



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report Z-49-19-8**  
**May 6, 2020**

**South Mountain [Village Planning Committee](#) Meeting Date:** May 12, 2020

**[Planning Commission](#) Hearing Date:** June 4, 2020

**Request From:** PSC (Planned Commercial District)  
(14.16 acres)

**Request To:** C-2 HGT/WVR DNS/WVR  
(Intermediate Commercial, Height Waiver, Density Waiver) (14.16 acres)

**Proposed Use:** Multifamily residential

**Location:** Approximately 175 feet north of the northwest corner of 19th Avenue and Southern Avenue

**Owner:** South Phoenix Renewal, LLC

**Applicant:** Phoenix Leased Housing Assoc. II, LLLP

**Representative:** Gammage & Burnham, PLC / Susan Demmitt

**Staff Recommendation:** Approval, subject to stipulations

<b><a href="#">General Plan Conformity</a></b>			
<b><a href="#">General Plan Land Use Map Designation</a></b>		Commercial	
<b><a href="#">Street Map Classification</a></b>	19th Avenue	Major Arterial Street	50-foot west half street
	Southern Avenue	Arterial Street	50-foot north half street
<p><b><i>CELEBRATE OUR DIVERSE COMMUNITY; CLEAN NEIGHBORHOODS; Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.</i></b></p> <p>Per historic aerial photography, the subject site has remained vacant since 1969. As</p>			

stipulated, the development will add multifamily residential on the site at a scale that is compatible with the surrounding land uses and appropriate considering its location on two arterial streets.

**CONNECT PEOPLE AND PLACES; COMPLETE STREETS; DESIGN PRINCIPLE:**  
*In order to balance a more sustainable transportation system, development should be designed to include increased amenities for transit, pedestrian and bicyclists such as shade, water, seating, bus shelters, wider sidewalks, bike racks, pedestrian scale lighting and way-finding.*

The proposal, as stipulated, provides bicycle parking and bicycle repair stations (“fix-it station”) to increase bicycling as a viable means of transportation in the City of Phoenix. The site is also located at the junction of a major bus route on 19th Avenue and Southern Avenue and includes a shaded bus stop. The enhanced bicycle and pedestrian facilities integrated into the site plan will aid in the development of a more sustainable transportation system.

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

The development, as stipulated, provides a reasonable level of intensity that is respectful to local conditions, surrounding neighborhoods, the presence of two arterial streets, and the proximity to employment centers, while mitigating potential impacts to the nearby single-family residential neighborhood with enhanced building plus landscape setbacks.

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

The proposal, as stipulated, will be required to provide shade along the adjacent sidewalks, pedestrian paths connecting the development to adjacent streets and bus stop pad. This will help to encourage walking and to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the project vicinity.

<b>Applicable Plans, Overlays, and Initiatives</b>
<a href="#"><u>Tree and Shade Master Plan</u></a> : See Background Item No. 10.
<a href="#"><u>Complete Streets Guidelines</u></a> : See Background Item No. 11.
<a href="#"><u>Comprehensive Bicycle Master Plan</u></a> : See Background Item No. 12.
<a href="#"><u>Rio Montaña Area Plan</u></a> : See Background Item No. 13
<a href="#"><u>Reimagine Phoenix</u></a> : See Background Item No. 14.

<b>Surrounding Land Uses and Zoning</b>		
	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Vacant / Undeveloped	PSC
<b>North</b>	Vacant / Undeveloped	PSC
	Charter School	
<b>South (across Southern Avenue)</b>	Convenience Store	C-1
	Vacant / Undeveloped	R1-6
	Single Family Residential	R1-6
<b>East (across 19<sup>th</sup> Avenue)</b>	Single Family Residential	R1-6
	Pharmacy	C-1 & C-2
<b>West</b>	Single-Family Residential	R1-6
	Vacant / Undeveloped	R-4

<b>C-2 HGT/WVR DNS/WVR (R-3 and R-3A Development Standards - Planned Residential District Development Option for multifamily) *</b>			
<u>Standards</u>	<u>R-3 Requirements</u>	<u>R-3A Requirements</u>	<u>Provisions on the C-2 HGT/WVR DNS/WVR</u>
Gross Acreage	-	-	14.16 acres

Total Number of Units	215, or 246 with bonus.	327, or 374 with bonus.	312 units
Maximum Density	Maximum 15.23 dwelling units per acre or 17.40 dwelling units per acre with bonus.	Maximum 23.1 dwelling units per acre or 26.4 dwelling units per acre with bonus.	22.03 dwelling units per acre (Met)
Maximum Lot Coverage	45%	45%	25% (Met)
Maximum Building Height	<p>4 stories or 48 feet maximum as follows:</p> <p>2 stories or 30 feet for first 150 feet; building height may be increased by 1 foot for every 5 feet of increased building setback, to a maximum of 4 stories or 48 feet.</p> <p>15 foot maximum height is permitted within 10 feet of a single-family zoned district; building height may be increased by 1 foot for every 1 foot of increased building setback.</p>	<p>4 stories or 48 feet maximum as follows:</p> <p>3 stories or 40 feet for first 150 feet; 1 foot increase in building height with a 5 foot increase in building setback, to a maximum of 4 stories or 48 feet.</p> <p>15 foot maximum height is permitted within 10 feet of a single-family zoned district; building height may be increased by 1 foot for every 1 foot of increased building setback.</p>	<p>Maximum of 3 stories and 38 feet 6 inches within approximately 80 feet of single-family zoning.</p> <p>Met with R-3A Standards.</p>
<b>MINIMUM BUILDING SETBACKS</b>			
Perimeter Streets: 19th Avenue and Southern Avenue	Front: 20 feet	Front: 20 feet	Front: 22 feet (Met)

Rear: North and West property lines	Rear: 15 feet	Rear: 15 feet	Rear: 15 feet to carport; 20 feet to residential building (Met)
Sides: Southeastern property lines	Sides: 15 feet	Sides: 15 feet	Sides: 15 feet (Met)
<b>MINIMUM LANDSCAPE SETBACKS AND STANDARDS</b>			
Adjacent to Street (East and South)	20 feet	20 feet	20 feet (Met)
Adjacent to Property Line (North, West and Southeast)	5 feet	5 feet	15 feet (Met)
Minimum Open Space	5% of gross area	5% of gross area	14.3% of gross area (Met)
Minimum Amenities Provided	Minimum 2 amenities	Minimum 2 amenities	11 amenities (Met)
<b>MINIMUM PARKING REQUIREMENTS</b>			
Parking	546 spaces required	546 spaces required	551 provided (Met)

\* The C-2 zoning district permits multifamily zoning by right within the development standards of the R-3 zoning district. Increased yard, height, area and density may be permitted through a wavier up to the R-5 standards. Staff is recommending that the R-3 zoning district standards shall be utilized for the **yard** and **area**, while the R-3A zoning district be used for the **density** and **height** standards for the Density Waiver.

**Background/Issues/Analysis**

SUBJECT SITE

1. The request is to rezone 14.16 acres at the northwest corner of 19th Avenue and Southern Avenue from PSC (Planned Shopping Center) to



per acre and Residential 10 to 15 dwelling units per acre along Southern Avenue.

## PROPOSAL

### 4. Site Plan

The applicant is proposing 312 multifamily residential dwellings of various sizes across 13 residential buildings that are three stories in height, distributed throughout the subject site. Residential buildings are located a minimum of 70 feet from the western property line of the site where adjacent to single-family zoning. Non-residential buildings include a fitness center and clubhouse centrally located, in addition to a maintenance building along the north of the site. Detached parking canopies are located throughout the site within designed parking areas to provide shade to parked vehicles. The site plan depicts a main vehicular entryway along Southern Avenue and a secondary entry along 19th Avenue.

Figure C. Conceptual Site Plan



Source: Todd + Associates

Staff is recommending a stipulation to require general conformance to the conceptual site plan. This is addressed in Stipulation No. 1. Furthermore, staff is recommending a stipulation to cap the maximum density of the development at 23 dwelling units per gross acre. This is addressed in Stipulation No. 4. Staff is recommending a stipulation to require the separation of the multifamily buildings within proximity to the western property line closest to the single-family development at 70 feet minimum. This is addressed in Stipulation No. 5. Lastly, staff is recommending a stipulation to require that patios or porches along the perimeter of the site are oriented towards the adjacent public street. This is addressed in Stipulation No. 6.

5. **Elevations**

The development includes a variety of exterior colors and materials which include metal awnings, stucco and brick veneer with balconies on upper floors and patios on the lower floors. The elevations depict the textural changes mentioned previously in addition to offsets, recesses and four-sided architecture. The residential building elevations proposed depict a height of 3 stories and 39 feet.

Staff is recommending a stipulation to require general conformance to the building elevations. This is addressed in Stipulation No. 1. In addition, staff is recommending a stipulation to limit the building height to a maximum of 3 stories and 40 feet. This is addressed in Stipulation No. 2. Lastly, staff is recommending a stipulation to require the exterior treatment of buildings adjacent to a public street or single-family residential zoning contain a minimum of 25 percent masonry. This is addressed in Stipulation No. 3.

Figure D. Conceptual Building Elevations for 24 unit buildings. (Below, Right)



Source: Todd + Associates

Figure E. Conceptual Building Elevations for the Clubhouse building. (Below, Right)



Source: Todd + Associates

Figure F. Conceptual Building Elevations for buildings along Southern Avenue. (Below)



STREETSCAPE ELEVATION FROM SOUTHERN AVENUE

Source: Todd + Associates



6. **Entryway Enhancements**

The development proposes a main vehicular entryway along Southern Avenue, with a secondary entry along 19th Avenue. The main entryway will feature a stained concrete vehicular accessway with landscaping enhancements separating vehicular drives and pedestrian connections into the development. Controlled access is proposed for this development along both main entries.

Staff is recommending a stipulation to require the development of the main entryway along Southern Avenue with design elements shown in the conceptual rendering, including the paving material and location of landscaping. This is addressed in Stipulation No. 7.

7. **Open Space and Amenities**

The development features a central amenity area which contains a fitness center, clubhouse, pool with a spa, barbecue grill area, two tot lot areas, two outdoor game areas and a turf field. The central amenity area is well connected by sidewalks to different buildings in the complex, in addition to connecting other amenity areas such as a dog park to the southwest, plus an open play area to the east.

Staff is recommending stipulations to require a minimum of 10 percent open space (Stipulation No. 10) and a stipulation requiring the development to provide specific amenities in the current configuration throughout the site (Stipulation No. 11).

Figure G. Conceptual front entryway rendering along Southern Avenue



Source: Todd + Associates

Figure H. Open space and major amenity area located centrally on the site.



Source: Todd + Associates

## 8. Pedestrian Circulation

The development has incorporated a variety of pedestrian paths that connect residential buildings with amenities, parking areas, trash and recycling facilities, and to the perimeter streets adjacent to the property. The development has also incorporated a pedestrian access gate to 19th Avenue to provide a short access to the school site along the north. A secondary pedestrian access gate is being incorporated to the future expansion site of the convenience store to the southeast of the site, encouraging walking among residents of the multifamily development.

Figure I. Conceptual Entryway and Pedestrian Connections



Source: Todd + Associates

Staff is recommending stipulations pertaining to shading along pedestrian walkways connect the development from north to south and east to west through the central open space amenity areas to encourage walking; lighting of pedestrian paths; limitation on vehicular crossings; pedestrian connections between buildings, amenities, adjacent convenience store and to the adjacent streets. These are addressed in Stipulation No. 12.

## 9. Streetscape Enhancements

The residential buildings located along the perimeter of the site are oriented towards the adjacent streets, 19th Avenue and Southern Avenue, to promote an engaging pedestrian environment. Along the adjacent streets, the project proposes detached sidewalks in addition to incorporating landscaping to shade pedestrian connections to and along sidewalks. One pedestrian node is proposed along 19th Avenue and Southern Avenue, providing walking pedestrians with a bench amenity.

Figure J. Detached sidewalks and pedestrian node along Southern Avenue.



Source: Todd + Associates

Staff is recommending stipulations to address perimeter fencing (Stipulation No. 8) and wall enhancements (Stipulation No. 9). Other stipulations that staff recommends pertain to perimeter landscape enhancements (Stipulation No. 13); the location of pedestrian nodes along the perimeter of the site (Stipulation No. 14); shading of a bus pad along Southern Avenue (Stipulation No. 15); detached

sidewalks with landscaping to provide shading (Stipulation No. 16); traffic calming features at vehicular entrances and exits (Stipulation No. 18); and the requirement for the developer to construct all necessary public improvements within and along the adjacent streets (Stipulation No. 19).

## STUDIES AND POLICIES

### 10. [Tree and Shade Master Plan](#)

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. Staff is recommending several stipulations designed to provide trees and enhance shade within the development.

Staff is recommending stipulations for shaded sidewalks along both street frontages.

- All sidewalks shall be detached with a minimum five-foot wide landscape strip located between the sidewalk and back of curb (Stipulation No. 16).
- 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 of 75 percent (Stipulation No. 16.a).
- Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage (Stipulation No. 16.b).

### 11. [Complete Streets Guidelines](#)

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. This development will help to pedestrianize the immediate street frontages by incorporating shaded detached sidewalks to encourage walking. Furthermore, bicycle parking and bicycle repair stations addressed below, will be located within the development to facilitate the use of existing or planned bicycle lanes in the area.

### 12. [Comprehensive Bicycle Master Plan](#)

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its Bikeway System and supportive infrastructure. Bicycle lanes have been designed within the 19th Avenue and Southern Avenue corridors, however only the Southern Avenue bicycle lane has been constructed.

Staff is recommending a stipulation to require bicycle parking on site in addition to several bicycle repair stations (“fix-it station”). This is addressed in Stipulation No. 17.

A bicycle repair station (“fix-it station”) is vertical infrastructure which contains the necessary tools to make light to moderate repairs to bicycles. The station includes a repair stand and pump fixed to the ground, and standard repair tools connected to the station. Figure N. depicts an example of a repair station.

Figure N. Example of a Bicycle Fix-It Station

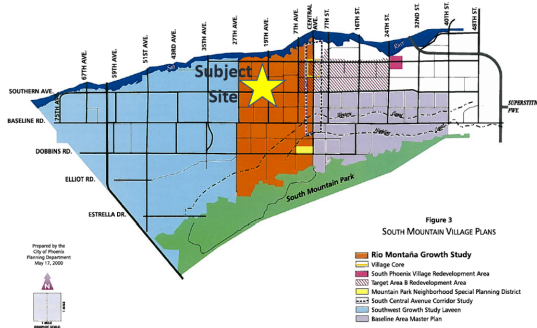


Source: Dero

### 13. Rio Montaña Area Plan

The Rio Montaña Area Plan, depicted in Figure O., is designed to encourage and preserve the rural, agricultural character of the area while promoting balanced, high quality development with special attention given to the streetscape. The Rio Montaña Area Plan intended to accomplish this goal by promoting a density transition between the higher density northern portions and lower density southern portions of the area plan boundaries. This project, located along the northern boundary of this area plan would be located in an area envisioned for higher density development.

Figure O. Rio Montana Area Plan



Source: Planning and Development Department

In terms of neighborhood design, this plan envisioned tree-lined neighborhood streets to provide shade for pedestrians and enhance the streetscape. Special design guidelines encourage developments to incorporate pedestrian-friendly design features to encourage walking and the use of alternative transportation options that exist in the Rio Montaña community. The proposed project will incorporate pedestrian-friendly streetscape design through the use of detached shaded sidewalks with pedestrian seating nodes, in addition to incorporating

bicycle amenities.

14. [Reimagine Phoenix](#)

As part of the Reimagine Phoenix Initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. This facility will incorporate a dedicated communal recycling facility along the southwest of the project to help the city in furthering waste diversion goals.

#### COMMUNITY INPUT SUMMARY

15. As of the writing of this report, staff had received fifteen separate letters from thirteen individuals in opposition and one letter was received in support to this rezoning application. The letters in opposition cited concerns with the proposed zoning district, land use designation, increased traffic, proposed height of buildings, increase crime, the impact to existing infrastructure, neighborhood notification process and the location of the proposed land use, among other concerns. The letter in support cited an abundance of existing commercial properties in the area.

#### INTERDEPARTMENTAL COMMENTS

16. The Fire Department indicated there are no problems anticipated with the case and that the site and/or buildings shall comply with the Phoenix Fire Code. Further, the Department commented that they do not know the water supply at this site and noted that additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.
17. The Transit Department commented that they shall require the retention of right-of-way and bus pad. This is reflected in Stipulation No. 21. Further, the Public Transit Department expressed the importance of direct, clearly defined accessible, and well shaded pedestrian pathways on the site. The pathways should connect the public sidewalks, the bus stops, all site amenities, and building entrances/exits; this is reflected in Stipulation Nos. 12.e.
18. The Aviation Department requires that the property owner record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. In addition, the developer shall submit Form 7460 to the FAA to receive a "No Hazard" determination by the FAA prior to final site plan approval. These are addressed in Stipulation Nos. 20 and 21.
19. The site is located in a larger area identified as being archaeologically sensitive.

If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation Nos. 23 through 25.

### **Findings**

1. The development, as stipulated, advances the purpose and intent of several core values from the Phoenix General Plan including policy documents such as the Tree and Shade Master Plan, Complete Streets Guidelines and Comprehensive Bicycle Master Plan.
2. The development, as stipulated, is appropriate at this location due to its compatibility with the surrounding land uses and proximity to transit lines.
3. As stipulated, with specific regard to the architectural and pedestrian enhancements, the development is generally consistent with policies and the intent of the Rio Montaña Area Plan.

### **Stipulations**

1. The development shall be in general conformance with the site plan and elevations date stamped 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 40 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 density of 23 dwelling units per gross acre.
5. The development shall maintain a minimum building setback, exclusive of carports and perimeter walls, of 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 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 of no less than 600 square feet in an area that includes either a fenced dog turf amenity, fenced garden area, or another active open space amenity.
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 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 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, in addition to a direct connection to the sidewalk along 19th Avenue between Buildings 13 and 14 per the site plan date stamped 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 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.

**Writer**

Enrique Bojórquez-Gaxiola

May 6, 2020

**Team Leader**

Samantha Keating

**Exhibits**

Zoning sketch map

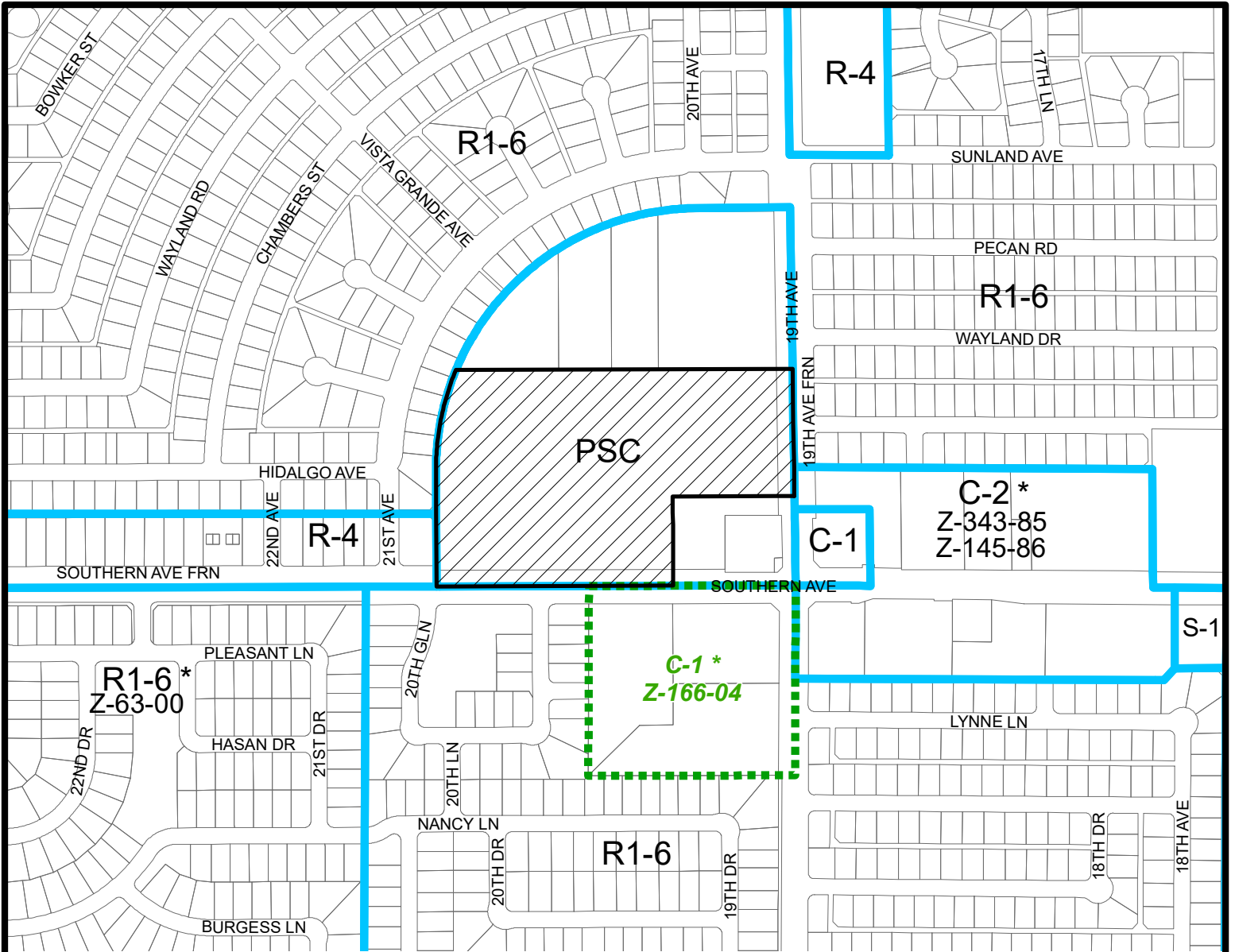
Aerial sketch map

Conceptual Site Plan date stamped April 22, 2020 (2 pages)

Conceptual Elevations date stamped April 22, 2020 (6 pages)

Conceptual Renderings date stamped April 22, 2020 (2 pages)

Correspondence from the public (18 pages)



Miles

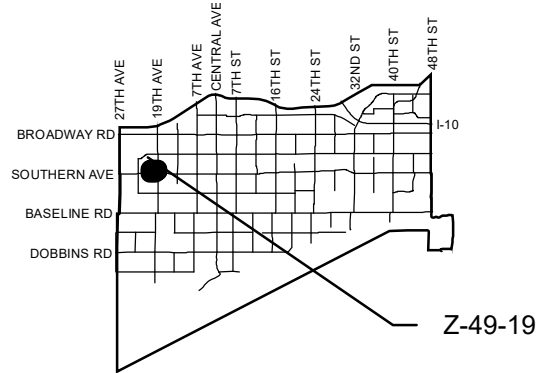


**SOUTH MOUNTAIN VILLAGE**

CITY COUNCIL DISTRICT: 8



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: Phoenix Leased Housing Assoc. II, LLLP

APPLICATION NO. Z-49-19

DATE: 9/27/2019  
REVISION DATES:

10/11/2019

GROSS AREA INCLUDING 1/2 STREET  
AND ALLEY DEDICATION IS APPROX.

14.16 Acres

AERIAL PHOTO &  
QUARTER SEC. NO.

QS 3-24

ZONING MAP

D-7

REQUESTED CHANGE:

FROM: PSC ( 14.16 a.c.)

TO: C-2 HGT/WVR DNS/WVR ( 14.16 a.c.)

MULTIPLES PERMITTED

PSC

C-2 HGT/WVR DNS/WVR

CONVENTIONAL OPTION

N/A

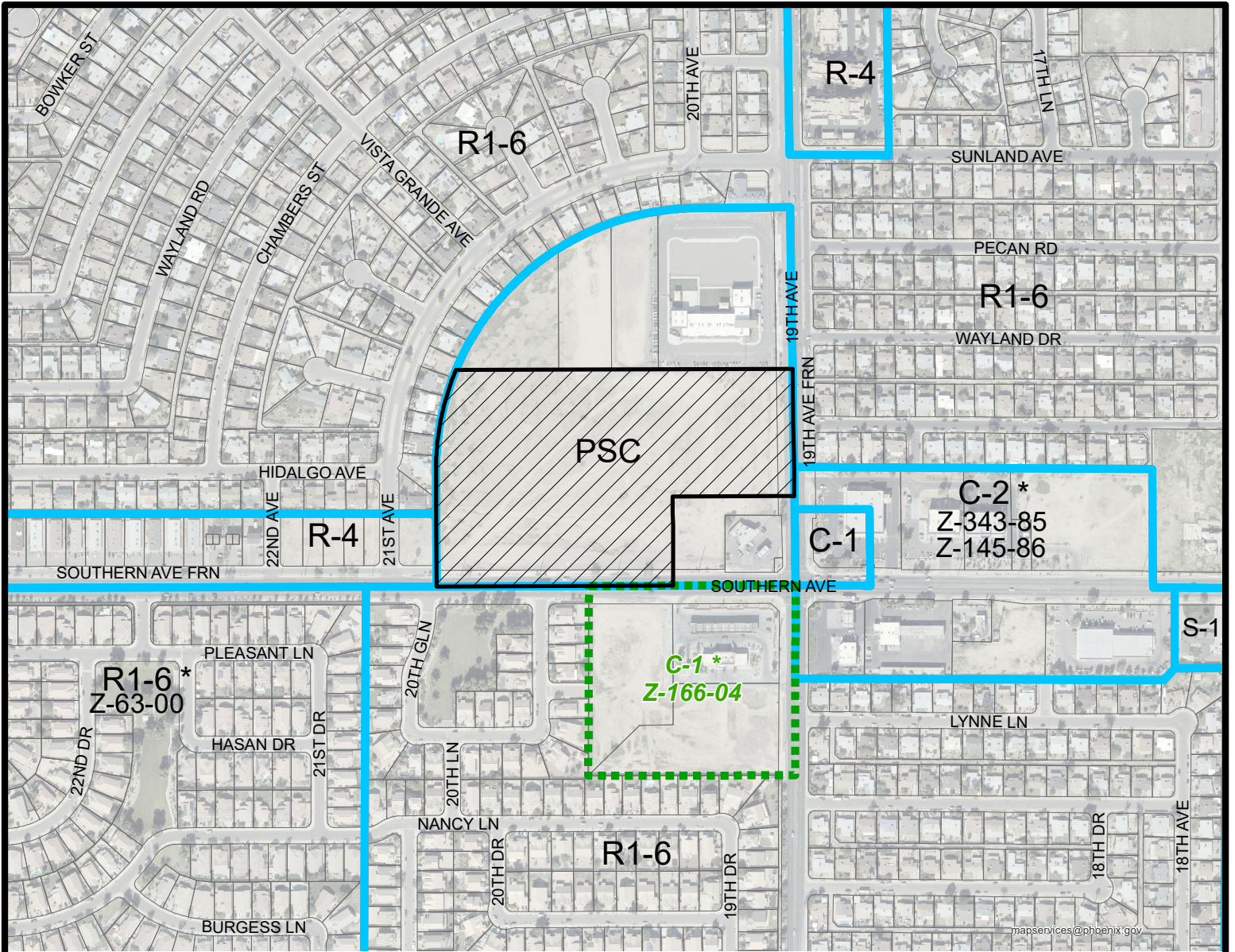
616

\* UNITS P.R.D. OPTION

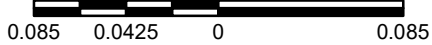
N/A

739

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



Miles

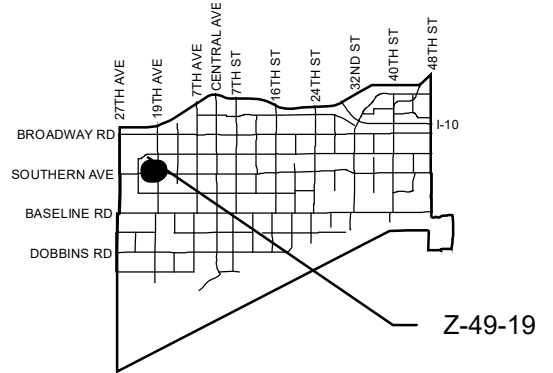


**SOUTH MOUNTAIN VILLAGE**

CITY COUNCIL DISTRICT: 8



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: Phoenix Leased Housing Assoc. II, LLLP

REQUESTED CHANGE:

FROM: PSC ( 14.16 a.c.)

APPLICATION NO. Z-49-19

DATE: 9/27/2019  
REVISION DATES:

10/11/2019

GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.

14.16 Acres

AERIAL PHOTO & QUARTER SEC. NO.  
QS 3-24

ZONING MAP  
D-7

TO: C-2 HGT/WVR DNS/WVR ( 14.16 a.c.)

MULTIPLES PERMITTED

PSC

CONVENTIONAL OPTION

N/A

\* UNITS P.R.D. OPTION

N/A

C-2 HGT/WVR DNS/WVR

616

739

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



**SITE DATA**

ASSESSOR'S PARCEL NO. 105-66-036B  
 PROPOSED OWNER: PHOENIX LEASED HOUSING ASSOCIATES II, LLLP  
 PROPOSED DEVELOPER/SPONSOR: DOMINIUM 11001 W. 120th AVENUE #400 BROOMFIELD, CO. 80021  
 CONTACT - RUSS CONDAS (763) 354-5637  
 DESIGN PROFESSIONAL: TODD & ASSOCIATES, INC. 4019 NORTH 44th STREET PHOENIX, AZ. 85018  
 CONTACT - BRENT FIKE (602) 952-8280  
 GROSS SITE AREA: +/- 13.98 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: +/- 22.31 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 HGHT. FOR EA. 1' OF SETBACK ]  
 PROPOSED MAX. BUILDING HEIGHT: TOP OF PARAPET 38'-6"

**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	11.5%
B1 2BR/2BA	120	38.5%
C1 3BR/2BA	156	50.0%
<b>TOTAL</b>	<b>312</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	120	1.5 P.S./DU	180
3BR/2BA	156	2.0 P.S./DU	312
<b>TOTAL</b>	<b>312</b>		<b>546</b>

PARKING PROVIDED - SURFACE (CARPORT PARKING SHOWN AT 1 P.S. / D.U.): 551 (312)  
 TOTAL PARKING PROVIDED - (1.76 P.S. / D.U.)

**UNRESERVED PARKING PROVIDED**

UNIT TYPE	#DU	P.S. RATIO	P.S. REQ.
1BR & 2 BR	156	0.5 P.S./DU	78
3BR	156	1.0 P.S./DU	156
<b>TOTAL</b>	<b>312</b>		<b>234</b>

**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 (312 SPACES): ± 47,736 S.F.  
 TOTAL BUILDING: ± 421,164 S.F.

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	24'-0" MIN.
FIRE TURNING RADII	35' IN / 55' OUT
LOADING AREAS (2 PROVIDED)	10' x 30' MIN.

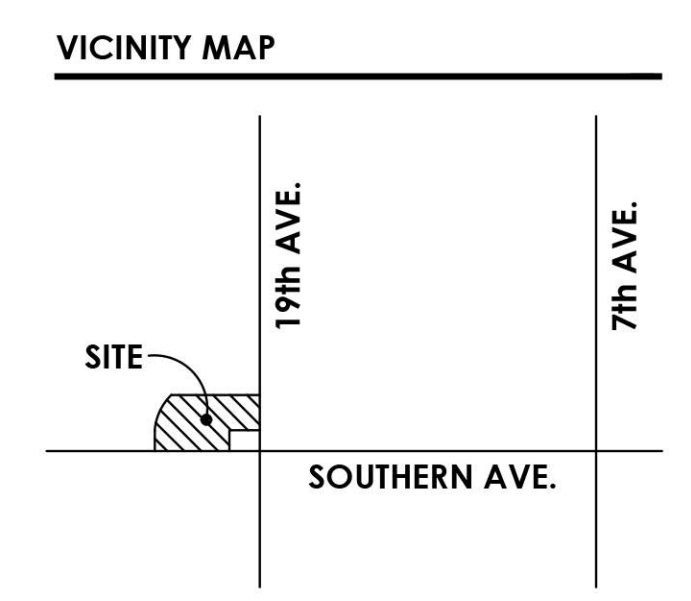
**PROJECT CONNECTIVITY ENHANCEMENTS**

- SHADE CANOPY TREES TO PROVIDE A PEDESTRIAN FRIENDLY EXPERIENCE
- MEANDERING SIDEWALKS ALONG BOTH SOUTHERN AVE AND 19TH AVE FRONTAGES
- ENHANCED BUS STOP WITH SHELTER
- PEDESTRIAN NODES WITH PARK BENCHES FOR RESTING
- RELOCATED TRASH COLLECTION AREA TO PROVIDE A BETTER ENVIRONMENT FOR STUDENTS AT THE BASIS SCHOOL CONNECTION
- GATE AND WALK FOR STUDENT CONNECTION TO ADJACENT BASIS SCHOOL
- BENCHED PARENT WAITING/RECEIVING PLAZA

**CITY OF PHOENIX**

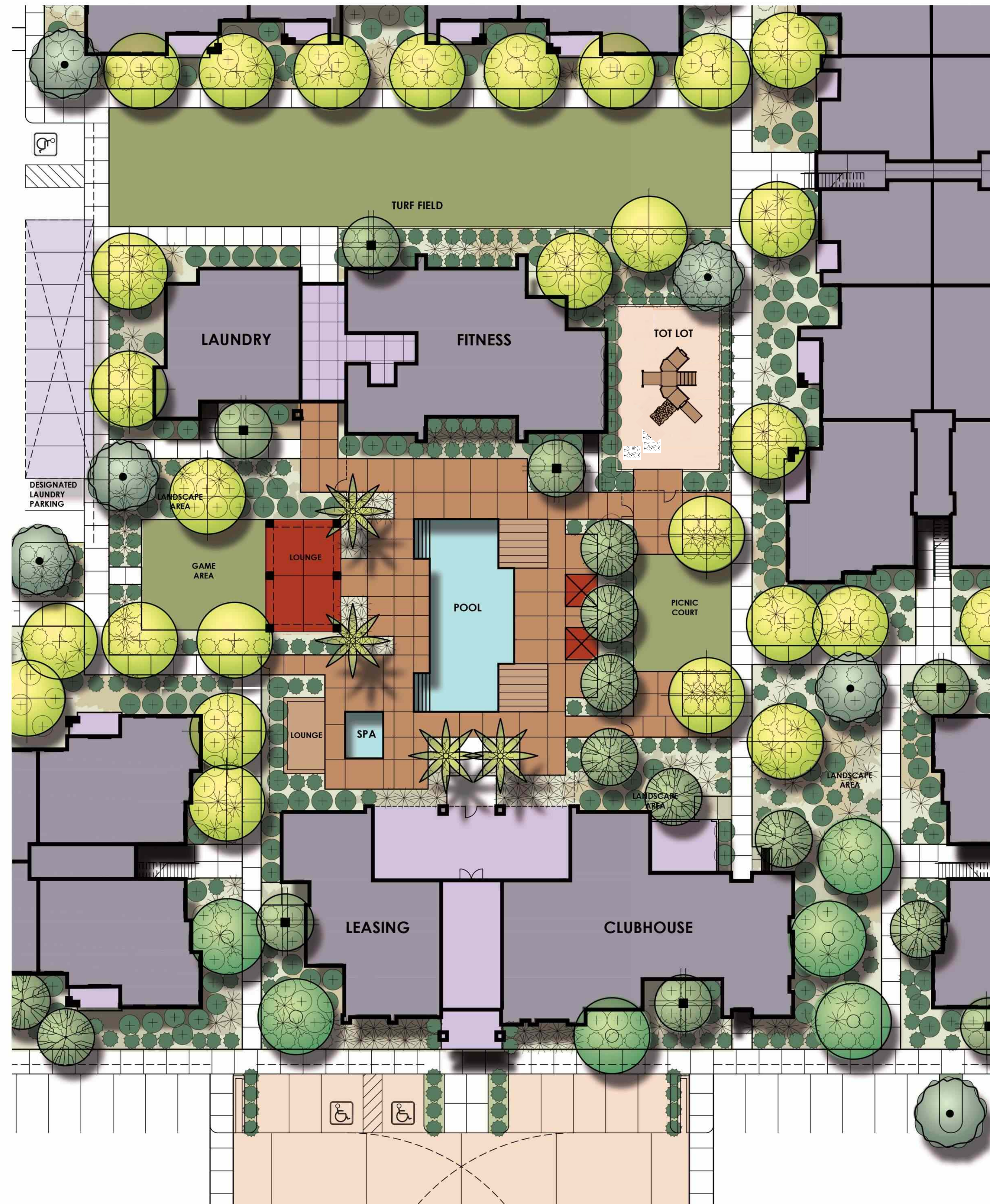
APR 22 2020

Planning & Development Department



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

**CONCEPTUAL SITE PLAN #18-2050-00**



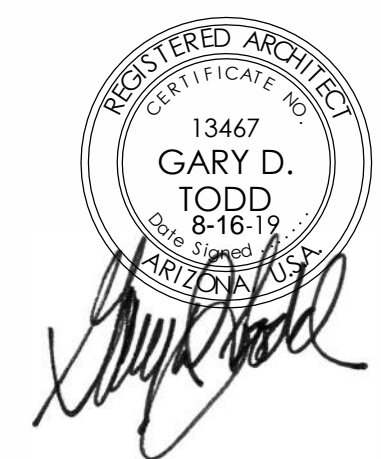
**MASTER PLANT LEGEND**

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
<b>TREES (LARGE)</b>			
	ACACIA SALICINA 'DORIS D'	HYBRID WILLOW ACACIA	24" BOX 36" BOX
	PARKINSONIA 'AZI'	HYBRID PALO VERDE	36" BOX
	PROSOPIS HYBRID 'LESLIE ROY'	TEXAS HONEY MESQUITE	24" BOX 36" BOX
	QUERCUS VIRGINIANA	LIVE OAK	24" BOX 36" BOX
	FRAXINUS VELUTINA	ASH	24" BOX 36" BOX
	PISTACIA CHINENSIS	CHINESE PISTACHE	36" BOX
<b>TREES (MEDIUM)</b>			
	CAESALPINIA MEXICANA	MEXICAN BIRD OF PARADISE	24" BOX
	CHITALPA TASHKENTENSIS	CHITALPA	24" BOX
	ACACIA ANEURA	MULGA	24" BOX 36" BOX
<b>PALMS</b>			
	PHOENIX DACTYLIFERA	DATE PALM (DIAMOND CUT)	20 TF
<b>SHRUBS</b>			
	BOUGAINVILLEA 'LA JOLLA'	SHRUB BOUGAINVILLEA	5 GAL.
	CAESALPINIA PULCHERRIMA	RED BIRD OF PARADISE	5 GAL.
	CORDIA PARVIFOLIA	LITTLE LEAF CORDIA	5 GAL.
	DODONEA VISCOSA	GREEN HOPSEED	5 GAL.
	EREMOPHILA HYGROPHANA	BLUE BELLS	5 GAL.
	LEUCOPHYLLUM 'LYNNS LEGACY'	HYBRID TEXAS SAGE	5 GAL.
	MUHLENBERGIA RIGENS	DEER GRASS	5 GAL.
	OLEA EUROPAEA 'DWARF OLIVE'	DWARF OLIVE	5 GAL.
	RUELLIA PENINSULARIS	BAJA RUELLIA	5 GAL.
	RUESSELIA EQUISETIFORMIS	CORAL FOUNTAIN	5 GAL.
	TECOMA STANS ANGSTATA	YELLOW BELLS	5 GAL.
<b>ACCENTS</b>			
	AGAVE DESMETIANA	VARIEGATED SMOOTH AGAVE	5 GAL.
	ALOE BARBADENSIS	MEDICINAL ALOE	5 GAL.
	DASYLIRION WHEELERI	DESERT SPOON	5 GAL.
	DIETES IRRIDIOIDES	AFRICAN IRIS	5 GAL.
	ECHINOCACTUS GRUSONII	GOLDEN BARREL CACTUS	5 GAL.
	FOUQUIERIA SPLENDENS	OCOTILLO	24" BOX
	HESPERALOE FUNIFERA	GIANT YUCCA	15 GAL.
	HESPERALOE PARVILORA	RED YUCCA	5 GAL.
	OPUNTIA VIOLACEA	PURPLE PRICKLY PEAR	5 GAL.
	PORTULACARIA AFRA	ELEPHANT'S FOOD	5 GAL.
	PACHY CERUS MARGINATUS	MEXICAN FENCE POST	15 GAL.
<b>GROUNDCOVERS</b>			
	EREMOPHILA GLABRA 'MINGENW GOLD'	OUTBACK SUNRISE EMU	1 GAL.
	LANTANA 'DALLAS RED'	RED LANTANA	1 GAL.
	LANTANA 'NEW GOLD'	NEW GOLD LANTANA	1 GAL.
	ROSMARINUS OFFICINALIS 'HUNTINGTON CARPET'	TRAILING ROSEMARY	5 GAL.
	SETCREASEA PALLIDA	PURPLE HEART	5 GAL.
	SPHAGNETICOLA TRILOBATA	YELLOW DOT	1 GAL.
<b>VINES</b>			
	BOUGAINVILLEA 'BARBARA KARST'	BOUGAINVILLEA VINE	5 GAL.
	BIGNONIA CAPREOLATA	CROSSVINE	5 GAL.
<b>MISC</b>			
	DECOMPOSED GRANITE: 2" DEPTH (U.O.N.) OF 1/2" SCREENED 'MADISON GOLD'		
	SYNTHETIC TURF: 'HEATWAVE' 65 OZ. NYLON, AVAILABLE FROM SYNTHETIC TURF SYSTEMS		
	DECOMPOSED GRANITE COBBLE RIP RAP, 3" TO 6": ARIZONA GOLD BY GRANITE EXPRESS		

**CITY OF PHOENIX**

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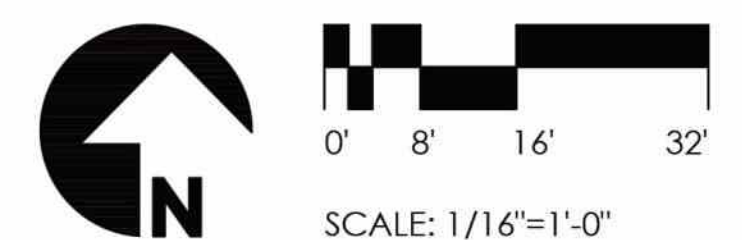


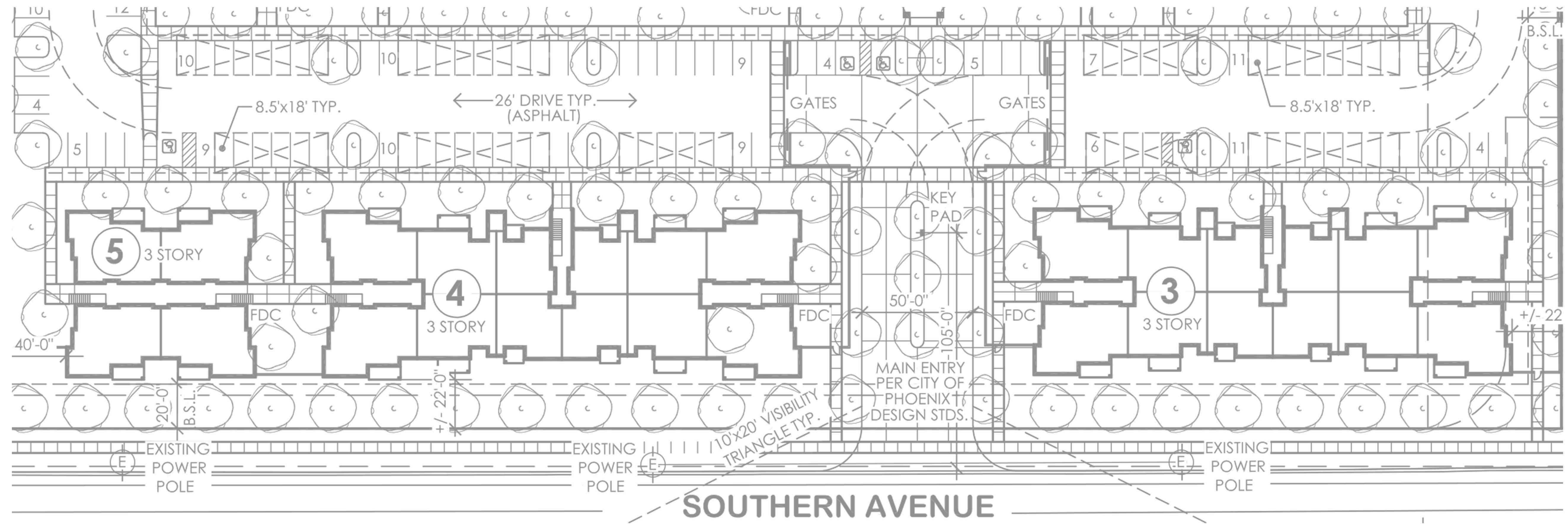
**APARTMENTS - NWC SOUTHERN  
& 19th AVENUE**

CLIENT REVIEW NO. 18-2050-00 Aug 12, 2019

ENLARGED LANDSCAPE  
SITE PLAN

CONCEPTUAL





**STREETSCAPE ELEVATION FROM SOUTHERN AVENUE**

**CITY OF PHOENIX**

APR 22 2020

Planning & Development  
Department

SCALE: 1/16" = 1'-0"



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

CLIENT REVIEW

JULY 12, 2019

CONCEPTUAL ELEVATIONS







**CLUBHOUSE**

**FRONT ELEVATION**



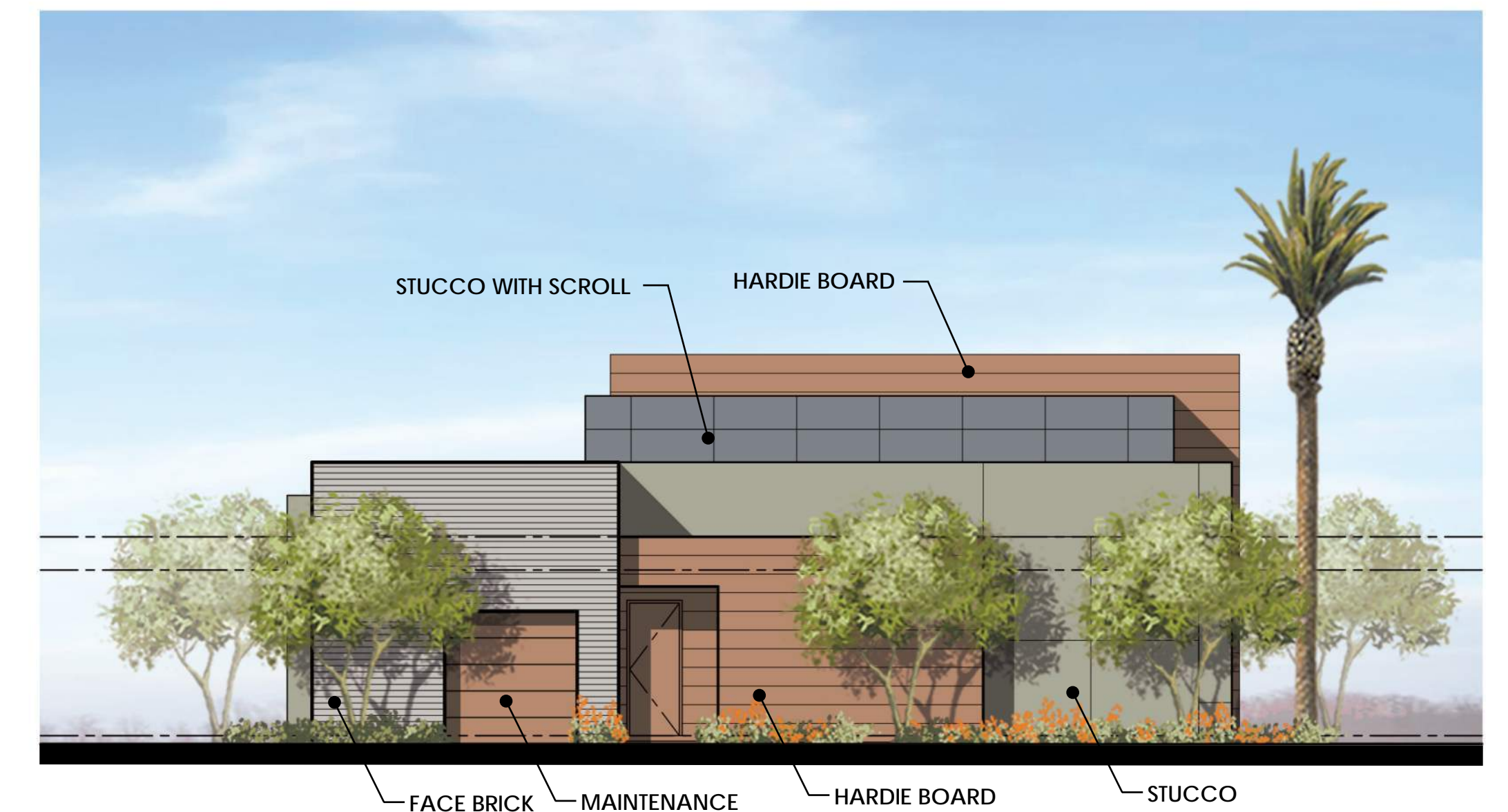
**CLUBHOUSE**

**RIGHT ELEVATION**



**CLUBHOUSE**

**REAR ELEVATION**



**CLUBHOUSE**

**LEFT ELEVATION**

**CITY OF PHOENIX**

APR 22 2020

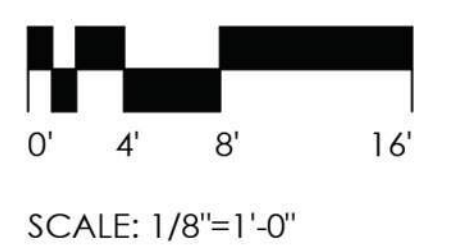
Planning & Development  
Department

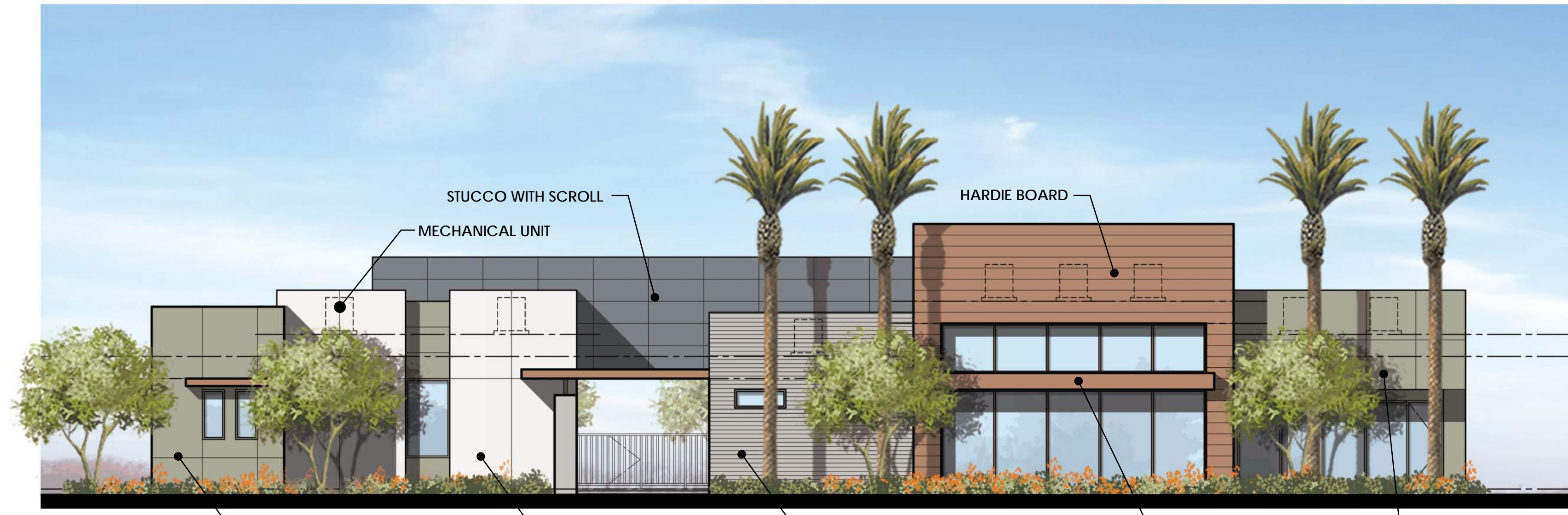


**APARTMENTS - NWC SOUTHERN  
& 19th AVENUE**

CLIENT REVIEW NO. 18-2050-00 | Aug 6, 2019

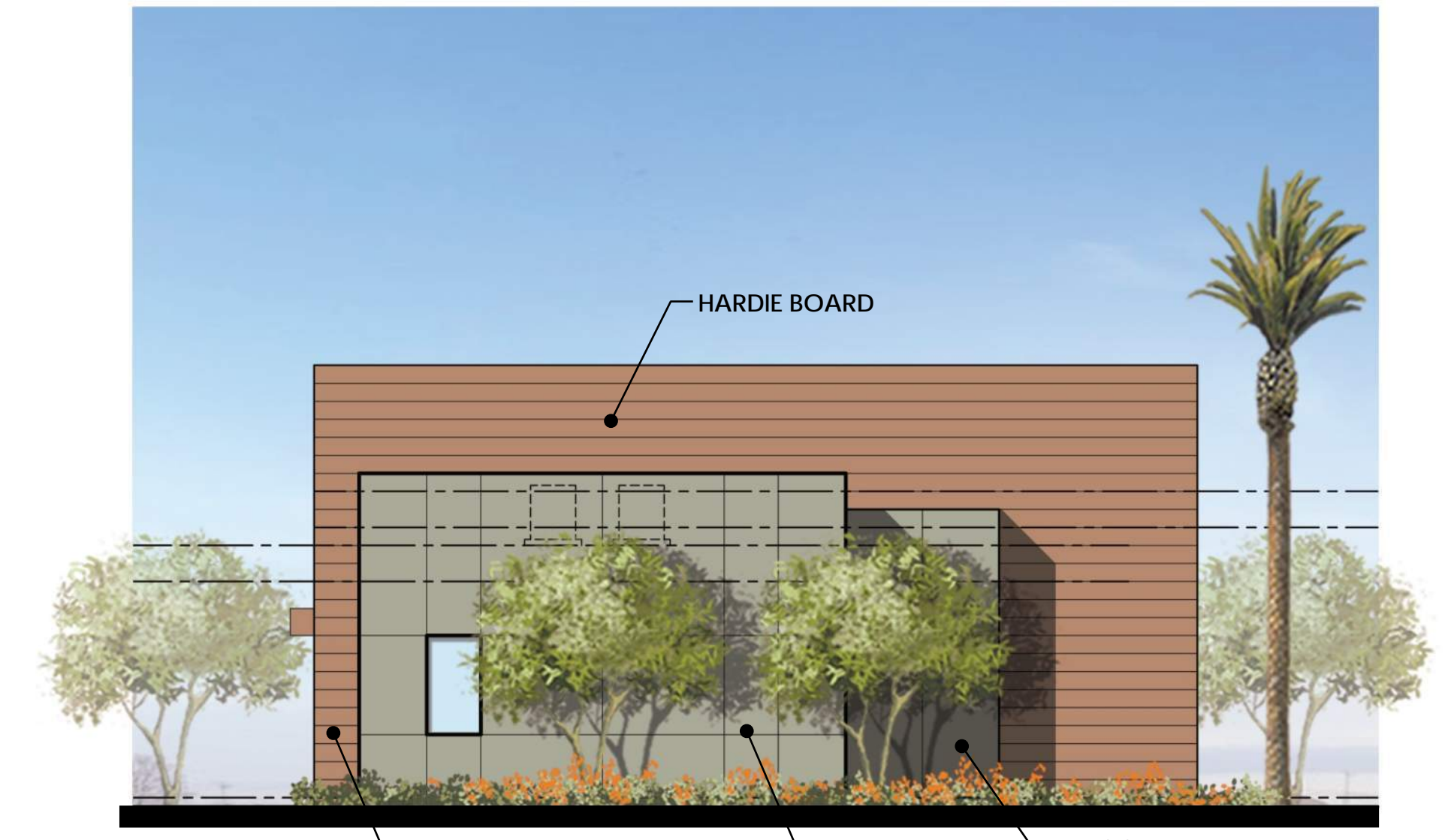
CONCEPTUAL BUILDING  
ELEVATIONS





**FITNESS**

**FRONT ELEVATION**



**FITNESS**

**RIGHT ELEVATION**



**FITNESS**

**REAR ELEVATION**



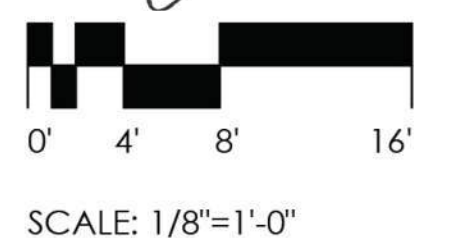
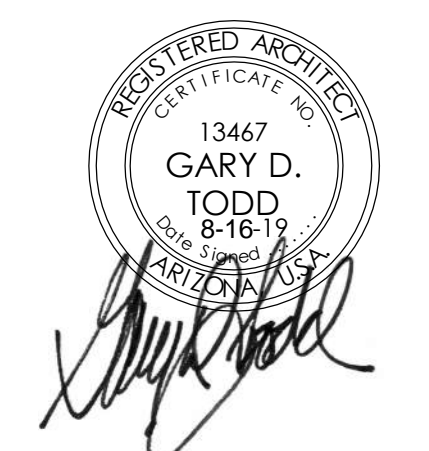
**FITNESS**

**LEFT ELEVATION**

**CITY OF PHOENIX**

APR 2 2020

Planning & Development  
Department



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

CLIENT REVIEW NO. 18-2050-00 | Aug 12, 2019

CONCEPTUAL BUILDING  
ELEVATIONS



**FRONT & REAR ELEVATION**



**LEFT & RIGHT ELEVATION**

**CITY OF PHOENIX**

APR 22 2020

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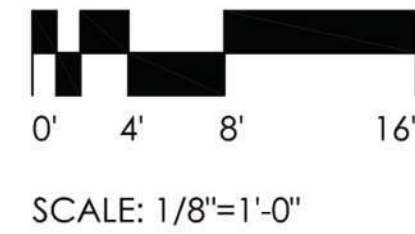
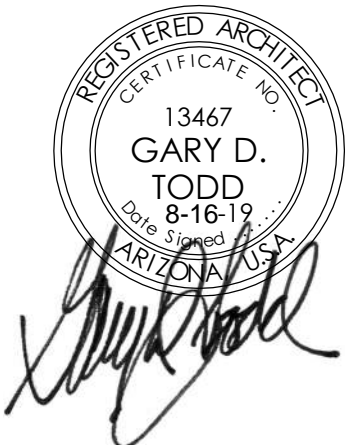


**APARTMENTS - NWC SOUTHERN  
& 19th AVENUE**

CLIENT REVIEW NO. 18-2050-00 | Aug 6, 2019

CONCEPTUAL BUILDING  
ELEVATIONS

12-UNIT BUILDING





**FRONT & REAR ELEVATION**



**LEFT & RIGHT ELEVATION**

**CITY OF PHOENIX**

APR 22 2020

Planning & Development  
Department

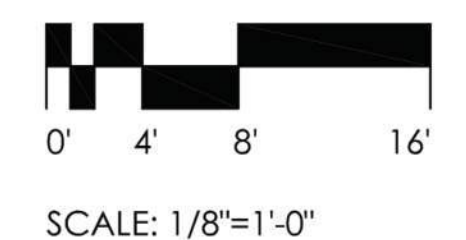
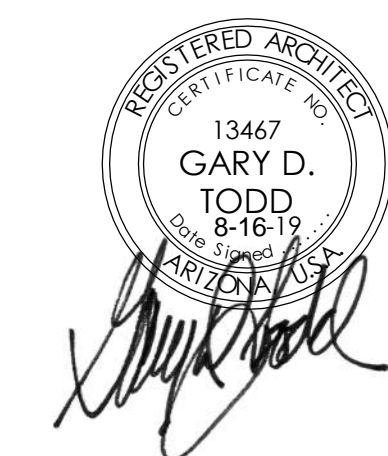


**APARTMENTS - NWC SOUTHERN  
& 19th AVENUE**

CLIENT REVIEW NO. 18-2050-00 | Aug 6, 2019

CONCEPTUAL BUILDING  
ELEVATIONS

24-UNIT BUILDING



SCALE: 1/8"=1'-0"



**REAR ELEVATION**



**FRONT ELEVATION**



**LEFT ELEVATION**



**RIGHT ELEVATION**

**CITY OF PHOENIX**

APR 22 2020

Planning & Development  
Department

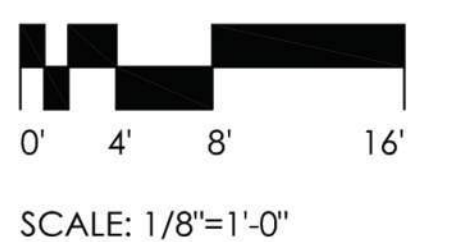
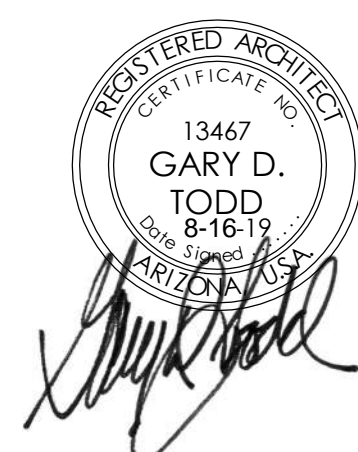


**APARTMENTS - NWC SOUTHERN  
& 19th AVENUE**

CLIENT REVIEW NO. 18-2050-00 | Aug 6, 2019

CONCEPTUAL BUILDING  
ELEVATIONS

36-UNIT BUILDING





**CITY OF PHOENIX**

**APR 22 2020**

**Planning & Development  
Department**

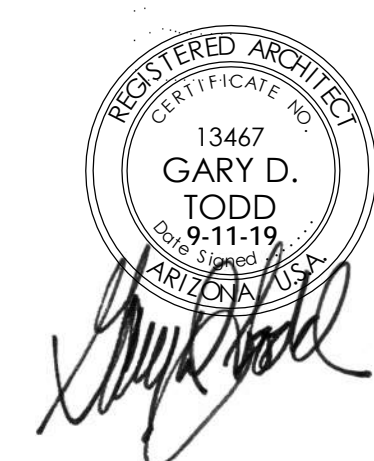


**APARTMENTS - NWC SOUTHERN  
& 19th AVENUE**

PROJECT NO. 18-2050-00

Sept 11, 2019

**FRONT ENTRY ALONG  
SOUTHERN AVENUE**





**CITY OF PHOENIX**

APR 22 2020

Planning & Development  
Department



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

PROJECT NO. 18-2050-00

APRIL 08, 2020

CONCEPT RENDERING  
SOUTHERN AVE LOOKING EAST

**From:** [Sandra Pinkney](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [sdemmitt@gblaw.com](mailto:sdemmitt@gblaw.com)  
**Subject:** Case No. Z-49-19-8 DISAGREE/OPOSED  
**Date:** Monday, May 4, 2020 11:46:13 AM

---

It has come to my attention that there is an intent to build an apartment complex at 19th Ave and Southern behind my neighborhood. I believe it is in reference to case number Z-49-19-8 submitted by Dominion Development & Acquisition.

I am sending this email to let you know that as a resident of the neighborhood adjacent 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 increase crime in our community. Additionally, it will intrude on our privacy in our backyard and will obstruct the views of the south mountain range, downtown Phoenix and the mountains that are the skyline of Phoenix. Having this views and the privacy help make my decision to live in this community many years ago.

I appreciate your hearing my concerns and opposition.

Sandra Pinkney  
2133 W Hidalgo  
Phoenix AZ 85041



**From:** [A.N](#)  
**To:** [Alan Stephenson](#); [Joshua Bednarek](#); [samantha.keating@phoenix.go](mailto:samantha.keating@phoenix.go); [Nick Klimek](#); [PDD South Mountain VPC](#)  
**Subject:** Request to deny Application of Rezoning for Case No. Z-49-19-8  
**Date:** Thursday, March 12, 2020 3:25:26 PM

---

Good day,

This letter is being submitted on the behalf of the residents of our community, concerning (Case No. Z-49-19-8). This was filed August 26, 2019 with the city of Phoenix.

In September it came to our attention that Dominion Inc., was interested in purchasing and developing the parcel of land at 19<sup>th</sup> Avenue and Southern; DSD#: 19-1612, Q.S MAP: 3-24, Zoning Map: D-7, Council District 8, Filing Staff: 076885. This parcel sits directly behind many of our neighbor's homes.

At the September meeting and the subsequent meeting in February they laid out the proposal for the Apartment complex to be erected at the site. Then as now with this letter we have and do voice that we do not agree with the approval for this development to go forward. We deny fully the approval of this project.

We are in agreement with the parcel remaining a Planned Shopping Center (PSC) district and not be rezoned to Commercial (C-2) with a height waiver or a Density waiver.

We fully intend to be present all meetings going forward to voice our concerns and continue to advocate for commercial development as always intended.

We are forwarding this letter to our district 8 council member, City of Phoenix officials and the South Mountain VPC board members.

We look forward to further working on this issue.

Sincerely,

**From:** [Samantha Keating](#)  
**To:** [A N](#)  
**Cc:** [Nick Klimek](#)  
**Subject:** RE: Application No: Z-49-19  
**Date:** Tuesday, September 10, 2019 12:53:13 PM

---

Ms. Nunley,

Thank you for your email and comments. We are in the beginning phases of review for the request. We will ensure a copy of your comments is added to the case file and provided to the hearing bodies if and when the case progresses through the public hearing process.

I've also included Nick Klimek on this email. He will be the planner assigned to this request and can help with any future questions or concerns. We are also happy to set up a time to meet if you wanted to discuss the below in more detail.

Please let us know if there is anything else we can help with at this time.

Thank you,  
Samantha Keating  
Principal Planner  
City of Phoenix Planning and Development Department  
200 West Washington Street, 3rd Floor  
Phoenix, Arizona 85003  
Phone: 602-262-6823  
[samantha.keating@phoenix.gov](mailto:samantha.keating@phoenix.gov)

**From:** A N <maricopaaln@gmail.com>  
**Sent:** Monday, September 9, 2019 9:13 AM  
**To:** Samantha Keating <samantha.keating@phoenix.gov>  
**Subject:** Application No: Z-49-19

Audria Nunley  
2023 W. Hidalgo Avenue  
Phoenix, AZ 85041  
September 9, 2019

Samantha Keating  
City of Phoenix Planning and Development  
200 W. Washington Street, 2nd Floor  
Phoenix, AZ 85003

Dear Samantha Keating:

I am a long-time resident of our City, and 50 years in The Lindo Park Community. I am writing to express my concerns about a pending decision to amend the zoning ordinance for land near my home, specifically number Z-49-19.

According to the information received via mail, the request is to build over 300 affordable multi-family residences. My concerns of my neighbors, which have also signed this letter, (will give copies

of signatures at the meeting on September 11, 2019) are as follows:

1. School zone; Basis Primary South will be directly front of the multi affordable housing project.
2. Over the past 10 years, the population has more than doubled with all the new homes that were built in South Mountain Village, and this increased density has not been addressed with expansion of new roads.
3. This has caused additional wear and tear on infrastructure in the historical neighborhoods. We currently have vehicles cutting through our neighborhoods to avoid traffic, which has made it more dangerous for pedestrians, school aged children and accidents has increased in the area.
4. Traffic is now backed up for miles from 19th Ave to 51st Avenue and Southern. This is our normal Mondsy through Friday, from 5am to 10 am and then again in the evening from 3p to 8p.
5. Majority of The Lindo Park Community did not recieved a letter from Gammage & Burnham, PLC , Attorney at Law for the Case No., Z-49-19.
6. There currently exist a multi-family apartment complex on the northeast corner of 19th Avenue and Hidalgo Avenue.

The preference, at this point, is to keep the zoning as is, and bring jobs into the neighborhood to stimulate additional economic development.

Thank you for your time.

Sincerley,

Audria Nunley

**From:** [A.N](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [sdemmitt@qblaw.com](mailto:sdemmitt@qblaw.com)  
**Subject:** Oppose Case No. Z-49-19-8  
**Date:** Saturday, May 2, 2020 12:31:37 PM

---

To Whom It May Concern:

My name is Audria Nunley, I have been Lindo Park Community members for the past 58 years. I live adjacent to this property located 19th Ave & Southern. I am OPPOSING/DISAGREE the rezoning for this property for several reasons and concerns:

1. Commerical Zoning is needed for Economic Development for The Community.
2. Community donot need a height Variance approved for three story.
3. The development will not have adequate parking (Each unit would only have space for 1.75 cars).
4. Cars can only turn right and go West Bound on Southern Ave, (To go Eastbound on Southern Ave they will have to cut through our neighborhood, We already have cut through high traffic coming through our community, we do not more.
5. Primary schools are near by, concerned about the children getting on the several bus stops in the area, I have personally witness several accidents where children has been a fatallly due to heavy traffic now (19th Ave & Southern Ave all four corners and 19th ave to 23rd ave & Hidalgo Ave).
6. There is no Guarantee they will keep up the maintenance of the property (Look at the properties West of this parcel).
7. I want my tax dollars to go to Economic Impact for our Community, not apartment complex on tax credit dollars that will not impact Community but impact the Developers, Property owners, Etc.,
8. Basically home taxes and other taxes will increase. Disadvantage to Our Community.

I oppose the rezoning of this property for all above reasons. Our major goal for Lindo Park Community is to Grow with Economic Development for all people.

Thank you,  
Audria Nunley

**From:** [Mlamb1520](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [sdemmitt@gblaw.com](mailto:sdemmitt@gblaw.com)  
**Subject:** Case No. Z-49-19-8 Opposed  
**Date:** Sunday, May 3, 2020 6:49:35 PM

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To whom it may concern:

My name is Deshaun. It has come to my attention that there is an intent to build an apartment complex at 19th Avenue and Southern behind my neighborhood. It is in reference to case number Z-49-19-8 submitted by Dominion Development & Acquisition.

I am sending this letter to let you know that as a 48 year resident of the neighborhood adjacent 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 the area helping the existing conditions of our community.

The addition of this complex would further increase traffic and crime in this community. In addition, it will intrude on some resident's privacy in their backyards as well as interfere with skyline views of downtown Phoenix and the nearby mountains that are tourist landmarks of the city of Phoenix.

I appreciate you hearing my concerns and opposition to the case in matter.

Sincerely,

Deshaun

**From:** [A.N](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [sdemmitt@gblaw.com](mailto:sdemmitt@gblaw.com)  
**Subject:** Case No. Z-49-19-8 I Opposed this rezoning, This email is sent for Mr. Dave Reagan.  
**Date:** Sunday, May 3, 2020 1:24:44 PM

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To Whom it May Concern:

I am sending this email on behalf of Mr. Dave Regan due to he donot have an email address and not interested in having one.

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

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

Commerical 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 hearing my concerns and my opposition.

Best regards,  
Mr. Dave Reagan

**From:** [Dominique Williams](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [sdemmitt@qblaw.com](mailto:sdemmitt@qblaw.com)  
**Subject:** Case No Z-49-19-8 DISAGREE/OPPOSE  
**Date:** Friday, May 1, 2020 4:58:48 PM

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I am writing this email to oppose the apartment complex that Dominion Development & Acquisition intends to build on the northwest corner of 19th Avenue and Southern.

I've attended meetings with community members and the developers and find it quite disturbing that despite the passionate opposition from community members, developers continue to push their agenda. Personally, I oppose the complex because it does not serve community members. Some reasons include: Our property values will decrease, we'll lose our privacy since the apartments will be able to see into our yards from higher levels, and we do not know the population that this complex will attract. In spite of possible background and criminal checks, no one can, without doubt, speak on a person's character or intent until actual face to face interaction throughout time.

furthermore, community members have already voiced their desire to have the land used for commercial use, ie grocery stores, restaurants etc. It's disgusting to hear that developers continue to ignore the community for their financial gain. I've spoken to Rob Lane who represents Dominion Development and I expressed to him my frustrations and explained that it boils down to money. He shared that the developers have other properties in Phoenix and elsewhere and I suggested that the developers should continue to look elsewhere.

It is my prayer that we, community members, who make this neighborhood what it is; strong, passionate, diverse, and Beautiful, WIN. This is a battle, the developers and their blatant disregard for our opinions and voices have made it as such. My hope is that if a change is on our horizon, that it empowers and serves us, whether it be by providing jobs or just a sense of safety and ownership. I know that the change from this complex will not be what we **need**, but just another way of seeing how dysfunctional and money hungry this world is. And with that reality, may God Help Us All.

Dominique Williams  
623-383-5904

Sent from [Outlook \[aka.ms\]](#)

**From:** [JOYCE COOPER](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [sdemmitt@gblaw.com](mailto:sdemmitt@gblaw.com)  
**Subject:** Case # Z-49-19-8  
**Date:** Saturday, May 2, 2020 12:46:36 PM

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Dear Mr. Enrique and South Mountain Village Committee

My name is Joyce Cooper. I've been a resident of the Linda Park Community for about 50 years now. I am opposing/disagreeing on this Rezoning on 19th Avenue & Southern NW Corner. Case #Z-49-19-8. ABSOLUTELY NO FOR APARTMENTS OR ANY THING ELSE ON THAT CORNER. It will intrude on some resident's privacy in their back yards and views of the south mountain range. It's a very beautiful sight to look at every day. It would be sad to lose that.

Thank You

Sincerely,

Joyce Cooper



**From:** [Julia Cooper](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Fw: CASE # z-49-19-8  
**Date:** Sunday, May 3, 2020 10:01:46 AM

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----- Forwarded Message -----

**From:** Julia Cooper <cooper.julia91@yahoo.com>  
**To:** Enrique.bojorquez-gaxiola@phoenix.com <enrique.bojorquez-gaxiola@phoenix.com>  
**Cc:** sdemmitt@gblaw.com <sdemmitt@gblaw.com>  
**Sent:** Saturday, May 2, 2020, 04:32:02 p.m. MST  
**Subject:** CASE # z-49-19-8

To whom it may concern:

My name is Julia Cooper and I've been a resident here of the Linda Park Community since 1970. I'm concerned about the Case # Z-49-19-8. I am opposing/disagreeing this rezoning. The parcel on 19th Avenue & Southern NW Corner. This will create a lot more traffic/accidents on southern. Every time traffic is backed up the cars start cutting through the neighborhoods speeding not being cautious. We also have school buses that pickup/drop off kids. Don't want any apartments or commercial property built on this NW Corner of 19th Avenue & Southern,.

Thank you

Sincerely,

Julia Cooper

**From:** [Muriel Smith](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Subject:** Sending You What I Wanted To Say A Few words About Z-49-19-8  
**Date:** Monday, May 4, 2020 8:32:07 PM

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Hi Enrique,

I wanted to express my concerns with you concerning Z-49-19-8 -the property being rezoned @ 19th Avenue and Southern. I also wanted to express my concerns about the height of the apartment and the units that they are putting on the property. I had also express this concern with the developer Eric Omadahl letting him know that I was not for the 3 story height. I explain to him that it would interfere with houses view that face the apartments,as well as causing a great amount of traffic. We have the traffic that come down 21st ave and Southern where the apartment would be coming out of . The apartment members and the Lindo Park community would be sharing the same street entrance, and traffic around 6:00 am -5:00 pm is a mess on Southern.

You will have to have a traffic study at the 21st. Ave and Southern Entrance. I already have two two story apartment at 22nd Ave. and Southern. And there is a Gated two apartments at 19th Avenue but we do not have any 3 story gated apartment in our area. we wanted to keep just the 2 story apartments in our area.

Thank You ,

Muriel Smith,South Mountain VPC member

Lindo Park Block Watch Chairperson

**From:** [Margaret Wilburn](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [sdemmitt@gblaw.com](mailto:sdemmitt@gblaw.com)  
**Subject:** Case No. z-49-19-8 Oppose  
**Date:** Sunday, May 3, 2020 11:24:37 AM

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To whom this may concern,

I am writing in order to oppose the building of the apartment complex at 19th Avenue and Southern behind my neighborhood. It is in reference to case number Z-49-19-8 submitted by Dominium Development & Acquisition.

I am sending this letter as a resident of the neighborhood adjacent to this property. I oppose to this apartment complex being built. I understand that there would be commercial retail development that would bring economic prosperity to our community. Those economic prosperity developments should be family oriented places that families can get together to learn and grow.

Also, this development would increase traffic and potential crime. In order to eliminate crime we need to give our community developments that will move this community in a positive direction and building yet another apartment building is not one. We need more places where people can learn and discover, where our kids can play safely and develop in ways that will make them successful. We don't want to be boxed in with the many apartment complexes that are being built. This high rise apartment building would also take away the beautiful view of South Mountain which is the skyline of Phoenix.

Lastly, I feel at this time, during this pandemic when we have to social distance ourselves from another, it is a disadvantage to the people in this community. Many of us may not be able to get online to attend this meeting virtually due to not having the right software and just not understanding how to attend. This should be decided once this pandemic passes and all that can attend will attend. Please take the time and consider my concerns, me being a long time member of this community of over 40 years. This community matters a great deal to me and my neighbors.

Best Regards

**From:** [patrice smith](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [sdemmitt@qblaw.com](mailto:sdemmitt@qblaw.com)  
**Subject:** Case no.Z-49-19-8 Disagree/Opposed  
**Date:** Tuesday, May 5, 2020 6:51:50 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 Dominion Development & Acquisition.

I am sending this letter to let you know that as a resident of the neighborhood adjacent 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 crime increase to this community. Additionally, it will intrude on some residents privacy in their backyards and views of the south mountain range, downtown Phoenix and the mountains that are in the skyline of Phoenix.

I appreciate your hearing my concerns and opposition.

Sincerely,

Patrice Smith

**From:** [Quinton Fair](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [sdemmit@qblaw.com](mailto:sdemmit@qblaw.com)  
**Subject:** case# z-49-19-8 disagree  
**Date:** Monday, May 4, 2020 5:22:38 PM

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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 Dominion Development & Acquisition.

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

The addition of this complex would increase traffic and potentially crime increase to this community.

I appreciate your hearing my concerns and opposition.

Sincerely Quinton Fair

**From:** [Vontella Bass](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [sdemmitt@gblaw.com](mailto:sdemmitt@gblaw.com)  
**Subject:** Case No. Z-49-19-8 Disagree/Opposed  
**Date:** Monday, May 4, 2020 11:15:23 PM

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To whom it may concern:

I am sending this letter to inform you that as a resident of the community located very close to the property that Dominion Development & Acquisition intends to build an apartment complex on, I am opposed to this complex being built.

This complex will increase traffic and potential crime to this community. It will also invade on some residents backyard privacy and the sights of the south mountain range, downtown Phoenix and the mountains that are the skyline of Phoenix. Why not consider expanding the school?

Thank you for hearing my concerns and opposition.

Sincerely,

Vontella Bass

**From:** [A.N](#)  
**To:** [Enrique A Bojorquez-Gaxiola](#)  
**Cc:** [sdemmitt@qblaw.com](mailto:sdemmitt@qblaw.com)  
**Subject:** Submitting letter for Mrs Willie Mae Reagan for Case No. Z-49-19-8, I oppose.  
**Date:** Sunday, May 3, 2020 1:06:32 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. 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, I am opposed to this complex being built. I have been expecting that there would be Commerical retail development that would bring economic prosperity to our community.

The addition of this complex would increase traffic, taxes and potentially crime increase to this community. Additionally, it will intrude on some resident's privacy in their backyards and views of south mountain range, downtown Phoenix and the mountains that are skyline of Phoenix.

Thank you, for hearing my concerns and opposition.

Sincerely,  
Willie Mae Reagan

From: Samantha Keating <[samantha.keating@phoenix.gov](mailto:samantha.keating@phoenix.gov)>  
Date: 9/10/19 1:14 PM (GMT-07:00)  
To: Brad Umansky <[brad@progressiverep.com](mailto:brad@progressiverep.com)>  
Cc: Robert Lane <[rlane@gbllaw.com](mailto:rlane@gbllaw.com)>  
Subject: RE: Application No: Z-49-19

Mr. Umansky,

Thank you for your email and comments. I will ensure a copy is added to the case file and is provided to the public hearing bodies as the case moves forward in the process. Please let me know if there is anything else I can help with at this time.

Thank you,  
Samantha Keating  
Principal Planner  
City of Phoenix Planning and Development Department  
200 West Washington Street, 3rd Floor  
Phoenix, Arizona 85003  
Phone: 602-262-6823  
[samantha.keating@phoenix.gov](mailto:samantha.keating@phoenix.gov)

**From:** Brad Umansky <[brad@progressiverep.com](mailto:brad@progressiverep.com)>  
**Sent:** Friday, September 6, 2019 3:09 PM  
**To:** Samantha Keating <[samantha.keating@phoenix.gov](mailto:samantha.keating@phoenix.gov)>  
**Cc:** [rlane@gbllaw.com](mailto:rlane@gbllaw.com)  
**Subject:** Application No: Z-49-19

I am in receipt of a letter from the legal counsel to Phoenix Leased Housing Associates an affiliate of Dominion Development & Acquisition regarding their plans to develop the property located at the NWC of Southern Avenue and 19<sup>th</sup> Avenue.

My entity, JRH Investors, LLC, is the owner of an approximately 7,200 SF multi-tenant retail center due east of the subject property. My retail center is just east of the Walgreens & AutoZone and contains Little Caesars Pizza as well as 5 other retailers. We currently have one vacant space and we have found that leasing this center has been challenging.

Furthermore, I have been a shopping center professional for the past 25+ years and currently operate a commercial real estate brokerage firm that focuses on the sale and leasing of retail properties. It is my opinion that in both the market that I work (Southern California's Inland Empire) and the market where the subject property is located, that we have enough retail property. I believe that from a land use perspective, rezoning this property for 312 residential units will be a benefit to the overall trade area.



As a result, I support the proposed project. Should you have any questions, please feel free to contact me.

**Brad Umansky** | President | BRE # 01137100

**Progressive Real Estate Partners**

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