

ATTACHMENT B



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-74-22-8 February 10, 2023

Laveen Village Planning Committee February 13, 2023

Meeting Date:

Planning Commission Hearing Date: March 2, 2023

Request From: S-1 (Ranch or Farm Residence) (9.78 acres)
Request To: R1-10 (Single-Family Residence District) (9.78 acres)
Proposed Use: Single-family residential
Location: Approximately 340 feet north of the northwest corner of 27th Avenue and Baseline Road
Owner: Hilario Casillas
Representative/Applicant: Francisco Badilla
Staff Recommendation: Approval, subject to stipulations

General Plan Conformity

<u>General Plan Land Use Designation</u>		Residential 0 to 1 dwelling units per acre	
<u>Street Map Classification</u>	Ellis Street	Local	0-foot south half street
	27th Avenue	Arterial	55-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 adjacent uses and zoning districts and is respectable of local conditions by providing large lots and as stipulated, elevations that are consistent with the neighborhood character.

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

The proposed development will provide connections along Ellis Street which connects to the multi-use trail to the south, along Baseline Road. This trail will serve as a

corridor for alternative modes of transportation and active recreation for residents of the proposed development.

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

The proposed development, as stipulated and as required by the Phoenix Zoning Ordinance, will be required to provide shade along the adjacent public and private sidewalks and internal pedestrian pathways. This will help to provide shade for pedestrians and bicyclists in and around the community for user comfort and will help to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the vicinity.

Applicable Plan, Overlays, and Initiatives

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

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

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

[Complete Streets Guidelines](#): See Background Item No. 9.

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

Surrounding Land Uses/Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Single-family residential	S-1
North	Single-family residential	R1-10
South	Single-family residential, vacant, auto body shop, car dealer	S-1, County RU-43, County C-2
East (across 27th Avenue)	Single-family residential, retail center	R1-10, S-1 (Approved C-1)
West	Single-family residential	R1-8

R1-10 – Single-Family Residence District (Conventional Development Option)		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed Site Plan</u>
<i>Gross Acreage</i>	-	9.78 acres
Maximum Number of Units	29 units	16 units (Met)
Maximum Density (dwelling units/acre)	3.0 dwelling units per acre	1.64 dwelling units per acre (Met)
Minimum Lot Width	75 feet	41.51 feet* – 100 feet (Not Met)
Minimum Lot Depth	110 feet adjacent to freeway or arterial	162.01 feet, adjacent to arterial (Met)
Maximum Lot Coverage	Primary structure, not including attached shade structures: 40% Total: 50%	41.02% (Met)
Maximum Building Height	2 stories and 30 feet	1-story, 20 feet (Met)
<i>Minimum Perimeter Setbacks</i>		
Front	15 feet	Not Specified
Rear	15 feet (1-story) 20 feet (2-story)	25 feet (Met)
Side	10 feet (1-story) 15 feet (2-story)	25 feet (Met)
<i>Minimum Interior Building Setbacks</i>		
Front	10 feet	20 feet (Met)
Rear	10 feet	Not specified
Combined front and rear	35 feet	Not specified
Street side	10 feet	10 feet (Met)
Sides	13 feet total (3 feet minimum, unless 0 feet)	3 feet and 10 feet (Met)
Minimum Parking	32 spaces required 2 spaces per 1 dwelling unit 16 dwelling units proposed	Not specified

*Variance or site plan modification required

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 9.78 acres located approximately 340 feet north of the northwest corner of 27th Avenue and Baseline Road from S-1 (Ranch or Farm Residence) to R1-10 (Single-Family Residence District) for a 16-lot single-family residential community.

GENERAL PLAN LAND USE MAP DESIGNATION

2. The General Plan Land Use Map Designation for the subject site is Residential 0 to 1 dwelling units per acre. The proposal is inconsistent with the existing General Plan Land Use Map designation; however, a General Plan Amendment is not required since the site is under 10 acres.

The proposal is compatible with the General Plan Land Use Map designations surrounding the site. The surrounding designations are as follows:

North

Residential 3.5 to 5 dwelling units per acre

East (across 27th Avenue)

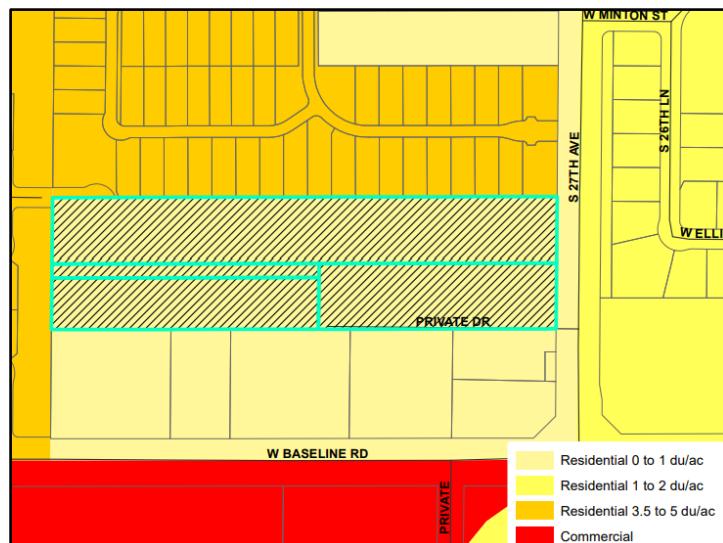
Residential 1 to 2 dwelling units per acre

South

Residential 0 to 1 dwelling units per acre

West

Residential 3.5 to 5 dwelling units per acre



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

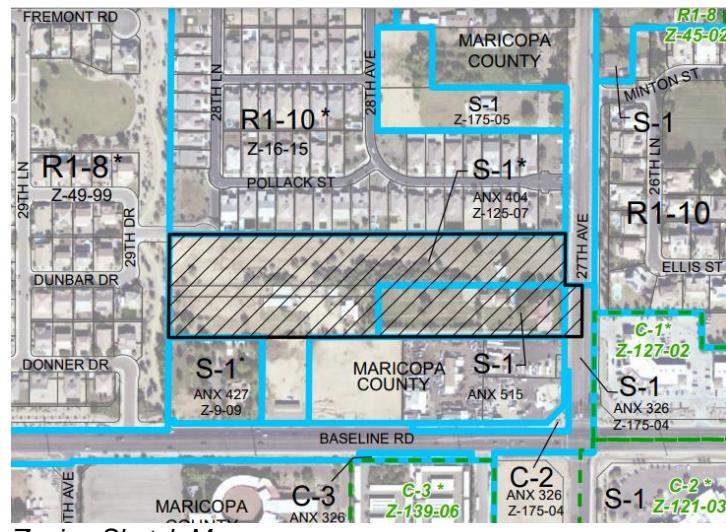
SURROUNDING LAND USES AND ZONING

3. The subject site contains a small farm and residence and is currently zoned S-1 (Ranch or Farm Residence). The request for R1-10 (Single-Family Residence District) will add to an existing housing type in the area and will be located nearby the retail center to the west.

North, east, and west of the subject site are existing single-family subdivisions, with R1-10 (Single-Family Residence District) zoning to the north and east, and R1-8 (Single-Family Residence District) zoning to the west.

East of the subject site is also a retail center, zoned S-1 (Approved C-1) (Ranch or Farm Residence, Approved Neighborhood Retail).

South of the subject site is a car dealer and auto body shop within Maricopa County, zoned County C-2, a vacant lot within Maricopa County, zoned County RU-43, and a single-family home zoned S-1 (Ranch or Farm Residence).



The proposed land use is consistent with the surrounding land uses and as currently proposed, would be an appropriate transition between large lots zoned S-1 and County RU-43 to the south and traditional lots zoned R1-10 to the north. Additionally, R1-10 zoning is consistent with the zoning designations to the north and east.

ADOPTED AREA PLANS

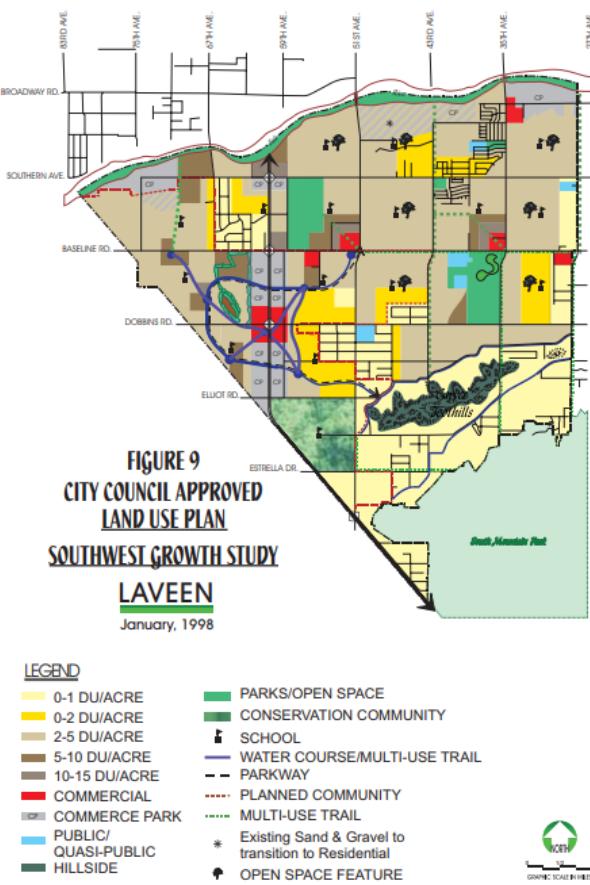
4. Laveen Southwest Growth Study

The subject 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 Residential 0 to 1 dwelling units per acre. Although not consistent with this designation, the development will incorporate enhanced landscaping along 27th Avenue, per Stipulation No. 7, an element proposed in the study to minimize the impact of housing adjacent to public rights-of-way.

The Laveen Southwest Growth Study provides a framework for an overall multi-use trail system which connects major community assets such as the Laveen Conveyance Channel, public parks and open space areas, and the South Mountain Preserve. This proposed development will be connected to the multiuse trail along Baseline Road, which will connect to destinations and promote overall trail connectivity in Laveen.

The Laveen Southwest Growth Study also outlines specific design policies and standards for various types of developments that will enhance Laveen's built environment while remaining respectful of its agricultural heritage. The study encourages all new developments to use durable, high-quality building materials and to provide enhanced building design that will contribute to the character of the area. The study also encourages residential developments to have entry features to identify themselves, including incorporating landscaping along the entry, and using open fencing, other than chain link, to help maintain Laveen's open character. Staff is recommending Stipulation No. 3 and sub-stipulation 3.a to ensure future elevations exhibit high quality architectural design and are consistent with the architectural style found in the Laveen area. Staff is also recommending Stipulation No. 5 regarding landscaping at the project entry and Stipulation No. 4 regarding partial view fencing.



* See current adopted General Plan for revised land use plan.

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

PROPOSAL

5. Site Plan

The conceptual site plan, attached as an exhibit, proposes 16 single-family residential lots. Since the site plan does not meet block design as required by Phoenix City Code, the site plan cannot be stipulated to general conformance. Variances, or site plan modifications, will also be required for the substandard lot widths noted for Lots 2, 3 and 15. For these reasons, general conformance to the site plan is not stipulated. To ensure the proposed development remains compatible with the surrounding neighborhoods, staff recommends a maximum density of two dwelling units per acre, per Stipulation No. 1. The lot along 27th Avenue will be behind a 6-foot-wide detached sidewalk with a 10-foot-wide landscape strip located between back of curb and sidewalk, planted with enhanced landscaping, per Stipulation No. 7. These requirements will provide

buffering from the street and space for tree plantings. There is one entry point to the site from Ellis Street, which will be adjacent to a retention area. The site plan depicts mostly 100-foot-wide conventional subdivision lots. Additionally, each home will incorporate a 22-foot setback for driveways, per Stipulation No. 2, to accommodate the length of oversized vehicles parked in driveways.

6. **Elevations**

The applicant submitted hand-drawn building elevations, attached as an exhibit, that were not consistent with the desired character for Laveen. As a result, staff is recommending Stipulation No. 3 requiring the applicant to present the conceptual building elevations, in addition to the conceptual landscape plan, wall plan, and signage for monument and entryway, to the Laveen Village Planning Committee and to have these plans administratively approved by the Planning Hearing Officer. Per Stipulation 3.a., the elevations should provide four-sided architecture with enhanced detailing and with a modern farmhouse design, which is a desired character for Laveen.

PLANS, OVERLAYS, AND INITATIVES

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 a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

8. **Tree and Shade Master Plan**

The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. By investing in trees and the urban forest, the city can reduce its carbon footprint, decrease energy costs, reduce storm water runoff, increase biodiversity, address the urban heat island effect, clean the air, and increase property values. In addition, trees can help to create walkable streets and vibrant pedestrian places. Staff is recommending robust tree planting standards, with larger caliper trees in the landscape strip between the sidewalk and back of curb, per Stipulation No. 7. The developer will also be required by the Phoenix Zoning Ordinance to shade sidewalks interior to the site with trees to a minimum of 50 percent shade at maturity.

9. **Complete Streets Guidelines**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. In addition to the enhanced landscaping standards and detached sidewalk (Stipulation No. 7), the development will be connected by the existing trail to the west of the site that connects to the multi-use trail along Baseline Road and to destinations in the nearby vicinity.

10. **Zero Waste PHX**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the City's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial, and mixed-use developments meeting certain criteria. The provision of recycling containers was not addressed in the applicant's submittal; however, 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 received one letter of opposition. Concerns shared were regarding vehicular access from Ellis Road, increase in traffic within the adjacent community, excess vehicle noise, pedestrian safety, potential liability issues for injured residents of the community, and increased maintenance from non-residents that do not pay HOA fees.

INTERDEPARTMENTAL COMMENTS

12. **Aviation Department**

The Aviation Department commented that the property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. This is addressed in Stipulation No. 11.

13. **Water Services Department**

The City of Phoenix Water Services Department has noted the property has existing water and sewer mains that can potentially serve the proposed development, however, water capacity is a dynamic condition that can change over time due to a variety of factors.

14. **Street Transportation Department**

The Street Transportation Department commented that the proposed site plan does not meet block design as required by Phoenix City Code, so general

conformance of site plan should not be considered. The Street Transportation Department also requested that street improvements for the portion of the west half of 27th Avenue that is not within Phoenix jurisdiction be reviewed and approved by Maricopa County, that the developer construct a 6-foot-wide detached sidewalk and minimum 10-foot-wide landscape strip located between the back of curb and sidewalk on the west side of 27th Avenue, that the developer dedicate minimum rights-of-way for the south half of Ellis Street and all local public streets, and that the streets be constructed with all required elements and to ADA requirements. These are addressed in Stipulation Nos. 6 through 10.

OTHER

15. At the neighborhood meeting held by the applicant on November 21, 2022, neighbors requested that purchasers of property within the development be notified of the high noise level generated from the Corona Ranch and Rodeo Grounds when events are held, since the subject site is within close proximity of the rodeo grounds located on the southeast corner of 29th Avenue and Baseline Road. This is addressed in Stipulation No. 12.
16. 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. 13 through 15.
17. 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. 16.
18. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The proposal is compatible with the surrounding land uses and zoning to the north, west and east.
2. The proposal will redevelop an underutilized property and provide a high quality single-family residential development which will help alleviate the housing shortage in Phoenix.
3. The stipulated landscaping and planting standards are above the required minimum standards and will make the proposal compatible with the neighboring area.

Stipulations

1. The maximum density for the project shall not exceed 2 dwelling units per acre.
2. 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.
3. The developer shall present the conceptual building elevations, landscape plan, wall plan, and signage for monument and entryway to the Laveen Village Planning Committee for review and comment prior to preliminary site plan approval through the Planning and Development Department. The conceptual elevations shall be administratively approved by the Planning Hearing Officer prior to preliminary site plan approval, with specific regard to the following elements.
 - a. The elevations shall incorporate four-sided architecture, and exterior accent materials, detailing, and color palette, with a modern farmhouse design, that conveys a sense of continuity throughout the development.
4. Partial view fencing, which may include solid columns up to 24 inches in width, shall be utilized where walls are proposed adjacent to the open space and trail to the west, as approved by Planning and Development Department.
5. Project entry/exit drives shall incorporate enhanced landscaping with a variety of at least three plant materials, with a minimum landscape area of 250 square feet, as approved by the Planning and Development Department.
6. All street improvements outside of Phoenix City limits along 27th Avenue shall be reviewed and approved by Maricopa County.

7. The developer shall construct a minimum 6-foot-wide detached sidewalk with a minimum 10-foot-wide landscape strip located between the back of curb and sidewalk along the west side of 27th Avenue, planted to the following standards, and as approved by the Planning and Development Department and Maricopa County Department of Transportation.
 - a. Minimum 2-inch caliper single-trunk, large canopy, drought-tolerant shade trees, planted 20 feet on center or equivalent groupings, to provide a minimum of 75% shade, at maturity. Shade calculations shall be based on summer solstice at noon as shown on a shading exhibit.
 - b. Drought tolerant shrubs, accents, and vegetative groundcovers to provide a minimum of 75% live coverage, at maturity.

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

8. The developer shall dedicate a minimum of 25 feet of right-of-way for the south half of Ellis Street, as approved by the Planning and Development Department.
9. The developer shall dedicate a minimum of 50-feet of right-of-way for all local public streets within the development, as approved by the Planning and Development Department.
10. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, detached sidewalks, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
11. The property owner shall record documents that disclose the existence, and operational characteristics of the City of Phoenix Sky Harbor International Airport (PHX) 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.
12. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development(s) the existence and operational characteristics of nearby existing ranchettes, animal privilege private properties and rodeo private properties that may cause adverse noise, odors, dust, and other externalities. The form and content of such documents shall be reviewed and approved by the City Attorney. Additionally, the disclosures shall be noted in the CC&Rs in a section titled "nuisances".

13. 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.
14. 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.
15. 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.
16. 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

Adrian Zambrano

February 10, 2023

Team Leader

Racelle Escolar

Exhibits

Zoning Sketch Map

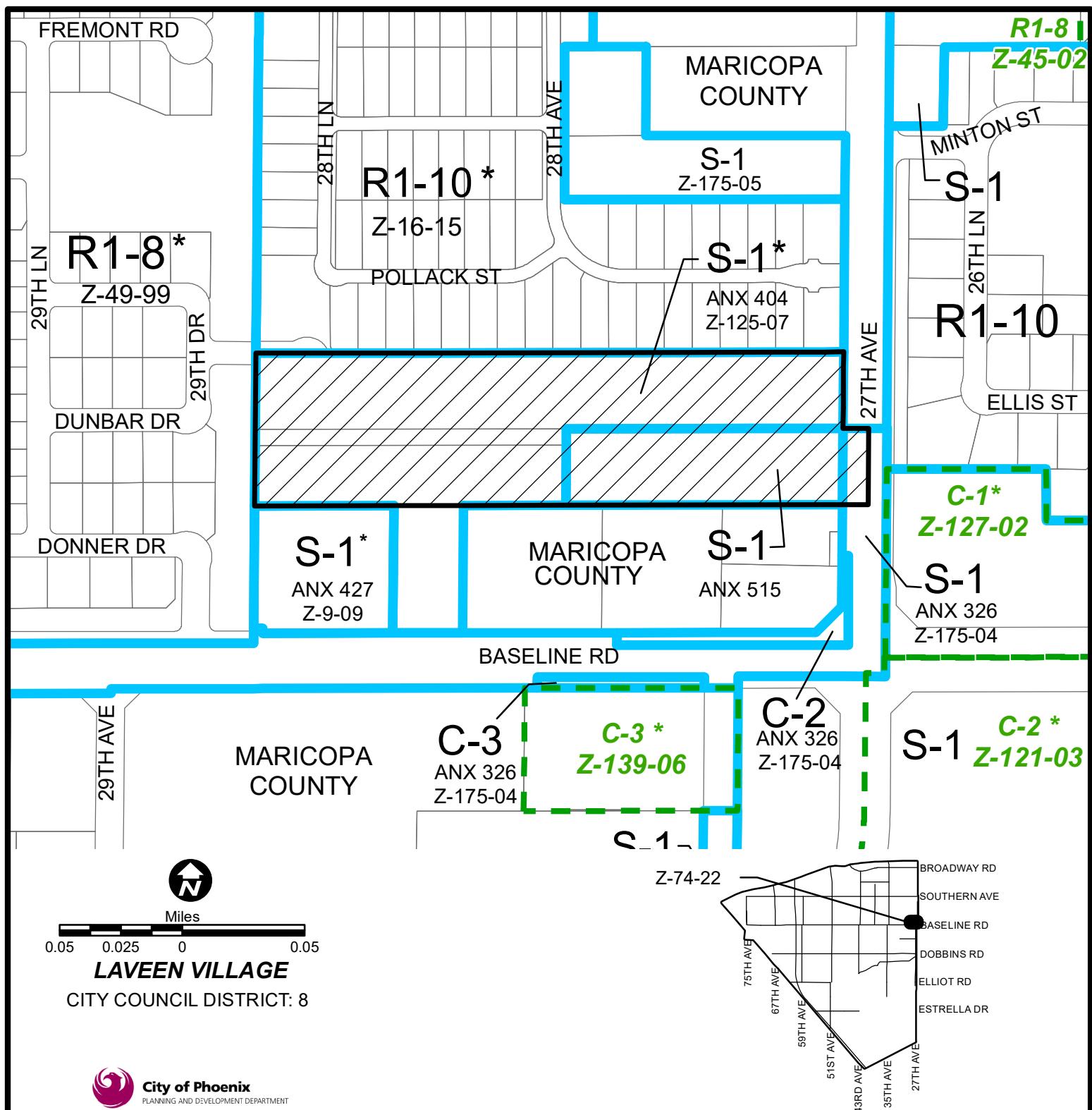
Aerial Sketch Map

Site Plan date stamped February 1, 2023 (1 page)

Preliminary Landscape Plan date stamped February 1, 2023 (1 page)

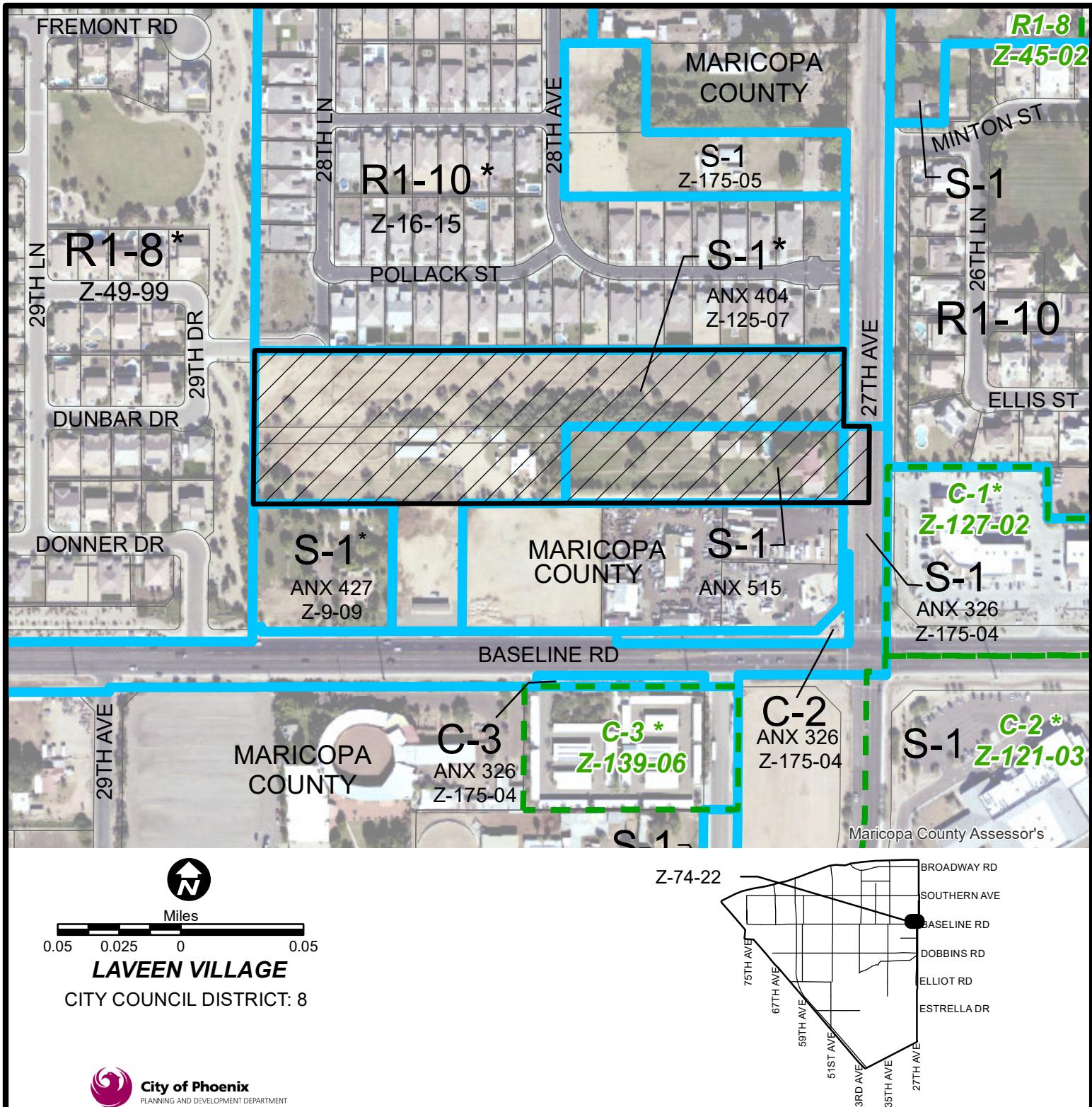
Elevations date stamped February 1, 2023 (2 pages)

Correspondence (2 pages)



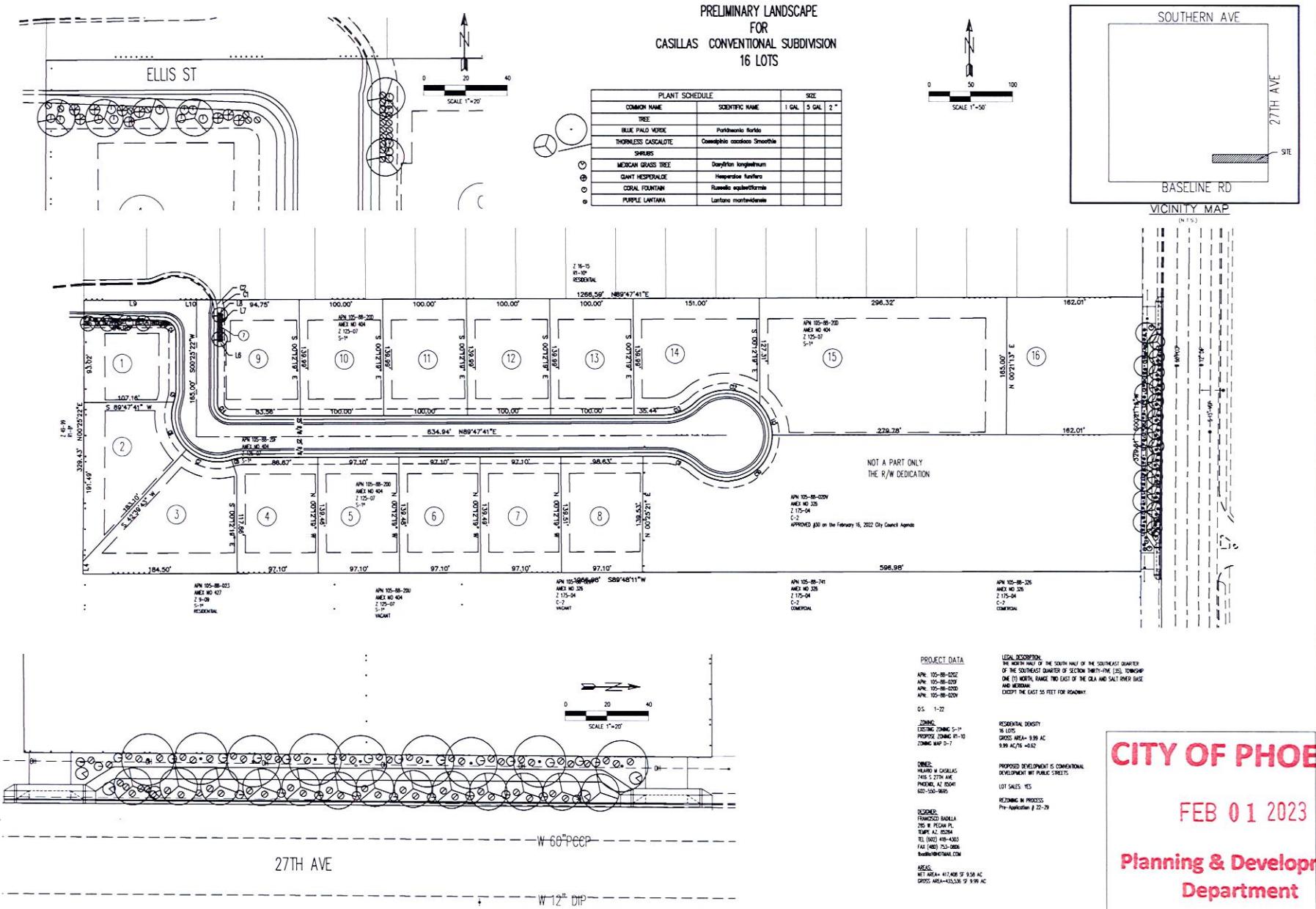
APPLICANT'S NAME:	Rodney Q. Jarvis of Earl & Curley, P.C.			REQUESTED CHANGE:
APPLICATION NO.	Z-74-22	DATE:	12/01/2022	FROM:
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.		REVISION DATES:		S-1 (9.78 a.c.)
9.78 Acres		AERIAL PHOTO & QUARTER SEC. NO. QS 1-22	ZONING MAP D-7	TO:
MULTIPLES PERMITTED		CONVENTIONAL OPTION		* UNITS P.R.D. OPTION
S-1		9		N/A
R1-10		34		44

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



APPLICANT'S NAME:	Rodney Q. Jarvis of Earl & Curley, P.C.			REQUESTED CHANGE:
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		QS 1-22	D-7	R-1-10 (9.78 a.c.)
MULTIPLES PERMITTED		CONVENTIONAL OPTION		* UNITS P.R.D. OPTION
S-1		9		N/A
R1-10		34		44

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



CITY OF PHOENIX

FEB 01 2023

Planning & Development Department

ACOSTA AND ASSOC
1825 E ADAMS ST
PHOENIX AZ 85034
6029310569

HILARIO M CASILLAS
7416 S 27TH AVE

FOR

FOR

27TH AVE AND BASELINE

AT

CASILLAS SUBDIVISION
16 LOTS

~~NO~~

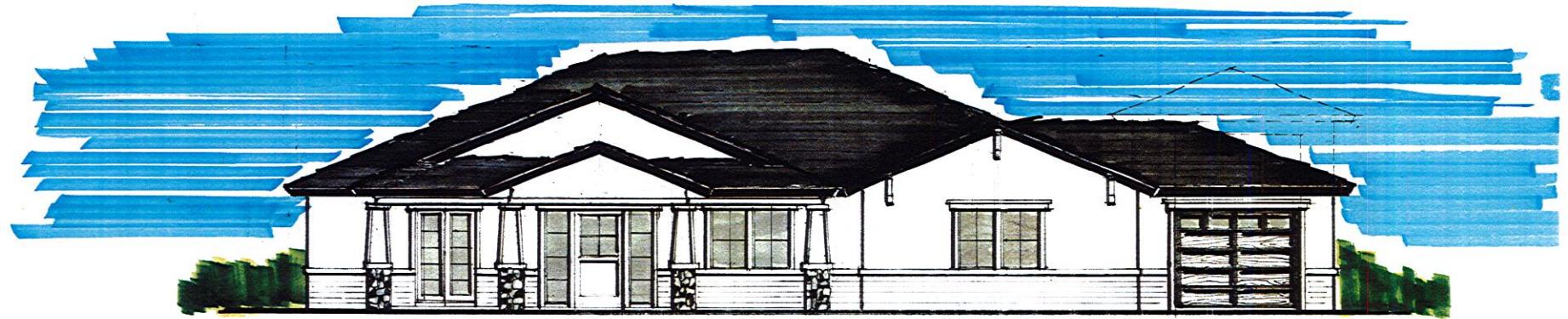
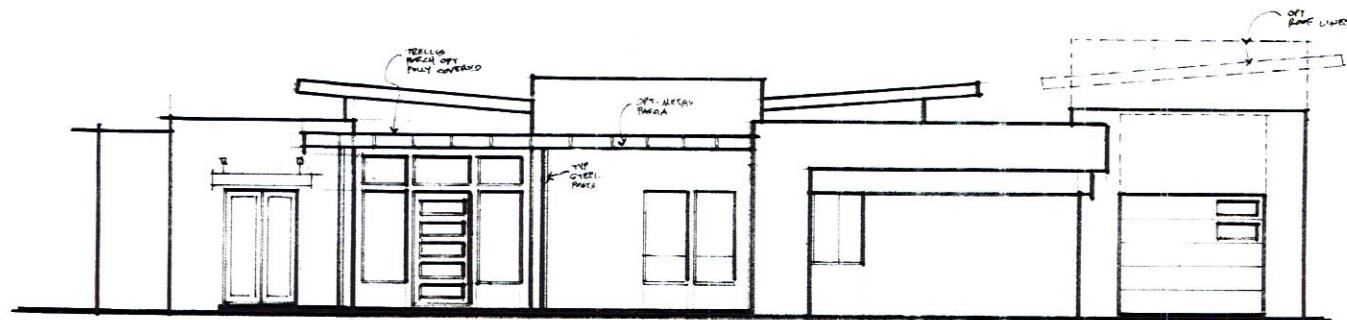
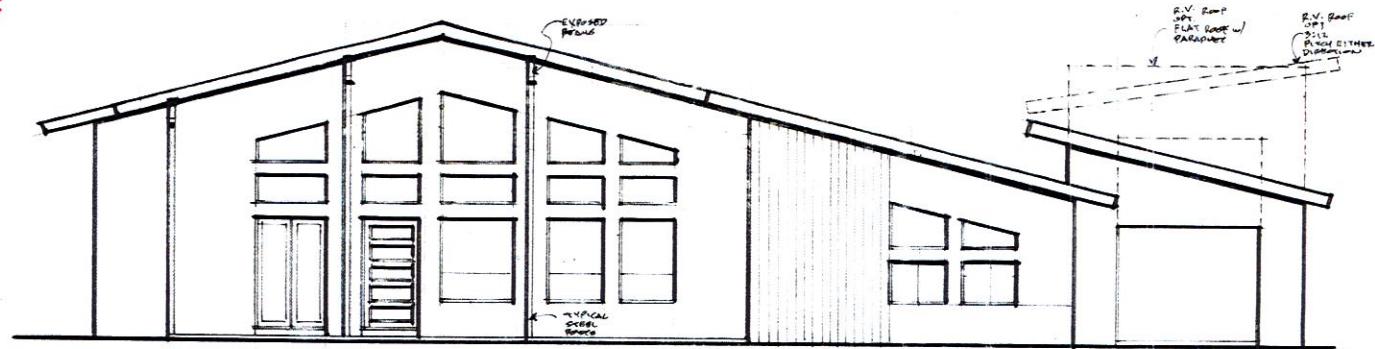
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CITY OF PHOENIX

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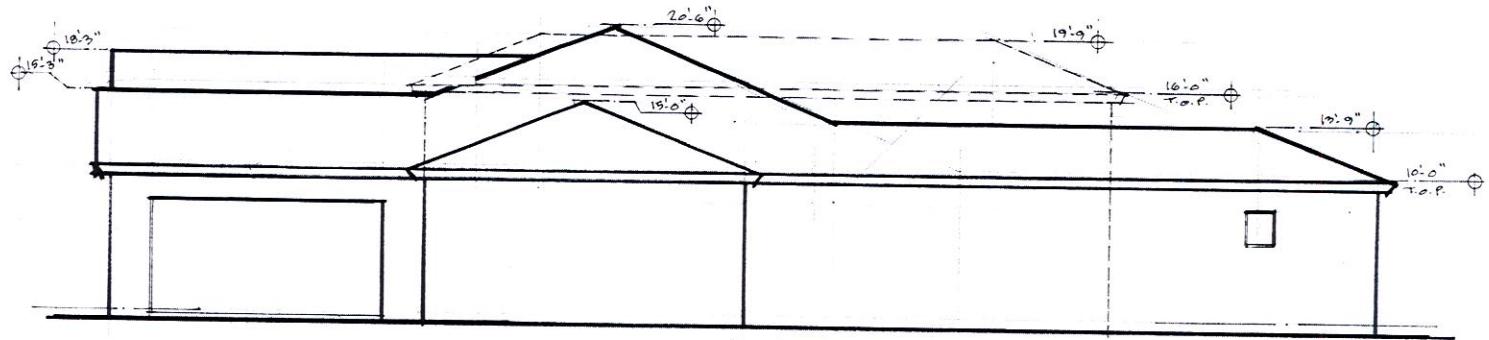


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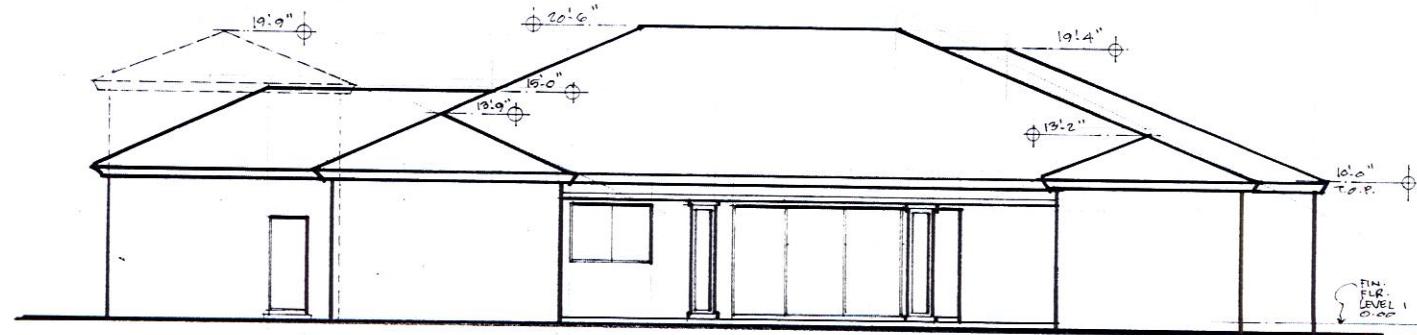
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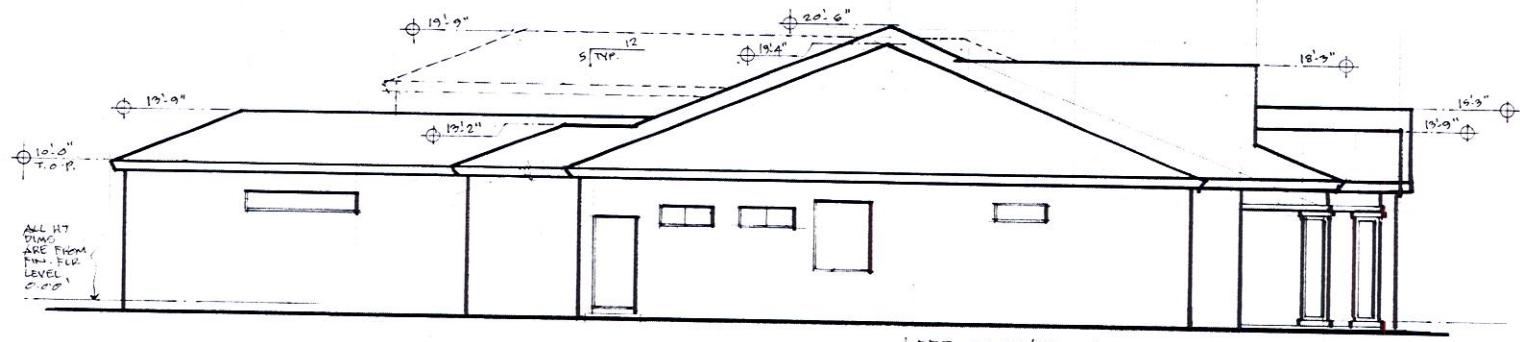
Planning & Development
Department



RIGHT ELEVATION



REAR ELEVATION



LEFT ELEVATION

SHT 2

From: [Davey Matranga](#)
To: [Adrian G Zambrano](#)
Subject: Fwd: Case Z-74-22-8; the 9.9 acre site approximately 340 feet of the NWC of 27th Ave
Date: Thursday, February 9, 2023 12:39:48 PM

I originally included you in the email but mistyped the email address.

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

From: **Davey Matranga** <davey.laveenhoa@gmail.com>
Date: Thu, Feb 9, 2023 at 12:35 PM
Subject: RE: Case Z-74-22-8; the 9.9 acre site approximately 340 feet of the NWC of 27th Ave
To: <nayeli.sanchez.luna@phoenix.gov>, <adrian.zambrano@phoenix.gov>, <LaveenVPC@phoenix.gov>, <fbadadilla1@hotmail.com>
Cc: Eric Wisniewski <Eric.laveenvillage@gmail.com>, Elizabeth Franco <efranco@oasiscommunitymanagement.com>, Melissa Crawford <mcrawford@oasiscommunitymanagement.com>

Hello,

Laveen Village HOA and its proximity residents are strongly opposed to the proposed site plan of this development.

The proposed plan is intended to utilize the existing half street improvement of Ellis Street as the only means of ingress/egress to the development. In order to access this development it requires its residents to enter through the Laveen Village subdivision from Baseline Road meandering to access its entry. This is unacceptable.

This only point of ingress/egress to the proposed subdivision creates an unnecessary increase of traffic to the residents of our community. This increased traffic can create excess vehicle noise along with safety issues for children in the area.

The Laveen Village residents pay association fees for maintenance of our community tot-lots and 5+ miles of walking trails. The proposed development would give its residents unrestricted access to our property without having to pay our HOA fees. Additionally, it creates a potential insurance liability due to potential injury of its residents on our property.

Laveen Village HOA currently shares points of ingress/egress with two other adjacent developments. We share one point with the Meridian Crossing Community at Ellis Street and one point with the Southern Vistas Community at 34th Lane. The difference with these communities is they are private gated communities with their main entry points from an arterial roadway, 27th Avenue and 35th Avenue respectively. The shared points of ingress/egress are simply secondary as required for gated community development.

We propose your site plan be redesigned in one of two ways:

1. Non-Gated Community - encompass 27th Avenue as the point of ingress/egress and do not connect to Ellis Road
- 2 Gated Community - encompass 27th Avenue as the main point of ingress/egress and utilize Ellis Road as the secondary point.

Respectfully,

Davey Matranga, President
Laveen Village HOA