



Agenda

City Council Formal Meeting

Wednesday, January 26, 2022

2:30 PM

phoenix.gov

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=e6d2ed2ccc2df850132625f4ee3a99b7c>

- **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 2551 549 4562# (for English) or 2554 743 0918# (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 2554 743 0918#. 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 2554 743 0918#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

CALL TO ORDER AND ROLL CALL

BOARDS AND COMMISSIONS

- 1 Mayor and Council Appointments to Boards and Commissions Page 9

LIQUOR LICENSES, BINGO, AND OFF-TRACK BETTING LICENSE APPLICATIONS

- 2 Liquor License - Hutch Kitchen & Cocktails District 4 - Page 12
- 3 Liquor License - L & S Ranch Market District 4 - Page 17
- 4 Liquor License - Special Event - Hermandad Del Senor De Los Milagros (Mesa, AZ) District 5 - Page 22
- 5 Liquor License - Special Event - Saint Sava Serbian Orthodox Church District 8 - Page 23
- 6 Liquor License - The Rose Theatre District 8 - Page 24
- 7 Liquor License - El Bravo Mexican Food District 6 - Page 29

PAYMENT ORDINANCE (Ordinance S-48261) (Items 8-22) Page 34

- 8 Settlement of Claim(s) Nissan v. City of Phoenix
- 9 Settlement of Claim(s) Moore v. City of Phoenix
- 10 Arizona Science Center
- 11 Arizona State University
- 12 WBCP, Inc.
- 13 N Harris Computer Corp
- 14 SAP America, Inc.

- 15 **Diamond Nets and Art Solutions**
- 16 **Children's Museum of Phoenix**
- 17 **Valley Youth Theatre**
- 18 **Maricopa County Air Quality and Environmental Regulations**
- 19 **Carrier Fire & Security Americas Corporation dba Carrier Fire & Security - MASTermind**
- 20 **Managed Medical Review Organization, Inc.**
- 21 **WaterReuse Association - Annual Payment Authority**
- 22 **Brentwood Executive Holdings, LLC dba Paradigm Marketplace**

ADMINISTRATION

- 23 **National Civic League's 2022 All-American City Award** Citywide - Page 39
 - 24 **Legal Processing, Notary, and Related Services Requirements Contract - COOP 21-035 (A) (Ordinance S-48270)** Citywide - Page 41
 - 25 **Technology Consulting Professional Service Agreement Requirements Contract - Amendment (Ordinance S-48271)** Citywide - Page 42
 - 26 **Acceptance and Dedication of Easements for Public Utility Purposes (Ordinance S-48276)** District 2 - Page 44
District 3
District 7
 - 27 **Acceptance of an Easement for Drainage Purposes (Ordinance S-48277)** District 8 - Page 45
 - 28 **Sungard Availability Services (Ordinance S-48292)** Citywide - Page 46
 - 29 **Professional Services for IT Project Management and Business Analysis Support - Amendment (Ordinance S-48293)** Citywide - Page 48
-

COMMUNITY SERVICES

- 30 **Enter into an Agreement with Vitalyst Health Foundation for ARPA Phoenix Urban Agriculture Fellowship Program (Ordinance S-48295)** Citywide - Page 50
- 31 **Request to Enter into an Agreement with Accurate Appraisals U.S.A., LLC for Single-Family Home Appraisal Services (Ordinance S-48272)** Citywide - Page 53
- 32 **Authorization to Amend Contract with PUN Group, LLP for Fiscal Monitoring Services (Ordinance S-48269)** Citywide - Page 55
- 33 **Authorization for Payment Authority for Trimark-Park Place, LLC (Ordinance S-48278)** Citywide - Page 57
- 34 **Automated Materials Handling System for Burton Barr Library - Requirements Contract - RFP 18-040 (A) (Ordinance S-48274)** Citywide - Page 59
- 35 **Phoenix Public Library's Integrated Library System - Requirements Contract (Ordinance S-48281)** Citywide - Page 60
- 36 **Rental Rehabilitation Program Project Award (Ordinance S-48279)** District 3 - Page 62
- 37 **Retroactive Authorization for School Sustainability Program Grant (Ordinance S-48294)** Citywide - Page 64
- 38 **Authorize to Enter into a Development Agreement to Acquire and Improve 10 Acres within the Talinn Subdivision (Ordinance S-48263)** District 2 - Page 66
- 39 **Tree and Plant Materials Contract - Requirements Contract - IFB-PKS-SOD16-001(A) (Ordinance S-48280)** Citywide - Page 68
- 40 **Authorization to Sell City-Owned Property Located at 4815 S. 67th Ave. to Arizona Department of Transportation for State Route 30 (Ordinance S-48296)** District 7 - Page 69
-

- | | | |
|----|---|---|
| 51 | Green Transit Technology Request for Proposals | Citywide - Page 91 |
| 52 | T2050 Bus Stop Manufacturing and Repair Request for Proposals | Citywide - Page 93 |
| 53 | OshKosh Original Equipment Manufacturer Technical Training - Contract Recommendation (Ordinance S-48286) | Citywide - Page 95 |
| 54 | Illuminated Street Signs Fabrication and Installation - Requirements Contract IFB 19-025B - Amendment (Ordinance S-48262) | Citywide - Page 97 |
| 55 | Thermoplastic Pavement Marking Raw Material - Requirements Contract - IFB 22-069 (Ordinance S-48282) | Citywide - Page 99 |
| 56 | Machine Shop and Related Services Contract Amendment (Ordinance S-48268) | District 7 - Page 101
District 8 |
| 57 | 35th Avenue: I-10 to Camelback Road (BUILD) - Engineering Services - ST89340634 (Ordinance S-48264) | District 4 - Page 102
District 5 |
| 58 | License Agreement with AP 355 North Central Property, LLC to Provide Valet Services (Ordinance S-48265) | District 7 - Page 105 |
| 59 | Salt River Project Land Use License for 7th Street and Highline Canal - ST87600123 (Ordinance S-48287) | District 8 - Page 107 |
| 60 | Salt River Project Construction License for Water Main Replacement, Van Buren to Harrison Streets between 31st and 35th Avenues - WS85509035 (Ordinance S-48288) | District 4 - Page 108
District 7 |
| 61 | Salt River Project Construction License for 3rd Street Promenade, Garfield Street to Indian School Road - ST87100162 (Ordinance S-48289) | District 4 - Page 109
District 7
District 8 |
| 62 | Cooling Tower Water Treatment Services Agreement (Ordinance S-48267) | Citywide - Page 110 |

PLANNING AND ZONING MATTERS

- 63 **Final Plat - Hurley Ranch Phase 2 - PLAT 200637 - North of Broadway Road and West of 83rd Avenue** District 7 - Page 112
- 64 **Final Plat - 10215 S. 27th Avenue - 210082 - Southeast Corner of Lodge Drive and 27th Avenue** District 8 - Page 113
- 65 **Remove/Replace Zoning District - Cave Creek and Dynamite Boulevard Annexation 508 - 4328 E. Dynamite Blvd. (Ordinance G-6944)** District 2 - Page 114
- 66 **Remove/Replace Zoning District - Ismail Annexation 510 - 3335 W. Baseline Road (Ordinance G-6945)** District 8 - Page 120
- 67 **Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-21--Z-18-10-1 - Southeast Corner of 13th Avenue and Parkview Lane Alignments (Ordinance G-6948)** District 1 - Page 126
- 68 **Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-21--Z-128-07-1 - Approximately 800 Feet East of 19th Avenue and the Alameda Road Alignment (Ordinance G-6946)** District 1 - Page 133
- 69 **Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-21--Z-129-07-1 - Approximately 1,825 Feet East of 19th Avenue and the Alameda Road Alignment (Ordinance G-6947)** District 1 - Page 140
- 70 **Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-21--Z-52-08-7 - Northwest Corner of 67th Avenue and Baseline Road (Ordinance G-6949)** District 7 - Page 147
- 71 **Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-21--Z-23-18-8 - Northeast Corner of 16th Street and Polk Street (Ordinance G-6950)** District 8 - Page 156
- 72 **(CONTINUED FROM DEC. 15, 2021 AND JAN. 5, 2022) -** District 4 - Page 165
-

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

73 (CONTINUED FROM JAN. 5, 2022) - 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)

District 6 - Page 203

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

ADJOURN

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 1/26/2022, Item No. 1

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 26, 2022

Subject: BOARDS AND COMMISSIONS – APPOINTEES

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

Camelback East Village Planning Committee

Councilman Sal DiCiccio recommends the following for appointment:

Adiba Jurayeva

Ms. Jurayeva is an attorney at AdibA Group and a resident of District 6. She fills a vacancy for a term to expire November 19, 2023.

Central City Village Planning Committee

Councilmember Carlos Garcia recommends the following for appointment:

Ali Nervis

Mr. Nervis is the owner of Grassrootz Bookstore and a resident of District 8. He fills a vacancy for a term to expire November 19, 2023.

Desert View Village Planning Committee

I and Councilman Jim Waring recommend the following for appointment:

Cynthia Dean

Ms. Dean is the Vice President of JTD Sells AZ and a resident of District 4. She fills a vacancy for a term to expire November 19, 2023.

Human Relations Commission

I recommend the following for appointment:

Miriam Weisman

Ms. Weisman is a former educator and anti-bias facilitator and a resident of District 4. She fills a vacancy for a term to expire June 30, 2024.

Laveen Village Planning Committee

Councilmember Carlos Garcia recommends the following for appointment:

JoAnne Jensen

Ms. Jensen is retired and a resident of District 8. She fills a vacancy to expire November 19, 2023.

Phoenix Business and Workforce Development Board

I recommend the following for appointment:

Patrick Fitzhugh

Mr. Fitzhugh is the Regional Site Management Director at USAA. He fills a Business vacancy for a partial term to expire June 30, 2022.

South Mountain Village Planning Committee

Councilmember Carlos Garcia recommends the following for appointment:

Tremikus Muhammad

Mr. Muhammad is the Executive Director of Phoenix Local Organizing Committee and a resident of District 4. He fills a vacancy for a term to expire November 19, 2023.



Liquor License - Hutch Kitchen & Cocktails

Request for a liquor license. Arizona State License Application 172255.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 12 - Restaurant

Location

2603 N. Central Ave.

Zoning Classification: C-2 HRI TOD-1

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. 31, 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

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.

Crown Public House (Series 12)

333 E. Jefferson St., Phoenix

Calls for police service: 350

Liquor license violations: In Aug. 2020, a fine of \$1,500 was paid for failure to derive 40 percent of income from food.

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 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 legal age the option of ordering an adult beverage with they choose to have one with their meal."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Hutch Kitchen & Cocktails

Liquor License Map - Hutch Kitchen & Cocktails

Responsible Department

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

Liquor License Data: HUTCH KITCHEN & COCKTAILS

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	7	4
Beer and Wine Bar	7	5	1
Liquor Store	9	5	1
Beer and Wine Store	10	9	4
Hotel	11	1	1
Restaurant	12	46	12
Club	14	1	1

Crime Data

*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

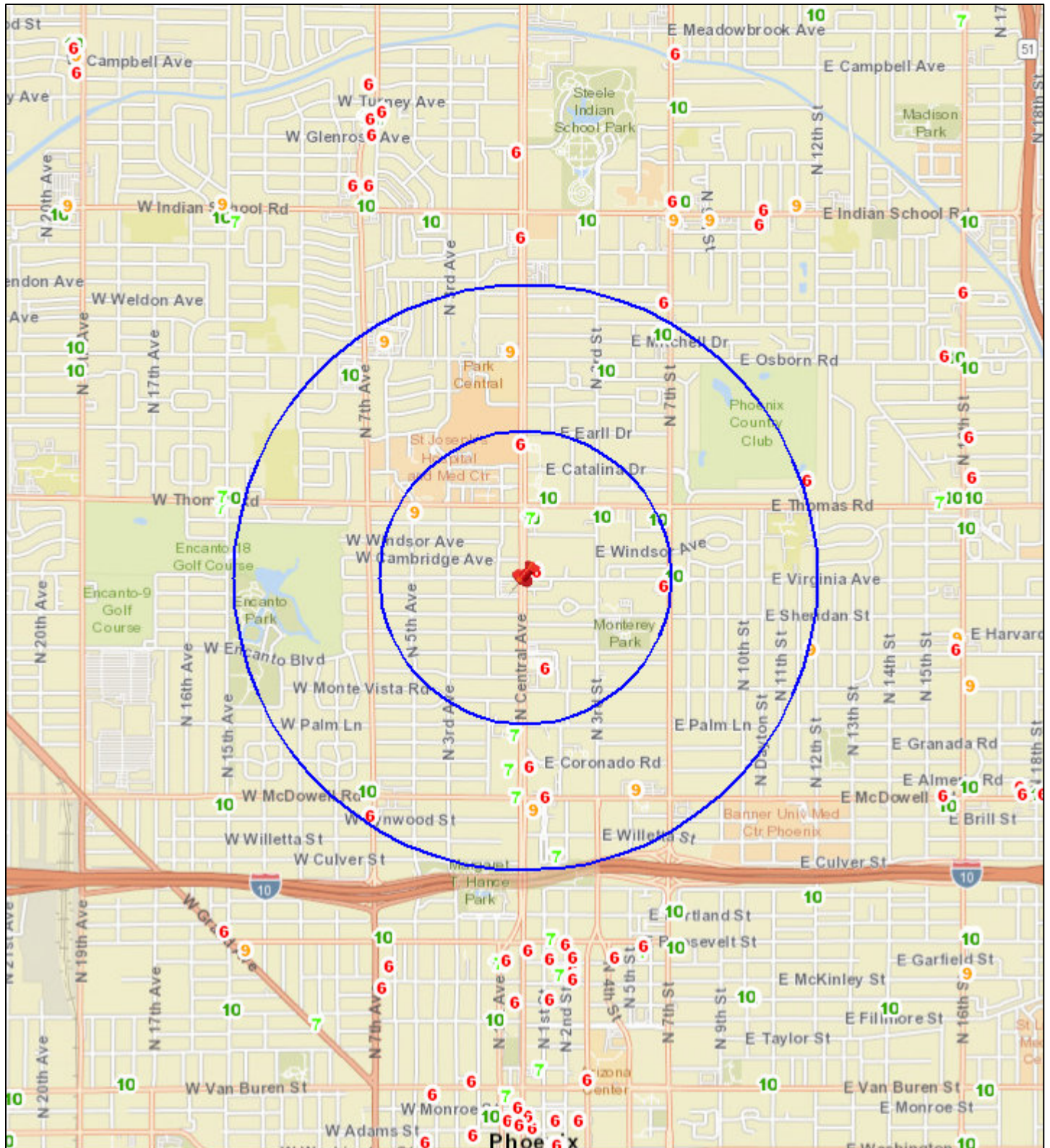
Description	Average	1/2 Mile Average
Parcels w/Violations	57	36
Total Violations	96	59

Census 2010 Data 1/2 Mile Radius

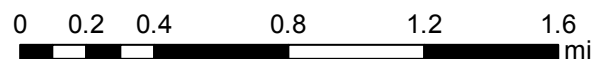
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1105013	824	16 %	17 %	40 %
1105022	1216	28 %	19 %	23 %
1117004	1227	75 %	20 %	21 %
1118001	742	44 %	28 %	5 %
1118002	1030	67 %	9 %	17 %
1118003	996	65 %	15 %	4 %
1118004	671	62 %	6 %	6 %
Average		61 %	13 %	19 %

Liquor License Map: HUTCH KITCHEN & COCKTAILS

2603 N CENTRAL AVE



Date: 12/3/2021



City Clerk Department



Liquor License - L & S Ranch Market

Request for a liquor license. Arizona State License Application 170931.

Summary

Applicant

Lori Scott, Agent

License Type

Series 10 - Beer and Wine Store

Location

2750 W. Indian School Road

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 may currently operate with an interim permit.

The 60-day limit for processing this application is Jan. 28, 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

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.

Laveen Smoke Shop #6 (Series 10)
4325 S. 48th St., Ste. 101, Tempe
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 a responsible business owner in the Phoenix area since 2006. I have held a liquor licenses previously for a restaurant, and other convenience store."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This will allow the community a one stop shop to purchase beer or wine, cigarettes, food, beverages, or household items."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - L & S Ranch Market
Liquor License Map - L & S Ranch Market

Responsible Department

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

Liquor License Data: L & S RANCH MARKET

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	171.57	224.62
Violent Crimes	9.21	64.03	100.42

*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

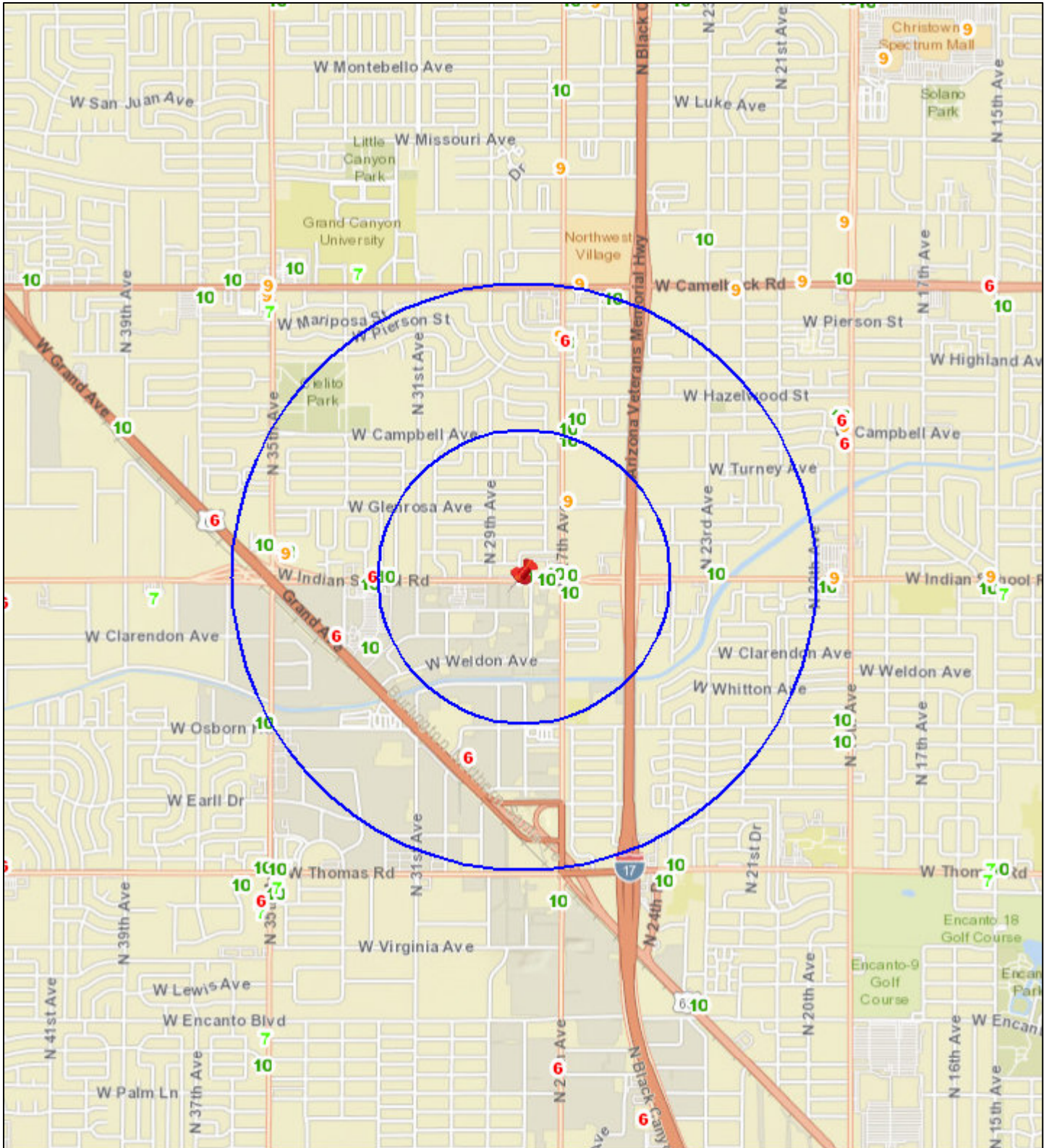
Description	Average	1/2 Mile Average
Parcels w/Violations	57	191
Total Violations	95	282

Census 2010 Data 1/2 Mile Radius

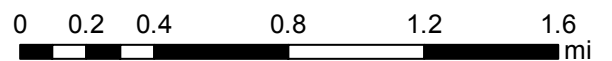
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1090012	3369	0 %	11 %	59 %
1090033	1600	22 %	13 %	68 %
1090034	583	5 %	26 %	49 %
1091012	2067	85 %	10 %	30 %
1091022	2966	78 %	14 %	50 %
1091023	1085	28 %	19 %	21 %
1169001	2535	66 %	12 %	50 %
1170002	1845	32 %	9 %	34 %
Average		61 %	13 %	19 %

Liquor License Map: L & S RANCH MARKET

2750 W INDIAN SCHOOL RD



Date: 11/30/2021





Liquor License - Special Event - Hermandad Del Senor De Los Milagros (Mesa, AZ)

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

Summary

Applicant

Sofia Vasquez Diaz

Location

7610 W. Indian School Road
Council District: 5

Function

Dance

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

Feb. 11, 2022 - 9 p.m. to 2 a.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 - Saint Sava Serbian Orthodox Church

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

Summary

Applicant

George Momich

Location

4436 E. McKinley St.
Council District: 8

Function

Golf Tournament

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

Feb. 23, 2022 - 6 p.m. to 1 a.m. / 200 attendees
Feb. 24, 2022 - 6 p.m. to 1 a.m. / 200 attendees
Feb. 25, 2022 - 6 p.m. to 2 a.m. / 300 attendees
Feb. 26, 2022 - 5 p.m. to 2 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 - The Rose Theatre

Request for a liquor license. Arizona State License Application 174293.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 6 - Bar

Location

455 N. 3rd St., Ste. 1010
Zoning Classification: C-2
Council District: 8

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

The 60-day limit for processing this application is Feb. 5, 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:
"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:
"The Rose Theatre will offer specialty and classic craft cocktails in a theatre setting. Applicant would like to offer guest 21 and over the opportunity to enjoy alcoholic 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 - The Rose Theatre
Liquor License Map - The Rose Theatre

Responsible Department

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

Liquor License Data: THE ROSE THEATRE

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	1
Wholesaler	4	1	0
Government	5	8	5
Bar	6	45	32
Beer and Wine Bar	7	14	11
Liquor Store	9	4	2
Beer and Wine Store	10	10	4
Hotel	11	8	5
Restaurant	12	91	63
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	159.04	228.98
Violent Crimes	9.21	38.42	56.47

*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

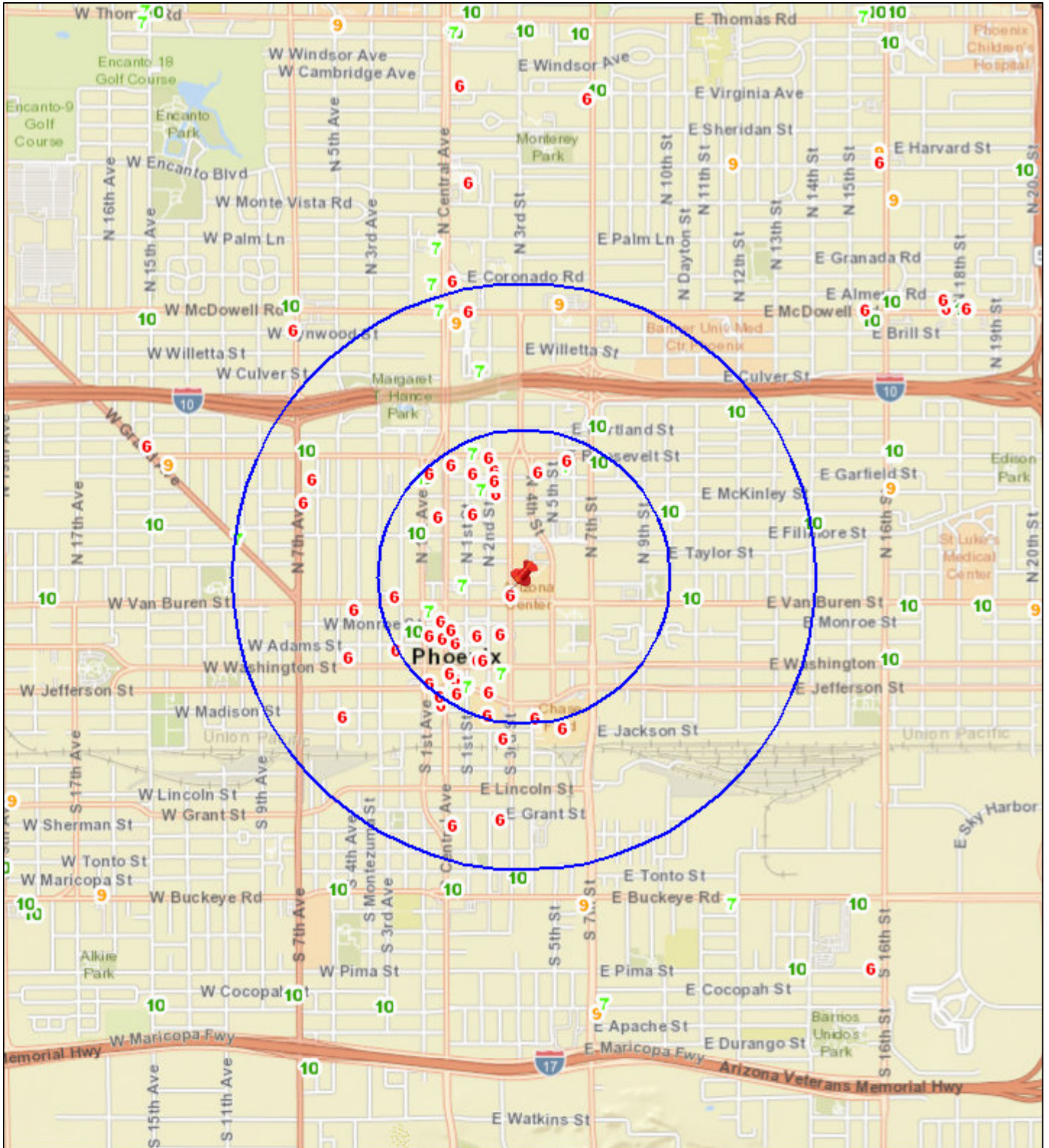
Description	Average	1/2 Mile Average
Parcels w/Violations	57	74
Total Violations	96	124

Census 2010 Data 1/2 Mile Radius

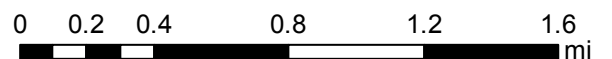
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031	1473	30 %	20 %	57 %
1140001	1831	25 %	20 %	47 %
1141001	2299	16 %	37 %	44 %
Average		61 %	13 %	19 %

Liquor License Map: THE ROSE THEATRE

455 N 3RD ST



Date: 12/9/2021





Liquor License - El Bravo Mexican Food

Request for a liquor license. Arizona State License Application 07070710.

Summary

Applicant

Amparo Cruz, Agent

License Type

Series 7 - Beer and Wine Bar

Location

8338 N. 7th St.

Zoning Classification: C-2

Council District: 6

This request is for an ownership transfer of a liquor license for a beer and wine 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. 28, 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 understand the rules to hold the liquor license and I have the capability to be at the restaurant any-time of the day. I have worked in the restaurant for over 10 years and my husband has worked for this restaurant over 30+ years."

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

"They will not have to travel to a bar or convenience store in order to obtain alcohol. Additionally, patrons do not typically get inebriated in restaurants as compared to a bar."

Staff Recommendation

Staff recommends disapproval of this application based on a Finance Department recommendation for disapproval.

Attachments

Liquor License Data - El Bravo Mexican Food

Liquor License Map - El Bravo Mexican Food

Responsible Department

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

Liquor License Data: EL BRAVO MEXICAN FOOD

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	5	2
Beer and Wine Bar	7	4	1
Liquor Store	9	5	1
Beer and Wine Store	10	10	1
Restaurant	12	14	3

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	93.76	108.81
Violent Crimes	9.21	20.11	15.71

*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

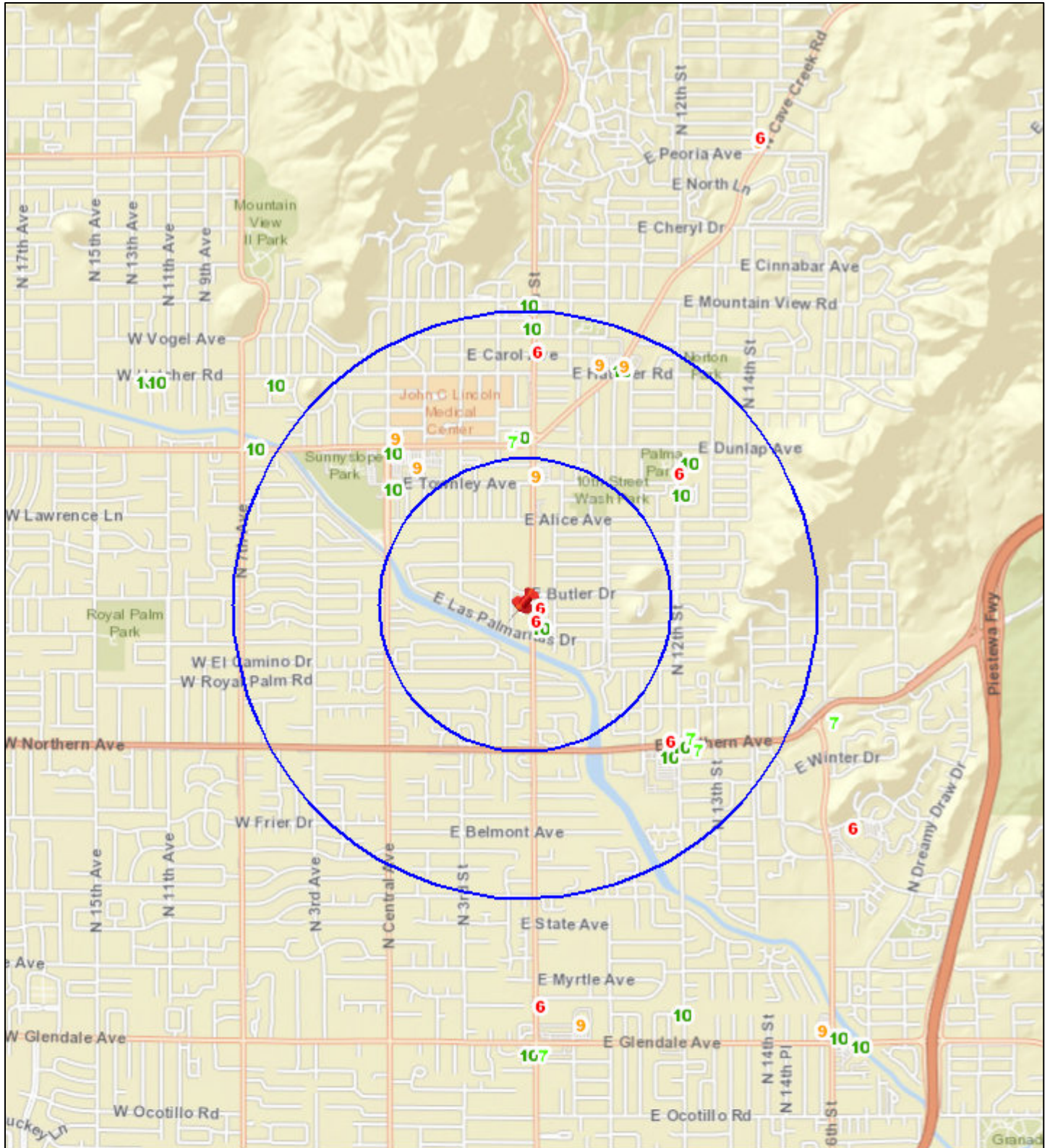
Description	Average	1/2 Mile Average
Parcels w/Violations	57	73
Total Violations	96	126

Census 2010 Data 1/2 Mile Radius

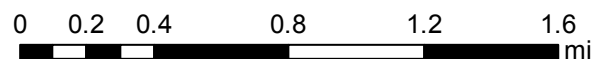
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1052002	1702	63 %	7 %	23 %
1052003	1140	66 %	15 %	17 %
1053001	1959	84 %	11 %	9 %
1053002	1704	34 %	25 %	42 %
1053003	1205	96 %	9 %	0 %
1062002	1751	97 %	6 %	1 %
1063003	1910	50 %	11 %	42 %
Average		61 %	13 %	19 %

Liquor License Map: EL BRAVO MEXICAN FOOD

8338 N 7TH ST



Date: 12/1/2021





PAYMENT ORDINANCE (Ordinance S-48261) (Items 8-22)

Ordinance S-48261 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.

8 Settlement of Claim(s) Nissan v. City of Phoenix

To make payment of up to \$48,000.00 in settlement of claim(s) in *Nissan v. City of Phoenix*, 17-0472-004, AU, BI, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of bodily injury and property damage claim arising from a motor vehicle accident on Oct. 20, 2017 involving the Planning and Development Department.

9 Settlement of Claim(s) Moore v. City of Phoenix

To make payment of up to \$250,000.00 in settlement of claim(s) in *Moore v. City of Phoenix*, 20-0208-001, AU, BI, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of bodily injury and property damage claim arising from a motor vehicle accident on Feb. 29, 2020 involving the Police Department.

10 Arizona Science Center

For \$204,000.00 in additional payment authority for Contract 127032 for the annual reimbursement of utilities for the Parks and Recreation Department. The contract agreement states the City will reimburse the Arizona Science Center for all utility payments each year. The agreement allows for the Arizona Science Center to maintain and operate the center on behalf of the City of Phoenix, providing science education to visitors.

The science education provided by the Arizona Science Center provides Phoenix residents and visitors with increased knowledge and understanding of science among youth and adults alike.

11 **Arizona State University**

For \$78,000.00 in payment authority for Contract 119092 for the annual operating and maintenance fees for the Downtown Phoenix Civic Space A.E. England Building, which is paid to Arizona Board of Regents on behalf of Arizona State University, for the Parks and Recreation Department.

12 **WBCP, Inc.**

For \$35,000.00 in payment authority for a new contract, entered on or about Jan. 26, 2022 for a term of three years to conduct an Executive Search for the Assistant Human Services Director for the Human Resources Department. The executive search includes writing recruitment marketing materials, advertising, conducting applicant searches, identifying a diverse applicant pool, coordinating interviews, writing questions, and facilitating offer and negotiations. The Human Resources Department is conducting a Request for Qualifications.

13 **N Harris Computer Corp**

For \$175,000.00 in additional payment authority through Dec. 31, 2023 for two years of annual maintenance costs for the iNovah cashiering system for the Finance Department. The iNovah system is the centralized cashiering system used to process payments for several City departments. Annual maintenance covers software support for the iNovah system, four daily batch exports, one real time interface, and the image cache letter file which is used to electronically process check payments.

14 **SAP America, Inc.**

For \$15,922.00 in payment authority to purchase Crystal Reports licenses for the Information Technology Services (ITS) Department. This item is in support of the Finance and City Clerk departments for the Talis and Tax Mantra system. ITS has been migrating the Talis and Tax Mantra application to a new supportable and secure hardware platform, and new Crystal Reports licenses are required. The current version of Crystal Reports is obsolete and unsupported. The Finance and City Clerk

departments rely on Tax Mantra to manage all regulatory license services for citizens and businesses. A new version will allow departments to continue obtaining critical reports from the upgraded system.

15 Diamond Nets and Art Solutions

For \$125,000.00 in payment authority to purchase specialty art services for the Phoenix Office of Arts and Culture Department. The funds will be used for fabrication and necessary replacement of the net of the "Her Secret Is Patience" sculpture at Civic Space Park. The current net has reached the end of its life cycle. Diamond Nets was the original producer of the net when the percent-for-art sculpture was built in 2009. Art Solutions is the qualified local contractor that has the experience and expertise in art handling and monumental sculpture installation.

16 Children's Museum of Phoenix

For \$500,000.00 in additional payment authority for Agreement 122766, through June 30, 2026, for building maintenance and repair services, and 50 percent reimbursement of utilities and landscaping costs for the Children's Museum of Phoenix located at 215 N. 7th Ave., for the Phoenix Office of Arts and Culture.

17 Valley Youth Theatre

For \$75,000.00 in additional payment authority for Contract 114612, through Jan. 5, 2026, for 50 percent reimbursement of utilities and sewer costs for the Valley Youth Theatre facility located at 525 N. 1st St., for the Phoenix Office of Arts and Culture.

18 Maricopa County Air Quality and Environmental Regulations

For \$222,450.00 in annual payment authority for various mandated regulatory fees and permits for the Public Works Department. The Public Works Department manages fuel sites, Citywide fleet and facilities, open and closed landfills, transfer stations, solid waste collections, and other mandated entities that require various permits and fees to maintain compliance with Maricopa County air quality and environmental health regulations. The permits that Public Works maintains include Refuse Hauler, Authority to Operate, Title V, Non-Title V, Recycle Variance, permitted fuel burning equipment and permitted fuel dispensing.

19 **Carrier Fire & Security Americas Corporation dba
Carrier Fire & Security - MASTermind**

For \$27,993.00 in payment authority for MASTermind monitoring services using proprietary software for Jan. 1, 2021 through Dec. 31, 2023 for the Public Works Department. MASTermind is used by the Police Central Monitoring Station (CMS) to manage alarm services with support 24/7 throughout the Downtown Corridor. The software is required by CMS for monitoring alarms and emergency services in City-owned buildings.

20 **Managed Medical Review Organization, Inc.**

For \$50,000.00 in additional payment authority for Contract 144922, for independent medical evaluations for the Retirement Office. The Retirement Office is currently finalizing a new contract through the RFP process. The number and complexity of applications submitted has increased from previous years, requiring additional funds. Independent medical evaluations are used when either the City of Phoenix Employees' Retirement System (COPERS) Board, Disability Assessment Committee, or the Local Police and Fire Retirement Boards (Local Boards) require information to determine the eligibility of individuals for a disability retirement. Further, State statute requires all public safety members who have filed an application for disability retirement be referred for an independent medical evaluation by a board certified, Arizona licensed physician in order to determine if they meet the criteria listed in Arizona Revised Statutes, section 38-859. Memorandum of Understanding 144978-0 is the agreement between the COPERS Board and the Locals Boards that permits the Local Boards to use the COPERS contract.

21 **WateReuse Association - Annual Payment Authority**

For \$13,000.00 in payment authority for membership renewal to the WateReuse Association for the Water Services Department. Participation in the WateReuse Association allows Water Services access to a variety of research and information addressing drinking water, wastewater, water reclamation, watershed quality, and storm water issues. The item was approved by the Transportation, Infrastructure, and Innovation Subcommittee on April 7, 2021.

22 **Brentwood Executive Holdings, LLC dba Paradigm**

Marketplace

For \$1,400,000.00 in payment authority for Brentwood Executive Holdings, LLC dba Paradigm Marketplace, to purchase at-home COVID-19 test kits. The kits will be distributed to Phoenix residents through the City's ongoing community testing and vaccination efforts. The addition of the at-home test kits will strengthen the City's ability to address increased case counts and mitigate the impact of COVID-19 in the community. Funding is available through the City's allocation of the American Rescue Plan Act received from the U.S. Federal Government.



National Civic League's 2022 All-American City Award

Request authorization for the City Manager, or his designee, to apply for and, if selected, accept the National Civic League's All-American City Award for 2022.

Summary

The National Civic League's All-American City Award has celebrated the best in American civic innovation since 1949. The annual award recognizes communities that create innovative solutions to pressing issues through inclusive civic engagement and collaborations among residents, businesses, non-profit organizations and local governments. Phoenix has been honored with this national recognition five times, in 2009, 1989, 1980, 1958 and 1950.

The 2022 All-American City Award, in partnership with the Campaign for Grade-Level Reading, will recognize the resilience that communities across the country have shown as people come together to respond to the learning and equity challenges brought on by the COVID-19 pandemic. This year's theme is: Housing as a Platform for Early School Success and Equitable Learning Recovery. The ceremony will be held virtually July 18-22, 2022, during Grade Level Reading (GLR) Week.

This year's application focuses on innovative, inclusive, and data-driven efforts that seek measurable improvement around one or more of the following focus areas:

- Digital equity (internet access, individual devices, technical assistance);
- Relational support (tutors, mentors, coaches);
- After school, summer and out-of-school learning opportunities;
- Transforming non-school places and spaces into learning-rich environments;
- Promoting school readiness, regular attendance and summer learning;
- Parents succeeding as essential partners in the healthy development and early school success of their children; and
- Parents succeeding in their own journey toward sustainable self-sufficiency.

The offices of Innovation and Youth and Education are leading the process in collaboration with City departments including Housing, Information Technology Services, Human Services, Parks and Recreation, Library, among others. The team

has begun conducting research and compiling data to inform the application process. The next steps include working with staff members, community partners and residents to focus on key, successful initiatives that have been implemented during the pandemic. The final application is due March 1, 2022.

Financial Impact

There is no financial impact to the City.

Responsible Department

This item is submitted by Deputy City Managers Karen Peters, Inger Erickson and the Offices of Innovation and Youth and Education.



Legal Processing, Notary, and Related Services Requirements Contract - COOP 21-035 (A) (Ordinance S-48270)

Request to authorize the City Manager, or his designee, to approve an adjustment to Payment Ordinance S-47923 for Contract COOP 21-035 with First Legal Network, LLC, Nationwide Legal Services, LLC, and On the Run Legal Solutions, LLC to waive, or grant an exception to, Phoenix City Code Section 42-18 (Chapter 42 Risk Management, Contract Provisions; Indemnification Prohibition) and to authorize inclusion of indemnification and assumption of liability provisions that otherwise would not be allowed for the Master Services Agreement. Further request authorization for the City Controller to disburse all funds related to this item. No additional funds are needed.

Summary

The City of Phoenix requires contracts with multiple vendors who can provide legal processing, notary, and related services in order to support all City Departments. These services are used by various departments citywide, but primarily by the Neighborhood Services Department and the Law Department to deliver a wide array of legal notices to residents and businesses. Notices include construction violations, investigations, court proceedings for both in-state and out-of-state addresses, public notices, notary services, court filings, and complete processing services.

For a waiver of Phoenix City Code 42-18, the Master Agreement requires a limitation of liability to the greater value of either \$1,000,000 or three times the purchase price of the specific materials and/or services giving rise to the claim.

Contract Term

This is a five-year contract beginning on or about Feb. 1, 2022.

Concurrence/Previous Council Action

The contract was originally approved by City Council on Sept. 8, 2021.

Responsible Department

This item is submitted by City Manager Jeffrey Barton and the Finance Department.



Technology Consulting Professional Service Agreement Requirements Contract - Amendment (Ordinance S-48271)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 144634 with ASKREPLY, INC dba B2GNOW to extend the term and to allow additional expenditures for the continued access of the online computer software modules such as Concessions, Baseline System/Vendor Management, Contract Compliance, Certification Management and the Online Application for the Equal Opportunity Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$30,345.

Summary

The B2GNOW software system supports diversity-based contracting, certification and outreach programs. The software is integrated with contracting processes utilized by contractors, vendors and other City of Phoenix departments such as the Water Services, Street Transportation, Public Transit, Aviation and Finance departments. The B2GNOW system allows for conducting frequent updates to vendor's lists, which is essential to the Federal Transit Administration and the Federal Aviation Administration assisted goal-setting requirements. The software provides for instant retrieval of Disadvantaged Business Enterprise (DBE), Airport Concessionaire Disadvantaged Business Enterprise (ACDBE), and Small Business Enterprise (SBE) firms by North American Industry Classification System codes and work descriptions, which are essential for DBE and SBE goal setting. The Equal Opportunity and Public Transit departments and Valley Metro will share the cost of this contract extension.

The requested service agreement is critical for multiple facility operations. The contract extension will ensure continued services.

This one-year extension is needed while a new competitive solicitation is issued and a new contract awarded.

Contract Term

Upon approval, the contract term will be extended through Jan. 31, 2023.

Financial Impact

Upon approval of \$30,345 in additional funds, the revised aggregate value of the contract will not exceed \$155,345. Funding is available in the Equal Opportunity and Public Transit departments' budgets.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Jan. 11, 2017.

Responsible Department

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



Acceptance and Dedication of Easements for Public Utility Purposes (Ordinance S-48276)

Request for the City Council to accept and dedicate easements for public utility 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: Sandro Pinha and Gil Valdez, its successor and assigns

Purpose: Public Utility

Location: 28432 N. 44th St.

File: FN 210055

Council District: 2

Easement (b)

Applicant: Tate Berger, Tate Burger and Jessica Hopper, its successor and assigns

Purpose: Public Utility

Location: 8916 and 8918 N. 11th St.

File: FN 210103

Council District: 3

Easement (c)

Applicant: BFH Holdings, LLC, its successor and assigns

Purpose: Public Utility

Location: 4724 S. 35th Ave.

File: FN 210111

Council District: 7

Responsible Department

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



Acceptance of an Easement for Drainage Purposes (Ordinance S-48277)

Request for the City Council to accept an easement for drainage 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: VWP 48th ST OWNER, LLC, its successor and assigns

Purpose: Drainage

Location: 3232 S. 48th St.

File: FN 210119

Council District: 8

Responsible Department

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



Sungard Availability Services (Ordinance S-48292)

Request to authorize the City Manager, or his designee, to grant an exemption from the indemnification and liability provisions of section 42-18 of the City Code and allow inclusion of indemnification and limitation of liability provisions in the agreement with Sungard Availability Services, LP and Sungard New Holdings III, LLC as previously authorized by Ordinance S-48184 for Disaster Recovery as a Service (DRaaS). No additional funds are needed.

Summary

Sungard Availability Services, LP (Sungard AS) was selected to provide the City disaster recovery services to help ensure critical systems and services are available during emergency situations. Their fully managed DRaaS solution integrates with other existing cloud disaster recovery services, establishes security protections to meet regulatory requirements, and offers effective approaches to keep City business applications and data synchronized. The services also prevent unauthorized access, disclosure, and/or modification of the City's data to preserve data integrity and residents' trust.

Information technology companies such as Sungard AS provide increasingly complex products and services and will not agree to fully indemnify the City nor accept unlimited liability. Granting an exception would authorize the City to negotiate indemnification and assumption of liability provisions that best protect the City while still being aligned to IT industry standards and acceptable to Sungard AS.

Contract Term

This is a four-year contract term, with up to three two-year options to extend for a maximum ten-year contract term.

Financial Impact

There is no financial impact related to this request, as funding for this agreement was approved as part of Ordinance S-48184. This request is only for authorization to grant an exception from the indemnification and liability provisions of City Code section 42-18.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Dec. 15, 2021, Ordinance S-48184.

Responsible Department

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



Professional Services for IT Project Management and Business Analysis Support - Amendment (Ordinance S-48293)

Request to authorize the City Manager, or his designee, to execute an amendment to agreements with: CE Wilson Consulting, LLC Contract 144530; Envision, LLC Contract 144528; IntraEdge, Inc., Contract 144532; Kolla Soft, Inc., Contract 144531; and Scott Business Group, LLC Contract 144533 to extend the term and allow additional expenditures for professional Information Technology (IT) project management and business analysis services on an as-needed basis for the Information Technology Services Department (ITS) in support of various departments. The additional expenditures will not exceed \$3,060,000. Remaining funds previously authorized by the City Council will be applied to the extended contract term. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The City utilizes contract project managers and business analysts to augment staff. This model provides flexibility and allows the City to select project managers and business analysts with the skill set and experience specific to the IT project being undertaken. The number of citywide IT projects vary over time and staff in these roles are needed to ensure that projects meet the necessary business requirements, project scope, and are completed on time and on budget.

Recently, the ability to utilize these contracts allowed ITS to contract with project managers and business analysts to expeditiously support critical initiatives such as enhancements to the citywide cyber security programs, Fire and Police department critical system modernization efforts, and the myPHX311 initiative. This request is for additional contract term and funding to allow the City to support existing engagements and upcoming IT project needs, and avoid disruption to key initiatives. Including allowing the Project Management Office to finalize an assessment and roadmap to mature operational practices to meet the City's evolving business needs and continuity of service.

Contract Term

The term of these agreements would be extended through Jan. 31, 2023.

Financial Impact

This amendment will increase the authorization for these agreements by an additional \$3,060,000 for a new total aggregate not to exceed \$9,660,000. Funding is available in various departments' budgets.

Concurrence/Previous Council Action

These agreements were originally approved by City Council on Feb. 1, 2017, Ordinance S-43212. On July 1, 2021, City Council approved additional funds, as per Ordinance S-47817.

Responsible Department

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



Enter into an Agreement with Vitalyst Health Foundation for ARPA Phoenix Urban Agriculture Fellowship Program (Ordinance S-48295)

Request to authorize the City Manager, or his designee, to enter into an agreement with Vitalyst Health Foundation to provide administration of the Phoenix Urban Agriculture Fellowship Program, which provides opportunities for Phoenix residents to gain experience in all aspects of food production with local Phoenix farms to grow the next generation of food producers. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The agreement value will not exceed \$151,000. 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 Phoenix Resilient Food System category of the strategic plan, as well as from a Gila River Indian Community grant. There is no impact to the General Fund.

Summary

In response to the COVID-19 pandemic, the Office of Environmental Programs (OEP) developed a food assistance plan to address the food needs of vulnerable populations and communities impacted by COVID-19. The plan provides: 1) access to healthy foods for impacted populations; 2) food infrastructure assistance regarding transportation and delivery with a focus on home delivery; 3) support for food banks, food pantries, and community agencies; 4) support for increased local food production; and 5) business and employment opportunities throughout the food system spectrum.

This program provides workforce training for residents to learn the business of food production while assisting food producers with needed employees.

Equity and Inclusion

Phoenix Urban Agriculture Fellowship

The fellowship is designed to train the next generation of growers who will represent the future of farm entrepreneurship, innovation, and business ownership in Phoenix. The program is open to nine City of Phoenix residents ages 18-24, who would work with a local grower beginning February 2022. The program is available Citywide and targets Spanish-speaking residents and Black, Indigenous, and People of Color (BIPOC). Additionally, upon completion of the fellowship, participants are eligible to

enter the Phoenix Worker Cooperative Sustainable Food System Incubator Training Program. The fellows will be paid \$15 per hour for a maximum of 20 hours per week, for 50 weeks for work. Each fellow will be matched with the nine Host Farms that have agreed to participate in the program.

The nine Host Farms include: Maya's Farm, Crooked Sky Farm, Horny Toad Farm, 40 Akers Farming, Project Roots, Arizona Worm Farm, Arizona Microgreens, 3 Angels Livable Communities Initiative (LCI), and Local Phoenix Organizing Committee. These farms are a diverse representation including small and large farms growing with various methods, such as organic, inground, greenhouse, in addition to diverse ownership.

Vitalyst Health Foundation (Vitalyst) will serve as a subrecipient and will administer the program, including payment to fellows. Vitalyst is a nonprofit organization located in Phoenix whose mission is to connect, support, and inform efforts to improve the health of individuals and communities in Arizona. Vitalyst has worked directly with the City on food system initiatives and was a key stakeholder in the development of the 2025 Phoenix Food Action Plan and in guiding the development of ARPA-funded Phoenix food programs. This program is in line with their community health initiatives.

OEP will assist Vitalyst to oversee the agreement and coordinate any needed services, such as program outreach and recruitment.

Four fellowships are being funded by ARPA and five are being funded by an OEP grant received from the Gila River Indian Community.

Procurement Information

Services may be procured, as needed, in accordance with Administrative Regulation 3.10 to implement and administer programs intended to prevent, prepare for, respond to, and recover from the COVID-19 national pandemic.

Contract Term

The term of the agreement will begin on or about Feb. 1, 2022 through March 31, 2023. The agreement may be extended based on continuous need and available funding, which may be exercised by the City Manager, or his designee.

Financial Impact

Funding for this program will not exceed \$151,000. There is no impact to the General Fund. The funding breakdown is as follows:

\$76,000 - American Rescue Plan Act

\$75,000 - Gila River Indian Community Grant

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Office of Environmental Programs.



Request to Enter into an Agreement with Accurate Appraisals U.S.A., LLC for Single-Family Home Appraisal Services (Ordinance S-48272)

Request to authorize the City Manager, or his designee, to enter into an agreement with Accurate Appraisals U.S.A., LLC to provide single-family home appraisal services for the Housing Department's scattered site properties. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$125,000. There is no impact to the General Fund.

Summary

The Housing Department owns and operates public housing, including more than 245 single-family homes. The United States Department of Housing and Urban Development (HUD) has approved Section 18/32 homeownership programs, which provide the right to sell these single-family homes subject to certain requirements. The home appraisal services will provide a full report, desk report, and/or updated summary report that will meet the HUD Section 18/32 homeownership programs. All summary appraisal reports will comply with the reporting requirements set forth under the Uniform Standards of Professional Appraisal Practice. Appraiser must be certified with the State of Arizona, National Registry of Appraisers, Arizona Appraiser Qualifications Board of the Appraisal Foundation, Federal System Award Management (SAM.gov) and HUD requirements during the term of the contract.

Procurement Information

IFB FY 21-086-03 Home Appraisal Services was conducted in accordance with Administrative Regulation 3.10. One offer was received by the Housing Department on Oct. 5, 2021. The offer was evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offer submitted by Accurate Appraisals U.S.A., LLC is deemed to be fair based on the market contract pricing.

Staff recommends that the offer from Accurate Appraisals U.S.A., LLC be accepted as the lowest-priced, responsive, and responsible offer.

Contract Term

The contract term will begin on or about Feb. 1, 2022, and end on Jan. 31, 2027.

Financial Impact

The aggregate contract value will not exceed \$125,000 (including applicable taxes). This contract is funded with HUD funds. There is no impact to the General Fund.

Responsible Department

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



Authorization to Amend Contract with PUN Group, LLP for Fiscal Monitoring Services (Ordinance S-48269)

Request to authorize the City Manager, or his designee, to amend Contract 149307 with PUN Group, LLP (PUN Group) in the amount not to exceed \$182,856 for a new contract total of \$948,871. PUN Group provides fiscal monitoring services for Human Services Department programs. Further, request to authorize the City Controller to disburse all funds related to this item for the life of the contract.

Summary

PUN Group conducts annual fiscal audits of subrecipients accountable to the City to facilitate Human Services Department programs. These fiscal audit activities are required to comply with federal grant stipulations, including the Workforce Innovation and Opportunity Act, Head Start, and Homeless Services Emergency Solutions Grant programs.

Procurement Information

Solicitation RFP-CED18-FMS, Fiscal Monitoring Services, was issued on Aug. 30, 2018, and conducted in accordance with Administrative Regulation 3.10. The PUN Group submitted the only responsive offer for this business opportunity. Staff verified the proposal met the minimum qualifications and requirements of the RFP.

Contract Term

The contract began on Dec. 15, 2018, for a 1-year term, with four one-year renewal options, which may be exercised by the City Manager or his designee.

Financial Impact

The aggregate value of the contract will not exceed \$948,871. \$53,200 in General Funds have been allocated annually and \$200,913 in grant funds.

Concurrence/Previous Council Action

On Nov. 8, 2018, the Phoenix Business and Workforce Development Board approved the Workforce Development Program funding portion of this contract.

On Dec. 12, 2018, the City Council approved entering into contract with the PUN Group with Ordinance S-45232.

Responsible Department

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



Authorization for Payment Authority for Trimark-Park Place, LLC (Ordinance S-48278)

Request to authorize the City Manager, or his designee, for \$712,500 in payment authority to pay the final notice of claim and related settlement agreement, executed on Nov. 26, 2021, for property damage sustained on Trimark-Park Place, LLC (Trimark) property located at 1615 E. Northern Ave., Phoenix, Ariz. 85020 (Property). Further request to authorize the City Controller to disburse all funds related to this item. Funding is available in the Human Services Department’s General Fund.

Summary

Trimark and Central Arizona Shelter Services, Inc. (CASS) are parties to a Facilities Agreement dated June 5, 2020. The City executed a guaranty of CASS’s obligations under the Facilities Agreement. In the Facilities Agreement, Trimark allowed CASS to use the Property for temporary emergency shelter services by CASS and its clients from June 5, 2020 through Sept. 30, 2021. The Facilities Agreement required CASS to return the Property in a certain condition. Trimark asserted that the condition of the Property at the end of the term of the Facilities Agreement failed to meet the condition required by the Facilities Agreement, and Trimark filed a notice of claim with the City under Arizona Revised Statutes § 12-821.01. The City, CASS, and Trimark subsequently reached a written settlement of the claim, under which the City is obligated to pay Trimark \$712,500.

Financial Impact

Pursuant to the settlement agreement, expenditures will not exceed \$712,500. Funding is available in the Human Services Department’s General Fund.

Concurrence/Previous Council Action

On May 6, 2020, the City Council authorized staff to enter into contract with CASS to provide emergency shelter, permanent housing and rapid re-housing services, and authorizing the City Controller to disburse funds with Ordinance S-46598.

On June 17, 2020, the City Council approved the payment guaranty of the Facilities Agreement between CASS and Trimark with Ordinance S-46776.

On Sept. 2, 2020, the City Council approved adding additional funding to Contract 152439 with CASS with Ordinance S-46898.

Responsible Department

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



Automated Materials Handling System for Burton Barr Library - Requirements Contract - RFP 18-040 (A) (Ordinance S-48274)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 148428 with Envisionware, Inc for the purchase of an Automated Materials Handler (AMH) for the Library Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$284,062.

Summary

This contract is for the installation and upkeep of an Automated Materials Handler (AMH) at the Burton Barr Central Library, which receives, checks in, and sorts incoming materials into bins, significantly reducing staff effort. Library wishes to also replace existing equipment at the Mesquite Library with an Envisionware AMH to meet current requirements.

Contract Term

The contract term is Sept. 1, 2018 to Aug. 31, 2023.

Financial Impact

Upon approval of \$284,062 in additional funds, the revised aggregate value of the contract will not exceed \$1,042,468. Funds are available in the Library Department's budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Aug. 29, 2018.

Responsible Department

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



Phoenix Public Library's Integrated Library System - Requirements Contract (Ordinance S-48281)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 149073 with Innovative Interfaces, Inc. (III) to upgrade Phoenix Public Library's Integrated Library System (ILS) with the "Vega Catalog" and "Mobile App" platform enhancements for citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$370,000. There is no impact to the General Fund and 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 Library Technology, Capital and Support Staff category of the strategic plan. The total amount of the Innovative Interfaces, Inc. contract will not exceed \$2.86 million through the remaining life of the contract.

Summary

This item was originally adopted by City Council on Dec. 12, 2018 (Ordinance S-45244). The Integrated Library System contract is through January 2022 with two one-year options to extend and in an amount not to exceed \$2.49 million over the life of the contract. The "Vega Catalog" and "Mobile App" enhancements will cost \$370,00 and will be paid for with previously approved American Rescue Plan Act (ARPA) funds. The Integrated Library System provided by Innovative Interfaces, Inc. serves as the Library Department's primary business system, governing the acquisition and lending of library materials to Phoenix residents, supporting online library card issue, providing library users an online catalog (eMedia lending platforms, research databases, etc.), and cardholders a secure view of their account. The Library's website experiences an average of 7.5 million yearly page views.

"Vega Catalog" enhancements will improve and/or replace aging services such as Polaris PowerPAC, Polaris Telephony and Notices, Demco SignUp, etc. Library customer user experience will be more intuitive as customers search for author and topic pages throughout phoenixpubliclibrary.org and the library's catalog quickly and seamlessly.

"Mobile App" enhancements will offer self-check and contact-less pickup, simplifies

online payments and provides low-cost patron self-service options, including a digital library card and a self-check via barcode or RFID. In addition, a “Curbside Pickup” option is available for library customers to place holds on items in the app, be notified when it’s time to pick up, and includes an “I’m Here” option to alert the library customer is on site for curbside pickup.

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

Contract Term

The current contract is valid through Dec. 31, 2022 with an option to extend through Dec. 31, 2023 which may be exercised at the discretion of the City Manager or his designee.

Financial Impact

Upon approval of \$370,000 in additional funds, the revised aggregate value of the contract will not exceed \$2.86 million. Funds are available as part of the ARPA funds approved for the Library department.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Dec. 18, 2018.

Responsible Department

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



Rental Rehabilitation Program Project Award (Ordinance S-48279)

Request to authorize the City Manager, or his designee, to enter into necessary loan agreements with the property owner, Steven Germain, and other agreements as necessary, for the completion of construction activities at 1027 E. Dunlap Ave. under the Rental Rehabilitation Program. Further request to authorize the City Controller to disburse funds up to \$200,000.

Summary

In March 2021, the City Council approved expanding the Rental Rehabilitation Program to facilitate the preservation of single- and multi-family rental properties. The program focuses on addressing structural, safety, and health related standards to ensure the property is habitable and maintains its affordability. In this manner, the Rental Rehabilitation Program supports the Housing Phoenix Plan's vision of utilizing innovative and solution-oriented policies to address housing challenges citywide.

Eligible properties include single- and multi-family rental properties of up to 24 units, occupied by, or set aside for, low- and moderate-income tenants. Financial assistance of up to \$40,000 per unit, with a maximum project award of \$400,000, is available to eligible property owners to complete renovation projects on their deteriorating property.

On a monthly basis, staff analyze applications for eligibility and completeness before the review panel's application evaluation; the panel is comprised of City staff and external affordable housing/rental property management industry experts, and is tasked with recommending project awards based on owner capacity, property management and management plan, project readiness, and financial feasibility. The recommendation for Rental Rehabilitation project award is for up to \$200,000 to improve a five-unit multi-family property located at 1027 E. Dunlap Ave.

Financial Impact

This program is funded by the Community Development Block Grant; there is no impact to the General Fund.

Concurrence/Previous Council Action

The Community and Cultural Investment Subcommittee recommended approval of this

item on Jan. 5, 2022, by a 4-0 vote.

Location

1027 E. Dunlap Ave.
Council District: 3

Responsible Department

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



Retroactive Authorization for School Sustainability Program Grant (Ordinance S-48294)

Request to authorize retroactive approval for the City Manager, or his designee, to apply for and, if awarded, authorize the City Treasurer to accept funding from the United States Environmental Protection Agency (EPA) Environmental Education Local Grants Program. Further request City Council approval to create a two-year temporary position, funded by the grant, to expand the City's current sustainability education program to up to 50 Title I schools. The total grant requested is \$90,000.

Summary

The EPA Region IX Environmental Education Local Grants Program is seeking to advance environmental education.

The City of Phoenix Student Council Sustainability Officer (SCSO) Program is a unique form of student engagement, the first of its kind in the nation, that aims to embed sustainability on school campuses by amending Student Council Constitutions to add an elected Sustainability Officer. SCSOs attend monthly meetings to learn how to address and solve environmental issues, as well as develop leadership skills. Using problem solving skills, SCSOs identify environmental challenges and work together to increase environmental stewardship.

The City is seeking a grant from the EPA Region IX Environmental Education Local Grants Program to support expansion of the City's current program over the next two years with guidance and support from the Arizona Department of Education. The funding will be used for three purposes: 1) supporting a new full-time grant-funded temporary position to administer the program and identify a long-term home for the program; 2) creating a green fund to provide mini-grants to schools; and 3) providing program funding for creating a web-based green guide for schools.

Currently, the SCSO program is implemented in the largest school district in Phoenix. This grant would allow the Office of Sustainability to expand the SCSO program to additional school districts and students, as well as create a \$22,500 micro-grant fund to provide up to \$2,500 in financial support for environmental stewardship projects in specific schools. With backing from our partners, the Arizona Department of Education

and the Arizona State University Sustainable Cities Network, the program will produce a statewide Greening Events Guide for Schools to help students lower the environmental impact of school events such as Homecoming and Prom and support student-led change. The SCSO program aims to have at least 50 participating Title I schools, representing 80,000 students by the end of the two-year project. The sustainability of SCSO relies on schools amending their Student Council Constitutions to include elected SCSO positions to ensure SCSOs are elected each school year even after the grant period has ended. The SCSO program is scalable and serves as a model of student engagement that can be easily replicated nationwide.

Concurrence/Previous Council Action

The Community and Cultural Investment Subcommittee recommended approval of this item on Jan 5, 2022, by a vote of 4-0.

Contract Term

The grant period is from July 1, 2022, through June 30, 2024.

Financial Impact

The Office of Sustainability currently supports the program with annual funding of an Americorps VISTA to run the program, and will commit to continue to provide funding at current levels, if needed, as part of the matching requirement for the grant.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Office of Sustainability.



Authorize to Enter into a Development Agreement to Acquire and Improve 10 Acres within the Talinn Subdivision (Ordinance S-48263)

Request authorization for the City Manager, or his designee, to enter into a development agreement with DR Horton for the design, construction and dedication of a new neighborhood park located within the Talinn subdivision at the northeast corner of 56th Street and Deer Valley Drive. Further authorizing the City Controller to receive and disburse funds.

Summary

DR Horton is developing the Talinn subdivision at Desert Ridge Superblock 1S(west). The Desert Ridge Specific Plan, the governing land use document for the City for Desert Ridge, calls for a 10-acre neighborhood park. The proposed ordinance will authorize the execution of a development agreement that will establish the terms for the construction of the park site. The major points of the agreement will include:

DR Horton will design and construct a public neighborhood park, including parking, landscaping, amenities and other improvements that is generally in conformance with a conceptual park plan. The final plan must be approved by the Parks and Recreation Department.

DR Horton will dedicate the final accepted neighborhood park to the City.

DR Horton, on behalf of the future Homeowner's Association for Talinn (Talinn HOA), will enter into a maintenance agreement with the City that sets forth the terms by which the Talinn HOA will fund or otherwise provide on-going maintenance and customary repairs in accordance with City maintenance standards.

DR Horton will receive park impact fee credit for the land at the rate established in the Park Infrastructure Improvements Plan that is in effect at the time the development agreement is executed, currently \$200,000 per acre.

DR Horton will receive park impact fee credit, and/or cash reimbursement only if park impact fee funds are available, for eligible park design and construction costs. Design and construction costs are estimated at \$2 million. All reimbursable costs will be

subject to compliance with Arizona Revised Statutes title 34 governing public procurement procedures.

Financial Impact

The City's financial obligation will be met using park impact fee credit, and/or cash reimbursement only if park impact fee funds are available. There is no financial impact to the City for on-going maintenance of the park.

Concurrence/Previous Council Action

On Oct. 28, 2021, the Parks and Recreation Board approved acceptance of the land dedication.

Location

Desert View Village, Northwest Park Impact Fee Area
Council District: 2

Responsible Department

This item is submitted by Deputy City Managers Inger Erickson and Ginger Spencer, and the Parks and Recreation and Planning and Development departments.



Tree and Plant Materials Contract - Requirements Contract - IFB-PKS-SOD16-001 (A) (Ordinance S-48280)

Request to authorize the City Manager, or his designee, to extend and allow additional expenditures under Contract 144556 with Western Tree Company for the purchase of tree and plant materials for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$200,000.

Summary

This contract provides the City with critical and essential plants and trees necessary to help reach the City's 25 percent shade goal by 2030. These plants and trees allow the Parks and Recreation Department to plant upwards of 1,500 trees per year throughout the City in accordance with the City's Tree and Shade Master Plan. Additional funds are needed to account for price increases and the additional needs by the City's Office of Heat Response and Mitigation for community tree planting partnerships with the Neighborhood Services Department. These additional funds will complete the tree planting needs of the Parks and Recreation Department throughout the City, as the current amount on the contract is not sufficient to maintain the 1,500 per year goal.

Contract Term

Upon approval, the contract term will be extended through Dec. 31, 2022.

Financial Impact

Upon approval of \$200,000 in additional funds, the revised aggregate value of the contract will not exceed \$700,000. Funds are available in the Parks and Recreation Department's budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Jan. 25, 2017.

Responsible Department

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



Authorization to Sell City-Owned Property Located at 4815 S. 67th Ave. to Arizona Department of Transportation for State Route 30 (Ordinance S-48296)

Request to authorize the City Manager, or his designee, to sell City-owned property located at 4815 S. 67th Ave. to the Arizona Department of Transportation (ADOT) for State Route 30. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary

ADOT requires the property for construction of the proposed State Route 30 which will extend between Loop 202 and Loop 303 through southwest Phoenix, Avondale and Goodyear. The property is approximately 85.98 acres (net) of vacant land, leased for sand and gravel operations from January 2006 through February 2021. Most of the site is a sand and gravel pit that cannot be developed without significant fill.

Financial Impact

Revenue of \$1,505,220 is reflective of appraised value.

Location

4815 S. 67th Ave., identified by Maricopa County Assessor parcel number 104-66-001.
Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Parks and Recreation and Finance departments.



Resolution to Declare 2023 NFL Super Bowl Activities in Downtown Phoenix as Special Promotional Events (Resolution 21987)

Requests City Council approval of a Resolution declaring that for the four-week period before the National Football League (NFL) Super Bowl LVII game on Sunday, Feb. 12, 2023, and for one week after, all Official NFL Events and other NFL and Arizona Super Bowl Host Committee-sanctioned activities held in the Downtown Redevelopment Area will be considered special promotional and civic events for the purposes of the Zoning Ordinance.

Summary

It is anticipated that certain NFL game-related activities will take place in downtown Phoenix in the weeks prior to and after the game. These events and activities will bring significant revenue and media exposure to the City of Phoenix during the event period. Phoenix Zoning Ordinance, section 705.F.1.b, provides that advertising devices otherwise prohibited by the Zoning Ordinance may be erected in the Downtown Redevelopment Area, subject to a use permit, in conjunction with special promotional events of a civic or commercial nature. By declaring the NFL and Arizona Super Bowl Host Committee-sanctioned activities as special promotional and civic events, this Resolution allows the NFL, NFL-approved sponsors, and Arizona Super Bowl Host Committee to advertise official events in the Downtown Redevelopment Area by use of signs, banners, and similar devices. This action will not impact any existing permitted permanent signs in downtown. This declaration will restrict all temporary signage within the Downtown Redevelopment Area that has not been authorized by the NFL and/or Arizona Super Bowl Host Committee during the above-mentioned time period in order to support NFL event-related activities.

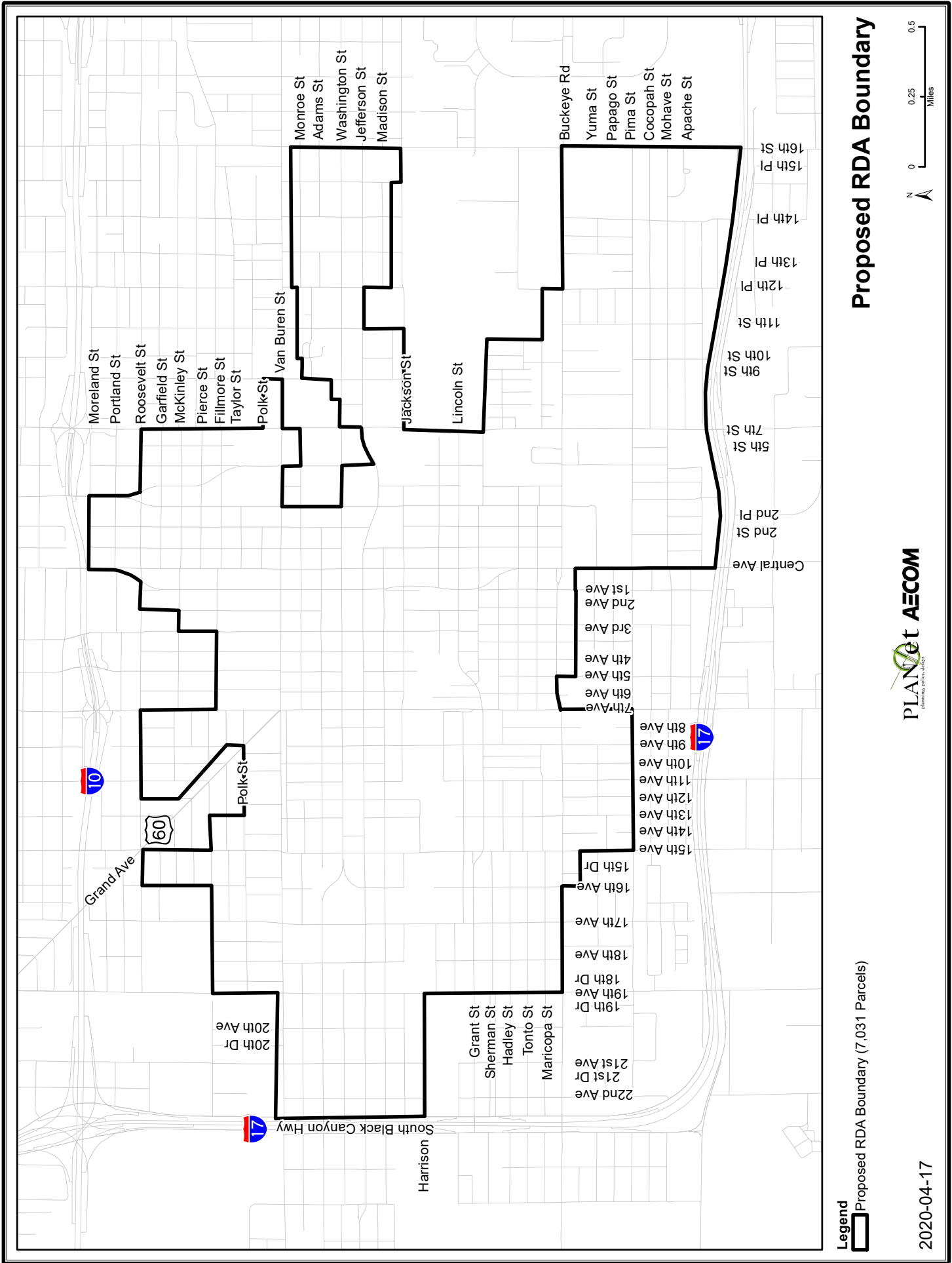
Location

Downtown Redevelopment Area
Council Districts: 4, 7 and 8

Responsible Department

This item is submitted by Deputy City Managers Inger Erickson and Ginger Spencer, and the Phoenix Convention Center and Planning and Development departments.

ATTACHMENT A



Proposed RDA Boundary



Legend  Proposed RDA Boundary (7,031 Parcels)



2020-04-17



Urban Interface Fire Fighting Gear for Fire Department - National Purchasing Partners Cooperative Contract - Amendment - 00000170A (Ordinance S-48266)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 150751 with L.N. Curtis and Sons, to provide additional funding for the purchase of Urban Interface Fire Fighting Gear for the Fire Department and also allow the Public Works Department to use this contract. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed \$490,000.

Summary

The purpose of this amendment is to authorize additional funding, which is needed due to an unusually high fire season that included providing emergency response and assistance to other municipalities during large fires, which has led to an increased demand for tools and equipment.

Urban Interface Fire Fighting Gear are essential tools for the Fire Department to accurately and efficiently fight brush fire operations. These tools and equipment assist the Fire Department to provide life safety services to the public in critical incidents and complicated scenes to protect structures, land and people from the threat of fire when a limited water supply is available.

The Public Works Department Fleet Services Division requests authority to use the cooperative contract to purchase specialty products for Police and Fire vehicles. The cooperative contract offers a wide variety of products such as extraction tools and supplies, hazardous materials equipment, hoses, pumps, and other emergency-related systems. The contract will allow Public Works Fleet Services to directly acquire specialized products from multiple Fire Fighting Gear manufacturers to keep public safety fleet ready for optimal service.

Contract Term

The contract term will remain unchanged, ending on Aug. 31, 2024.

Financial Impact

The initial authorization for Contract 150751 was for an expenditure not to exceed

\$32,000. An amendment increased the authorization for the contract by \$130,000. This amendment will increase the authorization for the contract by an additional \$490,000, for a new total not-to-exceed contract value of \$652,000.

Funding is available in the Fire and Public Works departments' budgets.

Concurrence/Previous Council Action

The City Council approved:

- Urban Interface Fire Fighting Gear Contract 150751 (Ordinance S-45997) on Sept. 4, 2019; and
- Urban Interface Fire Fighting Gear Contract 150751 - Amendment (Ordinance S-47040) on Nov. 4, 2020.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays, Deputy City Manager Karen Peters, and the Fire and Public Works departments.



Request to Apply for and Accept Federal Fiscal Year 2021 Assistance to Firefighters Grant Program Fund (Ordinance S-48291)

Request to authorize the City Manager, or his designee, to retroactively apply for, and accept, if awarded, up to \$202,532 from federal fiscal year (FFY) 2021 Assistance to Firefighters Grant (AFG) Program to fund three projects: Personal Protective Equipment (PPE) Decontamination, Fire Ground Survival (FGS) Training, and Peer Fitness Trainer (PFT) Certification. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item. If not approved, the grant, if awarded, would be turned down.

Summary

The AFG Program, administered through the Federal Emergency Management Agency (FEMA), is intended to help the nation's fire service by providing vital funds to local fire departments across the country. The primary goal of the program is to meet the firefighting and emergency response needs of fire departments, nonaffiliated emergency medical service organizations, and State Fire Training Academies. Since 2001, AFG has helped firefighters and other first responders obtain critically needed equipment, protective gear, emergency vehicles, training, and other resources necessary to protect the public and emergency personnel from fire and related hazards.

PPE Decontamination

The PPE Decontamination Project will update the Fire Department's PPE decontamination and cleaning process with an overall goal of improving firefighter health and safety by reducing repeated exposure to harmful contaminants on unclean or inadequately cleaned PPE and fire ground equipment. The funds will be utilized to purchase new washers and dryers and a downdraft table for use in the Fire Department laundry room. The total cost for this project is \$90,920 with a city match of around \$11,859 for upgrading the department's aging PPE decontamination and cleaning system.

Fire Ground Survival Training

The Fire Ground Survival (FGS) Training Project will certify Phoenix and regional partner department trainers to teach Fire Ground Survival to Fire Department

personnel. The training will enhance first responder awareness of conditions on the fire ground and give Fire Department members the critical skills necessary to handle a firefighter emergency. The funds will be utilized to provide training to 30 instructors and purchase three training props for department wide training. The total cost for this project is \$79,612, with a city match of around \$10,384.

Peer Fitness Trainer Certification

The Peer Fitness Trainer (PFT) Certification Training Project will train and certify Fire Department personnel as Peer Fitness Trainers. The goal of this project will be to certify Peer Fitness Trainers who can then deliver health and wellness training within the Department. The funds will be utilized to train and certify 40 members as PFTs. The total cost for this project is \$32,000, with a city match of around \$4,173.

Since 2008, the Fire Department has received more than \$5 million in AFG funding. These grants were used to purchase portable radios, thermal imaging cameras, Incident Safety Officer System training, Automatic Chest Compression devices, Peer Support Team Training and Physical Therapy Equipment upgrades.

Procurement Information

The Fire Department will administer the grant in accordance with Administrative Regulation 3.10.

Contract Term

The two-year grant Period of Performance is projected to begin on or around May 1, 2022.

Financial Impact

A cost share of up to 15 percent of the award amount is required. Funds are available in the Fire Department's operating budget.

Responsible Department

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



Green Canines - Requirements Contract - RFQu 18-094 (A) (Ordinance S-48273)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contracts 147421, 147424, 147425 and 147427 with Vohne Liche Kennels, Inc., Shallow Creek Kennels, Inc., Adlerhorst International, LLC, and Global K9 Solutions, LLC for the purchase of Green Canines for the Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$51,720.

Summary

The Police Department's Canine Unit utilizes Vohne Liche Kennels, Inc., Shallow Creek Kennels, Inc., Adlerhorst International, LLC, and Global K9 Solutions, LLC to purchase untrained or "green" canines capable of being trained as dual purpose police service dogs. The Canine Unit is responsible for locating, testing, and selecting the canine candidates. The canines must be Green Dogs that have received minimal training and are able to be trained for narcotics and patrol functions. The Green Canines are tested and evaluated in order to gauge their drive, courage, obedience, temperament, and social abilities.

The additional funds are needed to replace current canines ready to retire and to maintain funds vital to purchase new Green Dogs to replace current canines, in case an injury or medical event happens to the service dog.

Contract Term

The contract term is March 22, 2018 through Feb. 28, 2023.

Financial Impact

Upon approval of \$51,720 in additional funds, the revised aggregate value of the contract will not exceed \$156,720. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on March 21, 2018.

Responsible Department

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



Request Authorization for Sale of Canine Murphy (Ordinance S-48285)

Request to authorize the City Manager, or his designee, to approve the sale of Police canine Murphy to Detective Billy Denham for \$1.00. Detective Denham is assigned to the Homeland Defense Bureau and has requested to retire and purchase his assigned canine Murphy in accordance with Administrative Regulation 4.21. Detective Denham will be retiring from the Police Department on or about Feb. 11, 2022.

Summary

Police service dog Murphy is six and a half years old, and has been assigned to the Police Department's Homeland Defense Bureau since September 2017 where he has been assigned to Detective Denham. Canine Murphy was donated to the City at no cost to the Department and is approaching the end of his service life for Explosive Detective Canines.

This request is for the authorization of the sale of Police service canine Murphy for \$1.00. The purchase of canine Murphy is being made by Detective Billy Denham, who agrees to accept full responsibility and liability for him and to care for him for the remainder of his life.

Responsible Department

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



Radox Laboratories - Requirements Contract - RFA 17-099 (B) (Ordinance S-48283)

Request to authorize the City Manager, or his designee, to allow additional expenditures and to extend Agreement 144093 with Radox Laboratories US, Limited, for the purchase of Ultra-blood Driving Under the Influence Drugs Investigator Kits and Controls for the Police Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$50,000.

Summary

The Police Department's Laboratory Services Bureau utilizes Ultra-blood Driving Under the Influence Drugs Investigator Kits and Controls from Radox Laboratories US, Limited to detect drugs in blood and urine samples of suspects and victims for cases involving driving under the influence of drug(s), sexual assault, and/or homicide. The kits ensure the ability to provide timely results to successfully support criminal investigations, the judicial system, and public safety.

The additional funds and contract extension are necessary in order to ensure the Police Department's operational needs are not interrupted, while a new procurement process is completed.

Contract Term

Upon approval, the contract term will be extended through Aug. 1, 2022.

Financial Impact

Upon approval of \$50,000 in additional funds, the revised aggregate value of the contract will not exceed \$245,000. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Dec. 7, 2016; supplemental actions include Ordinance S-48018 approved on Oct. 27, 2021.

Responsible Department

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



**Hornady Amax Tap Ammunition - Requirements Contract - IFB 17-086A
(Ordinance S-48275)**

Request to authorize the City Manager, or his designee, to allow additional expenditures and to extend Contract 144426 with Miwall Corporation for the purchase of ammunition for the Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$45,000.

Summary

The Phoenix Police Department's Training Bureau, Firearms Training Detail, utilizes Hornady Amax Tap Ammunition for sniper rifle firearms training and for on-duty purposes for the Special Assignments Unit (SAU). This ammunition is critical for the SAU in high-risk situations due to its accuracy and ability to stop a threat to public safety.

The requested additional funds are necessary for the contract term extension through Jan. 31, 2023.

Contract Term

Upon approval, the contract term will be extended through Jan. 31, 2023.

Financial Impact

Upon approval of \$45,000 in additional funds, the revised aggregate value of the contract will not exceed \$140,000. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Jan. 25, 2017.

Responsible Department

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



Police Duty Gear - Requirements Contract - NPPGov VH11603 (A) (Ordinance S-48284)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 150290 with Proforce Marketing, Inc. dba Proforce Law Enforcement for the purchase of police duty gear for the Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$315,000.

Summary

The Special Assignments Unit is requesting to add \$165,000 to the current Proforce contract for the purchase of 12 additional sets of L3 PVS-31 Night Vision Systems (NVS). The current contract was requested to purchase 50 of the Night Vision Systems to replace aging inventory; however, due to limited funding, only 38 night vision goggles were purchased. Staff is requesting an additional \$165,000 to be added to the contract for the purchase of the remaining 12 NVS and accessories originally authorized. NVS devices are utilized for high-risk events such as hostage rescue incidents, high risk search warrants, and workplace/school active shooter incidents.

The Property Management Unit (PMU) is also requesting to add \$150,000 to the Proforce contract. The PMU is transitioning to 9mm Glock 17 Gen 5 which require the purchase of new holsters and ammo pouches. This contract covers duty belts, handcuff cases, and OC spray holders. Additional supplies are needed for new recruits.

Contract Term

The contract term is Sept. 1, 2019 through Aug. 31, 2024.

Financial Impact

Upon approval of \$315,000 in additional funds, the revised aggregate value of the contract will not exceed \$802,500. Funds are available in the Police Department's budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on May 15, 2019.

Responsible Department

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



*****ADDITIONAL INFORMATION (SEE ATTACHED MEMO)*** (CONTINUED FROM NOV. 17 AND DEC. 15, 2021) - 40-Foot Heavy Duty Transit Bus Contract Award Recommendation (Ordinance S-48119)**

Request to authorize the City Manager, or his designee, to enter into a contract with GILLIG, LLC to manufacture and deliver replacement 40-foot heavy-duty local transit buses for the Public Transit Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$145,023,384.

Summary

A Request for Proposals (RFP #PTD20-003) was issued to solicit this five-year contract with a transit vehicle manufacturing firm to manufacture and deliver 40-foot heavy-duty local transit buses that use compressed natural gas (CNG) or biodiesel as the fuel source. City Council approved the issuance of this solicitation at their Feb. 17, 2021 formal meeting. Buses will be ordered based on the Public Transit Department's replacement schedule for local buses that have met or exceeded their useful life under Federal Transit Administration guidelines.

The Public Transit Department will also issue a solicitation for the procurement, evaluation and use of zero and near-zero emission buses, if approved by Council. The City's most recent and previous testing of alternate transit vehicles demonstrated that CNG buses provided the best low-emissions option that also operates safely, effectively and reliably on long routes in the Phoenix climate. However, the "Green Transit" technology procurement will solicit the most up-to-date, environmentally friendly buses, including electric, hybrid or other alternative propulsion vehicles available for additional testing and on a long-term basis. The contract award recommended in this item will allow the City to replace buses that have exceeded their useful life and have reduced reliability and efficiency, while continuing to explore, evaluate and move forward with the alternative-powered buses as technologies advance and become available.

Procurement Information

RFP #PTD20-003 was issued on April 15, 2021, with two firms submitting proposals for consideration. An evaluation committee of qualified staff from Public Transit

Department and Valley Metro was appointed to conduct detailed evaluations of all proposals received, establish a competitive range, and select a proposer to receive the contract award.

A technical advisory team was also established to provide technical assistance to the evaluation committee based on the advisors' knowledge and experience with transit vehicle manufacturing and long-term maintenance practices. The technical advisory team's role was to review the technical portions of each proposal for compliance with RFP specifications.

Each RFP was evaluated and scored based on the following criteria (1,000 points total possible):

- Design, Quality, and Production Process (up to 400 points);
- Price (up to 400 points); and
- Warranty (up to 200 points).

Two proposals were received from the following firms:

- GILLIG, LLC; and
- New Flyer.

The evaluation recommendations were reached by consensus in consideration of published selection criteria, with the committee selecting GILLIG, LLC for award. The following summarizes the results:

<u>Proposers</u>	<u>Total points</u>
GILLIG, LLC	820
New Flyer	775

In accordance with Phoenix City Code section 43-14(J), a contract shall be awarded to the most highly-rated, responsible firm whose offer conforms in all material respects to the requirements and criteria outlined in the solicitation. Accordingly, the Public Transit Department's Procurement Officer recommends the award to GILLIG, LLC.

Included in the RFP's pricing schedule was the following language: "The estimated quantities shown on the enclosed Price Schedules are estimates only, contingent upon availability of appropriated funds and subject to change during the term of the Contract. The City is not obligated to make purchases in these exact amounts." As such, Public Transit Department staff will continue exploring other viable technologies that meet the region's operational needs and look for opportunities to transition to other proven propulsion technologies.

Financial Impact

The term of the awarded contract shall be five years with an aggregate value of \$145,023,384. Buses are funded 85 percent with federal funds and 15 percent with regional funds. The Public Transit Department estimates purchasing a maximum of 265 buses over the five-year period. Funds are available in the Public Transit Department's five-year Capital Improvement Program.

Concurrence

The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item on Oct. 20, 2021 by a vote of 3-1.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Public Transit Department.



City of Phoenix
PUBLIC TRANSIT DEPARTMENT

To: Mario Paniagua
Deputy City Manager

Date: Jan. 20, 2022

From: Jesús Sapien
Public Transit Director

Subject: ADDITIONAL INFORMATION – REVISED STAFF RECOMMENDATION FOR ITEM 49 ON THE JAN. 26, 2022 FORMAL AGENDA (LAST CONTINUED FROM DEC. 15, 2021 FORMAL AGENDA) - 40-FOOT HEAVY DUTY TRANSIT BUS CONTRACT AWARD RECOMMENDATION

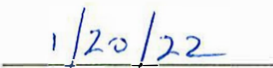
This memo provides additional information to Item 49 on the Jan. 26, 2022 Formal agenda, Ordinance S-48119, which was last continued from the Dec. 15, 2021 formal agenda. The following is added to the staff recommendation of approval for this item:

- The Public Transit Department will prioritize bus replacements using alternate propulsion systems acquired through the Green Transit Technology RFP's resulting contracts, such as electric and hybrid, and will utilize this contract as needed to fill remaining vehicle replacement needs
- For the first year of vehicle replacements, the Public Transit Department will order no more than forty (40) buses under this contract for buses which have met or exceeded their useful life.
- Subsequently, on an annual basis the Public Transit Department will return to City Council to review and seek Council approval on future years' heavy duty bus orders. Such annual updates will include:
 - progress made relative to testing and implementing electric, hybrid, or other alternate bus propulsion systems;
 - the department's fleet status, including buses that have met or exceeded their life cycle and require replacement;
 - contractual obligations;
 - and the status of the department's ability to prioritize and expand the implementation of such newer technologies based on testing results, equipment and infrastructure upgrades needed to charge or fuel newer vehicles, funding strategies, and vehicles' ability to meet the system's operational needs.

Approved by:



Mario Paniagua
Deputy City Manager



Date



City of Phoenix
PUBLIC TRANSIT DEPARTMENT

To: Mario Paniagua
Deputy City Manager

Date: Dec. 9, 2021

From: Jesús Sapien
Public Transit Director

Subject: REQUEST TO CONTINUE ITEM 68, (CONTINUED FROM NOV. 17, 2021) - 40-FOOT HEAVY DUTY TRANSIT BUS CONTRACT AWARD RECOMMENDATION, FROM THE DEC. 15, 2021, FORMAL AGENDA

FOR CONTINUANCE: The Public Transit Department requests approval to continue of Item 68, Ordinance S-48119, (CONTINUED FROM NOV. 17, 2021) - 40-Foot Heavy Duty Transit Bus Contract Award Recommendation, from the Dec. 15, 2021 formal agenda to the Jan. 26, 2022 formal agenda. This continuance allows Public Transit Department staff to review additional procurement options for alternative propulsion system (no- and low-emissions) buses.

Approved by:

A handwritten signature in black ink that reads "Mario Paniagua".

Mario Paniagua
Deputy City Manager

12/9/21

Date



Security Credentialing Assessment for Phoenix Sky Harbor International Airport (Ordinance S-48290)

Request to authorize the City Manager, or his designee, to enter into a contract with Aviation Security Consulting, Inc. to conduct an assessment of the current Phoenix Sky Harbor International Airport credentialing operations and provide interim and long-term process improvements and operational enhancements. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate value of the contract will not exceed \$475,000.

Summary

Phoenix Sky Harbor International Airport (PHX) has rebounded from the pandemic at an industry-leading pace. However, the current comprehensive airport security credential processing time related to the on-boarding of prospective tenant employees has led a number of employees to seek job opportunities elsewhere in an extremely competitive market.

PHX has implemented a number of new processes in an attempt to alleviate some of the processing delays in the short term. Aviation Security Consulting, Inc. (ASC) will expand on these efforts to bring additional solutions to PHX using ASC's extensive airport credentialing office experience at similar large hub airports with TSA-mandated Airport Security Programs.

Procurement Information

In accordance with Administrative Regulation 3.10, an Emergency Determination Memo was approved to enter into a contract with ASC.

ASC's recommended solutions to enhance the PHX badging process will focus on responsive customer service and engagement as PHX develops and integrates a new security identity management system.

Contract Term

The term of the contract is 18 months. The contract will contain one option to extend the term on a month-to-month basis for a period of time not to exceed six months. The term will commence on or about Feb. 1, 2022.

Financial Impact

The contract value will not exceed \$475,000 for the aggregate term of the contract.

Funding is available in the Aviation Department's budget.

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 and the Aviation Department.



Green Transit Technology Request for Proposals

Request to authorize the City Manager, or his designee, to approve the Public Transit Department's Request for Proposals process to procure vehicles for implementing a pilot program to operate and evaluate a sub-fleet of heavy-duty transit buses that use zero and/or near-zero emissions technology, and associated charging/fueling technologies. This item replaces a previous authorization to issue a Green Transit Technology RFP with a smaller contract capacity that the Council approved on Nov. 17, 2021. This request is to increase the capacity to \$150 million over five years for any contract(s) procured through this RFP.

Summary

The Public Transit Department (PTD) has worked for many years to ensure that our fleet has the most up-to-date, environmentally-friendly buses with the best-proven technology available to operate within Phoenix's environment, particularly in terms of vehicle range (how far buses travel with respect to regional transit services) and extreme temperatures (ensuring buses have adequate air conditioning and other on-board systems to provide a comfortable passenger experience especially during hotter months). This Request for Proposals would allow the department to establish a sub-fleet of green buses and test, on a long-term basis, a contingent of zero and/or near-zero emissions buses for their ability to operate in our environment and support operating needs, such as peak passenger loads, on-board equipment, and higher-capacity air conditioning systems. The sub-fleet would initially serve as a pilot program, with the ability to prioritize and continue the purchase of such buses if they are found to meet the transit system's operational needs, allowing PTD to gain experience with newer technologies to determine how best to integrate them into the City's transit fleet.

Procurement Information

The Request for Proposals will be issued in Spring 2022 and request proposals to manufacture buses using electric hybrid, battery electric, and/or hydrogen power (or other suitable technologies bus manufacturers might propose), along with detailing any associated charging and fueling equipment needed for the buses. PTD will assemble a pilot fleet of buses using one or more of these available technologies and expand the purchase of such buses that meet the transit system's operational needs.

Contract Term

The term of the awarded contract shall be five years, with the total number of buses to be determined based on funding availability and the ability of the technologies proposed to accommodate the transit system's operational needs.

Financial Impact

The contract's estimated five-year aggregate value is a maximum of \$150 million. In conjunction with the purchase of these vehicles, staff will continue researching and applying for grant opportunities when they arise, as newer-technology buses have a higher cost than the current fleet make-up and additional equipment and infrastructure upgrades may be necessary for the propulsion system(s) selected.

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Karen Peters, the Public Transit Department and the Office of Sustainability.



T2050 Bus Stop Manufacturing and Repair Request for Proposals

Request to authorize the City Manager, or his designee, to approve the Public Transit Department's Request for Proposals process to procure the manufacture and repair of bus stops as part of the Transportation 2050 (T2050) Plan.

Summary

The Public Transit Department (PTD) manages over 4,000 bus stops within the City of Phoenix. Bus stops serve as the gateway between the region's transit passengers and their trips, with PTD staff together with contracted service providers managing the manufacture and repair of bus stops and associated amenities across Phoenix.

Procurement Information

PTD currently manages two contracts related to manufacturing and repair of bus stop furniture. One contract provides for the manufacture and repair of 4,000 items of bus stop furniture, including shelters, that were in place prior to the start of the Phoenix T2050 Plan, and the manufacture of a redesigned "T2050 Shelter." A second, short-term manufacturing contract, which was the result of a collaboration with the Arizona State University (ASU) School of Industrial Design, provides for the development of alternative shelters that improve the amount of shade provided by bus stop structures, particularly in areas where right-of-way may be limited. Both contracts expire on June 30, 2022, and the manufacturing of both the T2050 and the ASU-inspired shelters will be done under this new solicitation.

In addition to PTD's annual allocation of bus stop installation and maintenance funding, this contract proposed for solicitation will include the City Council's allocation of \$500,000 in federal funding from the American Rescue Plan Act to be spent over the first two years of the contract, adding 20 more structures per year to provide additional shade in Phoenix. The contract will also include a \$300,000 grant from the Gila River Indian Community to be spent over two years for improved solar lighting assemblies at bus stops.

Contract Term

The proposed contract will have a five year term and include: manufacture of new bus shelters, seating, and trash receptacles; repair and modernization of solar lighting at

bus shelters; installation of concrete as necessary for bus stop pads, and the repair of bus stop amenities.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Public Transit Department.



OshKosh Original Equipment Manufacturer Technical Training - Contract Recommendation (Ordinance S-48286)

Request to authorize the City Manager, or his designee, to enter into contract with OshKosh, Corp. for original equipment manufacturer (OEM) training for equipment technicians. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate amount of \$203,831.

Summary

The Public Works Department is responsible for maintenance and repair of multiple types of fire apparatus in the fleet. It is imperative that the technicians assigned to the Fleet Services Fire Operations have the technical knowledge to diagnose, repair, and maintain all fire equipment. The OshKosh Corporation provides specialized, OEM training for all fire apparatus manufactured under the OshKosh Corporation including the Pierce and Oshkosh Defense brands, and is the sole provider of this training in the United States. This OEM training is essential to maintain fleet diagnostics, vehicle availability, and technical expertise required for the fire fleet.

Procurement Information

In accordance with Administrative Regulation 3.10 normal procurement was waived as a result of a determination memo citing sole source. OshKosh is the sole provider with certified trainers to conduct the level of training required. Below is the annual amount for technician training:

Pierce Fire Apparatus: \$18,758.20
OshKosh Airport Rescue Fire Fighting: \$22,008

Contract Term

This item will begin on or about March 1, 2022 for an initial one-year term, with four option years to be exercised in increments of up to one year, for a total contract term of five years.

Financial Impact

This contract will have an estimated annual expenditure of \$40,766.20, with a total aggregate amount not to exceed \$203,831.

Funding is available in the Public Works Department's budget.

Responsible Department

This item is submitted by Deputy City Manager Karen Peters and the Public Works Department.



Illuminated Street Signs Fabrication and Installation - Requirements Contract IFB 19-025B - Amendment (Ordinance S-48262)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 148743 with Fluoresco Services, LLC, to provide additional funding for the fabrication and installation of illuminated street signs for the Street Transportation Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed \$3 million.

Summary

The purpose of this amendment is to provide additional funds which are necessary to continue the replacement and re-signage of the City's illuminated street name signs, as needed. The additional expenditures are required to address necessary replacement of existing illuminated street name signs that have exceeded their useful life.

This contract is used by the traffic signal shop section of the Street Transportation Department and provides fabrication and installation of various sizes of single-sided and double-sided illuminated street signs and components.

Contract Term

The contract term will remain unchanged, ending on Nov. 30, 2023.

Financial Impact

The initial authorization for the illuminated street signs contract was for an expenditure not-to-exceed \$6.25 million. The first amendment increased the authorization for the contract by \$1.25 million. This amendment will increase the authorization for the contract by an additional \$3 million, for a new total not-to-exceed contract value of \$10.5 million.

Funding is available in the Street Transportation Department's budget.

Concurrence/Previous Council Action

The City Council approved:

- Illuminated Street Signs Contract 148743 (Ordinance S-45090) on Nov. 7, 2018;
and
- Illuminated Street Sign Fabrication and Installation Services Contract 148743 -
Amendment (Ordinance S-47134) on Dec. 2, 2020.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.



Thermoplastic Pavement Marking Raw Material - Requirements Contract - IFB 22-069 (Ordinance S-48282)

Request to authorize the City Manager, or his designee, to enter into a contract with Ennis-Flint, Inc., to purchase thermoplastic pavement marking raw materials 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 \$1,033,000.

Summary

The Signing and Striping Section of the Street Transportation Department utilizes thermoplastic pavement marking raw material in its daily operations to install and maintain pavement markings throughout the City of Phoenix streets. These markings include crosswalks and stop-bars. These activities serve the City's strategic plan priorities to create and maintain intra-city transportation and to maintain existing streets and associated assets in a state of good repair so they are clean, safe, and aesthetically pleasing for all users.

Procurement Information

IFB 22-069 was conducted in accordance with Administrative Regulation 3.10. There was one offer received by the Procurement Division on Dec. 9, 2021, which was evaluated on price, responsiveness to specifications, and responsibility to provide the required goods and services. The bid notification was sent to 49 suppliers and was publicly posted and available for download from the City's website. The price was determined to be fair and reasonable based upon market research conducted on hydrocarbon-based raw materials and the review of awards by other governmental agencies for the same materials.

The Assistant Finance Director recommends that the offer from Ennis-Flint, Inc., be accepted as the lowest priced, responsive and responsible offer.

Contract Term

The five-year contract term will begin on or about Feb. 15, 2022.

Financial Impact

The total contract value will not exceed \$1,033,000.

Funding is available in the Street Transportation Department's budget.

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.



Machine Shop and Related Services Contract Amendment (Ordinance S-48268)

Request to authorize the City Manager, or his designee, to allow additional expenditures and amend Contract 154134 with Device Development LLC to provide machine shop services for the Phoenix Convention Center Department (PCCD). Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$50,000.

Summary

The PCCD is requesting to use an existing Water Services Department contract for Machine Shop and Related Services. These services will provide spacers and flanges to retrofit new water valves throughout the Phoenix Convention Center facilities as needed. The PCCD has more than 200 water valves located throughout the campus, many of which are approaching the end of their useful life and will require replacement during the term of this contract.

Contract Term

The contract term will remain unchanged ending on June 30, 2027.

Financial Impact

With the \$50,000 in additional funds, the revised contract value will be \$1,470,000 (including applicable taxes). Funds are available in the PCCD operating budget.

Concurrence/Previous Council Action

The machine shop and related services contract was originally approved by the City Council on April 7, 2021 in Ordinance S-47424, with an original contract value of \$1,420,000.

Location

Phoenix Convention Center, 100 N. 3rd St. and 33 S. 3rd St.
Council Districts: 7 and 8

Responsible Department

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



35th Avenue: I-10 to Camelback Road (BUILD) - Engineering Services - ST89340634 (Ordinance S-48264)

Request to authorize the City Manager, or his designee, to enter into an agreement with Entellus, Inc., to provide Engineering Services that include assessments, surveys, design and possible construction administration and inspection services for the 35th Avenue: I-10 to Camelback Road (BUILD) 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 \$3,094,505.

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 a series of improvements that target current pedestrian and vehicular safety concerns on 35th Avenue between Interstate 10 and Camelback Road, as well as improve vehicular mobility. It includes three pedestrian hybrid beacons, LED lighting, approximately nine intersection modernizations, upgraded signals throughout the corridor, raised medians, pavement treatment on a deteriorated section, and installation of broadband to support intelligent and connected transportation systems. The 35th Avenue: I-10 to Camelback Road (BUILD) corridor safety project received funding from the United States Department of Transportation through its competitive discretionary Better Utilizing Investments to Leverage Development grant program.

Entellus, Inc.'s, services include, but are not limited to, providing data collection information, topographic surveying, drainage memorandum, traffic analysis, utility investigation, and geotechnical investigation; preparing right-of-way acquisition legal description documentation; completing final construction plans, specifications, and cost estimates; providing bid phase services and preparing project addenda; and providing possible construction administration and inspection services to include project progress monitoring, review and certification of progress payments, clarification and correction of technical project issues, 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. Five firms submitted proposals and are listed below.

Selected Firm

Rank 1: Entellus, Inc.

Additional Proposers

Rank 2: Kimley-Horn & Associates, Inc.

Rank 3: CA Group, Inc.

Rank 4: CIVTECH, Inc.

Rank 5: Y S Mantri & Associates, LLC

Contract Term

The term of the agreement is four 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 Entellus, Inc. will not exceed \$3,094,505, including all subconsultant and reimbursable costs.

This project will utilize federal funds and is subject to the requirements of 49 Code of Federal Regulations Part 26 and the U.S. Department of Transportation Disadvantaged Business Enterprise program. Funding is available in the Street Transportation 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.

Public Outreach

Entellus, Inc. will work with a public engagement firm contracted by the City to provide public outreach by conducting interactive community meetings, small group and individual business owner meetings, and through a variety of media, including direct mail, door hangers, and/or flyers as needed for communication.

Location

35th Avenue: I-10 to Camelback Road
Council Districts: 4 and 5

Responsible Department

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



License Agreement with AP 355 North Central Property, LLC to Provide Valet Services (Ordinance S-48265)

Request to authorize the City Manager, or his designee, to execute a valet license agreement with AP 355 North Central Property, LLC to provide valet services on City property. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary

AP 355 North Central Property, LLC c/o Akara Partners would like to use City-owned property abutting the Hampton Inn and Suites for the purpose of operating limited valet parking services. The City will grant a valet license to use approximately 610 square feet of ground space within the public right of way located on the south side of East Polk Street between Central Avenue and 1st Street. The licensed premises is to be used for operating valet services defined as accepting possession of a vehicle in the licensed premises for the purpose of parking the vehicle for the operator in a location other than the licensed premises. The licensed premises must be kept free and clear for operation of valet services during the hours of 6:00 a.m. and 2:00 a.m., seven days a week. Long term and VIP parking is prohibited, but express delivery vehicles may be permitted for short periods.

Contract Term

The term of the valet license will be for ten years with four, five-year extension options.

Financial Impact

The City is expected to receive \$1,866.60 annually, which may be increased annually based on the Consumer Price Index.

Location

355 N. Central Ave., approximately the southeast corner of Central Avenue and Polk Street
Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.



Salt River Project Land Use License for 7th Street and Highline Canal - ST87600123 (Ordinance S-48287)

Request to authorize the City Manager, or his designee, to enter into a Land Use License with Salt River Project for work associated with City of Phoenix project ST87600123 7th Street and Highline Canal. 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.

Summary

The purpose of the Salt River Project (SRP) Land Use License is to allow the City to maintain a signalized pedestrian crossing at the 7th Street and Highline Canal intersection within SRP right-of-way. The work associated with this license is in conjunction with City Project ST87600123.

Contract Term

The term of the Land Use License shall be for 25 years beginning Feb. 1, 2022, and ending Jan. 31, 2047. The license may be renewed upon written agreement by the parties.

Financial Impact

There is no financial impact to the City of Phoenix for this license.

Location

7th Street and Highline Canal
Council District: 8

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.



Salt River Project Construction License for Water Main Replacement, Van Buren to Harrison Streets between 31st and 35th Avenues - WS85509035 (Ordinance S-48288)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for work associated with City of Phoenix project WS85509035 Water Main Replacement, Van Buren to Harrison Streets between 31st and 35th avenues. 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.

Summary

The purpose of this license is to allow the City to install waterline improvements and fire hydrants that will cross and run parallel with Salt River Project (SRP) irrigation facilities within SRP right-of-way. This work is in conjunction with City Project WS85509035 Water Main Replacement, Van Buren to Harrison Streets between 31st and 35th avenues.

Contract Term

The term of the Construction License is one year, effective when the City begins construction, expected to be February 2022.

Financial Impact

There is no financial impact to the City of Phoenix for this license.

Location

Van Buren to Harrison Streets between 31st and 35th avenues
Council Districts: 4 and 7

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.



Salt River Project Construction License for 3rd Street Promenade, Garfield Street to Indian School Road - ST87100162 (Ordinance S-48289)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for work associated with City of Phoenix project ST87100162 3rd Street Promenade, Garfield Street to Indian School Road. 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.

Summary

The City is constructing a roadway modernization project on 3rd Street from Garfield Street to Indian School Road. The purpose of this license is to allow the City to install roadway and traffic signal improvements that will cross and run parallel with Salt River Project (SRP) irrigation facilities as well as to upgrade SRP irrigation facilities for installation of a bus bay. This work is in conjunction with City Project ST87100162 3rd Street Promenade, Garfield Street to Indian School Road.

Contract Term

The term of the Construction License is one year, effective when the City begins construction, expected to be February 2022.

Financial Impact

There is no financial impact to the City of Phoenix for this license.

Location

3rd Street from Garfield Street to Indian School Road
Council Districts: 4, 7 and 8

Responsible Department

This item is submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.



Cooling Tower Water Treatment Services Agreement (Ordinance S-48267)

Request to authorize the City Manager, or his designee, to enter into an agreement with Aqua-Serv Engineers, Inc., for cooling tower water treatment services in City-owned facilities. The total aggregate amount is \$1,936,500 over the life of the agreement. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Public Works Department is responsible for maintaining cooling towers and closed loop systems to ensure the safe, efficient, and reliable operation of the building air conditioning equipment in City-owned facilities. This agreement will provide regular maintenance of the systems, water treatment services, and remove solvents and bacteria from the systems. Maintenance of these systems is necessary to prevent solvents from recirculating back into the cooling systems and for proper equipment operation. This agreement will also provide services for facilities maintained by the Phoenix Convention Center and Water Services departments.

Procurement Information

Invitation for Bid 22-FMD-019 was conducted in accordance with Administrative Regulation 3.10. Three offers were received by the Public Works Department Procurement Services Division on Sept. 15, 2021. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offer submitted by Aqua-Serv Engineers, Inc. was deemed fair and reasonable.

Aqua-Serv Engineers, Inc.:

Group A - Public Works and Water Services Locations: \$20,810 price for regular cooling tower maintenance.

Group B - Phoenix Convention Center Locations: \$1,050 price for regular cooling tower maintenance.

Contract Term

The one-year term of the agreement will begin on or about April 1, 2022. The agreement contains four, one-year options to extend the term, for a total agreement

term of up to five years if all options are exercised.

Financial Impact

The aggregate value of the agreement, including all option years, is \$1,936,500, including all applicable taxes, with an estimated annual expenditure of \$387,300. Funding is available in the Phoenix Convention Center, Water Services, and Public Works departments' budgets.

Responsible Department

This item is submitted by Deputy City Managers Inger Erickson and Karen Peters, and the Phoenix Convention Center, Water Services, and Public Works departments.



Final Plat - Hurley Ranch Phase 2 - PLAT 200637 - North of Broadway Road and West of 83rd Avenue

Plat: 200637
Project: 02-4732
Name of Plat: Hurley Ranch Phase 2
Owner: Meritage Homes of Arizona, Inc.
Engineer: EPS Group, Inc.
Request: A 162 Lot Residential Plat
Reviewed by Staff: Dec. 8, 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 Broadway Road and west of 83rd Avenue.
Council District: 7

Responsible Department

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



Final Plat - 10215 S. 27th Avenue - 210082 - Southeast Corner of Lodge Drive and 27th Avenue

Plat: 210082

Project: 20-3255

Name of Plat: 10215 S. 27th Avenue

Owner(s): Annette Mayorga and Socorro D Martinez

Engineer(s): David S. Klein, RLS

Request: A 3-Lot Residential Subdivision Plat

Reviewed by Staff: Dec. 7, 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

Southeast corner of Lodge Drive and 27th Avenue.

Council District: 8

Responsible Department

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



**Remove/Replace Zoning District - Cave Creek and Dynamite Boulevard
Annexation 508 - 4328 E. Dynamite Blvd. (Ordinance G-6944)**

Request to authorize the City Manager, or his designee, to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County RU-43 zoning district and replacing it with the City of Phoenix S-1 zoning district on property at the location described below, which was annexed into the City of Phoenix on Oct. 27, 2021 by Ordinance S-48051.

Location

Approximately 1.1 acre property located at 4328 E. Dynamite Blvd.
Council District: 2

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 CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE ANNEXED PARCEL DESCRIBED HEREIN (CAVE CREEK AND DYNAMITE BOULEVARD ANNEXATION, NO. 508) FROM COUNTY RU-43 TO CITY'S S-1 (RANCH OR FARM RESIDENCE).

WHEREAS, on October 27, 2021, via Ordinance S-48051, the City of Phoenix annexed an approximately 1.1-acre property located at 4328 E. Dynamite Boulevard, in a portion of Section 30, Township 5 North, Range 4 East, as described more specifically in "Exhibit A" and incorporated herein by this reference; and,

WHEREAS, as required by A.R.S. § 9-471.L, the city of Phoenix is required to adopt zoning districts on the subject parcel to permit uses and densities no greater than those allowed by the prior County zoning district; and,

WHEREAS, immediately prior to annexation the zoning applicable to this territory was Maricopa County's RU-43 zoning district; and

WHEREAS, the City's S-1 (Ranch or Farm Residence) zoning district is equivalent to Maricopa County's RU-43 zoning district;

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

SECTION 1. The approximately 1.1-acre property located at 4328 E. Dynamite Boulevard, in a portion of Section 30, Township 5 North, Range 4 East, which is described in "Exhibit A" and depicted in "Exhibit B" has been annexed to the City of Phoenix, and the present corporate limits of the City have been extended and increased to include such property.

SECTION 2. Pursuant to A.R.S. §9-471(L), the property depicted in Exhibit B is hereby removed from Maricopa County's RU-43 zoning district and placed into the City's S-1 (Ranch or Farm Residence) zoning district. This zoning designation shall take effect thirty days after this Ordinance is adopted, without further action by the City Council, and

SECTION 3. The City Clerk shall cause a copy of this Ordinance, together with "Exhibits A" and "Exhibit B" to be filed and recorded in the Records of the Office of the Maricopa County Recorder, and

SECTION 4. 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 5. 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 26th 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)

CAVE CREEK ROAD AND DYNAMITE BOULEVARD ANNEXATION

Legal Description

Appendix A

The West half of the Southeast quarter of the Southeast quarter of the Southeast quarter of the Southwest quarter of Section 30, Township 5 North, Range 4 East, G&SRB&M, Maricopa County, Arizona, described as follows:

BEGINNING at the Northwest corner of said West half, said corner also a common corner to the city limits line of the City of Phoenix as established in Ordinance No. G-4199, recorded at Document No. 1999-0867759, official records of Maricopa County, Arizona, and a common corner to the city limits line established in City of Phoenix Ordinance No. S-43269, recorded at Document No. 2017-0161233 official records of Maricopa County, Arizona;

thence Easterly along the South line of said Ordinance No. G-4199, to the Northeast corner of said West half;

thence Southerly along the East line of said West half to a point in the North line of the South 40 feet of said Section 30;

thence Westerly, along said Northerly line to the West line of said West half, said line also being the East line of said Ordinance No. S-43269;

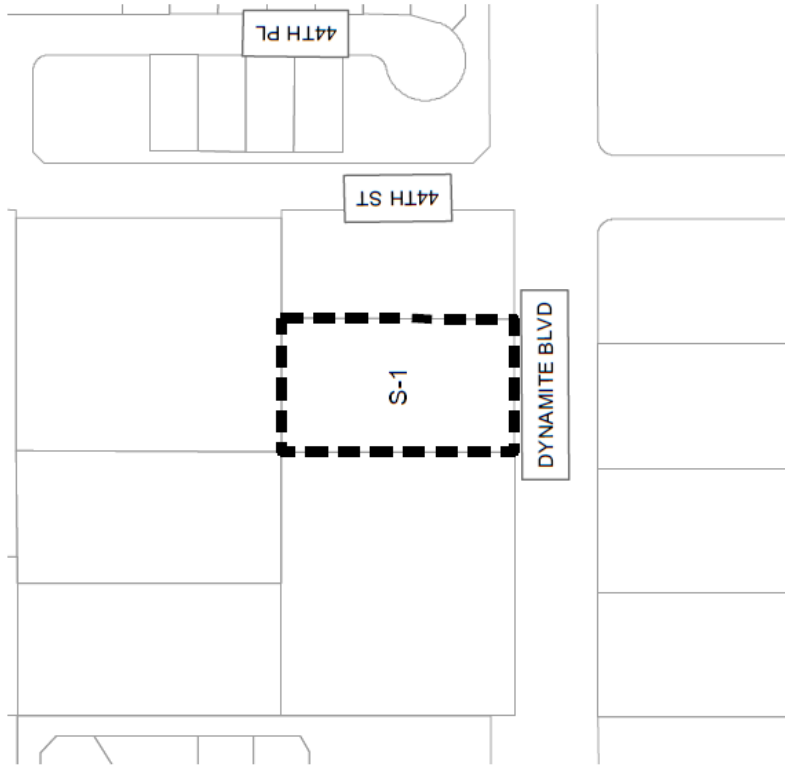
thence Northerly along the East line of said Ordinance No. S-43269 to the POINT OF BEGINNING.

ORDINANCE LOCATION MAP

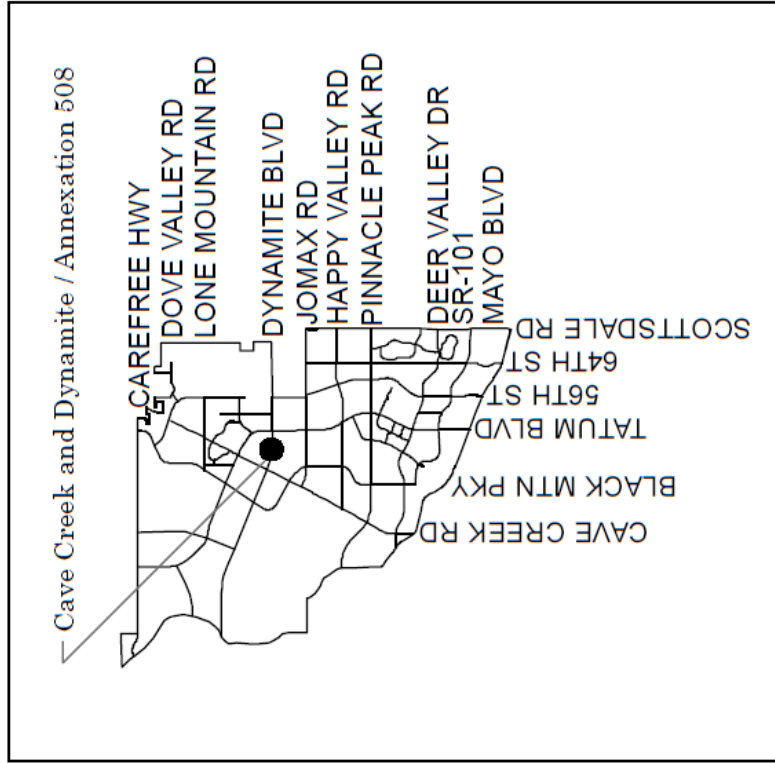
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■■■■■■



Annexation Case: Cave Creek and Dynamite / Annexation 508
 Zoning Overlay: N/A
 Planning Village: Desert View



NOT TO SCALE



Drawn Date: 12/10/2021



Remove/Replace Zoning District - Ismail Annexation 510 - 3335 W. Baseline Road (Ordinance G-6945)

Request to authorize the City Manager, or his designee, to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County RU-43 zoning district and replacing it with the City of Phoenix S-1 zoning district on property at the location described below, which was annexed into the City of Phoenix on Oct. 27, 2021 by Ordinance S-48052.

Location

Approximately 6.67 acre property located at 3335 W. Baseline Road.
Council District: 8

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 CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE ANNEXED PARCEL DESCRIBED HEREIN (ISMAIL ANNEXATION, NO. 510) FROM COUNTY RU-43 TO CITY'S S-1 (RANCH OR FARM RESIDENCE).

WHEREAS, on October 27, 2021, via Ordinance S-48052, the City of Phoenix annexed an approximately 6.67-acre property located at 3335 W. Baseline Road and 3437 W. Baseline Road, in a portion of Section 2, Township 1 South, Range 2 East, as described more specifically in "Exhibit A" and incorporated herein by this reference; and,

WHEREAS, as required by A.R.S. § 9-471.L, the city of Phoenix is required to adopt zoning districts on the subject parcel to permit uses and densities no greater than those allowed by the prior County zoning district; and,

WHEREAS, immediately prior to annexation the zoning applicable to this territory was Maricopa County's RU-43 zoning district; and

WHEREAS, the City's S-1 (Ranch or Farm Residence) zoning district is equivalent to Maricopa County's RU-43 zoning district;

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

SECTION 1. The approximately 6.67-acre property located at 3335 W. Baseline Road and 3437 W. Baseline Road, in a portion of Section 2, Township 1 South, Range 2 East, which is described in “Exhibit A” and depicted in “Exhibit B” has been annexed to the City of Phoenix, and the present corporate limits of the City have been extended and increased to include such property.

SECTION 2. Pursuant to A.R.S. §9-471(L), the property depicted in Exhibit B is hereby removed from Maricopa County's RU-43 zoning district and placed into the City's S-1 (Ranch or Farm Residence) zoning district. This zoning designation shall take effect thirty days after this Ordinance is adopted, without further action by the City Council, and

SECTION 3. The City Clerk shall cause a copy of this Ordinance, together with “Exhibits A” and “Exhibit B” to be filed and recorded in the Records of the Office of the Maricopa County Recorder, and

SECTION 4. 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 5. 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 26th 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)

ISMAIL ANNEXATION
Legal Description
Appendix A

That part of Lot 4, YOUNG'S ACRES, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 17 of Maps at page 15, bounded on the North by the city limits line of the City of Phoenix as established in Ordinance No. G-4651, recorded at Document No. 2004-1243330, official records of Maricopa County, Arizona, bounded on the West by the city limits line of the City of Phoenix as established in Ordinance No. G2996, recorded at Document No. 1987-322046, official records of Maricopa County, Arizona, bounded along the southerly boundary thereof by the city limits line of the City of Phoenix as established in Ordinances No. G-4687, recorded at Document No. 2005-0448955, official records of Maricopa County, Arizona and S-40678, recorded at Document No. 2014-0222881, official records of Maricopa County, Arizona, described as follows in two parts:

PART NO. 1:

The West half of Lot 4, YOUNG'S ACRES, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 17 of Maps at page 15; EXCEPT from said West half, the north 42 feet thereof;

PART NO. 2:

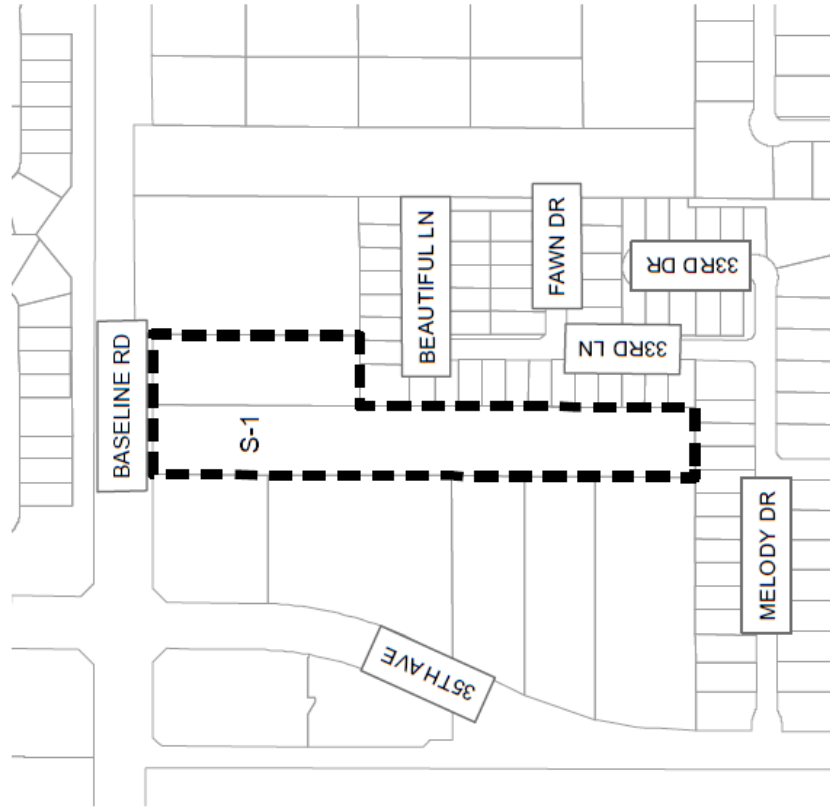
The North 530 feet of the East half of Lot 4, YOUNG'S ACRES, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 17 of Maps at page 15; EXCEPT from said East half, the North 42 feet thereof;

ORDINANCE LOCATION MAP

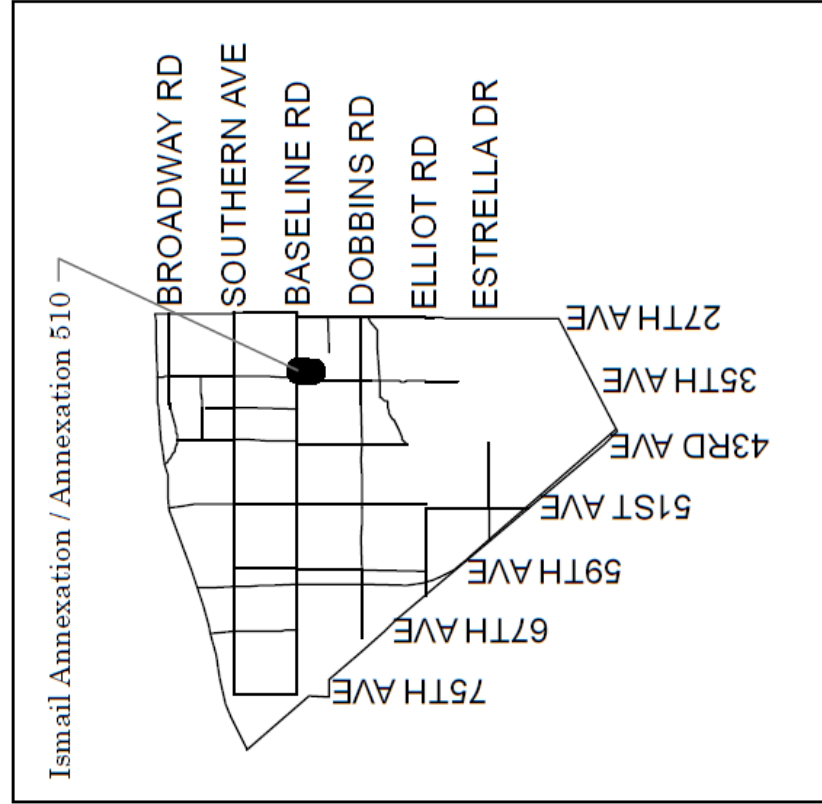
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■■■■■



Annexation Case: Ismail Annexation / Annexation 510
Zoning Overlay: N/A
Planning Village: Laveen



NOT TO SCALE



Drawn Date: 12/10/2021



Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-21--Z-18-10-1 - Southeast Corner of 13th Avenue and Parkview Lane Alignments (Ordinance G-6948)

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Dec. 15, 2021.

Summary

Application: PHO-1-21--Z-18-10-1

Existing Zoning: CP/GCP DVAO

Acreage: 5.16

Applicant: Ed Bull, Burch & Cracchiolo PA

Owner: North K LLC

Representative: Ed Bull, Burch & Cracchiolo PA

Proposal:

1. Review of conceptual site plans and elevations per Stipulation 1.
2. Modification of Stipulation 2 regarding dedicating 40 feet of right-of-way for the north half of Alameda Road and 30 feet for the south half of Parkview Road.
3. Technical correction to Stipulation 3.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Deer Valley Village Planning Committee opted not to hear this case.

PHO Action: The Planning Hearing Officer heard this case on Dec. 15, 2021 and recommended approval with a modification and an additional stipulation. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location

Southeast corner of 13th Avenue and Parkview Lane Alignments.

Council District: 1

Parcel Address: N/A

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 STIPULATIONS APPLICABLE TO
REZONING APPLICATION Z-18-10-1 PREVIOUSLY APPROVED BY
ORDINANCE G-5574.

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

SECTION 1. The zoning stipulations applicable located at the southeast
corner of 13th Avenue and Parkview Lane alignments in a portion of Section 7,
Township 4 North, Range 3 East, as described more specifically in Attachment "A",
are hereby modified to read as set forth below.

STIPULATIONS:

1. ~~That conceptual site plan(s) and elevations shall be approved by the Planning Hearing Officer through the public hearing process prior to the Planning and Development Services Department preliminary site plan approval. This review is for conceptual purposes only. Specific development standards and requirements will be determined through the site plan approval process with the Planning and Development Services Department.~~

THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE
SITE PLAN AND ELEVATIONS DATE STAMPED OCTOBER 22, 2021, AS
MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE
PLANNING AND DEVELOPMENT DEPARTMENT.

2. ~~That~~ The developer shall dedicate MINIMUM right-of-way totaling 40 feet OF
RIGHT-OF-WAY AND CONSTRUCT for the north half SIDE of Alameda
Road, and that right-of-way totaling 30 feet shall be dedicated for the south
half of Parkview Road as approved by the ~~Street Transportation Department~~

~~and the Planning and Development Services~~ AND STREET
TRANSPORTATION DepartmentS.

3. THE DEVELOPER SHALL DEDICATE MINIMUM 30 FEET OF RIGHT-OF-WAY AND CONSTRUCT THE SOUTH SIDE OF PARKVIEW LANE, AS APPROVED BY THE PLANNING AND DEVELOPMENT AND STREET TRANSPORTATION DEPARTMENTS.
4. ~~That~~ 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 ~~Services~~ Department. All improvements shall comply with all ADA accessibility standards.
5. ~~That~~ The property owner shall record a Notice of Prospective Purchasers of Proximity to Airport in order to 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.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-5574 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5574 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. 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 26th 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 PHO-1-21--Z-18-10-1

The West Half of the Southeast Quarter of the Southwest Quarter of the Northeast Quarter of Section 7, Township 4 North, Range 3 East of the Gila and Salt river base and Meridian, Maricopa County, Arizona;

Except All Coal, Oil, Gas and Other Mineral Deposits as Reserved in Patent from the United States of America Recorded as Docket 2230, Page 42.

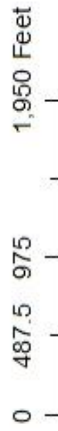
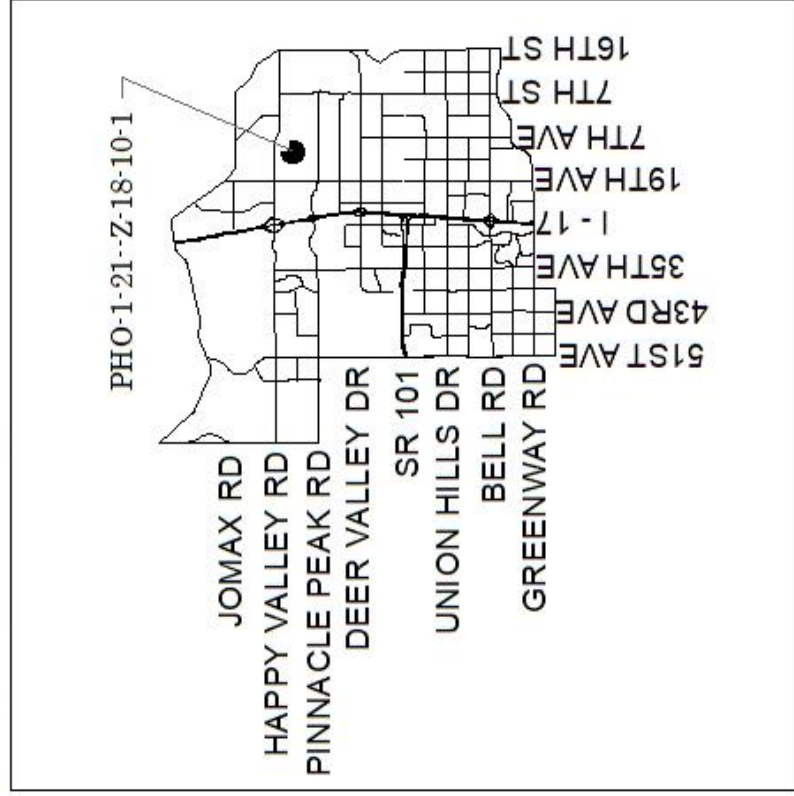
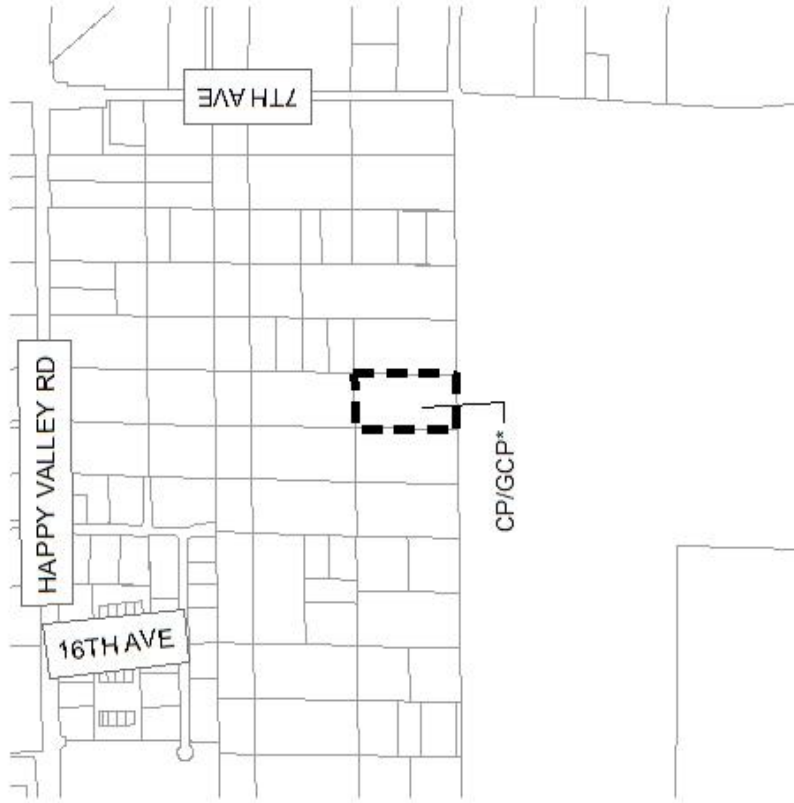
DRAFT

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: PHO-1-21-Z-18-10-1
Zoning Overlay: Deer Valley Airport Overlay District (DVAO)
Planning Village: Deer Valley

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■■■■■



NOT TO SCALE



Drawn Date: 12/29/2021



Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-21--Z-128-07-1 - Approximately 800 Feet East of 19th Avenue and the Alameda Road Alignment (Ordinance G-6946)

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Dec. 15, 2021.

Summary

Application: PHO-1-21--Z-128-07-1

Existing Zoning: CP/GCP DVAO

Acreage: 5.12

Applicant: Ed Bull, Burch & Cracchiolo PA

Owner: 2001 Landgroup LLP

Representative: Ed Bull, Burch & Cracchiolo PA

Proposal:

1. Review of conceptual site plans and elevations per Stipulation 1.
2. Modification of Stipulation 5 regarding dedication of 33 feet of right-of-way for the north half of Alameda Road.
3. Technical corrections to Stipulations 2, 3, and 4.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Deer Valley Village Planning Committee opted not to hear this case.

PHO Action: The Planning Hearing Officer heard this case on Dec. 15, 2021 and recommended approval with a modification. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location

Approximately 800 feet east of 19th Avenue and the Alameda Road alignment.

Council District: 1

Parcel Address: N/A

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 STIPULATIONS APPLICABLE TO
REZONING APPLICATION Z-128-07-1 PREVIOUSLY APPROVED BY
ORDINANCE G-5167.

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

SECTION 1. The zoning stipulations applicable located approximately
800 feet east of 19th Avenue and the Alameda Road alignment in a portion of Section
7, Township 4 North, Range 3 East, as described more specifically in Attachment "A",
are hereby modified to read as set forth below.

STIPULATIONS:

- ~~1. That conceptual site plan(s) and elevations shall be approved by the Planning Hearing Officer through the public hearing process prior to Development Services Department preliminary site plan approval. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Development Services Department.~~

THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE
SITE PLAN AND ELEVATIONS DATE STAMPED OCTOBER 22, 2021, AS
MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE
PLANNING AND DEVELOPMENT DEPARTMENT.

- ~~2. That~~ The developer shall construct all streets within and adjacent to the development (except the frontage road) with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals as per plans approved by the PLANNING AND Development Services

Department. All improvements shall comply with all ADA accessibility standards.

3. ~~That~~ The developer shall provide proof of existence of federal patented right-of-way 33-feet in width along the north side of the east-west midsection line for Alameda Road alignment as approved by the Street Transportation and PLANNING AND Development ~~Services~~ Departments.
4. ~~That~~ The developer shall comply with requirements of the City's FINANCE DEPARTMENT'S Real Estate DIVISION ~~Department~~ for City's adoption of said patented right-of-way as public streets.
5. ~~That~~ The developer shall dedicate MINIMUM 40 ~~33~~-feet of right-of-way ~~for~~ AND CONSTRUCT the north half of Alameda Road, as approved by the PLANNING AND DEVELOPMENT AND Street Transportation ~~and~~ Development ~~Services~~ Departments.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-5167 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5167 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. 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 26th 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 PHO-1-21--Z-128-07-1

Lot 15, Section 7, Township 4 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Excepting Therefrom All Coal, Oil, Gas and Other Minerals Deposits As Reserved In The Patent.

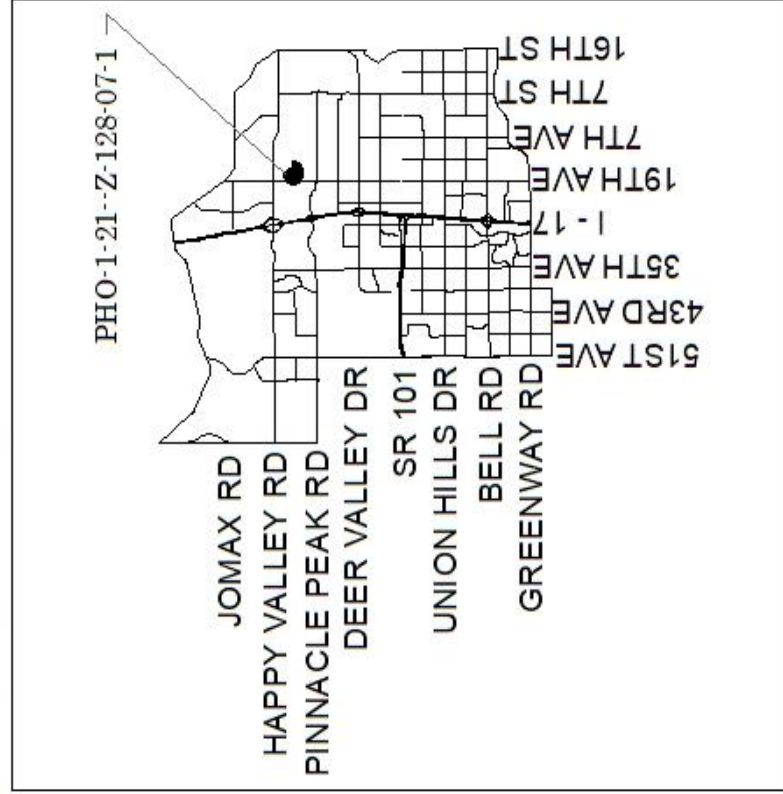
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EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: PHO-1-21-Z-128-07-1
Zoning Overlay: Deer Valley Airport Overlay District (DVAO)
Planning Village: Deer Valley

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■■■■



NOT TO SCALE



Drawn Date: 12/29/2021



Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-21--Z-129-07-1 - Approximately 1,825 Feet East of 19th Avenue and the Alameda Road Alignment (Ordinance G-6947)

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Dec. 15, 2021.

Summary

Application: PHO-1-21--Z-129-07-1

Existing Zoning: CP/GCP DVAO

Acreage: 20.41

Applicant: Ed Bull, Burch & Cracchiolo PA

Owner: North K LLC and 2001 Landgroup LLP

Representative: Ed Bull, Burch & Cracchiolo PA

Proposal:

1. Review of conceptual site plans and elevations per Stipulation 1.
2. Modification of Stipulation 5.a regarding dedicating 33 feet of right-of-way for the north half of Alameda Road.
3. Modification of Stipulation 5.b regarding dedicating 33 feet of right-of-way for the south half of Parkview Lane.
4. Modification of Stipulation 5.c regarding dedicating 66 feet of right-of-way for 15th Avenue.
5. Modification of Stipulation 5.d regarding dedicating 45-foot radius cul-de-sacs on Parkview Lane and Alameda Road.
6. Technical corrections to Stipulations 2, 3, 4, and 5.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Deer Valley Village Planning Committee opted not to hear this case.

PHO Action: The Planning Hearing Officer heard this case on Dec. 15, 2021 and recommended approval with modifications. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location

Approximately 1,825 feet east of 19th Avenue and the Alameda Road alignment.

Council District: 1

Parcel Address: N/A

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 STIPULATIONS APPLICABLE TO
REZONING APPLICATION Z-129-07-1 PREVIOUSLY APPROVED BY
ORDINANCE G-5168.

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

SECTION 1. The zoning stipulations applicable located approximately
1825 feet east of 19th Avenue and the Alameda Road alignment in a portion of
Section 7, Township 4 North, Range 3 East, as described more specifically in
Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

1. ~~That conceptual site plan(s) and elevations shall be approved by the Planning Hearing Officer through the public hearing process prior to Development Services Department preliminary site plan approval. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Development Services Department.~~

THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE
SITE PLAN AND ELEVATIONS DATE STAMPED OCTOBER 22, 2021, AS
MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE
PLANNING AND DEVELOPMENT DEPARTMENT.

2. ~~That~~ The developer shall construct all streets within and adjacent to the development (except the frontage road) with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals as per plans approved by the PLANNING AND Development Services

Department. All improvements shall comply with all ADA accessibility standards.

3. ~~That~~ The developer shall provide proof of existence of federal patented right of way 33 feet in width along the following streets as approved by THE Street Transportation and PLANNING AND Development ~~Services~~ Departments to include:
 - a. North side of the east west midsection line Alameda Road alignment.
 - b. Both sides of the north south midsection line for 15th Avenue located between Parkview Lane and Alameda Road.
 - c. East side of the north south midsection line for 15th Avenue located north of Parkview Lane.
 - d. South side of the Parkview Lane alignment.
4. ~~That~~ The developer shall comply with requirements of the city's FINANCE DEPARTMENT'S Real Estate DIVISION ~~Department~~ for City's adoption of said patented right of way as public streets.
5. ~~That~~ The developer shall dedicate right of ways for properties as approved by THE Street Transportation and PLANNING AND Development ~~Services~~ Departments to include:
 - a. ~~33~~ MINIMUM 40 feet for the north half of Alameda Road.
 - b. ~~33~~ MINIMUM 30 feet for the south half of Parkview Lane.
 - c. ~~66~~ MINIMUM 60 feet full width for 15th Avenue.
 - d. ~~45-foot radius cul-de-sacs on Parkview Lane and Alameda Road as approved by Street Transportation and Development Services Departments.~~

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-5168 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5168 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. 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 26th 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 PHO-1-21--Z-129-07-1

The West Half of the Southwest Quarter of the Southeast Quarter of the Northwest Quarter of Section 7, Township 4 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Excepting Therefrom All Coal, Oil, Gas and Other Minerals Deposits As Reserved In The Patent.

The Southeast Quarter of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter of Section 7, Township 4 North, range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Excepting Therefrom All Coal, Oil, Gas and Other Minerals Deposits As Reserved In The Patent.

The North Half of the East Half of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter of Section 7, Township 4 North, Range 3 East of the Gila and Salt River base and Meridian, Maricopa County, Arizona.

Excepting Therefrom All Coal, Oil, Gas and Other Minerals Deposits As Reserved In The Patent of Said Land.

The East Half of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 7, Township 4 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Except All Coal, Oil, Gas and Other Mineral Deposits, All Uranium, Thorium, or Any Other Material Which is or May be Determined to be Peculiarly Essential to the Production of Fissionable Materials, Whether or not of Commercial Value as Reserved to the United States of America in the Patent to Said Land.

The West Half of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 7, Township 4 North, Range 3 east of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

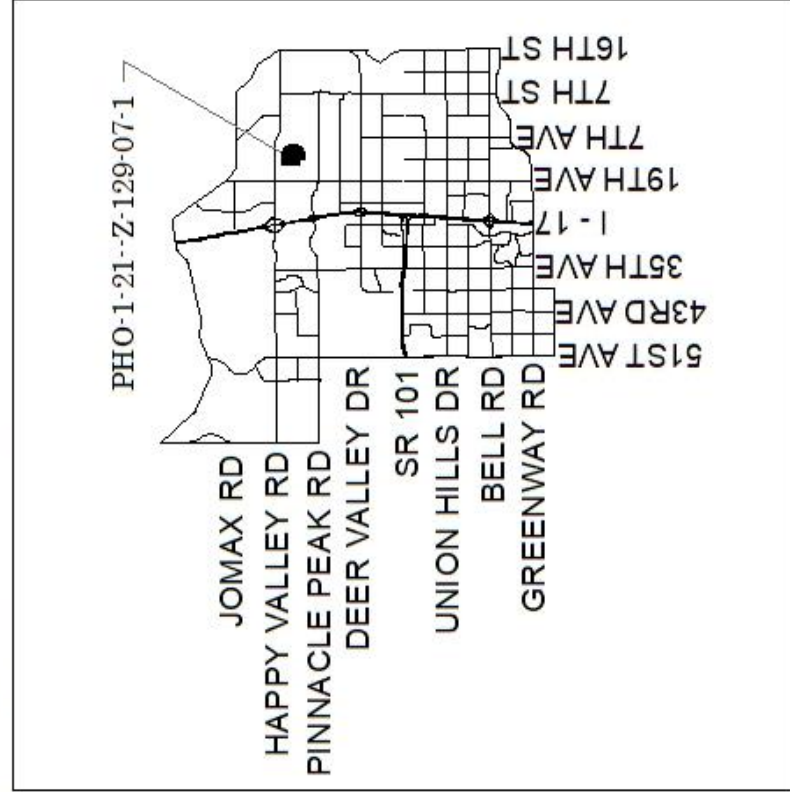
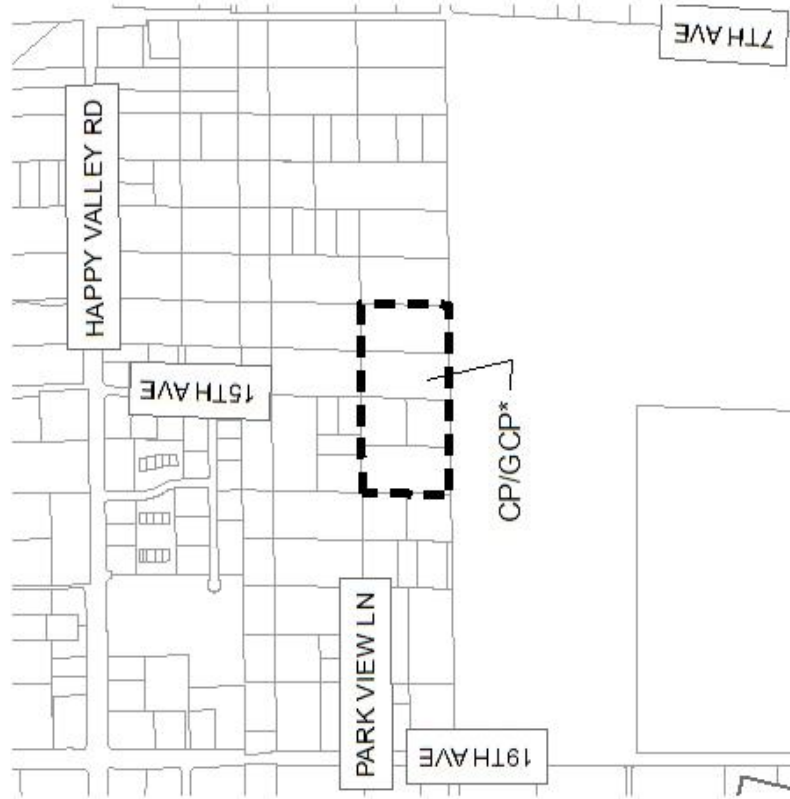
Except All Coal, Oil, Gas and Other Mineral Deposits as Reserved in Patent from the United States of America Recorded as Docket 1741, Page 324..

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: PHO-1-21-Z-129-07-1
Zoning Overlay: Deer Valley Airport Overlay District (DVAO)
Planning Village: Deer Valley

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■■■■■



NOT TO SCALE



Drawn Date: 12/29/2021

S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\Supp\Maps_Ord\Maps2022 Ord\1-26-22\PHO-1-21-Z-129-07-1.mxd



Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-21--Z-52-08-7 - Northwest Corner of 67th Avenue and Baseline Road (Ordinance G-6949)

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Dec. 15, 2021.

Summary

Application: PHO-1-21--Z-52-08-7

Existing Zoning: C-2

Acreage: 10.92

Applicant: Adam Baugh, Withey Morris PLC

Owner: Arrowhead Apts Property Investments LLC

Representative: Adam Baugh, Withey Morris PLC

Proposal:

1. Modification of Stipulation 1 regarding general conformance with the site plan date stamped October 23, 2008.
2. Modification of Stipulation 2 regarding general conformance with the elevations date stamped October 23, 2008.
3. Deletion of Stipulation 5 regarding a comprehensive sign plan.
4. Modification of Stipulation 6 regarding general conformance with the conceptual landscaping plan date stamped October 23, 2008.
5. Deletion of Stipulation 8 regarding a pedestrian walkway at the corner of Baseline Road and 67th Avenue.
6. Deletion of Stipulation 15 regarding final elevations for PAD-1.
7. Technical corrections to Stipulations 3, 4, 7, 9, 11, 12, and 13.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on Dec. 13, 2021 and recommended approval with an additional stipulation by a vote of 8-0.

PHO Action: The Planning Hearing Officer heard this case on Dec. 15, 2021 and recommended denial as filed and approval with modifications and an additional

stipulation. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location

Northwest corner of 67th Avenue and Baseline Road.

Council District: 7

Parcel Address: N/A

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 STIPULATIONS APPLICABLE TO
REZONING APPLICATION Z-52-08-7 PREVIOUSLY APPROVED BY
ORDINANCE G-5293.

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

SECTION 1. The zoning stipulations applicable located at the northwest
corner of 67th Avenue and Baseline Road in a portion of Section 36, Township 1
North, Range 1 East, as described more specifically in Attachment "A", are hereby
modified to read as set forth below.

STIPULATIONS:

1. ~~That~~ THE development shall be in general conformance with the site plan
date stamped ~~October 23, 2008~~ DECEMBER 14, 2021, as modified by the
following stipulations, ~~and~~ approved by the PLANNING AND Development
~~Services~~ Department, AND WITH SPECIFIC REGARD TO THE
FOLLOWING:
 - A. THE DEVELOPER SHALL PROVIDE OPEN SPACE CORRIDORS
BETWEEN HOMES WITH A MINIMUM WIDTH OF 26 FEET,
CONSISTING OF MINIMUM 5-FOOT-DEEP PATIOS FOR EACH
HOME AND MINIMUM 16 FEET OF TURF AND LANDSCAPING, AS
DEPICTED ON THE SITE PLAN DATE STAMPED DECEMBER 14,
2021.
2. ~~That~~ The development shall be in general conformance with the elevations
date stamped ~~October 23, 2008~~ DECEMBER 1, 2021, with specific regard to
consistent architectural details, such as stone on all four sides of the

buildings, as approved by the PLANNING AND Development Services Department.

3. That Enhanced paving material(s) such as brick, stone, exposed aggregate, stamped concrete or similar surface material (not asphalt) shall be used at entrances to the site, intersections internal to the site, and at pedestrian crossings as approved by the PLANNING AND Development Services Department.
4. That All pedestrian walkways shall be shaded and connect all commercial pads to each other and to the public right-of-way, as approved by the PLANNING AND Development Services Department.
5. That a comprehensive sign plan shall be approved for the entire development in accordance with Section 705 of the Zoning Ordinance in specific regard to the below items. The sign plan shall be presented and reviewed by the Laveen Village Planning Committee prior to the Zoning Adjustment hearing for consideration of their comments.
 - a. Ground signs limited to monument style not to exceed 6 feet in height.
 - b. Design and lighting that will minimize impact on the single family parcels to the east of the subject site.
 - c. Signage shall utilize designs that are low glare and utilize rural design elements that are consistent with the submitted elevations dated October 23, 2008.
5. That The development shall be in general conformance with the conceptual landscaping plan date stamped October 23, 2008 DECEMBER 14, 2021, with specific regard to enhanced landscaping shown along 67th Avenue, as approved by the PLANNING AND Development Services Department.
6. That The western perimeter wall shall be a minimum 8-feet high and shall include material and textural differences with a decorative element, such as tile or painted block, as approved by the PLANNING AND Development Services Department.
7. That a pedestrian walkway utilizing decorative paving materials shall be provided at the corner of Baseline Road and 67th Avenue. The walkway shall be at grade level with the sidewalk within the right-of-way and shall provide direct entry into the site at PAD 1. Landscape features shall be provided on either side of the pedestrian walkway outside of the visibility triangle, as approved by the Development Services Department.
- 8.

THE DEVELOPER SHALL PROVIDE MINIMUM ONE PEDESTRIAN PATHWAY WITHIN 200 FEET OF THE INTERSECTION OF 67TH AVENUE AND BASELINE ROAD THAT PROVIDES DIRECT CONNECTIVITY BETWEEN THE MULTIFAMILY DEVELOPMENT AND THE PUBLIC RIGHT-

OF-WAY, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

TRANSIT

8. ~~That~~ Right-of-way shall be dedicated and a bus bay (detail P1256-1) and
9. ~~transit pad (Detail P1261) constructed along 67th Avenue, as approved by the PLANNING AND Development Services Department.~~

ARCHAEOLOGY

9. ~~That~~ The developer shall conduct archaeological monitoring and/or testing by
10. ~~a qualified archaeologist within all areas of the development prior to clearing and grubbing, landscape salvage, and/or grading, as approved or modified by the City Archaeologist. Further data recovery may be necessary based on results of the testing.~~

STREETS

10. ~~That~~ Right-of-way totaling 60 feet shall be dedicated for the north half of
11. ~~Baseline Road, as approved by the PLANNING AND Development Services Department.~~
11. ~~That~~ The developer shall construct all streets within and adjacent to the
12. ~~development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the PLANNING AND Development Services Department. All improvements shall comply with all ADA accessibility standards.~~
12. ~~That~~ Full-service access points to the development shall be limited to 660-foot
13. ~~spacing unless otherwise approved by the Street Transportation Department. Additional access points may be approved but will be restricted to right-in and right-out, as approved by the PLANNING AND Development Services Department.~~
13. ~~That~~ Public multi-use trails shall be constructed within an easement(s) per the
14. ~~Standard Trail Detail (30-foot easement and 10-foot trail) in accordance with the MAG supplemental detail along 67th Avenue and Baseline Roads as approved by the Parks and Recreation Department. The applicant shall try to connect the trail across the well site north of the subject site along 67th Avenue. This connection will not be enforced if the well owner does not agree to the trail.~~
15. ~~That the final elevations for PAD-1 (at the southeast corner of the parcel) including the drive-thru canopy shall be presented to the Laveen Village Planning Committee for review and comment prior to preliminary site plan approval by the Development Services Department.~~

14. ~~That~~ The applicant shall notify the following individuals 15 days prior to any of the following events: preliminary site plan review meeting, Zoning Adjustment hearing or Planning Hearing Officer hearing.
16. ~~That~~
- a. Steven Klein
6820 South 66th Avenue
Laveen, AZ 85339
 - b. Phil Hertel
2300 West Broadway Road
Phoenix, AZ 85041
 - c. Jon Kimoto
3216 West Ansell Road
Laveen, AZ 85339
 - d. Stephanie Scovel
7416 South 45th Avenue
Laveen, AZ 85339
15. ~~That~~ Any request to modify or delete stipulations shall be reviewed and commented on by the Laveen Village Planning Committee prior to the Planning Hearing Officer Hearing.
17. ~~That~~

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-5293 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5293 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. 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 26th 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 PHO-1-21--Z-52-08-7

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 1 NORTH RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 11 AND 12 OF RANCHO GRANDE UNO, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 144 OF MAPS, PAGE 12;

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL;

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 36 FROM WHENCE THE SOUTH QUARTER CORNER LIES NORTH 89 DEGREES, 56 MINUTES, 33 SECONDS WEST, A DISTANCE OF 2630.93 FEET, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 36, NORTH 89 DEGREES, 56 MINUTES, 33 SECONDS WEST, A DISTANCE OF 477.69 FEET;

THENCE DEPARTING SAID LINE, NORTH 00 DEGREES, 46 MINUTES, 48 SECONDS WEST, A DISTANCE OF 55.01 FEET TO THE SOUTHWEST CORNER OF LOT 11 OF SAID RANCHO GRANDE UNO;

THENCE THENCE ALONG THE SOUTH LINE OF SAID LOT 11 AND 12, SOUTH 89 DEGREES, 56 MINUTES, 33 SECONDS EAST, A DISTANCE OF 402.68 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 19.71 FEET AND A CENTRAL ANGLE OF 90 DEGREES, 50 MINUTES, 32 SECONDS;

THENCE CONTINUE ALONG THE SOUTHERLY LOT LINE OF SAID LOT 12, NORTHEASTERLY ALONG THE ARC A DISTANCE OF 31.25 FEET;

THENCE ALONG THE EAST LINE OF SAID LOT 12, NORTH 00 DEGREES, 47 MINUTES, 05 SECONDS WEST, A DISTANCE OF 840.28 FEET;

THENCE DEPARTING SAID LINE, SOUTH 89 DEGREES, 51 MINUTES, 23 SECONDS EAST, A DISTANCE OF 55.01 FEET TO THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 36;

THENCE ALONG SAID LINE, SOUTH 00 DEGREES, 47 MINUTES, 05 SECONDS EAST, A DISTANCE OF 915.21 FEET TO THE POINT OF BEGINNING.

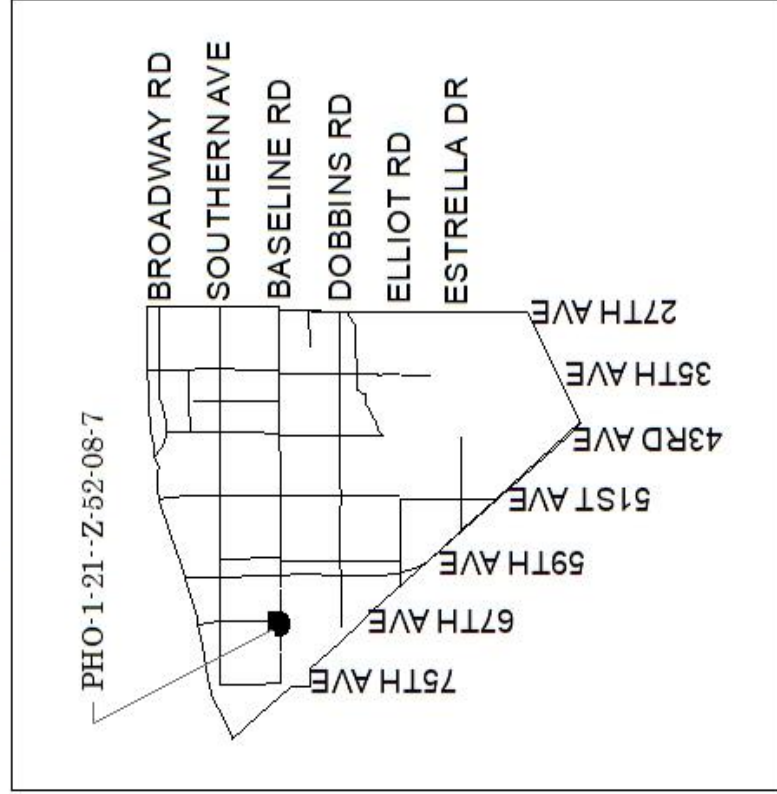
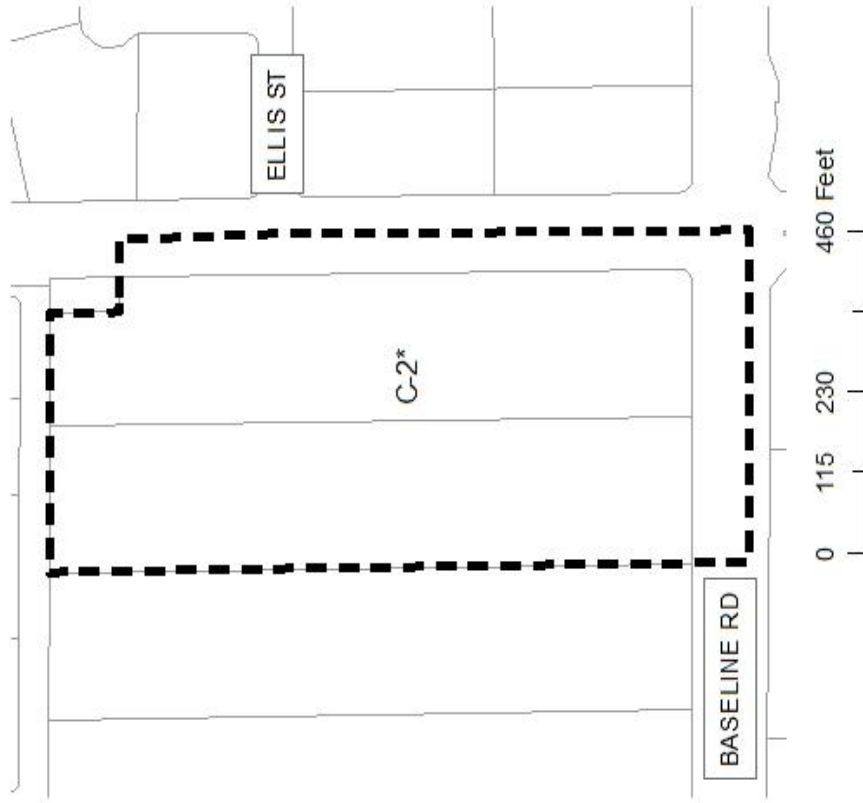
CONTAINING 476401.40 SQUARE FEET OR 10.9367 ACRES, MORE OR LESS.

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: PHO-1-21-Z-52-08-7
Zoning Overlay: N/A
Planning Village: Laveen

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 12/29/2021



Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-21--Z-23-18-8 - Northeast Corner of 16th Street and Polk Street (Ordinance G-6950)

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Dec. 15, 2021.

Summary

Application: PHO-1-21--Z-23-18-8
Existing Zoning: WU T5:6 EG
Acreage: 6.24

Applicant: Ed Bull, Burch & Cracchiolo PA
Owner: 16th & Polk LLC
Representative: Ed Bull, Burch & Cracchiolo PA

Proposal:

1. Deletion of Stipulation 4.c regarding on-site security.
2. Deletion of Stipulation 5 regarding cross block access between adjacent streets.
3. Modification of Stipulation 6 regarding detached sidewalks, streetscape landscaping, and bioswales.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Central City Village Planning Committee heard this case on Dec. 13, 2021 and recommended approval by a vote of 10-1.

PHO Action: The Planning Hearing Officer heard this case on Dec. 15, 2021 and recommended approval. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location

Northeast corner of 16th Street and Polk Street.
Council District: 8
Parcel Address: N/A

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 STIPULATIONS APPLICABLE TO
REZONING APPLICATION Z-23-18-8 PREVIOUSLY APPROVED BY
ORDINANCE G-6480.

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

SECTION 1. The zoning stipulations applicable located at the northeast corner of 16th Street and Polk Street in a portion of Section 3, Township 1 North, Range 3 East, as described more specifically in Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

1. The conceptual elevations and site plan shall be administratively approved by the Planning Hearing Officer prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.
 - a. Pedestrian access to the site from 16th Street shall be provided in a manner which minimizes walking distances from bus stops and the signalized crossing at Villa Street.
 - b. Pedestrian access to the site from 16th Street shall connect to the primary entrance of the medical center building without crossing vehicular aisles.

- c. Fencing installed along the street frontages for security purposes shall be a minimum of 60% view fencing and shall incorporate artistic elements.
 - d. The medical clinic (primary building) shall be located adjacent to 16th Street, and the parking structure shall be located adjacent to 17th Street.
 - e. The surface parking area shall be designed with shaded pedestrian connections to the primary building.
 - f. All locations where vehicles cross sidewalks shall be designed to recognize the pedestrian environment. This can be accomplished through the use of differentiating paving materials, speed stops and/or pavement markers.
2. There shall be no more than one vehicular entrance from 16th Street.
 3. Driveways shall be no greater than 24 feet in width.
 4. A minimum of 50% of the required open space shall be located adjacent to the north property line and shall:
 - a. Be designed so that it can seamlessly appear to connect to the adjacent triangular parcel in the event that parcel is developed/improved as a community open space node.
 - b. Open space along the northern property line shall not be enclosed by security fencing for the medical clinic.
 - ~~c. On-site security shall be responsible for the policing of the publicly-accessible open space.~~
 - ~~5. The required cross block access between 16th Street and 17th Street and Polk Street and Villa Street shall be located to accommodate the security needs of the Veterans Affairs Medical Clinic while still providing a clear, visible, and publicly accessible route between the two streets.~~
 5. Perimeter sidewalks on all street frontages shall be detached, shall not meander, and trees shall be planted on both sides.
 - ~~6. To the extent possible, the developer should utilize bioswales for storm water capture on these frontages.~~
 6. The developer shall install, as approved by the Planning and Development Department:
 7.
 - a. A minimum of 10 inverted-U style bicycle racks for guests, placed near the building's primary entrance and installed per the requirements of Section 1307.H.4. of the Zoning Ordinance.

- b. A minimum of 41 secured bicycle parking spaces shall be provided on site.
7. The developer shall submit a Traffic Impact Study and comply with any
~~8.~~ required improvements for this development, as approved by the Street Transportation Department. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department at 602-495-7129 to set up a meeting to discuss the requirements of the study.
8. The developer shall construct all streets within and adjacent to the
~~9.~~ 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. The property owner shall record documents that disclose the existence, and
~~10.~~ operational characteristics of Phoenix Sky Harbor International 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.
10. The developer shall provide documentation to the City of Phoenix prior to
~~11.~~ final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.
11. If determined necessary by the Phoenix Archaeology Office, the applicant
~~12.~~ 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.
12. If Phase I data testing is required, and if, upon review of the results from the
~~13.~~ 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. The applicant shall conduct Phase II archaeological data recovery excavations 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.
13. In the event archaeological materials are encountered during construction,
~~14.~~ 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.

14. The maximum building height for any stand-alone parking garage shall be limited to 68 feet.
15. Any stand-alone parking garage shall be entirely screened, as approved by the Planning and Development Department.
16. Any stand-alone parking garage shall receive Design Review Committee review and approval prior to preliminary site plan approval.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6480 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6480 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. 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 26th 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 PHO-1-21--Z-23-18-8

Parcel No. 2, as shown on Record of Survey for a Minor Land Division, according to Book 1546 of Maps, Page 40, records of Maricopa County, Arizona, located in a portion of the SW4 of Section 3, Township 1 North, Range 3 East of the G&SRB&M.

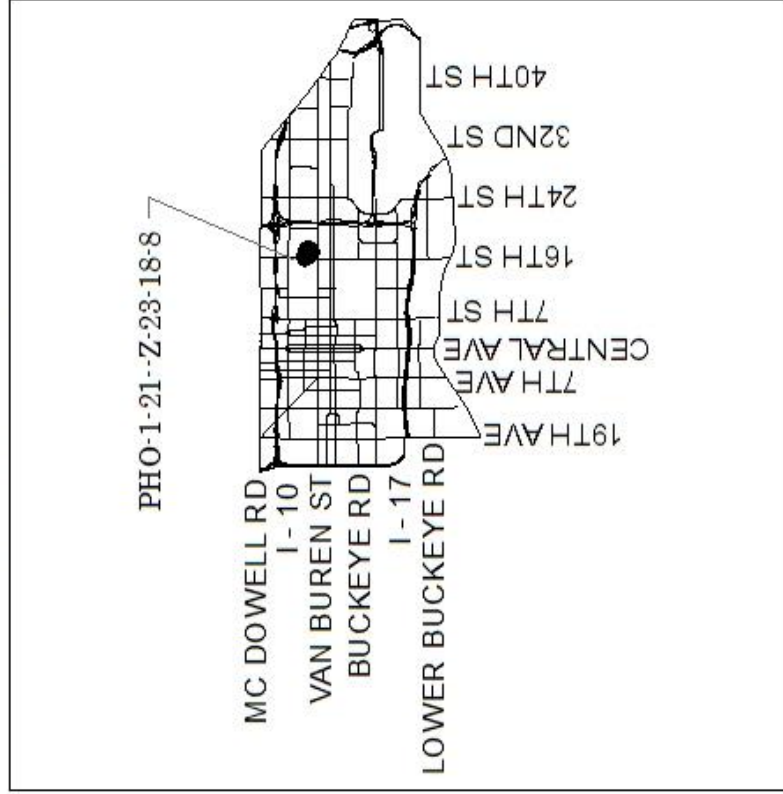
DRAFT

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: PHO-1-21-Z-23-18-8
Zoning Overlay: N/A
Planning Village: Central City

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -



NOT TO SCALE

Drawn Date: 12/29/2021



(CONTINUED FROM DEC. 15, 2021 AND JAN. 5, 2022) - 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.

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 3rd and 5th 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.

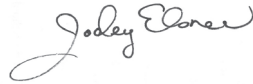
The 2-story garage/yoga studio is located as far to the rear of the lot as possible, and as low as possible at 20' with 8' ceiling plates and a minimum 12" between floors for utilities. Access to the second floor will be provided by either an elevated walkway or a staircase, depending upon the decision 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

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

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

DESCRIPTION: (cont'd)
ROOF TYPE: Gable, Low Pitched
ROOF SHEATHING: Clay Tile
EAVES TREATMENT: Exposed Rafters

WINDOWS: WD-FS
WINDOWS:
ENTRY: Central
Wood Panel, With Glass, Original
PORCHES: N/A

STOREFRONTS:

NOTABLE INTERIOR:

OUTBUILDINGS: Garage
Similar Style, Contributing
ALTERATIONS:

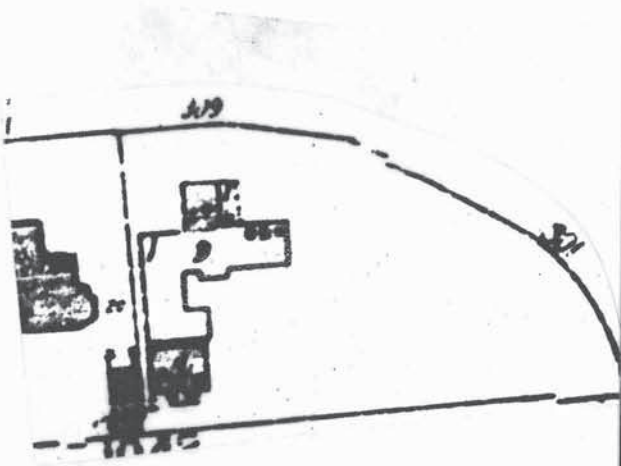
DESCRIPTION

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**

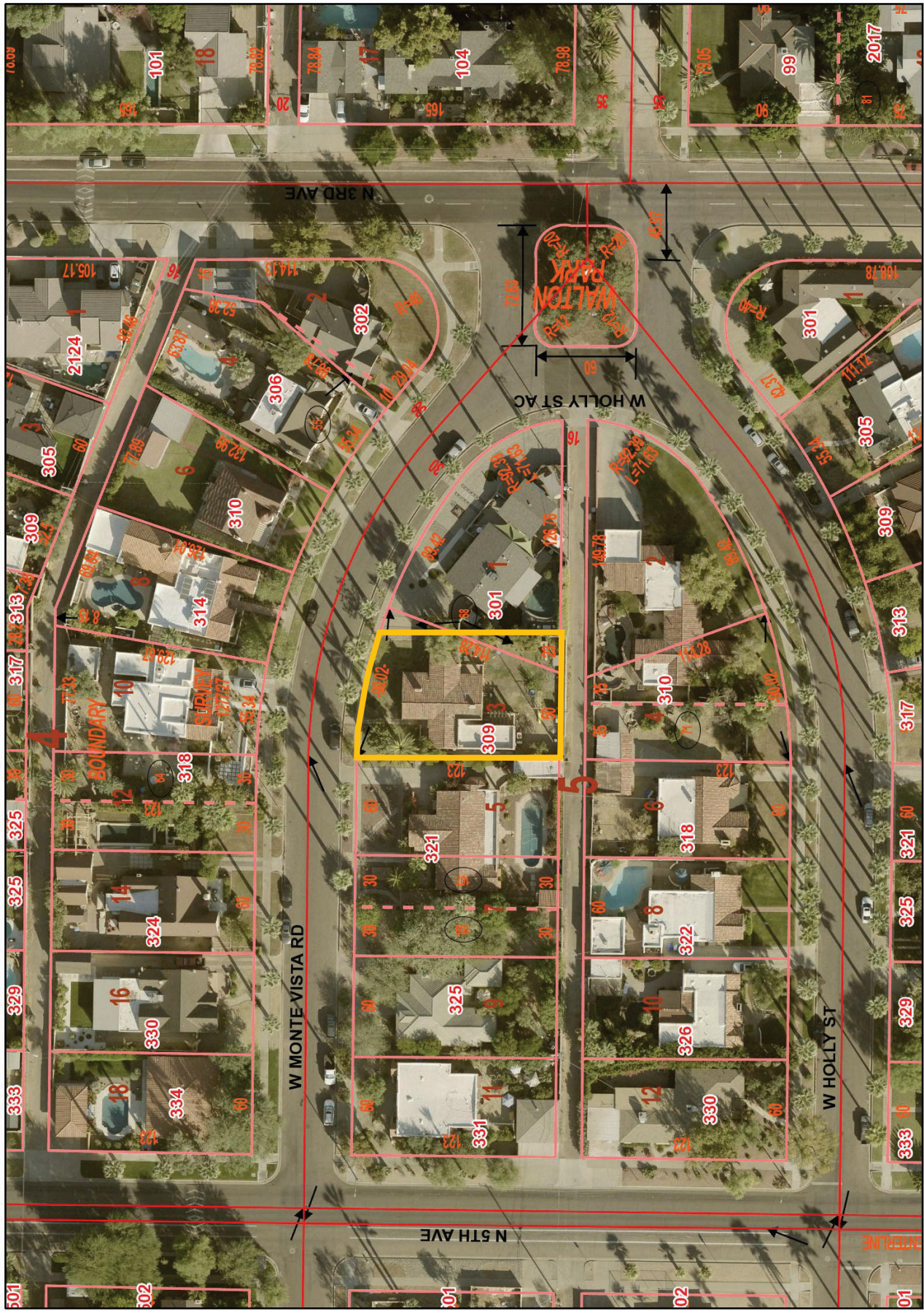
will be kept open every evening this week.
Thousands saw it yesterday.
Built for exhibition purposes, we have placed
a close price on this property at the close of
the exhibition.
Completely furnished by Barrows. One vis-
itor yesterday exclaimed, "The prettiest home
I have seen in Phoenix."

**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)

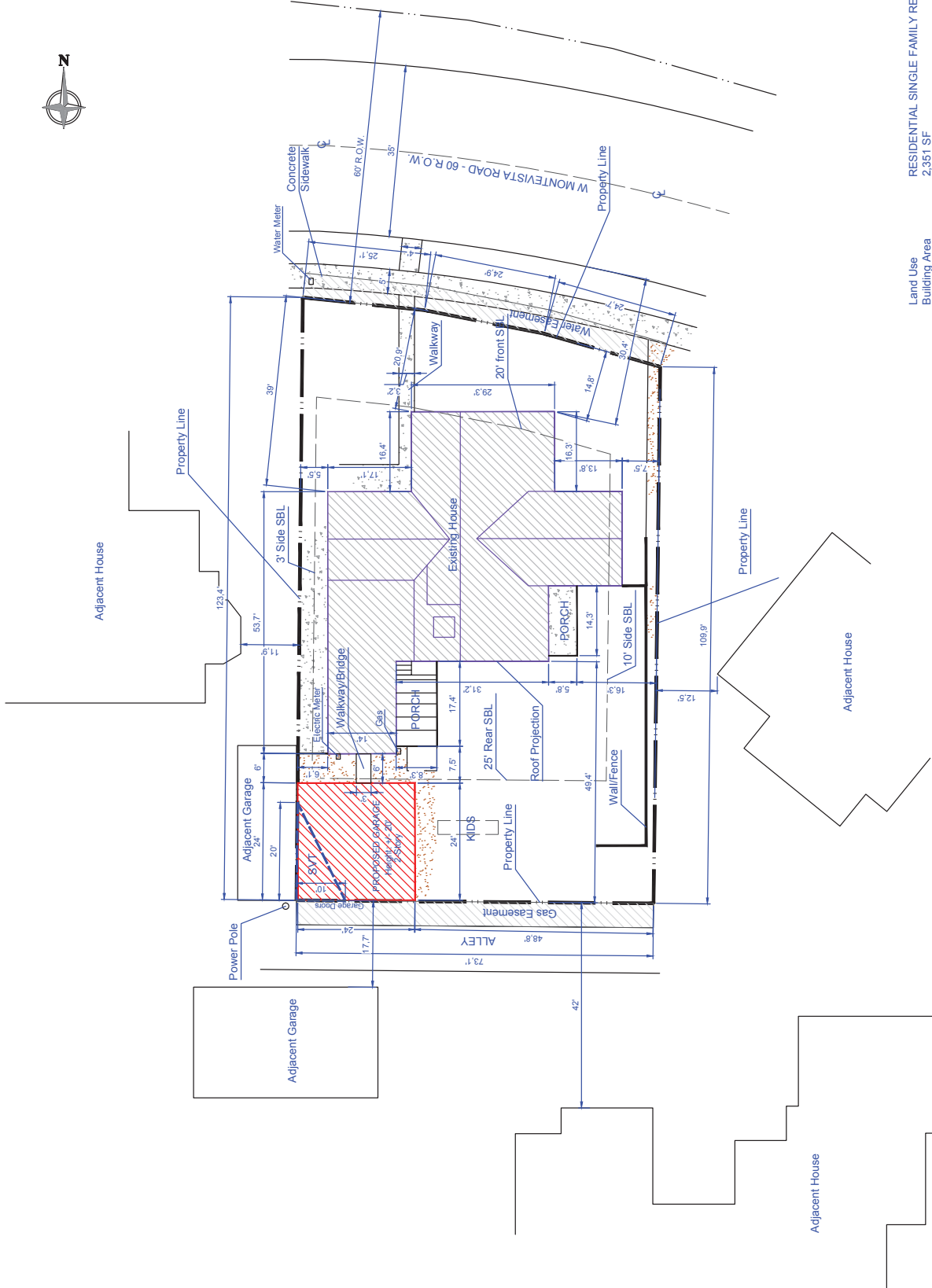
309 West Monte Vista Road (HPCA 2100117) – Willo Historic District



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

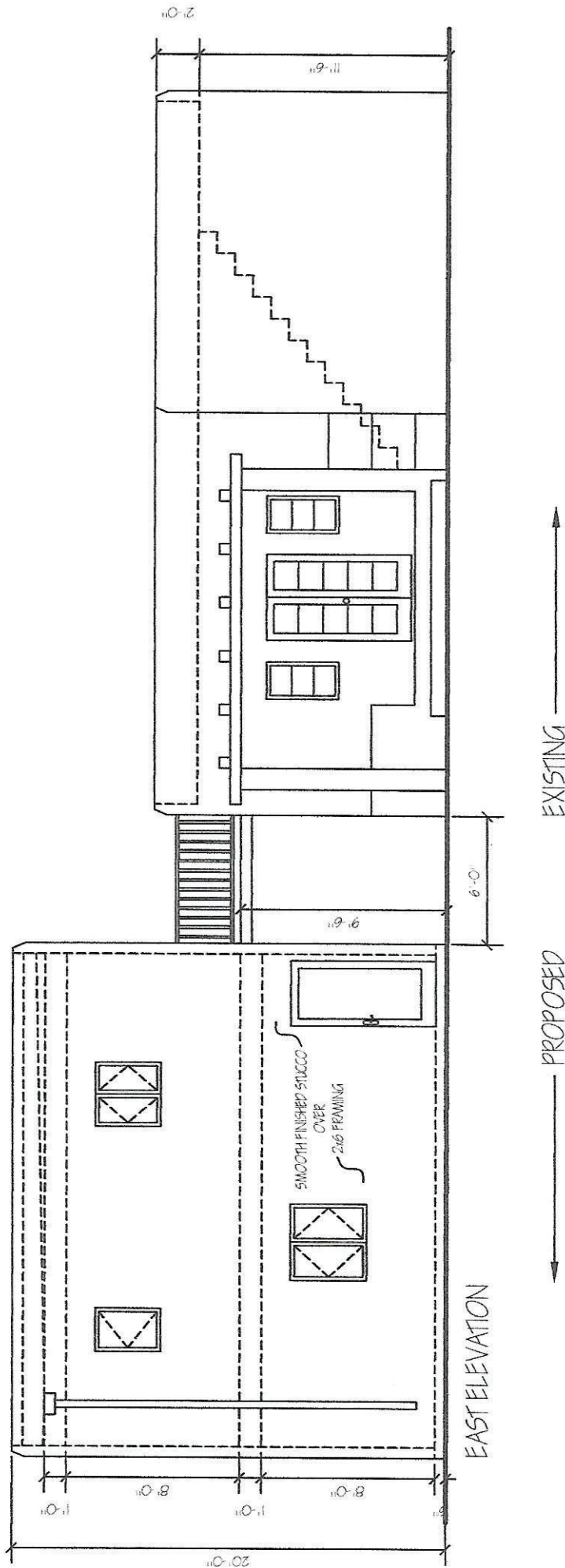
0' 5' 10' 20' 40'

Graphic Scale

309 W MONTE VISTA RD
PHOENIX, AZ 85003
SAC: 1"=20'

Land Use	RESIDENTIAL SINGLE FAMILY RESIDENCE
Building Area	2,351 SF
New Garage	576 SF
New Lot Coverage	0.33
Lot Area	8,864 SF (0.2 ACRES)
Zoning	R1-6
Allowable Coverage	40%
Proposed Lot Coverage	3,400 SF - 39%

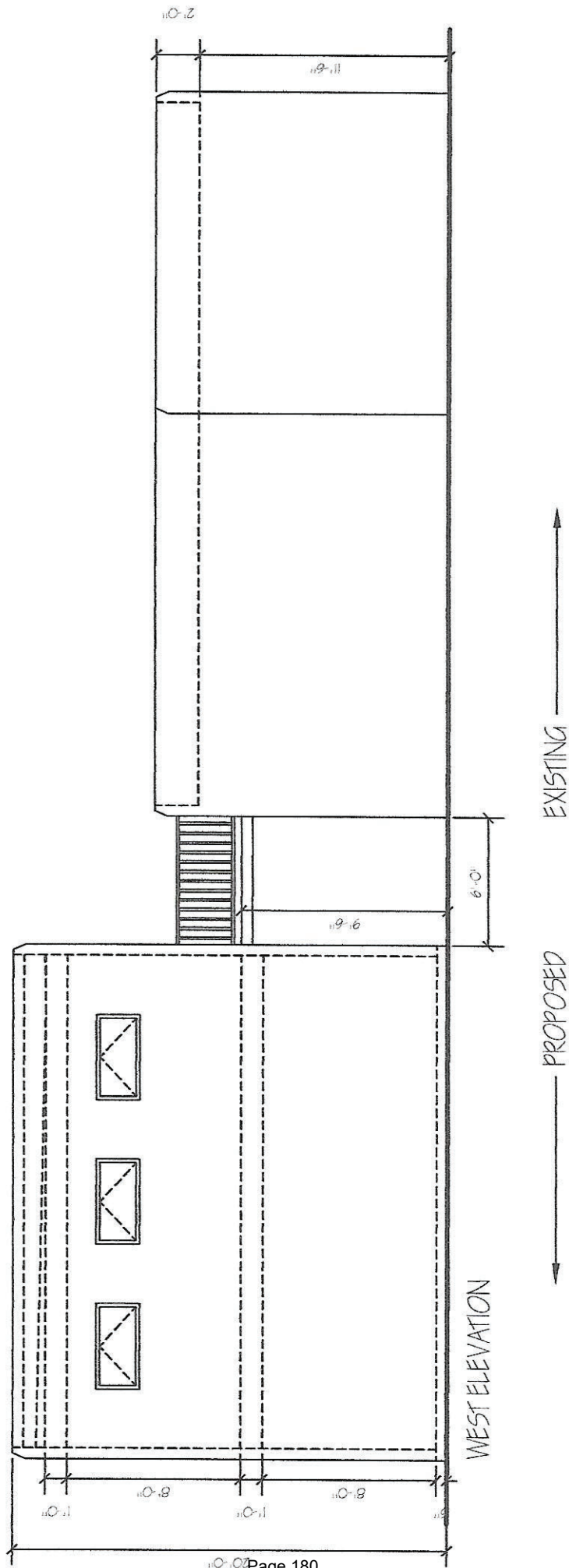
Legal Information	BROADMOOR LOTS 1 & 3 LYING W OF FOL DESC LN BEG 126.78' W OF SE COR LOT 1 TH N AT RT ANG TO S LN TO PT ON NELY LN OF LOT 3
Subdivision	BROADMOOR
Legal Lot	3
Legal Block	5



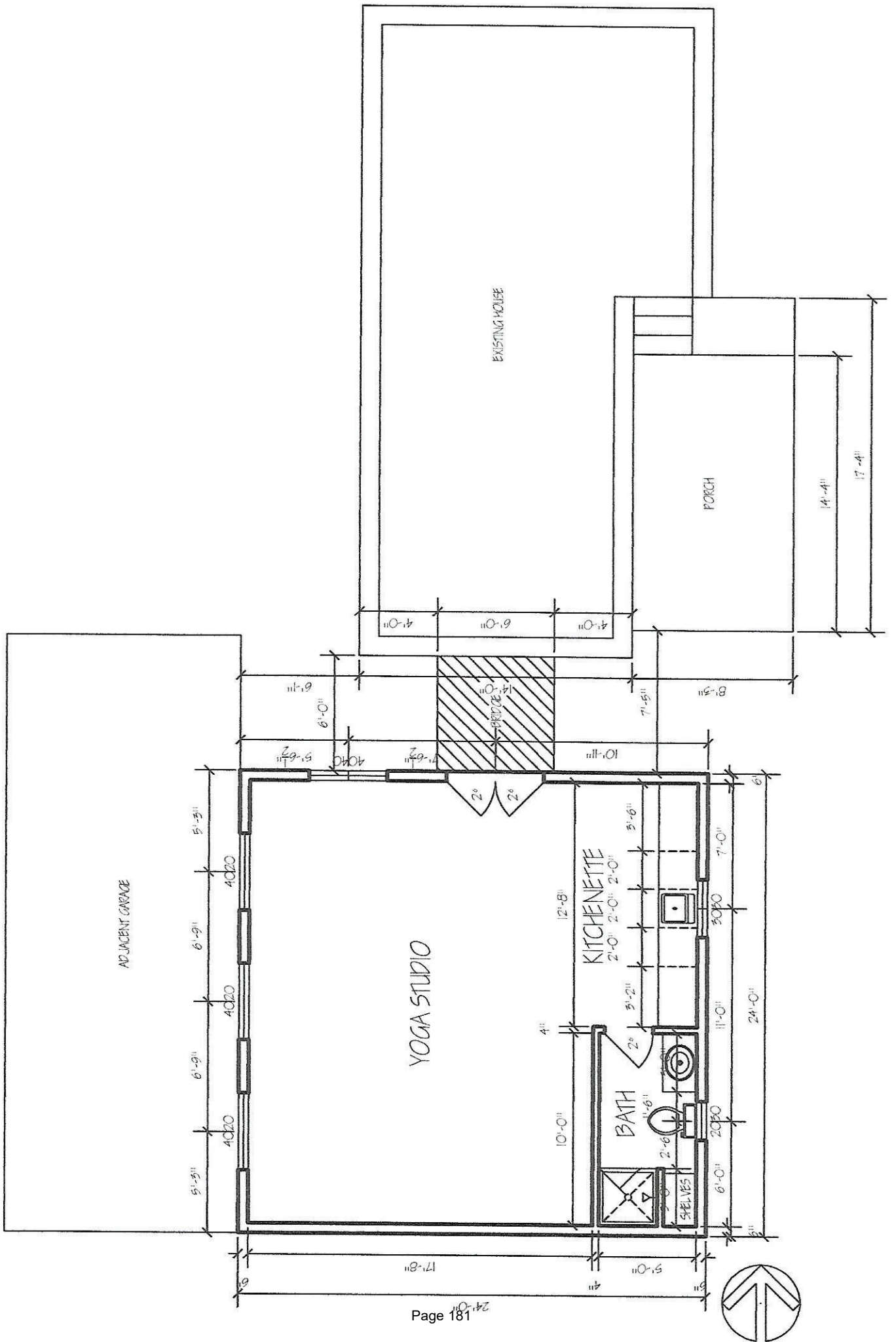
EAST ELEVATION

EXISTING → PROPOSED →

NO SCALE

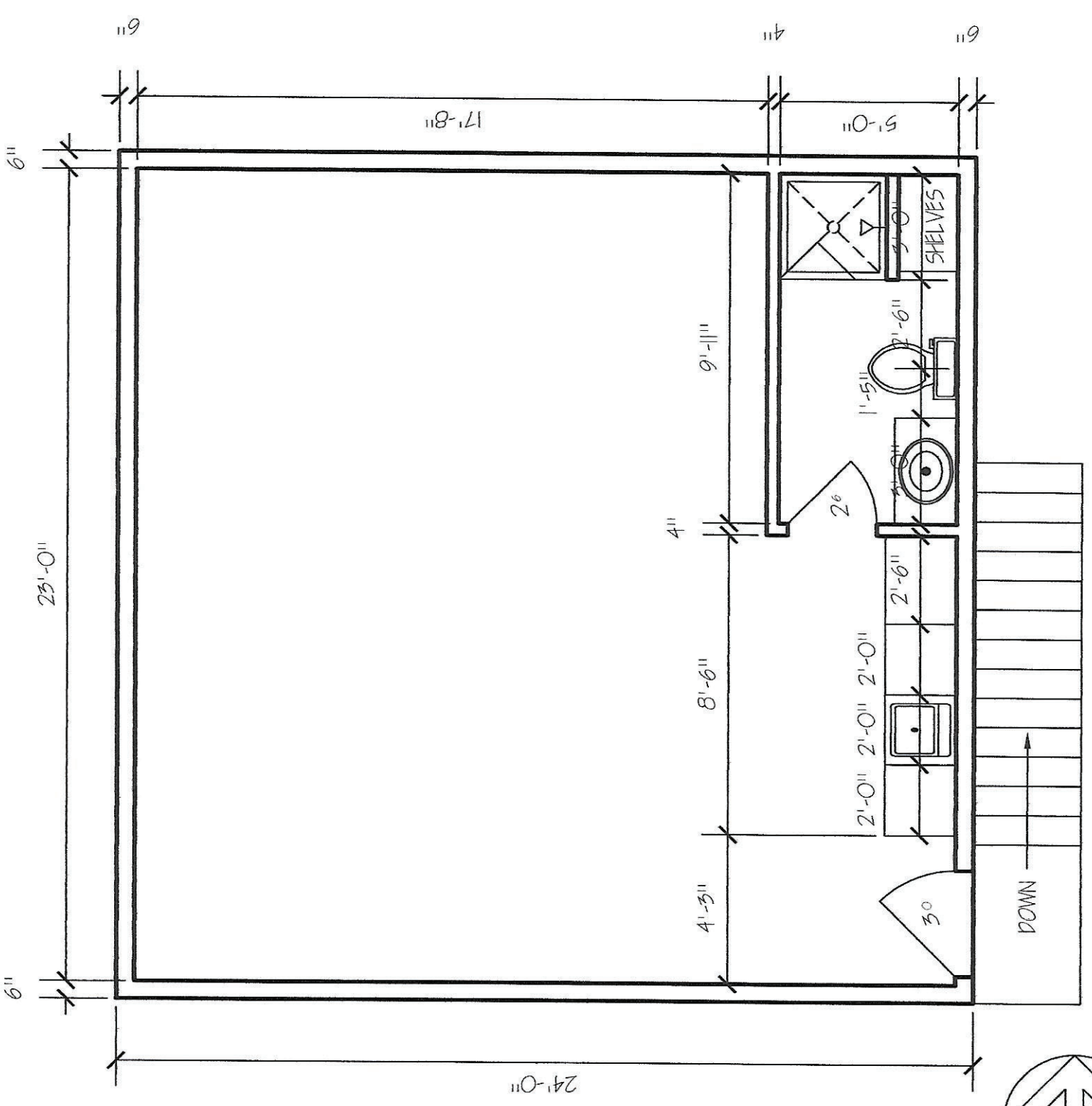


NO SCALE

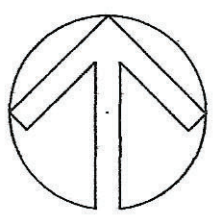


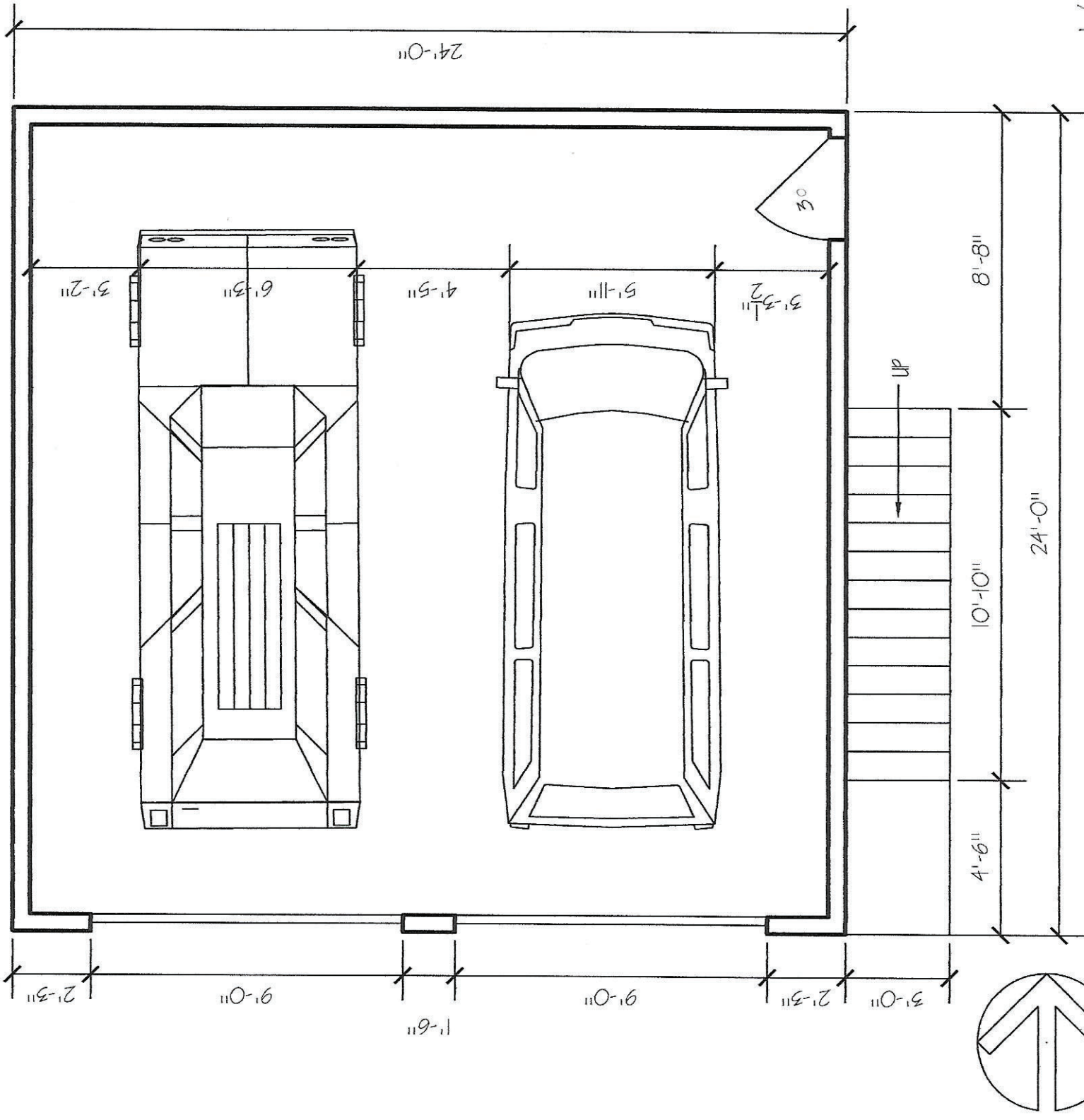
NO SCALE



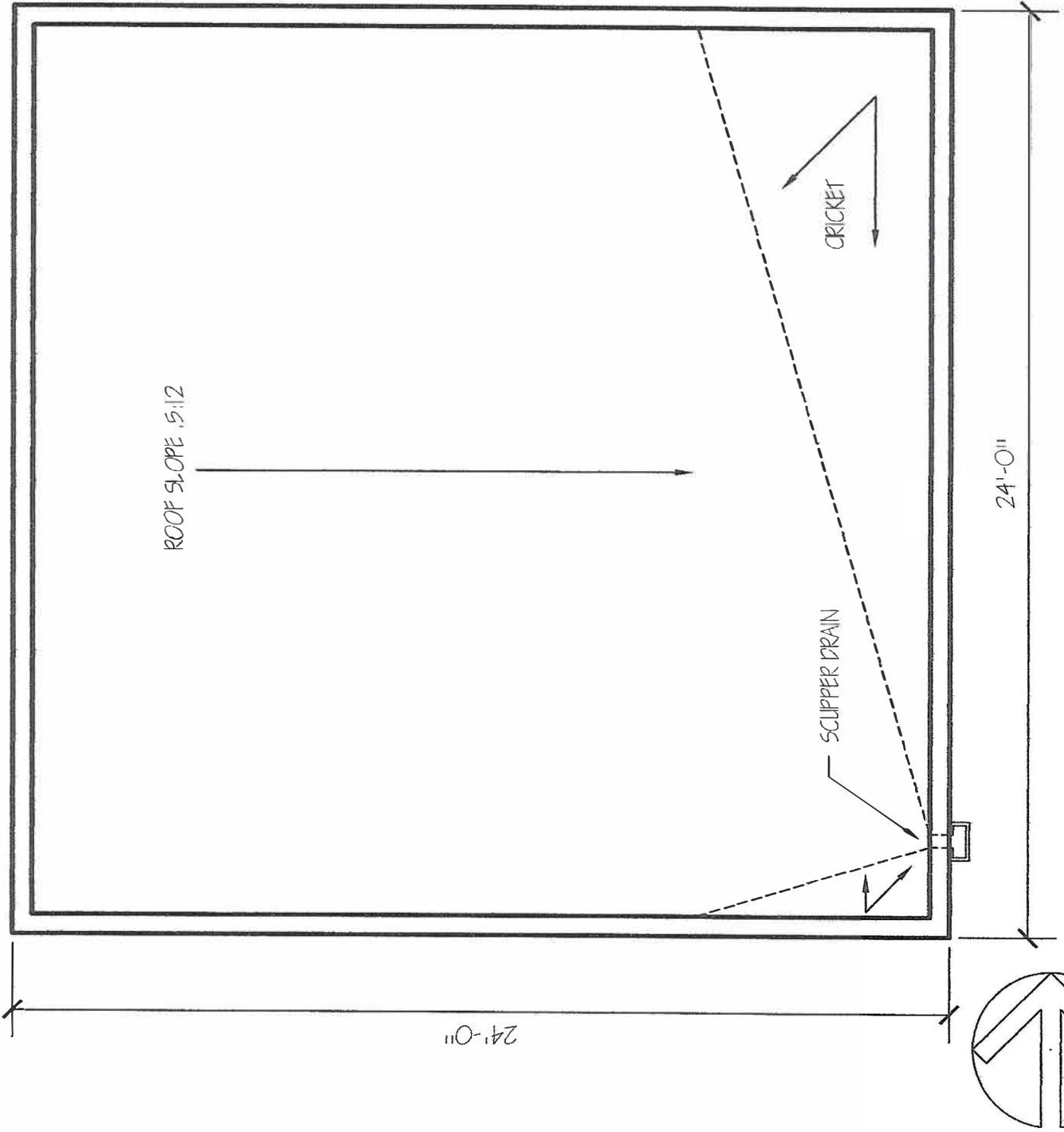


SCALE 1/4" = 1'





SCALE 1/4" = 1'



ROOF DRAINAGE PLAN

SCALE 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.

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
 - 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
 - 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 th 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

8.	Discussion and possible action regarding Historic Preservation General Fund Budget for 2022/2023 Action Requested: Possible action regarding budget	Dan Klocke, Chair
9.	Update on requests for demolition <ul style="list-style-type: none"> • 30-day demolition holds • Properties on the Phoenix Register Action Requested: Information and possible discussion	Maura Jackson, HP Staff
10.	Advocacy and outreach update	HP Commission
11.	Staff updates and requests for information from staff Demolition by Neglect Survey Exterior Rehabilitation Grant Round <ul style="list-style-type: none"> • Economic Development and Equity Subcommittee Recommendation 11/16/21(moved up from 11/24) • City Council Approval 12/1/21 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"> • Royale Gardens II • Palmdale Elementary School • Casa del Northern McKinley Medical Center (McKinley Club) 802 N. 1 st Avenue Perpetual Conservation Easement (City Council 11/17/21) Paul Coze Mural	HP Commission
12.	Future agenda items Next scheduled meeting: December 20, 2021	HP Commission and Staff
13.	Public Comment and Communication	Public
14.	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 29, 2021

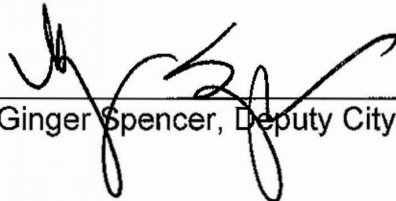
From: Alan Stephenson
Planning and Development Director

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



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Ginger Spencer
Deputy City Manager

Date: December 15, 2021

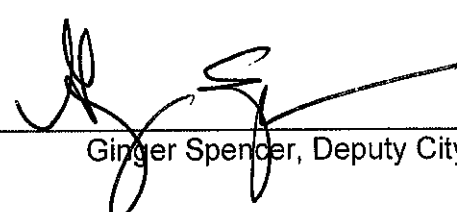
From: Alan Stephenson 
Planning and Development Director

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
Subject: Continuance of City Council hearing
Date: Tuesday, December 14, 2021 5:44:54 PM
Attachments: [image001.png](#)

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



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



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.

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



(CONTINUED FROM JAN. 5, 2022) - 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.

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



City of Phoenix
 PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-69-20-6
 September 24, 2021

<u>Camelback East Village Planning Committee Meeting Date</u>	October 5, 2021
<u>Planning Commission Hearing Date</u>	November 4, 2021
Request From:	<u>R-O</u> (0.89 acres)
Request To:	<u>PUD</u> (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

General Plan Conformity			
<u>General Plan Land Use Map Designation</u>		Residential 3.5 to 5 dwelling units per acre	
<u>Street Map Classification</u>	Maryland Avenue	Minor collector	33-foot north half street
<p>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.</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>
On Site	Offices	R-O
North	Single-family residences, surface parking lot	R1-6, R-3, P-1
South (Across Maryland Avenue)	Single-family residences	R1-6
East	Offices and retail	R-5, C-1
West	Condominiums	R-3

Background/Issues/Analysis

SUBJECT SITE

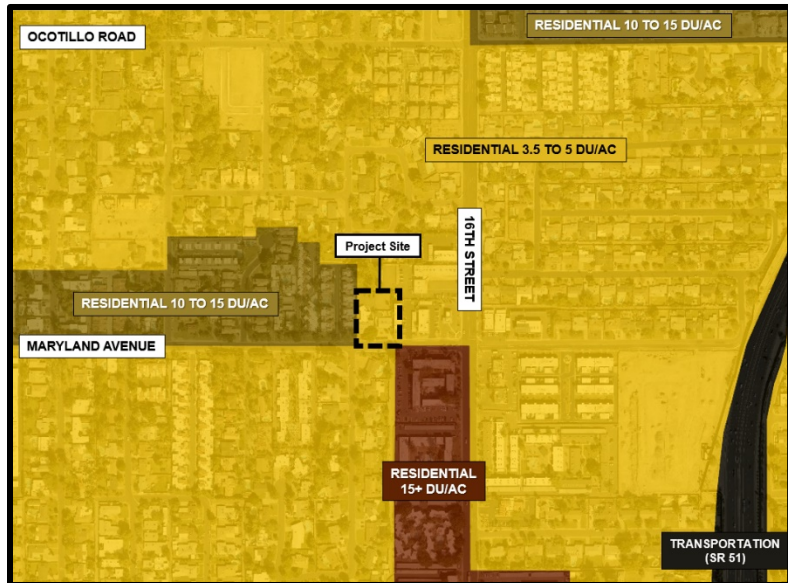
1. This request is to rezone a 0.89-acre site located approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue from R-O (Residential Office – Restricted Commercial District) to PUD (Planned Unit Development) to allow a multifamily residential development.



Aerial Map

Source: City of Phoenix Planning and Development Department

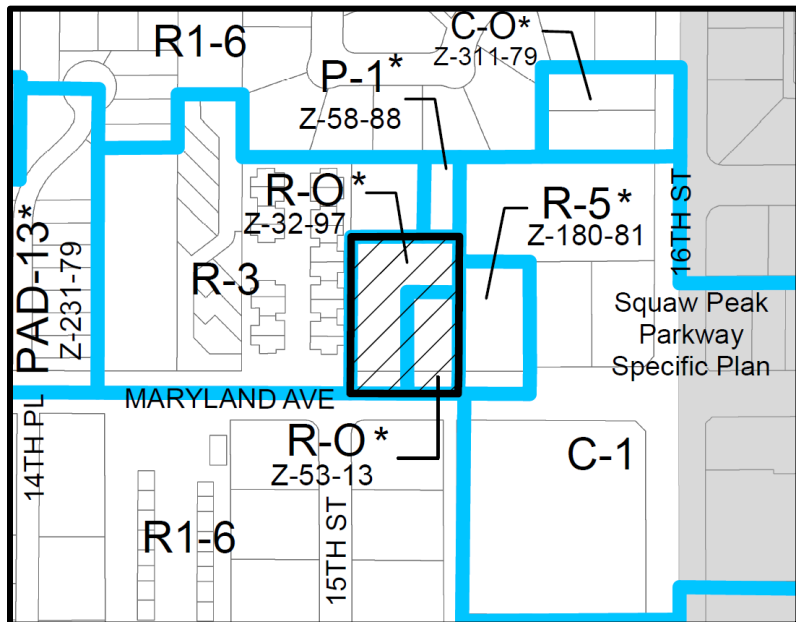
2. The site has a General Plan Land Use Map designation of Residential 3.5 to 5 dwelling units per acre. The same designation exists to the north, east and south of the site. West of the site is the Residential 10 to 15 dwelling units per acre designation. To the southeast of the site, across Maryland 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.



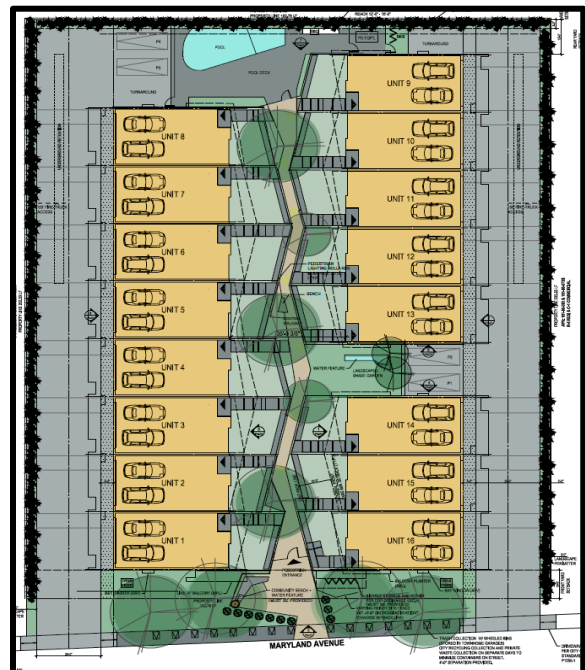
Zoning Map
 Source: City of Phoenix Planning and Development Department

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.

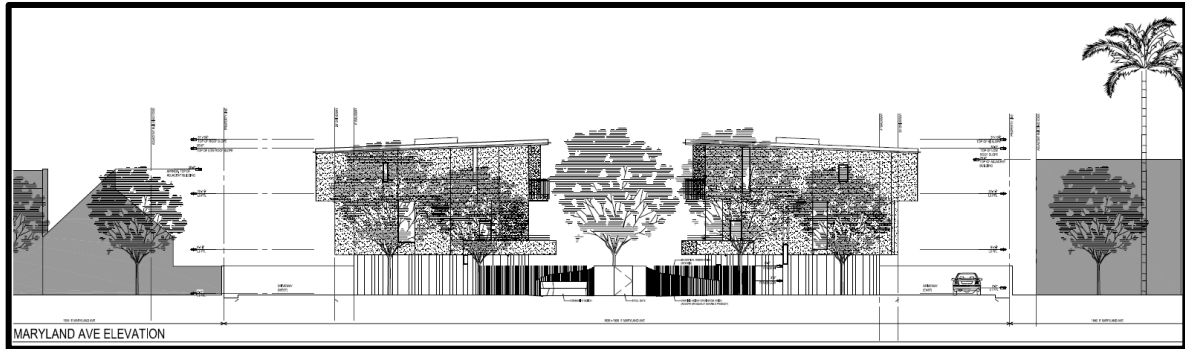


Conceptual Site Plan
Source: Works Bureau

Development Standards	
Standard	Proposed
<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.



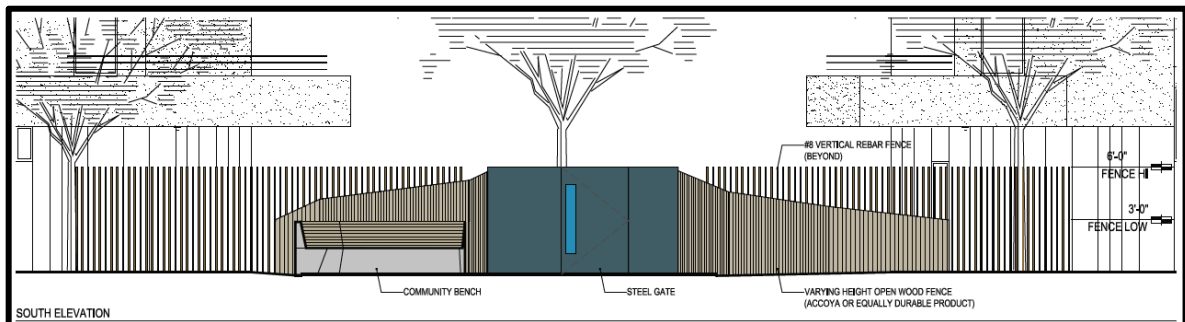
Building Height Comparison Exhibit
Source: Works Bureau

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].
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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

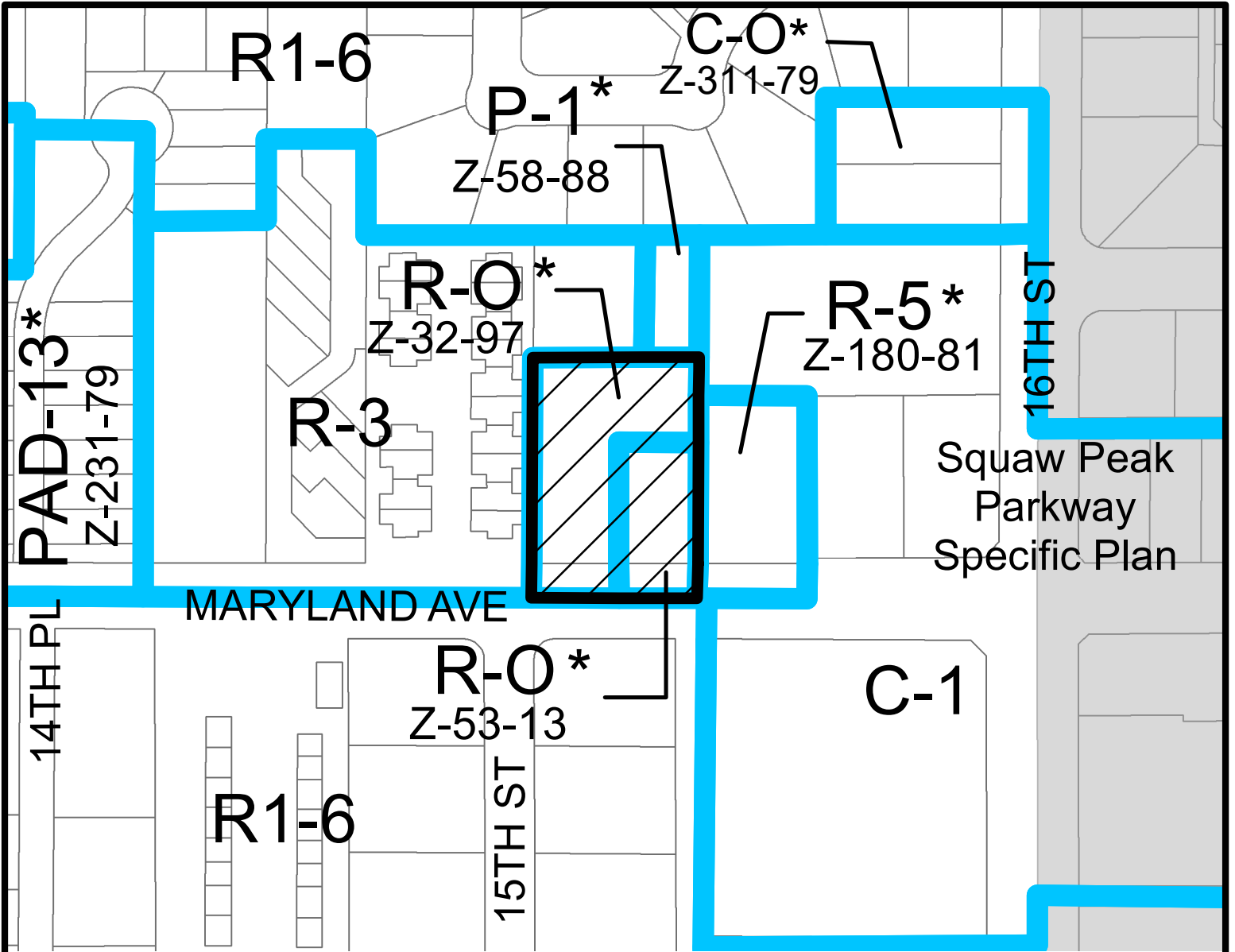
Exhibits

Sketch Map

Aerial

Community Correspondence (39 pages)

[Autem Row PUD](#) date stamped September 21, 2021



Squaw Peak Parkway Specific Plan

MARYLAND AVE

14TH PL
PAD-13*
Z-231-79

R1-6

R-O*
Z-53-13

15TH ST

C-1

16TH ST



Miles

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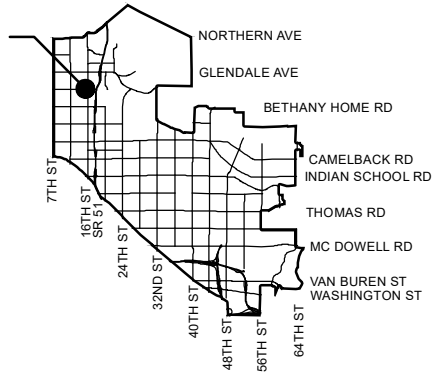
CAMELBACK EAST VILLAGE

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

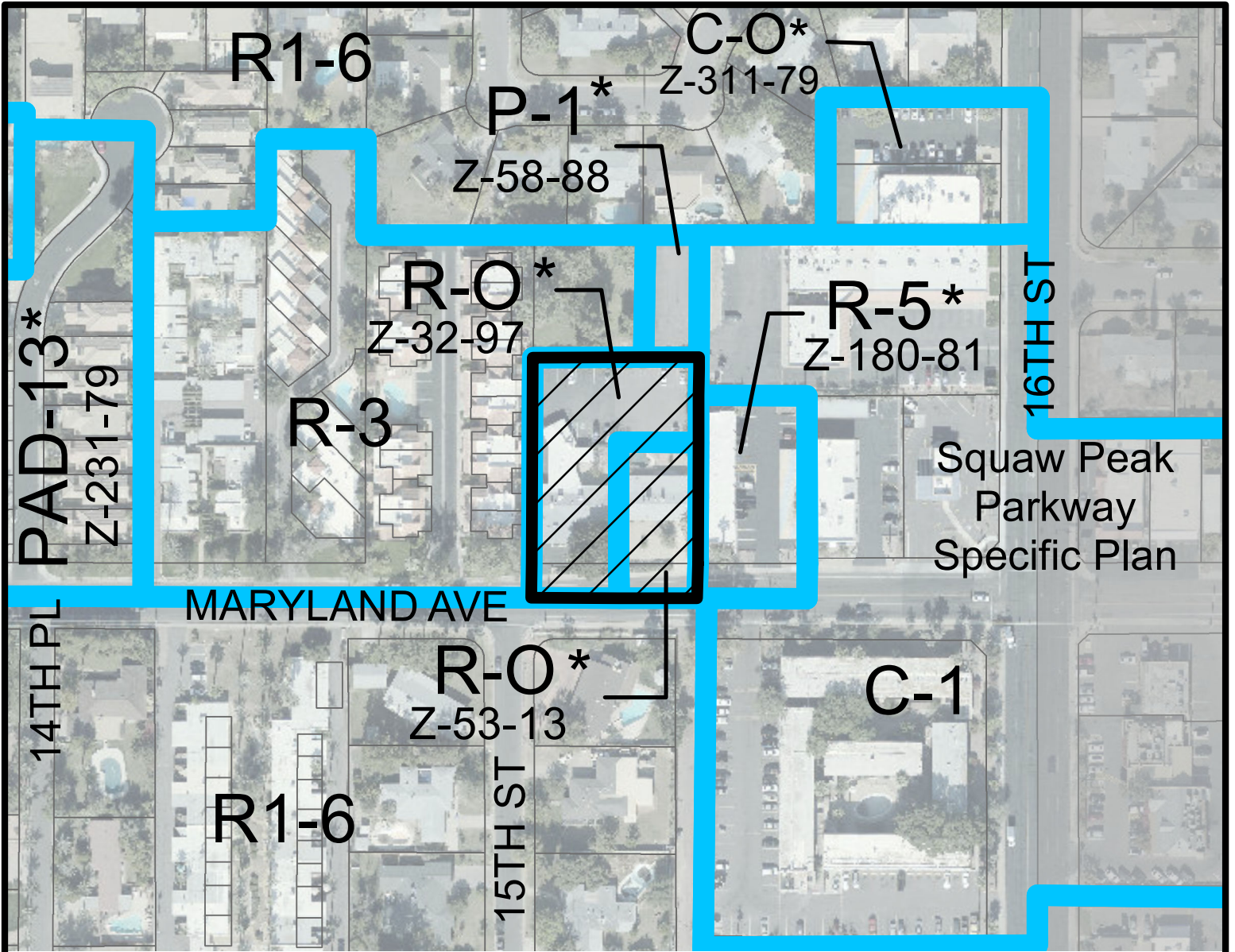
1/development
16

* UNITS P.R.D. OPTION

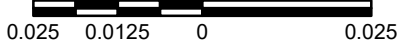
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N/A

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

Page 222

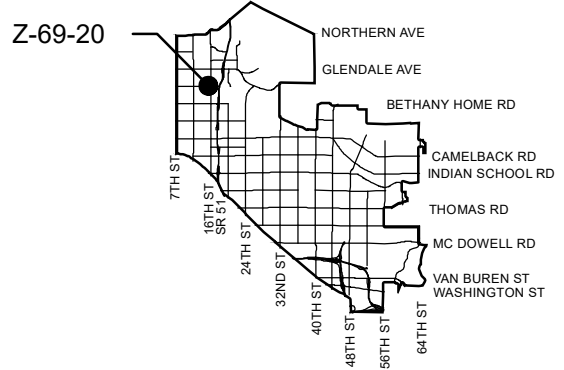


Miles



CAMELBACK EAST VILLAGE

CITY COUNCIL DISTRICT: 6



APPLICANT'S NAME: AUTEM Development		REQUESTED CHANGE:	
APPLICATION NO. Z-69-20		FROM: R-O (0.89 a.c.)	
DATE: 1/05/2021 <small>REVISION DATES:</small>		TO: PUD (0.89 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 0.89 Acres		<small>AERIAL PHOTO & QUARTER SEC. NO.</small> QS 22-30	<small>ZONING MAP</small> I-9
MULTIPLES PERMITTED		CONVENTIONAL OPTION	
R-O		1/development	
PUD		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

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

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

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 Piastewa 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 Bengler <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. Bengler
kbenterpriseconsulting.com [kbenterpriseconsulting.com]

I am offline from Friday evenings until Saturday evenings

Sofia Mastikhina

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 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>
Sent: Wednesday, January 20, 2021 8:28 AM
To: Sofia Mastikhina <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

From: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Sent: Monday, January 18, 2021 6:06:23 PM
To: Katie Gerlach <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?](https://www.whatisthis.org/)
[\[mypronouns.org\]](https://mypronouns.org/)
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>
Sent: Friday, January 15, 2021 6:45 PM
To: Sofia Mastikhina <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

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



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



City of Phoenix
► Planning & Development Department
Planning Division
200 West Washington Street
Phoenix, AZ 85003

Mission: Planning, Development and Preservation for a Better Phoenix

From: PDD Zoning <zoning@phoenix.gov>
Sent: Thursday, January 14, 2021 11:44 AM
To: PDD Zoning Adjustment <zoning.adjustment@phoenix.gov>
Subject: FW: upcoming hearing information

Hello, Please reply to this customer. - Julie

From: PDD Development Services <pdd@phoenix.gov>
Sent: Thursday, January 14, 2021 11:23 AM
To: PDD Zoning <zoning@phoenix.gov>
Subject: upcoming hearing information

Good morning,

Please see email below regarding hearing from customer.
Thank you

From: no-reply@phoenix.gov <no-reply@phoenix.gov>
Sent: Thursday, January 14, 2021 10:41 AM
To: PDD Development Services <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

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> 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
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> 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 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

PLANNING & DEVELOPMENT
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SHAPE
BUILD**

Long Range Planning
Office: 602-256-5648
200 West Washington Street
Phoenix, AZ 85003

From: Lisa Spresser <spresser.mariesplace@gmail.com>
Sent: Wednesday, January 20, 2021 8:18 AM
To: Chic <chicolder@gmail.com>
Cc: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>; Mary Ann Pikulas <mapikaz@aol.com>; Maggie Williams <maggie.p.williams@gmail.com>; rebecca.reimers <rebecca.reimers@yahoo.com>
Subject: Re: Comments on zoning case Z-69-20

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Lisa French

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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

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

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

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



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

From: Council District 6 PCC <District6@phoenix.gov>
Sent: Friday, January 22, 2021 9:30 AM
To: David Urbinato <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

From: TimePro@cox.net <timepro@cox.net>
Sent: Thursday, January 21, 2021 10:14 AM
To: Council District 6 PCC <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 13th Street, 85014

*We are not all in the same boat. We are
all in the same storm. Damian Barr*

Sofia Mastikhina

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

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

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

From: Janet Bauer <glowingexpressions skincare@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 existing 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

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> 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>
To: Sofia Mastikhina <sofia.mastikhina@phoenix.gov>
Cc: Marielle Brown <marielle.brown@phoenix.gov>; Mary Ann Pikulas <mapikaz@aol.com>; Maggie Williams <maggie.p.williams@gmail.com>; rebecca.reimers <rebecca.reimers@yahoo.com>; Lisa Spresser <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> 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>Sofia Mastikhina, CNU-A <i>(she/her/hers) What is this?</i> <i>[mypronouns.org]</i> 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>
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

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

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 7th St. & Maryland, condos/townhomes on 12th St. & Marlette, luxury homes on 16th 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 12th 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 12th St. and 10th 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

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

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

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



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
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City of Phoenix

► Planning & Development Department

Planning Division

200 West Washington Street

Phoenix, AZ 85003

Mission: Planning, Development and Preservation for a Better Phoenix

From: PDD Zoning <zoning@phoenix.gov>

Sent: Thursday, January 14, 2021 11:44 AM

To: PDD Zoning Adjustment <zoning.adjustment@phoenix.gov>

Subject: FW: upcoming hearing information

Hello, Please reply to this customer. - Julie

From: PDD Development Services <pdd@phoenix.gov>

Sent: Thursday, January 14, 2021 11:23 AM

To: PDD Zoning <zoning@phoenix.gov>

Subject: upcoming hearing information

Good morning,

Please see email below regarding hearing from customer.

Thank you

From: no-reply@phoenix.gov <no-reply@phoenix.gov>

Sent: Thursday, January 14, 2021 10:41 AM

To: PDD Development Services <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

AREA : 602

PHONE : 7995632

Sofia Mastikhina

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

From: Lisa Spresser <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> wrote:

Hey Lisa--

I wanted to first thank you for your concerns and efforts in reaching out.

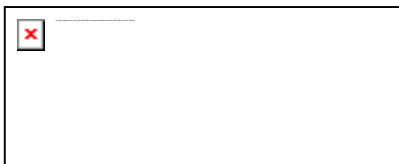
I want you to know that I hear your concerns about height and want to ensure this is something we have taken into consideration since our first design meeting. We will be making available a height comparison image on our website for you. With that being said, our structure is only a couple feet taller 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

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> 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

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 16th 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

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://linda-richards.com/__;!!LkjWUF49MRd51_ry!Ny5SQ6vbyZTEkkLaN-lpY4upIPNiWZGf5FKGsyH2ipAkOFW82t2tyggkZWNNRI_jgdIBbnIzLQ\\$](https://urldefense.com/v3/__http://linda-richards.com/__;!!LkjWUF49MRd51_ry!Ny5SQ6vbyZTEkkLaN-lpY4upIPNiWZGf5FKGsyH2ipAkOFW82t2tyggkZWNNRI_jgdIBbnIzLQ$)

Editor, January Magazine

[https://urldefense.com/v3/__http://www.januarymagazine.com__;!!LkjWUF49MRd51_ry!Ny5SQ6vbyZTEkkLaN-lpY4upIPNiWZGf5FKGsyH2ipAkOFW82t2tyggkZWNNRI_jgdIjffevZQ\\$](https://urldefense.com/v3/__http://www.januarymagazine.com__;!!LkjWUF49MRd51_ry!Ny5SQ6vbyZTEkkLaN-lpY4upIPNiWZGf5FKGsyH2ipAkOFW82t2tyggkZWNNRI_jgdIjffevZQ$)



Village Planning Committee Meeting Summary

Z-69-20-6

INFORMATION ONLY

Date of VPC Meeting	May 4, 2021
Request From	R-O (Residential Office – Restricted Commercial District)
Request To	PUD (Planned Unit Development)
Proposed Use	Multifamily residential
Location	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

Date of VPC Meeting	October 5, 2021
Request From	R-O (Residential Office – Restricted Commercial District)
Request To	PUD (Planned Unit Development)
Proposed Use	Multifamily residential
Location	Approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue
VPC Recommendation	Denial
VPC Vote	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 Pacey** 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, Pacey, 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

<u>Camelback East Village Planning Committee Meeting Date</u>	October 5, 2021
<u>Planning Commission Hearing Date</u>	November 4, 2021
Request From:	<u>R-O</u> (0.89 acres)
Request To:	<u>PUD</u> (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, 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

From: Karolyn Bengler <kbengler@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 Bengler
Sent from my phone

Sofia Mastikhina

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 19th 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 16th 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 16th St & Colter, and Z-65-20 PUD at 5727 N 7th 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 3rd 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 proposed 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.

Racelle Escolar

From: Michael Cocanower <mwcocanower@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

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

From: Karolyn Bengler <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. Bengler
kbenterpriseconsulting.com [kbenterpriseconsulting.com]

I am offline from Friday evenings until Saturday evenings

Racelle Escolar

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

Subject: FW: Z-69-20-6 PUD Planning Commission Hearing 11-4-21

From: Sandy Grunow <phxmidcenturymodernna@gmail.com>

Sent: Monday, November 1, 2021 1:15 PM

To: PDD Zoning Adjustment <zoning.adjustment@phoenix.gov>; Sofia Mastikhina <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 Development'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

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 20th 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 7th Street and 16th 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

Subject: FW: Addendum to previous email - Item 20, Z-69-20-6

From: Mary Mulligan <mkmullign@aol.com>

Sent: Monday, November 1, 2021 1:11 PM

To: PDD Planning Commission <pdd.planningcomm@phoenix.gov>

Cc: Sofia Mastikhina <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

Racelle Escolar

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

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 4th. 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

1st 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.

2nd 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

3rd 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

1st 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

2nd 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

3rd 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

1st 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

2nd 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

3rd 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

1st 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

2nd Review – Zoning Staff

All comments from first review shall apply

Applicant Response:

Allows for 16 individual collection bins for trash and recycling

3rd Review – Zoning Staff: INTERDEPARTMENTAL COMMENTS

All comments from the first review shall apply

REALITY:

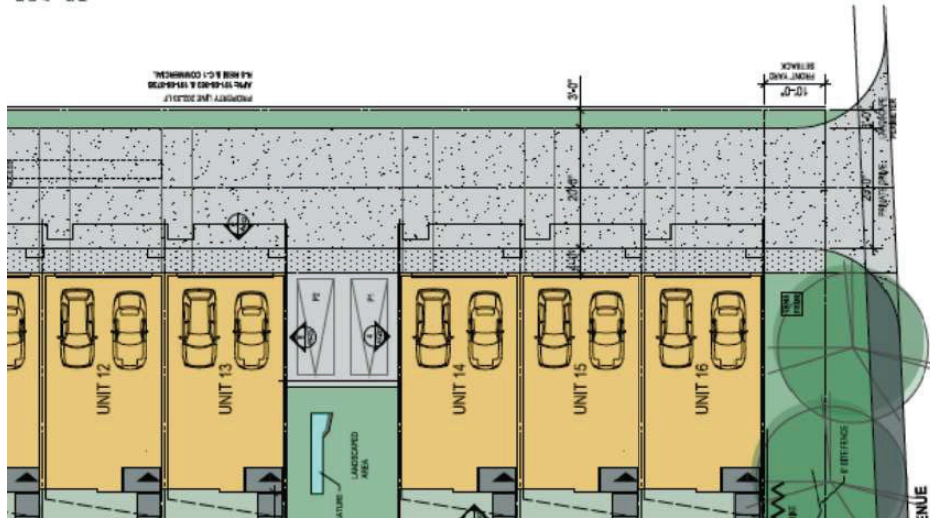
- 16 trash/recycling cans placed in the bike path starting the evening before collection and ending, potentially, the day after collection is unsightly and is a safety hazard
- The City ordinance states that collection bins be placed at the curb, not on the sidewalk **(Exhibit E)**
- No other multifamily 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

BASED, SANDOR OR CONCERNING USE OR SHALL NOT BE USED ON THIS SITE WHERE VISIBLE FROM THE PUBLIC STREETS OR ADJACENT RESIDENTIAL AREAS.
 ALL SIGNAGE REQUIRES SEPARATE REVIEWS, APPROVALS, AND PERMITS. NO SIGNAGE APPROVED FOR THIS PLAN.



ATTORNEY:
 TITANY & BODCO
 2325 E CAMELBACK ROAD
 PHOENIX, ARIZONA 85014
 ASHLEY.ZIMMERMAN@BODCO.COM

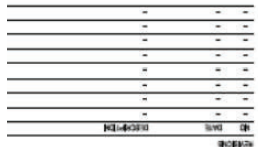
ZONING

PROP ADDRESS: 1536 E MARYLAND AVE, PHOENIX, ARIZONA 85014
 LEGAL DESCRIP: TH PT 65A NE4 SEC 9 T2N R2E D4F B6G AT PT S U1 S0 NE4 S36.78' W OF SE COR TH N 36.33' TH W 942.78' TH S 354.33' TH E 182.78' TO POINT N 135' TH OF A EX S 35' 30" P 142481160
 PARCEL #: PARCEL #15-04-020
 SITE AREA: 0.77 ACRES GROSS, 0.76 ACRES NET
 CURRENT ZONING: R40
 PROPOSED ZONING: PUD

PROPOSED DEVELOPMENT - PUD

PROPOSED USE: PUD
 LOT SALES PROPOSED: YES
 HEIGHT: 3 STORES AT 31'-10"
 DENSITY PROPOSED: 18 DWELLING UNITS
 CAR PARKS PROVIDED: 18 UNITS X 2 PER GARAGE = 36 SPACES, 18 UNITS X 1 GUEST SPACES = 18 TOTAL SPACES
 BICYCLE PROVIDED: 8 SPOTS FOR STORAGE PROVIDED (5 IN FRONT, 3 IN BACK)
 OPEN SPACE PROVIDED: 1,420 (8 POOL (ACTIVE), 567 SF @ SHADE GARDEN (CONCRETE), 1,125 @ ELECTRICAL MESS (PAVING))
 LOT COVERAGE: 27,885 NSF / 11,764 SF ON 31% LOT COVERAGE
 SETBACKS: 10' FRONT, 12' REAR (OFF PROPERTY LINE), 3' LANDSCAPE SETBACK

LOT SALES PROPOSED: YES



SITE PLAN
 AUTUM ROW
 PHOENIX, ARIZONA 85014

DATE: 02/26/2024
 DRAWN BY: EBY/MA
 CHECKED BY: SM
 PROJECT NO: PRE-APPLICATION

PA-01

EXHIBIT B



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

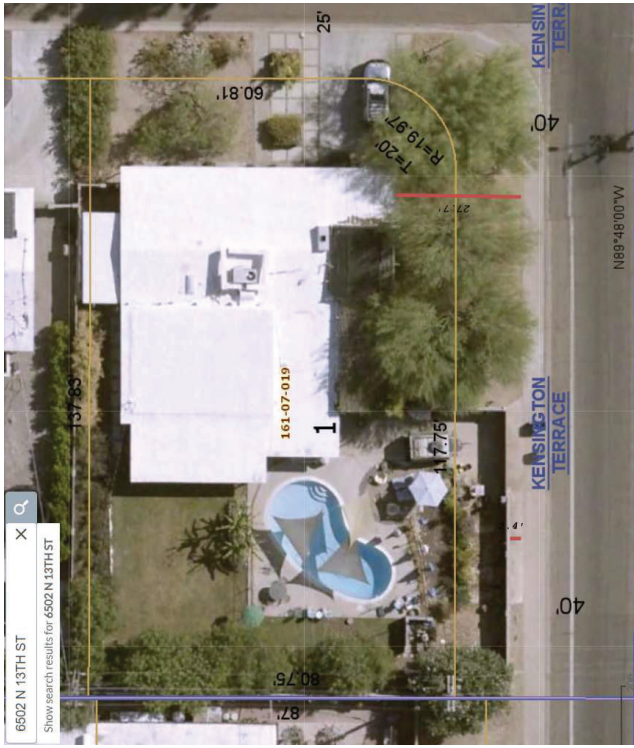
Note that the Single Family Residences directly across Maryland from the subject property are single story, and set at angles providing extensive open space rather than a 35' barricade looming within 17' of the street.

EXHIBIT 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)
4' sidewalk to fence
27' sidewalk to building
Side yard setback**



**6502 N. 13th St
(APN 161-07-019)
4' sidewalk to fence
27' sidewalk to building
Side yard setback**



**6502 N. 12th St
(APN 161-07-059)
28.5' sidewalk to eave
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>
Date: Fri, Mar 19, 2021 at 8:30 AM
Subject: RE: Z-69-20
To: Larry Whitesell <thepeakhomeassoc@gmail.com>
Cc: Sofia Mastikhina <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 ACCOMODATE 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.

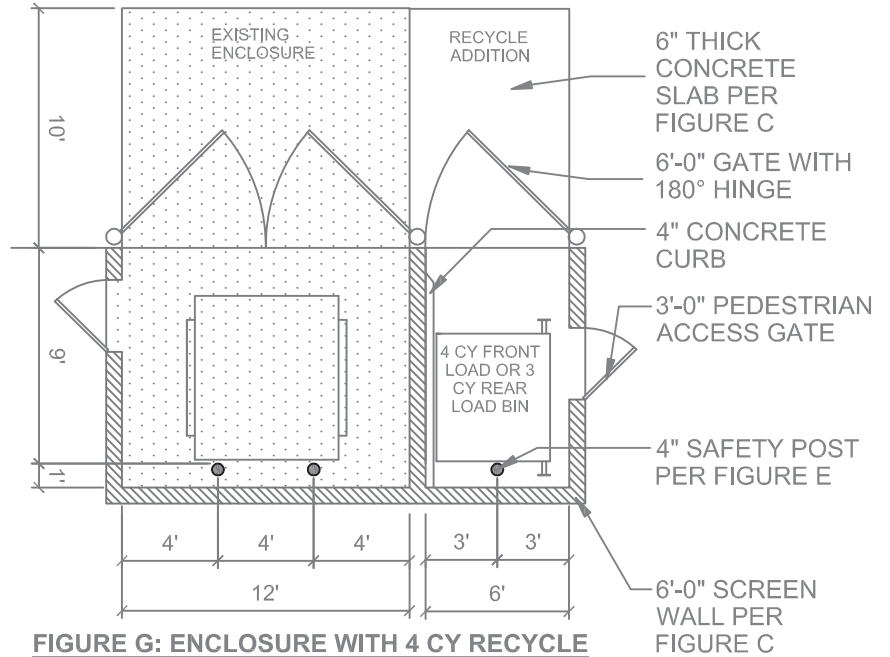


FIGURE G: ENCLOSURE WITH 4 CY RECYCLE

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.

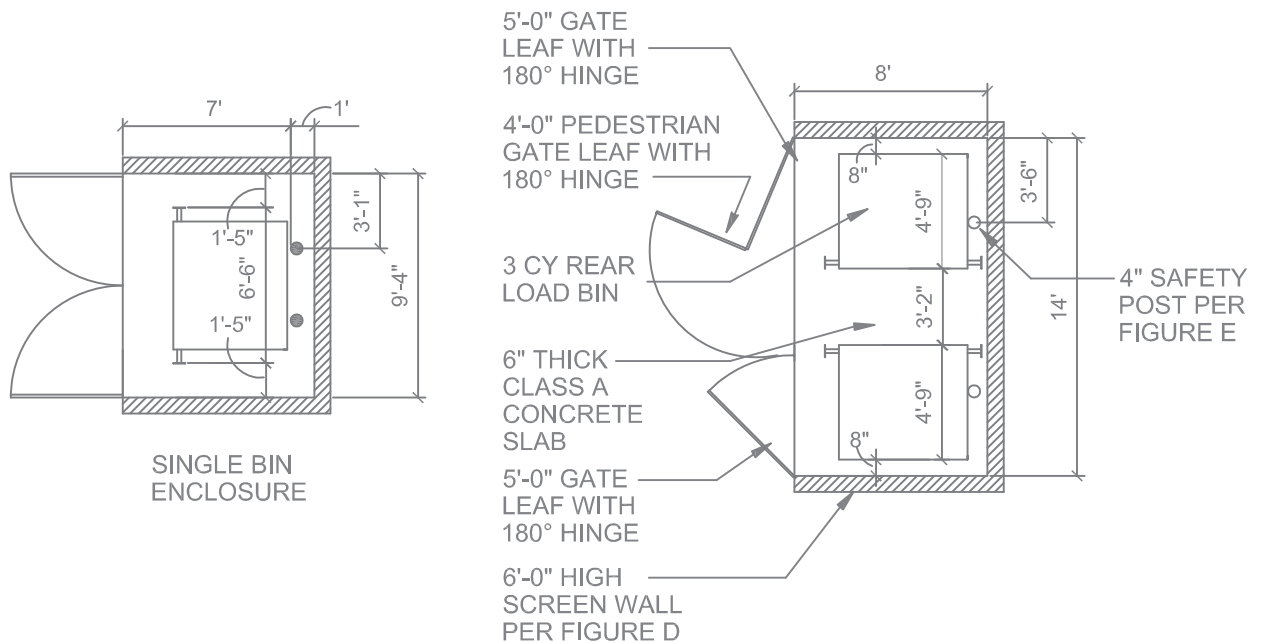


FIGURE H: REAR LOAD ENCLOSURE

I. Lot Coverage

1st 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.

2nd 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

3rd 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

1st 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

2nd 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

3rd 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

1st 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

2nd 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

3rd 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

1st 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

2nd Review – Zoning Staff

All comments from first review shall apply

Applicant Response:

Allows for 16 individual collection bins for trash and recycling

3rd 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

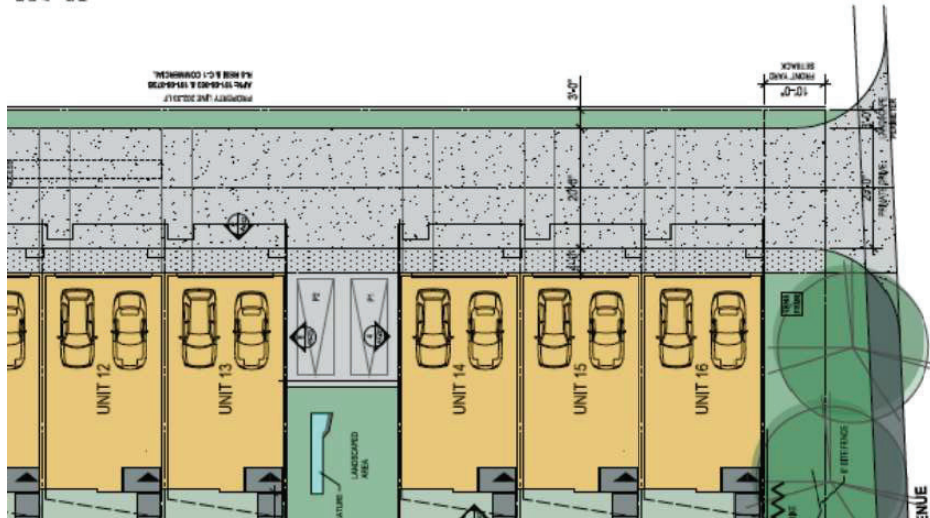
Technical appeal to allow collection truck to back up more than 50 ft

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

BASED, SANDOR OR CONCERNING USE OR SHALL NOT BE USED ON THIS SITE WHERE VISIBLE FROM THE PUBLIC STREETS OR ADJACENT RESIDENTIAL AREAS.
 ALL SIGNAGE REQUIRES SEPARATE REVIEWS, APPROVALS, AND PERMITS. NO SIGNAGE APPROVED FOR THIS PLAN.



ATTORNEY:
 TITANY & BODCO
 2335 E CAMELBACK ROAD
 PHOENIX, ARIZONA 85014
 ASHLEY.ZIMMERMAN@TITANYANDBODCO.COM

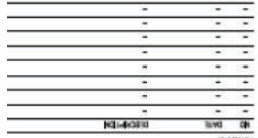
ZONING

PROP ADDRESS: 1536 E MARYLAND AVE, PHOENIX, ARIZONA 85014
 LEGAL DESCRIP: TH PT 65A NE4 SEC 9 T20N R2E D4E B6E4 AT PT S 11 S10 NE4 S36.78' W OF SE COR TH N 36.33' TH W 162.78' TH S 354.33' TH E 182.78' TO COR EX N 133' TH OF A EX S 33' 30" P 1424N180
 PARCEL #: PARCEL #15-04-030
 SITE AREA: 0.77 ACRES GROSS, 0.76 ACRES NET
 CURRENT ZONING: R40
 PROPOSED ZONING: PUD

PROPOSED DEVELOPMENT - PUD

PROPOSED USE: PUD
 LOT SALES PROPOSED: YES
 HEIGHT: 3 STORES AT 31'-10"
 DENSITY PROPOSED: 18 DWELLING UNITS
 CAR PARKS PROVIDED: 18 UNITS X 2 PER GARAGE = 36 SPACES, 18 UNITS X 1 GUEST SPACES = 18 TOTAL SPACES
 BICYCLAR PROVIDED: 8 SPOTS FOR STORAGE PROVIDED (5 IN FRONT, 3 IN BACK)
 OPEN SPACE PROVIDED: 1,420 (8 POOL (ACTIVE), 567 SF @ SHADE GARDEN (COMMON), 4,125 SF (TOTAL) (DECKS (PASSIVES), 1,125 SF TOTAL OPEN SPACE PROVIDED)
 LOT COVERAGE: BUILDING 1 = 3,507 SF, BUILDING 2 = 3,095 SF, BUILDING 3 = 3,195 SF, TOTAL BUILDING FOOTPRINT = 11,797 SF, 27,885 NSF / 11,797 SF = 23% ON 31% LOT COVERAGE

SETBACKS PER PUD:
 10' FRONT
 12' REAR (OFF PROPERTY LINE)
 3' LANDSCAPE SETBACK



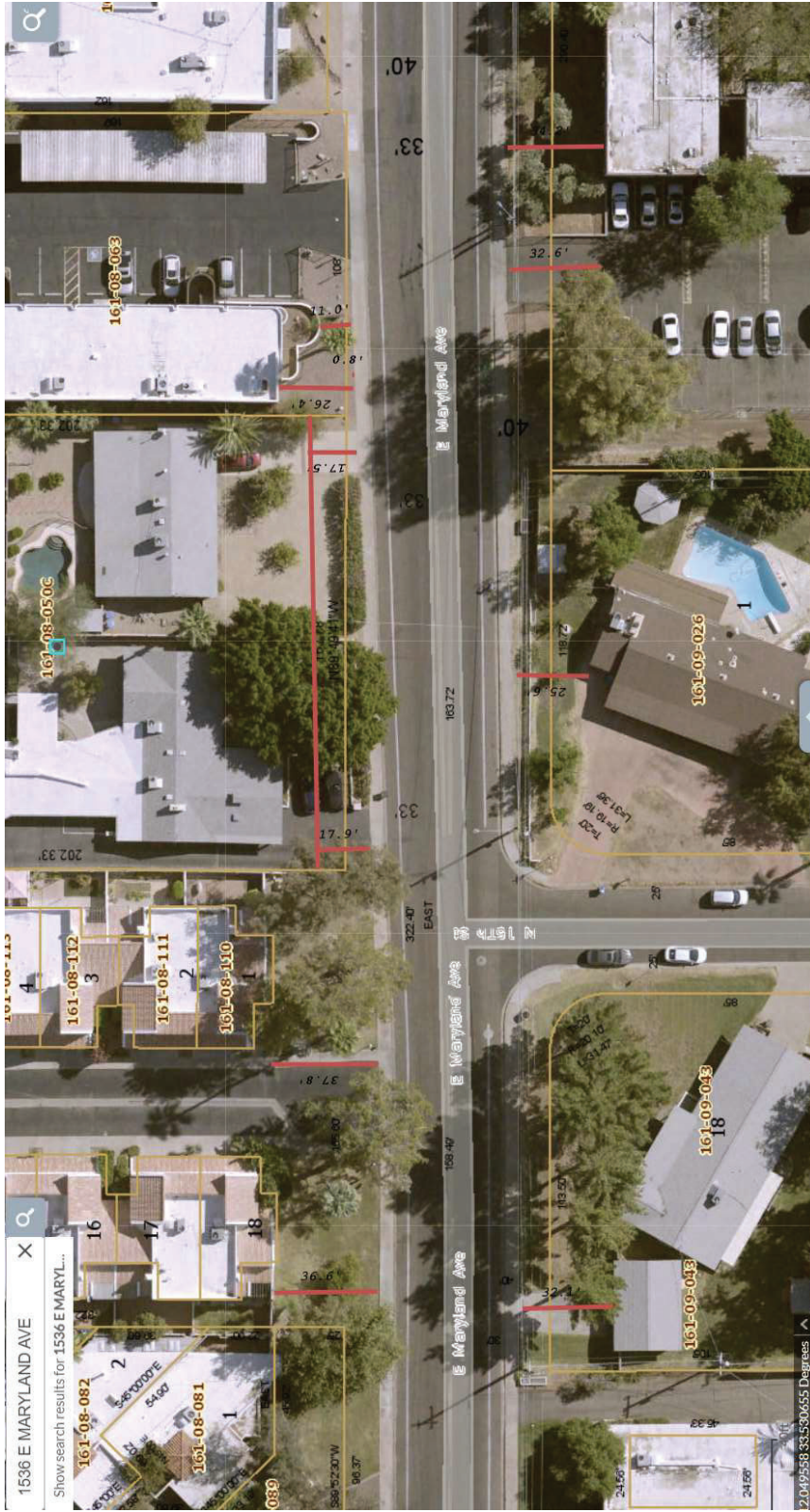
LOT SALES PROPOSED: YES

SITE PLAN
 AUTUM ROW
 PHOENIX, ARIZONA 85014

DATE: 02/26/2024
 DRAWN BY: ERY MA
 CHECKED BY: SM
 PROJECT NO: PRE-APPLICATION

PA-01

EXHIBIT B



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

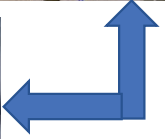
Note that the Single Family Residences directly across Maryland from the subject property are single story, and set at angles providing extensive open space rather than a 35' barricade looming within 17' of the street.

EXHIBIT 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**



**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>
Date: Fri, Mar 19, 2021 at 8:30 AM
Subject: RE: Z-69-20
To: Larry Whitesell <thepeakhomeassoc@gmail.com>
Cc: Sofia Mastikhina <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 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. 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 ACCOMODATE 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.

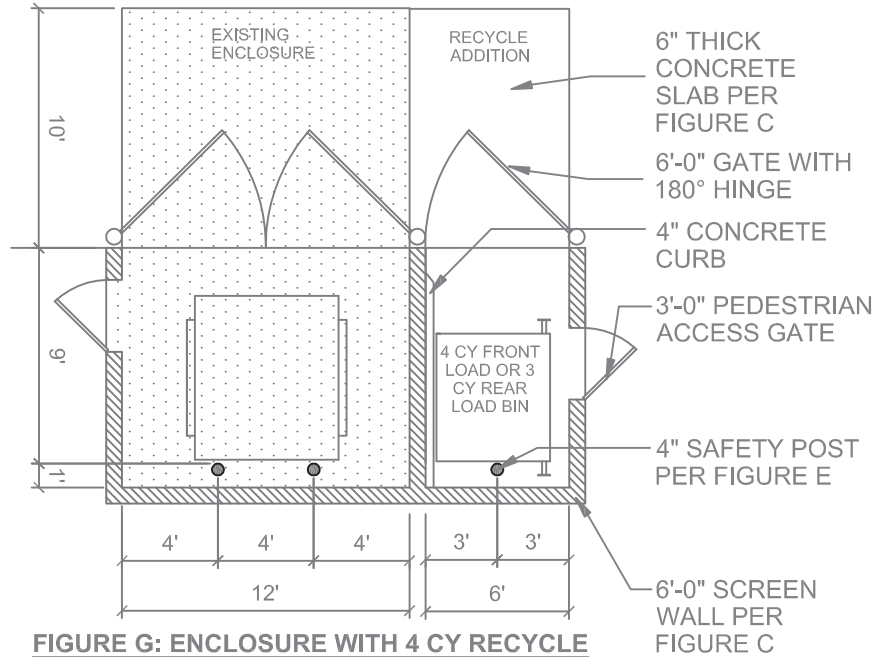


FIGURE G: ENCLOSURE WITH 4 CY RECYCLE

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.

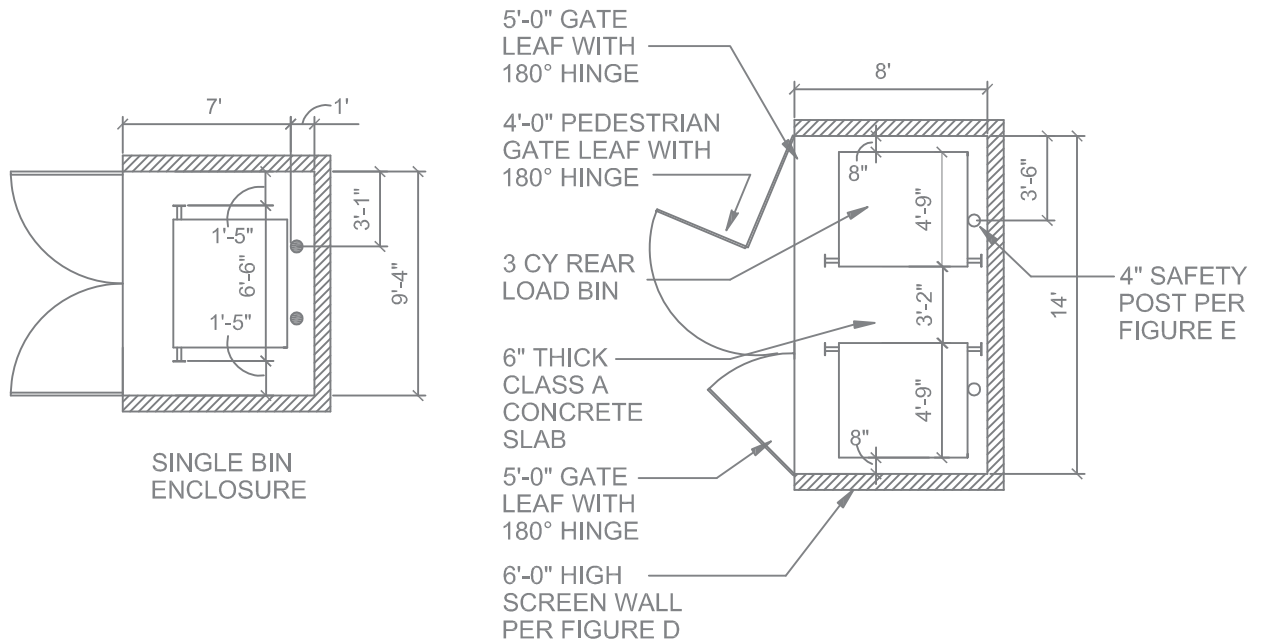


FIGURE H: REAR LOAD ENCLOSURE

Racelle Escolar

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. 12th 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 1st 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 1st 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 2nd 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 3rd 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 ($14 \frac{2}{bd} \text{ units} \times .5 = 7$)
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 sq ft

16 Units Construction cost: $\$157/\text{sq ft} \times 1750 \text{ sq ft} = \$274,750 \times 16 \text{ Units} = \4.4 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

Racelle Escolar

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 1st 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 1st 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 2nd 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 3rd 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 16th 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

Racelle Escolar

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

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

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

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 Bengler <kbengler@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 Bengler
Sent from my phone

Chairwoman Shank
City of Phoenix Planning Commission
Planning and Development Department
200 W. Washington Street, 2nd 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 14th Place

Address

10/27/2021

Date

February 3rd, 2021

City of Phoenix
Planning and Development Department
200 W. Washington Street, 2nd 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 16th 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, 2nd Floor
Phoenix, Arizona 85003

**Re: Support for Zoning Request – Z-69-20
1536 E. Maryland Ave., Phoenix, Arizona 85014**

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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, 2nd Floor
Phoenix, Arizona 85003

**Re: Support for Zoning Request – Z-69-20
1536 E. Maryland Ave., Phoenix, Arizona 85014**

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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

Chairwoman Shank
City of Phoenix Planning Commission
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, Arizona 85003

**Re: Support for Zoning Request – Z-69-20
1536 E. Maryland Ave., Phoenix, Arizona 85014**

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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

Paul Howell

Property Owner Name (print)

1429 East Solano Drive Phoenix AZ 85014

Address

110221

Date

November 2nd, 2021

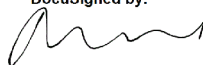
City of Phoenix

Planning and Development Department 200 W. Washington Street, 2nd 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, 2nd Floor
Phoenix, Arizona 85003

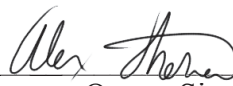
**Re: Support for Zoning Request – Z-69-20
1536 E. Maryland Ave., Phoenix, Arizona 85014**

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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

<u>Camelback East Village Planning Committee Meeting Date</u>	October 5, 2021
<u>Planning Commission Hearing Date</u>	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. 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. **IN EXHIBIT 9.**~~
 - ~~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 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].
 - ~~B.~~ ~~PAGE 5, OVERALL DESIGN CONCEPT: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.~~
 - C. B. PAGE 7: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.
 - ~~D.~~ C. PAGE 8, LAND USE PLAN: UPDATE THE REFERENCE TO PROPOSED NUMBER OF UNITS TO 15.
 - ~~E.~~ D. PAGE 9, DEVELOPMENT STANDARDS TABLE: UPDATE THE MAXIMUM DENSITY TO 15 DWELLINGS UNITS AND 16.85 DU/AC.
 - 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.
 - ~~I.~~ 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 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.

LOCATION OF APPLICATION SITE

12/09/2021

Greg Harmon

DATE APPEALED FROM

OPPOSITION
 APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

John T. Oliver

John T. Oliver
SIGNATURE
12/09/2021

PRINTED NAME OF PERSON APPEALING

2525 E. Camelback Rd., Ste. 700

STREET ADDRESS

Phoenix, Arizona 85016

DATE OF SIGNATURE

(602) 452-2733

CITY, STATE & ZIP CODE

jto@tblaw.com

TELEPHONE NO.

EMAIL ADDRESS

REASON FOR REQUEST

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

FORM TO REQUEST PC to CC			
I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:			
APPLICATION NO/ LOCATION	Z-69-20-6 (Autem Row PUD) Approximately 300 feet west of the northwest corner of 16th Street and Maryland Avenue	<i>(SIGNATURE ON ORIGINAL IN FILE)</i>	
		opposition	applicant
			x
APPEAL FROM:	PC 12/2/2021	2525 East Camelback Road, Suite 700 Phoenix, AZ 85016	
	<i>PC DATE</i>	<i>STREET/ADDRESS/CITY/STATE/ZIP</i>	
TO PC/CC HEARING	CC 2/2/2022 1/5/2022	John T. Oliver 1-602-452-2733 jto@tblaw.com	
	<i>CC DATE</i>	<i>NAME / PHONE / EMAIL</i>	
REASON FOR REQUEST:			
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.			
RECEIVED BY:		RECEIVED ON:	

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, 2nd 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 EOLUND

Property Owner Name (print)

11 / 1 / 2021

Date

Chairwoman Shank
City of Phoenix Planning Commission
Planning and Development Department
200 W. Washington Street, 2nd 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, 2nd 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, 2nd 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



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 16TH
STREET AND MARYLAND AVENUE

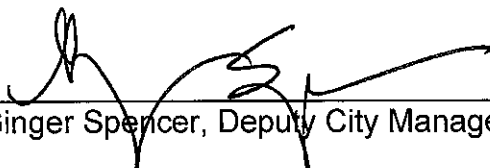
This memo requests an add-on to the January 5, 2022 Formal Agenda for a public hearing for rezoning application Z-69-20-6 (Autem Row PUD). The request is to rezone the 0.89-acre site from R-O (Residential Office – Restricted Commercial District) to PUD (Planned Unit Development) to allow multi-family 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:



Ginger Spencer, Deputy City Manager

ORDINANCE G-6943

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING 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.

- I. 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 26th day of January,
2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

Pml

REVIEWED BY:

Jeffrey Barton, City Manager

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

PL:tml:LF21-2833:1-26-2022:2296348v1

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.

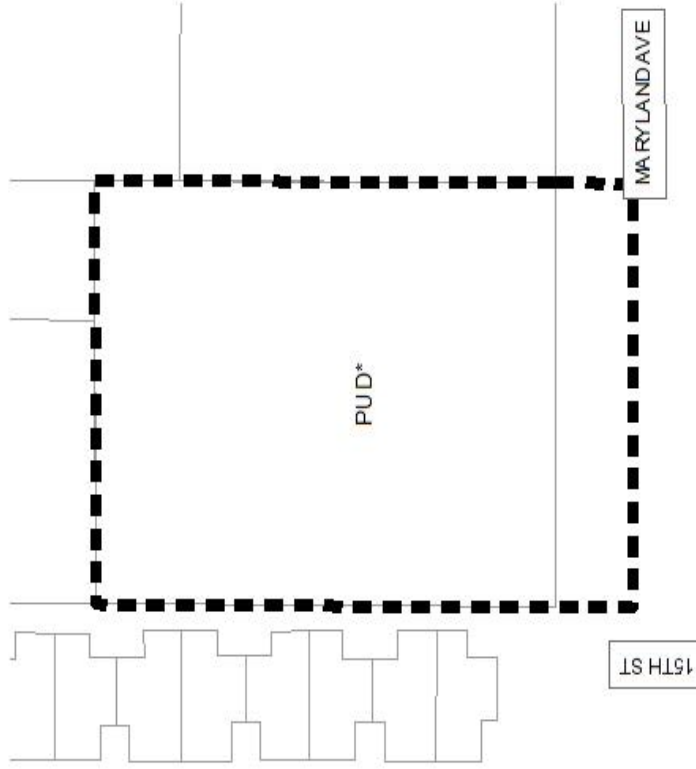
ASSESSOR'S PARCEL NUMBER: 161-08-050C

ORDINANCE LOCATION MAP

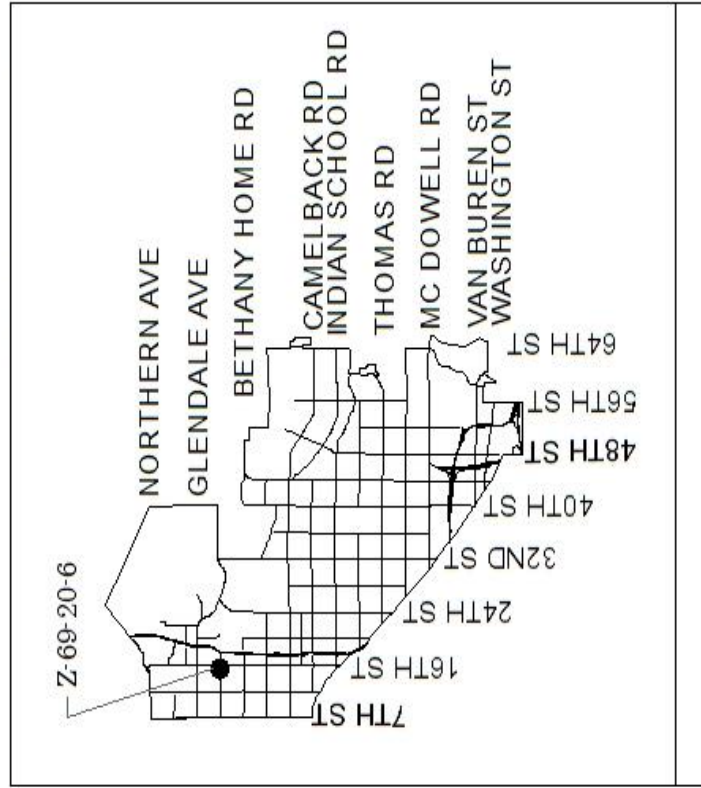
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 10/29/2021

\\onapl001\Share\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SupplMaps_Ord\Map2021\Ord\12-1-21\Z-69-20-6.mxd