
INITIAL STRATEGY ANALYSIS

Smith Park Planned Area Development

SMITHVILLE, ARIZONA

Prepared on Behalf of
PROTECT SMITHVILLE VISION

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STRATEGY RECOMMENDATIONS

The focus of this *Initial Strategy Analysis* is a proposal to allow 174 attached and detached rental units to be developed as the Smith Park on a 13.3-acre site within the Smith Park Planned Area Development (PAD). This analysis is *Initial* because cases frequently evolve in ways that present different, more effective strategy options.

This analysis contains the results of a review of issues of concern to *Protect Smithville Vision*. Documentation supporting the legitimacy of the issues is provided along with how each issue would affect quality of life for area residents. Additional issues common to growth in general and rental projects in particular are also considered along with options for resolving impacts. City of Smithville decision-making history regarding similar projects was reviewed to assess strategy option viability. This research formed the basis for the following recommendations:

1. Attempts to prevent the City from approving the project are **unlikely** to succeed given the review of decision-making history with respect to similar projects.
2. Instead, *Protect Smithville Vision* should continue to work with the City and the applicant to resolve issues through negotiation. Even if the applicant refuses to negotiate, demonstrating (and documenting) that the effort was made will increase the likelihood of gaining the cooperation of the Mayor and City Council.
3. The applicant is seeking to eliminate a Park and Pathway required for the site by the Smith Park Planned Area Development document. The City of Smithville has a paucity of parkland compared to other areas. The City has set a goal of greatly expanding both Parks and Pathways. The PAD requires 36.2 acres of open space within District 3 where the site is located. Only 33.139 acres exist at this time. Thus an open space deficit of 3.061 acres exists. All other parcels within District 3 have been developed. Therefore a minimum of 3.061 acres of open space must be provided on the site. The applicant's latest site plan only shows 0.25 acres of open space. Allowing the applicant to ignore the mandate set forth in the PAD would increase Park and Pathway congestion in the region and reduce connectivity for those who wish to bicycle to work or for pleasure-fitness. This issue could set the stage for a denial of the applicant's proposal, particularly if the coalition suggested in Recommendation #9, below, organizes around this issue.
4. The other major point of concern for *Protect Smithville Vision* supporters is the applicant's proposal to orient the northern tier of units so the rear of each faces Old Oak Lane and to erect a six-foot wall between these units and the street. Both would degrade the streetscape along with the sense of public safety and community. As City staff has recommended, homes along Old Oak Lane should face the street and the wall should be eliminated.
5. A [Risky Option](#) is offered for consideration by *Protect Smithville Vision* that *may* be a key to victory.
6. Additional research is suggested regarding [traffic impacts](#), [crime](#), the effect of unit upkeep on [property value](#), and [parking](#) adequacy. All of this research can be conducted by *Protect Smithville Vision* volunteers. There's no need to pay CEDS or anyone else to carry out this research.

7. Allow CEDS to continue assisting in finding and working with an attorney who will consent to be named as *Protect Smithville Vision's* legal counsel for a token fee. This will increase negotiating leverage with the applicant by raising the specter of a protracted legal battle.
8. Continue to demonstrate widespread community support by building upon the incredible 1100 signatures gathered on the *Protect Smithville Vision* petition. Seek to turn-out a standing room only crowd for any future meetings or hearings.
9. Seek a coalition composed of neighborhood groups adjoining other vacant PAD sites elsewhere in Smithville where an applicant might seek to ignore Park or Pathway requirements. Convincing these groups to support *Protect Smithville Vision* in exchange for supporting them come their time of need will greatly increase your clout with the Mayor and City Council.

PROJECT DESCRIPTION

As shown below, the Smith Park is proposed for a 13.3-acre site located south of Old Oak Lane, north of Smith Park Elementary School, west of North Whisperwood Drive, and east of North 151st Drive.

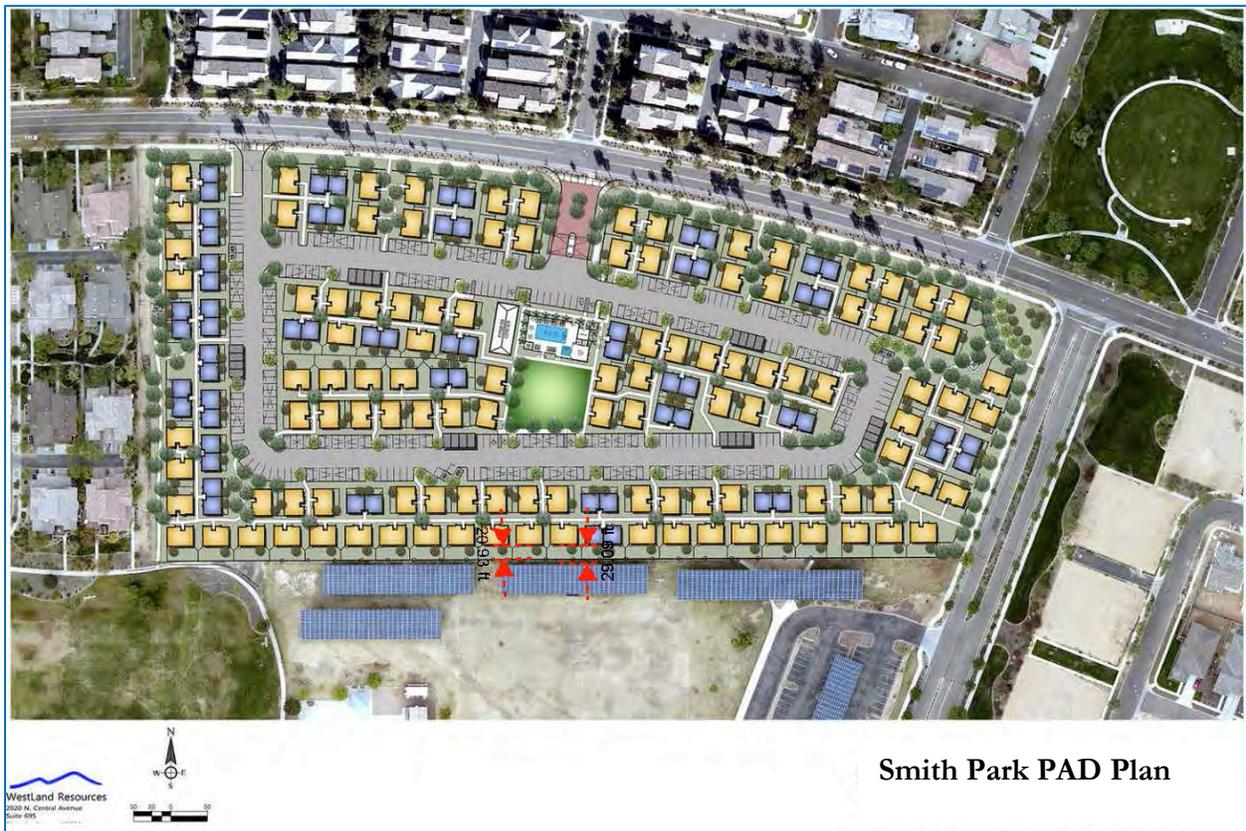


Site Location & Vicinity

The most recent Site Plan appears below. The following project description is from the *Protect Smithville Vision* website:

“Smith Park would be 174 single-story gated rental complex enclosed behind a 6-foot high wall. Over 75% of the units would be detached two-bedroom, 1000 square foot units; the remaining 40 units would be one-bedroom duplexes (each duplex approximately 1400 square feet).

Each unit would have a small backyard but no attached garage. Per the plan, there are 334 parking spaces in total and only 20 single car garages for the entire rental complex. A swimming pool and exercise room are planned but no park or green space. There would be one gated entrance to the rental complex coming in off Old Oak Lane and one exit further down that same street.”



June 14, 2017 Site Plan from the Protect Smithville Vision website

ISSUES

The “vision” referenced in *Protect Smithville Vision* is that set forth in the Smith Park Planned Area Development document and what area residents were led to believe about how the 13.3-acre Smith Park site would be developed.

Streetscapes, Public Safety & Sense of Community

The existing neighborhood consists of single-family, detached homes facing out towards the street. Orienting homes towards a street provides a more pleasing view (streetscape) compared to views of the rear of homes. It also imparts a greater sense of safety through the visibility of homes on one side of a street to those living on the opposite side as well as to passing pedestrians and motorists. Finally, orienting front doors and porches to adjoin streets creates an atmosphere more conducive to friendly, supportive neighborhoods.

The 174 proposed units would disrupt these three key elements in two ways:

- The applicant has proposed that the rear of homes would face Old Oak Lane and Whisperwood Drive, and
- A six-foot high wall would be constructed between the streets and the proposed housing units.

This issue would be addressed through the City of Smithville Site Plan review process.

Park & Pathway

The Concept Development Plan and On-Site Circulation plans contained in the Smith Park Planned Area Development (PAD) document shows a Pathway through the site along with a Secondary and Primary Linear Park. The Site Plan, dated June 14, 2017, shows neither feature. The applicant claims that elevated solar panels just the south, on the Smith Park Elementary School campus, precludes the park and pathway.

Protect Smithville Vision supporters view both the Pathway and the Park as essential to preserving their quality of life. If overuse and congestion at park and recreation facilities is to be avoided then the supply of both must increase as more housing units are added to the area. It appears from Table 12-1, of the City of Smithville Unified Development Code, these deviations from the PAD document constitute a Major PAD Amendment. If this is correct then City Council approval is required.

In addition to these issues, CEDS researched the following potential impacts:

- Increased traffic volume and the effect on congestion as well as safety,
- Area resident concerns regarding effect of the rental units on crime and property value,
- Adequacy of proposed parking, and
- Need for additional rental housing.

ISSUE ANALYSIS

Following is an analysis of the issues listed above.

Streetscapes, Public Safety & Sense of Community

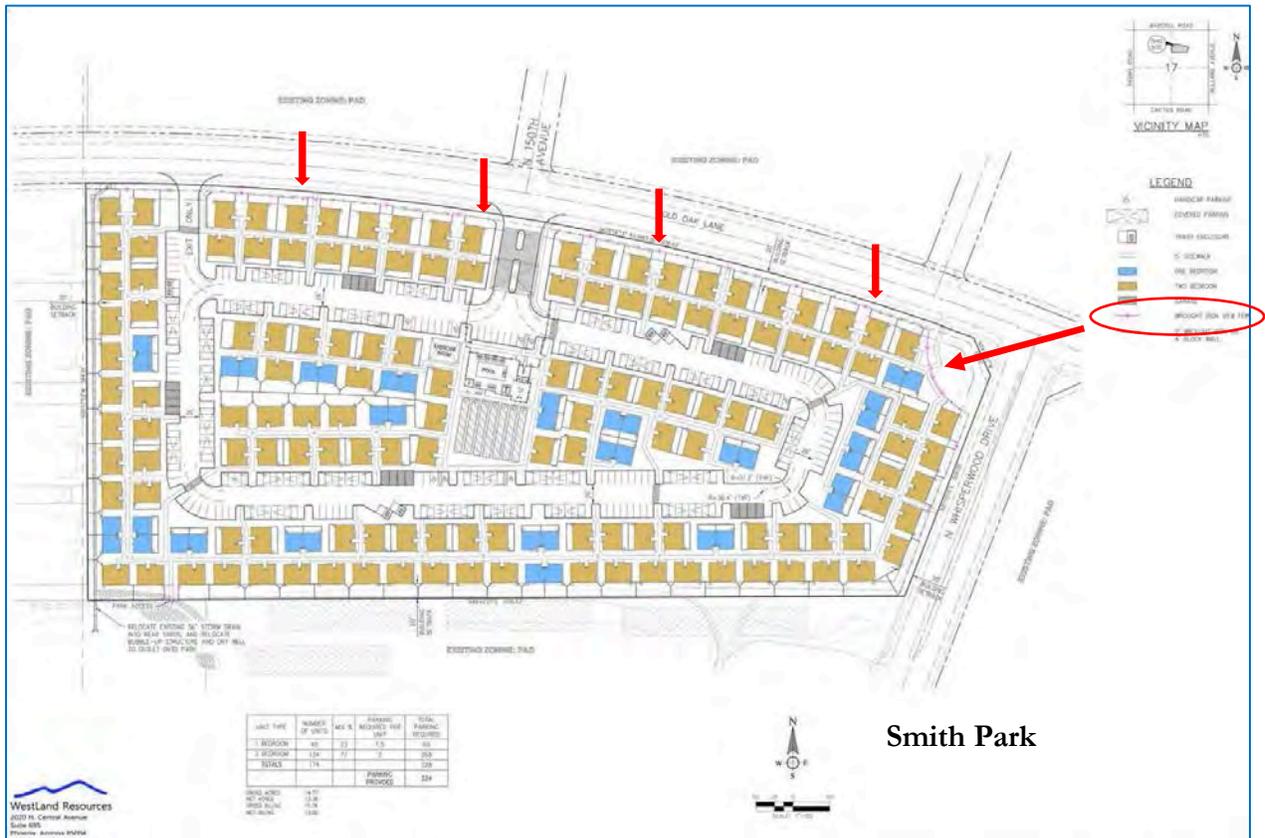
The latest Site Plan shows that the rear of units would face:

- Old Oak Lane,
- the existing homes to the west off of North 151st Street Drive, and

- North Whisperwood Drive.

The greatest concern is caused by the prospect of seeing the rear of units from Old Oak Lane and the existing homes to the north.

The following site plan shows a six-foot high Theme Wall (red arrows) between Old Oak Lane and the northern tier of units. It is shown as four-foot masonry wall topped with a two-foot open section wrought iron fence.



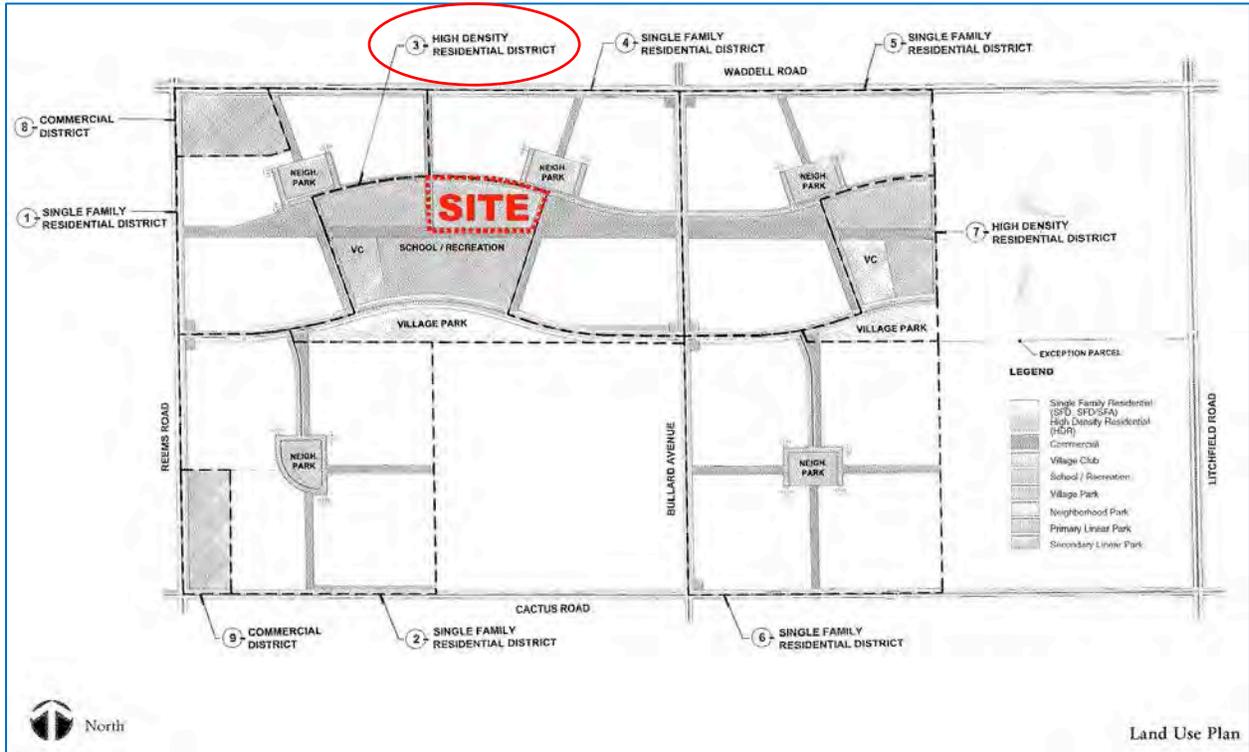
Original Site Plan from the Protect Smithville Vision website

Protect Smithville Vision and City staff would like the front of the proposed homes to face streets. Also, the wall must be eliminated where it would intrude upon the view of homes from Smith Park streets.

Pathway & Park

As stated earlier, the Concept Development Plan and On-Site Circulation plans contained in the Smith Park Planned Area Development (PAD) document shows a Pathway through the site along with a Secondary and Primary Linear Park. To comply with the open space required by the PAD, 3.0 acres of the site must be reserved for this use. While the applicant has proposed a park of about 0.25 acres it is far below the 3.0 acre minimum required.

The *Land Use Plan*, from page 13 of the PAD document, appears below. The 13.3-acre Cottages parcel is identified as SITE. Note that the site is in High Density Residential District 3.



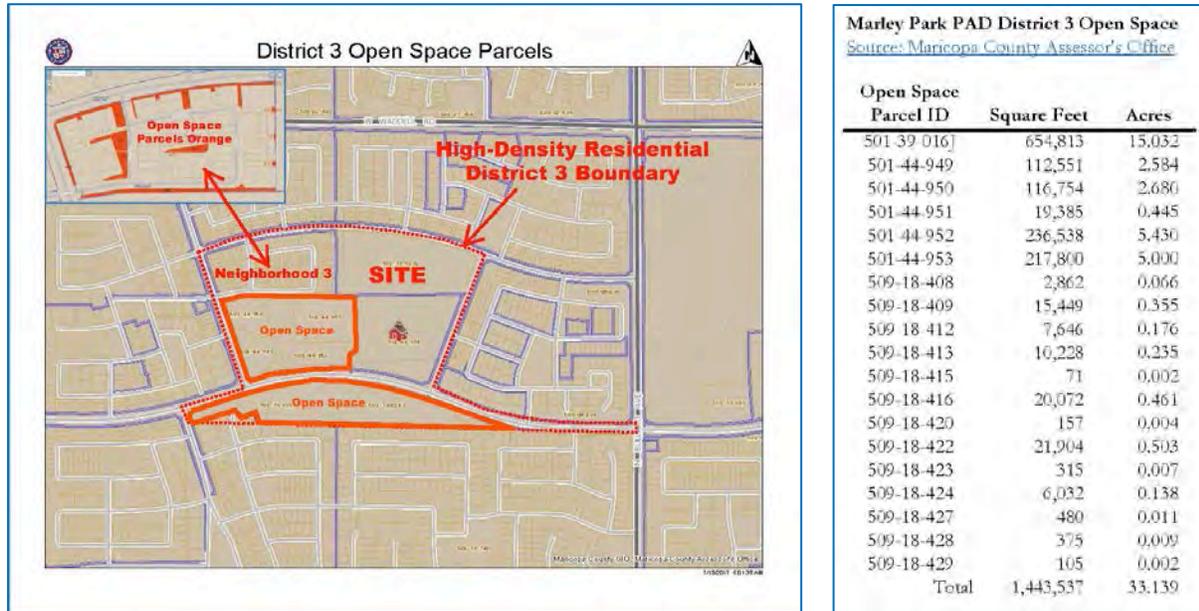
The following *Land Use Summary By District* table appears on page 10 of the PAD document. As noted above, the 13.3-acre Smith Park site is within High Density Residential District 3. Note that the table requires for 36.2 acres of Open Space in the High Density Residential District 3 where the site is located.

Land Use Summary by District

District	Residential	Open Space	Roadways	School	Commercial	Acres	Density	Units
1 - Single Family Residential District	74.1	19.8	8.7			102.6	4.2	430.0
2 - Single Family Residential District	122.4	9.8	10.2			142.4	4.6	654.0
3 - High Density Residential District	27.4	36.2	7.9	10.0		81.5	4.3	348.0
4 - Single Family Residential District	84.5	14.9	14.0			113.4	4.5	506.0
5 - Single Family Residential District	87.9	14.4	13.9			116.2	4.5	528.0
6 - Single Family Residential District	137.1	10.8	11.9			159.8	4.8	760.0
7 - High Density Residential District	20.6	21.0	4.7			46.3	5.9	274.0
Subtotal	554.0	126.9	71.3	10.0		762.2	4.6	3,500.0
8 - Commercial			2.2		15.0			
9 - Commercial			2.2		15.0			
Total	554.0	126.9	75.7	10.0	30.0	796.6	4.4	3,500.0

Land Use Summary By District

“Open Space” is defined in PAD Section 1.1 as: “Open space elements include village parks, village recreation clubs, trails and a linear park system · all of which define a hierarchy of open space and recreational amenities.”



The figure above is from the [Maricopa County Assessor's Office online](#) parcel map. High Density Residential District 3 is bounded by the dashed red line. Orange outlines or fills existing open space parcels. Neighborhood 3 open space parcels are shown in the inset in the upper left. The 13.3-acre Cottages parcel is labeled SITE. The table to the right lists the acreage of the existing open space parcels within High Density Residential District 3. These acreages were obtained from the [Maricopa County Assessor's Office online](#) parcel map. Note that the total is 33.139 acres.

The *Land Use Summary by District* table on the preceding page requires for 36.2 acres of Open Space within the High Density Residential District 3 where the site is located. The existing open space deficit within District 3 is 3.061 acres (36.2 – 33.139).

The Cottages site is the last vacant parcel within the Smith Park PAD High Density Residential District 3. The applicant is proposing just 0.25 acres of Open Space on the 13.3-acre site. Therefore the applicant must set aside another 2.8 acres as open space to meet the requirement set forth in the *Land Use Summary by District* table for District 3.

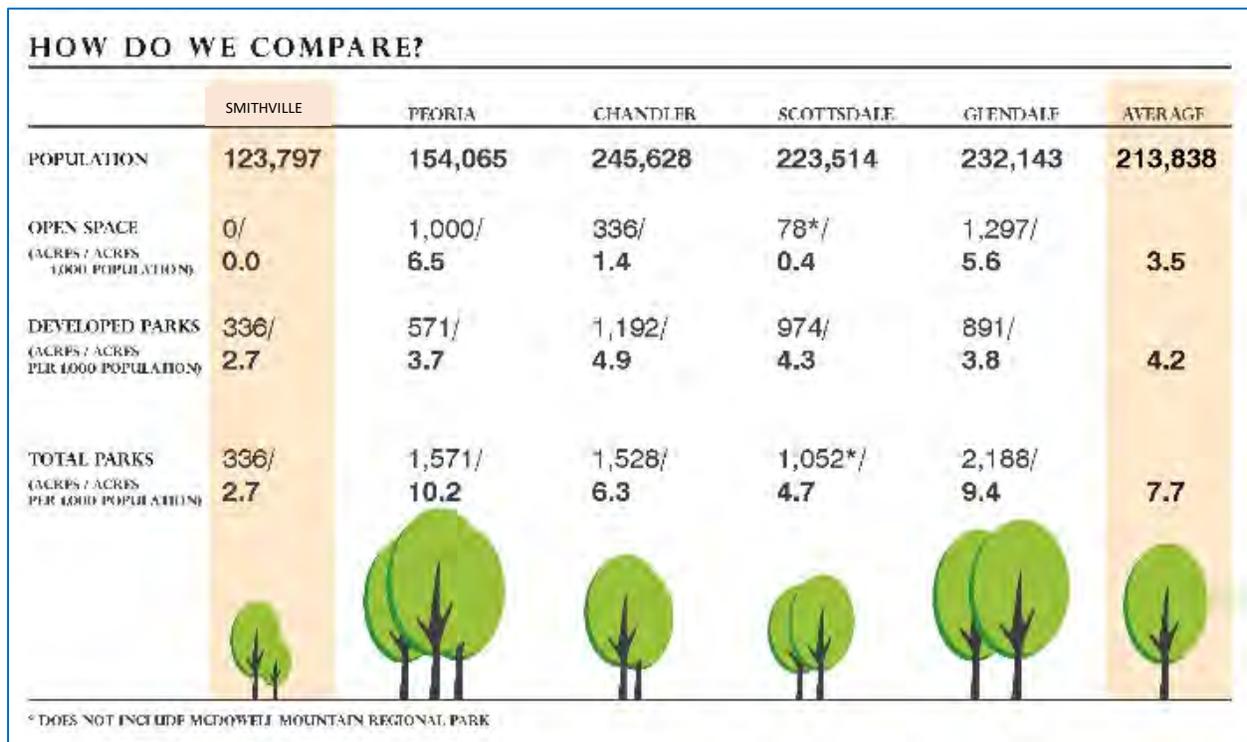
The applicant claims there is insufficient room on the 13.3-acre site for the 174 proposed units and a larger park along with a pathway. It appears that the only reason why space is lacking is because the applicant has proposed too many units for the site.

The applicant also claims that elevated solar panels just to the south on the Smith Park Elementary School campus precludes the park and pathway. Yet the Site Plan shows proposed housing units a mere 20 feet from the school campus and 30 feet from the solar panels. It is

unclear why housing units can be so close to the solar panels but not a park or pathway. The City of Smithville Unified Development Code was searched for some regulation restricting proximity to solar panels but none was found.

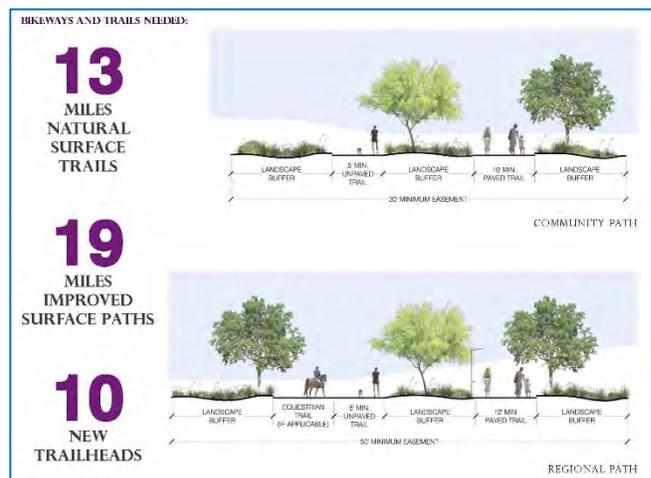
While these two claims seem spurious reasons for ignoring the park and pathway requirement, there are very compelling reasons why the City must compel the applicant to meet both requirements.

The following table appears on page 2 of the City of Smithville Parks and Recreation Master Plan. This table shows that the ratio of park and open space acreage per 1,000 City residents is far below that of other localities.



The figure to the right is also from the Master Plan (p. 16). This figure shows that the City of Smithville needs another 32 miles of bikeways and trails (13 + 19 + 10 = 32).

The map on the next page is also an excerpt from Park System Master Plan (p. 5). This excerpt shows that the 13.3-acre site adjoins a Community Path connecting Smithville Community Park with Heritage Park. The Pathway required for the site interior by the PAD would provide a connection likely to be of great importance to Smith Park



residents. The Pathway would also improve bicycle and pedestrian circulation throughout the area.



Given the importance of the Park and Pathway, the applicant's claims regarding lack of room and solar panel proximity are no excuse for seeking to disregard the PAD requirement. Allowing the site to develop without both amenities would make Smithville parks and pathways even more congested.

Traffic

The Site Plan shows a main access onto Old Oak Lane opposite North 150th Avenue and a second exit-only access onto Old Oak Lane 500 feet to the west. Each of the 174 units proposed for the Smith Park would add 0.58 peak-hour trips for a total of 101 more trips on Old Oak Lane during the morning and evening rush-hour. This is about the same number of trips that would come from developing the site with single-family detached homes.

Information on current trip volume and accident history was needed by CEDS to assess the effect of additional traffic on congestion and safety. CEDS found several sources of data but it was not sufficiently detailed. The City of Smithville Traffic Management Map provides traffic volume data for major roads in the area such as Waddell, Bullard, and Reems, but not for Old Oak Lane. The Smithville City Wide Traffic Count website also lacks data for Old Oak Lane.

Given the lack of data for Old Oak Lane, here are a few indicators that *Protect Smithville Vision* supporters can use to determine if existing traffic may be approaching a critical threshold. A yes to any of these indicator questions is a cause for concern:

1. At rush-hour, do those living off of North 150th Avenue have to wait more than an average of 30 seconds to make a turn onto Old Oak Lane?
2. Does it take an average of 30 seconds or more at rush-hour to make a turn from Old Oak Lane onto North Bullard Avenue?
3. Does it usually take more than one green cycle to get through the nearest signalized intersections in the area?

If *Protect Smithville Vision* supporters feel that any of these indicators are present then CEDS can conduct further research into this issue. Additionally, it would be helpful to know how many accidents have occurred on Old Oak Lane during the past 12 months.

Crime

Crime and blighting (due to poor exterior upkeep) are two issues which frequently arise in the context of rental housing. Neither issue is likely to be a concern if the Smith Park will have the same characteristics as those portrayed for the Cotton Gin project described below under Decision-Making History.

The Cotton Gin applicant (Metro) claims to have built 15 similar projects in the Tucson area. If the Smith Park is another Metro project or is very similar, then a bit of research will show whether crime and upkeep is an issue. The research is really quite simple and can (should) be done by *Protect Smithville Vision* supporters:

1. Identify the oldest, projects in the area similar to what's proposed for the Smith Park. The Metro website lists their neighborhoods, some which are much closer than Smithville.
2. Drive through the projects to judge upkeep first hand.
3. Stop by the rental office and ask if (as was claimed by Metro during the Cotton Gin hearing) it's true that:
 - a. Tenants stay for an average of 28 months, and
 - b. Criminal background checks are run on prospective tenants.
4. Talk to several residents you see walking along project streets. Say you and your family are thinking of renting a unit within the project. Ask how long the current resident has lived there, what they like-dislike, and if the community is safe.
5. Contact those living nearby, but outside the project boundary. Tell them that a similar project is proposed next to your neighborhood and you're researching how it might affect you and your neighbors. Ask if the project had an effect on their quality of life.
6. Ask local law enforcement officials how crime rates in each project compares with other neighborhoods in the area. You can also find crime data:
<https://communitycrimemap.com>.

Parking

The Site Plan shows 334 parking spaces. The amount of parking appears to conform to the requirements of Section 122-133(e) of the City of Smithville Land Development Ordinances. To confirm that this is sufficient parking a 7th research item is suggested in addition to the six listed above under the heading of [Crime](#).

When visiting similar communities see how many parking spaces within the project are empty. If empty spaces exist in the evening and on weekends then parking is probably adequate. Divide the number of spaces by the number of units to see if the ratio is comparable to what's proposed for the Smith Park: 334 spaces ÷ 174 units = 1.9 spaces per unit. Ask neighbors how often parking overflows from the project onto nearby streets. This research can begin by viewing the projects on recent aerial photos.

Property Value

A negative effect on property value is unlikely if:

- The visual buffering recommended earlier in this analysis is provided,
- The research into crime and upkeep shows no significant concerns, and
- The Park and Pathway requirement is met.

If all three conditions are not met then a property value loss to nearby homeowners could result from the Smith Park.

Need for Additional Rental Housing

The Cotton Gin PAD amendment is reviewed in the [Decision-Making History](#) section of this analysis. This amendment was approved by the City Council on June 1, 2017. The amendment allows the construction of 127 single-story attached and detached rentals units. The 127 units appear similar to those proposed for the Smith Park. Presumably there are other recently approved projects composed of units targeting the same rental market. This raises a question of need: Is the supply of rental units headed towards outstripping demand in the vicinity of Smith Park or the City proper?

If yes, then this should make it easier to win City support for forcing the applicant to make changes addressing *Protect Smithville Vision* concerns. However, it appears that rental housing supply is well below demand based on an April, 2016 report entitled *Comprehensive Housing Market Analysis Smithville*. The following text appears on page 12 of this U.S. Department of Housing and Urban Development report:

“During the next 3 years, demand is expected for 39,150 new rental units in the HMA (Phoenix-Mesa-Scottsdale, Arizona Housing Market Area). The estimated 3,600 units currently under construction and 7,650 additional planned completions will meet a portion of the expected demand.”

This finding indicates that a need does exist for additional rental units in the region, though this does not necessarily mean units of the type proposed for the Smith Park. If similar projects are visited (as suggested above under the heading of [Crime](#)) ask rental office staff how many

vacancies exist. If there's a long waiting list then the demand likely outstrips supply, particularly if the project is near Smith Park.

A Risky Option Worth Considering

Protect Smithville Vision should consider an additional option that is fraught with potential thorns but could be a key to victory if handled in the right way.

The applicant is proposing one-story units. The applicants may have originally hoped to build multistory structures but pulled back as a result of the intense community opposition this created among those living in the vicinity of the Cotton Gin site (*see [Decision-Making History](#) below*). I also suspect that *Protect Smithville Vision* supporters would strongly oppose more than one-story units. However, what if a proposal was made of possible support for two-story units along the south side of the site, out of view of any existing homes? This would make it easier to accommodate the improved visual buffering along Old Oak Lane and to fit in the Park and Pathway. It should also provide the same profit for the applicant.

If area residents understood the benefits of the trade-off then they might go along with this tactic, albeit grudgingly. And if the applicant agrees then everyone wins. Should the applicant refuse then *Protect Smithville Vision* is in a great position to show the Mayor and City Council that you went far beyond the extra mile to try and work with the applicant but they blew you off.

DECISION-MAKING HISTORY

In this section an analysis of past City decision-making regarding Planned Area Development (PAD) projects is reviewed. This research provides information crucial to formulating a strategy for achieving *Protect Smithville Vision* goals.

A significant weakness of this analysis is that it is based on projects that came before the City of Smithville Planning & Zoning Commission. Unlike online resources in other counties and cities, the Commission's website does not show project applications that were withdrawn. While withdrawals tend to account for a small percentage of project proposals, convincing staff and the Commission to impose conditions that prompt withdrawal is always an important strategy option to consider. With this caveat in mind, the following analysis is offered with a grain of salt.

If deletion of the Pathway and Park is a Major PAD Amendment then decision-making would begin with a review by City of Smithville Community Development Department staff. It is assumed staff would prepare a report to the Planning & Zoning Commission. The report would analyze the applicant's request with regard to the City Land Development Ordinances, the Comprehensive Plan, and other plans or policies. In the case of a Major PAD Amendment the Commission would hold a public hearing then make a recommendation to the City Council. The City Council would then hold its own hearing and make a final decision on the application.

To understand decision-making history, Planning & Zoning Commission minutes were reviewed from January 2014 to June 2017 for agenda items involving Planned Area Development (PAD).

During this 42-month period 24 PAD items came before the Commission. CEDS created an Excel file of the decision-making history for these 24 PAD items. Clicking on the blue-

highlighted *Approve* text in the Excel file will take you to the video and minutes from the City Council hearing.

Commission & Council Actions

Of the 24 items, the Commission recommended approval for all but two. One item – a Site Plan Amendment of the Mountain Vista Ranch PAD – was tabled. A request to amend the Cotton Gin PAD to allow residential units on an area slated for commercial development was the subject of two Commission motions. The first motion was for denial which failed 2 to 4. The second motion was for approval which passed 4 to 2.

Of the 24 items, seven required City Council action, including Cotton Gin. Of these seven, six were approved. It is unclear how the Council acted on the seventh (Paradise Acres Commercial Center rezoning).

When compared to the many other jurisdictions in the U.S. where CEDS has helped people concerned about growth issues, both the Commission and the Council appear to be applicant oriented as reflected by the lack of denials in 42 months. However, the Commission did adopt a number of stipulations recommended by staff. A substantial number of the stipulations resolved impacts.

It is interesting that until June 2015, the Planning & Zoning Commission minutes noted the staff recommendation. This raises two questions: Was the absence of a staff recommendation following June 2015 due to the Commission only hearing items where staff recommended approval? Or was it because the Commission wished to avoid the appearance of conflict by approving an application over staff objections?

I understand that City staff support the *Protect Smithville Vision* position regarding the rear of units facing Old Oak Lane. I also understand that after the applicant was made aware of how staff felt about this issue, no changes were made to the Site Plan. If this is correct then the applicant's apparent indifference may be a reflection of the Commission (and Council) paying little heed to staff.

Cotton Gin PAD Amendment

The most informative PAD item was the June 1, 2017 City Council hearing on the Cotton Gin amendment. The applicant (Metro) was seeking to develop a 10.8-acre parcel with multifamily units. The parcel is at the northeast corner of West Waddell Road and North Reems Road, just 0.4 miles from the Smith Park site. The parcel was designated for commercial development in the Cotton Gin PAD document.

The amendment drew intense opposition from area residents, mostly due to the applicant's proposal to construct multistory units. The applicant's attorney, Brian Greathouse, noted considerable push-back via Yelp(?) as well. There was also concern about increased traffic on West Waddell Road.

The applicant revised the plan to show only one-story (18-foot high) Casita-style units. This apparently satisfied most of those opposed to the application. Those concerned about traffic seem to have been mollified after learning of plans to widen West Waddell Road to six lanes.

One person spoke about concerns regarding property value effects. There was very little opposition at the June 1st City Council hearing.

The applicant or staff also offered the following to address concerns:

- Metro has developed 15 Casita-style projects in Tucson,
- These projects go for the highest rent in the area,
- Unit residents stay for an average of 28-months, and
- Criminal background checks are run on prospective tenants.

These and other claims should be verified if the Smith Park resemble those approved for the Cotton Gin commercial parcel.

The Mayor and several City Council members remarked on how pleased they were that area residents worked with the applicant and staff to resolve concerns. This reinforces the value of exhausting efforts to work cooperatively with staff and the Smith Park applicant.

Commission Action on Relevant Issues

In hopes of determining how the City acted on past PAD amendment requests regarding the two primary issues of concern to *Protect Smithville Vision*, the Commission minutes for the 24 items were searched for the keywords: face, landscaping, orient (orientation), park, pathway, view and visual. Hits occurred for one keyword in the context of a PAD: landscaping:

The July 21, 2016 minutes noted that landscaping met City requirements for the Sierra Verde Planned Area Development (PAD). Landscaping was also referenced in the November 3, 2016 minutes regarding the Smithville Center PAD site plan. Since the Commission voted to approve both applications they apparently found landscaping acceptable.

A hit also occurred for “face”, but not in the context of a PAD. The following text appeared in the portion of the June 5, 2014 minutes regarding the Greenway Marketplace Shops 2:

“Commission discussed that the back of the [commercial] building faced Greenway and requested architecture or enhancements be made.”

This comment indicates that building orientation and effect on views from streets is a matter of concern to the Planning & Zoning Commission, at least for a commercial building.

ATTORNEY SEARCH

Protect Smithville Vision asked CEDS to search for an attorney to represent their interests. CEDS maintains a [national database](#) of attorneys recommended by land use and environmental groups as having a good reputation for helping people concerned about proposed development and other projects. Unfortunately only one Arizona attorney was in the database and he is unable to take the case. Nine additional land use and environmental groups active in the Phoenix area and faculty at the University Of Arizona College of Law were sent emails asking if they could suggest an attorney. Two names were provided though both mostly represent development interests.

Given the low probability of preventing the City from approving the Smith Park, the principal benefit of retaining an attorney is to convince the applicant that *Protect Smithville Vision* is committed to a protracted battle that could tie up the project for several years through appeals. The ideal attorney for *Protect Smithville Vision* would be one with a good reputation for helping others with land use-zoning cases and is willing to accept a minimal fee in exchange for allowing them to be named as your legal counsel. This would send the right message to the applicant without exhausting *Protect Smithville Vision* financial resources. One attorney is considering the case at this time.