



# Agenda

## City Council Formal Meeting

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Wednesday, May 19, 2021

2:30 PM

phoenix.gov

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**\*\*\*REVISED May 17, 2021\*\*\***

**Item with Additional Information: 48; Item Added: 90**

**\*\*\*REVISED May 18, 2021\*\*\***

**Items Requested to be Continued: 53, 88**

### OPTIONS TO ACCESS THIS MEETING

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

- **Register online** by visiting the City Council Meetings page on phoenix.gov **at least 1 hour prior to the start of this meeting**. Then, click on this link at the time of the meeting and join the Webex to speak:  
<https://phoenixcitycouncil.webex.com/phoenixcitycouncil/onstage/g.php?MTID=e8258b243c24d742ba28bfa38d28c600f>

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

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

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

- **Call-in** to listen to the meeting. Dial 602-666-0783 and Enter Meeting ID 182 079 9898# (for English) or 182 632 3637# (for Spanish). Press # again when prompted for attendee ID.

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

- **Para registrarse para hablar en español**, llame al 602-262-6001 **al menos 1 hora antes del inicio de esta reunión** e indique el número del tema. El día de la reunión, llame al 602-666-0783 e ingrese el número de identificación de la reunión 182 632 3637#. 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 182 632 3637 #). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

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

- |   |  |         |
|---|--|---------|
| 1 | For Approval or Correction, the Minutes of the Formal Meeting on Feb. 19, 2020 | Page 11 |
| 2 | For Approval or Correction, the Minutes of the Formal Meeting on March 4, 2020 | Page 12 |

**BOARDS AND COMMISSIONS**

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| 3 | Mayor and Council Appointments to Boards and Commissions   | Page 13 |
| 4 | Request for Reconsideration of a Portion of Item 3 from the May 5, 2021 City Council Formal Meeting  | Page 16 |
| 5 | Reconsideration of Ethics Commission Appointments from Item 3 on the May 5, 2021 Formal Council Meeting - Mayor and Council Appointments to Boards and Commissions | Page 18 |

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

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|---|---|----------------------|
| 6 | Liquor License - Stop N Shop Market   | District 1 - Page 22 |
| 7 | Liquor License - A 1 Food Store   | District 3 - Page 27 |
| 8 | Liquor License - Special Event - Hermandad del Senor de los Milagros (Mesa, AZ) | District 5 - Page 33 |
| 9 | Liquor License - Fuddruckers  | District 5 - Page 34 |

**PAYMENT ORDINANCE (Ordinance S-47541) (Items 10-25)**

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| 10 | Lafayette Instrument Company |
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|----|--|
| 11 | <b>Stock Enterprises LLC</b>   |
| 12 | <b>AHS Rescue LLC</b>  |
| 13 | <b>AHS Rescue LLC - Contract 148164</b>                                      |
| 14 | <b>Settlement of Claim(s) Johnson v. City of Phoenix</b>                     |
| 15 | <b>Gabriel, Roeder, Smith &amp; Company</b>                                  |
| 16 | <b>Navigate360, LLC doing business as Alice Training</b>                     |
| 17 | <b>United Phoenix Firefighters Association</b>                               |
| 18 | <b>Public Safety Personnel Retirement System</b>                             |
| 19 | <b>ProctorU Inc.</b>   |
| 20 | <b>Statista Inc.</b>   |
| 21 | <b>Cybergear Inc.</b>  |
| 22 | <b>City of Glendale - Intergovernmental Agreement 123273</b>                 |
| 23 | <b>City of Glendale - Intergovernmental Agreements<br/>114154 and 114155</b> |
| 24 | <b>City of Scottsdale</b>  |
| 25 | <b>EPCOR Water USA, Inc.</b>   |

## ADMINISTRATION

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|----|--|----------------------|
| 26 | <b>Reappointment of Municipal Court Judge and Chief Presiding Judge and Salary Consideration for Chief Presiding Judge</b> | Citywide - Page 44   |
| 27 | <b>Proposed 51st Avenue and Baseline Road Annexation - Public Hearing</b>  | District 7 - Page 45 |
| 28 | <b>Proposed 19th Avenue and Parsons Road Annexation - Authorization to File</b>  | District 1 - Page 51 |

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| 29 | <b>Proposed 11th Avenue and Jomax Road Annexation (Ordinance S-47558)</b>   | District 2 - Page 53                             |
| 30 | <b>Proposed Central Avenue and Jomax Road Annexation (Ordinance S-47559)</b>  | District 2 - Page 55                             |
| 31 | <b>Acceptance and Dedication of Deeds and Easements for Public Utility, Roadway, Multi Use Trail and Sidewalk Purposes (Ordinance S-47557)</b>                              | District 6 - Page 57<br>District 7<br>District 8 |
| 32 | <b>Authorization to Accept Easements for Traffic Control Purposes near 43rd Avenue and Thomas Road and the Southwest Corner of 32nd and Oak Streets (Ordinance S-47545)</b> | District 4 - Page 59<br>District 8               |
| 33 | <b>Portland Cement (Bulk) - Requirements Contract IFB 21-056 (Ordinance S-47556)</b>  | Citywide - Page 60                               |
| 34 | <b>Small Equipment Repair Services - Requirements Contract - IFB 21-061 (Ordinance S-47562)</b>   | Citywide - Page 62                               |
| 35 | <b>SAP System Modernization - Requirements Contract RFP 21-074 (Ordinance S-47563)</b>  | Citywide - Page 64                               |
| 36 | <b>Fitness Equipment Maintenance and Repairs - Requirements Contract - IFB 20-028(A) (Ordinance S-47565)</b>  | Citywide - Page 66                               |
| 37 | <b>One-time Purchase of Two Motorcycles (Ordinance S-47547)</b>   | Citywide - Page 67                               |
| 38 | <b>Motorcycles and Off-Highway Vehicles - ADSP0 18-00007908 (Ordinance S-47573)</b>   | Citywide - Page 68                               |
| 39 | <b>Network Equipment and Services - State of Arizona ADSP0 16-00005819(A) - Requirements Contract (Ordinance S-47580)</b>   | Citywide - Page 70                               |
| 40 | <b>Additional Expenditures for Equipment, Parts and Services - Requirements Contract - RFA 18-315A (Ordinance S-47582)</b>  | Citywide - Page 72                               |
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| 41 | <b>Pharmacy Benefits Management Consulting Services (Ordinance S-47568)</b>                | Citywide - Page 74 |
| 42 | <b>Occupational Physical Therapy Services (Ordinance S-47583)</b>                          | Citywide - Page 76 |
| 43 | <b>Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-47555)</b> | Citywide - Page 78 |
| 44 | <b>Decontamination Services - Requirements Contract IFB 18-058A (Ordinance S-47542)</b>    | Citywide - Page 79 |

**COMMUNITY SERVICES**

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| 45  | <b>Aquatics Season Extension - Weekends in September</b>   | Citywide - Page 81 |
| 46  | <b>Intergovernmental Agreement with Arizona State University Global Institute of Sustainability for Greenhouse Gas Emissions Inventories (Ordinance S-47588)</b> | Citywide - Page 83 |
| 47  | <b>Authorization to Amend Contract with Midwest Language Banc, Inc., dba The Language Banc, Inc. (Ordinance S-47574)</b>   | Citywide - Page 85 |
| *48 | <b>2020-24 Consolidated Plan and 2020-21 and 2021-22 Annual Action Plans Lead Safe Phoenix Program Amendment (Ordinance S-47589)</b>                             | Citywide - Page 87 |

\*\*\*ADDITIONAL INFORMATION\*\*\*

**ECONOMIC DEVELOPMENT**

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|----|---|------------------------------------|
| 49 | <b>Reallocate Funds from Calendar Year 2020 to Calendar Year 2021 for Services in the Downtown Enhanced Municipal Services District (Ordinance S-47550)</b> | District 7 - Page 89<br>District 8 |
| 50 | <b>One-Stop Operator Services Request for Proposals Contract Award (Ordinance S-47571)</b>  | Citywide - Page 91                 |
| 51 | <b>Authorization to Enter into Three-Year Agreement with Phoenix Sister Cities, Inc. (Ordinance S-47575)</b>  | Citywide - Page 93                 |
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- 52     **Development Agreement with Laveen Baseline LLC for Installation of Public Infrastructure Improvements (Ordinance S-47581)**     District 7 - Page 97  
District 8

**PUBLIC SAFETY**

- \*53     **Amendment to Phoenix Fire Code and Modification of Fire Prevention Fee Schedule (Ordinance G-6854)**     Citywide - Page 100  
\*\*\*REQUEST TO CONTINUE\*\*\*
- 54     **Arizona Criminal Justice Commission Crime Reduction Pilot Project Grant (Ordinance S-47579)**     Citywide - Page 112

**TRANSPORTATION AND INFRASTRUCTURE**

- 55     **Environmental Sensor Parts Replacement (Ordinance S-47544)**     District 1 - Page 113  
District 8  
Out of City
- 56     **Cyclone Equipment, Parts, Accessories and Repair Services - Agreement Recommendation (Ordinance S-47553)**     District 8 - Page 115
- 57     **Trilogy and Electronic Lock Preventative Maintenance and Services Agreement (Ordinance S-47560)**     District 1 - Page 117  
District 8  
Out of City
- 58     **Substitute Ground Lease with American Greyhound Racing - Amendment 1 (Ordinance S-47567)**     District 8 - Page 119
- 59     **Billboard Concession Lease Agreement at Phoenix Sky Harbor International Airport (Ordinance S-47569)**     District 8 - Page 121
- 60     **Parking Management Services Agreement at Phoenix Sky Harbor International Airport (Ordinance S-47576)**     District 8 - Page 123
- 61     **Enter into Agreement with Valley Metro Rail for Operational Costs for Light Rail Services (Ordinance S-47572)**     Citywide - Page 125
- 62     **Request Authorization to Submit Federal Transit Administrations Grants for American Recovery Plan Applications (Ordinance S-47578)**     Citywide - Page 126
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| 63 | <b>Jurisdictional Bus Service Revenue Agreements - Amendments (Ordinance S-47584)</b>   | Citywide - Page 128                               |
| 64 | <b>Agreement Amendment with Regional Public Transportation Authority for Purchase of Fixed Route Transit Service for Fiscal Year 2022 (Ordinance S-47585)</b> | Citywide - Page 130                               |
| 65 | <b>Request to Submit Annual Federal Transit Administration Grant Applications and Enter into Grant Agreements (Ordinance S-47586)</b>                         | Citywide - Page 132                               |
| 66 | <b>Dial-A-Ride Service Web Portal Software License and Passenger Notification License/Services Agreement - Amendment (Ordinance S-47587)</b>                  | Citywide - Page 134                               |
| 67 | <b>Adoption of Solid Waste Ordinance Amendment to Chapter 27 of Phoenix City Code (Ordinance G-6849)</b>  | Citywide - Page 136                               |
| 68 | <b>Authorization to Enter into Land Lease and Operating Agreement with Renew Phoenix at City of Phoenix Resource Innovation Campus (Ordinance S-47549)</b>    | District 7 - Page 137                             |
| 69 | <b>Recommendation for Specialty Vehicles and Equipment Maintenance and Repair Agreements (Ordinance S-47554)</b>  | Citywide - Page 139                               |
| 70 | <b>Parking Meter Equipment and Services Request for Proposals</b>   | District 4 - Page 142<br>District 7<br>District 8 |
| 71 | <b>Citywide General Construction Job Order Contract Services - Amendment - 4108JOC178 (Ordinance S-47546)</b>   | District 7 - Page 145                             |
| 72 | <b>Palm Lane Storm Drain: 28th Place to 32nd Street - Design-Bid-Build Services - ST83140081 (Ordinance S-47548)</b>  | District 8 - Page 147                             |

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| 73 | <b>Intergovernmental Agreement with Arizona Department of Transportation to Fund City of Phoenix Staffing Resources for Interstate 10 Broadway Curve Improvement Project (Ordinance S-47561)</b> | District 6 - Page 149<br>District 8 |
| 74 | <b>Water Main Replacement: Stanford to McDonald Drives and 40th to 44th Streets - Construction Manager at Risk Preconstruction Services - WS85509050 (Ordinance S-47566)</b>                     | District 6 - Page 151               |
| 75 | <b>Northwest Valley Transportation - Construction Manager at Risk Construction Services - ST85100449 (Ordinance S-47570)</b>   | District 1 - Page 153               |
| 76 | <b>U.S. Department of Transportation Emergency Relief Funds for 7th Street and Salt River Bridge Repair (Ordinance S-47577)</b>  | District 8 - Page 155               |
| 77 | <b>Support for Formation of Rancho Ventura Irrigation Water Delivery District (Resolution 21924)</b>   | District 8 - Page 157               |
| 78 | <b>Air Compressors, Dryers, Parts and Services Agreement - Request for Award (Ordinance S-47543)</b>   | Citywide - Page 170                 |
| 79 | <b>Wireless Radios Maintenance and Service Agreement - Request for Award (Ordinance S-47551)</b>   | Citywide - Page 172                 |
| 80 | <b>Valves - Request for Award (Ordinance S-47552)</b>  | Citywide - Page 174                 |
| 81 | <b>Security Guard Services Agreement - Request for Award (Ordinance S-47564)</b>   | Citywide - Page 176                 |

**PLANNING AND ZONING MATTERS**

- |    |   |                       |
|----|---|-----------------------|
| 82 | <b>Final Plat - BB Living at Union Park - PLAT 200563 - Northwest Corner of 19th Avenue and Happy Valley Road</b> | District 1 - Page 179 |
| 83 | <b>Final Plat - Sunset Farms - PLAT 200594 - Northeast Corner of 103rd Avenue and Broadway Road</b>               | District 7 - Page 180 |
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- 84     **Final Plat - Liberty 1B - PLAT 200596 - Northeast Corner of 27th and Southern Avenues**     District 8 - Page 181
- 85     **Amend City Code - Official Supplementary Zoning Map 1217 (Ordinance G-6850)**     District 4 - Page 182
- 86     **Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-21--Z-47-07-1- Approximately 775 Feet North of the Northwest Corner of I-17 and Old West Trail (Ordinance G-6852)**     District 1 - Page 186
- 87     **Modification of Stipulation Request for Ratification of April 21, 2021 Planning Hearing Officer Action - PHO-2-21--Z-62-05-7 - Northeast Corner of 59th Avenue and Watkins Street**     District 7 - Page 204
- \*88     **Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-56-20-4 - Southeast Corner of 3rd Avenue and Coolidge Street (Ordinance G-6853) \*\*\*REQUEST TO CONTINUE\*\*\***     District 4 - Page 209

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

- 89     **Adoption of Ordinance Adding New Chapter 20 to Phoenix City Code Establishing Office of Accountability and Transparency (Ordinance G-6851)**     Citywide - Page 382

**ADD-ON ITEMS**

- \*90     **Amend Prior City Council Declaration Regarding Face Coverings \*\*\*REQUEST TO ADD-ON\*\*\***     Citywide - Page 395

**000 CITIZEN COMMENTS****ADJOURN**







City of Phoenix

## City Council Formal Meeting

### Report

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**Agenda Date: 5/19/2021, Item No. 1**

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### **For Approval or Correction, the Minutes of the Formal Meeting on Feb. 19, 2020**

#### **Summary**

This item transmits the minutes of the Formal Meeting of Feb. 19, 2020, 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 Toni Maccarone and the City Clerk Department.



**For Approval or Correction, the Minutes of the Formal Meeting on March 4, 2020**

**Summary**

This item transmits the minutes of the Formal Meeting of March 4, 2020, 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 Toni Maccarone and the City Clerk Department.



City of Phoenix

## City Council Formal Meeting

### Report

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**Agenda Date: 5/19/2021, Item No. 3**

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

#### **Summary**

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

#### **Responsible Department**

This item is submitted by the Mayor's Office.

## ATTACHMENT A



### City of Phoenix

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

**Date:** May 19, 2021

**Subject:** BOARDS AND COMMISSIONS – APPOINTEES

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

#### **Audit Committee**

I recommend the following for appointment:

##### Ann O'Brien

Councilwoman O'Brien will replace former Councilwoman Thelda Williams for a term to expire July 1, 2022.

##### Amber Williamson

Ms. Williamson is the Budget and Research Director and will replace Assistant City Manager Jeff Barton as an ex-officio member of the committee.

I recommend the following for reappointment:

##### Kathryn Baker

Ms. Baker is serving her fourth term to expire December 14, 2022.

##### Kerwin Brown

Mr. Brown is serving his third term to expire July 1, 2022.

##### Jim Waring

Councilman Waring is serving his fourth term to expire December 14, 2022.

#### **Judicial Selection Advisory Board**

I recommend the following for appointment:

Javier Torres

Mr. Torres is an attorney at Stinson LLP. He replaces Joseph Kanefield as the State Bar Association representative for a term to expire November 19, 2023.

I recommend the following for reappointment:

David Cunanan

Mr. Cunanan is serving his third term to expire November 19, 2022.



## **Request for Reconsideration of a Portion of Item 3 from the May 5, 2021 City Council Formal Meeting**

Request for reconsideration for a portion of Item 3 from the May 5, 2021 City Council Formal Meeting pertaining to the Ethics Commission appointments.

### **Summary**

At the May 5, 2021 Formal City Council meeting, the City Council adopted a portion of Item 3 - Mayor and Council Appointments to Boards and Commissions. However, the vote of the City Council on Ethics Commission appointments was 5-3, with Councilmembers DiCiccio, Guardado and Stark dissenting. Therefore, the motion relating to Ethics Commission appointments failed to pass because pursuant to City Code 2-53(C), seven affirmative votes were required to appoint members to the Ethics Commission.

Pursuant to the Rules of Council Proceedings Rule 7(I), the portion of Item 3 from the May 5, 2021 Formal Council Meeting regarding Ethics Commission appointments is being placed on the May 19, 2021 agenda in accordance with a written request from Councilwoman Debra Stark filed with the City Clerk on May 5, 2021 **(Attachment A)**.

If this request is approved, the City Council will reconsider the Ethics Commission appointments. If this request is not approved, the City Council will not reconsider the item and the original action on the item will stand.

### **Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

ATTACHMENT A



2021 MAY -6 AM 8:54  
CITY CLERK DEPT.

May 5, 2021

Denise Archibald  
City Clerk Department  
200 W. Washington, 15<sup>th</sup> Floor  
Phoenix Arizona 85003

Dear City Clerk Denise Archibald:

Pursuant to Rule 7(l) of the Rules of Council Proceedings, I am requesting that a Request for Consideration of Item 3 – Mayor and Council Appointments to Boards and Commissions, Ethics Commission Appointments from the May 5, 2021, Formal City Council Agenda be placed on the agenda for the next Formal City Council meeting scheduled for Wednesday, May 19, 2021.

Sincerely,

A handwritten signature in black ink, appearing to be 'Debra Stark', followed by a long horizontal line.

Debra Stark  
Councilwoman, Phoenix District 3

Cc: Ed Zuercher

200 W. Washington Street, 11<sup>th</sup> Floor, Phoenix, Arizona 85003  
(602) 262-7441  
council.district.3@phoenix.gov



**Reconsideration of Ethics Commission Appointments from Item 3 on the May 5, 2021 Formal Council Meeting - Mayor and Council Appointments to Boards and Commissions**

**Summary**

This item transmits recommendations from the Mayor and Council for appointment or reappointment to the Ethics Commission.

**Responsible Department**

This item is submitted by the Mayor's Office.



## ATTACHMENT A



### City of Phoenix

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

**Date:** May 5, 2021

**Subject:** BOARDS AND COMMISSIONS – APPOINTEES

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

#### **Ahwatukee Foothills Village Planning Committee**

I recommend the following for reappointment:

##### Alexander Benezra

Mr. Benezra is serving his third term to expire November 19, 2021.

#### **Central City Village Planning Committee**

Vice Mayor Carlos Garcia recommends the following for appointment:

##### Nicholas Gonzalez

Mr. Gonzalez is the Owner of Estas Manos Coffee Roasters and a resident of District 8. He fills a vacancy for a partial term to expire November 19, 2021.

#### **Development Advisory Board**

Councilwoman Yassamin Ansari and I recommend the following for appointment:

##### Dominike Nabors

Mr. Nabors is a Program Manager at Local First Arizona and a resident of District 7. He fills a vacancy in the Neighborhood Interest category for a term to expire May 5, 2024.

I recommend the following for reappointment:

##### Brian Stark

Mr. Stark will serve his second term to expire May 2, 2024.

## **Ethics Commission**

I recommend the following for appointment, as recommended by the Ad Hoc Committee on Ethics Commission Appointments:

### Lanette Campbell

Ms. Campbell will serve as one of two Democrats on the board and is a resident of District 8. She will serve a three-year term, expiring on May 5, 2024.

### Carlos Galindo-Elvira

Mr. Galindo-Elvira will serve as one of two Democrats on the board and is a resident of District 7. He will serve a five-year term, expiring on May 5, 2026.

### Michael Langley

Mr. Langley will serve as one of one Unaffiliated on the board and is a resident of District 4. He will serve a five-year term, expiring on May 5, 2026.

### Jose Samuel Leyvas III

Mr. Leyvas III will be serving as one of two Republicans on the board and is a resident of District 7. He will serve a three-year term, expiring on May 5, 2024.

### Cheryl Pietkiewicz

Ms. Pietkiewicz will be serving as one of two Republicans on the board and is a resident of District 2. She will serve a five-year term, expiring on May 5, 2026.

## **Fire Safety Advisory Board**

I recommend the following for appointment:

### Jessica Hill

Ms. Hill is the General Manager at The Van Buren and a resident of District 4. She fills a vacancy in the Special Events Coordinator category for a term to expire September 30, 2024.

### Joe McElvaney

Mr. McElvaney is a Fire Protection Engineer at The Hiller Companies and a resident of District 8. He fills a vacancy in the Resident of Phoenix category for a term to expire September 30, 2024.

I recommend the following for reappointment:

### Brian Cassidy

Mr. Cassidy is serving his second term to expire September 30, 2024.

## **Human Services Commission**

I recommend the following for appointment:

### Itoero Elijah

Dr. Elijah is a physician and a resident of District 7. She fills a Category III vacancy for a term to expire June 30, 2022.

## **Laveen Village Planning Committee**

Vice Mayor Carlos Garcia recommends the following for appointment:

### Gizette Knight

Ms. Knight is the Community Coordination Chair for the West Valley NAACP and a resident of District 8. She fills a vacancy for a term to expire November 19, 2022.

## **Phoenix Youth and Education Commission**

I recommend the following for appointment:

### Dana Naimark

Ms. Naimark is a Consultant at Wolfe Naimark Policy and Strategy and a resident of District 7. She fills a vacancy for a partial term to expire August 31, 2021.

I and Vice Mayor Carlos Garcia recommend the following for appointment:

### Rene Rosales

Mr. Rosales is a Student Services Analyst at South Mountain Community College and a resident of District 8. He fills a vacancy for a partial term to expire August 31, 2021.

## **Planning Commission**

I recommend the following for appointment:

### Lisa Perez

Ms. Perez is a Principal at Onyx Consulting Group, LLC and a resident of District 7. She will replace John Montalvo II for a term to expire April 15, 2024.



## **Liquor License - Stop N Shop Market**

Request for a liquor license. Arizona State License Application 143261.

### **Summary**

#### Applicant

Himaja Jampani, Agent

#### License Type

Series 10 - Beer and Wine Store

#### Location

3441 W. Cactus Road

Zoning Classification: C-1

Council District: 1

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 May 21, 2021.

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

#### Other Active Liquor License Interest in Arizona

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

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Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:  
"I am assured to uphold the laws and regulations about liquor license. I have never been involved in any criminal activity, no record of getting in trouble with law and authorities."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"This store will provide a safe and secure place for the neighborhood to buy alcohol. The location will be convenient for the people in neighborhood who may not have access to transportation. Adding the long time experience of the working in liquor store while upholding all the laws and regulations, the store will be a safe, secure and convenience place for the customers to purchase quality liquor."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Stop N Shop Market  
Liquor License Map - Stop N Shop Market

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

## Liquor License Data: STOP N SHOP MARKET

### Liquor License

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

### Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	43.40	84.36	53.39
Violent Crimes	7.97	15.12	10.19

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

### Property Violation Data

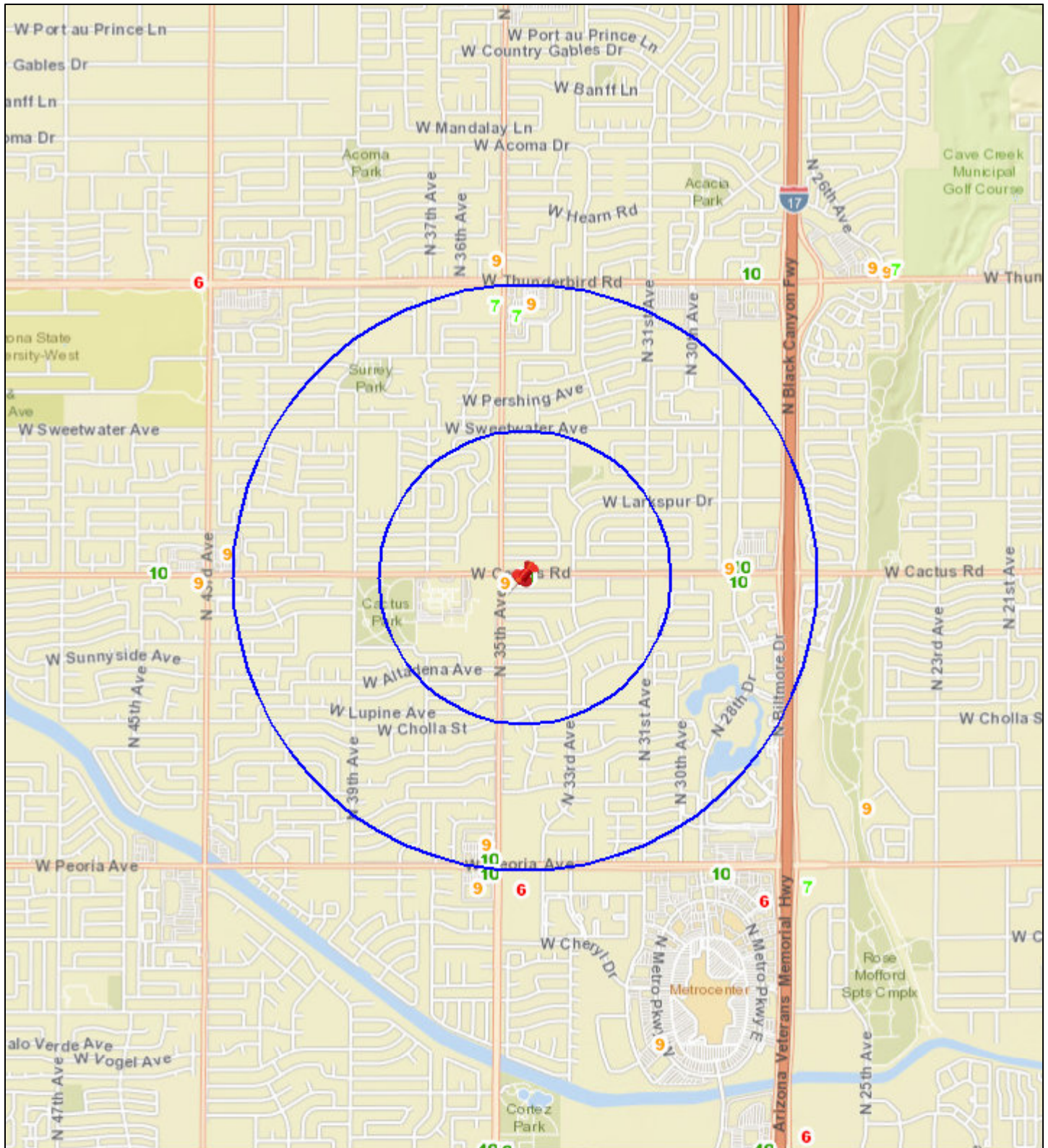
Description	Average	1/2 Mile Average
Parcels w/Violations	57	146
Total Violations	92	227

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

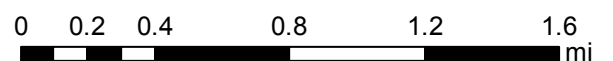
<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1040001	1260	45 %	19 %	36 %
1040003	1994	97 %	0 %	11 %
1042031	1599	79 %	7 %	10 %
1042122	1606	75 %	22 %	4 %
1043011	1780	83 %	0 %	13 %
1043012	1726	87 %	14 %	17 %
1043022	1902	53 %	15 %	15 %
Average		61 %	13 %	19 %

# Liquor License Map: STOP N SHOP MARKET

3441 W CACTUS RD



Date: 3/29/2021



City Clerk Department





## **Liquor License - A 1 Food Store**

Request for a liquor license. Arizona State License Application 138465.

### **Summary**

#### Applicant

Samir Shiha, Agent

#### License Type

Series 10 - Beer and Wine Store

#### Location

13641 N. 32nd St.

Zoning Classification: C-2

Council District: 3

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 was April 12, 2021. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona

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

Crown Beer Wine & Food Store (Series 10)

6320 N. 12th St., Phoenix

Calls for police service: 3

Liquor license violations: In September 2011, a fine of \$1000 was paid for an employee consuming alcohol while on duty, allowing a customer to bring alcohol onto the licensed premise and having liquors other than authorized by license on premises. In October 2013, a violation letter was issued for delinquent taxes. In November 2015, a violation letter was issued for delinquent taxes.

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 assured to uphold the laws and regulations about liquor license. I have never been involved in any criminal activity, no record of getting in trouble with law and authorities."

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

"This store will provide a safe and secure place for the neighborhood to buy alcohol. The location will be convenient for the people in the neighborhood who may not have access to transportation. Adding the long time experience of the working in liquor store while upholding all the laws and regulations, the store will be a safe, secure and convenience place for the customers to purchase quality liquor."

Staff Recommendation

Staff recommends approval of this application.

**Attachments**

Liquor License Data - A 1 Food Store

Liquor License Map - A 1 Food Store

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

# Liquor License Data: A 1 FOOD STORE

## Liquor License

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

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	42.53	0.18	0.53
Violent Crimes	7.71	0.02	0

\*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

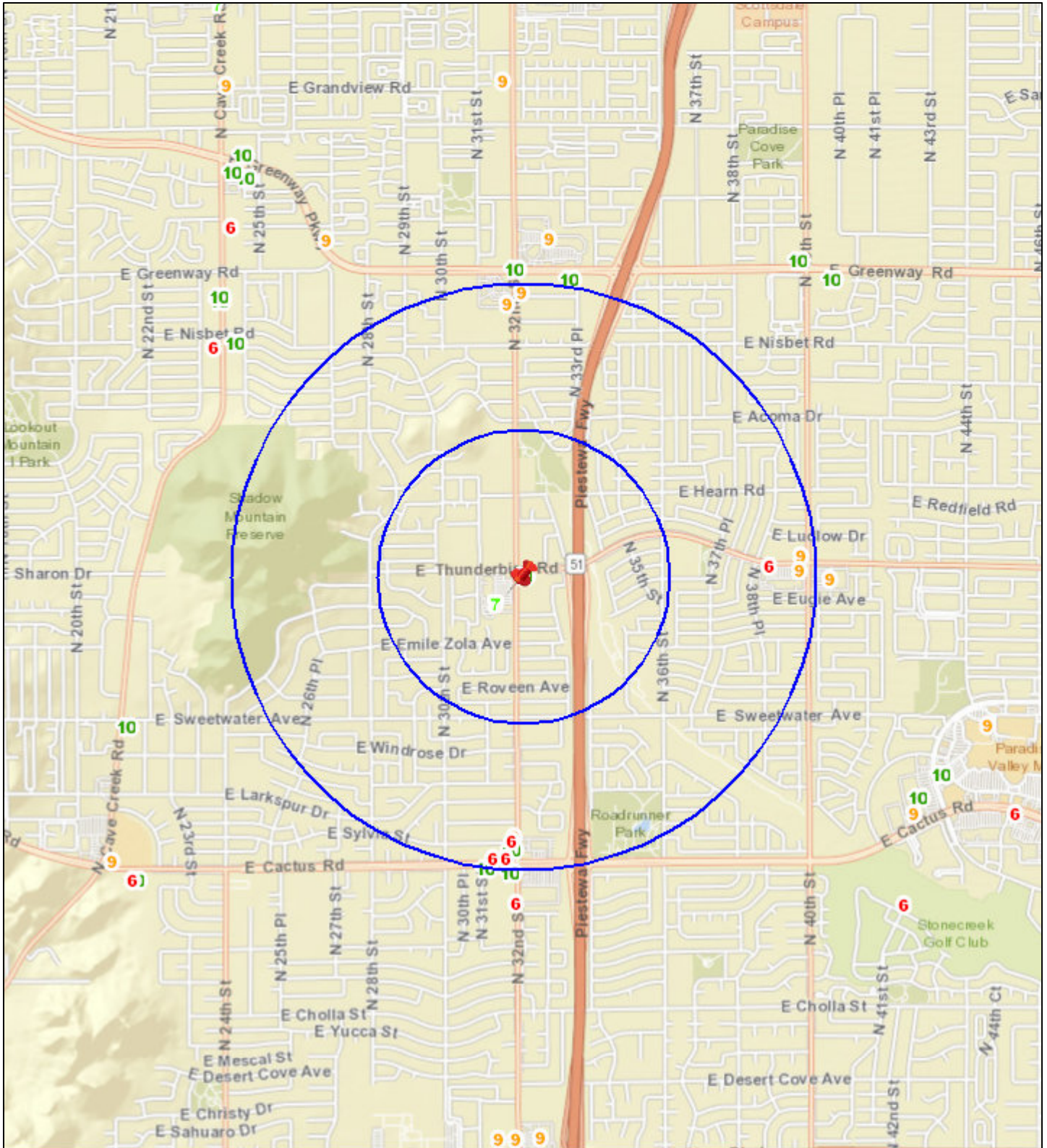
Description	Average	1/2 Mile Average
Parcels w/Violations	59	67
Total Violations	99	129

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

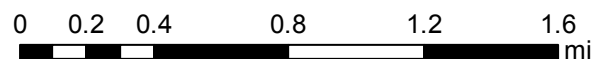
<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1033022	2862	83 %	0 %	4 %
1033023	1946	82 %	2 %	19 %
1034001	1544	82 %	0 %	6 %
1034002	1569	76 %	4 %	8 %
1035013	1038	66 %	0 %	40 %
1035021	1498	61 %	5 %	10 %
1035023	1511	71 %	2 %	17 %
1035024	884	66 %	13 %	5 %
Average		61 %	13 %	19 %

# Liquor License Map: A 1 FOOD STORE

13641 N 32ND ST



Date: 2/12/2021



City Clerk Department



**Liquor License - Special Event - Hermandad del Senor de los Milagros (Mesa, AZ)**

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

**Summary**

Applicant

Sofia Vasquez Diaz

Location

7610 W. Indian School Road

Council District: 5

Function

Cultural Celebration

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

July 9, 2021 - 7 p.m. to 1:30 a.m. / 150 attendees

Staff Recommendation

Staff recommends approval of this application.

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.



## **Liquor License - Fuddruckers**

Request for a liquor license. Arizona State License Application 135370.

### **Summary**

#### Applicant

Andrea Lewkowitz, Agent

#### License Type

Series 12 - Restaurant

#### Location

8941 N. Black Canyon Hwy.

Zoning Classification: C-2

Council District: 5

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 May 22, 2021.

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

#### Other Active Liquor License Interest in Arizona

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

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Public Opinion

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

Applicant's Statement

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:  
"Known for the 'World's Greatest Hamburger' using the finest ingredients, on -site bakery, and fresh produce, Fuddruckers has been a family-friendly neighborhood restaurant since 1980. Applicant would like to continue to offer guests 21 and over the opportunity to order alcoholic beverages as an incident to the meals they enjoy."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Fuddruckers

Liquor License Map - Fuddruckers

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

# Liquor License Data: FUDDRUCKERS

## Liquor License

Description	Series	1 Mile	1/2 Mile
Government	5	1	0
Bar	6	4	3
Beer and Wine Bar	7	2	0
Liquor Store	9	2	1
Beer and Wine Store	10	9	2
Hotel	11	2	1
Restaurant	12	16	3

## Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	193.28	120.16
Violent Crimes	8.14	39.17	23.35

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

## Property Violation Data

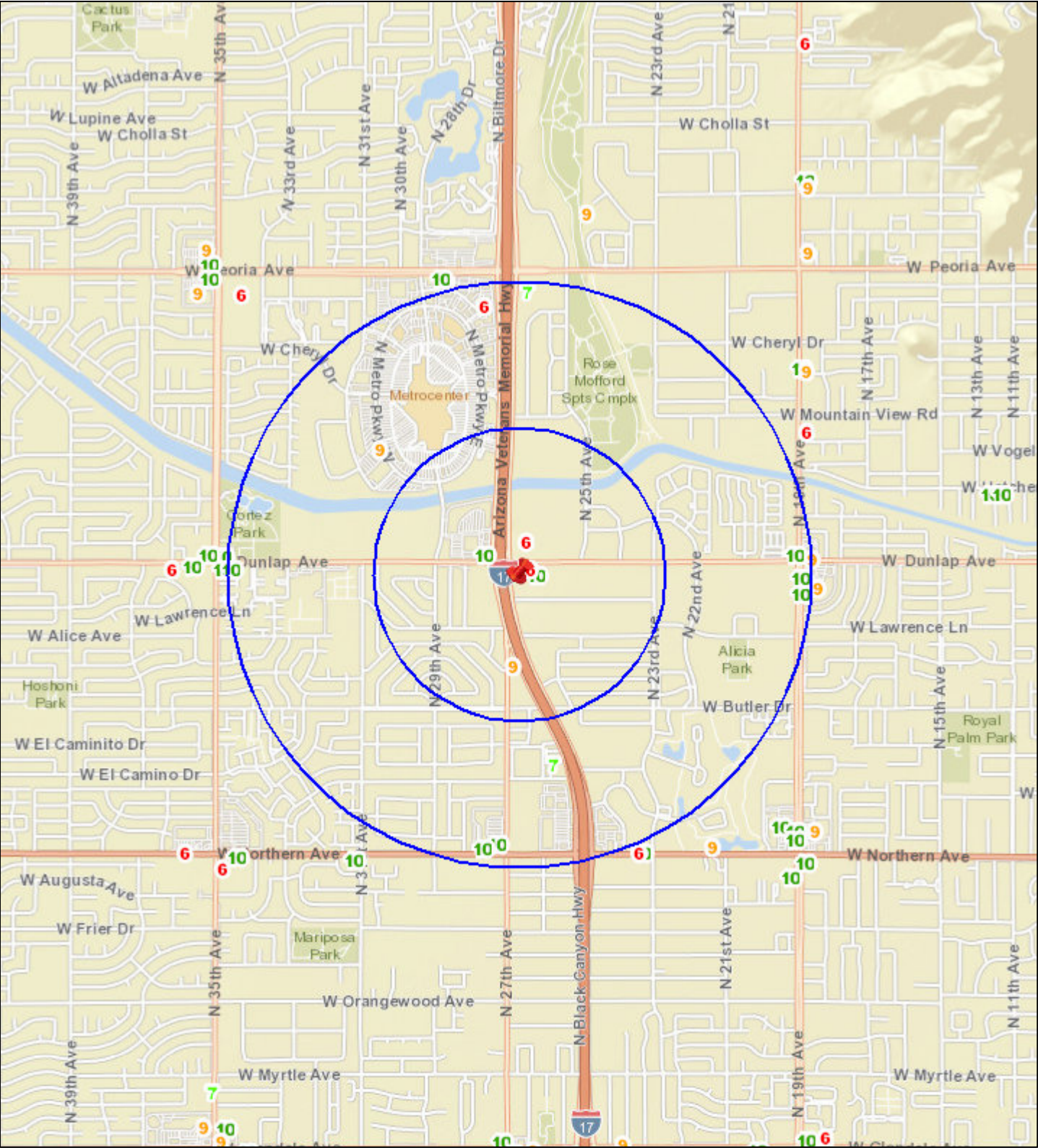
Description	Average	1/2 Mile Average
Parcels w/Violations	55	80
Total Violations	89	122

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

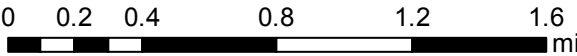
<b>BlockGroup</b>	<b>2010 Population</b>	<b>Owner Occupied</b>	<b>Residential Vacancy</b>	<b>Persons in Poverty</b>
1042054	1577	5 %	21 %	30 %
1044021	2555	24 %	18 %	15 %
1055011	1055	38 %	6 %	59 %
1055012	1442	0 %	11 %	38 %
1055021	777	0 %	25 %	45 %
1055022	819	16 %	29 %	12 %
1056011	2072	66 %	5 %	23 %
1056012	1895	76 %	6 %	27 %
Average		61 %	13 %	19 %

# Liquor License Map: FUDDRUCKERS

8941 N BLACK CANYON HWY



Date: 3/25/2021





### **PAYMENT ORDINANCE (Ordinance S-47541) (Items 10-25)**

*Ordinance S-47541 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.*

#### **10 Lafayette Instrument Company**

For \$32,000.00 in payment authority to purchase six LXG Model LX-6 Polygraph Systems for the Police Department. The Lafayette polygraph equipment records, stores, and analyzes physiological changes during a polygraph examination. The polygraph instruments are utilized by the Police Department's Employment Services Bureau (ESB) to verify statements of criminal suspects under investigation and prospective Police Department employees. The ESB currently uses an outdated Lafayette polygraph model that is 18 years old. Polygraph equipment requires software updates to keep pace with industry standards, and ESB's current equipment is outdated and no longer compatible with new software updates. If the old equipment breaks down, there is no way to fix it. Lafayette Instrument Company is offering a trade-in credit for the six units of existing polygraph equipment, which will offset the final cost by \$10,980.00. The trade-in value is incorporated into the final payment authority amount request.

#### **11 Stock Enterprises LLC**

For \$10,991.00 in payment authority to purchase Grappler bumpers for the Airport Bureau for the Police Department. The Grappler system is a vehicle bumper mounted device designed to stop vehicles unwilling or unable to stop with less danger to the public. The equipment is helpful in

preventing vehicles from entering critical restricted areas of the airport. The Grappler system is currently utilized by other units within the department with great success. The equipment is necessary for the department to provide life and safety efforts.

**12 AHS Rescue LLC**

For \$12,000.00 in payment authority to purchase Rock Exotica Omni Block pulleys for the Fire Department. The equipment is utilized in the Special Operations Division and is needed for rappelling down mountains and canyons to reach people who are injured, or those unable to get to safety without assistance. Usually, a pulley is connected to a swivel by a carabiner; the Omni Block pulley does not require a carabiner. This reduces the weight and length of the rigging system for the pulleys and allows the users to haul loads more efficiently.

**13 AHS Rescue LLC - Contract 148164**

For \$55,000.00 in additional payment authority for Contract 148164 for water rescue dry suits, socks, and liners for the Fire Department's first responders to perform water rescues in extremely cold temperatures. The suits keep them dry and prevent any cold from affecting the body, enabling execution of successful rescue missions. The additional funds are needed to purchase products and to remain in compliance with the Federal Emergency Management Agency requirements.

**14 Settlement of Claim(s) Johnson v. City of Phoenix**

To make payment of up to \$43,000.00 in settlement of claim(s) in *Johnson v. City of Phoenix*, 20-0354-001, GL, PD, for the Finance Department pursuant to Phoenix City Code chapter 42. This is a settlement for a Property Damage claim arising from a water main break on Oct. 1, 2020.

**15 Gabriel, Roeder, Smith & Company**

For \$80,000.00 in additional payment authority on Contract 144725-02 for actuarial services for the Finance Department. The services are required to determine asset and liabilities for Other Post-Employment Benefits and Compensated Absences as required by Governmental Accounting Standards 16, 74 and 75 and other special studies as needed.

**16 Navigate360, LLC doing business as Alice Training**

For \$17,000.00 in payment authority to purchase a two-day Violent Intruder Response Training Course for local Instructor Certification through the Fire Department. The 2016 Complex Coordinated Terrorist Attack (CCTA) Grant program was awarded to the City of Phoenix to develop, train, and exercise a local and regional response for a CCTA within the Phoenix region. The Federal Emergency Management Agency and the CCTA Grant Program Office has approved the training to be delivered to Phoenix regional public safety partners, private organizations, and corporate partners. The training will create local ALICE Certified Instructors who will serve as Violent Intruder Response subject matter domain person(s) for emergency responders, non-governmental organizations, and strategic partners throughout the region. The instructors will have the ability to conduct hands-on training that complement and enhance the response options, strategies, and concepts to teach and train our local civilian population to deal with active shooter situations.

**17 United Phoenix Firefighters Association**

For \$300,000.00 for annual payment authority for the employee wellness and assistance program for Fiscal Year 2021-22 for the Phoenix Fire Department. The program provides employee assistance professional services to firefighter employees and their family members and is part of the 2021-23 Memorandum of Understanding.

**18 Public Safety Personnel Retirement System**

For \$85,000.00 for annual payment authority to purchase the Fiscal Year 2021-22 employer cost of the Firefighter and Peace Officer Cancer Insurance Policy Program for the Phoenix Fire Department.

**19 ProctorU Inc.**

For \$88,500.00 in payment authority for a new contract, entered on or about May 19, 2021 for a one-year term for the Human Resources Department. The contract will provide the Human Resources Department with online written exam test proctoring services for the Firefighter Recruit application process in response to COVID-19 social distancing guidelines. Proctoring services include ensuring test security by remotely connecting to the applicants' computers and recording the test session.

**20 Statista Inc.**

For \$28,800.00 in payment authority to purchase the promotional rights to market the City of Phoenix as one of Forbes Magazine's America's Best Large Employers in 2021 for the Human Resources Department. The City of Phoenix earned the distinction of being the only municipality to be ranked in the top 500 in the large employer category in the Forbes Magazine survey. The purchase will provide the City with promotional rights, including the use of the 2021 Forbes logo on city media and documents which will be used to attract and retain highly qualified applicants.

**21 Cybergear Inc.**

For \$18,050.00 in payment authority to purchase 25 Epson TM TH 2000 check printers for the Phoenix Municipal Court Department. The printers will replace current hardware that has been in service for 20 years and is well past end of life. The printers will be used to imprint the Court's payment information on the back of checks that were issued for payment to the Court, thereby ensuring funds are routed to the correct account.

**22 City of Glendale - Intergovernmental Agreement 123273**

For \$21,000.00 annual payment authority for Intergovernmental Agreement 123273 to provide water treatment services to the Camelback Ranch area located within the boundaries of the City of Phoenix but outside the City's water distribution system, for the Water Services Department.

**23 City of Glendale - Intergovernmental Agreements 114154 and 114155**

For \$72,000.00 in payment authority for Intergovernmental Agreements 114154 and 114155 pertaining to treated sewer service and treated water service to an area located in Phoenix. The contracts provide sewer and water service to the area of Arizona State Route 101 and 51st Avenue. located within the boundaries of the City of Phoenix but outside the City's system, for the Water Services Department.



**24 City of Scottsdale**

For \$52,000.00 in payment authority for Contract 69310 with the City of Scottsdale, pursuant to the Memorandum of Understanding of Overlapping Retail Sewer Services for the Water Services Department. The City of Scottsdale provides sewer services at a wholesale rate to Phoenix customers for sewer areas within Phoenix boundaries but outside the Water Services Department's distribution and wastewater collection area.

**25 EPCOR Water USA, Inc.**

For \$75,000.00 in additional annual payment authority for Contract 93040 to provide water and wastewater treatment services for the West Anthem service area for the Water Services Department. The funds are needed due to an unusually high water transport and consumption fiscal year. The total payment authority for FY2020-21 should not exceed \$1,292,863.00.



## **Reappointment of Municipal Court Judge and Chief Presiding Judge and Salary Consideration for Chief Presiding Judge**

Request City Council to reappoint Judge Alex Navidad to a four-year term as Judge of the Phoenix Municipal Court, expiring July 12, 2025, and Judge B. Don Taylor III to an annual term as Chief Presiding Judge, expiring June 30, 2022. Further request City Council to set the annual base salary for the Chief Presiding Judge at \$211,236.

### **Summary**

On April 29, 2021, the Judicial Selection Advisory Board recommended reappointment of Judge Alex Navidad as a Judge of the Phoenix Municipal Court for a four-year term expiring July 12, 2025.

On April 29, 2021, the Judicial Selection Advisory Board also recommended reappointment of Judge B. Don Taylor III as Chief Presiding of the Phoenix Municipal Court for an annual term expiring June 30, 2022.

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

The City Council approved:

- Appointment of Alex Navidad as Judge of the Phoenix Municipal Court for a term expiring July 12, 2021, on April 1, 2020; and
- Reappointment of Judge B. Don Taylor III as Judge of the Phoenix Municipal Court for a term expiring Feb. 9, 2025, and reappointment as Chief Presiding Judge for a term expiring June 30, 2021, on June 3, 2020.

### **Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the City Council Offices.



## **Proposed 51st Avenue and Baseline Road Annexation - Public Hearing**

A public hearing, as required by Arizona Revised Statutes section 9-471, on the proposed 51st Avenue and Baseline 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**

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

### **Public Outreach**

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

### **Location**

The proposed annexation area includes parcels 104-89-007J, 104-89-007B, 104-89-007G and 104-89-007F and is located at 51st Avenue and Baseline Road (**Attachment B**). The annexation area is approximately 6.55 acres (0.0103 sq. mi.) and the population estimate is zero individuals.

Council District: 7

### **Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

# ATTACHMENT A

## CITY COUNCIL REPORT

**TO:** Mario Paniagua  
Deputy City Manager

**FROM:** Alan Stephenson  
Planning Director

**SUBJECT:** Request for Task Force Analysis: 51st Avenue and Baseline Road Annexation

This report recommends the **approval** of the proposed annexation of **6.55** acres located **north of Baseline Road, APN # 104-89-374**

### THE REQUEST:

The applicant is requesting annexation to develop the parcel as a 2-3 story multifamily apartment complex, with approximately 248 units.

### OTHER INFORMATION:

Planning Village: Laveen

General Plan Designation: Traditional Lot, 3.5 to 5 dwelling units per acre

Current Zoning District: C-2

Equivalent Zoning District: R-4A

Current Conditions

Current Land-Use: Maricopa County, C-2 Remediated blight, vacant

To the North: City of Phoenix, Laveen Conveyance Channel and R1-8 PCD/PRD

To the South: City of Phoenix, C-2, Hospital and vacant land

To the West: City of Phoenix, R-3A, vacant

To the East: City of Phoenix, R1-6 PCD, Single-family subdivision

Maricopa County Non-Conformities Present? None

PARCEL(S) HISTORY: None

### ALTERNATIVES:

- Option A - Annex the land as requested:  
The city of Phoenix will control rezoning requests in this area to ensure conformance with the General Plan Land Use Map. The city of Phoenix will capture property tax, utility tax, state shared revenue, and impact fees.
- Option B - Deny the request for annexation:  
If annexed later, this site would have been developed under County zoning and development standards that may not be consistent with the General Plan, Land Use Map, zoning, and development standards.

### RECOMMENDATION:

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

This annexation is recommended for approval. Approval of annexation does not constitute recommendation for future rezoning actions.

### SUPPORTING INFORMATION:

#### I. Water and Sewer Service

There is both water and sewer infrastructure to the east and to the west of the above stated parcels. To the east, the infrastructure is internal to the subdivision and to the west it is within 51st Avenue. Proposed parcels can likely be served by the City's water and/or sewer system pending capacity review and approval. Design and construction of any infrastructure will be the responsibility of the developer. Specifics regarding potential main extension requirements will be discussed and determined at a pre-app meeting after annexation.

#### II. Fire Protection

Servicing Station: Fire Station # 58, 4718 W Dobbins Road

Station Capacity Level, Current: Unknown

Station Capacity Level, After Annexation: Unknown

Current Response Time: 3 Min. 0 Sec.

City Average Response Time: 5 Min. 2 Sec.

Difference From Typical Response Time: -2 Min. -2 Sec.

Number Of Service Calls Expected: 66

Average Cost Per Service Call: \$466

Estimated Total Annual Fire Service Costs: **\$30,828**

#### III. Police Protection

Servicing Station: 0

Number Of New Officers Required: 0.69

Number Of New Patrol Cars Required: 0.31

Estimated Total Annual Police Service Costs: **\$90,239**

#### IV. Refuse Collection

Number of New Containers Required: 0.

*Public refuse container costs not applicable for multifamily apartments. These uses require private refuse services or contractual agreements with the City that are not determined at this time.*

Total Start-Up Costs For Refuse Collection: **\$0**

#### V. Street Maintenance

Average Cost Per Acre For Street Maintenance: \$85

Estimated Total Annual Street Maintenance Costs: **\$559**

VI. Public Transit

Servicing Routes: Local routes #51 (51st Avenue) and # 77 (Baseline Road)

VII. Parks and Recreation

Neighborhood Park Demand In Acres: 2.58

Community Park Demand In Acres: 1.37

District Park Demand In Acres: 1.37

Total Park Demand In Acres: 5.32

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

Total Annual Parks and Recreation Costs: **\$58,563**

VIII. Schools

Elementary School District: Laveen

High School District: Phoenix Union

Total Expected Elementary School Students: 174

Total Expected High School Students: 99

Total Expected New Students: 273

IX. Revenues

This project is in the Laveen West Impact Fee and the Water Resource Acquisition Fee areas.

Expected Total Impact Fees At Buildout: \$1,839,379

Tax Income, Year One

Property Tax Income: \$2,768

Utility Fee Income: \$31,000

State Shared Revenue: \$202,856

Solid Waste: \$102,612

Sales Tax Generated: \$0

Total Tax Related Income, Annually: **\$339,236**

Tax Income, Year Two and Beyond

Property Tax Income: \$2,768

Utility Fee Income: \$31,000

State Shared Revenue: \$202,856

Solid Waste: \$102,612

Sales Tax Generated: \$0

Total Tax Related Income, Annually: **\$339,236**

X. Total Costs

Revenue, First Year Only:	\$2,178,615
Revenue, Year Two and Beyond:	\$339,236

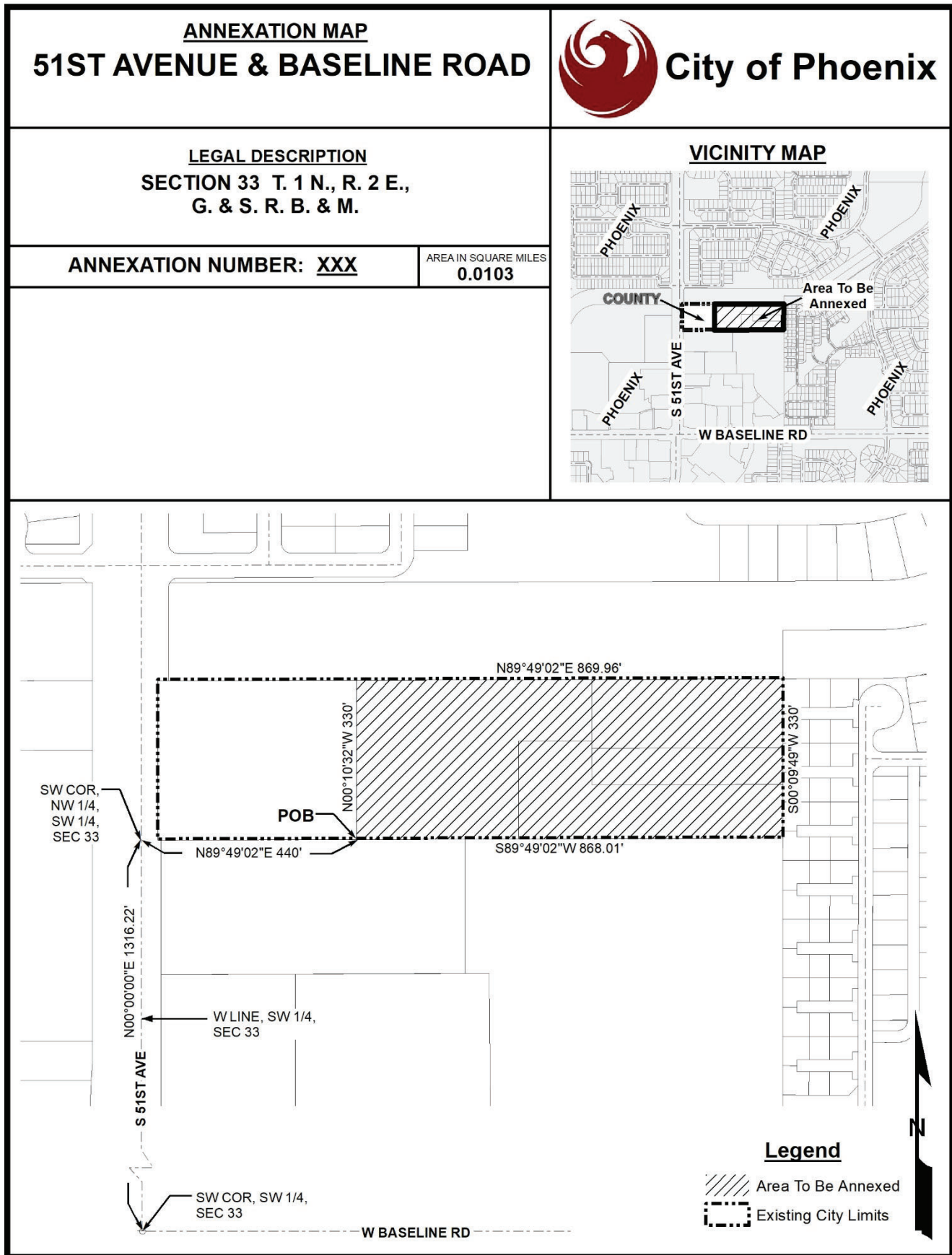
Expenses, First Year Only:	\$180,189
Expenses, Year Two and Beyond:	\$180,189

XI. Total Annual Revenue

<b>Total Annual Revenue, First Year:</b>	\$1,998,426
<b>Total Annual Revenue, Year Two and Beyond:</b>	\$159,047

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

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







## **Proposed 19th Avenue and Parsons Road Annexation - Authorization to File**

Request to authorize the City Manager, or his designee, to file with the Maricopa County Recorder's Office a blank petition for a proposed annexation. This annexation was requested by Dennis M. Newcombe with Beus Gilbert McGroder, PLLC for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation.

### **Summary**

Signatures on the proposed annexation petition shall not be obtained for a waiting period of 30 days after filing the blank petition with the Maricopa County Recorder. Additionally, a Public Hearing will be scheduled within this 30-day waiting period, permitting the City Council to gather community input regarding the annexation proposal. Formal adoption of this proposed annexation will be considered at a later date.

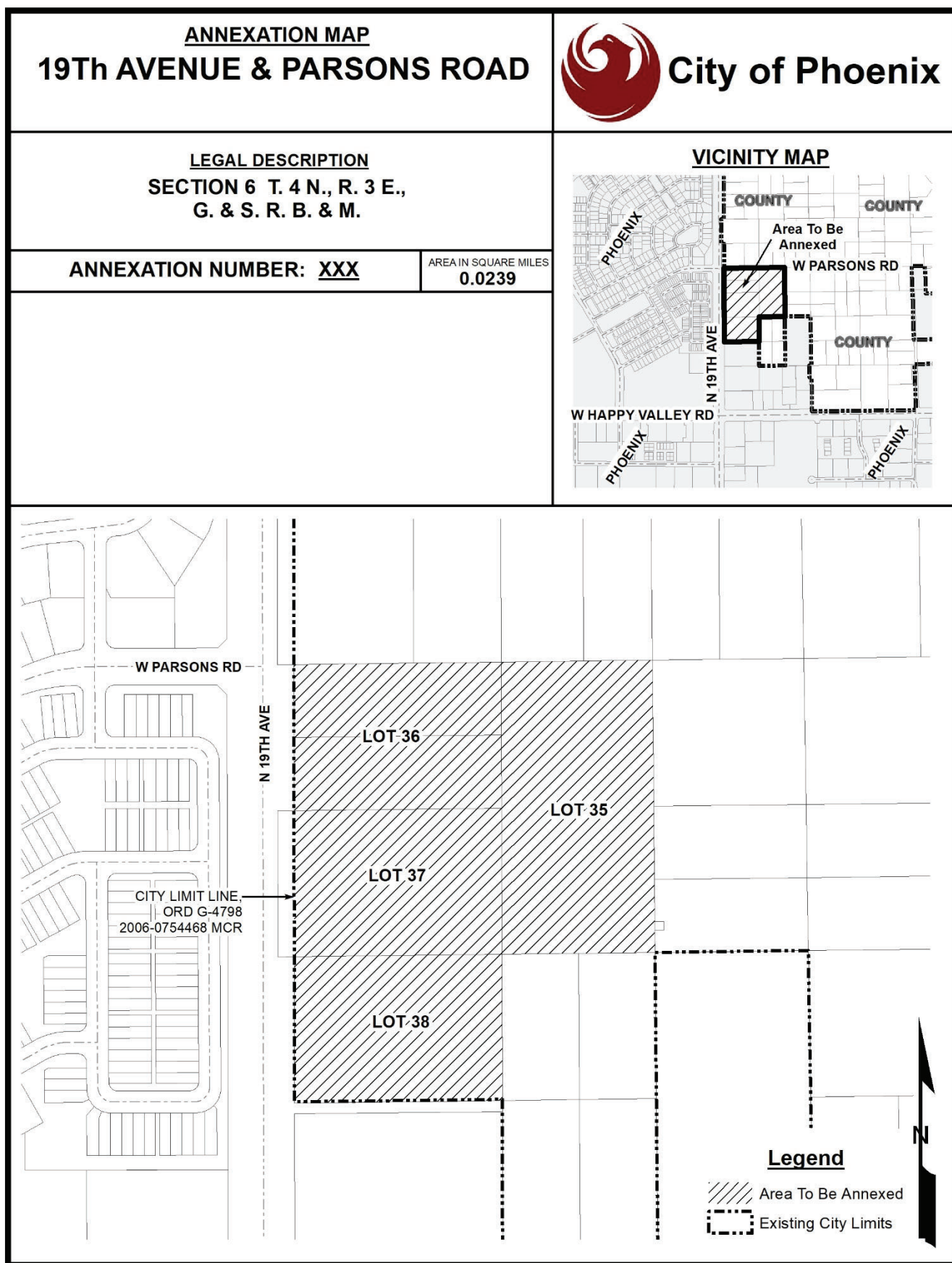
### **Location**

The proposed annexation area includes parcels 210-10-020C, 210-10-020D, 210-10-031A, 210-10-027A and 210-10-010 located at 19th Avenue and Parsons Road (**Attachment A**). The annexation area is approximately 15.73 acres (0.0239 sq. mi.) and the population estimate is zero individuals.

Council District: 1

### **Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.





## **Proposed 11th Avenue and Jomax Road Annexation (Ordinance S-47558)**

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Arizona, by annexing an area not within the present limits of the City of Phoenix, designated as the 11th Avenue and Jomax Road Annexation. Further request to authorize current Maricopa County zoning to continue in effect until municipal zoning is applied to the annexed territory.

### **Summary**

This annexation was requested by James Colceri and Elizabeth Allard for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. The City Clerk Department has received signed petitions representing 100 percent of the assessed value and 100 percent of the owners, excluding utilities, within the proposed annexation area.

### **Public Outreach**

A public hearing was conducted on Dec. 16, 2020, to allow the City Council to gather community comment regarding the annexation proposal. Notification of the public hearing was published in the *Arizona Business Gazette* newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the area proposed to be annexed.

### **Location**

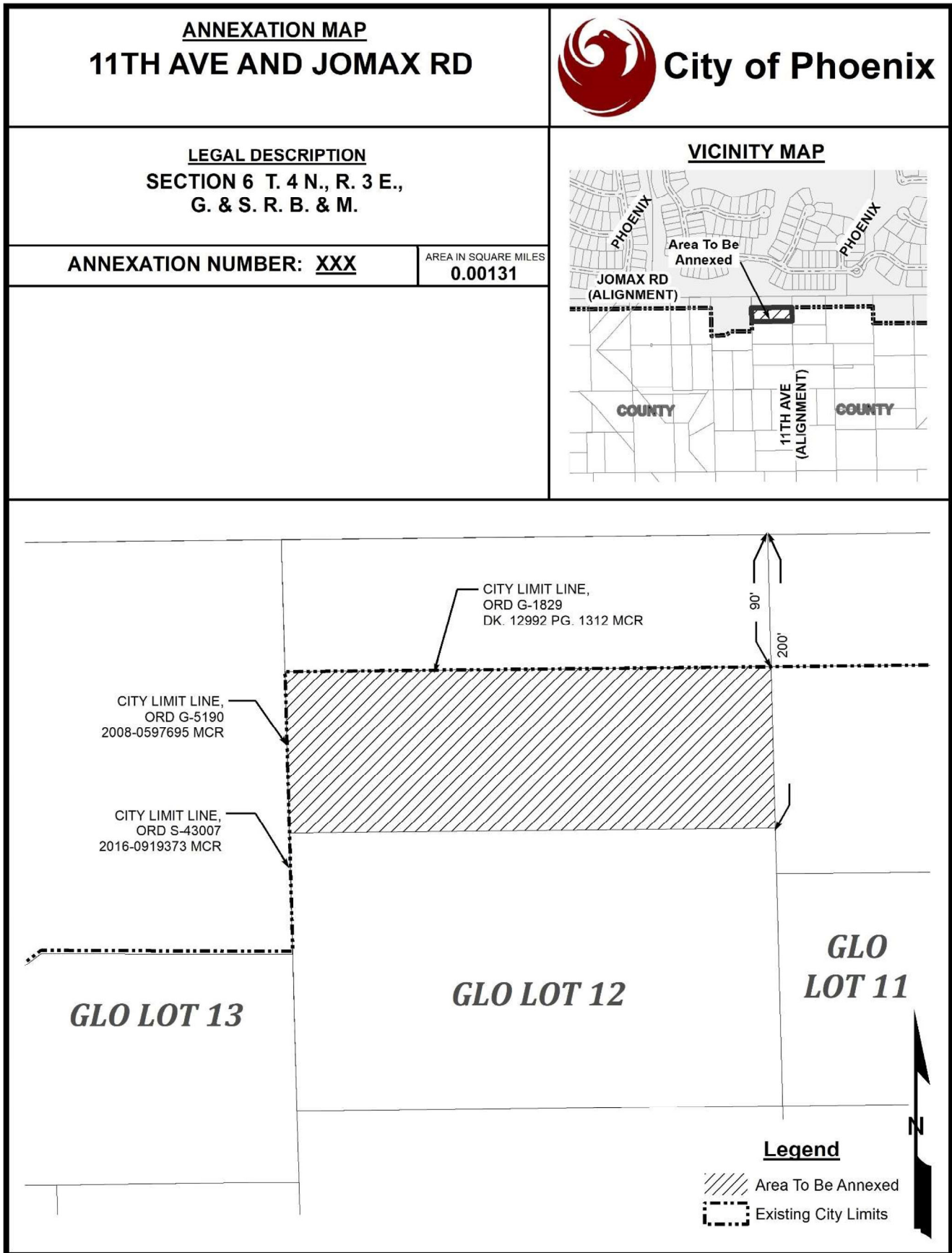
The proposed annexation area includes Maricopa County parcel 210-12-019R located at 26506 N. 11th Ave. (**Attachment A**). The annexation area is approximately 0.91 acres (0.00131 sq. mi.) and the population estimate is three individuals.

Council District: 2

### **Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

# Attachment A





## **Proposed Central Avenue and Jomax Road Annexation (Ordinance S-47559)**

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Arizona, by annexing an area not within the present limits of the City of Phoenix, designated as the Central Avenue and Jomax Road Annexation. Further request to authorize current Maricopa County zoning to continue in effect until municipal zoning is applied to the annexed territory.

### **Summary**

This annexation was requested by Jeremy Macliver, for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. The City Clerk Department has received signed petitions representing 100 percent of the assessed value and 100 percent of the owners, excluding utilities, within the proposed annexation area.

### **Public Outreach**

A public hearing was conducted on Dec. 16, 2020, to allow the City Council to gather community comment regarding the annexation proposal. Notification of the public hearing was published in the *Arizona Business Gazette* newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the area proposed to be annexed.

### **Location**

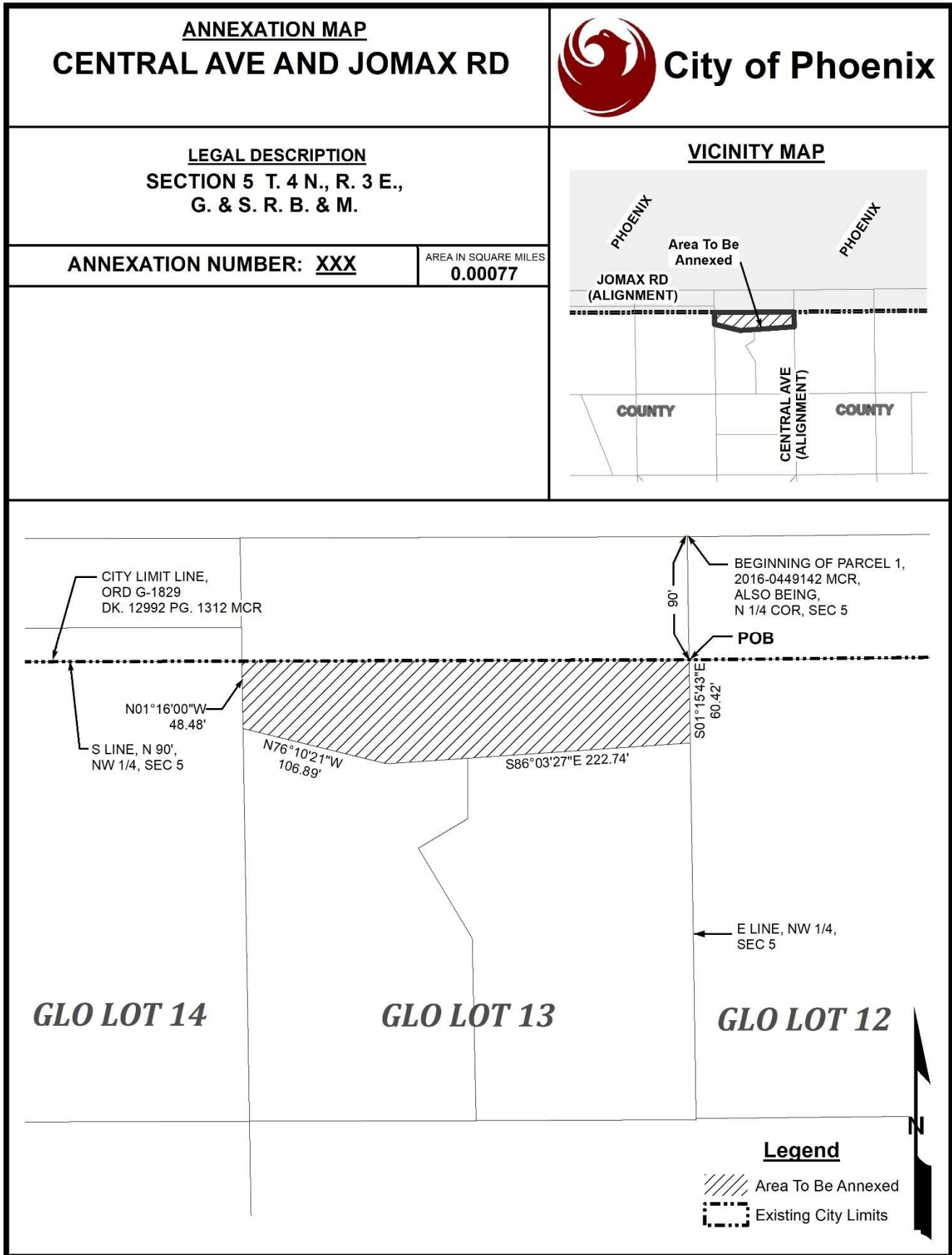
The proposed annexation area includes Maricopa County Assessor parcel 210-13-001G located at 26238 N. Central Ave. (**Attachment A**). The annexation area is approximately 0.49 acres (0.00077 sq. mi.) and the population estimate is three individuals.

Council District: 2

### **Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the City Clerk Department.

# Attachment A





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Agenda Date: 5/19/2021, Item No. 31

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**Acceptance and Dedication of Deeds and Easements for Public Utility, Roadway, Multi Use Trail and Sidewalk Purposes (Ordinance S-47557)**

Request for the City Council to accept and dedicate deeds and easements for public utility, roadway, multi-use trail and sidewalk purposes; further ordering the ordinance recorded.

**Summary**

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

Easement (a)

Applicant: Calderon Family Trust, under Trust Agreement dated April 29, 2019, its successor and assigns

Purpose: Public Utility

Location: 4708 N. 35th Place

File: FN 210018

Council District: 6

Easement (b)

Applicant: Wendy Tuch, its successor and assigns

Purpose: Public Utility

Location: 4709 N. 35th St.

File: FN 210018

Council District: 6

Deed (c)

Applicant: PTH Properties, LLC, its successor and assigns

Purpose: Roadway

Location: East of 89th Drive and Illini Street

File: FN 200636

Council District: 7

Easement (d)

Applicant: Aldi (Arizona) LLC, its successor and assigns

Purpose: Multi Use Trail

Location: 5775 W. Baseline Road

File: FN 210015

Council District: 7

Deed (e)

Applicant: Innovation Communities at Meridian Hills, LLC and Monarch Investors, LLC, its successor and assigns

Purpose: Roadway

Location: East 13th Street between Piedmont and Carson roads

File: FN 210017

Council District: 8

Easement (f)

Applicant: Sustainable D, LLC, its successor and assigns

Purpose: Sidewalk

Location: 510 N. 23rd St.

File: FN 210019

Council District: 8

**Responsible Department**

This item is submitted by Deputy City Manager Mario Paniagua and the Planning and Development and Finance departments.





**Authorization to Accept Easements for Traffic Control Purposes near 43rd Avenue and Thomas Road and the Southwest Corner of 32nd and Oak Streets (Ordinance S-47545)**

Request to authorize the City Manager, or his designee, to accept easements for traffic control purposes for the installation of a High-Intensity Activated Cross Walk signal along 43rd Avenue north of Thomas Road, and traffic signal modifications at the intersection of 32nd and Oak streets.

**Summary**

Isaac School District No. 5 and Taylor's Payson LLC, its successor and assigns, have agreed to donate easements for the installation of a High-Intensity Activated Cross Walk (HAWK) signal and ADA pedestrian ramps at 43rd Avenue north of Thomas Road, and traffic signal modifications and ADA pedestrian ramps on the southwest corner of 32nd and Oak streets to provide pedestrians safe crossings at both locations, respectively.

The parcels affected by this project and included in this request are identified by Maricopa County Assessor's parcel number (APN) 107-38-127H located at 2941 N. 43rd Ave. and APN 120-21-018A located at 3139 E. Oak St.

**Location**

Near 43rd Avenue and Thomas Road, and at the southwest corner of 32nd and Oak streets.

Council Districts: 4 and 8

**Responsible Department**

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



## **Portland Cement (Bulk) - Requirements Contract IFB 21-056 (Ordinance S-47556)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Phoenix Cement Company to purchase Portland Cement (Bulk) for the Street Transportation Department. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate agreement value will not exceed \$225,000.

### **Summary**

The purpose of this contract is to provide the Street Transportation Department with Portland Cement (Bulk) for a variety of projects that require building, repairing, and maintaining concrete infrastructure throughout the City of Phoenix. This concrete infrastructure includes curbing, sidewalks, aprons, driveways, valley gutters, wheelchair ramps, storm drain inlets, catch basins, and various other infrastructure through special or emergency project requests.

### **Procurement Information**

IFB 21-056 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Finance Department Procurement Division on March 26, 2021, which were evaluated on price, responsiveness to specifications, and responsibility to provide the required goods and services. The bid notification was sent to 96 suppliers and was publicly posted and available for download from the City's website.

The Deputy Finance Director recommends the offer from Phoenix Cement Company be accepted as the lowest-priced, responsive and responsible offer.

### **Contract Term**

The five-year agreement term will begin on or about June 1, 2021.

### **Financial Impact**

The total agreement value will not exceed \$225,000. Funding is available in the Street Transportation Department's budget.

**Responsible Department**

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



**Small Equipment Repair Services - Requirements Contract - IFB 21-061  
(Ordinance S-47562)**

Request to authorize the City Manager, or his designee, to enter into contracts with Source Parts and Equipment LLC and Superior Cleaning Equipment Inc., to purchase small equipment repair services for citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$1,600,000.

**Summary**

These contracts will be used citywide to purchase small equipment repair services on an as-needed basis to repair various small equipment, including powered weeding machines, paint sprayers, water heated pressure washers, welding equipment, portable generators, power blowers, band saws, and cordless and other miscellaneous small equipment. These equipment repair contracts repair vital equipment that supports a variety of services, including services provided by the First Responders, Solid Waste Collection Services, and Facilities and Fleet mechanic staff. In addition, the contracts repair tools that are used for the Neighborhood Services Department's (NSD) Tool Lending Program which provides tools for residents and large-scale neighborhood cleanups, and repairs to paint sprayers and pressure washers which are utilized by the NSD's Graffiti Busters team throughout the City.

**Procurement Information**

IFB 21-061 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Procurement Division on March 19, 2021 which were evaluated on price, responsiveness to specifications, and responsibility to provide the required goods and services. The bid was sent to 140 suppliers and was publicly posted and available for download from the City's website.

The Deputy Finance Director recommends that the offers from Source Parts and Equipment LLC and Superior Cleaning Equipment Inc. be accepted as the lowest priced, responsive and responsible offers.

Multiple awards are recommended to ensure the overall lowest cost to the City.

**Contract Term**

The five-year contract term will begin on or about June 1, 2021.

**Financial Impact**

The aggregate contract value will not exceed \$1,600,000. Funds are available in various departments' budgets.

**Responsible Department**

This item is submitted by City Manager Ed Zuercher and the Finance Department.



**SAP System Modernization - Requirements Contract RFP 21-074 (Ordinance S-47563)**

Request to authorize the City Manager, or his designee, to enter into a contract with LSI Consulting, Inc. to provide a comprehensive Infrastructure as a Service package for SAP. This service package will include licensing, cloud hosting and a database upgrade implementation of the existing SAP infrastructure and database platforms for the Finance Department, in an amount not to exceed \$40,000,000. Further request authorization to use existing excise tax bond proceeds to fund the costs of acquiring and improving intellectual property for the enterprise-wide financial system and for City Controller to disburse all funds related to this item. Further request an exception to the assumption of liability provision of Phoenix City Code section 42-18(B) to limit the liability of LSI Consulting, Inc. to \$10 million.

**Summary**

The City currently utilizes the SAP system for critical financial accounting and reporting processes, procurement, inventory management, and overall financial reporting and analytics. SAP has more than 3,000 users across all City departments and interfaces with numerous other citywide systems and applications. The SAP system is over 20 years old and requires significant upgrades necessary to support evolving work processes, advanced analytics and to interface with citywide functions. Additionally, the hardware for the system was installed in November 2013 and is currently at the end of life with extended support expiring in 2021.

This contract will upgrade the existing SAP infrastructure and database platforms in order to modernize and allow for full optimization of SAP's incremental enhancements, technology improvements and solutions. This service package will include licensing, cloud hosting and database upgrade implementation of SAP. The migration to a cloud-based system mitigates the risk of aging hardware and provides an ongoing secure and stable financial environment. Upgrading the software will result in improvements in the areas of system speed, user experience and data analytics.

Maintenance and hardware on the existing system over a 10-year period could amount to an estimated \$28 million. Alternatively, the proposed upgrade including the cloud

solution is \$40 million. The incremental amount of \$12 million or \$1.2 million annually over 10 years allows staff to extend and enhance the life of the city's existing city-wide financial and procurement systems. This enhancement alleviates the need for a full system replacement and would not require staff to purchase, maintain and support new hardware and other infrastructure.

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

### **Procurement Information**

Request for Proposal (RFP) 21-074 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Finance Department's Procurement Division on March 26, 2021. The proposals were scored by an evaluation panel based on the following evaluation criteria: Qualifications and Experience (300 Points); References (150 Points); Approach to Scope of Work (250 Points); and Price (300 Points). The offeror scores are as follows:

LSI Consulting, Inc.: 936 Points

Accenture: 674 Points

IBM Corporation: 642 Points

The Deputy Finance Director recommends that the offer from LSI Consulting, Inc. be accepted as the highest-scored, responsive, and responsible offer that is most advantageous to the City.

### **Contract Term**

The ten-year contract term shall begin on or about June 21, 2021. Provisions of the contract include an option to extend the term up to five additional years, which may be exercised by the City Manager or designee.

### **Financial Impact**

The aggregate value of the contract will not exceed \$40,000,000. Funds are available from existing excise tax bond proceeds and from the Finance Department's operating budget.

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

City Council approved the issuance of RFP 21-074 on December 16, 2020.

### **Responsible Department**

This item is submitted by City Manager Ed Zuercher and the Finance Department.



**Fitness Equipment Maintenance and Repairs - Requirements Contract - IFB 20-028(A) (Ordinance S-47565)**

Request to authorize the City Manager, or his designee, to allow additional expenditures and to add the Parks and Recreation Department as an authorized user under Contract 151956 with Above and Beyond Fitness Repair LLC, for the purchase of preventative maintenance services, repairs, labor and parts on fitness equipment for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$140,000.

**Summary**

This contract was originally established to provide preventative maintenance and repairs for commercial grade fitness and equipment for the Fire Department. Preventive maintenance and repairs will help to keep equipment in top condition, decrease downtime and prevent major equipment failures. General fitness equipment includes treadmills, recumbent and stationary bikes, elliptical, step mills, rowers, cable crossovers, lat pull downs and squat racks.

**Contract Term**

The contract term is April 15, 2020 through April 14, 2025.

**Financial Impact**

Upon approval of \$140,000 in additional funds, the revised aggregate amount of the contract will not exceed \$365,000. Funds are available in the Parks and Recreation Department's budget.

**Concurrence/Previous Council Action**

This contract was originally approved by City Council on April 1, 2020.

**Responsible Department**

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





### **One-time Purchase of Two Motorcycles (Ordinance S-47547)**

Request to authorize the City Manager, or his designee, to enter into an agreement with LZ Delta, LLC, dba GO AZ Motorcycles for purchase of two BMW motorcycles for the Police Department. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate amount of up to \$55,000.

#### **Summary**

The Public Works Department is responsible for purchasing all of the City's fleet vehicles. This request supports the one-time purchase of two motorcycles for the Police Department, to replace two motorcycles with mileage averaging 104,000 miles, in excess of the seven-year/60,000 mile estimated life.

#### **Procurement Information**

Request for Quote (RFQ) 21-FSD-043 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department sent out notifications to 86 vendors for the RFQ opportunity and received one bid from GO AZ Motorcycles. They are being recommended for award based on the following cost of two motorcycles.

LZ Delta, LLC, dba GO AZ Motorcycles: \$50,898.02 (excluding tax)

#### **Contract Term**

This agreement will be for the one-time purchase of two BMW motorcycles that will begin on or about Council approval on May 5, 2021.

#### **Financial Impact**

This item will have a one-time expenditure of \$55,000 for the purchase of two BMW motorcycles. Funding is available in the Police Department's budget.

#### **Responsible Department**

This item is submitted by Assistant City Manager Jeff Barton and Deputy City Manager Karen Peters, and the Police and Public Works departments.



## **Motorcycles and Off-Highway Vehicles - ADSPO 18-00007908 (Ordinance S-47573)**

Request to authorize the City Manager, or his designee, to execute amendments to agreements: 149453 with LZ Delta, LLC; and 149452 with C & W Motors, Inc. dba Ridenow Powersports Chandler, to authorize additional expenditures for purchase of motorcycles and off-highway vehicles for the Public Works Department on behalf of other City departments. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$1,520,000.

### **Summary**

The Public Works Department is responsible for the purchase of all the City's fleet vehicles, including Police vehicles. A minimum of 10 motorcycles are anticipated to be replaced each fiscal year. The contract will allow the Public Works Department the ability to purchase motorcycles on behalf of the Police Department as well as other small off-highway vehicles that may be purchased by various City departments. The motorcycles will allow the officers to safely perform their job duties and respond to emergency situations and other residents' needs. The small off-highway vehicles will also allow City employees to perform their job duties in a safe and efficient manner.

### **Procurement Information**

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contracts were awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43. Use of cooperative agreements allows the City to benefit from national government pricing and volume discounts.

### **Contract Term**

The contract term is March 1, 2019 through Feb. 29, 2024.

### **Financial Impact**

The initial authorization for Motorcycles and Off-Highway Vehicles agreements were for an expenditure not-to-exceed \$1 million. This amendment will increase the authorization for the agreement by an additional \$1,520,000, for a new total not-to-

exceed agreements value of \$2,520,000. The additional expenditures will support future end-of-life motorcycle and off-highway vehicle replacements for each fiscal year through the end of the contract term.

Funding is available in the Police and Public Works departments' budgets and includes funding from the Arizona Governor's Office of Highway Safety Proposition 207 Grant for motorcycle replacements for the Police Department.

**Concurrence/Previous Council Action**

The City Council approved Agreements 149452 and 149453 (Ordinance S-45401) on Feb. 20, 2019.

**Responsible Department**

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



**Network Equipment and Services - State of Arizona ADSPO 16-00005819(A) - Requirements Contract (Ordinance S-47580)**

Request to authorize the City Manager, or his designee, to allow additional expenditures and to extend Contracts 143861, 143862, 143857, 143931, 143859, 143858, and 143860 with World Wide Technology Inc., Insight Public Sector Inc., Enterprise Networks Solutions, Inc., Trace3 Inc., CDW Government LLC, Custom Storage, Inc., and Altura Communication Solutions, LLC for the purchase of network equipment and continued services for Citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$17,200,450.

**Summary**

These contracts allow the City of Phoenix the ability to purchase a wide variety of technology for ongoing replacement of network equipment, such as routers, servers, switches, and controllers along with maintenance, training and services. The additional funds will also be used to support ongoing Information Technology Service Capital Improvement Projects (CIP) including data center replacement and firewall security that will need to be completed prior to the fiscal year end.

The City is working on a new procurement process; an extension is necessary in order to ensure the City services are not interrupted during the new procurement process.

**Contract Term**

Upon approval, the contract term will be extended through June 30, 2022.

**Financial Impact**

Upon approval of \$17,200,450 in additional funds, the revised aggregate value of the contracts will not exceed \$37,700,450. Funds are available in various departments' budget.

**Concurrence/Previous Council Action**

These contracts were originally approved by City Council on Oct. 5, 2016.

**Responsible Department**

This item is submitted by City Manager Ed Zuercher and the Finance Department.



**Additional Expenditures for Equipment, Parts and Services - Requirements  
Contract - RFA 18-315A (Ordinance S-47582)**

Request to authorize the City Manager, or his designee to allow additional expenditures under Contract 149248 with Extrication Concepts, LLC to provide Holmatro equipment, parts and services to the Fire Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$1,600,000.

**Summary**

The contract is necessary to continue to purchase patient extrication equipment, parts, and services on an as-needed basis. The Fire Department uses Holmatro rescue equipment to extricate victims of motor vehicle accidents and building collapses. The equipment has the capability to lift, spread, cut and breach vehicles and building walls. The additional funds are due to an increase in annual maintenance services which are needed to ensure the tools and equipment are in proper working condition upon arrival of the scene of the accident or emergency. The additional funds will allow the Fire Department to continue purchasing large extrication tools and equipment and continued ongoing replacement of out dated equipment. The Fire Department currently owns and utilizes the equipment on every ladder truck and ladder tender in the City. This equipment is a critical part of the Fire Department's efforts to provide life safety services to the public.

**Contract Term**

The contract term is Feb. 1, 2019 through Jan. 31, 2024.

**Financial Impact**

Upon approval of \$1,600,000 in additional funds, the revised aggregate value of the contract will not exceed \$2,400,000. Funds are available in the Fire Department's budget.

**Concurrence/Previous Council Action**

The contract was originally approved by City Council on Jan. 9, 2019.

**Responsible Department**

This item is submitted by Assistant City Manager Jeff Barton and the Fire Department.



## **Pharmacy Benefits Management Consulting Services (Ordinance S-47568)**

Request to authorize the City Manager, or his designee, to enter into a contract with Foster & Foster Consulting Actuaries, Inc. to provide pharmacy benefits management consulting services in an amount not to exceed \$600,000 for a five-year period. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

The pharmacy benefits management consulting services agreement is needed to provide expert guidance to the Health Care Benefits Trust Board, Task Force and Human Resources management on the City's employee and retiree pharmacy benefits provided in conjunction with the medical plans. Deliverables include but are not limited to: developing comprehensive cost-sharing strategies to attract and retain employees while utilizing cost containment measures without significantly impacting the integrity of the plans; evaluating the performance on the pharmacy carrier; reviewing pharmacy spend and utilization of coverage; recommending pharmacy plan changes; ensuring program compliance with legal requirements; and, participating in the employee and retiree plans pharmacy provider Request for Proposal processes.

### **Procurement Information**

RFP HR 20-124 was conducted in accordance with Administrative Regulation 3.10. The Human Resources Department received six responsive and responsible offers.

The Notice of Solicitation was emailed to 394 vendors registered in ProcurePHX.

The offers were scored on the following criteria: Qualifications and Experience (300 points), Method of Approach (400 points) and Price (300 points). Evaluation occurred by a five-person panel. The evaluation committee determined that two offers were within the competitive range, and those offerors were invited to participate in presentations. One of the two offerors in the competitive range was deemed non-responsive due to their inability to meet the solicitation terms. The remaining competitive offeror submitted a Best and Final Offer (BAFO). After reviewing the BAFO responses, it was the consensus of the evaluation committee to recommended awarding the contract to Foster & Foster Consulting Actuaries, Inc.



The scores were as follows:

- Foster & Foster Consulting Actuaries, Inc. 885.75
- Buck Global, Inc 842.50
- Milliman Inc. 746.25
- Gallagher Benefit Services, Inc. 615.00
- CBIZ Benefits & Insurance Services, Inc. 580.00
- USI Insurance Services, LLC 398.75

The Human Resources Director recommends the offer from Foster & Foster Consulting Actuaries, Inc. be accepted as the highest scored, responsive, and responsible offeror.

**Contract Term**

The five-year contract shall begin on or about May 19, 2021.

**Financial Impact**

The aggregate five-year contract value for these services shall not exceed \$600,000. Funds are available in the Health Care Benefits Trust Fund.

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the Human Resources Department.



## **Occupational Physical Therapy Services (Ordinance S-47583)**

Request to authorize the City Manager, or his designee, to enter into a contract with PTPN of Arizona to provide a physical therapy network for employees who were injured on the job in an amount not to exceed \$8,500,000 for a five-year period. Of this amount, \$50,000 in aggregate is from the general fund and \$8,450,000 in aggregate is from Workers Compensation funds. Further request authorization for the City Controller to disburse all funds related to this item.

### **Summary**

The occupational physical therapy services agreement is needed to provide a physical therapy network for City of Phoenix employees who were injured on the job in conjunction with the occupational medical services contractor. Deliverables include: providing an extensive network of physical therapy clinics throughout the metropolitan Phoenix area with extended service hours; ensuring all therapists are properly licensed; scheduling initial evaluation for referrals within one business day; monitoring the necessity of services through independent utilization review; auditing to ensure the contracted percentage of savings is received; and, communicating the employee status.

### **Procurement Information**

RFP HR 20-127 was conducted in accordance with Administrative Regulation 3.10. The Human Resources Department received six proposals; five were deemed responsive.

The Notice of Solicitation was emailed to 112 vendors registered in ProcurePHX. The offers were scored on the following criteria: Qualifications and Experience (350 points), Method of Approach (300 points) and Price (350 points). Evaluation occurred by a four-person panel. The evaluation committee determined that one proposal was within the competitive range. After the BAFO process, it was the consensus of the evaluation committee to recommended awarding the contract to PTPN of Arizona.

The scores were as follows:

- |  |        |
|--|--------|
| • PTPN of Arizona                      | 810.83 |
| • TherapyCare Network of Arizona, Inc. | 675.00 |

• STI PT & Rehabilitation	625.56
• One Call	515.00
• Concentra Medical Centers	510.56

The Human Resources Director recommends the offer from PTPN of Arizona be accepted as the highest scored, responsive, and responsible offeror.

**Contract Term**

The five-year contract shall begin on or about July 1, 2021.

**Financial Impact**

The aggregate five-year contract value for these services shall not exceed \$8,500,000. Of this amount, \$50,000 in aggregate is from the General Fund and \$8,450,000 in aggregate is from Workers Compensation funds.

**Responsible Department**

This item is submitted by Deputy City Manager Toni Maccarone and the Human Resources Department.



**Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-47555)**

Request to authorize the City Manager, or his designee, to transfer retirement funds for Tyler Vache in the amount of \$4,488.73 to the Arizona State Retirement System, and further request authorization for the City Controller to disburse funds.

**Summary**

Pursuant to Arizona Revised Statutes, sections 38-730 and 38-922, retirement service credits for former members of the City of Phoenix Employees' Retirement System (COPERS) may be transferred to the Arizona State Retirement System (ASRS) upon approval by the Council. The following former City of Phoenix employee has requested transfer of the balance of their credited service:

Vache, Tyler: \$4,488.73

**Concurrence/Previous Council Action**

This item was approved by the COPERS Board at its May 5, 2021 meeting.

**Responsible Department**

This item is submitted by Deputy City Manager Toni MacCarone and the Retirement Office.



**Decontamination Services - Requirements Contract IFB 18-058A (Ordinance S-47542)**

Request to authorize the City Manager, or his designee, to amend and pay for COVID-19 decontamination costs incurred, and allow additional expenditures under Contracts 147546 Clean Scene Az, LLC., 147553 Emergency Restoration Experts, LLC., 147552 Kary Environmental Services, Inc., for decontamination services for citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$6,500,000.

**Summary**

This contract is primarily utilized by the Police Department on an as-needed basis to provide decontamination services of police vehicles, drying rooms, holding cells, interview rooms, crime scenes, city parks, street clean ups, city-owned properties, as well as private properties. Additional departments use the contracts on an as-needed basis when bio-hazardous materials are illegally dumped, such as human waste, syringes and bodily fluids and for other decontamination services.

The scope of services is being modified to allow the inclusion of COVID-related decontamination services and pricing. Several departments have identified the need for COVID-related decontamination services. The departments with the greatest need for these services include Human Resources, Street Transportation, Police, and the Phoenix Convention Center. Additionally, seven other departments identified the need of COVID decontamination services on a minimal basis. COVID-related decontamination services will be performed in accordance with Centers for Disease Control (CDC) and Occupational Safety and Health Administration (OSHA) guidelines.

**Contract Term**

The contract term is April 1, 2018 through March 31, 2023.

**Financial Impact**

The aggregate contract value shall not exceed \$7,680,415. Funds are available in the various department budgets.

**Concurrence/Previous Council Action**

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

**Responsible Department**

This item is submitted by City Manager Ed Zuercher and the Finance Department.



## **Aquatics Season Extension - Weekends in September**

This report is in response to the request made at the Formal Council meeting on May 5, 2021, to evaluate and bring back information regarding the extension of the 2021 pool season to include all weekends in September, ending the pool season on Sept. 26, 2021.

### **Summary**

The 2021 pool season is currently scheduled to begin on May 29, 2021, and end on Labor Day, Sept. 7, 2021. Twelve pools will be open for this year's pool season: Cortez, Deer Valley, Encanto, El Prado, Falcon, Maryvale, Paradise Valley, Pecos, Perry, Starlight, Sunnyslope and University.

At the request of City Council, staff researched the feasibility to extend the pool season beyond the traditional budgeted end date. Based on the department's preliminary evaluation, staff has identified the six pools listed below as potential locations to be open on weekends through September.

- Encanto - 15th Ave. & Encanto Blvd. (Staff Availability Confirmed)
- Starlight - 78th Ave. & Osborn Road (Staff Availability Confirmed)
- Sunnyslope - 3rd St. & Dunlap Ave. (Staff Availability Confirmed)
- El Prado - 19th Ave. & Alta Vista Road (Pending Confirmation)
- Maryvale - 51st Ave. & Campbell Ave. (Pending Confirmation)
- Paradise Valley - 40th St. & Bell Road (Pending Confirmation)

Below are factors that have been taken into consideration during the evaluation:

- Staff Availability - Aquatics staff are part-time/seasonal employees. Most staff are schoolteachers and high school/college students who return to work/school in mid-August. An extended season through September is dependent on their availability to continue working.
- Staff Transportation - Many staff do not have their own transportation and typically work at pool sites that are close to home; and they have limited, to no, availability to

travel to work at other pools sites. This was a factor when identifying the six proposed September extended season sites.

Additional factors when considering the feasibility of extending the pool season through September includes staff absenteeism and participant attendance. With limited staffing available in September, there is potential that on any given day there may not be sufficient staffing levels to meet County Code Requirements, as such this could affect a pool's ability to open. Also, historically, attendance at City pools declines in August due to schools and fall sports resuming. It is anticipated that attendance would further decrease in September, as pool water temperatures cool.

The Parks and Recreation Department will continue to verify staff availability for El Prado, Maryvale and Paradise Valley pools. Based upon staff availability and whether they have transportation available to travel to other pool sites, it is possible that these sites could change. Also, if there is an increase in staff availability, additional pools could be identified.

**Financial Impact**

The cost to operate six pools for an additional six days is approximately \$100,000 that would come from savings that occurred by only opening 12 of 29 pools for summer.

**Responsible Department**

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





**Intergovernmental Agreement with Arizona State University Global Institute of Sustainability for Greenhouse Gas Emissions Inventories (Ordinance S-47588)**

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Arizona State University Global Institute of Sustainability to conduct Greenhouse Gas Emissions Inventories for City operations and community-wide for the year 2020 and to conduct other services related to operations of the Office of Environmental Programs. Further request to authorize the City Controller to disburse all funds related to this item. The agreement value will not exceed \$95,000.

**Summary**

The Office of Environmental Programs (OEP) is proposing to enter into an Intergovernmental Agreement (IGA) with the Arizona State University (ASU) Global Institute of Sustainability (GIOS) for consultant services to calculate 2020 Greenhouse Gas (GHG) emissions based on most recent available data. ASU GIOS has conducted GHG inventories for City operations and community-wide since 2012. ASU reviews the data provided by the City and measures emission reductions to track the City's progress on meeting its reduction goals. OEP plans to conduct GHG inventories every two years.

OEP, in coordination with City departments, is preparing a Climate Action Plan (CAP) to be presented to City Council for approval in Fall 2021. It is expected that additional studies, research or evaluation may be needed in a number of sectors included within the CAP, in addition to the potential need for assistance in other environmental and sustainability areas that are under the purview of OEP. Therefore, OEP has expanded the scope of this IGA to include the following additional services: conduct research, evaluation, studies, and develop plans for environmental and sustainability efforts, including stormwater (including green infrastructure), wildlife, food systems, air quality, climate action planning, resilience, sustainable purchasing, hazardous waste management, hazardous materials, brownfields redevelopment and remediation. By executing this IGA, OEP will have the capability to engage ASU GIOS as needed and feasible, provided funding is available.

**Contract Term**

The term of the IGA will begin on or about June 1, 2021 through Dec. 31, 2023. The IGA may be extended based on continuous need and available funding, which may be exercised by the City Manager or designee.

**Financial Impact**

The agreement value will not exceed \$95,000 with funding available in the Office of Environmental Programs' Water Fund. There is no impact to the General Fund.

**Responsible Department**

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



**Authorization to Amend Contract with Midwest Language Banc, Inc., dba The Language Banc, Inc. (Ordinance S-47574)**

Request authorization for the City Manager, or his designee, to amend Contract 142704 with Midwest Language Banc, Inc. dba The Language Banc, Inc. to extend the term of the contract until Dec. 31, 2021. The extension will provide translation services for Head Start Birth to Five program families. The contract total will not exceed \$90,185. Further request authorization for the City Controller to disburse all funds related to this item. Funds are available from the U.S. Department of Health and Human Services, Administration of Children, Youth and Families. There is no impact to the General Fund.

**Summary**

This contract provides translation services for families enrolled in the City of Phoenix Head Start Birth to Five program who speak languages other than English and Spanish. Participants of the program are required to participate in weekly 90-minute home visits, attend biweekly socialization events and monthly parent education opportunities. Services are currently delivered virtually but will return to in-person in the participants' homes when safe to do so. The extension of the contract will allow families who speak languages other than English to remain engaged in the program while the contract is being re-solicited.

There are approximately 11 languages other than English and Spanish spoken by enrolled families. Translation services are needed to communicate effectively to ensure families understand the social services offered and receive the maximum benefit of the educational component.

**Contract Term**

The original contract term was for three years beginning July 1, 2016 - June 30, 2019, with one two-year renewal option to be exercised by the City Manager. The City exercised the two-year renewal option on March 6, 2019 with a contract end date of June 30, 2021. Approval of this request would extend the term to Dec. 31, 2021.

**Financial Impact**

The aggregate contract value remains the same. Funds are available from the U.S.

Department of Health and Human Services, Administration of Children, Youth and Families. There is no impact to the General Fund.

**Concurrence/Previous Council Action**

The contract was originally approved by City Council on April 4, 2016 by Ordinance S-42448. City Council approved a two-year contract extension on March 6, 2019 by Ordinance S-45416.

**Responsible Department**

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



**\*\*\*ADDITIONAL INFORMATION (SEE ATTACHED MEMO)\*\*\* 2020-24 Consolidated Plan and 2020-21 and 2021-22 Annual Action Plans Lead Safe Phoenix Program Amendment (Ordinance S-47589)**

Request City Council approval of an Amendment to the 2020-24 Consolidated Plan and 2020-21 and 2021-22 Annual Action Plans to expand the boundaries of the Lead Safe Phoenix program to include a broader range of targeted geographic areas.

**Summary**

The 2020-24 Consolidated Plan defines how the City's Community Development Block Grant (CDBG), Home Investment Partnership (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) funds will be used to address housing and community development priorities and needs over a five-year period. The Annual Action Plan further explains the specific goals and objectives the City will achieve in the that year of the Consolidated Plan. In both plans, the Lead Safe Phoenix program is identified as a tool to continue to advance the City's housing rehabilitation strategy, particularly the reduction of lead-based paint hazards in targeted high-risk areas of the city.

The Lead Safe Phoenix program, which is funded by the U.S. Department of Housing and Urban Development (HUD) and administered by the Neighborhood Services Department (NSD), provides grants to homeowners and tenants to protect children and their families from the dangers of lead-based paint. The Lead Safe Phoenix program is available to low- and moderate-income residents who live in homes built prior to 1978, with a pregnant woman or child under the age of six.

The current Lead Safe Phoenix grant is limited to specific Phoenix zip codes, and expires January 2022. Staff anticipates the next HUD lead and health homes grant application to become available in the summer of 2021. The requested plan amendments would allow the application for the next grant to include expanded accessibility of the Lead Safe Phoenix program, better positioning the City to submit a more competitive grant application and serve more Phoenix residents.

**Financial Impact**

These activities are funded by the U.S. Department of Housing and Urban

Development; there is no impact to the General Fund.

**Concurrence/Previous Council Action**

The 2020-24 Consolidated Plan and 2020-21 Annual Action Plan was approved by City Council on June 3, 2020. The 2021-22 Annual Action Plan was approved by City Council on May 5, 2021.

**Responsible Department**

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



## City of Phoenix

**To:** Gina Montes  
Deputy City Manager

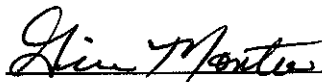
**Date:** May 17, 2021

**From:** Spencer Self   
Neighborhood Services Director

**Subject:** ADDITIONAL INFORMATION FOR ITEM #48, 2020-24 CONSOLIDATED PLAN  
AND 2020-21 AND 2021-22 ANNUAL ACTION PLANS LEAD SAFE PHOENIX  
PROGRAM AMENDMENT (ORDINANCE S-47589)

This memo presents additional information for Item #48, on the May 19, 2021 Formal agenda, 2020-24 Consolidated Plan and 2020-21 and 2021-22 Annual Action Plans Lead Safe Phoenix Program Amendment (Ordinance S-47589). The Lead Safe Phoenix program is currently restricted to operate in 25 city zip codes. This item requests to amend the City's Annual Action Plan to expand the targeted geographic areas citywide to provide greater opportunity for applicants once the HUD grant criteria is released sometime this summer.

Approved by:



Gina Montes  
Deputy City Manager

5/17/2021

Date



**Reallocate Funds from Calendar Year 2020 to Calendar Year 2021 for Services in the Downtown Enhanced Municipal Services District (Ordinance S-47550)**

Request to amend Ordinances S-47103 and S-46134 to allow additional expenditures of \$97,066 by Downtown Phoenix, Inc. (DPI) through the Phoenix Downtown Enhanced Municipal Services District (EMSD) Agreement. The revised calendar year (CY) 2021 budget will increase to a total not to exceed \$3,759,771. Further request authorization for the City Controller to disburse all funds related to this item. There is no additional expense impact as a result of this action.

**Summary**

City Council authorized formation of the Downtown EMSD in 1990 to provide enhanced public services, above and beyond the level of services provided in the remainder of the City. The City contracts directly with DPI to implement the work program of the Downtown EMSD, including the Ambassadors program, streetscape improvements and maintenance, the Clean Team program, marketing, event promotion, business assistance and transportation services. Pursuant to State law, each year a budget must be approved for the Downtown EMSD.

DPI is requesting to reallocate CY 2020 unspent funds into their CY 2021 budget. Pursuant to City Contract No. 153585, which began on Jan. 1, 2021 and will expire on Dec. 31, 2025, DPI is authorized to reallocate unspent funds from one budget year to the next with City Council approval. Funds requested are to reimburse DPI for services within the Downtown EMSD, such as public improvements in the right of way which include trees and concrete work for tree replacement. The Community and Economic Development Department works closely with DPI to manage the Downtown EMSD.

**Financial Impact**

Unspent funds in the amount of \$97,066 from DPI's CY 2020 budget will be reallocated to their CY 2021 budget for a total not to exceed \$3,759,771. There is no additional expense impact as a result of this action. Funds for this reallocation were approved as part of DPI's CY 2020 budget that was authorized by City Council on Nov. 6, 2019.

**Concurrence/Previous Council Action**

Ordinance S-47103 was approved by City Council on Nov. 18, 2020 which authorized



DPI's CY 2021 budget. Ordinance S-46134 was approved by City Council on Nov. 6, 2019 which authorized DPI's CY 2020 budget under the previous City Contract No. 141594. In addition, the DPI Board of Directors recommended approval of this requested reallocation.

**Location**

The Downtown EMSD is generally bounded by Fillmore Street on the north, 7th Street on the east, 3rd Avenue on the west, and on the south by the railroad tracks south of Jackson Street.

Council Districts: 7 and 8

**Responsible Department**

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



## **One-Stop Operator Services Request for Proposals Contract Award (Ordinance S-47571)**

Request authorization for the City Manager, or his designee, to enter into a contract with Arbor E&T, LLC, dba Equus Workforce Solutions to provide one-stop operator (OSO) services. The term of the initial contract will be for approximately 13 months beginning on or about June 1, 2021 through June 30, 2022, with three, one-year options to extend beginning on July 1, 2022. The aggregate value of the contract shall not exceed \$3,100,000. Further request authorization for the City Controller to disburse all funds related to this item. There is no impact to the General Fund. Funding is available from the Workforce Innovation and Opportunity Act (WIOA) grant.

### **Summary**

The City of Phoenix Community and Economic Development Department, on behalf of the Phoenix Business and Workforce Development Board, is responsible for procuring and managing OSO Services in compliance with WIOA.

The OSO is responsible for ensuring services provided at the City's three ARIZONA@WORK City of Phoenix comprehensive job center locations and throughout the One-Stop Network are easily accessible, customer-driven, personalized, and responsive to the community's workforce development needs. The ARIZONA@WORK City of Phoenix One-Stop Network offers comprehensive services and resources to job seekers while partnering with employers to help meet their workforce needs in the City of Phoenix.

The OSO will coordinate services throughout the ARIZONA@WORK City of Phoenix service network, convene ARIZONA@WORK City of Phoenix workforce system partners, provide the welcome function for customers at the comprehensive job centers, support and continuously implement Integrated Service Delivery, perform continuous internal improvement efforts, maintain a system for customer referrals among workforce system partners, and comply with all WIOA regulations.

### **Procurement Information**

Solicitation RFP-CED20-OSO, One-Stop Operator Services, was issued on Nov. 30, 2020 and conducted in accordance with the City's Administrative Regulation for

procurement. The City received five proposals, four of which were responsive to the RFP's requirements. An evaluation panel scored the responsive proposals based on the following criteria:

- Proposer's Qualifications & Experience (0-300 points).
- Assigned Staff's Qualifications and Experience (0-275 points).
- Approach to Scope of Work (0-225 points).
- Proposed Budget (0-200 points).

Staff recommends the proposal offered by Arbor E&T, LLC, dba Equus Workforce Solutions as the highest-scored, responsive and responsible proposal.

### **Contract Term**

The initial term of the contract will be for 13 months starting on or about June 1, 2021, with three, one-year renewal options which may be exercised at the City's discretion. The purpose of the 13-month initial term is to align the contract with the City's fiscal year, which begins on July 1. Additionally, the City's current OSO contract with Goodwill of Central and Northern Arizona expires on June 30, 2021. The overlap in services allows for a transition and seamless services for customers.

### **Financial Impact**

The aggregate value of the OSO Services to be provided through this contract shall not exceed \$3,100,000. There is no impact to the General Fund. Funding is available from the City's allocation of federal WIOA funds.

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

This item was recommended for approval by the Workforce and Economic Development Subcommittee at the April 28, 2021 meeting by a vote of 3-0. Additionally, this item was approved at the Phoenix Business and Workforce Development Board Executive Leadership Committee meeting on April 9, 2021.

### **Responsible Department**

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



**Authorization to Enter into Three-Year Agreement with Phoenix Sister Cities, Inc. (Ordinance S-47575)**

Request to authorize the City Manager, or his designee, to execute a new three-year agreement with Phoenix Sister Cities, Inc., beginning July 1, 2021 through June 30, 2024, to support program coordination in youth and education, municipal and technical cooperation, business, and arts and culture with Phoenix's 10 Sister Cities. Funding for the three-year contract will not exceed \$220,000.

**Summary**

Phoenix Sister Cities, Inc. (PSC) is a 501(c)(3) nonprofit organization established in 1972. It is responsible for coordinating exchange programs in youth and education, municipal and technical cooperation, business, and arts and culture with Phoenix's 10 Sister Cities. Currently, the City of Phoenix has Sister Cities relationships with Calgary, Canada; Catania, Italy; Chengdu, China; Ennis, Ireland; Hermosillo, Mexico; Himeji, Japan; Grenoble, France; Prague, Czech Republic; Ramat-Gan, Israel; and Taipei, Taiwan.

PSC exists to create people-to-people relationships between the residents of Phoenix and its Sister Cities through commercial, educational, cultural and artistic exchange programs and events that create and sustain global, long-term, international partnerships and business opportunities for Phoenix. The City of Phoenix has contracted with PSC since the mid-1980s. The organization is administered by a Board of Directors composed of PSC Commission members, appointed by the Mayor and approved by the City Council, and the chairpersons of the 10 Sister Cities committees and the Disability Awareness Committee. Currently, four other community members serve as at-large Board members.

During the last contract period, July 1, 2018 through June 30, 2021, PSC coordinated:

- A 41-member delegation of Phoenix elected officials, business leaders and residents to Taipei, Taiwan, in recognition of the 40th anniversary of our Sister Cities relationship. Led by Mayor Gallego, the delegation itinerary included more than a dozen meetings with Taiwanese businesses representing the biotech, robotics, high tech, semiconductor and airline industries. Officials also participated in tours of

Taipei's state-of-the-art Emergency Management Operations Center, a business incubator, and the Jianking Public Housing Development. Officials met with Taipei's "Go Smart" Smart Cities initiative staff, resulting in a continuing partnership around Smart Cities projects between the two cities.

- An exchange of youth ambassadors with nine Sister Cities in Fiscal Year 2019. During June, 26 Phoenix sophomores and juniors were home-hosted by families in Phoenix's Sister Cities to experience everyday life in that city. In July, these youth returned to Phoenix with their international counterparts to learn about Phoenix efforts around public safety, Arizona government, and daily life in our community. They also examined the role of the media in society, including touring Arizona State University's Walter Cronkite School of Journalism and Mass Communication and participating in a Zine Workshop.
- A virtual exchange of youth ambassadors with ten Sister Cities in Fiscal Year 2020. Due to the COVID-19 pandemic, 26 Phoenix sophomores and juniors engaged international counterparts through a Facebook group and online meetings, sharing perspectives on the pandemic, sharing their homes and neighborhoods via photos and videos, and talking about books, movies, and, being teens - favorite foods.
- A process to identify potential new Sister Cities relationships. PSC Board of Directors and community volunteers are exploring potential relationships with up to four possible sister cities, including Suwon, South Korea, which approached PSC about a Sister Cities affiliation.
- A Trilateral Trade Conference in April 2021 that brought together business and community leaders from Phoenix, Calgary and Hermosillo to explore opportunities presented by the United States-Mexico-Canada Agreement (USMCA) trade agreement for small to medium-sized enterprises. More than 30 panelists explored topics including emerging technology and supply chain management, financing, the "nuts and bolts" of Trilateral Trade, cross border trade and climate action, and changing labor markets. Breakout sessions addressed topics including e-commerce, biotech, commercial real estate, "physical" and cybersecurity, building a digital strategy, and COVID travel disruptions and visas.

These activities are accomplished by outsourcing the coordination of events and exchanges through a great number of PSC volunteers, totaling more than 100,000 hours and valued at more than \$2.5 million over the last three years.

In March of 2020, Council approved an International Trade Strategy to advance the City's economic development activities with multiple partners internationally. Described in the plan, amongst its many components, is the expansion of international inbound and outbound delegations to grow new international activity as well as partnerships with Phoenix hospitals to create a Destination Medicine/Healthcare Tourism program.

Beginning in FY 2021, PSC would like to expand its scope beyond its traditional role and provide support to the City's International Trade Strategy. In order to meet this expanded role, funding for PSC will support:

- Youth and Education activities around Sister Schools (a project originally undertaken with Council Districts 1 and 3) and additional funding for Youth Ambassador scholarships to increase opportunities for youth/families unable to afford program costs (e.g., airfare, hosting);
- Staff support for the adoption of up to four new Sister Cities in the three-year contract period: Suwon, South Korea; one in India at the Mayor's suggestion; Cape Town, South Africa; and Santiago, Chile (contingent upon City Council approval);
- Staff support for Business Development programs - Destination Medicine, Business to Business activities in sister cities in support of new business locates and increased foreign direct investment; and
- Support for programming associated with the 50th anniversary of PSC in calendar year 2022 (overlapping two fiscal years).

The PSC program has been recognized by Sister Cities International for its excellence, receiving the award for Best Overall Program in the United States (for a city with a population over 500,001) nine times in the last 24 years. Most recently, PSC received the Best Overall Program and Innovation in Youth and Education awards in 2015.

### **Contract Term**

If approved, the term of this new three-year contract will be July 1, 2021 through June 30, 2024.

### **Financial Impact**

City funds pay for staff salaries and benefits. All PSC exchanges, events and travel are privately funded. The budget for the current three-year contract, ending June 30, 2021, totals \$142,500. Funding for the new three-year contract period ending June 30, 2024 will not exceed \$220,000.

Over the term of this contract PSC will take a phased approach to expand the program to meet the needs proposed in this report as well as other priorities of Council. Each year of the contract will utilize the currently approved base budget of \$50,000 from the General Fund. In addition to the base budget, staff will utilize \$70,000 from the Downtown Community Reinvestment Fund to initiate the expansion of the program in year one. If approved, staff will utilize the supplemental budget request process for additional funding for years two and three of the program.

**Concurrence/Previous Council Action**

This item was recommended for approval by the Workforce and Economic Development Subcommittee at the April 28, 2021 meeting by a vote of 3-0.

**Responsible Department**

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



**Development Agreement with Laveen Baseline LLC for Installation of Public Infrastructure Improvements (Ordinance S-47581)**

Request to authorize the City Manager, or his designee, to negotiate and enter into a development agreement, and any other agreements as necessary, with Laveen Baseline LLC, or its City-approved designee, for the installation of public infrastructure improvements located along 59th Avenue from Baseline Road to north of the South Mountain Avenue alignment. Further request authorization for the City Controller to disburse funds under the terms of the Agreements. Funding is available in the Strategic Economic Development Fund.

**Summary**

Laveen Baseline LLC (Developer), owns an approximately 65-acre site located at the southeast corner of the Loop 202 South Mountain Freeway and Baseline Road. In Fall 2019, the Developer finished construction on 150,000 square feet in the first phase of the Laveen Park Place project, which includes a grocery store, two major anchor retailers, restaurants and accompanying shops. The Developer proposes to construct a 50,000+ square foot highly desired lifestyle center to include new destination retail, a new movie theater/entertainment complex, as well as accompanying restaurants and shops (Project). The Project is expected to be an amenity-rich center that will serve residents and employees living and working in and around the South Mountain Technology Corridor and the community at large. The Project is the second phase of the Laveen Park Place Lifestyle Center.

This area of Phoenix continues to be a high demand and high growth area for both new residential and employment. The Project will add to this growth, as it is expected to add several hundred new jobs to the area in the next five years. To accommodate this growth, additional traffic, and the creation of the Project, additional public infrastructure improvements are required. Through a development agreement (DA), the Developer will construct the required public infrastructure improvements, and the City will reimburse the Developer up to \$2.5 million upon completion of construction, the City's acceptance of the improvements and the dedication of the public improvements to the City, for the required public infrastructure improvements as follows:



- Half street construction of 59th Avenue from Baseline Road to north of the South Mountain Avenue alignment, including excavation, site work, surveying, engineering design, permitting, bonding, and construction of all public facilities (including hardscape and landscape) relating to the public infrastructure improvements.
- Developer will privately finance and construct the public infrastructure improvements.
- Developer must comply with Title 34 of the Arizona Revised Statutes in constructing the public infrastructure improvements to qualify for reimbursement, and the specifics and cost of the public infrastructure improvements must be pre-approved by the City in order to qualify for reimbursement.
- Developer is required to construct the Project and required public infrastructure improvements within 10 years of entering into the DA with the City.
- The maximum reimbursement amount for the public infrastructure improvements, as they relate to the Project, will not exceed \$2,500,000 and annual reimbursement will not exceed \$250,000.
- Reimbursement shall not exceed actual verifiable costs for the approved public infrastructure improvements.
- Reimbursement will not begin until after the Developer completes the public infrastructure improvements, and the City accepted those improvements.
- The DA, and any other agreements as necessary, will include other terms and conditions as deemed necessary by the City.

The Project is an important economic development opportunity for the Laveen area that will create several hundred new jobs over time for the community, and will yield significant financial and public benefits for the City of Phoenix.

### **Contract Term**

If approved, the term will be for 10 years from the completion of construction of the public infrastructure improvements.

### **Financial Impact**

The maximum reimbursement amount will be \$2.5 million with annual reimbursements not to exceed \$250,000. Funding is available in the Strategic Economic Development Fund beginning in Fiscal Year 2022-2023.

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

This item was recommended for approval by the Workforce and Economic Development Subcommittee at the April 28, 2021 meeting by a vote of 3-0.

**Location**

Southeast corner of the Loop 202 South Mountain Freeway and Baseline Road.  
Council Districts: 7 and 8

**Responsible Department**

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



**\*\*\*REQUEST TO CONTINUE (SEE ATTACHED MEMO)\*\*\* Amendment to Phoenix Fire Code and Modification of Fire Prevention Fee Schedule (Ordinance G-6854)**

Request City Council authorization to adopt an ordinance making amendments to the Phoenix Fire Code and modifications to the Phoenix Fire Prevention Fee Schedule, Phoenix City Code, Chapter 15, Appendix A.

**Summary**

The 2018 International Fire Code with Phoenix amendments was adopted by the Phoenix City Council on March 4, 2020 and codified on April 4, 2020. As with any large code that is actively utilized by the community, clarifications, adjustments and amendments are often implemented to ensure the code language is clear, understandable, concise, and provides consistent outcomes for renewable energy contractors, fire protection contractors, construction contractors, radio communications, the high-rise community, developers, and other industry groups. The clarifications, adjustments, and amendments that have been identified in the Phoenix Fire Prevention Fee Schedule are intended to provide clarified language to meet our residents, businesses, and development community's needs in order to provide consistent outcomes of fire code interpretation. This action will ensure the City of Phoenix is utilizing a progressive code that reflects the current evolution of building materials, technologies, and industry practice to provide safety and reduce the cost of construction and compliance.

The Fire Safety Advisory Board (FSAB) has reviewed the attached amendments to the Phoenix Fire Code and modifications to the Phoenix Fire Prevention Fee Schedule and has approved the changes in a public meeting.

The full details of the proposed amendments to the Fire Code are provided in the attachment, "Proposed Clarifications, Adjustment, and Amendments to the City of Phoenix 2018 Fire Prevention Code" and proposed modifications to the Fee Schedule are provided in the attachment, "Proposed Adjustment to the City of Phoenix Fire Prevention Fee Schedule."

On March 16, 2021, pursuant to Arizona Revised Statutes section 9-499.15, the City of Phoenix provided notice to the public of proposed adoptions of, or changes to,

municipal taxes or fees. Specifically, the Phoenix Fire Department posted notice of its intent to standardize and alter fees charged for Fire Prevention permits and associated activities. These fees cover administrative, educational, investigative and inspection-related costs related to enforcement of the Phoenix Fire Code, Chapter 15 Revision on March 4, 2020 by Ordinance G-6677, effective April 4, 2020. The Fee Schedule can be viewed at <https://www.phoenix.gov/fire/prevention/fire-code>.

The effective date of the Phoenix Fire Prevention Fee Schedule, Appendix A, if adopted by Council, would be approximately 30 days following City Council Formal approval.

**Public Outreach**

On March 16, 2021, pursuant to Arizona Revised Statutes section 9-499.15, the City of Phoenix provided notice to the public of proposed adoptions of, or changes to, municipal taxes or fees.

**Responsible Department**

This item is submitted by Assistant City Manager Jeff Barton and the Fire Department.



## City of Phoenix

**To:** Jeff Barton  
Assistant City Manager

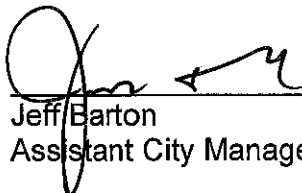
May 18, 2021

**From:** Kara Kalkbrenner   
Fire Chief

**Subject:** REQUEST FOR CONTINUANCE OF ITEM # 53 ON MAY 19, 2021 CITY COUNCIL FORMAL AGENDA – AMENDMENT TO PHOENIX FIRE CODE AND MODIFICATION OF FIRE PREVENTION FEE SCHEDULE (ORDINANCE G-6854) TO JUNE 2, 2021

This memo requests City Council Formal Agenda Item #53 (Amendment to Phoenix Fire Code and Modification of Fire Prevention Fee Schedule (Ordinance G-6854) be continued from May 19, 2021 to June 2, 2021 to allow for additional community stakeholder feedback.

Approved by:

  
\_\_\_\_\_  
Jeff Barton  
Assistant City Manager

5/18/21  
\_\_\_\_\_  
Date

c: Scott Walker, Executive Assistant Fire Chief  
Joseph Meier, Fire Division Chief

**Proposed Clarifications, Adjustment and Amendments to the City of Phoenix  
2018 Fire Prevention Code (2018 International Fire Code {IFC} with Phoenix  
Amendments) currently adopted by Ordinance Number G-6677 § 1, 2020**

**Strikethrough represents proposed code text deletion and underscore represents text addition**

**Updated 3/8/2021**

Code Change Categories

ERRC (Emergency  
Radio Coverage  
Systems)

Two-Way  
Hardwired Fire  
Communications

Agro, Wood Chip,  
and Mulch  
Facilities

Photovoltaic/Solar  
and Energy  
Storage Systems

Chapter 80 NFPA  
Standards

1.	<b>Section 510.4.1.2</b>	<b><u>510.4.1.2 Minimum signal strength out of the building.</u></b> The minimum outbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire code official. The outbound signal level shall be sufficient to provide not less than a DAQ of 3.0 or an equivalent SINR applicable to the technology for either analog or digital signals. <u>A Bit Error Rate (BER) of 2.6%. is equivalent to a DAQ 3.0 and is acceptable to meet this equivalency.</u>
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**Reason:** Current fire code requires system acceptance testing meet a minimum of 3.0 on the DAQ scale. The Regional Wireless Cooperative (RWC) recommends any emergency responder radio coverage system (ERRCS) on their network meet a Bit Error Rate (BER) of 2.6% as a more effective alternative acceptable method of measurement. A BER of 2.6% is equal to a DAQ 3.0 as noted in a National Telecommunications and Information Administration (NTIA) report 99-358, Delivered Audio Quality Measurements on Project 25 Land Mobile Radios. This report was created by the U.S. Department of Commerce. By adopting the ERRCS testing of BER 2.6%, this action will help standardize all in-building treatments throughout the City of Phoenix. BER is measurable data and can be provided by the vendor on their testing result grid reports.

**Action Taken:** Presented to the Fire Safety Advisory Board on 3/11/2021.

2.	<b>Section 508.1.6.2</b>	<b><u>508.1.6.2 Fire Department Communications System.</u></b> Two way hard wired communication system is required in high rise buildings
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**Reason:** Two way hard wired communication system is required in high rise buildings to augment the VHF radio system used by the Phoenix Fire Department on hazard scenes such as fires, hazmat incidents and environmental hazards. Base International Fire Code language assumes that in building emergency VHF radio coverage is provided for fire fighter use and removed this wired system requirement. Technological limitations do not allow for this proper coverage currently. Therefore, wire communications are still required for fire fighter safety during high rise fire incidents.

**Action Taken:** Presented to the Fire Safety Advisory Board on 3/11/2021.

**Proposed Clarifications, Adjustment and Amendments to the City of Phoenix 2018 Fire Prevention Code (2018 International Fire Code {IFC} with Phoenix Amendments) currently adopted by Ordinance Number G-6677 § 1, 2020**

**Strikethrough** represents proposed code text deletion and **underscore** represents text addition

**Updated 3/8/2021**

3.	<b>Section 907.2.12.2</b>	<p><b><u>907.2.12.2 Fire department communication system.</u></b>  Two way hard wired fire department communication system is required in high-rise buildings. In other buildings <del>where</del> <u>where</u> a wired communication system is approved in lieu of an emergency responder radio coverage system in accordance with Section 510, the wired fire department communication system shall be designed and installed in accordance with NFPA 72 and shall operate between a fire command center complying with Section 508, elevators, elevator lobbies, emergency and standby power rooms, fire pump rooms, areas of refuge and inside interior exit stairways. The fire department communication device shall be provided at each floor level within the interior exit stairway.</p> <p><b>Reason:</b> Two way hard wired communication system is required in high rise buildings to augment the VHF radio system used by the Phoenix Fire Department on hazard scenes such as fires, hazmat incidents and environmental hazards. Base International Fire Code language assumes that in building emergency VHF radio coverage is provided for fire fighter use and removed this wired system requirement. Technological limitations do not allow for this proper coverage currently.</p> <p><b>Action Taken:</b> Presented to the Fire Safety Advisory Board on 3/11/2021.</p>
4.	<b>Section 914.3.5</b>	<p><b><u>914.3.5 Emergency voice/alarm communication system.</u></b> An emergency voice/alarm communication system shall be provided in accordance with Section 907.6.2.2. <u>Two way hard wired fire department communication system is required in high-rise buildings.</u></p> <p><b>Reason:</b> Two way hard wired communication system is required in high rise buildings to augment the VHF radio system used by the Phoenix Fire Department on hazard scenes such as fires, hazmat incidents and environmental hazards. Base International Fire Code language assumes that in building emergency VHF radio coverage is provided for fire fighter use and removed this wired system requirement. Technological limitations do not allow for this proper coverage currently. Therefore, wire communications are still required for fire fighter safety during high rise fire incidents.</p> <p><b>Action Taken:</b> Presented to the Fire Safety Advisory Board on 3/11/2021.</p>

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**Updated 3/8/2021**

5.	<b>Section 2808.7.3</b>	<del><b>2808.7.3 Conveyor Systems</b></del> Automatic sprinkler protection shall be provided in conveyor tunnels and combustible enclosures that pass under a pile. Combustible conveyor systems and enclosed conveyor systems shall be equipped with an approved automatic sprinkler system
	<b>Reason:</b> Duplicate to section 2808.7	
	<b>Action Taken:</b> Presented to the Fire Safety Advisory Board on 3/11/2021.	
6.	<b>Section 2808.7.4</b>	<del><b>2808.7.4.3 Fire Hydrants.</b></del> The fire code official may increase the distance required to a fire hydrant as set forth in Section 507 where the conditions of this section are complied with. The omitting of an on-site hydrant or increased overall distance to the nearest hydrants will be evaluated with the application for permit.
	<b>Reason:</b> To correct numbering sequence after section 2808.7.3 is removal.	
	<b>Action Taken:</b> Presented to the Fire Safety Advisory Board on 3/11/2021.	
7.	<b>Section 2808.9</b>	<del><b>2808.9 Material-handling equipment.</b></del> Approved material handling equipment shall be available for moving wood chips, hogged material, wood fines and raw product during fire fighting operations. <u>by contract to aid in the event of emergency for moving wood chips and hogged material. Equipment available shall include:</u> <u>1. Equipment to move stored material during a fire</u> <u>2. Water trucks</u> <u>3. Water pumps if using pond for any piece of water source</u>
	<b>Reason:</b> Allows customer to have a heavy equipment rental agreement rather than equipment on site at all times.	
	<b>Action Taken:</b> Presented to the Fire Safety Advisory Board on 3/11/2021.	



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8.	Section 2808.6	<p><b>2808.6.1 Internal temperature.</b> If any location in a pile is found to have an internal temperature of 160°F (71° C) immediate action must be taken to reduce the temperature. If any location in a pile is found to have an internal temperature of 180° F (82°C) or greater, the following procedures must immediately be taken:</p> <ol style="list-style-type: none"> <li>1. The area with the high temperature shall be dug out of the main pile. This overheated material shall be pushed out in the designated push out area. The material shall be no greater than 3ft. in depth in the push out area.</li> <li>2. Water shall be stationed closely to the affected area, prior to digging out the hotspot, to immediately douse any flare ups that may occur when air is added to overheated area.</li> <li>3. Continual temperature probing and removal of material greater than 180° F (82° C) shall be conducted until all overheated material is separated into the push out area.</li> </ol> <p><b>Reason:</b> Clarification as to how a pile shall be monitored as currently required by Section 2808.6 Static Pile Protection.</p> <p><b>Action Taken:</b> Presented to the Fire Safety Advisory Board on 3/11/2021.</p>
9.	Section 2808.7.1	<p><b>2808.7.1 Delivery and tipping area.</b> <del>Not more than two designated tipping areas may be provided at a single facility and</del> <u>Delivery and tipping areas</u> shall be shown on the approved facility site plan. Tipping areas shall comply with the following:</p> <ol style="list-style-type: none"> <li>1. Size. Tipping areas shall not exceed a maximum area of 50 feet by (15 240 mm) by 50 feet (15 240 mm).</li> <li>2. Height. Material within a tipping area shall not exceed 5 feet (1524 mm) in height at any time.</li> <li>3. Separation. Tipping areas shall be separated from all piles and other tipping areas by a fire access lane that is not less than 20 feet (6096 mm) wide.</li> <li>4. Water system. A water system shall be available to wet down/ cool the raw product in case of fire within the tipping area.</li> <li>5. Duration. Raw product shall be kept in tipping area long enough to ensure no load was delivered that is already over heated. Raw product shall be less than 160° F before mixing with main pile.</li> </ol> <p><b>Reason:</b> Limit of “not more than two” was an error in the original language.</p> <p><b>Action Taken:</b> Presented to the Fire Safety Advisory Board on 3/11/2021.</p>

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10.	Section 202	<b>TIPPING AREA.</b> An area within an <u>an</u> <del>solid waste management facility or recycling</del> agro-industrial, solid biomass facility for vehicles to unload <u>new material</u> . <del>solid wastes or recyclables.</del>
	<b>Reason:</b> Correct the language of a tipping area. Was not the intention	
	<b>Action Taken:</b> Presented to the Fire Safety Advisory Board on 3/11/2021.	
11.	Section 1204.2.1	<b>1204.2.1 Solar photovoltaic systems for Group R-3 buildings.</b> Solar photovoltaic systems for Group R-3 buildings shall comply with Sections 1204.2.1.1 through 1204.2.1.3
	<b>Reason:</b> As a result of continued dialog with the solar industry and other stakeholders, we are altering the numbering sequence of this section to reflect additional solar code changes below	
	<b>Action Taken:</b> Presented to the Fire Safety Advisory Board on 3/11/2021.	
12.	Section 1204.2.1.1	<del><b>1204.2.1.1 Roof access points.</b> Roof access points shall be located in areas that do not require the placement of ground ladders over openings such as windows or doors and located at strong points of building construction in locations where the access point does not conflict with overhead obstructions such as tree limbs, wires, or signs.</del>  <b>1204.2.1.1 Pathways to ridge.</b> Not fewer than two 36 inch- wide (914 mm) <u>pathways on separate roof planes, from lowest roof edge to ridge, shall be provided on all buildings. Not fewer than one pathway shall be provided on the street or driveway side of the roof. For each roof plane with a photovoltaic array, not fewer than one 36-inch-wide (914 mm) pathway from lowest roof edge to ridge shall be provided on the same roof plane as the photovoltaic array, on an adjacent roof plane or straddling the same and adjacent roof planes.</u>
	<b>Reason:</b> As a result of continued dialog with the solar industry and other stakeholders, we will be reverting this section to base 2018 International Fire Code language.	
	<b>Action Taken:</b> Presented to the Fire Safety Advisory Board on 3/11/2021.	

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13.	<b>Section</b> <b>1204.2.1.2</b>	<p><del><b>1204.2.1.2 Residential systems for one- and two- family dwellings.</b> Access to residential systems for one- and two- family dwellings shall be provided in accordance with Sections 1204.2.1.3 through 1204.2.1.6.</del></p> <p><u><b>1204.2.1.2 Setbacks at ridge.</b> For photovoltaic arrays occupying 33 percent or less of the plan view total roof area, a setback of not less than 18 inches (457 mm) wide is required on both sides of a horizontal ridge. For photovoltaic arrays occupying more than 33 percent of the plan view total roof area, a setback of not less than 36 inches (457 mm) wide is required on both sides of a horizontal ridge.</u></p> <p><b>Reason:</b> As a result of continued dialog with the solar industry and other stakeholders, we will be reverting this section to base 2018 International Fire Code language.</p> <p><b>Action Taken:</b> Presented to the Fire Safety Advisory Board on 3/11/2021.</p>
14.	<b>Section</b> <b>1204.2.1.3</b>	<p><del><b>1204.2.1.3 Residential buildings with hip roof layouts.</b> Panels/modules installed on residential buildings with hip roof layouts shall be located in a manner that provides a 3- foot wide (914 mm) clear access pathway from the eave to the ridge on each roof slope where panels/modules are located. The access pathway shall be located at a structurally strong location on the building capable of supporting the live load of fire fighters accessing the roof.</del></p> <p><u><b>1204.2.1.3 Alternative setbacks at ridge.</b> Where an automatic sprinkler system is installed within the dwelling in accordance with Section 903.3.1.3, setbacks at the ridge shall conform to one of the following:</u></p> <p><u>1. For photovoltaic arrays occupying 66 percent or less of the plan view total roof area, a setback of not less than 18 inches (457 mm) wide is required on both sides of a horizontal ridge.</u></p> <p><u>2. For photovoltaic arrays occupying more than 66 percent of the plan view total roof area, a setback of not less than 36 inches (914 mm) wide is required on both sides of a horizontal ridge.</u></p> <p><b>Reason:</b> As a result of continued dialog with the solar industry and other stakeholders, we will be reverting this section to base 2018 International Fire Code language.</p> <p><b>Action Taken:</b> Presented to the Fire Safety Advisory Board on 3/11/2021.</p>

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15.	<b>Section</b> <u><b>1204.2.1.4</b></u>	<del><b>1204.2.1.4 Residential buildings with a single ridge.</b> Panels/modules installed on residential buildings with a single ridge shall be located in a manner that provides two, 3-foot wide (914 mm) access pathways from the eave to the ridge on each roof slope where panels/modules are located.</del>
<b>Reason:</b> As a result of continued dialog with the solar industry and other stakeholders, we will be reverting this section to base 2018 International Fire Code language.		
<b>Action Taken:</b> Presented to the Fire Safety Advisory Board on 3/11/2021.		
16.	<b>Section</b> <u><b>1204.2.1.5</b></u>	<del><b>1204.2.1.5 Residential buildings with roof hips and valleys.</b> Panels/modules installed on residential buildings with roof hips and valleys shall be located no closer than 18 inches (457 mm) to a hip or a valley where panels/modules are to be placed on both sides of a hip or valley. Where panels are to be located on only one side of a hip or valley that is of equal length, the panels shall be permitted to be placed directly adjacent to the hip or valley.</del>
<b>Reason:</b> As a result of continued dialog with the solar industry and other stakeholders, we will be reverting this section to base 2018 International Fire Code language.		
<b>Action Taken:</b> Presented to the Fire Safety Advisory Board on 3/11/2021.		
17.	<b>Section</b> <u><b>1204.2.1.6</b></u>	<del><b>1204.2.1.6 Residential building smoke ventilation.</b> Panels/modules installed on residential buildings shall be located no higher than 3 feet below the ridge in order to allow for fire department smoke ventilation operations.</del>
<b>Reason:</b> As a result of continued dialog with the solar industry and other stakeholders, we will be reverting this section to base 2018 International Fire Code language.		
<b>Action Taken:</b> Presented to the Fire Safety Advisory Board on 3/11/2021.		

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18.	Chapter 80	<p>NFPA 2 Hydrogen Technologies Code <del>2016</del> <u>2020</u></p> <p>NFPA 12 Standard on Carbon Dioxide Extinguishing Systems <del>2015</del> <u>2018</u></p> <p>NFPA 13 Standard for the Installation of Sprinkler Systems <del>2016</del> <u>2019</u></p> <p>NFPA 13D Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes <del>2016</del> <u>2019</u></p> <p>NFPA 13R Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies <del>2016</del> <u>2019</u></p> <p>NFPA 14 Standard for the Installation of Standpipe and Hose Systems <del>2014</del> <u>2019</u></p> <p>NFPA 16 Standard for the Installation of Foam-Water Sprinkler and Foam-Water Spray Systems <del>2015</del> <u>2019</u></p> <p>NFPA 24 Standard for the Installation of Private Fire Service Mains and Their Appurtenances <del>2016</del> <u>2019</u></p> <p>NFPA 30B Code for the Manufacture and Storage of Aerosol Products <del>2015</del> <u>2019</u></p> <p>NFPA 33 Standard for Spray Application Using Flammable or Combustible Materials <del>2016</del> <u>2018</u></p> <p>NFPA 34 Standard for Dipping, Coating and Printing Processes Using Flammable or Combustible Liquids <del>2015</del> <u>2018</u></p> <p>NFPA 45 Standard on Fire Protection for Laboratories Using Chemicals <del>2015</del> <u>2019</u></p> <p>NFPA 52 Vehicular Natural Gas Fuel Systems Code <del>2016</del> <u>2019</u></p> <p>NFPA 55 Standard for storage, use and handling of compressed gases and cryogenic Fluids in portable and stationary containers, cylinders and tanks <del>2016</del> <u>2020</u></p>
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	<p>NFPA 61 Standard for the Prevention of Fires and Dust Explosions in Agricultural and Food Processing Facilities <del>2017</del> <u>2020</u></p> <p>NFPA 69 Standard on Explosion Prevention Systems <del>2014</del> <u>2019</u></p> <p>NFPA 72 National Fire Alarm and Signaling Code <del>2016</del> <u>2019</u></p> <p>NFPA 86 Standard for Ovens and Furnaces <del>2015</del> <u>2019</u></p> <p>NFPA 92 Standard for Smoke Control Systems <del>2015</del> <u>2018</u></p> <p>NFPA 110 Standard for Emergency and Standby Power Systems <del>2016</del> <u>2019</u></p> <p>NFPA 111 Standard for Stored Electrical Energy Emergency and Standby Power Systems <del>2016</del> <u>2019</u></p> <p>NFPA 160 Standard for the Use of Flame Effects Before an Audience <del>2016</del> <u>2021</u></p> <p>NFPA 241 Standard for Safeguarding Construction, Alteration, and Demolition Operations <del>2013</del> <u>2019</u></p> <p>NFPA 484 Standard for Combustible Metals <del>2015</del> <u>2019</u></p> <p>NFPA 652 The Fundamentals of Combustible Dust <del>2016</del> <u>2019</u></p> <p>NFPA 654 Standard for Prevention of Fire and Dust Explosions from the Manufacturing, Processing and Handling of Combustible Particulate Solids <del>2017</del> <u>2020</u></p> <p>NFPA 664 Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities <del>2017</del> <u>2020</u></p> <p>NFPA 853 Installation of Stationary Fuel Cell Power Systems <del>2015</del> <u>2020</u></p> <p>NFPA 914 Code for Fire Protection of Historic Structures <del>2015</del> <u>2019</u></p>
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		NFPA 1126 Standard for the Use of Pyrotechnics Before a Proximate Audience 2016 <u>2021</u>
		NFPA 2001 Standard on Clean Agent Fire Extinguishing Systems <del>2015</del> <u>2018</u>
	<b>Reason:</b> Updating current fire code adopted NFPA Standards to currently published editions. Allows use of latest testing, technology and code developments. Improves cross reference compatibility of codes.	
	<b>Action Taken:</b> Presented to the Fire Safety Advisory Board on 3/11/2021.	
<b>End of Changes</b>		



**Arizona Criminal Justice Commission Crime Reduction Pilot Project Grant  
(Ordinance S-47579)**

Request retroactive authorization for the City Manager, or his designee, to allow the Police Department to apply for, accept, and enter into an agreement with the Arizona Criminal Justice Commission for the Crime Reduction Pilot Project grant. Funding provided under this grant will not exceed \$15,000. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

**Summary**

The purpose of this grant is to provide funding to promote the objectives of the Restructuring Area Dynamic and Relationships (RADAR) program. This program concentrates on the social network theory and mismanaged properties to reduce calls for service and crime rates instead of arrests and prosecutions, seizure of contraband and serving of search warrants. The objective is to identify high crime areas and related properties attracting high calls for service and work with the property owners to combat property damage and crime.

**Contract Term**

One year beginning July 1, 2021 through June 30, 2022.

**Financial Impact**

The amount of funding available is \$15,000. No matching funds are required.

**Responsible Department**

This item is submitted by Assistant City Manager Jeff Barton and the Police Department.





## **Environmental Sensor Parts Replacement (Ordinance S-47544)**

Request to authorize the City Manager, or his designee, to enter into a contract with IAC/Instrumentation and Controls LLC to supply Mine Safety Appliance brand environmental sensor parts to monitor harmful combustible gases occupied in confined spaces, on an as-needed basis at Phoenix Sky Harbor International, Deer Valley and Goodyear airports. Further request to authorize the City Controller to disburse all funds related to this item. The agreement value will not to exceed \$100,000.

### **Summary**

The Aviation Department utilizes environmental sensors to monitor air quality in the terminals, baggage handling areas, fleet maintenance areas, confined spaces, and other locations at all City-owned airports. These environmental sensors ensure safe air quality for employees and the traveling public, and require replacement after two years of use.

The Aviation Department requests to continue to use the Mine Safety Appliance (MSA) environmental sensor parts to ensure standardization, compatibility, durability, and cost efficiency. Data monitoring panels are integrated with the MSA environmental sensor parts for collecting required air quality information. The standardization of environmental sensor parts will ensure compatibility with the existing data monitoring panels and will ensure efficient and compatible connectivity in the testing and calibration process. Additionally, the MSA environmental sensors come with enclosed steel cases which are less likely to receive potential and unintended damage in high traffic areas.

The Occupational Safety and Health Administration (OSHA) and the American Society of Heating, Refrigeration and Air-Conditioning Engineers (ASHRAE) regulations require that these sensors remain in continuous operation while monitoring the air quality in the facilities for passenger safety and comfort. The MSA environmental sensors will allow the City's airports to achieve cost efficiencies in the scheduled replacement process.

### **Procurement Information**

In accordance with Administrative Regulation 3.10, a Special Circumstances

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Determination Memo was approved to contract with IAC/Instrumentation and Controls LLC. IAC/Instrumentation and Controls LLC is the authorized manufacturer representative for MSA environmental sensor components and spare parts, and is authorized to service MSA parts and provide necessary coordination for the required MSA warranty claims directly.

**Contract Term**

The contract will begin on or about June 1, 2021 for a five-year aggregate term with no options to extend.

**Financial Impact**

The contract value will not exceed \$100,000. Funding is available in the Aviation Department's budget.

**Location**

Phoenix Sky Harbor International Airport - 3400 E. Sky Harbor Blvd.  
Phoenix Deer Valley Airport - 702 W. Deer Valley Road  
Phoenix 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.



**Cyclone Equipment, Parts, Accessories and Repair Services - Agreement Recommendation (Ordinance S-47553)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Cyclone Technology LLC to provided equipment, equipment upgrades, parts and repair services on the Aviation Department existing runway rubber and paint remover and four hard surface cleaners at Phoenix Sky Harbor International Airport on an as-needed basis. Further request to authorize the City Controller to disburse all funds related to this item. The agreement value will not exceed \$700,000.

**Summary**

The Aviation Department's existing rubber and paint remover and four hard surface cleaners (collectively referred as Airfield Maintenance Equipment) and components are proprietary and only manufactured by Cyclone Technology LLC (Cyclone). Cyclone owns all intellectual property rights for this Airfield Maintenance Equipment which includes patent pending, trademarks, and copyrights for the proprietary technology in the manufacturing and application of Cyclone products and original equipment manufacturer parts and service.

The Airfield Maintenance Equipment is essential to the Phoenix Sky Harbor International Airport (PHX) maintenance activities for complying with Federal Aviation Administration part 139 regulations. PHX utilizes this equipment for runway rubber removal, paint removal, regular cleaning to all airport gate areas, baggage makeup areas, common use receiving docks, waste collection sites, and various other airport owned properties. Contracting with Cyclone will ensure the equipment is maintained in good working condition and will reduce the equipment downtime for the taxiway and runway.

**Procurement Information**

In accordance with Administrative Regulation 3.10, a Special Circumstances Determination Memo was approved to contract with Cyclone.

The Cyclone runway rubber and paint removal machine and the hard surface cleaners are proprietary to Cyclone. The equipment repair and maintenance services, replacement parts and upgrade of the existing equipment are to be fulfilled by Cyclone

as they do not sell the equipment, equipment parts, components or services through dealers, distributors, contractors or subcontractors but only through Cyclone.

**Contract Term**

The contract will begin on or about June 1, 2021 for a five-year aggregate term with no options to extend.

**Financial Impact**

The agreement value will not exceed \$700,000. Funding is available in the Aviation Department's budget.

**Location**

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

**Responsible Department**

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



## **Trilogy and Electronic Lock Preventative Maintenance and Services Agreement (Ordinance S-47560)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Bird and Bug Ventures, LLC, dba Anderson Lock & Safe, to provide preventative maintenance and required service on Trilogy and electronic locks. Further request to authorize the City Controller to disburse all funds related to this item. The agreement value will not exceed \$575,000.

### **Summary**

The contractor will provide monthly preventative maintenance and services for approximately 1,510 Trilogy and electric locks throughout Phoenix Sky Harbor International Airport, Phoenix Goodyear Airport and Phoenix Deer Valley Airport.

### **Procurement Information**

An Invitation for Bid (IFB) 20-015 was conducted in accordance with Administrative Regulation 3.10. One bid was received on March 9, 2021 from Anderson Lock & Safe. The offer was evaluated based on the minimum qualifications, price, responsible and responsive to provide the required services. The offer from Anderson Lock & Safe is deemed to be fair and reasonable based on the market and compliant agreement pricing.

### **Contract Term**

The agreement will begin on or about June 1, 2021 for a five-year aggregate term with no options to extend.

### **Financial Impact**

The agreement value will not exceed \$575,000. Funding is available in the Aviation Department's budget.

### **Location**

Phoenix Sky Harbor International Airport - 3400 E. Sky Harbor Blvd.  
Phoenix Deer Valley Airport - 702 W. Deer Valley Road  
Phoenix 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.



**Substitute Ground Lease with American Greyhound Racing - Amendment 1  
(Ordinance S-47567)**

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 154016 with American Greyhound Racing, Inc to allow Greyhound Racing, Inc to implement a Fire Watch and secure a company to remove Fire Load from the Grandstand Building located at 3801 E. Washington St. in exchange for rent credits. Further request to authorize the City Controller to disburse all funds related to this item. Rent credits allowed in exchange would not to exceed \$336,000.

**Summary**

The Grandstand Building (Grandstand) is located on land owned by the City at 3801 E. Washington St. In the past year, the Grandstand has been targeted by copper thieves who illegally removed copper wire and pipes from the fire alarm and fire suppression systems rendering the systems inoperable. A subsequent inspection by the Fire Department led to the issuance of a Notice of Non-Compliance due to the inoperable condition of the systems. The Aviation Department appealed the Notice of Non-Compliance and the Fire Department approved the appeal with stipulations that a Fire Watch be implemented, which requires the Grandstand to be monitored 24/7 and internally inspected every hour. The Fire Department also required that all non-affixed flammable items, referred to as Fire Load, be removed from the building. The Fire Department requires these stipulations remain in effect until the Grandstand is demolished. The Aviation Department has initiated the demolition process which is estimated to take up to 11 months.

**Financial Impact**

Expenses for implementing the Fire Department's requirements are estimated to be \$16,000 per month for the Fire Watch and \$160,000 for removal of the Fire Load. Greyhound has agreed to provide the Fire Watch in exchange for a monthly rent credit of up to \$16,000 and will secure a company to remove the Fire Load in exchange for additional rent credits of up to \$160,000. The total expenditures paid through rent credits will not exceed \$336,000 over the estimated 11-month Fire Watch period.

**Concurrence/Previous Council Action**

The City Council approved Substitute Ground Lease Agreement 154016 (Ordinance S-

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47363) on March 3, 2021.

**Location**

3801 E. Washington St.  
Council District: 8

**Responsible Department**

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





## **Billboard Concession Lease Agreement at Phoenix Sky Harbor International Airport (Ordinance S-47569)**

Request to authorize the City Manager, or his designee, to enter into a Billboard Concession Lease Agreement with Becker Boards Small, LLC at Phoenix Sky Harbor International Airport for 10 years with one 10-year renewal option.

### **Summary**

There are currently five revenue generating billboards located on Aviation Department property, including two static billboards located along Interstate 10 and three others at various locations. The two existing static billboard contracts along Interstate 10 have expired and have been operating month-to-month. In an effort to procure new revenue sources, the Aviation Department has identified underutilized, non-aeronautical land along State Route 143 that is suitable for the installation of three new billboards.

On Sept. 16, 2020, the Phoenix City Council authorized the Aviation Department to issue a Revenue Contract Solicitation for the upgrading of two existing static billboards along Interstate 10 to digital billboards (Package 1), and the installation of three new digital billboards along State Route 143 (Package 2).

The goals of the Revenue Contract Solicitation (RCS) were to select a Respondent with extensive experience operating outdoor billboards and advertising.

### **Procurement Information**

On Sept. 28, 2020, the Aviation Department issued RCS 21-004 and responses were due Dec. 4, 2020 by 10 a.m. (local AZ time). Three responses were received on Dec. 4, 2020. Two Respondents were issued a Determination of Non-Responsiveness due to the firms' failure to comply with the Solicitation requirements. One Respondent was deemed responsive.

On Feb. 8, 2021, the evaluation panel met and evaluated the responsive Respondent based on the published evaluation criteria:

- Proposed Minimum Annual Guarantee (MAG) (400 points);
- Business and marketing plan (350 points); and
- Qualifications and experience (250 points).

The Panel recommendation was reached by consensus of the panel in consideration of these criteria.

After a local and national outreach effort and a competitive solicitation, Becker Boards Small, LLC is recommended for award of the Billboard Concessions Lease for both Packages 1 and 2, with 810 out of 1,000 points for both packages.

The City Transparency Policy is in effect until the contract resulting from this RCS is awarded by City Council.

**Public Outreach**

A Business Information Meeting was held on Sept. 1, 2020. A Pre-Proposal Meeting was held on Oct. 7, 2020.

**Contract Term**

The term will be 10 years, with one 10-year renewal option, which shall be exercised at the sole discretion of the Director of Aviation Services.

**Financial Impact**

First year annual revenue will be approximately \$685,000 (MAG) or 60 percent of gross sales, whichever is greater. For every year thereafter, MAG shall be adjusted to 75 percent of the prior years' annual rent payment or 100 percent of the previous year's MAG, whichever is greater.

**Concurrence/Previous Council Action**

The Phoenix Aviation Advisory Board recommended approval of this item on April 15, 2021, by a vote of 8-1.

**Location**

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

**Responsible Department**

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



## **Parking Management Services Agreement at Phoenix Sky Harbor International Airport (Ordinance S-47576)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Ace Parking Management, Inc. to provide parking management services for the Aviation Department. Further request to authorize the City Controller to disburse all funds related to this item. The agreement value will not exceed \$110 million.

### **Summary**

Parking is the largest non-aeronautical revenue source at Phoenix Sky Harbor International Airport; therefore, the successful Proposer must have extensive experience operating a large airport-owned parking portfolio with results in delivering innovative strategies to improve customer service, increase market penetration, and revenue growth. Parking at Phoenix Sky Harbor International Airport is comprised of over 26,000 spaces that operate 24 hours-per-day and 365 days-per-year. This Parking Management Services agreement requires the successful Proposer to manage, administer, staff, and operate parking facilities; operate the Airport's Parking Access and Revenue Control System (PARCS); maintain and operate circulatory vehicles; provide and operate an online booking system; coordinate the revenue management program; and direct the marketing campaign. The Aviation Department is currently contracted with the recommended Proposer to provide parking management services on a month-to-month basis, but that agreement will terminate on Dec. 31, 2021.

### **Procurement Information**

Request for Proposal (RFP) 21-001 - Parking Management Services was conducted in accordance with Administrative Regulation 3.10. Four proposals were received and deemed responsive and responsible.

The proposals were evaluated by an evaluation panel and scored by consensus based on the following criteria, with a point range of 0-1,000 points:

- Financial Impact Including Revenue and Earnings: 0-250 points.
- Qualifications and Experience: 0-150 points.
- Operations - Customer Service and Staffing Plan: 0-150 points.
- Marketing Plan: 0-150 points.

- Revenue Management: 0-150 points.
- Customer Experience: 0-150 points.

The evaluation panel recommends Ace Parking Management, Inc. for agreement award as the best value to the City based on the following consensus scores:

- Ace Parking Management, Inc. - 894.
- SP Plus Corporation - 842.
- ABM Aviation, Inc. - 688.
- LAZ Parking - 664.

### **Contract Term**

The agreement will begin on or about July 1, 2021 for an initial seven-year term with one three-year option to extend for a 10-year aggregate agreement term.

### **Financial Impact**

The agreement value will not exceed \$110 million for the 10-year aggregate agreement term. Funding is available in the Aviation Department's budget.

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

The Phoenix Aviation Advisory Board recommended approval of this item on April 15, 2021, by a vote of 9-0.

### **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.



## **Enter into Agreement with Valley Metro Rail for Operational Costs for Light Rail Services (Ordinance S-47572)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Valley Metro Rail, Inc. to pay Phoenix's share of Light Rail and agency operating costs for Fiscal Year 2021-22. Further request to authorize the City Controller to disburse all funds related to this item. The agreement value will not exceed \$28,744,000.

### **Summary**

The Valley Metro Rail, Inc. (VMR) operations and maintenance budget includes costs for: transportation contractors; propulsion power; vehicle maintenance; systems/facilities maintenance, materials, and supplies; VMR staff; safety; consultants; regional customer services; utilities; liability insurance; and general and administrative expenses.

### **Financial Impact**

For Fiscal Year 2021-22, the City's total estimated shares of VMR's costs are \$39,380,000, broken down as follows:

- Agency costs - \$1,048,000; and
- Operating costs for Light Rail service - \$38,332,000.

The City's share of operating costs will be offset with \$10,636,000 of federal funds received by VMR through the Federal Transit Administration under the Coronavirus Response and Relief Supplemental Appropriations Acts, for a remainder of \$28,744,000.

Funding is available in the Public Transit Department's Operating budget using Transportation 2050 funds.

### **Responsible Department**

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



**Request Authorization to Submit Federal Transit Administrations Grants for American Recovery Plan Applications (Ordinance S-47578)**

Request to authorize the City Manager, or his designee, to apply for, accept, and distribute American Recovery Plan grants from the Federal Transit Administration and to enter into agreements necessary to receive and distribute those federal funds. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all grant funds in accordance with the terms of such grants and agreements. These grants are anticipated to be an amount not to exceed \$290,363,035.

**Summary**

The City of Phoenix is the designated recipient of Federal Transit Administration (FTA) grant funds for the Phoenix-Mesa Urbanized Area (UZA) and the direct recipient of FTA grant funds for the Avondale-Goodyear UZA. Phoenix submits FTA grant applications on behalf of all local governments and agencies in the region. On March 11, 2021, the American Recovery Plan (ARP) Act was approved with funding provided through existing FTA formula programs at 100 percent share, with no local match required. Such funding is available to support capital, operating, and other expenses to prevent, prepare for, and respond to the COVID-19 pandemic.

The Maricopa Association of Governments (MAG), as the Metropolitan Planning Organization for the Phoenix metropolitan area, is responsible for programming FTA funds for the region. MAG has allocated the ARP funding for the region to support transit operations. Phoenix is expected to receive \$105,730,795 for itself from this allocation.

**Financial Impact**

The total of all grant funds in the application is \$290,363,035. The applications and total federal amounts by fund type are:

- \$207,994,687 - FTA Section 5307 UZA Formula funding apportioned to the Phoenix-Mesa UZA;
- \$477,745 - FTA Section 5307 UZA Formula funding apportioned to the Avondale-Goodyear UZA;
- \$595,661 - FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities funding apportioned to the Phoenix-Mesa UZA; and

- \$81,294,942 - FTA Capital Investment Grants apportioned to the South-Central Phoenix Extension/Downtown Hub.

**Responsible Department**

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



## **Jurisdictional Bus Service Revenue Agreements - Amendments (Ordinance S-47584)**

Request to authorize the City Manager, or his designee, to execute amendments to agreements: 147281 with the Gila River Indian Community; 150473 with the City of Glendale; 146019 with the City of Peoria; and 150638 with the Regional Public Transportation Authority, for the purchase of Phoenix's fixed-route bus services by these agencies and the funding of Phoenix's Dial-a-Ride services with regional funds managed by Regional Public Transportation Authority for Fiscal Year 2021-22. Estimated costs for the year include credits resulting from the region's receipt of Coronavirus Response and Relief Supplemental Appropriations Act funds and American Rescue Plan Act of 2021 funds.

### **Summary**

Phoenix's Public Transit Department has existing agreements with these agencies for the provision of fixed route bus services as provided by Phoenix on the following routes:

- Gila River Indian Community (GRIC) - Route 51;
- City of Glendale - Routes 51, 59, 60, 67, 80, 83, 90, 138, 170 and 186;
- City of Peoria - Route 83; and
- Regional Public Transportation Authority (RPTA) - Routes 3, 17, 29, 41, 50, 59, 67, 70, 80, 106, 138, 154 and 170.

These amendments establish the Fiscal Year 2021-22 cost estimates for the fixed route bus service provided to these agencies by Phoenix, plus Phoenix's Dial-A-Ride services funded by regional funds.

### **Financial Impact**

There is no cost to Phoenix. Each agency will pay Phoenix for these services. Below are the projected costs for each respective agency in Fiscal Year 2021-22:

#### GRIC

Gross Cost of Service: \$1,030,910

Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA)

Funding Credit to GRIC: \$237,338

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American Rescue Plan Act of 2021 (ARPA) Funding Credit to GRIC: \$578,885  
Farebox Revenue: \$28,810  
Net GRIC Cost (Revenue to Phoenix): \$185,877

City of Glendale

Gross Cost of Service: \$5,283,822  
CRRSAA Funding Credit to Glendale: \$1,181,323  
ARPA Funding Credit to Glendale: \$2,881,334  
Farebox Revenue: \$285,328  
Net Glendale Cost (Revenue to Phoenix): \$935,837

City of Peoria

Gross Cost of Service: \$1,582,857  
CRRSAA Funding Credit to Peoria: \$364,408  
ARPA Funding Credit to Peoria: \$888,818  
Farebox Revenue: \$34,439  
Net Peoria Cost (Revenue to Phoenix): \$295,192

RPTA

Gross Cost of Fixed Route Bus Service: \$14,146,077  
CRRSAA Funding Credit to RPTA: \$4,403,702  
ARPA Funding Credit to RPTA: \$6,654,297  
Farebox Revenue: \$663,835  
Net Fixed Route Bus Service Cost: \$2,424,243  
Net Dial-a-Ride Cost (Revenue to Phoenix): \$2,548,902  
Net Combined RPTA Cost (Revenue to Phoenix): \$4,973,145

**Responsible Department**

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



**Agreement Amendment with Regional Public Transportation Authority for Purchase of Fixed Route Transit Service for Fiscal Year 2022 (Ordinance S-47585)**

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 143071 with the Regional Public Transportation Authority to provide additional funding to pay for bus transit service operated within Phoenix. Further request to authorize the City Controller to disburse all funds related to this item. The additional funding for Fiscal Year 2022 will not exceed \$7,750,546.

**Summary**

Transit services are customarily purchased and sold between regional transit agencies where adding service or continuing an existing bus route is most economical. Each Fiscal Year, the City determines the level of service to be operated within its boundaries and executes an amendment to its Service Agreement with Regional Public Transportation Authority (RPTA) to authorize funding for that year's service. In Fiscal Year 2022, RPTA will provide the following fixed route bus service within Phoenix: Routes 30 (University Drive); 45 (Broadway Road); 56 (Priest Drive); 61 (Southern Avenue); 77 (Baseline Road); 108 (Elliot Road/48th Street); 140 (Ray Road); and 156 (Chandler Boulevard). The City also sells service to RPTA on various routes.

At the end of each fiscal year, the City and RPTA assess the actual miles operated, gross costs incurred, federal funds credited (for preventative maintenance), and fare revenues collected. The City and RPTA then reconcile the difference between the original estimates and actual costs through a credit memo or billing, as applicable.

**Financial Impact**

The anticipated number of annual fixed-route miles for Fiscal Year 2022 is 1,457,190 miles at an estimated cost of \$10,756,109. The total estimated farebox revenue is \$372,932 and the total estimated preventive maintenance credit is \$794,985. In addition, the City is estimated to receive a \$1,837,646 Coronavirus Response and Relief Supplemental Appropriations Act (CRRSSA) funding credit for services RPTA provides within Phoenix. The total estimated net cost for RPTA's billing to the City is \$7,750,546.

Funding is available in the Public Transit Department operating budget using Transportation 2050 funds.

**Concurrence/Previous Council Action**

The City Council approved Service Agreement 143071 with RPTA (Ordinance S-42474) on April 20, 2016.

**Responsible Department**

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



**Request to Submit Annual Federal Transit Administration Grant Applications and Enter into Grant Agreements (Ordinance S-47586)**

Request to authorize the City Manager or his designee to: submit applications to the Federal Transit Administration for grant assistance; enter into agreements with the Federal Transit Administration for the purpose of accepting any grants awarded; and enter into agreements with any local governments and agencies receiving a pass-through share of the awarded grant funds. Further request to authorize the City Treasurer to receive, and the City Controller to disburse, all funds related to this item in accordance with the terms of the aforementioned grants and agreements. The total of all grant funds in the application is \$259,875,851.

**Summary**

The City of Phoenix is the designated recipient of Federal Transit Administration (FTA) grant funds for the Phoenix-Mesa Urbanized Area (UZA) and the direct recipient of FTA grant funds for the Avondale-Goodyear UZA. As such, Phoenix submits FTA grant applications on behalf of all local governments and agencies in the region. All projects are in the MAG-approved Transportation Improvement Plan (TIP) and the ADOT-approved State Transportation Improvement Plan (STIP). Projects included for Phoenix are:

- 40 replacement 40-foot buses;
- 25 replacement Dial-A-Ride vans;
- Three replacement neighborhood circulator vehicles;
- Design of a future park-and-ride facility;
- Construction of a future park-and-ride facility;
- Acquisition of a fare collection system;
- Preventive maintenance;
- Program administration; and
- Support services.

**Financial Impact**

All grant funds in the applications total \$259,875,851. Phoenix's direct allocation would total \$44,024,640, for which the matching funds of \$9,273,418 are available from Transportation 2050 sales taxes and the Proposition 400 Public Transportation Fund in

Public Transit's 2021-22 operating budget and five-year 2022-27 Capital Improvement Program. The applications and total federal amounts by fund type are:

- FTA Section 5307 Phoenix-Mesa UZA Formula funding for capital, planning, and operating assistance projects benefiting the entire Phoenix-Mesa region: \$58,753,674;
- FTA Section 5307 Avondale-Goodyear UZA Formula funding apportioned to Avondale-Goodyear UZA: \$5,325,790;
- Federal Congestion Mitigation and Air Quality Improvements (CMAQ) and Surface Transportation Block Grant Program (STBGP) funding transferred from the Federal Highway Administration (FHWA) to FTA for capital projects: \$27,672,602 and \$3,782,710;
- FTA Section 5339 Bus and Bus Facilities Formula funding to include capital projects benefiting the entire Phoenix-Mesa UZA: \$6,162,346;
- FTA Section 5337 State of Good Repair - High Intensity Motorbus Program funding to include capital projects benefiting the Avondale-Goodyear UZA: \$73,755;
- FTA Section 5337 State of Good Repair - High Intensity Motorbus Program funding to include capital projects benefiting the Phoenix-Mesa UZA: \$3,818,518;
- FTA Section 5337 State of Good Repair - Fixed Guideway Program funding to include capital projects benefiting the Phoenix-Mesa UZA: \$3,624,386;
- FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities funding to include capital projects benefiting the Phoenix-Mesa UZA: \$3,551,103;
- FTA Section 5309 Capital Investment Grant for New Starts Projects - Northwest Extension Light Rail Phase II: \$49,400,000; and
- FTA Section 5309 Capital Investment Grant for New Starts Projects - South Central Extension/Downtown Hub: \$97,710,967.

### **Responsible Department**

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



**Dial-A-Ride Service Web Portal Software License and Passenger Notification License/Services Agreement - Amendment (Ordinance S-47587)**

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 148851 with Trapeze Software Group, Inc. to provide additional software licensing for continued web portal trip planning for Phoenix Dial-a-Ride users and add passenger notification capabilities. Further request to authorize the City Controller to disburse all funds related to this item. The additional funding will not exceed \$446,457.

**Summary**

To currently request a Phoenix Dial-a-Ride (DAR) trip, eligible users can either call the City's contracted service provider directly or use an account-based web portal. Once a trip has been requested, the service provider utilizes the City's provided software developed by Trapeze Software Group, Inc. (Trapeze) for scheduling and dispatch.

The current web portal service is a separate Trapeze software product provided by the City's contracted service provider. But to ensure there is no lapse in customer service or trip scheduling capabilities with any change in service provider under future agreements, the Public Transit Department (PTD) intends to bring this functionality in-house for the City to provide and maintain the software directly.

In addition, PTD seeks to add a software feature known as "passenger notification services," which allows passengers to receive trip reminders and real-time ride status updates by text message or email. That feature also allows passengers to perform an assortment of automated phone functions. The existing phone scheduling system would remain in place for passengers who prefer that method for trip scheduling.

An amendment to Trapeze's agreement would supplement the existing scope to provide for these new software products' licenses, implementation services, long term support services, and SMS (text)/virtual phone services. This item has been reviewed and approved by the Information Technology Services Department.

**Financial Impact**

The amendment includes the cost of software licensing and implementation of passenger notification services, as well as maintenance and support services through

expiration of the City's agreement with Trapeze on Nov. 30, 2023. Maintenance services include monthly charges for Twilio service, which is a cloud-based service for the text messages and phone calls necessary to implement these new passenger features.

The initial authorization for Maintenance of Software and Licensing Services Agreement 148551 was for an expenditure not-to-exceed \$568,328. This amendment will increase the authorization for the agreement by an additional \$446,457, for a new total not-to-exceed agreement value of \$1,014,782.

Funding is available in the Public Transit Department's Capital and Operating budgets using Transportation 2050 funds.

**Concurrence/Previous Council Action**

The City Council approved Maintenance of Software and Licensing Services Agreement 148851 (Ordinance S-45099) on Nov. 7, 2018.

**Responsible Department**

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



**Adoption of Solid Waste Ordinance Amendment to Chapter 27 of Phoenix City Code (Ordinance G-6849)**

Request City Council authorization to adopt the proposed changes to the City's Solid Waste Ordinance included in Chapter 27 of the Phoenix City Code.

**Summary**

Currently, Phoenix City Code sec. 27-21 states the City does not provide solid waste collection service to commercial or industrial establishments. There are a number of properties in the City that were previously zoned as residential and converted into office space as an adaptive reuse. Many of these properties are small single-family units and do not have surface space to be properly serviced by a private contractor or by special collection, such as with a front load container. Additionally, these units do not produce sufficient waste to merit such a large container. In the past, the City has been contacted by owners to provide service, such as a 90-gallon curbside container but, per current City Code, the Public Works Department has had to deny service.

The recommended language is to allow the City to provide solid waste collection service to commercial establishments that were previously residential dwelling units at the Director's discretion. This will allow Public Works the ability to provide services when requested by said establishments at the residential rate.

**Concurrence/Previous Council Action**

The City Council approved text amendments to Chapter 27 of the Phoenix City Code (G-5920) on May 28, 2014, which reflected solid waste program changes to increase the city's diversion rate.

**Responsible Department**

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





**Authorization to Enter into Land Lease and Operating Agreement with Renew Phoenix at City of Phoenix Resource Innovation Campus (Ordinance S-47549)**

Request to authorize the City Manager, or his designee, to enter into a lease and operating agreement with Renew Phoenix at the City of Phoenix's Resource Innovation Campus located at 27th Avenue and Lower Buckeye Road for one year, with a one-year option to extend. Further request to authorize the City Treasurer to accept all funds related to this item. Revenue from the land lease is \$2,800 per year.

**Summary**

Ordinance S-45501 authorized an agreement for processing plastics and a land lease with Renew Phoenix. As part of the program, Renew Phoenix will lease approximately 30,000 square feet at the Resource Innovation Campus (RIC) for 10 years at \$8,400 per year.

The Public Works Department and Renew Phoenix have agreed to a smaller-scale pilot program prior to entering into the 10-year contract. The leased site for the pilot program will be 10,000 square feet for a one-year term with a one-year option to extend. The lease rate will be \$2,800 per year, plus applicable taxes, which is within the range of market rents as determined by the Finance Department Real Estate Division. The term of operating agreement will be one year and run concurrently with the lease. All other terms and conditions will remain the same as approved in the original Request for Proposal.

**Contract Term**

The lease term and operating agreement for the pilot program will be one year beginning on or about July 1, 2021, with a one-year option to extend.

**Financial Impact**

Revenue from the land lease is \$2,800 per year. There is no negative financial impact to the City.

**Concurrence/Previous Council Action**

- The Water, Wastewater, Infrastructure and Sustainability Subcommittee recommended approval of a 10-year agreement for processing plastics and land

lease on March 6, 2019, by a vote of 3-0.

- The City Council approved entering into a 10-year agreement for processing plastics and land lease (Ordinance S-45501) on April 3, 2019.

**Location**

27th Avenue Transfer Station - 3060 S. 27th Ave.

Council District: 7

**Responsible Department**

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



## **Recommendation for Specialty Vehicles and Equipment Maintenance and Repair Agreements (Ordinance S-47554)**

Request to authorize the City Manager, or his designee, to enter into separate agreements with Arizona Machinery, LLC dba Stotz Equipment; BTE Body Company, Inc.; CliffCo, LLC; Environmental Equipment, LLC; Southern California Fleet Services, Inc. dba Fleet-Line Truck & Fire Equipment Repair; LZ Delta, LLC dba GO AZ Motorcycles; Musgrove Enterprises, LLC dba SealMaster Arizona; Short Equipment, Inc.; Simpson Norton Corporation; Superior Supply, Inc.; and Utility Crane & Equipment, Inc. for specialty vehicles and equipment maintenance and repair. Further request to authorize the City Controller to disburse all funds related to this item. The total aggregate amount is \$3,575,000 over the life of the agreements.

### **Summary**

The Public Works Department is responsible for managing a diverse fleet of over 7,300 vehicles and equipment that are repaired and maintained at service centers and police substations. The equipment includes all-terrain vehicles, trailers, forklifts, various off-road vehicles and equipment, and street repair apparatus that require ongoing maintenance and repairs to keep them in good operating condition. These agreements will allow Public Works and Aviation departments to maintain City-owned specialty equipment and will ensure the equipment is in operating condition and available for service.

### **Procurement Information**

Invitation for Bid 22-FSD-003 was conducted in accordance with Administrative Regulation 3.10. Twelve offers were received by the Public Works Department Procurement Services on March 10, 2021. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. One offer was deemed non-responsive. The offers submitted by Arizona Machinery, LLC dba Stotz Equipment; BTE Body Company, Inc.; CliffCo, LLC; Environmental Equipment, LLC; Southern California Fleet Services, Inc. dba Fleet-Line Truck & Fire Equipment Repair; LZ Delta, LLC dba GO AZ Motorcycles; Musgrove Enterprises, LLC dba SealMaster Arizona; Short Equipment, Inc.; Simpson Norton Corporation; Superior Supply, Inc.; and Utility Crane & Equipment, Inc. were deemed fair and reasonable.

The awards recommendation can be found in **Attachment A**.

**Contract Term**

The one-year term of the agreements will begin on or about July 1, 2021. The agreements will contain four one-year options to extend the term, for a total agreement term of up to five years if all options are exercised.

**Financial Impact**

The aggregate value of the agreements, including all option years, is \$3,575,000, including all applicable taxes, with an estimated annual expenditure of \$715,000. Funding is available in the Public Works and Aviation departments' budgets.

**Responsible Department**

This item is submitted by Deputy City Managers Mario Paniagua and Karen Peters, and the Aviation and Public Works departments.

## Attachment A

IFB 22-FSD-003 Specialty Vehicles and Equipment Maintenance and Repair Awards Recommendation

Offeror	Group 1 - Sweepers & Street Equipment	Group 2 - Water Specialty Equipment	Group 3 - Aerial & Crane Equipment	Group 4 - Generators & Compressors	Group 5 - Truck Bodies & Lift Gates	Group 6 - Trailers	Group 7 - Articulating Loaders, Tractors, Backhoes, and other Off Road Equipment	Group 8 - Motorcycles	Group 9 - Forklifts	Group 10 - ATV & Carts	Group 11 - Trailer MTD Pumps	Group 12 - Misc. Vehicle & Equipment
Arizona Machinery, LLC dba Stotz Equipment				\$762.26 ✓			\$762.26 ✓			\$762.26 ✓		
BTE Body Company, Inc.	\$565.00 ✓		\$565.00 ✓	\$565.00 ✓	\$565.00 ✓	\$565.00 ✓	\$565.00 ✓					
CliffCo Heavy Equipment Repair	\$540.00 ✓	\$540.00 ✓	\$540.00 ✓	\$540.00 ✓		\$540.00 ✓	\$540.00 ✓		\$540.00 ✓		\$400.00 ✓	
Environmental Equipment, LLC	\$440.00 ✓	\$440.00 ✓	\$440.00 ✓	\$440.00 ✓	\$440.00 ✓	\$440.00 ✓	\$440.00 ✓		\$440.00 ✓	\$440.00 ✓	\$440.00 ✓	
Southern California Fleet Services, Inc. dba Fleet-Line Truck & Fire Equipment Repair	\$446.00 ✓					\$446.00 ✓			\$446.00 ✓	\$446.00 ✓		\$446.00 ✓
LZ Delta, LLC dba GO AZ Motorcycles				\$81.75 ✓				\$81.75 ✓		\$81.75 ✓		
Musgrove Enterprises, LLC dba SealMaster Arizona	\$495.00 ✓											
Short Equipment, Inc.	\$490.00 ✓	\$490.00 ✓										
Simpson Norton Corporation							\$540.00 ✓			\$540.00 ✓		\$540.00 ✓
Superior Supply, Inc.	\$170.00 ✓											
Utility Crane & Equipment, Inc.			\$599.38 ✓									



## **Parking Meter Equipment and Services Request for Proposals**

Request to authorize the City Manager, or his designee, to issue a Request for Proposals for a new professional services agreement for parking meter equipment and services.

### **Summary**

The City's Parking Meter Program provides an important source of revenue to the City but also provides a benefit to the downtown businesses, restaurants, and events by managing access and use of on-street parking in the downtown and midtown areas of Phoenix. The Street Transportation Department (Streets) manages the program and continuously works to improve the parking meter system to meet the needs of the public.

Streets currently operates a mix of 1,700 "smart" parking meters and 540 older coin-only parking meters for a total of 2,240 parking meters. The coin-only parking meters operate in areas of low parking demand. The smart meters operate on a proprietary financial software that utilizes wireless technology for two-way communications with the parking meters to accept and monitor payments, monitor their status and use, provide remote diagnostics, and allow for settings to be changed remotely. The "smart" meters were purchased and installed through current Agreement 135354 with IPS Group, Inc. (IPS) in 2013 and have a ten-year life. IPS provides wireless communications and monitoring services for the "smart" meters under this agreement. The current agreement with IPS is set to expire on Jan. 27, 2022, so it is necessary for Streets to procure a new parking meter services agreement through the issuance of a Request for Proposals (RFP).

There have been significant changes in parking meter preferences and technology since the current agreement was executed in 2013. Increasingly, parking meter customers prefer to pay for meter fees using their smart phones. To meet customers' expectations, Streets entered into a separate agreement with ParkMobile in December 2017 to support parking transactions using a third-party mobile phone application. Revenues collected through the ParkMobile app average \$40,000 per month. A new RFP will allow Streets to further promote these capabilities and enhance customer experience using our meters. Additionally, wireless communication technology has

advanced considerably, and a new agreement will allow the City to meet new technical specifications not currently supported by the existing meters.

Despite an increasing preference to pay by phone, payments by coin still account for approximately 30 percent of parking meter revenue, and meters will be required to continue to accept coins under the new agreement. Additional capabilities anticipated with the new agreement include enhanced enforcement tools, compatibility with sensor equipment, and improved web interfacing for program management.

Streets is coordinating with the Information Technology Services Department to ensure technical compliance with the RFP and subsequent agreement.

### **Procurement Information**

Streets will solicit for a new parking meter equipment and services agreement utilizing the RFP procurement process. Staff has revised the previous scope of work for the RFP with a goal to provide a parking meter system that meets the current and future needs of the City. Responsive and responsible proposals will be evaluated according to the following criteria:

- Technical Specifications;
- Pricing;
- Method of Approach;
- Telecommunications and Reporting; and
- Value-Added Services.

The highest-ranked proposal will be recommended for award of the agreement.

### **Contract Term**

The term of the new agreement will be five years beginning on Jan. 28, 2022, and will include five one-year extension options.

### **Financial Impact**

Depending on the need to replace the existing parking meter inventory, the estimated cost of the agreement will be between \$5 and \$10 million. Funding for the agreement is in the Street Transportation Department's budget utilizing Arizona Highway User Revenue Funds.

The City is expecting to generate approximately \$2.1 million in parking meter revenues for Fiscal Year (FY) 2021, which is a decrease from previous years due to the onset of the COVID-19 pandemic in March 2020. Prior to 2020, parking meter program revenues had been steadily increasing and reached approximately \$3.9 million in FY

2019. Revenues have begun to trend upward; therefore, the parking meter revenues are anticipated to exceed \$21 million over the life of the ten-year agreement.

In the event a new parking meter vendor is awarded the agreement, the RFP agreement structure does include lease and financing options that will provide flexibility to absorb the required capital investment.

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

The City Council approved:

- Installation of New Parking Meter Technology Agreement 135354 (Ordinance S-39393) with IPS on Nov. 28, 2012;
- Additional payment authority (Ordinance S-43895) to expand the parking meter program on Sept. 6, 2017;
- Parking Meter Technology Agreement 135354 - Amendment (Ordinance S-44122) on Dec. 13, 2017; and
- Parking Meter Technology Agreement 135354 - Amendment (Ordinance S-46975) on Oct. 7, 2020.

The Transportation, Infrastructure and Innovation Subcommittee:

- Recommended City Council approval to issue an RFP on April 7, 2021.

### **Location**

Council Districts: 4, 7 and 8

### **Responsible Department**

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





**Citywide General Construction Job Order Contract Services - Amendment - 4108JOC178 (Ordinance S-47546)**

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 149740 with DL Norton General Contracting, Inc. (DL Norton) to provide \$4 million in additional General Construction Job Order Contracting Services, and to authorize the execution of a Job Order Agreement in an amount up to \$6 million for the Phoenix City Hall Replace Sanitary Sewer Lines and Repair Roof Drain System project. Further request to authorize execution of amendments to Master Agreement 149740 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 \$4 million.

**Summary**

The purpose of this project is to replace the sanitary waste and vent piping and provide re-sloping of storm drain piping at Phoenix City Hall (City Hall).

In 2018, a consultant was hired to perform an assessment which resulted in the recommendation of a full system replacement to avoid a potential widespread system failure. In 2019, the same consultant was hired to complete design through its Engineering On-Call contract. In August 2020, staff pursued the specialized design and construction expertise of DL Norton Construction under an existing Job Order Contract (JOC), to provide pre-construction services which included working with the design consultant to prepare final construction drawings, prepare a construction schedule which projected a timeline of 12 months for completion, and a cost estimate for construction.

Due to the complexity of the project, impact and coordination required to work with multiple departments residing in City Hall, as well as security requirements and logistical requirements of working within City Hall, it is imperative that the City use a contractor that can meet these requirements. DL Norton has assembled a specialized team of subcontractors, all of which have a vast knowledge and familiarity with the existing conditions.

Use of a JOC construction services contract allows the City to address the timeline

requirements and specialized aspects of the project. DL Norton currently has \$2.2 million in remaining contract capacity on JOC Master Agreement 149740. To ensure the contract has sufficient capacity for replacement of the sanitary sewer line and repair roof drain project, staff recommends increasing the JOC contract capacity and spending authority of DL Norton's current JOC by an additional \$4 million to complete this project. This amendment will allow for the issuance of a job order agreement to DL Norton for an amount not to exceed \$6 million for the City Hall replacement of sanitary sewer lines and repair of the roof drain system.

This Agreement is essential to the health, safety, and welfare of the public and critical operations for the City.

### **Contract Term**

The term of the agreement will not change. 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 master agreement for Job Order Contracting Services was executed for a fee not-to-exceed \$10 million, including all subcontractor and reimbursable costs.
- This Amendment will increase the master agreement by an additional \$4 million, for a new total not-to-exceed master agreement value of \$14 million, including all subcontractor and reimbursable costs.

Funding for this amendment 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 execution of any job order agreements. 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 Job Order Contracting Services Master Agreement 149740 (Ordinance S-45604) on May 1, 2019.

### **Responsible Department**

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



**Palm Lane Storm Drain: 28th Place to 32nd Street - Design-Bid-Build Services - ST83140081 (Ordinance S-47548)**

Request to authorize the City Manager, or his designee, to accept Degan Construction, LLC, as the lowest-priced, responsive and responsible bidder and to enter into an agreement with Degan Construction, LLC for Design-Bid-Build Services for the Palm Lane Storm Drain: 28th Place to 32nd Street project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed \$2,361,325.24.

**Summary**

The purpose of this project is to install storm drain pipe and modify the existing sanitary sewer line along Palm Lane from 28th Place to 32nd Street.

Degan Construction, LLC's services include, but are not limited to: installing storm drain pipe, catch basins, manholes, and inlet structures, including water lines abandonment, vertical realignment, removal and replacement of asphalt-concrete pavement, valley gutters, driveway entrances, sidewalk, curb and gutter, Americans with Disabilities Act curb ramps, and speed hump reconstruction, and other miscellaneous work items as required to complete the project.

This Agreement is essential to the health, safety, and welfare of the public and critical operations for the City.

**Procurement Information**

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Three bids were received on April 13, 2021. The Equal Opportunity Department has determined that Small Business Enterprise and Disadvantaged Business Enterprise program requirements do not apply to this contract.

The Opinion of Probable Cost and the three lowest responsive, responsible bidders are listed below:

Engineer's Estimate: \$3,404,768  
Degan Construction, LLC: \$2,361,325.24  
FPS Civil, LLC: \$2,824,360.00  
Action Direct, LLC dba Redpoint Contracting: \$5,500,204.00

The bid award amount is within the total budget for this project.

The Engineer of Record evaluated the contractors' bids received by the City compared to the Opinion of Probable Cost and did not find any severe variations of unit prices that would cause concern to prevent the City from moving forward with awarding this project to Degan Construction, LLC.

**Contract Term**

The term of the agreement is 210 calendar days 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 Degan Construction, LLC will not exceed \$2,361,325.24, including all subcontractor and reimbursable costs.

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

**Location**

Council District: 8

**Responsible Department**

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



**Intergovernmental Agreement with Arizona Department of Transportation to Fund City of Phoenix Staffing Resources for Interstate 10 Broadway Curve Improvement Project (Ordinance S-47561)**

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Arizona Department of Transportation for the Arizona Department of Transportation to fund City staffing resources in the Street Transportation Department related to the reconstruction of the Interstate 10 Broadway Curve Improvement Project. Further request the City Council to grant an 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. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

**Summary**

The purpose of this Agreement is for the Arizona Department of Transportation (ADOT) to fund Street Transportation Department staff coordinating with City departments on the Interstate 10 (I-10) Broadway Curve Improvement Project (Broadway Curve) in an amount not to exceed \$350,000 per year. City staff will be assigned to the project to coordinate and perform plan reviews, process permits, and provide traffic operations coordination and outreach support during the freeway detours and closures. It is critical to the success of this freeway project for City staff to work closely with ADOT and the development team throughout design and construction.

The I-10 Broadway Curve project is planned to improve a segment of I-10 between the I-10/Interstate 17 (I-17) Split Traffic Interchange and the Congressman Ed Pastor Freeway (Loop 202-South Mountain Freeway).

**Contract Term**

The term of the agreement is two years from the date of execution on or about May 15, 2021, with two one-year extension options.

**Financial Impact**

The City will be reimbursed in an amount not to exceed \$350,000 per year.

**Location**

Interstate 10, from the I-10/I-17 Split Traffic Interchange and the Congressman Ed Pastor Freeway (Loop 202-South Mountain Freeway).

Council Districts: 6 and 8

**Responsible Department**

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



**Water Main Replacement: Stanford to McDonald Drives and 40th to 44th Streets - Construction Manager at Risk Preconstruction Services - WS85509050 (Ordinance S-47566)**

Request to authorize the City Manager, or his designee, to enter into an agreement with TALIS Construction Corporation to provide Construction Manager at Risk Preconstruction Services for the Water Main Replacement: Stanford to McDonald drives and 40th to 44th streets 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 \$15,000.

**Summary**

The purpose of this project is to replace approximately 26,471 linear feet of water main, 46 fire hydrants, 287 service connections, and 18 cut and plugs.

TALIS Construction Corporation (TALIS) will begin in an agency support role for Construction Manager at Risk Preconstruction Services. TALIS will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

TALIS' services include, but are not limited to: providing a detailed cost estimate and knowledge of marketplace conditions, provide project planning and scheduling, provide for construction phasing and scheduling that will minimize interruption and to City operations and to provide alternate systems evaluation and constructability studies. A Small Business Enterprise goal will be established for this project upon substantial completion of Preconstruction Services and prior to the start of construction.

This Agreement is essential to the health, safety, and welfare of the public and critical operations for the City.

**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: TALIS Construction Corporation

Additional Proposers

Rank 2: B&F Contracting, Inc.

Rank 3: Hunter Construction Co.

Rank 4: Haydon Building Corporation

**Contract Term**

The term of the agreement is 260 calendar days 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 TALIS will not exceed \$15,000, 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**

Quarter section 20-37 bordered by Stanford to McDonald drives and 40th to 44th streets

Council District: 6

**Responsible Department**

This item is submitted by Deputy City Managers Karen Peters and Mario Paniagua, the Water Services Department, and the City Engineer.





**Northwest Valley Transportation - Construction Manager at Risk Construction Services - ST85100449 (Ordinance S-47570)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Hunter Contracting Co. to provide Construction Manager at Risk Construction Services for the Northwest Valley Transportation 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 \$50 million.

**Summary**

The purpose of this project is to construct approximately three miles of arterial streets, including street lighting and landscaping, in support of the Taiwan Semiconductor Manufacturing Company (TSMC) facility. One traffic signal located at the intersection of Dove Valley Road and 43rd Avenue and another at a driveway entrance into the TSMC site at 43rd Avenue will also be included in this project.

Hunter Contracting Co.'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. Hunter Contracting Co. will be responsible for construction means and methods related to the project and fulfilling the SBE program requirements. Hunter Contracting Co. will be required to solicit bids from pre-qualified subcontractors and to perform the work using the City's subcontractor selection process. Hunter Contracting Co. may also compete to self-perform limited amounts of work.

Hunter Contracting Co.'s services include, but are not limited to: attending project meetings; developing and analyzing project schedule; creating construction management plans; performing plan and constructability reviews; cost estimating; construction of the arterial streets; and installation of lighting and landscaping.

**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 CMAR Preconstruction Services selection process.

### **Contract Term**

The term of the agreement is one year 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 Hunter Contracting Co. will not exceed \$50 million, including all subcontractor and reimbursable costs.

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

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

The City Council approved Construction Manager at Risk Preconstruction Services Agreement 154122 (Ordinance S-47495) on April 21, 2021.

### **Public Outreach**

A pre-recorded public meeting is planned for the project.

### **Location**

The site is bounded by I-17 Freeway to the east, the Loop 303 Freeway to the south, the Deadman Wash to the west and State Route 74 to the north.

Council District: 1

### **Responsible Department**

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



**U.S. Department of Transportation Emergency Relief Funds for 7th Street and Salt River Bridge Repair (Ordinance S-47577)**

Request to authorize the City Manager, or his designee, to apply for, accept, and if awarded, enter into agreements for disbursement of federal transportation funding for the U.S. Department of Transportation's Emergency Relief Program not to exceed \$12 million, for the 7th Street and Salt River Bridge Repair project. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item, if awarded.

**Summary**

Congress authorized in Title 23, United States Code, Section 125, a special program from the Highway Trust Fund to repair damaged roads and bridges, or reconstruct federal-aid highways and roads on federal lands which have suffered damage as a result of natural disasters or catastrophic failures from an external cause. On Feb. 28, 2021, the 7th Street Bridge over the Salt River experienced a catastrophic fire which was caused by a ten-inch high pressure natural gas line running under the bridge. Since 7th Street is part of the National Highway System, and because the fire that occurred was a catastrophic failure from an external cause, the City of Phoenix Street Transportation Department (Streets) was informed by representatives of the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) that this project may be eligible for the Emergency Relief (ER) Program.

Critical damage occurred to the north end of the bridge structure as a direct result of the catastrophic fire, requiring the removal and replacement of the northern two spans of the five-span bridge along with the northern most pier and abutment. Streets is actively pursuing repair and rehabilitation of the 7th Street and Salt River Bridge, which has remained closed since the fire occurred. The bridge is anticipated to reopen in September 2021 when replacement of the north two spans, pier and abutment is complete.

Streets is collaborating with federal and state agencies to process the City's intent to apply for and use ER funds. A formal request has been made through ADOT, which will be requesting an Emergency Declaration by the Governor's office on the City's behalf to formally initiate the approval request through the Arizona Division of FHWA.

**Financial Impact**

One hundred percent of the total project cost is eligible for federal reimbursement up to 180 days from the date of approval. After 180 days, the City's local match would be a maximum of 5.7 percent of the total project cost, or up to \$684,000.

If funding is approved, the City's local match requirement will not exceed \$684,000 to leverage repair costs up to \$12 million in federal funds. The local match is available in Streets' Capital Improvement Program budget.

**Location**

7th Street, south of University Drive  
Council District: 8

**Responsible Department**

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



## **Support for Formation of Rancho Ventura Irrigation Water Delivery District (Resolution 21924)**

Request to adopt a resolution to support formation of the Rancho Ventura Irrigation Water Delivery District through Maricopa County. The proposed Irrigation Water Delivery District includes the single-family residential properties bounded by Oak Street to the south, Cambridge Avenue to the north, 40th Street to the west and 44th Street to the east. This action has no financial impact to the City of Phoenix.

### **Summary**

Under the provisions of Arizona Revised Statutes (A.R.S.) Chapter 20, Title 48, Irrigation Water Delivery Districts, when the majority of the lot or parcel owners entitled to or capable of receiving irrigation water from the same system want irrigation water delivered to their lands, they may propose the organization of an Irrigation Water Delivery District (IWDD). Maricopa County requires that applicants for an IWDD within City of Phoenix boundaries obtain City Council support before the County will start the process of forming or re-establishing a district.

If approved by the City Council, landowning neighbors seeking an IWDD complete a special taxation impact statement and submit this document to the Maricopa County Board of Supervisors. The Board of Supervisors, along with Salt River Project (SRP), will decide if a petition to organize an IWDD may be circulated. See **Attachment A** for the Consent from SRP to the Board of Supervisors.

This request has been reviewed by the Street Transportation and Water Services departments.

### **Financial Impact**

This action has no financial impact to the City of Phoenix.

### **Public Outreach**

On June 7, 2019, the City received a formal written request from City of Phoenix resident Jeff Bloker, representative for the Rancho Ventura neighborhood, to pursue City Council approval to form an IWDD with Maricopa County (**Attachment B**).

**Location**

The proposed IWDD includes the single-family residential properties bounded by Oak Street to the south, Cambridge Avenue to the north, 40th Street to the west, and 44th Street to the east.

Council District: 8

**Responsible Department**

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

**Attachment A**

**Consent from SRP to Board of Supervisors and Map of SRP Delivery System**

**EXHIBIT "C".**

**BEFORE THE BOARD OF SUPERVISORS OF MARICOPA COUNTY**

In the Matter of the Application and )	<b>CONSENT OF SALT RIVER PROJECT</b>
Petition for the Formation of an Irrigation)	<b>AGRICULTURAL IMPROVEMENT</b>
Water Delivery District to be known as: )	<b>AND POWER DISTRICT AND SALT</b>
<b>Rancho Ventura 12</b> Irrigation Water )	<b>RIVER VALLEY WATER USERS'</b>
Delivery District of Maricopa County )	<b>ASSOCIATION, COLLECTIVELY</b>
	<b>REFERRED TO AS SRP.</b>

**TO: THE BOARD OF SUPERVISORS OF MARICOPA COUNTY,  
STATE OF ARIZONA**

Erica Trapp, being first duly sworn upon her oath, deposes and says:

That she is the Director of Water Delivery Services of the SRP.

That the lands to be included within the **Rancho Ventura 12** Irrigation Water Delivery District are within the Salt River Project Agricultural Improvement and Power District and the Salt River Valley Water Users' Association.

That the Board of Directors of the Salt River Project Agricultural Improvement and Power District and the Board of Governors of the Salt River Valley Water Users' Association consent to the formation of said Irrigation Water Delivery District and said action was duly authorized by resolutions dated March 5, 2001.

That she has read this Consent and knows the content thereof and that the matters and things contained herein are true and correct to the best of her own knowledge, information, and belief.

  
\_\_\_\_\_

SUBSCRIBED AND SWORN TO before me this 17<sup>th</sup> day of June, 2019

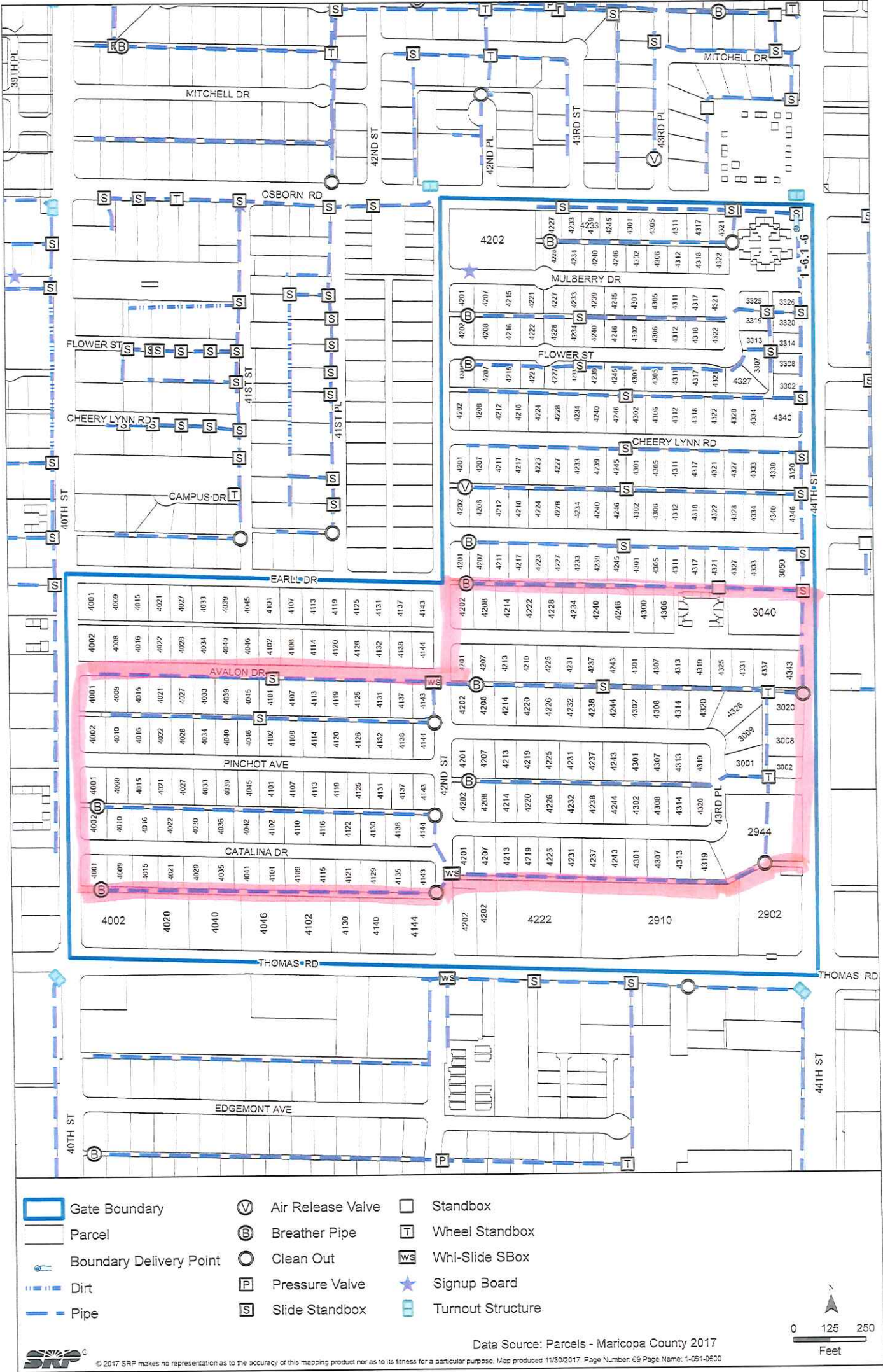
My commission expires: March 2 2022



  
\_\_\_\_\_  
Notary Public



Canal, Lateral, Gate: 1-061-0600





## Attachment B

### Request Letter and Map Submitted by Rancho Ventura 12

To: Sara Elco

June 17, 2019

From: Rancho Ventura 12 IWDD

Jeff Bloker, Representative

RE: Request for Formation of Irrigation Water Delivery District

Dear Ms. Elco,

We as a neighborhood "Rancho Ventura 12" are requesting consent to form an Irrigation Water Delivery District (IWDD) from the City of Phoenix. The purpose of the IWDD is the fair use and upkeep of the irrigation system by property tax assignment for our homeowners. We ask that the City Council would pass this request of resolution, authorizing this IWDD.

Enclosed you will find Salt River Projects approval along with maps of the proposed district and the homeowner list. I will be the spokesperson for the proposed IWDD. Once we receive approval from the City of Phoenix we will be submitting an Impact Statement to form an IWDD to Maricopa County Board of Supervisors.

Sincerely,

Jeff Bloker

For: Rancho Ventura 12 IWDD

## **EXHIBIT A**

### **LEGAL DESCRIPTION**

Lots 303 through 334 of RANCHO VENTURA TRACT NO. 12, a Subdivision of the South Half of the Southwest Quarter of Section 30, Township 2 North, Range 4 East, of the Gila and Salt River Base and Meridian according to the Plat of Record in the Office of the County Recorder of Maricopa County, Arizona, Recorded in Book 52 of Maps, Page 38;

TOGETHER WITH

Lots 335 through 350 of RANCHO VENTURA TRACT NO. 13, a Subdivision of the South Half of the Southwest Quarter of Section 30, Township 2 North, Range 4 East, of the Gila and Salt River Base and Meridian according to the Plat of Record in the Office of the County Recorder of Maricopa County, Arizona, Recorded in Book 53 of Maps, Page 50;

TOGETHER WITH

Lots 397 through 420 of RANCHO VENTURA TRACT NO. 15, a Subdivision of the South Half of the Southwest Quarter of Section 30, Township 2 North, Range 4 East, of the Gila and Salt River Base and Meridian according to the Plat of Record in the Office of the County Recorder of Maricopa County, Arizona, Recorded in Book 54 of Maps, Page 46;

TOGETHER WITH

Lots 421 through 451 of RANCHO VENTURA TRACT NO. 16, a Subdivision of the South Half of the Southwest Quarter of Section 30, Township 2 North, Range 4 East, of the Gila and Salt River Base and Meridian according to the Plat of Record in the Office of the County Recorder of Maricopa County, Arizona, Recorded in Book 55 of Maps, Page 22;

TOGETHER WITH

That portion of the 8 foot abandoned alley as set forth in Resolution No. 18821, as recorded in document No. 1996-0804339, lying South of the South line of Lots 419 and 420, of RANCHO VENTURA TRACT NO. 15, a Subdivision of the South Half of the Southwest Quarter of Section 30, Township 2 North, Range 4 East, of the Gila and Salt River Base and Meridian according to the Plat of Record in the Office of the County Recorder of Maricopa County, Arizona, Recorded in Book 54 of Maps, Page 46; and lying North of the Northerly line of Lot 421, of RANCHO VENTURA TRACT NO. 16, a Subdivision of the South Half of the Southwest Quarter of Section 30, Township 2 North, Range 4 East, of the Gila and Salt River Base and Meridian according to the Plat of Record in the Office of the County Recorder of Maricopa County, Arizona, Recorded in Book 55 of Maps, Page 22;

TOGETHER WITH

Lots 452 through 475 of RANCHO VENTURA TRACT NO. 17, a Subdivision of the South Half of the Southwest Quarter of Section 30, Township 2 North, Range 4 East, of the Gila and Salt River Base and Meridian according to the Plat of Record in the Office of the County Recorder of Maricopa County, Arizona, Recorded in Book 55 of Maps, Page 23;

TOGETHER WITH

Lot 1 OF REPLAT OF LOT 478, AND PORTIONS OF LOTS 476, 477, 479, 480, 481, AND 482 OF RANCHO VENTURA TRACT NO. 17, a Subdivision of the Southwest Quarter of Section 30, Township 2 North, Range 4 East, of the Gila and Salt River Base and Meridian according to the Plat of Record in the Office of the County Recorder of Maricopa County, Arizona, Recorded in Book 500 of Maps, Page 6;

TOGETHER WITH

Lots 483 through 510 of RANCHO VENTURA TRACT NO. 18, a Subdivision of the South Half of the Southwest Quarter of Section 30, Township 2 North, Range 4 East, of the Gila and Salt River Base and Meridian according to the Plat of Record in the Office of the County Recorder of Maricopa County, Arizona, Recorded in Book 57 of Maps, Page 23;

TOGETHER WITH

Lots 1 through 14 of AVALON CONDOMINIUMS, a Subdivision of the Southwest Quarter of Section 30, Township 2 North, Range 4 East, of the Gila and Salt River Base and Meridian according to the Plat of Record in the Office of the County Recorder of Maricopa County, Arizona, Recorded in Book 317 of Maps, Page 49;

TOGETHER WITH

The West 140 feet of the East 631.50 feet of the North 160 feet of the Southeast Quarter of the Southwest Quarter of Section 30, Township 2 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

TOGETHER WITH

That part of the Southeast Quarter of the Southwest Quarter of Section 30, Township 2 North, Range 4 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and more particularly described as follows:

BEGINNING at a point on the North line of the Southeast Quarter of said Southwest Quarter, being 50.01 feet North 89 degrees, 47 minutes, 33 seconds West, of the Northeast corner thereof, said point also being on the West right-of-way line of 44<sup>th</sup> Street;

THENCE North 89 degrees, 47 minutes, 33 seconds West, along the North line of the Southeast Quarter of said Southwest Quarter for 253 feet;

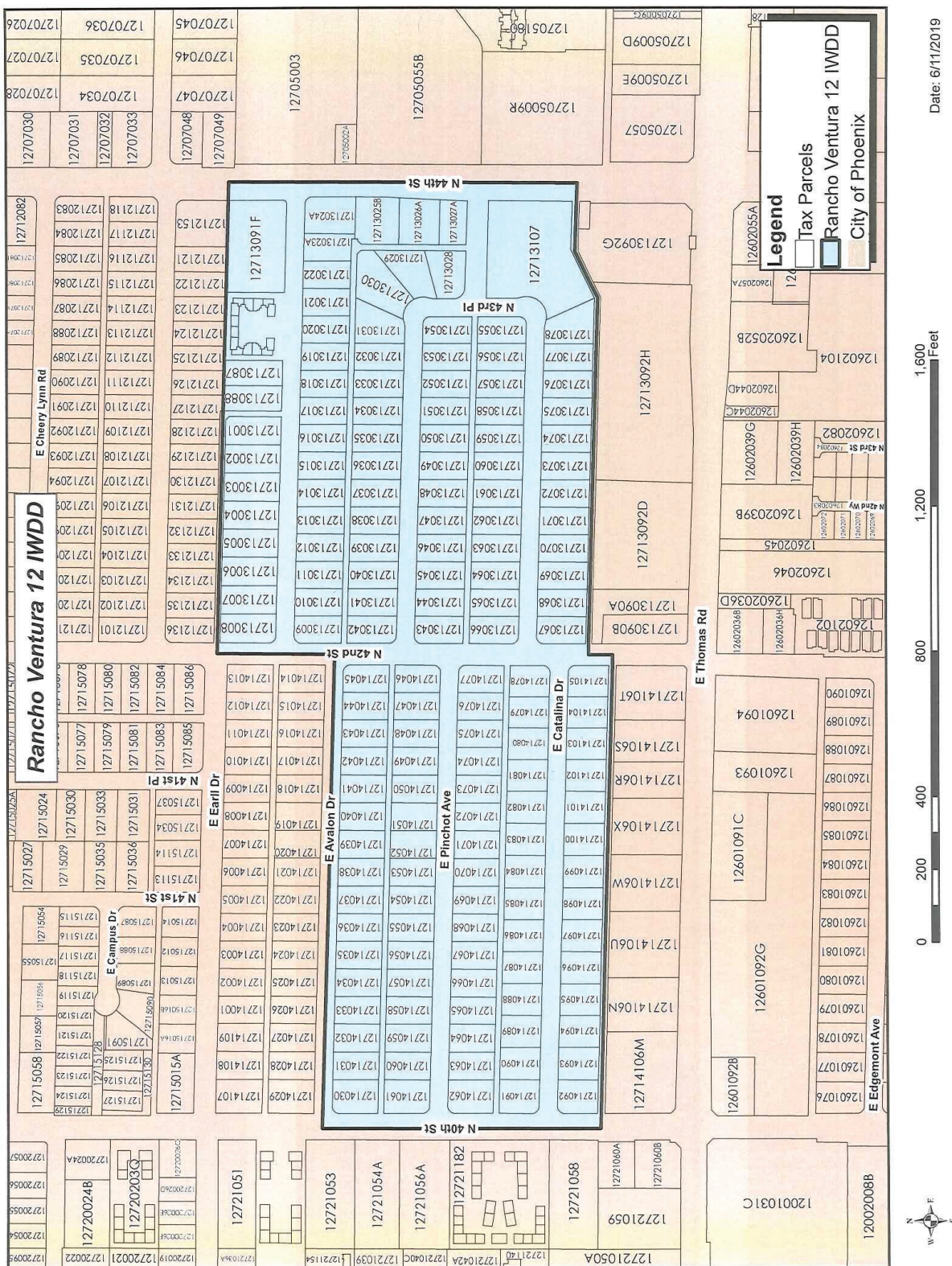
THENCE South 01 degrees, 09 minutes, 48 seconds East, for 159.98 feet to a point on the North right-of-way line of Avalon Drive;

THENCE South 89 degrees, 47 minutes, 54 seconds East, along the North right-of-way line of said Avalon Drive, for 241 feet to the beginning of a tangent curve concave Northwesterly and having a tangent 12 feet;

THENCE along the arc of said curve through a central angle of 91 degrees, 22 minutes, 06 seconds, for a distance of 18.68 feet to a point on the West right-of-way line of said 44<sup>th</sup> Street;

THENCE North 01 degrees, 09 minutes, 48 seconds West, along the West right-of-way line of said 44<sup>th</sup> Street, for 147.96 feet to the POINT OF BEGINNING.







Count	Parcel No	Tax Year	Owner Name	In Care Of	Mailing Address	City State Zip	Stilus Address	Stilus City Zip	Land FCV	Improvement FCV	Total FCV	Assessed FCV	Total Net FCV	Total LVP	Total Assessed Value (LVP)	Net Value	Total Acreage
1	127-13-025B	2019	3020 NORTH 44TH LLC						\$277,100	\$101,500	\$378,600	\$68,148	\$68,148	\$215,512	\$38,802	\$450,272	0.513
2	127-13-107	2019	ALVA PINCHOT LLC						\$1,504,200	\$1,971,500	\$3,475,700	\$625,626	\$625,626	\$2,501,512	\$450,272	\$450,272	1.778
3	127-13-061	2019	ANDERSON RICHARD M						\$72,100	\$288,700	\$360,800	\$36,080	\$36,080	\$276,926	\$27,693	\$27,693	0.230
4	127-13-022	2019	ANDREWS EMILIE S						\$90,400	\$561,600	\$652,000	\$45,200	\$45,200	\$350,413	\$35,041	\$35,041	0.222
5	127-13-104	2019	ARTMANN GENIA K						\$29,600	\$118,400	\$148,000	\$14,800	\$14,800	\$76,514	\$7,651	\$7,651	0.017
6	127-13-023A	2019	AVALON CS LLC	STEPHANIE ROWE					\$68,400	\$273,900	\$342,300	\$34,230	\$34,230	\$227,938	\$22,794	\$22,794	0.226
7	127-14-069	2019	BADOREK CHAD A/CHRISTA						\$75,200	\$301,100	\$376,300	\$37,630	\$37,630	\$240,911	\$24,091	\$24,091	0.221
8	127-13-055	2019	BANDISH SARA/RUGERT PATRICK						\$75,500	\$302,000	\$377,500	\$37,750	\$37,750	\$283,784	\$28,378	\$28,378	0.330
9	127-14-080	2019	BARBER GORDON/STEPHANIE						\$88,800	\$355,300	\$444,100	\$44,410	\$44,410	\$319,752	\$31,975	\$31,975	0.221
10	127-13-106	2019	BARTON LESTER D						\$27,100	\$108,500	\$135,600	\$13,560	\$13,560	\$70,197	\$7,020	\$7,020	0.669
11	127-13-016	2019	BAXTER NICHOLAS/ALEXANDRA M						\$101,200	\$405,000	\$506,200	\$50,620	\$50,620	\$395,412	\$39,541	\$39,541	0.222
12	127-14-031	2019	BHUSKUTE ADITI						\$93,300	\$373,200	\$466,500	\$46,650	\$46,650	\$360,276	\$36,028	\$36,028	0.223
13	127-13-045	2019	BINDE SHARLENE D						\$74,900	\$299,900	\$374,800	\$37,480	\$37,480	\$281,553	\$28,153	\$28,153	0.232
14	127-14-084	2019	BISHOP PROPERTIES MANAGEMENT LLC/JOHNSON						\$60,600	\$242,700	\$303,300	\$30,330	\$30,330	\$224,557	\$22,456	\$22,456	0.224
15	127-14-049	2019	KELIEANNE M/PAUL G						\$67,800	\$271,500	\$339,300	\$33,930	\$33,930	\$277,012	\$27,701	\$27,701	0.220
16	127-14-066	2019	KLOKER JEFFREY E						\$59,700	\$239,000	\$298,700	\$29,870	\$29,870	\$212,271	\$21,227	\$21,227	0.221
17	127-14-097	2019	BONFIGLIO THOMAS/KRISTI						\$59,700	\$239,000	\$298,700	\$29,870	\$29,870	\$212,271	\$21,227	\$21,227	0.221
18	127-13-099	2019	BRADEN ROBERT M						\$101,000	\$402,700	\$503,700	\$50,370	\$50,370	\$397,148	\$39,715	\$39,715	0.216
19	127-14-072	2019	BRANDENHORST BRADLEY SCOTT/TILCIA CARMEN						\$80,800	\$323,300	\$404,100	\$40,410	\$40,410	\$290,952	\$29,095	\$29,095	0.273
20	127-13-007	2019	BROCKS KIMBERLY						\$80,800	\$323,300	\$404,100	\$40,410	\$40,410	\$290,952	\$29,095	\$29,095	0.273
21	127-14-063	2019	BROWN RICHARD L JR/SALENTING DANIEL						\$80,800	\$323,300	\$404,100	\$40,410	\$40,410	\$290,952	\$29,095	\$29,095	0.273
22	127-14-063	2019	BUNTING JAMES G/SHELLY						\$63,100	\$252,500	\$315,600	\$31,560	\$31,560	\$215,921	\$21,592	\$21,592	0.222
23	127-14-093	2019	BURGER MELISSA/MAXWELL						\$76,700	\$307,100	\$383,800	\$38,380	\$38,380	\$285,276	\$28,528	\$28,528	0.224
24	127-13-015	2019	CAT & MOUSE INVESTMENTS INC						\$71,100	\$308,400	\$389,500	\$38,950	\$38,950	\$260,846	\$26,085	\$26,085	0.224
25	127-13-054	2019	CHEFETZ LORNA						\$77,400	\$309,700	\$387,100	\$38,710	\$38,710	\$283,605	\$28,361	\$28,361	0.227
26	127-14-091	2019	CHRISTOPHER AND LAUREN RAMONDETTA LIVING TRUST						\$63,400	\$253,900	\$317,300	\$31,730	\$31,730	\$186,088	\$18,609	\$18,609	0.240
27	127-14-073	2019	CLARK LUNE W						\$64,200	\$257,000	\$321,200	\$32,120	\$32,120	\$214,799	\$21,480	\$21,480	0.222
28	127-13-002	2019	COLE GARDNER						\$74,800	\$299,200	\$374,000	\$37,400	\$37,400	\$289,662	\$28,966	\$28,966	0.268
29	127-14-053	2019	COLEMAN KEVIN RAY/PEARCE TAMARA LYNN						\$68,700	\$275,100	\$343,800	\$34,380	\$34,380	\$217,888	\$21,789	\$21,789	0.219
30	127-14-048	2019	COLLINS MATTHEW T/SMART MEGHAN K						\$60,800	\$243,200	\$304,000	\$30,400	\$30,400	\$199,496	\$19,950	\$19,950	0.216
31	127-13-098	2019	CONNITT J J						\$27,100	\$108,500	\$135,600	\$13,560	\$13,560	\$70,197	\$7,020	\$7,020	0.013
32	127-13-073	2019	CONWAY JEFFREY						\$58,700	\$234,900	\$293,600	\$29,360	\$29,360	\$200,058	\$20,006	\$20,006	0.236
33	127-14-069	2019	COOK TAMARA N						\$74,900	\$299,700	\$374,600	\$37,460	\$37,460	\$255,652	\$25,565	\$25,565	0.220
34	127-13-046	2019	COOKSON CORINNE M						\$59,100	\$236,400	\$295,500	\$29,550	\$29,550	\$201,743	\$20,174	\$20,174	0.228
35	127-14-059	2019	COONRAD RICKY L/LINDA J						\$57,900	\$231,800	\$289,700	\$28,970	\$28,970	\$196,968	\$19,697	\$19,697	0.218
36	127-14-098	2019	GRANDELL JOAN M						\$63,700	\$255,000	\$318,700	\$31,870	\$31,870	\$240,911	\$24,091	\$24,091	0.222
37	127-14-047	2019	CROIGHTON ROBERT D/KEPLER LESLIE G						\$110,100	\$440,400	\$550,500	\$55,050	\$55,050	\$419,722	\$41,972	\$41,972	0.223
38	127-14-099	2019	CROCKETT BRIAN/ALI						\$78,600	\$314,700	\$393,300	\$39,330	\$39,330	\$282,906	\$28,291	\$28,291	0.219
39	127-13-038	2019	CROFT DAWN						\$71,500	\$286,000	\$357,500	\$35,750	\$35,750	\$271,061	\$27,106	\$27,106	0.233
40	127-14-092	2019	CULLEN EDWARD /DEBORAH J						\$68,300	\$273,500	\$341,800	\$34,180	\$34,180	\$257,235	\$25,724	\$25,724	0.240
41	127-13-070	2019	DEMELLO FAMILY TRUST						\$63,800	\$255,200	\$319,000	\$31,900	\$31,900	\$228,557	\$22,856	\$22,856	0.231
42	127-13-006	2019	DEVENUTO JOSEPH A						\$60,100	\$240,700	\$300,800	\$30,080	\$30,080	\$206,656	\$20,666	\$20,666	0.275
43	127-13-064	2019	DENNING EUGENE/CHRIS						\$89,800	\$359,300	\$449,100	\$44,910	\$44,910	\$338,062	\$33,806	\$33,806	0.233
44	127-13-094	2019	DIAZ PATRICK/CYNTHIA						\$24,300	\$97,400	\$121,700	\$12,170	\$12,170	\$61,071	\$6,107	\$6,107	0.010
45	127-14-055	2019	DODEN DARLENE						\$92,400	\$369,800	\$462,200	\$46,220	\$46,220	\$328,829	\$32,883	\$32,883	0.220
46	127-14-077	2019	DOTEN DARLENE						\$77,200	\$308,900	\$386,100	\$38,610	\$38,610	\$285,135	\$28,514	\$28,514	0.218
47	127-14-040	2019	EAST WEST REALTY INVESTMENTS LLC						\$56,800	\$227,300	\$284,100	\$28,410	\$28,410	\$191,634	\$19,163	\$19,163	0.223
48	127-13-071	2019	ENRIQUIZ CAROL						\$74,000	\$296,300	\$370,300	\$37,030	\$37,030	\$292,176	\$29,218	\$29,218	0.236
49	127-13-048	2019	ESCOBAR DANIEL /LAUREN N						\$74,000	\$297,100	\$371,100	\$37,130	\$37,130	\$331,224	\$33,122	\$33,122	0.231
50	127-13-029	2019	ESNER JULIE C						\$64,300	\$257,200	\$321,500	\$32,150	\$32,150	\$241,150	\$24,110	\$24,110	0.224
51	127-14-034	2019	EVANS ALISON/GOTTSCHEK ANDREW MARK						\$95,600	\$382,500	\$478,100	\$47,810	\$47,810	\$366,258	\$36,626	\$36,626	0.224
52	127-13-093	2019	FEARON JOHN S/CRISTEL JOAN						\$27,100	\$108,500	\$135,600	\$13,560	\$13,560	\$70,197	\$7,020	\$7,020	0.015
53	127-13-033	2019	FLETHAM JEFFREY L						\$76,800	\$307,200	\$384,000	\$38,400	\$38,400	\$302,990	\$30,290	\$30,290	0.235
54	127-13-008	2019	FOGARTY ANITA M						\$65,400	\$261,900	\$327,300	\$32,730	\$32,730	\$225,328	\$22,533	\$22,533	0.278

55	127-13-004	2019	FOGEL BRUCE ALAN			\$63,100	\$252,500	\$315,600	\$31,560	\$31,560	\$31,560	\$213,676	\$21,368	\$21,368	0.268
56	127-14-074	2019	GAVARTIN FAMILY LIVING TRUST			\$94,800	\$379,400	\$474,200	\$47,420	\$47,420	\$47,420	\$272,645	\$27,265	\$27,265	0.220
57	127-13-088	2019	GEIS TROY			\$90,800	\$363,400	\$454,200	\$45,420	\$45,420	\$45,420	\$34,438	\$3,438	\$3,438	0.257
57	127-13-100	2019	GEIS TROY			\$25,600	\$102,700	\$128,300	\$12,830	\$12,830	\$12,830	\$66,686	\$6,669	\$6,669	0.019
58	127-13-037	2019	GENTRY ELAINE R TR			\$65,500	\$262,000	\$327,500	\$32,750	\$32,750	\$32,750	\$23,207	\$2,307	\$2,307	0.235
59	127-13-103	2019	GLORIA DARIA K			\$29,600	\$118,400	\$148,000	\$14,800	\$14,800	\$14,800	\$7,651	\$7,651	\$7,651	0.017
60	127-14-096	2019	GOMEZ EFRAN/GIADIS			\$60,500	\$242,300	\$302,800	\$30,280	\$30,280	\$30,280	\$21,775	\$2,175	\$2,175	0.222
61	127-14-082	2019	GROVER STEPHEN W/SUSANNA H			\$70,600	\$282,600	\$353,200	\$35,320	\$35,320	\$35,320	\$24,961	\$2,496	\$2,496	0.223
62	127-13-078	2019	GUARDIA JANET			\$73,200	\$293,100	\$366,300	\$36,630	\$36,630	\$36,630	\$27,860	\$2,786	\$2,786	0.290
63	127-14-035	2019	HAIN HELEN DORA TR			\$76,600	\$306,600	\$383,200	\$38,320	\$38,320	\$38,320	\$27,447	\$2,747	\$2,747	0.222
64	127-14-102	2019	HALL DONALD L			\$82,800	\$331,300	\$414,100	\$41,410	\$41,410	\$41,410	\$31,689	\$3,169	\$3,169	0.216
65	127-14-037	2019	HANUSOFSKI STEVEN B			\$60,200	\$240,900	\$301,100	\$30,110	\$30,110	\$30,110	\$21,269	\$2,169	\$2,169	0.220
66	127-14-085	2019	HART DANIEL /NATALIE J NEER			\$65,300	\$261,200	\$326,500	\$32,650	\$32,650	\$32,650	\$24,366	\$2,466	\$2,466	0.221
67	127-14-042	2019	HARTWICK SCOTT LEO TR			\$59,700	\$239,100	\$298,800	\$29,880	\$29,880	\$29,880	\$19,879	\$1,979	\$1,979	0.225
68	127-14-039	2019	HEATH ERIC BLAINE/DOONNA LEE TR			\$67,500	\$270,000	\$337,500	\$33,750	\$33,750	\$33,750	\$24,344	\$2,434	\$2,434	0.223
69	127-14-064	2019	HENDRIX CHARLES CLIFFORD/HENDRIX PATTI LYNN TR			\$74,700	\$298,900	\$373,600	\$37,360	\$37,360	\$37,360	\$24,032	\$2,403	\$2,403	0.222
70	127-13-047	2019	HERNANDEZ FELIPE A			\$59,600	\$238,700	\$298,300	\$29,830	\$29,830	\$29,830	\$19,777	\$1,978	\$1,978	0.232
71	127-13-014	2019	HIGGINS FAMILY TRUST			\$86,300	\$265,500	\$331,800	\$33,180	\$33,180	\$33,180	\$22,743	\$2,743	\$2,743	0.221
72	127-14-044	2019	HIRSCH DEREK R/KAYLA K			\$92,100	\$368,700	\$460,800	\$46,080	\$46,080	\$46,080	\$35,927	\$3,593	\$3,593	0.221
73	127-14-056	2019	HOLGEIR SERGE/MOUSSA CHRISTINE			\$90,500	\$362,100	\$452,600	\$45,260	\$45,260	\$45,260	\$35,872	\$3,588	\$3,588	0.222
74	127-13-050	2019	HOWARD RYAN			\$70,700	\$282,900	\$353,600	\$35,360	\$35,360	\$35,360	\$24,639	\$2,439	\$2,439	0.223
75	127-14-079	2019	HUBBELL NATHAN C/STASIA M			\$69,200	\$277,100	\$346,300	\$34,630	\$34,630	\$34,630	\$22,828	\$2,828	\$2,828	0.218
76	127-14-070	2019	HUBER HAYLEY ALEXANDRA/JACOB JOSEPH			\$63,700	\$254,900	\$318,600	\$31,860	\$31,860	\$31,860	\$22,084	\$2,084	\$2,084	0.228
77	127-13-009	2019	JACKSON DAVID R/VENEDY Z			\$85,000	\$340,200	\$425,200	\$42,520	\$42,520	\$42,520	\$33,856	\$3,856	\$3,856	0.238
78	127-14-104	2019	JACKSON ROBERT L/MARGARET L			\$93,100	\$372,400	\$465,500	\$46,550	\$46,550	\$46,550	\$35,056	\$3,506	\$3,506	0.257
80	127-13-072	2019	JILL M STADUM LIVING TRUST			\$72,500	\$290,100	\$362,600	\$36,260	\$36,260	\$36,260	\$27,424	\$2,724	\$2,724	0.222
81	127-13-087	2019	KELHOFFER CHARLES /DIANE G			\$80,900	\$324,700	\$405,600	\$40,560	\$40,560	\$40,560	\$30,339	\$3,034	\$3,034	0.231
82	127-14-066	2019	KENT JEFFREY L/MISTY J			\$66,900	\$264,200	\$330,200	\$33,020	\$33,020	\$33,020	\$24,902	\$2,492	\$2,492	0.226
83	127-13-034	2019	KIR TRUST			\$63,900	\$255,700	\$319,600	\$31,960	\$31,960	\$31,960	\$21,648	\$2,148	\$2,148	0.228
84	127-13-076	2019	KLUTZ DEVIN R/DIANE L			\$86,900	\$347,900	\$434,800	\$43,480	\$43,480	\$43,480	\$34,484	\$3,484	\$3,484	0.230
85	127-13-053	2019	KURRASCH NANCY J TR			\$62,400	\$249,800	\$312,200	\$31,220	\$31,220	\$31,220	\$21,097	\$2,109	\$2,109	0.234
86	127-13-075	2019	LAHR CHAD M/NATALIE B			\$62,600	\$250,400	\$313,000	\$31,300	\$31,300	\$31,300	\$22,491	\$2,491	\$2,491	0.234
87	127-13-031	2019	LAMB ERIK S			\$59,000	\$236,100	\$295,100	\$29,510	\$29,510	\$29,510	\$19,767	\$1,967	\$1,967	0.224
88	127-13-058	2019	LAUNGER PAUL RICHARD TR			\$71,500	\$286,200	\$357,700	\$35,770	\$35,770	\$35,770	\$24,737	\$2,473	\$2,473	0.217
89	127-14-068	2019	LAURA MONTANE STOVER TRUST			\$80,500	\$322,300	\$402,800	\$40,280	\$40,280	\$40,280	\$33,460	\$3,460	\$3,460	0.217
90	127-14-051	2019	LEE ELUN BEOM/PYONG AE			\$58,400	\$233,700	\$292,100	\$29,210	\$29,210	\$29,210	\$19,668	\$1,969	\$1,969	0.217
91	127-14-075	2019	LEE GILBERT ELIOT F/GERMELITA ASINAS			\$66,000	\$264,100	\$330,100	\$33,010	\$33,010	\$33,010	\$22,491	\$2,491	\$2,491	0.222
92	127-14-046	2019	LIPOVIC MARISA JAYNE			\$73,600	\$294,500	\$368,100	\$36,810	\$36,810	\$36,810	\$27,575	\$2,757	\$2,757	0.231
93	127-14-033	2019	LITTLE JEFF COLLIN			\$24,300	\$97,400	\$121,700	\$12,170	\$12,170	\$12,170	\$6,071	\$6,071	\$6,071	0.011
94	127-13-041	2019	LOEL BRADLEY M/SHEILA M			\$27,100	\$108,500	\$135,600	\$13,560	\$13,560	\$13,560	\$7,020	\$7,020	\$7,020	0.014
95	127-13-097	2019	LOUKANOV OGNAN E/NINA												
96	127-13-101	2019	LOUKANOVA NINA KOSTADINOVA												
97	127-13-032	2019	LOZEYSKI FAMILY TRUST			\$97,900	\$391,600	\$489,500	\$48,950	\$48,950	\$48,950	\$36,092	\$3,692	\$3,692	0.232
97	127-13-105	2019	LOZEYSKI FAMILY TRUST			\$24,300	\$97,400	\$121,700	\$12,170	\$12,170	\$12,170	\$6,107	\$6,107	\$6,107	0.011
98	127-13-011	2019	LYONARD JAMES D/RENEE E			\$82,700	\$331,000	\$413,700	\$41,370	\$41,370	\$41,370	\$29,754	\$2,975	\$2,975	0.223
99	127-14-095	2019	MACKEN JOHN S			\$57,900	\$231,900	\$289,800	\$28,980	\$28,980	\$28,980	\$20,231	\$2,023	\$2,023	0.223
100	127-14-050	2019	MADER HONAMI E			\$80,000	\$320,000	\$400,000	\$40,000	\$40,000	\$40,000	\$29,623	\$2,962	\$2,962	0.218
101	127-13-102	2019	MANSOUR CHRISTINE ANN			\$24,300	\$97,400	\$121,700	\$12,170	\$12,170	\$12,170	\$6,107	\$6,107	\$6,107	0.012
102	127-13-027A	2019	MARKS MILLER/KATHY			\$191,300	\$108,900	\$292,200	\$35,064	\$35,064	\$35,064	\$22,955	\$2,955	\$2,955	0.210
103	127-13-068	2019	MARTIN PAUL J			\$71,400	\$285,700	\$357,100	\$35,710	\$35,710	\$35,710	\$27,039	\$2,703	\$2,703	0.234
104	127-14-090	2019	MARY PETER J TR			\$60,300	\$241,300	\$301,600	\$30,160	\$30,160	\$30,160	\$22,546	\$2,255	\$2,255	0.222
105	127-14-094	2019	MARYSKA ROBERT			\$72,500	\$290,100	\$362,600	\$36,260	\$36,260	\$36,260	\$28,531	\$2,831	\$2,831	0.220
106	127-14-032	2019	MCFARLAND FAMILY TRUST			\$92,400	\$369,600	\$462,000	\$46,200	\$46,200	\$46,200	\$34,777	\$3,477	\$3,477	0.222
107	127-14-088	2019	MEYER ASHLEY RAE/COX JAMEY LYNN			\$72,900	\$291,700	\$364,600	\$36,460	\$36,460	\$36,460	\$25,411	\$2,541	\$2,541	0.221
108	127-14-071	2019	MURRAY RYAN JAMES			\$62,200	\$248,900	\$311,100	\$31,110	\$31,110	\$31,110	\$24,321	\$2,432	\$2,432	0.221



109	127-14-067	2019	NOE RUSSELL ANSELMO LAUREN	CHOW SING-TAK/NG-CHOW PO-LIN TR
110	127-14-076	2019	PADNICK JOSHUA MARK/TATYAB AMAR NADAA	
111	127-13-067	2019	PARENTI GEORGE/KRCMARK PARENTI CATHERINE	
112	127-13-018	2019	PATRICIA A GOETTEL REVOCABLE LIVING TRUST	
113	127-14-105	2019	PPC TRUST I	
114	127-14-062	2019	PRESTIMARIO ANGELA	
115	127-14-101	2019	R AND S GARDNER PROPERTIES LLC	
116	127-14-060	2019	RANDALL BRAD F/MIKAN MARYSA C	
117	127-13-024A	2019	RAR PROPERTIES L L C	
118	127-13-005	2019	RATHVON HAL C/BULKLEY BRYN A	
119	127-13-017	2019	REGAS FAMILY TRUST	REGAS ROBERT
120	127-14-103	2019	RETINA CHECK LLC	WILLIAM/KIMBERLY ANN TR
121	127-13-021	2019	RINGO FAMILY TRUST	RINGO MICHAEL D/ELIZABETH KAY TR
122	127-13-069	2019	ROBERT AND JENNIFER HEATHCOTE LIVING TRUST	
123	127-13-056	2019	ROLAND DECLARATION OF TRUST	ROLAND KATHRYN K TR
124	127-13-056	2019	ROLWING REBECCA L	
125	127-14-065	2019	RUBENIS ANDREA	
126	127-13-010	2019	RUIZ AMANDA PYPYR	
127	127-13-061	2019	RUIZ PEDRO JR/EVA J	
128	127-13-028	2019	RUSEVIA-MAHAN THOMAS/RUMYANA	
129	127-13-040	2019	SANTALUCIA LIVING TRUST	SANTALUCIA VINCENT
130	127-13-012	2019	SANZARI KIRK J	JAMES/TIFFANY PEARCE TR
131	127-14-038	2019	SAWIKW WILLIAM D/ALYSON H	
132	127-13-096	2019	SCALES GARY V	
133	127-14-043	2019	SCHAUER ANDREA L	
134	127-14-081	2019	SCHIAVONI MATTHEW	
135	127-13-052	2019	SCHUMACHER MARK PAUL	
136	127-14-057	2019	SCUTTIE SARA SK/NOAH M/RACHEL S/MYRA MIA	
137	127-14-036	2019	SCOTT SHIRLEY E	
138	127-13-013	2019	SEELIGER CROWLEY FAMILY TRUST	SEELIGER JOHN
139	127-14-087	2019	SETIAWAN HERU/BROWN SARA	GRAHAM/CROWLEY MARY S TR
140	127-13-062	2019	SHIFTMAN JENNIFER T	
141	127-13-020	2019	SINGH JATINDER/SURIT	
142	127-14-100	2019	SINGH PARLAD	
143	127-13-066A	2019	SMC INVESTMENT PROPERTIES LLC	
144	127-14-078	2019	SOGCIA DAVID	
145	127-13-095	2019	STEINKAMP HENRY F/JEANNE	
146	127-13-039	2019	STILES FRANCES V	
147	127-14-030	2019	STROTTMAN RESIDENTIAL AND INVESTMENT REALEST	
148	127-13-063	2019	SURDYK IRENE J	
149	127-13-001	2019	TABER PATRICK/ALICIA	
150	127-13-066	2019	TASCIUGLU ALTAY/SARAH	
151	127-13-091F	2019	TLULP LLC	
152	127-14-083	2019	TINT AZ HOLDINGS LLC	
153	127-13-080	2019	TOP NOTCH VENTURES LLC	
154	127-13-044	2019	TORREZ JOHN T/KATHLEEN M	
155	127-13-003	2019	TUCKER TRUST	TUCKER JOHN/JENNIFER L
156	127-13-049	2019	UNDERWOOD RICHARD C/MOORE KERRY B	
157	127-13-051	2019	VANARDEN GINA R/MICHAEL A	
158	127-14-058	2019	VIRGINIA L HARTWICK LIVING TRUST	
159	127-13-059	2019	VOGEL FAMILY TRUST	VOGEL RANDY L TRUSTEE
160	127-13-035	2019	WALTERS CHARLES D/DELIA A	
161	127-13-060	2019	WEBER ERIC W	
162	127-13-074	2019	WEBSTER DONALD W/DESTINEY	



Proposed Rancho Venture 12 IWDD  
6/11/2019

163 127-14-054	2019	WEST KEVIN R		4046 E PINCHOT AVE	PHOENIX AZ 85018	4046 E PINCHOT AVE,	PHOENIX 85018	\$97,200	\$388,900	\$486,100	\$48,610	\$48,610	\$334,341	\$33,434	\$25,706	\$33,434	0.218
164 127-13-065	2019	WILBUR CRAIG E/JUDY		4208 E CATALINA DR	PHOENIX AZ 85018	4208 E CATALINA DR,	PHOENIX 85018	\$74,200	\$296,800	\$371,000	\$37,100	\$37,100	\$257,057	\$25,706	\$24,091	\$25,706	0.232
165 127-14-052	2019	WILLIS L AND ROBERTA M PETERSON ESTATE TRUST		4108 E PINCHOT AVE	PHOENIX AZ 85018	4108 E PINCHOT AVE,	PHOENIX 85018	\$68,800	\$275,500	\$344,300	\$34,430	\$34,430	\$240,911	\$24,091	\$24,091	\$24,091	0.219
166 127-13-057	2019	WITT RYAN/MARTINA M		4308 E CATALINA DR	PHOENIX AZ 85018	4308 E CATALINA DR,	PHOENIX 85018	\$70,000	\$280,000	\$350,000	\$35,000	\$35,000	\$263,269	\$26,327	\$26,327	\$26,327	0.230
167 127-13-077	2019	WRIGHT SUSAN L		4313 E CATALINA DR	PHOENIX AZ 85018	4313 E CATALINA DR,	PHOENIX 85018	\$63,500	\$254,100	\$317,600	\$31,760	\$31,760	\$225,749	\$22,575	\$22,575	\$22,575	0.234
168 127-13-019	2019	YANCY ROBERT AJUAN G TR		4313 E AVALON DR	PHOENIX AZ 85018	4313 E AVALON DR,	PHOENIX 85018	\$51,800	\$337,200	\$409,000	\$40,900	\$40,900	\$324,016	\$32,402	\$32,402	\$32,402	0.223
169 127-14-041	2019	ZOHREH SUSAN		4119 E AVALON DR	PHOENIX AZ 85018	4119 E AVALON DR,	PHOENIX 85018	\$57,100	\$348,500	\$415,600	\$43,560	\$43,560	\$332,311	\$33,231	\$33,231	\$33,231	0.220
170 127-13-043	2019	ZUARES TED/DULGAS CALLIE		4201 E PINCHOT AVE	PHOENIX AZ 85018	4201 E PINCHOT AVE,	PHOENIX 85018	\$55,000	\$380,000	\$435,000	\$47,500	\$47,500	\$359,030	\$35,903	\$35,903	\$35,903	0.230
								\$15,003,600	\$49,171,800	\$64,175,400	\$6,886,872	\$6,886,872	\$46,105,929	\$4,959,353	\$4,959,353	\$4,959,353	39.973

Yellow highlight = exempt parcels



**Air Compressors, Dryers, Parts and Services Agreement - Request for Award (Ordinance S-47543)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Rocha LLC., for the purpose of purchasing new equipment, parts, maintenance and services for air compressors for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The agreement amount will not exceed \$1.5 million.

**Summary**

The purpose of this agreement is to provide air compressors, dryers, parts and services on an as-needed basis to maintain and replace existing air compressor and dryer equipment at various facilities within the Water Services Department.

Rocha LLC's services include, but are not limited to the purchase of: new stationary air compressors, stationary air dryers, consumables, parts, and other ancillary equipment associated with the compressors and dryers. This agreement is also for repair and maintenance of the air compressors and air dryers which may include: installation, repair, diagnostics, assessment, troubleshooting, required maintenance, warranty work, and emergency repairs.

**Procurement Information**

The recommendation was made using an Invitation for Bids procurement process in accordance with City of Phoenix Administrative Regulation 3.10. Three vendors submitted bids and are listed below and all bids were found to be responsive and responsible.

Selected Bidder

Rocha LLC.

Other Bidders

Ingersoll Rand Compression Technologies & Services  
Pioneer Equipment, Inc.

**Contract Term**

The agreement will begin on or about June 1, 2021, for a five-year aggregate term with no options to extend.

**Financial Impact**

The agreement value for Rocha LLC. will not exceed \$1.5 million. Funding is available in the Water Services Department's budget.

**Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.



**Wireless Radios Maintenance and Service Agreement - Request for Award  
(Ordinance S-47551)**

Request to authorize the City Manager, or his designee, to enter into an agreement with Southwest Lan Connections, LLC, to provide Supervisory Control and Data Acquisition wireless radio system on-site maintenance and service for the purpose of maintaining and monitoring a highly automated communication system for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The agreement amount will not to exceed \$990,000.

**Summary**

The purpose of this agreement is to provide continued support of ongoing Supervisory Control and Data Acquisition (SCADA) wireless radio system projects and ensure warranty coverage of services performed and projects remaining to be completed. SCADA wireless radio systems control and monitor over 200 critical Water Services Department sites where in-ground/-land wiring is not available.

This direct selection is necessary because of warranty requirements for existing SCADA wireless communications projects continuing past the existing contract term, providing warranty coverage.

Southwest LAN Connection's services include, but are not limited to: On-site labor, software upgrade services, replacement and repair of wireless system components for licensed and license-exempt GE MDS, Exalt, Redline, Radwin and 4RF wireless communication systems.

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

**Procurement Information**

An exception to the procurement process was determined to select the Contractor set forth in City of Phoenix Administrative Regulation 3.10. A direct selection was made because there exists a lack of qualified/available contractors/consultants which makes a competitive selection process impracticable, unnecessary, or contrary to the public interest.

**Contract Term**

The agreement will begin on or about July 1, 2021, for a five-year aggregate term with no options to extend.

**Financial Impact**

The agreement value for Southwest LAN Connections, LLC will not exceed \$990,000.

Funding is available in the Water Services and Information Technology Services departments' Operating budgets.

**Responsible Department**

This item is submitted by Deputy City Managers Karen Peters and Toni Maccarone, and the Water Services and Information Technology Services departments.



## **Valves - Request for Award (Ordinance S-47552)**

Request to authorize the City Manager, or his designee, to enter into separate agreements with four vendors to provide valves for the purpose of purchasing a supply of commodities related to valves including parts, accessories and services on an as-needed basis. Further request to authorize the City Controller to disburse all funds related to this item. The agreement amount will not exceed \$9 million.

### **Summary**

The purpose of this agreement is to purchase valves on an as-needed basis to maintain the infrastructure of various facilities within the Water Services Department.

Ferguson Waterworks, Fortiline Waterworks, Inc., Geo S. Thomson Company, Inc., and MISCOwater's services include but are not limited to the supply of various new valves, valve parts and accessories, and valve maintenance and repair services.

### **Procurement Information**

The recommendations were made using an Invitation for Bids procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Seven vendors submitted bids and are listed below and all bids except for one were found to be responsive and responsible.

#### Selected Bidders

Ferguson Waterworks  
Fortiline Waterworks, Inc.  
Geo S. Thomson Company, Inc.  
MISCOwater

#### Other Bidders

Alb Piping Products & Services, LLC.  
Core & Main, LP  
Dana Kepner Company LLC.

**Contract Term**

The agreements will begin on or about June 1, 2021, for a five-year aggregate term with no options to extend.

**Financial Impact**

The aggregate value for the agreements with Ferguson Waterworks, Fortiline Waterworks, Inc., Geo S. Thomson Company, Inc., and MISCOWater will not exceed \$9 million.

Funding is available in the Water Services Department's budget.

**Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.



## **Security Guard Services Agreement - Request for Award (Ordinance S-47564)**

Request to authorize the City Manager, or his designee, to enter into an agreement with IPSA Security Services, to provide security guard services at multiple Water Services Department facilities. Further request to authorize the City Controller to disburse all funds related to this item. The agreement will not exceed \$4.5 million.

### **Summary**

The purpose of this agreement is to provide experienced, licensed, unarmed, uniformed security guards who will be responsible for the physical security of all Water Services Department (WSD) Water Production facilities, Wastewater facilities and Remote facilities.

IPSA Security Services' services include, but are not limited to: monitoring closed-circuit television (CCTV) systems and other equipment at guardhouses, perform basic operations of the City's PC-based access control/intrusion detection systems, conduct security inspection and patrol of each facility, respond to alarms, monitor the public and watch for potential disturbances, identify and report security and safety violations, assist WSD in emergency situations, and prepare daily reports.

### **Procurement Information**

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

Twenty vendors submitted proposals and are listed in **Attachment A** and all proposals were found to be responsive and responsible. The evaluation panel recommendation was reached by consensus in consideration of published selection criteria with total points ranging from 0 - 1,000:

Company History, Experience and Qualification - 350 points

Company Resources - 250 points

Method of Approach - 200 points

Attachment C - Cost of Services - 200 points



The following Offeror is selected for award:

Selected Vendor

IPSA Security Services

**Contract Term**

The agreement term is five years and will begin on or about July 1, 2021.

**Financial Impact**

The agreement value for IPSA Security Services will not exceed \$4.5 million.

Funding is available in the Water Services Department's Operating budget.

**Responsible Department**

This item is submitted by Deputy City Manager Karen Peters and the Water Services Department.

**SECURITY GUARD SERVICES**  
**ATTACHMENT A**

1. American Guard Services
2. Inter-Con Security Systems
3. Servexo Protective Services
4. Allied Universal
5. ACT Security
6. G4S Secure Solutions
7. CBI Security Service
8. Transcend Security
9. Vet-Sec Protection
10. Norred Security
11. Bolt Security Guard Services
12. American Security
13. FCS Security
14. Blackstone Security Services
15. GardaWorld Security Services
16. PalAmerican Security
17. Marksman Security
18. Andy Frain Services
19. Prosegur Services



Report

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Agenda Date: 5/19/2021, Item No. 82

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**Final Plat - BB Living at Union Park - PLAT 200563 - Northwest Corner of 19th Avenue and Happy Valley Road**

Plat: 200563  
Project: 15-3108  
Name of Plat: BB Living at Union Park  
Owner: US Relp Norterra East I, LLC  
Engineer: EPS Group, Inc.  
Request: A 1 Lot Commercial Plat  
Reviewed by Staff: April 9, 2021  
Final Plat requires Formal Action Only

**Summary**

Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment 200549.

**Location**

Generally located at the northwest corner of 19th Avenue and Happy Valley Road.  
Council District: 1

**Responsible Department**

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



**Final Plat - Sunset Farms - PLAT 200594 - Northeast Corner of 103rd Avenue and Broadway Road**

Plat: 200594  
Project: 02-2183  
Name of Plat: Sunset Farms  
Owner: VTLG Sunset Farms Land Co., LLC  
Engineer: Douglas B. Toney, RLS  
Request: A 1 Lot Commercial Plat  
Reviewed by Staff: April 19, 2021  
Final Plat requires Formal Action Only

**Summary**

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

**Location**

Generally located at the northeast corner of 103rd Avenue and Broadway Road.  
Council District: 7

**Responsible Department**

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



**Final Plat - Liberty 1B - PLAT 200596 - Northeast Corner of 27th and Southern Avenues**

Plat: 200596

Project: 17-430

Name of Plat: Liberty 1B

Owners: Lennar Arizona, Inc. and KB Home Phoenix, Inc.

Engineer: Thomas E. Granillo, RLS

Request: A 254 Lot Residential Plat

Reviewed by Staff: April 5, 2021

Final Plat requires Formal Action Only

**Summary**

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

**Location**

Generally located at the northeast corner of 27th and Southern avenues.

Council District: 8

**Responsible Department**

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



**Amend City Code - Official Supplementary Zoning Map 1217 (Ordinance G-6850)**

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1217. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-SP-7-04 and the entitlements are fully vested.

**Summary**

To rezone a parcel located on the southeast corner of 3rd Avenue and Indian School Road.

Application No.: Z-SP-7-04

Zoning: C-2 SP TOD-1 DNS/WVR

Owner: FSC Colby Creek Apartments LLC

Acreage: 8.93

**Location**

The southeast corner of 3rd Avenue and Indian School Road.

Address: 3993 N. 3rd Ave.

Council District: 4

**Responsible Department**

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

**ATTACHMENT A**

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

**ORDINANCE G-**

**AN ORDINANCE AMENDING SECTION 601 OF THE CITY  
OF PHOENIX ZONING ORDINANCE BY ADOPTING  
OFFICIAL SUPPLEMENTARY ZONING MAP 1217**

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

SECTION 1. That Section 601 of the City of Phoenix Zoning Ordinance is  
hereby amended by adopting Official Supplementary Zoning Map 1217 signed by the  
Mayor and City Clerk, which is accompanies and is annexed to this ordinance and  
declared a part hereof.

PASSED by the Council of the City of Phoenix this 19th day of May, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_ City Attorney

REVIEWED BY:

\_\_\_\_\_ City Manager

DRAFT

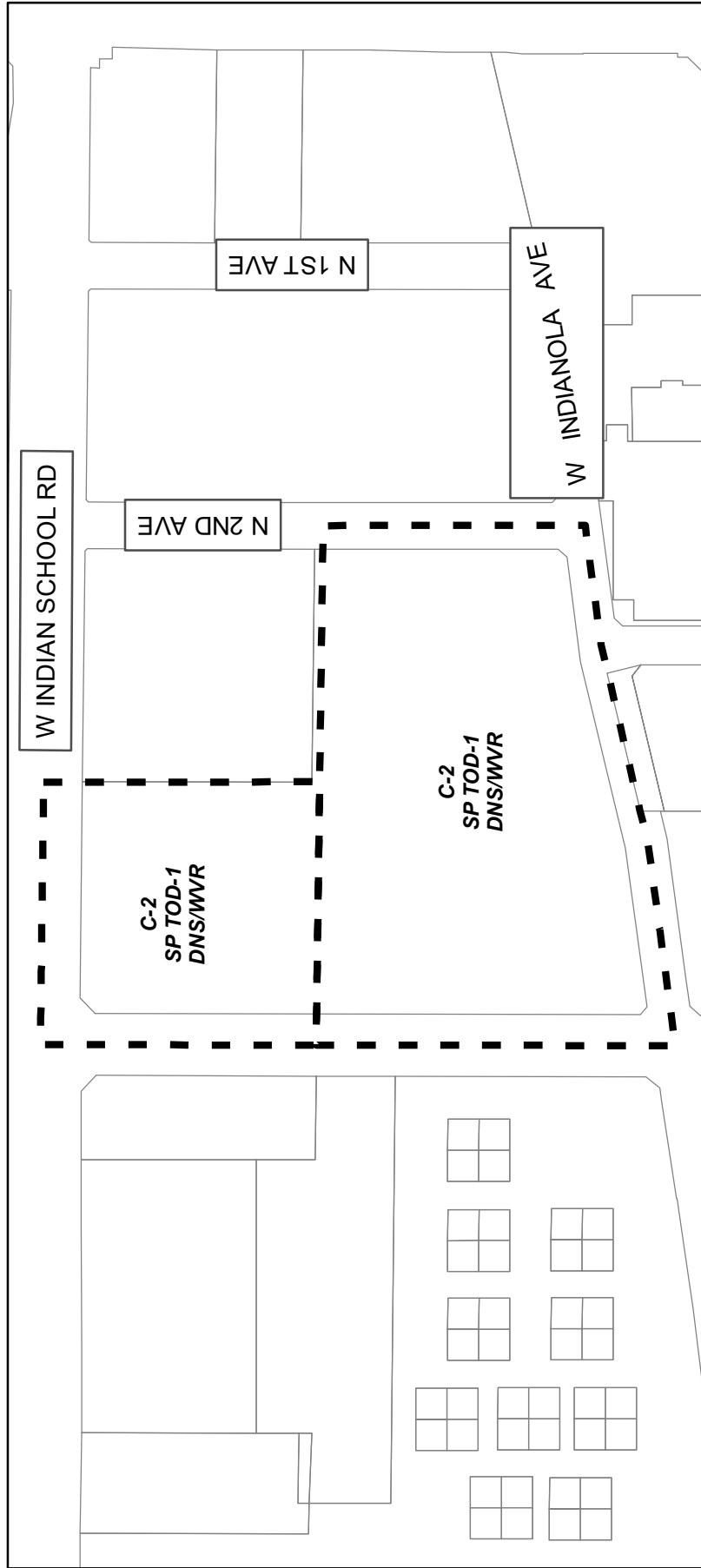


OFFICIAL SUPPLEMENTARY ZONING MAP NO. 1217

Sheet 1 of 1

ORDINANCE NO. \_\_\_\_\_ AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE

Passed by the Council of the City of Phoenix, Arizona this 19th day of May 2021.



A Portion of Z-SP-7-04



City of Phoenix  
PLANNING AND DEVELOPMENT DEPARTMENT

Drawn by: KS

ZONING SUBJECT TO STIPULATIONS: \*  
AREA INVOLVED BOUNDED THUS: ■■■■■



**Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-21--Z-47-07-1- Approximately 775 Feet North of the Northwest Corner of I-17 and Old West Trail (Ordinance G-6852)**

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on April 21, 2021.

**Summary**

Application: PHO-1-21--Z-47-07-1

Existing Zoning: C-2

Acreage: 18.04

Applicant: Brennan Ray, Burch & Cracchiolo PA

Owner: Transwestern Investments LLC

Representative: Brennan Ray, Burch & Cracchiolo PA

**Proposal:**

1. Review of conceptual site plan and elevations by the Planning Hearing Officer per Stipulation 1.
2. Modification of Stipulation 2 regarding approval of a comprehensive sign plan.

**Concurrence/Previous Council Action**

Village Planning Committee Recommendation: The Rio Vista Village Planning Committee heard this case on April 13, 2021 and recommended denial, by a vote of 4-2.

PHO Action: The Planning Hearing Officer heard this case on April 21, 2021 and recommended approval with a modification and additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

**Location**

Approximately 775 feet north of the northwest corner of I-17 and Old West Trail

Council District: 1

Parcel Address: N/A

**Responsible Department**

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

## ATTACHMENT A

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

### ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO  
REZONING APPLICATION Z-47-07-1 PREVIOUSLY APPROVED BY  
ORDINANCE G-4947.

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

SECTION 1. The zoning stipulations applicable located approximately  
775 feet north of the northwest corner of I-17 and Old West Trail in a portion of Section  
10, Township 6 North, Range 2 East, as described more specifically in Attachment "A",  
are hereby modified to read as set forth below.

#### STIPULATIONS:

1. ~~That conceptual site plan(s) and elevations shall be approved by the  
Planning Hearing Officer through the public hearing process prior to  
Development Services Department preliminary site plan approval. The site  
plan(s) and elevations shall include the following:~~

THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH  
THE SITE PLAN AND ELEVATIONS DATE STAMPED MARCH 5, 2021,  
AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED  
BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- a. ~~Elevations which provide architectural consistency in building mass  
and style, wall treatments, lighting, and signage.~~

- b. ~~The primary finishing materials for buildings shall consist of natural desert materials or materials which are appropriate for the natural desert context.~~
  - c. ~~Drive thru facilities shall be oriented so that drive thru windows are not visible from adjacent public streets.~~
  - d. ~~Landscaping, arcades, or overhangs which provide shaded walkways shall be utilized.~~
  - e. ~~That parking areas shall be designed with landscaped areas to break up the large expanses of parking.~~
  - f. ~~Special consideration shall be given to site design in the event residential uses are proposed to adequately mitigate the impacts of the proximity to Interstate 17, such as innovative site design, increased setbacks, sound barriers, and increased landscaping.~~
  - g. ~~An architectural plan shall be approved with the elevations. The architectural plan shall convey a sense of continuity throughout the development and at a minimum include the following:~~
    - i. ~~Natural accent materials such as brick, stone, or tile for buildings and signage.~~
    - ii. ~~Architectural detailing such as recesses, pop outs, shade walls, parapets, artistic insets, or pilasters.~~
    - iii. ~~Street appurtenances such as benches, seat walls, ramadas, shade structures, trash enclosures, lighting, and wayfinding signage.~~
    - iv. ~~Detail sections for screening and perimeter walls as well as walls interior to the site; said walls shall be designed and finished with materials similar to those of the buildings' architectural detailing.~~
2. THE LANDSCAPE PALETTE SHALL INCLUDE NATIVE AND DROUGHT RESISTANT SPECIES COMPATIBLE WITH AND REFLECTING THE SURROUNDING DESERT ENVIRONMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
3. ~~That~~ FOR COMMERCIAL LAND USES, a comprehensive sign plan for the entire property shall be approved by the Zoning Administrator FOR THE ENTIRE DEVELOPMENT in accordance with Section 705 of the Zoning Ordinance prior to Development Services Department final site plan approval for the first phase of development.

4. ~~That~~ 55 feet of right-of-way shall be dedicated for the east half of 43rd Avenue as approved by the Street Transportation Department.
5. ~~That~~ Additional right-of-way shall be dedicated for the future expansion of the freeway/frontage road as approved by the Street Transportation Department.
6. ~~That~~ 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 or modified by the Street Transportation Department.
7. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
8. ~~That~~ The applicant shall 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. Further archaeological monitoring and/or testing (trenching) may be necessary based on the results of the survey.
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 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-4947, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-4947 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 19th day of May, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

REVIEWED BY:

\_\_\_\_\_  
City Manager

Exhibits:

A - Legal Description (10 Pages)

B - Ordinance Location Map (1 Page)

DRAFT



EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-21—Z-47-07-1

PARCEL NO. 1:

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 6 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 10;

THENCE SOUTH 00 DEGREES 04 MINUTES EAST 1,036.65 FEET ALONG THE WEST LINE OF SAID SECTION 10 TO THE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 00 DEGREES 04 MINUTES EAST, 101.55 FEET;

THENCE EAST 1,289.52 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF THE BLACK CANYON HIGHWAY;

THENCE NORTH 101.70 FEET ALONG THE CURVED RIGHT-OF-WAY LINE OF SAID HIGHWAY TO A POINT 1,284.17 FEET EAST OF THE POINT OF BEGINNING;

THENCE WEST 1,284.17 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION WHICH IS CONVEYED TO CITY OF PHOENIX, A MUNICIPAL CORPORATION RECORDED IN WARRANTY DEED RECORDED DECEMBER 10, 2020 AS 2020-2020-1215783 DESCRIBED AS FOLLOWS:

THAT PORTION OF A PARCEL OF LAND DESCRIBED AS PARCEL NO. 1 IN DOCUMENT # 2010-0027004 LYING IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 6 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF PHOENIX BRASS CAP FLUSH FOUND AT THE NORTHWEST CORNER OF SAID SECTION 10, FROM WHICH THE GENERAL LAND OFFICE (GLO) BRASS CAP FOUND FLUSH AT THE WEST QUARTER CORNER OF SAID SECTION 10 BEARS SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 2,634.74 FEET, SAID LINE BEING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10 AND THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE ALONG SAID WEST LINE, SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 1,036.61 FEET TO A POINT ON THE SOUTH LINE OF LOT 1 OF THE FINAL PLAT OF "DAISY MOUNTAIN SUBSTATION" AS FOUND IN BOOK

1315 OF MAPS, PAGE 3 OF THE MARICOPA COUNTY RECORDER, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID SOUTH LINE, SOUTH 89 DEGREES 53 MINUTES 58 SECONDS EAST A DISTANCE OF 65.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 65.00 FEET DISTANT FROM SAID WEST LINE;

THENCE ALONG SAID PARALLEL LINE, SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 101.59 FEET TO A POINT ON THE SOUTH DEED LINE OF SAID PARCEL OF LAND;

THENCE ALONG SAID SOUTH DEED LINE, NORTH 89 DEGREES 53 MINUTES 58 SECONDS WEST A DISTANCE OF 65.00 FEET TO A POINT ON SAID WEST LINE OF THE NORTHWEST QUARTER;

THENCE ALONG SAID WEST LINE, NORTH 00 DEGREES 03 MINUTES 36 SECONDS EAST A DISTANCE OF 101.59 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 2:

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 6 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 10;

THENCE SOUTH 00 DEGREES 04 MINUTES EAST 1138.20 FEET ALONG THE WEST LINE OF SAID SECTION 10, TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00 DEGREES 04 MINUTES EAST 337.93 FEET TO A POINT;

THENCE EAST 1313.06 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF THE BLACK CANYON HIGHWAY;

THENCE NORTH ALONG THE CURVED WEST RIGHT-OF-WAY LINE OF SAID HIGHWAY 338.78 FEET TO A POINT 1289.52 FEET EAST OF THE POINT OF BEGINNING;

THENCE WEST 1289.52 FEET TO THE POINT OF BEGINNING;

EXCEPT THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT SOUTH 00 DEGREES 04 MINUTES EAST 1476.13 FEET OF THE NORTHWEST CORNER OF SAID SECTION 10;

THENCE EAST ALONG THE NORTH LINE OF A PARCEL DESCRIBED IN DOCKET 10323, PAGE 581, RECORDS OF MARICOPA COUNTY, ARIZONA, 996.91 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING EAST ALONG SAID NORTH LINE 316.15 FEET TO A POINT ON A CURVE BEING ON THE WEST, RIGHT-OF-WAY LINE OF THE PHOENIX-ROCK SPRINGS HIGHWAY AS ESTABLISHED BY INSTRUMENT RECORDED IN BOOK 556 OF DEEDS, PAGE 521, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH ALONG SAID WEST RIGHT-OF-WAY LINE 99.98 FEET; THENCE SOUTH 89 DEGREES 31 MINUTES 11 SECONDS WEST 307.93 FEET; THENCE SOUTH 00 DEGREES 24 MINUTES 07 SECONDS WEST 97.12 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION WHICH IS CONVEYED TO CITY OF PHOENIX, A MUNICIPAL CORPORATION RECORDED IN WARRANTY DEED RECORDED DECEMBER 10, 2020 AS 2020-2020-1215783 DESCRIBED AS FOLLOWS:

THAT PORTION OF A PARCEL OF LAND DESCRIBED AS TRACT TWO PARCEL NO. 1 IN DOCUMENT # 2005-0946507 LYING IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 6 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF PHOENIX BRASS CAP FLUSH FOUND AT THE NORTHWEST CORNER OF SAID SECTION 10, FROM WHICH THE GENERAL LAND OFFICE (GLO) BRASS CAP FOUND FLUSH AT THE WEST QUARTER CORNER OF SAID SECTION 10 BEARS SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 2,634.74 FEET, SAID LINE BEING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10 AND THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE ALONG SAID WEST LINE, SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 1,379.01 FEET TO A POINT ON THE NORTH LINE OF SAID PARCEL OF LAND, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID NORTH LINE, SOUTH 89 DEGREES 53 MINUTES 58 SECONDS EAST A DISTANCE OF 65.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 65.00 FEET DISTANT FROM SAID WEST LINE;

THENCE ALONG SAID PARALLEL LINE, SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 97.12 FEET TO A POINT ON THE SOUTH DEED LINE OF SAID PARCEL OF LAND;

THENCE ALONG SAID SOUTH DEED LINE, NORTH 89 DEGREES 53 MINUTES 58 SECONDS WEST A DISTANCE OF 65.00 FEET TO A POINT ON SAID WEST LINE OF THE NORTHWEST QUARTER;

THENCE ALONG SAID WEST LINE, NORTH 00 DEGREES 03 MINUTES 36 SECONDS EAST A DISTANCE OF 97.12 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION WHICH IS CONVEYED TO CITY OF PHOENIX, A MUNICIPAL CORPORATION RECORDED IN WARRANTY DEED RECORDED DECEMBER 10, 2020 AS 2020-2020-1215783 DESCRIBED AS FOLLOWS:

THAT PORTION OF A PARCEL OF LAND DESCRIBED AS PARCEL NO. 2 IN DOCUMENT # 2010-0027004 LYING IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 6 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVERBASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF PHOENIX BRASS CAP FLUSH FOUND AT THE NORTHWEST CORNER OF SAID SECTION 10, FROM WHICH THE GENERAL LAND OFFICE (GLO) BRASS CAP FOUND FLUSH AT THE WEST QUARTER CORNER OF SAID SECTION 10 BEARS SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 2,634.74 FEET, SAID LINE BEING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10 AND THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE ALONG SAID WEST LINE, SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 1,138.20 FEET TO A POINT ON THE NORTH LINE OF SAID PARCEL OF LAND, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID NORTH LINE, SOUTH 89 DEGREES 53 MINUTES 58 SECONDS EAST A DISTANCE OF 65.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 65.00 FEET DISTANT FROM SAID WEST LINE;  
THENCE ALONG SAID PARALLEL LINE, SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 240.81 FEET TO A POINT ON THE SOUTH DEED LINE OF SAID PARCEL OF LAND;

THENCE ALONG SAID SOUTH DEED LINE, NORTH 89 DEGREES 53 MINUTES 58 SECONDS WEST A DISTANCE OF 65.00 FEET TO A POINT ON SAID WEST LINE OF THE NORTHWEST QUARTER;

THENCE ALONG SAID WEST LINE, NORTH 00 DEGREES 03 MINUTES 36 SECONDS EAST A DISTANCE OF 240.81 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 3:

AN EASEMENT FOR INGRESS AND EGRESS OVER THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 6 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING 10 FEET IN WIDTH AND LYING SOUTH OF AND ADJACENT TO THE FOLLOWING DESCRIBED LINE:

COMMENCING AT A POINT SOUTH 00 DEGREES 04 MINUTES EAST 1476.13 FEET OF THE NORTHWEST CORNER OF SAID SECTION 10;

THENCE EAST ALONG THE NORTH LINE OF A PARCEL DESCRIBED IN DOCKET 10323, PAGE 581, RECORDS OF MARICOPA COUNTY, ARIZONA, 996.91 FEET;

THENCE NORTH 00 DEGREES 24 MINUTES 07 SECONDS EAST 97.12 FEET TO THE BEGINNING OF SAID EASEMENT;

THENCE NORTH 89 DEGREES 31 MINUTES 11 SECONDS EAST 307.93 FEET TO THE TERMINUS OF SAID EASEMENT

PARCEL NO. 4 9V-17A:

THE NORTH 150 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT A POINT SOUTH 0 DEGREES 04 MINUTES EAST 1476.13 FEET OF THE NORTHWEST CORNER OF SECTION 10, TOWNSHIP 6 NORTH, RANGE 2 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 0 DEGREES 04 MINUTES EAST 650 FEET TO A POINT;

THENCE EAST 1371.27 FEET TO A POINT;

THENCE NORTH 5 DEGREES 31 MINUTES 235.32 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF THE PHOENIX-ROCK SPRINGS HIGHWAY, AS ESTABLISHED BY INSTRUMENT RECORDED IN BOOK 556 OF DEEDS, PAGE 521, TO A POINT BEING THE BEGINNING OF A CURVE OF THE SAID RIGHT-OF-WAY LINE;

THENCE ALONG THE CURVED RIGHT-OF-WAY LINE 415.74 FEET TO A POINT BEING 1316.9 FEET EAST OF THE POINT OF BEGINNING;

THENCE WEST 1316.90 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION WHICH IS CONVEYED TO CITY OF PHOENIX, A MUNICIPAL CORPORATION RECORDED IN WARRANTY DEED RECORDED DECEMBER 10, 2020 AS 2020-2020-1215783 DESCRIBED AS FOLLOWS:

THAT PORTION OF A PARCEL OF LAND DESCRIBED AS TRACT ONE PARCEL NO. 1 IN DOCUMENT # 2005-0946507 LYING IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 6 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF PHOENIX BRASS CAP FLUSH FOUND AT THE NORTHWEST CORNER OF SAID SECTION 10, FROM WHICH THE GENERAL LAND OFFICE (GLO) BRASS CAP FOUND FLUSH AT THE WEST QUARTER CORNER OF SAID SECTION 10 BEARS SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 2,634.74 FEET, SAID LINE BEING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10 AND THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE ALONG SAID WEST LINE, SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 1,476.13 FEET TO A POINT ON THE NORTH LINE OF SAID PARCEL OF LAND, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID NORTH LINE, SOUTH 89 DEGREES 53 MINUTES 58 SECONDS EAST A DISTANCE OF 65.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 65.00 FEET DISTANT FROM SAID WEST LINE;

THENCE ALONG SAID PARALLEL LINE, SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 150.00 FEET TO A POINT ON THE NORTH DEED LINE OF THE PARCEL OF LAND DESCRIBED IN DOCUMENT # 2018-0547706 OF THE MARICOPA COUNTY RECORDER;

THENCE ALONG LAST-MENTIONED NORTH DEED LINE, NORTH 89 DEGREES 53 MINUTES 58 SECONDS WEST A DISTANCE OF 65.00 FEET TO A POINT ON SAID WEST LINE OF THE NORTHWEST QUARTER;

THENCE ALONG SAID WEST LINE, NORTH 00 DEGREES 03 MINUTES 36 SECONDS EAST A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 5: 9H-19

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 6 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT SOUTH 00 DEGREES 04 MINUTES 1476.13 FEET OF THE NORTHWEST CORNER OF SAID SECTION 10;

THENCE EAST ALONG THE NORTH LINE OF A PARCEL DESCRIBED IN DOCKET 10323, PAGE 581, RECORDS OF MARICOPA COUNTY, ARIZONA, 996.91 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING EAST ALONG SAID NORTH LINE 316.15 FEET TO A POINT ON A CURVE BEING ON THE WEST RIGHT-OF-WAY LINE OF THE PHOENIX-ROCK SPRINGS HIGHWAY AS ESTABLISHED BY INSTRUMENT RECORDED IN BOOK 556 OF DEEDS, PAGE 521, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH ALONG SAID WEST RIGHT-OF-WAY LINE 99.98 FEET;

THENCE SOUTH 89 DEGREES 31 MINUTES 11 SECONDS WEST 307.93 FEET;

THENCE SOUTH 00 DEGREES 24 MINUTES 07 SECONDS WEST 97.12 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 6

THAT PORTION OF A PARCEL OF LAND DESCRIBED AS TRACT ONE PARCEL NO. 1 IN DOCUMENT # 2005-0946507 LYING IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 6 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF PHOENIX BRASS CAP FLUSH FOUND AT THE NORTHWEST CORNER OF SAID SECTION 10, FROM WHICH THE GENERAL LAND OFFICE (GLO) BRASS CAP FOUND FLUSH AT THE WEST QUARTER CORNER OF SAID SECTION 10 BEARS SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 2,634.74 FEET, SAID LINE BEING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10 AND THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE ALONG SAID WEST LINE, SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 1,476.13 FEET TO A POINT ON THE NORTH LINE OF SAID PARCEL OF LAND, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID NORTH LINE, SOUTH 89 DEGREES 53 MINUTES 58 SECONDS EAST A DISTANCE OF 65.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 65.00 FEET DISTANT FROM SAID WEST LINE;

THENCE ALONG SAID PARALLEL LINE, SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF

150.00 FEET TO A POINT ON THE NORTH DEED LINE OF THE PARCEL OF LAND DESCRIBED IN DOCUMENT # 2018- 0547706 OF THE MARICOPA COUNTY RECORDER;

THENCE ALONG LAST-MENTIONED NORTH DEED LINE, NORTH 89 DEGREES 53 MINUTES 58 SECONDS WEST A DISTANCE OF 65.00 FEET TO A POINT ON SAID WEST LINE OF THE NORTHWEST QUARTER;

THENCE ALONG SAID WEST LINE, NORTH 00 DEGREES 03 MINUTES 36 SECONDS EAST A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 7

THAT PORTION OF A PARCEL OF LAND DESCRIBED AS PARCEL NO. 1 IN DOCUMENT # 2010-0027004 LYING IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 6 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF PHOENIX BRASS CAP FLUSH FOUND AT THE NORTHWEST CORNER OF SAID SECTION 10, FROM WHICH THE GENERAL LAND OFFICE (GLO) BRASS CAP FOUND FLUSH AT THE WEST QUARTER CORNER OF SAID SECTION 10 BEARS SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 2,634.74 FEET, SAID LINE BEING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10 AND THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE ALONG SAID WEST LINE, SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 1,036.61 FEET TO A POINT ON THE SOUTH LINE OF LOT 1 OF THE FINAL PLAT OF "DAISY MOUNTAIN SUBSTATION" AS FOUND IN BOOK 1315 OF MAPS, PAGE 3 OF THE MARICOPA COUNTY RECORDER, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID SOUTH LINE, SOUTH 89 DEGREES 53 MINUTES 58 SECONDS EAST A DISTANCE OF 65.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 65.00 FEET DISTANT FROM SAID WEST LINE;

THENCE ALONG SAID PARALLEL LINE, SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 101.59 FEET TO A POINT ON THE SOUTH DEED LINE OF SAID PARCEL OF LAND;

THENCE ALONG SAID SOUTH DEED LINE, NORTH 89 DEGREES 53 MINUTES 58 SECONDS WEST A DISTANCE OF 65.00 FEET TO A POINT ON SAID WEST LINE OF THE NORTHWEST QUARTER;



THENCE ALONG SAID WEST LINE, NORTH 00 DEGREES 03 MINUTES 36 SECONDS EAST A DISTANCE OF 101.59 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 8

THAT PORTION OF A PARCEL OF LAND DESCRIBED AS TRACT TWO PARCEL NO. 1 IN DOCUMENT # 2005-0946507 LYING IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 6 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF PHOENIX BRASS CAP FLUSH FOUND AT THE NORTHWEST CORNER OF SAID SECTION 10, FROM WHICH THE GENERAL LAND OFFICE (GLO) BRASS CAP FOUND FLUSH AT THE WEST QUARTER CORNER OF SAID SECTION 10 BEARS SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 2,634.74 FEET, SAID LINE BEING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10 AND THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE ALONG SAID WEST LINE, SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 1,379.01 FEET TO A POINT ON THE NORTH LINE OF SAID PARCEL OF LAND, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID NORTH LINE, SOUTH 89 DEGREES 53 MINUTES 58 SECONDS EAST A DISTANCE OF 65.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 65.00 FEET DISTANT FROM SAID WEST LINE;

THENCE ALONG SAID PARALLEL LINE, SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 97.12 FEET TO A POINT ON THE SOUTH DEED LINE OF SAID PARCEL OF LAND;

THENCE ALONG SAID SOUTH DEED LINE, NORTH 89 DEGREES 53 MINUTES 58 SECONDS WEST A DISTANCE OF 65.00 FEET TO A POINT ON SAID WEST LINE OF THE NORTHWEST QUARTER;

THENCE ALONG SAID WEST LINE, NORTH 00 DEGREES 03 MINUTES 36 SECONDS EAST A DISTANCE OF 97.12 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 9

THAT PORTION OF A PARCEL OF LAND DESCRIBED AS PARCEL NO. 2 IN DOCUMENT # 2010-0027004 LYING IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 6 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE

AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF PHOENIX BRASS CAP FLUSH FOUND AT THE NORTHWEST CORNER OF SAID SECTION 10, FROM WHICH THE GENERAL LAND OFFICE (GLO) BRASS CAP FOUND FLUSH AT THE WEST QUARTER CORNER OF SAID SECTION 10 BEARS SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 2,634.74 FEET, SAID LINE BEING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10 AND THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE ALONG SAID WEST LINE, SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 1,138.20 FEET TO A POINT ON THE NORTH LINE OF SAID PARCEL OF LAND, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID NORTH LINE, SOUTH 89 DEGREES 53 MINUTES 58 SECONDS EAST A DISTANCE OF 65.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 65.00 FEET DISTANT FROM SAID WEST LINE;

THENCE ALONG SAID PARALLEL LINE, SOUTH 00 DEGREE 03 MINUTES 36 SECONDS WEST A DISTANCE OF 240.81 FEET TO A POINT ON THE SOUTH DEED LINE OF SAID PARCEL OF LAND;

THENCE ALONG SAID SOUTH DEED LINE, NORTH 89 DEGREES 53 MINUTES 58 SECONDS WEST A DISTANCE OF 65.00 FEET TO A POINT ON SAID WEST LINE OF THE NORTHWEST QUARTER;

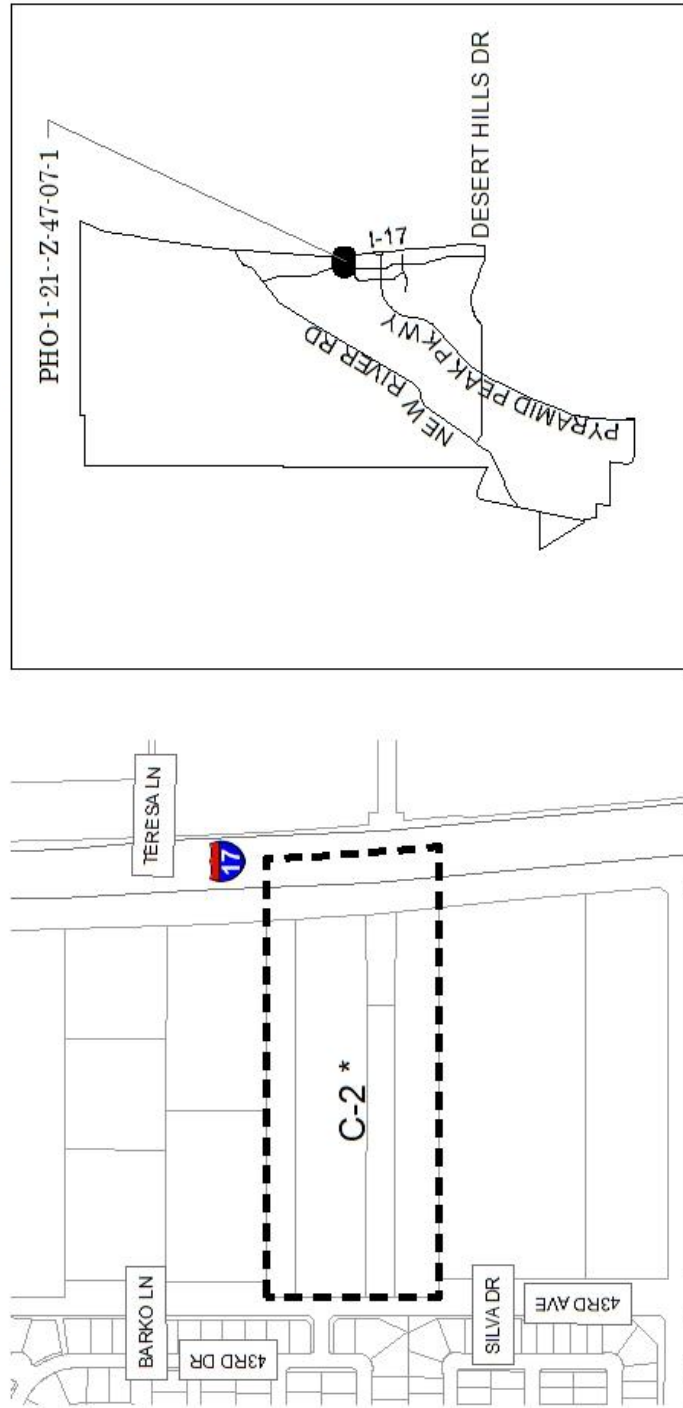
THENCE ALONG SAID WEST LINE, NORTH 00 DEGREES 03 MINUTES 36 SECONDS EAST A DISTANCE OF 240.81 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: PHO-1-21-Z-47-07-1  
Zoning Overlay: N/A  
Planning Village: Rio Vista

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



NOT TO SCALE

Drawn Date: 4/27/2021

\\onepdd\Shared\Department Share Information Systems\PL GIS\US\_Team\Core\_Functions\Zoning\SupplMaps\_OrdMaps\2021 Ord\6-19-21 PHO-1-21-Z-47-07-1.mxd



**Modification of Stipulation Request for Ratification of April 21, 2021 Planning Hearing Officer Action - PHO-2-21--Z-62-05-7 - Northeast Corner of 59th Avenue and Watkins Street**

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on April 21, 2021. This ratification requires formal action only.

**Summary**

Application: PHO-2-21--Z-62-05-7

Existing Zoning: A-1

Acreage: 13.4

Applicant: Cindy Olsen, VTRE Development LLC

Owner: Buckeye 59 LLC

Representative: Toby Rogers, Butler Design Group

**Proposal:**

1. Submittal of site plan and elevations for review by the Planning Hearing Officer per Stipulation 4.
2. Technical corrections to Stipulations 1, 2, 3, 5 and 9.

**Concurrence/Previous Council Action**

Village Planning Committee Recommendation: The Estrella Village Planning Committee opted not to hear this case.

PHO Action: The Planning Hearing Officer heard this case on April 21, 2021 and recommended approval with additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

**Location**

Northeast corner of 59th Avenue and Watkins Street

Council District: 7

Parcel Address: N/A

**Responsible Department**

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

## Attachment A – Stipulations - PHO-2-21--Z-62-05-7

**Location:** Northeast corner of 59th Avenue and Watkins Street

### Stipulations:

CONFORMANCE TO SITE PLAN	
1.	<del>That</del> The development shall be in general conformance to the conceptual development plan for the Metro Auto Auction Center only, date stamped May 26, 2005, and the Shade Canopy Plan date stamped May 26, 2005, as approved or modified by the PLANNING AND Development <del>Services</del> Department to be centrally located in the auto inventory area.
2.	<del>That</del> The perimeter landscape setback along 59th Avenue shall be in accordance with Commerce Park/General Commerce Park standards, as approved or modified by the PLANNING AND Development <del>Services</del> Department.
3.	<del>That</del> The request shall be in general conformance to the Conceptual Landscape Plan date stamped May 26, 2005 as modified by the following and approved by the PLANNING AND Development <del>Services</del> Department:
a.	<del>That</del> Landscaping shall be consistent with the Estrella Village Arterial Street <del>Landscape</del> LANDSCAPING Program as approved or modified by PLANNING AND Development <del>Services</del> Department. Appropriate trees, shrubs and groundcover shall be placed along a minimum 6-foot-high decorative wall which shall wrap around the north side of the site for a distance of 250 feet.
4.	<del>That the north portion of the site shall be subject to the Planning Hearing Officer process for site plan and elevation review.</del>  THE NORTH PORTION OF THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN AND ELEVATIONS DATE STAMPED MARCH 5, 2021, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
5.	<del>That</del> A 75' by 75' enhanced landscape triangle shall be provided at the entrances on the west side of the development along 59th Avenue. Monument signage, no greater than 8 feet in height, shall be provided, if necessary, as approved by THE PLANNING AND Development <del>Services</del> Department.
6.	<del>That</del> No outdoor storage shall be visible from 59th Avenue.

7.	THE DEVELOPER SHALL CONSTRUCT AND DEDICATE A SHARED-USE PATH AND RELATED EASEMENT ALONG THE EAST SIDE OF 59TH AVENUE IN ACCORDANCE WITH THE CITY OF PHOENIX STANDARD TRAIL DETAILS AND AS APPROVED OR MODIFIED BY THE PARKS AND RECREATION DEPARTMENT.
OTHER ISSUES ARCHAEOLOGY	
<del>8.</del> 7.	<del>That</del> The subject site has the potential to contain archaeological resources. <del>That</del> The applicant shall submit an archaeological survey for review and approval by the City Archaeologist (602) 495-0901 prior to grading permit issuance.
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.
RIGHT OF WAY STREET TRANSPORTATION	
<del>12.</del> <del>8.</del>	<del>That</del> Right-of-way totaling 55 feet shall be dedicated for the east half of 59th Avenue.
<del>13.</del> <del>9.</del>	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 <del>Services</del> Department. All improvements shall comply with all ADA accessibility standards.

14. <del>40-</del>	The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.

DRAFT





Report

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Agenda Date: 5/19/2021, Item No. \*88

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**\*\*\*REQUEST TO CONTINUE (SEE ATTACHED MEMO)\*\*\* Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-56-20-4 - Southeast Corner of 3rd Avenue and Coolidge Street (Ordinance G-6853)**

Request to hold a public hearing on a proposal to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-56-20-4 and rezone the site from R-3 (Multifamily Residence District) and R-5 (Multifamily Residence District) to PUD (Planned Unit Development) for multifamily residential.

**Summary**

Current Zoning: R-3 (Multifamily Residence District) (0.18-acres) and R-5 (Multifamily Residence District) (3.11 acres)

Proposed Zoning: PUD

Acreage: 3.29 acres

Proposed Use: A Planned Unit Development to allow multifamily residential

Owner: Donor Network of Arizona

Applicant: Trinsic Residential Group, Todd Gosselink

Representative: Withey Morris, PLC, Jason Morris

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Alhambra Village Planning Committee heard this case for WU Code zoning on Jan. 26, 2021 and recommended approval, per the staff recommendation, by a vote of 15-1.

PC Action: The Planning Commission heard this case for WU Code zoning on Feb. 4, 2021 and recommended approval, per the Alhambra Village Planning Committee recommendation with an additional stipulation, by a vote of 7-1.

The Planning Commission recommendation was appealed on Feb. 10, 2021 and a petition for a 3/4 vote was submitted on Feb. 11, 2021.

Council Action: Item was continued from March 3 and 17, 2021. On April 7, 2021 the City Council remanded the request back to the Planning Commission with direction to amend the request to a Planned Unit Development (PUD) zoning application.

PC Action: The Planning Commission heard this case for PUD zoning on May 6, 2021 and recommended approval per the Addendum A Staff Report, with a modified

stipulation and additional stipulations, by a vote of 6-3.

**Location**

Southeast corner of 3rd Avenue and Coolidge Street

Council District: 4

Parcel Addresses: 201 W. Coolidge St.

**Responsible Department**


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



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**To:** Ginger Spencer  
Deputy City Manager

**Date:** May 19, 2021

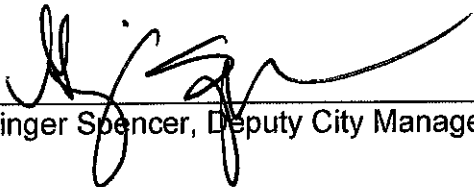
**From:** Alan Stephenson   
Planning and Development Director

**Subject:** CONTINUANCE OF ITEM 88 ON THE MAY 19, 2021 - FORMAL AGENDA –  
PUBLIC HEARING/FORMAL ACTION OF Z-56-20-4 (G-6853)

Item 88, on the May 19, 2021 Formal Agenda, is a request to approve rezoning application Z-56-20-4 located at the southeast corner of 3rd Avenue and Coolidge Street, from R-3 and R-5 (Multifamily Residence Districts) to Planned Unit Development (PUD) for multifamily residential.

This request is to continue the item to June 2, 2021 at the direction of District 4, to allow for the applicant to further address concerns with the proposed project.

Approved:

  
Ginger Spencer, Deputy City Manager

Attachment: Exhibit A- Applicant request for continuance

**From:** Jason Morris  
**To:** Alan Stephenson  
**Subject:** Z-56-20  
**Date:** Monday, May 17, 2021 7:06:23 PM

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Alan,

Just wanted to confirm with you that the above-referenced case is being continued from the May 19th agenda to the June 2nd agenda per the Councilwoman's wishes. Please let me know if there's anything I can provide you in furtherance of this request. Thank you.

**Jason Barclay Morris**  
***Withey Morris, PLLC***

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## ATTACHMENT A

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

### ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-56-20-4) FROM R-3 (MULTIFAMILY RESIDENCE DISTRICT) AND R-5 (MULTIFAMILY 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 3.29-acre property located at the southeast corner of 3rd Avenue and Coolidge Street, in a portion of Section 20, Township 2 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from 0.18-acres of "R-3" (Multifamily Residence District) and 3.11 acres of "R-5" (Multifamily 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 Aura Uptown 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 April 29, 2021, as modified by the following stipulations:

- a. Front cover: Revise the submittal date information on the bottom to add the following: City Council adopted: [add adoption date].
- b. Page 8, Development Standards Table, Building Height: Modify building height standard to read as follows:

North Street Frontage/West Street  
Frontage: 48 feet  
(units along the north and west)  
East Frontage/South Frontage: 56 feet

- c. Page 8, Development Standards Table, Minimum Open Space: Modify minimum open space standard to read as follows:

15% publicly accessible open space  
5% general open space  
(including canalscape)

- d. Page 9, Landscape Development Standards Table, Canalscape; Modify the first bullet point to read as follows: A publicly accessible landscaped greenspace area shall be provided adjacent to the Arizona Grand Canal Trail on the south side of the property. At minimum, the green space area will measure 4,800 square feet, 15 feet in depth for a distance of 260 feet, 7 feet in depth for a distance of 70 feet, and shall be generally consistent with the landscape plan in Exhibit 7. A minimum of 3 pedestrian amenities, which could include but are not limited to, benches and shade canopies shall be provided within the landscape area.
- e. Page 9, Landscape Development Standards Table, Streetscape (Coolidge Street and 3rd Avenue Frontages); Add a bullet point to read as follows:  
Half of the trees along the north and west perimeter shall be salvaged, and if unsalvageable they must be replaced with a minimum 4-inch caliper tree or two 2-inch caliper trees.

2. 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.
3. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. 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 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 shall be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.
  - c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.
4. 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.
5. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
6. 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.
7. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 19th day of May 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

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

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

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

\_\_\_\_\_  
*Pml*

REVIEWED BY:

\_\_\_\_\_  
Ed Zuercher, City Manager

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Exhibits:

A – Legal Description (2 Pages)

B – Ordinance Location Map (1 Page)



EXHIBIT A

LEGAL DESCRIPTION FOR Z-56-20-4

A PORTION OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE CALCULATED CENTER CORNER OF SAID SECTION 20, BEING THE INTERSECTION OF CENTRAL AVENUE AND CAMPBELL AVENUE AS REFERENCED IN THE MONUMENT CORNER TIES FOR LINE SECTION 2 CENTRAL PHOENIX LIGHT RAIL TRANSIT PROJECT, IN DOCUMENT 2009-0003295, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 31 MINUTES 20 SECONDS WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20, A DISTANCE OF 1,318.52 FEET TO A CITY OF PHOENIX BRASS CAP FLUSH "RLS 39131" MARKING THE CENTERLINE OF 3RD AVENUE AND CAMPBELL AVENUE;

THENCE NORTH 00 DEGREES 06 MINUTES 20 SECONDS WEST, ALONG THE CENTERLINE OF SAID 3RD AVENUE, A DISTANCE OF 564.11 FEET TO THE POINT OF **BEGINNING**;

THENCE CONTINUING NORTH 00 DEGREES 06 MINUTES 20 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 416.71 FEET TO THE CENTERLINE OF 3RD AVENUE AND COOLIDGE STREET, BEING SOUTH 1.69 FEET AND 3.40 FEET OF TWO CITY OF PHOENIX BRASS CAPS;

THENCE SOUTH 89 DEGREES 27 MINUTES 41 SECONDS EAST, ALONG THE CENTERLINE OF SAID COOLIDGE STREET A DISTANCE OF 358.31 FEET, BEING 966.10 FEET WEST OF THE INTERSECTION OF CENTRAL AVENUE AND COOLIDGE STREET;

THENCE SOUTH 00 DEGREES 15 MINUTES 25 SECONDS WEST, A DISTANCE OF 348.85, FEET DEPARTING SAID COOLIDGE STREET, ALONG THE EAST LINE OF PARCEL 1 OF THAT SPECIAL WARRANTY DEED RECORDED IN 2001-0882094, AND THE SOUTHERLY PROLONGATION THEREOF, TO A POINT 25 FEET SOUTHERLY OF THE SOUTHERLY LINE OF SAID PARCEL 1, MEASURED AT 90 DEGREES;

THENCE ALONG A 25 FOOT SOUTHERLY OFFSET OF THE SOUTH LINES FOR LOTS 15, 17 AND 19 OF 'SUBURBAN ACRES' AS RECORDED IN BOOK 13, PAGE 22 RECORDS OF MARICOPA COUNTY, ARIZONA, SOUTH 72 DEGREES 19 MINUTES 53 SECONDS WEST, DISTANCE OF 65.89 FEET;

THENCE CONTINUING ALONG SAID SOUTHERLY OFFSET, SOUTH 74 DEGREES 12 MINUTES 10 SECONDS WEST, A DISTANCE OF 147.10 FEET;

THENCE CONTINUING ALONG SAID SOUTHERLY OFFSET, SOUTH 78 DEGREES 50 MINUTES 02 SECONDS WEST, A DISTANCE OF 123.95 FEET;

THENCE SOUTH 89 DEGREES 53 MINUTES 40 SECONDS WEST, A DISTANCE OF 30.00 FEET TO THE POINT OF **BEGINNING**.

SAID PARCEL CONTAINS 142,789 SQUARE FEET OR 3.278 ACRES, MORE OR LESS.

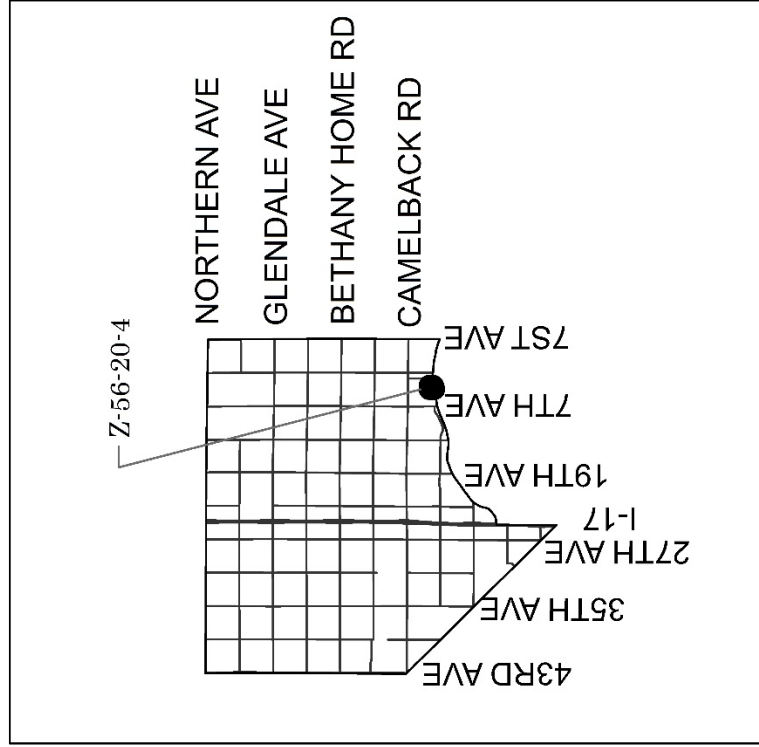
DRAFT

# ORDINANCE LOCATION MAP

EXHIBIT B

Zoning Case Number: Z-56-20-4  
 Zoning Overlay: N/A  
 Planning Village: Alhambra

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



NOT TO SCALE



Drawn Date: 5/10/2021

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS\_Team\Core\_Functions\Zoning\SuppMaps\_OrdMaps2021 Ord\5-19-21\Z-56-20-4.mxd

## Attachment B



**City of Phoenix**  
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report Z-56-20-4**  
**January 20, 2021**

**Alhambra Village Planning Committee** January 26, 2021  
**Meeting Date:**

**Planning Commission Hearing Date:** February 4, 2021

**Request From:** R-3 (Multifamily Residence District) (0.18 acres) and R-5 (Multifamily Residence District) (3.11 acres)

**Request To:** WU Code T5:5 UT (Walkable Urban Code, Transect 5:5, Uptown Character Area) (3.29 acres)

**Proposed Use:** Multifamily Residential

**Location:** Southeast corner of 3rd Avenue and Coolidge Street

**Owner:** Donor Network of Arizona

**Applicant:** Trinsic Residential Group, Todd Gosselink

**Representative:** Withey Morris PLC, Jason Morris

**Staff Recommendation:** Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Map Designation</u>		Residential 15+ Dwelling Units Per Acre	
<u>Street Map Classification</u>	3rd Avenue	Local Street	Varies from 30 to 40 foot east half street
	Coolidge Street	Local Street	Varies from 25 to 30 foot south half street

**CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.**

The development, as proposed, will create new housing opportunities in the area and within close proximity to a light rail station, the educational facilities, and the North Central Avenue Employment Center, especially via the Grand Canal Multiuse Trail.

**CONNECT PEOPLE AND PLACES CORE VALUE; COMPLETE STREETS; DESIGN PRINCIPLE: Locate parking to the rear of a site to create a more pedestrian environment, when adequate shielding from noise and light can be provided to adjacent established neighborhoods. On-street parking in some areas may also promote a pedestrian environment.**

The development, as required by provisions of the Walkable Urban Code, will situate buildings to frame the street environment with vehicle parking lots situated at the interior of the site and to allow for the creation of a comfortable pedestrian environment along the public streets. Further, the development, as stipulated, will screen parking from the Grand Canal and its multiuse trail.

**BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREE AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.**

The development, as stipulated, will create an attractive streetscape with detached and shaded sidewalks. The shade incorporated into the development along its frontages will reduce the urban heat island effect and increase thermal comfort which will make the area more walkable, bikeable, and sustainable.

**CONNECT PEOPLE AND PLACES CORE VALUE; BICYCLES; DESIGN PRINCIPLE: Development should include convenient bicycle parking.**

The development, as stipulated, includes bicycle parking and bicycle facilities as a central component of the project to facilitate bicycling as a way of life. Features include secure bicycle parking for residents, convenient racks for guests, and a bicycle repair station situated as a public amenity; together, these features will complement the Grand Canal and its multiuse trail.

**CONNECT PEOPLE AND PLACES CORE VALUE; CANALS AND TRAILS; LAND USE PRINCIPLES:** *Plan, design, and develop pedestrian linkages between parks, open spaces, village cores, neighborhood shopping centers, neighborhood schools, and neighboring municipalities.*

The subject site is immediately adjacent to the Grand Canal which recently was improved through the Canalscape Project and provides regional connectivity, direct connections to Phoenix Central High School, the Phoenix Coding Academy, Xavier College Preparatory, Brophy College Preparatory, Steele Indian School Park, and access to Central Avenue and the rail. The development, as stipulated, will add vitality to this section of the Grand Canal and its multiuse trail as a community asset.

#### Applicable Plans, Overlays, and Initiatives

[Transit Oriented Development Strategic Policy Framework](#): Background Item No. 5.

[Uptown Transit Oriented Development Policy Plan](#): Background Item No. 6.

[Tree and Shade Master Plan](#): Background Item No. 9.

[Complete Streets Guidelines](#): Background Item No. 10.

[Comprehensive Bicycle Master Plan](#): Background Item No. 11.

[Housing Phoenix](#): Background Item No. 12.

[Reimagine Phoenix](#): Background Item No. 13.

#### Surrounding Land Uses and Zoning

	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Office	R-3 and R-5
<b>East</b>	Multifamily	R-5
<b>North (across Coolidge Street)</b>	Various residential	R-3 and R-5
<b>South (across the Grand Canal)</b>	Multifamily	R-4
<b>West</b>	Single-family residential	R-3

<b>Walkable Urban Code Transect 5:5 UT</b>		
<b><u>Standards</u></b>	<b><u>Requirements</u></b>	<b><u>Provisions on the Proposed Site Plan</u></b>
Gross Acreage	No minimum	3.29
Total Number of Units	No maximum	218 units
Density	No maximum	66.26
Building Height	56 foot maximum	56 feet (Met)
Parking Structure Height	Cannot exceed building height	58 feet (Not Met*)
<i>Streetscape Standards (Section 1312.E)</i>		
Minor Collector and Local Streets	Minimum sidewalk width: 5 feet Minimum landscape width: 5 feet (if no public utility conflict)	5 feet (Met) 5 feet (Met)
<i>Main Building Setbacks</i>		
Primary Frontage (Coolidge Street)	12 foot maximum	Varies but less than 12 feet (Met)
Secondary Frontage (3rd Avenue)	10 foot maximum	10 feet (Met)
Non Street (South and East)	0 foot minimum	15 feet and 10 feet respectively (Met)
<i>Parking Setbacks</i>		
Primary Frontage	30 foot minimum or behind building	Behind building (Met)
Secondary Frontage	20 foot minimum with a 10 foot landscape setback measured from the street right of way	Behind building (Met)
Rear (West)	0 foot minimum	Behind building (Met)
<i>Lot Requirements</i>		
Lot Coverage	80 percent maximum	73 percent (Met)
Primary Building Frontage	70 percent minimum	94 percent (Met)
Secondary Building Frontage	50 percent minimum	83 percent (Met)

<b>Walkable Urban Code Transect 5:6 UT (Cont.)</b>		
<b><u>Standards</u></b>	<b><u>Requirements</u></b>	<b><u>Provisions on the Proposed Site Plan</u></b>
<i>Frontage Types Allowed</i>		
Primary Frontage (Coolidge Street)	All frontages or alternative frontages as per Section 1305.B.1.c	Storefront and Stoop / Doorwell, Met)
Secondary Frontage (3rd Avenue)	All frontages or alternative frontages as per Section 1305.B.1.c	Stoop / Doorwell, Met)
Entry Requirements	Common Entry: minimum one per 50 feet of primary building frontage and one per 80 feet of secondary frontage.  Other frontages as per Table 1305.1	Not provided.
Glazing Requirements T4 standards apply for multifamily	Ground floor and second floor 25 percent minimum.  Second floor (east and west): 10 percent minimum  Upper floors: not applicable	Not provided.
<i>*Site plan adjustment required</i>		

### **Background/Issues/Analysis**

#### **SUBJECT SITE**

1. This request is to rezone 3.29 acres at the southeast corner of 3rd Avenue and Coolidge Street from R-3 (Multifamily Residence District) and R-5 (Multifamily Residence District) to WU Code T5:5 UT (Walkable Urban Code Transect 5:5, Uptown Character Area).

#### **SURROUNDING LAND USES AND ZONING**

2. The proposed zoning of WU Code T5:5 UT (Walkable Urban Code Transect 5:5, Uptown Character Area) permits a maximum height of 56 feet. The site is currently developed with an office building. The Zoning Context Map depicts the zoning entitlements of the subject site and the surrounding area.



*East:* Immediately east of the subject site is a multifamily complex which is zoned R-5 (Multifamily Residence District). The zoning permits a maximum height of 48 feet but the existing buildings do not exceed three stories in height.

*West:* West of the subject site across 3rd Avenue are residential structures of a single-story and single-family detached character. The R-3 (Multifamily Residence District) zoning permits a maximum height of 30 feet by right, and up to 48 feet with increased setbacks.

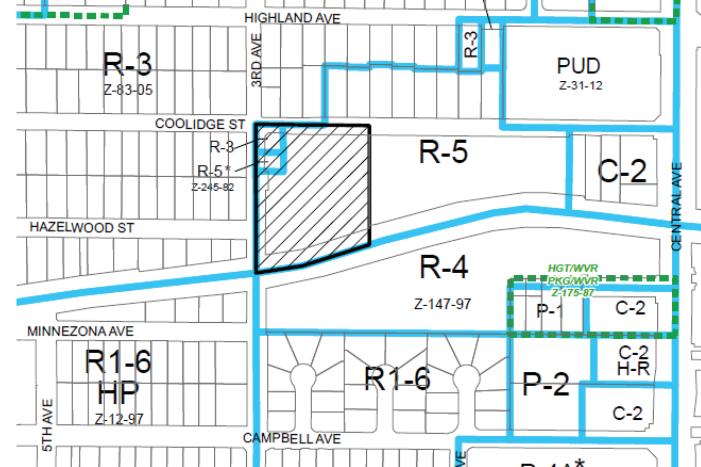
*North:* North of the subject site across Coolidge Street are various residential structures ranging from a single-family detached character to small apartment complex, with neither type exceeding two stories. The approximate west half of sites immediately north of the subject site are zoned R-3 (Multifamily Residence District) which permits a maximum height of 30 feet by right, and up to 48 feet with increased setbacks, and the remaining sites to the east are zoned R-5 (Multifamily Residence District) which permits a maximum height of 48 feet.

*South (the Grand Canal):* South of the subject site is the Grand Canal which was recently improved through the Canalscape project which brought lighting, landscaping, and seating improvements to this section of the canal.

*South (beyond the Grand Canal):* South of the subject site across the Grand Canal is a multifamily community zoned R-4 (Multifamily Residence District) which permits a maximum height of 48 feet.

3. Located along Central Avenue and several properties east of the subject site is the Interim Transit-Oriented Zoning Overlay District One (TOD-1). The primary purpose of TOD-1 was "to encourage an appropriate mixture and density of activity around transit stations to increase ridership along the light rail corridor and promote alternative modes of transportation to the automobile" while the Walkable Urban Code was developed.

Title: Zoning Context Map



Source: Planning and Development Department

## GENERAL PLAN LAND USE MAP

4. The General Plan Land Use Map depicts a land use designation of Residential 15+ dwelling units per acre which is consistent with the density proposed.

*Title: General Plan Land Use Map Excerpt*



*Source: Planning and Development Department*

Surrounding the subject site are designations for multifamily densities including Residential 15+ dwelling units per acre to the south and east and Residential 10 to 15 dwelling units per acre to the north and west. The proposed use and density of the subject site is consistent with the surrounding context.

5. The Encanto Village Character Plan was approved and adopted in the Phoenix General Plan through General Plan Amendment GPA-1-19. Each of the 15 Urban Villages have a Character Plan.

The proposed project advances the following items identified in the Encanto Village Character Plan: encourage growth along the light rail; integrating canals into project design; and new development being consistent with adopted plans.

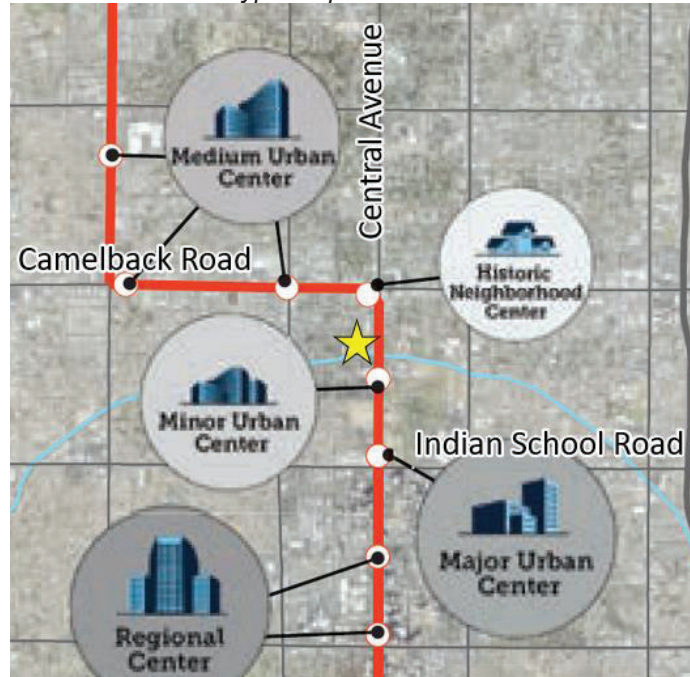
One such area of alignment is with the North Central Employment Center (profile attached) which identifies the presence of approximately 770,000 young, well-educated, workers within a 10 to 20 minute drive and projected growth of 170,000 new residents within a 30 minute drive. The proposed development will provide housing opportunities for the growing population in proximity to the growing employment center while also reducing the need for long vehicle commutes.

6. **Transit Oriented Development Strategic Policy Framework:**

The Transit Oriented Development Strategic Policy Framework is part of the City's General Plan. The framework identifies planning typologies to describe urban environments in terms of appropriate scale and intensity

As depicted on the right, the subject site is located within one-quarter mile from two light rail stations. The nearest station, Central and Campbell, is identified in the Strategic Policy Framework as a Minor Urban Center Place Type.

*Title: Transit Oriented Development Strategic Policy Framework Place Type Map*



*Source: Planning and Development Department*

The Minor Urban Center Place Type is characterized by two to five story buildings with allowances for up to seven when incentive criteria are met or when a special circumstance exists. The proposed development, using the Walkable Urban Code and depicting a height of four stories, is consistent with the Minor Urban Center Place Type.

7. **Uptown Transit Oriented Development Policy Plan:**

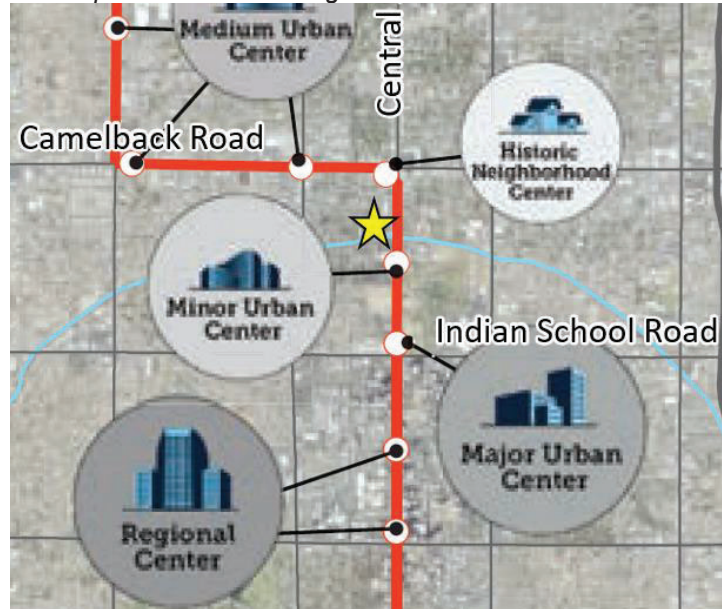
The subject site is located within the Uptown TOD Planning Area which is depicted on the following page. The policy plan adopted for the Uptown TOD District provides a blueprint for fully achieving the transformative potential of light rail in a sustainable manner. Changes advocated in the plan can lower 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.

While the subject site is not mapped for a specific recommended transect for redevelopment, the Uptown TOD District Plan provides the following direction relevant to the subject site:

*Activating the Grand Canalscape:*

The Uptown TOD Plan describes at length the importance and opportunity of embracing the Grand Canal as an open space amenity, as a regional active transportation trail, and as waterfront. While the Canalscape Project is complete, it is the projects adjacent to the Grand Canal that will enliven the waterfront.

Title: Uptown TOD Planning Area



Source: Planning and Development Department

*Increase the Population Using Alternative Transportation: .*

The Uptown TOD Plan includes several measurable outcomes focused on increasing ridership on the light rail, increasing the number of individuals riding bikes or walking to work, and decreasing the number of Vehicle Miles Traveled (VMT). The proposed project will position new households within walking and bicycling distance to jobs, schools, and major park facilities.

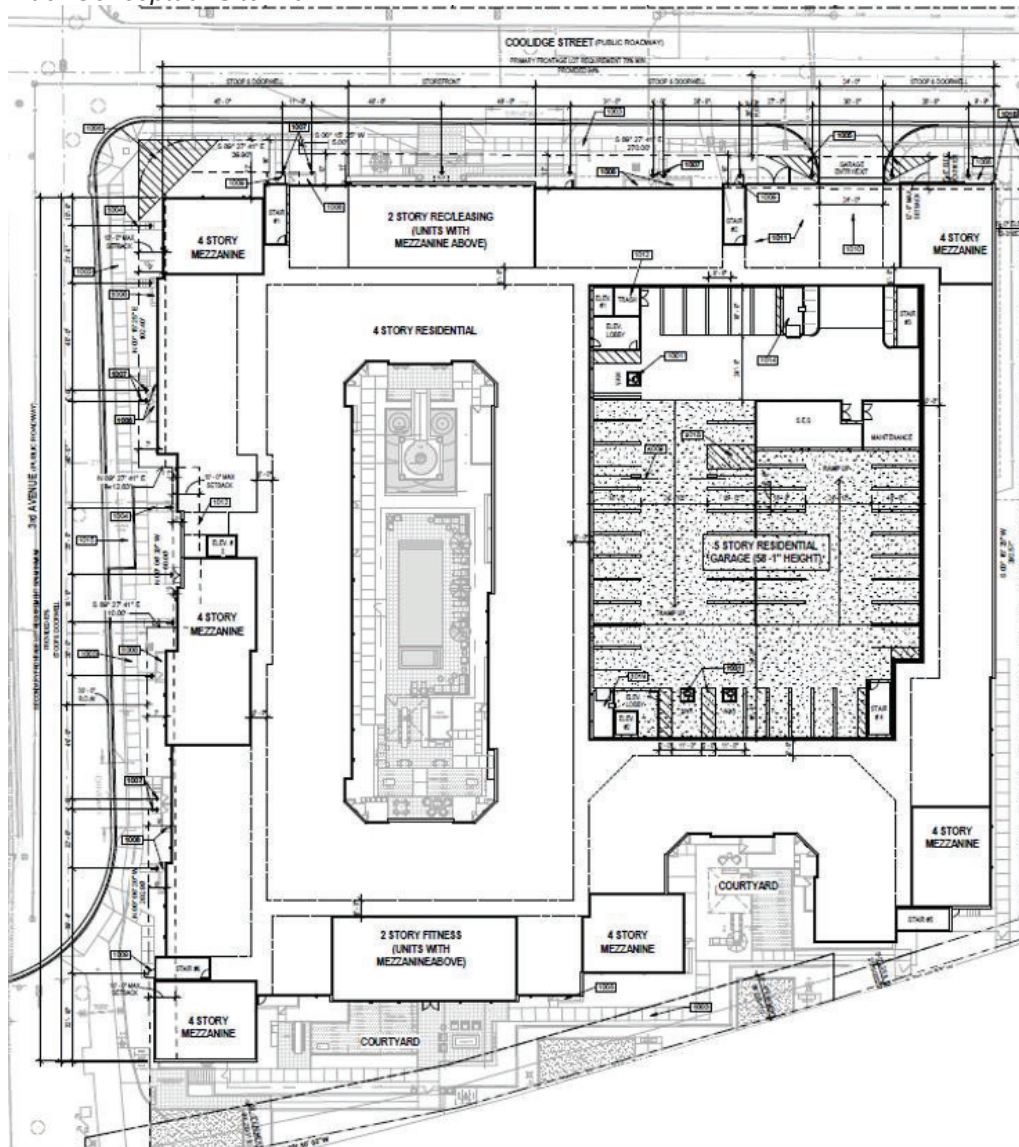
## PROPOSAL

### 8. Site Plan

As depicted on the conceptual site plans and elevations on the following pages, the proposal is for four floors of housing with five levels of parking located at the interior of the site. The site plan depicts one point of vehicular access from Coolidge Street. The site plan depicts 218 dwelling units with 46 studios, 116 one-bedroom, and 56 two-bedroom units. At a rate of 1.3 parking spaces per studio and 1.5 spaces per one and two bedroom units, the code would require 318 parking spaces but due to the proximity to light rail, a 10 percent reduction is applied for a total of 287 spaces.



*Title: Conceptual Site Plan*



*Source: Rich Barber Architects*

The ground floor units fronting 3rd Avenue and Coolidge Street will employ stoop and doorwell frontages and the main leasing area oriented to Coolidge Street will employ a storefront frontage; these ground level treatments abide by the intent of the Walkable Urban Code to activate the street frontage in addition to detached sidewalks and trees planted between the curb and sidewalk as required by the Walkable Urban Code.

The conceptual site plan depicts frontage types along the southern face of the

building mass to activate the interface with the canal. Staff is recommending Stipulation No. 1 to require the frontage types along 40 percent of the canal oriented building frontage.

9. Canal Interface

The conceptual site plan and building elevations depict measures intended to embrace and activate the frontage to the Grand Canal including amenity areas, common areas, bike racks, a bicycle repair station, vegetation, and a perimeter wall comprised mostly of view fence for ground level transparency. The Phoenix Zoning Ordinance governs canal interface through the design standards contained in Section 507 Tab A.

To advance the intent of the design guidelines and the Walkable Urban Code, staff is recommending a series of stipulations to provide additional specificity regarding improvements to the area between the southern mass of the building and the Grand Canal right-of-way including the following:

- Stipulation No. 1: To require Walkable Urban Code Frontage Types along a minimum 50 percent of the canal-facing building façade.
- Stipulation No. 2: To require architectural enhancements along the canal-facing building façade.
- Stipulation No. 3: To require large canopy shade trees to soften the canal environment and provide thermal comfort in the amenity areas and near the canal.
  - Due to the presence of an SRP easement at this location, the extent to which the developer will be allowed to improve this area is unknown and, therefore, the stipulation contains the language “as approved or modified by the Planning and Development Department.
- Stipulation No. 4: To require shaded open space adjacent to the canal right-of-way through the application of Section 1310.A.2 of the Phoenix Zoning Ordinance.
  - Due to the presence of an SRP easement at this location, the extent to which the developer will be allowed to improve this area is unknown and, therefore, the stipulation contains the language “as approved or modified by the Planning and Development Department.
- Stipulation No. 5: To require all walls and fences within 30 feet and oriented to the canal right-of-way to have a maximum opaque height of 36 inches to promote interface between the project and the canal amenity.

10. Conceptual Elevations

The conceptual building elevations, pictured below, depict a four story multifamily complex exhibiting modern design elements, multiple colors, building articulation, shaded upper floor balconies, and a mix of ground floor frontage treatments including stoops, doorwells, and storefronts.

*Title: Conceptual Building Elevations*



Source: Rich Barber Architects

## STUDIES AND POLICIES

### 11. **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 Walkable Urban Code contains landscape standards to provide enhanced tree plantings with a focus on thermal comfort and the conceptual site plan complies with code requirements.

To require tree shade be integrated into the project between the southern building mass and the Grand Canal right-of-way, staff is recommending Stipulation No. 3 requiring large canopy shade trees, placed 20 feet on center or in equivalent groupings, and with a minimum caliper of 3-inches at installation; the purpose of this stipulation is to promote thermal comfort for the amenity areas and along the Grand Canal.

### 12. **Complete Streets Guidelines:**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. The Walkable Urban Code contains requirements for detached sidewalks with vegetative shade which will enhance the thermal comfort and sense of security for pedestrians passing on adjacent sidewalks.

Staff is recommending Stipulation No. 8 to require enhanced bicycle facilities on the site including secure bicycle parking for residents, bicycle racks for guests, and a publicly accessible bicycle repair station near the southern edge of the site; the purpose of these stipulations is to complement 3rd Avenue which is identified as the Phoenix Sonoran Bikeway and the Grand Canal multiuse trail which provides regional trail connectivity.

### 13. **Comprehensive Bicycle Master Plan:**

The Comprehensive Bicycle Master Plan is a guide for creating a culture and environment conducive to bicycling as a viable mode of transportation. The proximity to high capacity transit underscores the importance of walking and bicycling in this area.



Recognizing the presence of the Grand Canal, the recently completed Canalscape investments, the presence of the Phoenix Sonoran Bikeway, and proximity to high capacity transit, staff is recommending Stipulation No. 8 which requires secure bicycle parking for residents, bicycle parking for guests, and a publicly accessible bicycle repair station.

14. **Housing Phoenix:**

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 the 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 vacant or underutilized land in a more sustainable fashion.

15. **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 CORRESPONDENCE

16. As of the writing of this report, one letter of opposition was received detailing concerns relating to scale, privacy, traffic, the abundance of multifamily, and the design compatibility with the historic district.

INTERDEPARTMENTAL COMMENTS

17. The Fire Department commented that the site plan must comply with the Phoenix Fire Code and further indicated there are no problems anticipated with the case. Further, the Department commented that they do not know the water supply at this site and noted that additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.

18. The Public Works Department, Floodplain Management Division determined the site is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. The Public Works Department provided Stipulation No. 10 to require the applicant follow and document all necessary processes and improvements.
19. The Street Transportation Department provided Stipulation Nos. 6, 7, and 9 to require traffic calming at vehicular driveways, two pedestrian connections to the Grand Canal trail, and their standard stipulation regarding the applicant being responsible for construction of adjacent streets, respectively.

The Street Transportation Department including the Pedestrian Safety Coordinator further commented on the importance of enhanced pedestrian and bicycle facilities including detached sidewalks, bicycle parking, a bicycle repair station, and connections to the Grand Canal trail. These issues are addressed in other stipulations or will be addressed through the application of the Walkable Urban Code.

20. The Public Transit Department commented on the need for a robust system of shaded pedestrian pathways with measures to delineate pedestrian crossings at drive-aisles. These issues are addressed in other stipulations or will be addressed through the application of the Walkable Urban Code.

#### OTHER

21. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 13.
22. Based on the proximity to Sky Harbor Airport, the Aviation Department is requiring Stipulation Nos. 11 and 12 which require recorded documents to disclose the existence of Sky Harbor Airport to future owners and residents, and that an aviation easement be recorded.
23. 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. The proposal is consistent with the General Plan Land Use Map designation of Residential 15+ Dwelling Units Per Acre and the TOD Strategic Policy Framework Minor Urban Center Place Type designation.
2. The development advances the vision and recommendations contained in the Uptown Transit Oriented Development Plan and will support pedestrian oriented development near the light rail and multiple urban bikeways.
3. The proposal will create additional housing options for the significant number of residents in the Uptown TOD District.

## **Stipulations**

1. The south facing mass of the building(s) oriented to the Grand Canal shall incorporate Walkable Urban Code Frontage Types described in Section 1305 for a minimum 40 percent of the building face(s), as approved by the Planning and Development Department. For the purpose applying the above provisions, the above shall be treated as a Secondary Frontage with regard to glazing.
2. The south facing mass of the building(s) oriented to the Grand Canal shall contain architectural embellishments, design detailing, and / or space programming to activate and provide visual access onto the canal, as approved by the Planning and Development Department. Examples of appropriate enhancements may include textural changes, offsets, recesses, variation in window size and location, overhang canopies, balconies with a depth greater of than 3 feet, and amenities such as gathering spaces.
3. Between the southern mass of the building and the south property line (the Grand Canal right-of-way), the developer shall plant minimum 3-inch caliper, large canopy shade trees, at a minimum frequency of 25 feet on center or in equivalent groupings, as approved or modified by the Planning and Development Department.
4. The provisions of Section 1310.A.2 of the Phoenix Zoning Ordinance shall apply to require shaded open space of which a minimum 50 percent shall be situated adjacent to the south property line (the Grand Canal right-of-way), as approved or modified by the Planning and Development Department.

5. No solid perimeter wall greater than 36 inches in height shall be oriented to and located within 30 feet of the south property line (the Grand Canal right-of-way), as approved by the Planning and Development Department.
6. The developer shall provide traffic calming to slow vehicle traffic exiting the property with specific regard to pedestrian safety on the public sidewalk, as approved by the Planning and Development Department.
7. The developer shall provide a minimum of two direct and accessible pedestrian connections from the amenity areas located south of the building mass to the shared use path along the Grand Canal Trail, as approved by the Planning and Development Department.
8. The developer shall provide and maintain the following bicycle infrastructure as described below and as approved by the Planning and Development Department.
  - a. A bicycle repair station (fix-it station) along the southern edge of the site, visible, and accessible from the public sidewalk and / or the Grand Canal Trail. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while adjusting the bike.
  - b. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.
  - c. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1306.H. of the Phoenix Zoning Ordinance.
9. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
10. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. 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 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 shall be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.
  - c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.
11. 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.
12. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
13. 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**

Nick Klimek

January 20, 2021

**Team Leader**

Samantha Keating

**Exhibits**

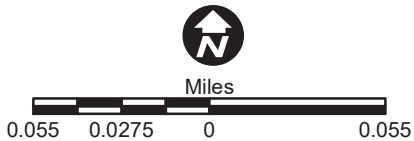
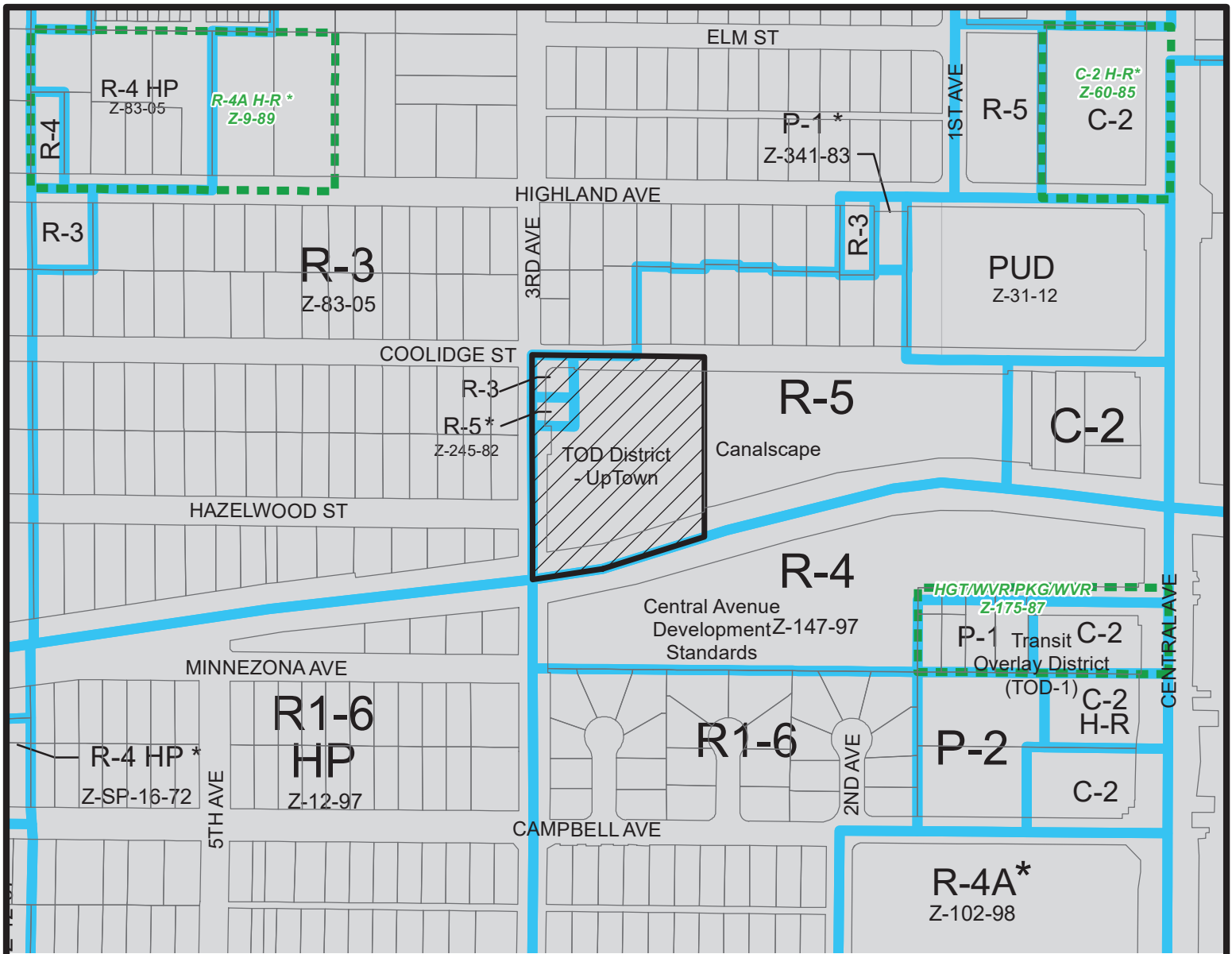
Zoning sketch map

Aerial sketch map

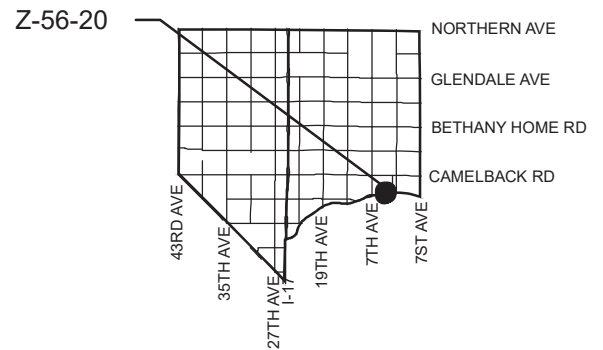
Conceptual Site Plan and Elevations date stamped October 19, 2020 (2 pages)

Community Correspondence (4 pages)

North Central Employment Center Profile (2 pages)



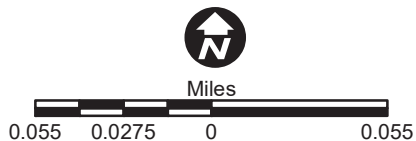
**ALHAMBRA VILLAGE**  
CITY COUNCIL DISTRICT: 4



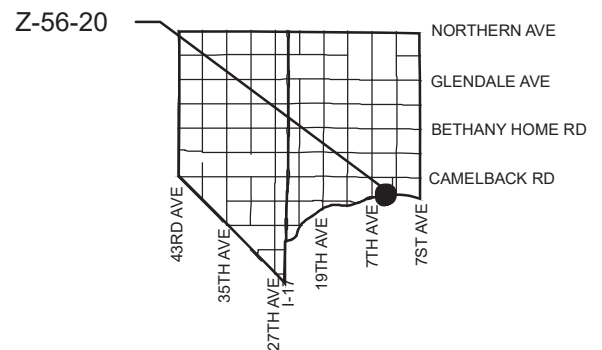
<b>APPLICANT'S NAME:</b> Trinsic Residential Group, Todd Gosselin		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-56-20	<b>DATE:</b> 10/23/2020 <b>REVISION DATES:</b>	<b>FROM:</b> R-3 ( 0.18 a.c.) R-5 ( 3.11 a.c.)	
<b>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</b> 3.29 Acres	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 18-27	<b>ZONING MAP</b> H-8	<b>TO:</b> WU Code T5:5 UT ( 3.29 a.c.)
<b>MULTIPLES PERMITTED</b> R-3, R-5 WU Code T5:5 UT	<b>CONVENTIONAL OPTION</b> 2, 135 No Maximum		<b>* UNITS P.R.D. OPTION</b> 3, 162 N/A

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





**ALHAMBRA VILLAGE**  
CITY COUNCIL DISTRICT: 4



<b>APPLICANT'S NAME:</b> Trinsic Residential Group, Todd Gosselin		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-56-20	<b>DATE:</b> 10/23/2020 <b>REVISION DATES:</b>	<b>FROM:</b> R-3 ( 0.18 a.c.) R-5 ( 3.11 a.c.)	
<b>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</b> 3.29 Acres	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 18-27	<b>ZONING MAP</b> H-8	<b>TO:</b> WU Code T5:5 UT ( 3.29 a.c.)
<b>MULTIPLES PERMITTED</b> R-3, R-5 WU Code T5:5 UT	<b>CONVENTIONAL OPTION</b> 2, 135 No Maximum		<b>* UNITS P.R.D. OPTION</b> 3, 162 N/A

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





- MATERIAL KEY NOTES:**
- (A) STUCCO FINISH DUNN EDWARDS  
DENSO WHITE LRV 93
  - (B) STUCCO FINISH DUNN EDWARDS  
DEB373 FINE GRAY LRV 59
  - (C) STUCCO FINISH DUNN EDWARDS  
DEB379 FINE GRAY LRV 59
  - (D) STUCCO FINISH DUNN EDWARDS  
DEB379 LRV 9
  - (E) STUCCO FINISH DUNN EDWARDS  
DEB379 LRV 9
  - (F) CANOPIES PAINTED COLOR DUNN  
EDWARDS DEB378 LRV 9
  - (G) BLOCK WALL "PERGOLA" COLOR:  
SIZE: 16"X16"
  - (H) METALLIC EQUIPMENT SCREENED  
FINISH
  - (I) BRICK WALL COLOR TO MATCH  
EXISTING WALL
  - (J) 2x4 HES MESH BALCONY RAILING  
PAINTED DUNN EDWARDS DEB378  
LTV 9
  - (K) THE HES MESH CORONADO STONE -  
COLOR "BLACK FOREST"  
SIZE: 16"X24"
  - (L) DOWNWARD "WHITE" LRV 93
  - (M) HARDY PLANK PAINTED  
DUNN EDWARDS DEB376 LRV 23



**1 NORTH ELEVATION**



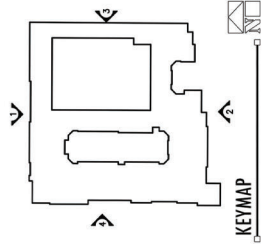
**2 SOUTH ELEVATION**



**3 EAST ELEVATION**



**4 WEST ELEVATION**



KIVA PROJECT: 20-3402  
SHEET #: 2007976  
DATE: OCT 19 2020  
PAPER: 2013569  
OR:

**CITY OF PHOENIX**

OCT 19 2020  
Planning & Development  
Department

REVISIONS

DATE: OCTOBER 16, 2020 ORB P: 26212

**A3.40**  
PRELIMINARY  
COLOR ELEVATIONS



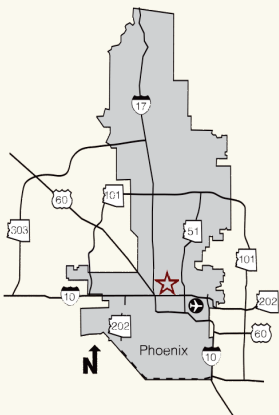


# City of Phoenix Employment Center Profile

## NORTH CENTRAL

The North Central employment center offers an exceptional location in one of the city's premier office corridors.

This employment center extends from McDowell Road north to Camelback Road between Seventh Street and Seventh Avenue. The North Central area includes high-rise office and residential buildings surrounded by historic single family neighborhoods, parks and cultural amenities.



### Labor Force Accessibility and Skills

The North Central employment center offers excellent access to a large portion of the metro area's 1.7 million workers. Approximately 770,000 young, well-educated workers reside within a 30 minute drive time.<sup>1</sup> High concentrations of service and health care workers live within 10 to 20 minutes. In addition, about 16 percent of the workforce living within a 20 minute drive time is made up of executives, managers and technical professionals.<sup>2</sup>

Projected growth for this area will result in close to 170,000 new residents within a 30 minute drive time by 2020, providing a continually expanding labor pool.<sup>3</sup>

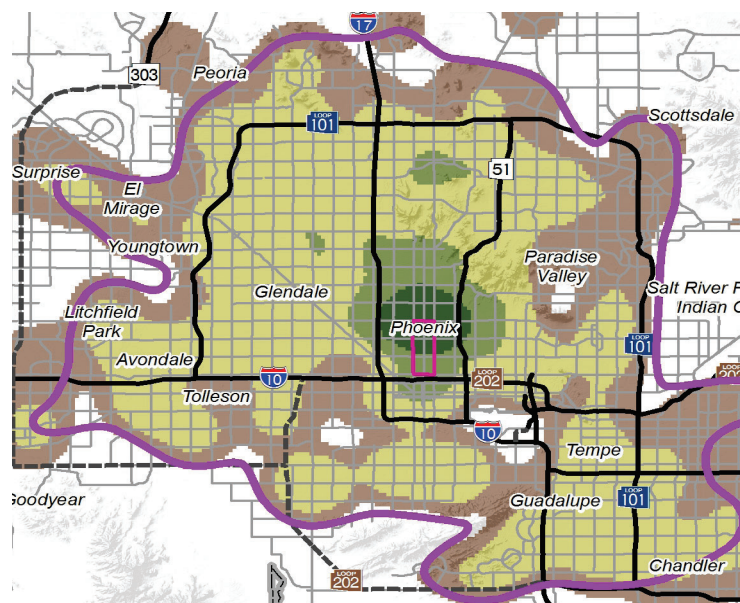
1, 2, 3 Claritas, 2015.

### Employment by Occupation

Workforce	10 Min. Drive		20 Min. Drive		30 Min. Drive	
	Number	%	Number	%	Number	%
Management	7,416	7	57,595	8	131,498	9
Engineering & Science	2,224	2	16,777	2	36,046	3
Healthcare & Education	11,089	10	82,493	11	170,387	12
Service	16,173	15	109,119	15	195,911	14
Sales	10,112	9	81,075	11	167,369	12
Clerical & Admin. Support	15,143	14	117,524	16	219,346	16
Construction	8,978	8	48,001	6	71,611	5
Production	6,210	6	39,874	5	64,441	5
Trans./Material Mover	6,373	6	46,614	6	76,283	5
<b>Total</b>	<b>83,718</b>		<b>599,072</b>		<b>1,132,892</b>	

Source: Claritas, 2015.

### Commute Shed



Commuters who travel to Employment Corridor per Square Mile

- 4 to 10
- 10 to 25
- 25 to 50
- More than 50
- Phoenix North Central Job Center
- Phoenix North Central Job Center Catchment Area

Source: Maricopa Association of Governments, TRP Reduction Database, 2013

- Access to a large executive and professional workforce
- Advanced telecommunications infrastructure
- Large inventory of office space
- Competitive lease rates
- Superior accessibility to key business and financial services

## Sites and Buildings

The North Central employment center offers a **large inventory of office and commercial space** mixed with a variety of hotel and residential developments. From high-rise office buildings and condominiums to palm tree-lined streets of historic single-family neighborhoods, diversity enhances the appeal of this conveniently located area.

The area has about **14.5 million square feet of existing office space** in close proximity to downtown. For companies that require build-to-suit space, there are prime commercial high-rise parcels available.<sup>4</sup>

The map to the right highlights the type of community real estate in the North Central area. Our team can provide more detail, custom information based on your requirements.

4 CoStar Realty Information Inc., 2015

## Connectivity

The North Central employment center features modern, **reliable telecommunications infrastructure** that is supported by multiple providers. These providers are able to offer specialized capabilities such as complete digital infrastructure, T-1 (DS1) lines, T-3 (DS3) lines, self-healing fiber ring architecture and high-speed data communications. Local exchange carriers with service in the North Central area include CenturyLink and Cox Communications.

## Infrastructure

**Abundant and reliable power sources** are available from a highly advanced network system that provides redundant feeds from multiple sub-stations.

The North Central employment center enjoys easy access to a **modern network of urban freeways and arterial streets**. This employment center has excellent transit service and is located along the **METRO light rail** transit line that connects the area to downtown Phoenix, Phoenix Sky Harbor International Airport and surrounding cities.

For businesses that require convenient air access, **Phoenix Sky Harbor International Airport** is located just 15 minutes away. The airport is one of the busiest in the U.S. based on passenger traffic and offers more than **830 daily non-stop flights** to nearly 80 domestic destinations and 13 international destinations.<sup>5</sup>

5 Phoenix Sky Harbor International Airport, 2015.

## Existing and Planned Development

- 1. Century Link Tower**  
586,403 sq. ft.  
Office
- 2. Viad Tower Phase II**  
478,488 sq. ft.  
Office - Proposed
- 3. Phoenix Corporate Tower**  
445,811 sq. ft.  
Office
- 4. Phoenix Plaza Tower II**  
419,453 sq. ft.  
Office
- 5. Phoenix Plaza Tower I**  
418,613 sq. ft.  
Office
- 6. Younan Central Plaza**  
405,693  
Office
- 7. 2800 Tower**  
364,533 sq. ft.  
Office
- 8. 3550 Tower**  
287,269 sq. ft.  
Office
- 9. Park Central - Bldg 7**  
224,953 sq. ft.  
Office
- 10. Security Title Plaza**  
219,032 sq. ft.  
Office

Source: CoStar Realty Information Inc., 2015



## Amenities and Attractions

The exciting **Phoenix Arts District** includes the Phoenix Art Museum and Theater, the Playhouse on the Park and the internationally renowned Heard Museum of Native American Art. Steele Indian School Park, located at the northeast corner of Central Avenue and Indian School Road, features an expansive 15-acre entry garden, several historical buildings depicting the history of Phoenix Indian School, an amphitheater with seating for 1,500, a 2.5-acre bird-shaped lake and waterfall and a 15-acre neighborhood park. Located in the heart of the North Central employment center, Park Central is a 500,000 square foot mixed-use redevelopment featuring offices, retail, restaurants and business-oriented hotels. In addition, there are a number of **new luxury apartment developments** in the area that provide a variety of housing options for workers and support continued office and retail development.

### Major Area Employers

**CenturyLink**  
Telecommunications  
**Deloitte LLP**  
Accounting and Management Consulting  
**Fennemore Craig**  
Law Firm  
**SCF Arizona**  
Direct Property and Casualty Insurance - HQ  
**Viad Corporation**  
Business Services - HQ

**PricewaterhouseCoopers**  
Accounting and Management Consulting  
**Dignity Health**  
Hospital Administration  
**IBM Corporation**  
Administrative Operations  
**U-Haul International**  
Leasing Services - Corp. HQ  
**Xerox Corporation**  
Copiers and Office Products  
**BMO Harris Bank**  
Banking and Financial Services

Source: Maricopa Association of Governments, 2013



City of Phoenix  
Community and Economic Development Department  
200 W. Washington St., 20th Floor | Phoenix, AZ 85003  
www.phoenix.gov/econdev | 602-262-5040

**From:** [Adam Ghiz](#)  
**To:** [Nick Klimek](#)  
**Cc:** [ben@witheymorris.com](mailto:ben@witheymorris.com)  
**Subject:** Re: Z-56-20 (3rd Avenue and Coolidge)  
**Date:** Tuesday, November 3, 2020 12:07:07 PM

---

One Additional concern.

The large grassy area on the corner of 3rd and Coolidge has been used for years by the neighborhood as a makeshift park. Families have used this area for recreation with their children and pets. It provides for a grassy green area, in an otherwise paved jungle. You will be taking this away from all residents, and instead of providing more greenery, will be adding more concrete.

~Adam

On Nov 3, 2020, at 11:51 AM, Adam Ghiz <a.ghiz@me.com> wrote:

Here are my concerns for this project:

1. 56ft building height allowed by T5:5
2. 10 ft setback from current sidewalk, this in combination of the height will basically provide for an entire block of apartments from the canal to Coolidge looking directly over my fence and into my yard and house.
3. Noise, this is an extremely quiet section and adding an additional 218 housing units will greatly increase the noise factor of the neighborhood.
4. Traffic. Hazelwood turns into 3rd ave and as a result, there is a very low traffic density. Even with the the garage entry on Coolidge, traffic is going to greatly increase on these streets and most likely all street parking will cease to exist.
5. Saturation. There are already 5 or 6 (possibly even more) high density apartment complexes in this immediate area. Adding yet another complex will adversely and disproportionately affect this neighborhood vs other neighborhoods.
6. Historic district. This complex is almost surrounded on the 3rd ave and Coolidge street sections by the Pierson Place Historic district. Constructing this large complex when surrounded by a historic district diminishes the intention of having a historic district. The proposed elevations are quoted as "blending in" yet it looks like every other apartment complex built.

This project adversely affects my property disproportionately as I am on the corner of 3rd and Hazelwood and this apartment complex will be towering over my house, and on the entire east side of my property I will now stare at 56ft of apartment building.

~Adam

On Nov 3, 2020, at 11:18 AM, Nick Klimek  
<nick.klimek@phoenix.gov> wrote:

Good morning, Adam –

I apologize but I believe I failed to answer one of your primary questions, expressed via Maura, regarding whether the property is currently approved for development. The answer is both yes and no... please allow me to explain.


The property is currently zoned R-5 which generally means they could build to a height of 48 feet.

However, the applicant has elected to pursue additional zoning entitlement under the [Walkable Urban Code](#). The process will take 4-6 months and include 3 public hearings and a neighborhood meeting. During this process, the site plan may change and evolve in response to community concerns and priorities. I recommend putting your concerns in writing and sending them over to me. I also suggest reaching out to the applicant's representative, Ben Tate, to express your concerns early on.

In the coming weeks, I will be reviewing the proposal in greater detail.

Kind regards,

Nick

 **Nick Klimek, AICP**  
**Village Planner**  
Office: 602-534-7696  
E-mail: [nick.klimek@phoenix.gov](mailto:nick.klimek@phoenix.gov)

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

**Mission:** Planning, Development and Preservation for a Better Phoenix

\*\*\*I am currently working remotely on a rotational schedule, but will be checking voicemails multiple times per day. Please feel free to leave me a voice message or email me for a more timely response. Thank you.\*\*\*

---

**From:** Adam Ghiz <[a.ghiz@me.com](mailto:a.ghiz@me.com)>  
**Sent:** Tuesday, November 3, 2020 10:45 AM  
**To:** Nick Klimek <[nick.klimek@phoenix.gov](mailto:nick.klimek@phoenix.gov)>



**Subject:** Re: Z-56-20 (3rd Avenue and Coolidge)

Thanks for the response. So I am in the house directly across from this and will be affected greatly as most of my exposure is to the east where the current donor network building is. This picture is what I see from most of my house. I estimate that these trees are approximately 30ft tall and from what I have seen, it looks like the building will be 56ft tall. Also, correct me if I am wrong, but the building will only be setback 10 ft from the current sidewalk?

If this is the case, how can I expect any modicum of privacy? Not to mention, that all I will be able to see from my windows will now be building.

How does a project this large get approved so close to a historic residential neighborhood? It destroys any point in trying to preserve the original feel of the neighborhood.

I am greatly distressed by this news and also would like to know if there is an estimated time when construction will begin.

Thanks,  
Adam

<image003.jpg>

On Nov 3, 2020, at 10:38 AM, Nick Klimek  
<[nick.klimek@phoenix.gov](mailto:nick.klimek@phoenix.gov)> wrote:

Good morning, Mr. Ghiz –

My name is Nick Klimek and I am the Alhambra Village Planner. I received your contact information from Maura Jackson from our Historic Preservation Office. Please feel free to send any written comments to me and I will ensure they be provided to the applicant and included with the staff report as the request is processed; in your email, please reference the case number Z-56-20.

If you would like to discuss, please feel free to call me at the below number but please note that the request is very new so I may be light on exact details regarding the site plan.

Kind regards,

Nick

<image003.jpg> **Nick Klimek, AICP**  
**Village Planner**  
Office: 602-534-7696  
E-mail: [nick.klimek@phoenix.gov](mailto:nick.klimek@phoenix.gov)

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

**Mission:** Planning, Development and Preservation  
for a Better Phoenix

\*\*\*I am currently working remotely on a rotational schedule,  
but will be checking voicemails multiple times per day.  
Please feel free to leave me a voice message or email me  
for a more timely response. Thank you.\*\*\*



## Attachment C



### City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

#### ADDENDUM A

#### Staff Report: Z-56-20-4

May 4, 2021

<b>Alhambra <u>Village Planning Committee</u></b>	January 26, 2021
<b>Meeting Date:</b>	
<b><u>Planning Commission</u> Hearing Date:</b>	February 4, 2021 May 6, 2021
<b>Request From:</b>	<u>R-3</u> (Multifamily Residence District) (0.18 acres) and <u>R-5</u> (Multifamily Residence District) (3.11 acres)
<b>Request To:</b>	<u>PUD</u> (Planned Unit Development) (3.29 acres)
<b>Proposed Use:</b>	Multifamily Residential
<b>Location:</b>	Southeast corner of 3rd Avenue and Coolidge Street
<b>Owner:</b>	Donor Network of Arizona
<b>Applicant:</b>	Trinsic Residential Group, Todd Gosselink
<b>Representative:</b>	Withey Morris PLC, Jason Morris
<b>Staff Recommendation:</b>	Approval, subject to stipulations

#### BACKGROUND

The original proposal requested to rezone the subject site at the southeast corner of 3rd Avenue and Coolidge from R-3 (Multifamily Residence District) and R-5 (Multifamily Residence District) to WU Code T5:5 UT (Walkable Urban Code Transect 5:5, Uptown Transit Character Area) for multifamily residential.

The proposal was to redevelop the existing office property into a four-story multifamily structure with a limited fifth floor mezzanine. Staff recommended approval of the request subject to 13 stipulations.

On January 26, 2021, the Alhambra Village Planning Committee heard the case and recommended approval per the staff recommendation by a 15 to 1 vote. On February 4, 2021, the Planning Commission heard the case and recommended approval per the

Alhambra Village Planning Committee recommendation by a 7 to 1 vote with one additional stipulation. The added stipulation was for the execution of a Proposition 207 Waiver.

After the Planning Commission Meeting, the case was continued by the City Council on March 3rd to allow for additional communication regarding concerns. A series of meetings were then held to discuss concerns regarding height, setbacks, number of units, traffic, privacy, and flooding.

On April 7, 2021, Councilwoman Pastor moved that the case be remanded back to the Planning Commission as a Planned Unit Development (PUD) with conditions to address community concerns. The motion passed unanimously and included the following conditions for the PUD resubmittal.

1. To address all staff stipulations and the following items based on discussions with the neighborhood.
2. To include an overall maximum building height of 48 feet, except for the parking garage which shall be limited to 56 feet.
3. To include a minimum setback of 20 feet between the curb and the building faces on both Coolidge Street and 3rd Avenue.
4. To restrict the maximum number of dwelling units to 210.
5. To prohibit vehicular access to 3rd Avenue.
6. To require the applicable "frontage types" be identified along 3rd Avenue.
7. To address landscape and design features in response to neighborhood considerations on 3rd Avenue and Coolidge Street.
8. To require permit parking throughout the neighborhood.

## PROPOSAL

The PUD is intended to create a built environment that is superior to that produced by conventional zoning districts and design guidelines. Where the PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.

Below is a summary of the proposed standards for the subject site as described in the attached PUD Development Narrative date stamped April 29, 2021.

The PUD would allow the development of a five story multifamily development but with notable revisions to the original request in response to community concerns and the City Council motion.

### **Permitted Land Uses**

The PUD utilizes the Permitted Use List found in Chapter 618 for R-5 (Multifamily Residence District) with modifications to remove specified uses for the purposes of promoting neighborhood compatibility.

The land uses prohibited by the PUD include the following: bed and breakfast establishment; boarding house; group foster home; hotel or motel; environmental remediation facility; branch offices for the following: banks, building and loan associations, brokerage houses, savings and loan associations, finance companies, title insurance companies and trust companies; and veterinary offices.

### **Development Standards**

Density: A maximum of 210 dwelling units.

Building Height: A maximum height of 48 feet along 3rd Avenue and Coolidge Street and a maximum height of 56 feet for the parking structure. The proposed regulation in the applicant's narrative is not precisely aligned with the motion which would require all buildings be limited to 48 feet with only the parking structure being allow the 56 feet maximum. Stipulation 1.b. revises the requirement to align with the City Council motion.

Building Setbacks: A minimum setback of 20 feet from both 3rd Avenue and Coolidge Streets, as measured between the back of curb and the building front.

Landscape Setbacks: A minimum setback of 20 feet from both 3rd Avenue and Coolidge Streets, as measured between the back of curb and the building front.

Planting Standards: The planting standards meet or exceed the requirements of the Walkable Urban Code and the original stipulations for the all perimeters of the subject site.

Vehicular Access: No vehicular access is permitted from 3rd Avenue.

Detached Sidewalks and Pedestrian Ways: The PUD requires the public sidewalks be detached from the back of curb by a minimum 5 foot landscape area that will be planted with four inch caliper (25 percent), three inch caliper (25 percent) and two inch caliper (50 percent) trees at a rate of 20 feet on center. These standards will create 75 percent shade over the public sidewalk and meet or exceed the requirements of the Walkable Urban Code and the original stipulations.

Ground Level Frontage Types:

- North and West: The PUD requires that 70 percent of the ground level building face oriented to 3rd Avenue have stoops and doorwells, patios, and/or porches.
- South (Grand Canal Orientation): The PUD requires 20 percent of the ground level building face oriented to the south conform to a frontage type.

## **Design Guidelines**

The PUD incorporates all staff stipulations detailed in the recommendations of the Alhambra Village Planning Committee and the Planning Commission. These stipulations pertained to open space design, planting standards, architectural enhancements and restrictions, and required frontage types. The PUD incorporates each of these stipulations. Additionally, the PUD prohibits balconies to the north and west unless “juliet” style.

## **ANALYSIS**

The current rezoning request fulfills the abovementioned City Council direction of filing for a PUD and the associated requirements with the below modifications:

**Height:** The PUD Narrative proposes a maximum height of 48 feet along 3rd Avenue and Coolidge Street compared to the motion which would restrict all buildings to 48 feet and the parking structure to 56 feet.

- Stipulation No. 1.b revises the PUD to align with the City Council motion.

**South Facing “Frontage Types” and Publicly Accessible Open Space:** The PUD Narrative proposes that 20 percent of the total building face be developed with “frontage types” to activate the space between the building and the canal; while this is a reduction from the original stipulation which required 40 percent, the applicant has compensated for the change by adding publicly accessible open space along the canal as requested through the public hearing process.

In order to ensure that the publicly accessible open space is provided, a modification to the development narrative has been added to dictate requirements for a publicly accessible open space, that will be landscaped and programmed with amenities.

- Stipulation No. 1.c. revises the PUD to include additional publicly accessible open space adjacent to the canal with a depth of 25 feet for the majority of the southern property line and programmed with amenities such as benches and shade structures.

**Permit Parking in the Neighborhood:** The applicant has indicated their intent to implement permit parking for their residents, however, this program is off-site and therefore cannot be stipulated.

Staff recommends approval subject to the following revised stipulations:

- 1.\* ~~The south facing mass of the building(s) oriented to the Grand Canal shall incorporate Walkable Urban Code Frontage Types described in Section 1305 for a minimum 40 percent of the building face(s), as approved by the Planning and Development Department. For the purpose applying the above provisions, the above shall be treated as a Secondary Frontage with regard to glazing.~~

AN UPDATED DEVELOPMENT NARRATIVE FOR THE AURA UPTOWN 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 APRIL 29, 2021, AS MODIFIED BY THE FOLLOWING STIPULATIONS:

- a. FRONT COVER: REVISE THE SUBMITTAL DATE INFORMATION ON THE BOTTOM TO ADD THE FOLLOWING: CITY COUNCIL ADOPTED: [ADD ADOPTION DATE].
  - b. PAGE 8, DEVELOPMENT STANDARDS TABLE, BUILDING HEIGHT: MODIFY BUILDING HEIGHT STANDARD TO READ AS FOLLOWS: A MAXIMUM HEIGHT OF 48 FEET FOR ALL BUILDINGS EXCEPT FOR THE PARKING GARAGE WHICH SHALL BE A MAXIMUM HEIGHT OF 56 FEET."
  - c. PAGE 9, LANDSCAPE DEVELOPMENT STANDARDS TABLE, CANALSCAPE; MODIFY THE FIRST BULLET POINT TO READ AS FOLLOWS: A PUBLICLY ACCESSIBLE LANDSCAPED GREENSPACE AREA SHALL BE PROVIDED ADJACENT TO THE ARIZONA GRAND CANAL TRAIL ON THE SOUTH SIDE OF THE PROPERTY. AT MINIMUM, THE GREEN SPACE AREA WILL MEASURE 4,800 SQUARE FEET, 15 FEET IN DEPTH FOR A DISTANCE OF 260 FEET, 7 FEET IN DEPTH FOR A DISTANCE OF 70 FEET, AND SHALL BE GENERALLY CONSISTENT WITH THE LANDSCAPE PLAN IN EXHIBIT 7. A MINIMUM OF 3 PEDESTRIAN AMENITIES, WHICH COULD INCLUDE BUT ARE NOT LIMITED TO, BENCHES AND SHADE CANOPIES SHALL BE PROVIDED WITHIN THE LANDSCAPE AREA.
2. ~~The south facing mass of the building(s) oriented to the Grand Canal shall contain architectural embellishments, design detailing, and / or space programming to activate and provide visual access onto the canal, as approved by the Planning and Development Department. Examples of appropriate enhancements may include textural changes, offsets, recesses, variation in window size and location, overhang canopies, balconies with a depth greater of than 3 feet, and amenities such as gathering spaces.~~
  3. ~~Between the southern mass of the building and the south property line (the Grand Canal right of way), the developer shall plant minimum 3-inch caliper, large canopy shade trees, at a minimum frequency of 25 feet on center or in equivalent groupings, as approved or modified by the Planning and Development Department.~~

4. ~~The provisions of Section 1310.A.2 of the Phoenix Zoning Ordinance shall apply to require shaded open space of which a minimum 50 percent shall be situated adjacent to the south property line (the Grand Canal right-of-way), as approved or modified by the Planning and Development Department.~~
5. ~~No solid perimeter wall greater than 36 inches in height shall be oriented to and located within 30 feet of the south property line (the Grand Canal right-of-way), as approved by the Planning and Development Department.~~
6. ~~The developer shall provide traffic calming to slow vehicle traffic exiting the property with specific regard to pedestrian safety on the public sidewalk, as approved by the Planning and Development Department.~~
7. ~~The developer shall provide a minimum of two direct and accessible pedestrian connections from the amenity areas located south of the building mass to the shared use path along the Grand Canal Trail, as approved by the Planning and Development Department.~~
8. ~~The developer shall provide and maintain the following bicycle infrastructure as described below and as approved by the Planning and Development Department.~~
  - a. ~~A bicycle repair station (fix-it station) along the southern edge of the site, visible, and accessible from the public sidewalk and / or the Grand Canal Trail. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while adjusting the bike.~~
  - b. ~~All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.~~
  - c. ~~Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1306.H. of the Phoenix Zoning Ordinance.~~
2. 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.
3. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. 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 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 shall be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.
  - c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.
- 4. 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.
  - 5. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
  - 6. 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.
  - 7.\* PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD

### **Exhibits**

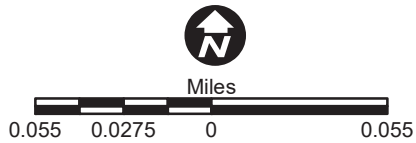
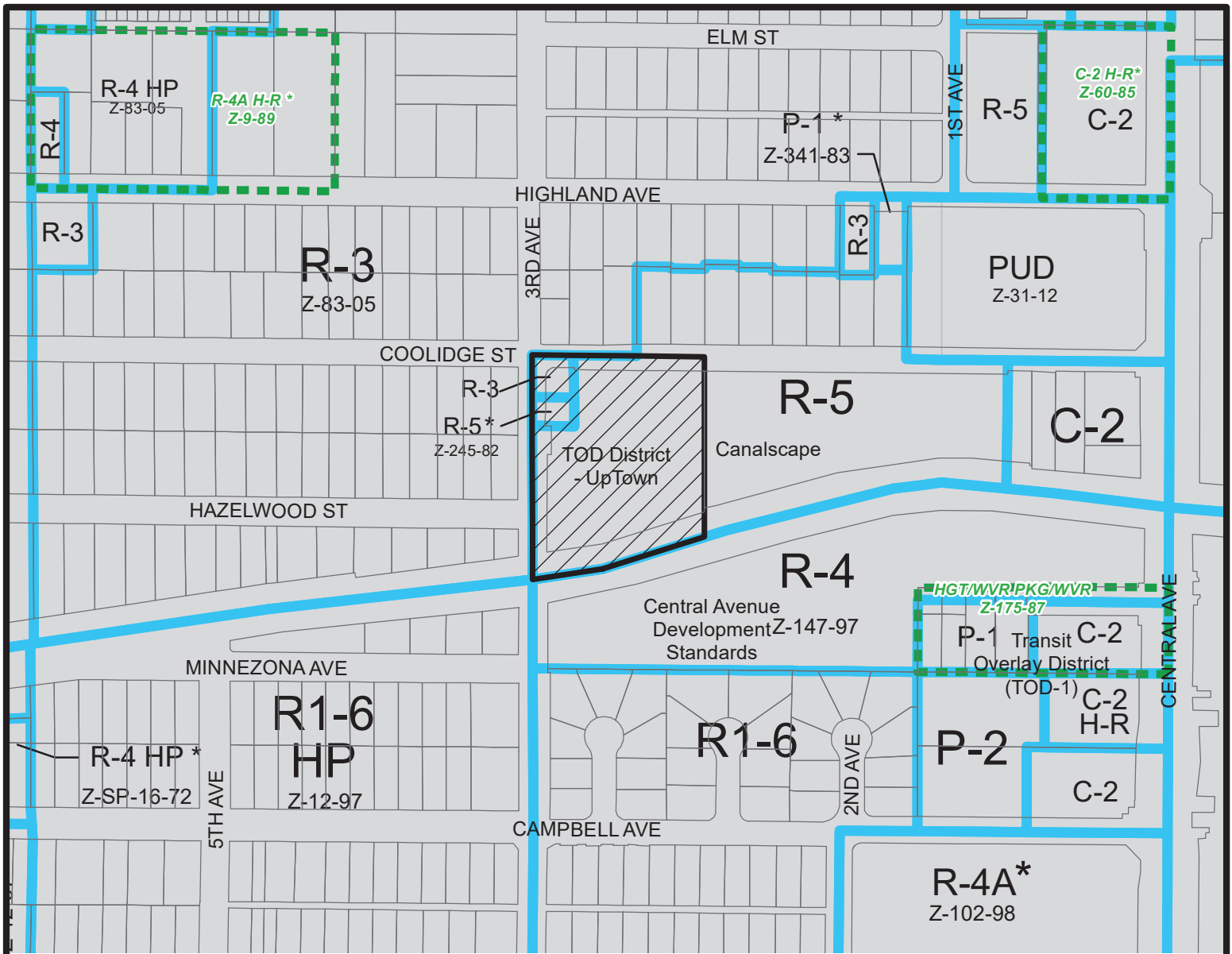
Sketch Map

Aerial Sketch Map

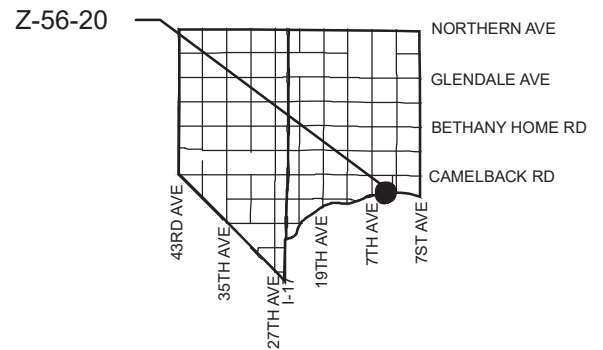
Community Correspondence (105 pages)

[Z-56-20 Aura Uptown Planned Unit Development](#) date stamped April 29, 2021





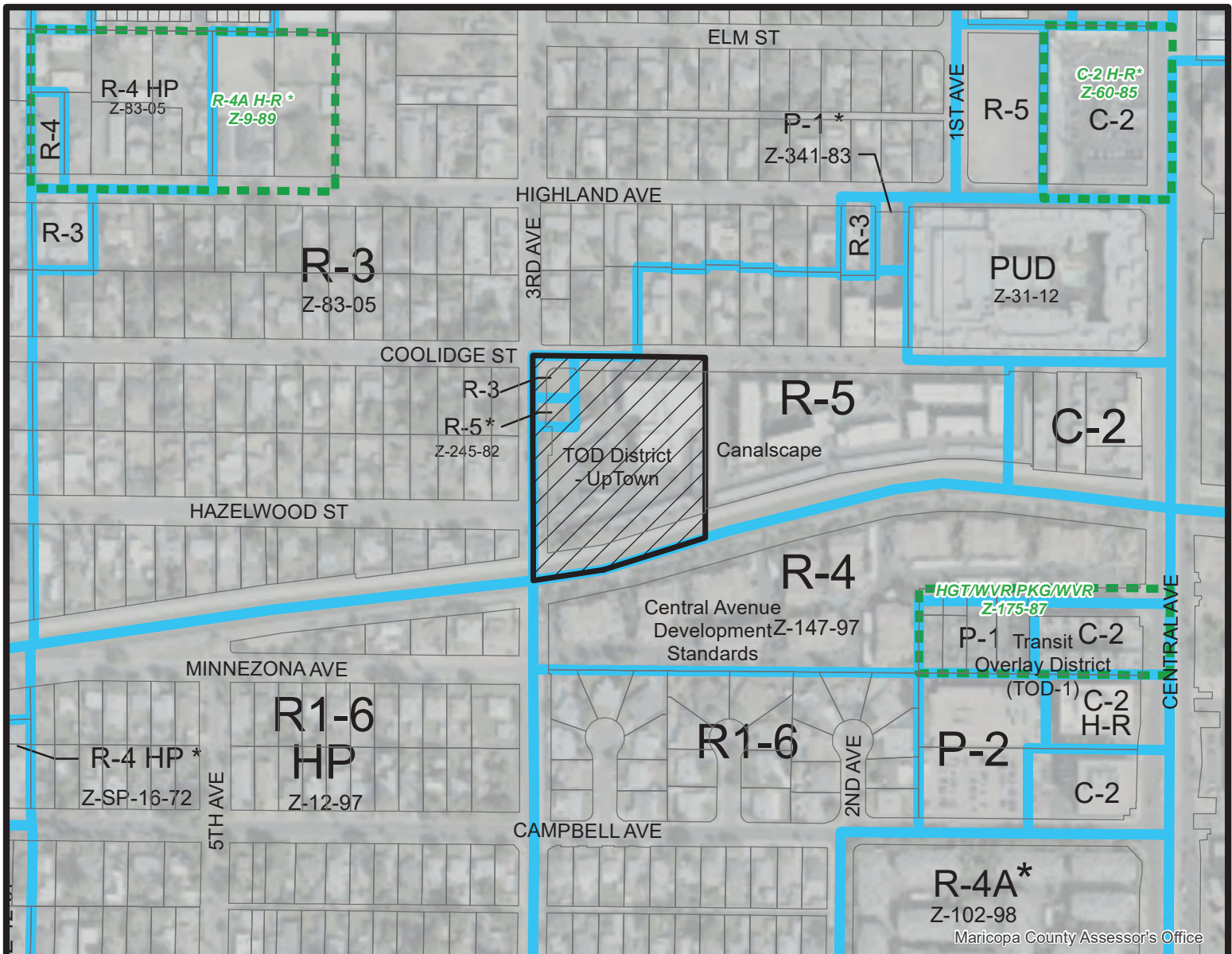
**ALHAMBRA VILLAGE**  
CITY COUNCIL DISTRICT: 4



<b>APPLICANT'S NAME:</b> Trinsic Residential Group, Todd Gosselin		<b>REQUESTED CHANGE:</b>	
<b>APPLICATION NO.</b> Z-56-20	<b>DATE:</b> 10/23/2020 <b>REVISION DATES:</b>	<b>FROM:</b> R-3 ( 0.18 a.c.) R-5 ( 3.11 a.c.)	
<b>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</b> 3.29 Acres	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> QS 18-27	<b>ZONING MAP</b> H-8	<b>TO:</b> PUD ( 3.29 a.c.)
<b>MULTIPLES PERMITTED</b> R-3, R-5 PUD	<b>CONVENTIONAL OPTION</b> 2, 135 210		<b>* UNITS P.R.D. OPTION</b> 3, 162 N/A

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

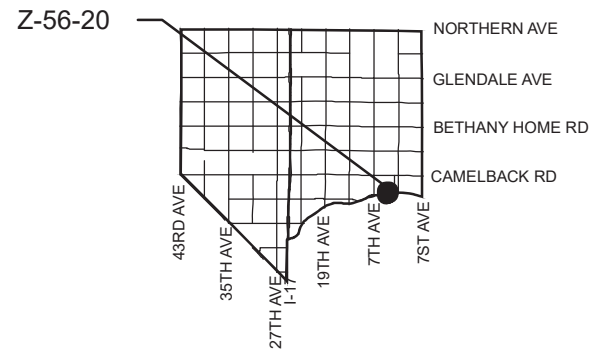




Maricopa County Assessor's Office



**ALHAMBRA VILLAGE**  
CITY COUNCIL DISTRICT: 4



APPLICANT'S NAME: Trinsic Residential Group, Todd Gosselin

**REQUESTED CHANGE:**

FROM: R-3 ( 0.18 a.c.)  
R-5 ( 3.11 a.c.)

APPLICATION NO. Z-56-20

DATE: 10/23/2020  
REVISION DATES:

GROSS AREA INCLUDING 1/2 STREET  
AND ALLEY DEDICATION IS APPROX.

3.29 Acres

AERIAL PHOTO &  
QUARTER SEC. NO.

QS 18-27

ZONING MAP

H-8

TO: PUD ( 3.29 a.c.)

**MULTIPLES PERMITTED**

R-3, R-5

PUD

**CONVENTIONAL OPTION**

2, 135

210

**\* UNITS P.R.D. OPTION**

3, 162

N/A

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

# I Support Trinsic Residential Group as It Seeks To Create a More Walkable Phoenix!

Name:

Stefka Darnall

Address:

1205 W. Coolidge St. Phx AZ 85013

# I Support Trinsic Residential Group as It Seeks To Create a More Walkable Phoenix!

Name: Cheryl Martin

---

Address:

933 W. Mariposa ST

---

# I Support Trinsic Residential Group as It Seeks To Create a More Walkable Phoenix!

Name:

Jeremy Hagen

Address:

642 W COOLIDGE

PHOENIX AZ 85013

# I Support Trinsic Residential Group as It Seeks To Create a More Walkable Phoenix!

Name:

Lance and Jill Oden

Address:

4526 N. 10<sup>th</sup> Ave Phoenix, AZ 85013

/

# I Support Trinsic Residential Group as It Seeks To Create a More Walkable Phoenix!

Name:

KEVIN LOZIER

---

Address:

539 W. MARIPOSA ST 85013

---



# I Support Trinsic Residential Group as It Seeks To Create a More Walkable Phoenix!

Name: *William Carmichael*

---

Address: *4510 N 12<sup>th</sup> Ave*  
*Phx Az ~~8501~~ 85013*

---

*h*

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

I am a resident of the Pierson Place Historic District, and I am in support of the proposed rezoning of 201 W. Coolidge Street for the development of the Aura Uptown multi-family residential project.

Aura Uptown is a beautiful, well-designed project that is appropriate for the property given the existing multi-family zoning, adjacent development, and placement within the Uptown TOD Plan. I believe this project will provide attractive, walkable, high-quality multi-family housing at a scale and density that is sensitive to the surrounding neighborhoods and community.

This is the type of pedestrian-oriented development envisioned by the Uptown TOD for this Property, and I urge the City Council to approve it.

Sincerely,

Michael T. Hunt



309 West  
Pierson St.



Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

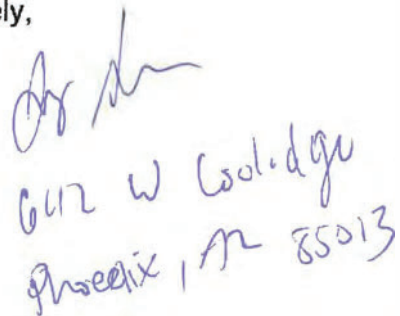
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This is the type of pedestrian-oriented development envisioned by the Uptown TOD for this Property, and I urge the City Council to approve it.

Sincerely,



Handwritten signature and address in blue ink:

6412 W Coolidge  
Phoenix, AZ 85013

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

I am a resident of the Pierson Place Historic District, and I am in support of the proposed rezoning of 201 W. Coolidge Street for the development of the Aura Uptown multi-family residential project.

Aura Uptown is a beautiful, well-designed project that is appropriate for the property given the existing multi-family zoning, adjacent development, and placement within the Uptown TOD Plan. I believe this project will provide attractive, walkable, high-quality multi-family housing at a scale and density that is sensitive to the surrounding neighborhoods and community.

This is the type of pedestrian-oriented development envisioned by the Uptown TOD for this Property, and I urge the City Council to approve it.

Sincerely,

Jordan McKinney  
Jordan McKinney  
603 W Pierson St  
Phoenix AZ 85013

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

I am a resident of the Pierson Place Historic Neighborhood, and I am writing to express my support for particular aspects of the proposed rezoning of 201 W. Coolidge Street for the development of the Aura Uptown multi-family residential project.

Though the height already zoned on this property is a bit out of step with the adjacent housing to the west, a multifamily development is in line with developments east of the site, and its proximity to strong pedestrian, bike, and transit connections makes me optimistic that access for new residents will be multimodal, and not solely auto-oriented.

The proposed project has done a good job orienting toward the canal and maintaining 3rd Ave as a bike and pedestrian space. I appreciate that the project restricts automobile access off 3rd Ave. I also encourage the consideration of a traffic circle or other traffic calming device at Coolidge and 3rd Avenue. My family, including my 3 year-old and 5 year-old, often walk or bike to/from the canal along 3rd Ave, as do many other neighbors and the general population that utilizes the 3rd Ave bike/ped corridor. Because Coolidge connects between Central and 7th Ave, cars using it as a cut through or simply speeding due to the long straight stretch often miss the stop sign at 3rd Ave, creating a dangerous situation for people (and especially children) walking and biking along 3rd Ave. I imagine the increased traffic on Coolidge due to this project will only exacerbate an already unsafe situation at that intersection. Whether this treatment could be considered as part of the upcoming city-planned 3rd Ave bike improvements for this area or included in this development, or shared by both, the quickest way to implement that safety measure would be encouraged by many in our neighborhood. Certainly it should be scheduled for completion prior to the opening of this development.

The loss of the existing mature shade trees is disappointing. If there is any way to preserve or relocate any of those trees, it should be attempted. However, I do appreciate the proposed shade trees along all walkways and the ground floor patios that add visual interest and a break in the walls. As another neighbor suggested, I would encourage confirmation that tall shade trees have enough space to grow in the available landscaping space to provide adequate shade across walkways.

I am sad to lose the big existing green space but I appreciate that the applicant has gone beyond the minimum requirements for public space. Building management is going to have to work hard to maintain all sidewalks and green spaces, but the applicant has provided a nice space along the canal for dogs and people that will be very popular with the neighborhood.

Sincerely,

Gina Thomas  
102 W Elm St, Phoenix AZ 85013

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003  
[nick.klimek@phoenix.gov](mailto:nick.klimek@phoenix.gov)

*Sent via electronic mail*

Re: Aura Uptown / Z-56-20-4

I am a resident of the Carnation neighborhood, live along 3rd Avenue just south of the Grand Canal, and I am in support of the proposed rezoning of 201 W. Coolidge Street for the development of the Aura Uptown multi-family residential project.

We need more housing in Midtown/Uptown Phoenix, especially housing that brings in residents who will use public transit and support our local businesses. Aura Uptown is a well-designed project that is appropriate for our area given the existing multi-family zoning, adjacent development, and placement within the Uptown Transit-Oriented Design Plan. I believe this project will provide attractive, walkable, high-quality multi-family housing at a scale and density that is sensitive to the surrounding neighborhoods and community. I also really appreciate the bicycle-focused amenities required by the stipulations. I am concerned that if this development does not happen, with the included stipulations, that another development will just come in without the required stipulations to improve the canalscape and that is less transit and bike oriented.

The proposed canalscape improvements and amenities will provide an enormous benefit to the community. This is the type of pedestrian and bicycle-oriented development envisioned by the Uptown Transit Oriented Design Plan, and I urge the City Council to approve it.

Sincerely,

Ed Hermes  
212 W. Montecito. Ave. Phoenix 85013





March 1, 2021

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown Zoning Application, Z-56-20-4

Dear Nick:

In my role as president of Pierson Place Historic District and member (and past chair) of the Alhambra Village Planning Committee - both for many years, I have seen a lot of development near light rail. But even as a private citizen, I would wholeheartedly support the Aura Uptown project.

There are several reasons for this.

1. This project will revitalize (and remove) an office building that doesn't serve any interest in the center of this residential neighborhood.
2. Some amenities in this project will engage with Canalscape and activate the canal bank for the betterment of the community.
3. The upscale nature of the proposed apartments will further revitalize the neighborhood.
4. The large number of studio and 1 bedroom apartments will attract users of public transportation.
5. The front porches at street level will provide a sense of community at this site.

The developer presented the project to our residents in several group meetings, and has met with several of them individually. They adjusted the original plan a few times to accommodate concerns from residents, and have tailored the project to the neighborhood.

Given the existing multi-family zoning, adjacent multi-family uses, and placement within the Uptown TOD Plan, this project is appropriate for the site. I believe it is well-designed and will provide attractive, walkable, high-quality multi-family housing at a scale and density that fits this community.

In short, I think it is exactly the type of development envisioned by the Uptown TOD Plan, and I urge the City Council to approve it.

Sincerely,

Charles Jones  
CMJ/ds



# CITY OF PHOENIX

MAR 18 2021

Planning & Development  
Department

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

January 15, 2020

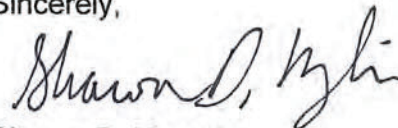
Re: Aura Uptown / Z-56-20-4

I am a resident of the Pierson Place Historic Neighborhood, and I am writing to express my support for the proposed rezoning of 201 W. Coolidge Street for the development of the Aura Uptown multi-family residential project.

Aura Uptown is a beautiful, well-designed project that is appropriate for the property given the existing multi-family zoning, adjacent development, and placement within the Uptown TOD Plan. I met with the applicant via virtual meeting to learn about the proposed development, design, and site layout. The development team spoke with me and my neighbors at length, answering our questions and explaining every detail of the development. I believe this project as briefed will provide attractive, high-quality multi-family housing at a scale and density that is sensitive to the surrounding neighborhoods and community. Their proposal as written, in my view, is more beneficial to the neighborhood than the uncertainty that could come from a new developer that could maximize bedrooms per unit and not consider the upgrades to the canal scape that will benefit the area.

On a more personal note, my family has owned and lived in Pierson Place for almost 30 years, alongside many of the neighbors that are understandably concerned with change. I moved back to Phoenix 2 years ago after years of moving around the world and seeing many large metropolitan areas, and think the changes proposed by Aura are positive ones for my neighborhood. There is a misconception amongst those concerned about this development that the green space along 3<sup>rd</sup> Avenue and Coolidge is public property and that it can somehow be maintained as a park, an unrealistic expectation. I will say as the community member who volunteers to empty the neighborhood association installed dog waste container at the former Donor Network, that it is largely filled with private picnic trash nobody packs out themselves, and beer cans/bottles presumably left by transients using the space as a hangout after hours. We were fortunate to have Donor Network maintain the green space, but the utopian view by some of this space is just that. Lastly, there are traffic concerns being discussed, but living on Hazelwood it seems most of the problem is people cutting through traffic on 7<sup>th</sup> Ave to get to Central, not necessarily to or from apartments on Central. I am not a traffic engineer, but this is a city problem to fix that already exists, not one that will come from a future development.

Sincerely,



Sharon D. Mezulis

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

I am a resident of Uptown Phoenix and I am in support of the proposed rezoning of 201 W. Coolidge Street for the development of the Aura Uptown multi-family residential project.

Aura Uptown is a well-designed project that is appropriate for the property given the existing multi-family zoning, adjacent development, and placement within the Uptown Transit Oriented Development Plan. I believe this project will provide attractive, walkable, high-quality multi-family housing at a scale and density that is sensitive to the surrounding neighborhoods and community.

The proposed canalscape improvements and amenities will provide an enormous benefit to the community. This is the type of pedestrian and bicycle-oriented development envisioned by the Uptown TOD Plan, and I urge the City Council to approve it.

Sincerely,

Signature

Printed Name

Kurt Stickler

Address

330 W. Minnesota Ave

City

Phx

State

AZ

Zip

85013

Phone Number or E-mail

602 312 0664



Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

I am a business owner in Uptown Phoenix and I am in support of the proposed rezoning of 201 W. Coolidge Street for the development of the Aura Uptown multi-family residential project.

Aura Uptown is smart development and a well-designed project that will help cultivate the walkable, vibrant environment we are trying to build in Uptown Phoenix. This area is in need of more high-quality residential development with residents that will walk and bike to local restaurants and shops, supporting the local economy and small business owners in the Uptown community.

This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature



Printed Name

Ivan O'Farrell

Address

4700 N. Central Ave Ste 100

City

Phoenix

State

AZ

Zip

85012

Phone Number or E-mail

ivan@famecaffe.com

Fame Caffe



Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

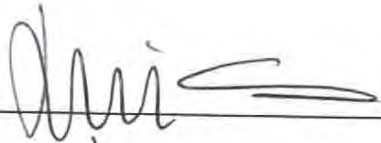
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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature



Printed Name

Jennifer Campo

Address

4620 N. Central Ave

City

Phoenix

State

AZ

Zip

85018

Phone Number or E-mail

602-279-4247

Hinkley's Lighting

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

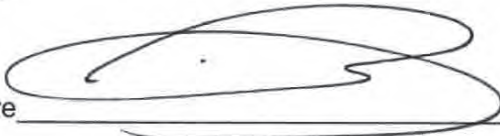
I am a business owner in Uptown Phoenix and I am in support of the proposed rezoning of 201 W. Coolidge Street for the development of the Aura Uptown multi-family residential project.

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature



Printed Name

Ryan Durkin

Address

4130 N. 7th Ave.

City

Phoenix

State

AZ

Zip

85018

Phone Number or E-mail

602-509-7709

Modern Manor

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

I am a business owner in Uptown Phoenix and I am in support of the proposed rezoning of 201 W. Coolidge Street for the development of the Aura Uptown multi-family residential project.

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature



Printed Name

BLAISE FABER

Address

4130 N 7<sup>th</sup> AVE

City

PHX

State

AZ

Zip

85013

Phone Number or E-mail

blaise @ valentinepho.com

VALENTINE



Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature

Printed Name

Address

City

State

Zip

Phone Number or E-mail

Muse

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature

Printed Name

Address

City

State

Zip

Phone Number or E-mail

200k2

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature

Printed Name

William H. SANDOZ

Address

4270 N 7th Avenue

City

Phoenix

State

AZ

Zip

85013

Phone Number or E-mail

COPPER STAR COFFEE



Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature

Printed Name

Address

City

State

Zip

Phone Number or E-mail

phxchef@AOL.com  
602 451-5888 cell  
be's Diner

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature



Printed Name

ERIC RHOADES

Address

413 W. MORROW DR

City

Phoenix, AZ 85027

State

AZ

Zip

85027

Phone Number or E-mail

ERHOADES@LOUMALNATIS.COM

LOU MALNATI'S



Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

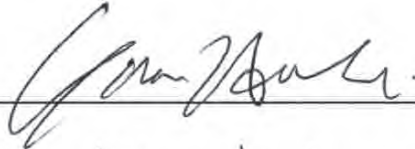
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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature



Printed Name

Yasu Hashino

Address

4700 N Central Ave

City

Phx

State

AZ

Zip

85032

Phone Number or E-mail

602-628-6181

Ghost Vintage

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

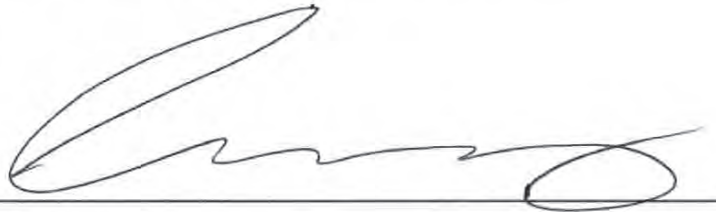
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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature



Printed Name

Gunaro Galaz

Address

6813 N 31st Ave

City

Phx

State

AZ

Zip

85017

Phone Number or E-mail

480 882-8071

Undefeated, Inc

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature 

Printed Name Lauren Danuser

Address 100 E Camelback Rd.

City Phoenix

State AZ

Zip 85012

Phone Number or E-mail ~~314 200 89~~ 602 441 4378

Local Number



Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature



Printed Name

Fritz Wilson

Address

100 E Camelback rd #160

City

Phoenix

State

Az

Zip

85012

Phone Number or E-mail

Fritz@hussbrewing.com

Huss Brewing

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4


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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature



Printed Name

David Cheng

Address

4750 N. Central Ave

City

Phoenix

State

AZ

Zip

85012

Phone Number or E-mail

myteaaz@gmail.com

My Tea & Sweets

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature

Printed Name

Address

City

State

Zip

Phone Number or E-mail

Clever Koi



Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003


Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature 

Printed Name Minas Zistatsis

Address 4776 N. Central Ave

City Phoenix

State AZ

Zip 85012

Phone Number or E-mail 602-277-2402

Brother's Tailors

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature



Printed Name

Michael Robertson

Address

4429 N-7th Ave

City

Phoenix

State

AZ

Zip

85013

Phone Number or E-mail

Michael Todd Robertson@gmail.com

Michael Todd's Treasures



Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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Sincerely,

Signature



Printed Name

Brittnay Whittington

Address

4427 N 7th Ave

City

Phoenix

State

AZ

Zip

85013

Phone Number or E-mail

402-625-5527

Twigs and Twine

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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Sincerely,

Signature

Printed Name

Address

City

State

Zip

Phone Number or E-mail

GEORGE : DRAGON

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature



Printed Name

LAURA MITTENDORF

Address

4700 N. CENTRAL AVE

City

PHOENIX AZ

State

8 AZ

Zip

85012

Phone Number or E-mail

INFO@TRUE-FEW.COM

True Few Hair Salon



Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature



Printed Name

Ginalyn Halum

Address

4700 N. Central Ave. Suite 105

City

Phoenix

State

Arizona

Zip

85012

Phone Number or E-mail

ginalynhalum@yahoo.com

scooptopia

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

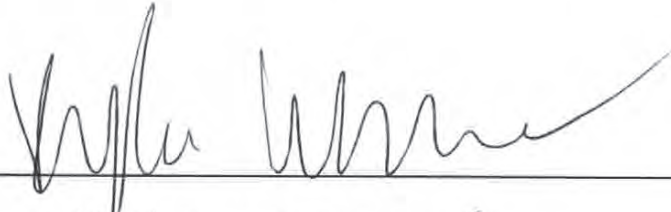
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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature



Printed Name

Kyle Werner

Address

4700 N Central ave #114

City

Phoenix

State

AZ

Zip

85012

Phone Number or E-mail

360 921 8395

PHX SOLES

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

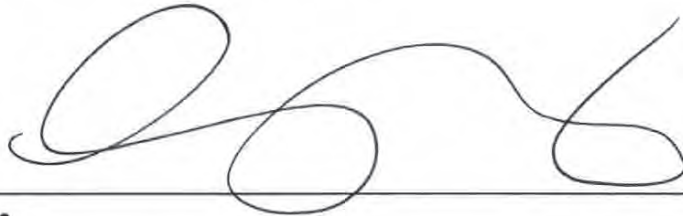
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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature



Printed Name

PAUL WAXMAN

Address

4971 N. 7TH AVE

City

PHX

State

AZ

Zip

85013

Phone Number or E-mail

PAUL@INSTRUMENTALHOSPITALITY.COM

BELLY KITCHEN + BAR



Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature



Printed Name

Connie Lee

Address

5036 N. Central ave

City

Phoenix

State

AZ

Zip

85012

Phone Number or E-mail

602-653-4220

Don's Fire Cigar

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature Nick Mirzakarandov

Printed Name NICK MIRZAKARANDOV

Address 5028 W Central Ave

City Phoenix

State AZ

Zip 85012

Phone Number or E-mail \_\_\_\_\_

Central Shoe Repair



Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature Stanley Zgwatski

Printed Name Stanley Zgwatski

Address 5042 N. Central Ave

City PHX

State AZ

Zip 85012

Phone Number or E-mail 602-266-3636

Deli - Cheese NSMGA

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature Gregory Roller (Fairmont Pharmacy)

Printed Name GREGORY Roller

Address 5068 N. CENTRAL AVE

City Phoenix

State AZ

Zip 85012

Phone Number or E-mail greg@FairmontPHARMACY.NET

*Fairmont Pharmacy*

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature



Printed Name

Roy ITAMASAKI

Address

5038 W. CENTRAL

City

PH

State

AZ

Zip

85012

Phone Number or E-mail

Info@CENTRALMUSICDIRECT.COM



Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

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This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature



Printed Name

Shawn Silberblatt

Address

5102 N. Central Ave

City

Phoenix

State

AZ

Zip

85012

Phone Number or E-mail

602-954-4009

FOR THE PEOPLE

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

Re: Aura Uptown / Z-56-20-4

I am a business owner in Uptown Phoenix and I am in support of the proposed rezoning of 201 W. Coolidge Street for the development of the Aura Uptown multi-family residential project.

Aura Uptown is smart development and a well-designed project that will help cultivate the walkable, vibrant environment we are trying to build in Uptown Phoenix. This area is in need of more high-quality residential development with residents that will walk and bike to local restaurants and shops, supporting the local economy and small business owners in the Uptown community.

This is precisely the kind of thoughtful and appropriate development that the City needs, and I strongly encourage the City Council to approve it.

Sincerely,

Signature



Printed Name

Leslie Nunez

Address

4735 N Central Ave

City

Phoenix

State

AZ

Zip

85012

Phone Number or E-mail

602-410-0050



Leslie's Thread

Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

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Sincerely,

Signature



Printed Name

Jacob Zora

Address

201 W Roma Ave

City

Phx

State

AZ

Zip

85013

Phone Number or E-mail

602-616-5031



Nick Klimek  
Alhambra Village Planner  
City of Phoenix  
Planning & Development Department  
200 West Washington Street  
Phoenix, AZ 85003

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Sincerely,

Signature



Printed Name

AZthread21@gmail.com

Address

4733 W. Central Ave

City

Phoenix

State

AZ

Zip

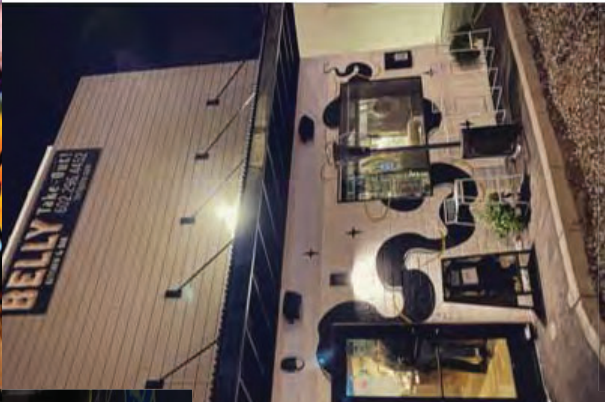
85012

Phone Number or E-mail

623-277-5428

Arizona Thread





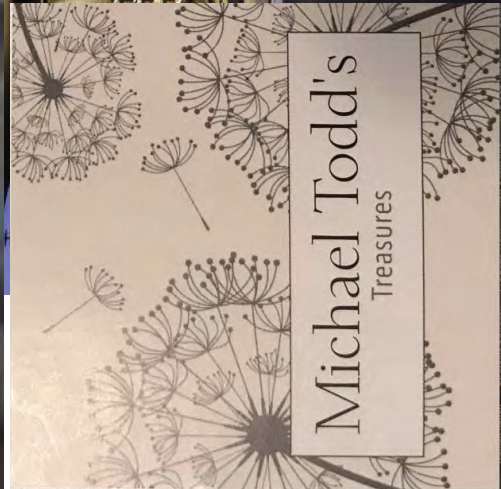
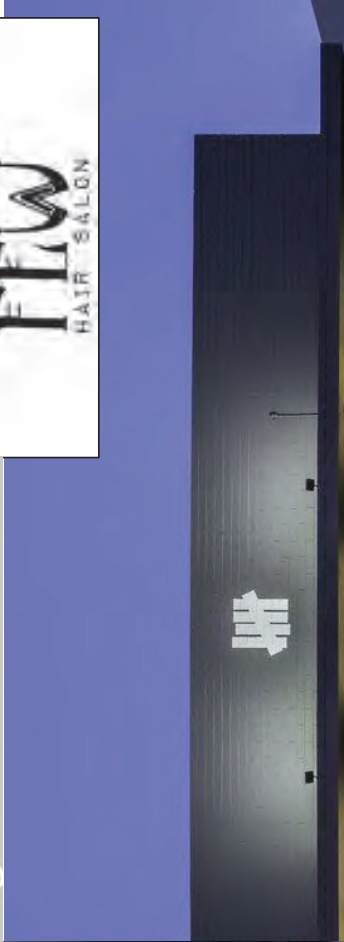




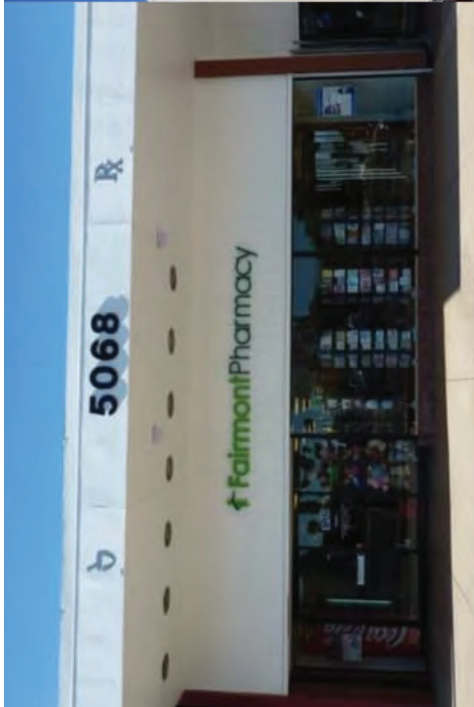
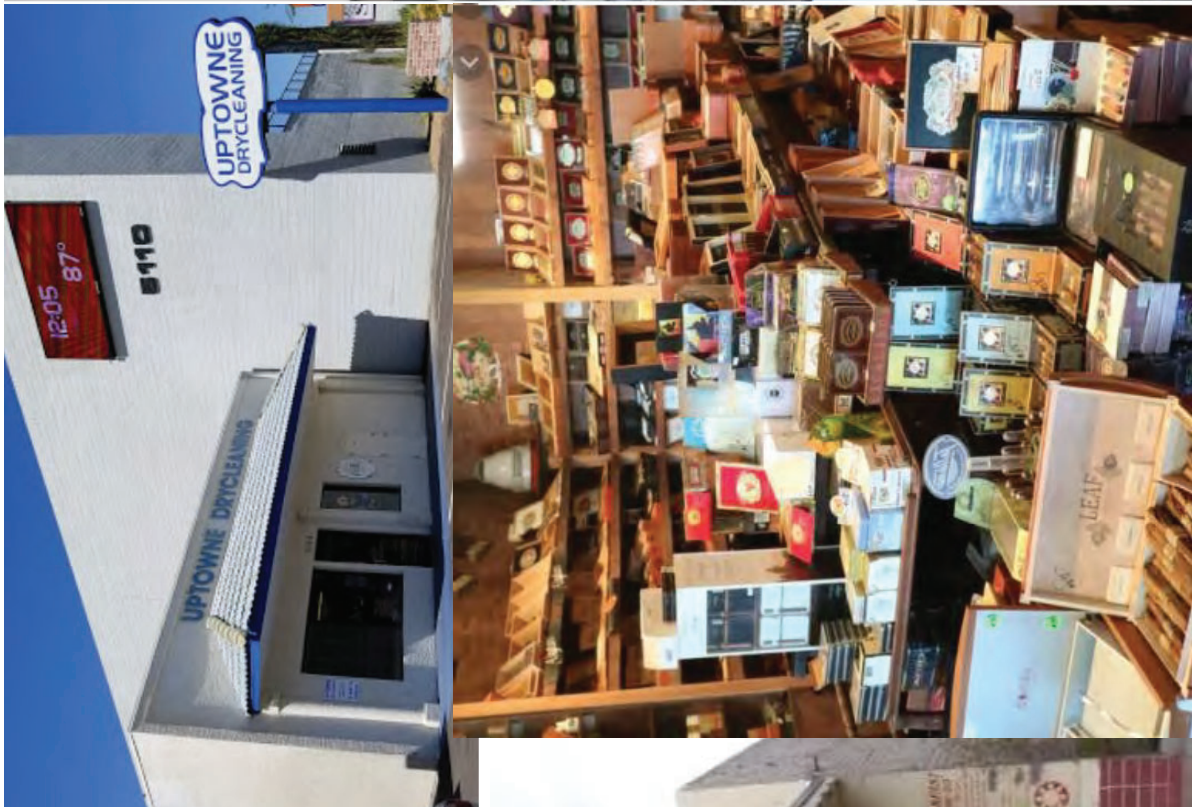
















## Racelle Escolar

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**From:** Lina Money <linahanni2018@gmail.com>  
**Sent:** Thursday, May 6, 2021 11:37 AM  
**To:** Racelle Escolar; PDD Planning Commission  
**Subject:** In opposition / z-56-20-4

Dear members of the planning commission,

As of this morning at 11am May 6<sup>th</sup>, members of the opposition still have not seen the new site plans. We have asked for a continuance and we are surprised it has not been granted as of yet seeing how we are expected to take a stance at tonight's meeting. The PUD was remanded from City Council skipping normal steps (including Alhambra) which would have allowed us to have ample time to review the new site plans and documents. We have not asked for a single continuance up to this point.

We are hoping the PUD can work as it has the potential to benefit everyone including the city's vision of the Grand Canal-scape. As the PUD stands, it does not work for the neighborhood. It is still very close to the WU T5:5 in density, vehicles, units, height of the parking garage, and lack of appropriate parking spaces.

Trinsic has gained 45 units from the R3/R5. They have gone from 218 to 210 with 165 being the maximum are R5 would allow. That is not a compromise. They have gained a 56 foot parking structure but they have REDUCED the number of parking spots since the City Council Meeting from 303 to 292. At 266 beds (210 units), that leaves 26 parking spots for couples and guests. That is unacceptable as this development is deep within our neighborhood. We agreed to 20 foot setbacks with the understanding we were gaining 8 to 10 feet in setbacks (north and west sides) from the previous rendering but this does not look to be the case based on a graphic that was sent to us a day ago. We need to see those site plans.

If you have not received ample letters of opposition, it is because we were trying to work with the PUD but at this point Trinsic is content with what they have and will not further reduce their density. The Dwelling Unit Density maximum for an R5 with bonuses is 52.20. Currently Trinsic is at a dwelling urban density of 63.63. In order for the Dwelling Urban Density to be at the maximum R5 with bonuses, Trinsic would have to bring their unit count down to 173.

210 units / 3.3 gross acres = 63.63 dwelling unit density  
174 units / 3.3 gross acres = 52.72 dwelling urban density

We are open to working with this PUD as we do believe it could benefit all parties involved, but as of right now it hurts the neighborhood and we are forced to look back at the R3/R5. If we could get further concessions on unit counts/ parking spots in the PUD we could come back to the table. Without seeing a site plan, you are allowing us to go into this blind.

Please give us our continuance,

Vincent Bachelot

## Racelle Escolar

---

**From:** R S <pjharveytrack12@yahoo.com>  
**Sent:** Thursday, May 6, 2021 11:39 AM  
**To:** Racelle Escolar  
**Subject:** Please submit to planning commission

Dear members of the planning commission,

As of this morning at 11am May 6<sup>th</sup>, members of the opposition still have not seen the new site plans. We have asked for a continuance and we are surprised it has not been granted as of yet seeing how we are expected to take a stance at tonight's meeting. The PUD was remanded from City Council skipping normal steps (including Alhambra) which would have allowed us to have ample time to review the new site plans and documents. We have not asked for a single continuance up to this point.

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Please give us our continuance,

Ron Szematowicz

**From:** Lina Money <linamoney1@mac.com>  
**Sent:** Thursday, May 6, 2021 11:32 AM  
**To:** Racelle Escolar; PDD Planning Commission  
**Subject:** In opposition / z-56-20-4

Dear Commissioners,

The proposal before you today purports to be an acceptable compromise brokered between community opposition and Trinsic Residential Group.

The reality, however, is to the **contrary**. As of 10:30AM this morning, opposition has yet to receive a revised site plan detailing the proposed development. We are also yet to hear back from the Streets Transportation Department regarding the traffic study submitted by the developer.

These procedural failures take backseat, however, to the fundamental shortcomings of this settlement proposal.

- I. **Setbacks are still insufficient** to obtain outright neighborhood support. Set backs must be contiguous with surrounding developments, viz.- 30' on North side. The offer of 20' on the West is much appreciated. The additional 10' along the North side will preserve the surrounding setbacks and guarantee visibility for pedestrians, bikes and drivers at the intersection of 3rd Ave and Coolidge.  
\*It should be noted that renderings that were received by a member of the opposition this week showing the buildings redesign **do not** appear to include the 20' as proposed by the developer.
- II. The **Number of Units** must be further reduced to prevent over-densification congestion and vehicular traffic. R5 allows for 165 units; TRG seeks 210 units; the neighborhood believes a unit count of 180-90 units is more appropriate in this setting and is a meaningful increase above R5 entitlements.
- III. The **Number of Parking Slips** remains insufficient to guarantee that surrounding property owners not incur injury to their property enjoyment and quality of life. Parking is of course, a function of the number of units proposed.
- IV. The **Parking Structure is Unacceptable** as it creates blight to surrounding neighbors. The parking structure must needs be the same height as the residential structure (48'). Additionally, stipulations must be included which prohibit the possibility of roof-top parking or the installation of lighting assemblies atop the parking structure. This is to prevent light pollution and preserve the aesthetic integrity for members of the public utilizing the canalscape for recreation.
- V. The failure to arrive at an acceptable arrangement comes as a great disappointment to the neighborhood. A PUD, if created according to the process stipulated by the PUD manual, guarantees the community multiple, face-to-face meetings with the developer to broker



concession in an orderly and meaningful way. We met with the developer in a dark parking lot the night before the city council meeting in a most unorthodox and surely ex-parte fashion that left me ill to my stomach. This can not be allowed to become a permissible way by which the city allows controversial development cases to be resolved. If PPD believes that a PUD is the appropriate vehicle to broker a settlement, then the PUD must go through the normal, prescribed PUD process.

Because what you see before you today is not acceptable to opposition, be it known that opposition has submitted a request for continuance. We believe that arriving at an acceptable compromise is still possible and would like the commission to support the neighborhood in bringing TRG to the table in a meaningful way. If this is denied and the PUD is subsequently recommended to the City Council without the inclusion of stipulations ameliorating the above referenced concerns, opposition intends to further appeal.

With respect,

Lina Money

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Respectfully,

Dillon Hall  
324 W. Minnesota Ave.  
PHX, AZ 85013

Rcvd. 5/5/2021

To whom it may concern,

We, the neighborhood, request a continuance for case 56-20-4 to go on to the next planning commission meeting.

Vital information has not been received or it has not been received with sufficient time to review. We received images from Mr. Gosselink today 5-4 as to the redesign however it does not look like it incorporated the 20 foot setbacks. We need to see the official new site plan which we have not seen yet. Additionally we also have not received a confirmation whether the traffic study submitted on April 8<sup>th</sup> was approved or denied by the street transportation department.

This has been remanded from City Council and did not go through the normal PUD process including the Alhambra committee. Because of this, we did not have the usual opportunity to review site plans and documents. We have not asked for a single continuance up to this point. We feel it is the utmost importance to do so as it's a critical time.

Thank you

Sincerely  
Ron Szematowicz

## Racelle Escolar

---

**From:** Kenny W <kennywaters602@gmail.com>  
**Sent:** Tuesday, May 4, 2021 11:07 AM  
**To:** Racelle Escolar  
**Subject:** Please Forward to all 9 Planning Commissioners re Agenda Item #15 (May 6th)

**Re: Agenda Item #15 "Aura Uptown" (Donor Network 3.29 Gross Acre Site)**  
May 6th, Thursday 6pm VIRTUAL Webex Planning Comm Meeting  
Pierson Place Historic District  
2 Video segments  
1 Aerial Photo  
Park: 0.44 Acre  
Old Growth Trees: (25 along streets & canal)

Hi Racelle,

Can you please forward this email asap with its two relevant **video links** (to all 9 Planning Commissioners) of **Channel 3 News' "Phoenix Community Fights to Keep Neighborhood Park" coverage** re the proposed Aura Uptown project @SEC of 3rd Ave & Coolidge,

... along with the video link of **City Council's 92-minute hearing of this case** that produced 43 minutes of strong neighborhood opposition comments, with 21 neighbors speaking against - just a tip of the iceberg.

Donor Network office was a .44 acre park and M-F 9-5 greatest neighbor *EVER*.

The Pierson Place neighborhood really didn't awaken to this loss of park & neighbor - to be replaced by yet another "**aggregating**" compounding 24/7 traffic nightmare coming into the deep interior of our neighborhood (NO arterial streets) till AFTER the Planning Commission voted on it. The City Council found that neighborhood "awakening" out the hard way - 92 minutes worth. Thus, it's back for hopefully much different PC reconsideration and 2nd thoughts ... this time around.

Thank you!

Ken Waters  
Pierson Place, 27-yr resident

**Channel 3 News clip (97 second segment) that aired March 2, 2021:**

<https://www.youtube.com/watch?v=JgHI0aGI7Fk> [youtube.com]

**April 7th City Council Hearing:**

<https://www.youtube.com/watch?v=oaTwv7Gpli4&t=12254s> [youtube.com]

(Agenda item #114, Aura Uptown project that **lasted 1hr, 32 mins**):

Agenda Item Started at the 3:02:05 mark  
Public Comments started at the 3:23:40 mark  
Public Comments ended at the 4:11:00 mark  
Item Ended at the 4:34:00 mark  
92 Minutes total

<iframe width="560" height="315" src="https://www.youtube.com/embed/oaTwv7Gpli4?start=12220 [youtube.com]" title="YouTube video player" frameborder="0" allow="accelerometer; autoplay; clipboard-write; encrypted-media; gyroscope; picture-in-picture" allowfullscreen></iframe>



----- Forwarded message -----

From: **DIANE L MIHALSKY** <[dmihalsky@msn.com](mailto:dmihalsky@msn.com)>

Date: Sun, Feb 28, 2021 at 5:42 PM

Subject: Z-56-20-4

To: [council.district.4@phoenix.gov](mailto:council.district.4@phoenix.gov) <[council.district.4@phoenix.gov](mailto:council.district.4@phoenix.gov)>

Cc: [mayor.gallego@phoenix.gov](mailto:mayor.gallego@phoenix.gov) <[mayor.gallego@phoenix.gov](mailto:mayor.gallego@phoenix.gov)>, [council.district.1@phoenix.gov](mailto:council.district.1@phoenix.gov) <[council.district.1@phoenix.gov](mailto:council.district.1@phoenix.gov)>, [council.district.2@phoenix.gov](mailto:council.district.2@phoenix.gov) <[council.district.2@phoenix.gov](mailto:council.district.2@phoenix.gov)>, [council.district.3@phoenix.gov](mailto:council.district.3@phoenix.gov) <[council.district.3@phoenix.gov](mailto:council.district.3@phoenix.gov)>, [council.district.5@phoenix.gov](mailto:council.district.5@phoenix.gov) <[council.district.5@phoenix.gov](mailto:council.district.5@phoenix.gov)>, [council.district.6@phoenix.gov](mailto:council.district.6@phoenix.gov) <[council.district.6@phoenix.gov](mailto:council.district.6@phoenix.gov)>, [council.district.7@phoenix.gov](mailto:council.district.7@phoenix.gov) <[council.district.7@phoenix.gov](mailto:council.district.7@phoenix.gov)>, [council.district.8@phoenix.gov](mailto:council.district.8@phoenix.gov) <[council.district.8@phoenix.gov](mailto:council.district.8@phoenix.gov)>

Councilperson Pastor:

My name is Diane Mihalsky. I live at 304 W. Campbell Ave. in the Yapple Park historic neighborhood in mid-town Phoenix. I bought my house in 1986 and have lived here since that time.

For several years, I sat on the Encanto Village Planning Committee. The proposed development on the southeast corner of N. 3<sup>rd</sup> Ave. and W. Coolidge St., **Z-56-20-4**, is the first proposed development in the neighborhood that I have ever opposed.

The site is located along the Grand Canal on the south and the Sonoran bikeway on the west, in the middle of two irrigated historic neighborhoods. This is a relatively small site, between 2.30 acres (sale advertisement), 2.6 acres (County Assessor's website), and 3.29 acres (Trinsic's submission to City staff). It presently has an approximately 30' wide retention basin along the bikeway with a row of 10 mature olive trees. Neighbors meet each other and walk with their children and dogs in the shaded green area on this unique property.

According to the staff report, Trinsic plans to build a 218-unit, 4-story with mezzanine "luxury apartment" with only 10' setbacks, on which it has promised to plant 3" caliper shade trees, 20' on center, between the minimum 5' wide sidewalk and building. Based on over 30 years gardening on an irrigated lot, these trees will never provide the coolness and shade that the olive trees provide, if they survive at all in the increased heat island that this project will cause.

Because the parcel is on a flood hazard area on the north side of Grand Canal, Trinsic has promised to show that it has complied with FEMA regulations to protect the proposed development, not surrounding streets or properties. Although there was some mention at the Alhambra Village Planning Committee meeting that the City engineer considered Trinsic's removal of the retention basin on neighboring streets and properties, no report is mentioned in the staff report. We don't know whether the City considered the impact of the kind of 100-year rain or flood that has been become more common in Phoenix.

The staff report does not mention that Trinsic will take any measures to mitigate the increased traffic and parking that this project will cause on narrow streets in the middle of a residential neighborhood. Trinsic has suggested that, if parking becomes a problem, it might require permits for

the south side of Coolidge, in front of the development, but not across the street, where single-family homes are located. The only concession that Trinsic has made to the site of the plan on the canal requires shaded open space and installation of bicycle parking for residents and guests and a publicly accessible bicycle repair station, subject to SRP's approval of these uses of its right-of-way. Not only is Trinsic not using its own property for these features that it brags will bring a significant benefit to the City, but it has not bothered to ascertain whether it can actually construct these improvements.

The planned development is a cookie cutter replication of the numerous mid-rise blocks that seem to have sprouted on large parcels on the arterial streets surrounding neighborhoods. These dense mid-rise developments are appropriate for large parcels on arterial streets on the edge of existing neighborhoods, not this small, unique property located between two thriving single-family neighborhoods.

I support the City's goal of achieving more density in my mid-town neighborhood. But I oppose this ill-conceived, third-rate project because I think the City can do better by the residents who have helped make this area so desirable. If the City approves Trinsic's proposed development on this small, unique parcel, it will place a developer's short-term profits over long-term value for the City and its long-term residents. I beg you to use your sound discretion to denying the zoning changes that Trinsic requests.

Diane Mihalsky

cc: Mayor Gallego and Councilpersons Williams, Waring, Stark, Guardado, DiCiccio, Nowakowski, and Garcia



Dear Councilperson Pastor,

I am a resident & property owner in Yapple Park Historic Neighborhood, and I write to express my strongest disapproval of Rezoning Case No: Z-56-20-4.

Z-56-20-4 seeks to permit the construction of a 4 + story mid-rise on the Southeast corner of 3rd Avenue and Coolidge Street in Midtown Phoenix (the former offices of the Donor Network of AZ at 201 W. Coolidge). The complex will have a minimum of 218 units (275 beds), will be set a mere 10 feet back from the street, and effectively will blanket the entire 2.6 acre parcel with a 60 foot structure that will tower over existing homes in every direction.

That the proposed development will damage the surrounding area is the widely-held and affirmed belief of surrounding homeowners, residents, and private businesses.

I have joined the more than one hundred property owners and residents of the surrounding neighborhoods in signing petitions against Z-56-20-4 to make clear our opposition to the proposed changes. These are families and futures belonging to your constituents of which I am only one and I respectfully implore you to consider voting against the rezoning request.

The Alhambra Village Planning Committee and City of Phoenix Planning Committee have both voted in favor of this zoning change, thus allowing for the proposed development to proceed. Present at both meetings, however, were a large contingent of community members all of whom stood in opposition and all of whom were prevented from meaningful participation in either public process.

These proceedings were contrary to our democratic principles, and were most especially egregious as we made repeated attempts to voice our concerns and were given no reasonable accommodation. The truth is that **the surrounding residents are the individuals who will suffer irreversible life changes, and so ought to have been guaranteed a meaningful role in the decision making process. The process, thus far, has not afforded any role to them.**

Like many of my neighbors, I am concerned that **the proposed building will diminish property values within the two adjacent historic neighborhoods<sup>1</sup> and will create an unsafe and dangerous traffic environment in an area in which ingress and egress are already highly restricted.** This is compounded by the fact that there will be insufficient parking to accommodate the total number of residents, guests and service providers to the building. The surrounding infrastructure of the neighborhood is not such that it can accommodate an expected increase to vehicular activity without systemic improvements such as sidewalks none of which are part of the proposed development.

Congestion is further compounded by the fact that **Pierson Place is bordered on two sides by the Light Rail and on a third by the Grand Canal,** leaving residents (1) No interior South-Bound Exits, (2) a single Northern exit at Camelback and 3rd Avenue, and (3) a single Eastern exit at the light on Highland and Central Avenue to head North. This last intersection is already utilized by, as a necessity, the more than 3,500 students attending St. Francis Xavier School, Brophy College Preparatory, Xavier College Preparatory and the clergy of the Parish grounds<sup>2</sup>.

---

<sup>1</sup> **Yaple Park**, which is 108 residences 103 of which are single-family-homes & **Pierson Place**, which is composed of more than 150 residences, 85% of which are single-family-homes.

<sup>2</sup> coming and going both at peak traffic hours and throughout the day.

Many neighbors have expressed their concerns as ADA residents and as parents of young children who will now be forced to compete with car traffic on the surface streets. Our neighborhoods have very, very few sidewalks and we fear losing our pedestrian culture to densification. Our ability to park in front of our own homes will also be compromised. The stress on existing utilities is an additional concern, as this is a neighborhood built up in the early 1930's then again in the post-war 40's-60's.

Our sewer lines have been failing for a decade and effectively doubling demand on them immediately will likely greatly accelerate the failure of this system which is now at the end of its projected life cycle, according to the city's own data. This is yet another major cost to be born by existing property owners and is a financial burden that gives sole accommodation to the development in-question. If the City approves the development, it *will* shift the cost of supporting the development onto existing individual property owners.

Arguably just as important is our belief that this development will decrease our property enjoyment, stifle our historical identity, and gravely undermine the independence of our community to influence much less chart our own futures.

Forcing this drastic and arguably inappropriate development upon existing property owners will cause general injury to our financial positions and social fabric. Of specific concern are traffic/parking hazards, the degree of density relative to surrounding properties and frankly the aesthetically vacuous character of the proposed building. This area and this site in particular deserves something better and ought to be developed in such a way as to amplify the special nature of the surrounding historic neighborhoods.

This is a large development smack-dab in the middle of two traditional, working-class residential neighborhoods that are on their way up. This development brings our community nothing of tangible value and, in fact, seriously undermines our expectation as property owners to continue along an upward trajectory that has proven to be an asset to the city, and will rationally be expected to continue. This development should be curtailed to benefit and preserve the greater midtown area in the short-term, mid-term and long-term futures as sought-after historic residential areas.

**Put frankly, this development will transfer the hard-earned wealth generated by individual homeowners and families to a Wall Street Corporation.** This is not a case of xenophobia or of anti-progressivism; this is a case of decades of hard working, mortgage paying and free-holding individuals and families who have struggled to ensure that these communities would not only survive but would flourish seeking to preserve what we have built. Now we are trying to avoid collision with a powerful single interest, the impact of which we will likely not survive at least not recognizably at the onset of our real prosperity.

I could go on and on, but I think I've expressed enough of your constituents' feelings in this matter to inform you of our committed sentiment that this development should not go ahead.

Thank you for your time and consideration. Please keep up the good work, Councilperson Pastor!

Sincerely,

Dillon Hall  
324 West Minnezona  
Phoenix, Arizona, 85013  
[Dillon.Hall.MTAZ@gmail.com](mailto:Dillon.Hall.MTAZ@gmail.com)  
602.758.2241

The Urban Walkable Code is inappropriate for the site at 3<sup>rd</sup> Ave & Coolidge St. This site is away from all arterial roads and is in the heart of a historic neighborhood that is cut off to the south by the canal, has limited access to the east and the north because of the light rail, and contends with suicide lanes on 7<sup>th</sup> Ave to the west. Adding this much traffic along the 3<sup>rd</sup> Ave bike path and within this neighborhood is bad for safety and overall city development. This development in this area is inconsistent with the very premise of a walkable code.

Trinsic Development group has applied for a zoning change from a historic R3/R5 to a WU T5:5 which is the same zoning as the NW corner of Indian School and Central Ave.

A T5:5 is characterized by “a broad mix of buildings that integrate retail, offices, live-work and residential”.<sup>1</sup> They average in 56 to 100 feet in height. There is nothing close to this height anywhere near this development or within the historic neighborhood, away from arterial roads. The majority of the buildings in the surrounding area are single family homes on a single floor and some two story residential buildings. The average height in the area is LESS than 30 feet, somewhere between one and two story residential.

A T5:2 and T5:3 is the next step down and we still are not anywhere near its characterization. “A low intensity mixed use fabric characterized by a SMALL MAIN STREET SCALE COMMERCIAL AREAS, adaptive reuse of single-family homes to retail, office uses and dining establishments and mixed use residential developments incorporating a BROAD mix of frontage types averaging 30 to 48 feet in height.”<sup>2</sup> All the “main street commercial” streets are arterial roads. 3<sup>rd</sup> Ave is completely residential and we have no retail or dining away from arterial roads. Again we are between one and two stories with the majority of the area a historic one story neighborhood. We are well below the average height of 30-48’.

Even the T4:2 and T4:3 discuss an average of 30-40 feet in height. We do not have close to this average either.

I have been through much of the “Vision and Master Plan” Uptown section city pamphlet that Trinsic has used to tout this zoning change to planning commissions and the neighborhood and it clearly states “The plan serves as a guide and is not regulatory. Additional outreach and research on underlying entitlements and appropriateness of specific properties will be conducted during the rezoning process<sup>3</sup>” (page 77 uptown section). I have found plenty of maps within this pamphlet that show this property outside the appropriateness of a WU code zone.

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<sup>1</sup> <https://phoenix.municipal.codes/ZO/1302>

<sup>2</sup> <https://phoenix.municipal.codes/ZO/1302>

<sup>3</sup> <https://www.phoenix.gov/pdds/Docs/Documents/PZ/ReinventPHX%20UPTOWN%20TOD%20Policy%20Plan%2011X17.pdf> page 77

- A. 2. **T4:2 and T4:3 Districts.** Low-intensity urban residential fabric characterized by single-family homes, duplexes, single-family attached and small multifamily developments, averaging 30 feet to 40 feet in height. Home occupations are permitted.
3. **T5:2 and T5:3 Districts.** Low-intensity urban mixed-use fabric characterized by small main street scale commercial areas, adaptive reuse of single-family homes to retail, office uses and dining establishments, and mixed-use residential developments incorporating a broad mix of frontage types, averaging 30 feet to 48 feet in height.
4. **T5:5, T5:6 and T5:7 Districts.** A medium-high-intensity mixed-use fabric characterized by a broad mix of buildings that integrate retail, offices, live-work and residential units adjacent to the Light Rail Corridor, averaging 56 feet to 100 feet in height.
5. **T6:7, T6:15 and T6:22 Districts.** A high-intensity mixed-use urban fabric characterized by large footprint high rise buildings averaging 100 feet to 250 feet in height adjacent to the Light Rail Corridor. Buildings have the highest intensity of uses, integrating office, commercial and residential uses. Development may incorporate forecourts and open spaces available to the public.
6. **T6:HWR District.** A height waiver, high-intensity fabric characterized by mixed-use buildings with large footprints and/or towers with existing and any new height waiver entitlements beyond T6:22.



## T3:2 Residential, characterized by single family homes

Maximum height: 30-feet.

T4:2 T4:3

Residential with a mix of housing types: single-family,

Maximum height: 30-ft (T4:2) and 40-ft (T4:3)



T5:2	T5:3	T5:5	
------	------	------	--

Characterized by adaptive reuse of existing single-

New developments incorporates a mix of uses, such

Maximum Height: 30-ft (T5-2), 48-ft (T5:3) 56-ft (T5:5)



Uptown Tomorrow

The Walkable Urban Code plan guides reasoning to the new WU Code. The plan identifies the reasoning locations and intensity

The plan serves as policy guidance and is not regulatory. Additional outreach and research on underlying entitlements and appropriateness of specific properties will be conducted during the reasoning process.

```

graph LR
    Framework --> DataCollection[Data Collection]
    DataCollection --> DataAnalysis[Data Analysis]
    DataAnalysis --> Results[Results]
  
```

Like the Conceptual Matrix Plan, the Planetype models inform the proper scale and character of the Districts, which is then encoded in the Zoning Ordinance.

[illegible]

GENERAL REVIEW & COMPLETION GUIDE				
 <p>Is the site designated as a historic site?</p>	 <p>Is the site designated as a wetland?</p>	 <p>Is the site designated as a cultural resource?</p>	 <p>Is the site designated as a flood hazard area?</p>	 <p>Is the site designated as a historic site?</p>

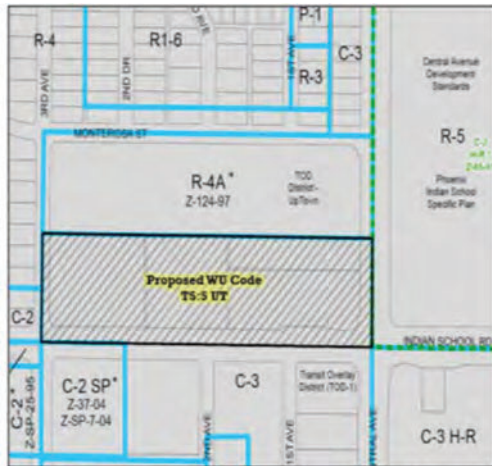
77th Avenue & Camelback Road					
	<ul style="list-style-type: none"> <li>• 100,000 sq. ft. building</li> <li>• 100,000 sq. ft. building</li> <li>• 100,000 sq. ft. building</li> <li>• 100,000 sq. ft. building</li> <li>• 100,000 sq. ft. building</li> </ul>	<ul style="list-style-type: none"> <li>• 100,000 sq. ft. building</li> <li>• 100,000 sq. ft. building</li> <li>• 100,000 sq. ft. building</li> <li>• 100,000 sq. ft. building</li> <li>• 100,000 sq. ft. building</li> </ul>	<ul style="list-style-type: none"> <li>• 100,000 sq. ft. building</li> <li>• 100,000 sq. ft. building</li> <li>• 100,000 sq. ft. building</li> <li>• 100,000 sq. ft. building</li> <li>• 100,000 sq. ft. building</li> </ul>	<ul style="list-style-type: none"> <li>• 100,000 sq. ft. building</li> <li>• 100,000 sq. ft. building</li> <li>• 100,000 sq. ft. building</li> <li>• 100,000 sq. ft. building</li> <li>• 100,000 sq. ft. building</li> </ul>	<ul style="list-style-type: none"> <li>• 100,000 sq. ft. building</li> <li>• 100,000 sq. ft. building</li> <li>• 100,000 sq. ft. building</li> <li>• 100,000 sq. ft. building</li> <li>• 100,000 sq. ft. building</li> </ul>





A T5:5 is the type of zoning that TWO arterial roads just received on the Northwest corner of Indian School and Central Ave.

WU T5:5 Indian School and Central Ave

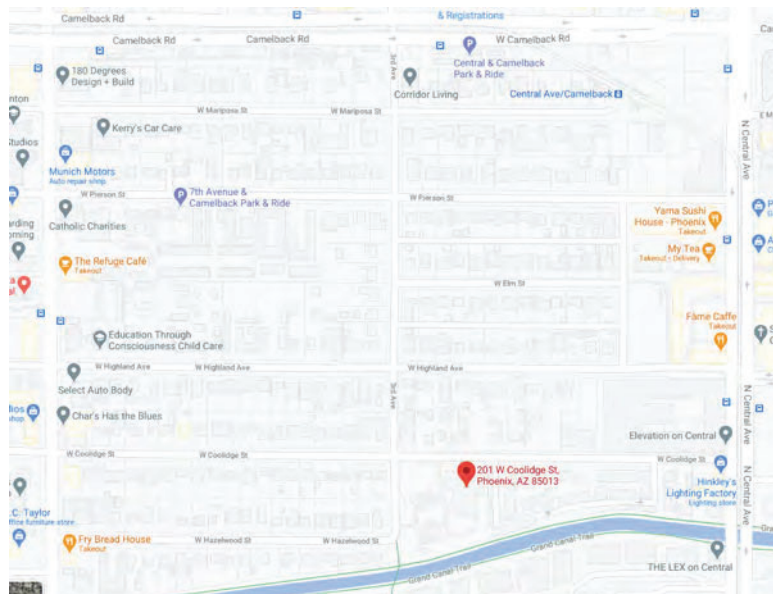


Source: City of Phoenix Planning and Development Department



We are RESIDENTIAL. A look at businesses via Google maps. Note they are all within one house of arterial roads. No dining no retail away from Central or 7<sup>th</sup> Ave. 3<sup>rd</sup> Ave is strictly residential.

Google maps shows no businesses away from arterial roads, no dining and no retail  
No businesses on 3rd Ave at all



The neighborhood surrounding the property to the west and to the north. Note: away from arterial roads.

Oksane's property and Monica's house to the north



Adam and Paula's looking west from the development. Adam in particular is very concerned with the proposed height and the invasion of privacy into his yard.





Looking west on the south side of Hazelwood. Kim and Karen's houses.



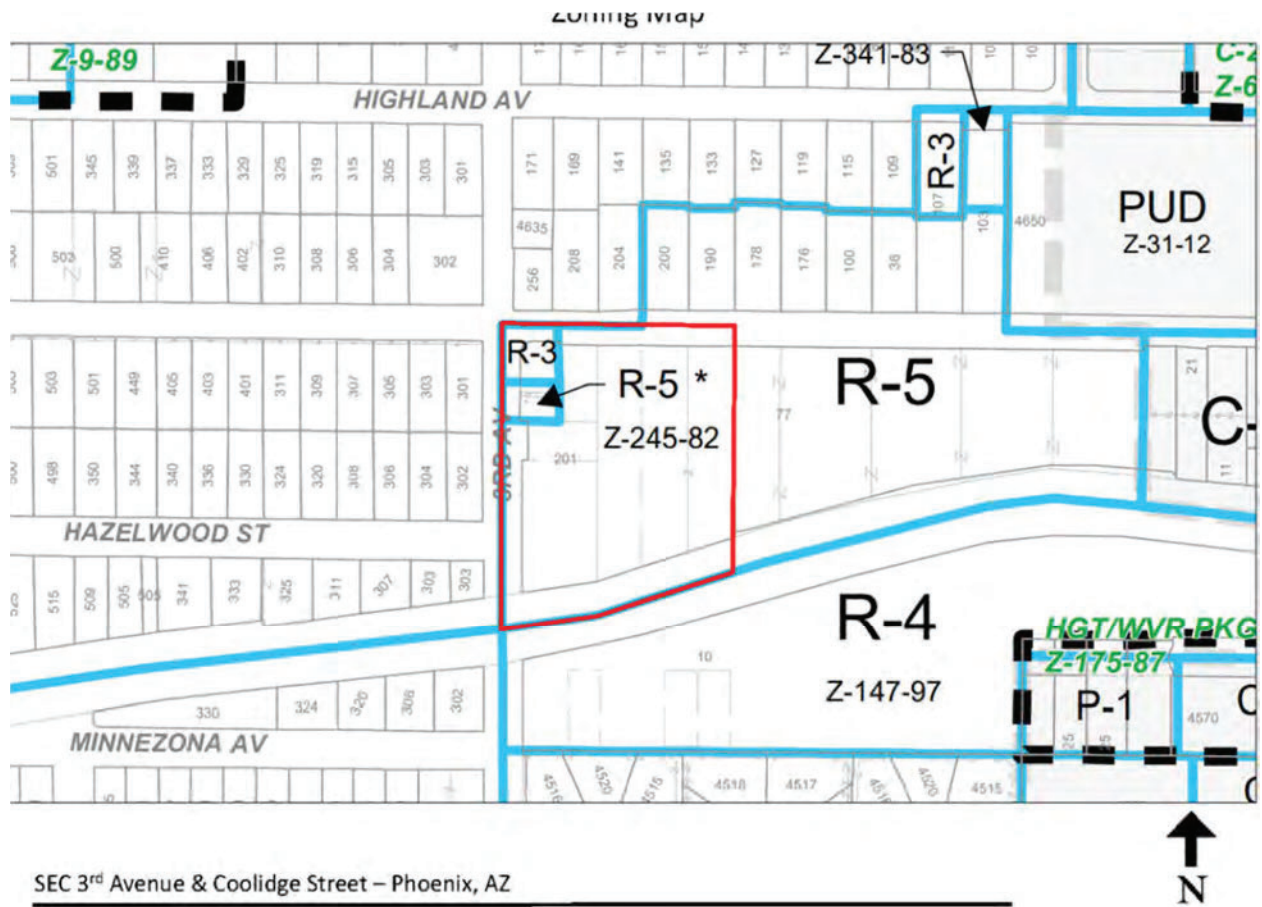
Teresa and Monica's house directly across the street to the north of the development.



Monica's house with Teresa's next door to the north of the property.

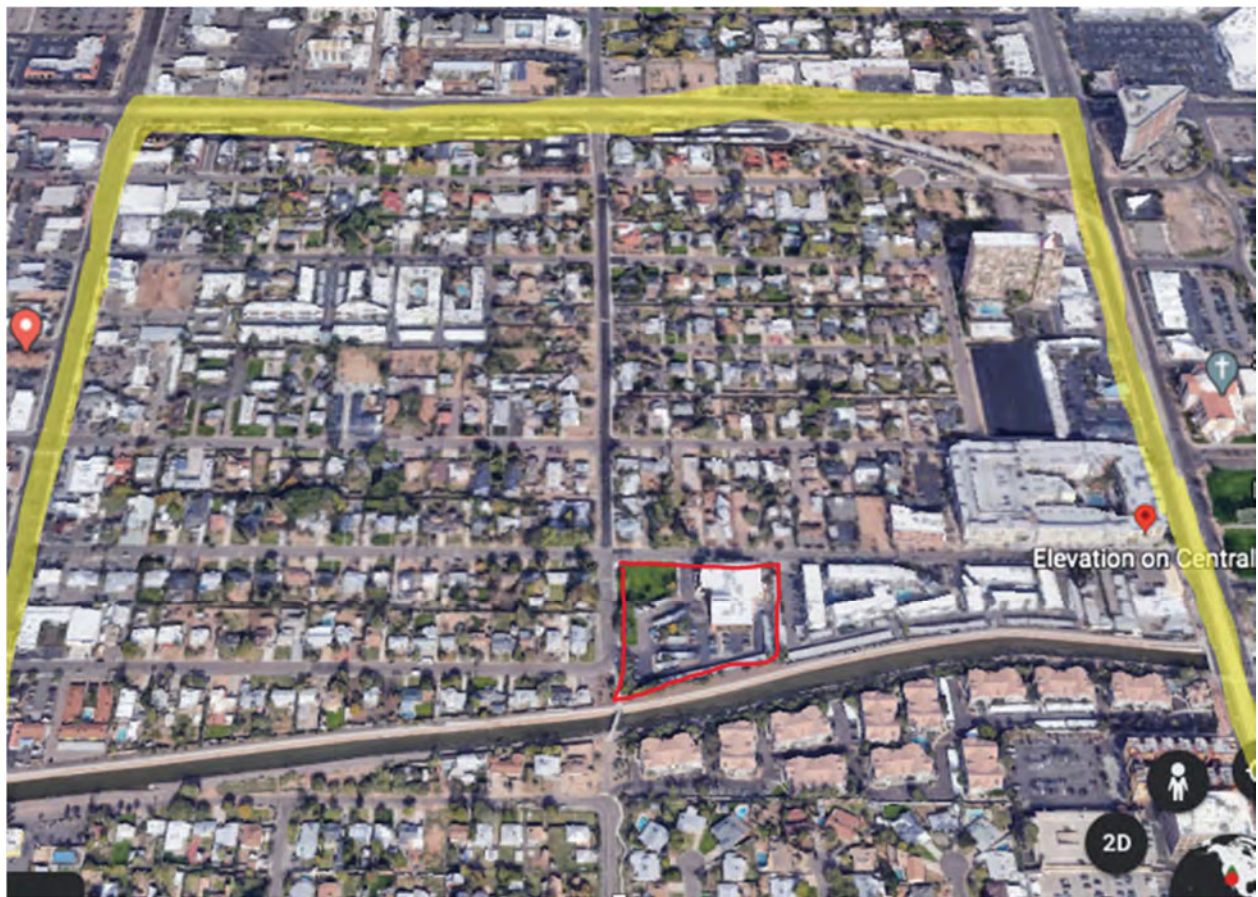






SEC 3<sup>rd</sup> Avenue & Coolidge Street – Phoenix, AZ





Traffic and parking concerns.

We have heard from Jason Morris that this development will be the same traffic as a 34,000 sq ft office complex that had a 108 parking spaces. This proposed building is going close to the curb on 115,000 sq ft block and will be 4 stories. At 218 units with 46 studios, 116 one bedrooms and 56 two bedroom that gives us 274 beds with only 303 parking spots. That is 1.1 parking spots per bed. That leaves 29 spaces for other halves of couples and guests. This is not enough parking.

This neighborhood is cut off to the south by the canal, has limited access to the north and east by the light rail and contends with suicide lanes to the west. 3rd Ave is a bike path and a traffic increase will reduce safety. A parking increase will reduce visibility.

108 parking spaces vs 303 parking spaces.... 34,387 Sq feet of 2 story building vs 115, 133 sq foot lot size which will be mostly 4 story building




**EXECUTIVE SUMMARY**

- Existing Improvements: 2-Story Office Building (34,387 SF) with 3,14,1000 Parking - expandable to +/- 4,5-1000
- Lot Size: 11,133 SF (+/-) 2.3 Acres with R-5 Zoning
- Moments from Central Avenue and Camelback Road
- Lushly landscaped property situated on the significantly improved Arizona Grand Canal

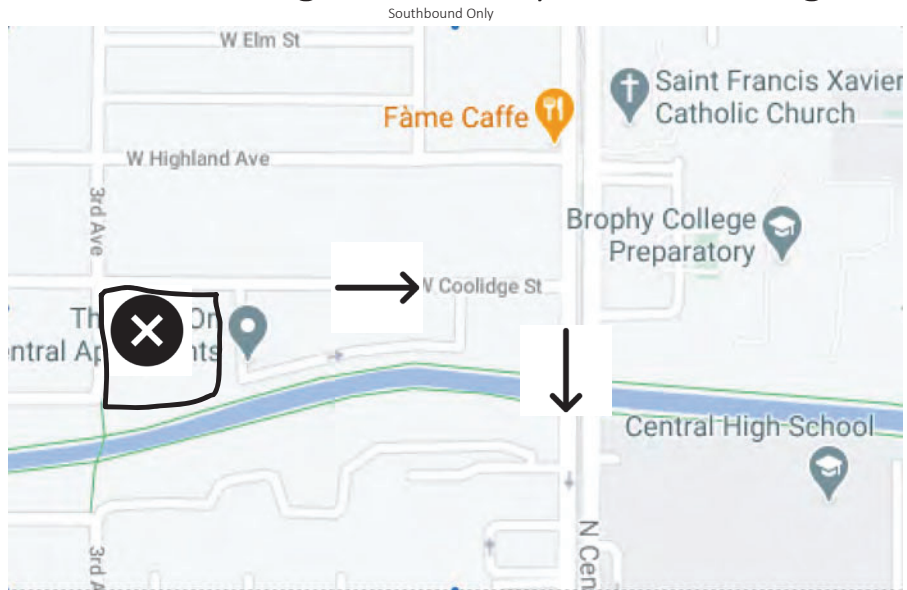
**PROPERTY FACTS**

Sale Type	Investment or Owner User	Year Built	1984	Building Height	2 Stories
Sale Condition	Redevelopment Project	Price	\$4,950,000	Typical Floor Size	17,194 SF
Property Type	Office	Price Per SF	\$144	Building F&B	0.14
Building Size	34,387 SF	Tenancy	Single	Land Acres	2.30 AC
Building Class	B				
Zoning	R-5/R-3, Phoenix				
Parking	108 Spaces (3,14 Spaces per 1,000 SF Leased)				
Opportunity Zone	No				



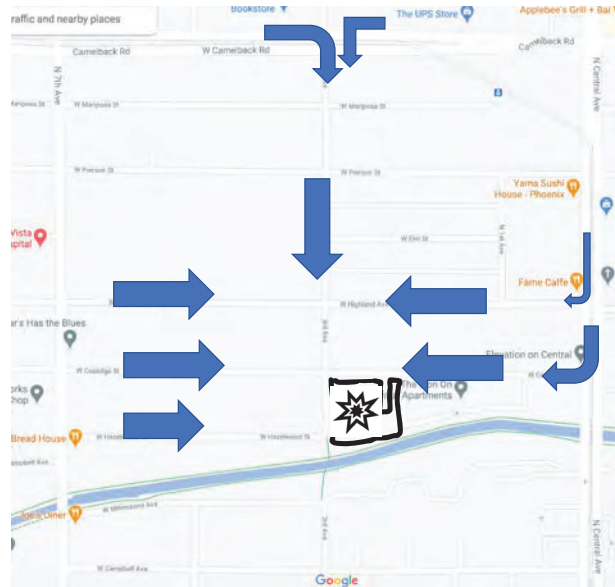
The parking garage with its single entrance and exit is going to be toward the east of the property to encourage cars to head toward Central Ave. Central is right turn only heading south.

Central Ave is right turn only from Coolidge St





Coming back into the neighborhood



Sufficient parking matters for safety and aesthetics



We have not seen an appropriate drainage plan for the surrounding area or the development's impact on drainage. The following photos were taken by Karen McCasland after one of our monsoons at the property. This area is a floodplain. The project will be built on this area.







I took this photo of the property.







Petition AGAINST rezoning from R3/R5 to WU  
REZONING APPLICATION # Z-56-20-4

Request: **R3/R5 - WU**

Location: **SE Corner of 3<sup>rd</sup> Ave and Coolidge St**

We the undersigned are OWNERS of property within the Pierson Place and Yapple Park historic neighborhoods. We stand AGAINST the rezoning effort by the developers to increase the number of units, increase height, decrease of ample parking and decrease ingress(easement). This type of zoning belongs on a major road like Camelback or Central Ave not in the heart of a historic neighborhood. The neighborhood, Pierson Place, is closed to the south by the canal, has limited access to the east and north by the light rail and has suicide lanes to the west during peak times of day. We ask the zoning remain at the historic R3/R5.

Date Signature Print Name Address APN

FOR SEVIGNE LLC :

02/15/2021  TANIA PETKOVA-BACHELOT

 VINCENT BACHELOT

506 W. COOLIDGE ST  
85013 PHOENIX, AZ

APN 155-34-024



Petition AGAINST rezoning from R3/R5 to WU  
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Date	Signature	Print Name	Address	APN
2-15-21	[Signature]	Ron Szymatowicz	308 W. Coolidge St	155-34-010
2-16-21	[Signature]	William Robert Dinet	403 W Coolidge St	155-34-054
2/16/21	[Signature]	Henry L Harding	309 W Coolidge St	155-34-006
2/16/21	[Signature]	Kostadin Petkov	505 W Coolidge St	155-34-063
2/16/21	[Signature]	GARY NOONAN	610 W HAZELWOOD	155-34-075
2/16/21	[Signature]	Stephen Young	639 W Hazelwood St	155-34-099
2-16	[Signature]	TAMARA NEWLIN	585 W Hazelwood	155-34-098
2-16	[Signature]	Zach Winn	525 W. Hazelwood	155-34-295
2-16	[Signature]	Thomas D. Rice	320 W Hazelwood St	155-34-050
2-16	[Signature]	Matthew Barty	328 W Hazelwood St	155-34-087A
2-17	[Signature]	Chas Garza	310 W. COOLIDGE ST	155-34-011
2-17	[Signature]	Adam Frum	405 W Coolidge ST	155-34-053
2-17	[Signature]	FRANK KOLEPH	449 W. Coolidge St	155-34-060
2/17	[Signature]	Terang Hahn	642 W Coolidge	155-34-027
2-17	[Signature]	Elin Starns	644 W Coolidge	155-34-035
2/18	[Signature]	Jeff Kahn	306 W Coolidge	155-34-007
2/18	[Signature]	Pamela L. Perry	304 W Coolidge	155-34-006
2/18	[Signature]	Anglor Starns	307 W Coolidge	155-34-045
2-19	[Signature]	Karen McEneaney	309 W Coolidge	155-34-048
2/20	[Signature]	Ryan Hanson	523 W Coolidge	155-34-072
2/20	[Signature]	Paul M. Green	311 W. Hazelwood	155-34-088
2/20	[Signature]	Al E. Menden	505 W Hazelwood	155-34-093
2/20	[Signature]	Anna Hutter	324 W Hazelwood St	155-34-051
2/20	[Signature]	Tsvetelina Hany	510 W Coolidge St	155-34-027
2/24	[Signature]	Geny Madison	501 W Coolidge St	155-34-059
2/21	[Signature]	JAY BROWN	502 W Coolidge St	155-34-022
2/22	[Signature]	Nina Lanza	503 W Coolidge St	155-34-064



Petition AGAINST rezoning from R3/R5 to WU  
REZONING APPLICATION # Z-56-20-4

Request: R3/R5 - WU

Location: SE Corner of 3<sup>rd</sup> Ave and Coolidge St

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Date	Signature	Print Name	Address	APN
2-17-21		Diane Prickett	165 W. Highland	155-34-020
2/17/21		Paul Bang	174 W. Highland	155-34-028
2/17/21		James F. Brown	135 W. Highland	155-34-072
2/17/21		Lawrence R. DeRivier	150 W. Highland Ave Ph	155-34-036
2/17/21		Phyllis Bartshberger	1414 W. Highland	155-34-038
2-17-21		Malcolm Lemon	115 W. Highland	155-34-061
2-17-21		Melode Eskner	108 W. Elm St	
2-17-21		WENDY LOCHER	107 W. ELM ST.	
2-17-21		Christopher Marks	114 W. ELM ST	
10 2-18-21		Barbara Backus	304 W. Highland	155-34-022
2-18-21		David Elwood	321 W. Highland Ave	155-34-012
2-18-21		Judith Bickel	533 W. Highland Ave	155-34-014
2/18/21		Jessica Perea	509 W. Highland Ave	155-34-013
2/18/21		BARBARA MITCHELL	515 W. HIGHLAND AVE	155-34-025
2/19/21		PATRICIA MALONEY	193 W. ELM ST PH 85013	
2/19/21		BRIAN CRAWFORD	150 W. ELM ST PH 85013	
2/19/21		Jesse Gibbs	132 W. ELM ST PH 85013	
2/19/21		Andrew Heston	161 W. Elm Ph 85013	
2/19/21		Anthony Castellan	162 W. Elm Ph 85013	
20 2/2/21		Brian Widener	143 W. Elm St 85013	
2-21-21		Elizabeth Adams	126 W. Elm St 85013	
2-21-21		Hilary Williams	101 W. Elm St 85013	
2-21-21		Sarah Thomas	107 W. Elm St 85013	
2/20/21		Cynthia Suresey	131 W. Elm St 85013	
2/21/21		Alan Sloger-Adams	125 W. Elm St. 85013	
2/21/21		Janet Davidson	107 W. Pierson St 85013	
2/21/21		Devon Judge	110 W. Pierson 85013	



Petition AGAINST rezoning from R3/R5 to WU  
REZONING APPLICATION # Z-56-20-4

Request: R3/R5 - WU

Location: SE Corner of 3<sup>rd</sup> Ave and Coolidge St

We the undersigned are OWNERS of property within the Pierson Place and Yapple Park historic neighborhoods. We stand AGAINST the rezoning effort by the developers to increase the number of units, increase height, decrease of ample parking and decrease ingress(easement). This type of zoning belongs on a major road like Camelback or Central Ave not in the heart of a historic neighborhood. The neighborhood, Pierson Place, is closed to the south by the canal, has limited access to the east and north by the light rail and has suicide lanes to the west during peak times of day. We ask the zoning remain at the historic R3/R5.

[illegible]





**Petition AGAINST rezoning from R3/R5 to WU  
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[illegible]



Petition AGAINST rezoning from R3/R5 to WU  
REZONING APPLICATION # Z-56-20-4

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[illegible]





30  
2015

**Petition AGAINST rezoning from R3/R5 to WU  
REZONING APPLICATION # Z-56-20-4**

**Request: R3/R5 - WU  
Location: SE Corner of 3<sup>rd</sup> Ave and Coolidge St**

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Date	Signature	Print Name	Address	APN
2/7/21	[Signature]	Barbara Ann Gustafson	114 W. Pierson St	
2/21/21	Wally R. Kamm	WALKER R KAMM	125 W. Pierson	
2/21/21	[Signature]	Jeanne Winter	118 W. Pierson	
2/21/21	[Signature]	Dolores A Garcia	131 W. Pierson St	
2/21/21	[Signature]	Richard Jackson	149 W. Pierson St	
2/21/21	[Signature]	Susan L Gordon	130 W Pierson St	
2/21/21	Holly Mitchell	Holly Mitchell	155 W Pierson St	
2/21/21	Rolando Reyes	Rolando Reyes	635 W. Hazelwood St	155-34-100
2/21/21	[Signature]	Lynnda Stawson	635 W. Hazelwood St	155-34-100
2/23/21	Patricia Peterson	Patricia Peterson	143 W. Pierson St	
2/23/21	Sativa Peterson	Sativa Peterson	140 W. Pierson St	
2/23/21	[Signature]	Joe Dore	167 W. Pierson St	
2/23/21	[Signature]	Gretchen Smith	306 W. Pierson St	
2/23/21	[Signature]	Andy Justin	310 W. Pierson St	
2/23/21	[Signature]	AL SHAFERBAMA	601 W. Pierson St	
2/23/21	[Signature]	Jordan [unclear]	693 W. Pierson St	
2/25/21	[Signature]	Willen [unclear]	54 W. Mariposa St	
2/25/21	[Signature]	Colleen K. Rose	515 N. Mariposa St	
2/25/21	[Signature]	Tom Lawley	312 W. Mariposa St	
2/25/21	[Signature]	DAVID WAWER	312 W. Mariposa St	
2/25/21	[Signature]	DAVE DAWIELS	314 W. Mariposa St	
2/25/21	[Signature]	PEARLE DAWIELS	214 W. Mariposa St	
2/25/21	[Signature]	Robert [unclear]	515 W. Mariposa St	
2/25/21	[Signature]	Sarah Marmaduke	317 W. Mariposa St	
2/25/21	[Signature]	Jill HASSETT	316 W. Mariposa St	
2/25/21	[Signature]	MICHAEL HASSETT	316 W. Mariposa St	
2/25/21	[Signature]	Raymond Peterson	521 W. Mariposa St	













Location: SE Corner of 3<sup>rd</sup> Ave and Coolidge St

We the undersigned are OWNERS of property within the Pierson Place and the Carnation Association neighborhoods. We stand AGAINST the rezoning effort by the developers to increase the number of units, increase height, decrease of ample parking and decrease ingress(easement). This type of zoning belongs on a major road like Camelback or Central Ave not in the heart of a historic neighborhood. The neighborhood, Pierson Place, is closed to the south by the canal, has limited access to the east and north by the light rail and has suicide lanes to the west during peak times of day. We ask the zoning remain at the historic R3/R5.

we'll still be  
parcel #2

Page 352

Petition AGAINST rezoning from R3/R5 to WU  
REZONING APPLICATION # Z-56-20-4

Request: R3/R5 - WU

Location: **SE Corner of 3<sup>rd</sup> Ave and Coolidge St**

We the undersigned are OWNERS of property within the Pierson Place and Yaple Park historic neighborhoods. We stand AGAINST the rezoning effort by the developers to increase the number of units, increase height, decrease of ample parking and decrease ingress(easement). This type of zoning belongs on a major road like Camelback or Central Ave not in the heart of a historic neighborhood. The neighborhood, Pierson Place, is closed to the south by the canal, has limited access to the east and north by the light rail and has suicide lanes to the west during peak times of day. We ask the zoning remain at the historic R3/R5.

[illegible]



Location: SE Corner of 3<sup>rd</sup> Ave and Coolidge St

We the undersigned are OWNERS of property within the Carnation historic neighborhoods. We stand with Pierson Place AGAINST the rezoning effort by the developers to increase the number of units, increase height, decrease of ample parking and decrease ingress(easement). This type of zoning belongs on a major road like Camelback or Central Ave not in the heart of a historic neighborhood. The neighborhood, Pierson Place, is closed to the south by the canal, has limited access to the east and north by the light rail and has suicide lanes to the west during peak times of day. Their increased traffic and parking will encroach into our neighborhood. We ask the zoning remain at the historic R3/R5.

[illegible]







Dillon Hall  
324 West Minnezona Avenue  
Phoenix, Arizona 85013  
March 29, 2021

Phoenix City Council  
c/o  
Racelle Escobar, Planner III  
PDD, Planning Division  
(602) 534-2864

Re: Analysis of WU Code as it related to the Council's consideration of  
Z-56-20-4

Dear Councilperson Pastor,

This letter is submitted to clarify and expound upon the analysis previously submitted by Ron Szmatoiwicz, the appellant in Case Z-56-20-4, and to provide additional authorities that are relevant to Trinsic Residential Group's ("Trinsic's") application to rezone approximately 3 acres at the southeast corner of N. 3<sup>rd</sup> Ave. and W. Coolidge St. ("subject site") from multifamily R-3 and R-5 to Walkable Urban Code ("WU Code") Transect 5:5. The application must be denied because (1) The subject property is not located within the area circumscribed by City's current Transportation Overlay District ("TOD") or Master Plan/Walkable Urban Code ("Master Plan") and (2) Even if the site were located in the TOD or an area that is subject to the WU Code, the proposed development's scale and density are not consistent with the surrounding 1- and 2-story historic structures and setbacks of surrounding properties.

**I. The City should deny Trinsic's application under the WU Code because the subject site was excluded from the City's most recent iterations of the TOD and Master Plan.**

When the City constructed the light rail, it designated the area on either side of the light rail route as the TOD, which was intended for higher density development to promote ridership on the light rail. In 2015, Chapter 13 was added to the City Code to create a Walkable Urban Code "to implement the vision and policies of the [TOD] Policy Plans" for certain neighborhoods,



including Uptown, where the subject site is located, and to “encourage an appropriate mixture and density of activity around transit stations . . . .” Code Section 1301(B). A map appended to the 2015 version of Chapter 13 showed the TOD extending from N. 3<sup>rd</sup> Ave. to N. 3<sup>rd</sup> St. along N. Central Ave. in the Uptown Transect District, between Indian School and Camelback Rds. The map also included the disclaimer: “The City Clerk’s Office has the official version of the Phoenix Zoning Ordinance. Users should contact the City Clerk’s Office for ordinances passed subsequent to the ordinance cited above.”

The Staff Report for Z-56-20-4 stated that Trinsic’s plan would serve the goals of the TOD and WU Code. See Staff Report at 7-8, Background Items Nos. 5 and 6. Since 2015, however, the City has refined the crude map appended to Chapter 13 to exclude certain sites, including the subject site, from the TOD. See Exhibit 1 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)). Similarly, the City’s current Master Plan excludes the subject site from the Master Plan. See Exhibits 2, 3, 4 (Master Plan, Uptown-TOD Policy Plan and Walkable Urban Code for the Uptown District).

Developers should not be allowed unilaterally to set the course of the City’s development against the City’s plan to preserve certain areas for other uses, to the detriment of well-established residential neighborhoods. Because the subject site is not included in the current TOD or Walkable Urban Code area, the City should deny Trinsic’s application to rezone the site to WU Code T5:5.

**2. The City should deny Trinsic’s application because the proposed development’s scale and density are not consistent with the surrounding 1- and 2-story historic structures and setbacks of surrounding properties.**

Trinsic plans to construct a 4-story + mezzanine, 218-unit luxury apartment complex with only a 10’ setback from N. 3<sup>rd</sup> Ave. and W. Coolidge, which are small local streets. The WU Code provides for a “[m]inimum ten-foot landscape setback . . . .” Section 1303(A)(2)(a).

The Staff Report for Z-56-20-4 describes the neighborhoods surrounding the proposed development, in relevant part as follows:

*East:* Immediately east of the subject site is a multifamily complex which is zoned R-5 (Multifamily Residence District). . . . [T]he existing buildings do not exceed **three stories in height**.

*West:* West of the subject site across 3rd Avenue are **residential structures of a single-story and single-family detached character**. . . .

*North:* North of the subject site across Coolidge Street are **various residential structures ranging from a single-family detached character to small apartment complex, with neither type exceeding two stories**. . . .

*South (the Grand Canal):* South of the subject site is the Grand Canal . . . .

Staff Report at 6 (emphasis added). The Report notes that the subject site is located “within one-quarter mile from two light rail stations,” not adjacent to the light rail corridor. See *id.* at 8.

The WU Code’s transect districts “vary by the level and intensity of their physical and social character, providing immersive contexts from less intense to more intense urban development.” Section 1302(A). The T5:5 Transect district, which designation Trinsic seeks for the parcel, as “[a] **medium-high intensity mixed-use fabric characterized by a broad mix of buildings that integrate retail, offices, live-work and residential units adjacent to the Light Rail Corridor, averaging 56 to 100 feet in height**.” Section 1302(A)(4) (emphasis added). According to the Staff Report, the subject site is surrounded on two sides by predominantly one-story single-family dwellings, a small two-story apartment complex, and, to the east, a three-story apartment complex, averaging, at most, 15 to 35 feet in height. The light rail corridor is at least three blocks away. The subject site does not meet Code requirements for WU Code T5:5.

Chapter 13 does recognize the T3-2 Transect District as “[l]ow-intensity residential fabric characterized primarily by single-family homes and duplexes in relatively large lots with deep setbacks.” Section 1302(A)(1). Although this

characterization may fit the neighborhood surrounding the subject site, Trinsic has not requested this zoning classification. Moreover, as noted above, Trinsic's proposed Aura Uptown project has only 10' setbacks from the local streets on which it is located. The 3-story apartment complex on the east has at least 30' setbacks; the setbacks for the single-family detached structures and small apartment complexes surrounding the proposed development have at least 25' to 40' setbacks. Although Chapter 13 provides that "[f]rontage setbacks maybe expanded . . . by 20 percent in order to match adjacent frontage setbacks," Section 1304(B)(1), that would only bring the proposed development's setbacks to 12'. The proposed development would stick out like a sore thumb from adjacent properties.

## **Conclusion**

We do not oppose development in areas that that been designated as the TOD or Walkable Urban Code along the arterial streets on the edges of the Pierson Place and Carnation residential neighborhoods.<sup>1</sup> But Trinsic application in Z-56-20-4 must be denied because (1) The subject property is not located within the area circumscribed by City's current TOD or Master Plan and (2) Even if the site were located in the TOD or an area located in an area that is subject to the WU Code, the proposed development is not consistent with the surrounding 1- and 2-story historic structures and setbacks of surrounding properties.

Respectfully,

Dillon Hall

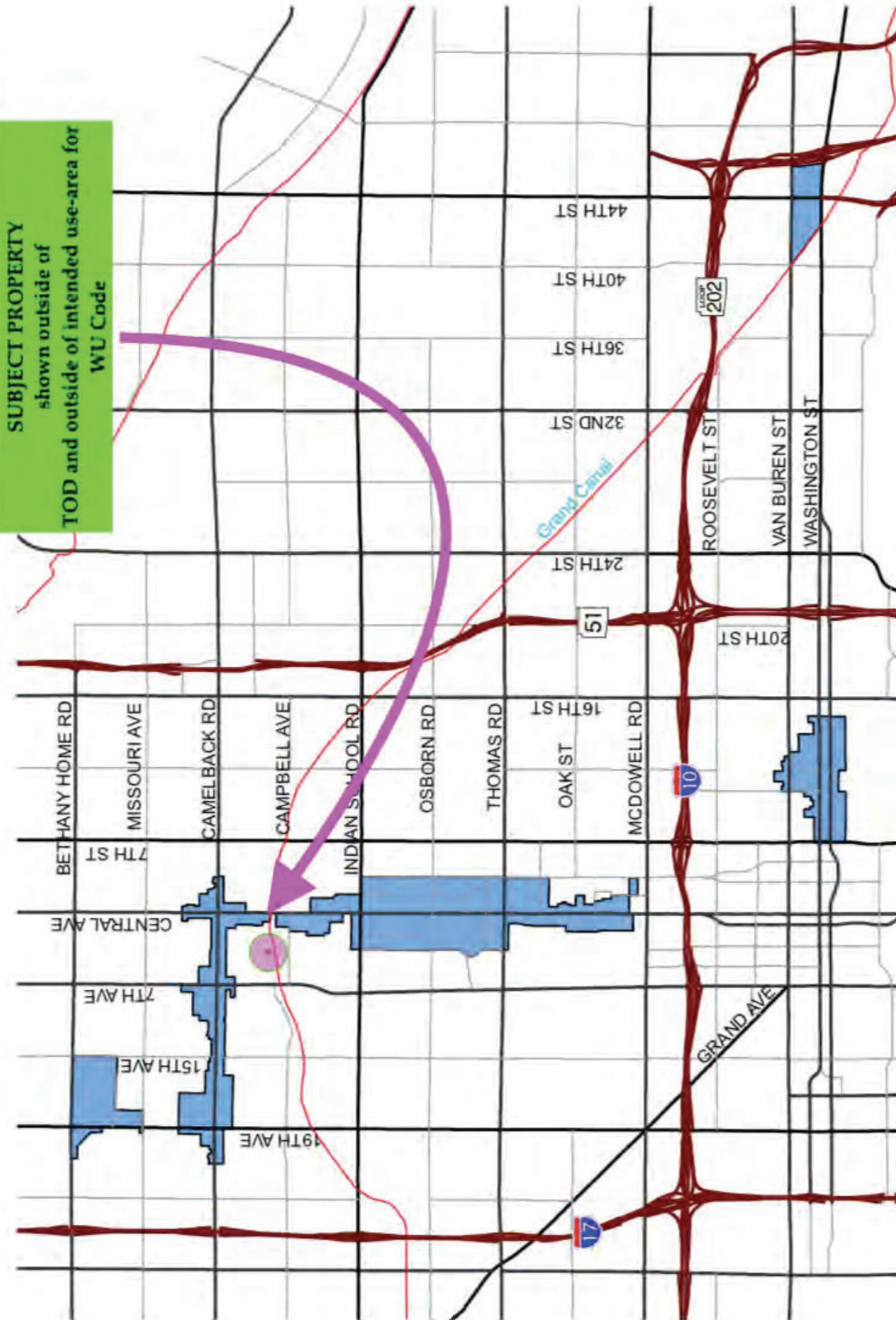
Ron Szmatoiwicz

A handwritten signature in black ink, appearing to read 'Ron Szmatoiwicz', with a large circular flourish on the left side.

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<sup>1</sup> See project at southeast corner of N. 3<sup>rd</sup> Ave. and W. Indian School Rd. (height & number of towers); other projects?

# EXHIBIT I



**SUBJECT PROPERTY**  
shown outside of  
TOD and outside of intended use-area for  
WU Code

Regulatory Provisions Include: Prohibited uses, conditional and use permits, non-conforming uses, development standards, street and sidewalk regulations, signage and parking and loading regulations. See Section 662 of the Zoning Ordinance.

# Interim Transit-Oriented Zoning Overlay District One (TOD-1)

For more information - Call the City of Phoenix Planning and Development Department (602) 262-7811



# EXHIBIT II



# MASTER PLAN | WALKABLE URBAN CODE

The Walkable Urban Code plan guides rezoning to the new WU Code. The plan identifies the rezoning locations and intensity level Transect sub-districts that are consistent with the Vision and Master Plan.

The plan serves as policy guidance and is not regulatory. Additional outreach and research on underlying entitlements and appropriateness of specific properties will be conducted during the rezoning process.

## Framework

The Transit Oriented Development Strategic Policy Framework document identifies the Placetype for certain light-rail stops within the District.

Like the Conceptual Master Plan, the Placetype models inform the proper scale and character of the Districts, which is then encoded in the Regulating Plan.



### INDIAN SCHOOL ROAD & CENTRAL AVENUE

	Major Urban Center	<ul style="list-style-type: none"> <li>Entertainment Destination</li> <li>Retail Destination</li> <li>Mid Rise Living</li> <li>Office Employment</li> </ul>	<ul style="list-style-type: none"> <li>Mid Rise</li> <li>Apartment</li> <li>Town house</li> <li>Row house</li> </ul>	<ul style="list-style-type: none"> <li>Mid-Rise Office &amp; Hotel</li> <li>Under 40,000 sq. ft. single tenant retail footprint Incentive: 60,000 sq. ft.</li> </ul>	<ul style="list-style-type: none"> <li>Regional Destination</li> <li>High Regional Accessibility</li> </ul>		<ul style="list-style-type: none"> <li>Medium-High Intensity</li> <li>4-8 Stories</li> <li>Incentive: 15 Stories</li> </ul>
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### CAMPBELL AVENUE & CENTRAL AVENUE

	Minor Urban Center	<ul style="list-style-type: none"> <li>Balanced Commercial &amp; Residential</li> <li>Retail Destination</li> <li>Entertainment Destination</li> <li>Some Employment</li> </ul>	<ul style="list-style-type: none"> <li>Mid Rise</li> <li>Apartment</li> <li>Town house</li> <li>Row house</li> <li>Live/Work</li> </ul>	<ul style="list-style-type: none"> <li>Low-Rise Office</li> <li>Under 40,000 sq. ft. single tenant retail footprint Incentive: 60,000 sq. ft.</li> </ul>	<ul style="list-style-type: none"> <li>Sub-Regional Destination</li> <li>Medium Regional Accessibility</li> </ul>		<ul style="list-style-type: none"> <li>Medium-Low Intensity</li> <li>2-5 Stories</li> <li>Incentive: 7 Stories</li> </ul>
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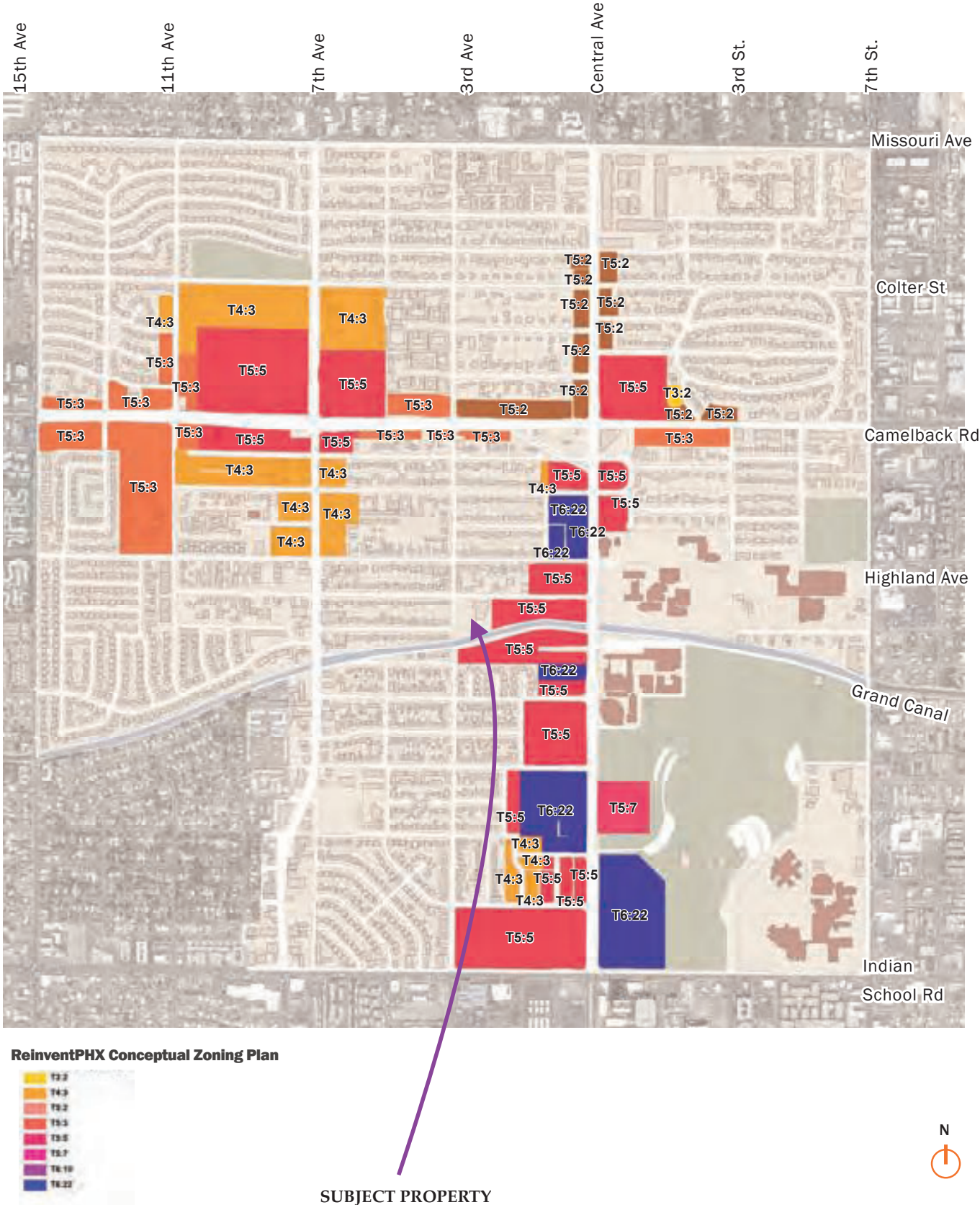
### CENTRAL AVENUE & CAMELBACK ROAD

	Historic Neighborhood Center	<ul style="list-style-type: none"> <li>Primarily Residential</li> <li>Neighborhood serving retail</li> <li>Limited employment</li> </ul>	<ul style="list-style-type: none"> <li>Apartment</li> <li>Town/Row Home</li> <li>Live/Work</li> <li>2 or 3 unit</li> <li>Single Unit</li> </ul>	<ul style="list-style-type: none"> <li>Low-Rise office</li> <li>Under 20,000 sq. ft. single tenant retail footprint</li> </ul>	<ul style="list-style-type: none"> <li>Neighborhood Destination</li> <li>Less Regional Accessibility</li> </ul>		<ul style="list-style-type: none"> <li>Low Intensity</li> <li>2-4 Stories</li> <li>Incentive: 5 Stories</li> </ul>
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### 7TH AVENUE & CAMELBACK ROAD

	Medium Urban Center	<ul style="list-style-type: none"> <li>Balanced Commercial &amp; Residential</li> <li>Retail Destination</li> <li>Entertainment Destination</li> <li>Some Employment</li> </ul>	<ul style="list-style-type: none"> <li>Mid Rise</li> <li>Apartment</li> <li>Town house</li> <li>Row house</li> <li>Live/Work</li> </ul>	<ul style="list-style-type: none"> <li>Low-Rise Office</li> <li>Under 40,000 sq. ft. single tenant retail footprint Incentive: 80,000 sq. ft.</li> </ul>	<ul style="list-style-type: none"> <li>Sub-Regional Destination</li> <li>Medium Regional Accessibility</li> </ul>		<ul style="list-style-type: none"> <li>Medium Intensity</li> <li>3-6 Stories</li> <li>Incentive: 10 Stories</li> </ul>
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# EXHIBIT III



**From:** [DIANE L MIHALSKY](#)  
**To:** [Mayor Gallego](#); [Council District 1 PCC](#); [Council District 2 PCC](#); [Council District 3 PCC](#); [Council District 4](#); [Council District 5 PCC](#); [Council District 6 PCC](#); [Council District 7 PCC](#); [Council District 8 PCC](#); [Nick Klimek](#)  
**Subject:** Z-56-20-4 (scheduled for 4/7 at 2:30 p.m., item 114)  
**Date:** Monday, April 5, 2021 10:16:08 AM

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My name is Diane Mihalsky. I have lived at 304 W. Campbell Ave., across the canal from Trinsic's proposed development, since 1986. This is the first time I have ever formally opposed a proposed development.

I oppose Trinsic's request for Walkable Urban ("WU") Code T5:5 zoning because the proposed 56' high project (4 stories + a mezzanine) with 10' setbacks is too tall and has insufficient setbacks to fit in with the mostly single-story homes with large, lush irrigated lots on two sides of the proposed development under the City's own WU Code. The development will line Trinsic's pockets while undermining the long-term efforts and investment of homeowners adjacent to and near the property. The WU Code recognizes the value that established, vibrant small scale neighborhoods bring to the City. Trinsic will sell its property and move on, while those of us who are most invested in the neighborhood will be stuck with the detritus of the City's zoning mistake. Potential residents are not looking to purchase or move into properties across the street from such an imposing and glaringly inappropriate structure.

Because the proposed project does not comply with the WU Code, I do not understand why staff approved Trinsic's application. On January 26, 2021, the Alhambra Village Planning Committee ("VPC") also approved Trinsic's request for rezoning in a 15-1-0 vote. On March 12, 2021, I filed an ethics complaint against Charley Jones, a member of the Alhambra VPC, because he voted to grant Trinsic's application, even though he owned and was attempting to sell for a substantial profit three small commercial properties up the street. These properties' value has been increased by the Alhambra VPC's and Planning Commission's preliminary grant of Trinsic's rezoning application. As of this date, my ethics complaint is still pending. I have been told that the City Council will consider the ethics complaint a week after it determines the merits of Trinsic's application.

I am confounded by the City's scheduling of consideration of the ethics complaint after the rezoning application. Charley Jones' conflict of interest taints the entire proceeding. If the City Council determines to grant Trinsic's rezoning application, despite Trinsic's failure to comply with the WU Code and Charley Jones' involvement in the City's adjudication of Trinsic's application, the Council will perform a grave disservice to the homeowners who have done their best to make Uptown a desirable place to live. We support the City's desire to bring 170,000 new residents within a 30-minute drive of the light rail. But there are more appropriate ways to increase housing along the light rail that complies with the WU Code, respects current residents, and reflects the area's historic status. Not only have local homeowners accepted many other larger developments in the area, but if the City allowed them to build accessory mother-in-law suites or guesthouses on their properties, owners who are committed to the area would build many more rental units than the 218 units that Trinsic proposes to build.

Thank you for considering this email.





## Attachment D

### REPORT OF PLANNING COMMISSION ACTION May 6, 2021

ITEM NO: 15	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	<b>Z-56-20-4 (Aura Uptown PUD)</b>
Location:	Southeast corner of 3rd Avenue and Coolidge Street
From:	R-3 and R-5
To:	PUD
Acreage:	3.29
Proposal:	Planned Unit Development for multifamily residential
Applicant:	T. Gosselink, Trinsic Residential Group
Owner:	Donor Network of Arizona
Representative:	Jason Morris, Withey Morris, PLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation: Did not hear request for PUD.

Planning Commission Recommendation: Approval, per the Addendum A Staff Report with a modified stipulation and additional stipulations.

#### Motion Discussion:

Commissioner Howard made a MOTION to approve Z-56-20-5, per Addendum A of the Staff Report.

Commissioner Johnson made a substitute motion to approve Z-56-20-5, per Addendum A of the Staff Report with additional stipulations to include that 20 percent open space (including the canalscape) be required; that half the existing trees along the perimeter of the site must be salvaged, and if unsalvageable then replaced with a minimum four-inch caliper tree or two, two-inch caliper trees; and a modification of the maximum height on the north and west property lines to 48 feet.

Commissioner Busching asked for a friendly amendment to increase the landscape setback along the south property line.

Commissioner Johnson did not accept the amendment and responded that the increase in open space will result in additional landscaping.

Commissioner Busching agreed.

Ms. Racelle Escolar asked for clarification on the motion.

Commissioner Johnson clarified that his motion is to approve Z-56-20 per Addendum A of the Staff Report and added stipulations to require that the developer increase the open space,



which includes the canalscape to 20 percent, with 75 percent being public open space, that at least half of the existing trees shall be salvaged along the perimeter of the property and if unsalvageable to replant a minimum four-inch caliper tree or two, two-inch caliper trees, and that the maximum building height be 48 feet on the north and west property lines.

Ms. Escolar responded that the additional open space stipulation would be an amendment to the PUD Development Standards to change it from 10 percent to essentially 15 percent for publicly accessible open space and 5 percent general open space (including the canalscape). She verified that the additional stipulation for salvaging trees would be for the existing trees on the north and west property lines and stated that the provision can be added to the landscape section of the PUD. She asked if the height limitation of 48 feet was only for the units along the north and west or for a specific segment of the portions of the buildings.

Commissioner Johnson stated that the buildings on the south and east can go up to 56 feet and the buildings on the north and west can go up to 48 feet.

Ms. Escolar verified that the maximum height requirements in the PUD Development Standards, can be modified to limit the building height of the units along the north and west portions of the building to 48 feet in height.

Commissioner Busching seconded the substitute motion.

Commissioner Gorraiz stated that he was in opposition to the substitute motion due to the significant increase in open space and number of changes.

Commissioner Gaynor explained that this is a recommendation and City Council can accept or deny the recommendation and feels comfortable with the motion.

Vice-Chairperson Howard stated the site is an infill site and open space is difficult to come by without using units and economically can be difficult.

Motion details: Commissioner Johnson made a MOTION to approve Z-56-20-5, per Addendum A of the Staff Report with additional stipulations to update the PUD Narrative to require 15 percent publicly accessible open space and 5 percent general open space (including the canalscape), and requiring that half of the trees along the north and west perimeter be salvaged, and if unsalvageable to be replaced with a four-inch caliper tree or two, two-inch caliper trees; and a modified stipulation to limit the building height of the units along the north and west portions of the building to 48 feet in height, and the remaining portions of the building can be 56 feet.

Maker: Johnson  
Second: Busching  
Vote: 6-3 (Gorraiz, Howard, Perez)  
Absent: None  
Opposition Present: Yes

#### Findings:

1. The proposal is consistent with the General Plan Land Use Map designation of Residential 15+ Dwelling Units Per Acre and the TOD Strategic Policy Framework Minor Urban Center Place Type designation.

2. The development advances the vision and recommendations contained in the Uptown Transit Oriented Development Plan and will support pedestrian oriented development near the light rail and multiple urban bikeways.
3. The proposal will create additional housing options for the significant number of residents in the Uptown TOD District.

Stipulations:

1. ~~The south facing mass of the building(s) oriented to the Grand Canal shall incorporate Walkable Urban Code Frontage Types described in Section 1305 for a minimum 40 percent of the building face(s), as approved by the Planning and Development Department. For the purpose applying the above provisions, the above shall be treated as a Secondary Frontage with regard to glazing.~~

AN UPDATED DEVELOPMENT NARRATIVE FOR THE AURA UPTOWN 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 APRIL 29, 2021, AS MODIFIED BY THE FOLLOWING STIPULATIONS:

- A. FRONT COVER: REVISE THE SUBMITTAL DATE INFORMATION ON THE BOTTOM TO ADD THE FOLLOWING: CITY COUNCIL ADOPTED: [ADD ADOPTION DATE].
- B. PAGE 8, DEVELOPMENT STANDARDS TABLE, BUILDING HEIGHT: MODIFY BUILDING HEIGHT STANDARD TO READ AS FOLLOWS: A ~~MAXIMUM HEIGHT OF 48 FEET FOR ALL BUILDINGS EXCEPT FOR THE PARKING GARAGE WHICH SHALL BE A MAXIMUM HEIGHT OF 56 FEET.~~

**NORTH STREET FRONTAGE/WEST STREET**  
**FRONTAGE: 48 FEET**  
**(UNITS ALONG THE NORTH AND WEST)**

**EAST FRONTAGE/SOUTH FRONTAGE: 56 FEET**

- C. PAGE 8, DEVELOPMENT STANDARDS TABLE, MINIMUM OPEN SPACE: MODIFY MINIMUM OPEN SPACE STANDARD TO READ AS FOLLOWS:

**15% PUBLICLY ACCESSIBLE OPEN SPACE**  
**5% GENERAL OPEN SPACE**  
**(INCLUDING CANALSCAPE)**

- GD. PAGE 9, LANDSCAPE DEVELOPMENT STANDARDS TABLE, CANALSCAPE; MODIFY THE FIRST BULLET POINT TO READ AS

FOLLOWS: A PUBLICLY ACCESSIBLE LANDSCAPED GREENSPACE AREA SHALL BE PROVIDED ADJACENT TO THE ARIZONA GRAND CANAL TRAIL ON THE SOUTH SIDE OF THE PROPERTY. AT MINIMUM, THE GREEN SPACE AREA WILL MEASURE 4,800 SQUARE FEET, 15 FEET IN DEPTH FOR A DISTANCE OF 260 FEET, 7 FEET IN DEPTH FOR A DISTANCE OF 70 FEET, AND SHALL BE GENERALLY CONSISTENT WITH THE LANDSCAPE PLAN IN EXHIBIT 7. A MINIMUM OF 3 PEDESTRIAN AMENITIES, WHICH COULD INCLUDE BUT ARE NOT LIMITED TO, BENCHES AND SHADE CANOPIES SHALL BE PROVIDED WITHIN THE LANDSCAPE AREA.

**E. PAGE 9, LANDSCAPE DEVELOPMENT STANDARDS TABLE, STREETSCAPE (COOLIDGE STREET AND 3RD AVENUE FRONTAGES); ADD A BULLET POINT TO READ AS FOLLOWS: HALF OF THE TREES ALONG THE NORTH AND WEST PERIMETER SHALL BE SALVAGED, AND IF UNSALVAGEABLE THEY MUST BE REPLACED WITH A MINIMUM 4-INCH CALIPER TREE OR TWO 2-INCH CALIPER TREES.**

- ~~2. The south facing mass of the building(s) oriented to the Grand Canal shall contain architectural embellishments, design detailing, and / or space programming to activate and provide visual access onto the canal, as approved by the Planning and Development Department. Examples of appropriate enhancements may include textural changes, offsets, recesses, variation in window size and location, overhang canopies, balconies with a depth greater of than 3 feet, and amenities such as gathering spaces.~~
- ~~3. Between the southern mass of the building and the south property line (the Grand Canal right of way), the developer shall plant minimum 3 inch caliper, large canopy shade trees, at a minimum frequency of 25 feet on center or in equivalent groupings, as approved or modified by the Planning and Development Department.~~
- ~~4. The provisions of Section 1310.A.2 of the Phoenix Zoning Ordinance shall apply to require shaded open space of which a minimum 50 percent shall be situated adjacent to the south property line (the Grand Canal right of way), as approved or modified by the Planning and Development Department.~~
- ~~5. No solid perimeter wall greater than 36 inches in height shall be oriented to and located within 30 feet of the south property line (the Grand Canal right of way), as approved by the Planning and Development Department.~~
- ~~6. The developer shall provide traffic calming to slow vehicle traffic exiting the property with specific regard to pedestrian safety on the public sidewalk, as approved by the Planning and Development Department.~~
- ~~7. The developer shall provide a minimum of two direct and accessible pedestrian connections from the amenity areas located south of the building mass to the shared use path along the Grand Canal Trail, as approved by the Planning and Development Department.~~

8. ~~The developer shall provide and maintain the following bicycle infrastructure as described below and as approved by the Planning and Development Department.~~
- a. ~~A bicycle repair station (fix-it station) along the southern edge of the site, visible, and accessible from the public sidewalk and / or the Grand Canal Trail. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while adjusting the bike.~~
  - b. ~~All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.~~
  - c. ~~Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1306.H. of the Phoenix Zoning Ordinance.~~
- 9.2. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
- 10.3. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. 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 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 shall be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.
  - c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.
- 11.4. 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.

- 12.5. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
- 13.6. 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.
- 14.7. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.

## Attachment E

### CITY OF PHOENIX PLANNING AND DEVELOPMENT DEPARTMENT

<b>FORM TO REQUEST PC to CC</b> <b>I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:</b> <b>MAY 19, 2021</b>							
<b>APPLICATION NO/ LOCATION</b>	<b>Z-56-20-4</b> Southeast corner of 3rd Avenue and Coolidge Street	<b>(SIGNATURE ON ORIGINAL IN FILE)</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border: 1px solid black; padding: 5px; text-align: center;"><b>opposition</b></td> <td style="width: 10%; border: 1px solid black; padding: 5px; text-align: center;"><b>x</b></td> <td style="width: 33%; border: 1px solid black; padding: 5px; text-align: center;"><b>applicant</b></td> <td style="width: 24%; border: 1px solid black; padding: 5px;"></td> </tr> </table>		<b>opposition</b>	<b>x</b>	<b>applicant</b>	
<b>opposition</b>	<b>x</b>	<b>applicant</b>					
<b>Phoenix, AZ 85013</b>	PC 5/6/2021  <small>PC DATE</small>	308 West Coolidge Street Phoenix, AZ 85013  <small>STREET/ADDRESS/CITY/STATE/ZIP</small>					
<b>TO PC/CC HEARING</b>	CC 5/19/2021  <small>CC DATE</small>	Ron Szematowicz 602-748-5607 pjharveytrack12@yahoo.com  <small>NAME / PHONE / EMAIL</small>					
<b>REASON FOR REQUEST:</b>  We do not agree with the stipulations of the PUD from the Planning Commission. We want further negotiations under the PUD.							
<b>RECEIVED BY:</b>	Kim Steadman	<b>RECEIVED ON:</b>	5/7/2021				

Alan Stephenson  
 Joshua Bednarek  
 Tricia Gomes  
 Racelle Escolar  
 Stephanie Vasquez  
 David Urbinato  
 Vikki Cipolla-Murillo

Danielle Jordan  
 Ra'Desha Williams  
 Nick Klimek  
 Samantha Keating  
 Paul M. Li  
 Applicant





City of Phoenix

# CITY OF PHOENIX

MAY 07 2021

The **PLANNING COMMISSION** agenda for May 6, 2021 is attached.

Planning & Development

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without a hearing unless:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

There is a \$630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. May 13, 2021.

Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. May 13, 2021.

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. May 13, 2021.

The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an \$830.00 fee due from the applicant within fourteen (14) days by 5:00 p.m. May 20, 2021.

## FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

2-56-20-4

APPLICATION NO.

6-6-21

DATE APPEALED FROM

☒ OPPOSITION  
☐ APPLICANT

32A Ave & COOLIDGE St.

LOCATION OF APPLICATION SITE

Kim Steadman

PLANNER

(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL.

RON SZEMATOWICZ  
PRINTED NAME OF PERSON APPEALING

308 W. COOLIDGE ST.  
STREET ADDRESS

PHOENIX AZ 85013  
CITY, STATE & ZIP CODE

PJHARVEYTRACK12@yahoo.com  
EMAIL ADDRESS

REASON FOR REQUEST

We don't agree with the stipulations of the PUD  
APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER  
from the planning commission. We want for  
further negotiations under the PUD.

## Attachment F

Racelle Escolar

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**From:** Olga Petkova <olgapetkova@hotmail.com>  
**Sent:** Thursday, May 6, 2021 11:47 AM  
**To:** PDD Planning Commission  
**Subject:** In opposition/z-54-20-4

Dear members of the planning commission,

As of this morning at 11am May 6th, members of the opposition still have not seen the new site plans. We have asked for a continuance and we are surprised it has not been granted as of yet seeing how we are expected to take a stance at tonight's meeting. The PUD was remanded from City Council skipping normal steps (including Alhambra) which would have allowed us to have ample time to review the new site plans and documents. We have not asked for a single continuance up to this point.

We are hoping the PUD can work as it has the potential to benefit everyone including the city's vision of the Grand Canal-scape. As the PUD stands, it does not work for the neighborhood. It is still very close to the WU T5:5 in density, vehicles, units, height of the parking garage, and lack of appropriate parking spaces.

Trinsic has gained 45 units from the R3/R5. They have gone from 218 to 210 with 165 being the maximum are R5 would allow. That is not a compromise. They have gained a 56 foot parking structure but they have REDUCED the number of parking spots since the City Council Meeting from 303 to 292. At 266 beds (210 units), that leaves 26 parking spots for couples and guests. That is unacceptable as this development is deep within our neighborhood. We agreed to 20 foot setbacks with the understanding we were gaining 8 to 10 feet in setbacks (north and west sides) from the previous rendering but this does not look to be the case based on a graphic that was sent to us a day ago. We need to see those site plans.

If you have not received ample letters of opposition, it is because we were trying to work with the PUD but at this point Trinsic is content with what they have and will not further reduce their density. The Dwelling Unit Density maximum for an R5 with bonuses is 52.20. Currently Trinsic is at a dwelling urban density of 63.63. In order for the Dwelling Urban Density to be at the maximum R5 with bonuses, Trinsic would have to bring their unit count down to 173.

210 units / 3.3 gross acres = 63.63 dwelling unit density  
174 units / 3.3 gross acres = 52.72 dwelling urban density

We are open to working with this PUD as we do believe it could benefit all parties involved, but as of right now it hurts the neighborhood and we are forced to look back at the R3/R5. If we could get further concessions on unit counts/ parking spots in the PUD we could come back to the table. Without seeing a site plan, you are allowing us to go into this blind.

Please give us our continuance,

Olga Petkova

Sent from my iPhone

## Racelle Escolar

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**From:** Ivo Petkov <ivokpetkov@gmail.com>  
**Sent:** Thursday, May 6, 2021 11:50 AM  
**To:** PDD Planning Commission  
**Subject:** In opposition / z-56-20-4

Dear members of the planning commission,

As of this morning at 11am May 6<sup>th</sup>, members of the opposition still have not seen the new site plans. We have asked for a continuance and we are surprised it has not been granted as of yet seeing how we are expected to take a stance at tonight's meeting. The PUD was remanded from City Council skipping normal steps (including Alhambra) which would have allowed us to have ample time to review the new site plans and documents. We have not asked for a single continuance up to this point.

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Please give us our continuance,

Ivo Petkov

Sent from my iPhone

## Racelle Escolar

---

**From:** nancygmcmillan@q.com  
**Sent:** Thursday, May 6, 2021 12:25 PM  
**To:** PDD Planning Commission  
**Subject:** RE: 3rd Av & Coolidge project

Sorry need to state need a continuance until we can see site plans and discuss with our neighborhood

---

**From:** nancygmcmillan@q.com <nancygmcmillan@q.com>  
**Sent:** Thursday, May 6, 2021 12:20 PM  
**To:** 'pdd.planningcomm@phoenix.gov' <pdd.planningcomm@phoenix.gov>  
**Subject:** 3rd Av & Coolidge project

Team,

I hope all is well? I am writing regarding the project development on 3<sup>rd</sup> Av & Coolidge. We were unaware that if we opposed or approved that we were to email you all.

My name is Nancy G. McMillan and I live at 151 W Mariposa St, Phoenix, AZ 85013. While I appreciate the PUD recommendation from Laura we have some concerns.

I am in opposition for the following reasons:

- Have not seen plan or site plans after the original was declined
  - Things that were recommended we have no way to verify
  - For example we got some pictures of the new proposal, but there are no setbacks
- TRAFFIC
  - No traffic study done and this is a major concern
- Parking
  - While everyone says permit parking is going to be done this is the responsibility of the neighborhood not the developer and council
  - They have supposedly decreased parking which is unacceptable especially if a taller unit
  - Need to make sure they have plenty of visitor parking
- Setbacks
  - They are not shown in the pictures we have received
  - Setbacks should be 33' wide and grass over the 16'6" grassed over
- THIS IS NOT AN ARTERIAL ROAD
  - These size and types of apartments are appropriate for arterial roads not internal to a neighborhood
  - This should not be any higher than other apartments in the neighborhood

I think this is enough for now.

Nancy,



Virus-free. [www.avg.com](http://www.avg.com) [avg.com]  
[avg.com]

## Racelle Escolar

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**From:** Tania Bachelot <tania.bachelot@gmail.com>  
**Sent:** Thursday, May 6, 2021 2:34 PM  
**To:** Racelle Escolar; PDD Planning Commission

Dear members of the planning commission,

As of this morning at 11am May 6<sup>th</sup>, members of the opposition still have not seen the new site plans. We have asked for a continuance and we are surprised it has not been granted as of yet seeing how we are expected to take a stance at tonight's meeting. The PUD was remanded from City Council skipping normal steps (including Alhambra) which would have allowed us to have ample time to review the new site plans and documents. We have not asked for a single continuance up to this point.

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Please give us our continuance,

Kind regards,

Tania Petkova Bachelot (Sevigne LLC)  
506 W Coolidge street, 85013 Phoenix

**Racelle Escolar**

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**From:** Adam Ghiz <a.ghiz@me.com>  
**Sent:** Thursday, May 6, 2021 2:57 PM  
**To:** PDD Planning Commission  
**Subject:** Opposition to Z56-20-4 (3rd and Coolidge)

I'm writing to voice my opposition to the modified zoning request for z-56-20 3rd ave and Coolidge

This request was remanded down from city council to be modified into a PUD to try and work with the neighborhood to find a compromise.

It was to address four things, density, traffic, parking and setbacks. So far only one of these has been barely touched. The 20 foot setback is now being interpreted to be less than 20 feet from the curb to building, that aren't materially pushing the building back 20 feet from the curb. The intent of which was to aid in privacy of the neighboring single family homes. The units were reduced by 8 which is only a 4% decrease, again not a substantial change from the original plan. Also, apparently the parking has been reduced as well bringing the available parking percentage to nearly the same as the original design. All of this while the garage is still allowed to be 56 feet tall. I ask you, if they have reduced the parking available, why is the garage still higher than the building? Also, if parking concerns were an issue with the original design, why reduce the number of available spots even more?

The other issue with this is that these plans have not been revealed to the public yet and this meeting is today. How can input be given, if the changes have not been made public? We are losing normal steps in the PUD process here and by not giving access to the changes, we are further being infringed upon.

I feel that the neighborhood is asking for reasonable items and there is room to come to an agreement. I also feel that the spirit of the PUD is not being respected nor is it being used the way it was intended

I feel that this leads one to the conclusion that either this request must be extended to a future meeting where these issues can be address in the proper manner, or this must be denied.

Adam Ghiz  
302 W Hazelwood St  
Phoenix, AZ 85013





**Adoption of Ordinance Adding New Chapter 20 to Phoenix City Code  
Establishing Office of Accountability and Transparency (Ordinance G-6851)**

Request approval of the Ordinance adding Chapter 20 to the Phoenix City Code creating the Office of Accountability and Transparency. This item was requested by Mayor Kate Gallego and Vice Mayor Carlos Garcia according to the Council Rules of Proceedings 2(c) **(Attachment A)**.

**Summary**

Adoption of this Ordinance will establish the Office of Accountability and Transparency (OAT) in the City Manager's Office. The OAT will monitor or participate in investigations that are brought forth against members of the Phoenix Police Department. It also will provide recommendations for training, policy, hiring practices, disciplinary actions and other oversight of the Police Department on behalf of the community. This item and draft Ordinance were discussed at a City Council Work Study Session on Sept. 8, 2020, City Council Policy Session on Oct. 13, 2020 and the City Council Formal Meeting on Nov. 18, 2020. The draft Ordinance from Nov. 18, 2020, which defines the role of the OAT Director and outlines the scope and duties of the Director and OAT office is attached **(Attachment B)**.

**Concurrence/Previous Council Action**

City Council approved an item for creation of the OAT on Feb. 25, 2020 by a vote of 5-4. Further Council action has been taken authorizing the first year's budget allocation and creating the staff positions for the OAT. A motion to adopt the Ordinance on Nov. 18, 2020 failed by a vote of 5-4.

**Responsible Department**

This item is submitted by Deputy City Manager Ginger Spencer, the City Manager's Office and the Law Department.



**To:** City Manager Ed Zuercher

**Date:** April 22, 2021

**From:** Mayor Kate Gallego  
Vice Mayor Carlos Garcia

**Subject:** Addition of the Office of Accountability and Transparency to the May 19 Formal Agenda

On February 25, 2020, the City Council voted to create the Office of Accountability and Transparency (OAT). During the 2020 budget process, the City Council then voted to fully fund OAT with a \$3 million allocation. After a series of Work Study Sessions and Policy meetings dedicated to the development of the OAT ordinance, city staff drafted an ordinance to formally establish the office.

We believe the time is right to formally approve the rules to create OAT. We know the council is committed to continuous improvement of all city departments, including the Police Department. This is a request per Council Rule 2(c) to place consideration of the OAT ordinance on the May 19, 2021 Formal agenda.

**Cc:** Phoenix City Council  
Denise Archibald  
Jeff Barton

**ATTACHMENT B**

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

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

**AN ORDINANCE ESTABLISHING THE GOVERNING  
LANGUAGE FOR OFFICE OF ACCOUNTABILITY AND  
TRANSPARENCY BY CREATING A NEW CHAPTER 20  
OF THE PHOENIX CITY CODE; AND ESTABLISHING AN  
EFFECTIVE DATE.**

---

**WHEREAS**, the mission of the Office of Accountability and Transparency (the “OAT”) is to provide for independent review of the Phoenix Police Department; and,

**WHEREAS**, the OAT is hereby created as a new City administrative office under the City Manager; and,

**WHEREAS**, the City is responsive to community requests for independent commendations or registration of a complaint against a sworn member of the Department; and,

**WHEREAS**, the OAT will ensure that a complaint is fairly and objectively resolved either through mutually acceptable mediation or as a result of a thorough and fair investigation. The OAT shall meet these objectives by monitoring or participating in the investigation of use of force, in custody deaths, and other matters of public interest, and by making suggestions regarding discipline; and,

**WHEREAS**, the OAT shall research, analyze, and share information with the Police Chief, City Manager, and community designed to improve the policies, practices, procedures, training, and community engagement activities of the Phoenix Police Department; and,

**WHEREAS**, the OAT shall prepare and provide transparent reports to the public to help educate and inform the community; and,

**WHEREAS**, the OAT will create a team of competent, dedicated, and independent staff to function as a conduit that in the long run shall encourage an environment where the broader community can have greater trust of its police department through increased accountability and transparency.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX AS FOLLOWS:**

**SECTION 1. CHAPTER 20, OFFICE OF ACCOUNTABILITY AND TRANSPARENCY, IS ADDED AS FOLLOWS:**

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## **Chapter 20. OFFICE OF ACCOUNTABILITY AND TRANSPARENCY**

### **Article I. Creation of Civilian Review**

#### **Sec. 20-1. Office of Accountability and Transparency Created.**

- A. The Office of Accountability and Transparency (the "OAT" or "Director" - see definitions) for the City of Phoenix shall consist of a full-time Director with appropriate professional and support staff.
- B. The Director shall have such staff and budget as the city council may prescribe. The Director shall appoint all other staff of the OAT. The appropriations to pay for the expenses of the OAT during each fiscal year shall be determined by the City Council as part of the annual City budget process.
- C. The OAT shall take community complaints or commendations, establish procedures for receiving anonymous complaints, conduct outreach with the community, support services to impacted community members, monitor or participate in some investigations of the Department; make recommendations to the Police Chief regarding administrative action, including possible discipline for the Department; make recommendations regarding policy issues; assist with mediation to resolve disputes; administer a youth outreach program; and address other issues of concern to the community. The scope of all OAT actions must relate to the Department, as outlined in this Chapter.
- D. The OAT shall establish standards of professional conduct and a comprehensive training program for its staff to monitor or participate in investigations of allegations or inquiries received against the Department.

#### **Sec. 20-2. Reserved.**

#### **Sec. 20-3. Reserved.**

### **Article II. Office of Accountability and Transparency**

#### **Sec. 20-4. Appointment, Qualification, and Removal of Director.**

- A. The City Manager shall direct the recruitment for the Director with the assistance of Human Resources or other entity designated by the City Manager.
- B. The Director shall serve at the pleasure of the City Manager. Prior to removal of the Director, the City Manager shall consult with the Civilian Review Board ("Board") in Executive session regarding the intention to remove the Director. However, the City Manager may take any personnel action, including administrative leave or termination, if determined in the best interests of the City, in the City Manager's sole discretion.

## **Sec. 20-5. OAT Staff**

- A. The Director and all staff shall be committed to implementing the provisions of this chapter in an honest, independent and impartial fashion and to upholding public confidence in the integrity of the OAT. OAT staff must strive to avoid all potential conflicts and the appearance of impropriety. Therefore, the City will take into consideration evidence of bias for or against Department, and other experience, in the hiring process.
- B. The Director shall hire OAT staff who shall work under the Director's supervision.
- C. OAT staff are employees of the City of Phoenix and must follow the City personnel rules.
- D. Neither the Director nor any employees in the OAT's office, nor their immediate family members, shall have formerly been employees of any law enforcement agency.
- E. The Director will hire one or more attorneys as staff to advise and represent the OAT with respect to its work, provided:
  - 1. any such attorney is admitted to the bar of the State of Arizona; and
  - 2. any such attorney must not provide legal advice or representation to any department or function of the City of Phoenix other than the OAT; and
  - 3. All financial, personnel and administrative functions of any such attorney shall be under the jurisdiction of the City Manager or Director and shall not be under the jurisdiction of the City Attorney; and
  - 4. Any such attorney cannot have personally participated in a lawsuit against the City of Phoenix or Department within the past ten years.
- F. To retain outside legal counsel to advise and represent the OAT with respect to its work, provided:
  - 1. Counsel is retained pursuant to the standard terms of engagement then used by the City Attorney, including any limitations on fees or costs; and
  - 2. the costs of such representation are paid from the budget of the OAT and not from the budget of the City Attorney; and
  - 3. the Director provides the City Attorney with notice of the engagement, including the firm selected and a copy of the engagement agreement; and
  - 4. in no situation may the OAT use staff counsel or outside counsel in litigation by the Director or OAT against the City.
- G. Nothing in the preceding provisions shall be construed to alter the authority of the City Council or the City Attorney with regard to the defense of claims against the City or individual City defendants, the settlement of monetary or other claims against the City or individual City defendants, or any other powers or duties of the City Attorney.



## **Sec. 20-6. Mandatory Oversight by the OAT**

- A. The OAT shall monitor or participate in any administrative investigation of the incidents set forth below when the investigation is conducted by the Department. The OAT will not participate in criminal investigations.
- B. If the Department investigates any incidents set forth below, the OAT shall monitor or participate in the investigation:
  - 1. Any shooting involving uniformed personnel, whether duty related or not;
  - 2. Any in-custody death;
  - 3. Any duty-related incident during which, or as a result of which, anyone dies or suffers serious bodily injury as that term is defined in A.R.S. § 13-105(39), as it may be amended from time to time; and
  - 4. The OAT shall also monitor or participate in the below investigations. However, if no criminal charges are filed subsequent to an investigation, or such criminal charges are dismissed, the OAT shall have the discretion to monitor or participate in any internal investigation arising from the subject incidents:
    - a. Any incident, whether or not duty-related, in which police department uniformed personnel is under investigation for, or charged with, any crime set forth in A.R.S. tit. 13, Chapters 11, 12, 13 and 14 (offenses against the person, which includes homicide, assault, kidnapping, and unlawful sexual behavior) as they may be amended from time to time; or
    - b. Any incident, whether or not duty-related, in which police department uniformed personnel is under investigation for, or charged by, any jurisdiction with a misdemeanor or local law violation in which a use of force (defined as assaulting, beating, striking, fighting, or inflicting violence on a person) or threatened use of force is an element of the offense.
- C. In addition, the OAT shall monitor or participate in any other internal investigation of possible misconduct by uniformed personnel when requested to do so by the City Manager. The Board or City Manager shall advise the OAT of the reasons why the Board or the City Manager believes the OAT should monitor or participate in the investigation.
- D. The OAT may also make any recommendations to the City Manager or Police Chief regarding the sufficiency of the investigation, determinations as to whether department rules or policies have been violated, and the appropriateness of disciplinary sanctions, if any.
- E. The Department shall as soon as practicable, notify the OAT upon becoming aware of:
  - 1. An incident described in subsection B, or

2. An incident, whether or not duty-related, in which a police department uniformed personnel is under investigation for, or charged by, a jurisdiction with a misdemeanor or felony.

**Sec. 20-7. Discretionary Oversight by the OAT**

- A. The OAT shall have the discretion to monitor or participate in any internal Police Department investigation of any civilian or employee complaint
- B. The OAT shall also have the discretion to monitor or participate in any internal investigation by the Department which the OAT, the City Manager or the Board recommends as in the City's best interest for the OAT to be involved.
- C. Upon exercising discretion to monitor or participate in an investigation identified in subsection A or B, the OAT shall immediately notify the following parties of the investigation:
  1. The Board,
  2. the Police Chief, and
  3. the City Manager.

**Sec. 20-8. Public Reporting by the OAT**

- A. No later than March 15 of each year, the OAT shall submit an annual public report to the City Manager and the Board:
  1. setting forth the work of the OAT during the prior calendar year;
  2. identifying trends regarding complaints, investigations, and discipline of police including, but without identifying specific persons:
    - a. information regarding uniformed personnel who were the subject of multiple complaints,
    - b. complainants who filed multiple complaints, and
    - c. issues that were raised by multiple complaints; and
  3. making recommendations regarding the sufficiency of investigations and the appropriateness of disciplinary actions, if any
  4. recommendations for changes to policies, rules, and training, and
  5. policy rules or training revisions implemented by the Department.
- B. The report shall present information in statistical and summary form, without identifying specific persons, except to the extent that incidents involving specific persons have otherwise been made public by the City of Phoenix.
- C. In addition to the annual report, the OAT shall publish a quarterly status report, which shall be available to the public and which shall include, among other things,

patterns relating to complaints and recommendations regarding the sufficiency of investigations and determinations as to whether department rules and policies have been violated.

- D. Based upon an analysis of reports and other information available to the OAT, the OAT shall make timely recommendations to the Police Chief and the City Manager.
- E. The OAT has the discretion to publish additional public reports throughout the year about matters within the duties of the OAT.

#### **Sec.20-9. Confidentiality**

- A. The OAT, its staff, the Board, and all consultants and experts hired by the OAT shall treat all documents and information regarding specific investigations or officers as confidential except to the extent needed to carry out their duties.
- B. The Director shall not discuss with any person or group, including the members of the Board, the status of any criminal investigation, other than the fact that a criminal investigation has not been completed and any anticipated date by which a criminal investigation may be completed.
- C. The Director, the Board, and all persons who participate in the Police's investigative and disciplinary processes are part of the City's deliberative process regarding investigative and disciplinary procedures for personnel. Furthermore, all deliberations and recommendations learned by any of those persons or groups during the exercise of their duties shall be protected from disclosure to the extent allowable by law.

#### **Sec. 20-10. Internal Investigations**

- A. The Department shall cooperate with the OAT in monitoring or participating in internal investigations, including being present to monitor or participate in interviews of witnesses and persons under internal investigation. The Department shall establish departmental policies regarding that cooperation. The policies shall ensure that the Department provides the OAT with reasonable notice of and opportunity to attend interviews, the opportunity to make recommendations regarding investigations, and reasonable timeframes to complete the steps in the internal investigatory process.
- B. For any investigation that it monitors or participates, the OAT shall review the investigation to ensure that it is thorough and complete.
- C. If the OAT cannot certify that the investigation is thorough and complete, the OAT may recommend that the Department conduct additional investigation. The OAT must be specific in outlining issues it has with the investigation.
- D. If the Department does not complete the additional investigation to the satisfaction of the OAT, the OAT may write a separate recommendation to the Police Chief and City Manager, which is only advisory.

**Sec. 20-11. Role of the OAT in the Disciplinary Process.**

- A. The Department shall cooperate with the OAT in monitoring the disciplinary process. The Department shall establish departmental policies regarding that cooperation. The policies shall ensure that the Department provide the OAT with reasonable notice and opportunity to:
1. Receive notice and opportunity to comment prior to entering agreements, whether written or oral, resulting in the closure of internal investigations or the disciplinary process;
  2. Make recommendations regarding determinations as to whether department rules or policies have been violated;
  3. Make recommendations regarding the appropriateness of disciplinary sanctions, if any;
  4. Furthermore, the policies shall provide for reasonable time frames to complete the steps in the disciplinary process consistent with Arizona law.

**Sec. 20-12. OAT Access to Records and Other Items**

- A. The Department and all City employees shall fully cooperate with the OAT by providing the OAT, within a reasonable amount of time, complete access to records, information, documents, files, reports, evidence, databases, and all other items, whether in paper, electronic, or other form, that the OAT requests in order to perform its duties set forth in the provisions of this Chapter, but not including documents protected by the attorney-client privilege or the attorney work product privilege or any document that must not be disclosed to the OAT pursuant to federal, state, or local law or federal or state regulation.
- B. If, in response to a request from the OAT, records, and information cannot be produced at all or produced within a reasonable amount of time, a written explanation, sufficiently detailed for an understanding of why the records or documents cannot be produced, shall be promptly provided. The OAT shall not be required to pay for copies of the materials set forth in this section, including copies of documents previously supplied by the departments, provided that the OAT may not use those departments as a printing service to make multiple copies of individual documents.
- C. The Department shall provide the OAT with an opportunity to participate in any committee or working groups involving external stakeholders convened to draft or revise policies or practices concerning matters within the OAT's authority.
- D. The Department shall provide the OAT with reasonable notice and an opportunity to make recommendations before implementing an existing or adopting a new substantive policy or practice concerning matters within the OAT's authority. When a policy or practice necessitates an immediate revision

or implementation due to a change in the law, the OAT will be notified as soon as practicable about the change.

- E. If the OAT receives or is in possession of evidence or vital information pertaining to a case under investigation, it must give or communicate that evidence or information to the Department promptly. Evidence must be in the exact same condition that it was received.

#### **Sec. 20-13. Response to OAT Recommendations.**

- A. The OAT shall make recommendations to the Department about matters within the OAT's authority. If requested by the OAT in writing, the Department shall respond in writing within thirty days and shall specify:
  - 1. Either agreement with recommendations or specific reasons for disagreement with recommendations;
  - 2. Plans for implementing solutions to issues identified; and
  - 3. A timetable to complete such activities.
- B. Recommendations made by the OAT and any responses shall be open to inspection except as otherwise not subject to disclosure under state, federal, or local law or regulation.
- C. The City Manager may act as an arbiter between the OAT and Department.

### **Article III. RESERVED**

#### **Sec. 20-14 to Sec. 20-24 – RESERVED.**

### **Article IV. Miscellaneous**

#### **Sec. 20-25. Definitions.**

- A. *City Manager* means the City of Phoenix City Manager or designee.
- B. *Director* means the head of the Office of Accountability and Transparency, or designee.
- C. *OAT* means the Office of Accountability and Transparency and its staff.
- D. *Police Chief* means the Chief of the City of Phoenix Police Department, or designee
- E. *Department* means the City of Phoenix Police Department and any police department uniformed personnel.

**Sec. 20-26. Retaliation prohibited**

- A. No person shall retaliate against, punish, intimidate, discourage, threaten or penalize any other person for reporting misconduct, making a misconduct complaint, conducting an investigation, complaining to officials, providing information, testimony or documents in an investigation or cooperating with or assisting the OAT in the performance of its powers and duties as set forth in this chapter.
- B. Any employee who violates this provision shall be subject to appropriate disciplinary action, up to and including termination from employment.
- C. The remedies specified herein are cumulative and the City Manager, or the City Attorney, may proceed under these or any other remedies authorized by law. In addition to any other authorized remedies, a person who violates any provision of this section shall be guilty of a misdemeanor. Each day of violation may be a separate offense.
- D. The OAT shall develop specialized processes to intake and investigate complaints made by officers within the Department that prefer to remain anonymous. The OAT shall recommend to the City Manager processes to protect potential whistleblowers or informers.



**SECTION 2.** The provisions of this Ordinance shall be effective thirty days from approval by the City Council.

**PASSED** by the City Council of the City of Phoenix this \_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

Denise Archibald, City Clerk

\_\_\_\_\_  
APPROVED AS TO FORM:

Cris Meyer, City Attorney

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

Ed Zuercher, City Manager



**\*\*\*REQUEST TO ADD-ON (SEE ATTACHED MEMO)\*\*\* Amend Prior City Council Declaration Regarding Face Coverings**

Request to revise the Phoenix City Council June 18, 2020, Declaration Regarding Face Coverings to follow newly published guidance from the Centers for Disease Control and Prevention regarding the wearing of face coverings for fully vaccinated persons.

**Summary**

On May 13, 2021 and May 16, 2021, the CDC issued guidance recommending that fully vaccinated persons do not have to wear face coverings, except under certain circumstances, such as in health care settings, traveling, detention facilities, on public transportation, or at a homeless shelter. The guidance also states that persons must comply with business rules and any other federal, state or local regulations. The guidelines recommend vaccination, and that those who are have weakened immunity, or take certain medications, should consult with their doctors.

The City desires to follow CDC guidelines issued on May 16, 2021, and for the City's Declaration to automatically follow any subsequent CDC guidance regarding face coverings. The guidance allows local rules, and the City Manager will continue to have authority to establish rules and procedures for City buildings and employees. The City will also continue to follow federal travel restrictions for buses, light rail, airlines and other public transportation from the Federal Aviation Administration and U.S. Department of Transportation.

**Concurrence/Previous Council Action**

The City Council approved the Declaration Regarding Face Coverings on June 18, 2020, which relates to emergency action in response to the COVID-19 pandemic.

**Responsible Department**

This item is submitted by City Manager Ed Zuercher and the Law Department.

## Attachment A



### City of Phoenix

**To:** Toni Maccarone  
Deputy City Manager

**Date:** May 17, 2021

**From:** Cris Meyer  
City Attorney *CM*

**Subject:** REQUEST TO ADD-ON AN ITEM FOR THE MAY 19 FORMAL AGENDA

The purpose of this memo is to request approval of an add-on item for the May 19, 2021, formal agenda to amend the prior City Council Declaration Regarding Face Coverings to follow May 13, 2021 Centers for Disease Control Guidelines.

Approved by:

*Toni Maccarone*  
Toni Maccarone  
Deputy City Manager

*May 17, 2021*  
Date

## **Attachment B**



### **City of Phoenix**

#### **AMENDED DECLARATION OF PHOENIX CITY COUNCIL REGARDING FACE COVERINGS**

**WHEREAS**, on the March 20<sup>th</sup>, 2020, after due consideration and deliberation, the City Council determined to declare a local emergency under the authority of Phoenix City Code, section 11-3; and

**WHEREAS**, Phoenix City Code, section 11-3 provides that the City Council has the power to declare a local emergency and make, amend, and rescind regulations necessary for emergency management; and

**WHEREAS**, on March 11, 2020, the Governor of the State of Arizona, Douglas A. Ducey, determined that the COVID-19 outbreak presents conditions in Arizona that justified his declaration of a State of Emergency; and

**WHEREAS**, the City has continued to seek health guidance which best serve the residents of the City of Phoenix in responding to the evolving pandemic situation; and

**WHEREAS**, the Center of Disease Control (CDC) issued updated guidance on May 13, 2021 and on May 16, 2021, that fully vaccinated people do not need to wear a mask or physically distance in many settings, except on public transportation, and for detention facilities and homeless shelters; and

**WHEREAS**, health officials recommend a majority of the public be vaccinated to help control the spread of the virus; and

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

**SECTION 1.** The City will follow CDC guidance, and therefore amends the Declaration of the Phoenix City Council Regarding Face Coverings, effective on June 19, 2020, to comply with the May 16, 2021 CDC guidance for people who are fully vaccinated. The City's Declaration regarding the wearing of face coverings shall hereafter automatically be adjusted in accordance with current CDC guidance, as it is issued, regarding the wearing of face coverings.

**SECTION 2.** The City will continue to follow federal guidance for transportation, from the Federal Aviation Administration and U.S. Department of Transportation regulations on public transportation, by policies and guidelines that the City Manager may issue for the airport, buses, and other public transportation.

**SECTION 3.** Exceptions for face coverings will continue to be made under the following circumstances:

- for those who fall into the Centers for Disease Control and Prevention's guidance for those who should not wear face coverings due to a medical condition, mental health condition, developmental disability, or are otherwise covered under the Americans with Disabilities Act; or
- for children under 6 years old; or
- for people whose religious beliefs prevent them from wearing a face covering; or
- for restaurant patrons while they are dining; or
- for individuals exercising outdoors or while walking or exercising with other people from the same household, if social distancing from others who are not your family or household members can be maintained; or
- for engaging in organized group or team sports, exercise, or other physical activities where it is not practicable or feasible to wear a mask or socially distance; or
- in settings where it is not practical or feasible to wear a face covering, including when obtaining or rendering goods or services, such as the receipt of dental services or medical treatments.

**SECTION 4.** The Phoenix City Council has determined that the orders and advisories included in this Declaration are necessary to preserve the peace and order of the City of Phoenix, and to protect life and property and to promote and preserve public safety and welfare.

**SECTION 5.** Businesses may continue to set policies regarding face coverings applicable to their own employees or customers.

**SECTION 6.** The Phoenix City Council orders that enforcement of this Declaration shall continue to be administered by education and an opportunity for compliance, followed by a warning, and a civil citation, only if necessary.

**SECTION 7.** The City Manager shall provide all necessary assistance in executing City Council's Declaration, and amend policies or procedures as needed and to the extent required, within the City Manager's discretion for public buildings, or public City facilities, and City employees.

**PASSED** by the City Council of the City of Phoenix this **19th** day of **May 2021**, and effective immediately.

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Mayor of the City of Phoenix

ATTEST:

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City Clerk

APPROVED AS TO FORM:

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City Attorney



REVIEWED BY:

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City Manager

DRAFT