



Agenda

City Council Formal Meeting

Wednesday, February 7, 2024

2:30 PM

phoenix.gov

*****REVISED Feb. 6, 2024*****

Item Requested to be Continued: 81

OPTIONS TO ACCESS THIS MEETING

Virtual Request to speak at a meeting:

- **Register online** by visiting the City Council Meetings page on phoenix.gov at least 2 hours 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=e050d32aa0ed9b36ae9cfae8d6f43930>

- **Register via telephone** at 602-262-6001 at least 2 hours 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.

In-Person Requests to speak at a meeting:

- Register in person at a kiosk located at the City Council Chambers, 200 W. Jefferson St., Phoenix, Arizona, 85003. Arrive 1 hour prior to the start of this meeting. Depending on seating availability, residents will attend and speak from the Upper Chambers, Lower Chambers or City Hall location.

- Individuals should arrive early, 1 hour prior to the start of the meeting to submit an in-person request to speak before the item is called. After the item is called, requests to speak for that item will not be accepted.

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 2559 870 2876# (for English) or 2555 875 7040# (for Spanish). Press # again when prompted for attendee ID.

- **Watch** the meeting in-person from the Upper Chambers, Lower Chambers or City Hall depending on seating availability.

- Members of the public may attend this meeting in person. Physical access to the meeting location will be available starting 1 hour prior to the meeting.

Para nuestros residentes de habla hispana:

- **Para registrarse para hablar en español**, llame al 602-262-6001 **al menos 2 horas 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 2555 875 7040#. 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 2555 875 7040#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

- **Para asistir a la reunión en persona**, vaya a las Cámaras del Concejo Municipal de Phoenix ubicadas en 200 W. Jefferson Street, Phoenix, AZ 85003. Llegue 1 hora antes del comienzo de la reunión. Si desea hablar, regístrese electrónicamente en uno de los quioscos, antes de que comience el tema. Una vez que se comience a discutir el tema, no se aceptarán nuevas solicitudes para hablar. Dependiendo de cuantos asientos haya disponibles, usted podría ser sentado en la parte superior de las cámaras, en el piso de abajo de las cámaras, o en el edificio municipal.

- Miembros del público pueden asistir a esta reunión en persona. El acceso físico al lugar de la reunión estará disponible comenzando una hora antes de la reunión.

CALL TO ORDER AND ROLL CALL**MINUTES OF MEETINGS**

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| 2 | For Approval or Correction, the Minutes of the Formal Meeting on April 7, 2021 | Page 14 |

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| 5 | Liquor License - Special Event - McDowell Mountain Music Festival, Inc. | District 4 - Page 18 |
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| 7 | Liquor License - Grab N Go | District 5 - Page 20 |
| 8 | Liquor License - Special Event - Madison District Educational Foundation, Inc. | District 6 - Page 26 |
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| 17 | Arizona State University |
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| 20 | BWC Enterprises Inc., dba Woodruff Construction |
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| 66 | Intergovernmental Agreement with City of Glendale for Installation of a High Intensity Activated CrossWalk on 43rd Avenue at Butler Drive (Ordinance S-50556) | District 1 - Page 151 |
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| 73 | Final Plat - Quattro on 13th - PLAT 230087 - South of Campbell Avenue and East of 13th Place | District 4 - Page 165 |
| 74 | Final Plat - X Roosevelt - PLAT 230048 - South of McKinley Street and East of 2nd Avenue | District 7 - Page 166 |
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| 77 | Approval of Phil Gordon Threatened Building Grant - Seargeant-Oldaker House - 649 N. 3rd Ave. (Ordinance S-50560) | District 7 - Page 170 |
| 78 | (CONTINUED FROM OCT. 4, NOV. 1, DEC. 6, 2023, JAN. 3 AND JAN. 24, 2024) - Amend City Code - Ordinance Adoption - Rezoning Application Z-27-23-1 - Southwest Corner of 19th Avenue and Quail Avenue (Ordinance G-7172) | District 1 - Page 172 |
| 79 | Amend City Code - Ordinance Adoption - Rezoning Application Z-26-23-1 - Approximately 1,500 Feet East of the Northeast Corner of 19th Avenue and the Alameda Road Alignment (Ordinance G-7224) | District 1 - Page 188 |
| 80 | Amend City Code - Ordinance Adoption - Rezoning Application Z-60-23-2 - Approximately 375 Feet East of the Southeast Corner of 25th Place and Rose Garden Lane (Ordinance G-7223) | District 2 - Page 196 |
| *81 | Amend City Code - Ordinance Adoption - Rezoning Application Z-61-23-2 (The Villas of Cave Creek Senior Living PUD) - Northwest Corner of 53rd Street and Dynamite Boulevard (Ordinance G-7222) ***REQUEST TO CONTINUE*** | District 2 - Page 204 |
| 82 | Amend City Code - Ordinance Adoption - Rezoning Application Z-62-23-2 - Northeast Corner of 14th Street and Wahalla Lane (Ordinance G-7225) | District 2 - Page 212 |
| 83 | Amend City Code - Ordinance Adoption - Rezoning Application Z-59-23-4 - Approximately 125 Feet West of the Northwest Corner of 31st Avenue and Virginia Avenue (Ordinance G-7230) | District 4 - Page 221 |
| 84 | Amend City Code - Ordinance Adoption - Rezoning Application Z-34-23-5 (The Plaza on 32nd PUD) - Northeast Corner of 32nd Avenue and Glendale Avenue (Ordinance G-7227) | District 5 - Page 228 |
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| 85 | Amend City Code - Ordinance Adoption - Rezoning
Application Z-48-22-7 - Approximately 300 Feet North of
the Northwest Corner of 35th Avenue and Minton Street
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| 86 | Amend City Code - Ordinance Adoption - Rezoning
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the Southwest Corner of Central Avenue and Tamarisk
Avenue (Ordinance G-7229) | District 7 - Page 245 |
| 87 | Amend City Code - Ordinance Adoption - Rezoning
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of the Southwest Corner of 35th Glen and Dobbins
Road (Ordinance G-7228) | District 8 - Page 254 |
| 88 | Public Hearing and Ordinance Adoption - Rezoning
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and Cheery Lynn Road (Ordinance G-7232) | District 4 - Page 262 |
| 89 | Public Hearing and Resolution Adoption - General Plan
Amendment GPA-LV-3-23-7 - Southwest Corner of the
78th Avenue and Alta Vista Road alignments
(Resolution 22182) | District 7 - Page 293 |
| 90 | Public Hearing and Ordinance Adoption - Rezoning
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Avenue and Alta Vista Road Alignments (Ordinance
G-7231) | District 7 - Page 309 |

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS**000 CITIZEN COMMENTS****ADJOURN**



For Approval or Correction, the Minutes of the Formal Meeting on March 17, 2021

Summary

This item transmits the minutes of the Formal Meeting of March 17, 2021, for review, correction and/or approval by the City Council.

The minutes are available for review in the City Clerk Department, 200 W. Washington St., 15th Floor.

Responsible Department

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



City of Phoenix

City Council Formal Meeting

Report

Agenda Date: 2/7/2024, Item No. 2

For Approval or Correction, the Minutes of the Formal Meeting on April 7, 2021

Summary

This item transmits the minutes of the Formal Meeting of April 7, 2021, for review, correction and/or approval by the City Council.

The minutes are available for review in the City Clerk Department, 200 W. Washington St., 15th Floor.

Responsible Department

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



City of Phoenix

City Council Formal Meeting

Report

Agenda Date: 2/7/2024, Item No. 3

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: February 7, 2024

Subject: BOARDS AND COMMISSIONS – APPOINTEES

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

Phoenix Women's Commission

I recommend the following for appointment:

Maria Fernanda Arreguin Gamez

Ms. Arreguin Gamez is the Consul of Protection and Legal Affairs at the Consulate General of Mexico in Phoenix, and a resident of District 1. She fills a vacancy for a term to expire February 7, 2027.



Liquor License - Special Event - Arizona Matsuri

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

Summary

Applicant

Ilene Takiguchi

Location

300 E. Indian School Road

Council District: 4

Function

Cultural Festival

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

Feb. 24, 2024 - 10 a.m. to 8 p.m. / 20,000 attendees

Feb. 25, 2024 - 10 a.m. to 5 p.m. / 15,000 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



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

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

Summary

Applicant

John Largay

Location

300 E. Indian School Road

Council District: 4

Function

Music Festival

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

March 1, 2024 - 1 p.m. to 11 p.m. / 9,000 attendees

March 2, 2024 - 1 p.m. to 11 p.m. / 9,000 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Special Event - Willo Neighborhood Association

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

Summary

Applicant

Linda Doescher

Location

301 W. Holly St.

Council District: 4

Function

Home Tour

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

Feb. 27, 2024 - 5 p.m. to 10:30 p.m. / 1,000 attendees

Feb. 28, 2024 - 10 a.m. to 5:30 p.m. / 2,500 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 - Grab N Go

Request for a liquor license. Arizona State License Application 271613.

Summary

Applicant

Jared Repinski, Agent

License Type

Series 10 - Beer and Wine Store

Location

2709 W. Northern Ave.

Zoning Classification: C-2

Council District: 5

This request is for a new liquor license for a convenience store that does not sell gas. 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 Feb. 10, 2024.

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.

Grab N Go 808 (Series 10)
5835 N. 27th Ave., Phoenix
Calls for police service: 56
Liquor license violations: None

A-1 Food & Liquor Store (Series 9)
6514 W. Bethany Home Road, Glendale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Chandler Liquors & Foods (Series 9)
554 N. Arizona Ave., Chandler
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

Four letters protesting the issuance of this license have been received and are on file in the Office of the City Clerk. The letters are from the North Glen Square Neighborhood Association, Ocotillo Glen Neighborhood Association, Lane Avenue Block Watch, and the Glen Canyon Vista Neighborhood Association. They believe that there are already sufficient liquor licenses in the area to meet the need and convenience of the neighborhood. They are concerned that the license application agent, Jared Repinski, has not responded to requests for a meeting with the neighborhood. Therefore, they oppose the issuance of this liquor license.

Applicant's Statement

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Tourism plays an important role in our local economy and liquor licensed

establishments (the sale of alcohol) is a very important aspect of tourism. Therefore, if the City of Phoenix continues to lead the State of Arizona by approving quality and diverse businesses (restaurants, bars, microbreweries, distilleries, hotels, resorts, golf courses, special events, convenience / liquor / grocery stores and gas stations) similar to this proposed liquor licensed business, all businesses will prosper.”

Staff Recommendation

Staff gave careful consideration to the protest letters received, however after reviewing the application in its entirety staff is recommending approval of this application.

Additionally, staff notes that 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

Attachment - Grab N Go - Data

Attachment - Grab N Go - Map

Responsible Department

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

Liquor License Data: GRAB N GO

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	209.63	244.47
Violent Crimes	12.31	54.83	78.76

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

Property Violation Data

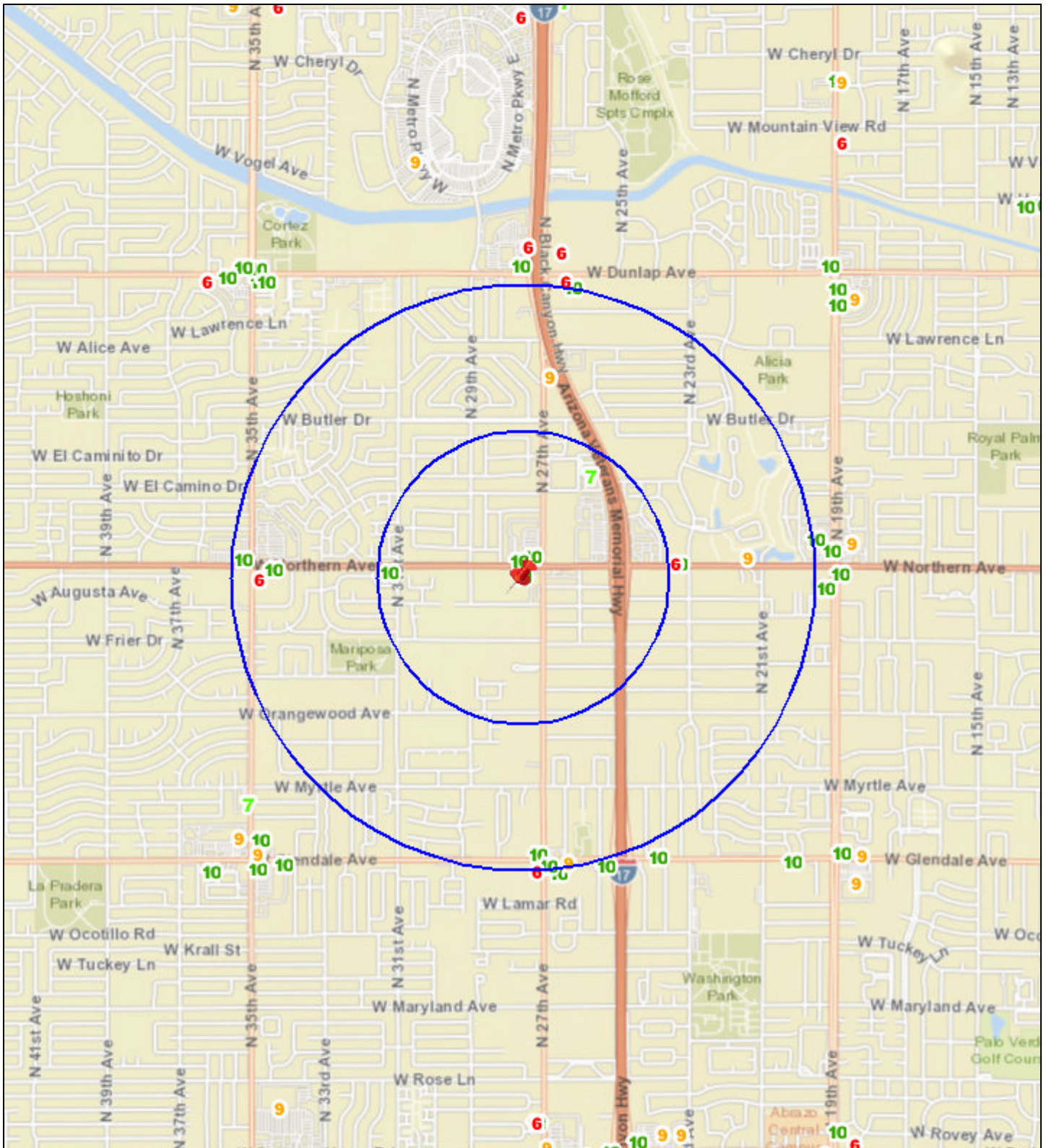
Description	Average	1/2 Mile Average
Parcels w/Violations	47	133
Total Violations	82	249

Census 2010 Data 1/2 Mile Radius

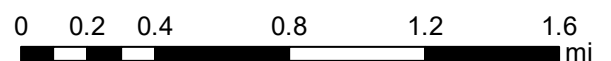
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1055011	1055	38	6	59
1055012	1442	0	11	38
1056012	1895	76	6	27
1056021	2042	80	0	26
1059001	1697	50	0	42
1059003	1609	59	5	25
1060011	1487	31	17	50
1060021	1678	27	14	27
Average	0	61	13	19

Liquor License Map: GRAB N GO

2709 W NORTHERN AVE



Date: 12/13/2023



City Clerk Department



Liquor License - Special Event - Madison District Educational Foundation, Inc.

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

Summary

Applicant

Matthew Gerber

Location

5601 N. 16th St.

Council District: 6

Function

Cultural Dance Performance

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

Feb. 23, 2024 - 6 p.m. to 10:30 p.m. / 904 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 - Madison District Educational Foundation, Inc.

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

Summary

Applicant

Matthew Gerber

Location

5601 N. 16th St.

Council District: 6

Function

Concert

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

Feb. 24, 2024 - 4 p.m. to 10:30 p.m. / 904 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 - Madison District Educational Foundation, Inc.

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

Summary

Applicant

Margaret Dodd

Location

5601 N. 16th St.

Council District: 6

Function

Gala

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

April 27, 2024 - 6 p.m. to 11:30 p.m. / 500 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Santo Arcadia

Request for a liquor license. Arizona State License Application 264446.

Summary

Applicant

Armando Hernandez, Agent

License Type

Series 12 - Restaurant

Location

4418 E. Osborn Road

Zoning Classification: C-1

Council District: 6

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

The 60-day limit for processing this application is Feb. 20, 2024.

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.

Tacos Chiwas (Series 12)
1028 E. Indian School Road, Phoenix
Calls for police service: 5
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 qualified because I'm the owner of another business that currently operates with a liquor license, I took arizonas title 4 manager and basic training and completed all the courses successfully and I understand the responsibility and liability to do so."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"With the issuance of this liquor license we are able to fully operate our restaurant and build a community around it, providing array of entertainment and culture."

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

Attachment - Santo Arcadia - Data
Attachment - Santo Arcadia - Map

Responsible Department

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

Liquor License Data: SANTO ARCADIA

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	0
Wholesaler	4	2	0
Bar	6	7	1
Beer and Wine Bar	7	3	2
Liquor Store	9	6	1
Beer and Wine Store	10	8	0
Restaurant	12	31	4
Club	14	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	141.64	49.68
Violent Crimes	12.31	16.45	4.03

*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

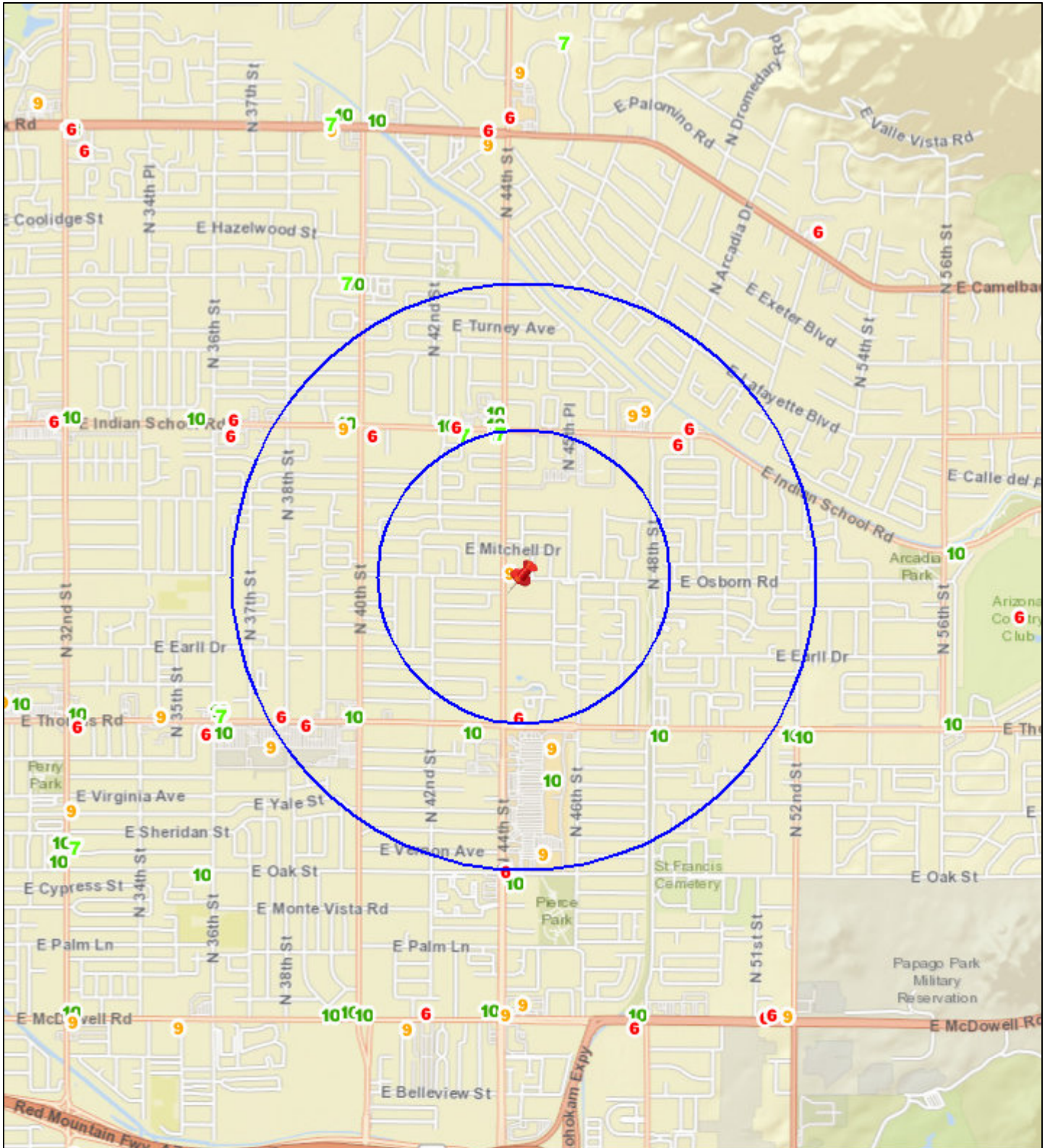
Description	Average	1/2 Mile Average
Parcels w/Violations	46	20
Total Violations	80	29

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1082002	1178	45	8	8
1110001	781	25	11	3
1110002	1105	63	8	19
1110003	1587	64	17	24
1110004	707	59	25	0
1110005	698	88	19	5
1111003	2317	84	11	8
Average	0	61	13	19

Liquor License Map: SANTO ARCADIA

4418 E OSBORN RD



Date: 1/26/2024

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department



Liquor License - Special Event - ALEES

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

Summary

Applicant

Erin Ring

Location

18 W. Monroe St.

Council District: 7

Function

Irish Street Fair

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

March 17, 2024 - 9 a.m. to 2 a.m. / 650 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 - Laveen Community Council

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

Summary

Applicant

Stephanie Hurd

Location

8440 S. 35th Ave.
Council District: 8

Function

Festival

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

Feb. 24, 2024 - 11 a.m. to 4 p.m. / 4,000 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Special Event - Phoenix Pride, Inc.

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

Summary

Applicant

Michael Fornelli

Location

115 N. 6th St.

Council District: 8

Function

Festival Celebration

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

March 23, 2024 - 10 a.m. to 6 p.m. / 7,000 attendees

March 24, 2024 - 10 a.m. to 6 p.m. / 7,000 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - 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

Andre Tkacenko, Agent

Location

4436 E. McKinley St.
Council District: 8

Function

Choir Concert

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

Feb. 17, 2024 - 5 p.m. to Midnight / 100 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.



City Council Formal Meeting

Agenda Date: 2/7/2024, **Item Nos.** 16-23

PAYMENT ORDINANCE (Ordinance S-50530) (Items 16-23)

Ordinance S-50530 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.

**16 North American Region of the Airports Council
International dba Airports Council International - North
America**

For \$175,729 in payment authority for the 2024 Airports Council International - North America (ACI-NA) membership dues, for the Aviation Department. ACI-NA is an organization that represents state, local, and regional governing bodies that own and operate commercial airports in North America and the world, with a focus on supporting industry issues such as finance, safety, operations, environmental, sustainability, business and regulatory issues, as well as interpreting and coordinating regulatory policy and rule-making with the Federal Aviation Administration, Transportation Security Administration, Customs and Border Protection, and the Environmental Protection Agency.

17 Arizona State University

For \$78,000 in payment authority for Contract 119092 for the annual operating and maintenance fees for the Downtown Phoenix Civic Space A.E. England Building, to the Arizona Board of Regents on behalf of Arizona State University. This contract is operated through the Parks and Recreation Department.

18 Bureau of Reclamation

For \$55,000 in payment authority to the United States Bureau of Reclamation for the Parks and Recreation Department's annual administrative fee. The administrative costs are associated with the agreement for land use of the 1,200-acre Reach 11 Sports Complex Recreation Area.

19 Arizona Science Center

For \$204,000 in additional payment authority for Contract 127032 for the Arizona Science Center's annual reimbursement of utilities for the Parks and Recreation Department. The contract provides for the City to reimburse the Arizona Science Center for a percentage of utility payments each year. The agreement allows the Arizona Science Center to maintain and operate on behalf of the City of Phoenix, providing science education to visitors. Science education provided to Phoenix residents and visitors is designed to increase the knowledge and understanding of science for youth and adults alike.

20 BWC Enterprises Inc., dba Woodruff Construction

For \$60,000 in payment authority for a new contract, entered on or about Feb. 1, 2024, for a five-year period, which will provide building weatherization services for the Parks and Recreation Department. These services may include repair, stripping and sealing of exterior exposed wood, in addition to other alterations or corrections to help protect buildings from the elements. This service is necessary for the City-owned Camp Colley facility located in Happy Jack, Arizona, approximately 50 miles north of Payson in Coconino County.

21 Mobile Training Solutions, LLC

For \$225,000 in payment authority to enter into contract with Mobile Training Solutions, LLC, on or about Feb. 1, 2024, for a five-year period, with one five-year extension option. This contract will provide training services for approximately 200 pesticide applicators for the Parks and Recreation and Aviation departments. The training will occur semi-annually at multiple City locations and will cover a variety of pest-related topics such as wood-destroying organism management, ornamental turf, weed control, aquatics, and fumigation. This training is necessary to maintain current pesticide applicator licensing for staff and also satisfies the continuing education requirement of the Pest Management Division of the

Arizona Department of Agriculture.

22 Maricopa County Air Quality and Environmental Regulations

For \$222,450 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.

23 Settlement of Claim(s) Madsen v. City of Phoenix

To make payment of up to \$600,000 in settlement of claim(s) in *Madsen v. City of Phoenix*, CV2019-03182, 18-0693-001, GL, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Aviation Department that occurred on Dec. 20, 2018.



Additional Resources Needed in Finance and Street Transportation Departments for Citywide Procurement and Engineering Services

Request to authorize the City Manager, or his designee, to allow the Finance and Street Transportation departments to add 26 new ongoing positions and additional one-time resources to address increased Citywide procurement and engineering services needs.

Summary

The City has experienced significant increases in the costs associated with procurements, contracts and capital projects. These increased costs require additional resources totaling \$5,300,000 in the Finance and Street Transportation departments' operating and capital budgets to ensure effective and efficient delivery of programs and services to the community. The Budget and Research Department conducted staffing studies for both departments and recommend 26 additional positions and additional one-time resources to meet the growing demand. Additionally, in November 2023, City of Phoenix residents approved a \$500 million General Obligation (GO) Bond Program and additional staff are necessary to successfully deliver the projects included in the program.

The Finance Department's Procurement Division is responsible for purchasing goods, acquiring general and professional services, and promoting open competition and fairness throughout the procurement process. Their primary goal is to ensure goods and services procured meet the needs of customers and provide maximum value to the City. As the city has experienced population growth and new or enhanced services are provided to residents, the complexity and number of both procurements and contracts have grown. The Procurement Division's staffing levels have not increased to meet the needs of its customers, causing excessive workloads for employees and delays in procurements. The request of \$3,380,000 will fund 12 new ongoing positions (one Assistant City Attorney IV, two Finance Procurement Officer Leads, nine Finance Procurement Officers) and one-time costs for equipment and temporary staffing. The estimated ongoing annual cost is \$1,800,000, and will be allocated to the General Fund and Non-General Funds. Adding these positions will ensure the Procurement Division can complete their growing workload in a timely manner and increase the City's ability to operationalize completed capital projects.

The Street Transportation Department's Office of the City Engineer (OCE) is responsible for the selection and oversight of architects, engineers, and contractors executing most of the City's five-year Capital Improvement Program (CIP). Like the Finance Procurement Division, OCE staffing levels have not increased to meet the growing demand for services, causing excessive workloads for staff and delays in completing projects. The GO Bond Program will also add additional projects requiring these services. The OCE will be instrumental in executing capital projects and it is critical they are appropriately resourced to be successful. The request of \$1,920,000 will fund 14 new ongoing positions (one Architect, one Civil Engineer I, one Civil Engineer III, one Contracts Specialist I, one Contracts Specialist II, one Engineering Tech, one Management Assistant III, one Principal Engineering Tech, two Environmental Quality Specialists, four Project Managers) and one-time costs for equipment and temporary staffing. The estimated ongoing annual cost is \$1,610,000 and will be allocated to capital projects and the General Fund. Adding these positions will ensure OCE is able to efficiently and effectively oversee existing and new CIP projects.

Financial Impact

The estimated cost of \$5,300,000 will be incorporated into the Finance and Street Transportation departments' operating and capital budgets currently in development for the Fiscal Year 2024-25 budget.

Responsible Department

This item is submitted by City Manager Jeffrey Barton and the Finance, Street Transportation and Budget and Research departments.



Proposed 19th Avenue and Park View Lane Annexation - Public Hearing

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

Summary

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

Public Outreach

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

Location

The proposed annexation area includes parcels 210-07-015 and 210-07-033E, located at 19th Avenue and Park View Lane (**Attachment B**). The annexation area is approximately 6.39 acres (0.0100 sq. mi.) and population estimate is zero individuals.

Council District: 1

Responsible Department

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

Attachment A

CITY COUNCIL REPORT *REVISED

TO: Alan Stephenson
Deputy City Manager

FROM: Joshua Bednarek
Planning and Development Director

SUBJECT: Request for Task Force Analysis: 19th Avenue and *~~Parkview~~ **Park View** Lane

This report recommends the **approval** of the proposed annexation of *6.39 acres located at 19th Avenue and *~~Parkview~~ **Park View** Lane (APN: 210-07-015 and 210-07-033E).

THE REQUEST:

The applicant is requesting to annex approximately *6.39 acres located approximately 1,000 feet east of the northeast corner of 19th Avenue and *~~Parkview~~ **Park View** Lane from Maricopa County. The applicant is requesting the annexation with the intention to rezone to CP/GCP DVAO for up to 79,000 square feet of commerce park and light industrial uses.

OTHER INFORMATION:

Planning Village: Deer Valley
General Plan Designation: Commerce/Business Park

Current County Zoning: RU-43
District:
Equivalent Zoning District: S-1 DVAO
Proposed Zoning District: CP/GCP DVAO

Current Land Use Conditions

On Site: Plant nursery and outdoor storage
To the North: Maricopa County jurisdiction, zoned RU-43, plant nursery
To the South: Maricopa County jurisdiction, zoned RU-43, landscaping materials storage
To the West: Maricopa County jurisdiction, zoned RU-43, and City of Phoenix jurisdiction, S-1, vacant
To the East: Maricopa County jurisdiction, zoned RU-43, plant nursery

Maricopa County History of Non-Conformities Present?
NONE PRESENT

MARICIPA COUNTY ZONING CASE HISTORY

N/A

Attachment A

ALTERNATIVES:

- Option A - Annex the land as requested:

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

- Option B - Deny the request for annexation:

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

RECOMMENDATION:

Located adjacent to City of Phoenix parcels, this annexation is supported by the 2015 General Plan, particularly the Land Use goal for land uses and development standards for unincorporated land, under Policies 1 and 2. This annexation is recommended for approval.

Approval of annexation does not constitute recommendation for future rezoning actions.

SUPPORTING INFORMATION:

I. Water and Sewer Service

2 Parcels: N 19th Avenue e/o W Park View Lane
APN 210-07-015, N/A Phoenix, 4.95 acres
APN 210-07-033E, 1738 W ~~Parkview~~ **Park View** Lane, 1.13 acres
Q.S.#: 46-25
Water Pressure Zone Area: 4A

Water – Parcels do not have frontage to existing water mains. For reference:
8-inch DIP water main within W Park View Lane to the west of each parcel

Sewer – Parcels do not have frontage to existing sewer mains. For reference:
8-inch DIP sewer main within W Park View Lane to the west of each parcel

This parcel does not front existing infrastructure. Significant infrastructure improvements will be required in order to serve the proposed parcels within the City of Phoenix service area. Design and construction of any infrastructure will be the responsibility of the developer. Specifics regarding infrastructure improvement requirements would be discussed and determined at a pre-application meeting after annexation.

It is the City's intent to provide water and sewer service. However, the requirements and assurances for water and sewer service are determined during the site plan application review, or the building permit approval, and may be subject to future restrictions as a result of water shortage. Water and/or sewer system requirements and stipulations are determined at time of site plan approval. Capacity on any existing infrastructure is determined at that time of preliminary site plan approval.

*Per City Code 37-22, 37-39 and 37-142, annexation into the City requires all properties connect to the City's public water system. All existing on-site private wells must be dis-connected to prevent cross contamination with the City's public water system.

Attachment A

Please be advised that capacity is a dynamic condition that can change over time due to a variety of factors.

II. Fire Protection

Servicing Station:
Phoenix Fire Station 55, 26700 N. 27th Avenue

Current Response Time:	3 Min. 14 Sec.
City Average Response Time:	5 Min. 0 Sec.
Difference from Typical Response Time:	-2 Min. 14 Sec.
Number of Service Calls Expected:	0
Average Cost per Service Call:	<u>\$727</u>
Estimated Total Annual Fire Service Costs:	\$0

III. Police Protection

Servicing Station:
Black Mountain Precinct, 21 Area
33355 N. Cave Creek Road
Phoenix, Arizona, 85331

Number Of New Officers Required:	0.00
Number Of New Patrol Cars Required:	<u>0.00</u>
Estimated Total Annual Police Service Costs:	\$0

IV. Refuse Collection

Number of New Containers Required:	0
Cost for Refuse Containers, Each:	\$59.90
Cost for Recycling Containers, Each:	<u>\$59.90</u>
Total Start-Up Costs for Refuse Collection:	\$0

V. Street Maintenance

Average Cost per Acre For Street Maintenance:	<u>\$131</u>
Estimated Total Annual Street Maintenance Costs:	\$794

VI. Public Transit

Attachment A

	Servicing Routes:	None.
VII.	Parks and Recreation	
	Neighborhood Park Demand in Acres:	0.00
	Community Park Demand in Acres:	0.00
	District Park Demand in Acres:	0.00
	Total Park Demand in Acres:	0.00
	Cost Per Acre, Annual Maintenance:	<u>\$17,000</u>
	Total Annual Parks and Recreation Costs:	\$0
VIII.	Schools	
	Elementary School District:	Deer Valley Unified
	High School District:	Deer Valley Unified
	Total Expected Elementary School Students:	0
	Total Expected High School Students:	0
	Total Expected New Students:	0
IX.	Revenues	
	Expected Total Impact Fees at Buildout:	\$0
Beginning Next Fiscal Year	Property Tax Income*:	\$842
	Utility Fee Income:	\$125
	State Shared Revenue:	\$0
	Solid Waste:	\$0
	Sales Tax Generated:	<u>Unknown</u>
	Total Tax Related Income, Annually**:	\$967
Beginning 2023-2024 Fiscal Year	Property Tax Income*:	\$842
	Utility Fee Income:	\$125
	State Shared Revenue:	\$0
	Solid Waste:	\$0
	Sales Tax Generated:	<u>Unknown</u>
	Total Tax Related Income, Annually**:	\$967
X.	Total Costs	
	Revenue, First Year Only:	\$967

Attachment A

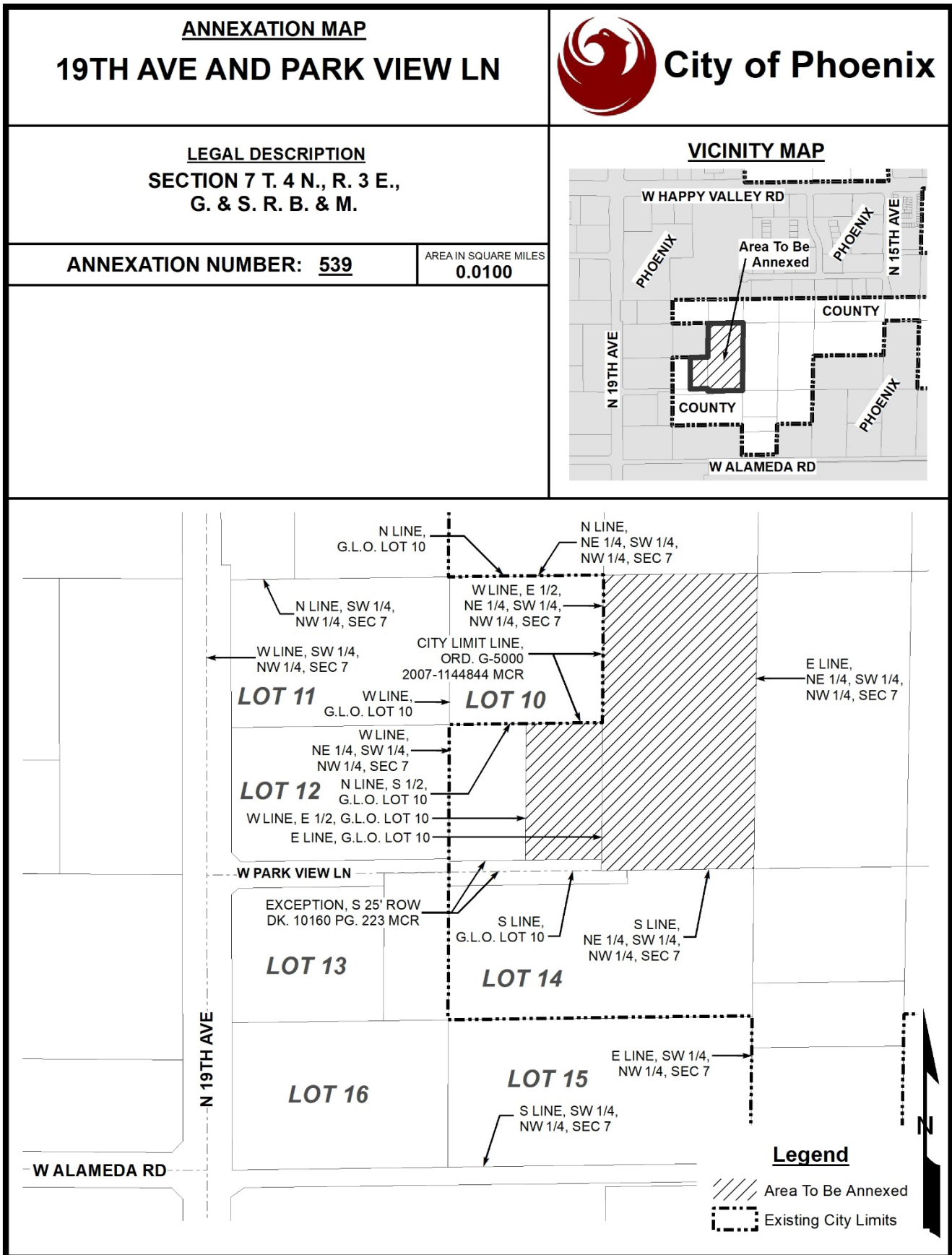
Revenue, Year Two:	\$967
Revenue, 2020 and Beyond:	\$967

Expenses, First Year Only:	\$794
Expenses, Year Two and Beyond:	\$794

Total Annual Revenue, First Year**:	\$173
Total Annual Revenue, 2023 and Beyond**:	\$173

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

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



PROPOSED 19th Avenue & Parkview Road ANNEXATION

That part of the Northwest quarter of Section 7, Township 4 North, Range 3 East, G&SRB&M, Maricopa County, Arizona lying adjacent to part of the South and the East boundary of the area previously annexed by the City of Phoenix Ordinance No. G-5000 recorded in Document No. 2007-1144844 in the Office of the County Recorder of said Maricopa County, more particularly described as;

the East half of the Northeast quarter of the Southwest quarter of the Northwest quarter, and the East half of the South half of GLO Lot 10, said Section 7;

EXCEPTING therefrom any area lying within the South 25 feet of said East half of the South half of GLO Lot 10 being the "easement and agreement for highway purposes" as described in Docket 10160, page 223 in the Office of the County Recorder of Maricopa County, Arizona.

Area = 6.386 Acres

Area = 0.0100 Sq. Miles

Prepared October 26, 2023, in
Title Section,
Real Estate Division

PROPOSED 19th Avenue & Parkview Road ANNEXATION QS
56-25



Proposed 9th Avenue and Happy Valley Road Annexation - Public Hearing

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

Summary

The annexation was requested by Kathleen Shaffer with the May, Potenza, Baran & Gillespie, P.C. for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexations. Additionally, the annexation is recommended for adoption per the attached Task Force Analysis Report (**Attachment A**).

Public Outreach

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

Location

The proposed annexation area includes parcel 210-09-019, located at 912 W. Happy Valley Road (**Attachment B**). The annexation area is approximately 4.69 acres (0.0073 sq. mi.) and population estimate is three individuals.

Council District: 1

Responsible Department

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

Attachment A

***REVISED CITY COUNCIL REPORT**

TO: Alan Stephenson
Deputy City Manager

FROM: Joshua Bednarek
Planning and Development Director

SUBJECT: Request for Task Force Analysis: 9th Avenue and Happy Valley Road

This report recommends the approval of the proposed annexation of ~~*4.73~~ **4.69** acres located at 9th Avenue and Happy Valley Road (APN: 210-09-019)

THE REQUEST:

The applicant is requesting to annex approximately ~~*4.73~~ **4.69** acres at the northwest corner of 9th Avenue and Happy Valley Road from Maricopa County. The applicant is requesting the annexation with the intention to rezone to C-3 to operate approximately 4,603 square feet of commercial uses for sale and leasing of agricultural tractors, implements, and farm supplies.

OTHER INFORMATION:

Planning Village:	Deer Valley
General Plan Designation:	Mixed Use (Commercial / Commerce Park)
Current County Zoning District:	RU-43
Equivalent Zoning District:	S-1
Proposed Zoning District:	C-3

Current Land Use Conditions

On Site:	Tractor and farm supplies retail sales
To the North:	Maricopa County jurisdiction, zoned RU-43, vacant
To the South:	Maricopa County jurisdiction, zoned RU-43, vacant
To the West:	Maricopa County jurisdiction, zoned RU-43, vacant and single-family residential
To the East:	Maricopa County jurisdiction, zoned RU-43, vehicle and equipment storage

Maricopa County History of Non-Conformities Present?	Unpermitted buildings/structures exist on the site which is currently operating as a business for farm supplies.
------------------------------------------------------	------------------------------------------------------------------------------------------------------------------

Attachment A

- * MARICIPA COUNTY ZONING CASE HISTORY There is a rezoning case with Maricopa County (Z2021007) to rezone the site from RU-43 to C-3. The Applicant stated in their application materials that the application has been on hold since 2021 and will be withdrawn upon completion of annexation into the City of Phoenix.

ALTERNATIVES:

- Option A - Annex the land as requested:

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

- Option B - Deny the request for annexation:

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

RECOMMENDATION:

This annexation is supported by the 2015 General Plan, particularly the Land Use goal for land uses and development standards for unincorporated land, under Policies 1 and 2. This annexation is recommended for approval.

Approval of annexation does not constitute recommendation for future rezoning actions.

SUPPORTING INFORMATION:

I. Water and Sewer Service

1 Parcel, APN 210-09-019, N 9th Avenue & W Happy Valley Rd, 912 W Happy Valley Road
Q.S.#: 47-26
Water Pressure Zone Area: 4A
Acres: ~~*4.73~~ **4.69** acres

Water
16-inch DIP distribution water main within W Happy Valley Road

Sewer – No Sewer frontage
12-inch VCP sewer main within W Happy Valley Road +/- 2000 to the west of proposed parcel
8-inch VCP sewer main within N 7th Avenue +/- 1060 feet to the southeast of proposed parcel
24-inch DIP sewer forced main within W Happy Valley Road (Do Not Use)

This parcel does not front existing connectable sewer infrastructure. Significant infrastructure improvements will be required in order to serve the proposed parcels within the City of Phoenix service area. Design and construction of any infrastructure will be the responsibility of the developer. Specifics regarding infrastructure improvement requirements would be discussed and determined at a pre-application meeting after annexation. Additional information and requirements for this parcel were provided under PAPP 2012214 for KIVA 20-2466.

It is the City's intent to provide water and sewer service. However, the requirements and

Attachment A

assurances for water and sewer service are determined during the site plan application review, or the building permit approval, and may be subject to future restrictions as a result of water shortage. Water and/or sewer system requirements and stipulations are determined at time of site plan approval. Capacity on any existing infrastructure is determined at that time of preliminary site plan approval.

*Per City Code 37-22, 37-39 and 37-142, annexation into the City requires all properties connect to the City's public water system. All existing on-site private wells must be dis-connected to prevent cross contamination with the City's public water system.

Please be advised that capacity is a dynamic condition that can change over time due to a variety of factors.

II. Fire Protection

Servicing Station:	Phoenix Fire Station 55 26700 N. 27th Avenue Phoenix, AZ 85085			
Current Response Time:	4	Min.	10	Sec.
City Average Response Time:	5	Min.	0	Sec.
Difference from Typical Response Time:	-1	Min.	10	Sec.
Number of Service Calls Expected:	28			
Average Cost per Service Call:	<u>\$727</u>			
Estimated Total Annual Fire Service Costs:	\$20,044			

III. Police Protection

Servicing Station:	Black Mountain Precinct, 21 Area 33355 N. Cave Creek Road Phoenix, Arizona, 85331		
Number Of New Officers Required:	0.19		
Number Of New Patrol Cars Required:	<u>0.11</u>		
Estimated Total Annual Police Service Costs:	\$35,838		

Attachment A

IV. Refuse Collection

Number of New Containers Required:	0
Cost for Refuse Containers, Each:	\$59.90
Cost for Recycling Containers, Each:	<u>\$59.90</u>
Total Start-Up Costs for Refuse Collection:	\$0

V. Street Maintenance

Average Cost per Acre For Street Maintenance:	<u>\$131</u>
Estimated Total Annual Street Maintenance Costs:	\$618

VI. Public Transit

Servicing Routes:	None.
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VII. Parks and Recreation

Neighborhood Park Demand in Acres:	0.70
Community Park Demand in Acres:	0.37
District Park Demand in Acres:	0.37
Total Park Demand in Acres:	1.45
Cost Per Acre, Annual Maintenance:	<u>\$17,000</u>

Attachment A

	Total Annual Parks and Recreation Costs:	\$24,668
VIII	Schools	
	Elementary School District:	Deer Valley Unified
	High School District:	Deer Valley Unified
	Total Expected Elementary School Students:	48
	Total Expected High School Students:	27
	Total Expected New Students:	75
IX.	Revenues	
	Expected Total Impact Fees at Buildout:	\$0
Beginning Next Fiscal Year	Property Tax Income*:	\$487
	Utility Fee Income:	\$8,573
	State Shared Revenue:	\$85,155
	Solid Waste:	\$0
	Sales Tax Generated:	<u>\$0</u>
	Total Tax Related Income, Annually**:	\$93,728
Beginning 2023-2024 Fiscal Year	Property Tax Income*:	\$487
	Utility Fee Income:	\$8,573
	State Shared Revenue:	\$85,155
	Solid Waste:	\$0
	Sales Tax Generated:	<u>\$0</u>
	Total Tax Related Income, Annually**:	\$93,728

Attachment A

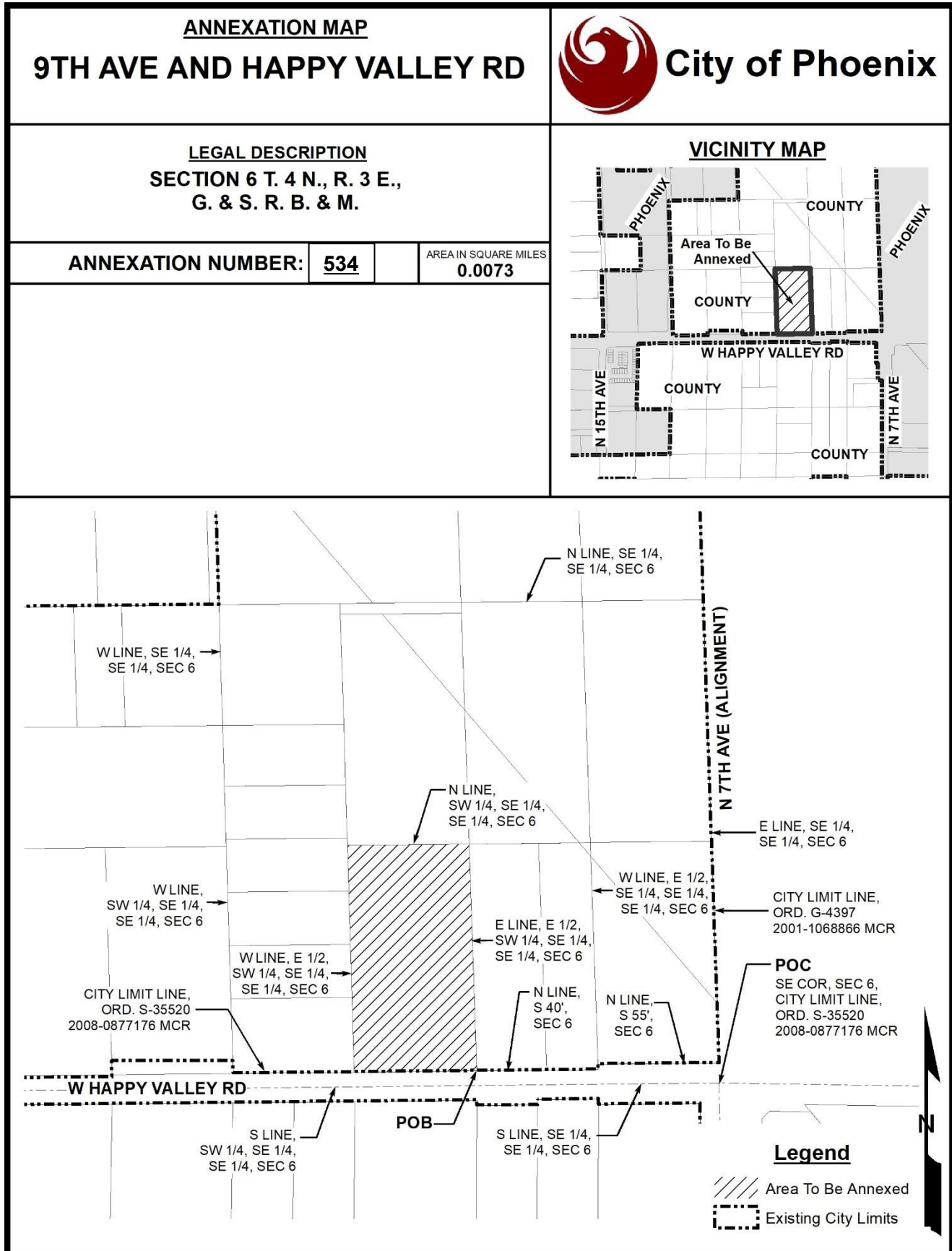
X. Total Costs

Revenue, First Year Only:	\$93,728
Revenue, Year Two:	\$93,728
Revenue, 2020 and Beyond:	\$93,728
Expenses, First Year Only:	\$81,168
Expenses, Year Two and Beyond:	\$81,168
Total Annual Revenue, First Year**:	\$12,560
Total Annual Revenue, 2023 and Beyond**:	\$12,560

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

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

Attachment B



PROPOSED 9th Avenue & Happy Valley Road ANNEXATION

That part of the East half of the Southwest quarter of the Southeast quarter of the Southeast quarter of Section 6, Township 4 North, Range 3 East, G&SRB&M, Maricopa County, Arizona, described as follows:

COMMENCING at a the Southeast corner of said Section 6, also being a corner of City of Phoenix Ordinance G-4397, recorded at Document 2001-1068866 official records of the Maricopa County Recorder, said point also being the point of beginning of City of Phoenix Ordinance No. S-35520, recorded in Document No. 2008-0877176 official records of Maricopa County;

Thence along the following 5 courses being along the boundary of said City of Phoenix Ordinance No. S-35520;

thence North along the East line of said Section 6 to the North line of the South 55 feet of said Section 6;

thence West along said North line, to the West line of the East half of the Southeast quarter of the Southeast quarter of the Southeast quarter of said Section 6;

thence South along said West line to the North line of the South 40 feet of said Section 6;

thence Westerly along last said North line to the East line of the East half of the Southwest quarter of the Southeast quarter of the Southeast quarter of said Section 6 and the POINT OF BEGINNING.

thence continuing West along last said North line to the West line of said East half of the Southwest quarter of the Southeast quarter of the Southeast quarter;

thence, leaving said boundary of Ordinance No. S-35520, North along last said West line to the North line of last said East half;

thence East along last said North line to the Northeast corner of last said East half;

thence South along the East line of last said East half to said North line of the South 40 feet of said Section 6 and the POINT OF BEGINNING.

Area = 4.690 Acres

Area = 0.0073 Sq. Miles



Acceptance and Dedication of a Deed and Easements for Roadway and Public Utility Purposes (Ordinance S-50573)

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

Summary

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

Deed (a)

Applicant: DVHAWK15, LLC; its successor and assigns

Purpose: Roadway

Location: East of the southeast corner of W. Parkview Lane and N. 17th Ave.

File: FN 230006

Council District: 1

Easement (b)

Applicant: The DB Hammer Trust, U/A dated Feb. 23, 2023; its successor and assigns

Purpose: Public Utility

Location: 12232 N. 65th St.

File: FN 230111

Council District: 2

Easement (c)

Applicant: Jake Lough; Liliana Lough; its successor and assigns

Purpose: Public Utility

Location: 1317 W. Tamarisk St.

File: FN 230115

Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development and Finance departments.



**Wholesale Trees for Community Heat Mitigation Program Contract - IFB 24-0041
- Request for Award (Ordinance S-50570)**

Request to authorize the City Manager, or his designee, to enter into contracts with Canterbury Enterprises, Inc., dba Desert Tree Farm; Treeland Nurseries, Inc.; and Whitfill Nursery, Inc., to provide various tree species and sizes as needed for the Office of Heat Response and Mitigation within the City Manager's Office. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed \$6,000,000.

Summary

This contract will provide various species of trees conducive to local growing conditions and in a variety of sizes as determined best for the planting location. Trees and the associated support materials will be utilized by the Office of Heat Response and Mitigation in association with the Residential Tree Equity Accelerator and Trees and Shade for Schools programs in order to provide long-term cooling and thermal comfort for a cooler, safer and healthier City for all.

Procurement Information

An Invitation for Bid procurement was processed in accordance with Administrative Regulation 3.10.

Four vendors submitted bids deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following an evaluation based on price, the procurement officer recommends three vendors to fulfill the supply needs of the Office of Heat Response and Mitigation program and award to the following vendors:

Selected Bidders

- Canterbury Enterprises, Inc., dba Desert Tree Farm
- Treeland Nurseries, Inc.
- Whitfill Nursery, Inc.

Contract Term

The contracts will begin on or about March 1, 2024, for a five-year term with no options to extend.

Financial Impact

The aggregate contracts value will not exceed \$6,000,000.

Funding for these contracts comes from the American Rescue Plan Act (ARPA) as well as other grant funding from the Office of Heat Response and Mitigation.

Responsible Department

This item is submitted by Deputy City Manager Gina Montes and the Office of Heat Response and Mitigation.



Tree Planting and Tree Care Contractors for the Community Heat Mitigation Program - IFB 24-0042 - Request for Award (Ordinance S-50572)

Request to authorize the City Manager, or his designee, to enter into contracts with Dusty Landscaping LLC and West Coast Arborists, Inc. to provide landscaping services specifically for planting and maintaining trees at various Citywide residential neighborhoods and school locations for the Office of Heat Response and Mitigation within the City Manager's Office. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed \$8,000,000.

Summary

These contracts will provide professional landscape services to support tree plantings provided by the Office of Heat Response and Mitigation. The tree planting and tree care is done to ensure the healthy growth of the newly established trees associated with the Residential Tree Equity Accelerator and Trees and Shade for Schools programs in order to provide long-term cooling and thermal comfort for a cooler, safer and healthier City for all.

Procurement Information

An Invitation for Bid procurement was conducted in accordance with Administrative Regulation 3.10.

Two vendors submitted bids to posted specifications and determined to be responsive and responsible to provide the required goods and services. Following an evaluation based on price, the procurement officer recommends award to the following vendors:

Selected Bidders

Dusty Landscaping LLC
West Coast Arborists, Inc.

Contract Term

The contracts will begin on or about March 1, 2024, for a five-year term with no options to extend.

Financial Impact

The aggregate contracts value will not exceed \$8,000,000.

Funding is from the American Rescue Plan Act as well as other funding by the Office of Heat Response and Mitigation.

Responsible Department

This item is submitted by Deputy City Manager Gina Montes and the Office of Heat Response and Mitigation.



Landscape, Agricultural and Field Maintenance Equipment, Accessories and Parts - IFB 19-051 - Amendment (Ordinance S-50544)

Request to authorize the City Manager, or his designee, to execute amendments to Contracts 149525 with E-Z-Go Division of Textron, Inc.; 149524 with Western Pneumatic Tool Co.; 149523 with A & G Turf Equipment, Inc.; 149522 with Clearwater Enterprises, Inc., dba Quality Equipment & Spray; 149528 with Horizon Distributors, Inc.; and 149526 with Arizona Machinery, LLC, dba Stotz Equipment, to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed. Staff request to continue using Ordinance S-45470.

Summary

These contracts will provide a broad range of replacement equipment, repair parts and accessories to ensure City-owned equipment is maintained, as necessary, to ensure proper operation at various locations.

Contract Term

Upon approval the contract will be extended through March 31, 2025, with an option to extend through March 31, 2026.

Financial Impact

The aggregate value of the contracts will not exceed \$1,182,500 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Landscape, Agricultural and Field Maintenance Equipment, Accessories and Parts Contracts 149525, 159524, 149523, 149522, 149528, 149526 (Ordinance S-45470), on March 20, 2019.

Responsible Department

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



Vehicle Wash Services - IFB 19-141 - Amendment (Ordinance S-50551)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contracts 150872, 150873, 150874, 150875, 150881, and 150882 with True Blue Car Wash, LLC; Ultra Clean Newco, LLC, dba Ultra Clean Intermediate, LLC; Uptown Self Serve, LLC, dba Weiss Guys Express Wash; PacWest Energy, LLC, dba Jacksons Car Wash; Foothills Car Wash, LLC; Uptown Self Serve, LLC; and US Metro Center, LLC, dba Ultra Suds Car Wash, for the purchase of vehicle wash services for Citywide use. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$65,000.

Summary

These contracts provide vehicle washing services, including labor, cleaning supplies, materials, equipment, and supervision necessary to clean City cars, trucks, sport utility vehicles, cargo and passenger vans, and Police Department mobile command and specialty Humvee-type vehicles. Services include automated, interior, exterior and hand wash services. Additional funds are needed due to usage that has been higher than anticipated.

Contract Term

The contract term remains unchanged, ending on Sept. 30, 2024.

Financial Impact

Upon approval of \$65,000 in additional funds, the revised aggregate value of the contracts will not exceed \$1,030,000. Funds are available in various department budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Vehicle Wash Services Contracts 150872, 150873, 150874, 150875, 150881, and 150882 (Ordinance S-47257) on Jan. 20, 2021.

Responsible Department

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



Amendments to Classification Plan (Ordinance S-5815) in Accordance with Human Resources Committee 622 Recommendations (Ordinance S-50568)

The following amendments to the Classification Plan (Ordinance S-5815) are proposed in accordance with the recommendation of Human Resources Committee 622, to be effective on March 5, 2024. The proposal will also require modifications to the City's Pay Ordinance (S-49802), which will be processed under a separate ordinance.

Establish the classification of Program Manager, Job Code: 08600, Salary Plan: 001, Grade/Range: 068 (\$61,526 - \$134,326/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt.

Reclassify the filled and vacant positions of Economic Development Program Manager, Position #s: 00003740, 00008652, 00009839, 00018125, 00093180, 00094151, 00094847, 00094868, 00095879, 00095885, 00096926, 00097284, 00097824, 00098012, 00098283, 00098425, 00098451, 00098555, 00099126, 00000191, 00003557, 00092931, 00094568, 00095878, 00095892, 00098424, 00099093, Job Code: 08750, Salary Plan: 001, Grade/Range: 066 (\$58,594 - \$127,920/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Job Title: Program Manager, Job Code: 08600, Salary Plan: 001, Grade/Range: 068 (\$61,526 - \$134,326/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt.

Regrade the classification of Economic Development Program Manager, Job Code: 08750, Salary Plan: 001, Grade/Range: 066 (\$58,594 - \$127,920/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 069 (\$63,045 - \$137,592/annual).

Reclassify the filled position of Management Assistant II, Position #: 00093633, Job Code: 05320, Salary Plan: 001, Grade/Range: 062 (\$53,165 - \$116,022/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Job Title: Program Manager, Job Code: 08600, Grade/Range: 068 (\$61,526 - \$134,326/annual).

Reclassify the filled positions of Senior Arts Specialist, Position #s: 00019145 and

00003830, Job Code: 41220, Salary Plan: 001, Grade/Range: 058 (\$48,214.40 - \$105,248/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Job Title: Project Manager, Job Code: 08640, Grade/Range: 067 (\$60,029 - \$131,040/annual).

Regrade the classification of Building Equipment Operator I, Job Code: 74650, Salary Plan: 004, Grade/Range: 245 (\$35,110 - \$76,627/annual), Labor Unit Code: 002, Benefit Category: 002, EEO-4 Category: Skilled Craft, FLSA Status: Non-exempt to Grade/Range: 249 (\$36,688 - \$84,469/annual).

Regrade the classification of Building Equipment Operator II, Job Code: 74680, Salary Plan: 004, Grade/Range: 249 (\$36,688 - \$84,469/annual), Labor Unit Code: 002, Benefit Category: 002, EEO-4 Category: Skilled Craft, FLSA Status: Non-exempt to Grade/Range: 251 (\$40,643 - \$88,691/annual).

Establish the assignment of Building Maintenance Worker*Plumber, Job Code: 74833, Salary Plan: 002, Grade/Range: 149 (\$36,688 - \$84,469/annual), Labor Unit Code: 001, Benefit Category: 001, EEO-4 Category: Field Employees, FLSA Status: Non-exempt.

Establish the assignment of Building Maintenance Worker*PlumberU2, Job Code: 74834, Salary Plan: 004, Grade/Range: 249 (\$36,688 - \$84,469/annual), Labor Unit Code: 002, Benefit Category: 002, EEO-4 Category: Skilled Craft, FLSA Status: Non-exempt.

Regrade the classification of Building Maintenance Foreman, Job Code: 74740, Salary Plan: 001, Grade/Range: 051 (\$40,643 - \$88,691/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Non-exempt to Grade/Range: 053 (\$42,661 - \$93,122/annual).

Regrade the classification of Building Equipment Supervisor, Job Code: 74700, Salary Plan: 001, Grade/Range: 053 (\$42,661 - \$93,122/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Non-exempt to Grade/Range: 055 (\$44,803 - \$97,781/annual).

Regrade the classification of Mechanical Engineer, Job Code: 20150, Salary Plan: 001, Grade/Range: 063 (\$54,454 - \$118,872/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 067 (\$60,029 - \$131,040/annual).

Regrade the classification of Mechanical Plans Engineer, Job Code: 23530, Salary

Plan: 001, Grade/Range: 062 (\$53,165 - \$116,022/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 067 (\$60,029 - \$131,040/annual).

Regrade the classification of Engineering Manager, Job Code: 21150, Salary Plan: 013, Grade/Range: 832 (\$102,544 - \$133,307/annual), Labor Unit Code: Non-Represented Groups, Benefit Category: 009, EEO-4 Category: Officials & Administrators, FLSA Status: Exempt to Grade/Range: 834 (\$107,432 - \$139,672/annual).

Regrade the classification of Aviation Marketing Supervisor, Job Code: 25250, Salary Plan: 001, Grade/Range: 061 (\$51,854 - \$113,194/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 063 (\$54,454 - \$118,872/annual).

Regrade the classification of Senior Sales/Marketing Supervisor, Job Code: 27250, Salary Plan: 001, Grade/Range: 061 (\$51,854 - \$113,194/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 063 (\$54,454 - \$118,872/annual).

Regrade the classification of Video Productions Coordinator, Job Code: 06490, Salary Plan: 001, Grade/Range: 055 (\$44,803 - \$97,781/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 059 (\$49,379 - \$107,806/annual).

Regrade the classification of Parks Supervisor, Job Code: 40430, Salary Plan: 001, Grade/Range: 058 (\$48,214 - \$105,248/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 060 (\$50,627 - \$110,510/annual).

Regrade the classification of Recreation Supervisor*Aquatics, Job Code: 41172, Salary Plan: 001, Grade/Range: 060 (\$50,627 - \$110,510/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 061 (\$51,854 - \$113,194/annual).

Regrade the classification of Recreation Supervisor, Job Code: 41170, Salary Plan: 001, Grade/Range: 058 (\$48,214 - \$105,248/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 060 (\$50,627 - \$110,510/annual).

Regrade the classification of Recreation Coordinator III*Aquatics, Job Code: 41161,

Salary Plan: 001, Grade/Range: 057 (\$47,029 - \$102,669/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 059 (\$49,379 - \$107,806/annual).

Regrade the classification of Recreation Coordinator III, Job Code: 41160, Salary Plan: 001, Grade/Range: 056 (\$45,926 - \$100,235/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 058 (\$48,214 - \$105,248/annual).

Regrade the classification of Recreation Coordinator II, Job Code: 41140, Salary Plan: 001, Grade/Range: 050 (\$39,966 - \$86,590/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 052 (\$41,642 - \$90,917/annual).

Abolish the classification of Remote Computer Terminal Operator, Job Code: 00470, Salary Plan: 006, Grade/Range: 324 (\$32,635 - \$45,926/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Admin Support, FLSA Status: Non-exempt.

Abolish the assignment of Remote Computer Terminal Operator*CAU Lead, Job Code: 00474, Salary Plan: 006, Grade/Range: 330 (\$32,635 - \$53,165/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Admin Support, FLSA Status: Non-exempt.

Modify the salary range of Grade 848 from \$65.62 - \$85.31/hourly, \$136,490 - \$177,445/annual to \$65.62 - \$92.42/hourly, \$136,490 - \$192,234/annual.

Modify the salary range of Grade 846 from \$59.66 - \$77.55/hourly, \$124,093 - \$161,304/annual to \$63.59 - \$84.02/hourly, \$132,267 - \$174,762/annual.

Modify the salary range of Grade 844 from \$54.23 - \$70.50/hourly, \$112,798 - \$146,640/annual to \$58.75 - \$76.38/hourly, \$122,200 - \$158,870/annual.

Modify the salary range of Grade 842 from \$53.41 - \$69.43/hourly, \$111,093 - \$144,414/annual to \$55.22 - \$71.78/hourly, \$114,858 - \$149,302/annual.

Summary

The Classification and Compensation study was implemented rapidly to address a systemic staffing and labor market crisis throughout the City. Adjustments to grade and salary ranges are necessary as the City adapts to the new pay structures that took effect on Aug. 7, 2023. These recommendations balance internal alignment with

external market focus. As a result of the changes made during the Classification and Compensation study, staff requests that the adjustments listed above be approved.

Financial Impact

The estimated cost for this action for the first year is \$112,914.

Concurrence/Previous Council Action

On Jan. 17, 2024, Human Resources Committee 622 reviewed and recommended these modifications for approval effective on March 5, 2024.

Responsible Department

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



Amendments to Pay Ordinance (S-49802) in Accordance with Human Resources Committee 622 Recommendations (Ordinance S-50575)

The following amendments to the Pay Ordinance (S-49802) are proposed in accordance with the recommendation of Human Resources Committee 622, to be effective on March 5, 2024. The proposal will also require modifications to the City's Classification Plan (Ordinance S-5815), which will be processed under a separate ordinance.

Establish the classification of Program Manager, Job Code: 08600, Salary Plan: 001, Grade/Range: 068 (\$61,526 - \$134,326/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt.

Reclassify the filled and vacant positions of Economic Development Program Manager, Position #s: 00003740, 00008652, 00009839, 00018125, 00093180, 00094151, 00094847, 00094868, 00095879, 00095885, 00096926, 00097284, 00097824, 00098012, 00098283, 00098425, 00098451, 00098555, 00099126, 00000191, 00003557, 00092931, 00094568, 00095878, 00095892, 00098424, 00099093, Job Code: 08750, Salary Plan: 001, Grade/Range: 066 (\$58,594 - \$127,920/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Job Title: Program Manager, Job Code: 08600, Salary Plan: 001, Grade/Range: 068 (\$61,526 - \$134,326/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt.

Regrade the classification of Economic Development Program Manager, Job Code: 08750, Salary Plan: 001, Grade/Range: 066 (\$58,594 - \$127,920/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 069 (\$63,045 - \$137,592/annual).

Reclassify the filled position of Management Assistant II, Position #: 00093633, Job Code: 05320, Salary Plan: 001, Grade/Range: 062 (\$53,165 - \$116,022/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Job Title: Program Manager, Job Code: 08600, Grade/Range: 068 (\$61,526 - \$134,326/annual).

Reclassify the filled positions of Senior Arts Specialist, Position #s: 00019145 and 00003830, Job Code: 41220, Salary Plan: 001, Grade/Range: 058 (\$48,214.40 - \$105,248/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Job Title: Project Manager, Job Code: 08640, Grade/Range: 067 (\$60,029 - \$131,040/annual).

Regrade the classification of Building Equipment Operator I, Job Code: 74650, Salary Plan: 004, Grade/Range: 245 (\$35,110 - \$76,627/annual), Labor Unit Code: 002, Benefit Category: 002, EEO-4 Category: Skilled Craft, FLSA Status: Non-exempt to Grade/Range: 249 (\$36,688 - \$84,469/annual).

Regrade the classification of Building Equipment Operator II, Job Code: 74680, Salary Plan: 004, Grade/Range: 249 (\$36,688 - \$84,469/annual), Labor Unit Code: 002, Benefit Category: 002, EEO-4 Category: Skilled Craft, FLSA Status: Non-exempt to Grade/Range: 251 (\$40,643 - \$88,691/annual).

Establish the assignment of Building Maintenance Worker*Plumber, Job Code: 74833, Salary Plan: 002, Grade/Range: 149 (\$36,688 - \$84,469/annual), Labor Unit Code: 001, Benefit Category: 001, EEO-4 Category: Field Employees, FLSA Status: Non-exempt.

Establish the assignment of Building Maintenance Worker*PlumberU2, Job Code: 74834, Salary Plan: 004, Grade/Range: 249 (\$36,688 - \$84,469/annual), Labor Unit Code: 002, Benefit Category: 002, EEO-4 Category: Skilled Craft, FLSA Status: Non-exempt.

Regrade the classification of Building Maintenance Foreman, Job Code: 74740, Salary Plan: 001, Grade/Range: 051 (\$40,643 - \$88,691/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Non-exempt to Grade/Range: 053 (\$42,661 - \$93,122/annual).

Regrade the classification of Building Equipment Supervisor, Job Code: 74700, Salary Plan: 001, Grade/Range: 053 (\$42,661 - \$93,122/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Non-exempt to Grade/Range: 055 (\$44,803 - \$97,781/annual).

Regrade the classification of Mechanical Engineer, Job Code: 20150, Salary Plan: 001, Grade/Range: 063 (\$54,454 - \$118,872/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 067 (\$60,029 - \$131,040/annual).

Regrade the classification of Mechanical Plans Engineer, Job Code: 23530, Salary Plan: 001, Grade/Range: 062 (\$53,165 - \$116,022/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 067 (\$60,029 - \$131,040/annual).

Regrade the classification of Engineering Manager, Job Code: 21150, Salary Plan: 013, Grade/Range: 832 (\$102,544 - \$133,307/annual), Labor Unit Code: Non-Represented Groups, Benefit Category: 009, EEO-4 Category: Officials & Administrators, FLSA Status: Exempt to Grade/Range: 834 (\$107,432 - \$139,672/annual).

Regrade the classification of Aviation Marketing Supervisor, Job Code: 25250, Salary Plan: 001, Grade/Range: 061 (\$51,854 - \$113,194/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 063 (\$54,454 - \$118,872/annual).

Regrade the classification of Senior Sales/Marketing Supervisor, Job Code: 27250, Salary Plan: 001, Grade/Range: 061 (\$51,854 - \$113,194/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 063 (\$54,454 - \$118,872/annual).

Regrade the classification of Video Productions Coordinator, Job Code: 06490, Salary Plan: 001, Grade/Range: 055 (\$44,803 - \$97,781/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 059 (\$49,379 - \$107,806/annual).

Regrade the classification of Parks Supervisor, Job Code: 40430, Salary Plan: 001, Grade/Range: 058 (\$48,214 - \$105,248/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 060 (\$50,627 - \$110,510/annual).

Regrade the classification of Recreation Supervisor*Aquatics, Job Code: 41172, Salary Plan: 001, Grade/Range: 060 (\$50,627 - \$110,510/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 061 (\$51,854 - \$113,194/annual).

Regrade the classification of Recreation Supervisor, Job Code: 41170, Salary Plan: 001, Grade/Range: 058 (\$48,214 - \$105,248/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 060 (\$50,627 - \$110,510/annual).

Regrade the classification of Recreation Coordinator III*Aquatics, Job Code: 41161, Salary Plan: 001, Grade/Range: 057 (\$47,029 - \$102,669/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 059 (\$49,379 - \$107,806/annual).

Regrade the classification of Recreation Coordinator III, Job Code: 41160, Salary Plan: 001, Grade/Range: 056 (\$45,926 - \$100,235/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 058 (\$48,214 - \$105,248/annual).

Regrade the classification of Recreation Coordinator II, Job Code: 41140, Salary Plan: 001, Grade/Range: 050 (\$39,966 - \$86,590/annual), Labor Unit Code: 007, Benefit Category: 007, EEO-4 Category: Professional, FLSA Status: Exempt to Grade/Range: 052 (\$41,642 - \$90,917/annual).

Abolish the classification of Remote Computer Terminal Operator, Job Code: 00470, Salary Plan: 006, Grade/Range: 324 (\$32,635 - \$45,926/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Admin Support, FLSA Status: Non-exempt.

Abolish the assignment of Remote Computer Terminal Operator*CAU Lead, Job Code: 00474, Salary Plan: 006, Grade/Range: 330 (\$32,635 - \$53,165/annual), Labor Unit Code: 003, Benefit Category: 003, EEO-4 Category: Admin Support, FLSA Status: Non-exempt.

Modify the salary range of Grade 848 from \$65.62 - \$85.31/hourly, \$136,490 - \$177,445/annual to \$65.62 - \$92.42/hourly, \$136,490 - \$192,234/annual.

Modify the salary range of Grade 846 from \$59.66 - \$77.55/hourly, \$124,093 - \$161,304/annual to \$63.59 - \$84.02/hourly, \$132,267 - \$174,762/annual.

Modify the salary range of Grade 844 from \$54.23 - \$70.50/hourly, \$112,798 - \$146,640/annual to \$58.75 - \$76.38/hourly, \$122,200 - \$158,870/annual.

Modify the salary range of Grade 842 from \$53.41 - \$69.43/hourly, \$111,093 - \$144,414/annual to \$55.22 - \$71.78/hourly, \$114,858 - \$149,302/annual.

Summary

The Classification and Compensation study was implemented rapidly to address a systemic staffing and labor market crisis throughout the City. Adjustments to grade and salary ranges are necessary as the City adapts to the new pay structures that took

effect on Aug. 7, 2023. These recommendations balance internal alignment with external market focus. As a result of the changes made during the Classification and Compensation study, staff requests that the adjustments listed above be approved.

Financial Impact

The estimated cost for this action for the first year is \$112,914.

Concurrence/Previous Council Action

On Jan. 17, 2024, Human Resources Committee 622 reviewed and recommended these modifications for approval effective on March 5, 2024.

Responsible Department

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



Amend Pay Ordinance (S-49802), Section 19 - Reclassification or Grade Change (Ordinance S-50569)

Request City Council approval of amendments to Pay Ordinance (S-49802), Section 19 - Reclassification or Grade Change in accordance with the recommendation of Human Resources Committee 622.

Summary

On Nov. 15, 2023, Council approved a change to Section 19 of the pay ordinance to clarify that if an employee received a grade or classification change that did not affect their pay rate, there would be no change to their next salary review date (i.e., merit date). That change was expected to simplify the administration of classification changes and would have no impact on employees. After further analysis, additional changes are proposed to further simplify this process.

The proposed changes to Section 19 of the pay ordinance will simplify the administration of reclassification or grade changes by avoiding continued changes to an employee's merit date. In most cases, when an employee's position is reclassified or the grade is changed, there will be no impact or change to their previously scheduled merit date. The exception will be in cases where an employee does not have a merit date, or if they were previously at top step, but moving to a step less than top step. In those cases, the table shown in the pay ordinance will be used to calculate the new merit date, which is based on a sliding scale of how large the percentage of increase was the employee received at the time of the reclassification or grade change.

The proposed language is included in **Attachment A**.

Concurrence/Previous Council Action

On Jan. 17, 2024, Human Resources Committee 622 reviewed and recommended these modifications for approval effective on March 5, 2024.

Responsible Department

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

ATTACHMENT A

New language to be included in the Pay Ordinance is identified in all capital letters. Deletions are indicated by strikethrough. For convenience all amendments, including formatting changes, are highlighted in yellow.

SECTION 19. Reclassification or Grade Change

The following rules concerning reclassifications or grade changes shall apply to employees in impacted positions:

- (a) When a position is reclassified to a classification at a different grade, or when the classification is assigned to a different pay grade, the affected employee shall be assigned to that step of the new grade which corresponds to the employee's present pay rate except that if no such rate exists, the employee shall be placed in the ~~closest~~ step **WITH THE CLOSEST PAY RATE** which does not result in a pay decrease. **THE EMPLOYEE'S NEXT SALARY REVIEW DATE SHALL NOT BE AFFECTED BY ADJUSTMENTS UNDER THIS PARAGRAPH.**

1. Placement in the new grade will be limited to the maximum step ~~in~~ **OF** that grade.

- ~~2.~~ **If a position is reclassified to a classification at a different grade, or when the classification is assigned to a different pay grade, employees eligible to be considered for a merit pay increase within ninety (90) calendar days after the effective date of a reclassification or grade change shall have the calculation described in paragraph (a) of this section based on the amount they would have received at the next merit increase.**

- ~~3.~~ **2.** Affected employees who are receiving productivity enhancement pay shall be moved to that step of the new grade which corresponds the closest to their combined current base pay and previous productivity enhancement amount, and which does not result in a decrease from that combined amount.

- ~~4.~~ **3.** When the reclassified position is changed from non-supervisory to supervisory, and the incumbent will be responsible for supervising higher paid subordinates, the employee shall be moved up one additional step in the new grade. **ANY APPLICABLE CIRCUMSTANCES DESCRIBED IN SECTION 18(G) ARE NOT AFFECTED BY THIS PARAGRAPH. The additional step shall not be granted in the following cases: the supervisor laterally transfers into a situation where a subordinate is higher paid; a higher paid subordinate rotates to the supervisor's work group; a higher paid**

~~subordinate is hired after the supervisor is hired or promoted; the subordinate is being paid higher than the salary range [Y-rated pursuant to the provisions of Section 19(c)]; the subordinate is higher paid due to receiving special assignment pay; or the subordinate is higher paid due to specialized technical skills as determined by the Human Resources Director. The applicability of this provision shall be determined by the Human Resources Director. This section does not apply to Middle Manager or Executive employees.~~

- (b) In unusual circumstances, the City Manager may permit a reclassified employee to remain at a pay rate which is above the maximum rate of the lower classification for a period not to exceed two (2) years for each pay grade the classification is reduced. (This practice is known as "Y rating.") This procedure may also be followed in determining pay rates of employees in a classification for which the pay grade has been reduced. Employees paid above the maximum step rate for their classification will be moved to the maximum step of the appropriate grade, with the salary difference required to maintain the present rate to be entered as a payroll adjustment for a period not to exceed two (2) years for each pay grade the classification is reduced.
- (c) **IN SOME CIRCUMSTANCES, if** a position is reclassified to a classification at a different grade, **or when** the classification is assigned to a different pay grade, **AND THE AFFECTED EMPLOYEE DOES NOT HAVE A NEXT SALARY REVIEW DATE OR THE EMPLOYEE WAS PREVIOUSLY AT THE TOP STEP BUT WILL BE MOVING TO A STEP THAT IS LOWER THAN THE TOP STEP.;** **IN THESE CIRCUMSTANCES,** the employee's next salary review date shall be ~~adjusted~~ **ESTABLISHED** based on the percentage of increase in pay the employee received at the time of implementation as shown in the following table. If the employee has received a merit increase during the 30 calendar days prior to the effective date of the reclassification or grade change, **or if the employee is credited with a merit adjustment pursuant to section (a)(2) above,** the percentage of pay change for determining the next salary review date shall be calculated from the employee's pay rate prior to the adjustment.

% Change	Calendar Days from date of implementation to next salary review date (NSRD)
0	NO CHANGE TO NSRD
>0 - <.5	30
.5 - < 1	60
1 - < 1.5	90
1.5 - < 2	120
2 - < 2.5	150

2.5 - < 3	180
3 - < 3.5	210
3.5 - < 4	240
4 - < 4.5	270
4.5 - < 5	300
5 or more	330

(d) IN UNUSUAL CIRCUMSTANCES, AN ADJUSTMENT TO AN EMPLOYEE'S NSRD MAY BE GRANTED UPON RECOMMENDATION OF THE EMPLOYEE'S DEPARTMENT HEAD AND APPROVAL BY THE HUMAN RESOURCES DIRECTOR.



Authorization for the Phoenix Municipal Court to Enter into an Intergovernmental Agreement with the Arizona Supreme Court Administrative Office of the Courts (Ordinance S-50548)

Request that City Council authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Arizona Supreme Court and Phoenix Municipal Court for services related to digital evidence storage.

Summary

In December 2020, the Administrative Office of the Courts (AOC) entered into a statewide contract with Thomson Reuters (AOC No. 2021-0006) to purchase Case Center digital evidence software licenses and support services. Phoenix Municipal Court had the opportunity to begin using Case Center in June 2022 for environmental civil non-traffic cases. In the near future, the Court anticipates expanding the use of this software for protective order contested hearings and remote video hearings.

The Arizona Supreme Court currently covers the cost for the Case Center licensing and support services as long as the number of case uploads remains less than nine percent of the Court's overall new case volume. The Court does not expect to meet or exceed the nine percent of new case volume even with the anticipated expansion to additional hearing types.

Financial Impact

There is no anticipated financial impact for this agreement.

Responsible Department

The item is recommended by Chief Presiding Judge B. Don Taylor III and Deputy City Manager John Chan.



Authorization to Amend Contract with Central Arizona Shelter Services, Inc. (Ordinance S-50555)

Request authorization for the City Manager, or his designee, to amend Contract 159075 with Central Arizona Shelter Services, Inc. (CASS) to add \$169,160 annually, for each year of the potential maximum five-year term, in General Purpose Funds (GPF), subject to annual budget approval, to adjust for inflation and continue to provide emergency shelter services for people experiencing homelessness in the City of Phoenix. The new contract total will not exceed \$5,235,990. Further request authorization for the City Controller to disburse all funds related to this item for the life of the contract.

Summary

The City has contracted with CASS to provide emergency shelter services since July 1, 2007. CASS's facility on the Key Campus (formerly Human Services Campus) currently serves up to 600 adult men and women. Shelter operations include security, staffing and secured storage for personal belongings, and case management. The shelter uses a coordinated entry access point run out of the co-located Brian Garcia Welcome Center.

The continued coordination of services and additional GPF is critical to serving people experiencing homelessness in the area and to regional efforts to end homelessness. CASS is a large provider of shelter services for adults in Phoenix and Maricopa County and is the only facility that has the capacity to serve this large number of homeless individuals.

Contract Term

The term of the contract will remain unchanged and began on July 1, 2023, for one year, with four one-year options to extend, which may be exercised by the City Manager or his designee.

Financial Impact

The contract will have an annual budget of approximately \$1,047,198, subject to annual budget approval. The new total contract value of this agreement shall not exceed \$5,235,990. General Purpose funding is available in the Human Services

Department Office of Homeless Solutions' budget, subject to annual budget approval.

Concurrence/Previous Council Action

On June 14, 2023, the City Council approved Contract 159075 with Ordinance S-49849.

Location

Key Campus (formerly Human Services Campus)

Council District: 7

Responsible Department

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



Request to Amend Agreement with UMOM New Day Center to Replace CDBG and CDBG-CV Funding with HOME-ARP Funding (Ordinance S-50574)

Request to authorize the City Manager, or his designee, to amend the funding of Contract 159053 with UMOM New Day Center from Community Development Block Grant (CDBG) entitlement and Community Development Block Grant Coronavirus Aid, Relief, and Economic Security Act (CDBG-CV) with the U.S. Department of Housing and Urban Development HOME Investment Partnerships Program American Rescue Plan Act of 2021 (HOME-ARP) funds. Authorization is also requested for the City Controller to disburse all HOME-ARP funds for the life of this contract. There is no impact to the General Fund.

Summary

On Nov. 16, 2022, the City Council approved entering into a contract with UMOM for the redesign, remodeling, and repurposing of an existing building on the UMOM campus. The project will expand the number of family shelter units, creating a total of 196 units on the campus. The City's grant funds addresses the rehabilitation expenditure needs.

CDBG and CDBG-CV funds were initially identified, however, the utilization of HOME-ARP balances the City's federal resources to address homelessness. The change in funding will have no impact on the project's budget of up to \$2 million nor on its schedule, which is expected to begin in 2024. Payments may be made up to agreement limits, which may extend past the agreement termination.

Financial Impact

The total contract value will remain unchanged and will not exceed \$2 million. HOME-ARP funding is available in the Housing Department's Capital Improvement Program budget. HOME-ARP is a federally funded program. There is no impact to the General Fund.

Concurrence/Previous Council Action

On Nov. 16, 2022, the City Council approved entering into a contract with UMOM to expand family emergency shelter services through Ordinance S-49187.

Location

3333 E. Van Buren St.
Council District: 8

Responsible Department

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



Calsense Irrigation Components Contract - PKS IFB-24-0066 - Request for Award (Ordinance S-50557)

Request to authorize the City Manager, or his designee, to enter into a contract with SiteOne Landscape Supply, LLC for the purchase of Calsense brand irrigation parts and supplies for the Parks and Recreation and Aviation departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$1,135,000.

Summary

This contract will provide Calsense irrigation parts, supplies and landscaping communication services on an as-needed basis, for the ongoing maintenance and repairs of landscape areas at all Parks and Recreation Department locations.

The Landscape Maintenance Section of the Facilities and Services Division is responsible for all irrigation control systems at Phoenix Sky Harbor International Airport, Deer Valley Airport and Goodyear Airport. These services allow the systems to maintain current technological standards in order to achieve both efficiencies and cost savings for the Aviation Department.

Procurement Information

An Invitation for Bid was processed in accordance with City of Phoenix Administrative Regulation 3.10.

One vendor submitted a bid deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following review of the submittal based on price, the procurement officer recommends award to the following vendor:

SiteOne Landscape Supply, LLC

Contract Term

The contract will begin on or about Jan. 1, 2024, for a five-year term with no options to extend.

Financial Impact

The aggregate contract value will not exceed \$1,135,000.

Funding is available in the Parks and Recreation and Aviation departments' operating budgets.

Responsible Department

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



Pool Chemicals Bulk Delivery Contract - PKS IFB-24-0049 - Request for Award (Ordinance S-50564)

Request to authorize the City Manager, or his designee, to enter into a contract with Hills Brothers Chemical Company to provide bulk pool chemicals for the Parks and Recreation 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 \$1.75 million.

Summary

The Parks and Recreation Department manages 29 aquatic facilities which utilize bulk feed systems for pool treatment chemicals. This contract will provide both the necessary chemicals, primarily sodium hypochlorite and muriatic acid. In addition, the selected contractor will also service and monitor the chemical levels in the storage tanks at each facility and ensure they are filled as-needed throughout the swimming season. The contract is necessary to protect the health and safety of the public who utilize these facilities.

Procurement Information

An Invitation for Bid solicitation was completed in accordance with City of Phoenix Administrative Regulation 3.10.

Two vendors submitted bids deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following an evaluation based on price, the procurement officer recommends award to the following vendors:

Selected Bidders

Hills Brothers Chemical Co: \$685,739.20

Leslie's Poolmart Inc: \$901,371.60

Contract Term

The contract will begin on or about Feb. 1, 2024, for a five-year term with two, one-year options to extend.

Financial Impact

The aggregate contract value will not exceed \$1.75 million.

Funding is available in the Parks and Recreation Department Operating budget.

Responsible Department

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



Three-Year Membership with the Global Chamber (Ordinance S-50565)

Request to authorize the City Manager, or his designee, to pay membership dues to the Global Chamber for the three-year period of 2024 - 2026 (calendar years 2024, 2025 and 2026) in the amount of \$7,000 annually, for a total aggregate amount not to exceed \$21,000. Further request to authorize the City Controller to disburse funds related to this item. Funding is available in the Community and Economic Development Department's budget.

Summary

The City of Phoenix joined the Global Chamber in 2019 and renewed its one-year membership in 2021. Headquartered in Phoenix, the Global Chamber has 12,000 members worldwide, representing the private sector, local government, economic development organizations, colleges and universities, and trade organizations.

Over the past three years, City of Phoenix elected officials and economic development staff have participated in Semiconductor Summits (2021 and 2022), a Women in Global Leadership conference, and the International State of the Metro organized by the Global Chamber. Previously, the City of Phoenix worked with the Chamber to present the "Export League" - a program providing Phoenix-based exporters with introductions to companies potentially interested in doing business with them, special education opportunities and connections to regional exporting resources. As a member, the City of Phoenix was spotlighted at the Chamber's Grow Globally Fair.

The Global Chamber has also facilitated introductions to individual companies interested in possibly locating in Phoenix. Two successful locates include ZorroSign, Inc. (from Dubai) and Paypro (from Argentina).

The Global Chamber has proposed the following collaborations for the 2024 membership year:

- Spotlight a Phoenix-based firm at the Chamber's Innovation Summit in January;
- Promote the Phoenix Global Forum (May 2, 2024) to potential sponsors among the Chamber's global members;
- Invite a City of Phoenix elected official to speak at the 3rd Annual Global Semiconductor Summit on Feb. 23, 2024;

- Implement a 2024 Export League with a focus on Phoenix-based companies;
- Collaborate on Global Chamber events including Women in Global Leadership, Grow Globally Fair, and International State of the Metro 2024; and,
- Provide introductions to companies among the Global Chamber's membership interested in locating in Phoenix.

If approved, the City's membership will be valid through December 2026.

Financial Impact

Annual membership is \$7,000, for a total aggregate amount not to exceed \$21,000 over the course of three years. Funds are available in the Community and Economic Development Department's budget.

Concurrence/Previous Council Action

The Economic Development and Housing Subcommittee recommended approval of this request on Jan. 10, 2024, by a vote of 4-0.

Responsible Department

This item is submitted by Deputy City Manager John Chan and the Community and Economic Development Department.



Central Business District Boundary Update (Resolution 22183)

Request to amend Resolution 17093 to modify the boundaries of the Phoenix Central Business District (CBD).

Summary

The City of Phoenix original CBD was established on Dec. 28, 1961. This original area was approximately 30 blocks in the City Center and was subsequently expanded in 1987 through Resolution 17093 to include just over two square miles of downtown (**Attachment A**). In 1993, a second CBD was established for part of the Sky Harbor Center Redevelopment Area to assist with the redevelopment of the areas south and west of Phoenix Sky Harbor International Airport. The Sky Harbor CBD was expanded in 1993, 1996 and then 2003. The purpose of creating a CBD was to establish a “Phoenix Tax Incentive District” to encourage private investment in the construction of substantial new improvements.

In 2018, the Arizona Legislature modified the Arizona Revised Statutes (A.R.S.) requirements for a CBD, making several changes that impacted how Arizona cities could establish the boundaries for a CBD. The modifications included a restriction on the size of a CBD, limiting areas to not more than two-and-one-half percent of that total land area of the municipality. In Phoenix this is just over 12 square miles. Additionally, the CBD must be contiguous and geographically compact with a form that has a length that is not twice its width. Despite legislative changes, the existing CBD boundary of Phoenix is grandfathered in and remains in its approved form, with the exception of the second CBD near Phoenix Sky Harbor Airport which has remained inactive since 2018. Modification of the CBD is possible; however, the new boundary for the CBD would need to comply with the modified requirements regarding the size and shape of the district boundary.

The proposed modifications to the CBD would be to expand the boundary to be generally from Thomas Road on the north to one half block south of Broadway Road on the south and the 23rd Avenue alignment on the west to 7th Street on the east. The boundaries are more specifically shown in **Attachment B**. The proposed updated boundary complies with the modified requirements in state law and will provide new opportunities for redevelopment in the updated Downtown Redevelopment Area, the

Rio Salado Redevelopment Area and the Target Area B Redevelopment Area.

Concurrence/Previous Council Action

Updates on the Phoenix Central Business District were presented to the Economic Development and Equity Subcommittee on Feb. 22, 2023 and June 14, 2023. On June 28, 2023, staff presented a modified proposal for recommendation to Economic Development and Equity Subcommittee and the item was approved by a vote of 4-0.

Public Outreach

Staff presented to the Phoenix Community Alliance Public Affairs Committee on Jan. 9, 2024, the Phoenix Community Alliance Social & Housing Advancement Committee on Jan. 11, 2024, and the Downtown Voices Coalition on Jan. 13, 2024. Presentations were also offered to the Central City and Encanto village planning committees.

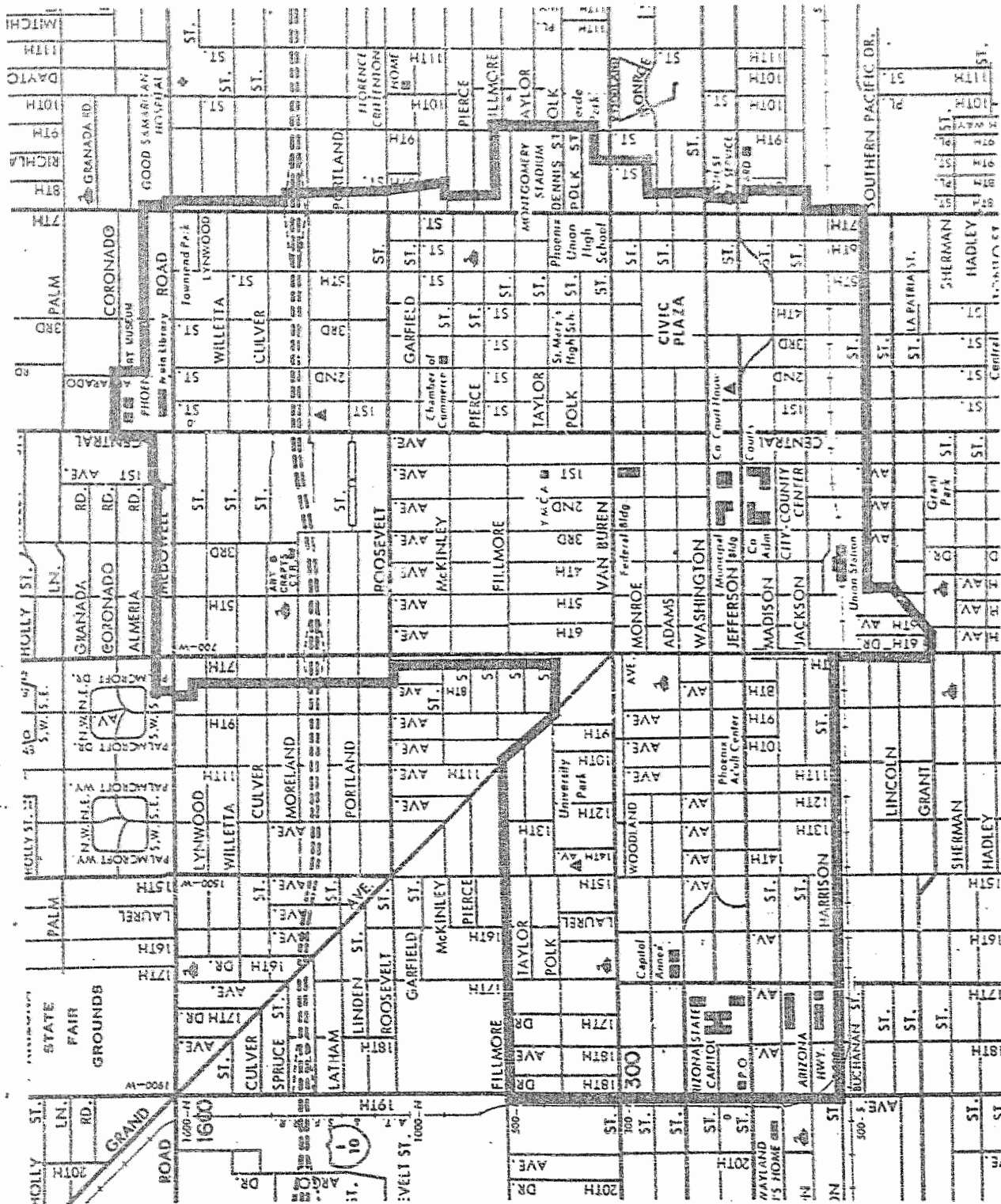
Location

Boundaries of the updated Central Business District are generally Thomas Road on the north and Broadway Road on the south, 23rd Avenue on the west and 7th Street on the east.

Council Districts: 4, 7 and 8

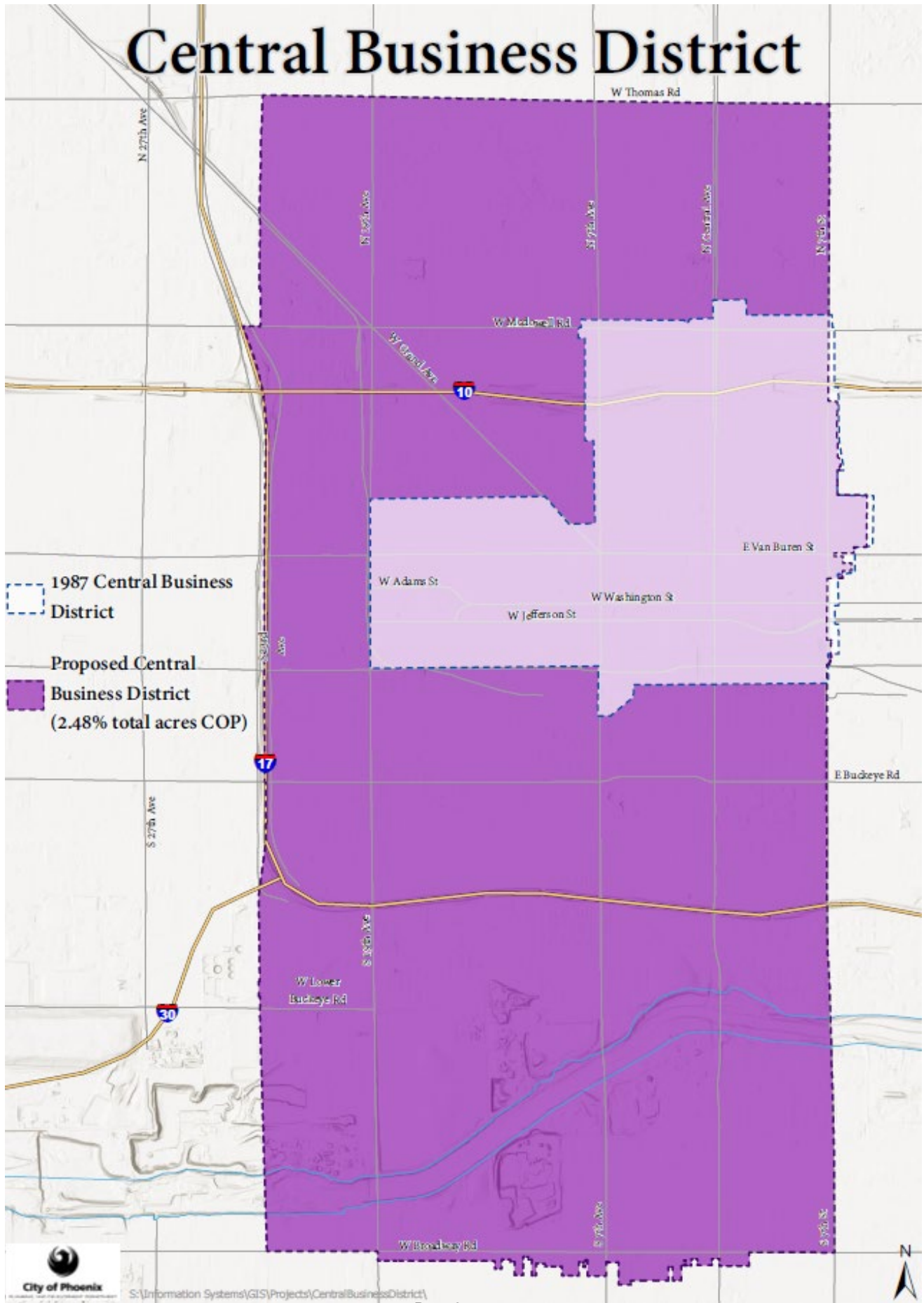
Responsible Department

This item is submitted by Deputy City Manager John Chan and the Community and Economic Development Department.



Phoenix Tax Incentive District (Central Business District)

Attachment B





Amendment to Intergovernmental Agreement between the City of Phoenix and Arizona State University for the Development of the Health Solutions Center at the Phoenix Bioscience Core (Ordinance S-50542)

Request to authorize the City Manager, or his designee, to amend the Intergovernmental Agreement (IGA) with Arizona State University (ASU) to extend and modify certain business terms and to enter into other agreements as necessary. There is no impact to the General Fund as a result of this action. Further request to authorize the City Treasurer to accept funds associated with this request.

Summary

On May 10, 2016, City Council authorized an IGA (City Contract 142599) with ASU for the development of approximately 1.5 million square feet of biomedical facilities at the Phoenix Bioscience Core (PBC). Subsequently, the City and ASU entered into a ground lease (City Contract 149060) for Phase 1 of the Health Solutions Center, now called 850 PBC, which completed construction in December 2020. Since the original agreement was envisioned, the campus and development collaborations have grown. As a result of the growth the parties have a better understanding of how changing market conditions impact development of future phases and certain contract terms are no longer in the best interest of the parties or the PBC.

As it exists today, the IGA includes very strict development timelines that do not allow enough time between phases to complete stabilization of the prior phase while completing design and financing of the next. Specifically, the IGA states that ASU shall, within 180 days of receiving the certificate of occupancy for the prior phase, issue a notification exercising its option to develop the next phase of the development and must complete the design and construction of the subsequent phase no later than 30 months following the prior phase completion. This amendment will replace the existing timeline requirements in regards to Phase 2 with updated timing as follows:

- Option to lease the Phase 2 parcel shall be exercised by ASU on or before July 31, 2024.
- ASU and the City shall use commercially reasonable efforts to enter into the subsequent phase lease for Phase 2 on or before Oct. 31, 2024, no later than Oct. 31, 2025.

- Completion of subsequent phase shall occur no later than 30 months from execution of subsequent phase lease.

In addition, a need to locate a temporary building for an MRI machine has been identified. This new MRI will allow the continued advancement of new research opportunities throughout the campus. Upon completion of the Phase 2 building, the MRI will move to a permanent location and the temporary building will be removed. To facilitate the temporary building, this amendment shall also modify the Temporary Surface Parking Provision as follows:

- The temporary surface parking area may be utilized for other temporary structures that support the function and business of the PBC.
- The rental rate for any temporary structure shall be one dollar and eighty-five cents (\$1.85) per square foot of land.

Financial Impact

There is no impact to the General Fund as a result of this action.

Concurrence/Previous Council Action

City Council previously approved:

- Contract 142599 (Ordinance S-41736) on May 19, 2015;
- Amendment to Contract 142599 (Ordinance S-43332) on March 22, 2017; and
- Amendment to Contract 142599 (Ordinance S-49043) on Oct. 12, 2022.

Location

Approximately four blocks bounded by 4th and 6th streets and Garfield and Fillmore streets.

Council District: 8

Responsible Department

This item is submitted by Deputy City Manager John Chan and the Community and Economic Development Department.



Temporary Parking License Agreement with Translational Genomics Research Institute Amendment (Ordinance S-50545)

Request to authorize the City Manager, or his designee, to enter a temporary parking license agreement with the Translational Genomics Research Institute (TGen) for temporary parking staging needs. Further request to authorize the City Treasurer to accept all necessary funds related to this item. There is no impact to the General Fund as a result of this action.

Summary

The Community and Economic Development Department (CEDD) manages the property at the southwest corner of Fillmore and 7th streets currently developed as a surface parking lot. The property does not have a dedicated parking use, but is occasionally used to support development activities in the Phoenix Biosciences Core. In June 2023, City Council authorized a temporary parking license agreement with TGen for the temporary parking of a mobile testing unit, MindCrowd. The mobile unit utilizes online 'games' to assess brain health and insights for brain diseases, including Alzheimer's disease. Due to the success of the program, TGen has extended the program's time frame. The mobile testing unit is expected to require up to seven parking spaces.

Contract Term

The term of the license will be one month, with month-to-month extensions at the City's sole discretion. There is no limit to the number of extensions the City may authorize.

Financial Impact

The license fee will be based on market rent and/or other valuable consideration, and any fees received will be deposited into the City's Genomic Facilities and Operations Fund. The current monthly parking rate is \$47 per space per month.

Concurrence/Previous Council Action

City Council previously approved a Temporary Parking License Agreement (Ordinance S-49988) on June 28, 2023.

Location

Southwest corner of Fillmore and 7th streets
Council District: 8

Responsible Department

This item is submitted by Deputy City Manager John Chan and the Community and Economic Development Department.



Authorization to Enter into Agreement with the Department of Public Safety for Facility Access and Usage of the Phoenix Regional Police Academy (Ordinance S-50571)

Request retroactive authorization for the City Manager, or his designee, to allow the Police Department to enter into an agreement with the Department of Public Safety (DPS), to have access and usage of the Phoenix Regional Police Academy (PRPA).

Summary

The DPS seeks to use the PRPA for scheduled events such as driver training, training at the tactical training village, physical fitness activities, usage of onsite gym, training involving defensive tactics, firearms training and classrooms. Allowing DPS access to the PRPA will foster mutual collaboration between DPS and the Phoenix Police Department. The benefits of mutual collaboration include sharing resources and expertise regarding the various training programs held at the PRPA. The agencies can enhance their effectiveness with the training of recruits and sworn officers. Denying DPS access to the PRPA may prevent the two agencies from taking advantage of each other's training expertise, skills, and resources.

Contract Term

The agreement shall be in effect retroactive as of Nov. 14, 2023 for period of one year.

Financial Impact

There will be no financial impact for this agreement.

Responsible Department

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



Authorization to Apply for Arizona Department of Public Safety Anti-Human Trafficking Grant (Ordinance S-50566)

Request to authorize the City Manager, or his designee, to allow the Police Department to apply for, accept, and enter into an agreement with the Arizona Department of Public Safety (DPS) for the Anti-Human Trafficking Grant. The grant amount is not to exceed \$500,000. No matching funds are required.

Summary

The Police Department wants to apply for the DPS Anti-Human Trafficking Grant. The purpose of this grant is to provide resources to law enforcement agencies to enhance services and programs that reduce human trafficking. The grant funding will provide support to law enforcement agencies by providing resources for personnel, equipment, supplies and training to combat human trafficking.

The primary goal of the Police Department's HEAT Unit is to disrupt human trafficking activity in the Phoenix metropolitan area at its root cause, and firmly believe human traffickers are primarily responsible for this activity. This funding would assist in investigations that would aim to identify, target, and successfully prosecute human traffickers in a manner that would prevent them from recruiting and victimizing any other individuals. The HEAT Unit will work with the Advocacy Center to connect victims with their holistic, victim-centered, trauma-informed services and the victim advocate who is embedded with the unit.

The grant application is due on May 1, 2024. If approved, the Police Department will move forward with submitting our application.

Contract Term

The contract term of one-year beginning July 1, 2024, to June 30, 2025.

Financial Impact

No matching funds are required.

Responsible Department

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



Authorization to Apply for the Arizona Department of Public Safety Fentanyl Prosecution, Diversion and Testing Grant (Ordinance S-50567)

Request to authorize the City Manager, or his designee, to allow the Police Department to apply for, accept, and enter into an agreement with the Arizona Department of Public Safety (DPS) for the Fentanyl Prosecution, Diversion and Testing Grant. The grant funds are available on a first-come, first-served basis. No matching funds are required.

Summary

The Police Department wants to apply for the DPS Fentanyl Prosecution, Diversion and Testing Grant. The purpose of this grant is to provide reimbursement to law enforcement agencies for costs associated with investigations, testing, and prosecution or diversion of fentanyl related crimes. The Drug Enforcement Bureau Street Enforcement Unit (SEU) would utilize the Fentanyl Prosecution, Diversion and Testing Grant to facilitate the Police Department's detectives fentanyl trafficking investigations. These investigations would aim to identify, target, and successfully prosecute fentanyl traffickers in a manner that would prevent them from victimizing any other individuals. In the process of targeting fentanyl traffickers, SEU will identify, locate, and arrest subjects trafficking in fentanyl.

Grant applications will be accepted until the \$3,000,000 is depleted or June 30, 2024. If approved, the Police Department will move forward with submitting our application.

Contract Term

The contract term will be for one year from the date of approved award.

Financial Impact

No matching funds are required.

Responsible Department

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



Amend Phoenix City Code to Include Peer-to-Peer Car Sharing and the Commercial Use Permit Requirements at Phoenix Sky Harbor International Airport (Ordinance G-7221)

Request

Request to authorize the City Manager, or his designee, to amend City Code to establish an ordinance for the Peer-to-Peer Car Sharing Program that includes a fee for shared vehicle transactions as authorized under Arizona Revised Statutes (A.R.S.) 28-9614, and to revise Phoenix City Code - Chapter 4 Aviation - sections 4-1, 4-190 and 4-192 to modernize, strengthen, and clarify the ordinance related to Commercial Use Permits.

Summary

Peer-to-Peer Car Sharing

On April 9, 2021, Arizona Senate Bill 1720 (SB 1720) was signed into law to allow peer-to-peer car sharing, which allows vehicle sharing operators and their shared vehicle owners to use certain Phoenix Sky Harbor International Airport (PHX) facilities when conducting operations that provide vehicle sharing services for the convenience of the public at PHX. Per A.R.S. Section 28-9601(7)(a), peer-to-peer car sharing means "the authorized use of a shared vehicle by an individual other than the shared vehicle owner through a peer-to-peer car sharing program." The Aviation Department entered into a temporary license agreement with peer-to-peer car sharing companies to pilot the program at PHX. Establishing an ordinance in the City Code for peer-to-peer vehicle sharing operations will effectively allow peer-to-peer vehicle sharing businesses to continue to operate at PHX by requiring them to have an operating agreement with PHX. These operating agreements may establish operating fees for shared vehicle transactions that will allow the Aviation Department to collect revenue from these operations.

Commercial Use Permit Program

During a recent City audit of the Commercial Use Permit (CUP), several areas were identified that required updating to be consistent with Aviation Rules & Regulations and clarify business operations. The following recommended updates will modernize, strengthen, and clarify the ordinance governing CUP program:

- Section 4-1. Definitions
- Section 4-190. Commercial use permit requirements; effective date; applicability.
- Section 4-192. Commercial use permit fees.

Section 4-1. Definitions

To expand the definition of “Air carrier” to include consortiums of Air carriers.

Current Language:

"Air carrier" means a person who is certificated by the Federal Aviation Administration to engage in air transportation directly by lease or by other arrangement.

Proposed Language:

"Air carrier" means a person who is certificated by the Federal Aviation Administration to engage in air transportation directly by lease or by other arrangement. For purposes of this Chapter, a consortium of Air carriers will be treated as an Air carrier.

Section 4-1. Definitions

To define “Affiliate” to harmonize with Aviation Rules & Regulations 10-01.

Current Language:

None

Proposed Language:

“Affiliate” means (a) any Air carrier flying in or out of the Airport solely for the benefit of another Air carrier, under the livery of that Air carrier, and under contract to that Air carrier, or if flying under its own livery, is not selling any seats in its own name and all seats are being sold in the name of the Air carrier that Affiliate is under contract to, or (b) a wholly owned subsidiary of Air carrier or a subsidiary of the same corporate parent of the Air carrier. An Affiliate shall be considered an agent of the Air carrier for which it flies. Any Air carrier that flies under its own livery and sells seats in its own name shall not be classified as an Affiliate.

Section 4-1. Definitions

To define “Courier Type Service” to exclude baggage delivery companies from CUP Fee exemption.

Current Language:

None

Proposed Language:

Courier Type Service” means a person or company that delivers goods, packages,

messages, letters, documents, parcels, or consignments to the airport premises. For purposes of this Chapter, Courier Type Services do not apply to the delivery of an airlines' mishandled luggage or packages from the airport premises to its passenger (s).

Section 4-190. Commercial use permit requirements; effective date; applicability.
To amend Section 4-190 to exempt services provided to or by Affiliates from CUP requirements.

Current Language:

- A. Individuals or companies who provide an aviation related service(s) to or for a certificated Part 121 and/or Part 135 Air carrier shall be required to obtain a commercial use permit (CUP) authorizing their commercial activity on or from the airport premises; except, a CUP shall not be required for:
1. Commercial activities authorized under terms of an existing Aviation Department lease or license. Air carriers will not be required to obtain a CUP for providing services to or carriers with whom they are sharing a gate. Air carriers will be required to obtain a CUP for providing services to all other carriers.
 2. Deliveries of a product to the airport premises or courier type services.
 3. Contractors performing work under a tenant improvement contract.
- B. Applicability. The provisions of this Article shall not be in conflict with or in derogation of the minimum standards and agreements for fixed base operators.
- C. Exclusion. The provisions of this Article shall not apply to, or supersede, the provisions of section 4-6 of this chapter. (Ordinance G-4116, § 2, 1998)

Proposed Language:

- A. Individuals or companies who provide an aviation related service(s) to or for a certificated Part 121 and/or Part 135 Air carrier shall be required to obtain a commercial use permit (CUP) authorizing their commercial activity on or from the airport premises; except, a CUP shall not be required for:
1. Commercial activities authorized under terms of an existing Aviation Department lease or license. Air carriers will not be required to obtain a CUP for providing services to Affiliates or carriers with whom they are sharing a gate. Air carriers will be required to obtain a CUP for providing services to all other carriers.

2. Affiliates of the Air carrier for whom the services are being provided.
3. Deliveries of a product to the airport premises or courier type services.
4. Contractors performing work under a tenant improvement contract.

B. Applicability. The provisions of this Article shall not be in conflict with or in derogation of the minimum standards and agreements for fixed base operators.

C. Exclusion. The provisions of this Article shall not apply to, or supersede, the provisions of section 4-6 of this chapter. (Ordinance G-4116, § 2, 1998)

Section 4-192. Commercial use permit fees.

To require CUP permit holders to provide copies of invoices to substantiate the CUP fees being reported.

Current Language:

- A. The fee for CUP activities and operations on or from the airport, is eight percent of gross revenue, as defined in the CUP.
- B. The fee provided in subsection (A) shall be paid on a monthly basis and shall be due and payable at the place and time that the Aviation Director shall designate.
- C. Delinquent account fees shall be assessed in accordance with section 4-7 of the Phoenix City Code. (Ordinance G-4116, § 2, 1998)

Proposed Language:

- A. The fee for CUP activities and operations on or from the airport, is eight percent of gross revenue, as defined in the CUP.
- B. Reporting and payment of the fee provided in subsection (A) shall be substantiated with copies of associated invoices and paid on a monthly basis and shall be due and payable at the place and time that the Aviation Director shall designate.
- C. Delinquent account fees shall be assessed in accordance with section 4-7 of the Phoenix City Code. (Ordinance G-4116, § 2, 1998)

Concurrence/Previous Council Action

The Transportation, Infrastructure, and Planning Subcommittee recommended approval of this item on Jan. 31, 2024 by a vote of 4-0.

Location

Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road
Council District: 8

Public Outreach

On Nov. 1, 2023, a 60-day notice to the public was published for the Peer-to-Peer Code Revision. On Dec. 15, 2023, a 15-day notice to the public was published for the Peer-to-Peer Code Revision.

Responsible Department

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



Airport Custodial and Floor Care Services Contracts - AVN RFP 23-032 - Request for Award (Ordinance S-50535)

Request to authorize the City Manager, or his designee, to enter into three separate contracts with ABM Aviation, Inc., 3H & 3H, Inc., and JanCo FS 3, LLC doing business as Velociti Services to provide custodial and floor care services at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport (Airports) in a combined amount up to \$224 million for the seven-year total contract term. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

On May 31, 2023, the Phoenix City Council authorized the issuance of a Request for Proposal (RFP) for three contracting opportunities under the Airport Custodial and Floor Care Services RFP, large company, small company, and floor care services categories. The small company category opportunity was reserved for small businesses, including local small businesses with gross income less than \$22 million over the past three years, pursuant to the Small Business Administration's guidelines. The contracts will provide staff, equipment, supplies, and supervision necessary to furnish custodial cleaning and floor care services for the Airports. Each contract opportunity will include an Employee Retention Policy, which will require the successful proposer to retain current custodial services contract employees for at least 90 days.

Procurement Information

A Request for Proposal (RFP) AVN RFP 23-032 was processed in accordance with City of Phoenix Administrative Regulation 3.10. A total of 23 proposals were received for the following three Groups under the RFP. All proposals were reviewed for minimum qualifications and responsiveness and seven proposals were deemed non-responsive.

- Group A - Large Company Custodial Services
- Group B - Small Company Custodial Services
- Group C - Floor Care Services (Large Company)

A four-member evaluation committee evaluated those proposals based on the following five criteria with a maximum possible point total of 1,000:

- Operations Plan: 0-300 Points
- Qualifications/Experience: 0-225 Points
- Quality Assurance and Work Order Management Program: 0-200 Points
- Recruitment and Retention Plan: 0-175 Points
- Pricing: 0-100 Points

After reaching consensus for all three Groups, the evaluation committee recommends awards to the following vendors:

Group A - Large Company Custodial Services:
ABM Aviation, Inc. - 855.23 Points.

Group B - Small Company Custodial Services:
3H & 3H, Inc. - 841.26 Points.

Group C - Floor Care Services (Large Company):
JanCo FS 3, LLC doing business as Velociti Services - 788.23 Points.

Contract Term

The contracts will begin on or about April 1, 2024, for a five-year term with two one-year extension options for a total seven-year contract, which shall be exercised at the sole discretion of the Aviation Director.

Financial Impact

The total combined contract value will be up to \$224 million for the aggregate seven-year contract term.

Funding is available in the Aviation Department's budgets.

Concurrence/Previous Council Action

The Business and Development Subcommittee recommended approval of this item on Nov. 2, 2023, by a vote of 3-0.

The Phoenix Aviation Advisory Board recommended approval of this item on Nov. 16, 2023, by a vote of 6-0.

The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item on Jan. 31, 2024, by a vote of 4-0.

Location

Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road

Phoenix Deer Valley Airport, 702 W. Deer Valley Road

Goodyear Airport, 1658 S. Litchfield Road, Goodyear, Ariz.

Council Districts: 1, 8, and Out of City

Responsible Department

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



Airport Concessions Consulting Services Contract - AVN RFP 23-0123 - Request for Award (Ordinance S-50537)

Request to authorize the City Manager, or his designee, to enter into contracts with SI Partners, Inc. and Unison Consulting, Inc. to provide airport concessions consulting services at Phoenix Sky Harbor International Airport. Further request to authorize the City Controller to disburse all funds related to this item. The total combined value of the contracts will be up to \$750,000.

Summary

The consulting firms will provide airport concessions consulting services by utilizing their expertise with industry trends and financial analytics to enhance the overall concessions program at Phoenix Sky Harbor International Airport.

Procurement Information

A Request for Proposal was processed in accordance with City of Phoenix Administrative Regulation 3.10.

The same five vendors submitted proposals for both Group A - Concession Analytics and Financial Studies and for Group B - Business Programming and Concession Trends, and all five were deemed responsive and responsible for both Groups. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point total of 1,000 for each Group:

Qualifications and Experience of the Primary Consultant: 0-350 Points

Method of Approach: 0-325 Points

Qualifications and Experience of Proposer: 0-200 Points

Fee Schedule: 0-125 Points

After reaching consensus, the evaluation committee recommends contract awards to the following vendors:

Group A - Concession Analytics and Financial Studies - SI Partners, Inc., 875 Points

Group B - Business Programming and Concession Trends - Unison Consulting, Inc., 930 Points

Contract Term

The contracts will begin on or about Feb. 1, 2024, for a three-year term with two one-year options to extend, at the sole discretion of the Aviation Director, for a five-year contract term.

Financial Impact

The total combined contract value will be up to \$750,000 for the five-year term.

Funding is available in the Aviation Department Operating budget.

Concurrence/Previous Council Action

The Business and Development Subcommittee recommended approval of the item on Dec. 7, 2023, by a vote of 2-0.

The Phoenix Aviation Advisory Board recommended approval of the item on Dec. 21, 2023, by a vote of 8-0.

The Transportation, Infrastructure, and Planning Subcommittee recommended approval of the item on Jan. 31, 2024, by a vote of 4-0.

Location

Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road
Council District: 8

Responsible Department

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



Electrical Services Requirements Contract - IFB 19-002 - Amendment (Ordinance S-50532)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 149383 with Kind Electric, LLC (Kind Electric) to extend the contract term for up to six months. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed.

Summary

This contract allows electrical labor, materials, supplies, equipment and preventative maintenance services to be provided to the Aviation, Phoenix Convention Center and Water Services departments. The amendment and extension of this Contract will allow the Aviation, Phoenix Convention Center and Water Services departments to continue receiving these critical services while allowing time to complete a new solicitation without a lapse in services.

Contract Term

Upon approval, the Contract may be extended on a month-to-month basis for up to six months.

Financial Impact

The value of the Contract is up to \$2,822,000 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously approved this request as follows:

- Contract Award: Contract 149382 (Performance Electric) and Contract 149383 (H&B Electric, Inc.) (Ordinance S-45380) on Feb. 20, 2019.
- Contract Amendment: Assign Contract 149383 (Ordinance S-50180) from H&B Electric, Inc. to Kind Electric on Sept. 20, 2023.

Location

Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road
Phoenix Deer Valley Airport, 702 W. Deer Valley Road
Phoenix Goodyear Airport, 1658 S. Litchfield Road, Goodyear, Ariz.

Phoenix Convention Center, 100 N. 3rd St.
Various locations within the Water Services Department.
Council Districts: 1, 7, 8, and Out of City

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua, Ginger Spencer and John Chan, and the Aviation, Phoenix Convention Center and Water Services departments.



Heating, Ventilation, Air Conditioning and Refrigeration Systems, Components, Equipment/Controls, Maintenance, Repair and Installation Services Contract - RFP 23-0138 - Request for Award (Ordinance S-50538)

Request to authorize the City Manager, or his designee, to enter into contracts with Climatec, LLC and Mesa Energy Systems, Inc., dba EMCOR Services Arizona to provide heating, ventilation, air conditioning and refrigeration systems (HVACR) for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of these contracts will be up to \$15,008,000.

Summary

The contracts will provide all HVACR components, equipment, controls, maintenance, repair, and installation services at the Phoenix Sky Harbor, Deer Valley, and Phoenix Goodyear Airports. The two contracting opportunities solicited in the RFP as Group I and Group II, will establish full-service maintenance of all three airports' HVACR systems, related equipment, controls, water treatment equipment, and Building Automation Systems (BAS), to ensure the equipment operates at peak efficiency and optimal energy/water efficiency 24 hours a day, all year round.

Group I - HVACR Controls

Will provide all the necessary materials, labor, and equipment, to perform point-to-point testing and inspections for the central plant equipment, BAS and other HVACR related equipment, to ensure the controls operate at peak efficiency.

Group II - HVACR Mechanical

Will provide all the required equipment, tools, and labor, necessary to perform predictive and preventative maintenance on Central Plants' HVACR equipment and HVACR water treatment equipment, to ensure optimal energy/water efficiency.

The Aviation Department currently utilizes two contractors for the maintenance of the multiple central plants and HVACR related equipment operating at all three airports. Both contracts will expire on March 31, 2024.

Procurement Information

A Request for Proposal was processed in accordance with City of Phoenix

Administrative Regulation 3.10.

Two vendors submitted proposals deemed responsive and responsible for Group I and one vendor submitted a proposal deemed responsive and responsible for Group II. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point total of 1,000:

Method of Approach to Scope of Services (0-350 points)
Qualifications and Experience of Key Personnel (0-300 points)
Firm Qualifications and Experience (0-200 points)
Fee Schedule (0-150 points)

After reaching consensus, the evaluation committee recommends award to the following vendors:

Group I

Climatec, LLC, 900 points

Group II

Mesa Energy Systems, Inc., dba EMCOR Services Arizona, 905 points

Contract Term

The contracts will begin on or about April 1, 2024, for a five-year term with two one-year options to extend for a total seven-year contract term, at the sole discretion of the Director of Aviation Services.

Financial Impact

The total combined contract values will be up to \$15,008,000, for the total seven-year contract term.

Funding is available in the Aviation Department Operating budget.

Location

Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road.
Phoenix Deer Valley Airport, 702 W. Deer Valley Road.
Goodyear Airport, 1658 S. Litchfield Road, Goodyear, Ariz.
Council Districts: 1, 8, and Out of City

Responsible Department

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



Queuing Equipment and Accessories Contracts - RFQu 24-0153 - Request for Award (Ordinance S-50552)

Request to authorize the City Manager, or his designee, to enter into contracts with Lavi Industries, LLC; Tensator, Inc.; and Visiontron Corp. to provide queuing equipment such as stanchions and accessories for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of these contracts will be up to \$400,000.

Summary

These contracts will provide queuing equipment and accessories such as stanchions, belts, bases, signage, and accessories to manage terminal queuing at Phoenix Sky Harbor International Airport (PHX) in a safe and orderly manner. These queuing equipment contracts will allow PHX staff to purchase needed materials for managing crowd control within the terminals while also meeting the Americans with Disabilities Act requirements, increasing efficiency, and providing a safer experience for the traveling public.

Procurement Information

A Request for Qualifications procurement was processed in accordance with Administrative Regulation 3.10 to establish a Qualified Vendor List (QVL).

Three offerors submitted qualifications and were deemed to be responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following minimum qualifications:

- Business Experience
- Delivery Capacity

The following offerors met the minimum qualification criteria and are being recommended for placement on the QVL:

- Lavi Industries, LLC
- Tensator, Inc.

- Visiontron Corp.

Contract Term

The contracts will begin on or about March 1, 2024, for five-year terms with no options to extend.

Financial Impact

The aggregate value of these contracts will be up to \$400,000 for the total five-year contract term.

Funding is available in the Aviation Department's operating budget.

Location

Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road
Council District: 8

Responsible Department

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



Federal Express Corporation, United Parcel Service, Inc., Worldwide Flight Services, Inc. Amendments to Extend Lease Terms (Ordinance S-50559)

Request to authorize the City Manager, or his designee, to amend Ground Leases with Federal Express Corporation (FedEx), United Parcel Service, Inc. (UPS), and Worldwide Flight Services, Inc. (WFS) to extend the lease terms to April 5, 2027 at Phoenix Sky Harbor International Airport (PHX).

Summary

FedEx, UPS, and WFS lease parking lot space in the East Tonto Lot (Lot) at PHX to provide parking and storage for tractor trailers and automobiles. Each lease has a different termination date. The Aviation Department has identified the Lot as a location that may be displaced to accommodate future airport growth and development. To accommodate redevelopment of the Lot, staff requests to extend the leases to be coterminous on the same contract expiration date of April 5, 2027, and include two one-year options to extend at the sole discretion of the Aviation Director.

Contract Term

Lease terms are as follows: FedEx Lease 134887 for approximately 60,000 square feet of space is scheduled to terminate on Oct. 31, 2024, UPS Lease 153576 for approximately 87,120 square feet of space is scheduled to terminate on Jan. 31, 2024, and WFS Lease 154728 for approximately 43,560 square feet of space is scheduled to terminate on April 5, 2024. With this action, all three leases will be amended to co-terminate on April 5, 2027. Provisions of the amendments will include two one-year options to extend, which may be exercised at the sole discretion of the Aviation Director.

Financial Impact

Current annual rent from FedEx, UPS, and WFS is approximately \$286,621. Total revenue anticipated over the extended terms of the leases, if the extension options are exercised will be approximately \$1,146,363.

Concurrence/Previous Council Action

City Council previously approved:

- FedEx Ground Lease 134887 (Ordinance S-38889) on June 6, 2012;

- FedEx Ground Lease 134887 Amendment (Ordinance S-41188) on Oct. 1, 2014;
- FedEx Ground Lease 134887 Amendment (Ordinance S-45977) on Aug. 28, 2019;
- UPS Ground Lease 153576 (Ordinance S-46766) on June 17, 2020; and
- WFS Ground Lease 154728 (Ordinance S-47106) on Nov. 18, 2020.

This Amendment was approved by:

- The Phoenix Aviation Advisory Board, Business and Development Subcommittee on Jan. 4, 2024 by a vote of 3-0.
- The Phoenix Aviation Advisory Board on Jan. 18, 2024 by a vote of 6-0.

Location

Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road
Council District: 8

Responsible Department

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



DBRT Goodyear FBO, LLC dba Lux Air Lease Amendment (Ordinance S-50562)

Request to authorize the City Manager, or his designee, to amend Fixed Base Operator (FBO) Lease 138997 with DBRT Goodyear FBO, LLC (dba Lux Air) to add additional premises for aircraft storage and a fuel farm expansion on vacant land at Phoenix Goodyear Airport (GYR).

Summary

Lux Air operates an FBO concession operations at GYR. Lux Air has requested to lease approximately 60,000 square feet of land that is currently underutilized automobile parking lot, to convert it to aircraft parking space. Additionally, Lux Air has requested to lease approximately 24,500 square feet of land to expand its fuel farm and increase their fueling capacity. This land was previously leased to Lufthansa Flight Training as an aircraft fuel farm. Lux Air intends to make tenant improvements to both premise locations at a total estimated cost of \$1.25 million.

Contract Term

The additional premises will be added to Lease 138997 which expires on April 9, 2053.

Financial Impact

Rent for the aircraft parking premises will be at the rate of \$0.38 per square foot, or approximately \$22,800 per year. One year after the airport parking premises is added to the Lease, rent will be adjusted annually based on the Phoenix-Mesa-Scottsdale Consumer Price Index (CPI). Anticipated revenue for the aircraft parking premises over the remaining term of the Lease will be approximately \$684,000. Revenue from expanding the fuel farm capacity will be in the form of a fuel flowage fee, which is currently \$0.14 per gallon. The fuel flowage fee is adjusted annually per the CPI.

Concurrence/Previous Council Action

The Phoenix Aviation Advisory Board, Business and Development Subcommittee recommended approval of the item on Jan. 4, 2024 by a vote of 3-0.

The Phoenix Aviation Advisory Board recommended approval of the item on Jan. 18, 2024 by a vote of 6-0.

Location

Phoenix Goodyear Airport, 1658 S. Litchfield Road, Goodyear, Ariz.

Council District: Out of City

Responsible Department

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



Arizona Aviation Partners Ground Lease at Phoenix Goodyear Airport (Ordinance S-50563)

Request to authorize the City Manager, or his designee, to enter into a ground lease with Arizona Aviation Partners, LLC (AZ Partners) for approximately 28 acres of vacant land at Phoenix Goodyear Airport (GYR).

Summary

AZ Partners is requesting to enter into a ground lease at GYR to construct an air cargo facility on approximately 28 acres (1,219,680 square feet) of vacant land. The proposed cargo facility may include cold and/or dry storage facilities, maintenance and repair facilities, or other approved aeronautical uses with an investment of approximately \$40 million.

Contract Term

The Primary Lease Term will be 35 years, with one 10-year renewal option to be exercised at the sole discretion of the Aviation Director. The Primary Lease Term will be preceded by a development period of up to 24 months to construct improvements before ground rent commences. The Primary Lease Term will commence after the 24-month development period or when a Certificate of Occupancy is issued for the cargo building, whichever occurs first.

Financial Impact

Rent for the first year of the Primary Term of the lease will be at the rate of \$0.34 per square foot, or approximately \$414,691 per year. Rent will be adjusted annually commencing after the first year of the Primary Term based on the Phoenix-Mesa-Scottsdale Consumer Price Index. Rent Credits of approximately \$4 million will be applied to rent during the Primary Lease Term in order to compensate AZ Partners for improvements outside the leased premises area that benefit GYR and are necessary to make the development of the leased area operational. Such improvements are expected to include: taxiway connectors, vehicle access roads, and utility connections. Total rent anticipated over the Primary Term of the lease, if the extension option is exercised, will be approximately \$18,661,095.

Concurrence/Previous Council Action

The Phoenix Aviation Advisory Board, Business and Development Subcommittee recommended approval of the item on Jan. 4, 2024 by a vote of 3-0.

The Phoenix Aviation Advisory Board recommended approval of the item on Jan. 18, 2024 by a vote of 6-0.

Location

Phoenix Goodyear Airport, 1658 S. Litchfield Road, Goodyear, Ariz.

Council District: Out of City

Responsible Department

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



Avis Budget Car Rental, LLC New Ground Lease (Ordinance S-50561)

Request to authorize the City Manager, or his designee, to enter into a new Ground Lease with Avis Budget Car Rental, LLC (Avis) for approximately three acres at Phoenix Sky Harbor International Airport (PHX).

Summary

Avis operates a rental car concession at the Rental Car Center (RCC) at PHX. Avis is requesting to lease approximately three acres in the East Tonto Lot (Lot) at PHX for storage of excess rental cars related to their business operations at the RCC. The Aviation Department has identified the Lot as a location that may be displaced to accommodate future airport growth and development. To accommodate redevelopment of the Lot, staff requests to establish the lease term expiration date of April 5, 2027 to be coterminous on the same contract expiration date as other leases in the Lot, and include two one-year options to extend at the sole discretion of the Aviation Director.

Contract Term

The ground lease term will be three years and will commence on April 6, 2024, and terminate on April 5, 2027. Provisions of the ground lease will include two one-year options to extend which may be exercised at the sole discretion of the Aviation Director.

Financial Impact

Rent for the first year of the Ground Lease will be approximately \$137,214 and will be adjusted annually based on the Phoenix-Mesa-Scottsdale Consumer Price Index or three percent, whichever is greater. Total anticipated revenue, if all options are exercised, will be approximately \$686,070.

Concurrence/Previous Council Action

The Phoenix Aviation Advisory Board, Business and Development Subcommittee recommended approval of the item on Jan. 4, 2024 by a vote of 3-0.

The Phoenix Aviation Advisory Board recommended approval of the item on Jan. 18, 2024 by a vote of 6-0.

Location

Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road
Council District: 8

Responsible Department

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



Original Equipment Manufacturer Systems Training - RFA 24-FSD-035 - Request for Award (Ordinance S-50536)

Request to authorize the City Manager, or his designee, to enter into a contract with Cummins Inc. for the purpose of training technicians on Cummins systems for the Public Works 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 \$200,000.

Summary

The Public Works Department is requesting Original Equipment Manufacturer (OEM) training to assist technicians on diagnosing and repairing equipment. Cummins courses consist of hands-on training that will allow City of Phoenix technicians to troubleshoot engine components, conduct fault analysis, repair equipment, and be familiar with natural gas engines that are used in the refuse truck fleet. This training will help reduce downtime and get units back in service to maintain fleet in a timely manner for citywide operations.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo citing Special Circumstances Sole Source. Cummins Inc. is the sole OEM dealer in the state of Arizona and is the only vendor authorized to provide OEM Cummins Systems Training.

Contract Term

The contract will begin on or about April 1, 2024 for a three-year term with two one-year options to extend.

Financial Impact

The contract value will not exceed \$200,000 for the five-year term.

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

Responsible Department

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



Public Works Solid Waste Support On-Call Services - Amendment (Ordinance S-50546)

Request to authorize the City Manager, or his designee, to execute amendments to Agreement 151938 with Geo-Logic Associates, Inc. and Agreement 151941 with Brown & Caldwell, Inc. to provide additional Solid Waste Support On-Call Services for the Public Works Department. Further request to authorize execution of amendments to the agreements 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 additional total fee for services included in these amendments will not exceed \$1,250,000.

Summary

The purpose of these agreements is to provide various support services for landfills, transfer station facilities, hauling yards, and maintenance facilities. Services include engineering, environmental, groundwater monitoring, survey, and other related services as required.

The amendments are necessary because the funding is being utilized faster than anticipated due to additional and unanticipated engineering, environmental and groundwater monitoring services needed. These amendments will provide additional funds to the agreements.

Contract Term

The term of the agreements remains unchanged from the issuance of the original Notices 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 initial agreements for Public Works Solid Waste Support On-Call Services were approved for an amount not to exceed \$4 million, including all subconsultant and reimbursable costs.

- This amendment will increase Agreement 151938 by an additional \$1,000,000, for a new total amount not to exceed \$2,500,000, including all subconsultant and reimbursable costs.
- This amendment will increase Agreement 151941 by an additional \$250,000, for a new total amount not to exceed \$750,000, including all subconsultant and reimbursable costs.

Upon approval of the \$1,250,000 in additional funds, the revised aggregate value of the agreements will not exceed \$5,250,000. Funding for these amendments is available in the Public Works Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to the execution of any on-call task order of \$100,000 or more. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The City Council approved Public Works Solid Waste Support Services Agreements 151938 through 151942 (Ordinance S-46518) on April 15, 2020.

Location

Del Rio Landfill, 1150 E. Elwood St.
Skunk Creek Landfill, 3165 W. Happy Valley Road
19th Avenue Landfill Cell A, 1701 W. Lower Buckeye Road
19th Avenue Landfill Cell A-1, 3850 S. 15th Ave.
27th Avenue Landfill, 3060 S. 27th Ave.
27th Avenue Transfer Station / MRF, 3060 S. 27th Ave.
North Gateway Transfer Station / MRF, 30205 N. Black Canyon Highway
Deer Valley Landfill/Cave Creek Golf Course, Greenway Road and 19th Avenue
SR-85 Landfill (Out of City), 28361 W. Patterson Road, Buckeye, Ariz.
Council Districts: 1, 2, 4, 7, 8 and Out of City

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Alan Stephenson, the Public Works Department and the City Engineer.



**Groundwater Well Program - Job Order Contracting Services - 4108JOC224
(Ordinance S-50531)**

Request to authorize the City Manager, or his designee, to enter into separate master agreements with two contractors listed below, to provide Groundwater Well Program Job Order Contracting services for the Water Services Department. Further request to authorize execution of amendments to the agreements 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 total for all services will not exceed \$80 million.

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 Job Order Contracting (JOC) contractors' services will be used on an as-needed basis to provide Groundwater Well services for major and minor repair work for the groundwater wells and associated infrastructure. Some of the work anticipated includes exploratory borehole drilling and related activities, new production well drilling and casing installation, well-head treatment, chemical feed systems, replacement of the well pump and motor, repairs to existing well casing, well cleaning, well video inspections and analysis, and new well siting assistance. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-604 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-604(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Six firms submitted proposals and are listed below.

Selected Firms

Rank 1: Felix Construction Company

Rank 2: Hunter Contracting Co.

Additional Proposers

Rank 3: MGC Contractors, Inc.

Rank 4: J.R. Filanc Construction Company, Inc.

Rank 5: Archer Western Construction, LLC

Rank 6: PCL Construction. Inc.

Contract Term

The term of each master agreement is for up to five years, or up to \$40 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact

The master agreement value for each of the JOC contractors will not exceed \$40 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed \$80 million.

Request to authorize the City Manager, or his designee, to execute job order agreements performed under these master agreements for up to \$4 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

Funding is available in the Water Services Department Capital Improvement Program. The Budget and Research Department will review and approve funding availability prior to issuance of any job order agreement. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Responsible Department

This item is submitted by Deputy City Managers Ginger Spencer and Alan Stephenson, the Water Services Department and the City Engineer.



Scenario 3B Transmission Main Rehabilitation - Construction Manager at Risk Services - WS85507008 (Ordinance S-50533)

Request to authorize the City Manager, or his designee, to enter into an agreement with Sundt Construction, Inc. to provide Construction Manager at Risk Preconstruction and Construction Services for the Scenario 3B Transmission Main Rehabilitation 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 \$25,775,000.

Summary

The purpose of this project is in response to the results of the Large Transmission Main Assessment Program, which determined the need to rehabilitate a portion of the City's 48-inch water transmission main defined as Scenario 3B. The project was split into four phases defined as Segments 1 to 4. Segments 2 and 3 have been completed while Segments 1 and 4 still need rehabilitation. Construction methods could potentially consist of slip line rehabilitation, open trench replacement, or a combination of the two, and are subject to final design of the project.

Sundt Construction, Inc. will begin in an agency support role for Construction Manager At Risk Preconstruction Services. Sundt Construction, Inc. will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

Sundt Construction, Inc.'s Preconstruction Services include, but are not limited to: detailed cost estimating and knowledge of marketplace conditions, project planning and scheduling, construction phasing and scheduling that will minimize interruption to City operations, alternate systems evaluation and constructability studies, long-lead procurement studies and initiate procurement of long-lead items, protect the owner's sensitivity to quality, safety, and environmental factors, and participate with the City in a process to establish a Small Business Enterprise (SBE) goal for the project.

Sundt Construction, Inc.'s initial Construction Services will include preparation of a Guaranteed Maximum Price proposal provided under the agreement. Sundt Construction, Inc. will be responsible for construction means and methods related to

the project and fulfilling the SBE program requirements. Sundt Construction, Inc. will be required to solicit bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process. Sundt Construction, Inc. may also compete to self-perform limited amounts of work.

Sundt Construction, Inc.'s additional Construction Services include: construct per final plans and specifications, select subcontractors and suppliers for this project, coordinate with various City of Phoenix departments, other agencies, and utility companies, arrange for procurement of materials and equipment, schedule and manage site operations, provide quality controls, bond and insure the construction, and maintain a safe work site for all project participants.

Procurement Information

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

Selected Firm

Rank 1: Sundt Construction, Inc.

Additional Proposers

Rank 2: Kiewit Infrastructure West Co.

Rank 3: Achen-Gardner Construction, L.L.C.

Rank 4: Structural Preservation Systems, LLC

Contract Term

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

Financial Impact

The agreement value for Sundt Construction, Inc. will not exceed \$25,775,000, including all subcontractor and reimbursable costs.

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

agreement termination.

Location

General Location: Segment 1 Orangewood Avenue and 20th Street, traversing under SR-51 to Dreamy Draw Drive and north to south of the Preserve and Segment 4 is north of the Preserve area, along 26th Street to Shea Boulevard
Council Districts: 3 and 6

Responsible Department

This item is submitted by Deputy City Managers Ginger Spencer and Alan Stephenson, the Water Services Department and the City Engineer.



24-Inch Water Main: Cave Creek Road and Desert Peak Parkway to Booster Pump Station 5ED-B1 - Construction Manager at Risk Preconstruction Services Amendment - WS85508002 (Ordinance S-50539)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 158303 with Sundt Construction, Inc. to provide additional Construction Manager at Risk Preconstruction Services for the 24-Inch Water Main: Cave Creek Road and Desert Peak Parkway to Booster Pump Station 5ED-B1 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 additional fee for services included in this amendment will not exceed \$300,000.

Summary

The purpose of this project is to construct approximately 29,500 feet of new 24-inch water main.

This amendment is necessary to fund preconstruction services from 60 percent design to final design, which were not included in the original agreement. This amendment will provide additional funds to the agreement.

Contract Term

The term of the agreement will remain the same. 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 initial agreement for Construction Manager at Risk (CMAR) Preconstruction Services was approved for an amount not to exceed \$100,000, including all subcontractor and reimbursable costs.
- This amendment will increase the agreement by an additional \$300,000, for a new total amount not to exceed \$400,000, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved CMAR Preconstruction Agreement 158303 (Ordinance S-49705) on May 31, 2023.

Location

Cave Creek Road and Desert Peak Parkway to Booster Pump Station 5ED-B1
Council District: 2

Responsible Department

This item is submitted by Deputy City Managers Ginger Spencer and Alan Stephenson, the Water Services Department and the City Engineer.



Intelligent Transportation System Devices and Communication Equipment - Maricopa County Department of Transportation Cooperative Contract - 230200-C - Request for Award (Ordinance S-50540)

Request to authorize the City Manager, or his designee, to enter into a contract with up to 13 vendors as listed in **Attachment A**, to provide Intelligent Transportation System (ITS) Devices and Communication equipment for the Street Transportation Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed \$12 million.

Summary

The Street Transportation Department is requesting to utilize the Maricopa County Department of Transportation Cooperative contract to purchase the equipment, supplies, and training necessary for the Traffic Signal Shop to perform core functions such as maintaining the Citywide infrastructure of over 1,138 signalized intersections and continually adapt to the changing technology of the traveling public as it pertains to the traffic signal systems. Contractors who agree to the City's terms and conditions will sign a linking agreement to provide parts such as electrical conductors, fiber optic cable and equipment, closed circuit television, routers, adaptive signal control equipment, advanced transportation controllers, traffic data collection equipment, and non-invasive vehicle detection equipment at the same bid prices accepted by the county. These contracts will further allow the City to keep pace with the Federal Highway Transportation Department and the transportation industries push toward Vehicle-to-Infrastructure (V2I) models and functionality as well as provide the street performance metrics needed by our engineering staff.

V2I is the next generation of ITS technology. The V2I technologies wirelessly provide information to the infrastructure, which is then used by the infrastructure to adjust travel time data and adjustment of traffic signal timing to reduce congestion and enhance signal systems coordination. V2I technologies are also key in the distribution of travel times and other advisories from the infrastructure to the vehicle that inform the user of safety, mobility, and/or environment-related conditions.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived

as a result of an approved Determination Memo based on the following reason: Special Circumstances Alternative Competition. The Street Transportation Department recognizes the value by participating in the Maricopa County Department of Transportation Cooperative contract to keep pace with changing technology, conserve resources by collaborating during the procurement process, and obtain competitive pricing.

Contract Term

The contracts will begin on or about Feb. 15, 2024, for a one-year term with five one-year options to extend.

Financial Impact

The aggregate contract value will not exceed \$12 million for the six-year aggregate term.

Funding is available in the Street Transportation Department's operating and/or Capital Improvement Program budgets.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Street Transportation Department.

ATTACHMENT A

Selected Offerors - Alphabetically

AM Signal, LLC

Applied Information, Inc.

Clark Electric Sales, Inc.

Contractors West, Inc.

Enterprise Networks Solutions

GridMatrix, Inc.

ITS Plus, Inc.

L4 Technologies, LLC

NoTraffic U.S. Inc

Rhythm Engineering, LLC

Sierra Transportation & Technologies

Summit Traffic Solutions

Western Systems Inc



Glendale Metering Station GL02 Relocation - Engineering Services - WS90160098 (Ordinance S-50541)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC to provide Engineering Services that include design and construction administration and inspection for the Glendale Metering Station GL02 Relocation 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 \$400,000.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project. Such utility services include, but are not limited to electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception 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 relocate the metering station further south out of the expansion of the Northern Parkway for increased safety, better access, and easier maintenance.

Wilson Engineers, LLC's services include, but are not limited to: detailed design of new flow meter station and new sampling vault; decommissioning of existing meter station; obtaining permits; preparation of specifications; and interfacing with multiple governmental agencies. Construction Administration and Inspection services will include conducting pre-construction conference and progress meetings; perform on-site examination of materials, equipment, and workmanship; provide quality control services during the course of construction; conduct and coordinate special inspection for structural, mechanical, and electrical work; update the wastewater asset

management system; review operations and maintenance manuals for completeness and adherence to City standards and requirements; and provide start-up assistance and training services.

The Glendale Metering Station is owned and operated by the Sub-Regional Operating Group (SROG).

Procurement Information

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

Selected Firm

Rank 1: Wilson Engineers, LLC

Contract Term

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

Financial Impact

The agreement value for Wilson Engineers, LLC will not exceed \$400,000, including all subconsultant and reimbursable costs.

Funding is available in the Water Services Department's Capital Improvement Program budget utilizing SROG funds from the City of Phoenix and the City of Glendale. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to the agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The SROG Advisors authorized the project on July 20, 2023.

Location

Intersection of West Northern Avenue and North 99th Avenue
Council District: Out of City

Responsible Department

This item is submitted by Deputy City Managers Ginger Spencer and Alan Stephenson, the Water Services Department and the City Engineer.



Street Transportation Department Pavement Maintenance Construction Inspection On-Call Services (Ordinance S-50549)

Request to authorize the City Manager, or his designee, to enter into separate agreements with the four consultants in **Attachment A**, to provide Pavement Maintenance Construction Inspection On-Call services for the Street Transportation Department Citywide. Further request to authorize execution of amendments to the agreements 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 total fee for all services will not exceed \$40 million.

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 On-Call consultants will be responsible for providing On-Call Pavement Maintenance Construction Inspection services that include, but are not limited to: perform inspections on a per project basis, monitor and document construction progress; inspect construction operations and materials used by contractors; observe, record, and review performance tests; review and coordinate requests for information, submittals and change orders; crack seal, scrub seal, slurry seal, micro-surfacing, fog seal, pavement mill and overlay, ADA curb ramp replacement and other Portland cement concrete repair, Fractured Aggregate Surface Treatment types of work; and provide other services as required to support successful completion of the work and City's interest.

Procurement Information

The selections were made using a qualifications-based selection process set forth in section 34-604 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-604(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Eleven firms submitted proposals and are listed in **Attachment A**.

Contract Term

The term of each agreement is up to five years, or up to \$10 million, whichever occurs first. 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 each of the On-Call consultants will not exceed \$10 million, including all subconsultant and reimbursable costs. The total fee for all services will not exceed \$40 million.

Funding is available in the Street Transportation Department's Capital Improvement Program budget. The Budget and Research Department will review and approve funding availability prior to issuance of any On-Call task order of \$100,000 or more. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Responsible Department

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

ATTACHMENT A

Selected Firms

- Rank 1: Consultant Engineering, Inc.
- Rank 2: AECOM Technical Services, Inc.
- Rank 3: Tristar Engineering and Management, Inc.
- Rank 4: Wood, Patel & Associates, Inc.

Additional Proposers

- Rank 5: Ardurra Group, Inc.
- Rank 6: Trace Consulting, LLC
- Rank 7: HDR Construction Control Corporation
- Rank 8: Elite Pride Inspection Consulting LLC
- Rank 9: Consor Engineers, LLC
- Rank 10: WSP USA Inc.
- Rank 11: Gannett Fleming, Inc.



Lift Station 42 Upgrades - Construction Administration and Inspection Services - WS90400101 (Ordinance S-50554)

Request to authorize the City Manager, or his designee, to enter into an agreement with Entellus, Inc. to provide Engineering Services that include construction administration and inspection for the Lift Station 42 Upgrades 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 \$500,000.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception 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 expand the Lift Station 42 firm capacity from one million gallons per day (MGD) to 3.1 MGD. Work under this project includes demolition of existing wet well and removal of biofilter media and air distribution system, construction of a new larger wet well, four submersible pumps, new 12-inch force main discharge piping, and refurbishment of the existing biofilter facility. The new discharge piping will connect to the existing 12-inch dual force main piping.

Entellus, Inc.'s services include, but are not limited to: provide on-site inspection and review of work to ensure the quality of the executed work and verify the work is in accordance with the construction documents and specifications; assist the contractor in obtaining permits and approvals for work; provide oversight to ensure protection against defects and deficiencies in the work of contractors and their subcontractors; perform special inspections as required by the Annual Facilities Program; confirm

contractor's work progress and quantities of work completed are on schedule and meet standards; review contractor cost proposals, submittals, shop drawings, RFIs, payment applications, change orders, and other documents as directed by the City; certify contractor payment applications; and conduct a pre-construction meeting and other project related progress meetings as required.

Procurement Information

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

Selected Firm

Rank 1: Entellus, Inc.

Additional Proposers

Rank 2: Consor North America, Inc.

Rank 3: Stanley Consultants, Inc.

Contract Term

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

Financial Impact

The agreement value for Entellus, Inc. will not exceed \$500,000, including all subconsultant and reimbursable costs.

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

Location

Near the intersection of 32nd Lane and West Pecos Road

Council District: 6

Responsible Department

This item is submitted by Deputy City Managers Ginger Spencer and Alan Stephenson, the Water Services Department and the City Engineer.



Intergovernmental Agreement with City of Glendale for Installation of a High Intensity Activated CrossWalk on 43rd Avenue at Butler Drive (Ordinance S-50556)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the City of Glendale for the installation of a High Intensity Activated CrossWalk (HAWK) on 43rd Avenue at Butler Drive. Additionally, request the City grant exception pursuant to Phoenix City Code section 42-20 to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18. Additionally, request the City Controller to disburse all funds related to this item. The financial impact to the City of Phoenix is \$20,000.

Summary

The City of Phoenix Street Transportation Department (Streets) requests to coordinate with the City of Glendale for the installation of a HAWK on 43rd Avenue at Butler Road. This intersection is located within the City of Phoenix and borders the City of Glendale on the west side. Both parties agree that it would be beneficial for a HAWK pedestrian traffic signal to be installed at the intersection to allow pedestrians to safely cross the roadway. Streets applied for and was awarded Roadway Safety Program (RSP) funding through the Maricopa Association of Governments Transportation Improvement Program.

The IGA will authorize the City of Phoenix to install the HAWK signal system and equipment within the portion of the right-of-way in the City of Glendale to provide a safe crossing for pedestrians. Glendale will review and approve the design and provide no-cost permits for the construction and traffic control to the City of Phoenix for project-related work that lies within Glendale. The City of Phoenix will administer construction, fund, and assume responsibility for the project. In addition, the City of Phoenix will own, maintain, operate, and pay all utility costs associated with the HAWK.

Contract Term

This agreement will become effective as of the date it is approved by all of the parties and will remain in effect as long as the HAWK remains operational.

Financial Impact

The project will be funded with local and regional funds through the utilization of the RSP funds. The total project cost is estimated at \$186,320. The City of Phoenix was awarded \$166,320 in RSP funds, so the total cost to the City of Phoenix will be \$20,000. Funding is available in the Street Transportation's Capital Improvement Program.

Location

43rd Avenue and Butler Drive
Council District: 1

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Street Transportation Department.



Traffic Signal Control Cabinets - IFB 18-265 - Amendment (Ordinance S-50543)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 149214 with Econolite Control Products, Inc. to extend the contract term and add additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$4,000,000.

Summary

This contract will provide traffic signal control cabinets for use in new installations of traffic signals and High-Intensity Activated Crosswalks (HAWKs) associated with capital improvement and development projects. The cabinets will also be used to replace existing cabinets as they near end of life or are damaged. The cabinets house the components which operate the traffic signals and serve as the main distribution of voltage to the field devices. The cabinets are a vital part of the traffic signal infrastructure throughout the City, thereby supporting the safe movement of vehicular/non-vehicular traffic and pedestrians.

Contract Term

Upon approval the contract will be extended through Feb. 28, 2025, with an option to extend through Feb. 28, 2026.

Financial Impact

Upon approval of \$4,000,000 in additional funds, the revised aggregate value of the contract will not exceed \$10,300,000. Funds are available in the Street Transportation Department's budget.

Concurrence/Previous Council Action

The City Council previously approved:

- Traffic Signal Control Cabinets Contract 149214 (Ordinance S-45338) on Jan. 23, 2019; and
- Traffic Signal Control Cabinets Contract 149214 Amendment (Ordinance S-49089) on Oct. 26, 2022.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Street Transportation Department.



Name Change on City Agreements to Civil & Environmental Consultants, Inc. Amendments (Ordinance S-50547)

Request to authorize the City Manager, or his designee, to execute amendments to Agreement 157207 for Engineering On-Call Services for Calendar Years 2023-2024, and 156066 for Environmental Site Assessment On-Call Consulting Services Fiscal Years 22/23 to 24/25, to approve a name change from Engineering and Environmental Consultants, Inc. to Civil & Environmental Consultants, Inc. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority.

Summary

On July 1, 2022, the City and Engineering and Environmental Consultants, Inc. entered into the Environmental Site Assessment On-Call Consulting Services Fiscal Years 22/23 to 24/25 Agreement 156066. On Jan. 1, 2023, the City and Engineering and Environmental Consultants, Inc. entered into the Engineering On-Call Services for Calendar Years 2023-2024 Agreement 157207.

These amendments are necessary because on Nov. 5, 2023, Engineering and Environmental Consultants, Inc. notified the City of Phoenix of its name change from Engineering and Environmental Consultants, Inc. to Civil & Environmental Consultants, Inc. and is now operating under the name of Civil & Environmental Consultants, Inc.

Contract Term

The term of the agreements remains unchanged. Work scope identified and incorporated into the agreements prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreements. No additional changes may be executed after the end of the term.

Financial Impact

The agreement values remain unchanged.

Concurrence/Previous Council Action

The City Council approved:

- Environmental Site Assessment On-Call Consulting Services Fiscal Years 22/23 to

24/25 Agreement 156066 (Ordinance S-48476) on Apr. 6, 2022; and

- Engineering On-Call Services for Calendar Years 2023-2024 Agreement 157207 (Ordinance S-49068) on Oct. 12, 2022.

Responsible Department

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



Cave Creek Water (Wastewater) Reclamation Plant Rehabilitation - Construction Manager at Risk Construction Services - WS90300008 (Ordinance S-50534)

Request to authorize the City Manager, or his designee, to enter into an agreement with Sundt Construction, Inc. to provide Construction Manager at Risk Construction Services for the Cave Creek Water Reclamation Plant (CCWRP) Rehabilitation 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 \$300 million.

Summary

The purpose of this project is to rehabilitate facilities and equipment at the CCWRP. The revitalized treatment process will include bulk solids removal via coarse screens followed by grit removal. New primary filtration is included for pretreatment upstream of the new biological nutrient removal/membrane bio reactor (BNR/MBR). The BNR/MBR system will provide pretreatment upstream of the new Advanced Water Purification Facility. Nearly all of the existing infrastructure at the CCWRP will be utilized for the upgraded treatment plant and processes, including the existing sedimentation basins and aeration basin.

Sundt Construction, Inc.'s initial services will include preparation of a Guaranteed Maximum Price proposal for the Construction Services provided under the agreement and participating with the City in a process to establish a Small Business Enterprise (SBE) goal for the project. Sundt Construction, Inc. will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. Sundt Construction, Inc. will be required to solicit bids from pre-qualified subcontractors and to perform the work using the City's subcontractor selection process. Sundt Construction, Inc. may also compete to self-perform limited amounts of work.

Sundt Construction, Inc.'s services include, but are not limited to: construction of facilities and replacement/rehabilitation of equipment per final plans and specifications; coordinate with various City of Phoenix departments, other agencies, utility companies, etc.; arrange for procurement of materials and equipment; schedule and manage site

operations; bid, award, and manage all construction related contracts while meeting City bid requirements including the local and SBE participation goal; provide quality controls, bond and insure the construction; address all federal, state and local permitting requirements; deal with owner issues; and maintain a safe work site for all project participants.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the Construction Manager at Risk Preconstruction Services selection process.

Contract Term

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

Financial Impact

The agreement value for Sundt Construction, Inc. will not exceed \$300 million, including all subcontractor and reimbursable costs.

Funding is available in the Water Services 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.

Concurrence/Previous Council Action

The City Council approved:

- Design and Construction Administrative and Inspection Services Agreement 145603 (Ordinance S-43772) on July 6, 2017;
- Engineering Services Agreement 145603 - Amendment 1 (Ordinance S-46230) on Dec. 18, 2019;
- Engineering Services Agreement 145603 - Amendment 2 on Nov. 2, 2022;
- Construction Manager at Risk Pre-Construction Services Agreement 153286 (Ordinance S-47034) on Nov. 4, 2020; and
- Engineering Services Agreement 159299 (Ordinance S-50196) on Oct. 4, 2023.

Location

Cave Creek Wastewater Reclamation Plant
Council District: 2

Responsible Department

This item is submitted by Deputy City Managers Ginger Spencer and Alan Stephenson, the Water Services Department and the City Engineer.



Fire Hydrants, Parts, Accessories, and Repair Services Contract - IFB 2324-WDD-609 - Request for Award (Ordinance S-50550)

Request to authorize the City Manager, or his designee, to enter into contracts with Ferguson Enterprises, LLC, Fortiline Waterworks, Inc. and Core and Main, LP to provide fire hydrants, fire hydrant replacement/repair parts, kits, accessories, warranty repairs and repair services for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed \$16,000,000.

Summary

The Water Services Department will use these contracts for the purchase of new fire hydrants, parts, kits and accessories within the City's water distribution system. The contractors guarantee an established, reliable and responsive supply chain for the procurement of both major and minor products and components for all items installed, maintained and repaired.

Procurement Information

Invitation for Bid was conducted in accordance with Administrative Regulation 3.10.

Three vendors submitted bids deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following an evaluation based on price, the procurement officer recommends award to the following vendors:

Ferguson Enterprises, LLC: \$1,236,829.30

Fortiline Waterworks, Inc.: \$816,436.03

Core and Main, LP: \$1,043,526.60

Contract Term

The five-year contract shall begin on March 1, 2024, with no options to extend.

Financial Impact

The aggregate contracts will not exceed \$16,000,000.

Funding is available in the Water Services Department's operating and Capital Improvement Program budgets.

Responsible Department

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



Mosquito Monitoring and Mitigation Services Contract - IFB-2324-WWT-611 - Request for Award (Ordinance S-50553)

Request to authorize the City Manager, or his designee, to enter into contract with Aquatic Consulting and Testing, Inc. to provide Mosquito Monitoring and Mitigation Services for the Water Services 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 \$975,000.

Summary

The City of Phoenix Water Services Department operates the Tres Rios Flow Regulating and Overbank Wetlands facilities along the north bank of the Salt River from 75th Avenue downstream to approximately 115th Avenue. This contract will enable monitoring, identification, and mitigation of adult mosquito activity in and around the Tres Rios Wetlands facilities and adjacent areas that have the potential to influence mosquito populations. This effort will include the provision of arbovirus screening for Encephalitis, Dengue Fever, Zika and West Nile Virus. In addition, biological surveys are required including the assessment of mosquito fish populations and re-stocking.

Procurement Information

An Invitation for Bid procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10.

One vendor submitted a bid deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following an evaluation based on price, the procurement officer recommends award to the following vendor: Aquatic Consulting and Testing, Inc.

Contract Term

The contract will begin on or about March 1, 2024, for a five-year term with no options to extend.

Financial Impact

The aggregate contract value will not exceed \$975,000.

Funding is available in the Water Services Department Operating budget.

Responsible Department

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



Final Plat - Holly 6 - PLAT 230077 - Northeast Corner of 1st Avenue and Holly Street

Plat: 230077
Project: 20-798
Name of Plat: Holly 6
Owner: City of Phoenix
Engineer: James M. Williamson, RLS
Request: A Seven-Lot Residential Plat
Reviewed by Staff: Jan. 3, 2024
Final Plat requires Formal Action Only

Summary

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public.

Location

Generally located at the northeast corner of 1st Avenue and Holly Street
Council District: 4

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



Final Plat - Quattro on 13th - PLAT 230087 - South of Campbell Avenue and East of 13th Place

Plat: 230087
Project: 22-805
Name of Plat: Quattro on 13th
Owner: Quattro on 13th LP
Engineer: Douglas B. Toney, RLS
Request: A Four-Lot Residential Plat
Reviewed by Staff: Jan. 3, 2024
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 south of Campbell Avenue and east of 13th Place
Council District: 4

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



Final Plat - X Roosevelt - PLAT 230048 - South of McKinley Street and East of 2nd Avenue

Plat: 230048
Project: 19-3905
Name of Plat: X Roosevelt
Owner: XSC Phoenix Basecamp Investment, LLC
Engineer: Michael A. Banta, RLS
Request: A One-Lot Commercial Plat
Reviewed by Staff: Dec. 28, 2023
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 south of McKinley Street and east of 2nd Avenue
Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



Final Plat - The Melbourne - PLAT 230088 - North of McDowell Road and West of 36th Street

Plat: 230088
Project: 21-4514
Name of Plat: The Melbourne
Owner: McDowell Partners 1, LLC
Engineer: Colin D. Harvey, RLS
Request: A 69-Lot Residential Subdivision Plat
Reviewed by Staff: Dec. 22, 2023
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 McDowell Road and west of 36th Street
Council District: 8

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



Planning and Development Department Residential and Commercial Building Field Inspection - On-Call Services Amendment (Ordinance S-50558)

Request to authorize the City Manager, or his designee, to execute amendments to Agreements 156158 with Bureau Veritas North America, Inc., 156159 with Consultant Engineering, Inc., 156160 with OnSite Engineering, P.L.C., 156161 with SafeBuilt Arizona, LLC, 156162 with Shums Coda Associates, Inc. and 156163 with Willdan Engineering, Inc. to provide additional Planning and Development Department Residential and Commercial Building Field Inspection On-Call Services. 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 additional fee for services included in this amendment will not exceed an aggregate value of \$1.5 million.

Summary

The purpose of this project is to provide on-call residential and commercial building field inspection services on an as-needed basis that include, but are not limited to: inspections of new construction, alterations, and repairs submitted by commercial and residential property owners for compliance with the Phoenix Building Construction and Fire Codes.

These amendments are necessary because development activity in the City of Phoenix has continued to increase over the past year and the local economy continues to attract private investment. To maintain customer service levels in inspections, the Planning and Development Department (PDD) proposes an increase in several areas to add peak inspections capacity. These amendments will provide additional funds to the agreement.

Contract Term

The term of each agreement will remain unchanged. 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 initial agreement for each of the consultants for the PDD Residential and Commercial Building Field Inspection On-Call Services was authorized for an aggregate fee not to exceed \$3 million, including all subconsultant and reimbursable costs.
- A prior amendment for each of the consultants increased the aggregate authorization by an additional \$1 million, for a new aggregate total amount not to exceed \$4 million, including all subconsultant and reimbursable costs.
- These amendments will increase the aggregate authorization by an additional \$1.5 million, for a new aggregate total amount not to exceed \$5.5 million for each consultant, including all subconsultant and reimbursable costs.

Funding for these amendments is available in the Planning and Development Department's Operating budget. The Budget and Research Department will separately review and approve funding availability prior to issuance of any On-Call task order of \$100,000 or more. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The City Council approved:

- PDD Residential and Commercial Building Field Inspection On-Call Services Agreements 156158, 156159, 156160, 156161, 156162 and 156163 (Ordinance S-48518) on April 20, 2022; and
- PDD Residential and Commercial Building Field Inspection On-Call Services Amendment for Agreements 156158, 156159, 156160, 156161, 156162 and 156163 (Ordinance S-50096) on Aug. 28, 2023.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson, the Planning and Development Department and the City Engineer.



Approval of Phil Gordon Threatened Building Grant - Sargeant-Oldaker House - 649 N. 3rd Ave. (Ordinance S-50560)

Request to authorize the City Manager, or his designee, to enter into the necessary agreements and conveyances with 649 3rd Ave Partners, LLC, dba LiveForward Development, related to a Phil Gordon Threatened Building grant of up to \$400,000 to assist with the relocation and rehabilitation of the historically designated Sargeant-Oldaker House located at 649 N. 3rd Ave. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Sargeant-Oldaker house was constructed in 1909 and was listed in the National and Phoenix historic property registers as a significant local example of Craftsman-style architecture and for its association with prominent Phoenician Elizabeth Sargeant-Oldaker. The building, which had previously been slated for demolition, will now be relocated on the property, set on a new foundation, stabilized, and rehabilitated for adaptive reuse as a restaurant. The relocation would allow for new multi-use development on the property and provide for long-term preservation of the building through a conservation easement.

The total estimated project cost is \$1,350,645, with the City to provide \$400,000 in Phil Gordon Threatened Building Grant funds, the Arizona Historic Preservation Heritage Fund providing \$324,329, and the property owner, 649 3rd Ave Partners, LLC, dba LiveForward Development, paying the \$626,316 balance. If approved, the grant funds will be disbursed to the applicant on a reimbursement basis as work is completed. The applicant will be required to provide evidence of a dollar-for-dollar match.

Financial Impact

The City's costs would not exceed \$400,000. In exchange for the grant funds, the City will receive a 30-year conservation easement on the property. The easement will require City review and approval of exterior alterations to the historic building and that the building be insured and kept in good repair.

Funding is available in the Historic Preservation Office Program Budget for grants and subsidies under the classification of the Phil Gordon Threatened Building Program.

State grant funding is available through the State Legislature under Arizona Revised Statutes 41-503, the Historic Preservation Heritage Fund Fiscal Year 2024 grant opportunity.

Concurrence

The Historic Preservation Commission recommended approval of this item on Nov. 20, 2023, by a 5-0 vote.

The Transportation, Infrastructure and Planning Subcommittee recommended approval of this item on Jan. 31, 2024, by a 4-0 vote.

Location

649 N. 3rd Ave.

Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



**(CONTINUED FROM OCT. 4, NOV. 1, DEC. 6, 2023, JAN. 3 AND JAN. 24, 2024) -
Amend City Code - Ordinance Adoption - Rezoning Application Z-27-23-1 -
Southwest Corner of 19th Avenue and Quail Avenue (Ordinance G-7172)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-27-23-1 and rezone the site from IND. PK. DVAO (Industrial Park, Deer Valley Airport Overlay District) to C-3 DVAO (General Commercial, Deer Valley Airport Overlay District) to allow electric vehicle sales and repair.

Summary

Current Zoning: IND. PK. DVAO

Proposed Zoning: C-3 DVAO

Acreage: 7.91 acres

Proposal: Electric vehicle sales and repair.

Owner/Applicant: Aztec 19th Ave., LLC

Representative: William E. Lally, Tiffany & Bosco, PA

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Deer Valley Village Planning Committee heard this case on Aug. 10, 2023, and recommended approval, per the staff recommendation with deleted stipulations, by a vote of 11-1.

PC Action: The Planning Commission heard this case on Sept. 7, 2023, and recommended approval, per the Deer Valley Village Planning Committee recommendation, by a vote of 6-0.

Location

Southwest corner of 19th Avenue and Quail Avenue

Council District: 1

Parcel Address: 21030 and 21040 N. 19th Ave. and 1929 W. Quail Ave.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson 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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-27-23-1) FROM IND. PK. DVAO (INDUSTRIAL PARK, DEER VALLEY AIRPORT OVERLAY DISTRICT) TO C-3 DVAO (GENERAL COMMERCIAL, DEER VALLEY AIRPORT OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 7.91-acre property located at the southwest corner of 19th Avenue and Quail Avenue in a portion of Section 24, Township 4 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "IND.PK. DVAO" (Industrial Park, Deer Valley Airport Overlay District) to "C-3 DVAO" (General Commercial, Deer Valley Airport Overlay District).

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

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the elevations date stamped May 4, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
2. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
3. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Installed infrastructure, as approved by the Planning and Development Department.
4. All nonresidential uses over 5,000 square feet floor area shall provide one bicycle parking space per 25 vehicle parking spaces, with a maximum of 25 spaces. Bicycle parking shall be provided through Inverted U and/or artistic racks located near the front office and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
5. Existing streetscape beginning at back of curb shall be replenished with the approved landscaping and ground cover along 19th Avenue and Quail Avenue, as approved by the Planning and Development Department.
6. All streets within and adjacent to the development shall be constructed 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.
7. 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.
8. 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 4th day of October, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-27-23-1

Within a portion of Section 24, Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

PARCEL 1:

LOT 31, AZTEC BUSINESS PARK, A SUBDIVISION RECORDED IN BOOK 310 OF MAPS, PAGE 48 AND CERTIFICATES OF CORRECTION RECORDED IN RECORDING NO. 87-384338 THROUGH 87-384341, INCLUSIVE, RECORDS OF MARICOPA COUNTY, ARIZONA.

EXCEPT THE WEST 229 FEET.

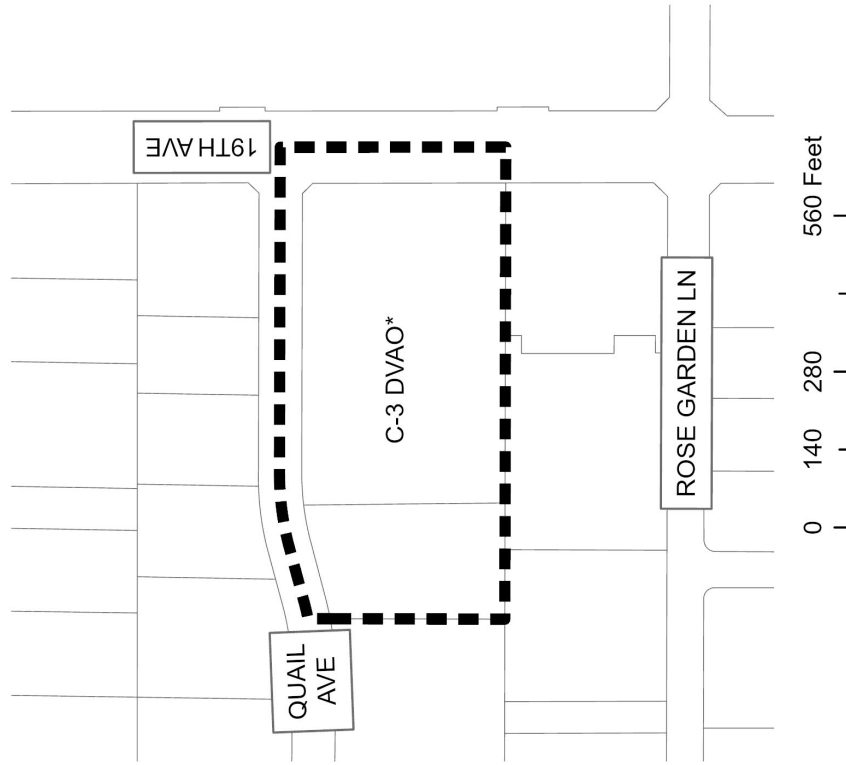
PARCEL 2:

LOT 32, AZTEC BUSINESS PARK, A SUBDIVISION RECORDED IN BOOK 310 OF MAPS, PAGE 48 AND CERTIFICATES OF CORRECTION RECORDED IN RECORDING NO. 87-384338 THROUGH 87-384341, INCLUSIVE, RECORDS OF MARICOPA COUNTY, ARIZONA.

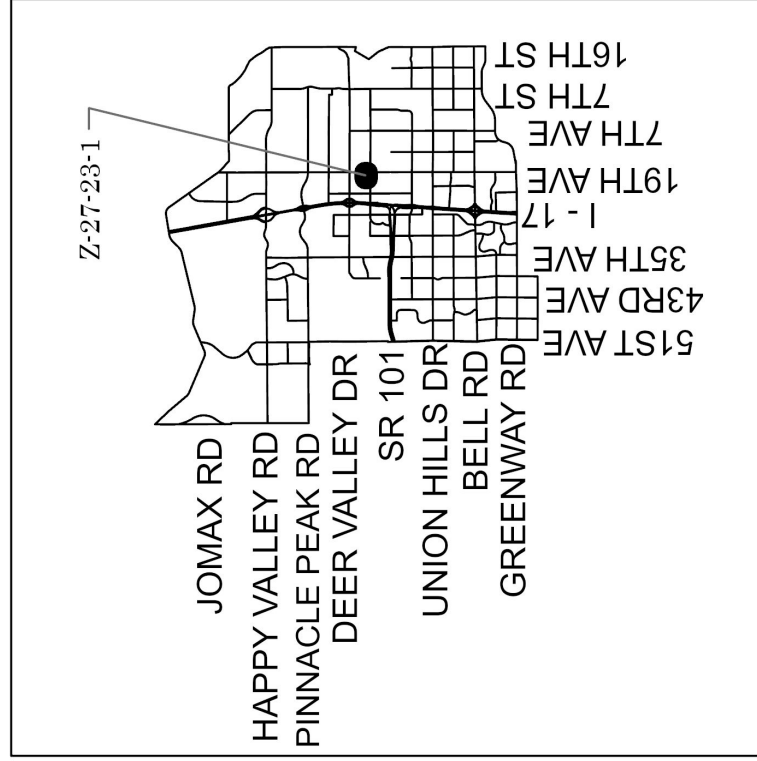
ORDINANCE LOCATION MAP

EXHIBIT B

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



Zoning Case Number: Z-27-23-1
Zoning Overlay: Deer Valley Overlay District
Planning Village: Deer Valley



NOT TO SCALE



Drawn Date: 9/5/2023

\\oneipdd\Shared\Department - Share\Information Systems\PL GIS\IS_Team\Core_Funcions\Zoning\SuppMaps_Ord\10-4-23\10-4-23.aprx



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: October 4, 2023

From: Joshua Bednarek *JB*
Planning and Development Director

Subject: CONTINUANCE OF ITEM 82 ON THE OCTOBER 4, 2023, FORMAL AGENDA –
Z-27-23-1 – SOUTHWEST CORNER OF 19TH AVENUE AND QUAIL AVENUE
(ORDINANCE G-7172)

Item 82, rezoning application Z-27-23-1 is a request to rezone 7.91 acres located at the southwest corner of 19th Avenue and Quail Avenue from IND.PK. DVAO (Industrial Park, Deer Valley Airport Overlay District)) to C-3 DVAO (General Commercial, Deer Valley Airport Overlay District) to allow electric vehicle sales and repairs.

Staff has received correspondence from the applicant requesting a continuance to address concerns by adjacent property owners.

Staff recommends continuing this item to the November 1, 2023, City Council Formal meeting.

Approved:


Alan Stephenson
Deputy City Manager

Attachment:
Exhibit A – Applicant's request for continuance

Joshua Bednarek

From: William E. Lally <wel@tblaw.com>
Sent: Wednesday, October 4, 2023 8:41 AM
To: Ann M O'Brien
Cc: Derrik C Rochwalik; Alan Stephenson; Joshua Bednarek; Tricia Gomes; Rachel Applegate (PND); Scott Schirmer; Ryan Smith
Subject: Z-27-23-1 -REQUEST TO CONTINUE

Councilwoman O'Brien, as you know I represent the owners of the property located at the southwest corner of 19th Ave. and Quail Avenue in the Deer Valley Airpark area, subject to rezoning case Z-27-23-1 scheduled on your formal City Council Agenda today.

We respectfully request a continuance of the case to the November 1, 2023 meeting.

Thank you,



William E. Lally | Shareholder | 602.452.2716 cell 480.620.9272

wel@tblaw.com | Bio [\[tblaw.com\]](https://tblaw.com) | vCard [\[tblaw.com\]](https://tblaw.com) | Website [\[tblaw.com\]](https://tblaw.com) | Practice Areas [\[tblaw.com\]](https://tblaw.com)



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: October 31, 2023

From: Joshua Bednarek 
Planning and Development Director

Subject: CONTINUANCE OF ITEM 70 ON THE NOVEMBER 1, 2023, FORMAL AGENDA –
Z-27-23-1 – SOUTHWEST CORNER OF 19TH AVENUE AND QUAIL AVENUE
(ORDINANCE G-7172)

Item 70, rezoning application Z-27-23-1 is a request to rezone 7.91 acres located at the southwest corner of 19th Avenue and Quail Avenue from IND.PK. DVAO (Industrial Park, Deer Valley Airport Overlay District)) to C-3 DVAO (General Commercial, Deer Valley Airport Overlay District) to allow electric vehicle sales and repairs.

Staff has received correspondence from the applicant requesting a continuance to address concerns by adjacent property owners.

Staff recommends continuing this item to the December 6, 2023, City Council Formal meeting.

Approved:


Alan Stephenson
Deputy City Manager

Attachment:
Exhibit A – Applicant's request for continuance

Stephanie Vasquez

From: William E. Lally <wel@tblaw.com>
Sent: Tuesday, October 31, 2023 8:33 AM
To: Joshua Bednarek; Ann M O'Brien
Cc: Derrik C Rochwalik; Alan Stephenson; Tricia Gomes; Scott Schirmer; Ryan Smith; Stephanie Vasquez; Racelle Escolar
Subject: RE: Z-27-23-1 -REQUEST TO CONTINUE

Councilwoman O'Brien and Josh, as you know I represent the owners of the property located at the southwest corner of 19th Ave. and Quail Avenue in the Deer Valley Airpark area, subject to rezoning case Z-27-23-1 scheduled on your formal City Council Agenda tomorrow.

We respectfully request a 30 day continuance of the case.

Thank you very much for your support and patience as we work out some real estate issues.



William E. Lally | Shareholder | 602.452.2716 cell 480.620.9272
wel@tblaw.com | Bio.tblaw.com | vCard.tblaw.com | Website.tblaw.com | [Practice Areas.tblaw.com](http://PracticeAreas.tblaw.com)

From: Joshua Bednarek <joshua.bednarek@phoenix.gov>
Sent: Wednesday, October 4, 2023 8:58 AM
To: William E. Lally <wel@tblaw.com>; Ann M O'Brien <ann.obrien@phoenix.gov>
Cc: Derrik C Rochwalik <derrik.rochwalik@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Tricia Gomes <tricia.gomes@phoenix.gov>; Scott Schirmer <schirmer@m3companiesllc.com>; Ryan Smith <ryans@smdico.com>; Stephanie Vasquez <stephanie.vasquez@phoenix.gov>; Racelle Escolar <racelle.escolar@phoenix.gov>
Subject: RE: Z-27-23-1 -REQUEST TO CONTINUE

Thank you Bill. We will get a continuance memo circulated right away.



Joshua Bednarek
Director, Planning and Development Department
Office: 602-262-6656
E-mail: joshua.bednarek@phoenix.gov

**PRESERVE
SHAPE
BUILD**

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



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: December 5, 2023

From: Joshua Bednarek *JB*
Planning and Development Director

Subject: CONTINUANCE OF ITEM 95 ON THE DECEMBER 6, 2023, FORMAL AGENDA
– Z-27-23-1 – SOUTHWEST CORNER OF 19TH AVENUE AND QUAIL AVENUE
(ORDINANCE G-7172)

Item 95, rezoning application Z-27-23-1 is a request to rezone 7.91 acres located at the southwest corner of 19th Avenue and Quail Avenue from IND.PK. DVAO (Industrial Park, Deer Valley Airport Overlay District) to C-3 DVAO (General Commercial, Deer Valley Airport Overlay District) to allow electric vehicle sales and repairs.

Staff has received correspondence from the applicant requesting a continuance to address concerns.

Staff recommends continuing this item to the January 3, 2024, City Council Formal meeting.

Approved: _____


Alan Stephenson
Deputy City Manager

Attachment:
Exhibit A – Applicant's request for continuance

From: William E. Lally <wel@tblaw.com>
Sent: Tuesday, December 5, 2023 2:49 PM
To: Racelle Escolar <racelle.escolar@phoenix.gov>
Cc: Joshua Bednarek <joshua.bednarek@phoenix.gov>; Scott Schirmer <schirmer@m3companiesllc.com>; Ryan Smith <ryans@smdico.com>
Subject: RE: Z-27-23-1 -REQUEST TO CONTINUE

Racelle

Please accept this as a request for thirty (30) days of rezoning case (Z-27-23-1) to the first available hearing in January.

Thank you very much for your support and patience as we work out some real estate issues.



William E. Lally | Shareholder | 602.452.2716 cell 480.620.9272


wel@tblaw.com | [Bio \[tblaw.com\]](https://tblaw.com) | [vCard \[tblaw.com\]](https://tblaw.com) | [Website \[tblaw.com\]](https://tblaw.com) | [Practice Areas \[tblaw.com\]](https://tblaw.com)



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: January 2, 2024

From: Joshua Bednarek 
Planning and Development Director

Subject: CONTINUANCE OF ITEM 82 ON THE JANUARY 3, 2024, FORMAL AGENDA –
Z-27-23-1 – SOUTHWEST CORNER OF 19TH AVENUE AND QUAIL AVENUE
(ORDINANCE G-7172)

Item 82, rezoning application Z-27-23-1 is a request to rezone 7.91 acres located at the southwest corner of 19th Avenue and Quail Avenue from IND.PK. DVAO (Industrial Park, Deer Valley Airport Overlay District) to C-3 DVAO (General Commercial, Deer Valley Airport Overlay District) to allow electric vehicle sales and repairs.

Staff has received correspondence from the applicant requesting a continuance to address concerns.

Staff recommends continuing this item to the January 24, 2024, City Council Formal meeting.

Approved: _____


Alan Stephenson
Deputy City Manager

Attachment:
Exhibit A – Applicant's request for continuance

Subject: FW: Z-27-23-1 -REQUEST TO CONTINUE

From: William E. Lally <wel@tblaw.com>

Sent: Tuesday, January 2, 2024 11:01 AM

To: Racelle Escolar <racelle.escolar@phoenix.gov>

Cc: Joshua Bednarek <joshua.bednarek@phoenix.gov>; Scott Schirmer <schirmer@m3companiesllc.com>; Ryan Smith <ryans@smdico.com>; Tricia Gomes <tricia.gomes@phoenix.gov>; Benjamin Timm <btimm@tblaw.com>; Megan N. Bowen <MBowen@tblaw.com>; Derrik C Rochwalik <derrik.rochwalik@phoenix.gov>; William Fischbach <wmf@tblaw.com>

Subject: RE: Z-27-23-1 -REQUEST TO CONTINUE

Racelle and Josh, as you know I represent the owners of the property located at the southwest corner of 19th Ave. and Quail Avenue in the Deer Valley Airpark area, subject to rezoning case Z-27-23-1 scheduled on your formal City Council Agenda tomorrow.

We respectfully request a continuance of the case to the 1/24/24 City Council meeting.

Thank you very much for your support and patience as we work out some real estate issues.



William E. Lally | Shareholder | 602.452.2716 cell 480.620.9272

wel@tblaw.com | Bio.tblaw.com | vCard.tblaw.com | Website.tblaw.com | PracticeAreas.tblaw.com



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: January 23, 2024

From: Joshua Bednarek
Planning and Development Director

Subject: CONTINUANCE OF ITEM 57 ON THE JANUARY 24, 2024, FORMAL AGENDA
– Z-27-23-1 – SOUTHWEST CORNER OF 19TH AVENUE AND QUAIL AVENUE
(ORDINANCE G-7172)

Item 57, rezoning application Z-27-23-1 is a request to rezone 7.91 acres located at the southwest corner of 19th Avenue and Quail Avenue from IND.PK. DVAO (Industrial Park, Deer Valley Airport Overlay District) to C-3 DVAO (General Commercial, Deer Valley Airport Overlay District) to allow electric vehicle sales and repairs.

Staff has received correspondence from the applicant requesting a continuance to address concerns.

Staff recommends continuing this item to the February 7, 2024, City Council Formal meeting.

Approved:


Alan Stephenson
Deputy City Manager

Attachment:
Exhibit A – Applicant's request for continuance

EXHIBIT A

Subject: FW: Z-27-23-1 -REQUEST TO CONTINUE

From: William Fischbach <wmf@tblaw.com>
Sent: Monday, January 22, 2024 10:23 PM
To: Racelle Escolar <racelle.escolar@phoenix.gov>
Cc: William E. Lally <wel@tblaw.com>; Megan N. Bowen <MBowen@tblaw.com>
Subject: RE: Z-27-23-1 -REQUEST TO CONTINUE

Hi Racelle, yes we would request to continue to FEB 7. Thank you.

From: Racelle Escolar <racelle.escolar@phoenix.gov>
Sent: Monday, January 22, 2024 4:21 PM
To: William Fischbach <wmf@tblaw.com>
Cc: William E. Lally <wel@tblaw.com>
Subject: RE: Z-27-23-1 -REQUEST TO CONTINUE
Importance: High

Hello – Just following up on this. Will another continuance be requested?

Thanks,

Racelle Escolar, AICP
Principal Planner
racelle.escolar@phoenix.gov (602) 534-2864



City of Phoenix
Planning and Development Department
Planning Division



Amend City Code - Ordinance Adoption - Rezoning Application Z-26-23-1 - Approximately 1,500 Feet East of the Northeast Corner of 19th Avenue and the Alameda Road Alignment (Ordinance G-7224)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-26-23-1 and rezone the site from S-1 DVAO (Ranch or Farm Residence, Deer Valley Airport Overlay District) to A-1 DVAO (Light Industrial District, Deer Valley Airport Overlay District) to allow light industrial.

Summary

Current Zoning: S-1 DVAO

Proposed Zoning: A-1 DVAO

Acreage: 2.56

Proposal: Light Industrial

Owner: DVHAWK15, LLC

Applicant: Hawkeye Development, LLC

Representative: Clark Diepholz

Staff Recommendation: Denial as filed, approval of CP/GCP, subject to stipulations.

VPC Action: The Deer Valley Village Planning Committee heard this case on Dec. 14, 2023, and recommended approval, subject to staff stipulations, with a deletion, by a vote of 9-0.

PC Action: The Planning Commission heard this case on Jan. 4, 2024, and recommended approval, per the Deer Valley Village Planning Committee recommendation, by a vote of 7-0.

Location

Approximately 1,500 feet east of the northeast corner 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 Alan Stephenson 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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-26-23-1) FROM S-1 DVAO (RANCH OR FARM RESIDENCE, DEER VALLEY AIRPORT OVERLAY DISTRICT) TO A-1 DVAO (LIGHT INDUSTRIAL DISTRICT, DEER VALLEY AIRPORT OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 2.56-acre property located approximately 1,500 feet east of the northeast corner 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 Exhibit "A," is hereby changed from "S-1 DVAO" (Ranch or Farm Residence, Deer Valley Airport Overlay District) to "A-1 DVAO" (Light Industrial District, Deer Valley Airport Overlay District).

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

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

1. Required landscape setbacks shall be planted with minimum 2-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, with five 5-gallon shrubs per tree, as approved by the Planning and Development Department.
2. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
3. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Capable infrastructure, as approved by the Planning and Development Department.
4. A minimum of two bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the front office and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
5. A minimum of one of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
6. A minimum of 40 feet of right-of-way shall be dedicated for the north half of Alameda Road, adjacent to the development, as approved by the Planning and Development Department.
7. A minimum 5-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape strip located between the back of curb and sidewalk shall be provided along Alameda Road, planted with minimum 2-inch caliper single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings. Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
8. All streets within and adjacent to the development shall be constructed 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. 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.
10. 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 7th day of February, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-26-23-1

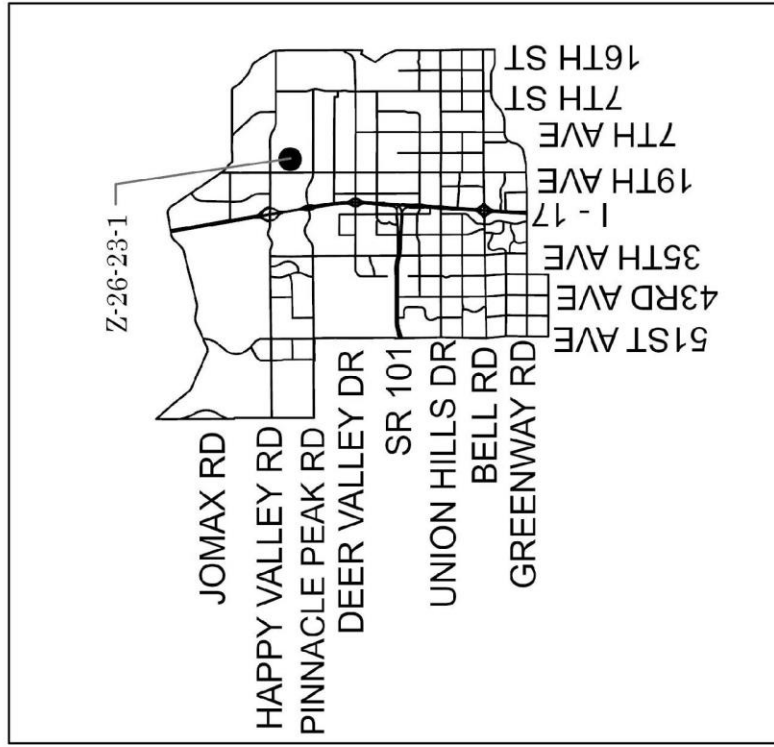
THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE
SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 7,
TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND
MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL COAL, OIL, GAS, AND OTHER MINERAL DEPOSITS, AS RESERVED
IN THE PATENT TO SAID LAND.

DRAFT

EXHIBIT B

Zoning Case Number: Z-26-23-1
Zoning Overlay: Deer Valley Airport Overlay District
Planning Village: Deer Valley



NOT TO SCALE





Amend City Code - Ordinance Adoption - Rezoning Application Z-60-23-2 - Approximately 375 Feet East of the Southeast Corner of 25th Place and Rose Garden Lane (Ordinance G-7223)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-60-23-2 and rezone the site from PUD (Planned Unit Development) to A-1 (Light Industrial District) to allow warehousing and an office building.

Summary

Current Zoning: PUD

Proposed Zoning: A-1

Acreage: 5.02

Proposal: Warehousing and an office building

Owner: Horses Help Inc.

Applicant: Carlos Elias, LGE Design / Build

Representative: Stephen Anderson, Gammage and Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Paradise Valley Village Planning Committee was scheduled to hear this case on Dec. 4, 2023, for recommendation; however, there was no quorum.

PC Action: The Planning Commission heard this case on Jan. 4, 2024, and recommended approval, per the staff recommendation, by a vote of 5-2.

Location

Approximately 375 feet east of the southeast corner of 25th Place and Rose Garden Lane

Council District: 2

Parcel Address: 2601 and 2615 E. Rose Garden Lane

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson 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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-60-23-2) FROM PUD (PLANNED UNIT DEVELOPMENT) TO A-1 (LIGHT INDUSTRIAL DISTRICT).

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

SECTION 1. The zoning of a 5.02-acre property located approximately 375 feet east of the southeast corner of 25th Place and Rose Garden Lane in a portion of Section 23, Township 4 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "PUD" (Planned Unit Development), to "A-1" (Light Industrial District).

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

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the site plan date stamped September 8, 2023, as modified by the following stipulations, and as approved by the Planning and Development Department.
2. The development shall be in general conformance with the elevations date stamped November 15, 2023, as approved by the Planning and Development Department.
3. The landscape setback along the north side of the property, adjacent to Rose Garden Lane, shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center or in equivalent groupings, and drought-tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live coverage, as approved by the Planning and Development Department.
4. A minimum 5-foot-wide landscape strip shall be provided along the north, west, and south sides of the building, and shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center or in equivalent groupings, and drought-tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live coverage, as approved by the Planning and Development Department.
5. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade, as approved by Planning and Development Department.
6. All pedestrian pathways, including sidewalks, shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.
7. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
8. Bicycle parking spaces shall be provided per the requirements of Section 1307.H of the Phoenix Zoning Ordinance through Inverted U and/or artistic racks located near the office and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

9. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
10. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Installed Infrastructure, as approved by the Planning and Development Department.
11. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
12. One outdoor employee resting area of no less than 400 square feet, or two 200-square foot areas shall be provided on site. Each required pedestrian area shall include a minimum of two pedestrian seating benches, constructed of quality and durable materials, and shaded to a minimum of 75% using minimum 2-inch caliper large canopy drought-tolerant shade trees and/or architectural shade, as approved by the Planning and Development Department.
13. A minimum 5-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape strip located between the back of curb and sidewalk shall be constructed on the south side of Rose Garden Lane, adjacent to the development, planted to the following standards and as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees, planted 20 feet on center or in equivalent groupings.
 - b. Drought-tolerant shrubs, accents, and vegetative groundcovers with a maximum mature height of two feet to achieve a minimum of 75% live coverage.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

14. All existing overhead utilities within the public right-of-way shall be undergrounded, adjacent to the development. The developer shall coordinate with all affected utility companies for their review and permitting.
15. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA

accessibility standards.

16. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
17. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

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

PASSED by the Council of the City of Phoenix this 7th day of February, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-60-23-2

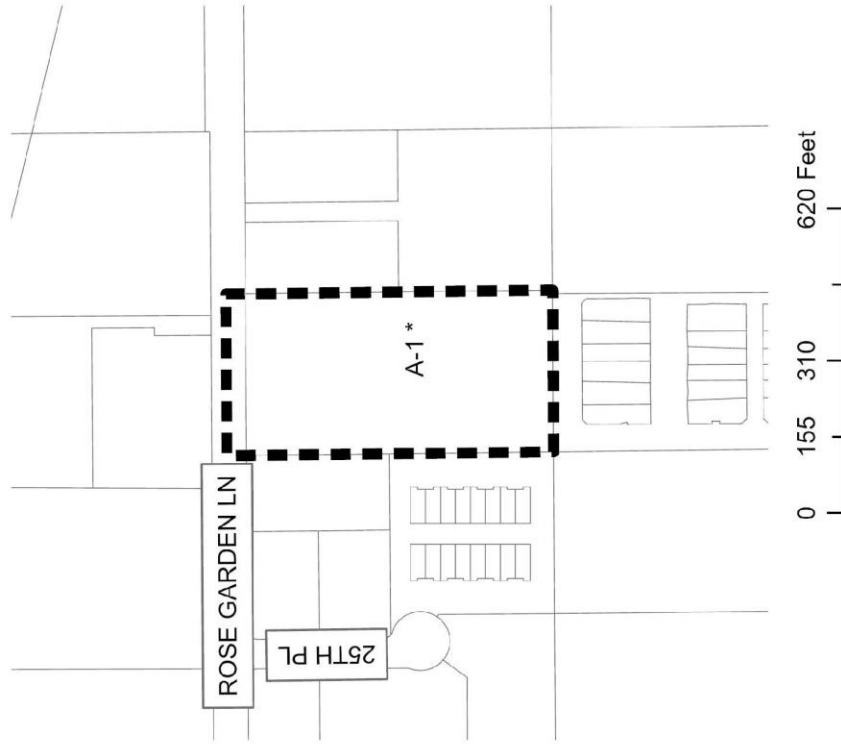
A PARCEL OF LAND SITUATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 4 NORTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA. SAID PARCEL ALSO BEING A PORTION OF THAT CERTAIN PROPERTY AS DESCRIBED IN DOCUMENT 1999-0040550 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 14 MOHAWK PARK, ACCORDING TO BOOK 58 OF MAPS, PAGE 48, RECORDS OF MARICOPA COUNTY, ARIZONA.

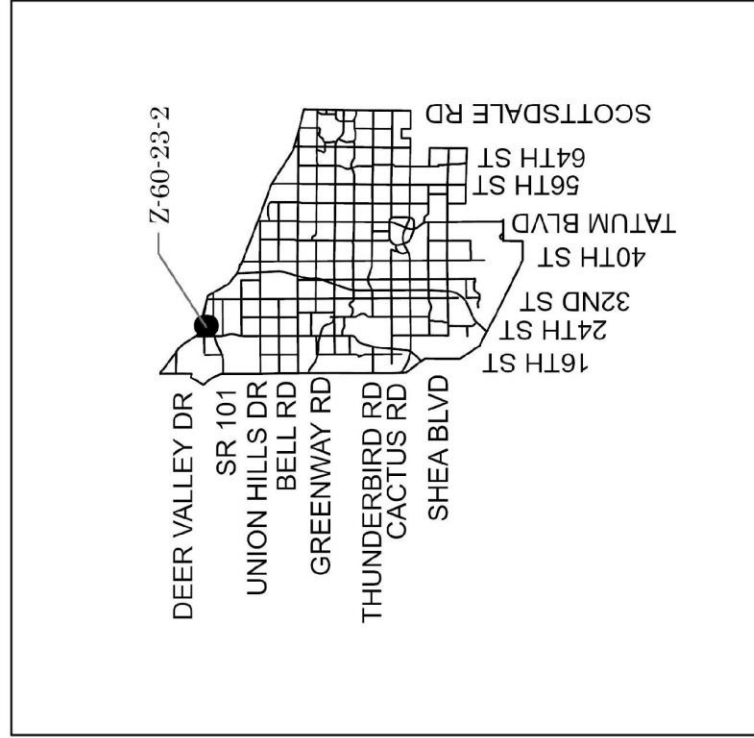
ORDINANCE LOCATION MAP

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: - - - - -



Zoning Case Number: Z-60-23-2
Zoning Overlay: N/A
Planning Village: Paradise Valley



NOT TO SCALE



Drawn Date: 1/8/2024



*****REQUEST TO CONTINUE (SEE ATTACHED MEMO)*** Amend City Code - Ordinance Adoption - Rezoning Application Z-61-23-2 (The Villas of Cave Creek Senior Living PUD) - Northwest Corner of 53rd Street and Dynamite Boulevard (Ordinance G-7222)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-61-23-2 and rezone the site from R1-10 (Single-Family Residence District) to PUD (Planned Unit Development) to allow senior housing.

Summary

Current Zoning: R1-10

Proposed Zoning: PUD

Acreage: 4.35

Proposal: Senior housing

Owner: George F Rivera Trust

Applicant: Lears Capital Group, LLC

Representative: Heather Personne, Evolve Ventures, LLC

Staff Recommendation: Approval, subject to stipulations.

VPC Info: The Desert View Village Planning Committee heard this case on Oct. 3, 2023, for information only.

VPC Action: The Desert View Village Planning Committee was scheduled to hear this case on Dec. 5, 2023; however, there was no quorum.

PC Action: The Planning Commission heard this case on Jan. 4, 2024, and recommended approval, per the staff recommendation, by a vote of 7-0.

Location

Northwest corner of 53rd Street and Dynamite Boulevard

Council District: 2

Parcel Address: 28255 N. 52nd St. and 5214, 5218, 5221, 5222, 5225, 5226, 5229, 5230, 5233, 5234, 5237, 5238, 5241, 5242 and 5246 E. Silver Sage Lane

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: February 5, 2024

From: Joshua Bednarek *JB*
Planning and Development Director

Subject: CONTINUANCE OF ITEM 81 ON THE FEBRUARY 7, 2024, FORMAL AGENDA
– Z-61-23-2 – NORTHWEST CORNER OF 53RD STREET AND DYNAMITE
BOULEVARD (ORDINANCE G-7222)

Item 81, rezoning application Z-61-23-2 is a request to rezone 4.35 acres located at the northwest corner of 53rd Street and Dynamite Boulevard from R1-10 (Single-Family Residence District) to PUD (Planned Unit Development) to allow senior living.

Staff has received correspondence from the applicant requesting a continuance to address concerns.

Staff recommends continuing this item to the March 6, 2024, City Council Formal meeting.

Approved: _____

Alan Stephenson
Alan Stephenson
Deputy City Manager

Attachment:
Exhibit A – Applicant's request for continuance

Stephanie Vasquez

From: Jason Israel <jason@learsicapitalgroup.com>
Sent: Monday, February 5, 2024 8:53 AM
To: Tricia Gomes; Stephanie Vasquez
Cc: Joshua Bednarek
Subject: Re: Case #Z-61-23-2

Good morning Tricia,

I'd like to request a continuance until the March 6, 2024 meeting.

Thank you,

Jason Israel, CCIM
LEARSI CAPITAL GROUP
(480) 278-9338
jason@learsicapitalgroup.com

From: Tricia Gomes <tricia.gomes@phoenix.gov>
Date: Friday, February 2, 2024 at 1:54 PM
To: Jason Israel <jason@learsicapitalgroup.com>, Stephanie Vasquez <stephanie.vasquez@phoenix.gov>
Cc: Joshua Bednarek <joshua.bednarek@phoenix.gov>
Subject: RE: Case #Z-61-23-2

Hi Jason,

Just wanted to follow up and see if you were ready to move forward or needed to request a continuance?

Thank you,

Tricia Gomes, Deputy Director, Planning & Zoning Division
Office: 602-262-4870 Email: tricia.gomes@phoenix.gov



City of Phoenix
► Planning & Development Department
Planning & Zoning Division
200 West Washington Street, 3rd Floor
Phoenix, AZ 85003

Mission: Planning, Development and Preservation for a Better Phoenix

From: Jason Israel <jason@learsicapitalgroup.com>
Sent: Monday, January 29, 2024 10:27 AM
To: Stephanie Vasquez <stephanie.vasquez@phoenix.gov>
Cc: Tricia Gomes <tricia.gomes@phoenix.gov>; Joshua Bednarek <joshua.bednarek@phoenix.gov>
Subject: Re: Case #Z-61-23-2

Good morning Stephanie,

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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-61-23-2) FROM R1-10 (SINGLE-FAMILY RESIDENCE DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 4.35-acre site located at the northwest corner of 53rd Street and Dynamite Boulevard in a portion of Section 29, Township 5 North, Range 4 East, as described more specifically in Exhibit "A," is hereby changed from "R1-10" (Single-Family Residence District) to "PUD" (Planned Unit Development).

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

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

violation of which shall be treated in the same manner as a violation of the City of

Phoenix Zoning Ordinance:

1. An updated Development Narrative for The Villas of Cave Creek Senior Living 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 November 17, 2023, as modified by the following stipulations:
 - a. Front cover: Revise the submittal date information to add the following: City Council adopted: [Add adoption date].
2. A total of 70 feet of right-of-way shall be dedicated for the north half of Dynamite Boulevard or as approved by Maricopa County.
3. All street improvements to Dynamite Boulevard and 53rd Street are outside of Phoenix City Limits and shall be reviewed and approved by Maricopa County. Documentation of the county review and approval shall be provided prior to Preliminary Site Plan approval.
4. A total of 40 feet of right-of-way shall be dedicated for the east half of 52nd Street.
5. All streets within and adjacent to the development shall be constructed 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 all ADA accessibility standards.
6. The site is located within a Special Flood Hazard Area (SFHA) called a Zone AE and Zone AE floodway on panel 1301M of the Flood Insurance Rate Maps (FIRM) revised July 20, 2021. The following requirements shall apply, as approved by the Planning and Development Department:
 - a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but is not limited to, provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.
 - b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of the Office of the City Engineer for review and approval of Floodplain requirements.

- c. FEMA approved CLOMR-F or CLOMR is required prior to issuance of a Grading and Drainage permit.
- 7. 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.
- 8. 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 7th day of February, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-61-23-2

Lots 1 thru 15 and Tracts A thru D, Final Plat for 53rd St. & Dynamite, according to the plat of record in Book 1488 of Maps, page 31, recorded in the office of the County Recorder of Maricopa County, Arizona.

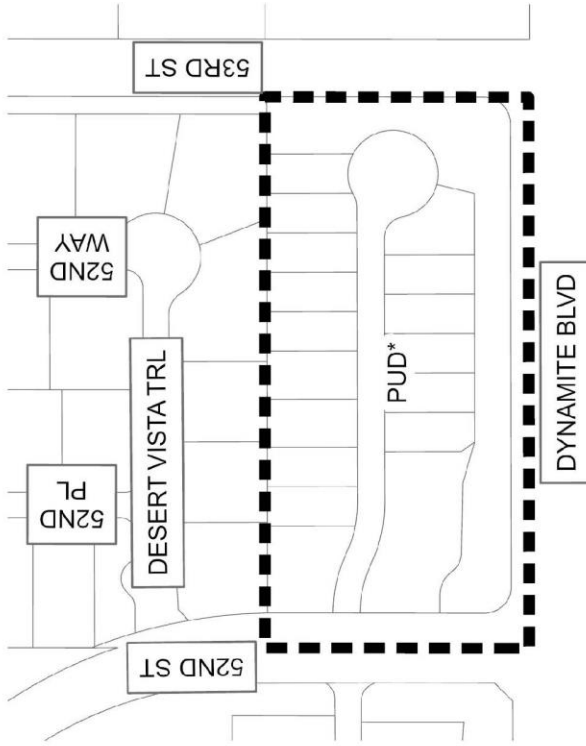
A portion of the SE Corner of Section 29, Township 5 North, Range 4 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

DRAFT

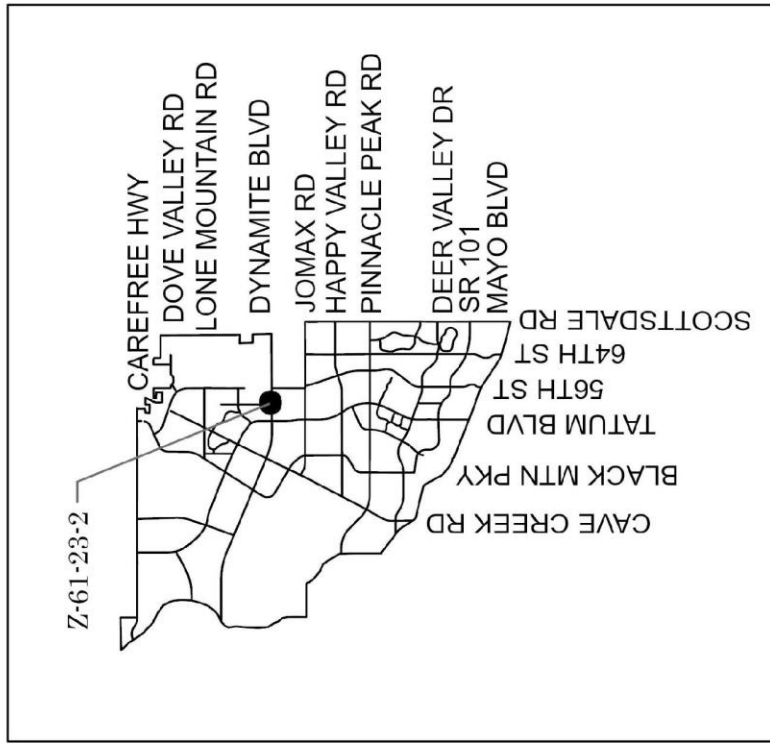
ORDINANCE LOCATION MAP

EXHIBIT B

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



Zoning Case Number: Z-61-23-2
Zoning Overlay: N/A
Planning Village: Desert View



NOT TO SCALE



Drawn Date: 1/5/2024

\\onepdd\Shared\Department Share\Information Systems\PL GIS\GIS_Team\GIS_Functions\Zoning\Supp\Maps_Ord\2024\2024-7-24.aprx



Amend City Code - Ordinance Adoption - Rezoning Application Z-62-23-2 - Northeast Corner of 14th Street and Wahalla Lane (Ordinance G-7225)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-62-23-2 and rezone the site from R1-8 (Single-Family Residence District) to R-2 (Multifamily Residence District) to allow multifamily residential townhomes.

Summary

Current Zoning: R1-8

Proposed Zoning: R-2

Acreage: 3.88

Proposal: Multifamily residential townhomes

Owner: Waseem Hamadeh, HOC Land, LLC

Applicant/Representative: Keith Nichter, Kimley-Horn

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Deer Valley Village Planning Committee heard this case on Dec. 14, 2023, and recommended approval, per staff recommendation, by a vote of 9-0.

PC Action: The Planning Commission heard this case on Jan. 4, 2024, and recommended approval, per the Deer Valley Village Planning Committee recommendation, by a vote of 7-0.

Location

Northeast corner of 14th Street and Wahalla Lane

Council District: 2

Parcel Address: 1414 E. Wahalla Lane

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson 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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-62-23-2) FROM R1-8 (SINGLE-FAMILY RESIDENCE DISTRICT) TO R-2 (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 3.88-acre site located at the northeast corner of 14th Street and Wahalla Lane in a portion of Section 28, Township 4 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "R1-8" (Single-Family Residence District) to "R-2" (Multifamily Residence District).

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

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the site plan date stamped September 13, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
2. Maximum building height shall be 30 feet.
3. All required landscape setbacks shall be planted with minimum 2-inch caliper large canopy, drought tolerant shade trees, planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
4. Landscape areas and retention areas shall be planted with minimum 2-inch caliper large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
5. The vehicular entrances to the development shall include the following elements, as approved by the Planning and Development Department:
 - a. Pedestrian pathways connecting the interior of the development to the public sidewalks along both sides of the vehicular driveway.
 - b. The entry driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.
6. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
7. All pedestrian walkways, including sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide a minimum 75% shade, as approved by the Planning and Development Department.
8. All uncovered surface parking lot area shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.
9. The development shall incorporate bicycle infrastructure as described below and approved by the Planning and Development Department.

- a. Bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the amenity area and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
 - b. Guest bicycle parking shall be provided at a minimum rate of 0.05 spaces per unit, up to a maximum of 50 spaces, located near building entrances and within amenity areas.
 - c. All bicycle infrastructure shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, as approved by the Planning and Development Department.
 - d. A bicycle repair station ("fix it station") shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
 - e. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
- 10. A minimum of 10% of the required parking spaces shall be EV Ready and a minimum of 20% shall be EV Capable.
 - 11. The property owner shall record documents that disclose to prospective purchasers of property within the developments the existence of noise from the SR 101 Freeway. The form and content of such documents shall be reviewed and approved by the City prior to recordation.
 - 12. Prior to final site plan approval, the developer shall provide a qualified engineer's report certifying the average annual interior noise exposure for any residential unit or enclosed public assembly area will not exceed 45 decibels, as approved by the Planning and Development Department.
 - 13. A noise wall shall be provided along or near the north property line, as approved by the Arizona Department of Transportation and the Planning and Development Department.
 - 14. A Red Border Letter shall be submitted to ADOT for this development prior to preliminary site plan approval.

15. Complete dedications and construct knuckle design along at the terminus of 14th Street, as approved by the Street Transportation Department.
16. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
17. The property owner shall record documents that disclose the existence, and operational characteristics of Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
18. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
19. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
20. 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.
21. 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 7th day of February, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (2 Pages)
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-62-23-2

PARCEL 1

THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPT THAT PORTION, WHICH LIES NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 28, WHICH POINT BEARS SOUTH 00 DEGREES 00 MINUTES 57 SECONDS EAST 370.00 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 28;

THENCE NORTH 89 DEGREES 00 MINUTES 00 SECONDS WEST 1600.00 FEET TO THE POINT OF ENDING (ADOT PARCEL 7-4108); AND

ALSO EXCEPT THE SOUTH 25 FEET OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA; TOGETHER WITH THE WEST 25 FEET THAT PART OF THE SOUTH 327 FEET OF SAID WEST HALF LYING NORTH OF THE NORTH LINE OF SAID SOUTH 25 FEET; AND TOGETHER WITH THAT PORTION BOUNDED ON THE SOUTH BY SAID NORTH LINE, ON THE WEST BY THE EAST LINE OF SAID WEST 25 FEET AND ON THE NORTHEAST BY THE ARC OF A CIRCULAR CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 12 FEET AND BEING TANGENT TO SAID NORTH LINE AND TO SAID EAST LINE, AS CONVEYED TO THE CITY OF PHOENIX IN DOCUMENT NO.

87-450540; AND

ALSO EXCEPT ALL COAL, OIL, GAS AND OTHER MINERAL DEPOSITS AS RESERVED BY THE UNITED STATES OF AMERICA IN THE PATENT TO SAID LAND.

PARCEL 2

THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPT THE EAST 164.05 FEET; AND

ALSO EXCEPT THE SOUTH 25 FEET OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE

NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS CONVEYED TO THE CITY OF PHOENIX IN DOCUMENT NO. 87-450541; AND

ALSO EXCEPT THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, WHICH LIES NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 28, WHICH POINT BEARS SOUTH 00 DEGREES 00 MINUTES 57 SECONDS EAST 370.00 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 28;

THENCE NORTH 89 DEGREES 00 MINUTES 00 SECONDS WEST 1200.00 FEET TO THE POINT OF ENDING; AND

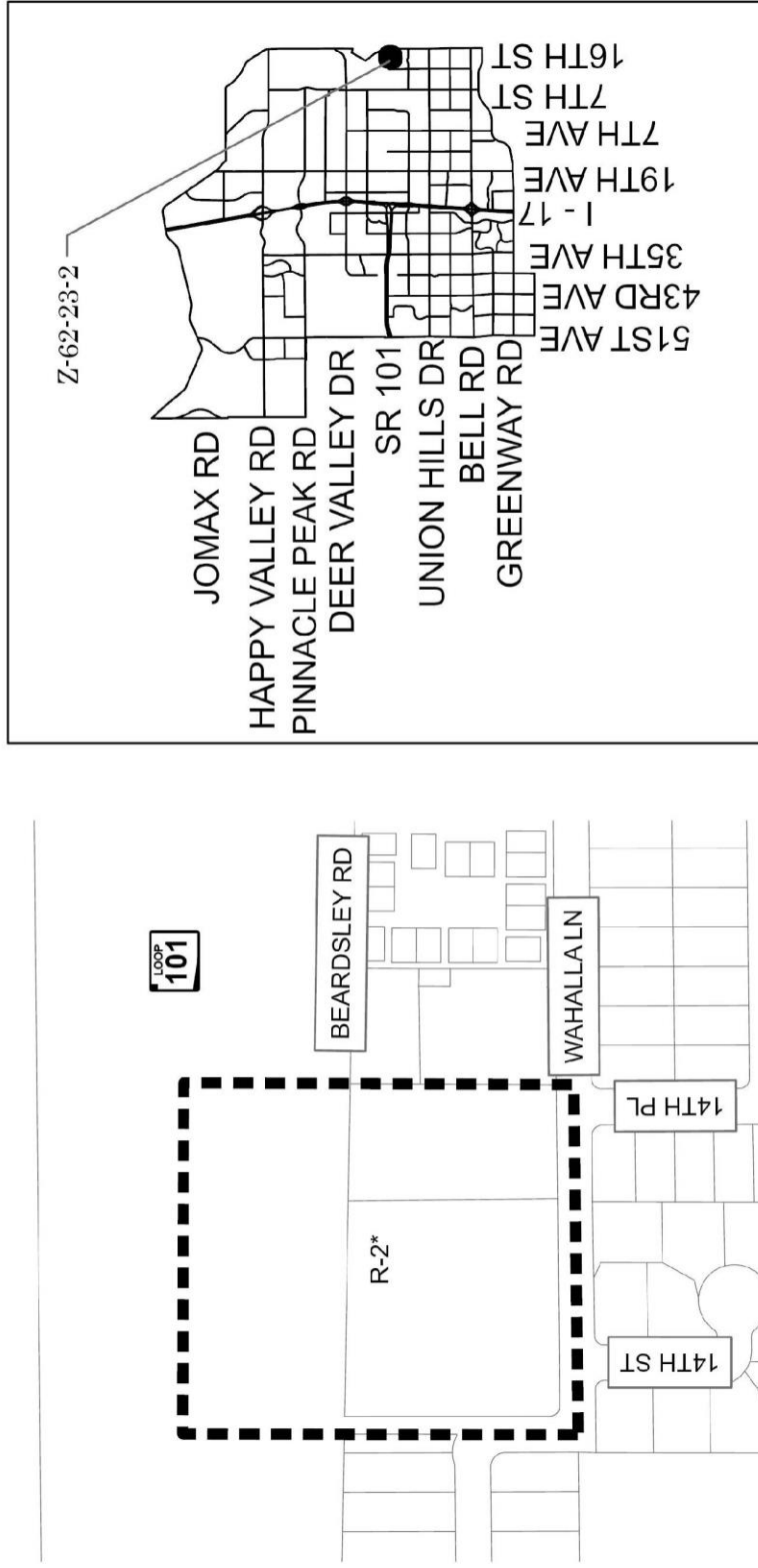
ALSO EXCEPT ALL COAL, OIL, GAS AND OTHER MINERAL DEPOSITS AS RESERVED BY THE UNITED STATES OF AMERICA IN THE PATENT TO SAID LAND

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-62-23-2
Zoning Overlay: N/A
Planning Village: Deer Valley



NOT TO SCALE



Drawn Date: 1/5/2024

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Amend City Code - Ordinance Adoption - Rezoning Application Z-59-23-4 - Approximately 125 Feet West of the Northwest Corner of 31st Avenue and Virginia Avenue (Ordinance G-7230)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-59-23-4 and rezone the site from Ind. Pk. (Industrial Park) to A-1 (Light Industrial District) to allow industrial uses (meat processing, packaging, and sales).

Summary

Current Zoning: Ind. Pk.

Proposed Zoning: A-1

Acreage: 0.60

Proposal: Industrial uses (meat processing, packaging, and sales)

Owner: Gabriel Amavizca

Applicant/Representative: Shaine T. Alleman, Tiffany & Bosco, P.A.

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Maryvale Village Planning Committee was scheduled to hear this case on Dec. 13, 2023, for recommendation; however, there was no quorum.

PC Action: The Planning Commission heard this case on Jan. 4, 2024, and recommended approval, per the staff recommendation, by a vote of 7-0.

Location

Approximately 125 feet west of the northwest corner of 31st Avenue and Virginia Avenue

Council District: 4

Parcel Address: 3112 W. Virginia Ave.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson 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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-59-23-4) FROM IND. PK. (INDUSTRIAL PARK) TO A-1 (LIGHT INDUSTRIAL DISTRICT).

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

SECTION 1. The zoning of a 0.60-acre property located approximately 125 feet west of the northwest corner of 31st Avenue and Virginia Avenue in a portion of Section 35, Township 2 North, Range 2 East, as described more specifically in Exhibit “A,” is hereby changed from “Ind. Pk.” (Industrial Park) to “A-1” (Light Industrial District).

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

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

1. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
2. A minimum of one green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
3. Upon complete redevelopment or development that modifies the cumulative floor area of the proposed and existing building by more than 15% from that depicted on the site plan date stamped October 16, 2023, a minimum of 5% of the required parking spaces shall be EV Ready.
4. Four bicycle spaces shall be provided on the site through Inverted U and/or artistic racks located near the building entrances or in a secure location inside the building and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
5. All uncovered surface parking spaces shall be shaded to achieve a minimum 50% shade with either structural shade, minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, or a combination of the two, as approved by Planning and Development Department.
6. The landscape area along Virginia Avenue shall be landscaped with minimum 2-inch caliper single-trunk, large canopy, drought-tolerant, shade trees, planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department. When possible, the developer shall use existing trees and landscaping to meet the landscaping requirements.
7. A minimum 6-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape strip located between the back of curb and sidewalk shall be provided for the north side of Virginia Avenue, as approved by the Planning and Development Department.
8. All streets within and adjacent to the development shall be constructed 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. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to

clearing and grubbing, landscape salvage, and/or grading approval.

10. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
11. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

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

PASSED by the Council of the City of Phoenix this 7th day of February, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-59-23-4

Within a portion of Section 35, Township 2 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

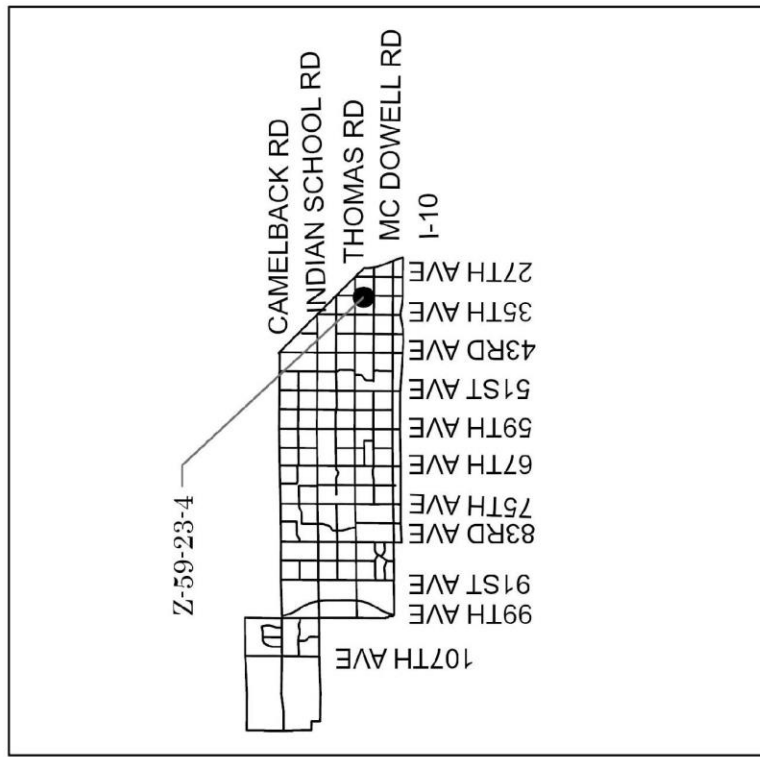
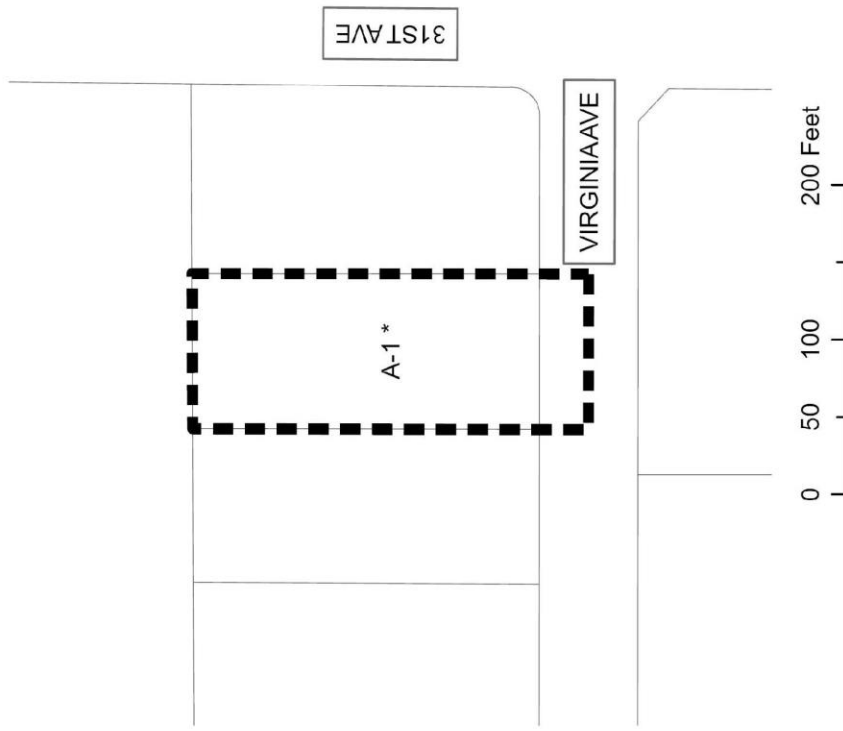
Lot 38, WEST PHOENIX INDUSTRIAL CENTER UNIT THREE, according to Book 122 of Maps, Page 8, records of Maricopa County, Arizona.

DRAFT

ORDINANCE LOCATION MAP

Zoning Case Number: Z-59-23-4
Zoning Overlay: N/A
Planning Village: Maryvale

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



NOT TO SCALE



Drawn Date: 1/8/2024



Amend City Code - Ordinance Adoption - Rezoning Application Z-34-23-5 (The Plaza on 32nd PUD) - Northeast Corner of 32nd Avenue and Glendale Avenue (Ordinance G-7227)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-34-23-5 and rezone the site from R1-6 (Single-Family Residence District) to PUD (Planned Unit Development) for retail and office.

Summary

Current Zoning: R1-6

Proposed Zoning: PUD

Acreage: 0.49

Proposal: Retail and office

Owner: KE Investment, LLC

Applicant/Representative: Taylor Earl, Earl & Curley, PC

Staff Recommendation: Approval, subject to stipulations.

VPC Info: The Alhambra Village Planning Committee was scheduled to hear this case on Sept. 26, 2023, for information only; however, there was no quorum.

VPC Action: The Alhambra Village Planning Committee heard this case on Dec. 19, 2023, and recommended approval, per the staff recommendation, by a vote of 12-0.

PC Action: The Planning Commission heard this case on Jan. 4, 2024, and recommended approval, per the Alhambra Village Planning Committee recommendation, by a vote of 7-0.

Location

Northeast corner of 32nd Avenue and Glendale Avenue

Council District: 5

Parcel Address: 3206 W. Glendale Ave.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson 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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-34-23-5) FROM R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 0.49-acre property located at the northeast corner of 32nd Avenue and Glendale Avenue in a portion of Section 2, Township 2 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "R1-6" (Single-Family Residence District) to "PUD" (Planned Unit Development).

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

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

1. An updated Development Narrative for The Plaza on 32nd 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 1, 2023, 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 1, 2023; City Council adopted: [Add adoption date].
 - b. Pages 4, 12, and 13; Move the Crime Prevention Through Environmental Design Section on page 4 to pages 12 and/or 13 Section E. Design Guidelines, under the Site Lighting section.
2. A minimum 50-feet of right-of-way shall be dedicated for the north side of Glendale Avenue, adjacent to the development.
3. All streets within and adjacent to the development shall be constructed 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.
4. 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.
5. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record. This stipulation shall not be applicable if the property is owned by the City of Phoenix.

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 7th day of February, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

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

EXHIBIT A

LEGAL DESCRIPTION FOR Z-34-23-5

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

LOT 174, AND THE SOUTH 3 FEET OF LOT 175, NORTHVIEW ACRES UNIT 3, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE MARICOPA COUNTY RECORDER IN BOOK 36 OF MAPS, PAGE 34;

EXCEPT THE SOUTH 11 FEET OF LOT 174;

AND EXCEPT THAT PART OF SAID LOT 174, DESCRIBED AS FOLLOWS:

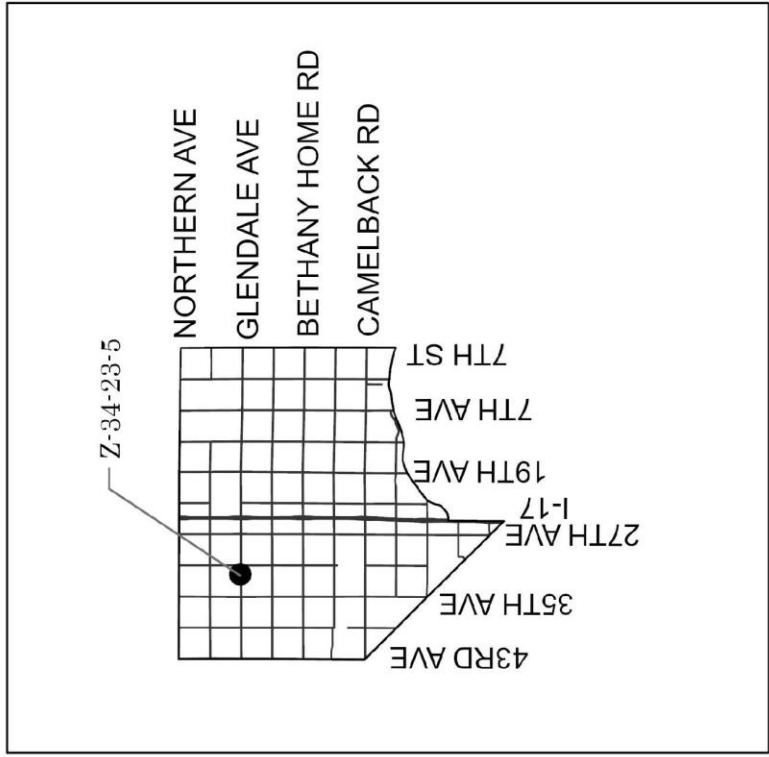
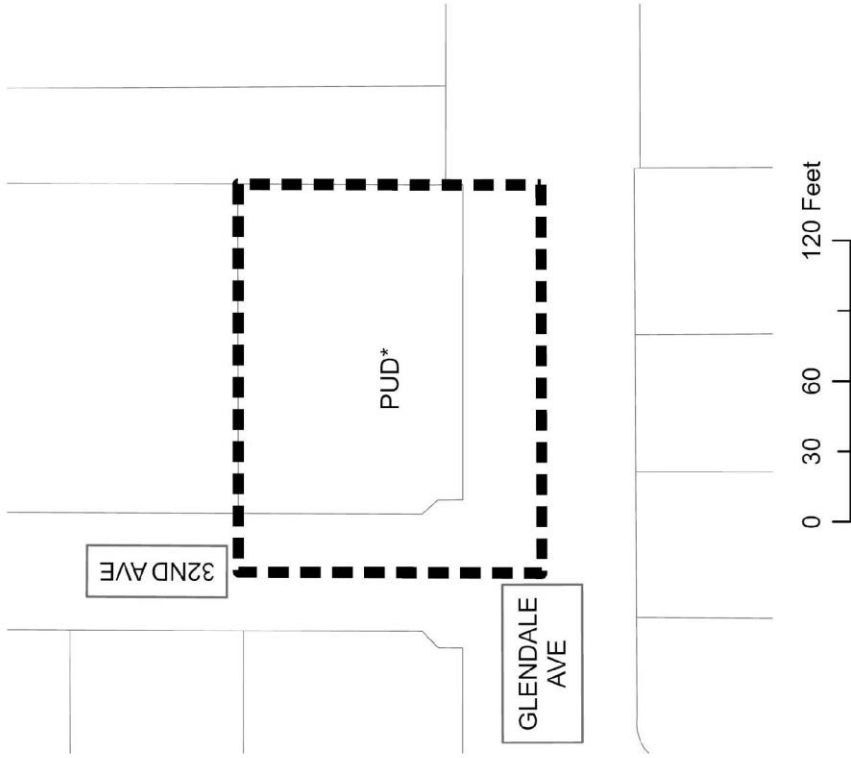
BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID LOT 174 WITH THE NORTH LINE OF THE SOUTH 11 FEET THEREOF;

THENCE SOUTHEASTERLY TO A POINT IN SAID NORTH LINE WHICH IS 5 FEET EAST OF THE POINT OF BEGINNING.

ORDINANCE LOCATION MAP

EXHIBIT B

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



NOT TO SCALE



Drawn Date: 1/5/2024



Amend City Code - Ordinance Adoption - Rezoning Application Z-48-22-7 - Approximately 300 Feet North of the Northwest Corner of 35th Avenue and Minton Street (Ordinance G-7226)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-48-22-7 and rezone the site from S-1 (Ranch or Farm Residence) to R-2 (Multifamily Residence District) to allow multifamily residential.

Summary

Current Zoning: S-1

Proposed Zoning: R-2

Acreage: 5.40

Proposed Use: Multifamily residential

Owner: Ridgeway Investments LLC

Applicant/Representative: Pew and Lake, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Laveen Village Planning Committee heard this case on Dec. 11, 2023, and recommended approval, per the staff recommendation, with a modification and an additional stipulation, by a vote of 7-0.

PC Action: The Planning Commission heard this case on Jan. 4, 2024, and recommended approval, per the staff memo, with a modification, by a vote of 7-0.

Location

Approximately 300 feet north of the northwest corner of 35th Avenue and Minton Street

Council District: 7

Parcel Address: N/A

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson 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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-48-22-7) FROM S-1 (RANCH OR FARM RESIDENCE DISTRICT) TO R-2 (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 5.40-acre property located approximately 300 feet north of the northwest corner of 35th Avenue and Minton Street in a portion of Section 34, Township 1 North, Range 2 East, as described more specifically in Exhibit “A,” is hereby changed from “S-1” (Ranch or Farm Residence District) to “R-2” (Multifamily Residence District).

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

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the site plan date stamped October 31, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
2. The development shall be in general conformance with the elevations date stamped July 14, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
3. Traffic calming measures shall be provided at all site entries and exits to slow down vehicular speeds as they approach sidewalks, as approved by the Planning and Development Department.
4. The required landscape setbacks and throughout the site shall be landscaped with 25% 3-inch caliper trees and 75% 2-inch caliper single-trunk large canopy drought-tolerant shade trees, planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
5. The east 350 feet of the south perimeter landscape setback shall be planted with minimum 3-inch caliper, single trunk, large canopy, drought-tolerant, shade trees, planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
6. The primary vehicular entrance to the development shall include the following elements, as approved by the Planning and Development Department:
 - a. Pedestrian pathways connecting the interior of the development to the public sidewalks along both sides of the vehicular driveway.
 - b. The pedestrian pathways shall be detached from the vehicular driveway and lined with landscape areas on both sides of not less than 5 feet each. The landscape area shall be planted with drought-tolerant plant materials providing seasonal interest.
 - c. A minimum 5-foot-wide landscape median, planted with a variety of at least three plant materials, and minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.
 - d. The entry driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.
7. If fencing is proposed, open view fencing or a combination of maximum two

feet of solid masonry topped by open view fencing shall be utilized along the north and east perimeter, as approved by the Planning and Development Department.

8. A perimeter wall no less than 6 feet in height shall be provided along the southern and western portion of the site, as approved by the Planning and Development Department.
9. A minimum of 15% of the gross site area shall be retained as open space.
10. All uncovered surface parking lot area shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.
11. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
12. All pedestrian walkways, including sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, as approved by the Planning and Development Department.
13. A minimum of three pedestrian connections shall be provided from the development to the sidewalk along Carter Road, as approved by the Planning and Development Department.
14. The development shall incorporate bicycle infrastructure as described below and approved by the Planning and Development Department.
 - a. Bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the community center and/or clubhouse and open space areas and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
 - b. Guest bicycle parking shall be provided at a minimum rate of 0.05 spaces per unit, up to a maximum of 50 spaces, located near building entrances and within amenity areas.
 - c. All bicycle infrastructure shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, as approved by the Planning and Development Department.
 - d. A bicycle repair station ("fix it station") shall be provided and maintained on site within an amenity area or near a primary site entrance. The

bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

- e. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
- 15. A minimum of 10% of the required parking spaces shall be EV Ready.
 - 16. The developer shall dedicate 25-feet of right-of-way and construct the south side of Carter Road, as approved by the Planning and Development Department.
 - 17. A minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape strip shall be constructed along the south side of Carter Road, adjacent to the development, planted to the following standards and maintained with a watering system, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.
 - b. Drought-tolerant shrubs, accents, and vegetative groundcovers with a maximum mature height of two feet to achieve a minimum of 75% live coverage at maturity.
- Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
- 18. The developer shall close the existing median opening adjacent to the site and construct a new median opening at 35th Avenue and Carter Road, as approved by the Planning and Development and Street Transportation Departments.
 - 19. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
 - 20. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to

future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

21. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development(s) the existence and operational characteristics of nearby existing ranchettes and animal privilege private properties that may cause adverse noise, odors, dust, and other externalities. 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. The disclosures shall be noted in the CC&Rs in a section titled "nuisances".
22. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
23. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
24. 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.
25. 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 7th day of February, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (3 Pages)
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-48-22-7

Parcel No. 1:

The South half of the Northeast quarter of the Southeast quarter of Section 34, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Except the East 33 feet; and

Except the North 330 feet, thereof.

Parcel No. 2:

That part of the North half of the Southeast quarter of the Southeast quarter of Section 34, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Beginning at a point which is 33 feet West of the Northeast quarter of the North half of the Southeast quarter of the Southeast quarter of said Section 34;

Thence West, 1284.40 feet to the Northwest quarter of the North half of the Southeast quarter of the Southeast quarter of said Section 34;

Thence South 38.5 feet;

Thence Easterly, 1284.40 feet to a point which is 24.5 feet South of the Point of Beginning;

Thence North 24.5 feet to the Point of Beginning;

Except from Parcels 1 and 2, described above, the property described in Agreement recorded in Docket 11047, page 417, Maricopa County Records, described as follows:

The West half of Parcels A and B, described as follows:

Parcel A:

The South half of the Northeast quarter of the Southeast quarter of Section 34, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Except the East 33 feet; and

Except the North 330 feet, thereof.

Parcel B:

That part of the North half of the Southeast quarter of the Southeast quarter of Section 34, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Beginning at a point which is 33 feet West of the Northeast quarter of the North half of the Southeast quarter of the Southeast quarter of said Section 34;

Thence West, 1284.40 feet to the Northwest quarter of the North half of the

Southeast quarter of the Southeast quarter of said Section 34; Thence South 38.5 feet;

Thence Easterly, 1284.40 feet to a point which is 24.5 feet South of the point of beginning;

Thence North 24.5 feet to the point of beginning; and

Except from Parcels 1 and 2, described above, any portion, if any, lying within the property described in Agreement recorded in Docket 13673, page 1172, Maricopa County Records, described as follows:

Beginning at the Northwest corner of the Southeast quarter of the Southeast quarter of said Section 34;

Thence North, along the West line of the Northeast quarter of the Southeast quarter of said Section 34, 168.62 feet;

Thence East, along a line which is parallel to the North line of said Northeast quarter of the Southeast quarter of Section 34, 642.2 feet;

Thence South, along a line which is parallel to the West line of said Northeast quarter of the Southeast quarter of Section 34, 199.99 feet to a point which lies 31.27 feet South of the South line of said Northeast quarter of the Southeast quarter of Section 34;

Thence Westerly, on a direct line, to a point on the West line of the Southeast quarter of the Southeast Quarter of said Section 34;

Thence North, along the West line of the Southeast quarter of the Southeast quarter of said Section 34, 38.5 feet to the Point of Beginning;

EXCEPT the portion Deed to Maricopa County, a political subdivision of the State of Arizona, by Final Order of Condemnation recorded February 12, 2013 as 2013-0139226 of Official records described as follows:

A parcel of land lying within Section 34, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the East quarter corner of said Section 34, a Maricopa County Department of Transportation brass cap in handhold, from which the Southeast corner of said Section, a City of Phoenix brass cap in handhole, bears South 00°46'33" West (basis of bearing), a distance of 2630.80 feet;

Thence along the East line of said Section, South 00°46'33" West, a distance of 988.23 feet;

Thence leaving said East line, North 89°13'27" West, a distance of 33.00 feet to the Northeast corner of that certain parcel of land described in Document No. 2006-0396656, Maricopa County Records (M.C.R.) the West line of the East 33 feet to the

Point of Beginning;

Thence along the West line and the Easterly line of the certain parcel, South $00^{\circ}46'33''$ West, a distance of 352.16 feet, to the Southeast corner of said certain parcel;

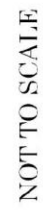
Thence leaving said West, a distance of 22.01 feet to the West line of the East 55 feet of said Section 34;

Thence leaving said Southerly line, along said West line North $00^{\circ}46'33''$ East, a distance of 352.40 feet, to the Northerly line of said certain parcel;

Thence leaving said West line, along said Northerly line, North $89^{\circ}55'04''$ East, a distance of 22.00 feet to the Point of Beginning.

EXHIBIT B

Zoning Case Number: Z-48-22-7
Zoning Overlay: N/A
Planning Village: Laveen





Amend City Code - Ordinance Adoption - Rezoning Application Z-57-23-7 - Approximately 520 Feet South of the Southwest Corner of Central Avenue and Tamarisk Avenue (Ordinance G-7229)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-57-23-7 and rezone the site from R-5 SPVTABDO (Multifamily Residence District, South Phoenix Village and Target Area B Design Overlay District) and C-3 SPVTABDO (General Commercial, South Phoenix Village and Target Area B Design Overlay District) to WU Code T5:2 SPVTABDO (Walkable Urban Code, Transect T5:2 District, South Phoenix Village and Target Area B Design Overlay District) to allow automobile parts and supplies retail.

Summary

Current Zoning: R-5 SPVTABDO (0.90 acres) and C-3 SPVTABDO (1.76 acres)

Proposed Zoning: WU Code T5:2 SPVTABDO

Acreage: 2.66

Proposal: Automobile parts and supplies retail

Owner: AutoZone Parts Inc. c/o Michael Caylor

Applicant/Representative: Ed Bull, Burch & Cracchiolo, P.A.

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The South Mountain Village Planning Committee heard this case on Dec. 12, 2023, and recommended approval, per the staff recommendation, with an additional stipulation, by a vote of 11-0.

PC Action: The Planning Commission heard this case on Jan. 4, 2024, and recommended approval, per the South Mountain Village Planning Committee recommendation, by a vote of 7-0.

Location

Approximately 520 feet south of the southwest corner of Central Avenue and Tamarisk Avenue

Council District: 7

Parcel Address: 4832 S. Central Ave.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson 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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-57-23-7) FROM R-5 SPVTABDO (MULTIFAMILY RESIDENCE DISTRICT, SOUTH PHOENIX VILLAGE AND TARGET AREA B DESIGN OVERLAY DISTRICT) AND C-3 SPVTABDO (GENERAL COMMERCIAL, SOUTH PHOENIX VILLAGE AND TARGET AREA B DESIGN OVERLAY DISTRICT) TO WU CODE T5:2 SPVTABDO (WALKABLE URBAN CODE, TRANSECT T5:2 DISTRICT, SOUTH PHOENIX VILLAGE AND TARGET AREA B DESIGN OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 2.66-acre site located approximately 520 feet south of the southwest corner of Central Avenue and Tamarisk Avenue in a portion of Section 29, Township 1 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from 0.90-acres of R-5 SPVTABDO (Multifamily Residence District, South Phoenix Village and Target Area B Design Overlay District) and 1.76 acres of C-3 SPVTABDO (General Commercial, South Phoenix Village and Target Area B Design Overlay District) to WU Code T5:2 SPVTABDO (Walkable Urban Code,

Transect T5:2 District, South Phoenix Village and Target Area B Design Overlay District).

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

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

1. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
2. A minimum of one pedestrian pathway shall be provided to connect the building entrance and public sidewalk using the most direct route for pedestrians and shall be shaded by a structure, minimum 2-inch caliper trees, or a combination thereof, to achieve 75% shade as approved by the Planning and Development Department.
3. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
4. A minimum five-foot-wide landscape setback shall be provided along the west side of the site and shall be planted to the following standards, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center or equivalent groupings.
 - b. Native cacti or similar plants to achieve a minimum of 75% live coverage.

Where fire lane conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution.

5. A minimum four-foot-wide landscape setback shall be provided on the north portion of the site and shall be planted with native cacti or similar plants, as approved by the Planning and Development Department.
6. Site lighting shall be provided at building entrances/exits, parking areas, and refuse areas, as approved by the Planning and Development Department.
7. A minimum of 10% of the required parking spaces shall be EV installed.
8. A minimum of two of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
9. A publicly accessible bicycle repair station ("fix it station") shall be provided and maintained on site near a primary site entrance. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to:
 - a. Standard repair tools affixed to the station;
 - b. A tire gauge and pump affixed to the based of the station or the ground;
 - c. A bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
10. Bicycle parking spaces shall be shaded by a structure, landscaping, or a combination thereof to provide a minimum of 75% shade, as approved by the Planning and Development Department.
11. All uncovered surface parking lot areas shall be landscaped with drought tolerant shade trees with one tree provided for every eight vehicular parking spaces, as approved by Planning and Development Department.
12. The existing northernmost access point on Central Avenue shall be removed, if the site is completely redeveloped in the future, as approved by the Planning and Development Department.
13. A minimum of 55 feet of right-of-way shall be dedicated for the west half of Central Avenue, adjacent to the development.
14. A minimum 10-foot-wide landscape strip located between the back of curb and sidewalk and minimum 6-foot wide sidewalk shall be constructed, as approved by the Planning and Development Department.
15. All existing electrical utilities within the public right-of-way shall be undergrounded, adjacent to the development. The developer shall coordinate

with the affected utility companies for their review and permitting.

16. All streets within and adjacent to the development shall be constructed 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.
17. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
18. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
19. 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.
20. 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.
21. There shall be no fencing along the south perimeter of the property, as approved by the Planning and Development Department.

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 7th day of February, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

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

EXHIBIT A

LEGAL DESCRIPTION FOR Z-57-23-7

THAT PART OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE CENTER LINE OF CENTRAL AVENUE, 33.00 FEET WEST AND 1515.88 FEET SOUTH OF THE NORTH QUARTER CORNER OF SAID SECTION 29;

THENCE NORTH 89 DEGREES 56 MINUTES 24 SECONDS EAST 46.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 56 MINUTES 24 SECONDS EAST 404.94 FEET;

THENCE SOUTH 00 DEGREES 03 MINUTES 36 SECONDS EAST 193.01 FEET;

THENCE SOUTH 89 DEGREES 56 MINUTES 24 SECONDS WEST 0.56 FEET;

THENCE SOUTH 00 DEGREES 03 MINUTES 36 SECONDS WEST 154.04 FEET;

THENCE SOUTH 89 DEGREES 56 MINUTES 24 SECONDS WEST 215.38 FEET;

THENCE NORTH 00 DEGREES 03 MINUTES 36 SECONDS WEST 154.04 FEET;

THENCE NORTH 89 DEGREES 56 MINUTES 24 SECONDS EAST 189.00 FEET TO A POINT ON THE R/W LINE OF CENTRAL AVENUE;

THENCE NORTH 00 DEGREES 03 MINUTES 36 SECONDS WEST 193.01 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

Zoning Case Number: Z-57-23-7
Zoning Overlay: South Phoenix Village
Area B Design Overlay District
Planning Village: South Mountain





Amend City Code - Ordinance Adoption - Rezoning Application Z-55-23-8 - Approximately 1,170 Feet West of the Southwest Corner of 35th Glen and Dobbins Road (Ordinance G-7228)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-55-23-8 and rezone the site from R1-10 (Single-Family Residence District) to R-2 (Multifamily Residence District) to allow multifamily residential.

Summary

Current Zoning: R1-10

Proposed Zoning: R-2

Acreage: 7.18

Proposed Use: Multifamily residential

Owner: RG LIV Laveen, LLC c/o Mark Singerman

Applicant/Representative: Brennan Ray, Burch and Cracchiolo, PA

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Laveen Village Planning Committee continued this case on Nov. 13, 2023, by a vote of 7-1. The Laveen Village Planning Committee heard this case on Dec. 11, 2023, and recommended approval, per the staff recommendation with a modification and additional stipulations, by a vote of 5-2.

PC Action: The Planning Commission heard this case on Jan. 4, 2024, and recommended approval, per the staff memo, by a vote of 7-0.

Location

Approximately 1,170 feet west of the southwest corner of 35th Glen and Dobbins Road

Council District: 8

Parcel Address: 3737 W. Dobbins Road

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson 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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-55-23-8) FROM R1-10 (SINGLE-FAMILY RESIDENCE DISTRICT) TO R-2 (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 7.18-acre property located approximately 1,170 feet west of the southwest corner of 35th Glen and Dobbins Road in a portion of Section 10, Township 1 South, Range 2 East, as described more specifically in Exhibit “A,” is hereby changed from “R1-10” (Single-Family Residence District) to “R-2” (Multifamily Residence District).

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

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development layout shall be in general conformance with the site plan date stamped October 25, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
2. A minimum of 25% of the building elevations visible from public rights-of-way or the main private drive shall contain a minimum of three different exterior accent materials that includes metal, wood, and concrete, as approved by the Planning and Development Department.
3. All required landscape setbacks shall be planted with minimum 2-inch caliper large canopy, drought tolerant trees, planted 25 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
4. Landscape areas and surface retention areas shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant shade trees planted 25 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
5. The entry driveway surface shall incorporate decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.
6. A perimeter wall no less than 6 feet in height shall be provided along the eastern portion of the site, as approved by the Planning and Development Department.
7. A minimum of 10% of the gross site area shall be retained as common open space.
8. Where pedestrian walkways cross a vehicular path, the pathway shall incorporate decorative pavers, stamped or colored concrete, striping or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
9. All uncovered surface parking lot area shall be landscaped with minimum 2-inch caliper, single trunk, large canopy, drought tolerant, shade trees. Landscaping shall be dispersed throughout the parking area and achieve 10% shade, as approved by Planning and Development Department.
10. The development shall incorporate bicycle infrastructure as described below and approved by the Planning and Development Department.
 - a. The developer shall provide secured bicycle parking per Section 1307 of the Zoning Ordinance.

- b. Guest bicycle parking shall be provided at a minimum rate of 0.05 spaces per unit, up to a maximum of 50 spaces. Parking spaces shall be provided through Inverted U and/or artistic racks located near the community center and/or clubhouse and open space areas and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
 - c. A bicycle repair station ("fix it station") shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
 - d. Bicycle parking shall be shaded at 100%.
- 11. A minimum of 5% of the required parking spaces shall be EV Capable.
 - 12. A 5-foot-wide detached sidewalk separated by a minimum 8-foot landscape strip shall be constructed along the south side of Dobbins Road, adjacent to the development and planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant shade trees planted 25 feet on center or in equivalent groupings. Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
 - 13. All existing overhead power lines along Dobbins Road shall be undergrounded. The developer shall coordinate with the affected power company for design and approval.
 - 14. The developer shall submit a traffic analysis to the city for this development. The TIA shall include turn lane analysis in conformance with the street planning and design guidelines to determine feasibility. No preliminary approval of plans shall be granted until the study has been approved by the Street Transportation Department and the left-hand turn issue is resolved.
 - 15. The speed limit inside the development shall not exceed 15 miles per hour.
 - 16. The developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

17. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property or tenants within the development(s) the existence and operational characteristics of nearby existing ranchettes and animal privilege private properties that may cause adverse noise, odors, dust, and other externalities. The form and content of such documents shall be reviewed and approved by the City prior to recordation. This disclosure shall also be provided in the leasing documents in a section titled “nuisances”.
18. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
19. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

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

PASSED by the Council of the City of Phoenix this 7th day of February, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-55-23-8

Located in the Northeast Quarter of Section 10, Township 1 South, Range 2 East, Gila and Salt River Meridian, Maricopa County, Arizona. Described as follows;

Commencing at the Northwest corner of said Northeast Quarter;

Thence North $89^{\circ}45'51''$ East, along the North line of said Northeast Quarter, a distance of 654.62 feet to the Point of Beginning;

Thence continuing along said North line, North $89^{\circ}45'51''$ East, a distance of 231.24 feet;

Thence departing said North line, South $00^{\circ}04'02''$ East, a distance of 1,318.46 feet;

Thence South $89^{\circ}45'26''$ West, a distance of 231.62 feet;

Thence North $00^{\circ}03'02''$ West, a distance of 1,318.48 feet to the Point of Beginning.

Containing 305,134.26 square feet or 7.00 acres, more or less.

EXHIBIT B

Zoning Case Number: Z-55-23-8
Zoning Overlay: N/A
Planning Village: Laveen





Public Hearing and Ordinance Adoption - Rezoning Application Z-50-23-4 - Northeast Corner of 3rd Street and Cheery Lynn Road (Ordinance G-7232)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-50-23-4 and rezone the site from R1-6 (Single-Family Residence District) and R-5 (Multifamily Residence District) to WU Code T4:3 MT, (Walkable Urban Code, Transect 4:3 District, Transit Midtown Character Area) to allow townhomes.

Summary

Current Zoning: R1-6 (0.77-acres) and R-5 (0.58-acres)

Proposed Zoning: WU Code T4:3 MT

Acreage: 1.35

Proposal: Townhomes

Owner: Kris Rigsby, Rigsby, LLC

Applicant/Representative: Kristjan Sigurdsson

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Encanto Village Planning Committee heard this case on Nov. 6, 2023, and recommended denial, by a vote of 7-4.

PC Action: The Planning Commission heard this case on Dec. 7, 2023, and recommended approval, per the staff recommendation, by a vote of 4-1.

Location

Northeast corner of 3rd Street and Cheery Lynn Road

Council District: 4

Parcel Address: 3201 N. 3rd St. and 306, 310, 314, 316, 318, and 322 E. Cheery Lynn Road

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson 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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-50-23-4) FROM R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT) AND R-5 (MULTIFAMILY RESIDENCE DISTRICT) TO WU CODE T4:3 MT (WALKABLE URBAN CODE, TRANSECT 4:3 DISTRICT, TRANSIT MIDTOWN CHARACTER AREA).

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

SECTION 1. The zoning of a 1.35 acre site located at the northeast corner of 3rd Street and Cheery Lynn Road in a portion of Section 29, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from 0.77-acres of "R1-6" (Single-Family Residence District) and 0.58-acres of R-5 (Multi-Family Residence District) to "WU Code T4:3 MT" (Walkable Urban Code, Transect 4:3 District, Transit Midtown Character Area).

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

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

1. Landscape areas within retention areas shall be planted with shrubs, accents and vegetative groundcovers to provide a minimum of 75% live coverage at maturity, as approved by the Planning and Development Department.
2. Bicycle infrastructure shall be provided as described below, as approved by the Planning and Development Department.
 - a. A publicly accessible bicycle repair station ("fix it station") shall be provided and maintained adjacent to 3rd Street. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to, standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
 - b. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
3. A minimum of 10% of the required parking spaces shall include Electric Vehicle (EV) ready infrastructure, as approved by the Planning and Development Department.
4. The full 20-foot width of the adjacent alley shall be paved from 3rd Street to 5th Street.
5. A minimum 5-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape strip located between the back of curb and sidewalk shall be constructed on the west side of 3rd Street, adjacent to the development, as approved by the Planning and Development Department.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.

6. All streets within and adjacent to the development shall be constructed 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.

7. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
8. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

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

PASSED by the Council of the City of Phoenix this 7th day of February, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-50-23-4

WITHIN A PORTION OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

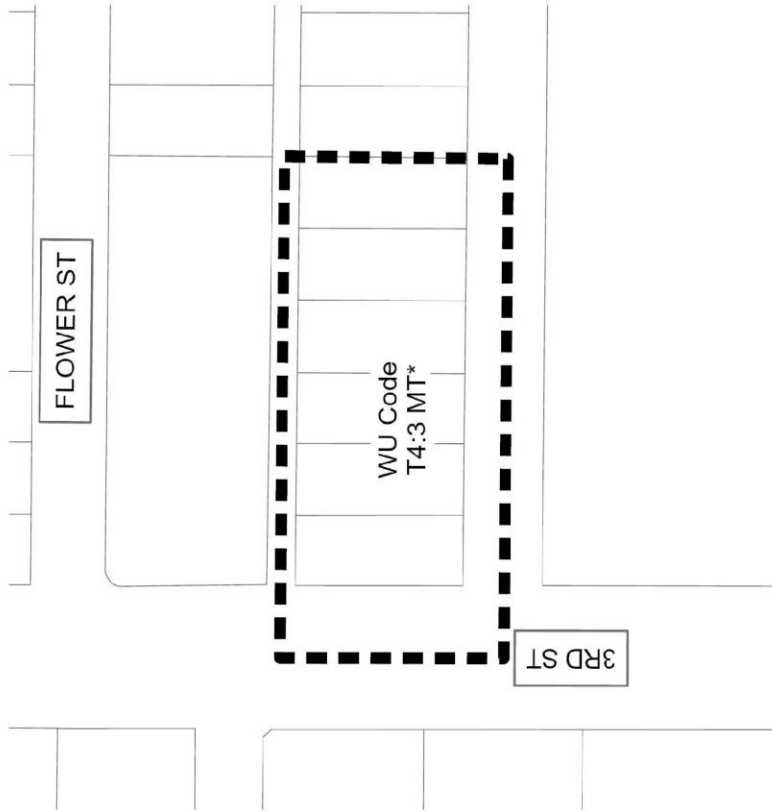
LOTS 19, 20, 21, 22, 23 AND 24, BLOCK 1 OF REPLAT OF PARKER L. WOODMAN TRACT, ACCORDING TO BOOK 6 OF MAPS, PAGE 34, RECORDS OF MARICOPA COUNTY, ARIZONA.

DRAFT

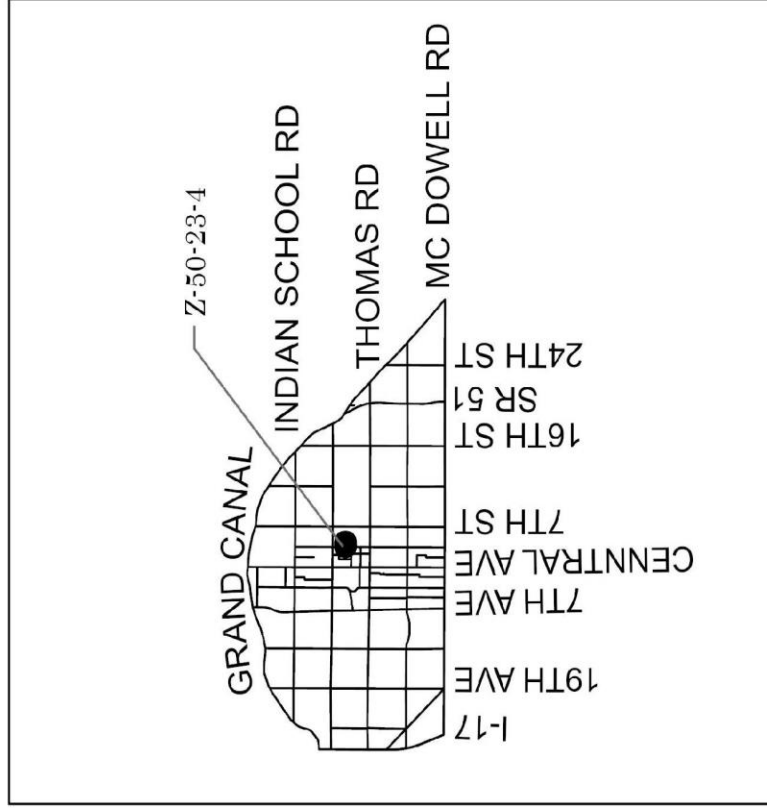
ORDINANCE LOCATION MAP

EXHIBIT B

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



Zoning Case Number: Z-50-23-4
Zoning Overlay: N/A
Planning Village: Encanto



NOT TO SCALE

Drawn Date: 1/8/2024



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-50-23-4
October 24, 2023

Encanto [Village Planning Committee](#) Meeting Date: November 6, 2023

[Planning Commission](#) Hearing Date: December 7, 2023

Request From: [R1-6](#) (Single-Family Residence District) (0.77 acres) and [R-5](#) (Multifamily Residence District) (0.58 acres)

Request To: [WU Code T4:3 MT](#) (Walkable Urban Code, Transect 4:3 District, Transit Midtown Character Area) (1.35 Acres)

Proposal: Townhomes

Location: Northeast corner of 3rd Street and Cheery Lynn Road

Owner: Kris Rigsby, Rigsby, LLC

Applicant/Representative: Kristjan Sigurdsson

Staff Recommendation: Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Residential 15+ dwelling units per acre	
Street Map Classification	3rd Street	Collector	50-foot east half street
	Cheery Lynn Road	Local	30-foot north half street
<p>CONNECT PEOPLE AND PLACES CORE VALUE; INFILL DEVELOPMENT; LAND USE PRINCIPLE: Promote and encourage compatible infill development with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.</p> <p>The site is located within the Midtown Transit Oriented Development (TOD) District and is within a half mile of two light rail transit stations located at Osborn Road/Central Avenue and Thomas Road/Central Avenue. Bus service on 7th Street is less than half a mile to the site. The proposed multifamily development is appropriate at this location given that the site is near multiple modes of transportation options.</p>			

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.

The proposal is located within the Midtown Transit Oriented Development (TOD) District. The Midtown TOD Policy Plan identified the site to be suitable to redevelop. The proposal for multifamily residences is consistent with the redevelopment vision identified in the Midtown TOD Policy Plan and will be a compatible addition to the surrounding area.

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 proposal provides trees and shade on both 3rd Street and Cheery Lynn Road as well as in the amenity area which will reduce the urban heat island effect while also improving thermal comfort to site users and the surrounding neighborhood.

Applicable Plans, Overlays, and Initiatives

[Transit Oriented Development Strategic Policy Framework](#): Background Item No. 3.

[Midtown Transit Oriented Development Policy Plan](#): Background Item No. 4.

[Housing Phoenix Plan](#): Background Item No. 8.

[Tree and Shade Master Plan](#): Background Item No. 9.

[Complete Streets Guidelines](#): Background Item No. 10.

[Transportation Electrification Action Plan](#): Background Item No. 11.

[Comprehensive Bicycle Master Plan](#): Background Item No. 12.

[Zero Waste PHX](#): Background Item No. 13.

Surrounding Land Uses and Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Single-family residences, office and vacant parcels	R-5, R1-6
North	Restaurant	C-2, P-1
West (across 3rd Street)	Office and parking garage	C-1 TOD-1, C-2 H-R, TOD-1
East	Parking Lot	P-1
South (across Cheery Lynn Road)	Multifamily residential	WU Code T5:6 MT

Walkable Urban Code T4:3 MT		*variance required or design alternative
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed Site Plan</u>
Gross Acreage	N/A	1.35
Total Number of Units	No maximum	15
Density	No maximum	11.11
Building Height	40-foot maximum	27 feet (Met)
Min. Parking – Per Section 702 <ul style="list-style-type: none"> 10% reduction when greater than 1,320 feet of a light rail stop 	30 spaces	30 spaces (Met)
Bicycle Parking – Per Section 1307.H.6.d <ul style="list-style-type: none"> Minimum 0.25 per residential unit, with a maximum of 50 required spaces 	4 spaces	4 spaces (Met)
<i>Streetscape Standards (Section 1312.C)</i>		
Local Street (3rd Street)	5-foot sidewalk (minimum)	6 feet (Met)
	5-foot landscape (minimum)	5 feet (Met)
Local Street (Cheery Lynn Road)	5-foot sidewalk (minimum)	5 feet (Met)
	5-foot landscape (minimum)	5 feet (Met)

Walkable Urban Code T4:3 MT		*variance required or design alternative
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed Site Plan</u>
<i>Main Building Setbacks</i>		
3rd Street (Primary Frontage)	20-foot maximum	4 feet 9 inches (Met)
Cheery Lynn Road (Secondary Frontage) (South)	8-foot maximum	4 feet 6 inches (Met)
Alley (North)	0-foot minimum	10 feet (Met)
Rear (East)	0-foot minimum	44 feet (Met)
<i>Parking Setbacks</i>		
3rd Street (Primary Frontage)	30-foot minimum or behind building	Garage parking provided (Met)
Cheery Lynn Road (Secondary Frontage) (South)	8-foot minimum	Garage parking provided (Met)
North and east	0-foot minimum	Garage parking provided (Met)
<i>Lot Requirements</i>		
Lot Coverage	70 percent maximum	56 percent (Met)
Primary Building Frontage (3rd Street Street)	60 percent minimum	Not specified
Open Space	5 percent minimum	5 percent (Met)
<i>Frontage Types Allowed</i>		
Primary Building Frontage (3rd Street)	Porch, patio, stoop, forecourt, or alternative frontages per Section 1305.B.1.c	Patio (Met)

Background/Issues/Analysis

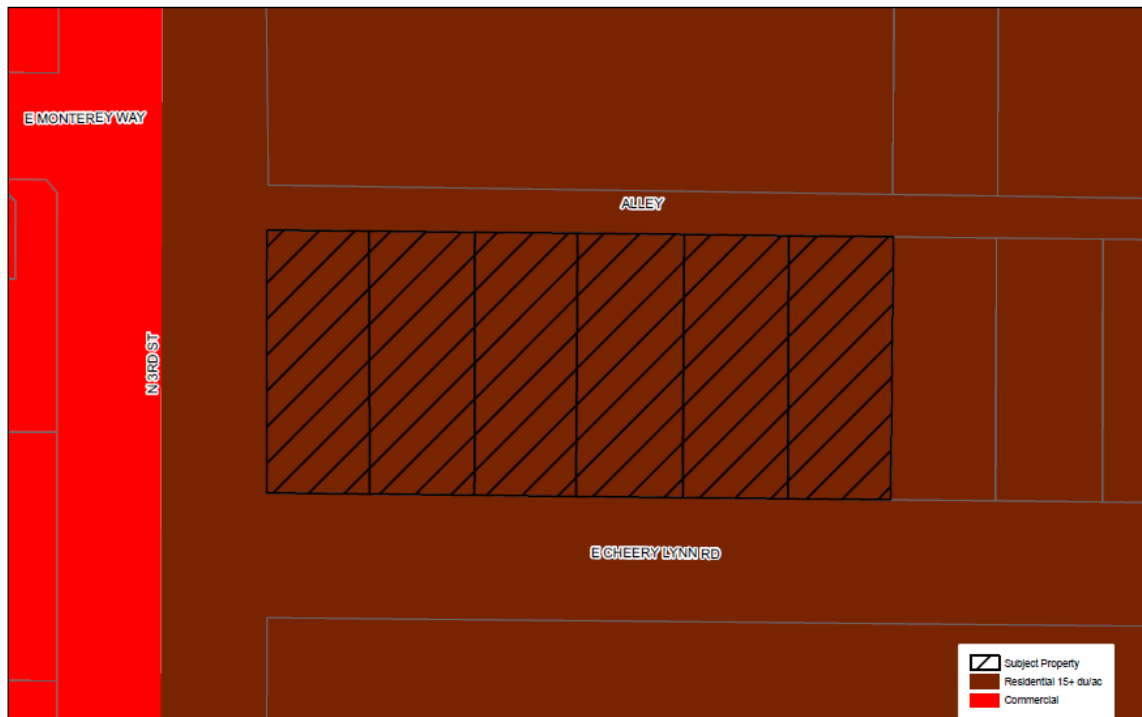
SUBJECT SITE

1. The request is to rezone a 1.35-acre site located at the northeast corner of 3rd Street and Cheery Lynn Road from 0.58 acres of R-5 (Multifamily Residence District) and 0.77 acres of R1-6 (Single-Family Residence District) to WU Code T4:3 MT (Walkable Urban Code, Transect 4:3 District, Transit Midtown Character Area) to allow townhomes. The site is along the 3rd Street Improvement Project area which will improve traffic circulation, safety, and mobility for pedestrians and bicyclists on 3rd Street between Garfield Street and Indian School Road. The

subject site is also located approximately one-half mile southwest to the U-Haul Headquarters and three quarters of a mile southeast of the Public Art at Central and Thomas both of which are noted assets on the Encanto Village Character Plan Asset Map.

GENERAL PLAN LAND USE MAP DESIGNATIONS

2. The General Plan Land Use Map depicts the subject site with a designation of Residential 15+ dwelling units per acre. The properties to the east, north and south have a General Plan Land Use Map designation of Residential 15+ dwelling units per acre. The property across 3rd Street to the west has a General Plan Land Use Map designation of Commercial. The proposal is consistent with the General Plan Land Use Map designation.



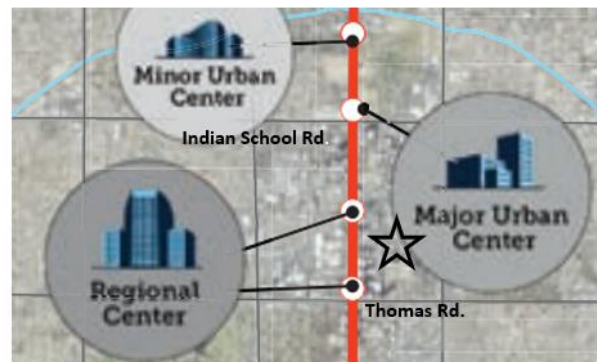
General Plan Land Use Map; Source: Planning and Development Department

3. **Transit Oriented Development Strategic Policy Framework:**

The Transit Oriented Development Strategic Policy Framework is part of the city's General Plan which identified planning typologies to describe urban environments. The subject site is approximately a half-mile from the Osborn Road/Central Avenue and Thomas Road/Central Avenue light rail stations. The identified environment for the Osborn Road/Central Avenue and Thomas Road/Central Avenue light rail station areas is Regional Center. The Regional Center is a place type characterized by high intensity with building heights typically from five to ten stories with incentive heights of up to 20 stories.

Station Number	Station Location	Place Type
07	Osborn Road/Central Avenue	Regional Center
08	Thomas Road/Central Avenue	Regional Center

*TOD Strategic Policy Framework
Placetypes, Source: Planning and
Development Department*



Land uses may include supportive retail, high-rise and mid-rise living, industry cluster and office employment. The proposed transect permits a lower intensity than the Regional Center place types and is appropriate given its half-mile distance from those stations.

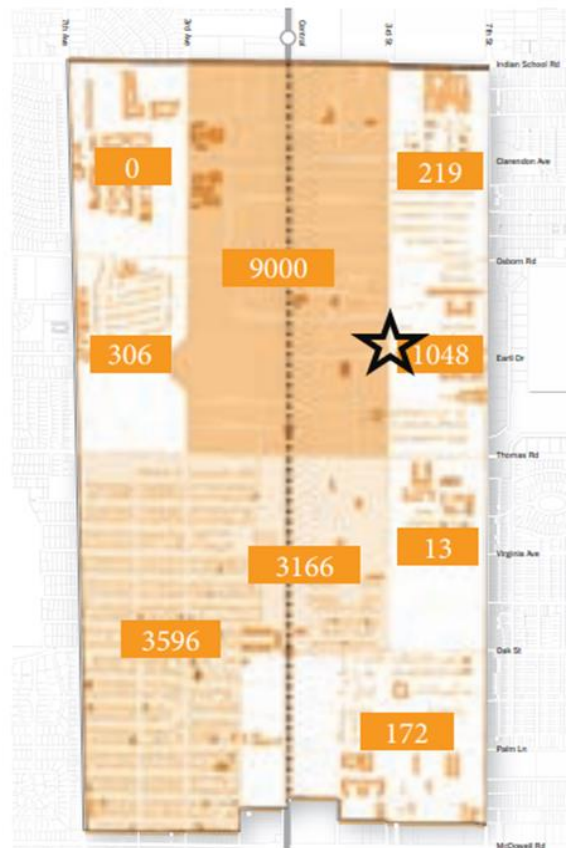
4. **Midtown Transit Oriented Development Policy Plan:**

The site is located within the Midtown TOD (Transit Oriented Development) District, the boundaries for which are McDowell Road on the south, Indian School Road on the north, 7th Street on the east, and 7th Avenue on the west. The policy plan adopted for the Midtown TOD District provides a blueprint for fully achieving the transformative potential of light rail in a sustainable manner. Changes advocated in the plan can lower transportation costs for residents, create new business opportunities, encourage active, healthy lifestyles, ensure Phoenix increases its competitive advantage in the global marketplace and improve prosperity by growing the economy in locations with existing infrastructure and public services. In order to realize the implementation of the Vision and Master Plan for the Midtown TOD District, one key recommendation is the implementation of a form-based zoning code. The proposal to Walkable Urban Code furthers that vision.

The Midtown TOD policy plan's current state assessment for housing indicated that the area near the subject site needs 1,048 more housing units by the year 2035. The current proposal will add to the housing stock in the area.

The subject site is also located within the 3rd Street Promenade area, envisioned to be “a destination for pedestrians and bicyclists...the 3rd Street Corridor is conscious of the smaller, more personal scale of adjacent historic neighborhoods and is visually integrated into a historic residential setting” (pg. 95). The subject site's enhanced bicycle amenities, detached sidewalks and lower scale are compatible with the vision for the 3rd Street Promenade.

HOUSING NEEDS



Unit Demand

Housing Units
Needed by 2035

*Midtown TOD Policy Plan Source: Planning
and Development Department*

EXISTING CONDITIONS AND SURROUNDING ZONING

5. The subject site currently includes single-family residences, vacant lots, and an office. North of the subject site is a restaurant zoned C-2 (Intermediate Commercial) and P-1 (Passenger Automobile Parking, Limited). To the west across 3rd Street is an office and a parking structure zoned C-1 TOD-1 (Neighborhood Retail, Interim Transit-Oriented Zoning Overlay District One) and C-2 H-R TOD-1 (Intermediate Commercial, High Rise Interim Transit-Oriented Zoning Overlay District One) and to the east is a parking lot zoned P-1. To the south, across Cheery Lynn Road, is a multifamily residential development zoned WU Code T5:6 MT (Walkable Urban Code, Transect 5:6 District, Transit Midtown

Character Area).

PROPOSAL

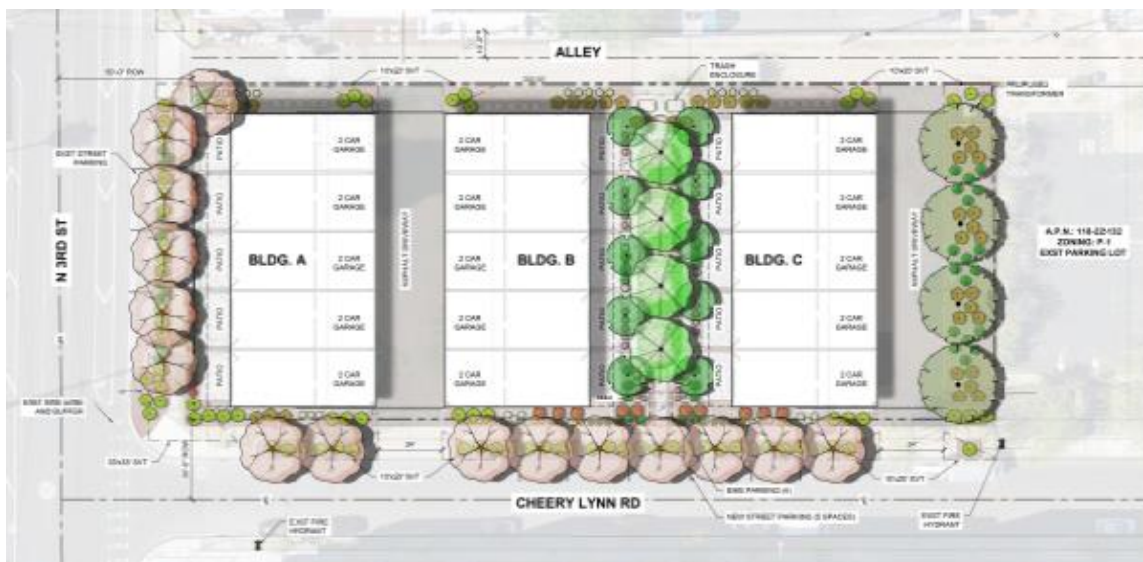
6. The proposed T4:3 District is described as a low-intensity urban residential fabric characterized by single-family homes, duplexes, single-family attached and small multifamily developments, averaging 30 to 40 feet in height. As shown on the site plan attached as an exhibit, the proposed development includes three two-story residential buildings, up to 27 feet in height. The ground level will include detached sidewalks on both street frontages, in addition there will be bicycle parking and a bicycle repair station. The site plan indicates a patio frontage type along 3rd Street and automobile access along Cheery Lynn Road, and resident parking will be provided in internal garages. The proposal includes an open space amenity area with trees and landscaping. The following is a conceptual rendering of the proposed development showing the 3rd Street frontage treatment and existing bicycle route.



Conceptual Building Renderings, Source: K & I Homes, LLC

Stipulation No. 5 requires a detached sidewalk along the west side of 3rd Street with an 8-foot-wide landscape area between the back of curb and sidewalk. To foster a bicycle supportive environment along the 3rd Street corridor, bicycle parking will be provided per the requirements of the Walkable Urban Code and a bicycle repair station will be provided as noted in Stipulation No. 2.a.

7. Staff also recommends Stipulation No. 1 to require 75 percent live coverage within the landscaped retention area. The conceptual landscape plan as provided below indicates the extent of landscape treatment on the site.



Conceptual Landscape Plan, Source: K & I Homes, LLC

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

8. [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 and contributing to a variety housing types that will address the supply shortage at a more rapid pace. The proposed multifamily development supports the goal of providing more housing units by 2030.

9. [Tree and Shade Master Plan:](#)

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. The proposal, as stipulated, will create a streetscape environment with a shaded and detached sidewalk and the retention area landscaping will include shade trees and shrubs. These are addressed in Stipulation Nos. 1 and 5.

10. **Complete Streets Guidelines:**

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 proposed development, as stipulated, will support walking, bicycling, and transit-use by including bicycle parking on the site, by including a bicycle repair (fix it) station to help patrons keep their bikes in a state of good repair, and by constructing a shaded and detached sidewalk along 3rd Street and Cheery Lynn Road. These are addressed in Stipulation Nos. 2 and 5.

11. **Transportation Electrification Action Plan:**

In, the Phoenix City Council approved the Transportation Electrification Action Plan. The current market desire for the electrification of transportation is both a national and global phenomenon, fueled by a desire for better air quality, a reduction in carbon emissions, and a reduction in vehicle operating and maintenance costs. Businesses, governments and the public are signaling strong future demand for electric vehicles (EVs), and many automobile manufacturers have declared plans for a transition to fully electric offerings within the coming decade. This Plan contains policy initiatives to prepare the City for a future filled with more EVs, charging infrastructure and e-mobility equity, and outlines a roadmap for a five-step plan to prepare for the EV infrastructure needs of 280,000 EVs in Phoenix by 2030. One goal of the Plan to accelerate public adoption of electric vehicles through workplace, business, and multifamily charging infrastructure recommends a standard stipulation for rezoning cases to provide EV charging infrastructure. This is addressed in Stipulation No. 3 which requires a minimum 10 percent of the required parking spaces to be EV ready. Additionally, Stipulation No. 2.b. requires electrical receptacles for 10 percent of the required secured bicycle parking to encourage micromobility.

12. **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. As stipulated, the development will provide a bicycle repair station and bicycle parking spaces per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. This is addressed in Stipulation No. 2. a.

Zero Waste Phoenix:

13. 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 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 proposed conceptual site plan shows recycling bins located in the alley and the project information notes recycling will be consistent with City of Phoenix requirements.

COMMUNITY CORRESPONDENCE

14. As of the writing of this report, no community correspondence has been received.

INTERDEPARTMENTAL COMMENTS

15. The Street Transportation Department requires that the alley between 3rd Street and 5th Street to be paved, that a minimum five-foot-wide detached sidewalk along 3rd Street be provided with a minimum eight-foot-wide landscape strip, and that all street improvements be constructed to City and ADA standards. These are addressed in Stipulation Nos. 4 through 6.

OTHERS

16. This site is not located in an area identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, ground-disturbing must cease to allow the Archaeology Office time to assess the development. This is addressed in Stipulation No. 8.
17. The Aviation Department requires that the property owner record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. This is addressed in Stipulation No 7.
18. Development and use of the site are 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. This proposal is consistent with the General Plan Land Use Map designation and several land use and design principles.
2. The proposal will redevelop an underutilized property and provide a high quality multifamily residential development which will help alleviate the housing shortage

in Phoenix and is consistent with the Midtown TOD Policy Plan designation as a site suitable for redevelopment.

3. As stipulated, the proposal provides enhanced pedestrian and bicycle amenities consistent with the Midtown TOD Policy Plan, Comprehensive Bicycle Master Plan, Tree and Shade Master Plan and the Complete Streets Guiding Principles.

Stipulations:

1. Landscape areas within retention areas shall be planted with shrubs, accents and vegetative groundcovers to provide a minimum of 75% live coverage at maturity, as approved by the Planning and Development Department.
2. Bicycle infrastructure shall be provided as described below, as approved by the Planning and Development Department.
 - a. A publicly accessible bicycle repair station ("fix it station") shall be provided and maintained adjacent to 3rd Street. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to, standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
 - b. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
3. A minimum of 10% of the required parking spaces shall include Electric Vehicle (EV) ready infrastructure, as approved by the Planning and Development Department.
4. The full 20-foot width of the adjacent alley shall be paved from 3rd Street to 5th Street.
5. A minimum 5-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape strip located between the back of curb and sidewalk shall be constructed on the west side of 3rd Street, adjacent to the development, as approved by the Planning and Development Department.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the

creation of a comfortable pedestrian environment.

6. All streets within and adjacent to the development shall be constructed 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.
7. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
8. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Writer

John Roanhorse

October 24, 2023

Team Leader

Racelle Escolar

Exhibits

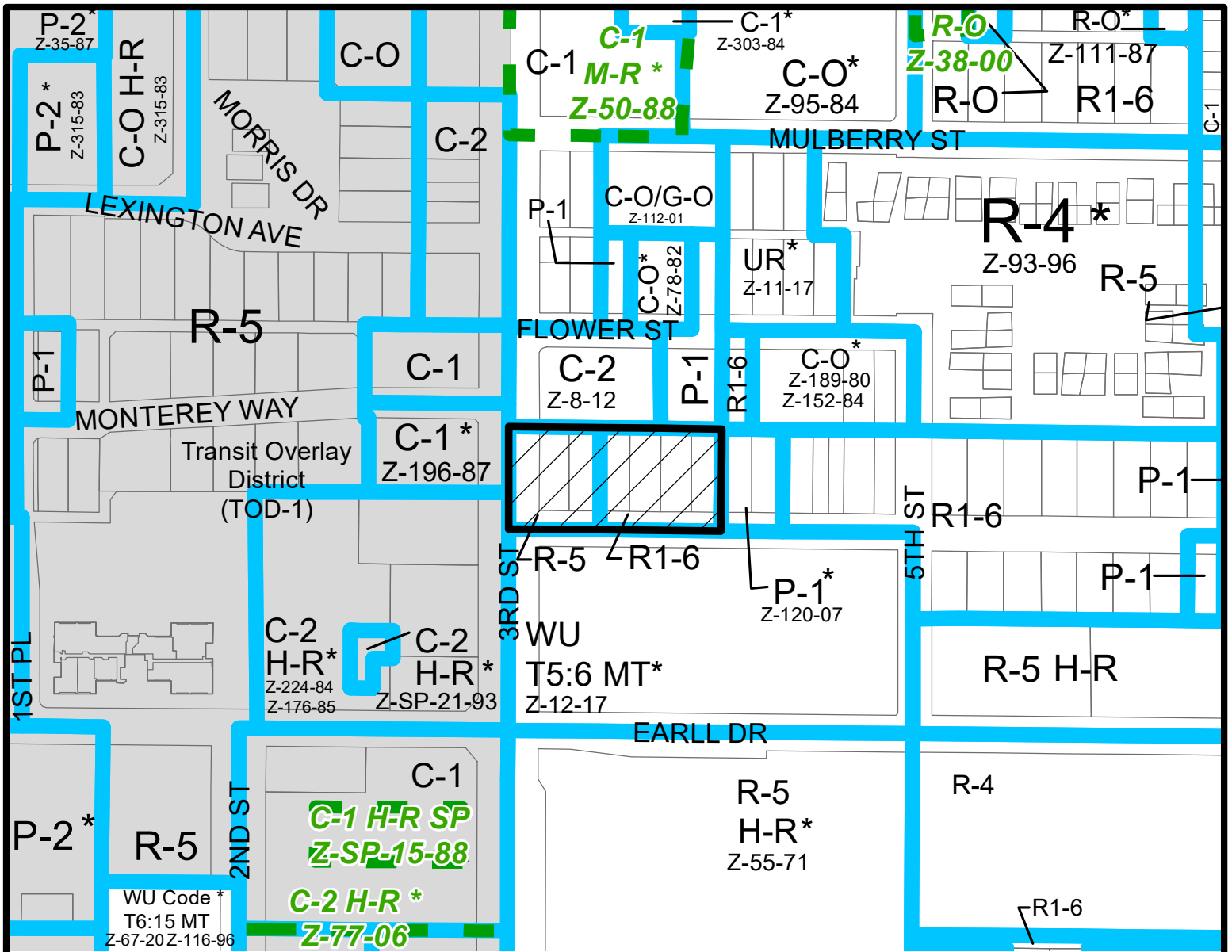
Zoning sketch map

Aerial sketch map

Conceptual Site Plan date stamped August 1, 2023

Conceptual Building Elevations date stamped August 1, 2023

Conceptual Landscape Plan dated September 1, 2023



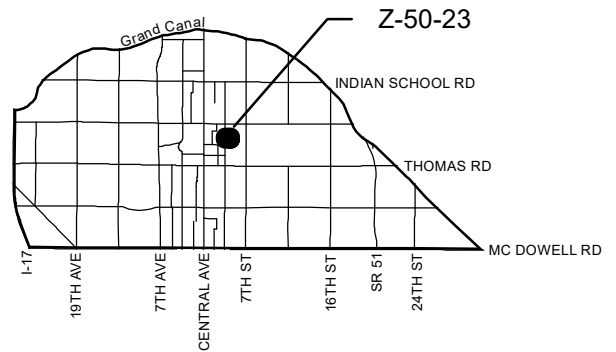
Miles

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ENCANTO VILLAGE
CITY COUNCIL DISTRICT: 4



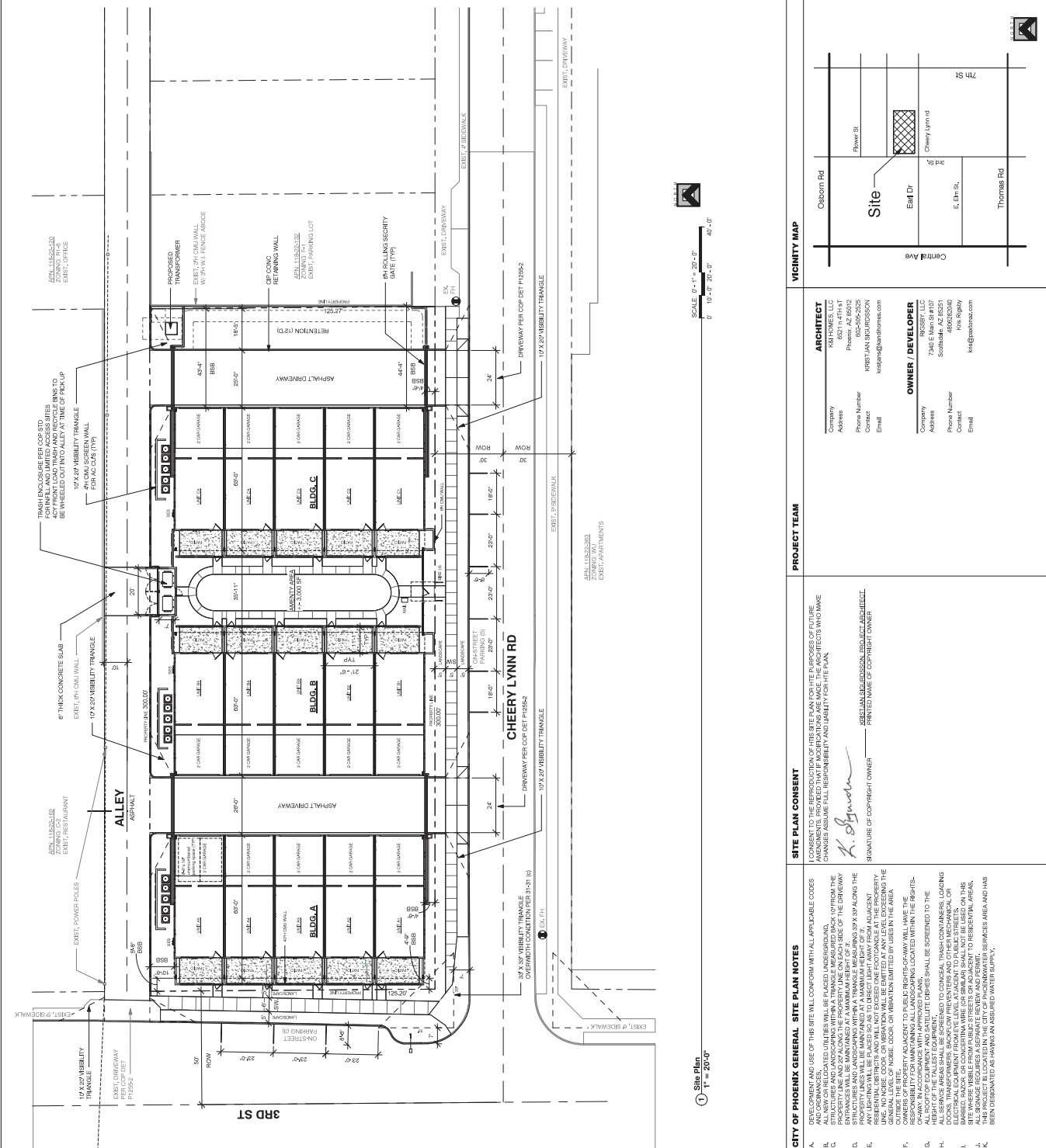
City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

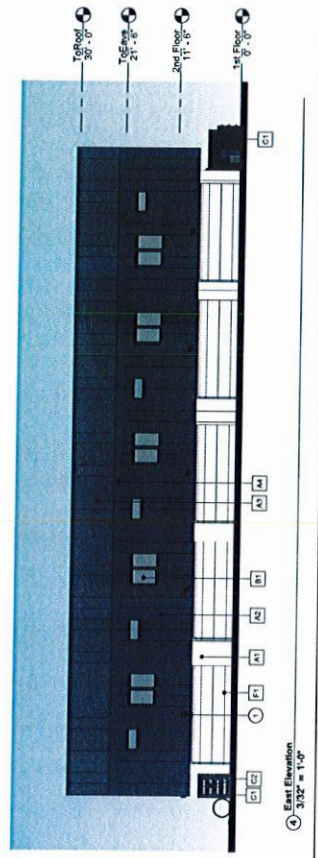


APPLICANT'S NAME: Kristjan Sigurdsson		REQUESTED CHANGE: FROM: R-5 (0.58 ac.) R1-6 (0.77 ac.)	
APPLICATION NO. Z-50-23	DATE: 8/9/2023 REVISION DATES:		TO: WU Code T4:3 MT (1.35 ac.)
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 1.35 Acres	10/13/2023		
	AERIAL PHOTO & QUARTER SEC. NO. QS 15-28	ZONING MAP G-8	
MULTIPLES PERMITTED R-5, R 1-6 WU Code T4:3 MT	CONVENTIONAL OPTION 25, 4 No Maximum		* UNITS P.R.D. OPTION 30, 5 N/A

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

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Planning & Development
Department



Village Planning Committee Meeting Summary

Z-50-23-4

Date of VPC Meeting	November 6, 2023
Request From	R1-6 and R-5
Request To	WU T4:3 MT
Proposal	Townhomes
Location	Northeast corner of 3rd Street and Cheery Lynn Road
VPC Recommendation	Denial
VPC Vote	7-4

VPC DISCUSSION:

One member of the public registered in opposition, wishing to speak.

STAFF PRESENTATION:

John Roanhorse, staff provided an overview of the proposal including the history, context, location, size, applicable policy areas, existing and the proposed zoning and General Plan designation and the surrounding land uses. Mr. Roanhorse displayed the site plan, building elevations, conceptual plans and anticipated streetscape improvements. Mr. Roanhorse presented the staff analysis and findings. Mr. Roanhorse noted that staff recommended approval of the proposal with stipulations.

APPLICANT PRESENTATION:

Kristjan Sigurdsson with K&I Homes, LLC introduced himself and provided background information on the multifamily development. Mr. Sigurdsson discussed the rezoning request noting the existing location and context of the area. Mr. Sigurdsson noted the existing residences and streetscape characteristics of the area and provided details on the proposals design, square footage and architectural style. Mr. Sigurdsson displayed conceptual drawings to show existing building colors, landscaping, driveways, and garage parking from various views. Mr. Sigurdsson stated the development would include three buildings each with five units at with a height of two stories. Mr. Sigurdsson said that each unit would have a two-car garage and guest parking would be accommodated on the street. Mr. Sigurdsson stated that the buildings have a farmhouse with a midcentury influence and draws on some features from the surrounding buildings. Mr. Sigurdsson stated that open space would be provided in a landscaped courtyard area off Cherry Lynn Road which will also be an entry feature to two of the buildings.

QUESTIONS FROM THE COMMITTEE:

Committee Member George asked about the price point for the residential units. **Mr. Sigurdsson** responded that the units would be rental units and would not be for sale.

Committee Member Jewett asked about existing homes on the proposed development site and if the applicant was aware of the residential price point. **Mr. Sigurdsson** responded that he was not certain but could consider the land value for the location and the homes were older and deteriorating.

Committee Member Jewett asked about bicycle parking in the development and noted there are individual unit patios. **Mr. Sigurdsson** responded that each unit does have a garage to store bicycles and there will be guest bicycle parking on 3rd Street and near the entry on Cherry Lynn Road which is more than is required. Mr. Sigurdsson stated that development will also include electric vehicle available parking in the garages as stipulated. Committee Member Jewett asked if the development would include recycling service for the residents. Mr. Sigurdsson responded that recycling service will be available, and pickup will be provided from the alley.

Committee Member Perez asked the applicant how they will respond to the stipulations and how the site will be accessed and where curb cuts will be made. **Mr. Sigurdsson** responded that there are curb cuts for every lot along 3rd Street which will be reduced to two. Committee Member Perez asked about access from the alley along the north side of the property. Mr. Sigurdsson responded there will be a wall along the alley which will be paved as part of the development which will allow automobile access from the alley to 3rd Street. Committee Member Perez asked about stormwater management and if there will be underground retention on the site. Mr. Sigurdsson responded that the site would accommodate first flush requirements and a 20-foot-wide retention is included on the east side of the development. Mr. Sigurdsson stated that the retention area will include shade coverage which is stipulated and addressed each of the stipulations. Committee Member Perez asked about the utility connections for the existing single-family residences. Mr. Sigurdsson responded that each existing home has utility access from the street.

Committee Member Schiller asked about the proposal's unit price and what the anticipated rental rates may be. **Mr. Sigurdsson** responded that this is not known considering how long construction may take and possible market changes. Committee Member Schiller asked if the proposal was a fully gated community. Mr. Sigurdsson responded that there are gates for access to the two buildings from the street and alley and there are security concerns in the neighborhood.

Acting Chair Kleinman noted that the development would be available as rental units and was that a consideration in determining the density. **Mr. Sigurdsson** responded that the intent was to build townhomes with garaged parking and the proposed design was the most responsive for the area.

Committee Member Schiller asked if the units were three bedrooms and if a family had more than two cars where would they be expected to park. **Mr. Sigurdsson** responded that it is unlikely that rental residents would have more than two cars.

PUBLIC COMMENTS:

Dale Barr introduced himself and noted he has been a resident of Midtown for 30 years. Mr. Barr stated that he has seen various townhomes developed in the area with increased street parking that is not being counted and it is assumed that residents will park in their dedicated spaces. Mr. Barr stated this is typically not what happens and residents park on the street and new developments should include driveways. Mr. Barr said that a new townhouse in the area was constructed with garages and the residents do park on the street. **Mr. Sigurdsson** responded that each unit has garage parking for residents. **Acting Chair Kleinman** stated that with developments that include garages they are frequently used for storage and residents end up parking on the street and asked if they were considering how parking would be accommodated. **Mr. Sigurdsson** responded the residents will park in their designated garages which are about 500 square feet that can accommodate storage and parking.

APPLICANT RESPONSE:

Mr. Sigurdsson stated he had no additional comments in response to the public comments.

COMMITTEE DISCUSSION:

Committee Member Perez respectfully stated that she was concerned with the applicants' response to the public's concern about who lives in the community, and which may not be responsive to future residents. Committee Member Perez asked the applicant how much experience they have because there is some concern with the aesthetics of the development, and it does not fit into the neighborhood and does not accommodate the housing group and the proposal will not do much for the local community. **Mr. Sigurdsson** expressed an apology for any unintended information and stated his experience with a development on 12th Street and Highland Avenue, a 34-unit development and several multifamily projects in other parts of the city and in Tempe, Scottsdale, and Gilbert. Committee Member Perez asked about the aesthetic of the development and how they came up with the design for the area. Mr. Sigurdsson stated the development did respond to the area and design can be a matter of opinion and the area does have various architectural styles. Committee Member Perez asked if the applicant conducted any outreach to the community. Mr. Sigurdsson responded that they did conduct an outreach meeting but only one person attended who was in favor of the proposal. Committee Member Perez asked if any variances would be required for the design. Mr. Sigurdsson responded that no variances would be required.

Committee Member Procaccini asked if the developer owns the existing single-family homes where the new units will be developed and do the current tenants have leases. **Mr. Kristopher Rigsby**, the project owner and developer, responded that the residents are on a month-to-month basis. Committee Member Procaccini noted that with the housing shortage is there a schedule for moving forward. Mr. Rigsby responded that with all the drawings and requirements activity would not begin until late 2024. **Mr. Sigurdsson** stated that residents would not be forced to move, and they are aware of the proposed development.

Acting Chair Kleinman asked if the Committee was ready to proceed with a motion on the proposed case and no other questions were stated.

Motion

Committee Member Jayson Matthews motioned to recommend denial of Z-50-23-4 stating there were two issues: first, that the development is intended to be a rental property not owner-occupied property which is a concern, and second, parking will impact the local neighborhood. **Committee Member G. G. George** seconded the motion.

Vote

7-4; motion to recommend denial of Z-50-23-4 passes with Committee Members Doescher, George, Jewett, Matthews, Perez, Schiller, and Montañó Searles in favor; with Committee Members Cardenas, Procaccini, Tedhams and Kleinman opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATIONS:

None.

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION December 7, 2023

ITEM NO: 8	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	Z-50-23-4
Location:	Northeast corner of 3rd Street and Cheery Lynn Road
From:	R-5 and R1-6
To:	WU Code T4:3 MT
Acreage:	1.35
Proposal:	Townhomes
Applicant:	Kristjan Sigurdsson
Owner:	Kris Rigsby, Rigsby, LLC
Representative:	Kristjan Sigurdsson

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
Encanto 11/6/2023 Denial. Vote: 7-4.

Planning Commission Recommendation: Approval, per the staff recommendation.

Motion Discussion: N/A

Motion details: Commissioner Boyd made a MOTION to approve Z-50-23-4, per the staff recommendation.

Maker: Boyd
Second: Acting Vice-Chairperson Mangum
Vote: 4-1 (Perez)
Absent: Gaynor and Gorraiz
Opposition Present: No

Findings:

1. This proposal is consistent with the General Plan Land Use Map designation and several land use and design principles.
2. The proposal will redevelop an underutilized property and provide a high quality multifamily residential development which will help alleviate the housing shortage in Phoenix and is consistent with the Midtown TOD Policy Plan designation as a site suitable for redevelopment.
3. As stipulated, the proposal provides enhanced pedestrian and bicycle amenities consistent with the Midtown TOD Policy Plan, Comprehensive Bicycle Master Plan, Tree and Shade Master Plan and the Complete Streets Guiding Principles.

Stipulations:

1. Landscape areas within retention areas shall be planted with shrubs, accents, and vegetative groundcovers to provide a minimum of 75% live coverage at maturity, as approved by the Planning and Development Department.
2. Bicycle infrastructure shall be provided as described below, as approved by the Planning and Development Department.
 - a. A publicly accessible bicycle repair station ("fix it station") shall be provided and maintained adjacent to 3rd Street. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to, standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
 - b. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
3. A minimum of 10% of the required parking spaces shall include Electric Vehicle (EV) ready infrastructure, as approved by the Planning and Development Department.
4. The full 20-foot width of the adjacent alley shall be paved from 3rd Street to 5th Street.
5. A minimum 5-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape strip located between the back of curb and sidewalk shall be constructed on the west side of 3rd Street, adjacent to the development, as approved by the Planning and Development Department.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.

6. All streets within and adjacent to the development shall be constructed 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.
7. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
8. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33- foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

This publication can be made available in alternate format upon request. Please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov, TTY: Use 7-1-1.



Public Hearing and Resolution Adoption - General Plan Amendment GPA-LV-3-23-7 - Southwest Corner of the 78th Avenue and Alta Vista Road alignments (Resolution 22182)

Request to hold a public hearing on a General Plan Amendment for the following item to consider adopting the Planning Commission's recommendation and the related resolution if approved. Request to amend the General Plan Land Use Map designation on 18.96 acres from Residential 3.5 to 5 dwelling units per acre, Commerce / Business Park, and Parks/Open Space - Publicly Owned to Residential 3.5 to 5 dwelling units per acre. This item is a companion case to Z-56-23-7 and must be heard first, followed by Z-56-23-7.

Summary

Application: GPA-LV-3-23-7

Current Designation: Residential 3.5 to 5 dwelling units per acre (15.85 acres), Commerce / Business Park (2.94 acres), and Parks/Open Space - Publicly Owned (0.17 acres)

Proposed Plan Designation: Residential 3.5 to 5 dwelling units per acre

Acreage: 18.96

Proposal: Minor General Plan Amendment for a single-family residential community

Owner: Laveen Land Holdings, LLC

Applicant/Representative: Jennifer Hall, Rose Law Group, PC

Staff Recommendation: Approval.

VPC Action: The Laveen Village Planning Committee heard this case on Dec. 11, 2023, and recommended approval, per the staff recommendation, by a vote of 6-1.

PC Action: The Planning Commission heard the case on Jan. 4, 2024, and recommended approval, per the Laveen Village Planning Committee recommendation, by a vote of 7-0.

Location

Southwest corner of the 78th Avenue and Alta Vista Road alignments

Council District: 7

Parcel Address: N/A

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

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

RESOLUTION

A RESOLUTION ADOPTING AN AMENDMENT TO THE 2015
GENERAL PLAN FOR PHOENIX, APPLICATION GPA-LV-3-23-7,
CHANGING THE LAND USE CLASSIFICATION FOR THE
PARCEL DESCRIBED HEREIN.



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

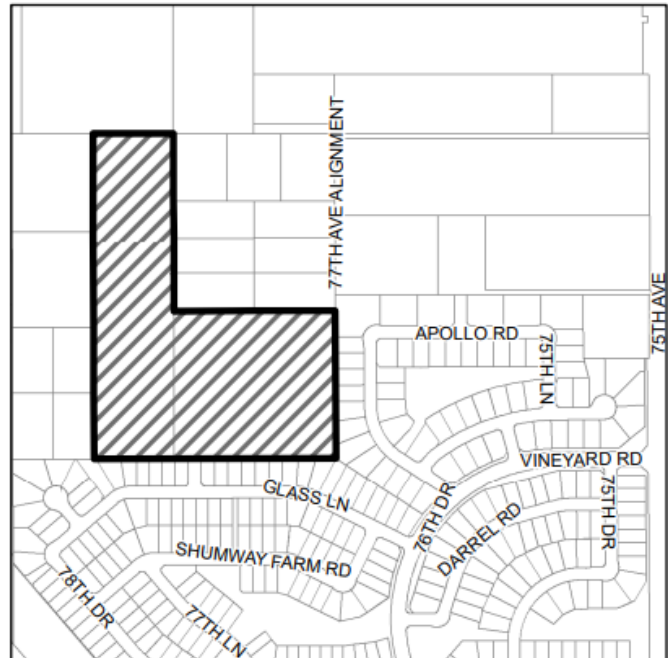
SECTION 1. The 2015 Phoenix General Plan, which was adopted by
Resolution 21307, is hereby amended by adopting GPA-LV-3-23-7. The 18.96-acre
site located at the southwest corner of the 78th Avenue and Alta Vista Road
alignments is designated Residential 3.5 to 5 dwelling units per acre.

SECTION 2. The Planning and Development Director is instructed to
modify the 2015 Phoenix General Plan to reflect this land use classification change as
shown below:

PROPOSED CHANGE:

Residential 3.5 to 5 du/ac du/ac (18.96 +/- Acres)

-  Proposed Change Area
 Residential 3.5 to 5 du/acre



PASSED by the Council of the City of Phoenix this 7th day of February
2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By: _____

REVIEWED BY:

Jeffrey Barton, City Manager

DRAFT



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

**GENERAL PLAN AMENDMENT
STAFF ANALYSIS**
December 4, 2023

<u>Application:</u>	GPA-LV-3-23-7
<u>Applicant/Representative:</u>	Jennifer Hall, Rose Law Group, PC
<u>Owner:</u>	Laveen Land Holdings, LLC
<u>Location:</u>	Southwest corner of the 78th Avenue and Alta Vista Road alignments
<u>Acreage:</u>	18.96 acres
<u>Current Plan Designation:</u>	Residential 3.5 to 5 dwelling units per acre (15.85 acres), Commerce / Business Park (2.94 acres) and Park/Open Space - Publicly Owned (0.17 acres)
<u>Requested Plan Designation:</u>	Residential 3.5 to 5 dwelling units per acre (18.96 acres)
<u>Reason for Requested Change:</u>	Minor General Plan Amendment for a single-family residential community
Laveen Village Planning Committee Meeting Date:	December 11, 2023
<u>Staff Recommendation:</u>	Approval

FINDINGS:

- 1) The proposed Residential 3.5 to 5 dwelling units per acre General Plan Land Use Map designation is compatible with adjacent designations to the west and north.
- 2) The companion rezoning case, Z-56-23-7, proposes a development that is consistent in scale and character with the land uses in the surrounding area to the south and east.

- 3) The companion rezoning case, Z-56-23-7, as stipulated, provides enhanced open space and design standards to make the proposed development a compatible addition to the area.

BACKGROUND

The subject site is 18.96 gross acres and is located at the southwest corner of the 78th Avenue and Alta Vista Road alignments. The subject site is currently vacant. The companion rezoning case Z-56-23-7 is requesting to rezone the site from County RU-43 (Pending S-1) (One Acre Per Dwelling Unit, Pending Ranch or Farm Residence) to R1-6 (Single-Family Residence District) to allow single-family residential.

This request proposes a minor amendment to the General Plan Land Use Map to allow single-family residential uses. The proposal will modify the land use designation from 15.85 acres of Residential 3.5 to 5 dwelling units per acre, 2.94 acres of Commerce / Business Park, and 0.17 acres of Parks/Open Space – Publicly Owned to 18.96 acres of Residential 3.5 to 5 dwelling units per acre.

SURROUNDING LAND USES

The subject site is currently vacant. The current General Plan Land Use Map designation for the site is Residential 3.5 to 5 dwelling units per acre, Commerce / Business Park, and Parks/Open Space – Publicly Owned.

NORTH

North of the subject site, across the Alta Vista Road alignment, are the boundaries of the Salt River and is designated Commerce / Business Park and Parks/Open Space – Publicly Owned.

NORTH

North of the subject site are large lot single-family homes or ranch or farm residences designated Residential 3.5 to 5 dwelling units per acre.

SOUTH

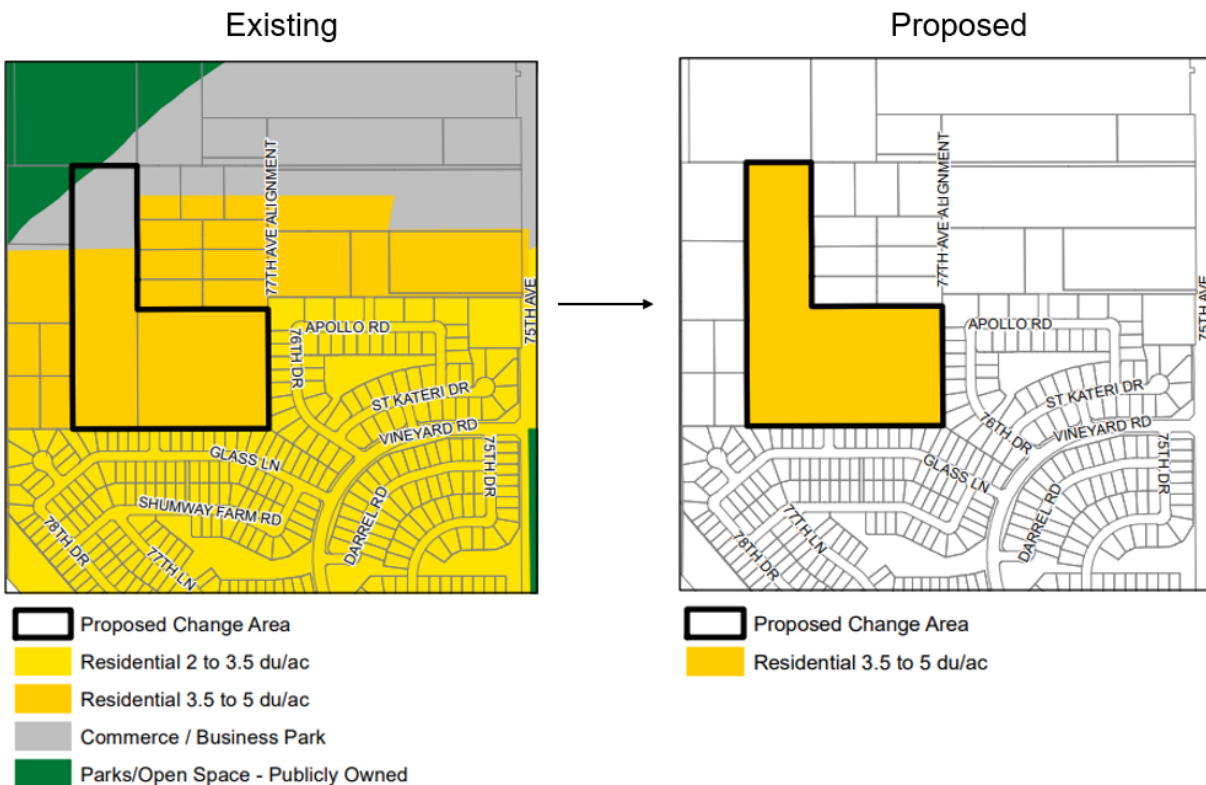
South of the subject site is a single-family residential development designated Residential 2 to 3.5 dwelling units per acre.

EAST

East of the subject site is a single-family residential development designated Residential 2 to 3.5 dwelling units per acre.

WEST

West of the subject site are vacant, commercial, and single-family residential uses designated Residential 3.5 to 5 dwelling units per acre.



*Existing and Proposed General Land Use Designation Maps
Source: City of Phoenix Planning and Development Department*

RELATIONSHIP TO GENERAL PLAN CORE VALUES AND PRINCIPLES

CONNECT PEOPLE AND PLACES

- **CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE:** Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The proposal provides a reasonable level of intensity that is respectful to local conditions. The companion rezoning case, Z-56-23-7, includes stipulations for enhanced elevations and open space, to ensure the proposal will be compatible with the area's character.

- **CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE:** Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.

The request facilitates additional housing opportunities in the Village that will help alleviate the housing crisis.

- **CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; LAND USE PRINCIPLE: Protect residential areas from concentrations of incompatible land uses that could change their character or destabilize land values.**

The proposed rezoning case, Z-56-23-7, will develop vacant property with a single-family residential development that is compatible with the surrounding residential uses which will protect the area from incompatible land uses.

CONCLUSION AND RECOMMENDATION

Staff recommends approval of GPA-LV-3-23-7. The proposed land use map designation allows for future single-family residential development of this site that is compatible with surrounding designations. The companion rezoning case, Z-56-23-7, as stipulated, will require enhanced standards for elevations, open space, dedication Shared Use Path, and pedestrian connections.

Writer

Nayeli Sanchez Luna
December 4, 2023

Team Leader

Racelle Escolar

Exhibits

Sketch Maps (2 pages)






GENERAL PLAN AMENDMENT

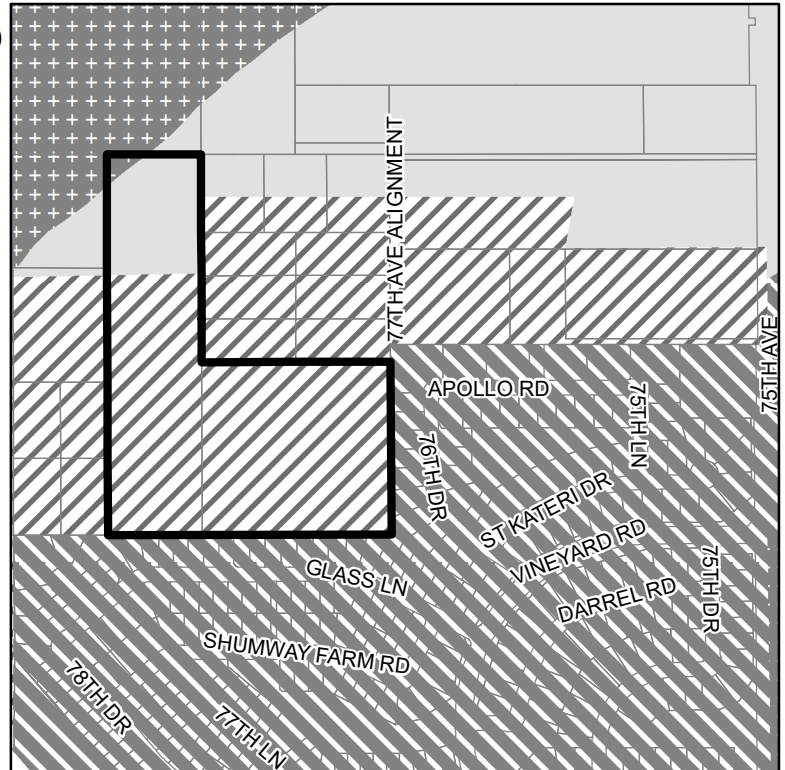
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-LV-3-23-7	ACRES: 18.96 +/-	REVISION DATE:
VILLAGE: LAVEEN	COUNCIL DISTRICT: 7	
APPLICANT: Jennifer Hall		

EXISTING:



Residential 3.5 to 5 du/ac (15.85 +/- Acres)
 Commerce / Business Park (2.94 +/- Acres)
 Parks/Open Space - Publicly Owned (0.17 +/- a.c.)

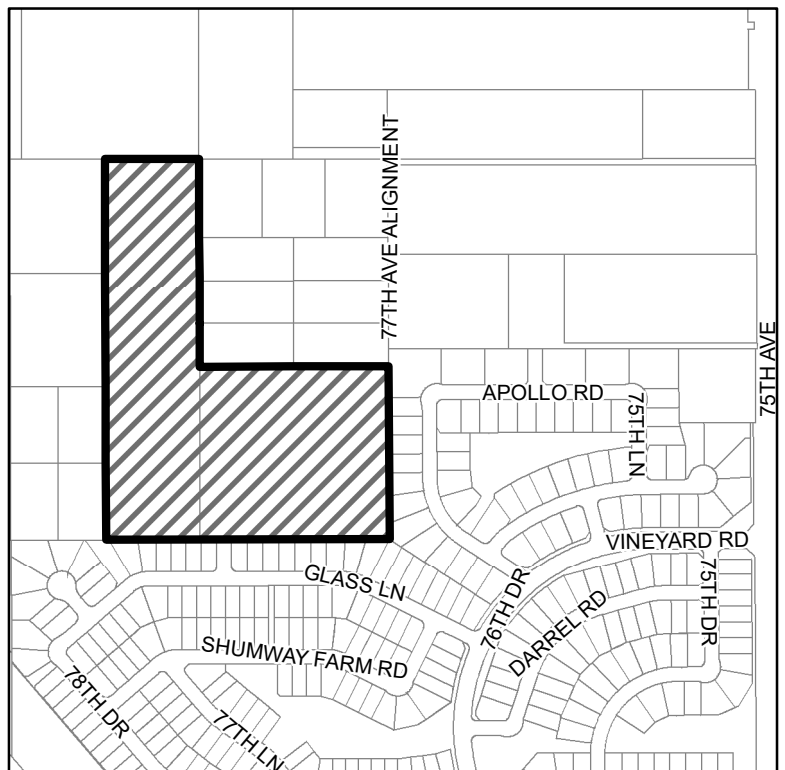
-  Proposed Change Area
-  Residential 2 to 3.5 du/acre
-  Residential 3.5 to 5 du/acre
-  Commerce / Business Park
-  Parks/Open Space - Publicly Owned



PROPOSED CHANGE:

Residential 3.5 to 5 du/ac du/ac (18.96 +/- Acres)

-  Proposed Change Area
-  Residential 3.5 to 5 du/acre








GENERAL PLAN AMENDMENT

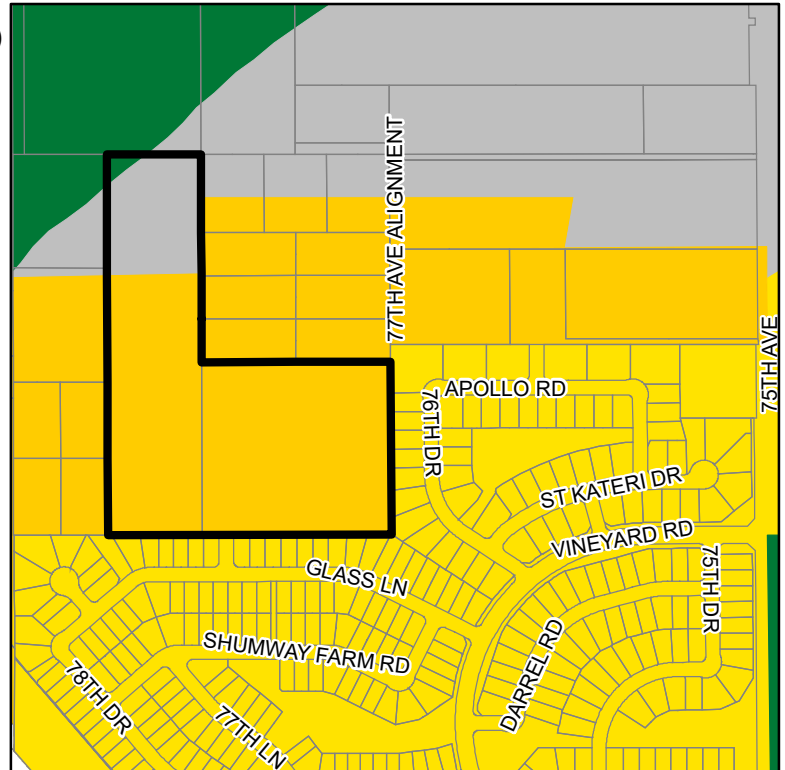
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-LV-3-23-7	ACRES: 18.96 +/-	REVISION DATE:
VILLAGE: LAVEEN	COUNCIL DISTRICT: 7	
APPLICANT: Jennifer Hall		

EXISTING:



Residential 3.5 to 5 du/ac (15.85 +/- Acres)
 Commerce / Business Park (2.94 +/- Acres)
 Parks/Open Space - Publicly Owned (0.17 +/- a.c.)

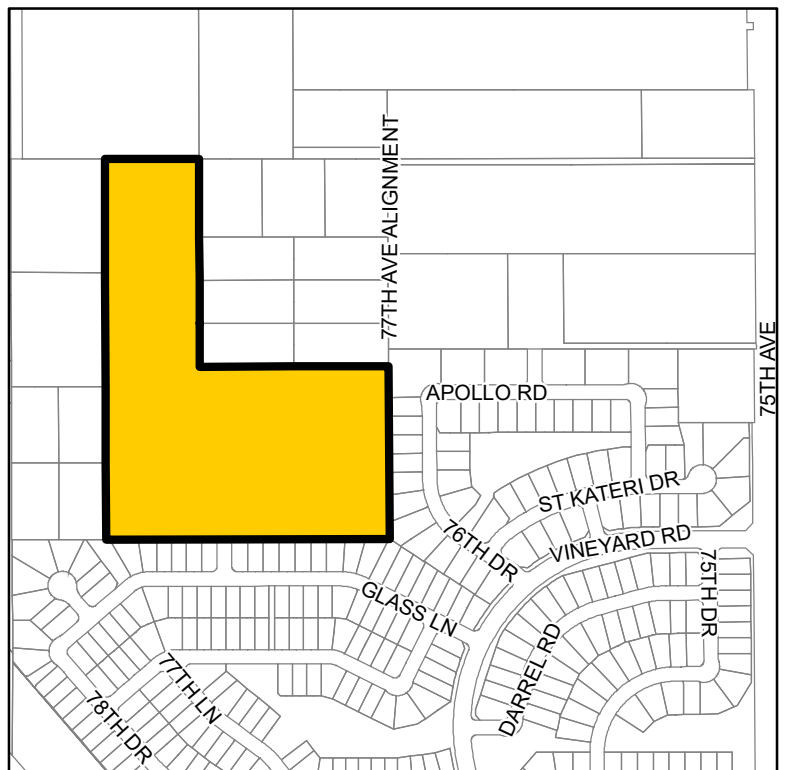
-  Proposed Change Area
-  Residential 2 to 3.5 du/ac
-  Residential 3.5 to 5 du/ac
-  Commerce / Business Park
-  Parks/Open Space - Publicly Owned



PROPOSED CHANGE:

Residential 3.5 to 5 du/ac du/ac (18.96 +/- Acres)

-  Proposed Change Area
-  Residential 3.5 to 5 du/ac





Village Planning Committee Meeting Summary

GPA-LV-3-23-7

Date of VPC Meeting	December 11, 2023
Request From	Residential 3.5 to 5 dwelling units per acre (15.85 acres), Commerce / Business Park (2.94 acres) and Park/Open Space - Publicly Owned (0.17 acres)
Request To	Residential 3.5 to 5 dwelling units per acre (18.96 acres)
Proposal	Minor General Plan Amendment for a single-family residential community
Location	Southwest corner of the 78th Avenue and Alta Vista Road alignments
VPC Recommendation	Approval
VPC Vote	6-1

VPC DISCUSSION:

Item No. 7 (GPA-LV-3-23-7) and Item No. 8 (Z-56-23-7) were heard together. Two members of the public registered to speak on this item.

Staff Presentation:

Nayeli Sanchez Luna, staff, presented an overview of GPA-LV-3-23-7 and Z-56-23-7. Mrs. Sanchez Luna discussed the location of the site, the requested zoning designation, and the surrounding land uses. Mrs. Sanchez Luna provided an overview of the proposed development including the site plan and elevations. Mrs. Sanchez Luna concluded the presentation by summarizing the staff findings, correspondence, providing the staff recommendation and proposed stipulations.

Applicant Presentation:

Peter Furlow, representing the applicant with Rose Law Group, provided an overview of the proposed case. Mr. Furlow stated that the applicant has worked with the surrounding neighborhood and the LCRD and have agreed to reduce the number of lots and increase the open space. Mr. Furlow displayed the site plan and noted the single-family lots that were not proposed as rentals. Mr. Furlow added that the proposal will dedicate right-of-way on the north and east portion of the site along 78th Avenue and Alta Vista Road alignments. Mr. Furlow concluded the presentation by stating that they have been working with the Street Transportation Department and that the stipulations require disclosure of surrounding ranchette uses.

Questions From the Committee:

JoAnne Jensen asked for more information regarding flooding and stormwater management. **Mr. Furlow** stated that the applicant has worked with the Floodplain Management to ensure that the proposal has sufficient retention to prevent any flooding. **Ms. Jensen** asked if there were future plans to open another entrance to the site along the north. **Mr. Furlow** stated that they are required to dedicate a right-of-way but that a north entrance will not be constructed until Alta Vista Road was built out.

Chair Linda Abegg asked for more information regarding the right-of-way dedication and improvements. **Mr. Furlow** explained that they would be required to dedicate a right-of-way and improve their south half of the street. Mr. Furlow noted that funds will be allocated for future road development of Alta Vista Road.

Carlos Ortega voiced his displeasure regarding one entrance into the proposal. Mr. Ortega added that the entrance was not from a collector street but rather a local road. **Mr. Furlow** noted that the circumstances and location of the site only allow for one entrance.

Vice Chair Stephanie Hurd asked what had to occur for Alta Vista Road to be developed. **Mr. Furlow** stated that the other properties would have to redevelop in order for the City to require right-of-way dedications and improvements.

Mr. Ortega stated that he was opposed to the proposed 45-foot-wide lots. **Mr. Furlow** stated that he has heard this concern from the community. Mr. Furlow displayed an updated site plan and noted that the majority of lots along the south boundary would be modified to measure 50 feet. **Mr. Ortega** noted that he would have liked the lot widths to be dispersed throughout the entire site. **Vice Chair Hurd** added that Laveen likes to see primarily a minimum of 50 feet. **Mr. Ortega** reiterated his opposition to the lot size.

Rebecca Perrera voiced the importance of trails and asked for confirmation that a trail will be built on the site. **Mr. Furlow** confirmed that a trail will be built on the northwest portion of the site. Mr. Furlow added that stipulations require connections to the Salt River and the subdivision.

Chair Abegg stated that 45-foot-wide lots are not consistent with the Laveen Village. Chair Abegg added that building elevations should contain different modern farmhouse architectural features.

Public Comment:

Karson Baird stated that he was opposed to the proposed development. Mr. Baird voiced his concerns regarding the proposed lot widths, noting that an increase on the

south portion of the site was not sufficient. Mr. Baird added that he had concerns regarding traffic congestion and safety with only one access. Mr. Baird stated that the density should reflect the surrounding density and should be reduced to two to three houses per acre.

Phil Hertel stated that he did not support the proposed 45-foot lot widths and the density. Mr. Hertel added that the applicant doesn't have a builder and that the site needed to be modified to have larger lots and a secondary exit.

Applicant Response:

Mr. Furlow noted that the proposed zoning was compatible with the surrounding single-family residential neighborhood to the south. Mr. Furlow added that the southern portion of the site was closer to 5 dwelling units per acre which would make it compatible with the southern single-family development. Mr. Furlow reiterated that the proposed R1-6 zoning is compatible with the existing and proposed General Plan Land Use Map designation of Residential 3.5 to 5 dwelling units per acre. Mr. Furlow stated that they have attended over three public meetings and that they would agree to increasing the lot size.

Committee Discussion:

Chair Abegg stated that the site should be approved with a zoning that would allow for a density that would be approved by the committee. Chair Abegg noted that she would like to see a larger percentage of lots with over 45-feet in width.

Vice Chair Hurd noted that the development should not have a width of less than 50 feet.

Ms. Perrera noted that the site configuration is difficult and that they had to consider the floodplain and stormwater drainage.

Mr. Ortega added that had concerns with the City approving only one access point into the site. Mr. Ortega also noted that there were no proposed floor plans available for discussion.

Vice Chair Hurd, Ms. Jensen, Ms. Perrera, and Patrick Nasser-Taylor all agreed that the proposed density was a major concern.

Ms. Jensen stated that the case was not ready for recommendation and that there were a lot of questions regarding density, elevations, and traffic.

Chair Abegg stated that the case should meet R1-8 standards with large width lots.

Ms. Perrera noted that the south HOA could voice concerns regarding being used as access to another development.

Vice Chair Hurd voiced her concern regarding unanswered traffic concerns.

Chair Abegg stated that the committee should vote on the zoning district that would allow for an adequate development. Chair Abegg added that a stipulation could be added to limit the density, or the case could be denied as filed.

Motion:

Francisco Barraza motioned to recommend approval of GPA-LV-3-23-7 per the staff recommendation. **Vice Chair Stephanie Hurd** seconded the motion.

Vote:

6-1, motion to recommend approval of GPA-LV-3-23-7 passed with Committee Members Barraza, Nasser-Taylor, Ortega, Perrera, Hurd, and Abegg in favor and Committee Member Jensen in opposition.

Staff comments regarding VPC Recommendation:

None.

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION January 4, 2024

ITEM NO: 5	
	DISTRICT NO.: 7
SUBJECT:	
Application #:	GPA-LV-3-23-7 (Companion Case Z-56-23-7)
Request:	Map Amendment
Location:	Southwest corner of the 78th Avenue and Alta Vista Road alignments
From:	Parks/Open Space, Commerce/Business Park, and Residential 3.5 to 5 dwelling units per acre
To:	Residential 3.5 to 5 dwelling units per acre
Acreage:	18.96
Proposal:	Minor General Plan Amendment for single-family residential community
Applicant:	Jennifer Hall, Rose Law Group, PC
Owner:	Laveen Land Holdings, LLC
Representative:	Jennifer Hall, Rose Law Group, PC

ACTIONS:

Staff Recommendation: Approval.

Village Planning Committee (VPC) Recommendation:

Laveen 12/11/2023 Approval. Vote: 6-1.

Planning Commission Recommendation: Approval, per the Laveen Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Boyd made a MOTION to approve GPA-LV-3-23-7, per the Laveen Village Planning Committee recommendation.

Maker: Boyd
Second: Hu
Vote: 7-0
Absent: Mangum
Opposition Present: Yes

Findings:

1. The proposed Residential 3.5 to 5 dwelling units per acre General Plan Land Use Map designation is compatible with adjacent designations to the west and north.
2. The companion rezoning case, Z-56-23-7, proposes a development that is consistent in scale and character with the land uses in the surrounding area to the south and east.
3. The companion rezoning case, Z-56-23-7, as stipulated, provides enhanced open space and design standards to make the proposed development a compatible addition to the area.

This publication can be made available in alternate format upon request. Please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov, TTY: Use 7-1-1.



Public Hearing and Ordinance Adoption - Rezoning Application Z-56-23-7 - Southwest Corner of the 78th Avenue and Alta Vista Road Alignments (Ordinance G-7231)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-56-23-7 and rezone the site from County RU-43 (Pending S-1) (One Acre Per Dwelling Unit, Pending Ranch or Farm Residence District) to R1-6 (Single-Family Residence District) to allow single-family residential. This is a companion case to GPA-LV-3-23-7 and should be heard following GPA-LV-3-23-7.

Summary

Current Zoning: County RU-43 (Pending S-1)

Proposed Zoning: R1-6

Acreage: 18.96

Proposed Use: Single-family residential

Owner/Applicant: Laveen Land Holdings, LLC

Representative: Jordan Rose, Rose Law Group, PC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Laveen Village Planning Committee heard this case on Dec. 11, 2023, and recommended denial as filed, approval of R1-8 with additional stipulations, by a vote of 6-1.

PC Action: The Planning Commission heard this case on Jan. 4, 2024, and recommend approval of the R1-6 with stipulations outlined in the Addendum A Staff Report, with modified stipulations and an additional stipulation, by a vote of 5-2.

Location

Southwest corner of the 78th Avenue and Alta Vista Road alignments

Council District: 7

Parcel Address: N/A

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson 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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-56-23-7) FROM COUNTY RU-43 (PENDING S-1) (ONE ACRE PER DWELLING UNIT, PENDING RANCH OR FARM RESIDENCE DISTRICT) TO R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 18.96-acre site located at the southwest corner of the 78th Avenue and Alta Vista Road alignments in a portion of Section 35, Township 1 North, Range 1 East, as described more specifically in Exhibit "A," is hereby changed from "County RU-43 (Pending S-1)" (One Acre Per Dwelling Unit, Pending Ranch or Farm Residence District) to "R1-6" (Single-Family Residence District).

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

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. All building elevations shall contain architectural features that reflect modern farmhouse architecture including, but not limited to, detailing such as pitched roofs, variation in window size, overhang canopies and exterior accent materials such as board and batten siding, shiplap paneling, brick veneer, wooden shutters, and carriage style garage doors, as approved by the Planning and Development Department.
2. The conceptual elevations and landscape plan shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.
3. The maximum density shall be 5.0 dwelling units per acre.
4. The minimum lot width shall be 50 feet, for lots 1 through 19, as depicted on the site plan date stamped December 20, 2023 and as approved by the Planning and Development Department.
5. A minimum of 18% of the gross site area shall be retained as open space.
6. A minimum 22-foot garage setback for front-loaded garages, measured from the back of sidewalk, shall be provided for each home in the development, as approved by the Planning and Development Department.
7. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
8. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
9. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property or tenants within the development(s) the existence and operational characteristics of nearby existing ranchettes and animal privilege private properties that may cause adverse noise, odors, dust, and other externalities. The form and content of such documents shall be reviewed and approved by the City prior to recordation. This disclosure shall also be provided in the leasing documents in a section titled "nuisances".

10. A minimum 50-foot of right-of-way shall be dedicated for all local public streets within the development.
11. All street improvements to Alta Vista Road and 78th Avenue are outside of Phoenix City Limits and shall be reviewed and approved by Maricopa County. Documentation of the county review and approval shall be provided concurrently with the Preliminary Site Plan submittal.
12. A shared-use-path easement shall be dedicated and constructed on the northwest portion of the property, as approved by the Parks and Recreation and Planning and Development Departments.
13. Pedestrian connections from the subdivision to the Salt River and the shared-use-path, consisting of an enhanced treatment of decorative pavement and landscaping to a gated access point, shall be constructed as approved by the Planning and Development Department.
14. All streets within and adjacent to the development shall be constructed 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.
15. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
16. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
17. 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.
18. 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.
19. Building height shall be limited to one story and 20 feet for lots 3, 4, 6, 7, and 9 through 12, as depicted on the site plan date stamped December 20, 2023 and as approved by the Planning and Development Department.

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 7th day of February, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-56-23-7

That part of the Southwest quarter of the Northeast quarter of Section 35, Township 1 North, Range 1 East, G&SRB&M, Maricopa County, Arizona described as follows:

BEGINNING at the Northwest lot corner common to Lots 28 and 351, LAVEEN FARMS-UNIT 4, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 931 of Maps at page 47, said corner also being the Southeast corner of said Southwest quarter of the Northeast quarter of Section 35, said corner also being a point common to the areas annexed by City of Phoenix ordinances G-3835 and G-4196;

thence Westerly along the North line of said area annexed by ordinance G-3835 also being South line of said Northeast quarter of Section 35 to the Southwest corner of the East half of the West half of said Southwest quarter of the Northeast quarter of Section 35;

thence, departing said ordinance boundary, Northerly along the West line of said East half to the Northwest corner thereof;

thence Easterly along the North line of said East half to the Northeast corner thereof;

thence Southerly along the East line of said East half to the North line of the South 600 of the East half of said Southwest quarter of the Northeast quarter of Section 35;

thence Easterly along last said North line to the East line of said Southwest quarter of the Northeast quarter of Section 35 and the West line of the area annexed by said ordinance G-4196;

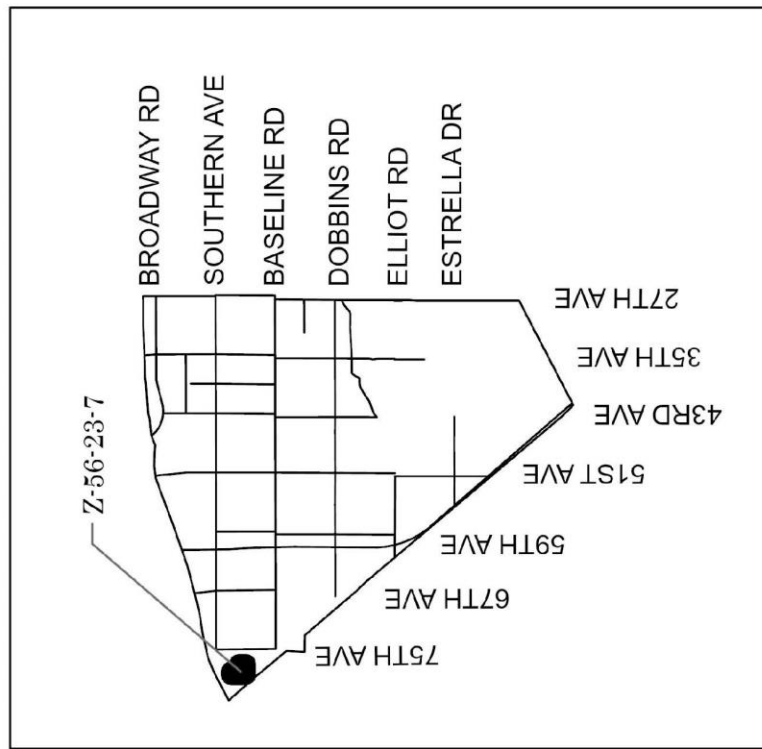
thence Southerly along last said East line and last said West ordinance line to the POINT OF BEGINNING.

Area = 18.972 Acres

Area = 0.0296 Sq. Miles

EXHIBIT B

Zoning Case Number: Z-56-23-7
Zoning Overlay: N/A
Planning Village: Laveen



NOT TO SCALE



Drawn Date: 1/5/2024

ATTACHMENT B



City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-56-23-7 December 4, 2023

[Laveen Village Planning Committee](#) December 11, 2023
Meeting Date:
[Planning Commission](#) **Hearing Date:** January 4, 2024
Request From: County [RU-43](#) (Pending [S-1](#)) (One Acre Per Dwelling Unit, Pending Ranch or Farm Residence) (18.96 acres)
Request To: [R1-6](#) (Single-Family Residence District) (18.96 acres)
Proposal: Single-family residential
Location: Southwest corner of the 78th Avenue and Alta Vista Road alignments
Owner/Applicant: Laveen Land Holdings, LLC
Representative: Jordan Rose, Rose Law Group, PC
Staff Recommendation Approval, subject to stipulations

General Plan Conformity

General Plan Land Use Map Designation

Current: Residential 3.5 to 5 dwelling units per acre (15.85 acres), Commerce / Business Park (2.94 acres), and Parks/Open Space – Publicly Owned (0.17 acres)

Proposed (GPA-LV-3-23-7): Residential 3.5 to 5 dwelling units per acre

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance.

The requested zoning will allow for the development of single-family residential at a scale that is appropriate with the surrounding area. The proposal will create a residential development with modern farmhouse architectural features that is compatible with the Laveen Village.

CONNECT PEOPLE & PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods

The requested zoning will allow for the development of single-family residential that is respectful of local conditions and surrounding neighborhoods. Numerous open space areas are located along the perimeter of the proposal that would act as a buffer to the adjacent large-lot houses.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Preserve the interface between private development and parks, preserves and natural areas.

The development, as stipulated, will dedicate a shared-use-path along the northwest portion of the property. Furthermore, as stipulated, the proposal will integrate native nectar species and pedestrian connections to the Salt River.

Applicable Plans, Overlays, and Initiatives

[Laveen Southwest Growth Study](#): Background Item No. 6.

[Housing Phoenix Plan](#): Background Item No. 7.

[Tree and Shade Master Plan](#): Background Item No. 8.

[Monarch Butterfly Pledge](#): Background Item No. 9.

[Phoenix Climate Action Plan](#): Background Item No. 10.

[Zero Waste PHX](#): Background Item No. 11.

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant	RU-43 (Pending S-1)
North (across Alta Vista alignment)	Salt River	RU-43 (County)
North	Single-family residential	RU-43 (County)
East (across 78th Avenue alignment)	Single-family residential	RU-43 (County)
East	Single-family residential	S-1 (Approved R1-8)
South	Single-family residential	S-1 (Approved R1-8)
West	Single-family residential, and vacant	RU-43 (County)

R1-6 Single-Family Residence District Planned Residential Development Option		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed site Plan</u>
Gross Acreage	-	18.96 acres
Maximum Total Number of Units	104; 123 with bonus	98 (Met)
Maximum Density (dwelling unit/acre)	5.50; 6.50 with bonus	5.16 (Met)
Minimum Lot Width	45 feet minimum	45 feet (Met)
Minimum Lot Depth	None, except 110 feet when adjacent to a freeway or arterial street	115 feet (Met)
Maximum Lot Coverage	50%	40% (Met)
Maximum Building Height	2 stories and 30 feet	25 feet (Met)
MINIMUM BUILDING SETBACKS		
North (Side, adjacent to Alta Vista Road alignment)	Street (front, rear, or side): 15 feet	15 feet (Met)
North (Rear, adjacent to RU-43)	15 feet (1-story), 20 feet (2-story)	Not specified, 20 feet listed in the project narrative
East (Rear, adjacent to 78th Avenue alignment)	Street (front, rear, or side): 15 feet	Not specified, 20 feet listed in the project narrative

MINIMUM BUILDING SETBACKS (CONTINUED)		
East (Rear, adjacent to R1-8)	15 feet (1-story), 20 feet (2-story)	20 feet (Met)
West (Rear, adjacent to RU-43)	15 feet (1-story), 20 feet (2-story)	20 feet (Met)
South (Rear, adjacent to R1-8)	15 feet (1-story), 20 feet (2-story)	20 feet (Met)
MINIMUM INTERIOR BUILDING SETBACKS		
Front	10 feet	10 feet (Met)
Sides	Street side: 10 feet Other: per building code	Not specified
Rear	Per building code	Not specified
MINIMUM LANDSCAPE SETBACKS AND OPEN SPACE STANDARDS		
North (adjacent to Alta Vista Road alignment)	15 feet average, 10 feet minimum	Not specified
East (adjacent to 78th Avenue alignment)	15 feet average, 10 feet minimum	Not specified
Minimum Common Area	5% of gross site area	14% (Met)

*Variance or Site Plan modification needed

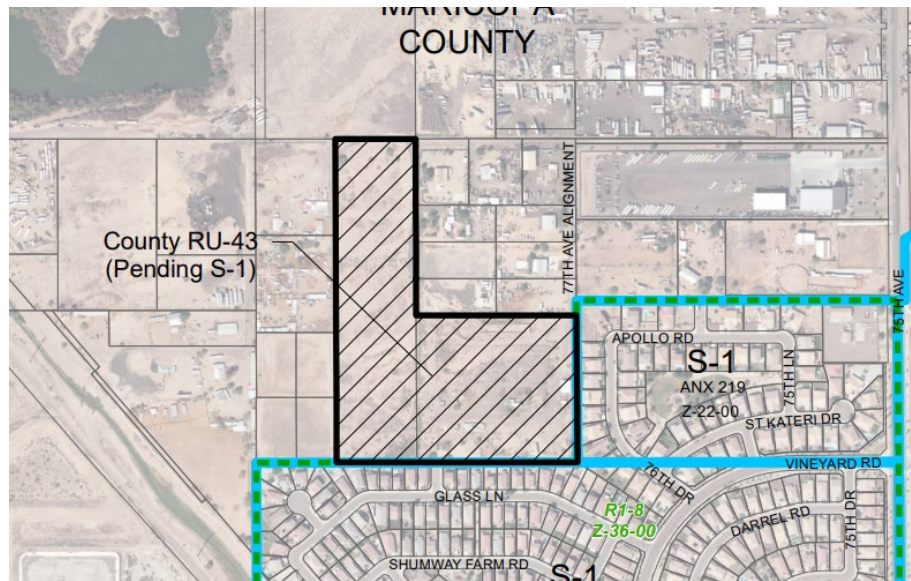
Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 18.96 acres located at the southwest corner of the 78th Avenue and Alta Vista Road alignments from County RU-43 (Pending S-1) (One Acre Per Dwelling Unit, Pending Ranch or Farm Residence) to R1-6 (Single-Family Residence District) to allow single-family residential. The site is currently in the annexation process.

SURROUNDING LAND USES AND ZONING

2. The requested R1-6 (Single-Family Residence District) zoning will support additional housing within the Laveen Village. Mining and the Salt River are located north of the subject site, across Alta Vista Road alignment, and zoned RU-43 (One Acre Per Dwelling Unit). To the northeast and west of the subject site are single-family residences located within Maricopa County zoned RU-43 (One Acre Per Dwelling Unit) and vacant land. A single-family residential subdivision is located along the east and south side of the site zoned S-1 (Approved R1-8) (Ranch or Farm Residence, Approved Single-Family Residence District).



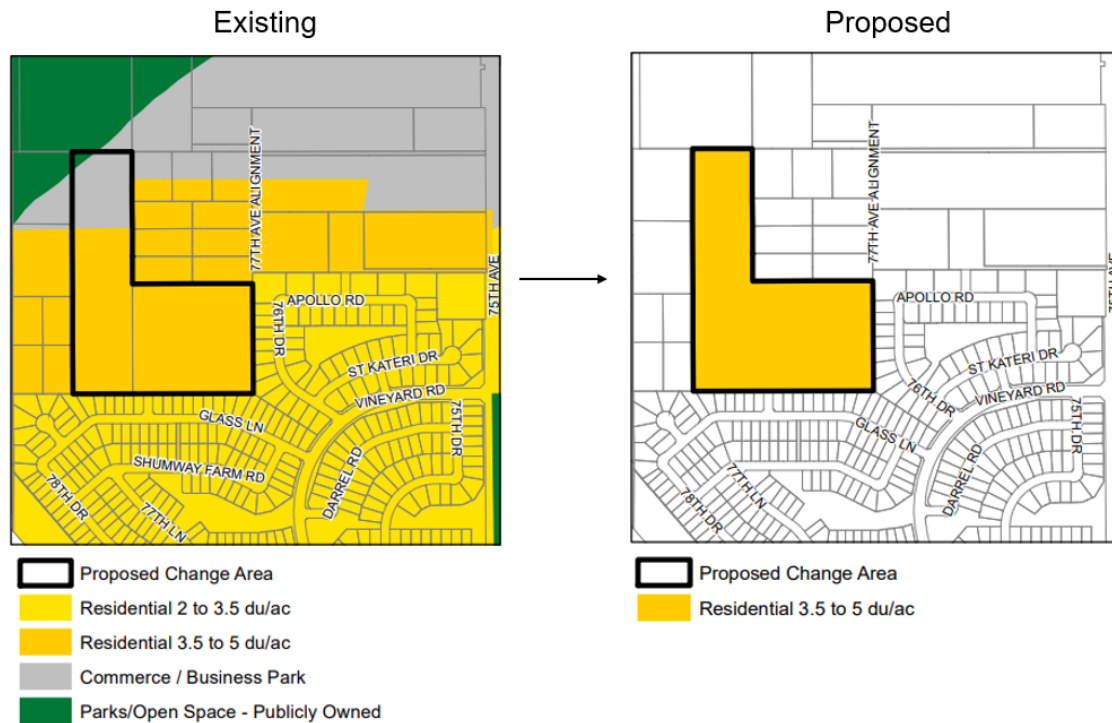
Existing Zoning Aerial Map

Source: Planning and Development Department

GENERAL PLAN LAND USE MAP DESIGNATION

3. The majority of the subject site is designated Residential 3.5 to 5 dwelling units per acre. The northern portion of the subject site is designated Commerce / Business Park and the northeast corner of the site is designated as Parks/Open Space – Publicly Owned. The property to the north, across the Alta Vista Road alignment is designated Commerce / Business Park and Parks/Open Space – Publicly Owned. To the northeast, the designation is Residential 3.5 to 5 dwelling units per acre and Commerce / Business Park. Furthermore, the properties to the east and south are designated Residential 2 to 3.5 dwelling units per acre. Finally to the west of the subject site the designation is Residential 3.5 to 5 dwelling units per acre, Commerce / Business Park, and Parks/Open Space – Publicly Owned.

To ensure consistency with the General Plan, a concurrent General Plan Land Use Map amendment, GPA-LV-3-23-7, is proposed to change the land use map designation of the entire site to Residential 3.5 to 5 dwelling units per acre. The requested R1-6 zoning is consistent with the proposed General Plan Land Use Map designation.



General Plan Land Use Map

Source: Planning and Development Department

PROPOSAL

4. Site Plan

The conceptual site plan, attached as an exhibit, proposes 98 single-family detached homes with access from 77th Glen. The current site plan does not meet current street design standards required by the Phoenix City Code. As a result, staff does not recommend stipulating general conformance to the submitted site plan. To ensure that the proposed development is compatible with the surrounding densities, staff is recommending a stipulation to allow a maximum of 98 lots. This is addressed in Stipulation No. 2. The conceptual site plan, attached as an exhibit, depicts numerous open space areas located around the subject site, for a total of 12 percent of the site area, as noted in Stipulation No. 3. Finally, staff is recommending Stipulation No. 4 to ensure a 22-foot-long garage setback measured from the back of the sidewalk is provided. This will prevent large vehicles from obstructing internal sidewalks and create a safer pedestrian environment.

5. Elevations

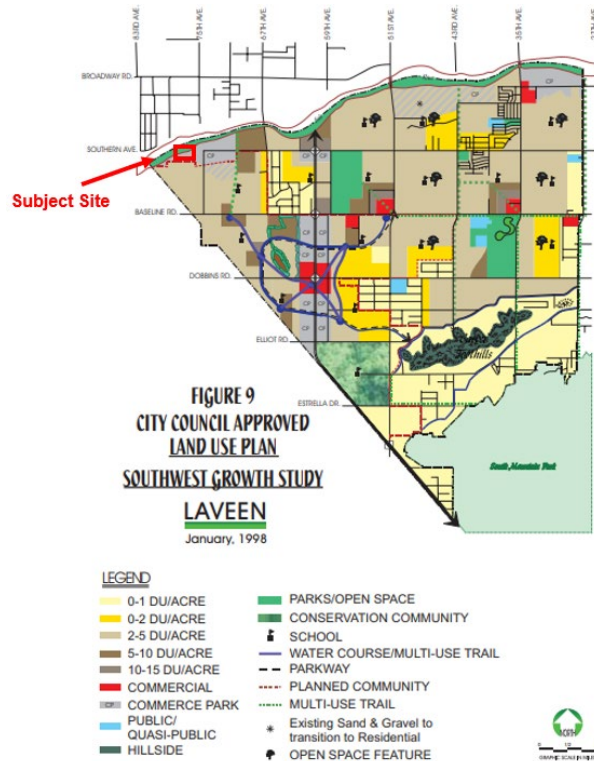
The conceptual building elevations, attached as an exhibit, depict one-story and two-story residential buildings with a maximum height of approximately 25 feet to the top of the roof ridge. The residential building elevations also depict pitched shingle roofs, various window sizes, wooden fascia, stucco exteriors, and cottage style garage doors. To be compatible with the agrarian heritage of the

Laveen Village, staff recommends Stipulation No. 1 which requires that the elevations contain elements of modern farmhouse architecture.

PLANS, OVERLAYS, AND INITIATIVES

6. **Laveen Southwest Growth Study:**

The site is located within the boundaries of the Laveen Southwest Growth Study, which was developed in 1997 to analyze the existing conditions of the Laveen Village and provide a land use and design planning framework to help shape the growth that Laveen was starting to experience, while accounting for newly annexed farmland as well as the future development of the South Mountain Freeway Loop, which has since been completed. This plan designates the project site as Commerce Park and Parks/Open Space. Although not consistent with the designation, recent residential trends in the area to the south and east support single-family residential uses.



The Laveen Southwest Growth Study also outlines specific design policies and standards for various types of development that will enhance Laveen's built environment while remaining respectful to its agricultural heritage. The study encourages all new development to use durable, high quality building materials and to provide enhanced building design that will contribute to the character of the area. Staff recommends that the proposed development include a variety of materials on exterior elevations. Furthermore, 12 percent of the gross site must be retained as common open space. This is addressed in Stipulation Nos. 1 and 3. To ensure future owners and tenants of the proposed development are aware of nearby agricultural uses, Stipulation No. 7 requires the disclosure of ranchettes/animals uses.

Laveen Southwest Growth Study Land Use Map
Source: Planning and Development Department

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 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 contributing to a variety housing types that will address the supply shortage at a more rapid pace while using underutilized land in a more sustainable fashion.

8. **Tree and Shade Master Plan:**

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the 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 create walkable streets and vibrant pedestrian places. Staff is recommending a stipulation to provide open space within the development that would exceed that required by the Zoning Ordinance. This is addressed in Stipulation No. 3.

9. **Monarch Butterfly**

In April 2021, Mayor Kate Gallego signed the [National Wildlife Federation's Mayor's Monarch Pledge](#). This pledge commits the city to take action to support the monarch butterfly population. In the United States, loss of milkweed habitat is a major factor in the decline of the monarchs. Arizona has at least 29 species of milkweed native to the state. Adult monarchs feed on the nectar of many flowers, but they breed only where milkweeds are found. To support the monarch butterfly population, Stipulation No. 5 addresses the planting of milkweed shrubs, or other native nectar plant species, on the subject site.

10. **Phoenix Climate Action Plan**

In October 2021, the Phoenix City Council approved the Climate Action Plan. The Climate Action Plan will serve as a long-term plan to achieve greenhouse gas emissions reductions and resiliency goals from local operations and community activities as well as prepare for the impacts of climate change. This plan contains policy and initiatives regarding stationary energy, transportation, waste management, air quality, local food systems, heat, and water. Goal W2 (Water), Action W2.4, pertains to the implementation of the [Greater Phoenix Green Infrastructure \(GI\) and Low Impact Development Details for Alternative Stormwater Management](#) to benefit the environment, promote water conservation, reduce urban heat, improve the public health, and create additional green spaces. This goal is addressed in Stipulation No. 6, which

requires a minimum of two GI techniques for stormwater management to be implemented in this development.

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 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 provision of recycling containers was not addressed in the applicant's submittals.

COMMUNITY INPUT SUMMARY

12. At the time this staff report was written, staff has received one letter of opposition for this rezoning application. The stated concerns are traffic congestion, safety, and ingress and egress into the subject site.

INTERDEPARTMENTAL COMMENTS

13. **Street Transportation Department**

The Street Transportation Department has requested a 50-foot right-of-way dedication on all local public streets within the development. Furthermore, street improvements to Alta Vista Road and 78th Avenue must be reviewed and approved by Maricopa County. In addition, the Street Transportation Department is requesting a shared-use-path be dedicated on the northwest portion of the site along with pedestrian connections from the development to the shared-use-path and the Salt River. Finally, all street improvements must comply with City and ADA standards. This is addressed in Stipulation Nos. 8 through 12.

OTHER

14. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius 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 Nos. 13 through 15.

15. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 16.
16. 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 proposal is compatible with the proposed General Plan Land Use Map designation and will provide a high quality residential development and help alleviate the housing shortage in Phoenix.
2. As stipulated, the proposed enhanced elevations standards will further support the character established by the Laveen Village.
3. As stipulated, the proposed development will include development and design standards, such as enhanced open space, to mitigate impacts to the surrounding properties.

Stipulations

1. All building elevations shall contain architectural features that reflect modern farmhouse architecture including, but not limited to, detailing such as pitched roofs, variation in window size, overhang canopies and exterior accent materials such as board and batten siding, shiplap paneling, brick veneer, wooden shutters, and carriage style garage doors, as approved by the Planning and Development Department.
2. The project shall not exceed 98 lots.
3. A minimum of 12% of the gross site area shall be retained as open space.
4. A minimum 22-foot garage setback for front-loaded garages, measured from the back of sidewalk, shall be provided for each home in the development, as approved by the Planning and Development Department.
5. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.

6. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
7. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property or tenants within the development(s) the existence and operational characteristics of nearby existing ranchettes and animal privilege private properties that may cause adverse noise, odors, dust, and other externalities. The form and content of such documents shall be reviewed and approved by the City prior to recordation. This disclosure shall also be provided in the leasing documents in a section titled "nuisances".
8. A minimum 50-foot of right-of-way shall be dedicated for all local public streets within the development.
9. All street improvements to Alta Vista Road and 78th Avenue are outside of Phoenix City Limits and shall be reviewed and approved by Maricopa County. Documentation of the county review and approval shall be provided concurrently with the Preliminary Site Plan submittal.
10. A shared-use-path easement shall be dedicated and constructed on the northwest portion of the property, as approved by the Parks and Recreation and Planning and Development Departments.
11. Pedestrian connections from the subdivision to the Salt River and the shared-use-path, consisting of an enhanced treatment of decorative pavement and landscaping to a gated access point, shall be constructed as approved by the Planning and Development Department.
12. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
13. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

14. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Writer

Nayeli Sanchez Luna

December 4, 2023

Team Leader

Racelle Escolar

Exhibits

Sketch map

Aerial map

Conceptual site plan date stamped October 27, 2023 (3 pages)

Conceptual elevations date stamped October 6, 2023 (4 pages)

Correspondence

MARICOPA COUNTY

County RU-43
(Pending S-1)

77TH AVE ALIGNMENT

75TH AVE

APOLLO RD

S-1

ANX 219

Z-22-00

ST KATERI DR

VINEYARD RD

GLASS LN

R1-8
Z-36-00

SHUMWAY FARM RD

S-1

DARREL RD

75TH DR

78TH DR

77TH LN



Miles

0.09 0.045 0 0.09

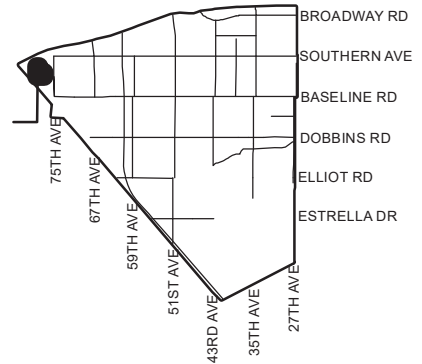
LAVEEN VILLAGE

CITY COUNCIL DISTRICT: 7



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Z-56-23



APPLICANT'S NAME:

Laveen Land Holdings, LLC

REQUESTED CHANGE:

FROM: County RU-43 (Pending S-1) (18.96 a.c.)

APPLICATION NO.

Z-56-23

DATE:

10/10/2023

REVISION DATES:

GROSS AREA INCLUDING 1/2 STREET
AND ALLEY DEDICATION IS APPROX.

18.96 Acres

AERIAL PHOTO &
QUARTER SEC. NO.
QS 2-10

ZONING MAP
D-4

TO: R1-6 (18.96 a.c.)

MULTIPLES PERMITTED

County RU-43 (Pending S-1)
R1-6

CONVENTIONAL OPTION

18

100

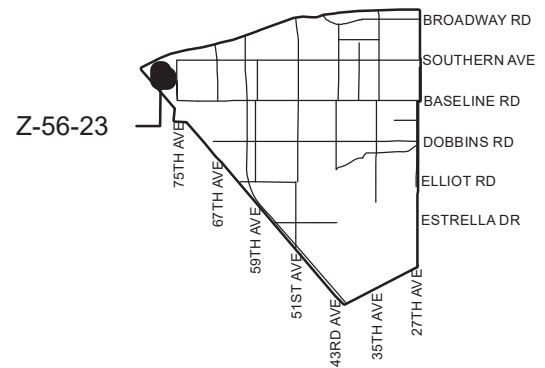
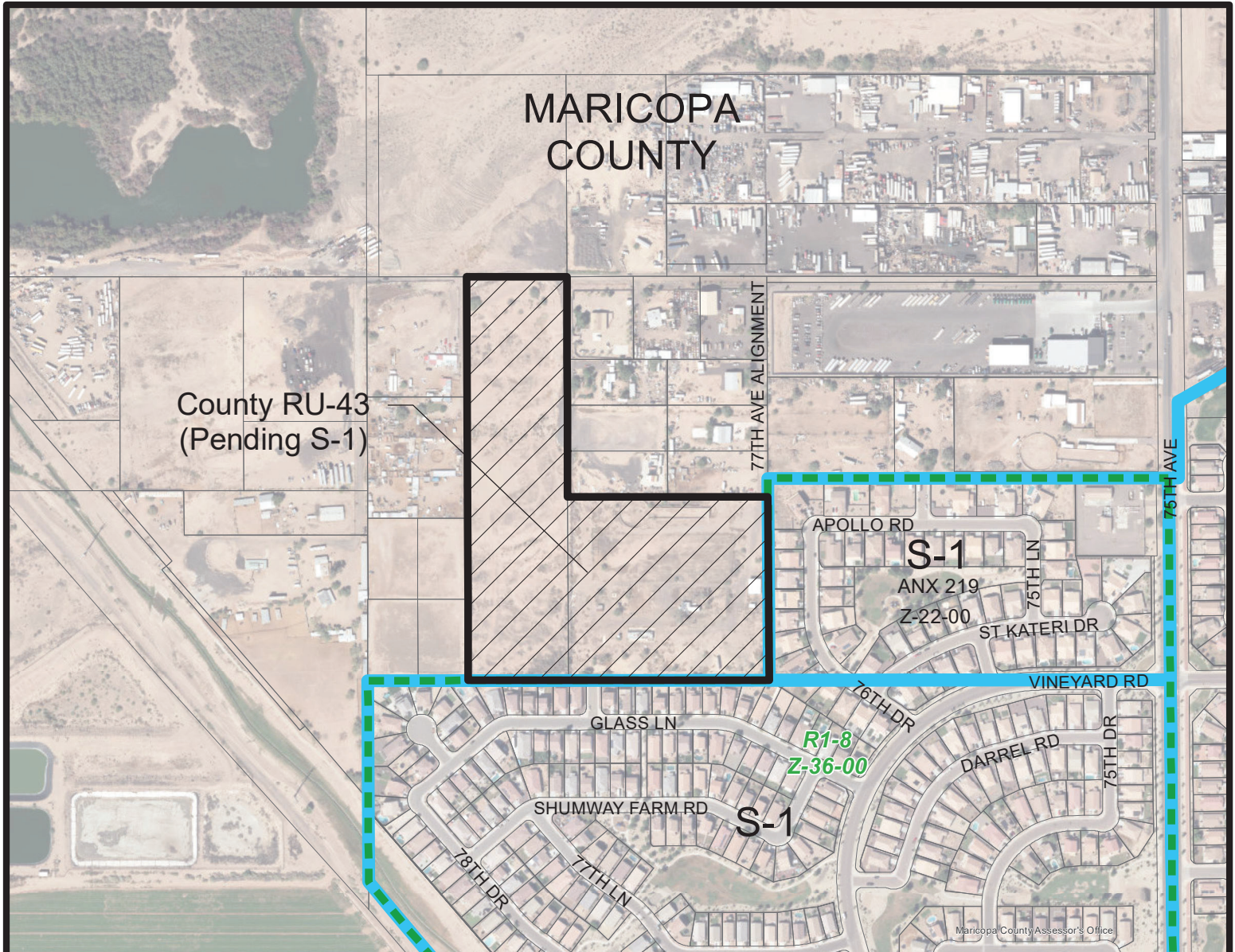
*** UNITS P.R.D. OPTION**

N/A

123

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

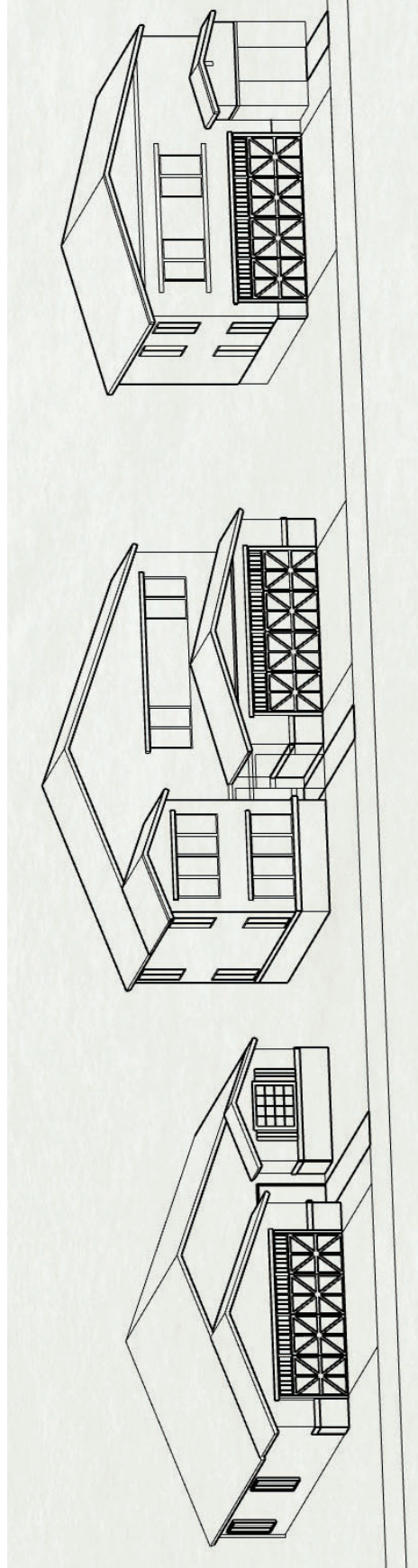
Page 329



APPLICANT'S NAME: Laveen Land Holdings, LLC				REQUESTED CHANGE:	
APPLICATION NO. Z-56-23		DATE: 10/10/2023		FROM: County RU-43 (Pending S-1) (18.96 a.c.)	
		REVISION DATES:			
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 18.96 Acres		AERIAL PHOTO & QUARTER SEC. NO. QS 2-10		ZONING MAP D-4	
MULTIPLES PERMITTED County RU-43 (Pending S-1) R1-6		CONVENTIONAL OPTION 18 100		* UNITS P.R.D. OPTION N/A 123	

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

CONCEPTUAL HOUSING ELEVATIONS PREPARED FOR LAVEEN HOUSE HOLDINGS



PLAN 101
BARN 01

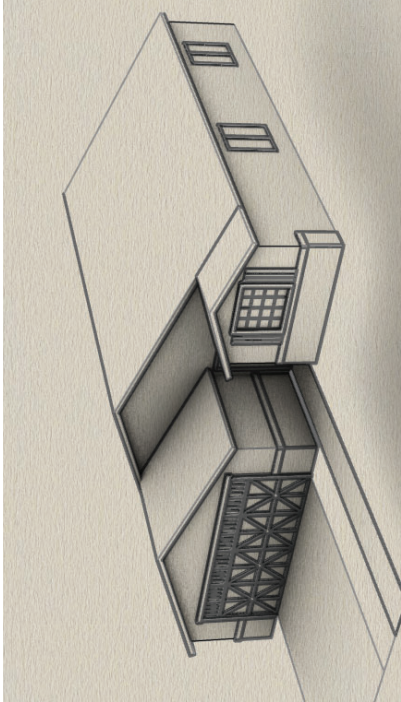
PLAN 201
BARN 02

PLAN 301
BARN 03

CITY OF PHOENIX

OCT 06 2023

**Planning & Development
Department**

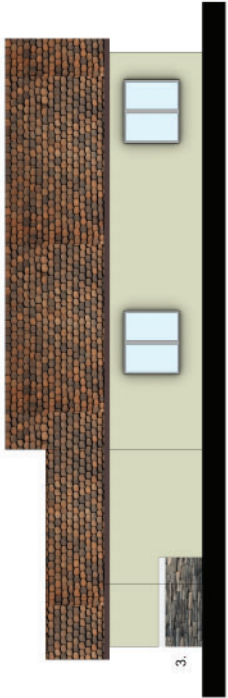


PERSPECTIVE VIEWS
SCALE: N.T.S

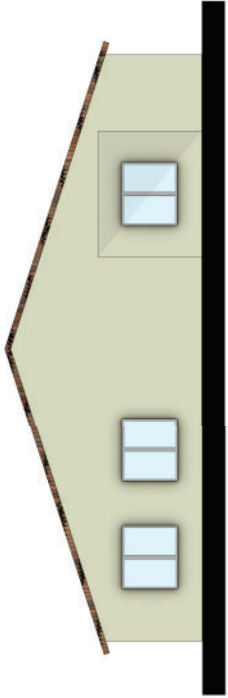
BARN 01

SERIES WIDTH
VARIES

LIV SF: 2,178
PLAN WIDTH 45'
PLAN # 101
BARN 01



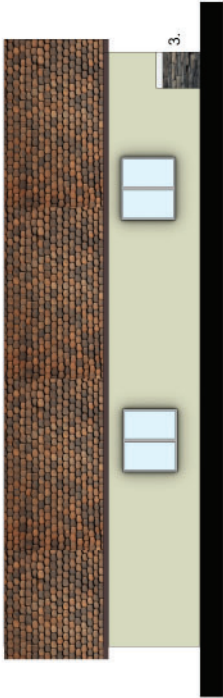
RIGHT ELEVATION
SCALE: 3/32" = 1'-0"



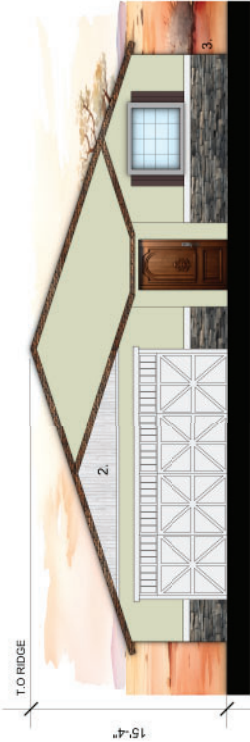
REAR ELEVATION
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ROOF PLAN
SCALE: N.T.S



LEFT ELEVATION
SCALE: 3/32" = 1'-0"



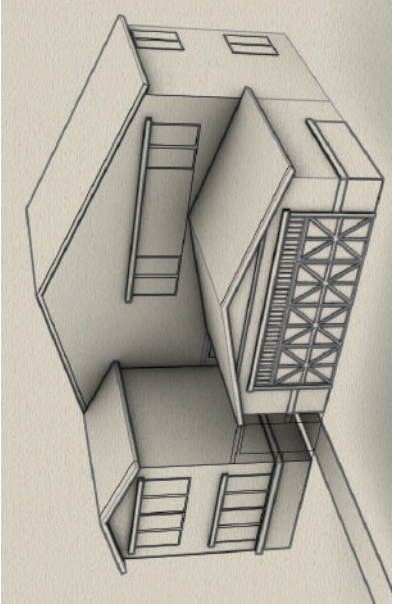
FRONT ELEVATION
SCALE: 3/32" = 1'-0"

- STYLE LEGEND
- 1. WOOD SHUDDERS
 - 2. SHIPLAP PANELING
 - 3. CONCRETE 'S' TILES
 - 4. 4:12 ROOF PITCH

CITY OF PHOENIX

OCT 06 2023
Planning & Development
Department

LAVEEN 20
LAVEEN, ARIZONA
10.01.2023

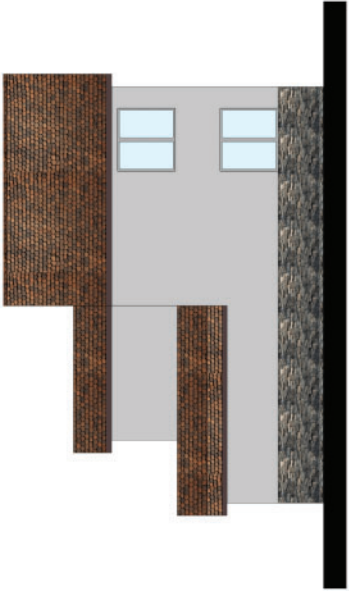


PERSPECTIVE VIEWS
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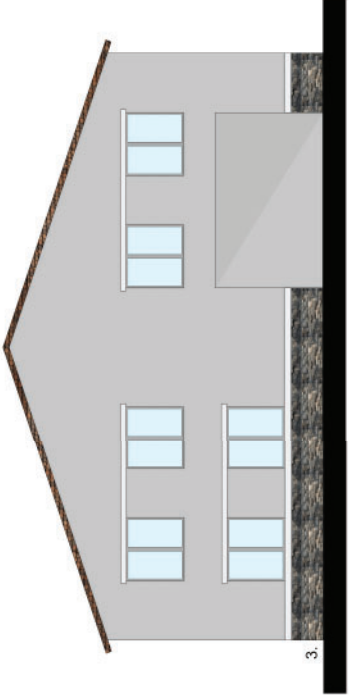
BARN 02

SERIES WIDTH
VARIES

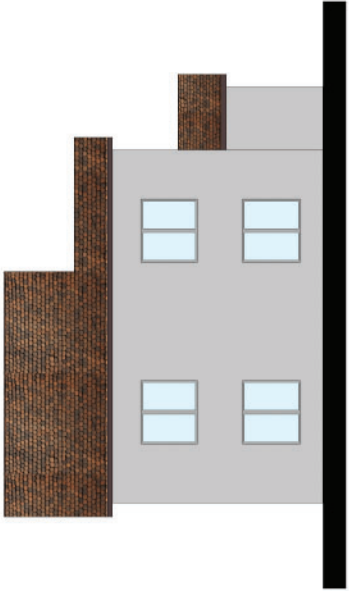
LIV SF: 2,566
PLAN WIDTH 45'
PLAN # 201
BARN 02



RIGHT ELEVATION
SCALE: 3/32" = 1'-0"



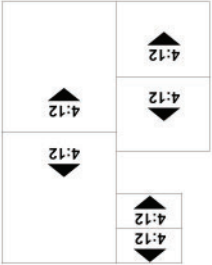
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LEFT ELEVATION
SCALE: 3/32" = 1'-0"



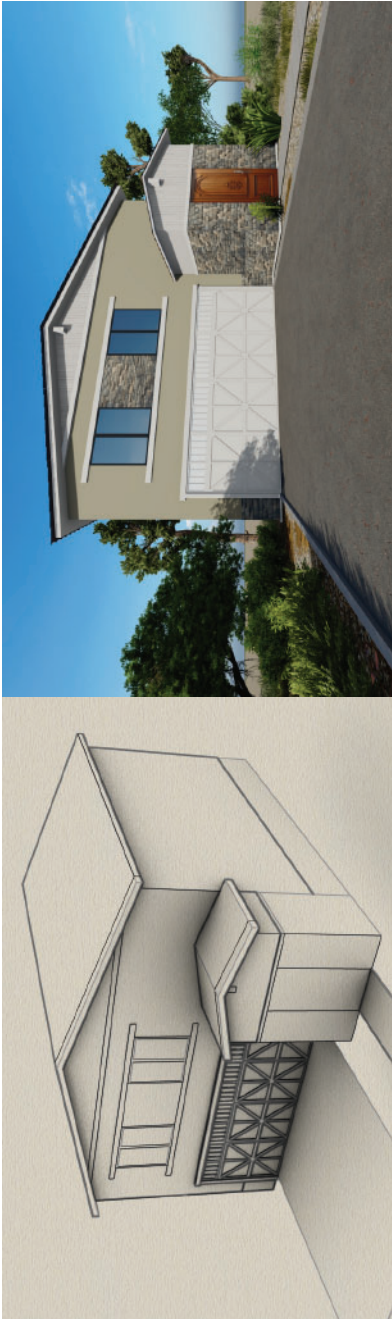
FRONT ELEVATION
SCALE: 3/32" = 1'-0"



ROOF PLAN
SCALE: N.T.S

- STYLE LEGEND
- 1. WOOD SHUDDERS
 - 2. SHIPLAP PANELING
 - 3. CONCRETE 'S' TILES
 - 4. 4:12 ROOF PITCH

LAVEEN 20
LAVEEN, ARIZONA
10.01.2023

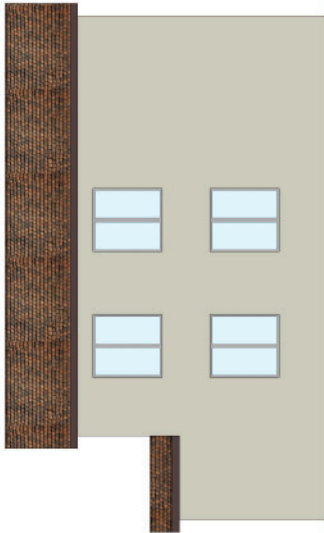


PERSPECTIVE VIEWS
SCALE: N.T.S

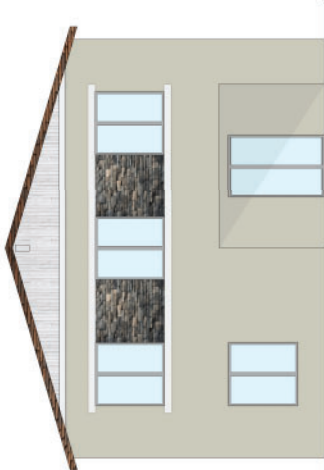
BARN 03

SERIES WIDTH
VARIES

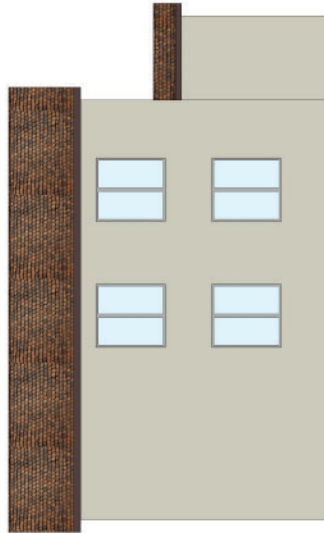
LIV SF: 2,217
PLAN WIDTH 32'
PLAN # 301
BARN 03



RIGHT ELEVATION
SCALE: 3/32" = 1'-0"



REAR ELEVATION
SCALE: 3/32" = 1'-0"



LEFT ELEVATION
SCALE: 3/32" = 1'-0"



FRONT ELEVATION
SCALE: 3/32" = 1'-0"



ROOF PLAN
SCALE: N.T.S

CITY OF PHOENIX

OCT 06 2023

Planning & Development
Department

- STYLE LEGEND
- 1. WOOD SHUDDERS
 - 2. SHIPLAP PANELING
 - 3. CONCRETE 'S' TILES
 - 4. 4:12 ROOF PITCH

LAVEEN 20
LAVEEN, ARIZONA
10.01.2023

Nayeli Sanchez Luna

From: Matt Dittmore <matt.dittmore1@gmail.com>
Sent: Friday, October 13, 2023 4:03 PM
To: Nayeli Sanchez Luna
Cc: Jennifer Hall
Subject: RE: Rezoning case Z-56-23

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Ms. Sanchez Luna,

Thank you for taking the time to read my email. I am writing to you in regard to rezoning request Z-56-23, rezoning land southwest of 75th Ave and Alta Vista Road. While I understand the current housing market dictates a need for new and affordable housing as soon as possible, I am concerned that the documentation included in the request notice does not mention any road improvements to West Alta Vista Road. I think approval of the proposed rezoning and allowing development of additional residential homes only be approved if the developer is required to improve West Alta Vista road and/or be required to purchase some of the additional commercial property adjacent to the proposed development to allow for ingress/egress into the planned subdivision via routes that would not increase traffic on Vineyard and Glass Ln to access the subdivision via 77th Glen. As a resident of Glass Ln, I am already concerned about the traffic accessing the current housing. I have children and many residents do not heed the speed limit as is and drive recklessly through the neighborhood. I fear that additional traffic would only increase the likelihood of an injury, or worse, to a child in the neighborhood. It is with this information in mind, and the well-being of the current residents of the area, that I ask that you oppose the rezoning approval without significant alterations to the plan to ensure ingress and egress to the additional housing is made in a manner to not increase the current traffic flows.

Thank you for your time and consideration

Matt Dittmore
7638 W Glass Ln
Laveen, AZ 85339.



Village Planning Committee Meeting Summary Z-56-23-7

Date of VPC Meeting	December 11, 2023
Request From	County RU-43 (Pending S-1)
Request To	R1-6
Proposal	Single-family residential
Location	Southwest corner of the 78th Avenue and Alta Vista Road alignments
VPC Recommendation	Denial as filed, approval of R1-8 with additional stipulations
VPC Vote	6-1

VPC DISCUSSION:

Item No. 7 (GPA-LV-3-23-7) and Item No. 8 (Z-56-23-7) were heard together. Two members of the public registered to speak on this item.

Staff Presentation:

Nayeli Sanchez Luna, staff, presented an overview of GPA-LV-3-23-7 and Z-56-23-7. Mrs. Sanchez Luna discussed the location of the site, the requested zoning designation, and the surrounding land uses. Mrs. Sanchez Luna provided an overview of the proposed development including the site plan and elevations. Mrs. Sanchez Luna concluded the presentation by summarizing the staff findings, correspondence, providing the staff recommendation and proposed stipulations.

Applicant Presentation:

Peter Furlow, representing the applicant with Rose Law Group, provided an overview of the proposed case. Mr. Furlow stated that the applicant has worked with the surrounding neighborhood and the LCRD and have agreed to reduce the number of lots and increase the open space. Mr. Furlow displayed the site plan and noted the single-family lots that were not proposed as rentals. Mr. Furlow added that the proposal will dedicate right-of-way on the north and east portion of the site along 78th Avenue and Alta Vista Road alignments. Mr. Furlow concluded the presentation by stating that they have been working with the Street Transportation Department and that the stipulations require disclosure of surrounding ranchette uses.

Questions From the Committee:

JoAnne Jensen asked for more information regarding flooding and stormwater management. **Mr. Furlow** stated that the applicant has worked with the Floodplain Management to ensure that the proposal has sufficient retention to prevent any flooding. **Ms. Jensen** asked if there were future plans to open another entrance to the site along the north. **Mr. Furlow** stated that they are required to dedicate a right-of-way but that a north entrance will not be constructed until Alta Vista Road was built out.

Chair Linda Abegg asked for more information regarding the right-of-way dedication and improvements. **Mr. Furlow** explained that they would be required to dedicate a right-of-way and improve their south half of the street. Mr. Furlow noted that funds will be allocated for future road development of Alta Vista Road.

Carlos Ortega voiced his displeasure regarding one entrance into the proposal. Mr. Ortega added that the entrance was not from a collector street but rather a local road. **Mr. Furlow** noted that the circumstances and location of the site only allow for one entrance.

Vice Chair Stephanie Hurd asked what had to occur for Alta Vista Road to be developed. **Mr. Furlow** stated that the other properties would have to redevelop in order for the City to require right-of-way dedications and improvements.

Mr. Ortega stated that he was opposed to the proposed 45-foot-wide lots. **Mr. Furlow** stated that he has heard this concern from the community. Mr. Furlow displayed an updated site plan and noted that the majority of lots along the south boundary would be modified to measure 50 feet. **Mr. Ortega** noted that he would have liked the lot widths to be dispersed throughout the entire site. **Vice Chair Hurd** added that Laveen likes to see primarily a minimum of 50 feet. **Mr. Ortega** reiterated his opposition to the lot size.

Rebecca Perrera voiced the importance of trails and asked for confirmation that a trail will be built on the site. **Mr. Furlow** confirmed that a trail will be built on the northwest portion of the site. Mr. Furlow added that stipulations require connections to the Salt River and the subdivision.

Chair Abegg stated that 45-foot-wide lots are not consistent with the Laveen Village. Chair Abegg added that building elevations should contain different modern farmhouse architectural features.

Public Comment:

Karson Baird stated that he was opposed to the proposed development. Mr. Baird voiced his concerns regarding the proposed lot widths, noting that an increase on the south portion of the site was not sufficient. Mr. Baird added that he had concerns

regarding traffic congestion and safety with only one access. Mr. Baird stated that the density should reflect the surrounding density and should be reduced to two to three houses per acre.

Phil Hertel stated that he did not support the proposed 45-foot lot widths and the density. Mr. Hertel added that the applicant doesn't have a builder and that the site needed to be modified to have larger lots and a secondary exit.

Applicant Response:

Mr. Furlow noted that the proposed zoning was compatible with the surrounding single-family residential neighborhood to the south. Mr. Furlow added that the southern portion of the site was closer to 5 dwelling units per acre which would make it compatible with the southern single-family development. Mr. Furlow reiterated that the proposed R1-6 zoning is compatible with the existing and proposed General Plan Land Use Map designation of Residential 3.5 to 5 dwelling units per acre. Mr. Furlow stated that they have attended over three public meetings and that they would agree to increasing the lot size.

Committee Discussion:

Chair Abegg stated that the site should be approved with a zoning that would allow for a density that would be approved by the committee. Chair Abegg noted that she would like to see a larger percentage of lots with over 45-feet in width.

Vice Chair Hurd noted that the development should not have a width of less than 50 feet.

Ms. Perrera noted that the site configuration is difficult and that they had to consider the floodplain and stormwater drainage.

Mr. Ortega added that had concerns with the City approving only one access point into the site. Mr. Ortega also noted that there were no proposed floor plans available for discussion.

Vice Chair Hurd, Ms. Jensen, Ms. Perrera, and Patrick Nasser-Taylor all agreed that the proposed density was a major concern.

Ms. Jensen stated that the case was not ready for recommendation and that there were a lot of questions regarding density, elevations, and traffic.

Chair Abegg stated that the case should meet R1-8 standards with large width lots.

Ms. Perrera noted that the south HOA could voice concerns regarding being used as access to another development.

Vice Chair Hurd voiced her concern regarding unanswered traffic concerns.

Chair Abegg stated that the committee should vote on the zoning district that would allow for an adequate development. Chair Abegg added that a stipulation could be added to limit the density or the case could be denied as filed.

Motion:

Vice Chair Stephanie Hurd motioned to recommend denial of Z-56-23-7 as filed, approval of R1-8 with the following additional stipulations:

- The maximum density shall be 4.5 dwelling units per acre.
- The minimum lot width shall be 50 feet.
- The future elevations and landscaping plans shall go through the PHO public hearing process.
- Funding shall be reserved for future right-of-way improvements along Alta Vista Road.

Francisco Barraza seconded the motion.

Vote:

6-1, motion to recommend denial of Z-56-23-7 as filed, approval of R1-8 with additional stipulations passed with Committee Members Barraza, Nasser-Taylor, Ortega, Perrera, Hurd, and Abegg in favor and Committee Member Jensen in opposition.

Recommended Stipulations:

1. All building elevations shall contain architectural features that reflect modern farmhouse architecture including, but not limited to, detailing such as pitched roofs, variation in window size, overhang canopies and exterior accent materials such as board and batten siding, shiplap paneling, brick veneer, wooden shutters, and carriage style garage doors, as approved by the Planning and Development Department.
2. **THE FUTURE ELEVATIONS AND LANDSCAPING PLANS SHALL GO THROUGH THE PHO PUBLIC HEARING PROCESS.**
3. **THE MAXIMUM DENSITY SHALL BE 4.5 DWELLING UNITS PER ACRE.**
4. **THE MINIMUM LOT WIDTH SHALL BE 50 FEET.**
- ~~2.~~ The project shall not exceed 98 lots.
- 5.
- ~~3.~~ A minimum of 12% of the gross site area shall be retained as open space.
- 6.
4. A minimum 22-foot garage setback for front-loaded garages, measured from the

7. back of sidewalk, shall be provided for each home in the development, as approved by the Planning and Development Department.
- ~~5.~~ A minimum of 10% of the required shrubs, shall be a milkweed or other native
8. nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
- ~~6.~~ A minimum of two green infrastructure (GI) techniques for stormwater
9. management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
- ~~7.~~ Prior to final site plan approval, the property owner shall record documents that
10. disclose to purchasers of property or tenants within the development(s) the existence and operational characteristics of nearby existing ranchettes and animal privilege private properties that may cause adverse noise, odors, dust, and other externalities. The form and content of such documents shall be reviewed and approved by the City prior to recordation. This disclosure shall also be provided in the leasing documents in a section titled "nuisances".
- ~~8.~~ A minimum 50-foot of right-of-way shall be dedicated for all local public streets
11. within the development.
- ~~9.~~ All street improvements to Alta Vista Road and 78th Avenue are outside of
12. Phoenix City Limits and shall be reviewed and approved by Maricopa County. Documentation of the county review and approval shall be provided concurrently with the Preliminary Site Plan submittal.
13. **FUNDING SHALL BE RESERVED FOR FUTURE RIGHT-OF-WAY IMPROVEMENTS ALONG ALTA VISTA ROAD.**
- ~~10.~~ A shared-use-path easement shall be dedicated and constructed on the
14. northwest portion of the property, as approved by the Parks and Recreation and Planning and Development Departments.
- ~~11.~~ Pedestrian connections from the subdivision to the Salt River and the shared-
15. use-path, consisting of an enhanced treatment of decorative pavement and landscaping to a gated access point, shall be constructed as approved by the Planning and Development Department.
- ~~12.~~ All streets within and adjacent to the development shall be constructed with
16. 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.

- ~~43.~~ 17. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
- ~~44.~~ 18. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
- ~~45.~~ 19. 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.
- ~~46.~~ 20. 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.

Staff comments regarding VPC Recommendation:

Staff recommends modifying Stipulation No. 2 to use the City's standards stipulation language for a PHO public hearing.

Staff recommends deleting Stipulation No. 5 regarding the number of lots since Stipulation No. 3 was added to limit the density to 4.5 dwelling units per acre (85 lots). The Street Transportation Department reviewed the additional stipulation related to Alta Vista Road and recommends the deletion of the stipulation as the City cannot legally take money for roadways that are not in the City of Phoenix.

ATTACHMENT D



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

To: City of Phoenix Planning Commission **Date:** January 2, 2024

From: Racelle Escolar, AICP
Principal Planner

Subject: ITEM NO. 6 (Z-56-23-7) – SOUTHWEST CORNER OF THE 78TH AVENUE AND ALTA VISTA ROAD ALIGNMENTS

The purpose of this memo is to recommend modified stipulations in response to the Laveen Village Planning Committee (VPC) recommendation.

Rezoning Case No. Z-56-23-7 is a request to rezone 18.96 acres of County RU-43 (Pending S-1) (One Acre Per Dwelling Unit, Pending Ranch or Farm Residence) to R1-6 (Single-Family Residence District) to allow single-family residential.

The Laveen VPC heard this request on December 11, 2023 and recommended denial as filed, and approval of R1-8 with additional stipulations, by a vote of 6-1. The VPC recommended adding Stipulation No. 2 to ensure that future elevations and landscaping plans are presented to the Laveen VPC through the Planning Hearing Officer (PHO) public hearing process. The VPC recommended adding Stipulation Nos. 3 and 4 to limit the density allowed within the development and increase the minimum lot width. Furthermore, Stipulation No. 13 was added to ensure funding for future improvements to Alta Vista Road.

Staff recommends modifying the language of Stipulation No. 2 to use the City's standards stipulation language for a PHO public hearing and deleting Stipulation No. 5 regarding the number of lots since Stipulation No. 3 was added to limit the density to 4.5 dwelling units per acre (85 lots).

The Street Transportation Department reviewed the additional stipulation related to Alta Vista Road and recommends the deletion of the stipulation as the City cannot legally take money for roadways that are not in the City of Phoenix jurisdiction.

Staff recommends approval, per the modified stipulations in bold font below.

1. All building elevations shall contain architectural features that reflect modern farmhouse architecture including, but not limited to, detailing such as pitched roofs, variation in window size, overhang canopies and exterior accent materials such as board and batten siding, shiplap paneling, brick veneer, wooden shutters, and carriage style garage doors, as approved by the Planning and Development Department.
2. THE ~~FUTURE~~ **CONCEPTUAL ELEVATIONS AND LANDSCAPING PLANS SHALL GO BE REVIEWED AND APPROVED BY THE PLANNING HEARING OFFICER THROUGH THE PHO PUBLIC HEARING PROCESS FOR**

STIPULATION MODIFICATION PRIOR TO PRELIMINARY SITE PLAN APPROVAL. THIS IS A LEGISLATIVE REVIEW FOR CONCEPTUAL PURPOSES ONLY. SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS MAY BE DETERMINED BY THE PLANNING HEARING OFFICER AND THE PLANNING AND DEVELOPMENT DEPARTMENT.

3. THE MAXIMUM DENSITY SHALL BE 4.5 DWELLING UNITS PER ACRE.

4. THE MINIMUM LOT WIDTH SHALL BE 50 FEET.

~~2. The project shall not exceed 98 lots.~~

~~5.~~

~~3.~~ A minimum of 12% of the gross site area shall be retained as open space.

~~6.~~

~~5.~~

~~4.~~ A minimum 22-foot garage setback for front-loaded garages, measured from the back of sidewalk, shall be provided for each home in the development, as approved by the Planning and Development Department.

~~7.~~

~~5.~~ A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.

~~8.~~

~~7.~~

~~6.~~ A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.

~~9.~~

~~7.~~ Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property or tenants within the development(s) the existence and operational characteristics of nearby existing ranchettes and animal privilege private properties that may cause adverse noise, odors, dust, and other externalities. The form and content of such documents shall be reviewed and approved by the City prior to recordation. This disclosure shall also be provided in the leasing documents in a section titled "nuisances".

~~10.~~

~~8.~~ A minimum 50-foot of right-of-way shall be dedicated for all local public streets within the development.

~~11.~~

~~10.~~

~~9.~~ All street improvements to Alta Vista Road and 78th Avenue are outside of Phoenix City Limits and shall be reviewed and approved by Maricopa County. Documentation of the county review and approval shall be provided concurrently with the Preliminary Site Plan submittal.

~~12.~~

~~11.~~

~~13. FUNDING SHALL BE RESERVED FOR FUTURE RIGHT-OF-WAY IMPROVEMENTS ALONG ALTA VISTA ROAD.~~

~~10.~~ A shared-use-path easement shall be dedicated and constructed on the
~~14.~~ northwest portion of the property, as approved by the Parks and Recreation
~~12.~~ and Planning and Development Departments.

~~11.~~ Pedestrian connections from the subdivision to the Salt River and the shared-
~~15.~~ use-path, consisting of an enhanced treatment of decorative pavement and
~~13.~~ landscaping to a gated access point, shall be constructed as approved by the
Planning and Development Department.

~~12.~~ All streets within and adjacent to the development shall be constructed with
~~16.~~ paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands,
~~14.~~ landscaping and other incidentals as per plans approved by the Planning and
Development Department. All improvements shall comply with all ADA
accessibility standards.

~~13.~~ If determined necessary by the Phoenix Archaeology Office, the applicant shall
~~17.~~ conduct Phase I data testing and submit an archaeological survey report of the
~~15.~~ development area for review and approval by the City Archaeologist prior to
clearing and grubbing, landscape salvage, and/or grading approval.

~~14.~~ If Phase I data testing is required, and if, upon review of the results from the
~~18.~~ Phase I data testing, the City Archaeologist, in consultation with a qualified
~~16.~~ archaeologist, determines such data recovery excavations are necessary, the
applicant shall conduct Phase II archaeological data recovery excavations.

~~15.~~ In the event archaeological materials are encountered during construction, the
~~19.~~ developer shall immediately cease all ground-disturbing activities within a 33-
~~17.~~ foot radius of the discovery, notify the City Archaeologist, and allow time for the
Archaeology Office to properly assess the materials.

~~16.~~ Prior to preliminary site plan approval, the landowner shall execute a
~~20.~~ Proposition 207 waiver of claims form. The waiver shall be recorded with the
~~18.~~ Maricopa County Recorder's Office and delivered to the City to be included in
the rezoning application file for record.

ATTACHMENT E



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM A

Staff Report Z-56-23-7

January 4, 2024

Laveen [Village Planning Committee](#)
Meeting Date:

December 11, 2023

[Planning Commission](#) Hearing Date:

January 4, 2023

Request From:

County [RU-43](#) (Pending [S-1](#)) (One Acre Per Dwelling Unit, Pending Ranch or Farm Residence) (18.96 acres)

Request To:

[R1-6](#) (Single-Family Residence District) (18.96 acres)

Proposal:

Single-family residential

Location:

Southwest corner of the 78th Avenue and Alta Vista Road alignments

Owner/Applicant:

Laveen Land Holdings, LLC

Representative:

Jordan Rose, Rose Law Group, PC

Staff Recommendation:

Approval, subject to stipulations

On December 11, 2023, the Laveen Village Planning Committee (VPC) heard this request and recommended denial as filed, the approval of R1-8 with additional stipulations by a vote of 6-1.

The VPC recommended adding Stipulation No. 2 to ensure that future elevations and landscape plans are presented to the Laveen VPC through the Planning Hearing Officer (PHO) public hearing process. The VPC recommended adding Stipulation Nos. 3 and 4 to limit the density allowed within the development and increase the minimum lot width. Furthermore, Stipulation No. 13 was added to ensure funding for future improvements to Alta Vista Road.

Staff provided a memo to the Planning Commission on January 2, 2024 in response to the VPC recommended stipulations. Staff recommended modifying the language for Stipulation No. 2 to use the City's standard stipulation language for a PHO public hearing and deleting Stipulation No. 5 regarding the number of lots since Stipulation No. 3 was added to limit to 4.5 dwelling units per acre (85 lots). The Street Transportation Department reviewed the additional stipulation related to Alta Vista Road and recommended the deletion of the stipulation as the City cannot legally take money from roadways that are not in the City of Phoenix jurisdiction.

During the Laveen Village Planning Committee meeting on December 11, 2023, the applicant presented an updated site plan with an increased percentage of open space. The applicant submitted this revised site plan on December 20, 2023 and the landscape plan on January 4, 2024 (attached as exhibits).

The revised site plan reduces the number of lots to 95 (originally 98) and increases the open space to 18 percent. In addition, the landscape plan depicts all the proposed open space areas within the proposal. Per the revised site plan, the applicant has requested to increase the minimum open space provided on the site. Therefore, staff is recommending a modification to increase the minimum open space from 12 percent to 18 percent. Also, it should be noted that the applicant's revised plan depicts 95 lots, however the stipulations as recommended below limit the site to 85 lots. The site plan will need to be revised prior to preliminary site plan approval if the stipulations below are ultimately approved.

Staff recommends approval per the modified stipulations in **bold** font below:

1. All building elevations shall contain architectural features that reflect modern farmhouse architecture including, but not limited to, detailing such as pitched roofs, variation in window size, overhang canopies and exterior accent materials such as board and batten siding, shiplap paneling, brick veneer, wooden shutters, and carriage style garage doors, as approved by the Planning and Development Department.
2. THE ~~FUTURE~~ CONCEPTUAL ELEVATIONS AND LANDSCAPE PLANS SHALL ~~GO~~ BE REVIEWED AND APPROVED BY THE PLANNING HEARING OFFICER THROUGH THE ~~PHO~~ PUBLIC HEARING PROCESS FOR STIPULATION MODIFICATION PRIOR TO PRELIMINARY SITE PLAN APPROVAL. THIS IS A LEGISLATIVE REVIEW FOR CONCEPTUAL PURPOSES ONLY. SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS MAY BE DETERMINED BY THE PLANNING HEARING OFFICER AND THE PLANNING AND DEVELOPMENT DEPARTMENT.
3. THE MAXIMUM DENSITY SHALL BE 4.5 DWELLING UNITS PER ACRE.
4. THE MINIMUM LOT WIDTH SHALL BE 50 FEET.
- ~~2.~~ ~~The project shall not exceed 98 lots.~~
- ~~5.~~
- ~~3.~~ A minimum of ~~42%~~ **18%** of the gross site area shall be retained as open space.
- ~~6.~~
- 5.

- ~~4.~~ A minimum 22-foot garage setback for front-loaded garages, measured from
~~7.~~ the back of sidewalk, shall be provided for each home in the development, as
~~6.~~ approved by the Planning and Development Department.
- ~~5.~~ A minimum of 10% of the required shrubs, shall be a milkweed or other native
~~8.~~ nectar species, and shall be planted in groups of three or more, as approved
~~7.~~ by the Planning and Development Department.
- ~~6.~~ A minimum of two green infrastructure (GI) techniques for stormwater
~~9.~~ management shall be implemented per the Greater Phoenix Metro Green
~~8.~~ Infrastructure and Low Impact Development Details for Alternative
Stormwater Management, as approved or modified by the Planning and
Development Department.
- ~~7.~~ Prior to final site plan approval, the property owner shall record documents
~~10.~~ that disclose to purchasers of property or tenants within the development(s)
~~9.~~ the existence and operational characteristics of nearby existing ranchettes
and animal privilege private properties that may cause adverse noise, odors,
dust, and other externalities. The form and content of such documents shall
be reviewed and approved by the City prior to recordation. This disclosure
shall also be provided in the leasing documents in a section titled
“nuisances”.
- ~~8.~~ A minimum 50-foot of right-of-way shall be dedicated for all local public
~~11.~~ streets within the development.
~~10.~~
- ~~9.~~ All street improvements to Alta Vista Road and 78th Avenue are outside of
~~12.~~ Phoenix City Limits and shall be reviewed and approved by Maricopa County.
~~11.~~ Documentation of the county review and approval shall be provided
concurrently with the Preliminary Site Plan submittal.
- ~~13.~~ ~~FUNDING SHALL BE RESERVED FOR FUTURE RIGHT OF WAY~~
~~IMPROVEMENTS ALONG ALTA VISTA ROAD.~~
- ~~10.~~ A shared-use-path easement shall be dedicated and constructed on the
~~11.~~ northwest portion of the property, as approved by the Parks and Recreation
~~12.~~ and Planning and Development Departments.
- ~~11.~~ Pedestrian connections from the subdivision to the Salt River and the shared-
~~12.~~ use-path, consisting of an enhanced treatment of decorative pavement and
~~13.~~ landscaping to a gated access point, shall be constructed as approved by the
Planning and Development Department.
- ~~12.~~ All streets within and adjacent to the development shall be constructed with

- ~~46.~~ paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands,
- ~~14.~~ landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

- ~~43.~~ If determined necessary by the Phoenix Archaeology Office, the applicant
- ~~47.~~ shall conduct Phase I data testing and submit an archaeological survey
- ~~15.~~ report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

- ~~44.~~ If Phase I data testing is required, and if, upon review of the results from the
- ~~48.~~ Phase I data testing, the City Archaeologist, in consultation with a qualified
- ~~16.~~ archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

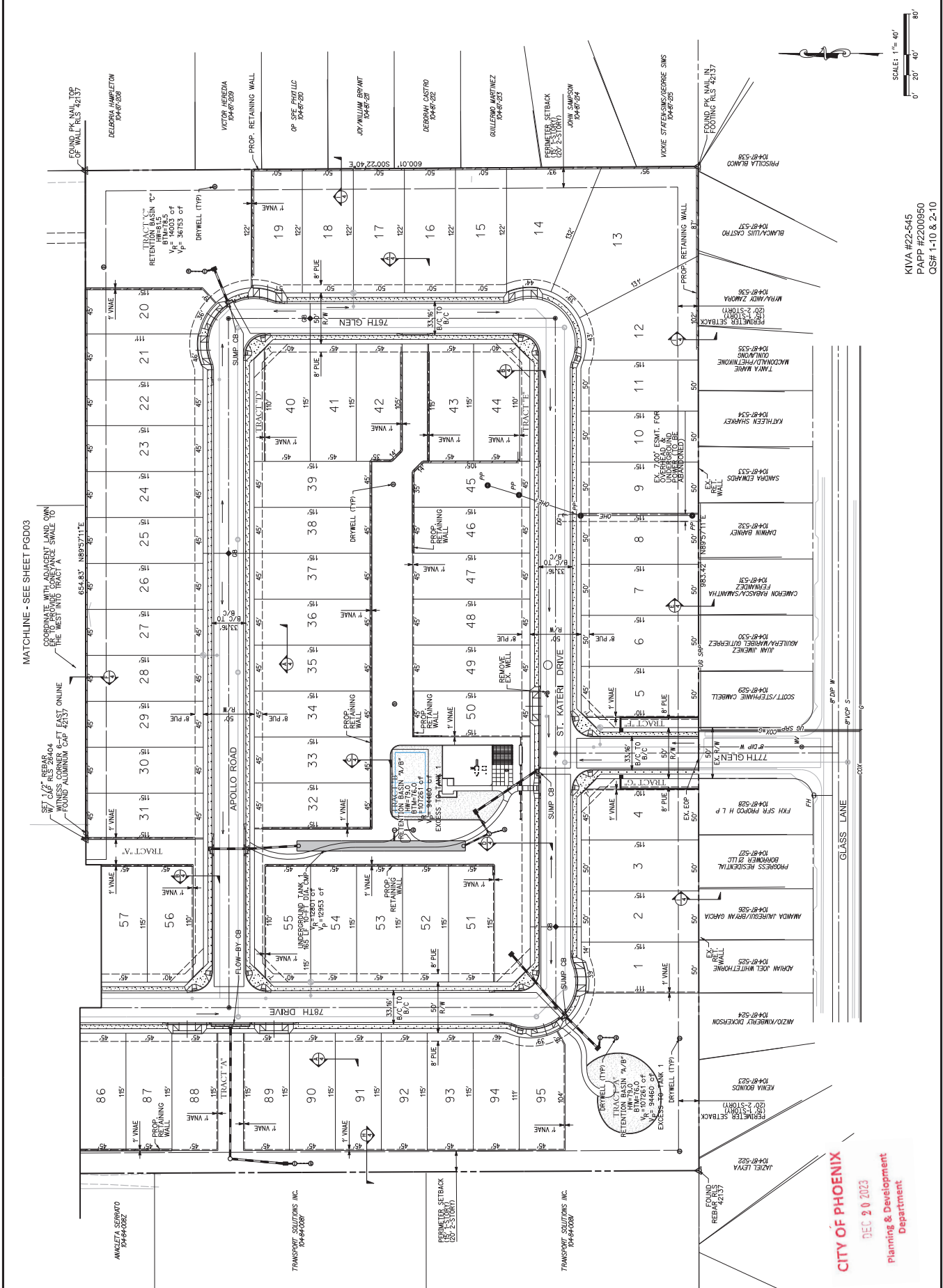
- ~~45.~~ In the event archaeological materials are encountered during construction,
- ~~49.~~ the developer shall immediately cease all ground-disturbing activities within a
- ~~17.~~ 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

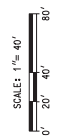
- ~~46.~~ Prior to preliminary site plan approval, the landowner shall execute a
- ~~20.~~ Proposition 207 waiver of claims form. The waiver shall be recorded with the
- ~~18.~~ Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Exhibits

Conceptual Site Plan date stamped December 20, 2023 (4 pages)

Conceptual Landscape Plan date stamped January 4, 2024 (2 pages)

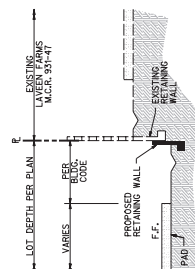




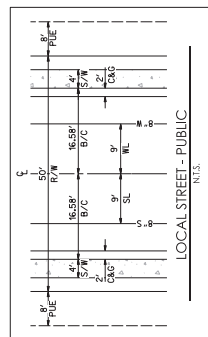
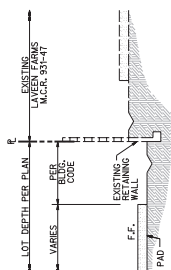
115'

MATCHLINE - SEE SHEET PGD02

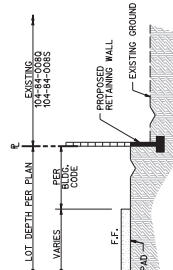
CITY OF PHOENIX
Planning & Development
Department
DEC 20 2023



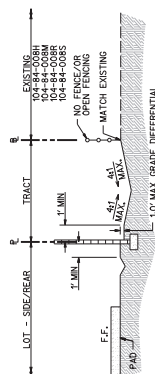
① TYPICAL SECTION
N.T.S.

LOCAL STREET - PUBLIC
N.T.S.

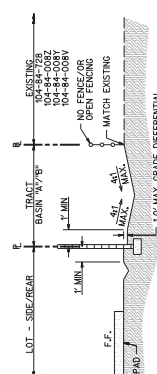
TYPICAL SECTION



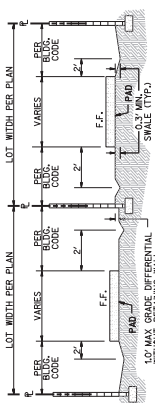
FUNCTIONAL TYPICAL SECTION



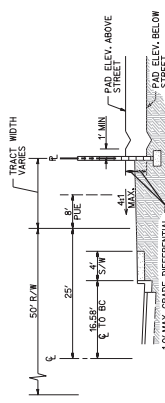
TYPICAL SECTION
 A11C



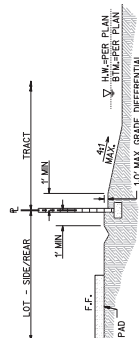
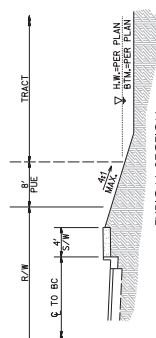
TYPICAL SECTION



A TYPICAL SECTION
N.T.S. TYPICAL SIDE LOTS



8 TYPICAL SECTION
NTS TYPICAL SIDEYARD ADJACENT

TYPICAL SECTION
NITC

TYPICAL SECTION

CITY OF PHOENIX
DEC 20 2023
Planning & Development
Department

APPROVALS:

60' |
TYPICAL LOT LAYOUT - 45' WIDE MIN.
R1-6 AREA (R1-6 PRO USE)

- (1) 10' TO LIVABLE SPACE OR SIDE LOADED GARAGE; 22' TO FRONT FACING GARAGE FROM BACK OF SIDEWALK.
- (2) SIDE SETBACK ESTABLISHED BY IRC SECTION 302.
- (3) REAR SETBACK ESTABLISHED BY IRC SECTION 302.
- (4) PERIMETER SETBACK:
PERIMETER STREET, 15' IN ADDITION TO 15' AVG.
LANDSCAPE SETBACK.
- PROPERTY LINE REAR: 15' (1-STORY), 20' (2-STORY)
PROPERTY LINE SIDE: 10' (1-STORY), 15' (2-STORY)

KIVA #22-545
PAPP #2200950
QSS# 1-10 & 2-10

L A V E E N 2 0

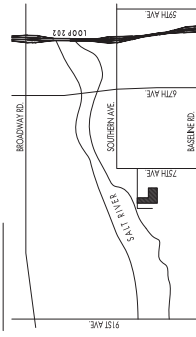
LAVEEN, ARIZONA

PRELIMINARY LANDSCAPE PLAN

CITY OF PHOENIX NOTES:

1. FINAL BUILDING PERMIT CANNOT BE OBTAINED UNTIL BONDING OR APPROVED ASSURANCES IS PROVIDED FOR THE LANDSCAPING WITHIN THE RIGHT-OF-WAY.
2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF PHOENIX LANDSCAPE OR IRRIGATION PLANS WITHOUT PRIOR APPROVAL FROM THE CITY OF PHOENIX LANDSCAPE SECTION AT (602) 622-7811.
3. ALL SPECIFICATIONS TO CONFORM TO ARIZONA NURSERYMAN ASSOCIATION STANDARDS.
4. ALL RIGHT-OF-WAY AND CITY REQUIRED (PERMETER, RETENTION, AND PARKING) PLANT MATERIAL TO BE IN COMPLIANCE WITH THE CITY OF PHOENIX LANDSCAPE OR IRRIGATION PLANS.
5. ALL EXISTING TREES AND SHRUBS IN THE R.O.W. OR WASHES AND DESIGNATED TO REMAIN THAT ARE DAMAGED OR DESTROYED WILL BE REPLACED IN LIKE KIND AND SIZE BY THE CONTRACTOR. PRIOR TO ANY R.O.W. PLANT RELOCATIONS AT (602) 465-5584.
6. ALL ON-SITE SIDEWALKS SHALL BE A MINIMUM OF 3'-0" WIDE AND HAVE A MAXIMUM SLOPE OF 1:20 WITH THE MAX. CROSS SLOPE OF 1:40. ALL SIDEWALKS SHALL BE CONCRETE OR COMPACTED ASPHALT TO THE AMERICAN WITH DISABILITIES ACT STANDARDS.
7. WALLS ARE NOT APPROVED AS PART OF THE LANDSCAPE PLAN BUT ARE SHOWN FOR REFERENCE ONLY.
8. ALL PLANTING SHALL BE SUBJECT TO CHANGE. FINAL APPROVED PLANT LIST AND/OR THE SONORAN PRESERVE EDGE TREATMENT GUIDELINES (WHICHEVER IS MORE RESTRICTIVE).
9. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF PHOENIX LANDSCAPE OR IRRIGATION PLANS.
10. ALL SWALE CHANNELS ARE TO HAVE 1" - 3" COARSE LANDSCAPE ROCK OR OTHER APPROVED STONE MATERIAL INSTALLED TO PREVENT EROSION.
11. ALL BERM CONTOUR INTERVALS ARE AT 1'-0", SLOPES NOT TO EXCEED 4:1.
12. ALL TURF IS TO BE MID-IRON HYBRID SOO OR APPROVED EQUAL.
13. ALL LANDSCAPE IMPROVEMENTS EXIST ON-SITE THAT REQUIRE PROTECTION OR COORDINATION, EXCEPT FOR THE NATURAL WASH CORRIDORS.

VICINITY MAP



DEVELOPER LAVEEN HOLDINGS, LLC
3 ENGINEERING
6301 E. Thomas Rd.
Phoenix, AZ 85018
Contact: Andrew Elsworth
Email: andrewelsworth@gmail.com

CIVIL ENGINEER COLLECTIVIA LLC
1420 N. 2nd Street
Suite 200, 4th Floor
Phoenix, AZ 85004
Phone: (602) 258-7711
Contact: Andrew Elsworth
Email: andrewelsworth@gmail.com

LANDSCAPE ARCHITECT COLLECTIVIA LLC
1420 N. 2nd Street
Suite 200, 4th Floor
Phoenix, AZ 85004
Phone: (602) 258-7711
Contact: Jim Smith
Email: jsmith@collectiviallc.com



PRELIMINARY
NOT FOR
CONSTRUCTION

KVA: 00-00000
KSA: 00-00000
PAP: 0000000

NOVEMBER 2023 COLLECTIVIA # 45.315

SHEET



of 2



WALL LEGEND

- 1. 6" FENCE WALL
- 2. METAL BARRIER
- 3. ACENT COLUMNS (4'-4'9")
- 4. ACENT METAL FENCE (4'-4'9")
- 5. MAJOR CLUSTER

LANDSCAPE NOTES

1. EXISTING BLOCK WALLS AND LANDSCAPE ON NEIGHBORING PROPERTIES SHALL REMAIN AND NOT TO BE DESTROYED.
2. AGENCY AREA TO CONTAIN SHADE RAMADA, BBQ SEATING, PLAY STRUCTURE, BENCHES, OPENSPACE TURF FIELD AND ENHANCED VEGETATION.
3. ALL LANDSCAPE AREAS TO RECEIVE DECOMPOSED GRANITE ROCK MULCH FOR DUST PROOFING.
4. OPEN LAWN AREA TO RECEIVE PAVING TABLE, TRASH/RECYCLE AND ENHANCED LANDSCAPE.
5. LAWN AREA FOR VOLLEYBALL.
6. TRAIL CONNECTION.
7. MAJOR CLUSTER.
8. LANDSCAPE DRAINAGE WITH PERIMETER TREES.

NATIVE PLANT SURVEY

NATIVE PLANT SURVEY AND SALVAGE PROGRAM WILL BE DEVELOPED BY THE CITY OF PHOENIX. DOCUMENT SUBMITTAL WORK WILL BE DONE IN ACCORDANCE WITH CITY OF PHOENIX GUIDELINES. SALVAGE PLANTS INCLUDES NATIVE TREES, SAGUARO, CACTUS, AND SMALL CACTUS. PLANTS WILL BE SALVAGED AND HELD WITHIN AN ON-SITE NURSERY AND REPLANTED WITH CORRESPONDING PHASES.

MAINTENANCE

ALL LANDSCAPE SHALL BE MAINTAINED BY PROPERTY OWNER.

ALL LANDSCAPE SHALL BE MAINTAINED BY PROPERTY OWNER.

IRRIGATION PLAN

COMMON AREA LANDSCAPE IMPROVEMENTS SHALL BE WATERED BY AN AUTOMATIC, UNDERGROUND IRRIGATION SYSTEM DESIGNED FOR MAXIMUM EFFICIENCY. TREE AND SHRUB AREAS WILL HAVE INDEPENDENT VALVES. THE COST OF MAINTENANCE AND WATER WILL BE THE RESPONSIBILITY OF PROPERTY OWNER.

MASTER PLANT LEGEND

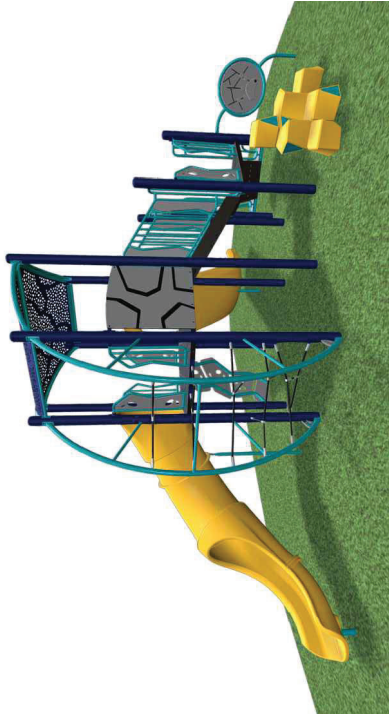
Symbol	Common Name	Max Spcs	Remarks
	EVERGREEN (EM)	2" C	SINGLE TRUNK, MATCHED, UPRIGHT GROWTH
	ASH TREE	1" THICK	SINGLE TRUNK, MATCHED, UPRIGHT GROWTH
	CHINESE REDBARK	9" H x 4" W	SINGLE TRUNK, MATCHED, UPRIGHT GROWTH
	CHINESE REDBARK	1" THICK x 3" W	SINGLE TRUNK, MATCHED, UPRIGHT GROWTH
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LANDSCAPE NOTES

- 1 EXISTING BLOCK WALLS AND LANDSCAPE ON NEIGHBORING PROPERTIES SHALL REMAIN AND NOT TO BE DISTURBED.
- 2 AMENITY AREA TO CONTAIN SHADE RAMADA, BBQ, SEATING, PLAY STRUCTURE, BENCHES, OPENSOURCE TURF FIELD AND ENHANCED VEGETATION.
- 3 ALL LANDSCAPE AREAS TO RECEIVE DECOMPOSED GRANITE ROCK MULCH FOR DUST PROOFING.
- 4 OPEN LAWN AREA TO RECEIVE PONG TABLE, TRASH/RECYCLE AND ENHANCED LANDSCAPE.
- 5 LAWN AREA FOR VOLLEYBALL.
- 6 TRAIL CONNECTION.
- 7 MAILBOX CLUSTER.
- 8 LANDSCAPE DRAINAGE WITH PERIMETER TREES.



MATCHLINE - SEE PREVIOUS SHEET

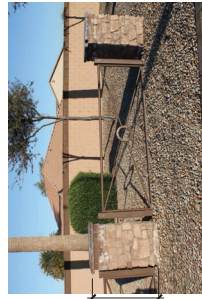


PLAY STRUCTURE:
BURKE NUCLEUS NU-3200
(AGES 5-12)

PROPOSED AMENITY AREA



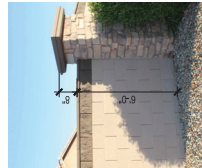
SWING:
BURKE SINGLE POST SWING
(AGES 2-12)



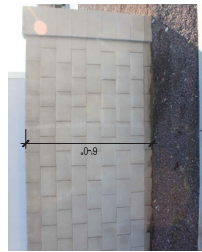
ACCENT COLUMN + FENCE AT PARK



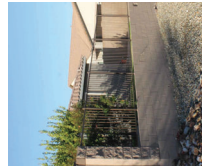
ACCENT COLUMN



STONE WALL + ACCENT COLUMN



FENCE BLOCK WALL



VIEW FENCE



RAMADA WITH ACCENT COLUMNS AT PARK



MAIL BOX (7 TOTAL)

CITY OF PHOENIX

JAN 04 2024

Planning & Development
Department

PROPOSED THEMATICS



PRELIMINARY
NOT FOR
CONSTRUCTION

KVA-000000
KVA-000000
KVA-000000
KVA-000000

REVISED 12.31.25

NOVEMBER 2023 COLLECTIVE J018 # 45.315

SHEET

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of 2

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LANDSCAPE ARCHITECTS

LANDSCAPE ARCHITECTS

ATTACHMENT F

REPORT OF PLANNING COMMISSION ACTION

January 4, 2024

* REVISED January 12, 2024

ITEM NO: 6	
	DISTRICT NO.: 7
SUBJECT:	
Application #:	Z-56-23-7 (Companion Case GPA-LV-3-23-7)
Location:	Southwest corner of the 78th Avenue and Alta Vista Road alignments
From:	County RU-43 (Pending S-1)
To:	R1-6
Acreage:	18.96
Proposal:	Single-family residential
Applicant:	Laveen Land Holdings, LLC
Owner:	Laveen Land Holdings, LLC
Representative:	Jordan Rose, Rose Law Group, PC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Laveen 12/11/2023 Denial as filed, approval of R1-8 with additional stipulations. Vote: 6-1.

* Planning Commission Recommendation: Approval of R1-6, per the Addendum A Staff Report with modifications and an additional stipulation.

Motion Discussion: N/A

* Motion details: Commissioner Boyd made a MOTION to approve R1-6 for Z-56-23-7, with the stipulations outlined in the Addendum A Staff Report with a modification to Stipulation No. 3 to replace 4.5 with 5.0 (dwelling units per acre) and a modification to Stipulation No. 4 to apply to lots 1 through 19, as depicted on the site plan date stamped December 20, 2023 and as approved by the Planning and Development Department; and an additional stipulation that building height shall be limited to one story and 20 feet for lots 3, 4, 6, 7, and 9 through 12, as depicted on the site plan date stamped December 20, 2023 and as approved by the Planning and Development Department.

Maker: Boyd

Second: Gorraiz

Vote: 5-2 (Busching and Perez)

Absent: Mangum

Opposition Present: Yes

Findings:

1. The proposal is compatible with the proposed General Plan Land Use Map designation and will provide a high-quality residential development and help alleviate the housing shortage in Phoenix.
2. As stipulated, the proposed enhanced elevations standards will further support the character established by the Laveen Village.

3. As stipulated, the proposed development will include development and design standards, such as enhanced open space, to mitigate impacts to the surrounding properties.

Stipulations:

1. All building elevations shall contain architectural features that reflect modern farmhouse architecture including, but not limited to, detailing such as pitched roofs, variation in window size, overhang canopies and exterior accent materials such as board and batten siding, shiplap paneling, brick veneer, wooden shutters, and carriage style garage doors, as approved by the Planning and Development Department.
2. THE FUTURE CONCEPTUAL ELEVATIONS AND LANDSCAPE PLANS SHALL GO BE REVIEWED AND APPROVED BY THE PLANNING HEARING OFFICER THROUGH THE PHO PUBLIC HEARING PROCESS FOR STIPULATION MODIFICATION PRIOR TO PRELIMINARY SITE PLAN APPROVAL. THIS IS A LEGISLATIVE REVIEW FOR CONCEPTUAL PURPOSES ONLY. SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS MAY BE DETERMINED BY THE PLANNING HEARING OFFICER AND THE PLANNING AND DEVELOPMENT DEPARTMENT.
3. THE MAXIMUM DENSITY SHALL BE 4.5 **5.0** DWELLING UNITS PER ACRE.
4. THE MINIMUM LOT WIDTH SHALL BE 50 FEET **FOR LOTS 1 THROUGH 19, AS DEPICTED ON THE SITE PLAN DATE STAMPED DECEMBER 20, 2023 AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**
- ~~2.~~ ~~The project shall not exceed 98 lots.~~
- ~~5.~~
- ~~3.~~ A minimum of ~~42%~~ 18% of the gross site area shall be retained as open space.
- ~~6.~~
- ~~5.~~
- ~~4.~~ A minimum 22-foot garage setback for front-loaded garages, measured from the back of sidewalk, shall be provided for each home in the development, as approved by the Planning and Development Department.
- ~~7.~~
- ~~6.~~
- ~~5.~~ A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
- ~~8.~~
- ~~7.~~
- ~~6.~~ A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved, or modified by the Planning and Development Department.
- ~~9.~~
- ~~8.~~
- ~~7.~~ Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property or tenants within the development(s) the existence and operational characteristics of nearby existing ranchettes and animal privilege private properties that may cause adverse noise, odors, dust, and other externalities. The form and content of such documents shall be reviewed and approved by the City
- ~~10.~~
- 9.

prior to recordation. This disclosure shall also be provided in the leasing documents in a section titled "nuisances".

- ~~8.~~ A minimum 50-foot of right-of-way shall be dedicated for all local public streets within the development.
- ~~11.~~
- ~~10.~~
- ~~9.~~ All street improvements to Alta Vista Road and 78th Avenue are outside of Phoenix City Limits and shall be reviewed and approved by Maricopa County. Documentation of the county review and approval shall be provided concurrently with the Preliminary Site Plan submittal.
- ~~12.~~
- ~~11.~~
- ~~13.~~ ~~FUNDING SHALL BE RESERVED FOR FUTURE RIGHT-OF-WAY IMPROVEMENTS ALONG ALTA VISTA ROAD.~~
- ~~10.~~ A shared-use-path easement shall be dedicated and constructed on the northwest portion of the property, as approved by the Parks and Recreation and Planning and Development Departments.
- ~~14.~~
- ~~12.~~
- ~~11.~~ Pedestrian connections from the subdivision to the Salt River and the shared-use-path, consisting of an enhanced treatment of decorative pavement and landscaping to a gated access point, shall be constructed as approved by the Planning and Development Department.
- ~~15.~~
- ~~13.~~
- ~~12.~~ All streets within and adjacent to the development shall be constructed 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.
- ~~14.~~
- ~~12.~~
- ~~15.~~ If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
- ~~14.~~
- ~~18.~~ If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
- ~~16.~~
- ~~15.~~
- ~~14.~~ 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.
- ~~19.~~
- ~~17.~~
- ~~16.~~ Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.
- ~~20.~~
- ~~18.~~
- 19. BUILDING HEIGHT SHALL BE LIMITED TO ONE STORY AND 20 FEET FOR LOTS 3, 4, 6, 7, AND 9 THROUGH 12, AS DEPICTED ON THE SITE PLAN DATE STAMPED DECEMBER 20, 2023 AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

This publication can be made available in alternate format upon request. Please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov, TTY: Use 7-1-1.

ATTACHMENT G

Nayeli Sanchez Luna

From: Kim Domovich <kim.domovich@memca.org>
Sent: Saturday, December 9, 2023 12:27 PM
To: Council District 7 PCC; PDD Laveen VPC
Subject: STATEMENT OF OPPOSITION TO REZONING CASE Z-56-23-7

Follow Up Flag: Follow up
Flag Status: Flagged

To Vice Mayor/City Council District 7 Councilwoman Yassamin Ansari and Laveen Village Planning Committee Members:

I am writing in opposition to the rezoning request from Laveen Land Holdings LLC and American Dream Housing for the vacant land southwest of 75th Avenue and Alta Vista Road in Laveen.

(If a resident of Trailside, use the first sentence, if not, omit this sentence) I am a resident of Laveen Farms/Trailside Point, a neighborhood adjacent to the proposed project site. I have the following concerns about the potential impacts of this development on our community.

Significant Traffic and Safety Issues

- The developer plans to have only one ingress/egress point for the project, via south 77th Glen, which would funnel all the traffic from the project through our streets.
- According to the traffic statement prepared by Summit Land Management, the project would generate 1,046 weekday daily trips (523 entering, 523 exiting), which would increase the congestion and noise on our roads.
- The increased traffic would also pose a serious risk to the safety of our children, who walk, bike, and play on our streets and sidewalks.
- The project does not have a secondary access point as required by the City of Phoenix Fire Code for emergency purposes.

Incompatibility with Area's Existing Rural Character and Low Density

- The developer is requesting to rezone the land from RU-43 (Rural District) to R1-6 (Single Family

Planned Residential Development), which would allow for 98 single family homes in a rental home community, with a gross density of 5.17 dwellings per acre.

- Drastic increase in density and intensity that would create a stark contrast with the surrounding neighborhoods, especially Trailside/Laveen Farms/Trailside Point, which have larger lot sizes and more open space.
- The proposed home elevations and color schemes do not match the Laveen Village Design Standards or the aesthetic preferences of the existing residents.
- The project would also encroach on the natural desert environment and wildlife habitat that we value and enjoy.

Negative Impacts on Area Drainage and Floodplain Conditions

- Two lots on the northern end of the project are located in a special flood hazard area, as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM). The traffic statement acknowledges that these lots are subject to flooding during a 100-year storm event, which could affect the access and safety of the project.
- The developer has not provided any information on how they plan to mitigate the flood risk or comply with the floodplain management regulations.
- The project would also increase the amount of impervious surface and stormwater runoff, which could affect the downstream properties and the quality of the nearby Salt River.

- I do not believe the infrastructure has been put in place to support this development.

- Emergency accommodations are already in short supply and need more consideration.

For all the above reasons, I urge you to deny the rezoning request from Laveen Land Holdings LLC and American Dream Housing, and to preserve the rural character and quality of life of our neighborhood. I appreciate your attention and consideration of my views.

Sincerely,

Kim C Domovich
5218 W Sunland Ave
Laveen AZ 85339

--

Kim Domovich,

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Nayeli Sanchez Luna

From: Margaret Shalley <margaretshalley92@gmail.com>
Sent: Saturday, December 9, 2023 4:54 PM
To: Council District 7 PCC; PDD Laveen VPC
Subject: Opposition To Zoning Case Z-56-23-7

Follow Up Flag: Follow up
Flag Status: Flagged

Vice Mayor Yassamin Ansari and Laveen Village Planning Committee Members:

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- The project does not have a secondary access point as required by the City of Phoenix Fire Code for emergency purposes.

Incompatibility with Area's Existing Rural Character and Low Density

- The developer is requesting to rezone the land from RU-43 (Rural District) to R1-6 (Single Family Planned Residential Development), which would allow for 98 single family homes in a rental home community, with a gross density of 5.17 dwellings per acre.
- Drastic increase in density and intensity that would create a stark contrast with the surrounding neighborhoods, especially Laveen Farms/Trailside Point, which have larger lot sizes and more open space.
- The proposed home elevations and color schemes do not match the Laveen Village Design Standards or the aesthetic preferences of the existing residents.
- The project would also encroach on the natural desert environment and wildlife habitat that we value and enjoy.

Negative Impacts on Area Drainage and Floodplain Conditions

- Two lots on the northern end of the project are located in a special flood hazard area, as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM). The traffic statement acknowledges that these lots are subject to flooding during a 100-year storm event, which could affect the access and safety of the project.
- The developer has not provided any information on how they plan to mitigate the flood risk or comply with the floodplain management regulations.
- The project would also increase the amount of impervious surface and stormwater runoff, which could affect the downstream properties and the quality of the nearby Salt River.

For all the above reasons, I urge you to deny the rezoning request as currently presented from Laveen Land Holdings LLC and American Dream Housing, and to preserve the rural character and quality of life of our neighborhood.

I appreciate your attention and consideration of my views.

Sincerely,

Margaret Shalley
6830 West St Catherine Avenue
Laveen, AZ. 85339

Nayeli Sanchez Luna

From: Mail <jodywolfe@mail.com>
Sent: Sunday, December 10, 2023 10:19 AM
To: Council District 7 PCC
Cc: PDD Laveen VPC
Subject: Statement of opposition to rezoning case Z-56-23-7

Follow Up Flag: Follow up
Flag Status: Flagged

To Vice Mayor/City Council District 7 Councilwoman Yassamin Ansari and Laveen Village Planning Committee Members:

I am writing in opposition to the rezoning request from Laveen Land Holdings LLC and American Dream Housing for the vacant land southwest of 75th Avenue and Alta Vista Road in Laveen.

I have the following concerns about the potential impacts of this development on our community.

Significant Traffic and Safety Issues

- The developer plans to have only one ingress/egress point for the project, via south 77th Glen, which would funnel all the traffic from the project through our streets.
- According to the traffic statement prepared by Summit Land Management, the project would generate 1,046 weekday daily trips (523 entering, 523 exiting), which would increase the congestion and noise on our roads.
- The increased traffic would also pose a serious risk to the safety of our children, who walk, bike, and play on our streets and sidewalks.
- The project does not have a secondary access point as required by the City of Phoenix Fire Code for emergency purposes.

Incompatibility with Area's Existing Rural Character and Low Density

- The developer is requesting to rezone the land from RU-43 (Rural District) to R1-6 (Single Family Planned Residential Development), which would allow for 98 single family homes in a rental home community, with a gross density of 5.17 dwellings per acre.
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- The proposed home elevations and color schemes do not match the Laveen Village Design Standards or the aesthetic preferences of the existing residents.

- The project would also encroach on the natural desert environment and wildlife habitat that we value and enjoy.

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- The project would also increase the amount of impervious surface and stormwater runoff, which could affect the downstream properties and the quality of the nearby Salt River.

For all the above reasons, I urge you to deny the rezoning request from Laveen Land Holdings LLC and American Dream Housing, and to preserve the rural character and quality of life of our neighborhood.

I appreciate your attention and consideration of my views.

Sincerely,

Jody Wolfe
4430 W Darrel Rd.
Laveen, Az 85339
Sent from my iPhone

Nayeli Sanchez Luna

From: Ginny Gnepper <rggnepper@gmail.com>
Sent: Wednesday, December 13, 2023 11:00 AM
To: Council District 7 PCC; PDD Laveen VPC
Subject: REZONING CASE Z-56-23-7

To Vice Mayor/City Council District 7 Councilwoman Yassamin Ansari and Laveen Village Planning Committee Members:

I am writing in opposition to the rezoning request from Laveen Land Holdings LLC and American Dream Housing for the vacant land southwest of 75th Avenue and Alta Vista Road in Laveen.

I am a resident of Laveen Farms/Trailside Point, a neighborhood adjacent to the proposed project site. I have the following concerns about the potential impacts of this development on our community.

Significant Traffic and Safety Issues

- The developer plans to have only one ingress/egress point for the project, via south 77th Glen, which would funnel all the traffic from the project through our streets.
- According to the traffic statement prepared by Summit Land Management, the project would generate 1,046 weekday daily trips (523 entering, 523 exiting), which would increase the congestion and noise on our roads.
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- The developer has not provided any information on how they plan to mitigate the flood risk or comply with the floodplain management regulations.
- The project would also increase the amount of impervious surface and stormwater runoff, which could affect the downstream properties and the quality of the nearby Salt River.

For all the above reasons, I urge you to deny the rezoning request from Laveen Land Holdings LLC and American Dream Housing, and to preserve the rural character and quality of life of our neighborhood. I appreciate your attention and consideration of my views.

Sincerely,
Roy & Virginia Gnepper
7408 W Alta Vista Rd
Laveen, AZ 85339