



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-25-22-8
July 7, 2022

Laveen Village Planning Committee Meeting Date July 11, 2022

Planning Commission Hearing Date August 4, 2022

Request From: [S-1](#) (Ranch or Farm Residence) (4.99 acres)
Request To: [PUD](#) (Planned Unit Development) (4.99 acres)
Proposed Use: Veterinary hospital and other commercial uses
Location: Southwest corner of 43rd Avenue and Baseline Road
Owner: John Silva Farms Limited Partnership
Applicant: Evan Ware, Laveen Veterinary Care
Representative: Adam Baugh, Withey Morris, PLC
Staff Recommendation: Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Current: Residential 2 to 3.5 dwelling units per acre Proposed (GPA-LV-1-22-8): Commercial	
<u>Street Map Classification</u>	43rd Avenue (Existing alignment, east of site)	Arterial	55-foot west half street
	43rd Avenue (Old alignment, west of site)	Arterial	33-foot east half street
	Baseline Road	Major arterial (Scenic drive)	65-foot south half street

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; ENTREPRENEURS AND EMERGING ENTERPRISES; LAND USE PRINCIPLE: Encourage land uses that promote the growth of entrepreneurs or new businesses in Phoenix in appropriate locations.

The rezoning request, with companion General Plan Amendment GPA-LV-1-22-8, would permit a veterinary hospital and clinic with an area for future commercial uses directly north of the proposed veterinary facility. The development will provide a place for a local business to operate, grow, and provide community services within proximity to nearby residences.

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

The proposal provides a reasonable level of intensity that is respectful to local conditions and the surrounding residential developments and schools. The PUD Development Narrative also includes various prohibited uses to ensure future commercial development will be compatible with the neighborhood's character.

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

The development, as stipulated, will provide shade for the sidewalk and multiuse trail along Baseline Road. The shade trees will help to encourage walking by providing a thermally comfortable environment for pedestrians and alternative transportation users.

Applicable Plans, Overlays, and Initiatives

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

[Tree and Shade Master Plan](#) – See Background Item No. 12.

[Complete Streets Guiding Principles](#) – See Background Item No. 13.

[Zero Waste PHX](#) – See Background Item No. 14.

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant land	S-1
North (across Baseline Road)	Single-family residential	R1-8
South (across 43rd Avenue)	Single-family residential	R1-6
East (across 43rd Avenue)	School, single-family residential	S-1, R1-6
West	Church, school	S-1 (Approved C-2, C-2 SP, and R1-8)

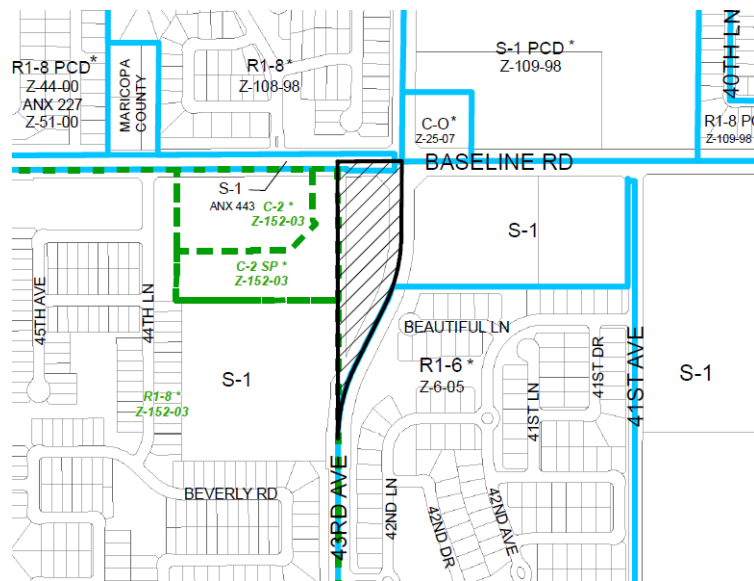
Background/Issues/Analysis

GENERAL PROPOSAL

1. This request is to rezone 4.99 acres at the southwest corner of 43rd Avenue and Baseline Road from S-1 (Ranch or Farm Residence District) to PUD (Planned Community District) to allow a veterinary hospital and clinic, and other commercial uses.

The proposed PUD is appropriate given the site's location at the intersection of an arterial, 43rd Avenue, and major arterial, Baseline Road.

The Development Narrative also includes development standards and provisions to complement the surrounding community. The uses contained in the PUD provide a reasonable level of intensity that is respectful to local conditions and the surrounding residential developments and schools. The PUD Development Narrative also includes various prohibited uses to ensure future commercial development will be compatible with the neighborhood's character.



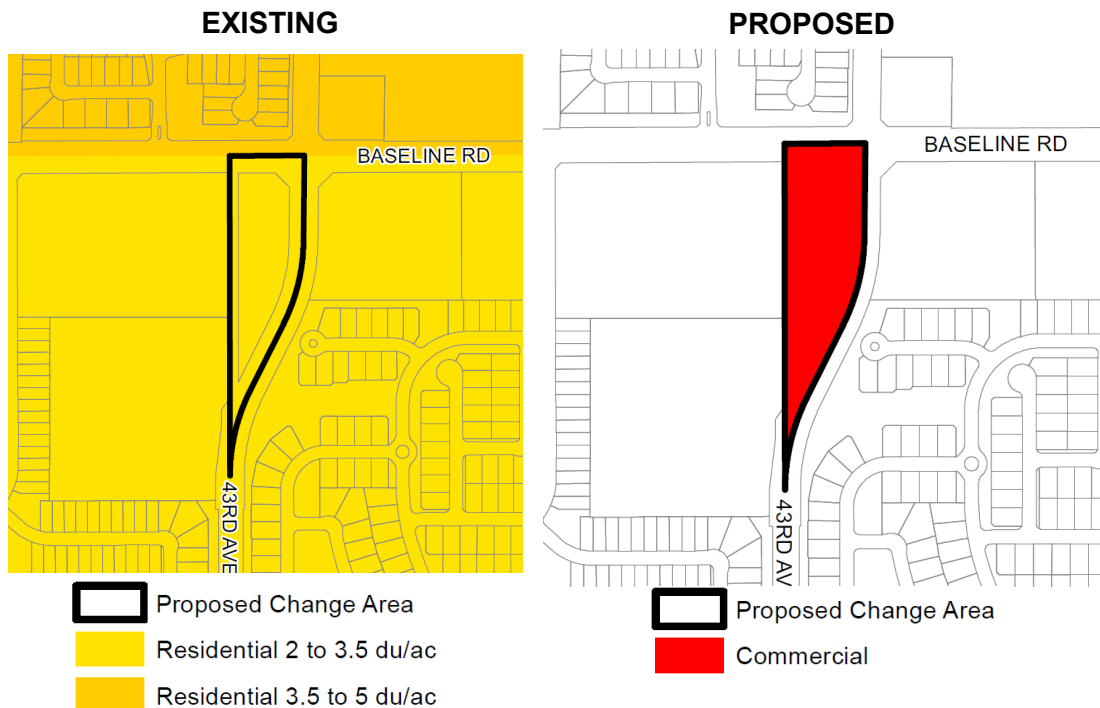
Zoning Sketch Map; Source: City of Phoenix Planning and Development Department

GENERAL PLAN LAND USE MAP DESIGNATIONS

2. The site has a General Plan Land Use Map designation of 2 to 3.5 dwelling units per acre. The proposal is not consistent with that designation and the proposal triggers the following exception to the 10 gross acre rule requiring an amendment:

- Sites whose size exceeds 10 gross acres when combined with the acreage of all abutting zoning on the same side of the street, within no more than 150 feet from the subject site which is also not in conformance with the general plan.

Therefore, the applicant filed a General Plan Amendment (GPA), GPA-LV-1-22-8, as a companion to this rezoning request. The GPA request is for a Commercial General Plan Land Use Map designation.



Existing and Proposed General Land Use Designation Maps, Source: City of Phoenix Planning and Development Department

North of the subject site, across Baseline Road, is a single-family residential subdivision. This area is designated Residential 3.5 to 5 dwelling units per acre.

East of the subject site is Heritage Academy, a public charter school, and a single-family residential subdivision. This area is designated Residential 2 to 3.5 dwelling units per acre.

South of the subject site, across 43rd Avenue, is a single-family residential subdivision. This area is designated Residential 2 to 3.5 dwelling units per acre.

West of the subject site is Christ's Church of the Valley and Legacy Traditional School, a public charter school, which is also designated Residential 2 to 3.5 dwelling units per acre.

EXISTING CONDITIONS AND SURROUNDING ZONING

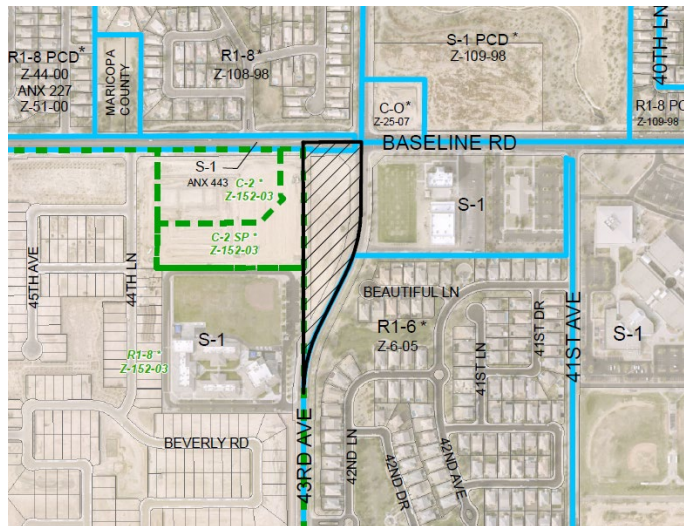
3. The subject site is vacant land currently zoned S-1 (Ranch or Farm Residence District). The surrounding zoning and land uses are as follows:

North of the subject site, across Baseline Road, is a single-family residential subdivision. This area is zoned R1-8 (Single-Family Residence District).

East of the subject site is Heritage Academy, a public charter school, and a single-family residential subdivision. This area is zoned S-1 (Ranch or Farm Residence District) and R1-6 (Single-Family Residence District).

Southwest of the subject site is Legacy Traditional School, a public charter school, and single-family residential subdivisions. This area is zoned S-1, Approved R1-8 (Ranch or Farm Residence District, Approved Single-Family Residence District).

West of the subject site is Christ's Church of the Valley, which is zoned S-1, Approved C-2 and C-2 SP (Ranch or Farm Residence District, Approved Intermediate Commercial and Special Permit). The special permit is for a self-service storage facility.



Aerial Map; Source: City of Phoenix Planning and Development Department

ADOPTED AREA PLANS

4. [Laveen Southwest Growth Study](#)

The site is located within the boundaries of the Laveen Southwest Growth Study, which was developed in 1997 to analyze the existing conditions of the Laveen Village and provide a land use and design planning framework to help shape the

growth that Laveen was starting to experience, while accounting for newly annexed farmland as well as the future development of the South Mountain Freeway Loop, which has since been completed.

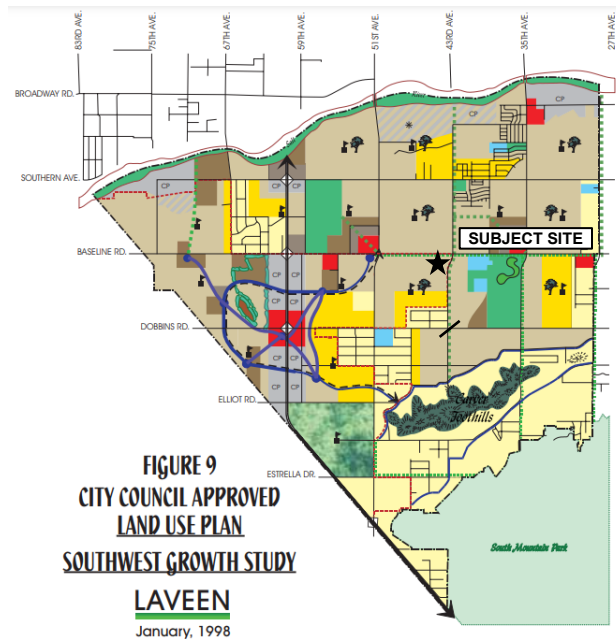
This plan designates the project site as Residential 2 to 5 dwelling units per acre. The proposed PUD does not conform to the land use designation placed on the site, but would provide an appropriate increase in intensity and commercial services for the adjacent neighborhoods.

The Laveen Southwest Growth Study provides a framework for an overall trail system which connects major community assets such as the Laveen Conveyance Channel, public parks and open space areas, and the South Mountain Preserve. This proposed development will provide a multi-use trail along Baseline Road, which will connect to the proposed trail system to the east and west of the site and promote overall connectivity in Laveen. This is addressed in Stipulation No. 2.

The Laveen Southwest Growth Study also outlines specific design policies and standards for various types of developments that will enhance Laveen’s built environment while remaining respectful of its agricultural heritage. The study encourages all new developments to use durable, high-quality building materials and to provide enhanced building design that will contribute to the character of the area. The Laveen Veterinary Hospital & Clinic PUD proposes design standards exceeding those required by the Phoenix Zoning Ordinance and also incorporates requirements for building materials and design features that invoke the agricultural history of the Laveen area.

PUD PROPOSAL

5. The proposal was developed utilizing the PUD zoning designation. The Planned Unit Development (PUD) is intended to create a built environment that is superior to that produced by conventional zoning districts and design guidelines. Using a



LEGEND

0-1 DU/ACRE	PARKS/OPEN SPACE
0-2 DU/ACRE	CONSERVATION COMMUNITY
2-5 DU/ACRE	SCHOOL
5-10 DU/ACRE	WATER COURSE/MULTI-USE TRAIL
10-15 DU/ACRE	PARKWAY
COMMERCIAL	PLANNED COMMUNITY
COMMERCE PARK	MULTI-USE TRAIL
PUBLIC/QUASI-PUBLIC	Existing Sand & Gravel to transition to Residential
HILLSIDE	OPEN SPACE FEATURES

Laveen Southwest Growth Study Land Use Map; Source: City of Phoenix Planning and Development Department

collaborative and comprehensive approach, an applicant authors and proposes standards and guidelines that are tailored to the context of a site on a case by case basis. Where the PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.

6. **Land Use Plan:** The PUD proposes an overall land use concept for the project that is designed for commercial uses. The south side of the site is proposed to be a veterinary hospital and clinic. The north side of the site does not have a site plan or specific users. However, the proposed commercial uses are appropriate given the site's location at the intersection of an arterial street and major arterial street.
7. **Permitted Uses:** The PUD proposes to permit a veterinary hospital, pet care facility, and pet day care facility. The PUD will also permit C-2 uses, except for the following: residential uses, car washes, adult uses, storage and distribution of chemicals and drugs, marijuana dispensary facilities, auto seat cover and trim shops, automobile rentals, retail sales and repair of guns, tobacco-oriented retailers, or drive through facilities as an accessory to a restaurant. The restriction of uses ensures that the site develops with a reasonable intensity level that is respectful of the character of the area.

Temporary and accessory uses are to comply with their respective sections in the Phoenix Zoning Ordinance. Additionally, the applicant will provide a technical correction to accessory uses, per Stipulation No. 1.a.

8. **Development Standards:** The PUD sets forth development standards that are primarily in line with C-2 (Intermediate Commercial) standards. Per Stipulation 3, the developer will construct detached sidewalks along both 43rd Avenue and Baseline Road frontages. The sidewalks will be detached with 11 feet of landscaping between sidewalk and back of curb to accommodate planting standards with minimum three-inch caliper shade trees. Parking, lighting, and fences and walls shall adhere to the standards set forth in the Phoenix Zoning Ordinance. Standards for bicycle parking are primarily in line with Section 1307.H of the Zoning Ordinance, which outlines enhanced bicycle parking requirements per the Walkable Urban (WU) Code. The WU Code is a form-based zoning code that aims to enhance the pedestrian environment and promote multi-modal transportation options.

Below is a summary of the main development standards proposed in the PUD Development Narrative. A full list of standards can be found on pages 8 through 9 of the Development Narrative.

<u>Standard</u>	<u>Proposed</u>
Building Setback	Adjacent to Streets:

	Average 25 feet; Minimum 20 feet permitted for up to 50% of the structure including projections. Interior (west): Minimum 30 feet
Building Height	Maximum 2 stories, not to exceed 30 feet
Lot Coverage	Maximum 50%

Additionally, the applicant will provide a technical correction to the Development Standards Table, per Stipulation No. 1.b.

9. **Landscape Standards:** Landscaping with the PUD is subject to the C-2 development standards outlined in the Phoenix Zoning Ordinance, which will create robust tree shade cover along streetscapes. The PUD Development Narrative will provide a section regarding shade, per Stipulation No. 1.c, which requires pedestrian pathways to be shaded a minimum of 75 percent and uncovered parking lot areas to be shaded at a minimum of 20 percent.
10. **Design Guidelines:** The PUD sets forth an extensive list of design requirements for the overall architecture of the site, as well as walls and fences, landscaping enhancements, and signs. These design requirements will ensure high-quality development that will be a visual benefit to the community. Standards for building design include cohesive architectural theme, historically appropriate building materials (such as stone masonry, common brick, painted steel, and heavy lumber), articulation in the façade, and variations in height.
11. **Signs:** Signage shall comply with the Phoenix Zoning Ordinance.

PLANS, OVERLAYS, AND INITIATIVES

12. **[Tree and Shade Master Plan](#)**
The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city’s planning and development process. By investing in trees and the urban forest, the city can reduce its carbon footprint, decrease energy costs, reduce storm water runoff, increase biodiversity, address the urban heat island effect, clean the air, and increase property values. In addition, trees can help to create walkable streets and vibrant pedestrian places. The proposed PUD Development Narrative notes that landscaping will comply with C-2 standards. Additionally, the development will provide shaded detached sidewalks, per Stipulation No. 3, and shading for both pedestrian pathways and uncovered parking lot areas, per Stipulation No. 1.c. These landscaping standards will provide significant shade for pedestrians

and reduce the urban heat island effect within the development and in the greater Laveen area.

13. **Complete Streets Guiding Principles**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. In addition to detached sidewalks, the PUD will provide a multi-use trail along Baseline Road and bicycle parking, which will be installed per the requirements in the city's Walkable Urban (WU) Code. The elements will help improve the pedestrian environment and create streets conducive to multi-modal transportation options. Additionally, the applicant will provide a Complete Streets section, per Stipulation No. 1.d, to address what standards in the Development Narrative promote the Complete Streets Guidelines.

14. **Zero Waste PHX**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and Section 716 of the Phoenix Zoning Ordinance expand its recycling and other waste diversion programs. The Sustainability Section noted that recycling will be encouraged.

COMMUNITY INPUT SUMMARY

15. At the time this staff report was written, staff received two letters from community members outlining concerns with parents dropping off or picking up students from the adjacent school. The community members noted that the parents will use the proposed development's parking lot while waiting for students. City of Phoenix Staff spoke with the school's principal who noted that the school uses a driveline for pick up and drop off and has staggered pick up for students. The school has sent out information to remind parents of proper procedures for picking up or dropping off children.

INTERDEPARTMENTAL COMMENTS

16. **Fire Department**

Fire Prevention does not anticipate any problems with the referenced case. However, the project team should be aware of the requirements for the width and clearance height for the fire apparatus access and to ensure the marking of the fire apparatus access road is in accordance with Chapter 5 of the 2018 Phoenix Fire Code. The site and or building(s) shall comply with the 2018 International Fire Code (IFC) with Phoenix Amendments. Currently the water supply (GPM and PSI) for the referenced case is unknown. The water supply is required to meet fire flow as defined by Appendix B of the 2018 IFC with Phoenix Amendments.

17. **Office of Heat Response and Mitigation**

The OHRM requested that landscaping provide 75 percent shading and the project exceed minimum parking lot tree shade requirements. These requests will be incorporated into the PUD Development Narrative per Stipulation No. 1.c.

18. **Public Transit**

The Public Transit Department determined that the developer shall dedicate right-of-way and construct a bus bay with an attached pad along southbound 43rd Avenue. The bus bay shall be compliant with City of Phoenix Standard Detail P1256 and the attached pad shall be compliant with City of Phoenix Standard Detail P1261 with a minimum depth of 10 feet. The bus pad shall also be spaced from the intersection of 43rd Avenue and Baseline Road according to City of Phoenix Standard Detail P1258. This is addressed in Stipulation No. 6.

19. **Street Transportation Department**

The Street Transportation Department has provided the following comments:

- The Street Classification Map designates 43rd Avenue as a D Section Roadway and Baseline Road as a B Section Roadway. Both require a minimum five-foot-wide sidewalk and minimum 11-foot-wide landscape strip. This is addressed in Stipulation No. 3.
- The applicant shall submit a Traffic Impact Study/Statement to the City for this development. The developer shall be responsible for the cost and construction of all mitigation identified through the analysis. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department. This is addressed in Stipulation No. 4.
- The developer shall provide appropriate dedication and construction of adjacent right-of-way. This is addressed in Stipulation No. 5.

20. **Water Services Department**

The Water Services Department has determined that the property has existing water and sewer mains that can potentially serve the proposed development.

OTHER

21. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33 feet 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 No. 7.

22. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 8.
23. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements such as obtaining a use permit to conduct the proposed outdoor use in this zoning district. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The proposed development is consistent in scale and character with land uses in the surrounding area to the east and west.
2. The land uses proposed in the PUD will maximize commercial opportunities on land within the Laveen Village that has been vacant since annexation into the City.
3. The proposed commercial uses are appropriate for the site since it has access to an arterial street, 43rd Avenue, and major arterial street, Baseline Road.

Stipulations

1. An updated Development Narrative for the Laveen Veterinary Hospital and Clinic PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped June 16, 2022, as modified by the following stipulations:
 - a. Page 7, List of Uses, Accessory: Remove “except the following: drive-through facilities as an accessory use to a restaurant”.
 - b. Page 8, Development Standards Table: Remove building setback standards for structures exceeding two stories or 30 feet.
 - c. Pages 8-9, Development Standards Table: Add a section regarding shade to the table and include the following standards:
 - i. Minimum 75% for pedestrian pathways.
 - ii. Minimum 20% for uncovered surface parking lot areas.

- d. Page 13: Add a Complete Streets section to address what standards in the PUD promote the Complete Street Guidelines. Explain how the PUD standards specifically improve convenience and comfort, connectivity, sustainability, and green infrastructure.
2. The developer shall dedicate a 30-foot-wide multi-use trail easement (MUTE) along the south side of Baseline Road and construct a minimum 10-foot-wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail and as approved by the Planning and Development Department and/or Parks and Recreation Department. Where conflicts or restrictions exist, the developer shall work with the Site Planning section on an alternate design through the technical appeal process.
3. The developer shall construct a minimum 5-foot-wide detached sidewalk along the west side of 43rd Avenue and south side of Baseline Road with a minimum 11-foot-wide landscaped strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department:
 - a. Minimum 3-inch caliper shade trees placed a minimum of 20 feet on center or in equivalent groupings.
 - b. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75% live coverage at maturity.
 - c. Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
4. The applicant shall submit a Traffic Impact Study/Statement to the City for this development. The developer shall be responsible for the cost and construction of all mitigation identified through the analysis. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.
5. 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.

6. The right-of-way shall be dedicated and a bus bay with attached pad (City of Phoenix Standard Details P1256, P1258, and P1261) constructed along southbound 43rd Avenue, as approved by the Planning and Development Department.
7. 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.
8. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Writer

Julianna Pierre

July 7, 2022

Team Leader

Racelle Escolar

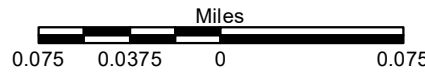
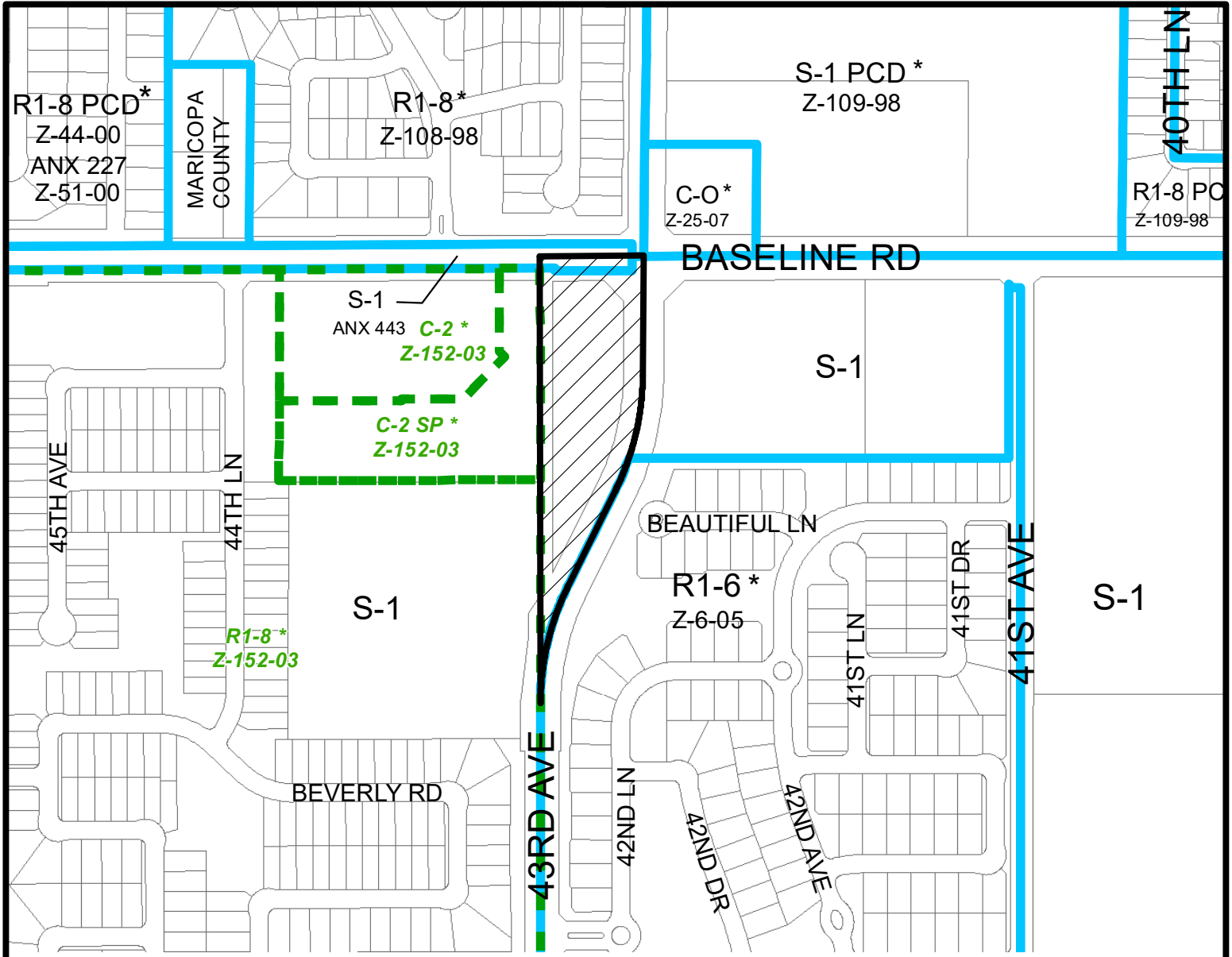
Exhibits

Sketch Map

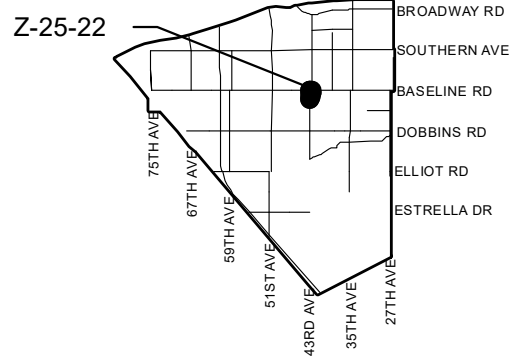
Aerial Sketch Map

Community Correspondence (11 Pages)

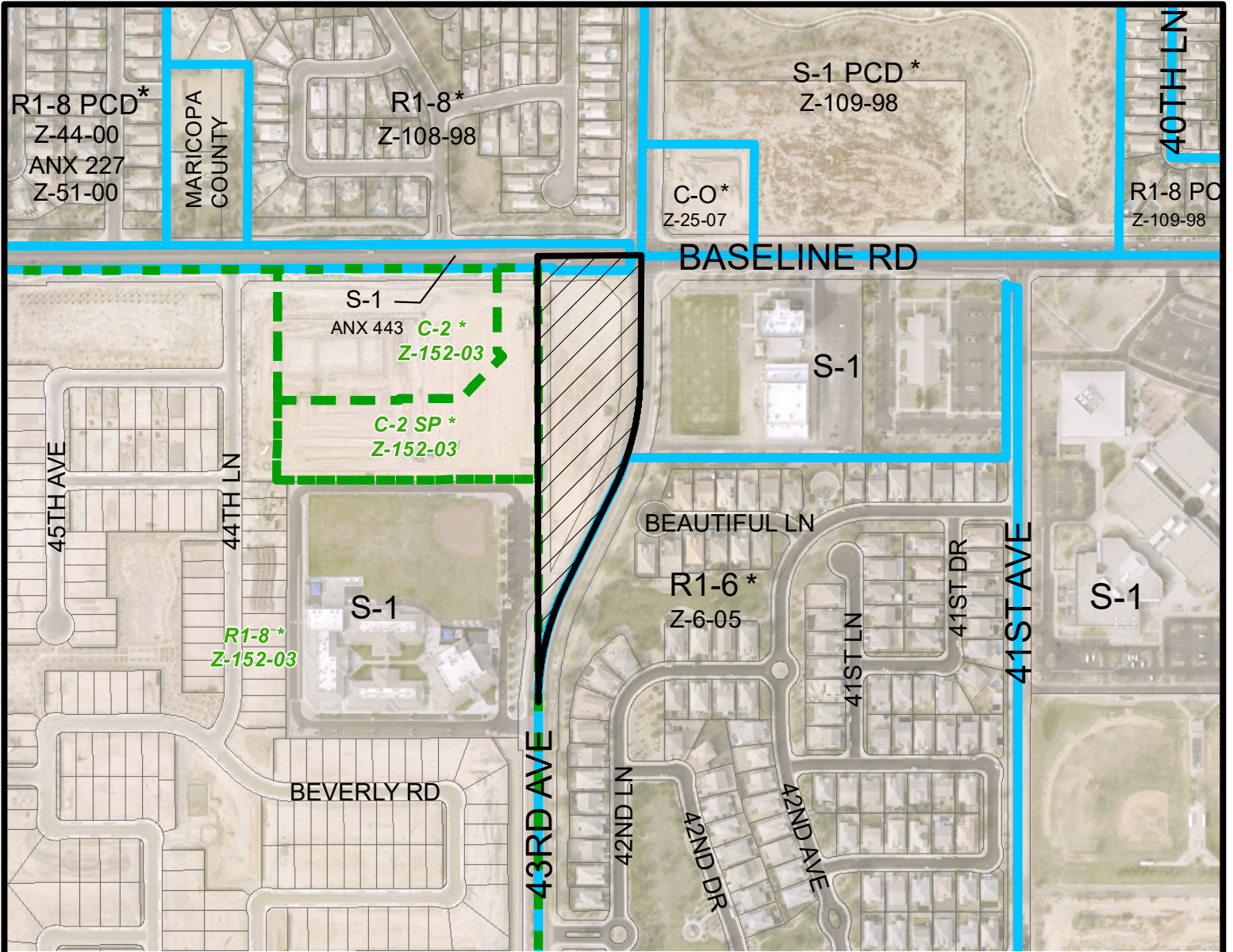
[Laveen Veterinary Hospital & Clinic PUD](#) date stamped June 16, 2022



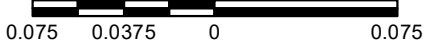
LAVEEN VILLAGE
CITY COUNCIL DISTRICT: 8



APPLICANT'S NAME: Evan Ware		REQUESTED CHANGE:	
APPLICATION NO. Z-25-22		FROM: S-1 (4.99 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 4.99 Acres		<small>DATE:</small> 4/14/2022 <small>REVISION DATES:</small> 6/22/22	
<small>AERIAL PHOTO & QUARTER SEC. NO.</small> QS 01-19		<small>ZONING MAP</small> D-6	
TO: PUD (4.99 a.c.)		* UNITS P.R.D. OPTION	
MULTIPLES PERMITTED S-1 PUD		CONVENTIONAL OPTION 4 N/A	
* Maximum Units Allowed with P.R.D. Bonus		N/A N/A	



Miles

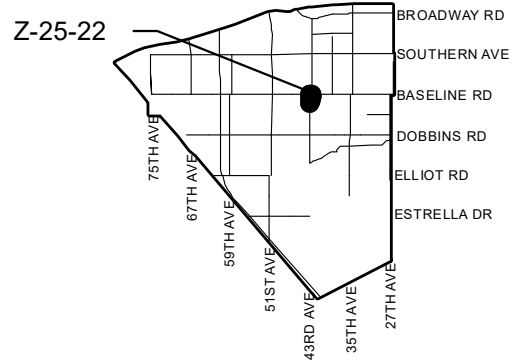


LAVEEN VILLAGE

CITY COUNCIL DISTRICT: 8



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: Evan Ware		REQUESTED CHANGE:	
APPLICATION NO. Z-25-22		FROM: S-1 (4.99 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 4.99 Acres		TO: PUD (4.99 a.c.)	
MULTIPLES PERMITTED S-1 PUD		CONVENTIONAL OPTION 4 N/A	
		* UNITS P.R.D. OPTION N/A N/A	

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

From: [Dan Penton](#)
To: adam@withey.com
Cc: [Tonya Glass](#); [Linda Abegg](#); [Julianna Pierre](#); [Phil Hertel](#); [Laveen Citizens for Responsible Development](#); [Stephanie Hurd](#)
Subject: Re: New REZONING Case File: Z-25-22-8 Laveen Veterinary Hospital and Clinic PUD – 2nd submittal (Southwest corner of 43rd Avenue and Baseline Road)
Date: Monday, June 6, 2022 5:32:12 PM
Attachments: [image.png](#)
[image.png](#)
[Legacy Illegal Parking.png](#)
[Legacy Illegal Parking 2.png](#)
[Legacy Pickup Staging 43rd Ave.png](#)
[image.png](#)
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Good Afternoon Adam

I wanted to reach out to you in regard to Z-25-22, Laveen Veterinary Center PUD, in order to provide some insight into the area around 43rd Ave & Baseline, but first, please know that I fully support the project 100%, along with many residents in the Artesa Community to the southeast, as well as the broader community of Laveen. Doctor Ware is well known and highly regarded, and we couldn't have asked for a better use of the land which will provide much needed services to our growing community. That said, I personally want to see the new Laveen Veterinary Center be as successful as it can be, as do others, hence the reason for my email today.

There is a concern I have regarding the specific placement of the building on the lot, and please keep in mind that I am aware of the lot split, so I am referring only to the south parcel. I have lived in the Artesa Community to the southeast for over four(4) years, and there has been no greater nuisance to our community than the willful disregard for private property and the safety of other motorist and pedestrians than that which is on display Monday through Friday for 2 hours in the morning and two hours in the afternoon.

There has long been a problem with the parents whose children attend Legacy School immediately to the south of the subject site. I am specifically referring to the daily drop-off and pick-up of students from the school, who have exempted their children from the process of waiting on school grounds for them to be dropped off and picked up. This would require the parents to drive their vehicle through the "Drive-Line", which unfortunately has gotten longer and longer over the years due to our exploding population. Please keep in mind that our community is surrounded on three sides by four(4) schools, and Legacy, or I should say the parents of Legacy Students are the only ones we have issues with.

I am sure you are asking yourself, yeah, so, what does this have to do with placement of a building? And here's why. In the attached photos and video, you will notice that the vacant lot which is proposed to be a parking lot for the Vet Center is currently used as a staging area for morning and afternoon drop-offs and pick-ups. Parents will start staging sometimes as early as two hours prior to the time school lets out in the afternoon, and usually lasts up until 3:30pm. We have tried working with the school repeatedly because the parents used to use the cul-de-sac on

Beautiful Lane which abuts 43rd Ave, resulting in property damage from their kids climbing and breaking tree limbs, and littering. Our HOA finally decided to install iron view fencing, but the problem only shifted south to Harwell. The biggest problem is in our entry driveway, and when Alara finally opened, their neighborhood intrusion started there as well, with parking on their neighborhood streets.

The school has been unwilling and unable to get through to the parents, and have ultimately said they cannot do anything more except attempt to educate. Even the off-duty police officer is limited in that he can only enforce violations on school property, as he is hired by the school to direct their traffic. Parents feel they are well within their right to double park on city streets while blocking traffic lanes and bicycle lanes, park on private property, as well as cutting through the Artesa and Alara neighborhoods. Where safety comes into play is the constant procession of vehicles making illegal U-Turns, jetting into traffic, sometimes the wrong way, and parking in Fire Lanes, or where "No Parking or Stopping" signs that were installed by the City in just one attempt to mitigate the issue.

My point is, the parents WILL PARK WHEREVER THEY FEEL LIKE, and this includes the vacant lot in which there is a parking lot proposed for the Veterinary Clinic. Pavement will just be an added luxury for them.

When confronted, some parents have even gone so far as to threaten physical injury, or worse. It is already unsafe during drop-off and pick-up times at Legacy. My concern is shared with fellow residents, and there have been countless attempts by the City and residents of Artesa, myself included, to mitigate these issues. And as I mentioned, the school says they have addressed it with parents, and yet the problems persist.

The unwillingness of the school to be good neighbors, and the parent's unwillingness to show any respect or cooperate with neighboring residents and communities, ignore the most basic traffic laws (in and out of a school zone where children are present), continually trespass on private property, and act with indifference towards others and their property, will undoubtedly impact the Veterinary Clinic with the current site plan. I guarantee, the parking lot is going to be used as a staging area by parents waiting to pick up their kids from Legacy.

I have attached some photos and videos from April 2022, and have many more. But if I can suggest moving the building to just north of the retention area, and shifting the parking to the north, this may help to mitigate some of the concerns I have mentioned. This could provide an opportunity for an expanded outdoor area for the pets as well. Ultimately, the concern is driven out of how the circumstances I described above could potentially impact the daily operations, will there be sufficient parking for clients at those times of day, and if not, shifting the parking lot to the north may provide some additional spaces.

In any event, I hope you find this useful, and like I said, there is support from myself and the Laveen community and we wish Dr Ware all the success on this journey. If you have any questions, you know how to reach me, and we would love to see you at the LCRD

All My Best,
DAN PENTON

8216 S 42nd Ave
Laveen, AZ 85339

[Video of Legacy Parking along 43rd Avenue \[photos.app.goo.gl/\]](https://photos.app.goo.gl/)











The photos below were taken from Beautiful Lane





On Wed, May 18, 2022 at 10:28 AM Tonya Glass <glass.tonya@gmail.com> wrote:

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

From: **Jackson D Olson** <jackson.olson@phoenix.gov>

Date: Tue, May 17, 2022, 1:22 PM

Subject: New REZONING Case File: Z-25-22-8 Laveen Veterinary Hospital and Clinic PUD – 2nd submittal (Southwest corner of 43rd Avenue and Baseline Road)

To:

Cc: Julianna Pierre <julianna.pierre@phoenix.gov>

Good afternoon,

The following rezoning case files are ready for review. Please submit your comments to Julianna Pierre at julianna.pierre@phoenix.gov.

CASE FILE: Z-25-22-8 Laveen Veterinary Hospital and Clinic PUD – 2nd submittal

VILLAGE: Laveen

LOCATION: Southwest corner of 43rd Avenue and Baseline Road

COMMENTS DUE: **May 24, 2022**

Jackson Olson

Planner I – Long Range

City of Phoenix Planning & Development

200 W Washington St, 3rd Floor

jackson.olson@phoenix.gov

602.261.8664



From: [Stephanie Hurd](#)
To: [Carlos D Garcia](#); [Council District 7 PCC](#); [Mayor Gallego](#); [Alan Stephenson](#); [Julianna Pierre](#); thelcrd@gmail.com; [Tonya Glass](#); [Linda Abegg](#); [Dan Penton](#)
Subject: Fwd: New REZONING Case File: Z-25-22-8 Laveen Veterinary Hospital and Clinic PUD – 2nd submittal (Southwest corner of 43rd Avenue and Baseline Road)
Date: Monday, June 13, 2022 4:00:53 PM
Attachments: [image.png](#)
[image.png](#)
[Legacy Illegal Parking.png](#)
[Legacy Illegal Parking 2.png](#)
[Legacy Pickup Staging 43rd Ave.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)

Hello,

I'm forwarding the message below to point out that every school in Laveen has drop off/pick up issues. Schools do not set a plan for all these parents driving to/from school. It's become such a problem and as you can read in Dan's explanation below, it often turns into a heated argument.

The city must start holding schools accountable for these issues. Any other development would have to accommodate for all the traffic as to not interfere with the flow of street traffic. Please create an overlay for schools to design adequate parking or drive thru, waiting areas for drop off and pick ups. It's simply not ok to let schools brush it off on the community to handle. IMO, we're set up for failure by not having the school make these accommodations. There must be something we can do.

Thank you,
Stephanie Hurd
LVPC

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

From: **Dan Penton** <dpenton85339@gmail.com>
Date: Mon, Jun 6, 2022 at 5:31 PM
Subject: Re: New REZONING Case File: Z-25-22-8 Laveen Veterinary Hospital and Clinic PUD – 2nd submittal (Southwest corner of 43rd Avenue and Baseline Road)
To: <adam@withey.com>
Cc: Tonya Glass <Glass.Tonya@gmail.com>, Linda Abegg <linda.abegg@gmail.com>, Julianna Pierre <julianna.pierre@phoenix.gov>, Phil Hertel <tophilhertel@hotmail.com>, Laveen Citizens for Responsible Development <thelcrd@gmail.com>, Stephanie Hurd <hurdles10@gmail.com>

Good Afternoon Adam