



## City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

### ADDENDUM A

#### **Staff Report: Z-49-19-8**

May 28, 2020

<a href="#">South Mountain Village Planning Committee Meeting Dates:</a>	May 12, 2020 June 9, 2020
<a href="#">Planning Commission Hearing Date:</a>	June 4, 2020
<b>Request From:</b>	<a href="#">PSC</a> (Planned Shopping Center District) (14.16 acres)
<b>Request To:</b>	<a href="#">C-2</a> HGT/WVR DNS/WVR (Intermediate Commercial, Height Waiver, Density Waiver) (14.16 acres)
<b>Proposed Use:</b>	Multifamily Residential
<b>Location:</b>	Approximately 175 feet north of the northwest corner of 19th Avenue and Southern Avenue
<b>Owner:</b>	South Phoenix Renewal, LLC
<b>Applicant:</b>	Phoenix Leased Housing Assoc. II, LLLP
<b>Representative:</b>	Gammage & Burnham, PLC / Susan Demmitt
<b>Staff Recommendation:</b>	Approval, subject to stipulations

The South Mountain Village Planning Committee heard this rezoning request on May 12, 2020 and voted (13-0) to continue the case to the June 9, 2020 South Mountain Village Planning Committee meeting, in agreement with the applicant.

As a result of the discussion at the May 12, 2020 Village Planning Committee meeting, staff received an updated site plan, attached to this report, from the applicant which incorporated a decrease in height to Building 7 and the western half of Building 8 from 3 stories and 40 feet to a maximum of 2 stories and 30 feet, consistent with the maximum permitted building height in the R1-6 Single-Family Zoning District. In addition, Building 8 was re-oriented in order to allow for a larger setback from the western property line which is closest to single-family homes and to have balconies face away from this area. Other changes to the site plan include the addition of a pedestrian path that connects the sidewalk along Southern Avenue with an open space area west of Building 5. Due to these changes, the following stipulations are recommended to be modified:

- **Stipulation No. 1** regarding general conformance with the site plan;

- **Stipulation No. 2** regarding the maximum allowed building height in feet and number of stories;
- **Stipulation No. 4** regarding the maximum allowed density of the proposed development;
- **Stipulation No. 5** regarding the minimum setback of buildings to the western property line;
- **Stipulation No. 11** regarding general site layout and amenities shown in the site plan;
- **Stipulation No. 11.h.** regarding the location of a community garden area to the west of Building 5 which incorporates a fenced dog area, garden, gathering space or another active open space area accessible by pedestrians walking along Southern Avenue;
- **Stipulations No. 12.a. and 12.b.** to update the reference to the site plan;
- **Stipulation No. 12.f.** regarding a direct connection from the sidewalk along Southern Avenue to the open space area west of Building 5;
- **Stipulation No. 16** to clarify the requirement of detached sidewalks along 19th Avenue and Southern Avenue.

Leading up to and following the May 12, 2020 South Mountain Village Planning Committee meeting, staff received additional correspondence from the public regarding this case. This additional correspondence has been attached to this report.

Staff recommends approval per the modified stipulations, reflecting updates to the site plan, provided below:

### **Stipulations**

1. The development shall be in general conformance with the site plan and elevations date stamped MAY 26, 2020 ~~April 22, 2020~~, except as described below and approved by the Planning and Development Department.
2. Building height shall be limited to three stories and 39 FEET ~~40 feet~~, EXCEPT FOR BUILDING 7 AND THE WESTERN HALF OF BUILDING 8 WHICH SHALL HAVE A MAXIMUM BUILDING HEIGHT OF 2 STORIES AND 30 FEET.
3. Building elevations adjacent and oriented to public streets shall contain a minimum of 25 percent masonry, as approved by the Planning and Development Department.
4. The development shall be limited to a MAXIMUM OF 300 DWELLING UNITS ~~density of 23 dwelling units per gross acre~~.
5. The development shall maintain a minimum building setback, exclusive of carports and perimeter walls, of 90 FEET ~~70 feet~~ from the western site boundary where adjacent to R1-6 zoning.
6. All ground floor units adjacent to 19th Avenue or Southern Avenue shall have individual porches or patios oriented to the nearest public street.

7. The primary vehicular entrance to the development from Southern Avenue shall include the following elements, as approved by the Planning and Development Department:
  - a. Pedestrian pathways connecting the interior of the development to the public sidewalks along both sides of the vehicular driveway.
  - b. The pedestrian pathways shall be detached from the vehicular driveway and lined with landscape areas on both sides of not less than 5 feet each. The landscape area shall be planted with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.
  - c. A median island of no less than 5 feet in width shall be accented by a minimum of three date palms a minimum of 16 feet in height measured from finished grade to the bottom of the crown, excluding fronds; and drought-tolerant, ornamental, flowering shrubs to provide a minimum 75 percent live cover. Twenty five percent of the required live cover may be ground cover plants.
  - d. The driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.
8. Perimeter walls located within 50 feet of the adjacent street right-of-way (non-alley), except for the portion of the site adjacent to the future convenience store, shall be a minimum of 50 percent view fence.
9. All perimeter walls shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.
10. A minimum of 10 percent of the gross site area shall be provided as open space.
11. The open space areas shall be developed in general conformance to the layout and amenities shown in the site plan date stamped MAY 26, 2020 ~~April 22, 2020~~ and to include the following amenities at a minimum, as approved by the Planning and Development Department:
  - a. Swimming pool and spa.
  - b. Two game areas of no less than 800 square feet in area and containing outdoor games and turf.
  - c. One picnic area with two barbecue grills, a shade ramada and a picnic table.
  - d. Two tot lots of no less than 800 square feet in an area with a combined total of five game amenities.

- e. Turf field of no less than 4,000 square feet in area with a minimum of two benches located in shaded areas.
  - f. Play area containing turf and a minimum of one game amenity or art feature in addition to a minimum of two benches located in shaded areas.
  - g. Two benches in close proximity to the “parent waiting/receiving plaza” area along the northeast portion of the property near the school site pedestrian connection.
  - h. One active open space area LOCATED TO THE WEST OF BUILDING 5 of no less than 2,000 SQUARE FEET ~~600 square feet~~ in an area that includes either a fenced dog turf amenity, fenced garden area, INCLUDING A COMMUNITY GARDEN, COMMUNITY GATHERING SPACE or another active open space amenity. THE ACTIVE OPEN SPACE AREA MAY BE FENCED, BUT WILL BE ACCESSIBLE TO PEDESTRIANS ALONG SOUTHERN AVENUE VIA A PEDESTRIAN WALKWAY.
12. The developer shall provide a system of pedestrian thoroughfares as described below and as approved or modified by the Planning and Development Department:
- a. The developer shall provide two separate pedestrian paths shaded to a minimum of 75 percent, connecting the sidewalk along 19th Avenue at two distinct points with the closest common entrance in Buildings 5 and 8 per the site plan date stamped MAY 26, 2020 ~~April 22, 2020~~. The pedestrian paths shall be routed within close proximity to the central amenity area and should avoid overlap as much as possible with other shaded pedestrian paths.
  - b. The developer shall provide two separate pedestrian paths shaded to a minimum of 75 percent, connecting the sidewalk along Southern Avenue at two distinct points with the closest common entrance in Buildings 9 and 12 per the site plan date stamped MAY 26, 2020 ~~April 22, 2020~~. The pedestrian paths shall be routed within close proximity to the central amenity area and should avoid overlap as much as possible with other shaded pedestrian paths.
  - c. The pedestrian paths shall be illuminated by pedestrian scale lighting per Section 1304(H)5.
  - d. Vehicular crossings shall be kept to a minimum. Where crossings exist, the pedestrian pathway shall be constructed of decorative pavement that visually contrasts with parking and drive aisle surfaces.
  - e. Connections shall be/between:
    - (1) All residential buildings.
    - (2) All amenity buildings and facilities.

- (3) The bus stop on Southern Avenue by the most direct route possible.
    - (4) The sidewalk along 19th Avenue and the northwest corner of the site.
    - (5) The sidewalk along Southern Avenue at the southwest corner of the site.
    - (6) The planned convenience store via an access controlled pedestrian gate.
  - f. Direct connection to the sidewalk along Southern Avenue between Buildings 4 and 5, A DIRECT CONNECTION TO THE SIDEWALK ALONG SOUTHERN AVENUE FROM THE OPEN SPACE AREA WEST OF BUILDING 5, in addition to a direct connection to the sidewalk along 19th Avenue between Buildings 13 and 14 per the site plan date stamped MAY 26, 2020 ~~April 22, 2020~~.
13. The required landscape setback areas along 19th Avenue, Southern Avenue, and the alley along the west property line shall be planted 20 feet on center, or in equivalent groupings, with shade trees including 40 percent 2-inch caliper, 40 percent 3-inch caliper, and 20 percent 4-inch caliper sizes, as approved by the Planning and Development Department.
  14. A minimum of one bench in each perimeter landscape setback along 19th Avenue and Southern Avenue, accessible by pedestrians along the street side detached sidewalks shall be provided. The bench along Southern Avenue shall be located within proximity to the bus stop pad, as approved by the Planning and Development Department. The bench located along 19th Avenue shall be located within close proximity to the pedestrian walkway that connects the development to the school site to the north, as approved by the Planning and Development Department. The developer shall locate trees in close proximity to each of the benches to shade each bench to a minimum of 75 percent, as approved the Planning and Development Department.
  15. The developer shall locate trees in close proximity to the bus stop along Southern Avenue to shade the bus stop area to a minimum of 75 percent, as approved by the Planning and Development Department.
  16. All sidewalks ALONG 19TH AVENUE AND SOUTHERN AVENUE shall be detached with a minimum five-foot wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
    - a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 25 feet on center or equivalent groupings to provide shade to a minimum 75 percent.

- b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.
17. The developer shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
  - a. 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 of the Comprehensive Bicycle Master Plan. “Outdoor/Covered Facilities” shall comprise no more than 60 percent of required resident bicycle parking.
  - b. Guest bicycle parking shall be provided through the provision of a minimum of four inverted U-bicycle racks, artistic style racks or “Outdoor/Covered Facilities” for guests located near building entrance of each residential building. All racks shall adhere to Appendix K of the Comprehensive Bicycle Master Plan.
  - c. A bicycle repair station (“fix it station”) shall be provided within close proximity to each of the two vehicular entryways into the multifamily development. Each bicycle repair station (“fix it station”) shall be provided in an area of high visibility and separated from vehicular maneuvering areas. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
18. The developer shall provide traffic calming measures at all vehicular points of ingress / egress to slow vehicles departing the development and crossing the public sidewalks, as approved by the Planning and Development Department.
19. 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.
20. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.
21. The developer shall provide documentation to the City prior to construction permit approval that Form 7460-1 has been filed for the development and that the development received a “No Hazard Determination” from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a “No Hazard Determination” obtained prior to the construction start date.

22. The developer shall retain the bus stop right-of-way and bus pad along westbound Southern Avenue west of 19th Avenue. The bus stop pad shall be compliant with City of Phoenix Standard Detail P1262 with a minimum depth of 10 feet. Bus stop pad shall be spaced from the intersection of 20th Avenue and Southern Avenue as per City of Phoenix Standard Detail P1258. The preceding shall be as approved by the Planning and Development Department.
23. 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.
24. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archaeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
25. 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.

**Exhibits**

Conceptual Site Plan date stamped May 26, 2020

Public comments/correspondence (60 pages)



**SITE DATA**

ASSESSOR'S PARCEL NO.	105-66-036B
PROPOSED OWNER: PHOENIX LEASED HOUSING ASSOCIATES II, LLLP	DESIGN PROFESSIONAL: TODD & ASSOCIATES, INC. 4019 NORTH 44TH STREET PHOENIX, AZ. 85018 CONTACT - BRENT FIKE (602) 952-8280
PROPOSED DEVELOPER/SPONSOR: DOMINIUM 11001 W. 120th AVENUE #400 BROOMFIELD, CO. 80021	
CONTACT - RUSS CONDAS (763) 354-5637	
GROSS SITE AREA:	+/- 14.16 AC
NET SITE AREA:	+/- 12.72 AC
EXISTING ZONING	PSC
PROPOSED ZONING	C-2 W/ HEIGHT AND DENSITY WAIVERS
PROPOSED DEV. OPTION	R3-PRD
DENSITY ALLOWED	15.23 DU/AC
DENSITY PROPOSED	+/- 21.18 DU/AC
LOT COVERAGE:	ALLOWED- 45% PROVIDED- 25%

**BUILDING HEIGHT MAX.** 2 STORIES (\*4 STORIES) 30' FOR FIRST 150' \*1' IN 5' INCREASE TO 48' (4 STORY MAX.)  
**[MAX. ALLOWED ADJACENT TO R1-6 DISTRICT: 15' WITHIN 10' & 1' INCREASE IN HGT. FOR EA. 1' OF SETBACK ]**

**PROPOSED MAX. BUILDING HEIGHT**  
 THREE STORY: PARAPET TOP 38'-6"  
 TWO STORY (BLDG. #7 & WESTERN PORTION #8): PARAPET TOP 30'-0"

**PERIMETER SETBACK STANDARDS ALONG SOUTHERN AVE**  
 20' MIN. REQUIRED  
 22' MIN. PROVIDED

**ALONG 19TH AVE**  
 20' MIN. REQUIRED  
 25' MIN. PROVIDED

**ADJACENT TO PROPERTY LINE**  
 15' MIN. REQUIRED

**NORTH PROPERTY LINE**  
 CARPORTS - 15' MIN. PROVIDED  
 RES. BLDGS - 20' MIN. PROVIDED

**WEST PROPERTY LINE**  
 CARPORTS - 15' MIN. PROVIDED  
 RES. BLDGS - 40' MIN. PROVIDED

**COMMON AREA STANDARDS**  
 COMMON AREAS REQUIRED 5% [+/- 0.7 AC]  
 COMMON AREAS PROVIDED 14.3% [+/- 2.0 AC]

**APARTMENTS - UNIT MIX DATA**

UNIT TYPE	#DU	RATIO
A1 1BR/1BA	36	12.0%
B1 2BR/2BA	114	38.0%
C1 3BR/2BA	150	50.0%
<b>TOTAL</b>	<b>300</b>	<b>100.0%</b>

**PARKING REQUIRED**

UNIT TYPE	#DU	P.S. RATIO	P.S. REQ.
1BR/1BA	36	1.5 P.S./DU	54
2BR/2BA	114	1.5 P.S./DU	171
3BR/2BA	150	2.0 P.S./DU	300
<b>TOTAL</b>	<b>300</b>		<b>525</b>

**UNRESERVED PARKING REQUIRED**

UNIT TYPE	#DU	P.S. RATIO	P.S. REQ.
1BR & 2 BR	150	0.5 P.S./DU	75
3BR	150	1.0 P.S./DU	150
<b>TOTAL</b>	<b>300</b>		<b>225</b>

**PARKING - CARPORT (1.0 COVERED P.S. / D.U.)** 300  
**UNRESERVED PARKING PROVIDED** 249  
**TOTAL PARKING PROVIDED - (1.83 P.S./D.U.)** 549

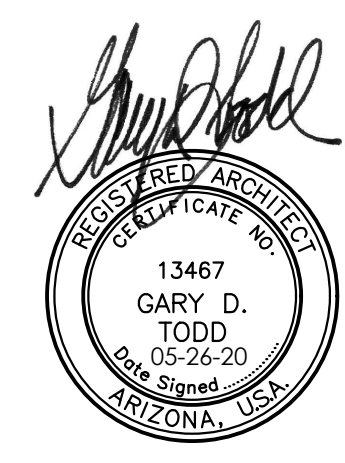
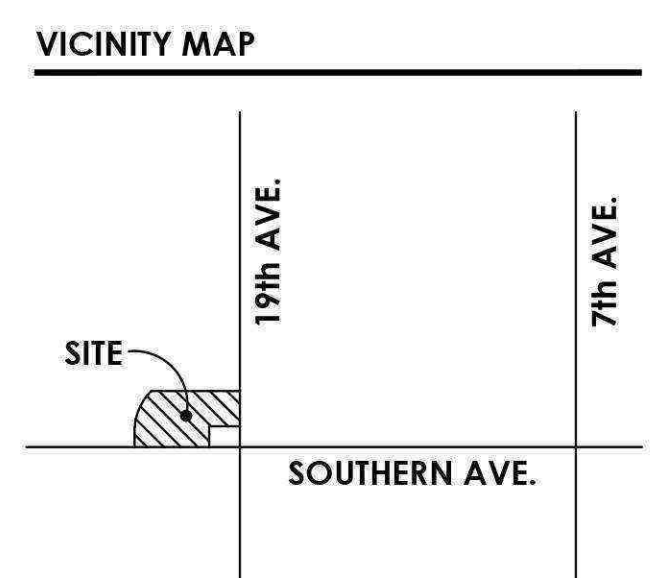
**BUILDING AREAS (GROSS)**

APARTMENT BUILDINGS (13 BUILDINGS)	± 365,355 S.F.
COMMUNITY / LEASING & FITNESS BUILDINGS	± 7,623 S.F.
MAINTENANCE BUILDING	± 450 S.F.
CARPORTS (304 SPACES)	± 47,736 S.F.
<b>TOTAL BUILDING</b>	<b>± 421,164 S.F.</b>

**CITY OF PHOENIX**

MAY 26 2020

Planning & Development Department

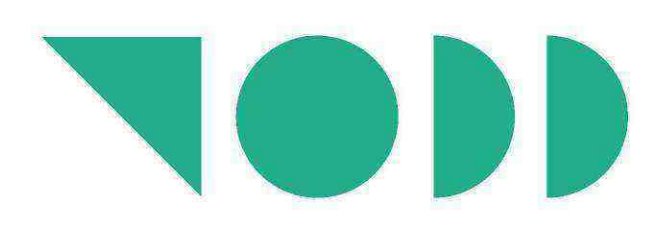


SOME PROPERTY DIMENSIONS BASED ON INFORMATION FROM MARICOPA COUNTY ASSESSOR'S MAP.  
 FIRE TRUCK TURNING RADII: 35' INSIDE - 55' OUTSIDE  
 SIGHT VISIBILITY TRIANGLES AT 10'x20' TYPICAL PER CITY OF PHOENIX

**PARKING STANDARDS**

PARKING STALL TYP.	8'-6" x 18'-0"
ACCESSIBLE PARKING STALL	11'-0" x 18'-0"
ACCESSIBLE PARKING RATIO	2% x 550 = 13 P.S.
PARKING DRIVE AISLE WIDTH	26'-0" MIN.
FIRE TURNING RADII	35' IN / 55' OUT
LOADING AREAS (2 PROVIDED)	10' x 30' MIN.

MDEV / SDEV NO.	----
DSD KIVA NO. / PAPP NO.	----
VARIANCE NO.	----
ZONING MAP	----
QUARTER SECTION NO.	----
PRE-APPLICATION MEETING	----



**TODD+ ASSOCIATES**

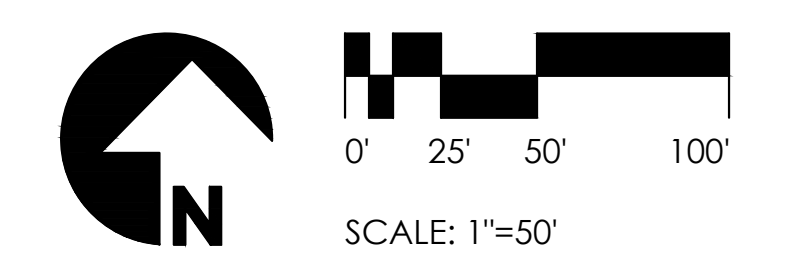


**APARTMENTS - NWC SOUTHERN & 19th AVENUE**

PROJECT NO. 18-2050-00

May 26, 2020

CONCEPTUAL SITE PLAN  
 REVISED





To whom it may concern.

My name is Petra Ruiz, Resides  
at 5617 S. 20<sup>th</sup> Dr. Phx, AZ 85041

In Regard to the intent To built  
an apartment complex on 19<sup>th</sup>  
Ave & Southern. Case number  
2-49-19-8 submitted by  
Dominium Development and  
Acquisition

My concern, It will increase  
potential crime and Traffic,  
The safety for us senior citizen  
who takes our walks.

with a Commercial Retail  
development would bring  
economic prosperity to our  
community

Petra / Ruiz  
5617 S. 20<sup>th</sup> Dr.  
Phx AZ 85041

March 4, 2020

To Whom it may concern:

Regarding (Case No. Z-49-19-8)  
to rezoned Property on 19<sup>th</sup> Ave.  
and Southern Ave. from a  
(PSC) to O. (C2) zone.

I would like to petition against  
this action as we are heavily  
populated with neighborhoods on  
both sides of this areas with  
a large area of Apts from  
19<sup>th</sup> Ave and Pecker to Sunbird  
and an Elementary school behind  
the area of 19<sup>th</sup> Ave and Southern  
and have a greater need of  
a (PSC) zone.

Stella Yborra  
19<sup>th</sup> Ave Pecker

1828 W. PECKER  
PHX AZ 85041

May 1, 2020

Reference; Case No: Z-49-19-8

To Whom It May Concern:

I am writing on behalf of intent to build apartment complex at 19th Avenue and Southern Avenue behind my neighborhood.

Concerning Case No. Z-49-19-8, Rezoning submitted by Dominion Development & Acquisition, I am opposing the rezoning application and Height Waiver and the Density waiver. Our community does not need affordable multifamily complex. Our Community is in Need of Economic Development. Thank you, for your time allowing me to express my concerns and opposition.

Best Regards,  
Matus Wesley

May 5, 2020

REFERENCE: 19th Ave & Southern Ave Rezoning  
CASE NUMBER: Z-49-~~78~~-18 , Opposing Rezoning  
Z-49-19-18

To Whom It May Concern:

I AM writing this letter to inform The City of Phoenix Planning and Development Department, Zoning Section, that I am opposing the rezoning for apartment complex at 19th Ave & Southern Ave; case number: Z-49-19-8.

I AM a longtime resident I have seen the disadvantages that our Community have compared to other communities near by. This community deserve to have commercial retail to help the community to grow economically.

Additionally, apartment complex potentially crime increase, would increase traffic, traffic will increase and cut through our neighborhood (Hidalgo Ave, Roeser Road) more! Resident Privacy Hidalgo Ave north of the property will be intrude upon. Lets talk about Mountain Range views that's God given.

Best Regards

Shawn Wilbur 56225. 20th Ave PM 8785041

May 2, 2020

Subject: Case number: Z-49-19-8

To Whom It May Concern:

RE: Dominion Development & Acquisition.

I am Opposing Rezoning

My name is Tash Sweet, I am sending this letter on behalf of a concerned resident and community member of Windo Park for 35 years.

I haven't seen economic growth in our community since I was born here. I am opposing this rezoning from commercial to residential because our neighborhood doesn't have prosperity growth that we all need and want. Commercial Retail Development is crucial apartment complex is not.

Thank you, for hearing my concerns and opposition.

CC: s demmitt@gblaw.com

Subject: CASE No. Z-49-19-8

To whom It May Concern:

My name is Anaya Waters I was born and raised in this community, I am eighteen years old, college student. At this time we young people do not have a future in our own community to grow because there is no normalcy, no prosperity; What I am praying for is Economic Development and in order to have that we need commercial retreat. Therefore, I am opposing this rezoning for Case No. Z-49-19-8. Thank you for your time.

Sincerely,

Anaya Waters

5622 S. 20th Drive Phx AZ 85049

Case No-2-49-19-8

I strongly oppose the development of property on the northwest corner of 19th and Southern Avenues.

By Phoenix Leased Housing Associates II, LLC, an affiliate of Dominion Baker Development & Acquisition Proposed developer.

Here are the reasons for opposing this.

- 1) We do not need more apartments
- 2) You are building this right next to a school.
3. This property being built for apartments will cause such a terrible traffic jam - This will affect residential areas (Traffic) And more traffic accidents
4. We are in need of a \$50 zone

Jackie Sutton

1828 W. Pecan Road  
Phoenix, AZ 85041

May 5, 2020

RE: CASE No. Z-49-19-8, I am Opposing.  
To Whom It May Concern:

It has been come to my attention that there is an intent to build an apartment complex at 19<sup>th</sup> Ave and Southern behind my neighborhood.

My name is Alphin Dunley, I am 82 years old and I have lived in this community for over fifty plus years. I am writing and sending this letter with my concerns and opposition. I strongly opposed this rezoning. Our community is in need and in need only of a Commercial Retail for jobs and growth in our Community. We need and have to think about the Future Prosperity Economic Development.

I definitely don't want my backyard or any of my neighbors to be invaded by these Diva's. More crime and traffic is not needed. Thank you for your time.

Sincerely, Alphin Dunley 5622 S. 20<sup>th</sup> Drive  
PHX, AZ 85041



My name is Mrs. Jessie Navarro, I am a resident of Lindo Community for that past 60 years at 5612 S. 20th Drive, Phoenix, AZ

I am sending this letter to let you know the property is near 19th Avenue and Southern Avenue.

I am opposed to this apartment complex being built in our neighborhood, Case No. Z-49-19-8. In order for our community, neighborhood, young adults, and children to have a better future and to prosper Commercial retail Development is so important because it will bring economic prosperity and stability to our community.

Sincerely,

Mrs. Jessie Navarro

A handwritten signature in cursive script that reads "Jessie Navarro". The signature is written in black ink and is positioned below the typed name.

To Whom It May Concern:

My name is Mrs. Parker I am a community member for over 50 years.

I am writing a letter concerning the rezoning for the 19th ave and Southern Ave NW corner for intent to build an apartment complex. Case number Z-49-19-8

I want to first say that I am opposed to this complex being built in this Community. One of the reasons Commerical Retail Development is very important and is needed in this Community which will bring Economic Prosperity.

Second reasons the neighbor's privacy will be violated due to 3 stories complex; more accidents crime will potentially increase and also this apartment will be an eyesore to our South Mountain and our Phoenix Skylines. Also, the potential of more individuals moving into the apartments that are not on the lease agreement.

Thank you,

Mrs. Parker

5607 South 20th Drive  
Phoenix, AZ 85041

A handwritten signature in cursive script that reads "Mrs Parker".

To Whom It May Concern

My name is Wayne Wesley I am a resident at 5621 S. 20th Drive, for 58 years. I was born in this community and I am very proud of that.

There is a rezoning application for a residential apartment complex located on the NW corner of 19th ave and Southern Avenue, Case number Z-49-19-8.

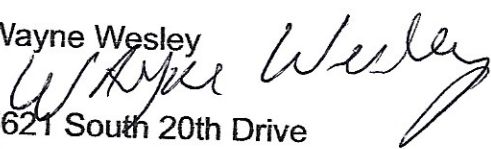
I am OPPOSING I am not interested in having 3 stories, 314 multifamily apartments can only turn right( to go westbound on Southern Ave., which will bring more traffic to what we have; cutting through our neighborhoods); crime will increase (statistically crime is higher all ready high in this area.

Also in order to accommodate 314 apartments, you are requesting a height waiver for three stories; I am OPPOSING, South Mountain reserve the view will be blocked and our neighbor's privacy in there back and front yards will be intruded upon.

The Basis Primary School NE of the property potentially the students also have a lot of traffic. The four corners of 19th Ave and Southern Ave., Sout, North, East, and Westbound have 4 to 6 accidents a week; with this apartment complex, it will be an increase of accidents/deaths due to the congestion and more cars on the street. I appreciate you giving me the opportunity to address my concerns and opposition.

Sincerely,

Wayne Wesley

  
5621 South 20th Drive

Phoenix, AZ 85041

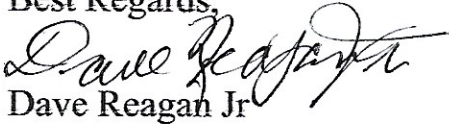
To Whom It May Concern:

I Dave Reagan Jr. Grew up on West Hidalgo Ave., my parents still reside there right in front of this property where there intent to build 314 apartments for low-income families (\$42,000 to \$44,000; standardized in not low income). I don't want my parents nor community privacy to be invaded with 3 stories in some of the neighbor's backyard.

By growing up in this Community and buying a home in the same community I was born and raised here and still reside here; raised three children in this neighborhood; that's three generations.

I am opposing this Case Number Z-49-19-8 for rezoning. This community and neighborhood are better to serve for Commerical Retail Development, JOBS, JOBS!!!!!!!!!!!!!! for the people of this Community; Economic Development is a Life Saver.

Best Regards,

  
Dave Reagan Jr

2257 W. Wayland Road  
Phoenix, AZ 85041

*Case Number: Z-49-19-8*

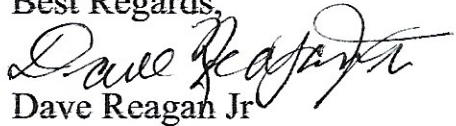
To Whom It May Concern:

I Dave Reagan Jr. Grew up on West Hidalgo Ave., my parents still reside there right in front of this property where there intent to build 314 apartments for low-income families (\$42,000 to \$44,000; standardized in not low income). I don't want my parents nor community privacy to be invaded with 3 stories in some of the neighbor's backyard.

By growing up in this Community and buying a home in the same community I was born and raised here and still reside here; raised three children in this neighborhood; that's three generations.

I am opposing this Case Number Z-49-19-8 for rezoning. This community and neighborhood are better to serve for Commerical Retail Development, JOBS, JOBS!!!!!!!!!!!!!! for the people of this Community; Economic Development is a Life Saver.

Best Regards,

  
Dave Reagan Jr

2257 W. Wayland Road  
Phoenix, AZ 85041

*Case Number: Z-49-19-8*

5-49-19-  
To Whom It May Concern:

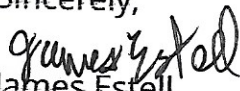
I received a letter in reference to the apartment complex of 314 units, increasing variance height and width for affordable multiple housing units at 19th ave & Southern ave in Phoenix Az 85041.

I am against; opposing and disagree with rezoning. This apartment complex will be a disservice to the community. Service that will provide Economic needs will be to continue to keep the property as Commerical Retail; The Lindo Park Community informed the Developers, Gammage & Burnham, PLC and TheDistrict 8 Representative Carlos Garcia, at the meetings in October 2019 and February 2020 apartments was not needed; what The community need was remained Commerical/Retail for jobs.

In addition, our Community is already top-heavy with rooftops, we don't need our South Mountain reserve view to be blocked, Definitely don't need to increase crime, traffic, more sex offenders to be near the primary school and not but least some of the residence privacy will be intruded upon.

Thank you for allowing me to express my concerns and opposition.

Sincerely,

  
James Estell

A resident of Lindo Park, 40 years  
5622 South 20th Drive  
Phoenix, AZ 85041

Reference: Case No Z-49-19-8  
Dear South Mountain Village Planning Committee,

I am opposing Case No. Z-49-19-8, 19th Ave and Southern Avenue NW,  
Dominium Development & Acquisition.

Reviewing the Aerial Map of the property of 14 acres placing 312 residential units and requesting variance height is not suitable for this Community our Neighborhood will be overpopulated, No Normalcy, this will not bring Economic Prosperity to Our Community, Potentially more Crime, More car Accidents and Death, Higher Property Taxes, Some of our residents will have there privacy invaded upon due to higher variance and that is not acceptable.

By this Developer to receive tax credits to build this oversized apartment complex is not benefitting our community; it will benefit the Developers they continue to get richer and our Community continues to get poorer.

Most of our residents have been living in this community for over 50years or more and we all here in the Community Deserve to have a Commercial Retail like all the other developed divisions.

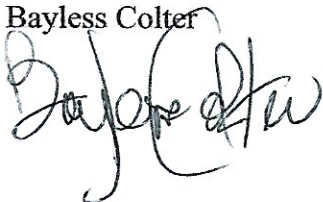
I recommend The Developers to build this low-income apartment complex in their own backyard because this Community don't need it or want it in their backyards.

Building the apartment complex requires resident's to exit right only, West Bound on Southern Avenue where the Traffic is Already have grown in the last 12 years with high populated areas within 5-mile ratios and more traffic added from apartment complex will have more impact of traffic coming through our residential neighborhoods, as of now I have to seat 15 minutes in my driveway in order to exit my home on West Hidalgo Avenue, I don't have to live that because of Greed. and Politics.

I am asking The South Mountain Village Planning Committee and The City of Phoenix Planning and Development ZoningTeam to Reject, Reject!!!! this application and assist this Community with Commerical Retail similar to some areas like 16th and24th Street and Baseline also Laveen Committee has done a wonderful job of bringing in Economic Prosperity to there Community.

I appreciate your hearing my concerns and opposition.

Sincerely,  
Bayless Colter



To: City of Phoenix Planning & Development:  
RE: Case No. Z-49-19-8


My name is Mr. Ben Chandler, I Opposed!!!!!!!!!!!!!!!!!!!! the rezoning application, Case Number Z-49-19-8. The intent to build 312 low-income apartments will not help this Community to have Economic Freedom and Prosperity.

Traffic will increase by only allowing residents from the complex to make a right turn which will be Westbound on Southern Avenue, We will have more Traffic cutting through our neighborhoods, Increase of accidents which will be highly dangerous to the Community and the young students at Basis Primary School, Resident Privacy will be intruding upon by having 3 stories (We all want to enjoy our backyards without feeling uncomfortable and violated in our own homes), our Environmental Air Quality will increase.

I and the majority of our Community are Opposed for this rezoning to build residential low-income apartments, minimum of \$42,000 to qualify; the average Community member here doesn't meet the qualifications to even reside in those apartments; I am not understanding you want to build high-quality apartments in a disadvantage neighbor that needs Economic Development.

Thank you,

Ben Chandler

  
2026 W. Wayland Road  
Phoenix, AZ 85041

Mailing Address

PO Box 20961  
Phoenix, AZ 85036



Z-49-19-8

My name is Allison Reagan I moved into this neighborhood when I was in the fourth grade, once I became an adult I bought a house in the same neighborhood because I love this community.

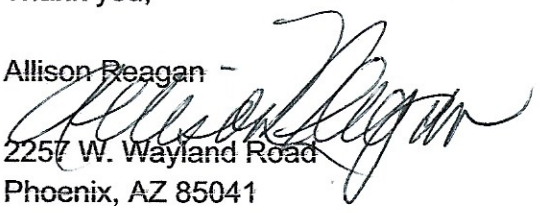
I have many concerns and oppositions on why this Commerical Retail Development property should stay zoned as it is, why? This community needs jobs to be developed on 19th Ave and Southern Ave., Which will give us Growth, Economic Development, Prosperity for the future, and the next generation.

I am opposing the rezoning of 19th Avenue and Southern Avenue, NW corner.

Thank you,

Allison Reagan -

2257 W. Wayland Road  
Phoenix, AZ 85041



Dear Committees:

I Daviaughn Regan, born and raised in this community for 22 years, I love it here! I have drive 40 miles round trip to work, I want to be employed in my neighborhood.

The apartment complex will not help bring job opportunities that can provide a great middle-class salary for our current and future generations to come. We must be able to provide and take care of our families.

Commercial Retail Development is so crucial for this Community future by providing Economic Growth that is desperate need.

I OPPOSED the rezoning for residential, this Case Number Z-49-19-8, Property at 19th Ave and Southern Ave., NW corner.

I appreciate your time.

Sincerely,

Daviaugh Reagan

*Daviaugh Reagan*  
2257 W. Wayland Road  
Phoenix, AZ 85041

*Case No. Z-49-19-8*

To Whom it May Concern:

I am sending this email on behalf of Mr. Dave Reagan due to he doesn't have an email address and not interested in having one.

Last October 2019 it was brought to my attention Dominium Development & Acquisition request rezoning from residential to Commercial for apartments on 19th ave and Southern Ave, Case No. Z-49-19-8.

I expressed my concern to a developer and the law firm of Gammage & Burnham, PLC in our first information meeting in October 2019, that I will be opposing this rezoning.

Commercial retail Development is needed more for this community. The variance will definitely take away some resident's privacy, more cut-through traffic, more crime, higher property taxes.

Thank you, for your time and for hearing my concerns and my opposition.

Best regards,

Mr. Dave Reagan



2029 W. Hidalgo Avenue

Phoenix, AZ 85041

02/10 2/10/19-8  
TO: City of Phoenix Planning and Development:

It has come to my attention that there is an intent to build an apartment complex at 19th Avenue and Southern behind my neighborhood. Case No. Z-49-19-8 submitted by Dominion Development & Acquisition.

I am sending this letter to let you know that as a resident of 60 years; neighborhood adjacent to this property. My family has the history to hear 3 generations. I am OPPOSED to this low-income apartment complex being built. I have been expecting that there would be Commercial retail development that would bring economic prosperity to our community.

The addition of this complex would increase traffic, taxes, and potential crime increase to this community. Additionally, it will intrude on some resident's privacy in their backyards and views of the south mountain range, downtown Phoenix and the mountains that are skyline of Phoenix. The low-income apartments will definitely bring our property value down. We deserve to have the best quality of life for our families.

I have researched Dominion I have found Discrimination Lawsuits/Civil Rights, several residential lawsuits that the Developer had to pay settlements and the reviews from the following apartments: Hue 97 in Mesa, AZ; Florence Park Florence, AZ I found 148 verified reviews; 119 reviews were saying the apartment was roached infested, hike increase during lease agreement, rude, discrimination, took weeks for repairs, pool green, not enough parking spaces and etc.,

Thank you, for hearing my concerns and opposition.

Sincerely,

Willie Mae Reagan

2029 W. Hidalgo Avenue

Phoenix, AZ 85041



Reference CASE No: Z-49-19-8

To Whom It May Concern:

I am replying to a letter I received from Gammage Bushman, PLC on behalf of Dominion Development & Acquisition, Case Number: Z-49-19-8; in reference to the apartment complex.

I am against I am opposed to this rezoning of for Apartment Complex being built. I am definitely also opposing all aspects of this rezoning such as a waiver for the density and variance (south mountain reserve will be blocked); the overcrowdedness of the complex will potentially increase crime, traffic, environmental issues, and pollution, etc., hundreds of the neighbor's privacy will be intruded upon there backyards/front yards and also the skyline of Phoenix.

Lastly, it's very important to keep this property Planned Shopping Center/Commerical Retail Development, to bring jobs for our community that will allow Economic Growth. Thank you for your time.

Mr. William Navarro

5612 South 20th Drive  
Phoenix, AZ 85041

*William Navarro*

Donald Jones

2254 W Sunland Ave

Phoenix, Az. 85041

602-909-7824

[Donnyj47@hotmail.com](mailto:Donnyj47@hotmail.com)

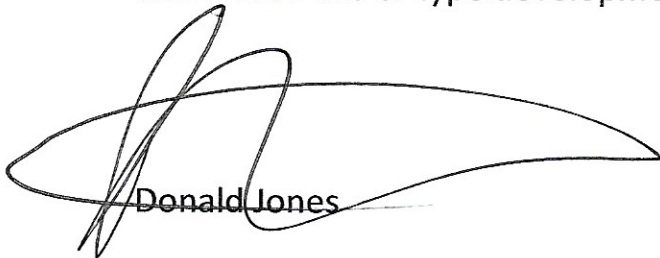
Case number Z-49-19-8

Dominium development & acquisition

19<sup>th</sup> Ave & Southern

As a long term resident of this neighborhood I strongly oppose the building of this Complex. There are many other things that can bring economic prosperity to the Community. This complex will increase traffic and crime in our neighborhood.

This is NOT the of type development we need.



Donald Jones

ROSE JONES

2254WEST SUNLAND

PHOENIX, ARIZONA

85041

HOME NUMBER 602-276-7119

CELL NUMBER 602-478-0619

EMAIL ADDRESS [rose27shop@gmail.com](mailto:rose27shop@gmail.com)

Reference to case number Z-49-19-8

I strongly oppose the building of these multi family apartment complex being built,19<sup>th</sup> avenue and southern north west corner.

I have been a resident in this area for 49 years ,I have watched the builders bring designs and all kinds of art work to our meetings. A perfect example is the apartments built on 23<sup>rd</sup> avenue and Southern. These apartments are a drug haven. The police are called often to this complex .We have seen killings and drug activity . A complex this large will cause to much traffic and crime. We are no longer going to stay quiet and watch the decline of our neighborhood.

Rose Jones

A handwritten signature in cursive script that reads "Rose Jones". The signature is written in black ink and is positioned below the typed name.

To Whom it May Concern,

Its has come to my attention that dominium development and acquisition,  
case 2-49-19-8

My name is Bertha Nunley, I have been a resident of this neighborhood for fifty years. I am sending this letter to inform the south village committee and others that I am opposing this rezoning from commercial to residential. I am strongly for growing our community by bringing in economic prosperity.

Additionally the complexes will not be beneficial because of the following:

- Potentially increase of crime/ traffic throughout the neighborhood
- More car accidents
- Residential privacy being destroyed in their backyards from the complexes bring 2 to 3 stories high
- View of south mountain from our properties would be tarnished

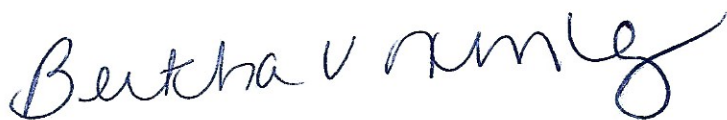
I appreciate you hearing my concerns and oppositions.

Sincerely,

Bertha nunley

5622 south 20th drive

Phoenix ,Az 85041

A handwritten signature in blue ink that reads "Bertha Nunley". The signature is written in a cursive, flowing style.



To Whom it May Concern,

My name is Arianna Stingley, I am sending this letter to let you know that as a resident of the Lindo Park Neighborhood near the property of 19th ave and Southern; case No. 2-49-19-8. I am opposed to this apartment complex being built in my neighborhood.

I was born and continue to live in this neighborhood for 22 years. I know the property is commercial retail development and I expected that it would bring Economic longevity to our community and our youth who and will be for the future!

In addition to the apartment complex situation here are some concerns and negative aspects:

- We expect and desire the space to be used for a grocery store, restaurants, commercial retail development for our neighbourhood to utilize without going miles to go to an healthy option for food, olive garden or a nice safeway or costco
- The privacy of the residents of our neighborhood would be broken with the apartments being 2 to 3 stories high and revealing private backyards.
- Unnecessary crimes and traffic will increase from developments that will not benefit the neighbor. Things that benefit us such as commercial retail (groceries stores)

Thank you, for your time, appreciate you hearing my concerns and opposition.

**Sincerely,**

**Arianna Stingley**

**5622 south 20th drive**

**Phoenix,az 85041**



**From:** [Al Fletcher](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#); [sdemmit@gblaw.com](mailto:sdemmit@gblaw.com)  
**Subject:** Case No. Z-49-19-8  
**Date:** Monday, May 11, 2020 10:20:08 AM

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Disagree/Opposed to the current Dominion Development & Acquisition Plan issued for 19th Ave and Southern. This would jeopardize my views of south mountain. We'd prefer businesses vs residential lodging.

Thank you in advance for your help.

Please contact me with any questions.

Al Fletcher  
602-292-2560

**From:** [A.N](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Audria Nunley, More Questions to be added for item 7, case number Z-49-19-8 for the May 12" 2020 Virtual Video  
**Date:** Friday, May 8, 2020 5:01:00 PM

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Hello,

The question is:

1. Why do you want to build apartments at 19th ave and Southern Avenue?
2. Is there any apartments you have built in state of Arizona? If so, please provide date was built, name, address, city and State.

Thank you,  
Audria

**From:** [A N](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Re: Questions for May 12, 2020, Case No: Z-49-19-8  
**Date:** Friday, May 8, 2020 11:27:56 AM

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Hello,

I would like to make a correction on my question 1B. I would like to know who's responsibility to keep monitor of family and friends that will potentially move into the Lease apartment without management knowledge?

Thank you

On Fri, May 8, 2020, 3:56 AM A N <[maricopaaln@gmail.com](mailto:maricopaaln@gmail.com)> wrote:

Mr Bojorquez,

My item number for the virtual video, is 7. I forgot you add it with my list of questions. Thank you for updating my information.

Audria

On Thu, May 7, 2020, 9:06 PM A N <[maricopaaln@gmail.com](mailto:maricopaaln@gmail.com)> wrote:

Good Evening Mr Bojorquez,

Here's my following questions:

1. We donot need a height variance approved for a three story structure. (This would intrude on some resident's privacy, would increase traffic and potentially crime increase);

I want the Developers to explain why the height increase?

Who will control other individuals who will me in with the family or friends are are not on the lease.

2. Development does not have adequate parking (Each unit would have space for 1.75 cars);

Developers please explain why there is so many units being build and not adequate parking space per unit?

3. Cars can only Turn Right and go West on Southern ( To go east, they will have to cut through our neighborhood). The already heavy traffic on Southern Ave (East, West, North and South); Dangerous problem, it will add to more accidents on Southern Avenue, 23rd Avenue, Hidalgo Ave, Bowker and to Roser Road.

Developers I would like to know why build 314 apartment units which is a large complex on such smaller acreage of land that will only allow tenants to exit one way?

4. There is no guarantee they will keep up the maintenance of the property. ( look at the

properties West of this project).

Thank you for your time.

Audria Nunley  
Community Member

**From:** [A.N](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [PDD South Mountain VPC](#); [Council District 8 PCC](#); [Adriana Garcia Maximiliano](#); [Samantha Keating](#)  
**Subject:** Case Number: Z-49-19-8  
**Date:** Monday, May 18, 2020 5:45:08 PM

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To: City of Phoenix Planning and  
Development Department

South Mountain Village Planning Committee

RE: Case Number: Z-49-19-8

I want to thank South Mountain Village Committee for giving me the opportunity to be part of the meeting on May 12, 2020, regarding the application of Dominion Development concerning rezoning to build Low Income Apartments on 19th Avenue and Southern.

This letter is response to concerns realized after the meeting. I am still in OPPOSITION to the building of a 312 unit 3 story Low Income Apartment complex at the Northwest corner of 19th Avenue and Southern by Dominion Development. This property defined as an affordable multi family residential community is not welcome addition to this already sixty years old established single family home Community.

I had the opportunity to drive around District 8 community from 48thst and Broadway; Roeser Road; Southern and Baseline; to 27th Avenue and Broadway Roeser Road; Southern and Baseline. My observation and discovery that there are several Apartment buildings in the area and the ones that are occupied on much smaller lot than what Dominion Development is proposing at 19th Avenue and Southern. The apartments that has been previously built blends in the surrounding neighborhoods and not imposing nor obstructing the single family homes.

It is very apparent from the information shared in the meeting that the Developer is running out of time to purchase the property from Mrs London; he was very frustrated and also complaining about The South Mountain Village Planning Committee cancelled the meeting in April 2020; the Developer is more CONCERN ABOUT THE PROFITS TO BE LOST IF THE DEAL IS NOT COMPLETED SOON IN PURCHASING THE LAND AND THE REZONING APPLICATION.

Also, it is apparent that there is little FLEXIBILITY for Dominion making the project more conducive to fitting into our Community by making the buildings one or two story. "HE SAID, IT DOESN'T MEET THEIR PROFITABILITY MODEL"! "PROFIT OVER COMMUNITY"!!!!!!!!!!!!!!

I do not believe that Dominion has made a TRUE and SINCERE efforts to interact with the residents, community organizations and surrounding businesses and truly have not act upon the issues the residents with the project.

The idea of making one building two stories tall out of the other 10 to 12 units is ridiculous. When you take into account the sheer size of the project it just does not mesh with this Community. This neighborhood and the surrounding neighborhoods are single family homes.

We like the feel of the openness of our Community. There have got to be better options for this use of this property that would be more ideally fit the nature of this area. Nothing in this area from Central Avenue on the East to 35th Avenue on the West, Baseline Road on the South and Broadway Road on the North, reflect this type of proposed property at all.

There is ten (15) secondary elementary schools and high schools in the surrounding areas. There is Basis primary School they also is in process of building there 4th grade to high school completing 2020; which will be East of the proposed apartment project. There is thousand of Student in this area walking from school to bus stop and home; it will be very dangerous and unsafe to build 3 story apartment complex next door to Basis school and the other schools in the surrounding area.

I understand growth and development are in this town future, but it must not come at the SACRIFICE of our neighborhoods, our quality of and safety of our families and children.

One of the aspects of preserving the "Character of Our Community" has to be look at the "Character" OF THE PEOPLE WHO ARE INTERESTED IN BUILDING IN OUR COMMUNITIES!

When Dominion first meet with the community in September 2019; February 2020 We all from the community informed the developers we all are OPPOSING this project. Our community meeting in February 2020 Representative Carlos Garcia informed the community that Dominion contacted him to inform him we the community was on board..." WE AS THE COMMUNITY STATED THAT DOMINIUM LIED TO YOU MR GARCIA AND WE ALSO TOLD DOMINIUM THEY WE LIARS THEY WERE AT THE MEETING AS WELL. DOMINIUM IS A LIAR. On May 12, 2020 Virtual Video he lied again saying the Community was on board. The dishonesty is one example of why Dominion Characteristics Is Not Appropriate for our Neighborhood. Later in this letter I will give more items of concern of "Dominium Characteristics.

Although Dominion prides itself on managing it's own properties and claims through the years Dominion have never lost sight of it's commitment to people"; the actual tenants who live in Dominion properties attracted by the lower rents tell very different story. Their horror stories? as documented online in their own words on Yelp, Apartmentratings.com and BBB Better Business Bureau reveal shoddy buildings, broken cabinets, roaches infestation, maintenance practices, lack of air conditions service, green swimming pool and more. These sub standard living conditions are compounded by neglect and even mistreatment by Dominion Development, Corporate and Management who disdain and ignore tenants complaints and may also engage in financial fraud as revenge.

These shocking first-person accounts from tenants are not few and far between; rather they form a disturbing pattern of unconscionable mistreatment towards tenants living in these affordable housing development from the early 2000's all the way to 2019 and 2020.

Please see name of apartments with tenant reviews below:

[https://www.apartmentratings.com/az/green-valley/sahuarita-mission-apartments\\_520399234586614/review-112034067/](https://www.apartmentratings.com/az/green-valley/sahuarita-mission-apartments_520399234586614/review-112034067/) [apartmentratings.com]

<https://yelp.to/qTKg/PvtSyPAfl6> [yelp.to]

<https://g.co/kgs/EmAioH> [g.co]

[https://www.yelp.com/biz/hrid-P7tsNMwSAESaBNValQrpxgtutm\\_source=ashare&ref=Yelp-android](https://www.yelp.com/biz/hrid-P7tsNMwSAESaBNValQrpxgtutm_source=ashare&ref=Yelp-android) [yelp.com]

<https://g.co/kgs/kL2wZK> [g.co]

<https://g.co/kgs/WTJyBf> [g.co]

<https://g.co/kgs/dSCddZ> [g.co]

<https://g.co/kgs/> [g.co]  
[S9cLZD](https://g.co/kgs/S9cLZD) [g.co]

<https://g.co/kgs/ZU1aks> [g.co]

<https://g.co/kgs/nZHtxb> [g.co]

<https://g.co/kgs/KgfvMm> [g.co]

<https://g.co/kgs/haP71w> [g.co]

<https://g.co/kgs/TLyqPL> [g.co]

<https://g.co/kgs/q5iCBu> [g.co]

<https://g.co/kgs/WmR14Z> [g.co]

<https://g.co/kgs/3qr2QV> [g.co]

<https://g.co/kgs/SMJBqi> [g.co]

<https://g.co/dnCcZZ> [g.co]

<https://g.co/Xx1QKW> [g.co]

<https://g.co/Lpxyry> [g.co]

IT'S SO MANY MORE!!!

"WHO IS DOMINIUM"?

"DOMINIUM "CHARACTERISTICS IS NOT APPROPRIATE FOR OUR NEIGHBORHOOD. I HAVE SOME CONCERNS:

- Dricrimination Practices
- Civil Rights Practices
- Disabilities Practices
- Rent Hike Practices
- Tax Payer Practices



- US Attorney vs Dominion Lawsuit
- University Minnesota Case Study
- Employee Practices
- BBB Better Business Bureau

Please Visit the links below:

<https://www.bbb.org/us/mn/plymouth/profile/prproperty-management/dominium-management-services-074-22003635> [bbb.org]

[https://www.justice.gov/archive/opa/pr/2002/April/02\\_crt\\_224](https://www.justice.gov/archive/opa/pr/2002/April/02_crt_224) [justice.gov]

<https://www.justice.gov/usao-mn/pr/brooklyn-park-landlord-and-property-management-company-agree-pay-victim-vilating-fair> [justice.gov]

<http://www.citypages.com/news/dominium-shows-how-to-strike-it-rich-via-affordable-housing-welfare/388553202> [citypages.com]

<https://icrc.iowa.gov/document/hudson-v-dominium-management-services-llc> [icrc.iowa.gov]

<https://www.indeed.com/cmp/Dominium-Management-Services,-LLC-1/reviews?fcountry=US&floc=Plymouth%2C+MN> [indeed.com]

<https://www.indeed.com/cmp/Dominium-Management-Services,-LLC-1/reviews?ftopic=paybenefits> [indeed.com]

<https://www.indeed.com/cmp/Dominium-Management-Services,-LLC1/reviews> [indeed.com]

<https://www.indeed.com/cmp/Dominium-Apartments/reviews> [indeed.com]

<https://www.bbb.org/us/mn/plymouth/profile/property-management/dominium-management-services-0704-2003635> [bbb.org]

"If some the the link are not working feel free to Google Dominion"

Some of the links above will give you an idea on "WHY DOMINIUM" CHARACTERISTICS IS NOT APPROPRIATE FOR OUR NEIGHBORHOOD; AND ALSO THE CITY OF PHOENIX COMMUNITY AT LARGE.

Additionally, other concerns that I would like to address on May 12, 2020 Virtual Video Meeting the Developer stated:

- He stated that Community is for the project that's a LIE! Information Session in September 2019; February 2020 and May 12, 2020 all Coomunity members attended (40 plus); the meeting in September dated we all were against the project.

- In February at our Community member meeting Dominion was part of the agenda and also Representative Carlos Garcia; Mr Garcia informed us that the Developer contact him and informed him we were all on board.

AGAIN ALL COMMUNITY MEMBERS TOLD MR GARCIA THE THE DEVELOPERS ARE LYING. WHO WANTS A DEVELOPER TO COME INTO THERE COMMUNITY AS A LIAR? NO ONE THEY CAN'T BE TRUSTED.

- The Developer stated we have 23 restaurants in area. That's a Lie! According to the Arizona Commerce Authority we have 2 Resturants and 68 FOOD SWAMP. Obviously the Developer definitely is not doing his homework.

- Crime in the area is the spoke with The City of Phoenix Police and he stated crime was no crime. He did not provide proof, date, who he spoke to. Where is his documentation. Her say doesn't mean anything. You have request a crime report from The City of Phoenix Code Enforcement and it can take several weeks. I have requested that report

- Most of the neighborhood in the Lindo Park area hasn't spoken to the Developer; there were fliers left on there doors.

- The major businesses in the area Walgreens, Circle K, Quick Korner, Quick Trip, Family Dollar, Little Cesar and Follar General has not spoken with "Dominium" locally; Developer dis not provide the information in writing it was all here say, I don't trust them, have lied too many times.

I have spoken to Managers myself..I will provide letter of 1 of the business who is Opposing this project.

Dominium Development and Management is more concerned with Profit over Community. All of the various lawsuits, slumlord practices, civil rights violations, fair housing act violations and the US Attorney lawsuits agains Dominium tells alot about there characters and it's not one for this neighborhood.

South Mountain Village Planning Committee please don't allow Dominium to develop roof tops inour neighborhood nor any other neighborhood that is in The City of Phoenix Community jurisdiction they can't be TRUSTED they lie, cheat and steal from the communities and tax payers. The OPPOSITION FOR THIS PROJECT STILL STANDS FOR ME AND THE COMMUNITY OUR LETTERS THAT WAS EMAILED AND SENT PROVE THAT.

Appreciate your time in listening to my concerned and opposition.

Sincerely,  
Audria Nunley  
2023 W. Hidalgo Ave. 85041



**From:** [A.N](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [PDD South Mountain VPC](#); [Samantha Keating](#)  
**Subject:** Application Case Number: Z-49-19-8 My Revised Letter  
**Date:** Tuesday, May 12, 2020 8:06:21 AM

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To: City Phoenix Planning and Development/Zoning

South Mountain Community Village Planning Committee

RE: Case Number: Z-49-19-8

I am writing this letter in OPPOSITION to the proposal to build a 312 unit, three(3) stories low income; section 8; income based affordable multifamily apartment complex located on the NW corner of 19th Avenue and Southern.

I DISAGREE with this rezoning from a Planning Shopping Center/Commerical Retail District to Residential Low Income, Section 8, Income Base Multiple family Apartments.

I been in this Community for 58 years; I also purchased a home and other family members as well; My family has raised three (3); generations in this Community. By using our tax payers dollars for a better quality of life for our Community future it will bring Economic Development and Growth; JOBS! and Prosperity to our Neighborhood with Commerical Retail.

On October 2019 a Informational Meeting was held with Dominion Development & Aquisition Phoenix Leased Housing Associates II, LLLP and The representation Gammage & Burham, PLC. The presentation was aggressive sales pitch telling our Community this is what you need for your community.

All of the Community members that was present (total of 40 plus); WE ALL SAID NO WE ARE OPPOSING the apartment complex we want the Property to Remain Commerical Retai/Planned Shopping for JOBS that will bring Economic Development that is our main priority for this Community.

Email was sent in March 2020 on behalf of the Community OPPOSING the Apartment complex to: Carlos Garcia District 8 Reprnsetative, South Mountain Village Planning Committee and many others.

My concerns for this project are we donot need need a height variance approved for three (3) story structure it will intrude on some resident's privacy in their backyards and views of South Mountain Range/Reserve, Downtown Phoenix and the Mountains that are the Skyline of Phoenix. The addition of this complex increase traffic, potentially crime increase to this Community.and our property value will decrease.

The development does not have adequate parking (Each unit would only have space for 1.75 cars); Based on The City of Phoenix housing choice voucher program very low income limit based on family size potentially congested of residents and vehicles.

Cars can only turn right and go West on Southern. (To go East they would have to cut through our neighborhood by taking;(Hidalgo Avenue; 23rd Avenue, Vista Grande, Bowker and Roser Road); increase traffic, increase of more accidents and death in the neighborhood.

There is no guarantee they will keep up the maintenance of the property (Look at the properties West of this Project).

By reviewing The City of Phoenix general map there is other property's available that will not obstruct neighbors views; will not have a privacy issues; able to enter and exit out of the complex safely ( traffic not congested or cutting through neighborhood); accessible to 1-10, 1-17 freeway; near Sky Harbor Airport; close to downtown and ASU. The following property's located at 24th Street and Broadway SW corner, Salt River Project and South Central Avenue Dobbins near the new rail system.

Dominium Development & Aquisition  
("Dominium), CHARACTERISTICS IS NOT APPROPRIATE FOR OUR  
NEIGHBORHOOD I HAVE SOME ITEMS OF CONCERNS:

1. Discriminations Practices
2. Civil Rights Practices
3. Maintenance Practices
4. Rent Hikes Practices
5. Employee Practices
6. Residents Income Practices
7. Landlord Practices
8. Tax Payers Practices
9. Community Practices
10. Zoning Practices
11. Disabilities Practices

I am requesting the City of Phoenix Planning and Development and South Mountain Village Planning Committee to REJECT the rezoning of Case Number: Z-49-19-8. "The Dominium" Characteristics is not appropriate for our neighborhood. We understand growth and development in this town future, BUT IT MUST NOT COME AT THE SACRIFICE OF OUR NEIGHBORHOOD, OUR QUALITY OF LIFE AND SAFETY OF OUR FAMILIES AND CHILDREN.

I appreciate your hearing my concerns and opposition.

Sincerely,

Audria Nunley  
2023 W. Hidalgo Avenue  
Phoenix, AZ 85041

**From:** [A.N](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Questions for May 12, 2020, Case No: Z-49-19-8  
**Date:** Thursday, May 7, 2020 9:06:53 PM

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Good Evening Mr Bojorquez,

Here's my following questions:

1. We donot need a height variance approved for a three story structure. (This would intrude on some resident's privacy, would increase traffic and potentially crime increase);

I want the Developers to explain why the height increase?

Who will control other individuals who will me in with the family or friends are are not on the lease.

2. Development does not have adequate parking (Each unit would have space for 1.75 cars);

Developers please explain why there is so many units being build and not adequate parking space per unit?

3. Cars can only Turn Right and go West on Southern ( To go east, they will have to cut through our neighborhood). The already heavy traffic on Southern Ave (East, West, North and South); Dangerous problem, it will add to more accidents on Southern Avenue, 23rd Avenue, Hidalgo Ave, Bowker and to Roser Road.

Developers I would like to know why build 314 apartment units which is a large complex on such smaller acreage of land that will only allow tenants to exit one way?

4. There is no guarantee they will keep up the maintenance of the property. ( look at the properties West of this project).

Thank you for your time.

Audria Nunley  
Community Member

**From:** [Brooke Blaylark](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Opposition  
**Date:** Sunday, May 10, 2020 8:18:45 PM

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To whom it may concern it has come to my attention that there is an intent to build an apartment complex at 19th Avenue and Southern behind my neighborhood I believe it is in reference to case number Z - 49 -19 - 8 submitted by the minium development and acquisition.

I am sending this letter to let you know that as a resident of the neighborhood at jacent to this property I am opposed to this complex being built I have been expecting that there would be commercial retail development that would bring economic prosperity to our community.

The addition of this complex would increase traffic and potentially have an increase in crime to this community . Additionally it would intrude on some residents privacy in their backyards and the views of the South Mountain range.

Thank you for hearing my concerns and opposition.

Brooke Blaylark

**From:** [Darlene Anaya](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Date:** Friday, May 8, 2020 5:32:43 PM

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Case No.Z-49-19-8 submitted by Dominion Development & Acquisition. Disagree/Opposed  
As a resident it will block views of the mountains and intrude on the privacy of residents  
backyards. Crime and increase traffic.  
CC: [sdemmitt@gbllaw.com](mailto:sdemmitt@gbllaw.com)



**From:** [Erma Hawkins](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [sdemmitt@qblaw.com](mailto:sdemmitt@qblaw.com)  
**Subject:** Case no.Z-49-19-8 /opposed  
**Date:** Sunday, May 10, 2020 8:32:12 PM

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To whom it may concern it has come to my attention that there is an intent to build an apartment complex at 19th Avenue and Southern behind my neighborhood I believe it is in reference to case number Z - 49 -19 - 8 submitted by the minium development and acquisition.

I am sending this letter to let you know that as a resident of the neighborhood at jacent to this property I am opposed to this complex being built I have been expecting that there would be commercial retail development that would bring economic prosperity to our community.

The addition of this complex would increase traffic and potentially have an increase in crime to this community . Additionally it would intrude on some residents privacy in their backyards and the views of the South Mountain range.

Thank you for hearing my concerns and opposition.

May 6, 2020

To: City of Phoenix Planning and Development Dept.  
Gammage & Burnham PLC  
Phoenix Leased Housing Associates A.K.A Dominionium

Re: Application Case No. Z-49-19-8

I am writing this letter in OPPOSITION to the proposal to build a 312 unit 3 story Apartment complex at the Northwest corner of 19<sup>th</sup> Avenue and southern. This property defined as an affordable multifamily residential community is not a welcome addition to this already established community.

I disagree with the application for rezoning from a Planned shopping center to Intermediate Commercial district; with a height waiver to allow for 3 story building construction. I have heard the proposals pitched from the law offices and from Dominionium for this construction to b approved on two different occasions. I along with many members of the community that is behind this location have and are vehemently opposed to this project. The residents that live here and that have lived in these homes for 2 and three generations desire to see built what was promised to our parents; economic shopping and local business to be built on this land.

Having been a resident of Phoenix 55 years, I am keenly aware of its growth and the necessity that growth impresses for more affordable housing. However, this location is not the spot for that expansion. From my observation a more prime and less obtrusive location for a residential facility as this would be 24<sup>th</sup> Street and Broadway road. There is easy access to I-10, I-17, downtown Phoenix, ASU and Phoenix Sky Harbor airport. It would also provide easy access for entrances to the property form 24<sup>th</sup> street and from Broadway road without impacting the nearby homes with traffic through the neighborhoods as will occur with the property at 19<sup>th</sup> Avenue.

If due diligence is done, you will find that this proposed property has very little support from all the neighborhoods within a one-mile radius. We know the traffic congestion and potential crime and loss of privacy this complex will bring. We are prepared to mobilize the community and make our voices of opposition loud and clear.

I request that the city reject the rezoning of this property and find ways to erect and infuse within the community the need retail amenities requested.

Sincerely,

Fred Jones, III  
2113 W Hidalgo Ave  
Phoenix AZ. 85041

May 15, 2020

To: City of Phoenix Planning and Development Dept.  
South Mountain Village Planning Committee

Re: Application Case No. Z-49-19-8

Good morning,

I appreciate the opportunity given to me to be a part of the meeting on May 12<sup>th</sup> 2020, regarding the application of Dominion to seek rezoning to build the project on this lot.

I took a ride around my community the other day to observe the buildings and apartments that are located between Central to 35<sup>th</sup> avenue and Baseline to Broadway. I discovered that there are very few Apartment buildings located in this area and the ones that are there take up much smaller foot prints than what is proposed at 19<sup>th</sup> Avenue and Southern. The apartments that have been built blend in to the surrounding neighborhoods and are not imposing to the feel of the single family homes.

When you consider the foot print Dominion is proposing it is completely out of line with what exists in the in the neighborhoods in this corridor. It will be a massive structure that will dominate the skyline and the local community, taking away from the tranquility of what we expect in this area. Maybe if they considered more single level and two story accommodations it might be feasible. I had noticed that the location approved on 16<sup>th</sup> Street and Baseline appeared to have made these kinds of adjustments. The east side of the complex is primarily single level and the west side was two level housing. This afforded to them not encroaching on the homes privacy and visibility that sit to the east of the property.

Dominium is not inclined to make such concessions because it does not meet with the profit model they have drafted. The presenter said so himself when asked if they could reduce more of the buildings to a two story configuration. That shows that actual interaction and thought into the concerns of the local neighbors and neighborhood have not been considered. They only see a lot that can be exploited for the profits they so desire. We have met with them in Sept 2019, Nov 2019, February 2020 and at all of these meetings it has been made very clear to them that more than 30 residents at those meetings are vehemently opposed to the construction. He said he had 2 letters or people in support of the project, which pales in comparison to the opposition to this project.

When I sit on my back patio, I enjoy the view I have of the mountains; even the QT at night. The observation of the moon as it rises over south mountain and illuminating the sky is still striking to me even after 55 years of seeing it. I would lose that. I would lose the connection I feel to my community as a whole.

When I have seen the research on Dominion I am not impressed with the negative reviews of the property and management that are listed. The lawsuits that have been filed over discriminatory practices and violations of city and civil codes. That is not the type of neighbor I want or expect in my neighborhood and community.

I am sharing some links with you so you may get the idea of what Dominion brings to the table as a prospective owner and land lord.

<http://www.citypages.com/news/dominium-shows-how-to-strike-it-rich-via-affordable-housing-welfare/388553202>

<https://www.bbb.org/us/mn/plymouth/profile/property-management/dominium-management-services-0704-22003635/complaints>

<https://www.mprnews.org/story/2018/08/23/complaints-rent-going-up-mid-lease-underscore-issue-of-what-is-affordable-housing>

<https://www.google.com/maps/reviews/@33.4482997,-112.2546082,17z/data=!3m1!4b1!4m5!14m4!1m3!1m2!1s110204555013866757517!2s0x0:0x7dc9b4859e671b03?hl=en-US>

<https://www.google.com/maps/reviews/@33.4482997,-112.2546082,17z/data=!3m1!4b1!4m5!14m4!1m3!1m2!1s109302031125420270817!2s0x0:0x7dc9b4859e671b03?hl=en-US>

<https://www.google.com/maps/reviews/@33.4482997,-112.2546082,17z/data=!3m1!4b1!4m5!14m4!1m3!1m2!1s111893907923953587914!2s0x0:0x7dc9b4859e671b03?hl=en-US>

<https://www.google.com/maps/reviews/@33.4119836,-111.6206917,17z/data=!3m1!4b1!4m5!14m4!1m3!1m2!1s100523872804956369298!2s0x0:0xb45a3ad6e4d6b9bf?hl=en-US>

<https://www.google.com/maps/reviews/@33.4119836,-111.6206917,17z/data=!3m1!4b1!4m5!14m4!1m3!1m2!1s116587886991608809689!2s0x0:0xb45a3ad6e4d6b9bf?hl=en-US>

These are only a few of the negative reviews of Dominion and I find them disturbing to be so consistent across different location inside and outside Arizona.

I encourage the South Mountain Village committee to dig deeper into the background of this company and to deny the approval of this project to go forward in this community.

Sincerely,

Fred Jones, III

2113 West Hidalgo Avenue

Phoenix AZ 85041

**From:** [Dennis](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Z-49-19-8  
**Date:** Saturday, May 9, 2020 10:31:58 AM

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from my iPad

This company has a very bad BBB rating in fact it is an F.  
A lot of bad reviews you need to look this up on the Internet.  
I strongly suggest you refuse this offer.  
Plus lot of bad reviews from tenants, trying to get things repaired...

James Kerr  
480-319-0807

**From:** [A.N](#)  
**To:** [Enrique A Bojorquez-Gaxiola; PDD South Mountain VPC](#)  
**Subject:** lindo park letter of opposition to Z-49-19-8.doc  
**Date:** Wednesday, May 20, 2020 6:36:42 PM  
**Attachments:** [lindo park letter of opposition to Z-49-19-8.doc](#)

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Good Evening Enrique,

On behalf of Lindo Park Community concerning Case.Number Z-49-19-8; Letter of Opposition for Dominion Development.

Thank you,  
Audria

May 15, 2020

To: City of Phoenix Planning and Development Dept.

South Mountain Village Committee

Re: Application Case No. Z-49-19-8

This letter is in response to concerns realized after the meeting on May 12, 2020 of the South Mountain Village Committee. We are still in OPPOSITION to the building of a 312 unit 3 story Apartment complex at the Northwest corner of 19<sup>th</sup> Avenue and southern by Dominion. This property defined as an affordable multifamily residential community is not a welcome addition to this already established community.

It is very apparent from the information shared in the meeting that the developer is on a time schedule and is more concerned about the profits to be lost if the deal is not completed soon. Also, it is apparent that there is little flexibility for Dominion in making the project more conducive to fitting into our community by making the builds one or two story. He said, it doesn't meet their profitability model.

We do not believe that Dominion has made a true and sincere effort to interact with the residents and to truly act upon the issues the residents have with the project. The idea of making one building two stories tall out of the other 10 to 12 units is ridiculous. When you take into account the sheer size of the project it just does not mesh into the continuity of this community. This is neighborhood and the surrounding neighborhoods are single family homes. We like the feel of the openness of our community. There have got to be better options for the use of this property that would more ideally fit the nature of this area. Nothing in the area from Central avenue on the east to 35<sup>th</sup> avenue on the west, Baseline road on the south and Broadway road on the north, reflect this type of proposed property at all.

**Additionally, the community has some concerns that we would like to have addressed.**

The Developer also should provide a crime report for the area (1 to 5mile radius)?

What businesses in the area have they spoke with and gotten support from? Please provide letters.

Developer stated he spoke with the community going door to door; please provide dates and number of residents they had DIRECT contact with.

Research by our neighbor suggests Dominion has Characteristics not appropriate for our neighborhood.

- Discriminatory Practices
- Civil Right infringements
- Rent Hikes contrary to stated agreements
- Landlord/Slumlord Practices
- Employee discriminatory Practices
- Unseemly Federal, State and County Tax Practices

South Mountain Village Committee, we would really appreciate looking into this information and getting to know more about Dominion. However, the OPPOSITION to this project still stands.

Sincerely,

Lindo Park community

**From:** [Morgan Hawkins](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [sdemmitt@gblaw.com](mailto:sdemmitt@gblaw.com)  
**Subject:** Case No. Z-49-19-8  
**Date:** Sunday, May 10, 2020 8:33:04 PM

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[Enrique.bojorquez-gaxiola@phoenix.gov](mailto:Enrique.bojorquez-gaxiola@phoenix.gov)>

To whom it may concern it has come to my attention that there is an intent to build an apartment complex at 19th Avenue and Southern behind my neighborhood I believe it is in reference to case number Z - 49 -19 - 8 submitted by the minium development and acquisition.

I am sending this letter to let you know that as a resident of the neighborhood at jacent to this property I am opposed to this complex being built I have been expecting that there would be commercial retail development that would bring economic prosperity to our community.

The addition of this complex would increase traffic and potentially have an increase in crime to this community . Additionally it would intrude on some residents privacy in their backyards and the views of the South Mountain range.

Thank you for hearing my concerns and opposition



**From:** [Nicolette Dibrell](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [Nicolette Dibrell](#)  
**Subject:** Z-49-19-8 South Mountain Village  
**Date:** Saturday, May 9, 2020 8:35:38 PM

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Im opposing the development of an apartment complex on the northwest corner of 19th Avenue & Southern. What is needed in this area are restaurants, Costco's Sams clubs and shopping. Residents should not have to drive out of South Phoenix for the things that exist in Scottsdale Tempe Mesa & Chandler. Additionally putting a 3 story apartment complex adds to the crime rate in this area and puts the Basics primary school in danger. Please vote against an multi unit living facility in this area.

Nicolette S Dibrell  
2334 W Saint Kateri Dr  
Phoenix AZ 85041

Sent from my iPad

**From:** [Ruben Henderson III](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Case (Z-49-19-8)  
**Date:** Sunday, May 10, 2020 5:03:30 PM

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**South Mountain Village,**

Attn: Enrique Bojorquez-Gaxiola  
City of Phoenix Planning & Development Department  
200 W. Washington Street,  
Phoenix 85003

Case (Z-49-19-8)

On behalf of the Anderson Farms Community and as President of the HOA representing 270 homeowners.

I stand in opposition to construction of the Dominion three story Workforce (low Income) Apartments located at the northwest corner of 19<sup>th</sup> Avenue and Southern Avenue and the change of zoning from Planned Shopping Center with a height waiver and density waver.

Having lived in the South Mountain Community almost twenty years I find this project inadequate, below average in quality and lacking in imagination and insulting.

I hear the hue and cry that if you do not take this project that you will not get anything better in this location. My response is that an empty desert property is not a liability and provides, if cared for, an opportunity for both wild life plant and animal to thrive. Nothing is better than this mediocre project. One does not have to build something on every piece of desert.

As to the idea that a three-story building wedge, into a space surrounded by single family homes a school a gas station and low-income housing is a good idea- NON-SENSE. This project will exacerbate preexisting problems. Apartment buildings of any size and design is certain failure. At a minimum you just added 900 people to the community and 150-300 automobiles to that corner. That does not sound like adding a benefit to our community.

I understand that a retail conglomerate cannot be found for that site. Blame for that can be put on previously approved low-quality projects. If you build junk then surly only junk projects can be gotten for our community. Low end development begets low end development. You have a corner with FOUR liquor licenses. What do you expect? You have a corner with three gas stations. What do you expect? You have two Dollar Stores nearby. What do you expect? Someone going to build a t two- or three-story storage unit nearby? Well what do you expect? A grocery store is not going to move in because you already have one. A so called one -Food City. Low end. Where is the AJ's the Basha's? What do you expect? Stop this development and wait for a project that is meritorious and worthy of our South Mountain community.

I'd like to offer a solution. Please consider finding, and supporting young urban pioneers from this community in obtaining this land. Assist with financing to open up a neighborhood, high quality franchises, that are neighborhood friendly, walkable, providing shade and cooling spot as a community hot spot- supported by the local community college, chamber of commerce, and business leaders in the community.

Is something better than nothing. I think not. Wait for the project that says-South Mountain is a great place to live.

Respectfully submitted,  
Ruben Henderson III  
602-899-1843  
2339 W. St. Catherine Ave

Phoenix, Arizona 85041

-

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

**South Mountain Village,**

Attn: Enrique Bojorquez-Gaxiola  
City of Phoenix Planning & Development Department  
200 W. Washington Street,  
Phoenix 85003

Case (Z-49-19-8)

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Having lived in the South Mountain Community almost twenty years I find this project inadequate, below average in quality and lacking in imagination and insulting.

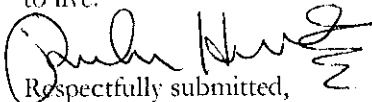
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I understand that a retail conglomerate cannot be found for that site. Blame for that can be put on previously approved low-quality projects. If you build junk then surely only junk projects can be gotten for our community. Low end development begets low end development. You have a corner with FOUR liquor licenses. What do you expect? You have a corner with three gas stations. What do you expect? You have two Dollar Stores nearby. What do you expect? Someone going to build a two- or three-story storage unit nearby? Well what do you expect? A grocery store is not going to move in because you already have one. A so called one -Food City. Low end. Where is the AJ's the Basha's? What do you expect? Stop this development and wait for a project that is meritorious and worthy of our South Mountain community.

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Is something better than nothing. I think not. Wait for the project that says-South Mountain is a great place to live.

  
Respectfully submitted,  
Ruben Henderson III  
602-899-1843  
2339 W. St. Catherine Ave  
Phoenix, Arizona 85041

# LETTER OF OBJECTION

Friday, May 01, 2020

To: City of Phoenix Planning and Development Department  
Zoning Section,  
200 West Washington Street, 2<sup>nd</sup> Floor  
Phoenix, Arizona 85003

From: South Mountain Community Residents and Property Owners  
Mr. & Mrs. Shaun Patterson  
2129 W. Hidalgo Ave. Phoenix, Az. 85041

Reference No. Z-49-19-8  
Re: Objection Proposed Development Residential Community

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To the Board of City Council Committee:

I/We wish to make you aware of a number of STRONG OBJECTIONS that we naturally have with regard to the proposed development of the apartment unit near or on the vacant land site at the northwest corner 19th and Southern Avenue, the ("Tentatively Proposed Site") direct behind my dwelling resident and personal property of others.

The Dominionium Development & Acquisition ("Dominium") initially proposed to make headway a Planned Shopping Center (PSC) at the visible corner of The Proposed Site. This potential development and opportunity would be a more proper fit for its residents and the community for which would increase economic prosperity for the area. Instead, "Dominium" venues changed from advancing a commercial shopping center to proposing and developing 22.31 units per gross acre on local property that will consist precisely of 312 multifamily residential units. Their prior notification and determination to change the "Proposed Site" did not merely address the residents and community needs or concerns but the developer tried to bypass the residents opinions and objections regarding the "Proposed Site" for a quick approval without notice; thus prompting the developer to properly address and draft a second letter and now properly inform property owners of their intent and interest to develop the "Proposed Site."

The developer quest to re-zone a commercial site to develop a multifamily residential community is a classic of a switch and bait or perhaps to misinform property owners of their hidden agenda. The neighboring residents, our community is outrage and appalled to which the developer is well aware that the vacant site was a zone for commercial use and not zone for residential use. It is the opinion of the residents including myself that the developer did not intend to bring economic prosperity to the community but brings property development and revenues to Dominionium Development for themselves alone. The community or property owners would not benefit.

Furthermore, the lawyers for the developer addressed property owners and Neighborhood Association President in a letter with good intentions at first. But the neighboring community feels betrayed at the efforts of the developer who purposely switch a shopping center to a residential community plan.

Another reason that I/we strongly object and opposed the proposed Development residential community is the impact on the roadways and traffic it will have for the community. The busiest northwest corner of 19th and Southern Avenue is one of the most congested and dangerous for pedestrians and school aged students and by adding apartment units will cause gridlock and increase accidents within this overburdened area. We may ask ourselves but didn't limit to the following; where elementary students would be picked up by a school bus for residential students in this new purposed development? How are they affected only to be shut in or surrounded by locked gates trying to get on a school bus? What does this mean for senior citizens who are also impacted for this proposed development? How would the new development curve the potential crime rate for the area? How would the developer not consider rental properties in our neighborhood of single-family homes which can cause property prices to stagnate or even drop? What specific type of noise levels would negatively impact our privacy or apartment residents overlooking in my/our backyards? How does this propose economic development would have on my/our essential quality of pleasant life?

We sincerely hope the Board of City Council Committee will consider the property owners well being and concerns without hesitation. The residents in our community bitterly and strongly object the developers' proposal. Furthermore, please allow residents to seize the opportunity to speak at the meeting of the committee at which this application is expected to be decided or considered. We also hope that their potential application to a zone change request when decided is promptly denied.

With Regards: **Mr.& Mrs. Shaun Patterson**



Send a letter to:

Attn: Enrique Bojorquez-Gaxiola  
City of Phoenix Planning & Development Department  
200 W. Washington Street,  
Phoenix 85003

What to say:

I vote

I oppose the apartment building of Z-49-19-8 because more traffic, more people.

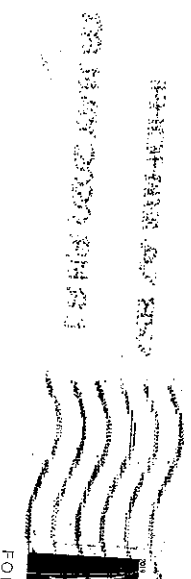
I want you to build Mac Donald's or Pete's Fish & Chips

Thank you

Tina Glaspie  
2523 W. Saint Catherine  
Phoenix Arizona 85041

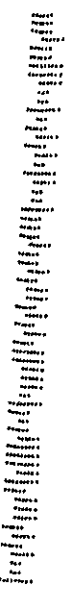
Attn: Enrique Bojorquez-Gaxiola  
City of Phoenix Planning  
& Development Department  
200 W. Washington Street,  
Phoenix 85003

85003



Z-49-19-8

850031511 0011



**From:** [Tiffany Hawkins](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Date:** Sunday, May 10, 2020 8:26:44 PM

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To whom it may concern it has come to my attention that there is an intent to build an apartment complex at 19th Avenue and Southern behind my neighborhood I believe it is in reference to case number Z - 49 -19 - 8 submitted by the minium development and acquisition.

I am sending this letter to let you know that as a resident of the neighborhood at jacent to this property I am opposed to this complex being built I have been expecting that there would be commercial retail development that would bring economic prosperity to our community.

The addition of this complex would increase traffic and potentially have an increase in crime to this community . Additionally it would intrude on some residents privacy in their backyards and the views of the South Mountain range.

Thank you for hearing my concerns and opposition.



**From:** [Brad Umansky](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Multi-Family & Gas Station Project Proposed for the NWC of 19th & Southern Avenues - Phoenix  
**Date:** Tuesday, May 26, 2020 8:49:34 AM

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Enrique,

I would appreciate you including this email in the VPC Packet. I will not be able to attend the virtual call, but this is what I would have said if I was able to attend.

I am the owner of the retail shops located at 1810 West Southern Avenue. This is the retail strip center located to the east of Walgreens and AutoZone. I have owned this property for about 6 years and have been a regular visitor to this intersection during this period of time.

Furthermore, I have been in the retail industry for almost the past 30 years as I operate a brokerage firm called Progressive Real Estate Partners that is the leading retail leasing and sales firm in Southern California's Inland Empire.

It is my belief that just about every piece of property that is zoned for commercial use anywhere has to be viewed for alternative uses as we live in a society that has too much retail. We need more residential to support retail. This statement is supported by the fact that even in the very strong economy of the past 5 years, rents for our property have been flat and we have had difficulty leasing space at rents that are less than or equal to the rents of 5 years ago. Please note that this is despite the fact that we have installed a new monument sign (at a cost of \$20K), painted the buildings, made parking lot improvements, and improved our lighting. In my opinion, the odds of the subject property being developed as a retail shopping center and then continuing to be a successful retail shopping center are very low.

I am very much in favor of seeing the subject property developed as it has been proposed as new development tends to raise the value of property (both residential & commercial) around it and the more residents that reside in the area, the more likely it is that the commercial vacancies will remain low and therefore the commercial tax base will be

sustained.

Thank you for your consideration.

**Brad Umansky**

**JRH Investors, LLC - Manager**

**725 Livingston Court**

**Claremont CA 91711**

**PH: 909-816-4884**

**From:** [Brad Umansky](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** South Mountain Village Planning Meeting  
**Date:** Sunday, May 10, 2020 12:14:30 PM

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I am requesting to speak at the South Mountain Village Planning Meeting on May 12<sup>th</sup>. I will be speaking in support of the proposed zone change for the 312 residential project at the NWC of 19<sup>th</sup> & Southern. I am the manager of the ownership of the strip center at 1810 West Southern Avenue that includes Little Caesars. I am also a 25+ year veteran of the shopping center industry. I am unaffiliated with the subject property, but really like the idea of an additional 500+ customers in the trade area vs. the parcel of land potentially remaining dormant for many years to come.

**Brad Umansky** | President

**Progressive Real Estate Partners**

909.816.4884 cell

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*A member of the Retail Brokers Network*

**From:** [Kris Gangadean](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Zoning Case # Z-49-19-8 Hearing set for 5/12/20  
**Date:** Monday, May 11, 2020 10:05:53 AM

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Dear Sir,

My name is Krishna Gangadean and I represent the Gangadean Family who have been owners of the 40 acre parcel located at the Southwest corner of 19th Avenue and Southern Ave dating back to 1970.

We have successfully negotiated segments of the parcel to The Brown Family Home Development and The QuikTrip Service Station.

We have experienced the continuing growth of The South Mountain Region and the recent development of the connection of Route 202 to Interstate 10 which augers well to further enhancement of the South Mountain Region.

To witness the growth of what has transpired over the recent past in this area is of special interest to my family who settled in Phoenix in 1960. In those days the growth of Phoenix was focused eastward towards Scottsdale and north.

South Mountain would follow as it rests a relatively four miles south of the City's Capitol.

The Project that is being proposed adds an upgrade to the residential community and most likely the need for additional community based small businesses tailored to serve the neighborhood.

Change is often unsettling at first blush however the recent history of the fantastic growth of Phoenix bodes well for our region.

As the adage goes, "the rising tide lifts all boats".

We give our full support in favor of this Project.

I would very much like to be included in the planned " Virtual Hearing" .

My contact # 661 977 1125..

My regards,

Kris Gangadean