Earl & Curley
ZONING & LAND USE LAW

November 22, 2022

RE: ***Christown Spectrum –***
Walkable Urban Code request (Zoning Application No. Z-80-22)
Northwest corner of Montebello Avenue and 15th Avenue
Neighborhood Meeting/Notification Letter

Dear ***Property Owner*** or ***Neighborhood Association representative:***

We are excited to be able to provide you with an update regarding our redevelopment efforts at Christown Spectrum, located on the southeast corner of 19th Avenue and Bethany Home Road. Below is information regarding two upcoming neighborhood meetings (one virtual and one in-person).

As you will likely recall, we filed a master plan PUD (Planned Unit Development) zoning case back in early 2021 for Christown Spectrum on behalf of Christown 1755, LLC, an affiliate of Kimco Realty ("Christown"). That master plan proposal is for an extended multi-phased approach that would transition Christown over time into a dynamic and vibrant urban environment, incorporating pedestrian-oriented thematic areas, retail, commercial, multifamily residential, entertainment, and offices, in a master planned setting.

That PUD case will still move forward, but its timing is uncertain. Before it restarts, we will bring it back to the community for additional input and eventually public hearings. To keep making progress in the meantime, we want to get started on Phases 1 and 2 of the redevelopment plan. These phases consist of 12.26 acres of surface parking and the prior Auto Center building in the southeast corner of the site (see map below). As initial dominoes, these phases will help to build positive momentum in the redevelopment process.

To move these first two phases forward, we need to transition this part of the shopping center to the Walkable Urban Code, which was established for development near the light rail corridors.

Rezoning Request:

Accordingly, we have recently filed a rezoning request for the Phase 1 and Phase 2 areas to rezone from the existing PSC TOD-1 (Planned Shopping Center District Interim Transit-Oriented Zoning Overlay District One) to Walkable Urban Code, Transect T5:5 (WU Code; T5:5) (Application # Z-80-22). Transect T5:5 is the transect shown for this site in the Solano TOD Policy plan, which was put together by the City in conjunction with community input. The T5:5 transect would allow building heights up to 56 feet. This site is also within what is known as a "Primary Core," which is where higher density and intensity is intended to be located. With the light rail running adjacent to Christown, the property is prime for this proposal.

As we have discussed previously with the community, what this site needs most of all is additional people—more people to shop at the stores, dine at the restaurants, use Solano Park, and generally put eyes on the street and mall area. This will help Christown attract and retain quality tenants in the short-term and long-term and help to improve safety and security for the area.

Accordingly, as we showed during the master plan discussions, the proposal for Phases 1 and 2 is to bring best-in-class market-rate multifamily to fill in the underutilized surface parking areas. As needed for existing and future retail tenants, those parking spaces would be made up within new parking structures.

Attached is an aerial exhibit showing the overall Christown Spectrum boundary and the proposed site, a copy of the cover page of our application, and the conceptual site plan. For now, we are showing a conceptual site plan, with final design to be regulated by the strict design standards of the Walkable Urban Code and the City's site plan approval process.

Note that during the master plan process, we discussed with the neighbors east of the project using "stepbacks" to push building heights over two stories much further away from 15th Avenue than the WU Code requires. Our current proposal would utilize the same concept to create a transition and buffer to that community. This element would be incorporated into the zoning approval itself.

Neighborhood Meetings

We would like to invite you to one or both of our upcoming neighborhood meetings to discuss this rezoning request and proposed development. We will be holding two meetings, to provide additional opportunities to interact. Please note that with the holiday season, we understand some people may be unable to attend. If that is the case, please know we are happy to come to your neighborhood association meeting or to have a follow up call with you individually. We want to make sure the community continues to feel they are a part of this process.

Virtual Meeting

A virtual neighborhood meeting will be held on **Monday, December 12th at 6:00pm** to provide information and answer questions regarding this request. Below are the Webinar/Virtual meeting instructions.

You are invited to a Zoom webinar. **When: Dec 12, 2022, 06:00 PM Arizona** **Topic: Christown - Phases 1 and 2** Please click the link below to join the webinar: https://us02web.zoom.us/j/89980232404?pwd=ZldreVBjaU9iZTBTQ2tYUXVVaDJjQT09 **Passcode: 861256** **Or One tap mobile**: +13462487799,,89980232404#,,,,*861256# or +16694449171,,89980232404#,,,,*861256# **Or Telephone:** Dial(for higher quality, dial a number based on your current location): +1 346 248 7799 or +1 669 444 9171 or +1 719 359 4580 or +1 253 205 0468 or +1 360 209 5623 or +1 301 715 8592 or +1 312 626 6799 **Webinar ID: 899 8023 2404** **Passcode: 861256** International numbers available: https://us02web.zoom.us/u/kc8T09cOWt	

In Person Open House

Thursday, December 15, 2022, anytime between 6pm and 7pm.
Location: Christown Spectrum – 1607 W Bethany Home Rd, Phoenix, AZ 85015
In the old Anytime Fitness suite (Space 31 near the Harkins Theater) (see attached map for location)

This is an open house format. We know people are busy, so please stop by any time during this 60-minute window to talk to a member of our time and view exhibits.

If you are unable to attend either of these meetings, please do not worry. We are happy to talk with you about the project outside of the meeting as well. You can contact me (Taylor Earl) or our Principal Planner, Ric Toris at (602) 265-0094 to learn more about the case and express your concerns.

Website

We have also set up a website where you can view exhibits and submit feedback. That website is: www.earlcurley.com/christownWUCode

The City of Phoenix Village Planner assigned to this case is Elias Valencia and can be reached at email: elias.valencia@phoenix.gov or phone: 602-261-8771. This planner can answer your questions regarding the City review and hearing processes as well as the staff position once their report is complete. You may also make your feelings known on this case by writing to the City of Phoenix Planning and Development Department, 200 West Washington Street, 2nd Floor, Phoenix, Arizona 85003, referencing the case number. Your letter will be made part of the case file.

Please be advised that meetings and hearings before the Alhambra Village Planning Committee and the Planning Commission are planned to review this case. Specific meeting and hearing dates have not yet been set. You should receive a subsequent notice identifying the date and location of the meeting/hearings when they have been scheduled.

Again, I would be happy to speak with you to answer any questions you might have and to receive any input or ideas.

Sincerely,

Taylor C. Earl
Partner

o (602) 265-0094
tearl@earlcurley.com

Attachments: Aerial Photo showing overall Christown Spectrum and subject site.
Application Cover Sheet
Conceptual representation of Site Plan.

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City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION TO AMEND ZONING ORDINANCE
APPLICATION NO: Z-80-22

PROPERTY LOCATION: Northwest corner of 15th Avenue and Montebello Avenue

TO BE CHANGED:
FROM: PSC TOD-1
TO: WU T5:5

PROPOSED USE: Multifamily Residential
LEGAL DESCRIPTION: See Attached

Ordinance #:	**Ordinance Date:**	**Supplemental Map #:**

CASE TYPE: Rezoning	**DSD #:**	**CASE STATUS:** Complete
GROSS ACREAGE: 12.26	**VILLAGE:** Alhambra	**ZONING MAP:** I-7
CENSUS TRACT: 1074	**Q.S. MAP:** 20-25	**COUNCIL DISTRICT:** 5
DATE FILED: 10/21/2022	**TAZ:**	**FILING STAFF:** 084357

OWNER: Christown 1755 LLC — PHONE NO.: (602) 610-3356
ADDRESS: 4440 North 36th Street Suite 200 Phoenix AZ 85018
OWNER EMAIL ADDRESS: mrickards@kimcorealty.com

APPLICANT: Taylor C. Earl, Earl and Curley, P.C. — PHONE NO.: (602) 265-2195
ADDRESS: 3101 North Central Avenue, Suite 1000 Phoenix AZ 85012
APPLICANT EMAIL ADDRESS: tearl@earlcurley.com

REPRESENTATIVE: Taylor C. Earl, Earl and Curley, P.C. — PHONE NO.: (602) 265-2195
ADDRESS: 3101 North Central Avenue, Suite 1000 Phoenix AZ 85012 — FAX NO.:
REPRESENTATIVE EMAIL ADDRESS: tearl@earlcurley.com

An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7131 (option 6), email zoning.mailbox@phoenix.gov or visit our website at http://phoenix.gov/pdd/licensetimes.html.

I declare that all information submitted is true and correct to the best of my knowledge and belief. I acknowledge that any error in my application may be cause for changing its normal scheduling.

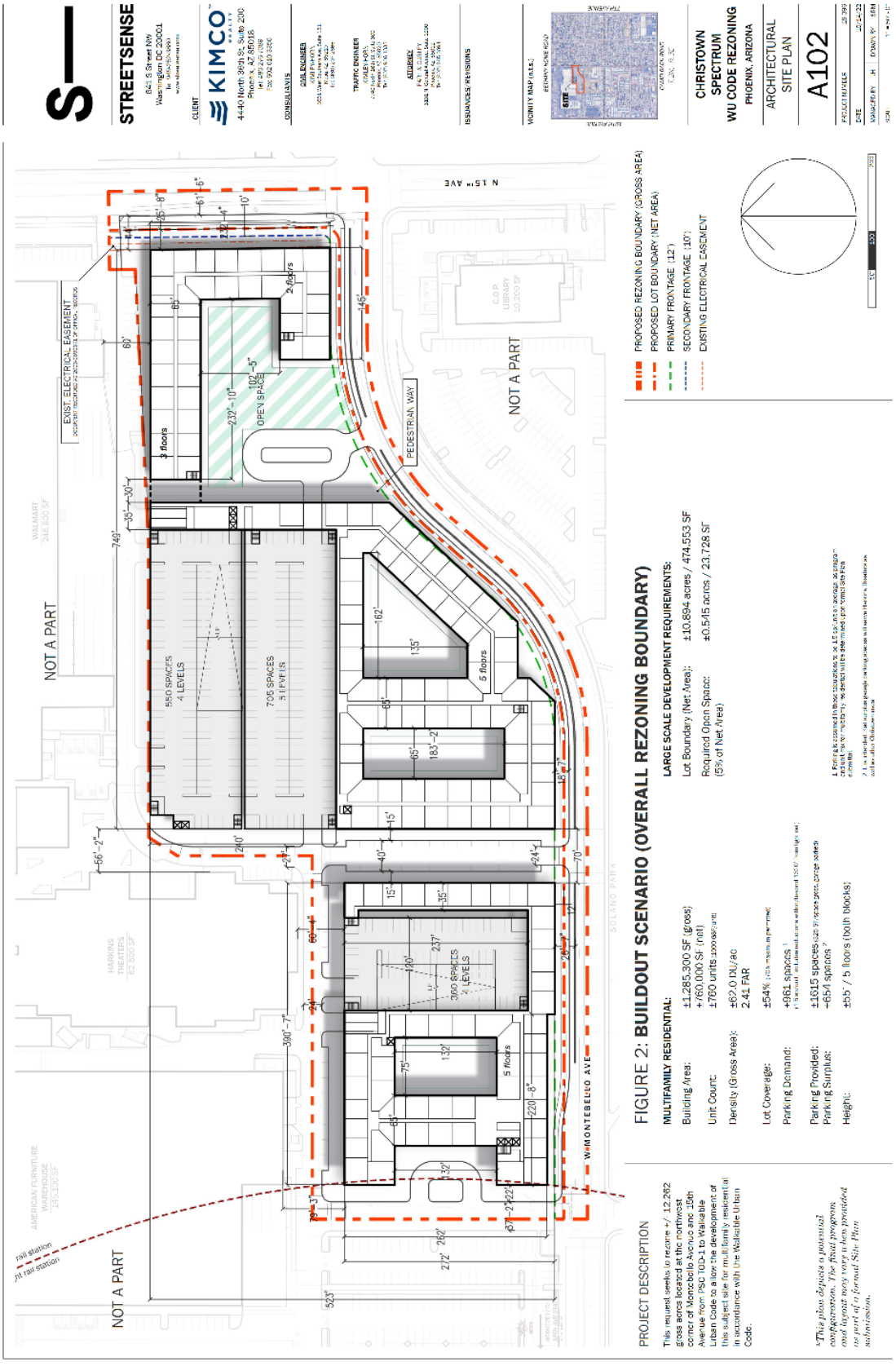
SIGNATURE: for Taylor C. Earl — DATE: Oct 21, 2022

POST APPLICATION MEETING DATE:

Zoning Hearing Officer	Planning Commission	City Council

FEE	FEE WAIVED	FEE DATE	RECEIPT	PURPOSE
$9,305.00	$0.00	10/21/2022		Original Filing Fee

(Additional Properties Attached)


STREETSENSE
CLIENT
KIMCO
CHRISTOWN SPECTRUM
WU CODE REZONING
PHOENIX, ARIZONA
ARCHITECTURAL SITE PLAN
A102
NOT A PART
EXIST. ELECTRICAL EASEMENT
PEDESTRIAN WAY
OPEN SPACE
WMONTEBELLO AVE
N 15TH AVE
PROPOSED REZONING BOUNDARY (GROSS AREA)
PROPOSED LOT BOUNDARY (NET AREA)
PRIMARY FRONTAGE (12')
SECONDARY FRONTAGE (10')
EXISTING ELECTRICAL EASEMENT
PROJECT DESCRIPTION
This request seeks to rezone +/- 12.262 gross acres located at the northwest corner of Montebello Avenue and 15th Avenue from PSC TOD-1 to Walkable Urban Code to allow the development of this subject site for multifamily residential in accordance with the Walkable Urban Code.
FIGURE 2: BUILDOUT SCENARIO (OVERALL REZONING BOUNDARY)
MULTIFAMILY RESIDENTIAL:
Building Area: ±1,285,300 SF (gross) +760,000 SF (net)
Unit Count: ±700 units
Density (Gross Area): ±60.0 DU/ac 2.41 FAR
Lot Coverage: ±54%
Parking Demand: +961 spaces
Parking Provided: ±1615 spaces
Parking Surplus: +654 spaces
Height: ±55' / 5 floors (both blocks)
LARGE SCALE DEVELOPMENT REQUIREMENTS:
Lot Boundary (Net Area): ±10.694 acres / 474,553 SF
Required Open Space: (5% of Net Area) ±0.545 acres / 23,728 SF