City of Phoenix

Staff Report: PHO-1-26—Z-5-20-7

APPLICATION #:	PHO-1-26—Z-5-20-7
LOCATION:	Approximately 1,000 feet west of the northwest corner of 31st Avenue and Harrison Street
EXISTING ZONING:	A-1
ACREAGE:	3.66
REQUEST:	1) Modification of Stipulation 1 regarding maximum building height. 2) Modification of Stipulation 3 regarding the landscape area. 3) Modification of Stipulation 4 regarding the landscape area.
APPLICANT:	Joshua Oehler, Arc One Associates, LLC
OWNER:	FRM Investments, LLC c/o Alexis A Heredia
REPRESENTATIVE:	Joshua Oehler, Arc One Associates, LLC

STAFF RECOMMENDATION

Denial, per the Planning Hearing Officer recommendation.

PLANNING HEARING OFFICER RECOMMENDATION

On August 19, 2026, the Planning Hearing Officer (PHO) took the case under advisement. On September 11, 2026 the Planning Hearing Officer took the case out from under advisement and recommended denial.

VILLAGE PLANNING COMMITTEE RECOMMENDATION

The Estrella Village Planning Committee (VPC) recommended denial of this request on May 19, 2026, by a vote of 6-0. The VPC reconsidered this request on August 18, 2026 and recommended denial, by a vote of 3-0-1.

BACKGROUND/ANALYSIS

The subject site consists of 3.66-gross acres located approximately 1,000 feet west of the northwest corner of 31st Avenue and Harrison Street and is zoned A-1 (Light Industrial). The applicant requested a modification of Stipulation 1 regarding maximum building height, Stipulation 3 regarding the landscape area, and Stipulation 4 regarding the landscape area.

The applicant/representative/appellant requested a continuance on two prior occasions, first, at the May 20, 2026 (Exhibit F) PHO Hearing and prior to the June 17, 2026 PHO Hearing. In addition to the two PHO continuances, the applicant/representative/ appellant went before the Estrella VPC first on May 19, 2026 (Exhibit H) and again on August 18, 2026 (Exhibit I), receiving a recommendation of denial at both VPC meetings, by a vote of 6-0 at the May meeting and a vote of 3-0-1 at the August meeting.

The applicant/representative/appellant presented the proposed site plan (Exhibit J) at the August 19, 2026, PHO Hearing, depicting a 60-foot-tall concrete batch plant and a 5,000-square foot community garden. He argued that increasing the community garden size from 600 square-feet to 5,000 square-feet would offset the proposed landscape setback reduction. The applicant/representative/appellant presented comparison renderings of a 30-foot-tall building along the street frontage and the proposed 56-foot concrete silo and argued there is less building mass and impact on the street scape with the development of the proposed concrete plant.

The applicant/representative/appellant stated both proposed uses are permitted within the A-1 Zoning District.

PREVIOUS HISTORY

On March 3, 2021, the Phoenix City Council approved Rezoning Case No. Z-5-20-7, a request to rezone 3.66 acres located at the southwest corner of 32nd Drive and Jackson Street from A-1 SP (Light Industrial, Special Permit) to A-1 (Light Industrial) (Exhibit E). The proposed development was intended for a dispatch office and parking lot for a transport/freight delivery business. The property was previously undeveloped.

The original stipulation regarding building height was included to minimize impacts to nearby residential uses across Jackson Street. The 30-foot height limit was more consistent with the existing residential pattern of development. Stipulations 3 and 4 were originally added to increase building and landscape setbacks and incorporate enhanced screening standards through a mix of trees along Jackson Street to buffer parking areas.

NEIGHBORHOOD CONCERNS

Public Correspondence

Prior to the August 19, 2026, PHO Hearing there were multiple letters of opposition (Exhibit L) and support (Exhibit K) received from neighbors and organizations. The concerns raised were related to safety impacts, mass of the structure, compatibility concerns, and minimal outreach to the cemetery and school in proximity to the subject site. Opposition also highlighted construction beginning on site without proper entitlements, health concerns, neighborhood quality of life, etc.

The morning of the PHO Hearing, the applicant/representative/appellant provided letters of support from 12 individuals within the adjacent neighborhood, the Superintendent of the Murphy Elementary School District, and the Beth Israel Cemetery.

During the August 19, 2026, PHO Hearing two interested parties spoke in opposition. The members in opposition voiced concerns regarding the extended community outreach agreed upon during the May 20, 2026 PHO Hearing. Questions were raised regarding maintenance of the community garden, the precedent that higher intense industrial uses could be approved, and the project's impact on the community.

GENERAL PLAN LAND USE MAP DESIGNATION

Residential 3.5 to 5 Dwelling Units/Acre and Industrial

CHARACTER OF SURROUNDING LAND USE

	Zoning	Land Use
On-site:	A-1	Vacant land
North (Across Jackson Street):	R-5	Multifamily Residence
South (Across Harrison Street):	A-2	Industrial
West:	A-1 SP	Cemetery
East:	A-1	Vacant land and tortilla factory

PLANNING HEARING OFFICER FINDINGS

The request to modify Stipulation 1 regarding maximum building height is recommended to be denied. The intent of the stipulation established during the original rezoning case was very clear and the stipulation was intended to limit view obstruction and prevent intense industrial activity on the site. The original rezoning was requested to allow a storage yard and was highly contentious, with significant concerns raised by surrounding residents.

In response to those concerns, the VPC, Planning Commission, and City Council supported a 30-foot maximum building height due to the site's adjacency to a residential community and the need for a substantial buffer between the residential and industrial uses. Additionally, the proposed concrete batch plant is a substantially more intensive use than the previously approved storage yard, further supporting the continued application of the height restriction.

The request to modify Stipulation 3 regarding the landscape area has been withdrawn by the applicant.

The request to modify Stipulation 4 regarding the 20-foot-wide landscape area along the western portion of the north property line is recommended to be denied. This stipulation was a direct result of community engagement and the desire for an adequate buffer between the A-1 zoned storage yard and the surrounding residential community. I am recommending that the buffer is retained as stipulated along the 550 feet of property line.

PLANNING HEARING OFFICER RECOMMENDED STIPULATIONS

1.	The maximum building height shall be 30 feet.	
2.	A minimum building setback of 50 feet shall be required along the north property line, exclusive of parking areas, as approved by the Planning and Development Department.	
3.	A minimum 10-foot-wide landscape area shall be provided for the eastern 100 feet of the north property line.	
4.	A minimum 20-foot-wide landscape area shall be provided for the western 550 feet along the north property line.	
5.	The Jackson Street landscape area shall be developed to the following standards, as approved by the Planning and Development Department:	
	a.	Minimum 25 percent 1-inch caliper, minimum 50 percent 2-inch caliper, and minimum 25 percent 3-inch caliper size evergreen trees planted 20 feet on center or in equivalent groupings.
	b.	Trees shall be oriented in a manner that provides the maximum shade possible to the adjacent sidewalk.
	c.	Two-inch and 3-inch caliper size trees shall be located in a manner that screens semi-truck parking or outdoor uses from public view as much as possible.
	d.	Minimum of five, 5-gallon shrubs per tree.
	e.	Where utility conflicts exist, an alternative solution consistent with a pedestrian environment shall be provided.
6.	The developer shall dedicate right-of-way and construct a 50-foot radius cul-de-sac at the western end of Jackson Street along with required improvements, as approved by the Planning and Development Department.	
7.	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.	
8.	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 of the property.	
9.	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.	
10.	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.	
11.	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.	
12.	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.	
13.	The following minimum elements shall be provided and maintained by the property owner within proximity to Jackson Street, as approved by the Planning and Development Department:	
	a.	A community garden of no less than 600 square feet in area containing irrigation.
	b.	A seating node containing a minimum of one seating element or bench.
14.	All surface parking areas shall be shaded to achieve a minimum of 25 percent shade at maturity, as approved by the Planning and Development Department.	
15.	The applicant shall pursue approval of alternative paving that minimizes heat for the surface parking area. If traditional paving is utilized, other	

	design solutions such as increased shade may be utilized to shade parking areas to minimize heat absorption, as approved by the Planning and Development Department.
16.	Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims form. The Waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Exhibits:

A- Appeal Documents (5 pages)
B- Applicant's Narrative for PHO-1-26—Z-5-20-7 (4 pages)
C- Aerial Map
D- Zoning Map
E- Approval Letter and Ordinance G-6817 for Z-5-20-7 (7 pages)
F- PHO Summary for PHO-1-26—Z-5-20-7 from May 20, 2026 (2 pages)
G- PHO Summary for PHO-1-26—Z-5-20-7 from August 19, 2026 (8 pages)
H- VPC Summary for PHO-1-26—Z-5-20-7 from May 19, 2026 (3 pages)
I- VPC Summary for PHO-1-26—Z-5-20-7 from August 18, 2026 (3 pages)
J- Proposed Conceptual Site Plan, date stamped February 26, 2026
K- Letters of Support (14 pages)
L- Letters of Opposition (19 pages)

EXHIBIT A

CITY OF PHOENIX

SEP 18 2026

Planning & Development Department

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

August 19, 2026 - PHO-1-26—Z-5-20-7 Taken out from Under Advisement on

The PLANNING HEARING OFFICER agenda for ***September 11, 2026*** is attached.

The City Council May Ratify the Recommendation of the Planning Hearing Officer on *October 21, 2026* Without Further Hearing Unless:

- **A REQUEST FOR A HEARING BY THE PLANNING COMMISSION** is filed by 5:00 p.m. on ***Friday, September 18, 2026***. (There is a **$630.00 fee** for hearings requested by the applicant.)

  Any member of the public may, within seven (7) days after the Planning Hearing Officer's action, request a hearing by the Planning Commission on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. ***Friday, September 18, 2026***.

APPEAL FORM

I HEREBY REQUEST THAT THE PLANNING COMMISSION HOLD A PUBLIC HEARING ON:

PHO-1-26—Z-5-20-7
APPLICATION NO.

Approximately 1,000 feet west of the northwest corner of 31st Avenue and Harrison Street
LOCATION OF APPLICATION PROPERTY

JOSH BEHLER
NAME (PLEASE PRINT)

☐ OPPOSITION ☒ APPLICANT

1427 N 3RD St. Suite 100
STREET ADDRESS:

JOSH@ARCONEASSOCIATES.COM
EMAIL:

PHOENIX, AZ
CITY, STATE AND ZIP CODE

602-241-7871
TELEPHONE NO

BY MY SIGNATURE BELOW, I ACKNOWLEDGE THE SCHEDULED HEARING DATE AS FOLLOWS:

August 19, 2026 - PHO-1-26—Z-5-20-7 Taken out from Under Advisement on

APPEALED FROM *September 11, 2026* (DATE) **PHO HEARING TO** 11/5/2026 (DATE) **PC HEARING**

SIGNATURE: _____ DATE: 9/17/2026

REASON FOR APPEAL: We respectfully appeal the PHO's findings and request reconsideration of the denial of our previous stipulation modification request. The proposed modifications are necessary to accomodate the operational requirements of the batch plant & active community garden while maintaining low density site.

SEE ATTACHED NARRATIVE

APPEALS MUST BE FILED IN PERSON AT THE 2ND FLOOR ZONING COUNTER, 200 W. WASHINGTON STREET, 602-262-7131, Option 6

PLANNER TAKING APPEAL: _____

Copies to: Case File PHO Planner – Logan Zappolo PHO Secretary – Ruth Somoza

arc one associates, LLC
1427 N. 3rd Street, Suite 100
Phoenix, AZ 85004

Office: (602) 241 7871
Fax: (602) 241 7874
Info@arconeassociates.com

CITY OF PHOENIX

SEP 18 2026

Planning & Development
Department

City of Phoenix Planning & Development Department
200 West Washington Street, 2nd Floor
Phoenix, Arizona 85003

Project Narrative for PHO Request: Stipulations Modification for Case Z-5-20-7 (3333 W Jackson St.)

Project overview

This narrative supports our request to remove the stipulations associated with case Z-5-20-7, which directly impact our property at 3333 W Jackson St. The current site plan proposes utilizing the property as a concrete batch plant, a use that is consistent with the existing light industrial zoning (A-1). Importantly, the project does not include any new building construction.

The proposed layout positions the batch plant structure located at 147 feet from the front property line, ensuring substantial separation from the street. Truck entry and exit points are planned to align with South 33rd Avenue, facilitating efficient and safe vehicle movement. In the property there is a 20' concrete road that will allow trucks to move around. On the west end of Jackson Street, the existing cul-de-sac will be preserved and repaired as needed to maintain proper access and circulation.
Accessibility is a priority for this project. There will be two ADA-compliant routes to the property, one on each side of the main entry driveways, ensuring inclusive access for all users.

The stipulations stated on the case Z-5-20 were approved on March 17th, 2021 and we request to be modified as follows:

1. ~~The maximum building height shall be 30 feet.~~
   The maximum building height shall be increased from 30 feet to 56 feet. The proposed development shall limit lot coverage to a maximum of 5 percent to minimize building density and maintain the overall openness of the site.

   Reasoning:
   The requested modification is necessary to accommodate the operational requirements of the proposed concrete batch plant. A maximum building height of 56 feet is needed to allow for the necessary plant equipment, material storage, and

operational components required for the facility to function efficiently and safely. Section 627.F.2.a of the City of Phoenix Zoning Ordinance establishes a maximum building height of 56 feet within the A-1 zoning district. The requested height is consistent with the applicable underlying zoning standards. Limiting the overall lot coverage to 5 percent will minimize building density and preserve the majority of the site as open area. The proposed modification will allow the property to be developed in accordance with its intended industrial use while maintaining a low-density site layout

2. A minimum building setback of 50 feet shall be required along. the north property line, exclusive of parking areas, as approved by the Planning and Development Department.
3. A minimum 10-foot-wide landscape area shall be provided for the eastern 100 feet of the north property line
4. ~~A minimum 20-foot-wide landscape area shall be provided for the western 550 feet along the north property line.~~

   The minimum landscape area required along the western 550 feet of the north property line shall be reduced from 20 feet in width to 10 feet in width.

   Reasoning:
   The requested modification is intended to provide additional usable space within the site for an active community garden while maintaining the required landscaping and screening along the north property line. The proposed 10-foot-wide landscape area will continue to provide vegetation and landscaping along the property boundary, with plant materials selected and arranged to maintain an effective landscape buffer. The reduced landscape area will allow the remaining site area to be utilized for a community garden, providing an active and beneficial space for community use. The proposed landscape design will maintain an appropriate amount of vegetation while allowing for a more functional and efficient use of the site.

5. The Jackson Street landscape area shall be developed to the following standards, as approved by the Planning and Development Department:

   a. Minimum 25 percent 1-inch caliper, minimum 50 percent 2-inch caliper, and minimum 25 percent 3-inch caliper size evergreen trees planted 20 feet on center or in equivalent groupings.

   b. Trees shall be oriented in a manner that provides the maximum shade possible to the adjacent sidewalk.

   c. Two-inch and 3-inch caliper size trees shall be located in a manner that screens semi-truck parking or outdoor uses from public view as much as possible.

d. Minimum of five, 5-gallon shrubs per tree.

e. Where utility conflicts exist, an alternative solution consistent with a pedestrian environment shall be provided.

6. The developer shall dedicate right-of-way and construct a 50-foot radius cul-de-sac at the western end of Jackson Street along with required improvements, as approved by the Planning and Development Department.

7. 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.

8. 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 of the property.

9. 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.

10. 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.

11. 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.

12. 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.

13. The following minimum elements shall be provided and maintained by the property owner within proximity to Jackson Street, as approved by the Planning and Development Department:

a. A community garden of no less than 600 square feet in area containing irrigation.

b. A seating node containing a minimum of one seating element or bench.

14. All surface parking areas shall be shaded to achieve a minimum of 25 percent shade at maturity, as approved by the Planning and Development Department.

15. The applicant shall pursue approval of alternative paving that minimizes heat for the surface parking area. If traditional paving is utilized, other design solutions such as increased shade may be utilized to shade parking areas to minimize heat absorption, as approved by the Planning and Development Department.

16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims form. The Waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

The requested modifications to these stipulations are necessary to align the entitlement conditions with the operational and structural requirements of the proposed concrete batch plant. The project has been thoughtfully designed to meet functional needs while incorporating appropriate landscaping, screening, and site improvements. Authorizing these adjustments will allow the development to proceed in a manner that supports industrial activity consistent with the site's intended use, while maintaining compliance with applicable standards and contributing positively to the area.

Sincerely,

Joshua Oehler
President

EXHIBIT B

arc one associates, LLC
1427 N. 3rd Street, Suite 100
Phoenix, AZ 85004

Office: (602) 241 7871
Fax: (602) 241 7874
Info@arconeassociates.com

City of Phoenix Planning & Development Department
200 West Washington Street, 2nd Floor
Phoenix, Arizona 85003

Project Narrative for PHO Request: Deletion of Stipulations for Case Z-5-20-7 (3333 W Jackson St.)

Project overview

This narrative supports our request to remove the stipulations associated with case Z-5-20-7, which directly impact our property at 3333 W Jackson St. The current site plan proposes utilizing the property as a concrete batch plant, a use that is consistent with the existing light industrial zoning (A-1). Importantly, the project does not include any new building construction.

The proposed layout positions the batch plant structure located at 147 feet from the front property line, ensuring substantial separation from the street. Truck entry and exit points are planned to align with South 33rd Avenue, facilitating efficient and safe vehicle movement. In the property there is a 20' concrete road that will allow trucks to move around. On the west end of Jackson Street, the existing cul-de-sac will be preserved and repaired as needed to maintain proper access and circulation.
Accessibility is a priority for this project. There will be two ADA-compliant routes to the property, one on each side of the main entry driveways, ensuring inclusive access for all users.

The stipulations stated on the case Z-5-20 were approved on March 17th, 2021 and we request to be modified as follows:

1. ~~The maximum building height shall be 30 feet.~~
   The maximum building height shall be 56 feet
   Reasoning: for the allowed use of concrete manufacturing in A-1 zoning a batch plant is necessary for our batch plant we will require 56'-0" in height as allowed in A-1 zoning SEC627 F.2.a .

2. A minimum building setback of 50 feet shall be required along. the north property line, exclusive of parking areas, as approved by the Planning and Development Department.

~~3. A minimum 10-foot-wide landscape area shall be provided for the eastern 100 feet of the north property line~~
~~4. A minimum 20-foot-wide landscape area shall be provided for the western 550 feet along the north property line.~~

A minimum 10-foot-wide landscape area shall be provided along the north property line.
Reasoning: With the property being three times wider than its depth, a 20'-0" deep landscape setback would impede truck circulation within the site.

5. The Jackson Street landscape area shall be developed to the following standards, as approved by the Planning and Development Department:

   a. Minimum 25 percent 1-inch caliper, minimum 50 percent 2-inch caliper, and minimum 25 percent 3-inch caliper size evergreen trees planted 20 feet on center or in equivalent groupings.

   b. Trees shall be oriented in a manner that provides the maximum shade possible to the adjacent sidewalk.

   c. Two-inch and 3-inch caliper size trees shall be located in a manner that screens semi-truck parking or outdoor uses from public view as much as possible.

   d. Minimum of five, 5-gallon shrubs per tree.

   e. Where utility conflicts exist, an alternative solution consistent with a pedestrian environment shall be provided.

6. The developer shall dedicate right-of-way and construct a 50-foot radius cul-de-sac at the western end of Jackson Street along with required improvements, as approved by the Planning and Development Department.

7. 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.

8. 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 of the property.

9. 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.

10. 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.

11. 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.

12. 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.

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a. A community garden of no less than 600 square feet in area containing irrigation.

b. A seating node containing a minimum of one seating element or bench.

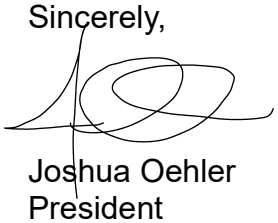
14. All surface parking areas shall be shaded to achieve a minimum of 25 percent shade at maturity, as approved by the Planning and Development Department.

15. The applicant shall pursue approval of alternative paving that minimizes heat for the surface parking area. If traditional paving is utilized, other design solutions such as increased shade may be utilized to shade parking areas to minimize heat absorption, as approved by the Planning and Development Department.

16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims form. The Waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

The requested modifications to these stipulations are necessary to align the entitlement conditions with the operational and structural requirements of the proposed concrete batch plant. The project has been thoughtfully designed to meet functional needs while incorporating appropriate landscaping, screening, and site improvements. Authorizing these adjustments will allow the development to proceed in a manner that supports industrial activity consistent with the site's intended use, while maintaining compliance with applicable standards and contributing positively to the area.

Sincerely,



Joshua Oehler
President

EXHIBIT C



PHO-1-26--Z-5-20-7	**Property Location: Approximately 1,000 feet west of the northwest corner of 31st Avenue and Harrison Street**

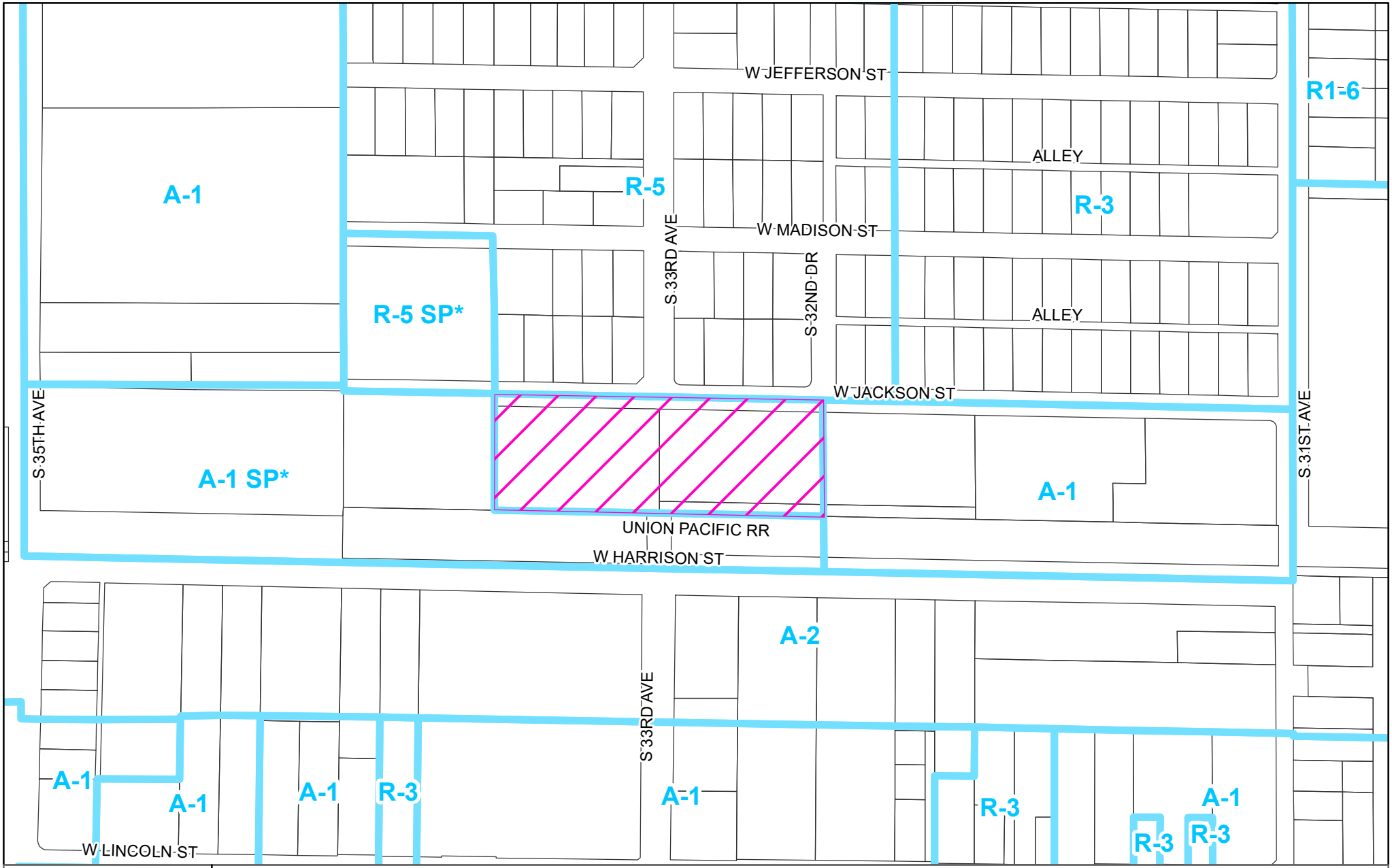
City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development Department

0 125 250 500 Feet

N

EXHIBIT D



PHO-1-26--Z-5-20-7

Property Location: Approximately 1,000 feet west of the northwest corner of 31st Avenue and Harrison Street

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development Department

0 125 250 500 Feet

N

EXHIBIT E

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

March 17, 2021

Milos Minic
Integrated Design
7377 East Double Ranch Road, Suite A220
Scottsdale, Arizona 85258

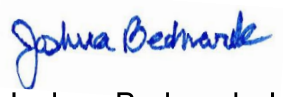
Dear Applicant:

RE: Z-5-20-7 – Southwest corner of 32nd Drive and Jackson Street

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 601 of the Zoning Ordinance, as amended, has on March 3, 2021, approved Zoning Ordinance # G-6817.

Development and use of the site are subject to compliance with all applicable codes and ordinances.

Sincerely,



Joshua Bednarek, LEED AP ND
Planning and Development Deputy Director

Attachment: Signed Ordinance

c: MAT Transport, Inc., 5502 W. Latham St., Phoenix, AZ 85043
File
Tricia Gomes, PDD–Planning-Special Projects Administrator (Electronically)
Racelle Escolar, PDD–Planning–Planner III (Electronically)
Enrique Bojorquez-Gaxiola, PDD–Planning–Village Planner (Electronically)
Ben Kim, PDD–GIS (Electronically)
Craig Mavis, PDD–Development (Electronically)
Matthew Heil, City Council (Electronically)

Official Records of Maricopa County Recorder
STEPHEN RICHER
20210288608 03/15/2021 03:41
ELECTRONIC RECORDING
6817G-6-1-1--

ORDINANCE G-6817

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-5-20-7) FROM A-1 SP (LIGHT INDUSTRIAL, SPECIAL PERMIT) TO A-1 (LIGHT INDUSTRIAL).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of a 3.66 acre site located at the southwest corner of 32nd Drive and Jackson Street in a portion of Section 11, Township 1 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "A-1 SP" (Light Industrial, Special Permit) to "A-1" (Light Industrial).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The maximum building height shall be 30 feet.

2. A minimum building setback of 50 feet shall be required along the north property line, exclusive of parking areas, as approved by the Planning and Development Department.

3. A minimum 10-foot-wide landscape area shall be provided for the eastern 100 feet of the north property line.

4. A minimum 20-foot-wide landscape area shall be provided for the western 550 feet along the north property line.

5. The Jackson Street landscape area shall be developed to the following standards, as approved by the Planning and Development Department:

    a. Minimum 25 percent 1-inch caliper, minimum 50 percent 2-inch caliper, and minimum 25 percent 3-inch caliper size evergreen trees planted 20 feet on center or in equivalent groupings.

    b. Trees shall be oriented in a manner that provides the maximum shade possible to the adjacent sidewalk.

    c. Two-inch and 3-inch caliper size trees shall be located in a manner that screens semi-truck parking or outdoor uses from public view as much as possible.

    d. Minimum of five, 5-gallon shrubs per tree.

    e. Where utility conflicts exist, an alternative solution consistent with a pedestrian environment shall be provided.

6. The developer shall dedicate right-of-way and construct a 50-foot radius cul-de-sac at the western end of Jackson Street along with required improvements, as approved by the Planning and Development Department.

7. 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.

8. 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 of the property.

9. 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.

10. 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.

11. 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.

12. 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.

13. The following minimum elements shall be provided and maintained by the property owner within proximity to Jackson Street, as approved by the Planning and Development Department:

    a. A community garden of no less than 600 square feet in area containing irrigation.

    b. A seating node containing a minimum of one seating element or bench.

14. All surface parking areas shall be shaded to achieve a minimum of 25 percent shade at maturity, as approved by the Planning and Development Department.

15. The applicant shall pursue approval of alternative paving that minimizes heat for the surface parking area. If traditional paving is utilized, other design solutions such as increased shade may be utilized to shade parking areas to minimize heat absorption, as approved by the Planning and Development Department.

16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims form. The Waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 3rd day of March, 2021.

MAYOR

ATTEST:

Denise Archibald, City Clerk

03-11-2021

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By: David Benton
David Benton, Chief Counsel

PML

REVIEWED BY:

Ed Zuercher, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

PL:tml:LF21-0355:3-3-2021:2238981v1

EXHIBIT A

LEGAL DESCRIPTION FOR Z-5-20-7

WITHIN A PORTION OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

THE EAST HALF OF LOT 8, BLOCK 3 AND THE WEST HALF OF LOT 6, BLOCK 4, WORMSERS ADDITION, ACCORDING TO BOOK 2 OF MAPS, PAGE 16, RECORDS OF MARICOPA COUNTY, ARIZONA.

EXCEPT THE SOUTH 82.5 FEET OF SAID
LOTS 6 AND 8. PARCEL NO. 2:
THAT PORTION OF OSBORN AVENUE, NOW KNOWN AS 33RD AVENUE, SHOWN ON THE PLAT OF WORMSERS ADDITION, ACCORDING TO BOOK 2 OF MAPS, PAGE 16, RECORDS OF MARICOPA COUNTY, ARIZONA, LYING BETWEEN THE EASTERLY PROLONGATION OF A LINE PARALLEL TO AND 25 FEET SOUTH OF THE NORTH LINE OF LOT 8 IN BLOCK 3, AND THE EASTERLY PROLONGATION OF A LINE PARALLEL TO AND 82.5 FEET NORTH OF THE SOUTH LINE OF LOT 8, BLOCK 3, SAID WORMSERS ADDITION.

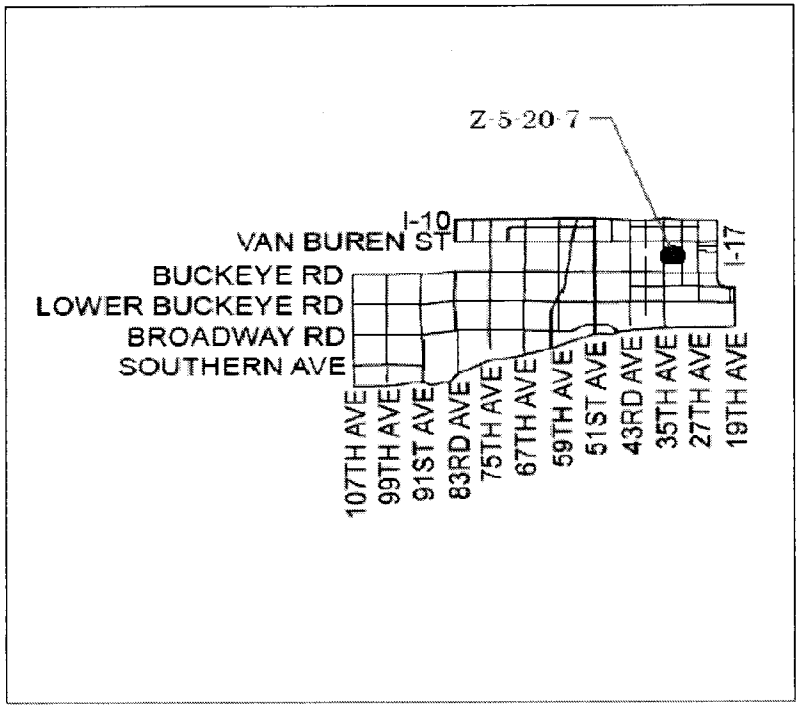
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-5-20-7
Zoning Overlay: N/A
Planning Village: Estrella





NOT TO SCALE

N

Drawn Date: 1/4/2021

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2021 Ord\2-3-21\Z-5-20-7.mxd

EXHIBIT F

REPORT OF PLANNING HEARING OFFICER ACTION
Byron Easton, Planner III, Hearing Officer
Logan Zappolo, Planner I, Assisting

May 20, 2026

ITEM NO: 4	
	DISTRICT NO. 7
SUBJECT:	
Application #:	PHO-1-26--Z-5-20-7
Location:	Approximately 1,000 feet west of the northwest corner of 31st Avenue and Harrison Street
Zoning:	A-1
Acreage:	3.66
Request:	1) Modification of Stipulation 1 regarding maximum building height. 2) Modification of Stipulation 2 regarding the landscape area. 3) Modification of Stipulation 3 regarding the landscape area.
Applicant:	Joshua Oehler, Arc One Associates, LLC
Owner:	Alexis A Heredia, FRM Investments LLC
Representative:	Joshua Oehler, Arc One Associates, LLC

ACTIONS:

Planning Hearing Officer Recommendation: The Planning Hearing Officer continued this case to the June 17, 2026 hearing.

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this request on May 19, 2026 and recommended denial by a vote of 6-0.

DISCUSSION:

Joshua Oehler, representative of Arc One Associates LLC, formally requested a date specific continuance to June 17, 2026, Planning Hearing Officer Hearing.

Mr. Easton granted the date specific continuance request to June 17, 2026.

Upon request, this publication will be made available within a reasonable length of time through appropriate auxiliary aids or services to accommodate an individual with a disability. This publication may be made available through the following auxiliary aids or services: large print, Braille, audiotape or computer

diskette. To request a reasonable accommodation, please contact Saneeya Mir at saneeya.mir@phoenix.gov or (602) 686-6461 or TTY: 7-1-1.

EXHIBIT G

REPORT OF PLANNING HEARING OFFICER ACTION
Byron Easton, Planner III, Hearing Officer
Logan Zappolo, Planner I, Assisting

August 19, 2026

ITEM NO: 1	
	DISTRICT NO. 7
SUBJECT:	
Application #:	PHO-1-26--Z-5-20-7 (Continued from June 17, 2026)
Location:	Approximately 1,000 feet west of the northwest corner of 31st Avenue and Harrison Street
Zoning:	A-1
Acreage:	3.66
Request:	1) Modification of Stipulation 1 regarding maximum building height. 2) Modification of Stipulation 3 regarding the landscape area. 3) Modification of Stipulation 4 regarding the landscape area.
Applicant:	Joshua Oehler, Arc One Associates, LLC
Owner:	Alexis A Heredia, FRM Investments LLC
Representative:	Joshua Oehler, Arc One Associates, LLC

ACTIONS:

Planning Hearing Officer Recommendation: The Planning Hearing Officer took the case under advisement. On September 11, 2026, the Planning Hearing Officer took the case out from under advisement and recommended denial.

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this request on August 18, 2026 and recommended denial by a vote of 3-0-1.

DISCUSSION:

Joshua Oehler, representative of Arc One Associates, overviewed his client Fusion Concrete. He explained Fusion Concrete is a family-owned company locally established in 2018. Mr. Oehler presented the existing stipulations that were established with approval of Z-5-20-7 and explained the three proposed stipulation modifications. He stated through design modifications, their team no longer requests to modify Stipulation 3 regarding the landscape area and intends to meet the stipulation in its originality. Mr. Oehler explained that the modification to Stipulation 4 to reduce the required landscape area is intended to provide a 10-foot-wide landscape area along the north property line to match Stipulation 3.

Mr. Oehler then requested a modification to Stipulation 13 regarding the community garden currently stipulated to 600 square feet. He asked to modify the square footage requirement to increase the community garden area to 5,000 square feet. He added the increased size is intended to offset the landscape reduction proposed for Stipulation 4. He presented renderings of the community garden highlighting landscape along the street frontage and the controlled access community garden. He stated that the applicant is working with Community Spaces of Opportunity to get local community members to assist in maintaining the proposed community garden. Mr. Oehler presented the proposed site plan depicting the stipulation modification of a 10-foot landscape area along the entire northern property line, while still providing excess landscape near the cul-de-sac. He explained that the original Stipulation 1 limits structures to 30 feet and added his request to modify the height to 56 feet in order to match the maximum height permitted in the A-1 zoning district.

Mr. Oehler presented comparison renderings of a 30-foot-tall building along the street frontage and the proposed 56-foot concrete silo, highlighting less building mass and impact on the street scape with the development of the proposed concrete plant. He presented the proposed site plan and added the silos would be set back 118 feet from the property line. Mr. Oehler stated the direction from the previous PHO Hearing held in June of 2026 was to conduct further community outreach and stated the outreach has been conducted. He explained the required mailing lists were sent out; however, he did not receive any responses. He then went around the neighborhood with bilingual letters and spoke with various property owners and received letters of support. He claimed to have received letters of support from the Murray Elementary School and the Beth Israel Cemetery.

Mr. Oehler stated the applicant attended the Estrella Village Planning Committee a second time on August 18, 2026. The applicant and the VPC members had a conversation regarding the noise and industrial aspects of the site. In response to these concerns, Mr. Oehler proposed modifications to the front yard building setback requirement to be increased to 100 feet, and the lot coverage limited to 3% which would allow for the batch plant and a small office.

Byron Easton, Planning Hearing Officer, stated he noticed there was a proposed modification to Stipulation 13 in the presentation that had not been advertised and asked if this was presented to the Estrella VPC.

Mr. Oehler confirmed this was presented to the VPC and added the intent was to stipulate the increased size of the community garden to ensure the garden size proposed would be developed on site.

Mr. Easton stated the stipulation modification was not advertised so there cannot be any action taken on the modification to Stipulation 13.

Mr. Oehler stated if the original stipulation remained at 600 square feet, their team still intends to build the community garden to 5,000 square feet.

Renee Dominguez, a member of the Estrella Village Planning Committee, spoke in opposition to the case. She stated that in May of 2026 the VPC recommended denial, and subsequently the PHO case was continued so that the applicant could conduct further neighborhood outreach. She stated that she knew of zero effort made by the applicant to reach out to the neighborhood. She added that she currently has about 23 signatures in opposition to the project. Ms. Dominguez stated the village is in favor of the community garden; however, they have concerns with the maintenance and a setback variance to approve the garden. Ms. Dominguez added that the proposed 56-foot-tall silo is unappealing to the neighborhood, and the site already has two temporary silos which she believes are over 30 feet tall. She stated she spoke with the Superintendent of Murphy Elementary School, and he stated he was not aware of the scope of the project at the time of submitting his support and should have submitted a letter to rescind his letter of support.

Mr. Oehler responded to the opposition and stated they did community outreach through the required notification, multiple conversations within the neighborhood, the Beth Israel Cemetery, and the Murphy Elementary School. He added to his understanding, the letter from the Murphy Elementary Superintendent was a letter of support.

Mr. Easton asked if the letters have been submitted for review.

Logan Zappolo, Planning Hearing Officer Assistant, stated the letters of opposition came in last night post VPC and the letters of support were received about 15 minutes prior to the hearing commencement.

Mr. Easton asked Ms. Dominguez if the letters of support described by Mr. Oehler were presented at the VPC Hearing.

Ms. Dominguez stated the applicant had forms created by their office including signatures that were presented to the committee. She added in the prior PHO hearing, opposition submitted a petition inclusive of 21 signatures, and last night, after VPC, two of the neighboring property owners submitted letters of opposition.

Mr. Easton noted that he would like to review those letters and asked if Ms. Domiguez could expand upon the VPC discussion.

Ms. Dominguez stated the village had extensive discussion on the proposed modifications. She added the Estrella VPC chair raised the comment, if approved this would raise a precedent in the area that higher intense industrial uses could

be approved through modifications through the city, and ultimately recommended denial of the request.

Mr. Easton asked when using the term “denied the request”, does this mean denial of all three proposed stipulations?

Ms. Dominguez confirmed the Village recommended denial of Stipulation 1. She stated the reduction of the landscape and addition of the community garden does not alleviate maintenance issues; the village would rather have appealing streetscapes. She added there are residences across the street who would have to look at the site each day, that would benefit from a lower building height and keeping the landscaping in its originality.

Nathan Dettmar, Superintendent of the Murphy Elementary School District in opposition, stated at the time the support letter was presented, he was in favor of the community garden, however, did not understand the entire scope of work. He requested to rescind his previous support letter; at this time, he cannot support without understanding the impact on the community.

Mr. Easton asked Mr. Oehler when the property was purchased was the client aware of the rezoning case and existing stipulations?

Mr. Oehler stated he would assume the Title Report would have disclosed this information and at the time of purchase, the owner was looking to propose the 56-foot-tall concrete plant.

Mr. Easton asked for confirmation that Mr. Oehler wishes to rescind his request to modify Stipulation 3.

Mr. Oehler confirmed they no longer wish to modify Stipulation 3.

Mr. Easton stated that since the modification to Stipulation 13 was not formally advertised no action can be taken during this hearing. He added that the applicant’s request to delete Stipulation 1 regarding maximum building height is unlikely to be approved because of the intent of the stipulation from original rezoning case. The original request was to rezone the property to A-1 to accommodate a storage yard. The case was highly contentious, and many residents voiced their concerns with the proposal. In response to public concern, the VPC, Planning Commission and City Council were adamant through the public hearing process that a maximum height stipulation be added since the subject site is directly adjacent to a residential community. The residents did not want to see any structures over 30 feet tall and wished to include a large buffer between the residential properties and the industrial use. Mr. Easton stated the proposed concrete batch plant is much more intense than the previously approved storage yard.

Mr. Easton stated that he is very close to making a decision on this case but has not had time to review the most recently submitted letters of opposition and support. He explained that to make a fully informed decision, he would need more time to consider this correspondence and therefore, took the case under advisement.

FINDINGS:

1) The request to modify Stipulation 1 regarding maximum building height is recommended to be denied. The intent of the stipulation established during the original rezoning case was very clear and the stipulation was intended to limit view obstruction and prevent intense industrial activity on the site. The original rezoning was requested to allow a storage yard and was highly contentious, with significant concerns raised by surrounding residents.

   In response to those concerns, the VPC, Planning Commission, and City Council supported a 30-foot maximum building height due to the site's adjacency to a residential community and the need for a substantial buffer between the residential and industrial uses. Additionally, the proposed concrete batch plant is a substantially more intensive use than the previously approved storage yard, further supporting the continued application of the height restriction.

2) The request to modify Stipulation 3 regarding the landscape area has been withdrawn by the applicant.

3) The request to modify Stipulation 4 regarding the 20-foot-wide landscape area along the western portion of the north property line is recommended to be denied. This stipulation was a direct result of community engagement and the desire for an adequate buffer between the A-1 zoned storage yard and the surrounding residential community. I am recommending that the buffer is retained as stipulated along the 550 feet of property line.

STIPULATIONS:

1.	The maximum building height shall be 30 feet.
2.	A minimum building setback of 50 feet shall be required along the north property line, exclusive of parking areas, as approved by the Planning and Development Department.
3.	A minimum 10-foot-wide landscape area shall be provided for the eastern 100 feet of the north property line.

4.	A minimum 20-foot-wide landscape area shall be provided for the western 550 feet along the north property line.	
5.	The Jackson Street landscape area shall be developed to the following standards, as approved by the Planning and Development Department:	
	a.	Minimum 25 percent 1-inch caliper, minimum 50 percent 2-inch caliper, and minimum 25 percent 3-inch caliper size evergreen trees planted 20 feet on center or in equivalent groupings.
	b.	Trees shall be oriented in a manner that provides the maximum shade possible to the adjacent sidewalk.
	c.	Two-inch and 3-inch caliper size trees shall be located in a manner that screens semi-truck parking or outdoor uses from public view as much as possible.
	d.	Minimum of five, 5-gallon shrubs per tree.
	e.	Where utility conflicts exist, an alternative solution consistent with a pedestrian environment shall be provided.
6.	The developer shall dedicate right-of-way and construct a 50-foot radius cul-de-sac at the western end of Jackson Street along with required improvements, as approved by the Planning and Development Department.	
7.	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.	
8.	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 of the property.	
9.	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.	
10.	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.	
11.	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.	
12.	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.	
13.	The following minimum elements shall be provided and maintained by the property owner within proximity to Jackson Street, as approved by the Planning and Development Department:	
	a.	A community garden of no less than 600 square feet in area containing irrigation.
	b.	A seating node containing a minimum of one seating element or bench.
14.	All surface parking areas shall be shaded to achieve a minimum of 25 percent shade at maturity, as approved by the Planning and Development Department.	
15.	The applicant shall pursue approval of alternative paving that minimizes heat for the surface parking area. If traditional paving is utilized, other design solutions such as increased shade may be utilized to shade parking areas to minimize heat absorption, as approved by the Planning and Development Department.	
16.	Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims form. The Waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.	

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EXHIBIT H

Estrella
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
PHO-1-26--Z-5-20-7

Date of VPC Meeting	May 19, 2026
Date of Planning Hearing Officer Hearing	May 20, 2026
Request	1) Deletion of Stipulation 1 regarding maximum building height 2) Deletion of Stipulation 3 regarding landscape area 3) Deletion of Stipulation 4 regarding landscape area
Location	Approximately 1,000 feet west of the northwest corner of 31st Avenue and Harrison Street
VPC Recommendation	Denial
VPC Vote	6-0

VPC DISCUSSION:

No members of the public registered to speak on this item.

Staff Presentation:
Nayeli Sanchez Luna, staff, displayed the location of the subject site and noted the acreage of the proposal. Mrs. Sanchez Luna summarized the original rezoning request and added the proposed deletions found in the by the Planning Hearing Officer (PHO) application.

Applicant Presentation:
Joshua Oehler, representing the applicant with Arc One Associates, LLC, began the presentation by displaying the subject site and summarizing the history of the property owners on the site. Mr. Oehler noted that the business is locally owned. Mr. Oehler added that the requests were to help accommodate the new development but that they would still be building a community garden on site for the surrounding single-family residents. Mr. Oehler stated that the deletion of the height stipulation would be to allow two silos on the site. **Chair Perez** asked what would be stored inside the silos. **Mr. Oehler** noted that the silos would hold the concrete and it would be poured into trucks. Mr. Oehler noted that no mixing would occur on site. Mr. Oehler added that they were planning on adding fruit trees within the landscape setback to further accommodate the adjacent neighborhood. Mr. Oehler reiterated that they will be building a community garden that was originally stipulated at the end of the cul-de-sac.

Questions From the Committee:

Renee Dominguez asked for more information on the outreach conducted by the applicant. Ms. Dominguez noted that there was an elementary school nearby and that she did not think her neighbors would appreciate seeing a 56-foot-tall silo outside their house. Ms. Dominguez added that she was opposed to the request. **Mr. Oehler** noted that notification letters were sent out approximately a month ago and that they have not received any response from the surrounding neighbors. **Ms. Dominguez** stated that the majority of the neighborhood was Spanish speaking and that they would not have the resources to understand the PHO request. Ms. Dominguez added that they should not be requesting these changes without community input and noted her concerns regarding homelessness on Harrison Street. **Mr. Oehler** stated that the property was sold to his client that was also an immigrant. Mr. Oehler assured the committee that they were following the process. **Ms. Dominguez** asked for the location of the silo. **Mr. Oehler** noted that the silos were pushed back 200 feet from the property line adjacent to single-family homes.

Vice Chair Romona Burris appreciated the fruit trees and the community garden but noted the number of homeless individuals in the area and recommended increasing surveillance. **Mr. Oehler** stated that the community garden was already required by the original stipulations and that they were not requesting to modify those stipulations. **Co-Vice Chair Burris** asked who would be maintaining the garden. **Mr. Oehler** stated that that they would be providing the water but that the community would oversee the garden. **Vice Chair Burris** stated that she really appreciated the garden but advised monitoring. Vice Chair Burris recommended going back to the community and letting them know about their request and about the community garden.

Parris Wallace stated that she loved the community garden idea but that the applicant really needed to go back to community. Ms. Wallace noted that there were organizations they could partner with to help build the community garden and that they would maintain it. **Vice Chair Burris** stated that that was a wonderful solution.

Kristine Morris asked what stipulations are requested to be deleted. **Ms. Sanchez Luna** stated that the request and noted that the community garden was not going to be deleted.

Chair Lisa Perez stated that their vote would be a recommendation and that the Planning Hearing Officer will hear the request tomorrow.

Ms. Wallace noted that she was opposed to the proposed height of 56 feet, even if it was pushed the furthest back from the property line. **Mr. Oehler** stated that the height was normal for A-1 properties.

Chair Perez noted that the stipulation was added to act as a buffer next to existing single-family homes. **Mr. Oehler** stated that they haven't received a response for any of the letters they sent out. **Chair Perez** stated that she still had really high concerns on

the proposed height and the dust that would be generated from the proposed silos. Chair Perez asked how the concrete goes inside the silo. **Mr. Oehler** noted that he was not sure. Mr. Oehler stated that Maricopa County had rules on dust on a property. **Chair Perez** reiterated that the proposed 56-foot silos would be egregious and asked if this was a new property owner. **Mr. Oehler** confirmed. **Chair Perez** and other members stated that the elimination of the stipulations would cause severe issues next to existing houses.

Public Comment:
None.

Committee Motion, Discussion, Vote:

Motion:
Renee Dominguez motioned to recommend denial of PHO-1-26--Z-5-20-7. **Parris Wallace** seconded the motion.

Vote:
6-0, motion to recommend denial of PHO-1-26--Z-5-20-7 passed with Committee Members Ceniceros, Dominguez, Morris, Wallace, Burris, and Perez in favor.

Staff comments regarding VPC Recommendation:
None.

EXHIBIT I

Estrella
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
PHO-1-26--Z-5-20-7

Date of VPC Meeting	August 18, 2026
Date of Planning Hearing Officer Hearing	August 19, 2026
Request	1) Deletion of Stipulation 1 regarding maximum building height 2) Deletion of Stipulation 3 regarding landscape area 3) Deletion of Stipulation 4 regarding landscape area
Location	Approximately 1,000 feet west of the northwest corner of 31st Avenue and Harrison Street
VPC Recommendation	Denial
VPC Vote	3-0-1

VPC DISCUSSION:

No members of the public registered to speak on this item.

Staff Presentation:
The applicant noted that the staff presentation was unnecessary since this is a returning item to the Village. **Chair Perez** agreed.

Applicant Presentation:
Joshua Oehler, representing the applicant with Arch One Associates, LLC, noted the proposed deletions of the original rezoning case and summarized the justification for the deletion. Mr. Oehler noted the community garden and enhanced landscaping that would benefit the community. Mr. Oehler summarized the public outreach noting the signed letters of support and a letter of support form the local school district. Mr. Oehler presented the letter to the Committee. Mr. Oehler concluded the presentation by noting that the property owner will be investing 1.4 million dollars in a system to control dust on site. Mr. Oehler noted that there would be no dust emitted.

Questions From the Committee:
Chair Perez asked if they were currently using this vacuuming system. **Mr. Oehler** noted that they will be purchasing it.

Kristine Morris asked if the business will be operating for 24 hours. **Mr. Oehler** stated

that the hours of operation would range from 5 a.m. to 3 p.m. **Ms. Morris** asked if the business would adhere to all dust control. **Mr. Oehler** confirmed.

Renee Dominguez asked if the silos are temporary. **Mr. Oehler** confirmed and noted that they will be moved the farthest away possible from the residential houses. **Ms. Dominguez** asked for the height of the silos. **Mr. Oehler** noted that he was unsure of the height. **Ms. Dominguez** stated that the silo was visible from 35th Avenue. Ms. Dominguez added that she had spoken to numerous members of the community and stated that they were not aware of the proposed case. Ms. Dominguez also noted the environmental concerns expressed by the community. Ms. Dominguez added that she spoke to the school district and when explained, noted that they disapproved of the proposal and would be sending another letter stating that they were not in support. **Mr. Oehler** noted that they had nothing to hide and that they had been available to speak at any moment. Mr. Oehler added that residential use on the site would be prohibited.

Chair Perez noted that the original case had these stipulations and that eliminating them would impact the community. Chair Perez added that she did not support the request. **Mr. Oehler** stated that this was a new owner and that instead of a 56-foot building they would be proposing just one silo. Mr. Oehler noted that this would be an investment for the community. **Chair Perez** thanked the applicant for coming back to the Committee. Chair Perez asked why the silos needed to be so tall. **Mr. Oehler** provided the information and noted that it was for mechanical purposes.

Ms. Dominguez displayed a picture of the silo noting the excessive height. **Ms. Wallace** asked if that was the temporary silo. **Mr. Oehler** confirmed. **Ms. Wallace** noted that the height was excessive. Ms. Wallace noted that the elimination of setbacks and height stipulations would not protect the community, even if a community garden was proposed.

Chair Perez noted that the Planning Hearing Officer had the final decision. Chair Perez stated that there were always issues with this type of business generating excess dust and stated that the height was very problematic. **Ms. Wallace** and **Ms. Dominguez** agreed.

Public Comment:
None.

Committee Motion, Discussion, Vote:

Motion:
Parris Wallace motioned to recommend denial of PHO-1-26--Z-5-20-7. **Renee Dominguez** seconded the motion.

Vote:
3-0-1, motion to recommend denial of PHO-1-26--Z-5-20-7 passed with Committee Members Dominguez, Wallace, Perez in favor and Committee Member Morris

abstained.

Ms. Morris stated that she appreciated the applicant's willingness to follow all site regulations regarding environmental issues and dust but noted that there were still a lot of major concerns. Ms. Morris voiced her concerns regarding the height and noted the poor air quality in Estrella Village.

Staff comments regarding VPC Recommendation:
None.

EXHIBIT J

	BOTANICAL NAMES	COMMON NAMES	SIZES	QUANTITY
	SHRUBS:			
	ABUTILON PALMERI	PALMER'S INDIAN MALLOW	5 GAL	9
	EREMOPHILA MACULATA	VALENTINE EMU BUSH	5 GAL	17
	GROUND COVER:			
	DALEA SPP.	PRAIRIE CLOVER	1 GAL	26

MINIMUM 3/4" SCREENED DECOMPOSED GRANITE AROUND THE MATURE FORM OF A SPECIMEN PLANT, TREE CANOPY, OR GROUP OF PLANTS, SHALL NOT EXCEED SEVEN FEET IN ANY DIRECTION.

GROUND COVER:
1/2" SCREENED MADISON GOLD DECOMPOSED GRANITE - 2" THICK LAYER ON ALL LANDSCAPE AREAS AND STABILIZED ON ALL SLOPES GREATER THAN 5:1 GRADE.

20 LANDSCAPE PLANTING LEGEND

SECTION 627.E: ANY USE ESTABLISHED OR CONDUCTED WITHIN THIS DISTRICT (A-1) SHALL COMPLY WITH THE FOLLOWING STANDARDS:
1. SMOKE, GAS AND ODOR EMISSIONS SHALL COMPLY WITH REGULATION III OF THE MARICOPA COUNTY AIR POLLUTION CONTROL RULES AND REGULATIONS.
2. THE DISPOSAL OF ALL WASTE MATERIALS SHALL COMPLY WITH TITLE 9, CHAPTER 8, ARTICLES 18 AND 4 OF THE HAZARDOUS WASTE REGULATIONS AS BY THE ARIZONA HEALTH DEPARTMENT.
3. THE AVERAGE NOISE LEVEL, MEASURED AT THE PROPERTY LINE, SHALL NOT EXCEED 55 DB (1 DN) WHEN MEASURED ON AN "A-WEIGHTED" SOUND LEVEL METER AND ACCORDING TO THE PROCEDURES OF THE ENVIRONMENTAL PROTECTION AGENCY.
4. EXPLOSIVE OR HAZARDOUS PROCESSES: CERTIFICATION SHALL BE PROVIDED BY THE PHOENIX FIRE DEPARTMENT PREVENTION BUREAU THAT ALL MANUFACTURING, STORAGE, AND WASTE PROCESSES ON THE SITE SHALL MEET SAFETY AND ENVIRONMENTAL STANDARDS AS ADMINISTERED BY THE BUREAU.
5. ALL DIRECT SOURCES OF ILLUMINATION, LUMINARIES, SHALL BE SHIELDED SO AS NOT TO BE VISIBLE FROM ADJACENT RESIDENTIALLY ZONED PROPERT

16 DISTRICT NOTES

DEVELOPMENT AND USE OF THIS SITE WILL CONFORM WITH ALL APPLICABLE CODES AND ORDINANCES.

ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.

STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURED BACK 10' FROM THE PROPERTY LINE AND 20' ALONG THE PROPERTY LINE ON EACH SIDE OF THE DRIVEWAYS ENTRANCES WILL BE MAINTAINED AT A MINIMUM HEIGHT OF 3'.

STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURING 33' x 33' ALONG THE PROPERTY LINES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'.

ANY LIGHTING WILL BE PLACED SO AS TO DIRECT LIGHT AWAY FROM ADJACENT RESIDENTIAL DISTRICTS AND WILL NOT EXCEED ONE FOOT CANDLE AT THE PROPERTY LINE. NO NOISE, ODOR, OR VIBRATION WILL BE EMITTED AT ANY LEVEL EXCEEDING THE GENERAL LEVEL OF NOISE, ODOR, OR VIBRATION EMITTED BY USERS IN THE AREA OUTSIDE OF THE SITE.

OWNERS OF PROPERTY ADJACENT TO PUBLIC RIGHTS-OF-WAY WILL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL LANDSCAPING LOCATED WITHIN THE RIGHTS-OF-WAY, IN ACCORDANCE WITH APPROVED PLANS.

ALL ROOFTOP EQUIPMENT AND SATELLITE DISHES SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST EQUIPMENT.

ALL SERVICE AREAS SHALL BE SCREENED TO CONCEAL TRASH CONTAINERS, LOADING DOCKS, TRANSFORMERS =, BACKFLOW PREVENTERS AND OTHER MECHANICAL OR ELECTRICAL EQUIPMENT FROM EYE LEVEL ADJACENT TO ALL PUBLIC STREETS OR ADJACENT RESIDENTIAL AREAS.

BARBED, RAZOR, OR CONCERTINA WIRE (OR SIMILAR) SHALL NOT BE USED ON THIS SITE WHERE VISIBLE FROM PUBLIC STREETS OR ADJACENT RESIDENTIAL AREAS.

ALL SIGNAGE REQUIRES SEPARATE REVIEWS, APPROVALS, AND PERMITS. NO SIGNS ARE APPROVED PER THIS PLAN.

12 SITE PLAN NOTES

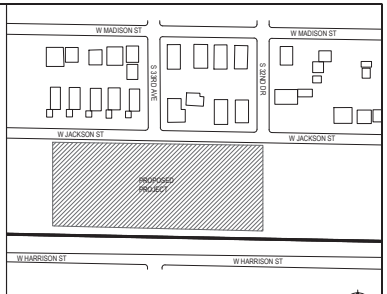
GATES ARE TO REMAIN OPEN, OR ARE TO OPEN AUTOMATICALLY, BETWEEN THE HOURS OF 8AM AND 7PM ."
PLEASE CONSIDER PLACING THE FOLLOWING NOTE (SIGNED AND DATED) ON THE SITE PLAN TO AUTHORIZE MINOR AMENDMENT TO THE PLAN IN THE FUTURE:

I CONSENT TO THE PRODUCTION OF THIS SITE PLAN PROVIDED THAT IF MODIFICATIONS ARE MADE, THE PROFESSIONALS WHO MAKE SUCH CHANGES ASSUME FULL RESPONSIBILITY AND LIABILITY FOR THE MODIFIED PORTIONS OF THE PLAN.

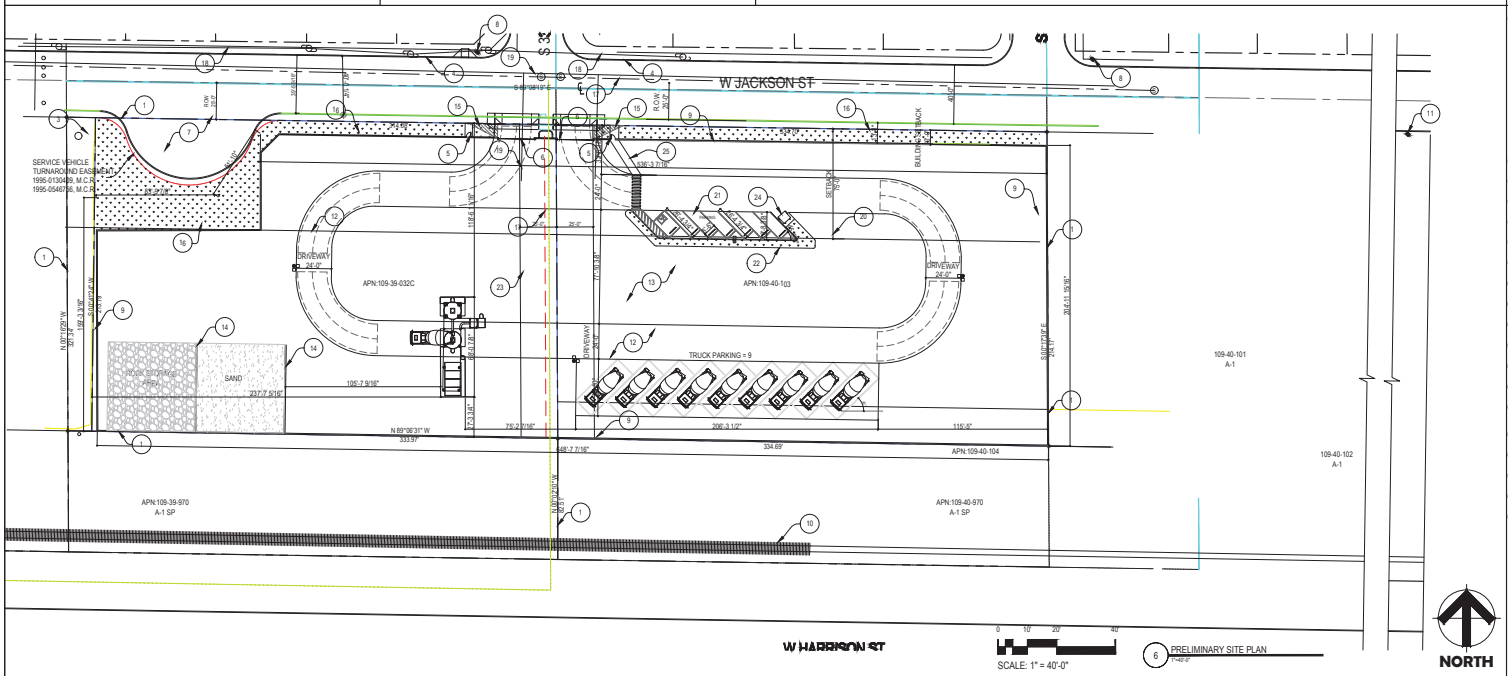
SIGNATURE OF COPYRIGHT OWNER

JOSHUA OEHLER
PRINTED NAME OF COPYRIGHT OWNER

09/09/2025
DATE



4 VICINITY MAP



6 PRELIMINARY SITE PLAN 1"=40'-0"

1 PROPERTY LINE
2 EXISTING GRADING CONDITIONS TO REMAIN
3 SETBACK LINE
4 EXISTING STREET CONCRETE CURB - TO REMAIN
5 3'-0" X 6'-0" NEW METAL DOOR - SEE SHEET A125
6 20'-0" WIDE & 8'-0" HIGH METAL GATE - SEE SHEET A125
7 EXISTING CUL-DE-SAC CURB AT THE END OF THE STREET
8 EXISTING FIRE HYDRANTS
9 NEW 8"x8"x16 CMU WALL WITH BOND BEAM TOP COURSE PAINTED TO MATCH BUILDING - 8'-0" HEIGHT - FOR DETAIL SEE SP125
10 EXISTING RAIL ROAD TRACKS TO BE REMAIN
11 EXISTING FIRE HYDRANT - 350'-0" AWAY IN THE EAST DIRECTION FROM THE PROPERTY LINE
12 NEW CONCRETE PATHWAY FOR TRUCKS
13 EXISTING GROUND CONDITIONS - TO REMAIN
14 NEW 8"x8"x16 CMU WALL WITH BOND BEAM TOP COURSE PAINTED TO MATCH BUILDING - 6'-0" HEIGHT
15 VISIBILITY TRIANGLE
16 LANDSCAPE AREA - DECOMPOSED GRANITE
17 EXISTING SEWER LINE - TO REMAIN
18 EXISTING OVERHEAD ELECTRIC LINE - TO REMAIN
19 EXISTING WATER LINE - TO REMAIN
20 A MINIMUM 75' SETBACK FROM JACKSON STREET FOR ALL OUTDOOR USES AND OUTDOOR STORAGE. THIS SETBACK CANNOT INCLUDE ANY TRUCKS OR TRAILERS - MUST BE BLOCKED OFF BY WALL/FENCE OR CURB AND LANDSCAPING.
21 NEW ASPHALT PARKING AREA - SEE CIVIL PLANS
22 LANDSCAPE ISLAND - SEE LANDSCAPE PLAN
23 EXISTING EASEMENT LINE - TO REMAIN
24 NEW 6'-0" X 6'-0" TRASH BINS
25 NEW CONCRETE SIDEWALK - SEE CIVIL PLANS

2 SITE PLAN KEYNOTES

arc one ASSOCIATES
1427 N. 3rd Street
Phoenix, Arizona 85004
Phone: 602 241 7871
Fax: 602 241 7874
info@arconeassociates.com

FUSION CONCRETE
3333 W JACKSON ST.
PHOENIX, ARIZONA 85009
APN 109-39-032C, 109-40-103, 109-40-104

design: RDO
drawn: JO
check: JDO

revisions:

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arc one associates, LLC
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61973
JOSHUA D. OEHLER
05/15/24
EXPIRES 06/30/26

date: 03/27/25

SHEET
SP100
of
PROJECT: P0090225

NOTES:
A. FIRE DEPARTMENT ACCESS AND WATER SUPPLY REQUIREMENTS SHALL BE IN PLACE PRIOR TO COMBUSTIBLE MATERIALS BEING BROUGHT ON SITE
B. PURSUANT TO CHAPTER 32.5 OF THE GLENDALE CITY CODE, ALL NEW AND EXISTING UTILITIES WITHIN OR CONTIGUOUS TO THIS SITE SHALL BE PLACED UNDERGROUND.
C. AL UTILITY BOXES, VAULTS AND BACKFLOW PREVENTION DEVICES SHALL BE PAINTED TO MATCH THE BUILDING AND SCREENED FROM PUBLIC VIEW BY A MASONRY WALL OR A ROUND-TOPPED WIRE MESH ENCLOSURE, PAINTED TO MATCH THE ADJACENT WALL.
D. SIGHT DISTANCE REQUIREMENTS OF COG DETAIL G-447 (LOCAL STREETS) OR G-448 (ARTERIAL AND COLLECTOR STREETS) ARE MET FOR ALL DRIVEWAYS AND STREETS.
E. STREETLIGHTS INSTALLED BY THE DEVELOPER MAY BE REQUIRED FOR CONSTRUCTION PLAN APPROVAL.
F. ON-SITE_LIGHTING WILL BE PLACED SO AS TO DIRECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL USES AND MUST NOT EXCEED ONE-FOOT CANDLE AT THE PROPERTY LINE. THE HEIGHT OF THE PARKING LOT LIGHTS WITHIN 150 OF RESIDENTIAL USE TO BE 15". HIGH PRESSURE SODIUM (HPS) LIGHTING REQUIRED ADJACENT TO RESIDENCE
G. ON-SITE LIGHTING SHALL MEET OUTDOOR LIGHT CONTROL ORDINANCE
H. MAXIMUM NOISE LEVEL 55 DECIBELS (NORMAL SPEAKING VOICE) AT PROPERTY LINE.
I. CONVENIENCE USES SHALL BE SUBJECT TO A SEPARATE CITIZEN PARTICIPATION AND CONDITIONAL USE PERMIT PROCESS
J. THE PROPERTY OWNER IS RESPONSIBLE FOR MAINTAINING LANDSCAPING IN ALL PUBLIC RIGHTS-OF-WAY ADJACENT TO THE PROJECT

17 GENERAL NOTES

PROJECT CODES:

2018 INTERNATIONAL BUILDING CODE (IBC) AMENDMENTS
2018 INTERNATIONAL EXISTING BUILDING CODE (IEBC) AMENDMENTS
2018 INTERNATIONAL FIRE CODE (IFC) AMENDMENTS
2018 INTERNATIONAL MECHANICAL CODE (IMC) AMENDMENTS
2018 INTERNATIONAL PLUMBING CODE (IPC) AMENDMENTS
2018 INTERNATIONAL FUEL GAS CODE (IFGC) AMENDMENTS
2018 INTERNATIONAL ENERGY CONSERVATION CODE (IECC) AMENDMENTS
2017 NATIONAL ELECTRICAL CODE (NEC) AMENDMENTS

2010 AMERICAN WITH DISABILITIES ACT ACCESSIBLE GUIDE

ICC/ANSI A117.1-2009 ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES (ANSI) APPENDIX A TO 28 CFR PART 36 ADA STANDARDS FOR ACCESSIBLE DESIGN (ADAAG) REVISED 7/1/2010 BY USDOJ

13A ADOPTED CODES

OWNER:
PRM INVESTMENTS LLC
7431 W TURNEY AVE PHOENIX AZ USA 85033
AZHOMESERVICESLLC@GMAIL.COM
480-703-0202

ARCHITECT:
arc one associates LLC
1427 N. 3rd STREET, SUITE 100
PHOENIX, ARIZONA 85004
CONTACT: RICHARD OEHLER AIA
PHONE: (602) 242 7871

13 SITE PROJECT DATA

EXHIBIT "A"

PARCEL NO. 1:
THE EAST HALF OF LOT 8, BLOCK 3, WORMSERS ADDITION, ACCORDING TO BOOK 2 OF MAPS, PAGE 16, RECORDS OF MARICOPA COUNTY, ARIZONA; EXCEPT THE FOLLOWING DESCRIBED PROPERTY:
THAT PORTION OF THE EAST HALF OF LOT 8, BLOCK 3, WORMSERS ADDITION, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 2 OF MAPS, PAGE 16, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID EAST HALF OF LOT 8; THENCE ALONG THE WEST LINE OF SAID EAST HALF OF LOT 8, SOUTH 00°16'29" EAST, 25.00 FEET TO THE SOUTH LINE OF THE NORTH 25.00 FEET OF SAID LOT 8, BEING THE SOUTH RIGHT-OF-WAY LINE OF JACKSON STREET, AND THE POINT OF BEGINNING; THENCE ALONG SAID SOUTH LINE, SOUTH 89°08'19" EAST, 19.80 FEET; THENCE SOUTH 00°41'24" WEST, 213.79 FEET TO THE NORTH LINE OF THE SOUTH 82.50 OF SAID EAST HALF OF LOT 8; THENCE ALONG SAID NORTH LINE, NORTH 89°08'31" WEST, 16.20 FEET TO SAID WEST LINE OF THE EAST HALF OF LOT 8; THENCE ALONG SAID WEST LINE, NORTH 00°16'29" WEST, 213.82 FEET TO SAID SOUTH LINE OF THE NORTH 25.00 FEET OF SAID LOT 8, BEING THE SOUTH RIGHT-OF-WAY LINE OF JACKSON STREET, AND THE POINT OF BEGINNING;
AND EXCEPT THE SOUTH 82.50 FEET OF THE EAST HALF OF LOT 8.

PARCEL NO. 2:
THAT PORTION OF OSBORN AVENUE, NOW KNOWN AS 33RD AVENUE, SHOWN ON THE PLAT OF WORMSERS ADDITION, ACCORDING TO BOOK 2 OF MAPS, PAGE 16, RECORDS OF MARICOPA COUNTY, ARIZONA, LYING BETWEEN THE EASTERLY PROLONGATION OF A LINE PARALLEL TO AND 25 FEET SOUTH OF THE NORTH LINE OF LOT 8 IN BLOCK 3, AND THE EASTERLY PROLONGATION OF A LINE PARALLEL TO AND 82.5 FEET NORTH OF THE SOUTH LINE OF LOT 8, BLOCK 3, SAID WORMSERS ADDITION.

PARCEL NO. 3:
THAT PORTION OF OSBORN AVENUE, NOW KNOWN AS 33RD AVENUE, SHOWN ON THE PLAT OF WORMSERS ADDITION, ACCORDING TO BOOK 2 OF MAPS, PAGE 16, RECORDS OF MARICOPA COUNTY, ARIZONA, LYING BETWEEN THE EASTERLY PROLONGATION OF A LINE PARALLEL TO AND 25 FEET SOUTH OF THE NORTH LINE OF LOT 8 IN BLOCK 3, AND THE EASTERLY PROLONGATION OF A LINE PARALLEL TO AND 82.5 FEET NORTH OF THE SOUTH LINE OF LOT 8, BLOCK 3, SAID WORMSERSADDITION.

9 LEGAL DESCRIPTION

PROJECT LOCATION:	3333 W JACKSON ST PHOENIX AZ 85009
SCOPE OF WORK:	THE PROPOSED SITE PLAN FOR THE READY-MIX CONCRETE FACILITY INCLUDES A CONCRETE ROADWAY DESIGNED TO ACCOMMODATE HEAVY TRUCK CIRCULATION, ENSURING EFFICIENT ACCESS AND MOVEMENT THROUGHOUT THE SITE. THE LAYOUT PROVIDES DEDICATED TRUCK PARKING, EMPLOYEE PARKING, AND A DESIGNATED MIXING AREA TO SUPPORT DAILY OPERATIONS. AT THE REAR OF THE PROPERTY, A SAND AND AGGREGATE STORAGE AREA IS STRATEGICALLY LOCATED, WHILE A LANDSCAPED FRONTAGE ENHANCES THE OVERALL APPEARANCE OF THE SITE. TO FURTHER SECURE THE PREMISES, A CMU FENCE ALONG THE PROPERTY LINE IS INCORPORATED INTO THE DESIGN
UTILITIES:	WATER - CITY OF PHOENIX SEWER - CITY OF PHOENIX ELECTRIC - APS GAS - SOUTHWEST GAS
HEALTH DEPARTMENT:	MARICOPA COUNTY HEALTH DEPARTMENT PHOENIX, AZ. 602 506-6616
ZONING:	A-1 LIGHT INDUSTRIAL
BUILDING HEIGHT	54 FEET PROVIDED (66- FEET MAX ALLOWED)
ASSESSOR PARCEL #	APN 109-39-032C, 109-40-103, 109-40-104
SITE AREA COVERAGE:	PARCEL 109-39-032C = 71,415 PARCEL 109-402-103 & 109-402-104 = 71,415
TOTAL LOT SIZE (AREA)	TOTAL = 143,053 S.F. = 3.2 A.C.
GROSS AREA:	TOTAL = 127,224.80 S.F. = 2.92 A.C.
NET AREA:	TOTAL = 32,173.25 S.F. = 0.73 AC.
TOTAL PARKING SPACES:	TRUCK PARKING SPACES (40'-0" X 14'-10") = 9
VARIANCE:	REQUESTING FOR 8'-0" CMU FENCE ATTACHED TO THE PROPERTY LINE

5 SITE PROJECT DATA

REZONING CASE NUMBER: (Z-5-20)

CITY OF PHOENIX
FEB 2 6 2026
Planning & Development Department

1 FOR CITY USE ONLY

KIVA: 19-3779
SDEV: 1900651
PAPP: 20041430
QS: 10-21

EXHIBIT K

5800 N 19th Ave, Phoenix, AZ 85015

12 de agosto de 2026

Propuesta de actualización de estipulaciones

3333 W. Jackson St., Phoenix, AZ

Estimado vecino:

Por medio de la presente, deseamos compartir dos modificaciones propuestas relacionadas con la propiedad ubicada en 3333 W. Jackson St. Estos ajustes específicos buscan armonizar el proyecto con la zonificación vigente y aportar un beneficio concreto a la comunidad.

1. Altura del edificio: Actualizar la altura máxima estipulada de 30 a 56 pies, de acuerdo con la altura que ya permite la zonificación vigente de la propiedad.

2. Retiro paisajístico en el límite norte: Reducir el retiro estipulado de 20 a 10 pies, incorporando a la vez un jardín comunitario de 5,000 pies cuadrados como parte de este ajuste.

El jardín comunitario añadirá un espacio verde dedicado al proyecto y constituirá una mejora positiva para el área circundante. Agradecemos su tiempo y la consideración de estas modificaciones puntuales.

Atentamente,
Alex Heredia

DECLARACIÓN DE APOYO DEL VECINO

Apoyo las dos modificaciones de estipulaciones descritas anteriormente para la propiedad ubicada en 3333 W. Jackson St., Phoenix, AZ.

Cruz Perez T.
Firma

13/08/2026
Fecha

Cruz Perez Tamayo
Nombre en letra de molde

3240 W Jackson St
Dirección de la propiedad

5800 N 19th Ave, Phoenix, AZ 85015

12 de agosto de 2026

Propuesta de actualización de estipulaciones

3333 W. Jackson St., Phoenix, AZ

Estimado vecino:

Por medio de la presente, deseamos compartir dos modificaciones propuestas relacionadas con la propiedad ubicada en 3333 W. Jackson St. Estos ajustes específicos buscan armonizar el proyecto con la zonificación vigente y aportar un beneficio concreto a la comunidad.

1. Altura del edificio: Actualizar la altura máxima estipulada de 30 a 56 pies, de acuerdo con la altura que ya permite la zonificación vigente de la propiedad.

2. Retiro paisajístico en el límite norte: Reducir el retiro estipulado de 20 a 10 pies, incorporando a la vez un jardín comunitario de 5,000 pies cuadrados como parte de este ajuste.

El jardín comunitario añadirá un espacio verde dedicado al proyecto y constituirá una mejora positiva para el área circundante. Agradecemos su tiempo y la consideración de estas modificaciones puntuales.

Atentamente,
Alex Heredia

DECLARACIÓN DE APOYO DEL VECINO

Apoyo las dos modificaciones de estipulaciones descritas anteriormente para la propiedad ubicada en 3333 W. Jackson St., Phoenix, AZ.

Francisco Suvieo — Firma

13/08/26 — Fecha

Francisco Suvieo Valdez Rivera — Nombre en letra de molde

3324 w Jackson St — Dirección de la propiedad

5800 N 19th Ave, Phoenix, AZ 85015

12 de agosto de 2026

Propuesta de actualización de estipulaciones

3333 W. Jackson St., Phoenix, AZ

Estimado vecino:

Por medio de la presente, deseamos compartir dos modificaciones propuestas relacionadas con la propiedad ubicada en 3333 W. Jackson St. Estos ajustes específicos buscan armonizar el proyecto con la zonificación vigente y aportar un beneficio concreto a la comunidad.

1. Altura del edificio: Actualizar la altura máxima estipulada de 30 a 56 pies, de acuerdo con la altura que ya permite la zonificación vigente de la propiedad.

2. Retiro paisajístico en el límite norte: Reducir el retiro estipulado de 20 a 10 pies, incorporando a la vez un jardín comunitario de 5,000 pies cuadrados como parte de este ajuste.

El jardín comunitario añadirá un espacio verde dedicado al proyecto y constituirá una mejora positiva para el área circundante. Agradecemos su tiempo y la consideración de estas modificaciones puntuales.

Atentamente,
Alex Heredia

DECLARACIÓN DE APOYO DEL VECINO

Apoyo las dos modificaciones de estipulaciones descritas anteriormente para la propiedad ubicada en 3333 W. Jackson St., Phoenix, AZ.

Firma _____ Fecha _____

Jesus Campos
Nombre en letra de molde

3304 Jackson St.
Dirección de la propiedad

5800 N 19th Ave, Phoenix, AZ 85015

12 de agosto de 2026

Propuesta de actualización de estipulaciones

3333 W. Jackson St., Phoenix, AZ

Estimado vecino:

Por medio de la presente, deseamos compartir dos modificaciones propuestas relacionadas con la propiedad ubicada en 3333 W. Jackson St. Estos ajustes específicos buscan armonizar el proyecto con la zonificación vigente y aportar un beneficio concreto a la comunidad.

1. Altura del edificio: Actualizar la altura máxima estipulada de 30 a 56 pies, de acuerdo con la altura que ya permite la zonificación vigente de la propiedad.

2. Retiro paisajístico en el límite norte: Reducir el retiro estipulado de 20 a 10 pies, incorporando a la vez un jardín comunitario de 5,000 pies cuadrados como parte de este ajuste.

El jardín comunitario añadirá un espacio verde dedicado al proyecto y constituirá una mejora positiva para el área circundante. Agradecemos su tiempo y la consideración de estas modificaciones puntuales.

Atentamente,
Alex Heredia

DECLARACIÓN DE APOYO DEL VECINO

Apoyo las dos modificaciones de estipulaciones descritas anteriormente para la propiedad ubicada en 3333 W. Jackson St., Phoenix, AZ.

Cesar Alvarez
Firma

13 De agosto
Fecha

Cesar Alvarez
Nombre en letra de molde

3245 W Madison ST
Dirección de la propiedad

5800 N 19th Ave, Phoenix, AZ 85015

12 de agosto de 2026

Propuesta de actualización de estipulaciones

3333 W. Jackson St., Phoenix, AZ

Estimado vecino:

Por medio de la presente, deseamos compartir dos modificaciones propuestas relacionadas con la propiedad ubicada en 3333 W. Jackson St. Estos ajustes específicos buscan armonizar el proyecto con la zonificación vigente y aportar un beneficio concreto a la comunidad.

1. Altura del edificio: Actualizar la altura máxima estipulada de 30 a 56 pies, de acuerdo con la altura que ya permite la zonificación vigente de la propiedad.

2. Retiro paisajístico en el límite norte: Reducir el retiro estipulado de 20 a 10 pies, incorporando a la vez un jardín comunitario de 5,000 pies cuadrados como parte de este ajuste.

El jardín comunitario añadirá un espacio verde dedicado al proyecto y constituirá una mejora positiva para el área circundante. Agradecemos su tiempo y la consideración de estas modificaciones puntuales.

Atentamente,
Alex Heredia

DECLARACIÓN DE APOYO DEL VECINO

Apoyo las dos modificaciones de estipulaciones descritas anteriormente para la propiedad ubicada en 3333 W. Jackson St., Phoenix, AZ.

Firma _____ Fecha _____

Henderson Alex Lopez
Nombre en letra de molde

216 Jackson
Dirección de la propiedad

5800 N 19th Ave, Phoenix, AZ 85015

12 de agosto de 2026

Propuesta de actualización de estipulaciones

3333 W. Jackson St., Phoenix, AZ

Estimado vecino:

Por medio de la presente, deseamos compartir dos modificaciones propuestas relacionadas con la propiedad ubicada en 3333 W. Jackson St. Estos ajustes específicos buscan armonizar el proyecto con la zonificación vigente y aportar un beneficio concreto a la comunidad.

1. Altura del edificio: Actualizar la altura máxima estipulada de 30 a 56 pies, de acuerdo con la altura que ya permite la zonificación vigente de la propiedad.

2. Retiro paisajístico en el límite norte: Reducir el retiro estipulado de 20 a 10 pies, incorporando a la vez un jardín comunitario de 5,000 pies cuadrados como parte de este ajuste.

El jardín comunitario añadirá un espacio verde dedicado al proyecto y constituirá una mejora positiva para el área circundante. Agradecemos su tiempo y la consideración de estas modificaciones puntuales.

Atentamente,
Alex Heredia

DECLARACIÓN DE APOYO DEL VECINO

Apoyo las dos modificaciones de estipulaciones descritas anteriormente para la propiedad ubicada en 3333 W. Jackson St., Phoenix, AZ.

Firma

08-13-26
Fecha

Silverio Maldonado
Nombre en letra de molde

3239 W Madison Ave #4
Dirección de la propiedad

5800 N 19th Ave, Phoenix, AZ 85015

12 de agosto de 2026

Propuesta de actualización de estipulaciones

3333 W. Jackson St., Phoenix, AZ

Estimado vecino:

Por medio de la presente, deseamos compartir dos modificaciones propuestas relacionadas con la propiedad ubicada en 3333 W. Jackson St. Estos ajustes específicos buscan armonizar el proyecto con la zonificación vigente y aportar un beneficio concreto a la comunidad.

1. Altura del edificio: Actualizar la altura máxima estipulada de 30 a 56 pies, de acuerdo con la altura que ya permite la zonificación vigente de la propiedad.

2. Retiro paisajístico en el límite norte: Reducir el retiro estipulado de 20 a 10 pies, incorporando a la vez un jardín comunitario de 5,000 pies cuadrados como parte de este ajuste.

El jardín comunitario añadirá un espacio verde dedicado al proyecto y constituirá una mejora positiva para el área circundante. Agradecemos su tiempo y la consideración de estas modificaciones puntuales.

Atentamente,
Alex Heredia

DECLARACIÓN DE APOYO DEL VECINO

Apoyo las dos modificaciones de estipulaciones descritas anteriormente para la propiedad ubicada en 3333 W. Jackson St., Phoenix, AZ.

Hermelinda Nava
Firma

8-13-26
Fecha

Hermelinda Nava
Nombre en letra de molde

3313 W madison st
Dirección de la propiedad

5800 N 19th Ave, Phoenix, AZ 85015

12 de agosto de 2026

Propuesta de actualización de estipulaciones

3333 W. Jackson St., Phoenix, AZ

Estimado vecino:

Por medio de la presente, deseamos compartir dos modificaciones propuestas relacionadas con la propiedad ubicada en 3333 W. Jackson St. Estos ajustes específicos buscan armonizar el proyecto con la zonificación vigente y aportar un beneficio concreto a la comunidad.

1. Altura del edificio: Actualizar la altura máxima estipulada de 30 a 56 pies, de acuerdo con la altura que ya permite la zonificación vigente de la propiedad.

2. Retiro paisajístico en el límite norte: Reducir el retiro estipulado de 20 a 10 pies, incorporando a la vez un jardín comunitario de 5,000 pies cuadrados como parte de este ajuste.

El jardín comunitario añadirá un espacio verde dedicado al proyecto y constituirá una mejora positiva para el área circundante. Agradecemos su tiempo y la consideración de estas modificaciones puntuales.

Atentamente,
Alex Heredia

DECLARACIÓN DE APOYO DEL VECINO

Apoyo las dos modificaciones de estipulaciones descritas anteriormente para la propiedad ubicada en 3333 W. Jackson St., Phoenix, AZ.

Jose Martinez — Firma

8-13-26 — Fecha

Jose Martinez — Nombre en letra de molde

3308 N. Jefferson st #2 Phx, AZ 85009 — Dirección de la propiedad

5800 N 19th Ave, Phoenix, AZ 85015

12 de agosto de 2026

Propuesta de actualización de estipulaciones

3333 W. Jackson St., Phoenix, AZ

Estimado vecino:

Por medio de la presente, deseamos compartir dos modificaciones propuestas relacionadas con la propiedad ubicada en 3333 W. Jackson St. Estos ajustes específicos buscan armonizar el proyecto con la zonificación vigente y aportar un beneficio concreto a la comunidad.

1. Altura del edificio: Actualizar la altura máxima estipulada de 30 a 56 pies, de acuerdo con la altura que ya permite la zonificación vigente de la propiedad.

2. Retiro paisajístico en el límite norte: Reducir el retiro estipulado de 20 a 10 pies, incorporando a la vez un jardín comunitario de 5,000 pies cuadrados como parte de este ajuste.

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Atentamente,
Alex Heredia

DECLARACIÓN DE APOYO DEL VECINO

Apoyo las dos modificaciones de estipulaciones descritas anteriormente para la propiedad ubicada en 3333 W. Jackson St., Phoenix, AZ.

Antonio GonzALes
Firma

13 agosto
Fecha

Raul Antonio gonzales
Nombre en letra de molde

3818 madison
Dirección de la propiedad

5800 N 19th Ave, Phoenix, AZ 85015

12 de agosto de 2026

Propuesta de actualización de estipulaciones

3333 W. Jackson St., Phoenix, AZ

Estimado vecino:

Por medio de la presente, deseamos compartir dos modificaciones propuestas relacionadas con la propiedad ubicada en 3333 W. Jackson St. Estos ajustes específicos buscan armonizar el proyecto con la zonificación vigente y aportar un beneficio concreto a la comunidad.

1. Altura del edificio: Actualizar la altura máxima estipulada de 30 a 56 pies, de acuerdo con la altura que ya permite la zonificación vigente de la propiedad.

2. Retiro paisajístico en el límite norte: Reducir el retiro estipulado de 20 a 10 pies, incorporando a la vez un jardín comunitario de 5,000 pies cuadrados como parte de este ajuste.

El jardín comunitario añadirá un espacio verde dedicado al proyecto y constituirá una mejora positiva para el área circundante. Agradecemos su tiempo y la consideración de estas modificaciones puntuales.

Atentamente,
Alex Heredia

DECLARACIÓN DE APOYO DEL VECINO

Apoyo las dos modificaciones de estipulaciones descritas anteriormente para la propiedad ubicada en 3333 W. Jackson St., Phoenix, AZ.

Celeste Cadle Gomez
Firma

8/13/2026
Fecha

Celeste Cadle-Gomez
Nombre en letra de molde

3245 W Jefferson ST PHOENIX, AZ 85009
Dirección de la propiedad

5800 N 19th Ave, Phoenix, AZ 85015

12 de agosto de 2026

Propuesta de actualización de estipulaciones

3333 W. Jackson St., Phoenix, AZ

Estimado vecino:

Por medio de la presente, deseamos compartir dos modificaciones propuestas relacionadas con la propiedad ubicada en 3333 W. Jackson St. Estos ajustes específicos buscan armonizar el proyecto con la zonificación vigente y aportar un beneficio concreto a la comunidad.

1. Altura del edificio: Actualizar la altura máxima estipulada de 30 a 56 pies, de acuerdo con la altura que ya permite la zonificación vigente de la propiedad.

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El jardín comunitario añadirá un espacio verde dedicado al proyecto y constituirá una mejora positiva para el área circundante. Agradecemos su tiempo y la consideración de estas modificaciones puntuales.

Atentamente,
Alex Heredia

DECLARACIÓN DE APOYO DEL VECINO

Apoyo las dos modificaciones de estipulaciones descritas anteriormente para la propiedad ubicada en 3333 W. Jackson St., Phoenix, AZ.

Alfredo Parra
Firma

8-13-26
Fecha

Alfredo Parra
Nombre en letra de molde

3308 W. Jefferson st. Phoenix, AZ 85009
Dirección de la propiedad

5800 N 19th Ave, Phoenix, AZ 85015

12 de agosto de 2026

Propuesta de actualización de estipulaciones

3333 W. Jackson St., Phoenix, AZ

Estimado vecino:

Por medio de la presente, deseamos compartir dos modificaciones propuestas relacionadas con la propiedad ubicada en 3333 W. Jackson St. Estos ajustes específicos buscan armonizar el proyecto con la zonificación vigente y aportar un beneficio concreto a la comunidad.

1. Altura del edificio: Actualizar la altura máxima estipulada de 30 a 56 pies, de acuerdo con la altura que ya permite la zonificación vigente de la propiedad.

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El jardín comunitario añadirá un espacio verde dedicado al proyecto y constituirá una mejora positiva para el área circundante. Agradecemos su tiempo y la consideración de estas modificaciones puntuales.

Atentamente,
Alex Heredia

DECLARACIÓN DE APOYO DEL VECINO

Apoyo las dos modificaciones de estipulaciones descritas anteriormente para la propiedad ubicada en 3333 W. Jackson St., Phoenix, AZ.

ALFREDO Rodriguez — Firma

8-9-13 — Fecha

Alfredo Rodriguez — Nombre en letra de molde

2038 S 33 AV — Dirección de la propiedad

5800 N 19th Ave, Phoenix, AZ 85015

August 12, 2026

Proposed Property Stipulation Updates

3333 W. Jackson St., Phoenix, AZ

Dear Neighbor,

We are writing to share two proposed updates concerning the property at 3333 W. Jackson St. These limited modifications are intended to align the project with the property's existing zoning and provide a meaningful community benefit.

1. Building height: Update the stipulated maximum height from 30 feet to 56 feet, consistent with the height already permitted under the property's existing zoning.

2. North landscape setback: Reduce the stipulated setback from 20 feet to 10 feet, while providing a 5,000-square-foot community garden in connection with this adjustment.

The community garden will add dedicated green space to the project and create a positive feature for the surrounding area. We appreciate your time and thoughtful consideration of these focused updates.

Sincerely,
Alex Heredia

NEIGHBOR ACKNOWLEDGMENT OF SUPPORT

I support the two proposed stipulation modifications described above for the property at 3333 W. Jackson St., Phoenix, AZ.

Nathan Learner — Signature

8/18/26 — Date

NATHAN LEARNER — Printed Name

325 S. 35th avenue, Phoenix — Property Address

5800 N 19th Ave, Phoenix, AZ 85015

August 12, 2026

Proposed Property Stipulation Updates

3333 W. Jackson St., Phoenix, AZ

Dear Neighbor,

We are writing to share two proposed updates concerning the property at 3333 W. Jackson St. These limited modifications are intended to align the project with the property's existing zoning and provide a meaningful community benefit.

1. Building height: Update the stipulated maximum height from 30 feet to 56 feet, consistent with the height already permitted under the property's existing zoning.

2. North landscape setback: Reduce the stipulated setback from 20 feet to 10 feet, while providing a 5,000-square-foot community garden in connection with this adjustment.

The community garden will add dedicated green space to the project and create a positive feature for the surrounding area. We appreciate your time and thoughtful consideration of these focused updates.

Sincerely,
Alex Heredia

NEIGHBOR ACKNOWLEDGMENT OF SUPPORT

I support the two proposed stipulation modifications described above for the property at 3333 W. Jackson St., Phoenix, AZ.

Nathan Dettmar
Signature

8/18/2026
Date

Nathan Dettmar
Printed Name

3140 W. Buckeye Rd. Phoenix, Az 85009
Property Address

EXHIBIT L

COMMUNITY OPPOSITION TO ZONING CASE PHO-1-26--Z-5-20-7

RESIDENT PETITION AND STATEMENT OF OPPOSITION

PROPOSED HEIGHT VARIANCE AND SILO STRUCTURE

Submitted to:
City of Phoenix Mayor and City Council
Planning Commission
Board of Adjustment
City Planning and Development Department

COMMUNITY CONCERNS

Residents, property owners, and stakeholders respectfully oppose the requested height variance and silo structure associated with Zoning Case PHO-1-26--Z-5-20-7.

Our concerns include:

• Failure to conduct meaningful community outreach as discussed during the May 2026 public process.

• Construction of the silo structure prior to resolution of community concerns and variance requests.

• Reports alleging construction activity occurred without all required approvals and permits being finalized.

• Potential public health concerns associated with cement operations and airborne crystalline silica dust.

• Increased truck traffic, noise, lighting, and industrial impacts on surrounding neighborhoods.

• Significant visual impacts caused by the height and scale of the silo.

• Negative effects on neighborhood character and quality of life.

• Potential impacts to the historic setting and cultural significance of Beth Israel Cemetery near 35th Avenue.

• Establishment of an undesirable precedent for future height variance requests.

OUR REQUEST

We respectfully request that the City of Phoenix:

✓ Deny the requested height variance.

✓ Investigate all permitting and code compliance concerns.

✓ Require meaningful community outreach before any further approvals.

✓ Evaluate impacts on public health, air quality, traffic, noise, and surrounding neighborhoods.

✓ Consider impacts on historic resources, including Beth Israel Cemetery.

✓ Require compliance with all applicable zoning and development standards.

COMMUNITY VOICES MATTER

This petition represents the collective concerns of residents who believe development should occur through a transparent public process, with full compliance with City regulations and meaningful engagement with the surrounding community.

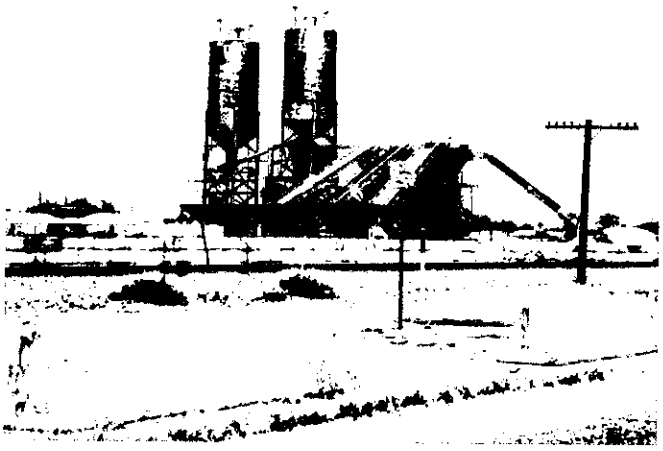
We ask City officials to protect our neighborhoods, public health, historic resources, and quality of life.

Zoning Case: PHO-1-26--Z-5-20-7

Location: 31st Ave and Harrison Street and Jackson Street

Hearing Date: June 17, 2026

Petition Coordinator: Juanita Gonzalez and Renee Dominguez



"Silo structure erected on project site. Residents contend that promised community outreach has not occurred and have raised concerns regarding permitting, public health, neighborhood impacts, and effects on nearby historic resources including Beth Israel Cemetery."

OPOSICIÓN COMUNITARIA AL CASO DE ZONIFICACIÓN PHO-1-26--Z-5-20-7

PETICIÓN DE LOS RESIDENTES Y DECLARACIÓN DE OPOSICIÓN

VARIACIÓN PROPUESTA DE ALTURA Y ESTRUCTURA DEL SILO

Presentado a:
Alcalde y Ayuntamiento de PhoenixComisión de Planificación Junta de AjusteDepartamento de Planificación y Desarrollo de la Ciudad

PREOCUPACIONES DE LA COMUNIDAD

Los residentes, propietarios y partes interesadas se oponen respetuosamente a la variación de altura solicitada y a la estructura de silos asociada al Caso de Zonificación PHO-1-26--Z-5-20-7.

Nuestras preocupaciones incluyen:

• Falta de realización significativa de actividades comunitarias tal y como se discutió durante el proceso público de mayo de 2026.

• Construcción de la estructura del silo antes de la resolución de preocupaciones de la comunidad y solicitudes de variación.

• Informes que alegan que la actividad de construcción se produjo sin que se hayan finalizado todas las aprobaciones y permisos requeridos.

• Posibles preocupaciones de salud pública asociadas a las operaciones de cemento y al polvo de sílice cristalina en el aire.

• Aumento del tráfico de camiones, el ruido, la iluminación y los impactos industriales en los barrios circundantes.

• Impactos visuales significativos causados por la altura y la escala del silo.

• Efectos negativos en el carácter y la calidad de vida del barrio.

• Posibles impactos en el entorno histórico y la importancia cultural del cementerio Beth Israel cerca de la avenida 35.

• Establecimiento de un precedente indeseable para futuras solicitudes de variación de altura.

NUESTRA PETICIÓN

Solicitamos respetuosamente a la Ciudad de Phoenix:

✓ Denegar la variación de altura solicitada.

✓ Investigar todas las preocupaciones relacionadas con permisos y normativas.

✓ Exigir una participación comunitaria significativa antes de cualquier aprobación adicional.

✓ Evaluar los impactos en la salud pública, la calidad del aire, el tráfico, el ruido y los barrios circundantes.

✓ Considera los impactos en los recursos históricos, incluido el cementerio Beth Israel.

✓ Exigir el cumplimiento de todas las normativas de zonificación y desarrollo aplicables.

LAS VOCES DE LA COMUNIDAD IMPORTAN

Esta petición representa las preocupaciones colectivas de los residentes que creen que el desarrollo debe realizarse mediante un proceso público transparente, con pleno cumplimiento de la normativa municipal y una participación significativa con la comunidad circundante.

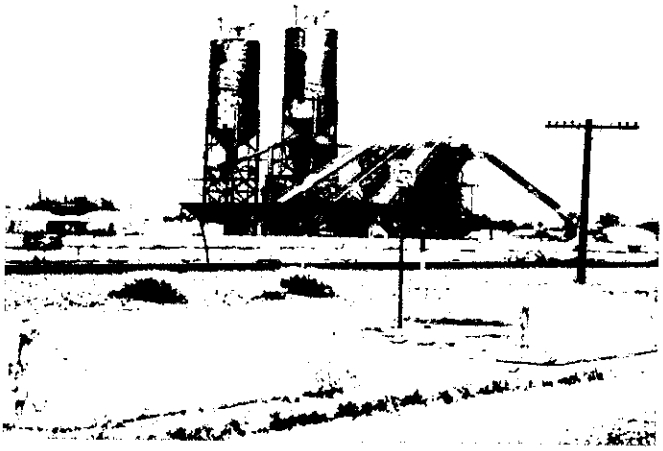
Pedimos a los responsables municipales que protejan nuestros barrios, la salud pública, los recursos históricos y la calidad de vida.

Caso de zonificación: PHO-1-26--Z-5-20-7

Ubicación: 31st Ave y Harrison Street y Jackson Street

Fecha de la audiencia: 17 de junio de 2026

Coordinadora de la Petición: Juanita González y Renée Domínguez



"Estructura de silo erigida en el lugar del proyecto. Los residentes sostienen que no se ha llevado a cabo la propuesta de divulgación comunitaria y han expresado preocupaciones sobre los permisos, la salud pública, los impactos en los barrios y los efectos en los recursos históricos cercanos, incluido el cementerio Beth Israel."

Name	Address	Phone Number	Signature	Email Optional
Antonio P.	3117 Jefferson		A. P	
Luis Marquez	25 S 31st Ave			
Eleazar Bradillas	29 S 31 AVE PHX AZ	6239807886		
Jesenia Lewis	3102 W. Jackson St.	(602) 820-4913		
Maria Aguilar	512 32nd St	480-361-3257		Shayaga24@gmail
Juan Alvarez	215 S 32nd St	602-785-5610		
Maria Lopez	3246 W Jackson			
Ivette Ozuna	3244 W. Jackson #1	602-480435-3551		Ozuna8393-yo@gmail
Erika Hernandez	3301 W Jefferson	623201-0554	ERIKA HERNANDEZ	Kika05542@gmail.com
Ismael Gonzalez	3221 W Jefferson	480 529 6930		
Anahi Herrera	3136 W. Jefferson St	602-754-3156		anahi_ght@hotmail.com
Maria Olguin	3138 W. Jefferson St.	602-405-2461		Sweetcandy7632@Yahoo
Rosario Romain	3125 W Jefferson St	602 486-9772		
Virginia Pena	3115 W Jefferson	4807401813		
Sergio Barajas	3116 W Jefferson	480 255 9811		Sergio Barajas 602@gmail.com
Lilia Luna	3101 W. Madison St. #2	(602) 472-8976		lililuna0020@gmail
Maria Valtierra	361 W Madison St #3	602-446-7401	Maria Valtierra	
Eva Hernandez	3125 W Madison St.	602-708-3947	Eva Hdez.	
Jason James	3130 W Madison St	602-364-1065		—
Uriel Castellanos	3134 W Madison St	602 641 0119		—
Miguel Coronado	3137 W Jefferson St	602 7485158		Coronado440@gmail.com
Jesus Medina	3132 W Jefferson St	602 790 7249	Jesus Medina	—
Agustin Gonzalez	3135 W Jefferson	602-352-1480	A.G.R	

Logan Zappolo

From: Renee Dominguez <reneedominguez23@gmail.com>
Sent: Wednesday, May 20, 2026 5:32 AM
To: Logan Zappolo
Subject: PHO-1-26--Z-5-20-7

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Dear Planning Hearing Officer,

I am writing regarding Case PHO-1-26--Z-5-20-7 and the requested height variance associated with this project.

I attended the Estrella Village Planning Committee meeting last night and stood in opposition to this request. The surrounding community was not properly aware that the applicant was seeking a stipulation to allow a structure of this magnitude. A 56-foot concrete silo in this area is unacceptable and incompatible with the surrounding neighborhood.

During the meeting, the applicant's representative was unable to adequately explain several critical concerns raised by the community, including:

- How concrete materials would be transferred into the silos,
- Potential operational and safety impacts,
- Whether the adjacent railroad company has reviewed or expressed opposition to the project being built in such close proximity to the railroad tracks.

There are existing homes and a school located within this area, and the current height stipulation exists for a reason. The requested variance would create significant visual, safety, and compatibility concerns for nearby residents and families.

Additionally, there appears to have been little to no outreach conducted with the neighboring Jewish cemetery located adjacent to this property. The potential impacts to this sensitive and historic area should be carefully considered before any variance is granted.

Given these unresolved concerns and the lack of adequate community outreach, I respectfully request that the existing height stipulation remain in place and that the variance request be denied.

Thank you for your time and consideration.

Sincerely,

Renee Dominguez

602-484-4395

30 year resident
Phoenix, Arizona

August 18, 2026

To:
City of Phoenix, Mayor and City Council
Planning Commission
Board of Adjustment
City Planning and Development Department

> **RE: Official Public Comment – Opposition to Zoning Case PHO-1-26-Z-5-20-7 (Proposed Height Variance and Silo Structure)**

Dear Council Members, Commissioners, and Planning Officials,

My name is **Dezirae Marshall**, and I am writing to express my strong opposition to Zoning Case PHO-1-26-Z-5-20-7 regarding the proposed height variance and silo structure in our community.

I live at **435 S. 31st Ave**, where I have resided for **36 years**. As a **second-generation resident** of this neighborhood, I care deeply about the health, safety, and long-term well-being of our community.

Our neighborhood is a close-knit residential area with families and children. I am deeply concerned about the negative impacts this proposed cement and silo operation will bring to our daily lives, particularly regarding:

- **Air Quality & Health Concerns:** The potential health risks associated with industrial cement operations and airborne crystalline silica dust directly threaten the air quality and safety of nearby families and children.
- **Heavy Truck Traffic & Road Safety:** Our neighborhood streets are simply not built to accommodate continuous heavy industrial truck traffic. Increasing big truck traffic poses a severe safety hazard to our community.
- **Proximity to Elementary Schools:** There are two elementary schools located just a few blocks away from the proposed site. Allowing heavy industrial vehicles to pass through these streets significantly compromises the safety of young children walking to and from school.
- **Neighborhood Character & Quality of Life:** Adding an industrial silo structure of this scale degrades the historic character, visual appeal, and overall quality of life in our neighborhood.

As a long-time resident, I ask that the City prioritize the safety, health, and well-being of the residents who have called this area home for generations over industrial expansion. I respectfully request that you **deny** the requested height variance and permit approvals for Zoning Case PHO-1-26-Z-5-20-7.

Thank you for your time, attention, and consideration of our community's voice.

Sincerely,

Dezirae Marshall

CITY OF PHOENIX
AUG 18 2026
Planning & Development Department

FORMAL STATEMENT OF OPPOSITION

PUBLIC RECORD SUBMISSION • ZONING & HEIGHT VARIANCE REQUEST

To Whom It May Concern:

I am writing to formally express my strong opposition to the requested variance allowing a 50-foot silo height and the proposed setback variance for the property near my residence.

I live directly in the area and very close to the property affected by this request. Despite being a nearby resident who would be directly impacted by this development, I did not receive any notification regarding the proposed variance, nor was my input requested before this matter moved forward.

Additionally, Fusion did not reach out to me regarding this proposal. I received no phone call, email, letter, meeting invitation, or other communication from Fusion seeking input from me as a nearby resident.

> A 50-foot silo is a substantial structure that can significantly affect the surrounding neighborhood. I have serious concerns regarding the proposed height, the requested setback, the visual impact of such a large industrial structure, compatibility with the surrounding area, and the potential effects on nearby residential properties.

Variances should not be granted simply for the convenience of a particular development. The established height and setback requirements exist for a reason, particularly when industrial uses are located near residential properties. Allowing exceptions of this magnitude could have a direct and lasting impact on the people who already live in the surrounding community.

As someone who lives right by this property, I believe residents who will experience the day-to-day effects of this project should have been properly notified and given a meaningful opportunity to provide input.

For these reasons, I highly oppose both the 50-foot silo height variance and the requested setback variance. I respectfully request that the hearing officer, Planning Commission, City Council, and/or other appropriate decision-making body deny these variance requests and require the project to comply with the existing height and setback requirements.

Please include this letter as part of the official public record for this matter.

Sincerely,

DeAndre Byrd

Nearby Resident

Murphy Elementary School District No. 21
3140 W. Buckeye Road
Phoenix, Arizona, 85009
Phone: 602.353.5004

Governing Board
Guadalupe Gonzalez, President
Ruby Torres, Board Clerk
Regina Baca, Member
Rebecca Coffman, Member
Selena Morales, Member
Superintendent
Nathan Dettmar

To Whom it may concern,

August 19, 2026

I am writing to withdraw my consent for the project at 3333 W Jackson St. Phoenix AZ 85009. When I signed a form in favor, I did not understand the scope of the project. I am unable to support a project that could potentially be harmful to the community.

Nathan Dettmar, Superintendent
Murphy Elementary School District #21
3140 W Buckeye Rd
Phoenix AZ 85009
ndettmar@msdaz.org
(602) 353-5002 - Office

From: Renee Dominguez <reneedominguez23@gmail.com>
Sent: Tuesday, November 3, 2026 2:36 PM
To: PDD Planning Commission
Cc: Council District 7 PCC; Luke M Black
Subject: PHO-1-26—Z-5-20-7
Attachments: IMG_4066.jpeg; IMG_4063.jpeg; IMG_4062.jpeg; IMG_4061.jpeg

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

November 3, 2026

City of Phoenix Planning Commission
Planning and Development Department
Phoenix, Arizona

RE: Formal Opposition to Proposed Height and Landscape Setback Modifications – PHO-1-26-Z-5-20-7

Dear Chairperson and Members of the Planning Commission:

My name is Renee K. Dominguez, Kuban Neighborhood Leader, and I am submitting this letter in formal opposition to any proposed modification of the existing building height restrictions and landscape setback requirements under case PHO-1-26-Z-5-20-7.

Our opposition is based on the conditions our residents are already experiencing every single day, not on speculation about future development.

The residents whose homes directly face this industrial property are dealing with persistent and excessive dust associated with industrial activity in the area. The dust has become so difficult to control that residents report being unable to comfortably open their windows, enjoy their yards, or sit outside without being affected.

Dust accumulates on vehicles and around their homes, creating an ongoing burden for families who are simply trying to maintain and enjoy their properties.

These are not occasional inconveniences. They are recurring conditions affecting the daily quality of life of our residents.

The photographs accompanying this letter further document the industrial setting, including large industrial structures towering above perimeter walls, heavy commercial vehicles, exposed ground surfaces, limited landscape screening, and water accumulation along the public roadway.

Residents should not have to live with these conditions while the property owner seeks to reduce the very protections established to safeguard the surrounding neighborhood.

The original building height restrictions and landscape setbacks were imposed for a reason. They are essential to maintaining appropriate separation between industrial operations and residential properties.

Increasing the permitted height would further intensify the visual impact of industrial structures already visible from the neighborhood. Reducing landscape setbacks would diminish opportunities for buffering and screening.

We believe that before the City considers relaxing any zoning stipulations, the existing dust conditions, landscaping, drainage, and site maintenance concerns should be thoroughly evaluated.

We respectfully request that the Planning Commission:

1. **DENY** any proposed increase to the originally approved building height.
2. **DENY** any proposed reduction to the originally approved landscape setbacks.
3. **MAINTAIN AND ENFORCE** the existing zoning stipulations protecting surrounding residential properties.
4. **REQUEST AN AIR QUALITY REVIEW** of dust-generating activities and applicable dust-control requirements.
5. **REVIEW** the existing landscaping, screening, and drainage conditions documented in the attached photographs.
6. **INCLUDE** this letter and the accompanying photographs in the official public record for this case.

The Kuban Neighborhood supports responsible development and recognizes the importance of industrial businesses to our local economy. However, economic development should never come at the expense of the health, comfort, and quality of life of existing residents.

Our residents deserve to open their windows, enjoy their yards, maintain their homes, and live without excessive dust intrusion from neighboring industrial activity. These are reasonable expectations, not special privileges.

We respectfully urge the Planning Commission to preserve the original height and landscape setback stipulations and deny the proposed modifications.

Sincerely,

Renee K. Dominguez
Kuban Neighborhood Leader
Phoenix, Arizona
Phone: 602-484-4395
Email: reneedominguez23@gmail.com




Jackson
DEAD END
DEAD END
FUSION
READY MIX


FACILITY #95643
ALEX.H
602-697-3031
DUST COMPLAINTS? CALL
MARICOPA COUNTY AIR
FUSION
READY MIX


FUSION