Attachment B



Staff Report Z-38-21-2 August 30, 2021

Paradise Valley Village Planning August 31, 2021

Committee Meeting Date:

Planning Commission Hearing Date: September 2, 2021

Request From: PSC (Approved C-2) (12.92 acres)

Request To: R-3A (12.92 acres)

Proposed Use: Multifamily Residential

Location: Northwest corner of 34th Way and Bell

Road

Owner: Harkins Phoenix Cinemas

Applicant: Chase Courchaine

Representative: Withey Morris, PLC - Benjamin Tate

Staff Recommendation: Approval, subject to stipulations

General Plan Conformity								
General Plan Land Use Ma	ı <u>p</u>	Residential 3.5 to 5 dwelling units per acre and Commercial.						
<u>Designation</u>		Proposed (GPA-PV-2-21-2): Mixed Use (Commercial and Residential 15+ dwelling units per acre)						
	Bell Road	Major Arterial	Varies (55-foot to 90-foot wide north half-street)					
Stroot Man Classification	34th Way	Local	40 foot west half-street					
Street Map Classification	Danburry Road	Local	25-foot south and west half- street					

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Street Map Classification	Paradise	Local
Street Map Classification	Park Drive	Local

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; LAND USE PRINCIPLE: New development and expansion or redevelopment of existing development in or near residential areas should be compatible with existing uses and consistent with adopted plans.

50-foot wide cul-de-sac

radius

As stipulated, the proposed development is compatible with existing nearby uses and consistent with the North 32nd Street Policy Plan.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance.

The proposal promotes the expansion of multifamily residential land uses in the area. As stipulated, the proposed development is consistent with the scale, design, and zoning which has been approved in the surrounding area.

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 rezoning case proposes landscaping around all four sides of the building and open space areas. Detached sidewalks along 34th Way, Bell Road and Danbury Road framed with landscape strips will provide thermal comfort for pedestrians. The proposal also requires that a minimum of 75 percent of the public sidewalk along Bell Road be shaded.

Applicable Plans, Overlays, and Initiatives

Piestewa Peak Freeway Specific Plan - See Background Item No. 6

North 32nd Street Policy Plan - See Background Item No. 7

<u>Housing Phoenix Plan</u> – See Background Item No. 8

<u>Tree and Shade Master Plan</u> – See Background Item No. 9

Zero Waste PHX – See Background Item No. 10

<u>Complete Streets Guiding Principles</u> – See Background Item No. 11

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Comprehensive Bicycle Master Plan – See Background Item No. 12

Surrounding Land Uses/Zoning									
	Land Use	Zoning							
On Site	Movie theater	PSC (Planned Shopping Center), Approved C-2 (Intermediate Commercial)							
North and Northeast	Single-family residential	R1-6 (Single-Family Residence District)							
East (across 34th Way)	Restaurant and commercial retail, single-family residential	C-2 and R1-6							
Commercial uses including a church, credit union and retail shops		C-1 (Neighborhood Retail), C-O, (Commercial Office), and C-2							
West	Grocery store	C-2							

R-3A Multifamily Residence District (Subdivision Option)									
<u>Standards</u>	<u>Requirements</u>	Provisions on the Proposed Site Plan							
Gross Acreage	No minimum	12.92 acres							
Maximum Number of Units	284 units	278 units (Met)							
Maximum Dwelling Unit Density (units/gross acre)	22 dwelling units per acre	21.52 dwelling units per acre (Met)							

R-3A Multifamily Residence District (Subdivision Option)									
Minimum Building Setbacks	Front: 25 feet (Danbury Street)	Front: 25 feet (Met)							
	,	Side: 10 and 3 feet (Met)							
	Sides: 10 and 3 feet	D 45 f + (N4 - +)							
	Rear: 15 feet	Rear: 15 feet (Met)							
	Real. 15 leet								
Landscape Setbacks	Front: 25 feet (Danbury Street)	Front: 25 feet (Met)							
	,	Sides: 5 feet (Met)							
	Sides and Rear: 5 feet								
	(each)	Rear: 10 feet (Met)							

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Lot Coverage	45% maximum	35% (Met)
Maximum Building Height	3 stories or 40 foot maximum	3 stories and 37 feet (Met)
Minimum Common Areas	5% of gross site area	18.5% (Met)

Background / Issues / Analysis

1. SUBJECT SITE

This request is to rezone a 12.92-acre site, located on the northwest corner of 34th Way and Bell Road from PSC, Approved C-2 (Planned Shopping Center, approved Intermediate Commercial District) to R-3A (Multifamily Residence District) to allow a multifamily residential development.

The subject site was annexed into the City of Phoenix from Maricopa County in 1988. The site currently has a Harkins Movie Theater, which was developed in 2000.







1991

2000

Historical Aerials, Source: Maricopa County

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2. ZONING AND LAND USE

Subject Site:

The subject site is zoned PSC, approved C-2 and contains a movie theater on 12.92 acres. The site is proposed to be rezoned to allow multifamily residential.

North:

The residential subdivision, Parque Vista Estates Unit 5, to the north of the subject site was platted in 1978. The zoning designation is R1-6, approved through Annexation No. 135 (G-3118).

South:

There are five parcels to the south, across Bell Road. To the southeast the site is zoned C-1, approved through Rezoning Case No. Z-46-01. Directly south there is a parcel zoned C-O, approved through Rezoning Case No. Z-195-84. To the south and west is a



Surrounding Zoning, Source: Phoenix Planning and Development Department

large commercial center zoned C-2, approved through Rezoning Case No. Z-105-84.

West:

Immediately west of the subject site is a big box grocery store zoned C-2 through Annexation No. 106 (G-3118).

East:

The subdivision, Parque Vista Estates Unit 1, to the east of the subject site was platted in 1975. The zoning designation is of R1-6 for the single-family uses and C-2 for the commercial uses along Bell Road, approved through Annexation No. 135 (G-3118).

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GENERAL PLAN

Subject Site:

The General Plan Land Use Map designation for the subject site is Commercial on the southern half (6.81 acres) and Residential 3.5 to 5 dwelling units per acre on the northern portion (6.11 acres). A companion case, GPA-PV-2-21-2, has been submitted requesting a General Plan Land Use Map designation of Mixed Use (Commercial / Residential 15+

dwelling units per acre).

North and Northeast East:
The General Plan Land
Use Map designation for
the property to the north
and northeast is
Residential 3.5 to 5
dwelling units per acre.

South, Southeast and West

The General Plan Land Use Map designation for the properties to the south, southeast and west is Commercial.

General Plan Land Use, Map, Source: City of Phoenix Planning and Development Department

Subject Site Commercial Residential 3.5 to 5 du/ac

4. SITE PLAN

The conceptual site plan depicts sixteen buildings on the site of various heights with a proposal for 278 dwelling units. This proposal limits the number of dwellings allowed under the R-3A zoning district, which is consistent with other developments in the area. To ensure the site develops with no more than 278 units staff is recommending Stipulation No. 3. Further, staff is recommending general conformance to the site plan date stamped August 11, 2021. This is addressed in Stipulation No. 1.

Proposed access to the site is located off of Bell Road and a secondary ingress/egress point off of 34th Way. Both points of ingress/egress will include enhanced landscaping as

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recommended in Stipulation No. 4.

The conceptual site plan depicts several open space areas. Staff is recommending Stipulation No. 5, which will ensure that these open space areas come to fruition and contain residential amenities. Amenities in the open space areas will help to create a sense of community.



Conceptual Site Plan, Source: Studio 15 Architecture & Planning

5. ELEVATIONS

The proposal includes conceptual elevations that illustrate variations in roofline, window shapes and sizes, architectural embellishments and textural changes. The building height is capped at three stories and 37 feet. To ensure the elevations include architectural details, staff is recommending Stipulation No. 2.

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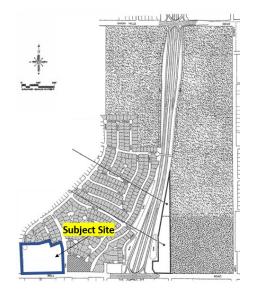
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Conceptual Elevations, Source: Studio 15 Architecture & Planning

6. Piestewa Peak Freeway Specific Plan

The subject site is located within the Piestewa Peak Freeway Specific Plan corridor, Segment 8. This segment contains a mix of City park land, a golf course, single-family residential, a high school and a small commercial development. No land use mitigation strategies were included for the subject site. The proposal will add housing options within Segment 8 transportation corridor.



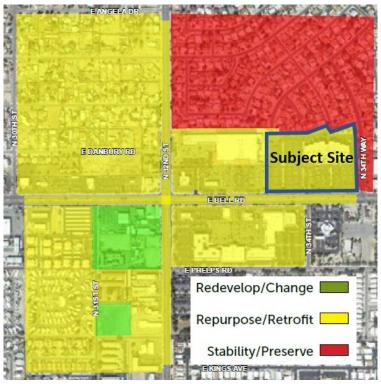
Piestewa Freeway Specific Plan, Segment 8, Source: City of Phoenix Planning and Development Department

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7. North 32nd Street Policy Plan

The subject site falls within the boundaries of the North 32nd Policy Plan ("Policy Plan") area, which is approximately from the Phoenix Mountain Preserve to the south, Loop 101 to the north, 28th Street to the west and 36th Street/State Route 51 to the east. Starting in early 2012 through more than 40 meetings, city staff worked closely with concerned property and business owners (known as the North 32nd Working Group) to develop the Policy Plan. The primary purpose of the Policy Plan is to provide guidance on appropriate locations for development and redevelopment within the North 32nd Street corridor. The Policy Plan includes the results of mapping exercises for all the major intersections within the corridor.

The subject site was identified as a Repurpose/Retrofit on the policy plan. Repurpose/Retrofit would include improvements such as, additional landscaping within the right-of-way or parking lot, adaptive reuse of structures, or adding new buildings to vacant properties or parking lots at the same scale as surrounding neighborhoods. The proposed development helps to implement the goal of revitalizing the corridor by providing sensitively-designed. new development that is compatible within the context of the surrounding area. The proposal will significantly improve a site along the North 32nd Street corridor at a major intersection and offers an additional housing option to the community.



North 32nd Street Policy Plan Segment Map, Source: City of Phoenix Planning and Development Department

8. 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

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address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

This proposal will help to meet the goals of the housing plan by reducing the gap between housing units and number of people moving to the region.

9. 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. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. Staff is recommending several stipulations designed to provide trees and enhance shade within the development. Staff is recommending stipulations for shaded and detached sidewalks along Bell Road, 34th Way and Danbury Road in addition to enhanced tree and landscape areas and planting standards along the south, east and north property lines. Further, staff is recommending all surface parking be shaded by 25 percent. These are addressed in Stipulation Nos. 7, 8, 9 and 10.

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 conceptual site plan has not indicated the location of recycling facilities as part of this project.

11. 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.

The proposal includes shaded sidewalks which will increase the thermal comfort for those walking to and from nearby transit and those patronizing local businesses. The proposal also includes several bicycle parking spaces for visitors and residents, in addition to a bicycle repair station as required in Stipulation No. 11. Further, staff is requiring pedestrian safety features such as stamped or colored concrete, decorative pavers or other materials across the driveway aisles, and clearly defined pedestrian pathways connecting building entrances to public sidewalks as outlined in Stipulation Nos. 6 and 13.

12. Comprehensive Bicycle Master Plan

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the

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development of its Bikeway System and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. Providing bicycle parking for residents and for guests of the development is supportive of multimodal travel options and will encourage residents to use biking as an alternative mode of transportation. A bicycle repair station provided on site will also promote bicycling as an alternative mode of transportation. These are addressed in Stipulation No. 11.

COMMUNITY INPUT SUMMARY

13. At the time this staff report was written, staff had received forty eight letters of concern. The concerns include increased traffic congestion, increase in crime rates in the area, lower property values resulting from the development, density concerns, price of rents and the loss of the movie theater as a community amenity. No letters of support had been received regarding the request at the time this staff report was written.

Interdepartmental Comments:

- 14. The Street Transportation Department requested detached sidewalks along all street frontages, including along Bell Road, to allow additional opportunities for shade. The Street Classification Map envisions detached sidewalks along Bell Road. Furthermore, the Street Transportation Department requested that a minimum 13-foot wide landscape strip along Bell Road, 75 percent shaded pedestrian pathway from the subject site to Bell Road and that all street improvements be constructed with all requirement elements and ADA accessibility standards. These are addressed in Stipulation Nos. 7, 8, 9 and 14.
- 15. The Public Transit Department requested that pedestrian pathways that cross drive aisles be constructed of decorative pavers, stamped or colored concrete or another material other than those uses to pave the parking surfaces and that clearly defined, accessible pedestrian pathways be provided to link building entrances to public sidewalks, and that trees shall be placed to provide 75 percent shade coverage for sidewalks and pedestrian pathways. Further, staff has requested a bus stop pad along Bell Road. These are addressed in Stipulation Nos. 6, 12 and 13.
- 16. The Fire Department commented that the buildings shall comply with the Phoenix Fire Code. The Fire Department also stated that depending on building plans, final site plan, an appeal to the fire marshal may be required for site access.
- 17. 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.

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OTHER

18. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. These are addressed in Stipulation Nos. 15 through 17.

19. 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. As stipulated, the proposal will be compatible with existing nearby uses and consistent with the North 32nd Street Policy Plan, Comprehensive Bicycle Master Plan, Tree and Shade Master Plan and the Complete Streets Guiding Principles.
- 2. The proposal will redevelop a property and provide a high quality multifamily development which is consistent with the North 32nd Street Policy Plan designation of Repurpose/Retrofit for the site.
- 3. The proposal provides a new housing option to contribute to the mix of housing types in the area and will help alleviate the housing shortage in Phoenix.

Stipulations

- 1. The development shall be in general conformance with the site plan date stamped August 11, 2021, as modified by the following stipulations and approved by the Planning and Development Department.
- 2. The development shall be in general conformance with the elevations date stamped June 14, 2021, as modified by the following stipulations and approved by the Planning and Development Department.
 - a. All building elevations shall contain three of the following architectural embellishments and detailing: textural changes, pilasters, offsets, recesses, variation in window size or location, overhang canopies, or similar features.

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- b. Decorative garage treatments, including but not limited to, windows, raised or recessed panels, architectural trim, and single garage doors.
- 3. The development shall be limited to a maximum of 278 dwelling units.
- 4. Enhanced landscaped entries shall be provided at the entryways into the development off of Bell Road and 34th Way with a minimum 300 square feet of landscaped area on each side of the entrances. The landscaped entries shall be planted and maintained with a variety of at least three different plant materials, as approved by the Planning and Development Department.
- 5. There shall be a minimum of four private open space amenity areas, three of which shall be centrally located. A minimum of 10 percent of the site area shall be preserved as open space, exclusive of landscape setbacks. Each area shall provide, at a minimum, one of the following active amenity elements or other similar elements, as approved by the Planning and Development Department:
 - a. Swimming Pool
 - b. Pickleball court or another active recreational amenity
 - c. Pavilion or Ramada
 - d. Dog park
- 6. Where pedestrian pathways cross drive aisles, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave parking surfaces and drive aisles, as approved by the Planning and Development Department.
- 7. A minimum 5-foot-wide detached sidewalk shall be provided along Bell Road with a minimum 10-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
 - a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 25 feet on center or equivalent groupings to provide a minimum of 75% shade on the adjacent sidewalk.
 - b. Drought tolerant shrubs and vegetative groundcovers maintained no higher than 24 inches to provide a minimum of 75% live coverage at maturity.
 - c. A minimum 10-foot-wide public sidewalk easement along the northern side of Bell

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Road shall be dedicated.

Where utility or mature tree conflicts exist, the developer shall work with the Planning and Development Department and the Street Transportation Department on potential alternative design solutions consistent with a pedestrian environment.

- 8. A minimum 5-foot-wide detached sidewalk shall be provided along 34th Way with a minimum 5-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
 - a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 20 feet on center or equivalent groupings to provide a minimum of 75 percent shade on adjacent sidewalks.
 - b. Drought tolerant shrubs and vegetative groundcovers maintained no higher than 24 inches to provide a minimum of 75 percent live coverage at maturity.

Where utility or mature tree conflicts exist, the developer shall work with the Planning and Development Department and the Street Transportation Department on potential alternative design solutions consistent with a pedestrian environment.

- 9. The developer shall provide a minimum 5-foot-wide detached sidewalk along Danbury Road with a minimum 5-foot wide landscape area located between the back of curb and sidewalk, as approved by the Planning and Development Department.
- 10. A minimum 25 percent of the surface parking lot areas must be shaded by minimum 2-inch caliper, large canopy single trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 11. The applicant shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
 - a. A bicycle repair station ("fix it station") shall be provided on the site. The station shall include standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
 - b. Resident bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces. These spaces may be provided through a combination of "Secure/Covered Facilities" and "Outdoor/Covered Facilities" as defined in Appendix K or the Comprehensive Bicycle Master Plan. "Outdoor/Covered Facilities" shall comprise no more than 60 percent of required resident bicycle parking.

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- c. Guest bicycle parking shall be provided. Artistic style racks or "Outdoor/Covered Facilities" for guests shall be located near building entrances and the amenity areas, and installed per the requirements of Section 1307.H of the Zoning Ordinance. All racks shall be adherence to the City of Phoenix Preferred Designs in Appendix K or the Comprehensive Bicycle Master Plan.
- 12. The Public Transit Department shall require retention of right-of-way and one bus stop pad along westbound Bell Road west of 34th Way. Should the bus stop require demolition and/or replacement, the bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet and spaced from the intersection as per City of Phoenix Standard Detail P1258, as approved by the Public Transit Department.
- 13. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, bus stop pads, and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department.
- 14. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
- 15. 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.
- 16. 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.
- 17. 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.

Writer

David Simmons August 30, 2021

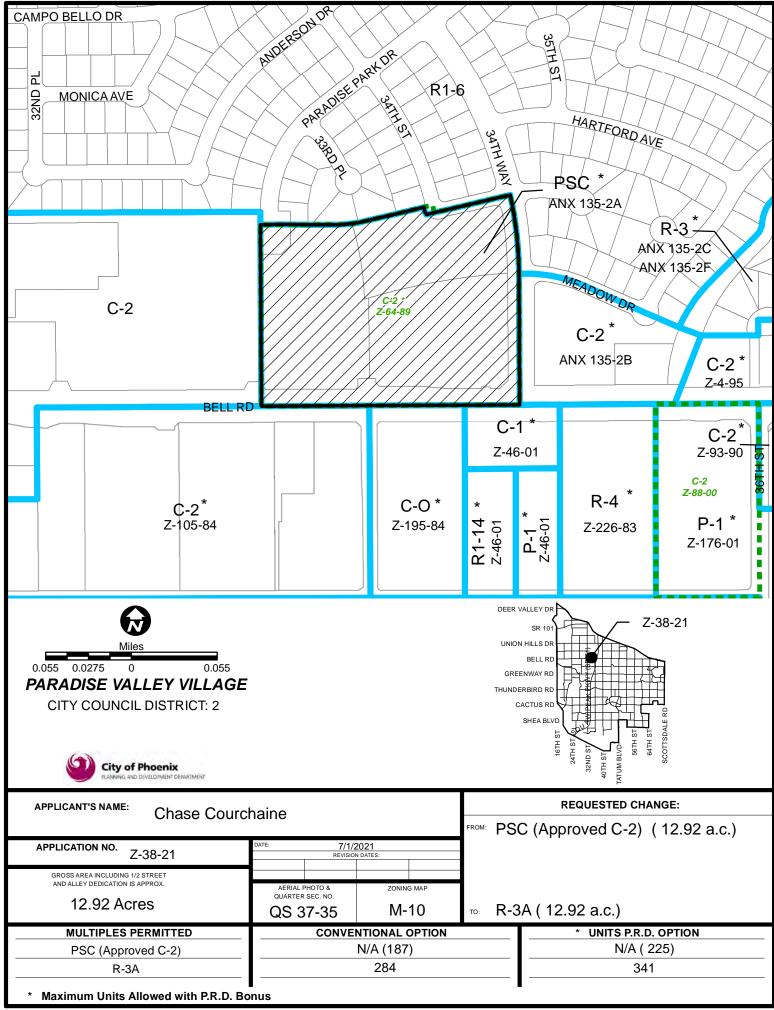
Team Leader

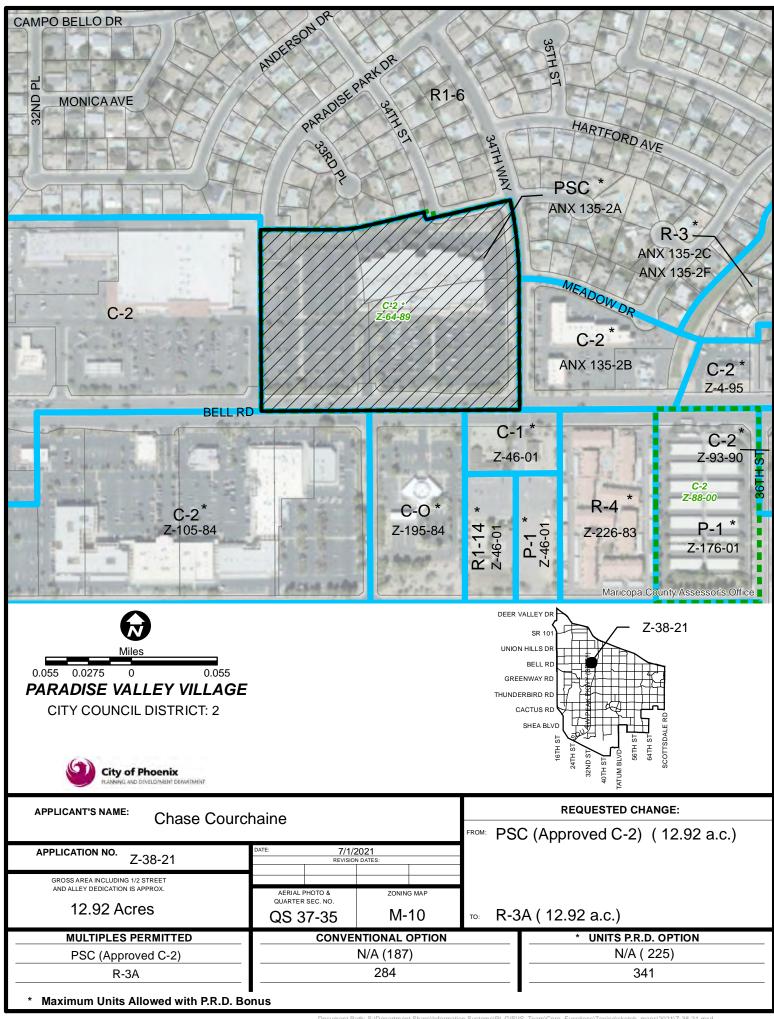
Samantha Keating

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Exhibits

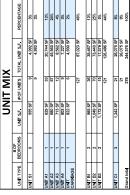
Zoning sketch map
Aerial sketch map
Site plan date stamped August 11, 2021 (1 page)
Elevations date stamped June 14, 2021 (7 pages)
Community correspondence (54 pages)







UN RESERVED 3X9 = 2.7 5X129 = 64.5 5X121 = 60.5 1X21 = 21 DENSITY:
ALLOWED: 22 DU/GROSS ACRE
PROVIDED: 278 UNITS / 12.78 AC = 21.75 DU/GROSS ACRE 101AL 11.7 183.5 181.5 429 SULDING HEIGHT:
ALLOWED: 3 STORIES OR 40 MAX
PROVIDED: 1,2 AND 3-STORIES - 40 MAX REQUIRED: 50 SPACES PROVIDED: 50 SPACES IN RESIDENT



KEYNOTES	SITE DIRECTORY UNDER SEPARATE PERMIT 🛭 REFI
2115	STEDREC

Site Plan Preapp G1.1

moo.e2Loibuts@ofni 767-997-709

Studio 15 Architecture, Inc.

Phoenix, Arizona 85015 SunsvA d121 AthoM 2114

The Wolff Company

Phoenix, Arizona

Bell and 34th Way Multifamily





UNIT A4 UNIT A4 UNIT A4

UNIT SI UNIT SI UNIT SI





34th WAY AND BELL ROAD PHOENIX, ARIZONA The Wolff Company



PRELIMINARY NOT FOR CONSTRUCTION

108 NO.: 20-015	SHEET:			C	77.01			evations
May 2021	0							Type 2 - Elevations







UNIT A4 UNIT A4

UNITS!
UNITS!
UNITS!
SIDE ELEVATION



34th WAY AND BELL ROAD PHOENIX, ARIZONA The Wolff Company

PRELIMINARY NOT FOR CONSTRUCTION

A3.32

CITY OF PHOENIX







UNIT B2 UNIT B2 UNIT B2

34th WAY AND BELL ROAD PHOENIX, ARIZONA The Wolff Company





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UNIT B3 UNIT B3

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SIDE ELEVATION







06/13/2021	g, spril datas and alter discreming propered to that it states cannot be an interested on beared. The darth search is publicated to be project. These footware abilities the count is planned to refer out to the control of the contr	IOS NO.: 20-015	SHEET:			C	77		
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UNIT A2 UNIT A2

UNIT A2 UNIT A2

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CITY OF PHOENIX





UNITEZ UNITEZ GARAGES SIDE ELEVATION





PRELIMINARY NOT FOR CONSTRUCTION



A3.62 Type 6 - Elevations

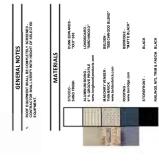
UNIT B2 UNIT B2 GARAGES

UNIT A2 UNIT A2 GARAGES

UNIT A2 UNIT A2 GARAGES

UNIT BZ UNIT BZ GIRAGES REAR ELEVATION









Multifamily Apartments

34th WAY AND BELL

PRELIMINARY NOT FOR CONSTRUCTION

A4.49



REAR ELEVATION

DOZ # I NOO

From: Abraham Seitz <abraham.seitz@outlook.com>

Sent: Friday, July 9, 2021 2:04 PM

To: David O Simmons **Subject:** Rezoning 34th way

Good afternoon Mr. Simmons,

My name is Abraham Seitz and I reside in Parque Vista Estes which will be affected by the proposed rezoning at 34th way.

I read over the attached letter covering the main idea of building 278 apartments. While the description of the building, management, and amenities sounds nice, I, as well as several neighbors, have multiple concerns.

Initially, there is the concern of additional traffic on Bell and 34th way. This area can already back up sometimes during rush hour.

In the long run, our property values are also at severe risk or declining.

Renters, apartments or not, rarely care for their living situations with the same attention to detail as owners.

While Parque Vista is not a new development by any means, many homes in my neighborhood are well taken care of and some such as mine are newly renovated.

The idea of building a housing community which will house hundreds of people right in our neighborhood is not something I nor the people I have spoken to see willing to support.

I plan to attend the virtual meeting to voice this opinion, but is there anything we as a neighborhood can do?

There has been a submitted to the 278 Apa

Respectfully, Abraham Seitz

From: Ann <annlonergan@cox.net>
Sent: Sunday, July 11, 2021 12:52 PM

To: ben@witheymorris.com; David O Simmons

Subject: Application Z-38-21 Neighborhood Virtual Meeting Request

Please forward the link for the public meeting for 7/13/2021 to the address below.

We are vehemently opposed to a development of this size and nature in our humble neighborhood. The traffic and congestion this will create is unmanageable. Multifamily housing is available just across the street on Bell Road. Additional rental apartments will bring increased density, traffic and crime as well as a decrease in property values to our area. We do not see any benefit to this development and urge the city to oppose it.

Warm regards,

Ann & Rob Lonergan, 20 year long HOMEOWNERS 17814 N 34th Way Phoenix, AZ 85032 602-996-3731

annlonergan@cox.net

From: Ann Robinson <annrobinson114@gmail.com>

Sent: Tuesday, July 13, 2021 10:06 AM

To: David O Simmons

Subject: Rezoning of Harkins Theatre - 34th Way and Bell Road

Hi David,

As a frequent movie goer at the Harkins Theatre at Bell at 34th Way and Bell Road I'd like to add my voice against the rezoning. The theatre is part of the neighborhood and there isn't another Harkins theatre within 10 miles. We go to the movies at least 2-3 times a month and would hate to see it torn down to put in apartments. Putting apartments at that location would increase traffic on Bell Road which is already very heavy and gets backed up.

Thank you for your time. Ann Robinson

From: Adam Berkseth < QualityLandscaping@hotmail.com>

Sent: Friday, July 9, 2021 12:15 AM

To: David O Simmons

Subject: Proposed apartment complex at 34th way and east bell road.

Hello David, I am a home owner in parque vista estates and want to voice my disapproval for the proposed apartment complex to replace Harkins in my neighborhood. I am concerned that this will cause increased traffic, crime, and decreased property value for my home. Also i picture people parking up and down 34th way. And increased car accidents to an already heavily traffic busy bell road.

My name is Adam Berkseth and I live at 3426 e anderson drive Phoenix AZ 85032.

Thank you

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Bernadette (Bernie) Cook-Settles

3511 E. Campo Bello Dr. Phoenix, AZ 85032 Phone: 602-919-6430

Email: sosacook@yahoo.com

Attn: David Simmons
City of Phoenix Village Planner
Email: david.simmons@phoenix.gov

Phone: 602-262-4072

RE: Re-zoning Application Z-38-21

Dear David,

Thank you for taking the time last week to answer additional questions I had regarding the above re-zoning application. As I mentioned, I have several concerns regarding this proposed re-zoning. I will outline those below.

Prior to outlining my concerns regarding this proposed re-zoning, I do have an additional issue with the re-zoning process as it pertains to notification. I have read the notification requirements as outlined in the rezoning guide. Unfortunately, of the 900+ single family homes in Parque Vista Estates (development directly north of the proposed site), less than 10% were notified by the proposed developer for the site at 34th Way and Bell Road. The only way most of us not in the notification zone learned of this was on the app, Nextdoor. I understand by The City of Phoenix requirements, they did not have to do so. With that said, it may behoove them to do so during this process. When I have spoken to several residents in this development that were not informed of this either by letter, social media, or word of the mouth, they are angry and do not understand why. Please share this information with the developer, as I will also be doing so on the neighborhood virtual meeting scheduled for July 13, 2021.

The other information I wanted to share with you that I found interesting was on May 29, 2021, this exact property was listed by Western Retail Advisors for pad or ground lease. I have the information advertised if you would like a copy. On June 11, 2021 the re-zoning application was submitted. At this time, the sites that I found this listed on are no longer available to the general public. However, the sign is still posted on the south side of the parking lot at "Harkins". That leads me to believe that Harkins was actually considering additional retail spaces on this site, not residential. I understand this is private property, and they may sell it to whomever they wish. All of us in this development would like to keep the zoning as it currently stands.

Following are my concerns and many other residents in the development how this multi-family site will impact our Quality of Life:

- Increase Traffic on Bell Road, 34th Way, and within the development.
- Unwanted Additional On-Street Parking.
- Potential for increase in property and other crimes.

- Entrance/Exit (Egress/Ingress) to Parque Vista Estates. The is a total of three (only one with a stop light). A stop light at two of the entrances would not be viable as the traffic would back up on Campo Bello Drive and St. Johns off of 32nd street.

 Additional back up would occur North and South bound 32nd street.
- Increase in insurance rates due to more traffic. Auto and home owner's rates are based on accidents, traffic and crime.
- Population increase. There are 900+ single family homes in Parque Vista Estates. With an additional 278 apartments, that is 1/3 increase in population within the proposed site of Bell Road and 34th Way.
- Traffic accidents on Bell Road and at the stop light of 34th Way. There is so much traffic on Bell Road at that light, which results in Red-light runners and accidents.
- If approved, construction traffic on Bell Road and 34h Way, as well as the time it would take to complete the project. Once completed, how many owners will this property have over its life-time.
- Additional traffic from AZ 51 onto and off of Bell Road.
- Noise pollution. More people and automobiles, the more noise.
- Increase in travel time out of and into the development due to traffic.
- Delay for first responders. The more traffic on Bell Road, 34th Way and the development could delay response time.
- Adverse effect on Property values and Property taxes.
- We live in a desert and currently in a drought. What does increase to the population by 1/3 at Bell Road and 34th Way do to our current water supply in this area.
- City of Phoenix water and sewer fee increase. The more use, the higher the fee increase.
- All homeowners that live in Parque Vista Estates either were or are aware that the current zoning for the site in question is commercial. Commercial property has a set open and close time (currently movie theatre), where as an apartment complex, multi-family homes will be in operation 24/7.
- There are current home sellers and buyers in this area that are not aware of the proposed re-zoning. This will adversely affect the prices for these homes.

Additional detail to the above concerns will be provided during the public meetings. At this time, I am requesting the opportunity to speak at all of the future meetings concerning this rezoning request.

Thank you for your time and consideration in this matter. Additional concerns may develop as this process proceeds.

Respectfully,

Bernadette (Bernie) Cook-Settles

From: Bill Simmons <wj.simmons47@gmail.com>

Sent: Friday, July 9, 2021 10:51 AM

To: David O Simmons

Subject: I am very concerned about the apartments that are proposed to be built on the corner

of 34th way and Bell road. We live in the area directly north of where this is tentatively

going to be built. I strongly oppose this project as it will have adverse af...

From: Council District 2 PCC

Sent: Tuesday, July 20, 2021 12:11 PM

To: David O Simmons

Subject: Fwd: Rezoning for Harkins Theater on Bell Rd.

Hi David,

Can you please add to the public record?

Thank you, Christine

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From: Blake Marshall <blakemarshall86@gmail.com>

Sent: Tuesday, July 20, 2021 11:52:23 AM

To: Council District 2 PCC <council.district.2@phoenix.gov> **Subject:** Fwd: Rezoning for Harkins Theater on Bell Rd.

Councilman Waring,

I just read this article about the Harkins Theater at 32nd and Bell closing around the end of the year and replaced by "gated multifamily housing".

https://www.phoenixnewtimes.com/arts/harkins-theatres-plans-to-close-its-north-valley-16-cinema-in-phoenix-11585156 [phoenixnewtimes.com]

To me that implies a luxury apartment complex which only worsens the high rents in north Phoenix. The article says there will be a hearing to decide rezoning. I think if you have an influence or vote, the builder should be required to make a good portion of units "affordable housing" with lower rents to even out availability of lower income housing. I recently had my rent increase 30%, and I think this is an opportunity to improve things. Please let me know what can be done.

Thank you

Blake M. 425-282-2421

From: Christman, Bob <angrybob666@centurylink.net>

Sent: Monday, July 12, 2021 11:51 AM

To: David O Simmons

Subject: 278 Apartments at Harkins.

lam a resident in Park Vista Estates and have been since 1978. 278 APT. UNITS ARE JUST GOING TO ADD TO an all ready growing problem with traffic congestion and residents only having a few options trying to get out of our area. This is only about money. Park Vista Residents like our movie theater. Leave this area alone.

From: Bryan Jackson <bryan.c.jackson82@gmail.com>

Sent: Saturday, July 10, 2021 5:45 PM

To: David O Simmons

Subject: Z-38-21

We do NOT need apartments at this location! Residents in the area are already struggling with getting in and out of the grocery store to the West of this property and we don't need 300+ more vehicles swarming an already crowded neighborhood. We have the Park and Ride to the Southeast of this property and it already brings in too many non-residents into the area. We have an already high crime and homeless population and apartments will just bring more of both. This land does NOT need to be rezoned to allow 238 apartments to drown this area out. Don't suffocate my neighborhood by allowing this land to be rezoned for apartments.

Bryan Jackson

From: Cheryl Simmons < cherylsimmons55@gmail.com>

Sent: Thursday, July 8, 2021 3:41 PM

To: David O Simmons

Subject: Resining Application Z-38-21

Hello sir-

I am concerned about the possibility of a large apartment complex being built on 34th Way and Bell Road.

Can I email my concerns to you or do I have to mail a letter? I have asked for the link for the zoom meeting but have not received it as of yet.

Also, I would like to reserve a spot to speak, however I would like Bernadette Cook Settles to speak for me, if possible.

Regards, Cheryl Simmons

Sent from my iPhone

From: Patrick Cogan < coganpatrick@hotmail.com>

Sent: Monday, July 12, 2021 8:45 PM

To: David O Simmons

Subject: Harkins 34th and Bell Road Whitney Morris

David,

I am not in approval of the zoning of this property being changed from commercial to residential and an apartment building being built. This will hurt our property value and bring in another 500+ cars into a neighborhood with only two exits. What needs to be done for me to get my voice heard? Is there any zoning meetings planned for this community to attend to voice our frustration? I know I am not the only one not wanting an apartment complex to replace the Harkins. Any guidance would be greatly appreciated.

Patrick Cogan 623-826-4408

From: Bernadette Cook <sosacook@yahoo.com>

Sent: Friday, July 16, 2021 1:24 PM

To: David O Simmons

Subject: Re-zoning application Z-38-21, Neighborhood zoom meeting 7/13/21

Dear David,

I have had an opportunity to review my notes from the meeting that took place via zoom dated 7/13/21. We understand due to Covid-19 that this meeting occurred by zoom, however it was not the most effective way to conduct the meeting. Several individuals on the call were disappointed by the way we had to communicate our questions. A typed chat feature was not effective at all. By the time you had an opportunity to type the question, while trying to listen to the meeting, left little to be desired. There were several questions that were not read in full, with partial answers given by Mr. Tate. It appeared that Mr. Tate would pick and choose to read portions of the questions as well as provide partial answers. That appeared to be due to the time frame of the meeting. One hour at 5:30 pm was not enough time to address questions that all of us had. Many individuals did not even have an opportunity to join the meeting in a timely fashion due to work schedules. Can the schedule of future meetings, time duration and in-person participation be seriously considered.

The City of Phoenix requirements for notification needs to change. Some of us have read the criteria, but there are so many homeowners in Parque Vista Estates that do not understand it and are angry. Mr. Tate did say that all of us on the call would be notified, however there were only 60 of us on the meeting and there are 900+ homeowners that will be the most affected by this proposed re-zoning. That brings us to another concern. There are numerous home owners that do not use a computer, retired, and are not on social media, how are they to stay informed of this process? I myself even had difficulty with the zoom meeting.

One of the questions I had, for which he replied "that can be considered", was to conduct real time traffic numbers for Bell Road and 34th Way, by a actual traffic meter. The numbers that Mr. Tate presented as far as the traffic in and out of the proposed apartment complex compared to the current zoning for Bell Road and 34th Way have not been seen, except for the slide he presented. The numbers are not on their site, nor could I find them anywhere. The home owners in Parque Vista Estates do not believe the numbers. We live here and we see the traffic.

One of the proposed options we mentioned to Mr. Tate, that if this re-zoning did go through was to shut all traffic from the apartment complex on and off of 34th Way. If I recall correctly, it did not sound like that would even be considered. Is this an option? If not, then why? Again, this is our only traffic light in and out of our development. To add even 200+ vehicles in and out of 34th Way, will make it impossible to enter and exist Parque Vista Estates safely. There is no traffic light at 32nd Street and St. John's, nor at 32nd Street and Campo Bello Drive. Putting lights at these two entrances/exits could be disaster for those individuals that live directly on those streets. What options are there to stop individuals from the proposed apartment complex adding more traffic through and out of our neighborhood. Can every option be explored?

Thank you for your time and consideration in this matter.

Signed

Bernadette Cook-Settles

From: patricia cox <patriciacox6214@gmail.com>

Sent: Tuesday, June 29, 2021 9:57 AM

To: David O Simmons

Subject: Harkins Theater at E Bell and 34th Way

Hi – your email was provided as a contact regarding the subject project. I am hearing that a developer is planning to replace the theater with a 278-unit apartment complex. How can I find out the status of this and where can I submit objections to it?

Thank you, Patricia Cox Resident of Parque Vista Estates

Sent from Mail [go.microsoft.com] for Windows 10

From: Crystal Gannon <gannonc10@yahoo.com>

Sent: Thursday, July 1, 2021 11:06 AM

To: David O Simmons

Subject: Rezoning 34th and Bell (Harkins)

Hello

In my neighborhood group, I saw the notice that the Harkins property on 34th and bell was bought and is intended to be rezoned into apartments. Where is this at in the process of approvals and is it still early enough to voice our opinions for this to not be approved? I feel that an addition of apartment buildings there will not improve the area, and we would be better off with adding a retail space there like trader Joe's

Thanks for your time reading this email

Crystal Gannon Homeowner in Parquet Vista Estates

Sent from Yahoo Mail on Android [go.onelink.me]

From: dilloncopeland1 < dilloncopeland1@yahoo.com>

Sent: Saturday, July 10, 2021 10:51 AM

To: David O Simmons **Subject:** 278 apartments

David,

Good morning. I know you have been receiving a lot of emails in regards to the proposed apartments here off of 34th street and bell. I want to express my feelings. Its a horrible feeling to feel helpless about this. A lot of the neighbors are not happy about the proposed plans. I have lived in this neighborhood my whole 25 years being alive. Literally anything besides an apartment complex would be better for this community. They talk about how it's going to be less traffic and beneficial to this community. That is not the case at all. This apartment complex is going to add way more traffic, crime, and various problems to this community. The developers that are coming in are just money hungry and want to do anything for a buck. I always feel like the lower class gets taken advantage of and this is one of those cases. As someone who has lived in this community for 25 years and seen the ups and downs in the neighborhood. I know for a fact that this is only going to cause more problems. My email might not even get read fully and that's okay. But I just want to write to you and express my feelings because there might be some neighbors that don't know how or even who to reach out to. This is why I am taking it upon myself to reach out to you and let our voices be heard. Please stop this from taking place. An apartment complex is the LAST thing that needs to be put here in our community.

Thank you for listening,

Dillon Copeland

Sent from my Galaxy

From: Richardson, Erica < Erica.Richardson@saltriverschools.org >

Sent: Tuesday, July 13, 2021 8:42 AM

To: David O Simmons

Subject: Project at 34th Street and Bell Road Z 38-21

From: Richardson, Erica

Sent: Thursday, July 8, 2021 3:17 PM

To: zoning@phoenix.gov

Subject: Project at 34th Street and Bell Road

Good Afternoon,

I am writing to implore you to NOT permit the rezoning of the property at 34th Street and Bell Road which currently houses a Harkins movie theater.

A developer wishes to turn this supposedly 12 acre parcel into "luxury housing" which will bring several problems to the area including:

- *Additional traffic issues and delays while waiting for a resident to open the security gate of the property along with increased traffic accidents along an already highly travelled road and is dangerously close to on/off ramps of Hwy 51.
- *2 of 3 public schools zoned for that property do not have the proper infrastructure to house a large influx of students
- *This luxury apartments will do nothing to alleviate the growing issue of affordable housing in the area and in fact may force people from their current housing
- *This suggested location sits near a known area with a high rate of crime including gang activity and weapons violence, this new apartment complex could become a high crime target by these persons
- *residents of the area are currently getting fed up with all the "improvements" being made that involve the tearing up of the roads along Bell Rd and 32nd St. This new construction would possibly require even more work that involves the tearing up of the roads. Traffic due to this is so bad that emergency vehicles are being told to find other ways around the area when responding to a call!
- *tearing down of the Harkins theater will result in the loss of more jobs than ones employed by an apartment complex and this theater is the only one in the area that provides a safe movie experience for kids with special needs and low income families during the summer months.

Again, I implore you to not allow the rezoning of the property at 3420 E. Bell Road to be rezoned into a multifamily zoned property. There is much more property along Mayo Blvd or further down Bell Road that would be better suited for a project such as this.

Erica Richardson

She/Her Registrar and Records Salt River Schools Office (480) 362-2057

www.SaltRiverSchools.org [saltriverschools.org] | Facebook [facebook.com] | Instagram [instagram.com] | YouTube [youtube.com]

"Forget regret, or life is your's to miss..."

Jonathan Larson

Please note: I now have a new e-mail address. The new e-mail address now ends with @saltriverschools.org. Please update your address list with my new e-mail address Erica.Richardson@saltriverschools.org.

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From: Erica Davis <erica.davis8@yahoo.com>

Sent: Friday, July 9, 2021 11:15 AM

To: David O Simmons

Subject: Withey Morris PLC rezoning application - Z-38-21/GPA-PV-2-21

Hello,

I received a notice regarding the rezoning of the lot at 34th Way and Bell Road in Phoenix, 85032. The lot currently houses a Harkins movie theater, and that's how I'd like it to stay. As a resident of this neighborhood, I have no interest in having a 278 unit apartment complex at the end of my street. I am just off 34th Way on Meadow, the first block into the neighborhood. This street is busy enough as it is. I do not agree with the builder's claim that traffic in the neighborhood would be reduced by building this apartment complex.

I apologize if you are not the correct contact for this complaint. But I wanted to be sure that my voice was heard. I DO NOT want this apartment complex to be built on this lot. If there is another person I should contact, or another outlet to ensure that my concern is heard, please let me know.

Thank you.

Erica Davis

From: Ginger Chandler < Gingersnap44@msn.com>

Sent: Friday, July 9, 2021 8:28 PM

To: David O Simmons

To whom it may concern, Re: Harkins theatre Bell Rd and

34th St

I am writing this in hopes that we will get enough negativity to keep the theatre and not put in an apartment complex. That theatre has been there for so long and has always been a packed house. So nice to go to a theatre and not have to deal with a shopping mall. I do not think an apartment complex is going to do anything positive for our neighborhood. Traffic, noise, crime rate, our home owners insurance will go up, yet our home values will go down. This is a horrible idea!!

I truly hope the people of our neighborhood will have some say so in this decision. I for one a am totally against it, as I am sure everyone in our neighborhood is.

Thank you for your help,

Ginger Roler

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From: Marisa Gostony <fortheloveofdogs73@gmail.com>

Sent: Thursday, July 8, 2021 5:59 PM

To: David O Simmons

Subject: From a Parque Vista Estates homeowner

Hi David,

I hope you have had a great week. I wanted to reach out regarding the proposed apartment complex to replace the Harkins North Valley 16. This is the proposed complex's website..

wolff34thbell.com [wolff34thbell.com]

I wanted to voice that I am not in favor of this proposal. I have owned my home here in Parque Vista Estates since 2011. Over the years, I have had some issues- lawnmower stolen, mail stolen, etc. and I am very concerned that there will be an increase in crime with a heavier population in the area.

There's already a severe amount of traffic at the light at 34th Street, and that's without the construction that seems to be never ending over there.

Please take this into consideration when making your decision. We love our neighborhood without additional residential spaces.

I appreciate your time, thank you!

Marisa Gostony

602.717.6210

From: gwendolynis < gwendolynis@aol.com> **Sent:** Saturday, July 10, 2021 6:01 PM

To: David O Simmons

Subject: Rezoning Bell & 34th Way

Dear Mr. Simmons,

I am a resident near this proposed new development and am concerned about a few things. This would increase population density and Bell Rd traffic quite a bit.

Thank you,

Gwendolyn Hjelmstad

From: Council District 2 PCC

Sent: Friday, July 23, 2021 11:38 AM

To: David O Simmons

Subject: Harris

Hi David,

Could you please add Mr. Harris' comments to the public record and answer any questions he may have about the project?

Thank you, Christine

Get Outlook for iOS

From: no-reply@phoenix.gov <no-reply@phoenix.gov>

Sent: Friday, July 23, 2021 11:30 AM

To: Council District 2 PCC

Subject: emdist2 - Form Submission

FROM: James A Harris

SUBJECT: Redevelopment of Harkins Movie Theater

MESSAGE: Jim, I read a news report yesterday that the Harkins theater is coming down, and a new 272 unit apartment complex will be built in its place at 34Th Way and Bell Rd. I don't think that's the best use of that property for our neighborhood. It will definitely increase traffic at that intersection and more than likely other problems. It appears the project has already been approved but I have not seen any public signage posted at Harkins concerning land-use change. Could You look into this and get back to me. I and my neighbors are definitely not happy about it.

Thank You,

James Harris 480-518-5220

Email: aceharris@gmail.com

AREA: 85032

PHONE: 480-518-5220

ADDRESS: 3431 East Angela Drive

CITY: Phoenix

STATE: AZ

ZIP: 85032

Submission ID: 1eeda45aecc54c60b05f7d1d3f297901

Form Submission On: 7/23/2021 11:30:25 AM

Referer: https://phoenix.gov/district2/contact-district-2

This is Not Spam - This message is sent on behalf of the City of Phoenix. Please handle appropriately.

From: Council District 2 PCC

Sent: Monday, July 12, 2021 1:12 PM

To: David O Simmons

Subject: Harding

Good Afternoon David,

Can you please add to the public record?

Thank you, Christine

From: no-reply@phoenix.gov <no-reply@phoenix.gov>

Date: Monday, July 12, 2021 at 1:03 PM

To: Council District 2 PCC < council.district.2@phoenix.gov>

Subject: emdist2 - Form Submission

FROM: janet harding

SUBJECT: Zoning change for 34th Way & Bell Rd.

MESSAGE: Hi Jim,

I live in the neighborhood behind the Harkins theaters at 34th Way & Bell Rd. Please do not allow the zoning to be changed for a multi-family structure(s). This is not the place for apartments.

Not only will our property values go down, it increases the potential for the crime rate to go up in the area. It will also create a serious traffic problem for the people that live in the neighbor hood. There are only 3 ways into our area now & 34th Way is the only access off of Bell Rd. 238 units?! There will be only 2 options in & out of that property. So add 238-400 additional cars to that corner & the traffic will become unimaginable!

I do plan on attending the virtual meeting Tues. evening. Can you help in any way?

Also, my offer still stands - I will work on your campaign if you decide to run for other political office! (You are one of the only level headed people on the city council)!

Regards,

Janet Harding 602-647-1210

Email: jharding.firstchoice@yahoo.com

AREA: 602

PHONE: 647-1210

ADDRESS: 17211 N. 36th Street

CITY: Phoenix

STATE: AZ

ZIP: 85032

Submission ID: 01c567a1e1494d178e4e5bca9353a589

Form Submission On: 7/12/2021 12:57:23 PM

Referer: https://phoenix.gov/district2/contact-district-2

This is Not Spam - This message is sent on behalf of the City of Phoenix. Please handle appropriately.

From: Janet Harding <jharding.firstchoice@yahoo.com>

Sent: Monday, July 12, 2021 12:49 PM

To: David O Simmons

Subject: Zoning

Hi David,

I live in the neighborhood behind the Harkins theaters at 34th Way & Bell Rd. Please do not allow the zoning to be changed for a multi-family structure(s). This is not the place for apartments.

Not only will our property values go down, it increases the potential for the crime rate to go up in the area. It will also create a serious traffic problem for the people that live in the neighbor hood. There are only 3 ways into our area now & 34th Way is the only access off of Bell Rd. 238 units?! There will be only 2 options in & out of that property. So add 238-400 additional cars to that corner & the traffic will become unimaginable!

We don't have a problem with other types of retail going there.

Please think this through. It is not a good corner for apartments!

Regards,

Janet Harding

Cell: 602-647-1210

From: Jean Rice <Jeanrice3@outlook.com>
Sent: Sunday, July 11, 2021 5:54 PM

To: David O Simmons

Subject: Meeting Regarding Property at 33rd Way & E. Bell Rd.

Importance: High

Hello Mr. Simmons,

I would like to request the information for the Zoom meeting on Tuesday, 7/12 at 5:30pm regarding the Harkins Theater property that has sold. It is my understanding that apartments are slated for that property. Please send me the link or information to login so that I can listen to what is said at the meeting. I live very close to the area and want to know what is happening at that location.

Thank you so much!

Sincerely,

Jean Rice

Jean Rice, RN, BS/BA President

Healthcare Consultant, LLC | PO Box 30983 | Phoenix, AZ 85046-0983

| jeanrice3@outlook.com

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From: Jeanene Gove <jeanenegove@gmail.com>

Sent: Thursday, July 8, 2021 12:10 AM

To: David O Simmons

Subject: Rezoning the northwest corner of 34th way and Bell Road

Dear David Simmons,

I have been a resident in Parque Vista Estates for 21 years, I am against rezoning that location to build a multi-family apartment complex. The vast majority of the neighbors of course do not want additional construction, traffic, and unnecessary apartment complex crammed into our neighborhood. We have limited access in and out of the neighborhood, two of which do not have traffic lights. The traffic light at 34th way and Bell Road is one of the longest to get out onto Bell Road especially during high traffic times such as morning and evening rush hours. The traffic would be horrible with adding a 278 multi-family residential apartment to our neighborhood and having approximately 556 more vehicles exiting the neighborhood on a daily basis. These apartments will only add to the existing traffic problems with accidents, speeding and volume inside our development. One of my main concerns is not only traffic, but the possibility of increased crime, noise, and congestion to our area, which all may lead to home values going down. Please reconsider rezoning a commercial property to a residential.

Sincerely,

Jeanene Meadow-Gove

From: John Sandoval < john.sandoval@UnivarSolutions.com>

Sent: Friday, July 16, 2021 12:41 PM

To: David O Simmons

Subject: Question for the APARTMENT APPLICATION # Z-38-21

I am inquiring about the re zoning request for 34 way and bell road, application #Z -28-21,, it this actually going through? We were not able to make any meeting as we just got back into town, this is a shocking development and after talking to all our neighbors I know NO one in this community wants this, ... please call me if you can to further discuss,, @ 602-432-8869 thank you

From: Kenneth J Kettner <kennethjkettner@gmail.com>

Sent: Thursday, July 15, 2021 9:41 AM

To: David O Simmons

Subject: 34th street and Bell Road-Harkins rezoning

Mr. David Simmons

I am a resident in the Parque Vista Estates and I am writing to you about the current project review on the corner of 34th St. and Bell Road for the rezoning of the Harkins theater site.

Surely there is a better use for this property other than apartment complexes. We are surrounded by apartment complexes that are half empty. We don't need another one.

The traffic in this area is already ridiculous. There are accidents weekly between Route 51 and 32nd St. on Bell road. Add an additional 500+vehicles in this area daily is just inviting chaos.

This type of expansion in this area is not called for. Please rethink your rezoning of this lot. Also look at the traffic controls in the area and look at the accident reports from Phoenix PD.

Thank you

Kenneth J Kettner 17228 N 35th Street Phoenix 85032

From: Lois Kloosterman <lolokloo77@aol.com>
Sent: Wednesday, August 4, 2021 8:08 AM

To: David O Simmons

Subject: Proposed 278 Apt. Complex

Mr. Simmons,

I have been out of town and upon my arrival I see that there is a developer that wants to rezone the Harkins Theaters located on the corner of 34th Way and Bell Rd so that he can put in 278 apartments.

I am strongly against this request! We do not need an additional 278 people with probably more vehicles than that, moving into our neighborhood. It is already congested on 34th Way when people are leaving for work and returning during the rush hour.

Also, I am not sure Phoenix ever got the memo, but we are in the midst of a 19 year drought and the LAST thing we need is for some greedy developer to come in and build another apartment complex encouraging more people to MOVE here requiring more water usage! PHOENIX NEEDS TO STOP DEVELOPING!!!

I know there are many people in this neighborhood that do not want to see all the additional traffic added to an already heavy trafficked area.

Please reconsider allowing this rezoning to go through.

Sincerely, Lois Kloosterman 3533 E. Anderson Dr. Phoenix, AZ 85032

Lois Kloosterman lolokloo77@aol.com

From: krisha koontz <vegekrisha@yahoo.com>

Sent: Tuesday, June 29, 2021 9:16 AM

To: David O Simmons

Subject: Apartment complex at 34th st and Bell Rd

Good morning Mr. Simmons,

It is my understanding that the Harkins at Bell Rd and 34th street is being demolished and an apartment complex is being built in its place. As a resident who lives one block north of Harkins, I am completely opposed to this. We already have a problem with traffic congestion and crime surrounding this intersection. Building a 270 unit complex is absurd. It will increase traffic congestion, increase crime, and drive the property values down in our neighborhood. Every neighbor I have spoken to about this agrees. Please strongly consider input from the current residents of Parque Vista Estates before you allow this construction to happen. Thank you.

Sincerely, Krisha Stevens

Sent from Yahoo Mail on Android [go.onelink.me]

From: Laura Burdett <lburdett@q.com>
Sent: Monday, July 12, 2021 4:52 PM
To: David O Simmons; Laura Burdett

Subject: 34th Way & Bell Rd Development Project

Hello David:

I received notice that there is a developer who is wanting to purchase the Harkins Theatre at 34th Way and Bell Rd to develop and apartment complex. I am VERY opposed to this project!!!!!

There are only 3 roads in and out of the Subdivision Parque Vista Estates and only one of the roads is off of Bell road which is 34th Way. We already have issues with traffic in that spot, so building an apartment complex in that spot is going to add to the population living right there at the entrance of our subdivision which will cause a major amount of traffic when trying to exit the subdivision.

I was very upset to hear about these plans. I'm also upset to hear that the Harkins Theatre is going away. That was such an added feature to the area.

PLEASE do not pass this development plan! The thought of this happening has made me think about selling my home and moving and I have lived here for 23 years!

Please listen to the residents of this subdivision. We do not want the apartment complex. That location should stay zoned for Commercial not residential!!!

Thank you, Sincerely, Laura Burdett

Email: lburdett@q.com
Cell: 602-403-6211

Sent from Mail [go.microsoft.com] for Windows 10

From: Liz Holmes liz.holmes23@gmail.com>
Sent: Thursday, July 22, 2021 7:21 AM

To: David O Simmons

Subject: Rezoning Application Z-38-21

Hi David,

I live at 17217 N 34th St, Phoenix, AZ 85032 and will be directly affected with the rezoning and potential apartments for the lot at the northwest corner of Bell and 34th Way. Here are my concerns:

- I am concerned about the additional traffic it will bring to the neighborhood.
 - Currently people fly down 34th way would the city be willing to put in speed bumps since more cars will be in and around the area?
 - There is no guest parking for the proposed apartment complex so we will see an increase of street parking in the neighborhood. More so on my street as it backs up to the rear of the property and there will be a pedestrian entrance there. So we will have more cars parked on our quiet street. What can we do to get parking permits in the neighborhood so we don't have to worry about strangers parking and walking our neighborhood to get to this complex at all hours of the day?
 - I am concerned about the increase in people in the neighborhood and if families are moving in and kids will be bored after school and wandering the neighborhood between Paradise Valley high and just get into stupid trouble out of boredom.
 - I am concerned about the proposed move of the bus stop, we do not need bus traffic in the neighborhood and we already see homeless people sleeping on all the bus stops in the area including the one in front of Harkins, we do not want that to come closer to our neighborhood.
 - I know they say it will reduce traffic but the movie theater does not cause extra traffic for us the visitors to the building complex will cause more traffic and will be parking on our streets.

Please let me know if there are more meetings and what more we can do as a neighborhood to stop this.

Thanks, Liz

--

Liz Holmes
Kappa Delta Sorority
Chapter Accounting Specialist - Division 12
Beta Psi Chapter of Kappa Delta - Arizona State University, CAB Operations
Beta Psi Chapter of Kappa Delta - Arizona State University, CAB Public Relations
(619) 708-2484

From: Marcy Martens <marcy.m.martens@icloud.com>

Sent: Monday, June 28, 2021 8:41 AM

To: David O Simmons

Subject: Planned development question

Good morning Mr. Simmons,

I received a notice stating the Harkins movie theater is planning on being replaced by a housing development. Will there be plans to expand Bell Road and 32nd Street? It is a small area and 278 units for families will be a tremendous increase to the volume of traffic on that already crowded area.

Thank you, Marcy Martens, PhD. Sent from my iPhone

From: Reena Kivlehen <rkivlehen7@gmail.com>

Sent: Tuesday, July 13, 2021 6:15 PM

To: David O Simmons

Subject: Parque Estates apt re zoning questions

Hi David,

Hope you're doing well. We have serious concerns with the rezoning request for 34th way and Bell Road. Our top two concerns are increased traffic going west on Bell Rd, making it difficult for residents to turn right into the neighborhood on 34th way.

We are also very concerned with our neighborhood safety with apartments being built in front of us.

Unfortunately, we were unable to attend the virtual meeting tonight. Can you please let us know if these two issues were addressed in the meeting? In addition if you could let us know how these two issues would be addressed by the builders (or if not at all) we would appreciate it.

Thank you,

Mike and Reena Kivlehen

From: Merry Whitten <merrycw@gmail.com>

Sent: Monday, July 12, 2021 5:26 PM

To: David O Simmons

Subject: Rezoning application (Z-38-21) 34th Way and Bell Road.

Good afternoon David,

I am writing to you today to let you know that I am opposed to the rezoning of 34th Way and Bell Rd as a Multi family use site. I'm sure you have received a lot of emails from us NIMBY's but in this case it is true. Our subdivision has basically become land locked over the years. Especially when State Route 51 came through. We only have 3 exits out of our community, only one exit at 34th Way has a traffic light. 34th Way is the main entrance and exit for our community. There are numerous car accidents at 34th and Bell, 40th St and Bell and also in front of Fry's on Bell just West of were they want to put an additional 278 units. We all know 34th way will become an overflow parking lot which is dangerous for the many high schoolers who walk to and from school and summer jobs. We already pay one of the highest rates for car insurance in the 85032 zip code.

Ingress and Egress is my main concern but I'm also concerned with Property values, Crime, Noise, Trash, Pests..we already have an uncontrollable raccoon problem which is causing property damage.

I really feel bad for those poor people whos backyards (with pools) back up to the proposed site. Would you want an apartment complex looking over your next BBQ/Pool party?

I have spoke with a few neighbors and they would not be opposed to a nice, SFR neighborhood.

This proposal would significantly impact our quality of life, please don't let this happen to us.

Thank you for your time,

Merry Whitten Parque Vista Estates 602-881-4010 cell

From: norma tucker <ntuck11@yahoo.com>
Sent: Monday, July 12, 2021 1:17 PM

To: David O Simmons

Subject: re-zoning for 34th Way and Bell Road

re: 34th Way and Bell road re-zoning request:

We have lived in the Parque Vista estates for over 30 years and love our community here. Everyone in our subdivision was happy to have a Harkins theater built nearby. It created jobs, entertainment and was good for our home values.

Building apartments here will create noise, more people, safety issues and a ridiculous amount of traffic! Many residents in this subdivision use 34th way to access Bell Road. What a mess this will be with apartments here!

Apartments in this area will bring our home values down! We are extremely apposed to this re-zoning!

Thank you for your consideration in this matter.

Norma Tucker Parque Vista long time resident

From: Pete <thewackman1@gmail.com>
Sent: Sunday, July 11, 2021 7:54 AM

To: David O Simmons

Subject: Rezoning of Harkins 34th and Bell

I am appalled that someone decided it would be a good idea to demolish the Harkins movie theater at 34th Way and Bell and put up apartments. I have lived within sight of the theater on 34th Street since before it was built, and I vehemently oppose this project. The list of negative impacts on our neighborhood is long, but includes lowering of property values, increased congestion on the already very congested Bell road, and a lowering of community standards. I urge the denial of rezoning for this unbelievable project.

Sincerely,

Pete Wacker

From: Patrick Jones <azscouter@outlook.com>
Sent: Wednesday, July 7, 2021 11:12 AM

To: David O Simmons

Subject: Z-38-21 Harkins North 16.

High density apartments is a NO GO with me. This will drive down our property values and bring more of a criminal element and attract even more homeless and panhandlers that we already have here. Not to mention the increased traffic flow here, there are only 3 entrances and exits out of this neighborhood that would be a even worse problem. I would like an invite to this Zoom zoning meeting please. Thank you. PJ Jones. Sent from Mail [go.microsoft.com] for Windows 10

From: Genelle Totman <genellecpu@gmail.com>

Sent: Wednesday, July 7, 2021 1:52 PM

To: David O Simmons

Subject: Rezoning Application Z-38-21

Mr. Simmons,

We are long term residents of Parque Vista Estates. We have lived In our home for 40 years and have enjoyed being a part of this neighborhood. We are <u>very</u> concerned about the possible rezoning of the land on the northwest corner of 34th Place and Bell Road. The proposed apartment complex will undoubtedly bring undesirable issues and problems to the home owners and residents of our neighborhood.

These are not limited to but include:

- 1. A major increase in traffic both on Bell Road and 34th way. That intersection is already congested, especially during morning and evening rush hours. During morning rush hour, the eastbound traffic backs up with people trying to get on the 51 freeway and during school, traffic to Paradise Valley High School. During evening rush hour, westbound traffic backs up at Bell road, blocking Bell Rd at 34th way. These scenarios make it difficult for residents of Parque Vista Estates to exit and enter. There is a traffic light at this intersection, however traffic still blocks the intersection at times and red light running east and west bound is a constant threat. The addition of more cars from a 278 unit complex utilizing the same entrances and exits is incomprehensible.
- 2. The increase in population density that comes from a large apartment complex can potentially affect homeowners in Parque Vista Estates by <u>increasing</u> rates we pay for homeowners and car insurance, as well as <u>decreasing</u> our property values.
- 3. The increase in population density will likely increase pedestrians along Bell Road with students walking to and from Paradise Valley High School, increasing the potential for accidents.

We respectfully request that you acknowledge our concerns and advise us of any community meetings that are scheduled regarding this proposed rezoning. Thank you.

Sincerely, Robert and Genelle Totman

From: Robert Aragon <robertaragonmc@gmail.com>

Sent: Wednesday, July 28, 2021 12:59 PM

To: David O Simmons

Subject: Harkens

My wife and I live on 35th Place, and we are totally against the refining of the Harkins location on Bell for 278 apartments. We believe it will bring more traffic to our area as well as the water consumption. A person drives all along the north side of Phoenix and all you see are more apartments being built. Please deny the refining. If we need to sign anything, let us know.

Sincerely

Robert Aragon

Robert Aragon 602-526-4142

From: GERRY WAYMIRE <AMERICASHANDYMAN@msn.com>

Sent: Tuesday, July 13, 2021 1:18 PM

To: David O Simmons

Subject: Rezoning request for 34th Way and Bell Road

Dear Mr. Simmons:

I am writing to let you know that I hope the rezoning request does not pass. We feel that having 278 apartments in that area would greatly take away from the residents that are already occupying this neighborhood. It is really great to have a movie theater in our neighborhood, and help bring in revenue to the area. Thank you for your consideration to not pass the rezoning request.

Ronald and Gerry Waymire 3342 E. Anderson Drive Phoenix, AZ 85032

From: Rose Abbott <rcabbottaz@gmail.com>

Sent: Sunday, July 11, 2021 2:46 PM

To: David O Simmons

Subject: Re-zoning request for 34th way and bell road.

As a homeowner of Parque Vista Estates I strongly object to a 278 apartment complex. We have lived in our home for over 40 years, we take pride in our neighborhood and feel the apartments would lead to decrease home value, congestion more traffic than it can handle and of course increase crime. Please reconsider the re-zoning request and leave our beautiful neighborhood to be enjoyed by the people who have cared for it over the many years. Thank you for you time and consideration on this matter. Rose Abbott

Sent from my iPhone

From: blnpilot blnpilot <blnpilot@cox.net>
Sent: Monday, July 19, 2021 3:43 PM

To: David O Simmons

Subject: Rezoning for apartments near Bell Rd & SR51

Mr Simmons,

I understand that the site where Harkins theaters now sits (Bell Rd, west of SR 51) is being considered for rezoning for apartments. I don't object to apartments in general-I understand the need for them.

However, when you review this zoning case I will be looking for the following subjects to be addressed in the rezoning report: The TOTAL number of apartments along Bell Rd from Tatum to I-17, from Grovers to Greenway. The last time I looked, there were over 5,000 units and more have been built since I did that study (as Deer Valley Village Planner). This large number of apartment units contributes to a more transient population. We need more owner occupied units, where the property owner is more invested in the community. Please include police report information for the area, as well. If these are not addressed beforehand in the written report, you can expect it to be brought up at the village meeting.

Sally Heinrich

From: Shane Lillard <slillard689@gmail.com>

Sent: Tuesday, July 13, 2021 1:17 PM

To: David O Simmons

Subject: 34th and Bell Apartments

I live on E Monica Ave, Phoenix AZ 85032, and I Strongly oppose the apartments. Everyone I've talked to here does too. We are so close to a high crime area, and we are constantly trying to keep them out. I think this will make it worse and bring more crime here. The square is so close, and crime is so high, These apartments will just make us in the square. I didn't spend more than 120k in remodels, to have the neighborhood turn into a high crime getto and lose 100s of thousands in home value. Apartments add a ton of people and crime. Another issue is traffic. Saying it will lower traffic by 66% is unrealistic. It will make traffic worse on a already busy and dangerous corner. Bell is so busy, they will use 34th street. Also more people and traffic through the neighborhood to come in the back way since bell and 34th street to bell are already a zoo.

How many parking spaces are they going to have? Because people will be parked up and down 34th st. I've lived in apartments and there are NEVER enough parking spots for the people that live there. I'm not sure who makes these numbers up, but they definitely don't live in the real world. People also often have more than one car, like a work vehicle or motorcycle. Where will they park? Where will guest park? So what will they do with 2-3 bedroom units with adult kids, or roommates and their vehicles? I get it, they want to put as many people in there to generate money, and parking loses revenue, but that makes them money and hurts us. Please do not approve this.

I had many more concerns until I started writing this. Now I can't remember when on the spot.

Shane Lillard

602-312-9011

Sent from my iPhone

From: shirley evans <sevans93@hotmail.com>

Sent: Monday, July 12, 2021 11:44 AM

To: David O Simmons **Subject:** Rezoning App Z-38-21

I am extremely concerned about the rezoning of the Harkin movie theater into a 278-apartment complex. This will increase traffic which is already bad, crime and decrease my property value. I am adamantly opposed and what to know what I can to do stop it.

Thank You, Shirley Fisher

> 3rd Floor

From: Cheryl Simmons < cherylsimmons 55@gmail.com> Sent: Friday, July 9, 2021 10:44 AM To: **David O Simmons** Subject: Re: Resining Application Z-38-21 Thank you for responding to my email. I am concerned about the amount of traffic, crime, vandalism, noise, trespassing, insurance rates, property value, etc. I have lived in my home for a LONG time and understand changes, but I am definitely against a large apartment complex being built at the entrance of our street. If you could please put my concerns to the case file as well. Thank you, **Cheryl Simmons** Sent from my iPhone > On Jul 9, 2021, at 8:07 AM, David O Simmons <david.simmons@phoenix.gov> wrote: > Ms. Simmons, > Thank you for reaching out to staff in regard to Rezoning Case No. Z-38-21-2 (companion case no. GPA-PV-2-21-2). Your comments have been noted and added to the case file to be included as part of the public record. I have also cc'd the applicant so they are aware of your concerns. > Rezoning Case No. Z-38-21-2 has not been scheduled for public hearings. Hearing dates for recommendation will not be scheduled until staff has had an opportunity to review the request, draft stipulations and a staff report outlining staff's recommendation. Staff does not currently have a position on this case. The site will be posted with signage reflecting all upcoming hearing dates when they become available. > There will be ample opportunity for public participation. I encourage you to virtually attend all public hearings as we move this case through the process. Public participation is a critical component of the entitlement process. > The staff report will be available for review on the City's website: > https://www.phoenix.gov/pdd/planning-zoning/pzservices/pzstaff-reports > The cases are filed by case number (Z-38-21-2). > Please let me know if you have additional comments or concerns. I would be happy to chat with you by phone, if you wish. > Respectfully, > David Simmons, MA > Paradise Valley & Deer Valley > Village Planner *II > 200 West Washington Street

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> Phoenix, AZ 85003
> 602-262-4072
> david.simmons@phoenix.gov
>
> -----Original Message-----
> From: Cheryl Simmons <cherylsimmons55@gmail.com>
> Sent: Thursday, July 8, 2021 3:41 PM
> To: David O Simmons <david.simmons@phoenix.gov>
> Subject: Resining Application Z-38-21
>
> Hello sir-
> I am concerned about the possibility of a large apartment complex being built on 34th Way and Bell Road.
> Can I email my concerns to you or do I have to mail a letter? I have asked for the link for the zoom meeting but have
not received it as of yet.
> Also, I would like to reserve a spot to speak, however I would like Bernadette Cook Settles to speak for me, if possible.
> Regards,
> Cheryl Simmons
> Sent from my iPhone
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From: Owens, Stephanie A. <SAO@gknet.com>

Sent: Monday, July 12, 2021 1:50 PM

To: David O Simmons **Subject:** Re: Z-38-21

In regards to building the apartments on 34th Way and Bell Road / Z-38-21. Please don't. We don't want or need any more apartments in our area. The schools that are in that zone are already overcrowded. Plus we don't need any more traffic in that area, it's already bad. It doesn't matter how nice or how much lower the building height will be. Our city is being overrun by crowded multifamily housing units and frankly are ruining the city. Thank you for your time reading this.

Stephanie Owens

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From:	Tanner Watson < bmwaz64t.watson@gmail.com>
Sent:	Monday, July 19, 2021 8:16 PM
To:	David O Simmons
Subject:	Harkins north valley 16
Mr Simmons,	
I'm not too keen on t only person. How car	he idea of an apartment complex being built right outside of my neighborhood. I'm sure I'm not then we stop this?
Thanks,	
Tanner Watson	

From: Katie Wilson <mailbox4kw@gmail.com>

Sent: Thursday, July 8, 2021 1:05 PM

To: ben@witheymorris.com; David O Simmons
Subject: RE: Re-Zoning Request for 34th and Bell Road

We request an invite to your next virtual meeting regarding this development.

Sincerely, Katie Wilson 3540 E Monica Ave, Phoenix, AZ 85032