



# Agenda

## City Council Formal Meeting

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Wednesday, January 5, 2022

2:30 PM

phoenix.gov

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**\*\*\*REVISED Jan. 4, 2022\*\*\***  
**Items Added: 105-107**

### OPTIONS TO ACCESS THIS MEETING

#### *Request to speak at a meeting:*

- **Register online** by visiting the City Council Meetings page on phoenix.gov **at least 1 hour prior to the start of this meeting**. Then, click on this link at the time of the meeting and join the Webex to speak:  
<https://phoenixcitycouncil.webex.com/phoenixcitycouncil/onstage/g.php?MTID=eac584953be7bbcd23169fa6c756e4570>

- **Register via telephone** at 602-262-6001 **at least 1 hour prior to the start of this meeting**, noting the item number. Then, use the Call-in phone number and Meeting ID listed below at the time of the meeting to call-in and speak.

#### *At the time of the meeting:*

- **Watch** the meeting live streamed on phoenix.gov or Phoenix Channel 11 on Cox Cable, or using the Webex link provided above.

- **Call-in** to listen to the meeting. Dial 602-666-0783 and Enter Meeting ID 2558 690 9904# (for English) or 2557 346 3340# (for Spanish). Press # again when prompted for attendee ID.

#### *Para nuestros residentes de habla hispana:*

- **Para registrarse para hablar en español**, llame al 602-262-6001 **al menos 1 hora antes del inicio de esta reunión** e indique el número del tema. El día de la reunión, llame al 602-666-0783 e ingrese el número de identificación de la reunión 2557 346 3340#. El intérprete le indicará cuando sea su turno de hablar.

- **Para solamente escuchar la reunión en español**, llame a este mismo número el día de la reunión (602-666-0783; ingrese el número de identificación de la reunión 2557 346 3340#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

**CALL TO ORDER AND ROLL CALL****BOARDS AND COMMISSIONS**

- |   |   |         |
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| 1 | <b>Mayor and Council Appointments to Boards and Commissions</b> | Page 11 |
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**LIQUOR LICENSES, BINGO, AND OFF-TRACK BETTING LICENSE APPLICATIONS**

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| 3  | <b>Liquor License - Over Easy</b>   | District 3 - Page 18 |
| 4  | <b>Liquor License - Uncle Bear's Grill and Tap</b>  | District 3 - Page 20 |
| 5  | <b>Liquor License - Special Event - Brophy College Preparatory</b>                            | District 4 - Page 25 |
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| 7  | <b>Liquor License - Lou Malnati's Pizzeria</b>  | District 4 - Page 27 |
| 8  | <b>Liquor License - The Nio Market</b>  | District 4 - Page 29 |
| 9  | <b>Liquor License - Speedway #3</b>   | District 4 - Page 34 |
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| 12 | <b>Liquor License - Over Easy</b>   | District 6 - Page 46 |
| 13 | <b>Liquor License - Over Easy</b>   | District 6 - Page 48 |
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47	<b>Amendments to Classification Plan S-5815 in Accordance with Human Resources Committee 612A Recommendations (Ordinance S-48258)</b>	Citywide - Page 140
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80	<b>27th Avenue Materials Recovery Facility Equipment Replacement - RFP 22-SW-014 - Requirements Contract (Ordinance S-48229)</b>	District 7 - Page 203
81	<b>Parking Meter Contract - Amendment (Ordinance S-48247)</b>	District 4 - Page 206 District 7 District 8
82	<b>Itron AMR Equipment Purchase, Software Support and Maintenance Agreement - Amendment (Ordinance S-48218)</b>	Citywide - Page 208
83	<b>CUES Equipment and Service Agreement - Request for Award (Ordinance S-48221)</b>	Citywide - Page 210
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88	<b>Final Plat - Serene at South Mountain - PLAT 210052 - 9th Street and Highline Canal</b>	District 8 - Page 217

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| 90 | <b>Final Plat - Elevate on Central - PLAT 200609 - Northwest Corner of Central Avenue and South Mountain Avenue</b>  | District 8 - Page 219 |
| 91 | <b>Final Plat - Tierra Montana Parcel 6 - PLAT 210017 - South of Elliot Road and East of 59th Avenue</b>   | District 8 - Page 220 |
| 92 | <b>Abandonment of Right-of-Way - ABND 210034 - Southwest Corner of 55th Avenue and Elliot Road (Resolution 21982)</b>  | District 8 - Page 221 |
| 93 | <b>Abandonment of Right-of-Way and Easements - ABND 210045 - Southwest Corner of 55th Avenue and Carver Road (Resolution 21983)</b>  | District 8 - Page 222 |
| 94 | <b>Abandonment of Easements - ABND 210046 - East Fremont Road and South 10th St. (Resolution 21984)</b>  | District 8 - Page 223 |
| 95 | <b>Amend City Code - Official Supplementary Zoning Map 1228 (Ordinance G-6940)</b>   | District 7 - Page 224 |
| 96 | <b>Amend City Code - Ordinance Adoption - Rezoning Application Z-54-21-1 - Approximately 415 Feet West of the Northwest Corner of 31st Avenue and Cochise Drive (Ordinance G-6933)</b> | District 1 - Page 228 |
| 97 | <b>Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-4-21-3 - Southwest Corner of 20th Street and Bell Road (Ordinance G-6938)</b>                                      | District 3 - Page 235 |
| 98 | <b>Amend City Code - Ordinance Adoption - Rezoning Application Z-32-21-3 - Southeast Corner of 23rd Street and Cave Creek Road (Ordinance G-6939)</b>                                  | District 3 - Page 242 |
| 99 | <b>Amend City Code - Ordinance Adoption - Rezoning</b>   | District 4 - Page 250 |
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**Application Z-53-21-4 - Approximately 300 Feet South of the Southwest Corner of I-17 and Campbell Avenue (Ordinance G-6932)**

- 100 **Amend City Code - Ordinance Adoption - Rezoning Application Z-49-21-7 - Approximately 100 feet West of the Northwest Corner of 59th Avenue and Lower Buckeye Road (Ordinance G-6934)** District 7 - Page 257
- 101 **Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-5-21-7 - Approximately 100 feet West of the Northwest Corner of 59th Avenue and Lower Buckeye Road (Ordinance G-6935)** District 7 - Page 268
- 102 **Amend City Code - Ordinance Adoption - Rezoning Application Z-45-21-8 - Approximately 1,050 Feet North of the Northeast Corner of 36th Street and Southern Avenue (Ordinance G-6936)** District 8 - Page 279
- 103 **Amend City Code - Ordinance Adoption - Rezoning Application Z-62-21-8 - Southeast and Southwest Corners of 25th Street and Van Buren Street (Ordinance G-6937)** District 8 - Page 286
- 104 **\*\*\*REQUEST TO CONTINUE (SEE ATTACHED MEMO)\*\*\* (CONTINUED FROM DEC. 15, 2021) - Public Hearing - Certificate of Appropriateness - Appeal of Historic Preservation Commission's Decision on Certificate of Appropriateness Application HPCA 2100117 - 309 W. Monte Vista Road in the Willo Historic District** District 4 - Page 296

#### **ADD-ON ITEMS**

- \*105 **COVID-19 Community and Mobile Testing, Vaccination Health Events and Services - Amendments (Ordinance S-48260) \*\*REQUEST TO ADD-ON\*\*\*** Citywide - Page 334
- \*106 **Amend City Code - Ordinance Adoption - Rezoning Application Z-16-21-6 (The Paisley PUD) - Southeast Corner of 31st Street and Clarendon Avenue (Ordinance G-6942) \*\*\*REQUEST TO ADD-ON\*\*\*** District 6 - Page 337



- \*107 Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-69-20-6 (Autem Row PUD) - Approximately 300 Feet West of the Northwest Corner of 16th Street and Maryland Avenue (Ordinance G-6943) \*\*\*REQUEST TO ADD-ON\*\*\*

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**REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS**

**000 CITIZEN COMMENTS**

**ADJOURN**



City of Phoenix

## City Council Formal Meeting

### Report

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**Agenda Date: 1/5/2022, Item No. 1**

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## **Mayor and Council Appointments to Boards and Commissions**

### **Summary**

This item transmits recommendations from the Mayor and Council for appointment or reappointment to City Boards and Commissions.

### **Responsible Department**

This item is submitted by the Mayor's Office.

## ATTACHMENT A



### City of Phoenix

**To:** City Council  
**From:** Mayor Kate Gallego

**Date:** January 5, 2022

**Subject:** BOARDS AND COMMISSIONS – APPOINTEES

The purpose of this memo is to provide recommendations for appointments to the following Boards and Commissions:

#### **Community Development Review Committee**

I recommend the following for appointment:

##### Laura Bulluck

Ms. Bulluck is the CEO of Hope's Crossing and a resident of District 4. She fills a vacancy and will serve as a representative of the Human Services Commission for a term to expire June 30, 2023.

##### Tamala McBath

Ms. McBath is the CEO of Dress for Success and a resident of District 7. She replaces Audrey Jenkins and will serve as a representative of the Human Services Commission for a term to expire June 30, 2023.

#### **Human Services Commission**

I recommend the following for appointment:

##### Laura Bulluck

Ms. Bulluck is the CEO of Hope's Crossing and a resident of District 4. She will serve as a Category III representative for a term to expire June 30, 2023.

##### Tamala McBath

Ms. McBath is the CEO of Dress for Success and a resident of District 7. She will serve as a Category III representative for a term to expire June 30, 2023.

## **Phoenix Arts and Culture Commission**

I recommend the following for appointment:

### Fernando Hernández

Mr. Hernández is the owner of Testal in District 7 and a teacher at Phoenix Center for the Arts. He fills a vacancy for a term to expire September 30, 2024.

## **Phoenix Employment Relations Board**

I recommend the following for appointment:

### Gregory Fretz

Mr. Fretz serves as Chair of the board and will serve his fourth term to expire December 15, 2024.



## **Liquor License - Dao Kitchen**

Request for a liquor license. Arizona State License Application 163496.

### **Summary**

#### Applicant

Qiaoye Chen, Agent

#### License Type

Series 12 - Restaurant

#### Location

34455 N. 27th Drive, Ste. D160-162

Zoning Classification: C-2 PCD

Council District: 2

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is Jan. 21, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

#### Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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Public Opinion

No protest or support letters were received within the 20-day public comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:  
"I am committed to upholding the best standards for alcohol sales. All our staff will be trained in legal and responsible sales."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"our business will offer guest a comfortable dinning experience."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Dao Kitchen  
Liquor License Map - Dao Kitchen

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

## Liquor License Data: DAO KITCHEN

### Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	1
Beer and Wine Bar	7	1	0
Liquor Store	9	3	1
Beer and Wine Store	10	2	0
Restaurant	12	7	2

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	16.16	31.95
Violent Crimes	9.21	2.07	5.41

\*Citywide average per square mile \*\*Average per square mile within 1 mile radius \*\*\*Average per square mile within 1/2 mile radius

### Property Violation Data

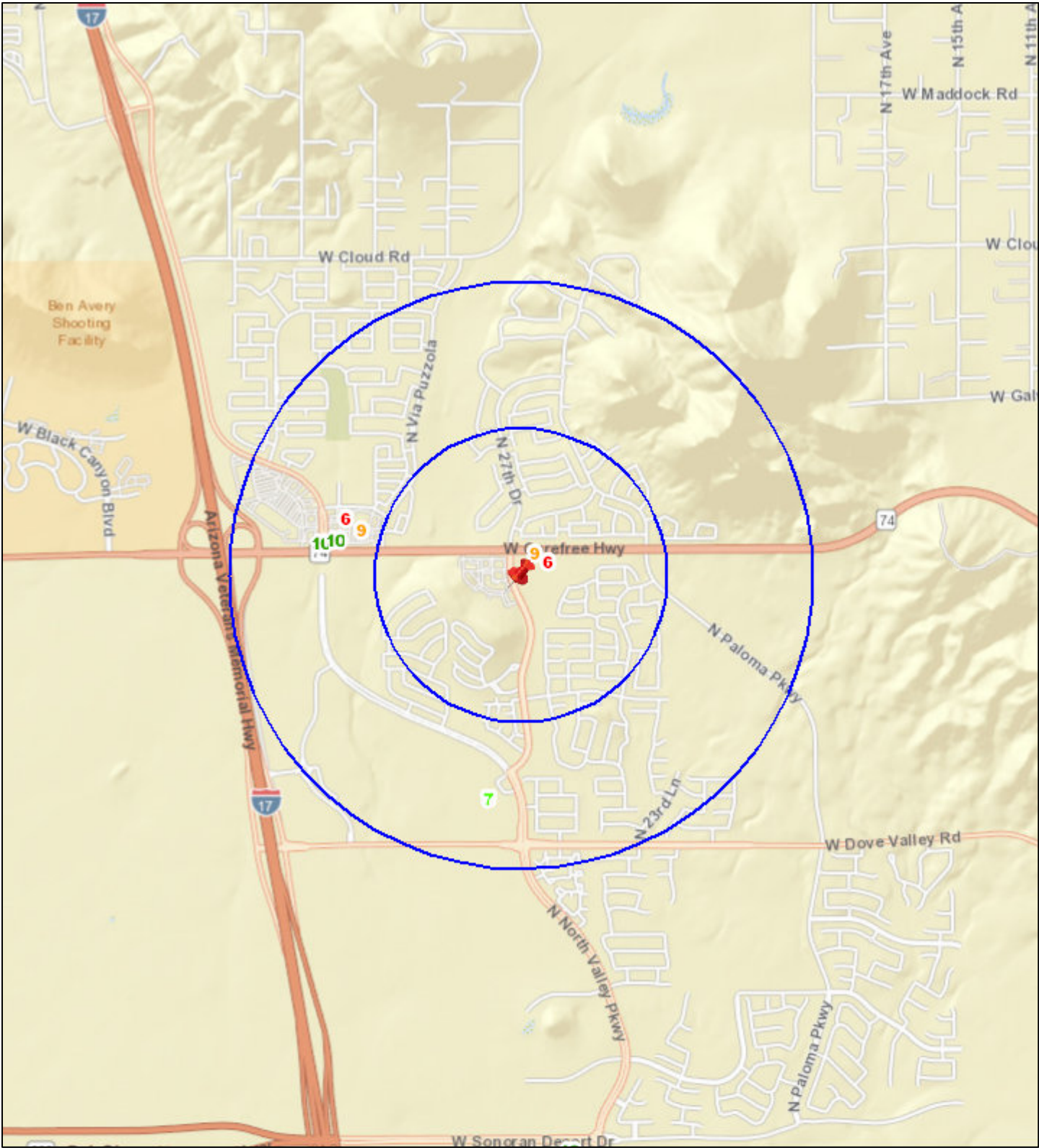
Description	Average	1/2 Mile Average
Parcels w/Violations	56	2
Total Violations	96	2

### Census 2010 Data 1/2 Mile Radius

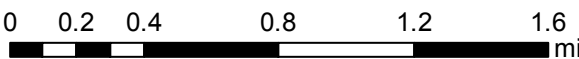
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6106001	157	100 %	0 %	0 %
6106002	522	94 %	11 %	2 %
6106003	2890	73 %	27 %	3 %
6113001	1825	31 %	33 %	6 %
6113002	2090	60 %	27 %	0 %
Average		61 %	13 %	19 %

# Liquor License Map: DAO KITCHEN

34455 N 27TH DR



Date: 11/24/2021







## **Liquor License - Over Easy**

Request for a liquor license. Arizona State License Application 1207B223.

### **Summary**

#### Applicant

Jeffrey Miller, Agent

#### License Type

Series 12 - Restaurant

#### Location

10637 N. Tatum Blvd., Ste. 101A

Zoning Classification: C-1, C-2

Council District: 3

This request is for an acquisition of control of an existing liquor license for a restaurant. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is Jan. 22, 2022.

Pursuant to A.R.S. 4-203, consideration should be given only to the applicant's personal qualifications.

#### Other Active Liquor License Interest in Arizona

This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

#### Public Opinion

No protest or support letters were received within the 20-day public comment period.

#### Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the

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applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:  
“We will continue to abide by Title 4 liquor laws and ensure staff is fully trained.”

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



## **Liquor License - Uncle Bear's Grill and Tap**

Request for a liquor license. Arizona State License Application 169250.

### **Summary**

#### Applicant

Jeffrey Miller, Agent

#### License Type

Series 12 - Restaurant

#### Location

10625 N. Tatum Blvd., Ste. 150

Zoning Classification: C-2

Council District: 3

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Jan. 15, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

#### Other Active Liquor License Interest in Arizona

This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion

No protest or support letters were received within the 20-day public comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:  
"We train all of our employees in responsible liquor service. We also conduct regular audits to ensure they comply."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"We would like the ability to offer our patrons of age, the option of purchasing an adult beverage with their meal if they choose to have one."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Uncle Bear's Grill and Tap

Liquor License Map - Uncle Bear's Grill and Tap

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

# Liquor License Data: UNCLE BEARS GRILL AND TAP

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Beer and Wine Bar	7	2	2
Liquor Store	9	2	1
Beer and Wine Store	10	5	4
Hotel	11	1	0
Restaurant	12	10	7

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	22.50	37.79
Violent Crimes	9.21	1.83	3.29

\*Citywide average per square mile \*\*Average per square mile within 1 mile radius \*\*\*Average per square mile within 1/2 mile radius

## Property Violation Data

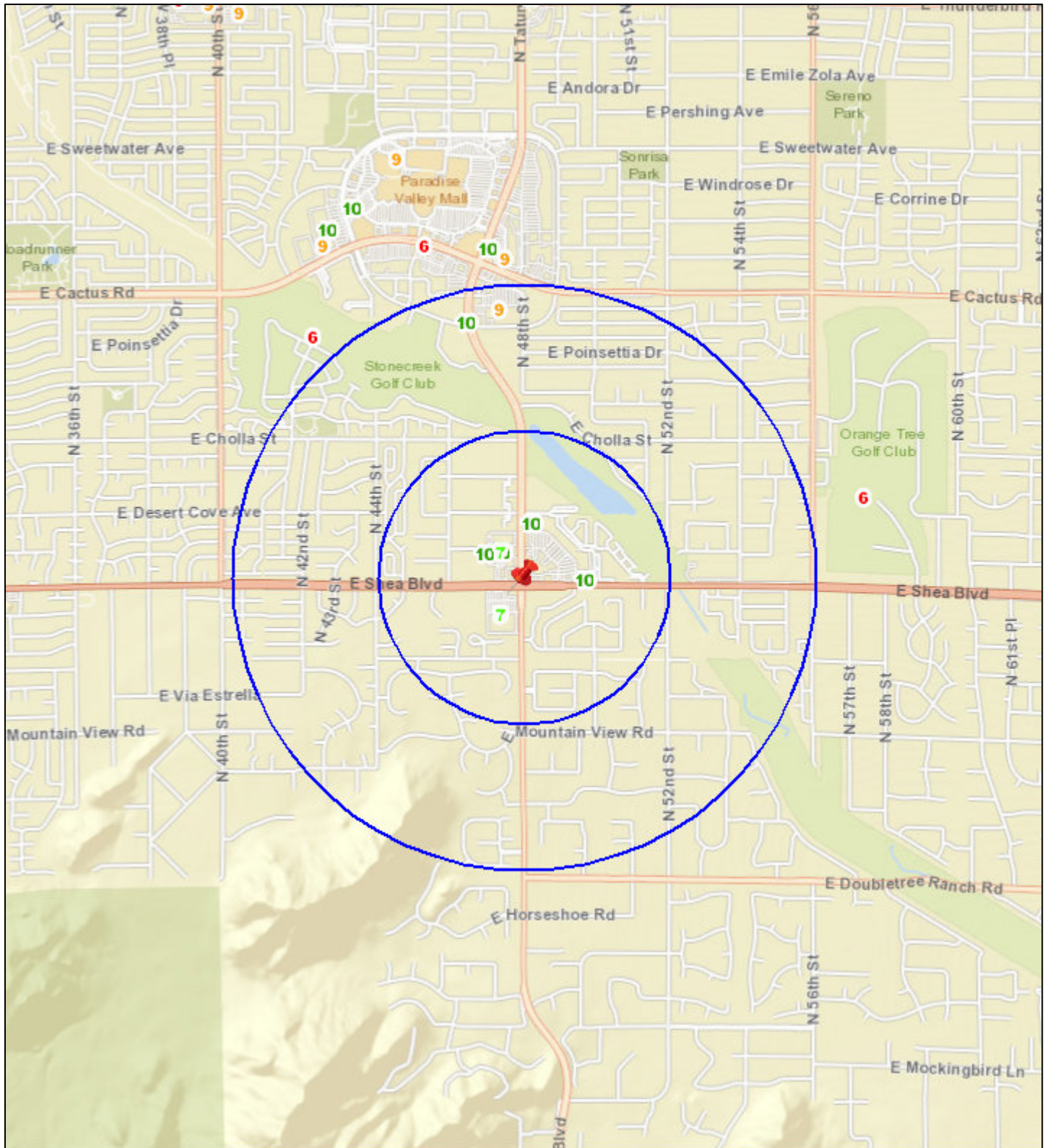
Description	Average	1/2 Mile Average
Parcels w/Violations	57	14
Total Violations	95	17

**Census 2010 Data 1/2 Mile Radius**

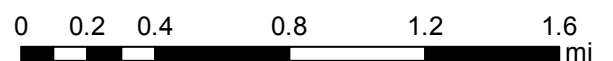
<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1032081	1605	97 %	10 %	12 %
1032083	885	93 %	10 %	0 %
1032092	970	69 %	24 %	27 %
1032093	1766	93 %	17 %	2 %
1032094	1796	71 %	20 %	9 %
1050032	1980	98 %	12 %	10 %
1051012	1805	94 %	8 %	7 %
Average		61 %	13 %	19 %

# Liquor License Map: UNCLE BEARS GRILL AND TAP

10625 N TATUM BLVD



Date: 11/18/2021



City Clerk Department



## **Liquor License - Special Event - Brophy College Preparatory**

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

### **Summary**

#### Applicant

Julie Peterson

#### Location

4701 N. Central Ave.

Council District: 4

#### Function

Dinner

#### Date(s) - Time(s) / Expected Attendance

March 12, 2022 - 5 p.m. to 9 p.m. / 400 attendees

#### Staff Recommendation

Staff recommends approval of this application.

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.





**Liquor License - Special Event - St. Mary's Roman Catholic High School Phoenix**

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

**Summary**

Applicant

Patricia Hollerbach

Location

2525 N. 3rd St.

Council District: 4

Function

Silent Auction

Date(s) - Time(s) / Expected Attendance

April 9, 2022 - 3 p.m. to 10 p.m. / 200 attendees

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



## **Liquor License - Lou Malnati's Pizzeria**

Request for a liquor license. Arizona State License Application 1207A539.

### **Summary**

#### Applicant

Andrea Lewkowitz, Agent

#### License Type

Series 12 - Restaurant

#### Location

100 E. Camelback Road, Ste. 152

Zoning Classification: C-2 TOD-1

Council District: 4

This request is for an acquisition of control of an existing liquor license for a restaurant. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is Jan. 14, 2022.

Pursuant to A.R.S. 4-203, consideration should be given only to the applicant's personal qualifications.

#### Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Lou Malnati's Pizzeria (Series 12)

17787 N. Scottsdale Road, Scottsdale

Calls for police service: N/A - not in Phoenix

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Liquor license violations: None

Public Opinion

No protest or support letters were received within the 20-day public comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:  
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be, or have been, trained in the techniques of legal and responsible alcohol sales and service."

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



## **Liquor License - The Nio Market**

Request for a liquor license. Arizona State License Application 169396.

### **Summary**

#### Applicant

Rohan Pasricha, Agent

#### License Type

Series 10 - Beer and Wine Store

#### Location

2902 N. 16th St.

Zoning Classification: C-2

Council District: 4

This request is for a new liquor license for a beer and wine store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Jan. 16, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

#### Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion

No protest or support letters were received within the 20-day public comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:  
"I am running the gas station business selling liquor such as beer/wine from the last 2 years at another one location."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

"Because I am very responsible businessman always obeys the laws and believe in community service."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - The Nio Market

Liquor License Map - The Nio Market

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

# Liquor License Data: THE NIO MARKET

## Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	7	3
Beer and Wine Bar	7	1	1
Liquor Store	9	3	1
Beer and Wine Store	10	13	6
Restaurant	12	5	3

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	96.94	134.18
Violent Crimes	9.21	19.98	34.07

\*Citywide average per square mile \*\*Average per square mile within 1 mile radius \*\*\*Average per square mile within 1/2 mile radius

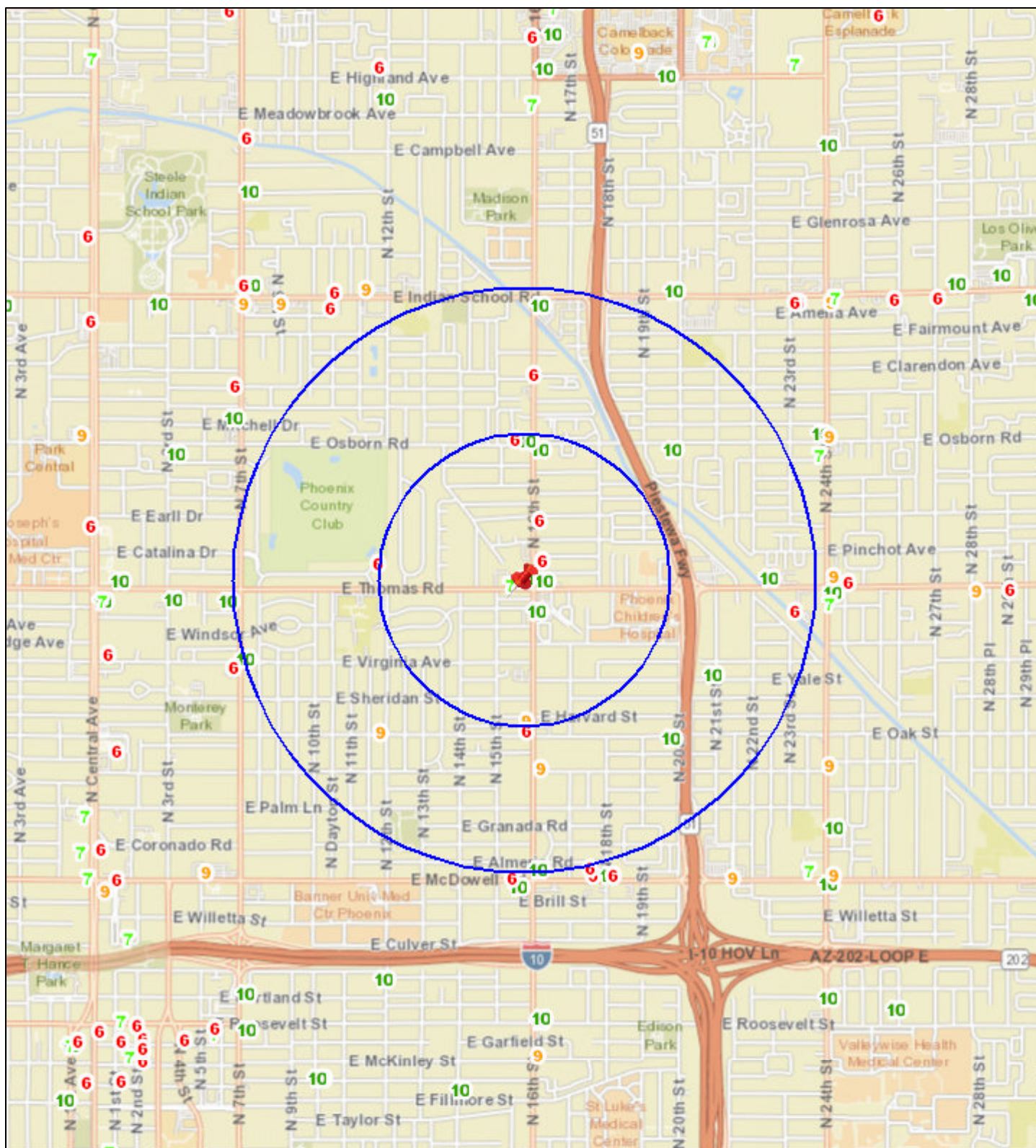
## Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	57	94
Total Violations	95	131

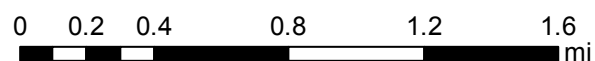
## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1106002	1339	64 %	17 %	24 %
1106004	1456	47 %	27 %	3 %
1107011	887	13 %	17 %	33 %
1107012	1519	40 %	19 %	29 %
1116021	814	0 %	42 %	73 %
1116023	1963	21 %	19 %	82 %
1117001	1792	45 %	32 %	41 %
1117004	1227	75 %	20 %	21 %
Average		61 %	13 %	19 %

2902 N 16TH ST



Date: 11/18/2021



City Clerk Department





## **Liquor License - Speedway #3**

Request for a liquor license. Arizona State License Application 170612.

### **Summary**

#### Applicant

Jarjis Hallak, Agent

#### License Type

Series 10 - Beer and Wine Store

#### Location

1943 E. Oak St.

Zoning Classification: C-1

Council District: 4

This request is for a new liquor license for a beer and wine store. This location was previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is Jan. 23, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

#### Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations

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on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Payless Market 2 (Series 10)  
11021 N. 19th Ave., Phoenix  
Calls for police service: 8  
Liquor license violations: None

Payless Market (Series 10)  
405 S. Arizona Ave., Chandler  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

#### Public Opinion

No protest or support letters were received within the 20-day public comment period.

#### Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:  
"I am capable, qualified and reliable to hold a liquor license as I currently own two other convenience stores where I sell beer and wine. I implement policies to ensure that my employees are familiar with liquor laws & check identification to prevent sales to underage and obviously intoxicated customers. I have not had liquor violations at my other stores."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

"This location is currently licensed with a beer and wine liquor license. I will be taking over the store on January 1, 2022 to continue to provide convenient household items, & beer and wine to the neighborhood instead to having to drive to big box stores for necessities. I will comply with city, state and county laws and work to build a good relationship with the neighborhood."

#### Staff Recommendation

Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments

Liquor License Data - Speedway #3

Liquor License Map - Speedway #3

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

## Liquor License Data: SPEEDWAY #3

### Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	9	1
Beer and Wine Bar	7	3	0
Liquor Store	9	7	2
Beer and Wine Store	10	15	3
Restaurant	12	15	0
Craft Distiller	18	1	1

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	111.94	80.36
Violent Crimes	9.21	26.16	18.68

\*Citywide average per square mile \*\*Average per square mile within 1 mile radius \*\*\*Average per square mile within 1/2 mile radius

### Property Violation Data

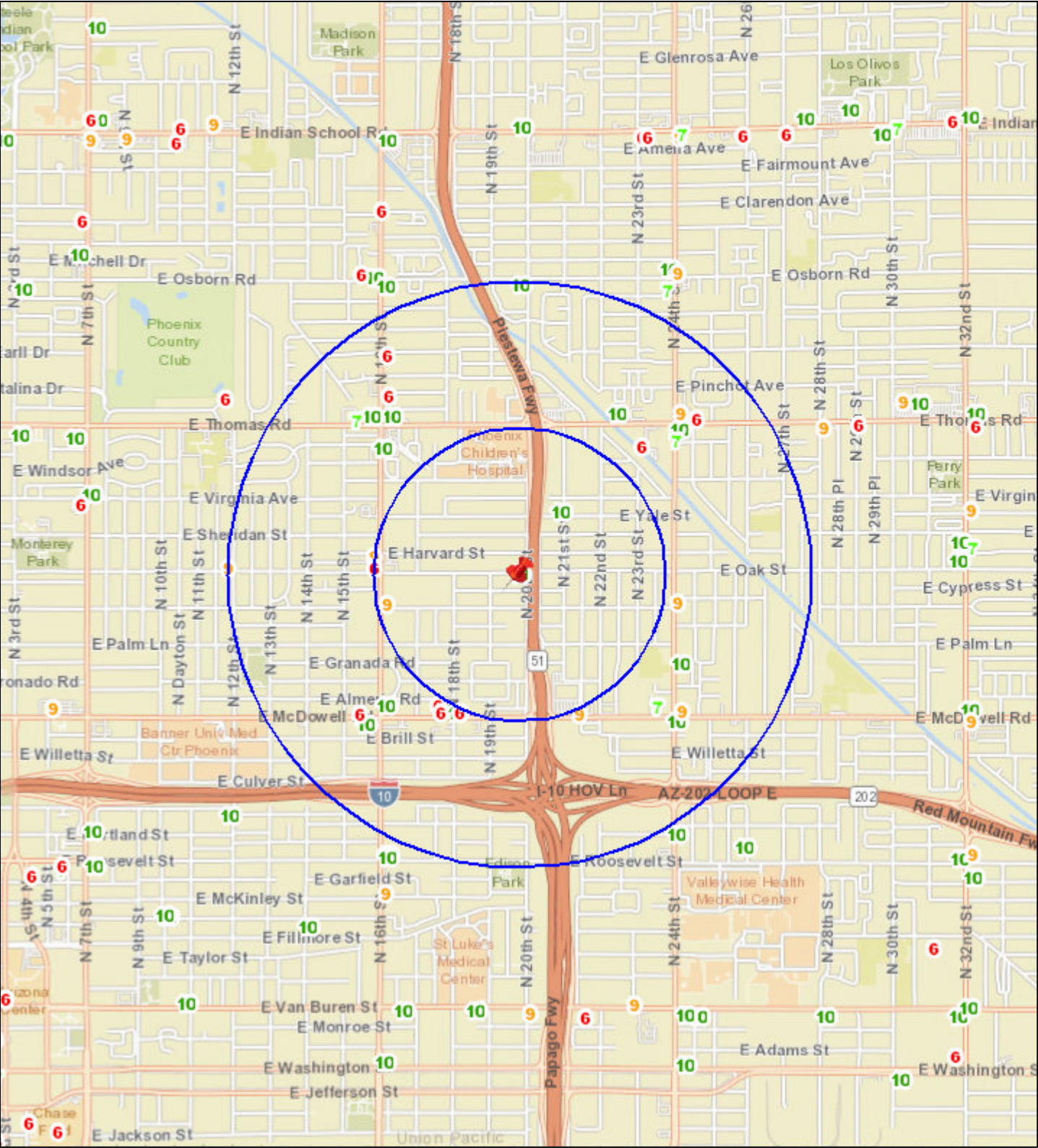
Description	Average	1/2 Mile Average
Parcels w/Violations	56	77
Total Violations	95	129

### Census 2010 Data 1/2 Mile Radius

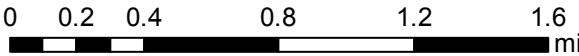
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1116011	1492	55 %	13 %	39 %
1116012	1200	65 %	11 %	40 %
1116021	814	0 %	42 %	73 %
1116022	2607	54 %	9 %	61 %
1116023	1963	21 %	19 %	82 %
1117001	1792	45 %	32 %	41 %
1117002	1243	39 %	12 %	28 %
1133001	2490	40 %	12 %	49 %
Average		61 %	13 %	19 %

# Liquor License Map: SPEEDWAY #3

1943 E OAK ST



Date: 11/29/2021





**Liquor License - Special Event - SS. Simon & Jude Roman Catholic Cathedral  
Phoenix**

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

**Summary**

Applicant

Phillip Lester

Location

6351 N. 27th Ave.

Council District: 5

Function

Dinner

Date(s) - Time(s) / Expected Attendance

Feb. 26, 2022 - 5 p.m. to Midnight / 500 attendees

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



## **Liquor License - Courtyard Phoenix West Avondale**

Request for a liquor license. Arizona State License Application 166356.

### **Summary**

#### Applicant

Joanne Feinstein, Agent

#### License Type

Series 11 - Hotel/Motel

#### Location

1650 N. 95th Lane

Zoning Classification: C-2 and CP/GCP PCD

Council District: 5

This request is for a new liquor license for a hotel. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Jan. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

#### Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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Public Opinion

No protest or support letters were received within the 20-day public comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:  
"We have management in place that has experience in alcohol beverage service and that has completed Title 4 Basic Mgmt training."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"It will enable us to offer our guests alcoholic beverages with meals."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Courtyard Phoenix West Avondale  
Liquor License Map - Courtyard Phoenix West Avondale

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

# Liquor License Data: COURTYARD PHOENIX WEST AVONDALE

## Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	0
Beer and Wine Bar	7	1	0
Liquor Store	9	1	0
Beer and Wine Store	10	4	0
Hotel	11	1	1
Restaurant	12	16	6

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	27.30	40.76
Violent Crimes	9.21	4.56	6.26

\*Citywide average per square mile \*\*Average per square mile within 1 mile radius \*\*\*Average per square mile within 1/2 mile radius

## Property Violation Data

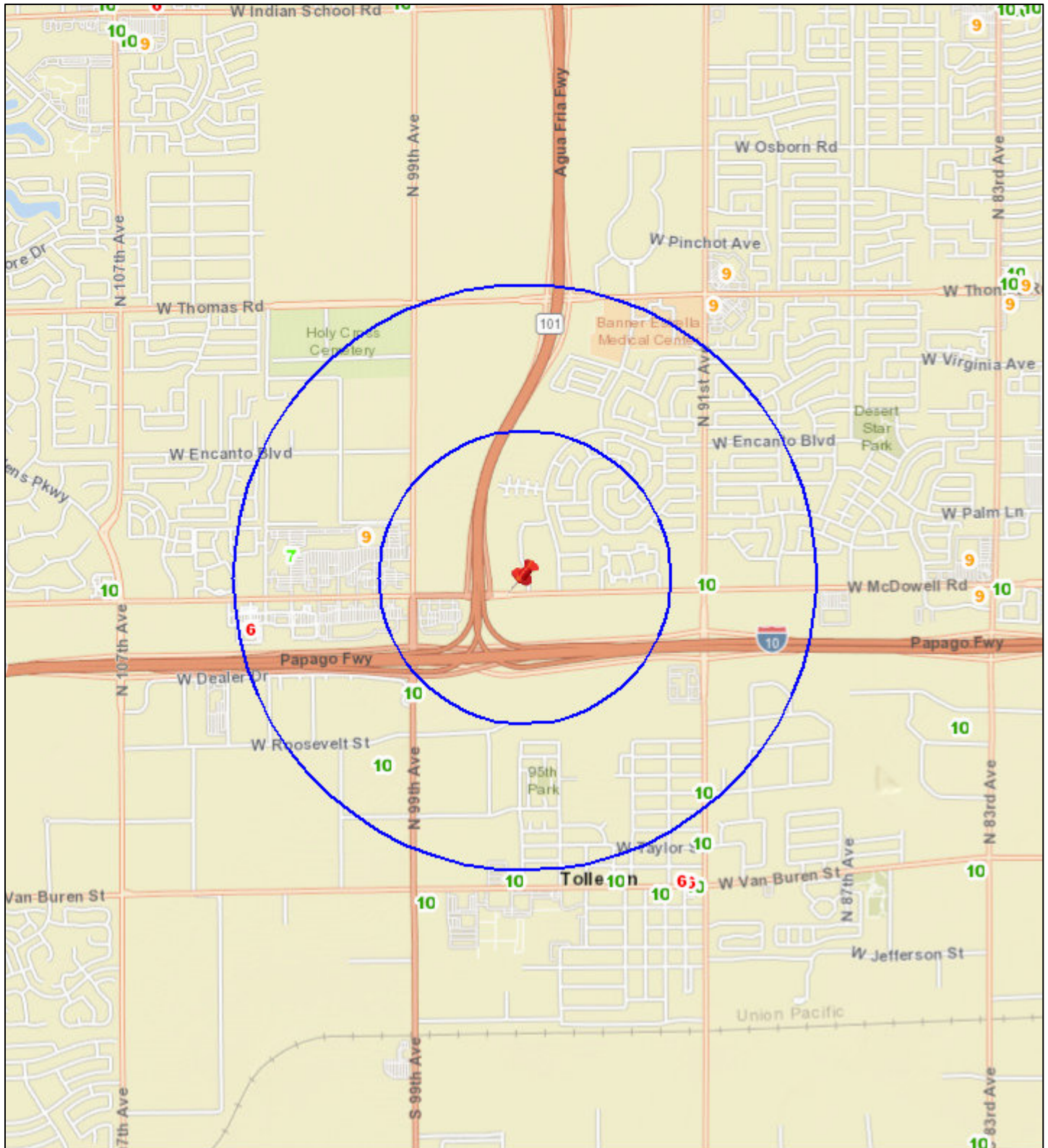
Description	Average	1/2 Mile Average
Parcels w/Violations	57	21
Total Violations	95	29

### Census 2010 Data 1/2 Mile Radius

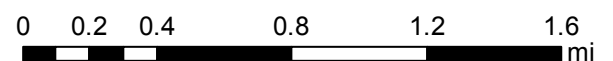
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
0820171	2735	42 %	25 %	19 %
0820172	1746	87 %	18 %	21 %
0820242	2447	19 %	7 %	11 %
0830002	3117	42 %	18 %	28 %
Average		61 %	13 %	19 %

# Liquor License Map: COURTYARD PHOENIX WEST AVONDALE

1650 N 95TH LN



Date: 11/12/2021





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Agenda Date: 1/5/2022, Item No. 12

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## **Liquor License - Over Easy**

Request for a liquor license. Arizona State License Application 1207B129.

### **Summary**

#### Applicant

Lauren Merrett, Agent

#### License Type

Series 12 - Restaurant

#### Location

2398 E. Camelback Road, Ste. 150-180  
Zoning Classification: C-A H-R CEPCSP  
Council District: 6

This request is for an acquisition of control of an existing liquor license for a restaurant. This location is currently licensed for liquor sales. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption as an accessory to a restaurant.

The 60-day limit for processing this application is Jan. 22, 2022.

Pursuant to A.R.S. 4-203, consideration should be given only to the applicant's personal qualifications.

#### Other Active Liquor License Interest in Arizona

This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

#### Public Opinion

No protest or support letters were received within the 20-day public comment period.

**Applicant's Statement**

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:  
"We will continue to abide by Title 4 liquor laws and ensure that staff is fully trained."

**Staff Recommendation**

Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



## **Liquor License - Over Easy**

Request for a liquor license. Arizona State License Application 1207A528.

### **Summary**

#### Applicant

Lauren Merrett, Agent

#### License Type

Series 12 - Restaurant

#### Location

4730 E. Indian School Road, Ste. 123

Zoning Classification: C-1

Council District: 6

This request is for an acquisition of control of an existing liquor license for a restaurant. This location is currently licensed for liquor sales. This location requires a Use Permit to allow alcoholic beverage sales, outdoor dining, and outdoor alcohol consumption as an accessory to a restaurant.

The 60-day limit for processing this application is Jan. 22, 2022.

Pursuant to A.R.S. 4-203, consideration should be given only to the applicant's personal qualifications.

#### Other Active Liquor License Interest in Arizona

This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

#### Public Opinion

No protest or support letters were received within the 20-day public comment period.

**Applicant's Statement**

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:  
"We will continue to abide by title 4 liquor laws and ensure staff is fully trained."

**Staff Recommendation**

Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.





Report

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Agenda Date: 1/5/2022, Item No. 14

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**Liquor License - Brunch Snob**

Request for a liquor license. Arizona State License Application 170442.

**Summary**

Applicant

Celene Hillsbery, Agent

License Type

Series 12 - Restaurant

Location

4747 E. Elliot Road, Ste. 23 and 24

Zoning Classification: PSC

Council District: 6

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Jan. 22, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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### Public Opinion

No protest or support letters were received within the 20-day public comment period.

### Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:  
"I have been in the restaurant business for 30 + years and have been the GM of several full service restaurants and bars. I know the responsibility that comes with serving people alcohol to assure they are not overserved. I understand the importance of not serving anyone underage and will train my staff to check for ID's for anyone that looks under 40. Owning a restaurant with a bar is a big responsibility and I understand the importance of following all city and state guidelines."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

"The space that we are leasing for our restaurant was a bar and a lot of the old customers have been by to check to see what type of restaurant we are opening and if we will be serving alcohol? They miss having a place in the neighborhood where they can go get a good meal and have a cocktail. Opening a full service restaurant without a bar seriously constricts the amount of people that will come to eat. We own a breakfast restaurant now that does not serve alcohol and our sales are not nearly what they would be if we served alcohol."

### Staff Recommendation

Staff recommends approval of this application.

### Attachments

Liquor License Data - Brunch Snob

Liquor License Map - Brunch Snob

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

## Liquor License Data: BRUNCH SNOB

### Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	1
Liquor Store	9	2	1
Beer and Wine Store	10	3	2
Restaurant	12	5	4

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	33.17	57.53
Violent Crimes	9.21	3.18	6.15

\*Citywide average per square mile \*\*Average per square mile within 1 mile radius \*\*\*Average per square mile within 1/2 mile radius

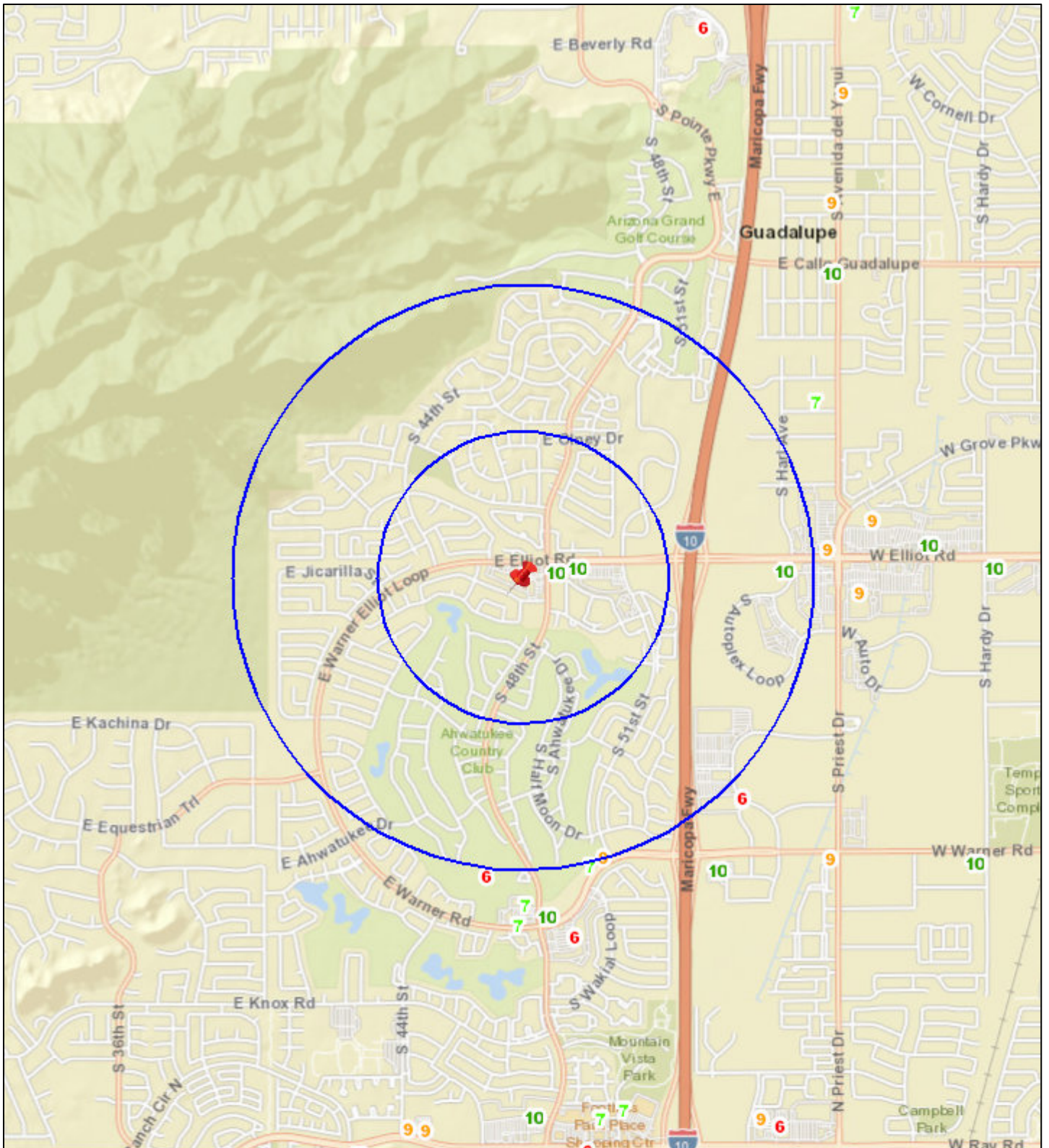
### Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	57	20
Total Violations	95	26

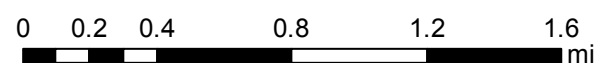
## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1167071	1481	69 %	3 %	3 %
1167072	1353	90 %	10 %	3 %
1167082	1243	52 %	3 %	17 %
1167083	1314	34 %	0 %	7 %
1167084	1551	93 %	10 %	2 %
1167092	790	90 %	9 %	11 %
1167151	1267	94 %	0 %	5 %
1167152	888	81 %	17 %	2 %
Average		61 %	13 %	19 %

4747 E ELLIOT RD



Date: 12/3/2021





## **Liquor License - CK's Tavern & Grill**

Request for a liquor license. Arizona State License Application 06070439.

### **Summary**

#### Applicant

Amy Nations, Agent

#### License Type

Series 6 - Bar

#### Location

4142 E. Chandler Blvd., Ste. 105

Zoning Classification: C-2 PCD

Council District: 6

This request is for an ownership transfer of a liquor license for a bar. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Jan. 9, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

#### Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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### Public Opinion

No protest or support letters were received within the 20-day public comment period.

### Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:  
“The new owners of Ck's Tavern & Grill are experienced business operators and have other successful businesses they currently own. All their employees will attend state certified liquor law training to ensure compliance.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

“This location has been a neighborhood favorite for many years. It has had a liquor license for many years as well. We would like to continue offer the same great food, drinks, entertainment, and great people our neighbors have come to expect.”

### Staff Recommendation

Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

### Attachments

Liquor License Data - CK's Tavern & Grill

Liquor License Map - CK's Tavern & Grill

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

# Liquor License Data: CK'S TAVERN & GRILL

## Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	2
Liquor Store	9	3	2
Beer and Wine Store	10	7	3
Restaurant	12	20	11

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	46.15	48.93
Violent Crimes	9.21	5.49	8.91

\*Citywide average per square mile \*\*Average per square mile within 1 mile radius \*\*\*Average per square mile within 1/2 mile radius

## Property Violation Data

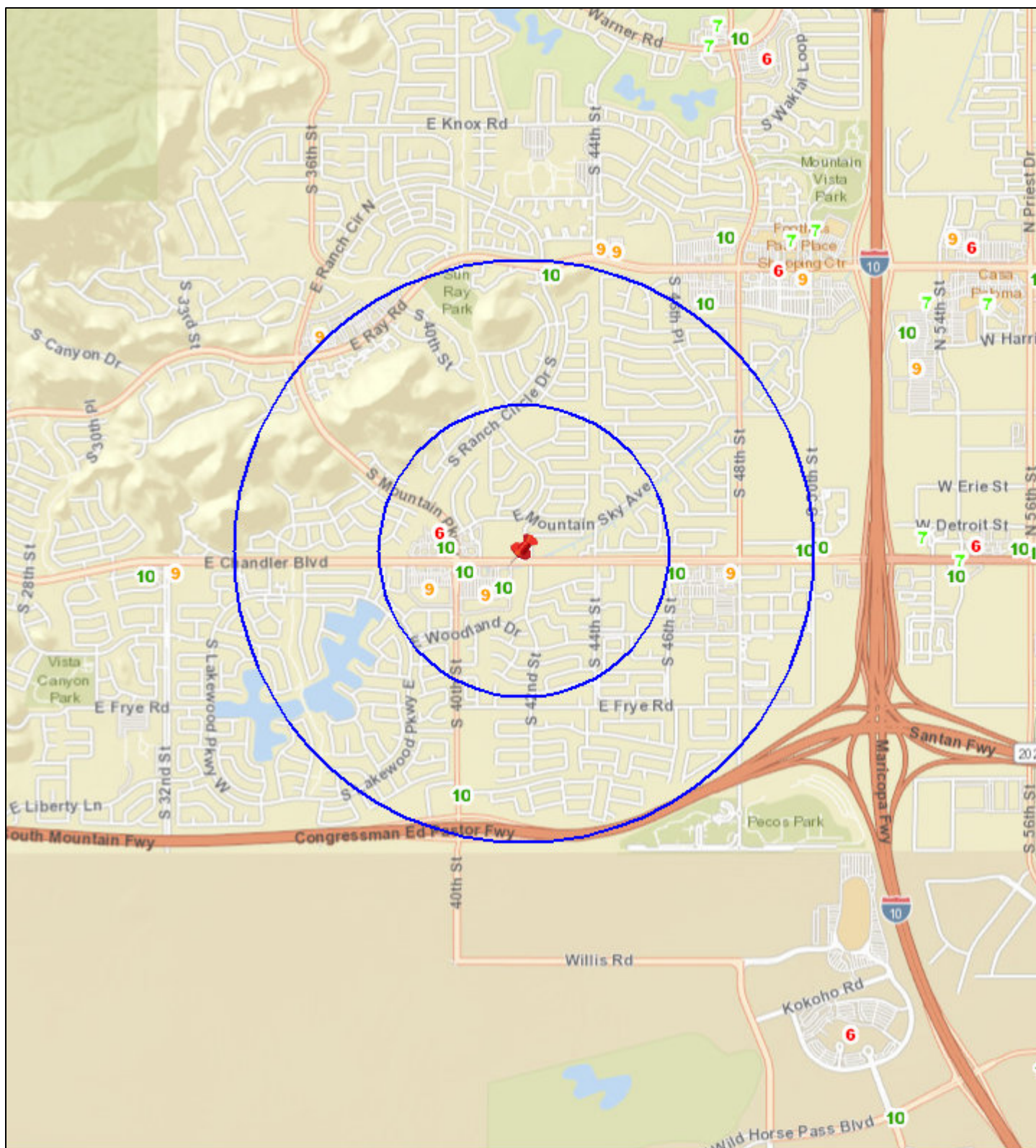
Description	Average	1/2 Mile Average
Parcels w/Violations	57	9
Total Violations	95	16



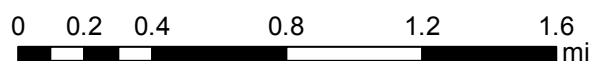
## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1167121	2721	19 %	15 %	9 %
1167122	1832	76 %	0 %	3 %
1167131	589	64 %	51 %	42 %
1167133	1145	100 %	0 %	7 %
1167135	1106	54 %	0 %	2 %
1167191	1679	87 %	3 %	2 %
1167194	2185	77 %	0 %	4 %
1167202	1687	44 %	7 %	7 %
1167203	1430	34 %	7 %	5 %
1167212	1820	65 %	4 %	3 %
Average		61 %	13 %	19 %

4142 E CHANDLER BLVD



Date: 11/12/2021





## **Liquor License - Hash Kitchen**

Request for a liquor license. Arizona State License Application 159259.

### **Summary**

#### Applicant

Andrea Lewkowitz, Agent

#### License Type

Series 12 - Restaurant

#### Location

4315 E. Indian School Road

Zoning Classification: C-2, C-2 HGT/WVR DNS/WVR

Council District: 6

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Jan. 8, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

#### Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations

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on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Sicilian Butcher (Series 12)  
15530 N. Tatum Blvd., #160, Phoenix  
Calls for police service: 12  
Liquor license violations: None

Tomaso's Cuisine of Italy (Series 12)  
3225 E. Camelback Road, Phoenix  
Calls for police service: 6  
Liquor license violations: None

#### Public Opinion

No protest or support letters were received within the 20-day public comment period.

#### Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:  
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"Hash Kitchen is a casual family-friendly neighborhood restaurant featuring a variety of quality, fresh brunch menu items. Applicant would like to continue to offer its guests 21 and over the opportunity to enjoy alcoholic beverages as an incident to the menu items served."

#### Staff Recommendation

Staff recommends approval of this application.

#### Attachments

Liquor License Data - Hash Kitchen  
Liquor License Map - Hash Kitchen

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

# Liquor License Data: HASH KITCHEN

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Wholesaler	4	1	1
Bar	6	5	1
Beer and Wine Bar	7	6	3
Liquor Store	9	5	2
Beer and Wine Store	10	5	3
Restaurant	12	33	16

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	65.87	89.49
Violent Crimes	9.21	5.99	8.59

\*Citywide average per square mile \*\*Average per square mile within 1 mile radius \*\*\*Average per square mile within 1/2 mile radius

## Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	57	39
Total Violations	95	65

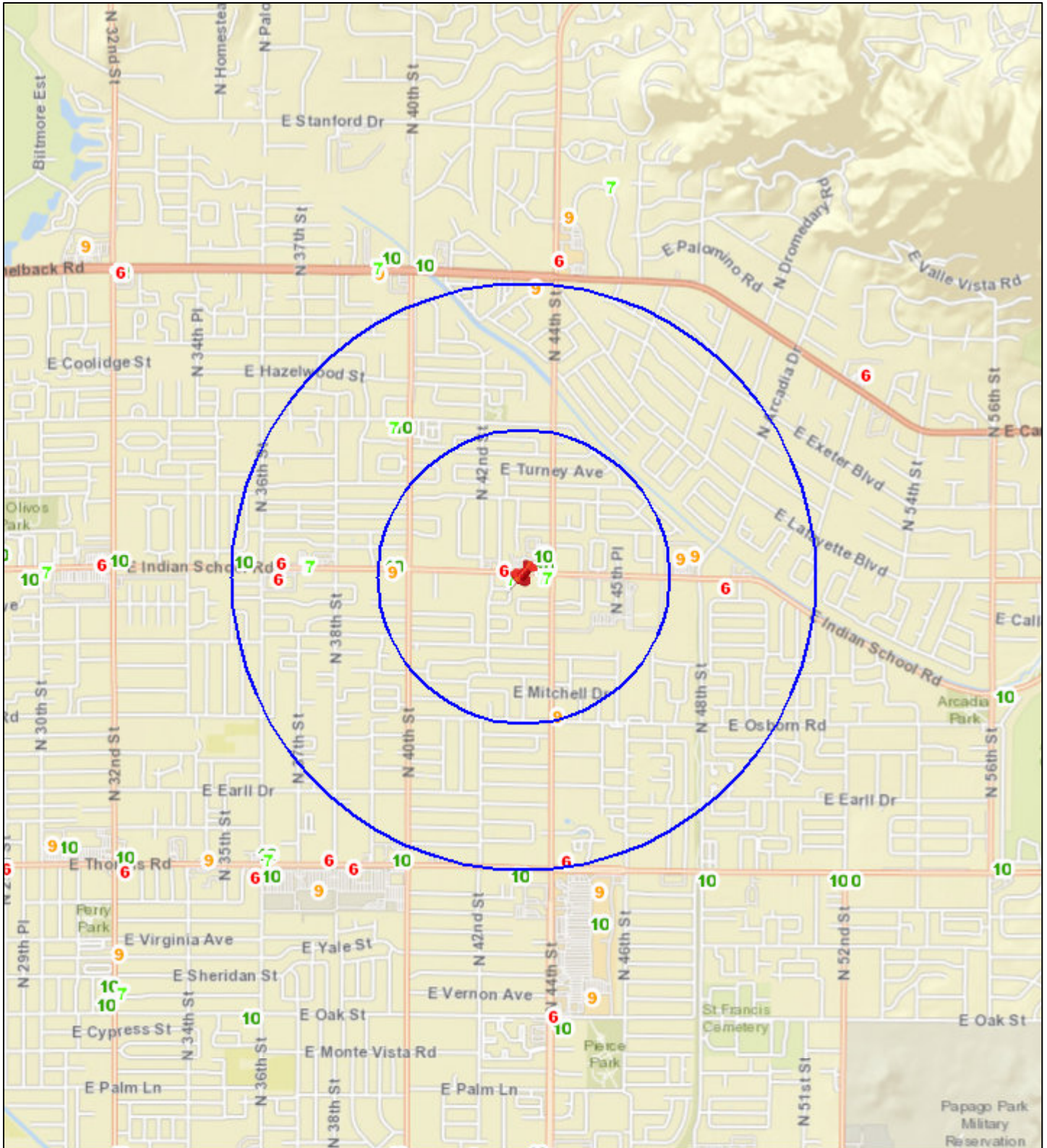
## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1082002	1178	45 %	8 %	8 %
1082003	1225	76 %	13 %	17 %
1083022	1824	50 %	13 %	4 %
1109022	2224	39 %	7 %	18 %
1110001	781	25 %	11 %	3 %
1110002	1105	63 %	8 %	19 %
1110003	1587	64 %	17 %	24 %
1110004	707	59 %	25 %	0 %
1110005	698	88 %	19 %	5 %
Average		61 %	13 %	19 %

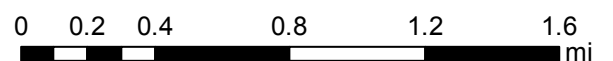


# Liquor License Map: HASH KITCHEN

4315 E INDIAN SCHOOL RD



Date: 11/12/2021



City Clerk Department





## **Liquor License - OHSO Brewery**

Request for a liquor license. Arizona State License Application 06073005.

### **Summary**

#### Applicant

Jeffrey Miller, Agent

#### License Type

Series 6 - Bar

#### Location

4900 E. Indian School Road

Zoning Classification: C-2

Council District: 6

This request is for an ownership and location transfer of a liquor license for a bar. This location is currently licensed for liquor sales, with a Series 3 - Microbrewery and a Series 12 - Restaurant, liquor license.

The 60-day limit for processing this application is Jan. 18, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

#### Other Active Liquor License Interest in Arizona

This information is not provided due to the multiple ownership interests held by the

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applicant in the State of Arizona.

Public Opinion

No protest or support letters were received within the 20-day public comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:  
"We will continue to abide by Title 4 liquor laws and ensure staff is trained."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"We have been operating at this location for several years and will continue to be an asset to our community."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - OHSO Brewery

Liquor License Map - OHSO Brewery

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

# Liquor License Data: OHSO BREWERY

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Wholesaler	4	1	0
Bar	6	3	1
Beer and Wine Bar	7	3	0
Liquor Store	9	3	2
Beer and Wine Store	10	2	0
Restaurant	12	17	3

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	40.41	48.51
Violent Crimes	9.21	3.37	4.77

\*Citywide average per square mile \*\*Average per square mile within 1 mile radius \*\*\*Average per square mile within 1/2 mile radius

## Property Violation Data

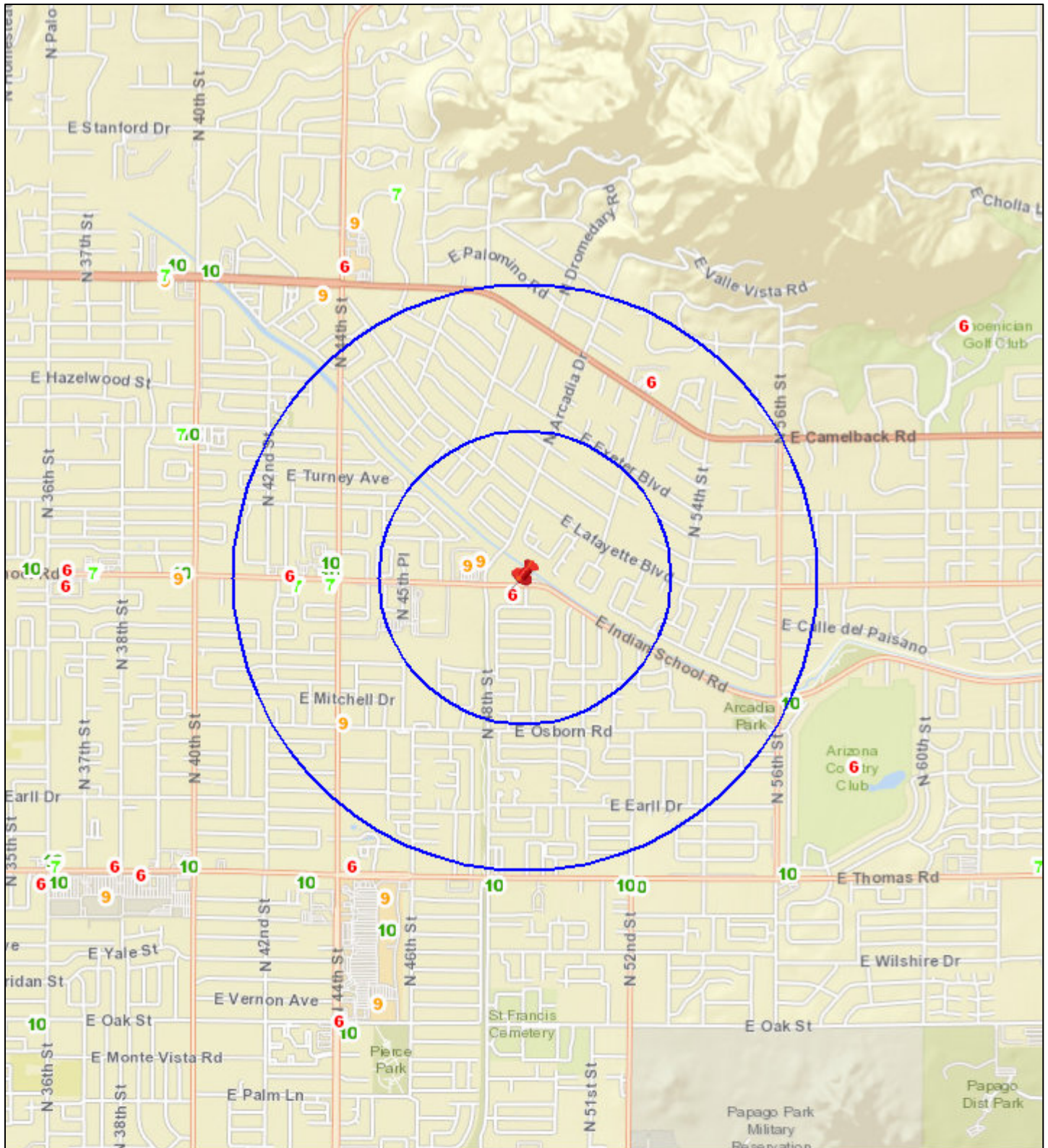
Description	Average	1/2 Mile Average
Parcels w/Violations	57	21
Total Violations	95	35

### Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1080001	1436	93 %	3 %	12 %
1081001	1849	78 %	1 %	7 %
1082002	1178	45 %	8 %	8 %
1110005	698	88 %	19 %	5 %
1111003	2317	84 %	11 %	8 %
Average		61 %	13 %	19 %

# Liquor License Map: OHSO BREWERY

4900 E INDIAN SCHOOL RD



Date: 11/22/2021

0 0.2 0.4 0.8 1.2 1.6 mi



## **Liquor License - Zookz**

Request for a liquor license. Arizona State License Application 163242.

### **Summary**

#### Applicant

Lauren Merrett, Agent

#### License Type

Series 12 - Restaurant

#### Location

3166 E. Camelback Road

Zoning Classification: C-1

Council District: 6

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow the sale of alcoholic beverages, outdoor dining and alcohol consumption as an accessory use to a restaurant.

The 60-day limit for processing this application is Jan. 23, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

#### Other Active Liquor License Interest in Arizona

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The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Zookz (Series 12)

100 E. Camelback Road, Ste.192, Phoenix

Calls for police service: 476

Liquor license violations: None

#### Public Opinion

No protest or support letters were received within the 20-day public comment period.

#### Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:  
"Owner is capable and qualified with other locations and businesses in the state of Arizona, with liquor licenses. They have been shown to be responsible providers of alcohol."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"The public convenience and the community will be served by providing alcohol to customers who desire alcohol in their beverages."

#### Staff Recommendation

Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

#### Attachments

Liquor License Data - Zookz

Liquor License Map - Zookz

#### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

## Liquor License Data: ZOOKZ

### Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	4	1
Beer and Wine Bar	7	1	0
Liquor Store	9	2	1
Beer and Wine Store	10	1	1
Hotel	11	3	1
Restaurant	12	27	6

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	60.35	64.54
Violent Crimes	9.21	5.20	4.35

\*Citywide average per square mile \*\*Average per square mile within 1 mile radius \*\*\*Average per square mile within 1/2 mile radius

### Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	56	11
Total Violations	95	23

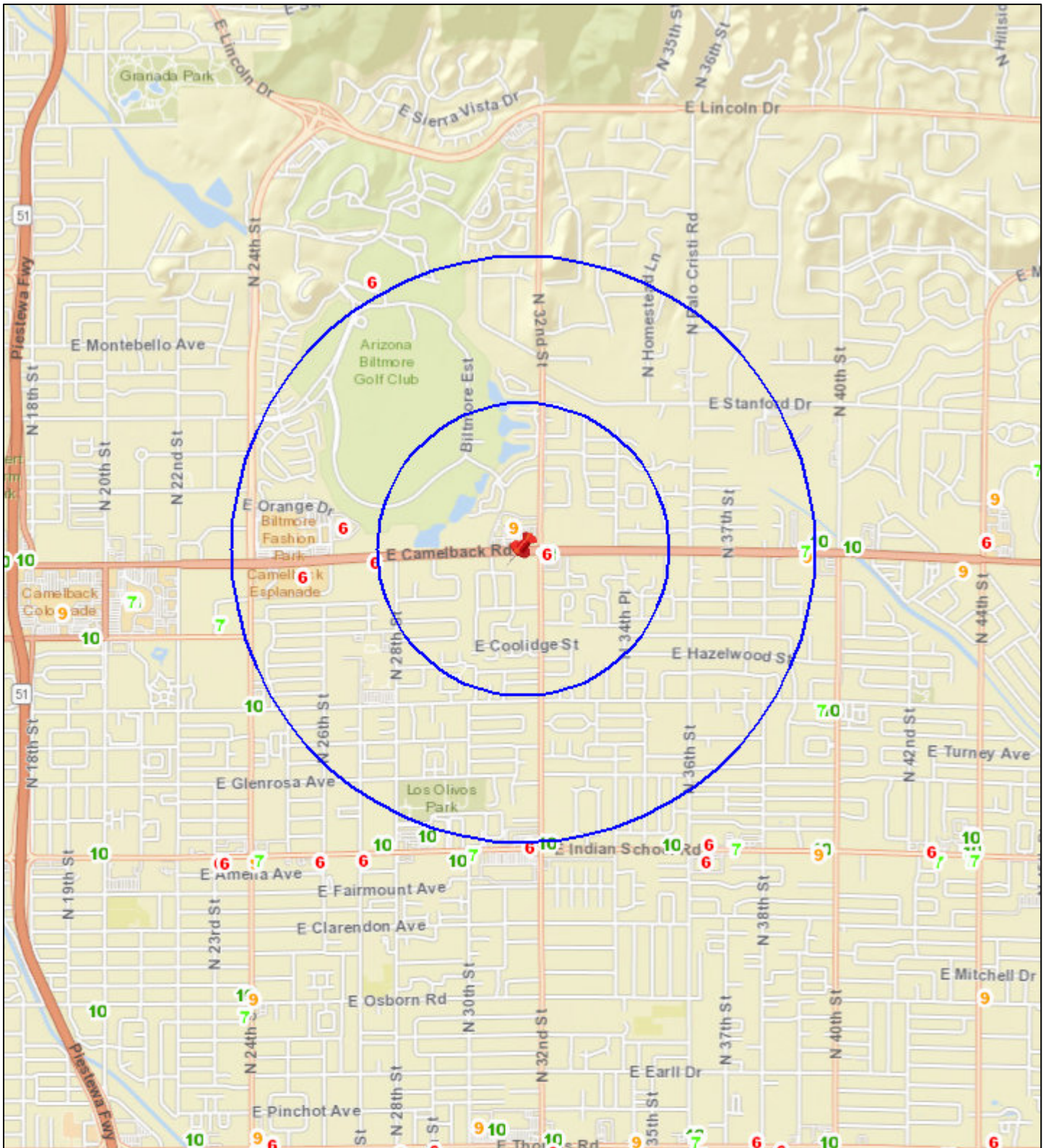
### Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1078002	1477	63 %	28 %	5 %
1083011	1100	89 %	14 %	0 %
1083012	1221	72 %	5 %	1 %
1084004	1641	65 %	7 %	19 %
Average		61 %	13 %	19 %

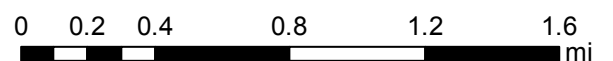


# Liquor License Map: ZOOKZ

3166 E CAMELBACK RD



Date: 11/29/2021



City Clerk Department



**Liquor License - Special Event - McDowell Mountain Music Festival, Inc.**

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

**Summary**

Applicant

R. John Largay

Location

67 W. Culver St.

Council District: 7

Function

Festival

Date(s) - Time(s) / Expected Attendance

March, 4, 2022 - 10 a.m. to 11 p.m. / 5,000 attendees

March, 5, 2022 - 10 a.m. to 11 p.m. / 5,000 attendees

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



## **Liquor License - Mikie's Market**

Request for a liquor license. Arizona State License Application 169082.

### **Summary**

#### Applicant

Minesh Patel, Agent

#### License Type

Series 10 - Beer and Wine Store

#### Location

1020 S. 19th Ave.

Zoning Classification: C-3

Council District: 7

This request is for a new liquor license for a beer and wine store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Jan. 14, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

#### Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations

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on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Herbal Nails & Spa in Laveen (Series 7)  
5185 W. Baseline Road, Ste. 103 and 104, Phoenix  
Calls for police service: 9  
Liquor license violations: None

#### Public Opinion

No protest or support letters were received within the 20-day public comment period.

#### Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:  
"I currently own and operate convenience and liquor stores in Arizona. I have many years of experience in the industry. I have also taken appropriate basic and management liquor training classes."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"This business has been serving the local community for many years. We provide the essentials the community is looking for within walking distance and help the community with products at prices they can afford. It is a local favorite with many repeat customers."

#### Staff Recommendation

Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

#### Attachments

Liquor License Data - Mikie's Market  
Liquor License Map - Mikie's Market

#### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

## Liquor License Data: MIKIE'S MARKET

### Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	8	0
Bar	6	1	0
Liquor Store	9	2	2
Beer and Wine Store	10	9	3
Restaurant	12	1	0

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	90.60	121.86
Violent Crimes	9.21	36.30	37.04

\*Citywide average per square mile \*\*Average per square mile within 1 mile radius \*\*\*Average per square mile within ½ mile radius

### Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	57	100
Total Violations	95	134

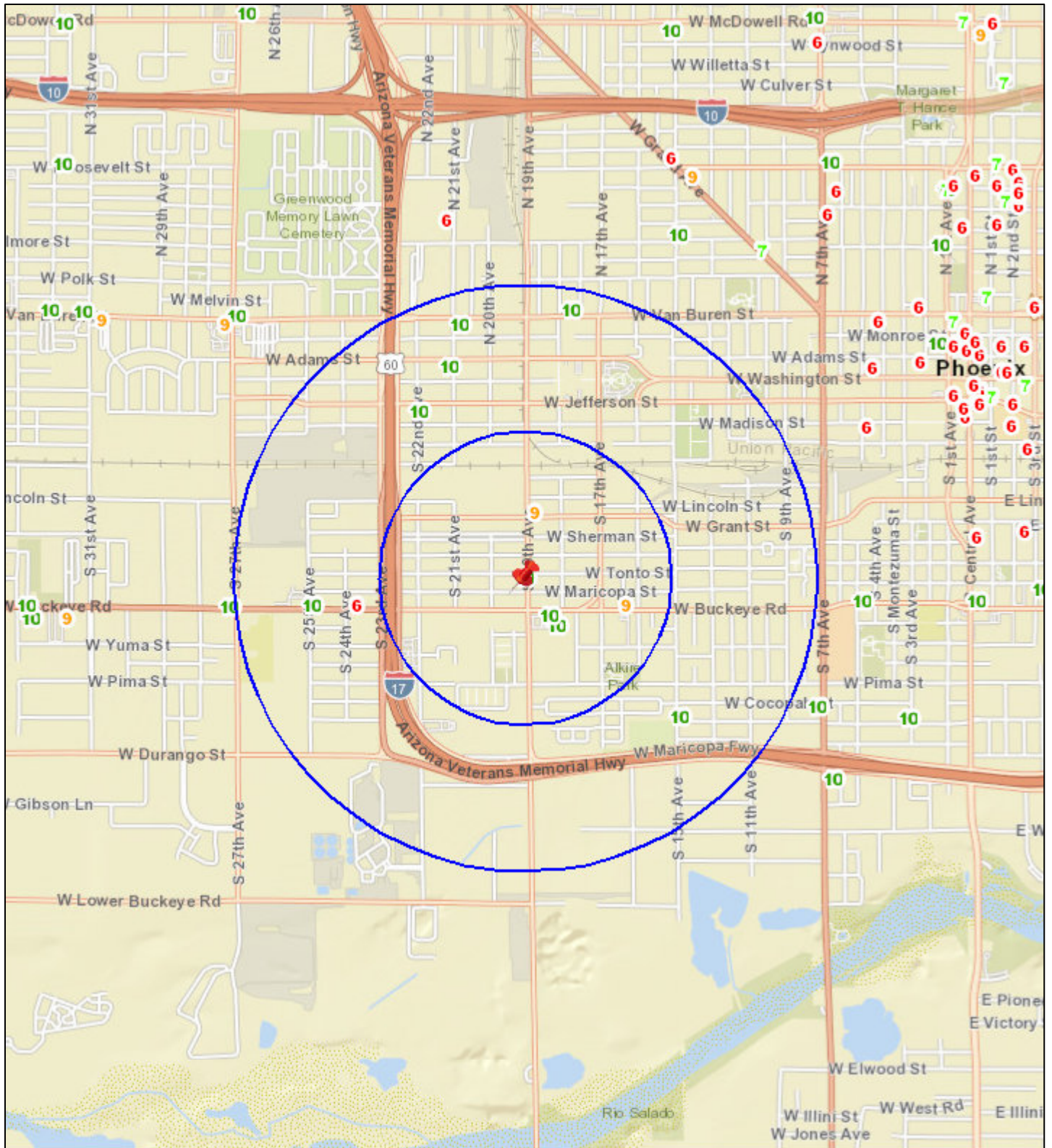
## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1143011	1389	22 %	15 %	57 %
1143021	788	20 %	17 %	66 %
1144011	1953	47 %	11 %	38 %
1144022	1301	41 %	20 %	44 %
1148001	1594	64 %	11 %	36 %
1148002	1258	54 %	36 %	42 %
1173001	387	81 %	16 %	18 %
1173002	701	0 %	31 %	69 %
Average		61 %	13 %	19 %



# Liquor License Map: MIKIE'S MARKET

1020 S 19TH AVE



Date: 11/17/2021

0 0.2 0.4 0.8 1.2 1.6 mi



## **Liquor License - T & A Cabaret**

Request for a liquor license. Arizona State License Application 06070123.

### **Summary**

#### Applicant

Christian Nava-Cruz, Agent

#### License Type

Series 6 - Bar

#### Location

3420 S. Central Ave.

Zoning Classification: C-3 RSIO

Council District: 7

This request is for an ownership transfer of a liquor license for a topless bar. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Jan.15, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

#### Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the

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State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Chicas Cabaret (Series 7)

2802 N. 35th Ave., Phoenix

Calls for police service: 30

Liquor license violations: In July 2019, a fine of \$3,000 was paid for the licensee's failure to maintain capability, qualification and reliability.

Showtime Cabaret (Series 6)

3614 W. McDowell Road, Phoenix

Calls for police service: 7

Liquor license violations: None

#### Public Opinion

Three letters supporting the issuance of this license have been received and are on file in the Office of the City Clerk. The letters are from local businesses. The business owners feel that the new ownership will be an improvement to the community.

#### Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:

"I been in the bar business 22 years. I have all my liquor certifications from the State im also Tipr certificated I been their for security from A.Z Sheriff agents I know how to do security bartend & manager."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

"The public will have a operator that runs a safe well organized business. We will have the best security customer service and the public will have a great place to have a drink in a area were there is not lots of bars we will also be reliable."

#### Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - T & A Cabaret

Liquor License Map - T & A Cabaret

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

## Liquor License Data: T & A CABARET

### Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	1
Government	5	1	1
Bar	6	1	1
Beer and Wine Bar	7	1	0
Liquor Store	9	3	0
Beer and Wine Store	10	5	0
Restaurant	12	1	0

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	60.16	44.47
Violent Crimes	9.21	13.72	14.86

\*Citywide average per square mile \*\*Average per square mile within 1 mile radius \*\*\*Average per square mile within 1/2 mile radius

### Property Violation Data

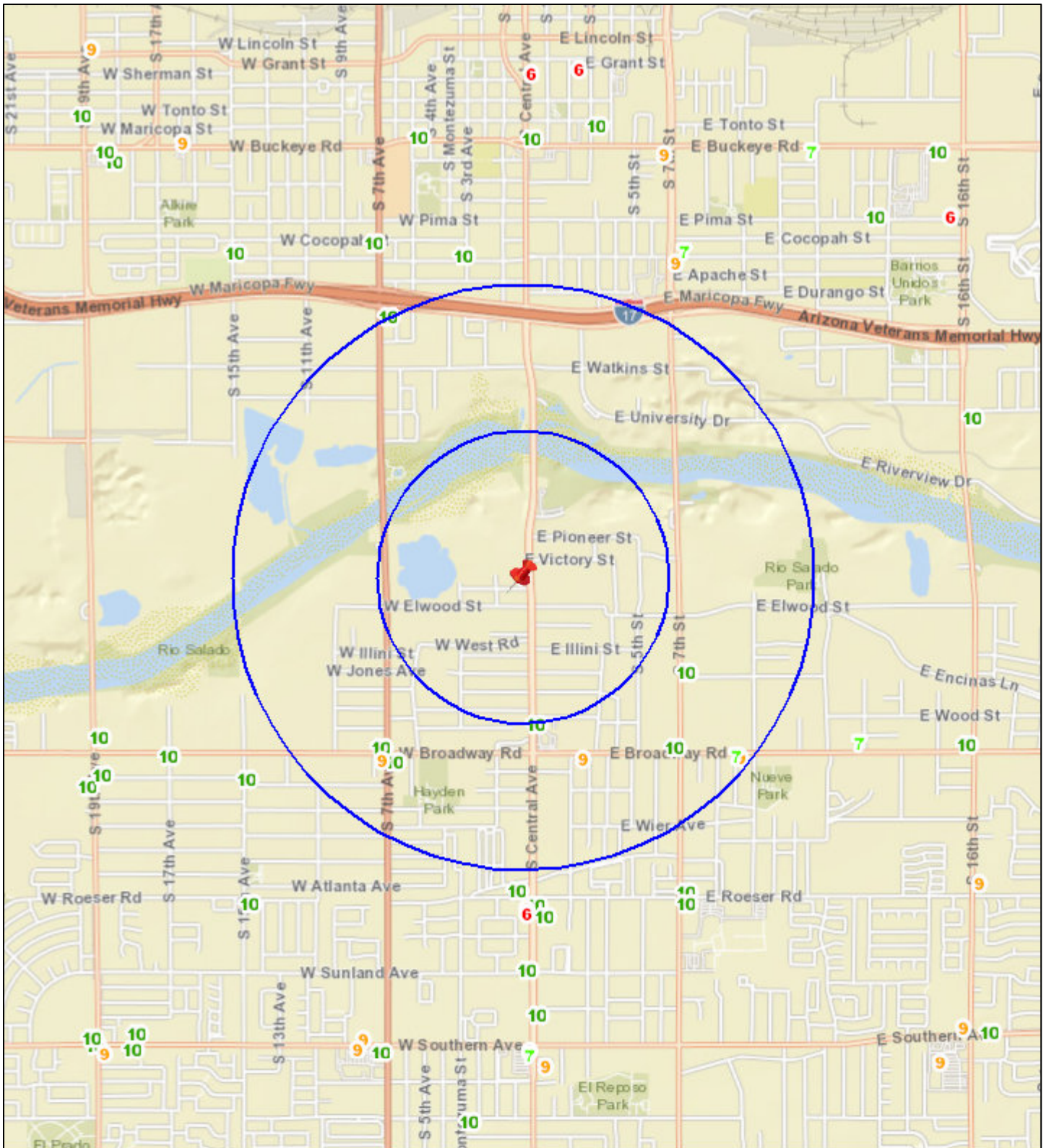
Description	Average	1/2 Mile Average
Parcels w/Violations	57	95
Total Violations	95	148

### Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1148001	1594	64 %	11 %	36 %
1149001	798	28 %	13 %	57 %
1154001	1174	61 %	17 %	54 %
1154002	1147	57 %	0 %	37 %
Average		61 %	13 %	19 %

# Liquor License Map: T & A CABARET

3420 S CENTRAL AVE



Date: 11/18/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



## **Liquor License - Special Event - Alwun House Foundation**

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

### **Summary**

#### Applicant

Dana Johnson

#### Location

1204 E. Roosevelt St.  
Council District: 8

#### Function

Poetry and Art Show

#### Date(s) - Time(s) / Expected Attendance

Feb. 18, 2022- 7 p.m. to 1 a.m. / 200 attendees

#### Staff Recommendation

Staff recommends approval of this application.

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



## **Liquor License - Special Event - Alwun House Foundation**

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

### **Summary**

#### Applicant

Dana Johnson

#### Location

1209 E. Diamond St.

Council District: 8

#### Function

Art Event

#### Date(s) - Time(s) / Expected Attendance

March 4, 2022 - 6 p.m. to 10:30 p.m. / 300 attendees

#### Staff Recommendation

Staff recommends approval of this application.

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



## **Liquor License - Special Event - Alwun House Foundation**

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

### **Summary**

#### Applicant

Dana Johnson

#### Location

1209 E. Diamond St.

Council District: 8

#### Function

Art Event

#### Date(s) - Time(s) / Expected Attendance

April 1, 2022 - 6 p.m. to 10:30 p.m. / 300 attendees

#### Staff Recommendation

Staff recommends approval of this application.

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.





## **Liquor License - Special Event - Alwun House Foundation**

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

### **Summary**

#### Applicant

Dana Johnson

#### Location

1209 E. Diamond St.

Council District: 8

#### Function

Art Event

#### Date(s) - Time(s) / Expected Attendance

Feb. 4, 2022 - 6 p.m. to 10:30 p.m. / 300 attendees

#### Staff Recommendation

Staff recommends approval of this application.

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



## **Liquor License - Special Event - Alwun House Foundation**

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

### **Summary**

#### Applicant

Dana Johnson

#### Location

1204 E. Roosevelt St.

Council District: 8

#### Function

Art Event

#### Date(s) - Time(s) / Expected Attendance

Feb. 11, 2022 - 6 p.m. to 1 a.m. / 400 attendees

#### Staff Recommendation

Staff recommends approval of this application.

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



## **Liquor License - Special Event - Arizona Science Center**

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

### **Summary**

#### Applicant

Dean Briere

#### Location

600 E. Washington St.  
Council District: 8

#### Function

Dinner

#### Date(s) - Time(s) / Expected Attendance

Feb. 5, 2022 - 6 p.m. to 11:59 p.m. / 500 attendees

#### Staff Recommendation

Staff recommends approval of this application.

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



## **Liquor License - Special Event - Horses Help Foundation**

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

### **Summary**

#### Applicant

Gregg Goodman

#### Location

113 N. 6th St.

Council District: 8

#### Function

Festival

#### Date(s) - Time(s) / Expected Attendance

Jan. 28, 2022 - 6 p.m. to 9:30 p.m. / 150 attendees

Jan. 29, 2022 - 11 a.m. to 7 p.m. / 2,000 attendees

Jan. 30, 2022 - 11 a.m. to 5:30 p.m. / 1,000 attendees

#### Staff Recommendation

Staff recommends approval of this application.

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



## **Liquor License - Panaderia Tortilleria Guerrero**

Request for a liquor license. Arizona State License Application 159766.

### **Summary**

#### Applicant

Theresa Morse, Agent

#### License Type

Series 10 - Beer and Wine Store

#### Location

2829 N. 32nd St.

Zoning Classification: C-1

Council District: 8

This request is for a new liquor license for a beer and wine store. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow the sales of package liquor.

The 60-day limit for processing this application was Nov. 2, 2021. However, the applicant has submitted a written request for more time.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion

No protest or support letters were received within the 20-day public comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:  
“My wife and I are familiar with Arizona Liquor laws and we will abide by all city, state and county laws and regulations. Our primary business is sale of meat and bakery items however, we would like to offer beer and wine to go to our customers. Many customers walk to our location so it will be similar to a one-stop shop for their convenience.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
“Our business has been in existence for many years and we already provide need and convenience to the community. Our meat and bakery items are the primary focus of or our customers and we want to continue to be good partners with the neighborhood residents, the city and the state.”

Staff Recommendation

Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments

Liquor License Data - Panaderia Tortilleria Guerrero  
Liquor License Map - Panaderia Tortilleria Guerrero

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

# Liquor License Data: PANADERIA TORTILLERIA GUERRERO

## Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	6	3
Beer and Wine Bar	7	2	2
Liquor Store	9	6	3
Beer and Wine Store	10	9	5
Restaurant	12	11	4

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.11	188.72	239.38
Violent Crimes	9.06	32.85	50.53

\*Citywide average per square mile \*\*Average per square mile within 1 mile radius \*\*\*Average per square mile within 1/2 mile radius

## Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	57	106
Total Violations	94	185

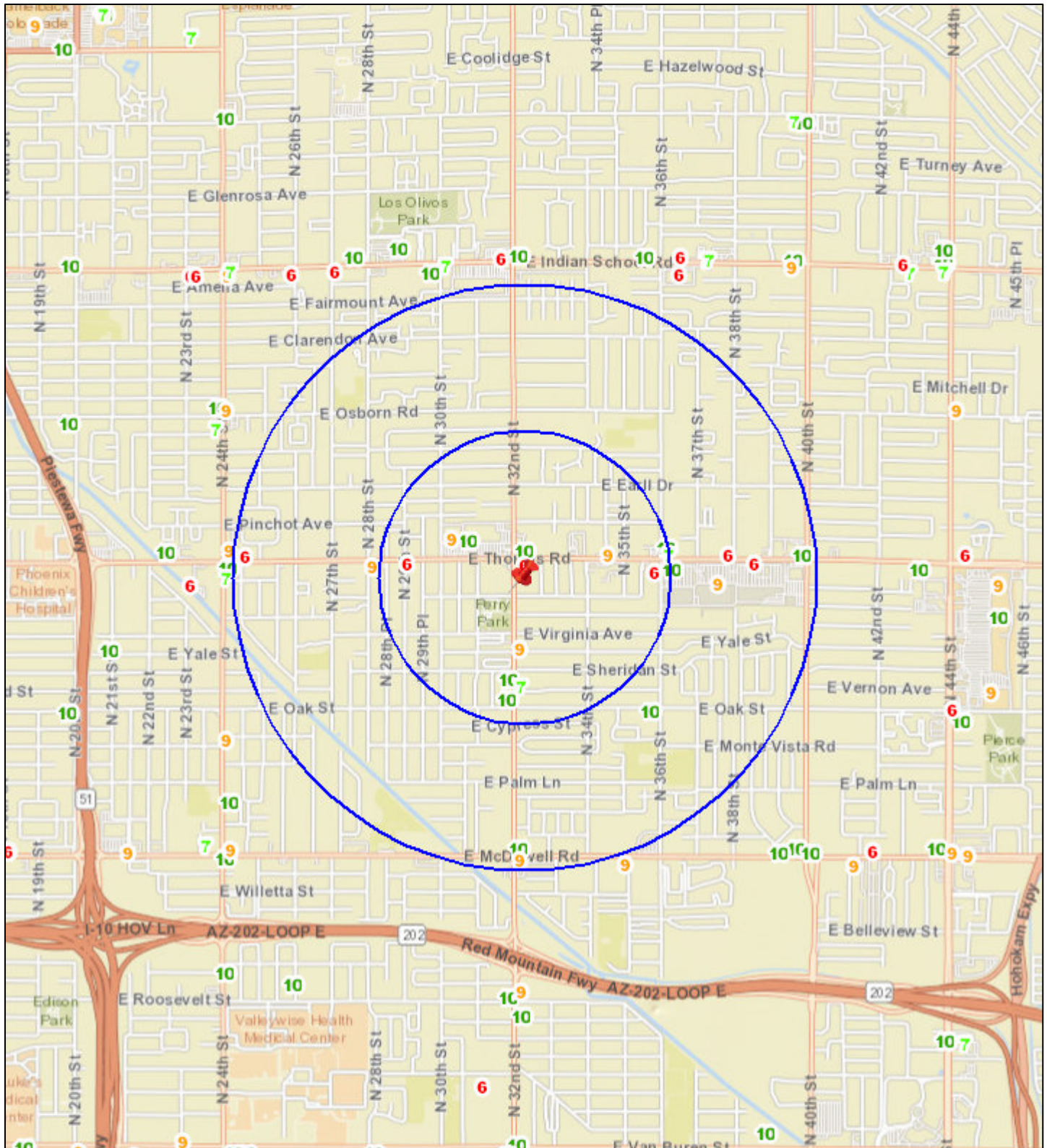
## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1108021	948	75 %	27 %	13 %
1108022	1168	33 %	16 %	7 %
1109012	2669	23 %	19 %	27 %
1109021	2609	33 %	21 %	40 %
1114011	2444	62 %	7 %	27 %
1114012	2000	67 %	23 %	29 %
1114021	1986	38 %	14 %	27 %
1115022	2109	42 %	7 %	17 %
1115024	1708	40 %	25 %	53 %
Average		61 %	13 %	19 %

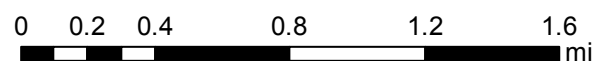


# Liquor License Map: PANADERIA TORTILLERIA GUERRERO

2829 N 32ND ST



Date: 10/19/2021





## **Liquor License - Rodehouse Restaurant & Lounge**

Request for a liquor license. Arizona State License Application 166819.

### **Summary**

#### Applicant

Amanda Moeller, Agent

#### License Type

Series 12 - Restaurant

#### Location

2425 S. 24th St.

Zoning Classification: A-2

Council District: 8

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Jan. 14, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

#### Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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### Public Opinion

No protest or support letters were received within the 20-day public comment period.

### Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:  
"I'm the daughter of a retired police officer who instilled in me an understanding of law, right and civic responsibilities. I worked as an engineer & an operational manager for Johnson & Johnson and Nestle. There I managed people & had responsibilities. These responsibilities included managing operations of pharmaceutical products & conducting audits. I have read & understand all of the information available in your literature about being a responsible citizen & business owner, about managing this license & about not promoting drinking and driving."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

"Our company values include a belief that people can enjoy themselves responsibly. We understand that alcohol can be used as entertainment but when used in excess, it can be a dangerous substance to the Public. We will serve alcohol responsibly. We will not serve alcohol to anyone who has had enough already. We will serve alcohol based on City of Phoenix guidelines."

### Staff Recommendation

Staff recommends approval of this application.

### Attachments

Liquor License Data - Rodehouse Restaurant & Lounge

Liquor License Map - Rodehouse Restaurant & Lounge

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

# Liquor License Data: RODEHOUSE RESTAURANT & LOUNGE

## Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	2	0
Conveyance	8	1	0
Restaurant	12	2	2

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	12.84	15.39
Violent Crimes	9.21	1.67	1.91

\*Citywide average per square mile \*\*Average per square mile within 1 mile radius \*\*\*Average per square mile within 1/2 mile radius

## Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	57	4
Total Violations	95	7

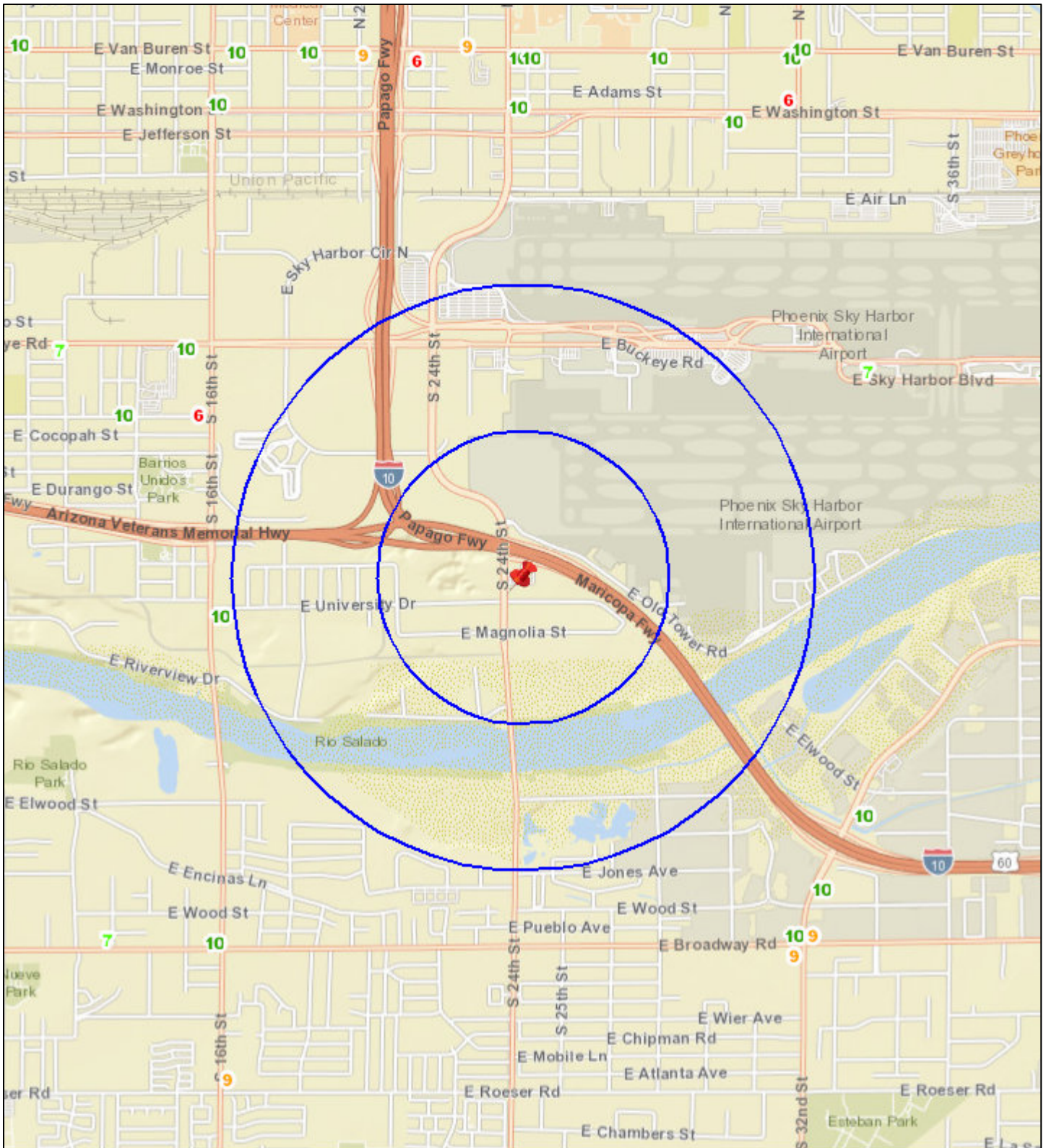
## Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1138021	0	0 %	0 %	0 %
1172001	823	25 %	17 %	70 %
Average		61 %	13 %	19 %

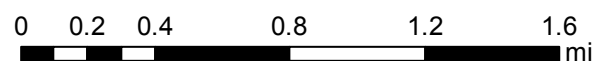


# Liquor License Map: RODEHOUSE RESTAURANT & LOUNGE

2425 S 24TH ST



Date: 11/17/2021



City Clerk Department



## **Liquor License - Speedy Stop**

Request for a liquor license. Arizona State License Application 09070499.

### **Summary**

#### Applicant

Nirav Patel, Agent

#### License Type

Series 9 - Liquor Store

#### Location

5033 S. 16th St.

Zoning Classification: PSC

Council District: 8

This request is for an ownership transfer of a liquor license for a liquor store. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Jan. 7, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

#### Other Active Liquor License Interest in Arizona

The ownership of this business has an interest in other active liquor license(s) in the

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State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Shell Cave Creek (Series 10)  
31414 N. Cave Creek Road, Phoenix  
Calls for police service: 6  
Liquor license violations: None

Pebblestone Market (Series 9)  
3399 N. Scottsdale Road, Scottsdale  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

Herbal Nail & Spa (Series 7)  
6590 N. Scottsdale Road, Scottsdale  
Calls for police service: N/A - not in Phoenix  
Liquor license violations: None

#### Public Opinion

No protest or support letters were received within the 20-day public comment period.

#### Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:  
"I am currently an operator of 3 store with liquor license and operating for past 17 years and I have not had any issues or any type of denial in the past. I operate all my stores to the best of my capabilities with trained staff."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"The location is conveniently located right off 16th Street and Roeser Rd. The location will continue to provide a convenient stop to purchase liquor for the people in the neighbourhood with easy access."

#### Staff Recommendation

Staff recommends approval of this application.

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Attachments

Liquor License Data - Speedy Stop

Liquor License Map - Speedy Stop

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.



# Liquor License Data: SPEEDY STOP

## Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	4	0
Beer and Wine Bar	7	2	0
Liquor Store	9	4	2
Beer and Wine Store	10	2	1
Restaurant	12	1	0
Club	14	1	1

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	95.62	83.43
Violent Crimes	9.21	21.57	21.76

\*Citywide average per square mile \*\*Average per square mile within 1 mile radius \*\*\*Average per square mile within 1/2 mile radius

## Property Violation Data

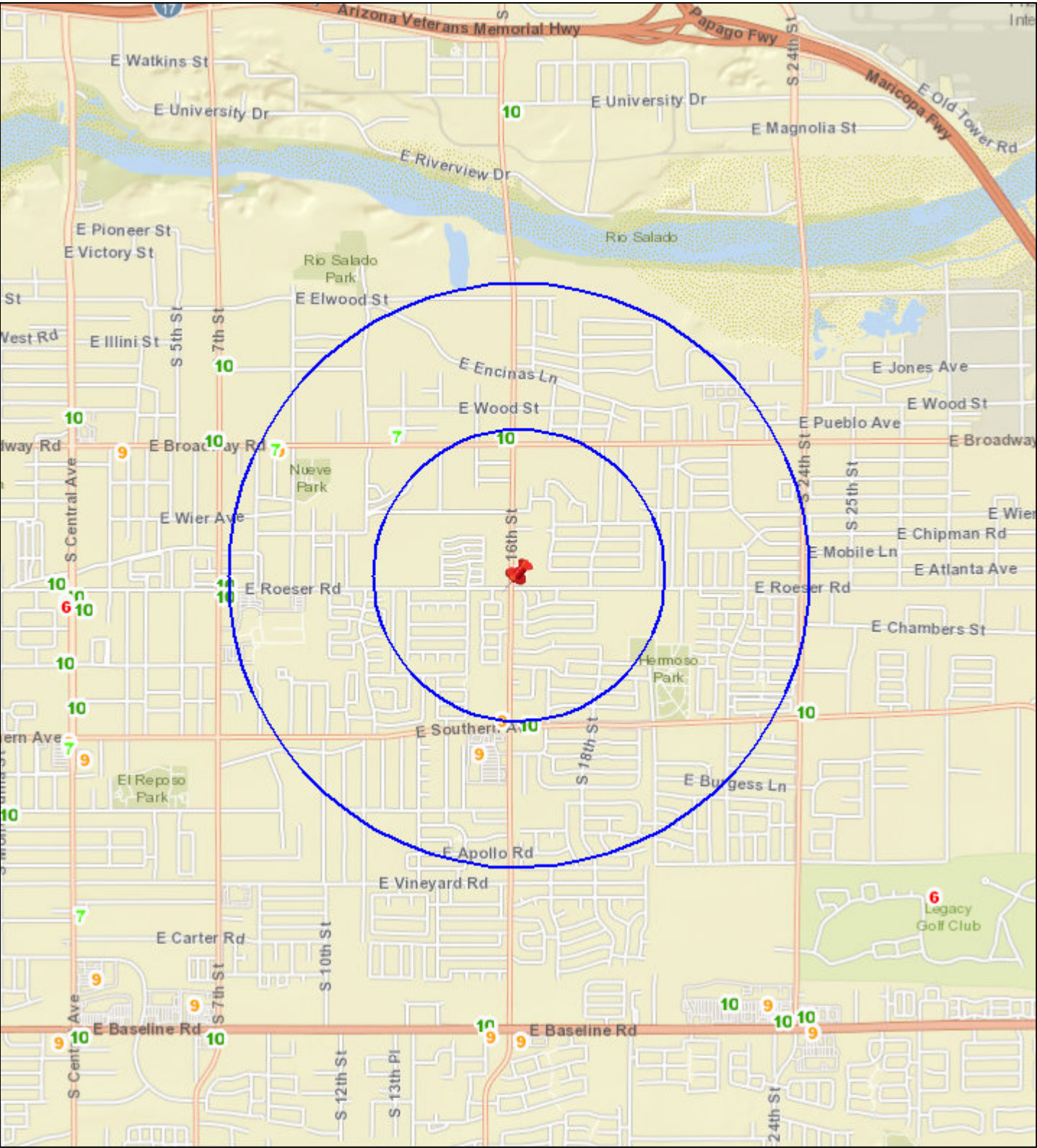
Description	Average	1/2 Mile Average
Parcels w/Violations	57	91
Total Violations	95	146

**Census 2010 Data 1/2 Mile Radius**

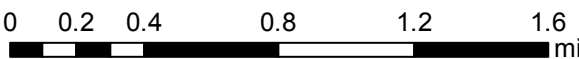
<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1153001	1600	47 %	16 %	46 %
1153002	804	36 %	0 %	33 %
1159001	1461	63 %	20 %	45 %
1159002	2720	55 %	22 %	30 %
1160002	2674	85 %	19 %	9 %
1160003	1802	54 %	17 %	38 %
Average		61 %	13 %	19 %

# Liquor License Map: SPEEDY STOP

5033 S 16TH ST



Date: 11/10/2021





## **Liquor License - Tacos y Mariscos Topolobampo**

Request for a liquor license. Arizona State License Application 170610.

### **Summary**

#### Applicant

Jared Repinski, Agent

#### License Type

Series 12 - Restaurant

#### Location

3108 W. McDowell Road  
Zoning Classification: C-3  
Council District: 4

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is Jan. 23, 2022.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

#### Other Active Liquor License Interest in Arizona

This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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Public Opinion

No protest or support letters were received within the 20-day public comment period.

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:  
"I have been representing liquor licensed establishments in Arizona for over 15 years."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

"Tourism plays an important role in our local economy and liquor licensed establishments (the sale of alcohol) is a very important aspect of tourism. Therefore, if the City of Phoenix continues to lead the State of Arizona by approving quality and diverse businesses (restaurants, bars, microbreweries, distilleries, hotel, resorts, golf course, special events, convenience / grocery stores & gas stations) similar to this proposed liquor licensed business, all businesses will prosper."

Staff Recommendation

Staff recommends disapproval of this application based on a Finance Department recommendation for disapproval due to tax delinquencies.

Attachments

Liquor License Data - Tacos y Mariscos Topolobampo

Liquor License Map - Tacos y Mariscos Topolobampo

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

# Liquor License Data: TACOS Y MARISCOS

## TOPOLOBAMPO

### Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	3	0
Bar	6	3	0
Beer and Wine Bar	7	2	0
Liquor Store	9	1	0
Beer and Wine Store	10	8	1
Restaurant	12	7	3

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	107.80	72.18
Violent Crimes	9.21	26.96	16.13

\*Citywide average per square mile \*\*Average per square mile within 1 mile radius \*\*\*Average per square mile within 1/2 mile radius

### Property Violation Data

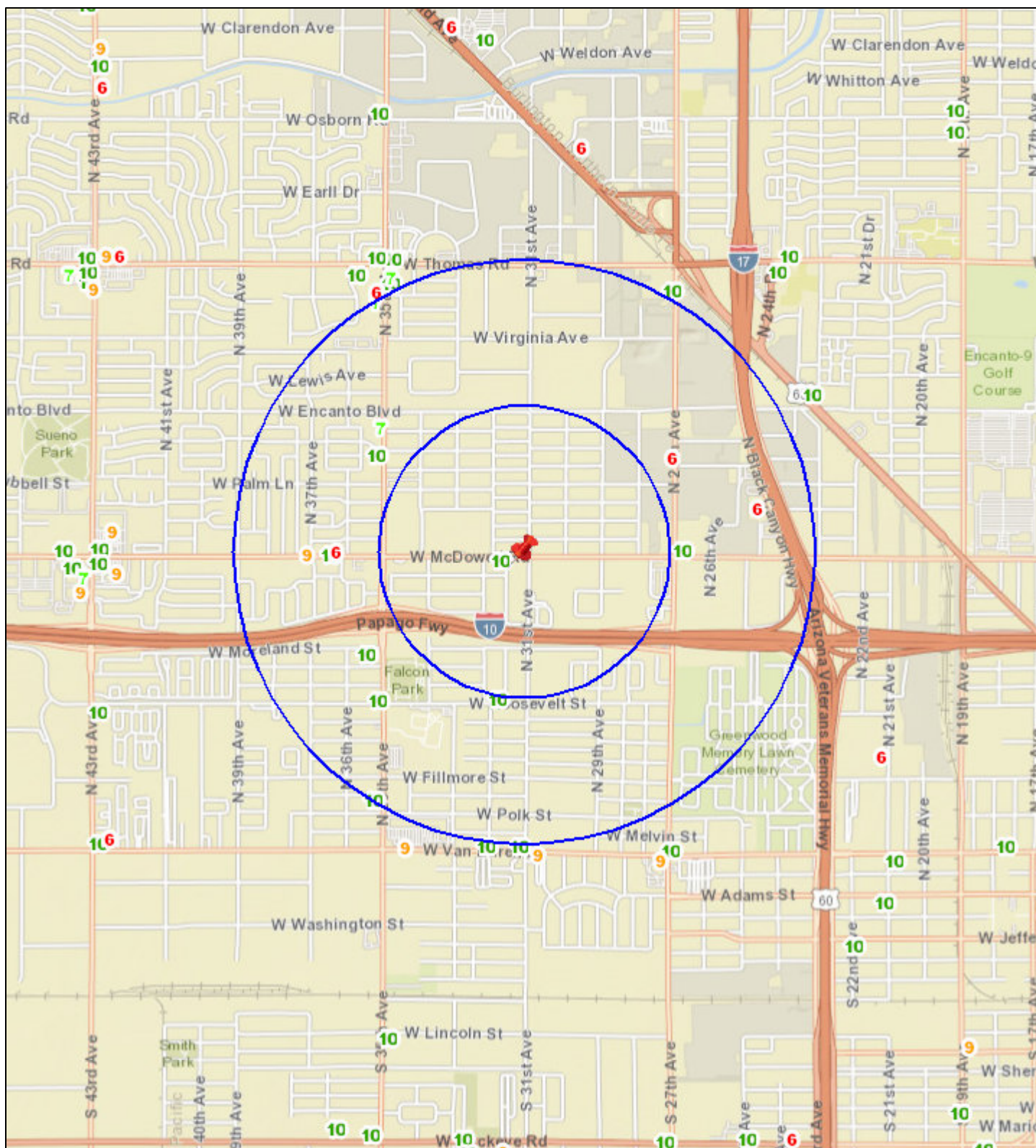
Description	Average	1/2 Mile Average
Parcels w/Violations	57	60
Total Violations	95	129

**Census 2010 Data 1/2 Mile Radius**

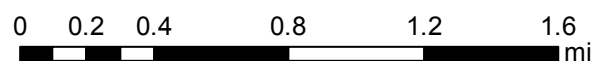
<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1121001	989	53 %	5 %	35 %
1121002	1598	60 %	3 %	32 %
1121003	1225	54 %	0 %	46 %
1122012	2059	55 %	21 %	17 %
1126012	1987	42 %	16 %	47 %
1127001	1882	54 %	0 %	25 %
1127004	673	79 %	31 %	33 %
Average		61 %	13 %	19 %



3108 W MCDOWELL RD



Date: 11/30/2021







### **PAYMENT ORDINANCE (Ordinance S-48217) (Items 33-37)**

*Ordinance S-48217 is a request to authorize the City Controller to disburse funds, up to amounts indicated below, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requests continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.*

**33 Settlement of Claim(s) APS v. City of Phoenix**

To make payment of \$36,284.88 in settlement of claim(s) in *APS v. City of Phoenix*, 20-1179-001, PD, GL, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of property damage claim arising out of a Public Works incident on Feb. 17, 2021.

**34 Evergreen Turf**

For \$50,000.00 in payment authority for a new contract, entered on or about Jan. 15, 2022, for a term of five years for turf grass sod for the Parks and Recreation Department. Various City parks and facilities need turf grass sod. Turf grass sod will help the department ensure parks and sports fields throughout the City are maintained to a good standard. The contract will provide materials, labor and equipment required to supply and install sod.

**35 Atlantic Diving Supply, Inc. doing business as ADS Inc.**

For \$47,000.00 in payment authority to purchase a Flat Panel X-ray Nano with battery charger accessory kit for the Police Department. The equipment will be used by bomb technicians to obtain rapid images of suspected hazardous devices and improvised explosive devices. The system is small, light, and portable allowing the technician to rapidly

respond to incidents in progress in a safe manner. The Phoenix Police Department's Bomb Squad is the largest bomb squad in the State of Arizona and is responsible for providing trained personnel the equipment necessary to handle and dispose of improvised explosive devices, old explosive chemicals, investigate bombs, bomb threats and conduct post bomb scene investigations. The incidents require the use of specialized equipment to mitigate hazards to the community, as well as first responders. The item is grant funded and must be ordered, delivered, and paid for by the grant deadline of Sept. 30, 2022.

**36 Steven M Guttell doing business as Steven M Guttell, PLC**

For \$75,000.00 in payment authority for a new contract, entered on or about Jan. 15, 2022 for a term of five years for Civil Service Board Hearing Officers for the Human Resources Department. The officers are needed to perform duties such as conducting hearings on Civil Service Board appeals as provided in the Personnel Rules, composing written reports stating findings and conclusions of the law, and making recommendations for the Civil Service Board's review and approval.

The Human Resources Department issued a Request for Qualifications - RFQu HR 21-006 for Civil Service Board Hearing Officers, an evaluation panel scored the proposal and recommended a contract be awarded to Steven M. Guttell.

**37 Sundt Construction, Inc.**

For \$1,503,257.00 in additional payment authority for Contract 151260, Change Order 1 for Project WS85230052 for the Val Vista Water Treatment Plant Rehabilitation 2018 project for the Water Services Department. The change order is for new scope which includes electrical building re-sequencing, Used Water Recovery System backwash clarifier coating rehabilitation, and final sediment basins grout repair. The work was not included as part of the original bid. All unused funds will be placed in owner's contingency. The project uses funds from the Water Services Department's Capital Improvement budget; no General Funds are required.



Report

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**Agenda Date:** 1/5/2022, **Item No.** 38

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**Selection of Vice Mayor**

Request to permit the City Council to select one of its members to serve as Vice Mayor, until such time of another Vice Mayor selection, pursuant to Phoenix City Charter IV, section 3. Rule 7(c) of the Rules of Council Proceedings states that "The Council shall select a new Vice Mayor once each calendar year at the first Formal meeting in January or at the next regularly scheduled meeting after a Vice Mayor vacancy occurs."

**Responsible Department**

This item is submitted by the City Manager's Office.



## **Proposed 19th Avenue and Happy Valley Road Annexation - Public Hearing**

A public hearing, as required by Arizona Revised Statutes section 9-471, on the proposed 19th Avenue and Happy Valley Road Annexation. This public hearing allows the City Council to gather community input regarding this annexation proposal. The City Council will not act on the proposed annexation at this public hearing. Formal adoption of this proposed annexation will be considered at a later date.

### **Summary**

The annexation was requested by Nick Wood, Esq. with Snell & Wilmer LLP for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. Additionally, the annexation is recommended for adoption per the attached Task Force Analysis Report (**Attachment A**).

### **Public Outreach**

Notification of the public hearing was published in the *Arizona Business Gazette* newspaper, and was posted in at least three conspicuous places in the area proposed to be annexed. Also, notice via first-class mail was sent to each property owner within the proposed annexation area.

### **Location**

The proposed annexation includes parcels 210-10-008B, 210-10-008D, 210-10-008F and 210-10-008G, located at 19th Ave. and Happy Valley Road. (**Attachment B**). The annexation area is approximately 5.24 acres (0.0080 sq. mi.) and the population estimate is 11 individuals.

Council District: 1

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

## ATTACHMENT A

### CITY COUNCIL REPORT

**TO:** Ginger Spencer  
Deputy City Manager

**FROM:** Alan Stephenson  
Planning Director

**SUBJECT:** Request for Task Force Analysis: 19th Avenue and Happy Valley Road

This report recommends the **approval** of the proposed annexation of **5.24** acres located at **19th Avenue and Happy Valley Road, Parcels: APN # 210-10-008B, 210-10-008D, 210-10-008F and 210-10-008G.**

#### THE REQUEST:

The applicant is requesting annexation to rezone the and develop a multi-family residential community of 463 units with access to city of Phoenix services. Each of the four parcels contain a single-family residence.

#### OTHER INFORMATION:

Planning Village:	Deer Valley
General Plan Designation:	Traditional Lot, Residential 3.5 to 5 dwelling units per acre
Current Zoning District:	RU-43
Equivalent Zoning District:	S-1
Current Conditions	
Current Land Use:	Single-Family Residences
To the North:	Undeveloped, zoned RU-43, Maricopa County jurisdiction
To the South:	Commercial development and Undeveloped, zoned C-2 SP and C-2, City of Phoenix jurisdiction
To the West:	Undeveloped, zoned RU-43, Maricopa County jurisdiction and C-O/M-O, City of Phoenix jurisdiction.

To the East: Undeveloped, zoned S-1, City of Phoenix jurisdiction

Non-Conformities Present? NONE PRESENT

#### PARCEL HISTORY:

210-10-008F Approved home-based business for firearm sales per LU20050036

#### ALTERNATIVES:

- Option A - Annex the land as requested:

The city of Phoenix will control rezoning requests in this area to ensure conformance with the General Plan Land Use Map. The city of Phoenix will capture property tax, utility tax, state shared revenue, and impact fees.

- Option B - Deny the request for annexation:

If annexed later, this site would have been developed under County zoning and development standards that may not be consistent with the General Plan, Land Use Map, zoning, and development standards.

#### RECOMMENDATION:

Located adjacent to City of Phoenix lands, this annexation is supported by the 2015 General Plan, particularly the Land Use goal for land uses and development standards for unincorporated land, under Policies 1 and 2. This annexation is recommended for approval. Approval of annexation does not constitute recommendation for future rezoning actions.

#### SUPPORTING INFORMATION:

##### I. Water and Sewer Service

The 4 parcels included in the request do not front existing water or sewer infrastructure.

City map shows closest water mains within the following area:

-Approximately 335-feet to the east of the southeast corner of proposed parcel, APN 210-10-008D is an 8-inch DIP water main within the west half of N 17th Avenue

-Approximately 530-feet plus to the west of the northwest and southwest corners of proposed parcels, APN 210-10-008F and APN 210-10-008B is a 54-inch PCCP water main within N 19th Avenue (Do Not Use, Transmission Main) and a 12-inch DIP water main within N 19th Avenue

City map shows closest sewer mains within the general area:

-A 12-inch VCP sewer main within W Happy Valley Road to the south of proposed parcels

-A 8-inch VCP sewer main internal to subdivision west of N 19th Avenue

Significant infrastructure improvements will be required in order to serve the proposed parcel with City of Phoenix services. Design and construction of any infrastructure will be the responsibility of the developer. Specifics regarding potential main extension requirements would be discussed and determined at a pre-application meeting after annexation. It is the City's intent to provide water and sewer service. However, the requirements and assurances for water and sewer service are determined during the site plan application review, the PCD master plan or the building permit approval. Water and/or sewer system requirements and stipulations are determined at time of Site Plan approval. Capacity on any existing infrastructure is also determined at that time. Please be advised that capacity is a dynamic condition that can change over time due to a variety of factors.

## II. Fire Protection

Servicing Station:	Phoenix Fire Station 55
Station Capacity Level, Current:	Unknown
Station Capacity Level, After Annexation:	Unknown
Current Response Time:	3 Min. 15 Sec.
City Average Response Time:	5 Min. 2 Sec.
Difference From Typical Response Time:	1 Min. 47 Sec.
Number Of Service Calls Expected:	7
Average Cost Per Service Call:	\$466
Estimated Total Annual Fire Service Costs:	<b>\$3,233</b>

## III. Police Protection

Servicing Station:	Black Mountain Precinct, 33355 North Cave Creek Rd, Cave Creek, AZ 85331
Number Of New Officers Required:	0.07
Number Of New Patrol Cars Required:	0.03
Estimated Total Annual Police Service Costs:	<b>\$9,464</b>

IV. Refuse Collection

Number of New Containers Required: 26

*Note: Public refuse container costs not applicable for apartments and non-residential / uses as these require private refuse services or contractual agreements with the City that are not determined at this time.*

Cost for Refuse Containers, Each: \$43.05

Cost for Recycling Containers, Each: \$45.70

Total Start-Up Costs For Refuse Collection: **\$2,325**

V. Street Maintenance

Average Cost Per Acre For Street Maintenance: \$85

Estimated Total Annual Street Maintenance Costs: **\$447**

VI. Public Transit

Servicing Routes: There are no servicing routes to the proposed annexation area

VII. Parks and Recreation

Neighborhood Park Demand In Acres: 0.27

Community Park Demand In Acres: 0.14

District Park Demand In Acres: 0.14

Total Park Demand In Acres: 0.56

Cost Per Acre, Annual Maintenance: \$11,000

Total Annual Parks and Recreation Costs: **\$6,142**

VIII. Schools

Elementary School District: Deer Valley Unified

High School District: Deer Valley Unified

Total Expected Elementary School Students: 18

Total Expected High School Students: 10

Total Expected New Students: **29**



IX. Revenues

This project is not in an Impact Fee area.

Tax Income, Year One

Property Tax Income:	\$3,008
Utility Fee Income:	\$3,275
State Shared Revenue:	\$22,223
Solid Waste:	\$10,627
Sales Tax Generated:	\$0
Total Tax Related Income, Annually:	<b>\$39,133</b>

Tax Income, Year Two and Beyond

Property Tax Income:	\$3,008
Utility Fee Income:	\$3,275
State Shared Revenue:	\$22,223
Solid Waste:	\$10,627
Sales Tax Generated:	\$0
Total Tax Related Income, Annually:	<b>\$39,133</b>

X. Total Costs

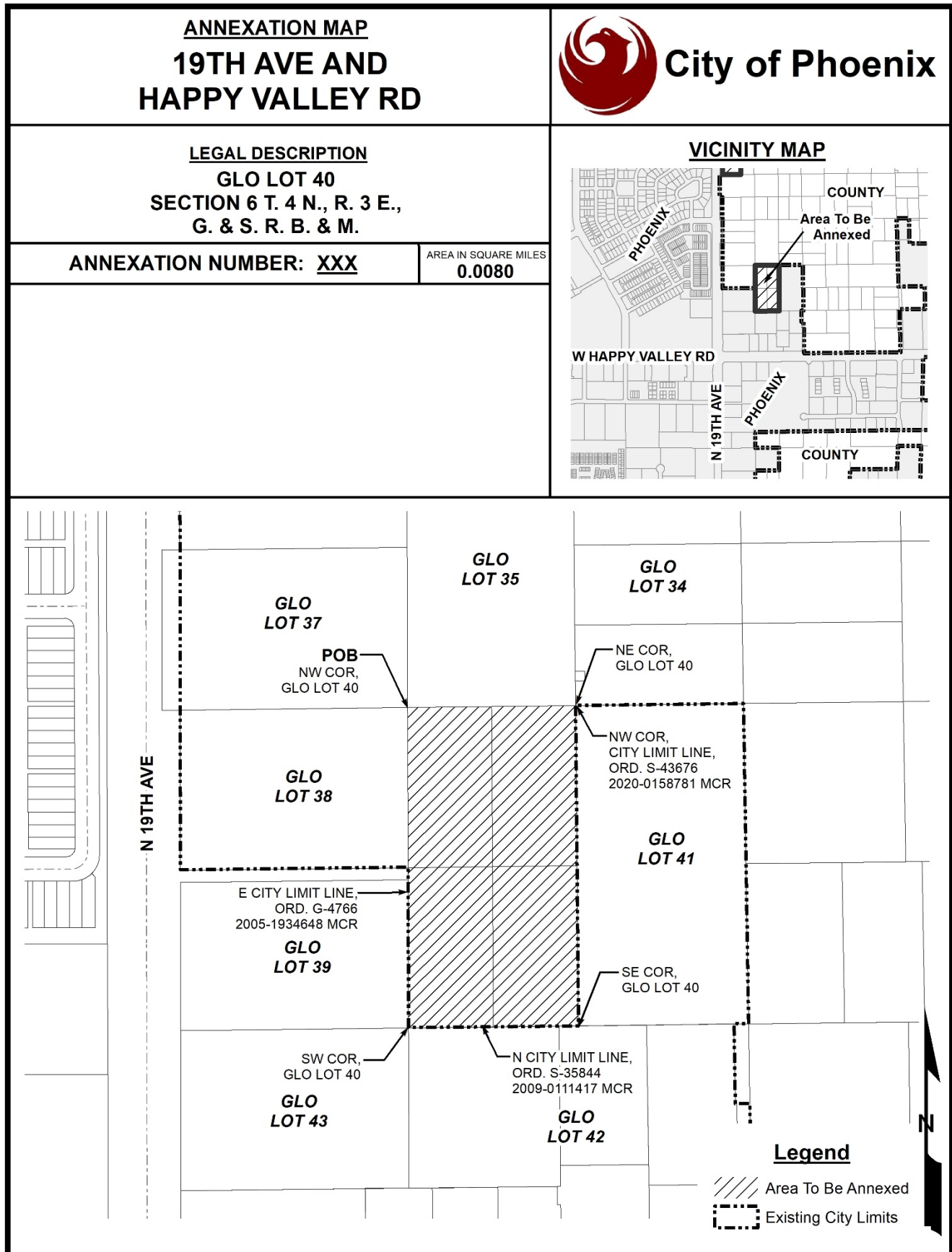
Revenue, First Year Only:	\$39,133
Revenue, Year Two and Beyond:	\$39,133
Expenses, First Year Only:	\$21,612
Expenses, Year Two and Beyond:	\$19,287

XI. Total Annual Revenue

<b>Total Annual Revenue, First Year Only:</b>	<b>\$17,521</b>
<b>Total Annual Revenue, Year Two and Beyond:</b>	<b>\$19,846</b>

The above referenced **Property Tax Income** figures are based on vacant parcels only, it does not not refer to future development which will vary depending on number of lots and individual square footage.

**Total Tax Related Income** and **Total Annual Revenues** will vary depending on project scope and size, the timing of permit issuance and build-out.





**Acceptance and Dedication of Easements and a Deed for Public Utility, Sidewalk and Roadway Purposes (Ordinance S-48227)**

Request for the City Council to accept and dedicate easements and a deed for public utility, sidewalk and roadway purposes; further ordering the ordinance recorded.

**Summary**

Accepting the property interests below will meet the Planning and Development Department's Single Instrument Dedication Process requirement prior to releasing any permits to applicants.

Easement (a)

Applicant: Jean-Michel Gillet and Denise Gillet, its successor and assigns

Purpose: Public Utility

Location: 1402 E. Shangri La Rd.

File: FN 210104

Council District: 3

Easement (b)

Applicant: 1449 E Hoover LLC, its successor and assigns

Purpose: Public Utility

Location: 1449 E. Hoover Ave.

File: FN 210109

Council District: 4

Easement (c)

Applicant: 380 E. Windsor Avenue LLC, its successor and assigns

Purpose: Public Utility

Location: 380 E. Windsor Ave.

File: FN 210110

Council District: 4

Easement (d)

Applicant: Hermina Hernandez Torrez, its successor and assigns

Purpose: Sidewalk

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Location: 2523 E. Monroe St.  
File: FN 210112  
Council District: 8

Deed (e)

Applicant: VWP 48th ST OWNER, LLC, its successor and assigns  
Purpose: Roadway  
Location: 3232 S. 48th St.  
File: FN 210100  
Council District: 8

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer, the Planning and Development and Finance departments.



**Acceptance of Easements for Drainage and for Refuse Collection, Emergency and Service Vehicle Access Purposes (Ordinance S-48232)**

Request for the City Council to accept easements for drainage and for refuse collection, emergency and service vehicle access purposes; further ordering the ordinance recorded.

**Summary**

Accepting the property interest below meets the Planning and Development Department's Single Instrument Dedication Process requirement prior to releasing any permits to applicants.

Easement (a)

Applicant: Villa Fifty1 West LP, its successor and assigns

Purpose: Refuse Collection, Emergency and Service Vehicle Access

Location: 1850 N. 51st St.

File: FN 210102

Council District: 6

Easement (b)

Applicant: Chamberlain Development, L.L.C., its successor and assigns

Purpose: Drainage

Location: 5153 W. Fillmore St.

File: FN 210108

Council District: 7

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer, the Planning and Development and Finance departments.



**Dedication of Easements on City-Owned Land for Public Utility and Roadway Purposes along 7th Avenue and Happy Valley Road (Ordinance S-48228)**

Request for the City Council to dedicate easements to public use for utility and roadway purposes on City-owned land along 7th Ave. and Happy Valley Rd.; further ordering the ordinance recorded.

**Summary**

Dedication of public utility and roadway easements is required to accommodate public improvements. The 9,044 square foot public utility and 31,861 square foot roadway easement is located within City-owned land along the east side 7th Ave. and the south side of Happy Valley Rd. The easements are more fully described in the legal descriptions to be recorded with the ordinance.

**Location**

Southeast corner of 7th Ave. and Happy Valley Rd.  
Council District: 1

**Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua, the Street Transportation and Finance departments.



**Acquisition of Real Property for Street Improvements along North 35th Avenue between West Camelback and West Bethany Home Roads (Ordinance S-48235)**

Request to authorize the City Manager, or his designee, to acquire all real property and related property interests required by donation, purchase within the City's appraised value, or by the power of eminent domain for street improvements along North 35th Avenue between west Camelback and west Bethany Home roads. Further request to authorize dedication of land with roadway and/or public improvements to public use for right-of-way purposes via separate recording instrument. Additionally, request to authorize the City Controller to disburse all funds related to this item.

**Summary**

The acquisition of real property is needed for the 35th Avenue: Camelback Road to Bethany Home Road Improvement project, which includes new street lighting, installation of new traffic signals, and Americans with Disabilities Act (ADA) compliant curb ramps at the Camelback Road and Bethany Home Road intersections. This project addresses roadway safety and changing conditions as a result of extensive modifications to adjacent land use.

The parcels affected by this project and included in this request are identified in **Attachment A**.

**Financial Impact**

Funding is available in the Street Transportation Department's Capital Improvement Program budget utilizing Transportation 2050 Funds.

**Location**

Along North 35th Avenue between west Camelback and west Bethany Home roads.  
Council District: 5

**Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua, the Street Transportation and Finance departments.



**Attachment A**  
**Property Identification**

City of Phoenix Street Transportation Department- ST85100417-1  
35th Avenue- Camelback Road to Bethany Home Road

The following improved and/or unimproved parcels affected by acquisition and included in this request are identified by the Maricopa County Assessor's parcel number (APN) and the address or location.

<b>APN</b>	<b>Address / Location</b>
145-10-114E	3501 W BETHANY HOME RD
145-10-117	5702 N 35TH AVE
145-10-118	5702 N 35TH AVE
145-11-001	5618 N 35TH AVE
145-11-004	5632 N 35TH AVE
145-11-007	5646 N 35TH AVE
145-11-173	5510 N 35TH AVE
145-11-176	5526 N 35TH AVE
145-11-179	5610 N 35TH AVE
145-15-084	5102 N 35TH AVE
145-15-087	5120 N 35TH AVE
145-15-089	5134 N 35TH AVE
145-15-107	3502 W CAMELBACK RD
145-15-111	5020 N 35TH AVE
145-16-001A	3501 W MISSOURI AVE
145-16-002A	5302 N 35TH AVE
145-16-009A	3502 W COLTER ST
145-16-012	5226 N 35TH AVE
145-16-013	3501 W GEORGIA AVE
152-08-087C	6002 N 35TH AVE
153-01-150A	5849 N 35TH AVE
153-17-005D	3446 W CAMELBACK RD
154-08-028	3433 W CAMELBACK RD



## **Flexible Spending Account and COBRA Administration Services (Ordinance S-48239)**

Request to authorize the City Manager, or his designee, to authorize additional payment authority of \$220,000 (S-46757) with ConnectYourCare, LLC to provide Flexible Spending Account (FSA) administration services and the Consolidated Omnibus Budget Reconciliation Act (COBRA) administration services. The total revised aggregate amount of \$440,000 will not exceed \$160,000 for FSA services and \$280,000 for COBRA services over five years. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

This request is needed as a result of negotiations with the vendor who misunderstood the billing terms in the Request for Proposal (RFP). City staff determined it best to negotiate rates with this vendor as the benefits provided are annually-calculated federally regulated benefits. Negotiations resulted in rates comparable to other offers in the RFP process.

A FSA is a tax-favored program offered by employers which allows its employees to pay for eligible out-of-pocket health care and dependent care expenses with pre-tax dollars. Currently, there are approximately 1,100 employee healthcare FSA accounts and 300 employee dependent care FSA accounts.

COBRA requires employers with group health plans to provide temporary continuation of group health coverage (medical, dental and vision), when such coverage would otherwise be lost, to covered employees and their dependents. The City typically has 600 to 700 COBRA qualified participants.

### **Contract Term**

The five-year contract began on Jan. 1, 2021 and will expire on Dec. 31, 2025.

### **Financial Impact**

The revised aggregate five-year value shall not exceed \$440,000. The contract value is based on current and projected enrollment. Funds are available in the Human Resources Department's budget.

**Concurrence/Previous Council Action**

RFP HR 20-107 was conducted in accordance with Administrative Regulation 3.10 and approved by Council on June 17, 2020.

**Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and the Human Resources Department.



## **PeopleSoft Application Development Contract Extension (Ordinance S-48252)**

Request to authorize the City Manager, or his designee, to execute an amendment to Contract No. 151639 with Envision, LLC for one year through February 4, 2023 and to authorize additional payment authority in the amount of \$400,000. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

The City entered into contract with Envision, LLC for a two-year term on February 5, 2020 to provide PeopleSoft Application Development Services for the Human Resources Department. PeopleSoft software is used Citywide to manage human resources functions such as payroll, recruiting, hiring and benefits management. This one-year extension is needed to finalize upgrades to the Talent Acquisition Manager and Candidate Gateways modules which modernize City recruiting, application and hiring processes. Additional needs include fully utilizing PeopleSoft functionality to produce under/non-utilized data for analysis, measurement, decision making and branding for recruiting; adding new Human Resources and benefits functionality; upgrading the open enrollment experience; and replacing annual paper-based policy acknowledgements.

This item has been reviewed and approved by the Information Technology Services Department.

### **Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a Determination Memo citing special circumstance without competition. The Information Technology Services Department is conducting a Request for Qualifications (RFQ); however, the current contract will expire before a vendor could be selected using the new RFQ list.

### **Financial Impact**

Upon the approval of the additional payment authority of \$400,000, the revised aggregate value will be \$1,130,000. Funds are available in the Information Technology Services Department's budget.

**Concurrence/Previous Council Action**

The initial contract was approved by City Council on Feb. 5, 2020.

**Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and the Human Resources Department.



## **Amendments to Chapter 2, Article III in Accordance with Human Resources Committee 612A Recommendations (Ordinance G-6941)**

Request to authorize City Manager to amend Chapter 2, Article III to establish the salaries for Judges of the City Court; establish the salary and benefits of the Assistant Presiding Judge; and to modify the benefits for Court Hearing Officers.

### **Summary**

#### **Background**

The City of Phoenix Municipal Court supports nearly 40 judges yet has no official structural alignment to provide management and administrative oversight to those judges. There is one position that has a working title of “assistant presiding judge” but this position is classified and compensated the same as all other judges. Because this role provides managerial and supervisory functions, it makes sense to establish a separate organizational level for this role and compensate the position appropriately. A new grade would also be established concurrent with the establishment of the classification.

During the review of the judicial structure, staff also reviewed the salary and compensation packages for other courts in the local labor market. Without exception, all of the neighboring municipalities allow for a salary review process that provides the flexibility to adjust salaries on a periodic basis to remain competitive in the marketplace.

Phoenix, however, has salary rates for judges specified in City Code at the same rate provided to the judges of the Superior Court of Arizona. As a result, Phoenix judges are compensated at the lowest rate in the local market, and there is no opportunity or flexibility provided by the City Code to resolve this situation. A request for comparable salary information from neighboring municipalities in the local labor market was conducted between August through October 2021.

<b><u>Municipality</u></b>	<b><u>Base Salary</u></b>
Scottsdale	\$202,384
Surprise	\$186,803
Mesa	\$173,430

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Tempe	\$173,348
Chandler	\$176,008
Glendale	\$169,635
Gilbert	\$168,637
Maricopa County Superior Court	\$149,400

A simple average of the neighboring cities (including Maricopa County Superior Court) yields \$174,956. Staff recommend adjusting the annual salary up slightly to \$175,011. This would move Phoenix to be competitively positioned in the labor market.

Furthermore, recognizing the supervisory responsibilities of the Assistant Chief Presiding Judge, staff are recommending a base salary calculated at 10 percent above that of the judges. This results in a salary of \$192,504.

City Code currently provides for the Court Hearing Officers and Presiding Court Hearing Officers to receive the same benefits as provided for in the supervisory and professional pay plan of the City of Phoenix. However, because the roles and responsibilities are closely tied to the judges, and their base salary is calculated as a percentage of the judges, it is recommended the benefit package of the Hearing Officers be revised be to the same as that of the judges, namely the same benefits as provided for in the middle management pay plan of the City of Phoenix.

These amendments are effective on Jan. 24, 2022.

The amendments are reflected in **Attachment A**.

The specific salary and benefit changes for the Assistant Presiding Judge, Judges of the City Court, and Court Hearing Officers will be made on separate ordinances modifying the City's compensation plan and classification plan.

### **Financial Impact**

The total estimated cost for the entire proposal is \$825,000.

### **Concurrence/Previous Council Action**

This action was reviewed and recommended for approval by Human Resources Committee 612A on Dec. 9, 2021.

### **Responsible Department**

This item is submitted by Deputy City Manager Karen Peters, Assistant City Manager Lori Bays, and the Human Resources Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,  
ADOPTED ORDINANCE

ORDINANCE G-\_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE III TO  
ESTABLISH THE SALARIES FOR JUDGES OF THE CITY  
COURT; ESTABLISH THE SALARY AND BENEFITS OF  
THE ASSISTANT PRESIDING JUDGE; AND TO MODIFY  
THE BENEFITS FOR COURT HEARING OFFICERS.

\_\_\_\_\_

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

SECTION 1. That Chapter 2, Article III, Division 1, Section 2-83.1 is  
amended to read:

2-83.1 Salaries

A. A Judge of the City Court is entitled to receive an annual salary in an amount AS PROVIDED FOR BY THE COUNCIL OF THE CITY OF PHOENIX ~~equal to one hundred percent of the annual salary paid to a Judge of the Superior Court of Arizona~~, and in addition thereto, each Judge of the City Court shall be entitled to receive the same benefits, INCLUDING INCREASES TO BASE WAGES, as provided for in the middle management pay plan of the City. ~~The salaries of Judges of the City Court shall change concurrently with any change in the salaries of Judges of the Superior Court.~~

B. A JUDGE OF THE CITY COURT DESIGNATED AS THE ASSISTANT PRESIDING JUDGE BY THE PRESIDING JUDGE PURSUANT TO SECTION 2-83(8) IS ENTITLED TO RECEIVE AN ANNUAL SALARY IN AN AMOUNT EQUAL TO ONE HUNDRED TEN PERCENT OF THE SALARY PAID TO A JUDGE OF THE PHOENIX CITY COURT AND IN ADDITION THERETO, THE ASSISTANT PRESIDING JUDGE SHALL BE ENTITLED TO RECEIVE THE SAME BENEFITS, INCLUDING INCREASES TO BASE WAGES, AS PROVIDED FOR IN THE EXECUTIVE PAY PLAN OF THE CITY OF PHOENIX.

BC. The salary of the Presiding Judge of the Municipal Court of the City of Phoenix shall be in an amount as provided for by the Council of the City of Phoenix and, in addition thereto, the Presiding Judge shall be entitled to the same fringe benefits as provided for in the executive pay plan of the City of Phoenix.



SECTION 2. That Chapter 2, Article III, Division 1, Section 2-94 is amended to read:

2-94 Court Hearing Officers and presiding Court Hearing Officer—Qualifications; term; removal; hearing officers pro tempore; compensation; powers and duties.

A. Court Hearing Officers appointed by the Chief Presiding Judge pursuant to chapter VIII, section 9, of the Phoenix City Charter, must meet the following minimum qualifications at the time of appointment.

1. All qualifications as may be established, from time to time, by the Arizona Supreme Court or as may be required by statute for such officers.
2. In addition to the foregoing, such officers must have either a law degree or a bachelor's degree with at least three years of experience in the area of traffic law or a related field.

B. Court hearing officers shall be appointed for a term of two years and may only be removed during said term by the Chief Presiding Judge for cause and after a hearing. The Chief Presiding Judge may, in addition, appoint such Court Hearing Officers pro tempore as may be required by the City Court, to serve at the Chief Presiding Judge's pleasure.

C. A Court Hearing Officer is entitled to receive an annual salary in an amount that equals seventy percent of the annual salary paid to a Judge of the Phoenix City Court and in addition thereto, a Court Hearing Officer shall be entitled to receive the same benefits as provided for in the ~~MIDDLE MANAGEMENT supervisory and professional~~ pay plan of the City of Phoenix. The salary of Court Hearing Officers shall change concurrently with any change in the salary of a Judge of the City Court. Said compensation may not be reduced during the term of office of an incumbent other than the proportion by which salaries of all City employees may be reduced generally.

D. The powers and duties of a court hearing officer shall be those as may be established, from time to time, by the City Charter, ordinance, statute, or the rules of the Arizona Supreme Court, relating to such officers. The City Manager is authorized to exempt Court Hearing Officers from the classified service pursuant to Chapter XXV, Section 5.1.q of the Charter of the City of Phoenix.

E. The Chief Presiding Judge shall designate a court hearing officer as presiding Court Hearing Officer to serve at the Chief Presiding Judge's pleasure and to perform such duties as the Chief Presiding Judge may delegate. The Presiding Court Hearing Officer shall receive an annual salary in an amount equal to eighty-five percent of the annual salary of a City Court judge and, in addition thereto, the Presiding Court Hearing Officer shall be entitled to receive the same benefits as provided for in the MIDDLE MANAGEMENT ~~supervisory and professional~~ pay plan of the City. The salary of the Presiding Court Hearing Officer shall change concurrently with any change in the salary of a Judge of the City Court.

PASSED by the Council of the City of Phoenix this \_\_\_\_\_ day of January  
2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

BY: \_\_\_\_\_

\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
Jeffrey Barton, City Manager



**Amendments to Classification Plan S-5815 in Accordance with Human Resources Committee 612A Recommendations (Ordinance S-48258)**

As part of a classification and compensation study, the following amendments to the Classification Plan [S-5815] are proposed in accordance with the recommendation of Human Resources Committee 612A. The proposal will also require modifications to the City's Pay Ordinance [S-47689] which will be processed under a separate ordinance.

Establish the classification of Assistant Chief Presiding Judge (NC), Job Code: 10580, Salary Plan: 018, Grade: 970 (\$92.55 hourly), Benefit Category: 010, Labor Unit Code: 008, EEO-4 Category: Officials and Administrator, FLSA Status: Exempt.

Modify the classification of City Judge (NC), Job Code: 10570, Salary Plan: 013, Benefit Category: 009, Labor Unit Code: 008, EEO-4 Category: Officials and Administrator, FLSA Status: Exempt, from Grade: 880 (\$71.818 hourly) to Grade: 880 (\$84.14 hourly).

Modify the classification of Presiding Court Hearing Officer (NC), Job Code: 10060, Salary Plan: 001, Benefit Category: 007, Labor Unit Code: 008, EEO-4 Category: Professionals, FLSA Status: Exempt, from Salary Plan: 001 to Salary Plan: 013, Grade: 870 (\$71.52 hourly), Benefit Category: 009, EEO-4 Category: Officials and Administrator.

Modify the classification of Municipal Court Hearing Officer (NC), Job Code: 10050, Salary Plan: 001, Grade: 081 (\$50.273 hourly), Benefit Category: 007, Labor Unit Code: 008, EEO-4 Category: Professionals, FLSA Status: Exempt, to Salary Plan: 013, Grade: 860 (\$58.90 hourly), Benefit Category: 009, EEO-4 Category: Officials and Administrator.

**Summary**

Background

The City of Phoenix Municipal Court supports nearly 40 judges yet has no official structural alignment to provide management and administrative oversight to those judges. There is one position that has a working title of "Assistant Presiding Judge,"

but this position is classified and compensated the same as all other judges. Because this role provides managerial and supervisory functions, it makes sense to establish a separate organizational level for this role and compensate the position appropriately. A new grade would also be established concurrent with the establishment of the classification. *These actions are contingent upon changes to the City Code that would authorize such.*

During the review of the judicial structure, staff also reviewed the salary and compensation packages for other courts in the local labor market. Without exception, all of the neighboring municipalities allow for a salary review process that provides the flexibility to adjust salaries on a periodic basis to remain competitive in the marketplace.

Phoenix, however, has salary rates for judges specified in City Code at the same rate provided to the judges of the Superior Court of Arizona. As a result, Phoenix judges are compensated at the lowest rate in the local market, and there is no opportunity or flexibility provided by the City Code to resolve this situation. A request for comparable salary information from neighboring municipalities in the local labor market was conducted between August through October 2021.

<b><u>Municipality</u></b>	<b><u>Base Salary</u></b>
Scottsdale	\$202,384
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Mesa	\$173,430
Tempe	\$173,348
Chandler	\$176,008
Glendale	\$169,635
Gilbert	\$168,637
Maricopa County Superior Court	\$149,400
Tucson	\$119,467
Flagstaff	\$110,023

It is recommended to exclude Tucson and Flagstaff from further analysis; their salaries are considerably lower than the others, and geographically they are not within the immediate labor market of Phoenix.

A simple average of the neighboring cities (including Maricopa County Superior Court) yields \$174,956. Staff recommend adjusting the annual salary up slightly to \$175,011. This would move Phoenix to be competitively positioned in the labor market. *This action is contingent upon changes to the City Code that would authorize such.*

Furthermore, recognizing the supervisory responsibilities of the Assistant Chief Presiding Judge, staff are recommending a base salary calculated at 10 percent above that of the judges. This results in a salary of \$192,504. *This action is contingent upon changes to the City Code that would authorize such.*

City Code currently provides for the Court Hearing Officers and Presiding Court Hearing Officers to receive the same benefits as provided for in the supervisory and professional pay plan of the City of Phoenix. However, because the roles and responsibilities are closely tied to the judges, and their base salary is calculated as a percentage of the judges, it is recommended the benefit package of the Hearing Officers be revised be to the same as that of the judges, namely the same benefits as provided for in the middle management pay plan of the City of Phoenix. *These actions are contingent upon changes to the City Code that would authorize such.*

The proposed changes to Section 5, paragraph (r) are intended to allow these classifications to receive salary increases consistent with those afforded to other Unit 9 and 10 employees.

These amendments are effective on Jan. 24, 2022.

**Financial Impact**

The total estimated cost for the entire proposal is \$825,000.

**Concurrence/Previous Council Action**

This action was reviewed and recommended for approval by Human Resources Committee 612A on Dec. 9, 2021.

**Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and the Human Resources Department.



**Amendments to Pay Ordinance S-47689 in Accordance with Human Resources Committee 612A Recommendations (Ordinance S-48259)**

As part of a classification and compensation study, the following amendments to the Pay Ordinance [S 47689] are proposed in accordance with the recommendation of Human Resources Committee 612A. The proposal will also require modifications to the City's Classification Plan [S-5815], which will be processed under a separate ordinance.

Modify Section 5, paragraph (r): Compensation. Effective July 11, 2022, a 1.64% base wage increase will be applied to Unit 9 and 10 pay grades and employees. In addition, all Unit 9 and 10 employees will receive a non-continuous payment of 4.10% annual base wage to be paid out on the first full pay period in August 2022, after completing requirements set forth by the City Manager relative to their performance evaluations. The provisions of this paragraph do not apply to the Chief Presiding Judge (NC).

Establish the classification of Assistant Chief Presiding Judge (NC), Job Code: 10580, Salary Plan: 018, Grade: 970 (\$92.55 hourly), Benefit Category: 010, Labor Unit Code: 008, EEO-4 Category: Officials and Administrator, FLSA Status: Exempt.

Modify the classification of City Judge (NC), Job Code: 10570, Salary Plan: 013, Benefit Category: 009, Labor Unit Code: 008, EEO-4 Category: Officials and Administrator, FLSA Status: Exempt, from Grade: 880 (\$71.818 hourly) to Grade: 880 (\$84.14 hourly).

Modify the classification of Presiding Court Hearing Officer (NC), Job Code: 10060, Salary Plan: 001, Benefit Category: 007, Labor Unit Code: 008, EEO-4 Category: Professionals, FLSA Status: Exempt, from Salary Plan: 001 to Salary Plan: 013, Grade: 870 (\$71.52 hourly), Benefit Category: 009, EEO-4 Category: Officials and Administrator.

Modify the classification of Municipal Court Hearing Officer (NC), Job Code: 10050, Salary Plan: 001, Grade: 081 (\$50.273 hourly), Benefit Category: 007, Labor Unit Code: 008, EEO-4 Category: Professionals, FLSA Status: Exempt, to Salary Plan: 013, Grade: 860 (\$58.90 hourly), Benefit Category: 009, EEO-4 Category: Officials and Administrator.

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## **Summary**

### **Background**

The City of Phoenix Municipal Court supports nearly 40 judges yet has no official structural alignment to provide management and administrative oversight to those judges. There is one position that has a working title of “Assistant Presiding Judge,” but this position is classified and compensated the same as all other judges. Because this role provides managerial and supervisory functions, it makes sense to establish a separate organizational level for this role and compensate the position appropriately. A new grade would also be established concurrent with the establishment of the classification. *These actions are contingent upon changes to the City Code that would authorize such.*

During the review of the judicial structure, staff also reviewed the salary and compensation packages for other courts in the local labor market. Without exception, all of the neighboring municipalities allow for a salary review process that provides the flexibility to adjust salaries on a periodic basis to remain competitive in the marketplace.

Phoenix, however, has salary rates for judges specified in City Code at the same rate provided to the judges of the Superior Court of Arizona. As a result, Phoenix judges are compensated at the lowest rate in the local market, and there is no opportunity or flexibility provided by the City Code to resolve this situation. A request for comparable salary information from neighboring municipalities in the local labor market was conducted between August through October 2021.

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It is recommended to exclude Tucson and Flagstaff from further analysis; their salaries are considerably lower than the others, and geographically they are not within the

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immediate labor market of Phoenix.

A simple average of the neighboring cities (including Maricopa County Superior Court) yields \$174,956. Staff recommend adjusting the annual salary up slightly to \$175,011. This would move Phoenix to be competitively positioned in the labor market. *This action is contingent upon changes to the City Code that would authorize such.*

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City Code currently provides for the Court Hearing Officers and Presiding Court Hearing Officers to receive the same benefits as provided for in the supervisory and professional pay plan of the City of Phoenix. However, because the roles and responsibilities are closely tied to the judges, and their base salary is calculated as a percentage of the judges, it is recommended the benefit package of the Hearing Officers be revised be to the same as that of the judges, namely the same benefits as provided for in the middle management pay plan of the City of Phoenix. *These actions are contingent upon changes to the City Code that would authorize such.*

The proposed changes to Section 5, paragraph (r) are intended to allow these classifications to receive salary increases consistent with those afforded to other Unit 9 and 10 employees.

These amendments are effective on Jan. 24, 2022.

### **Financial Impact**

The total estimated cost for the entire proposal is \$825,000.

### **Concurrence/Previous Council Action**

This action was reviewed and recommended for approval by Human Resources Committee 612A on Dec. 9, 2021.

### **Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and the Human Resources Department.





**Amendments to Classification Plan S-5815 in Accordance with Human Resources Committee 612B Recommendations (Ordinance S-48256)**

As part of a classification and compensation study, the following amendments to the Classification Plan [S-5815] are proposed in accordance with the recommendation of Human Resources Committee 612B. The proposal will also require modifications to the City's Pay Ordinance [S-47689] which will be processed under a separate ordinance.

Modify the classification of Records Clerk II, Job Code: 01120, Salary Plan: 006, Grade: 322 (\$14.93 - \$21.57/hourly), Benefit Category: 003, Labor Unit Code: 003, EEO-4 Category: Administrative Support, FLSA Status: Non-exempt to Records Clerk, Grade: 323 (\$15.55 - \$22.64/hourly).

Modify the assignment of Records Clerk II\*Lead, Job Code: 01121, Salary Plan: 006, Grade: 323 (\$15.55 - \$22.64/hourly), Benefit Category: 003, Labor Unit Code: 003, EEO-4 Category: Administrative Support, FLSA Status: Non-exempt to Records Clerk\*Lead, Grade: 324 (\$16.24 - \$23.70/hourly).

Modify the classification title of Records Clerk III, Job Code: 01130, Salary Plan: 001, Grade: 026, Benefit Category: 007, Labor Unit Code: 007, EEO-4 Category: Administrative Support, FLSA Status: Non-exempt to Senior Records Clerk.

Modify the classification of Police Records Clerk, Job Code: 01210, Salary Plan: 006, Grade: 322 (\$14.93 - \$21.57/hourly) Benefit Category: 003, Labor Unit Code: 003, EEO-4 Category: Administrative Support, FLSA Status: Non-exempt to Grade 323 (\$15.55 - \$22.64/hourly).

Modify the assignment of Police Records Clerk\*Lead, Job Code: 01212, Salary Plan: 006, Grade: 323 (\$15.55 - \$22.64/hourly), Benefit Category: 003, Labor Unit Code: 003, EEO-4 Category: Administrative Support, FLSA Status: Non-exempt to Grade 324 (\$16.24 - \$23.70/hourly).

Abolish the assignment of Police Records Clerk\*Alarms Lead, Job Code: 01215, Salary Plan: 001, Grade: 024 (\$16.24 - \$23.70/hourly), Benefit Category: 007, Labor

Unit Code: 007, EEO-4 Category: Administrative Support, FLSA Status: Non-exempt.

Establish the classification of Airport Access Agent, Job Code: 01150, Salary Plan: 006, Grade: 324 (\$16.24 - \$23.70/hourly), Benefit Category: 003, Labor Unit Code: 003, EEO-4 Category: Administrative Support, FLSA Status: Non-exempt.

## **Summary**

### Background

Unit 3 requested a study of Records Clerks II. Specifically, the request came from the 10 Records Clerks II positions in the Aviation Public Safety and Security Division, who issue badges for airport access, because they feel their job duties are broader in scope than those typical for a Records Clerk.

There are 27 Records Clerk II positions Citywide. 10 of these positions are in Aviation Public Safety and Security, four are in Aviation Ground Transportation, and the rest are spread throughout City Clerk, Fire, and the Planning and Development departments. Turnover and retention are not issues for these positions. There is also one Records Clerk II\*Lead position.

### Findings

The Records Clerk II position is not a benchmark classification, easily found in other agencies, and clerical classifications as the City of Phoenix (Unit 3 has 53), and staff were unable to find good matches externally. Staff therefore focused on our internal clerical structure.

Internally, Police Records Clerk and Police Records Clerk\*Lead have been in parity with the Records Clerk II and Records Clerk II\*Lead positions since 1999. Staff also looked at what other classifications in the City handle badging, since it was the Records Clerks II positions that handle security badging at the airport who initiated this study. The classifications of Municipal Security Guard\*Badge Imaging and Support Services Aide share badging in the Calvin Goode Bldg. These classifications are grade 324.

Before any of the 20,000 workers at the airport can have unescorted access into the restricted areas of the airport, federal law requires that they must submit, and pass, fingerprint criminal history records checks and security threat assessments. The 10 Aviation Public Safety and Security Records Clerks II positions are responsible for issuing all airport access badges. Under Federal law, these positions are on the Transportation Security Administration (TSA) Trusted Agent list and handle personally identifiable information (PII) and security sensitive information. These specific positions are distinct from the four Ground Transportation Records Clerks, who are not required

to be on the Trusted Agent List and who do not have access to criminal history and security threat assessment information. Ground Transportation and Public Safety and Security Records Clerks II positions never fill in for each other as their positions are not interchangeable.

### Conclusions

In the absence of local market data, the recommendations shown will keep internal alignment among this group of support positions: Airport Access Agents will be congruent with other badging positions at grade 324, as well as with the Records Clerk\*Lead. Moving Records Clerks and Police Records Clerks up together maintains their parity, and the one grade increase creates an appropriate grade distinction between these classifications and the badging positions, which have access to secure information.

The consultant leading the Citywide classification and compensation study, Koff, will be conducting a market study beyond the City's local market. Additionally, staff has recommended that the Koff study look at the City's clerical classification structure in depth.

These amendments are effective on Jan. 24, 2022.

### **Financial Impact**

The total estimated cost for the entire proposal is \$61,420.

### **Concurrence/Previous Council Action**

This action was reviewed and recommended for approval by Human Resources Committee 612B on Dec. 9, 2021.

### **Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and the Human Resources Department.



**Amendments to Pay Ordinance S-47689 in Accordance with Human Resources Committee 612B Recommendations (Ordinance S-48257)**

As part of a classification and compensation study, the following amendments to the Pay Ordinance [S 47689] are proposed in accordance with the recommendation of Human Resources Committee 612B. The proposal will also require modifications to the City's Classification Plan [S-5815], which will be processed under a separate ordinance.

Modify the classification of Records Clerk II, Job Code: 01120, Salary Plan: 006, Grade: 322 (\$14.93 - \$21.57/hourly), Benefit Category: 003, Labor Unit Code: 003, EEO-4 Category: Administrative Support, FLSA Status: Non-exempt to Records Clerk, Grade: 323 (\$15.55 - \$22.64/hourly).

Modify the assignment of Records Clerk II\*Lead, Job Code: 01121, Salary Plan: 006, Grade: 323 (\$15.55 - \$22.64/hourly), Benefit Category: 003, Labor Unit Code: 003, EEO-4 Category: Administrative Support, FLSA Status: Non-exempt to Records Clerk\*Lead, Grade: 324 (\$16.24 - \$23.70/hourly).

Modify the classification title of Records Clerk III, Job Code: 01130, Salary Plan: 001, Grade: 026, Benefit Category: 007, Labor Unit Code: 007, EEO-4 Category: Administrative Support, FLSA Status: Non-exempt to Senior Records Clerk.

Modify the classification of Police Records Clerk, Job Code: 01210, Salary Plan: 006, Grade: 322 (\$14.93 - \$21.57/hourly) Benefit Category: 003, Labor Unit Code: 003, EEO-4 Category: Administrative Support, FLSA Status: Non-exempt to Grade 323 (\$15.55 - \$22.64/hourly).

Modify the assignment of Police Records Clerk\*Lead, Job Code: 01212, Salary Plan: 006, Grade: 323 (\$15.55 - \$22.64/hourly), Benefit Category: 003, Labor Unit Code: 003, EEO-4 Category: Administrative Support, FLSA Status: Non-exempt to Grade 324 (\$16.24 - \$23.70/hourly).

Abolish the assignment of Police Records Clerk\*Alarms Lead, Job Code: 01215, Salary Plan: 001, Grade: 024 (\$16.24 - \$23.70/hourly), Benefit Category: 007, Labor

Unit Code: 007, EEO-4 Category: Administrative Support, FLSA Status: Non-exempt.

Establish the classification of Airport Access Agent, Job Code: 01150, Salary Plan: 006, Grade: 324 (\$16.24 - \$23.70/hourly), Benefit Category: 003, Labor Unit Code: 003, EEO-4 Category: Administrative Support, FLSA Status: Non-exempt.

## **Summary**

### Background

Unit 3 requested a study of the Records Clerks II position. Specifically, the request came from the 10 Records Clerks II in the Aviation Public Safety and Security Division, who issue badges for airport access, because they feel their job duties are broader in scope than those typical for a Records Clerk.

There are 27 Records Clerk II positions Citywide. 10 of these positions are in Aviation Public Safety and Security, four are in Aviation Ground Transportation, and the rest are spread throughout City Clerk, Fire, and the Planning and Development departments. Turnover and retention are not issues for these positions. There is also one Records Clerk II\*Lead position.

### Findings

The Records Clerk II position is not a benchmark classification, easily found in other agencies, and clerical classifications as the City of Phoenix (Unit 3 has 53), and staff were unable to find good matches externally. Staff therefore focused on the City's internal clerical structure.

Internally, the Police Records Clerk and Police Records Clerk\*Lead positions have been in parity with the Records Clerk II and Records Clerk II\*Lead positions since 1999. Staff also looked at what other classifications in the City handle badging, since it was the Records Clerks II positions that handle security badging at the airport who initiated this study. The classifications of Municipal Security Guard\*Badge Imaging and Support Services Aide share badging in the Calvin Goode Bldg. These classifications are grade 324.

Before any of the 20,000 workers at the airport can have unescorted access into the restricted areas of the airport, federal law requires that they must submit, and pass, fingerprint criminal history records checks and security threat assessments. The 10 Aviation Public Safety and Security Records Clerks II positions are responsible for issuing all airport access badges. Under Federal law, these positions are on the Transportation Security Administration (TSA) Trusted Agent list and handle personally identifiable information (PII) and security sensitive information. These specific positions are distinct from the four Ground Transportation Records Clerks, who are not required

to be on the Trusted Agent List and who do not have access to criminal history and security threat assessment information. Ground Transportation and Public Safety and Security Records Clerk II positions never fill in for each other as their positions are not interchangeable.

### Conclusions

In the absence of local market data, the recommendations shown will keep internal alignment among this group of support positions: Airport Access Agents will be congruent with other badging positions at grade 324, as well as with the Records Clerk\*Lead position. Moving Records Clerks and Police Records Clerks up together maintains their parity, and the one grade increase creates an appropriate grade distinction between these classifications and the badging positions, which have access to secure information.

The consultant leading the Citywide classification and compensation study, Koff, will be conducting a market study beyond the City's local market. Additionally, staff has recommended that the Koff study look at the City's clerical classification structure in depth.

These amendments are effective on Jan. 24, 2022.

### **Financial Impact**

The total estimated cost for the entire proposal is \$61,420.

### **Concurrence/Previous Council Action**

This action was reviewed and recommended for approval by Human Resources Committee 612B on Dec. 9, 2021.

### **Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and the Human Resources Department.



**Communications Infrastructure Locating Services - Requirements Contract (Ordinance S-48251)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Tel Tech Networks, Inc. to purchase communication infrastructure locating services for the Information Technology Services Department (ITS). Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$300,000.

**Summary**

This contract will allow ITS to continue to purchase communication infrastructure locating services and temporary markings related to underground communications infrastructure, such as empty conduit, fiber optic cabling and copper cabling. Locating and marking prior to excavation is required by law to prevent accidental damage or service interruption by those engaged in subsurface excavations and drilling.

This is an emergency and interim request because these critical services are needed on a regular basis and the recent contract for these services ended early and abruptly. The prior contract for this service was awarded through a competitive procurement and was awarded through April 2024. ITS received a letter from the vendor dated Nov. 23, 2021, stating they were closing their business effective Nov. 30, 2021, due to unforeseen circumstances. Given the short notice and with no other existing contract available for use, ITS is requesting a one-year contract to allow time to conduct a new solicitation for a vendor(s) to provide these services on an ongoing basis. Tel Tech Networks, Inc. is a current telecommunications vendor under a State of Arizona cooperative contract and has the experience and resources immediately available to provide these services.

Establishing this contract will ensure ITS' underground infrastructure supporting critical City systems is not damaged and the City is in compliance with laws. Failure to obtain locating services could result in damages to City owned fiber optic cables, which can lead to service outages to the City's internal and external customers who currently use underground communication cables for voice, data, and video service.

**Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved determination memo citing the sudden and critical need for the contract.

**Contract Term**

The one-year contract term will begin on or about Jan. 5, 2022.

**Financial Impact**

The aggregate contract value will not exceed \$300,000 and funds are available in the Information Technology Services Department's budget.

**Responsible Department**

This item is submitted by Deputy City Manager Inger Erickson and the Information Technology Services Department.





**Spanish Language Magazine Subscription - Requirements Contract - EXC 22-036 (Ordinance S-48223)**

Request to authorize the City Manager, or his designee, to enter into a contract with Latin American Periodicals, LLC to purchase Spanish magazine titles for the Library Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$125,000.00.

**Summary**

The contract will provide more than 30 Spanish magazine titles to the Burton Barr Central Library and the 16 branches in the Library system. These materials are important to the Library's Spanish speaking customers and the Library orders are based on high demand from patrons' requests. These materials are not available for sale in stores or through any other entities.

**Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which stated Latin American Periodicals, LLC is the only provider of Spanish language magazines and fotonovelas subscriptions in the United States.

The Assistant Finance Director recommends that the contract with Latin American Periodicals, LLC be accepted.

**Contract Term**

The 5-year contract term will begin on or about Jan. 5, 2022.

**Financial Impact**

The aggregate contract value will not exceed \$125,000.00 and funds are available in the Library Department's budget.

**Responsible Department**

This item is submitted by Deputy City Manager Inger Erickson and the Library Department.



**World Book Encyclopedias - Requirements Contract - EXC 22-035 (Ordinance S-48224)**

Request to authorize the City Manager, or his designee, to enter into a contract with World Book, Inc. to purchase World Book Encyclopedias for the Library Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$125,000.00.

**Summary**

The Contractor shall furnish and deliver 18 sets of the most current World Book Encyclopedias on an annual basis to the City of Phoenix Library Department. The World Book Encyclopedia set is comprised of 22 volumes each, and this encyclopedia is purchased for its high quality, current and accurate information.

**Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which stated World Book, Inc. is the only vendor who offers this publication.

The Assistant Finance Director recommends that the contract with World Book, Inc. be accepted.

**Contract Term**

The 5-year contract term will begin on or about Jan. 5, 2022.

**Financial Impact**

The aggregate contract value will not exceed \$125,000.00 and funds are available in the Library Department's budget.

**Responsible Department**

This item is submitted by Deputy City Manager Inger Erickson and the Library Department.



**Request Retroactive Authorization to Apply for, Accept and Disburse Funding from the United States Conference of Mayors DollarWise Innovation Grant Program (Ordinance S-48225)**

Request to authorize the City Manager, or his designee, to apply for and, if awarded, accept funding from the United States Conference of Mayors DollarWise Innovation Grant Program. The total grant amount is \$10,000. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item for the life of the grant.

**Summary**

The DollarWise Innovation Grant Program is an economic mobility initiative of the United States Conference of Mayors designed to provide funding to develop and/or scale innovative efforts that help working people and families prosper economically, particularly within under-served and under-represented communities. For Fiscal Year 2022, seven individual grants of \$10,000 each will be awarded to cities with innovative programs or efforts that foster economic mobility and wealth or income growth for their residents. Applications are due on Dec. 10, 2021.

**Contract Term**

The grant period is from Jan. 1, 2022, through Dec. 31, 2022.

**Financial Impact**

There is no impact to the General Fund. Funding will be provided by the United States Conference of Mayors. No matching funds are required.

**Responsible Department**

This item is submitted by Deputy City Manager Gina Montes and the Human Services Department.



## **Retroactive Authorization to Apply for and Accept Lifelong Arts Engagement Grant (Ordinance S-48231)**

Request to authorize the City Manager, or his designee, to retroactively apply for a Lifelong Arts Engagement Grant in an amount not to exceed \$10,000 and, if approved, accept funding from the Arizona Commission on the Arts. Further request to authorize the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item. There is no impact to the General Fund.

### **Summary**

The Arizona Commission on the Arts Lifelong Arts Engagement Grant seeks to enhance the work of community and social service organizations and governmental entities through projects that foster meaningful arts learning experiences in community settings for adult learners. Lifelong Arts Engagement grants encompass a Creative Aging component intended to use arts and creative expression to improve the quality of life for older adults. The project, "Stories of My Life in Words and Art," will allow senior center members to partner with a professional artist/instructor who will assist in bringing their personal histories to life in a creative and engaging manner. This program aligns with improving the quality of life for seniors through holistic and coordinated activities.

The grant notification was issued in mid-October with the application due Nov. 10, 2021.

### **Contract Term**

The grant period is Jan. 1, 2022, through June 30, 2022.

### **Financial Impact**

There is no impact to the General Fund. Funding in a total of amount of \$10,000 will be provided by the Arizona Commission on the Arts if the City's grant application is approved. No matching funds are required.

### **Responsible Department**

This item is submitted by Deputy City Manager Gina Montes and the Human Services Department.



**Community Development Block Grant Neighborhood Commercial Rehabilitation Program Loan Agreement (Ordinance S-48233)**

Request to authorize the City Manager, or his designee, to enter into a loan agreement with Ricardo Sosa for up to \$150,000 in Community Development Block Grant (CDBG) program funds for facade and site improvements to Salon Sosa through the Neighborhood Commercial Rehabilitation program, and to take all actions and execute all documents necessary to complete the loan. Further request to authorize the City Controller to disburse all funds associated with this agreement. The CDBG program is funded by the U.S. Department of Housing and Urban Development; no General Funds are required.

**Summary**

The Neighborhood Commercial Rehabilitation (NCR) program offers CDBG funding for property owners to complete exterior improvements through a deferred loan, secured by a Deed of Trust, which is forgiven over a period of up to 10 years. The program was approved by City Council through Ordinance S-46657 as part of the 2020-24 CDBG Consolidated Plan. NCR projects are selected through an open application process.

The goal of the NCR program is to support the revitalization or improvement of commercial buildings along targeted neighborhood business corridors to ensure the long-term sustainability of the community, its businesses and structures. Eligible economic revitalization projects must provide a public benefit or deliver neighborhood enhancements including job creation for local residents, blight elimination, or the provision of qualified goods or services to residents of targeted, low- and moderate-income areas in Phoenix.

Salon Sosa is a full-service salon offering a wide range of personal care services, including haircuts and scalp treatments. Salon Sosa has served the South Phoenix area since 2010; and retains four full-time positions. Located along the proposed South-Central Light Rail corridor/line, the property owner desires to create a more appealing storefront to attract customers and enhance the neighborhood aesthetic.

**Financial Impact**

The CDBG program is funded by the U.S. Department of Housing and Urban Development; there is no impact to the General Fund.

**Concurrence/Previous Council Action**

This item was recommended for approval by the Community and Cultural Investment Subcommittee on Dec. 1, 2021, by a vote of 4 to 0.

**Location**

6834 S. Central Ave.

Council District: 7

**Responsible Department**

This item is submitted by Deputy City Manager Gina Montes and the Neighborhood Services Department.



**Request Authorization to Apply for, Accept and Disburse Funding from American Forests for Tree Planting in Phoenix (Ordinance S-48253)**

Request to authorize the City Manager, or his designee, to accept donations from American Forests to support tree planting projects in the City of Phoenix. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item including transfers to 501(c)(3) program partners Keep Phoenix Beautiful, Trees Matter, and the Arizona Sustainability Alliance as needed. Funding received will not exceed \$500,000.

**Summary**

American Forests is the oldest national nonprofit conservation organization in the United States. Since its founding in 1875, they have been the pathfinders for creating healthy forests from coast to coast.

Today, American Forests is focused on building a reforestation movement in America, by partnering with cities to grow the urban forest in neighborhoods that need it most--heat vulnerable communities that have a limited tree canopy. American Forests has established connections with businesses and philanthropy desiring to invest in vulnerable communities, and has selected a handful of communities to partner with, including Phoenix--given our clear goals, a growing investment in the urban forest, and vision for the path forward. The partnership was formalized in April 21, 2021, when the City of Phoenix and American Forests entered a Memorandum of Understanding (MOU) to work together to increase tree equity in Phoenix neighborhoods.

As part of that MOU, American Forests has been actively fundraising with businesses and philanthropy to support tree equity in Phoenix. To date, they have received funding for cool corridors and other tree planting projects in Phoenix totaling more than \$260,000 from funding partners such as Salesforce, iHeart Radio and Aspiration Bank. As new projects get identified, and in support of the MOU, American Forest will continue to fundraise on behalf of Phoenix.

Staff is seeking approval to receive up to \$500,000 in funds from our partner, American Forests, to support tree planting in Phoenix, in City parks, streets, schools, and neighborhoods through City departments and through our active tree non-profit 501(c)

(3) community partners: Keep Phoenix Beautiful, Trees Matter, and the Arizona Sustainability Alliance.

The initial tranche of donations from American Forests will support projects in areas with low tree equity scores, including tree planting at City parks, residential planting projects with the Neighborhood Services Department and our non-profit community partners, tree planting and landscape improvements at schools, and streetscape improvements in residential areas in support of the Cool Corridors goal.

**Financial Impact**

All funds received from American Forests will be deposited in the tree donation cost center and managed and reported on annually by the Office of Heat Response and Mitigation. Funding will be distributed to City departments and program partners identified in this report.

**Concurrence/Previous Council Action**

The City Council approved the Memorandum of Understanding with American Forests on April 21, 2021, by a vote of 9-0.

**Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the Offices of Sustainability and Heat Response and Mitigation.





### **Local First Arizona Incubator Kitchen Sponsorship (Ordinance S-48238)**

Request to authorize the City Manager, or his designee, to approve a sponsorship to expand Local First Arizona's incubator kitchen concept to the Rio Salado College Thomas campus located at 3631 W. Thomas Rd., and to execute a Sponsorship Agreement, or other instrument deemed appropriate, with Local First Arizona (LFA), or its City-approved designee. Further request to authorize the City Controller to disburse all funds related to this item. Funding for this one-time sponsorship will not exceed \$80,000. There is no impact to the General Fund. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) funding received from the federal government and is under the City's Small Business Workforce Program category.

#### **Summary**

LFA is a nonprofit organization committed to community and economic development throughout Arizona. LFA's work connects people, locally-owned businesses, and communities for meaningful actions that build a diverse, inclusive and prosperous Arizona economy. Through its incubator kitchens in Mesa and south Phoenix, LFA provides eligible food entrepreneurs looking to start or grow their businesses with access to fully equipped and licensed kitchen space at a low cost. LFA broadly defines food entrepreneurs as restaurateurs, food truck operators, bakeries and caterers. To be eligible to use the incubator kitchen, a food entrepreneur's place of business or home-based business must be located in a Qualified Census Tract.

For this opportunity, LFA is partnering with Rio Salado College, a Maricopa Community College, to amplify efforts to grow food businesses in west Phoenix with a new incubator kitchen facility. Rio Salado has an existing kitchen at 3631 W. Thomas Rd. that does not currently meet building code requirements. The City's sponsorship will fund a new walk-in cooler as part of the renovations that will annually provide approximately 125 entrepreneurs with the physical resources needed to grow their businesses.

The development of this new incubator kitchen facility will be leveraged to implement business development and technical assistance programs aimed at rebuilding the restaurant industry and strengthening the food economy in an under-resourced area of

Phoenix. This location will also host LFA's Restaurant Startup Boot Camp, a seven-week course aimed at strengthening existing food businesses to ensure profitability, consistency, and growth. Participants will receive education and mentorship on a variety of topics related to developing a profitable business such as food costing, menu planning, marketing, human resources, and branding. The Restaurant Startup Boot Camp enables entrepreneurs to develop their products and grow their client bases in an affordable setting with both staff and peer-driven feedback and coaching. Rio Salado College will provide the existing building, classroom space, and community college credit for students who complete the Restaurant Startup Boot Camp course.

This sponsorship, which will include standard city terms and conditions, embodies the Community and Economic Development Department's mission to stimulate economic activity by offering a diverse range of value-added business and workforce solutions to build, revitalize, and sustain a quality community for Phoenix businesses and residents. Furthermore, this investment aligns with the work of the Phoenix Business and Workforce Development Board and its support of and focus on entrepreneurship training services and opportunities in Phoenix.

**Contract Term**

The Sponsorship Agreement with LFA will be for one year after initiation of services.

**Financial Impact**

The City's one-time sponsorship payment to LFA for the cost of a new walk-in cooler will not exceed \$80,000. There is no impact to the General Fund. Funding is available through the City's allocation of ARPA funds received from the federal government.

**Location**

3631 W. Thomas Rd.  
District: 4

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Community and Economic Development Department.



**Improvement and Escrow Agreement with South 99th Ave. LP and Commonwealth Land Title Insurance Company NCS (Ordinance S-48250)**

Request to authorize the City Manager, or his designee, to enter into an improvement and escrow agreement and any other agreements as necessary (Agreements), with George Oliver Industrial, doing business as South 99th Ave, LP, or its City-approved designee (Developer) and Commonwealth Land Title Insurance Company NCS, or its City-approved designee (Escrow) for installation of public infrastructure improvements, outdoor space improvements, and dedication of public right-of-way (ROW) or easements, and holding in escrow an amount equal to 150 percent of the estimated cost to complete offsite improvements which include necessary roadway improvements along 99th Avenue and relocation of an existing irrigation ditch until such work is completed. Further request to authorize the City Treasurer to accept such funds if the required work is not completed under the terms of the Agreement.

**Summary**

Developer would like to construct approximately 2.5 million square feet of new Class A Industrial product in three to four buildings on approximately 147 acres at the southeast corner of 99th Avenue and Buckeye Road (Project). On 99th Avenue, along the frontage of the Project, is a USA Fee Title irrigation ditch that is required to be relocated. The lengthy process required to relocate the ditch involves approval of the relocation plan by both the federal Bureau of Reclamation and Salt River Project. This process can typically take 18 to 24 months and must be completed before permits can be pulled and Project construction can commence. The subject of the current request pertains to the speed of which the Developer can pull permits and commence construction of the Project. Currently, vacancy rates for available industrial buildings are at historic lows. Not having this type of readily available space could result in high-wage employers looking at markets outside of Phoenix.

To continue to attract high-wage employers, staff has devised a mechanism to allow the Developer to move forward with the Project. Subject to City Council approval, the following major business terms have been negotiated with the Developer and would be implemented through the Agreements:

- Developer will construct necessary roadway improvements on 99th Avenue along

the frontage of the Project;

- Developer will relocate the USA Fee Title irrigation ditch along 99th Avenue to the subject property outside of any future proposed ROW;
- Developer will deposit 150 percent of the cost of the offsite improvements, in an amount approved by the City Engineer but estimated at \$12,000,000, into Escrow;
- Developer may, with City's approval, deposit 150 percent of the offsite improvements in phases, for the portions of the Project that Developer is planning to commence construction;
- City will allow Developer to pull permits and commence construction on the phases of the Project for which it has deposited 150 percent of the offsite improvements into escrow before approvals for the relocation of the irrigation ditch is complete;
- The development will not request Certificate of Occupancy from the City for any building until the USA Fee Title irrigation ditch has been relocated, constructed, and accepted by both the City and Bureau of Reclamation;
- Developer will leave up to 150 percent of funds required to complete the offsite improvements in case the City assumes responsibility to complete the required improvements;
- The Developer will provide the necessary dedications to the City, at no charge, in the event that the City assumes responsibility to complete the required improvements;
- Upon completion of the offsite improvements, any remaining funds in the account will be disbursed to the Developer by Escrow;
- Offsite improvements are scheduled to be completed by June 1, 2023; and
- Other terms and conditions deemed necessary and/or appropriate at the City's discretion.

### **Contract Term**

Developer will use diligent, good faith efforts, subject to Force Majeure Delays, to substantially complete the offsite improvements by June 1, 2023.

### **Financial Impact**

There is no financial impact to the City. If the offsite improvements are not completed by the Developer as required, the City will accept the Escrow funds to complete the required improvements.

### **Location**

Southeast corner of Buckeye Road and 99th Avenue.  
Council District: 7

**Responsible Department**

This item is submitted by Deputy City Managers Ginger Spencer and Mario Paniagua, and the Community and Economic Development and Street Transportation departments.



## **Issuance of Hotel Revenue Bonds (CFC- Central Hotel, LLC Project), Series 2022 (Resolution 21985)**

Requests City Council approval for the issuance of Hotel Revenue Bonds (CFC- Central Hotel, LLC Project), Series 2022, to be issued in one or more tax-exempt and/or taxable series in an aggregate principal amount not to exceed \$60,000,000.

### **Summary**

Request City Council adoption of a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Arizona (the "Phoenix IDA") has previously resolved to issue up to \$60,000,000 of Hotel Revenue Bonds (the "Revenue Bonds") for use by CFC-Central Hotel, LLC (the "Borrower"), an Arizona limited liability company, to

- a) finance, and/or refinance as applicable, a portion of the acquisition, installation, improvement, and equipping of Hilton brand hotels in Phoenix, Arizona, and
- b) pay certain costs related to the issuance of the Revenue Bonds.

### **Concurrence/Previous Council Action**

The Phoenix IDA Board has previously resolved to issue the Revenue Bonds at its meeting held on December 20, 2021.

### **Location**

The Project is located at or near 3150 North Central Ave. in Phoenix, Ariz.

With the exception of certain housing bonds, the Phoenix IDA can finance projects located anywhere in Arizona. In addition, the Phoenix IDA may issue bonds to finance projects outside of Arizona, if the out-of-state project provides a benefit within the State.

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer.



## **Issuance of Commercial Facilities Revenue Bonds (Overland Crossing Project), Taxable Series 2022 (Resolution 21986)**

Requests City Council approval for the issuance of Commercial Facilities Revenue Bonds (Overland Crossing Project), Taxable Series 2022, to be issued in one or more series in an aggregate principal amount not to exceed \$30,000,000.

### **Summary**

Request City Council adoption of a resolution granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, Arizona (the "Phoenix IDA") has previously resolved to issue up to \$30,000,000 of Commercial Facilities Revenue Bonds (the "Revenue Bonds") for use by Legacy OC LLC (the "Borrower"), a Kansas limited liability company, to

- a) finance the acquisition, construction, improvement, and equipping of a commercial development in Overland Park, Kansas, and
- b) pay certain costs related to the issuance of the Revenue Bonds.

### **Concurrence/Previous Council Action**

The Phoenix IDA Board has previously resolved to issue the Revenue Bonds at its meeting held on December 14, 2021.

### **Location**

The Project is located at or near 119 Street and Metcalf Avenue, Overland Park, Kan.

With the exception of certain housing bonds, the Phoenix IDA can finance projects located anywhere in Arizona. In addition, the Phoenix IDA may issue bonds to finance projects outside of Arizona, if the out-of-state project provides a benefit within the State.

### **Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer.



## **Custodial Services Contract - Request for Award (Ordinance S-48234)**

Request to authorize the City Manager, or his designee, to enter into contract with Trooper USA, to provide custodial services for the Phoenix Convention Center Department (PCCD). Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$7,403,672 over the term of the agreement.

### **Summary**

This contract will provide professional custodial services including labor, cleaning supplies, equipment and the necessary supervision to clean the Phoenix Convention Center facilities, Symphony Hall, Orpheum Theatre and the Herberger Theater Center. The PCCD campus encompasses more than 2 million square feet of interior space, which includes lobbies, restrooms, casual dining areas, audience chambers and dressing rooms that need cleaned and sanitized after use. Since the onset of COVID-19, cleaning and sanitization standards have become a focal point for our clients and the hundreds of thousands of guests that attend events at the Phoenix Convention Center and Venues.

### **Procurement Information**

This recommendation was made using a Request for Proposal procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Seven vendors submitted proposals and are listed below. All proposals were found to be responsive and responsible.

The evaluation panel recommendations were reached by consensus in consideration of published selection criteria with total points ranging from 0 - 1,000:

Operations Plan:	0 - 275 Points
Quality Assurance Program/Correction Capability:	0 - 250 Points
Experience and Qualifications:	0 - 275 Points
Cost:	0 - 200 Points



The following offeror is selected for award:

Selected Vendor:

Trooper USA

Additional Proposers

S.Sarkissian Co.

DetailXperts

3H Service System

ISS Facility Service Inc.

Allied Universal Janitorial Service

Paramount Building Solutions

**Contract Term**

The contract will begin on or about January 6, 2022, for a five-year aggregate term with no options to extend.

**Financial Impact**

The contract value for Trooper USA will not exceed \$ 7,403,672 for the five-year aggregate term.

Funding is available in the Phoenix Convention Center Department operating budget.

**Location**

Phoenix Convention Center, 100 N. 3rd Street and 33 S. 3rd Street

Symphony Hall, 75 N. 2nd Street

Orpheum Theatre, 203 W. Adams Street

Herberger Theater Center, 222 E. Monroe Street

Council District(s): Districts 7 and 8

**Responsible Department**

This item is submitted by Deputy City Manager Inger Erickson and the Phoenix Convention Center Department.



## **Guest Speaker Services - Lionel Crowther (Ordinance S-48255)**

Request to authorize the City Manager, or his designee, to enter into a five-year contract with Lionel Crowther for the provision of Guest Speaker Services for the Fire Department's Training Academy Section. The aggregate contract value will not exceed \$22,500. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

Lionel Crowther is a Lieutenant/Acting Captain from Winnipeg Fire Department and an International Association of Fire Fighters (IAFF) Fire Ground Survival Master Instructor. In 2007, Lionel's life changed when his crew was involved in an incident that resulted in the loss of two captains; Lionel sustained burns to 70 percent of his body.

Mr. Crowther will speak on the topic of this incident with the Phoenix Fire Department recruit academy classes as requested and available.

During his presentation, Lionel discusses in great detail the tragic incident, challenges and triumphs he and his family have overcome, and focuses on firefighter survival, prevention and preparation for mayday incidents, and helping surviving firefighters that may have suffered burns in the line of duty.

### **Procurement Information**

In accordance with Administrative Regulation 3.10, normal competition was waived, citing a determination memo - without competition.

### **Contract Term**

The five-year contract term will begin on or about January 5, 2022.

### **Financial Impact**

The aggregate contract value will not exceed \$22,500; funds are available in the Fire Department's budget.

### **Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and the Fire Department.

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**Authorization to Convert Temporary Full-Time Positions to Regular Full-Time Positions to Support the Police Department Centralized Booking Detail (Ordinance S-48248)**

Request to authorize the City Manager, or his designee, to convert 22 temporary full-time positions to regular full-time positions in the Police Department. No General Fund dollars are requested because funding is already available in the Police Department's budget.

**Summary**

As part of the Fiscal Year 2021-22 Annual Budget Process, the Police Department Centralized Booking Detail received 22 temporary full-time positions: four Detention Supervisors and 18 Detention Officer positions. The positions were added as part of the continued civilianization efforts of the department, to provide operational efficiencies and allow sworn officers to be redeployed to higher priorities of the Department.

The Centralized Booking Detail has struggled to hire temporary Detention Supervisors and Detention Officers since July 1, 2021. Multiple jurisdictions are competing for the same qualified candidates and are offering permanent employment compared to the City of Phoenix offering temporary full-time employment.

Converting the 22 temporary full-time positions to regular full-time positions is critical to the hiring success of the Police Department Centralized Booking Detail. Once the 22 positions are filled and trained, the sergeants and officers can be redeployed to higher priorities of the department. See **Attachment A** for the positions being requested to be converted.

**Financial Impact**

No financial impact. Funding is already available in the Police Department's budget.

**Responsible Department**

This item is submitted by Assistant City Manager Lori Bays and the Police Department.

**Attachment A**  
**Police Department**  
**Centralized Booking Detail Position Conversions**

<b>Position</b>	<b>Job code</b>	<b>Job Grade</b>
Detention Supervisors (4)	62150	031
Detention Officers (18)	62130	328



## **Airport FAA Consultant Contract Solicitation Request to Issue**

Request to authorize the City Manager, or his designee, to issue a Request for Proposals to seek a contract with an Airport FAA Concessions Consultant to meet Federal compliance requirements for monitoring of disadvantaged business enterprises. The total amount will not exceed \$560,000 for the five-year term.

### **Summary**

As a large hub primary airport, Phoenix Sky Harbor International Airport (PHX) is required to have Disadvantaged Business Enterprise (DBE) and Airport Concession Disadvantaged Business Enterprise (ACDBE) programs. As a condition of eligibility for Federal Aviation Administration (FAA) financial assistance, the City of Phoenix (City) is required to submit its DBE and ACDBE programs and overall goals to the FAA. In addition, the City must conduct regular compliance reviews to ensure airport businesses meet Federal compliance requirements.

The Equal Opportunity Department (EOD) seeks to issue a Request for Proposals (RFP) seeking a qualified firm to provide Airport FAA Concessions Consultant services. The Successful Offeror will perform services for the City's DBE, ACDBE, and other programs on an as-needed basis.

### **Procurement Information**

On behalf of the EOD, the Aviation Department will conduct an RFP process to select the highest-scoring, responsive, and responsible Offeror that provides the best value to the City.

Responsive and Responsible Offerors will:

- Submit an offer to address the Airport's DBE and ACDBE consulting needs;
- Offer evidence of at least three years of experience in last five providing DBE and ACDBE consulting services;
- Demonstrate experience working with the United States Department of Transportation; and
- Offer evidence of experience working with DBE, ACDBE, and Small Business Enterprise Disparity studies.

Responsive and Responsible Offerors will be evaluated according to the following evaluation criteria:

- Method of Approach to demonstrate the Offeror's ability and approach to accomplish the project objectives;
- Qualifications and Experience of firm and key personnel assigned to the project; and
- Price Schedule for primary and principal consultants, subcontract reviews, summary reports, and certification processing.

**Contract Term**

The contract term will not exceed an aggregate five-year term with no option to extend.

**Financial Impact**

The aggregate amount will not exceed \$560,000 for the five-year contract term.

**Concurrence/Previous Council Action**

- The Phoenix Aviation Advisory Board recommended this item for approval on Nov. 18, 2021, by a vote of 7-0.
- The Transportation, Infrastructure, and Planning Subcommittee recommended City Council approval of this item on Dec. 15, 2021, by a vote of 3-0.

**Location**

Phoenix Sky Harbor International Airport - 3400 E. Sky Harbor Blvd.

Council District: 8

**Responsible Department**

This item is submitted by Deputy City Managers Mario Paniagua and Inger Erickson, and the Aviation and Equal Opportunity departments.



**Goodyear Airport Infield Paving Phase I - Engineering Services - AV41000079  
ADOT (Ordinance S-48220)**

Request to authorize the City Manager, or his designee, to enter into an agreement with TRACE Consulting, LLC to provide Engineering Services that include design and possible construction administration and inspection services for the Goodyear Airport Infield Paving Phase I project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$310,000.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

**Summary**

The purpose of this project is to implement one of the recommendations of the 2018 Master Plan Update to pave Goodyear Airport infields between Runway 3-21 and adjacent to Taxiway A (areas between taxiway connectors: A2 and A3; A3 and A4; and A8 and A9) as a safety improvement to mitigate the dangers of jet blast and prop-washing blowing around foreign object debris and to improve ease of maintenance in the infields.

TRACE Consulting, LLC's services include, but are not limited to: provide design services, cost estimating, and specifications; assist with bidding for a Design-Bid-Build delivery method; perform detailed survey of the limits of asphalt concrete paving; geotechnical analysis; complete Engineer's Report required for Federal Aviation

Administration (FAA), Arizona Department of Transportation (ADOT), and Airport Improvement Program (AIP) grant compliance; provide construction administration and inspection services per AIP and FAA/ADOT grant requirements; review contractor shop/record drawings and submittals; verify compliance with contract documents; prepare inspection reports; conduct warranty inspection; and other tasks for a complete project. Goodyear Airport may opt to extend design services to other infields in future Phases 2 and 3.

### **Procurement Information**

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Four firms submitted proposals and are listed below.

#### Selected Firm

Rank 1: TRACE Consulting, LLC

#### Additional Proposers

Rank 2: Dibble & Associates Consulting Engineers, Inc. dba Dibble

Rank 3: RS&H, Inc.

Rank 4: Armstrong Consultants, Inc.

### **Contract Term**

The term of the agreement is five years from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

### **Financial Impact**

The agreement value for TRACE Consulting, LLC will not exceed \$310,000, including all subconsultant and reimbursable costs.

The Aviation Department anticipates State Grant Funding for this project. Funding is available in the Aviation Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.



**Location**

1658 S. Litchfield Road, Goodyear, Ariz.  
Council District: Out of City

**Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua, the Aviation Department, and the City Engineer.



**Phoenix Sky Harbor International Airport 2022 Airside Pavement Assessment - Engineering Services - AV09000100 (Ordinance S-48230)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Applied Pavement Technology, Inc., to provide Engineering Services that include assessment and study services for the Phoenix Sky Harbor International Airport 2022 Airside Pavement Assessment project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$425,000.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

**Summary**

The purpose of this project is to inspect pavement surfaces and develop a pavement-maintenance plan for City airports to meet Federal Aviation Administration requirements for receiving federal funds for pavement projects.

Applied Pavement Technology, Inc's. services will include, but are not limited to: conduct field condition pavement inspections; develop Airport Pavement Management System reports; develop a Pavement Maintenance Management Program; update MicroPAVER database inventory; revise existing network maps; provide pavement condition surveys and update condition portion of database; perform pavement inventory and develop program funding; prepare maintenance and rehabilitation reports for all areas of the airport; develop a preferred rehabilitation strategy that

considers pavement performance and a life-cycle cost analysis; and coordinate projects with airport user groups.

### **Procurement Information**

The selection was made using a qualifications-based selection process set forth in Arizona Revised Statutes (A.R.S.) section 34-603. In accordance with A.R.S. 34-603 (H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. One firm submitted a proposal and is listed below.

#### Selected Firm:

Rank 1: Applied Pavement Technology, Inc.

### **Contract Term**

The term of the agreement is five years from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

### **Financial Impact**

The agreement value for Applied Pavement Technology, Inc. will not exceed \$425,000, including all subconsultant and reimbursable costs.

Funding is available in the Aviation Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability before execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past agreement termination.

### **Location**

Phoenix Sky Harbor International Airport - 3400 E. Sky Harbor Blvd.  
Council District: 8

### **Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua, the Aviation Department, and the City Engineer.



## **Ground Lease with 4LWM LLC at 2949 E. Washington St. (Ordinance S-48242)**

Request to authorize the City Manager, or his designee, to enter into a ground lease with 4LWM LLC for up to approximately 16,000 square feet of a paved parking lot at 2949 E. Washington St. for two years with three one-year options to extend the term that may be exercised at the sole discretion of the Director of Aviation Services.

### **Summary**

The City owns the property located at 2949 E. Washington St. (APN 121-80-002B) which includes a vacant building and a fenced and paved parking lot south of the building. 4LWM LLC is currently using approximately 8,000 square feet of the parking lot for storage of the company's container studio complex and related items under Temporary Parking Lot License Agreement 155065. 4LWM LLC now desires to lease up to approximately 16,000 square feet of the parking lot for the same purpose under a Lease.

### **Contract Term**

The term of the lease will be two years with three one-year options to extend the term that may be exercised at the sole discretion of the Director of Aviation Services.

### **Financial Impact**

Rent for the first year will be approximately \$16,800 (\$1.05 per square foot) and will be adjusted annually based on the Phoenix-Mesa-Scottsdale Consumer Price Index or three percent, whichever is greater. Total anticipated revenue over the term of the lease will be approximately \$84,000, if all options are exercised.

### **Concurrence/Previous Council Action**

The Phoenix Aviation Advisory Board recommended this item for approval on Nov. 18, 2021, by a vote of 7-0.

### **Location**

2949 E. Washington St.  
Council District: 8

**Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua and the Aviation Department.



**Deer Valley Airport Blast Pads - Engineering Services (Re-advertisement) - AV31000094 FAA/ADOT (Ordinance S-48243)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Stantec Consulting Services, Inc., to provide Engineering Services that include design and possible construction administration and inspection services for the Deer Valley Airport Blast Pads project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$190,000.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

**Summary**

The purpose of this project is to bring the blast pads for runways 7L/25R and 7R/25L at Deer Valley Airport up to standards established by current Federal Aviation Administration (FAA) Advisory Circulars. A blast pad is defined as the surface adjacent to the ends of the runway provided to reduce the erosive effect of jet blast and propeller wash.

Stantec Consulting Services, Inc.'s services include, but are not limited to: analyze pavement strength; design cost-efficient and expeditiously constructed solutions; design and issue project plans and specifications; prepare construction estimates, construction safety plans, and required documentation to submit for FAA and Arizona Department of Transportation (ADOT) grant compliance; complete the engineer's

report required for FAA, ADOT, and Airport Improvement Program grant compliance; provide bid-phase assistance during the design-bid-build delivery method; and provide possible construction administration and inspection services to include review of contractor shop drawings and submittals; verify compliance with contract documents; conduct pre-final and final inspections; conduct warranty inspections; and perform other services as needed for a complete project.

### **Procurement Information**

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. One firm submitted a proposal and is listed below.

#### Selected Firm

Rank 1: Stantec Consulting Services, Inc.

### **Contract Term**

The term of the agreement is five years from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

### **Financial Impact**

The agreement value for Stantec Consulting Services, Inc. will not exceed \$190,000, including all subconsultant and reimbursable costs.

Funding is available in the Aviation Department's Capital Improvement Program budget. The Aviation Department anticipates grant funding for this project. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

### **Location**

702 W. Deer Valley Road  
Council District: 1

### **Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua, the Aviation Department, and the City Engineer.



**Phoenix Sky Harbor International Airport New Crossfield Taxiway U - Engineering Services - AV08000085 FAA (Ordinance S-48244)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Gannett Fleming, Inc., to provide Engineering Services that include assessment, design, and possible construction administration and inspection services for the Phoenix Sky Harbor International Airport New Crossfield Taxiway U project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$23,220,000.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

**Summary**

The purpose of this project is to modify each of the following: the existing Facilities and Services complex, ramp and building air-cargo facilities, roadways, taxiway structure and airfield, and utilities. In 2020, the Aviation Department completed the New West Crossfield Taxiway Conceptual Design and Program Report to highlight important project considerations.

Gannett Fleming, Inc.'s services include, but are not limited to: coordination with all City departments, Aviation sections, and the Construction Manager at Risk; environmental services as required; archaeological review and design; resolution of utility conflicts; LED lighting, markings and signage; project phasing and roadway



modifications; mechanical, architectural, civil, geotechnical, structural, and survey project-related services; updated electrical and drainage plans; construction safety plans, and all required documentation for submittal to local, state, and federal entities; the Engineer's Design and Construction Report required for the Federal Aviation Administration (FAA) and Airport Improvement Program (AIP) grant; cost estimates; and possible construction administration and inspection services to include review of contractor shop drawings and submittals; testing and certifications for structural subgrade and Portland Cement Concrete Pavement per AIP and FAA compliance and requirements; compliance with contract documents; daily inspection reports for FAA; pre-final and final inspections; warranty inspections; and other services as needed for a complete project.

### **Procurement Information**

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Three firms submitted proposals and are listed below.

#### Selected Firm

Rank 1: Gannett Fleming, Inc.

#### Additional Proposers

Rank 2: Dibble & Associates Consulting Engineers, Inc.

Rank 3: AECOM Technical Services, Inc.

### **Contract Term**

The term of the agreement is five years from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement before the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

### **Financial Impact**

The agreement value for Gannett Fleming, Inc. will not exceed \$23,220,000, including all subconsultant and reimbursable costs.

Funding is available in the Aviation Department's Capital Improvement Program budget. The Aviation Department anticipates grant funding for this project. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

**Location**

Phoenix Sky Harbor International Airport - 3400 E. Sky Harbor Blvd.

Council District: 8

**Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua, the Aviation Department, and the City Engineer.



## **Ground Lease with Eclat Countertops LLC at 3214 E. Jefferson St. (Ordinance S-48245)**

Request to authorize the City Manager, or his designee, to enter into a ground lease with Eclat Countertops LLC for 7,680 square feet at 3214 E. Jefferson St. for two years with two one-year options to extend the term that may be exercised at the sole discretion of the Director of Aviation Services. Further request to authorize the City Treasurer to accept all funds related to this item.

### **Summary**

Eclat Countertops LLC is located at 13 South 32nd Street. Tenant requests to lease the City owned property at 3214 E. Jefferson St. (APN 121-21-020) for the purposes of storing granite and stone slabs for Tenant's business. In addition, Tenant may install additional fencing to further secure the site.

### **Contract Term**

The term will be for two years with two one-year options to extend the term that may be exercised at the sole discretion of the Director of Aviation Services.

### **Financial Impact**

Rent for the first year will be approximately \$8,064 (\$1.05 per square foot) and will be adjusted based on the Phoenix-Mesa-Scottsdale Consumer Price Index. Total anticipated revenue over the term of the lease will be approximately \$32,256, if all options are exercised.

### **Concurrence/Previous Council Action**

The Phoenix Aviation Advisory Board recommended City Council approval of this item on Dec. 16, 2021, by vote of 8-0.

### **Location**

3214 E. Jefferson St.  
Council District: 8

### **Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua and the Aviation Department.



**Ground Lease with Custom Pipe & Fabrication, Inc. at Phoenix Sky Harbor International Airport - Amendment (Ordinance S-48246)**

Request to authorize the City Manager, or his designee, to execute an amendment to ground lease 151989 with Custom Pipe & Fabrication, LLC at 2739 E. Washington Street, to extend the term to April 28, 2024 by adding two additional one-year options to extend.

**Summary**

Custom Pipe & Fabrication, Inc., is located at 302 S. 28th Street, and they currently lease 70,000 square feet of paved property at 2739 E. Washington Street for the storage of piping products. Tenant is requesting two additional one-year options to be added to the lease.

**Contract Term**

The current contract term is two years, expiring April 28, 2022, with no options to extend. The term may be extended to April 28, 2024, if two additional one-year extension options are exercised at the discretion of the Aviation Director. The contract also has a 30-day cancellation notice by either party.

**Financial Impact**

Rent will be approximately \$77,976 per year (\$1.11 per square foot). Rent will be adjusted annually based on the Phoenix-Mesa-Scottsdale Consumer Price Index or three percent, whichever is greater. Total anticipated rent over the term of the lease will be approximately \$158,291, if all options are exercised.

**Concurrence/Previous Council Action**

The City Council approved Ground Lease 151989 (Ordinance S-46387) on Feb. 19, 2020.

The Phoenix Aviation Advisory Board recommended this item for approval on Nov. 18, 2021, by a vote of 7-0.

**Location**

2739 E. Washington St.

Council District: 8

**Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua and the Aviation Department.



**Ground Lease with SGP Deer Valley LLC at Phoenix Deer Valley Airport  
(Ordinance S-48249)**

Request to authorize the City Manager, or his designee, to enter in to a ground lease with SGP Deer Valley LLC for up to 175,000 square feet of land at Phoenix Deer Valley Airport for 30 years with two five-year options to extend the term, that may be exercised by the Director of Aviation Services. Further request to authorize the City Treasurer to accept all funds related to this item.

**Summary**

SGP Deer Valley LLC (SGP) specializes in constructing facilities for sublease to United States Government agencies. SGP has requested to lease up to 175,000 square feet (approximately 4 acres) of land at Phoenix Deer Valley Airport to construct a hangar and related supporting facilities for sublease to the U.S. Government.

**Contract Term**

The term of the lease will be 30 years which may include two five-year options to extend the term which may be exercised at the sole discretion of the Director of Aviation Services.

**Financial Impact**

Rent for the first year of the lease will be approximately \$94,500 (\$0.54 per square foot) and will be adjusted annually based on the Phoenix-Mesa-Scottsdale Consumer Price Index. Total anticipated revenue over the 30-year primary term of the lease will be approximately \$2,835,000.

**Concurrence/Previous Council Action**

This Phoenix Aviation Advisory Board recommended this item to the Phoenix City Council at the Board's meeting on Nov. 18, 2021 by a vote of 7-0.

**Location**

Phoenix Deer Valley Airport - 702 W. Deer Valley Road  
Council District: 1

**Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua and the Aviation Department.



## **Vehicle Lifts and Garage Equipment Contract - Amendment (Ordinance S-48219)**

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 149534 with Mohawk Lifts, LLC, to provide additional funding for purchase of additional replacement vehicle lifts and garage equipment for the Public Works Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$239,089.

### **Summary**

The Public Works Department programmed additional funding in the Capital Improvement Program to support replacement of additional vehicle lifts and garage equipment that was not anticipated when the cooperative purchasing agreement was originally adopted.

This cooperative purchasing agreement was originally adopted for use by the Public Works Department to supply a variety of vehicle lift and garage equipment for automotive repair facilities. The types of equipment include wheel balancers, tire removal/installation machines, automotive lifts, and jacks.

### **Contract Term**

The contract term will remain unchanged, ending on March 31, 2022.

### **Financial Impact**

The initial authorization for Contract 149534 was for an expenditure not to exceed \$325,000. This amendment will increase the authorization for the contract by an additional \$239,089, for a new total not-to-exceed contract value of \$564,089.

Funding is available in the Public Works Department's Operating and Capital Improvement Program budget.

### **Concurrence/Previous Council Action**

The City Council approved Contract 149534 (Ordinance S-45462) on March 20, 2019.

### **Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the Public Works Department.





**Industrial-Commercial Doors Service and Supply - Requirements Contract - IFB 18-205A (Ordinance S-48236)**

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 148635 with DH Pace Company Inc., and Contract 148636 with Miner LTD for the purchase of Industrial-Commercial Doors Service and Supply for Citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$2,578,000.

**Summary**

This contract provides the City of Phoenix with equipment, labor and materials to perform all operations necessary to implement a preventative maintenance program, as-needed repairs, and replace existing door systems, as necessary, to approximately 800 industrial-commercial doors for Citywide buildings/facilities protection and security. The contract is utilized Citywide, with primary usage by Public Works and the Fire departments, who have seen increases in service and repairs, mainly due to the aging infrastructure of their facilities. Due to these unforeseen circumstances, the original contract amount was under-estimated and additional funds are now necessary.

**Contract Term**

The contract term is Nov. 1, 2018 through Oct. 31, 2023.

**Financial Impact**

Upon approval of \$2,578,000 in additional funds, the revised aggregate value of the contract will not exceed \$5,078,000. Funds are available in various departmental budgets.

**Concurrence/Previous Council Action**

This contract was originally approved by City Council on Oct. 17, 2018.

**Responsible Department**

This item is submitted by City Manager Jeffrey Barton and the Finance Department.



**Paint Striping and Waterblasting Equipment Replacement Parts - Requirements Contract IFB 22-049 (Ordinance S-48222)**

Request to authorize the City Manager, or his designee, to enter into a contract with Waterblasting LLC dba Hogs Technologies to purchase Paint Striping and Waterblasting Equipment Parts - Hog SH7500 for the Street Transportation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total contract value will not exceed \$355,000.

**Summary**

The Traffic Services Division, Signing and Striping Section owns a Hog Technologies SH7500 Waterblasting/Obliteration Truck, Unit 928048. This truck removes old paint, thermoplastic, and tape from City streets so the roadways can be re-striped and reconfigured as necessary for the safety of the citizens of the City of Phoenix. The requirements contract will allow the Signing and Striping Section to procure replacement parts to keep the vehicle and operation functioning as intended.

**Procurement Information**

IFB 22-049 was conducted in accordance with Administrative Regulation 3.10. The Procurement Division received one offer on Oct. 20, 2021, which was evaluated on price, responsiveness to specifications, and responsibility to provide the required goods and services. The bid notification was sent to 22 suppliers and was publicly posted and available for download from the City's website.

The price was determined to be fair and reasonable based on City of Phoenix historical purchases for Hogs brand parts. The awarded vendor is the sole manufacturer of the parts compatible with Waterblasting/Obliteration Truck Stripe Hog SH7500.

The Assistant Finance Director recommends that Waterblasting LLC dba Hogs Technologies be accepted as the lowest-priced, responsive and responsible offer.

**Contract Term**

The five-year contract term will begin on or about Dec. 15, 2021.

**Financial Impact**

The total contract value will not exceed \$355,000.

Funding is available in the Street Transportation Department's Operating budget.

**Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.



## **April 2022 Proposed Bus Service Improvements (Ordinance S-48240)**

Request to authorize the City Manager, or his designee, to implement the April 2022 bus service changes. If approved, the service changes will take effect April 25, 2022.

### **Summary**

The proposed change recommended by the Public Transit Department (PTD) is to the MARY (Maryvale Area Ride for You) neighborhood circulator, which began operations in July 2007 to provide local circulator service for the Maryvale Village area in west Phoenix. This proposed change, which would partially serve the Estrella Village and provide service to the area bounded by Roosevelt and Fillmore streets between 59th and 63rd avenues, is a result of input received from west local residents during the 2021 City budget community meetings.

### Current Service

The MARY service runs every 60 minutes daily from 5 a.m. - 6 p.m. on Monday - Friday, and 6 a.m. - 5 p.m. on Saturday and Sunday (times indicate the start of first or last trips).

Currently, the route requires four circulator vehicles to operate and runs both clockwise and counterclockwise, between the boundaries of 47th and 91st avenues and from Encanto Boulevard to Campbell Avenue. The entire route takes 90 minutes to complete.

### Proposed Change

After working with the local community and exploring different extension options for feasibility and efficiency, PTD proposes to extend the MARY south on 59th Avenue to Fillmore Street, and then return to the current routing (**Attachment A**).

Per FTA regulations, a Title VI Service Equity Analysis was conducted to analyze if the proposed change causes a disparate impact on minority populations or yields a disproportionate burden towards low-income populations. The result of the analysis finds that the MARY reroute proposal does not qualify as a major service change and would not have significant negative impact to minority or low-income populations.

### **Financial Impact**

The proposed service changes will increase PTD's operating expenses by \$272,000 annually, with the Fiscal Year 2021-22 cost estimated to be \$51,000 for the period of April 25 - June 30, 2022.

Funding is available in the Fiscal Year 2021-22 Public Transit operating budget for the current year amount and in the Fiscal Year 2022-23 proposed operating budget for the first full year amount in the Transportation 2050 fund. Staff is also working on the acquisition of two new circulator vehicles that will be required to support the extension of this route; these capital costs are estimated at \$300,000 for the two vehicles.

### **Concurrence/Previous Council Action**

This item was recommended for approval at the Citizen's Transportation Commission meeting on Nov. 18, 2021, by a vote of 11-0.

This item was recommended for approval at the Transportation, Infrastructure and Planning Subcommittee on Dec. 15, 2021, by a vote of 3-0.

### **Public Outreach**

PTD uses the locally adopted public outreach process to solicit feedback from the overall public on the proposed service changes. Phoenix and Valley Metro staff conducted in-person and virtual outreach events, and they are utilizing posters and A-Frame signs placed at key areas along the route to notify the public of the proposed changes and direct passengers to visit Valley Metro's website to submit comments through Dec. 5, 2021.

The proposed changes were advertised via social media, interactive webinars, and a public hearing held Nov. 16, 2021.

There were 117 total comments and suggestions received about Phoenix's proposed service changes, with 60 registering a positive or negative opinion on this specific change; the remaining comments were marked as neutral on the proposal. The following summarizes the feedback:

- Yes - 57
- No - 3

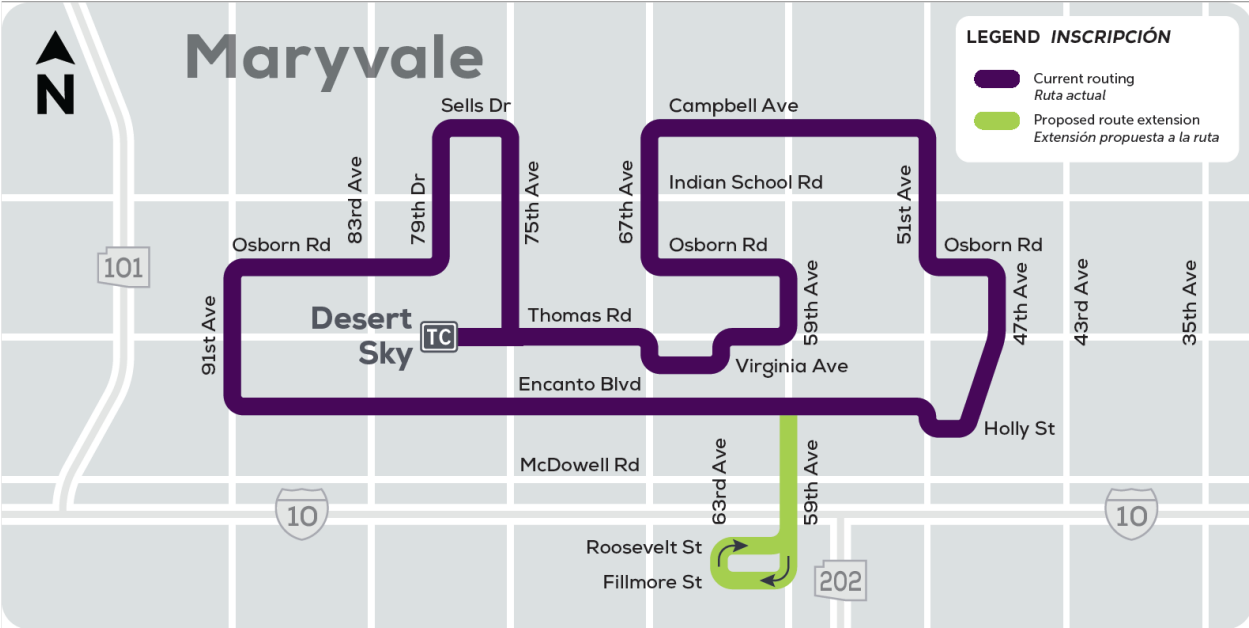
### **Location**

Council Districts: 4, 5 and 7

**Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua and the Public Transit Department.

# Attachment A - MARY Proposed Service Change Map





## **Transit Vehicle Decommissioning Services Contract Award (Ordinance S-48241)**

Request to authorize the City Manager, or his designee, to enter into a contract with Variety Paint and Body, Inc. for transit vehicle decommissioning services. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$685,125.

### **Summary**

The Contractor will provide vehicle decommissioning services prior to sending transit vehicles to the City's contracted auction yard for sale to the public after the vehicles have reached or exceeded their useful lives. Primary services will be removing exterior markings and decals from vehicles, and repainting areas as needed in order to ensure all transit-related markings are removed prior to a vehicle's final disposition. Additional services may include tasks such as removing on-board, transit-specific electronic equipment for potential re-use. By utilizing these services, the City ensures that the transit vehicles are no longer identified as part of the current transit fleet, but still retain some value for resale.

### **Procurement Information**

IFB PTD21-015 was conducted in accordance with Administrative Regulation 3.10. There was one offer received. It is recommended that Variety Paint and Body, Inc. be accepted as the lowest priced, responsive, and responsible offeror.

### **Contract Term**

The contract term is five years, beginning on or about Feb. 1, 2022.

### **Financial Impact**

The aggregate contract value shall not exceed \$685,125, with an estimated annual expenditure of \$137,025.

Funding is available in the Public Transit Department's Capital Improvement Program budget in the Transportation 2050 fund.

### **Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua and the Public Transit Department.





## **Plastic Rear Loading Collection Bins - IFB 22-SW-032 - Requirements Contract (Ordinance S-48226)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Rehrig Pacific Company to provide plastic rear loading bins for garbage and recycle for multi-residential collection service. Further request to authorize the City Controller to disburse all funds related to this agreement over the life of the contract. The total value of the agreement will not exceed \$293,640.

### **Summary**

This contract will provide two and three cubic yard plastic collection tipper bins on an as needed basis for garbage and recycling for multi-residential collection service accounts.

### **Procurement Information**

Invitation for Bid (IFB) 22-SW-032 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department received one offer on Nov. 3, 2021. The bid was evaluated based on price, responsiveness to all specifications, terms and conditions and responsibility to provide the requested goods. The bid received by Rehrig Pacific Company is deemed to be fair and reasonable based on the market.

### **Contract Term**

The initial two-year contract term will begin on or about Jan. 14, 2022. Provisions of the contract include an option to extend the term of the contract for up to three additional years, in one-year increments, which may be exercised by the City Manager, or designee.

### **Financial Impact**

The aggregate contract value, including all option years, will not exceed \$293,640 over the life of the contract.

Funding is available in the Public Works Department budget.

### **Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the Public Works Department.



**27th Avenue Materials Recovery Facility Equipment Replacement - RFP 22-SW-014 - Requirements Contract (Ordinance S-48229)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Machinex Technologies Inc. to design and build specialized equipment for the Materials Recovery Facility at the 27th Avenue Transfer Station to process recyclable material. Further request to authorize the City Controller to disburse all funds related to this agreement over the life of the contract. The total value of this agreement will not exceed \$25 million.

**Summary**

In the 1980s, the Mayor and City Council led Phoenix to establish a comprehensive solid waste management approach with a focus on reducing, reusing, and recycling. In response, the Public Works Department commenced a commingled curbside recycling program. On June 28, 1995, Council approved development of a Materials Recovery Facility (MRF) at the 27th Avenue Transfer Station as part of the Phoenix Recycles Program. The facility has been operational since Sept. 1, 1998. The City's second MRF opened at the North Gateway Transfer Station in 2006. The objective of Phoenix's recycling program is to conserve landfill space, which is becoming a challenge across the United States, and to create economic value by selling select recyclable materials (commodities) to various markets. By seeing this material as a resource, Phoenix has made the paradigm shift from a linear to a circular model of waste management whereby materials are diverted from the landfill and redistributed to create economic activity.

In December 2019, technology upgrades were completed at the North Gateway MRF to increase capture of commodities, improve quality of product, lower operating expense and increase revenue from commodity sales. Given the success of the North Gateway MRF upgrades, a capital project to replace the 27th Avenue MRF was included with the solid waste financial plan approved by Mayor and City Council on Feb. 11, 2020.

The 27th Avenue MRF operations were suspended in January 2021 due to the equipment reaching the end of useful life and no longer being effective at capturing commodities that are prevalent in the current recycle stream. Since the suspension,

recyclables from the 27th Avenue facility are hauled to the North Gateway MRF for processing. The City hired a consultant to evaluate the 27th Avenue MRF and it confirmed the long-term benefits of replacing the MRF versus continued hauling to North Gateway. Replacing the 27th Avenue MRF equipment is critical to meet the current volumes of inbound recycling and prevent North Gateway from aging more rapidly at current volumes. It will also provide critical MRF redundancy for the City and region, and provide capacity for population growth and new waste-to-resource diversion programs.

The Request for Proposals (RFP) opened on Aug. 13, 2021 to replace the 27th Avenue MRF with state-of-the-art equipment with improved processing speeds, adaptability for new materials, reduced maintenance costs, and greater efficiency to increase the capture rate and product quality.

To prepare the 27th Avenue MRF for equipment replacement, a contractor was selected and deconstruction of the 27th Avenue MRF equipment occurred in October 2021. A second contractor has been selected to assess the building condition and design improvements necessary to support the new equipment such as fire-life safety, HVAC and electrical components.

### **Procurement Information**

Request for Proposal (RFP) 22-SW-0014 was conducted in accordance with Administrative Regulation 3.10. Four proposals were received on Oct. 6, 2021. The offers were evaluated by a committee that included representation from the Public Works Department, industry experts, and technical advisors. The offers were evaluated based on the following criteria requirements with 1,000 points possible:

- Price (325 points);
- Experience/Past Performance, Training and Start Up Plan, Implementation Schedule, References (275 points);
- Design Layout and Maintenance Flexibility (200 points);
- Proposed Equipment and Impact on Labor (150 points); and
- Warranty Provided Above Minimum Requirement (50 points).

The evaluation committee determined that three firms were within competitive range and were invited to participate in interviews. This resulted in the evaluation committee reaching a consensus to enter into the Best and Final Offer (BAFO) process with two firms. The final consensus is to recommend contract award to Machinex Technologies Inc. and be accepted as the highest scored, responsive and responsible offer that is most advantageous to the City.

The finalists and their scores are as follows:

Machinex Technologies Inc.: 949 points

VAN DYK Recycling Solutions: 900 points

**Contract Term**

The term of this contract is for one year and will commence on Jan. 1, 2022 and will be for one year or until the completion and acceptance of the entire project.

**Financial Impact**

The expenditure for this contract will not exceed \$25 million.

Funding is available in the Public Works Department's Capital Improvement Program budget.

**Concurrence/Previous Council Action**

The City Council approved the Solid Waste Rate Increase and Capital Plan on Feb. 11, 2020, by a vote of 7-2.

The Transportation, Infrastructure and Innovation Subcommittee received an informational update on the Solid Waste Resources, Infrastructure and Financial Plan on Feb. 3, 2021.

The City Council approved the American Rescue Plan Act (ARPA) Strategic Plan that included a funding allocation to partially offset the estimated equipment replacement costs for the 27th Avenue MRF on June 8, 2021, by a vote of 7-2.

The Community and Cultural Investment Subcommittee received an informational update on the 27th Avenue Material Recovery Facility Equipment Replacement on Dec. 1, 2021.

**Location**

27th Avenue Transfer Station - 3060 S. 27th Ave.

Council District: 7

**Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the Public Works Department



## **Parking Meter Contract - Amendment (Ordinance S-48247)**

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 135354 with IPS Group Inc. (IPS), to extend the term by three months. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

### **Summary**

The purpose of this amendment is to provide a three-month extension to the existing contract while negotiations occur for the replacement contract. The current contract with IPS will expire on Jan. 27, 2022. No additional funds are needed for this short contract extension.

The Street Transportation Department (Streets) has approximately 1,700 wireless single-space parking meters capable of both coin and credit card transactions through IPS. These smart meters operate on proprietary financial software that utilizes wireless technology for two-way communications with the parking meters to accept and monitor payments, monitor the status and use, provide remote diagnostics, and allow for settings to be changed remotely. Streets has parking meters installed in the downtown and midtown areas of Phoenix.

Streets also operates approximately 540 parking meters that remain in service prior to the initiation of this contract with IPS. These parking meters are coin-only and do not offer credit card transactions or other connected features. These coin-only meters are not impacted by the IPS contract.

This existing meter technology was previously approved by the Information Technology Department.

### **Procurement Information**

A formal RFP procurement was conducted in 2021 in accordance with Administrative Regulation 3.10, and the evaluation panel recommended a vendor. Streets requires additional time to conduct contract negotiations and have a vendor-signed contract before presenting contract recommendation to the City Council. This extension will provide staff the opportunity to complete contract negotiations which are beneficial to

the vendor and the City. This extension will allow the City to continue the business relationship without a lapse in service with IPS until the new contract for parking meters is awarded and begins.

**Contract Term**

The term of this three-month extension will be from Jan. 28, 2022 through April 27, 2022.

**Financial Impact**

This is an expense and revenue generating contract. No additional funds are being requested at this time.

**Concurrence/Previous Council Action**

The City Council approved:

- Parking Meter Technology Contract 135354 (Ordinance S-39393) on Nov. 28, 2012;
- Parking Meter Technology Contract 135354 - Amendment (Ordinance S-43895) on Sept. 6, 2017;
- Parking Meter Technology Contract 135354 - Amendment (Ordinance S-44122) and on Dec. 13, 2017; and
- Parking Meter Technology Contract 135354 - Amendment (Ordinance S-46975) with IPS on Oct. 7, 2020.

The Transportation, Infrastructure and Innovation Subcommittee recommended City Council approval for the Street Transportation Department to issue the formal RFP for a successor contract for parking meter services on April 7, 2021, by a vote of 4-0. The City Council approved the issuance of the formal RFP on May 19, 2021.

**Location**

Council Districts: 4, 7 and 8

**Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.



**Itron AMR Equipment Purchase, Software Support and Maintenance Agreement - Amendment (Ordinance S-48218)**

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 147272 with Itron Inc. to provide additional funding to the agreement. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures for equipment and services included in this amendment will not exceed \$3,355,402.

**Summary**

The purpose of this agreement is to provide the Water Services Department with Automatic Meter Reading (AMR) devices. The equipment includes mobile laptops, handheld reading devices, encoder receiver transmitters, associated components and software. The agreement also includes software support and hardware maintenance.

This amendment is necessary to allow the Water Meters Division the ability to replace approximately 90 percent of the AMR devices currently in use due to WSD's migration to Itron's upgraded meter reading software beginning January 2022. The upgrade will render existing devices obsolete due to compatibility issues.

This item has been reviewed and approved by the Information Technology Services Department.

**Contract Term**

The agreement's term will remain unchanged, ending on March 31, 2023.

**Financial Impact**

The initial agreement for AMR Equipment and Maintenance Support Services Contract was authorized for an expenditure not-to-exceed \$7,958,000. This amendment will increase the agreement's cost by an additional \$3,355,402, for a new total not-to-exceed agreement value of \$11,313,402.

Funding is available in the Water Services Department's Operating budget.

**Concurrence/Previous Council Action**

The City Council approved Itron AMR Equipment Purchase, Software Support and Maintenance Agreement 147272 (Ordinance S-44426) on April 4, 2018.

**Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.





## **CUES Equipment and Service Agreement - Request for Award (Ordinance S-48221)**

Request to authorize the City Manager, or his designee, to enter into an agreement with AZ Wastewater Industries, Inc., to provide CUES equipment and services for the purpose of supplying video equipment and software for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The agreement will not exceed \$570,300.

### **Summary**

The purpose of this agreement is to provide CUES equipment and software to the Water Services Department. The equipment and software will be used to conduct preventative maintenance and inspections to sewer lines and storm drains, as well as to help identify possible sources of illicit discharges.

AZ Wastewater Industries, Inc.'s services include, but are not limited to: high definition video equipment needed to respond to issues proactively and reactively, repairs and replacement parts, software licensing and maintenance, and also operational training.

This item has been reviewed and approved by the Information Technology Services Department.

### **Procurement Information**

An exception to the procurement process was determined as set forth in City of Phoenix Administrative Regulation 3.10 to select the Contractor. A direct selection was made because AZ Wastewater Industries, Inc. is the sole source distributor of CUES brand equipment.

### **Contract Term**

The agreement will begin on or about Feb. 1, 2022, for a five-year aggregate term with no options to extend.

### **Financial Impact**

The agreement value for AZ Wastewater Industries, Inc. will not exceed \$570,300 for the five-year aggregate term.

Funding is available in the Water Services Department's Operating budget.

**Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.



## **Thermal Granular Activated Carbon Regeneration Services - Amendment (Ordinance S-48237)**

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 133070 with Calgon Carbon Corporation to provide additional time to the agreement. Further request to authorize the City Controller to disburse all funds related to this item. No additional funding is requested as part of this amendment.

### **Summary**

The purpose of this amendment is to extend the term of the contract, and the funding related to the pay ordinance, for an additional five years. In 2012, the Water Services Department converted the Water Production facilities to Thermal Granular Activated Carbon Regeneration to comply with the U.S. Environmental Protection Agency's Stage 2 Disinfection Byproduct (DBP) Rule. The Contractor's services include supply, placement, removal and thermal reactivation of Thermal Granular Activated Carbon Regeneration services.

### **Contract Term**

This amendment will extend the end date of the agreement's term from Jan. 17, 2022 to Jan. 17, 2027.

### **Financial Impact**

The initial agreement for Thermal Granular Activated Carbon Regeneration Services was executed for an expenditure not-to-exceed \$50,000,000. The initial funding has not been exhausted and no additional funding is required.

### **Concurrence/Previous Council Action**

The City Council approved: Thermal Granular Activated Carbon Regeneration Services Agreement 133070 with Calgon Carbon Corporation (Ordinance S-38475) on Jan. 18, 2012.

### **Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.



**Agreement with Central Arizona Water Conservation District and Others to Participate in the Colorado River 500+ Plan (Ordinance S-48254)**

Request to authorize the City Manager, or his designee, to enter into an agreement with the Central Arizona Water Conservation District to forgo delivery of a volume of Phoenix's Colorado River entitlement in 2022, as system conservation, in return for compensation. Further request to authorize the City Treasurer to accept all funds related to this item for a creation of a water conservation fund within the Water Services Department. The compensation will not exceed \$4,163,765.97.

**Summary**

Conditions on the Colorado River system have not improved since the briefing at the City Council's June 8, 2021 Policy Session. Based on recent modeling on the Colorado River, the U.S. Bureau of Reclamation and the Lower Basin states of Arizona, California and Nevada have determined there is an unacceptable risk of the water volumes in Lake Mead dropping below the elevation of 1,030 feet before 2026, despite delivery reductions agreed to in the Lower Basin Drought Contingency Plan. The Lower Basin States and the Bureau of Reclamation have determined that it will require an additional 500,000 acre-feet (af) reduction in deliveries from Lake Mead each year through 2026 to feasibly protect Lake Mead from catastrophic risk.

The Lower Basin States have developed a plan (called the 500+ Plan) to request individual Colorado River users in the Lower Basin states to voluntarily contribute a combined 500,000 acre-feet (af) each year from 2022 through 2026 to leave in Lake Mead. Because the proposed contributions would be compensated at the rate of \$260.60/af, the plan also requires funding of \$100 million each year. These reduced deliveries are in addition to the reductions in deliveries Arizona agreed to in the Drought Contingency Plan. The target volumes for the 500+ Plan in 2022 are 223,000 af from Arizona, 215,000 af from California and 62,000 af from Bureau of Reclamation.

Presumably, similar volumes would be sought in subsequent years through 2026. The State of Arizona has already committed funding in the amount of \$40 million in 2022, and it is expected that the major water agencies with taxing authority in each state will contribute the remainder of the funding. Those agencies are the Central Arizona Water Conservation District, the Metropolitan Water District of Southern California and the

Southern Nevada Water Authority.

In 2022, Phoenix is scheduled to receive its total Colorado River allocation of 186,557 af. That includes 15,977 af of "mitigation water" under the Arizona Drought Contingency Plan implementation agreement. This "mitigation water" is Non-Indian Agricultural (NIA) Priority water that would have otherwise been unavailable to Phoenix without the mitigation measures taken by Arizona to deliver water from reserves in Lake Mead. Moreover, if Phoenix forgoes delivery of the NIA mitigation water, that volume of water will remain in Lake Mead. Currently, if Phoenix receives the mitigation water in 2022, the plan is to store it in Tucson for future shortage conditions. If Phoenix chooses to forgo delivery of the NIA mitigation water, it will still be storing more than 26,000 af in Tucson.

**Contract Term**

This agreement will terminate on Dec. 31, 2026. While Phoenix is agreeing to forbear delivery of water in 2022, the Agreement will include options for additional forbearance through 2026. City Council approval will be required for each year Phoenix agrees to forbear water in the 500+ Plan.

**Financial Impact**

Phoenix will receive compensation in the amount of \$4,163,765.97 for a contribution of 15,977 af (\$260.61/af). The funds will come from Central Arizona Water Conservation District. The funds will be used to promote water conservation and implement water conservation programs.

**Location**

Out of City

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.



**Final Plat - The Urban Encanto - PLAT 210099 - North of Earll Drive and East of 19th Avenue**

Plat: 210099  
Project: 18-2388  
Name of Plat: The Urban Encanto  
Owner: Cryptomonde, LLC  
Engineer: Dennis F. Keogh, RLS  
Request: An 18 Lot Residential Subdivision Plat  
Reviewed by Staff: November 30, 2021  
Final Plat requires Formal Action Only

**Summary**

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public.

**Location**

Generally located north of Earll Drive and east of 19th Avenue.  
Council District: 4

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.



**Final Plat - AHS-EVB - PLAT 210068 - South of Van Buren Street and West of 56th Street**

Plat: 210068  
Project: 18-1600  
Name of Plat: AHS-EVB  
Owner: Arizona Humane Society  
Engineer: James A Brucci  
Request: A 1-Lot Commercial Plat  
Reviewed by Staff: Dec. 16, 2021  
Final Plat required Formal Action Only.

**Summary**

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public.

**Location**

South of Van Buren Street and West of 56th Street.  
Council District: 6

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.



**Final Plat - Serene at South Mountain - PLAT 210052 - 9th Street and Highline Canal**

Plat: 210052  
Project: 19-3965  
Name of Plat: Serene at South Mountain  
Owner: South Mountain 25, LLC  
Engineer: Bryan O'Connor, RLS  
Request: A 25 Lot Residential Plat  
Reviewed by Staff: Oct. 25, 2021  
Final Plat requires Formal Action Only

**Summary**

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public.

**Location**

Generally located at 9th Street and the Highline Canal.  
Council District: 8

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.





**Final Plat - Fremont Subdivision II - PLAT 210022 - North of Baseline Road and East of 7th Street**

Plat: 210022

Project: 05-1603

Name of Plat: Fremont Subdivision II

Owner(s): Ramiro Salguero Suarez & Maria Garcia Flores

Engineer(s): Richard E. Jones, RLS

Request: A 3 Lot Residential Plat

Reviewed by Staff: Nov. 22, 2021

Final Plat requires Formal Action Only

**Summary**

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment 210046. The sequence of recording to be followed is that the resolution of abandonment is recorded first, then the plat is recorded second.

**Location**

Generally located North of Baseline Road and East of 7th Street.

Council District: 8

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.



**Final Plat - Elevate on Central - PLAT 200609 - Northwest Corner of Central Avenue and South Mountain Avenue**

Plat: 200609  
Project: 19-1352  
Name of Plat: Elevate on Central  
Owner: TSALM Services, LLC  
Engineer: Robert A Johnston, RLS  
Request: A 58-Lot Residential Plat  
Reviewed by Staff: Nov. 24, 2021  
Final Plat requires Formal Action Only.

**Summary**

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public.

**Location**

Northwest corner of Central Avenue and South Mountain Avenue.  
Council District: 8

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.



**Final Plat - Tierra Montana Parcel 6 - PLAT 210017 - South of Elliot Road and East of 59th Avenue**

Plat: 210017

Project: 05-4228

Name of Plat: Tierra Montana Parcel 6

Owner(s): Taylor Woodrow Arizona, Inc and Tierra Montana Community Association

Engineer: Adrian M. Burchan, RLS

Request: A 111 Lot Residential Subdivision Plat

Reviewed by Staff: Dec. 15, 2021

Final Plat requires Formal Action Only

**Summary**

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with abandonments ABND 210034 and ABND 210045. The sequence of recording is as follows: the resolutions of abandonment are recorded first, and the final plat is record second.

**Location**

Generally located south of Elliot Road and east of 59th Ave.

Council District: 8

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.



Report

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Agenda Date: 1/5/2022, Item No. 92

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**Abandonment of Right-of-Way - ABND 210034 - Southwest Corner of 55th Avenue and Elliot Road (Resolution 21982)**

Abandonment: ABND 210034

Project: 05-4228

Applicant: Zach Hill; Kimley-Horn

Request: To abandon the 50-foot right-of-way, adjacent eight-foot public utility easement, and adjacent one-foot vehicular non-access easement for portions of Bullwhip Way and 55th Lane within Tierra Montana Parcel 6 subdivision.

Date of Decision/Hearing: July 29, 2021

**Summary**

The resolution of the abandonment and PLAT 210017 are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

**Location**

Southwest Corner of 55th Avenue and Elliot Road.

Council District: 8

**Financial Impact**

A consideration fee was collected as part of this abandonment in the amount of \$750.00.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.



**Abandonment of Right-of-Way and Easements - ABND 210045 - Southwest Corner of 55th Avenue and Carver Road (Resolution 21983)**

Abandonment: ABND 210045

Project: 05-4228

Applicant: Zach Hill; Kimley-Horn

Request: To abandon the right-of-way and adjacent public utility easement and vehicular non-access easement for Bullwhip Way.

Date of Decision/Hearing: Oct. 29, 2021

**Summary**

The resolution of the abandonment and PLAT 210017 are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

**Location**

Southwest Corner of 55th Avenue and Carver Road

Council District: 8

**Financial Impact**

None. No consideration fee was required as a part of this right-of-way and easements abandonment, although filing fees were paid.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.



**Abandonment of Easements - ABND 210046 - East Fremont Road and South 10th St. (Resolution 21984)**

Abandonment: ABND 210046

Project: 05-1603

Applicant: Omar Cervantes, PE/CXL Engineering LLC

Request: The two-foot sidewalk easement and eight-foot public utility easement adjacent to Fremont Road; the one-foot vehicular non-access easements adjacent to lots 1, 2, 3, 4, and 5; the drainage easements dedicated over tracts A, B, C, and D; and the emergency and service vehicle easement dedicated over tract D.

Date of Decision/Hearing: Nov. 17, 2021

**Summary**

The resolution of the abandonment and PLAT 210022 are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

**Location**

East Fremont Road and South 10th St.

Council District: 8

**Financial Impact**

None. No consideration fee was required as a part of this easement abandonment, although filing fees were paid.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.



**Amend City Code - Official Supplementary Zoning Map 1228 (Ordinance G-6940)**

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1228. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-181-05, and the entitlements are fully vested.

**Summary**

To rezone a parcel approximately 495 feet from the southeast corner of the intersection of 79th Avenue and McDowell Road.

Application No.: Z-181-05

Zoning: C1 HGT/WVR DNS/WVR

Owner: McDowell Road Apartments LLC

Acreage: 14.56

**Location**

Approximately 495 feet from the southeast corner of the intersection of 79th Avenue and McDowell Road.

Address: 7777 W. McDowell Rd.

Council District: 7

**Responsible Department**

This item is submitted by Deputy City Manager, Ginger Spencer and the Planning and Development Department.

**ATTACHMENT A**

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,  
ADOPTED ORDINANCE**

**ORDINANCE G-**

**AN ORDINANCE AMENDING SECTION 601 OF THE CITY OF  
PHOENIX ZONING ORDINANCE BY ADOPTING OFFICIAL  
SUPPLEMENTARY ZONING MAP 1228.**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX as**

**follows:**

**SECTION 1. That Section 601 of the City of Phoenix Zoning Ordinance is  
hereby amended by adopting Official Supplementary Zoning Map 1228, which  
accompanies and is annexed to this ordinance and declared a part hereof.**

**PASSED by the Council of the City of Phoenix this 5th day of January,  
2022.**

**MAYOR**

**ATTEST:**

**Denise Archibald, City Clerk**



APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By: \_\_\_\_\_  
\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
Jeffrey Barton, City Manager

PL:tml:LF21-3196:1-5-2022

DRAFT

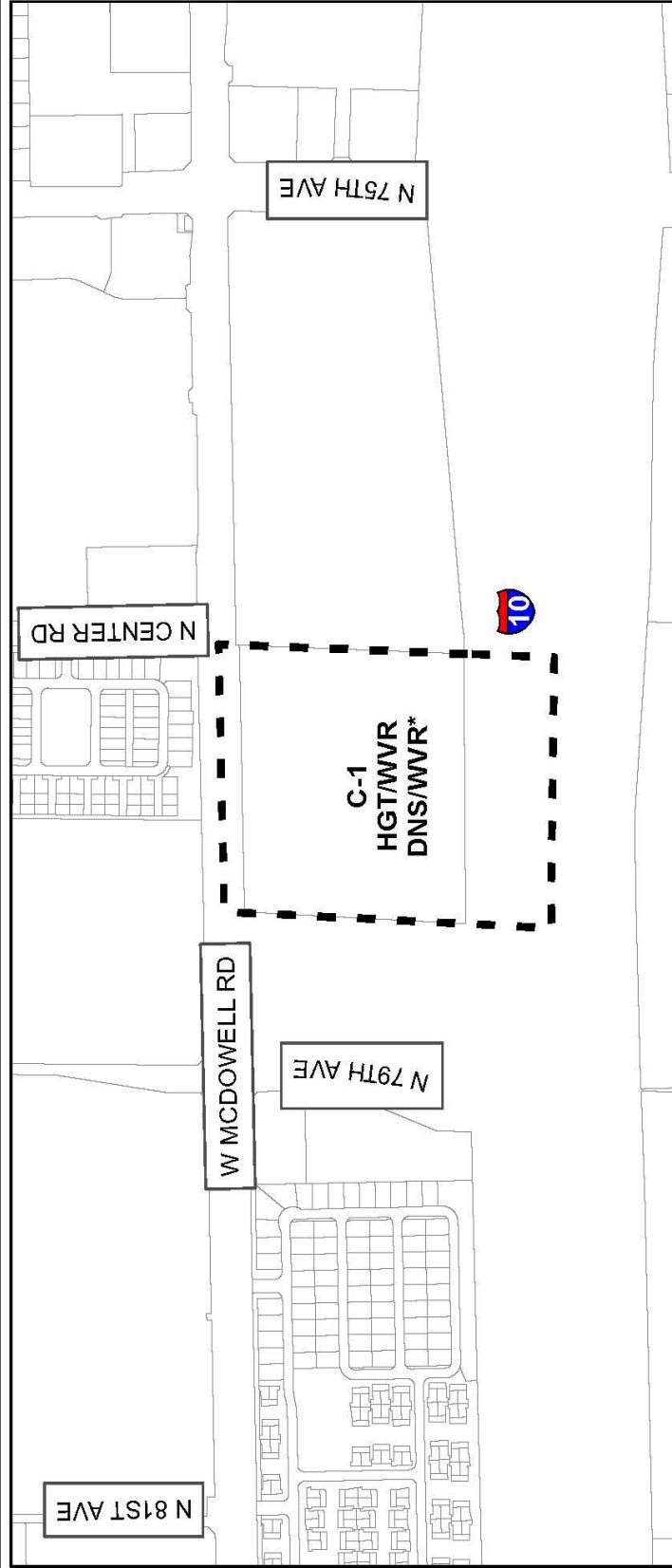
Attachment B

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 1228

Sheet 1 of 1

ORDINANCE NO. \_\_\_\_\_ AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE

Passed by the Council of the City of Phoenix, Arizona this 5th day of January 2022.



Z-181-05



ZONING SUBJECT TO STIPULATIONS: \*  
AREA INVOLVED BOUNDED THUS: ■ ■ ■ ■ ■

Drawn by: LS \_\_\_\_\_



**Amend City Code - Ordinance Adoption - Rezoning Application Z-54-21-1 - Approximately 415 Feet West of the Northwest Corner of 31st Avenue and Cochise Drive (Ordinance G-6933)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-54-21-1 and rezone the site from C-O (Commercial Office) to C-2 (Intermediate Commercial District) to allow commercial uses within an existing building

**Summary**

Current Zoning: C-O

Proposed Zoning: C-2

Acreage: 0.91 acres

Proposed Use: Commercial uses within existing building

Applicant: William F. Allison, Withey Morris, PLC

Owner: CHCT Arizona, LLC

Representative: William F. Allison, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The North Mountain Village Planning Committee heard this case on Nov. 17, 2021 and recommended approval, per the staff recommendation, by a vote of 13-0.

PC Action: The Planning Commission heard this case on Dec. 2, 2021 and recommended approval, per the North Mountain Village Planning Committee recommendation, by a vote of 8-0.

**Location**

Approximately 415 feet west of the northwest corner of 31st Avenue and Cochise Drive.

Council District: 1

Parcel Address: 3131 and 3201 W. Peoria Ave.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

## ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,  
ADOPTED ORDINANCE**

### ORDINANCE G-

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 (Z-54-21-1) FROM C-O (COMMERCIAL OFFICE) TO C-2 (INTERMEDIATE COMMERCIAL DISTRICT).

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

SECTION 1. The zoning of a 0.91-acre site located approximately 415 feet west of northwest corner of 31st Avenue and Cochise Drive, in a portion of Section 26, Township 3 North, and Range 2 East, as described more specifically in Exhibit "A", is hereby changed from C-O (Commercial Office) to "C-2" (Intermediate Commercial District).

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 south building elevation shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or other overhang canopies, as approved by the Planning and Development Department.
2. The developer shall replenish the existing landscape area along Cochise Drive per the C-2 streetscape landscape standards for planting type, size and quantity, with all trees being of a shade variety, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.
3. For any development that modifies the cumulative floor area by more than 10 percent, including demolition, from that depicted on the site plan date stamped July 30, 2021, the public sidewalk and landscaping along Cochise Drive shall be detached with a minimum 5-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.
  - a. Large canopy, single-trunk, shade trees shall be placed 25 feet on center or in equivalent groupings, with a minimum 3-inch caliper.
  - b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
  - c. Drought tolerant shrubs and vegetative groundcovers maintained to a maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
4. The developer shall provide four bicycle parking spaces, shaded to 50 percent, and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
5. The developer shall dedicate a 1-foot Vehicular Non-Access Easement (VNAE) along the south site boundary.
6. The developer shall provide enhanced pavement paint, markings or alternative material for pedestrian pathways overlapping a drive aisle to connect from the subject site to the commercial site to the north, 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. 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.

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 5th day of January, 2022.

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MAYOR

ATTEST:

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Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:

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REVIEWED BY:

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Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-54-21-1

SECTION: 26 ; TOWNSHIP: 3 NORTH ; RANGE: 2 EAST

THAT PORTION OF TRACT "A", METRO PLAZA, ACCORDING TO BOOK 194 OF MAPS, PAGE 12, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT "A";

THENCE NORTH 00 DEGREES 30 MINUTES 00 SECONDS WEST ALONG THE WEST LINE OF SAID TRACT "A" A DISTANCE OF 173.00 FEET;

THENCE NORTH 89 DEGREES 30 MINUTES 00 SECONDS EAST, A DISTANCE OF 76.20 FEET;

THENCE SOUTH 00 DEGREES 30 MINUTES 00 SECONDS EAST, A DISTANCE OF 5.00 FEET;

THENCE NORTH 89 DEGREES 30 MINUTES 00 SECONDS EAST, A DISTANCE OF 124.80 FEET;

THENCE SOUTH 00 DEGREES 30 MINUTES 00 SECONDS EAST, A DISTANCE OF 168.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF COCHISE DRIVE;

THENCE SOUTH 89 DEGREES 30 MINUTES 00 SECONDS WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 201.00 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 2:

AN EASEMENT FOR VEHICULAR AND PEDESTRIAN INGREE, EGRESS, AND PARKING AS SET FORTH IN DOCKET 16069, PAGE 676, RECORDS OF MARICOPA COUNTY, ARIZONA, OVER THE FOLLOWING DESCRIBED PROPERTY:  
THE EAST 110 FEET OF THE SOUTH 172 FEET OF TRACT "B", METRO PLAZA, ACCORDING TO BOOK 194 OF MAPS, PAGE 12, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 3:

AN EASEMENT FOR VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS SET FORTH IN DOCKET 16069, PAGE 688, RECORDS OF MARICOPA COUNTY, ARIZONA.



**EXHIBIT B**

SUBJECT AREA: ■ ■ ■ ■ ■

0 95 190 380 Feet



Z-54-21-1

GREENWAY RD  
ACOMA DR  
THUNDERBIRD RD  
SWEETWATER AVE  
CACTUS RD  
CHOLLA ST  
PEORIA AVE  
DUNLAP AVE  
BUTLER DR  
NORTHERN AVE  
39TH AVE  
35TH AVE  
31ST AVE  
INTERSTATE 17  
19TH AVE  
15TH AVE  
7TH AVE  
CENTRAL AVE  
7TH ST  
12TH ST

NOT TO SCALE



**Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-4-21-3 - Southwest Corner of 20th Street and Bell Road (Ordinance G-6938)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-4-21-3 and rezone the site from C-2 (Intermediate Commercial District) to C-2 SP (Intermediate Commercial, Special Permit) to allow auto sales and all underlying C-2 uses.

**Summary**

Current Zoning: C-2

Proposed Zoning: C-2 SP

Acreage: 4.83 acres

Proposed Use: Auto sales and all underlying C-2 uses.

Owner: 20th St & Bell Multi-Family, LLC

Applicant: David Doherty, CJ Auto, Inc.

Representative: William F. Allison, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Paradise Valley Village Planning Committee heard the case on Nov. 1, 2021 and recommended approval, per the staff recommendation with an additional stipulation, by a vote of 15-0.

PC Action: The Planning Commission heard the case on Dec. 2, 2021 and recommended approval, per the Paradise Valley Village Planning Committee recommendation, by a vote of 8-0.

**Location**

Southwest corner of 20th Street and Bell Road.

Council District: 3

Parcel Addresses: 1925 and 1975 E. Bell Road.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

## ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,  
ADOPTED ORDINANCE**

### ORDINANCE G-

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-SP-4-21-3) FROM C-2 (INTERMEDIATE COMMERCIAL DISTRICT) TO C-2 SP (INTERMEDIATE COMMERCIAL DISTRICT, SPECIAL PERMIT).

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

SECTION 1. The zoning of a 4.83-acre site located on the southwest corner of 20th Street and Bell Road in a portion of Section 3, Township 3 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "C-2" (Intermediate Commercial District) to "C-2 SP" (Intermediate Commercial District, Special Permit) to auto sales and all underlying C-2 uses.

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 southern landscape setback shall be planted with 2-inch caliper, large canopy shade trees planted 20-feet on center or in equivalent groupings, as approved by the Planning and Development Department.
2. All public sidewalks shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section (Cross Section A on Bell Road) of the Street Classification Map and planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions with a pedestrian environment.
  - a. Minimum 2-inch caliper large canopy, single-trunk, shade trees placed a minimum of 20 feet on center or equivalent groupings to provide a minimum of 75 percent shade on adjacent sidewalks.
  - b. Drought tolerant shrubs and vegetative groundcovers maintained at a maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
3. All uncovered surface parking areas used by customers and employees must be landscaped with minimum 2-inch caliper shade trees. Landscaping must be dispersed throughout the parking area and achieve 15 percent shade at maturity, as approved by Planning and Development Department.
4. The developer shall provide and maintain the following bicycle infrastructure as described below and as approved by the Planning and Development Department.
  - a. The developer shall provide 4 bicycle parking spaces on site or on the site to the west near building entrances. The bicycle parking spaces shall be shaded to 50 percent, as approved by the Planning and Development Department.
  - b. Upon construction of Phase 2, a bicycle repair station ("fix it station") shall be provided on the site in close proximity to 20th Street. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.

5. The developer shall dedicate 5 feet of right-of-way for the south half of Bell Road, as approved by the Planning and Development Department.
6. The developer shall dedicate a 15-foot-wide sidewalk easement for the south half of Bell Road, as approved by the Planning and Development Departments.
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. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, bus stop pads, and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department. Any cross-access agreements shall include a pedestrian pathway, as approved by the Planning and Development Department.
9. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped, or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
10. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.
11. The property owner shall record documents that disclose the existence, and operational characteristics of Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
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. No deliveries shall take place off of 20th Street and no deliveries shall take place on the site after 10:00 p.m.

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 5th day of January, 2022.

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MAYOR

ATTEST:

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Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:

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REVIEWED BY:

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Jeffrey Barton, City Manager

Exhibits:

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

EXHIBIT A

LEGAL DESCRIPTION FOR Z-SP-4-21-3

The Land referred to herein below is situated in the County of Maricopa, State of Arizona, and is described as follows:

Section: 3  
Township: 3 North  
Range: 3 East

Lot 1, Paradise Valley Auto Park, according to Book 311 of Maps, page 28, records of Maricopa County, Arizona.

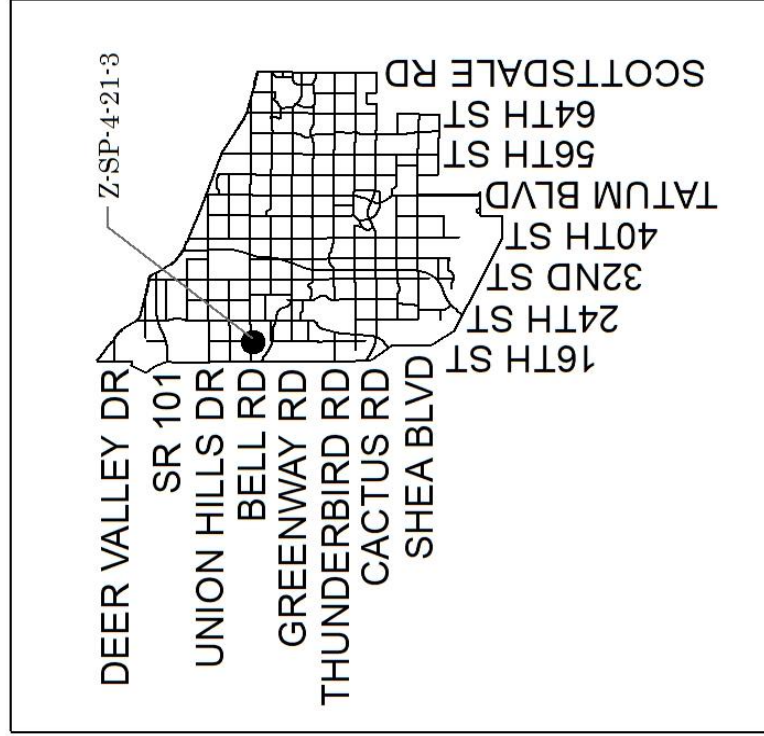
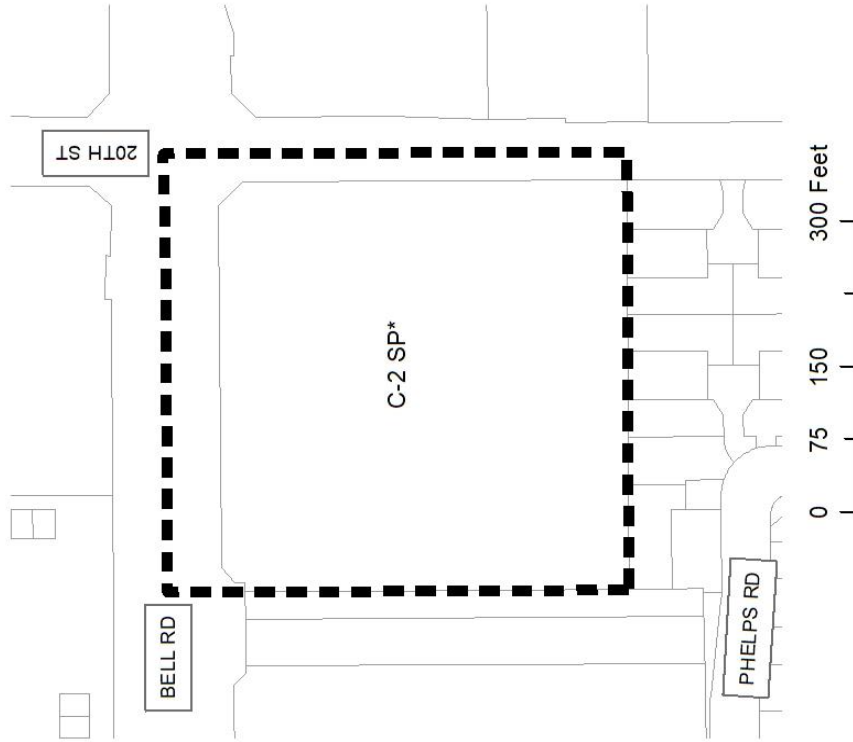
DRAFT

# ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: \*  
SUBJECT AREA: ■■■■■■

Zoning Case Number: Z-SP-4-21-3  
Zoning Overlay: N/A  
Planning Village: Paradise Valley



NOT TO SCALE



Drawn Date: 12/7/2021





**Amend City Code - Ordinance Adoption - Rezoning Application Z-32-21-3 - Southeast Corner of 23rd Street and Cave Creek Road (Ordinance G-6939)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-32-21-3 and rezone the site from C-2 (Intermediate Commercial District) and R 1-14 (One-Family Residence District) to R-2 Hillside DNS/WVR (Multifamily Residence District, Hillside Density Waiver) for a multifamily residential development with a hillside density waiver.

**Summary**

Current Zoning: C-2 and R1-14

Proposed Zoning: R-2 Hillside DNS/WVR

Acreage: 4.25 acres

Proposed Use: Multifamily residential development with a hillside density waiver

Owner: The View Reception Villa, LLC

Applicant: The View Reception Villa, LLC

Representative: Law Office of David Cisiewski, PLLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Paradise Valley Village Planning Committee heard the case on Nov. 1, 2021 and recommended approval, per the staff recommendation, by a vote of 15-0.

PC Action: The Planning Commission heard the case on Dec. 2, 2021 and recommended approval, per the Paradise Valley Village Planning Committee recommendation, with an additional stipulation, by a vote of 8-0.

**Location**

Southeast corner of 23rd Street and Cave Creek Road.

Council District: 3

Parcel Address: 14115 N. Cave Creek Road.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

## ATTACHMENT A

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ADOPTED ORDINANCE**

### ORDINANCE G-

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-32-21-3) FROM C-2 (INTERMEDIATE COMMERCIAL DISTRICT) AND R1-14 (ONE-FAMILY RESIDENCE DISTRICT) TO R-2 HILLSIDE DNS/WVR (MULTIFAMILY RESIDENCE DISTRICT, HILLSIDE DENSITY WAIVER).

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

SECTION 1. The zoning of a 4.25-acre site located on the southeast corner of 23rd Street and Cave Creek Road in a portion of Section 10, Township 3 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "C-2" (Intermediate Commercial District) and "R1-14" (One-family Residence District) to "R-2 Hillside DNS/WVR" (Multifamily Residence District, Hillside Density Waiver).

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 development shall be limited to a maximum of 22 dwelling units.
2. The required landscape setback along Cave Creek Road and shall be planted with minimum 50 percent 2-inch caliper, 25 percent 3-inch caliper and 25 percent 4-inch caliper large canopy drought-tolerant trees, to provide a minimum of 50 percent shade at maturity along the sidewalk. Additionally, five 5-gallon shrubs shall be provided per tree, as approved by the Planning and Development Department.
3. Drought tolerant vegetation shall be utilized throughout the site, as approved by the Planning and Development Department.
4. Building elevations shall include exterior detailing on all sides of the elevations, such as but not limited to: recesses and/or pop-outs; accent materials, such as stone or masonry; large picture windows, casement windows, and/or clerestory windows; and oversized overhangs, as approved by the Planning and Development Department.
5. Building and wall colors shall be muted and blend with rather than contrast strongly with the surrounding desert environment, as approved by the Planning and Development Department.
6. Any perimeter walls along the west side of the site shall be open view fencing, or a combination of maximum 3 feet of solid wall topped by open view fencing, as approved by the Planning and Development Department.
7. Solid walls shall be prohibited along the perimeters of the site within 25 feet of a property line adjacent to the Phoenix Shadow Mountain Preserve, as approved by the Planning and Development Department.
8. A central amenity open space area shall be provided within close proximity to the primary vehicular entrance into the development, as approved by the Planning and Development Department.
9. The development shall incorporate bicycle infrastructure located within the central amenity open space area as described below and as approved by the Planning and Development Department.
  - a. A minimum of four bicycle parking spaces shall be provided via inverted U-bicycle racks, artistic style bicycle racks, or "Outdoor/Covered

Facilities". All bicycle racks shall adhere to Appendix K of the Comprehensive Bicycle Master Plan.

- b. One bicycle repair station ("fix it station") shall be provided and maintained. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
10. Pedestrian paths within the site and connecting to the public sidewalk shall be shaded to a minimum of 75 percent using architectural shade and/or shade trees at maturity, as approved by the Planning and Development Department.
11. The primary vehicular entrance to the development shall include the following elements, as approved by the Planning and Development Department:
- a. The driveway surface shall be constructed of decorative pavers, stamped, or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.
  - b. Traffic calming measures shall be provided to slow vehicles departing the development, prior to crossing the public sidewalk.
  - c. Pedestrian pathways shall be provided to connect the interior of the development to the public sidewalks along both sides of the vehicular driveway.
  - d. The pedestrian pathways shall be detached from the vehicular driveway and separated by minimum 5-foot wide landscape planters. The planters shall include a mix of ornamental trees (no less than 2-inch caliper), shrubs (no less than five 5-gallon shrubs per tree), and other vegetative groundcover providing a minimum of 75 percent live cover.
  - e. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
12. 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

13. The developer shall dedicate a 10-foot-wide sidewalk easement along the east side of Cave Creek Road, as approved by the Planning and Development Department.
14. The use of blasting, both on-site and off-site, for grading and construction shall be subject to the City of Phoenix Implosion/Demolition Policy (TRT 00590) and the Implosion/Demolition Checklist (TRT 00591) with specific regard to those sections related to blasting, as approved by the Planning and Development Department.
15. The use of blasting during on-site or off-site construction shall be subject to the review and approval by the City of Phoenix Water Services Department, and their regulatory agency Arizona Department of Water Resource. The developer shall provide evidence of this review and approval to the Planning and Development Department prior to the issuance of any blasting approvals on the site.
16. In the event archeological 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.
17. 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 5th day of January 2022.

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MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:  
\_\_\_\_\_  
\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
Jeffrey Barton, City Manager

REVIEWED BY:

\_\_\_\_\_ City Manager

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

EXHIBIT A

LEGAL DESCRIPTION FOR Z-32-21-3

A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 3 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;

THENCE SOUTH 89 DEGREES 47 MINUTES 21 SECONDS EAST, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, 191.80 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF CAVE CREEK ROAD MARKING THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89 DEGREES 47 MINUTES 21 SECONDS EAST, ALONG SAID SOUTH LINE, 422.00 FEET;

THENCE NORTH 00 DEGREES 12 MINUTES 39 SECONDS EAST, 450.00 FEET;

THENCE NORTH 89 DEGREES 47 MINUTES 21 SECONDS WEST, 255.46 FEET TO A POINT ON A CURVE ON SAID EASTERLY RIGHT-OF-WAY LINE OF CAVE CREEK ROAD, THE CENTER OF WHICH BEARS SOUTH 59 DEGREES 32 MINUTES 06 SECONDS EAST, 1218.24 FEET;

THENCE SOUTHWESTERLY, ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 14 DEGREES 44 MINUTES 07 SECONDS FOR AN ARC DISTANCE OF 313.30 FEET;

THENCE SOUTH 15 DEGREES 43 MINUTES 47 SECONDS WEST, 168.29 FEET TO THE POINT OF BEGINNING;

EXCEPT THEREFROM ANY PORTION LYING IN THE SHADOW MOUNTAIN, PHOENIX MOUNTAINS PRESERVE

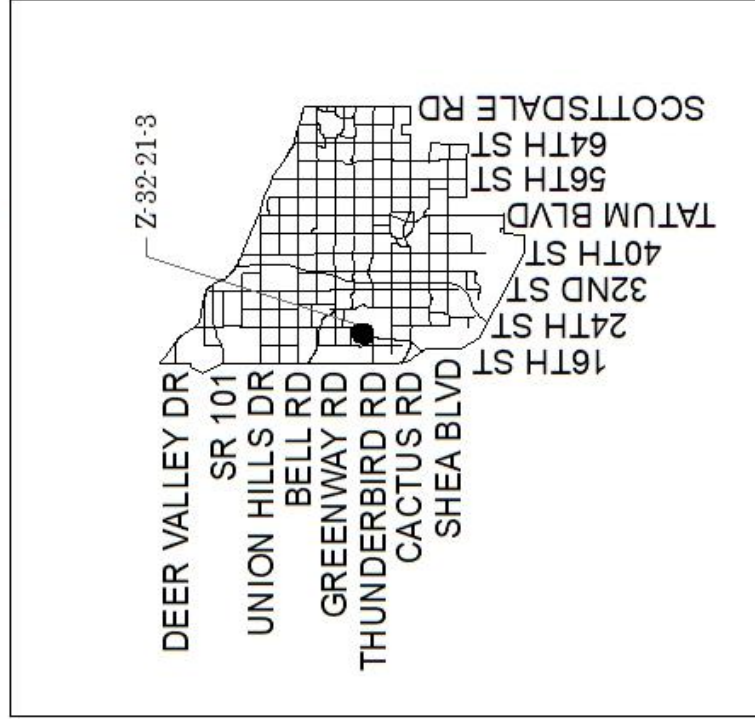
EXHIBIT B

ORDINANCE LOCATION MAP

ZONING SUBJECT TO STIPULATIONS: \*  
SUBJECT AREA: - - - - -



Zoning Case Number: Z-32-21-3  
Zoning Overlay: N/A  
Planning Village: Paradise Valley



NOT TO SCALE



Drawn Date: 12/7/2021





**Amend City Code - Ordinance Adoption - Rezoning Application Z-53-21-4 - Approximately 300 Feet South of the Southwest Corner of I-17 and Campbell Avenue (Ordinance G-6932)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-53-21-4 and rezone the site from R-5 (Multifamily Residence District) to R-5 (Multifamily Residence District) and A-1 (Light Industrial District) to allow multifamily residential and a billboard.

**Summary**

Current Zoning: R-5

Proposed Zoning: R-5 (0.28 acres) and A-1 (0.03 acres)

Acreage: 0.31 acres

Proposed Use: Multifamily residential and a billboard

Applicant: Jason Morris, Withey Morris, PLC

Owner: Rene Sanchez Meza

Representative: Jason Morris, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Alhambra Village Planning Committee heard this case on Nov. 16, 2021 and recommended approval, per the staff recommendation, by a vote of 14-0.

PC Action: The Planning Commission heard this case on Dec. 2, 2021 and recommended approval, per the Alhambra Village Planning Committee recommendation, with an additional stipulation, by a vote of 8-1.

**Location**

Approximately 300 feet south of the southwest corner of I-17 and Campbell Avenue.

Council District: 4

Parcel Address: 4410 N. Black Canyon Highway.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

## ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,  
ADOPTED ORDINANCE**

### ORDINANCE G-

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 (Z-53-21-4) FROM R-5 (MULTIFAMILY RESIDENCE DISTRICT) TO R-5 (MULTIFAMILY RESIDENCE DISTRICT) AND A-1 (LIGHT INDUSTRIAL DISTRICT).

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

SECTION 1. The zoning of a 0.31 acre site located approximately 300 feet south of the southwest corner of I-17 and Campbell Avenue, in a portion of Section 24, Township 2 North, and Range 2 East, as described more specifically in Exhibit "A", is hereby changed from "R-5" (Multifamily Residence District) to 0.28 acres "R-5" (Multifamily Residence District) and 0.03 acres of "A-1" (Light Industrial District).

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 not exceed 30 feet. If the following conditions are met, the maximum height shall be 40 feet. The conditions must be met prior to or in conjunction with the Final Site Plan Review.
  - a. A minimum of 75 percent of the housing units are dedicated for long-term affordability, as approved by the Phoenix Housing Department.
  - b. The applicant shall submit a copy of the draft Declaration of Affirmative Land Use and Restrictive Covenants agreement (LURA), for review and approval by the Phoenix Housing Department.
  - c. The applicant shall submit a copy of the Proforma, for review and approval by the Phoenix Housing Department.
2. One framing inspection for the primary building on the R-5 portion of the site shall be approved prior to the issuance of a permit for any off-premise signage.
3. The indoor noise levels of residential units shall not exceed a decibel day night-level (DNL) of 45 decibels and that along with the building plans submitted for Phoenix Building Construction Code compliance review to the Planning and Development Department there shall be a sealed and signed analysis by an engineer licensed in Arizona with a proficiency in residential sound mitigation or noise control. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.
4. The C-2 Streetscape Landscape Standards for planting type, size and quantity shall be used along the Black Canyon Highway Frontage Road with all trees being of a shade variety, as approved by the Planning and Development Department.
5. The required landscape setback areas along the north, west, and south site boundaries shall be planted with shade trees placed 20 feet on center or in equivalent groupings with 75 percent of the trees being a minimum 3-inch caliper, as approved by the Planning and Development Department.
6. The developer shall construct right-of-way improvements along the frontage road for the limits of the subject site including sidewalks, as determined and approved by ADOT.
7. The developer shall provide a minimum of 3 inverted-U style bicycle racks located near building entrances and shaded to a minimum 50 percent, as approved by the Planning and Development Department.
8. 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.

9. Any new driveways and changes to existing driveways shall require the review and approval of ADOT. Documentation of ADOT's approval of all modifications shall be provided prior to Preliminary Site Plan approval.
10. A Red Border Letter shall be processed for this development, as determined by the Planning and Development Department.
11. If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
12. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
13. In the event archeological 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.
14. 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 5th day of January, 2022.

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MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:  
\_\_\_\_\_  
\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
Jeffrey Barton, City Manager

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

EXHIBIT A

LEGAL DESCRIPTION FOR Z-53-21-4

R-5 ZONE CHANGE

The land referred to herein below that is situated in the County of Maricopa, State of Arizona, and is described as follows:

THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTE OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, LYING BETWEEN THE EAST LINE OF THE WEST 389.55 FEET OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE WEST RIGHT OF WAY LINE OF THE PHOENIX-ROCK SPRING HIGHWAY.

EXCEPT THE NORTH 309.00 FEET; AND

EXCEPT THE SOUTH 234.88 FEET; AND

EXCEPT THE SOUTHERLY 64.00 FEET OF THE EASTERLY 15.00 FEET.

Also known as a portion of APN 154-18-018

A-1 ZONE CHANGE

THE SOUTHERLY 64.00 FEET OF THE EASTERLY 15.00 FEET OF:

The land referred to herein below that is situated in the County of Maricopa, State of Arizona, and is described as follows:

THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTE OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, LYING BETWEEN THE EAST LINE OF THE WEST 389.55 FEET OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE WEST RIGHT OF WAY LINE OF THE PHOENIX-ROCK SPRING HIGHWAY.

EXCEPT THE NORTH 309.00 FEET; AND

EXCEPT THE SOUTH 234.88 FEET.

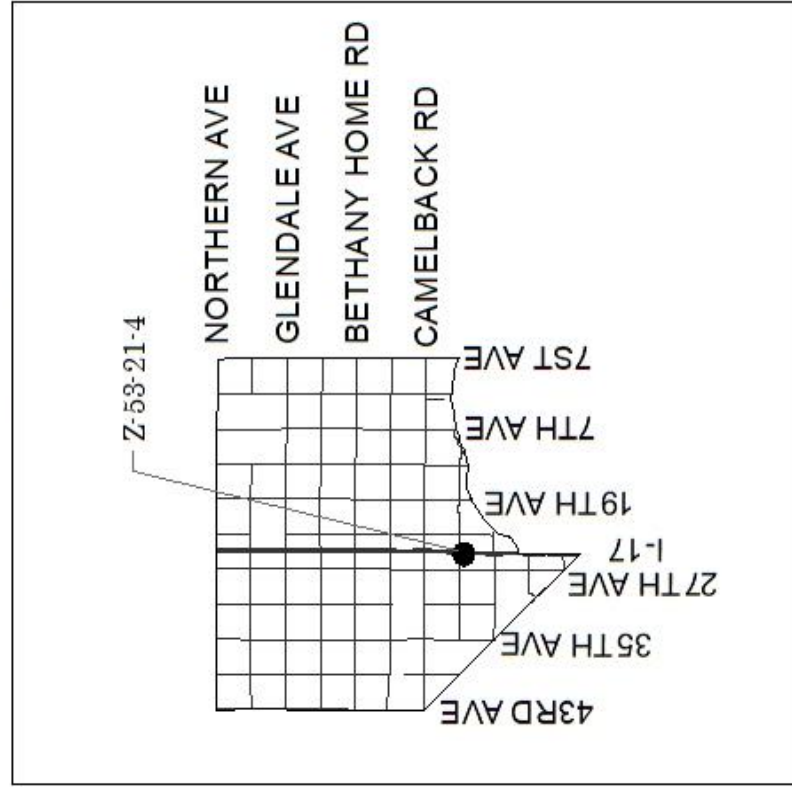
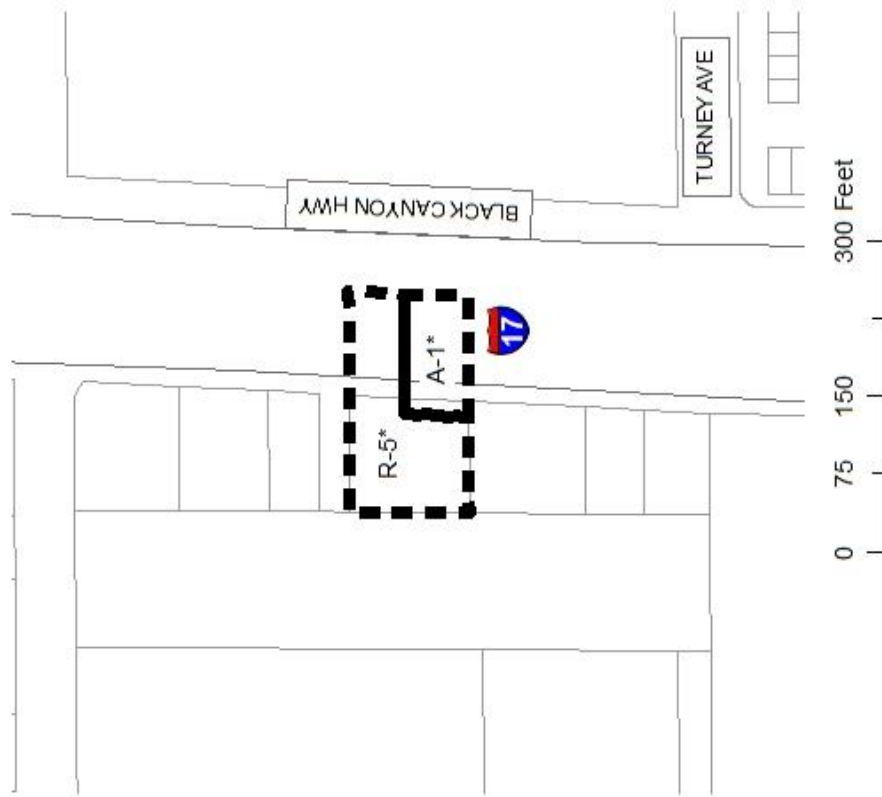
Also known as APN 154-18-018 and 4410 N. Black Canyon Highway, Phoenix, AZ.

# ORDINANCE LOCATION MAP

EXHIBIT B

Zoning Case Number: Z-53-21-4  
 Zoning Overlay: N/A  
 Planning Village: Alhambra

ZONING SUBJECT TO STIPULATIONS: \*  
 SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 12/7/2021



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Agenda Date: 1/5/2022, Item No. 100

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**Amend City Code - Ordinance Adoption - Rezoning Application Z-49-21-7 - Approximately 100 feet West of the Northwest Corner of 59th Avenue and Lower Buckeye Road (Ordinance G-6934)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-49-21-7 and rezone the site from RE-35 (Single-Family Residence District) to C-2 (Intermediate Commercial District) to allow commercial uses. This is a companion case to Z-SP-5-21-7 and should be heard first, followed by Z-SP-5-21-7.

**Summary**

Current Zoning: RE-35

Proposed Zoning: C-2

Acreage: 11.83 acres

Proposed Use: Commercial uses

Applicant: Michelle Bach, EAPC Architects Engineers

Owner: Arizona Department of Transportation

Representative: Michelle Bach, EAPC Architects Engineers

Staff Recommendation: Approval, subject to stipulations.

VPC Action: This case was scheduled to be heard at the Estrella Village Planning Committee meeting on Oct. 19, 2021 and was continued to the Nov. 16, 2021, by a vote of 7-0.

The Estrella Village Planning Committee heard this case on Nov. 16, 2021 and recommended approval, per the staff recommendation, by a vote of 5-0.

PC Action: The Planning Commission heard this case on Dec. 2, 2021 and recommended approval, per the Estrella Village Planning Committee recommendation with an additional stipulation, by a vote of 8-0.

**Location**

Approximately 100 feet west of the northwest corner of 59th Avenue and Lower Buckeye Road.

Council District: 7

Parcel Address: 2350 S. 59th Ave.

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**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

## ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,  
ADOPTED ORDINANCE**

### ORDINANCE G-

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-49-21-7) FROM RE-35 (SINGLE-FAMILY RESIDENCE DISTRICT) TO C-2 (INTERMEDIATE COMMERCIAL DISTRICT).

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

SECTION 1. The zoning of a 11.83-acre site located approximately 100 feet west of the northwest corner of 59th Avenue and Lower Buckeye Road in a portion of Section 18, Township 1 North, Range 2 East, as described more specifically in Exhibit "A", is hereby changed from "RE-35" (Single-Family Residence District) to "C-2" (Intermediate Commercial District).

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. Building elevations shall be developed with a common architectural theme to the following standards, as approved by the Planning and Development Department:
  - a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability to provide a decorative and aesthetic treatment.
  - b. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies.
  - c. A minimum of two building materials listed in the Estrella Village Core Plan shall be utilized in all building elevations.
2. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards along arterial streets in the Estrella Village, except as noted herein, as approved by the Planning and Development Department.
3. Project entry drives along Lower Buckeye Road shall incorporate enhanced landscaping on both sides planted with a variety of at least three plant materials. Each landscaped area shall be a minimum of 125-square feet, as approved by the Planning and Development Department.
4. Project entry drives along Lower Buckeye Road shall be constructed of decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.
5. Where perimeter walls are adjacent to the Loop 202 freeway drainage channel, these shall be limited to open view wrought iron fencing or similar material, or a combination of 4-feet solid masonry topped by wrought iron open view fencing or similar material, unless required otherwise by the Zoning Ordinance, as approved by the Planning and Development Department.
6. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.
7. The following pedestrian shade standards shall be met as described below and as approved or modified by the Planning and Development Department:

- a. Pedestrian walkways connecting the commercial buildings to adjacent public sidewalks shall be shaded to a minimum of 75 percent using large canopy drought tolerant shade trees at maturity and/or architectural shade.
  - b. The bus stop along Lower Buckeye Road shall be shaded to a minimum of 50 percent.
- 8. A system of pedestrian thoroughfares shall be provided as described below and as approved or modified by the Planning and Development Department:
  - a. Connections to/between via the most direct route:
    - (1) All building entrances.
    - (2) Adjacent public sidewalks.
    - (3) The bus stop along Lower Buckeye Road.
  - b. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts with parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.
- 9. The development shall incorporate bicycle infrastructure, as described below and as approved by the Planning and Development Department.
  - a. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the building entrance of each enclosed commercial building and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
  - b. One bicycle repair station ("fix it station") shall be provided and maintained within close proximity to Lower Buckeye Road or the C Store building as depicted in the site plan date stamped July 12, 2021. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
- 10. The developer shall dedicate a 30-foot-wide multi-use trail easement (MUTE) along the north side of Lower Buckeye Road and construct a minimum 10-foot wide-multi-use trail (MUT) within the easement, in accordance with the MAG

supplemental detail indicated in Section 429 and as approved by the Planning and Development Department. Where conflicts or restrictions exist, the developer shall work with the Site Planning section on an alternate design through the technical appeal process.

11. The developer shall dedicate right-of-way and construct one bus stop pad along westbound Lower Buckeye Road west of 59th Avenue. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The bus stop pad shall be spaced from the intersection according to City of Phoenix Standard Detail P1258.
12. All sidewalks along Lower Buckeye Road shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved by the Arizona Department of Transportation (ADOT) and/or the Planning and Development Department.
  - a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75 percent shade.
  - b. Drought tolerant vegetation maintained at a maximum height of 24 inches and achieve 75 percent live coverage.
  - c. The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for arterial streets.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

13. All sidewalks along 59th Avenue shall be a minimum of 5 feet in width and detached with a minimum 10-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Arizona Department of Transportation (ADOT) and/or the Planning and Development Department.
  - a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75 percent shade.
  - b. Drought tolerant vegetation maintained at a maximum height of 24 inches and achieve 75 percent live coverage.
  - c. The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for arterial streets.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

14. All proposed driveways along Lower Buckeye Road shall require the approval of the Arizona Department of Transportation (ADOT) and the Planning and Development Department.
15. 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.
16. If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
17. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
18. In the event archeological 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.
19. 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 5th day of January,  
2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:  
\_\_\_\_\_  
\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
Jeffrey Barton, City Manager

Exhibits:  
A – Legal Description (2 Pages)  
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-49-21-7

That portion of the East half of the Southeast quarter of Section 18, Township 1 North, Range 2 East, Gila and Salt River Meridian, Maricopa County, Arizona, lying between the existing westerly right of way line of 59<sup>th</sup> Avenue and the following described LINE:

COMMENCING at a 2003 3 inch Maricopa County brass cap in handhole "LS 3610" marking the Southeast corner of said Section 18, being South 00'04'18" East 2637.50 feet from a 2 inch 2005 Maricopa County aluminum cap in handhole "LS 3610" marking the East quarter corner of said Section 18, thence along the East line of said Section 18, North 00'04'18" West 33.81 feet to the POINT OF BEGINNING;

thence South 89'55'42" West 33.00 feet to the juncture of the existing northerly right of way line of Lower Buckeye Road with the existing westerly right of way line of 59<sup>th</sup> Avenue. Thence along said existing northerly right of way line of Lower Buckeye Road North 88'40'28" West 100.03 feet;

thence continuing along said existing northerly right of way line North 00'04'18" West 33.51 feet; thence continuing along said existing northerly right of way line North 88'40'28" West 103.90 feet; thence continuing along said existing northerly right of way line North 76'00'25" West 118.56 feet;

thence continuing along said existing northerly right of way line North 88'40'28" West 169.49 feet to the existing easterly right of way line of State Route 202L (SOUTH MOUNTAIN FREEWAY);

thence along said existing easterly right of way line of State Route 202L North 16'00'43" East 399.68 feet; thence continuing along said existing easterly right of way line North 17'01'23" East 500.10 feet; thence continuing along said exiting easterly right of way line North 17'16'47" East 399.69 feet; thence continuing along said existing easterly right of way line North 17'44'31" East 292.19 feet to the existing westerly right of way line of said 59<sup>th</sup> Avenue; thence North 89'55'42" East 55.00 feet to the POINT OF ENDING on said East line of Section 18, being South 00'04'18" East 1010.54 feet from said East quarter corner of Section 18.

EXCEPTING THEREFROM the South 83.00 feet of the East 83.00 feet of the Southeast quarter (SE1/4) of said Section 18;

ALSO EXCEPTING THEREFROM the South 83.00 feet of the East 83.00 feet of the Southeast quarter (SE1/4) of said Section 18 described as follows:

COMMENCING at a 2005 3 inch Maricopa County brass cap in handhold stamped "LS 31610" marking the Southeast corner of said Section 18, from which a 3 inch City of Phoenix brass cap in handhold marking the South quarter corner of said Section 18 bears North 88'40'28" West 2693.67 feet;

thence along the South line of the Southeast quarter of said Section 18, North 88'40'28" West 83.02 feet; thence North 00'04'18" West 33.01 feet to the POINT OF BEGINNING on the North line of the South 33 feet of the Southeast quarter of said Section 18;

thence along said North line of the South 33 feet North 88'40'28" West 50.01 feet;



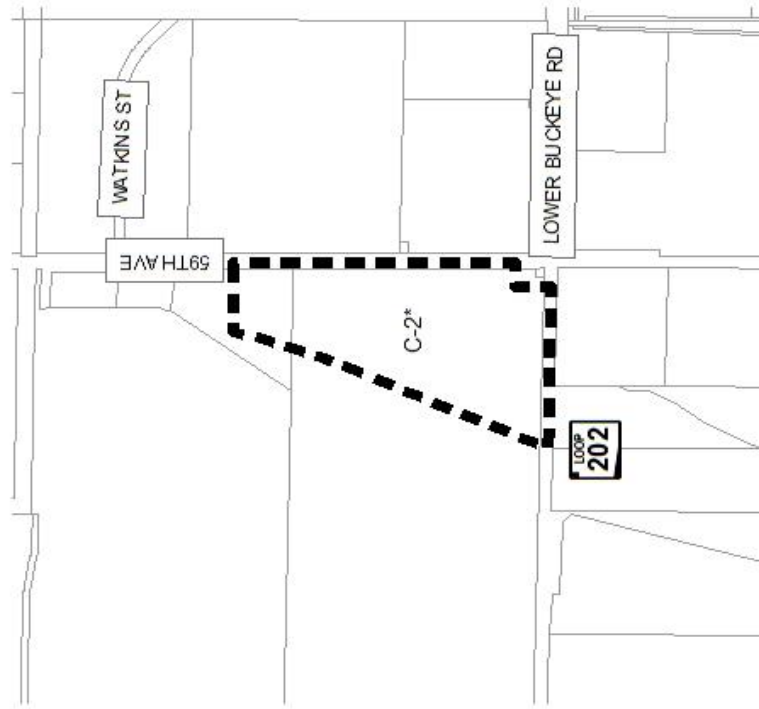
thence North 00°04'18" West 150.04 feet; thence South 88°40'28" East 100.03 feet;  
thence South 00°04'18" East 100.03 feet to the North line of the South 83 feet of  
Southeast quarter; thence along said North line of the South 83 feet, North 88°40'28"  
West 50.01 feet to the West line of the East 83 feet of said Southeast quarter;  
thence along said West line, South 00°04'18" East 50.01 feet to the POINT OF  
BEGINNING. AND EXCEPT all minerals, coal, carbons, hydrocarbons, oil, gas,  
chemical elements and compounds, whether in solid, liquid or gaseous form, and all  
steam and other forms of thermal energy on, in or under said land as reserved in deed  
recorded in 2001-1105056, Official Records.

DRAFT

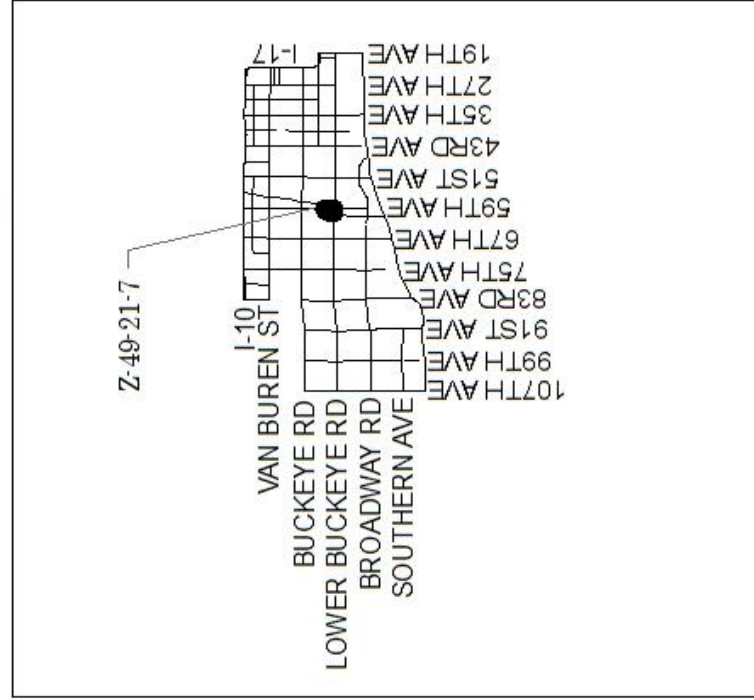
# ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: \*  
SUBJECT AREA: - - - - -



Zoning Case Number: Z-49-21-7  
Zoning Overlay: N/A  
Planning Village: Estrella



NOT TO SCALE

Drawn Date: 12/7/2021





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Agenda Date: 1/5/2022, Item No. 101

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**Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-5-21-7 - Approximately 100 feet West of the Northwest Corner of 59th Avenue and Lower Buckeye Road (Ordinance G-6935)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-5-21-7 and rezone the site from RE-35 (Single-Family Residence District), pending C-2 (Intermediate Commercial District) to C-2 SP (Intermediate Commercial District, Special Permit) to allow a self-service storage warehouse and underlying commercial uses. This is a companion case to Z-49-21-7 and should be heard after Z-49-21-7.

**Summary**

Current Zoning: RE-35 (Pending C-2)

Proposed Zoning: C-2 SP

Acreage: 11.83 acres

Proposed Use: Self-service storage warehouse and underlying commercial uses

Applicant: Michelle Bach, EAPC Architects Engineers

Owner: Arizona Department of Transportation

Representative: Michelle Bach, EAPC Architects Engineers

Staff Recommendation: Approval, subject to stipulations.

VPC Action: This case was scheduled to be heard at the Estrella Village Planning Committee meeting on Oct. 19, 2021 and was continued to the Nov. 16, 2021, by a vote of 7-0.

The Estrella Village Planning Committee heard this case on Nov. 16, 2021 and recommended approval, per the staff recommendation with a modification, by a vote of 5-0.

PC Action: The Planning Commission heard this case on Dec. 2, 2021 and recommended approval, per the Estrella Village Planning Committee recommendation with an additional stipulation, by a vote of 8-0.

**Location**

Approximately 100 feet west of the northwest corner of 59th Avenue and Lower Buckeye Road.

Council District: 7

Parcel Address: 2350 S. 59th Ave.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

## ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE  
FINAL, ADOPTED ORDINANCE**

### ORDINANCE G-

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-SP-5-21-7) FROM RE-35 (PENDING C-2) (SINGLE-FAMILY RESIDENCE DISTRICT, PENDING INTERMEDIATE COMMERCIAL) TO C-2 SP (INTERMEDIATE COMMERCIAL, SPECIAL PERMIT).

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

SECTION 1. The zoning of a 11.83-acre site located approximately 100 feet west of the southwest corner of 59th Avenue and Lower Buckeye Road in a portion of Section 18, Township 1 North, Range 2 East, as described more specifically in Exhibit "A", is hereby changed from "RE-35 (Pending C-2)" (Single-Family Residence District, Pending Intermediate Commercial) to "C-2 SP" (Intermediate Commercial, Special Permit) to allow a self-service storage warehouse and underlying commercial uses.

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 self-service storage warehouse portion of the development shall be in general conformance with the building elevations date stamped November 16, 2021, as modified by the following stipulations and approved by the Planning and Development Department. Other building elevations shall be developed with a common architectural theme to the following standards, as approved by the Planning and Development Department:
  - a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability to provide a decorative and aesthetic treatment.
  - b. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies.
  - c. A minimum of two building materials listed in the Estrella Village Core Plan shall be utilized in all building elevations.
2. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards along arterial streets in the Estrella Village, except as noted herein, as approved by the Planning and Development Department.
3. Project entry drives along Lower Buckeye Road shall incorporate enhanced landscaping on both sides planted with a variety of at least three plant materials. Each landscaped area shall be a minimum of 125-square feet, as approved by the Planning and Development Department.
4. Project entry drives along Lower Buckeye Road shall be constructed of decorative pavers, stamped, or colored concrete, or similar alternative material, as approved by the Planning and Development Department.
5. Where perimeter walls are adjacent to the Loop 202 freeway drainage channel, these shall be limited to open view wrought iron fencing or similar material, or a combination of 4-feet solid masonry topped by wrought iron open view fencing or similar material, unless required otherwise by the Zoning Ordinance, as approved by the Planning and Development Department.
6. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall

be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.

7. The following pedestrian shade standards shall be met as described below and as approved or modified by the Planning and Development Department:
  - a. Pedestrian walkways connecting the commercial buildings to adjacent public sidewalks shall be shaded to a minimum of 75 percent using large canopy drought tolerant shade trees at maturity and/or architectural shade.
  - b. The bus stop along Lower Buckeye Road shall be shaded to a minimum of 50 percent.
8. A system of pedestrian thoroughfares shall be provided as described below and as approved or modified by the Planning and Development Department:
  - a. Connections to/between via the most direct route:
    - (1) All building entrances.
    - (2) Adjacent public sidewalks.
    - (3) The bus stop along Lower Buckeye Road.
  - b. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts with parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.
9. The development shall incorporate bicycle infrastructure, as described below and as approved by the Planning and Development Department.
  - a. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the building entrance of each enclosed commercial building and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
  - b. One bicycle repair station ("fix it station") shall be provided and maintained within close proximity to Lower Buckeye Road or the C Store building as depicted in the site plan date stamped July 12, 2021. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or

the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

10. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along the north side of Lower Buckeye Road and construct a minimum 10-foot wide multi-use trail (MUT) within the easement, in accordance with the MAG supplemental detail indicated in Section 429 and as approved by the Planning and Development Department. Where conflicts or restrictions exist, the developer shall work with the Site Planning section on an alternate design through the technical appeal process.
11. The developer shall dedicate right-of-way and construct one bus stop pad along westbound Lower Buckeye Road west of 59th Avenue. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The bus stop pad shall be spaced from the intersection according to City of Phoenix Standard Detail P1258.
12. All sidewalks along Lower Buckeye Road shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved by the Arizona Department of Transportation (ADOT) and/or the Planning and Development Department.
  - a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75 percent shade.
  - b. Drought tolerant vegetation maintained at a maximum height of 24 inches and achieve 75 percent live coverage.
  - c. The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for arterial streets.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

13. All sidewalks along 59th Avenue shall be a minimum of 5 feet in width and detached with a minimum 10-foot wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Arizona Department of Transportation (ADOT) and/or the Planning and Development Department.
  - a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75 percent shade.
  - b. Drought tolerant vegetation maintained at a maximum height of 24 inches and achieve 75 percent live coverage.



- c. The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for arterial streets.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

- 14. All proposed driveways along Lower Buckeye Road shall require the approval of the Arizona Department of Transportation (ADOT) and the Planning and Development Department.
- 15. 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.
- 16. If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
- 17. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
- 18. In the event archeological 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.
- 19. 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 5th day of January,  
2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:  
\_\_\_\_\_  
\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
Jeffrey Barton City Manager

Exhibits:  
A – Legal Description (2 Pages)  
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-SP-5-21-7

That portion of the East half of the Southeast quarter of Section 18, Township 1 North, Range 2 East, Gila and Salt River Meridian, Maricopa County, Arizona, lying between the existing westerly right of way line of 59<sup>th</sup> Avenue and the following described LINE:

COMMENCING at a 2003 3 inch Maricopa County brass cap in handhole "LS 3610" marking the Southeast corner of said Section 18, being South 00'04'18" East 2637.50 feet from a 2 inch 2005 Maricopa County aluminum cap in handhole "LS 3610" marking the East quarter corner of said Section 18, thence along the East line of said Section 18, North 00'04'18" West 33.81 feet to the POINT OF BEGINNING; thence South 89'55'42" West 33.00 feet to the juncture of the existing northerly right of way line of Lower Buckeye Road with the existing westerly right of way line of 59<sup>th</sup> Avenue. Thence along said existing northerly right of way line of Lower Buckeye Road North 88'40'28" West 100.03 feet;

thence continuing along said existing northerly right of way line North 00'04'18" West 33.51 feet; thence continuing along said existing northerly right of way line North 88'40'28" West 103.90 feet; thence continuing along said existing northerly right of way line North 76'00'25" West 118.56 feet;

thence continuing along said existing northerly right of way line North 88'40'28" West 169.49 feet to the existing easterly right of way line of State Route 202L (SOUTH MOUNTAIN FREEWAY);

thence along said existing easterly right of way line of State Route 202L North 16'00'43" East 399.68 feet; thence continuing along said existing easterly right of way line North 17'01'23" East 500.10 feet; thence continuing along said exiting easterly right of way line North 17'16'47" East 399.69 feet; thence continuing along said existing easterly right of way line North 17'44'31" East 292.19 feet to the existing westerly right of way line of said 59<sup>th</sup> Avenue; thence North 89'55'42" East 55.00 feet to the POINT OF ENDING on said East line of Section 18, being South 00'04'18" East 1010.54 feet from said East quarter corner of Section 18.

EXCEPTING THEREFROM the South 83.00 feet of the East 83.00 feet of the Southeast quarter (SE1/4) of said Section 18;

ALSO EXCEPTING THEREFROM the South 83.00 feet of the East 83.00 feet of the Southeast quarter (SE1/4) of said Section 18 described as follows:

COMMENCING at a 2005 3 inch Maricopa County brass cap in handhold stamped "LS 31610" marking the Southeast corner of said Section 18, from which a 3 inch City of Phoenix brass cap in handhold marking the South quarter corner of said Section 18 bears North 88'40'28" West 2693.67 feet;

thence along the South line of the Southeast quarter of said Section 18, North 88'40'28" West 83.02 feet; thence North 00'04'18" West 33.01 feet to the POINT OF

BEGINNING on the North line of the South 33 feet of the Southeast quarter of said Section 18;

thence along said North line of the South 33 feet North 88°40'28" West 50.01 feet;

thence North 00°04'18" West 150.04 feet; thence South 88°40'28" East 100.03 feet;

thence South 00°04'18" East 100.03 feet to the North line of the South 83 feet of Southeast quarter; thence along said North line of the South 83 feet, North 88°40'28" West 50.01 feet to the West line of the East 83 feet of said Southeast quarter;

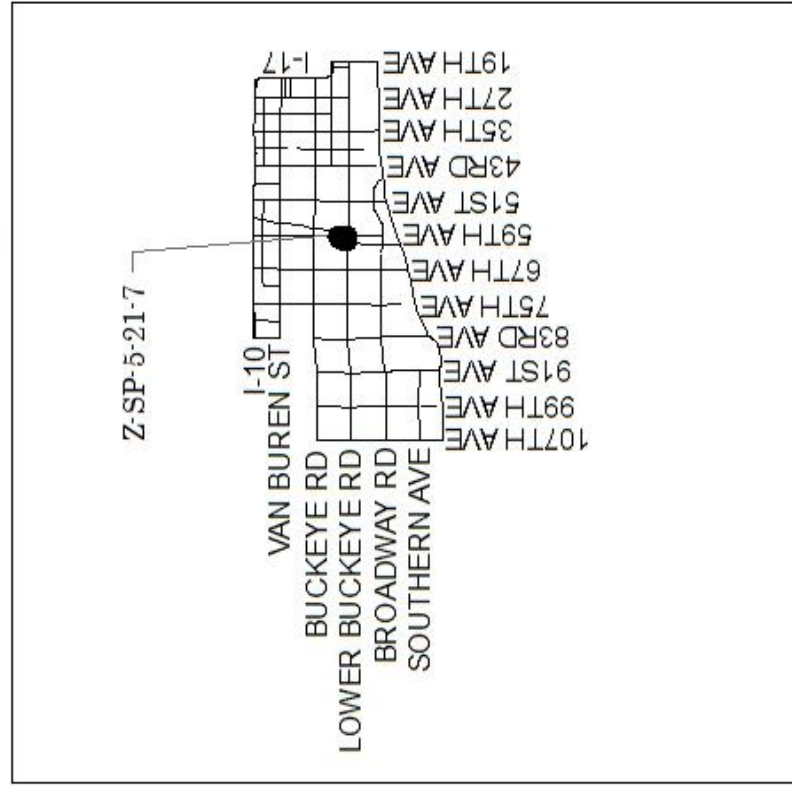
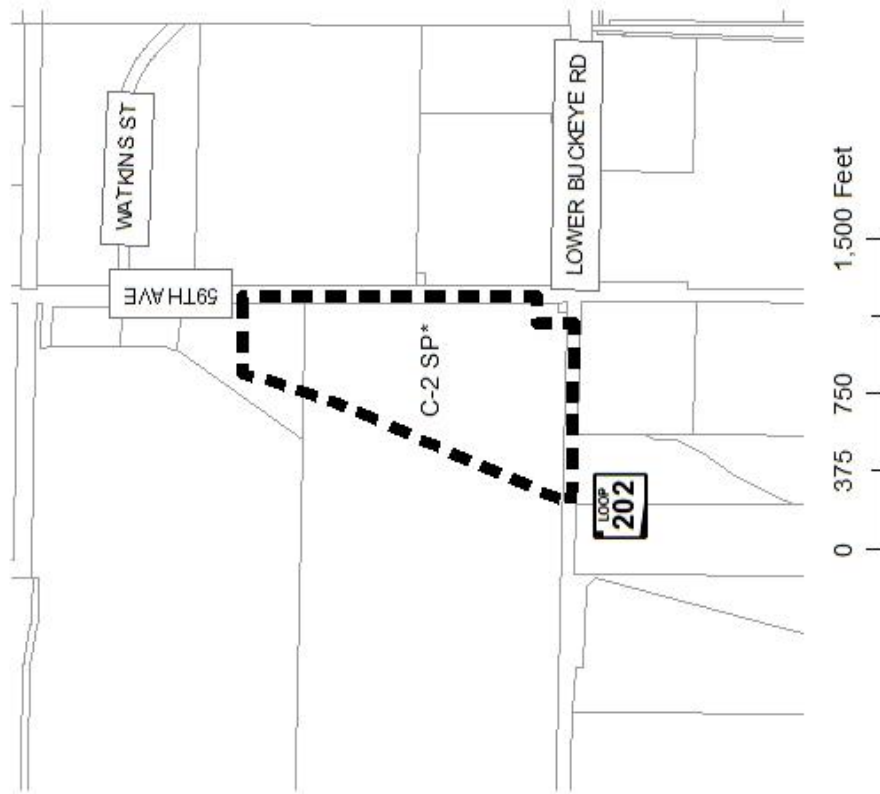
thence along said West line, South 00°04'18" East 50.01 feet to the POINT OF BEGINNING. AND EXCEPT all minerals, coal, carbons, hydrocarbons, oil, gas, chemical elements and compounds, whether in solid, liquid or gaseous form, and all steam and other forms of thermal energy on, in or under said land as reserved in deed recorded in 2001-1105056, Official Records.

# ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: \*  
SUBJECT AREA: - - - - -

Zoning Case Number: Z-SP-5-21-7  
Zoning Overlay: N/A  
Planning Village: Estrella



NOT TO SCALE



Drawn Date: 12/7/2021



**Amend City Code - Ordinance Adoption - Rezoning Application Z-45-21-8 - Approximately 1,050 Feet North of the Northeast Corner of 36th Street and Southern Avenue (Ordinance G-6936)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-45-21-8 and rezone the site from S-1 (Ranch or Farm Residence District) to CP/GCP (Commerce Park/General Commerce Park) to allow warehousing and office.

**Summary**

Current Zoning: S-1

Proposed Zoning: CP/GCP

Acreage: 3.99 acres

Proposed Use: Warehousing and office

Owner: CTC Partnership, LLC

Applicant: David Richert

Representative: David Richert

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The South Mountain Village Planning Committee heard this case on Nov. 9, 2021 and recommended approval, per the staff recommendation, by a vote of 13-0.

PC Action: The Planning Commission heard this case on Dec. 2, 2021 and recommended approval, per the South Mountain Village Planning Committee recommendation with an additional stipulation, by a vote of 8-0.

**Location**

Approximately 1,050 feet north of the northeast corner of 36th Street and Southern Avenue.

Council District: 8

Parcel Address: 5815 and 5837 S. 36th St.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

## ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,  
ADOPTED ORDINANCE**

### ORDINANCE G-

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-45-21-8) FROM S-1 (RANCH OR FARM RESIDENCE DISTRICT) TO CP/GCP (COMMERCE PARK/GENERAL COMMERCE PARK).

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

SECTION 1. The zoning of a 3.99-acre site located approximately 1,050 feet north of the northeast corner of 36th Street and Southern Avenue in a portion of Section 25, Township 1 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from “S-1” (Ranch or Farm Residence District) to “CP/GCP” (Commerce Park/General Commerce Park District).

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 development shall be in general conformance with the site plan and building elevations date stamped August 9, 2021, except as modified by the following, and approved by the Planning and Development Department.
2. The required landscape setback along 36th Street shall be planted with minimum 50 percent 2-inch caliper and 50 percent 3-inch caliper large canopy drought-tolerant trees, planted 20 feet on center or in equivalent groupings, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Trees shall be oriented to provide the maximum shade possible to the sidewalk along 36th Street, except where utility conflicts arise, as approved by the Planning and Development Department.
3. The required landscape setback along the south property line shall be planted with minimum 40 percent 1-inch caliper and 60 percent 2-inch caliper large canopy drought-tolerant trees, planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
4. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.
5. One outdoor employee resting area of no less than 300 square feet or two 150-square foot areas shall be provided on the site. The resting area shall include a bench, constructed of quality and durable materials, and located in a shaded area, as approved by the Planning and Development Department.
6. A clearly defined and accessible pedestrian connection from the primary building entrance closest to 36th Street to the nearest public sidewalk shall be provided via the most direct route. This pathway shall be constructed of an alternate material, other than that used to pave the parking surfaces and drive aisles, as approved by the Planning and Development Department.
7. The developer shall provide traffic calming measures at all vehicular points of ingress and/or egress to slow vehicles departing the development and crossing the public sidewalks, as approved by the Planning and Development Department.
8. A minimum of eight bicycle parking spaces shall be provided through Inverted U and/or artistic racks dispersed throughout the site and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.



9. The developer shall construct a sidewalk along the east side of 36th Street, as approved by the Planning and Development Department.
10. The developer shall dedicate 5 feet of right-of-way and construct the east half of 36th Street, as approved by the Planning and Development Department.
11. 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.
12. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along the east side of 36th Street and construct a minimum 10-foot wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail, as approved by the Planning and Development Department. The developer shall work with the Site Planning section on an alternate design for this requirement through the technical appeal process.
13. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
14. 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.
15. 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.
16. 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.
17. 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 5th day of January, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:  
\_\_\_\_\_  
\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
Jeffrey Barton City Manager

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

EXHIBIT A

LEGAL DESCRIPTION FOR Z-45-21-8

WITHIN A PORTION OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

THE NORTH 60 FEET OF THE SOUTH 150 FEET OF THE WEST 100 FEET OF THE NORTH HALF OF TRACT "F", A SUBDIVISION OF LOT 48, BARTLETT-HEARD LANDS, ACCORDING TO BOOK 14 OF MAPS, PAGE 34, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2:

THE NORTH HALF OF TRACT "F", A SUBDIVISION OF LOT 48, BAERTLETT-HEARD LANDS, ACCORDING TO BOOK 14 OF MAPS, PAGE 34, RECORDS OF MARICOPA COUNTY, ARIZONA.

EXCEPT THE SOUTH 90 FEET THEREOF: AND

EXCEPT THE NORTH 60 FEET OF THE SOUTH 150 FEET OF THE WEST 100 FEET OF THE NORTH HALF OF SAID TRACT "F".

PROPOSED PARCEL DESCRIPTION:

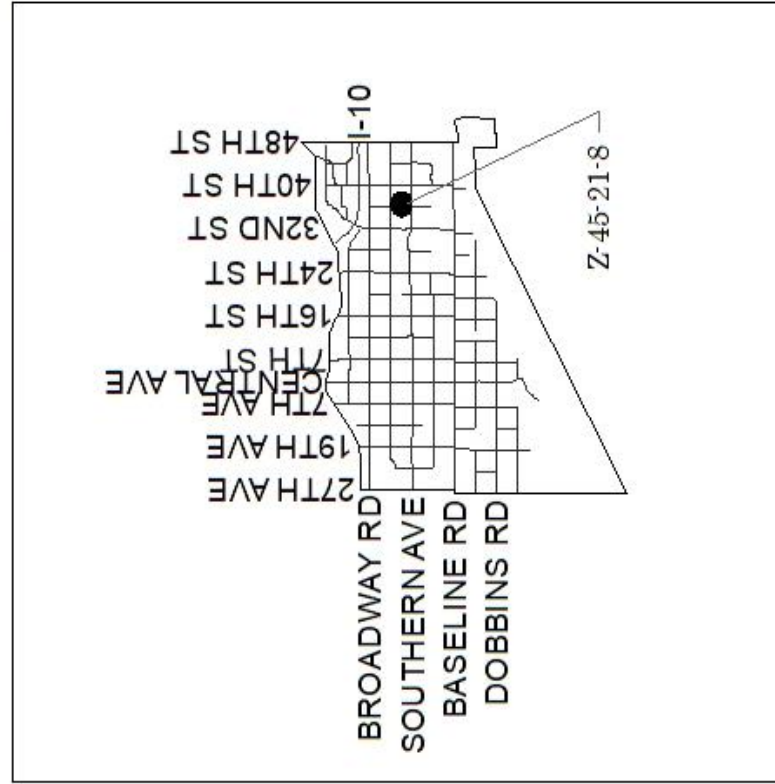
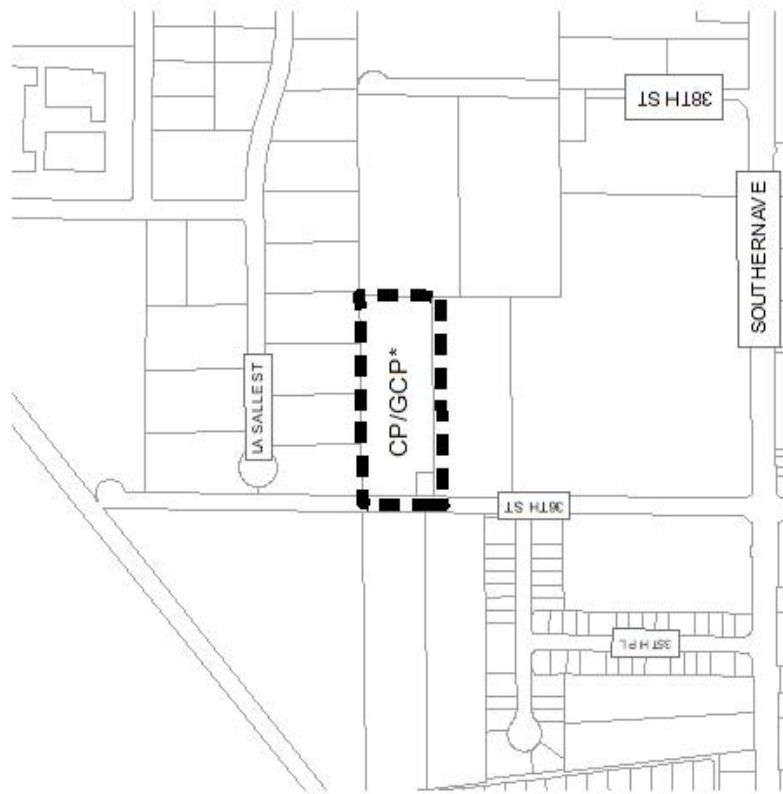
THE NORTH 30.00 FEET OF THE SOUTH 90.00 FEET OF THE NORTH HALF OF TRACT "F", A SUBDIVISION OF LOTS 48-60-61 BARTLETT-HEARD LANDS, ACCORDING TO BOOK 14 OF MAPS, PAGE 34, RECORDS OF MARICOPA COUNTY, ARIZONA.

EXHIBIT B

ORDINANCE LOCATION MAP

ZONING SUBJECT TO STIPULATIONS: \*  
SUBJECT AREA: - - - - -

Zoning Case Number: Z-45-21-8  
Zoning Overlay: N/A  
Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 12/7/2021



**Amend City Code - Ordinance Adoption - Rezoning Application Z-62-21-8 - Southeast and Southwest Corners of 25th Street and Van Buren Street (Ordinance G-6937)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-62-21-8 and rezone the site from R-4 TOD-2 (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District Two), C-3 (General Commercial District), and C-3 TOD-2 (General Commercial District, Interim Transit-Oriented Zoning Overlay District Two) to WU Code T5:3 GW (Walkable Urban Code, Transect 5:3 District, Transit Gateway Character Area) to allow multifamily residential.

**Summary**

Current Zoning: R-4 TOD-2 (0.35 acres), C-3 (1.34 acres) and C-3 TOD-2 (0.39 acres)  
Proposed Zoning: WU Code T5:3 GW  
Acreage: 2.08  
Proposed Use: Multifamily residential

Owner: MO25, LLC  
Applicant: MO25, LLC  
Representative: Nick Wood, Esq., Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.  
VPC Action: The Central City Village Planning Committee heard this case on Nov. 8, 2021 and recommended approval, per the staff recommendation, by a vote of 13-0.  
PC Action: The Planning Commission heard this case on Dec. 2, 2021 and recommended approval, per the Central City Village Planning Committee recommendation, with an additional stipulation, by a vote of 9-0.

**Location**

Southeast and southwest corners of 25th Street and Van Buren Street.  
Council District: 8  
Parcel Addresses: 2445 and 2501 E. Van Buren St., and 2446 E. Monroe St.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.

## ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,  
ADOPTED ORDINANCE**

### ORDINANCE G-

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-62-21-8) FROM R-4 TOD-2 (MULTIFAMILY RESIDENCE DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT TWO), C-3 (GENERAL COMMERCIAL DISTRICT) AND C-3 TOD-2 (GENERAL COMMERCIAL DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT TWO) TO WU CODE T5:3 GW (WALKABLE URBAN CODE, TRANSECT 5:3 DISTRICT, TRANSIT GATEWAY CHARACTER AREA).

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

SECTION 1. The zoning of a 2.08-acre site located at the southeast and southwest corners of 25th Street and Van Buren Street in a portion of Section 11, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from 0.35 acres of "R-4 TOD-2" (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District Two), 1.34 acres of "C-3" (General Commercial District), and 0.39 acres of "C-3 TOD-2" (General Commercial District, Interim Transit-Oriented Zoning Overlay District Two) to "WU Code T5:3 GW" (Walkable Urban Code, Transect 5:3 District, Transit Gateway Character Area).

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. Upon site plan approval and permit issuance for any new building(s) or structure(s) on the site, the new building or structure and adjacent landscaping shall be developed in compliance with the Walkable Urban Code (Chapter 13 of the Phoenix Zoning Ordinance), as approved by the Planning and Development Department.
2. Upon any subsequent phase or phases of development that increase the cumulative floor area by more than 15 percent from that depicted on the site plan date stamped September 7, 2021, a publicly-accessible pedestrian pathway with a minimum width of 10 feet shall connect the sidewalk along Van Buren Street to Monroe Street. The pedestrian access shall be constructed per the requirements of Section 1304.H of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
3. All elevations of the building(s) shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies, as approved by the Planning and Development Department. Ground floor blank walls visible from the public sidewalk along the north and south elevations shall not exceed 20 linear feet without being interrupted by a window, or variation in building treatment or design, as approved by the Planning and Development Department.
4. The main project entry drive along Van Buren Street from the entry apron to the entry gate shall be constructed of decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.
5. Traffic calming devices shall be installed along the driveways so that vehicles exercise caution prior to crossing the public sidewalk and when entering and exiting the site, as approved by the Planning and Development Department.
6. The existing streetscape landscape area between the curb and sidewalk along Van Buren Street shall be replenished with vegetation, as required by Section



1309.B of the Phoenix Zoning Ordinance and as approved by the Planning and Development Department.

7. In addition to the required bicycle parking per Section 1307.H.6 of the Phoenix Zoning Ordinance, the developer shall install a minimum of three inverted-U bicycle racks (six spaces) for guests, placed near entrances to the building and installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.
8. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
9. 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.
10. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
11. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.
12. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
13. 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.
14. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
15. 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.

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 5th day of January, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:

\_\_\_\_\_  
\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (2 Pages)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-62-21-8:

Within a portion of Section 11, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

PARCEL NO. 1:

Lot 1, and the East 10 feet of Lot 3, Block 2 of HIALEAH, a subdivision recorded in Book 20 of Maps, Page 46, records of Maricopa County, Arizona;

EXCEPT the North 7 feet of said Lots as condemned for the use and purpose of a State Highway by Decree recorded July 3, 1934 in Book 283 of Deeds, Page 487.

PARCEL NO. 2:

That portion of the North half of the abandoned alley lying between the Southerly prolongation of the West line of the East 10 feet of Lot 3, Block 2, or HIALEAH and the Southerly prolongation of the East line of Lot 1, Block 2, of HIALEAH, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 20 of Maps, Page 46, as set forth in Resolution recorded July 19, 1984 as 84-314882 of Official Records.

PARCEL NO. 3:

Lot 2, Block 2, of HIALEAH, a subdivision recorded in Book 20 of Maps, Page 46, records of Maricopa County, Arizona.

PARCEL NO. 4:

That portion of the South half of the abandoned alley lying between the Northerly prolongation of the East and West lines of Lot 2, Block 2 of HIALEAH, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona in Book 20 of Maps, Page 46, as set forth in Resolution recorded July 19, 1984 as 84-314882 of Official Records.

Legal Description per Deed 2019-0971287

That part of the Northwest quarter of the Northwest quarter of Section 11, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Beginning at a point on the East line of Lot 2, Block 2, Hialeah, according to Book 20 of Maps Page 46, records of Maricopa County, Arizona, which point is 7 feet South of the Northeast corner of said Lot 1, Block 2;

Thence Easterly, along the Southerly line of Van Buren Street, as widened, which Southerly line of Van Buren Street is 7 feet South of, and parallel to, the Easterly prolongation of North line of said Lot 1, Block 2, Hialeah, 60 feet to the True Point of Beginning;

Thence Southerly, along a line which is parallel to and 60 feet East of, the East line of Lots 1 and 2, Block 2 of Hialeah, 303 feet to a point on the Easterly prolongation of the South line of said Lot 2, Block 2, Hialeah, which is 60 feet East of the Southeast corner of said Lot 2, Block 2, Hialeah;

Thence Easterly along the Easterly prolongation of the South line of said Lot 2, Block 2, Hialeah, 125 feet;

Thence North, along a line which is parallel to and 185 feet East of the East line of said Lots 1 and 2, Hialeah, 303 feet to a point on the Southerly line of Van Buren Street, as widened;

Thence Westerly, along the Southerly line of Van Buren Street as widened, 125 feet to the True Point of Beginning.

Legal Description per Case No. ABND 200541

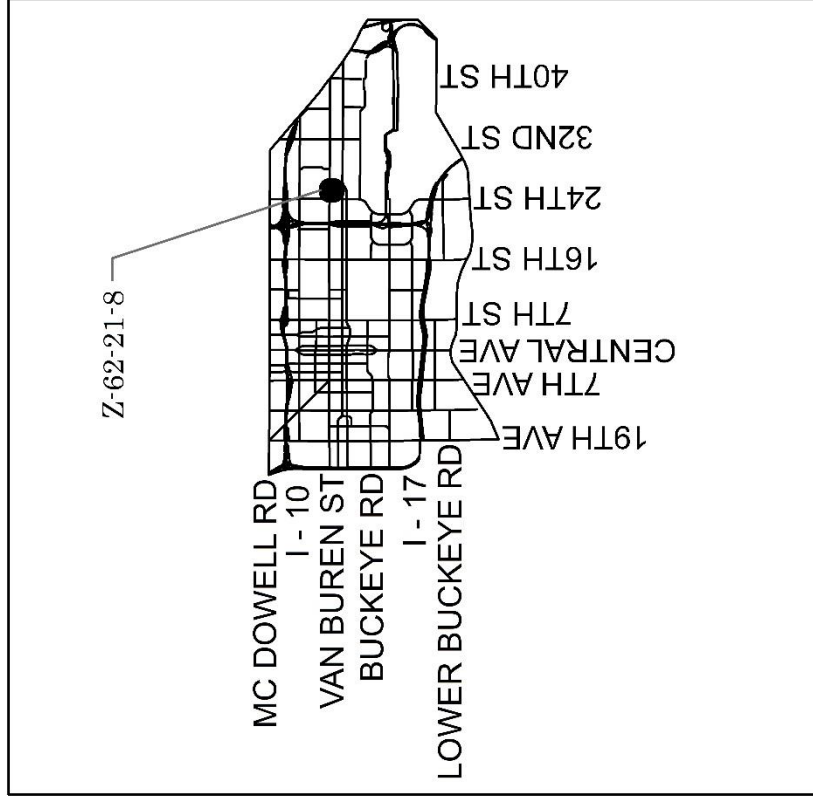
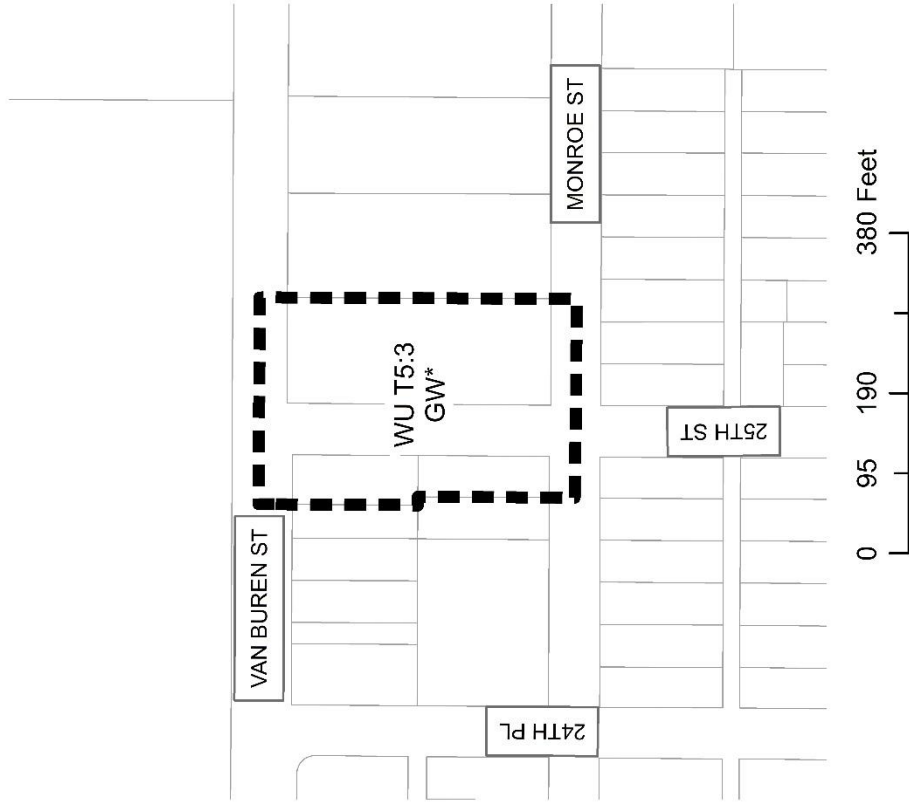
That portion of the abandoned 25th Street per City of Phoenix Case No. ABND 200541.

# ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: \*  
SUBJECT AREA: ■■■■■■

Zoning Case Number: Z-62-21-8  
Zoning Overlay: N/A  
Planning Village: Central City



NOT TO SCALE



Drawn Date: 12/14/2021



**\*\*\*REQUEST TO CONTINUE (SEE ATTACHED MEMO)\*\*\* (CONTINUED FROM DEC. 15, 2021) - Public Hearing - Certificate of Appropriateness - Appeal of Historic Preservation Commission's Decision on Certificate of Appropriateness Application HPCA 2100117 - 309 W. Monte Vista Road in the Willo Historic District**

Request to hold a public hearing of a Certificate of Appropriateness Decision by the Historic Preservation (HP) Commission on Certificate of Appropriateness Application HPCA 2100117 for 309 W. Monte Vista Road in the Willo Historic District for a request to construct a two-story, 1,152-square-foot garage/yoga studio at the southwest corner of the lot with an elevated walkway to the main house. Requested City Council action is to uphold, reverse or modify the HP Commission's Certificate of Appropriateness decision.

**Summary**

On Sept. 21, 2021, the HP Hearing Officer held a public hearing to review this application, which was filed by the property owners, Bruce MacArthur and Jennifer Hunter. The Hearing Officer approved the Certificate of Appropriateness subject to the following stipulations:

1. That the north and south elevations be included in the final Certificate of Appropriateness plan submittal, along with a perspective view of the historic house and proposed building from the sidewalk northwest of the property.
2. That the access to the building, by either walkway or staircase, be chosen before final Certificate of Appropriateness submittal.
3. That all window egress, general building code and zoning issues be settled before the final Certificate of Appropriateness submittal.

The Hearing Officer's decision was appealed on Sept. 24, 2021, by Tom Doescher, Chairperson of the Willo Zoning Committee. The HP Commission was scheduled to hear the case on Oct. 18, 2021, but continued it to Nov. 15, 2021 at the owners' request. At the November hearing, the Commission voted 5-4 to uphold the Hearing Officer's decision with a modification to Stipulation 2, "That the exterior access to the second story of the new structure be exterior stairs rather than a walkway connecting the new structure to the historic home."

On Nov. 19, 2021, Mr. Doescher, on behalf of the Willo Neighborhood Association Governing Board, appealed the Commission's decision, sending the case to the City Council.

Staff finds that the proposed work meets the Standards for Consideration of a Certificate of Appropriateness set forth in Section 812.D of the Zoning Ordinance. While the proposed two-story structure is taller than the main house, it meets the guideline for new construction which states that "where changes in size must occur, the visual impact of the new construction should be minimized by stepping back the new construction from the historic building." The new structure is located as far to the rear of the lot as is possible and is designed to be as low as possible at 20 feet in height with 8-foot ceiling plates and a minimum of 12 inches between floors for utilities. There are several examples of two-story structures present in this section of Willo that were constructed during the historic era (1910-1956) at 325 W. Monte Vista Road, 317 W. Cypress St. and 314 W. Cypress St., as well as other examples constructed after the historic era at 314 W. Monte Vista Road and 320 W. Cypress St.

Staff recommends that the City Council uphold the HP Commission's Nov. 15, 2021 decision to approve with the following three stipulations:

1. That the north and south elevations be included in the final Certificate of Appropriateness plan submittal, along with a perspective view of the historic house and proposed building from the sidewalk northwest of the property.
2. That the exterior access to the second story of the new structure be exterior stairs rather than a walkway connecting the new structure to the historic home.
3. That all window egress, general building code and zoning issues be settled before the final Certificate of Appropriateness submittal.

### **Financial Impact**

There is no financial impact to the city.

### **Concurrence/Previous Action**

- The HP Hearing Officer approved the Certificate of Appropriateness on Sept. 12, 2021 with three stipulations.
- The Hearing Officer's decision was appealed on Sept. 24, 2021 by the Willo Neighborhood Association.
- The HP Commission voted 5-4 to uphold the Hearing Officer's decision, with a modification to Stipulation 2, on Nov. 15, 2021.
- The HP Commission's decision was appealed on Nov. 19, 2021 by the Willo Neighborhood Association.



**Location**

309 W. Monte Vista Road

Council District: 4

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**To:** Ginger Spencer  
Deputy City Manager

**Date:** December 29, 2021

**From:** Alan Stephenson  
Planning and Development Director

**Subject:** CONTINUANCE OF ITEM 104 ON THE JANUARY 5, 2022 FORMAL AGENDA –  
CERTIFICATE OF APPROPRIATENESS – APPEAL OF HISTORIC  
PRESERVATION COMMISSION'S DECISION ON CERTIFICATE OF  
APPROPRIATENESS APPLICATION HPCA 2100117 – 309 WEST MONTE  
VISTA ROAD IN THE WILLO HISTORIC DISTRICT

Item 104, is a request for Certificate of Appropriateness -Appeal of Historic Preservation Commission's Decision on Certificate of Appropriateness Application HPCA 2100117 - 309 West Monte Vista Road in the Willo Historic District.

This request is to continue the item to January 26, 2022. The applicant has requested a continuance due to a family illness. Staff recommends this case be continued to the January 26, 2022 City Council Formal meeting.

Approved: \_\_\_\_\_

Ginger Spencer, Deputy City Manager

**ATTACHMENT A**  
**PHOENIX HISTORIC PRESERVATION OFFICER**

**Staff Report**  
**Certificate of Appropriateness**  
**309 West Monte Vista Road – Willo Historic District**  
**Case No. HPCA 2100117**  
**September 21, 2021**

**Background**

This is a Certificate of Appropriateness application to construct a 2-story, 1,152 s.f. garage/yoga studio with elevated walkway to main house, at the southwest corner of the lot at 309 West Monte Vista Road in the Willo Historic District. The application was filed by the owners, Jennifer Hunter and Bruce MacArthur. The property is zoned R1-6 HP (single-family residential with the historic preservation overlay).

**Previous Applications**

There are no previous applications at this address.

**Property Description**

The property consists of an irregularly shaped lot measuring approximately 123' x 90' x 114' x 73' with a Spanish Colonial Revival house built in 1928. The historical inventory form and newspapers ads are attached.

**Proposed Work**

The project consists of constructing a 2-story, 1,152 s.f. garage/yoga studio at the southwest corner of the lot with a footprint of 24' x 24'. The building is proposed with both an elevated walkway from the 1930 roof deck, or a staircase on the new building's east façade, for the second-floor access. Two garage doors will face the alley. The building will have a flat roof and top-out at 20'. The rear, 1930 addition with the roof deck is 13.5' tall, while the main ridge line of the historic house is 14'. The 2-story garage will be located approximately 99' from the right-of-way.

**Findings**

Like other properties along Holly Street and Monte Vista Road between 3<sup>rd</sup> and 5<sup>th</sup> Avenues, the subject property was constructed without a front curb cut and driveway. These homeowners utilize on-street parking or alley garages. The subject property did have an alley garage that was demolished ca. 2002; the proposed building will be located where that garage once was.

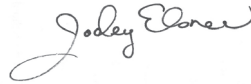
The 2-story garage/yoga studio is located as far to the rear of the lot as possible, and as low as possible at 20' with 8' ceiling plates and a minimum 12" between floors for utilities. Access to the second floor will be provided by either an elevated walkway or a staircase, depending upon the decision made in this hearing, or later, what building code or variances will allow. Due to the proposed building's location, the homeowners are aware that one or more variances will be required.

Near the subject property, there are three properties constructed within Willo's period of significance (1910-1956) that have 2-story outbuildings: 325 W. Monte Vista Rd., 317 W. Cypress St. and 314 W. Cypress St.; there are also two properties with 2-story outbuildings constructed outside the district's period of significance: 314 W. Monte Vista Rd. and 320 W. Cypress St. Staff finds that the proposed 2-story garage/yoga studio, especially due to its location and proposed height, will not be an outlier in this portion of the district.

**Recommendation**

Based on the findings above, staff recommends approval of this application.

The application is consistent with the Standards of Consideration for a Certificate of Appropriateness set forth in Section 812.D of the City of Phoenix Zoning Ordinance. Three sets of plans should be submitted to Historic Preservation staff for review and approval prior to the issuance of the Certificate of Appropriateness.



---

Jodey Elsner  
Historic Preservation Planner II

Attachments: Historical inventory form  
*Arizona Republic* ads  
Aerial photograph  
Site photographs  
Applicant-provided plans

"HISTORICAL BUILDING FORM"

SHPO INVENTORY NO. \_\_\_\_\_

ARIZONA STATE HISTORIC PROPERTY INVENTORY

INVENTORY NUMBER: 192

SURVEY AREA NAME:

WILLO-Alvarado

HISTORIC NAME:

E. J. Middleton House

ADDRESS: 309 W. Monte Vista

CITY/TOWN: Phoenix, Arizona

TAX PARCEL NUMBER:

OWNER:

OWNER ADDRESS:

USGS QUAD: Phoenix

T\_\_ R\_\_ S\_\_ / \_\_ 1/4 OF THE \_\_ 1/4

UTM: n/a

DESCRIPTION: (cont'd)

ROOF TYPE: Gable, Low Pitched

ROOF SHEATHING: Clay Tile

EAVES TREATMENT: Exposed Rafters

HISTORIC USE: Residential

PRESENT USE: Residential

BUILDING TYPE: House

STYLE: Spanish Mission

CONSTRUCTION DATE:

1928

ARCHITECT:

BUILDER: Laing & Heenan

INTEGRITY: Porch Infilled

See Additional Alterations

CONDITION: Good

WINDOWS: WD-FS

WINDOWS:

ENTRY: Central

Wood Panel, With Glass, Original

PORCHES: N/A

STOREFRONTS:

NOTABLE INTERIOR:

OUTBUILDINGS: Garage

Similar Style, Contributing

ALTERATIONS:

DESCRIPTION

STORIES: 1

DIMENSIONS: (L) (W)

STRUCTURAL MATERIAL:

Brick

FOUNDATION MATERIAL:

Concrete

WALL SHEATHING: Stucco

APPLIED ORNAMENT:

Cast concrete pilasters/Dec tile @ entry

PHOTOGRAPH:

PHOTOGRAPHER: Mike Hamberg

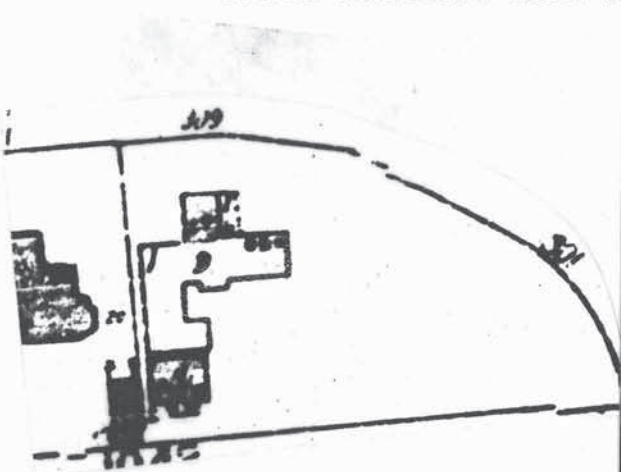
DATE: January, 1989

VIEW: South

NEGATIVE NUMBER: WA- 6-33

ADDITIONAL ALTERATIONS:

Porch infilled with stucco walls.



## ADDITIONAL DESCRIPTION/ANALYSIS (annotated form):

This property does retain sufficient integrity of design to convey its historical identity.

## EXPLANATION:

Rear addition built in 1930.

## SIGNIFICANCE: COMMUNITY PLANNING AND DEVELOPMENT

## CONTEXT:

Trends and patterns of Residential Subdivision Development in Phoenix, 1920 to 1940.

SEE PAGE OF REPORT

## RELATIONSHIP:

Significant as first house built in the Broadmoor Subdivision.

Representative of initial development of neighborhood associated with late 1920's boom.

## SIGNIFICANCE: POLITICS/GOVERNMENT

## CONTEXT:

The influence of national, state, and local planning and housing policy on residential development in Phoenix, 1920 to 1940.

SEE PAGE OF REPORT

## RELATIONSHIP:

Significant as early example of the "Model Home" concept in Phoenix.

## SIGNIFICANCE: ARCHITECTURE

## CONTEXT:

The evolution of residential architectural styles and building technology in Phoenix, 1920 to 1940.

SEE PAGE OF REPORT

## RELATIONSHIP:

Exemplary of Spanish Mission eclectic style featuring characteristic cross gable tile roof, arched focal window, and picturesque gable top at chimneys.

## ASSOCIATED WITH SIGNIFICANT PERSON(S):

Bought by Middleton from Laing & Heenan by 1930.

CONTEXT: residential street

## BIBLIOGRAPHY/SOURCES:

AR 3/25/28-3/5:1; AR 5/6/28; PHX CD 1928-1932

## LISTING IN OTHER SURVEYS:

## NATIONAL REGISTER STATUS:

RECOMENDATIONS THIS SURVEY: eligible in historic district, contributing

## COMMENTS:



**10—CITY PROPERTY FOR  
SALE**

---

**SMALL frame house. Ph. 22805.**

---

HUNDREDS who saw the exhibition home in Broadmoor, say it is the prettiest home in town. Having been used for exhibition purposes, it is now placed on sale at \$10,500. A 90-ft. lot and all draperies are included. See it this evening in Broadmoor Tract, 309 W. Monte Vista.

---



**The Exhibition Home  
in Broadmoor**

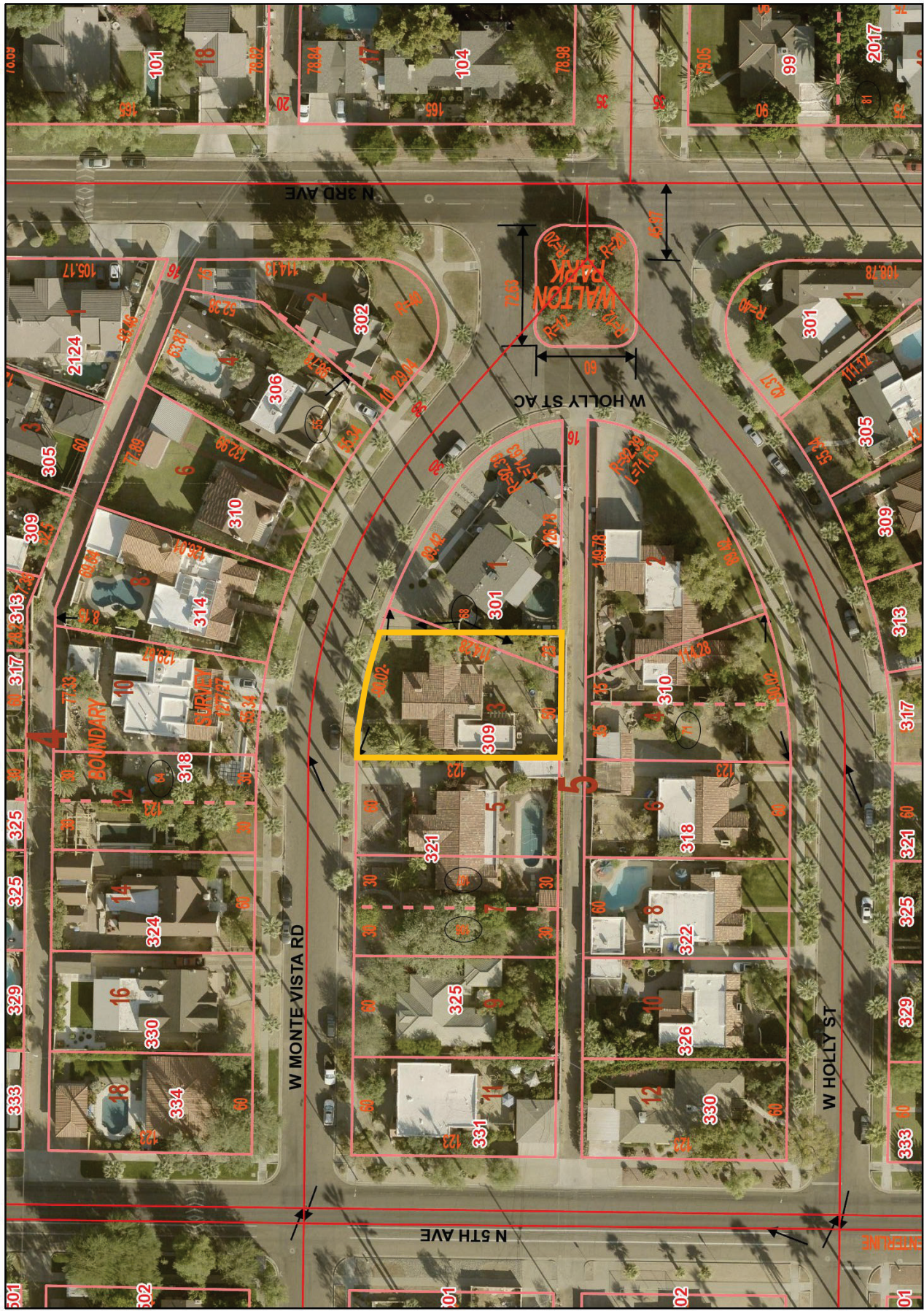
will be kept open every evening this week.  
Thousands saw it yesterday.  
Built for exhibition purposes, we have placed  
a close price on this property at the close of  
the exhibition.  
Completely furnished by Barrows. One vis-  
itor yesterday exclaimed, "The prettiest home  
I have seen in Phoenix."

**Drive out Third Ave. to  
309 W. Monte Vista!**

**Laing & Heenan**  
Builders  
133 West Monroe St. Phone 21085  
PHOENIX



# 309 W. Monte Vista Rd. (HPCA 2100117) - Willo Historic District



1 inch = 74 feet  
 0 30 60 120 Feet  
 N  
 Date: 9/19/2021  
 City of Phoenix  
 Disclaimer: The information provided on this map is based on record drawings submitted by others. Users of this information are cautioned that independent verification of actual conditions may be necessary. Printing Water Data is for Internal Staff Only



309 West Monte Vista Road (HPCA 2100117) – Willo Historic District



View looking south/southwest – Street View of subject property



View looking south/southeast – subject property



309 West Monte Vista Road (HPCA 2100117) – Willo Historic District  
Photos by owners



View looking north – approx. location of 2-story garage south of 1930 addition



View looking northwest – 1930 addition with historic roof deck; 2-story garage will be to the left (south)



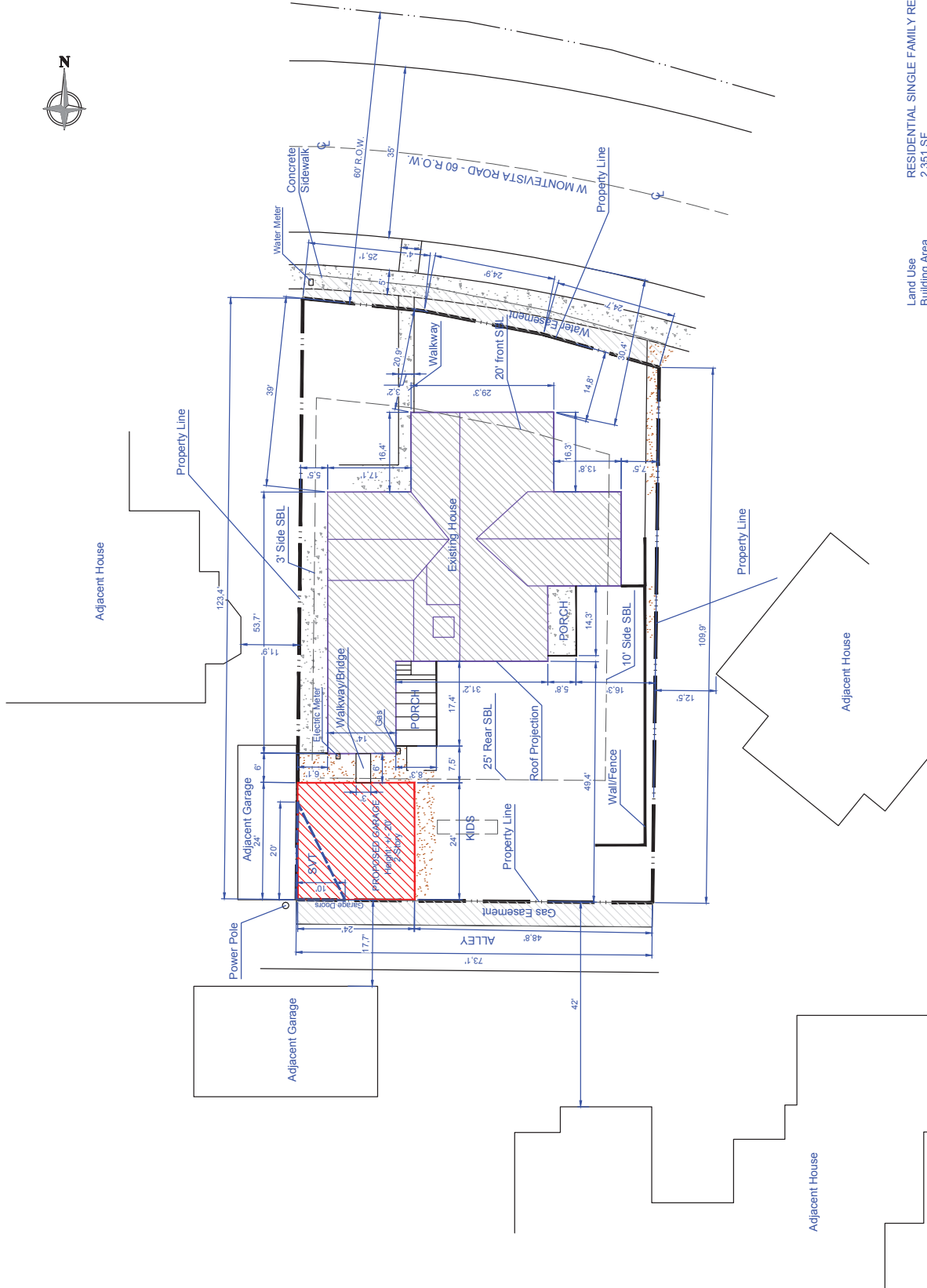
309 West Monte Vista Road (HPCA 2100117) – Willo Historic District



View looking southeast – adjoining neighbors' driveway & approx. location of 2-story garage



View looking northeast – historic houses north across Monte Vista Road.



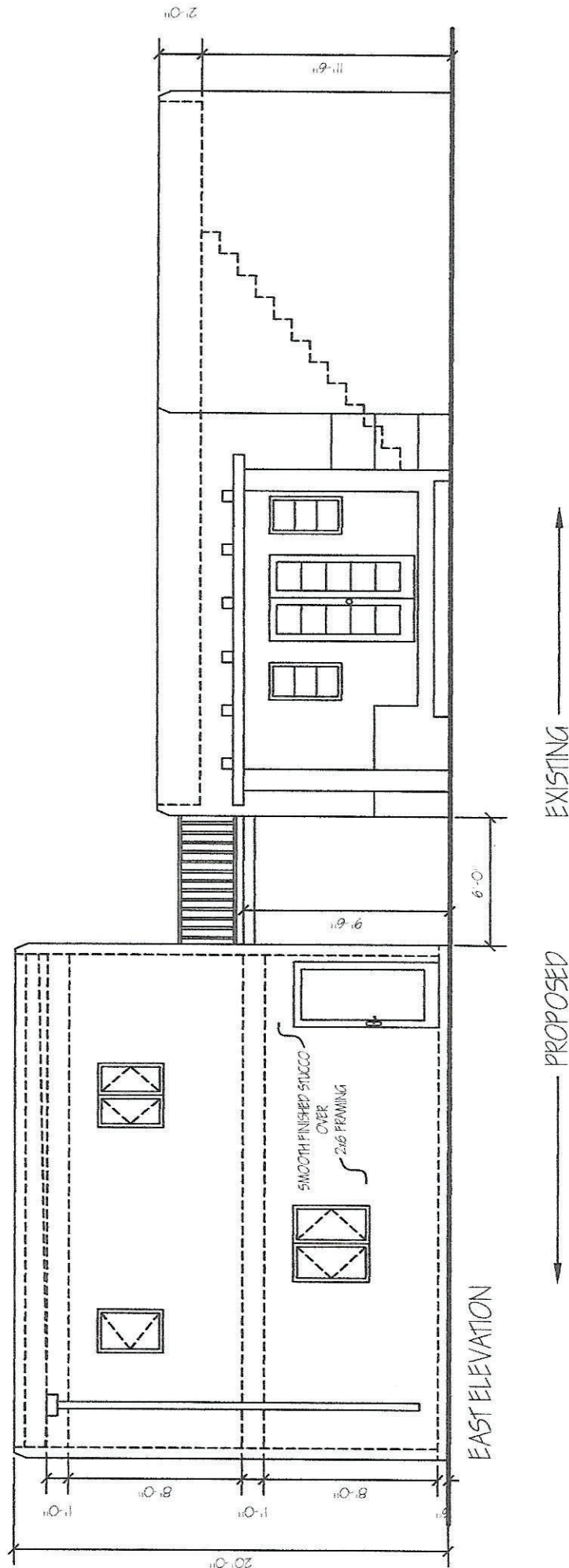
RESIDENTIAL SINGLE FAMILY RESIDENCE	
Land Use	2,351 SF
Building Area	576 SF
New Garage	0.33
New Lot Coverage	8,864 SF (0.2 ACRES)
Lot Area	R1-6
Zoning	Allowable Coverage 40%
Proposed Lot Coverage	3,400 SF - 39%

Legal Information	
W OF FOL DESC LN BEG 126.78' W OF SE COR LOT 1 TH	BROADMOOR LOTS 1 & 3 LYING
N AT RT ANG TO S LN TO PT ON NELY LN OF LOT 3	
Subdivision	BROADMOOR
Legal Lot	3
Legal Block	5

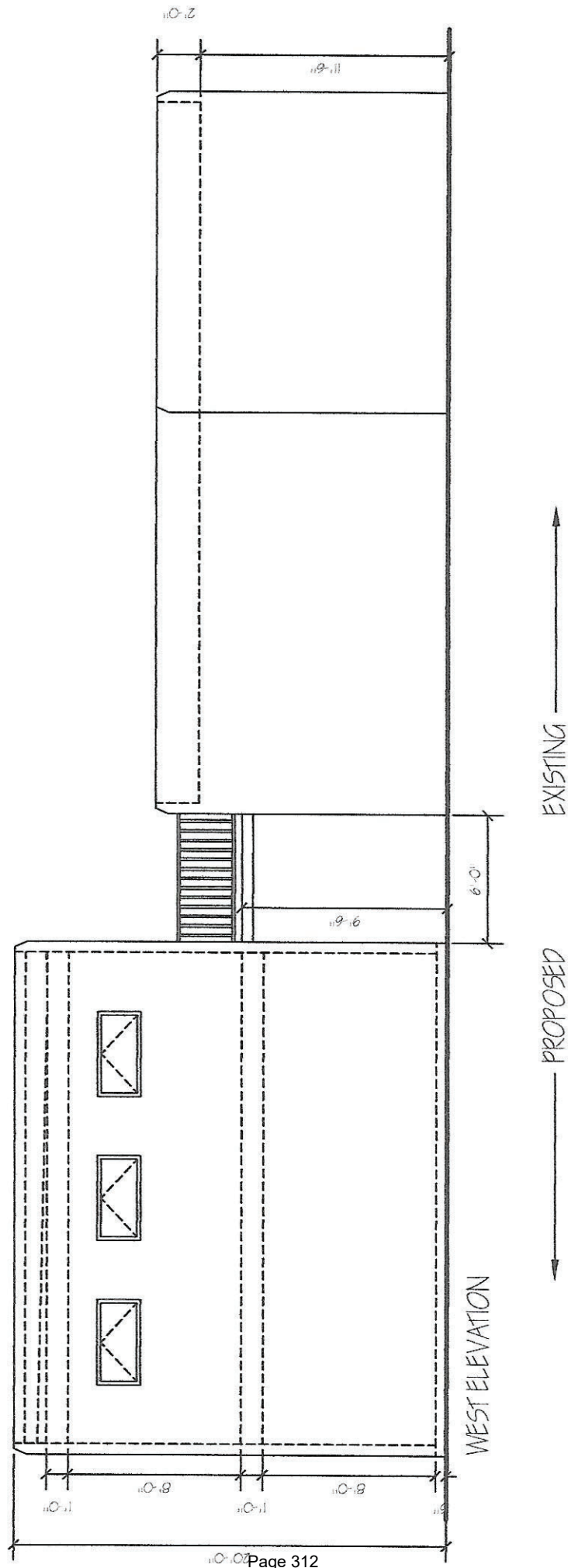
309 W MONTE VISTA RD  
PHOENIX, AZ 85003

0' 5' 10' 20' 40'

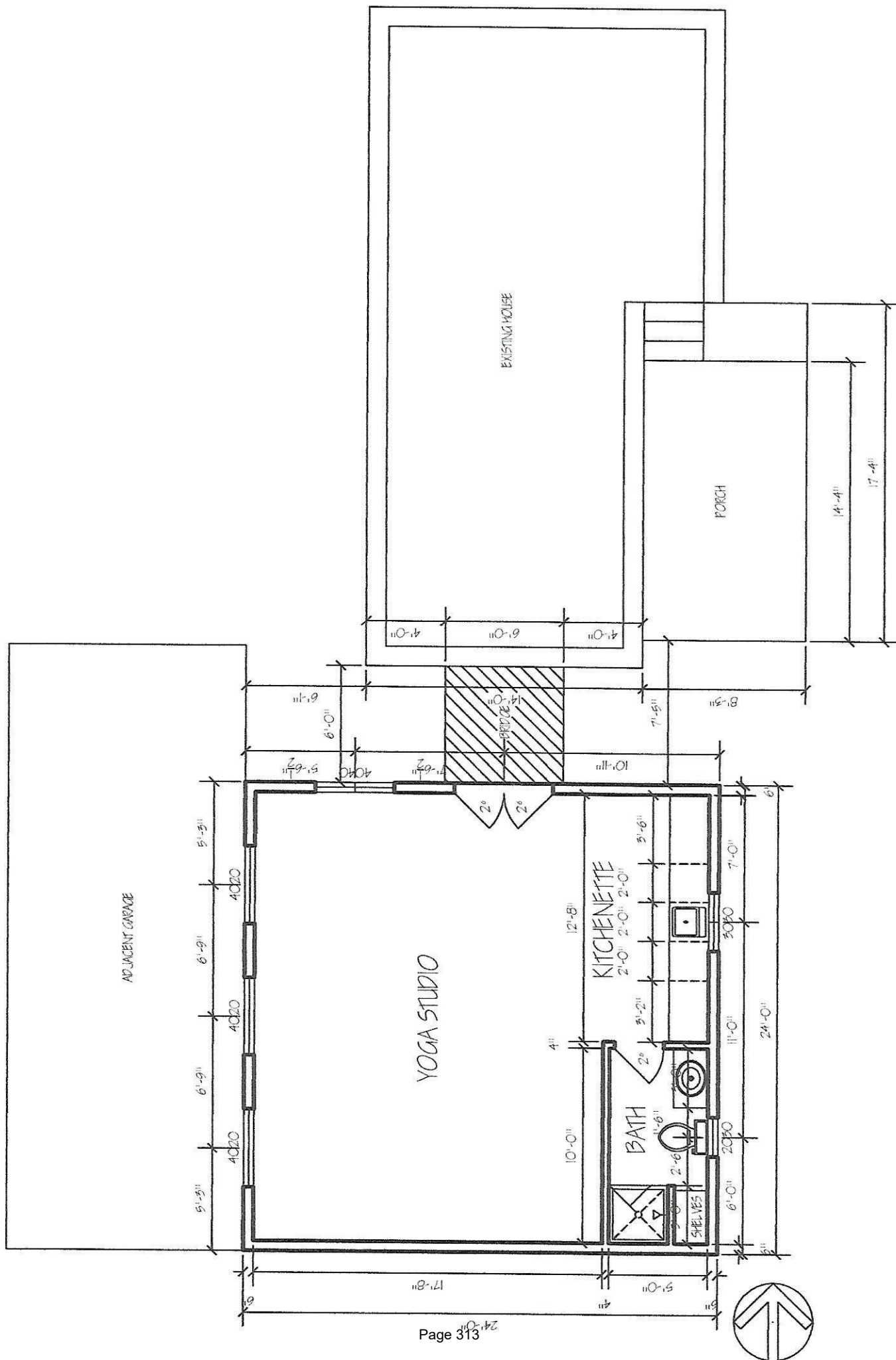




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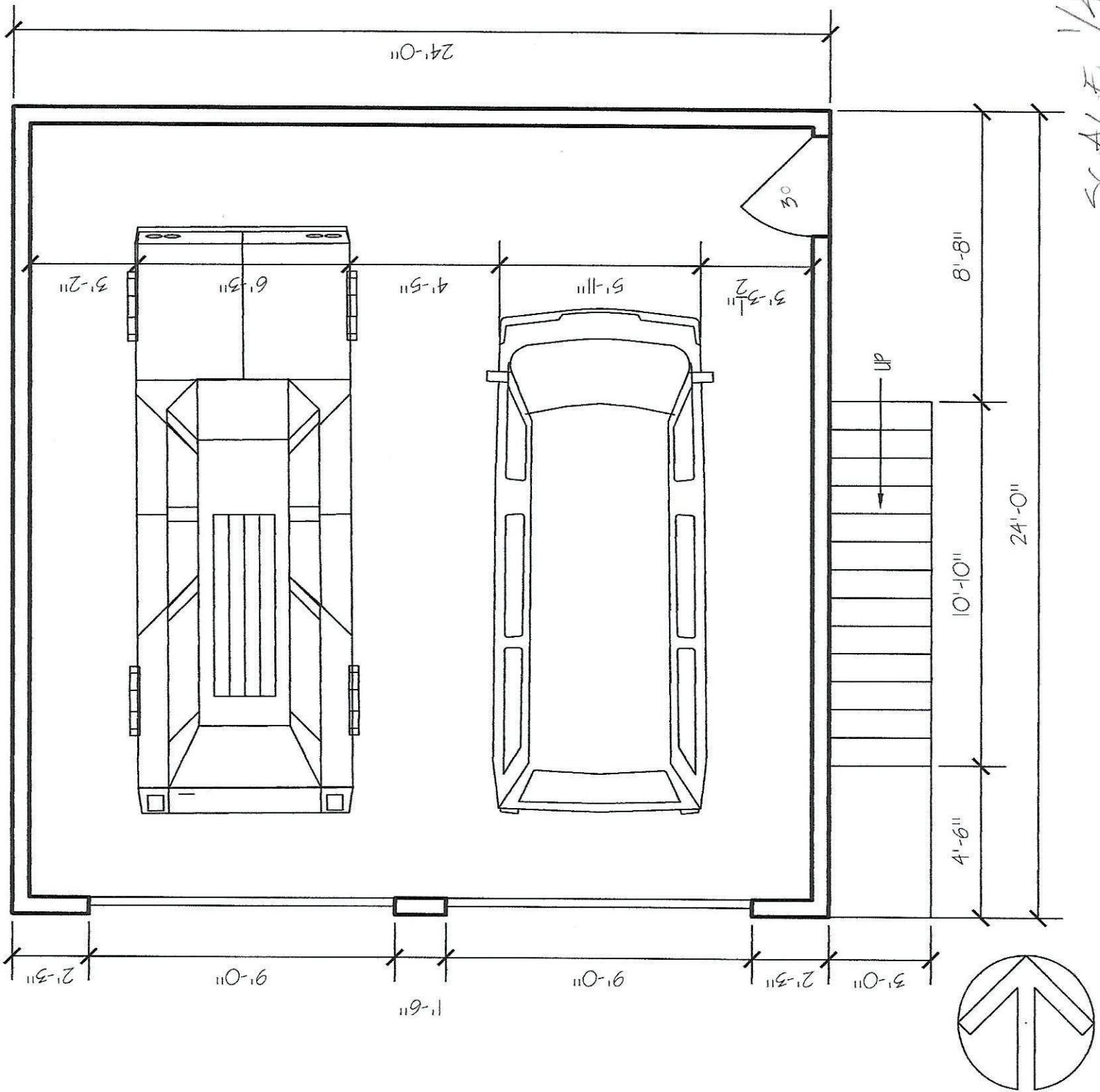


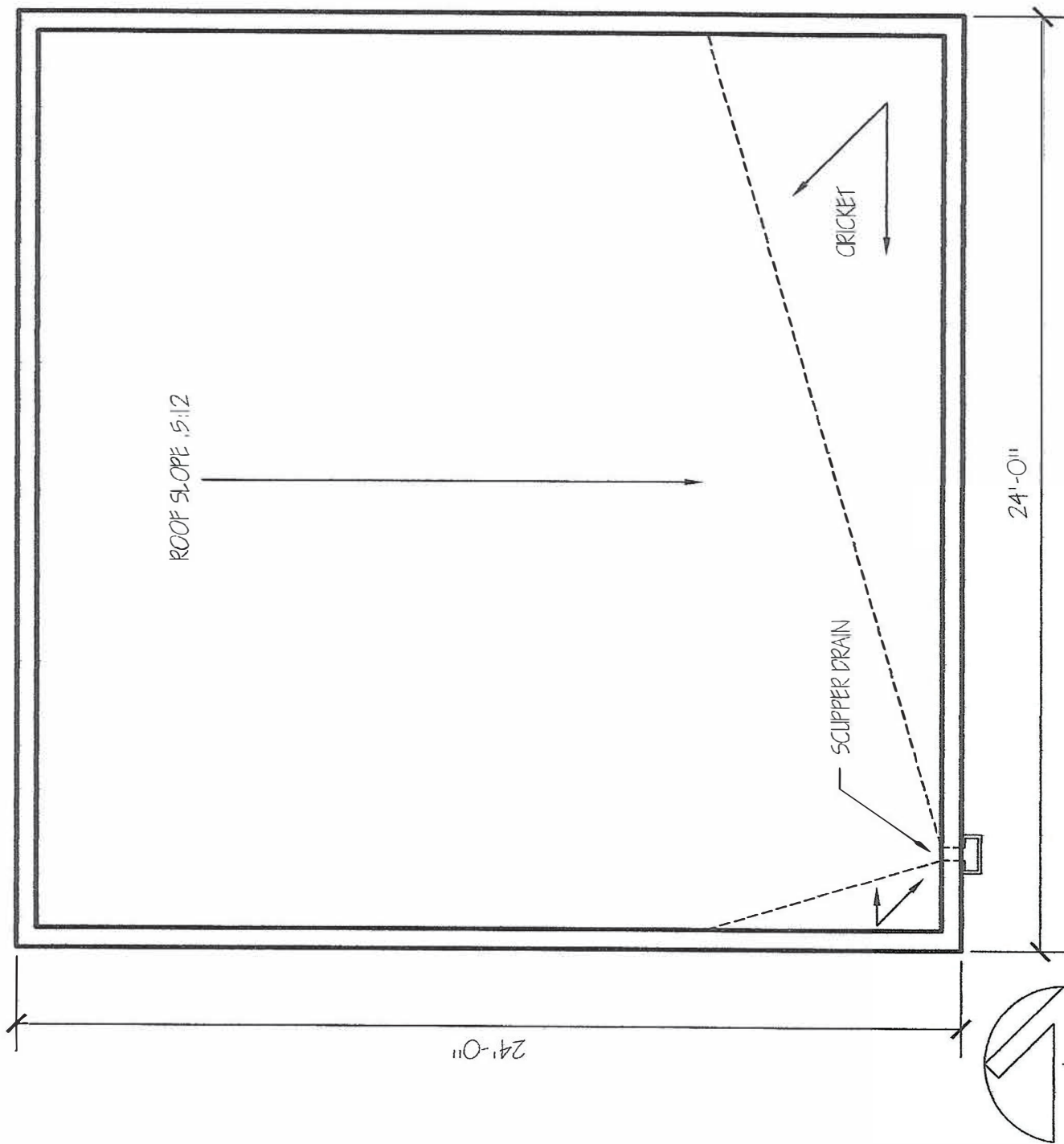
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ROOF DRAINAGE PLAN

SCALE  $\frac{1}{4}" = 1'$





ATTACHMENT B





















**RECEIVED**  
11/19/2021 HRU



# City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT  
HISTORIC PRESERVATION OFFICE

## Appeal of HP Commission's Decision to the City Council

The **HISTORIC PRESERVATION COMMISSION (HPC)** agenda for 11/15/21 is attached. The decision made by the **HPC** will become final unless a request to appeal that decision is filed in person by the close of business on 11/22/2021.

Any member of the public may, within five calendar days of the **HPC'S** action, request a hearing by the **PHOENIX CITY COUNCIL** on any application. If you wish to request such a hearing, fill out and sign the form below and return it to the Historic Preservation Office in person by the close of business on 11/22/2021.

### IMPORTANT

The Hearing Officer, Historic Preservation Commission and City Council all act in a quasi-judicial manner for Certificate of Appropriateness hearings. **There is to be no ex parte communication with any of these entities to include phone calls, e-mails, text messages or meetings.** Supplemental materials may be submitted through the Historic Preservation Office to be included in the packet provided to the hearing body. Check with staff on any deadlines for submission of supplemental materials. Materials provided at the hearing should include copies for the hearing body, staff, applicant, and appellant.

### APPEAL FORM

I hereby request that the HP Commission hold a public hearing regarding application number ☒ HPCA ☐ HPDA 2100117 for the property at 309 W. Monte Vista Rd. which was designated ☒ as a part of the Willo Historic District / ☐ individually as

*I am aware that the entire application will be up for review and that the City Council may uphold, reverse, or modify the decision of the HPC.*

☐ Opposition ☐ Applicant

Name (please print) Tom Doescher on behalf of the Willo Neighborhood Association Governing Board

Street Address: 50 W. Cambridge Ave.

City & State Phoenix, AZ ZIP Code 85003

Telephone 480-695-3506 E-mail: tfdoescher@gmail.com

Signature *Tom Doescher* Date Nov. 19, 2021

Reason for appeal (attach additional documentation if appropriate):

SEE ATTACHED.

### FOR STAFF USE ONLY

This decision was appealed from the 11/15/21 hearing to the \_\_\_\_\_ City Council meeting.

Page 1 of 1

For more information or for a copy of this publication in an alternate format, contact Planning & Development at 602-262-7811 Voice or TTY use 7-1-1.

## NOTICE OF PUBLIC MEETING HISTORIC PRESERVATION COMMISSION

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the members of the **HISTORIC PRESERVATION COMMISSION** and to the general public, that the **HISTORIC PRESERVATION COMMISSION** will hold a meeting open to the public on **Monday, November 15, 2021, at 4:30 p.m.**

**Per the most recent social distancing guidelines from the federal government, no residents will be allowed to attend the meeting in-person.**

### OPTIONS TO ACCESS THE MEETING

- **Call-in to listen** to the live meeting: Dial 602-666-0783, Enter meeting access code number 2556 923 0795 , and press # again when prompted for the attendee ID
- **Observe the live meeting virtually.**
  - o Register for the event at:

<https://cityofphoenixpdd.webex.com/cityofphoenixpdd/onstage/g.php?MTID=e5b2bc50210946eeb6d1a666faea37fa1>

- **Submit a comment** on an agenda item:
  - Send your comments to: [historic@phoenix.gov](mailto:historic@phoenix.gov)
  - By: 8:00 am on November 15, 2021
  - Indicate: Item Number and case number, if applicable
- **Register to speak** on an agenda item:
  - Contact Michelle Dodds at 602-262-7468 or [michelle.dodds@phoenix.gov](mailto:michelle.dodds@phoenix.gov)
  - By: 8 hours prior to start of the meeting (Staff will make every effort to accommodate requests to speak submitted less than eight hours in advance, however, due to the added demands of facilitating the virtual environment for the public, applicants and other staff members, we may not be able to process requests made less than eight hours before the start of the meeting)
  - o If registered to speak, click on the following link at the time of the meeting to join the event and speak when called upon:

<https://cityofphoenixpdd.webex.com/cityofphoenixpdd/onstage/g.php?MTID=e5b2bc50210946eeb6d1a666faea37fa1>

#### Note:

- Agenda items may be taken out of order.
- Presentation order (staff report/recommendation; applicant presentation (if applicable); questions from Commission; community comments; applicant response (if applicable); floor closed for Commission discussion, possible motion, and vote.
- Comments may be limited due to time constraints and to ensure all viewpoints are heard.

***The Commission may at any time vote to go into Executive Session pursuant to A.R.S. Section 38-431.03.A.3 for the purpose of receiving legal advice from the Commission's attorney regarding any item on the agenda.***

The agenda for the meeting is as follows:

1.	Call to order	Dan Klocke, Commission Chair
2.	Introduction of Commission Members and Staff	HP Commission & Staff
3.	Review of meeting minutes from the meeting on October 18, 2021 and the special meeting on October 26, 2021  Action Requested: Approval of Minutes- two separate actions	HP Commission
4.	Public Hearing on Appeal of Historic Preservation Hearing Officer's Decision on Certificate of Appropriateness Application # HPCA 2000508 at 612 N. 5 <sup>th</sup> Avenue in the Roosevelt Historic District  Request: Construct a 3-story four-plex with rooftop deck and roof screening structure behind existing historic dwelling  Action Requested: Uphold, Reverse or Modify Hearing Officer's Decision	Helana Ruter, HP Staff, Owner, Ran Holdings LLC Applicant/ Representative and Appellant, Christina Lufkin, Kaiserworks LLC
5.	Public Hearing on Appeal of Historic Preservation Hearing Officer's Decision on Certificate of Appropriateness Application # HPCA 2100117 at 309 W. Monte Vista Road in the Willo Historic District  Request: Construct a 2-story, 1,152 sf garage/yoga studio at the southwest corner of the lot with elevated walkway to the main house  Action Requested: Uphold, Reverse or Modify Hearing Officer's Decision	Jodey Elsner, HP Staff, Appellant, Tom Doescher, Chairperson Willo Zoning Committee, Owner/Applicant, Jennifer Hunter and Bruce MacArthur
6.	2021-2022 Exterior Rehabilitation Grants Approval presentation and possible action  Action Requested: Recommend approval of grant funding	Michelle Dodds, HP Staff
7.	Discussion on possible historic preservation study to look at recommendations for better protecting the city's historic resources  Action Requested: Discussion only	Michelle Dodds, HP Staff



<b>8.</b>	Discussion and possible action regarding Historic Preservation General Fund Budget for 2022/2023 Action Requested: Possible action regarding budget	Dan Klocke, Chair
<b>9.</b>	Update on requests for demolition <ul style="list-style-type: none"> <li>• 30-day demolition holds</li> <li>• Properties on the Phoenix Register</li> </ul> Action Requested: Information and possible discussion	Maura Jackson, HP Staff
<b>10.</b>	Advocacy and outreach update	HP Commission
<b>11.</b>	Staff updates and requests for information from staff Demolition by Neglect Survey Exterior Rehabilitation Grant Round <ul style="list-style-type: none"> <li>• Economic Development and Equity Subcommittee Recommendation 11/16/21(moved up from 11/24)</li> <li>• City Council Approval 12/1/21</li> </ul> Miracle Mile- Draft survey under revision per SHPO comments Multi-family Historic Context- Draft due in December Historic Sites Review Committee Recommendations from 11/5/21: <ul style="list-style-type: none"> <li>• Royale Gardens II</li> <li>• Palmdale Elementary School</li> <li>• Casa del Northern</li> </ul> McKinley Medical Center (McKinley Club) 802 N. 1 <sup>st</sup> Avenue Perpetual Conservation Easement (City Council 11/17/21) Paul Coze Mural	HP Commission
<b>12.</b>	Future agenda items Next scheduled meeting: December 20, 2021	HP Commission and Staff
<b>13.</b>	Public Comment and Communication	Public
<b>14.</b>	Adjournment	HP Commission

For further information, please call the Historic Preservation Office at 602-261-8699.

To request a reasonable accommodation, please contact Tamra Ingersoll at 602-534-6648, TTY: Use 7-1-1.

Si necesita asistencia o traducción en español, favor de llamar lo más pronto posible a la Oficina de Preservación Histórica de la ciudad de Phoenix al (602) 261-8699.

### Reasons for Appeal

Case No. HPCA 2100117

Date of Historic Preservation Hearing: September 21, 2011

Date of Historic Preservation Commission Appeal: November 15, 2021

1. The Historic Preservation Commission erred in its decision by failing to correct errors and deficiencies in the underlying Historic Preservation Hearing Officer's decision as follows:
  - a. Both the Historic Preservation Commission and the HP Hearing Officer erred in their decisions to approve and uphold a 20-foot-high, 2-story secondary building (garage/detached living quarters) behind the 13.5-foot home at 309 W. Monte Vista Rd., in contravention of the City of Phoenix Historic Preservation Guidelines ("HP Guidelines"). The HP Guidelines require that, "Secondary new structures, such as garages and outbuildings, should be subordinate to the size and appearance of the primary historic building..." and, "New garage, even if larger than original should maintain original relationship to house."

The proposed 2-story garage/detached living quarters will be 50% higher than the main home and, thus, will not be subordinate to it. It fails to maintain the original relationship to the main house because the original garage was one story high, i.e., at or below the ridgeline of the main house – not 50% taller as the proposed new garage will be.

Not only will the proposed 20-foot-tall garage greatly exceed the height of the primary home, it will be one of the tallest structures in Willo, exceeding the height of historic bungalows and matching or exceeding the height of high-pitched Tudor Revival homes. Clearly, this structure is not subordinate to the homeowner's 13.5-foot tall, low-slung Spanish Colonial/Mission Revival style home.
- b. The Hearing Officer's ruling was in opposition to previous rulings and precedent in the Willo Historic District going back to when Willo was first listed with the National Register of Historic Places and Phoenix Historic Property Register in 1991. To our knowledge, no applications for 2-story outbuildings in Willo have been approved since Willo became listed on the Historic Register in 1991 (other than a recent application to rebuild a historic deteriorated 2-story structure that was pre-existing before Willo became a historic district.
- c. The Hearing Officer failed to consider or address massing and scale of the proposed 2-story secondary structure in her decision, which are considerations under the City of Phoenix General Design Guidelines for Historic Properties. If the 2-story garage/detached living quarters is built, approximately 40% of the mass of the buildings on the lot will be oriented vertically and concentrated on a small (576 sq. ft.) corner of the large (8,864 sq. ft.) lot behind the low-slung, horizontally oriented main home.

- d. The Hearing Officer based her decision on her personal opinion that she didn't "think" the secondary structure would be "very visible" from the street, without any evidence presented to support her conclusion, since Applicant did not provide a north elevation diagram at the HP Hearing. The north (front) elevation is the most important single piece of information in determining the visual impact of the proposed 2-story garage/detached living quarters from the street view.
- e. The Hearing Officer, after admitting that the application did not contain all necessary information, approved the application anyway, and said the Applicants could file additional documents that were material to the decision-making process, such as the north elevation diagram (street view of the proposed project) with the City of Phoenix Historic Preservation Office after the hearing, i.e., the Hearing Officer admitted she was approving the application without all the material and necessary documentation and decided that the Applicant could simply file it at some later, unspecified date.
- f. The Hearing Officer instructed the Applicant to file material documents outside of the public process, stating that no further hearing would be necessary, depriving the public from examining those documents within the public hearing process, which we believe is in violation of The City of Phoenix Code and Zoning Ordinance and circumvents due process requirements.
- g. The Hearing Officer erroneously concluded that a handful of nearby non-conforming secondary structures that predate Willo's listing as a Historic District should serve as precedent in rendering her decision. The Hearing Officer failed to provide any rationale for citing these non-conforming structures as precedent, and provided no comparison of heights, scale, and massing of the structures, nor any other basis for making this decision.
- h. The Staff Report incorrectly states that the proposed 2-story, 20-foot-high secondary structure is "as low as possible." Clearly this is not true, because the previous 1-story structure was far below 20 feet. (The home itself is only 13.5-14' high).
- i. The Staff Report cites a handful of non-conforming secondary structures as precedent for their recommendation of approval while providing no comparison of the relative height, massing, scale, etc. of those non-conforming structures with the current proposed project, and while completely ignoring the plain fact that the vast majority of secondary structures in Willo are 1-story, including, to our knowledge, every secondary structure constructed in Willo since it was designated a Historic District in 1991.
- j. The Staff Report fails to provide any analysis of how the City of Phoenix General Design Guidelines for Historic Properties apply to this application and fails to state

how the Historic Preservation guidelines support its conclusion that the application be approved. In fact, there is no mention of the City of Phoenix General Design Guidelines for Historic Properties at all in the Staff Report.

- k. Neither the Hearing Officer, nor the Staff Report offered any evidence of incorporating the Willo Conservation Plan (adopted by the Phoenix City Council in 1986) into their decision-making and ultimate recommendation. We believe the Hearing Officer's decision is massively detrimental to the Willo Conservation Plan's goal of preserving the historic character and architecture of the Willo neighborhood, because it opens the door for 2-story secondary structures in every back yard, 50% higher than the historic homes, visually overwhelming the historic view-scape and resulting in large, tall outbuildings becoming the dominant structures in Willo. This does not serve the Willo neighborhood or align with our Conservation Plan or the goals and objectives of historic preservation in Phoenix.
2. At the HP Commission Hearing on November 15, 2021, the Staff Planner gave grossly incorrect information to the HP Commission when she denied that a recent application for a 2-story structure at 133 W. Palm Lane was denied because its height exceeded that of the main home (the Willo Neighborhood provided this case as a recent example demonstrating that applications for 2-story structures are routinely denied in Willo). When a Commissioner asked the planner whether the denial of the 2-story structure at 133 W. Palm Lane was comparable to the present case, she said "No", and said it had been denied because the owner planned to remove a portion of the back of the home.

The record/staff report on the 2-story structure at 133 W. Palm Lane clearly shows otherwise – that the HP Staff's only basis for not recommending approval of the project was its height. In their report, the staff recommended approval as long as the building was "no taller than the primary ridge of the historic house..." The report does not raise any objection at all to the removal of a portion of the back of the house (which is allowable under the HP guidelines since it is not visible from the street). The staff recommendation on 133 W. Palm Lane states:

"Based on the findings above, staff recommends approval of this application with the following stipulation:

- 1) That the proposed addition be one-story and no taller than the primary ridge of the historic house, which is 18' 4" tall;
- 2) That the existing siding in the east and west-facing gables remain intact." (Staff Report HPCA 2000340, dated Dec. 17, 2020.)  
(The portion at the back of the house to be removed was behind the east and west-facing gables).

The Hearing Officer who decided the 133 W. Palm Lane case denied the application because the height of the proposed 2-story structure exceeded the height of the primary home – period.

When questioned by the HP Commission, the planner either misspoke or otherwise gave a false and misleading account of why the proposed 2-story structure at 133 W. Palm Lane was denied. This false information was given after both parties had spoken at the appeal, and public comments were cut off and members of the public were “muted” at the virtual hearing, so there was no opportunity for the public to correct the staff’s comments. Thus, the HP Commission’s decision was based on incorrect information provided by the HP staff member.

3. One of the HP Commissioners who voted to deny the appeal stated the basis of her decision as “there are [2-story] carriage houses in Roosevelt”. The Roosevelt Historic District, whose homes are approximately a decade older than the oldest homes in Willo is not a comparable example. Each of Phoenix’s historic districts are unique and have always been treated as such with regard to HP guidelines applications and decisions; and Willo has its own conservation plan to preserve its unique historic character. Trying to replicate Roosevelt’s carriage houses in Willo simply defies good preservation practice because it would create a false sense of history.
4. Some of the HP Commissioners based their conclusions on the staff report’s curious and unsupported contention that the “Broadmoor” subdivision within Willo should be treated separately from the rest of Willo and allowed to have 2-story outbuildings because the homes were more “upscale”. The staff member based this on marketing ads for homes when the “Broadmoor” subdivision, whose construction began some one hundred years ago. Of the dozens of ads presented by staff for the 154-home subdivision, only one referenced a 2-story outbuilding. Of the 154 homes in the “Broadmoor” subdivision, only 4 of the 5 mentioned in the Staff Report have a 2-story outbuilding with a height exceeding the roofline of the main home, and some of the others do not appear to be 20’ tall. In any case, they all predate Willo’s listing as a historic district and the HP guidelines that are now in effect require secondary buildings to be subordinate). Non-conforming buildings are not used as precedent when new structures are built. Instead of focusing on the vast and undeniable pattern in Willo, which has over 900 historic one-story homes with one-story garages, some of the Commissioners chose to focus on a handful of homes with old 2-story outbuildings and chose to make these exceptions the new rule.
5. Opening the door for 2-story outbuildings in the old “Broadmoor” subdivision not only defies logic because its historic structures (homes and garages) are nearly all one story, but it would also create an underclass of Willo residents whose homes are not in the Broadmoor boundary and whose applications for 2-story outbuildings would thus be denied. The staff said during the appeal that they would not approve applications for 2-story garages for ranch houses in “the north end of Willo”. Parsing the Willo Historic District (which was listed with the National Register all at once as a single historic district) into separate sections with different rules for each, is not only unsupportable based on the historic evidence and best practice, but we believe it is likely to be legally indefensible if the City tries to create different property entitlements within Willo.




For the reasons stated above, we believe the Hearing Officer's decision and the HP Commission's upholding of that decision are fatally flawed. THEREFORE, the Willo Neighborhood Association respectfully requests that this appeal be granted, and the HP Commission's decision be overturned.



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**To:** Ginger Spencer  
Deputy City Manager

**Date:** December 15, 2021

**From:** Alan Stephenson   
Planning and Development Director

**Subject:** CONTINUANCE OF ITEM 91 ON THE DECEMBER 15, 2021 FORMAL  
AGENDA – APPEAL OF HISTORIC PRESERVATION COMMISSION'S  
DECISION ON CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION  
HPCA 2100117 309 WEST MONTE VISTA ROAD IN THE WILLO HISTORIC  
DISTRICT

Item 91, is a request for a Certificate of Appropriateness Application for a 2-story, 1152 square foot garage/yoga studio with elevated walkway to the main house.

Tom Doescher, representing the Willo Neighborhood Association Governing Board, requested a continuance of their appeal of the Historic Preservation Commission's decision (see attached letter) to the January 5, 2022 Council meeting.

The applicants, Bruce MacArthur and Jennifer Hunter, stated in the attached email they are not opposed to the continuance.

Approved: \_\_\_\_\_

  
Ginger Spencer, Deputy City Manager

**Attachment:**

Exhibit A – Appellant's request for continuance

Exhibit B – Applicant's response to continuance request

**From:** [Hunter, Jennifer](#)  
**To:** [Michelle Dodds](#); [Alan Stephenson](#)  
**Cc:** [brucejensophia@yahoo.com](mailto:brucejensophia@yahoo.com)  
**Subject:** Continuance of City Council hearing  
**Date:** Tuesday, December 14, 2021 5:44:54 PM  
**Attachments:** [image001.png](#)

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Hello Michelle and Alan,

We understand that Councilwoman Laura Pastor has requested a continuance of our agenda item tomorrow night because of the length of the meeting and the other agenda items to be decided. We do not oppose Councilwoman Pastor's request, and will look forward to moving the hearing to January 5, 2022. As such, can we safely assume that we need not appear tomorrow?

Please let me know if you have any questions or need anything further.

Thank you,

Jennifer R. Hunter  
Special Counsel



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Attorney General Mark Brnovich

Child and Family Protection Division  
Protective Services Section  
1275 W. Washington, Phoenix, AZ 85007  
Desk: 602.542.4443  
Fax: 602.364.0055  
[Jennifer.Hunter@azag.gov](mailto:Jennifer.Hunter@azag.gov)



December 6, 2021

Alan Stephenson, Director  
Planning and Development Department  
City of Phoenix  
200 West Washington Street  
Phoenix, Arizona 85003

RE: HPCA-2100117 – 309 W Monte Vista Road

Dear Mr. Stephenson,

The Willo Neighborhood Association (Association) filed an appeal regarding the Historic Preservation Commission's vote to uphold the Historic Preservation Hearing Officer's decision for HPCA 2100117, 309 W Monte Vista Road, approving a Certificate of Appropriateness. The certificate was approved on November 19, 2021, allowing for the construction of a two story accessory building in the Willo Historic District.

The Willo Neighborhood Association is requesting a continuance for the matter from the City Council Meeting scheduled for December 15, 2021, to January 5, 2022.

If the hearing is held on the currently-scheduled date of December 15, 2021, several key members of the Association will be unable to attend the meeting either because of scheduling conflicts with work or they will not be in town for the meeting due to the holidays. Also, the Association has been unable to determine the north elevation of the proposed building since this has not been provided initially or now. This requires us to seek this information from an independent consultant or other professional. Additionally, the Association is requesting documents from the city and the Historic Preservation Office and will need time to review and analyze the new information which could lead to requesting additional items or outside review from other professional organizations.

It is important that a continuance be granted to January 5, 2022, so the Association will be able to present a clear and concise case to the City Council for our appeal on the decision issued by the Historic Preservation Hearing Officer for HPCA 2100117.

If you have any questions, or need additional information, I can be reached at 480-695-3506 (cell phone) or [tfdoescher@gmail.com](mailto:tfdoescher@gmail.com).

Thank you for your consideration.

Sincerely,

*Tom Doescher for the Willo Neighborhood Association*

Tom Doescher for the Willo Neighborhood Association  
Cc: Michelle Dodds, Historic Preservation Officer  
Willo Neighborhood Board of Directors



**\*\*\*REQUEST TO ADD-ON (SEE ATTACHED MEMO)\*\*\* COVID-19 Community and Mobile Testing, Vaccination Health Events and Services - Amendments (Ordinance S-48260)**

Request to authorize the City Manager, or his designee, to execute amendments and allow additional expenditures on contracts: 152654 with Family Tree Health Care, LLC; 152430 with Equality Health Foundation, Sonora Quest Laboratories, LLC and Equality Care Center; 152825 with Vincere Physician's Group PLLC; and 153733 with Premier Lab Solutions. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate amount of \$4.9 million. There is no impact to the General Fund. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) received from the federal government.

**Summary**

The City Council declared a local emergency due to the COVID-19 pandemic on March 20, 2020. Staff continues to work with COVID-19 health care providers to ensure that community testing and vaccination efforts for residents are available through the duration of the public health emergency. The Public Works Department coordinates community testing and vaccination service capability to the general public at community testing health care events. To date, the Public Works Department has provided approximately 230,000 COVID-19 tests and 10,000 vaccinations at citywide locations.

With support and authorization from the Mayor and City Council, the American Rescue Plan Act (ARPA) allowed the Public Works Department to partner with medical providers to administer 59,723 COVID-19 tests, 8,789 vaccines, and distribute 565 gift cards through the Vaccine Incentive Program. With the continued COVID-19 surge, efforts are being explored to expand access to testing to combat increased case counts and test positivity rate. The Public Works Department seeks authorization to expand testing options to include the distribution of free at-home COVID-19 test kits to the general public.

The ARPA Strategic Plan includes \$5 million to support COVID-19 community testing and vaccine services under the Better Health Outcomes and Community Testing and Vaccines Program. This request seeks authorization to allocate the remaining \$4.9

million from the ARPA Strategic Plan Contingency Fund to support \$3.5 million for community testing and vaccine services through June 30, 2022, and \$1.4 million to purchase at-home test kits to be distributed to Phoenix residents.

### **Contract Term**

The agreements began on July 1, 2021, for a six-month period, with one option to extend for an additional six months.

### **Financial Impact**

With this additional funding, these agreements will not exceed an aggregate value of \$9.9 million. This request seeks authorization to allocate \$4.9 million from the ARPA Strategic Plan contingency fund for community testing and vaccination services through June 30, 2022.

### **Concurrence/Previous Council Action**

The City Council approved:

- Agreement 152430 (S-46775) with Equality Health Foundation on June 17, 2020;
- Agreement 152654 (S-46848) with Family Tree Health Care LLC on July 1, 2020;
- Agreement 152825 (S-46849) with Vincere Physicians Group on July 1, 2020;
- Agreements: 152430 with Equality Health Foundation, Sonora Quest Laboratories LLC, and Equality Care Center; 152654 with Family Tree Health Care LLC; and 152825 with Vincere Physicians Group - Amendments (S-47158) on Dec. 2, 2020;
- Agreement 153733 with Premier Lab Solutions (S-47219) on Jan. 6, 2021;
- ARPA Strategic Plan for Allocation 1 on June 8, 2021;
- Agreements: 152430 with Equality Health Foundation, Sonora Quest Laboratories LLC, and Equality Care Center; 152654 with Family Tree Health Care LLC; 152825 with Vincere Physicians Group; and 153733 Premier Lab Solutions - Amendments (S-47827) on July 1, 2021 extending through June 30, 2022;
- ARPA Strategic Plan Update on Sept. 21, 2021; and
- Agreements: 152430 with Equality Health Foundation, Sonora Quest Laboratories LLC, and Equality Care Center; 152654 with Family Tree Health Care LLC; 152825 with Vincere Physicians Group; and 153733 Premier Lab Solutions - Amendments (S-48162) on Dec. 1 2021.

### **Responsible Department**

This item is submitted by Assistant City Manager Lori Bays, Deputy City Manager Karen Peters, and the Public Works Department.



To: Karen Peters  
Deputy City Manager

From: Joe Giudice *JG*  
Public Works Director

Date: Jan. 3, 2022

Subject: ADD-ON AGENDA ITEM REQUEST FOR Jan. 5, 2022, CITY COUNCIL  
FORMAL MEETING AGENDA

This memo requests approval to place an item titled COVID-19 Community and Mobile Testing and Vaccination Health Events and Services– Amendments as an add-on agenda item to the Jan. 5, 2022, City Council Formal Meeting agenda. This item requests authorization for \$4.9 million in additional expenditures on contracts: 152654 with Family Tree Health Care, LLC; 152430 with Equality Health Foundation, Sonora Quest Laboratories, LLC and Equality Care Center; 152825 with Vincere Physician's Group PLLC; and 153733 with Premier Lab Solutions for community testing and vaccination events and services for residents through June 30, 2022.

Approved: *Karen Peters*  
Karen Peters, Deputy City Manager



**\*\*\*REQUEST TO ADD-ON (SEE ATTACHED MEMO)\*\*\* Amend City Code - Ordinance Adoption - Rezoning Application Z-16-21-6 (The Paisley PUD) - Southeast Corner of 31st Street and Clarendon Avenue (Ordinance G-6942)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-16-21-6 and rezone the site from R1-6 (Single-Family Residence District) to PUD (Planned Unit Development) to allow multifamily residential.

**Summary**

Current Zoning: R1-6

Proposed Zoning: PUD

Acreage: 1.55 acres

Proposal: Multifamily residential

Owner: Pripai Investments, LLC

Applicant: Russell Black

Representative: Ashley Marsh, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Camelback East Village Planning Committee heard this case on Sept. 7, 2021 for information only. The Camelback East Village Planning Committee heard this case on Nov. 2, 2021 and recommended approval, per the staff recommendation with an additional stipulation, by a vote of 10-6.

PC Action: The Planning Commission heard this case on Dec. 2, 2021 and recommended approval, per the Camelback East Village Planning Committee recommendation with an additional stipulation, by a vote of 7-2.

**Location**

Southeast corner of 31st Street and Clarendon Avenue.

Council District: 6

Parcel Address: 3641 N. 31st St.; 3105, 3107, and 3109 E. Clarendon Ave.; and 3104, 3106, and 3108 E. Weldon Ave.



**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**To:** Ginger Spencer  
Deputy City Manager

**Date:** January 3, 2022

**From:** Alan Stephenson  
Planning and Development Director

**Subject:** REQUEST FOR ADD-ON TO THE JANUARY 5, 2022 FORMAL AGENDA –  
ORDINANCE ADOPTION – REZONING APPLICATION Z-16-21-6 -  
SOUTHEAST CORNER OF 31<sup>ST</sup> STREET AND CLARENDON AVENUE

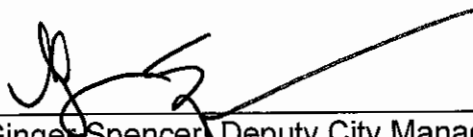
This memo requests an add-on to the January 5, 2022 Formal Agenda for City Council ratification of rezoning application Z-16-21-6 (The Paisley PUD). The request is to rezone the 1.55-acre site from R1-6 (Single-Family Residence District) to PUD (Planned Unit Development) to allow for multi-family residential.

This application was scheduled and advertised to be heard on the January 5 Formal Agenda, but due to an administrative error it was assigned to the February 2, 2022 City Council Formal Agenda. This add-on request addresses this error.

The Camelback East Village Planning Committee heard this case on November 2, 2021 and recommend approval per the staff recommendation, with an additional stipulation by a vote of 10-6. The Planning Commission heard this case on December 2, 2021 and recommended approval per the Camelback East Village Planning Committee recommendation with an additional stipulation by a vote of 7-2.

The Planning Commission's decision was not appealed, and the request is scheduled for ratification.

Approved:

  
Ginger Spencer, Deputy City Manager

**ATTACHMENT A**

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,  
ADOPTED ORDINANCE**

**ORDINANCE G-**

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-16-21-6) FROM R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 1.55-acre site located at the southeast corner of 31st Street and Clarendon Avenue in a portion of Section 26, Township 2 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "R1-6" (Single-Family Residence District) to "PUD" (Planned Unit Development).

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. An updated Development Narrative for the Paisley PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped October 18, 2021, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: October 18, 2021; City Council adopted: [Add adoption date].
  - b. Page 9, Development Standards: Add the following statement at the beginning of this section: "The Single-Family Attached development option of Table B of the R3-A (Multifamily Residence – Zoning Ordinance Section 616) District shall apply to The Paisley except for as noted within the tables provided below."
  - c. Page 10, Minimum Open Space/Common Area: Revise to read as follows: "5% of gross area inclusive of landscape areas, amenity areas, walkways and commonly held tracts.  
  
Landscape areas a minimum of 130 square feet in size shall be applied toward requirement regardless of level surface area or grade."
  - d. Page 10, Landscape Standards Table, Streetscape: Add the following statement at the beginning of the second column: "Streetscape plantings (trees, shrubs and groundcover provided within right-of-way between the sidewalk and individual lot property lines and minimum landscape setback areas on-site), in accordance with the following standards:"
  - e. Page 11, Landscape Standards Table, Streetscape: Add the following at the end of this section: "Common Area Tract - On-site streetscape plantings within minimum landscape setback shall be provided within a minimum five-foot wide common area tract along all street frontages."
2. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
3. 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.

4. The developer shall work with the Street Transportation Department to install and pay for a speed mitigation hump along Weldon Avenue.
5. 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 5th day of January, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:  
\_\_\_\_\_  
\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-16-21-6

WITHIN A PORTION OF SECTION 26, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1 THROUGH 7, INCLUSIVE, OF CLARENDON SQUARE, ACCORDING TO THE PLAT OF RECORD IN BOOK 1491 OF MAPS, PAGE 29, RECORDS OF MARICOPA COUNTY, ARIZONA.

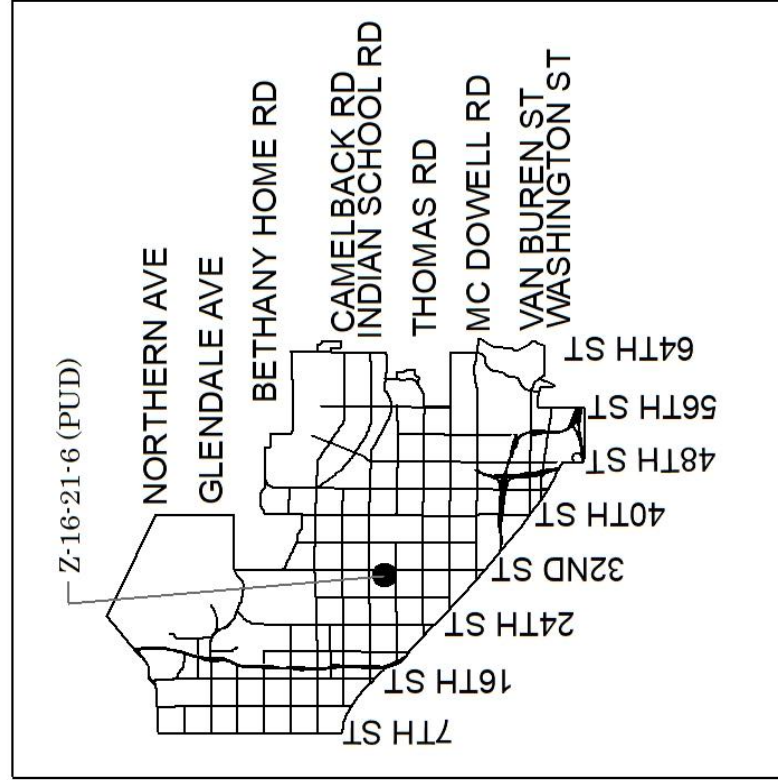
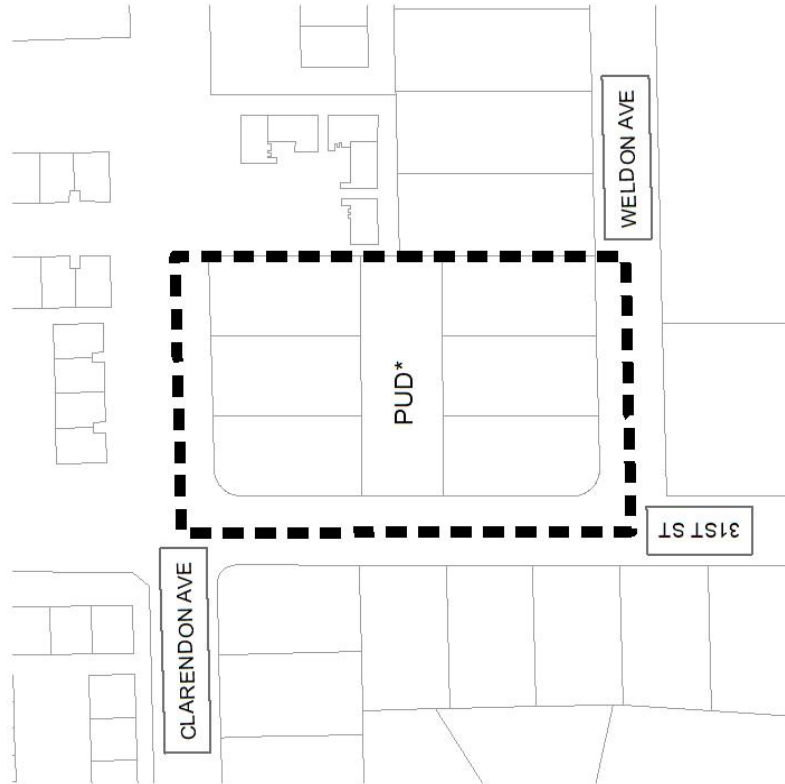
DRAFT

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-16-21-6 (PUD)  
Zoning Overlay: N/A  
Planning Village: Camelback East

ZONING SUBJECT TO STIPULATIONS: \*  
SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 12/7/2021





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Agenda Date: 1/5/2022, Item No. \*107

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**\*\*\*REQUEST TO ADD-ON (SEE ATTACHED MEMO)\*\*\* Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-69-20-6 (Autem Row PUD) - Approximately 300 Feet West of the Northwest Corner of 16th Street and Maryland Avenue (Ordinance G-6943)**

Request to hold a public hearing on a proposal to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-69-20-6 and rezone the site from R-O (Residential Office - Restricted Commercial District) to PUD (Planned Unit Development) to allow multifamily residential.

**Summary**

Current Zoning: R-O (Residential Office - Restricted Commercial District)

Proposed Zoning: PUD (Planned Unit Development)

Acreage: 0.89 acres

Proposal: Multifamily residential

Owner: East Maryland, LLC

Applicant: AUTEM Development

Representative: John Oliver and William E. Lally, Esq., Tiffany & Bosco, PA

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Camelback East Village Planning Committee heard this case on May 4, 2021 for information only. The Camelback East Village Planning Committee heard this case on Oct. 5, 2021 and recommended denial, by a vote of 8-3.

PC Action: The Planning Commission heard this case on Nov. 4, 2021 and continued the case to Dec. 2, 2021. The Planning Commission heard this case on Dec. 2, 2021 and recommended approval, per the Addendum B Staff Report with modified and additional stipulations, by a vote of 8-1.

The applicant appealed the Planning Commission recommendation on Dec. 9, 2021.

**Location**

Approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue.

Council District: 6

Parcel Address: 1536 and 1538 E. Maryland Ave.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer and the Planning and Development Department.



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**To:** Ginger Spencer  
Deputy City Manager

**Date:** January 3, 2022

**From:** Alan Stephenson  
Planning and Development Director

**Subject:** REQUEST FOR ADD-ON TO THE JANUARY 5, 2022 FORMAL AGENDA –  
PUBLIC HEARING AND ORDINANCE ADOPTION – REZONING APPLICATION  
Z-69-20-6 – 300 FEET WEST OF THE NORTHWEST CORNER OF 16<sup>TH</sup>  
STREET AND MARYLAND AVENUE

This memo requests an add-on to the January 5, 2022 Formal Agenda for a public hearing for rezoning application Z-69-20-6 (Autem Row PUD). The request is to rezone the 0.89-acre site from R-O (Residential Office – Restricted Commercial District) to PUD (Planned Unit Development) to allow multi-family residential.

This application was scheduled and advertised to be heard on the January 5 Formal Agenda, but due to an administrative error it was assigned to the February 2, 2022 City Council Formal Agenda. This add-on request addresses this error.

The Camelback East Village Planning heard this case on October 5, 2021 and recommended denial by a vote of 8-3. The Planning Commission heard this case on December 2, 2021 and recommended approval, per the Addendum B Staff Report with modified stipulations, by a vote of 8-1.

The applicant appealed the Planning Commission's recommendation on December 9, 2021 due to concerns with the modified stipulations approved by the Commission. The appeal for a public hearing permits the City Council to consider and act on the applicant's request to modify the Planning Commission's recommended stipulations.

Approved:

A handwritten signature in black ink, appearing to be "Ginger Spencer", written over a horizontal line.  
Ginger Spencer, Deputy City Manager

## ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,  
ADOPTED ORDINANCE**

### ORDINANCE G-

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-69-20-6) FROM R-O (RESIDENTIAL OFFICE – RESTRICTED COMMERCIAL DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 0.89-acre site located approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue in a portion of Section 9, Township 2 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from “R-O” (Residential Office – Restricted Commercial District) to “PUD” (Planned Unit Development).

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. An updated Development Narrative for the Autem Row PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped December 2, 2021, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: December 2, 2021; City Council adopted: [Add adoption date].
  - b. Page 7: Update the reference to proposed number of units to 15.
  - c. Page 8, Land Use Plan: Update the reference to proposed number of units to 15.
  - d. Page 9, Development Standards Table: Update the maximum density to 15 dwellings units and 16.85 du/ac.
  - e. Page 9, Development Standards Table: Update guest parking to 0.46 spaces per residential unit to reflect minimum of 7 guest parking spaces.
  - f. Page 12, Design Guidelines Section E.1.h.: Replace with the following:

Bicycle parking will be installed where indicated on the attached site plan (Exhibit 9). A bicycle repair station shall be provided on the north end of the site in close proximity to the bicycle storage area shown on Exhibit 9.
  - g. Page 14, Section H.2. Circulation: Update the paragraph to reduce number of units to 15 and to describe the layout as proposed in the site plan in Exhibit 9.
  - h. Page 15, Comparative Zoning Table: Update the number of units, density ratio, and minimum guest parking on PUD zoning column.
  - i. Page 36, Exhibit 9 (Conceptual Site Plan): Remove the reference to the bicycle repair station.
  - j. Page 4, Exhibits: Delete reference to Exhibit 10.

- k. Page 12, Design Guidelines Section E.1.: Modify the provision that requires the southernmost units to incorporate street-facing front doors and glazing to be oriented towards Maryland Avenue, and also the stoops and stairs to be oriented towards Maryland Avenue.
  - l. Page 28: Revise Exhibit 6 (Streetside Scale Context Exhibit) to be consistent with the revised rendering on the cover of the PUD Narrative.
  - m. Pages 33-34: Revise Exhibit 8 (Conceptual Rendering) to be consistent with the revised rendering on the cover of the PUD Narrative.
- 2. The developer shall dedicate a 7-foot sidewalk easement for the north side of Maryland Avenue, as approved by Planning and Development.
  - 3. The applicant shall submit a traffic statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Development Coordination Section.
  - 4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
  - 5. 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.
  - 6. The developer shall provide on-site trash and recycling pick up, as approved by the Planning and Development Department.
  - 7. 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 1st day of December,  
2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:  
\_\_\_\_\_  
\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
Jeffrey J. Barton, City Manager  
Exhibits:  
A – Legal Description (1 Page)  
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-69-20-6

THAT PART OF FARM UNIT F (OR THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER), SECTION 9, TOWNSHIP 2 NORTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9, WHICH POINT IS 336.78 FEET WEST OF THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION;

THENCE NORTH 355.33 FEET TO A POINT;

THENCE WEST 162.78 FEET;

THENCE SOUTH 355.33 FEET TO THE POINT OF BEGINNING:

EXCEPT THE NORTH 120.00 FEET.

AND ALSO EXCEPT THE SOUTH 33.00 FEET.

THIS DESCRIPTION ENCOMPASSES THE PROPERTIES RECORDED IN DOCUMENT NUMBERS 2013-0016773 AND 2012-0878219 OF MARICOPA COUNTY RECORDS.

ASSESSOR'S PARCEL NUMBER: 161-08-050C

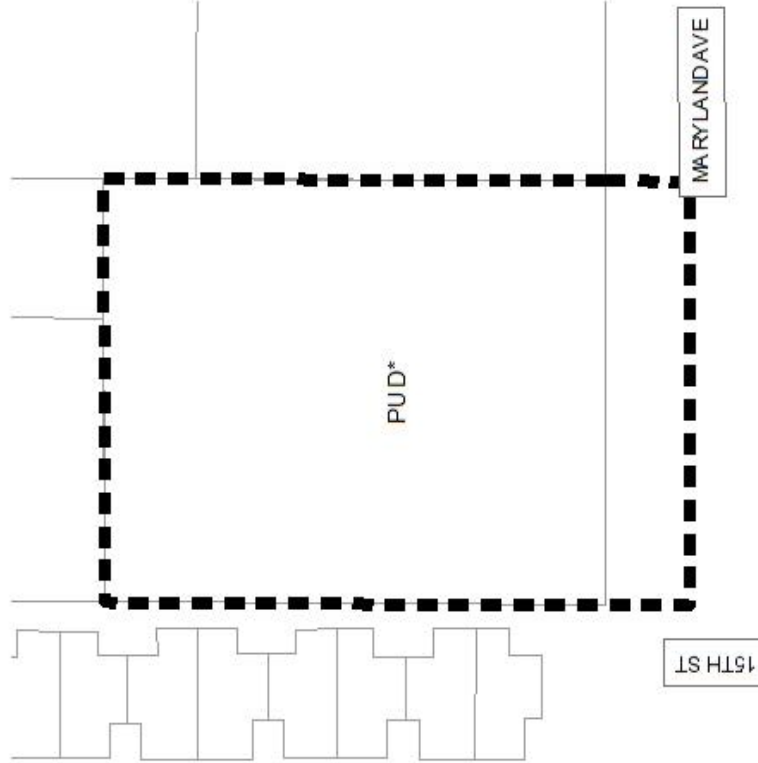


**EXHIBIT B**

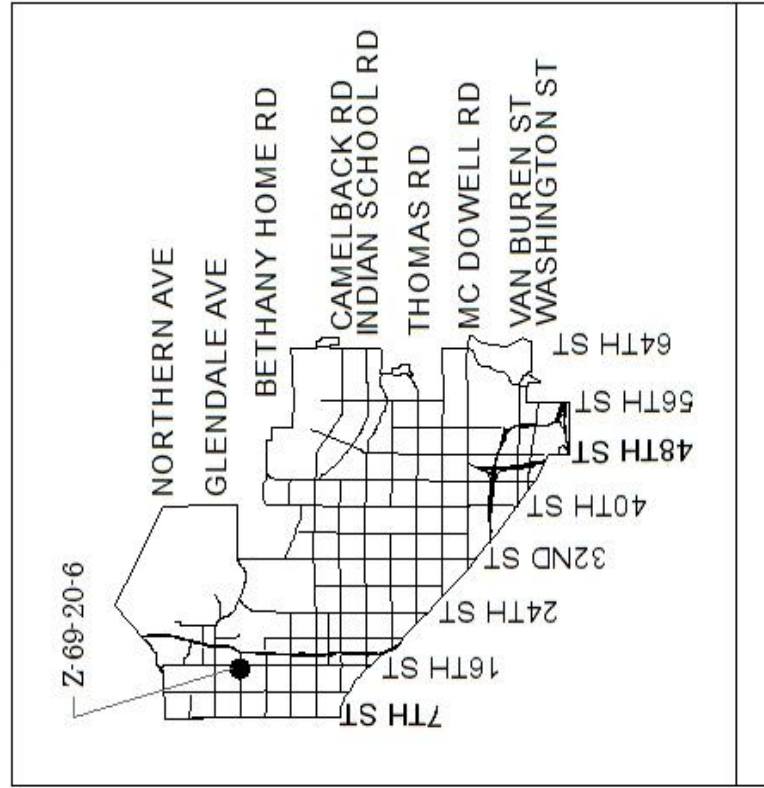
**ORDINANCE LOCATION MAP**

Zoning Case Number: Z-69-20-6  
 Zoning Overlay: N/A  
 Planning Village: Camelback East

ZONING SUBJECT TO STIPULATIONS: \*  
 SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 10/29/2021

\\onepdd\Shared\Department Share\Information Systems\PL GIS\IS\_Team\Core\_Functions\Zoning\SuppMaps\_Ord\Mapsi2021\Z-69-20-6.mxd



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report: Z-69-20-6**  
September 24, 2021

<a href="#"><u>Camelback East Village Planning Committee Meeting Date</u></a>	October 5, 2021
<a href="#"><u>Planning Commission Hearing Date</u></a>	November 4, 2021
<b>Request From:</b>	<a href="#"><u>R-O</u></a> (0.89 acres)
<b>Request To:</b>	<a href="#"><u>PUD</u></a> (0.89 acres)
<b>Proposed Use</b>	Multifamily residential
<b>Location</b>	Approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue
<b>Owner</b>	East Maryland, LLC
<b>Applicant</b>	AUTEM Development
<b>Representative</b>	William E. Lally, Esq., Tiffany & Bosco
<b>Staff Recommendation</b>	Approval, subject to stipulations

General Plan Conformity			
<a href="#"><u>General Plan Land Use Map Designation</u></a>		Residential 3.5 to 5 dwelling units per acre	
<a href="#"><u>Street Map Classification</u></a>	Maryland Avenue	Minor collector	33-foot north half street
<p><b>CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.</b></p> <p>The proposal seeks to convert a site that currently houses two small offices into a single-family attached residential development, which will provide more housing options for residents in the area along a popular bicycle thoroughfare and in close proximity to bus stops to the east, on 16th Street. The site is also close to the State Route 51 freeway to the east and to commercial centers on Bethany Home Road to the south.</p>			

**CONNECT PEOPLE AND PLACES CORE VALUE; COMPLETE STREETS; DESIGN**

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

The PUD (Planned Unit Development) seeks to improve the pedestrian environment along its Maryland Avenue street frontage with robust tree shade cover, a pedestrian-scale entrance into the community with bench seating, bicycle parking, bicycle repair station, decorative way-finding signage, pedestrian-scale lighting, and a decorative water feature. These elements will help create a pedestrian-friendly environment along the front of the development and will support users of the existing bicycle route along Maryland Avenue.

**CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; DESIGN PRINCIPLE:** *Provide high quality urban design and amenities that reflect the best of urban living at an appropriate village scale.*

The proposed PUD development narrative sets forth enhanced design guidelines for both the architectural style and the site layout for the development. In addition to the pedestrian-scale amenities provided along the Maryland Avenue streetscape, extensive requirements for building mass articulation, balconies, a shaded community corridor, and high-quality building materials, will ensure superior urban design in this part of the Camelback East Village.

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

The proposed PUD narrative includes landscaping standards that exceed those set forth in the Zoning Ordinance to provide robust tree shade coverage on the pedestrian realm.

**Applicable Plan, Overlays, and Initiatives**

[Housing Phoenix Plan](#) – See Background Item No. 7.

[Comprehensive Bicycle Master Plan](#) – See Background Item No. 8.

[Tree and Shade Master Plan](#) – See Background Item No. 9.

[Complete Streets Guiding Principles](#) – See Background Item No. 10.

[Zero Waste PHX](#) – See Background Item No. 11.

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Offices	R-O
<b>North</b>	Single-family residences, surface parking lot	R1-6, R-3, P-1
<b>South (Across Maryland Avenue)</b>	Single-family residences	R1-6
<b>East</b>	Offices and retail	R-5, C-1
<b>West</b>	Condominiums	R-3

### **Background/Issues/Analysis**

#### **SUBJECT SITE**

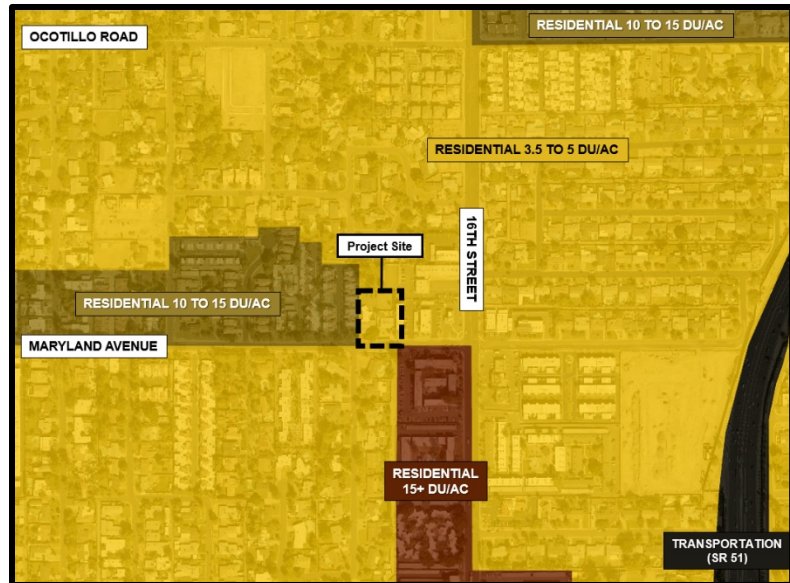
1. This request is to rezone a 0.89-acre site located approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue from R-O (Residential Office – Restricted Commercial District) to PUD (Planned Unit Development) to allow a multifamily residential development.



***Aerial Map***

***Source: City of Phoenix Planning and Development Department***

2. The site has a General Plan Land Use Map designation of Residential 3.5 to 5 dwelling units per acre. The same designation exists to the north, east and south of the site. West of the site is the Residential 10 to 15 dwelling units per acre designation. To the southeast of the site, across Maryland Avenue, is the Residential 15+ dwelling units per acre designation. Further to the east of the site, east of 16th Street, is the State Route 51 freeway, which is designated Transportation. The proposal is not consistent with the Residential 3.5 to 5 dwelling units per acre designation. However, as the site is under 10 acres, a General Plan Amendment is not required.

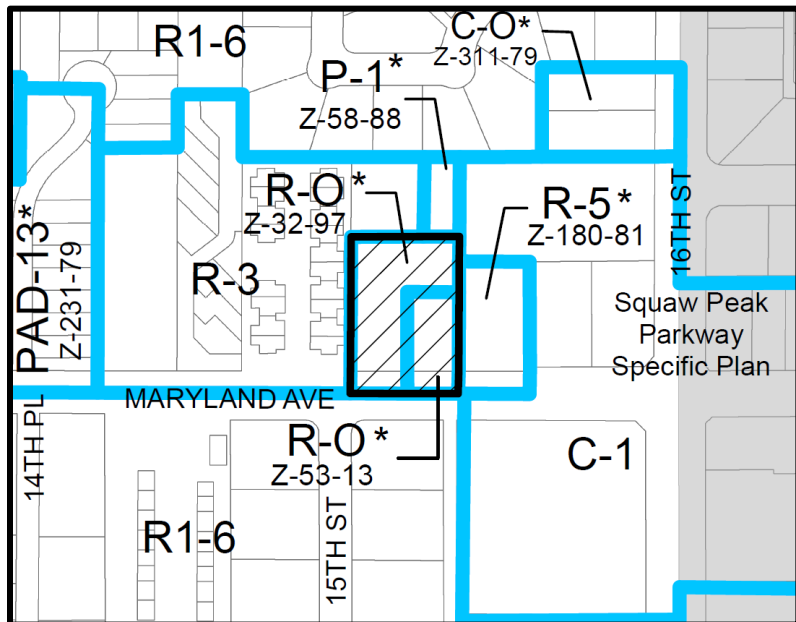


**General Plan Land Use Map**

**Source: City of Phoenix Planning and Development Department**

#### EXISTING CONDITIONS & SURROUNDING ZONING

3. The site is currently zoned R-O (Residential Office – Restricted Commercial District) and is occupied by two residential-scale offices. North of the site are single-family residences zoned R1-6 (Single-Family Residence District) and R-2 (Multifamily Residence District); and a surface parking lot zoned P-1 (Parking District – Passenger Automobile Parking, Limited). East of the site are offices and miscellaneous retail.



**Zoning Map**

**Source: City of Phoenix Planning and Development Department**

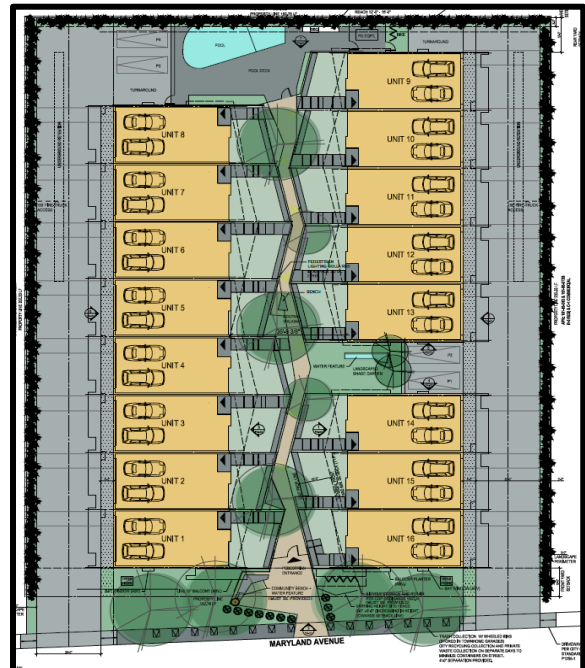


The property directly adjacent to the east is zoned R-5 (Multifamily Residence District), and the property further to the east, on the northwest corner of 16th Street and Maryland Avenue, is zoned C-1 (Neighborhood Retail District). West of the site are condominiums zoned R-3 (Multifamily Residence District), and to the south, across Maryland Avenue, are single-family residences zoned R1-6 (Single-Family Residence District).

The proposal is compatible with the multifamily residential zoning districts present to both the east and west of the site, with the maximum proposed density falling between those permitted on the two adjacent properties. This will create an appropriate transition in permitted maximum density to the higher densities closer to 16th Street.

## PROPOSAL

4. The proposal was developed utilizing the PUD zoning designation. The Planned Unit Development (PUD) is intended to create a built environment that is superior to that produced by conventional zoning districts and design guidelines. Using a collaborative and comprehensive approach, an applicant authors and proposes standards and guidelines that are tailored to the context of a site on a case by case basis. Where the PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.
5. The PUD sets forth a limited list of permitted land uses for the site. The development narrative lists Single-Family Attached and Multifamily Residential Uses, both of which shall adhere to the development standards set forth in the PUD. All temporary and accessory uses shall be subject to the Zoning Ordinance.
6. The PUD proposes development standards designed to accommodate a three-story single-family attached residential building at a scale that is compatible with the surround area, with a maximum height of 35 feet and a maximum density of 17.98 dwelling units per acre. The development standards have been crafted to allow a unique building layout to be placed on the site, with centralized pedestrian corridor connecting the front porches and entrances of individual units, and drive aisles with access to individual garages on the perimeters of the site. Below is a summary of the key development standards set forth in the narrative.

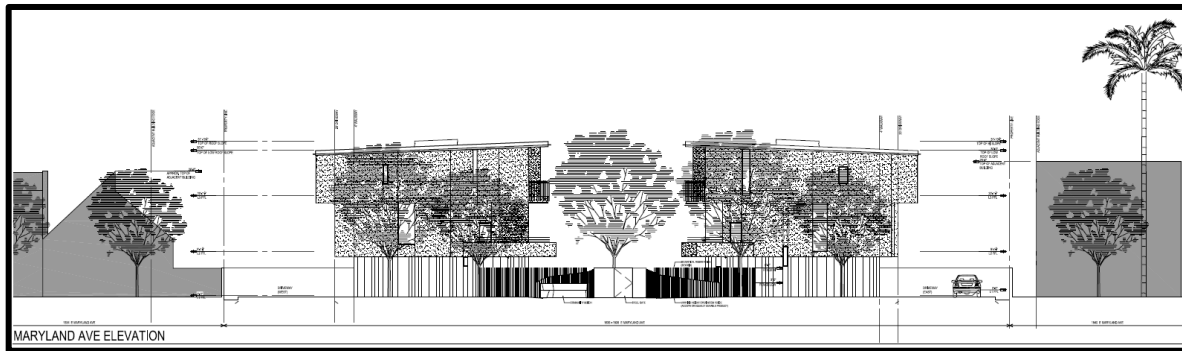


**Conceptual Site Plan**  
**Source: Works Bureau**

<b>Development Standards</b>	
<b>Standard</b>	<b>Proposed</b>
<i>Density</i>	16 dwelling units maximum 17.98 du/ac maximum
<i>Building Height</i>	3 stories and 35 feet
<i>Building Setbacks</i>	
Front (Maryland Avenue)	10 feet minimum
Sides (east and west)	27 feet minimum at grade level
Rear (north)	12 feet minimum
<i>Maximum Lot Coverage</i>	46 percent maximum
<i>Parking Minimum</i>	
Residents	1.3 spaces per efficiency unit 1.5 spaces per 1- and 2-bedroom units 2 spaces per 3- or more bedroom units 1 space per units less than 600 square feet
Unreserved guest parking	0.25 spaces per 1, 2, or 3-bedroom unit
Bicycle	Minimum 0.5 spaces per unit
<i>Landscape setbacks</i>	
Front (Maryland Avenue)	10 feet minimum
Perimeter	3 feet minimum
<i>Open Space</i>	8 percent minimum
<i>Central Courtyard Corridor</i>	Central corridor with meandering path no narrower than 3 feet 6 inches and no wider than 10 feet 11 inches.

### **Building Height Compatibility**

The proposed building height of three stories and 35 feet is comparable to both existing and entitled building heights in the surrounding area. The property directly to the east is zoned R-5 (Multifamily Residence District), which permits a maximum height of 4 stories and 48 feet. The existing building height on this site is approximately 2 stories and 28 feet. The property to the west of the project site is zoned R1-6 (Single-Family Residence District), which permits a height of 2 stories and 30 feet. The current building height on the property is approximately 26 feet. Further west is a condominium development zoned R-3 (Multifamily Residence District) that permits a height of up to 4 stories and 48 feet. The proposed height of this PUD is comparable to the existing and entitled heights in this area, as depicted in the following exhibit.



**Building Height Comparison Exhibit**

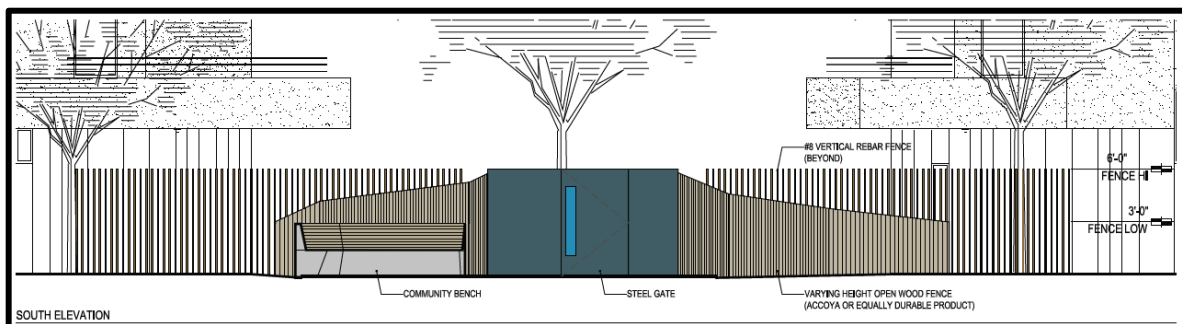
**Source: Works Bureau**

### Landscape Standards

The PUD sets forth minimum planting requirements for the landscape setback areas that exceed the requirements of the Zoning Ordinance. All landscape setback areas shall include a mix of minimum 2-inch caliper and 4-inch caliper trees, contributing to a lush overall landscape aesthetic. These trees shall be planted 20 feet on center or in equivalent groupings, with minimum five, 5-gallon shrubs per tree, and vegetative groundcover to provide 75 percent live groundcover in all landscape areas. The PUD also requires that all pedestrian paths and open space areas be shaded to 75 percent shade at maturity.

### Fences/Walls

In addition to standard six-foot-tall walls along the interior perimeter property lines of the development site, the PUD set forth standards to allow for an architecturally unique front entrance gate and privacy fence that will serve not only security purposes but will also beautify the Maryland Avenue streetscape. This fence shall have minimum 50 percent visibility (open fencing), and will vary in height, from three to six feet. The wall shall adhere to the design intent depicted in the conceptual elevation for this feature.



**Fence Design Concept**

**Source: Works Bureau**



The overall intent of this PUD is to provide high quality architectural design. The PUD lists several design guidelines to achieve this intent.

### **Streetscape Design**

In addition to the artistic fence element and robust landscaping, the Maryland Avenue frontage will be furnished with a shaded pedestrian seating area, water feature, bicycle racks, and a bicycle repair station to serve residents, guests, and local bicycle commuters.

### **Building Design**

The purpose and intent of this PUD is to produce a “design-first” residential development. The PUD narrative has listed several standards to ensure that the design concept envisioned for the site is achieved. These include floor to ceiling windows and doors, interfacing patios, wrap around balconies that front the street, bay windows, and skylights. The design standards also include minimum requirements for a mix of high-quality building materials. These design standards set forth in the narrative exceed the requirements outlined in the Phoenix Zoning Ordinance for multifamily residential developments.



*Conceptual Rendering  
Source: Works Bureau*

## **AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES**

### **7. [Housing Phoenix Plan](#)**

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix’s rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan’s goal of preserving or creating 50,000 housing units by 2030 by

providing an opportunity for medium or higher density residential development.

8. **Comprehensive Bicycle Master Plan**

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its bikeway system and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. The proposal incorporates standards for bicycle parking for residents and guests, and a bicycle repair station.

9. **Tree and Shade Master Plan**

The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. By investing in trees and the urban forest, the city can reduce its carbon footprint, decrease energy costs, reduce storm water runoff, increase biodiversity, address the urban heat island effect, clean the air, and increase property values. In addition, trees can help to create walkable streets and vibrant pedestrian places. The PUD sets forth standards for large tree plantings along the streetscape and along perimeter property lines, as well as a requirement for minimum 75 percent shade for all open space areas and pedestrian paths.

10. **Complete Streets Guiding Principles**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. The PUD requires that the development provide bicycle infrastructure in the form of bicycle parking and a bicycle repair station along Maryland Avenue, as well as robust tree shade cover for a thermally pleasant pedestrian environment.

11. **Zero Waste PHX**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and Section 716 of the Phoenix Zoning Ordinance expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The proposal will utilize individual trash and recycling bins for each residential unit, which will be brought out onto the street for city solid waste collection.

**COMMUNITY INPUT SUMMARY**

12. At the time this staff report was written, staff received twenty letters in opposition and six letters with general inquiries regarding the PUD rezoning process. Those opposed to the project cited concerns with height, density, traffic, and the nuisance of individual trash bins for all 16 units being places on a narrow street frontage.

#### INTERDEPARTMENTAL COMMENTS

13. The Phoenix Fire Department has noted that they do not anticipate any problems with this case and that the site and/or buildings shall comply with the Phoenix Fire Code.
14. The Public Transit Department has required that clearly defined, accessible pedestrian pathways be provided to connect all main site elements and public sidewalks, and, where they intersect drive aisles, they be constructed of materials that visually contrast with parking surfaces. The department further required that all pedestrian sidewalks be shaded to 75 percent at tree maturity. These standards have been incorporated into the PUD narrative as regulatory standards.
15. The Street Transportation Department has required that the developer dedicate a 7-foot sidewalk easement along the north side of Maryland Avenue, that a traffic statement be submitted to the City for the development prior to any preliminary approval of plans, and that all streets be constructed with all required improvements and comply with current ADA standards. These are addressed in Stipulation Nos. 2, 3, and 4.

#### OTHER

16. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33 feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 5.
17. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

#### **Findings**

1. The proposed PUD will provide a high quality multifamily residential development which will help alleviate the housing shortage in Phoenix.
2. The site is appropriately situated in close proximity to the State Route 51 freeway to the east and major commercial centers on Bethany Home Road to the south.
3. The PUD will provide significant streetscape improvements along Maryland Avenue, including robust tree shade coverage, public pedestrian seating, and bicycle amenities.

### **Stipulations**

1. An updated Development Narrative for the Autem Row PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped September 21, 2021, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: September 21, 2021; City Council adopted: [Add adoption date].
2. The developer shall dedicate a 7-foot sidewalk easement for the north side of Maryland Avenue, as approved by Planning and Development.
3. The applicant shall submit a traffic statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Development Coordination Section.
4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
5. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

### **Writer**

Sofia Mastikhina

September 14, 2021

### **Team Leader**

Samantha Keating

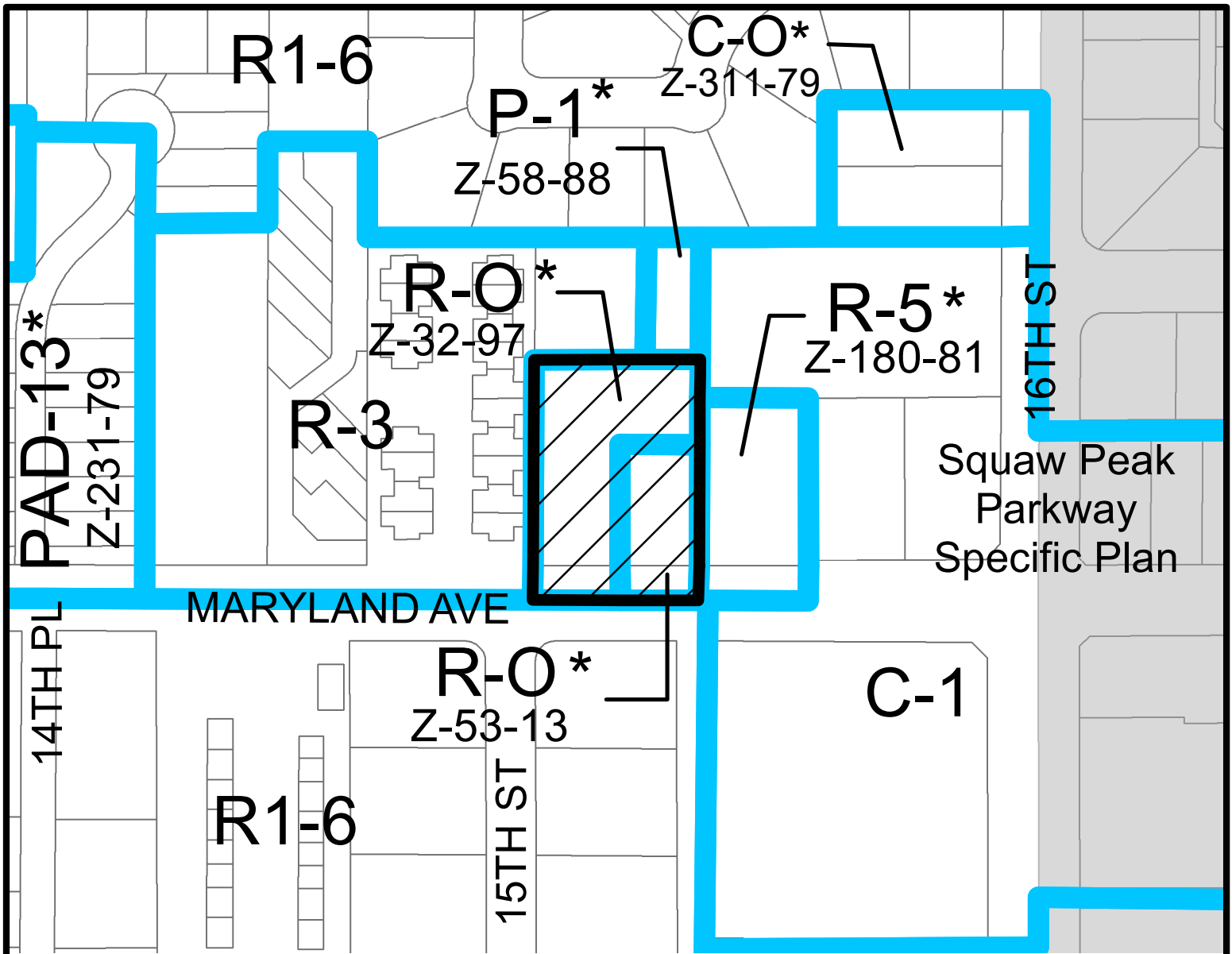
### **Exhibits**

Sketch Map

Aerial

Community Correspondence (39 pages)

**Autem Row PUD** date stamped September 21, 2021



Miles

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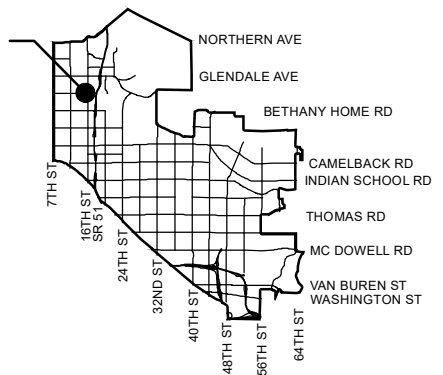
**CAMELBACK EAST VILLAGE**

CITY COUNCIL DISTRICT: 6



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

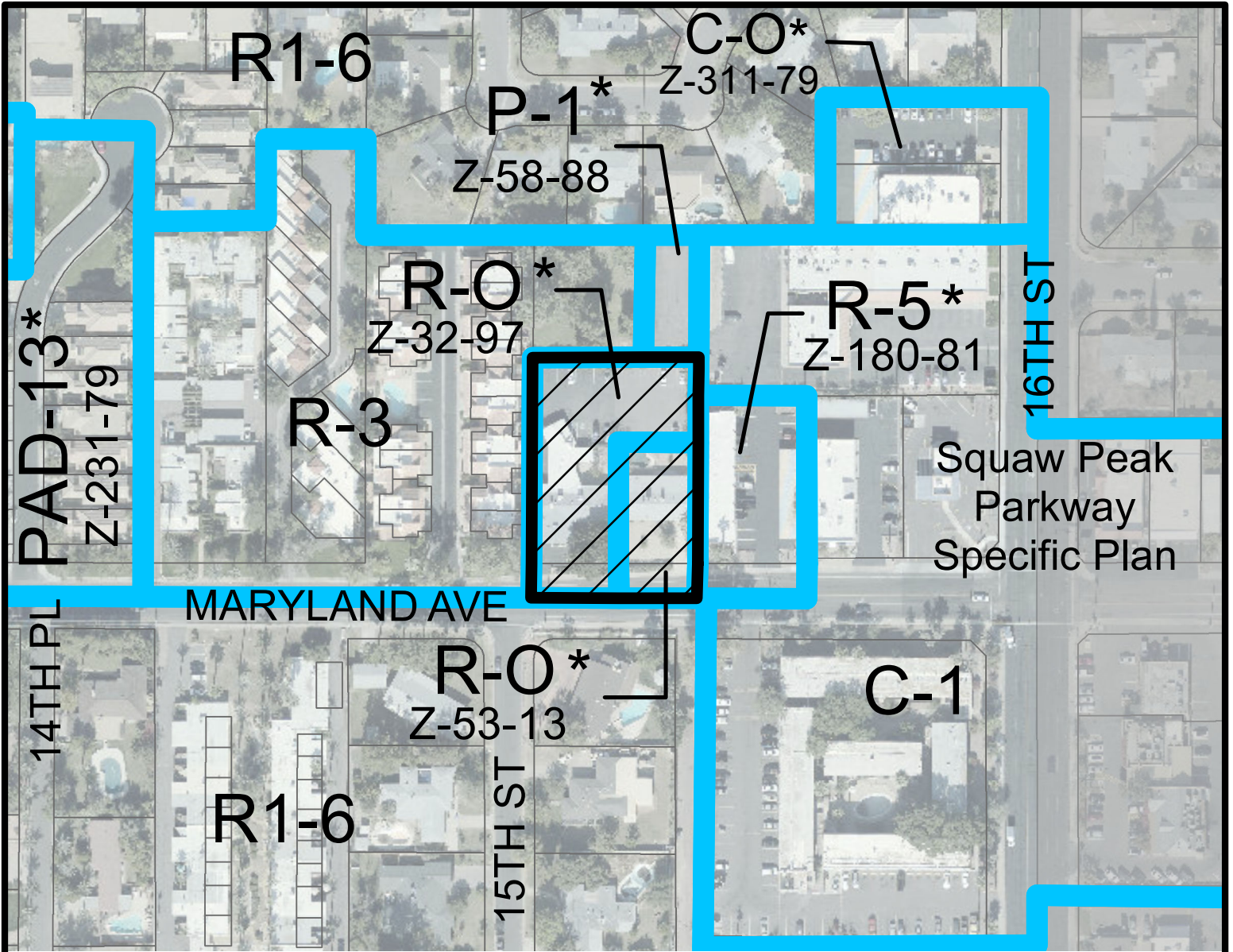
Z-69-20



<b>APPLICANT'S NAME:</b> AUTEM Development		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-69-20		<b>FROM:</b> R-O ( 0.89 a.c.)	
<b>DATE:</b> 1/05/2021 <b>REVISION DATES:</b>		<b>TO:</b> PUD ( 0.89 a.c.)	
<b>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</b> 0.89 Acres			
<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 22-30		<b>ZONING MAP</b> I-9	
<b>MULTIPLES PERMITTED</b> R-O PUD		<b>CONVENTIONAL OPTION</b> 1/development 16	
<b>* UNITS P.R.D. OPTION</b> N/A N/A			

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





Miles

0.025 0.0125 0 0.025

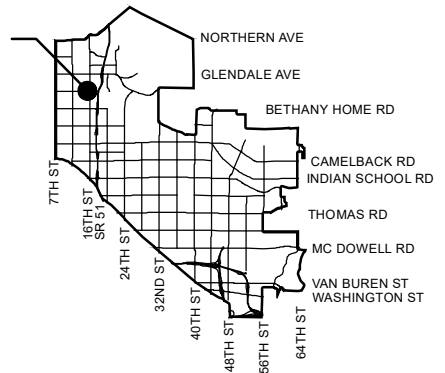
## CAMELBACK EAST VILLAGE

CITY COUNCIL DISTRICT: 6



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

Z-69-20



APPLICANT'S NAME: AUTEM Development

APPLICATION NO. Z-69-20

DATE: 1/05/2021  
REVISION DATES:

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

0.89 Acres

AERIAL PHOTO &  
QUARTER SEC. NO.

QS 22-30

ZONING MAP

I-9

### REQUESTED CHANGE:

FROM: R-O ( 0.89 a.c.)

TO: PUD ( 0.89 a.c.)

### MULTIPLES PERMITTED

R-O

PUD

### CONVENTIONAL OPTION

1/development

16

### \* UNITS P.R.D. OPTION

N/A

N/A

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

## Sofia Mastikhina

---

**From:** Mary Ann Pikulas <mapikaz@aol.com>  
**Sent:** Monday, January 18, 2021 11:31 PM  
**To:** Sofia Mastikhina  
**Cc:** info@mssinaz.com; Mary Ann Pikulas  
**Subject:** Application Number Z-69-20 Autem Row

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Sofia,

I am the President of the Madison Groves Manor HOA, a community located at Maryland Ave and 14th Place, a short distance from the proposed project referenced above. A number of our owners have expressed extreme concern over the prospect of such a development being approved due to several factors. This area has been infilled significantly with a number of developments but none as intrusively as this. I am writing on behalf of the owners of Madison Groves Manor and on my own behalf. The most prominent reasons we oppose this project are, briefly:

First, the height of over three stories for the buildings proposed is not at all compatible with existing low building heights that predominate in this neighborhood, which we greatly enjoy, nor would they blend into the existing profile. The phrase "would stick out like a sore thumb" comes to mind. It would appear to have been shoved into a much too small lot, rising above structures below like bread dough when pressed on each side. Townhouse owners next to this property must be beside themselves at the prospect of being blocked off on their east side. It would also frankly ruin the appearance of Maryland when turning into it from 16th St with this structure that's so incongruous to its surroundings. We have a lovely and enviable street that drivers enjoy that would be quite impacted.

Second, the lot is only .87 acre, so very small for 16 three-story+ units with a pool and amenities. That's an unbelievable number and hard to imagine not belonging on a larger property. We are very concerned about the density resulting on such a small lot and the congestion that would result.

Third, our community of 19 units houses 55 residents. There is no reason not to think at least 50 residents on the low end would live there, especially if the units are three-bedrooms. Maryland traffic has increased somewhat through the years but is still manageable. Being so close to 16th St would only increase the traffic and congestion already present with vehicles backing up on Maryland during busy hours, exposing drivers and pedestrians to possible accidents.

To summarize, this project is simply out of place and we would greatly appreciate your kind consideration of our deep concerns and disapprove.

Thank you,

Mary Ann Pikulas  
President,  
Madison Groves Manor HOA

## Sofia Mastikhina

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**From:** Rebecca Reimers <rebecca.reimers@yahoo.com>  
**Sent:** Monday, January 18, 2021 9:55 PM  
**To:** Sofia Mastikhina  
**Subject:** 1536 East Maryland / Tiffany & Bosco

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Ms. Mastikhina,

I am a board member at Madison Groves Manor (MGM), located at 14th Place and Maryland. I am writing to you about the proposed development on 1536 East Maryland by Tiffany & Bosco. Several homeowners in MGM have expressed concern to me about this development, particularly about the height (3 story) of the planned homes. As you know, we do not have homes taller than 2 stories in the neighborhood. If these homes are allowed, the concern is that it is only a matter of time before other properties on Maryland are also bought and built up in a similar fashion. With adding many townhomes in such a small footprint, there is also a danger of more congestion and traffic on an already increasingly busy street.

I am not able to attend the upcoming meeting, but I hope this email helps you understand how current residents feel about this proposal.

Thank you for your time,  
Rebecca Reimers  
602-743-5028



## Sofia Mastikhina

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**From:** Chic <chicolder@gmail.com>  
**Sent:** Wednesday, January 20, 2021 5:51 AM  
**To:** Sofia Mastikhina  
**Cc:** Mary Ann Pikulas; Lisa Spresser; Maggie Williams; rebecca.reimers  
**Subject:** Comments on zoning case Z-69-20

Dear Sofia:

I offer these comments on zoning case Z-69-20, which deals with the property located at 1536-38 East Maryland. I have owned a home at 6520 N 14th Place for approximately 20 years so this is in my immediate neighborhood.

If one were to put the property being considered at the center of a circle with a radius of 1 mile, it would be clear this entire circle is experiencing substantial, rapid, growth. For that reason it is hard for me to generally oppose the proposed development. What I do take issue with is the 3 story height of the townhomes which are the subject of the zoning meeting.

When I bought my home in 2000 I feel I had a reasonable expectation of the profile of the community. The area density is now being substantially changed with the proliferation of homes being crammed into small spaces. What I oppose is when these structures restrict views, natural light, and create a corridor effect on what was distinctly a suburban area.

It would be intellectually difficult for me to totally oppose the building of the proposed townhomes; I do oppose these structure being 3 stories high and implore you to not issue building permits unless the height of the proposed structures is modified downward.

Chic Older  
Chicolder@gmail.com  
602.999.0555

Sent from my iPad

## Sofia Mastikhina

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**From:** Jill Peters <jillapeters@yahoo.com>  
**Sent:** Wednesday, January 20, 2021 12:32 PM  
**To:** azm@tblaw.com; Sofia Mastikhina  
**Cc:** Katie Gerlach  
**Subject:** Resident comments re: Rezoning case Z-69-20

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

January 20, 2021

Ashley Z. Marsh, Attorney at Law Sofia Mastikhina  
Tiffany & Bosco P.A. City of Phoenix Planning and Development Department  
2525 E. Camelback Road, Suite 700 200 West Washington Street, 2nd Floor  
Phoenix, AZ 85016 Phoenix, AZ 85003

RE: Rezoning case number Z-69-20

To Whom it May Concern:

I am writing regarding the recent letter from Tiffany & Bosco P.A. to notify neighboring residents of the rezoning request (Case # Z-69-20) concerning 1536 & 1538 E. Maryland Avenue, Phoenix, 85014 on of behalf of Autem Development. The rezoning request is intended to allow redevelopment of the current business property into a townhome community.

The purpose of my letter is to convey my strong opposition to the proposed development as described in the legal notice. I also signed a petition of opposition from current residents at 1530 E. Maryland, based on similar concerns. The primary reasons for my opposition are due to: 1) obstruction of current views due to the proposed 3-level townhomes on adjacent homes at 1530 E. Maryland; 2) privacy issues; and, 3) construction nuisance for an indeterminate amount of time.

I have been a home-owner at 1530 E. Maryland since 2011; the east side of my condominium would face the proposed new development. Part of the appeal of purchasing this property is the location in a desirable area of Phoenix, particularly one that allows a scenic view of Piestewa Peak from the east side of the condominiums. Based on the proposed blueprint of the townhomes, the three-level structure would block my and other residents' views that we currently enjoy. The new development unfairly impacts a key facet of our current housing community and could potentially adversely impact our overall value of our properties as well in the future should the development go forward as proposed.

Second, the proposed 3-level structure would be invasive to our properties as the units would overlook into our condominiums and backyards. The current homes at 1530 E. Maryland are two-level units and our backyards are open areas facing east. Again, residents like myself who purchased condominiums at 1530 E. Maryland deserve our privacy and antecedence as current homeowners.

Obviously the new development would result in a lengthy construction period that will adversely impact our overall neighborhood and in particular the units facing the development. Noise levels would be intrusive and detrimental at any time, but in particular during this pandemic when residents like myself are working from home and would face these distractions every work day during the construction period.

I appreciate the opportunity to provide my comments and would request a response as to how the developer will respond to the concerns of current community residents.

Sincerely,

Jill Peters, Homeowner  
1530 E. Maryland Avenue Unit 3

## Sofia Mastikhina

---

**From:** Karolyn Bengier <kbenger@gmail.com>  
**Sent:** Wednesday, January 20, 2021 7:00 PM  
**To:** Sofia Mastikhina  
**Subject:** New Development on E Maryland

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Ms. Mastikhina,

I am writing to express my concern about the proposed new development on E Maryland. Specifically, I am deeply concerned about the following:

1. This would be the only 3 story building on Maryland Ave which affects the privacy of nearby homes and look/feel of the neighborhood
2. This would drastically increase traffic on Maryland and visibility with the parking
3. The plan for trash and recycling pickup would place 16 trash bins and 16 recycling bins on the street twice a week -- contributing to traffic, congestion, and it is quite unappealing

Thank you for your consideration of my concerns.

Thank you,  
Karolyn R. Bengier  
[kbenterpriseconsulting.com](http://kbenterpriseconsulting.com) [[kbenterpriseconsulting.com](http://kbenterpriseconsulting.com)]

I am offline from Friday evenings until Saturday evenings

## Sofia Mastikhina

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**From:** Sofia Mastikhina  
**Sent:** Wednesday, January 20, 2021 9:26 AM  
**To:** Katie Gerlach  
**Subject:** RE: upcoming hearing information  
**Attachments:** Z-69-20 Affidavit of Notification Packet 2.pdf

Good morning Katie,

The meeting tonight is organized and hosted by the applicant, and is not associated with the city. This is a requirement of their rezoning process. So, you are correct that tonight's meeting is simply to inform and gather input from neighbors. If you have concerns, voicing them to the applicant at this meeting may be helpful. You can contact Ashley Marsh at [azm@tblaw.com](mailto:azm@tblaw.com) to ask about participating tonight, and I believe the letter they sent out has a meeting link you can access. I've attached their notification letter to this email, just in case.

Please let me know if you have any further questions.

Best regards,



**Sofia Mastikhina, CNU-A**  
(she/her/hers) [What is this?](#)  
Planner II - Village Planner  
City of Phoenix  
Long Range Planning  
Office: 602-256-5648  
200 West Washington Street  
Phoenix, AZ 85003



---

**From:** Katie Gerlach <[katie@petersoncompany.com](mailto:katie@petersoncompany.com)>  
**Sent:** Wednesday, January 20, 2021 8:28 AM  
**To:** Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)>  
**Subject:** Re: upcoming hearing information

Okay, thanks.

So, if I have owners that would like to speak this would not be the appropriate meeting for that? Also, the purpose of this meeting is not to approve/table/disapproved the proposed development but rather just for informational purposes? Is that correct?

Thank you,

Katie Gerlach

Get [Outlook \[aka.ms\]](#) for iOS

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**From:** Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)>  
**Sent:** Monday, January 18, 2021 6:06:23 PM  
**To:** Katie Gerlach <[katie@petersoncompany.com](mailto:katie@petersoncompany.com)>  
**Subject:** RE: upcoming hearing information

Hi Katie,

This case has not yet been scheduled for any public hearings, so it has not been posted to a public hearing notice yet. Once the case is scheduled for public hearings, it will appear in the monthly Camelback East Village Planning Committee meeting agenda.

Thanks,



**Sofia Mastikhina, CNU-A**  
(she/her/hers) [What is this?](#)  
[\[mypronouns.org\]](#)

Planner II - Village Planner  
City of Phoenix  
Long Range Planning  
Office: 602-256-5648  
200 West Washington Street  
Phoenix, AZ 85003



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**From:** Katie Gerlach <[katie@petersoncompany.com](mailto:katie@petersoncompany.com)>  
**Sent:** Friday, January 15, 2021 6:45 PM  
**To:** Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)>  
**Subject:** Re: upcoming hearing information

Hi Sofia, I don't see that the agenda for the Autem Row hearing posted? Unless, I am looking in the wrong place.

Thank you,

Katie Gerlach

Get [Outlook \[aka.ms\]](#) for iOS

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**From:** Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)>  
**Sent:** Friday, January 15, 2021 8:59:04 AM  
**To:** Katie Gerlach <[katie@petersoncompany.com](mailto:katie@petersoncompany.com)>  
**Subject:** RE: upcoming hearing information

Good morning Katie,

Rezoning Case No. Z-69-20-6 (Autem Row PUD) has not yet been scheduled for any public hearings. It is still in the first staff review stage. As this is a Planned Unit Development request, the case will be required to go before the Camelback East Village Planning Committee twice – once for an informational session, and then again at a later date for a recommendation and a vote. Once these dates are set, they will be posted on a sign on the property, and letters will be sent out to property owners within 600 feet of the site. To register to speak at upcoming hearings, please email me your request and also use the link on the meeting agenda to register your information. Posted agendas can be found here:  
<https://www.phoenix.gov/cityclerk/publicmeetings/notices>.

Please let me know if you have any additional questions.

Best regards,



**Sofia Mastikhina, CNU-A**  
(she/her/hers) [What is this?](https://www.whatisthis.org/)  
[\[mypronouns.org\]](https://www.mypronouns.org/)

Planner II - Village Planner  
City of Phoenix  
Long Range Planning  
Office: 602-256-5648  
200 West Washington Street  
Phoenix, AZ 85003



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**From:** PDD Zoning Adjustment <[zoning.adjustment@phoenix.gov](mailto:zoning.adjustment@phoenix.gov)>  
**Sent:** Friday, January 15, 2021 8:18 AM  
**To:** Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)>  
**Subject:** FW: upcoming hearing information

Hi Sofia,

Is this something you can assist Katie with?

Thank you,  
**Eric Morales, Planner II**  
Office: 602-262-7927



City of Phoenix  
► Planning & Development Department  
Planning Division  
200 West Washington Street  
Phoenix, AZ 85003

**Mission:** Planning, Development and Preservation for a Better Phoenix

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**From:** PDD Zoning <[zoning@phoenix.gov](mailto:zoning@phoenix.gov)>  
**Sent:** Thursday, January 14, 2021 11:44 AM  
**To:** PDD Zoning Adjustment <[zoning.adjustment@phoenix.gov](mailto:zoning.adjustment@phoenix.gov)>  
**Subject:** FW: upcoming hearing information

Hello, Please reply to this customer. - Julie

---

**From:** PDD Development Services <[pdd@phoenix.gov](mailto:pdd@phoenix.gov)>  
**Sent:** Thursday, January 14, 2021 11:23 AM  
**To:** PDD Zoning <[zoning@phoenix.gov](mailto:zoning@phoenix.gov)>  
**Subject:** upcoming hearing information

Good morning,

Please see email below regarding hearing from customer.  
Thank you

---

**From:** [no-reply@phoenix.gov](mailto:no-reply@phoenix.gov) <[no-reply@phoenix.gov](mailto:no-reply@phoenix.gov)>  
**Sent:** Thursday, January 14, 2021 10:41 AM  
**To:** PDD Development Services <[pdd@phoenix.gov](mailto:pdd@phoenix.gov)>  
**Subject:** emplanisd - Form Submission

FROM : Katie Gerlach

SUBJECT : Register to Speak

MESSAGE : Hello: I need to know the deadline to register to speak at the upcoming hearing for the Autem Row Development (Case #Z-69-20) as soon as possible. Also, where do I register to speak? Thank you.

Email : [Katie@petersoncompany.com](mailto:Katie@petersoncompany.com)

AREA : 602

PHONE : 7995632

ADDRESS : P.O. Box 15427

CITY : Scottsdale

STATE : Arizona

ZIP : 85267

Submission ID: 459a63d1370a4386a63cd80be457158d

Form Submission On : 1/14/2021 10:41:09 AM

Referer: <https://phoenix.gov/pdd>

This is Not Spam - This message is sent on behalf of the City of Phoenix.  
Please handle appropriately.

## Sofia Mastikhina

---

**From:** Lisa Spresser <spresser.mariesplace@gmail.com>  
**Sent:** Wednesday, January 20, 2021 8:18 AM  
**To:** Chic  
**Cc:** Sofia Mastikhina; Mary Ann Pikulas; Maggie Williams; rebecca.reimers  
**Subject:** Re: Comments on zoning case Z-69-20

Sofia, per the letter I plan to be in attendance at the hearing tonight. I live at 6514 N 14th Pl, Phoenix, AZ 85014, and have also been here 20 years. I am also referencing case number Z-69-20.

I have the exact same concern. I am not opposed to seeing the property developed. I am opposed to the 3 story profile. I would like to see the business model for the property changed to luxury two stories. Part of the value of the area is the proximity to and view of Piestewa. It would be unfortunate to "see" a mountain encapsulated by high-rises. We have other parts of the city trending that way, along the light rail would be a more suitable place for such a choice. Parking for local markets is also becoming congested due to the infill that has been occurring as older and larger lots are taking on more units per acre. There is an existing 3 story in the area, but it is on a corner. This proposed 3 story sits between two two story buildings and would stick out like a sore thumb.

Lisa French

On Wed, Jan 20, 2021 at 5:50 AM Chic <[chicolder@gmail.com](mailto:chicolder@gmail.com)> wrote:

Dear Sofia:

I offer these comments on zoning case Z-69-20, which deals with the property located at 1536-38 East Maryland. I have owned a home at 6520 N 14th Place for approximately 20 years so this is in my immediate neighborhood.

If one were to put the property being considered at the center of a circle with a radius of 1 mile, it would be clear this entire circle is experiencing substantial, rapid, growth. For that reason it is hard for me to generally oppose the proposed development. What I do take issue with is the 3 story height of the townhomes which are the subject of the zoning meeting.

When I bought my home in 2000 I feel I had a reasonable expectation of the profile of the community. The area density is now being substantially changed with the proliferation of homes being crammed into small spaces. What I oppose is when these structures restrict views, natural light, and create a corridor effect on what was distinctly a suburban area.

It would be intellectually difficult for me to totally oppose the building of the proposed townhomes; I do oppose these structures being 3 stories high and implore you to not issue building permits unless the height of the proposed structures is modified downward.

Chic Older  
[Chicolder@gmail.com](mailto:Chicolder@gmail.com)  
602.999.0555

Sent from my iPad



## Sofia Mastikhina

---

**From:** Lisa Spresser <spresser.mariesplace@gmail.com>  
**Sent:** Wednesday, January 20, 2021 7:06 PM  
**To:** Sofia Mastikhina  
**Cc:** Chic; Mary Ann Pikulas; Maggie Williams; rebecca.reimers  
**Subject:** Re: Comments on zoning case Z-69-20

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

As a result of a meeting we now understand that there will be 64'-0" of trash cans lining Maryland twice a week. 16 cans with a spacing of 4'-0". Please add this to my concern(s) about the project.

Case Z-69-20

Lisa French  
6514 N 14th Pl, Phoenix, AZ 85014

On Wed, Jan 20, 2021 at 9:28 AM Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)> wrote:

Good morning Lisa,

Just to clarify, the meeting tonight is an neighborhood meeting organized and hosted entirely by the applicant, and not associated with any of the city's hearing bodies. The city hearings have not yet been scheduled for this case. Please contact Ashley Marsh [azm@tblaw.com](mailto:azm@tblaw.com) for inquiries regarding the neighborhood meeting.

I have placed a copy of your email with your concerns in the case file for the record. Please let me know if you have any questions.

Best regards,



**Sofia Mastikhina, CNU-A**

*(she/her/hers)* [What is this?](https://www.whatisthis.org/)  
[\[mypronouns.org\]](https://www.mypronouns.org/)

Planner II - Village Planner

City of Phoenix



Long Range Planning  
Office: 602-256-5648  
200 West Washington Street  
Phoenix, AZ 85003

**From:** Lisa Spresser <[spresser.mariesplace@gmail.com](mailto:spresser.mariesplace@gmail.com)>  
**Sent:** Wednesday, January 20, 2021 8:18 AM  
**To:** Chic <[chicolder@gmail.com](mailto:chicolder@gmail.com)>  
**Cc:** Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)>; Mary Ann Pikulas <[mapikaz@aol.com](mailto:mapikaz@aol.com)>; Maggie Williams <[maggie.p.williams@gmail.com](mailto:maggie.p.williams@gmail.com)>; rebecca.reimers <[rebecca.reimers@yahoo.com](mailto:rebecca.reimers@yahoo.com)>  
**Subject:** Re: Comments on zoning case Z-69-20

Sofia, per the letter I plan to be in attendance at the hearing tonight. I live at 6514 N 14th Pl, Phoenix, AZ 85014, and have also been here 20 years. I am also referencing case number Z-69-20.

I have the exact same concern. I am not opposed to seeing the property developed. I am opposed to the 3 story profile. I would like to see the business model for the property changed to luxury two stories. Part of the value of the area is the proximity to and view of Piestewa. It would be unfortunate to "see" a mountain encapsulated by high-rises. We have other parts of the city trending that way, along the light rail would be a more suitable place for such a choice. Parking for local markets is also becoming congested due to the infill that has been occurring as older and larger lots are taking on more units per acre. There is an existing 3 story in the area, but it is on a corner. This proposed 3 story sits between two two story buildings and would stick out like a sore thumb.

Lisa French

On Wed, Jan 20, 2021 at 5:50 AM Chic <[chicolder@gmail.com](mailto:chicolder@gmail.com)> wrote:

Dear Sofia:

I offer these comments on zoning case Z-69-20, which deals with the property located at 1536-38 East Maryland. I have owned a home at 6520 N 14th Place for approximately 20 years so this is in my immediate neighborhood.

If one were to put the property being considered at the center of a circle with a radius of 1 mile, it would be clear this entire circle is experiencing substantial, rapid, growth. For that reason it is hard for me to generally oppose the proposed development. What I do take issue with is the 3 story height of the townhomes which are the subject of the zoning meeting.

When I bought my home in 2000 I feel I had a reasonable expectation of the profile of the community. The area density is now being substantially changed with the proliferation of homes being crammed into small spaces. What I oppose is when these structures restrict views, natural light, and create a corridor effect on what was distinctly a suburban area.

It would be intellectually difficult for me to totally oppose the building of the proposed townhomes; I do oppose these structure being 3 stories high and implore you to not issue building permits unless the height of the proposed structures is modified downward.

Chic Older  
[Chicolder@gmail.com](mailto:Chicolder@gmail.com)  
602.999.0555

Sent from my iPad

## Sofia Mastikhina

---

**From:** Maggie Williams <maggie.p.williams@gmail.com>  
**Sent:** Wednesday, January 20, 2021 8:21 PM  
**To:** Sofia Mastikhina  
**Subject:** Zoning Case Z-69-20 Autem

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Sofia,

My name is Margaret (Maggie) Luciano-Williams and I've owned my home at 6518 North 14th Place (Madison Grove Manor) just west of the proposed development at 1536 East Maryland, for 20 years.

I'm concerned about the density of this complex along with the height of the overall structure. With that number of units, I'm almost sure there will have to be overflow parking into the street where there is a bike lane. I'm also concerned about it's proximity to the corner and the traffic congestion that the complex may create in addition to other dense properties in the area.

While I'm in favor of the neighborhood being redeveloped and becoming more appealing, I don't think the way the density of the complex will add beauty or functionality to our neighborhood. Perhaps if the number of units were cut by half and the building height was lower, it would then be more appropriate to the small lot that it will be on.

I'm opposed to the current structure as proposed.

I appreciate your time listening to my concerns.

--

Maggie Williams

Direct Line: 310.990.1231  
email: [Maggie.P.Williams@gmail.com](mailto:Maggie.P.Williams@gmail.com)

## Sofia Mastikhina

---

**From:** Margaret Lochhead <magstwo@cox.net>  
**Sent:** Wednesday, January 20, 2021 4:08 PM  
**To:** azm@tblaw.com; Sofia Mastikhina  
**Subject:** rezoning case number Z-69-20, parcel 161-05-050C

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To Ashley Marsh and Sofia Mastikhina

I am a homeowner in the neighborhood directly to the north of the planned project mentioned above. I am against the zoning change because it is a 3 story project. Maryland Avenue has many 2 story multi-family buildings and I feel to approve this project will open the door for many more buildings over 2 stories.

In addition, the many zoning changes in our area has led to increased noise, pollution, safety issues and unbelievable traffic problems and is having a very negative affect on our neighborhoods.

I have attended other neighborhood meetings and have found that the city zoning department never has any answers to the issues that result from increasing the density in our area.

I would like this project to be terminated or at the very least be redesigned to accommodate 2 story units.

Sincerely,

Maggie Lochhead

1452 E. McLellan Blvd.

Phoenix, AZ 85014

## Sofia Mastikhina

---

**From:** Mary Ann Pikulas <mapikaz@aol.com>  
**Sent:** Wednesday, January 20, 2021 9:28 PM  
**To:** Sofia Mastikhina  
**Cc:** Mary Ann Pikulas  
**Subject:** Re: Application Number Z-69-20 Autem Row

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Sofia,

Kindly resubmit my email to the applicant. Ashley had not read those submitted by owners from my community yet and I would like her to see my additional concerns following tonight's meeting:

Ashley:

Following discussion after the Neighborhood Meeting with other Madison Groves Manor owners, we have no choice but to submit our very strong objection to plans for trash collection. Lining up 16 trash bins twice a week on Maryland in front of your project, blighting what has always been beautiful Maryland with unsightly bins and having trash trucks blocking traffic during pickup on a one lane street each way, is incomprehensible. Debris often drops from these trucks as well, adding to the blight.

With space between each bin for the lift mechanism, a calculation of needing 64 feet has been made to line them up. Yikes! If City services are used, a distance of 4 feet between bins is required. Even with each bin touching the next, this would require over 33 feet. The answer that this is how it's done elsewhere was less than satisfactory. This is not elsewhere, this is the lovely, peaceful street we have always been proud of.

The addition of traffic created by this project would be unfortunate enough. Adding dirty, unsightly, often overfilled trash bins outside as drivers turn onto Maryland would ruin the loveliness of our street and could very well impact the ability of other property owners to sell their homes at desired prices when time. We are a neat and clean neighborhood and need to keep it this way for our enjoyment and to protect our property values.

As there would only be four guest spaces, extra vehicles would be parked in the street, adding to a problem already accelerating. This means two days a week your owners would not be able to utilize the curb in front of this property but that in front of neighboring ones. This is not good planning. Street parking is already an issue.

Another plan for garbage collection must be found. Sadly, it appears the designers/developers may not have given enough thought to the needs of the neighborhood or to those of neighbors.

Height is still an issue based on the comments from 1530 next door to this. Again, a 3-story structure as mentioned in another neighborhood has no bearing on justifying 3-stories in our own neighborhood of 2-story buildings.

Kindly consider these comments. We all want what's best for all of us, not just the few. We appreciate the meeting and look forward to other opportunities for neighborhood input.

Thank you,  
Mary Ann Pikulas

On Jan 19, 2021, at 8:33 AM, Sofia Mastikhina <sofia.mastikhina@phoenix.gov> wrote:

Good morning Mary Ann,

Thank you for your comments. I have saved your email to the case file for the record and have forwarded it to the applicant. Please let me know if you have any questions.

Best regards,

**Sofia Mastikhina, CNU-A**  
(she/her/hers) [What is this?](#)  
[\[mypronouns.org\]](#)

<image003.jpg>

Planner II - Village Planner  
City of Phoenix  
Long Range Planning  
Office: 602-256-5648  
200 West Washington Street  
Phoenix, AZ 85003

<image004.jpg>

**From:** Mary Ann Pikulas <mapikaz@aol.com>  
**Sent:** Monday, January 18, 2021 11:31 PM  
**To:** Sofia Mastikhina <sofia.mastikhina@phoenix.gov>  
**Cc:** info@mssinaz.com; Mary Ann Pikulas <mapikaz@aol.com>  
**Subject:** Application Number Z-69-20 Autem Row

Hi Sofia,

I am the President of the Madison Groves Manor HOA, a community located at Maryland Ave and 14th Place, a short distance from the proposed project referenced above. A number of our owners have expressed extreme concern over the prospect of such a development being approved due to several factors. This area has been infilled significantly with a number of developments but none as intrusively as this. I am writing on behalf of the owners of Madison Groves Manor and on my own behalf. The most prominent reasons we oppose this project are, briefly:

First, the height of over three stories for the buildings proposed is not at all compatible with existing low building heights that predominate in this neighborhood, which we greatly enjoy, nor would they blend into the existing profile. The phrase "would stick out like a sore thumb" comes to mind. It would appear to have been shoved into a much too small lot, rising above structures below like bread dough when pressed on each side. Townhouse owners next to this property must be beside themselves at the prospect of being blocked off on their east side. It would also frankly ruin the appearance of Maryland when turning into it from 16th St with this structure that's so incongruous to its surroundings. We have a lovely and enviable street that drivers enjoy that would be quite impacted.

Second, the lot is only .87 acre, so very small for 16 three-story+ units with a pool and amenities. That's an unbelievable number and hard to imagine not belonging on a larger property. We are very concerned about the density resulting on such a small lot and the congestion that would result.

Third, our community of 19 units houses 55 residents. There is no reason not to think at least 50 residents on the low end would live there, especially if the units are three-bedrooms. Maryland traffic has increased somewhat through the years but is still manageable. Being so close to 16th St would only increase the traffic and congestion already present with vehicles backing up on Maryland during busy hours, exposing drivers and pedestrians to possible accidents.

To summarize, this project is simply out of place and we would greatly appreciate your kind consideration of our deep concerns and disapprove.

Thank you,

Mary Ann Pikulas  
President,  
Madison Groves Manor HOA



## Sofia Mastikhina

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**From:** Samantha Keating  
**Sent:** Friday, January 22, 2021 12:15 PM  
**To:** Sofia Mastikhina  
**Subject:** FW: Development at 1536 and 1538 East Maryland, Phoenix, 85014

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FYI



Thank you,  
**Samantha Keating**  
Principal Planner  
Long Range Planning  
Office: 602-262-6823  
200 West Washington Street  
Phoenix, AZ 85003



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**From:** David Urbinato <david.urbinato@phoenix.gov>  
**Sent:** Friday, January 22, 2021 10:12 AM  
**To:** Council District 6 PCC <District6@phoenix.gov>  
**Cc:** Samantha Keating <samantha.keating@phoenix.gov>  
**Subject:** RE: Development at 1536 and 1538 East Maryland, Phoenix, 85014

We'll forward to the village planner so they can include this in the file for that case.

David Urbinato  
Management Assistant II  
Phoenix Planning and Development Department  
602-534-3630

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**From:** Council District 6 PCC <[District6@phoenix.gov](mailto:District6@phoenix.gov)>  
**Sent:** Friday, January 22, 2021 9:30 AM  
**To:** David Urbinato <[david.urbinato@phoenix.gov](mailto:david.urbinato@phoenix.gov)>  
**Subject:** FW: Development at 1536 and 1538 East Maryland, Phoenix, 85014

Hi David – here is an email we received regarding an proposed PUD.

Thanks!  
Erin

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**From:** [TimePro@cox.net](mailto:TimePro@cox.net) <[timepro@cox.net](mailto:timepro@cox.net)>  
**Sent:** Thursday, January 21, 2021 10:14 AM  
**To:** Council District 6 PCC <[District6@phoenix.gov](mailto:District6@phoenix.gov)>  
**Subject:** Development at 1536 and 1538 East Maryland, Phoenix, 85014

[Mr. DiCiccio](#),

Last evening I listened in on a meeting about the proposed PUD for 1536 and 1538 East Maryland. After clearly understanding the proposal for 16 three-story residences, I am opposed to this development as presented.

This is a neighborhood of predominantly one-story ranch homes. Several homes here have been updated in that style and are most attractive. Please bring all possible influence available from your office to the Zoning Committee to oppose this development as presented. If you or another office wishes to contact me about this, please do.

Your support will be greatly appreciated.

Sincerely,  
Glenda Whitten  
6644 North 13<sup>th</sup> Street, 85014

*We are not all in the same boat. We are  
all in the same storm. Damian Barr*

\*\*\*\*\*

## Sofia Mastikhina

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**From:** Michael Beyo <michael.beyo@gmail.com>  
**Sent:** Thursday, January 21, 2021 7:24 PM  
**To:** Sofia Mastikhina  
**Subject:** Townhouses on Maryland

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Ms. Mastikhina,

I am writing to express my concern for the proposed development on E Maryland. For the reasons I am outlining here below I am opposed to this project:

1. Privacy concerns since this would be a 3 stories building and it will impact the nearby homes.
2. Aesthetically a 3 story building will stick out as a foreign object in our neighborhood
3. Traffic will increase on an already heavily trafficked road.
4. The worst idea then is the plan for the trash and recycling pickup would place 16 trash bins and 16 recycling bins on the sidewalk street twice a week. This will increase stray cats, rats, unappealing view, disruption for people walking and so much more

Thank You!

Rabbi Michael Beyo

## Sofia Mastikhina

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**From:** Marielle Brown  
**Sent:** Friday, February 26, 2021 1:57 PM  
**To:** Sofia Mastikhina; Joel Carrasco  
**Subject:** Fw: Maryland bike corridor

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Sofia and Joel,

Jason Stephens from MAG passed this along to me. I think the resident's issue is really with the rezoning case, rather than the bike lanes. Are you able to respond? Feel free to cc me if you would like. It looks like it is in Camelback East.

Thank you,

Marielle

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**From:** Jason Stephens <JStephens@azmag.gov>  
**Sent:** Friday, February 26, 2021 7:50 AM  
**To:** Marielle Brown <marielle.brown@phoenix.gov>  
**Subject:** FW: Maryland bike corridor

This came to us, but it's a COP thing : )  
You mind responding to this person?  
Thanks!  
Me

-----Original Message-----

**From:** Chic <chicolder@gmail.com>  
**Sent:** Thursday, February 25, 2021 6:50 PM  
**To:** MAG General Mailbox <mag@azmag.gov>  
**Cc:** Mary Ann Pikulas <mapikaz@aol.com>; rebecca.reimers <rebecca.reimers@yahoo.com>; Maggie Williams <maggie.p.williams@gmail.com>; Lisa Spresser <spresser.mariesplace@gmail.com>  
**Subject:** Maryland bike corridor

\*\*\*This message came from an external source. Use caution clicking links and opening attachments.\*\*\*

Hi Bike Planners:

I am writing to ask for some guidance.

I live on 14th place, 100 yards north of Maryland (1/4 mile to the west of 16th st). Maryland has a stripped east/west bike paths and sees quite a bit of bike usage every day. Between 16th st and 14th place there are some confusing "no parking" signs which means often there are cars parked on Maryland, mostly the north side, obstructing the bike lane. It presents a further hazard in that cars going south from their homes onto Maryland often have an obstructed view of

bike traffic going west on Maryland because of parked cars.

We have recently learned of a proposed townhouse development at 1536 E Maryland with what I feel are high density homes and not enough space to accommodate the parking, and garbage pickup, needs of the proposed development. To me, this means further blocking and obstruction of the west bound designated bike lane on Maryland when residents of this proposed development have nowhere to park, or leave their garbage cans out for pickup, other than on Maryland.

In my mind where the city planners and general public are seeking ways to address congestion, and emissions, allowing yet one more development that is counter to safe, unobstructed, bike access crosses the line and should not be allowed.

Can you guide me to the proper source for me to voice this concern and get the city involved in protecting encroachment on city designated bike lanes?

Chic Older  
6520 N 14th Place  
Phoenix, AZ  
85014

Sent from my iPad

## Sofia Mastikhina

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**From:** Janet Bauer <glowingexpressionsskincare@gmail.com>  
**Sent:** Monday, March 1, 2021 11:04 AM  
**To:** Sofia Mastikhina  
**Subject:** Autem Row Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Sofia,

My name is Janet Bauer and I live at 1530 E, Maryland ave #8, Phoenix Az 85014. I am the Vice President of our home owners association. I am emailing you to express my concerns with this project. I live behind this proposed project and I know this project will have a definite negative effect on our community. My concerns include their plans to build a three story complex, trash and recycle as well as parking. We don't have any three story buildings and this project will look directly into our backyards. We have a dumpster on our property for our trash, I cannot imagine 16 trash and recycle cans lined up on Maryland to be picked up Every week. This would definitely be an eyesore as well as having very negative traffic concerns. We have more than 4 visitor parking spots in our complex and these spots are always occupied and we have a parking shortage now I can only imagine that this project will negatively impact a continuous exsisting parking issue for us and our surrounding communities. I plan to be listening in to the com meeting tomorrow evening. Any help concerning these matters would greatly be appreciated.

Thank you,  
Janet Bauer  
480-861-0568

Sent from my iPhone

## Sofia Mastikhina

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**From:** Lisa Spresser <spresser.mariesplace@gmail.com>  
**Sent:** Wednesday, March 3, 2021 7:51 AM  
**To:** Mary Ann Pikulas  
**Cc:** Chic; Sofia Mastikhina; Marielle Brown; maggie.p.williams@gmail.com; rebecca.reimers@yahoo.com  
**Subject:** Re: Subject: Maryland bike corridor (Z-69-20)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I agree that having the trash on sidewalks instead of the street might help with traffic, yet it would keep the area looking unsightly on a regular basis. Maryland was not designed to become an alley. A plan for 8 units instead of 16 would be a more appropriate solution. Widening sidewalks is a bandaid not a solution.

On Tue, Mar 2, 2021, 7:25 PM Mary Ann Pikulas <[mapikaz@aol.com](mailto:mapikaz@aol.com)> wrote:

Chic,

So glad to see an effective process to forward communications, nice. One issue, we in no way meant trash and recycle bins would be placed literally on the street itself, which was not said at the homeowners meeting nor would make sense, but along the sidewalk on the street, which was said. Widening the sidewalks is certainly not a solution. There will still be a trash truck on the street blocking traffic and 16 unsightly bins two days a week plus piles of bulk trash sitting for days waiting for quarterly pickup. Not a pretty or healthy picture.

Chic, may I share your email with Maryland Village East and our Neighborhood Associations?

I would like this email added to the case file.

Mary Ann

-----Original Message-----

From: Chic <[chicolder@gmail.com](mailto:chicolder@gmail.com)>  
To: Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)>  
Cc: Marielle Brown <[marielle.brown@phoenix.gov](mailto:marielle.brown@phoenix.gov)>; Mary Ann Pikulas <[mapikaz@aol.com](mailto:mapikaz@aol.com)>; Maggie Williams <[maggie.p.williams@gmail.com](mailto:maggie.p.williams@gmail.com)>; rebecca.reimers <[rebecca.reimers@yahoo.com](mailto:rebecca.reimers@yahoo.com)>; Lisa Spresser <[spresser.mariesplace@gmail.com](mailto:spresser.mariesplace@gmail.com)>  
Sent: Tue, Mar 2, 2021 5:40 pm  
Subject: Re: Subject: Maryland bike corridor

Dear Sofia:

Thank you for getting back to me; yes, I would appreciate my comments be included in the case file.

Chic Older

6520 N 14th Place

Sent from my iPad

On Mar 1, 2021, at 9:02 AM, Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)> wrote:

Good morning Chic,

I hope this email finds you well. The message below was forwarded to me from our Street Transportation Department, and they received it from MAG. I believe we have already corresponded regarding this rezoning case (Z-69-20: Autem Row PUD) previously. Would you like the email below to be included in the case file, in addition to your previous comments?

As you are aware, this case is still under review by the city, and we are awaiting the applicant's resubmittal. In staff's first round of comments, the Street Transportation Department noted that on-street parking will not be permitted due to the existing bike lanes. Further, in discussions with the applicant, it was determined that the trash and recycling bins will not be placed on the street, but rather along the sidewalk for pick-up. We have instructed the applicant to provide enhanced development standards for the public sidewalks so that cans may be accommodated without obstructing pedestrian traffic (they are proposing wider sidewalks, or additional paved areas to accommodate cans).

I have also copied Marielle Brown from our Street Transportation Department, as she handles the bicycle infrastructure coordination for the city, and may help address any questions you have regarding bike lane standards, specifically.

If you have any further questions, please don't hesitate to contact me.

Best regards,

<image002.jpg>	<p><b>Sofia Mastikhina, CNU-A</b> <i>(she/her/hers) <a href="#">What is this?</a></i> <a href="#">[mypronouns.org]</a> Planner II - Village Planner City of Phoenix Long Range Planning Office: 602-256-5648 200 West Washington Street Phoenix, AZ 85003</p>	<image003.jpg>
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-----Original Message-----

From: Chic <[chicolder@gmail.com](mailto:chicolder@gmail.com)>

Sent: Thursday, February 25, 2021 6:50 PM

To: MAG General Mailbox <[mag@azmag.gov](mailto:mag@azmag.gov)>

Cc: Mary Ann Pikulas <[mapikaz@aol.com](mailto:mapikaz@aol.com)>; rebecca.reimers <[rebecca.reimers@yahoo.com](mailto:rebecca.reimers@yahoo.com)>; Maggie Williams <[maggie.p.williams@gmail.com](mailto:maggie.p.williams@gmail.com)>; Lisa Spresser <[spresser.mariesplace@gmail.com](mailto:spresser.mariesplace@gmail.com)>

Subject: Maryland bike corridor

\*\*\*This message came from an external source. Use caution clicking links and opening attachments.\*\*\*

Hi Bike Planners:

I am writing to ask for some guidance.

I live on 14th place, 100 yards north of Maryland (1/4 mile to the west of 16th st). Maryland has a stripped east/west bike paths and sees quite a bit of bike usage every day. Between 16th st and 14th place there are some confusing "no parking" signs which means often there are cars parked on Maryland, mostly the north side, obstructing the bike lane. It presents a further hazard in that cars going south from their homes onto Maryland often have an obstructed view of bike traffic going west on Maryland because of parked cars.

We have recently learned of a proposed townhouse development at 1536 E Maryland with what I feel



are high density homes and not enough space to accommodate the parking, and garbage pickup, needs of the proposed development. To me, this means further blocking and obstruction of the west bound designated bike lane on Maryland when residents of this proposed development have nowhere to park, or leave their garbage cans out for pickup, other than on Maryland.

In my mind where the city planners and general public are seeking ways to address congestion, and emissions, allowing yet one more development that is counter to safe, unobstructed, bike access crosses the line and should not be allowed.

Can you guide me to the proper source for me to voice this concern and get the city involved in protecting encroachment on city designated bike lanes?

Chic Older  
6520 N 14th Place  
Phoenix, AZ  
85014

Sent from my iPad

## Sofia Mastikhina

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**From:** Sandy Grunow <phxmidcenturymodernna@gmail.com>  
**Sent:** Wednesday, March 10, 2021 3:18 PM  
**To:** Sofia Mastikhina  
**Cc:** Mary Crozier; Larry Whitesell; Dan Trozzi; Mary Ann Pikulas; Phoenix Mid-Century Modern Neighborhood Assoc.  
**Subject:** Case # Z 69-20

Thank you for providing an update regarding the proposed PUD on East Maryland Avenue, rezoning case number Z-69-20.

Neighborhood representatives met on March 4th via Zoom call with Autem Development to discuss the proposed project at 1536 and 1538 East Maryland Avenue. We met with applicants, Alexander Diamont and Jared Amzalleg. We offer the following information as you and your staff evaluate the proposed PUD.

**Design:** The overall design with driveways on the east and west sides provide a nice setback from the adjacent properties.

**Density:** The density exceeds surrounding multifamily builds in the surrounding community. We understand some increase is reasonable but this far exceeds even the newer builds. With so much density, we believe the parking and garbage collection cannot meet minimum standards.

**Guest Parking:** Only 4 guest parking spaces are planned for 16 units. Additional guests are expected to park on Maryland Avenue, a minor collector street servicing businesses, homes, residential complexes, residential streets, and several schools. There are bicycle lanes on both sides of the street with restricted parking most hours. The existing limited street parking already negatively impacts Maryland Avenue creating safety hazards especially for cyclists. This also begs the question about deliveries: Where will FEDEX, Amazon, food deliveries, etc., park?

**Trash:** The proposed 16 unit three story complex has no plan for commercial trash pickup. According to the developers each unit will utilize trash pick up by pulling their bins to Maryland Avenue twice a week, one day for trash, a second day for recycling. Commercial trash as opposed to individual trash bins appears more appropriate for a planned unit development. The other multi-family properties on both sides of Maryland use commercial service even though they quality for City services.

**Height:** We support the maximum 34 ft. height for three stories. The developers were uncertain but may be placing air conditioning units on the roof which would add to the overall height. We believe 34 feet is consistent with the existing structures that surround the subject site.

In conclusion, significant parking issues, deliveries and trash collection matters could all be resolved if one or two units were eliminated. We discussed reducing the density by one or two units with Mr. Diamont and Mr. Amzalleg who are at this time unwilling. The overall design appears appropriate but without sufficient guest parking and commercial trash pick up it fails to provide the superior environment anticipated in a planned unit development.

Once the Staff Report is available to public, please let us know. Do you have any questions of us?

Sincerely,

Sandy Grunow, Co-Chair, Phoenix Mid-Century Modern Neighborhood Association  
Mary Crozier, North Central Phoenix Homeowners' Association  
Larry Whitesell, Co-Chair, The Peak Neighborhood Association  
Dan Trozzi, President, Squaw Peak Heights Neighborhood Association  
Mary Ann Pikulas, President, Madison Groves Manor Homeowners Association

## Sofia Mastikhina

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**From:** Deborah E. Basehore <deb@equityconcepts.com>  
**Sent:** Sunday, May 2, 2021 4:47 PM  
**To:** Sofia Mastikhina  
**Subject:** PUD Application #Z-69-20

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Ms. Mastikhina:

My name is Deborah Basehore and I live at 1530 E. Maryland Ave. I am writing in regards to the proposed re-zoning request by Autem Development on parcel #161-05-050C, re-zoning Case #Z-69-20. I hereby submit the following comments and objections:

1. Increased Density: Within 1 mile of my location, 1530 E. Maryland Ave., the number of residential units (apartments, condos, homes) has increased exponentially with increased mega-apartment units on 7<sup>th</sup> St. & Maryland, condos/townhomes on 12<sup>th</sup> St. & Marlette, luxury homes on 16<sup>th</sup> St. between Maryland and Ocotillo to name a few that have just been built within the last 12 mos. or less. This list is composed of only those developments on “major” traffic streets within <or= .5 miles of me. This area is already too dense for all of the following objections.
2. Since the back of my condo will abut the proposed development, my privacy will be impinged upon due to the proposed 3-story height. This will allow the new unit owners a clear view of my backyard and the doors and windows of my unit.
3. Maryland Ave. already has problems with parking in unauthorized areas. There is no parking on the street during designated hours. These hours are consistently broken by many people. We have limited guest parking in Maryland Village East but even those spaces are often used by residents leaving no guest parking. Autem Development’s proposal will only exacerbate this problem but may be a cause for their residents & guests to look to park in our guest parking areas.
4. Maryland Ave. already has problems with traffic. At 12<sup>th</sup> St. & Maryland, there are only 2 lanes, one right – turn lane and one through lane. In fact, Maryland is a 2 lane street, one for each direction. I work .75 miles west of our complex but, due to traffic demands and school crossings, I am literally stuck in traffic jams 2 times per day because there is no left turn lane at 12<sup>th</sup> St. and 10<sup>th</sup> St. Adding additional cars to Maryland Ave. will only increase the existing problems.
5. Infrastructure on Maryland Ave. will be impacted negatively with excessive stress on existing pavement and potholes, sewer capacity, degrading sidewalks and clean water.
6. Quality of life is an extremely important issue for me. With our area already experiencing awful air quality, with ozone alerts on most hot days, I suffer even more than others. I have COPD. When will the city planners begin to recognize that this city needs less, not more, polluting sources? It seems to me that every development in my area has received a rubber stamp from the city planners without consideration of the existing residents of this neighborhood.
7. Garbage & Recycle barrels are proposed to be collected by the City of Phoenix. I can only imagine 32 of them stacked along Maryland Ave., ending up in front of our complex and the building to the east of the proposed development.
8. Crime has been increasing in our area steadily and my concern is that an “alley” will be created between our complex and the proposed complex providing an easy dark access for thieves and the homeless.

Although these are great considerations in this planning procedure, I am sure that there are many more concerns from our neighbors in the area so please register me to attend virtually and to make additional comments at the meeting on May 4 at 6 pm, if time allows.

Sincerely,

Deborah Basehore

## Sofia Mastikhina

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**From:** Mary Ann Pikulas <mapikaz@aol.com>  
**Sent:** Sunday, May 2, 2021 8:51 PM  
**To:** Sofia Mastikhina  
**Cc:** Mary Ann Pikulas; spresser.mariesplace@gmail.com; chicolder@gmail.com; maggie.p.williams@gmail.com; rebecca.reimers@yahoo.com  
**Subject:** Case No. Z-69-20 AUTEM Row  
**Attachments:** Z-69-20 AUTEM Row MGM Letter.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Sofia,

I am the president of the Madison Groves Manor HOA, one of the nearby communities of the proposed AUTEM Row project. In February, we submitted a letter with 41 signatures listing our serious concerns, which were four. Three are still very much a concern as we understand the fourth, height, is within zoning requirements.

With other Neighborhood Association Leaders in March, I attended a meeting with the developers, who indicated they would look into these matters. Because we live here, we know and understand this neighborhood and the issues that especially two of the concerns will present:

First, with limited guest parking, it is inevitable that visitors and delivery vehicles will park on Maryland Ave. Maryland is a major Bicycle Corridor with a bike lane on each side in east and west directions. That parking is already allowed on Maryland from 16th Street to 14th Place at any time at all is very concerning and constantly endangers bikers who are squeezed between parked cars and moving vehicles. Adding more parked cars, some of which are already parked illegally, will be extremely detrimental. This only increases the possibility of accidents not only for bikers but for community drivers trying to turn onto Maryland. Parked cars already block a clear view of the street.

Second, spreading 16 trash containers along Maryland twice a week is not only unsightly but unhealthy. Besides being a busy bike route, the sidewalk along Maryland is also a favorite walking path for pedestrians. Our suggestion is for the developers to ask the City to waive the 50 yard limit imposed on commercial trash trucks entering a community. In this way, large community bins can be utilized in back instead of having 32 bins, some possibly overflowing, rolled out to Maryland each week, keeping Maryland clean and safe for pedestrians.

I am attaching our original letter for your reference.

Thank you for your attention.

Respectfully submitted,

Mary Ann Pikulas  
President, Madison Groves Manor

## Sofia Mastikhina

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**From:** Janet Bauer <janlg2000@hotmail.com>  
**Sent:** Monday, May 3, 2021 1:15 PM  
**To:** Sofia Mastikhina  
**Subject:** Autumn Row hearing

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

My name is Janet Bauer and I live at 1530 E, Maryland ave #8, Phoenix Az 85014. I have many concerns with this project that is directly in back of my condo.

1. Parking, they only 4 visitor spaces and parking is such an issue in this area, it is definitely not enough. And the traffic situation on Maryland is already bad and this project will only increase the problem.
2. We do not have 3 story building in this area, this would have a negative impact on our neighborhood and totally block any views that we currently have.
3. The trash situation as I understand it currently is that they want to put 16 trash cans and 16 recycle cans directly on Maryland for pick up. This would impact our traffic situation, walking on the sidewalk and be an eyesore.

I will be attending the meeting but not speaking.

Thank you,

Janet Bauer

Sent from my iPhone

## Sofia Mastikhina

---

**From:** Katie Gerlach <katie@petersoncompany.com>  
**Sent:** Friday, January 15, 2021 6:45 PM  
**To:** Sofia Mastikhina  
**Subject:** Re: upcoming hearing information

Hi Sofia, I don't see that the agenda for the Autem Row hearing posted? Unless, I am looking in the wrong place.

Thank you,

Katie Gerlach

Get [Outlook \[aka.ms\]](#) for iOS

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**From:** Sofia Mastikhina <sofia.mastikhina@phoenix.gov>  
**Sent:** Friday, January 15, 2021 8:59:04 AM  
**To:** Katie Gerlach <katie@petersoncompany.com>  
**Subject:** RE: upcoming hearing information

Good morning Katie,

Rezoning Case No. Z-69-20-6 (Autem Row PUD) has not yet been scheduled for any public hearings. It is still in the first staff review stage. As this is a Planned Unit Development request, the case will be required to go before the Camelback East Village Planning Committee twice – once for an informational session, and then again at a later date for a recommendation and a vote. Once these dates are set, they will be posted on a sign on the property, and letters will be sent out to property owners within 600 feet of the site. To register to speak at upcoming hearings, please email me your request and also use the link on the meeting agenda to register your information. Posted agendas can be found here:  
<https://www.phoenix.gov/cityclerk/publicmeetings/notices>.

Please let me know if you have any additional questions.

Best regards,



**Sofia Mastikhina, CNU-A**  
(she/her/hers) [What is this?](#)  
[\[mypronouns.org\]](#)  
Planner II - Village Planner  
City of Phoenix  
Long Range Planning  
Office: 602-256-5648  
200 West Washington Street  
Phoenix, AZ 85003



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**From:** PDD Zoning Adjustment <zoning.adjustment@phoenix.gov>  
**Sent:** Friday, January 15, 2021 8:18 AM  
**To:** Sofia Mastikhina <sofia.mastikhina@phoenix.gov>  
**Subject:** FW: upcoming hearing information

Hi Sofia,

Is this something you can assist Katie with?

Thank you,

**Eric Morales, Planner II**

Office: 602-262-7927



PLANNING & DEVELOPMENT  
**PRESERVE  
SHAPE  
BUILD**

City of Phoenix

► Planning & Development Department

Planning Division

200 West Washington Street

Phoenix, AZ 85003

**Mission:** Planning, Development and Preservation for a Better Phoenix

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**From:** PDD Zoning <[zoning@phoenix.gov](mailto:zoning@phoenix.gov)>

**Sent:** Thursday, January 14, 2021 11:44 AM

**To:** PDD Zoning Adjustment <[zoning.adjustment@phoenix.gov](mailto:zoning.adjustment@phoenix.gov)>

**Subject:** FW: upcoming hearing information

Hello, Please reply to this customer. - Julie

---

**From:** PDD Development Services <[pdd@phoenix.gov](mailto:pdd@phoenix.gov)>

**Sent:** Thursday, January 14, 2021 11:23 AM

**To:** PDD Zoning <[zoning@phoenix.gov](mailto:zoning@phoenix.gov)>

**Subject:** upcoming hearing information

Good morning,

Please see email below regarding hearing from customer.

Thank you

---

**From:** [no-reply@phoenix.gov](mailto:no-reply@phoenix.gov) <[no-reply@phoenix.gov](mailto:no-reply@phoenix.gov)>

**Sent:** Thursday, January 14, 2021 10:41 AM

**To:** PDD Development Services <[pdd@phoenix.gov](mailto:pdd@phoenix.gov)>

**Subject:** emplansd - Form Submission

FROM : Katie Gerlach

SUBJECT : Register to Speak

MESSAGE : Hello: I need to know the deadline to register to speak at the upcoming hearing for the Autem Row Development (Case #Z-69-20) as soon as possible. Also, where do I register to speak? Thank you.

Email : [Katie@petersoncompany.com](mailto:Katie@petersoncompany.com)

AREA : 602

PHONE : 7995632



## Sofia Mastikhina

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**From:** Vanessa and Brian Lee <leecrew@cox.net>  
**Sent:** Monday, January 25, 2021 6:59 PM  
**To:** Sofia Mastikhina  
**Subject:** Questions re: Z-69-20. parcel # 161-05-050C

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good morning,

I am neighbor in Madison Manor 2, located in the circle of single family homes north of the planned development for 3-story townhomes by Autem Development. I attended the neighborhood meeting last Wednesday evening.

Can you tell me what the next step is in the city review process? We are concerned about the addition of a 3-story development just south of our quiet circle of one-story single family homes. Neighbors from south and west of the development expressed their concerns about traffic and the height of the project but I'm not clear what the north side of development will look like. It appears on the map that we have a small buffer right now from the south end of our neighbor's property (parcel #161-08-054C ) which butts up against the development. There is also a parking area to the east (parcel 161-08-054B) of that parcel. Is that correct? Are there any projects planned for those two sites?

Thank you very much for your time and attention.

Kind regards,

Vanessa Lee

1502 E. McLellan Blvd.

## Sofia Mastikhina

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**From:** Lisa Spresser <[spresser.mariesplace@gmail.com](mailto:spresser.mariesplace@gmail.com)>  
**Sent:** Sunday, January 31, 2021 6:32 PM  
**To:** Zander Diamont; Ashley L Loan; Sofia Mastikhina  
**Subject:** Re: Autem Development Inquiry

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

You can have a three story building with a two story profile, that does not exceed adjacent buildings. You could go Haver style (Ralph Haver in case you are not aware of his architectural presence in our community) with the windows in the bedrooms. The bedrooms could go underneath the garage, in the ground. This could be a win for you as you might be able to secure a taller garage while respecting the community's wishes or higher ceilings in the living room/kitchen. Netflix Grand Designs has some excellent examples of this. This would also make the bedrooms more thermally efficient and private.

On Fri, Jan 29, 2021 at 11:56 AM Zander Diamont <[zander@autemdev.com](mailto:zander@autemdev.com)> wrote:  
Hey Lisa--

I wanted to first thank you for your concerns and efforts in reaching out.

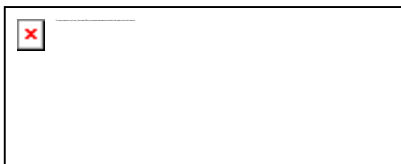
I want you to know that I hear your concerns about height and want to ensure this is something we have taken into consideration since our first design meeting. We will be making available a height comparison image on our website for you. With that being said, our structure is only a couple feet taller than the adjacent structure to the east. Our goal was to give our three story design a two story profile.

We will be doing all that we can to ensure our design only enhances, and doesn't disturb, the current vibe and beauty that Maryland Ave offers.

Thank you for reaching out.

Please do not hesitate to call me personally if you have any questions or further concerns. I'm happy to chat!

Thank you :)



## Sofia Mastikhina

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**From:** Lisa Spresser <spresser.mariesplace@gmail.com>  
**Sent:** Sunday, January 31, 2021 6:44 PM  
**To:** Jared Amzallag; Sofia Mastikhina  
**Cc:** Zander Diamont; Ashley Zimmerman Marsh  
**Subject:** Re: Autem Development Inquiry

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Maryland is a lifeline to the canal for many cycling communities, they are being brought into awareness of this issue. 16 trash cans twice a week is 64 feet of trash cans blocking the cycling lanes. Due to the density you are aspiring for, guests will be filling the spots not on Maryland, but in front of the houses just south of Maryland. In effect you have commanded the neighbors to support your project with a design that may be lucrative to your team, but devaluing to those who have already invested in the area.

You have hired a reputable architectural firm who can do better for you and us. The bike lanes need to be preserved and guest parking needs to be contained to those living in the project.

On Fri, Jan 29, 2021 at 11:57 AM Jared Amzallag <[jared@autemdev.com](mailto:jared@autemdev.com)> wrote:

Hi Lisa,

Thanks for your inquiry and thank you again for putting forth your thoughts for us! We genuinely appreciate your feedback and we aim to be as aligned with the neighborhood as possible with this development.

In regards to trash collection, we have arranged to have 16 bins collected on two different days of the week instead of 32 bins on one day which is a great help here. This type of bin collection is very in line with communities in the area/neighborhood and not at all a challenge for trash collection companies to manage. I have spoken with the trash collection companies myself to ensure there is no issue here.

I understand that there are other developments going up in this neighborhood and that adjusting to the change can have its pros and cons. Our team has gone the extra mile to create a design first community here that the neighborhood can be proud of, and we're taking every measure to as accomodating as possible for everyone in the area.

If you would like to jump on a call to discuss any of your concerns, please feel free to let me know and I will make myself available for you!

Best,

## Sofia Mastikhina

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**From:** deb.english@cox.net  
**Sent:** Tuesday, February 16, 2021 10:21 AM  
**To:** Sofia Mastikhina  
**Subject:** 1536 E Maryland project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Sofia

You left your email as the person to contact on the zoning hearing and neighborhood conversations this developer is involved in for their project at 16<sup>th</sup> St and Maryland.

I have a question for my client that has the adjoining lot to the north. Part of this project encroaches on the setbacks and is not in the best interests for my client's property use. What is the process for protecting our setbacks and to know and be kept aware of the process on this project?

Thank you.

**Debbie English**

Realtor, Interior Designer, LEED AP

 **Uptown Design**



**PH: 602-432-9202**

Fax: 602-386-1634

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[Search for NEW Homes in Arizona \[showingnew.com\]](https://www.showingnew.com)

## Sofia Mastikhina

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**From:** Linda Richards <januaryeditor@gmail.com>  
**Sent:** Sunday, February 28, 2021 8:35 PM  
**To:** Sofia Mastikhina  
**Cc:** Katie Gerlach; Sarah Entz  
**Subject:** Autem Row

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Sofia,

I am president of the Maryland Village East HOA. We are located next door to the proposed Autem Row development.

It has come to my attention — and not through channels — that the meeting you were going to be hosting on this topic on March 2nd has been postponed until April because the developers did not meet the timeline for submitting their final plans. Is this correct?

The same source let me know that the title of the property in question — 1536 E. Maryland Avenue — has not yet changed hands. Is that something you are aware of or can confirm?

Best,

Linda

Direct Line: 805-459-1550

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Author, Journalist, Photographer

[https://urldefense.com/v3/\\_\\_http://lindalrichards.com/\\_\\_;!!LkjWUF49MRd51\\_ry!Ny5SQ6vbyZTExkLaN-lpY4upIPNiWZGf5FKGsyH2ipAkOFW82t2tyggkZWNNRI\\_jgdIBbnIzLQ\\$](https://urldefense.com/v3/__http://lindalrichards.com/__;!!LkjWUF49MRd51_ry!Ny5SQ6vbyZTExkLaN-lpY4upIPNiWZGf5FKGsyH2ipAkOFW82t2tyggkZWNNRI_jgdIBbnIzLQ$)

Editor, January Magazine

[https://urldefense.com/v3/\\_\\_http://www.januarymagazine.com\\_\\_;!!LkjWUF49MRd51\\_ry!Ny5SQ6vbyZTExkLaN-lpY4upIPNiWZGf5FKGsyH2ipAkOFW82t2tyggkZWNNRI\\_jgdIjffevZQ\\$](https://urldefense.com/v3/__http://www.januarymagazine.com__;!!LkjWUF49MRd51_ry!Ny5SQ6vbyZTExkLaN-lpY4upIPNiWZGf5FKGsyH2ipAkOFW82t2tyggkZWNNRI_jgdIjffevZQ$)



## Village Planning Committee Meeting Summary

**Z-69-20-6**

### INFORMATION ONLY

<b>Date of VPC Meeting</b>	May 4, 2021
<b>Request From</b>	R-O (Residential Office – Restricted Commercial District)
<b>Request To</b>	PUD (Planned Unit Development)
<b>Proposed Use</b>	Multifamily residential
<b>Location</b>	Approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue

### **VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

**Bill Lally**, representative with Tiffany & Bosco, presented an overview of the request and explained that this is simply an introduction of the project and that no action will be taken by the committee at this time. He proceeded to outline the site conditions with the two existing homes that are zoned R-O and have been operating as two separate home businesses for some time. The site is situated in a fairly densely populated area and located directly to the west of a commercial corner. He presented an aerial map depicting other nearby residential developments of similar size and intensity to the proposed project, explaining that these types of infill projects have happened successfully within the village. He outlined the public outreach process which included creating a website with information regarding the project, a neighborhood meeting which is the first of two required by the city, and several one-on-one conversations and emails with individual community members. He then presented the proposed site plan and explained that the main reason that a PUD is being requested is the unique layout of the site, which provides driveways on the perimeters of the site instead of the more traditional townhome designs of a main centralized driveway. This then creates an internal pedestrian plaza that fosters a stronger sense of community and encourages interactions among residents. In addition to the ability to restrict uses, the PUD provides the toolkit necessary to create this unique site layout. He then presented the architectural elevations, noting that the garages will be facing outwards, the front of the buildings, with balconies, will be facing the interior pedestrian courtyard, and the Maryland frontage will have the sides of the building. A conceptual rendering of the Maryland frontage includes landscaping, a bike station, bench and maybe a water feature. The wall along the street frontage will be made of wooden slats instead of traditional CMU block, providing a more engaged pedestrian frontage. A conceptual rendering of the interior of the site shows a pedestrian friendly realm with ground floor

patios and balconies on upper floors to provide a high-end design product, which the area needs. He concluded his presentation and made himself available to answer any questions that the committee has.

## PUBLIC COMMENT

**Deborah Basehore** expressed concern with the proposed density of the project, the lack of inviting open space, and the impact the development will have on Maryland Avenue. She explained that this street is not meant to be a thoroughfare and is a two-lane street that already experiences an overflow of traffic. She also expressed concern with the trash collection along Maryland Avenue, as the developer is proposing to put 32 individual bins for pick up along the street.

**Sarah Entz**, representative for the townhomes directly west of the project site, expressed her community's concerns with the proposed height, parking, and trash collection. She stated that this will be the only three-story building in the immediate area, which is not compatible. Further, there are only four proposed guest parking spaces for the 16 units, which would exacerbate an already existing on-street parking problem in the neighborhood. The proposed trash collection, which would put sixteen trash cans out on Maryland twice a week will make the traffic issues on Maryland even worse. She explained that they are not opposed to multifamily development but requested that there be a delay in a decision to allow the developers to work with the community on addressing these concerns.

**Sandy Grunow**, representing community leaders of the Phoenix Midcentury Modern Neighborhood Association, Phoenix North Central, the Peak Neighborhood and Madison Grove, stated that she and the other leaders have met with the developers to discuss the proposal. She stated that the driveway design around the buildings provides a nice setback, but that the density far exceeds the surrounding multifamily developments and the guest parking is below the 8 required spaces for 16 residential units. She explained that Maryland is a minor collector road that has businesses, homes, residential complexes, and several schools. All of this results in a lot of traffic on the already limited streets, which poses safety hazards, especially for bicyclists. She then asked where delivery trucks such as Amazon and FedEx would park given the limited on-site parking. She then stated that the community is supportive of the 31.5-foot building height of three stories, but noted that the developer, at their meeting, had mentioned needing to go higher, to 34 feet, to accommodate air conditioning units, so she asked that they go no higher than that. Finally, she proposed two suggestions to mitigate the density concern: explore adding the lot to the north of the site or reduce the density by one to two units. Both scenarios would also allow for the inclusion of an internal trash pick up area, as well as the required 8 guest parking spaces.

**Lally** thanked the members of the public for their comments and stated that his team had discussed many of these issues with individuals already. He addressed the concern regarding the building height, explaining that the City of Phoenix does not include air conditioning units in building height measurements, but stated that these buildings are not likely to have air conditioning units on top of them. The proposed building height is 30 feet and, for context, the residential complex to the west has a building height of 26 feet, so there will only be a difference of 4 feet between the two developments, in addition to a 25-foot building setback between the two. Further, on the east side is a 28-foot tall building, so the difference is approximately 2 feet. He explained that the

proposed height of this development would be in line with what is existing and would not be out of character for this area. He then explained that if the site was zoned R-3, similar to the development to the west, they would be able to build up to 40 feet. However, the PUD will limit the building height to 30 feet. He then addressed the concerns about guest parking, explaining that although the City of Phoenix requires a certain number of spaces, the world has changed and the way people visit places has also changed, with more and more people opting for alternative modes of transportation such as bicycles and other non-vehicular travel. The developer is also hoping to negotiate a shared parking agreement with the property owner to the east of the site to be able to provide additional parking. The biggest issue with the proposal so far has been the matter of the trash collection, and the developer will pursue an appeal with the city to allow on-site trash pickup. Delivery trucks will be able to park on site for quick deliveries, as most trucks these days are fairly small. He states that all infill development projects such as this have site logistics issues, but that they will continue to work with the community to come up with solutions and bring a quality development to the neighborhood.

**Daniel Sharaby** asked how many guest parking spaces are required by the city. **Mastikhina** replied that the Zoning Ordinance requires 0.5 guest parking spaces per residential unit in a multifamily development, which would come out to 8 parking spaces for this project.

**Chair Jay Swart** encouraged Mr. Lally to work closely with the neighbors to solve the issues brought up at this meeting before coming back to the committee for a vote, especially regarding the trash collection appeal and the shared parking agreement, as there seems to be plenty of space on adjacent properties.





## Village Planning Committee Meeting Summary

### Z-69-20-6

<b>Date of VPC Meeting</b>	October 5, 2021
<b>Request From</b>	R-O (Residential Office – Restricted Commercial District)
<b>Request To</b>	PUD (Planned Unit Development)
<b>Proposed Use</b>	Multifamily residential
<b>Location</b>	Approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue
<b>VPC Recommendation</b>	Denial
<b>VPC Vote</b>	8-3

#### **VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

**Sofia Mastikhina**, staff, provided an overview of the request, including its location, current and surrounding zoning and land uses and General Plan Land Use Map designation. She outlined the proposed development standards, which include a maximum density of 16 dwelling units, maximum height of three stories and 35 feet, and a central courtyard landscape area. She presented a height comparison exhibit provided by the applicant that shows the proposed building next to the existing neighboring structures. She then presented the conceptual elevations and explained some of the proposed design guidelines contained in the PUD, which also address provisions for an architecturally integrated entry gate and fence along Maryland Avenue. She stated staff's recommendation for approval and listed the associated stipulations.

**John Oliver**, representative with Tiffany & Bosco, provided an overview of the request including the site's proximity to major transportation corridors. He presented the conceptual site plan, noting that units will have individual garages that are accessible from the east and west, there will be a central amenity courtyard corridor running the length of the property, as well as enhanced landscaping along Maryland Avenue. He then presented the conceptual elevations which depict floor to ceiling windows and wrap-around balconies. He explained that the intent of the central courtyard corridor is to create a sense of community among residents, whereas many developments in the area create division between units through central vehicular drive aisles that split a development site. He also showed photos of some examples in the nearby area. He presented additional conceptual renderings of the development, pointing out the central courtyard, pedestrian-level amenities such as shaded seating, the architectural entry gate, and bicycle amenities such as a publicly accessible bike repair station. He then

outlined the community outreach process, which has been ongoing for the past 10 months.

### **PUBLIC COMMENT**

**Sarah Entz**, representing the community to the west of the subject site, stated that their community has expressed two main concerns since this case first came to be, and have expressed these same concerns at the last committee meeting also. The first is the matter of parking, as the site only proposes four guest spaces to serve the 16 dwelling units. She stated that this will result in on-street parking and blocking of bike lanes. The second issue is that of trash collection. The development proposes to place 16 individual trash bins along Maryland Avenue for collection, which will be an unsightly nuisance and will also block the bike lanes. She stated that neither of these issues have been addressed by the applicant.

**Linda Richards** stated that she lives in the community to the west of the site, where there are 18 residential units served by seven guest parking spaces. She explained that guest overflow parking is a huge issue there, as there is not enough on-site parking. She expressed concern at the applicant's inability to address this concern and stated that she felt disrespected by the applicant at their neighborhood meeting.

**Larry Whitesell**, Co-Chair of the Peak Neighborhood Association, explained that the community started meeting with the developer in March of 2021, where they expressed their support for this type of development, but that there are concerns that needed to be addressed first. He stated that the first concern was the proposed ten-foot building setback along Maryland Avenue, which staff had also been concerned about, per the first and second staff review comment letters. The applicant had provided examples of similarly reduced setbacks in nearby properties to justify their request. **Whitesell** presented photos and measurements that show larger setbacks on those properties than what was provided by the applicant.

**Sandy Grunow**, representing the Phoenix Midcentury Modern Neighborhood Association, stated that the developer has approached city staff to request a technical appeal to allow trash trucks to enter and back out of the development for waste collection. Otherwise, there will be 16 trash cans lined up along Maryland Avenue once per week, blocking the bike lane and creating safety hazards. She presented an alternative, per a letter from Megan Sheets, the city's Public Works Project Manager, which states the applicant can seek to obtain a variance to allow 90-gallon waste and recycling bins in an enclosure within the landscape setback. She stated that the community supports this alternative.

**Mary Crozier**, president of the North Central Phoenix Homeowners Association, stated that she bikes along Maryland Avenue frequently and that this is one of her least favorite stretches of the Sonoran Bike Trail. She stated that the bike lanes are frequently blocked by parked cars and trash bins, as the city is too understaffed to enforce parking regulations, so this proposal would only further exacerbate the issue. She also expressed her concern over the reduced front yard setback, which will bring the building closer to the street and reduce sight visibility for cars entering and existing this location, which will be a hazard for cyclists on this road. She stated that she is supportive of new housing in the city, but that there are better ways to solve the parking and trash placement issues. She also explained that currently the General Plan would allow this property up to 14 dwelling units and that, if the applicant reduces their request

to this number, the problems expressed by the community would be solved. She stated that the community has been asking for this for several months and asked that the committee strongly consider the challenges that this development will pose on the community.

**Dan Trozzi**, president of the S. Peak Height Neighborhood Association, stated that he has lived in this neighborhood for several years and that the community has worked hard to ensure positive, compatible changes. He stated that he is not opposed to new developments, but that there are significant issues with this proposal that have not been addressed. He stated that if the developer deletes the two units closest to Maryland, it will solve the concerns with the setback, the sight visibility for vehicles, the guest parking spaces, and would also reduce the overall lot coverage on the site. He presented a financial analysis to show that the reduction in units would not be a financial burden on the developer and that they would still be able to make a profit on the development.

**Mary Ann Pikulas** stated that parking has been a critical issue since the community meeting with the developer in March and explained that Maryland Avenue does not allow any on-street parking due to the existence of bike lanes on both sides of the street. She also expressed her concern with the reduction of guest parking spaces, noting that staff shared the same concern in their comment letter to the applicant, to which the applicant provided guest parking calculations for nearby developments that are similarly underparked. She stated that these other developments also have insufficient guest parking that has resulted in congestion issues. She agreed with Dan Trozzi's suggestion of reducing the residential unit count to solve these issues.

**Chair Jay Swart** asked if the trash collection along Maryland Avenue is imposed by the city. **Mastikhina** explained that it is required by code and that deviation from it requires approval of a technical appeal.

**Oliver** restated the three main community concerns, which are the trash, the parking, and the height. He explained that the trash collection method is required by the City of Phoenix for this type of development, but that they are planning on pursuing approval of a technical appeal once they receive the zoning, as an appeal cannot be filed until this portion is complete. Regarding parking, he stated that the Zoning Ordinance requires 1.5 spaces per one- and two-bedroom units, which would total 24 required spaces. Each unit will have a two-space garage, so there will be 23 parking spaces, which is a surplus of 8 spaces. The ordinance also requires 0.5 guest parking spaces per one- or two-bedroom units, which results in eight required guest parking spaces. The proposal has four guest parking spaces, so they are short four spaces. However, with the eight-space surplus noted for residential parking, there is an overall parking space surplus of four parking spaces on the site. He also stated that the city's parking requirements were written before the advent of rideshare services such as Lyft and Uber, which are now more commonplace in people's lives. He then addressed the concerns with height, noting that there is only a difference of four to six feet between adjacent buildings and the proposed project. He then addressed the concern regarding the reduced building setback, stating that it will be robustly landscaped, and that the city has also been promoting more walkable urban environments, which include pushing buildings closer to sidewalks for visual interest.

**Chair Swart** expressed concern with Linda Richards' comment that the community was disrespected at the neighborhood meeting and asked the applicant if he remembers such an incident at any of their meetings. **Oliver** replied that he does not recall any such moment but noted that it is very challenging to run virtual meetings via Zoom when there are many attendees, in which case some people may not get a chance to speak or are inadvertently talked over as others unmute themselves. He stated that it is never the intent of this development team to be disrespectful to any community members and apologized if that was the impression. He reiterated their openness to community discussion and has offered up his phone number for members of the community to discuss the case at any time.

**Daniel Sharaby** stated that the community has been dismissed and hasn't been heard through this process, noting that the applicant's rebuttal regarding the overall parking space count does not address the guest parking issue, since most of the spaces will be provided in private enclosed garages.

### **MOTION**

**Daniel Sharaby** made a motion to deny the request as filed. **Barry Paceley** seconded the motion.

### **DISCUSSION**

**Daniel Sharaby** stated that the community has been dismissed and hasn't been heard through this process, noting that the applicant's rebuttal regarding the overall parking space count does not address the guest parking issue, since most of the spaces will be provided in private enclosed garages. He also fails to see how this proposal goes above and beyond what is required by code.

**Linda Bair** expressed concerns over the proliferation of PUD requests, which she recalls were originally intended to help with development on assemblages of mixed-use sites. In the past year, applications have been submitted for small sites and have been an abuse of the Zoning Ordinance, as developers simply want to maximize the height and density for their projects. She expressed concern with the city recommending approval for these requests and stated that there needs to be some discussion within the Planning and Development Department regarding the appropriateness of these requests. She also expressed concern with the safety along Maryland Avenue, which already presents sight visibility issues. **Chair Swart** asked staff to relay this concern to management to start a conversation regarding PUDs within the city.

### **VOTE**

**8-3:** Motion passes with committee members Bair, Thraen, Eichelkraut, Garcia, Miller, Paceley, Sharaby, and Tribken in favor, and committee members Swart, Abbott, and Bayless dissenting.



**City of Phoenix**

PLANNING AND DEVELOPMENT DEPARTMENT

**ADDENDUM A**  
**Staff Report: Z-69-20-6**  
November 3, 2021

<b><u>Camelback East Village Planning Committee Meeting Date</u></b>	October 5, 2021
<b><u>Planning Commission Hearing Date</u></b>	November 4, 2021
<b>Request From:</b>	<a href="#">R-O</a> (0.89 acres)
<b>Request To:</b>	<a href="#">PUD</a> (0.89 acres)
<b>Proposed Use</b>	Multifamily residential
<b>Location</b>	Approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue
<b>Owner</b>	East Maryland, LLC
<b>Applicant</b>	AUTEM Development
<b>Representative</b>	William E. Lally, Esq., Tiffany & Bosco
<b>Staff Recommendation</b>	Approval, subject to stipulations

The purpose of this addendum is to revise the staff recommended stipulations to account for changes to the PUD development narrative, per the applicant's request.

On October 5, 2021, the Camelback East Village Planning Committee heard this request and recommended denial, noting the continued community opposition to the case due to ongoing concerns regarding the proposed density, reduction in guest parking, and on-street waste collection. After the meeting, the applicant worked with members of the community on modifications to the request to address these concerns and has requested modifications to the PUD development narrative to accommodate the changes made to the proposal. The key modifications are as follows:

- Density reduction from 16 units to 15 units
- Increase of guest parking from 4 spaces to 6 spaces
- Relocation of bicycle repair station to the interior of the development
- Exploration of alternative waste collection methods

The below stipulations list the applicant's requested modifications to the PUD development narrative and an additional stipulation to address alternative waste collection. Staff recommends approval subject to the following revised stipulations:

1. An updated Development Narrative for the Autem Row PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped September 21, 2021, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: September 21, 2021; City Council adopted: [Add adoption date].
  - B. PAGE 5, OVERALL DESIGN CONCEPT: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.
  - C. PAGE 7: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.
  - D. PAGE 8, LAND USE PLAN: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.
  - E. PAGE 9, DEVELOPMENT STANDARDS TABLE: UPDATE THE MAXIMUM DENSITY TO 15 DWELLINGS UNITS AND 16.85 DU/AC.
  - F. PAGE 9, DEVELOPMENT STANDARDS TABLE: UPDATE GUEST PARKING TO 0.40 SPACES PER RESIDENTIAL UNIT TO REFLECT MINIMUM OF 6 GUEST PARKING SPACES.
  - G. PAGE 12, DESIGN GUIDELINES SECTION E.1.H.: REPLACE WITH THE FOLLOWING:

BICYCLE PARKING WILL BE INSTALLED WHERE INDICATED ON THE ATTACHED SITE PLAN (EXHIBIT 9). A BICYCLE REPAIR STATION SHALL BE PROVIDED ON THE NORTH END OF THE SITE IN CLOSE PROXIMITY TO THE BICYCLE STORAGE AREA SHOWN ON EXHIBIT 9.
  - H. PAGE 14, SECTION H.2. CIRCULATION: UPDATE THE PARAGRAPH TO REDUCE NUMBER OF UNITS TO 15 AND TO DESCRIBE THE LAYOUT AS PROPOSED IN THE SITE PLAN DATE STAMPED OCTOBER 28, 2021.
  - I. PAGE 15, COMPARATIVE ZONING TABLE: UPDATE THE NUMBER OF UNITS, DENSITY RATIO, AND MINIMUM GUEST PARKING ON PUD ZONING COLUMN.
  - J. PAGE 36, EXHIBIT 9 (CONCEPTUAL SITE PLAN): REPLACE WITH THE SITE PLAN DATE STAMPED OCTOBER 28, 2021 AND REMOVE THE REFERENCE TO THE BICYCLE REPAIR STATION.
  - K. PAGE 38, EXHIBIT 10 (FENCE DIAGRAM): REMOVE THE REFERENCE TO THE BICYCLE REPAIR STATION.

2. The developer shall dedicate a 7-foot sidewalk easement for the north side of Maryland Avenue, as approved by Planning and Development.
3. The applicant shall submit a traffic statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Development Coordination Section.
4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
5. 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.
6. THE DEVELOPER SHALL WORK WITH THE PLANNING AND DEVELOPMENT DEPARTMENT'S SOLID WASTE REVIEWER TO PURSUE ALTERNATIVE METHODS OF WASTE COLLECTION TO ALLOW FOR ON-SITE TRASH AND RECYCLING PICK UP.

**Exhibits**

Site plan date stamped October 28, 2021 (1 page)

Community correspondence (56 pages)





## Sofia Mastikhina

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**From:** Karolyn Benger <kbenger@gmail.com>  
**Sent:** Friday, October 1, 2021 5:08 PM  
**To:** Sofia Mastikhina  
**Subject:** Development on Maryland Street

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Ms. Mastikhina,

I am writing about my concerns with the new development being planned on Maryland Street.

Having 16 trash bins and 16 recycling bins lined up two days a week on Maryland, will cause problems for bikers and pedestrians. Cars trying to get out from the trash collection will drive into the oncoming traffic lane, creating a horrible risk of a head on collision. Further, these bins will be an unsightly blight on our street.

There are only 4 guest spaces planned, one of which is designated for the disabled. If not requesting a special classification, 8 spaces would be the required number. With anywhere from 30 to 40 plus residents possibly living there, each with family or friends visiting and others. Where will they park? If on Maryland this takes away the bike lane and blocks driver's line of vision when trying to turn into Maryland. It's simply not safe.

These concerns have been raised for many months and there has yet to be any plan put forward by the developers to address this.

I am deeply concerned as I, and my children, bike on this bike lane and walk our dog down this street. This is truly scary when a few modifications could address these concerns.

Thank you,

Karolyn Benger  
Sent from my phone

## Sofia Mastikhina

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**From:** Larry Whitesell <thepeakhomeassoc@gmail.com>  
**Sent:** Wednesday, October 20, 2021 11:07 AM  
**To:** Sofia Mastikhina  
**Cc:** John T. Oliver; Mary Ann Pikulas; Linda Richards; Sandy Grunow; Dan Trozzi  
**Subject:** Z-69-20 Autem Row Meeting Recap  
**Attachments:** 19 Oct 2021 Meeting Recap.pdf

Good morning, Sofia -

This email is to share with you the result of a recent meeting between Mr. Oliver and neighborhood representatives concerning the Autem Row application, Z-69-20. I offered to send this meeting recap to you so you are aware of the position of the neighborhood representatives on several issues. There are a couple of items that Mr. Oliver indicated are encouraged by Zoning staff. He supported my offer to inform you about our remaining issues so that possible revision of those items would not become concerns of Zoning staff.

Please contact me if you want to discuss any of the contents of the attached meeting recap.

Larry Whitesell, Co-chair  
the PEAK NA  
602-370-8453

On Tuesday, October 19<sup>th</sup> several neighborhood representatives met virtually with John Oliver, Law Clerk at Tiffany & Bosco, who represents the Autem Row developers. Mr. Oliver reached out to us to discuss the developer's revision of the site plan to eliminate 1 unit and increase the guest parking spaces to 6. While we appreciate their willingness to make this revision, the proposal still lacks neighborhood support for several reasons. We discussed these in detail with Mr. Oliver.

1. The developers are considering elimination of 1 unit, possibly unit 8 on the current site plan, the north-west unit.
2. Guest Parking: Elimination of 1 two bedroom unit reduces the required guest parking spaces from 8 to 7.5. Adding 2 spaces to the original proposal of 4, gets closer to the required number. The 2 spaces would be located in the north-west corner of the property next to the already planned 2 spaces and turnaround. However, there is still great concern about the likelihood of guest parking on Maryland in the bike lane. More about this is in the solutions paragraph below.
3. Trash and Recycling: Mr. Oliver has stated on several occasions that they would submit a technical appeal to make it possible for a centralized collection compound to be used rather than 15 individual bins being placed on Maryland in the bike lane twice per week. We support this proposal but with a modification of the proposed location of the compound. They are considering the compound being located in the north-west corner of the property. We have an alternative proposal below.
4. Bicycle Storage/Repair/Bench: Mr. Oliver stated this is an amenity encouraged by Zoning staff. We expressed a concern about having a bicycle storage/repair area and bench that is in the landscape setback on the south side of the proposed fence. We believe that having an unsecured area open to the public is a potential attraction to individuals living on the streets.

Please be aware of the current conditions in the area. Maryland dead-ends at the St Rt 51 wall just 1500 feet from the subject property. This is where several homeless people locate. There is a large single family detached (R-1-6) development under construction on the south side of Maryland, east of 16<sup>th</sup> St at the freeway wall. This will cause the unhoused people to relocate. It is predictable that some will move to any area that provides shelter and seclusion, such as the proposed bike area and bench.

We stated that homeowners in the complex will likely store their bicycles in their garages, especially with more room created by not having to locate their trash and recycling bins in the garage. Also, the Comprehensive Bicycle Master Plan does not mention having publicly accessible bike storage and repair. There are two recent cases in Camelback East VPC, Z-920-6 the Willowick PUD south-west corner of 16<sup>th</sup> St & Colter, and Z-65-20 PUD at 5727 N 7<sup>th</sup> St., that included bike storage/repair within the confines of the buildings. Note these are apartments without individual garages, unlike Autem Row that is owner occupied with individual garages.

5. Front Set-Back: We continue to be concerned with the front set-back. Mr. Oliver stated that Zoning staff was interested in having the front of the building interact with the sidewalk/street. We understand this concept as it is incorporated into the Walkable Urban Code. The subject property is not close to any area that is in the WU Code or Transportation Oriented Districts. Also, in two reviews by Zoning staff of the proposed develop, Zoning staff stated that they were not in agreement with the limited front set-back. That concern is dropped in the 3<sup>rd</sup> review and staff report. The neighborhood representatives still hold that concern.

6. The neighborhood representatives proposed the following solutions that resolve every issue. We strongly encourage the developer to eliminate 2 units, preferably units 1 and 9 on the south side of the site. This would provide ample area for:

a. 4 more guest parking spaces bringing the total to 8 (7 would be required).

b. locating the centralized trash/recycling compound at the street side of the property but behind the fence, thus eliminating 15 trash and recycling bins being placed in on Maryland in the bike lane, and eliminating the need for a technical appeal because the collection truck would not have to back up more than 50 feet.

3. putting bike storage/repair behind the fence in a secure area if needed at all.

4. the south facing wall of the closest units to be approximately 37 feet from the curb. This eliminates the looming 32' high, 80 linear foot wall close to the public sidewalk and street. We are not opposed to having the 3'-6' graduated view fence located as currently pproposed approximately 17' from the curb. This will still provide interaction between the project and the sidewalk/street.

Mr. Oliver said he would discuss the input from the meeting with his clients. We anticipate a reply and a revision of the site plan fairly quickly, or for a continuance of the Planning Commission agenda item to be requested to give the developer time to consider changes and to submit a revised site plan.

**From:** Michael Cocanower <mwcoanower@gmail.com>  
**Sent:** Saturday, October 23, 2021 5:57 PM  
**To:** PDD Planning Commission  
**Subject:** Project Z-69-20 Autem Row

Hello -

I would just like to share my feedback regarding the proposed Autem Row project (referenced in the subject) which is proposed for Maryland Avenue just west of 16th Street.

I live just north of 14th Place and Maryland - down the street from the proposed project - at 6510 N 14th Place.

While I would like to see more of this type of project in infill locations through the neighborhood, this project has what I would consider to be two flaws which have existed for as long as I've known about the project and have NEVER been addressed by the developers in spite of concerns repeatedly expressed to them by neighborhood groups, residents, and even the Planning Committee.

First, the project has inadequate guest parking. In my opinion this will create additional street parking along Maryland - an already overly congested street parking area - making an existing problem even worse. These vehicles make visibility getting in and out of 14th Place very difficult and also block the bike lane. The contrast between Maryland east of 16th Street (where no street parking is allowed) and west of 16th Street is stark in terms of curb appeal and overall appearance. I don't feel this project should be approved with less than the required visitor parking spaces.

Second, the project does not have enough space for commercial trash pickup. Without a variance from the city to allow garbage trucks to enter the development, that will mean 32 trash containers along Maryland weekly (16 homes in the development, each with a trash and recycle container). Given the existing parking issues described above which will be made worse by lack of required guest spaces, I'm not sure where these 32 containers will go. I run along this section of Maryland twice per day, and already have to navigate traffic, parked cars, and pedestrians. Adding 32 trash cans will make it impossible, and that doesn't even consider how unsightly it will all be.

I would strongly encourage you NOT to approve this project as submitted. I believe there are solutions (many of which have been offered during neighborhood and planning committee meetings) which can solve both of these problems (such as reducing the number of units in the proposed development). This could be a great project if properly designed, but I do not feel it should be approved in its current form.

Thank you for your consideration.

Michael Cocanower

**Racelle Escolar**

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**From:** Lyndon Hara <lyndonharasafety@gmail.com>  
**Sent:** Saturday, October 30, 2021 8:43 AM  
**To:** PDD Planning Commission  
**Cc:** Sandy Grunow; Lyndon M Hara  
**Subject:** Re: Item #20, case number Z-69-20-6 1536 and 1538 East Maryland Avenue

Dear Sir:

I am a resident in the Madison neighborhood (Rose Lane and 7th St.).

I am writing to you about the concerns we have about the proposed development at 1536 and 1538 East Maryland Avenue.

Our concerns are:

1. High density trash containers stored on Maryland Ave 2x per week.
2. Bike lane blockage.
3. Lesser property set back requirement.
4. Lesser minimum parking spot requirement.
5. Too high living density at the project.

Please have the developer address these issues with an adequate abatement plan.

Should you desire additional input, please feel free to contact me.

Thank you.

Sincerely,

Lyndon Hara, CSP  
Chandra Hara  
736 E Rose Lane  
Phoenix, AZ 85014  
6025181852

**Racelle Escolar**

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**From:** Karolyn Benger <kbenger@gmail.com>  
**Sent:** Friday, October 29, 2021 4:32 PM  
**To:** PDD Planning Commission  
**Subject:** Item #20 case number z-69-20-6

I am writing to express my concerns with the new development being planned on Maryland Street.

Having 16 trash bins and 16 recycling bins lined up two days a week on Maryland Street, will cause problems for bikers and pedestrians. Cars trying to get out from the trash collection will drive into the oncoming traffic lane, creating a horrible risk of a head on collision. Further, these bins will be an unsightly blight on our street.

There are only 4 guest spaces planned, one of which is designated for the disabled. If not requesting a special classification, 8 spaces would be the required number. With anywhere from 30 to 40 plus residents possibly living there, each with family or friends visiting and others. Where will they park? If on Maryland Street this takes away the bike lane and blocks the driver's line of vision when trying to turn into Maryland. It's simply not safe.

These concerns have been raised for many months and there has yet to be any plan put forward by the developers to address this.

I am deeply concerned as I, and my children, bike on this bike lane and walk our dog down this street. This is truly scary when a few modifications could address these concerns.

Thank you,  
Karolyn R. Benger  
[kbenterpriseconsulting.com](http://kbenterpriseconsulting.com) [[kbenterpriseconsulting.com](http://kbenterpriseconsulting.com)]

I am offline from Friday evenings until Saturday evenings

**From:** Pat Mayer <pm85014@gmail.com>  
**Sent:** Saturday, October 30, 2021 12:33 PM  
**To:** PDD Planning Commission  
**Subject:** Z-69-20-6

Greetings,

I am writing in opposition to the requested Autem Row PUD, item 20 on the November 4, 2021 schedule.

The developer for this condominium is trying to cram 20 pounds of flour into a 5 pound sack. Sixteen units on these two plots is several units too many, with no plans for communal trash dumpsters. Maryland Ave. is already a problem, with too many people parking their cars outside of allowed times, and in a narrow shoulder not really wide enough for safe parking. I walk that way often and just the other day saw a parked car that had been hit, presumably overnight, sustaining rear damage and getting pushed into the parked car in front of it. Imagine how much worse if the residents of Autem Row have their 16 trash and 16 recycle bins lined up, on the sidewalk or in the street. Cars will either park there and block the dumpsters or will park further down the street, compounding the already problematic situation. Bicyclists and pedestrians will encounter more obstacles and risks.

If they would scale back the size of the development and allow for communal large dumpsters and room for the trucks to maneuver, as well as perhaps more visitor parking spaces, they would find fewer objections from the neighborhood.

Patricia Mayer  
815 E. Rose Lane, unit 119  
Phoenix, AZ 85014



**Racelle Escolar**

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**Subject:** FW: Z-69-20-6 PUD Planning Commission Hearing 11-4-21

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**From:** Sandy Grunow <[phxmidcenturymodernna@gmail.com](mailto:phxmidcenturymodernna@gmail.com)>

**Sent:** Monday, November 1, 2021 1:15 PM

**To:** PDD Zoning Adjustment <[zoning.adjustment@phoenix.gov](mailto:zoning.adjustment@phoenix.gov)>; Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)>

**Subject:** Z-69-20-6 PUD Planning Commission Hearing 11-4-21

Dear Chairman and Members of the Planning Commission:

I represent the Phoenix Mid-Century Modern Neighborhood Association. After attending the first Autem Developement's neighborhood meeting of January 20, 2021, myself and other neighborhood leaders made several attempts to meet with the Developer and the representing law firm. We finally met with the Developers on March 4, 2021, attended the subsequent neighborhood meetings, then met virtually with the legal representative John Oliver on October 19th.

From the very beginning we communicated the following concerns with the proposed PUD:

Density, height, building setback, on street trash collection, guest parking

Density: 16 three story units on .87 acres far exceeds the density along Maryland Avenue between 12th Street and 16th Street. Is this proper use of the PUD designation? A member of the Camelback East Village questioned this use as well.

Height: The proposed three story townhouse at 35 feet in height is not in keeping with this mid-century modern neighborhood. Single family residents and residential complexes are concerned about their privacy.

Building set back: The proposed set back of 10 feet is dramatically less than other complexes along Maryland Avenue between 12th Street and 16th Street. The setbacks are 20 to 27 feet.

Trash Collection: Due to the proposed density there is no room for bulk trash collection. The Developers plan for the townhouse residents to take their trash to the street on one day for pick up the second day. Then the individual recycling containers would be rolled out yet another day for pick up. Keep in mind, the collection containers will sit in the bike lane for 3 to 4 days total each week. Cyclists will have to ride into the motor vehicle lanes creating a safety hazard with potential for injury. The 16 collection cans will create a hazard as drivers exiting the property from the east and west driveways will have their view of East Maryland obstructed especially if they drive a low profile vehicle.

Guest Parking: The Developers planned for 4 guest parking spaces when 8 spaces are more appropriate. Allowing less than 8 spaces would require on the street parking. East Maryland Avenue contains bike lanes on both the north and south sides. Maryland Avenue is very busy at times especially when Madison Traditional Academy and Rose Lane Schools are in session. Maryland Avenue is also the route to Madison Meadows. During two meetings with the developer's legal representative we were told that guests are resourceful and can park in surrounding parking lots. Trespassing should not be encouraged.

We neighbors have gone out of our way to communicate with the Developers and their legal representative. Most matters could be resolved if the density was reduced by two units. The Developers' response was the 16 units were necessary to arrive at their desired return on investment (ROI). I suggest their proposed build is not appropriate for this site.

Lastly, **below** please see a photo of the Developer's sign communicating the designated hearing dates to the community. One cannot see the sign from the street without entering the property behind the tall hedge. Why is this required notification being hidden?

Sandy Grunow  
602-819-1482



**Racelle Escolar**

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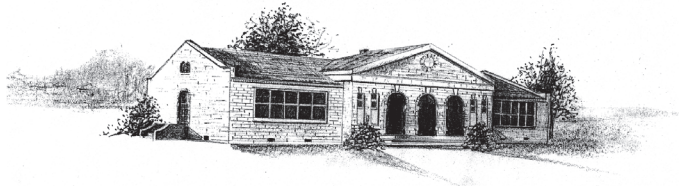
**From:** art schneider <aschneider17@cox.net>  
**Sent:** Monday, November 1, 2021 2:15 PM  
**To:** PDD Planning Commission  
**Subject:** Z-69-20-6- ( Autem Row Pud)

I am opposed to this development unless a few changes occur.

1. Reduce the development by two units.
2. More guest parking spaces made available.
3. Provide area for enclosed trash containment. I am against having trash and recycle bins on Maryland Ave.

Thank you,  
Art Schneider  
6504 N 14th Pl  
Phoenix 85014

## Phoenix Historic Neighborhoods Coalition



HISTORIC FRANKLIN SCHOOL

October 30, 2021

Members of the Planning Commission

RE: Item #20, Case# Z-69-20-06

1536-1538 E. Maryland Avenue

Agenda: 11/4/2021

Dear Members of the Phoenix Planning Commission,

I write as an advocate for preservation throughout our city. There are neighborhoods in Phoenix that may never have a chance to preserve important early 20<sup>th</sup> Century and significant Mid-Century buildings if incompatible, poorly thought-out developments such as this one proposed for 1536-1538 East Maryland Avenue are allowed to flourish at 35' in height.

Homeowners in the vicinity of the proposed development have indicated to me that the area between 7<sup>th</sup> Street and 16<sup>th</sup> Street has numerous residences of historic significance.

For example: the Palm Lane Gardens Condominiums at 1441 East Maryland Avenue, with 25 single story units was built in 1958. There are several other single-story properties along East Maryland Avenue dating back to 1925.

Please deny this out of scale development at 1536-1538 East Maryland Avenue.

Thank you for your time and consideration of these facts.

G.G. George, President

Encanto Citizens Association & Phoenix Historic Neighborhoods Coalition

1102 W. Palm Lane

Phoenix, AZ 85007

602-252-3151

**Racelle Escolar**

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**Subject:** FW: Addendum to previous email - Item 20, Z-69-20-6

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**From:** Mary Mulligan <[mkmullign@aol.com](mailto:mkmullign@aol.com)>  
**Sent:** Monday, November 1, 2021 1:11 PM  
**To:** PDD Planning Commission <[pdd.planningcomm@phoenix.gov](mailto:pdd.planningcomm@phoenix.gov)>  
**Cc:** Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)>  
**Subject:** Addendum to previous email - Item 20, Z-69-20-6

Planning Commission -

I am sending an addendum to an email of opposition that I sent earlier this morning. I'd like for you to examine the following two photographs.

After sending you the earlier email, I wanted to check out the location of the subject property once again. Before I realized it, I had completely passed the property. The position of the zoning sign is disgraceful. Thank you for the opportunity to communicate with you once again.

-Mary

View from Maryland Avenue, looking eastward. Interesting that the "Available" sign is so strategically placed. Compare to the zoning sign in the background:





A pedestrian’s view, looking westward on Maryland. Look carefully; there’s a zoning sign in there somewhere!:



Dear Planning Commissioners:

We are writing regarding case Z-69-20-6, item 20 (1536 and 1538 E. Maryland Avenue). We are opposed to the granting of a PUD.

For the record, we walk and drive regularly past this location, and by the way, even though we were updated about this proposal several times by a concerned neighbor, we didn't see the posted zoning sign for months due to its unconventional placement in an obscure spot. We were surprised to realize we'd passed it many times in our car as well as on foot without noticing it.

The applicant's narrative tells us that so many things are wrong with this lot that the only way this project can be completed is by changing the rules - numerous rules - through a PUD.

To the detriment of the surrounding community, the applicant wants to change characteristics including:

- Parking
- Density



- Height
- Setbacks
- Lot coverage

Clearly, the parcel is not appropriate for the proposed project when so many factors are incompatible with the project plan. Furthermore, in our opinion, a PUD is not appropriate for a lot of only .89 acres.

Benefit to a developer should not come at the expense of the surrounding community; a project should be mutually beneficial to both.

Apparently, however, this developer expects surrounding businesses to accommodate guest parking that the developer is in part unwilling to provide.

Apparently the developer is unconcerned with pedestrians and cyclists who use the sidewalk and bike lane, and drivers who park along the 160' of frontage on Maryland (minus the width of the project's two driveways), who would be adversely impacted because the developer does not plan to provide bulk trash pickup, as is done in nearby complexes.

Imagine the nuisance and aesthetics of 16 trash barrels lined up 4' apart along this small stretch of Maryland on one day, and 16 recyclables cans on another - and potentially up to 16 cans of curbside green organics containers if future residents are concerned about the environment!

Apparently the developer thinks this project merits an exception to the typical streetside setbacks in the area (about 25' along Maryland), requesting a significant decrease to a mere 10'. (How does this benefit the neighborhood?)

Neighbors have expressed legitimate concerns regarding this project through appropriate channels. If the developer is unwilling to modify plans out of respect for the neighborhood or if the project is not financially feasible under existing zoning, surely a more appropriate site can be located in this, the fifth large city in the country, that will result in a project that satisfies both the surrounding community and the requirements of this ambitious project.

Please deny this zoning change request.

Sincerely,

John E. Hathaway  
Mary K. Mulligan  
125 E. Maryland Ave.  
Phoenix, AZ 85012



**From:** Larry Whitesell <thepeakhomeassoc@gmail.com>  
**Sent:** Monday, November 1, 2021 9:11 PM  
**To:** PDD Planning Commission  
**Subject:** Opposition to Z-69-20-6 Autem Row  
**Attachments:** Written Submission.pdf; Exhibit A - Lot Sales.pdf; Exhibit D - Response to Set-backs - 2nd Review.pdf; Exhibit C - Front Setback Comparison.pdf; Exhibit B - Comparison Setbacks.pdf; Exhibit F - Sheets re Centralized Collection.pdf; Exhibit E - Trash Can Placement.pdf; Exhibit F - SW Standard Page 4 RETROFIT.pdf

Phoenix Planning Commission

Submitted via email: [pdd.planningcomm@phoenix.gov](mailto:pdd.planningcomm@phoenix.gov)

November 1, 2021

Rezoning Case: Z-69-20-6 Autem Row PUD

Meeting Date: November 4, 2021

Agenda Item: 20

Dear Planning Commission Members:

I have been involved with the above PUD application since reaching out to the developers for a meeting that was held March 4<sup>th</sup>. The meeting participants told the developers at the time, and we still agree, that we support a development of this nature at this location. However, there were then, and still are, a few areas of concern.

During our preparation for the public hearing process we tracked three project proposals submitted by the applicant, the Zoning Staff reviews of those proposals, the applicant responses, and the Staff Report that resulted. Our analysis found that several important concerns stated by Zoning Staff are not resolved. We share those concerns. These include lot coverage, front setback, guest parking, and trash/recycling collection. Bicycle storage and repair is another concern of affected neighbors. Public safety was not directly addressed by Zoning Staff but must also be considered. It is impacted by all of the above unresolved concerns.

It is notable that the Camelback East VPC voted 8-3 to deny the application. It is rare for Camelback East to not just deny, but to so overwhelmingly deny, a rezoning case.

Especially notable is that member Daniel Sharaby made the motion to deny, and stated that in his time on the Camelback East VPC, he remembers voting against a rezoning case maybe 1 other time. His stated concerns are: 1. inadequate guest parking; 2. the applicant stated guests would find parking on nearby commercial lots; 3. using resident parking allocation of 1.5 spaces per 2 bedroom unit to make up for lack of required guest parking; 4. not 1 neighbor wrote or spoke in favor of the project.

Another member, Linda Bair, stated that she is concerned about the application for PUDs that do not comply with the purpose of a PUD – for developers to be able to put together projects on two or more parcels that have different zoning categories. She stated developers are using the PUDs as a way to build too high and too dense than would otherwise be allowed.

We have been told that the applicant is planning to revise the project to address the issue of guest parking. However, as of submitting this statement of opposition, that revision has not been shared with us.

The issues of Lot Coverage, Building Setback, Guest Parking, Trash/Recycling Collection, and Safety are addressed in the attached review of Zoning Staff concerns, applicant responses, and realities. Several exhibits are included to illustrate the relevant points.

Your careful review of this information is appreciated. I look forward to speaking on this case at the upcoming meeting.

Sincerely,  
Larry Whitesell, Co-chair  
the PEAK NA  
602-370-8453

## I. Lot Coverage

### 1<sup>st</sup> Review – Zoning Staff

Lot coverage should not exceed 35% net

Status of patios being part of 100% lot coverage for individual lot sales

Applicant Response: Resubmittal shows a lot coverage of forty-six percent based on net area.

### 2<sup>nd</sup> Review – Zoning Staff

46% lot coverage is still a concern

100% lot coverage for individual lots still remains

Recommend maximum lot coverage for individual lots and minimum front yard setback

Applicant Response:

46% maximum lot coverage based on net lot area

Minimum individual lot coverage % is not being proposed at this point in time

### 3<sup>rd</sup> Review – Zoning Staff: INTERDEPARTMENTAL COMMENTS

All comments from the first review shall apply

### Staff Report

The proposal is compatible with the multifamily residential zoning districts present to both the east and west of the site, with the maximum proposed density falling between those permitted on the two adjacent properties.

### REALITY

- The Staff Report is comparing what could have been built on adjacent properties per zoning districts, not what was actually built. Actual developments have less density than maximum allowable.
- "...at this point in time." is an opportunity for the applicant to convert to individual lot sales in the future. In fact, the Site Plan, pg 7, Proposed Development – PUD  
"LOT SALES PROPOSED: YES" (Exhibit A)

## II. Building Setbacks

### 1<sup>st</sup> Review – Zoning Staff

Maximum Building Setbacks – Divide into perimeter and individual lots

Consider a minimum front yard setback

Applicant Response:

We are not proposing individual lots at this point in time

Yards have varying depth with 10' setback as minimum

### 2<sup>nd</sup> Review – Zoning Staff

Staff still not supportive of 10' setback along Maryland. Average setback on Maryland is 30'; closest building (east) is 20' from property line

Applicant Response:

- Setback is more than 3 properties, property address provided as evidence
- More advanced architecture than the properties listed above; the impact to Maryland Avenue will not be as substantial
- 6'6" more between property line and sidewalk
- Open fence, lush landscape and bench

November 1, 2021

3<sup>rd</sup> Review – Zoning Staff: INTERDEPARTMENTAL COMMENTS  
All comments from the first review shall apply

Staff Report – This concern is not addressed

VPC Presentation

In rebuttal to my evidence that the 3 properties cited as examples of having closer setbacks, Mr. Oliver stated that he was referring to Landscape setbacks.

REALITY:

- Setbacks on properties on the east, west and south side of the proposed development are farther from the sidewalk. **(Exhibit B)**
- The buildings of the properties cited by the applicant are farther from the sidewalk than the proposed development. **(Exhibit C)**
- 2 of the 3 properties cited by the applicant are side yard set-backs. The property addresses are not on Maryland.
- The written document in which Mr. Oliver cited the 3 properties as having less setbacks is under Building Setbacks, not the section on Landscape setbacks. **(Exhibit D)**
- The proposed development parallels Maryland with a building wall of of approximately 80 linear feet, 32 feet high within 17' of the sidewalk. This is far more negative impact than the 3 low profile, single story homes set farther back from the sidewalk cited by the applicant.

### III. Parking

1<sup>st</sup> Review – Zoning Staff

1. Give ratio of bicycle parking
2. Guest parking should be provided

Maryland has a bike lane so no on-street parking may be permitted

Applicant Response:

Bike storage and repair has been added

2<sup>nd</sup> Review – Zoning Staff

Staff not supportive of reduced guest parking

Applicant Response:

Guest spaces conforms with similar properties  
Number of guest spaces on similar properties is stated  
Ride share has increased  
Cross-parking agreements with commercial properties could be an option

3<sup>rd</sup> Review – Zoning Staff: INTERDEPARTMENTAL COMMENTS  
All comments from the first review shall apply

Since VPC denial the applicant has stated that they will reduce the number of units by 1 and increase the guest parking by 2 making the total 6.

REALITY:

- Parking on Maryland is prohibited and causes a safety hazard due to the bike lane
- Guest parking on similar properties was not accurately counted
- Guest parking on similar properties is inadequate and is an on-going concern of residents living in those communities
- Reduction of 1 – 2 bedroom unit reduces the requirement by .5; 7.5 required
- Adding 2 guest spaces makes the total 6, still below the requirement

**IV. Public Works – Trash Collection**

1<sup>st</sup> Review – Zoning Staff

Trash collection needs more info e.g. impact on streetscape, will concrete pads be needed

Applicant Response:

Approached Zoning Staff about a technical appeal to allow trucks to backup more than 50 ft.

Will have 16 individual cans twice a week if appeal not approved

2<sup>nd</sup> Review – Zoning Staff

All comments from first review shall apply

Applicant Response:

Allows for 16 individual collection bins for trash and recycling

3<sup>rd</sup> Review – Zoning Staff: INTERDEPARTMENTAL COMMENTS

All comments from the first review shall apply

REALITY:

- 16 trash/recycling cans placed in the bike path starting the evening before collection and ending, potentially, the day after collection is unsightly and is a safety hazard
- The City ordinance states that collection bins be placed at the curb, not on the sidewalk **(Exhibit E)**
- No other multifamily housing developments with access to Maryland require residents to place trash/recycling on the street or on the sidewalk
- Megan Sheets, Project Manager for the Public Works Department offered 2 solutions to individual trash collection bins:

Variance for trash/recycling enclose in the landscape setback

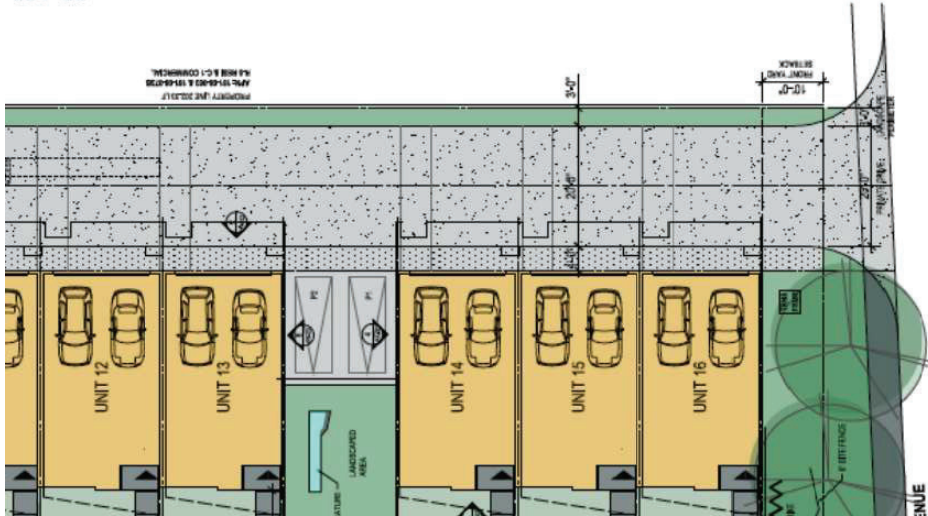
Technical appeal to allow collection truck to back up more than 50 ft

She states:

“A centralize enclosure would make it a lot easier for each resident instead of wheeling a 90-gallon bin twice a week (one day refuse & another day recycle) to Maryland.” **(Exhibit F)**

# Exhibit A

IS BASED, SAID OR CONCERNED HERE OR SHALL NOT BE USED ON THIS SITE WHERE VISIBLE FROM THE PUBLIC STREETS OR ADJACENT RESIDENTIAL AREAS.  
 IS ALL SEWAGE REQUIRES SEPARATE REVIEWS, APPROVALS, AND PERMITS. NO SEWAGE APPROVED FOR THIS PLAN.



APRIL 19, 2023  
 10:48:03 A.M. COMMERCIAL

ATTORNEY:  
 TITANY & SODCO  
 2325 E CAMELBACK ROAD  
 PHOENIX, ARIZONA 85014  
 ASHLEY.ZIMMERMAN@TITANYANDSODCO.COM

**ZONING**  
 PROP ADDRESS: 1538 E MARYLAND AVE, PHOENIX, ARIZONA 85014  
 LEGAL DESCR: TH PT 854 NE4 SEC 9 TON RIE DAF BEG AT PT S L 11 SD NE4 336.78' W OF SE COR TH N 35.33' TO W 162.78' TH S 35.33' TO E 162.78' TO COR EX N 130' TH OF & EX S 30' RD PT 142841860  
 PARCEL #: PARCEL #15-04-020C  
 SITE AREA: 0.77 ACRES GROSS, 0.78 ACRES NET  
 CURRENT ZONING: RM  
 PROPOSED ZONING: PUD

## PROPOSED DEVELOPMENT - PUD

PROPOSED USE: PUD  
 LOT SALES PROPOSER: YES  
 HEIGHT: 3 STORIES AT 31'-10"  
 DENSITY: 18 DWELLING UNITS  
 CAR PARKS: 18 UNITS X 2 PER GARAGE = 36 SPACES  
 PROVIDED: 18 UNITS X 2 GUEST SPACES = 36 TOTAL SPACES  
 BICYCLE: 8 SPOTS FOR STORAGE PROVIDED (8 IN FRONT, 3 IN BACK)  
 OPEN SPACE: 1,420 (8 POOL (ACTIVE), 587 SF @ SHADE GARDEN (CONCRETE), 4,135 SF @ CIRCULAR MEANS (PAVED))  
 PROVIDED: 4,135 SF TOTAL OPEN SPACE PROVIDED  
 LOT COVERAGE: BUILDING 1 = 3,507 SF  
 BUILDING 2 = 3,095 SF  
 BUILDING 3 = 1,781 SF  
 TOTAL BUILDING FOOTPRINT = 11,783 SF  
 37,805 NSF / 11,783 SF = 32% ON 31% LOT COVERAGE  
 SETBACKS: 10' FRONT  
 12' REAR OFF PROPERTY LINE  
 3' LANDSCAPE SETBACK

## LOT SALES PROPOSED: YES

1	2023/10/10	1.0
2	2023/10/10	1.1
3	2023/10/10	1.2
4	2023/10/10	1.3
5	2023/10/10	1.4
6	2023/10/10	1.5
7	2023/10/10	1.6
8	2023/10/10	1.7
9	2023/10/10	1.8
10	2023/10/10	1.9
11	2023/10/10	2.0
12	2023/10/10	2.1
13	2023/10/10	2.2
14	2023/10/10	2.3
15	2023/10/10	2.4
16	2023/10/10	2.5
17	2023/10/10	2.6
18	2023/10/10	2.7
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27	2023/10/10	3.6
28	2023/10/10	3.7
29	2023/10/10	3.8
30	2023/10/10	3.9
31	2023/10/10	4.0
32	2023/10/10	4.1
33	2023/10/10	4.2
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37	2023/10/10	4.6
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47	2023/10/10	5.6
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347	2023/10/10	35.6
348	2023/10/10	35.7
349	2023/10/10	35.8
350	2023	



## North side of Maryland

### East Office Building:

11' to wall

26.25' to building

### West Residential

#### Development:

37.75' to wall

36.5' to wall

## South side of Maryland

### Right to Left

#### Apartment Building:

32.5' to building

#### Single Family Res:

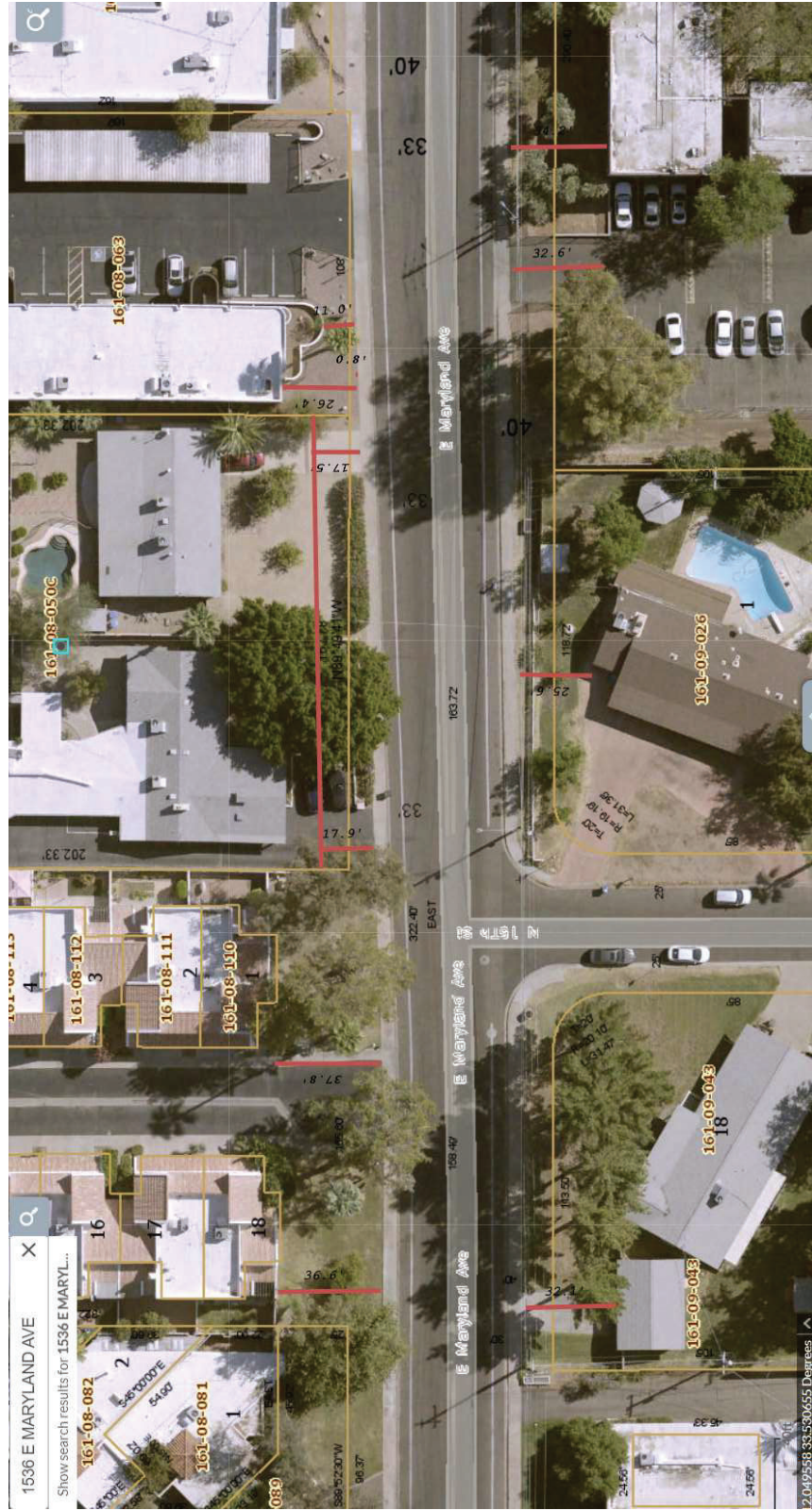
25.5' to building

#### Single Family Res:

32' to building

Note that the Single Family Residences directly across Maryland from the subject property are single story, and set at angles providing extensive open space rather than a 35' barricade looming within 17' of the street.

## EXHIBIT B

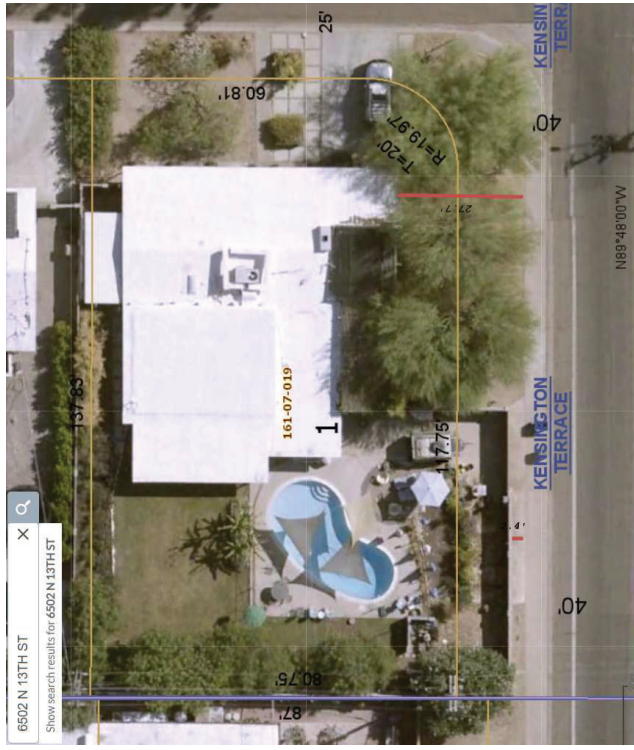


# EXHIBIT C

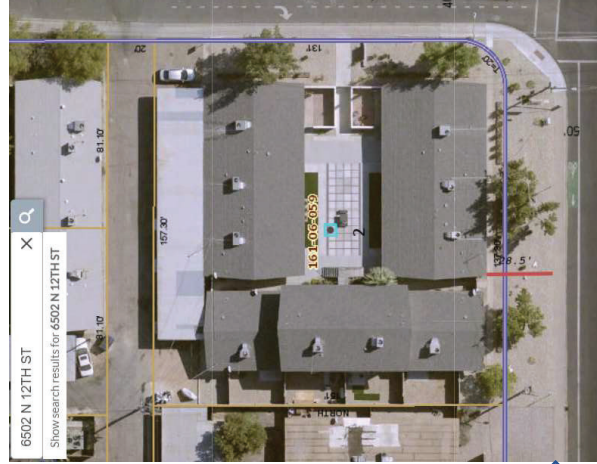
6348 N. 13th St  
(APN 161-12-205)  
13' side walk to fence  
22' sidewalk to eave



6502 N. 12th St  
(APN 161-07-059)  
28.5' sidewalk to eave  
Side yard setback



6502 N. 13th St  
(APN 161-07-019)  
4' sidewalk to fence  
27' sidewalk to building  
Side yard setback







to account for the envisioned patio spaces.

**Response:** The project narrative has been updated to state a maximum lot coverage of forty-six (46) percent based on net lot area. We are not proposing a minimum individual lot coverage percentage at this point in time.

**b. Minimum Building Setbacks:** Please divide this section into perimeter setbacks and individual lot setbacks (repeat comment from 1st review). For individual lots, specify what is considered the front yard (internal facing).

**Response:** We are not proposing individual lots at this point in time.

**i. General comment:** Staff is still not supportive of such a reduced setback (10 feet) along Maryland Avenue. Setbacks along this street average at 30 feet, with the closest building (to the east of the subject site) at 20 feet from the property line.

**Response:** The proposed setback is compatible with other properties along Maryland Ave. Specifically, the proposed development would be setback further than the buildings located at 6348 N. 13th St., Phoenix 85014 (APN: 161-12-205), 6502 N. 13th St., Phoenix 85014 (APN: 161-07-019); and 6502 N. 12th St., Phoenix, 85014 (APN: 161-06-059); therefore, the proposed setback mirrors the setback enjoyed by other developments in the area. Moreover, the proposed development features more advance architectural than the properties listed above; therefore, the impact to Maryland Avenue will not be as substantial. Additionally, there is a minimum of 6'-6" of further landscaped zone to the south of our property line before the sidewalk which provides additional buffer to the property from the street.

Further, the proposed setback allows the development to maximize its architectural potential. The setback along Maryland Avenue will feature lush landscaping, an 'open fence' (as described in the narrative, and a central bench area.

**ii. Side Setbacks:** Please be advised that no portion of the building may overhang above utility easements. Keep this in mind when planning utilities on the site.

**Response:** Understood. We appreciate the comment.

**c. Landscape Setbacks:**

**i. Street Side:** Staff's concern regarding an insufficient landscape setback along Maryland Avenue remains.

**Response:** The closest unit to Maryland Ave. will be setback seventeen feet (17') minimum from the Maryland Ave. streetscape. The developers will maintain the area south of their property line and north of the Maryland Ave. streetscape so that it mirrors the Property's landscape setback and does not fall into disrepair. Therefore, the actual landscape setback will larger than actually represented.

Further, the Property's landscape setback will feature a community bench and a water

Exhibit E

11:54 AM (5  
minutes ago)

**Eric MacDonald**

to me

Hi Larry,

In order to comply with ADA (Americans with Disabilities Act) regulations, containers should not be placed on the sidewalk. Containers should be placed right up against the sidewalk or curb and spaced four feet apart from each other (trash container 4 feet from recycle container). I know this one can be a little confusing, hopefully this clears things up for you.

If you have any other questions or concerns let me know. If not have a wonderful day!

Exhibit F

From: **Megan Sheets** <[megan.sheets@phoenix.gov](mailto:megan.sheets@phoenix.gov)>  
Date: Fri, Mar 19, 2021 at 8:30 AM  
Subject: RE: Z-69-20  
To: Larry Whitesell <[thepeakhomeassoc@gmail.com](mailto:thepeakhomeassoc@gmail.com)>  
Cc: Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)>

Larry,

The site plan states the 16 townhome units will be lot sales, therefore the City will be collecting for both refuse and recycle. A centralized enclosure would make it a lot easier for each resident instead of wheeling a 90-gallon bin twice a week (one day refuse & another day recycle) to Maryland. Enclosures cannot be located in the landscape setback (without a variance) which makes it difficult to place towards the front where a truck could possibly collect and back up.

If you take the variance route, send me a revised site plan showing the enclosure location so I can approve. Sixteen units will require one 4 cy bin for refuse and one 4 cy bin for recycle. Attached is our infill enclosure that could be used for this community. See figure G.

**Megan Sheets**  
Project Manager  
Public Works Department  
Working remotely  
Cell: 602.896.7751

# CITY OF PHOENIX PUBLIC WORKS DEPARTMENT SOLID WASTE ACCESS AND CONTAINMENT STANDARD DETAILS - SUPPLEMENT



APPROVAL : \_\_\_\_\_  
PUBLIC WORKS DIRECTOR DATE

PAGE 1 OF 1

## ENCLOSURE WITH 4 CY RECYCLE BIN

1. 6'-0" WIDE COMPARTMENT TO ACCOMMODATE A 4 CY FRONT LOAD BIN OR A 3 CY REAR LOAD BIN.
2. THIS DESIGN CAN BE USED IN LIEU OF TWO SEPARATE STANDARD ENCLOSURES FOR A MAXIMUM 4 CY CAPACITY FOR RECYCLE.

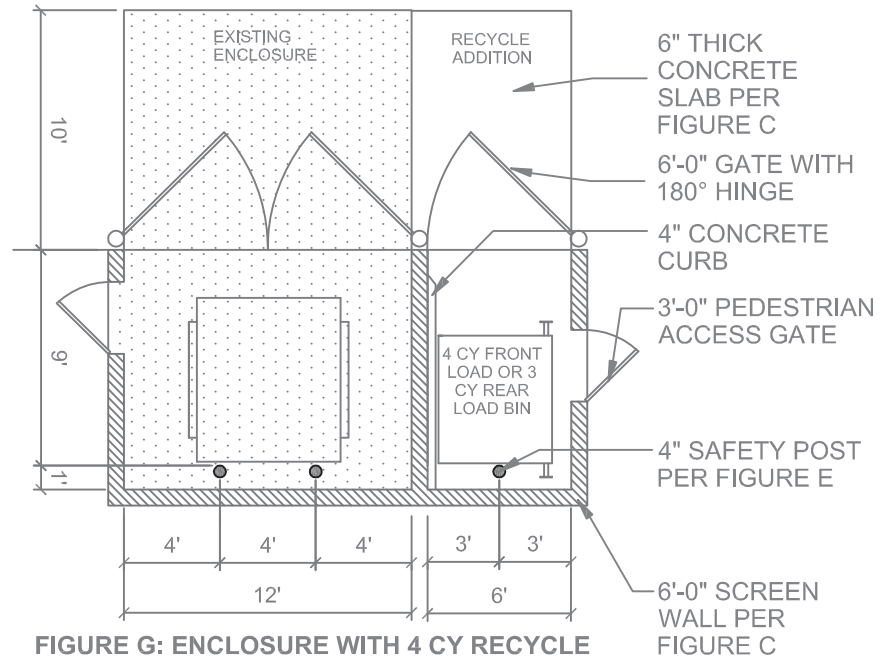


FIGURE G: ENCLOSURE WITH 4 CY RECYCLE

## REAR LOAD ENCLOSURES FOR INFILL AND LIMITED ACCESS SITES:

1. CITY OF PHOENIX WILL APPROVE THE USE OF REAR LOADING EQUIPMENT ON A CASE BY CASE BASIS FOR INFILL RESIDENTIAL DEVELOPMENTS AND RESIDENTIAL DEVELOPMENTS WITH LIMITED ACCESS.
2. A TURN AROUND TO ACCOMMODATE REAR LOAD TRUCK IS REQUIRED.
3. BINS WILL BE ROLLED FROM THE ENCLOSURE TO THE SOLID WASTE COLLECTION VEHICLE ACCESS ROUTE. PROVIDE A MINIMUM 6'-0" SIDEWALK WITH CURB RAMPS OR FLUSH TRANSITIONS TO SOLID WASTE COLLECTION VEHICLE ACCESS. SLOPES WILL NOT EXCEED 1:20 EXCEPT AT CURB RAMPS.

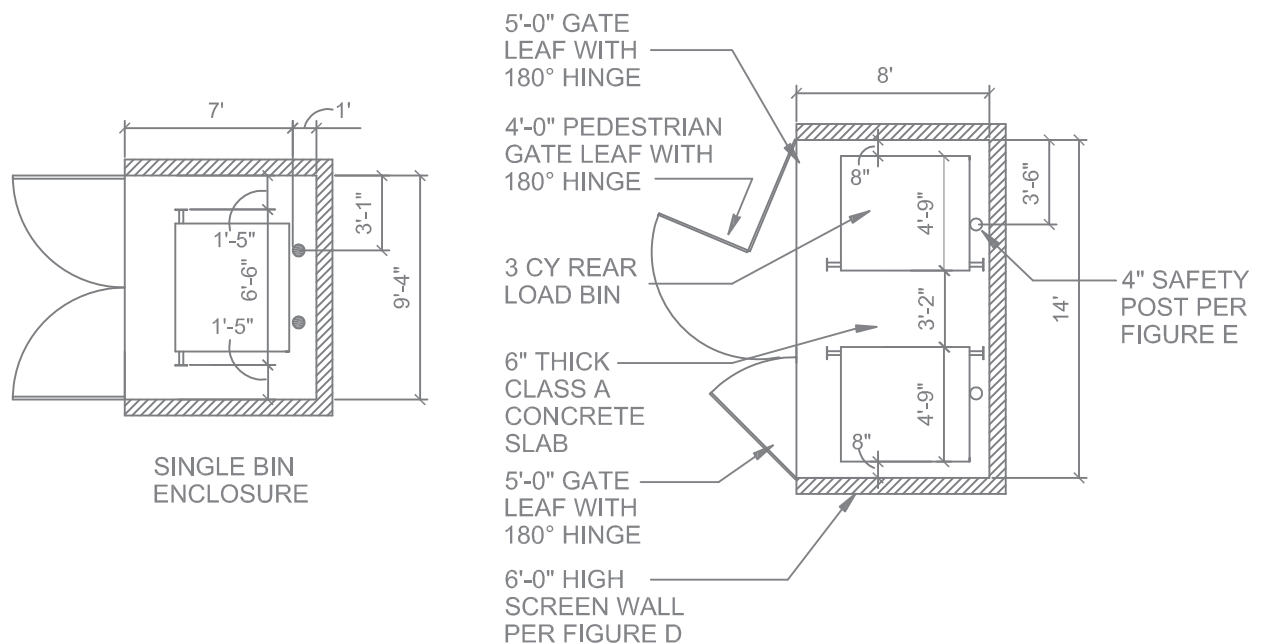


FIGURE H: REAR LOAD ENCLOSURE

## I. Lot Coverage

### 1<sup>st</sup> Review – Zoning Staff

Lot coverage should not exceed 35% net

Status of patios being part of 100% lot coverage for individual lot sales

Applicant Response: Resubmittal shows a lot coverage of forty-six percent based on net area.

### 2<sup>nd</sup> Review – Zoning Staff

46% lot coverage is still a concern

100% lot coverage for individual lots still remains

Recommend maximum lot coverage for individual lots and minimum front yard setback

Applicant Response:

46% maximum lot coverage based on net lot area

Minimum individual lot coverage % is not being proposed at this point in time

### 3<sup>rd</sup> Review – Zoning Staff: INTERDEPARTMENTAL COMMENTS

All comments from the first review shall apply

### Staff Report

The proposal is compatible with the multifamily residential zoning districts present to both the east and west of the site, with the maximum proposed density falling between those permitted on the two adjacent properties.

### REALITY

- The Staff Report is comparing what could have been built on adjacent properties per zoning districts, not what was actually built. Actual developments have less density than maximum allowable.
- "...at this point in time." is an opportunity for the applicant to convert to individual lot sales in the future. In fact, the Site Plan, pg 7, Proposed Development – PUD  
"LOT SALES PROPOSED: YES" (Exhibit A)

## II. Building Setbacks

### 1<sup>st</sup> Review – Zoning Staff

Maximum Building Setbacks – Divide into perimeter and individual lots

Consider a minimum front yard setback

Applicant Response:

We are not proposing individual lots at this point in time

Yards have varying depth with 10' setback as minimum

### 2<sup>nd</sup> Review – Zoning Staff

Staff still not supportive of 10' setback along Maryland. Average setback on Maryland is 30'; closest building (east) is 20' from property line

Applicant Response:

- Setback is more than 3 properties, property address provided as evidence
- More advanced architecture than the properties listed above; the impact to Maryland Avenue will not be as substantial
- 6'6" more between property line and sidewalk
- Open fence, lush landscape and bench

November 1, 2021

3<sup>rd</sup> Review – Zoning Staff: INTERDEPARTMENTAL COMMENTS  
All comments from the first review shall apply

Staff Report – This concern is not addressed

VPC Presentation

In rebuttal to my evidence that the 3 properties cited as examples of having closer setbacks, Mr. Oliver stated that he was referring to Landscape setbacks.

REALITY:

- Setbacks on properties on the east, west and south side of the proposed development are farther from the sidewalk. **(Exhibit B)**
- The buildings of the properties cited by the applicant are farther from the sidewalk than the proposed development. **(Exhibit C)**
- 2 of the 3 properties cited by the applicant are side yard set-backs. The property addresses are not on Maryland.
- The written document in which Mr. Oliver cited the 3 properties as having less setbacks is under Building Setbacks, not the section on Landscape setbacks. **(Exhibit D)**
- The proposed development parallels Maryland with a building wall of approximately 80 linear feet, 32 feet high within 17' of the sidewalk. This is far more negative impact than the 3 low profile, single story homes set farther back from the sidewalk cited by the applicant.

### III. Parking

1<sup>st</sup> Review – Zoning Staff

1. Give ratio of bicycle parking
2. Guest parking should be provided

Maryland has a bike lane so no on-street parking may be permitted

Applicant Response:

Bike storage and repair has been added

2<sup>nd</sup> Review – Zoning Staff

Staff not supportive of reduced guest parking

Applicant Response:

Guest spaces conforms with similar properties  
Number of guest spaces on similar properties is stated  
Ride share has increased  
Cross-parking agreements with commercial properties could be an option

3<sup>rd</sup> Review – Zoning Staff: INTERDEPARTMENTAL COMMENTS  
All comments from the first review shall apply

Since VPC denial the applicant has stated that they will reduce the number of units by 1 and increase the guest parking by 2 making the total 6.

REALITY:

- Parking on Maryland is prohibited and causes a safety hazard due to the bike lane
- Guest parking on similar properties was not accurately counted
- Guest parking on similar properties is inadequate and is an on-going concern of residents living in those communities
- Reduction of 1 – 2 bedroom unit reduces the requirement by .5; 7.5 required
- Adding 2 guest spaces makes the total 6, still below the requirement

**IV. Public Works – Trash Collection**

1<sup>st</sup> Review – Zoning Staff

Trash collection needs more info e.g. impact on streetscape, will concrete pads be needed

Applicant Response:

Approached Zoning Staff about a technical appeal to allow trucks to backup more than 50 ft.

Will have 16 individual cans twice a week if appeal not approved

2<sup>nd</sup> Review – Zoning Staff

All comments from first review shall apply

Applicant Response:

Allows for 16 individual collection bins for trash and recycling

3<sup>rd</sup> Review – Zoning Staff: INTERDEPARTMENTAL COMMENTS

All comments from the first review shall apply

REALITY:

- 16 trash/recycling cans placed in the bike path starting the evening before collection and ending, potentially, the day after collection is unsightly and is a safety hazard
- The City ordinance states that collection bins be placed at the curb, not on the sidewalk **(Exhibit E)**
- No other multifamily housing developments with access to Maryland require residents to place trash/recycling on the street or on the sidewalk
- Megan Sheets, Project Manager for the Public Works Department offered 2 solutions to individual trash collection bins:

Variance for trash/recycling enclose in the landscape setback

Technical appeal to allow collection truck to back up more than 50 ft

She states:

“A centralize enclosure would make it a lot easier for each resident instead of wheeling a 90-gallon bin twice a week (one day refuse & another day recycle) to Maryland.” **(Exhibit F)**





## North side of Maryland

### East Office Building:

11' to wall

26.25' to building

### West Residential

#### Development:

37.75' to wall

36.5' to wall

## South side of Maryland

### Right to Left

#### Apartment Building:

32.5' to building

#### Single Family Res:

25.5' to building

#### Single Family Res:

32' to building

Note that the Single Family Residences directly across Maryland from the subject property are single story, and set at angles providing extensive open space rather than a 35' barricade looming within 17' of the street.

## EXHIBIT B

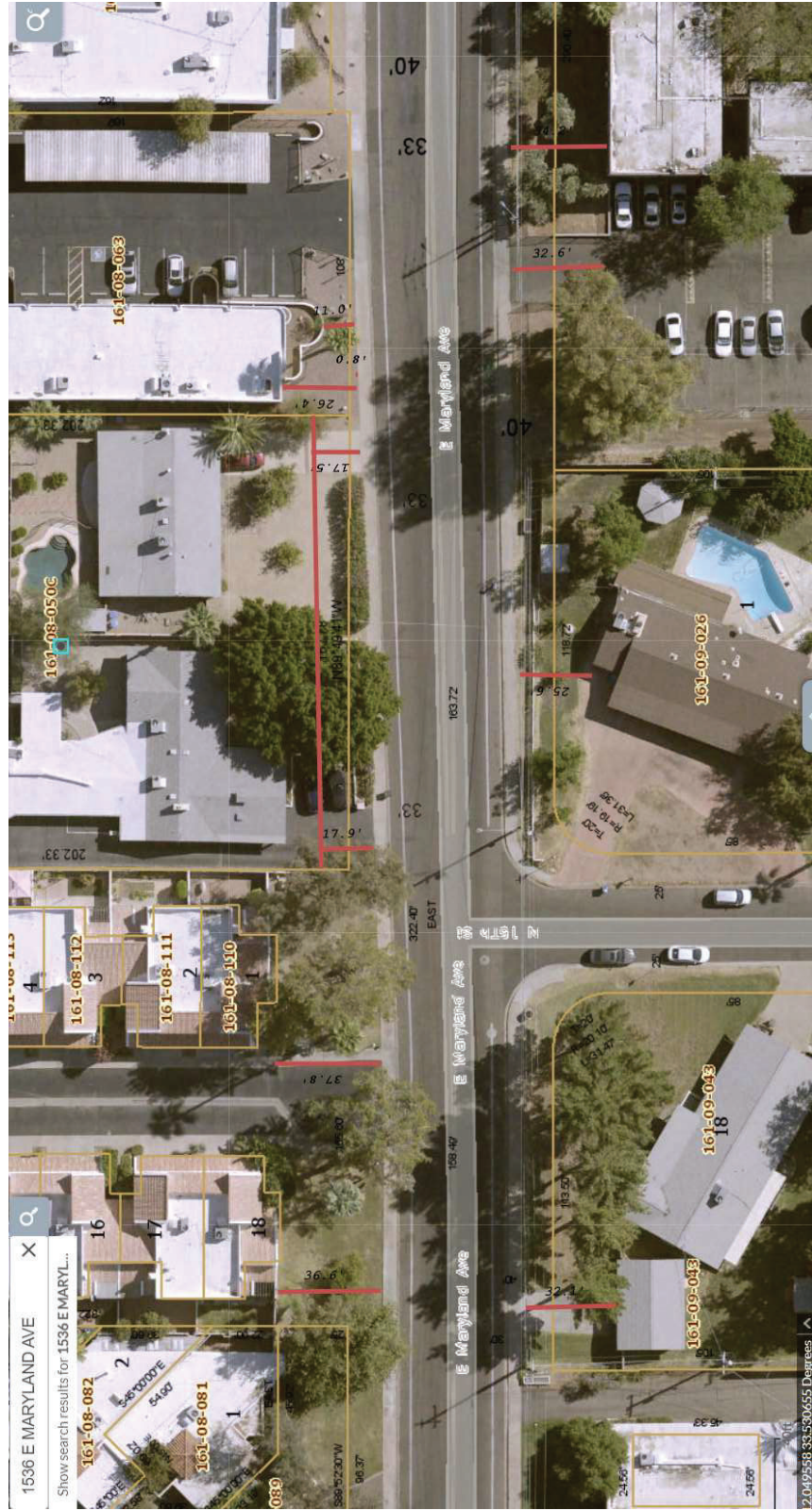
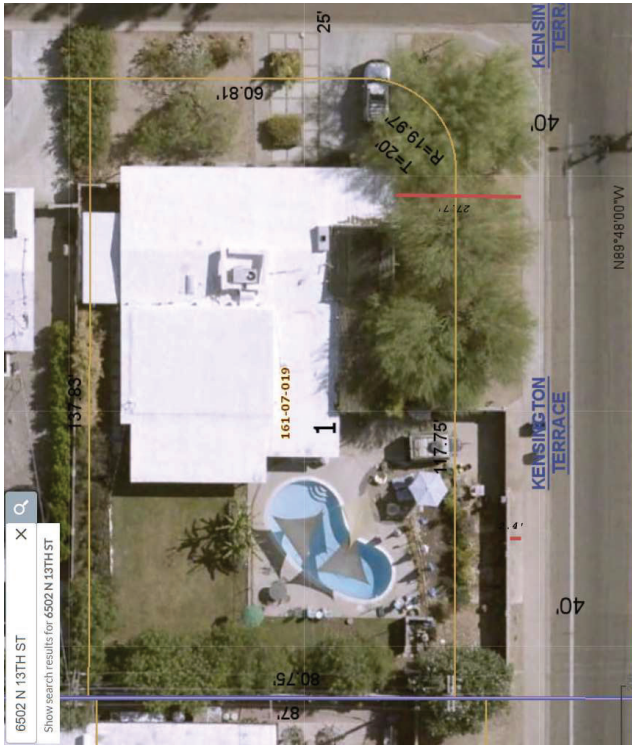


EXHIBIT C

6348 N. 13th St  
(APN 161-12-205)  
13' side walk to fence  
22' sidewalk to eave



6502 N. 12th St  
(APN 161-07-059)  
28.5' sidewalk to eave  
Side yard setback



6502 N. 13th St  
(APN 161-07-019)  
4' sidewalk to fence  
27' sidewalk to building  
Side yard setback





to account for the envisioned patio spaces.

**Response:** The project narrative has been updated to state a maximum lot coverage of forty-six (46) percent based on net lot area. We are not proposing a minimum individual lot coverage percentage at this point in time.

**b. Minimum Building Setbacks:** Please divide this section into perimeter setbacks and individual lot setbacks (repeat comment from 1st review). For individual lots, specify what is considered the front yard (internal facing).

**Response:** We are not proposing individual lots at this point in time.

**i. General comment:** Staff is still not supportive of such a reduced setback (10 feet) along Maryland Avenue. Setbacks along this street average at 30 feet, with the closest building (to the east of the subject site) at 20 feet from the property line.

**Response:** The proposed setback is compatible with other properties along Maryland Ave. Specifically, the proposed development would be setback further than the buildings located at 6348 N. 13th St., Phoenix 85014 (APN: 161-12-205), 6502 N. 13th St., Phoenix 85014 (APN: 161-07-019); and 6502 N. 12th St., Phoenix, 85014 (APN: 161-06-059); therefore, the proposed setback mirrors the setback enjoyed by other developments in the area. Moreover, the proposed development features more advance architectural than the properties listed above; therefore, the impact to Maryland Avenue will not be as substantial. Additionally, there is a minimum of 6'-6" of further landscaped zone to the south of our property line before the sidewalk which provides additional buffer to the property from the street.

Further, the proposed setback allows the development to maximize its architectural potential. The setback along Maryland Avenue will feature lush landscaping, an 'open fence' (as described in the narrative, and a central bench area.

**ii. Side Setbacks:** Please be advised that no portion of the building may overhang above utility easements. Keep this in mind when planning utilities on the site.

**Response:** Understood. We appreciate the comment.

**c. Landscape Setbacks:**

**i. Street Side:** Staff's concern regarding an insufficient landscape setback along Maryland Avenue remains.

**Response:** The closest unit to Maryland Ave. will be setback seventeen feet (17') minimum from the Maryland Ave. streetscape. The developers will maintain the area south of their property line and north of the Maryland Ave. streetscape so that it mirrors the Property's landscape setback and does not fall into disrepair. Therefore, the actual landscape setback will larger than actually represented.

Further, the Property's landscape setback will feature a community bench and a water

Exhibit E

11:54 AM (5  
minutes ago)

**Eric MacDonald**

to me

Hi Larry,

In order to comply with ADA (Americans with Disabilities Act) regulations, containers should not be placed on the sidewalk. Containers should be placed right up against the sidewalk or curb and spaced four feet apart from each other (trash container 4 feet from recycle container). I know this one can be a little confusing, hopefully this clears things up for you.

If you have any other questions or concerns let me know. If not have a wonderful day!

Exhibit F

From: **Megan Sheets** <[megan.sheets@phoenix.gov](mailto:megan.sheets@phoenix.gov)>  
Date: Fri, Mar 19, 2021 at 8:30 AM  
Subject: RE: Z-69-20  
To: Larry Whitesell <[thepeakhomeassoc@gmail.com](mailto:thepeakhomeassoc@gmail.com)>  
Cc: Sofia Mastikhina <[sofia.mastikhina@phoenix.gov](mailto:sofia.mastikhina@phoenix.gov)>

Larry,

The site plan states the 16 townhome units will be lot sales, therefore the City will be collecting for both refuse and recycle. A centralized enclosure would make it a lot easier for each resident instead of wheeling a 90-gallon bin twice a week (one day refuse & another day recycle) to Maryland. Enclosures cannot be located in the landscape setback (without a variance) which makes it difficult to place towards the front where a truck could possibly collect and back up.

If you take the variance route, send me a revised site plan showing the enclosure location so I can approve. Sixteen units will require one 4 cy bin for refuse and one 4 cy bin for recycle. Attached is our infill enclosure that could be used for this community. See figure G.

**Megan Sheets**  
Project Manager  
Public Works Department  
Working remotely  
Cell: 602.896.7751

# CITY OF PHOENIX PUBLIC WORKS DEPARTMENT SOLID WASTE ACCESS AND CONTAINMENT STANDARD DETAILS - SUPPLEMENT

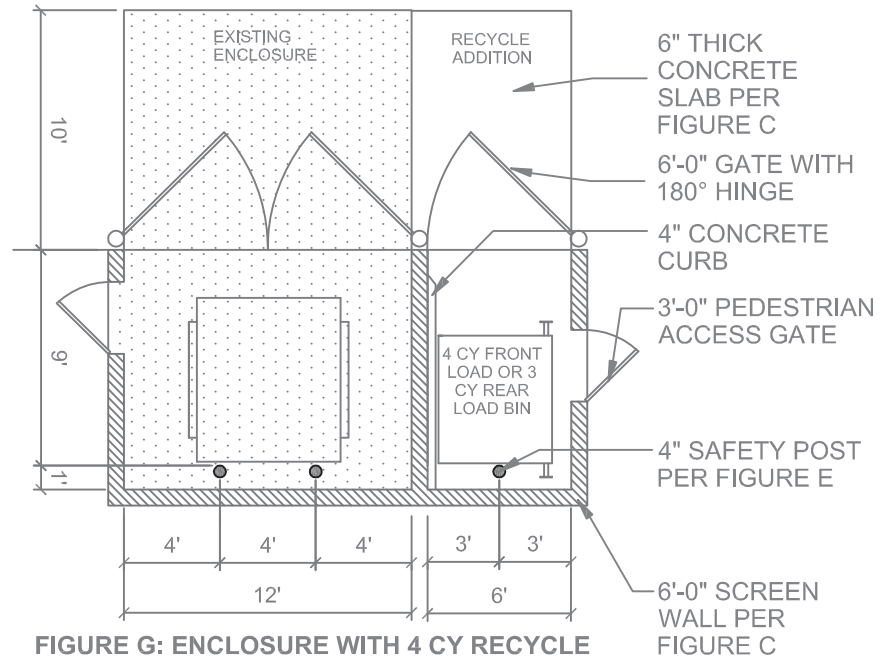


APPROVAL : \_\_\_\_\_  
PUBLIC WORKS DIRECTOR DATE

PAGE 1 OF 1

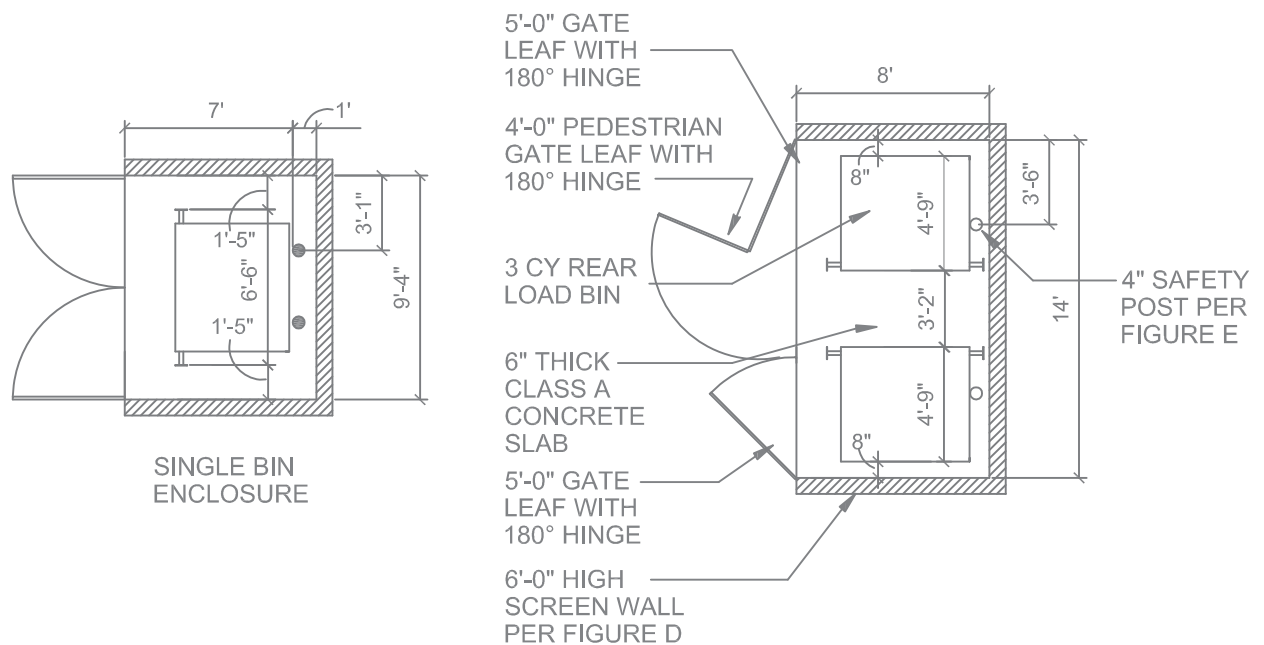
## ENCLOSURE WITH 4 CY RECYCLE BIN

1. 6'-0" WIDE COMPARTMENT TO ACCOMMODATE A 4 CY FRONT LOAD BIN OR A 3 CY REAR LOAD BIN.
2. THIS DESIGN CAN BE USED IN LIEU OF TWO SEPARATE STANDARD ENCLOSURES FOR A MAXIMUM 4 CY CAPACITY FOR RECYCLE.



## REAR LOAD ENCLOSURES FOR INFILL AND LIMITED ACCESS SITES:

1. CITY OF PHOENIX WILL APPROVE THE USE OF REAR LOADING EQUIPMENT ON A CASE BY CASE BASIS FOR INFILL RESIDENTIAL DEVELOPMENTS AND RESIDENTIAL DEVELOPMENTS WITH LIMITED ACCESS.
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3. BINS WILL BE ROLLED FROM THE ENCLOSURE TO THE SOLID WASTE COLLECTION VEHICLE ACCESS ROUTE. PROVIDE A MINIMUM 6'-0" SIDEWALK WITH CURB RAMPS OR FLUSH TRANSITIONS TO SOLID WASTE COLLECTION VEHICLE ACCESS. SLOPES WILL NOT EXCEED 1:20 EXCEPT AT CURB RAMPS.



**Racelle Escolar**

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**From:** William Reimers <williamcreimers@gmail.com>  
**Sent:** Monday, November 1, 2021 4:48 PM  
**To:** PDD Planning Commission  
**Subject:** Z-69-20-6 (AUTEM Row PUD)

To the committee

This development should not be approved in its current state. My family frequently walks,rides and runs in front of the lot. The prospect of dozens of trash containers and more street parking is not safe. It would be much better for the developer to adjust for the trash and parking needs of their residents as has been recommended by many people and groups in our area. Thank you for protecting our families and quality of life.

Regards,  
Will Reimers  
6503 N 14th Pl, Phoenix, AZ 85014

Hello, My name is Dan Trozzi. I live at 6746 N. 12<sup>th</sup> Way, Phoenix, AZ 85014. I have lived in this neighborhood for 39 years and I am the president of Squaw Peak Heights Neighborhood Association.

Over the years I have seen many changes in this neighborhood. Mostly good. As the neighborhood matures, we (my neighbors and I) have worked for positive, compatible changes, while trying to preserve its original character.

I am not opposed to this development but there are several significant issues that affect the livability, walkability and safety for this neighborhood. Issues that mean a lot to this neighborhood and to the City of Phoenix.

Guest parking has been a critical issue since Neighborhood Leaders met with the developers on March 4, during which this was addressed. This is their first multi-unit project and oversights were apparent. It was obvious to all Neighborhood Leaders that 4 guest spaces are acutely inadequate. Suggestions to solve this dilemma were made at this meeting. However, there has been little credible response. Disregard for the needs of our neighborhood to provide guest parking and trash removal on-site has continued.

Overflow guests parking will end up parking on Maryland Ave.

As cautioned in the 1<sup>st</sup> Review of May 28 from City Planning, quote, “Maryland has a bike lane so no on-street parking may be permitted.” In fact, Maryland has a bike lane on both sides of the street. It’s a major bike path for the City. This is not an option. In fact, the only response by the developer to the no parking caution in the 1<sup>st</sup> Review was that “bike storage and repair had been added,” completely unrelated, no response to the no parking caution was submitted. Not addressing this to the full extent needed has continued.

Parking is prohibited on bike lanes. Maryland has two bike lanes. Logically, to preserve the treasured atmosphere on Maryland enjoyed by walkers as well, the proposed development should be self-contained as other communities are. Parking in bike lanes endangers recreational users and passing drivers. It creates opportunities for accidents. As suggested March 4, a reduction in the number of units would resolve these issues, ideally two to accommodate more guest parking and an enclosed commercial trash pickup area. We know this can be done. Autem would be a self-contained community like the others. Anything less will be unsafe and unsightly. This was suggested as early as March 4 at the meeting with the developers. It is the only solution that makes sense for everyone.



The 2<sup>nd</sup> Review of June 30 stated: “Staff is not supportive of the proposed reduction in required guest spaces.” The developer response contained percentages of guest spaces at other communities in support of the planned four. One example was for adjacent Maryland Village East stating 5 guest spaces for 18 units. Actually, they have 7 and comments from this community are that 7 are not enough, which decidedly supports the need for more than 4 at the proposed development. Also, the use of ride sharing suggested by the developer as an option cannot be predicted nor assumed as a substitute for lack of guest spaces.

The 3<sup>rd</sup> Review of August 20 contained no reference to the guest parking issue.

The reality is all communities along Maryland are self-contained, providing guest parking and on-site trash pickup. This is why Maryland has a clean and inviting appearance with a reputation as one of the loveliest streets in Central Phoenix. Just one community like Autem passing off its own responsibilities for parking and trash to the surrounding neighborhood would have a huge damaging impact on all of Maryland. Many emails of deep concern from the public on these issues have been sent to the Zoning staff.

We have advocated for two units to be removed that allows for the trash and recycling containers to be properly stored and to have an adequate number of guest parking spots. The developer has said it would reduce one unit. This still does not resolve the problem of bin storage and adequate guest parking spots.

We are offering a Solution: If this development deleted 1 unit on the east and 1 unit on the west. It would provide:

1. More compatible setbacks with current neighborhood properties
2. Reduces lot coverage more in line with the rest of Maryland Ave.
3. Eliminates 1 guest parking space required ( $14 \text{ 2/bd units} \times .5 = 7$ )
4. Makes space for 3 additional guest parking spaces that meets the requirement
5. And Provides space for centralized enclosure for refuse/recycling bins

RETURN OF INVESTMENT IS THE SAME PROFIT MARGIN WITH 14 OR 16 UNITS

Construction cost/unit:  $1750 \text{ sq ft} / \$550\text{K} = \$320 \text{ sq ft} / 2 = \$157 \text{ sq ft}$

16 Units Construction cost:  $\$157/\text{sq ft} \times 1750 \text{ sq ft} = \$274,750 \times 16 \text{ Units} = \$4.4 \text{ M ( rounded)}$

Revenue: 16 Units X \$550 K = \$8.8 M (2 X ROI)

14 Units

Construction cost: \$157/ sq ft X 1750 sq ft = \$274, 750 X 14 = \$3.85 M

Revenue: 14 units X \$550 K = \$7.7 M (2X ROI)

Also,

.5 guest parking space is required for every 2 bedroom unit.

16 units is 8 spaces; 4 spaces provided on current plan

15 units is 7.5 spaces. Eliminating 1 unit makes room for 2 spaces.

So the revised plan would be 6 spaces, 1.5 short.

Eliminating 1 more unit would reduce the requirement to 7 spaces and make room for 2 more spaces, bringing the total to 8 spaces, 1 more than required. That's good!

A Camelback East Village Planning Committee member had concerns that the developer mentioned that guests could find spaces on commercial lots in the area. This is not acceptable to the neighborhood or I am sure to the commercial properties. Guests could also turn to use guest parking spots at neighboring complexes.

This small change, reducing one more unit, provides a simple, easy path for compliance and acceptance by the neighborhood.

Thank you

**From:** Mary Ann Pikulas <mapikaz@aol.com>  
**Sent:** Tuesday, November 2, 2021 3:55 PM  
**To:** PDD Planning Commission  
**Cc:** Mary Ann Pikulas  
**Subject:** Z-69-20-6 Autem Row PUD

Dear Chairman and Planning Commission Members:

Guest parking has been a critical issue since meeting with the two developers of this project on March 4 of this year, during which the lack of guest parking was addressed. This is the first multi-unit project for these developers and oversights were apparent. It was obvious to all attending Neighborhood Leaders that 4 guest spaces for 16 units would be acutely inadequate. Actually, only 3 spaces would be fully available as one would be reserved with the required disabled designation. The required guest spaces are 8 for 16 units.

Suggestions to solve this dilemma, discussed below, were made early on at this meeting. However, there was no credible response to follow until after the Camelback East Village Planning Committee decision to not approve this application on October 5, a vote of 8-3. Disregard for the needs of our neighborhood to provide adequate guest parking continued until then and still continues for on-site trash removal. As for this, the plan for 32 unsightly and unhealthy trash bins lined up over two days on Maryland Ave where none now exist continues. It's one of the attractive features of Maryland, no trash bins.

Unit reduction was presented to the developers at our March meeting to resolve the guest parking and trash removal deficiencies but was resoundingly rejected and continued to be at neighborhood meetings. Removing two units would add more parking and allow space for an on-site, enclosed trash containment and removal area, problems solved. Autem would be self-contained as other communities on Maryland are, problem solved. Following the Oct 5 Camelback Committee meeting, the developers finally offered to remove one unit to provide two more guest spaces, period. This would mean 6 guest parking spaces, 5 for full use. Six is still not the required number nor is it adequate. No updated site plan has yet to be submitted to reflect this change. Removing two units would still be required to meet neighborhood needs.

The parking issue is - where will drivers go to park when the available spaces that are planned are full? Not on Maryland!

As cautioned in the 1<sup>st</sup> Review of May 28 from City Planning, quote, "Maryland has a bike lane so *no on-street parking may be permitted.*" In fact, Maryland has a bike lane on each side of the street as it is a major bike path from the Dreamy Draw area to the west side of Phoenix. The very limited timed parking allowed by signs is on a very short section of Maryland and constantly abused with illegally parked cars. Parking here is not an option! Except for mention at the June 2 neighborhood meeting of a possible lease of 4 spaces at the adjacent commercial building, a temporary measure at best fraught with problems, the guest parking overflow issue has not been addressed at all except for reference by the legal representative that drivers will be creative and use nearby commercial and business lots. Really?!?

In fact, the only response by the developer to the no parking caution in the 1<sup>st</sup> Review was that "bike storage and repair had been added," completely unrelated. There was no response to the no parking caution. Again, this critical issue has yet to be addressed. The property is very small, under .90 acre. The question is, where will drivers go to park, whether visiting or on business, when the spaces, whether 3 or 5, are taken, which will be a common occurrence with so few planned. One need only ask the other nearby communities how often their spaces are used.

The 2<sup>nd</sup> Review of June 30 from staff rightly stated: "Staff is not supportive of the proposed reduction in required guest spaces." The response received contained percentages of guest spaces in relation to units at other communities in support of the planned four. The adjacent Maryland Village East was quoted with 5 guest

spaces for 18 units. Actually, they have 7 and comments from this community are that 7 are not enough, which decidedly supports the need for more spaces at the proposed development. The use of ride sharing suggested by the developer or bicycles as options cannot be predicted nor assumed as substitutes for lack of guest spaces.

The 3<sup>rd</sup> Review of August 20 contained no reference to the guest parking issue.

The reality is all communities along Maryland are self-contained, providing trash pickup and adequate guest spaces on-site. This is why Maryland has a clean and inviting appearance with a reputation as one of the loveliest streets in Central Phoenix. Just one community like Autem pushing its own on-site responsibilities for parking and trash onto the surrounding neighborhood would have a huge negative impact on all of Maryland. It's located near the entrance to Maryland from 16<sup>th</sup> St. and what happens there would negatively set the tone for the entire stretch of Maryland to 12th St. We are very proud of our street and do what we can to maintain its cleanliness and attractiveness. What this project offers as planned would simply degrade the neighborhood we value.

Besides meeting with the developers, many emails of deep concern from various communities and residents were sent to the Zoning staff. Other communities were built before the current parking ordinance and grand-fathered in when revised, some granted variances. This development will not be grand-fathered in and will have .50 factor for 16 units in place, 8 guest spaces.

Parking is prohibited on bike lanes. Maryland has two bike lanes. Again, where will people park? Logically, to preserve the treasured atmosphere along Maryland enjoyed by residents and the many who bike, walk and run along it, the proposed project must be self-contained. All others communities are.

Maryland has been cited as a no parking permitted street by City Planning. Parking in bike lanes is not an option, endangering recreational users and passing drivers. Turning onto Maryland from our communities is another hazard as parked cars would block our view, forcing us to inch out, making turns very dangerous. We have experienced this with illegally parked cars.

A reduction in the number of units by two would resolve both parking and trash bin issues and greatly alleviate the alarming concerns of Maryland communities. It would provide space for additional guest parking and an enclosed commercial trash enclosure. Autem would then be a self-contained community like the others that give Maryland Ave its enviable uniqueness that attracts buyers. This result we would welcome. Anything less will be unsafe and unsightly, negatively impacting our neighborhood significantly.

Unit reduction was suggested as early as March 4 at our meeting with the developers. It is time for the developers to take part with concern for the welfare of the neighborhood they wish to enter rather than disrupt it with no regard to the needs of the existing neighborhood. Reducing this project by two units to create a self-contained development is the only solution that will provide what is needed to result in a harmonious neighborhood. It is what makes sense.

Sincerely,

Mary Ann Pikulas, President and Neighborhood Leader  
Madison Groves Manor (Maryland Ave & 14th Place)  
602-930-3004

**From:** Mary Crozier <marycrz@cox.net>  
**Sent:** Tuesday, November 2, 2021 4:54 PM  
**To:** PDD Planning Commission  
**Subject:** Z-69-20-6

Dear Planning Commission Members:

I frequently bike down Maryland Avenue and am constantly faced with illegal parking in the City of Phoenix public bike lanes, especially near the proposed PUD subject site. It is my opinion that many of the higher density properties do not have adequate parking. As a result, a bicyclist must navigate through speeding traffic on Maryland. Why have No Parking Zones if no one is going to enforce that?

The addition of this proposed project will add to the existing congestion. And to hear that the developer has not provided for on-site garbage collection is ludicrous! Sixteen garbage cans in the bike lanes twice a week. That means when people do not move their cans the bike lanes will be filled with obstacles for days.

Lastly, great time, thought and energy was put into our General Plan. The General Plan states the **maximum number** of units at this location is 14. Why would anyone approve more units without adequate garbage collection and parking? The PUD concept was developed to create a superior product, not to be a convenient tool for a developer to make more money and provide an inferior project.

These issues will diminish the property rights of the adjacent neighborhood and for the general public who want to use the bike paths in a safe and reasonable manner.

I am not opposed to new development at this site, and would fully support 14 units, more parking and on-site garbage collection. Also, I do believe creating a PUD on less than an acre is not the spirit and intention of why a PUD was created. Someone is clearly taking advantage of the system at the expense of others.

Sincerely,

Mary L. Crozier

**Racelle Escolar**

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**From:** Sarah Entz <sarah.entz@gmail.com>  
**Sent:** Tuesday, November 2, 2021 4:53 PM  
**To:** PDD Planning Commission  
**Cc:** Linda Richards  
**Subject:** Z-69-20-6 (Autem Row PUD) - Comments

Thank you for reading my comments for this project. There are three large issues with the proposed development:

1. Trash cans. They are proposing putting 30 trash cans in the bike lane, or worse the sidewalk, multiple times a week. This has been repeatedly pointed to as an issue and no solution has been provided. They state they have requested a variance from the City, however that will not be granted as the waste management vehicles will not back up, as it is a safety hazard.
2. Set back from Maryland Ave. The proposed setback is drastically narrower than the rest of Maryland properties. This is not in line with the beautification of the space.
3. Parking. Even with the removal of one unit to increase the parking to six spaces, this still will not meet the needs of the property. This will result in even more people parking in front of our neighbor's homes which has already caused issue amongst our community.

I am not against development in the neighborhood. I am against any development that puts multitudes of trash cans and cars in the bike lane. I suggest going back to the architect to redesign to allow for the needed eight parking spaces and trash on premises.

Thank you again for listening.

Best,  
Sarah Entz  
1530 E Maryland Ave, Phoenix, AZ 85014  
858-692-4744

**Racelle Escolar**

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**From:** Kyle Paskey <kyle.paskey@gmail.com>  
**Sent:** Tuesday, November 2, 2021 4:59 PM  
**To:** PDD Planning Commission  
**Subject:** Z-69-20-6 (AUTEM Row PUD)

Hello.

I'm writing to express my objections to this purposes development.

I live close to the purposed site and this development far exceeds what should be considered.

The developers have been not been forthcoming or been supportive of neighbors in their meetings.

Specifically there are too many units purposed for the site, no where near sufficient guest parking, and no plan for trash removal and recycling pick up.

I purchased my home on Maryland Avenue as it has designated bike lanes. Those lanes are already filled with parked cars - mostly already in violation of posted (but rarely enforced) daytime posted parking restrictions. Adding new housing units will likely only add to the parking issues on Maryland Avenue and continue to impact the safety of the neighborhood.

I'm not opposed to developing the lots in question, but the issues above should be addressed before any vote to approve occurs.

Thank you for your consideration of my comments.

Kyle Paskey  
6504 N 14th Pl, Phoenix, AZ 85014  
602-903-8179

**Racelle Escolar**

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**From:** Janis & Ben Harris <janisandbenharris@gmail.com>  
**Sent:** Thursday, November 4, 2021 8:19 AM  
**To:** PDD Planning Commission  
**Subject:** Z-69-20-6 Item #20

Dear Sir,

We oppose the proposal for 16 units at 1536-1538 East Maryland.

The developer is trying to crowd too many units onto this property. We would like to eliminate 2 units to allow more guest parking and allow space for trash pick up.

Please oppose the developer's proposal.

Thank you,  
Janis and Ben Harris  
516 East Stella Lane  
Phoenix AZ 85012



## Sofia Mastikhina

---

**From:** Karolyn Benger <kbenger@gmail.com>  
**Sent:** Friday, October 1, 2021 5:08 PM  
**To:** Sofia Mastikhina  
**Subject:** Development on Maryland Street

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Ms. Mastikhina,

I am writing about my concerns with the new development being planned on Maryland Street.

Having 16 trash bins and 16 recycling bins lined up two days a week on Maryland, will cause problems for bikers and pedestrians. Cars trying to get out from the trash collection will drive into the oncoming traffic lane, creating a horrible risk of a head on collision. Further, these bins will be an unsightly blight on our street.

There are only 4 guest spaces planned, one of which is designated for the disabled. If not requesting a special classification, 8 spaces would be the required number. With anywhere from 30 to 40 plus residents possibly living there, each with family or friends visiting and others. Where will they park? If on Maryland this takes away the bike lane and blocks driver's line of vision when trying to turn into Maryland. It's simply not safe.

These concerns have been raised for many months and there has yet to be any plan put forward by the developers to address this.

I am deeply concerned as I, and my children, bike on this bike lane and walk our dog down this street. This is truly scary when a few modifications could address these concerns.

Thank you,

Karolyn Benger  
Sent from my phone

Chairwoman Shank  
City of Phoenix Planning Commission  
Planning and Development Department  
200 W. Washington Street, 2<sup>nd</sup> Floor  
Phoenix, Arizona 85003

**Re: Support for Zoning Request – Z-69-20  
1536 E. Maryland Ave., Phoenix, Arizona 85014**

Dear Chairwoman Shank:

Please allow this letter to serve as my letter of support for the zoning request identified as Z-69-20. It is my understanding that the zoning request will rezone the property located at 1536 E. Maryland Ave., Phoenix, Arizona 85014 into a PUD in order to allow a multifamily project to develop. I support the proposed multifamily development because I believe the proposal will benefit our neighborhood by repurposing an underused lot. Our neighborhood is well positioned to usher in thoughtful development because we are located in the heart of Phoenix; this proposal is thoughtful and will undoubtedly enhance the Maryland Ave. corridor.

In short, I fully support the Applicant's zoning request because I believe the proposed development will neither harm nor negatively impact the surrounding area. Accordingly, I submit this letter to express my support.

Sincerely,



Property Owner Signature

Mark Hodgson

Property Owner Name (print)

6234 N 14<sup>th</sup> Place

Address

10/27/2021

Date

February 3rd, 2021

City of Phoenix  
Planning and Development Department  
200 W. Washington Street, 2<sup>nd</sup> Floor  
Phoenix, AZ 85003

Re: Support for City of Phoenix Rezoning Case No. Z-69-20

I have reviewed the development plans for the property west of the northwest corner of 16<sup>th</sup> St and Maryland Ave and I eagerly support the rezoning for the townhome development. As neighbors to the development, our family does not believe that the proposal will bring any negative impacts to the neighborhood, and feel that the developer's plans would be an asset to the community. Our community is known for its beautiful diversity of architecture and design but we've recently been subjected to historic demolitions in order to build cheap, tasteless gated off track homes that are an embarrassment and do not serve the community. I'm elated that this proposed development would be in line with the true design forward spirit of our neighborhood, as well as provide a more community forward culture instead of further walling everyone off from each other. For the good of our community, please support this rezoning case.

Miles Willis McDermott

Art Director of Moses Inc.

6530 North Place D'Valencia - Phoenix AZ 85014

RCVD 11/2/2021

Chairwoman Shank  
City of Phoenix Planning Commission  
Planning and Development Department  
200 W. Washington Street, 2<sup>nd</sup> Floor  
Phoenix, Arizona 85003

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In short, I fully support the Applicant's zoning request because I believe the proposed development will neither harm nor negatively impact the surrounding area. Accordingly, I submit this letter to express my support.

Sincerely,



Property Owner Signature

Benjamin Nesbeitt

Property Owner Name (print)

1407 E. Solano Drive, Phoenix AZ 85014

Address

2 November 2021

Date

RCVD 11/2/2021

Chairwoman Shank  
City of Phoenix Planning Commission  
Planning and Development Department  
200 W. Washington Street, 2<sup>nd</sup> Floor  
Phoenix, Arizona 85003

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In short, I fully support the Applicant's zoning request because I believe the proposed development will neither harm nor negatively impact the surrounding area. Accordingly, I submit this letter to express my support.

Sincerely,



Property Owner Signature

MIKE ALEXANDER

Property Owner Name (print)

5566 N 10TH STREET, PHOENIX, 85014

Address

11/02/21

Date

RCVD 11/2/2021

Chairwoman Shank  
City of Phoenix Planning Commission  
Planning and Development Department  
200 W. Washington Street, 2<sup>nd</sup> Floor  
Phoenix, Arizona 85003


**Re: Support for Zoning Request – Z-69-20  
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In short, I fully support the Applicant's zoning request because I believe the proposed development will neither harm nor negatively impact the surrounding area. Accordingly, I submit this letter to express my support.

Sincerely,



Property Owner Signature

**Paul Howell**

Property Owner Name (print)

1429 East Solano Drive Phoenix AZ 85014

Address

110221

Date

November 2nd, 2021

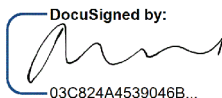
City of Phoenix

Planning and Development Department 200 W. Washington Street, 2<sup>nd</sup> Floor Phoenix, AZ 85003

Re: Support for City of Phoenix Rezoning Case No. Z-69-20

I am a long time resident in our neighborhood and am eager to support this rezoning case to ultimately re-develop the property at 1536 E. Maryland Ave. As the city and our neighborhood grow, we are in need of thoughtful communities exactly like this. In addition to adding much needed single family residences in our neighborhood, this development adds significant character and architectural integrity to our area. It is clear that this builder is going the extra mile to create something special here, and I believe this is something fantastic for our community to stand behind. This level of design and effort is something that our neighborhood should support as an example of how communities should be developed throughout Phoenix.

Please support this rezoning.

DocuSigned by:  
  
03C824A4539046B...

Emanuel Suleymanov

6767 N 7th St  
Phoenix AZ 85014

Chairwoman Shank  
City of Phoenix Planning Commission  
Planning and Development Department  
200 W. Washington Street, 2<sup>nd</sup> Floor  
Phoenix, Arizona 85003

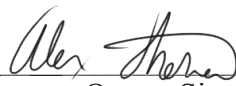
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In short, I fully support the Applicant's zoning request because I believe the proposed development will neither harm nor negatively impact the surrounding area. Accordingly, I submit this letter to express my support.

Sincerely,



\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
R. Alex Therien

\_\_\_\_\_  
Property Owner Name (print)

\_\_\_\_\_  
6544 N. 13th Street, PHX 85014

\_\_\_\_\_  
Address

\_\_\_\_\_  
2 November 2021

\_\_\_\_\_  
Date





**City of Phoenix**

PLANNING AND DEVELOPMENT DEPARTMENT

**ADDENDUM B**

**Staff Report: Z-69-20-6**

December 2, 2021

**Camelback East Village Planning  
Committee Meeting Date**

October 5, 2021

**Planning Commission Hearing Date**

November 4, 2021  
December 2, 2021

**Request From:**

R-O (0.89 acres)

**Request To:**

PUD (0.89 acres)

**Proposed Use**

Multifamily residential

**Location**

Approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue

**Owner**

East Maryland, LLC

**Applicant**

AUTEM Development

**Representative**

William E. Lally, Esq., Tiffany & Bosco

**Staff Recommendation**

Approval, subject to stipulations

The purpose of this addendum is to revise the staff recommended stipulations to account for changes to the PUD development narrative, per the applicant's request.

On October 5, 2021, the Camelback East Village Planning Committee heard this request and recommended denial, noting the continued community opposition to the case due to ongoing concerns regarding the proposed density, number of guest parking spaces, and on-street waste collection. After the meeting, the applicant worked with the community on modifications to the request to address these concerns and has requested modifications to the PUD development narrative to accommodate the changes made to the proposal.

The request was heard by the Planning Commission on November 4, 2021, and was continued to the December 2, 2021 Planning Commission hearing to allow the applicant to work with the community on modifications to the development narrative and conceptual site plan to address the following:

- Modify the development standards and site plan to provide street-facing residential units along Maryland Avenue;
- Remove the front yard fence along Maryland Avenue to provide an open entrance to the development;
- Remove the public seating area from the front of the development, and move the bicycle repair station to the interior of the development.

The applicant revised the PUD narrative to incorporate the above modifications. Staff recommends approval subject to the following revised stipulations:

1. An updated Development Narrative for the Autem Row PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped ~~September 21, 2021~~ **DECEMBER 2, 2021**, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: ~~September 21, 2021~~ **DECEMBER 2, 2021**; City Council adopted: [Add adoption date].
  - ~~B. PAGE 5, OVERALL DESIGN CONCEPT: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.~~
  - ~~C. PAGE 7: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.~~
  - ~~D. PAGE 8, LAND USE PLAN: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.~~
  - ~~E. PAGE 9, DEVELOPMENT STANDARDS TABLE: UPDATE THE MAXIMUM DENSITY TO 15 DWELLINGS UNITS AND 16.85 DU/AC.~~
  - ~~F. PAGE 9, DEVELOPMENT STANDARDS TABLE: UPDATE GUEST PARKING TO 0.40 **0.46** SPACES PER RESIDENTIAL UNIT TO REFLECT MINIMUM OF 6 **7** GUEST PARKING SPACES.~~
  - ~~G. F. PAGE 12, DESIGN GUIDELINES SECTION E.1.H.: REPLACE WITH THE FOLLOWING:  
  
BICYCLE PARKING WILL BE INSTALLED WHERE INDICATED ON THE ATTACHED SITE PLAN (EXHIBIT 9). A BICYCLE REPAIR STATION SHALL BE PROVIDED ON THE NORTH END OF THE SITE IN CLOSE PROXIMITY TO THE BICYCLE STORAGE AREA SHOWN ON EXHIBIT 9.~~
  - ~~H. G. PAGE 14, SECTION H.2. CIRCULATION: UPDATE THE PARAGRAPH TO REDUCE NUMBER OF UNITS TO 15 AND TO DESCRIBE THE LAYOUT AS PROPOSED IN THE SITE PLAN DATE STAMPED OCTOBER 28, 2021. **IN EXHIBIT 9.**~~
  - ~~I. H. PAGE 15, COMPARATIVE ZONING TABLE: UPDATE THE NUMBER OF UNITS, DENSITY RATIO, AND MINIMUM GUEST PARKING ON PUD ZONING COLUMN.~~
  - ~~J. PAGE 36, EXHIBIT 9 (CONCEPTUAL SITE PLAN): REPLACE WITH THE SITE PLAN DATE STAMPED OCTOBER 28, 2021 AND REMOVE THE REFERENCE TO THE BICYCLE REPAIR STATION.~~

~~K. PAGE 38, EXHIBIT 10 (FENCE DIAGRAM): REMOVE THIS EXHIBIT.~~

**I. PAGE 4, EXHIBITS: DELETE REFERENCE TO EXHIBIT 10.**

2. The developer shall dedicate a 7-foot sidewalk easement for the north side of Maryland Avenue, as approved by Planning and Development.
3. The applicant shall submit a traffic statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Development Coordination Section.
4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
5. 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.
6. THE DEVELOPER SHALL WORK WITH THE PLANNING AND DEVELOPMENT DEPARTMENT'S SOLID WASTE REVIEWER TO PURSUE ALTERNATIVE METHODS OF WASTE COLLECTION TO ALLOW FOR ON-SITE TRASH AND RECYCLING PICK UP.

**Exhibits**

Autem Row PUD development narrative date stamped December 2, 2021

## Attachment G

### REPORT OF PLANNING COMMISSION ACTION December 2, 2021

ITEM NO: 17	
	DISTRICT NO.: 6
SUBJECT:	
Application #:	Z-69-20-6 (Autem Row PUD) (Continued from 11/4/2021)
Location:	Approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue
From:	R-O
To:	PUD
Acreage:	0.89
Proposal:	Planned Unit Development to allow multifamily residential.
Applicant:	AUTEM Development
Owner:	East Maryland, LLC
Representative:	William E. Lally, Esq., Tiffany & Bosco, PA

#### **ACTIONS:**

**Staff Recommendation:** Approval, per the Addendum B Staff Report and modifications to Stipulation Nos. 1.f and 1.j, additional stipulations to modify Exhibits 6 and 8 in the PUD Narrative to be consistent with the revised rendering on the cover of the PUD Narrative, and the standard Proposition 207 waiver of claims stipulation.

**Village Planning Committee (VPC) Recommendation:**

**Camelback East** 5/4/2021 Information only.

**Camelback East** 10/5/2021 Denial. Vote: 8-3 (1 abstained).

**Planning Commission Recommendation:** Approval, per the Addendum B Staff Report with modified and additional stipulations.

**Motion Discussion:** Commissioner Johnson made a motion to approve Z-69-20-6, per the Addendum B Staff Report with the modified and additional stipulations as read into the record, with the added modification that the developer shall provide onsite trash and recycling pickup, modify the stoops and stairs in the two southern units to face Maryland, and to stay in general conformance within the site plan, so the seven parking spots will remain.

Ms. Racelle Escolar (staff) stated that the modification to add the stoop and stairways facing Maryland is not necessary because there is a provision in the revised narrative that requires the southernmost end units will incorporate street-facing front doors and glazing so as to be orientated towards Maryland Avenue. There is also a requirement in the revised narrative that they adhere to the design intent, depicted in Exhibit 8. Exhibit 8 is one that needs to be replaced in the narrative to be consistent with the rendering shown on the cover.

Commissioner Johnson stated that the stairs and stoops face each. They face the opposite units instead of Maryland. That is what he was trying to change.

Ms. Escolar confirmed that Commissioner Johnson wanted the stairways to also face Maryland.

Commissioner Johnson asked if he had to address the parking spot.

Ms. Escobar stated that it was already addressed in the Addendum because there is a stipulation that requires seven spaces. She stated that they could modify Stipulation No. 6. to change the onsite collection, as he stated earlier, that the developer shall provide onsite trash and recycling pickup, as approved by the Planning and Development Department. In order to incorporate the stoop and stairs facing Maryland, they would add a stipulation to update page 12 of the narrative, to modify the stoop and stairways to face Maryland Avenue. They could add a stipulation to change that provision on page 12.

Ms. Escobar asked for confirmation if the motion is to approve, per the Addendum B Staff Report with the modified and additional stipulations that were read into the record; and a stipulation to modify page 12 of the narrative, the provision that requires the southernmost units to incorporate street-facing front doors and glazing to be oriented towards Maryland, and also the stoops and stairs to be oriented towards Maryland; and a change to Stipulation No. 6 to require onsite trash and recycling pickup, as approved by the Planning and Development Department.

Commission Johnson confirmed that the motion was correct.

Commission Gorraiz seconded the motion.

Motion details: Commissioner Johnson made a MOTION to approve Z-69-20-6, per the Addendum B Staff Report with the modified and additional stipulations that were read into the record; and a stipulation to modify page 12 of the narrative, the provision that requires the southernmost units to incorporate street-facing front doors and glazing to be oriented towards Maryland, and also the stoops and stairs to be oriented towards Maryland; and a change to Stipulation No. 6 to require onsite trash and recycling pickup, as approved by the Planning and Development Department.

Maker: Johnson  
Second: Gorraiz  
Vote: 8-1 (Perez)  
Absent: None  
Opposition Present: Yes

Findings:

1. The proposed PUD will provide a high quality multifamily residential development which will help alleviate the housing shortage in Phoenix.
2. The site is appropriately situated in close proximity to the State Route 51 freeway to the east and major commercial centers on Bethany Home Road to the south.
3. The PUD will provide significant streetscape improvements along Maryland Avenue, including robust tree shade coverage, public pedestrian seating, and bicycle amenities.

Stipulations:

1. An updated Development Narrative for the Autem Row PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped ~~September 21, 2024~~ DECEMBER 2, 2021, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: ~~September 21, 2024~~ DECEMBER 2, 2021; City Council adopted: [Add adoption date].
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  - ~~F.~~ E. PAGE 9, DEVELOPMENT STANDARDS TABLE: UPDATE GUEST PARKING TO ~~0.40~~ 0.46 SPACES PER RESIDENTIAL UNIT TO REFLECT MINIMUM OF ~~6~~ 7 GUEST PARKING SPACES.
  - ~~G.~~ F. **PAGE 12, DESIGN GUIDELINES SECTION E.1.H.: REPLACE WITH THE FOLLOWING:**

**BICYCLE PARKING WILL BE INSTALLED WHERE INDICATED ON THE ATTACHED SITE PLAN (EXHIBIT 9). A BICYCLE REPAIR STATION SHALL BE PROVIDED ON THE NORTH END OF THE SITE IN CLOSE PROXIMITY TO THE BICYCLE STORAGE AREA SHOWN ON EXHIBIT 9.**
  - ~~H.~~ G. PAGE 14, SECTION H.2. CIRCULATION: UPDATE THE PARAGRAPH TO REDUCE NUMBER OF UNITS TO 15 AND TO DESCRIBE THE LAYOUT AS PROPOSED IN THE SITE PLAN ~~DATE STAMPED OCTOBER 28, 2024.~~ IN EXHIBIT 9.
  - ~~I.~~ H. PAGE 15, COMPARATIVE ZONING TABLE: UPDATE THE NUMBER OF UNITS, DENSITY RATIO, AND MINIMUM GUEST PARKING ON PUD ZONING COLUMN.
  - ~~J.~~ I. **PAGE 36, EXHIBIT 9 (CONCEPTUAL SITE PLAN): REPLACE WITH THE SITE PLAN DATE STAMPED OCTOBER 28, 2024 AND REMOVE THE REFERENCE TO THE BICYCLE REPAIR STATION.**
  - ~~K.~~ ~~PAGE 12, EXHIBIT 10 (FENCE DIAGRAM): REMOVE THIS EXHIBIT.~~
  - ~~L.~~ J. PAGE 4, EXHIBITS: DELETE REFERENCE TO EXHIBIT 10.

- K. **PAGE 12, DESIGN GUIDELINES SECTION E.1.: MODIFY THE PROVISION THAT REQUIRES THE SOUTHERNMOST UNITS TO INCORPORATE STREET-FACING FRONT DOORS AND GLAZING TO BE ORIENTED TOWARDS MARYLAND AVENUE, AND ALSO THE STOOPS AND STAIRS TO BE ORIENTED TOWARDS MARYLAND AVENUE.**
- L. **PAGE 28: REVISE EXHIBIT 6 (STREETSIDE SCALE CONTEXT EXHIBIT) TO BE CONSISTENT WITH THE REVISED RENDERING ON THE COVER OF THE PUD NARRATIVE.**
- M. **PAGES 33-34: REVISE EXHIBIT 8 (CONCEPTUAL RENDERING) TO BE CONSISTENT WITH THE REVISED RENDERING ON THE COVER OF THE PUD NARRATIVE.**
2. The developer shall dedicate a 7-foot sidewalk easement for the north side of Maryland Avenue, as approved by Planning and Development.
3. The applicant shall submit a traffic statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Development Coordination Section.
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5. 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.
6. ~~THE DEVELOPER SHALL WORK WITH THE PLANNING AND DEVELOPMENT DEPARTMENT'S SOLID WASTE REVIEWER TO PURSUE ALTERNATIVE METHODS OF WASTE COLLECTION TO ALLOW FOR~~ **PROVIDE ON-SITE TRASH AND RECYCLING PICK UP, AS APPROVED BY PLANNING AND DEVELOPMENT DEPARTMENTS.**
7. **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.**

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.





City of Phoenix  
PLANNING AND DEVELOPMENT DEPARTMENT

DEC 09 2021

Planning & Development  
Department

The **PLANNING COMMISSION** agenda for December 2, 2021 is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. December 9, 2021.

Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council 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., December 9, 2021.

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. December 9, 2021.

The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. December 16, 2021.

#### FORM TO REQUEST CITY COUNCIL HEARING

##### I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-69-20-6 (Autem Row PUD)

Approximately 300 feet west of the northwest corner of 16th St. and Maryland Ave.

APPLICATION NO.

12/09/2021

LOCATION OF APPLICATION SITE

Greg Harmon

DATE APPEALED FROM

☐ OPPOSITION  
☒ APPLICANT

PLANNER  
(PLANNER TAKING THE APPEAL)

##### BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

John T. Oliver

PRINTED NAME OF PERSON APPEALING

2525 E. Camelback Rd., Ste. 700

STREET ADDRESS

Phoenix, Arizona 85016

CITY, STATE & ZIP CODE

jto@tblaw.com

EMAIL ADDRESS

REASON FOR REQUEST

SIGNATURE

12/09/2021

DATE OF SIGNATURE

(602) 452-2733

TELEPHONE NO.

This appeal is being filed in order to schedule Z-69-20-6 for a public hearing to further discuss a stipulation proposed at Planning Commission pertaining to on-site trash collection.

**APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER**



CITY OF PHOENIX  
PLANNING AND DEVELOPMENT DEPARTMENT

<b>FORM TO REQUEST PC to CC</b> <b>I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:</b>											
<b>APPLICATION NO/ LOCATION</b>	<b>Z-69-20-6</b> <b>(Autem Row PUD)</b> Approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="4" style="text-align: left; padding: 2px;">(SIGNATURE ON ORIGINAL IN FILE)</th> </tr> <tr> <td style="width: 33%; padding: 2px; text-align: center;"><b>opposition</b></td> <td style="width: 10%;"></td> <td style="width: 33%; padding: 2px; text-align: center;"><b>applicant</b></td> <td style="width: 24%; padding: 2px; text-align: center;"><b>x</b></td> </tr> </table>		(SIGNATURE ON ORIGINAL IN FILE)				<b>opposition</b>		<b>applicant</b>	<b>x</b>
(SIGNATURE ON ORIGINAL IN FILE)											
<b>opposition</b>		<b>applicant</b>	<b>x</b>								
<b>APPEAL FROM:</b>	PC 12/2/2021	2525 East Camelback Road, Suite 700 Phoenix, AZ 85016									
	PC DATE	STREET/ADDRESS/CITY/STATE/ZIP									
<b>TO PC/CC HEARING</b>	CC <del>2/2/2022</del> 1/5/2022	John T. Oliver 1-602-452-2733 <a href="mailto:jto@tblaw.com">jto@tblaw.com</a>									
	CC DATE	NAME / PHONE / EMAIL									
<b>REASON FOR REQUEST:</b>  This appeal is being filed in order to schedule Z-69-20-6 for a public hearing to further discuss a stipulation proposed at Planning Commission pertaining to on-site trash collection.											
<b>RECEIVED BY:</b>		<b>RECEIVED ON:</b>									

Alan Stephenson  
 Joshua Bednarek  
 Tricia Gomes  
 Racelle Escolar  
 Stephanie Vasquez  
 David Urbinato  
 Vikki Cipolla-Murillo

Greg Harmon  
 Samantha Keating  
 Paul M. Li  
 Village Planner  
 GIS  
 Applicant

## Attachment I

Chairwoman Shank  
City of Phoenix Planning Commission  
200 W. Washington Street, 2<sup>nd</sup> Floor  
Phoenix, AZ 85003

**Re: Support for Rezoning Request - Application No.: Z-43-21  
4048 N. 40th Pl., Phoenix, Arizona 85018**

Chairwoman Shank and Planning Commissioners:

My name is Geoff Edlund and I own the three properties located at 3943, 3937 and 3933 E Monterosa St under the name Chapter 2, LLC.. I support the rezoning request to allow the property located at 4048 N. 40th Pl., Phoenix, Arizona 85018 to be rezoned from R1-6 to R-O. The Applicant has explained their rezoning request in great detail and it is my understanding that their rezoning request is necessary in order to allow their already existing building to expand. In my opinion, approval of their rezoning request will not negatively impact the surrounding area but will instead allow a welcomed business to expand their footprint. I have seen much of Studio Ma's design work and I have no doubt their expansion will be tastefully done and add value to the neighborhood.

In short, I fully support the Applicant's rezoning request because the request will neither harm nor negatively impact the surrounding area. Accordingly, I submit this letter to express my support.

Sincerely,



Property Owner Signature

Geoff Edlund

Property Owner Name (print)

11 / 1 / 2021

Date

Chairwoman Shank  
City of Phoenix Planning Commission  
Planning and Development Department  
200 W. Washington Street, 2<sup>nd</sup> Floor  
Phoenix, Arizona 85003

**Re: Support for Zoning Request – Z-69-20  
1536 E. Maryland Ave., Phoenix, Arizona 85014**

Dear Chairwoman Shank:

Please allow this letter to serve as my letter of support for the zoning request identified as Z-69-20. It is my understanding that the zoning request will rezone the property located at 1536 E. Maryland Ave., Phoenix, Arizona 85014 into a PUD in order to allow a multifamily project to develop. I support the proposed multifamily development because I believe the proposal will benefit our neighborhood by repurposing an underused lot. Our neighborhood is well positioned to usher in thoughtful development because we are located in the heart of Phoenix; this proposal is thoughtful and will undoubtedly enhance the Maryland Ave. corridor.

In short, I fully support the Applicant's zoning request because I believe the proposed development will neither harm nor negatively impact the surrounding area. Accordingly, I submit this letter to express my support.

Sincerely,



Property Owner Signature

Justin Novak

Property Owner Name (print)

6114 n. 8th street

Address

11/02/2021

Date

Chairwoman Shank  
City of Phoenix Planning Commission  
Planning and Development Department  
200 W. Washington Street, 2<sup>nd</sup> Floor  
Phoenix, Arizona 85003

**Re: Support for Zoning Request – Z-69-20  
1536 E. Maryland Ave., Phoenix, Arizona 85014**

Dear Chairwoman Shank:

Please allow this letter to serve as my letter of support for the zoning request identified as Z-69-20. It is my understanding that the zoning request will rezone the property located at 1536 E. Maryland Ave., Phoenix, Arizona 85014 into a PUD in order to allow a multifamily project to develop. I support the proposed multifamily development because I believe the proposal will benefit our neighborhood by repurposing an underused lot. Our neighborhood is well positioned to usher in thoughtful development because we are located in the heart of Phoenix; this proposal is thoughtful and will undoubtedly enhance the Maryland Ave. corridor.

In short, I fully support the Applicant's zoning request because I believe the proposed development will neither harm nor negatively impact the surrounding area. Accordingly, I submit this letter to express my support.

Sincerely,



Property Owner Signature

John Dimmel

Property Owner Name (print)

1019 E. Georgia Ave

Address

November 2, 2021

Date

Chairwoman Shank  
City of Phoenix Planning Commission  
Planning and Development Department  
200 W. Washington Street, 2<sup>nd</sup> Floor  
Phoenix, Arizona 85003

**Re: Support for Zoning Request – Z-69-20  
1536 E. Maryland Ave., Phoenix, Arizona 85014**

Dear Chairwoman Shank:

Please allow this letter to serve as my letter of support for the zoning request identified as Z-69-20. It is my understanding that the zoning request will rezone the property located at 1536 E. Maryland Ave., Phoenix, Arizona 85014 into a PUD in order to allow a multifamily project to develop. I support the proposed multifamily development because I believe the proposal will benefit our neighborhood by repurposing an underused lot. Our neighborhood is well positioned to usher in thoughtful development because we are located in the heart of Phoenix; this proposal is thoughtful and will undoubtedly enhance the Maryland Ave. corridor.

In short, I fully support the Applicant's zoning request because I believe the proposed development will neither harm nor negatively impact the surrounding area. Accordingly, I submit this letter to express my support.

Sincerely,

  
\_\_\_\_\_  
Property Owner Signature

Galina Mihaleva  
\_\_\_\_\_  
Property Owner Name (print)

1435 E. Solano Drive, Phoenix, AZ, B5014  
\_\_\_\_\_  
Address

11.04.2021  
\_\_\_\_\_  
Date