

## ATTACHMENT B



### City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

#### **\*REVISED** **Staff Report: Z-77-22-8** September 8, 2023

Laveen Village Planning Committee      June 10, 2023  
**Meeting Date:**

Planning Commission **Hearing Date:**      August 3, 2023

**Request From:**      S-1 (Ranch or Farm Residence) (7.68 acres)  
**Request To:**      R1-8 (Single-Family Residence District) (7.68 acres)

**Proposal:**      Single-family residential

**Location:**      Approximately 40 feet north of the northwest corner of 27th Avenue and Harvest Groves Lane

**Owner:**      27 Southern, LLC

**Applicant:**      Equity Connect Holdings, LLC

**Representative:**      Wendy Riddell, Berry Riddell LLC

**Staff Recommendation**      Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Residential 0 to 1 dwelling units per acre	
<u>Street Map Classification</u>	27th Avenue	Arterial	33-foot west half street

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

The proposal is consistent with other single-family uses in the area. The development will incorporate open space areas and enhanced landscaping, which will mirror existing residential properties and respect local conditions.

**CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.**

As stipulated, the proposed development will incorporate appropriate development standards that will mitigate impacts to adjacent residential uses. These standards will include enhanced landscape setbacks and planting standards.

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

The development, as stipulated, will provide a large open space buffer internal to the site. The shade trees, as stipulated, will help encourage walking by providing a thermally comfortable environment for pedestrians.

#### Applicable Plans, Overlays, and Initiatives

[Laveen Southwest Growth Study](#): Background Item No. 6.

[Housing Phoenix Plan](#): Background Item No. 7.

[Tree and Shade Master Plan](#): Background Item No. 8.

[Complete Streets Guiding Principles](#): Background Item No. 9.

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

#### Surrounding Land Uses/Zoning

	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Vacant land	S-1
<b>North</b>	Ranch or farm residence	S-1 and County RU-43
<b>South</b>	Single-family residential, event venue	MUA
<b>East (across 27th Avenue)</b>	Single-family residential	R1-8
<b>West</b>	Single-family residential	R1-8

<b>R1-8 Single-Family Residence District (Planned Residential Development Option)</b>		
<b><u>Standards</u></b>	<b><u>Requirements</u></b>	<b><u>Provisions on the Proposed site Plan</u></b>
Gross Acreage	-	7.68 acres
Maximum Total Number of Units	34, 42 with bonus	36 (Met)
Maximum Density (dwelling unit/acre)	4.5; 5.5 with bonus	4.7 (Met)
Minimum Lot Width	45 feet	45 feet (Met)
Minimum Lot Depth	None, 110 feet adjacent to a freeway or arterial	110 feet (Met)
Maximum Lot Coverage	40%, up to 50% including attached shade structures	40% (Met)
Maximum Building Height	2 stories and 30 feet (3 stories not exceeding 30 feet, when approved by the design advisor for demonstrating enhanced architecture)	2 stories and 26 feet (Met)
<b><i>MINIMUM PERIMETER BUILDING SETBACKS</i></b>		
North (Rear)	Property line: 15 feet (1-story), 20 feet (2-story)	+20 feet (Met)
South (Rear)	Property line: 15 feet (1-story), 20 feet (2-story)	+60 feet (Met)
East (Side)	Street side: 15 feet (in addition to landscape setback);	+15 feet (Met)
East (Side)	Property line: 10 feet (1-story), 15 feet (2-story)	+15 feet (Met)
West (Side)	Property line: 10 feet (1-story), 20 feet (2-story)	+20 feet (Met)

<b>MINIMUM INTERIOR BUILDING SETBACKS</b>		
Front	10 feet	22 feet (Met)
Sides	Street side: 10 feet Other: per building code	Not specified
Rear	Per building code	Not specified
<b>MINIMUM LANDSCAPE SETBACKS AND OPEN SPACE STANDARDS</b>		
Adjacent to street (27th Avenue)	15 feet average, 10 feet minimum	+275 feet (Met)
Minimum Common Area	5% of gross site area	14.7% (Met)

\*Variance or Site Plan modification needed.

## **Background/Issues/Analysis**

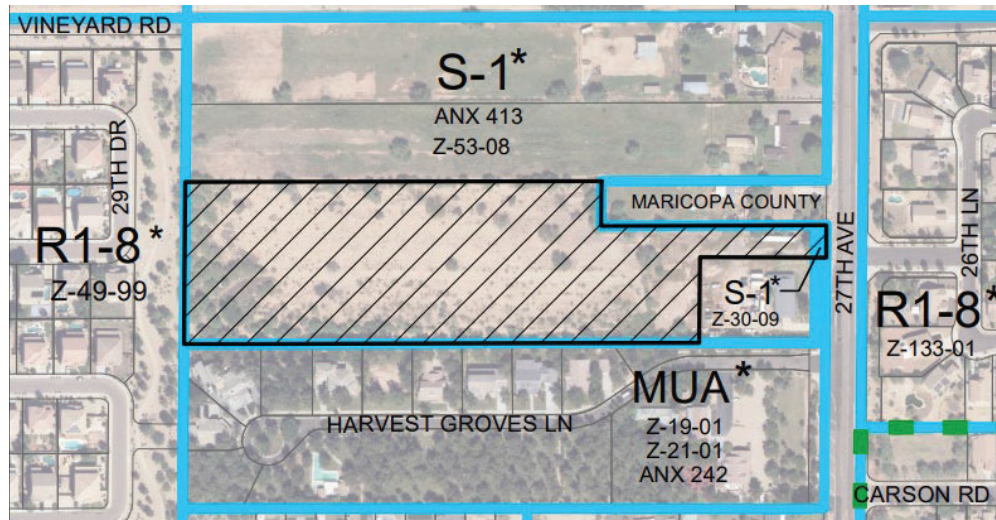
### **SUBJECT SITE**

1. This request is to rezone 7.68 acres located approximately 40 feet north of the northwest corner of 27th Avenue and Harvest Groves Lane from S-1 (Ranch or Farm Residence) to R1-8 (Single-Family Residence District) to allow for a single-family residential development. The subject site is currently vacant and undeveloped.

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

2. The requested R1-8 (Single-Family Residence District) will support additional housing within the Laveen Village. The proposal is adjacent to 27th Avenue, an existing arterial road. The properties to the north are zoned S-1 (Ranch or Farm Residence) and County RU-43 and are developed with large lot single-family residences. East, across 27th Avenue, and west of the subject site is zoned R1-8 (Single-Family Residence District) and are developed with single-family residences. Finally, south of the subject site is zoned MUA (Mixed Use Agricultural District) and developed with a single-family residence and an event venue.





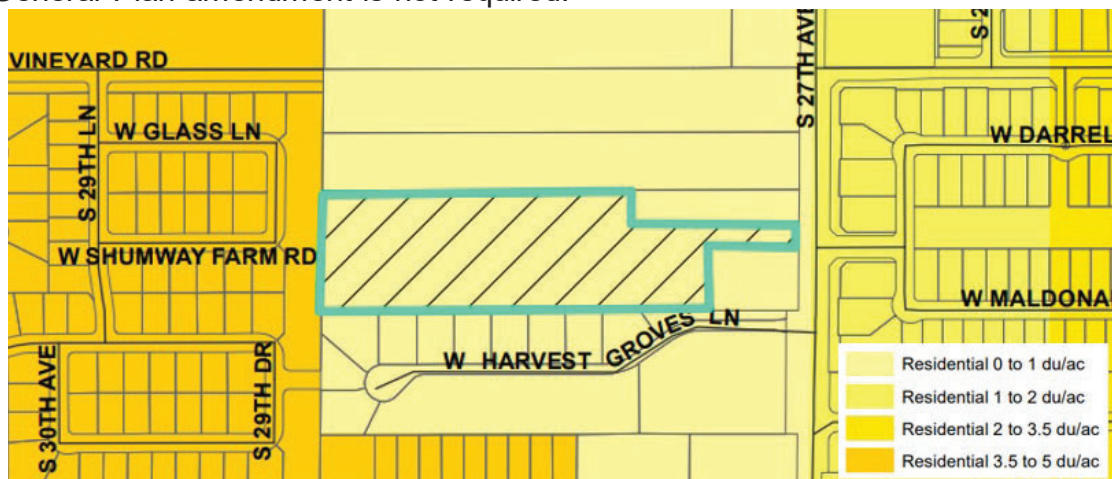
Existing Zoning Aerial Map

Source: Planning and Development Department

### GENERAL PLAN LAND USE MAP DESIGNATION

3. The subject site, as well as the surrounding area to the north and south are designated Residential 0 to 1 dwelling units per acre. The area to the east, across 27th Avenue, is designated Residential 1 to 2 dwelling units per acre. Further east, the designation changes to Residential 2 to 3.5 dwelling units per acre.

The area to the west is designated Residential 3.5 to 5 dwelling units per acre. The proposal is not consistent with the General Plan Land Use Map however, a General Plan amendment is not required.



General Plan Land Use Map

Source: Planning and Development Department

## PROPOSAL

### 4. **Site Plan**

The conceptual site plan, attached as an exhibit, proposes 36 single-family detached homes with access from 27th Avenue. The current site plan does not meet current street design standards required by the Phoenix City Code. As a result, staff does not recommend stipulating general conformance to the submitted site plan. To ensure the proposed development is compatible with the surrounding land uses, staff is recommending a stipulation to allow a maximum of 36 lots. This is addressed in Stipulation No. 2. The conceptual site plan depicts a 60-foot-wide open space area located on the south portion of the subject site. To be compatible with the large lot single-family subdivision to the south, staff is recommending Stipulation No. 3 to ensure a large open space buffer as shown on the site plan. Furthermore, the open space buffer shall be planted with a minimum of 25 percent 2-inch caliper trees and 75 percent 3-inch caliper trees. This is addressed in Stipulation No. 4. Finally, staff is recommending Stipulation No. 5 to ensure a 22-foot-long garage setback measured from the back of the sidewalk. This will prevent larger vehicles from obstructing internal sidewalks and create a safer pedestrian environment.

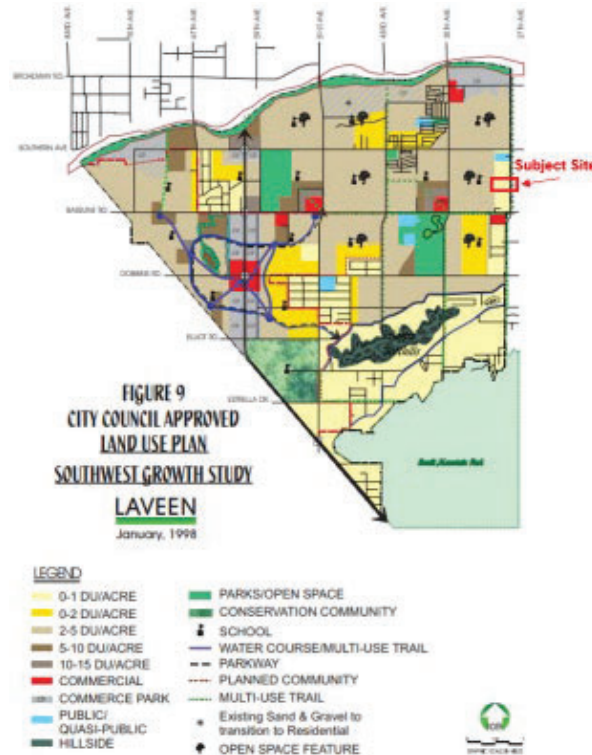
### 5. **Elevations**

The conceptual building elevations, attached as an exhibit, depict one-story and two-story residential buildings with a maximum height of approximately 26 feet to the top of the roof pitch. The residential building elevations also depict pitched shingle roofs, various window sizes, wooden fascia, and stucco exteriors. To be compatible with the agrarian heritage of the Laveen Village, staff recommends Stipulation No. 1 which requires that the elevation contain elements of modern farmhouse architecture.

## PLANS, OVERLAYS, AND INITIATIVES

### 6. Laveen Southwest Growth Study:

The site is located within the boundaries of the Laveen Southwest Growth Study, which was developed in 1997 to analyze the existing conditions of the Laveen Village and provide a land use and design planning framework to help shape the growth that Laveen was starting to experience, while accounting for newly annexed farmland as well as the future development of the South Mountain Freeway Loop, which has since been completed. This plan designates the project site as 0 to 1 dwelling units per acre. Although not consistent with the designation, recent land use trends in the area, including the development to the south and single-family uses to the east and west, point to a land use mix that supports single-family residential.



Laveen Southwest Growth Study Land Use Map  
Source: Planning and Development Department

The Laveen Southwest Growth Study also outlines specific design policies and standards for various types of development that will enhance Laveen's built environment while remaining respectful to its agricultural heritage. The study encourages all new development to use durable, high quality building materials and to provide enhanced building design that will contribute to the character of the area. The proposal will incorporate architectural features that reflect a modern farmhouse design (Stipulation No. 1) and a large open space area (Stipulation No. 3) to contribute to the character of the area.

### 7. Housing Phoenix Plan:

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

The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using underutilized land in a more sustainable fashion.

8. **Tree and Shade Master Plan:**

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. By investing in trees and the urban forest, the city can reduce its carbon footprint, decrease energy costs, reduce storm water runoff, increase biodiversity, address the urban heat island effect, clean the air, and increase property values. In addition, trees can help create walkable streets and vibrant pedestrian places. Staff recommends the open space buffer to be planted with a minimum of 25 percent 2-inch caliper trees and 75 percent 3-inch caliper trees. This will not only create a buffer between the existing single-family subdivision to the south but would promote shade and vegetation to reduce the urban heat island effect. This is addressed in Stipulation No. 4.

9. **Complete Streets Guiding Principles:**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. To provide a safe pedestrian environment staff is recommending internal detached sidewalks throughout the entire development. Furthermore, the detached sidewalks would have a landscape curb planted with two-inch caliper trees and achieve a minimum 75 percent live coverage groundcover. This is addressed in Stipulation No. 6.

10. **Zero Waste PHX:**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Recycling service is provided by the City of Phoenix to single-family residential developments.

## COMMUNITY INPUT SUMMARY

- \*11. At the time this staff report was written, staff has received ~~one~~ **SEVEN** ~~letter~~ **LETTERS** of opposition. The stated concerns were traffic congestion, **EMERGENCY SERVICES, SAFETY**, traffic noise, and loss of the rural character.

## INTERDEPARTMENTAL COMMENTS

12. **Street Transportation Department**

The Street Transportation Department commented that the proposed site plan



does not meet current street design standards per the Phoenix City Code, so general conformance of the site plan was not recommended. The Street Transportation Department also requested that the west half of 27th Avenue be rededicated and approved by Maricopa County. Furthermore, any street improvements conducted along 27th Avenue shall be reviewed and approved by Maricopa County and the approval shall be provided prior to preliminary site plan approval. Finally, all streets shall be constructed with all required elements and to ADA requirements as approved by Maricopa County. These are addressed in Stipulation Nos. 7 through 9.

13. **Aviation Department**

The City of Phoenix Aviation Department has indicated that due to the proximity of the Phoenix Sky Harbor Airport, the property owner shall record documents that disclose the existence and operations of the Phoenix Sky Harbor Airport to any future owners or tenants. The documents shall be reviewed and approved by the City Attorney. This is addressed in Stipulation No. 10.

OTHER

14. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation Nos. 11 through 13.
15. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 14.
16. The developer shall provide a hydraulic/hydrologic analysis of offsite storm water flows, when present, at the time of preliminary site plan submittal for verification of required infrastructure in regard to lot space and density.
17. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements such

as obtaining a use permit to conduct the proposed outdoor use in this zoning district. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

### **Findings**

1. The proposal will develop vacant property and provide a high quality single-family residential development adjacent to an arterial street and help alleviate the housing shortage in Phoenix.
2. The proposed development contains enhanced standards that will result in a more walkable, shaded and pedestrian-friendly environment. The development will provide increased shade which will help to reduce the urban heat island effect.
3. The stipulated landscaping and planting standards are above the required minimum standards and will make the development compatible with the surrounding land uses.

### **Stipulations**

1. All building elevations shall contain architectural features that reflect modern farmhouse architecture including, but not limited to, detailing such as pitched roofs, variation in window size, overhang canopies and exterior accent materials such as board and batten siding, stone, brick veneer, and carriage style garage doors, as approved by the Planning and Development Department.
2. The project shall not exceed 36 lots.
3. A minimum 60-foot-wide open space buffer shall be provided along the south perimeter of the site.
4. The open space buffer along the south perimeter of the site shall be planted with minimum 25% 2-inch caliper and minimum 75% 3-inch caliper large canopy, drought tolerant trees, planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
5. A minimum 22-foot garage setback for front-loaded garages, measured from the back of sidewalk, shall be provided for each home in the development, as approved by the Planning and Development Department.
6. A minimum 5-foot-wide detached sidewalk and a minimum 5-foot-wide landscape strip between the back of curb and sidewalk shall be provided within

the development, planted to the following standards and as approved by the Planning and Development Department.

- a. Minimum 2-inch caliper drought-tolerant, large canopy, single-trunk shade trees planted 20 feet on center or in equivalent groupings.
- b. Drought-tolerant shrubs, accents and vegetative groundcovers to achieve a minimum of 75 percent live coverage at maturity.

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

7. A total of 65 feet of right-of-way shall be dedicated for the west half of 27th Avenue or as approved by Maricopa County.
8. Street improvements to 27th Avenue are outside of Phoenix City Limits and shall be reviewed and approved by Maricopa County. Documentation of the county review and approval shall be provided prior to Preliminary Site Plan approval.
9. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department and Maricopa County. All improvements shall comply with all ADA accessibility standards.
10. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
11. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
12. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

13. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
14. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

**Writer**

Nayeli Sanchez Luna

September 8, 2023

**Team Leader**

Racelle Escolar

**Exhibits**

Sketch map

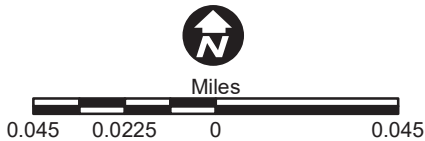
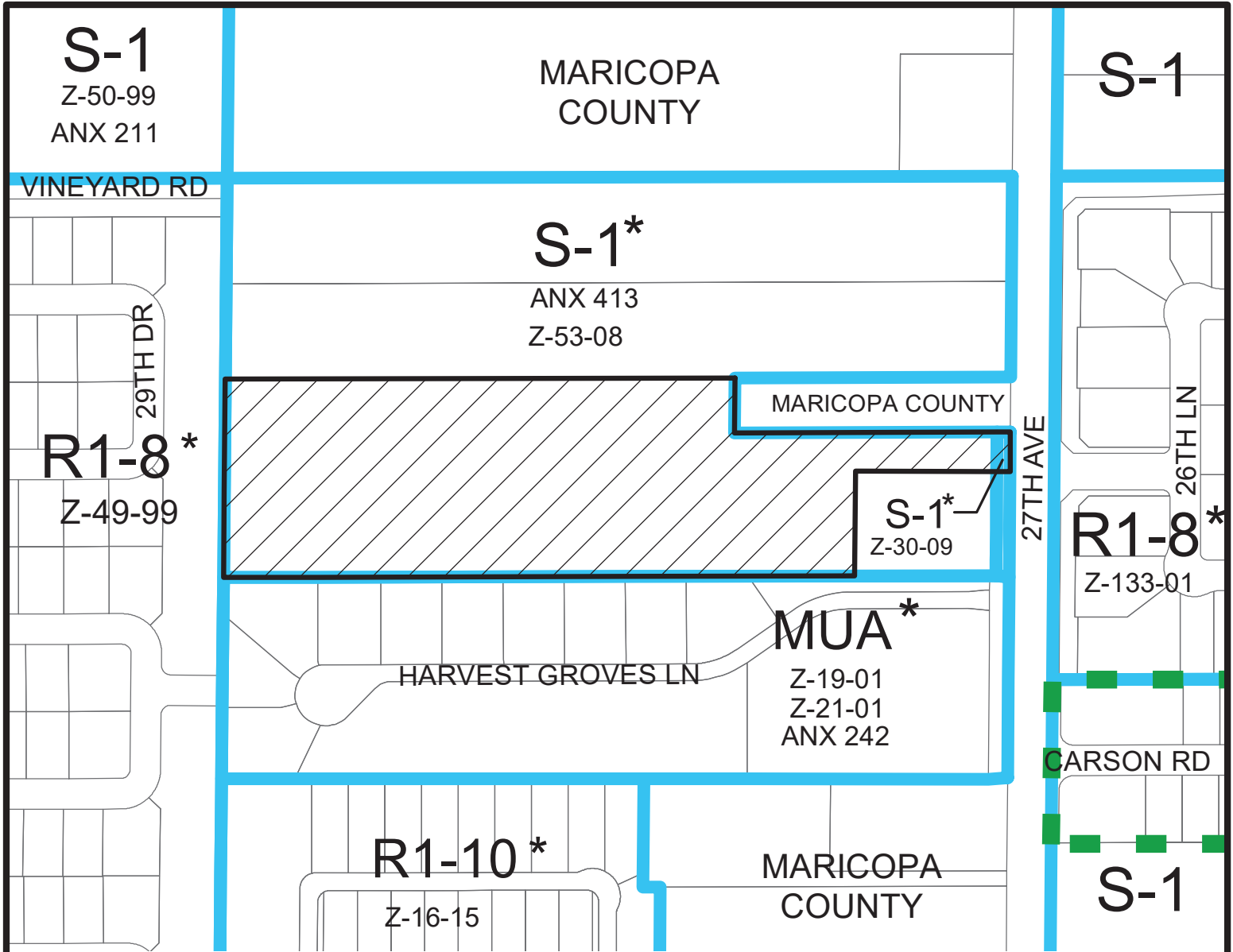
Aerial map

Conceptual site plan date stamped March 20, 2023

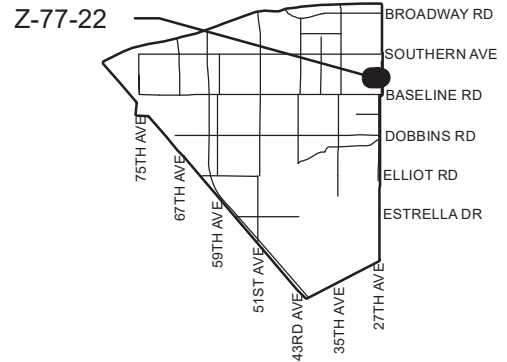
Elevations date stamped October 10, 2022 (6 pages)

Correspondence (~~2~~-13 pages)



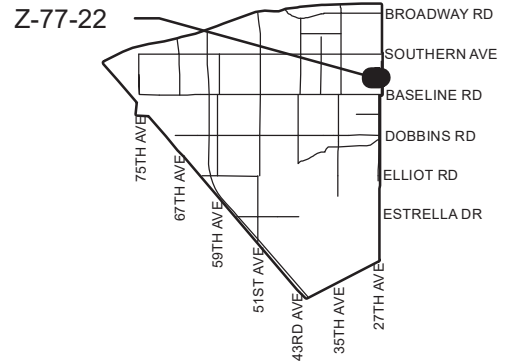
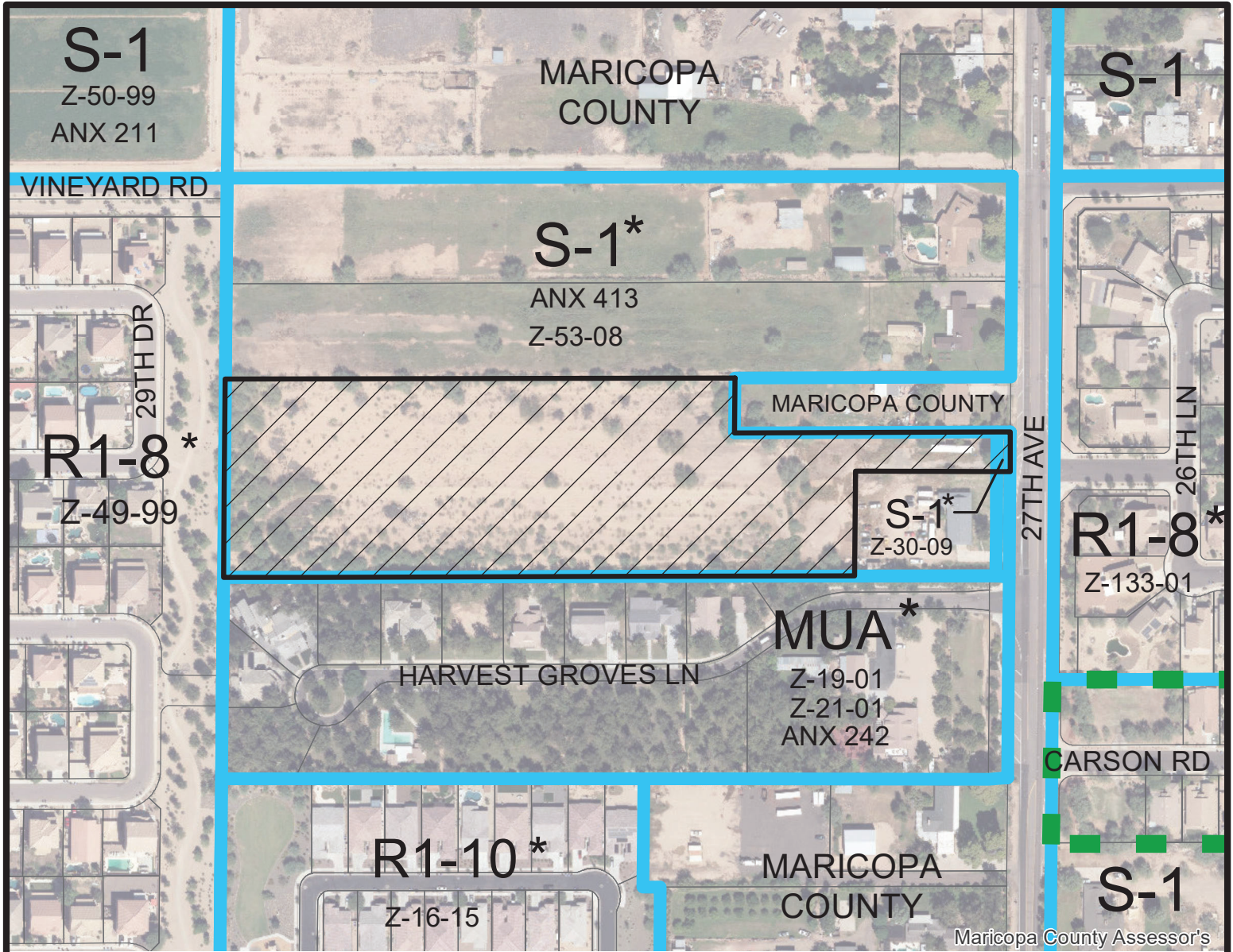


**LAVEEN VILLAGE**  
CITY COUNCIL DISTRICT: 8



<b>APPLICANT'S NAME:</b> Equity Connect Holdings LLC		<b>REQUESTED CHANGE:</b>					
<b>APPLICATION NO.</b> Z-77-22		<b>FROM:</b> S-1 ( 7.68 a.c.)					
<b>DATE:</b> 4/3/2023 <b>REVISION DATES:</b>		<b>TO:</b> R1-8 ( 7.68 a.c.)					
<table border="1"> <tr> <td><b>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</b></td> <td><b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b></td> <td><b>ZONING MAP</b></td> </tr> <tr> <td>7.68 Acres</td> <td>QS 1-22</td> <td>D-7</td> </tr> </table>				<b>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</b>	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b>	<b>ZONING MAP</b>	7.68 Acres
<b>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</b>	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b>	<b>ZONING MAP</b>					
7.68 Acres	QS 1-22	D-7					
<b>MULTIPLES PERMITTED</b>		<b>* UNITS P.R.D. OPTION</b>					
S-1		N/A					
R1-8		42					

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



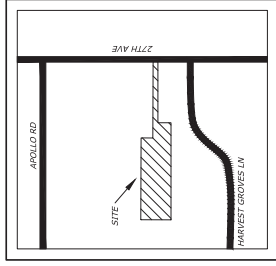
<b>APPLICANT'S NAME:</b> Equity Connect Holdings LLC		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-77-22		<b>FROM:</b> S-1 ( 7.68 a.c.)	
<b>DATE:</b> 4/3/2023 <b>REVISION DATES:</b>		<b>TO:</b> R1-8 ( 7.68 a.c.)	
<b>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</b> <b>7.68 Acres</b>		<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 1-22 <b>ZONING MAP</b> D-7	
<b>MULTIPLES PERMITTED</b> S-1 R1-8		<b>CONVENTIONAL OPTION</b> 7 33	
		<b>* UNITS P.R.D. OPTION</b> N/A 42	

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

# CONCEPTUAL SITE PLAN FOR 6844 S. 27TH AVE PHOENIX, ARIZONA

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 1 NORTH,  
RANGE 2 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN,  
MARICOPA COUNTY, ARIZONA

STANDARDS	PROVIDED
MINIMUM LOT DIMENSIONS (WIDTH AND DEPTH) - 3	WIDTH=45' DEPTH=110'
DWELLING UNIT (UNITS/GROSS ACRE)	4.60 UNITS / ACRE
PERIMETER STANDARDS	STREET FRONTAGE: 15' LINE WEST IS 15' EAST NORTH IS 20' SOUTH IS 20'
BUILDING SETBACKS	INTERIOR: 5' SIDE 22' GARAGE 15' REAR
MAXIMUM HEIGHT	2 STORY / 30'
LOT COVERAGE	40%
COMMON AREAS	TOTAL = 30,119 SF (14.7%)
ALLOWED USES	SINGLE FAMILY
REQUIRED REVIEW PER SECTION 507	DEVELOPMENT REVIEW
STREET STANDARDS	PRIVATE ACCESSWAY
RESIDENT PARKING	2 IN GARAGE



VICINITY MAP  
NOT TO SCALE

- SITE PLAN CONSTRUCTION NOTES:**
- BUILDING SETBACK LINE
  - GATED ENTRANCE
  - 6" VERTICAL CURB
  - 22' DEEP PRIVATE DRIVEWAY
  - 4" ROLL CURB
  - NEW DRIVEWAY PER CDP 1255-2
  - 20'x10' VISIBILITY TRIANGLE - MAXIMUM MATURE PLANT MATERIAL HEIGHT IN TRIANGLE IS 24"
  - PROPOSED FIRE HYDRANT
  - EXISTING FIRE HYDRANT
  - NEW 4" CONCRETE SIDEWALK



**RCC DESIGN GROUP, LLC**  
AN AFFILIATE OF PAGES

ARIZONA'S PREMIER LANDSCAPE ARCHITECTS  
PHOTOGRAPHY  
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**PROFESSIONAL SEAL**  
REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT  
STATE OF ARIZONA  
NO. 10000  
EXPIRES 12/31/22

**REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT**  
STATE OF ARIZONA  
NO. 10000  
EXPIRES 12/31/22

ARIZONA

## CONCEPTUAL SITE PLAN FOR 6844 S. 27TH AVE PHOENIX

PROJECT NO. 2110550  
DRAWING NO. 00000  
DATE: 12/09/21  
DESIGNED BY: LPS/3MR  
CHECKED BY: JAC/3MR  
REVISIONS:

SHEET NO.  
**CSP**  
1 OF 1  
CONCEPTUAL  
SITE PLAN

**CITY OF PHOENIX**  
MAR 20 2023  
Planning & Development  
Department



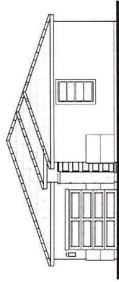


OCT 10 2022

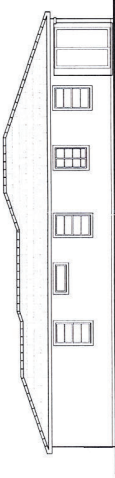
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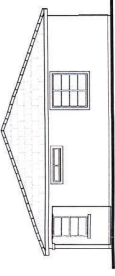
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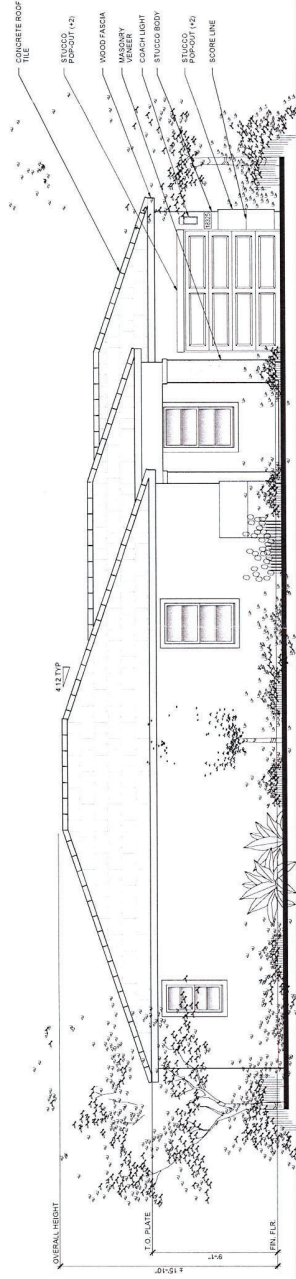
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CITY OF PHOENIX

OCT 10 2022

Planning & Development  
Department

PLAN 1 | 4 PACK SFD | PHOENIX, AZ

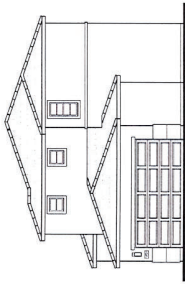
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27th Southern LLC  
2410 E Osborn Road, Suite #200  
Phoenix, AZ 85016

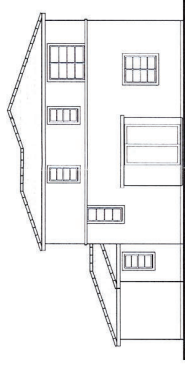
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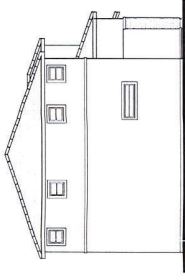
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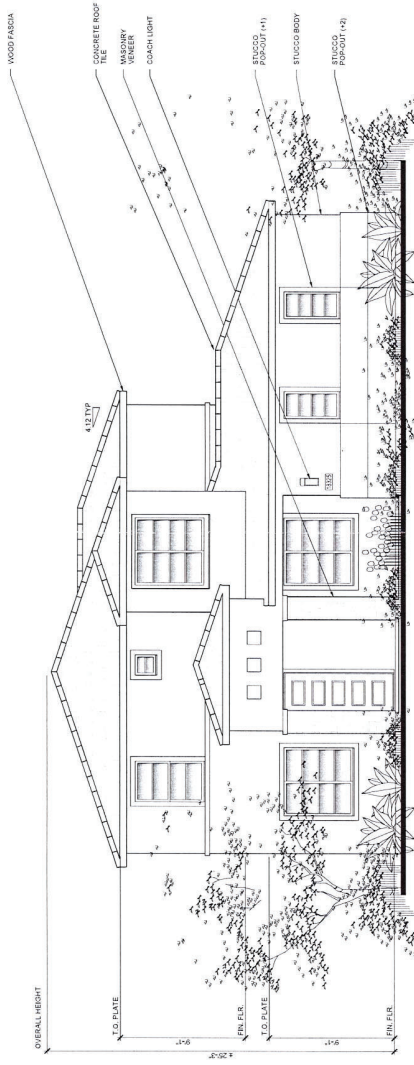
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FRONT ELEVATION  
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CITY OF PHOENIX  
OCT 10 2022

Planning & Development  
Department

PLAN 2 | 4 PACK SFD | PHOENIX, AZ

27th Southern LLC  
2410 E Osborn Road, Suite #200  
Phoenix, AZ 85016

8-12-2022

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## Nayeli Sanchez Luna

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**From:** Clifford Mattice <matticegroup@gmail.com>  
**Sent:** Tuesday, November 8, 2022 2:41 PM  
**To:** Enrique A Bojorquez-Gaxiola; Jennifer Hall; Clifford Mattice  
**Subject:** Lot 4 2810 W Harvest Groves Lane Zoning Protest Against Rezoning Application Case Z-77-22 and Public Records Request

Planning Department:

Please insert this zoning protest opposing the rezoning applied for in Case No. Z-77-22 to change the designation from S-1 to R1-8 PRD in all packets, attachments, written communications provided to City staff, committee members, commission members and members of the City Council as part of the public record/ application for not only the currently scheduled neighborhood meeting, but also any planning or legislative meetings and/or hearings for this application/case.

We are opposed to the application for rezoning, request that a recommendation of denial be asserted by the City's professional staff, and request the application be denied.

Our family house is on an oversized residential plot as part of 10 oversized lots that contain substantial, preserved open space occupied by hundreds of mature pecan trees which in turn are home to a variety of species, including owls, hawks, a multitude of bird species and coyotes. The proposed use/application/rezoning ("Rezoning Use"), would allow a substantial increase in density and use immediately adjacent to our backyard and the back fence of seven of our neighbors' properties, and our HOA community property. The previous ranch operations on the subject property of the Rezoning Use was consistent with the City's current zoning designation, planning documents, and the densities and uses of our Laveen Village neighborhood, including the surrounding single-family properties, ranch properties, bridal path on 27th Avenue and neighborhood schools. The Rezoning Use essentially proposes a multi-family density and use that is completely out of character for the neighborhood which contains the Arizona Lutheran school and extremely popular Venue at the Grove wedding site established in 2009 (which owns the property near and adjacent to this Rezoning Use). Our small community in the pecan orchard not only fits into the historic ranch and equestrian character of Laveen, but also enjoys in very close proximity: South Mountain, Corona Ranch, the Venue at the Grove, Arizona Lutheran Academy, operating horse ranches, cotton fields and extensive bridal paths. The Rezoning Use is not consistent with the uses, densities or character of this agrarian, rural village with its long-standing identity defined by farming, ranching and open space.

The Rezoning Use is incompatible with the uses and zoning of its adjacent and neighboring property, the City's planning and zoning policies and the City's capacity to serve denser uses in a growing population. The Rezoning Use will detrimentally impact our property, our neighbors' property in the Harvest Groves and surrounding properties by creating:

Densities and Uses contrary to the neighborhood's expectation that the policies and guidelines of the Laveen Village Character Plan will control future growth in the neighborhood.

Densities and Uses incompatible with the density and use of adjacent and surrounding property in the neighborhood.  
Densities and Uses that will diminish the value and desirability of adjacent and surrounding property-residential and commercial.

Densities and Uses that are inconsistent with the planning and zoning guidelines for the Laveen Village Character Plan.  
Increased traffic on 27th Avenue, Baseline Road, Southern Road, Dobbins Road and congestion on these roads during peak and off-peak times.

Densities and Uses that are contrary to Laveen's "small town" character and rural, agricultural heritage and current uses.  
Increased noise that is not agricultural in nature and inconsistent with the nature of the Laveen Village.

Limits to the range of housing types and densities by eliminating large lot residential housing options in the Laveen Village and eliminating ranch and/or agricultural uses.

Detracting from future development in Laveen by creating densities and uses that degrade, devalue and eliminate the rural, agricultural uses and character of adjacent and area properties.

Strains on the limited and reduced resources of the City and County fire department, police department and utilities department.

Additional burdens on the availability of water resources for City residents and the City of Phoenix beyond the current levels planned for the Laveen Village.

A lack of current development for ranch and agricultural uses in the neighborhood and Laveen Village.

According to the City's Laveen Village Character Plan, **this neighborhood is 61% 0-5 du/acre (in stark contrast to the Rezoning Use); 17% Parks/Open Space and contains 69 miles of multi-use paths for horses, hikes and cyclists.** In fact the rural, agricultural character of the neighborhood is also recognized in the City's planning document as approximately 5, 778 acres or 30% of Laveen Village as county jurisdiction. The City's planning rules require projects to be compatible with: "Rural, equestrian and agricultural lifestyle"; the "long history as an agricultural community"; "adopted rural development guidelines"; "rural character"; "rural character blended with new development"; establishment of "Baseline Road and Dobbins Road Scenic drives"; "multi-use trails and canals". The Rezoning Use is contrary to all of these elements.

The Rezoning Use is incompatible with the City's Southwest Growth Study created in 1998 which guides land use decisions within Laveen Village with objectives demanding new land uses that:

1. "Prepare design guidelines and development standards that encourage development that is both sympathetic and responds to the area's cultural, historical and agricultural assets." The Rezoning Use is contrary to the area's cultural, historical and agricultural assets such as ranch uses, horse riding, horse training, sheep herding, cotton farming, and orchard operations.

2." Identify needs and methods for providing public services and facilities." The Rezoning Use further strains the already overwhelmed fire and police department assets in the neighborhood.

3."Establish an appropriate and balanced housing mix that also encourages development that protects existing residential lifestyles and natural resources". The common areas of the Groves Association property which contains multiple acres of a mature and producing pecan trees has already suffered the encroachment of high density housing along its southern fence line by City or County approvals and development of high, density housing without buffering to our property. That housing development receives the benefit of the Groves' orchard without having to pay for its maintenance. Our Groves community already essentially has another adjacent subdivision on the entire south fence line utilizing our property as open space for their backyards. The Rezoning Use would result in yet another adjacent housing development on the north fence line encroaching closely to our property with incompatible uses and densities devaluing our property and rendering it less desirable to live in. The Rezoning Use is also incompatible with the agricultural and single family residential use of our property.

The Rezoning Use is further inconsistent with the City's expressed development objectives: to protect residential areas from concentrations of incompatible land uses that could change their character and destabilize land values; promote site development and land use which protects the natural environment by preserving vegetation and surface water, minimizes disturbances to the existing terrain; requiring housing development that promotes large lot size; and design that mitigates traffic impacts and noise impacts. The Rezoning Use also fails to "promote neighborhood identity through planning that reinforces the existing landscaping and character of the area." Small houses with shared driveways packed into tiny lots served by a bottle-necked entryway onto 27th Avenue is not representative of the character of our neighborhood.

And finally, the Rezoning Use fails to satisfy the City's objective that **"Each new development should contribute to the character identified for the village."**

Because the proposed rezoning would cause multiple detrimental impacts (based on uses, densities, design) to our property, other adjacent property, the neighborhood and the Laveen Village, we oppose and protest the application in its entirety and request that the application be denied at all stages of review. We further respectfully request that the City's officials, including the planning professionals, utility professionals, fire and police professionals all recommend denial for this application.

Additionally, we request a copy of all records, including but not limited to the application and email correspondence related to this case, including reports, memoranda and communications by, from or through all City staff and elected, eappointed officials.

Cliff and Melissa Mattice  
2810 West Harvest Groves Lane

**From:** [Edward Olaya](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#); [Jennifer Hall](#)  
**Subject:** Zoning Protest Against Rezoning Application Case Z-77-22  
**Date:** Saturday, November 19, 2022 1:28:06 AM

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Planning Department:

Please insert this zoning protest opposing the rezoning applied for in Case No. Z-77-22 (6844 S. 27th Ave) to change the designation from S-1 to R1-8 PRD in all packets, attachments, written communications provided to City staff, committee members, commission members and members of the City Council as part of the public record/application for any planning or legislative meetings and/or hearings for this application/case.

I own the following residential and commercial property adjacent and near the property requesting the rezoning:

- 1) 6848 South 27<sup>th</sup> Avenue Phoenix, AZ 85041 (Residential)
- 2) 7010 South 27<sup>th</sup> Avenue Phoenix, AZ 85041 (Commercial)
- 3) 7032 South 27<sup>th</sup> Avenue Phoenix, AZ 85041 (Residential)
- 4) 7110 South 27<sup>th</sup> Avenue Phoenix, AZ 85041 (Vacant Land)

Below are the reasons for opposition.

### **Density**

The “townhome” layout of 40 homes on 7.8 acres is out of reason for the surrounding area. Many homes in the area are larger than the proposed lot sizes (2,600 sq ft) of this community. The parking of any additional vehicles in the community is going to spill over on the only road in the community causing a danger to any need of City of Phoenix emergency vehicles entering the community. I have personally seen the decline in brand new neighborhoods due to similar layouts. In these highly dense communities the road is constantly filled with additional vehicles parked in streets because the lack of driveways/garages aren’t big enough to withstand multiple vehicles from the home and their visitors.

### **Noise**

There is a 250-foot stretch of roadway that is sandwiched between two residential homes that will need to be driven through before even getting into the proposed community of homes. According to the traffic study, it is estimated that there will be 72 vehicles entering and exiting that 250-foot stretch of road each day. This 250-foot stretch covers the complete length of my home that sits on 1 acre. All the bedrooms of my home are on the side adjacent to this road, therefore I will have constant traffic surrounding my home from the north (community road) and the east (27th Avenue). This would be a large increase in traffic noise.

Also, there will be an increase of general noise coming from 40 homes being packed in a small area.

## Character of Area

The Rezoning Use is inconsistent with the character of the surrounding irrigated, rural area with its long-standing identity defined by open space and farming/ranching. The proposed rezoning and layout will devalue the adjacent Harvest Groves community by putting “townhome” like homes adjacent to their custom homes and surrounding acreage homes.

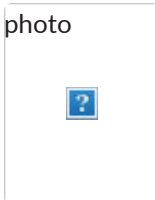
I understand the progression of development and am for working together to create a community that elevates and enhances this unique area. The way this development is proposed is far from it. I strongly oppose the application and request that it be denied before moving any further in the rezoning process.

Sincerely,

Edward Olaya

--

photo



### Edward Olaya

Owner, Olaya Events & Company

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602.799.9859 | [edward@olayaevents.com](mailto:edward@olayaevents.com)

[www.olayaevents.com](http://www.olayaevents.com) [olayaevents.com]

7010 South 27th Avenue, Phoenix, AZ 85041



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





July 9, 2023

Re: Rezoning application Z-77-22.

To Nayeli Sanchez Luna and the Laveen Village Planning Committee,

I own 3 residential properties and 1 commercial property along 27<sup>th</sup> Avenue between Baseline Road and Southern Avenue equating to approximately 6 acres of land. Two of my properties, the commercial property (7010 South 27<sup>th</sup> Avenue) and one of the residential properties (6848 South 27<sup>th</sup> Avenue) are directly adjacent to the land that is requesting to be rezoned.

I am writing to express my **strong objection** of rezoning application Z-77-22 due to its high-density proposal. This type of development will negatively impact the surrounding area and is an example of a developer trying to put as many homes as possible into a flag lot to maximize their financial benefit.

The entrance and exit of the proposed property will closely be sandwiched between my residential home and another home. The amount of traffic noise and disturbance will negatively impact quality of life. Furthermore, the layout of the lot is one way in and one way out. The more homes, the more difficult it will be for fire department, police, garbage trucks, delivery trucks, and even the homeowners to safely enter and exit when cars park along the single road. We see cars parked on roads in other communities, imagine what this single road would look like and the congestion it will cause.

The way this development is proposed is a huge mismatch to the shape of the parcel. I and others in our community have expressed to the developer that we understand development is inevitable. A better fit for this type of lot would be a density of around 20 homes. Please join the surrounding community in requesting that the developer go back and reduce the density to build a community that Laveen would be proud of and that will enhance the area and property values.

Thank you for your time,

Edward Olaya, Owner  
Venue at the Grove  
7010 South 27<sup>th</sup> Avenue  
Phoenix, AZ 85041  
602-799-9859

**CITY OF PHOENIX**

**JUL 09 2023**

**Planning & Development  
Department**

Case No. Z-77-22

7/10/23 Reopening 27<sup>th</sup> Ave

① Cliff & Melissa Mattice - Neighbor Opposed  
2810 W. Harvest Groves Lane  
602 326-1148 602 628-4644  
matticegroup@gmail.com

David Yeager  
David@OLAYAEvents.com  
928-965-0872

**CITY OF PHOENIX**

Tony Colio  
2818 W. HARVEST GROVES LN  
602 290 3484 tcolio1@gmail.com

JUL 09 2023

**Planning & Development  
Department**

Teresa Dickinson  
7426 S 27th Ave, Phx AZ 85041 602 705-1136

Margie Colio 602 550 7127  
Margiecolio@gmail.com  
Tony Colio tcolio1@gmail.com

Nancy Arora njganora@gmail.com  
520-204-3514

Liana & Jorge Enriquez  
JL Enriquez21@gmail.com W Harvest Groves  
Jorge 480 285 5092  
Liana 602 614 5055



July 10<sup>th</sup>, 2023

Nayeli Sanchez Luna

Planning Department – City of Phoenix

Re: 27<sup>th</sup> and Southern Case #Z-77-22

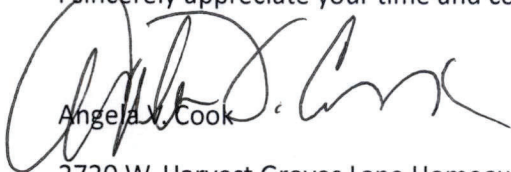
Dear Ms. Luna,

I ask that this letter be put in the file and be read on record at the meeting being conducted this evening with the Rose Law group, as I am unable to physically attend.

I am the owner of 2720 W. Harvest Groves Lane, Phoenix, AZ 85041, I am opposed to the volume of homes currently planned to be constructed behind my home. I purchased this home as a retirement home for my mother and as an investment in my future, both of which are at risk due to the proposal of these homes.

I am asking that the approval include that the new community be of fewer homes on larger lots and within a gated community.

I sincerely appreciate your time and consideration

A handwritten signature in black ink, appearing to read 'Angela V. Cook', is written over the printed name.

2720 W. Harvest Groves Lane Homeowner

**From:** [JorgeLiAna Enriquez](#)  
**To:** [Nayeli Sanchez Luna](#)  
**Cc:** [JorgeLiAna Enriquez](#); [PDD Long Range Planning](#)  
**Subject:** Re: case #Z-77-22  
**Date:** Monday, July 10, 2023 6:22:33 PM

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Good afternoon,

This is LiAna and Jorge Enriquez. We reside within Harvest Groves (2826). And I, Jorge am the President of the HOA, I am also a Battalion Chief for Phoenix Fire in charge of all of South District which includes the area of this proposed development.

We are writing as a follow-up to a voicemail left with Nayeli. We would like it noted as part of public record (and if possible read during tonight's meeting) that we are vehemently opposed to the current proposed project and rezoning application (Z-77-22) mainly due to high density.

Personally- we are against it because of safety concerns, the amount of high traffic, and the fact that this may substantially impact our property values. We live within 8-acres (as well) with only 10 home sites designated. Parking and traffic flow proves difficult at times even with this low density. This developer wants to jam 36 homes onto the same acreage—this will have a substantial negative impact to not only our community, our safety, traffic flow, noise, and public safety services. There is a one way in and one way out layout that will make it extremely difficult for Public safety (fire trucks & PD), garbage and utility vehicles to safely enter and exit, especially with anticipated cars parked in the street, there will be no room.

Additionally, our community, as well as the community south of Harvest Groves is a gated community, currently this planned development does not include a gate for the community which creates major safety concerns. We'd like to see reduced density and a gate.

Professionally, as a Battalion Chief for this area and a 33-year veteran in the fire service, in my experience these types of communities, with such high density and this type of layout, have proven extremely challenging to properly enter and exit during an emergency.

In the event of a fire, the fire department dispatches a minimum of of Seven (7) fire department vehicles to the scene, this layout makes it nearly impossible to safely enter and navigate.

Also, with such high density, in the event of a fire to one home the possibility of extending to another home substantially increases.

As a Command Officer, my job is to mitigate risk at all times for the citizens, the city, for the Fire Department and for our members. A development of this type—high density and narrow paths creates a major risk for all stakeholders involved.

Additionally, there just doesn't seem to be adequate public services, especially police force to keep up with adding such high density of homes in the area. Safety, congestion, and noise is a major concern for us and will negatively impact our quality of life.

Also, 27th Avenue is not suited to sustain a large volume of traffic flow, there are two schools within the vicinity (just north of this proposed development) that creates traffic jams during the school year (it appears the traffic survey was done during the time school was not in session).

Also this plan just doesn't fit within the Laveen Villages Plan. For all these reasons we are requesting a substantial reduction of density, as well as to make this a gated community.

Respectfully,  
Jorge & LiAna Enriquez  
(480) 285-5092  
Harvest Groves resident

To: Councilwoman Washington

Re: Re-zoning Case Z-77-22-8

I am the owner of 6828 S 27<sup>th</sup> Ave, the neighboring property to the 7.68 acres of land that is currently trying to rezone from S-1 (Ranch or Farm Residence) to R1-8. This rezoning would result in 38 single-family residence, and I personally would share a wall with 17 of those homes. The wall of homes that shares our property are planned to be all two-story homes to make matters worse. I understand the progression of development in the Laveen area and am for working together to create a community that elevates and enhances this unique area but have serious concerns for this particular development.

### **Character of Area**

Laveen has experienced explosive residential growth which helps fuel our local economy but also starts to diminish what was once coveted as a farming community. Our properties along 27<sup>th</sup> are long, narrow lots that have grandfathered flood irrigation water rights and allow us to farm and raise animals and preserve some of our native wildlife. The proposed rezoning is very different than the adjacent properties and attempts to build 38 homes into less than 8 acres of narrow land. They already have the ability to build 8 homes on that property which would be in line with the adjacent ranch homes.

We purchased our property to be an oasis of agriculture for our growing family with future plans to grow for a farmers' market and fuel the economy through agriculture - a piece of AZ's history that is quickly becoming developed into houses and commercial real estate. Our 4.5 acres of land that we have thoughtfully planned to be orchards, gardens and learning area for local schools and our own children, will be next door to two story homes lining our entire wall. We will go from having a quiet, agriculturally rich neighborhood to 38 bustling homes and all of the noise, traffic and visual disturbance that goes along with that. This will devalue our property which we never plan to develop into a conglomerate of homes and take away the authenticity of this area.

### **Traffic and Congestion**

We are located off a busy, main thoroughfare on 27<sup>th</sup> Ave and parking any additional vehicles in the community will inevitably spill over onto the road. This presents a danger to any City of Phoenix emergency vehicles entering the community and/or driving down 27<sup>th</sup> Ave and pedestrians walking or riding their bikes along the road.

### **Noise**

There are three times as many homes they are trying to build as the homes adjacent to this space and they will be seriously impacted by the noise of these residences on top of the noise that will reach the adjacent community. In addition, the roadway needed to get into the residences will have an estimated 72+ vehicles per day entering and exiting (according to the traffic study) causing a considerable amount of traffic and subsequent noise.

### **Safety**

We have numerous schools in close proximity to this build (Bernard Black Elementary, Arizona Lutheran Academy and Sun Valley Academy) and many of the pedestrians and traffic driving along 27<sup>th</sup> are students/parents with students. This street already has an issue with people speeding and not slowing in the school zone, so I can only imagine what 70+ more vehicles will bring.

Our fire and police staffing in District 8 is already compromised with the new developments in our area and this will put immense stress on our resources to help people in need. 36 homes in close proximity to one another and surrounded by agricultural land could create a dangerous situation for all in the area. Additionally, the roadway for a fire truck to get in and out into this community, especially if cars are parked along the street is very narrow and should be assessed for safety.

I strongly oppose the application and request that the rezoning request be denied. If a community of homes must be built in this space, I am proposing it be kept at current zoning in order to uphold the integrity of the agricultural history in this neighborhood or at most R1-18.

Lastly, I would like to make mention that we have had dozens of neighbors write letters in opposition to this but we only see one that is filed with the proposal for the community. I believe many of the letters may have been sent to the prior law team but I can't be certain. There is serious neighborhood opposition, and one letter is not giving the appropriate response that this rezoning proposition is having. I have asked our neighbors to resend but wanted you to be aware.

Sincerely,

Bridget and Matt Daley

## Nayeli Sanchez Luna

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**From:** Margie Colio <margiecolio@gmail.com>  
**Sent:** Wednesday, September 6, 2023 1:03 PM  
**To:** PDD Laveen VPC; council.district8@phoenix.gov; council.district7@phoenix.gov; Racelle Escobar; Nayeli Sanchez Luna  
**Subject:** opposing the rezoning for in Case No. Z-77-22 (6844 S. 27th Ave)

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

Planning Department and Council People,

Please insert this zoning protest opposing the rezoning applied for in Case No. Z-77-22 (6844 S. 27th Ave) to change the designation from S-1 to R1-8 PRD in all packets, attachments, written communications provided to City staff, committee members, commission members and members of the City Council as part of the public record/ application for any planning or legislative meetings and/or hearings for this application/case.

Below are the reasons I strongly oppose this rezoning:

### 1. Density

The 33 single-family residences proposed on 7.8 acres is out of reason for the surrounding area. The rezoning ordinance if granted creates density much higher than the existing residential Ranch property and ranch uses immediately to the north and south of the lot. All surrounding homes on 27th Ave are larger lots that preserve the rich agriculture history of this area.

### 2. Noise

There are three times as many homes as the homes adjacent to this space and they will be seriously impacted by the noise of these residences on top of the noise that will reach the adjacent community. In addition, the roadway needed to get into the residences will have an estimated 72+ vehicles per day entering and exiting (according to the traffic study) causing a considerable amount of traffic and subsequent noise.

### 3. Safety

There are numerous safety concerns with 36 new homes in a small piece of land coming to our Laveen neighborhood.

### Adjacent Schools (Bernard Black Elementary & Arizona Lutheran Academy)

We have two schools off of 27<sup>th</sup> Ave, which is already becoming an increasingly busy thoroughfare, often with people speeding through a 15MPH school zone. Adding 70+ vehicles per day to this road will cause safety concerns for pedestrians and these schools that have children coming and going. There is no wide walkway along 27<sup>th</sup> Ave adding to the concerns for safety.

### Fire and Police Support

Our fire and police staffing in District 8 is already compromised with the new developments in our area and this will put immense stress on our resources to help people in need. Phoenix Fire Department is 44% below response time goal and response times for EMS is 83% lower than goal. 36 homes in close proximity to one another and surrounded by agricultural land could create a dangerous situation for all in the area. Additionally, the roadway for a fire truck to get in and out into this community, especially if cars are parked along the street will create a huge risk.

### Vehicle Traffic

We are located off a busy, main thoroughfare on 27<sup>th</sup> Ave and parking any additional vehicles in the community will inevitably spill over onto the road. This presents a danger to any City of Phoenix emergency vehicles entering the community. There are already a number of cars swiped by fire trucks on 27<sup>th</sup> as they rush to emergencies and the City of Phoenix is the one that foots that bill.

#### **4. Loss of Farming and Agriculture**

It is no secret in Arizona that agriculture is in a losing battle with urban development and this plot of land is not only zoned for agriculture and farming, but has precious water rights with flood irrigation. This property will forever lose its ability to give back to the community in a meaningful way and its many residences will take more resources that Arizona continues to struggle to provide its communities (local food and water to grow). Additionally, this property has, for decades, been home to wildlife and packs of coyotes. No matter the outcome or number of homes, assessments on wildlife such as burrowing owls and coyotes must be taken into consideration and plans to mitigate the loss of habitat taken into account. We understand that a developer is seeking to build as many homes as possible on this land, however it's possible to still preserve agricultural land if the lots are larger with fewer homes.

#### **5. Character of Area**

The Rezoning Use is inconsistent with the character of the surrounding flood irrigated, rural area with its long-standing identity defined by open space and farming/ranching. The proposed rezoning and layout will devalue the adjacent Harvest Groves community as well as the two properties to the North (6828 S 27<sup>th</sup> Ave and 6832 S 27<sup>th</sup> Ave) by putting this community adjacent to their custom homes and surrounding acreage homes. I understand the progression of development and am for working together to create a community that elevates and enhances this unique area. The way this development is proposed is far from it.

**What we propose instead:** I strongly oppose the application and seek to have this re-evaluated and kept at the current zoning. This would ensure the integrity of the area upheld, with homes on an acre of property as well as ensure the burden on the community and local PD and Fire is lessened.

Sincerely,

Margie Colio  
2818 W Harvest Groves LN  
Phoenix, AZ 85041