Policies and Procedures (specifically Section 506 paragraph B1) have merit or basis. I provided a copy of the meeting minutes that I had with Joshua Bednarek as the basis for my claims. I am also providing you with a copy of this document for your review.

And as a side note, it was unethical of this Committee to solicit input from only one Party regarding your discussion of the merits of the case if the Commission elected to deny this case.

In addition, Mr. Gavin incorrectly provided the Commission with inaccurate and deceiving information regarding Prop 207.....the Current Landowner was REQUIRED to sign a waiver giving up ALL rights to Prop 207 when they purchased the property so they have no future claims against Prop 207 if the property reverts to S1 or any other zoning. When the Landowner had Mr. Gavin's Law Firm perform their due diligence prior to purchasing this property, they would have discovered this.

While I respect the decision that you made in an effort to have the Developer and Community "work together" for an equitable solution I will implore the Commission one last time....when it is time to forward this case to the City Counsel, take the ethical and morally correct action, tell the City Council the simple facts regarding this case and recommend the following:

1. This case should have never have been brought forward.....why? Because the City of Phoenix has chosen not to follow its own Policies and procedures specifically for Reversion because if it did, back in 2011 (48 months after the initial zoning approval) this case should have been up for reversion and it was never initiated. Remember, Reversion is another Public Process and it is not a guaranteed reversion in this case back to S1, the "Reversion Process" is a series of Public hearings to rezone the land back but it might not be accepted (likelihood is low)!
2. Based on item 1 above do no recommend approval, deny this case.
3. Create a recommendation that the City of Phoenix follow its internal processes and procedures and initiate Reversion Action in this case.

I look forward to seeing what this Commission determines the correct course of action is for this specific case because as the Leaders of this Commission you are held to a higher standard than rank and file employees....you are accountable for what you know and more importantly what you should have known....and now that you are personally aware of the alleged claims of the City of Phoenix not following its processes and procedures (and I would ask that you personally verify this on your own, do not take my word for it) I sincerely hope that this Commission takes the correct steps by deciding not to be complicit with the City of Phoenix knowing full well that this case should have never existed!

Thank you for your time.

Sincerely,

John M. Bzdel  
253-549-6826  
[bzdel@earthlink.net](mailto:bzdel@earthlink.net)

## Meeting Minutes with Joshua Bednarek re: Z-165-05-(PHO-1-19)

1-23/2020, 9AM at Mr. Bednarek's office

Answers to my questions:

- Why was there no action taken in 2011 to “revert” the properties back to S1?
  - Since the early 2010’s, the City of Phoenix has reduced the number of available Staff Personal in the Planning/Zoning Department that would handle this type of activity from 11 people to 5. With the staff shortage the focus and priorities of the Department changed to reflect available staffing.
  - There isn’t a mechanism to automatically do this.
- I asked “is Zoning Ordinance Section 506, paragraph B 1.” Is still a valid and current procedure?
  - Joshua stated the City of Phoenix no longer looks at the reversion process as a necessary process because they City believes that the original “intent” to rezone is still valid and affords the current property owner(s) the opportunity to further develop the property based on the City Council’s intended use.
    - I then asked Joshua to read the above paragraph aloud where I underlined ...”an application shall be initiated by the Planning Commission to revert zoning to its former classification, unless an extension of time has been granted prior to the expiration of the period specified by the schedule of the development”. He was familiar with this language.
      - I asked Joshua to make sure that I fully understood his previous comments based on this procedural language and asked him that even though it is a requirement in the documented City’s Procedures to perform the reversion, that ***the City has knowingly chosen not to follow the procedure?***
        - Joshua waffled a bit and reiterated staffing shortages again and that the City’s philosophy is a bit different today based on his above comment that they want to afford Property owners full development rights via Prop 207. I verified with Joshua that a waiver does exist on this subject property signed by the current Property Owner that waives Prop 207 and he then agreed that the property owner had no rights based on Prop 207.
      - I asked Joshua what he believes that the Liability may be if the City specifically chooses not to follow or enforce their written processes and procedures? He stated that he wasn’t a Lawyer or from the Law Department so he could fully

answer that question. He went on to state that in this situation, where there are stipulations attached to Properties, that it is no different than someone who violates a weed ordinance or stipulation....the City doesn't have the resources to address it.

- I shared City of Phoenix memo dated October 12, 2010 from Derek D. Horn to Planning Commission Members and asked if this process that was outlined is still current?
  - Joshua stated that the City does not have the resources to undertake the process and as stated previously, the focus on reversion and the philosophy behind it is different today.
    - I asked if I was to review the Metric's Deck reviewed by Alan at his Staff Meetings would I see any of the Department metrics include reversion?
      - Joshua stated no that no metrics would be available today for the reversion process because it is not tracked, monitored or reviewed.
- I shared that the Community was concerned that the due to the City's focus on not following it's documented process and procedure that this indicates a bias and it does not afford ALL stakeholders the opportunity to voice concerns regarding City processes that "should have been followed" and are not.
  - Joshua didn't fully understand this because he believes Zoning/Planning processes via the PHO as in this case are available to hear Community input. I reiterated that the PHO process is clearly for addressing stipulations ONLY and NOT a rezoning discussion and that Adam Stranier (the PHO in this case) made this VERY clear. Joshua went on to say that even if the City followed a reversion process, as in this case, that it still has to go through the Public Posting processes and that "automatic" reversion isn't a guarantee because the current property owner has an input as well as the Community and the City Council.
  - I then counter this response and asked a "hypothetical" question..."in this case, if the City of Phoenix denied Z-165-05-(PHO-1-19) and noted that the City would prefer to use the Reversion Process to address the Property Owners concerns as well as those of the Community and City Council, aren't ALL stakeholders better served since the potential outcome has the benefit of ALL stakeholders' inputs and the City would ALSO be compliant with it's documented processes and procedures"? I also added that the current property owner could also create/add/delete/propose whatever they want because the flood gate is open...a clear benefit for them as well.
    - Joshua had to think about this for a moment before responding and indicated that this could be a viable path. Based on his comment I asked him if he was ready to commit for the City that he would do this in this specific case and he quickly responded that he could not influence the opinion/outcome of the PHO officer in this case.
      - I then asked if he should run this past Legal as an opportunity to be compliant with documented processes and procedures in the event that

this case gets legally challenged and he responded that he didn't think so.

- Joshua stated that even if the PHO ruled in favor of the subject case that any stakeholder has 7 days to appeal the decision to the City Council and could propose the "hypothetical" question to the City Council that I did to Joshua.
- I asked if I could suggest this "hypothetical" path to the PHO in this case?
  - Joshua stated that he could only take comments that were made public at the hearing and not after the fact.
    - I countered with "Adam stated that he needed to take this under advisement and review all relevant facts and data.....isn't the potential path I proposed one of them?"
      - Joshua countered with he (the PHO) could come to that same conclusion.

Unfortunately we ran out of time and our meeting concluded.

John Bzdel

253-549-6826

## Racelle Escolar

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**From:** D M <darcy3535@gmail.com>  
**Sent:** Saturday, June 6, 2020 7:12 PM  
**To:** PDD Laveen VPC; Racelle Escolar; Joshua Bednarek; Alan Stephenson  
**Subject:** To Council Members re: Quarry Case Decision 165 - 06

**Follow Up Flag:** Follow up  
**Due By:** Tuesday, June 9, 2020 4:00 PM  
**Flag Status:** Completed

Good afternoon,

I was present online at the planning meeting on Thurs June 4 and wanted to tell you what a disappointment the commission's decision was to approve the Quarry Case Z-165-06.

After all the patting on the back you did of yourselves and appreciating all of us for our passion, your decision was still wrong.

If any of you lived on the south side of the Quarry you would be fighting to oppose the type of density that was approved.

I'm actually surprised with the amount of opposition that this had, not more of your members came around to see our area. It really goes to show that if it doesn't affect you personally, then the party with the most money wins.

And, because there has been no past case in prior zoning reversions, it doesn't mean that the committee has a right to overlook and not enforce the intent.

I'm disheartened by your committee's decision but I'm thankful for great neighbors that will continue to appeal this for our community.

Darcy Meyer  
3535 W Bohl St  
Laveen, AZ 85339