City of Phoenix

Agenda
City Council Formal Meeting

Meeting Location:
City Council Chambers
200 W. Jefferson St.
Phoenix, Arizona 85003

Thursday, July 1, 2021 **10:00 AM** **phoenix.gov**

*****REVISED June 29, 2021*****
Items Revised: 1, 10-11, 14, 17-18, 21-24; Item Added: 138

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=e9e2943539ae42f72cd563c6dbd63df1a

- 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 182 392 6277# (for English) or 182 935 8067# (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 182 935 8067#. 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 182 935 8067#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

CALL TO ORDER AND ROLL CALL

BOARDS AND COMMISSIONS

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45 **Central Arizona Water Conservation District doing business as Central Arizona Project**

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REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

ADJOURN

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** *1

REVISED ITEM (SEE ATTACHED MEMO) 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 **Date:** July 1, 2021

From: Mayor Kate Gallego

Subject: REVISED* FOR ADD-ON BOARDS AND COMMISSIONS – APPOINTEES

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

Citizens Transportation Commission

Councilwoman Ann O'Brien recommends the following for appointment:

Christina Panaitescu
Ms. Panaitescu is the Grants & Neighborhood Services Supervisor at the City of Goodyear and resident of District 1. She replaces Frank Steinmetz for a term to expire June 30, 2024.

Councilman Jim Waring recommends the following for appointment:

Joan Berry
Ms. Berry is a retired teacher and a resident of District 2. She replaces William Smith for a term to expire June 30, 2024.

Councilwoman Debra Stark recommends the following for reappointment:

David Moody
Mr. Moody will serve his second term to expire June 30, 2024.

Councilwoman Laura Pastor recommends the following for reappointment:

Jose Gabriel Loyola
Mr. Loyola will serve his second term to expire June 30, 2024.

Councilwoman Betty Guardado recommends the following for appointment:

Shannon McBride
Ms. McBride is the Executive Director of 19NORTH and a resident of District 5. She replaces Susan Glawe for a term to expire June 30, 2024.

Councilman Sal DiCiccio recommends the following for appointment:

Michael Infanzon
Mr. Infanzon is a Managing Partner at EPIC Policy Group and a resident of District 1. He replaces Roy Miller for a term to expire June 30, 2024.

Councilwoman Yassamin Ansari recommends the following for appointment:

Carolyn Chatman
Ms. Chatman is a retired sustainability professional and City of Phoenix employee and a resident of District 8. She replaces David Adame for a term to expire June 30, 2024.

Vice Mayor Carlos Garcia recommends the following for appointment:

Jessica Bristow
Ms. Bristow is a Digital Organizer for CHISPA Arizona and a resident of District 4. She fills a vacancy for a term to expire June 30, 2024.

Mayor's Commission on Disability Issues

I recommend the following for appointment as Chair:

Nicole Anderson
Ms. Anderson will serve as Chair of the commission for a term to expire December 31, 2021.

***Mayor's Human Trafficking Task Force**

I recommend the following for appointment:

Stefanie Calens
Ms. Calens is the Board Chair of loveSTRONG Ministries and a resident of District 1.

***Phoenix Business Workforce Development Board**

I recommend the following for appointment:

Karen Carter
Ms. Carter is the Chief of Staff at Terros Health. She fills a Healthcare Business vacancy for a term to expire June 30, 2024.

Dawna Cato
Dr. Cato is the CEO of the Arizona Nurses Association. She fills a Community Based Organization seat for a term to expire June 30, 2022.

Adam Hawkins
Mr. Hawkins is the President of Global External Relations. He replaces Susan Ciardullo in the Small Business category for a term to expire June 30, 2024.

I recommend the following for reappointment:

Nicholas Bielinski
Mr. Bielinski will serve his first full term to expire June 30,2024.

Latasha Causey
Ms. Causey will serve her first full term to expire June 30,2024.

Meghan McGilvra
Ms. McGilvra will be reassigned to a Labor seat for her first full term to expire June 30, 2024.

Luke Tate
Mr. Tate will be reassigned to an Education and Training seat for his first full term to expire June 30, 2024.

Melissa Trujillo
Ms. Trujillo will be reassigned to a Workforce Representative Labor seat and will replace James Frolov for a term to expire June 30, 2022.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 2

(CONTINUED FROM MAY 5, 2021) - Liquor License - The Wine Curator

Request for a liquor license. Arizona State License Application 139287.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 10 - Beer and Wine Store

Location
3818 E. Indian School Road
Zoning Classification: R-5
Council District: 6

This request is for a new liquor license for a wine store. This location was not previously licensed for liquor sales and does not have an interim permit. Package liquor sales is not a permitted use in this zoning district. This business has plans to open in October 2021.

The 60-day limit for processing this application was April 24, 2021. However, the applicant has submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I will abide by all Title 4 liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I am opening a small wine shop for customers to stop in and pick up a bottle of wine."

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

Attachments
Liquor License Data - The Wine Curator
Liquor License Map - The Wine Curator

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

Liquor License Data: THE WINE CURATOR

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	0
Bar	6	4	2
Beer and Wine Bar	7	6	3
Liquor Store	9	3	1
Beer and Wine Store	10	6	3
Restaurant	12	44	17

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	43.40	70.62	84.28
Violent Crimes	7.97	8.01	8.38

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

Property Violation Data

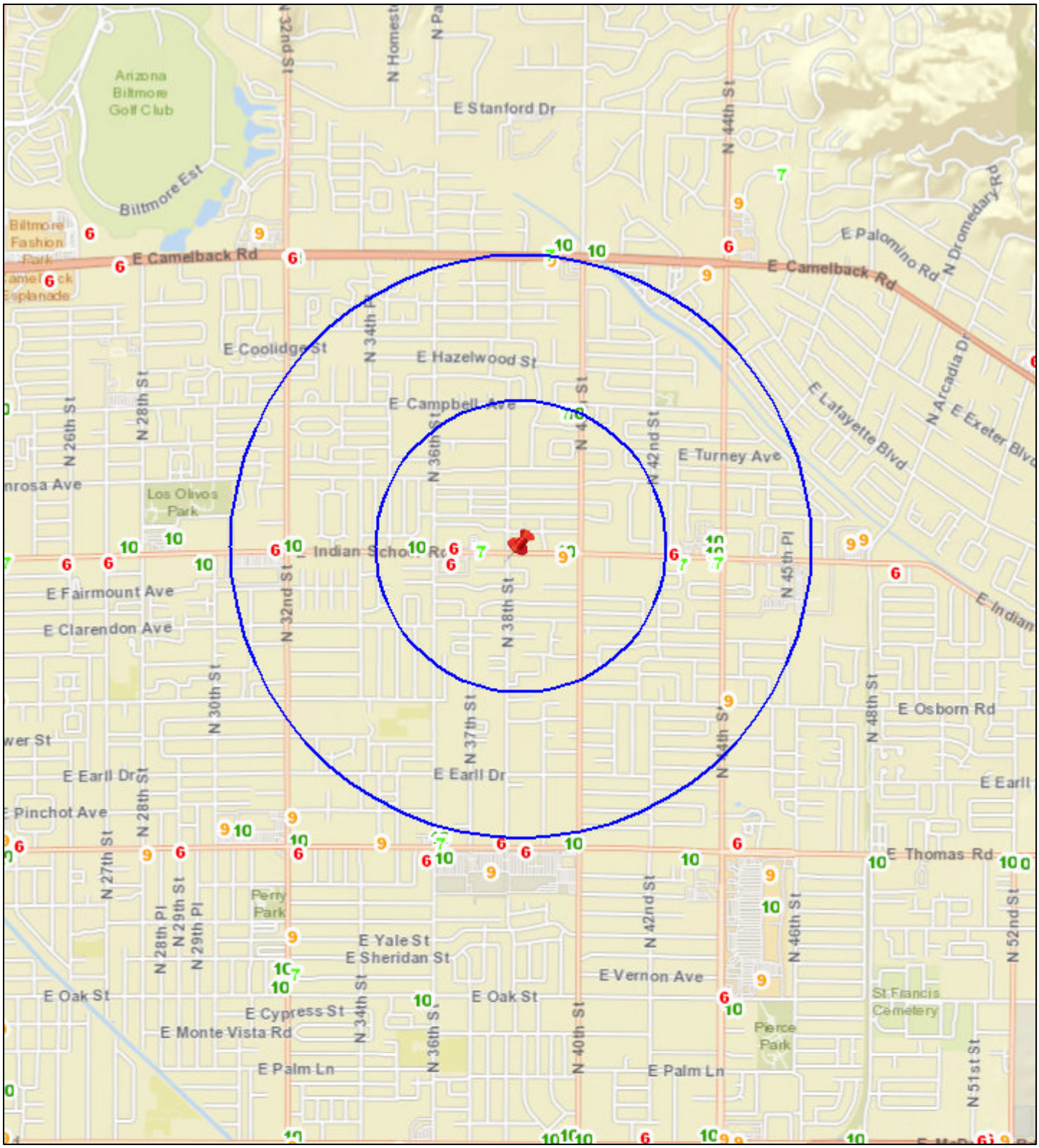
Description	Average	1/2 Mile Average
Parcels w/Violations	59	49
Total Violations	97	82

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1082003	1225	76 %	13 %	17 %
1083013	982	75 %	18 %	1 %
1083021	1229	70 %	16 %	3 %
1083022	1824	50 %	13 %	4 %
1109011	665	96 %	10 %	13 %
1109021	2609	33 %	21 %	40 %
1109022	2224	39 %	7 %	18 %
1110001	781	25 %	11 %	3 %
1110002	1105	63 %	8 %	19 %
Average		61 %	13 %	19 %

Liquor License Map: THE WINE CURATOR

3818 E INDIAN SCHOOL RD



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Date: 2/25/2021

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City Clerk Department

City of Phoenix

To: Toni Maccarone
Deputy City Manager

Date: May 3, 2021

From: Denise Archibald
City Clerk

Subject: REQUEST TO CONTINUE ITEM 8, LIQUOR LICENSE – THE WINE CURATOR, FROM THE MAY 5, 2021, FORMAL CITY COUNCIL AGENDA

The City Clerk Department requests to continue Item 8, Liquor License – The Wine Curator, to the July 1, 2021, Formal agenda. The applicant has filed a written request for additional time from the City of Phoenix and the State of Arizona to address issues related to the location.

Approved by:

Toni Maccarone

Toni Maccarone
Deputy City Manager

May 4, 2021
Date

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 3

Liquor License - Cracker Barrel #334

Request for a liquor license. Arizona State License Application 148468.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
21611 N. 26th Ave.
Zoning Classification: A-1
Council District: 1

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

The 60-day limit for processing this application is July 13, 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.

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 services."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Cracker Barrel is a nationwide restaurant known for its home-style southern cooking in a family-friendly atmosphere. Applicant would like 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 - Cracker Barrel #334
Liquor License Map - Cracker Barrel #334

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

Liquor License Data: CRACKER BARREL #334

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	57.32	64.96
Violent Crimes	8.14	6.63	13.05

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

Property Violation Data

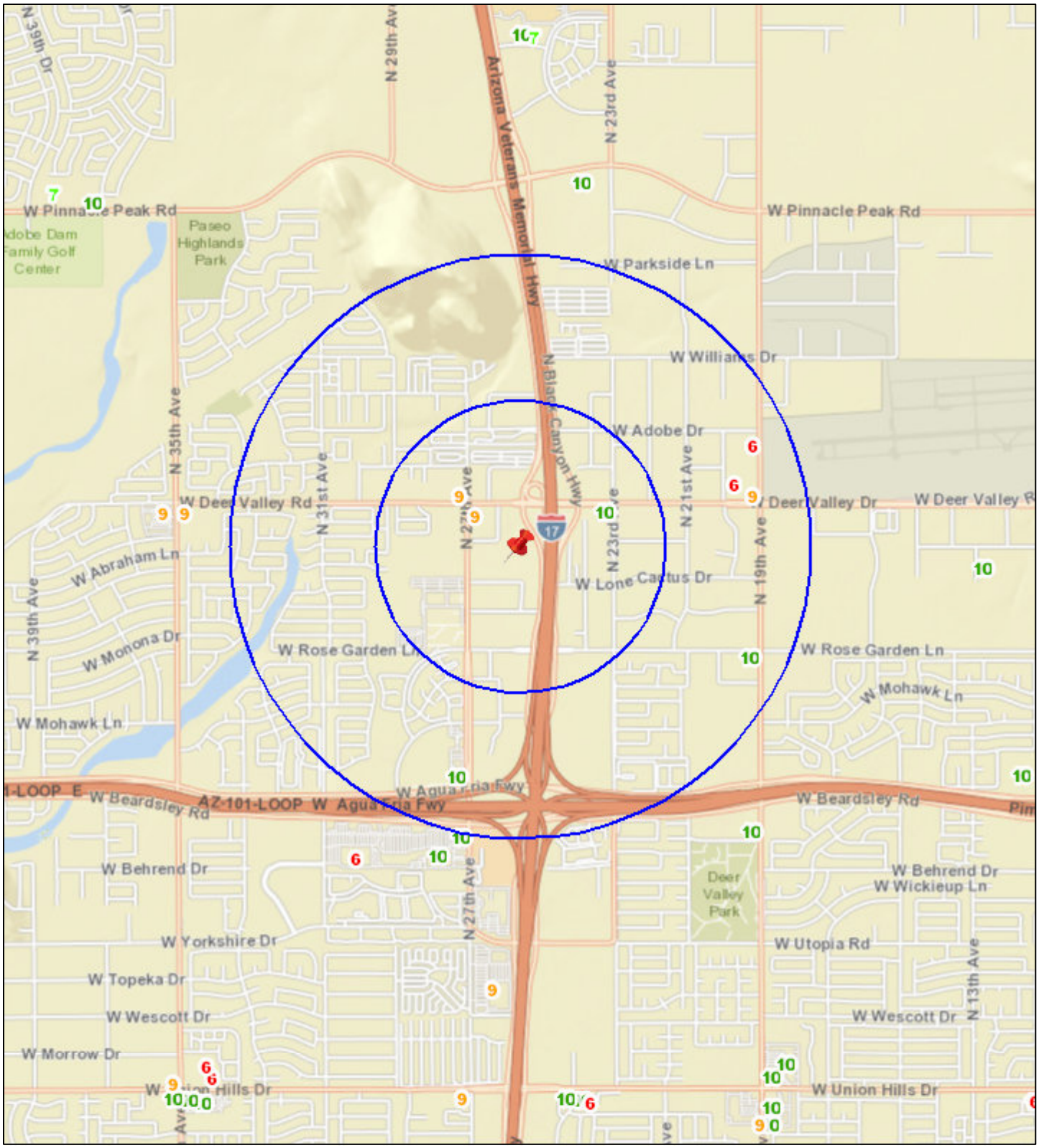
Description	Average	1/2 Mile Average
Parcels w/Violations	55	41
Total Violations	89	78

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6145001	870	87 %	12 %	12 %
6145003	482	62 %	26 %	32 %
6146003	1301	56 %	0 %	0 %
6146005	1209	50 %	9 %	3 %
6146006	953	0 %	29 %	0 %
6147001	287	86 %	29 %	31 %
6147002	1049	17 %	20 %	26 %
6147003	1517	33 %	14 %	14 %
Average		61 %	13 %	19 %

Liquor License Map: CRACKER BARREL #334

21611 N 26TH AVE



N

Date: 5/20/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 4

Liquor License - Eggstasy

Request for a liquor license. Arizona State License Application 150240.

Summary

Applicant
Amy Nations, Agent

License Type
Series 12 - Restaurant

Location
2510 W. Happy Valley Road, Ste. 1248
Zoning Classification: C-2 M-R PCD
Council District: 1

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

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

Eggstasy (Series 12)
20775 N. Pima Road, Q 100, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Eggstasy (Series 12)
6990 E. Shea Blvd., #101, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Eggstasy (Series 12)
2430 S. Gilbert Road, Ste. B1, Chandler
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Eggstasy (Series 12)
10155 E. Via Linda, Ste. H-131, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We are very responsible with our liquor service policies. Our employees go through extensive trainings and we conduct regular audits to ensure they comply."

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

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Eggstasy
Liquor License Map - Eggstasy

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

Liquor License Data: EGGSTASY

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	0
Beer and Wine Bar	7	2	1
Liquor Store	9	3	2
Beer and Wine Store	10	4	3
Hotel	11	2	0
Restaurant	12	16	15

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	35.24	109.44
Violent Crimes	8.14	1.72	4.45

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

Property Violation Data

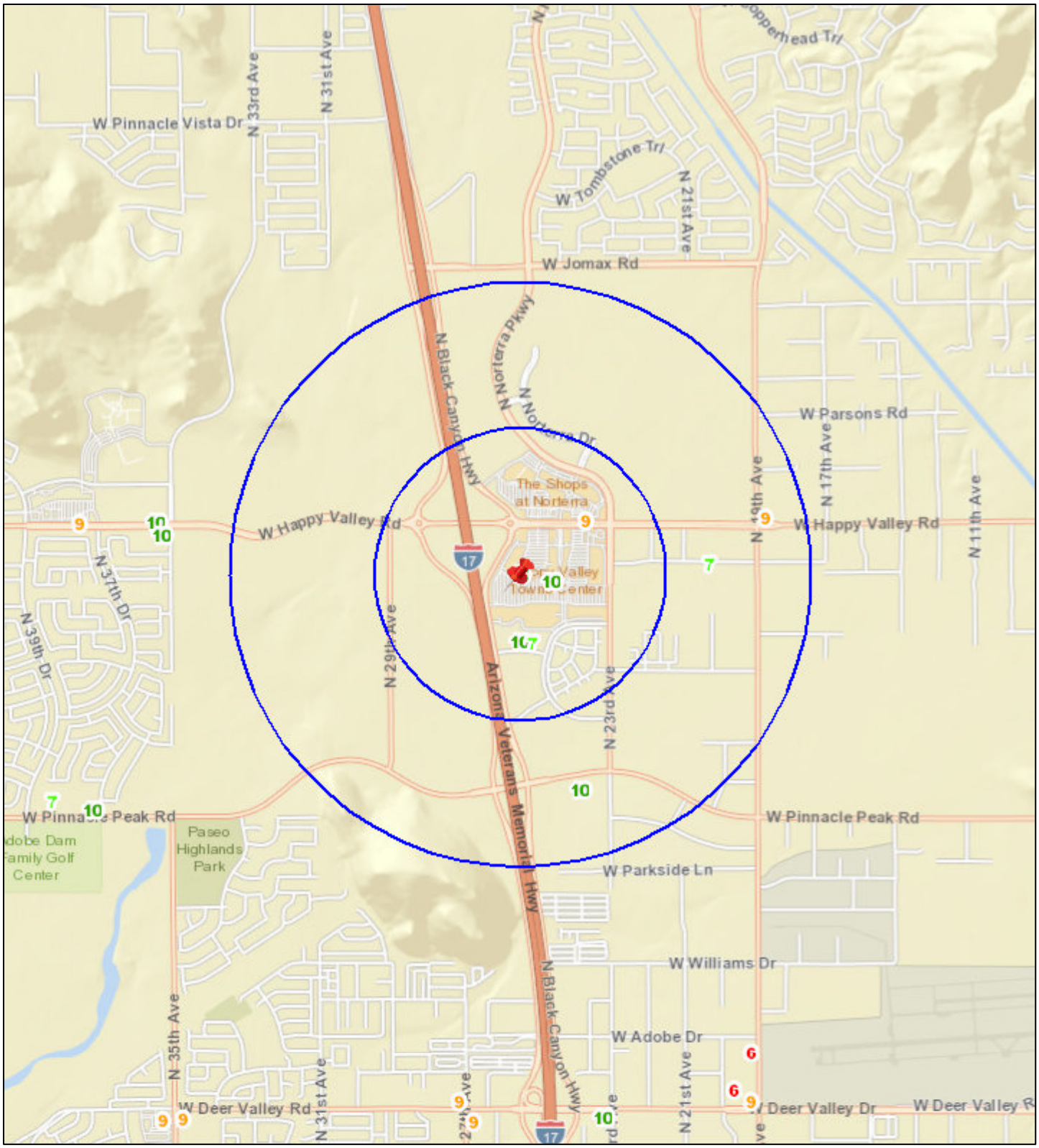
Description	Average	1/2 Mile Average
Parcels w/Violations	55	0
Total Violations	89	0

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6119001	1639	93 %	5 %	0 %
6123001	2199	54 %	6 %	5 %
Average		61 %	13 %	19 %

Liquor License Map: EGGSTASY

2510 W HAPPY VALLEY RD



N

Date: 5/20/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 5

Liquor License - The Spice Sea

Request for a liquor license. Arizona State License Application 150093.

Summary

Applicant
Yong Huang, Agent

License Type
Series 12 - Restaurant

Location
3345 W. Greenway Road
Zoning Classification: C-2
Council District: 1

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

The 60-day limit for processing this application is July 13, 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
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.

Lychee Kitchen (Series 12)
23450 N. 19th Ave., Ste. 103, Phoenix
Calls for police service: 10
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have the capability, reliabilty and qualifications to hold a liquor license because I have been in restaurant management for 20 years and I have completed all liquor training course."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The Spice Sea is a great new seafood boiler restaurant that is family and budget friendly it will be a great addition to the neighborhood."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - The Spice Sea
Liquor License Map - The Spice Sea

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

Liquor License Data: THE SPICE SEA

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	61.75	90.23
Violent Crimes	8.14	8.99	12.73

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

Property Violation Data

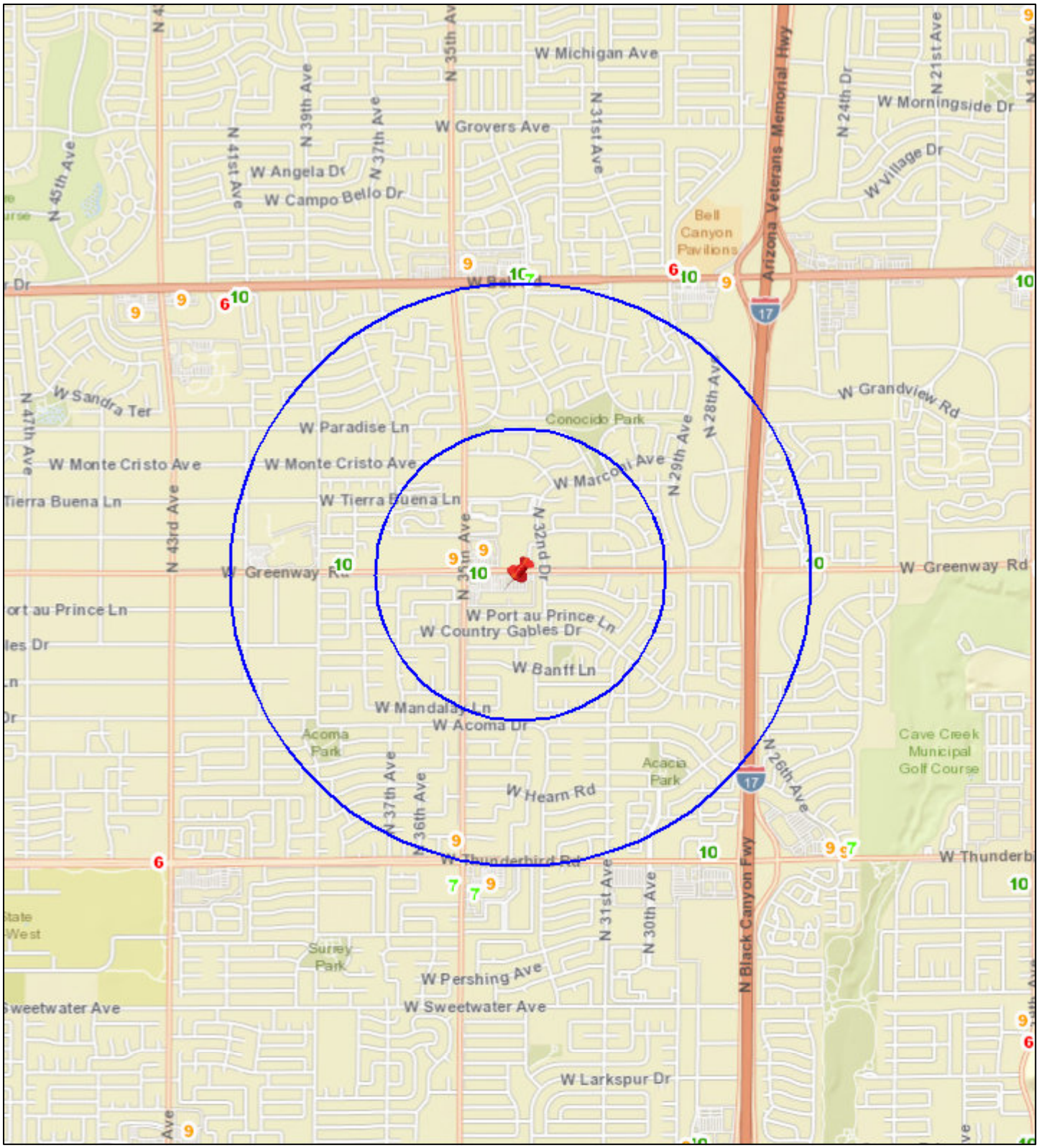
Description	Average	1/2 Mile Average
Parcels w/Violations	55	112
Total Violations	89	146

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1041001	1290	40 %	21 %	11 %
1041004	1847	89 %	14 %	9 %
1042022	2649	87 %	0 %	15 %
1042072	1463	95 %	11 %	5 %
1042073	1396	8 %	4 %	34 %
1042263	658	27 %	17 %	37 %
1042264	1538	92 %	7 %	15 %
Average		61 %	13 %	19 %

Liquor License Map: THE SPICE SEA

3345 W GREENWAY RD



N

Date: 5/20/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 6

Liquor License - Cobblestone Auto Spa & Market

Request for a liquor license. Arizona State License Application 10076532.

Summary

Applicant
Amy Nations, Agent

License Type
Series 10 - Beer and Wine Store

Location
29650 N. Tatum Blvd.
Zoning Classification: C-2 PCD
Council District: 2

This request is for an acquisition of control of an existing liquor license for a convenience store that sells gas. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is July 23, 2021.

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

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interest held by the applicant in the State of Arizona.

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

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

applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because: “We operate multiple Cobblestones throughout the valley. We will continue to abide by Title 4 liquor laws and ensure our employees have the proper training.”

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.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 7

Liquor License - Cobblestone Auto Spa & Market

Request for a liquor license. Arizona State License Application 10073729.

Summary

Applicant
Amy Nations, Agent

License Type
Series 10 - Beer and Wine Store

Location
3739 E. Bell Road
Zoning Classification: C-2 PCD
Council District: 2

This request is for an acquisition of control of an existing liquor license for a convenience store that sells gas. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is July 23, 2021.

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

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

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

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

applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because: “We operate multiple Cobblestones throughout the valley. We will continue to abide by Title 4 liquor laws and ensure our employees have the proper training.”

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.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 8

Liquor License - Sushi Crush

Request for a liquor license. Arizona State License Application 135267.

Summary

Applicant
Aejin Ham, Agent

License Type
Series 12 - Restaurant

Location
6501 E. Greenway Pkwy., Ste. 123
Zoning Classification: PSC PCD
Council District: 2

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in July 2021.

The 60-day limit for processing this application is July 10, 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.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have previously held and responsibly ran a prestigious job with no issues for the past 20 years. In conjunction with that, started and successfuly ran a commercial property business with great respect in the community and maintained clean background as a leader."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We have a passion for serving others and influencing loyal community bonds and business. We have a very family oriented business, and the business will be ran the way as well."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Sushi Crush
Liquor License Map - Sushi Crush

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

Liquor License Data: SUSHI CRUSH

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	0
Beer and Wine Bar	7	1	0
Liquor Store	9	2	2
Beer and Wine Store	10	6	5
Restaurant	12	20	3

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	21.04	30.67
Violent Crimes	8.14	1.35	1.69

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

Property Violation Data

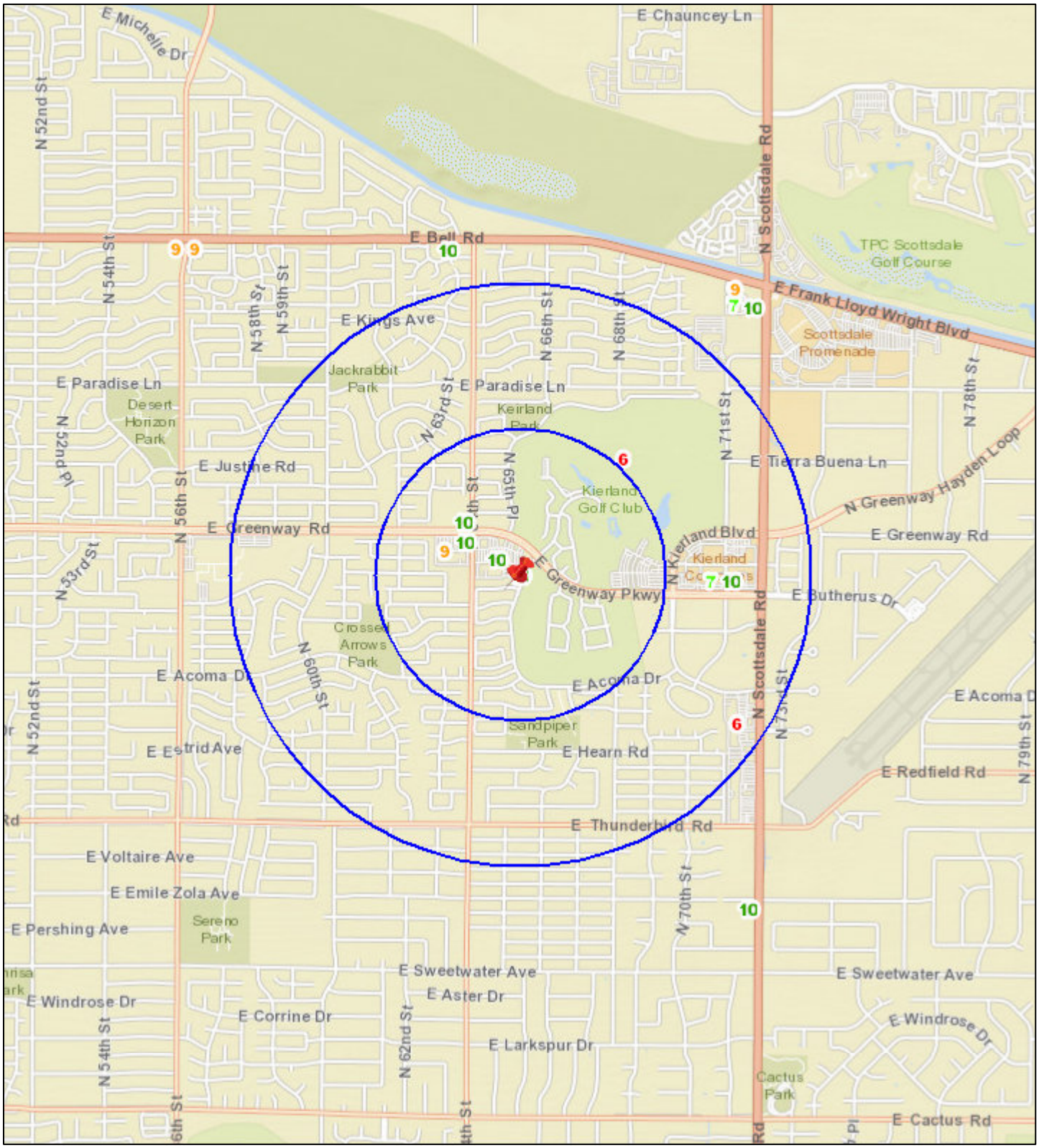
Description	Average	1/2 Mile Average
Parcels w/Violations	55	9
Total Violations	89	14

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1032141	1011	91 %	8 %	3 %
1032142	1878	91 %	9 %	3 %
1032172	1618	82 %	9 %	11 %
1032191	834	44 %	30 %	13 %
1032192	1054	84 %	16 %	2 %
1032201	1364	95 %	15 %	3 %
1032202	513	51 %	32 %	4 %
1032203	1161	0 %	16 %	7 %
Average		61 %	13 %	19 %

Liquor License Map: SUSHI CRUSH

6501 E GREENWAY PKWY



N

Date: 5/18/2021

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City Clerk Department

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 9

Liquor License - Thunderbird Bar & Grill

Request for a liquor license. Arizona State License Application 149877.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
13802 N. Scottsdale Road, Ste. 101
Zoning Classification: PSC
Council District: 2

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow the sale of alcoholic beverages as an accessory use to a restaurant and to allow outdoor dining and alcohol consumption as an accessory use to a restaurant. This business has plans to open in July 2021.

The 60-day limit for processing this application is July 10, 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.

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:
"Have worked in the restaurant industry for several years. Have attended both the Basic and Management Title 4 liquor law training."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Would like to offer our patrons the option to have an adult beverage."

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

Attachments
Liquor License Data - Thunderbird Bar & Grill
Liquor License Map - Thunderbird Bar & Grill

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

Liquor License Data: THUNDERBIRD BAR & GRILL

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	1
Beer and Wine Bar	7	1	0
Beer and Wine Store	10	2	1
Restaurant	12	22	8

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	13.80	19.10
Violent Crimes	8.14	0.76	0.95

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

Property Violation Data

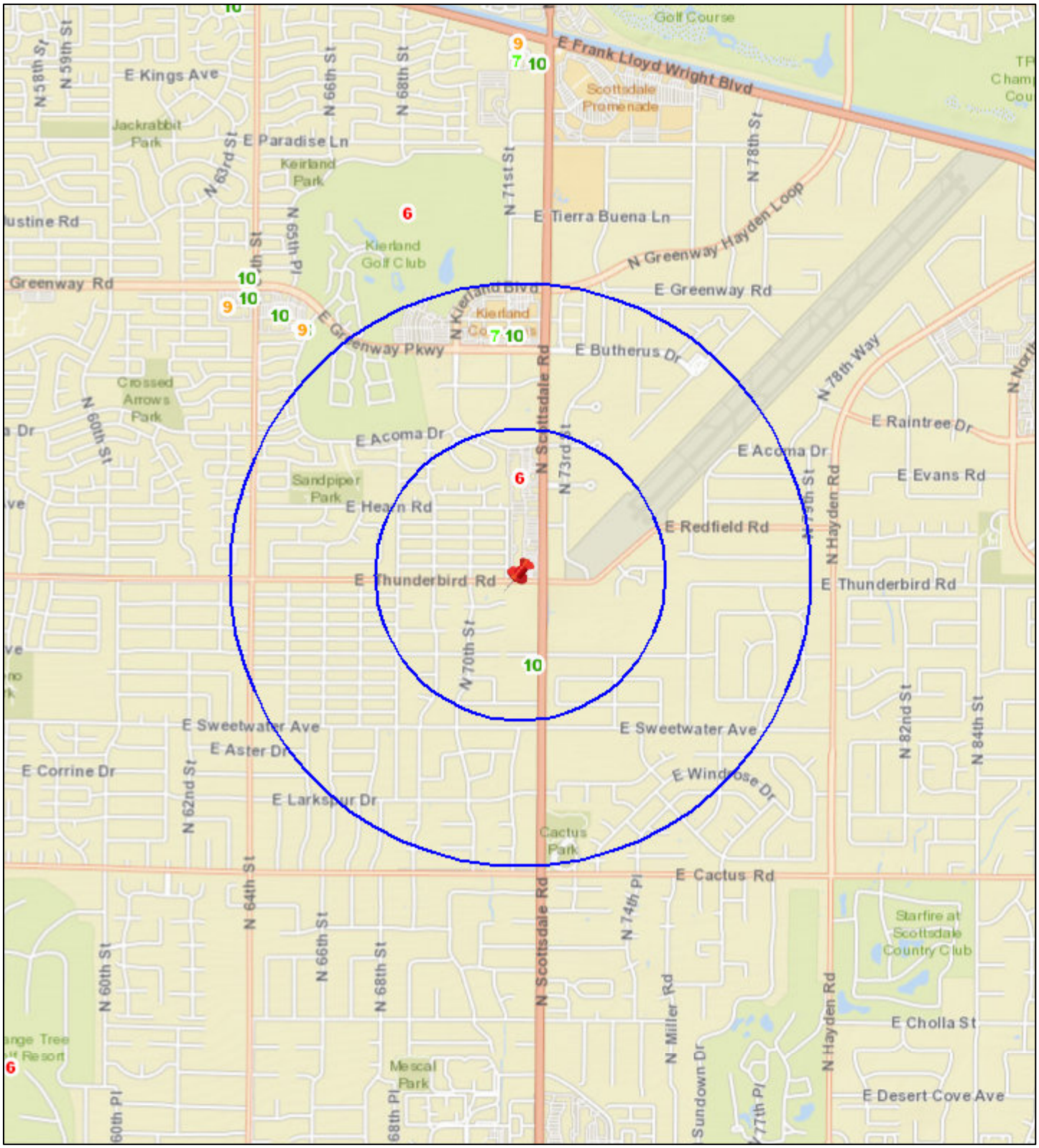
Description	Average	1/2 Mile Average
Parcels w/Violations	55	29
Total Violations	89	36

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1032071	1171	81 %	2 %	3 %
1032072	1401	93 %	2 %	0 %
1032201	1364	95 %	15 %	3 %
1032202	513	51 %	32 %	4 %
2168161	1812	95 %	0 %	4 %
Average		61 %	13 %	19 %

Liquor License Map: THUNDERBIRD BAR & GRILL

13802 N SCOTTSDALE RD



N

Date: 5/14/2021

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City Clerk Department

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** *10

REVISED ITEM (SEE ATTACHED MEMO) Liquor License - Tacos & Tequilas

Request for a liquor license. Arizona State License Application 150120.

Summary

Applicant
Daniel Rowan, Agent

License Type
Series 12 - Restaurant

Location
13216 N. 7th St., Ste. 4
Zoning Classification: C-2
Council District: 3

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This business has plans to open in August 2021.

The 60-day limit for processing this application is July 13, 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
The ownership of this business has an interest in other active liquor license(s) in the

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

Tacos & Tequilas (Series 12)
19401 N. Cave Creek Road, Phoenix
Calls for police service: 39
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I already operate with a liquor license for the past 4 years."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I have over 20 years experience in food and liquor management."

Staff Recommendation
Staff makes no recommends regarding this application pending the completion of departmental reviews.

Attachments
Liquor License Data - Tacos & Tequilas
Liquor License Map - Tacos & Tequilas

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

City of Phoenix

To: Toni Maccarone
Deputy City Manager

Date: June 28, 2021

From: Denise Archibald
City Clerk

Subject: **REVISED STAFF RECOMMENDATION FOR ITEM 10 ON THE JULY 1, 2021 FORMAL AGENDA – TACOS & TEQUILAS**

This item was originally submitted as a no recommendation pending the completion of the departmental reviews. However, staff has changed its recommendation to approval.

APPROVED:

Toni Maccarone

Toni Maccarone

Liquor License Data: TACOS & TEQUILAS

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	22.29	47.23
Violent Crimes	8.14	1.69	4.14

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

Property Violation Data

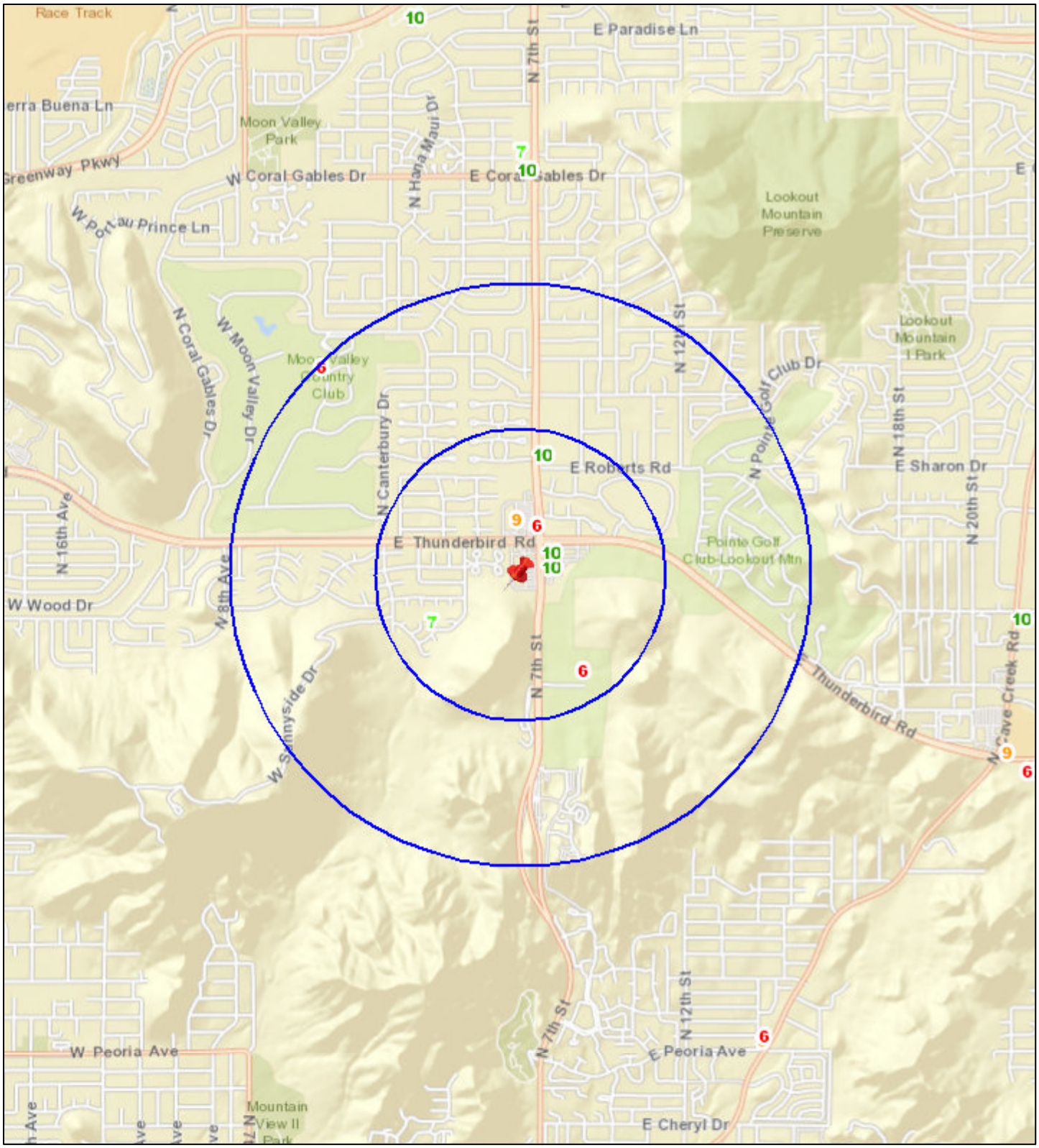
Description	Average	1/2 Mile Average
Parcels w/Violations	55	8
Total Violations	89	11

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1036052	2124	92 %	0 %	3 %
1036053	797	92 %	20 %	1 %
1036113	2247	95 %	0 %	1 %
1036142	1037	91 %	4 %	2 %
1036151	906	52 %	16 %	12 %
1037012	1871	58 %	17 %	5 %
1037023	1050	23 %	4 %	11 %
Average		61 %	13 %	19 %

Liquor License Map: TACOS & TEQUILAS

13216 N 7TH ST



N

Date: 5/20/2021

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City Clerk Department

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** *11

ITEM REVISED (SEE ATTACHED MEMO) Liquor License - Sunshine Market

Request for a liquor license. Arizona State License Application 09070546.

Summary

Applicant
Amy Nations, Agent

License Type
Series 9 - Liquor Store

Location
2302 N. 12th St.
Zoning Classification: C-1 HP CNSPD
Council District: 4

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

The 60-day limit for processing this application is July 17, 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.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The new owners of Sunshine Market have been successful business owners in Phoenix for some time. They look forward to adding Sunshine Market to list of successful businesses. They have hired a qualified manager trained in Arizona Liquor Laws. They will also make sure that their employees are trained as well."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This small grocery store remains an essential stop for residents and has been part of the fabric in the historic Conronado neighborhood. This store has been operational since the 1930's. The new owners are confident that Sunshine Market will continue to be a valuable member of Coronado neighborhood and community."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews.

Attachments
Liquor License Data - Sunshine Market
Liquor License Map - Sunshine Market

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

City of Phoenix

To: Toni Maccarone
Deputy City Manager

Date: June 28, 2021

From: Denise Archibald
City Clerk

Subject: **REVISED STAFF RECOMMENDATION FOR ITEM 11 ON THE JULY 1, 2021 FORMAL AGENDA – SUNSHINE MARKET**

This item was originally submitted as a no recommendation pending the completion of the departmental reviews. However, staff has changed its recommendation to approval.

APPROVED:

Toni Maccarone

Toni Maccarone

Liquor License Data: SUNSHINE MARKET

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	11	1
Beer and Wine Bar	7	1	0
Liquor Store	9	4	1
Beer and Wine Store	10	12	0
Restaurant	12	16	6
Club	14	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	110.03	60.82
Violent Crimes	8.14	23.11	8.06

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

Property Violation Data

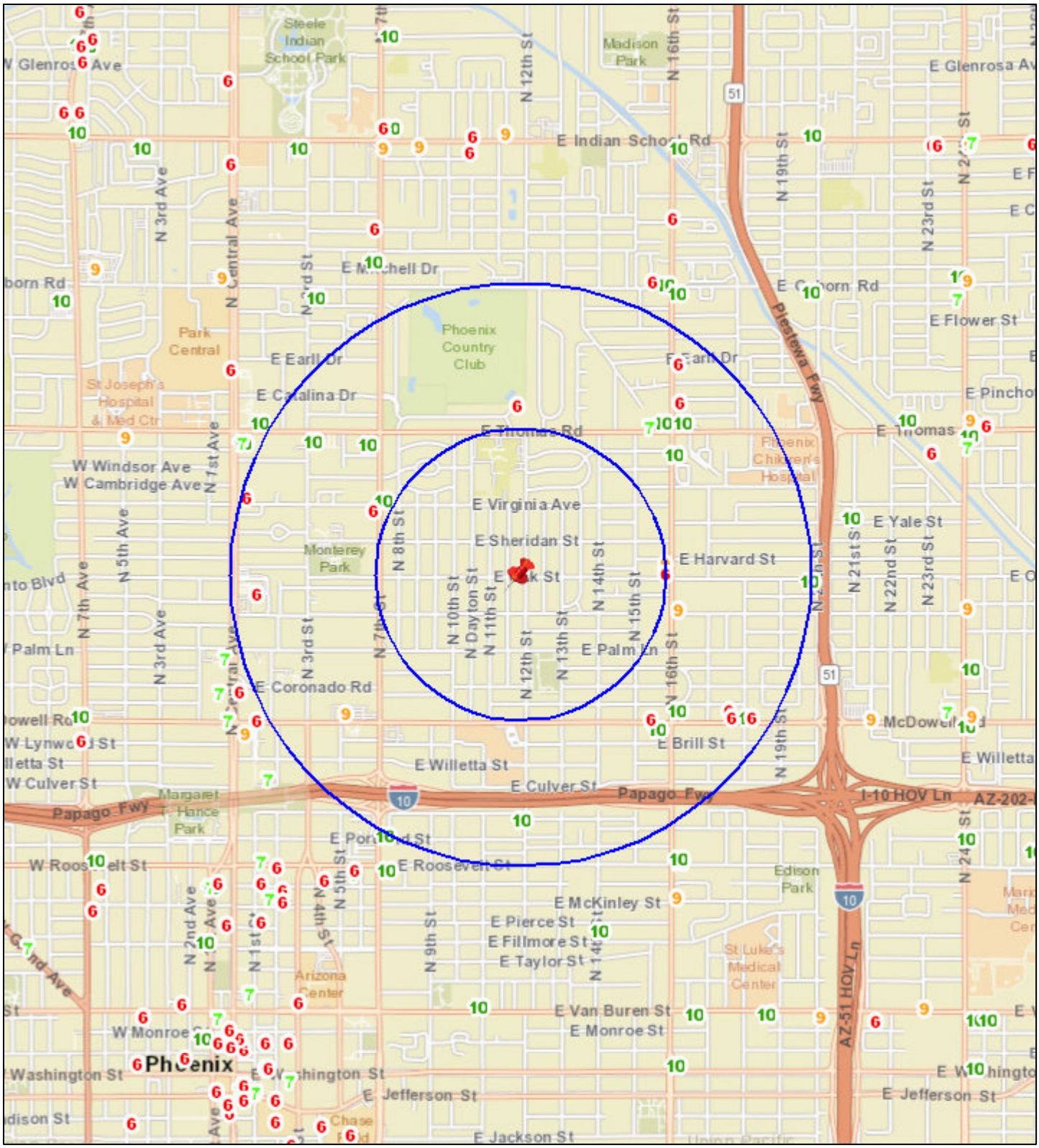
Description	Average	1/2 Mile Average
Parcels w/Violations	55	93
Total Violations	89	125

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1106004	1456	47 %	27 %	3 %
1117001	1792	45 %	32 %	41 %
1117002	1243	39 %	12 %	28 %
1117003	1057	64 %	2 %	10 %
1117004	1227	75 %	20 %	21 %
1118001	742	44 %	28 %	5 %
1118004	671	62 %	6 %	6 %
Average		61 %	13 %	19 %

Liquor License Map: SUNSHINE MARKET

2302 N 12TH ST



N

Date: 5/21/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 12

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 Diaz

Location
7610 W. Indian School Road
Council District: 5

Function
Cultural Celebration

Date(s) - Time(s) / Expected Attendance
Oct. 22, 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.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 13

Liquor License - Tacos Mexicali De Baja

Request for a liquor license. Arizona State License Application 150273.

Summary

Applicant
Juanita Esparza, Agent

License Type
Series 12 - Restaurant

Location
7730 W. Indian School Road
Zoning Classification: C-2
Council District: 5

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"The owner of Tacos Mexicali de Baja is committed to upholding the highest standards for it's business practices & employees. Mr. Palomino will be trained along with all employees in the techniques of legal & responsibility and has taken the Title 4 liquor law training course. As owner of the business Mr. Palomino will manage all employees & will provide a safe experience for the staff and the public at all times."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Mr. Palomino wishes to provide on-sale privileges of beer to the general public. Tacos Mexicali de Baja will responsibly adhere to all state and federal tax laws and maintain a strict adherence to the security requirements of the city and state agencies."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Tacos Mexicali De Baja
Liquor License Map - Tacos Mexicali De Baja

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

Liquor License Data: TACOS MEXICALI DE BAJA

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	117.78	115.71
Violent Crimes	8.14	28.42	27.91

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

Property Violation Data

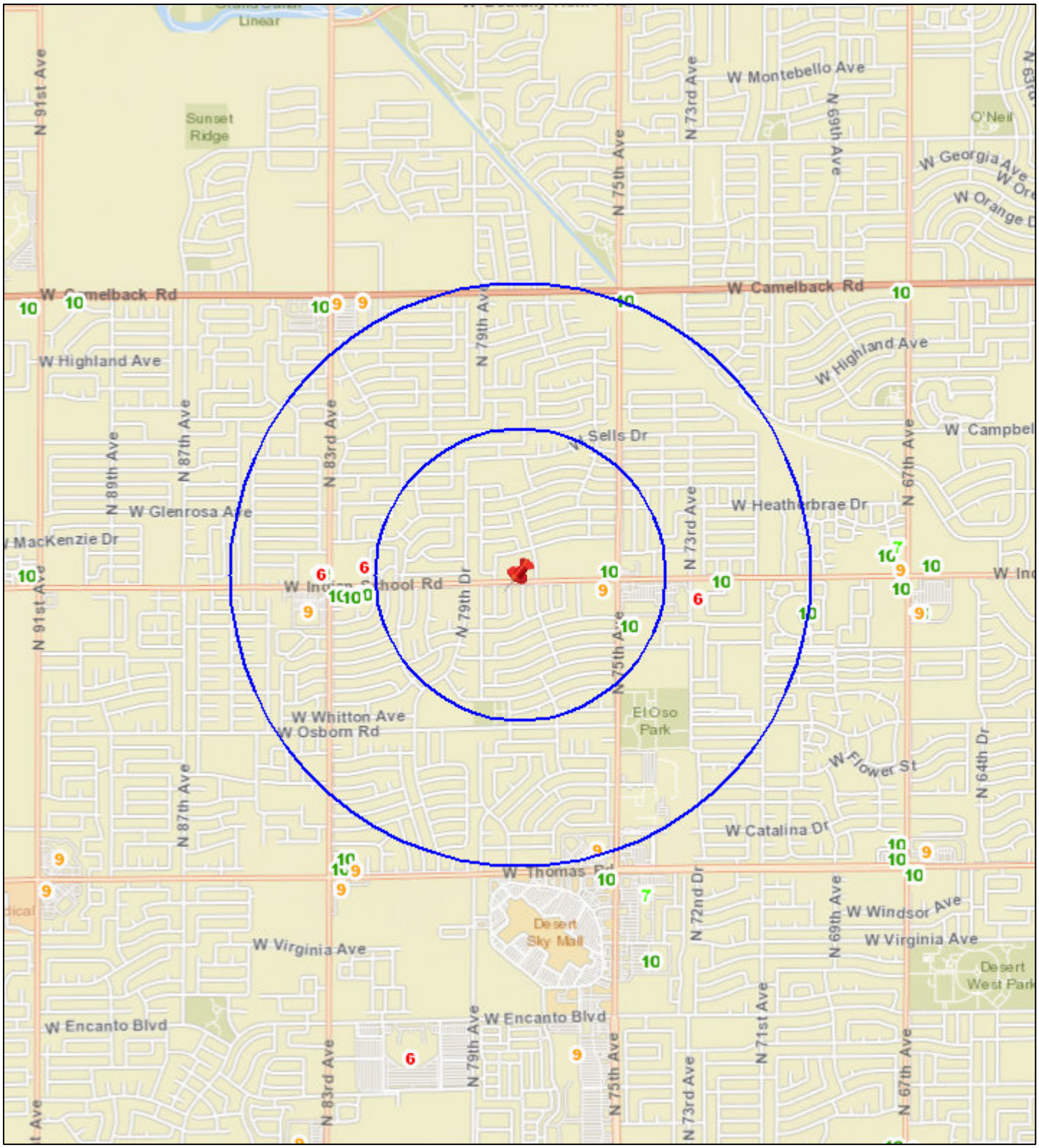
Description	Average	1/2 Mile Average
Parcels w/Violations	55	412
Total Violations	89	679

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1096012	1021	34 %	18 %	34 %
1096013	2174	69 %	19 %	21 %
1096021	1392	71 %	14 %	35 %
1096023	1946	79 %	0 %	22 %
1096031	852	79 %	11 %	3 %
1096032	1211	75 %	15 %	23 %
1096034	1269	66 %	0 %	17 %
1097021	1552	88 %	22 %	35 %
1097032	1653	33 %	12 %	31 %
1097041	1602	68 %	5 %	35 %
1097042	784	71 %	19 %	15 %
Average		61 %	13 %	19 %

Liquor License Map: TACOS MEXICALI DE BAJA

7730 W INDIAN SCHOOL RD



N

Date: 5/20/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** *14

ITEM REVISED (SEE ATTACHED MEMO) Liquor License - Base Pizzeria

Request for a liquor license. Arizona State License Application 140382.

Summary

Applicant
Perry Huellmantel, Agent

License Type
Series 12 - Restaurant

Location
3115 E. Lincoln Drive
Zoning Classification: C-1 PCD
Council District: 6

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

The 60-day limit for processing this application is July 26, 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.

Public Opinion
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have the capability, reliability and qualifications to be an agent on this liquor license because I currently serve as the agent on more than 100 liquor licenses in Arizona, all of which are in compliance. I have been trained and have attended both basic and management classes numerous times in the state of Arizona, and am very familiar with the Title 4 laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The public convenience requires and the best interest of the community will be substantially served by the issuance of the requested liquor license because it is convenient to allow people to eat and drink alcoholic beverages in one location so that they do not have to travel to two different places for food and alcoholic beverages. Additionally, the requested license will allow the new owners to operate an existing restaurant, which had its own Series 12 liquor license. It is in the best interest of the community to allow the restaurant to continue operating with a Series 12 license to promote a seamless transition between owners."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews and the posting process.

Attachments
Liquor License Data - Base Pizza
Liquor License Map - Base Pizza

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

City of Phoenix

To: Toni Maccarone
Deputy City Manager

Date: June 28, 2021

From: Denise Archibald
City Clerk

Subject: **REVISED STAFF RECOMMENDATION FOR ITEM 14 ON THE JULY 1, 2021 FORMAL AGENDA – BASE PIZZERIA**

This item was originally submitted as a no recommendation pending the completion of the departmental reviews and the posting process. However, staff has changed its recommendation to approval.

APPROVED:

Toni Maccarone

Toni Maccarone

Liquor License Data: BASE PIZZERIA

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	0
Restaurant	12	3	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	6.23	8.17
Violent Crimes	8.14	0.15	0.42

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

Property Violation Data

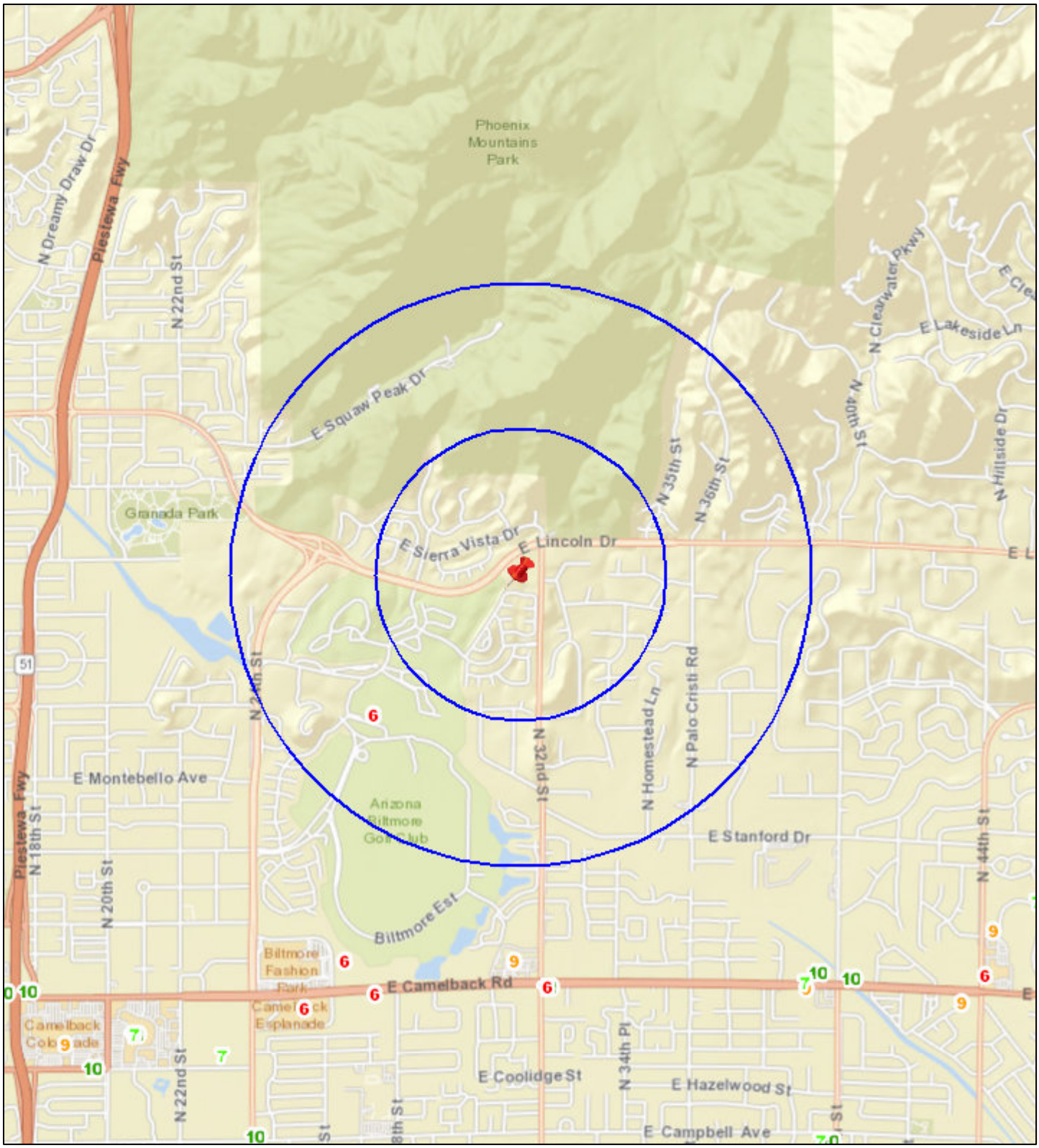
Description	Average	1/2 Mile Average
Parcels w/Violations	55	0
Total Violations	88	0

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1051021	746	94 %	7 %	0 %
1051033	1364	100 %	22 %	0 %
1078001	542	96 %	53 %	2 %
Average		61 %	13 %	19 %

Liquor License Map: BASE PIZZERIA

3115 E LINCOLN DR



N

Date: 6/1/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 15

Liquor License - Cracker Barrel #335

Request for a liquor license. Arizona State License Application 148470.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
5022 E. Chandler Blvd.
Zoning Classification: CP/GCP
Council District: 6

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

The 60-day limit for processing this application is July 13, 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.

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:
"Cracker Barrel is a nationwide restaurant known for its home-style southern cooking in a family-friendly atmosphere. Applicant would like 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 noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - Cracker Barrel #335
Liquor License Map - Cracker Barrel #335

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

Liquor License Data: CRACKER BARREL #335

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	1	0
Liquor Store	9	2	1
Beer and Wine Store	10	5	2
Restaurant	12	19	8

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	31.76	40.12
Violent Crimes	8.14	3.92	6.26

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

Property Violation Data

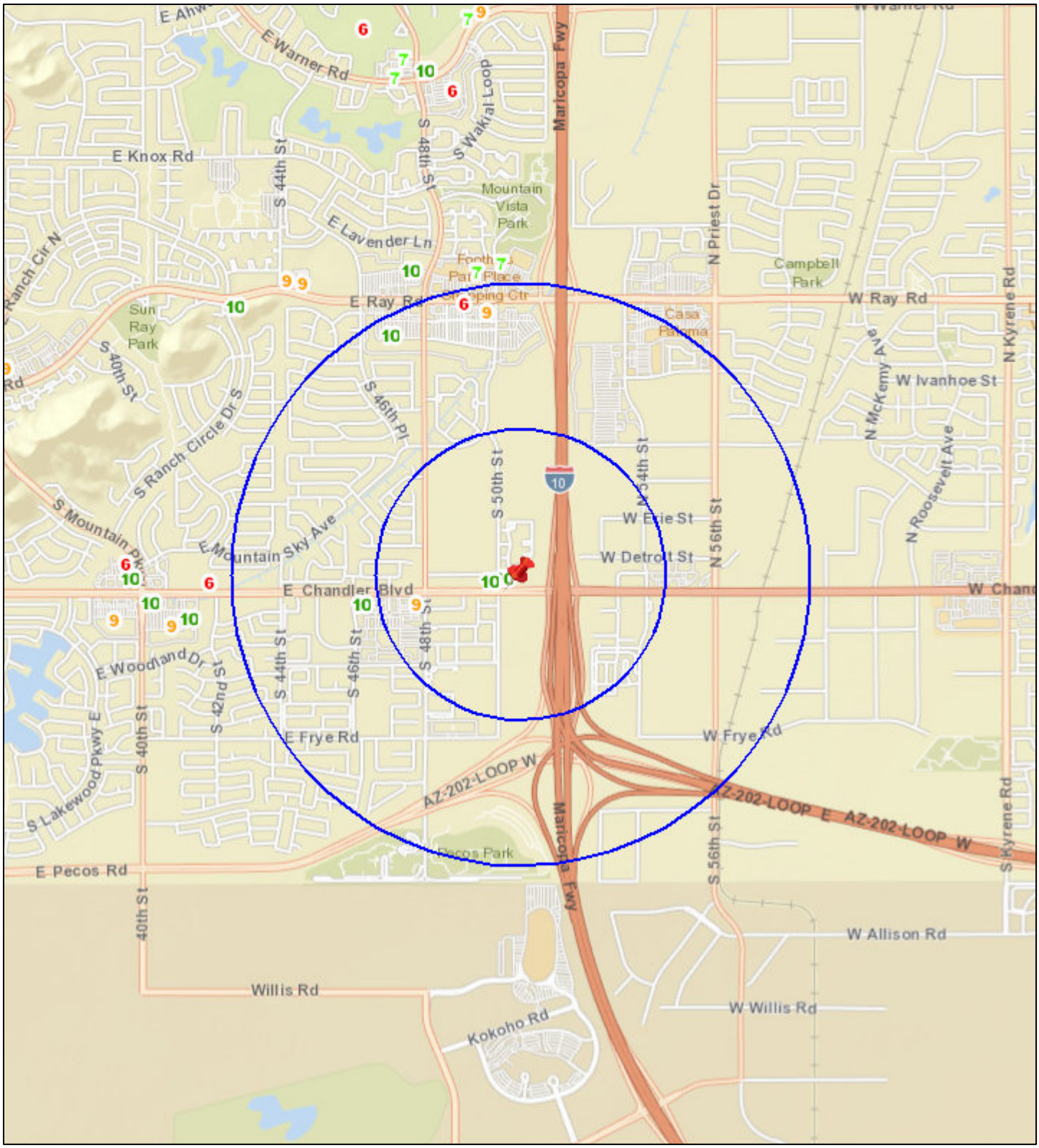
Description	Average	1/2 Mile Average
Parcels w/Violations	55	5
Total Violations	89	9

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1167121	2721	19 %	15 %	9 %
1167191	1679	87 %	3 %	2 %
1167192	1023	3 %	7 %	22 %
8104002	314	3 %	25 %	12 %
9804001	13	0 %	0 %	82 %
Average		61 %	13 %	19 %

Liquor License Map: CRACKER BARREL #335

5022 E CHANDLER BLVD



Date: 5/21/2021

N

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 16

Liquor License - Maryland Deli & Liquor

Request for a liquor license. Arizona State License Application 09070475.

Summary

Applicant
Amy Nations, Agent

License Type
Series 9 - Liquor Store

Location
6502 N. 7th St.
Zoning Classification: C-2
Council District: 6

This request is for an ownership transfer of a liquor license for a convenience store that sells gas. This location was previously licensed for liquor sales and may currently operate with an interim permit. A use permit is required to allow drive-through windows for the sale of alcohol at this location.

The 60-day limit for processing this application was June 19, 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
This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We are a family owned and operated business and we have been in the retail business since 1993. We have 2 locations in Montana and 9 in Arizona. We are experienced operators of 11 successful businesses and look forward to adding this additional Phoenix location."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We understand the needs of the our customers and aim to create a great experience for our shoppers. We aim to keep our premises clean and our prices competitive. We offer fresh food, snacks, cold drinks, and much more. This location has been open since 1977 and we wish to continue to provide this valuable service to our neighborhood."

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

Attachments
Liquor License Data - Maryland Deli & Liquor
Liquor License Map - Maryland Deli & Liquor

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

Liquor License Data: MARYLAND DELI & LIQUOR

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	3	0
Beer and Wine Bar	7	2	2
Liquor Store	9	4	2
Beer and Wine Store	10	5	1
Restaurant	12	19	4

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	57.77	60.40
Violent Crimes	8.14	5.73	5.41

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

Property Violation Data

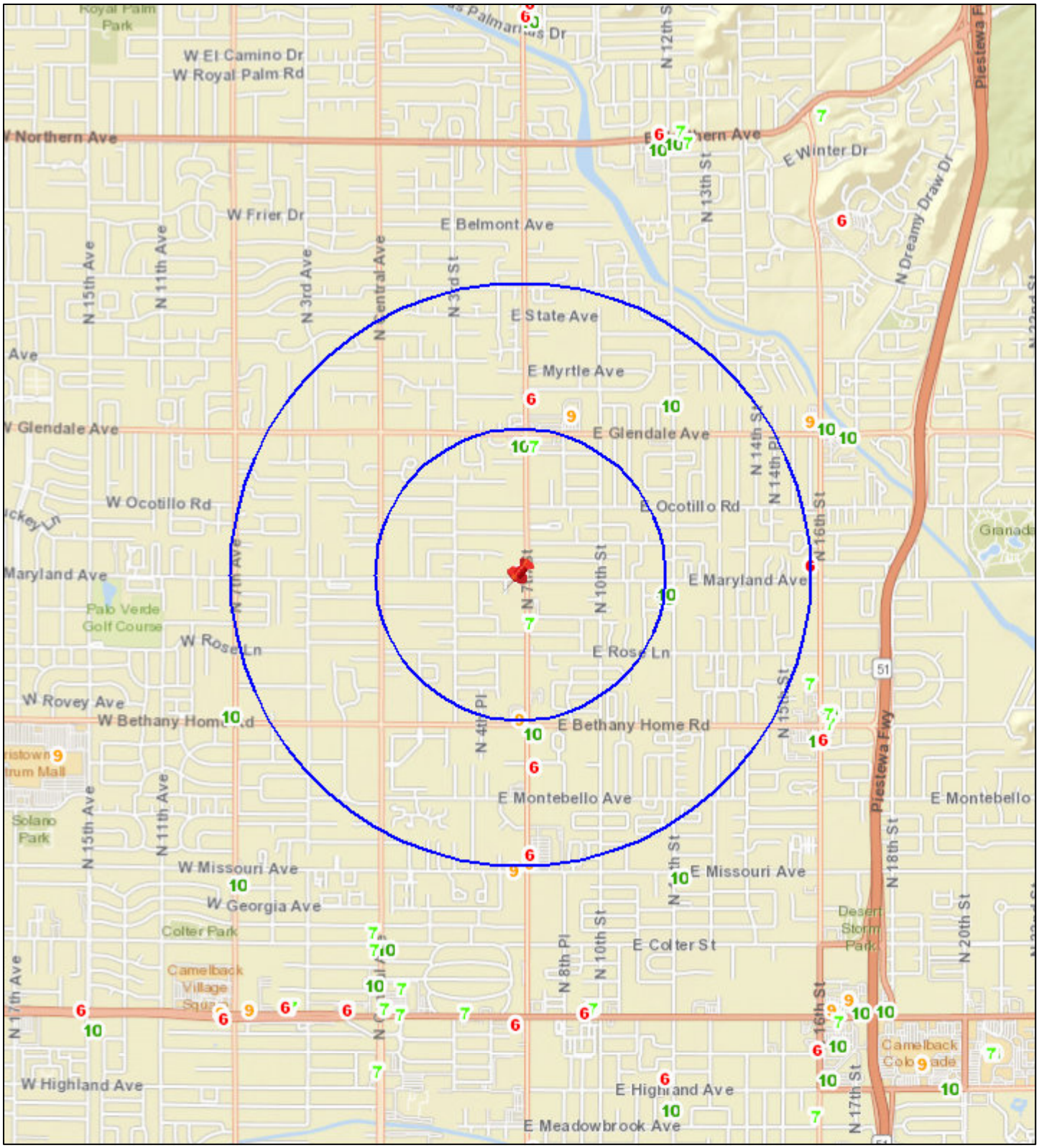
Description	Average	1/2 Mile Average
Parcels w/Violations	56	48
Total Violations	91	67

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1062002	1751	97 %	6 %	1 %
1063004	1060	59 %	22 %	20 %
1065011	1458	63 %	8 %	10 %
1065012	1594	61 %	18 %	32 %
1066001	1444	82 %	29 %	4 %
1066002	2064	83 %	7 %	5 %
Average		61 %	13 %	19 %

Liquor License Map: MARYLAND DELI & LIQUOR

6502 N 7TH ST



N

Date: 4/22/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** *17

ITEM REVISED (SEE ATTACHED MEMO) Liquor License - Phoenix City Grille

Request for a liquor license. Arizona State License Application 150975.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 6 - Bar

Location
5816 N. 16th St.
Zoning Classification: C-2
Council District: 6

This request is for a new liquor license for a bar. This location is currently licensed for liquor sales with a Series 12, Restaurant, liquor license.

The 60-day limit for processing this application is July 26, 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
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.

Phoenix City Grille (Series 12)
5816 N. 16th St., Phoenix
Calls for police service: 6
Liquor license violations: None

Public Opinion
At this time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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 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:
"Phoenix City Grille has been a neighborhood favorite for 24 years. Known for its delicious food and family-friendly atmosphere, the restaurant will continue serving fresh, innovative dishes by long-time dependable staff. There will be no changes to the restaurant's operations."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews and the posting process.

Attachments
Liquor License Data - Phoenix City Grille
Liquor License Map - Phoenix City Grille

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

City of Phoenix

To: Toni Maccarone
Deputy City Manager

Date: June 28, 2021

From: Denise Archibald
City Clerk

Subject: **REVISED STAFF RECOMMENDATION FOR ITEM 17 ON THE JULY 1, 2021 FORMAL AGENDA – PHOENIX CITY GRILLE**

This item was originally submitted as a no recommendation pending the completion of the departmental reviews and the posting process. However, staff has changed its recommendation to approval.

APPROVED:

Toni Maccarone

Toni Maccarone

Liquor License Data: PHOENIX CITY GRILLE

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Bar	6	3	1
Beer and Wine Bar	7	4	3
Liquor Store	9	2	0
Beer and Wine Store	10	8	2
Restaurant	12	26	11

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	85.85	68.47
Violent Crimes	8.14	9.20	9.23

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

Property Violation Data

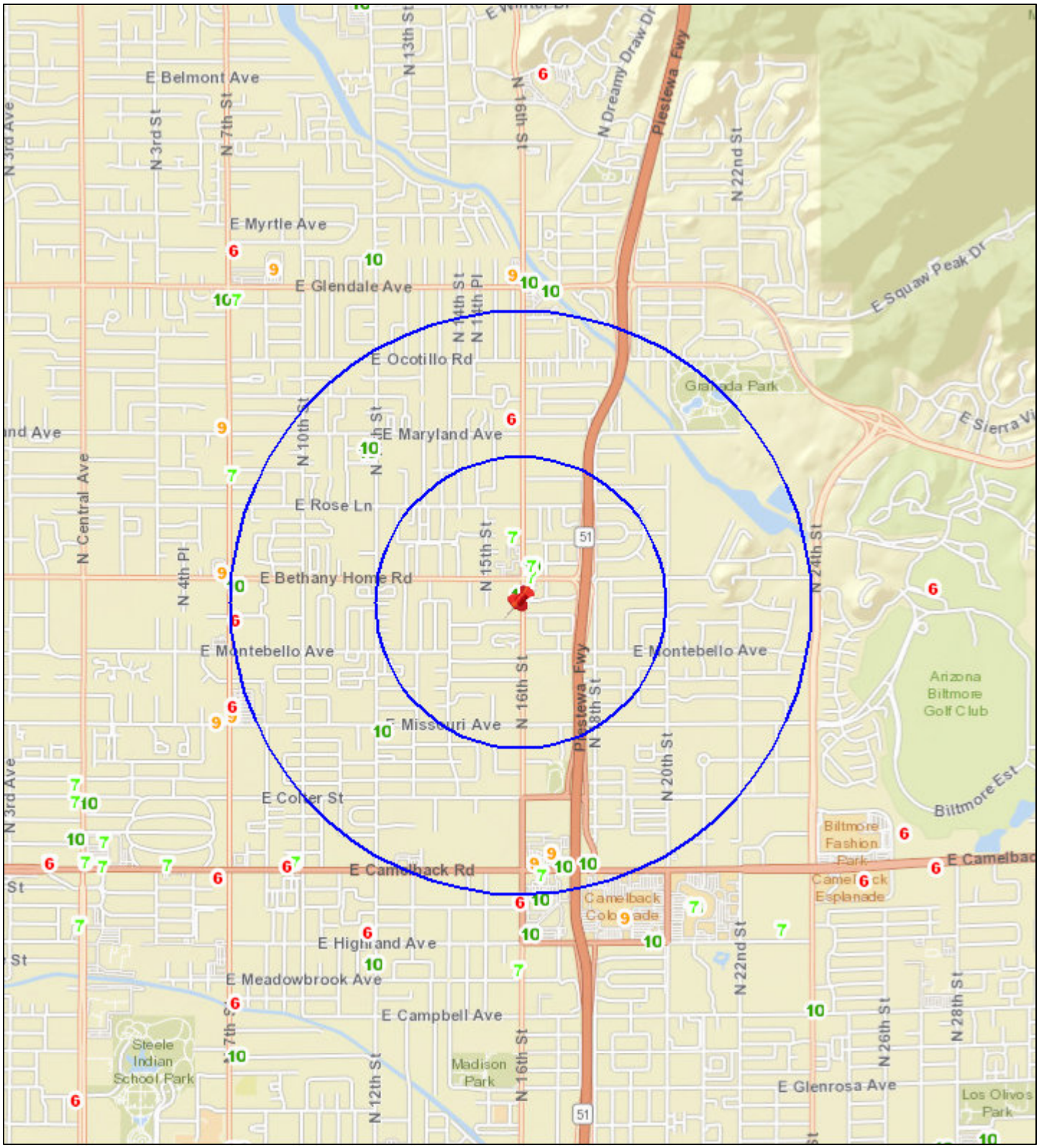
Description	Average	1/2 Mile Average
Parcels w/Violations	55	39
Total Violations	88	56

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1064001	715	84 %	23 %	9 %
1064002	2049	31 %	16 %	9 %
1065021	1383	30 %	18 %	43 %
1065023	919	56 %	15 %	10 %
1076012	904	38 %	24 %	23 %
1076021	1311	82 %	0 %	6 %
1076022	1734	54 %	18 %	3 %
1077001	1222	100 %	2 %	3 %
1077002	738	57 %	10 %	8 %
1077003	457	26 %	26 %	16 %
1077004	526	77 %	27 %	21 %
Average		61 %	13 %	19 %

Liquor License Map: PHOENIX CITY GRILLE

5816 N 16TH ST



N

Date: 6/1/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** *18

ITEM REVISED (SEE ATTACHED MEMO) Liquor License - Porch

Request for a liquor license. Arizona State License Application 06070199.

Summary

Applicant
John Dolan, Agent

License Type
Series 6 - Bar

Location
4017 E. Indian School Road
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is July 27, 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
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.

Local Edition Gilbert (Series 12)
312 N. Gilbert Road, Gilbert
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Porch (Series 12)
1128 E. Baseline Road, Tempe
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Porch (Series 12)
4017 E. Indian School Road, Phoenix
Calls for police service: 15
Liquor license violations: In October 2020, a fine of $2,000 was paid for failure to derive 40 percent of income from food.

Public Opinion
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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 the current agent the Series 12 license at this location and we seek to replace the Series 12 license with a Series 6 license. I am familiar with liquor laws and have experience operating this establishment since 2017. I also serve as the agent on two other licenses in the Valley."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This request for a Series 6 License is for a business I currently operate at this location with a Series 12 License. As was true with our request for a Series 12 License, the public convenience requires and the best interest of the community will be

substantially served by the issuance of this liquor license because it is a neighborhood restaurant that provides food and alcohol options in a convenient location for the surrounding area."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews and the posting process.

Attachments
Liquor License Data - Porch
Liquor License Map - Porch

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

City of Phoenix

To: Toni Maccarone
Deputy City Manager

Date: June 28, 2021

From: Denise Archibald
City Clerk

Subject: **REVISED STAFF RECOMMENDATION FOR ITEM 18 ON THE JULY 1, 2021 FORMAL AGENDA – PORCH**

This item was originally submitted as a no recommendation pending the completion of the departmental reviews and the posting process. However, staff has changed its recommendation to approval.

APPROVED:

Toni Maccarone

Toni Maccarone

Liquor License Data: PORCH

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Wholesaler	4	1	0
Bar	6	3	3
Beer and Wine Bar	7	6	5
Liquor Store	9	4	1
Beer and Wine Store	10	6	3
Restaurant	12	40	26

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	71.78	69.42
Violent Crimes	8.14	7.80	5.41

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

Property Violation Data

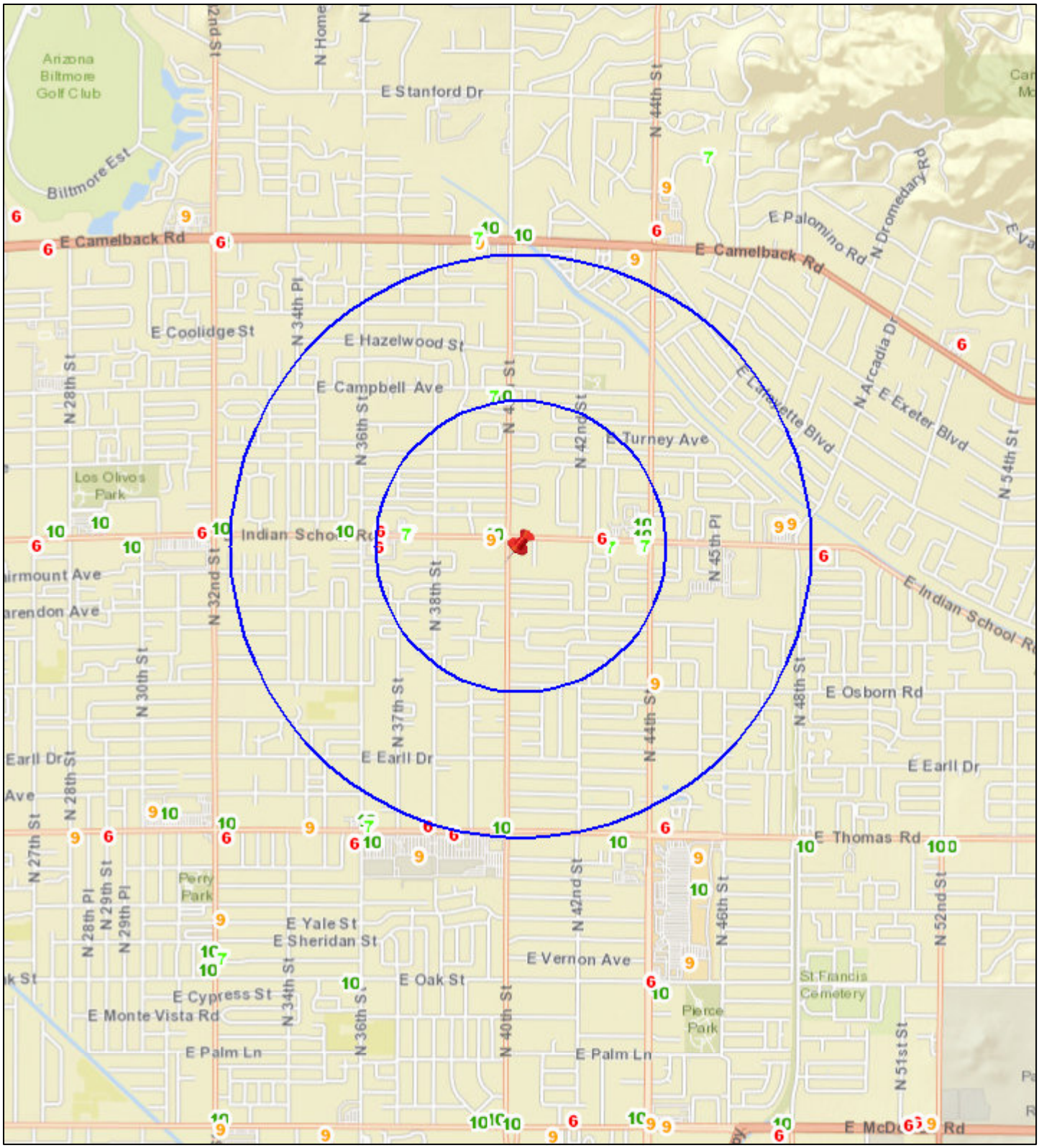
Description	Average	1/2 Mile Average
Parcels w/Violations	55	27
Total Violations	88	36

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1082002	1178	45 %	8 %	8 %
1082003	1225	76 %	13 %	17 %
1083022	1824	50 %	13 %	4 %
1109021	2609	33 %	21 %	40 %
1109022	2224	39 %	7 %	18 %
1110001	781	25 %	11 %	3 %
1110002	1105	63 %	8 %	19 %
1110003	1587	64 %	17 %	24 %
1110005	698	88 %	19 %	5 %
Average		61 %	13 %	19 %

Liquor License Map: PORCH

4017 E INDIAN SCHOOL RD



N

Date: 6/1/2021

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City Clerk Department

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 19

Liquor License - Mixx

Request for a liquor license. Arizona State License Application 150519.

Summary

Applicant
Alejandro Posada, Agent

License Type
Series 1 - In-State Producer

Location
1635 S. 43rd Ave.
Zoning Classification: A-1
Council District: 7

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

The 60-day limit for processing this application is July 19, 2021.

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

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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

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

applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because: “Under my 28 - year leadership as CEO, Chief Scientific Officer and founder of Bang Energy, we have surpassed $3.2 billion in retail sales in the past 3 years. We have expanded distribution, storage and manufacturing of alcohol nationwide in many states. Our company has the knowledge, dedication, and leadership required to effectively create the best quality alcoholic beverages available. In fact, my team and I have created a novel patent pending alcohol product that is infused with electrolytes which may be the most innovative/best tasting offering in its genre.”

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.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 20

Liquor License - Mixx

Request for a liquor license. Arizona State License Application 149356.

Summary

Applicant
Alejandro Posada, Agent

License Type
Series 4 - Wholesaler

Location
4747 W. Buckeye Road
Zoning Classification: A-1
Council District: 7

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

The 60-day limit for processing this application was June 16, 2021. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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

Applicant’s Statement
The applicant submitted the following statement in support of this application. Spelling,

grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because: “Under my 28-year leadership as CEO, Chief Scientific Officer and founder of Bang Energy, we have surpassed $3.2 billion in retail sales in the past 3 years. We have expanded distribution, storage and manufacturing of alcohol nationwide in many states. Our company has the knowledge, dedication, and leadership required to effectively create the best quality alcoholic beverages available. In fact, my team and I have created a novel patent pending alcohol product that is infused with electrolytes which may be the most innovative/best tasting offering in its genre.”

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.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** *21

ITEM REVISED (SEE ATTACHED MEMO) Liquor License - Gus's World Famous Fried Chicken

Request for a liquor license. Arizona State License Application 149400.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
345 W. Van Buren St., Ste. C
Zoning Classification: DTC - Van Buren HP
Council District: 7

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

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

Gus's World Famous Fried Chicken (Series 12)
212 W. Main St., Mesa
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"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:
"Gus's World Famous Fried Chicken plans to open its second location in Arizona in downtown Phoenix. Famous for its fried chicken since 1953, the company now has more than 30 locations across the U.S. Applicant would like to offer guests 21 and over the opportunity to purchase alcoholic beverages as an incident to the meals they enjoy."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews.

Attachments
Liquor License Data - Gus's World Famous Fried Chicken
Liquor License Map - Gus's World Famous Fried Chicken

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

City of Phoenix

To: Toni Maccarone
Deputy City Manager

Date: June 28, 2021

From: Denise Archibald
City Clerk

Subject: **REVISED STAFF RECOMMENDATION FOR ITEM 21 ON THE JULY 1, 2021 FORMAL AGENDA – GUS'S WORLD FAMOUS FRIED CHICKEN**

This item was originally submitted as a no recommendation pending the completion of the departmental reviews. However, staff has changed its recommendation to approval.

APPROVED:

Toni Maccarone

Toni Maccarone

Liquor License Data: GUS'S WORLD FAMOUS FRIED CHICKEN

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	3	1
Wholesaler	4	1	0
Government	5	8	2
Bar	6	43	24
Beer and Wine Bar	7	13	7
Liquor Store	9	3	2
Beer and Wine Store	10	7	3
Hotel	11	7	3
Restaurant	12	78	28
Club	14	3	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	151.14	219.85
Violent Crimes	8.14	46.47	65.49

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

Property Violation Data

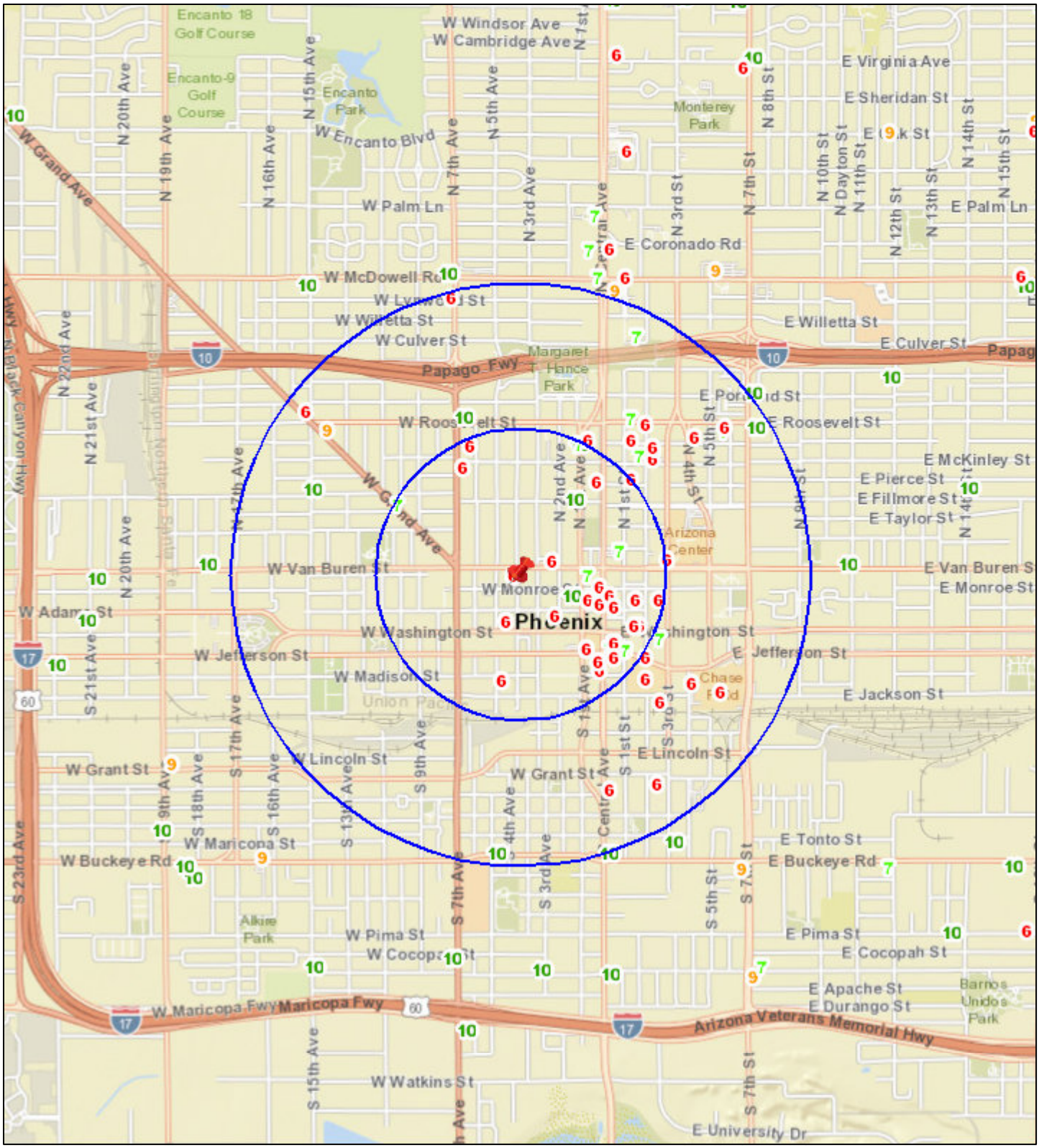
Description	Average	1/2 Mile Average
Parcels w/Violations	55	92
Total Violations	89	176

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1129002	815	37 %	22 %	24 %
1129003	1372	4 %	18 %	40 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1141001	2299	16 %	37 %	44 %
1142001	1321	36 %	22 %	50 %
1143011	1389	22 %	15 %	57 %
Average		61 %	13 %	19 %

Liquor License Map: GUS'S WORLD FAMOUS FRIED CHICKEN

345 W VAN BUREN ST



N

Date: 5/27/2021

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City Clerk Department

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** *22

ITEM REVISED (SEE ATTACHED MEMO) Liquor License - Hidden Track Cafe

Request for a liquor license. Arizona State License Application 151024.

Summary

Applicant
Danielle Middlebrook, Agent

License Type
Series 12 - Restaurant

Location
111 W. Monroe St., Ste. 121
Zoning Classification: DTC-Business Core
Council District: 7

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

The 60-day limit for processing this application is July 27, 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
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.

Hidden Track Bottle Shop (Series 1)
5070 N. Central Ave., Phoenix
Calls for police service: 1
Liquor license violations: None

Hidden Track Bottle Shop (Series 10)
111 W. Monroe St., Ste. 120, Phoenix
Calls for police service: 34
Liquor license violations: None

Public Opinion
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a current liquor license holder in good standing. I am well versed on AZ liquor laws, including the requirements of a series 12, and have held a liquor license for over five years with zero infractions."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Hidden Track Cafe has been a staple of our downtown Phoenix community for over four years. Granting this liquor license will allow us to share the global wines available to us with our community while educating them on wine varieties, regions, and wine making practices."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews and the posting process.

Attachments
Liquor License Data - Hidden Track Cafe
Liquor License Map - Hidden Track Cafe

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

City of Phoenix

To: Toni Maccarone
Deputy City Manager

Date: June 28, 2021

From: Denise Archibald
City Clerk

Subject: **REVISED STAFF RECOMMENDATION FOR ITEM 22 ON THE JULY 1, 2021 FORMAL AGENDA – HIDDEN TRACK CAFE**

This item was originally submitted as a no recommendation pending the completion of the departmental reviews and the posting process. However, staff has changed its recommendation to approval, noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

APPROVED:

Toni Maccarone

Toni Maccarone

Liquor License Data: HIDDEN TRACK CAFE

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	3	1
Wholesaler	4	1	0
Government	5	8	2
Bar	6	41	27
Beer and Wine Bar	7	13	6
Liquor Store	9	2	2
Beer and Wine Store	10	11	2
Hotel	11	7	5
Restaurant	12	78	38
Club	14	3	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	150.98	225.37
Violent Crimes	8.14	46.84	60.61

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

Property Violation Data

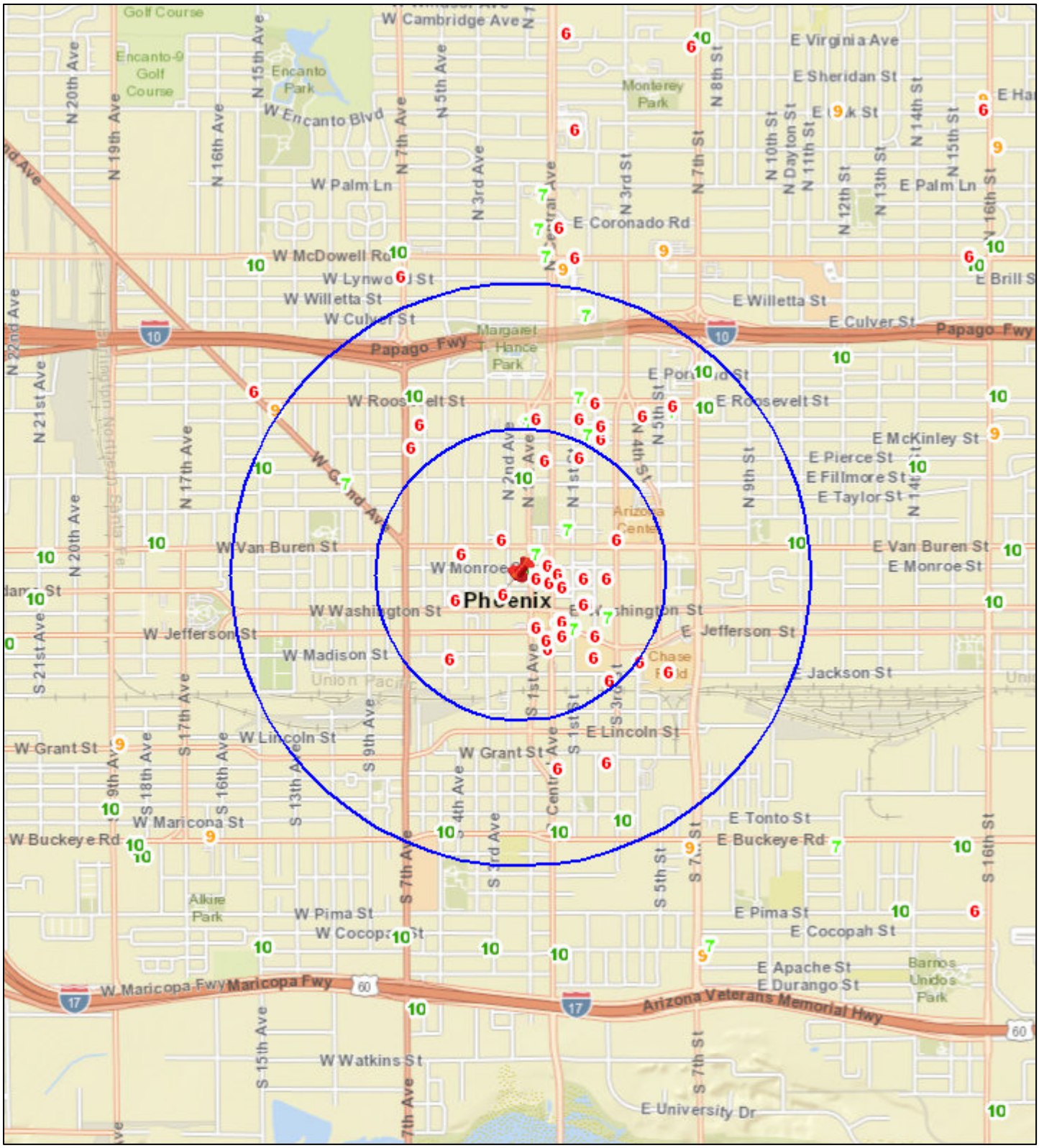
Description	Average	1/2 Mile Average
Parcels w/Violations	55	43
Total Violations	88	83

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1129002	815	37 %	22 %	24 %
1129003	1372	4 %	18 %	40 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1141001	2299	16 %	37 %	44 %
1142001	1321	36 %	22 %	50 %
1143011	1389	22 %	15 %	57 %
Average		61 %	13 %	19 %

Liquor License Map: HIDDEN TRACK CAFE

111 W MONROE ST



Date: 6/1/2021

N

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City Clerk Department

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** *23

ITEM REVISED (SEE ATTACHED MEMO) Liquor License - Wren and Wolf

Request for a liquor license. Arizona State License Application 150765.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
2 N. Central Ave., Ste. 101
Zoning Classification: DTC - Business Core
Council District: 7

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business has plans to open in September 2021.

The 60-day limit for processing this application is July 27, 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.

Public Opinion
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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:
"Wren and Wolf will open at Renaissance Square downtown with a menu featuring American classics with a gourmet twist. Applicant would like to offer guests 21 and over the opportunity to purchase alcoholic beverages as an incident to the meals they enjoy."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

Attachments
Liquor License Data - Wren and Wolf
Liquor License Map - Wren and Wolf

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

City of Phoenix

To: Toni Maccarone
Deputy City Manager

Date: June 28, 2021

From: Denise Archibald
City Clerk

Subject: **REVISED STAFF RECOMMENDATION FOR ITEM 23 ON THE JULY 1, 2021 FORMAL AGENDA – WREN AND WOLF**

This item was originally submitted as a no recommendation the posting process. However, staff has changed its recommendation to approval.

APPROVED:

Toni Maccarone

Toni Maccarone

Liquor License Data: WREN AND WOLF

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	3	1
Wholesaler	4	1	0
Government	5	8	3
Bar	6	41	28
Beer and Wine Bar	7	12	6
Liquor Store	9	3	2
Beer and Wine Store	10	10	2
Hotel	11	7	5
Restaurant	12	75	34
Club	14	3	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	151.64	207.11
Violent Crimes	8.14	46.68	55.30

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

Property Violation Data

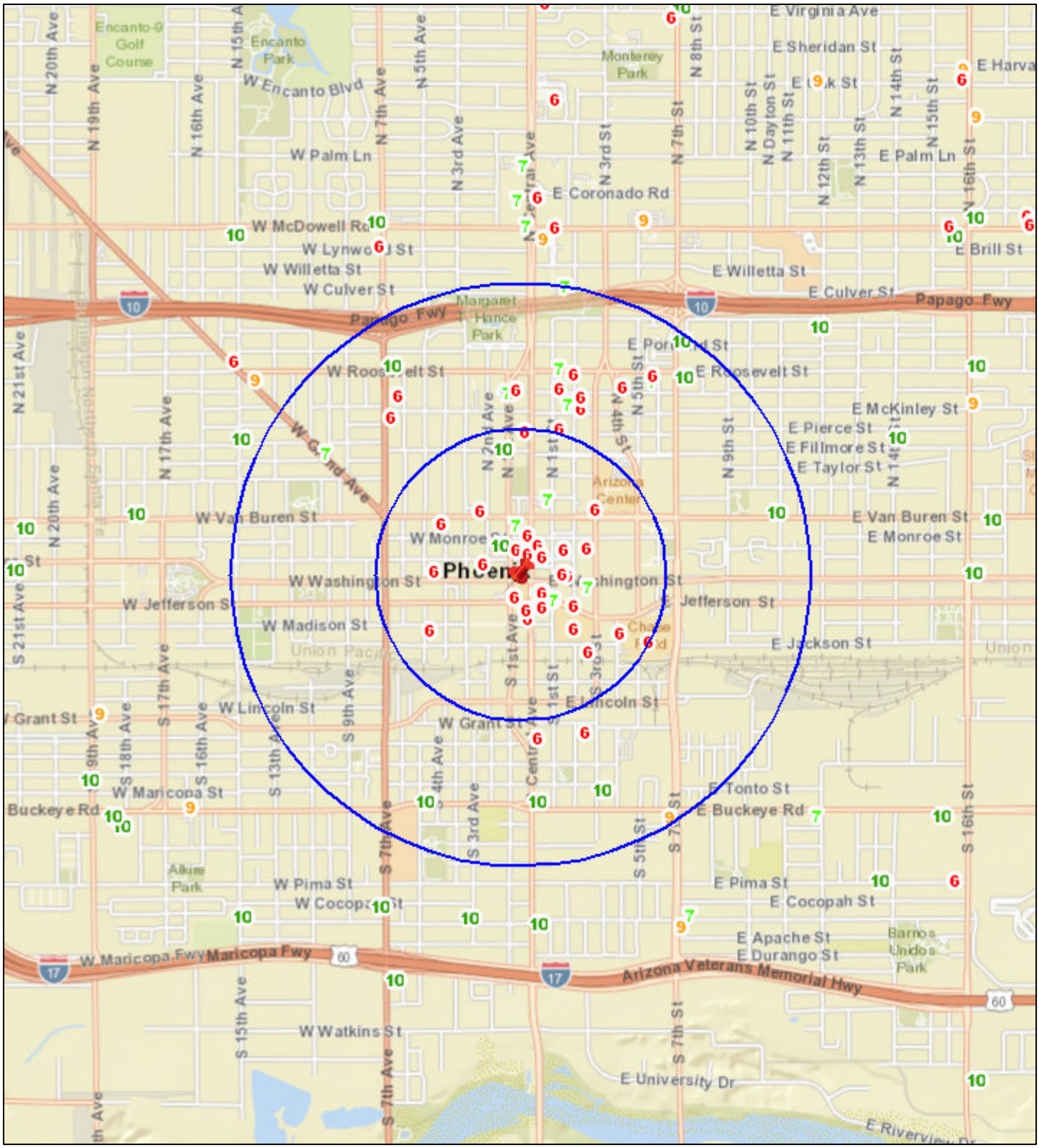
Description	Average	1/2 Mile Average
Parcels w/Violations	55	28
Total Violations	88	43

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1141001	2299	16 %	37 %	44 %
1142001	1321	36 %	22 %	50 %
1143011	1389	22 %	15 %	57 %
Average		61 %	13 %	19 %

Liquor License Map: WREN AND WOLF

2 N CENTRAL AVE



N

Date: 6/1/2021

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City Clerk Department

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** *24

ITEM REVISED (SEE ATTACHED MEMO) Liquor License - Buena Vida Bodega

Request for a liquor license. Arizona State License Application 150936.

Summary

Applicant
Jacqueline Garay, Agent

License Type
Series 10 - Beer and Wine Store

Location
1002 E. Pierce St., Ste. 101
Zoning Classification: C-1 HP
Council District: 8

This request is for a new liquor license for a beer and wine store. This location was not previously licensed for liquor sales and does not have an interim permit. This business has plans to open in August 2021. This location requires a use permit to allow packaged liquor sales.

The 60-day limit for processing this application is July 26, 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.

Public Opinion
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

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 an upstanding resident of the community in which the license will operate, my chief concern is improving and empowering my own community. Additionally, combined with my ownership team, I have the requisite experience and history working within the guidelines of legal liquor sales and thus am well versed in running a professional, safe, and compliant operation. I have been a successful employee or contractor for any job I have ever had and maintain strong relationships with past employers, indicating a record of professionalism."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The community within downtown is growing at an exponential rate, and thus requires more establishments that provides basic homewares and food provisions for residents. The liquor license will be an additional component that will help the business grow its revenues in order to thrive and thus create a meaningful impact on the surrounding community by providing adequate nourishment and food goods. Lastly, the expected monetary successes that are afforded by the use of the Series 10 Liquor License will help us create jobs."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews and the posting process.

Attachments
Liquor License Data - Buena Vida Bodega
Liquor License Map - Buena Vida Bodega

Responsible Department

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

City of Phoenix

To: Toni Maccarone
Deputy City Manager

Date: June 28, 2021

From: Denise Archibald
City Clerk

Subject: **REVISED STAFF RECOMMENDATION FOR ITEM 24 ON THE JULY 1, 2021 FORMAL AGENDA – BUENA VIDA BODEGA**

This item was originally submitted as a no recommendation pending the completion of the departmental reviews and the posting process. However, staff has changed its recommendation to approval, noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

APPROVED:

Toni Maccarone

Toni Maccarone

Liquor License Data: BUENA VIDA BODEGA

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Wholesaler	4	1	0
Government	5	7	0
Bar	6	31	2
Beer and Wine Bar	7	12	1
Liquor Store	9	4	0
Beer and Wine Store	10	13	5
Hotel	11	6	1
Restaurant	12	68	11

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	166.26	135.77
Violent Crimes	8.14	39.35	27.49

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

Property Violation Data

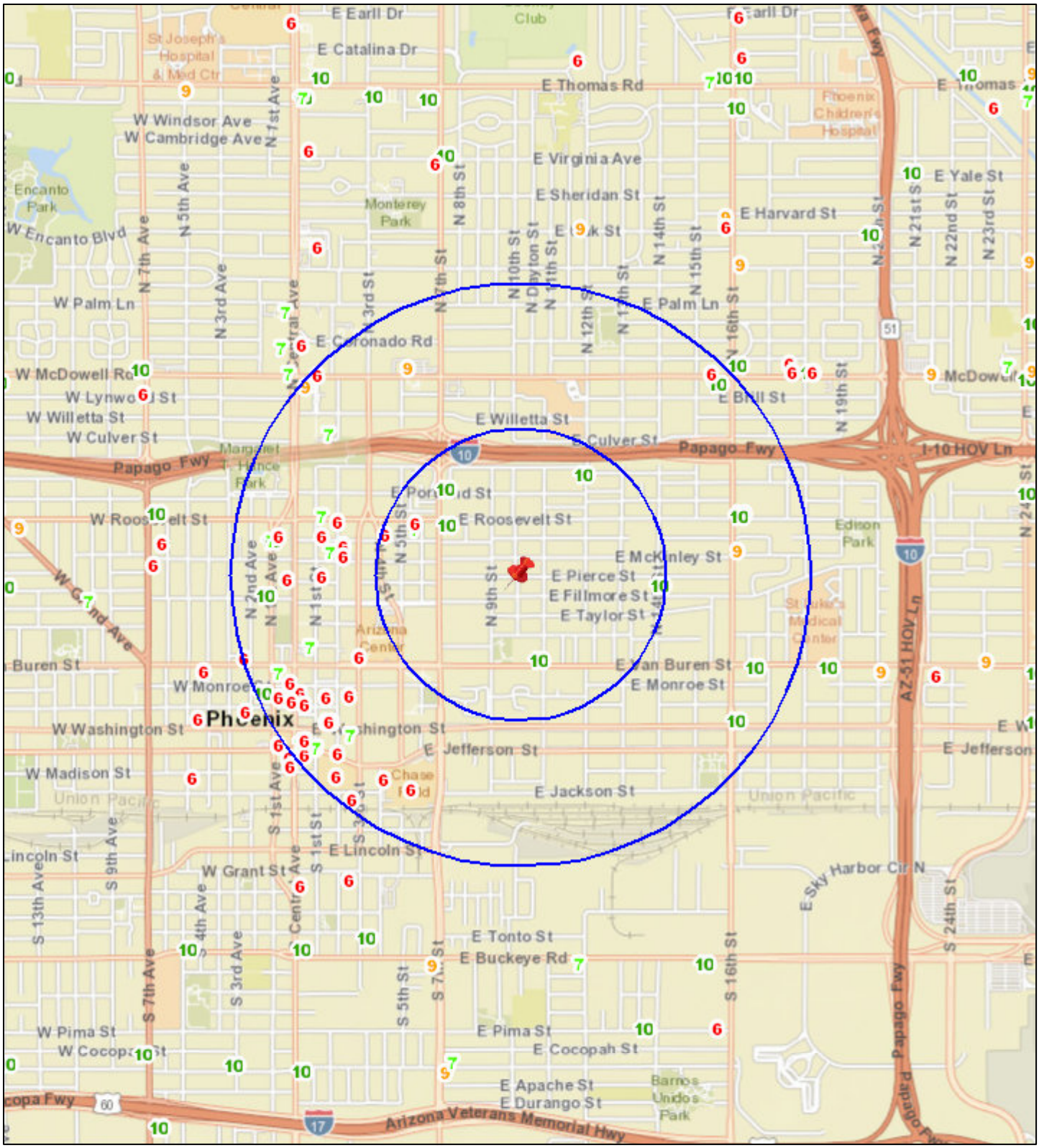
Description	Average	1/2 Mile Average
Parcels w/Violations	55	207
Total Violations	88	369

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1130002	873	29 %	21 %	38 %
1131002	1242	3 %	7 %	33 %
1132011	1312	29 %	26 %	48 %
1132012	962	50 %	23 %	44 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031	1473	30 %	20 %	57 %
1132032	638	28 %	7 %	70 %
1140001	1831	25 %	20 %	47 %
1141001	2299	16 %	37 %	44 %
Average		61 %	13 %	19 %

Liquor License Map: BUENA VIDA BODEGA

1002 E PIERCE ST



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Date: 6/8/2021

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City Clerk Department

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 25

Liquor License - Safe Haven Brewery

Request for a liquor license. Arizona State License Application 150493.

Summary

Applicant
Gus Fowler, Agent

License Type
Series 3 - Microbrewery

Location
915 N. 4th St.
Zoning Classification: DTC - East Evans Churchill
Council District: 8

This request is for a new liquor license for a microbrewery. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow a brewery, outdoor alcoholic beverage consumption and live entertainment. This business is currently being remodeled with plans to open in October 2021.

The 60-day limit for processing this application is July 19, 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.

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's members have significant experience brewing and operating a brew pub, we will follow all Arizona Liquor Laws and regulations. We will also ensure proper training of managers and staff are same."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This is the applicant's first location. It compliments the other establishments currently operating in Downtown Phoenix. It will provide an additional craft beer option and brewery experience to the surrounding community."

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

Attachments
Liquor License Data - Safe Haven Brewery
Liquor License Map - Safe Haven Brewery

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

Liquor License Data: SAFE HAVEN BREWERY

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	3	1
Wholesaler	4	1	0
Government	5	8	3
Bar	6	41	11
Beer and Wine Bar	7	15	7
Liquor Store	9	4	0
Beer and Wine Store	10	9	4
Hotel	11	7	4
Restaurant	12	90	36
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	44.37	170.59	193.41
Violent Crimes	8.14	39.78	43.31

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

Property Violation Data

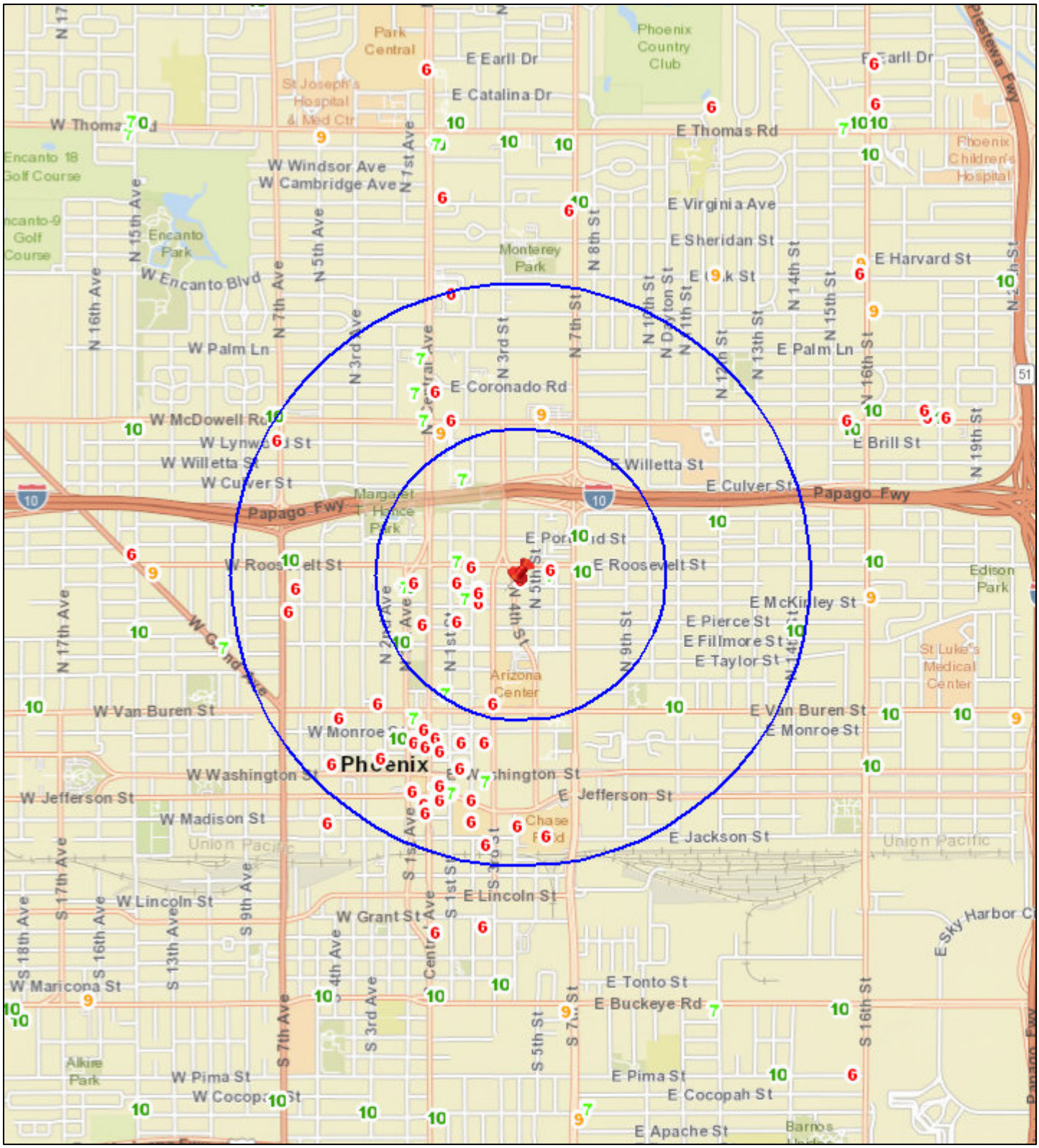
Description	Average	1/2 Mile Average
Parcels w/Violations	54	114
Total Violations	88	196

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031	1473	30 %	20 %	57 %
1132032	638	28 %	7 %	70 %
1141001	2299	16 %	37 %	44 %
Average		61 %	13 %	19 %

Liquor License Map: SAFE HAVEN BREWERY

915 N 4TH ST



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Date: 5/24/2021

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City Clerk Department

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 26

Liquor License - Golden Margarita

Request for a liquor license. Arizona State License Application 1207B125.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
330 E. Roosevelt St.
Zoning Classification: DTC - East Evans Churchill
Council District: 8

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

The 60-day limit for processing this application was Feb. 22, 2021. However, the applicant submitted a written request for more time.

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

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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

Applicant’s Statement
The applicant submitted the following statement in support of this application. Spelling,

grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because: “To ensure our employees are trained properly we have brought in a certified Title 4 instructor to our restaurant to conduct training."

Staff Recommendation
Staff recommends disapproval of this application based on a Police Department recommendation for disapproval. The Police Department disapproval is based on a history of non-compliance related to prior liquor licenses held by the applicant, including failure to meet the required percentage of food sales and the presence of an employee intoxicated while on duty. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license.

Attachment
Liquor License Police Department Recommendation - Golden Margarita

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

LIQUOR LICENSE DISAPPROVAL FORM

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	**Golden Margarita**	**District**	**8**
Business Location	**330 E. Roosevelt Street**		
Applicant Name	**Golden Margarita LLC/Jeffrey Miller**	**Series Type**	**12**

The Police Department recommends disapproval of this liquor license application for the following reasons:

Saraj Gem Ray, Managing Member and controlling person for Golden Margarita LLC re-applied for a Series 12 restaurant liquor license for Golden Margarita located at 330 E. Roosevelt Street. Phoenix, AZ. Prior to this current application for an acquisition of control. Mr. Ray submitted and application for a Series 12 which was withdrawn shorty after the Department of liquor licenses and Control cancelled the Interim Permit.

During Det. Kevin Crotty's investigation, he found complaints called in by surrounding neighbors about loud music coming from the Golden Margarita. One of the callers stated in an e-mail to the City Manager's Office that the loud music was coming from the Golden Margarita. Further, the e-mail stated during the week the music continues until 1:00 a.m. and 2:00 a.m. on the weekends. The music is described as "distasteful" and stated the lyrics in the music has "foul language". It should be noted that per the stipulations on his required use permit, it is expressly written that the "volume shall not be greater than surrounding ambient conditions".

Det. Crotty contacted Det. John Barchak who is with the Arizona Department of Liquor and Control (DLLC). Det. Barchak stated that Mr. Ray lost his ability to run a restaurant in Scottsdale, AZ due to a low finding of 17% food sales and several fights at the restaurant's location that generated a police response. Additionally, Mr. Ray has an outstanding fine with DLLC of $6,500 that had not been paid at the time of this report. Det. Crotty was also informed that the Golden Margarita has three service bars located within the establishment eluding that the Golden Margarita may be set up for the possibility of becoming a bar/pub type atmosphere and not a restaurant.

The aforementioned violations in Scottsdale show a history of non-compliance by Mr. Ray, as the sole Controlling Person of Three Wise Men, at 7323 East Shoeman Lane. Here is a summary of those violations:

--The DLLC performed an audit, reference interim permit license 1207B288 for Three Wise men, using the information that the licensee provided from January 1, 2019 through December 29, 2019 and concluded that the licensee did not meet the definition of a restaurant because its food sales percentage for the audit period was 15.69%.
--On February 27, 2020, in response to an Order to Show Cause issued by the DLLC on February 26, 2020, the licensee submitted additional documentation raising the food sale percentage to 17.21%. In addition to failing the audit, the licensee failed to provide complete records as required by R19-1-317(D).
--On or about January 17, 2020, an investigation by Scottsdale PD discovered an assistant general manager was intoxicated while on duty.
--Licensee was ordered to pay the DLLC on or before March 16, 2020, a civil penalty pursuant to ARS 4-210.01(A) for $6,500. The licensee failed to pay the DLLC as required; the licensee failed to comply with Title 4.

Based upon the reasons listed above, the applicant has not demonstrated that he is reliable, capable, or qualified to be responsible enough to hold a liquor license.

This recommendation for disapproval is submitted by: Ofc Jan Rollon #8104

SIGNATURES	
Investigating Detective	**I Alonge A4289**
Liquor Enforcement Detail Supervisor	**Sgt. M. Doty 5785**

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 27

Off-Track Pari-Mutuel Wagering Permit - Padre Murphy's

Request for an Off-track Pari-mutuel Wagering Permit for a business that has a Series 12 liquor license.

Summary

State law requires City Council approval before a State Off-track Pari-mutuel Wagering Permit can be issued.

Applicant
David Auther, Agent for Arizona Downs, LLC

Location
4338 W. Bell Road, Ste. 1-4
Zoning Classification: PSC
Council District: 1

Public Opinion
Public notice was posted at the proposed location and special notice letters were mailed to residents within a 1/8 mile radius of the proposed location. At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews and the posting process.

Attachments
Off-Track Pari-mutuel Wagering Permit Data - Padre Murphy's
Off-Track Pari-mutuel Wagering Permit Map - Padre Murphy's

Responsible Department

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

Liquor License Data: PADRE MURPHY'S

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	45.54	38.85	63.69
Violent Crimes	8.44	4.90	10.61

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

Property Violation Data

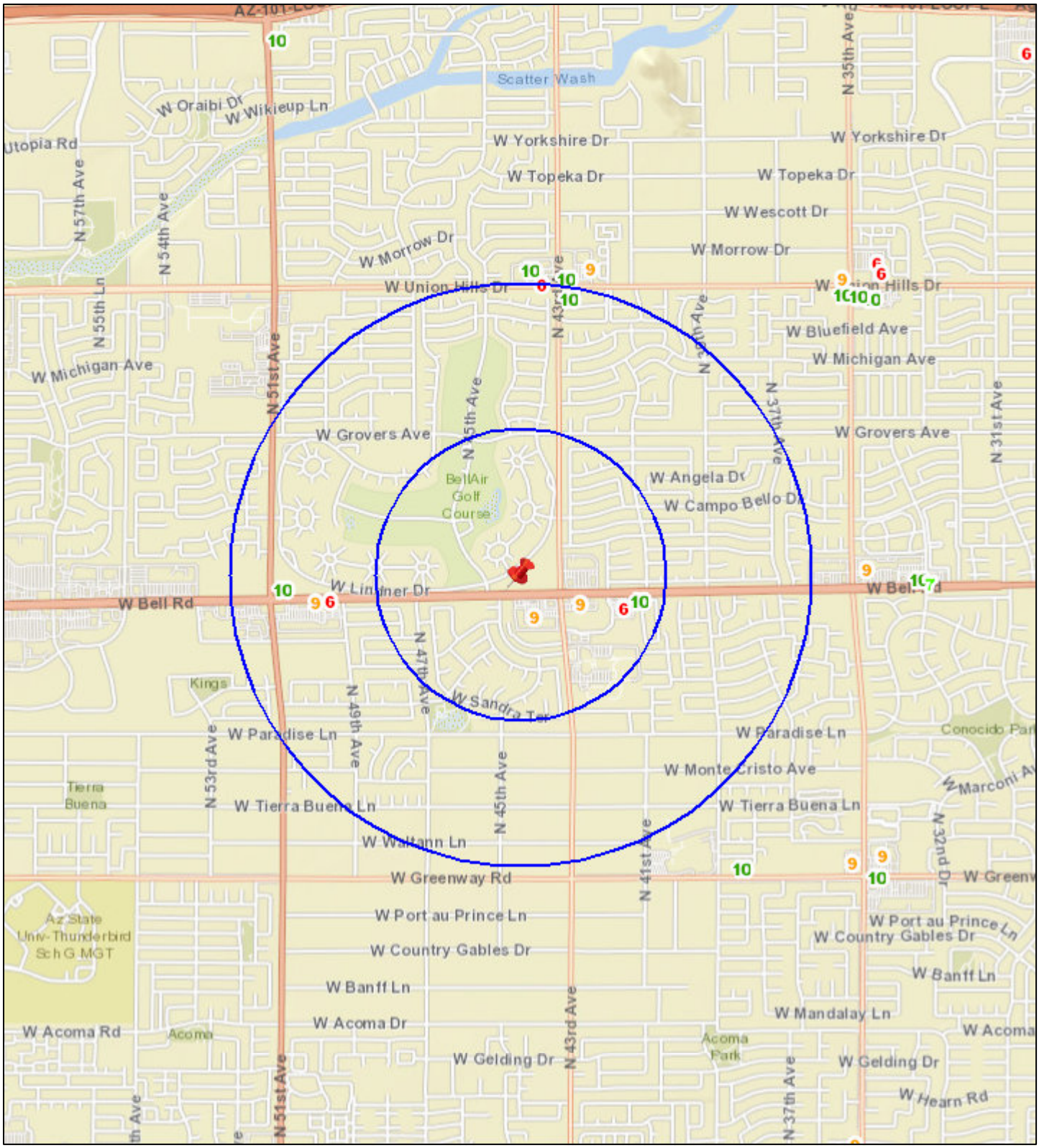
Description	Average	1/2 Mile Average
Parcels w/Violations	55	60
Total Violations	88	80

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1042251	1242	53 %	8 %	9 %
1042253	904	85 %	5 %	11 %
1042261	949	26 %	8 %	11 %
6181001	1795	84 %	3 %	7 %
6181003	1271	93 %	6 %	0 %
6183001	1982	94 %	7 %	9 %
Average		61 %	13 %	19 %

Liquor License Map: PADRE MURPHY'S

4338 W BELL RD



N

Date: 6/11/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 28

Off-Track Pari-Mutuel Wagering Permit - Mr. Haney's

Request for an Off-track Pari-mutuel Wagering Permit for a business that has a Series 6 liquor license.

Summary

State law requires City Council approval before a State Off-track Pari-mutuel Wagering Permit can be issued.

Applicant
David Auther, Agent for Arizona Downs, LLC

Location
5110 E. McDowell Road
Zoning Classification: C-2
Council District: 6

Public Opinion
Public notice was posted at the proposed location and special notice letters were mailed to residents within a 1/8 mile radius of the proposed location. At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews and the posting process.

Attachments
Off-Track Pari-mutuel Wagering Permit Data - Mr. Haney's
Off-Track Pari-mutuel Wagering Permit Map - Mr. Haney's

Responsible Department

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

Liquor License Data: MR. HANEY'S

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	45.54	65.04	47.98
Violent Crimes	8.44	13.11	12.31

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

Property Violation Data

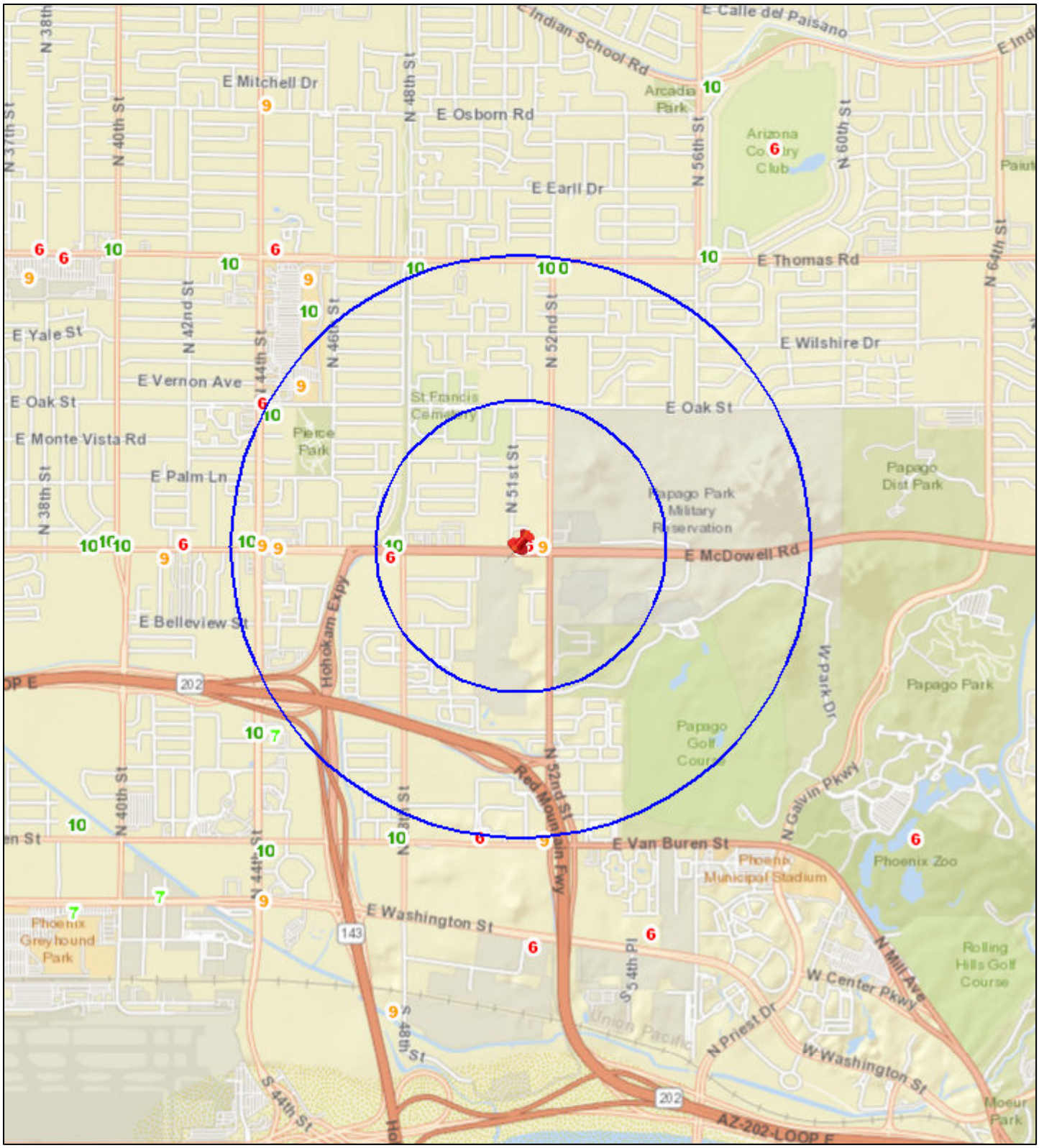
Description	Average	1/2 Mile Average
Parcels w/Violations	55	53
Total Violations	88	91

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1112012	1138	48 %	13 %	4 %
1112013	2473	34 %	14 %	37 %
1112014	620	63 %	23 %	3 %
1112021	1913	6 %	18 %	38 %
1112041	1729	11 %	32 %	19 %
1113004	703	87 %	31 %	15 %
1137005	1280	14 %	32 %	52 %
Average		61 %	13 %	19 %

Liquor License Map: MR. HANEY'S

5110 E MCDOWELL RD



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Date: 6/11/2021

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City Clerk Department

PAYMENT ORDINANCE (Ordinance S-47771) (Items 29-47)

Ordinance S-47771 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.

29 **Pronunciator, LLC**

For $19,500.00 in additional payment authority to extend Contract 143582 for Online Language Learning Resources for the Library Department. The Library utilizes web-based database products and digital content that provide language learning resources for all City of Phoenix library branches. The resource provides access to language learning materials for at least 30 languages, including Spanish and English as a Second Language, and can be used in a variety of formats such as a web browser or mobile application. A one-year extension is necessary to allow for additional time to conduct a formal procurement process for a new contract.

30 **Settlement of Claim(s) Hollingsworth v. City of Phoenix**

To make payment of $50,000.00 in settlement of claim(s) in *Hollingsworth v. City of Phoenix*, 15-0241-001, GL, BI, for the Finance Department pursuant to Phoenix City Code chapter 42. This is a settlement of bodily injury claim arising out of a police incident on March 22, 2015.

31 **Settlement of Claim(s) Hughes v. City of Phoenix**

To make payment of $39,370.39 in settlement of claim(s) in *Hughes v.*

City of Phoenix, 20-0739-001, GL, PD, for the Finance Department pursuant to Phoenix City Code chapter 42. This is a settlement of a property damage claim arising out of a sewer backup incident on Feb. 8, 2021.

32 **Settlement of Claim(s) Moran v. City of Phoenix**

To make payment of $32,000.00 in settlement of claim(s) in *Moran v. City of Phoenix and Baiardi*, 19-0926-001, GL, BI, for the Finance Department pursuant to Phoenix City Code chapter 42. This is a settlement of a bodily injury claim arising out of an off-duty police incident on Dec. 8, 2018.

33 **Simply Fog Inc.**

For $24,600.00 in payment authority for a new contract, entered on or about July 15, 2021 for a term of five years for Fog Fluids for the Fire Department. The Phoenix Fire Training Academy utilizes fog fluid for fog machines to simulate smoke in a building on the fire ground. The department already have numerous fog machines for training on-site and off-site locations. The fog fluid is water-based, non-toxic, and safe for use during training.

34 **McCook Industries, LLC.**

For $75,000.00 in payment authority for a new contract, entered on or about July 1, 2021, for a term of five years to repair and provide annual maintenance for 10 boiler equipment and system units that are used at the aquatic facilities to heat the City's public pools for the Parks and Recreation Department. The Parker Boiler equipment and systems are proprietary. The parts are solely manufactured by Parker Boiler and only authorized licensed dealers can acquire the parts necessary for certain repairs. Previous generic factory boiler repair contracts have been utilized using non-OEM parts, which resulted in excessive costs and improper repairs of the existing boiler systems. A service contract to keep the expensive aging equipment is needed to ensure the City does not have to replace a broken non-repairable system that could incur unnecessary costs.

35 **State of Arizona Department of Revenue**

For $4,400,000.00 for annual payment authority for IGA 150693 for the uniform administration, collection, audit, and or licensing of transaction privilege tax, use tax, severance tax, jet fuel excise and use taxes, and rental occupancy taxes imposed by the State, cities or towns for the Finance Department. Municipal Transaction Privilege Tax administration is governed by the Arizona Revised Statute 42-6001. The Statute was modified for the purpose of tax simplification with the passage of House Bill 2111 in 2013 and House Bill 2389 in 2014. The Statute requires Arizona Department of Revenue (DOR) to administer the transaction privilege and use taxes imposed by all cities and towns, to enter into an intergovernmental agreement with each city or town to reflect these changes, and to clearly define the working relationship between the DOR and Arizona cities and towns.

36 **Cox Communications**

For $135,000.00 for annual payment authority for the Phoenix Fire Department. Services include a private Local Area Network solution utilized for the Maricopa Region Emergency Services IP Network (ESInet). ESInet provides 9-1-1 emergency communications services among the Public Safety Answering Points in the region.

37 **Cox Communications Arizona, LLC**

For $96,000.00 in annual payment authority for Cox Communications Arizona, LLC to provide cable television services for departments and facilities citywide for the Information Technology Services Department. Cable television is provided in some city facilities, including senior centers, community centers, and public waiting areas.

38 **Sprint, Inc.**

For $660,000.00 for annual payment authority for the Phoenix Fire Department. Services include delivering Wireless Phase II cellular 9-1-1 calls to the Maricopa Region 9-1-1 system.

39 **Various Vendors for Registration of Domain Names**

For $25,000.00 in payment authority for various vendors, including GoDaddy and 101Domain, for registration of city domain names, including phoenix.gov for the Information Technology Services Department for citywide domains. The registration of domain names is necessary to host

websites for residents to engage with the city online for information and services.

40 **Zayo Group Holdings, Inc. doing business as Allstream Business US, LLC, Integra Telecom, Electric Lightwave, OpticAccess**

For $188,400.00 in payment authority for annual utility payment for the Fire Department. The funds will provide the Phoenix Fire Department with a private Local Area Network solution utilized for the Maricopa Region Emergency Services IP Network (ESInet). The ESInet services provide 9-1-1 emergency communications among the Public Safety Answering Points in the region.

41 **Syniverse Technologies, LLC**

For $80,000.00 for annual payment authority for the Phoenix Fire Department. Services include Signaling System 7 as part of the telecom architecture for 9-1-1 Wireless Call Routing Management.

42 **Lumen Technologies, Inc. doing business as Lumen Technologies Service Group, LLC**

For $2,880,000.00 for annual payment authority for the Phoenix Fire Department. Lumen Technologies is the Incumbent Local Exchange Carrier that provides services and manages the wire line 9-1-1 system for the Maricopa Region.

43 **Carnegie Mellon University**

For $15,000.00 in payment authority to purchase Chief Information Security Officer training and certification for the Information Technology Services Department. The purchase is for executive level Information Security training co-administered through Carnegie Mellon University and the Software Engineering Institute. The six-month, nationally recognized program provides education and collaboration with cyber security experts on increasingly critical cyber security fields, including applied cyber risk management, cloud security strategy, and operational resilience.

44 **Central Arizona Water Conservation District doing business as Central Arizona Project**

For $28,967.00 in payment authority for a land use license necessary for

the on-going right to use Central Arizona Project land and maintain underground sewer lines on Cave Creek Road for a five-year term starting April 20, 2021 through April 19, 2026 for the Water Services Department.

45 **Central Arizona Water Conservation District doing business as Central Arizona Project**

For $14,766.00 in payment authority for a land use license necessary for the on-going right to use Central Arizona Project land and maintain three underground sewer lines on Happy Valley Road for a five-year term starting Feb. 14, 2021 through Feb. 13, 2026 for the Water Services Department.

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

For $33,000.00 in additional payment authority for Contract 144922, for independent medical evaluations for the Retirement Department. The number and complexity of applications submitted has increased from previous years, requiring additional funds. Independent medical evaluations are used when either the City of Phoenix Employees' Retirement System (COPERS) Board, Disability Assessment Committee, or the Local Police and Fire Retirement Boards (Local Boards) require information to determine the eligibility of individuals for a disability retirement. Further, state statute requires all public safety members who have filed an application for disability retirement be referred for an independent medical evaluation by a board certified, Arizona licensed physician in order to determine if they meet the criteria listed in Arizona Revised Statutes, section 38-859. Memorandum of Understanding 144978--0 is the agreement between the COPERS Board and the Local Boards that permits the Local Boards to use the COPERS contract.

47 **Granicus, LLC**

For $18,000.00 in payment authority for a new agreement, to be entered on or about July 1, 2021, for a term of one year for the Street Transportation Department for Interactive texting services. The service enables a safe and easy way for Phoenix residents to provide feedback in public processes related to the Active Transportation Plan - an update to the Bicycle Master Plan. The contract will allow residents to opt-in to future text message updates or surveys from Street Transportation.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 48

(CONTINUED FROM JUNE 23, 2021) - Odor Control Services - Requirements Contract - IFB 21-107 (Ordinance S-47767)

Request to authorize the City Manager, or his designee, to enter into a contract with Beckman and Monson Holdings LLC doing business as Aire-Master of Phoenix to purchase Odor Control 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 $490,000.

Summary
This contract will provide all materials, labor, and supervision to furnish, install and maintain odor control devices in various City facilities. Services required include the use of a variety of scented deodorants, odor counteractants, and dispensers of various sizes and functions. All fragrant deodorants products shall be environmentally safe, as allergy-free as possible with no toxins that may contaminate the air.

Procurement Information
IFB 21-107 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Procurement Division on May 21, 2021 which were evaluated on price, responsiveness to specifications, and responsibility to provide the required goods and services. The bid notification was sent to 255 suppliers and was publicly posted and available for download from the City's website.

The Deputy Finance Director recommends that the offer from Beckman and Monson Holdings LLC doing business as Aire-Master of Phoenix be accepted as the lowest priced, responsive and responsible offer.

Contract Term
The five-year contract term will begin on or about July 1, 2021.

Financial Impact
The aggregate contract value will not exceed $490,000. Funds are available in the various departments' budgets.

Responsible Department

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

City of Phoenix

To: Ed Zuercher
City Manager

Date: June 21, 2021

From: Denise Olson
Chief Financial Officer

Subject: REQUEST TO CONTINUE ITEM 31, ODOR CONTROL SERVICES-REQUIREMENTS CONTRACT- IFB 21-107 (ORDINANCE S-47767), FROM THE JUNE 23, 2021 FORMAL AGENDA

The Finance Department requests approval to continue Item 31, Odor Control Services-Requirements Contract- IFB 21-107 (Ordinance S-47767), from the June 23, 2021 Formal agenda to the July 1, 2021 Formal agenda. The City received a protest and needs to respond and allow seven days for the appeal process.

Approved by:

Ed Zuercher
City Manager

6/21/21
Date

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 49

Public Hearing on Adoption of Property Tax Levy for 2021-22 Fiscal Year

As required by State statute, request the City Council hold a public hearing prior to the adoption of a property tax levy for the City of Phoenix for 2021-22.

Concurrence/Previous Council Action

The proposed 2021-22 property tax levy reflects actions taken by the Council on the budget at the May 18, 2021 Policy meeting, at the June 2, 2021 Formal meeting to adopt the tentative 2021-22 budget, and at the June 16, 2021 Formal meeting to adopt the final 2021-22 budget. At the June 16, 2021 Formal meeting, a public hearing on the proposed primary property tax levy was held in accordance with statutory truth-in-taxation requirements.

Responsible Department

This item is submitted by City Manager Ed Zuercher, Assistant City Manager Jeff Barton and the Budget and Research Department.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 50

Adoption of Property Tax Levy for 2021-22 Fiscal Year (Ordinance S-47779)

An ordinance levying separate amounts to be raised for primary and secondary property tax levies upon each one hundred dollars ($100.00) of the assessed valuation of the property subject to taxation within the City of Phoenix for the fiscal year ending June 30, 2022.

The ordinance (**Attachment A**) provides for a primary property tax rate resulting in a levy of $193,225,455 (a General Fund revenue source) equating to a rate of $1.3055 per $100 of assessed valuation, including $0.08 for maintenance of parks and playgrounds and $0.3055 for the operation and maintenance of libraries; and an estimated secondary property tax levy of $120,493,943 (used only for debt service) equating to a rate of $0.8141 per $100 of assessed valuation. The total rate of $2.1196 is $0.01 lower than the total 2020-21 rate of $2.1296.

Concurrence/Previous Council Action

The proposed 2021-22 property tax levy reflects actions taken by the Council on the budget at the May 18, 2021 Policy meeting, at the June 2, 2021 Formal meeting to adopt the tentative 2021-22 budget, and at the June 16, 2021 Formal meeting to adopt the final 2021-22 budget. At the June 16, 2021 Formal meeting, a public hearing on the proposed primary property tax levy was held in accordance with statutory truth-in-taxation requirements.

Responsible Department

This item is submitted by City Manager Ed Zuercher, Assistant City Manager Jeff Barton and the Budget and Research Department.

ATTACHMENT A

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

ORDINANCE S-#####

AN ORDINANCE LEVYING SEPARATE AMOUNTS TO BE RAISED FOR PRIMARY AND SECONDARY PROPERTY TAX LEVIES UPON EACH ONE HUNDRED DOLLARS ($100.00) OF THE ASSESSED VALUATION OF PROPERTY SUBJECT TO TAXATION WITHIN THE CITY OF PHOENIX FOR THE FISCAL YEAR ENDING JUNE 30, 2022.

_____

WHEREAS, by the provisions of the City Charter an ordinance levying taxes for the fiscal year 2021-22 is required to be finally adopted not later than the last regular Council meeting in July of said fiscal year, which date complies with State law requirements; and

WHEREAS, the County of Maricopa is now the tax assessing and collecting authority for the City of Phoenix, the City Clerk is hereby directed to transmit a certified copy of this tax levy ordinance to the Assessor and the Board of Supervisors of Maricopa County, Arizona as required by law.

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

SECTION 1. There is hereby levied on each ONE HUNDRED DOLLARS ($100.00) of the limited assessed value of all property, real, personal and possessory interest, within the corporate limits of the City of Phoenix, except such property as may

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be by law exempt from taxation, a primary property tax rate equating to $1.3055 which is sufficient to generate a primary property levy of ONE HUNDRED NINETY-THREE MILLION, TWO HUNDRED TWENTY-FIVE THOUSAND, AND FOUR HUNDRED FIFTY-FIVE DOLLARS ($193,225,455), an amount less than the maximum allowable primary tax levy under the Arizona Constitution. The primary tax levy is allocated into the following amounts or rates for each of the following purposes:

(a) For the purpose of providing funds for the GENERAL MUNICIPAL AND ADMINISTRATIVE EXPENSES of the City, in accordance with Chapter XVIII - Section 8 of the City Charter, a tax rate of $1.00 per ONE HUNDRED DOLLARS ($100.00) of limited assessed valuation of all taxable real, personal and possessory interest property in the City of Phoenix, which includes $0.08 per ONE HUNDRED DOLLARS ($100.00) of such limited assessed valuation for the purpose of providing funds for the OPERATION AND MAINTENANCE OF PARKS AND PLAYGROUNDS, in accordance with Chapter XXIII - Section 2 - Subsection 2 of the City Charter.

(b) For the purpose of providing funds for the OPERATION AND MAINTENANCE OF LIBRARIES, in accordance with Chapter XVIII - Section 11 of the City Charter, a tax rate of $0.3055 per ONE HUNDRED DOLLARS ($100.00) of limited assessed valuation of all taxable real, personal and possessory interest property in the City of Phoenix.

SECTION 2. In addition to the property tax levy for primary purposes set in Section 1 above, there is hereby levied on each ONE HUNDRED DOLLARS ($100.00) of the limited assessed value of all property, real, personal and possessory interest, within the corporate limits of the City of Phoenix, except such property as may

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by law be exempt from taxation, a secondary tax rate of $0.8141 for secondary purposes for paying principal of and interest on or redemption charges on general obligation bonds of the City of Phoenix.

SECTION 3. The primary property tax rate as calculated in Section 1 and the secondary tax rate as calculated in Section 2 shall equal a combined tax rate of $2.1196.

SECTION 4. Failure by the County officials of Maricopa County, Arizona to properly return the delinquent list, any irregularity in assessments or omissions in the same, or any irregularity in any proceedings shall not invalidate such proceedings or invalidate any title conveyed by a tax deed; failure or neglect of any officer or officers to timely perform any of the duties assigned to him or to them shall not invalidate any proceedings or any deed or sale pursuant thereto; the questioned validity of assessment or levy of taxes or of the judgment of sale by which collection of the same may be enforced shall not affect the lien of the City upon such property for the delinquent taxes unpaid thereon; overcharge as to part of the taxes or of costs shall not invalidate any proceedings for the collection of taxes or the foreclosure of the lien therefore or a sale of the property under such foreclosures; and all acts of officers de facto shall be valid as if performed by officers de jure.

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PASSED by the Council of the City of Phoenix on this 1st day of July, 2021.

_____

M A Y O R

ATTEST:

_____ City Clerk

APPROVED AS TO FORM:

_____ Acting City Attorney

REVIEWED BY:

_____ City Manager

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PHOENIX, ARIZONA
2021-22 LEGAL LIMIT
PROPERTY TAX LEVY FOR PRIMARY PURPOSES
A.R.S. § 42-17051, Subsection A

1.	Maximum allowable levy for the prior year	$ 185,428,990
2.	The above figure increased by two percent (2%)	189,137,570
3.	Current Assessed Value of last year's property	14,481,643,949
4.	A. "3" divided by 100	144,816,439
	B. Maximum Allowable Tax Rate equals - "2" divided by "4A" ($189,137,570 ÷ $144,816,439)	1.3061
5.	Estimated Current Assessed Value	14,800,877,416
6.	A. Current Assessed Value divided by 100	148,008,774
	B. Levy equals - "4B" multiplied by "6A" ($1.3061 X $148,008,774)	193,314,260
	Estimated over collections of the 2020-21 primary property tax levy will reduce this estimate as follows:	
7.	A. Estimated over collections of 2020-21 primary levy	-0-
	B. Maximum Allowable Levy Limit for 2021-22	$ 193,314,260
8.	Adjusted Allowable Levy Limit and Tax Rate:	
	A. Allowable Levy Limit for 2021-22	$ 193,314,260
	B. Accepted Torts	-0-
	C. Adjusted Allowable Levy Limit	$ 193,314,260
	D. Adjusted Allowable Tax Rate - "8C" divided by "6A" ($193,314,260 ÷ $148,008,774)	1.3061
2021-22 Primary Levy		**$ 193,225,455**
2021-22 Primary Tax Rate		**1.3055**

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City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 51

Request for City Council to Call to Meet in Executive Session on Specific Dates through December 2021

Request for the City Council to call meetings for the purpose of holding an Executive Session pursuant to Arizona Revised Statutes, section 38-431.03.A, on the following dates at Noon in the Central Conference Room, 12th Floor of Phoenix City Hall, 200 W. Washington St., Phoenix, Arizona.

- Sept. 7
- Sept. 21
- Oct. 12
- Oct. 26
- Nov. 9
- Dec. 7

Public Outreach
The Notice and Agenda for these Executive Sessions will be posted no later than 24 hours before each scheduled meeting.

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 52

Payment Ordinance for Summer Recess (Ordinance S-47790)

The request is prepared each fiscal year end to allow for continuance of operations during the annual Council summer recess.

Summary

Request to authorize the City Controller to disburse funds, not to exceed $100,000 per vendor, per occurrence, arising or otherwise due and payable during the period commencing on July 1, 2021 through August 24, 2021, for the purpose of continuing payment authority for expenditure of public money for payment of claims against the City of Phoenix for normal, recurring, business operating expenditures.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone, the Chief Financial Officer and the City Controller.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 53

Acceptance and Dedication of a Deed and Easement for Sidewalk and Roadway Purposes (Ordinance S-47788)

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

Summary

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

Easement (a)
Applicant: Chamberlain Development, L.L.C., its successor and assigns
Purpose: Sidewalk
Location: 6950 W. Buckeye Road
File: FN 210036
Council District: 7

Deed (b)
Applicant: Chipman Apartments, LLC, its successor and assigns
Purpose: Roadway
Location: 1135 E. Chipman Road
File: FN 210026
Council District: 8

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 54

Acceptance and Dedication of an Easement for Public Utility Purposes (Ordinance S-47784)

Request for the City Council to accept and dedicate an easement for public utility purposes; further ordering the ordinance recorded.

Summary

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

Easement (a)
Applicant: North Valley Assembly of God, its successor and assigns
Purpose: Public Utility
Location: 28660 N. Black Canyon Highway
File: FN 200595
Council District: 1

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 55

Acceptance of Easement for Water Purposes (Ordinance S-47786)

Request for the City Council to accept an easement for water 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: Lincoln View Plaza LLC, its successor and assigns
Purpose: Water
Location: 3113 E. Lincoln Drive
File: FN 210025
Council District: 6

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 56

Acceptance and Dedication of Assignment of Right-of-Way (16-104453) from Arizona State Land Department for Roadway and Underground Utility Purposes (Ordinance S-47772)

Request for the City Council to accept an assignment of a portion of right-of-way from the Arizona State Land Department for roadway and underground utilities and to dedicate the land to public use for roadway and underground utility purposes; further ordering the ordinance recorded.

Additionally, request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18, as the Arizona State Land Department's documents include such provisions.

Summary
Arizona Public Service Company (APS) acquired approximately 1.18 acres of right-of-way for roadway and underground utilities from the Arizona State Land Department for legal access to their APS facility. As a condition of the right-of-way acquisition, APS is required to assign and transfer all title and interest of the right-of-way to the City. The Street Transportation Department has agreed to accept only the portion of right-of-way within the City's jurisdiction. The portion of right-of-way outside of the City limits is excepted out of this acceptance. The right-of-way is located west of 56th Street along Jomax Road and is further described in the legal description to be recorded with the ordinance.

Financial Impact
There is no financial impact to the City of Phoenix as the right-of-way and all fees associated with this transaction were paid by APS.

Location
West of 56th Street along Jomax Road.
Council District: 2

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 57

Acquisition of Real Property for High-Intensity Activated Crosswalk Signals at Seven Locations (Ordinance S-47774)

Request to authorize the City Manager, or his designee, to acquire real property and related property interests by donation, purchase within the City's appraised value, or by the power of eminent domain for High-Intensity Activated Crosswalk signals at seven locations. Further request to authorize dedication of land with roadway and/or public improvements to the public use via separate recording instrument. Additionally request to authorize the City Controller to disburse all funds related to this item.

Summary

Acquisition of real property is required to install High-Intensity Activated Crosswalk (HAWK) signals. Improvements include illuminated crosswalks, Americans with Disabilities Act compliant sidewalks and ramps, pedestrian signals, pavement, curb and gutter. The project will enhance pedestrian crossing safety at the following locations:

1. 17th and Peoria Avenues;
2. 7th Avenue and Colter Street;
3. Thomas Road and Dayton Street;
4. 16th Street and Virginia Avenue;
5. 13th Avenue and Osborn Road;
6. 16th Avenue and Buckeye Road; and
7. 19th and Glendale Avenues.

The properties impacted by this project are identified in **Attachment A**.

Financial Impact

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

Location

Various locations.
Council Districts: 3, 4, 5 and 8

Responsible Department

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

Attachment A

Property Identification

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

APN	Address / Location
105-03-069H	1240 S. 16th Ave.
110-14-040A	1402 W. Osborn Road
110-28-026	1301 W. Osborn Road
112-14-037A	1602 W. Buckeye Road
117-04-012	2635 N. 16th St.
117-20-124	2630 N. 16th St.
117-28-002	2816 N. Dayton St.
156-43-125A	902 W. Colter St. (City-owned land - portion to be dedicated)
162-27-101A	5201 N. 7th Ave.
157-16-012	1804 W. Glendale Ave.
156-17-004G	1815 W. Glendale Ave.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 58

Acquisition of Real Property for Roadway Improvements Along 48th Street Between Pointe Parkway West Traffic Circle and Baseline Road (Ordinance S-47808)

Request to authorize the City Manager, or his designee, to acquire all real property and related property interests by donation, purchase within the City's appraised value, or by the power of eminent domain required for roadway improvements along 48th Street between the Pointe Parkway West traffic circle and Baseline Road. Further request to authorize dedication of land with roadway and/or public improvements to public use for right-of-way purposes via separate recording instrument. Additionally request to authorize the City Controller to disburse all funds related to this item.

Summary

The City entered into Development Agreement 143841 with Pointe South Mountain Business Park Association (Association) for the construction of public improvements including the build out of 48th Street as a public roadway. The Association worked with the City to secure dedications from existing owners and members of the Association. Additional acquisition of real property is required to obtain property rights needed to begin construction.

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

Financial Impact

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

Concurrence/Previous Council Action

The City Council approved:

- Development Agreement 143841 (Ordinance S-42241) on Jan. 6, 2016; and
- Acceptance and Dedication of Land (Ordinance S-47122) on Nov. 18, 2020.

Location

48th Street between the Pointe Parkway West traffic circle and Baseline Road.
Council District: 6

Responsible Department

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

Attachment A
Property Identification

City of Phoenix Street Improvement Project: ST85100355-1 Acquisition of Real Property for Roadway Improvements Along 48th Street Between the Pointe Parkway West Traffic Circle and Baseline Road

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

APN	**Address / Location**
301-11-955	7777 South Pointe Pkway West
301-14-002	4926 E. Beverly Road
301-14-019B	4725 E. Baseline Road
301-14-019C	4725 E. Baseline Road
301-14-020E	2785 W. Baseline Road
301-14-020G	2785 W. Baseline Road
301-14-044	8181 S. 48th St.
301-14-930	7815 S. 48th St.
301-15-139	2727 W. Baseline Road
301-15-145	South of Baseline Road along 48th Street

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 59

Authorization to Execute Agreements with Arizona Public Service and Grant Related Easements for Electric Vehicle Charging Stations at 305 W. Washington and 324 and 424 W. Adams Streets (Ordinance S-47777)

Request to authorize the City Manager, or his designee, to execute agreements with Arizona Public Service and grant related easements for electric vehicle charging stations at 305 W. Washington and 324 and 424 W. Adams streets.

Summary
Arizona Public Service (APS) is conducting an Electric Vehicle (EV) Charging Pilot Program (Program) for installation of EV charging stations to assess EV consumer purchasing and the use of EV charging stations. The Program will be in place for five years and may terminated at any time by APS. Upon termination, the City may elect to take ownership of, or have APS remove, the EV charging stations.

At no cost to the City, APS will design, construct, and install all necessary infrastructure and charging stations. APS will install 8 EV chargers in the parking garage at 305 W. Washington St. and 5 EV chargers in the parking garage at 324 and 424 W. Adams St. APS will provide semi-annual inspections, testing and firmware upgrades. The City is responsible for weekly safety inspections to keep the charging stations clear and free of debris.

The City may be required to grant easements or licenses for infrastructure related to the installation and operation of the EV charging stations. If the City elects to take ownership of the EV charging stations, APS will transfer title to the City.

Contract Term
The agreement term will be for five years.

Financial Impact
There is no financial impact to the City.

Location
305 W. Washington Street
324 W. Adams Street

424 W. Adams Street
Council District: 7

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 60

Authorization to Accept Real Property for Middle Vista Hillside Mountain Preserve West of N. Black Canyon Highway Along Dixileta Drive Alignment (Ordinance S-47789)

Request to authorize the City Manager, or his designee, to accept by donation real property located west of the N. Black Canyon Highway and along the Dixileta Drive alignment for Mountain Preserve purposes, to be designated as "Mountain Preserve" in accordance with the provisions of Chapter XXVI of the City Charter.

Summary

The property is being developed by Lennar as Middle Vista Hillside Subdivision (KIVA 13-1972 / PLAT 200619) which consists of 228 single-family lots. As part of the rezoning stipulation, GM Gabrych Family Limited Partnership and/or Lennar Arizona, Inc., its successor or assigns will donate approximately 117 acres along the west side of the development for the Middle Vista Hillside Mountain Preserve to provide a natural space that may be developed into a future trailhead. The property will be conveyed by special warranty deed.

The properties impacted by this project are identified in **Attachment A**.

Location

N. Black Canyon Highway along the Dixileta Drive alignment.
Council District: 1

Responsible Department

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

Attachment A
Property Identification

City of Phoenix Parks and Recreation Project: Acceptance of Real Property for Middle Vista Hillside Mountain Preserve

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

APN	**Address / Location**
204-23-002B	29301 N. 35th Ave.
204-23-002C	29101 N. 35th Ave.
204-23-002D	29100 N. 31st Ave.
204-23-004A	3201 W. Dixileta Drive
204-23-006B	W. Dixileta Drive and N. Black Canyon Highway
204-23-006D	W. Dixileta Drive and N. Black Canyon Highway
204-23-006E	W. Dixileta Drive and N. Black Canyon Highway
204-23-012	W. Dixileta Drive and N. Black Canyon Highway
204-24-986A	W. Dixileta Drive and N. Black Canyon Highway

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 61

Online Access Electronic Books - Requirements Contract - RFA 17-072(A) (Ordinance S-47792)

Request to authorize the City Manager, or his designee, to extend and allow additional expenditures under Contract 144194 with Skillsoft Corporation for the purchase of Skillsoft Books, for the Library Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $51,726.

Summary

This contract offers unlimited, simultaneous access to over 25,000 eBooks focusing on topics related to business, professional development, human resources, information technology, as well as thousands of books, research report, book summaries and best practices for the Library Department. In addition, this resource provides access to the Leadership Channel Online, an Integrated solution featuring over 4,500 videos. The Phoenix Public Library is the only public library in Maricopa County to offer these resources.

In an effort to allow more time to complete a new procurement process and ensure current City services are not interrupted, it is in the best interest of the City to extend the current contract.

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

Contract Term

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

Financial Impact

Upon approval of $51,726 in additional funds, the revised aggregate value of the contract will not exceed $273,367. Funds are available in the Library Department’s budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Dec. 14, 2016.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 62

Authorization to Amend Agreement with City of Phoenix Municipal Employees Association, an Arizona non-profit Corporation to Extend Term (Ordinance S-47798)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 142954 with City of Phoenix Municipal Employees Association, a non-profit corporation to extend the lease term for a five-year period. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary

City of Phoenix Municipal Employees Association (COPMEA) leases approximately 487 square feet of office and storage space controlled by the Public Works Department, on the 2nd floor of the Calvin C. Goode building located at 251 W. Washington St. The agreement will be amended to extend the term for a five-year period. Market rent for the space is approximately $6,000 per year. As consideration for the lease, COPMEA will provide in-kind services and/or donations having a value equivalent to the market value of the lease, which is $6,000 per year, which is within the range of market rents as determined by the Real Estate Division. The in-kind services and/or donations will be provided as follows: 1) a dedication for an improvement to the Parks and Recreation Department for one or more City parks of no less than $5,500 per year; and 2) gift baskets and other drawing donations for proceeds to benefit the Community Service Fund Drive, Hands and Hearts Faire of no less than $500 per year. COPMEA is a long-term tenant in good standing.

Financial Impact

The City will receive in-kind services and donations in the amount of no less than $6,000 per year.

Concurrence/Previous Council Action

The City Council approved Agreement 142954 (Ordinance S-42414) on April 6, 2016.

Location

251 W. Washington St.
Council District: 7

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 63

Custodial Services IFB 19-076 - Requirements Contract (Ordinance S-47806)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 149368 with ISS Facility Services, Inc. for large-scale event cleaning services for the Phoenix Convention Center Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $475,000.

Summary

The Phoenix Convention Center Department (PCCD) and their custodial service vendor have mutually agreed to terminate their current custodial service contract, effective on Nov. 20, 2020. In response to the majority of events being cancelled at PCCD facilities due to the COVID-19 pandemic, contracted cleaning services were discontinued. PCCD is now seeking cleaning services through December 2021 and has requested to be added as an authorized user of this cleaning service contract with ISS Facility Services, Inc. This contract will provide pre-event and post-event cleaning services as the PCCD is underway in reopening for city-wide conventions and large-scale events. The additional funds will allow PCCD to continue to maintain increased levels of cleanliness at PCCD theaters and convention center facilities.

Adding PCCD as an authorized user will allow the department additional time to complete their new procurement for custodial services.

Contract Term

This contract is effective from May 1, 2019 through April 30, 2024.

Financial Impact

Upon approval of $475,000 in additional funds, the revised aggregate value of the contract will not exceed $6,279,940. Funds are available in the Phoenix Convention Center Department's budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on May 1, 2019.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 64

Authorization to Execute Agreements and Grant Necessary Easements for Salt River Project Recharge Station at Phoenix Zoo (Ordinance S-47809)

Request authorization for the City Manager, or his designee, to execute agreements and licenses, and grant easements across City-owned property leased to the Arizona Zoological Society for the Salt River Project Recharge Station. Additionally, request authorization to dedicate easements to public use via separate recording instrument. There is no financial impact to the City.

Summary

The Arizona Zoological Society (Zoo) operates the Phoenix Zoo on City-owned land (City) under Lease Agreement 106614, effective through May 2058. The City is reconstructing the parking lots that serve the Phoenix Zoo, and the Zoo will take over maintenance responsibilities of the parking lots. At no cost to the City and Zoo, Salt River Project (SRP) will install 20 solar-powered covered parking spaces with 10 dual port smart electric vehicle chargers in parking lot A (Recharge Station).

The City and/or Zoo will enter into a 10-year agreement with SRP for the Recharge Station. The agreement may be extended for two, five-year periods at SRP's sole discretion. SRP is responsible for all design, installation, equipment costs and infrastructure upgrades. SRP is responsible for operation, maintenance and electrical costs of the SRP installed systems during the term of the agreement. The City and/or Zoo may assume ownership of the Recharge Station, including costs for operation and maintenance upon termination of the agreement. SRP will decommission and return the site to a condition as close to original, as reasonably possible, if the City and/or Zoo declines ownership of the Recharge Station.

The City may be required to execute agreements and licenses, and grant and/or dedicate easements required by SRP for installation and operation of the Recharge Station. The City and the Zoo will amend the lease agreement to reflect the Zoo's maintenance responsibility of the parking lots.

Financial Impact

There is no financial impact to the City.

Concurrence/Previous Council Action

The City Council approved:
1) Lease Agreement 106614 (Ordinance S-29900) on April 30, 2003;
2) Lease Agreement Amendment 106614-1 (Ordinance S-36097) on Aug. 17, 2009; and
3) Lease Agreement Amendment 106614-2 (Ordinance S-40549) on June 3, 2014.

Location

455 N. Galvin Parkway
Council District: 6

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 65

Annual Expenditure Limitation Report Designee to Arizona Auditor General (Resolution 21946)

Request City Council approval to designate Assistant Finance Director Kathleen Gitkin to submit the City's Annual Expenditure Limitation Report (AELR) to the Arizona Auditor General.

Summary

Arizona Revised Statutes 41-1279.07 (E) requires each county, city, town and community college district to annually provide to the Auditor General by July 31 of each year the name of the CFO that the governing board designates to submit the current year's AELR and to certify the accuracy of the report. For 2021 and 2022, the Auditor General has authorized the City Manager to designate the Assistant Finance Director to sign the AELR until the next Chief Financial Officer is selected.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 66

Civil Service Board Hearing Officers (Ordinance S-47821)

Request to authorize the City Manager, or his designee, to enter into agreements with Harold J Merkow, Mary Stevens, Peter Reinstein, Prudence Lee and Stacy Gabriel, to provide Hearing Officer services to the Civil Service Board. Further request to authorize the City Controller to disburse funds related to this item. The five-year aggregate value of all contracts will not exceed $310,000.

Summary

These contracts are needed to perform hearing officer duties including conducting hearings on Civil Service Board appeals as provided in the Personnel Rules, composing written reports stating findings and conclusions of law, and making recommendations for the Civil Service Board's review and approval.

Procurement Information

Request for Qualifications (RFQu) 20-132 was conducted in accordance with Administrative Regulation 3.10, with the intent of establishing a list of qualified vendors to provide hearing officer services on an as-needed basis for the City. Five offers were received by the Human Resources Department on April 23, 2021. The Notice of Solicitation was emailed to 365 Hearing Officers registered in ProcurePHX and other listings from other government agencies and associations in Arizona. The offers were scored by a three-person panel on the following criteria: Qualifications and Experience (350 points), Method of Approach (350 points) and Communication (300 points).

It was the consensus of the evaluation committee to recommend awarding the contract to Harold J Merkow, Mary Stevens, Peter Reinstein, Prudence Lee and Stacy Gabriel.

The following are the scores:
Prudence Lee - 965
Harold J Merkow - 935
Mary Stevens - 875
Stacy Gabriel - 860
Peter Reinstein - 535

The Human Resources Director recommends that the offers from the above vendors

be accepted as responsive and responsible offers that are most advantageous to the City.

Contract Term
The five-year contract term shall begin on or about Aug. 2, 2021.

Financial Impact
The five-year aggregate value of all contracts will not exceed $310,000. Funds are available in the Human Resources Department's budget.

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 67

Enterprise License Agreement for GIS Mapping - Amendment (Ordinance S-47794)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 148203 with Environmental Systems Research Institute, Inc., to provide additional time and funding for the GIS Mapping Enterprise License Agreement for the Information Technology Services Department in support of various departments. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures authorized in this amendment will not exceed $2,575,350.

Summary

This request is to extend the term of the existing Enterprise License Agreement (ELA) and for the funds needed for those additional years. Environmental Systems Research Institute (ESRI), Inc. is the City's provider of GIS software used by the Information Technology Services, Aviation, Fire, Police, Street Transportation, Water Services and other departments to maintain critical infrastructure and public safety information.

The mapping solution allows departments to generate maps and mapping applications, and storage geospatial data in a centralized spatial database hosted by the Information Technology Services Department. The ELA provides City GIS users unlimited access to the ESRI products identified in the agreement, including maintenance on all software for the term of the agreement. Based on the considerable number of user licenses deployed throughout the City, entering into an ELA provides benefits, value, and cost savings to the City. Benefits include a lower cost-per-unit for licensed software, substantially reduced administrative expenses, maintenance, and the flexibility to deploy software when and where needed.

Contract Term

The term of this agreement will be extended through July 29, 2024.

Financial Impact

The initial authorization for this agreement was for an expenditure not to exceed $1,515,100. This amendment will increase the authorization for the agreement by an additional $2,575,350 (including taxes), for a new total not-to-exceed agreement value

of $4,090,450.

Funding is available in the various departments' budgets.

Concurrence/Previous Council Action
The City Council approved Agreement 148203 (Ordinance S-44741) on June 6, 2018.

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the Information Technology Services Department.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 68

Various Software License Agreements (Ordinance S-47814)

Request to authorize the City Manager, or his designee, to execute all necessary software agreements with: Formstack, LLC; Mixmode, Inc.; RedSeal, Inc.; and RSA Security LLC, and further request to grant an exception to the indemnification, liability, and legal redress provisions of Phoenix City Code section 42-18. There is no financial impact related to this request, as funding for the agreements has already been approved as part of the State of Arizona Cooperative for Software Value-Added Reseller Services agreements.

Summary

The City uses the Software Value-Added Resellers Cooperative contracts for departments citywide to purchase software and annual software support and maintenance. Formstack, LLC, Mixmode, Inc., RedSeal, Inc., and RSA Security LLC offer software and related services needed by the City for electronic forms and IT Security. This request is for approval to enter into the vendors' license agreements, requiring an exception to code provisions in section 42-18. In negotiating these agreements, it has become clear that the software providers cannot fully indemnify the City nor accept unlimited liability. The vendors' position aligns to IT industry practices. Granting an exception would authorize the City to negotiate indemnification and assumption of liability provisions that best protect the City while still being acceptable to the vendors.

Mixmode, Inc., RedSeal, Inc., and RSA Security LLC provide security software to protect the City's systems, such as security monitoring and multi-factor authentication solutions.

The software agreement with Formstack, LLC will provide a versatile software solution which will replace the City's current in-house eForms system. The Formstack solution will allow the City to build no-code forms to gather customer data and automate tasks such as the City Clerk Department's Virtual Request to Speak process, the Budget and Research Department's Community Budget Hearing forms and similar processes. Enhancing the electronic form system is vital to the business needs of the City and provides enhanced digital services to residents.

Contract Term
The term of the agreements under the City's Cooperative Purchasing Agreement for Software Value-Added Reseller Services through the State of Arizona Cooperative is through April 7, 2022. All software purchases will occur during this period. Contract term provisions within the software agreements may extend beyond the term of the cooperative agreement.

Financial Impact
There is no financial impact related to this request, as funding for the agreements has already been approved as part of the State of Arizona Cooperative for Software Value-Added Reseller Services agreements.

Concurrence/Previous Council Action
The City Council approved:

- Software Value-Added Reseller Services Cooperative Agreement 144228 (Ordinance S-43077) with CDW on Dec. 14, 2016; and
- Software Value-Added Reseller Services Cooperative Agreement 151721 (Ordinance S-46331) with SHI on Jan. 29, 2020.

Responsible Department
This item is submitted by Deputy City Manager Toni Maccarone and the Information Technology Services Department.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 69

Professional Services for IT Project Management and Business Analysis Support - Amendment (Ordinance S-47817)

Request to authorize the City Manager, or his designee, to authorize additional expenditures under the established agreements with: CE Wilson Consulting, LLC Contract 144530; Envision, LLC Contract 144528; IntraEdge, Inc., Contract 144532; Kolla Soft, Inc., Contract 144531; and Scott Business Group, LLC Contract 144533 for professional Information Technology (IT) project management and business analysis services on an as-needed basis for the Information Technology Services Department in support of various departments. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures authorized in this amendment will not exceed $1.6 million.

Summary

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

Recently, the ability to utilize these contracts allowed the Information Technology Services Department to contract with project managers and business analysts to expeditiously support critical initiatives such as enhancements to the citywide cyber security programs, Fire and Police department critical system modernization efforts, myPHX311 initiative and the citywide Learning Management System. This request is for additional funding to allow the City to support upcoming IT project requests and needs, and avoid disruption to key initiatives.

Contract Term

The term of these agreements is through Jan. 31, 2022.

Financial Impact

The initial authorization for these agreements was for an expenditure not to exceed $5 million. This amendment will increase the authorization for these agreements by an

additional $1.6 million for a new total not to exceed $6.6 million. Funding is available in various departments' budgets.

Concurrence/Previous Council Action

The City Council approved Ordinance S-43212 for these agreements on Feb. 1, 2017.

Responsible Department

This item is submitted by Deputy City Manager Toni Maccarone and the Information Technology Services Department.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 70

Software Licensing, Maintenance and Technical Support For Case Management System (Ordinance S-47807)

The Phoenix Municipal Court requests authorization to purchase software licensing, maintenance and technical support from Prolifics, Inc. Further request authorization for the City Controller to disburse all funds related to this item. The agreement value will not exceed $17,000.

Summary
The Phoenix Municipal Court leverages an internally developed and supported case management system that relies on Panther software provided by Prolifics, Inc. It is critical for the Court to obtain this software licensing, maintenance and technical support as not doing so would be a risk to the Court’s project to upgrade its case management system (iCMS). The Panther software is necessary to support iCMS, which is the Court's primary, mission-critical business application.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a Special Circumstance Without Competition Determination Memo citing Prolifics, Inc. as the only known distributor and provider of Panther software, upgrades, maintenance and technical support, which the Court currently uses in its case management system.

Financial Impact
Expenditures for this purchase will not exceed $17,000.

Funding is available in the Phoenix Municipal Court's budget.

Responsible Department
The item is recommended by Chief Presiding Judge B. Don Taylor III and Deputy City Manager Karen Peters.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 71

Tohono O'odham Nation Gaming Grants (Ordinance S-47795)

Request to authorize the City Manager, or his designee, to apply, accept, and if awarded, enter into related agreements for up to $470,973.42 in new funding from the Tohono O'odham Nation under the 2021 funding cycle. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, funds as directed by the Tohono O'odham Nation in connection with these grants.

Summary

If awarded, these monies would be applied, as directed by the Tohono O'odham Nation, towards the following:

City Applications

- Community and Economic Development Department: $50,000 for the Reinvest Maryvale Campaign, which will attract meaningful investment and development interest in the Maryvale Village, which will provide educational, recreational and economic opportunities to the residents and visitors of Maryvale.
- Parks and Recreation Department: $15,300 for the FitPHX, Zero Waste Cooking Program, which will teach community members how to prepare zero waste meals at home.
- Phoenix Fire Department: $76,189.42 for the purchase of a mini all-terrain ambulance capable of responding to medical emergencies during special events where access is limited due to crowd size or event footprint.

Non-Profit Applications

- Ballet Arizona: $6,450 for the Hoop Dance Program, which will enable Ballet Arizona to engage 20-25 Native American youth (ages 8-12) in the Hoop Dance Program, featuring introductory dance classes anchored in not only Native American history, culture, and traditions, but also those of ballet.
- Cancer Support Community Arizona: $30,000 for the Improving Health Outcomes for Uninsured and Under-Insured Arizona Cancer Patients program, which will promote increased access to medical and mental health care for Arizona's uninsured and under-served cancer patients, it will decrease barriers to care, reduce health care inequities, and promote optimal health outcomes.

- Creighton Community Foundation: $35,000 for the Creighton Community Gardens Program, which will seek to transform the local food system to bring inclusive, equitable, and participatory foods access to the most vulnerable communities.
- Daring Adventures: $43,034 for the Collaborative Recreation Program, which will offer a variety of supportive services and recreational services for people of all abilities.
- Life More Abundantly: $15,000 for the Pregnancy Testing and Ultrasound Program, which will support the Nursing and Client Services staff in the Pregnancy Resource Center.
- Neighborhood Ministries: $30,000 for the Suenos Youth Empowerment Center which will bridge the digital divide in inner-city Phoenix while increasing academic retention, promotions, aspirations, and career opportunities to equip vulnerable youth to become healthy, responsible and independent adults.
- Seed Spot: $50,000 for technical assistance programming which ranges from short form workshops, two day Launch Camps to intensive six week training programs for underrepresented entrepreneurs and small business owners.
- Southwest Center: $70,000 for HIV prevention services to ensure immediate and barrier-free medical treatment is available and to promote services to high-risk community members.
- USO Arizona: $25,000 for the USO Arizona operations and programs, which includes youth and family strengthening programs and the necessary expenses to provide basic needs supplies, event food, activity kit materials, COVID-19, and other sanitation supplies for USO centers, and Mobile USO program delivery, and costs associated with facilitating online family support programs, logistical support, marketing, and data tracking and evaluation.
- Valley of the Sun YMCA: $25,000 for Childcare and Preschool Programs which will be provided to children from low-income families in Phoenix.

The gaming compact entered into by the State of Arizona and various tribes calls for 12 percent of gaming revenue to be contributed to cities, towns, and counties for government services that benefit the general public including public safety, mitigation of impacts of gaming, and promotion of commerce and economic development. The Tohono O'odham Nation will notify the City, by resolution, of the Tribal Council, if it desires to convey to the City a portion of its annual 12 percent local revenue-sharing contribution.

Financial Impact

There is no budgetary impact to the City of Phoenix and no general purpose funds are required. Entities that receive gaming grants are responsible for the management of those funds.

Responsible Department

This item is submitted by City Manager Ed Zuercher and the Office of Government Relations.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 72

Add Positions, Make Other Process Improvements to Address Current Construction Activity Levels in the Planning and Development Department (Ordinance S-47818)

Request to authorize the City Manager, or his designee, to undertake six broad actions to increase development capacity to address current construction activity levels. Staff requests to add 34 new positions, increase on-call plan review and inspections contract capacity, implement short-term process improvements, and increase staff and customer training efforts around key review/submittal issues. In addition, staff proposes to develop internship and apprenticeship programs to help address long-term employment necessities of the Planning and Development Department (PDD). Further request to authorize the City Manager, or his designee, to enter into a contract through Maricopa County (Serial 190178) with Glancy Consultants LLC to provide strategic consulting services for the Planning and Development Department. The aggregate contract value will not exceed $50,000. Further request the City Controller to disburse all funds related to this item. No General Fund dollars are requested to support this request; Development Services funds are available.

Summary

Development activity in the City of Phoenix has continued to increase over the past year as the local economy continues to strongly attract private investment. Phoenix has been the fastest growing city in the nation for the last five years according to the U.S. Census Bureau. During that time period, PDD planned, permitted, and oversaw construction of $22 billion of private construction that provides the physical places that enable our residents to live, work and play within the City. At the conclusion of Fiscal Year 2020/21 PDD will have issued approximately 47,000 total construction permits. This figure is about 5,000 fewer permits than were issued prior to the Great Recession in 2005/06. PDD will have completed approximately 275,000 inspections during this last fiscal year, compared to 352,046 inspections in 2005/06.

As outlined in **Attachment A**, plan review and permitting activity in several areas is approaching levels not seen since the housing and construction boom of the mid 2000s. PDD has continued to add staff as well as utilize innovation, efficiency improvements, technology and contract staff to meet the increasing demands of our customers. However, there still remains a need to take additional steps to address

current development activity. Staff requests approval to take the following actions:

1. Add 34 new positions in key areas experiencing review backlogs.
2. Increase on-call plan review and inspections contract capacity.
3. Implement staff-identified short-term process improvements.
4. Hire a consultant to develop mid/long-term process improvements.
5. Increase staff and customer training efforts around key review/submittal issues to increase efficiencies.
6. Develop internship and apprenticeship programs to help address long-term employment necessities.

The requested positions, as outlined in **Attachment B,** are in areas of the department that have been most impacted by the increase in construction activity, specifically in development plan review and inspections. This includes multiple positions to more quickly screen and route plans submitted electronically, which now account for 80 percent of all plans submitted. The department also will be adding human resources positions to expedite recruitment and hiring for these jobs, which is especially challenging in an overall tight labor market and magnified by the current construction boom. This targeted increase in staff will help ensure that customers/stakeholders can continue to move projects forward quickly and efficiently.

In addition to full-time positions, PDD also proposes an increase of up to 33 percent in the budget for "on-call" contractors in several areas to add peak plan review and inspections capacity. This will be done under an existing city contract managed by the Street Transportation Department and will be presented to the City Council for authorization in the first Formal meeting after the summer break.

In addition, to new positions, PDD continues to analyze plan review and permitting processes to find efficiencies, streamline intake and routing, and implement new tools. In the short term, staff is revising the process for initial intake of electronic plans to reduce submittal time frames. Staff also is adding screening questions for applicants during initial submittal to allow for quicker routing to the appropriate section. The current electronic plan review system is not integrated with the department's 25-year-old primary business application. However, new software, including the first release of the new SHAPE PHX system, is scheduled to come online in August, which will streamline electronic plan review, particularly for residential reviews. New administrative positions will help to train staff and integrate the new system into our plan review process. Finally, staff will enhance recruitment efforts to more aggressively identify, interview and screen candidates for crucial engineering technician positions.

PDD also is hiring a consultant to complete an in-depth analysis of current plan review

and permitting processes and recommend improvements to streamline plan review and inspection turnaround times. The consultant is on a current Maricopa County contract that the City can utilize and he is very familiar with City processes and can conduct the analysis quickly. The results of the work will be brought forward in the fall of this year.

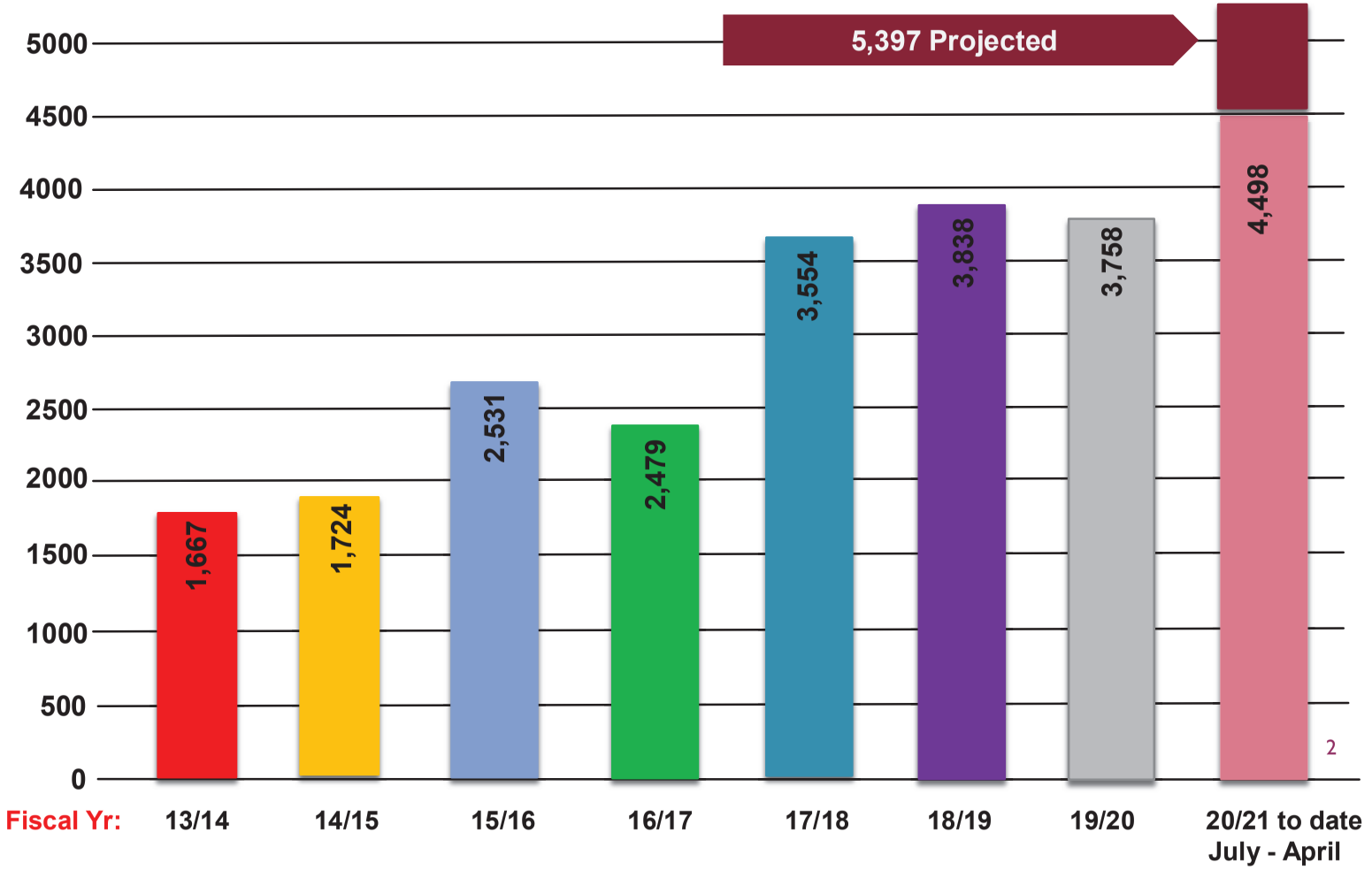
Staff also is identifying common submittal errors to develop training "how to" videos and information sheets to better explain submittal requirements to new professionals working in the field. In addition, staff will survey existing customers to identify consistency concerns and develop new staff trainings based upon information learned from these surveys.

Finally, PDD will implement an apprenticeship program for the department that will initially focus on a few inspection positions but may expand to other key technical positions in the future. The department also will bring back a formal internship program that was eliminated at the start of the Great Recession. Additional details on the apprenticeship program and exact number of positions will come back to City Council on the first Formal agenda after the break.

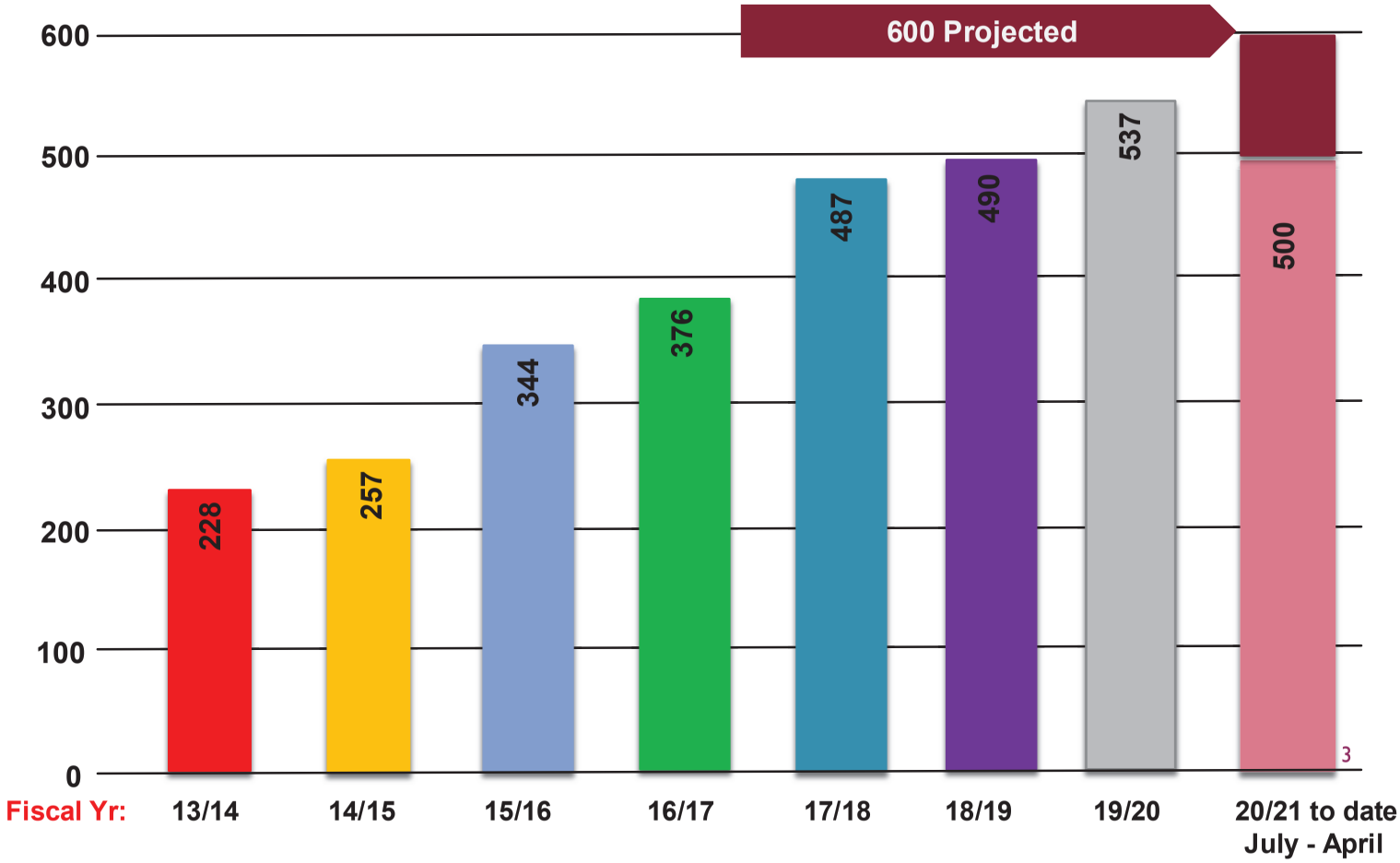
Financial Impact
The estimated cost for the proposed new positions for the FY 2022 is $3.14 million. Additionally, request authority to enter into a contract with Glancy Consultants LLC to review and recommend development process improvements and spend up to $50,000 to satisfy the terms of the contract. Separate City Council actions including $2.5 million in additional on-call contracts and the additional costs associated with the under development apprenticeship program will be requested at the August 25, 2021 Formal Meeting. No General Funds are requested. Development Services Funds in the PDD operating budget are available to support these requests.

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

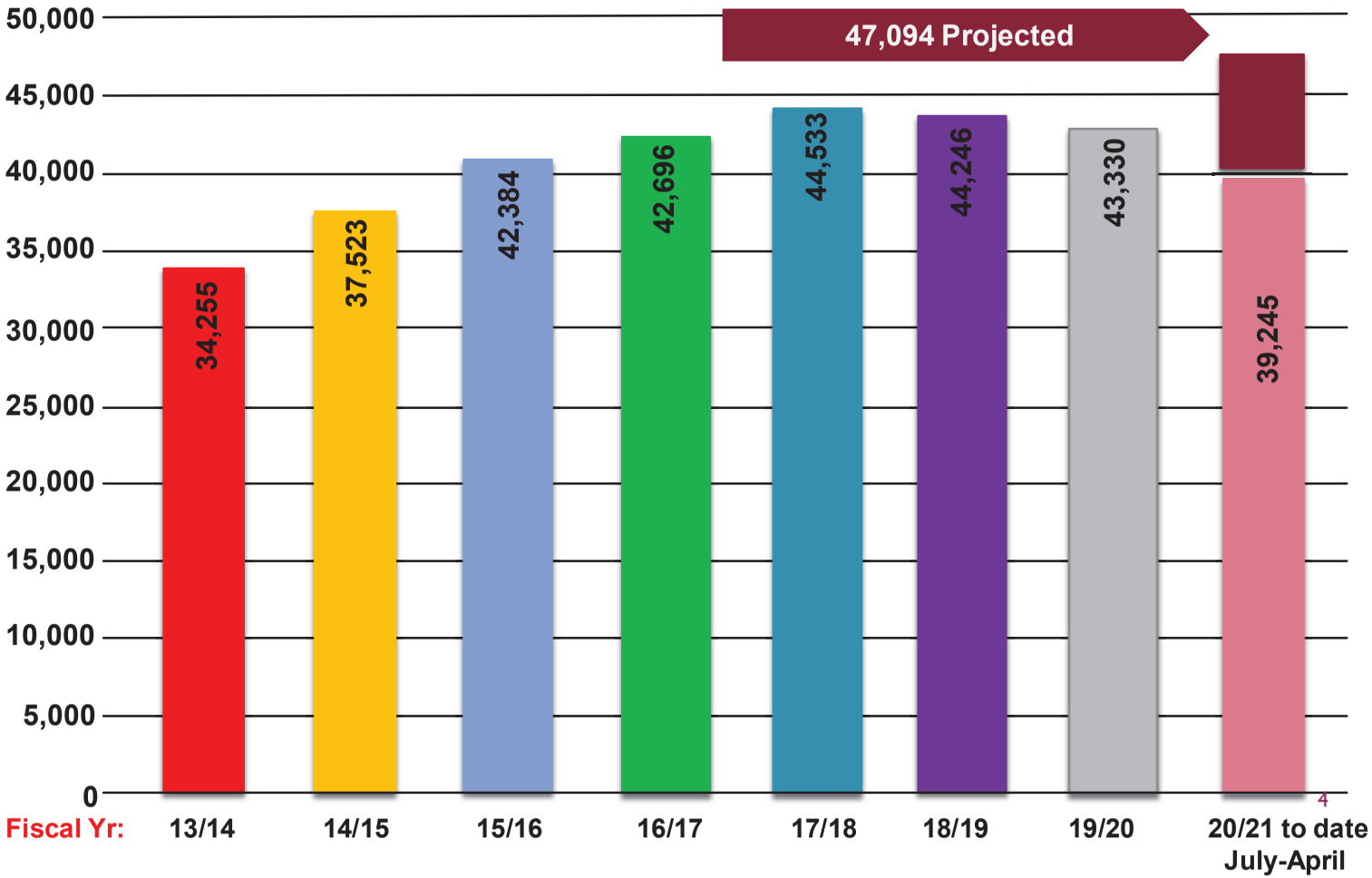
NEW Single Family Permits Issued



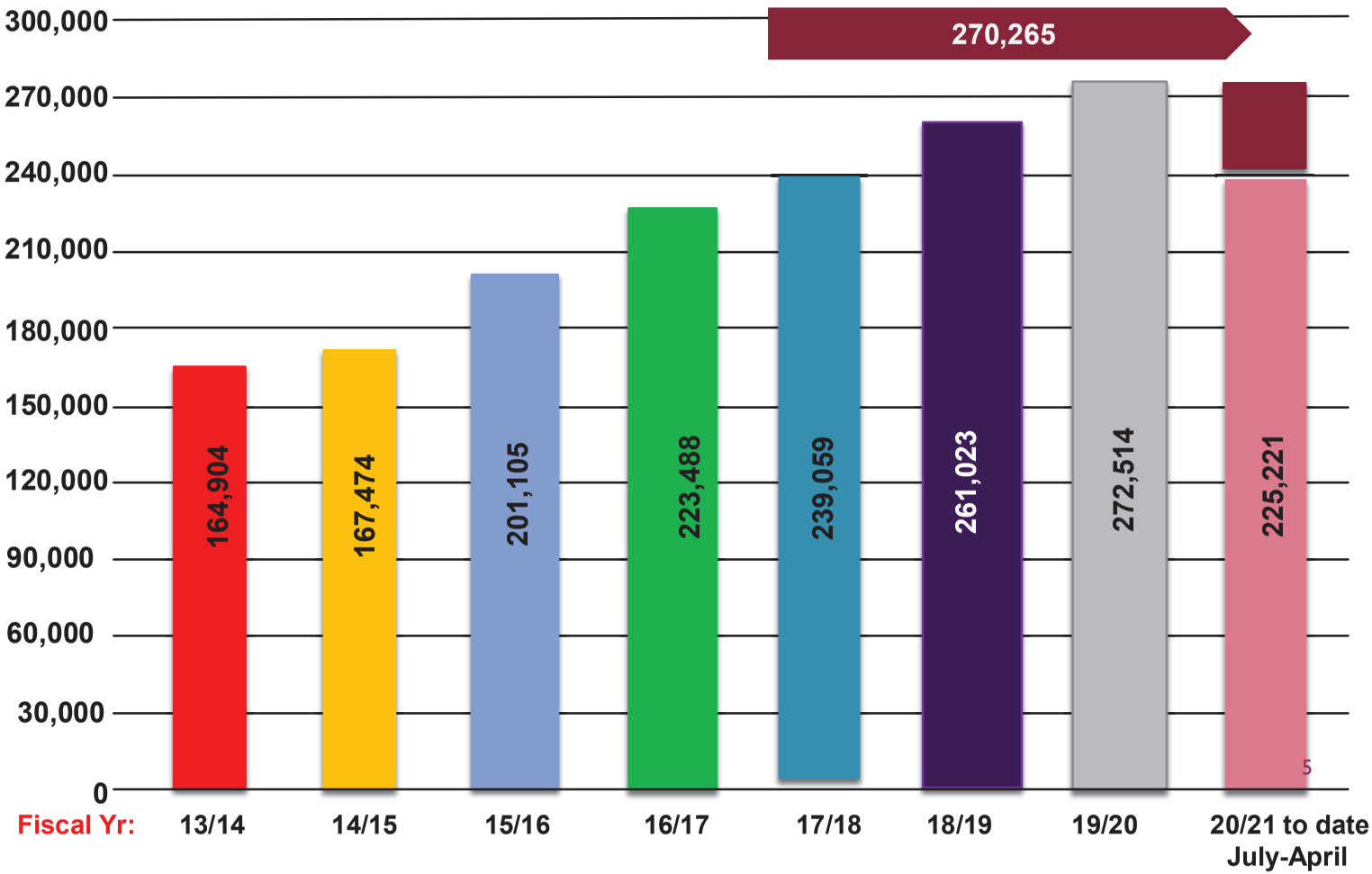
PRE-APPLICATION LOGINS



TOTAL PERMITS ISSUED



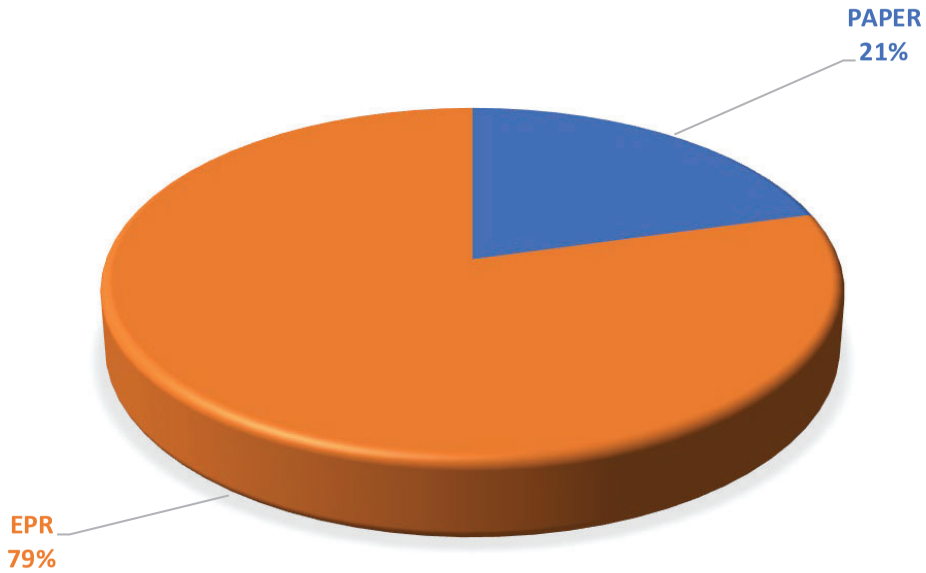
TOTAL INSPECTIONS COMPLETED



ELECTRONIC PLAN SUBMITTALS

EPR ELIGIBLE SUBMITTALS
FY 2020-2021

FY 20/21 Paper Plans: 1,863



Electronic Plan Review Submittals:

FY 18/19: 1,899 FY 19/20: 4,734 FY 20/21 thru Feb: 7,111

ATTACHMENT B - REQUESTED POSITIONS

PDD Additional Position Requests July 2021			
Title	**Division - Section**	**Team**	**What Does this Position address?**
HR Supervisor	Management Services	Human Resources	Human Resources Supervisor needed to provide management/leadership commensurate with the size of the Planning and Development Department. Prior to the Great Recesstion, the department had an HR Supervisor.
Senior HR Analyst	Management Services	Human Resources	Additional Senior Human Resources Analyst needed for proactive approach to talent acquisition/recruitment of hard to fill positions and to assist current analyst with very high volume of other recruitment related work (significant admin workload).
HR Aide	Management Services	Human Resources	Additional Human Resources Aide to support increasing volume of employment-related transactions because of increased department staff.
Principal Engineering Tech **Senior Engineering Techs (2 positions)** **Engineering Techs (4 positions)**	Management Services	Payments and Submittals	Electronic Plan Review (EPR) volume and transition to new EPR system in a two-phased approach that requires working in two separate systems for up to two years. These EPR positions will more quickly screen and route for review plans submitted electronically, which now accounts for 80 percent of all plans submitted.
Planner I (2 positions)	Planning	Site Planning	Add two Planner I positions to be assigned to EPR pre-log duties and 5-Day site plan reviews.
Principal Engineering Tech	Development Inspections	Civil Inspection	To assist in the review of residential grading and drainage as-built plans and investigate flooding complaints.
Civil Inspector II (3 positions) **Civil Inspections Field Supv** **Civil Inspector III**	Development Inspections	Civil Inspection	The five civil inspector positions will create a third civil area team that is necessary to address increased work volume, the TSMC project timeline, increased complexity of civil improvements/flooding issues as well as the heightened importance of trees due to the Tree and Shade Master Plan.
Structural Inspector II	Development Inspections	Commercial Inspection	To address increase in inspections due to construction activity.
Electrical Inspector II	Development Inspections	Commercial Inspection	To address increase in inspections due to construction activity.
Fire Prevention Specialist II	Development Inspections	Fire Prevention Inspection	To address increase in inspections due to construction activity.
Planning & Dev Team Leader **Architect** **Fire Protection Engineer** **Electrical Plans Engineer**	Development Plan Review	Commercial Plan Review	To create a new major commercial team to better manage existing and new projects to meet critical review deadlines and issue permits.

Title	Division - Section	Team	What Does this Position address?
Building Code Examiner	Development Plan Review	Commercial Plan Review	To assist the minor commercial team with pre-log review, building plan review and processing of self-certified building plans.
Construction Permit Specialist II	Development Plan Review	Residential Plan Review	To assist in reducing turnaround times for residential building plans, responding to customer inquiries and pre-log of residential plans.
Chief Engineering Tech*U7	Development Plan Review	Residential Plan Review	To provide supervisory support over team responsible for processing of single-family home permits, pool permits, fence permits and other miscellaneous residential permits.
Senior Engineering Tech (2 positions)	Development Plan Review	Residential Plan Review	To assist with residential plan review, primarily preparing and processing plot plan submittals.
Fire Prevention Specialist II	Development Plan Review	Fire Prevention Plan Review	To assist in the timely review of preapplication and preliminary site review plans, reduce turnaround times and provide site plan review assistance for some major projects.
Planner II	Historic Preservation	Residential Plan Review	Address preapplication backlog for Certificates of Appropriateness to improve development response times.
FT Admin Intern (2 positions)	Planning	Site Planning	To provide additional administrative and site plan review support, conduct research on difficult projects, and provide a pool of future planner candidates.
Total Staff Requested: 34			

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 73

Ordinance for the Acquisition of Real Property Located at 100 W. Washington St., 101 W. Adams St., and 303 N. 2nd Ave. (Ordinance S-47831)

An ordinance to authorize the City Manager, or his designee, to voluntarily acquire real property located at 100 W. Washington St., 101 W. Adams St., and 303 N. 2nd Ave. for $46,500,000, and to execute all licenses, leases, and agreements in furtherance of this acquisition. Further request authorization for the City Controller to disburse, and for the City Treasurer to accept, all funds related to this item.

Additionally, request the City Council to grant an exception pursuant to Phoenix City Code § 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code §42-18.

Summary

The City proposes to purchase an approximate 525,814-square-foot office building with an attached 253,640-square-foot parking garage situated on 2.02 acres located at 100 W. Washington St. and 101 W. Adams St., and an approximate 253,640-square-foot parking garage situated on 1.22 acres located at 303 N. 2nd Ave. The properties will be acquired as one transaction for consolidation of City office space. The City will lease back the main branch space to the seller during the seller’s transition into a new space. The purchase price was negotiated on the open market based on the City’s appraisal.

The parcels included in this request are identified by Maricopa County Assessor's parcel number (APN) and address:
1) 100 W. Washington St. - identified by APN 112-21-014D
2) 101 W. Adams St. - identified by APN 112-21-014E
3) 303 N. 2nd Ave. - identified by APN 111-42-106B

Financial Impact

Funding is available through excise tax backed obligations.

Location

1st Avenue, Washington to Adams streets, and 2nd Avenue and Van Buren Street.

Council District: 7

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 74

An Ordinance Authorizing the Issuance of Obligations for the Acquisition, Construction and Improvement of Municipal Facilities (Ordinance S-47832)

An Ordinance authorizing the City Manager, or his designee, to issue or to cause the issuance of, obligations of or by the City, a municipal property corporation or a corporate trustee or a loan from a bank or financial institution as short-term and/or long-term obligations, including execution and delivery of all leases and other agreements necessary or appropriate for the financing, refinancing or reimbursing of costs for acquiring, constructing and improving real and personal property for municipal facilities for the City of Phoenix and associated financing costs; pledge, if deemed appropriate, excise taxes or other lawfully available funds for such purposes and to pay financing costs; and authorizing the City Controller to receive and expend all necessary funds therefore.

Summary
This Ordinance provides authorization to issue obligations up to $60,000,000 principal amount plus related financing costs to acquire, construct and improve real and personal property.

Financial Impact
The City will pledge excise taxes or other lawfully available funds to the repayment of the obligations.

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 75

COVID-19 Community and Mobile Testing and Vaccination Health Events - Amendments (Ordinance S-47827)

Request to authorize the City Manager, or his designee, to execute amendments to Agreements: 152654 with Family Tree Healthcare, L.L.C.; and 152430 with Equality Health Foundation, Sonora Quest Laboratories, LLC and Equality Care Center, to add COVID-19 vaccination services. Further request to authorize the City Manager, or his designee, to execute amendments to Agreements: 152825 with Vincere Physicians Group PLLC; 152654 with Family Tree Healthcare L.L.C.; 153733 with Premier Lab Solutions; and 152430 with Equality Health Foundation, Sonora Quest Laboratories, LLC, and Equality Care Center, to add additional funding and time to the agreements. Additionally request to authorize the City Treasurer to accept, and City Controller to disburse, all funds related to this item. The additional aggregate agreements' value included in this amendment will not exceed $2.5 million. Funding is available through the American Rescue Plan Act (ARPA) from the federal government and is under the City's Better Health Outcomes and Community Testing and Vaccines category of the strategic plan.

Summary

The City Council declared a local emergency due to the COVID-19 pandemic on March 20, 2020. Staff continues to work with COVID-19 testing vendors to ensure that community testing and vaccination efforts for residents are available through the duration of the public health emergency. The Public Works Department is seeking to expand and extend COVID-19 testing and vaccination service capability to the general public at community testing health care events.

Staff will return to discuss future vaccine and testing efforts in early fall.

Contract Term

The revised agreements will begin on or about July 1, 2021, for a six-month period, with one option to extend for an additional six months.

Financial Impact

This additional funding authorized by this amendment will not exceed an aggregate value of $2.5 million.

Funding is available through ARPA from the federal government and is under the City's Better Health Outcomes and Community Testing and Vaccines category of the strategic plan.

Concurrence/Previous Council Action

The City Council approved:

- Agreement 152430 (S-46775) with Equality Health Foundation on June 17, 2020;
- Agreement 152654 (S-46848) with Family Tree Healthcare L.L.C. on July 1, 2020;
- Agreement 152825 (S-46849) with Vincere Physicians Group on July 1, 2020;
- Agreements: 152430 with Equality Health Foundation, Sonora Quest Laboratories, LLC, and Equality Care Center; 152654 with Family Tree Healthcare L.L.C; and 152825 with Vincere Physicians Group - Amendments (S-47158) on Dec. 2, 2020;
- Agreement 153733 with Premier Lab Solutions (S-47219) on Jan. 6, 2021; and
- The American Rescue Plan Strategic Plan for Allocation 1 on June 8, 2021.

Responsible Department

This item is submitted by Assistant City Manager Jeff Barton, Deputy City Managers Karen Peters and Inger Erickson, and the Public Works and Parks and Recreation departments.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 76

Enter into Agreements for Phoenix Resilient Food System Programs (Ordinance S-47812)

Request to authorize the City Manager, or his designee, to enter into separate agreements with: Local First Arizona Foundation; LISC Phoenix; Arizona Food Bank Network; Aramark Sports and Entertainment L.L.C. dba Aventura Catering; and Waste Not, to provide food assistance to vulnerable populations impacted by COVID-19. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The aggregate agreements value will not exceed $6,290,000. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) funding received from the federal government and is under the City's Phoenix Resilient Food System category of the strategic plan.

Summary

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

Continuing Programs

Three programs that were previously funded, the Feed Phoenix Initiative managed by Local First Arizona Foundation (LFAF), the Funds to Feed Initiative managed by Local Initiatives Support Corporation (LISC), and the Arizona Food Bank Network (AFBN) program, will be continued. These programs increased access to healthy foods with prepared meals and food boxes for impacted populations using local businesses (restaurants, caterers, event venues, food hubs, mobile markets), local Phoenix-based farms, nonprofit and grassroots organizations, school districts, and food banks and pantries. Funds will continue to be distributed to those entities selected and deemed eligible in the previous open grant process for each program. Additional entities will be selected using similar grant processes previously used as funding allocation allows.

LISC, LFAF, and AFBN will continue to serve as Subrecipients and will administer and

manage their respective programs and perform services including receiving applications, selecting applicants, disbursing funds, and collecting compliance monitoring data to provide monthly reports to OEP. The agreements executed with each organization will detail the Subrecipient's responsibilities, grantee requirements, schedule, and reporting requirements. Details are shown below, by agency:

- Local First Arizona Foundation - provide administrative and financial support through issuance of grants for restaurants, catering, including event venues with catering services, farmers, community-supported agriculture, food hubs, and mobile markets, city-wide, demonstrating capacity for food distribution services to vulnerable populations impacted by COVID-19.
- LISC - provide administrative and financial support through issuance of grants for organizations city-wide, including grassroots, community, nonprofits, health, social service providers and public schools demonstrating capacity for food distribution services to vulnerable populations impacted by COVID-19.
- Arizona Food Bank Network - provide administrative and financial support through issuance of grants to smaller agencies (food banks/pantries) throughout Phoenix who partner with the St. Mary's Food Bank Alliance to distribute food, including assisting agencies that may not be part of the alliance to join. AFBN is the only organization with an established grant assistance program for entities that are affiliated with St. Mary's Food Bank Alliance.

New Program

The Meals to Work Program will use the services of Aventura Catering and the kitchens at the Phoenix Convention Center to prepare 1,000 healthy, nutritious meals weekly for 26 weeks. Meals will be delivered to social service organizations, such as St. Vincent de Paul and others. In addition to helping COVID-19 impacted families and individuals, 14 employees will be able to return to work at the Phoenix Convention Center. Delivery will be contracted through Waste Not, a nonprofit focused on food recovery, who has the experience, capacity, and infrastructure to deliver the meals safely from the Convention Center to the organizations.

OEP will assist LISC, LFAF, AFBN, and Waste Not to oversee the agreements and coordinate any needed services, such as program outreach and connections to social service organizations.

Outreach and Support Staff

Funding will be used to hire two temporary full-time positions, a project manager and an administrative assistant, to manage and monitor all of the activities associated with the Phoenix Resilient Food System Programs.

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

Contract Term
The term of the agreement will begin on or about July 19, 2021 through Aug. 30, 2022. Agreements may be extended based on continuous need and available funding, which may be exercised by the City Manager, or his designee.

Financial Impact
Funding for these programs will not exceed $6,090,000. There is no impact to the General Fund. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) funding received from the federal government and is under the City's Phoenix Resilient Food System category of the strategic plan.

The funding breakdown is as follows:
- Local First Arizona - $2.7 million
- LISC - $1.95 million
- Arizona Food Bank Network - $800,000
- Aventura Catering - $565,000
- Waste Not - $75,000
- Outreach and Support Staff - $200,000

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 77

Retroactive Approval for American Rescue Plan Act Funding for Head Start Birth to Five for Fiscal Year 2021-22 (Ordinance S-47783)

Request to retroactively authorize the City Manager, or his designee, to apply for, accept, and, if awarded, enter into any necessary agreements for the Head Start and Child Care Partnership grants. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. There is no impact to the General Fund, as one-time funding is provided through the American Rescue Plan Act in the amount of $4,129,122.

Summary

The U.S. Department of Health and Human Services, Office of Head Start received $1 billion as a portion of American Rescue Plan Act (ARPA) funding. As a grantee, the City of Phoenix was allocated $4,129,122 to use in the prevention, preparation, and response to the coronavirus pandemic. This funding will be used to create or expand learning environments for toddler and preschool-aged children, purchase high-quality UV disinfecting machines to sanitize small classroom materials, continue mental health and wellness activities for families and staff, employment of additional staff in classrooms, furniture for new classrooms, additional materials for classrooms, lease or purchase of classroom space, and professional development. Funding may also be used to deliver meals and snacks to children in school and sanitize the learning and work environments. ARPA funds will be used for preschool-aged children's summer school opportunities in June 2022, 2023, and 2024. This is a non-competitive supplemental application.

The funding will be allocated based on the number of slots per program listed below:

- Head Start Education Service Providers (2,963 slots) - $2,963,000;
- Early Head Start Home-Based (300 slots) - $300,000; and
- Early Head Start Child Care Partners (188 slots) - $188,000.

As the grantee, the City of Phoenix will retain $678,122 to purchase or lease space to create service hubs for parents and Early Head Start socialization sites. Funding will also be used to purchase and replenish protective equipment for staff to use when meeting with parents, conducting home visits, or participating in community events.

The contracted Head Start Education Service Providers and Early Head Start Child Care Partners are listed below:

Education Service Providers
Alhambra Elementary School District
Booker T. Washington Child Development Center
Deer Valley Unified School District
Fowler Elementary School District
Greater Phoenix Urban League
Roosevelt Elementary School District
Washington Elementary School District

Child Care Partners
Cactus Kids Child Care Center
Fusion Minds dba Immanuel Care for Children
Out of This World Christian Child Care

Contract Term
The ARPA funding will be received July 1, 2021 and must be expended by June 30, 2024.

Financial Impact
There is no impact to the General Fund. One-time funding is provided through the ARPA funding.

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 78

Authorization to Enter into Contract with Human Services Campus, Inc. for Sprung Structure Project (Ordinance S-47813)

Request to authorize the City Manager, or his designee, to enter into an agreement with the Human Services Campus, Inc. (HSC) to procure and install a sprung structure on HSC premises in support of heat relief services for individuals experiencing homelessness. Further request to procure and purchase a sprung structure from a vendor and have it installed on HSC premises as an alternative method to complete the project. Additionally, request to enter into agreements with HSC for the use of HSC's premises for the sprung structure for a term of up to five years. Further, request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The aggregate value of these agreements will not exceed $2.5 million. Funding is available through the City's allocation of the American Rescue Act Plan (ARPA) funding received from the federal government and is under the City's Summer Heat Respite category of the strategic plan.

Summary

As a result of the COVID-19 pandemic, the HSC shelter capacity has decreased leaving the most vulnerable populations with no place to stay overnight. HSC, or the City, will use the funding to place a temporary sprung structure to include bathrooms, showers, beds, utility connections, office equipment and permanent fencing on the HSC campus located at 204 S. 12th Ave. The sprung structure, at the direction of the City, may be relocated in order to provide heat relief services at an alternate location.

Funding for the sprung structure will prevent, prepare for and mitigate the effects of the COVID-19 pandemic among individuals and/or families experiencing homelessness who are at greater risk of exposure and susceptibility by offering an additional place to stay.

Contract Term

The term of the contract will begin on or about July 1, 2021 and end no later than June 30, 2026. The purchase and installation of the sprung structure must be completed by Sept. 30, 2021.

Financial Impact

Expenditures are not to exceed $2.5 million over the life of the contracts. Funding for the sprung structure is available through the City's allocation of the American Rescue Act Plan (ARPA) funding received from the federal government and is under the City's Summer Heat Respite category. Funding for any necessary site improvements may be provided from the Human Services Department budget or ARPA funds.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 79

Phoenix Arts and Culture Recovery Program (Ordinance S-47819)

Request to authorize the City Manager, or his designee, to enter into grant agreements with nonprofit arts and culture organizations, individual artists, and professional consultants throughout the City of Phoenix. Further authorize the City Treasurer to accept, and the City Controller to disburse, the funds for purposes of this ordinance. The total value of the agreements will not exceed $5,000,000. There is no impact to the General Fund. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) funding received from the federal government and is under the City's Phoenix Arts, Business, and Employee Program category of the strategic plan.

Summary

The Phoenix Office of Arts and Culture developed a recovery plan to help support nonprofit arts and culture organizations and artists still hurting financially due to the COVID-19 pandemic. The program also funds a mix of workforce and economic development initiatives and community programs.

Program elements include:

Nonprofit Arts and Culture Stabilization Grants

Grants would provide funding to Phoenix nonprofit arts and culture organizations of all sizes to manage their operations, personnel as they welcome back audiences, guests, and patrons to their programs. Grants will be adjudicated through an application process.

Artist to Work Initiative

This program will enable the City to contract artists to develop art projects, installations, and performances in communities that receive limited funding from the public sector. Projects would activate a wide range of public spaces, including parks, trails, community centers, and neighborhood areas not usually defined or programmed as cultural spaces. The program will be adjudicated through the RFQ process.

Arts Career Advancement Grants

Grants will help support working artists or arts workers who have experienced job loss,

indefinitely postponed or canceled events and residencies, or terminated contracts because of the pandemic. Funding not only can cover lost income but also offer support to grow their artistic and business skills. Grants will be adjudicated through an application process.

Arts and Culture Internships
This program would allow nonprofit arts and culture organizations to hire full-time interns versus contract or for-credit stipends. In addition, the internships provide Phoenix undergraduate students with meaningful on-the-job training and experience working in the cultural sector. The program will be adjudicated through an application process.

Technical Assistance and Outreach
Funds will continue the work done with trainings, workshops, professional development and resources for the field in areas like financial sustainability, business practices and reopening strategies. Funds also will be used to hire contractors to help support projects and conduct special outreach to ensure equitable distribution of resources in the community.

Financial Impact
Funding for these programs will not exceed $5,000,000. There is no impact to the General Fund. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) funding received from the federal government and is under the City's Phoenix Arts, Business, and Employee Program category of the strategic plan. The funding breakdown is as follows:

Nonprofit Arts and Culture Stabilization Grants: $2,750,000
Artists to Work Initiative: $1,000,000
Arts Career Advancement Grants: $500,000
Arts and Culture Internships: $500,000
Arts Technical Assistance and Outreach: $250,000

Concurrence/Previous Council Action
The Mayor and Council discussed and approved the plan to implement the $5,000,000 Phoenix Arts and Culture Recovery Program at its Policy Session on June 8, 2021 by a vote of 7-2.

Responsible Department
This item is submitted by Deputy City Manager Inger Erickson and the Phoenix Office of Arts and Culture.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 80

Parks and Recreation Department After-School Programs and Youth Sports (Ordinance S-47822)

Request authorization for the City Manager, or his designee, to enter into grant agreements with nonprofit organizations and schools throughout Phoenix. Further authorize the City Treasurer to accept, and the City Controller to disburse, the funds for purposes of this ordinance. The total value of the agreements will not exceed $3,000,000. There is no impact to the General Fund. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) from the federal government and is under the City's Phoenix Youth Sports, Recreation, Education and After-School category of the strategic plan.

Summary

The Parks and Recreation Department experienced record numbers in park usage throughout the COVID-19 pandemic. While the department successfully transitioned to offering many programs virtually, in-person after-school and youth sports programs were temporarily suspended since March 2020. The department has developed a plan to help provide safe, affordable and inclusive recreation opportunities for youth, during the critical after-school hours and is proposing to use funds to support these efforts in vulnerable communities throughout the City.

After-School Program Grants

Grants will provide funding to Phoenix schools to allow them to implement free or affordable after-school programs, which would enable children to have a fun, educational and inclusive place to be after school. The program will be administered through an application process.

Youth Sports Grants

Grants will provide funding to Phoenix non-profit organizations to provide free youth sports opportunities during after-school hours. Sports are a great way to engage youth during the critical after-school hours. Many youth throughout the City are not able to participate in these activities due to financial barriers. The program will be administered through an application process.

Financial Impact

Funding for these programs will not exceed $3,000,000. There is no impact to the General Fund. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) from the federal government and is under the City's Phoenix Youth Sports, Recreation, Education and After-School category of the strategic plan. The funding breakdown is as follows:

After-School Grant for Phoenix Schools: $2.5 million
Youth Sports League Grant for Phoenix Non-profits: $500,000

Concurrence/Previous Council Action

City Council approved the revised American Rescue Plan Proposed Strategic Plan at the June 8, 2021 Policy meeting by a vote of 7-2.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 81

Contract Extension with CO+HOOTS to Continue Small Business Community Platform (Ordinance S-47803)

Request to authorize the City Manager, or his designee, to extend a contract with CO+HOOTS to continue PHXbizConnect, a technology-driven Small Business Community Platform, to support small businesses impacted by and recovering from the COVID-19 pandemic. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item. Funding for this digital platform will not exceed $295,000. There is no impact to the General Fund. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) funding received from the federal government and is under the City's Small Business Workforce Program category.

Summary

In May 2020, City Council approved $100,000 in federal Coronavirus Relief Funds to invest in a small business program to assist Phoenix businesses with their pandemic recovery efforts. On Nov. 4, 2020, City Council authorized staff to contract with CO+HOOTS to implement this program. CO+HOOTS, founded in 2010 as central Phoenix's first coworking space, is an entrepreneurship ecosystem accelerator and support organization that provides educational resources and collaborative, self-sustaining spaces to grow the entrepreneurial, startup and small business community.

On March 1, 2021, Community and Economic Development Department (CEDD) and CO+HOOTS launched PHXbizConnect by HUUB, a social media platform where business owners connect with like-minded business owners, ask questions, share successes, and find solutions to business related issues. PHXbizConnect, available in both English and Spanish, streamlines support for small businesses in one central, virtual location and helps to boost the resilience of Phoenix small businesses. By May 2021, PHXbizConnect exceeded expectations with more than 430 businesses registered on the platform. Seventy-eight percent of these businesses have fewer than 10 employees; many are restaurants, retail shops, and professional services providers. Registered businesses have indicated PHXbizConnect has been vital in helping them navigate through the pandemic, connect to resources, learn new skills, find grants, and grow their business during this critical time.

The City's contract with CO+HOOTS, Contract No. 153515, began on Dec. 16, 2020 and is due to expire on June 30, 2021. If approved, the proposed extension would begin in July 2021 and expire in one year. CO+HOOTS will continue to provide reporting and performance metrics to CEDD to track assistance to Phoenix small businesses.

Procurement Information
CO+HOOTS was selected through Alternative Competition based on its experience creating a similar program for the City of Mesa.

Contract Term
If approved, the proposed extension would begin in July 2021 and expire after one year.

Financial Impact
Funding to extend the Small Business Community Platform via CO+HOOTS will not exceed $295,000. There is no impact to the General Fund. Funding is available through the City’s allocation of ARPA funds.

Concurrence/Previous Council Action
At the May 5, 2020 City Council Policy meeting, City Council approved $100,000 to create a tool that would provide small businesses with expertise on key business topics, guidelines to assist with business recovery and on-demand solutions during this unprecedented time. On Nov. 4, 2020, City Council authorized staff to enter in a contract with CO+HOOTS.

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 82

Contracts to Implement Small Business Grants Program (Ordinance S-47816)

Request to authorize the City Manager, or his designee, to enter into a contract with the Arizona Community Foundation (ACF) for small business grant administration services, to amend contracts with one or more temporary staffing companies to add funds for assistance with the City's review of grant applications, to fund two temporary City staff positions, and to implement this grant program. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, funds related to this request. Funding for this grant program will not exceed $8 million. There is no impact to the General Fund. Funding is available through the City's allocation of American Rescue Plan Act (ARPA) from the federal government and is under the City's Micro and Small Business Assistance Programs category of the strategic plan.

Summary

In April 2020, the City partnered with the Phoenix IDA and ACF on the first round of the Small Business Relief Grants and awarded up to $10,000 each to more than 200 Phoenix small businesses. Starting in May 2020, the City began a second round of Small Business Relief Grants as well as a first round of Microbusiness Resiliency Grants and Restaurant Restart Grants with $11 million in Coronavirus Aid, Relief, and Economic Security (CARES) Act funding allocated by City Council. Through the remainder of calendar year 2020, the City awarded:

- 722 Small Business Relief Grants ranging from $3,000 to $10,000 to businesses with 25 or fewer employees and annual gross sales less than $3 million.

- 1,639 Microbusiness Resiliency Grants ranging from $3,000 to $5,000 to businesses with five or fewer employees and annual gross sales less than $1 million.

- 103 Restaurant Restart Grants ranging from $5,000 to $10,000 to restaurants, caterers, or food truck operators for expenses to restart their businesses.

ACF is a nonprofit organization with a mission to lead, serve and collaborate to mobilize enduring philanthropy for a better Arizona. If approved, the City will contract

with ACF to provide grant administration services, including hosting the website for grant application submittals, providing customer service in English and Spanish, verifying applicants' taxpayer identification information, submitting applicant information to the City for review, notifying applicants of grant application status, distributing funds to awardees, and issuing Internal Revenue Service 1099 tax forms to grant recipients.

ACF was selected through a Special Circumstance - Without Competition due to the unusual nature of these services and ACF's previous experience administering the City's various small business grants, its existing grant administration infrastructure and its long-standing reputation in community for financial stewardship and integrity. The City will release the grant funds to ACF on a rolling basis as needed to fund grants approved for award by the City. This funding allocation will include ACF's fees to administer the programs, which are 3.25 percent of the grant funding to be awarded plus a flat fee of $10,000 to prepare and distribute Internal Revenue Service 1099 tax forms.

To assist with the implementation of this program, this request includes authorization to fund two temporary full-time City staff positions and approximately five temporary staff utilizing the City's contracted employment services providers. The temporary contracted individuals will assist with the City's review of applications vetted by ACF and will conduct research to document each applicant's eligibility and other related duties.

Many of the City's small businesses are still struggling to stay open due to the COVID-19 pandemic. ARPA funds will provide resources that Phoenix businesses need to stay open, pay employees, and cover other operational costs due to the downturn in business.

2021 Small Business Grants Program

A single application form will be offered in English and Spanish. Eligibility requirements will remain that each business must: 1) currently operate in Phoenix and have been operating in Phoenix for at least 12 months prior to grant approval; 2) have suffered a loss in sales, at least 25 percent due to COVID-19, when comparing 2021 to 2020 for any month since March; 3) employ 25 or fewer individuals; and 4) generate less than $3 million in annual sales. Grant awards will be based on the applicant's number of employees and the City will request documentation as needed to ensure grant awards are helping to retain jobs in Phoenix. Eligible businesses located immediately adjacent to light rail construction may receive additional funding to offset the economic impact of this construction.

Staff intends to open the grant application upon filling the temporary City staff positions, contracting with ACF, and completing all start-up efforts. Business owners who submitted eligible but unfunded grant applications in 2020 will have exclusive access to the new grant application for one week. These businesses, as well as businesses that received grants in 2020, will be permitted to apply for additional assistance once the grant application is available to all businesses.

Contract Term
The City's grant funding agreement with ACF will begin as soon as possible and have an initial term of one year with two, one-year extensions, pending future City Council approval of ARPA funding.

Financial Impact
Total funding for this grants program will not exceed $8 million. There is no impact to the General Fund. Funding is available through the City’s allocation of ARPA funds received from the federal government.

Concurrence/Previous Council Action
City Council approved the use of ARPA funds for Phoenix Arts, Business and Employee Assistance at its June 8, 2021 City Council Policy meeting. Previously, City Council approved CARES Act funding for the Small Business Relief Grants ($5 million) on April 30, 2020 and for the Microbusiness Resiliency Grants ($6 million) and Restaurant Restart Grants ($1 million) on May 5, 2020. On Aug. 26, 2020 and Oct. 21, 2020, City Council approved changes to the eligibility requirements for these grant programs to assist more small businesses and an additional $1,087,000 in small business grant funding was approved by City Council on Dec. 16, 2020.

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 83

Enter Into Contracts for COVID-19 Related Homeless Services - Request for Proposals Contract Awards (Ordinance S-47793)

Request to authorize the City Manager, or his designee, to enter into agreements with responsive offerors for COVID-19 related homeless services eligible under the Emergency Solutions Grant (ESG). The ESG eligible program components include: Emergency Shelter, Street Outreach, Rapid Rehousing, Homelessness Prevention, Data Collection and/or Administration. The term for each contract will begin on or about July 1, 2021 and end on Sept. 30, 2022. Aggregate expenditures will not exceed $9.1 million over the life of the contracts. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The City of Phoenix was awarded $22.8 million in Emergency Solutions Grant - CV2 (ESG-CV2) and Community Development Block Grant funding for homeless support services by the U.S. Department of Housing and Urban Development (HUD). ESG funds in the amount of $9.1 million were allocated to contract for homeless services in the following categories: Emergency Shelter, Street Outreach, Rapid Rehousing, Homelessness Prevention, Data Collection and/or Administration under the ESG expenditure guidelines. In doing so, the City of Phoenix seeks to end an individual’s homelessness through outreach and case management services, housing stabilization, and the eventual provision of a pathway to permanent housing while simultaneously adhering to Center for Disease Control recommendations to prioritize efforts for vulnerable individuals due to the COVID-19 pandemic.

Funding will be used to prevent, prepare for, and mitigate the effects of the Coronavirus pandemic among individuals and/or families experiencing homelessness who are at greater risk of exposure and susceptibility, and to support additional homeless assistance and prevention activities to alleviate the impacts of COVID-19 within the community.

Procurement Information

Request for Proposals, RFP-21-HSD-41, was conducted in accordance with the City of Phoenix Administrative Regulation 3.10. The Human Services Department received 20 offers on May 15, 2021 and 14 were determined responsive and responsible to the

solicitation requirements.

The Evaluation Committee comprised of staff and external stakeholders, evaluated all proposals based on the outlined evaluation criteria, responsiveness to all the specifications, terms and conditions, and responsibility to provide the required service. The Evaluation Criteria was as follows:

Cost and Fiscal Ability - 300 possible points
Organizational Capacity - 200 possible points
Service Methodology - 200 possible points
Strategies to Address Homelessness Plan Alignment - 200 possible points
Implementation Plan - 100 possible points

The Evaluation Committee reached consensus and determined that proposers with scores of 700 or higher are eligible for award. Those proposers with scores higher than 700 are listed below:

Emergency Shelter
A New Leaf, Inc.: 945 points
UMOM New Day Centers, Inc.: 898 points
Community Bridges, Inc.: 843 points
Homeward Bound: 824 points
Child Crisis Arizona: 789 points
Central Arizona Shelter Services, Inc.: 762 points
The Salvation Army: 739 points

Homelessness Prevention
Homeward Bound: 930 points

Rapid Re-housing
A New Leaf, Inc.: 948 points
Central Arizona Shelter Services, Inc.: 731 points

Street Outreach
Community Bridges, Inc.: 869 points
Southwest Behavioral Health Services, Inc.: 863 points
The Salvation Army: 735 points

Based on the scoring, the amount of funding available and the amount of funding requested, the following 10 proposals will receive funding. Individual contract amounts will not exceed requested funding as indicated in the table below, but proposals could

receive partial funding based on negotiation and eligible costs under federal regulation.

Available Funding: $9.1 million

Emergency Shelter
A New Leaf - $129,129
UMOM New Day - $1,529,000
Community Bridges - $371,223
Homeward Bound - $1,471,301
Child Crisis Arizona - $1,196,459
Central AZ Shelter Services - $1,093,260
Total - $5,790,372

Homeless Prevention
Homeward Bound - $827,494
Total - $827,494

Rapid Re-housing
A New Leaf - $1,169,963
Total - $1,169,963

Street Outreach
Community Bridges Inc. - $785,979
Southwest Behavioral Health Services - $584,198
Total - $1,370,177

Total All Proposals - $9,158,006

Contract Term
The term for each contract will begin on or about July 1, 2021, and end on Sept. 30, 2022.

Financial Impact
Aggregate expenditures will not exceed $9.1 million over the life of the contracts. One-time funds are available from the ESG. There is no impact to the General Fund.

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 84

Community Development Block Grant CARES Act Homeless Shelter Expansion and Improvements Grant Funded Request for Proposal (NSD-RFP-21-005) Award Recommendations (Ordinance S-47805)

Request to authorize the City Manager, or his designee, to enter into agreements with two non-profit organizations for the expansion of homeless shelter facilities to prevent, prepare for, and/or respond to the COVID-19 public health crisis among individuals and families experiencing homelessness by providing additional shelter beds, and to take all necessary or appropriate actions to implement and administer the program in accordance with the grant terms. Further request to authorize the City Controller to disburse all funds related to this item over the life of the agreements. These agreements will be funded by the Community Development Block Grant authorized through the Coronavirus Aid, Relief, and Economic Security Act. The aggregate amount of these agreements will not to exceed $8 million.

Summary

On Feb. 17, 2021, the City Council approved a Substantial Amendment to the 2015-2020 Consolidated Plan's 2019 Annual Action Plan, which included allocating first and second rounds of Coronavirus Aid, Relief, and Economic Security (CARES) Act, Community Development Block Grant (CDBG-CV) funds to fund homeless support public services and public facility improvements, or strategic acquisition of properties in an effort to address community needs related to homelessness in response to the national pandemic. $14 million was allocated to a Request for Proposals (RFP) to fund facility acquisition and/or improvements to fulfill the need to expand and improve homeless shelter facilities to mitigate the impacts of COVID-19.

Procurement Information

The Neighborhood Services Department (NSD) invited qualified offerors to submit proposals for the expansion and improvements of homeless shelter facilities. RFP 21-005 was issued on April 15, 2021, in accordance with Administrative Regulation 3.10. Three proposals were received on May 14, 2021. Two proposals were determined responsive and responsible to the solicitation objectives and the RFP requirements.

The Evaluation Panel reviewed each proposal and evaluated them based on the RFP evaluation criteria; responsiveness to all objectives, specifications, terms and

conditions, and responsibility to provide the defined facility. The RFP evaluation criteria scoring was as follows:

- Shelter Facility Operations - 250 possible points
- Strategies to Address Homelessness Plan Alignment - 250 possible points
- Project Feasibility - 250 possible points
- Project Costs - 250 possible points

The Evaluation Panel reached a consensus and recommended the following organizations that met the agreed upon minimum threshold of 500 points for contract award:

- Central Arizona Shelter Services - 840 points
- Community Bridges, Inc. - 612 points

Central Arizona Shelter Services will be contracted for up to $4 million of CDBG-CV funds to help with acquisition and facility improvement costs for a new emergency shelter bed facility focused on individuals experiencing homelessness over the age of 55 years old.

Community Bridges, Inc. will be contracted for up to $4 million of CDBG-CV funds to help with the acquisition and facility improvement costs for a new emergency shelter bed facility focused on single adults experiencing homelessness.

Contract Term
The term for each contract will begin on or about July 1, 2021 and end on June 30, 2023.

Financial Impact
The aggregate contract value for each contract will not exceed $4 million. Funding is available through the CARES Act, CDBG-CV funds. There is no impact to the General Fund.

Concurrence/Previous Council Action
On Feb. 17, 2021, the City Council approved Ordinance S-47330, authorizing a Substantial Amendment to the 2015-2020 Consolidated Plan's 2019-2020 Annual Action Plan to include the second release of CDBG-CV and reallocation of CDBG-CV1 to fund homeless support public services and facility improvements, or strategic acquisition projects.

Responsible Department

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

NOTICE OF AWARD RECOMMENDATION

DATE: June 8, 2021

SOLICITATION: Homeless Shelter Expansion and Improvements Grant Program Request For Proposal (NSD-RFP-21-005)

The City of Phoenix, Neighborhood Services Department, would like to thank all participants for submitting a proposal for the above-mentioned Request for Proposal.

Proposals in response to the above referenced request have been evaluated by an evaluation panel based on Proposal Requirements and Evaluation Criteria as set forth in the RFP. The Neighborhood Services Department, in concurrence with the recommendation of the evaluation panel, has selected the following proposers to advance for negotiation of contract terms and City Council award.

No.	ORGANIZATION
PF002	Central Arizona Shelter Services
PF003	Community Bridges, Inc.

Solicitation Transparency Policy:
As set forth in the solicitation's requirements, Offerors are reminded that the City's Solicitation Transparency Policy is in effect through the date of City Council Award. Offerors and/or their representatives wishing to communicate with members of the City Council or other City executives regarding this solicitation shall direct all such requests through the Procurement Officer below.

Procurement Officer
Gioia Bufkin, Contracts Specialist II
NSD.Procurement@phoenix.gov

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 85

Apply for Area Agency on Aging, Region One, Inc. Grant for Home Delivered Meals Program (Ordinance S-47799)

Request to authorize the City Manager, or his designee, to apply for funding and enter into an agreement with Area Agency on Aging, Region One, Inc. (AAA) to accept home delivered meals funding in an amount not to exceed $5,425,370 for the period beginning July 1, 2021 through June 30, 2022. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

In Spring 2019, the City of Phoenix was awarded a five-year grant which began July 1, 2019 and ends June 30, 2024. Funds provided to the City of Phoenix through AAA are used to fund the City's Home Delivered Meals (HDM) program. The HDM program assists with increasing the nutrient intake of older adults at nutritional risk to allow them to remain independent in their homes. Due to the COVID-19 pandemic, service needs have increased as more seniors have become homebound. As a result, AAA has increased funding to the City of Phoenix for the HDM program. The Human Services Department (HSD) prepares and delivers approximately 585,717 nutritionally balanced meals to homebound and disabled seniors annually.

Contract Term

The initial term of the contract under the five-year grant began July 1, 2019 through June 30, 2020, with four one-year options to extend. AAA determines if it exercises an option to extend. As such, the City of Phoenix is required to reapply for funding each optional year of the grant.

The term of this contract will be for the extension of the second-year option which will begin July 1, 2021, through June 30, 2022. If provided by AAA, the City of Phoenix will reapply for funding for the third option in 2022 and the fourth option in 2023.

Financial Impact

The total contract amount shall not exceed $5,425,370 for the term beginning July 1, 2021 through June 30, 2022. There is a 10 percent match of $200,000 on the first $2 million of each annual award. Funding is available in the HSD budget.

Concurrence/Previous Council Action

Ordinance S-44610 was adopted on May 16, 2018, authorizing HSD to contract with Selrico Services, Inc., for food management of the Senior Congregate and HDM programs. The contract term for Selrico is July 1, 2018 through June 30, 2023, with one two-year option to extend.

Ordinance S-45521 was adopted on April 3, 2019, authorizing HSD to apply for, accept funding from and enter into the initial contract with AAA for an amount up to $2,082,325 annually.

Ordinance S-47112 was adopted on Nov. 18, 2020, authorizing HSD to accept an additional $2,843,045 in funding for fiscal year 2020-21.

Ordinance S-47312 was adopted on Feb. 17, 2021, authorizing HSD to accept an additional $500,000 in funding for fiscal year 2020-21.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 86

National Endowment for the Arts Grants for Arts Projects (Ordinance S-47815)

Request authorization for the City Manager, or his designee, to apply for, accept, and, if awarded, enter into an agreement for up to $100,000 in National Endowment for the Arts for Arts Projects (Local Arts Agency) funding. The grant funds would be used by the Phoenix Office of Arts and Culture in Fiscal Year (FY) 2022-23 to continue the City's Neighborhood Arts program. Further authorize the City Treasurer to accept and the City Controller to disburse the funds for purposes of this ordinance.

Summary

The National Endowment for the Arts (NEA) Grants for Arts Project (Local Arts Agency) program is a flexible funding category developed to recognize and assist the cultural programming and achievements of the nation's local arts agencies. The Office of Arts and Culture is the designated local arts agency for the City of Phoenix.

If awarded, the grant funds will be used to continue the Neighborhood Arts Program in FY 2022-23. Funding has already been secured for FY 2021-22. The NEA funds will enable the department to provide grant funds to neighborhood groups that will lead collaborative arts and culture projects and programming in Phoenix neighborhoods that don't regularly receive arts funding, over a two-year period. These groups will receive grant funds as well as professional development and mentorship to build partnerships and project sustainability after the grant period.

Financial Impact

The NEA Grants for Arts Projects (Local Arts Agency) program requires a one-to-one match by applicants. The Phoenix Office of Arts and Culture FY 2022-23 General Fund appropriation will be used to match the grant award.

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Phoenix Office of Arts and Culture.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 87

Fiscal Year 2021-22 Community Arts Support Grant Allocations (Ordinance S-47820)

Request to authorize the City Manager, or his designee, to execute all necessary agreements between the Phoenix Office of Arts and Culture and approved applicants for Fiscal Year (FY) 2021-22 General Support Program and Project Support Program grants in an aggregate amount of $970,936. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Phoenix Office of Arts and Culture has administered the Community Arts Grants Program since 1986. The program includes three tiers of core operating support grants called General Support Program (GSP) grants, and Project Support Program (PSP) grants for artistic and cultural projects that engage Phoenix residents.

To be eligible for any category of funding, an organization must be a registered non-profit arts or cultural organization, must have tax-exempt status under Section 501(c)(3) of the Internal Revenue Code, and must provide a cultural service to Phoenix residents. For youth-focused PSP grants, an applicant can be a school or registered non-profit organization with an arts or culture program. Organizations without tax-exempt status under Section 501(c)(3) of the Internal Revenue Services Code may apply to the project categories using a fiscal agent with tax-exempt status. This policy allows the Phoenix Office of Arts and Culture to broaden the reach of the grant program to small, emerging arts and cultural organizations and, through the fiscal agent partnership, establish relationships between large and small organizations in the hope that traditional partnering opportunities and resources sharing may develop.

Funding allocations totaling $970,936 are requested by 88 organizations (**Attachment A**). This total is made up of $925,346 in General Fund support and $45,590 in funding from the National Endowment for the Arts (NEA). In July 2020, the Phoenix Office of Arts and Culture was initially awarded $250,000 in CARES Act funding from the NEA to regrant to Phoenix arts organizations, which it did. In April 2021, the NEA awarded the Phoenix Office of Arts and Culture $45,590 in additional CARES Act funding to regrant. In June 2021, the NEA approved supplementing the Community Arts Grants Program with the additional CARES Act funding.

All grant applications for the Community Arts Grants Program were due to the Office of Arts and Culture on April 1, 2021. Ninety-four applications were received and reviewed by panels made up of laypersons, artists, arts professionals, and educators to ensure a thorough and unbiased review. Panel recommendations were then forwarded to the Phoenix Arts and Culture Commission to review and recommend for funding, ensuring these organizations are good stewards of public support.

General Support Program (GSP) grants strengthen the community's access to arts and culture programming. The program provides core operating support to arts and cultural organizations of all sizes that have a primary mission to create, produce, or provide arts and cultural programming to enhance the quality of lives for Phoenix residents. GSP grant allocations are determined by the ranking an applicant received during the panel review of the following criteria:
1. Artistic/Cultural Value
2. Community Significance
3. Financial and Leadership Capacity

In GSP Level I, organizations must have a total operating budget of at least $2.5 million. Thirteen organizations are recommended for funding totaling $387,256, with each receiving grant awards between $21,000 and $36,256.

In GSP Level II, organizations must have a budget between $250,000 and $2,499,999. There are 28 organizations recommended for funding totaling $385,000, with each receiving grant awards between $9,000 and $18,000.

For FY 2022, GSP Level III grantees must have a budget between $5,000 (adjusted from $25,000 in FY21) and $249,999. A total of 19 organizations are recommended for funding totaling $130,000, with each receiving grant awards between $5,000 and $9,000.

Project Support Program (PSP) grants promote and encourage the breadth of arts and cultural programming in our community by supporting projects both large and small throughout the City of Phoenix.

The program supports guest artist fees/expenses, production fees, and marketing expenses for in-person, socially distanced, and/or virtual projects that engage residents, including but not limited to, arts workshops, popup performances, and collaborations with artists. Applicants request an amount of up to $2,500 to fund their proposed project. Allocations are determined by the ranking an applicant received during the panel review of the following criteria:

1. Artistic/Cultural Value
2. Community Significance
3. Logistics and Accessibility

Twenty-eight organizations are recommended for PSP funding totaling $68,680.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and approved the FY 2021-22 Community Arts Grants Program allocation recommendations at its meeting on June 15, 2021.

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Phoenix Office of Arts and Culture.

ATTACHMENT A

Phoenix Office of Arts and Culture Community Arts Grants Program FY22 Funding Recommendations

Category	Organization	Amount
General Support I	ARIZONA CENTER FOR NATURE CONSERVATION (Phoenix Zoo)	$36,256.00
General Support I	ARIZONA OPERA COMPANY	$25,000.00
General Support I	ARIZONA SCIENCE CENTER	$28,000.00
General Support I	ARIZONA THEATRE COMPANY	$30,000.00
General Support I	BALLET ARIZONA	$23,000.00
General Support I	CHILDREN'S MUSEUM OF PHOENIX	$34,500.00
General Support I	CHILDSPLAY INC	$33,000.00
General Support I	DESERT BOTANICAL GARDEN	$30,000.00
General Support I	HEARD MUSEUM	$33,000.00
General Support I	MUSICAL INSTRUMENT MUSEUM	$31,000.00
General Support I	PHOENIX ART MUSEUM	$21,000.00
General Support I	PHOENIX SYMPHONY	$28,000.00
General Support I	PHOENIX THEATRE INC	$34,500.00
General Support II	ACT ONE	$13,000.00
General Support II	ARIZONA JEWISH HISTORICAL SOCIETY	$14,000.00
General Support II	BLACK THEATRE TROUPE INC	$13,000.00
General Support II	CALA ALLIANCE	$14,000.00
General Support II	CENTRAL ARTS ALLIANCE (Phoenix Center for the Arts)	$14,000.00
General Support II	FREE ARTS FOR ABUSED CHILDREN OF ARIZONA	$15,000.00
General Support II	GREAT ARIZONA PUPPET THEATER INC	$15,000.00
General Support II	HERITAGE SQUARE FOUNDATION	$13,000.00
General Support II	JAPANESE FRIENDSHIP GARDEN OF PHOENIX INC	$12,000.00
General Support II	JAZZ IN ARIZONA INC	$15,000.00
General Support II	KIDS IN FOCUS	$12,000.00
General Support II	MUSICAL THEATRE OF ANTHEM INC	$14,000.00
General Support II	PHOENIX BOYS CHOIR ASSOCIATION	$14,000.00
General Support II	PHOENIX CHAMBER MUSIC SOCIETY	$14,000.00
General Support II	PHOENIX CHILDREN'S CHORUS INC	$17,000.00
General Support II	PHOENIX CONSERVATORY OF MUSIC	$16,000.00
General Support II	PHOENIX FILM FOUNDATION	$14,000.00
General Support II	PHOENIX GIRLS CHORUS	$14,000.00
General Support II	PHOENIX PERFORMING ARTS CENTER INC (Herberger Theater Center)	$13,000.00
General Support II	PHOENIX PRIDE INCORPORATED	$9,000.00
General Support II	PHOENIX SYMPHONY GUILD (Phoenix Youth Symphony Orchestra)	$13,000.00
General Support II	RISING YOUTH THEATRE	$18,000.00
General Support II	ROSIE'S HOUSE A MUSIC ACADEMY FOR CHILDREN INC	$15,000.00
General Support II	SHEMER ART CENTER AND MUSEUM ASSOCIATION INC	$9,000.00
General Support II	SOUNDS ACADEMY	$14,000.00
General Support II	THE PHOENIX CHORALE	$12,000.00
General Support II	VALLEY YOUTH THEATRE	$15,000.00
General Support II	XICO INC	$14,000.00
General Support III	ALMOST FAMOUS THEATRE COMPANY FOUNDATION	$5,000.00
General Support III	ALWUN HOUSE FOUNDATION	$7,000.00

General Support III	ARTLINK INC	$6,000.00
General Support III	CULTURAL COALITION INC	$7,000.00
General Support III	GRAND CANYON MENS CHORALE	$7,000.00
General Support III	HARMONY PROJECT PHOENIX	$9,000.00
General Support III	MUSICA NOVA INC	$8,000.00
General Support III	NORTH VALLEY SYMPHONY ORCHESTRA INC	$7,000.00
General Support III	NUEBOX	$8,000.00
General Support III	ORPHEUS MALE CHORUS OF PHOENIX	$6,000.00
General Support III	PHOENIX WOMEN'S CHORUS	$8,000.00
General Support III	PHONETIC SPIT	$8,000.00
General Support III	RED ROCKS MUSIC FESTIVAL	$6,000.00
General Support III	REFRAME YOUTH ARTS CENTER	$7,000.00
General Support III	ROOSEVELT ROW COMMUNITY DEVELOPMENTCORPORATION	$5,000.00
General Support III	SCORPIUS DANCE THEATRE	$5,000.00
General Support III	TEATRO BRAVO	$5,000.00
General Support III	THE SAGRADO	$8,000.00
General Support III	YOUNG ARTS ARIZONA LTD	$8,000.00
Project Support	AFRICAN ASSOCIATION OF ARIZONA	$2,500.00
Project Support	ARAB AMERICAN FESTIVAL	$2,500.00
Project Support	ARIZONA LGBT+ HISTORY PROJECT	$2,500.00
Project Support	ARIZONA MASTERS OF POETRY	$2,480.00
Project Support	ARIZONA MASTERWORKS CHORALE INC	$1,800.00
Project Support	ARIZONA MATSURI	$2,500.00
Project Support	ARIZONA TALKING DRUM PERFORMANCE STUDIO NETWORK	$2,500.00
Project Support	BALKAN COMMUNITY CULTURE AND HERITAGE ORGANIZATION	$2,500.00
Project Support	BHAKTIVEDANTA CULTURAL CENTER OF PHOENIX INC.	$2,500.00
Project Support	CIHUAPACTLI COLLECTIVE	$2,500.00
Project Support	CULTURAL ARTS COALITION CELEBRATING GLOBAL CONNECTIONS	$2,500.00
Project Support	EDUMUSICATION	$2,500.00
Project Support	FURIOUS STYLES CREW	$2,500.00
Project Support	GENESIS PROGRAM INC.	$2,500.00
Project Support	GREY BOX COLLECTIVE	$2,500.00
Project Support	HEARTSY	$2,500.00
Project Support	METHODS OF MADNESS DANCE THEATER	$2,500.00
Project Support	MOVEMENT SOURCE INC	$2,200.00
Project Support	OWLSONG PRODUCTIONS INC.	$2,500.00
Project Support	PACHANGA	$2,500.00
Project Support	PHOENIX INSTITUTE OF CONTEMPORARY ART	$2,500.00
Project Support	PHOENIX YOUTH CIRCUS ARTS - TAPAZ	$2,500.00
Project Support	PLAYBACK ARIZONA	$2,200.00
Project Support	SHADOW MOUNTAIN HIGH SCHOOL	$2,500.00
Project Support	SOUL WEST FEST FOUNDATION	$2,500.00
Project Support	SUNNYSLOPE HISTORICAL SOCIETY	$2,500.00
Project Support	YES AND PRODUCTIONS	$2,500.00
Project Support	YOUNG SOUNDS OF ARIZONA	$2,500.00
TOTAL		**$970,936.00**

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 88

Golf Management System Request for Proposals

Request to authorize the City Manager, or his designee, to issue a Request for Proposals for a Golf Management System in the Parks and Recreation Department.

Summary

The Parks and Recreation Department requires updated golf management software, which will be the new point of sale system for bookings, payment of tee times and purchasing of items. The system will also provide tracking, reporting of revenue streams and serve as an email marketing tool to increase marketing tactics. The purpose of the Request for Proposals (RFP) will be to identify an experienced organization that can develop, implement, train, manage and support a system that will provide an enhancement to the City's five municipal golf courses.

The current agreement providing similar services will expire in the spring of 2022, and a new agreement is needed to ensure the continuity of golf management software services and to provide needed updates. If a new vendor is selected, the resulting agreement will start approximately six months before the current agreement expires, to allow for configuration and implementation of data into the golf management software system.

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

Procurement Information

The RFP will contain evaluation criteria and processes in alignment with the required services and may include a combination of the following:

- Cost/Price
- Qualifications, Experience and Past Performance of Proposer
- Qualification and Experience of Proposer's Staff
- Method of Approach and Transition Plan
- Technology Business Requirements
- Proposed Organizational Structure and Personnel

Contract Term
The resulting agreement term will be for five years starting on or about Oct. 1, 2021, with one, five-year renewal option which may be exercised at the City's discretion.

Financial Impact
The current agreement has no impact to the General Fund. Vendor fees are deducted from golf revenue. Staff anticipates entering into a similarly structured agreement with the successful proposer.

Location
Council Districts: 3, 4, 5, 6 and 7

Responsible Department
This item is submitted by Deputy City Managers Inger Erickson and Toni Maccarone and the Parks and Recreation and Information Technology Services departments.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 89

Golf Scorecards Request for Proposals

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) for the City's municipal golf course scorecards.

Summary
The Parks and Recreation Department currently has a contract with Transportation Media, Inc. dba Bench Craft Company, to provide goods and services for advertisement of all products (benches, tee signs, ball washers and golf scorecards), with no cost to the City. Under the terms of the agreement, the contractor pays the City a set fee to provide free scorecards to the public. The current agreement will expire in February 2022; therefore, a RFP is necessary to procure these services.

Procurement Information
The RFP will contain evaluation criteria and processes in alignment with the required services and may include a combination of the following:

Cost/Price (Revenue Based)
Qualifications and Experience
Method of Approach
Marketing and/or Sponsorship Opportunities Plan

Contract Term
The resulting agreement term will be for three years starting on or about Feb. 1, 2022, with two, one-year renewal options which may be exercised at the City's discretion.

Financial Impact
There is no anticipated impact to the General Fund. The department expects to receive a set revenue, annually for any resulting contract.

Location
Council Districts: 3, 4, 5, 6 and 7

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 90

Reopening of Community Centers and Pools in the Parks and Recreation Department

This report provides an update to the City Council on the status of reopening community centers in the Parks and Recreation Department and requests City Council approval to increase capacities for open swim and swim lessons at Phoenix pools and to remove the requirement that youth must be accompanied by someone at least 16 years old for open swim.

Summary

On May 5, 2021, the Phoenix City Council approved the Parks and Recreation Department's tiered reopening plan, based on feedback from the City's contracted public health professional and the City of Phoenix overall risk category per the Arizona Department of Health Services (AZDHS) Community Transmission Indicators.

The Parks and Recreation Department implemented the plan with the opening of 11 large community centers for summer youth camps and registered programs on June 7. The camps provide activities for youth ages six to 12 and are at 65 percent registration capacity overall, with open spots available at all centers.

The reopening plan also called for the department to move into the next phase of reopening when the AZDHS Community Transmission reached the Moderate Transmission category. On June 10, the overall risk category reached the Moderate Transmission category. Therefore, effective June 21, the 11 open community centers increased program capacity to 75 percent; fitness rooms opened at 50 percent capacity; and other gym activities became available by reservation.

Further, effective June 28, 2021, Tier 2 small centers opened at the same capacity percentages. Centers that do not offer formal summer recreation programs opened for drop-in recreation activities for select classes and programs, which will require registration and/or appointments. All community centers are now open (**Attachment A**).

To align with increased capacities at indoor facilities, staff is requesting City Council approval to increase capacity limits at the pools. At present, open swim and swim

lessons are offered at modified capacities. The department is recommending to increase open swim and swim lessons to 100 percent capacities and remove the requirement that youth must be accompanied by someone at least 16 years old for open swim upon approval.

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

Attachment A
Parks and Recreation Department Community Centers

Tier 1 Centers (14) – Opened June 7

Aeroterra Community Center (1725 E. McKinley St.) *
Deer Valley Community Center (2001 W. Wahalla Ln.)
Desert West Community Center (6501 W. Virginia Ave.)
Eastlake Community Center (1549 E. Jefferson St.)
Goelet A.C Beuf Community Center (3435 W. Pinnacle Peak Rd.)
Longview Neighborhood Recreation Center (4040 N. 14th St.)
Luke Krohn (1940 1/2 E. Villa St.) *
Maryvale Community Center (4420 N. 67th Ave.)
Paradise Valley Community Center (17402 N. 40th St.)
Pecos Community Center (17010 S. 48th St.)
Sidney P. Osborn (1720 E. Adams St.) *
South Mountain Community Center (212 E. Alta Vista Rd.)
Sunnyslope Community Center (802 E. Vogel Ave.)
Washington Activity Center (2240 W. Citrus Way)

Tier 2 Centers (16) – Opened June 28

Bret Tarver Learning Center (1516 N. 35th Ave.)
Coffelt-Lamoreaux Recreation Center (1510 S. 19th Dr.) **
Devonshire Senior Center (2802 E. Devonshire Ave.)
Faye Gray Recreation Center (5550 S. 20th St.)
Harmon Recreation Center (1425 S. 5th Ave.)
Hayden Neighborhood Recreation Center (420 W. Tamarisk Ave.)
Holiday Park Recreation Center (4560 N. 67th Ave.)
Marc Atkinson Recreation Center (4535 N. 23rd Ave.)
Mountain View Community Center (1104 E. Grovers Ave.)
Muriel Smith Recreation Center (2230 W. Roeser Ave.)
Playa Margarita Recreation Center (3615 W. Roeser Ave.)
South Phoenix Youth Center (5245 S. 7th St.)
Sunnyslope Youth Center (1702 W. Peoria Ave.)
University Park Recreation Center (1002 W. Van Buren St.)
Verde Park Recreation Center (916 E. Van Buren St.)
Vernell Coleman Recreation Center (830 W. Tonto St.) *

* *denotes Housing Department site*
** *denotes Maricopa County site*

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 91

Amend City Contract No. 111 - Lease Extension of City-Owned Property at 723 W. Polk Street with the American Legion Post No. 1 (Ordinance S-47830)

Request to authorize the City Manager, or his designee, to amend City Contract No. 111, and any other agreements as necessary (Amendment), with the American Legion Post No. 1, a nonprofit service organization for military veterans (Legion), to extend the lease term for the Legion's use of City-owned property located at 723 W. Polk Street, also known as 364 N. 7th Avenue (the Site), accept real property, and modify certain business terms. Further request authorization for the City Treasurer to accept funds related to this item. There is no expense impact to the General Fund as a result of this action. The lease extension will generate $300 in total revenue to the General Fund.

Summary

On Feb. 20, 1920, the City and Legion entered into a 99-year lease of the 1.7 acre Site for the purpose of creating a location and facility for the Frank Luke Jr. Post No. 1 of the American Legion. The lease agreement terminated on Feb. 20, 2019, pursuant to the terms of the contract. On Sept. 5, 2018, the City Council authorized an extension to the lease which terminated on Aug. 1, 2020, allowing the Legion to celebrate the 100th anniversary of the Legion and Post No. 1 in the building. City staff sent a lease amendment to the Legion for execution; however, the Legion never signed it but has continued to occupy the Site. Concurrently, the Community and Economic Development Department (CEDD) is negotiating the terms of a disposition and redevelopment agreement for the Site, pursuant to a Request for Proposal (RFP) authorized by City Council on June 26, 2019. At a future date, CEDD will seek City Council authorization to enter into a disposition and redevelopment agreement with the responsive proposer of that RFP.

The Legion notified the City that the American Legion's 102nd National Convention will be held in Phoenix in August 2021 and the Frank Luke Jr. Post No. 1 will be showcased as one of the original American Legion posts in the U.S. The proposed amendment would allow the Legion to remain in the building through the National Convention.

Subject to City Council authorization, the following business terms have been negotiated with the Legion and would be implemented through the Amendment.

1. Term shall be retroactively extended from Feb. 20, 2019 to up to Aug. 1, 2022.
2. Legion shall provide the City with the following consideration for the lease extension: a) Pay rent of $100 per year for the extension (including previous rental payments owed for years 2019-20 and 2020-21, for a total of $300; b) Provide the equivalent of not less than $6,400 per year of in-kind public benefit services, to be coordinated with, and monitored by, the CEDD. The Legion shall document the in-kind public benefit services for years 2019-20 and 2020-21, or pay to the City a make-up payment of up to $6,400 per year if the Legion does not sufficiently document the in-kind public benefits; and c) Transfer ownership of APN 111-30-085C, a small parcel adjacent to the Site, to the City, at no cost to the City.
3. Legion shall be responsible for all public and private utilities and property expenses.
4. Legion shall not renew the lease term of any third party billboard leases on the site.
5. Legion shall provide insurance and indemnification acceptable to the City.
6. Amendment may include other terms and conditions deemed necessary or appropriate by the City Manager or his designee.

Contract Term
This Amendment will extend the lease term until up to Aug. 1, 2022, unless earlier terminated by the City.

Financial Impact
There is no expense impact to the General Fund as a result of this action. The Amendment will create a one-time lease payment of $300 which will be deposited into the General Fund.

Concurrence/Previous Council Action
Resolution 524, authorizing this contract, was passed by the Commission of the City of Phoenix on March 3, 1920. Ordinance S-44976, authorizing the first amendment, was passed by the City Council on Sept. 5, 2018, but the amendment was never executed.

Location
723 W. Polk Street (also known as 364 N. 7th Ave.)
Council District: 7

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 92

Electronic Interference Detection Equipment - IFB 21-130 (Ordinance S-47801)

Request the City Manager, or his designee, to enter into a contract for a one-time purchase from Research Electronics International LLC, for electronic interference detection equipment for the Police Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate value will not exceed $103,500.

Summary

The electronic interference detection equipment will provide the Police Department's Threat Mitigation Unit with an advanced capability to identify wireless interference, locate the source of the interference, and mitigate the interference in a timely manner to minimize the impact to Public Safety communications and at critical infrastructure sites. Wireless interference includes illegal jammers, and improperly configured or malfunctioning radios which emit radio frequency (RF) signals that can affect Public Safety communications. In the past 18 months, there have been multiple instances where Police and Fire Department Communications have been impacted negatively by both unintentional and nefarious incidents of wireless interference. This equipment is designed to be used as a handheld tool to identify the exact source of the RF interference, and prevent interference sources.

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

Procurement Information

IFB 21-130 was conducted in accordance with Administrative Regulation 3.10. There was one offer received by the Procurement Division on June 9, 2021. The offer submitted by Research Electronics International, LLC, was evaluated on price, responsiveness to specifications, and responsibility to provide the required goods and services. The price was determined to be fair and reasonable based on market research. The bid notification was sent to 99 suppliers and was publicly posted and available for download from the City's website.

Contract Term

The one-year contract term will begin on or about July 7, 2021.

Financial Impact
The aggregate contract value will not exceed $103,500. Funds are available in the Police Department's budget.

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 93

Self-Contained Breathing Apparatus - Requirements Contract - RFP 21-049 (Ordinance S-47804)

Request to authorize the City Manager, or his designee, to enter into a contract with Municipal Emergency Services (MES) Inc. to purchase Self-Contained Breathing Apparatus (SCBA), parts and related services for Phoenix Fire Department (PFD). Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $26,000,000.

Summary

This contract will provide SCBA for PFD, to include annual inspection, fit-testing, hydrostatic testing, preventative maintenance, repairs and parts. The SCBA is used by firefighters in any immediately dangerous to life or health (IDLH) atmosphere, such as structure, car, dumpster fires, over haul, hazardous incidents, confined space rescues and the investigation of fire scenes. The use of SCBAs is mandated by National Fire Protection Association (NFPA) 1982 Standard and National Institute for Occupational Safety and Health (NIOSH) regulations. The PFD labor management process determined to continue with the Scott brand of SCBAs and upgrade to the Scott X3 Pro and Scott SKA-PAK respirator which meets the current NFPA standards. The PFD currently uses Scott SCBAs, face pieces, regulators, cylinders, and all associated parts which are compatible with the Scott X3 Pro and Scott SKA-PAK respirators, resulting in a cost savings of approximately $3 million for the City.

Procurement Information

RFP 21-049 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Procurement Division on May 21, 2021. The notification was sent to 107 suppliers and was publicly posted and available for download from the City's website.

The proposals were scored by a three-member evaluation panel based on the following evaluation criteria worth 1,000 points:

Conformance with Scope of Work / Project Approach / Warranty, Maintenance & Repair Services - 400 points
Firm Experience and Personnel Qualifications - 300 points

Cost (Section VI - Price Schedule) - 200 points
Training Schedule and References - 100 points

The offeror scores are as follows:
Municipal Emergency Services (MES) - 980 points
Safeware - 700 points

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

Contract Term
The five-year contract term will begin on or about July 1, 2021. Provisions of the contract will include an option to extend the term of the contract for one additional five-year period, which may be exercised by the City Manager or his designee.

Financial Impact
The aggregate contract value including the optional years will not exceed $26,000,000. In addition, MES is offering a trade in credit for SCBAs in the amount of $990,000. Funds are available in the Fire Department's budget. The critical nature of the SCBA units require that they be maintained and replaced at regularly scheduled intervals. To accomplish this goal staff recommends creating an SCBA Replacement Fund. This fund will be funded with a General Fund transfer of approximately $1 million-per-year starting in FY 2022-23. From this point forward the replacement fund would have the resources required to ensure that this critical equipment is replaced in accordance with national standards and in advance of being declared obsolete.

Concurrence/Previous Council Action
The replacement of SCBA for PFD was approved by a 4-0 vote at the Public Safety and Justice Subcommittee meeting held on March 10, 2021.

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 94

Intergovernmental Agreement with Town of Paradise Valley for Fire Protection and Emergency Medical Services (Ordinance S-47825)

Request authorization for the City Manager, or his designee, to enter into an intergovernmental agreement with the Town of Paradise Valley for fire protection and emergency medical services. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item. The Fire Department will receive an amount of $2,819,000 for Fiscal Year 2021-22 for fire and emergency medical services.

Summary

Under the terms of the proposed agreement, Phoenix will provide staffing for the Town of Paradise Valley fire stations and emergency response to the community; personnel and certain operating costs to be split 50/50 between Phoenix and Paradise Valley. Calls will be dispatched through the Phoenix Fire Department's Regional Dispatch Center. Paradise Valley and Phoenix will alternate the purchase of replacement apparatus based on the replacement schedule, with the mileage of each apparatus to be the determining factor on future replacement.

The proposed agreement is of mutual benefit to the residents of both the City of Phoenix and the Town of Paradise Valley. Both Paradise Valley fire station locations will reduce response times into portions of Phoenix that border Paradise Valley.

Contract Term

The 20-year contract term will begin July 1, 2021.

Financial Impact

The Fire Department will receive an amount of $2,819,000 for Fiscal Year 2021-22 for fire and emergency medical services.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 95

Shoplifting/Theft Diversion Program

Request to authorize the City Manager, or his designee, to enter into a contract with SAGE Counseling, Inc. (SAGE) to operate and administer the City's Shoplifting/Theft Diversion Program (SDP). The Program is funded entirely through fees paid by program participants.

Summary
This program provides a one-day educational program (or individual counseling, as needed) for persons charged with a shoplifting or theft-related misdemeanor offense in the City of Phoenix who meet the Prosecutor's Office criteria to participate in this diversion program. There is a wide range of criteria, including for example, participants are usually first-time offenders, have no previous theft-related felony, have no history of violations in fiduciary positions, and the incident was non-violent.

Procurement Information
In April 2021, the City issued a Request for Proposals, RFP 21-LAW-002, to seek offers from outside organizations to operate the City's Shoplifting/Theft Diversion Program. The solicitation notification was emailed to 113 vendors registered in ProcurePHX, mailed to 36 vendors, and was posted and available for download from the City's website. Two proposals were received, one of which was deemed non-responsive. The responsive proposal was reviewed by an evaluation panel that determined that the SAGE proposal satisfies the requirements in the RFP.

Contract Term
The contract term will be three years beginning on or about July 1, 2021 through June 30, 2024, with two, one-year options for renewal, which may be exercised by the City Manager or his designee.

Financial Impact
There is no annual expenditure of City funds because the program is fully funded by fees paid by program participants.

Responsible Department
This item is submitted by City Manager Ed Zuercher and the Law Department, City Prosecutor's Office.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 96

Apply For Local Judicial Collection Enhancement Fund Grant Funding to Purchase Computer Hardware (Ordinance S-47800)

Request to authorize the Phoenix Municipal Court to apply for grant funding from the Arizona Supreme Court-administered Judicial Collection Enhancement Fund to purchase computers and related hardware. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. Grant funding would not exceed $160,000.

Summary

The Phoenix Municipal Court will use the funds to replace aging desktop computers, laptops, and related hardware, as well as to replenish its stock of spare computers and related hardware. The purchase of additional hardware, and replacement of existing hardware, will help the Court support expanded business needs, ensure the reliability of the Court's business systems, minimize potential hardware failure and support requirements and maintenance costs.

Financial Impact

Funds will be made available in the Phoenix Municipal Court local Judicial Collection Enhancement Fund account. The Phoenix Municipal Court must submit a funding plan and application to the Arizona Supreme Court Administrative Office of the Courts to secure approval for use of Judicial Collection Enhancement Fund funds pursuant to Arizona Revised Statutes section 12-113. No General Fund dollars will be used and the City could receive up to $160,000 in grant funding.

Responsible Department

This item is recommended by Chief Presiding Judge B. Don Taylor III and Deputy City Manager Karen Peters.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 97

FY 2021 Community Policing Development De-Escalation Grant (Ordinance S-47823)

Request authorization for the City Manager, or his designee, to allow the Police Department to apply for, accept and enter into an agreement with the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS), for the FY 2021 Community Policing Development De-Escalation Training Grant in an amount not to exceed $200,000. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary
The De-Escalation Training Grant provides funding to develop the capacity of law enforcement to implement community policing strategies by providing guidance on promising practices through the development and testing of innovative strategies; building knowledge about effective practices and outcomes; and supporting new, creative approaches to preventing crime and promoting safe communities.

The COPS office will provide funding to law enforcement agencies seeking to build agencies' internal capacity to provide de-escalation training to officers, including overtime and investments in Virtual Reality/Augmented Reality (VR/AR) technology. Funding may also support the development of resources (roll-call videos, toolkits, etc.) to support agencies' de-escalation training efforts and to promote continual learning and maintenance of skills. Applications are due by July 22, 2021.

Contract Term
Two years beginning Oct. 1, 2021 through Sept. 30, 2023.

Financial Impact
The total funding request is $200,000. No matching funds are required.

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 98

FY2021 Community Policing Development Accreditation Grant (Ordinance S-47824)

Request authorization for the City Manager, or his designee, to allow the Police Department to apply for, accept and enter into an agreement with the U.S.Department of Justice, Office of Community Oriented Policing Services (COPS), for the FY2021 Accreditation Grant in an amount not to exceed $75,000. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The Accreditation Grant provides funding to develop capacity of law enforcement to implement community policing strategies by providing guidance on promising practices through the development and testing of innovative strategies; building knowledge about effective practices and outcomes; and supporting new, creative approaches to preventing crime and promoting safe communities.

The COPS office will provide funding related to obtaining accreditation from an existing law enforcement accreditation entity. This grant will fund sworn officer salaries, civilian employee salaries, sworn officer overtime, contracts for staff, accreditation fees, and cost associated with internal training for personnel, as well as any other expenses directly related to an agency's ability to successfully obtain accreditation. Applications are due by July, 22, 2021.

Contract Term

Two years beginning Oct. 1, 2021 through Sept 30, 2023.

Financial Impact

The total funding request is $75,000. No matching funds are required.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 99

FY2021 Community Police Development Crisis Intervention Teams Grant (Ordinance S-47826)

Request authorization for the City Manager, or his designee, to allow the Police Department to apply for, accept and enter into an agreement with the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS), for the FY2021 Crisis Intervention Teams Grant in the amount not to exceed $250,000. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary
The Crisis Intervention Teams Grant will provide funding to develop capacity of law enforcement to implement community policing strategies by providing guidance on promising practices through the development and testing of innovative strategies; building knowledge about effective practices and outcomes; and supporting new, creative approaches to preventing crime and promoting safe communities.

The COPS office will provide funding to law enforcement agencies to create or expand the use of crisis intervention teams to embed mental and behavioral health services with law enforcement to better respond to individuals in crisis within the community. The grant will fund overtime for sworn personnel, salaries and contracts for mental health professionals and cost associated with training for personnel. Applications are due by July 7, 2021.

Contract Term
The contract term is two years beginning Oct. 1, 2021 through Sept. 30, 2023.

Financial Impact
The total funding request is $250,000. No matching funds are required.

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 100

Amend Ordinance for Memorandum of Understanding and Cost Reimbursable Agreement with Federal Bureau of Investigation (Ordinance S-47828)

Request authorization for the City Manager, or his designee, to amend the current ordinance (S-41079) with the Federal Bureau of Investigation for the reimbursement of police services provided to the Violent Street Gang Task Force. Authorization of the amendment will increase the amount of reimbursement to $120,000 per year. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

The Police Department has entered into similar reimbursement agreements with the FBI over the last several years. This agreement reimburses the City for the cost of police overtime and related fringe benefits when the officers work with the FBI on investigations involving certain criminal enterprise groups operating in the Phoenix area. The purpose of these investigations is to identify and target for prosecution criminal enterprise groups responsible for drug trafficking, money laundering, human smuggling, crimes of violence such as murder and aggravated assault, robbery and violent street gangs, as well as to intensely focus on the apprehension of dangerous fugitives where there is or may be a federal investigative interest.

Ordinance S-41079 authorized an agreement with the Federal Bureau of Investigation not to exceed $45,000. The amendment will increase the amount of funding by $75,000, not to exceed a total of $120,000 per year. All other items will remain unchanged.

Contract Term

The contract term is from Aug. 7, 2014 until cancelled by either party.

Financial Impact

No matching funds are required. The cost to the City is in-kind resources only.

Concurrence/Previous Council Action

Ordinance S-41079 was adopted by City Council at the July 2, 2014 meeting.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 101

Request Ordinance Amendment for Neighborhood Block Watch Oversight Committee's Recommendations for 2021 Grant Program Awards (Ordinance S-47829)

Request authorization for the City Manager, or his designee, to amend ordinance (S-47766) for the Neighborhood Block Watch (NBW) Oversight Committee's recommendations for the 2021 grant program awards. Authorization of the amendment will increase the number of agreements from 133 to 153 between the City of Phoenix and the Neighborhood Block Watch Grant Program applicants for the 2021 grant cycle, and increase the annual funding amount available for all grant applications from $1,509,747 to $1,700,000. Further request authorization for the City Controller to disburse funds related to this item in an amount not to exceed $1,700,000.

Summary
Ordinance S-47766 was approved as amended, by City Council on June 23 2021. At that meeting, City Council members requested that all grant applications receiving a score of 3.75 or greater be recommended for funding. This amendment will increase the number of agreements from 133 to 153.

See **Attachment A and Revised Attachment A** for a list of all 160 grant applications.

Contract Term
The funding period is July 1, 2021 through June 30, 2022.

Financial Impact
No matching funds are required.

Responsible Department
This item is submitted by Assistant City Manager Jeff Barton and the Police Department on behalf of the Neighborhood Block Watch Oversight Committee.

Attachment A
2021 Neighborhood Block Watch Grant Program Funding Recommendations Proposed by the Neighborhood Block Watch Grant Program Oversight Committee

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVIEW SCORE
21-001	Hunter's Village/Tapestry 24 Hr Surveillance	3	Neighborhood Crime Prevention and Involvement	$8,480.00	$8,480.00	7.2222
21-002	Weston Park Block Watch - Weston Park/Grayson Square	8	Maintaining Control/Keeping an Eye on our Neighborhood.	$4,904.00	$4,904.00	5.3444
21-003	Riverwalk Villages Block Watch	7	Block Watch and Safety Group 2021	$11,655.00	$11,655.00	6.1222
21-005	Laurelwood Homes Block Watch	5	Villa de Paz Crime Prevention Program	$11,999.00	$11,999.00	6.6222
21-006	Sierra Colina Block Watch / M.C. Cash School	7	M.C. Cash Wake Up!	$10,283.00	$10,283.00	6.3444
21-007	Target Area "B" / Sabis International School	8	Sabis Wake Up!	$9,386.00	$9,386.00	5.9333
21-008	SUNBURST FARMS HOMEOWNERS ASSOCIATION / Desert Foothills Junior High School	1	Desert Foothills Wake Up!	$10,073.00	$10,073.00	6.2111
21-009	Redhawk At Rogers Ranch Block Watch / Rogers Ranch School	7	Rogers Ranch Wake Up! Club	$11,833.00	$11,833.00	6.2333
21-010	Trailside Point Block Watch / Trailside Point School	7	Trailside Point Wake Up Club	$9,273.00	$9,273.00	6.1556
21-011	Riverwalk Villages Block Watch / Cheatham Elementary School	7	Cheatham Wake Up! Club	$8,973.00	$8,973.00	6.0778
21-013	Arlington Estates II Neighborhood Association	7	Light it Up and Lock it Down!	$11,958.00	$11,958.00	6.0667

Attachment A
2021 Neighborhood Block Watch Grant Program Funding Recommendations Proposed by the Neighborhood Block Watch Grant Program Oversight Committee

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVIEW SCORE
21-014	Moon Valley Neighborhood Association / Mountain Sky Junior High School	3	Mountain Sky Wake Up!	$9,123.00	$9,123.00	6.0778
21-015	Palomino Neighborhood Association / Palomino Intermediate School	2	Palomino Wake Up! Club	$9,123.00	$9,123.00	6.1556
21-016	Desert Horizon Precinct Block Watch and PNP	3	Desert Horizon Crime Prevention, Safety, and Outreach	$12,000.00	$12,000.00	7.0111
21-017	Mountain View Precinct Phoenix - Neighborhood Patrol	4	Mtn View Safe & Engaged	$12,000.00	$12,000.00	7.4000
21-018	Phoenix Block Watch Advisory Board	3	crime prevention plus	$11,850.00	$11,850.00	7.2750
21-019	Phoenix Block Watch Advisory Board / Community Engagement Bureau	3	crime prevention plus - 1	$11,645.00	$11,645.00	7.0125
21-020	Moon Valley Gardens Neighborhood Block Watch	3	2021 Safer Neighborhood	$11,731.00	$11,731.00	7.0889
21-021	Moon Valley Gardens Neighborhood Block Watch / Washington Elementary School District and Glendale Union High School District	3	2021 Engaging Youth with Community Involvement	$12,000.00	$12,000.00	6.1222
21-022	Sierra Colina Block Watch / Sierra Colina HOA	8	Solutions Style Living During C-19 Pandemic	$10,546.00	$10,546.00	5.3667
21-023	Tatum & Shea Action Area Master Block Watch	3	2021 Grant Application Tatum and Shea Action Area Master Block Watch	$4,163.00	$4,163.00	6.8667
21-025	Black Mountain Community Alliance	1	2021 BMCA Crime Prevention & Safety Projects	$11,960.00	$11,960.00	7.5111

Attachment A
2021 Neighborhood Block Watch Grant Program Funding Recommendations Proposed by the Neighborhood Block Watch Grant Program Oversight Committee

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVIEW SCORE
21-026	Deer Valley Park Neighborhood Block Watch Organization	1	2021 DVPNBWO Crime Prevention & Safety Project	$11,475.00	$11,475.00	7.3111
21-027	ROYAL PALM BLOCK WATCH / Royal Palm Middle School	3	Royal Palm Wake Up! Club	$9,443.00	$9,443.00	6.3333
21-028	East Glenrosa Avenue	6	East Glenrosa Block Watch	$11,170.00	$11,170.00	6.6000
21-029	South Mountain Block Watch / Southwest School	8	Southwest Wake Up! Club	$8,366.00	$8,366.00	6.1667
21-030	West Sunnyslope Neighborhood Association and Block Watch / Mountain View School	3	Mountain View Wake Up! Club	$9,913.00	$9,913.00	6.1333
21-031	Target Area "B" / Percy L. Julian School	8	Julian Wake Up!	$8,263.00	$8,263.00	5.9111
21-032	South Mountain Village Clean and Beautiful / Jack L. Kuban School	6	Kuban Wake Up!	$8,737.00	$8,737.00	5.9556
21-033	Saint John Alliance / Vista Verde Middle School	2	Vista Verde Wake Up!	$9,487.00	$9,487.00	6.1333
21-034	Moon Valley 1 Block Watch	3	Moon Valley Pride	$6,015.00	$6,015.00	6.5778
21-035	Moon Valley Block Watch / Phoenix Neighborhood Patrol (#1895)	3	Citywide Phoenix Neighborhood Patrol and Education program 2021-2022	$11,880.00	$11,880.00	8.4222
21-036	Black Mountain Precinct Phoenix Neighborhood Patrol / Moon Valley 1 Block Watch	3	Black Mountain Precinct Block Watch & Phoenix Neighborhood Patrol	$11,610.00	$11,610.00	7.1222

Attachment A
2021 Neighborhood Block Watch Grant Program Funding Recommendations Proposed by the Neighborhood Block Watch Grant Program Oversight Committee

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVIEW SCORE
21-037	South Mountain Village Clean and Beautiful / Arthur M. Hamilton School	6	Hamilton Wake Up!	$8,858.00	$8,858.00	6.2556
21-038	Estrella Super Mom's Block Watch / Estrella Middle School	8	Estrella Wake Up!	$10,366.00	$10,366.00	5.7444
21-039	Sienna Vista / Santa Maria MIddle School	7	Santa Maria Wake Up!	$8,898.00	$8,898.00	6.2111
21-040	Loma Linda Neighborhood Association	4	2021-2022 LLNA Blockwatch Grant-Neighborhood Safety & Communication	$11,787.00	$11,787.00	5.4222
21-041	Grandview Neighborhood Association	4	Grandview Block Watch Crime Prevention & Reduction	$11,915.00	$11,915.00	6.8556
21-042	Royal Palm Neighborhood Council	3	Royal Palm Neighborhood	$11,915.00	$11,915.00	5.6667
21-043	Arcadia Camelback Mountain Neighborhood Association	6	Block Watch Grant 2021	$12,000.00	$12,000.00	6.7333
21-044	West Plaza Neighborhood Association	5	Blight & Crime Suppression Thru Community Action	$9,995.00	$9,995.00	6.5222
21-045	Greater Green Gables Neighborhood Association	8	Green Gables Crime Reduction Project	$12,000.00	$12,000.00	5.9667
21-047	Mountain Estates Block Watch	3	Mountain Estates/Paradise Gardens 2021-22	$11,859.00	$11,859.00	6.1556
21-049	Moon Valley Neighborhood Association	3	Moon Valley Community Awareness	$10,065.00	$10,065.00	7.0333

Attachment A
2021 Neighborhood Block Watch Grant Program Funding Recommendations Proposed by the Neighborhood Block Watch Grant Program Oversight Committee

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVIEW SCORE
21-051	Grant Park Community Garden	8	Grant Park Barrio Safety Now - Year Two	$10,236.00	$10,236.00	5.4889
21-052	North Glen Square Neighborhood Association	5	North Glen Square Neighborhood Crime Prevention	$8,345.00	$8,345.00	5.6111
21-053	Tomahawk Village Block Watch / Desert Sands Middle School	5	Desert Sands Wake Up!	$8,773.00	$8,773.00	6.2333
21-054	Homestead Block Watch / Charles W Harris School	7	Harris Wake Up!	$11,023.00	$11,023.00	6.1222
21-055	ARCADIA OSBORN NEIGHBORHOOD ASSOCIATION	1	Block Watch Grant	$11,995.00	$11,995.00	6.2778
21-056	Cactus Wren Neighborhood Block Watch	1	2021/2022 Cactus Wren Neighborhood Block Watch	$12,000.00	$12,000.00	6.1000
21-058	Wilson Coalition / Wilson School	8	Wilson Wake Up!	$9,557.00	$9,557.00	6.1778
21-060	Seven Palms Block Watch	3	Preventative Measures in Crime Prevention Through Education	$12,000.00	$12,000.00	7.0333
21-061	Central Park Village / Central Park Village Activity Board	3	2021 CPVBW Newsletter	$7,712.00	$7,712.00	6.2000
21-062	Marcos de Niza Tenant Council and Community Block Watch	8	Marcos United Community Engagement	$12,000.00	$12,000.00	5.8444
21-063	Moon Valley Block Watch / Phoenix Crime Free-Multi-Housing Program	3	Crime Free Multi-Housing Education Project 2021-2022	$11,400.00	$11,400.00	7.3444

Attachment A
2021 Neighborhood Block Watch Grant Program Funding Recommendations Proposed by the Neighborhood Block Watch Grant Program Oversight Committee

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVIEW SCORE
21-064	Rancho Ventura Neighborhood Association	8	2021 NBWGP	$1,900.00	$1,900.00	5.6111
21-065	Simpson Neighborhood Association / Empower College Prep	5	Empower Wake Up!	$9,923.00	$9,923.00	6.0444
21-066	Trailside Point Block Watch	7	Crime Prevention: Staying Connected While Staying Safe	$7,250.00	$7,250.00	6.5000
21-067	Belcanto Block Watch / Belcanto HOA	2	Belcanto Grant 2021	$11,525.00	$11,525.00	5.6889
21-070	WILLOW CREEK VILLAGE	1	2021 Eliminate The Intruders	$1,982.00	$1,982.00	6.4000
21-075	Desert Cove and Friends Block Watch	3	Desert Cove and Friends BW Application 2021	$11,895.00	$11,895.00	6.3250
21-077	Laveen Ranch Block Watch for Crossroads/Gateway / Laveen Ranch HOA	7	We Care, We Watch, We Call!	$11,960.00	$11,960.00	7.0889
21-078	John Jacobs Block Watch	3	To Detect, Deter and Delay Crime in the John Jacobs Elementary School Neighborhood	$11,496.00	$11,496.00	6.9556
21-079	Wilson Coalition / Wilson School District	8	Wilson Community Involvement Project	$11,986.00	$11,986.00	5.3333
21-080	Laveen Ranch Block Watch for Crossroads/Gateway / Desert Meadows School	7	Desert Meadows Wake Up!	$9,743.00	$9,743.00	6.2222
21-081	Safe Schools "Focus On Excellence" / Safe Schools Youth Programs, LLC	8	Safe Schools CityWide Diversion Project	$11,000.00	$11,000.00	6.1667

Attachment A
2021 Neighborhood Block Watch Grant Program Funding Recommendations Proposed by the Neighborhood Block Watch Grant Program Oversight Committee

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVIEW SCORE
21-082	NORTH CENTRAL PHOENIX HOMEOWNERS ASSOCIATION (NCPHA)	6	Neighborhood Block Watch Grant Program	$11,995.00	$11,995.00	5.5667
21-083	Orangewood Village Block Watch	1	Orangewood Home, Safety information distribution system	$7,550.00	$7,550.00	6.0889
21-085	Mountain Estates Block Watch / Shea Middle School	3	Shea Wake Up!	$9,373.00	$9,373.00	6.0222
21-087	Faith Missionary Baptist Church Neighborhood Association / Faith Missionary Baptist Church	7	S.O.S.&B - Save Our Sister and Brothers - Safety Education Awareness and Mentorship Program	$12,000.00	$12,000.00	6.1333
21-090	Northtown Community Block Watch/PNP	3	Safety and Security for Community	$7,205.00	$7,205.00	6.4000
21-091	Tomahawk Village Block Watch / City of Phx. After School Center	5	Rally, Resolute and Resilient	$9,221.00	$9,221.00	6.6222
21-092	Sunnyslope Historical Society and Museum	3	2021-2022 Season	$10,520.00	$10,520.00	5.8111
21-093	Maryvale Estrella Mountain Community Alliance / Maryvale Estrella Mountain Phoenix Neighborhood Patrol	5	2021 Maryvale Estrella Mountain Phoenix Neighborhood Patrol	$11,985.00	$11,985.00	6.8750
21-094	Maryvale Estrella Mountain Community Alliance	5	2021 Maryvale Estrella Mountain Community Alliance Community Engagement	$11,996.00	$11,996.00	6.6875
21-095	Cactus Park Community Alliance	1	Crime Prevention Through Community Education and Support	$11,825.00	$11,825.00	7.2556
21-096	P.R.I.D.E., Inc.	4	P.R.I.D.E. neighborhood	$5,124.00	$5,124.00	6.5556

Attachment A
2021 Neighborhood Block Watch Grant Program Funding Recommendations Proposed by the Neighborhood Block Watch Grant Program Oversight Committee

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVIEW SCORE
21-097	Anthem Neighborhood Watch-West	1	ANW 2021	$11,200.00	$11,200.00	6.6667
21-098	Ridge Runners 2	1	Patrol area to deter crime and create a safer environment for our residents.	$3,413.00	$3,413.00	7.5000
21-099	Bougainvillea Block Watch	8	Bougainvillea Block Watch	$6,920.00	$6,920.00	6.0222
21-100	St. Gregory Neighborhood Assoc	4	St Gregory Neighborhood Grant 2021	$11,800.00	$11,800.00	7.1556
21-101	Metro Block Watch	1	Resident Safety & Education Phase 2	$10,795.00	$10,795.00	6.8444
21-103	Washington Park Neighborhood Association	5	Neighborhood Safety and Pride	$10,186.00	$10,186.00	7.3444
21-104	Encanto-Palmcroft Historic Preservation Association	4	Alley Saftety Lighting	$3,000.00	$3,000.00	5.5667
21-105	Washington Park Neighborhood Association / Maryland Elementary School	7	Washington Park Crime Prevention Program	$10,000.00	$10,000.00	6.1778
21-106	Cactus Wren Neighborhood Block Watch / Cactus Park Police Precinct	1	2021/2022 Partnership between the Cactus Wren Block Watch and the Cactus Park Police Precinct	$10,770.00	$10,770.00	6.3556
21-108	North Encanto Neighborhood Alliance	4	Sustaining Safety During Challenging Times	$8,426.00	$8,426.00	5.5000
21-109	Hatcher Road Business Alliance	3	theHUB Expanded Safety | Security & Engagement	$11,974.00	$11,974.00	6.6889

Attachment A
2021 Neighborhood Block Watch Grant Program Funding Recommendations Proposed by the Neighborhood Block Watch Grant Program Oversight Committee

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVIEW SCORE
21-110	PHX LUV	3	PHX LUV 2021 Block Watch Engagement Project	$12,000.00	$12,000.00	6.5000
21-112	Lindo Park Neighborhood Association/Block Watch	8	Crime Prevention and Neighborhood Involvement	$5,647.00	$5,647.00	6.3750
21-113	Westwood Community Association	4	Westwood meeting the Challenges of Crime and Blight	$11,832.00	$11,832.00	5.7889
21-115	Redhawk At Rogers Ranch Block Watch	7	2021 Redhawk at Rogers Ranch Block Watch	$11,830.00	$11,830.00	6.4778
21-116	Sunnyslope Village Alliance	3	Sunnyslope Community Revitalization	$11,893.00	$11,893.00	5.3222
21-117	Mountain Trails Neighborhood Block Watch / Mountain Trails HOA	8	Mountain Trails Renewal & Rejuvenation	$6,190.00	$6,190.00	5.8222
21-118	Bernard Black Neighborhood Association	8	ACTS "Men of Valor" Leadership Development Project	$12,000.00	$12,000.00	5.6111
21-119	Central City Precinct Phoenix Neighborhood Patrol	8	Central City Precinct Phoenix Neighborhood Patrol - 21-119	$12,000.00	$12,000.00	7.5556
21-120	Cactus Park Phoenix Neighborhood Patrol	1	Cactus Park Phoenix Neighborhood Patrol Support Program	$11,980.00	$11,980.00	7.6333
21-121	Paseo Pointe Neighborhood Association / Paseo Pointe Elementary School	7	Paseo Pointe Wake Up!	$9,073.00	$9,073.00	6.0222
21-124	CAPITOL NEIGHBORHOOD COALITION	8	2021 Capitol Area Crime Reduction	$5,700.00	$5,700.00	6.0222

Attachment A
2021 Neighborhood Block Watch Grant Program Funding Recommendations Proposed by the Neighborhood Block Watch Grant Program Oversight Committee

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVIEW SCORE
21-125	Ocotillo Glen	5	Crime Prevention & Community Involvement	$11,990.00	$11,990.00	5.7875
21-126	Laveen Crossing Block Watch	8	2021 Laveen Crossing Block Watch	$12,000.00	$11,910.00	7.0111
21-127	Arizona Black Law Enforcement Employees (ABLE)	5	ABLE (Arizona Black Law Enforcement Employees) 2021 Criminal Justice Conference1	$10,000.00	$10,000.00	5.9556
21-128	Canal North Neighborhood Association	4	Canal North Crime Prevention Task Force 2021	$6,766.00	$6,766.00	6.5222
21-130	Westwood Village & Estates Neighborhood Association	4	2021 Block Watch Grant	$9,006.00	$9,006.00	6.1333
21-131	Marcos de Niza Tenant Council and Community Block Watch / Phoenix Revitalization Corporation	8	CCS Community Connection	$11,000.00	$11,000.00	5.9444
21-136	Safe Schools "Focus On Excellence" / C.J. Jorgensen School	7	RSD 'Teen Court' Project	$11,000.00	$11,000.00	6.4556
21-137	Norton Vista Neighborhood Association	3	2021 Back on Track	$12,000.00	$12,000.00	5.3000
21-139	Vecinos Unidos Siempre / Granada Est School	4	Crime Prevention: Investing in kids 2021	$9,330.00	$9,330.00	6.3889
21-141	Midtown Neighborhood Association	4	Keeping Community Connections Alive	$10,742.00	$10,742.00	6.1000
21-142	Woodlea/Melrose Neighborhood Association	4	Woodlea/Melrose Neighborhood Association	$10,270.00	$10,270.00	6.7333

Attachment A
2021 Neighborhood Block Watch Grant Program Funding Recommendations Proposed by the Neighborhood Block Watch Grant Program Oversight Committee

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVIEW SCORE
21-143	Carnation Association of Neighbors	4	Carnation 2021 NBW Program	$9,146.00	$9,146.00	6.2222
21-145	West Sunnyslope Neighborhood Association and Block Watch	3	Empowerment and Awareness	$11,998.00	$11,998.00	5.9444
21-146	Royal Palms Neighborhood Patrol	3	Royal Palm home security and safety project	$11,600.00	$11,600.00	5.6333
21-147	North Park Central	4	Promoting Safety and Reducing Crime in the North Park Central Neighborhood	$11,977.00	$11,977.00	6.1444
21-148	Cox Meadows Neighborhood Block Watch, Inc.	3	Improved Quality of Life Through Safer Neighborhoods and Stronger Community	$10,426.00	$10,426.00	6.2889
21-149	Country Place Community Block Watch	7	Block Watch Group	$12,000.00	$12,000.00	5.7000
21-151	Woodlawn Park Neighborhood Association	4	WPNA Outreach and Crime Prevention	$11,468.00	$11,468.00	6.3667
21-152	DEL NORTE NEIGHBORHOOD ASSOCIATION	4	Del Norte Place Alley Lighting and Community Signage	$8,923.00	$8,923.00	5.3000
21-153	C.J. JORGENSEN NEIGHBORHOOD ASSOCIATION / Safe Schools Teen Court Network	8	Youth Leaders in ACTion Seminar	$9,500.00	$9,500.00	5.9667
21-154	Amigos Block Watch	4	2021 Amigos United	$8,275.00	$8,275.00	6.8778
21-155	Acoma Park Block Watch	1	Acoma Park Block Watch 2021/2022 Program	$6,295.00	$6,295.00	6.9111

Attachment A
2021 Neighborhood Block Watch Grant Program Funding Recommendations Proposed by the Neighborhood Block Watch Grant Program Oversight Committee

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVIEW SCORE
21-156	KELTON LANE/34TH PLACE / Premiere At Summer Breeze HOA	2	Signage, Safety, and Cleanliness Initiative	$11,182.00	$11,182.00	6.5000
21-159	Pierson Place Historic District	4	Crime Awareness, Prevention, and GAIN	$11,680.00	$11,680.00	6.9778
21-160	Sienna Vista	7	Sienna Vista Block Watch - Neighbors Rising Up For Our Neighborhood	$10,885.00	$10,885.00	6.9111
21-161	Simpson Neighborhood Association	4	Simpson Neighborhod 2021 Grant Application	$11,408.00	$11,408.00	5.8889
21-163	Rudyville Neighborhood Association	8	Community Start-up	$995.00	$995.00	7.0333
21-164	CASA DE PRIMAVERA	4	Block Watch Group	$12,000.00	$12,000.00	6.7111
21-165	Mountain Preserve Block Watch	3	Neighborhood Cohesion and Safety	$5,440.00	$5,440.00	6.5444
21-166	Alta Vista Neighborhood Block Watch	1	Crime Prevention Through Continuing Education	$12,000.00	$12,000.00	6.8222
21-172	Paseo Pointe Neighborhood Association	8	Paseo Pointe 2021 Block Watch Grant	$6,739.00	$6,739.00	5.9111
21-175	Bel Air Neighborhood Association	4	Safely Lighting Our Way	$7,028.00	$7,028.00	6.4000
				Total Proposed Award	$1,299,078.00	

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2021 Neighborhood Block Watch Grant Program Funding Recommendations Proposed by the Neighborhood Block Watch Grant Program Oversight Committee

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVIEW SCORE

The Neighborhood Block Watch Grant Program Oversight Committee recommends denying funding for the following applications for not meeting the grant program criteria

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVIEW SCORE
21-046	Grandview Neighborhood Association / Grand View NA, AmeriSchools Academy and City of Phoenix Parks and Recreation Dept	4	2021 Grandview/AmeriSchools Block Watch Crime Prevention and Reduction	$11,946.00	$0.00	5.1444
21-048	Garfield Organization A Neighborhood Alliance	8	2021 Garfield Neighborhood: Improving Community and Communication to Enhance the Safety of Our Neighbors, While Aiming to Improve the Quality of Life Within the Community	$11,984.00	$0.00	4.4444
21-050	EAST SUNNYSLOPE NEIGHBORHOOD ASSOCIATION & BLOCK WATCH	3	East Sunnyslope Block Watch and Neighborhood Association Continued Improvement	$11,827.00	$0.00	4.8778
21-057	7th Avenue Merchants	4	2021 BWG SAMA	$9,210.00	$0.00	3.8000
21-059	Northtown Community Block Watch/PNP / Northtown Homeowners Association, Inc.	3	Lighting Systems for our Community	$11,807.00	$0.00	5.0750
21-069	Willo Neighborhood Association	4	Willo Grant 2021	$9,878.00	$0.00	4.3556
21-071	Tuscano Block Watch	7	Crime Prevention for a Safer Community	$10,033.00	$0.00	5.0556
21-072	PALM LAKES VILLAGE, INC.	2	Light the Way for Safety	$11,839.00	$0.00	DQ
21-073	PALM LAKES VILLAGE, INC. / Palm Lakes Village HOA	2	Lightning for Seniors	$10,050.00	$0.00	5.1222

Attachment A
2021 Neighborhood Block Watch Grant Program Funding Recommendations Proposed by the Neighborhood Block Watch Grant Program Oversight Committee

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVIEW SCORE
21-076	Community Alliance of Seventh Avenue	4	Community Partners for Area Unity and Betterment	$11,885.00	$0.00	4.2667
21-084	F.Q. Story Block Watch	4	FQ Story Crime Prevention Efforts	$10,000.00	$0.00	4.5111
21-088	Garfield Neighborhood Block Watch	8	Garfield Neighborhood; Neighbors Looking out for Neighbors	$11,984.00	$0.00	2.7000
21-089	Royal Palm Social Club	3	Royal Palm Community	$11,660.00	$0.00	4.7889
21-102	El Caro Villas - Condo Complex	5	New El Caro Block Watch 2021	$12,000.00	$0.00	4.5111
21-107	Si Se Puede Neighborhood Association	7	2021 Neighborhood Safety and Community Outreach	$8,430.00	$0.00	5.1111
21-114	Collins Sun Devils / ASU PREPARTORY	8	COLLINSSUNDEVILS/ASU PREP LEADERSHIP	$10,000.00	$0.00	4.3222
21-122	Cave Creek Preserve Block Watch / 360 Community Management	2	2021 Grant	$11,950.00	$0.00	3.3556
21-123	Bernard Black Neighborhood Association / Cesar Chavez High School	8	ACTS "Women of Valor" Leadership Development Project	$12,000.00	$0.00	4.6000
21-129	Heritage Heights Block Watch	3	Creating Community	$9,900.00	$0.00	4.8222
21-132	Collins Sun Devils / Mountain Pointe High School	6	Collinssundevils/Mountain Pointe Project	$10,000.00	$0.00	3.8778

Attachment A
2021 Neighborhood Block Watch Grant Program Funding Recommendations Proposed by the Neighborhood Block Watch Grant Program Oversight Committee

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVIEW SCORE
21-133	Perry Park Neighborhood Association	8	Safe and United Neighborhood 2021	$9,761.00	$0.00	3.6444
21-134	Northern Manor Townhouse Association	5	Northern Manor Townhouse Association	$11,310.00	$0.00	DQ
21-135	Anderson Farm Block Watch/Neighborhood Association	8	FY 2021 Anderson Farms Grant Application	$12,000.00	$0.00	DQ
21-140	Damion Gosa Memorial FNDNT/ House of HELPS	8	Damion Gosa Memorial FNDNT/House of HELPS	$9,940.00	$0.00	3.7667
21-150	Country Place Community Block Watch / Country Place Master Association HOA	7	Residents Reaching Residents	$11,992.00	$0.00	5.0333
21-158	Roosevelt Action Association	7	Roosevelt Safety & Crime Prevention	$11,700.00	$0.00	5.2222
21-168	Faith Missionary Baptist Church Neighborhood Association / Faith Missionary Baptist Church	7	S.O.S&B - Save Our Sisters and Brothers - STEM Community Outreach Program	$12,000.00	$0.00	4.4667
21-170	Union Hills Condominimum Association	1	LED lighting	$3,076.00	$0.00	4.5556
21-174	Coronado Neighborhood Association	1	tool shed/ clean ups	$8,700.00	$0.00	1.9556
			Total Denied	$308,862.00	$0.00	

REVISED Attachment A

2021 Neighborhood Block Watch Grant Program Funding Recommendations Proposed by the Neighborhood Block Watch Grant Program Oversight Committee

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVISED REVIEW SCORE
21-168	Faith Missionary Baptist Church Neighborhood Association / Faith Missionary Baptist Church	7	S.O.S&B - Save Our Sisters and Brothers - STEM Community Outreach Program	$12,000.00	$12,000.00	5.4333
21-050	East Sunnyslope Neighborhood Association & Block Watch	3	East Sunnyslope Block Watch and Neighborhood Association Continued Improvement	$11,827.00	$11,827.00	5.2667
21-158	Roosevelt Action Association	7	Roosevelt Safety & Crime Prevention	$11,700.00	$11,700.00	5.1111
21-107	Si Se Puede Neighborhood Association	7	2021 Neighborhood Safety and Community Outreach	$8,430.00	$8,430.00	4.9778
21-046	Grandview Neighborhood Association / Grand View NA, AmeriSchools Academy and City of Phoenix Parks and Recreation Dept	4	2021 Grandview/AmeriSchools Block Watch Crime Prevention and Reduction	$11,946.00	$11,946.00	4.8778
21-071	Tuscano Block Watch	7	Crime Prevention for a Safer Community	$10,033.00	$10,033.00	4.8000
21-150	Country Place Community Block Watch / Country Place Master Association HOA	7	Residents Reaching Residents	$11,992.00	$11,992.00	4.7889
21-129	Heritage Heights Block Watch	3	Creating Community	$9,900.00	$9,900.00	4.7222
21-069	Willo Neighborhood Association	4	Willo Grant 2021	$9,878.00	$9,878.00	4.4778
21-089	Royal Palm Social Club	3	Royal Palm Community	$11,660.00	$11,660.00	4.4444
21-076	Community Alliance of Seventh Avenue	4	Community Partners for Area Unity and Betterment	$11,885.00	$11,885.00	4.4333

REVISED Attachment A

2021 Neighborhood Block Watch Grant Program Funding Recommendations Proposed by the Neighborhood Block Watch Grant Program Oversight Committee

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVISED REVIEW SCORE
21-133	Perry Park Neighborhood Association	8	Safe and United Neighborhood 2021	$9,761.00	$9,761.00	4.4111
21-048	Garfield Organization A Neighborhood Alliance	8	2021 Garfield Neighborhood: Improving Community and Communication to Enhance the Safety of Our Neighbors, While Aiming to Improve the Quality of Life Within the Community	$11,984.00	$11,984.00	4.3444
21-123	Bernard Black Neighborhood Association / Cesar Chavez High School	8	ACTS "Women of Valor" Leadership Development Project	$12,000.00	$12,000.00	4.3444
21-102	El Caro Villas - Condo Complex	5	New El Caro Block Watch 2021	$12,000.00	$12,000.00	4.2667
21-114	Collins Sun Devils / ASU PREPARTORY	8	COLLINSSUNDEVILS/ASU PREP LEADERSHIP	$10,000.00	$10,000.00	4.2667
21-132	Collins Sun Devils / Mountain Pointe High School	6	Collinssundevils/Mountain Pointe Project	$10,000.00	$10,000.00	4.1444
21-084	F.Q. Story Block Watch	4	FQ Story Crime Prevention Efforts	$10,000.00	$10,000.00	4.1333
21-059	Northtown Community Block Watch/PNP / Northtown Homeowners Association, Inc.	3	Lighting Systems for our Community	$11,807.00	$11,807.00	4.0625
21-057	7th Avenue Merchants	4	2021 BWG SAMA	$9,210.00	$9,210.00	3.8778
21-140	Damion Gosa Memorial FNDNT/ House of HELPS	8	Damion Gosa Memorial FNDNT/House of HELPS	$9,940.00	$9,940.00	3.8000
21-170	Union Hills Condominimum Association	1	LED lighting	$3,076.00	$3,076.00	3.8000

REVISED Attachment A

2021 Neighborhood Block Watch Grant Program Funding Recommendations Proposed by the Neighborhood Block Watch Grant Program Oversight Committee

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVISED REVIEW SCORE
				Total Proposed Award	$231,029.00	

The Neighborhood Block Watch Grant Program Oversight Committee recommends denying funding for the following applications for not meeting the grant program criteria

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVISED REVIEW SCORE
21-073	PALM LAKES VILLAGE, INC. / Palm Lakes Village HOA	2	Lightning for Seniors	$10,050.00	$0.00	3.4000
21-174	Coronado Neighborhood Association	1	tool shed/ clean ups	$8,700.00	$0.00	3.1667
21-122	Cave Creek Preserve Block Watch / 360 Community Management	2	2021 Grant	$11,950.00	$0.00	2.8222
21-088	Garfield Neighborhood Block Watch	8	Garfield Neighborhood; Neighbors Looking out for Neighbors	$11,984.00	$0.00	2.8000
21-072	PALM LAKES VILLAGE, INC.	2	Light the Way for Safety	$11,839.00	$0.00	DQ

REVISED Attachment A

2021 Neighborhood Block Watch Grant Program Funding Recommendations Proposed by the Neighborhood Block Watch Grant Program Oversight Committee

NUMBER	APPLICANT / CO-APPLICANT	COUNCIL DISTRICT	PROJECT TITLE	AMOUNT REQUESTED	PROPOSED AWARD	REVISED REVIEW SCORE
21-134	Northern Manor Townhouse Association	5	Northern Manor Townhouse Association	$11,310.00	$0.00	DQ
21-135	Anderson Farm Block Watch/Neighborhood Association	8	FY 2021 Anderson Farms Grant Application	$12,000.00	$0.00	DQ
			Total Denied	$77,833.00		

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 102

Phoenix Goodyear Airport Drainage Improvements - Design-Bid-Build Services - AV41000074 (Ordinance S-47773)

Request to authorize the City Manager, or his designee, to accept Doege Development LLC as the lowest-priced, responsive, and responsible bidder and to enter into an agreement with Doege Development LLC for design-bid-build services for the Phoenix Goodyear Airport Drainage Improvements project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for the services will not exceed $2,636,592.28.

Summary

The purpose of the Phoenix Goodyear Airport Drainage Improvements project (Project) is to make improvements to the drainage system on Phoenix Goodyear Airport (Airport) by converting open ditches to underground storm drain piping. The Project consists of constructing underground piping to replace the irrigation ditch on the north side of the Airport; connecting to the Roosevelt Irrigation District irrigation channel on the north end and the Airport storm drain on the southern end; constructing underground piping to enclose the drainage channel in the southeastern portion of the Airport, which conveys combined stormwater and irrigation tailwater flows from the existing storm drain system to the Airport's existing outfall; constructing underground piping that connects to a junction structure at the southern end of the Airport to discharge existing outfall through culverts under the Airport access road; and constructing culverts and catch basins needed for the Project.

Doege Development LLC's services include integration with existing systems, minimal impact to Airport or drainage operations, construction of north system first, followed by the south system, coordination with Goodyear Tire and Rubber for existing utilities, coordination with Southwest Gas where its gas line crosses the drainage path, compliance with applicable building codes whether applicable to Maricopa County, City of Phoenix, Goodyear, or Avondale, compliance with Federal Aviation Administration Advisory Circulars for on-airport construction, and other work as required for a complete Project.

The agreement is essential to the health, safety, and welfare of the public and to 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. Six bids were received on May 18, 2021 and were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and contractor responsiveness in compliance with Disadvantaged Business Enterprise (DBE) program requirements.

The opinion of probable cost and the three lowest responsive, responsible bidders are listed below:

Opinion of Probable Cost: $2,875,366.00
Doege Development LLC: $2,636,592.28
Granite Construction Company: $2,665,376.00
FPS Civil, LLC: $2,731,907.69

Contract Term
The term of the agreement is 180 calendar days from issuance of the notice to proceed. Work scope identified and incorporated into the agreement before the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Doege Development LLC will not exceed $2,636,592.28, including all subcontractor and reimbursable costs.

This project will use federal funds and is subject to the requirements of 49 Code of Federal Regulations Part 26 and the U.S. Department of Transportation DBE program. Funding is available in the Aviation Department's Capital Improvement Program budget. The Aviation Department has received two Arizona Department of Transportation grants. 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:
- Engineering Design Services Agreement 143091 (Ordinance S-42716) on June 22, 2016; and
- Engineering Construction Administration and Inspection Services Agreement

153656 (Ordinance S-47243) on Jan. 20, 2021.

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

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 103

Solar Renewable Energy Credit Purchase Agreement - Amendment - 305 Parking Garage (Ordinance S-47781)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 136034 with Goldman Sachs Renewable Power Operating Company, LLC/Solar Star Arizona V, LLC, to provide additional funding for the solar renewable energy credit purchase agreement with the Public Works Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed $237,567.48.

Summary

The agreement with Goldman Sachs Renewable Power Operating Company, LLC/Solar Star Arizona V, LLC is used for maintenance services for the photovoltaic (PV) system located on the rooftop of the 305 Parking Garage. The power produced by the PV system is purchased at an annual fixed rate and increases by 2.75 percent annually. The rate paid for solar utility power is intended to be lower than the cost of energy from the public utility, Arizona Public Service, over the 20-year term of the agreement. The agreement is currently in year eight. The additional funding is for the annual maintenance and electrical output produced from the current PV system.

Contract Term

The initial 20-year term of the agreement began on May 2, 2013, with one, five-year option to extend, for a total term of 25 years and an end date of May 1, 2038. There will be no change to the agreement term as part of this amendment.

Financial Impact

The initial authorization for the Solar Renewable Energy Credit Purchase agreement was for an expenditure not-to-exceed $37,500. Amendments increased the authorization for the agreement by an additional $264,884.52. This amendment will increase the authorization by an additional $237,567.48, for a new total not-to-exceed agreement value of $549,067.48.

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

Concurrence/Previous Council Action

The City Council approved:

- Qualified Vendors List for the Design, Build and Finance of Solar Projects on Oct. 6, 2010;
- Solar Renewable Energy Credit Purchase Agreement 136034 (Payment Ordinance S-42682) on June 22, 2016;
- Solar Renewable Energy Credit Purchase Agreement 136034 (Payment Ordinance S-42866) on Sept. 21, 2016; and
- Solar Renewable Energy Credit Purchase Agreement 136034 - Amendment (Ordinance S-44423) on April 4, 2018.

Location

The 305 Parking Garage is located at 305 W. Washington St.
Council District: 7

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 104

Solar Renewable Energy Credit Purchase Agreement - Amendment - Adams Street Garage (Ordinance S-47782)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 136036 with Goldman Sachs Renewable Power Operating Company, LLC/Solar Arizona Star VI, LLC, to provide additional funding for the solar renewable energy credit purchase agreement with the Public Works Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed $251,774.

Summary

The agreement with Goldman Sachs Renewable Power Operating Company, LLC/Solar Star Arizona VI, LLC is used for maintenance services for the photovoltaic (PV) system located on the rooftop of the Adams Street Garage. The power produced by the PV system is purchased at an annual fixed rate and increases by 2.75 percent annually. The rate paid for solar utility power is intended to be lower than the cost of energy from the public utility, Arizona Public Service, over the 20-year term of the agreement. The agreement is currently in year eight. The additional funding is for the annual maintenance and electrical output produced from the current PV system.

Contract Term

The initial 20-year term of the agreement began on May 2, 2013, with one, five-year option to extend, for a total agreement term of 25 years and an end date of May 1, 2038.There will be no change to the agreement term as part of this amendment.

Financial Impact

The initial authorization for the Solar Renewable Energy Credit Purchase agreement was for an expenditure not-to-exceed $115,000. Amendments increased the authorization for the agreement by an additional $328,000. This amendment will increase the authorization by an additional $251,774, for a new total not-to-exceed agreement value of $694,774.

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

Concurrence/Previous Council Action

The City Council approved:

- Qualified Vendors List for the Design, Build and Finance of Solar Projects on Oct. 6, 2010;
- Solar Renewable Energy Credit Purchase Agreement 136036 (Payment Ordinance S-42122) on Nov. 18, 2015;
- Solar Renewable Energy Credit Purchase Agreement 136036 (Payment Ordinance S-42866) on Sept. 21, 2016; and
- Solar Renewable Energy Credit Purchase Agreement 136036 - Amendment (Ordinance S-44424) on April 4, 2018

Location

The Adams Street Garage is located at 310 W. Adams St.
Council District: 7

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 105

Contract Recommendation for Fuel Site Computer Maintenance (Ordinance S-47796)

Request to authorize the City Manager, or his designee, to enter into an agreement with Multiforce Systems Corporation for hardware and software support of the City's fuel management systems. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate value of $677,925.

Summary

The Public Works Department is responsible for 86 fuel facilities containing systems that enable data entry and communication between the fuel facility and Public Works. These systems are required to allow access to fuel and to provide electricity for all City -owned vehicles and equipment. These systems also track fuel and electricity usage, monitor fuel inventories, and monitor equipment odometers for the preventative maintenance scheduling of the vehicles and equipment. This agreement will allow necessary maintenance and repairs of these systems, which is necessary for fueling all of the City's vehicles and equipment.

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

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo citing that Multiforce Systems Corporation is the sole source provider for the Fuel Force system that is installed at all 86 fuel facilities.

Contract Term

The initial one-year contract term will begin on or about Aug. 1, 2021, with four, one-year options to extend in increments of up to one year, for a total contract term of up to five years.

Financial Impact

The aggregate value of the contract including all option years is $677,925, including all applicable taxes, with an estimated annual expenditure of $135,585.

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

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 106

Energy Management Control Systems Installation and Upgrades (Ordinance S-47797)

Request to authorize the City Manager, or his designee, to enter into separate agreements with: Johnson Controls, Inc.; Siemens Industry, Inc.; Trane US, Inc.; Climatec, LLC; and Arizona Control Specialists, Inc. for the installation and upgrade of Energy Management Controls Systems in City-owned facilities. Further request to authorize for the City Controller to disburse all funds related to this item. These agreements will have an aggregate value of $5 million.

Summary
The Public Works Department is responsible for installing, replacing, and upgrading Energy Management Controls Systems (EMCS) in City-owned facilities. These systems control and monitor energy consuming devices including heating and cooling equipment, fans, and pumps. The City owns multiple facilities with aging equipment that requires upgrades and new installations to continue maintaining air conditioning and heating temperatures in the facilities.

Procurement Information
In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo citing unusual nature. Johnson Controls, Inc.; Siemens Industry, Inc.; Trane US, Inc.; Climatec, LLC; and Arizona Control Specialists, Inc. are familiar with the City-owned facilities and have the proven quality and workmanship necessary to upgrade and install new systems.

Contract Term
The initial three-year agreement term will begin on or about Aug. 1, 2021, with two, one-year options to extend in increments of up to one year, for a total agreement term of up to five years.

Financial Impact
The aggregate value of the agreements including all option years is $5 million, including all applicable taxes, with an estimated annual expenditure of $1 million.

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

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 107

"For Official Use Only" Wording Exemption for Unmarked City Vehicles (Resolution 21945)

Request the Phoenix City Council adopt a resolution to exempt certain City vehicles from displaying the wording, "For Official Use Only" as referenced under Arizona Revised Statutes (A.R.S.) sections 38-538, 38-538.01 and 38-358.03, for the period of July 1, 2021 through June 30, 2022.

Summary

This resolution exempts certain vehicles owned or leased by the City of Phoenix, including vehicles in the Police, Fire, Human Services, and Aviation departments. A.R.S. section 38-538.03 stipulates that the governing body may grant such an exemption for a period of time not to exceed one year. These vehicles are used to conduct social service programs, investigations or other confidential activities.

Responsible Department

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

ATTACHMENT A

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

RESOLUTION

A RESOLUTION EXEMPTING CERTAIN CITY VEHICLES FROM DESIGNATION AS "FOR OFFICIAL USE ONLY."

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

SECTION 1. That, pursuant to Arizona Revised Statutes Section 38-538, 38-538.01, and 38-538.03 certain vehicles in the Police, Fire, Human Services, and Aviation departments, used to conduct social service programs, investigations, or other confidential activities, are hereby exempted from the statutory requirement that motor vehicles owned or leased by the state or its political subdivisions be designated "For Official Use Only."

SECTION 2. That the exemptions provided for herein shall be effective for the period of July 1, 2021 through June 30, 2022.

DRAFT

PASSED by the City Council of the City of Phoenix this 1st day of July 2021.

_____
M A Y O R

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

BY: _____

_____

REVIEWED BY:

_____
Ed Zuercher, City Manager

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DRAFT

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 108

Apply for Transportation Funding for Design Assistance Program Grants through Maricopa Association of Governments (Ordinance S-47791)

Request to authorize the City Manager, or his designee, to apply for, accept, and if awarded, enter into agreements, if necessary, for transportation funding through the Maricopa Association of Governments Design Assistance Program. The Street Transportation Department is requesting to apply for a Design Assistance Program grant submittal. A local agency match is not required for this grant opportunity, so there is no financial impact to the City. Further request an exemption from the indemnification prohibition set forth in the Phoenix City Code section 42-18 for a governmental entity pursuant to Phoenix City Code section 42-20. Grant funding is not anticipated to exceed a combined total of $100,000.

Summary

Maricopa Association of Governments (MAG) has issued a Call for Projects for its Design Assistance Program, which provides funding to develop a project assessment or feasibility study up to a 15 percent design level on prospective bicycle and/or pedestrian projects. The goals of eligible projects under the Design Assistance Program should be focused on improving the quality of life, completing a regional shared use path and/or canal network, improving bicycle and pedestrian access to transit, or providing safety improvements for bicycle and pedestrian facilities. If funding is awarded for a City project, Street Transportation staff will select a consultant from MAG's approved on-call list, and MAG will enter into a contract for consulting services with the consultant and manage the contract. Street Transportation staff will interact with MAG staff and the consultant to develop the project assessment or study for the project.

For Fiscal Year 2022, there is $500,000 available through MAG's Design Assistance Program, and applications are due by July 30, 2021. Projects will be competitively scored and evaluated based on their individual merits.

Financial Impact

There is no impact to the General Fund, as a local agency match is not required for this grant opportunity.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 109

Apply for Federal Funding for U.S. Department of Transportation Federal Railroad Administration Consolidated Rail Infrastructure and Safety Improvements Program (Ordinance S-47802)

Request to authorize the City Manager, or his designee, to apply for, accept, and if awarded, enter into agreements for disbursement of U.S. Department of Transportation federal railroad funding for the Consolidated Rail Infrastructure and Safety Improvements Program grant opportunity. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. If awarded, the City would receive grant funding for an amount not to exceed $10 million and provide matching funds in an amount not to exceed $3 million.

Summary

The Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program offers an opportunity to leverage local funds for transportation projects under the Further Consolidated Appropriations Act, 2020. Funds for the grant are to be awarded on a competitive basis. The Street Transportation Department anticipates the U.S. Department of Transportation Federal Railroad Administration to issue a Notice of Funding Opportunity in late June for a CRISI grant award for fiscal year (FY) 2021. The amount of available funding is unknown at this time, but the available funding for FY 2020 was $320,637,948.

The U.S. railway network is central to the success of the American economy, carrying more than 1.8 billion tons of freight valued at over $830 million annually, and over 32.5 million passengers on intercity rail services. A strong transportation network is critical to the function and growth of the American economy. Congress authorized this grant program for the Secretary of Transportation to invest in a wide range of projects within the United States to improve railroad safety, efficiency and reliability, mitigate congestion, enhance multi-modal connections and lead to new or substantially improved railway corridors.

Street Transportation Department staff is collaborating on a CRISI grant submittal that will outline critical improvements on the Burlington Northern Santa Fe (BNSF) Railway crossings along 19th Avenue and McDowell Road as well as 43rd Avenue and Camelback Road. These regional freight corridors will benefit from safety and

efficiency improvements. BNSF is in full support of the CRISI grant submittal for the above-mentioned locations and has been a partner to the recommended preliminary engineering efforts to date at both locations.

The City's local match would be a minimum of 20 percent, which would be $2 million of the total project design and construction cost if the maximum award is requested and awarded. However, to be competitive at a national level for the Consolidated Rail Infrastructure and Safety improvements Program grant, it is not uncommon for local matches to be up to 30 percent, or up to $3 million, if the maximum award is requested and awarded.

Financial Impact
If selected, the CRISI grant will fund up to 80 percent of the total design and construction costs for proposed improvements. The Street Transportation Department intends to submit a grant application for up to $10 million that includes design, environmental, soft costs and construction costs related to the project. Staff recommends the City provide a competitive 30 percent total project cost match, up to $3 million, which is available in the Street Transportation Department's Capital Improvement Program budget.

Location
19th Avenue and McDowell Road
43rd Avenue and Camelback Road
Council Districts: 4, 5 and 7

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 110

Construction and Maintenance Agreement with Burlington Northern Santa Fe for Railroad Crossings at 27th Avenue and Thomas Road (Ordinance S-47811)

Request authorization for the City Manager, or his designee, to enter into a Grade Crossing Construction and Maintenance Agreement with Burlington Northern Santa Fe Railroad to perform work in the easement to upgrade the railroad crossings at 27th Avenue and Thomas Road. Further request the City Council to grant an exception to Phoenix City Code section 42-18 and to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18. The Agreement's indemnification and assumption of liability provisions require the City to indemnify, defend and hold harmless Burlington Northern Santa Fe Railroad from any and all claims with minimal limitations. Burlington Northern Santa Fe Railroad will only assume liability for claims that are proximately caused by its intentional misconduct or gross negligence. There is no financial impact associated with this Agreement.

Summary

The railroad crossings at the 27th Avenue and Thomas Road intersection are two of the highest railroad collision locations in the nation. For that reason, completing this project is critical to the City, the Arizona Department of Transportation (ADOT), the Burlington Northern Santa Fe Railroad (BNSF) and the Arizona Corporation Commission.

On April 6, 2016, the Street Transportation Department received Council approval to enter into Intergovernmental Agreement (IGA) 142483 with ADOT for safety improvements at two BNSF railroad crossings at the 27th Avenue and Thomas Road intersections. The project design includes safety improvements such as gates, cantilevers and flashers; roadway widening; and modifying raised medians and will require work to be performed in the easement belonging to BNSF. The Grade Crossing Construction and Maintenance Agreement is needed to allow work to be performed within the BNSF easement.

Contract Term

Unless otherwise lawfully terminated by the Parties, the Agreement expires upon completion and acceptance of the project and fulfillment of all terms of the Agreement.

Financial Impact
No financial impact is associated with this agreement.

Concurrence/Previous Council Action
The City Council approved IGA 142483 with ADOT for Safety Improvements (S-42430) on April 6, 2016.

Location
27th Avenue and Thomas Road
Council Districts: 4 and 7

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 111

24th Street Water Treatment Plant Rehabilitation 2021 - Engineering Services - WS85290032 (Ordinance S-47775)

Request to authorize the City Manager, or his designee, to enter into an agreement with Carollo Engineers, Inc., to provide Engineering Services that include design and construction administration and inspection services for the 24th Street Water Treatment Plant Rehabilitation 2021 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 total fee for services will not exceed $7.6 million.

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

Summary

The purpose of this project is to rehabilitate raw water valves, flow meters, miscellaneous electrical instrumentation and controls, sedimentation weir plates, pumps, chemical feeds and piping, solids handling and backwash mechanisms, transformers, generators and various raw water pump station and chemical building items.

Carollo Engineers, Inc.'s design services include, but are not limited to: design, facilitation of meetings and workshops, coordination of utility agencies, development of cost estimates, review of the permit requirements associated with the scope of work, coordination with other ongoing site projects, and review of the 2018 rehabilitation plan items versus current needs. Construction administration and inspection services

include, but are not limited to: coordination with the contractor on site during construction; administration of the construction schedule, shop drawings and submittal review process, as well as payment applications, inspection of all construction activities, review and approval of change orders, witnessing factory testing, commissioning services, and warranty inspections.

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. Three firms submitted proposals and are listed below:

Selected Firm
Rank 1: Carollo Engineers, Inc.

Additional Proposers
Rank 2: Wilson Engineers, LLC
Rank 3: GHD Inc.

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

Financial Impact
The agreement value for Carollo Engineers, Inc. will not exceed $7.6 million, including all subconsultant and reimbursable costs.

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

Location
24th Street Water Treatment Plant

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.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 112

24th Street Water Treatment Plant Rehabilitation 2021 - Construction Manager at Risk Preconstruction and Construction Services - WS85290032 (Ordinance S-47776)

Request to authorize the City Manager, or his designee, to enter into an agreement with PCL Construction, Inc. to provide Construction Manager at Risk Preconstruction and Construction Services for the 24th Street Water Treatment Plant Rehabilitation 2021 project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $300,000.

Summary

The 24th Street Water Treatment Plant is a conventional water treatment facility with the capacity to treat 140 million gallons per day of Salt River Project water with various operations and processes. It was constructed in the 1950s and 1960s, and received various upgrades from 1990 to 2000. A condition assessment prioritized various treatment systems in need of rehabilitation and/or replacement. The purpose of this project is to address the repair or replacement of raw water pump station valves, flow meters, flocculation basin inlet channel hydraulic modifications, gates and probes, sedimentation basin weir plate, filter effluent pipes, meters, chemical feed area piping, chemical and maintenance building minor repairs, solids handling backwash equalization basin pumps, sludge blanket monitoring, backwash clarifier mechanism, various electrical equipment such as transformers, standby generators, electrical panels and modifications at the administration building area, electrical building, and chemical building.

PCL Construction, Inc. (PCL) will begin in an agency support role for Construction Manager at Risk Preconstruction Services. PCL will assume the risk of delivering the project through a Guaranteed Maximum Price (GMP) agreement. A Small Business Enterprise (SBE) goal will be established for this project during preconstruction services and reviewed prior to the start of construction.

PCL will then transition to preparation of a GMP proposal for the construction services provided under the agreement, and participate with the City's SBE program. PCL will

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

PCL's services for both preconstruction and construction services include, but are not limited to: design and constructability reviews, providing detailed cost estimates and knowledge of marketplace conditions, provide project planning and scheduling, preparing a GMP proposal, provide for construction phasing and scheduling that will minimize interruption and to City operations and to provide alternate systems evaluation.

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. Five firms submitted proposals and are listed below.

Selected Firm
Rank 1: PCL Construction, Inc.

Additional Proposers
Rank 2: Hunter Contracting Co.
Rank 3: J.R. Filanc Construction Company, Inc.
Rank 4: Kiewit Infrastructure West Co.
Rank 5: MGC Contractors, Inc.

Contract Term
The term of the agreement is 18 months 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 PCL Construction, Inc. will not exceed $300,000, 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
24th Street Water Treatment Plant
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.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 113

Predictive Maintenance Vibration Analysis Program Agreement - Amendment (Ordinance S-47778)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 148121 with Caltrol, Inc. to provide additional funding. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $150,000.

Summary

This amendment is necessary to perform work at the 23rd Avenue Wastewater Treatment Plant to mirror work performed at the 91st Avenue Wastewater Treatment Plant.

Caltrol, Inc. is responsible for collecting data, providing vibration analysis and interpretation services, as well as reporting for various types of machinery for the Water Services Department Water Treatment Plants (WTP) and Wastewater Treatment Plants (WWTP), with initial analyses performed at the 91st Avenue WWTP. The next phase of the program will include the 23rd Avenue WWTP.

Financial Impact

The initial authorization for Predictive Maintenance Vibration Analysis Program Agreement 148121 was for an expenditure not-to-exceed $150,000. This amendment will increase the authorization by an additional $150,000, for a new total not-to-exceed agreement value of $300,000.

Funding for this amendment is available in the Water Services Department's operating budget.

Concurrence/Previous Council Action

The City Council approved Predictive Maintenance Vibration Analysis Program Agreement 148121 (Ordinance S-44872) on July 5, 2018.

Location

23rd Avenue WWTP
Council District: 7

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 114

Boiler Maintenance and Repair Services Agreement - Request for Award (Ordinance S-47780)

Request to authorize the City Manager, or his designee, to enter into an agreement with Patriot Mechanical, LLC dba Patriot Boiler, to provide boiler maintenance and repair services for the purpose of keeping boiler equipment clean and properly maintained for compliance with operational standards. Further request to authorize the City Controller to disburse all funds related to this item. The agreement will not exceed $2,634,999.

Summary

The purpose of this agreement is to provide boiler maintenance and repair services for high-pressure steam boilers, pressure vessels, storage vessels and hydronic systems.

Patriot Mechanical, LLC dba Patriot Boiler's services include, but are not limited to: inspections, replacement of parts on an as-needed basis, checking controls and alarms for proper operation, tuning the combustion to proper emission, cleaning the stub and stack, facing all joints and cracks with high temperature bonding mortar, tuning burners, providing a back-up boiler if needed, and training to City employees.

Procurement Information

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

Two vendors submitted bids and are listed below, and all bids were found to be responsive and responsible.

Selected Bidder:
Patriot Mechanical, LLC dba Patriot Boiler: $106,487.50

Other Bidder:
Arizona Boiler Co.: $182,481

Contract Term

The agreement will begin on or about Oct. 1, 2021, for a six-year term.

Financial Impact

The agreement value for Patriot Mechanical, LLC dba Patriot Boiler will not exceed $2,634,999.

Funding is available in the Water Services, Public Works, and Phoenix Convention Center Departments' operating budgets.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 115

OnBase Document Management System Upgrade Agreement - Request for Award (Ordinance S-47785)

Request to authorize the City Manager, or his designee, to enter into an agreement with Databank IMX, Inc. for OnBase document management software upgrade and database migration services. Further request to authorize for the City Controller to disburse all funds related to this item. The agreement will not exceed $500,000.

Summary

The purpose of this agreement is to fulfill the Water Services Department's technology services requirement for an OnBase software upgrade and data migration services away from the current system, LibertyNet. The OnBase records management software is used to house records and track them for disposal in compliance with records retention schedules for the State, Maricopa County, City and Department.

Direct selection is necessary to upgrade this critical software to stay in compliance with regulatory agency requirements. Additionally, it is critical to manage our records to meet public records requests and other operational needs.

Databank IMX, Inc. services include, but are not limited to: records management software configuration; personal services for data migration; training; and annual maintenance.

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 as set forth in City of Phoenix Administrative Regulation 3.10. A direct selection was made because the supplier has access to a patent, copyright or other legal right which identifies the supplier as a sole provider.

Contract Term

The agreement will begin on or about Aug. 1, 2021 for a five-year term.

Financial Impact

The aggregate value for Databank IMX, Inc. will not exceed $500,000.

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

Responsible Department

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 116

Zone 3D and 4A Improvements Program: Water Treatment Plant Booster Pump Stations - Construction Manager at Risk Construction Services Amendment - WS85100047, WS85110008 and WS85290030 (Ordinance S-47787)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 152398 with PCL Construction, Inc. to provide additional construction services for the Zone 3D and 4A Improvements Program - Water Treatment Plant Booster Pump Stations Construction Manager at Risk project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $13 million.

Summary

The purpose of this project is to assist the City of Phoenix to provide reliable water supplies in north Phoenix in the event there are restrictions placed on Colorado River water delivered through the Central Arizona Project. This amendment is necessary for PCL Construction, Inc. (PCL) to provide additional services to centralize the power distribution to the 24th Street Water Treatment Plant to be consistent with the centralized power distribution systems at the Deer Valley, Union Hills, and Val Vista Water Treatment Plants. This amendment will provide additional funds and time to the agreement.

PCL's additional services include, but are not limited to: constructing a new 15kV Unified Electrical Building at the 24th Street Water Treatment Plant with new electrical switchgear inside the building and new power distribution ductbanks throughout the plant site, scheduling and managing site operations, addressing all federal, state and local permitting requirements, arranging for procurement of materials and equipment, and maintaining a safe work site for all project participants. PCL will be responsible for construction means and methods related to the project and fulfilling the Small Business Enterprise program requirements. PCL will be required to solicit bids from pre-qualified subcontractors and to perform the work using the City’s subcontractor selection process. PCL may also compete to self-perform limited amounts of work.

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

Financial Impact
- The initial agreement for Construction Manager at Risk Construction Services was approved for an amount not-to-exceed $35.7 million, including all subconsultant and reimbursable costs.
- This amendment will increase the agreement by an additional $13 million, for a new total not-to-exceed agreement value of $48.7 million, including all subcontractor and reimbursable costs.

Funding for this amendment 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 the execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action
The City Council approved:
- Preconstruction Services Agreement 148950 (Ordinance S-45170) on Dec. 5, 2018; and
- Construction Manager at Risk Construction Services Agreement 152398 (Ordinance S-46718) on June 17, 2020.

Location
24th Street Water Treatment Plant
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.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 117

Agreement with Salt River Project and Others to Share Costs Associated with Pilot Study to Operate Flood Control Space at Modified Roosevelt Dam (Ordinance S-47810)

Request to authorize the City Manager, or his designee, to enter into an agreement with the Salt River Valley Water Users' Association and Salt River Project Agricultural Improvement and Power District and others (Parties) to share the costs of obtaining approval and conducting a temporary deviation of the dam operating rules to allow the Parties to extend the time water can be retained in the Flood Control Space of Modified Roosevelt Dam, making that water more available to the Parties. Further request to authorize the City Controller to disburse all funds related to this item. Phoenix's share of the cost will be proportional to Phoenix's allotted share of the temporary deviation water in the Flood Control Space, which amount will not exceed $276,150.

Summary

SRP will seek approval from the United States Army Corps of Engineers (Corps) and the United States Bureau of Reclamation (BOR) to authorize Salt River Project (SRP) to operate the flood control space in the Modified Roosevelt Dam (FCS) under a Temporary Deviation Plan. Under the Temporary Deviation Plan, SRP may retain spill water in the FCS for up to 120 days and deliver it proportionately to the parties to this Agreement. Under the Agreement, Phoenix will receive an 18 percent share of the available FCS, which represents up to 20,000 acre-feet of water from the Salt River. The Temporary Deviation will operate as a pilot for five years during which time SRP can retain the spill water once a year for a maximum of three years during the total five -year period.

SRP estimates it will cost $1,211,549 for SRP to complete the work necessary to seek and obtain approval and authorization for the Temporary Deviation Plan. An additional 20 percent contingency has been added to this amount. These costs include planning costs, technical evaluation and environmental and cultural resources compliance. Phoenix's cost share is proportional to the volume of water it will receive (18 percent of total FCS capacity), or a maximum of $276,150. Other parties participating in this Agreement are: the cities of Avondale, Chandler, Glendale, Mesa, Peoria, Scottsdale and Tempe; the Town of Gilbert; Roosevelt Water Conservation District; Buckeye

Water Conservation and Drainage District; Salt River Pima-Maricopa Indian Community; Roosevelt Irrigation District; and Freeport Minerals Corporation.

Contract Term
The Agreement will terminate when a Temporary Deviation Plan is approved by the Corps and BOR and when the last funds are transferred from the other Parties to SRP. In the event the Corps and BOR do not approve the Temporary Deviation Plan, the Parties may terminate the Cost Share Agreement.

Financial Impact
The value of the Agreement is not to exceed $276,150.

Funding for this agreement is available in the Water Services Department's Capital Improvement Budget.

Location
Roosevelt Dam
Council District: Out of City

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 118

Final Plat - Bell 17 - PLAT 190070 - Northwest Corner of Grandview Road and 19th Avenue

Plat: 190070
Project: 18-1329
Name of Plat: Bell 17
Owner: Sunbelt Land Holdings, LP
Engineer: James Brucci
Request: A 6 Lot Commercial Plat
Reviewed by Staff: June 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 need to record concurrently with Abandonment 190076, 190090, and 200504. The sequence of recording is as follows: the resolutions of abandonment shall be recorded first, and the plat second.

Location
Generally located at northwest corner of Grandview Road and 19th Avenue
Council District: 3

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 119

Final Plat - Royal Palms - PLAT 200580 - 7550 N. 15th Avenue

Plat: 200580
Project: 19-3562
Name of Plat: Royal Palms
Owner(s): Dora K. Perry Family Trust/ Berry 14 LLC
Engineer: Joshua Moyses
Request: A 11 Lot Residential/Subdivision Plat
Reviewed by Staff: June 3, 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 7550 N. 15th Avenue
Council District: 5

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 120

Final Plat - FRIER - PLAT 200636 - Northeast Corner of 3rd Avenue and Frier Drive

Plat: 200636
Project: 20-3174
Name of Plat: FRIER
Owner: D.R. Horton, Inc. A Delaware Corporation
Engineer: Brian J. Benedict
Request: A 2 Lot Residential Plat
Reviewed by Staff: May 27, 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 3rd Avenue and Frier Drive
Council District: 6

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 121

Final Plat - Ocotillo and 7th Street - PLAT 210018 - Southeast Corner of 7th Street and Ocotillo Road

Plat: 210018
Project: 19-4263
Name of Plat: Ocotillo and 7th St
Owner: Rule Transfer AZ, Inc.
Engineer: Mike F. Jennings
Request: A 2 Lot Commercial Plat
Reviewed by Staff: May 20, 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 Southeast corner of 7th Street and Ocotillo Road
Council District: 6

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 122

Final Plat - The Collective Storage - PLAT 200573 - Southwest Corner of Baseline Road and 67th Avenue

Plat: 200573
Project: 19-1626
Name of Plat: The Collective Storage
Owner(s): Clear Sky Capital Laveen Self Storage, LP
Engineer(s): Joseph C. McGill, RLS
Request: A 2 Lot Commercial Plat
Reviewed by Staff: Jan. 20, 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 southwest corner of Baseline Road and 67th Avenue (Meadows Loop East).
Council District: 7

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 123

Final Plat - Elevate on the Preserve - PLAT 200528 - Southeast Corner of Central Avenue and Dobbins Road

Plat: 200528
Project: 19-1716
Name of Plat: Elevate on the Preserve
Owner: Alydar Ventures, LLC
Engineer: David S. Kein
Request: A 38 Lot Subdivision Plat
Reviewed by Staff: May 24, 2021
Final Plat requires Formal Action Only.

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

Location
Generally located at the southeast corner of Central Avenue and Dobbins Road
Council District: 8

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 124

Final Plat - Olen 44th Apartments - PLAT 200569 - 1150 N. 44th St.

Plat: 200569
Project: 06-287
Name of Plat: Olen 44th Apartments
Owner(s): Olen Properties Corp., A Florida Corporation
Engineer(s): Survey Innovation Group, Inc.
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Dec. 15, 2020
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 200513 and Abandonment 200569.

Location
Located at 1150 N. 44th St.
Council District: 8

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 125

Abandonment of Right-of-Way Easement - V190076A - North 21st Avenue and Bell Road (Resolution 21942)

Abandonment: V190076A
Project: 18-1329
Applicant: Grant Herneise, Hunter Engineering
Request: To abandon the right-of-way intersections at 21st Avenue and Bell Road.
Date of Decision/Hearing: January 9, 2020

Summary
The resolution of the abandonment and PLAT 190070 are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location
North 21st Avenue and Bell Road
Council District: 3

Financial Impact
None. No consideration fee was required as a part of this easement abandonment, although filing fees were paid because the abandonment and plat move the easements on the land to allow for development of the site.

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 126

Abandonment of Right-of-Way Easement - V190090A - 19th and 21st Avenues on Grandview Road (Resolution 21943)

Abandonment: V190090A
Project: 18-1329
Applicant: Grant Herneise, Hunter Engineering
Request: To abandon the right-of-way intersections at 19th Avenue and Grandview Road and 21st Avenue and Grandview Road.
Date of Decision/Hearing: January 23, 2020

Summary
The resolution of the abandonment and PLAT 190070 are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location
19th and 21st Avenues on Grandview Road
Council District: 3

Financial Impact
None. No consideration fee was required as a part of this easement abandonment, although filing fees were paid.

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 127

Abandonment of Easements - ABND 200504 - Northwest Corner of Grandview Road and 19th Avenue (Resolution 21944)

Abandonment: ABND 200504
Project: 14-3002
Applicant: Paul Engle, Hunter Engineering
Request: To abandon public utility easements, located on Northwest Corner of 19th Avenue & Grandview Road (208-14-846); Northwest Corner (APN 208-14-827) & Northeast Corner (208-14-840) of 21st Avenue & Grandview Road; and Southeast Corner of 21st Avenue & Bell Road (APN 208-14-835).
Date of Decision/Hearing: April 24, 2020

Summary
The resolution of the abandonment and PLAT 190070 are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location
Northwest Corner of Grandview Road and 19th Avenue
Council District: 3

Financial Impact
None. No consideration fee was required as a part of this easement abandonment, although filing fees were paid.

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 128

Abandonment of Right-of-Way - V190060A - 2929 North 3rd Avenue (Resolution 21938)

Abandonment: V190060A
Project: 01-19451
Applicant: Michelle Bach, EAPC
Request: To abandon 25-feet of right-of-way for a new 45-foot right-of-way along 3rd Avenue. This will match the surrounding right-of-ways that range from 40-45 feet along Thomas Road and 3rd Avenue.
Date of Decision/Hearing: October 10, 2019

Location
2929 North 3rd Avenue
Council District: 4

Financial Impact
A consideration fee was also collected as part of this abandonment in the amount of $167,748.00.

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 129

Abandonment of Easement - ABND 210012 - 4413 North 31st Place (Resolution 21936)

Abandonment: 210012
Project: 20-1112
Applicant: Wendy Riddell
Request:To abandon the 1-foot vehicular non-access easement running along the north side of APN 163-03-129.
Date of Decision/Hearing: April 29, 2021

Location
4413 North 31st Place
Council District: 6

Financial Impact
None. No consideration fee was required as a part of this easement abandonment, although filing fees were paid.

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 130

Abandonment of Easement - ABND 210014 - 6626 North 67th Avenue (Resolution 21941)

Abandonment: ABND 210014
Project: 20-836
Applicant: David Maldonado-Camou, P.E., Bowman Consulting
Request: The existing drainage easement is not used, and the proposed low-income family housing project proposes to construct a private retention basin, along with storm drain systems to provide the required retention of the development.
Date of Decision/Hearing: April 20, 2021

Location
6626 North 67th Avenue
Council District: 7

Financial Impact
None. No consideration fee was required as a part of this easement abandonment, although filing fees were paid because it is a drainage easement across private property that will be addressed in a different manner by the property owner concurrent with development of the parcel.

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 131

Abandonment of Right-of-Way and Easements - ABND 200513 - Southeast Corner of 40th Street and Portland Street (Resolution 21939)

Abandonment: ABND 200513
Project: 06-287
Applicant: Laure Castillo, Survey Innovation Group, Inc.
Request:To abandon a portion of 42nd Street adjacent to APN 125-20-059Q, a portion of 40th Street access road between median and APN 125-20-059B, the 10-foot alley right-of-way between 40th Street and 42nd Street south of Portland Street, and the 3-foot Streetlight Easements on the parcels addressed 4033 and 4107 East Portland Street.
Date of Decision/Hearing: June 4, 2020

Summary
The resolution of this abandonment, the resolution of abandonment for ABND 200556, and PLAT 200569 are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution for ABND 200556 is recorded first, the resolution for ABND 200513 is recorded second, then PLAT 200569 is recorded last.

Location
Southeast Corner of 40th Street and Portland Street
Council District: 8

Financial Impact
A consideration fee was also collected as part of this abandonment in the amount of $2,000.00.

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 132

Abandonment of Right-of-Way and Easements - ABND 200556 - Southeast Corner of 42nd Street and Portland Street (Resolution 21940)

Abandonment: ABND 200556
Project: 01-20014
Applicant: Laure Castillo, Survey Innovation Group, Inc.
Request: To abandon a portion of right-of-way and public utility easements; per Ordinance S-3062.
Date of Decision/Hearing: December 10, 2020

Summary
The resolution of this abandonment and the resolution of abandonment for ABND 200513 are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that this resolution is recorded first, then ABND 200513 is recorded second. ABND 200513 is tied to PLAT 200569, and the plat shall be recorded last of the three items.

Location
Southeast Corner of 42nd Street and Portland Street
Council District: 8

Financial Impact
None. No consideration fee was required as a part of this right-of-way and easement abandonment, although filing fees were paid.

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

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 133

Amend City Code - Ordinance Adoption - Rezoning Application Z-18-21-8 - Northwest Corner of 10th Street and Baseline Road (Ordinance G-6874)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-18-21-8 and rezone the site from R1-10 BAOD (Single-Family Residence District, Baseline Area Overlay District) to R-3A BAOD (Multifamily Residence District, Baseline Area Overlay District) for an assisted living facility.

Summary

Current Zoning: R1-10 BAOD
Proposed Zoning: R-3A BAOD
Acreage: 5.10
Proposed Use: Assisted living facility (community residence center)

Owner: Demetrios Vlachos, Vlachos Enterprises
Applicant: Vermillion Acquisitions, LLC
Representative: Vermillion Acquisitions, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this case on May 11, 2021 and recommended approval, per the staff recommendation, by a vote of 12-0.
PC Action: The Planning Commission heard this case on June 3, 2021 and recommended approval, per the South Mountain Village Planning Committee recommendation with an additional stipulation, by a vote of 8-0.

Location

Northwest corner of 10th Street and Baseline Road
Council District: 8
Parcel Address: 960 E. Baseline Road

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-18-21-8) FROM R1-10 BAOD (SINGLE-FAMILY RESIDENCE DISTRICT, BASELINE AREA OVERLAY DISTRICT) TO R-3A BAOD (MULTIFAMILY RESIDENCE DISTRICT, BASELINE AREA OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 5.10-acre site located at the northwest corner of 10th Street and Baseline Road in a portion of Section 33, Township 1 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from “R1-10 BAOD” (Single-Family Residence District, Baseline Area Overlay District) to “R-3A BAOD” (Multifamily Residence District, Baseline Area Overlay District).

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

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

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

1. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department:

    a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment.

    b. Building elevations adjacent and oriented to public streets, shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material that exhibits quality and durability.

    c. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies.

2. The standards contained in Section 651.E.1. (BAOD Streetscape Design Guidelines and Standards) and the approved street cross section shall apply, in addition to the below enhancements, and as approved or modified by the Planning and Development Department.

    a. Minimum 50-percent 3-inch caliper large canopy shade trees selected from the Baseline Area Master Plan Plant List shall be provided for the required trees within the applicable area.

    b. The detached sidewalk along Baseline Road shall be shaded to a minimum 75 percent by vegetative shade at maturity.

    c. The bus pad along Baseline Road shall be shaded to a minimum of 50 percent by vegetative shade at maturity.

    d. The developer shall dedicate a 30-foot-wide multi-use trail easement (MUTE) along the north side of Baseline Road, and construct a 10-foot-wide multi-use trail (MUT) within the easement as indicated in Section 429 of the City of Phoenix MAG Supplement. The MUT shall be shaded to a minimum 50 percent by vegetative shade at maturity.

3. A minimum 10-foot wide landscape area shall be provided along the east and west sides of the site, while a minimum 15-foot wide landscape area shall be provided along the north side of the site, and each developed to the following standards at a minimum, as approved by the Planning and Development Department:

    a. Large canopy drought-tolerant trees 20 feet on center, or in equivalent groupings, shall be utilized unless otherwise stated.

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b. Twenty-five percent 1.5-inch caliper, 50 percent 2-inch caliper and 25 percent 3-inch caliper trees shall be utilized.

c. Five 5-gallon shrubs per tree, and additional shrubs or live groundcover, shall provide minimum 75 percent live cover at mature size.

d. Trees along the north side of the site shall be oriented in a manner that maximizes the shade along the adjacent Western Canal.

e. The plantings shall be in conformance to the Baseline Area Master Plan Plant List or their equivalents.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

4. The development shall provide a minimum of 5,000 square feet of active open space, exclusive of usable outdoor open space required per bed, no less than 20 feet in width or 200 square feet in area, along the Western Canal and include the following amenities and elements at a minimum, as approved by the Planning and Development Department:

   a. Shaded seating area/s with three benches or seating features and/or ramadas; One of these benches or seating features shall be located within close proximity to the Western Canal.

   b. Tree orchard and/or community garden area/s of no less than a combined 500 square feet that will include a garden tool library and irrigation.

5. Open space areas shall contain a minimum of 50 percent live vegetative cover (shrubs, grasses, or groundcover plants), as approved by the Planning and Development Department.

6. Perimeter walls adjacent to a public street and the Western Canal shall be limited to open view fencing or a combination of maximum three feet of solid masonry topped by open view fencing, as approved by the Planning and Development Department.

7. A pedestrian circulation plan shall be provided prior to preliminary site plan approval to show a system of pedestrian thoroughfares as described below and as approved or modified by the Planning and Development Department:

   a. The developer shall provide a minimum of two pedestrian paths connecting to the sidewalk along 10th Street, exclusive of pedestrian connections adjacent to vehicular entryways.

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b. A pathway connecting the site north to south shall be illuminated by pedestrian scale lighting per Section 1304(H)5.

c. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.

d. Connections to/between via the most direct route:

(1) All buildings on site.

(2) All active open space areas.

(3) Adjacent public sidewalks.

(4) Western Canal (one connection minimum from this development).

(5) Bus pad along Baseline Road.

8. The primary entryway to the development shall include the following elements, as approved by the Planning and Development Department:

a. Landscaped accent areas a minimum of 300 square feet in area on both sides of the entryway and be planted and maintained with a variety of at least three plant materials including a series of annuals that will each maintain a constant bloom throughout the year and 75 percent live cover.

b. Citrus trees arranged in a grid pattern shall be incorporated into the entrance to the development.

c. The plantings shall be in conformance to the Baseline Area Master Plan Plant List or their equivalents.

d. The entry driveway surface (outside of the right-of-way) shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.

9. Pedestrian paths internal within the site shall be shaded to a minimum of 75 percent using architectural shade and/or shade trees at full maturity, as approved by the Planning and Development Department.

10. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.

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11. The public sidewalk along 10th Street shall be detached with a minimum five-foot wide continuous landscaped strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department:

    a. Minimum 2-inch caliper large canopy drought-tolerant shade trees placed a minimum of 25 feet on center or in equivalent groupings.

    b. Drought tolerant shrubs/groundcover designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.

    c. The detached sidewalk along 10th Street shall be shaded to a minimum 75 percent by vegetative shade at maturity.

    d. The plantings shall be in conformance to the Baseline Area Master Plan Plant List or their equivalents.

    Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

12. Bicycle infrastructure shall be incorporated as described below and as approved by the Planning and Development Department.

    a. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the building entrance and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

    b. One bicycle repair station (“fix it station”) shall be provided and maintained within close proximity to the Western Canal. The bicycle repair station (“fix it station”) shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

13. The developer shall provide traffic calming measures at all vehicular points of ingress and egress to slow vehicles departing the development and crossing the public sidewalks, as approved by the Planning and Development Department.

14. The Public Transit Department shall retain right-of-way and require construction of a bus stop pad along westbound Baseline Road west of 10th Street. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1262 with

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a minimum depth of 10 feet, and with the final location to be approved by the Public Transit Department.

15. The developer shall dedicate a total of 30 feet of right-of-way for the west side of 10th Street, as approved by the Planning and Development Department.

16. Existing irrigation facilities along Baseline Road and 10th Street shall be undergrounded and/or relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate the facility. The headwall at the northeast corner of the site shall be relocated outside of City right-of-way. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.

17. 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.

18. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 2220 M of the Flood Insurance Rate Maps (FIRM) dated September 18, 2020. 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 needs to be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.

    c. If required, the developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.

19. 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.

20. 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.

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21. 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.

22. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 1st day of July 2021.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

Exhibits:
A – Legal Description (2 Pages)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-18-21-8

THAT PART OF FARM UNIT "L" OR THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, LYING SOUTH OF THE SOUTH LINE OF THE WESTERN CANAL RIGHT OF WAY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER WHICH BEARS WEST 709.44 FEET FROM THE SOUTHEAST CORNER THEREOF;

THENCE WEST 320.86 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER;

THENCE NORTH O DEGREES 8 MINUTES WEST 662.80 FEET TO THE SOUTH RIGHT OF WAY LINE OF SAID WESTERN CANAL;

THENCE NORTH 84 DEGREES 18 MINUTES EAST 322.38 FEET ALONG SAID CANAL RIGHT OF WAY LINE; THENCE SOUTH O DEGREES 08 MINUTES EAST 694.82 FEET TO THE PLACE OF BEGINNING;

EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER;

THENCE WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 709.44 FEET;

THENCE NORTH O DEGREES 08 MINUTES WEST TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF THE WESTERN CANAL AND THE TRUE POINT OF BEGINNING;

THENCE SOUTH O DEGREES 08 MINUTES EAST A DISTANCE OF 240 FEET;

THENCE NORTHERLY TO A POINT ON SAID SOUTH RIGHT OF WAY LINE WHICH IS 8 FEET WESTERLY FROM THE TRUE POINT OF BEGINNING;

THENCE TO THE TRUE POINT OF BEGINNING; AND

EXCEPT THE SOUTH 55 FEET OF THAT PART OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER WHICH BEARS WEST A

DISTANCE OF 709.44 FEET FROM THE SOUTHEAST CORNER THEREOF;

THENCE WEST ALONG SAID SOUTH LINE A DISTANCE OF 320.86 FEET;

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THENCE NORTH O DEGREES 08 MINUTES WEST A DISTANCE OF 662.80 FEET TO THE SOUTH RIGHT OF WAY LINE OF THE WESTERN CANAL;

THENCE NORTH 84 DEGREES 18 MINUTES EAST ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 322.38 FEET;

THENCE SOUTH O DEGREES 08 MINUTES EAST, ALONG A LINE DESIGNATED HEREIN AS LINE "A", A DISTANCE OF 694.82 FEET TO THE POINT OF BEGINNING; AND

EXCEPT THAT PART OF SAID SOUTHWEST QUARTER DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID SOUTH 55 FEET WITH SAID LINE "A";

THENCE NORTH O DEGREES 08 MINUTES WEST ALONG SAID LINE "A" A DISTANCE OF 145 FEET;

THENCE SOUTH 89 DEGREES 52 MINUTES WEST A DISTANCE OF 20 FEET;
THENCE SOUTH O DEGREES 08 MINUTES EAST A DISTANCE OF 127 FEET;

THENCE SOUTHWESTERLY TO A POINT ON SAID NORTH LINE WHICH IS 38 FEET WESTERLY OF THE POINT OF BEGINNING;

THENCE TO THE POINT OF BEGINNING.

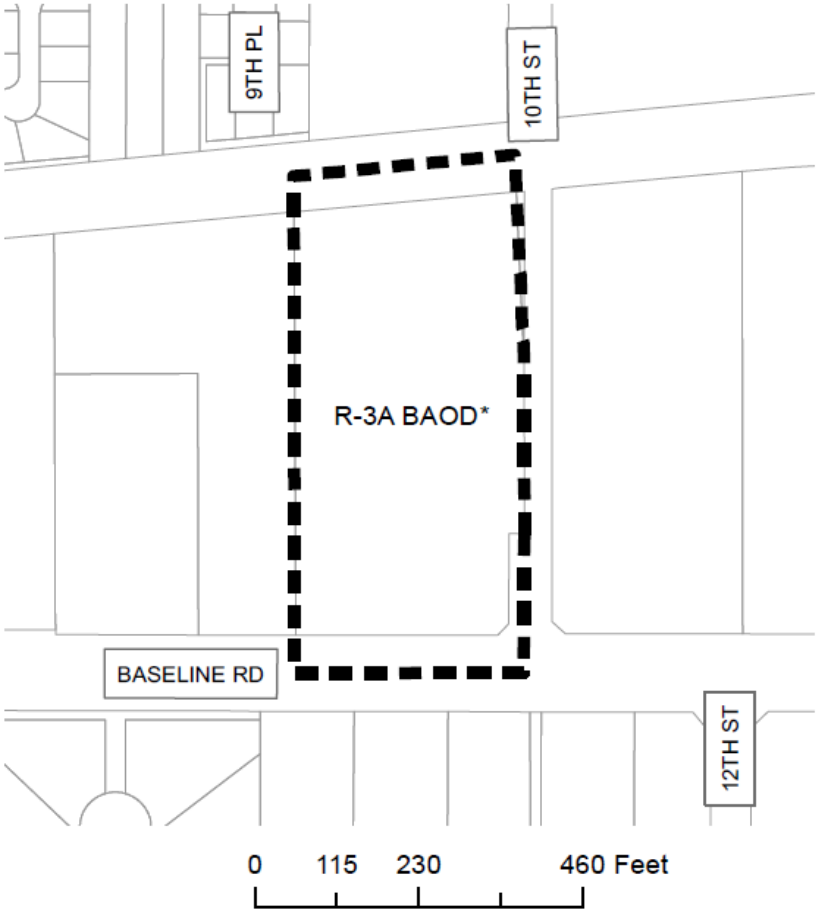
DRAFT

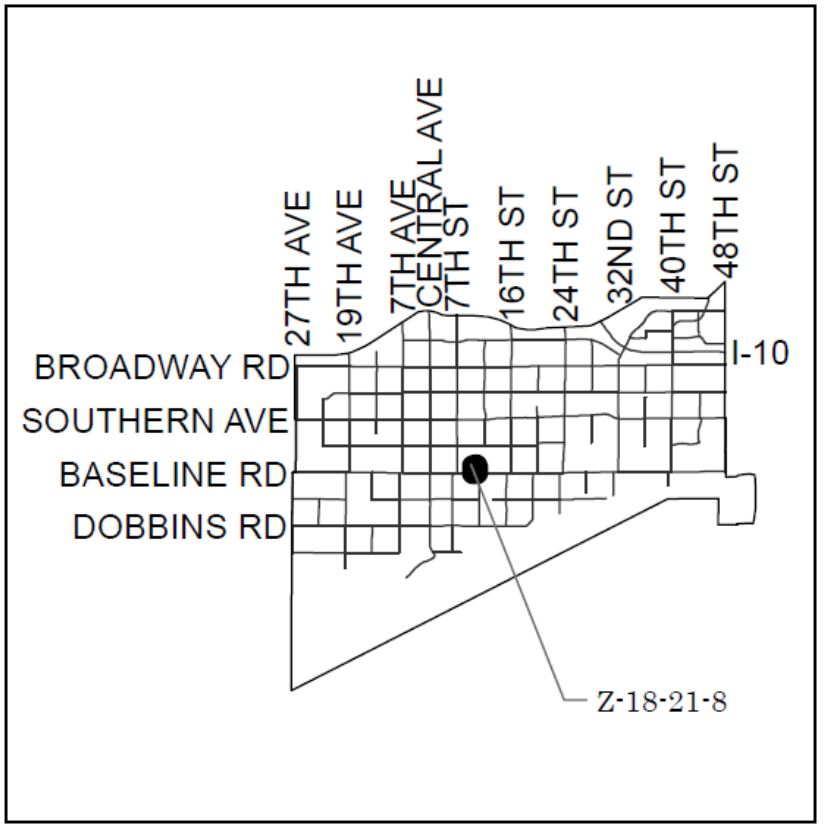
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-18-21-8
Zoning Overlay: Baseline Area Plan & Overlay District
Planning Village: South Mountain





NOT TO SCALE

N

Drawn Date: 5/28/2021

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 134

Public Hearing and Resolution Adoption - General Plan Amendment GPA-SM-1-21-8 - Approximately 100 Feet North of the Northwest Corner of 36th Street and Wayland Drive (Resolution 21937)

Request to hold a public hearing for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved. The file is a companion case to Z-8-21-8 and should be heard first, followed by Z-8-21-8.

Summary

Current Plan Designation: Residential 3.5 to 5 dwelling units per acre
Proposed Plan Designation: Residential 10 to 15 dwelling units per acre
Acreage: 18.41 acres
Proposed Use: Multifamily residential townhome community

Owner: 36th Street & Southern, LLC
Applicant: Benjamin Tate, Withey Morris, PLC
Representative: Benjamin Tate, Withey Morris, PLC

Staff Recommendation: Approval.
VPC Action: The South Mountain Village Planning Committee heard the case on May 11, 2021 and recommended approval, by a vote of 11-0.
PC Action: The Planning Commission heard the case again on June 3, 2021 and recommended approval, per the South Mountain Village Planning Committee recommendation, by a vote of 8-0.

Location

Approximately 100 feet north of the northwest corner of 36th Street and Wayland Drive
Council District: 8
Parcel Addresses: 5242, 5252, 5424, 5814 and 5822 S. 36th St.

Responsible Department

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

ATTACHMENT A

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

RESOLUTION

A RESOLUTION ADOPTING AN AMENDMENT TO THE 2015 GENERAL PLAN FOR PHOENIX, APPLICATION GPA-SM-1-21-8, CHANGING THE LAND USE CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN.

_____

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

SECTION 1. The 2015 Phoenix General Plan, which was adopted by Resolution 21307, is hereby amended by adopting GPA-SM-1-21-8. The 18.41 acres of property located approximately 100 feet north of the northwest corner of 36th Street and Wayland Drive is designated as Residential 10 to 15 dwelling units per acre.

SECTON 2. The Planning and Development Director is instructed to modify the 2015 Phoenix General Plan to reflect this land use classification change as shown below:

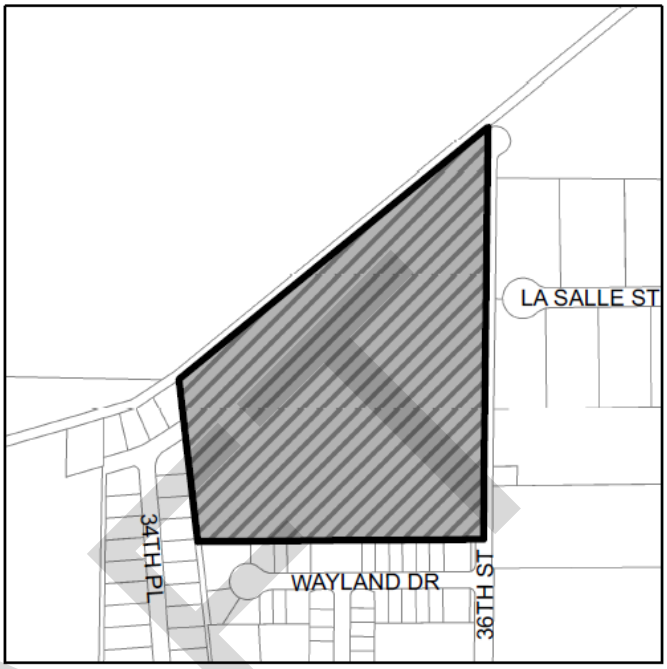
DRAFT

PROPOSED CHANGE:

Residential 10 to 15 (18.41+/- Acres)

Proposed Change Area

Residential 10 to 15 du/acre



PASSED by the Council of the City of Phoenix this 1st day of July 2021.

_____

M A Y O R

ATTEST:

_____

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:_____

_____

REVIEWED BY:

_____

Ed Zuercher, City Manager

DRAFT

GENERAL PLAN AMENDMENT
STAFF ANALYSIS
April 29, 2021

Application:	GPA-SM-1-21-8
Applicant:	Benjamin Tate, Withey Morris, PLC
Owner:	36th Street & Southern, LLC
Representative:	Benjamin Tate, Withey Morris, PLC
Location:	Approximately 100 feet north of the northwest corner of 36th Street and Wayland Drive
Acreage:	18.41 acres
Current Plan Designation:	Residential 3.5 to 5 dwelling units per acre (18.41 acres)
Requested Plan Designation:	Residential 10 to 15 dwelling units per acre (18.41 acres)
Reason for Requested Change:	Map Amendment to Residential 10 to 15 dwelling units per acre for a multifamily residential townhome community
South Mountain Village Planning Committee Date:	May 11, 2021
Staff Recommendation:	Approval

FINDINGS:

1) The subject site exceeds 10 acres, which requires a minor General Plan Amendment to the Land Use Map.

2) The proposed General Plan Land Use Map designation of Residential 10 to 15 dwelling units per acre is compatible with surrounding land uses.

3) The subject site proposes residential townhomes with access via 36th Street, a minor collector street, that serves other residential developments. Thirty-sixth Street connects to Southern Avenue, an arterial street that serves as a major transportation route.

4) The proposal will allow for additional housing choices in an area with diverse housing opportunities that include rental apartments, mobile homes, and privately owned single-family detached residences. The companion Rezoning Case Z-8-21-8 includes standards that ensure consistency in scale and character as well as appropriate transitions for adjacent single-family zoned property.

BACKGROUND

The subject site is located approximately 100 feet north of the northwest corner of 36th Street and Wayland Drive and contains two single-family homes. The companion Rezoning Case Z-8-21-8 is requesting to rezone the subject site from 18.41 acres of R1-6 (Single-Family Residence District) to 18.41 acres of R-3 (Multifamily Residence District) to allow a new 192-unit condominium or townhome development. The development, as proposed by the applicant, would allow a density up to 10.43 dwelling units per gross acre. The subject site is located adjacent to a minor collector street, 36th Street, which terminates at the junction of two designated multi-use trails, Esteban Park and the old San Francisco Canal.

ESTEBAN PARK AREA PLAN

In 2003, the City of Phoenix adopted the Esteban Park Area Plan (EPAP), a non-regulatory area plan, that addresses the existing conditions of the plan area, articulates a vision for the future and offers a series of implementation strategies to achieve the community's vision for the area. Six specific goals are outlined in the EPAP pertaining to: land use compatibility, urban design, neighborhood preservation, transportation safety, drainage and recreational amenities.

The EPAP Proposed General Plan Map designated the subject site as Residential 3.5 to 5 dwelling units per acre, while the proposal is to allow Residential 10 to 15 dwelling units per acre. The Esteban Park Area Plan Land Use Compatibility Goal 1, Objective B, encourages land assemblage for existing vacant parcels and parcels to be redeveloped to improve site layout plus design. The subject site is comprised of three parcels, one vacant and two underutilized, that are proposed to be redeveloped with a condominium or townhome project. Goal 2, Urban Design, Objective B, encourages height transitions in multifamily zoned parcels next to single-family residential, while Objective C encourages development stipulations that incorporate elements of the architectural history, character and scale of the area into the development. The proposed housing product are townhomes that will allow for single-family occupation, while following the step-back height provisions per the Zoning Ordinance applicable to

multifamily zoned properties adjacent to single-family residential. As stipulated in Rezoning Case Z-8-21-8, the development shall incorporate design elements that may include pitched roofs, which are characteristic of the area.

Goal 4 Transportation Safety, Objective A, of the EPAP notes the desire to implement and promote plans for multi-use trail systems for pedestrians, equestrians and bicyclists. As stipulated in the companion rezoning case, the proposed development will promote elements such as detached, shaded sidewalks, benches or seating elements, and a bicycle repair station at the terminus of 36th Street where a multi-use trail, Esteban Park and this development intersection. Goal 6, Recreational Amenities, Objective A, encourage the consultation of the Parks and Recreation Department regarding the addition of a trail along the south side of Esteban Park. The applicant and staff contacted the Parks and Recreation Department regarding the location of a multi-use trail along the northern border of this development adjacent to the southside of Esteban Park, and it was determined that no trail will be required as part of this development next to Esteban Park due to challenges with developing along or across the old San Francisco Canal.

This General Plan Amendment, along with the development standards stipulated in Rezoning Case Z-8-21-8, will allow for a land use map designation that is consistent with the character of the area where existing single-family uses of various densities exist and promote many of the goals from the Esteban Park Area Plan.

SURROUNDING LAND USES

The proposed general plan land use amendment is located in the eastern portion of the South Mountain Village. North of the site, the General Plan Land Use Map designation is Parks/Open Space-Public where Esteban Park and the former San Francisco Canal are located. This land is zoned R1-6 (Single-Family Residence District).

South and west of the subject site two single-family residential subdivisions where properties are designated as Residential 3.5 to 5 dwelling units per acre. These properties are zoned R1-6 (Single-Family Residence District) and are developed with single-family detached homes.

East of the subject site, the General Plan Land Use Map has designated properties as Commerce / Business Park. These properties are developed primarily with commerce park uses and several single-family homes, zoned Ind. Pk. (Industrial Park District) and S-1 (Ranch or Farm Residence District).



Proposed General Plan Land Use Map, Source: Withey Morris, PLC

RELATIONSHIP TO GENERAL PLAN CORE VALUES AND PRINCIPLES

CONNECT PEOPLE AND PLACES

- ***CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.***

  The proposal for condominiums or townhomes, would allow development of a housing product that is consistent with other single-family uses in the area. Access to the site is shared with other single-family uses in the area via 36th Street, a minor collector street, that connects to Southern Avenue which provides transit opportunities. As stipulated, the concurrent rezoning case Z-8-21-8, will incorporate height restrictions, balcony restrictions on upper floors, and enhanced perimeter landscaping standards, which will also help to provide a transition from the proposed development to adjacent residential properties and to respect local conditions.

- ***CONNECT PEOPLE AND PLACES CORE VALUE; COMPLETE STREETS; LAND USE 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 proposed development will have the units adjacent to 36th Street be street-oriented, with resident and guest parking located in the back of units plus internally distributed within the site. As stipulated, the development will promote a pedestrian environment by requiring direct pedestrian connections to public streets from residential units adjacent to 36th Street, plus detached and shaded sidewalks along 36th Street.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS

- ***CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; DESIGN PRINCIPLE: Require appropriate transitions/buffers between neighborhoods and adjacent uses.***

  Uses in the surrounding area consist of public, residential, commercial and agricultural uses. The proposed development is consistent in scale and character with the surrounding uses and will provide an appropriate transition between adjacent single-family detached and a public park, as well as commerce park development to the east. As stipulated, the concurrent rezoning case Z-8-21-8, will incorporate height restrictions, balcony restrictions on upper floors, and enhanced perimeter landscaping standards, which will also help mitigate impacts on adjacent residential properties. Furthermore, the Zoning Ordinance contains “step-back” provisions that require a one-foot setback for every one-foot of building height above 15 feet where multifamily zoning is located next to single-family zoning.

- ***CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.***

  Approval of the request will allow the introduction of condominiums or townhomes, an additional housing option in the area. This diversity in housing opportunities is compatible with the surrounding land use patterns. Furthermore, the proposed development will help to provide housing for a broader range of lifestyles in the area.

CONCLUSION AND RECOMMENDATION

Staff recommends approval of GPA-SM-1-21-8. The proposed land use map designation of **10 to 15 dwelling units per acre** is consistent in scale and character with existing land uses in the surrounding area. The land use map designation, as requested, would further diversify the land uses in this part of the South Mountain Village in a manner consistent with development patterns based on the existing zoning and general plan land use map designations in the general area. Furthermore, the requested land use map designation provides a transition area between the single-family residential and Commerce/Business Park land use designations.

The subject site is located adjacent to a minor collector street, 36th Street, which terminates at the junction of two designated multi-use trails, Esteban Park and the old San Francisco Canal. As stipulated, the concurrent case Z-8-21-8 will enhance the compatibility and consistency with the land use pattern in the surrounding area while furthering the goals from the Esteban Park Area Plan (EPAP). Approval of the request, with concurrent case Z-8-21-8, will support the development of this underutilized property with uses that are compatible with the land use designations and zoning districts in the general area.

Writer
Enrique Bojórquez Gaxiola
April 29, 2021

Team Leader
Samantha Keating

Exhibits
Sketch Maps (2 pages)

GENERAL PLAN AMENDMENT

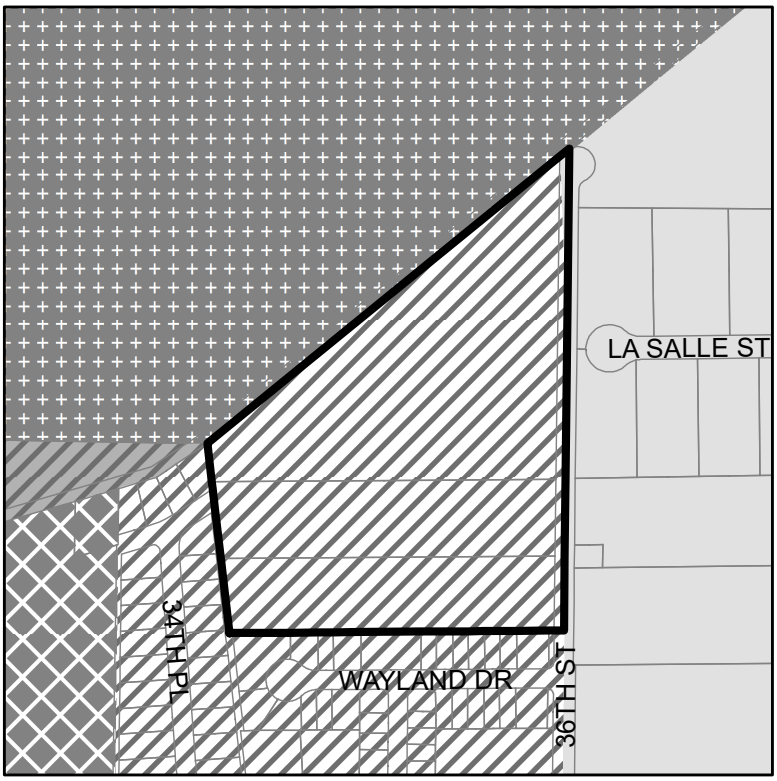
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-SM-1-21-8_BW	ACRES: 18.41 +/-
VILLAGE: South Mountain	COUNCIL DISTRICT: 8
APPLICANT: Benjamin Tate	

EXISTING:

Residential 3.5 to 5 (18.41 +/- Acres)

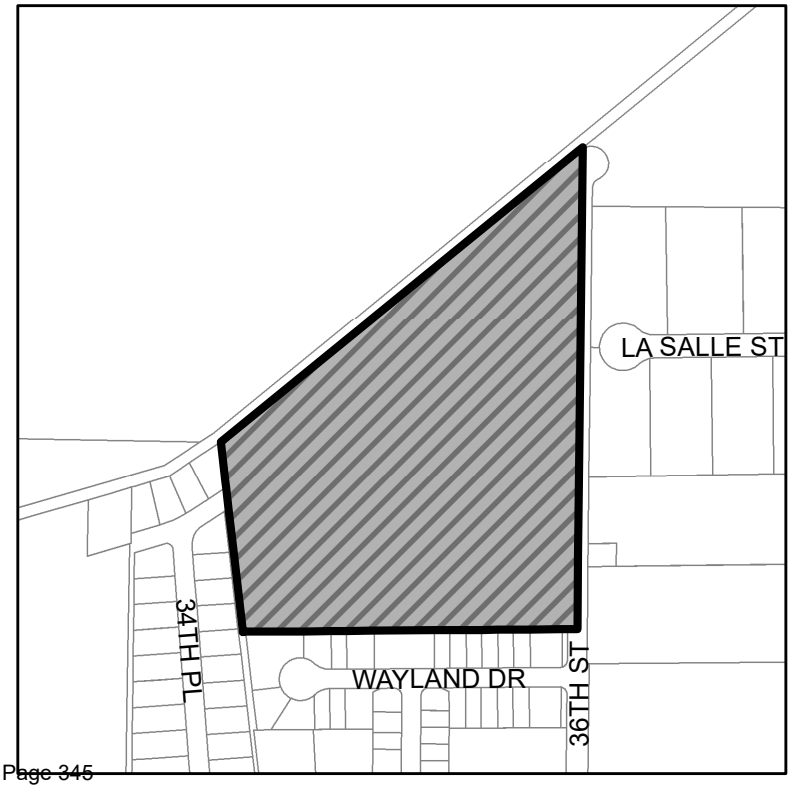
- Proposed Change Area
- Residential 3.5 to 5 du/acre
- Residential 10 to 15 du/acre
- Residential 15+ du/acre
- Commerce/Business Park
- Parks/Open Space - Publicly Owned



PROPOSED CHANGE:

Residential 10 to 15 (18.41+/- Acres)

- Proposed Change Area
- Residential 10 to 15 du/acre



GENERAL PLAN AMENDMENT

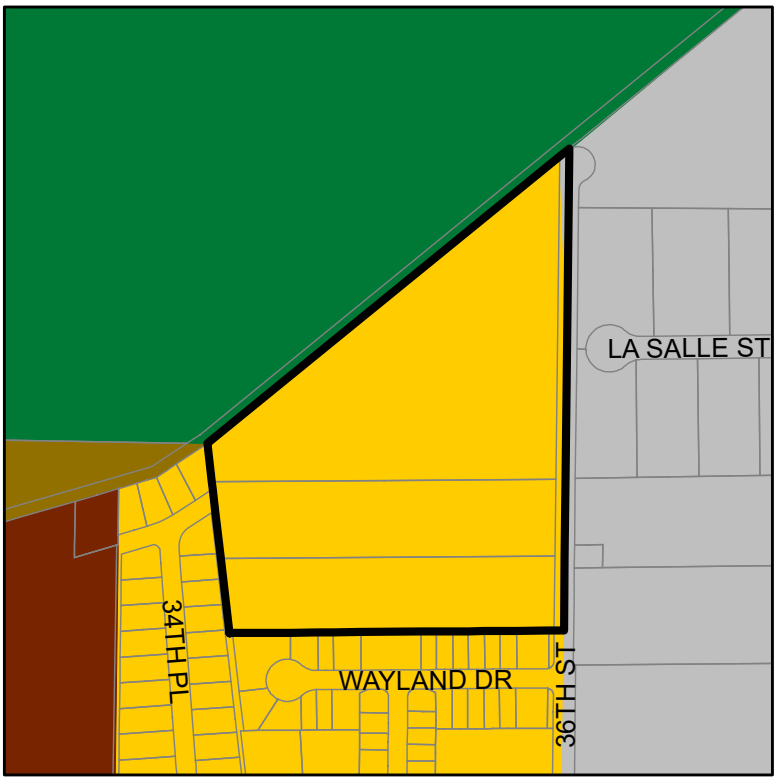
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-SM-1-21-8	ACRES: 18.41 +/-
VILLAGE: South Mountain	COUNCIL DISTRICT: 8
APPLICANT: Benjamin Tate	

EXISTING:

Residential 3.5 to 5 (18.41 +/- Acres)

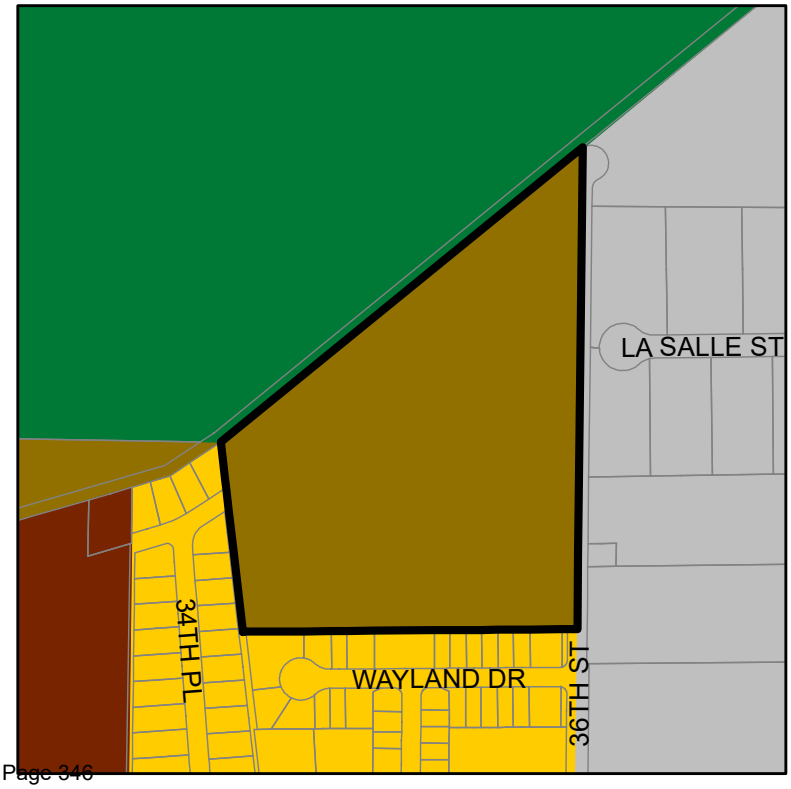
- Proposed Change Area
- Residential 3.5 to 5 du/ac
- Residential 15+ du/ac
- Commerce/Business Park
- Residential 10 to 15 du/ac
- Parks/Open Space - Publicly Owned



PROPOSED CHANGE:

Residential 10 to 15 (18.41+/- Acres)

- Proposed Change Area
- Residential 10 to 15 du/ac



Village Planning Committee Meeting Summary
GPA-SM-1-21-8

Date of VPC Meeting	May 11, 2021
Request	To amend the General Plan Land Use Designation on approximately 18.41 acres **from** Residential 3.5 to 5 dwelling units per acre **to** Residential 10 to 15 dwelling units per acre
Proposed Use	Multifamily residential townhome community (condominiums)
Location	Approximately 100 feet north of the northwest corner of 36th Street and Wayland Drive
VPC Recommendation	Approval, per the staff recommendation in the staff report
VPC Vote	**11-0** Motion passes; with members Aldama, Alvarez, Brownell, Busching, Holmerud, Marchuk, Ray, Shepard, M. Smith, Viera and Daniels in favor; None in dissent.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

8 requests to speak in support from members of the public were received regarding cases GPA-SM-1-21-8 and Z-8-21-8. Two other members of the public registered their support but did not wish to speak.

Enrique Bojorquez, staff, introduced himself and provided a joint presentation for companion cases GPA-SM-1-21-8 and Z-8-21-8. He discussed the location of the site, noting surrounding land uses including a public park, various schools and commercial services including a grocery store and urban farm. He discussed the existing General Plan Land Use map designation and the requested Land Use map amendment. He discussed the surrounding zoning districts in the area, Esteban Park Area Plan, and other policy documents including the General Plan. The conceptual site plan was shown, indicating the vehicular access points, open space, perimeter landscape areas, amenities, density proposed and shown, and lot coverage. The conceptual building elevations and materials were discussed. He concluded the presentation by providing a staff recommendation on the case and describing the proposed stipulations, as presented in the staff report.

Andrew Biskind, with Avenue North, introduced himself and the project.

Benjamin Tate, with Withey Morris PLC., introduced himself and discussed the subject site and site conditions. An overview of the proposal and site plan was

provided, followed by renderings of the proposed development. He discussed community open space areas and the pedestrian seating node located north of the site. An overview of neighborhood outreach including adjacent neighbors, businesses, Parks and Recreation Department and other community groups. The three community benefits were addressed per the General Plan, including goals and policies. Various letters of support were received, and an overview of this project addressed various priorities listed by the South Mountain VPC. An example of another project along 16th Street was provided and concluded the presentation by requesting approval of both cases.

Greg Brownell asked the following questions:

- Have you considered imposing a limit on the number of homes that can be owned by investors as part of this development?
- Will VA and FHA loans be available?
- Have you considered changing the term “community garden” to “garden area” referenced in the stipulations?

Mr. Biskind responded that it is difficult to restrict qualified buyers but do intend to prohibit short-term rentals in this community.

Mr. Tate responded that they can consider CC&R restrictions that could limit the number of units owned by a single individual or entity within this community. The ability to offer FHA and VA loans will be applied for and is intended to be provided.

Kassandra Alvarez asked for clarification on the lighting provided within this development.

Mr. Tate responded that pedestrian-scale lighting is proposed along pedestrian paths, including along Esteban Park.

Kay Shepard asked the following questions:

- What is the density proposed?
- How many uncovered parking stalls are provided?
- Why are palm trees proposed within landscape areas?
- What is the size of each residential unit?

Mr. Tate responded that 192 units are proposed and that there was a discrepancy on the number of units within this development. Excess parking stalls are distributed throughout the site, and palm trees were conceptually depicted but may not be ultimately chosen. The community will be comprised of 2 and 3-bedroom units.

Mr. Marchuk asked if there is a community benefit agreement proposed? And why the R-2 zoning district was not selected if the project can fit within that density permitted?

Mr. Tate responded that no community benefit agreement is proposed at this time, and the R-2 zoning district was not selected originally since the density in the site plan changed following a revision during the rezoning process.

Mr. Bojorquez responded that the R-2 zoning district allows the envisioned project density but could require a landscape setback modification.

Mr. Tate responded that a site plan revision at this moment would be very difficult due to all the engineering that has been done so far.

Ms. Busching asked if the applicant would be willing to reduce the number of units referenced in Stipulation No. 5 to not exceed 192 units total. Also, adding the word "public" to Stipulation No. 15, in order to allow the pedestrian seating node to be publicly accessible.

Mr. Tate responded that he would support those proposed stipulation modifications.

Gene Holmerud asked for clarification on perimeter setbacks and access along 36th Street.

Mr. Tate discussed the orientation of units and street improvements along 36th Street.

Mr. Holmerud stated that bike lockers are needed and discussed the building elevations proposed.

Mr. Tate discussed the bicycle amenities provided within the pedestrian seating node.

Muriel Smith asked for clarification on dustproofing requirements along Esteban Park.

Mr. Tate responded that there were ongoing discussions with Council District 8 to consider relocating the green waste area along Esteban Park to another location.

Chairwoman Daniels asked the following questions:

- Will this project change from lot sales to unit rentals in the future?
- What will be the HOA fees?
- What is the price-point for these new homes?

Mr. Tate responded that the community will not change from lot sales to rentals. It is too early at this time to project HOA maintenance costs and actual project costs. The price of the homes is projected to be in the mid-$300,000 range.

Chairwoman Daniels is pleased to encourage homeownership in this community. She opened the public comment portion of the meeting.

Dr. Bruce McHenry works in South Mountain Community College (SMCC) and discussed the classroom engagement by the applicant, Andrew Biskind and Ryan, who reached out to him years prior and provided a presentation to students at SMCC regarding entrepreneurship. He supports the developer and this new project.

Darren Chapman, with Tiger Mountain Foundation, introduced himself and discussed his 15 years of experience with community gardens. He was contacted by the developer who is engaged with the community. His experience will help keep up and ensure that the community garden can last. He supports the developer, who has been amazing to work with.

Cristian Perez, soccer coach with a soccer club at Esteban Park, introduced himself and discussed the reutilization of the current green waste area, transforming this into usable open space. He likes the project's architecture and discussed how the developer has approached him. The project will allow for first-time home buyers and others to continue to live in South Phoenix and is pleased with this development.

Jimmy Scroggins is a motivation speaker and is pleased to see this community develop. He discussed the youth in the area and applauds the type of development that adds value to the Esteban Park area for the South Phoenix community.

Timothy Hills, Nate, Wendy and Chris registered to speak in support of these two cases but were not connected during the meeting or could not be identified by staff.

Committee member Lee Coleman left the meeting at 9:15pm bringing the quorum to 11 members.

Chairwoman Daniels asked for discussion or a motion on both cases.

MOTION – GPA-SM-1-21-8
Ms. Busching made a motion to approve case GPA-SM-1-21-8 per the staff recommendation presented in the staff report. **Ms. Shepard** seconded the motion.

VOTE:
11-0 Motion passes; None in dissent.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

Attachment D

REPORT OF PLANNING COMMISSION ACTION
June 3, 2021

ITEM NO: 6	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	GPA-SM-1-21-8 (Companion Case Z-8-21-8)
Location:	Approximately 100 feet north of the northwest corner of 36th Street and Wayland Drive
From:	Residential 3.5 to 5 dwelling units per acre
To:	Residential 10 to 15
Acreage:	18.41
Proposal:	Multifamily residential townhome community
Applicant:	Benjamin Tate, Withey Morris, PLC
Owner:	36th & Southern, LLC
Representative:	Benjamin Tate, withey Morris, PLC

ACTIONS:

Staff Recommendation: Approval.

Village Planning Committee (VPC) Recommendation:
South Mountain 5/11/2021 Approval. Vote: 11-0.

Planning Commission Recommendation: Approval, per the South Mountain Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve GPA-SM-1-21-8, per the South Mountain Village Planning Committee recommendation.

Maker: Howard
Second: McCabe
Vote: 8-0
Absent: Gorraiz
Opposition Present: No

Findings:

1. The subject site exceeds 10 acres, which requires a minor General Plan Amendment to the Land Use Map.

2. The proposed General Plan Land Use Map designation of Residential 10 to 15 dwelling units per acre is compatible with surrounding land uses.

3. The subject site proposes residential townhomes with access via 36th Street, a minor collector street, that serves other residential developments. Thirty-sixth

Street connects to Southern Avenue, an arterial street that serves as a major transportation route.

4. The proposal will allow for additional housing choices in an area with diverse housing opportunities that include rental apartments, mobile homes, and privately owned single-family detached residences. The companion Rezoning Case Z-8-21-8 includes standards that ensure consistency in scale and character as well as appropriate transitions for adjacent single-family zoned property.

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 135

Public Hearing and Ordinance Adoption - Rezoning Application Z-8-21-8 - Approximately 100 Feet North of the Northwest Corner of 36th Street and Wayland Drive (Ordinance G-6872)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-8-21-8 and rezone the site from R1-6 (Single-Family Residence District) to R-3 (Multifamily Residence District) to allow a multifamily residential townhome community. This file is a companion case to GPA-SM-1-21-8 and should be heard immediately following.

Summary

Current Zoning: R1-6
Proposed Zoning: R-3
Acreage: 18.41 acres
Proposed Use: Multifamily residential townhome community (condominiums)

Owner: 36th Street & Southern, LLC
Applicant: Benjamin Tate, Withey Morris, PLC
Representative: Benjamin Tate, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this case on May 11, 2021 and recommended approval, per the staff recommendation with modifications by a vote of 11-0.
PC Action: The Planning Commission heard this case on June 3, 2021 and recommended approval, per the South Mountain Village Planning Committee recommendation with an additional stipulation by a vote of 8-0.

Location

Approximately 100 feet north of the northwest corner of 36th Street and Wayland Drive
Council District: 8
Parcel Addresses: 5242, 5252, 5424, 5814 and 5822 S. 36th St.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-8-21-8) FROM R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT) TO R-3 (MULTIFAMILY RESIDENCE DISTRICT).

_____

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

SECTION 1. The zoning of an 18.41-acre site located approximately 100 feet north of the northwest corner of 36th Street and Wayland Drive in a portion of Section 25, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "R1-6" (Single-Family Residence District) to "R-3" (Multifamily Residence District).

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

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

DRAFT

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

1. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department:

    a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.

    b. Building elevations adjacent and oriented to public streets and the public park, shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material that exhibits quality and durability.

    c. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies, as approved by the Planning and Development Department.

2. Building height shall be limited to two stories and 30 feet.

3. There shall be no balconies on the upper floors of residential dwellings adjacent or oriented toward single-family residential homes not part of this development.

4. The required landscape setbacks shall be planted to the following standards, as described below and as approved or modified by the Planning and Development Department:

    a. Large canopy evergreen trees 20 feet on center, or in equivalent groupings, shall be planted where residential units are adjacent or oriented towards single-family residential homes not a part of this development.

    b. Large canopy drought-tolerant trees 20 feet on center, or in equivalent groupings, shall be utilized unless otherwise stated.

    c. 50 percent 2-inch caliper, 40 percent 3-inch caliper and 10 percent 4-inch caliper trees shall be utilized.

    d. Five 5-gallon shrubs per tree, and additional shrubs or live groundcover, shall provide minimum 75 percent live cover at maturity.

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Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

5. The development shall be limited to a maximum density of 192 dwelling units.

6. The development shall provide a primary and secondary vehicular access to the site along 36th Street. The secondary access point may serve as vehicular ingress and egress, or limited to vehicular egress and emergency access only, as approved or modified by the Planning and Development Department.

7. Individual dwelling units adjacent to 36th Street and Esteban Park shall provide an entryway that is either elevated, depressed or includes a feature such as a low wall not exceeding 40 inches in height to accentuate the primary entrance, plus oriented towards the public street or public park, as approved by the Planning and Development Department.

8. The primary entrance to the development from 36th Street shall include the following elements, as approved by the Planning and Development Department:

    a. Pedestrian pathways connecting the interior of the development to the public sidewalks along both sides of the vehicular entryway into the development.

    b. The pedestrian pathways shall be detached from the primary vehicular entryway with a minimum 5-foot wide landscaped accent area provided on both sides of the entryway into the development. The landscaped accent areas shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.

    c. A median island of no less than 5 feet in width shall be located centrally within the vehicular entryway into the development and accented by a minimum of three drought-tolerant trees, and drought-tolerant, ornamental, flowering shrubs to provide a minimum 75 percent live cover. Twenty five percent of the required live cover may be ground cover plants.

    d. The driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.

9. Perimeter walls adjacent to the public park shall be limited to open view fencing or a combination of maximum three feet of solid masonry topped by open view fencing, as approved by the Planning and Development Department.

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10. All perimeter walls visible from a public street shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.

11. The development shall include the following amenities and elements at a minimum, distributed between the open space area(s) throughout the site, as approved by the Planning and Development Department:

    a. Swimming pool.

    b. Clubhouse.

    c. Two picnic areas, each with one barbecue grill, shade ramada and a picnic table.

    d. Five benches distributed throughout the development, including one bench located within close proximity to 36th Street.

    e. Turf area(s) of no less than a combined 1,000 square feet.

    f. Community garden area(s) of no less than a combined 1,000 square feet that will each include a garden tool library, irrigation, and one bench or seating feature.

12. Open space areas shall have a minimum 50 percent shade, including amenity and seating areas, and a minimum of 50 percent live vegetative cover (shrubs, grasses, or groundcover plants), as approved by the Planning and Development Department.

13. Pedestrian paths shall be shaded to a minimum of 75 percent using architectural shade and/or shade trees at full maturity, as approved by the Planning and Development Department.

14. The developer shall provide a system of pedestrian thoroughfares, as described below and as approved or modified by the Planning and Development Department:

    a. Direct connection to the sidewalk along 36th Street for individual dwelling units adjacent to this street.

    b. The developer shall provide a minimum of two pedestrian paths connecting to the sidewalk along 36th Street, exclusive of pedestrian connections along vehicular entryways.

    c. Illuminated by pedestrian scale lighting per Section 1304(H)5 for a pathway connecting 36th Street along the primary entrance, passing through a central amenity area, and terminating at the west property line.

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d. Where pedestrian paths and vehicular crossings exist, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.

e. Connections to/between:

(1) All residential dwellings.

(2) All amenity facilities and active open space areas.

(3) The sidewalk along 36th Street.

15. The development shall provide a minimum 1,000 square foot publicly accessible pedestrian seating node and amenity area along the most northern portion of the development adjacent to the western edge of 36th Street (future cul-de-sac portion) to include the following elements at a minimum, as approved by the Planning and Development Department:

a. Two benches or seating features.

b. Bicycle repair station ("fix it station") provided and maintained in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

c. Amenity area that includes either/or combination of a community garden, art feature, nature walk, natural features such as boulders or fountains, or other uniquely identifying features.

d. A landscaped accent area, exclusive of perimeter landscaping and right-of-way, planted and maintained with at least three plant materials including a series of annuals that will each maintain a constant bloom throughout the year.

16. The public sidewalk along 36th Street shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department:

a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 25 feet on center or in equivalent groupings to provide shade to a minimum 75 percent of the sidewalk.

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b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

17. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near each vehicular point of ingress or egress and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

18. The developer shall provide traffic calming measures at all vehicular points of ingress / egress to slow vehicles departing the development and crossing the public sidewalks, as approved by the Planning and Development Department.

19. The developer shall dedicate a minimum of 5 feet of right-of-way for a total 30-foot half-street right-of-way, and construct the west half of 36th Street, as approved by the Planning and Development Department.

20. The developer shall complete the 50-foot radius cul-de-sac termination at 36th Street, as approved by the Planning and Development Department.

21. Existing irrigation facilities along 36th Street are to be undergrounded and/or relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.

22. 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.

23. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.

24. 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.

25. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-

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foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

26. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 1st day of July, 2021.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

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

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-8-21-8

A portion of Parcels E and G as shown on A SUBDIVISION OF LOTS 48-60-61 BARTLETT-HEARD LANDS, recorded in Book 14 of Plats, Page 34, records of Maricopa County, Arizona, located in the Southwest quarter of Section 25, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, being more particularly described as follows;

BEGINNING at Northwest corner of FINAL PLAT FOR CARDENAS VILLAS @ YANCHE SUBDIVISION, recorded in Book 864 of Maps, Page 05, records of said county; Thence North 07 Degrees 16 Minutes 44 Seconds West along the West line of said Parcels E and G a distance of 499.84 feet to an angle point on the West line of said Parcel G; Thence North 50 Degrees 03 Minutes 07 Seconds East along the Northwesterly line of said Parcel G a distance of 1213.65 feet to the centerline of South 36th Street; Thence South 00 Degrees 03 Minutes 56 Seconds East along said centerline a distance of 1257.01 feet; Thence South 88 Degrees 48 Minutes 27 Seconds West along the North line of said FINAL PLAT FOR CARDENAS VILLAS @ YANCHE SUBDIVISION a distance of 868.72 feet to the POINT OF BEGINNING.

The above described parcel contains 18.393 acres.

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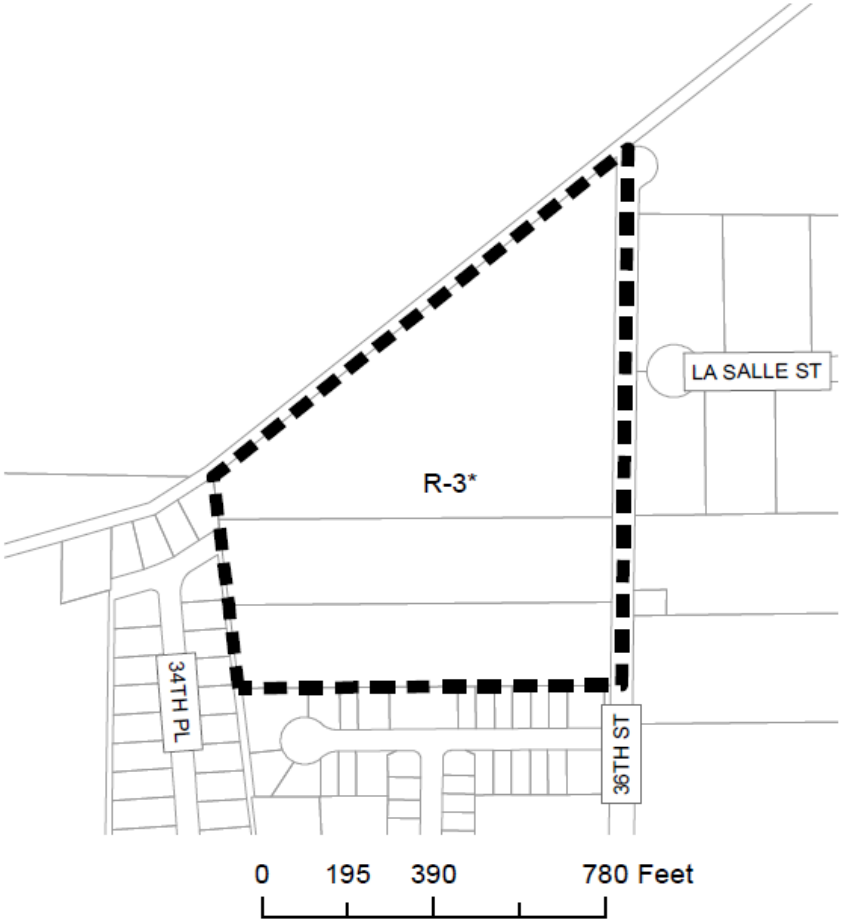
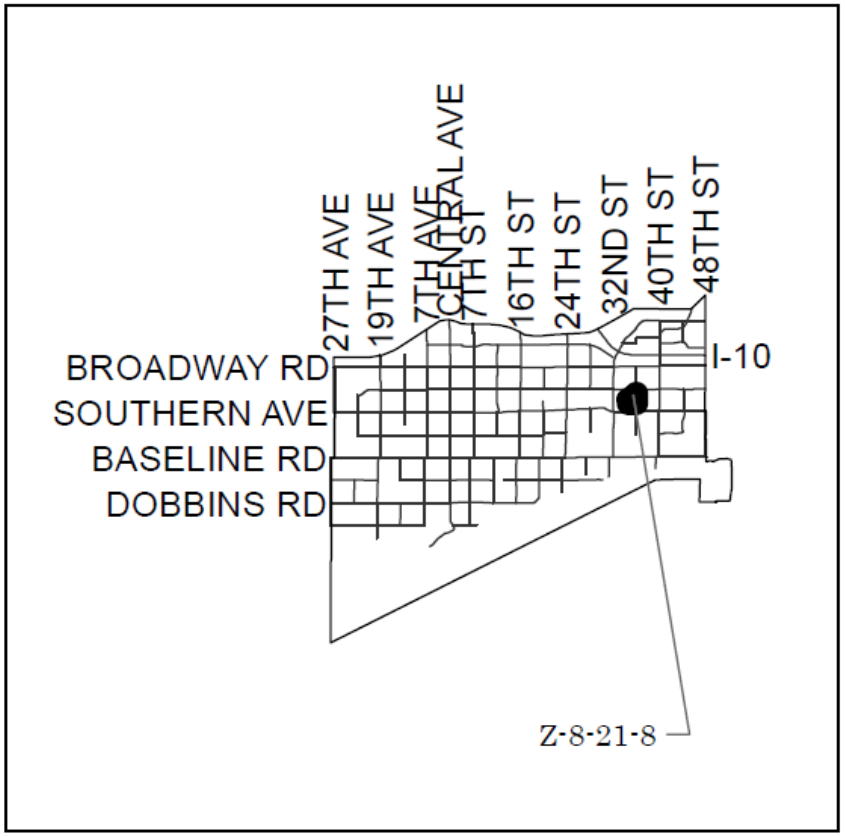
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-8-21-8
Zoning Overlay: N/A
Planning Village: South Mountain





NOT TO SCALE

N

Drawn Date: 5/28/2021

Attachment B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-8-21-8
April 29, 2021

South Mountain Village Planning Committee Meeting Date:	May 11, 2021
Planning Commission Hearing Date:	June 3, 2021
Request From:	R1-6 (Single-Family Residence District) (18.41 acres)
Request To:	R-3 (Multifamily Residence District) (18.41 acres)
Proposed Use:	Multifamily residential townhome community (condominiums)
Location:	Approximately 100 feet north of the northwest corner of 36th Street and Wayland Drive
Owner:	36th & Southern, LLC
Applicant / Representative:	Benjamin Tate, Withey Morris, PLC
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Current: Residential 3.5 to 5 dwelling units per acre Proposed (GPA-SM-1-21-8): Residential 10 to 15 dwelling units per acre	
Street Map Classification	36th Street	Minor Collector Street	25-foot west half street
	San Francisco Drive	Local Street	50-foot north and south half street

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CLEAN NEIGHBORHOODS; LAND USE PRINCIPLE: Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.

The subject site is mostly vacant and underutilized with two single-family homes on nearly 20 acres. The proposed development would permit the construction of 192 condominium units or townhomes on the site at a scale that is compatible with the surrounding land uses which are predominantly single-family.

CONNECT PEOPLE AND PLACES CORE VALUE ; COMPLETE STREETS; DESIGN PRINCIPLE: In order to balance a more sustainable transportation system, development should be designed to include increased amenities for transit, pedestrian and bicyclists such as shade, water, seating, bus shelters, wider sidewalks, bike racks, pedestrian scale lighting and way-finding.

Located at the junction of a minor collector street, planned multi-use trail and public park, the proposal, as stipulated, will provide elements for both pedestrians and bicyclists to utilize in order to promote walking and alternative transportation. These elements include shaded detached sidewalks along 36th Street, shaded benches or seating elements, and a bicycle repair station at the terminus of 36th Street within the development. Residential units adjacent to 36th Street and Esteban Park will also be oriented towards these areas to promote safety via “eyes on the street.”

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The development, as stipulated, provides a reasonable level of intensity that is respectful to local conditions by transitioning commerce park uses east of 36th Street with single-family uses west of 36th Street and adjacent to this development.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The proposal, as stipulated, will be required to provide shade along the adjacent public sidewalks, pedestrian paths connecting the development to adjacent streets and amenity areas. This will help to encourage walking and to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the project vicinity.

Applicable Plans, Overlays, and Initiatives
Esteban Park Area Plan (EPAP): See Background Item No. 4.
Tree and Shade Master Plan: See Background Item No. 11.
Complete Streets Guidelines: See Background Item No. 12.
Zero Waste PHX: See Background Item No. 13.
Housing Phoenix: See Background Item No. 14.

Surrounding Land Uses and Zoning		
	Land Use	**Zoning**
On Site	Single-family residential	R1-6
North	Esteban Park	R1-6
South	Single-family residential	R1-6
East (across 36th Street)	Single-family residential and commerce park uses	S-1 and Ind. Pk.
West	Single-family residential	R1-6

R-3 – Multifamily Residence District (Average Lot Development Option)		
Standards	**R-3 Requirements**	**Provisions on the proposed site plan**
Gross Acreage	-	18.41 acres
Total Maximum Number of Units	267 units	192 units (Met)
Maximum Density	14.5 dwelling units per acre	10.43 dwelling units per acre (Met)
Maximum Lot Coverage	45%	28% (Met)
Maximum Building Height	2 stories and 30 feet. There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.	Maximum of 2 stories and 25 feet. (Met)
MINIMUM PERIMETER STANDARDS		
Front (36th Street)	20 feet	20 feet (Met)
Sides (North and South property lines)	North: 10 feet South: 10 feet	North: 23 feet (Met) South: 21 feet (Met)
Rear (West property line)	West: 15 feet	West: 21 feet (Met)

MINIMUM LANDSCAPE SETBACKS AND STANDARDS		
Front (36th Street)	20 feet	20 feet (Met)
Sides and Rear (North, South and West property lines)	North: 5 feet South: 5 feet West: 5 feet	North: 5 feet (Met) South: 5 feet (Met) West: 5 feet (Met)
Minimum Open Space	5% of gross site area	6.4% (Met)
Minimum Amenities	2 amenities required	3 amenities provided (Met)
MINIMUM PARKING REQUIREMENTS		
Parking	1.5 parking spaces per 1 or 2 bedroom unit, and 2 spaces per 3 or more bedroom unit. 0.5 unreserved guest parking spaces per 1 or 2 bedroom unit, and 1.0 spaces per 3 or more bedroom unit. 494 parking spaces required.	555 parking spaces provided. (Met)

Background/Issues/Analysis

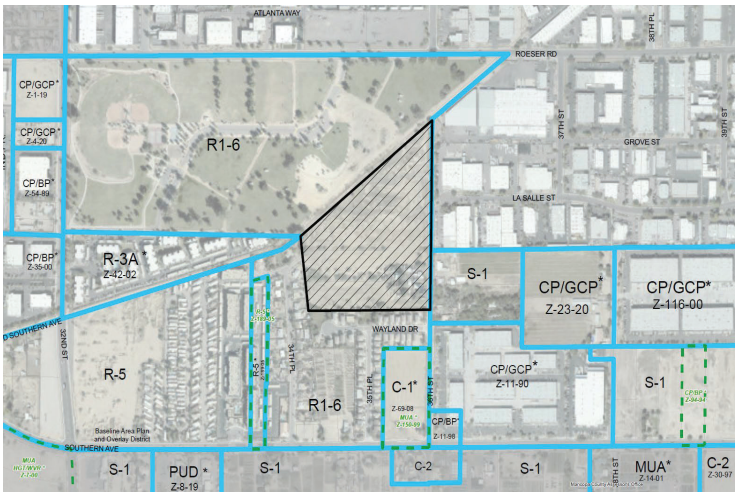
SUBJECT SITE

1. This request is to rezone 18.41 acres located approximately 100 feet north of the northwest corner of 36th Street and Wayland Drive from R1-6 (Single-Family Residence District) to R-3 (Multifamily Residence District) for a condominium or townhome community. The site is primarily vacant and underutilized with two single-family detached homes across the 18.41 acre site.

   In 1925, the site was subdivided as part of the Bartlett Heard Lands Lots 48-60-61 subdivision which created 14 lots as part of a survey by Mr. Harry E. Jones. In 1960, the subject site was annexed into the City of Phoenix from unincorporated Maricopa County and zoned R1-6 under Ordinance No. G-449 in 1961. Historic aerial imagery shows that the site was historically utilized for agricultural uses.

SURROUNDING LAND USES AND ZONING

2. The surrounding area contains a variety of residential, commercial and agricultural zoning districts including S-1 (Ranch or Farm Residence District), R1-6 (Single-Family Residence District), R-3A (Multifamily Residence District), R-5 (Multifamily Residence District), C-1 (Neighborhood Retail District), Ind. Pk. (Industrial Park District), and CP/GCP (Commerce Park/General Commerce Park). The subject site is also adjacent to Esteban Park, a public park that serves the surrounding uses.

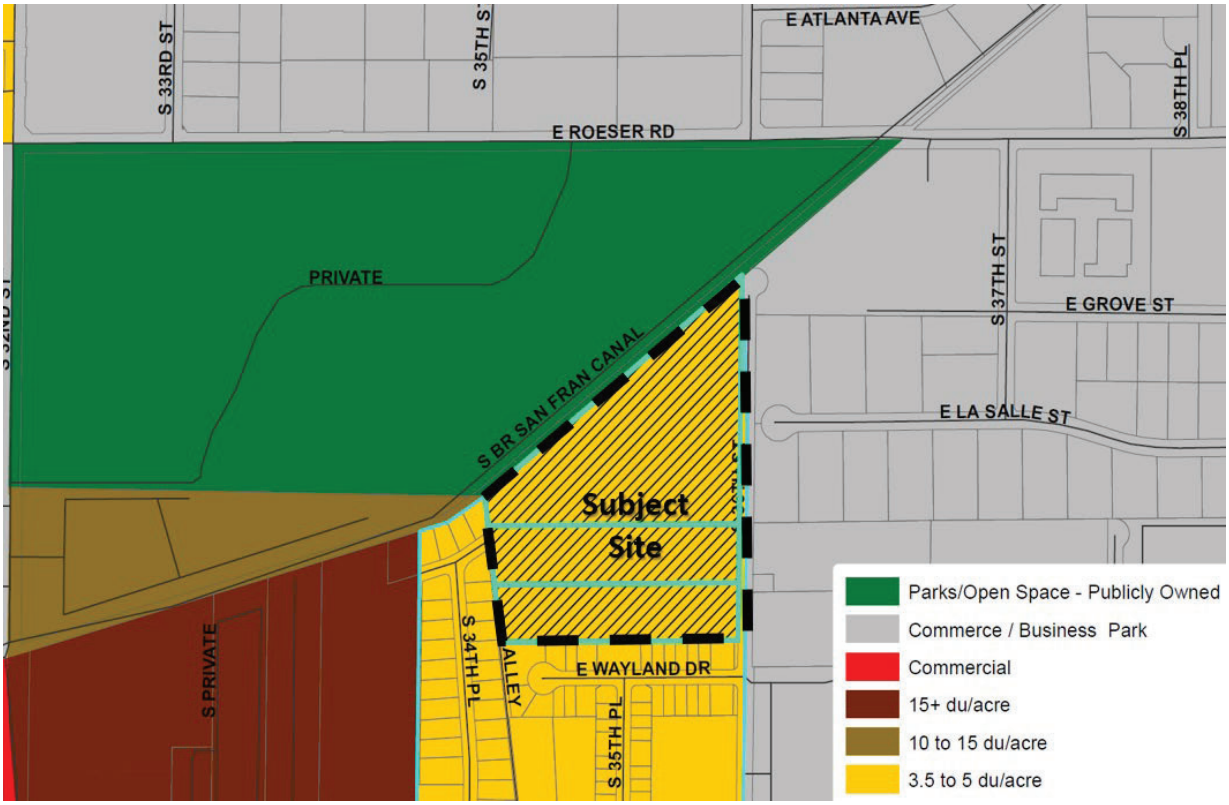


Zoning Aerial Map, Source: Planning and Development Department

GENERAL PLAN LAND USE MAP DESIGNATIONS

3. The General Plan Land Use Map designation for the subject site is Residential 3.5 to 5 dwelling units per acre, thus a concurrent General Plan Amendment case GPA-SM-1-21-8 proposes to change the land use map designation to Residential 10 to 15 dwelling units per acre. North of the site is Esteban Park designated as Parks/Open Space – Publicly Owned. South and west of the site are residential subdivisions designated as Residential 3.5 to 5 dwelling units per acre. Also, west are two apartment complexes and a mobile home community designated as Residential 10 to 15 and 15+ dwelling units per acre. East of the subject site are various commerce park uses designed as Commerce/ Business Park on the General Plan Land Use Map.

The R-3 zoning requested is consistent with the proposed General Plan Land Use Map designation per GPA-SM-1-21-8 and compatible with existing and future envisioned land uses in the area.



General Plan Land Use Map, Source: Planning and Development Department

4. **Esteban Park Area Plan (EPAP)**

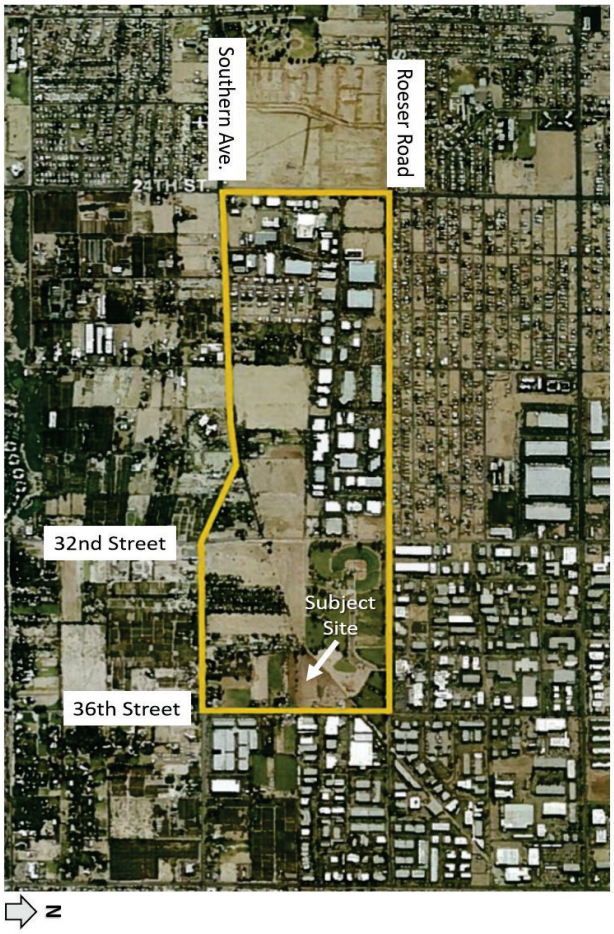
The Esteban Park Area Plan (EPAP) was adopted in 2003 with the intent of guiding future development in this area which has transitioned from large-lot agricultural uses to a mixture of agricultural, commerce park and residential land uses. The Esteban Park Area Plan is bounded by Roeser Road (north), Southern Avenue (south), 36th Street (east) and 24th Street (west). At the southeast corner of 32nd Street and Roeser Road, one can find Esteban Park, a public park which was annexed into the City of Phoenix in the 1960s and which serves as the only publicly accessible open space in the general area today.

The EPAP seeks to accomplish this vision through six goals pertaining to:

1. Land Use Compatibility;
2. Urban Design;
3. Neighborhood Preservation;
4. Transportation Safety;
5. Drainage;
6. Recreation Amenities;

The proposed development furthers the goals of the EPAP by assembling and redeveloping three vacant parcels with a residential use that is appropriately located.

Goal 2, Urban Design, of the EPAP outlines the importance of incorporating elements of the architectural history, character and scale of the area into development stipulations. The design of the proposed townhomes includes pitched roofs, which are consistent with the architectural history of the area and surrounding residential neighborhoods. Staff recommends Stipulation No. 1 to address enhancements in the architecture, materials and colors for building elevations, in order to recognize the history of the area and enhance the frontage along Esteban Park and 36th Street.



EPAP aerial map with Planning and Development Department annotations, Source: Planning and Development Department

Goal 2 of the EPAP also recommends height transitions in multifamily zoned parcels adjacent to single-family residential. The Zoning Ordinance presently contains a step-back provision applicable to multifamily developments where

adjacent to single-family zoned properties. However, to promote permitted building height consistency in the area, staff recommends Stipulation No. 2 to limit the maximum building height permitted to two stories and 30 feet in case the Average Lot development option is not utilized in the future, and to maintain the compatibility from this development with adjacent single-family residential neighborhoods. Furthermore, Stipulation No. 3 prohibits balconies on upper floors of residential units from being adjacent or oriented towards single-family developments, in order to protect privacy of adjacent neighborhoods.

Staff recommends Stipulation No. 4 pertaining to enhanced landscaping standards along perimeter setbacks to include evergreen trees, whose foliage will remain intact year-round, to be placed where adjacent to single-family neighborhoods that exist in the area to further buffer this development from adjacent uses. A variety of trees sizes and ground cover material are also recommended in order to promote shade, visually appealing landscaped areas and to screen the site from adjacent uses. This is consistent with Goal 3 of the EPAP which intends to preserve neighborhoods.

Staff recommends Stipulation No. 5 which limits the maximum density in this development to 12.50 dwelling units per gross acre in order to maintain the compatibility with surrounding land uses. The conceptual site plan provided by the applicant depicts a density of 10.43 dwelling units per gross acre, thus this stipulation allows for additional flexibility in incorporating additional residential units during the site plan review process. This is consistent with Goal 3 of the EPAP which intends to preserve neighborhoods and allow new land uses where appropriate.

The Parks and Recreation Department was consulted regarding Esteban Park and it was determined that no additional improvements would be necessary by this development pertaining to Esteban Park.

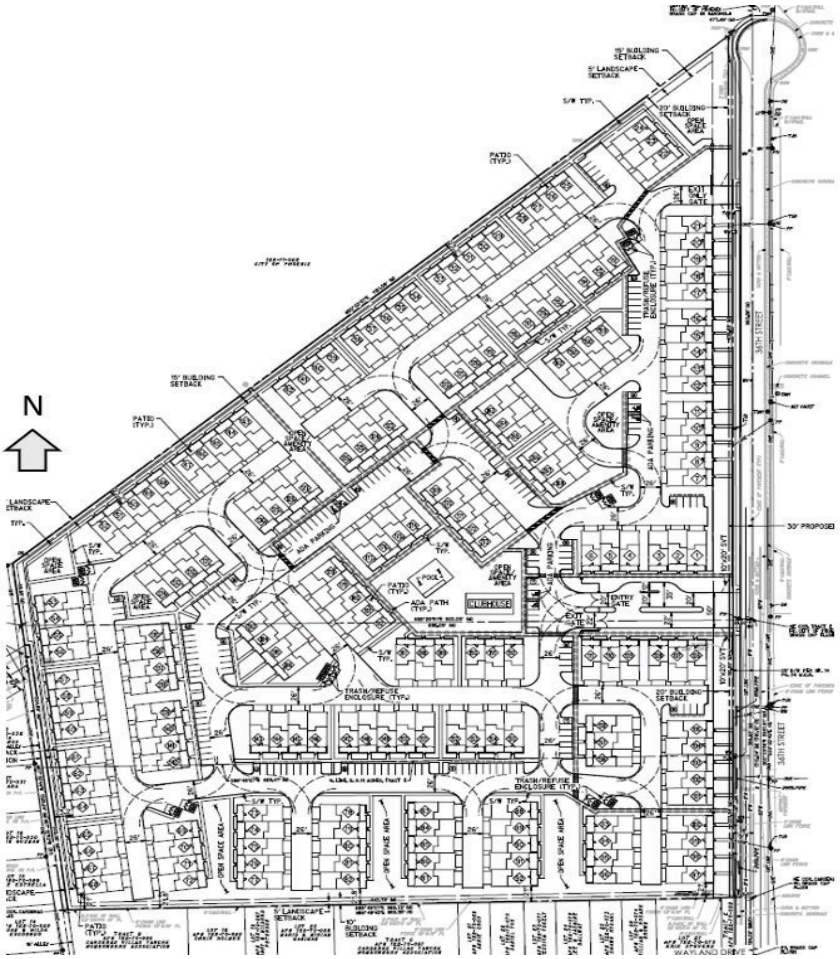
PROPOSAL

5. **Site Plan**

The applicant is proposing 192 condominiums or townhomes, with both two- and three-bedroom units, across multiple residential buildings distributed throughout the subject site. All of the proposed buildings will be two stories, under 30 feet in height. Multiple pedestrian and vehicular access points to the subject site are proposed along 36th Street, with private vehicular drives connecting individual unit garages and parking spaces. Two parking spaces are proposed within each residential unit garage, with uncovered parking spaces available throughout the site.

Staff is recommending Stipulation No. 6 to require that access to this development is maintained along 36th Street, a minor collector street. The site is adjacent to San Francisco Drive, a local street, but no access is proposed access along this roadway. Stipulation No. 6 will ensure that access to the site is maintained along a minor collector street, and not a local street accessed by residents in the adjacent residential neighborhood.

Conformance to the conceptual site plan provided by the applicant is not recommended by staff in order to allow additional flexibility to the applicant in incorporating additional residential units as part of this development during the site plan review process up to 12.5 dwelling units per gross acre.



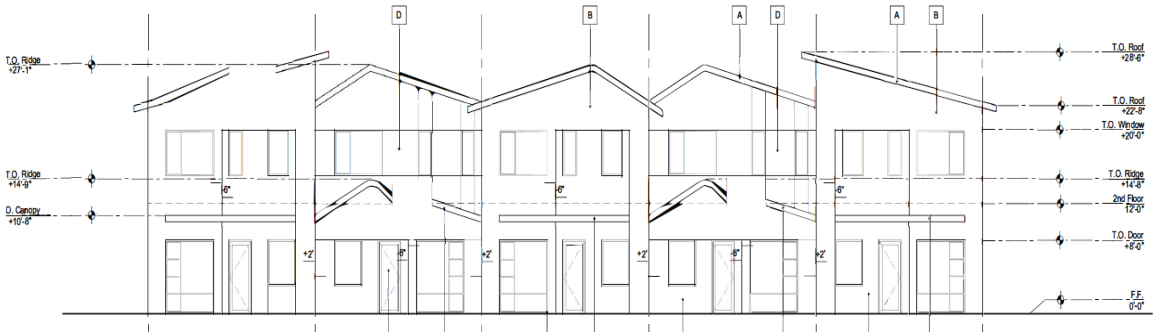
Conceptual Site Plan, Source: 3 Engineering

6. **Elevations**

The conceptual building elevations depict three types of buildings with various architectural features such as pitched roofs, windows of various sizes, front patios and four-sided architecture. The conceptual building elevations proposed depict a maximum height of two stories and 25 feet to the mid-point between top of peak and eaves.

Staff is recommending a stipulation to require building elevations to incorporate a variety of colors, materials and architectural features. This is addressed in Stipulation No. 1, in addition to requiring a minimum of 25 percent of building elevations oriented towards 36th Street and Esteban Park, to provide accent materials that exhibit quality and durability in order to ensure that the buildings on this site remain in good condition into the future.

Stipulation No. 7 recommends language that requires an entryway for individual residential units adjacent to 36th Street and Esteban Park in order to promote the use of these areas by residents and to “place eyes on the street” (and on the park) to promote safety.



Conceptual Front 4-plex Building Elevation, Source: MOD Architecture + Planning



Conceptual Front 5-plex Building Elevation Rendering, Source: MOD Architecture + Planning

7. **Entryway and Wall Enhancements**

The development proposes a main vehicular entryway along 36th Street, a minor collector public street, which connects to Southern Avenue, an arterial street. In order to promote a sense of place for future residents, Stipulation No. 8 recommends that the primary entrance to the development along 36th Street incorporate several uniquely identifying elements such as pedestrian paths, landscaped median plus entryway, and decorative driveway surfaces.

Furthermore, Stipulation No. 9 requires open view fencing or a combination of maximum three feet of solid masonry topped by open view fencing be located along Esteban Park in order to enhance visibility to this open space. In addition, Stipulation No. 10 recommends that any perimeter walls visible from public streets or Esteban Park shall include material and textural differences for visual interest and contribute an enhanced image to the surrounding community.



Conceptual Entryway Rendering, Source: MOD Architecture + Planning



Conceptual Entryway Rendering, Source: MOD Architecture + Planning

8. **Open Space and Amenities**

The conceptual site plan depicts various open space areas distributed throughout the development for future residents to enjoy. Staff is recommending Stipulation No. 11 to require several amenities distributed throughout the development including:

- Swimming pool and clubhouse;
- Two picnic areas, each with one barbeque grill, shade ramada and a picnic table;
- Four benches distributed internally throughout the development, except that one bench shall be located within close proximity to 36th Street;
- Turf area(s) of no less than a combined 1,000 square feet;
- Community garden areas totaling a minimum of 1,000 square feet and containing a tool library, irrigation and one bench or seating feature;

These amenities will promote the health of future residents by providing recreational opportunities through various activities, allowing the enjoyment of sunlight, and having a communal space that enables social interactions while growing food.

Stipulation No. 12 recommended by staff, requires that a minimum of 50 percent shade is provided in open space areas, including amenity and seating areas, in addition to having open space areas covered by vegetative ground cover. This will ensure that pedestrians can enjoy natural shade and visually-pleasing “green” open areas.



Conceptual Amenity Area Rendering, Source: MOD Architecture + Planning

9. **Pedestrian Circulation**
The conceptual site plan depicts various pedestrian connections throughout the development. Stipulation No. 13 recommends that internal pedestrian paths are shaded a minimum of 75 percent in order to promote walkability within the site by cooling walking areas. Stipulation No. 14 recommends that a system of pedestrian paths are provided and incorporates the following elements:

- Direct connection to the 36th Street sidewalk from residential units adjacent to the public street;
- Two pedestrian paths connecting the site to the 36th Street sidewalk;
- Pedestrian-scale illumination of the site from east to west in order to have a central pedestrian path where residents throughout the development can walk to and be connected to the primary entry area;
- Alternative paving material for pedestrian paths where these cross vehicular drives;
- Connections to and between residential dwellings, active open space areas, amenity facilities and the sidewalk along 36th Street;

10. **36th Street Enhancements**
The conceptual site plan shows a significant portion of this development adjacent to 36th Street, which connects Southern Avenue (south) with Esteban Park (north). Furthermore, the terminus of 36th Street is also the junction of two proposed multi-use trails, Esteban Park and the old San Francisco Canal. These circumstances presented an opportunity to activate the 36th Street frontage along this development with several enhancements as described below.



Conceptual Rendering with Planning and Development Department annotations,
Source: MOD Architecture + Planning

Staff recommends Stipulation No. 15 that pertains to a pedestrian node and amenity area located at the terminus of the 36th Street cul-de-sac, at the northern portion of this development. This stipulation requires several enhancements to promote activity within this portion of the site, adjacent to 36th Street and Esteban Park, beyond what is required as part of Stipulation No. 11, in order to promote a sense of place, recreation and activity, and to create a safer environment. Several enhancements within this pedestrian node/amenity area include:

- Two benches or seating features;
- Bicycle repair station ("fix it station");
- Amenity area that includes either or/combination of a community garden, art feature, nature walk, natural features such as boulders or fountains, or other uniquely identifying features; and
- A landscaped accent area with plants that will maintain a constant bloom throughout the year.

Stipulation No. 16 as recommended by staff, will require a shaded detached sidewalk along 36th Street with trees and shrubs to create an aesthetically pleasing environment that creates a sense of safety by separating cars and pedestrians. The trees located within this landscape strip will shade and cool the sidewalk and promote walking by pedestrian along 36th Street.

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. Staff is recommending several stipulations designed to provide trees and enhance shade within the development.

Staff is recommending stipulations for enhanced landscaping and shaded sidewalks along the perimeter property lines as follows:

- Fifty-percent two-inch caliper, forty-percent three-inch caliper and ten-percent four-inch caliper trees within the required landscape setbacks (Stipulation No. 4);
- Fifty-percent of open space areas are to be shaded (Stipulation No. 12);

- Internal pedestrian paths are to be shaded a minimum of 75 percent via architectural shade or trees at maturity (Stipulation No. 13);
- The sidewalk along 36th Street shall be detached and shaded a minimum of 75 percent with three-inch caliper trees (Stipulation No. 16).

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. This development will help to pedestrianize the immediate street frontages by requiring a direction connection from residential units to 36th Street, where these units are adjacent. In addition, the stipulations recommended by staff address shaded detached sidewalk along 36th Street and a system of shaded internal pedestrian thoroughfares to promote walkability, as described previously.

A bicycle repair station at the 36th Street cul-de-sac terminus and a bicycle u-racks within each vehicular access point to the development will further promote the use of alternative transportation by future residents.

13. **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 proposed conceptual site plan or application materials do not indicate whether recycling facilities will be made available to residents.

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 a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant land in a

more sustainable fashion.

Stipulation No. 5 would allow the developer to construct up to 12.50 dwelling units per gross acre on the site, up to 230 dwelling units. The proposed site plan submitted by the applicant depicts 192 condominiums or townhomes on the subject site. If this development is approved, it would allow a new type of housing product in the area and new housing opportunities for existing and new residents to the area.

COMMUNITY INPUT SUMMARY

15. As of the writing of this report, staff received three letters in support and one letter with concerns about the development. The letter of concern cited issues with the construction of more homes in District 8, an area with lots of youth in distress. The three letters in support cited reasons such as land use compatibility with the existing area, appropriate scale, high-quality development, and access to healthy food via the community garden amenity on site.

INTERDEPARTMENTAL COMMENTS

16. The Public Transit Department provided comments pertaining to pedestrian pathways connecting building entrances and public sidewalk via the most direct route. Also, comments were provided to recommend alternative paving material where pedestrian pathways cross drive aisles, and providing a minimum of 75 percent shade along pedestrian paths, including public sidewalks. These comments are addressed in Stipulation Nos. 7, 8, 13, 14, and 16. Stipulation No. 18 which addresses traffic calming measures at points of ingress or egress to the site, was also recommended by staff in order to promote the safety of pedestrians traveling along 36th Street.

17. The Street Transportation Department provided comments pertaining to multi-use trail alignments envisioned within the site, pedestrian pathways connecting the site to Esteban Park and bicycle infrastructure to promote multimodal transportation. The multi-use trail which crosses the subject site east to west is no longer being required by the Parks and Recreation Department to be constructed within this site as there is a strip of land (San Francisco Canal) that divides the subject site and Esteban Park, where the trail presently ends. Direct pedestrian access from the subject site to Esteban Park was not recommended as there is a strip of land (San Francisco Canal) that divides the site and Esteban Park. Furthermore, private connections to public parks are typically not allowed by the Parks and Recreation Department.

    Bicycle infrastructure, including a bicycle repair station is addressed in Stipulation Nos. 15 and 17. Additional comments from the Street Transportation

Department included right-of-way dedication and completion of the cul-de-sac along 36th Street, undergrounding or relocation of existing irrigation facilities, and other general street improvement requirements. These comments are addressed in Stipulation Nos. 19 through 22.

18. The Aviation Department requires that the property owner record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. Furthermore, that an avigation easement is dedicated to the City of Phoenix as this property is within the PHX International Airport traffic pattern airspace and seeking noise sensitive land use. These are addressed in Stipulation Nos. 23 and 24.

19. The site is located in a larger area identified as being archaeologically sensitive. In further review by the City of Phoenix Archaeology Office, it was determined that the Phase I testing conducted on the subject site by the applicant does not warrant additional archaeological testing. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 25.

20. The Fire Department indicated there are no problems anticipated with the case and that the site and/or buildings shall comply with the 2018 International Fire Code with Phoenix Amendments. 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 Fire Code. Lastly, it was referenced that a fire apparatus access road needs to be provided to the site for adequate access.

21. The Water Services Departments commented that the property has existing water and sewer mains that can potentially serve the development. However, capacity is a dynamic condition that can change over time due to a variety of factors. Furthermore, the City intends to provide water and sewer service, requirements and assurances for which are determined during the site plan review process. For any given property, water and sewer requirements may vary over time to be less or more restrictive depending on the status of the City's water and sewer infrastructure. Both water and sewer mains exist along 36th Street.

22. The Floodplain Management division of the Public Works Department has indicated that the parcel is not located in a Special Flood Hazard Area (SFHA).

OTHER

23. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements such as obtaining a use permit to conduct the proposed outdoor use in this zoning district. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. As stipulated, the requested R-3 zoning is consistent with surrounding land uses and will allow for an appropriate transition between single-family residential uses, a public park, and commerce park development.

2. This proposed development provides a new housing option in the area that is consistent with surrounding developments and the goals of the Esteban Park Area Plan (EPAP).

3. The development, as stipulated, will improve connectivity in the area and activates the 36th Street and Esteban Park frontages.

Stipulations

1. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department:

    a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.

    b. Building elevations adjacent and oriented to public streets and the public park, shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material that exhibits quality and durability.

    c. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies, as approved by the Planning and Development Department.

2. Building height shall be limited to two stories and 30 feet.

3. There shall be no balconies on the upper floors of residential dwellings adjacent or oriented toward single-family residential homes not part of this development.

4. The required landscape setbacks shall be planted to the following standards, as described below and as approved or modified by the Planning and Development Department:

    a. Large canopy evergreen trees 20 feet on center, or in equivalent groupings, shall be planted where residential units are adjacent or oriented towards single-family residential homes not a part of this development;

    b. Large canopy drought-tolerant trees 20 feet on center, or in equivalent groupings, shall be utilized unless otherwise stated;

    c. 50 percent 2-inch caliper, 40 percent 3-inch caliper and 10 percent 4-inch caliper trees shall be utilized;

    d. Five 5-gallon shrubs per tree, and additional shrubs or live groundcover, shall provide minimum 75 percent live cover at maturity;

    Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

5. The development shall be limited to a density of 12.50 dwelling units per gross acre.

6. The development shall provide a primary and secondary vehicular access to the site along 36th Street. The secondary access point may serve as vehicular ingress and egress, or limited to vehicular egress and emergency access only, as approved or modified by the Planning and Development Department.

7. Individual dwelling units adjacent to 36th Street and Esteban Park shall provide an entryway that is either elevated, depressed or includes a feature such as a low wall not exceeding 40 inches in height to accentuate the primary entrance, plus oriented towards the public street or public park, as approved by the Planning and Development Department.

8. The primary entrance to the development from 36th Street shall include the following elements, as approved by the Planning and Development Department:

    a. Pedestrian pathways connecting the interior of the development to the public sidewalks along both sides of the vehicular entryway into the development.

    b. The pedestrian pathways shall be detached from the primary vehicular entryway

with a minimum 5-foot wide landscaped accent area provided on both sides of the entryway into the development. The landscaped accent areas shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.

c. A median island of no less than 5 feet in width shall be located centrally within the vehicular entryway into the development and accented by a minimum of three drought-tolerant trees, and drought-tolerant, ornamental, flowering shrubs to provide a minimum 75 percent live cover. Twenty five percent of the required live cover may be ground cover plants.

d. The driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.

9. Perimeter walls adjacent to the public park shall be limited to open view fencing or a combination of maximum three feet of solid masonry topped by open view fencing, as approved by the Planning and Development Department.

10. All perimeter walls visible from a public street shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.

11. The development shall include the following amenities and elements at a minimum, distributed between the open space area(s) throughout the site, as approved by the Planning and Development Department:

a. Swimming pool.

b. Clubhouse.

c. Two picnic areas, each with one barbecue grill, shade ramada and a picnic table.

d. Five benches distributed throughout the development, including one bench located within close proximity to 36th Street.

e. Turf area(s) of no less than a combined 1,000 square feet.

f. Community garden area(s) of no less than a combined 1,000 square feet that will each include a garden tool library, irrigation, and one bench or seating feature.

12. Open space areas shall have a minimum 50 percent shade, including amenity and seating areas, and a minimum of 50 percent live vegetative cover (shrubs, grasses, or groundcover plants), as approved by the Planning and Development Department.

13. Pedestrian paths shall be shaded to a minimum of 75 percent using architectural shade and/or shade trees at full maturity, as approved by the Planning and Development Department.

14. The developer shall provide a system of pedestrian thoroughfares, as described below and as approved or modified by the Planning and Development Department:

    a. Direct connection to the sidewalk along 36th Street for individual dwelling units adjacent to this street.

    b. The developer shall provide a minimum of two pedestrian paths connecting to the sidewalk along 36th Street, exclusive of pedestrian connections along vehicular entryways.

    c. Illuminated by pedestrian scale lighting per Section 1304(H)5 for a pathway connecting 36th Street along the primary entrance, passing through a central amenity area, and terminating at the west property line.

    d. Where pedestrian paths and vehicular crossings exist, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.

    e. Connections to/between:

        (1) All residential dwellings;

        (2) All amenity facilities and active open space areas;

        (3) The sidewalk along 36th Street;

15. The development shall provide a minimum 1,000 square foot pedestrian seating node and amenity area along the most northern portion of the development adjacent to the western edge of 36th Street (future cul-de-sac portion) to include the following elements at a minimum, as approved by the Planning and Development Department:

    a. Two benches or seating features;

b. Bicycle repair station (“fix it station”) provided and maintained in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

c. Amenity area that includes either/or combination of a community garden, art feature, nature walk, natural features such as boulders or fountains, or other uniquely identifying features;

d. A landscaped accent area, exclusive of perimeter landscaping and right-of-way, planted and maintained with at least three plant materials including a series of annuals that will each maintain a constant bloom throughout the year;

16. The public sidewalk along 36th Street shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department:

    a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 25 feet on center or in equivalent groupings to provide shade to a minimum 75 percent of the sidewalk.

    b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.

    Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

17. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near each vehicular point of ingress or egress and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

18. The developer shall provide traffic calming measures at all vehicular points of ingress / egress to slow vehicles departing the development and crossing the public sidewalks, as approved by the Planning and Development Department.

19. The developer shall dedicate a minimum of 5 feet of right-of-way for a total 30-foot half-street right-of-way, and construct the west half of 36th Street, as approved by the Planning and Development Department.

20. The developer shall complete the 50-foot radius cul-de-sac termination at 36th Street, as approved by the Planning and Development Department.

21. Existing irrigation facilities along 36th Street are to be undergrounded and/or relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.

22. 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.

23. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.

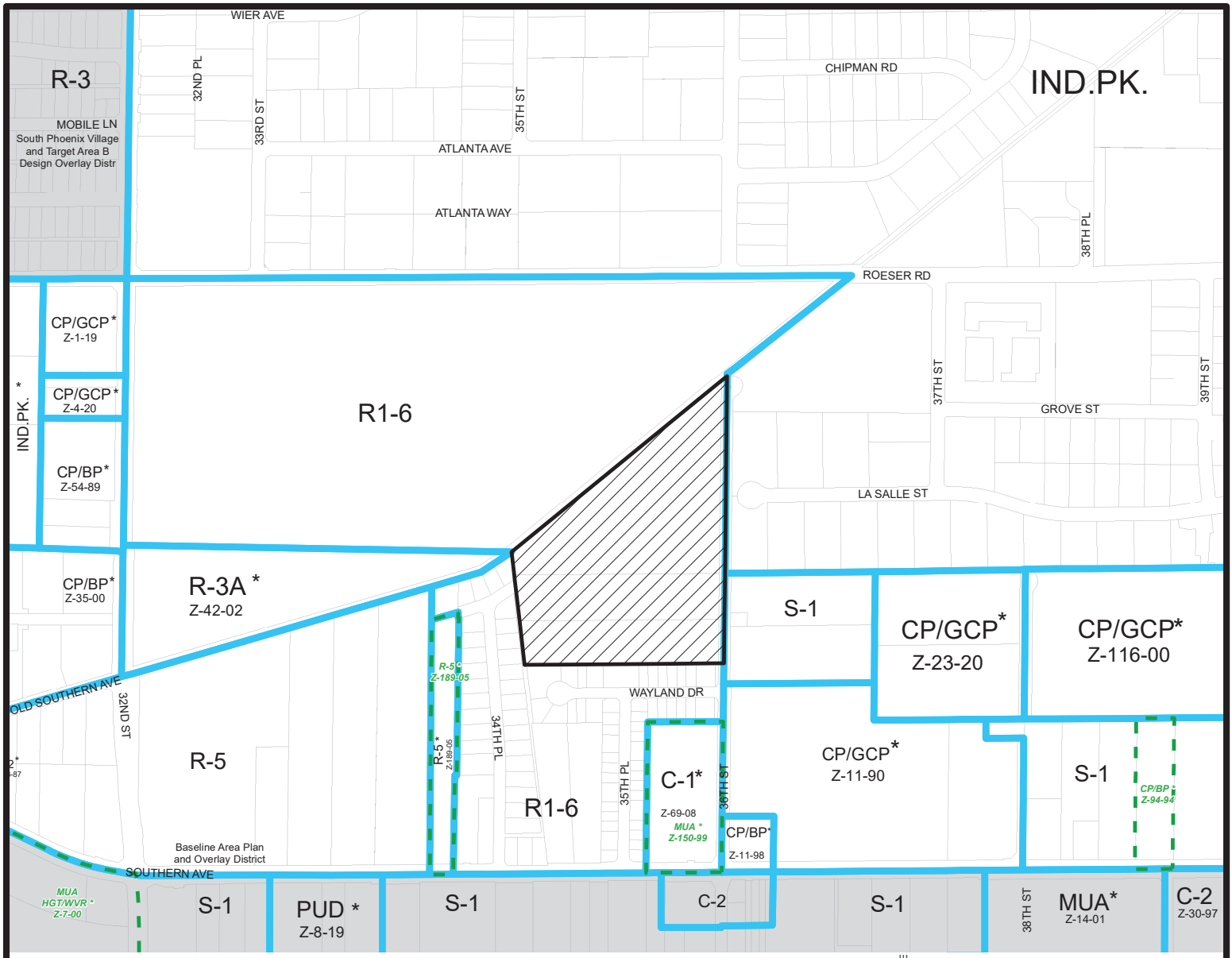
24. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

25. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

Writer
Enrique Bojórquez-Gaxiola
April 29, 2021

Team Leader
Samantha Keating

Exhibits
Zoning sketch map
Aerial sketch map
Conceptual Site Plan date stamped April 6, 2021 (2 page)
Conceptual Building Elevations date stamped February 4, 2021 (3 pages)
Community Correspondence (5 pages)



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SOUTH MOUNTAIN VILLAGE

CITY COUNCIL DISTRICT: 8



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: Withey Morris PLC

REQUESTED CHANGE:

FROM: R1-6 (18.41 a.c.)

TO: R-3 (18.41 a.c.)

APPLICATION NO. Z-8-21

DATE: 3/5/2021

REVISION DATES:

GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.

18.41 Acres

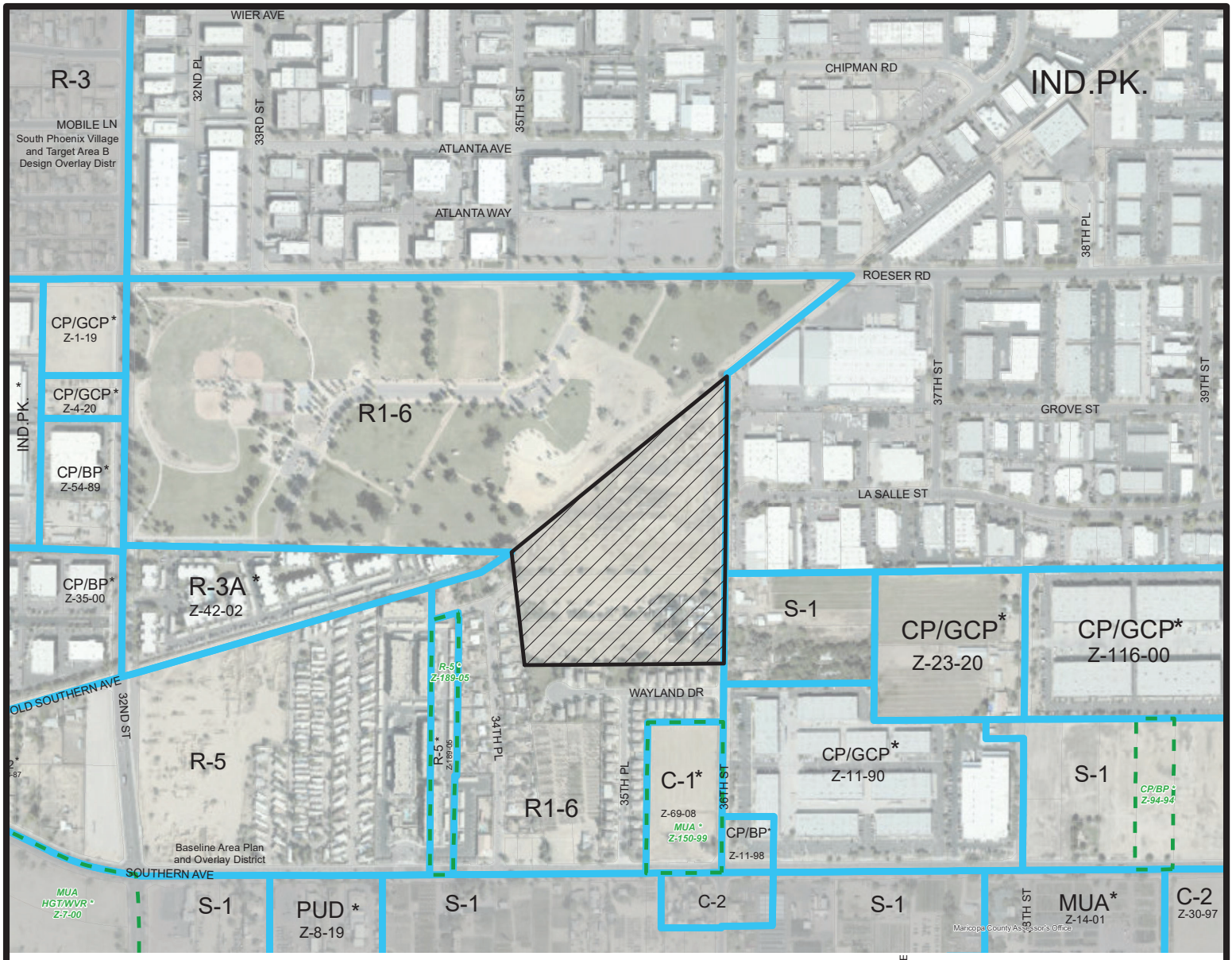
AERIAL PHOTO & QUARTER SEC. NO.: QS 3-35

ZONING MAP: D-10

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
R1-6	97	119
R-3	267	320

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

Document Path: S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\sketch_maps\2021\Z-8-21.mxd



Miles

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

Document Path: S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\sketch_maps\2021\Z-8-21.mxd

PRELIMINARY SITE PLAN
FOR

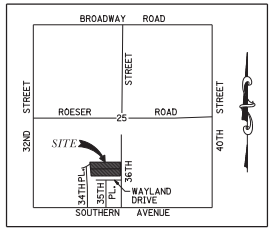
TOWNHOMES ON 36TH ST.

MULTI-FAMILY

NORTH OF 36TH ST. & SOUTHERN AVE., PHOENIX, ARIZONA 85040

LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 3 EAST
OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

INDEX OF SHEETS	
SHEET NO.	DESCRIPTION
PSP01	PRELIMINARY SITE PLAN - COVER
PSP02	PRELIMINARY SITE PLAN



VICINITY MAP
N.T.S.

SITE PLAN NOTES: (CITY OF PHOENIX)

1. DEVELOPMENT AND USE OF THIS SITE WILL CONFORM WITH ALL APPLICABLE CODES AND ORDINANCES
2. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND
3. STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURED BACK 10' FROM THE PROPERTY LINE AND 20' ALONG THE PROPERTY LINE ON EACH SIDE OF THE DRIVEWAY ENTRANCES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'
4. ANY LIGHTING WILL BE PLACED SO AS TO DIRECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL DISTRICTS AND WILL NOT EXCEED ONE FOOT CANDLE AT THE PROPERTY LINE. NO NOISE, ODOR OR VIBRATION WILL BE EMITTED AT ANY LEVEL EXCEEDING THE GENERAL NOISE, ODOR OR VIBRATION EMITTED BY USES IN THE AREA OUTSIDE THE SITE
5. OWNERS OF PROPERTY ADJACENT TO PUBLIC RIGHT-OF-WAY WILL HAVE RESPONSIBILITY FOR MAINTAIN ALL LANDSCAPING LOCATED WITHIN THE RIGHTS-OF-WAY, IN ACCORDANCE WITH APPROVED PLANS
6. AFTER FINAL APPROVAL THE PROJECT WILL BE INSPECTED FOR ZONING COMPLIANCE DURING CONSTRUCTION AND PRIOR TO OCCUPANCY. THE APPLICANT IS TO NOTIFY D.S.D. PRIOR TO OCCUPANCY TO ARRANGE FOR INSPECTIONS. CALL 602-262-6981 AND REQUEST A DESIGN REVIEW INSPECTION
7. ALL ROOFTOP EQUIPMENT AND SATELLITE DISHES SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST EQUIPMENT
8. ALL SERVICE AREAS SHALL BE SCREENED TO CONCEAL TRASH CONTAINERS, LOADING DOCKS, TRANSFORMERS, BACK-FLOW PREVENTERS AND OTHER MECHANICAL OR ELECTRICAL EQUIPMENT FROM EYE LEVEL ADJACENT TO ALL PUBLIC STREETS
9. BARED, RAZOR OR CONCERTINA WIRE (OR SIMILAR) OR CHAIN LINK SHALL NOT BE USED ON THIS SITE WHERE VISIBLE FROM PUBLIC STREETS OR ADJACENT RESIDENTIAL AREAS
10. SMOKE, GAS, AND ODOR EMISSIONS SHALL COMPLY WITH REGULATION III OF THE MARICOPA COUNTY AIR POLLUTION RULES AND REGULATIONS.
11. THE DISPOSAL OF ALL WASTE MATERIALS SHALL COMPLY WITH TITLE 9, CHAPTER 9, ARTICLES 18 AND 4 OF THE HAZARDOUS WASTE REGULATIONS AS ADOPTED BY THE ARIZONA HEALTH DEPARTMENT
12. ALL SIGNAGE REQUIRES SEPARATE APPROVALS AND PERMITS

I CONSENT TO THE REPRODUCTION OF THIS SITE PLAN PROVIDED THAT IF MODIFICATIONS ARE MADE, THE ARCHITECTS WHO MAKE SUCH CHANGES ASSUME FULL RESPONSIBILITY AND LIABILITY FOR THE MODIFIED PORTION OF THE PLAN.

3-31-21
SIGNATURE OF COPYRIGHT OWNER — DATE
DANIEL G. MANN
PRINTED NAME OF COPYRIGHT OWNER

APN NUMBERS:

APN 122-70-002, APN 122-70-008 & APN 122-71-003

ADDRESS:

5252, 5814 & 5822 S. 36TH STREET
PHOENIX, ARIZONA 85040

APPLICANT:

AVENUE NORTH, LLC
7377 E. DOUBLETREE RANCH ROAD, STE. 270
SCOTTSDALE, ARIZONA 85258

CONTACT: RYAN HARTMAN
PHONE: (480) 907-4010

CLIENT:

AVENUE NORTH, LLC
7377 E. DOUBLETREE RANCH ROAD, STE. 270
SCOTTSDALE, ARIZONA 85258

CONTACT: RYAN HARTMAN
PHONE: (480) 907-4010

ENGINEER:

3 ENGINEERING
6370 E. THOMAS ROAD, SUITE # 200
SCOTTSDALE, ARIZONA 85251

CONTACT: DANIEL G. MANN, P.E.
PHONE: (602) 334-4387
EMAIL: DAN@3ENGINEERING.COM

NOTE:

BUILDINGS SHALL BE SPRINKLERED WITH NFPA 13R OR NFPA 13 SPRINKLER SYSTEM

UNIT DATA

UNIT NAME	UNIT TYPE	GROUND AREA (SF)	UNIT AREA (SF)	GARAGE AREA (SF)	UNIT COUNT	PERCENTAGE
**PLAN 1	2BR/2.5BA	1,070	1,517	506	83	43.23%
**PLAN 2	3BR/2.5BA	1,114	1,678	506	109	56.77%
TOTALS					192	100%
UNIT AVERAGE NET SF: 1,608						

** 2-STORY BUILDINGS, ALL BUILDINGS TYPE V-B

PROJECT DATA

EXISTING/PROPOSED ZONING	R1-6 / R-3 AVERAGE LOT	
GROSS AREA	18.393 ACRES	801,219 SF
NET AREA	17.625 ACRES	767,759 SF
OPEN SPACE	5% OF GROSS	40,061 SF REQ.
PROPOSED DENSITY	10.44 UNITS/ACRE	
ALLOWED DENSITY	14.5 UNITS/ACRE	
LOT COVERAGE	27.67% OF NET AREA	212,420 SF/767,759 SF
		212,420 SF BUILDINGS
OPEN SPACE PROVIDED	6.48% OF GROSS AREA	51,971 SF
PARKING LOT LANDSCAPE		
TOTAL PARKING AREA	29,925 SF	
LANDSCAPE AREA REQUIRED	5%	1,497 SF
LANDSCAPE AREA PROVIDED	24.3%	7,265 SF
PARKING CALCULATIONS		
REQUIRED	83 X 1.5 = 125	2 BEDROOM UNIT
	109 X 2 = 218	3 BEDROOM UNIT
	83 X 0.5 = 42	0.5 GUEST/2 BED UNIT
	109 X 1 = 109	1 GUEST/3 BED UNIT
TOTAL GUEST REQUIRED	151 SPACES	
TOTAL REQUIRED	494 SPACES	
PROVIDE	165 UNCOVERED NON-ADA	
	384 GARAGE SPACES	
	6 UNCOVERED ADA	
TOTAL GUEST PROVIDED	171 SPACES (INCLUDING 6 ADA)	
TOTAL PROVIDED	555 SPACES (INCLUDING 6 ADA)	

LEGAL DESCRIPTION (APN 122-70-008):

THE NORTH 4.11 ACRES OF TRACT "E" OF THE SUBDIVISION OF LOTS 48, 60 AND 61 BARTLETT-HEARD LANDS, ACCORDING TO THE PLAT OF RECORD AS BOOK 14 OF MAPS, PAGE 34, RECORDS OF MARICOPA COUNTY, ARIZONA;

EXCEPT ANY PORTION LYING WITHIN THE SOUTH 9.11 ACRES OF SAID TRACT "E."

LEGAL DESCRIPTION (APN 122-70-002):

THE NORTH 4.11 ACRES OF THE SOUTH 9.11 ACRES OF TRACT "E" OF A SUBDIVISION OF LOTS 48-60-61 BARTLETT-HEARD LANDS, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED AS BOOK 14 OF MAPS, PAGE 34.

LEGAL DESCRIPTION (APN 122-71-003):

TRACT "G", A SUBDIVISION OF LOTS 48-60-61 BARTLETT-HEARD LANDS, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED AS BOOK 14 OF MAPS, PAGE 34.

APPROVALS

KIVA #: 20-4112
SDEV #: 2007970
PAPP #: 2014841
QS# : 3-35

CITY OF PHOENIX
APR 06 2021
Planning & Development Department

Page 390

C:\My Secure\Projects\1965_Avenue North_36th_St_Southern\1965psp01.dgn

TOWNHOMES ON 36TH ST.
NORTH OF 36TH ST. & SOUTHERN AVE, PHOENIX, AZ 85040
PRELIMINARY SITE PLAN

3 engineering
civil engineering planning surveying

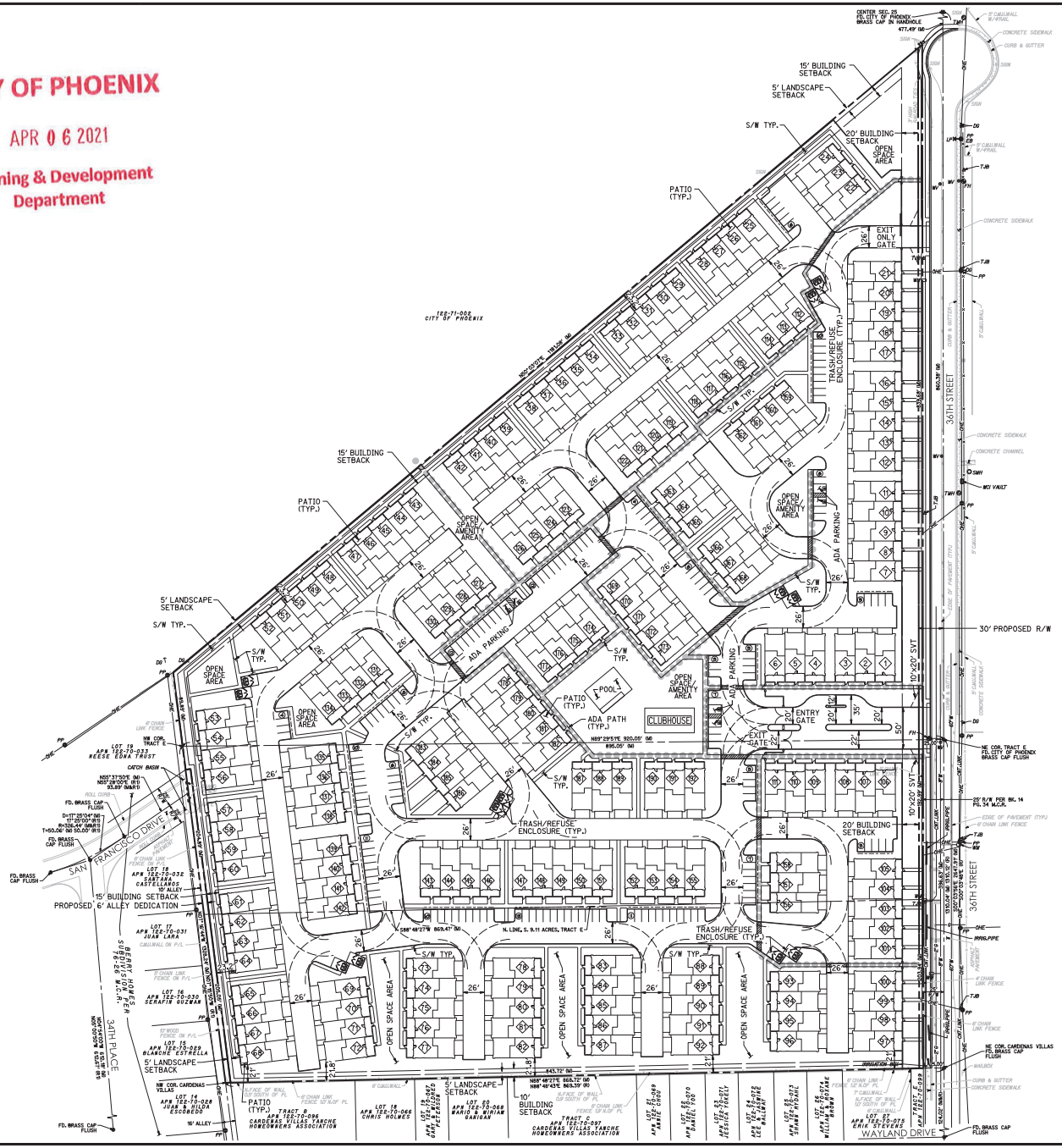
3 ENGINEERING, LLC
6370 E. THOMAS ROAD
SUITE # 200
SCOTTSDALE, ARIZONA 85251
PHONE: (602) 334-4387
FAX: (602) 490-0200
WWW.3ENGINEERING.COM

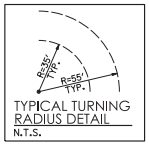
DATE: 03/31/21
PROJECT NO. 1965
SHEET NO. PSP01 1 of 2

CITY OF PHOENIX

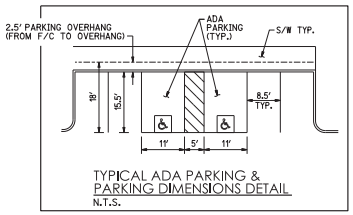
APR 0 6 2021

Planning & Development Department





TYPICAL TURNING RADIUS DETAIL
N.T.S.



TYPICAL ADA PARKING & PARKING DIMENSIONS DETAIL
N.T.S.

LEGEND:

- UNIT NUMBER
- PARKING SPACES
- ADA PARKING
- ADA PATH
- TRASH/REFUSE ENCLOSURE
- TURNING RADIUS

SCALE: 1"= 60'

0' 30' 60' 120'

APPROVALS

TOWNHOMES ON 36TH ST.

NORTH OF 36TH ST. & SOUTHERN AVE, PHOENIX, AZ 85040

PRELIMINARY SITE PLAN

3 engineering
planning civil engineering surveying

3 ENGINEERING, LLC
4370 E. INDIANOLA ROAD
SUITE # 200
SCOTTSDALE, ARIZONA 85251
PHONE: (602) 334-4087
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DATE: 03/31/21

PROJECT NO. 1965

SHEET NO. PSP02 2 of 2

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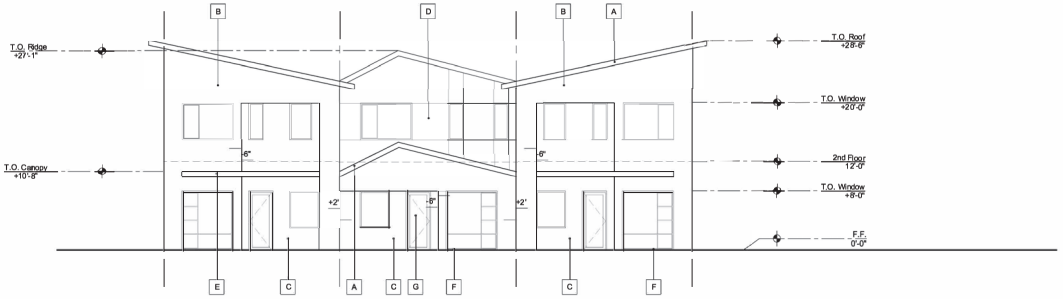
CITY OF PHOENIX
FEB 04 2021
Planning & Development Department



1 Front Elevation
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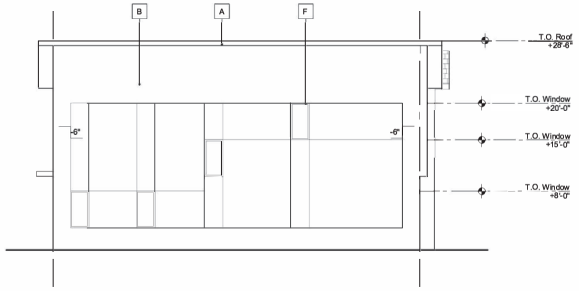

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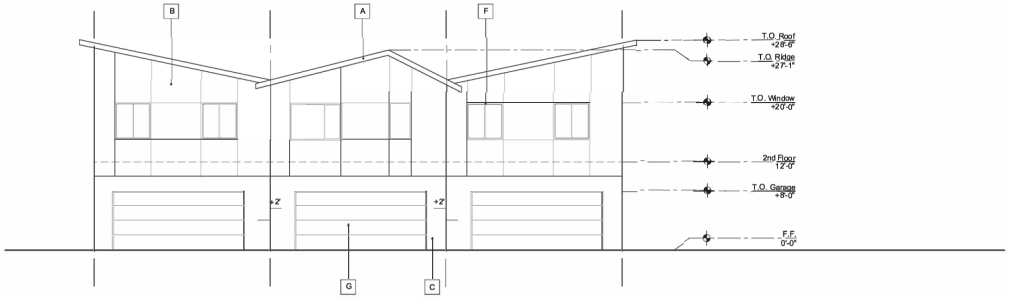

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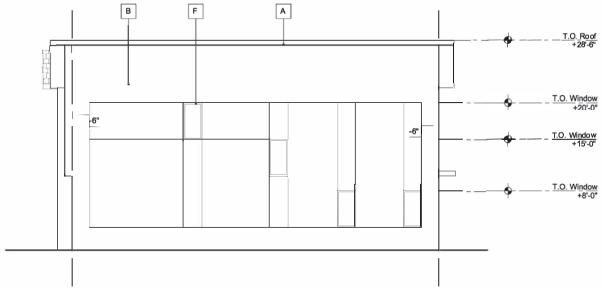


4 Side Elevation
Scale: 1/8"=1'-0"

36th Street & Sourthern
Phoenix, Arizona

project #
20006

scale
1/8"=1'-0"

date
02.01.21

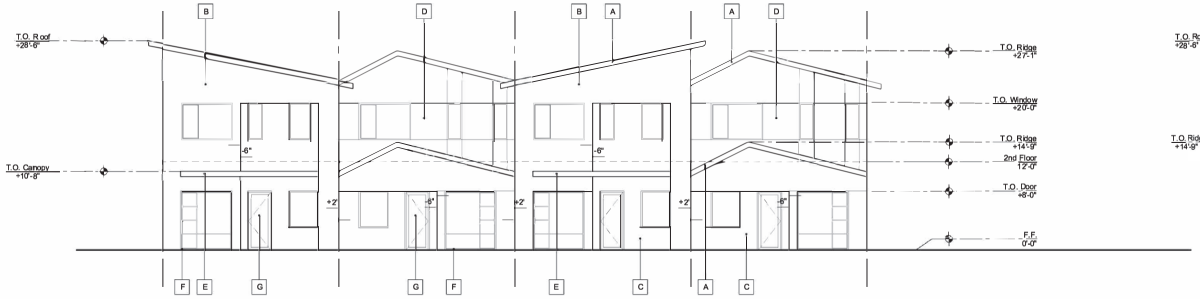
title
3 Plex Elevations

sheet no.
A.1

A	Concrete Roof Tile - Gray - With Dark Gray Fascia
B	Light Sand Finish Stucco System - White - With and Without Stucco Revels
C	Light Sand Finish Stucco System - Light Gray - With and Without Stucco Revels
D	Light Sand Finish Stucco System - Burnt Orange - With and Without Stucco Revels
E	Metal Entry Canopy - Dark Gray
F	Dark Bronze Window
G	Entry and Garage Doors - Painted Dark Teal

MoD a+p

CITY OF PHOENIX
FEB 04 2021
Planning & Development
Department



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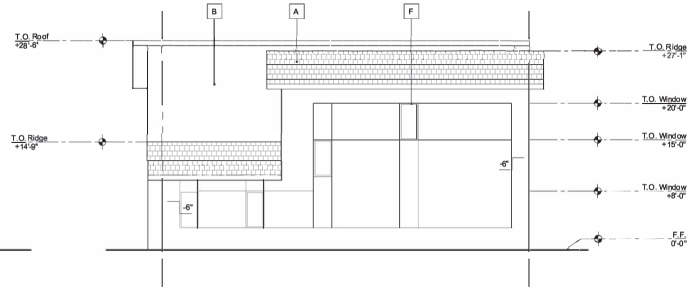

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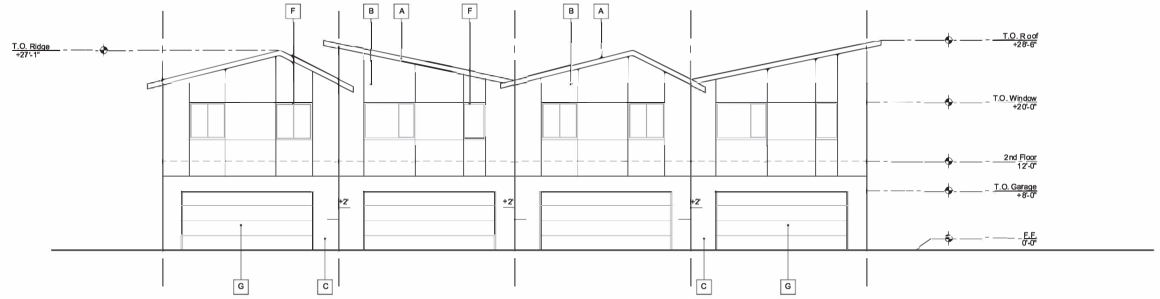

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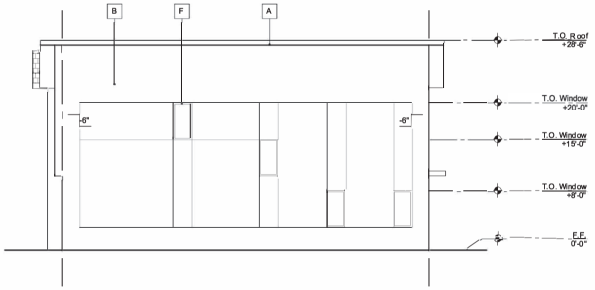


4 Side Elevation
Scale: 1/8"=1'-0"

36th Street & Sourthern
Phoenix, Arizona

project #
20006

scale
1/8"=1'-0"

date
02.01.21

title
4 Plex Elevations

sheet no.
A.2

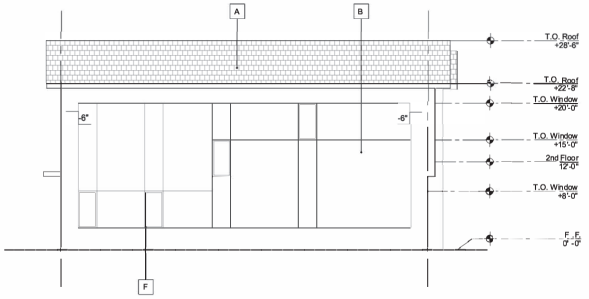
A	Concrete RoofTile - Gray - With Dark Gray Fascia
B	Light Sand Finish Stucco System - White - With and Without Stucco Revels
C	Light Sand Finish Stucco System - Light Gray - With and Without Stucco Revels
D	Light Sand Finish Stucco System - Burnt Orange - With and Without Stucco Revels
E	Metal Entry Canopy - Dark Gray
F	Dark Bronze Window
G	Entry and Garage Doors - Painted Dark Teal

MoD a+p

CITY OF PHOENIX
FEB 0 4 2021
Planning & Development
Department



1 Front Elevation
Scale: 1/8"=1'-0"



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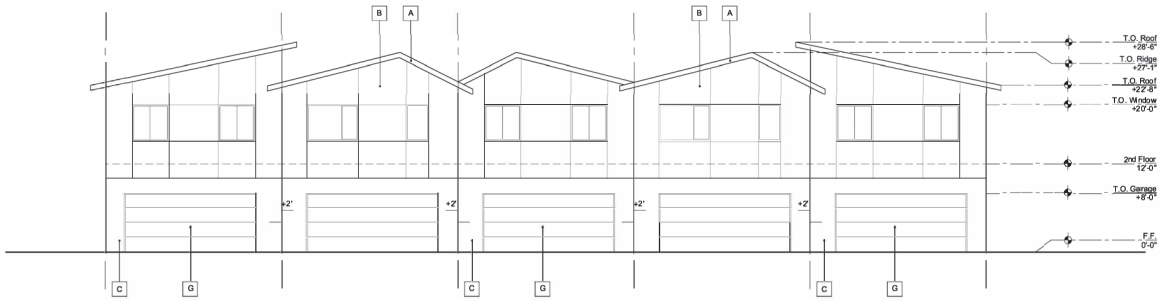

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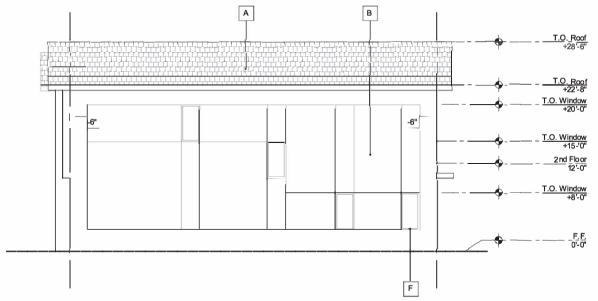

4 Side Elevation
Scale: 1/8"=1'-0"

36th Street & Sourthern
Phoenix, Arizona

project #
20006

scale
1/8"=1'-0"

date
02.01.21

title
5 Plex Elevations

sheet no.
A.3

A	Concrete Roof Tile - Gray - With Dark Gray Fascia
B	Light Sand Finish Stucco System - White - With and Without Stucco Reveals
C	Light Sand Finish Stucco System - Light Gray - With and Without Stucco Reveals
D	Light Sand Finish Stucco System - Burnt Orange - With and Without Stucco Reveals
E	Metal Entry Canopy - Dark Gray
F	Dark Bronze Window
G	Entry and Garage Doors - Painted Dark Teal

MoD a+p

From:	jade@jadestorm.com
To:	ben@witheymorris.com
Cc:	Enrique A Bojorquez-Gaxiola; PDD Zoning Adjustment
Subject:	Rezoning Application (Z-8-21) Hearing March 4, 2021
Date:	Monday, March 1, 2021 6:35:56 PM

Hi Benjamin,

I previously left you a voice mail requesting your return call. I definitely will not be able to attend the up-coming meeting, and wish your client the best.

My concerns have not changed when it comes to building more homes in District 8, a high youth distressed boundary for Mir`Ra IMAGE.

Should your client get the approval from the City of Phoenix Zoning Officers to rezone this already distressed area, with many registered sex offenders and medical marijuana entities do they have a youth-based neighborhood organization already in place to support?

If not, will your client be willing to make a monthly tax-deductible contribution to support my efforts and vision for Mir`Ra IMAGE?

Once again, the neighborhood organization is a registered non-profit private foundation to help inspire our young adults to reflect leadership, while educating the community towards a sustainable environment. Bringing on more young adults and youth to South Phoenix and not supporting this local neighborhood organizations will not be in the best interest as I am already struggling to help keep them focused on their education and a healthier lifestyle.

Warmest regards, Jadestorm

"Where there is love there is everlasting life!"

Jadestorm Shamsid-Deen
CEO/ President/ Founder

SWIYYAH, LLC and Mir`Ra IMAGE, Inc.
Jadestorm.com [jadestorm.com]
Mirraimage.org [mirraimage.org]

9307 S. 51st Ave #1160
Laveen, Arizona 85339
Cell 480-580-7653
Google Voice 480-253-9011

Mir`Ra IMAGE is a 501(C)(3) Private Foundation.

Community Resource | Green Fashion | Organic Entertainment | Students Opportunity for Success

Our goal is to focus on inspiring young adults, entrepreneurs and the community to reflect leadership towards sustainable fashion and entertainment.

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602.735.5652 Tel
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bill.bayless@cbre.com
www.cbre.com

March 23, 2021

Enrique Bojórquez-Gaxiola
South Mountain Village Planner
City of Phoenix, Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

RE: SoMo at Esteban – Z-8-21/GPA-SM-1-21

Dear Mr. Bojórquez-Gaxiola:

I am a neighboring property owner and I am writing in support of the proposed SoMo at Esteban townhome development. My property is located at 3601 E. La Salle Street, right across the street from the subject site.

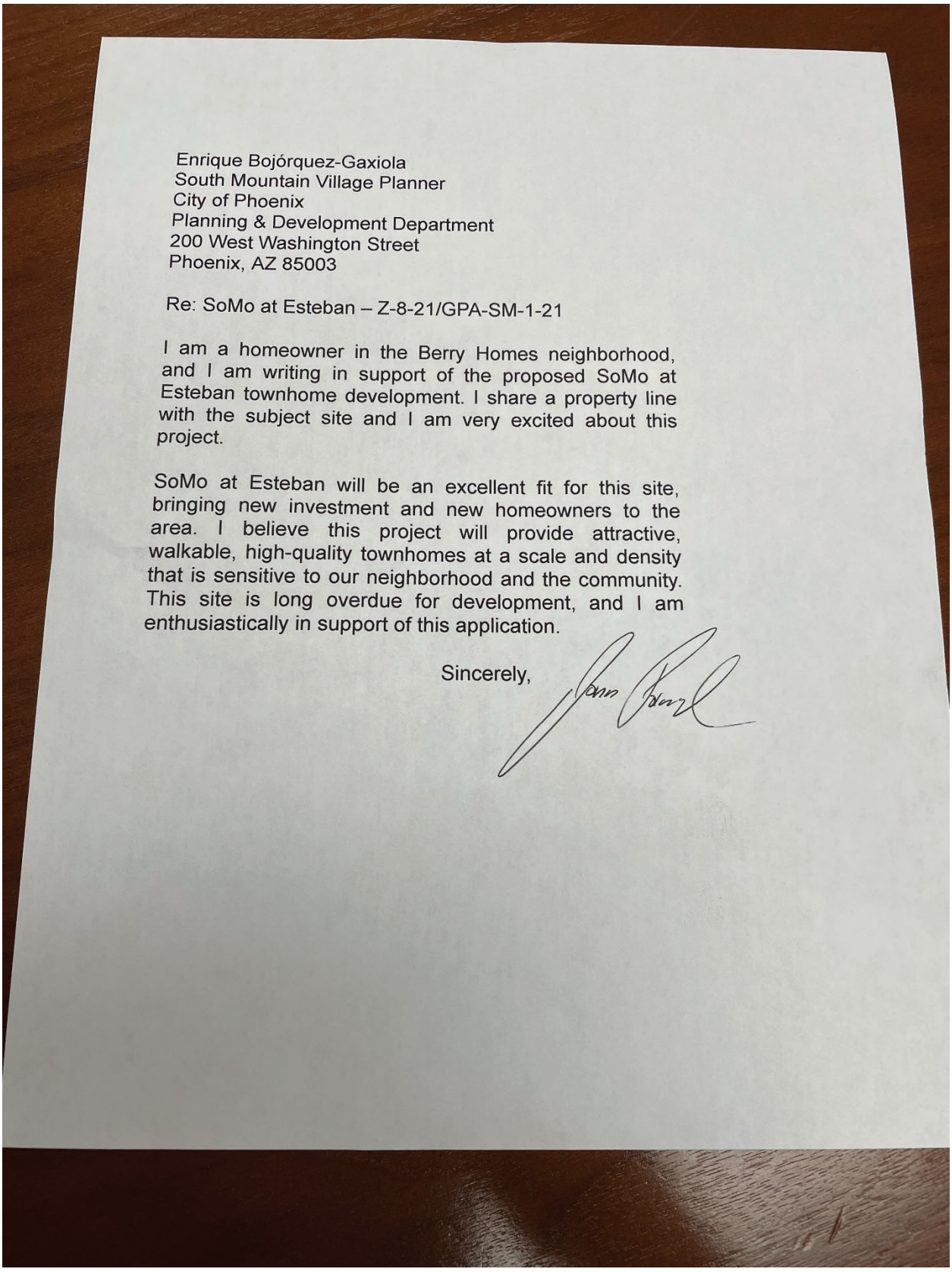
I've had the opportunity to speak with the development team and review the conceptual plans for the proposed townhome community. SoMo at Esteban is an attractive, well-designed community that will provide an excellent transition between the industrial/commerce uses in our business park and the single-family homes west of the site. Their proposal is the perfect missing piece to tie in with the rest of the community and provide connectivity to Esteban Park.

This proposal is the kind of smart, contextually appropriate development the City needs, and I am in full support of Avenue North's applications.

Sincerely,

William Bayless

Bill Bayless
Senior Vice President



Enrique Bojórquez-Gaxiola
South Mountain Village Planner
City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003

Re: SoMo at Esteban – Z-8-21/GPA-SM-1-21

I am a homeowner in the Berry Homes neighborhood, and I am writing in support of the proposed SoMo at Esteban townhome development. I share a property line with the subject site and I am very excited about this project.

SoMo at Esteban will be an excellent fit for this site, bringing new investment and new homeowners to the area. I believe this project will provide attractive, walkable, high-quality townhomes at a scale and density that is sensitive to our neighborhood and the community. This site is long overdue for development, and I am enthusiastically in support of this application.

Sincerely,

John Poland, 5715 S 34th Place

5 April 2021

City of Phoenix Planning & Development Department
200 W Washington St 3rd Floor
Phoenix AZ 85003

RE: Letter of Support for Somo at Esteban Park -- Rezoning Application # is Z-8-21 and Minor General Plan Amendment GPA-SM-1-21.

TigerMountain Foundation, a South Phoenix-based nonprofit corporation, is pleased to submit this letter of support for the Avenue North "Somo at Esteban Park" project that sits on approximately 18.4 acres located north of the northwest corner of 36th Street and Wayland Drive, Phoenix, Arizona.

TigerMountain Foundation seeks to empower the people of South Phoenix by building flourishing community gardens and through our multi-ethnic and inter-generational Garden and Landscape/Agriscaping Initiatives we mentor participants through an active and healthy eating lifestyle, a Personal Strategy Roadmap that encourages goal completion and transitions folks into workforce development skills that prepare them to earn a living wage.

In partnership with several local and national partners, we have implemented two (2) community gardens within the South Mountain Village; (i) Spaces of Opportunity located at Vineyard Road and 15th Avenue; and, (ii) Garden of Tomorrow located at 18th Place and Broadway Road. Among other objectives, these gardens seek to provide healthy, affordable, accessible food and promote the diverse South Mountain Village culture.

We have had an opportunity to learn about the proposed project which will include a resident garden and access to Esteban Park. In addition to all of the objectives that our organization would seek to achieve (i.e. access to healthy food), the proposed resident garden amenity is a unique opportunity. This will provide the project residents with a central and meaningful gathering place that encourages a sense of community and pride.

The proposed resident garden provides a unique opportunity to instill a sense of place, create meaningful access to healthy food and promote active lifestyles. The goals for the resident garden are well aligned with our goals and objectives for the larger South Phoenix community and is a great opportunity for other partnerships to join and align and strengthen the overall community. For these reasons, we strongly support the project

Darren Chapman

Darren J. Chapman, CEO - Founder - TigerMountain Foundation
darren.chapman@TigerMountainFoundation.org Cell | (213) 300-8846

Village Planning Committee Meeting Summary
Z-8-21-8

Date of VPC Meeting	May 11, 2021
Request From	R1-6
Request To	R-3
Proposed Use	Multifamily residential townhome community (condominiums)
Location	Approximately 100 feet north of the northwest corner of 36th Street and Wayland Drive
VPC Recommendation	Approval per staff recommendation presented in the staff report with modification to Stipulation Nos. 5 and 15.
VPC Vote	**11-0** Motion passes; with members Aldama, Alvarez, Brownell, Busching, Holmerud, Marchuk, Ray, Shepard, M. Smith, Viera and Daniels in favor; None in dissent.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

8 requests to speak in support from members of the public were received regarding cases GPA-SM-1-21-8 and Z-8-21-8. Two other members of the public registered their support but did not wish to speak.

Enrique Bojorquez, staff, introduced himself and provided a joint presentation for companion cases GPA-SM-1-21-8 and Z-8-21-8. He discussed the location of the site, noting surrounding land uses including a public park, various schools and commercial services including a grocery store and urban farm. He discussed the existing General Plan Land Use map designation and the requested Land Use map amendment. He discussed the surrounding zoning districts in the area, Esteban Park Area Plan, and other policy documents including the General Plan. The conceptual site plan was shown, indicating the vehicular access points, open space, perimeter landscape areas, amenities, density proposed and shown, and lot coverage. The conceptual building elevations and materials were discussed. He concluded the presentation by providing a staff recommendation on the case and describing the proposed stipulations, as presented in the staff report.

Andrew Biskind, with Avenue North, introduced himself and the project.

Benjamin Tate, with Withey Morris PLC., introduced himself and discussed the subject site and site conditions. An overview of the proposal and site plan was

provided, followed by renderings of the proposed development. He discussed community open space areas and the pedestrian seating node located north of the site. An overview of neighborhood outreach including adjacent neighbors, businesses, Parks and Recreation Department and other community groups. The three community benefits were addressed per the General Plan, including goals and policies. Various letters of support were received, and an overview of this project addressed various priorities listed by the South Mountain VPC. An example of another project along 16th Street was provided and concluded the presentation by requesting approval of both cases.

Greg Brownell asked the following questions:

- Have you considered imposing a limit on the number of homes that can be owned by investors as part of this development?
- Will VA and FHA loans be available?
- Have you considered changing the term “community garden” to “garden area” referenced in the stipulations?

Mr. Biskind responded that it is difficult to restrict qualified buyers but do intend to prohibit short-term rentals in this community.

Mr. Tate responded that they can consider CC&R restrictions that could limit the number of units owned by a single individual or entity within this community. The ability to offer FHA and VA loans will be applied for and is intended to be provided.

Kassandra Alvarez asked for clarification on the lighting provided within this development.

Mr. Tate responded that pedestrian-scale lighting is proposed along pedestrian paths, including along Esteban Park.

Kay Shepard asked the following questions:

- What is the density proposed?
- How many uncovered parking stalls are provided?
- Why are palm trees proposed within landscape areas?
- What is the size of each residential unit?

Mr. Tate responded that 192 units are proposed and that there was a discrepancy on the number of units within this development. Excess parking stalls are distributed throughout the site, and palm trees were conceptually depicted but may not be ultimately chosen. The community will be comprised of 2 and 3-bedroom units.

Mr. Marchuk asked if there is a community benefit agreement proposed? And why the R-2 zoning district was not selected if the project can fit within that density permitted?

Mr. Tate responded that no community benefit agreement is proposed at this time, and the R-2 zoning district was not selected originally since the density in the site plan changed following a revision during the rezoning process.

Mr. Bojorquez responded that the R-2 zoning district allows the envisioned project density but could require a landscape setback modification.

Mr. Tate responded that a site plan revision at this moment would be very difficult due to all the engineering that has been done so far.

Ms. Busching asked if the applicant would be willing to reduce the number of units referenced in Stipulation No. 5 to not exceed 192 units total. Also, adding the word "public" to Stipulation No. 15, in order to allow the pedestrian seating node to be publicly accessible.

Mr. Tate responded that he would support those proposed stipulation modifications.

Gene Holmerud asked for clarification on perimeter setbacks and access along 36th Street.

Mr. Tate discussed the orientation of units and street improvements along 36th Street.

Mr. Holmerud stated that bike lockers are needed and discussed the building elevations proposed.

Mr. Tate discussed the bicycle amenities provided within the pedestrian seating node.

Muriel Smith asked for clarification on dustproofing requirements along Esteban Park.

Mr. Tate responded that there were ongoing discussions with Council District 8 to consider relocating the green waste area along Esteban Park to another location.

Chairwoman Daniels asked the following questions:

- Will this project change from lot sales to unit rentals in the future?
- What will be the HOA fees?
- What is the price-point for these new homes?

Mr. Tate responded that the community will not change from lot sales to rentals. It is too early at this time to project HOA maintenance costs and actual project costs. The price of the homes is projected to be in the mid-$300,000 range.

Chairwoman Daniels is pleased to encourage homeownership in this community. She opened the public comment portion of the meeting.

Dr. Bruce McHenry works in South Mountain Community College (SMCC) and discussed the classroom engagement by the applicant, Andrew Biskind and Ryan, who reached out to him years prior and provided a presentation to students at SMCC regarding entrepreneurship. He supports the developer and this new project.

Darren Chapman, with Tiger Mountain Foundation, introduced himself and discussed his 15 years of experience with community gardens. He was contacted by the developer who is engaged with the community. His experience will help keep up and ensure that the community garden can last. He supports the developer, who has been amazing to work with.

Cristian Perez, soccer coach with a soccer club at Esteban Park, introduced himself and discussed the reutilization of the current green waste area, transforming this into usable open space. He likes the project's architecture and discussed how the developer has approached him. The project will allow for first-time home buyers and others to continue to live in South Phoenix and is pleased with this development.

Jimmy Scroggins is a motivation speaker and is pleased to see this community develop. He discussed the youth in the area and applauds the type of development that adds value to the Esteban Park area for the South Phoenix community.

Timothy Hills, Nate, Wendy and Chris registered to speak in support of these two cases but were not connected during the meeting or could not be identified by staff.

Committee member Lee Coleman left the meeting at 9:15pm bringing the quorum to 11 members.

Chairwoman Daniels asked for discussion or a motion on both cases.

MOTION – Z-8-21-8
Ms. Busching made a motion to approve case Z-8-21-8 per the staff recommendation in the staff report with modifications to Stipulation Nos. 5 and 15. **Ms. Shepard** seconded the motion.

VOTE:
11-0 Motion passes; None in dissent.

APPROVED STIPULATIONS:

1. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department:

a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.

b. Building elevations adjacent and oriented to public streets and the public park, shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material that exhibits quality and durability.

c. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies, as approved by the Planning and Development Department.

2. Building height shall be limited to two stories and 30 feet.

3. There shall be no balconies on the upper floors of residential dwellings adjacent or oriented toward single-family residential homes not part of this development.

4. The required landscape setbacks shall be planted to the following standards, as described below and as approved or modified by the Planning and Development Department:

    a. Large canopy evergreen trees 20 feet on center, or in equivalent groupings, shall be planted where residential units are adjacent or oriented towards single-family residential homes not a part of this development;

    b. Large canopy drought-tolerant trees 20 feet on center, or in equivalent groupings, shall be utilized unless otherwise stated;

    c. 50 percent 2-inch caliper, 40 percent 3-inch caliper and 10 percent 4-inch caliper trees shall be utilized;

    d. Five 5-gallon shrubs per tree, and additional shrubs or live groundcover, shall provide minimum 75 percent live cover at maturity;

    Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

5. The development shall be limited to a **MAXIMUM** density of **192 DWELLING UNITS** ~~12.50 dwelling units per gross acre~~.

6. The development shall provide a primary and secondary vehicular access to the site along 36th Street. The secondary access point may serve as vehicular ingress and egress, or limited to vehicular egress and emergency access only, as approved or modified by the Planning and Development Department.

7. Individual dwelling units adjacent to 36th Street and Esteban Park shall provide an entryway that is either elevated, depressed or includes a feature such as a low wall not exceeding 40 inches in height to accentuate the primary entrance, plus oriented towards the public street or public park, as approved by the Planning and Development Department.

8. The primary entrance to the development from 36th Street shall include the following elements, as approved by the Planning and Development Department:

    a. Pedestrian pathways connecting the interior of the development to the public sidewalks along both sides of the vehicular entryway into the development.

    b. The pedestrian pathways shall be detached from the primary vehicular entryway with a minimum 5-foot wide landscaped accent area provided on both sides of the entryway into the development. The landscaped accent areas shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.

    c. A median island of no less than 5 feet in width shall be located centrally within the vehicular entryway into the development and accented by a minimum of three drought-tolerant trees, and drought-tolerant, ornamental, flowering shrubs to provide a minimum 75 percent live cover. Twenty five percent of the required live cover may be ground cover plants.

    d. The driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.

9. Perimeter walls adjacent to the public park shall be limited to open view fencing or a combination of maximum three feet of solid masonry topped by open view fencing, as approved by the Planning and Development Department.

10. All perimeter walls visible from a public street shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.

11. The development shall include the following amenities and elements at a minimum, distributed between the open space area(s) throughout the site, as approved by the Planning and Development Department:

    a. Swimming pool.

    b. Clubhouse.

    c. Two picnic areas, each with one barbecue grill, shade ramada and a picnic table.

d. Five benches distributed throughout the development, including one bench located within close proximity to 36th Street.

e. Turf area(s) of no less than a combined 1,000 square feet.

f. Community garden area(s) of no less than a combined 1,000 square feet that will each include a garden tool library, irrigation, and one bench or seating feature.

12. Open space areas shall have a minimum 50 percent shade, including amenity and seating areas, and a minimum of 50 percent live vegetative cover (shrubs, grasses, or groundcover plants), as approved by the Planning and Development Department.

13. Pedestrian paths shall be shaded to a minimum of 75 percent using architectural shade and/or shade trees at full maturity, as approved by the Planning and Development Department.

14. The developer shall provide a system of pedestrian thoroughfares, as described below and as approved or modified by the Planning and Development Department:

    a. Direct connection to the sidewalk along 36th Street for individual dwelling units adjacent to this street.

    b. The developer shall provide a minimum of two pedestrian paths connecting to the sidewalk along 36th Street, exclusive of pedestrian connections along vehicular entryways.

    c. Illuminated by pedestrian scale lighting per Section 1304(H)5 for a pathway connecting 36th Street along the primary entrance, passing through a central amenity area, and terminating at the west property line.

    d. Where pedestrian paths and vehicular crossings exist, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.

    e. Connections to/between:

        (1) All residential dwellings;

        (2) All amenity facilities and active open space areas;

        (3) The sidewalk along 36th Street;

15. The development shall provide a minimum 1,000 square foot **PUBLICLY ACCESSIBLE** pedestrian seating node and amenity area along the most northern portion of the development adjacent to the western edge of 36th Street (future cul-de-sac portion) to

include the following elements at a minimum, as approved by the Planning and Development Department:

a. Two benches or seating features;

b. Bicycle repair station (“fix it station”) provided and maintained in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

c. Amenity area that includes either/or combination of a community garden, art feature, nature walk, natural features such as boulders or fountains, or other uniquely identifying features;

d. A landscaped accent area, exclusive of perimeter landscaping and right-of-way, planted and maintained with at least three plant materials including a series of annuals that will each maintain a constant bloom throughout the year;

16. The public sidewalk along 36th Street shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department:

    a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 25 feet on center or in equivalent groupings to provide shade to a minimum 75 percent of the sidewalk.

    b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.

    Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

17. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near each vehicular point of ingress or egress and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

18. The developer shall provide traffic calming measures at all vehicular points of ingress / egress to slow vehicles departing the development and crossing the public sidewalks, as approved by the Planning and Development Department.

19. The developer shall dedicate a minimum of 5 feet of right-of-way for a total 30-foot half-street right-of-way, and construct the west half of 36th Street, as approved by the Planning and Development Department.

20. The developer shall complete the 50-foot radius cul-de-sac termination at 36th Street, as approved by the Planning and Development Department.

21. Existing irrigation facilities along 36th Street are to be undergrounded and/or relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.

22. 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.

23. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.

24. 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.

25. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

During the May 11, 2021 South Mountain Village Planning Committee meeting, committee member Trent Marchuk asked staff whether the conceptual site plan submitted by the applicant and attached to the staff report, could be developed using the R-2 (Multifamily Residence) District. Staff responded that a landscape setback modification could be required.

After a closer evaluation of the conceptual site plan submitted by the applicant, date stamped April 6, 2021, staff has determined that the proposed site plan meets the development standards of the R-2 zoning district. The site plan standards are provided below:

R-2 – Multifamily Residence District (Planned Residential Development Option)		
Standards	**R-2 Requirements**	**Provisions on the proposed site plan**
Gross Acreage	-	18.41 acres
Total Maximum Number of Units	193 units, 221 with bonus	192 units (Met)
Maximum Density	10.5 dwelling units per acre, 12 with bonus.	10.43 dwelling units per acre (Met)
Maximum Lot Coverage	45%	28% (Met)
Maximum Building Height	2 stories and 30 feet for first 150 feet; 1-foot in 5-foot increase to 48 feet high and 4 stories. There shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.	Maximum of 2 stories and 25 feet. (Met)
MINIMUM PERIMETER STANDARDS		
Adjacent to a public street (36th Street)	20 feet	20 feet (Met)
Other perimeter property lines (North, South and West)	North: 10 feet South: 10 feet West: 10 feet	North: 15 feet (Met) South: 10 feet (Met) West: 15 feet (Met)

MINIMUM LANDSCAPE SETBACKS AND STANDARDS		
Front (36th Street)	20 feet	20 feet (Met)
Sides and Rear (North, South and West property lines)	North: 5 feet South: 5 feet West: 5 feet	North: 5 feet (Met) South: 5 feet (Met) West: 5 feet (Met)
Minimum Open Space	5% of gross site area	6.4% (Met)

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 136

Public Hearing and Ordinance Adoption - Rezoning Application Z-49-20-3 - Located Approximately 970 Feet North of the Northeast Corner of 34th Street and Sweetwater Avenue (Ordinance G-6871)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-49-20-3 and rezone the site from R1-6 (Single-Family Residence District) to R-3 (Multifamily Residence District) for a Community Residence Center.

Summary

Current Zoning: R1-6
Proposed Zoning: R-3
Acreage: 1.11 acres
Proposed Use: Community Residence Center

Owner: Fedzin Enterprises, LLC
Applicant: Matt Ihms
Representative: Matt Ihms

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Paradise Valley Village Planning Committee heard the case on May 3, 2021 and recommended approval, per the staff recommendation by a vote of 11-6.
PC Action: The Planning Commission heard the case on June 3, 2021 and recommended approval, per the Paradise Valley Village Planning Committee recommendation, with an additional stipulation by a vote of 8-0.

The Planning Commission recommendation was appealed and a petition for a three-quarter vote was submitted on June 10, 2021. A three-quarter vote is not required.

Location

Approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue
Council District: 3
Parcel Addresses: 13225 N. 34th St.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-49-20-3) FROM R1-6 (SINGLE-FAMILY RESIDENCE) TO R-3 (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 1.11 acre site located approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue in a portion of Section 13, Township 3 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "R1-6" (Single-Family Residence District) to "R-3" (Multifamily Residence District).

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

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

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

1. The development shall maintain a minimum 50-foot building setback, exclusive of carports and perimeter walls, from the southern site boundary where adjacent to R1-6 zoning.

2. The maximum building height shall be limited to 2 stories and 30 feet.

3. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.

4. All elevations of the building(s) shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies, as approved by the Planning and Development Department.

5. The required landscape setbacks shall include minimum 2-inch caliper large canopy shade trees, planted 20 feet on center or in equivalent groupings, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

6. Where a landscaped median is provided within the ingress or egress to the site, a landscaped accent area shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover, as approved by the Planning and Development Department.

7. Perimeter walls shall be constructed to the following standards, as approved by the Planning and Development Department.

    a. Perimeter walls visible from public streets shall have a finished appearance compatible with primary structures that includes material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs.

    b. A combination of solid masonry wall not exceeding 4 feet in height, and wrought iron view fencing or similar material shall be utilized along the eastern property lines where open space is adjacent to the drainage channel/floodway (Indian Bend Wash) east of the site.

8. Clearly defined, accessible pedestrian pathways shall be provided connecting all building entrances and exits, community amenity areas, and all public sidewalks

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utilizing the minimum possible distance and providing the most direct route, as approved by the Planning and Development Department.

9. The developer shall provide clearly defined, accessible pathways, constructed of decorative pavement that visually contrasts with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.

10. Pedestrian walkways, including adjacent public sidewalks, shall be shaded to a minimum of 75 percent, as approved by the Planning and Development Department.

11. A minimum of two inverted U-bicycle racks or artistic style racks shall be provided, located near the main building entrance. All bicycle racks shall adhere to Appendix K, “Outdoor/Open Facilities”, of the Comprehensive Bicycle Master Plan, and as approved by the Planning and Development Department.

12. The developer shall construct a minimum 45-foot radius cul-de-sac at the terminus of 34th Street, as approved by the Planning and Development Department.

13. 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.

14. A portion of this parcel is located in a Special Flood Hazard Area (SFHA) called Zone AE Floodplain, on panels 1735L of the Flood Insurance Rate Map (FIRM) revised December 22, 2017. If the plans show no building and/or construction encroachment including fill within this portion of the site in the SFHA, then no floodplain requirements will be required. If encroachment does occur, then the following requirements must be met, as approved by the Planning and Development Department:

    a. The Architect/Engineer is required to show the special flood hazard area boundary limits on plans and ensure that impacts to the proposed facilities and surrounding properties 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 needs to be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements prior to issuance of a Grading Permit.

15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

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16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 1st day of July 2021.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

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

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-49-20-3

THAT PART OF LOT 4, OASIS ACRES, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 45 OF MAPS AT PAGE 20, LOCATED WITHIN THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 4;

THENCE SOUTH 00 DEGREES 22 MINUTES 14 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE OF 35.58 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 87 DEGREES 42 MINUTES 58 SECONDES EAST A DISTANCE OF 35.07 FEET;

THENCE SOUTH 68 DEGREES 11 MINUTES 59 SECONDES EAST A DISTANCE OF 31.89 FEET;

THENCE SOUTH 42 DEGREES 07 MINUTES 39 SECONDES EAST A DISTANCE OF 56.86 FEET;

THENCE SOUTH 23 DEGREES 07 MINUTES 56 SECONDES EAST A DISTANCE OF 77.99 FEET;

THENCE SOUTH 20 DEGREES 06 MINUTES 12 SECONDES EAST A DISTANCE OF 75.10 FEET;

THENCE SOUTH 25 DEGREES 10 MINUTES 24 SECONDES EAST A DISTANCE OF 58.75 FEET;

THENCE SOUTH 20 DEGREES 54 MINUTES 49 SECONDES EAST A DISTANCE OF 46.86 FEET;

THENCE SOUTH 89 DEGREES 04 MINUTES 46 SECONDES WEST A DISTANCE OF 199.07 FEET TO A POINT IN THE WEST LINE OF SAID LOT 4;

THENCE NORTH 00 DEGREES 22 MINUTES 14 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 297.82 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION CONVERYED TO CITY OF PHOENIX, RECORDED FEBRUARY 18, 2016 IN RECORDING NO 2016-103579, RECORDS OF MARICOPA COUNTY, ARIZONA.

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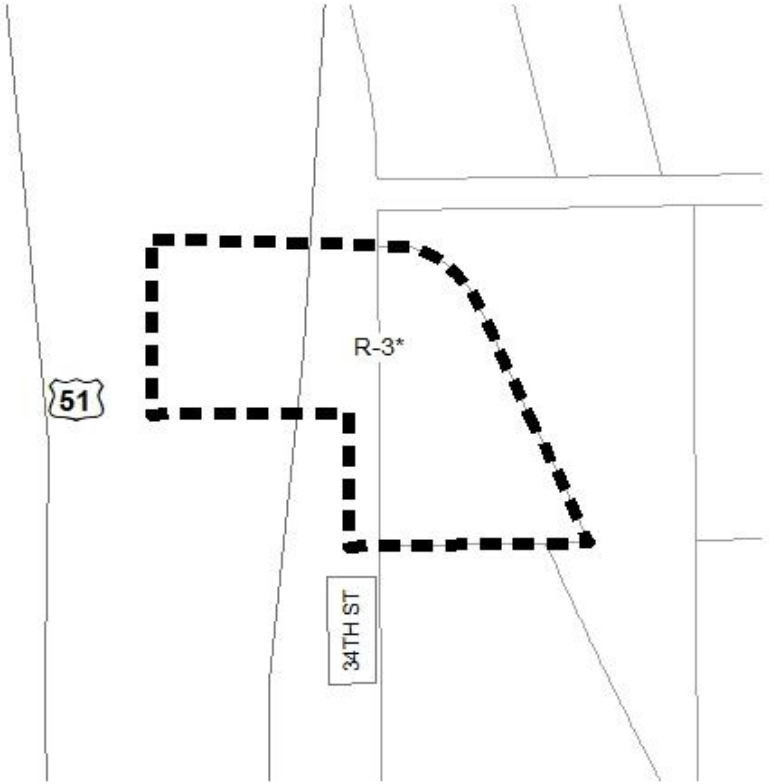
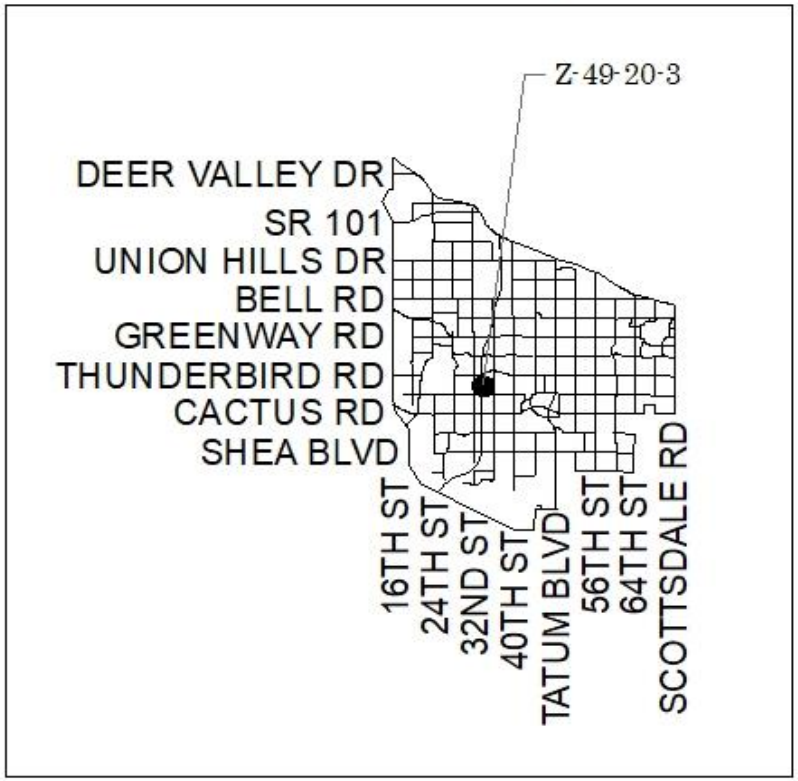
ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-49-20-3
Zoning Overlay: N/A
Planning Village: Paradise Valley





NOT TO SCALE

N

Drawn Date: 5/28/2021

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Attachment B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-49-20-3
April 20, 2021

Paradise Valley Village Planning Committee Meeting Date:	May 3, 2021
Planning Commission Hearing Date:	June 3, 2021
Request From:	R1-6 (Single-Family Residence District) (1.11 acres)
Request To:	R-3 (Multifamily Residence District) (1.11 acres)
Proposed Use:	Community Residence Center
Location:	Approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue
Owner:	Fedzin Enterprises, LLC
Applicant and Representative:	Matt Ihms
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Residential 3.5 to 5 dwelling units per acre and Parks/Open Space-Publicly Owned	
Street Map Classification	34th Street	Local Street	30-feet east half street

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CLEAN NEIGHBORHOODS; LAND USE PRINCIPLE: Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.

Per historic aerial photography, the subject site has remained vacant since it was annexed from Maricopa County into the City of Phoenix in 1962. The development

would permit a new use in the area at a scale that is compatible with the surrounding land uses and appropriately located at the end of a local street absent of residential homes immediately fronting it. Furthermore, this local street, 34th Street, connects to Sweetwater Avenue, a minor collector street, which will provide easy access to other parts of the Village.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.

The proposal, a community residence center, is compatible with surrounding land uses in the area which are residential and quasi-public in nature. This use allows a new housing type that will serve individuals with disabilities in the community to support a broad range of lifestyles. As stipulated, the development will incorporate elements to maintain an appropriate scale with the existing neighborhood.

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The development provides a reasonable level of intensity that is respectful of local conditions and surrounding neighborhood, which are predominantly built out and zoned single-family and multifamily residential. The subject site is located at the end of a local street that presently serves as primary access to residential uses in the area and a church south of the site. The subject site is adjacent to non-residential uses, including a church, freeway and a wash, thus no adverse impacts are anticipated on adjacent land uses if this rezoning request is approved.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The proposal, as stipulated, will be required to provide shade along internal pedestrian paths and the adjacent public street. This will help to encourage walking and to mitigate the urban heat island effect by shading hard surfaces, thus cooling the micro-climate around the project vicinity.

Applicable Plans, Overlays, and Initiatives
Tree and Shade Master Plan: See Background Item No. 7.
Complete Streets Guidelines: See Background Item No. 8.
Comprehensive Bicycle Master Plan: See Background Item No. 9.
Piestewa Peak Freeway Specific Plan: See Background Item No. 10.
State Route 51 & Loop 101 Scenic Corridor Policy: See Background Item No. 11.
Zero Waste PHX: See Background Item No. 12.
Housing Phoenix: See Background Item No. 13.

Surrounding Land Uses and Zoning		
	Land Use	**Zoning**
On Site	Vacant / Undeveloped	R1-6
North	Vacant / Undeveloped, Indian Bend Wash	R1-6
South	Single-Family Residential	R1-6
East (across Indian Bend Wash)	Phoenix Indian Bend Wash Park and Single-Family Residential	R1-6
West	State Route 51	R1-6

R-3 – Multifamily Residential (Subdivision Development Option)		
Standards	**R-3 Requirements**	**Proposed**
Gross Acreage	-	1.11 acres
Maximum Number of Units	16 units	None (Met, community residence center with 50 beds proposed)
Maximum Density	Maximum 14.5 dwelling units per acre	None (Met, community residence center with 50 beds proposed)

Standards	**R-3 Requirements**	**Proposed**
Maximum Building Height	2 stories or 30 feet (except that there shall be a 15-foot maximum height within ten feet of a single-family zoned district, which height may be increased one foot for each additional one foot of building setback to the maximum permitted height.)	2 stories or 30 feet (Met)
Maximum Lot Coverage	45 percent	22 percent (Met)
MINIMUM BUILDING SETBACKS		
Front: 34th Street	25 feet	30 feet (Met)
Rear: East property line	15 feet	21 feet (Met)
Sides: North and south property lines	10 feet and 3 feet	15 feet and 127 feet (Met)
MINIMUM LANDSCAPE SETBACKS AND STANDARDS		
Front: 34th Street	25 feet	Not specified*
Rear and sides: North, south and east property lines	5 feet	Not specified*
Minimum Open Space	5% of gross area	Not specified*
MINIMUM PARKING REQUIREMENTS		
Parking	1 space per two resident/patient beds (Community Residence Center/Nursing Home) and 1 space per 300 square feet (Office).	32 spaces provided (Square footage of office space not provided)*

*Site plan revision or variance required.

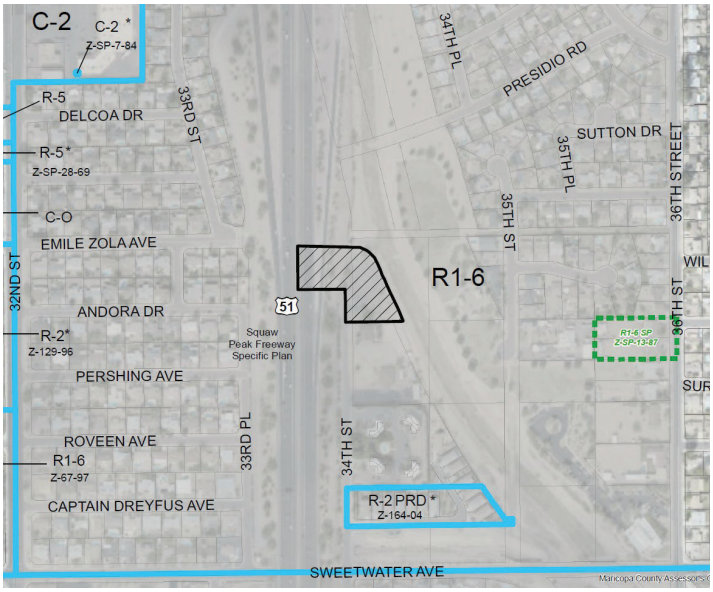
Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 1.11 acres located approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue from R1-6 (Single-Family Residence District) to R-3 (Multifamily Residence District) for a community residence center, subject to a use permit process. Community residence centers are permitted subject to a use permit in multifamily zoning districts, including the R-3 zoning district, while permitted by right in some of the commercial zoning districts. The site is presently vacant and undeveloped.

SURROUNDING LAND USES AND ZONING

2. The request for R-3 (Multifamily Residence District) zoning is located in an area surrounded by single-family zoning, although adjacent to non-residential uses. These non-residential uses include a vacant lot/wash area (north), church (south), State Route 51 (west) and Phoenix Indian Bend Wash Park (east).



Zoning Aerial Map, Source: Planning and Development Department

Multifamily zoning is located near the northeast corner of 34th Street and Sweetwater Avenue, developed with a single-family detached use. Multifamily uses developed under the R1-6 (Single-Family Residence District) zoning exists along 34th Street, less than 500 feet south of the subject site.

Access to the subject site is along 34th Street, a local street, which terminates at the subject site. Overall, the general area has been developed with a variety of residential uses, including single-family and multifamily, plus non-residential uses. The proposed multifamily zoning is consistent with existing uses in the area and will allow a new residential use to be established on the subject site without impacting nearby residential properties due to its geographic location.

GENERAL PLAN LAND USE MAP DESIGNATIONS

3. The General Plan Land Use Map designation for the subject site is Residential 3.5 to 5 dwelling units per acre and Parks/Open Space -Publicly Owned. The proposal is not consistent with the existing General Plan Land Use map designation, as the R-3 zoning district is consistent with Commercial and Residential 10 to 15 dwelling units per acre Land Use Map designations. However, a Minor General Plan Amendment is not required since the site is under 10 acres in size.

   North and east of the site has been designated as Parks/Open-Space-Publicly Owned and a small portion as Residential 3.5 to 5 dwelling units per acre. South of the site has been designated as Residential 3.5 to 5 dwelling units per acre, and west of the site has been designated as Transportation along State Route 51.



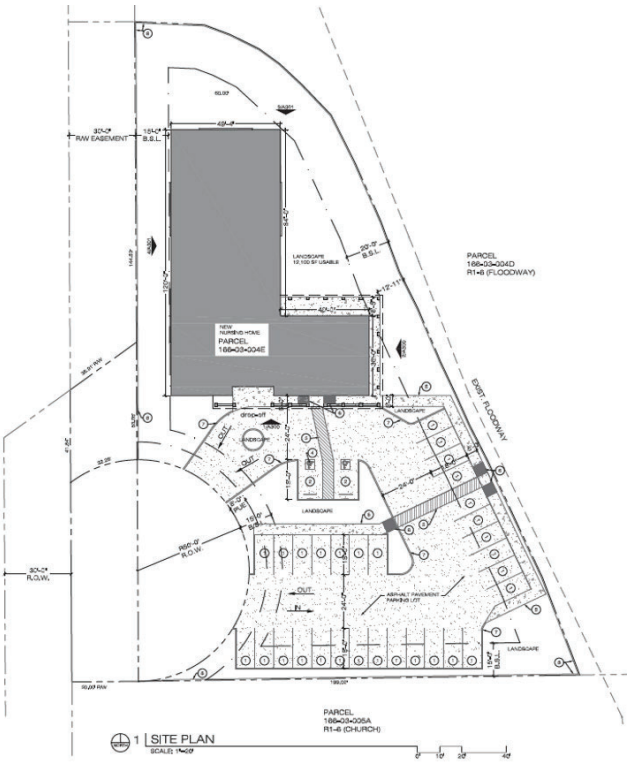
General Plan Land Use Map, Source: Planning and Development Department

PROPOSAL

4. **Site Plan**

The development proposes a community residence center, subject to a use permit, on the subject site. The conceptual site plan shows a single two-story building located on the north-half of the site, with vehicular surface parking spaces located on the south-half of the site. An open space area is proposed west of the building, within proximity to the eastern property line bordering Indian Bend Wash.

Access to the site is proposed exclusively along 34th Street, envisioned to terminate as a cul-de-sac to be constructed as part of this development. A sidewalk connecting to Sweetwater Avenue presently exists along most of 34th Street, located either on the west or east side of the street.



Conceptual Site Plan, Source: Another Look LLC.

As mentioned previously in this report, no residential uses are adjacent to the subject site. However, staff recommends Stipulation No. 1 which would limit the location of buildings on the site away from an adjacent single-family zoned property to the south, shall this property develop in the future as single-family. Stipulation No. 1 would require a minimum 50-foot building setback from the south property line, exclusive of carports or perimeter walls. A church is adjacent to the site along the south property line, while a freeway and wash bound the remaining property lines.

General conformance to the conceptual site plan is not proposed since zoning variances may be requested by the applicant following the rezoning process if site plan modifications cannot be made. Furthermore, the subject parcel is non-symmetrical in shape and constrained by topographical features such as a wash and freeway, thus additional flexibility during the develop review phase for the

site could be beneficial. In addition, a community residence center is subject to a use permit within the R-3 multifamily district. Use permits and variances undergo a separate review process, subject to the Zoning Adjustment hearing process.

5. **Elevations**

The conceptual building elevations depict various architectural features such as pitched roofs, windows, a covered patio and four-sided architecture. Building materials referenced in the conceptual elevations include brick façade, cement board siding, stucco and tile roofs. The conceptual building elevations proposed for the site depict a maximum height of two stories and 30 feet to the mid-point of the roof. Stipulation No. 2 recommends limiting the maximum height of buildings on site to two stories and 30 feet to help keep the building on this site consistent with adjacent R1-6 zoning district permitted height standards.

Staff is recommending a stipulation to require building elevations to incorporate a variety of colors, materials and textural changes. This is addressed in Stipulation No. 3. Stipulation No. 4 also recommends that all building elevations contain architectural embellishments and detailing, including pitched roofs, and/or overhang canopies. Stipulation Nos. 3 and 4 will ensure that the site provides aesthetically pleasing building materials and architecture across from a public park and adjacent to a single-family zoned property.

A conformance to the conceptual building elevations is not currently proposed as the building elevations show no colors and since zoning variances may be requested following the rezoning process if site plan modifications cannot be made, which could result in a change of layout for the building. However, the stipulations listed above will help ensure that the proposed buildings will incorporate pleasing aesthetics, materials that will withstand the weather for many years and architectural features consistent with those found in the adjacent residential areas.



Conceptual Building Elevations, Source: Another Look LLC.

6. **Landscaping, Walls and Walkways**

The development features one usable open space area, northeast of the site at approximately 12,100 square feet in area. This open space area is oriented towards Indian Bend Wash, east of the site, and will serve to enhance the viewscape from the wash area towards this adjacent bank. Furthermore, the R-3 zoning district requires that a minimum of 100 square feet of open space is provided per bed in community residence centers.

In order to buffer the site from adjacent uses, increase shade and to provide an enhanced landscape treatment along Indian Bend Wash, Stipulation No. 5 recommends enhanced plantings within landscape setbacks that include minimum 2-inch caliper large canopy shade trees planted 20 feet on center or equivalent groupings and five 5-gallon shrubs per tree.

Stipulation No. 6 recommends that where a landscaped median is provided within the ingress or egress to the site, a landscaped accent area shall be provided. This will help to provide a visually unique character and provide seasonal interest along the streetscape.

Stipulation No. 7 recommends several wall enhancements to be aesthetically pleasing along the street frontage and Indian Bend Wash. The wall enhancements include:

- Finished appearance with textural differences where visible from public streets;
- Combination of view fencing and solid walls along Indian Bend Wash.

Stipulation Nos. 8 and 9 recommend several pedestrian enhancements to promote walking and safety. The enhancements include:

- Pedestrian pathways that connect all buildings, community amenity areas and public sidewalks via the most direct route;
- Pathways constructed of decorative pathways that visually contrast with parking and drive aisle surfaces.



Conceptual Site Plan, Source: Another Look LLC. with Planning and Development Department annotations

STUDIES AND POLICIES

7. **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. Staff is recommending several stipulations designed to provide trees and enhance shade within the development. Staff is recommending Stipulation No. 10 to require a minimum of 75 percent shade within pedestrian walkways, including the public sidewalk, to encourage walking by employees and residents by providing thermal comfort.

8. **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. This development will help to pedestrianize the immediate street frontages by shading sidewalks adjacent to the development, addressed in Stipulation No. 10. A minimum of two inverted u-bicycle racks located near the main building entrance are recommended in Stipulation No. 11.

9. **Comprehensive Bicycle Master Plan**
The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its Bikeway System and supportive infrastructure. Bicycle lanes have been designed within the Sweetwater Avenue corridor; thus Stipulation No. 11 recommends a minimum of two inverted u-bicycle racks located near the main building entrance to promote the use of bicycling as a means of transportations for future employees and residents of this facility.

10. **Piestewa Peak Freeway Specific Plan**
The Piestewa Peak Freeway Specific Plan was approved in 1991 to help address the impacts of the State Route 51 (SR-51) freeway on adjacent neighborhoods. The plan proposes ways to maximize the compatibility of the freeway with adjacent and nearby land uses, while encouraging neighborhood cohesion and stability. The subject site is located within Segment 5 of this Specific Plan and was envisioned as a park within the existing and proposed land use map, part of a larger linear park along Indian Bend Wash. Thus, the proposal is consistent with the Piestewa Peak Freeway Specific Plan existing and proposed land use map. However, the existing freeway noise mitigation wall and landscape area within the SR-51 freeway portion, in addition to landscape setbacks adjacent to the SR-51, will help mitigate any potential impacts to this new proposed development.

11. **State Route 51 & Loop 101 Scenic Corridor Policy**
The State Route 51 & Loop 101 Scenic Corridor Policy was approved in 2011 to help establish and protect this scenic corridor from outdoor uses, such as outdoor storage and off-premise advertising structures, along portions of the State Route 51 and Loop 101. The requested R-3 (Multifamily Residence District) zoning does not allow outdoor uses such as outdoor storage or off-premise advertising structures, thus the proposal is consistent with this policy document and will promote the vision for this scenic corridor.

12. **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 applicant materials indicate that recycling services will be part of the development.

13. **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 a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

Although the proposed community residence center is not a traditional residential use, it will allow for disabled residents to be housed and cared for at this location, which proposes up to 50 beds as part of this facility. Shall the proposed use not be developed on this site, the proposed zoning would permit a variety of residential uses including single-family and multifamily.

COMMUNITY INPUT SUMMARY

14. As of the writing of this report, staff had not received any letters in support or opposition to this rezoning application. Staff did receive a letter from an individual

in the area that listed concerns regarding the manner in which the virtual neighborhood meeting was held by the applicant.

INTERDEPARTMENTAL COMMENTS

15. The Fire Department indicated there are no problems anticipated with the case and that the site and/or buildings shall comply with the 2018 International Fire Code with Phoenix Amendments, and the facility will require fire sprinklers and an alarm system. 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.

16. The Floodplain Management division of the Public Works Department has indicated that a sliver of the parcel is located in a Special Flood Hazard Area (SFHA) called Zone AE Floodplain, on panels 1735L of the Flood Insurance Rate Maps (FIRM) dated December 22, 2017. If the plans show no building and/or construction encroachment including fill within the sliver, then no floodplain requirements will be required. If an encroachment does occur, Stipulation No. 14 addresses these floodplain requirements.

17. The Public Transit Department provided comments expressing the importance of direct, clearly defined accessible, and well shaded pedestrian pathways on the site. Shaded pathways should connect the public sidewalks with site amenities and gathering areas. Lastly, that alternative pavement material be used where pedestrian pathways cross drive aisles. These comments were addressed in Stipulation Nos. 8, 9 and 10.

18. The Pedestrian Safety Coordinator with the Street Transportation Department commented that pedestrian accesses to the site from the public sidewalk should be attractive plus inviting, in addition to providing a shaded plus illuminated pedestrian circulation on the site. Furthermore, that alternative paving material be used to delineate pedestrian walkways where vehicle conflicts exist. Also, that the public sidewalk be detached to help provide shade and thick vegetation to discourage mid-block pedestrian crossings. Lastly, that pedestrian walkways are marked where these are located in parking areas, and that buildings with varied setbacks are located near sidewalks to encourage walking plus create visual vibrancy.

    Stipulation No. 6 requires a landscaped accent area where a median is provided along the main entrance to the site to create visual vibrancy. Stipulation No. 8 addresses pedestrian pathways that connect the site to adjacent sidewalks, while Stipulation No. 9 requires decorative pavement to be utilized in order to visually contrast the parking surfaces. Lastly, Stipulation No. 10 requires the

shading of pedestrian walkways to encourage walking. Variation in building setbacks was not stipulated due to the unique shape of the parcel, which constraints development on the site.

19. The Street Transportation Department requires the construction of a cul-de-sac at the terminus of 34th Street. Furthermore, that the developer construct all streets within and adjacent to the development with all required elements. These are addressed in Stipulation Nos. 12 and 13.

OTHER

20. The site is not located in an area identified as being archaeologically sensitive. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 15.

21. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements such as obtaining a use permit to conduct the proposed outdoor use in this zoning district. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. This proposed development provides a new non-traditional housing option that is consistent with surrounding developments and serves a need in the community for disabled individuals.

2. The development, as stipulated, will maintain an appropriate scale to ensure that it remains compatible with the area.

3. This development proposes to develop an asymmetrical parcel that is bounded by a wash and freeway with a use that is consistent with the goals of the State Route 51 & Loop 101 Scenic Corridor Policy plan.

Stipulations

1. The development shall maintain a minimum 50-foot building setback, exclusive of carports and perimeter walls, from the southern site boundary where adjacent to R1-6 zoning.

2. The maximum building height shall be limited to 2 stories and 30 feet.

3. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.

4. All elevations of the building(s) shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies, as approved by the Planning and Development Department.

5. The required landscape setbacks shall include minimum 2-inch caliper large canopy shade trees, planted 20 feet on center or in equivalent groupings, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

6. Where a landscaped median is provided within the ingress or egress to the site, a landscaped accent area shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover, as approved by the Planning and Development Department.

7. Perimeter walls shall be constructed to the following standards, as approved by the Planning and Development Department.

    a. Perimeter walls visible from public streets shall have a finished appearance compatible with primary structures that includes material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs.

    b. A combination of solid masonry wall not exceeding 4 feet in height, and wrought iron view fencing or similar material shall be utilized along the eastern property lines where open space is adjacent to the drainage channel/floodway (Indian Bend Wash) east of the site.

8. Clearly defined, accessible pedestrian pathways shall be provided connecting all building entrances and exits, community amenity areas, and all public sidewalks utilizing the minimum possible distance and providing the most direct route, as approved by the Planning and Development Department.

9. The developer shall provide clearly defined, accessible pathways, constructed of decorative pavement that visually contrasts with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.

10. Pedestrian walkways, including adjacent public sidewalks, shall be shaded to a minimum of 75 percent, as approved by the Planning and Development Department.

11. A minimum of two inverted U-bicycle racks or artistic style racks shall be provided, located near the main building entrance. All bicycle racks shall adhere to Appendix K, "Outdoor/Open Facilities", of the Comprehensive Bicycle Master Plan, and as approved by the Planning and Development Department.

12. The developer shall construct a minimum 45-foot radius cul-de-sac at the terminus of 34th Street, as approved by the Planning and Development Department.

13. 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.

14. A portion of this parcel is located in a Special Flood Hazard Area (SFHA) called Zone AE Floodplain, on panels 1735L of the Flood Insurance Rate Map (FIRM) revised December 22, 2017. If the plans show no building and/or construction encroachment including fill within this portion of the site in the SFHA, then no floodplain requirements will be required. If encroachment does occur, then the following requirements must be met, as approved by the Planning and Development Department:

    a. The Architect/Engineer is required to show the special flood hazard area boundary limits on plans and ensure that impacts to the proposed facilities and surrounding properties 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.

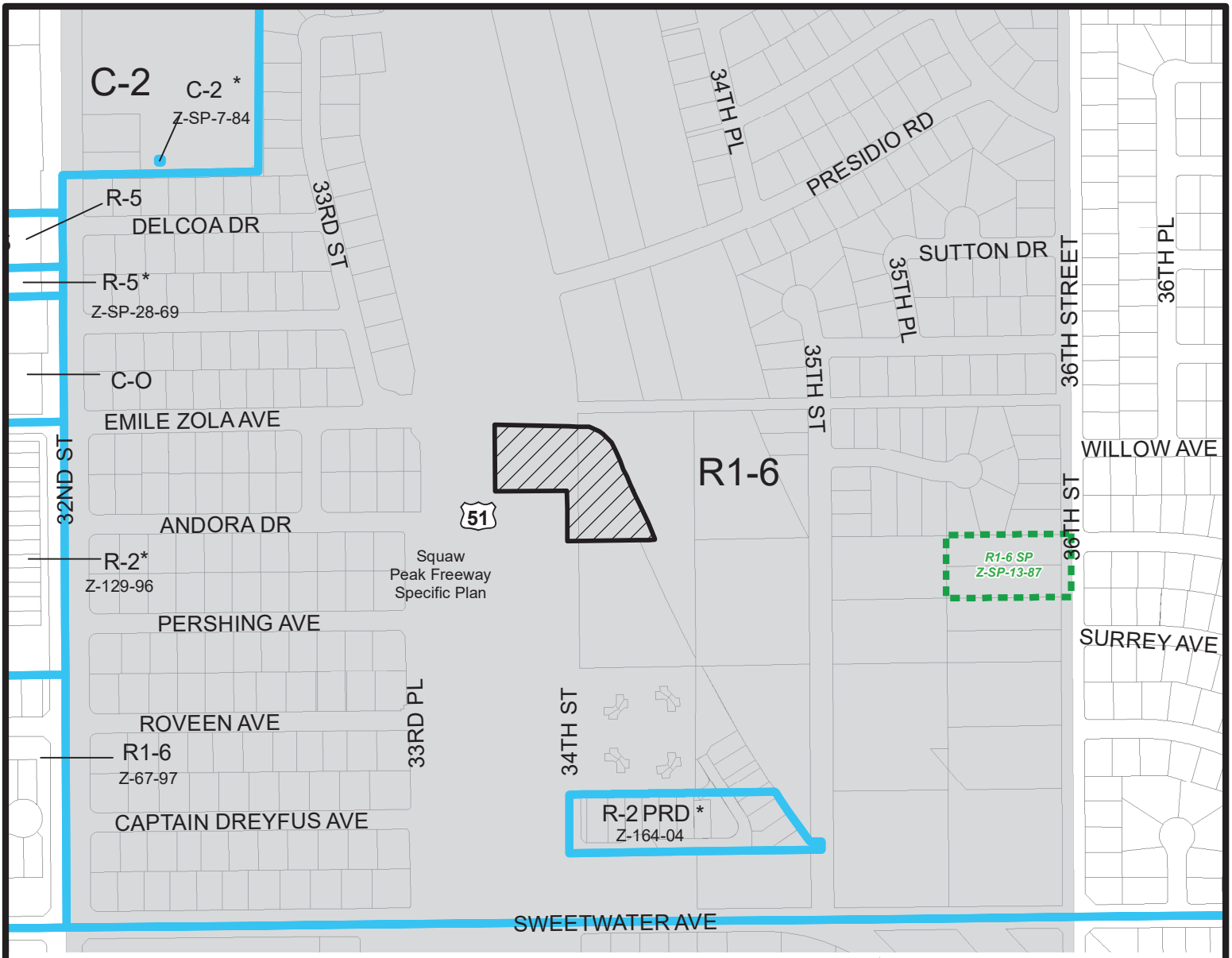
    b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements prior to issuance of a Grading Permit.

15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Writer
Enrique Bojórquez-Gaxiola
April 20, 2021

Team Leader
Samantha Keating

Exhibits
Zoning sketch map
Aerial sketch map
Conceptual Site Plan date stamped September 17, 2020 (1 page)
Conceptual Elevations date stamped September 17, 2020 (2 pages)
Community Correspondence (1 page)



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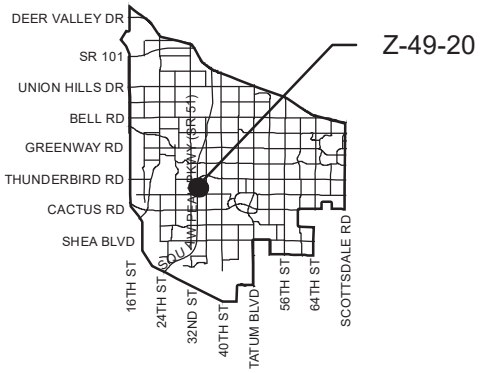
PARADISE VALLEY VILLAGE

CITY COUNCIL DISTRICT: 3



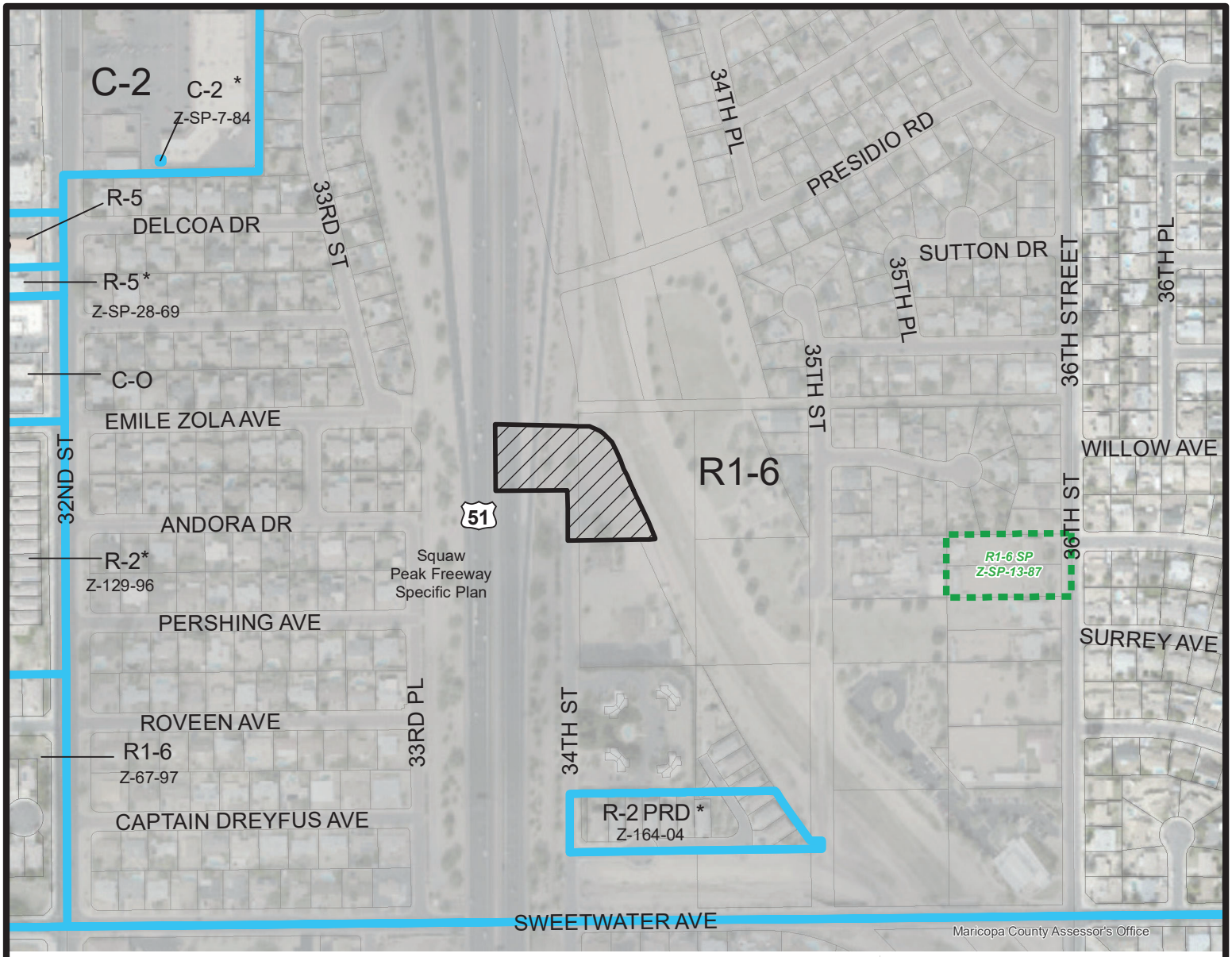
City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: Matt Ihms	**REQUESTED CHANGE:**
APPLICATION NO. Z-49-20	DATE: 12/09/2020
	REVISION DATES:
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 1.11 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 32-35
	ZONING MAP L-10
	FROM: R1-6 (1.11 a.c.)
	TO: R-3 (1.11 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
R1-6	6	7
R-3	16	19

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

Document Path: S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\sketch_maps\2020\Z-49-20.mxd



Miles

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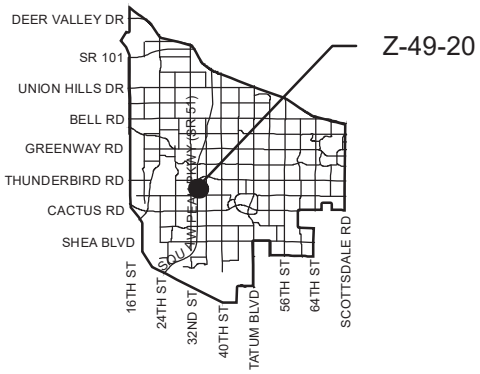
PARADISE VALLEY VILLAGE

CITY COUNCIL DISTRICT: 3

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



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

Document Path: S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\sketch_maps\2020\Z-49-20.mxd

ARCHITECTURE SITE PLAN

FOR

SOLACE HOSPICE AZ

A PORTION OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 3 EAST OF THE G.&S.R.B&M., MARICOPA COUNTY, AZ

APN: 166-03-004E

13225 N. 34TH ST., PHOENIX, AZ 85032

KEYED NOTES

1. 8'-0" x 18' STANDARD PARKING SPACE
2. 11'x18' ADA PARKING STALL.
3. 8' WIDE ADA ACCESS AISLE.
4. HANDICAP PARKING SIGN.
5. CONC. SIDEWALK
6. CONCRETE RAMP.
7. 6" CONC. CURB.
8. 8' HIGH WALL

ACCESSIBILITY NOTES

THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE A.D.A. AND LOCAL BARRIER FREE REQUIREMENTS AND SHALL ENSURE THAT THIS FACILITY WILL MEET THE STRICTEST OF THE APPLICABLE REQUIREMENTS. THE FOLLOWING IS A PARTIAL LIST OF SITE RELATED ITEMS WITHIN THE SCOPE OF WORK TO PAY PARTICULAR ATTENTION TO:

- ACCESSIBLE PARKING STALL REQUIREMENTS.
- ACCESSIBILITY FROM PARKING TO BUILDING INTERIOR.
- PATH OF EGRESS FROM BUILDING TO PUBLIC RIGHT OF WAY.

PROJECT DESCRIPTION

THE PROJECT IS FOR A NURSING HOME AND MEMORY CARE FACILITY. WORK PERFORMED, BUT NOT LIMITED TO, WILL INCLUDE:
- NEW BUILDING
- RE-WORK SITE & PARKING

FIXTURE CALCS

PARKING

IN ACCORDANCE WITH CITY OF PHX #7 - PARKING REGULATIONS

REQUIREMENT:	CAR PARKING
NURSING HOME:	1 SPACE / 2 RESIDENT/PATIENT BEDS
OFFICE:	1/300 SF FLOOR AREA

PARKING REQUIRED: 30 ESTIMATED
ACCESSIBLE PARKING REQUIRED: 26-50 SPACES = 2 SPACES
ACCESSIBLE PARKING PROVIDED: 2 SPACES
REGULAR PARKING PROVIDED: 30 SPACES

NEW PARKING PROVIDED: 32 SPACES

PROJECT DATA

OVERALL NET ACREAGE: 0.90 ACRES (39,558 SF)
GROSS ACREAGE: 1.03 ACRES

ZONING: R1-6 EXISTING - R-3 PROPOSED (ZONING CHANGE)
S/T/R: 13-3N-3E
OCCUPANCY TYPE: I-2 (INSTITUTIONAL)
OCCUPANCY LOAD: -
CONSTRUCTION TYPE: V-A
PARCEL: 166-03-004E

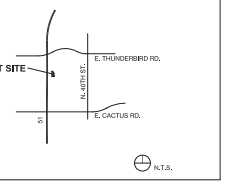
FIRE SPRINKLERS: YES
FIRE ALARMS: YES
EMERGENCY LIGHTING: YES

SETBACKS:	REQUIRED	MIN. PROVIDED
FRONT:	15'-0"	30'-4"
SIDE:	15'-0"	15'-4"
SIDE:	15'-0"	127'-6"
REAR:	20'-0"	21'-0"

BLDG #	SPACE	OCCUPANCY	NET AREA	GROSS AREA UNDER ROOF	HT.	CONST. TYPE
1	NURSING HOME	I-2	- SF	-	30'	VA

INTERIOR FOOTPRINT: 7,286 SF
TOTAL FOOTPRINT (W/ PATIOS): 8,464 SF
MAX. ALLOWABLE LOT COVERAGE: 25% R-3
LOT COVERAGE: 21.39%
ALLOWABLE BUILDING HEIGHT: 30 FEET / 2 STORIES
ADDITIONAL REQUIREMENTS: 100 SF OF USABLE OUTDOOR SPACE PER BED
MAX. # OF BEDS: 50 BEDS (5,000 SF USABLE OUTDOOR SPACE REQ'D)
ALLOWABLE AREA: $A_A=[(-10,500)] = A_A < 1.0$

VICINITY MAP



BUILDING CODES:

ALL CONSTRUCTION SHALL COMPLY WITH THE FOLLOWING CODES AND AMENDMENTS PER THEIR ADOPTING ORDINANCES.

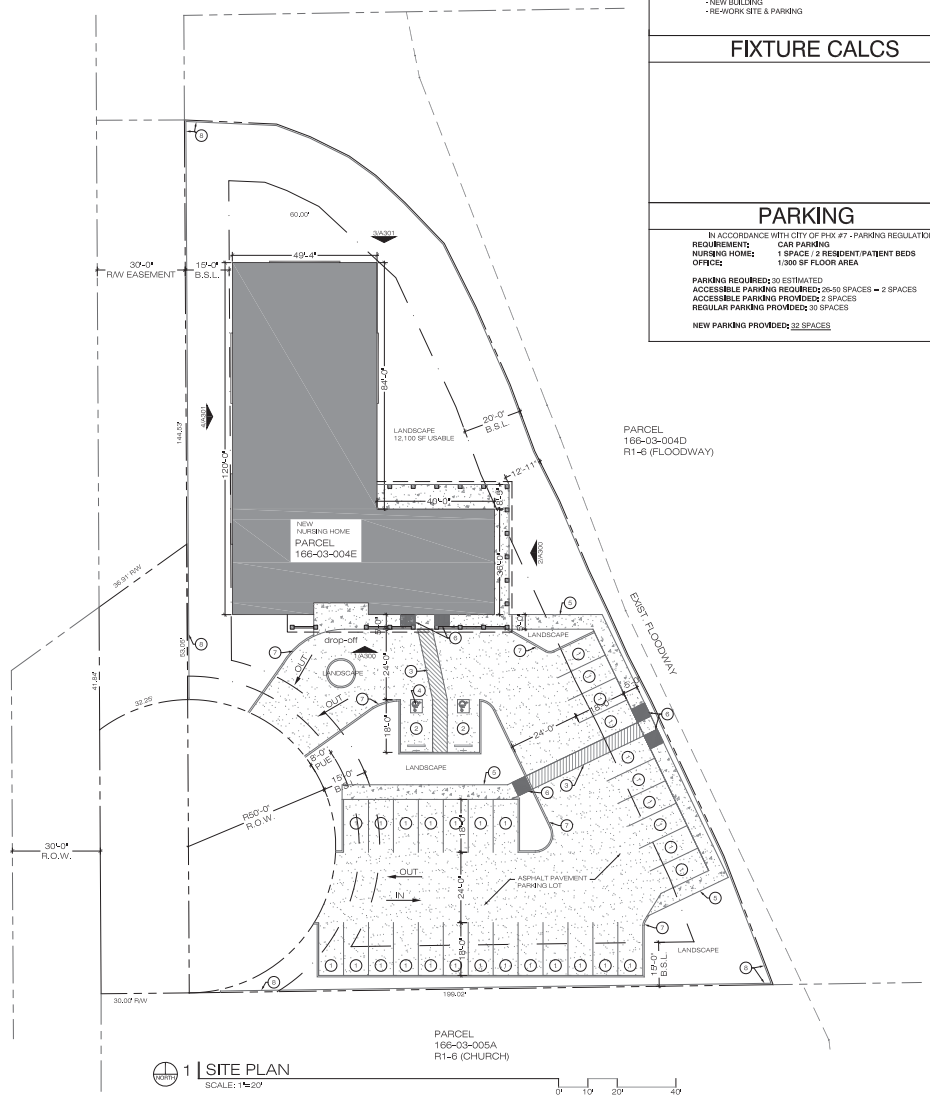
2018 INTERNATIONAL BUILDING CODE (IBC) W/ AMENDMENTS
2018 INTERNATIONAL ENERGY CONSERVATION CODE (IECC) W/ AMENDMENTS
2018 INTERNATIONAL FUEL GAS CODE W/ AMENDMENTS
2018 INTERNATIONAL MECHANICAL CODE W/ AMENDMENTS
2018 INTERNATIONAL PLUMBING CODE W/ AMENDMENTS
2017 NATIONAL ELECTRIC CODE (NEC)
2018 INTERNATIONAL FIRE CODE W/ AMENDMENTS
2010 ADA STANDARDS

OWNER:

FEDZIN ENTERPRISES LLC
ADDRESS: PO BOX 7426
SURPRISE, AZ 85374
Contact: Thomas Fedzin
Phone: 602.888.7037
Email: thomasf@solacehospiceaz.com

ARCHITECT:

ANOTHER LOOK, LLC
2506 E. CAMPBELL AVE
PHOENIX, AZ 85016
PHONE: 480.266.8193
EMAIL: matt.lhms@gmail.com



1 SITE PLAN
SCALE: 1"=20'
0' 10' 20' 40'

LEGAL DESCRIPTION:

LOT 4, OASIS ACRES, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA IN BOOK 45 OF MAPS, PAGE 20.

COMMENCING AT THE CENTER OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

CITY OF PHOENIX SITE NOTES:

1. Development and use of this site will conform with all applicable codes and ordinances.
2. All new or relocated utilities will be placed underground.
3. Any lighting will be placed so as to direct light away from adjacent residential districts and will not exceed one foot candle at the property line. No noise, odor, or vibration will be emitted at any level exceeding the general level of noise, odor, or vibration emitted by uses in the area outside of the site.
4. Owners of property adjacent to public right-of-ways will have the responsibility for maintaining all landscaping located within the right-of-ways, in accordance with approved plans.
5. All rooftop equipment and satellite dishes shall be screened to the height of the tallest equipment.
6. All service areas shall be screened to conceal trash containers, loading docks, transformers, backflow preventers and other mechanical or electrical equipment from eye level adjacent to all public streets.
7. Barbed, razor, or concertina wire (or similar) shall not be used on this site where visible from public streets or adjacent residential areas.
8. All signage requires separate reviews, approvals, and permits. No signs are approved per this plan.

I consent to the reproduction of this site plan provided that if modifications are made, the professionals who make such changes assume full responsibility and liability for the modified portions of the plan.

SIGNATURE OF COPYRIGHT OWNER DATE

PRINTED NAME OF COPYRIGHT OWNER

CITY OF PHOENIX
SEP 17 2020
Planning & Development Department

PROJECT:
SOLACE HOSPICE AZ

13225 N. 34TH ST.
PHOENIX, AZ 85032

65314
MATTHEW IHMS
ARIZONA, U.S.A.
EXPIRES 12/31/2020

ANOTHER LOOK
2506 E. CAMPBELL AVE
PHOENIX, AZ 85016
MATT IHMS
T. 480.266.8193
matt.lhms@gmail.com

Issued	rev	date
PRE-APP #19-160		12/30/19

SITE PLAN

Drawing Title

AS NOTED
Scale

A000
Drawing No.

CITY OF PHOENIX
SEP 17 2020
Planning & Development
Department



1 | SOUTH ELEVATION
SCALE: 3/16"=1'-0"



2 | EAST ELEVATION
SCALE: 3/16"=1'-0"

PROJECT:
SOLACE HOSPICE AZ

13225 N. 34TH ST.
PHOENIX, AZ 85032

65314
MATTHEW
IHMS
EXPIRES 12/31/2020

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matt.ihms@gmail.com

Issued	rev	date
PRE-APP #19-160		12/30/19

ELEVATIONS

Drawing Title

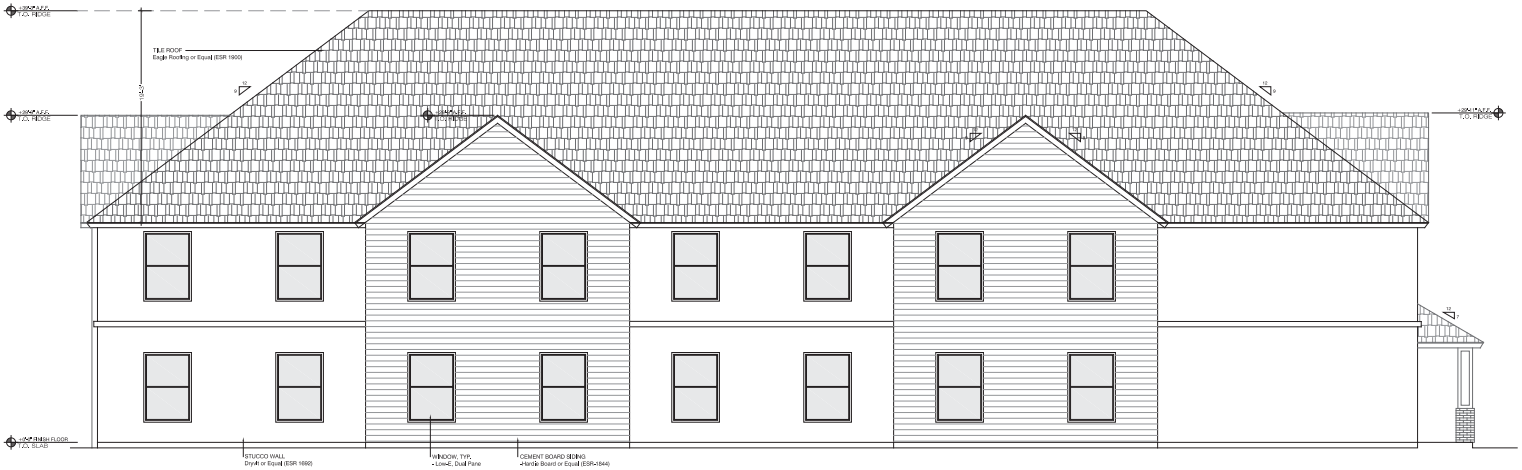
AS NOTED
Scale

A300
Drawing No.

CITY OF PHOENIX
SEP 17 2020
Planning & Development
Department



3 | NORTH ELEVATION
SCALE: 3/16"=1'-0"



4 | WEST ELEVATION
SCALE: 3/16"=1'-0"

PROJECT:
SOLACE HOSPICE AZ

13225 N. 34TH ST.
PHOENIX, AZ 85032

65314
MATTHEW
IHMS
EXPIRES 12/31/2020

ANOTHER LOOK
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PHOENIX, AZ 85016
MATT IHMS
T. 480.266.8193
matt.ihms@gmail.com

Issued	rev	date
PRE-APP #19-160		12/30/19

ELEVATIONS

Drawing Title

AS NOTED
Scale

A301
Drawing No.

From: Emad Zaki
To: matt.ihms@gmail.com
Cc: David O Simmons; Enrique A Bojorquez-Gaxiola
Subject: Case Z-49-20-3
Date: Monday, February 22, 2021 12:39:10 PM
Attachments: Rezoning Letter .pdf

Dear Mr. Ihms,

I am attaching a copy of the letter you mailed regarding the above-mentioned case. I have few concerns that I would like to address:

1. The meeting is scheduled on a work day at 9AM, this is going to prevent a lot of the neighborhood members from attending. My experience with these meeting that it is usually scheduled after regular work hours.
2. The way this is set does not give the members an access to the meeting until they request it from you, this is another concern as members should have a direct link to access the meeting same as in-person meeting works.

Please consider the above concerns as it interferes with the main purpose of this meetings to allow the neighbors to voice their opinions and address their concerns. It would be great if you can reschedule this meeting for another day after 5PM and to have a direct link for anyone who would like to attend.
Please also let me know if you can provide me with the mailing list to make sure that our neighbors all got the letter, and if they share the same concerns we have.

Best Regards,

Emad Zaki

Village Planning Committee Meeting Summary
Z-49-20-3

Date of VPC Meeting	May 3, 2021
Request From	R1-6 (Single-Family Residence District)
Request To	R-3 (Multifamily Residence District)
Proposed Use	Community Residence Center
Location	Approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue
VPC Recommendation	Approval, per the staff recommendation.
VPC Vote	**11-6** with committee members Cantor, Hall, Maggiore, Mortensen, Popovic, Severs, Stewart, Ward, Wise, Gubser and Lesher in favor. Committee members Balderrama, Cashman, Gerst, Goodhue, Mazza and Ulibarri not in favor.

VPC DISCUSSION:

Mr. David Simmons, staff, provided an overview of the request to include background of how the area developed over time, the General Plan Land Use Map designation and character of the surrounding area. Mr. Simmons went over conceptual site plans and elevations as well as proposed standards. Further, Mr. Simmons covered a series of stipulations tied to the case.

Chairman Robert Gubser asked staff is the stipulations included a general conformance stip to the site plans or elevations.

Mr. Enrique Bojórquez Gaxiola, staff, shared that there are no general conformance stipulations due to the required zoning adjustments the applicant will need to apply for after this case is approved.

Ms. Larisa Balderrama stated that he has concerns with this use being located in such close proximity to single-family homes.

Mr. Paul Severs asked how many residences will be allowed to be housed in this facility.

Mr. Bojórquez Gaxiola stated that the applicant could speak to this during his presentation.

Applicant Presentation:

Mr. Thomas Fedzin, applicant, provide a thorough background on his business model. He shared that this house will provide housing for elder care and assisted living. He emphasized that this is not a sober living home. He stated that up to 40 residence could reside int eh home at one time and the square footage of the structure is about 14k square feet in size.

Mr. Robert Goodhue asked if this were a mix of independent and assisted living.

Mr. Fedzin shared that it could be a mix.

Mr. Goodhue asked why the two groups would be separated.

Mr. Fedzin shared that those uses fall under the same license. The separation was for staffing purposes as each staff set has area of expertise.

Ms. Toby Gerst asked Mr. Fedzin to please define “wellness center”, as referenced in the applicant’s presentation. She also asked if there were a limited number of beds for Medicade patience.

Mr. Fedzin defined “wellness center” and expanded on the number of beds that would be allowed under Medicade.

Vicechair Joe Lesher shared that he had looked up Solace Hospice and they have outstanding reviews. He also stated that the existing facilities on the website look very nice.

Mr. Alex Popovic asked if his company has entered into a Public Private Partnership with the City of Phoenix for this proposal.

Mr. Fedzin stated that no Public Private Partnership has been discussed with the City of Phoenix for this site.

Mr. Popovic asked the applicant if he had developed in other areas or if this was his first venture in this industry.

Mr. Fedzin shared that yes, he has built from the ground up in Surprise, Goodyear and Peoria.

Mr. Popovic asked is he has sold them or if he retains them and manages them. He also asked if there were 3rd party operators.

Mr. Fedzin explained that they retain them. He stated that they build a good staff and intern provide a high quality product.

Mr. Popovic asked what community outreach was done prior to coming to this committee tonight.

Mr. Fedzin shared that they had a neighborhood meeting and send out neighborhood notification letters.

Ms. Jennifer Hall asked if there were any persons present voicing opposition at the neighborhood meeting.

Mr. David Simmons, staff, shared that one letter in opposition was received prior to the staff report being posted. He also shared a citizen participation report was submitted as part of the rezoning packet requirements. He shared that the applicant met all neighborhood meeting and notification requirements.

Ms. Balderrama stated that if this request were to pass, all community residence center product types would be allowed on this site. She asked how many employees will work there.

Mr. Fedzin shared that the staff size will be around 6-8 full time employees working regular business hours.

Mr. Goodhue stated that he has concerns with the amount of freedom this proposed use could encompass. I stated that if it were limited to assisted living, he could be supportive.

Ms. Hall shared that she too has concerns with the flexibility of the use.

Mr. Wise shared that he does not believe this use will have a negative impact on the area.

Ms. Jennifer Maggiore asked what the results of the citizen participation report was.

Mr. Bojórquez Gaxiola shared the results of the report.

Mr. Eric Cashman understands that there is a great need for these facilities in our area. However, he stated that he knows no one wants sober living facilities in their neighborhoods.

Ms. Louisa Ward shared that he has conducted a site visit prior to the meeting. She has concerns about the narrow roadway leading to the site.

Mr. Cashman asked if vehicles weighing in excess of 3 tons were allowed to drive down the narrow, unimproved roadway.

Mr. Simmons shared that the applicant is stipulated to improving the cul-de-sac as part of the approval and shared that this is public right of way, so there is no restriction that he is aware of.

MOTION:

Mr. Alex Popovic made a motion to recommend approval of Rezoning Case No. Z-49-20-3, per the staff recommendation.

Mr. Ben Stewart seconded the motion.

VOTE:

11-6 with committee members Cantor, Hall, Maggiore, Mortensen, Popovic, Severs, Stewart, Ward, Wise, Gubser and Lesher in favor. Committee members Balderrama, Cashman, Gerst, Goodhue, Mazza and Ulibarri not in favor.

Staff Comments:

None

Attachment D

REPORT OF PLANNING COMMISSION ACTION
June 3, 2021

ITEM NO: 11	
	DISTRICT NO.: 3
SUBJECT:	
Application #:	Z-49-20-3
Location:	Approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue
From:	R1-6
To:	R-3
Acreage:	1.11
Proposal:	Community Residence Center
Applicant:	Matt Ihms
Owner:	Fedzin Enterprises, LLC
Representative:	Matt Ihms

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
Paradise Valley 5/3/2021 Approval, per the staff recommendation. Vote: 11-6.

Planning Commission Recommendation: Approval, per the Paradise Valley Village Planning Committee recommendation with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Busching made a MOTION to approve Z-49-20-3, per the Paradise Valley Village Committee recommendation, with the additional stipulation, as read into the record.

Maker: Busching
Second: Perez
Vote: 8-0
Absent: Gorraiz
Opposition Present: Yes

Findings:

1. This proposed development provides a new non-traditional housing option that is consistent with surrounding developments and serves a need in the community for disabled individuals.

2. The development, as stipulated, will maintain an appropriate scale to ensure that it remains compatible with the area.

3. This development proposes to develop an asymmetrical parcel that is bounded by a wash and freeway with a use that is consistent with the goals of the State Route 51 & Loop 101 Scenic Corridor Policy plan.

Stipulations:

1. The development shall maintain a minimum 50-foot building setback, exclusive of carports and perimeter walls, from the southern site boundary where adjacent to R1-6 zoning.

2. The maximum building height shall be limited to 2 stories and 30 feet.

3. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.

4. All elevations of the building(s) shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies, as approved by the Planning and Development Department.

5. The required landscape setbacks shall include minimum 2-inch caliper large canopy shade trees, planted 20 feet on center or in equivalent groupings, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

6. Where a landscaped median is provided within the ingress or egress to the site, a landscaped accent area shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover, as approved by the Planning and Development Department.

7. Perimeter walls shall be constructed to the following standards, as approved by the Planning and Development Department.

    a. Perimeter walls visible from public streets shall have a finished appearance compatible with primary structures that includes material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs.

    b. A combination of solid masonry wall not exceeding 4 feet in height, and wrought iron view fencing or similar material shall be utilized along the eastern property lines where open space is adjacent to the drainage channel/floodway (Indian Bend Wash) east of the site.

8. Clearly defined, accessible pedestrian pathways shall be provided connecting all building entrances and exits, community amenity areas, and all public

sidewalks utilizing the minimum possible distance and providing the most direct route, as approved by the Planning and Development Department.

9. The developer shall provide clearly defined, accessible pathways, constructed of decorative pavement that visually contrasts with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.

10. Pedestrian walkways, including adjacent public sidewalks, shall be shaded to a minimum of 75 percent, as approved by the Planning and Development Department.

11. A minimum of two inverted U-bicycle racks or artistic style racks shall be provided, located near the main building entrance. All bicycle racks shall adhere to Appendix K, “Outdoor/Open Facilities”, of the Comprehensive Bicycle Master Plan, and as approved by the Planning and Development Department.

12. The developer shall construct a minimum 45-foot radius cul-de-sac at the terminus of 34th Street, as approved by the Planning and Development Department.

13. 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.

14. A portion of this parcel is located in a Special Flood Hazard Area (SFHA) called Zone AE Floodplain, on panels 1735L of the Flood Insurance Rate Map (FIRM) revised December 22, 2017. If the plans show no building and/or construction encroachment including fill within this portion of the site in the SFHA, then no floodplain requirements will be required. If encroachment does occur, then the following requirements must be met, as approved by the Planning and Development Department:

    a. The Architect/Engineer is required to show the special flood hazard area boundary limits on plans and ensure that impacts to the proposed facilities and surrounding properties 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 needs to be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements prior to issuance of a Grading Permit.

15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-

foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

16. **PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.**

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

FORM TO REQUEST PC to CC **I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:** 7/01/2021, at 10:00 a.m.					
APPLICATION NO/ LOCATION	**Z-49-20-3** Approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
Phoenix, AZ 85013	PC 6/03/2021	13221 North 34th Street Phoenix, AZ 85032			
	PC DATE	*STREET/ADDRESS/CITY/STATE/ZIP*			
TO PC/CC HEARING	CC 7/01/2021 (at 10:00 a.m.)	Mina Aziz/Archangel Michael Coptic Orthodox Church 480-562-1619 frarsenyaziz@gmail.com			
	CC DATE	*NAME / PHONE / EMAIL*			
REASON FOR REQUEST: Community concerned about openness of R-3 Zoning and process undertaken by the Applicant to not address concerns. Applicant history of selling Community Centers.					
RECEIVED BY:	Tricia Gomes	**RECEIVED ON:**		6/10/2021	

Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Ra'Desha Williams
Stephanie Vasquez
David Urbinato
Vikki Cipolla-Murillo
Village Planner
Samantha Keating
Paul M. Li
GIS
Applicant

CITY OF PHOENIX

JUN 10 2021

Planning & Development Department

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

The **PLANNING COMMISSION** agenda for **June 3, 2021** is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

   There is a $630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **June 10, 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., **June 10, 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. **June 10, 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. **June 17, 2021**.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-49-20-3
APPLICATION NO.

970 FT. N. of NE CORNER 43RD ST. / Sweetwater
LOCATION OF APPLICATION SITE

June 10, 2021
DATE APPEALED FROM

☑ OPPOSITION
☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

MINA AZIZ / ARCHANGEL MICHAEL COPTIC ORTHODOX CHURCH
PRINTED NAME OF PERSON APPEALING

SIGNATURE

13221 N. 34TH ST.
STREET ADDRESS

June 10, 2021
DATE OF SIGNATURE

PHOENIX, AZ 85032
CITY, STATE & ZIP CODE

(480) 562 1619
TELEPHONE NO.

frarseryaziz@gmail.com
EMAIL ADDRESS

REASON FOR REQUEST

Community Concerned about openness of R-3 Zoning and process undertaken by Applicant to not address concerns. Applicant History of selling Community Centers.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

Petition for THREE-FOURTHS (3/4) Vote by City Council
For Rezoning Application # Z-49-20-3
Request: R1-6 to R-3

Location: Approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue

I the undersigned, am an owner of property within the area of the proposed amendment or the area within 150 feet of the proposed amendment, including all rights-of-way, requesting the rezoning action. I request that the City Council be required to pass this rezoning application by a three-fourths (3/4) vote.

.

SIGNATURE PRINT NAME ADDRESS DATE

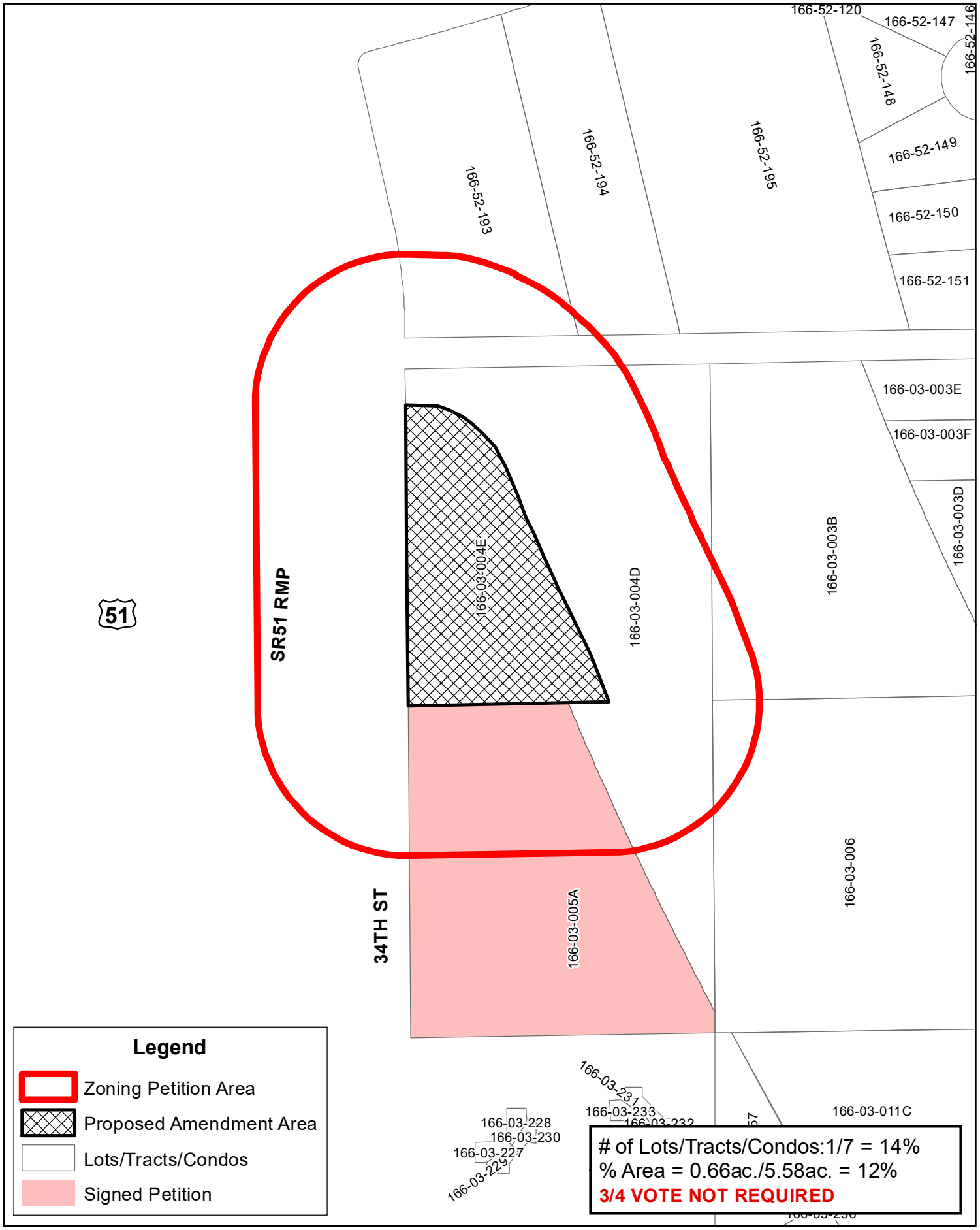
1 MINA AZIZ* (AKA FR. ARSENY AZIZ)
PRIEST, ARCHANGEL MICHAEL COPTIC ORTHODOX CHURCH

JUNE 10, 2021

*AUTHORIZED OFFICER OF ARCHANGEL MICHAEL COPTIC ORTHODOX CHURCH

13221 N. 34TH ST. PHOENIX, AZ. 85032

CITY OF PHOENIX
JUN 10 2021
Planning & Development Department



Petition Verification Map for Z-49-20-3

Map prepared by City of Phoenix, Planning and Development Services Dept. 6/11/2021

Attachment F

David O Simmons

From: mark atia <markyatia@gmail.com>
Sent: Monday, May 3, 2021 5:45 PM
To: David O Simmons
Subject: Z-49-20-3 comment

Hi Mr. Simmons,

How can I submit a comment for item z-49-20-3? We missed the deadline for tonight's meeting but I would like to submit a comment for the council to read before the June 1st vote.

My comment: "I would like to not have the rezoning approved due to all properties being single family residences. This will increase traffic in the neighborhood and especially on 34th street making it less safe for the community. It also will back up to the wash, where there is a local park, making it less of a family oriented park. I ask that you don't approve the rezoning because of this."

Thank you,
Mark Atia

Sent from my mobile phone

From:	Bishoy Soliman
To:	Enrique A Bojorquez-Gaxiola
Cc:	David O Simmons
Subject:	Fw: Z-49-20-3 comment
Date:	Tuesday, May 25, 2021 8:41:49 AM
Attachments:	Three Quarters Vote Petition (379) - Revised 7-31-17 (1).pdf image001.png image001.png

Good Morning Enrique,

I am a board member of the church adjacent to this property (Z-49-20-3). Unfortunately, we did not register in time to speak at the May 3rd meeting but there were many things I would have like to have said opposing this rezoning application and many times I would have like to have answered some of the questions that the committee had.

On May 9th, our priest explained how the meeting went to the congregation and announced that we would be putting together a petition opposing the rezoning of this land. Most of the congregation seemed like they were against this, but we did not have the petition ready for anyone to sign.

The next week, we found out that someone in the congregation had COVID and anyone in contact with this person was requested to get tested or just stay home. Because of this COVID scare, the next two weeks had very low attendance and we were only able to collect 18 signatures.

With this needing to be submitted ideally before May 27th, is it possible to distribute this petition electronically and gather electronic signatures?

These are the reasons we oppose of the rezoning that are mentioned in the petition:

<!--[if !supportLists]-->● <!--[endif]-->Due to the wide variety of dwellings under R-3 zoning, we are very concerned about the possibility of this land turning into something other than an assisted living facility, (i.e. Halfway House) which could potentially become a threat to neighboring properties and also to children at the public park across the wash from this property.

<!--[if !supportLists]-->● <!--[endif]-->The applicant has developed several assisted living facilities, none of which are currently owned by the applicant. The applicant has sold every assisted living facility he has developed, which gives us, and we hope give the committee, very little confidence that he will keep this property and operate it as an assisted living facility.

<!--[if !supportLists]-->● <!--[endif]-->Approving this application with the possibility of this facility becoming a halfway house or any type of group home would put owners of the neighboring community at a significant disadvantage when selling their properties. Meanwhile, this applicant will reap the benefits of having purchased single family residential land and selling it at a much higher value as a result of the rezoning.

I will also be submitting my own letter bringing up these reasons as well as a few others on why I do not think this rezoning will benefit the community without hurting others nearby.

Thank you,
Bishoy Soliman

----- Forwarded Message -----
From: mark atia <markyatia@gmail.com>
To: Father Arseny Aziz <Frarsenyaziz@gmail.com>; Mira keddis <mira.keddis@gmail.com>; Bishoy Soliman <bishoy_1@yahoo.com>; Bishoy Soliman <soliman.bishoy@gmail.com>
Sent: Tuesday, May 4, 2021, 10:39:47 AM MST
Subject: Fwd: Z-49-20-3 comment

General Petition Opposing Rezoning Application # Z-49-20-3

Request: R1-6 to R-3

Location: Approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue

We the undersigned citizens of the community strongly oppose the rezoning of this land from R1-6 (Single-Family Residence District) to #-3 (Multifamily Residence District), and would like the Planning Commission to deny this application due to the following reasons:

- Due to the openness of the application, we are very concerned about the possibility of this land turning into something other than an assisted living facility, (i.e. Halfway House) which could potentially become a threat to neighboring properties and also to children at the public park across the wash from this property.
- The applicant has developed several assisted living facilities, none of which are currently owned by the applicant. The applicant has sold every assisted living facility he has developed, which gives us, and we hope give the committee, very little confidence that he will keep this property and operate it as an assisted living facility.
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SIGNATURE	PRINT NAME	ADDRESS	DATE
[signature]	BISHOY SOLIMAN	110 W LAWRENCE Rd. Phx 85013	5/23/21
[signature]	MARC MORCOS	4040 S McKINNON Dr Gilbert, AZ	5/23/21
[signature]	NEHAD SOLOMAN	9097 W Roberta Lane Pen 85296	5/23/21
[signature]	John SAMAAN	6895 E CAMELBACK RD 85387	
[signature]	Mark Atia	24015 N. 64th St Phoenix AZ 85050 #2022	5/23/21
[signature]	Mary Atia	24015 N 64th St Phoenix AZ 85022	85251
[signature]	George Gendy	5577 W. Pinnacle Hill Dr Glendale, AZ 85310	5/23/21 5/23/21
[signature]	Teresa Diaz	5577 W. Pinnacle Hill Glendale AZ 85310	5/23/21
[signature]	Denise Farag	1969 E Evans Rd, Dr.	5/23/21
[signature]	Jacinthe Soloman	9097 W Roberta Lane Pen AZ 85358	5/23/21
[signature]	Alexandra Soloman	9097 W Roberta Lane 85358	5/23/21
[signature]	Ernest Raheb	110 W. Lawrence Rd, PHX	5/23/21
[signature]	Hany Kamel	7696 E Moura Dr. Scottsdale	5/23/21
[signature]	Mona Kamel	7696 E Moura Dr. Scotts	5/23/21
[signature]	BOTROS Soliman	2529 W. Cactus Rd Phx 85029	5/23/21
[signature]	Lillian Soliman	13201 S. Wakial Loop Phx 85044	5/23/21
[signature]	Girgis Girgis	13075 E Shangri La Scottsdale 85259	5/24/21

1

General Petition Opposing Rezoning Application # Z-49-20-3

Request: R1-6 to R-3

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SIGNATURE	PRINT NAME	ADDRESS	DATE
Patricia Miller	Patricia Miller	13027 N 34th Way	5-28-21
[illegible]	Jesus Javier Tella	3414 E Captain Dr	5/28/21
Laila G.	Laila Gonzalez	3414 E Captain Dr	5/28/21
Jessica Wren	Jessica wren	13015 N. 34th Way	5-28-21
[illegible]	KIM DORMAN	3442 E CAPTAIN DR	5-29-21
[illegible]	AARON GEORGE	3410 E CAPTAIN DREYFUS	5-28-21
[illegible]	DEAN TRUNE	3501 E. DAHLIA DR	6-1-21
Linda Dettope	Linda Dettope	3524 E. JANICE WAY	6-1-21
[illegible]	GREGORY A. Dettope	3524 E JANICE WAY	6-1-21
Paul S. Kladzyk	PAUL S. KLADZYK	3537 E. Emile Zola	6-1-21
Geraldine Kladzyk	Geraldine Kladzyk	3537 E Emile Zola	6-1-20
Kjuana Wright	Kjuana Wright	3430 E. Captain Dreyfus	6/1/20

General Petition Opposing Rezoning Application # Z-49-20-3

Request: R1-6 to R-3

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SIGNATURE	PRINT NAME	ADDRESS	DATE
	Stacy Culberson	13035 N. 34th St	5-31-21
	Jessica Elliott	13035 N 34th	5/31/21
	COREY STRAUHUN	13035 N 34th	5/31/21
Erica Elliott	Erica Elliott	13033 N. 34th	5/31/21
		13033 N. 34th	5/31/21
	Angela Roglin	13035 N 34th St	5-31-21
	Erica Eggen	13109 N 34th St	5-31-21
		13113 N. 34th Way	5-31-21
	Alejandro Garza	3418 E Captain Dreyfus Ave	5-31-21

General Petition Opposing Rezoning Application # Z-49-20-3

Request: R1-6 to R-3

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SIGNATURE	PRINT NAME	ADDRESS	DATE
[signature]	Codi Mauch	13035 N 34th St Unit 12	5/31

General Petition Opposing Rezoning Application # Z-49-20-3

Request: R1-6 to R-3

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SIGNATURE	PRINT NAME	ADDRESS	DATE
	Michael Matousek	13023 N. 34th Way	06/01/2021
	Leslie Renteria	13023 N. 34th Way	06/01/2021

1

From: J.J. Téllez <jjtellez@stanfordalumni.org>
Sent: Tuesday, June 1, 2021 9:34 AM
To: PDD Planning Commission
Cc: matt.ihms@gmail.com
Subject: Comment for Rezoning Case, Item 11, Application # Z-49-20-3

Hello,

I'd like to bring to the Planning Commission's attention that the parcel owner applying for rezoning has done the bare minimum to listen to the community and neighbor's concerns about the proposed development. The community meeting was held back in February during working hours and only one community member attended. Meager attendance and emailed concerns on 2/22 by Emad Zaki (below) should have signaled to the developer more needed to be done. Additionally, the 34th Street Enclave community was not invited or notified nor any neighbors across the wash, surrounding the park.

Rezoning opens several possibilities of 'community centers' that could evolve from developers' stated intentions of hospice care to other more profitable operations such as sober-living facilities within walking distance of a community park and single family homes.

Lastly, peer-reviewed research shows group homes have a negative impact on surrounding homes property values. Article below:

https://doi.org/10.2307/3146956 [doi.org]
https://www.nrc.gov/docs/ML1208/ML12088A314.pdf [nrc.gov]

Regards,
JJ Tellez,
3414 E Captain Dreyfus Ave, Phoenix, AZ 85032

From: Emad Zaki
To: matt.ihms@gmail.com
Cc: David O Simmons; Enrique A Bojorquez-Gaxiola
Subject: Case Z-49-20-3
Date: Monday, February 22, 2021 12:39:10 PM
Attachments: Rezoning Letter .pdf
Dear Mr. Ihms,
I am attaching a copy of the letter you mailed regarding the above-mentioned case. I have few concerns that I would like to address:
1. The meeting is scheduled on a work day at 9AM, this is going to prevent a lot of the neighborhood members from attending. My experience with these meeting that it is usually scheduled after regular work hours.
2. The way this is set does not give the members an access to the meeting until they request it from you, this is another concern as members should have a direct link to access the meeting same as in-person meeting works.
Please consider the above concerns as it interferes with the main purpose of this meetings to allow the neighbors to voice their opinions and address their concerns. It would be great if you can reschedule this meeting for another day after 5PM and to have a direct link for anyone who would like to attend.
Please also let me know if you can provide me with the mailing list to make sure that our neighbors all got the letter, and if they share the same concerns we have.

Best Regards,
Emad Zaki

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** 137

Public Hearing and Ordinance Adoption - Planning Hearing Officer Application PHO-1-21--Z-48-07-1 - Approximately 400 Feet East of the Southeast Corner of I-17 and Arroyo Norte Drive (Ordinance G-6873)

Request to hold a public hearing on the item and consider adoption of the Planning Commission recommendation on June 3, 2021.

Summary

Application: PHO-1-21--Z-48-07-1
Existing Zoning: C-2
Acreage: 16.0

Applicant: Law Office of David Cisiewski
Owner: Tom Tait, AV 203, LLC
Representative: Lisa Gage, FDG Acquisitions

Proposal:
1. Submittal of conceptual site plan and elevations for approval by the Planning Hearing Officer per Stipulation 1.
2. Modification of Stipulation 2 regarding approval of a comprehensive sign plan.
3. Technical corrections to Stipulations 3 and 7.

Concurrence

Village Planning Committee (VPC) Recommendation: The Rio Vista Village Planning Committee heard this request at their March 9, 2021 meeting and continued the item by a vote of 5-0. The Rio Vista Village Planning Committee heard this request at their April 13, 2021 meeting recommend approval 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.
PC Action: The Planning Commission heard this case on June 3, 2021 and recommended approval, per the Planning Hearing Officer recommendation with an additional stipulation.

The Planning Commission recommendation was appealed on June 9, 2021 requiring that a public hearing be held on this item.

Location
Approximately 400 feet east of the southeast corner of I-17 and Arroyo Norte Drive
Council District: 1
Parcel Address: N/A

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO REZONING APPLICATION Z-48-07-1 PREVIOUSLY APPROVED BY ORDINANCE G-4948.

_____

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

SECTION 1. The zoning stipulations applicable located approximately 400 feet east of the southeast corner of I-17 and Arroyo Norte Drive 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 JANUARY 28, 2021, WITH SPECIFIC REGARD TO THE FOLLOWING, 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.~~

      BUILDING AND WALL COLORS SHOULD BE MUTED AND BLEND WITH RATHER THAN CONTRAST WITH THE SURROUNDING

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DESERT ENVIRONMENT. REFLECTIVE MATERIALS SHOULD NOT BE USED. ACCENT COLORS SHOULD BE USED JUDICIOUSLY AND WITH RESTRAINT.

b. ~~The primary finishing materials for buildings shall consist of natural desert materials or materials which are appropriate for the natural desert context.~~

A MINIMUM OF TWO SEPARATE PUBLIC PEDESTRIAN PATHWAYS, SHADED TO A MINIMUM OF 75 PERCENT, SHALL BE PROVIDED FROM THE CLOSEST PARKS IN THE DEVELOPMENT AND CONNECTING TO NORTH WHISPER LANE ON THE SOUTH AND ARROYO NORTE DRIVE ON THE NORTH.

~~c. Drive-thru facilities shall be oriented so that drive-thru windows are not directly 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 for residential uses 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. ~~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

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Ordinance ~~prior to Development Services Department final site plan approval for the first phase of development~~.

3. ~~That~~ Twenty-five feet of right-of-way shall be dedicated for the south half of Teresa Lane or as otherwise approved by the PLANNING AND Development ~~Services~~ Department.

4. ~~That~~ Additional right-of-way shall be dedicated for the future expansion of the freeway/frontage road as approved by the Street Transportation Department.

5. ~~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.

6. ~~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.

7. ~~That~~ The following persons, organizations and associations shall be notified by the applicant at least 15 days before the meeting or hearing of any PLANNING AND Development ~~Services~~ Department preliminary site plan meetings; Zoning Adjustment hearings; or Planning Hearing Officer hearings:

   a. New River Desert Hills Community Association, Inc.
      515 E. Carefree Highway, #300
      Phoenix, AZ 85085-8839

   b. Shareen Goodroad
      scgoodroad@msn.com
      623-742-0150

   c. Terry Marron
      t.marron@yahoo.com
      623-587-7039

8. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. 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 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-4948, this portion of the rezoning is now

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subject to the stipulations approved pursuant to Ordinance G-4948 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 1st day of July, 2021.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

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

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EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-21-- Z-48-07-1

A PORTION OF SECTION 10, TOWNSHIP 6 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOW:
BEGINNING AT THE NORTHEAST CORNER OF THE PARCEL DESCRIBED IN DEED RECORDED IN DOCUMENT 050507564, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID CORNER BEING ALSO THE NORTHWEST CORNER OF TRACT “C”, ACCORDING TO THE FINAL PLAT FOR “ARROYO NORTE – UNIT 4”, RECORDED IN BOOK 1004, PAGE 1, RECORDS OF MARICOPA COUNTY, ARIZONA;
THENCE CONTINUING ALONG THE WEST LINE OF SAID TRACT “C”, SOUTH 00 DEGREES 05 MINUTES 17 SECONDS EAST, 1004.75 FEET;
THENCE SOUTH 89 DEGREES 59 MINUTES 12 SECONDS WEST, 150.00 FEET;
THENCE SOUTH 00 DEGREES 05 MINUTES 17 SECONDS EAST, 150.00 FEET TO A POINT ON THE NORTH LINE OF TRACT “D”, ACCORDING TO THE FINAL PLAT FOR “ANTHEM UNIT 57”;
THENCE ALONG SAID NORTH LINE OF TRACT “D”, NORTH 89 DEGREES 59 MINUTES 12 SECONDS WEST,
535.68 FEET;
THENCE NORTH 27 DEGREES 01 MINUTES 32 SECONDS EAST, 247.46 FEET;
THENCE NORTH 05 DEGREES 17 MINUTES 51 SECONDS WEST, 894.37 FEET;
THENCE NORTH 23 DEGREES 01 MINUTES 36 SECONDS WEST, 50.24 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF ARROYO NORTE DRIVE;
THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, SOUTH 89 DEGREES 48 MINUTES 12 SECONDS, 12.54 FEET;
THENCE SOUTH 00 DEGREES 11 MINUTES 48 SECONDS WEST, 25.00 FEET;
THENCE SOUTH 89 DEGREES 48 MINUTES 12 SECONDS EAST, 55.00 FEET;
THENCE NORTH 00 DEGREES 11 MINUTES 48 SECONDS EAST, 25.00 FEET;
THENCE SOUTH 89 DEGREES 48 MINUTES 12 SECONDS EAST, 606.15 FEET TO THE POINT OF BEGINNING.

CONTAINING 691,062 SQ. FT. OR 15.8646 ACRES, MORE OR LESS.

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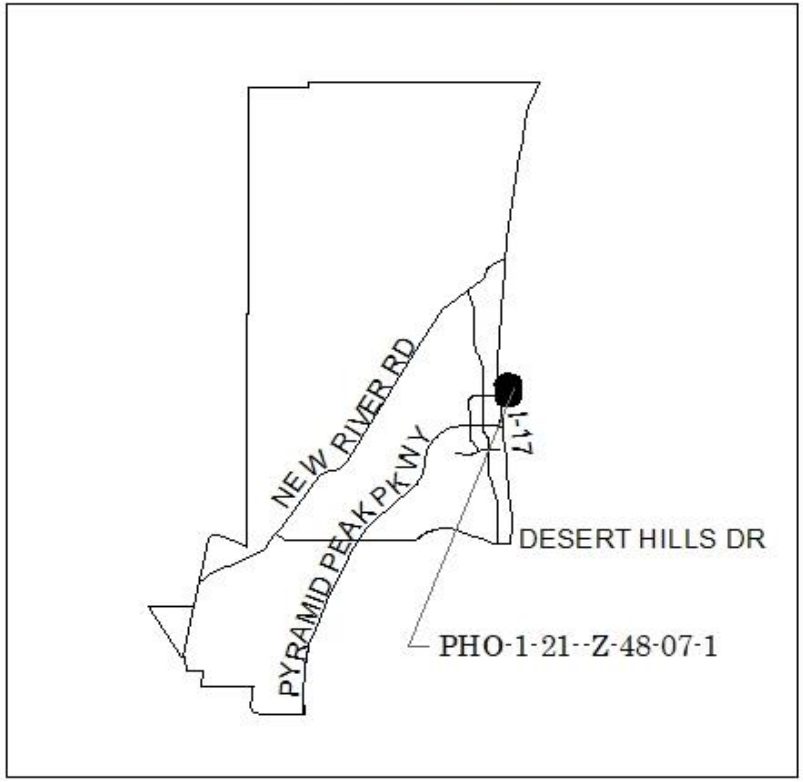
ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: PHO-1-21--Z-48-07-1
Zoning Overlay: N/A
Planning Village: Rio Vista





NOT TO SCALE

N

Drawn Date: 5/28/2021

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2021 Ord\7-1-21\PHO-1-21--Z-48-07-1.mxd

Attachment B

City of Phoenix

Staff Report: PHO-1-21--Z-48-07-1

APPLICATION #: PHO-1-21--Z-48-07-1

LOCATION: Approximately 400 feet east of the southeast corner of I-17 and Arroyo Norte Drive

EXISTING ZONING: C-2

ACREAGE: 16.0

REQUEST: 1) Submittal of conceptual site plan and elevations for approval by the Planning Hearing Officer per Stipulation 1.

2) Modification of Stipulation 2 regarding approval of a comprehensive sign plan.

3) Technical corrections to Stipulations 3 and 7.

APPLICANT: Law Office of David Cisiewski

OWNER: Tom Tait, AV 203 LLC

REPRESENTATIVE: Lisa Gage, FDG Acquisitions

STAFF RECOMMENDATION
Approval with a modification and additional stipulations, as recommended by the Planning Hearing Officer.

PLANNING HEARING OFFICER RECOMMENDATION
The Planning Hearing Officer heard this case on April 21, 2021 and recommended approval with a modification and additional stipulations.

BACKGROUND/ANALYSIS
The subject site is located on 16 acres approximately 400 feet east of the southeast corner of I-17 and Arroyo Norte Drive and is zoned C-2 (Intermediate Commercial). The applicant's request only affects a portion of the 46.65 gross acres included in the original rezoning request (Z-48-07-1).

The proposed site plan depicts a 170-unit multifamily complex consisting of detached, stand-alone, single-story, bungalow-style residences at a density of 12.2 dwelling units per gross acre. The proposed site plan depicts private backyards, covered parking, and private open spaces including a linear central park, a pool, and connected pedestrian pathways, constituting a total of 7.4 percent open space.

The applicant has submitted a conceptual site plan and elevations for approval by the Planning Hearing Officer per Stipulation 1 to develop the multifamily community on a portion of the rezoning site. The applicant stated that when the property was rezoned to C-2 in 2007 there was no site plan or elevations for the overall site.

The applicant has provided the following justifications for their requests:

- Stipulations 1.a and 1.b regarding elevations are being met through the revised desert color palette.
- Stipulation 1.d regarding landscaping, arcades, and overhang, and Stipulation 1.e regarding parking areas are more relevant to the development of a commercial shopping center, which was assumed to be the most likely future land use in the original rezoning case.
- Stipulation 1.f, regarding consideration of the site design for potential residential uses to mitigate impacts of the I-17 is being met with an approximate 500-foot setback from the I-17 frontage road.
- Stipulation 1.g regarding an architectural plan is being met with the building elevations' inclusion of detailed accents throughout the development.

The applicant requested modification of Stipulation 2, regarding approval of a comprehensive sign plan. The applicant noted that a comprehensive sign plan would be relevant if the larger site was being developed with multiple commercial uses and requested that the comprehensive sign plan requirement exclude residential uses. The applicant added that comprehensive sign plans are typically required in large commercial developments rather than individual residential developments.

PREVIOUS HISTORY

On August 29, 2007, the Phoenix City Council approved Rezoning Case No. Z-48-07-1 for a change from C-1 (Neighborhood Retail) and R1-8 (Single-Family Residence) to C-2 (Intermediate Commercial) on a 46.65 gross acre property located at the southeast corner of Interstate 17 and Teresa Lane, subject to stipulations. The case was heard concurrently with GPA-NWPA-1-06-1 to amend the General Plan Land Use Map designation for the subject property from Undesignated to Commercial.

These original cases were processed concurrent with the property's annexation into the City and the intent was to allow a commercial development on the site. However, the possibility that residential uses may be developed was considered, as evidenced by the conditions of Stipulation 1.f. The original rezoning case did not include a site plan or elevations, resulting in Stipulation 1 requiring conceptual site plan, elevations and architectural theme be approved by the Planning Hearing Officer through the public

hearing process and establishing 7 criteria (Stipulations 1.a-1.g) for review. These criteria included considerations relevant to the potential development of commercial land uses including but not limited to drive-through design, shaded walkways on commercial buildings, and commercial parking lot design. However, Stipulation 1.f addresses the potential for residential land uses to develop in the C-2 zoning district and required consideration of innovative site design, enhanced setbacks, sound barriers, and landscaping to mitigate impacts from the proximity of the I-17.

NEIGHBORHOOD CONCERNS

Public Correspondence

Thirty-two letters of opposition were received regarding this request. Concerns expressed in the correspondence include the following:

- Increase in traffic along the I-17 frontage road (20 emails);
- The proposed development does not provide adequate amenities and open space which may contribute to unintended use and degradation of existing amenities in the Arroyo Norte subdivision to the east (16 emails);
- Potential overflow parking along Arroyo Norte Drive (13 emails);
- Development is not consistent or compatible with the character of existing developments in the surrounding area (10 emails);
- Density is too high and incompatible with existing developments in the surrounding area (10 emails);
- The proposed name of the development will create confusion by inferring a connection to the Arroyo Norte subdivision to the east, located in Maricopa County jurisdiction (8 emails);
- Increase in safety hazards due to emergency vehicles' inability to access existing neighborhoods (8 emails);
- Development does not meet the Rio Vista Village Design Guidelines (2 emails)
- Lack of an approved Traffic Study (6 emails)
- The development will create negative impacts regarding nearby washes during rain events (3 emails);
- Increase in fire hazards (3 emails);
- The development will burden existing water infrastructure in the surrounding area (2 emails);
- Increase in crime rate resulting from lower income housing options (2 emails);
- Public notification sign for the Planning Hearing Officer hearing was not readily visible (1 email);
- Decrease in property values (1 email).

GENERAL PLAN LAND USE MAP DESIGNATION

Commercial

CHARACTER OF SURROUNDING LAND USE

	Zoning	Land Use
On-site:	C-2	Vacant
North: (Across Arroyo Norte Drive)	C-2	Vacant
South:	County (R1-6)	Single-family residential
East:	County (R1-6)	Single-family residential
West:	C-2	Vacant

VILLAGE PLANNING COMMITTEE RECOMMENDATION

The Rio Vista Village Planning Committee heard this request at their March 9, 2021 meeting and continued the request to the April 13, 2021 meeting by a vote of 5 to 0. The Rio Vista Village Planning Committee heard this request at their April 13, 2021 meeting and recommended approval by a vote of 4 to 2.

PLANNING HEARING OFFICER FINDINGS

The Planning Hearing Officer's recommendation was based on the following findings:

1) The original rezoning case contemplated development of the site with commercial uses. As there were no site plans or elevations included in the original application, it was unknown at the time how the site would ultimately develop, what specific uses would be implemented, and the scale and intensity of future development. Therefore, Stipulation 1 was adopted to require Planning Hearing Officer review through the public hearing process once these became available. However, this stipulation did recognize that the site may develop with residential uses as permitted in the approved C-2 zoning designation. Stipulation 1.f directly addressed this by establishing criteria for mitigating impacts of the I-17 on potential residences.

   The proposed conceptual site plan in this request depicts a 170-unit multifamily complex consisting of single-story bungalow-style residences. The proposed density is 12.2 dwelling units per gross acre, which is less than the 17.40 dwelling units per gross acre permitted in the R-3 PRD development option with bonus points. The proposed height is less than the two stories and 30 feet permitted in the R-3 PRD development option. Proposed open space is approximately 1.18 acres or 7.4 percent of the gross site area, which is greater than the minimum 5 percent required. The proposed residences are detached stand-alone units rather than a traditional multifamily apartment complex. The scale and intensity of the proposal is appropriate for its location along the I-17 freeway corridor, consistent with the existing zoning and General Plan Land Use map designation, and creates

a buffer between existing single-family development to the east, adjacent commercial zoning, and the I-17 freeway corridor.

2) Stipulations 1.a through 1.g established specific criteria regarding the review of the site plan and elevations. General conformance to the proposed conceptual site plan and elevations is recommended as discussed in these findings.

3) Stipulation 1.a requires architectural consistency in the elevations regarding building mass, building style, wall treatments, lighting, and signage. This stipulation was originally intended to address the potential development of the site with multiple commercial uses. With the conversion of this stipulation to general conformance for the proposed residential development, these concerns are not wholly relevant. However, the residential elevations do provide an appropriate level of consistency while still providing for architectural diversity with three home styles. Architectural features include multiple window styles, decorative window treatments, gable ornamentation, use of accent colors, and varied rooflines.

4) Stipulation 1.b requires the use of finishing materials that are appropriate for a desert context. This includes the use of Spanish style terracotta roof tiles. Primary building colors include neutral whites and grays in stucco. Accent colors are limited to front doors.

5) The applicant submitted revised building elevations and a revised color palette intended to address concerns raised during public outreach regarding the compatibility of the color palette on the initial elevations submitted with the request. These initial elevations included yellow, blue, and red accent doors and a Mediterranean palette. However, the revised elevations were limited to single-perspective renderings, did not incorporate the new door colors on the revised palette, and did not include the level of detail on the four-sided elevations in the original submittal. Therefore, an additional stipulation is recommended that addresses the use of colors that blend with the desert environment, prohibiting reflective materials, and limiting accent colors. The revised color palette date stamped April 20, 2021 would conform with this stipulation. However, the stipulation is intended to allow staff flexibility in reviewing the final palette as there is no building elevation that depicts all the appropriate colors in a single image.

6) Stipulation 1.f requires special consideration for residential uses regarding mitigating impacts of the I-17. It addresses four conditions that are addressed in the applicant's submittal as follows:

    a) **Innovative Site Design** – Vehicular access to the community is located along Arroyo Norte Drive, not along the I-17 frontage road, which will allow a continuous perimeter wall along the west property line. No units front the west property line and there are private yards located along this area.

b) **Increased Setbacks** – The proposed site area is not adjacent to the I-17 frontage road. There is an approximately 500-foot setback between the I-17 and the closest unit. This area includes a remaining large parcel, subject to the stipulations of this case, and an approximately 70-foot wide drainage channel.

c) **Sound barriers –** A six-foot split-faced CMU wall is proposed along the west perimeter property line. Additionally, as the subject property does not contain the parcel adjacent to the I-17 frontage road, the closest unit will be setback approximately 500 feet from the I-17.

d) **Increased Landscaping** – The conceptual landscape plan depicts a variety of large and medium canopy shade trees along the west property line in open spaces. Trees include a variety of acacia, willow, oak, and ash. However, the majority of the west property line consists of private yards and trees are not depicted. The fact that the subject property does not contain the parcel adjacent to the I-17 frontage road and the closest unit will be setback approximately 500 feet from the I-17 reduces the concern regarding enhanced landscaping standards in this area. The property is subject to existing Ordinance standards for landscaping in multifamily developments. The remaining parcel between this site and the I-17 will remain subject to this stipulation and landscaping will be reviewed during a future PHO hearing for these plans.

7) Stipulations 1.c, 1.d, 1.e, and 1.g addressed specific considerations that were relevant to the original vision of the site developing with multiple commercial users. Regarding Stipulation 1.g, the majority of the considerations are reflected in the conceptual elevations and the recommendation for general conformance.

8) Stipulation 2 regarding approval of a comprehensive sign plan was relevant to the assumption in the original rezoning case that the site would develop with multiple commercial uses. This requirement is not relevant to the development of the site with a single multifamily development. The applicant's request to modify this stipulation is recommended to be approved with a modification to the standard language to specify that this requirement is only relevant to development proposals for commercial land uses.

PLANNING HEARING OFFICER RECOMMENDED 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 JANUARY 28,

	2021, WITH SPECIFIC REGARD TO THE FOLLOWING, 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.~~ BUILDING AND WALL COLORS SHOULD BE MUTED AND BLEND WITH RATHER THAN CONTRAST WITH THE SURROUNDING DESERT ENVIRONMENT. REFLECTIVE MATERIALS SHOULD NOT BE USED. ACCENT COLORS SHOULD BE USED JUDICIOUSLY AND WITH RESTRAINT.	
	~~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 directly 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 for residential uses 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.	~~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~~.		
3.	~~That~~ Twenty-five feet of right-of-way shall be dedicated for the south half of Teresa Lane or as otherwise approved by the PLANNING AND Development ~~Services~~ Department.		
4.	~~That~~ Additional right-of-way shall be dedicated for the future expansion of the freeway/frontage road as approved by the Street Transportation Department.		
5.	~~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.		
6.	~~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.		
7.	~~That~~ The following persons, organizations and associations shall be notified by the applicant at least 15 days before the meeting or hearing of any PLANNING AND Development ~~Services~~ Department preliminary site plan meetings; Zoning Adjustment hearings; or Planning Hearing Officer hearings:		
	a.	New River Desert Hills Community Association, Inc. 515 E. Carefree Highway, #300 Phoenix, AZ 85085-8839	
	b.	Shareen Goodroad scgoodroad@msn.com 623-742-0150	
	c.	Terry Marron	

		t.marron@yahoo.com 623-587-7039
8.	PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. 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.	

PLANNING HEARING OFFICER RECOMMENDATION

It is recommended that this request be approved with a modification and additional stipulations as recommended by the Planning Hearing Officer.

EXHIBITS

A – Appeal Documents (2 pages)
B – Applicant's Narrative (39 pages)
C – Aerial Map (1 page)
D – Zoning Map (1 page)
E – Ordinance G-4948 from Rezoning Case No. Z-48-07-1 (8 pages)
F – Sketch Map from Rezoning Case No. Z-48-07-1 (1 page)
G – Proposed Site Plan date stamped January 28, 2021 (1 pages)
H – Proposed Elevations date stamped January 28, 2021 (13 pages)
I – Rio Vista Village Planning Committee Minutes from March 9, 2021 (6 pages)
J – Rio Vista Village Planning Committee Minutes from April 13, 2021 (12 pages)
K – PHO Summary for PHO-1-21--Z-48-07-1 (11 pages)
L – Public Correspondence (95 pages)

EXHIBIT A

PLANNING HEARING OFFICER APPEAL

I HEREBY REQUEST THAT THE PLANNING COMMISSION/CITY COUNCIL HOLD A PUBLIC HEARING ON:

CASE NUMBER:	PHO-1-21--Z-48-07-1		
LOCATION:	Approximately 400 feet east of the southeast corner of I-17 and Arroyo Norte Drive		
PHO HEARING DATE:	4/21/2021	**RECEIVED:**	4/28/2021
APPEALED BY:	☒ Opposition	☐ Applicant	
APPEALED TO:	**PLANNING COMMISSION**	6/3/2021 at 6:00 p.m.	
		TENTATIVE DATE	
	CITY COUNCIL	7/1/2021 at 10:00 a.m.	
		TENTATIVE DATE	
APPELLANT NAME AND ADDRESS:		**PHONE:**	
Richard Zimmerman 46026 North 35th Avenue New River, Arizona 85087		602-527-6938	
RECEIPT NUMBER:			
REASON FOR REQUEST:			
The development backs street infrastructure. The area lacks Fire/Police infrastructure. The frontage road is a fatality waiting to happen. This is irresponsible of C.O.P. to develop this area before the infrastructure is in place to support it.			
TAKEN BY:	Eric Morales, Planner II		

c: Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Adam Stranieri
Danielle Jordan
Ra'Desha Williams
Victoria Cipolla-Murillo
Julie Garcia
Ben Ernyei - Posting
GIS Team

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

CITY OF PHOENIX
APR 28 2021
Planning & Development Department

The PLANNING HEARING OFFICER agenda for *April 21, 2021* is attached.

The City Council May Ratify the Recommendation of the Planning Hearing Officer on *May 19, 2021* Without Further Hearing Unless:

- **A REQUEST FOR A HEARING BY THE PLANNING COMMISSION** is filed by 5:00 p.m. on *April 28, 2021*. (There is a **$630 fee** for hearings requested by the applicant.)

  Any member of the public may, within seven (7) days after the Planning Hearing Officer's action, request a hearing by the Planning Commission 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. on *April 28, 2021*.

APPEAL FORM

I HEREBY REQUEST THAT THE PLANNING COMMISSION HOLD A PUBLIC HEARING ON:

Pho-1-21--Z-48-07-1 — APPLICATION NO.
S.E. corner I-17 + Theresa Ln. — LOCATION OF APPLICATION PROPERTY

Richard Zimmerman — NAME (PLEASE PRINT)
☒ OPPOSITION ☐ APPLICANT

46026 N. 35th Ave New River AZ. 85087 — STREET ADDRESS

New River AZ. 85087 — CITY, STATE AND ZIP CODE
602-527-6938 — TELEPHONE NO

BY MY SIGNATURE BELOW, I ACKNOWLEDGE THE SCHEDULED HEARING DATE AS FOLLOWS:

APPEALED FROM *April 21, 2021* (DATE) **PHO HEARING TO** 6/3/2021 (DATE) **PC HEARING**

SIGNATURE: Richard Zimmerman DATE: 4-28-21

REASON FOR APPEAL: The development lacks street infrastructe. The area lack fire / Police infrastructure. The dentage road is a fatality waiting to happen. This is irresponsible of C.O.P. to develop this area before the infrastructure is in place to support it.

APPEALS MUST BE FILED IN PERSON AT THE 2ND FLOOR ZONING COUNTER, 200 W. WASHINGTON STREET, 602-262-7131, Option 6

PLANNER TAKING APPEAL: EM

Copies to: Case File | PHO Planner – Danielle Jordan | PHO Secretary – Vikki Cipolla-Murillo

EXHIBIT B

LAW OFFICE OF DAVID CISIEWSKI, PLLC
11811 North Tatum Blvd, Suite 1051, Phoenix, AZ 85028
Telephone: 602.953.8729 Facsimile: 602.997.9807 Email: dave@dclawaz.com Web: www.dclawaz.com

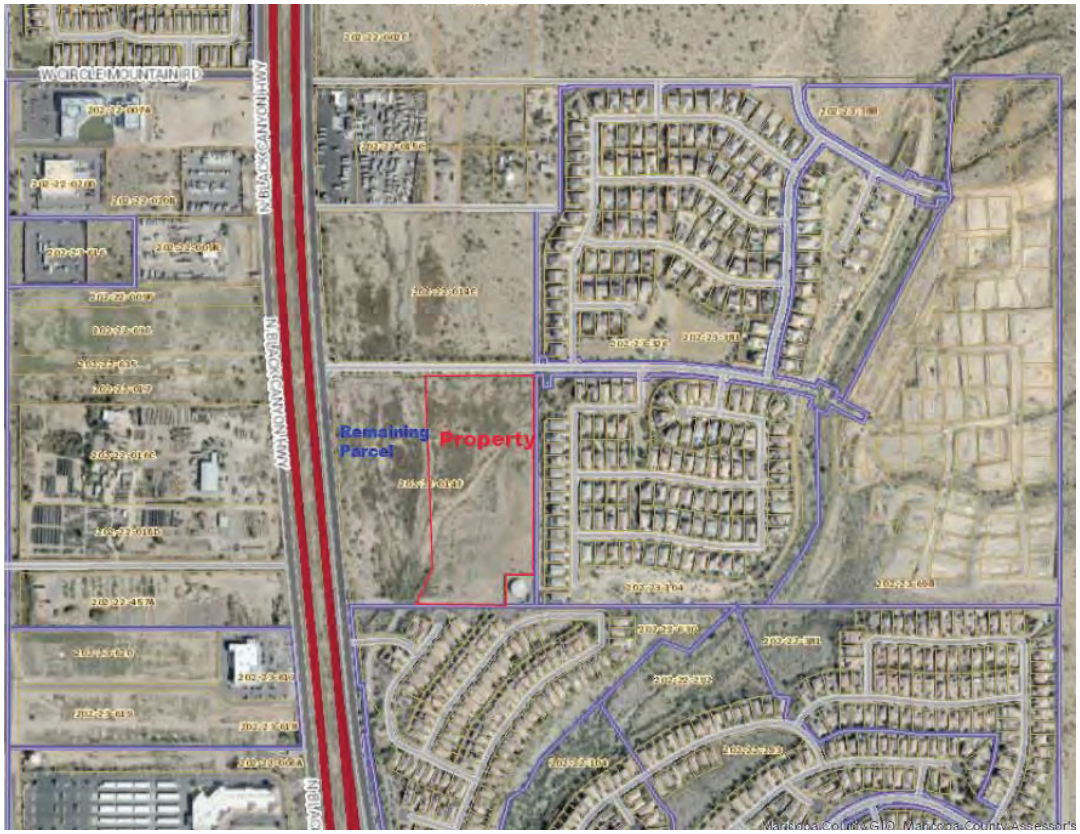
February 9, 2021

Planning Hearing Officer
City of Phoenix
Planning & Development Department
200 West Washington Street, 2nd Floor
Phoenix, Arizona 85003

Re: Application for Satisfaction of Stipulations (Revised)
Zoning Case: Z-48-07-01
Project – Arise Arroyo Norte

Dear Planning Hearing Officer:

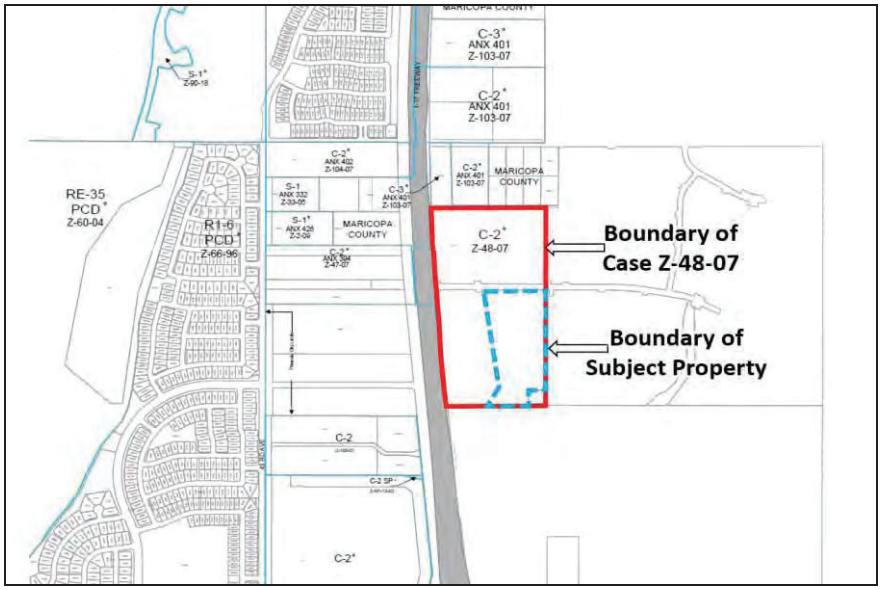
This firm represents FDG Acquisitions, LLC ("FDG"), the developer of Arise Arroyo Norte, a 170-unit luxury single-family rental community (the "Project" or "Community"). The Project is proposed to be developed upon an approximately 15.86-acre portion of a 25.7-acre parcel (Maricopa County Assessor's Parcel 202-22-014J) located east of the southeast corner of the I-17 Frontage Road and Arroyo Norte Drive (the "Property" or "Site"). The remaining portions of the larger tract containing the Property (the "Remaining Parcel") are not proposed for development at this time. A aerial photo of the Property and the Remaining Parcel are provided below.



The entirety of the Property and the Remaining Parcel are currently vacant and undeveloped. Through this Application, the Applicant is proposing to develop a 170-unit luxury single-family rental community upon the Property. The Project will provide new and more diverse housing options within this area of the City as a benefit to the overall residential character of the area.

A. Background

The Property, as well as the Remaining Parcel, were part of zoning case Z-48-07-01 ("Rezoning"), which was approved by the Phoenix City Council on July 2, 2007, as Ordinance No. G-4948. A copy of the Rezoning is attached hereto as Exhibit A. The Rezoning changed the land use designations on 46.65 acres from C-1 (Neighborhood Commercial) and R1-8 (Single-Family Residence) to C-2 (Intermediate Commercial). The area subject to the Rezoning is depicted on the map below. At the time of the Rezoning there was no specific development plan for the Property or the Remaining Parcel and therefore stipulations were included to address future approval of the site plans and elevations for the separate parcels that were included as part of the Rezoning. At the current time, there is no planned development for the Remaining Parcel and this Application relates only to the satisfaction of Rezoning stipulations for the Property.



B. Surrounding Uses & Zoning.

The existing zoning and land uses surrounding the Property are as follows and shown above on the Zoning Map:

Direction	Zoning	Use
North	C-2 (City of Phoenix)	Vacant
East	R1-7 (Maricopa County)	Single-family residential (Arroyo Norte 4)
South	R1-6 (Maricopa County)	Single-family residential (Anthem Unit 57)
West	C-2 (City of Phoenix)	Vacant

C. Proposed Residential Community Design

Arise Arroyo Norte is a luxury, single-family rental community centered around a large central park and amenity area. The proposed residential units will include 1-, 1.5-, and 2-bedroom units, with private entries and gated rear yards. The Community amenities will include a pool, cabanas, a dog park, and other smaller parks and common areas disbursed throughout the Community to provide easy access to open space for all residents. The main entry will be at the northwest corner of the Community with a secondary, egress only, access drive at the northeast corner of the Property. Access to the residential units is provided via a loop road that traverse the Community to provide ease vehicular access to all the residential units and the parking areas.

Further Project specific details include the following:

Unit Summary Unit Plan	Sq. Ft.	Bed/Bath	# of Units	% Mix
Plan 1	698	1/1	9	5%
Plan 1.5	786	1/FLEX/1	59	35%
Plan 2	901	2/2	102	60%
Total	**-**	**-**	**170**	**100%**

Parking Summary Required Parking		Provided Parking	
1.5 spaces per unit	255	Assigned carport spaces	148
		Assigned garage spaces	32
		Unassigned spaces	89
		Leasing Office	6
Total	**255**		**275**

Site Coverage Type	Sq. Ft.	Acres	% Total
Building Coverage	151,587	3.48	22%
Roads & Parking	110,605	2.54	16%
Private Yards, Landscaping, & Amenities	344,741	7.91	50%
Drainage Easement	83,949	1.93	12%
Total	**690,882**	**15.87**	**100**

The following Exhibits are attached to the Application to illustrate the proposed development, design elements for the Community and satisfaction of the requisite Zoning Stipulations:

Exhibit A - Rezoning
Exhibit B - Site Plan
Exhibit C - Landscape Plans
Exhibit D - Building Elevations
Exhibit E - Materials & Colors Plan
Exhibit F - Design Details

D. Text of Zoning Stipulations and Satisfaction Rationale

So as to provide for the development of the Property in conformance with the stipulations set forth in the Rezoning ("Zoning Stipulation"), the Applicant offers the following rationale in satisfaction of the applicable Zoning Stipulations:

1. That conceptual site plan(s) and elevations shall be approved by the Planning Hearing Officer through a public hearing process prior to Development Services Department preliminary site plan approval. The site plan(s) and elevations shall include the following:

    a. Elevations which provide architectural consistency in building mass and style, wall treatments, lighting, and signage.

    Satisfaction of Zoning Stipulation: ***As shown on the Building Elevations, attached hereto as Exhibit D, the proposed residential units, as well as the other structures within the Community, provide an aesthetically pleasing architectural theme using neutral tones and accent colors. The proposed buildings provide a cohesive architectural design throughout the Community featuring stucco exterior walls, complimentary tile roofs, and accent widow and door treatments. All residential units will be single-story design with a private rear yard.***

    The Community will provide for a perimeter masonry wall with architectural elements consistent with and complimentary to the design elements reflected on the Building Elevations, as depicted on the Design Details Plan, attached hereto as Exhibit F. The Community will also including lighting fixtures to provide for street lighting, pathway and area lighting and accent landscaping lighting using uniform fixtures, with such fixtures being as depicted on Exhibit F.

    b. The primary finishing materials for buildings shall consist of natural desert materials which are appropriate for the natural desert context.

    Satisfaction of Zoning Stipulation: ***As shown on the Materials & Color Plan, attached hereto as Exhibit E, the materials proposed for the Community buildings consist of exterior stucco wall in a "Snowbound" color throughout the Project. Each building will feature roofs in a complimentary "Barcelona Terra Cotta" color, providing an appealing contrast of color and texture throughout the development. Further, the Community will feature colors that not only blend well with the surrounding natural desert landscape, but are also highly compatible with the existing residential developments to the immediate east and south of the Property. Additionally, perimeter walls will be constructed of split-faced CMU block with support columns and cap-stone of a complimentary material.***

c. Drive-thru facilities shall be oriented so that drive-thru windows are not directly visible from adjacent public streets.

Satisfaction of Zoning Stipulation: ***This condition is not applicable to the proposed residential development, but will be address in the future commercial development of the remaining portions of the larger tract subject to the Rezoning.***

d. Landscaping, arcades, or overhangs which provide shaded walkways shall be utilized.

Satisfaction of Zoning Stipulation: ***While this Stipulation is generally more applicable to a commercial development, as was originally contemplated for this Property, the proposed Community will provide landscaped areas through the development, including a large centrally located park for the enjoyment of all residents. As depicted on the Landscape Plans, attached hereto as Exhibit C, Trees and shrubs are well disbursed throughout the Community to provide both eye-appealing common areas, shade adjacent to vehicular parking areas, as well as shade along the paths connecting the residential units.***

e. That parking areas shall be designed with landscaped areas to break up the large expanse of parking.

Satisfaction of Zoning Stipulation: ***The Community parking areas, as illustrated on the attached Site Plan (Exhibit B) and Landscape Plans (Exhibit C) are disbursed throughout the Community to provide easy access to the residents between the living units, the parking areas, and community amenities. As designed, the Community does not provide any large, expansive parking fields, but rather smaller areas of carport covered parking, private garages, and other parking areas to service the needs of the residents. Additionally, landscaping has been located adjacent to parking areas to provide both shade and visual appeal throughout the Community.***

f. Special consideration shall be given to site design for residential uses adequately mitigate the impacts of the proximity to Interstate 17, such innovative site design, increased setbacks, sound barriers, and increased landscaping.

Satisfaction of Zoning Stipulation: ***The proposed residential Community has been located in the far eastern portion of the larger tract subject to the Rezoning so as to provide the maximum distance buffer between the proposed residences and Interstate 17. As illustrated on the Site Plan, attached hereto as Exhibit B, the distance from the closest proposed residence to the Interstate 17 is in excess of 500 feet. Additionally, the proposed Community is separated from the Interstate by the western perimeter wall of the Community, an approximately 70 foot wide drainage channel, and a large tract of land which may be developed in the future with uses allowed under the Rezoning. The natural and man-made buffers, along with a substantial separation distance will provide more than adequate buffering of noise and other impacts generated from Interstate 17.***

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.

Satisfaction of Zoning Stipulation: As shown on the attached Materials and Color Plan (Exhibit E) and Building Elevations (Exhibit D), the proposed building materials consist of exterior stucco walls and tile roofs. Desert-tone colors are provided throughout the development, with accent colors being used on the residential unit doors and window cornices for appeal.

ii. Architectural detailing such as recesses, pop outs, shade walls, parapets, artistic insets, or pilasters.

Satisfaction of Zoning Stipulation: The proposed residential units, as shown on the attached Building Elevations (Exhibit C), provide for recessed entries, window cornices and roof-line accents to enhance the architectural character of the Community.

iii. Street appurtenances such as benches, seat-walls, ramadas, shade structures, trash enclosures, lighting, and wayfinding signage.

Satisfaction of Zoning Stipulation: The proposed Community features a well-designed streetscape along the loop road providing access to the entire Community. Located along this private street is ample parking, both covered and open, for the use and benefit of the residents. Trash enclosures are disbursed throughout the Community for easy access by the residents and ease of refuse collection. Connective walkways and landscaping are provided along the street to provide direct and easy access for the residents from the residential units to the parking facilities, as well as the community amenities and parks located throughout the development. Street lighting and accent lights are also provide throughout the development for the safety and aesthetic appeal to the residents.

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.

Satisfaction of Zoning Stipulation: As shown on Design Details, included as Exhibit F, the Community will provide for a perimeter wall along the entire perimeter of the development. The perimeter wall will feature split-faced block masonry construction with architectural accents consistent with and complimentary to the Building Elevations to provide for an overall consistent architectural theme. Additionally, throughout

the Community, view fencing will be provided with such view fencing featuring a consistent architectural design for the supporting columns.

2. That a comprehensive sign plan for the entire property, excluding that portion being developed for residential uses, shall be approved by the Zoning Administrator in accordance with Section 705 of the Zoning Ordinance prior to Development Services Department final site plan approval for the first phase of development.

   Rationale for Modification of Stipulation: ***The proposed residential development of the Property is being processed as a separate and discrete residential development, not otherwise connected to the later development of the Remaining Parcel. At this time, it is unclear how the Remaining Parcel will be developed and signage for any future development upon the Remaining Parcel will be more fully defined through the subsequent entitlement and review processes. Additionally, the Stipulation regarding a comprehensive sign plan is more appropriately related to the previously contemplated development of the entire tract as an integrated commercial development, which is not the current development plan. Therefore, the Applicant request that this Stipulation be modified to exclude the Property being developed for residential uses from any comprehensive sign plan.***

3. That 25 feet of right-of-way shall be dedicated for the south half of Teresa Lane or as otherwise approved by the Development Services Department.

4. That additional right-of-way shall be dedicated for the future expansion of the freeway/frontage road as approved by the Street Transportation Department.

5. 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 the plans approved or modified by the Street Transportation Department.

6. That the applicant shall submit an archaeological survey report of the development are for review and approval by the City Archaeologist prior to clearing and grubbing, landscaping, salvage, and/or grading. Further archaeological monitoring and/or testing (trenching) may be necessary based on the results of the survey.

7. That the following persons, organizations, and associations shall be notified by the applicant at least 15 days before the meeting or hearing of any Development Services Department preliminary site plan meetings, Zoning Adjustment hearings, or Planning Hearing Officer hearings:

   a. New River Desert Hills Community Association, Inc.
   515 E. Carefree Highway, #300
   Phoenix, AZ 85085-8839

   b. Shareen Goodroad
   scgoodroad@msn.com
   623-742-0150

c. Terry Marron
t.marron@yahoo.com

E. Conclusion.

Based upon the proposed design and development elements of the Community, the uniform and compatible architectural theme, and nature of the proposed multifamily development upon the Property, the Community has been designed in satisfaction of the relevant Stipulations set forth in the Rezoning.

Exhibit A - Rezoning

When recorded mail to:

HOLD FOR PICK UP
CITY OF PHX. ACCT #34

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
20070988482 09/05/2007 10:14 #4948G
ELECTRONIC RECORDING (8 pages)

CAPTION HEADING: Ordinance G4948

DO NOT REMOVE

THIS IS PART OF THE OFFICIAL DOCUMENT.

ORDINANCE G-4948

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-48-07-1) FROM C-1 (NEIGHBORHOOD RETAIL) AND R1-8 (SINGLE-FAMILY RESIDENCE) TO C-2 (INTERMEDIATE COMMERCIAL).

WHEREAS, on April 11, 2007, the City of Phoenix Planning Commission, in compliance with the requirements of the City of Phoenix Zoning Ordinance, Section 506, initiated a request for rezoning of an approximately 46.65 acre property located at the southeast corner of Interstate 17 and Teresa Lane in a portion of Section 10, Township 6 North, Range 2 East, as described more specifically in Attachment "A", attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to A.R.S. § 9-462.04, the Planning Commission, held a public hearing on June 25, 2007, and at this hearing recommended that the City Council approve this rezoning request with the recommended staff conditions, as modified; and,

WHEREAS, the City Council, at their regularly scheduled meeting held on July 2, 2007, has determined that, in accordance with A.R.S. § 9-462.01.F, this rezoning request, with the appropriate site specific requirements provided in Section II, is consistent with and conforms to the General Plan, will conserve and promote the public

health, safety and general welfare, and should be approved, subject to the conditions herein.

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

SECTION 1: The zoning of an approximately 46.65 acre property located at the southeast corner of Interstate 17 and Teresa Lane in a portion of Section 10, Township 6 North, Range 2 East, as described more specifically in Attachment "A", is hereby changed from "C-1" (Neighborhood Retail) and "R1-8" (Single-Family Residence) to "C-2" (Intermediate Commercial) and that the Planning Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Attachment "B".

SECTION 2: The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-48-07-1, on file with the Planning Department. 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. Building permits shall not be issued for the subject site until the following conditions are met and/or complied with:

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:

    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 directly 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 for residential uses to adequately mitigate the impacts of the proximity to Interstate 17, such 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. That a comprehensive sign plan for the entire property shall be approved by the Zoning Administrator in accordance with Section 705 of the Zoning Ordinance prior to Development Services Department final site plan approval for the first phase of development.

3. That 25 feet of right-of-way shall be dedicated for the south half of Teresa Lane or as otherwise approved by the Development Services Department.

4. That additional right-of-way shall be dedicated for the future expansion of the freeway/frontage road as approved by the Street Transportation Department.

5. 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.

6. 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.

7. That the following persons, organizations and associations shall be notified by the applicant at least 15 days before the meeting or hearing of any Development Services Department preliminary site plan meetings; Zoning Adjustment hearings; or Planning Hearing Officer hearings:

   a. New River Desert Hills Community Association, Inc.
   515 E. Carefree Highway, #300
   Phoenix, AZ 85085-8839

   b. Shareen Goodroad
   scgoodroad@msn.com
   623-742-0150

   c. Terry Marron
   t.marron@yahoo.com
   623-587-7039

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 29th day of August, 2007.

MAYOR

ATTEST:

City Clerk

2007 AUG 24 PM 4:19

APPROVED AS TO FORM:

William Beck Acting City Attorney MLW

REVIEWED BY:

City Manager

MLW:cz:704137v1
8/29/07:CM#27

Attachment A
Legal Description for Z-48-07-1

A PORTION OF THE NORTH HALF 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 NORTHWEST CORNER OF SAID SECTION 10, BEING A GLO BRASS CAP FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 10, BEING A GLO BRASS CAP, BEARS SOUTH 00°03'56" EAST, A DISTANCE OF 2,634.93 FEET;

THENCE SOUTH 89°59'05" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 10, A DISTANCE OF 2,645.69 FEET TO THE NORTH QUARTER CORNER OF SECTION 10;

THENCE NORTH 89°44'33" EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 10, A DISTANCE OF 13 1.55 FEET;

THENCE SOUTH 00°00'00" WEST, LEAVING SAID NORTH LINE, A DISTANCE OF 660.34 FEET;

THENCE NORTH 90°00'00" WEST, A DISTANCE OF 120.20 FEET TO A POINT ON THE WEST LINE OF A 40.00 FOOT WIDE ELECTRIC EASEMENT PER DOCUMENT 1714, PAGE 432, MARICOPA COUNTY RECORDS, SAID POINT ALSO BEING THE **POINT OF BEGINNING** OF THE PARCEL HEREIN DESCRIBED;

THENCE SOUTH 00°05' 17" EAST, ALONG SAID WEST LINE, A DISTANCE OF 1,973.87 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 10;

THENCE SOUTH 89°59'13" WEST, DEPARTING THE WEST LINE OF SAID ELECTRIC EASEMENT AND PROCEEDING ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER, A DISTANCE OF 932.74 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE NORTH BOUND 1-17 FRONTAGE ROAD;

THENCE NORTH 05°28'34" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 774.64 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 22,714.32 FEET THE CENTER OF WHICH BEARS NORTH 84°3 1'09" EAST;

THENCE NORTHERLY, ALONG SAID EASTERLY RIGHT OF WAY LINE AND ALONG SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 1,205.99 FEET, THROUGH A CENTRAL ANGLE OF 03°02'3 1" TO A POINT OF NON-TANGENCY:

THENCE NORTH 89°58'49" EAST, LEAVING SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 1,086.90 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL HEREIN DESCRIBED.

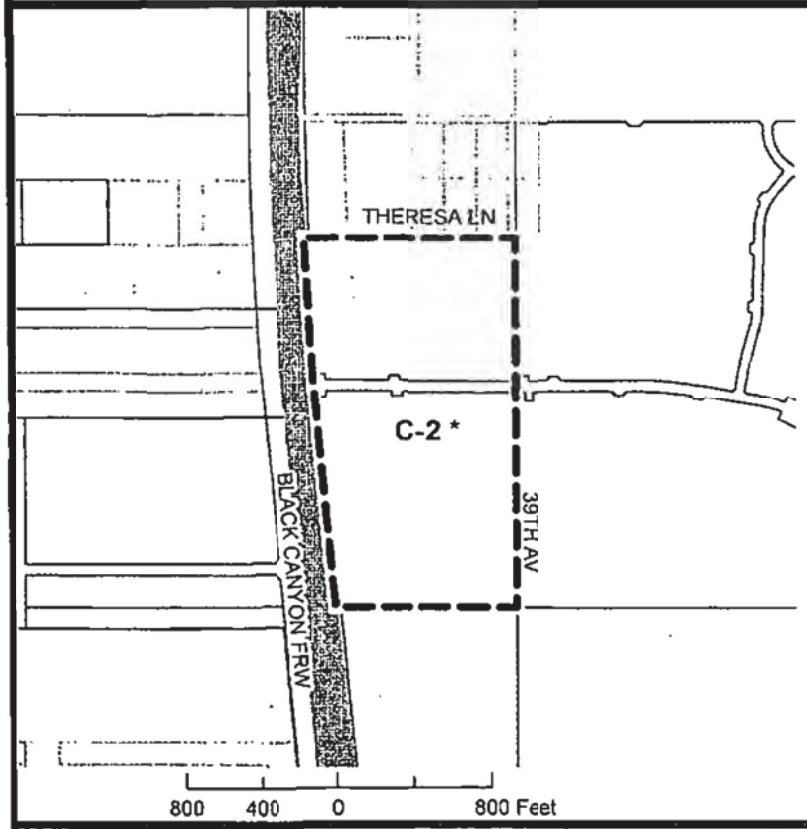
SAID PARCEL CONTAINS 2,012,241.9 SQUARE FEET OR 46.19 ACRES.

ATTACHMENT B

ORDINANCE LOCATION MAP

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

Zoning Case Number: Z-48-07
Planning Village: NEW VILLAGE





NOT TO SCALE

City of Phoenix
PLANNING DEPARTMENT

N

Drawn Date: 7-24-07

(N:\IS_Team\Core_Functions\Zoning\SuppMaps\July\Z-48-07.mxd) 9/4/2007

Exhibit B – Site Plan



PROJECT SUMMARY TABLE

TOTAL GROSS SITE AREA	15.86 ACRES
TOTAL NET SITE AREA	13.93 ACRES
TOTAL UNITS	170 UNITS
NET DENSITY	12.2 DU/AC

RESIDENTIAL UNIT SUMMARY

UNIT PLAN	SQ. FT.	BD/BA	# UNITS	% MIX	TOTAL S.F.
PLAN 1	698	1/1	9	5%	6,282
PLAN 1.5	786	1/ FLEX /1	59	35%	46,374
PLAN 2	901	2/2	102	60%	91,902
TOTAL			170	100%	144,558

PARKING SUMMARY

REQUIRED		PROVIDED	
1.5 SPACES PER UNIT	255	ASSIGNED REMOTE CARPORTS	148
		ASSIGNED REMOTE GARAGES	32
		UNASSIGNED SPACES	89
		LEASING OFFICE PARKING	6
TOTAL	255		275

SITE COVERAGE

COVERAGE TYPE	SQ. FT.	ACRES	% OF TOTAL SITE
BUILDING COVERAGE	151,587	3.48	22%
ROADS & PARKING	110,605	2.54	16%
PRIVATE YARDS, LANDSCAPING & AMENITIES	344,741	7.91	50%
DRAINAGE EASEMENT	83,949	1.93	12%
TOTAL GROSS AREA	690,882	15.86	100%

COMMON OPEN SPACE

REQUIRED		PROVIDED	
5% OF GROSS SITE AREA	0.79	CENTRAL GREENBELT AND AMENITY	0.87
		PARKS	0.31
TOTAL	0.79		1.18

DESIGN OBJECTIVES

- CREATE A PRIVATE, GATED ENTRY TO PROVIDE RESIDENTS WITH A GREATER SENSE OF SECURITY WHILE PROMOTING COMMUNITY PRIDE.
- LOCATE PRIMARY COMMUNITY AMENITY AND LEASING OFFICE AT ENTRY TO ENABLE EASY ACCESS AS WELL AS SERVING AS AN ATTRACTIVE FOCAL POINT THAT IS CENTRAL TO ALL RESIDENTS.
- CREATE A FOR-RENT COMMUNITY WITH ALL SINGLE FAMILY DETACHED HOMES, WITH AMPLE PRIVATE YARDS AND PRIVATE ENTRIES.
- LOCATE MAJORITY OF GARAGES AND CARPORTS OFF THE MAIN LOOP ROAD TO CREATE A MORE ATTRACTIVE STREET SCENE.
- PROVIDE MULTIPLE RECREATIONAL AMENITIES THAT PROMOTE ACTIVE LIFESTYLES WITH MANY EXERCISE OPPORTUNITIES..

CITY OF PHOENIX
JAN 28 2021
Planning & Development Department

ARISE ARROYO NORTE
FAMILY DEVELOPMENT
PHOENIX, ARIZONA

CONCEPTUAL SITE PLAN

N
0 50' 100'

01-26-21

DANIELIAN ASSOCIATES
architects planners
60 Corporate Park, Irvine CA 92606 (949)474-6030

20067.00

Exhibit C - Landscape Plans

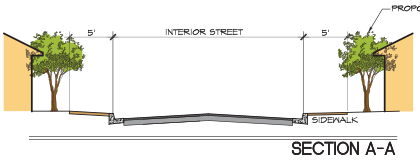




OFFICE AND POOL AMENITIES



CENTRAL PARK



SECTION A-A



PROPOSED PLANT LIST

SYMBOL	QTY.	BOTANICAL NAME / COMMON NAME	SIZE / NOTES	WATER USE
TREES & PALMS				
		ACACIA STENOPHYLLA 'SHOESTRING ACACIA'	24" BOX SINGLE TRK. STKD.	0.2 LOW
		CHILOPSIS LINEARIS 'DESERT WILLOW'	24" BOX SINGLE TRK. STKD.	0.2 LOW
		QUERCUS VIRGINIANA 'SOUTHERN LIVE OAK'	24" BOX SINGLE TRK. STKD.	0.2 LOW
		ACACIA SALICINA 'WILLOW ACACIA'	24" BOX SINGLE TRK. STKD.	0.2 LOW
		FRAXINUS VELUTINA 'ARIZONA ASH'	24" BOX SINGLE TRK. STKD.	0.2 LOW
		PHOENIX DACTYLIFERA 'DEGLET NOOR'	15' BTH DIAMOND CUT	0.5 MOD
		ACACIA ANEURA 'MULGA'	24" BOX SINGLE TRK. STKD.	0.2 LOW
		CAESALPINIA CACALACO 'SMOOTHY'	15 GAL. MULTI-TRK.	0.2 LOW
		CORDIA BOISSIERI 'TEXAS OLIVE'	15 GAL. SINGLE TRK. STKD.	0.2 LOW
		WASHINGTONIA ROBUSTA 'MEXICAN FAN PALM'	16' BTH	0.5 MOD
SHRUBS AND DESERT ACCENTS				
		PARVIFLORA LONGISSIMA 'MEXICAN GRASS TREE'	15 GAL.	0.2 LOW
		DASYLIRION WHEELERI 'DESERT SPOON'	15 GAL.	0.2 LOW
		AGAVE HEERII 'HEER'S AGAVE'	5 GAL.	0.1 VERY LOW
		AGAVE ANGUSTIFOLIA 'MARGINATA'	5 GAL.	0.1 VERY LOW
		HESPERALOE PARVIFLORA 'RED TIPPED YUCCA'	5 GAL.	0.2 LOW
		ECHINOCACTUS GRUSONII 'GOLDEN BARREL CACTUS'	12" DIA.	0.2 LOW
		SENNA ARTEMISIOIDES 'FEATHER CASSIA'	5 GAL.	0.2 LOW
		LEUCOPHYLLUM LANGMANIAE 'LYNN'S LEGACY'	5 GAL.	0.2 LOW
		LEUCOPHYLLUM CANDIDUM 'THUNDER CLOUD'	5 GAL.	0.2 LOW
		LEUCOPHYLLUM ZYGOPHYLLUM 'CIMARRON'	5 GAL.	0.2 LOW
		TECOMA 'LYDIA'	5 GAL.	0.3 MOD
		BOUGAINVILLEA 'TORCH GLOW'	5 GAL.	0.3 MOD
		BOUGAINVILLEA 'PINK PIXIE'	5 GAL.	0.3 MOD
		BOUGAINVILLEA 'ROSENKA'	5 GAL.	0.3 MOD
		ERIOGONUM MASCULATA 'VALENTINE'	5 GAL.	0.2 LOW
		CALLISTEMON VIMINALIS 'LITTLE JOHN'	5 GAL.	0.3 MOD
		CARISSA 'BOXWOOD BEAUTY'	5 GAL.	0.3 MOD
		RUSSELIA EQUISETIFORMIS 'CORAL FOUNTAIN'	5 GAL.	0.3 MOD
GROUNDCOVER & VINES				
		LANTANA 'NEW GOLD'	5 GAL.	0.3 MOD
		CARISSA 'GREEN CARPET'	5 GAL.	0.3 MOD
		BERMUDA 'TURF'		

TREES WITHIN EXISTING OR FUTURE ROWS OR WITHIN 5 FEET OF PUBLIC SIDEWALKS WILL INCLUDE DEEP ROOT BARRIERS.

CITY OF PHOENIX
JAN 28 2021
Planning & Development Department

ARISE ARROYO NORTE

PHOENIX, AZ

FDG ACQUISITIONS, LLC

0' 50' 100' 150'
SCALE: 1"=50'

HERMANN DESIGN GROUP
77-899 WOLF RD.
SUITE 102
PALM DESERT, CA
92211
AZ LIC# 54352
PH. (760) 777-9131
FAX (760) 777-9132

DATE 1/27/21

Exhibit D - Building Elevations



ARISE

ARROYO NORTE

ktgy

Architecture + Planning
17911 Von Karman Avenue, Suite 200
Irvine, CA 92614
949.851.2133
ktgy.com

FAMILY DEVELOPMENT™
FAMILY DEVELOPMENT, 73-081 FRED WARING DRIVE
PALM DESERT, CA 92260

Arise on Arroyo Norte
Proposed Building Elevations



CITY OF PHOENIX
JAN 28 2021
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Department



LEFT



FRONT



RIGHT



REAR

CITY OF PHOENIX
JAN 13 2021
Planning & Development Department

ktgy
Architecture + Planning
888.456.5849
ktgy.com

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FAMILY DEVELOPMENT
73-081 FRED WARING DRIVE
PALM DESERT, CA 92260

ARISE ARROYO NORTE
PHOENIX, AZ # 2020-1071

SCALE: 1/4"=1'-0"
0 2 4 8

PI - ELEVATIONS

A1.0



RIGHT PERSPECTIVE



FRONT PERSPECTIVE



LEFT PERSPECTIVE



REAR PERSPECTIVE

CITY OF PHOENIX
JAN 3 0 2021
Planning & Development Department

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Architecture + Planning
888.456.5849
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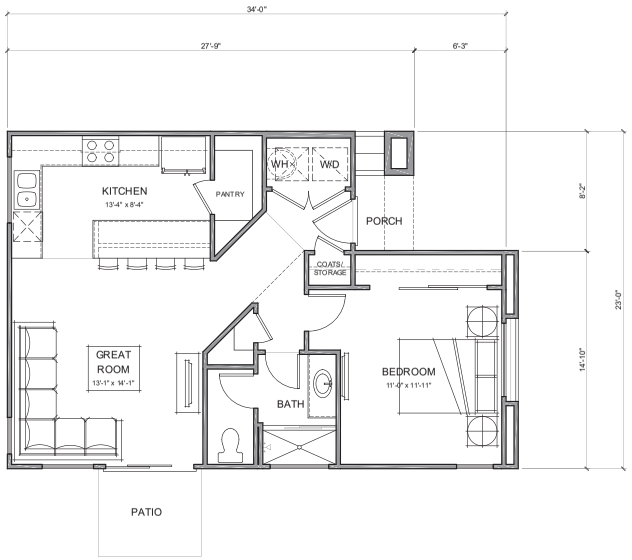
FAMILY DEVELOPMENT
73-081 FRED WARING DRIVE
PALM DESERT, CA 92260

ARISE ARROYO NORTE
PHOENIX, AZ # 2020-1071

P1 - PERSPECTIVES

A1.1



698 SF

CITY OF PHOENIX
JAN 3 # 2021
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ktgy.com

FAMILY DEVELOPMENT
FAMILY DEVELOPMENT
73-081 FRED WARING DRIVE
PALM DESERT, CA 92260

ARISE ARROYO NORTE
PHOENIX, AZ # 2020-1071

SCALE: 1/4"=1'-0"
0 2 4 8

P1 - UNIT PLANS

A1.2

Arise on Arroyo Norte
Proposed Building Elevations



CITY OF PHOENIX
JAN 28 2021
Planning & Development
Department



LEFT



FRONT



RIGHT



REAR

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FAMILY DEVELOPMENT
73-081 FRED WARING DRIVE
PALM DESERT, CA 92260

ARISE ARROYO NORTE
PHOENIX, AZ # 2020-1071

SCALE: 1/4"=1'-0"
0 2 4 8

P1.5 - ELEVATIONS

A2.0



RIGHT PERSPECTIVE



FRONT PERSPECTIVE



LEFT PERSPECTIVE



REAR PERSPECTIVE

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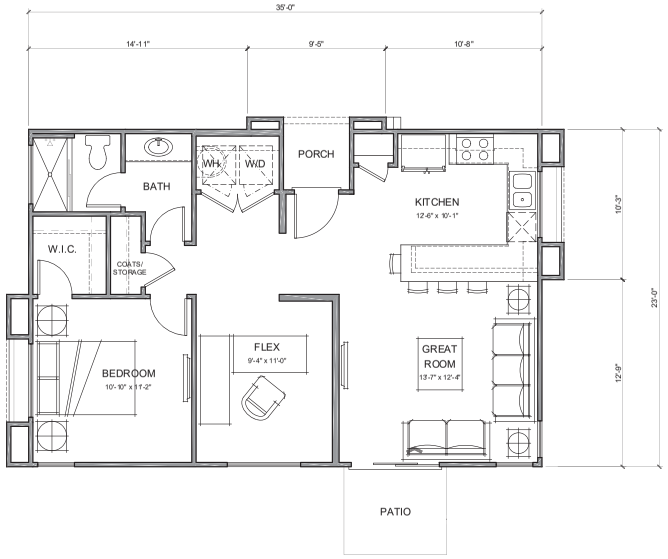
73-081 FRED WARING DRIVE
PALM DESERT, CA 92260

ARISE ARROYO NORTE
PHOENIX, AZ # 2020-1071

P1.5 - PERSPECTIVES

A2.1



786 SF

CITY OF PHOENIX
JAN 3 8 2021
Planning & Development
Department

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Architecture + Planning
888.456.5849
ktgy.com

FAMILY DEVELOPMENT
FAMILY DEVELOPMENT
73-081 FRED WARING DRIVE
PALM DESERT, CA 92260

ARISE ARROYO NORTE
PHOENIX, AZ # 2020-1071

SCALE: 1/4"=1'-0"
0 2 4 8

P1.5 - UNIT PLANS | A2.2

Arise on Arroyo Norte
Proposed Building Elevations



CITY OF PHOENIX
JAN 28 2021
Planning & Development
Department



LEFT



FRONT



RIGHT



REAR

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FAMILY DEVELOPMENT
73-081 FRED WARING DRIVE
PALM DESERT, CA 92260

ARISE ARROYO NORTE
PHOENIX, AZ # 2020-1071

SCALE: 1/4"=1'-0"
0 2 4 8

P2 - ELEVATIONS

A3.0



RIGHT PERSPECTIVE



FRONT PERSPECTIVE



LEFT PERSPECTIVE



REAR PERSPECTIVE

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JAN 28 2021
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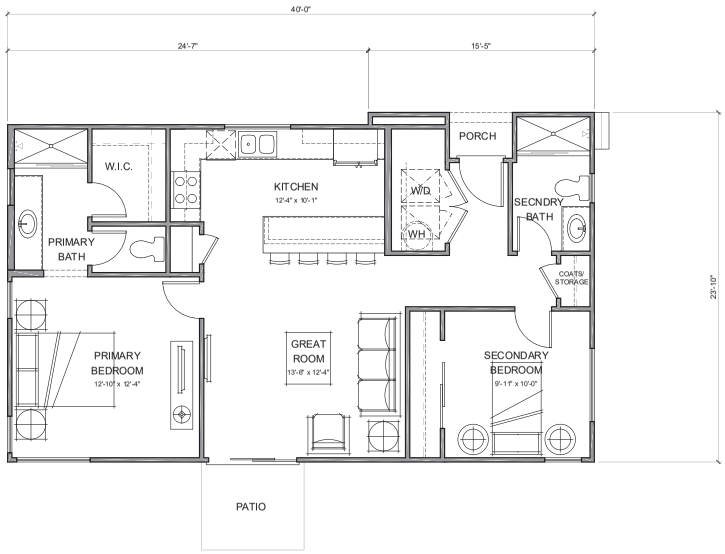
73-081 FRED WARING DRIVE
PALM DESERT, CA 92260

ARISE ARROYO NORTE
PHOENIX, AZ # 2020-1071

P2 - PERSPECTIVES

A3.1



915 SF

CITY OF PHOENIX
JAN 3 0 2021
Planning & Development Department

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Architecture + Planning
888.456.5849
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FAMILY DEVELOPMENT
FAMILY DEVELOPMENT
73-081 FRED WARING DRIVE
PALM DESERT, CA 92260

ARISE ARROYO NORTE
PHOENIX, AZ # 2020-1071

SCALE: 1/4"=1'-0"
0 2 4 8

P2 - UNIT PLANS

A3.2

Exhibit E - Materials & Colors Plan

PLAN 1

STUCCO BODY
SW 7004 SNOWBOUND

ACCENT / CARPORTS / GARAGE DOORS
SW 7045 INTELLECTUAL GRAY

FRONT DOORS
SW 6608 RAVE RED



ROOFING
BORAL - BARCELONA TERRA COTTA FLASHED

PLAN 1.5

STUCCO BODY
SW 7004 SNOWBOUND

ACCENT / CARPORTS / GARAGE DOORS
SW 7045 INTELLECTUAL GRAY

FRONT DOORS
SW 6670 GOLD CREST



ROOFING
BORAL - BARCELONA TERRA COTTA FLASHED

PLAN 2

STUCCO BODY
SW 7004 SNOWBOUND

ACCENT / CARPORTS / GARAGE DOORS
SW 7045 INTELLECTUAL GRAY

FRONT DOORS
SW 6509 GEORGIAN BAY



ROOFING
BORAL - BARCELONA TERRA COTTA FLASHED

CITY OF PHOENIX
JAN 28 2021
Planning & Development Department

ktgy
Architecture + Planning
888.456.5849
ktgy.com

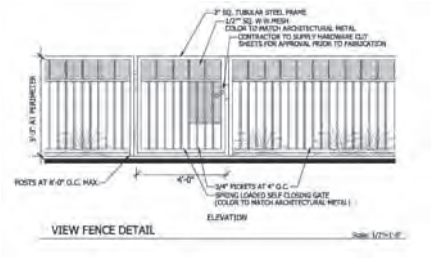
FAMILY DEVELOPMENT
Family Development
73081 Fred Waring Drive
Palm Desert, CA
92260
www.familydevelopmenthomes.com

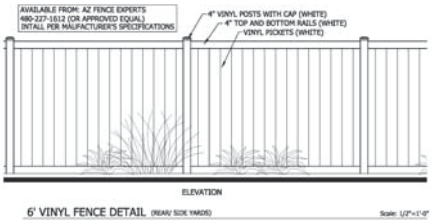
ARISE ARROYO NORTE
PHOENIX, AZ# 2020-1071

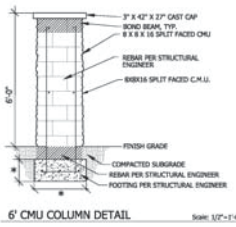
JANUARY 27, 2021

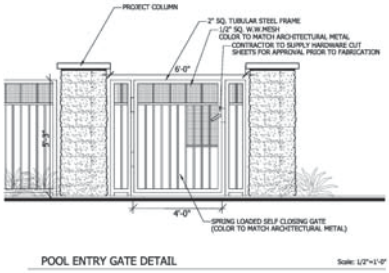
COLOR & MATERIAL BOARD

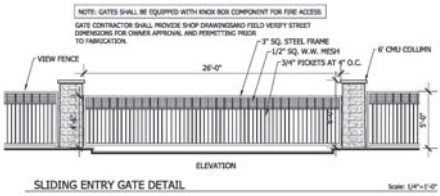
Exhibit F - Design Details

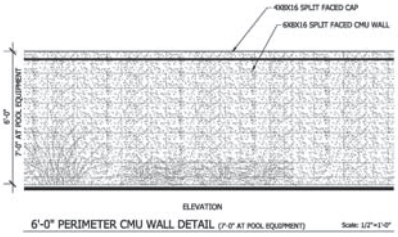






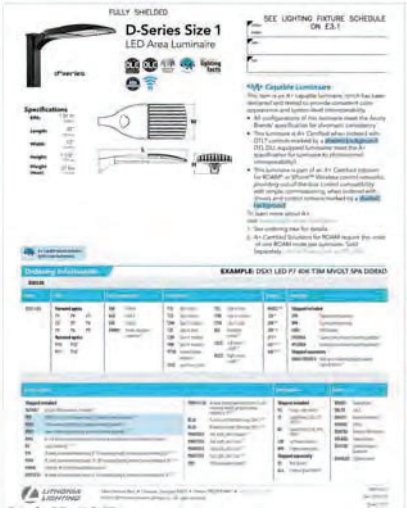




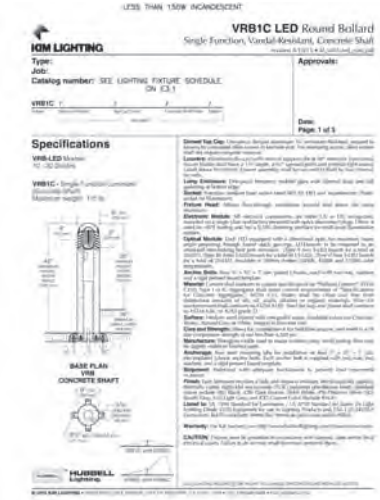


PROPOSED WALL AND FENCE DETAIL

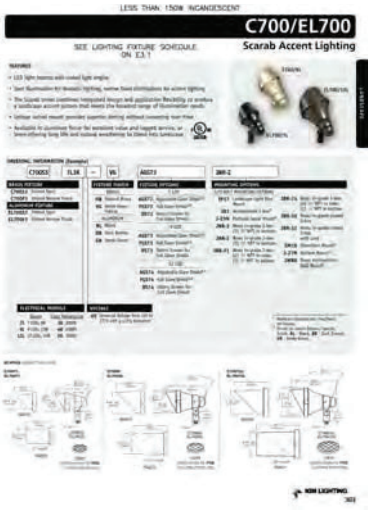
STREET LIGHT



BOLLARD LIGHT



UPLIGHT



PROPOSED SITE LIGHTING

CITY OF PHOENIX
JAN 26 2021
Planning & Development Department

ARISE ARROYO NORTE
PHOENIX, AZ
FDG ACQUISITIONS, LLC

HERMANN DESIGN GROUP
77-899 WOLF RD.
SUITE 102
PALM DESERT, CA
92211
AZ LIC# 54352
PH. (760) 777-9131
FAX (760) 777-9132

DATE 1/27/21

EXHIBIT C



PHO-1-21--Z-48-07-1

Property Location: Approximately 400 feet east of the southeast corner of I-17 and Arroyo Norte Drive

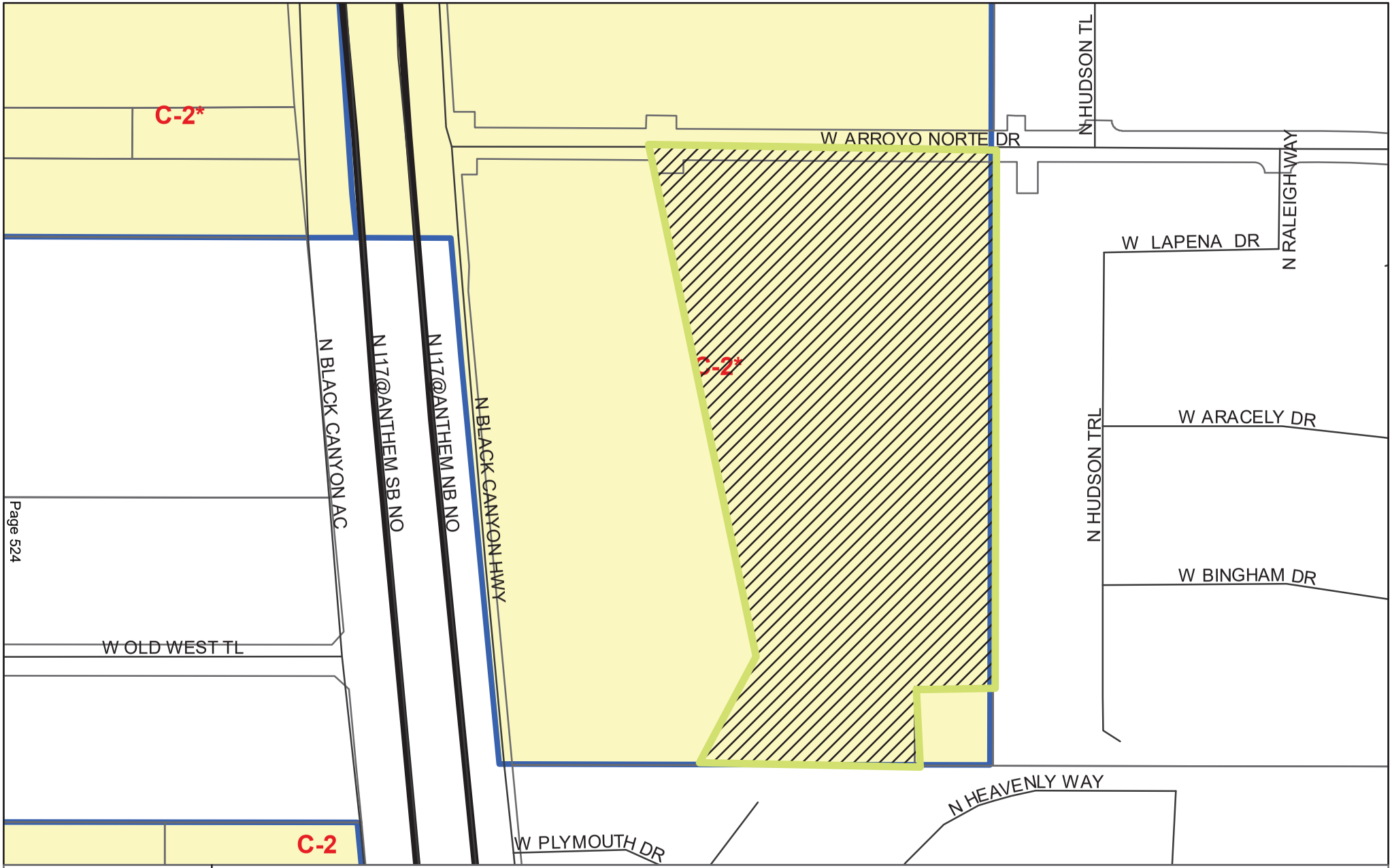
City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development Department

0 120 240 480 Feet

N

EXHIBIT D



PHO-1-21--Z-48-07-1

Property Location: Approximately 400 feet east of the southeast corner of I-17 and Arroyo Norte Drive

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development Department

0 120 240 480 Feet

N

EXHIBIT E

When recorded mail to:

HOLD FOR PICK UP
CITY OF PHX. ACCT #34

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
20070988482 09/05/2007 10:14 #4948G
ELECTRONIC RECORDING (8 pages)

CAPTION HEADING: Ordinance G4948

DO NOT REMOVE

THIS IS PART OF THE OFFICIAL DOCUMENT.

ORDINANCE G-4948

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-48-07-1) FROM C-1 (NEIGHBORHOOD RETAIL) AND R1-8 (SINGLE-FAMILY RESIDENCE) TO C-2 (INTERMEDIATE COMMERCIAL).

WHEREAS, on April 11, 2007, the City of Phoenix Planning Commission, in compliance with the requirements of the City of Phoenix Zoning Ordinance, Section 506, initiated a request for rezoning of an approximately 46.65 acre property located at the southeast corner of Interstate 17 and Teresa Lane in a portion of Section 10, Township 6 North, Range 2 East, as described more specifically in Attachment "A", attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to A.R.S. § 9-462.04, the Planning Commission, held a public hearing on June 25, 2007, and at this hearing recommended that the City Council approve this rezoning request with the recommended staff conditions, as modified; and,

WHEREAS, the City Council, at their regularly scheduled meeting held on July 2, 2007, has determined that, in accordance with A.R.S. § 9-462.01.F, this rezoning request, with the appropriate site specific requirements provided in Section II, is consistent with and conforms to the General Plan, will conserve and promote the public

health, safety and general welfare, and should be approved, subject to the conditions herein.

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

SECTION 1: The zoning of an approximately 46.65 acre property located at the southeast corner of Interstate 17 and Teresa Lane in a portion of Section 10, Township 6 North, Range 2 East, as described more specifically in Attachment "A", is hereby changed from "C-1" (Neighborhood Retail) and "R1-8" (Single-Family Residence) to "C-2" (Intermediate Commercial) and that the Planning Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Attachment "B".

SECTION 2: The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-48-07-1, on file with the Planning Department. 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. Building permits shall not be issued for the subject site until the following conditions are met and/or complied with:

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:

    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 directly 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 for residential uses to adequately mitigate the impacts of the proximity to Interstate 17, such 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. That a comprehensive sign plan for the entire property shall be approved by the Zoning Administrator in accordance with Section 705 of the Zoning Ordinance prior to Development Services Department final site plan approval for the first phase of development.

3. That 25 feet of right-of-way shall be dedicated for the south half of Teresa Lane or as otherwise approved by the Development Services Department.

4. That additional right-of-way shall be dedicated for the future expansion of the freeway/frontage road as approved by the Street Transportation Department.

5. 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.

6. 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.

7. That the following persons, organizations and associations shall be notified by the applicant at least 15 days before the meeting or hearing of any Development Services Department preliminary site plan meetings; Zoning Adjustment hearings; or Planning Hearing Officer hearings:

   a. New River Desert Hills Community Association, Inc.
   515 E. Carefree Highway, #300
   Phoenix, AZ 85085-8839

   b. Shareen Goodroad
   scgoodroad@msn.com
   623-742-0150

   c. Terry Marron
   t.marron@yahoo.com
   623-587-7039

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 29th day of August, 2007.

MAYOR

ATTEST:

City Clerk

2007 AUG 24 PM 4:19

APPROVED AS TO FORM:

William Boak Acting City Attorney MLW

REVIEWED BY:

City Manager

MLW:cz:704137v1
8/29/07:CM#27

Attachment A
Legal Description for Z-48-07-1

A PORTION OF THE NORTH HALF 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 NORTHWEST CORNER OF SAID SECTION 10, BEING A GLO BRASS CAP FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 10, BEING A GLO BRASS CAP, BEARS SOUTH 00°03'56" EAST, A DISTANCE OF 2,634.93 FEET;

THENCE SOUTH 89'59'05" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 10, A DISTANCE OF 2,645.69 FEET TO THE NORTH QUARTER CORNER OF SECTION 10;

THENCE NORTH 89°44'33" EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 10, A DISTANCE OF 13 1.55 FEET;

THENCE SOUTH 00°00'00" WEST, LEAVING SAID NORTH LINE, A DISTANCE OF 660.34 FEET;

THENCE NORTH 90°00'00" WEST, A DISTANCE OF 120.20 FEET TO A POINT ON THE WEST LINE OF A 40.00 FOOT WIDE ELECTRIC EASEMENT PER DOCUMENT 1714, PAGE 432, MARICOPA COUNTY RECORDS, SAID POINT ALSO BEING THE **POINT OF BEGINNING** OF THE PARCEL HEREIN DESCRIBED;

THENCE SOUTH 00°05' 17" EAST, ALONG SAID WEST LINE, A DISTANCE OF 1,973.87 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 10;

THENCE SOUTH 89°59'13" WEST, DEPARTING THE WEST LINE OF SAID ELECTRIC EASEMENT AND PROCEEDING ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER, A DISTANCE OF 932.74 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE NORTH BOUND 1-17 FRONTAGE ROAD;

THENCE NORTH 05°28'34" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 774.64 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 22,714.32 FEET THE CENTER OF WHICH BEARS NORTH 84°3 1'09" EAST;

THENCE NORTHERLY, ALONG SAID EASTERLY RIGHT OF WAY LINE AND ALONG SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 1,205.99 FEET, THROUGH A CENTRAL ANGLE OF 03°02'3 1" TO A POINT OF NON-TANGENCY:

THENCE NORTH 89°58'49" EAST, LEAVING SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 1,086.90 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL HEREIN DESCRIBED.

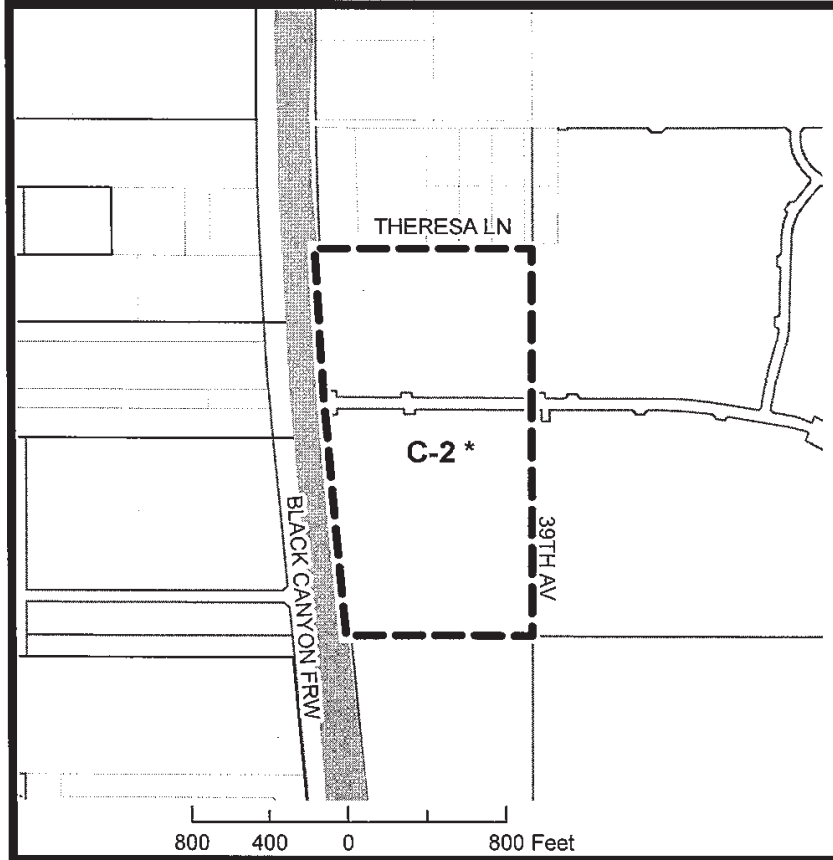
SAID PARCEL CONTAINS 2,012,241.9 SQUARE FEET OR 46.19 ACRES.

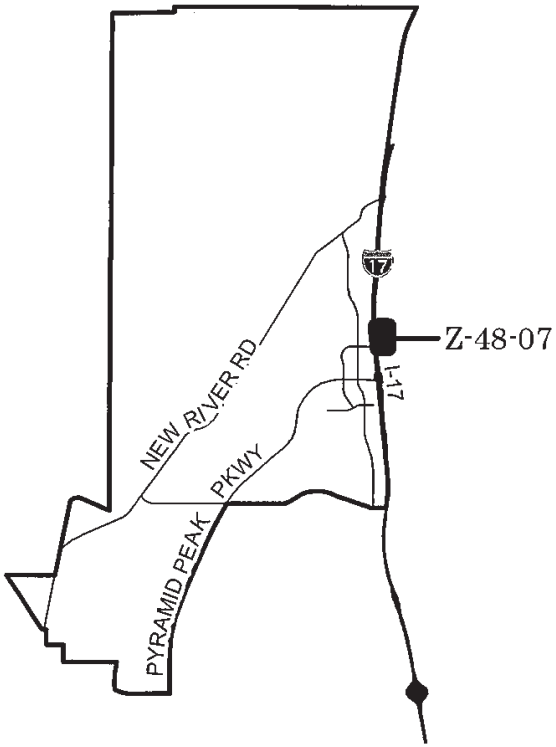
ATTACHMENT B

ORDINANCE LOCATION MAP

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ▬ ▬ ▬ ▬

Zoning Case Number: Z-48-07
Planning Village: NEW VILLAGE





NOT TO SCALE

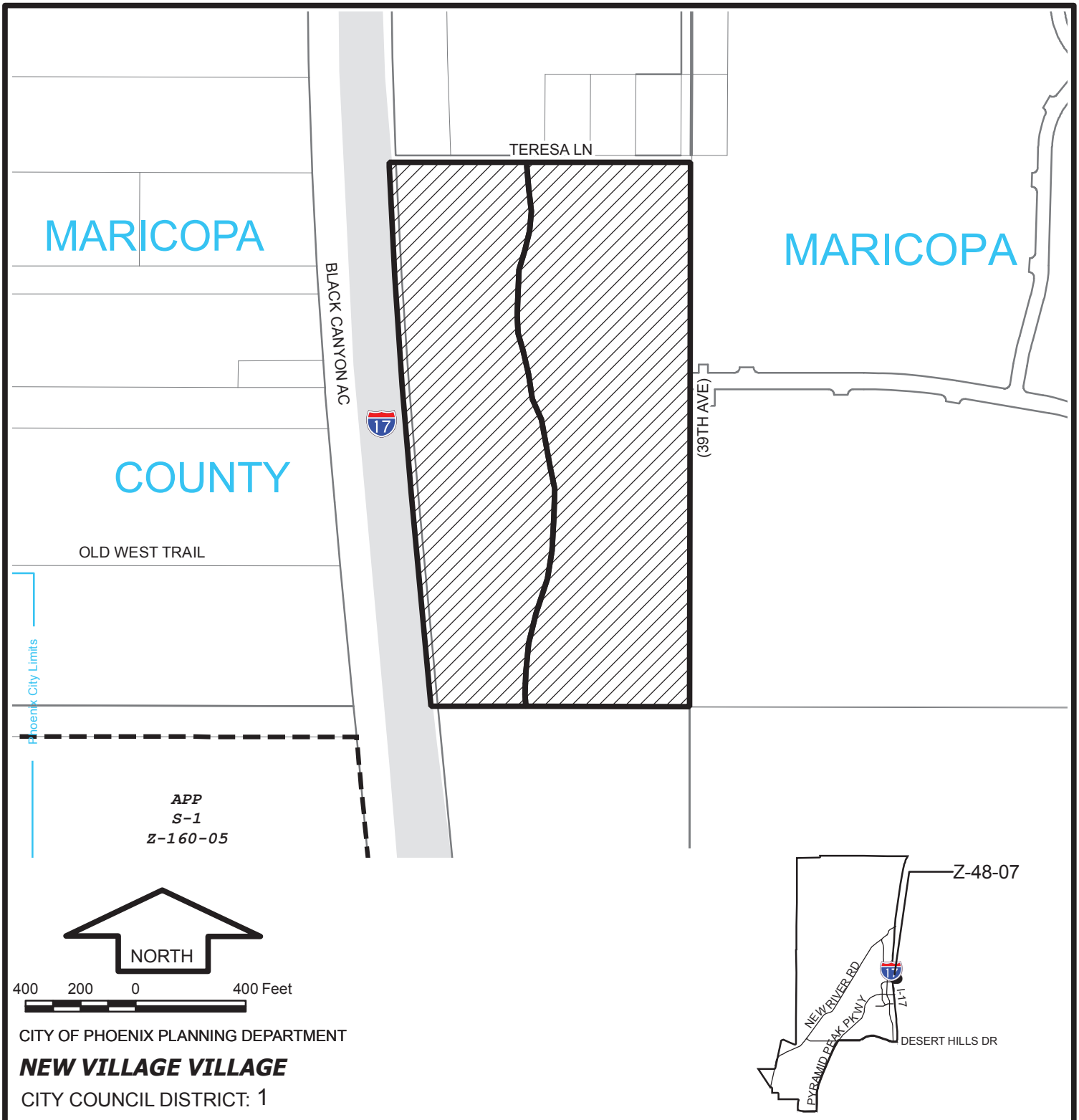
City of Phoenix
PLANNING DEPARTMENT

N

Drawn Date: 7-24-07

(N:\IS_Team\Core_Functions\Zoning\SuppMaps\July\Z-48-07.mxd) 9/4/2007

EXHIBIT F



CITY OF PHOENIX PLANNING DEPARTMENT

NEW VILLAGE VILLAGE

CITY COUNCIL DISTRICT: 1

APPLICANT'S NAME: CITY OF PHOENIX PLANNING COMMISSION	**REQUESTED CHANGE:**
APPLICATION NO. Z-48-07	DATE: 04-19-2007 REVISION DATES: 06-11-2007
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 46.66 Acres	AERIAL PHOTO & QUARTER SEC. NO. Q70-19 / ZONING MAP U6
	FROM: C-1, (20.93 ac) Pending R1-8 , (25.73 ac) Pending TO: C-2, (46.66 ac)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
C-1 / R1-8	303 / 103	364 / 133
C-2	676	812

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

(N:\IS_Team\Core_Functions\Zoning\sketch_maps\2007\Z-48-07.mxd) 6/11/2007

EXHIBIT G



PROJECT SUMMARY TABLE

TOTAL GROSS SITE AREA	15.86 ACRES
TOTAL NET SITE AREA	13.93 ACRES
TOTAL UNITS	170 UNITS
NET DENSITY	12.2 DU/AC

RESIDENTIAL UNIT SUMMARY

UNIT PLAN	SQ. FT.	BD/BA	# UNITS	% MIX	TOTAL S.F.
PLAN 1	698	1/1	9	5%	6,282
PLAN 1.5	786	1/ FLEX /1	59	35%	46,374
PLAN 2	901	2/2	102	60%	91,902
TOTAL			**170**	**100%**	**144,558**

PARKING SUMMARY

REQUIRED		PROVIDED	
1.5 SPACES PER UNIT	255	ASSIGNED REMOTE CARPORTS	110
		ASSIGNED REMOTE GARAGES	32
		UNASSIGNED SPACES	89
		LEASING OFFICE PARKING	6
TOTAL	**255**		**275**

SITE COVERAGE

COVERAGE TYPE	SQ. FT.	ACRES	% OF TOTAL SITE
BUILDING COVERAGE	151,587	3.48	22%
ROADS & PARKING	110,605	2.54	16%
PRIVATE YARDS, LANDSCAPING & AMENITIES	344,741	7.91	50%
DRAINAGE EASEMENT	83,949	1.93	12%
TOTAL GROSS AREA	**690,882**	**15.86**	100%

COMMON OPEN SPACE

REQUIRED		PROVIDED	
5% OF GROSS SITE AREA	0.79	CENTRAL GREENBELT AND AMENITY	0.87
		PARKS	0.31
TOTAL	**0.79**		**1.18**

DESIGN OBJECTIVES

- CREATE A PRIVATE, GATED ENTRY TO PROVIDE RESIDENTS WITH A GREATER SENSE OF SECURITY WHILE PROMOTING COMMUNITY PRIDE.
- LOCATE PRIMARY COMMUNITY AMENITY AND LEASING OFFICE AT ENTRY TO ENABLE EASY ACCESS AS WELL AS SERVING AS AN ATTRACTIVE FOCAL POINT THAT IS CENTRAL TO ALL RESIDENTS.
- CREATE A FOR-RENT COMMUNITY WITH ALL SINGLE FAMILY DETACHED HOMES, WITH AMPLE PRIVATE YARDS AND PRIVATE ENTRIES.
- LOCATE MAJORITY OF GARAGES AND CARPORTS OFF THE MAIN LOOP ROAD TO CREATE A MORE ATTRACTIVE STREET SCENE.
- PROVIDE MULTIPLE RECREATIONAL AMENITIES THAT PROMOTE ACTIVE LIFESTYLES WITH MANY EXERCISE OPPORTUNITIES..

CITY OF PHOENIX
JAN 28 2021
Planning & Development Department

ARISE ARROYO NORTE
FAMILY DEVELOPMENT
PHOENIX, ARIZONA

CONCEPTUAL SITE PLAN

DANIELIAN ASSOCIATES
architects planners
60 Corporate Park, Irvine CA 92606 (949)474-6030

01-26-21

20067.00

EXHIBIT H



ARISE

ARROYO NORTE

ktgy
Architecture + Planning
17911 Von Karman Avenue, Suite 200
Irvine, CA 92614
949.851.2133
ktgy.com

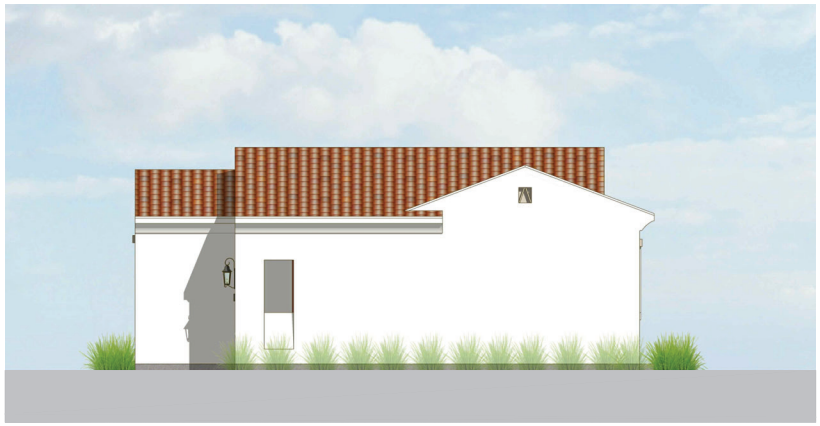
FAMILY DEVELOPMENT™
FAMILY DEVELOPMENT, 73-081 FRED WARING DRIVE
PALM DESERT, CA 92260

CITY OF PHOENIX
JAN 28 2021
Planning & Development
Department

Arise on Arroyo Norte
Proposed Building Elevations



CITY OF PHOENIX
JAN 28 2021
Planning & Development
Department



LEFT



FRONT



RIGHT



REAR

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JAN 28 2021
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73-081 FRED WARING DRIVE
PALM DESERT, CA 92260

ARISE ARROYO NORTE
PHOENIX, AZ # 2020-1071

SCALE: 1/4"=1'-0"
0 2 4 8

PI - ELEVATIONS

A1.0



RIGHT PERSPECTIVE



FRONT PERSPECTIVE



LEFT PERSPECTIVE



REAR PERSPECTIVE

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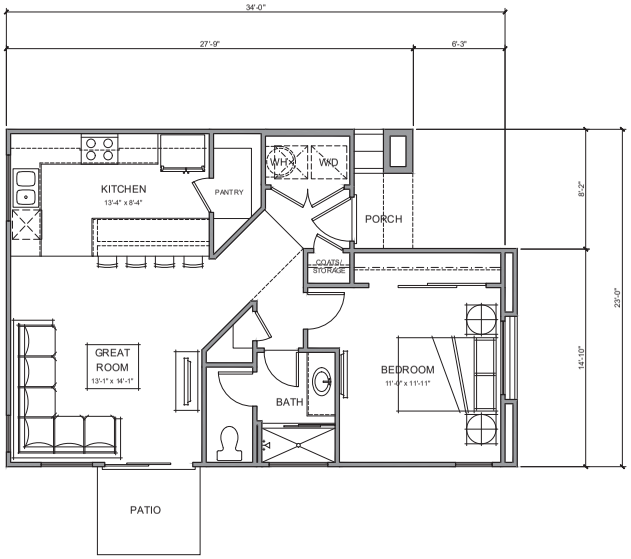
PALM DESERT, CA 92260

ARISE ARROYO NORTE
PHOENIX, AZ # 2020-1071

PI - PERSPECTIVES

AI.I



698 SF

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PALM DESERT, CA 92260

ARISE ARROYO NORTE
PHOENIX, AZ # 2020-1071

SCALE: 1/4"=1'-0"
0 2 4 8

P1 - UNIT PLANS

A1.2

Arise on Arroyo Norte
Proposed Building Elevations



CITY OF PHOENIX
JAN 28 2021
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Department



LEFT



FRONT



RIGHT



REAR

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PALM DESERT, CA 92260

ARISE ARROYO NORTE
PHOENIX, AZ # 2020-1071

SCALE: 1/4"=1'-0"
0 2 4 8

P1.5 - ELEVATIONS

A2.0



RIGHT PERSPECTIVE



FRONT PERSPECTIVE



LEFT PERSPECTIVE



REAR PERSPECTIVE

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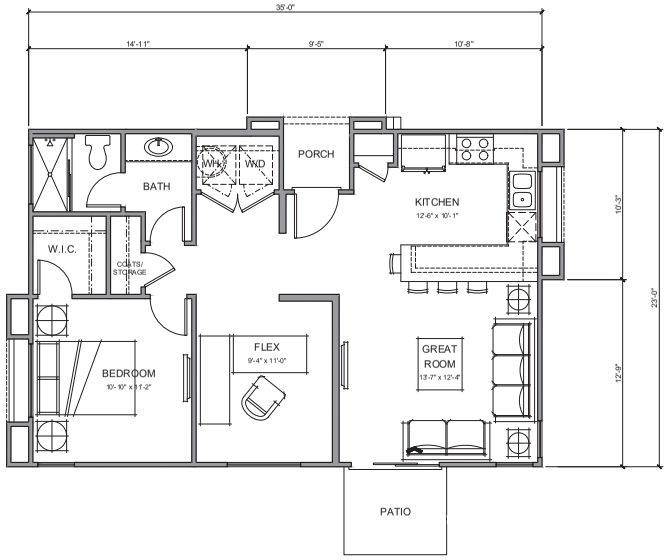
PALM DESERT, CA 92260

ARISE ARROYO NORTE
PHOENIX, AZ # 2020-1071

P1.5 - PERSPECTIVES

A2.1



786 SF

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PALM DESERT, CA 92260

ARISE ARROYO NORTE
PHOENIX, AZ # 2020-1071

SCALE: 1/4"=1'-0"
0 2 4 8

P1.5 - UNIT PLANS | A2.2

Arise on Arroyo Norte
Proposed Building Elevations



CITY OF PHOENIX
JAN 28 2021
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Department



LEFT



FRONT



RIGHT



REAR

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FAMILY DEVELOPMENT
73-081 FRED WARING DRIVE
PALM DESERT, CA 92260

ARISE ARROYO NORTE
PHOENIX, AZ # 2020-1071

SCALE: 1/4"=1'-0"
0 2 4 8

P2 - ELEVATIONS

A3.0



RIGHT PERSPECTIVE



FRONT PERSPECTIVE



LEFT PERSPECTIVE



REAR PERSPECTIVE

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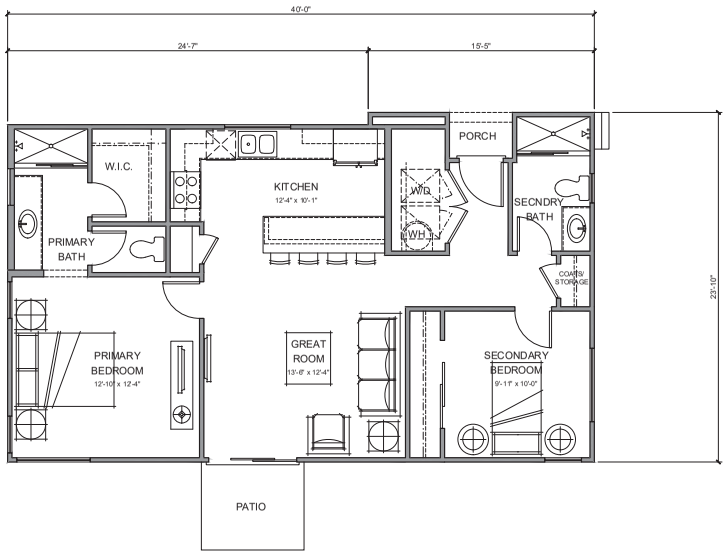
FAMILY DEVELOPMENT
73-081 FRED WARING DRIVE
PALM DESERT, CA 92260

ARISE ARROYO NORTE
PHOENIX, AZ # 2020-1071

P2 - PERSPECTIVES

A3.1



915 SF

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PALM DESERT, CA 92260

ARISE ARROYO NORTE
PHOENIX, AZ # 2020-1071

SCALE: 1/4"=1'-0"
0 2 4 8

P2 - UNIT PLANS

A3.2

EXHIBIT I

RIO VISTA VILLAGE PLANNING COMMITTEE
MINUTES
March 9, 2021
Meeting was held electronically via a video conferencing platform

MEMBERS PRESENT	***MEMBERS ABSENT***	***STAFF PRESENT***
Massimo Sommacampagna, Chair	Steven Scharboneau, Vice Chair	Samantha Keating
Will Holton		Julianna Pierre
Judy Lorch		
Loyd Nygaard		
Ozzie Virgil		

1. Call to order, introductions and announcements by Chair.

   Chair Massimo Sommacampagna called the Rio Vista Village Planning Committee meeting to order at 6:09 p.m. with a quorum of five members present (four members required for a quorum).

2. Review and approval of the **February 9, 2021** Rio Vista Village Planning Committee meeting minutes.

   MOTION: Loyd Nygaard made a motion to approve the minutes as written. The motion was seconded by **Judy Lorch**.

   VOTE: 5-0 with Committee Members Sommacampagna, Holton, Lorch, Nygaard, and Virgil in favor.

3. **PHO-1-21—Z-48-07-1:** Presentation, discussion, and possible recommendation regarding a request to modify stipulations of entitlement for the property located approximately 400 feet east of the southeast corner of I-17 and Arroyo Norte Drive. Request for approval of conceptual site plan and elevations by the Planning Hearing Officer per Stipulation 1; modification of Stipulation 2 regarding approval of a comprehensive sign plan; and technical corrections to Stipulations 3 and 7.
   The Planning Hearing Officer will consider this request on March 17, 2021.

   10 persons in opposition indicated that they wished to speak.

   Samantha Keating provided information regarding the location of the site and the surrounding zoning. She stated that the site is a portion of the property from Rezoning Case No. Z-48-07. She noted that there were no finalized plans in 2007 and a stipulation was included requiring conceptual site plans and elevations to be reviewed and approved through the Planning Hearing Officer (PHO) process. She stated that the proposed development is a 170 unit, single-family rental community with open space areas, gated rear yards, and main access at the northwest corner. She clarified that the proposed use is permitted

in the C-2 zoning district.

Samantha Keating clarified that in addition to submitting plans for review and approval, the applicant is requesting to modify Stipulation 2, regarding approval of a comprehensive sign plan. She stated that the comprehensive sign plan was originally intended for the entire area of Rezoning Case No. z-48-07, but the applicant is requesting the stipulation be modified to exclude the site being developed for residential uses.

Samantha Keating added that there is a request of technical corrections for Stipulations 3 and 7 to correct the department names.

David Cisiewski, representing Family Development and FDG Acquisitions, clarified that the current PHO request was not a rezoning request. He added that the current zoning permits the proposed use and was only going through the PHO process to comply with a stipulation and request a modification. He added that the proposed use in 2007 was primarily commercial retail, but development never occurred.

David Cisiewski stated that the proposed development consists of 170 detached residences in a gated community with private backyards and various amenities. He noted that uncovered, covered, and garage parking is dispersed throughout the site for both residents and guests. He added that care was taken to provide buffers from the frontage roads and nearby Interstate-17. He noted that in addition to a wall along the perimeter of the wall, there is a 40-foot powerline easement of open desert between the proposed development and the existing homes to the east. He added that elevations have architectural consistency in building mass and style, wall treatments, lighting, and signage. He stated that the primary finishing materials would be desert materials with natural accents.

Judy Lorch asked what the average square footage of the units would be. **David Cisiewski** stated that the unit size would vary from 650 to 900 square feet, depending on the floor plan.

Ozzie Virgil asked for clarification regarding the orientation of units on the east side of the proposed development. **David Cisiewski** clarified that the homes on the east side of the development would be oriented with their rear yards adjacent to the powerline easement.

Loyd Nygaard asked about the estimated rent of the units. **David Cisiewski** stated that the estimated rent would be between $1,400 to $1,800. **Loyd Nygaard** also asked for clarification regarding jurisdiction of the proposed development and the adjacent Arroyo Norte subdivision. **David Cisiewski** stated that the proposed development is subject to Phoenix jurisdiction and the adjacent subdivision is part of Maricopa County.

Will Holton asked about maneuvering through the site, specifically the southernmost portion of the development. He expressed concern regarding the ability of emergency vehicles to navigate through the site. **David Cisiewski** stated that the north-south roadways throughout the development are 35 feet in width, except at the southernmost portion where the roadways are 25 feet in width. He stated that he worked with the City's Development division to determine that the development meets the necessary turning radii for emergency vehicles.

Loyd Nygaard asked if the developer would be able to monitor whether residents were using county amenities. **David Cisiewski** stated that there would be no way monitor those uses, but the intent is for residents to use the development's on-site amenities.

Ozzie Virgil asked if a traffic study was done and how the development would add traffic to the area. **David Cisiewski** stated that the Street Transportation Department and Traffic Engineering reviewers did not request a Traffic Study to be completed. **Will Holton** asked why a Traffic Study was not required. **Samantha Keating** stated that developments have to meet a certain threshold regarding the number of units and trips to determine whether a Traffic Study is necessary. She added that this particular development did not meet that threshold and thus a Traffic Study was not requested. **Ozzie Virgil** emphasized that traffic will be an issue and should have been addressed by the City. He recommended that the developer consider increasing lot size and decreasing density. **David Cisiewski** stated that he will continue to work with the Street Transportation Department regarding traffic concerns.

Loyd Nygarrd asked about fire, police, and utilities. **David Cisiewski** stated that he did not receive comments from Phoenix Police and Fire reviewers had no comments. He added that EPCOR will provide water and sewer to the development.

Will Holton asked about water flow and flooding. **David Cisiewski** stated that there is not a final drainage study, but water does flow north to south and there is a drainage channel along the western boundary of the development and will be retained as part of the development.

Andrew Brand, a member of the public speaking in opposition to the request, expressed concerns regarding increased traffic and congestion. He stated that having a proposed gated community adjacent to the existing ungated community will encourage the new residents to use adjacent Arroyo Norte subdivision. He suggested that the developer incorporate fewer rentals and larger park spaces and remove the gated aspect of the community. He also expressed concerns about not receiving notifications.

Tyler Estes, a member of the public speaking in opposition to the request, expressed concerns about increased traffic. He expressed concerns regarding

density and use of the adjacent Arroyo Norte subdivision amenities. He also noted that the developer is not looking out for residents considering EPCOR's poor reputation handling water services.

Robert Careway, a member of the public speaking in opposition to the request, expressed concerns regarding density of the site. He emphasized that the development is too far north to receive fire and police services from the City of Phoenix. He stated that those services will have to come from Maricopa County.

Ryan Gregor, a member of the public speaking in opposition to the request, stated that the development is too dense for the area. He stated that this type of development will devalue homes. He emphasized that fire services will end up coming from Maricopa County.

Sean Gates, a member of the public speaking in opposition to the request, expressed concerns regarding increased traffic. He added that since the development does not have adequate park space, they will end up using the amenities of the adjacent subdivision.

Tod Flaming, a member of the public speaking in opposition to the request, expressed concerns about increased traffic. He stated that the infrastructure in the area needs to be expanded to accommodate new development. He added that the proposed development does not have adequate parking to accommodate the number of residents.

Chad Cox, speaking in opposition to the request, expressed concerns regarding increased traffic and the site's poor parking design. He also stated that he did not receive notifications and City's sign was not visible on the property.

Albert Dieva, speaking in opposition to the request, stated that he was informed the only type of development that would be built behind his home was commercial retail. He expressed concerns about traffic and density.

Terry Mullarkey, speaking in opposition to the request, stated that he was the Executive Director of the Anthem Community Council. He encouraged the City to communicate with the Maricopa County Department of Transportation (MCDOT) regarding traffic. He stated that the design and density of the community is a concern. He suggested that the developer rethink the proposal and return to the Village Planning Committee at a later time.

Kiran Patel, speaking in opposition to the request, expressed concerns about density. He was assured that the area would remain an open, desert-like community and the proposed use does not complement the existing adjacent communities.

David Cisiewski emphasized that this is not a rezoning case and the use is permitted in the zoning district and may have less impact than high intensity

retail. He noted that the site would not be a traditional single-family development with a target demographic of millennials and "empty nesters". He stated that the development is providing more open space than is required by the Zoning Ordinance and the individual rear yards for each property should be considered. He added that the development would be professionally managed with onsite maintenance and leasing. He also clarified that the development is proposing more parking than would be required by the Ordinance.

Will Holton stated that the proposed development does not fit the long range plans for Rio Vista. He stated that developers should want to preserve the desert look. He expressed concerns about the proposed homes being in such close proximity. He stated that if a fire started, it would easily spread throughout the development.

Chair Massimo Sommacampagna asked who maintained the roads adjacent to the subject site. **Samantha Keating** clarified that the road directly to the north of the property was under the City of Phoenix's jurisdiction and as you move east or west the roads are under Maricopa County's jurisdiction.

Ozzie Virgil stated that the developer should be required to complete a Traffic Study. **David Cisiewski** stated that he will work with City Staff, MCDOT, and Arizona Department of Transit regarding traffic issues. **Ozzie Virgil** also suggested a continuance to continue working with the neighbors. **David Cisiewski** stated that he was amenable to a continuance to resolve traffic issues and address concerns of the community.

MOTION: Ozzie Virgil made a motion to continue the request to the April 13, 2021 Rio Vista Village Planning Committee Meeting. The motion was seconded by **Judy Lorch**.

VOTE: 5-0 with Committee Members Sommacampagna, Holton, Lorch, Nygaard, and Virgil in favor.

4. Public comments concerning items not on the agenda.

   None.

5. Staff update on cases recently reviewed by the Committee.

   None.

6. Committee member announcements, requests for information, follow up, or future agenda items.

   Will Holton asked staff to look into the new hospital being north of Anthem and whether it would impact the Rio Vista Village.

Chair Massimo Sommacampagna asked staff to provide updates regarding PHO-1-21—Z-48-07-1 and any future community meetings that the applicant plans to host.

7. Adjournment.

The Rio Vista Village Planning Committee meeting adjourned at 8:59 p.m.

EXHIBIT J

RIO VISTA VILLAGE PLANNING COMMITTEE
MINUTES
April 13, 2021
Meeting was held electronically via a video conferencing platform

MEMBERS PRESENT	***MEMBERS ABSENT***	***STAFF PRESENT***
Massimo Sommacampagna, Chair		Samantha Keating
Steven Scharboneau, Vice Chair		Julianna Pierre
Will Holton		
Judy Lorch		
Loyd Nygaard		
Ozzie Virgil		

1. Call to order, introductions and announcements by Chair.

   Chair Massimo Sommacampagna called the Rio Vista Village Planning Committee meeting to order at 6:05 p.m. with a quorum of six members present (four members required for a quorum).

2. Review and approval of the **March 9, 2021** Rio Vista Village Planning Committee meeting minutes.

   MOTION: Loyd Nygaard made a motion to approve the minutes as written. The motion was seconded by **Steve Scharboneau**.

   VOTE: 6-0 with Committee Members Sommacampagna, Scharboneau, Holton, Lorch, Nygaard, and Virgil in favor.

3. **PHO-1-21—Z-48-07-1:** Presentation, discussion, and possible recommendation on a request to modify stipulations of entitlement for the property located approximately 400 feet east of the southeast corner of I-17 and Arroyo Norte Drive. Request for review and approval of site plan and elevations by the Planning Hearing Officer per Stipulation 1, modification of Stipulation 2 regarding approval of a comprehensive sign plan, and technical corrections to Stipulations 3 and 7.
   The Planning Hearing Officer will consider this request on April 21, 2021.

   2 persons in opposition indicated that they wished to speak.

   Julianna Pierre provided information regarding the location of the site and the surrounding zoning. She stated that the site is a portion of the property from Rezoning Case No. Z-48-07. She noted that there were no specific plans in 2007 and a stipulation was included requiring conceptual site plans and elevations to be reviewed and approved through the Planning Hearing Officer (PHO) process. She stated that the proposed development is a 170-unit, single-

family rental community with multiple open space areas, gated rear yards, and main access at the northwest corner.

Julianna Pierre stated that in addition to submitting plans for review and approval, the applicant is requesting to modify Stipulation 2, regarding approval of a comprehensive sign plan, and that there is a request of technical corrections for Stipulations 3 and 7 to correct the department names.

David Cisiewski, representing Family Development and FDG Acquisitions, clarified that this case is not a request to change the zoning of the property. He added that the current request was focused on bringing forward a site plan and conceptual elevations for review and approval. He reiterated that the proposed development is a permitted use in the zoning district and complies with the Ordinance's development standards. He stated that the proposed development will consist of 170 detached residences in a gated community with private rear yards and various amenities.

David Cisiewski stated that after the continuance, a neighborhood meeting was held on March 31, 2021. He gave a general summary of the community comments and concerns, including the name of the development, density, residential design and colors, compatibility, parking, parks and amenities, traffic, and site access.

David Cisiewski stated that in response to the community, the name of the development was changed from Arise Arroyo Norte to Arise North Phoenix. He noted that the provided density of the development is 12.2 dwelling units per acre, which is much less than the density permitted in C-2. He stated the proposed development was residential in design with one to two-bedroom units and the color scheme was revised to a desert color palette, making it more compatible with the area. He added that the development would have ample amenities, parking and open space.

David Cisiewski clarified that neither the City nor Arizona Department of Transportation (ADOT) required the developer to complete a Traffic Impact Study. He stated that based on the concerns of the community, CivTech, a consulting firm specializing in traffic engineering and design, was hired to complete a Traffic Impact Statement (TIS). He stated that the TIS concluded that the proposed development would generate almost 4,000 fewer daily trips than a commercial shopping center and that the projected traffic volume from the development would not trigger road widenings or signalization of intersections.

David Cisiewski explained how the revised elevations consist of natural desert materials which are appropriate for the natural desert context. He explained how the landscaping, trails, and design allows for discrete, clustered parking areas. He added that care was taken to provide buffers from the frontage roads and nearby Interstate-17 (I-17). He added that elevations have architectural consistency in building mass and style, wall treatments, lighting, and signage.

David Cisiewski also stated that the developer has taken the Rio Vista Design Guidelines into account. He stated that the development meets specific guidelines, citing preservation of existing washes, minimum twenty percent open space and five percent active open space, desert tone colors, more than one point of ingress and egress, large building setbacks from I-17, and decorative walls.

Steven Scharboneau asked for clarification between the community open space and total open space. **David Cisiewski** stated that the community open space is inclusive of the central park, dog park, and other parks interspersed in the development, which is approximately 7.5% of the site. However, when inclusive of each unit's backyard, the total open space accounts for about 50% of the site.

Steven Scharboneau asked for clarification regarding the two points of access to the property. **David Cisiewski** stated that there is the primary access point at the northwest corner will be for residents and the secondary access point at the northeast corned will be gated with access for emergency service vehicles.

Steven Scharboneau stated that Stipulation 1 indicated that the architecture should include natural accent materials such as brick, stone, or tile for buildings and signage. He asked if there was any intention to add brick or stone to the elevations. **David Cisiewski** stated that there are tile roofs, tile accents over the door, and stucco exteriors. He added that brick would be incorporated into the entry features. He stated that the intention was not to have stone or brick on each individual unit. **Vincent Barbato**, owner of Family Development, added that the elevations have a Mediterranean design with points of articulation, such as flared treatments, window brows, recessed windows, and recessed accents.

Steven Scharboneau asked for clarification about the applicant's request concerning Stipulation 2, regarding approval of a comprehensive sign plan. **David Cisiewski** stated that the comprehensive sign plan was intended for a larger commercial center with multiple pads and tenants with individual signs. He stated that the proposed rental community would only have a small sign at the entrance and a comprehensive sign plan would not be necessary. **Steven Scharboneau** asked if there were any sign plans, and if not, could the applicant provide a description of the intended signage. **Vincent Barbato** stated that the main entry would have a professionally designed entry monument sign with the development name. He clarified that this would be the only seen by the public, outside of the community. **Steven Scharboneau** asked about the height of the entry sign. **Vincent Barbato** stated that the sign would be built into a six-foot wall, so it would be less than six feet in height.

Will Holton asked about the drainage on the site. He asked if the water would drain away from the existing homes. **Dave Cisiewski** stated that the site would retain on site water and any water draining away from the site would move north to south in a southwesterly direction, away from the existing homes.

Will Holton asked if the development would have a community mailbox area or individual mailboxes. **Vincent Barbato** stated that the mailboxes would be located in leasing office building, along with a package room.

Ozzie Virgil asked for clarification about utilities. He asked if the units would be set up in a way where units could be individually sold. **David Cisiewski** stated that there would be central water and utility lines that would serve the entire community, which would not allow for them to be individually metered. **Vincent Barbato** added that homes have not been individually platted and would not be sold individually.

Ozzie Virgil asked if the developer considered decreasing the number of units, since traffic has been a major concern with the community. **David Cisiewski** stated that they originally proposed more units, but eventually decreased the unit number to 170, which allows for a good combination of density, parking, and open space. **Vincent Barbato** stated that the development is proposing much lower density than is permitted in the C-2 zoning district. He added that their use will provide the lowest amount of traffic, but the 170 units is necessary for a viable community. **Ozzie Virgil** stated that they are trying to focus on providing a balance in the Village between larger lots and homes with higher density projects.

Will Holton asked for clarification of a “viable community”. **David Cisiewski** explained that the intent was to convey that the 170 units, open space provided, and dispersed parking will make the development a positive living environment for the tenants.

Loyd Nygaard asked for clarification regarding the PHO Hearing. **David Cisiewski** stated that they filed a written request for a continuance to the April 21, 2021 PHO hearing. **Loyd Nygaard** stated that he was pleased that the applicant took the time to address the comments and concerns of the Village Planning Committee (VPC), but still had concerns about traffic, specifically at the intersection of Anthem Way and Navigation Way and the intersection of the I-17 frontage road and Arroyo Norte Drive. **Dawn Cartier**, with CivTech, stated that the proposed development will put out, at the most, approximately 1.5 vehicles per minute in the peak hours. She stated that there would be no significant increase in the level of service of delay for existing residents using the I-17 frontage road and Navigation Way. She clarified that this was determined by looking at trip generation for the proposed development. **Ozzie Virgil** asked for clarification about the traffic generation calculation. **Dawn Cartier** explained that the calculation was determined by looking at the number of dwelling units and the Trip Generation Manual produced by the Institute of Transportation Engineers. She stated that the manual is based on thousands of studies and gives average anticipated traffic for different uses. She added that the calculation determined that cars from the development would have a minimal affect on average delay times. **Ozzie Virgil** asked if the traffic study was completed on a weekday or

weekend. **Dawn Cartier** stated that the traffic counts were performed on a weekday during 7-10 AM and 4-6 PM. She added that the numbers were adjusted upward to account for COVID-19.

Loyd Nygaard asked about northbound traffic and the closest exit onto I-17 when moving in that direction. **Dawn Cartier** clarified that the closet exit heading north is two miles away. **Loyd Nygaard** asked if there was any access to the east. **David Cisiewski** stated that the road dead ends to the east where new development is taking place. **Loyd Nygaard** stated that he was concerned about the difficulty for emergency vehicles to reach the area. **Dawn Cartier** stated that she spoke with ADOT and traffic would have to be controlled in an emergency situation with some cars being rerouted.

Steven Scharboneau asked for clarification about the emergency only ingress and egress at the northeast corner of the proposed development. **David Cisiewski** stated that this is secondary access point specifically for emergency service vehicles.

Terry Mullarkey, executive director for the Anthem Community Council, stated that he appreciated the developer's willingness to modify the development regarding color of units and add language to marketing materials clarifying that Anthem is a private community. He stated that he still had concerns about traffic in the area. He stated that the City of Phoenix needs to be aware of the traffic burden that they will be placing on adjacent Maricopa County intersections and roads. He added that a school is being built in the area, which will also increase traffic.

Terry Mullarkey stated that he has spoken with ADOT and the City of Phoenix regarding improvements to the frontage roads on the west side of I-17. He stated that this is not a viable frontage road and needs to be improved if intended for emergency vehicle use. He added that the frontage road between Desert Hills and Anthem Way needs to have a third lane added.

Andrew Brand, a resident of the adjacent Arroyo Norte subdivision, asked for clarification about the size of each individual unit's back yard space. **David Cisiewski** stated that the average size would be eight to ten feet in depth by the width of the house, which will vary from thirty to forty feet. **Andrew Brand** asked for the location of the closest City funded park. **David Cisiewski** stated that he was uncertain of the closest park. **Andrew Brand** stated that that amenity space in the proposed development would not be enough to for residents to perform typical activities done in larger parks. He added that he also had concerns about safety, traffic, and depreciation in value of adjacent homes.

Andrew Brand stated that the development would create a financial hardship for adjacent residents. He added that not only would existing residents have to informally police the community, but also would need to invest money into having gates installed and roadways improved. He added that there is no reciprocation

with a residential development, as there would be with a commercial enterprise. He stated that the existing residents will gain nothing from this proposed development.

Andrew Brand stated that he is concerned about the impact that the proposed development will have on the adjacent community. He stated that they are disappointed to see such high density. He added that he had concerns about the layout of the development's units.

David Cisewski stated that the development would be buffered from the adjacent community by a 38-foot power line easement and that the layout of units was dictated by the shape and odd cut outs of the property.

Vincent Barbato stated that the typical clientele will older, responsible individuals who are renters by choice and do not want to purchase a home. He added that renters will most likely be looking for a single-family home experience without the hassle of having to purchase a single-family home. He stated that the proposed development did not have amenities such as playgrounds or basketball courts because these were not requested during focus groups and studies. He stated that a luxury rental community would help increase the value of adjacent homes because they bring a diverse product to the area.

Steven Scharboneau stated that he appreciated the developer's willingness to hear and incorporate community comments, but still had concerns that the development is not in line with the Rio Vista Village's Development Guidelines. He stated that the development, technically, has two points of ingress and egress, but, functionally, only one since the other is specifically for emergency service vehicles. He added that the development's elevations do not show appropriate accent materials per Stipulation 1.g.i, regarding natural accent materials such as brick, stone, or tile for buildings and signage. He added that the development does not illustrate preservation of the desert landscape. He stated that he also had concerns regarding traffic and emergency services. He added that it was also important to take into account the social impact that the proposed development would have on the existing community.

Loyd Nygaard stated that he was only willing to consider a motion if there was an addendum stating that the City and Maricopa County would work together for improvements to the I-17 frontage road, the intersection of the I-17 frontage road and Arroyo Norte Drive, the intersection of New River Road and I-17 at Exit 232, and the entrances and exits of Anthem Way and Navigation Way.

Will Holton agreed with **Loyd Nygaard**'s statements. He stated that there are existing traffic problems and the new development would only exasperate those issues. He stated that the City needs to work with Maricopa County to make it safer for residents and allow for better emergency service access. He added that there is not enough space between the proposed units and the development could easily become a fire hazard.

Ozzie Virgil stated this type of development is not what was anticipated for this area of the Village. He stated that commercial development was expected. He added that he is not against development, but is more amenable to development that is comparable to existing single-family subdivisions.

Chair Massimo Sommacampagna stated that he appreciated that the developer was responsive to the community. He stated that there are some difficulties with the Village Guidelines, because they are not enforceable in the same way a regulatory overlay is enforceable. However, it is important for the developer to be proactive and work with the Village regarding development. He added that is important for the Committee to bring ADOT, the City, and Maricopa County together to address the community's concerns regarding traffic. He agreed with **Loyd Nygaard** and stated that adding an addendum regarding traffic would be important if the case were to move forward.

Will Holton stated that he was disappointed with the proposed development because the community's issues had not been appropriately addressed. He added that it is important that the Committee be proactive when items have unresolved issues.

Committee members asked for clarification regarding the recommendation process. **Samantha Keating** explained that the Committee is a recommending body and can choose to recommend approval, denial, or approval with modifications.

Will Holton stated that it would be beneficial to get feedback from traffic engineers and emergency services prior to moving forward with the item.

MOTION: Ozzie Virgil made a motion to approve PHO-1-21—Z-48-07-1 with an additional stipulation requiring that the City and Maricopa County work together for improvements to the I-17 frontage road, the intersection of the I-17 frontage road and Arroyo Norte Drive, the intersection of New River Road and I-17 at Exit 232, and the entrances and exits of Anthem Way and Navigation Way. The motion was seconded by **Judy Lorch**.

Samantha Keating clarified that it is difficult to tie a particular development to larger traffic improvement. She advised that any traffic concerns could be included as additional direction to City staff.

MOTION: Ozzie Virgil made a motion to approve PHO-1-21—Z-48-07. He requested that staff ensure the City and Maricopa County work together for improvements to the I-17 frontage road, the intersection of the I-17 frontage road and Arroyo Norte Drive, the intersection of New River Road and I-17 at Exit 232, and the entrances and exits of Anthem Way and Navigation Way. The motion was seconded by **Judy Lorch**.

VOTE: 4-2 with Committee Members Sommacampagna, Lorch, Nygaard, and Virgil in favor and Committee Members Scharboneau and Holton in opposition.

4. **PHO-1-21—Z-47-07-1:** Presentation, discussion, and possible recommendation on a request to modify stipulations of entitlement for the property located approximately 775 feet north of the northwest corner of I-17 and Old West Trail. Request for review and approval of site plan and elevations by the Planning Hearing Officer per Stipulation 1 and modification of Stipulation 2 regarding approval of a comprehensive sign plan.
The Planning Hearing Officer will consider this request on April 21, 2021.

1 person in opposition indicated that they wished to speak.

Julianna Pierre provided information regarding the location of the site and the surrounding zoning. She indicated that the original commercial development proposed in 2007 was intended to provide a buffer between the interstate and residential development to the west. She noted that there were no specific plans in 2007 and a stipulation was included requiring conceptual site plans and elevations to be reviewed and approved through the Planning Hearing Officer (PHO) process. She stated that the proposed development is a 191-unit, gated, casita-style residential community. She noted that primary access would be from 43rd Avenue and secondary access from the Iinterstate-17 (I-17) frontage road. She added that the development will provide three main styles for their elevations.

Julianna Pierre stated that in addition to submitting plans for review and approval, the applicant is requesting to modify Stipulation 2, regarding approval of a comprehensive sign plan.

Brennan Ray, representing NexMetro Communities, stated that the current zoning permits the proposed multifamily use and that the project was going through the PHO process to comply with a stipulation and request a modification. He added that he was aware of community concerns and held a neighborhood meeting on March 31, 2021 to discuss the project. He added that during the meeting there were general questions about the development, traffic, and the intersection of 43rd Avenue and Anthem Way.

Brennan Ray provided a summary about the type of residents that the community will attract. He stated that most will be older, single residents who previously lived in a single-family home. He added that, on average, there would be two children per ten households. He clarified that this information was based on the almost 2,000 units that NexMetro has constructed in Maricopa County.

Brennan Ray stated that there would be a courtyard layout with one, two, and three-bedroom units. He added that units would have private, landscaped backyards. He stated that there would be a total of 191 residences with a central amenity area, primary access from 43rd Avenue, and secondary access from the

I-17 frontage road. He stated that the development would have three architectural styles, which are all consistent with Stipulation 1, regarding review and approval of a site plan and elevations. He added that the development has taken the Rio Vista Design Guidelines into account. He stated that the development meets specific guidelines, citing desert tone colors, more than one point of ingress and egress, large building setbacks from I-17, decorative walls, four-sided architecture, varying rooflines, and multiple floorplans with various façades. He stated that there are various amenities throughout the development that are connected by sidewalks. He stated that information will be provided to residents notifying them that Anthem facilities are private.

Brennan Ray stated that the right-of-way at 43rd Avenue and Anthem Way has been acquired and improvements are planned to begin in May or June of 2021. He added that the development will have little to no impact on the level of service at the intersection of 43rd Avenue and Anthem Way.

Brennan Ray discussed the emergency response times for both police and fire services. He stated that a mutual aid policy exists between the Maricopa County Sheriff Office and the Phoenix Police Department and both provide emergency assistance to each other along the jurisdictional borders. He added that primary emergency response to fires in the north Phoenix area is provided by the Daisy Mountain Fire District based on an automatic aid agreement that includes twenty different fire departments and districts valley wide. He stated that the Phoenix Fire Department anticipates a new fire station in the 43rd Avenue and Circle Mountain Road area. He added that the proposed development will generate approximately $1.5 million in impact fees, some of which will be distributed to fire, police, and parks.

Judy Lorch stated that the development will have some children. She asked where the children would be attending school. **Brennan Ray** stated that there have been no discussions with the school district, and he was unsure of which school children would attend. **Judy Lorch** asked about access via the I-17 frontage road. **Brennan Ray** stated that northbound travel is permitted from Anthem Way to Old West Trail and north and southbound travel is permitted north of Old West Trail.

Loyd Nygaard stated that he was thankful that the developer researched and attempted to meet the desires of the Village. He added that if he were to vote on this item, he would require additional direction discussing the need for improvements for the frontage road west of I-17, the intersection of Anthem Way and 41st Drive, and Old West Trail. He clarified that all these locations create tremendous traffic hazards. **Brennan Ray** stated that the site did go through the development preapplication process and did not receive any major comments related to traffic. He reiterated that the City is intending to make improvements to 43rd Avenue beginning in May or June 2021. He added that the proposed residential use would also generate less traffic than a commercial use.

Will Holton asked for clarification regarding the name of the development. **Brennan Ray** clarified that the name was Avilla Vista Norte and Avilla was intended to be short for “a village”.

Ozzie Virgil asked if the property was under escrow. **Brennan Ray** stated that NexMetro is in escrow to acquire the property. **Ozzie Virgil** asked if NexMetro intended to acquire other properties in the area. He added that the Village was trying to create a balance between high and low density in the area. **Brennan Ray** stated that NexMetro did not intend to purchase other properties or build similar projects in the area.

Steven Scharboneau asked if both points of ingress and egress would be accessible to residents at all times. **Brennan Ray** stated that both entrances would be gated, but accessible to residents twenty-four hours, seven days a week.

Terry Mullarkey, executive director for the Anthem Community Council, stated that Anthem is opposed to the development. He added that he was disappointed that the multifamily development does not comply with the Rio Vista Village Design Guidelines. He stated that from experience he knew that the impact fees would not be seen north of Happy Valley Road. He added that the I-17 frontage road does not go north or south, but dead ends in both directions. He clarified that traffic exiting the proposed development would need to exit 43rd Avenue. He also expressed concerns regarding 43rd Avenue and stated that the planned improvements would not be adequate. He added that emergency access would also be an issue unless the I-17 frontage road was improved.

Brennan Ray stated that the Rio Vista Village Design Guidelines do not have specific parameters for hybrid developments that fall between traditional multifamily and traditional single-family. He stated that the guidelines were reviewed, and the developer attempted to satisfy those design guidelines to the best of their ability. He reiterated that this item is a PHO request and that the development meets the applicable stipulations.

Brennan Ray stated that the City did not ask the developer to contribute to the widening or improvements at 43rd Avenue and Anthem Way because the funding was met through a prior case. He added that 43rd Avenue did have an appropriate level of service, despite perhaps having a few seconds added to wait times. He stated that in an emergency the I-17 frontage road can allow for two-way traffic per ADOT mandate. He added that local law enforcement would control the two-way traffic.

Steven Scharboneau stated that he understands that this is not a rezoning case, but the density is not what the community wants to see in this area. He added that it would be important for the Village Planning Committee to create guidelines for developments that fall between traditional multifamily and

traditional single-family. **Will Holton** agreed with **Steven Scharboneau**. He added that the development is too dense.

Ozzie Virgil stated that this type of development is not what was envisioned for the area. He reiterated that there needs to be a balance of high and low density in the Village. He stated that the development will exacerbate existing issues in the area. He clarified that he is not anti-development, but feels any proposed development needs to be sensible.

Loyd Nygaard stated that while he had issues with the density, he believed that this was a PHO case and should be voting on whether the proposed development meets the appropriate stipulations. **Chair Massimo Sommacampagna** clarified that this not a rezoning case or a land use issue. He stated that they should determine whether the elevations and site plan conform to the listed stipulations. He added that multifamily is permitted in the C-2 zoning district. **Steven Scharboneau** stated that their recommendation is based on community input and that recommendation will be provided to the PHO. **Will Holton** stated the Village Planning Committee (VPC) is the voice of the community and their comments and concerns should be considered.

MOTION: Judy Lorch made a motion to approve PHO-1-21—Z-47-07. The motion was seconded by **Chair Massimo Sommacampagna**.

VOTE: 2-4 with Committee Members Sommacampagna and Lorch in favor and Committee Members Scharboneau, Holton, Nygaard, and Virgil in opposition. This motion failed.

Will Holton asked for clarity on the semantics of the motion. **Steven Scharboneau** asked whether the intent behind the recommendation is forwarded with the recommendation. **Samantha Keating** clarified that the recommendation from the committee would include a summary of the commentary.

Will Holton stated that the motion should include language that requires less density and input from the City, Maricopa County, and ADOT regarding traffic issues. **Steven Scharboneau** and **Ozzie Virgil** agreed that this was outside the purview of the Committee. **Samantha Keating** clarified that the applicant is proposing review of the site plan and elevations, so the committee can make additional modifications within that context. **Brennan Ray** clarified that the stipulations focus primarily on design. **Will Holton** stated that the design does not meet Rio Vista's Design Guidelines.

MOTION: Steven Scharboneau made a motion to deny PHO-1-21—Z-47-07. The motion was seconded by **Will Holton**.

VOTE: 4-2 with Committee Members Scharboneau, Holton, Nygaard, and Virgil in favor and Committee Members Sommacampagna and Lorch in opposition.

5. Public comments concerning items not on the agenda.

   None.

6. Staff update on cases recently reviewed by the Committee.

   None.

7. Committee member announcements, requests for information, follow up, or future agenda items.

   Loyd Nygaard stated that he felt he had a better understanding of the process after the second presentation. He stated that he would entertain a venue for changing his vote on PHO-1-21—Z-48-07. **Steven Scharboneau** stated that it would be positive to review information when members were first appointed to the committee and review the purpose of the VPC. **Will Holton** asked if there could be a motion to revote on PHO-1-21—Z-48-07. The Committee members agreed that the item had been passed and they would not revote.

   Chair Massimo Sommacampagna suggested that there be an agenda item or presentation regarding the purpose and intent of the VPC.

   Chair Massimo Sommacampagna asked staff for a future agenda item to discuss community issues with ADOT and Maricopa County to bridge the disconnect between the community and public entities.

8. Adjournment.

   The Rio Vista Village Planning Committee meeting adjourned at 10:20 p.m.

EXHIBIT K

REPORT OF PLANNING HEARING OFFICER ACTION
Adam Stranieri, Planner III, Hearing Officer
Danielle Jordan, Planner I, Assisting

April 21, 2021

ITEM NO: 2

DISTRICT 1

SUBJECT:

Application #:	PHO-1-21--Z-48-07-1
Location:	Approximately 400 feet east of the southeast corner of I-17 and Arroyo Norte Drive
Existing Zoning:	C-2
Acreage:	16.0
Request:	1) Submittal of conceptual site plan and elevations for approval by the Planning Hearing Officer per Stipulation 1. 2) Modification of Stipulation 2 regarding approval of a comprehensive sign plan. 3) Technical corrections to Stipulations 3 and 7.
Applicant:	Law Office of David Cisiewski
Owner:	Tom Tait, AV 203 LLC
Representative:	Lisa Gage, FDG Acquisitions

ACTIONS

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with a modification and additional stipulations.

Village Planning Committee (VPC) Recommendation: The Rio Vista Village Planning Committee heard this request at their March 9, 2021 meeting and voted 5-0 to continue the request to the April 13, 2021 meeting. The Rio Vista Village Planning Committee heard this request at their April 13, 2021 meeting and voted 4-2 to recommend approval.

DISCUSSION

Dave Cisiewski, the applicant, gave an overview of the request. He stated that the request is for approval of a conceptual site plan and elevations for a multifamily community consisting of detached, standalone, single-story units to be developed on a portion of the original rezoning area. He stated that the subject property is located at the southeast corner of the I-17 freeway and Arroyo Norte Drive and consists of approximately 16 acres located on the eastern portion of a larger 26-acre lot. He stated that when the property was rezoned to C-2 in 2007 there was no site plan for the overall development. He stated the

proposed use is a gated community consisting of 170 detached residences with private backyards, covered parking, parks, community areas, and walking trails. He stated that the parking is discreet and located near the residences.
Mr. Cisiewski stated that in addition to the required public notification, and due to community input he received, a community meeting was held on March 31, 2021. He stated that the comments from the community meeting revolved around the name of the development, density, design and colors, compatibility, parking, parks, amenities, traffic and site access. He stated that in response to community comments the name of the development was changed from “Arise Arroyo Norte” to “Arise North Phoenix” to prevent potential confusion regarding the existing subdivision to the east. He stated that the proposed density of 12.2 dwelling units per acre is significantly less than what is allowed by right under the existing approved C-2 zoning. He noted concerns about the design, colors, and compatibility with the surrounding area, and stated that the units are all single story and the color scheme had been changed to a more compatible desert color palette. He noted concerns about parking and stated that the site is providing 275 spaces while only 255 parking space are required and the developer will install no parking signs along Arroyo Notre Drive, subject to City approval. He noted concerns about parks and amenities and stated that the site will provide 7.4% community open space, exceeding the required minimum 5% open space. He noted concerns regarding traffic and stated that a traffic impact statement was completed for the project.

Mr. Cisiewski stated that Stipulations 1.a and 1.b regarding elevations are being met with the revised desert color palette. He stated that Stipulation 1.d regarding landscaping, arcades, and overhang, and Stipulation 1.e regarding parking areas are more relevant to the development of a commercial shopping center. He stated that Stipulation 1.g, regarding consideration of the site design for residential uses to mitigate impacts of the I-17, is being addressed with an approximately 500-foot setback from the I-17 frontage road. He stated that Stipulation 1.g regarding an architectural plan is being addressed with the building elevations’ inclusion of detailed accents throughout the development.

Adam Stranieri asked whether the resubmitted site plan and elevations were strictly exhibits for new amenities and colors. Mr. Cisiewski replied yes and that the site plan date stamped January 28, 2021 is the one that he would like to be considered in reference to any recommended stipulations.

Sean Gates, speaking in opposition to the request, stated that he had concerns about traffic at the Anthem Way exit on the I-17, ability to access the neighborhood, and the potential increase in cars from a proposed school site to the north and from new single-family development to the east. He stated that he wished that more communication had been done between the City and Maricopa County.

Lisa Thomas, speaking in opposition to the request, stated that Arroyo Norte Drive cannot handle any increase in traffic, especially with the new proposed school to the north of the site. She stated that the project is not a good fit for the area due to the increased density, safety issues, and fire hazards.

Albert Dieva, speaking in opposition to the request, stated that the developer is unfamiliar with the area and that no parking signs will not be effective. He stated that he had concerns with lack of parking, open space, and on-site amenities.

Andrew Brand, speaking in opposition to the request, stated that an opposition petition was created in response to this case which includes over 100 signatures. He stated that the virtual meeting format is a disservice to the community members. He stated that he has concerns about the increased traffic along the I-17 frontage road, the potential fire hazard, and the potential impacts regarding a proposed school on the north side of Arroyo Norte Drive.

Harmony Brown, speaking in opposition to the request, stated that she has concerns about traffic along the I-17 frontage road, the increase in traffic from the development and the proposed school to the north, the fact that there is only one road providing access to her subdivision to the east, lack of parking in the development, and fire hazards.

Richard Zimmerman, speaking in opposition to the request, stated that he would like the stipulation regarding a comprehensive sign plan to be retained in its original form. He stated that he had concerns about the traffic impact statement that was conducted by the applicant. He stated that the amount of parking that the development has is inadequate. He stated that the site and surrounding area lacks transportation infrastructure and adequate capacity for fire response. He suggested that a stipulation be added that addresses a dark sky initiative or dark sky lighting concepts.

Robert Townsend, speaking in opposition to the request, expressed concerns regarding traffic impacts to surrounding areas and the compatibility of the proposed density. He stated that the Rio Vista Village Planning Committee did not follow their own guidelines and standards in making their recommendation for approval.

Terry Mullarkey, speaking in opposition to the request, stated that the site has unique issues with traffic and is surrounded by properties in Maricopa County jurisdiction. He expressed concerns regarding the City and County working together to address traffic issues and stated that they need to look at a greater area than merely the area around Arroyo Norte Drive and the I-17 frontage road. He also had concerns about increased traffic with a proposed school site to the north. He stated that the density is not compatible with the area.

Tyler Estes, speaking in opposition to the request, stated that the development is not consistent or conforming with developments in the surrounding area and will create traffic issues along Arroyo Norte Drive. He stated that he is concerned that the developer is meeting the bare minimum requirements set by the Rio Vista Design Guidelines and the City. He stated that he also has concerns about fire hazards.

Dick Gates, speaking in opposition to the request, stated that he is concerned with the increased traffic on Arroyo Norte Drive with the additional traffic created by the new proposed school to the north and the new single-family development to the east. He stated that the proposed parking is inadequate.

Jennifer Sylvester, speaking in opposition to the request, stated that she has concerns about the potential for increased traffic on Arroyo Norte Drive and the I-17 Frontage Road stemming from the proposed development as well as from a new proposed school site to the north.

Angela Cox, speaking in opposition to the request, stated that she has concerns about potential fire hazards.

Crystal Hodge, speaking in opposition to the request, stated that she shares all of the concerns regarding traffic issues as raised by previous speakers.

Wyatt Earp, speaking in opposition to the request, stated that he agrees with previous comments from those opposing the case and suggested that any required traffic studies need to be completed on the weekend to reflect accurate traffic data. He stated that he has concerns with traffic along the I-17 freeway and the frontage road not having enough lanes to support the potential increase in traffic.

Mr. Cisiewski stated that the concerns regarding fire hazards are regarding natural wildfires that are occurring in the larger area and unfortunately, from the standpoint of the PHO application, there is not a lot to do for wildfire prevention in this context. He stated that through the Development Division site plan pre-application process they received no additional requirements for street dedications or other conditions regarding submittal of traffic statements or studies. He noted that the development is not proposed to be a 55 and older community. He stated that the proposed landscape palette is of a desert character and the development will have low level lighting. He stated that the density proposed is less than what is permitted by right in the C-2 zoning district.

Adam Stranieri stated that the original rezoning case included approximately 46 acres and established the C-2 zoning in 2007. He noted that the PHO request consisted of approximately 16 acres in the southeast portion of the original case area. He stated that the only public right-of-way adjacent to the site is Arroyo Norte Drive along the north property line. He noted that the west property line is

adjacent to a drainage easement and the other property lines are adjacent to private property and are not adjacent to the I-17 frontage road itself. He stated that the property across Arroyo Norte Drive to the north, where neighbors noted that a new school site has been proposed, is in the boundaries of the original rezoning case, but is not subject to this PHO request. He stated that he cannot stipulate a requirement for no parking signs along Arroyo Norte Drive, as suggested by the applicant, as these would be subject to approval from the Street Transportation Department. He stated that the current PHO request could not address larger regional or off-site traffic issues and require coordination with other government agencies regarding these regional or off-site issues. However, he noted that the Maricopa County Street Transportation Department submitted a comment on the case and made a request to be included in the review of relevant plans to allow collaboration with City staff and that this information was provided to the Street Transportation Department staff as part of this case review.

Mr. Stranieri stated that Stipulation 1 regarding approval of a conceptual site plan and elevations was established as there were no plans at the time of the original rezoning. He also noted that the case originally anticipated that the site would be developed with a variety of commercial uses. He noted that the proposed site plan depicts a multifamily residential development which consists of 170 units with a density of 12 units per acre, which is below the potential density of the existing R-3 zoning designation. He stated that the proposed open space of 7.4% represents an approximately 50% increase over the Zoning Ordinance standard. He stated that the proposed single-story building height is appropriate for the area.

Mr. Stranieri stated that Stipulation 1.a regarding architectural consistency in elevations was primarily intended to address a commercial center with multiple users. He stated that Stipulation 1.b regarding primary finishing materials consisting of a natural desert context has been appropriately met through the revised elevations, however he stated that he would not recommend stipulating to these drawings due to the lack of 4-sided perspective and desired features, which would be relevant to a general conformance review. He noted that the original submitted building elevations contained 4-sided architecture and identified architectural features such as window orientation, size, and variation and varied roof lines. He stated that he would recommend general conformance to the original elevations, however with an additional stipulation requiring building and wall colors be muted and blend with the desert environment. He noted that this stipulation was drawn from a design presumption in the Desert Character Overly District. He stated that the applicant’s revised color palette would conform with this design presumption.

Mr. Stranieri stated that Stipulation 1.c regarding drive-through facilities, Stipulation 1.d regarding landscaping and arcades, and Stipulation 1.e regarding parking areas were relevant to the original contemplated commercial developments.

Mr. Stranieri stated that Stipulation 1.f required special consideration be given to site design for residential uses to adequately mitigate impacts of the I-17 freeway. He stated that in terms of site design the property is setback from the freeway and the impacts are partially mitigated by, and more relevant to, the adjacent parcel to the west which is adjacent to the I-17 freeway frontage road. He stated that in addition to the approximately 500-foot setback from the I-17 freeway, no units front the west property line. He stated that in terms of the submitted landscape plan there are a variety of medium and large canopy trees that are located along the west property line. He asked Mr. Cisiewski about the proposed landscaping within the private rear yards along with west property line. Mr. Cisiewski stated that it would consist of low-level landscaping and, depending on the lot orientation, a tree to provide shade which would be installed as part of the initial development.

Mr. Stranieri stated that Stipulation 1.g regarding an architectural plan was relevant to the desire to see compatibility between multiple tenants within the larger commercial development area envisioned in the original case. However, he stated that in terms of architectural detailing the first submittal elevations provide pop-outs, window variations and sizes. He noted that if the remainder of the rezoning area was to develop with commercial uses, the stipulation would remain for these properties.

Mr. Stranieri stated that there are no concerns with removing the requirement to comply with Stipulation 2 regarding a comprehensive sign plan as the request solely involved the one multifamily residential project. However, he recommended a minor modification to clarify that the comprehensive sign plan requirement would apply for commercial land uses only.

FINDINGS

1) The original rezoning case contemplated development of the site with commercial uses. As there were no site plans or elevations included in the original application, it was unknown at the time how the site would ultimately develop, what specific uses would be implemented, and the scale and intensity of future development. Therefore, Stipulation 1 was adopted to require Planning Hearing Officer review through the public hearing process once these became available. However, this stipulation did recognize that the site may develop with residential uses as permitted in the approved C-2 zoning designation. Stipulation 1.f directly addressed

this by establishing criteria for mitigating impacts of the I-17 on potential residences.

The proposed conceptual site plan in this request depicts a 170-unit multifamily complex consisting of single-story bungalow-style residences. The proposed density is 12.2 dwelling units per gross acre, which is less than the 17.40 dwelling units per gross acre permitted in the R-3 PRD development option with bonus points. The proposed height is less than the two stories and 30 feet permitted in the R-3 PRD development option. Proposed open space is approximately 1.18 acres or 7.4% of the gross site area, which is greater than the minimum 5% required. The proposed residences are detached stand-alone units rather than a traditional multifamily apartment complex. The scale and intensity of the proposal is appropriate for its location along the I-17 freeway corridor, consistent with the existing zoning and General Plan Land Use map designation, and creates a buffer between existing single-family development to the east, adjacent commercial zoning, and the I-17 freeway corridor.

2) Stipulations 1.a through 1.g established specific criteria regarding the review of the site plan and elevations. General conformance to the proposed conceptual site plan and elevations is recommended as discussed in these findings.

3) Stipulation 1.a requires architectural consistency in the elevations regarding building mass, building style, wall treatments, lighting, and signage. This stipulation was originally intended to address the potential development of the site with multiple commercial uses. With the conversion of this stipulation to general conformance for the proposed residential development, these concerns are not wholly relevant. However, the residential elevations do provide an appropriate level of consistency while still providing for architectural diversity with three home styles. Architectural features include multiple window styles, decorative window treatments, gable ornamentation, use of accent colors, and varied rooflines.

4) Stipulation 1.b requires the use of finishing materials that are appropriate for a desert context. This includes the use of Spanish style terracotta roof tiles. Primary building colors include neutral whites and grays in stucco. Accent colors are limited to front doors.

5) The applicant submitted revised building elevations and a revised color palette intended to address concerns raised during public outreach regarding the compatibility of the color palette on the initial elevations submitted with the request. These initial elevations included yellow, blue, and red accent doors and a Mediterranean palette. However, the revised elevations were limited to single-perspective renderings, did not

incorporate the new door colors on the revised palette, and did not include the level of detail on the four-sided elevations in the original submittal. Therefore, an additional stipulation is recommended that addresses the use of colors that blend with the desert environment, prohibiting reflective materials, and limiting accent colors. The revised color palette date stamped April 20, 2021 would conform with this stipulation. However, the stipulation is intended to allow staff flexibility in reviewing the final palette as there is no building elevation that depicts all the appropriate colors in a single image.

6) Stipulation 1.f requires special consideration for residential uses regarding mitigating impacts of the I-17. It addresses four conditions that are addressed in the applicant's submittal as follows:

   e) **Innovative Site Design** – Vehicular access to the community is located along Arroyo Norte Drive, not along the I-17 frontage road, which will allow a continuous perimeter wall along the west property line. No units front the west property line and there are private yards located along this area.

   f) **Increased Setbacks** – The proposed site area is not adjacent to the I-17 frontage road. There is an approximately 500-foot setback between the I-17 and the closest unit. This area includes a remaining large parcel, subject to the stipulations of this case, and an approximately 70-foot wide drainage channel.

   g) **Sound barriers –** A 6-foot split-faced CMU wall is proposed along the west perimeter property line. Additionally, as the subject property does not contain the parcel adjacent to the I-17 frontage road, the closest unit will be setback approximately 500 feet from the I-17.

   h) **Increased Landscaping** – The conceptual landscape plan depicts a variety of large and medium canopy shade trees along the west property line in open spaces. Trees include a variety of acacia, willow, oak, and ash. However, the majority of the west property line consists of private yards and trees are not depicted. The fact that the subject property does not contain the parcel adjacent to the I-17 frontage road and the closest unit will be setback approximately 500 feet from the I-17 reduces the concern regarding enhanced landscaping standards in this area. The property is subject to existing Ordinance standards for landscaping in multifamily developments. The remaining parcel between this site and the I-17 will remain subject to this stipulation and landscaping will be reviewed during a future PHO hearing for these plans.

7) Stipulations 1.c, 1.d, 1.e, and 1.g addressed specific considerations that were relevant to the original vision of the site developing with multiple commercial users. Regarding Stipulation 1.g, the majority of the considerations are reflected in the conceptual elevations and the recommendation for general conformance.

8) Stipulation 2 regarding approval of a comprehensive sign plan was relevant to the assumption in the original rezoning case that the site would develop with multiple commercial uses. This requirement is not relevant to the development of the site with a single multifamily development. The applicant's request to modify this stipulation is recommended to be approved with a modification to the standard language to specify that this requirement is only relevant to development proposals for commercial land uses.

DECISION: The Planning Hearing Officer recommended approval with a modification and additional stipulations.

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 JANUARY 28, 2021, WITH SPECIFIC REGARD TO THE FOLLOWING, 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.~~ BUILDING AND WALL COLORS SHOULD BE MUTED AND BLEND WITH RATHER THAN CONTRAST WITH THE SURROUNDING DESERT ENVIRONMENT. REFLECTIVE MATERIALS SHOULD NOT BE USED. ACCENT COLORS SHOULD BE USED JUDICIOUSLY AND WITH RESTRAINT.
	~~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 directly 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 for residential uses 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.	~~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~~.		
3.	~~That~~ 25 feet of right-of-way shall be dedicated for the south half of Teresa Lane or as otherwise approved by the PLANNING AND Development ~~Services~~ Department.		
4.	~~That~~ Additional right-of-way shall be dedicated for the future expansion of the freeway/frontage road as approved by the Street Transportation Department.		

5.	~~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.	
6.	~~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.	
7.	~~That~~ The following persons, organizations and associations shall be notified by the applicant at least 15 days before the meeting or hearing of any PLANNING AND Development ~~Services~~ Department preliminary site plan meetings; Zoning Adjustment hearings; or Planning Hearing Officer hearings:	
	a.	New River Desert Hills Community Association, Inc. 515 E. Carefree Highway, #300 Phoenix, AZ 85085-8839
	b.	Shareen Goodroad scgoodroad@msn.com 623-742-0150
	c.	Terry Marron t.marron@yahoo.com 623-587-7039
8.	PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. 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.	

Upon request, this publication will be made available within a reasonable length of time through appropriate auxiliary aids or services to accommodate an individual with a disability. This publication may be made available through the following auxiliary aids or services: large print, Braille, audiotape or computer diskette. Please contact the Planning and Development Department, Tamra Ingersoll at voice number 602-534-6648 or TTY use 7-1-1.

EXHIBIT L

change.org

Recipient: CITY OF PHOENIX, Adam Stranieri

Letter: Greetings,

April 19, 2021

Dear City of Phoenix Planners,

PHO-1-21-Z-48-07-01, also known as ”Arise Arroyo Norte”, or “Arise North Phoenix,” is scheduled for a public hearing before the Phoenix planning hearing officer on April 21, 2021. We, as residents and homeowners of the Arroyo Norte community, and as a neighboring community to the proposal before you, stand together in firm opposition to the proposed, and respectfully ask that the City of Phoenix reject said proposal on grounds which we see as critical to the character, safety, and the long-term viability of our beloved neighborhood and the surrounding area.

1. Character

Arroyo Norte is an independent HOA, consisting of approximately 230 homes and is located immediately adjacent to the eastern border of the Arise proposal, with Anthem on our southern border and undeveloped state land to our north and east. Our community lies in the foothills north of Phoenix Proper, in an area prized for its wildlife, open spaces, richly diverse habitat, and high quality homes. Located on Anthem’s northern border, Arroyo Norte was designed to preserve and enjoy this unique and valued environmental setting, blending seamlessly with Anthem’s design and commitment to open spaces, dark skies and an active lifestyle.

Anthem's award winning amenities, lush wash preservation, trail systems and open spaces speak for themselves. Perhaps less known is the fact that as small as Arroyo Norte is in comparison, we boast an exercise trail encircling our community, spacious parks, a massive central grass park, and one trail that is particularly popular located adjacent to our richly vegetated and largest wash. Truth is, no one would know they had left Anthem without being told. It is a seamless transition and integration of our communities.

The PHO-1-21-Z-48-07-01 would be located right up against Arroyo Norte and Anthem, but it is something altogether different than either one. We sincerely believe that the Application before you involves a proposal

that violates both the character of the surrounding communities and the design guidelines set forth by Rio Vista Village. Ironically, the Arroyo Norte community, like Anthem's East side, although not part of Phoenix, meets the Rio Vista Village guidelines perfectly, whereas the Phoenix proposal before you, does not.

We have attended several Rio Vista Village committee hearings and have reviewed the plans submitted by FDG acquisitions, and in short, we believe that the proposal fails to meet those guidelines on a number of fronts, some of which are inevitable for a high density proposal located next to a more dispersed low-density single-family community such as ours. We maintain that the following items are in conflict with the Rio Vista design guidelines:

- Stipulation 1Gi: requires that at a minimum the structures are required to include bricks and stones as well as other features to blend with the surrounding desert landscaper and other homes in the community. The proposed elevations do not abide the required stipulations.

- Guidelines:

- Dark Skies will be negatively impacted and the quiet evenings we would expect in this area will be interrupted.

- Wash standards are quite simply unaddressed in this proposal. Furthermore, we inquired about the fate of the (unnamed) wash within this parcel and adjacent to the West side of this proposal. This wash flows roughly from North to South, briefly passing through the Firethorn community before entering the outlet mall drainage system and continuing into the desert south of Anthem. We have created a 10 minute drone video showing the entire extent of the wash in question. This video will be supplemented]

- Beautification and the trail systems are not included in the proposal. To the best of our knowledge, FDG acquisitions has expressed no intent in terms of wash preservation, beautification and the trail systems we have come to expect in this area.

These are just a few of the outstanding items which we maintain are out of compliance. FDG Acquisitions has agreed to address several other items which were clearly out of compliance, including paint color and landscaping inconsistent with the surrounding area and the Rio Vista design guidelines encouraging a natural desert environment. Even so, Arise is environmentally and aesthetically sterile. It does not include nature areas or

enhance those natural areas surrounding it. And it certainly doesn't match the character of our homes.

2. Safety

Traffic is part of this category. As stated previously, Arroyo Norte is located to the east of the Arise proposal, at the terminus of Arroyo Norte drive. We are able to exit our neighborhood in only one direction. Arise, and the Anthem Preparatory Academy (K-12 school with no bus service) project just announced across the street from Arise, will together, add a massive amount of traffic to our main road. All traffic from our community and both of these developments get funneled onto the frontage road, which is just one lane in each direction. This is a high-speed roadway with an already famously dangerous intersection at Arroyo Norte drive with a history of high-speed accidents. This intersection was already dangerous. Any additional traffic will add fuel to the fire.

Wildfires and traffic jams: If there was a single reason, Phoenix should reject this proposal, this is it. The I-17 freeway backs up every single weekend in the warmer months and on holidays, and several times a month comes to a complete halt as a result of accidents or wildfires. As a result, these frequent freeway closures bypass traffic onto the same frontage road that serves as our lifeline and escape route in the event of an emergency. Invasive grasses, climate change, and increased human activity in the area have quickly escalated the fire threat. In addition, we live in the foothills with unique downslope wind events from the North/Northeast. These wind events are surprisingly strong and can be relentless in this area, lasting for days.

In other words, we are very worried that our only escape route will be choked with freeway traffic when we need it most. Families here have a legitimate fear of a wildfire during a strong wind event without the necessary road infrastructure to allow us to safely escape. Furthermore, the traffic jams will prevent emergency personnel from reaching our community when we need it.

3. Community Resources

Arroyo Norte may look like Anthem, but instead of over 10,000 homes paying dues like Anthem does, our expenses are split just 230 ways. Our dues, already exceed those of Anthem, and it is already difficult to compete with their amenities, particularly their gym and pool which we do not have access to. Furthermore, we have a much higher percentage of grass than

Anthem does, and without the reclaimed water infrastructure we would need to match them. In short, we pay top dollar for our water, 75% of the dues we pay in fact go toward our parks and over half of our budget goes toward watering our grass.

We maintain that the Arise proposal should not be approved without consideration of the clear and direct financial impact it will impose on its nearest neighbor. Our community is not gated and the Arise proposal is located right next to us with its ingress and egress 50 yards from our 100% privately funded main park. If history is any guide, neighboring communities use open parks, private or not, and with a high density rental unit without a single ball field, basketball court or playground, it is unquestionable that our parks will be used by the tenants. There are no publicly funded Phoenix parks or playgrounds anywhere near this proposal. In fact, the Arise proposal is essentially on a city Island, surrounded by 100% privately funded parks in Anthem and Arroyo Norte. FDG acquisitions will already benefit from cheaper Phoenix water rates compared to the exorbitant Epcor rates Arroyo Norte residents pay. The idea that we will end up effectively subsidizing this community with our parks, is grossly unfair.

Arroyo Norte residents have met with the developer's attorney and have attended several Rio Vista Village committee hearings. The developer has refused to make any good-faith offer to even the playing field. They repeatedly emphasize their "large" central Park and backyard grass. However, we would urge city planners to look closely at what this proposal really offers, comb over the dimensions, and compare those amenities to those in Arroyo Norte and Anthem.

In summary, this proposal is out a line with this area. It will detrimentally effect the way of life that the neighboring communities, such as Arroyo Norte, have come to expect and will present an alarming fire hazard without an adequate escape route to both tenants and homeowners alike. When considering impact fees paid to the city, please consider the community that will truly be impacted more than any other--That is Arroyo Norte.

For the reasons listed above, and others not elaborated here above (such as inadequate parking and other concerns), we oppose the Arise development in the strongest of terms. We cannot accept the very real hazards based on the current state of inadequate transportation infrastructure in the immediate area and beyond. We appeal to the sense of safety and responsibility as your committee considers these issues. And should this committee decide to proceed with this project despite the unsafe

conditions for which you are now on notice, FDG acquisitions should, at a bare minimum provide funding for an overhaul of the Frontage Road/Arroyo Norte drive intersection. FDG should either pay for the use of Arroyo Norte parks or for gates to protect our privately funded assets, which will now be exposed to a high density development next door.

Thank you for your time and consideration.

Sincerely,

Residents of Arroyo Norte.

Signatures

Name	Location	Date
Tyler Estes	New River, AZ	2021-04-19
Richard Sorensen	New River, AZ	2021-04-19
Karin Ikesaki	Phoenix, AZ	2021-04-19
Chad Cox	Phoenix, AZ	2021-04-19
Riad and Ida Tawasha	Phoenix, AZ	2021-04-19
Tarah Brommer	Mesa, AZ	2021-04-19
Danielle Villa	Phoenix, AZ	2021-04-19
Molly Saum	New River, AZ	2021-04-19
Sharron Anderson	Phoenix, AZ	2021-04-19
Kyle Ness	New River, AZ	2021-04-19
RD Schake	Phoenix, AZ	2021-04-19
Tammy Hughes	Phoenix, AZ	2021-04-19
Armando Contreras	Phoenix, AZ	2021-04-19
Jarod Mathis	New River, AZ	2021-04-19
Lorri Franklin	New River, AZ	2021-04-19
Melissa Schake	Phoenix, AZ	2021-04-19
Hazel Kell	Phoenix, AZ	2021-04-19
Sheri Kinman	Phoenix, AZ	2021-04-19
Joel Franklin	Parker, AZ	2021-04-19
Laura Thomas	New River, AZ	2021-04-19

Name	Location	Date
Brittany Mathis	Phoenix, AZ	2021-04-19
Terry Sirb	New River, AZ	2021-04-19
Andrew Brand	Phoenix, AZ	2021-04-19
Emily Stakes	Phoenix, AZ	2021-04-19
Carol Callihoo	New river, AZ	2021-04-19
Rina Forbush	New River, AZ	2021-04-19
Shanna Rangel	Phoenix, AZ	2021-04-19
Amanda Roberts	Phoenix, AZ	2021-04-19
Cassandra Hughes	New River, AZ	2021-04-19
Jennifer Townsend	Phoenix, AZ	2021-04-19
Robert Townsend	Phoenix, AZ	2021-04-19
Clinton Hughes	New River, AZ	2021-04-19
Lori Pfeifer	Los Angeles, CA	2021-04-19
Ethelee Welliver	Phoenix, AZ	2021-04-19
jacob mills	Phoenix, AZ	2021-04-19
Lisa Klokner	New River, AZ	2021-04-19
Michelle Danon	New River, AZ	2021-04-19
Kim Burns	Phoenix, AZ	2021-04-19
Mike Roberts	Phoenix, AZ	2021-04-19
Donald Townsend	New River, AZ	2021-04-19
Bryan Young	Phoenix, AZ	2021-04-19
Pamela Gorder	Phoenix, AZ	2021-04-19

Name	Location	Date
Caitlin Werly	Phoenix, AZ	2021-04-19
Michelle Shapiro	Phoenix, AZ	2021-04-19
Peggy O’Rourke	Cave Creek, AZ	2021-04-19
Katie Bulmann	Phoenix, AZ	2021-04-19
Michelle Johnston	Phoenix, AZ	2021-04-19
Bob Gallego	Phoenix, AZ	2021-04-19
Todd Flaming	New River, AZ	2021-04-19
Erin Rain	New River, AZ	2021-04-19
Jordan Werly	Phoenix, AZ	2021-04-19
Jeff Albrecht	Phoenix, AZ	2021-04-19
Michael Pfeifer	New River, AZ	2021-04-19
Tammy Sirb	New River, AZ	2021-04-19
Raquel Campbell	Scottsdale, AZ	2021-04-19
Ingo Stein	Phoenix, AZ	2021-04-19
Jill Fuqua	Phoenix, AZ	2021-04-19
Doug Wyman	New River, AZ	2021-04-19
Melissa Buck	Phoenix, AZ	2021-04-19
Sherry Gard	Desert Hills, AZ	2021-04-19
Karen Allen	Phoenix, AZ	2021-04-19
Sean Gates	Phoenix, AZ	2021-04-19
Lu Ann Crawford	Phoenix, AZ	2021-04-19
Linda Hepokoski	New River, AZ	2021-04-19

Name	Location	Date
Rod Gard	Denver, CO	2021-04-19
Stan Jones	Phoenix, AZ	2021-04-19
Liz Randolph	Phoenix, AZ	2021-04-19
Sam Caldwell	New River, AZ	2021-04-19
Mandy MacDuff	Phoenix, AZ	2021-04-19
Karen Corder	Boise, ID	2021-04-19
Ashley Rivera	Phoenix, AZ	2021-04-19
Carrie Cook	New River, AZ	2021-04-19
Amber Simons	Phoenix, AZ	2021-04-19
Elizabeth Howard	New River, AZ	2021-04-19
Kylie Sirb	Artesia, CA	2021-04-19
Laura Grob	New River, AZ	2021-04-19
Kelly Johnson	Phoenix, AZ	2021-04-19
Matthew Shapiro	New River, AZ	2021-04-19
Michael Spector	Phoenix, AZ	2021-04-19
Bruce Taylor	New Rivet, AZ	2021-04-19
Jennifer Aquino	Phoenix, AZ	2021-04-19
Tamra Wyman	Phoenix, AZ	2021-04-19
Todd McMullen	Phoenix, AZ	2021-04-19
McKayla MacDuff	Phoenix, AZ	2021-04-19
Lisa Salem	Phoenix, AZ	2021-04-19
Kristen Dillabough	Phoenix, AZ	2021-04-19

Name	Location	Date
Amy Patterson	Artesia, CA	2021-04-19
Jolissa lopez	Albuquerque, US	2021-04-19
Shannon Hill	Scottsdale, AZ	2021-04-19
Paul Allen	New River, AZ	2021-04-19
Andrew Egan	Phoenix, AZ	2021-04-19
Rita Jones	Phoenix, AZ	2021-04-19
Connie Gibson	Phoenix, AZ	2021-04-19
Robert Careway	Phoenix, AZ	2021-04-19
Brooklyn Taft	Phoenix, AZ	2021-04-19
Jona Cruz	Phoenix, AZ	2021-04-19
Karen Lyons	Huntington Park, CA	2021-04-19
Steven Rain	Phoenix, AZ	2021-04-19
Shawn Wherry	New River, AZ	2021-04-19
Jason Deutsch	New River, AZ	2021-04-19
Leonor Deutsch	New River, AZ	2021-04-19
Nicole Johnson	Phoenix, AZ	2021-04-19
Rodger Loughlin	Phoenix, AZ	2021-04-19
Kim Deskin	Phoenix, AZ	2021-04-19
Susanne Estes	Phoenix, AZ	2021-04-19
Blake Brommer	Phoenix, AZ	2021-04-19
Daniel Sullivan	Anthem, AZ	2021-04-19
Heather Montgomery	Phoenix, AZ	2021-04-19

Name	Location	Date
Mike Johnson	Anthem, AZ	2021-04-19
Susan Shuey	New River, AZ	2021-04-19
Logan Ehrick	Phoenix, AZ	2021-04-19
Julie Greene	Peoria, AZ	2021-04-19
Terrilyn Miller	Phoenix, AZ	2021-04-19
Sondra Laing	Phoenix, AZ	2021-04-19
David Fattu	Phoenix, AZ	2021-04-19
Katherine Anderson	Phoenix, AZ	2021-04-19
Nicole Fattu	New River, AZ	2021-04-19
Mike Koep	Anthem, AZ	2021-04-19
Shelby Clayton	Phoenix, AZ	2021-04-19
David White	New River, AZ	2021-04-19
Holly Byerly	Phoenix, AZ	2021-04-19
Brett Davis	Los Angeles, CA	2021-04-19
Nichole White	New River, AZ	2021-04-19
Barb Egan	Phoenix, AZ	2021-04-19
Travis Estes	Harker Heights, TX	2021-04-19
Richard Ludwig	Phoenix, AZ	2021-04-19
Breannen Patton	Phoenix, AZ	2021-04-19
Kirsten Myers	Phoenix, AZ	2021-04-19
Dawn Blacic	Phoenix, AZ	2021-04-19
Donna Hancock	Phoenix, AZ	2021-04-19

Name	Location	Date
Amber R Medrano-Villa	New River, AZ	2021-04-19
Lana Cracchiolo	Anthem, AZ	2021-04-19
Kris Dietrich	New River, AZ	2021-04-19
Kendra Folker	New River, AZ	2021-04-19
Tara Painter	Phoenix, AZ	2021-04-19
Molly Roden	Phoenix, AZ	2021-04-19
Cassandra Soares	Phoenix, AZ	2021-04-19
Jennifer Acevedo	New River, AZ	2021-04-19
Samuel Hayes	Phoenix, AZ	2021-04-19
Suzanne Parkin	Phoenix, AZ	2021-04-19
Tami Collins	Phoenix, AZ	2021-04-19
Terri Bozarth	Phoenix, AZ	2021-04-19
Becky Ramsey	Sevierville, US	2021-04-19
Stephanie Howton	Glendale, AZ	2021-04-19
John Taft	Scottsdale, AZ	2021-04-19
Jessica Franklin	Gilbert, AZ	2021-04-19
Stephanie McLean	Phoenix, AZ	2021-04-19
Marta Balcerak	Phoenix, AZ	2021-04-19
Arthur Dewyer	Phoenix, AZ	2021-04-19
William Scully	Phoenix, AZ	2021-04-19
Richard Biggs	Anthem, AZ	2021-04-19
Linda Romani	ANTHEM, AZ	2021-04-19

Name	Location	Date
Vickie Cence	New River, AZ	2021-04-19
Alexandra Miller	Phoenix, AZ	2021-04-19
Heather Boop	Anthem, AZ	2021-04-19
Lisa Flaming	New River, AZ	2021-04-19
Kevin Loy	New River, AZ	2021-04-19
Patricia Ann Krause	Anthem, AZ	2021-04-19
Steven Krause	Anthem, AZ	2021-04-19
Annessa Dietrich	Phoenix, AZ	2021-04-20
Mary Crow	Glendale, AZ	2021-04-20
gia gena	Bronx, US	2021-04-20
Kris Doering	Anthem, AZ	2021-04-20
Terianne Topp	Phoenix, AZ	2021-04-20
Katherine Dewyer	Phoenix, AZ	2021-04-20
Becky Wherry	New River, AZ	2021-04-20
Robert Kelley	Phoenix, AZ	2021-04-20
Mary Kelley	Phoenix, AZ	2021-04-20
Suad Bastell	Phoenix, AZ	2021-04-20
Nathan Smith	Phoenix, AZ	2021-04-20
Kevin Pascoe	Phoenix, AZ	2021-04-20
Kristine Boates	Phoenix, AZ	2021-04-20
Jayna Contreras	Phoenix, AZ	2021-04-20
Laura Taddeo	Phoenix, AZ	2021-04-20

Name	Location	Date
Harmony Brown	New River, AZ	2021-04-20
Jason Randolph	Phoenix, AZ	2021-04-20
Allison Kaufmann	Phoenix, AZ	2021-04-20
Rob Harper	New River, AZ	2021-04-20
sharon bykerk	Phoenix, AZ	2021-04-20
Brian Wright	Phoenix, AZ	2021-04-20
Brian Pelchat	Phoenix, AZ	2021-04-20
Leo Tocchini	Phoenix, AZ	2021-04-20
Lucy Mitchell	New River, AZ	2021-04-20
Taylor Wood	Phoenix, AZ	2021-04-20
Cathy Cep	Phoenix, AZ	2021-04-20
Brandon Hunt	Phoenix, AZ	2021-04-20
Holly Speed	Phoenix, AZ	2021-04-20
Robert Kuchar	Phoenix, AZ	2021-04-20
Betty Flaming	Phoenix, AZ	2021-04-20
Helen Cep	Phoenix, AZ	2021-04-20
Stacy Kuchar	Phoenix, AZ	2021-04-20
Jennifer Ternes	Phoenix, AZ	2021-04-20
Stacey Till Anderson	Phoenix, AZ	2021-04-20
Alexis Kuchar	Phoenix, AZ	2021-04-20
Emilee Spear	New River, AZ	2021-04-20
Dylan Barton	Glendale, AZ	2021-04-20

Name	Location	Date
Donna Taylor	Phoenix, AZ	2021-04-20
Scott Ternes	Phoenix, AZ	2021-04-20
Shawn Black	Phoenix, AZ	2021-04-20
David Myers	New River, AZ	2021-04-20
Shawn Mulcahy	Phoenix, AZ	2021-04-20
Aleah Chilleen	Phoenix, AZ	2021-04-20
Frederick Hirth	Phoenix, AZ	2021-04-20
Steve Tustin	Phoenix, AZ	2021-04-20
Giana Fallico	Palatine, IL	2021-04-20
Jared Chmela	Phoenix, AZ	2021-04-20
Warren Ikesaki	Phoenix, AZ	2021-04-20
Jerry Byrd	Phoenix, AZ	2021-04-20
Joyce Bush	Phoenix, AZ	2021-04-20
Michelle Ueno	Temecula, CA	2021-04-20
Philip Slaviero	Phoenix, AZ	2021-04-20
Julie Griffin	Phoenix, AZ	2021-04-20
Brian Snyder	New River, AZ	2021-04-20
Ralph Bush	Phoenix, AZ	2021-04-20
Rebecca Lindstrom	Phoenix, AZ	2021-04-20
Andrea Careway	New River, AZ	2021-04-20
Tara Snyder	Phoenix, AZ	2021-04-20
Denise Paradis	New River, AZ	2021-04-20

Name	Location	Date
Ken Kowalski	Phoenix, AZ	2021-04-20
Jessica Smith	Phoenix, AZ	2021-04-20
Geoff Burns	Phoenix, AZ	2021-04-20
Tammy Irwin	Phoenix, AZ	2021-04-20
Drew Saum	New River, AZ	2021-04-20
Annie Guntzel	Phoenix, AZ	2021-04-20
Donna Geiger	New River, IL	2021-04-20
Bernadine Barajas	Phoenix, AZ	2021-04-20
Jeremy Knox	Phoenix, AZ	2021-04-20
Domenick Galindo	Phoenix, AZ	2021-04-20
Ciara Goddard	Mesa, AZ	2021-04-20
Audra McCaw	glendale, AZ	2021-04-20
Kristi Kroeger	Phoenix, AZ	2021-04-20
Kat Angerami	Los Angeles, CA	2021-04-20
Debbie Joy	Phoenix, AZ	2021-04-20
Joe Taddeo	New River, AZ	2021-04-20
Renate Binder	Germany	2021-04-20
Wayne Ullrich	Phoenix, AZ	2021-04-20
Brandon Sexton	New River, AZ	2021-04-20
Shannon Cusson	Phoenix, AZ	2021-04-20
Richard Gates	New River, AZ	2021-04-20
Thomas Irwin	New River, AZ	2021-04-20

Name	Location	Date
Stacy Hall	Black Canyon City, CA	2021-04-20
Rachel Eichentopf	Phoenix, AZ	2021-04-20
Joann House	Phoenix, AZ	2021-04-20
Brian Miller	New River, AZ	2021-04-20
Josh Pollock	Phoenix, AZ	2021-04-20
Philip Turner	Artesia, CA	2021-04-20
Shawn McMullen	Phoenix, AZ	2021-04-20
Michelle Pelchat	Phoenix, AZ	2021-04-20
Jennipher Hendricks	Phoenix, AZ	2021-04-20
David Thompson	New River, AZ	2021-04-20
Michael Montgomery	Phoenix, AZ	2021-04-20
Tom Ocean	Phoenix, AZ	2021-04-20
Kayla Castino	Phoenix, AZ	2021-04-20
Cheryl Gentty	Anthem, AZ	2021-04-20
Jennifer Albrecht-Ayala	New River, AZ	2021-04-20
James Stevens	New River, AZ	2021-04-20
Robert Del Principe	New River, AZ	2021-04-20
Bobby Blosser	Phoenix, AZ	2021-04-20
Kim Avery	New River, AZ	2021-04-20
Lisa Thomas	New River, AZ	2021-04-20
Lindsay Conley	Phoenix, AZ	2021-04-20
Jared Conley	Phoenix, AZ	2021-04-20

Name	Location	Date
Morgan Hann	US	2021-04-20
Danielle Hendrickson	Phoenix, AZ	2021-04-20
Travis Pickard	Phoenix, AZ	2021-04-20
Kathleen Skogen	Phoenix, AZ	2021-04-20
Jacqueline Pankow	Phoenix, AZ	2021-04-20
Tammy Mason	Phoenix, AZ	2021-04-20
Lisa Harris	New River, AZ	2021-04-20
Brenda Merloe	Anthem, AZ	2021-04-20
Theresa Nelson	New River, AZ	2021-04-20

Danielle M Jordan

From: Samantha Keating
Sent: Tuesday, March 9, 2021 12:22 PM
To: Danielle M Jordan
Cc: Adam Stranieri
Subject: FW: RIO VISTA VILLAGE PLANNING

For Z-48-07.

Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003

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From: Anthem Air <anthemair@yahoo.com>
Sent: Monday, March 8, 2021 7:36 PM
To: Samantha Keating <samantha.keating@phoenix.gov>
Subject: RIO VISTA VILLAGE PLANNING

If this is passed, what are they planning to do about the traffic ? The weekends are already hard enough to get in and out of the Arroyo Norte subdivision. Frontage road is always busy and the lighting is horrible at night.

Will there be a stop light put in ?
Will they widen frontage road ?
How will the tenants enter the new complex ?
We pay HOA fees to maintain Arroyo Norte road, will the tenants pay this as well ?

This should not be passed. There is plenty of area on the west side of the 17 to build on.

Sent from Yahoo Mail on Android [go.onelink.me]

Danielle M Jordan

From: Samantha Keating
Sent: Thursday, March 11, 2021 10:13 AM
To: Danielle M Jordan
Cc: Adam Stranieri; Julianna Pierre
Subject: FW: Application # PHO-1-21-Z-48-07

FYI

Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003

-----Original Message-----
From: Karen Allen <karenallen6012@gmail.com>
Sent: Wednesday, March 10, 2021 5:34 PM
To: Samantha Keating <samantha.keating@phoenix.gov>
Cc: dave@dclawaz.com; tait@ttaitdevelopment.com; lisa@dfgroup.us
Subject: Application # PHO-1-21-Z-48-07

Rio Vista Planning Committee,

I am writing today in reference to application # PHO-1-21-Z-48-07 Arise Arroyo Norte where the developer has proposed a high density apartment complex. I currently live in the Arroyo Norte neighborhood, we are a small community and take pride in the beautiful open surroundings. One of the reasons I recently moved to Arroyo Norte was due it being a less populated area with plenty of open desert scape. This high density complex will completely change that. I am asking you to please deny this application.

I have listed my concerns below:

This type of housing would put a huge traffic burden on the frontage road as well as our access in and out of the neighborhood. There is also a potential safety hazard for emergency vehicle access when traffic backs up on the frontage road as it normally does.

The development is in no way similar to the surrounding area. 600-900 sq.ft. white apartments with colored doors does not fit in at all with the desert landscape or the 400k+ homes the development will be in front of. How can they be considered “luxury” with the size and density they are trying to fit in such a small plot of land?

Concerns with use of Arroyo Norte amenities. Our parks and trails that are privately funded and cannot take on the additional population that would in fact be using these amenities due to the small “open park areas” they claim to have. There are no trails, playground equipment, etc., included within their gated community and Arroyo Norte offers all that in an un-gated community a few steps away.

Concerns this will bring other high density housing to an area that does not call for high density housing.

I do feel that the developer and attorney are trying to pull a “fast one” in getting this development pushed through. Legally as I understand, they were obligated to only send 85 notices due to the zoning. Knowing what they were proposing, why not try and talk to the community to hear concerns? As you heard last night, many of us felt unprepared for the meeting with no notice. Most of the neighborhood did not receive any notification of the development other than a well hidden sign you had to search for, almost like they were trying to deter residents from seeing it. The attorney claimed he only heard a few concerns prior to the meeting, the reason being is no one knew about the development.

This whole situation is very disappointing and concerning. Again, I ask that you to please deny this application.

Thank you for your time and consideration.

Karen Allen
3737 W. Lapenna Drive
New River, AZ 85087

Danielle M Jordan

From: Samantha Keating
Sent: Friday, March 12, 2021 8:57 AM
To: Danielle M Jordan
Cc: Adam Stranieri; Julianna Pierre
Subject: FW: Application #PHO-1-21-Z-48-07

FYI

Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003

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From: Tara Bowe <tarabowe2017@gmail.com>
Sent: Friday, March 12, 2021 8:26 AM
To: dave@dclawaz.com; lisa@dfgroup.us; Samantha Keating <samantha.keating@phoenix.gov>; tait@ttaitdevelopment.com
Subject: Application #PHO-1-21-Z-48-07

Hello,

I'm hoping someone will read this and take consideration. I understand a lot may have already gone into this project, but I don't think enough research has been done.

I've lived in Anthem since June 2002. When I moved here there were no street lights and it was a cobblestone entry to the water falls.

The growth has been amazing for many reasons, but there comes a point where it is too much. Traffic on Anthem Way between Navigation and the Outlet Mall is a nightmare any time of day now. My daughter goes to pre school just on the west side and I live off the frontage road, on the way to your planned new development. It should be a quick drive to get her there and back to log on for work, but I get caught up in horrendous traffic both ways. Turning left onto Navigation from Anthem Way (east bound then North bound) could take several cycles of the light. That problem will only get worse with more people living that direction. It is one lane each way from Navigation all the way up to New River Road.

Not only is the traffic going to get substantially worse with this development, the overcrowding will affect the parks, parking in our small town grocery store parking lots and restaurants, and resources. Us East side residents are footed with a very large EPCOR water bill, while the west side is on Phoenix water. Adding more people to our already bogged down infrastructure is simply not smart, not safe, and not fair.

Surely, this beautiful development could fit somewhere closer to town. Somewhere along the 303, for example.

Please don't bring more constitution and congestion to Anthem. It was the most quiet, quaint little town when my family moved here and we have slowly become overcrowded. Please don't add to that. For the sake of the dream we had for our family living here, to raise our children in peace.

Tara Bowe
623-363-1274

Danielle M Jordan

From: Samantha Keating
Sent: Monday, March 8, 2021 1:25 PM
To: Danielle M Jordan
Cc: Adam Stranieri
Subject: FW: Pho-1-21-Z-48-07-1

FYI

Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003

PLANNING & DEVELOPMENT
PRESERVE
SHAPE
BUILD

From: Andrew Brand <andrewpbrand@hotmail.com>
Sent: Sunday, March 7, 2021 9:18 AM
To: Samantha Keating <samantha.keating@phoenix.gov>
Subject: Pho-1-21-Z-48-07-1

Dear Ms. Keating, I am a 6 year resident of Arroyo Norte, the small community located directly adjacent to this rezoning proposal. I understand there is a public hearing on March 9 at 6:00 p.m. This proposal will affect our small community more than any other community in the area. I would like to speak on Tuesday with your approval.

Even after over 10 years in existence, our HOA board is still under the control of our developer, Terra West/ Starwood land ventures until the final 67 lots are some day built upon. Unfortunately, thus far they have not taken an active interest in the betterment or preservation of this community and its strained resources. We hope they will share our interests in regard to the zoning proposal, but we do not yet know if we can count on them doing so.

Historically, residents such as myself have had to take it upon ourselves to do what we can to informally fill that role. I kindly request a few minutes to express my concerns with this project.

Yours truly,

Andrew Brand

3731 West Lapenna Dr.
New River AZ 85087

Sent from my Sprint Samsung Galaxy S8.

Hello everyone. My name is Andrew Brand. I am married with 3 young children. I am a 6-year homeowner and full-time resident of the Arroyo Norte community that is located immediately adjacent to the proposed high density housing units. Before moving here, I lived in Anthem for 12 years, with 10 years of that in the Firethorn neighborhood located immediately to the south of this proposed development. In fact, I have lived in this immediate area almost my entire adult life. As such, I feel a deep connection to this community and its surroundings.

I am here today to urge the City to decline this rezoning proposal.....unless.....the existing plans are substantially modified. But first I would like to tell you a little bit about our community and why I'm here today. Arroyo Norte is a small HOA with approximately 230 homes. We have been in existence for approximately 10 years, or perhaps a bit more. We are not part of Anthem. We are not within the Phoenix city limits. We are independent. We do not have access to Phoenix water rates. We do not have access to Anthem's amentities. Other than county services for street maintenance and policing, the entirety of all of the costs associated with this community is born by just 230 homeowners. What we do have is an exercise trail, a large playground and grass, and a lot of it. Despite the relatively small size of this community, we have a large central park with grassy fields, and at least half a dozen pocket parks. Since we do not have access to anthem's reclaimed water, or much cheaper Phoenix water rates, between our water and sewer, expenses and landscape, expenses, easily the majority of every dollar each resident pays in dues goes maintaining our grass. And that doesn't count maintenance of the trails and playground, which when accounted for, makes up nearly the entirety of what our dues get us. And these dues, despite the lack of access to the swimming pool or workout facilities, already exceed Anthem's dues, and are projected to continue to increase in coming years.

I am deeply concerned, alarmed even, that should this proposal be allowed to stand anywhere close to its current form, the already strained Arroyo Norte resources will be brought to a breaking point....but first, consider the injustice, the irony even of what we're facing here. If this project is approved, the 5th largest city in the country with nearly infinitely more resources than our small non Phoenix HOA, would be allowing a gated – remember that – a gated high density rental development to park itself immediately next to our ungated community, and not more than 2 stone throws from our park. Less than a stone throw if you count the patch of grass at the entrance of Arroyo Norte. In other words, the rental complex will keep us out of theirs facilities, which, such as the pool, they're able to offer at a fraction of the cost of ours (due to Phoenix water in particular), but we will have no means of keeping the new residents off of our grass, which we pay dearly for, so dearly, that you'd be hard-pressed to find another community in Arizona that pays more for a gallon of water than we do in our common areas. I have no doubt that this developer would have you believe that the renters will not use our property, but don't believe it.

3 reasons for this:

- The proposed development has a woefully inadequately sized park.
- The development is proposed to be so close to our community, the park will be visible from the property itself. A literal hop, skip and a jump from their front door. We already have anthem

[redacted]

residents illegally use our property.... And they have to get in their car to get here. Hopefully you get the picture.

- Arise Arroyo Norte is taking our name. Without question, this will lead renters to believe they are part of our community and use our property.

Now let's talk about the roads and the traffic. Myself and others in the community have been raising the alarm over an already dangerous intersection at the crossroads of the frontage road and Arroyo Norte drive. If the city is going to consider any development of any kind on this property, but especially one with 170 units, reworking that intersection and adding stoplights is simply a must. There have been several major accidents at that intersection since I have moved here. There are also other traffic issues, concerns over congestion in the case of an emergency, etc. that residents here are concerned about.

But I have to ask if it really needs to be this way, and quite honestly, what the developer was thinking when they designed both of the entrances out to Arroyo Norte Drive. As a result of that design, our community will bear 100% of the traffic consequences. Anthem will bear none of it. In other words, once again, the bigger, better funded neighbor of ours doesn't bear the consequences, we do. This cannot stand.

And the injustice is even worse than all that. Between the boundaries of the Arroyo Norte HOA and the frontage road, is a long stretch of roadway with a substantial number of shrubs and trees, numbering over 500 plants, all of which take water and a significant amount of maintenance. Our small, underfunded HOA has funded the water and maintenance for the Phoenix based property for years. We do not own the land along that stretch of road, but we have maintained it. And what has the owner of the parcel in question done for us? Did they remove the invasive weeds and grasses such as stinknet and Buffel grass, that pose a fire threat to our community very year? Did they pay for the water and landscaping along Arroyo Norte Dr. Absolutely not. We've had to address any such threats on our own. I haven't seen a thank you, or check.

As it stands, this project is in all practicality funneling their residents toward our property. Yet If any residential development on this parcel is allowed, the main point (and quite frankly, most natural point) of access should be to the frontage road with a secondary access to Firethorn. This makes a lot more sense all around. It's more direct, and takes some pressure off pinch points on Arroyo Norte drive. If that takes more money or more time to secure the problem approval from Anthem, etc, that is not our concern. That is the cost of being a good neighbor and responsible one.

Please consider the following demands....and then a couple of proposals to correct the imbalances this project will create if left as is.

- Less rental units
- larger grassy park
- If they want to gate us out of their development, fund our own gates to keep the renters out of our facilities.
- Join our HOA, annex our community, give us access to the pool and Phoenix water rates, and we would happily watch these new families and children enjoy are amply adequate fields. But they have to pay to play. We simply cannot afford this development. I mean that quite literally. I'd be happy to discuss the financial specifics off-line as needed.

The concerns I have raised here are by no means comprehensive. I've only hoped to touch on a few of the bigger points. I encourage the developer and the city to take note of the large number of residents attending this meeting on very short notice. I would like to end with a final comment, and a question.

I live 2 blocks away from this proposal. Had one resident not received a letter from the attorney, and had that resident not shared it with the broader community, I would never have known about the proposal at all, let alone today's meeting. Even now, I've had very little time to prepare, and other residents I'm sure are just as eager to weigh in, but were not given that opportunity reasonably.

In fact I have spoken with many residents in the last few days about the proposed project and the meetings. Not a single person I have spoken with received notice of this proposal in the mail. I would ask the developer or their attorney to explain what they understand their legal duty to be in this regard and what actions they took to meet that obligation.

Thank you so much for your time today.

April 19, 2021

Dear City of Phoenix Planners,

PHO-1-21-Z-48-07-01, also known as "Arise Arroyo Norte", or "Arise North Phoenix," is scheduled for a public hearing before the Phoenix planning hearing officer on April 21, 2021. *We, as residents and homeowners of the Arroyo Norte community, and as a neighboring community to the proposal before you, stand together in firm opposition to the proposed*, and respectfully ask that the City of Phoenix reject said proposal on grounds which we see as critical to the character, safety, and the long-term viability of our beloved neighborhood and the surrounding area.

1. Character

Arroyo Norte is an independent HOA, consisting of approximately 230 homes and is located immediately adjacent to the eastern border of the Arise proposal, with Anthem on our southern border and undeveloped state land to our north and east. Our community lies in the foothills north of Phoenix Proper, in an area prized for its wildlife, open spaces, richly diverse habitat, and high quality homes. Located on Anthem's northern border, Arroyo Norte was designed to preserve and enjoy this unique and valued environmental setting, blending seamlessly with Anthem's design and commitment to open spaces, dark skies and an active lifestyle.

Anthem's award winning amenities, lush wash preservation, trail systems and open spaces speak for themselves. Perhaps less known is the fact that as small as Arroyo Norte is in comparison, we boast an exercise trail encircling our community, spacious parks, a massive central grass park, and one trail that is particularly popular located adjacent to our richly vegetated and largest wash. Truth is, no one would know they had left Anthem without being told. It is a seamless transition and integration of our communities.

The PHO-1-21-Z-48-07-01 would be located right up against Arroyo Norte and Anthem, but it is something altogether different than either one. We sincerely believe that the Application before you involves a proposal that violates both the character of the surrounding communities and the design guidelines set forth by Rio Vista Village. **Ironically, the Arroyo Norte community, like Anthem's East side, although *not part of Phoenix,* meets the Rio Vista Village guidelines perfectly, whereas the *Phoenix* proposal before you, does not.**

We have attended several Rio Vista Village committee hearings and have reviewed the plans submitted by FDG acquisitions, and in short, we believe that the proposal fails to meet those guidelines on a number of fronts, some of which are inevitable for a high density proposal located next to a more dispersed low-density single-family community such as ours. We maintain that the following items are in conflict with the Rio Vista design guidelines:

- **Stipulation 1Gi:** requires that *at a minimum* the structures are required to include bricks and stones as well as other features to blend with the surrounding desert landscaper and other homes in the community. The proposed elevations do not abide the *required* stipulations.
- **Guidelines:**
    - **Dark Skies** will be negatively impacted and the quiet evenings we would expect in

this area will be interrupted.

- **Wash standards** are quite simply unaddressed in this proposal. Furthermore, we inquired about the fate of the (unnamed) wash within this parcel and adjacent to the West side of this proposal. This wash flows roughly from North to South, briefly passing through the Firethorn community before entering the outlet mall drainage system and continuing into the desert south of Anthem. We have created a 10 minute drone video showing the entire extent of the wash in question. This video will be supplemented]

- **Beautification and the trail systems** are not included in the proposal. To the best of our knowledge, FDG acquisitions has expressed no intent in terms of wash preservation, beautification and the trail systems we have come to expect in this area.

These are just a few of the outstanding items which we maintain are out of compliance. FDG Acquisitions has agreed to address several other items which were clearly out of compliance, including paint color and landscaping inconsistent with the surrounding area and the Rio Vista design guidelines encouraging a natural desert environment. *Even so, Arise is environmentally and aesthetically sterile.* It does not include nature areas or enhance those natural areas surrounding it. And it certainly doesn't match the character of our homes.

2. Safety

Traffic is part of this category. As stated previously, Arroyo Norte is located to the east of the Arise proposal, at the terminus of Arroyo Norte drive. **We are able to exit our neighborhood in only one direction.** Arise, and the Anthem Preparatory Academy (K-12 school with no bus service) project just announced across the street from Arise, will together, add a massive amount of traffic to our main road. All traffic from our community and both of these developments get funneled onto the frontage road, which is just one lane in each direction. This is a high-speed roadway with an already famously dangerous intersection at Arroyo Norte drive with a history of high-speed accidents. This intersection was already dangerous. Any additional traffic will add fuel to the fire.

Wildfires and traffic jams: **If there was a single reason, Phoenix should reject this proposal, this is it.** The I-17 freeway backs up every single weekend in the warmer months and on holidays, and several times a month comes to a complete halt as a result of accidents or wildfires. As a result, these frequent freeway closures bypass traffic onto the same frontage road that serves as our lifeline and escape route in the event of an emergency. Invasive grasses, climate change, and increased human activity in the area have quickly escalated the fire threat. In addition, we live in the foothills with unique downslope wind events from the North/Northeast. These wind events are surprisingly strong and can be relentless in this area, lasting for days.

In other words**, we are very worried that our only escape route will be choked with freeway traffic when we need it most.** Families here have a legitimate fear of a wildfire during a strong wind event without the necessary road infrastructure to allow us to safely escape. Furthermore, the traffic jams will prevent emergency personnel from reaching our community when we need it.

3. Community Resources

Arroyo Norte may look like Anthem, but instead of over 10,000 homes paying dues like Anthem does, our expenses are split just 230 ways. Our dues, already exceed those of Anthem, and it is already difficult to compete with their amenities, particularly their gym and pool which we do not have access to. Furthermore, we have a much higher percentage of grass than Anthem does, and without the reclaimed water infrastructure we would need to match them. In short, we pay top dollar for our water, 75% of the dues we pay in fact go toward our parks and over half of our budget goes toward watering our grass.

We maintain that the Arise proposal should not be approved without consideration of the clear and direct financial impact it will impose on its nearest neighbor. Our community is not gated and the Arise proposal is located right next to us with its ingress and egress 50 yards from our 100% privately funded main park. If history is any guide, neighboring communities use open parks, private or not, and with a high density rental unit without a single ball field, basketball court or playground, it is unquestionable that our parks will be used by the tenants. There are no publicly funded Phoenix parks or playgrounds anywhere near this proposal. In fact, the Arise proposal is essentially on a city Island, surrounded by 100% privately funded parks in Anthem and Arroyo Norte. FDG acquisitions will already benefit from cheaper Phoenix water rates compared to the exorbitant Epcor rates Arroyo Norte residents pay. The idea that we will end up effectively subsidizing this community with our parks, is grossly unfair.

Arroyo Norte residents have met with the developer's attorney and have attended several Rio Vista Village committee hearings. The developer has refused to make any good-faith offer to even the playing field. They repeatedly emphasize their "large" central Park and backyard grass. However, we would urge city planners to look closely at what this proposal really offers, comb over the dimensions, and compare those amenities to those in Arroyo Norte and Anthem.

In summary, this proposal is out a line with this area. It will detrimentally effect the way of life that the neighboring communities, such as Arroyo Norte, have come to expect and will present an **alarming fire hazard without an adequate escape route to both tenants and homeowners alike**. When considering impact fees paid to the city, please consider the community that will truly be **impacted more than any other--**That is Arroyo Norte.

For the reasons listed above, and others not elaborated here above (such as inadequate parking and other concerns), we oppose the Arise development in the strongest of terms. We cannot accept the very real hazards based on the current state of inadequate transportation infrastructure in the immediate area and beyond. We appeal to the sense of safety and responsibility as your committee considers these issues. And should this committee decide to proceed with this project despite the unsafe conditions for which you are now on notice, FDG acquisitions should, at a bare minimum provide funding for an overhaul of the Frontage Road/Arroyo Norte drive intersection. FDG should either pay for the use of Arroyo Norte parks or for gates to protect our privately funded assets, which will now be exposed to a high density development next door.

Thank you for your time and consideration.

Sincerely,

Residents of Arroyo Norte.

Danielle M Jordan

From: Andrew Brand <andrewpbrand@hotmail.com>
Sent: Wednesday, April 21, 2021 7:13 AM
To: PDD PHO
Subject: RE: Speaking request
Attachments: Photo_6553740_DJI_140_jpg_4690138_0_2021420185552_photo_original.jpg; Photo_6553741_DJI_141_jpg_4332897_0_202142018564_photo_original.jpg; Photo_6553754_DJI_154_jpg_4283744_0_202142019630_photo_original.jpg; Photo_6553758_DJI_158_jpg_4271088_0_202142019742_photo_original.jpg

One last supplement. These are photographs I took last night. Sorry these are coming in the final hours, but I'm just not sure if the hearing officer is familiar with the area. This shows that we are essentially landlocked. No connections to anthem.

Sent from my Sprint Samsung Galaxy S8.

-------- Original message --------
From: PDD PHO <pdd.pho@phoenix.gov>
Date: 4/20/21 11:23 AM (GMT-07:00)
To: Andrew Brand <andrewpbrand@hotmail.com>
Subject: RE: Speaking request

Hello,

I can confirm that I have you registered.

Thank you,

Danielle Jordan,

Planner I
City of Phoenix
Planning and Development Department
Planning Division, Zoning Section
200 West Washington Street, 2nd Floor
Phoenix, AZ 85003
Office: 602-495-0383
Phoenix.gov/PDD

From: Andrew Brand <andrewpbrand@hotmail.com>
Sent: Tuesday, April 20, 2021 9:06 AM
To: PDD PHO <pdd.pho@phoenix.gov>
Subject: RE: Speaking request

I registered to speak yesterday morning. Can you let me know if you did not receive it?

Sent from my Sprint Samsung Galaxy S8.

-------- Original message --------
From: PDD PHO <pdd.pho@phoenix.gov>
Date: 4/20/21 8:40 AM (GMT-07:00)
To: Andrew Brand <andrewpbrand@hotmail.com>
Subject: RE: Speaking request

Hello,

Please use the link on the attached agenda to register to speak.

Thank you,

Danielle Jordan,

Planner I
City of Phoenix
Planning and Development Department
Planning Division, Zoning Section
200 West Washington Street, 2nd Floor
Phoenix, AZ 85003
Office: 602-495-0383
Phoenix.gov/PDD

From: Andrew Brand <andrewpbrand@hotmail.com>
Sent: Monday, April 19, 2021 5:48 AM
To: PDD PHO <pdd.pho@phoenix.gov>
Subject: Speaking request

Good morning Danielle. I wish to speak at the 10:00 a.m. hearing on the 21st. Agenda item number 2 Involving Arroyo Norte.

Thank you.

Andrew Brand

Arroyo Norte resident neighboring this proposal

Sent from my Sprint Samsung Galaxy S8.









Danielle M Jordan

From: Rob Careway <rcareway@yahoo.com>
Sent: Thursday, March 11, 2021 3:56 PM
To: PDD PHO
Subject: Arise Arroyo Norte Application# PHO-1-21-Z-48-07

Subject: Arise Arroyo Norte Application# PHO-1-21-Z-48-07

To: Rio Vista Planning Committee, City of Phoenix Planning, David Cisiewski, LPPC

From: Robert Careway, Arroyo Norte home owner

Re: Arise Arroyo Norte high density housing

Thank you for taking the time to consider this matter. This high density apartment complex is of grave concern to the homeowner's in Arroyo Norte and Anthem. The negative financial impact and the negative impact on our life style are obvious. I truly believe this type of housing is Not a City of Phoenix 'planned' or in line with the Rio Vista planning committee. When this property was zoned in 2007 there were other factors that did not materialize. I find it troubling and unjust to place a City of Phoenix high density apartment complex with no City of Phoenix resources or amenities east of I17.

I would like to highlight David Cisiewski, PLLC statements on the following items we believe are false and other items we are in disagreement as stated in the 3/9/21 meeting.

1) This apartment complex is not in line with any plan or characteristic in the area. There are too many units too close together. The units are much smaller than anything in the area.
2) There is no large park. According to the site plan, there are small grass areas next to someone bedroom window will not provide their residents with the typical space or luxury of an open park.
3) The amenities are inadequate to support the residents, which will ultimately lead City of Phoenix residents to illegally use Arroyo Norte and Anthem's privately owned parks and trail which provide jungle gyms, Ramada's, picnic tables, BBQ pit, basketball courts, etc. This complex has none of these.
4) Placing the entrance next to Arroyo Norte entrance will not doubt give problems to parking on Arroyo Norte Dr which is against all the HOA rules in the area.
5) The name Arise Arroyo Norte gives the public the false perception this complex is part of Arroyo Norte.

I believe we are starting to get more and more input for property owners in the area, despite the fact the FDG Acquisitions has obviously attempted to notify the minimal amount of people and place the notification sign between two bushes and NOT facing traffic. These facts leads many of the homeowners to believe the FDG Acquisitions is being not forthcoming with such an important matter. In addition, David Cisieski, PLLC attempted to reframe many serious concerns to 'Just traffic'. We can pretty much count on the private company FDG Acquisitions hired to tell us there is no problem, despite the fact we stated traffic will be an issue on the roads leading to the complex, not just Arroyo Norte drive on a

weekday. Frequent traffic issues arise on weekends and holidays. A traffic study should involve Maricopa County.

In addition, we would like to review archaeological survey report approved by the city Archaeologist as required. Has this been completed?

I respectfully request you reconsider such high density housing by reducing the number of units and increasing the size of units. Add adequate amenities to deter residents from using privately owned facilities. Add enough parking to deter street parking. Place the entrance on the frontage road and not Arroyo Norte Dr. Please consider single family homes of similar size and nature of Rio Vista. Please consider senior living as well. Please consider leaving it open desert space as we can see this land is home and feeding area to the great horn owls and red tail hawks I see on a weekly basis.

Again, I thank you for your time and consideration in this matter.

Sincerely,

Robert Careway

Danielle M Jordan

From: Samantha Keating
Sent: Thursday, March 11, 2021 3:25 PM
To: Danielle M Jordan
Cc: Adam Stranieri; Julianna Pierre
Subject: FW: Arise Arroyo Norte Application# PHO-1-21-Z-48-07

FYI

Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003

PLANNING & DEVELOPMENT
PRESERVE
SHAPE
BUILD

From: Rob Careway <rcareway@yahoo.com>
Sent: Thursday, March 11, 2021 12:08 PM
To: dave@dclawaz.com; Samantha Keating <samantha.keating@phoenix.gov>
Subject: Arise Arroyo Norte Application# PHO-1-21-Z-48-07

To: Rio Vista Planning Committee, City of Phoenix Planning, David Cisiewski, LPPC

From: Robert Careway, Arroyo Norte home owner

Re: Arise Arroyo Norte high density housing

Thank you for taking the time to consider this matter. This high density apartment complex is of grave concern to the homeowner's in Arroyo Norte and Anthem. The negative financial impact and the negative impact on our life style are obvious. I truly believe this type of housing is Not a City of Phoenix 'planned' or in line with the Rio Vista planning committee. When this property was zoned in 2007 there were other factors that did not materialize. I find it troubling and unjust to place a City of Phoenix high density apartment complex with no City of Phoenix resources or amenities east of I17.

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2) There is no large park. According to the site plan, there are small grass areas next to someone bedroom window will not provide their residents with the typical space or luxury of an open park.
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5) The name Arise Arroyo Norte gives the public the false perception this complex is part of Arroyo Norte.

I believe we are starting to get more and more input for property owners in the area, despite the fact the FDG Acquisitions has obviously attempted to notify the minimal amount of people and place the notification sign between two bushes and NOT facing traffic. These facts leads many of the homeowners to believe the FDG Acquisitions is being not forthcoming with such an important matter. In addition, David Cisieski, PLLC attempted to reframe many serious concerns to 'Just traffic'. We can pretty much count on the private company FDG Acquisitions hired to tell us there is no problem, despite the fact we stated traffic will be an issue on the roads leading to the complex, not just Arroyo Norte drive on a weekday. Frequent traffic issues arise on weekends and holidays. A traffic study should involve Maricopa County.

In addition, we would like to review archaeological survey report approved by the city Archaeologist as required. Has this been completed?

I respectfully request you reconsider such high density housing by reducing the number of units and increasing the size of units. Add adequate amenities to deter residents from using privately owned facilities. Add enough parking to deter street parking. Place the entrance on the frontage road and not Arroyo Norte Dr. Please consider single family homes of similar size and nature of Rio Vista. Please consider senior living as well. Please consider leaving it open desert space as we can see this land is home and feeding area to the great horn owls and red tail hawks I see on a weekly basis.

Again, I thank you for your time and consideration in this matter.

Sincerely,

Robert Careway

Danielle M Jordan

From: Samantha Keating
Sent: Monday, March 15, 2021 7:46 AM
To: Danielle M Jordan
Cc: Adam Stranieri; Julianna Pierre
Subject: FW: Arise arroyo norte aka tiny home "trailer park"

FYI

Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003

PLANNING & DEVELOPMENT
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SHAPE
BUILD

From: Chad Cox <coxchad@msn.com>
Sent: Friday, March 12, 2021 10:17 PM
To: dave@dclawaz.com; tait@ttaitdevelopment.com; lisa@dfgroup.us; Samantha Keating <samantha.keating@phoenix.gov>
Subject: Arise arroyo norte aka tiny home "trailer park"

To whom ever it may concern, here are a few of my initial thoughts about this development.

170 homes if each home averages 2 cars each due to lack of public transportation, could result in 340 cars. If there are only 250 or so parking spots this will end up like most rental complexes where tenants will have to park in neighboring streets. This does not count for oversized vehicles, that will struggle parking and maneuvering in the proposed neighborhood.

Epcor charges high rates for owners in arroyo norte. This also goes for all of our parks. Our HOA only seeds for summer time now in order to save money. The parks being proposed in new development are not parks, people can not throw a foot ball or kick a soccer ball without hitting a house or damaging property. This means people will use what they perceive as thei arroyo norte park. The added traffic to the arroyo norte parks will increase the financial burden already being experienced by arroyo norte residents.

weekends, holidays and accidents increase traffic on i-17 resulting in drivers getting off I-17 onto anthem way to navigation way to gavilan parkway to frontage road to new river road. The four way stop at navigation / gavilan is already unbearable. 340+ new residents will add to that.

I understand that the houses are rental and the space is classified as retail which means they wont be sold and should not affect my home comps. However I am concerned about increased crime etc that come with lower income housing. I am also worried that a poorly themed tiny homes like trailer park will be an eye sore to any one looking to buy a home in arroyo norte causing the neighbor hood to be "a stable declining neighborhood" ultimately affecting our home values.

I understand that this neighborhood meets "Phoenix laws" , but the proposed neighbor is ridiculous in arizona where there is so much space to spread out.

Thank you
Chad Cox, Arroyo Norte Home Owner

Danielle M Jordan

From: Julianna Pierre
Sent: Wednesday, April 14, 2021 10:23 AM
To: Danielle M Jordan
Subject: FW: Arise North Phoenix
Attachments: Screenshot_20210404-191703_Maps.jpg

FYI

Thank you,
Julianna Pierre, Planner II – Village Planner
Office: 602-534-5829
City of Phoenix
► Planning & Development Department
Long Range Planning
200 West Washington Street
Phoenix, AZ 85003
Mission: Planning, Development and Preservation for a Better Phoenix

From: Tyler Estes <tyler.w.estes@gmail.com>
Sent: Wednesday, April 14, 2021 5:45 AM
To: PDD Rio Vista VPC <riovistavpc@phoenix.gov>
Subject: Arise North Phoenix

To the Rio Vista Planning Committee,

Thank you for your time and consideration yesterday.

It has been a sleepless night for me as I have processed the words spoken at the meeting yesterday evening.

I am a Millennial, aged 37, and am a high income earning one at that with 4 kids and probably a #5 in the near future. And I feel like the government and bureaucratic agencies designed to protect my community, my home, my family, and my hard earned dollars are failing us all.

Were none of you aware that Anthem Prepatory Academy just announced that they are building a K-12 campus directly across the street from the Arise North Phoenix proposed location? You want to talk about traffic? How is that going to look with Carlines and school events? You want to talk about Titanic? How is that going to sink when a natural disaster happens and emergency services are needed? And what will be your moral culpability when you knew already that there were "not enough lifeboats, not by half"?

So let me understand this....the developer Vincent will not have his community invest in playground equipment for their residents because they are childless millennials and baby boomers/Gen X'ers that are downsizing, and the developer focus groups told them they don't want playground equipment? So why then would such a target demographic want to pay 30% higher rent to live across the street from a SCHOOL? And will this developer also BAN children from living in their community? And if the answer is "no, we won't ban children" then what does that reveal about the developers character and true intentions? Their "Barely Viable" community is without a playground because they don't want the expense of it when the Arroyo Norte playground is right across the street. Ludicrous.

No one has bothered to look at the wash that goes from the Northeast corner of the lot and transverses to the southwwest side, that's where water from our neighborhood currently overflows to when we have heavy rains. And I see no consideration for that on the site plans. So when a big rain hits and the storm drain clogs that normally turns Arroyo Norte Park into a small lake and instead all that water goes towards Arise North Phoenix.....What then?

No one has bothered to look at their apartment plans and point out the fact that there is no storage space in these tiny apartments. No resident has a garage for their cars, toys, and stuff. They barely have closets, and the 1.5 bedroom unit is just a extra "flex room" with no closet.

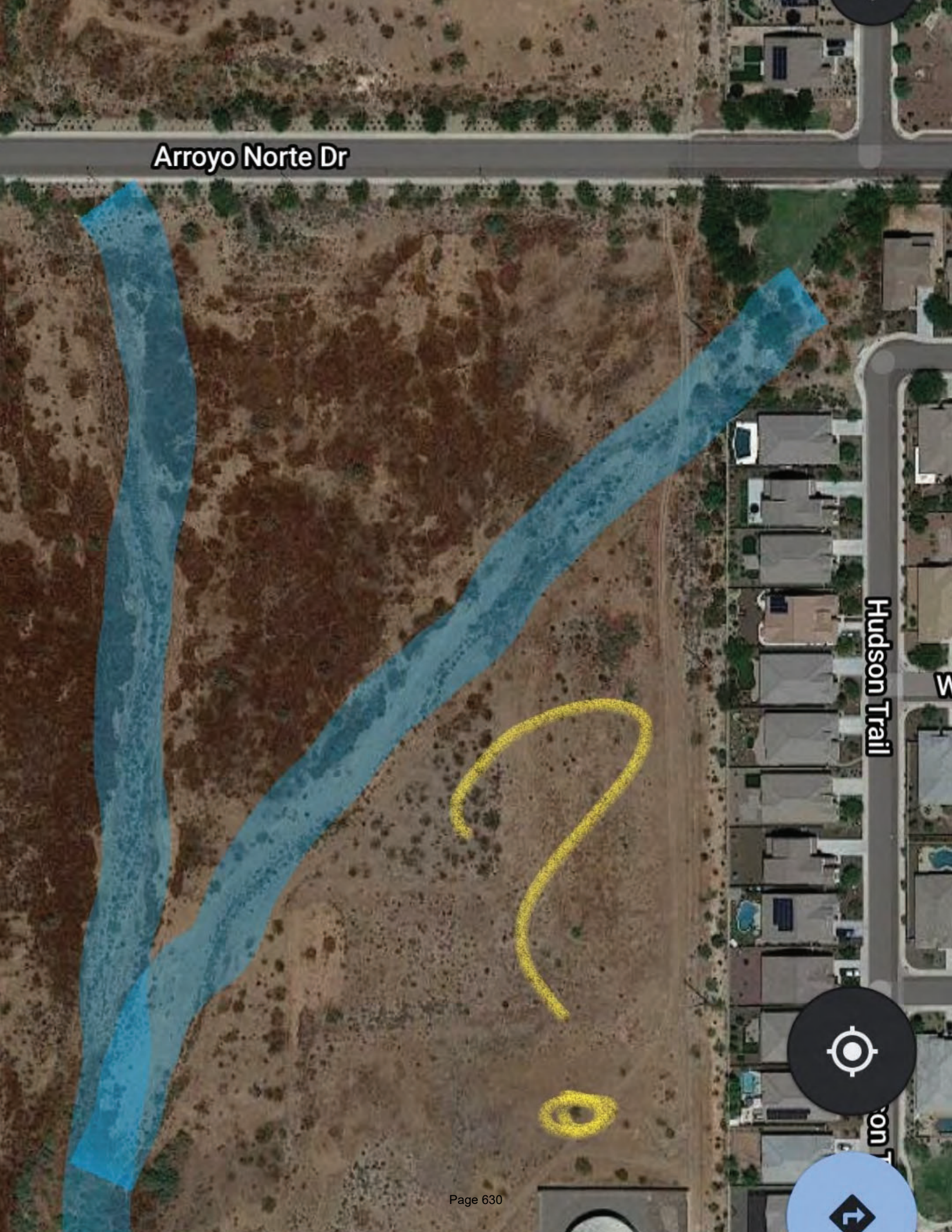
This developer knows full well what they are building and their true feelings towards my family, property, community, and quality of life are absolutely clear. They are directly reaching into my life, and the lives of my neighbors, and extracting their pounds of flesh to line their pockets with. They are a Judas Goat. They say that they have "luxury apartments" but that is pure marketing hype. You can also have a "Luxury Wastewater Facility" and it will still smell the same as a non-luxury kind.

What I can assure you is that if the agencies set to protect us continue to fail our neighborhood then we will organize and use every means available granted to us by our Rights as citizens of the United States and citizens as of Arizona, to let our voices be heard loud and clear. So that with our Speech we can dissade as many potential clients away from Arise North Phoenix as possible.

Thank you again for your time.

Sincerely,

Tyler Estes


Arroyo Norte Dr
Hudson Trail

Danielle M Jordan

From: Julianna Pierre
Sent: Wednesday, April 14, 2021 12:57 PM
To: Danielle M Jordan
Subject: FW: Arise Approval

FYI

Thank you,
Julianna Pierre, Planner II – Village Planner
Office: 602-534-5829

City of Phoenix
► Planning & Development Department
Long Range Planning
200 West Washington Street
Phoenix, AZ 85003
Mission: Planning, Development and Preservation for a Better Phoenix

-----Original Message-----
From: Todd Flaming <todd.flaming@icloud.com>
Sent: Wednesday, April 14, 2021 10:50 AM
To: PDD Rio Vista VPC <riovistavpc@phoenix.gov>
Subject: Arise Approval

Hello,

I am writing to express my disappointment with the way last night's meeting was handled. I understand that this job is thankless and hard, and that you are doing your best. But we were done a disservice last night. Several residents, myself included, were using the previous meeting as a template for this one, and had our hands raised for comment specifically because we wanted to wait until after hearing about any changes to the Arise plan (turns our there are none) before responding. In the previous meeting, raised hands were called on, and this time they were ignored. In my opinion, there was far too much taking the developer's word for things.

In our previous meeting with David, many concerns were raised and supporting facts presenting, all of which FDG chose to simply ignore. This type of community will undoubtedly create serious congestion issues in and around this neighborhood. One only has to look at the nearest similar communities - Elux in Tramonto and Avanti Deer Valley - to see that this is predictable. Online reviews from residents complain of a number of things, but even positive reviews mention parking problems. Cars end up parking in fire lanes and blocking dumpsters, spilling into the street. At Elux, one review states that residents who pay for their spaces are never able to use their own spaces and are forced to park across the street at Home Depot. At Arroyo Norte, we don't have a Home Depot. There is no place for those cars to go except into our neighborhood. David's suggestion of putting up no parking signs does not create a solution to the fact that there will be too many cars - it simply pushes them further into our neighborhood.

David's response to this was to suggest that we call the police and have cars towed if they park in front of our houses. So we have to be terrible neighbors and call the cops because FDG wants to maximize their profits (make no mistake about why they used the word viable).

I tell only this one story to illustrate the dismissive attitude and condescension with which we have been met. It shows that this entire process is one of sloughing off responsibility to someone else. Arise is fine with people

parking in our neighborhood, because it's not their problem. They are fine with poor access for emergency vehicles to their own tenants, because they are crossing their fingers that nothing will happen (about two years ago we had a brush fire that came within 50 feet of my house and a 10 minute delay for DMFD would have meant lost structures). Phoenix doesn't care about the burden on county infrastructure because they will get impact feels and sales tax revenue.

Nothing here is illegal. But it's not right. Because they have a good lawyer, DFG is allowed to stand on our neck. They know that people will add wear and tear to our park and that it's an unenforceable situation. Are we supposed to card kids at the basketball court? They know that parking will be a problem and they've made no concessions. They're painting them brown. That's the only real change they've made. They don't want to be a part of this neighborhood. They want to extract revenue from this neighborhood.

Who knows? Maybe Vince is right. In which case, he gets money and we get nothing. If he's wrong, he still gets money and we get our neighborhood negatively impacted with no recourse. The people with the most to lose here have been given the least agency. It's legal, but it's not right.

The saddest part is that all of this was acknowledged by the committee and then they voted in favor of it anyway. You said yourselves that this does not fit with the vision of the area; that at best it's inconvenient, and at worst it's unsafe. What about that is worth approving? And how much longer were you going to spend thanking these guys for having a couple extra zoom meetings and changing the paint color? Do you think that when a kid crossing the street between parked cars to get to the playground gets run over, we'll all say "but at least those apartments are brown?" Shame on you.

Respectfully,
Todd Flaming

Danielle M Jordan

From: Julianna Pierre
Sent: Friday, March 12, 2021 12:51 PM
To: Adam Stranieri; Danielle M Jordan
Subject: FW: Arise Arroyo Norte high density housing Application# PHO-1-21-Z-48-07

FYI

Thank you,
Julianna Pierre, Planner II – Village Planner
Office: 602-534-5829

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

Mission: Planning, Development and Preservation for a Better Phoenix

---

From: Rina Forbush <rina.forbush@ey.com>
Sent: Friday, March 12, 2021 12:37 PM
To: dave@dclawaz.com; tait@ttaitdevelopment.com; lisa@dfgroup.us; Samantha Keating <samantha.keating@phoenix.gov>; PDD Rio Vista VPC <riovistavpc@phoenix.gov>; pdd.sightplanning@phoenix.gov; PDD Fire Prevention <pdd.fireprevention@phoenix.gov>; PDD Traffic Review <pdd.trafficreview@phoenix.gov>; tmullarkey@anthemcouncil.com; dfermoile@anthemcouncil.com; mdemichele@anthemcouncil.com; knorthcutt@anthemcouncil.com; pconley@anthemcouncil.com; sreeths@anthemcouncil.com
Subject: Arise Arroyo Norte high density housing Application# PHO-1-21-Z-48-07

To: Rio Vista Planning Committee, City of Phoenix Planning, David Cisiewski, LPPC, Anthem Community Council
From: Richard & Rina Forbush, Arroyo Norte home owners
Re: Arise Arroyo Norte high density housing Application# PHO-1-21-Z-48-07

Thank you for taking the time to consider this matter.
We moved into Arroyo Norte in September, 2020 loving the neighborhood for the space and the quietness it provides. The price to move in here was much higher than other houses we looked at within the Anthem/North Phoenix area.
The building of this high density apartment complex is of grave concern to us and the other homeowner's in Arroyo Norte and Anthem. The negative financial impact and the negative impact on our life style is obvious. We truly believe this type of housing is not in line with the Rio Vista planning committee agenda. We find it troubling and unjust to place a City of Phoenix high density apartment complex with no City of Phoenix resources or amenities east of I17.

We would like to highlight David Cisiewski, PLLC's statements on the following items we believe are false and other items we are in disagreement as stated in the 3/9/21 meeting.
1) This apartment complex is not in line with any plan or characteristic in the area. There are too many units too close together.

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3) The amenities are inadequate to support the residents, which will ultimately lead City of Phoenix residents to illegally use Arroyo Norte and Anthem's privately owned parks and trail which provide jungle gyms, Ramada's, picnic tables, BBQ pit, basketball courts, etc. This complex has none of these.
4) Placing the entrance next to the Arroyo Norte entrance will not doubt cause traffic issues and lead to parking on Arroyo Norte Dr which is against all the HOA rules in the area.
5) The name Arise Arroyo Norte gives the public the false perception this complex is part of Arroyo Norte.
Fire services will come from Daisy Mt, but they will not pay into it.

We are starting to get more and more input from property owners in the area, despite the fact the FDG Acquisitions has obviously attempted to notify the minimal amount of people and place the notification sign between two bushes and NOT facing traffic. These facts lead many of the homeowners to believe FDG Acquisitions is not being forthcoming with such an important matter. In addition, David Cisieski, PLLC attempted to reframe many serious concerns to 'Just traffic'. We can pretty much count on the private company FDG Acquisitions hired to tell us there is no problem, despite the fact we stated traffic will be an issue on the roads leading to the complex, not just Arroyo Norte drive on a weekday. Frequent traffic issues arise on weekends and holidays. A traffic study should involve Maricopa County.
We find it hard to believe that an adequate traffic study was conducted on 3/10/21 – a DAY after the meeting we had!! Who has the pull to get that done so quickly when we discussed in the meeting that it will probably take weeks to get that scheduled in these Covid times. Obviously someone knows someone and this report will come back with 'no issues'.
In addition, we would like to review the archaeological survey report approved by the city Archaeologist as required. Has this been completed?

We respectfully request you to PLEASE reconsider such high density housing in this area. We did not relocate from high-density New Jersey to buy an expensive home to be surrounded by a high density rental complex. Please consider leaving it open desert space as we can see this land is home and feeding area to the great horn owls and red tail hawks amongst other wild animals.

We thank you for your time and consideration in this matter.
Sincerely,

Richard & Rina Forbush

Any tax advice in this e-mail should be considered in the context of the tax services we are providing to you. Preliminary tax advice should not be relied upon and may be insufficient for penalty protection.

_____

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the sender of this message will be notified promptly. Our principal postal address is 5 Times Square, New York, NY 10036. Thank you. Ernst & Young LLP

Danielle M Jordan

From: Samantha Keating
Sent: Wednesday, March 17, 2021 7:32 AM
To: Danielle M Jordan
Cc: Adam Stranieri; Julianna Pierre
Subject: FW: New Arroyo Norte Concerns

Please see below.

Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003

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From: fuqua32001 <fuqua32001@yahoo.com>
Sent: Tuesday, March 16, 2021 10:28 PM
To: dave@dclawaz.com; tait@ttaitdevelopment.com; lisa@dfgroup.us; Samantha Keating <samantha.keating@phoenix.gov>
Subject: New Arroyo Norte Concerns

To whom it may concern,

This is in regards to the recent application to build multi-housing units on the east side of the I-17 frontage road and south of Arroyo Norte Dr. It has been brought to my attention that this is an apartment complex consisting of 170 units. That is a rather large density for this location. This will have very adverse effects on the current surrounding neighborhoods.

To start the traffic increase to the I-17 frontage Road will be tremendous in itself. It is already being debated that the frontage road is over used and not a safe passage of travel due to the current load placed on it. This will increase this danger to extreme measures. The frontage road is already subject to multiple accidents from traffic, debris problems, traffic jams on most weekends, and increased danger to pedestrians including elderly and children.

The next area of concern is the impact on the public safety of this area. Public safety including fire and police department. That portion of land is City of Phoenix land that would technically be serviced by the City of Phoenix. However, due to lack of resources and location of fire stations and police stations will have to be serviced by the mutual aid system, now requiring a further extension of Daisy Mountain Fire Department resources and Maricopa County Sheriff's officers. These are all services that this development does not contribute funding to therefore not

allowing for them to increase their responders to handle the impact. If per say an incident is happening in the new multi-housing development and another incident happens in the Anthem or Arroyo Norte neighborhood; the response time will be well past the expected and needed time to make an impact for life safety.

Another area of concern would be the impact on the private amenities. This includes the parks, playgrounds, hiking trails, and private roads. The wear and tear of these things is payed for by the residents of the surrounding neighborhood. It was stated that this new development will not be offering any types of extra amenities. This would mean the new residents will be using the surrounding residential amenities. This has nothing to do with not wanting to share, rather what is fair for the maintenance and addition to handle such an increase of individuals using these amenities. The park at Arroyo Norte already has moments of being extremely full. With an increase of housing at this scale the park will be overwhelmed.

Then we come to the amount of on street parking. This is always a huge concern when apartments are developed. The current neighborhoods around this land do not allow for on street parking. Is this something the complex will pay for if a current neighborhood resident is fined for when it is an apartment resident parking on the street?

Last concern at this time is the impact it will have on the utilities of the area. The current neighborhoods pay American Water for water which is billed at a higher rate than the City of Phoenix. The neighborhood is at the mercy of American Water on that price. This development now has to use American Water which is a for profit company. This new development only pays City of Phoenix rates. Where does American make up the lost revenue. It is not fair for American Water to lose revenue but it is also not fair to the current residents to have to make that up.

These are all current concerns that the surrounding neighborhoods have and that the city/county should also take into account.

Thank You

Tre Fuqua

Sent from my Verizon, Samsung Galaxy smartphone

From:	Samantha Keating
To:	Danielle M Jordan
Cc:	Adam Stranieri
Subject:	FW: Comments: PHO-1-21-z-48-07-1
Date:	Monday, March 8, 2021 1:24:10 PM

Danielle,

Please see below correspondence for the above PHO case. I received a few others over the weekend which I will send over shortly.

Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003

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From: Tyler Estes <tyler.w.estes@gmail.com>
Sent: Sunday, March 7, 2021 11:05 PM
To: Samantha Keating <samantha.keating@phoenix.gov>
Subject: Comments: PHO-1-21-z-48-07-1

To Whom it May Concern,

I am a Resident in the Arroyo Norte neighborhood, which is the neighborhood adjacent to the proposed location for Arise Arroyo Norte (Arise AN) apartment complex.

The rezoning of this land to residential use is of concern to me for the following reasons:

1. Starting in 2021 ADOT will begin the 5 year project to widen I-17 from Anthem Way to Cordes Junction. To access Arroyo Norte Drive you must either exit I-17 southbound at New River Rd, or exit at Anthem Way Northbound and go to the eastern side I-17 Frontage Rd/Gavilan Peak Parkway. On many weekends as traffic on the I-17 becomes congested this congestion overflows onto the Frontage Rd and Arroyo Norte drive becomes inaccessible. This always causes me great concern because if Emergency Services are needed their response times will be severely impacted by the overflow I-17 congestion. This problem is only going to become more acute as Phoenix continues adding residents and those residents seek to access Northern Arizona via I-17, and as construction and its inevitable delays occur the inaccessibility of Arroyo Norte Dr will only become worse . Risking the lives of several hundred Phoenix residents at an apartment complex in such conditions is irresponsible, and the City of Phoenix could be held liable.

2. Arroyo Norte Drive and the I-17 Frontage Rd is a dangerous intersection. The Frontage Rd is high speed, and due to the proximity to I-17, the northbound traffic on the Frontage Rd appears to be the traffic traveling on I-17 northbound. The speed of this intersection and the poor visibility in day and

night driving conditions has led to numerous serious collisions. I would ask that the Council consider putting in a provision if it is determined to rezone this space, for the developer to pay for a traffic circle to be installed at the Arroyo Norte Dr and I-17 Frontage Rd intersection. This will slow down traffic while maintaining traffic flow, and reduce the number of serious collisions at the intersection, thus making it a safer intersection for potential Arise AN/CoP residents.

3. Arroyo Norte is in Unincorporated Maricopa County. Our water utility is Epcor Water. At present the City of Phoenix has no amenities for the residents of Arise AN. Our community has a private park located just a few hundred feet from the proposed location of Arise Arroyo Norte. There is no realistic way that the residents of Arroyo Norte will be able to keep the residents of Arise AN from utilizing our privately paid for facilities. After reviewing the plans of Arise AN they have almost no green spaces for their residents. They have no park or playground, which is very out of sorts with other builders in the surrounding area. Even the Bela Rosa Apartments (located at Anthem Way and Navigation Way) are residents and Anthem HOA members with access to all Anthem HOA amenities. Bela Rosa Apartments, which were originally built to be high end Condominiums, have playgrounds, a community center, and green spaces for their residents. So Arise AN is very out of place when compared to other developers in the area. Because the developer of Arroyo Norte chose to use fresh drinking water from Epcor for watering the grass at our HOA park and green spaces we as an HOA have MASSIVE water bills which are straining our HOA. We cannot absorb nor subsidize Phoenix residents who have no easy access to CoP parks and recreational services and who will use our HOA park instead. Causing wear and tear and well as damage to our facilities. If the council moves forward with Arise AN then the developer of Arise AN must provide their residents with amenities more in line with the surrounding communities. Such as a large community center, Park(s), playground(s), exercise trails, and pay for the installment of a gate at the entrances to Arroyo Norte to deter the usage of our private HOA facilities.

4. Arise AN is out of alignment with the surrounding communities. All of the surrounding communities, whether it be the Anthem HOA, Arroyo Norte HOA, the soon to be built Circle Mountain Ranch HOA, Tramanto HOA, etc all provide their residents with single family dwellings, and amenities such as parks, etc. The construction of an apartment complex that is isolated from teh surrounding communities and does not belong to a community HOA also isolates its own residents, and alienates homeowners in the surrounding communities as such a facility will negatively affect their own home values. That is not right. And the only entity that wins in that scenario is the developer of Arise AN. The developer of Arise AN must seek out the boards of HOA's adjacent to their proposed development and seek membership for its residents into those HOA's. And build the apartments according to the guidelines of that community, with full access to their HOA amenities for the residents of Arise AN since the CoP does not have any facilities nearby.

I thank you for your time.

Sincerely,

Tyler Estes

Danielle M Jordan

From: Samantha Keating
Sent: Monday, March 8, 2021 1:24 PM
To: Danielle M Jordan
Cc: Adam Stranieri
Subject: FW: RIO VISTA VILLAGE PLANNING

FYI

Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003

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From: Bob Gallego <bandginqc@gmail.com>
Sent: Sunday, March 7, 2021 1:08 PM
To: Samantha Keating <samantha.keating@phoenix.gov>
Subject: RIO VISTA VILLAGE PLANNING

Dear Samantha Keating:

One of the concerns that I have about the building of rental units is the amount of traffic that will be added to Arroyo Norte Drive and the I-17 access road. On numerous weekends especially during the long hot summer months there are traffic jams on I-17. Traffic then increases on the frontage road which could prevent first responders from getting into Arroyo Norte development if there is an accident, medical emergency, fire, etc. Just this past week there was a fatal accident just north of the entrance to Arroyo Norte. A vehicle traveling north on I-17 left the highway and crashed on the access road. The access road is only two lanes – one heading north and one heading south. Most of the area between I-17 and the access road between Anthem Way and New River Road only has a wire fence to prevent wild animals from getting on I-17. The wire fence is useless in the event of serious traffic accidents Also I-17 narrows from three lanes south of Anthem Way to two lanes heading north which also causes backups and increases the risk of accidents.

Bob and Gail Gallego
3822 W Abrams Dr
New River, AZ 85087

Danielle M Jordan

From: Julianna Pierre
Sent: Wednesday, April 14, 2021 10:30 AM
To: Danielle M Jordan
Subject: FW: Thanks Will and Steve for Having Arroyo Norte's Back!

FYI

Thank you,
Julianna Pierre, Planner II – Village Planner
Office: 602-534-5829

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

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From: Sean Gates <gseangates@msn.com>
Sent: Tuesday, April 13, 2021 9:19 PM
To: PDD Rio Vista VPC <riovistavpc@phoenix.gov>
Subject: Thanks Will and Steve for Having Arroyo Norte's Back!

Thank you Will and Steve for **Saying NO** to a bad project that will have a negative impact on the north valley.

Good Luck Ozzie Finding Your Backbone for the next housing project, hopefully it will be built **right next to your neighborhood.**

This is directly from the City of Phoenix's website about what **YOUR JOB** is as a member of a VPC...

The VPCs provide **guidance on a wide range of city-wide and local issues and provide RECOMMENDATIONS** on these items to the Planning Commission.

TRAFFIC is a LOCAL ISSUE for our Arroyo Norte neighborhood!!!!! The right move was to **VOTE NO** until ADOT, the city and county came up with a plan to deal with our traffic issues.

You didn't support us and thanks to you, traffic will be WORSE and our property values will decrease!

Sean Gates
Arroyo Norte Home Owner

Danielle M Jordan

From: Julianna Pierre
Sent: Wednesday, March 17, 2021 8:20 AM
To: Danielle M Jordan
Subject: FW: Problems With This Proposal

FYI

Thank you,
Julianna Pierre, Planner II – Village Planner
Office: 602-534-5829

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

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From: Dick Gates <rgates1943@gmail.com>
Sent: Tuesday, March 16, 2021 6:18 PM
To: PDD Rio Vista VPC <riovistavpc@phoenix.gov>
Subject: Problems With This Proposal

To: Mr. Virgil
Rio Vista Planning Committee, City of Phoenix Planning

From: Dr. Dick Gates, Arroyo Norte home owner

Re: Arise Arroyo Norte high density housing

First of all, is this a development that you would approve for your neighborhood next to your community?
Thank you for taking the time to consider this matter. This high density apartment complex is of grave concern to the homeowner's in Arroyo Norte and Anthem. The negative financial impact and the negative impact on our life style are obvious. I truly believe this type of housing is Not a City of Phoenix 'planned' or in line with the Rio Vista planning committee. When this property was zoned in 2007 there were other factors that did not materialize. I find it troubling and unjust to place a City of Phoenix high density apartment complex with no City of Phoenix resources or amenities east of I17.
Fire protection is a major concern as Phoenix city nearest fire station is a distance away.
I would like to highlight David Cisiewski, PLLC statements on the following items we believe are false and other items we are in disagreement as stated in the 3/9/21 meeting.
1) This apartment complex is not in line with any plan or characteristic in the area. There are too many units too close together. The units are much smaller than anything in the area.
Both Anthem and Arroyo Norte were well planned and provide a family atmosphere that reflects community stability that is sadly lacking in this rental development.

2) There is no large park. According to the site plan, there are small grass areas next to someone bedroom window will not provide their residents with the typical space or luxury of an open park.
3) The amenities are inadequate to support the residents, which will ultimately lead City of Phoenix residents to illegally use Arroyo Norte and Anthem's privately owned parks and trail which provide jungle gyms, Ramada's, picnic tables, BBQ pit, basketball courts, etc. This complex has none of these.
4) Placing the entrance next to Arroyo Norte entrance will not doubt give problems to parking on Arroyo Norte Dr which is against all the HOA rules in the area.
5) The name Arise Arroyo Norte gives the public the false perception this complex is part of Arroyo Norte.

1. Parking spaces are very inadequate- most families have two vehicles which if so, equals 340 needed spaces not counting any visitors parking. This doesn't take in account box truck deliveries either!

I believe we are starting to get more and more input for property owners in the area, despite the fact the FDG Acquisitions has obviously attempted to notify the minimal amount of people and place the notification sign between two bushes and NOT facing traffic. These facts leads many of the homeowners to believe the FDG Acquisitions is being not forthcoming with such an important matter. In addition, David Cisieski, PLLC attempted to reframe many serious concerns to 'Just traffic'. We can pretty much count on the private company FDG Acquisitions hired to tell us there is no problem, despite the fact we stated traffic will be an issue on the roads leading to the complex, not just Arroyo Norte drive on a weekday. Frequent traffic issues arise on weekends and holidays. A traffic study should involve Maricopa County. Why isn't there an entrance off of frontage road like the extra lane for turning for the Bungalows on Jomax road off of Frontage Road?
In addition, we would like to review archaeological survey report approved by the city Archaeologist as required. Has this been completed?
I respectfully request you reconsider such high density housing by reducing the number of units and increasing the size of units. Add adequate amenities to deter residents from using privately owned facilities. Add enough parking to deter street parking. Place the entrance on the frontage road and not Arroyo Norte Dr. Please consider single family homes of similar size and nature of Rio Vista. Please consider senior living as well. Please consider leaving it open desert space as we can see this land is home and feeding area to the great horn owls and red tail hawks I see on a weekly basis.
Again, I thank you for your time and consideration in this matter.
Sincerely,

Dr. Dick Gates

Dr. Dick Gates
3728 W. Abrams Dr.
New River, AZ. 85087
rgates1943@gmail.com
225.573.9149 Cell

Danielle M Jordan

From: Samantha Keating
Sent: Friday, March 12, 2021 3:32 PM
To: Danielle M Jordan
Cc: Adam Stranieri; Julianna Pierre
Subject: FW: Application# PHO-1-21-Z-48-07

FYI

Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003

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From: Laura Grob <laura.grob@gmail.com>
Sent: Friday, March 12, 2021 2:58 PM
To: Samantha Keating <samantha.keating@phoenix.gov>; lisa@dfgroup.us; Alan Stephenson <alan.stephenson@phoenix.gov>
Subject: Application# PHO-1-21-Z-48-07

To: Rio Vista Planning Committee, City of Phoenix Planning, David Cisiewski, LPPC

From: Laura Grob, Arroyo Norte homeowner

Re: Arise Arroyo Norte high-density housing, Application# PHO-1-21-Z-48-07

Thank you for taking the time to consider this matter. This high-density apartment complex is of grave concern to the homeowners in Arroyo Norte and Anthem. The negative financial impact and the negative impact on our lifestyle are obvious. I truly believe this type of housing is Not a City of Phoenix 'planned' or in line with the Rio Vista planning committee. When this property was zoned in 2007 there were other factors that did not materialize. I find it troubling and unjust to place a City of Phoenix high density apartment complex with no City of Phoenix resources or amenities east of I17.

I would like to highlight David Cisiewski, PLLC statements on the following items we believe are false and other items we are in disagreement as stated in the 3/9/21 meeting.
1) This apartment complex is not in line with any plan or characteristic in the area. There are too many units too close together. The units are much smaller than anything in the area. The outward appearance of the units does not match the desert scape of the area.
2) There is no large park. According to the site plan, there are small grass areas next to someone's bedroom window. These spaces will not provide their residents with the typical space or luxury of an open park.
3) The amenities are inadequate to support the residents, which will ultimately lead City of Phoenix residents to illegally use Arroyo Norte and Anthem's privately owned parks and trail which provide jungle gyms, Ramada's, picnic tables, BBQ pit, basketball courts, walking trails etc. This complex has none of these.
4) Placing the entrance next to Arroyo Norte entrance will no doubt give problems to parking on Arroyo Norte Dr which is against all the HOA rules in the area.

5) The name Arise Arroyo Norte gives the public the false perception this complex is part of Arroyo Norte.
I believe we are starting to get more and more input for property owners in the area, despite the fact the FDG Acquisitions has obviously attempted to notify the minimal amount of people and place the notification sign between two bushes and NOT facing traffic. These facts lead many of the homeowners to believe the FDG Acquisitions is not being forthcoming with such an important matter. In addition, David Cisieski, PLLC attempted to reframe many serious concerns to 'Just traffic'. We can pretty much count on the private company FDG Acquisitions hired to tell us there is no problem, despite the fact we stated traffic will be an issue on the roads leading to the complex, not just Arroyo Norte drive on a weekday. Frequent traffic issues arise on weekends and holidays. A traffic study should involve Maricopa County and include the high traffic times. These apartments would receive service from Daisy Mountain Fire department but would not be paying to support the fire department which also seems unfair.
In addition, we would like to review the archaeological survey report approved by the city Archaeologist as required. Has this report been completed?
I respectfully request you reconsider such high-density housing by reducing the number of units and increasing the size of units. Add adequate amenities to deter residents from using privately owned facilities or pay to install a gate on our neighborhood (one was not needed previously). Add enough parking to deter street parking. Place the entrance on the frontage road and not Arroyo Norte Drive. Please consider single family homes of similar size and nature of Rio Vista. Please consider senior living as well. Please consider leaving it open desert space as we can see this land is home and feeding area to the great horn owls, red tail hawks and other wildlife I see on a weekly basis.

Again, I thank you for your time and consideration in this matter.

Sincerely,

Laura Grob

Danielle M Jordan

From: Julianna Pierre
Sent: Thursday, April 15, 2021 7:58 AM
To: Danielle M Jordan
Subject: FW: Arise North Phoenix - Rio Vista Planning Committee Case # PHO -1-21-Z-48-07-1

FYI

Thank you,
Julianna Pierre, Planner II – Village Planner
Office: 602-534-5829

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

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From: Laura Grob <laura.grob@gmail.com>
Sent: Wednesday, April 14, 2021 5:12 PM
To: PDD Rio Vista VPC <riovistavpc@phoenix.gov>; tmullarkey@anthemcouncil.com; Mayor Gallego <mayor.gallego@phoenix.gov>
Subject: Arise North Phoenix - Rio Vista Planning Committee Case # PHO -1-21-Z-48-07-1

To:

The Rio Vista Planning Committee

Cc:Kate Gallego, Mayor of Phoenix

Terry Mullarkey, Anthem Executive Director

Thank you for your time and consideration yesterday at the Rio Vista Planning Committee meeting.

I have to say we are all very disappointed in the outcome.

Many of our concerns were not addressed as fully as they were during the first meeting. All of you were basically on our side with our concerns and then last night most of you did a full 180 and voted for this proposal without further traffic/fire/police studies. You said yourselves that this does not fit with the vision of the area; that at best it's inconvenient, and at worst it's unsafe. Please explain again how no traffic study was needed but they did it at their own expense by parking a truck on Arroyo Norte Drive on a Wednesday afternoon to count cars. Then a traffic analyst states that she used calculations based on a traffic study handbook. Just last Saturday it took me 20 minutes to get off at exit 229 to get to Arroyo Norte. Weekend traffic backup pictures were sent to the committee by one of our homeowners and obviously ignored as nothing was mentioned about it. Just last year we had a fire behind Daisy Mountain. If we had to evacuate our area with all the additional residents, how would that work? How would the emergency service vehicles get into our area? How many homes would be lost? Never mind the fact that if an ambulance needs to get into our neighborhood on almost any Saturday afternoon in the summer it will be almost impossible and will take even longer

with the additional traffic. Thank you to Will and Steven who voted no because they are nearby residents who feel our pain and understand the traffic and safety issues we will be facing.

So, this leads us all to believe you were either enticed in some manner by the lawyer/developer, or you really don't care about our wellbeing. If the second is the case, then we will need to know who to complain to in order to get remediation or to rectify anything that happens to us or our property within Arroyo Norte. It was even admitted that emergencies were not considered in their traffic study.

In this meeting, many had their hands raised for comments specifically because we wanted to wait until after hearing about any changes to the Arise plan (turns out there are none of any major consequence) before responding. In the previous meeting, raised hands were called on, and this time they were ignored. That seemed deliberate. The developer got to speak and was, frankly, condescending. We had no chance to rebut.

Were none of you aware that Anthem Preparatory Academy just announced that they are building a K-12 campus directly across the street from the Arise North Phoenix proposed location? You want to talk about traffic? How is that going to look with car lines for pickup and drop offs and school events? You want to talk about the Titanic sinking which is what (I believe) Will had said? How are we NOT going to sink when a natural disaster happens, and emergency services are needed? And what will be your moral culpability when you knew that you could have prevented the issue?

The developer, Vincent, will not have his community invest in playground equipment for their residents because he is so sure that they are childless millennials and/or Baby boomers/Gen X'ers that are downsizing. The developer focus groups told them they don't want playground equipment? So why then would such a target demographic want to pay 30% higher rent to live across the street from a school? And will this developer also ban children from living in their community? And if the answer is "no, we won't ban children" then what does that reveal about the developer's character and true intentions? Their "Barely Viable" community is without a playground because they don't want the expense of it when the Arroyo Norte playground is right across the street and Anthem playgrounds are right around the block.

No one has bothered to look at the wash that goes from the Northeast corner of the lot and transverses to the southwest side. That is where water from our neighborhood currently overflows to when we have heavy rains. I see no consideration for that on the site plans. When a big rain hits and the storm drain clogs which turns Arroyo Norte Park into a small lake, the water will go towards Arise North Phoenix. What then?

There is no doubt that there will be a parking issue with 1.5 cars per unit. For a two bedroom unit, there will definitely be 2-3 cars! How no one sees this issue is beyond me. Online reviews from residents in similar communities such as Tramonto and Avilla complain of a number of things, but even positive reviews mention parking problems. Cars end up parking in fire lanes and blocking dumpsters, spilling into the street. At Elux, one review states that residents who pay for their spaces are never able to use their own spaces and are forced to park across the street at Home Depot. At Arroyo Norte, we don't have a Home Depot. There is no place for those cars to go except into our neighborhood or along Arroyo Norte. David's suggestion of putting up no parking signs does not create a solution to the fact that there will be too many cars - it simply pushes them further into our neighborhood.

David's response to this was to suggest that we call the police and have cars towed if they park in front of our houses. So we have to have the burden of calling the police? Is that really how the police should be spending their valuable time? Issuing parking tickets and towing vehicles? We don't have that issue now and shouldn't be forced to have this issue in the future because not enough parking can be provided.

Arise is fine with people parking in our neighborhood, because it's not their problem. They are fine with poor access for emergency vehicles to their own tenants, because they are crossing their fingers that nothing will happen (about two years ago we had a brush fire that came within 50 feet of Arroyo Norte Houses and a 10 minute delay for DMFD would have meant lost structures). Phoenix doesn't care about the burden on county infrastructure because they will get impact fee and sales tax revenue. The Board asked about impact fees and was told by David he knew nothing about them.

Seems like some of the board members are using this area as a 'test' site to see what happens. They stated that they will not vote affirmatively on the next site if this does not work out and items like safety and traffic are not taken seriously. Why can't those items be addressed BEFORE this development is built? We moved into this community in hopes of having a safe environment for our retirement. Now we have to worry about 'what if's' because a developer had to line his pockets without doing all the leg work.

Nothing here is illegal. But it's not right. Just because they have a good lawyer, DFG is allowed to stand on our neck. They know that people will add wear and tear to our park and that it's an unenforceable situation. Are we supposed to card kids at the basketball court? They know that parking will be a problem and they've made no concessions. They're painting the houses brown to conform with Rio Vista Board recommendations. They also changed the name because they shouldn't be taking our name at all. That's the only real changes they've made. They don't want to be a part of this neighborhood, but they want to leverage our neighborhood's resources.

What we can assure you is that if the agencies set to protect us continue to fail our neighborhood then we will organize and use every means available to let our voices be heard loud and clear.

Sincerely,

Laura Grob

Arroyo Norte Homeowner

Danielle M Jordan

From: Samantha Keating
Sent: Monday, March 15, 2021 7:48 AM
To: Danielle M Jordan
Cc: Adam Stranieri; Julianna Pierre
Subject: FW: Arise High Density Housing

FYI

Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003

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From: Kelly Johnson <kellyj4916@yahoo.com>
Sent: Sunday, March 14, 2021 2:51 PM
To: Samantha Keating <samantha.keating@phoenix.gov>
Subject: Arise High Density Housing

To: Rio Vista Planning Committee, City of Phoenix Planning, David Cisiewski, LPPC

From: Kelly Johnson, Daniel Rogers, homeowners in Anthem, AZ

Thank you for taking the time to consider this matter. This high density apartment complex is of grave concern to the homeowner's in Arroyo Norte and Anthem. The negative financial impact and the negative impact on our life style are obvious. I truly believe this type of housing is Not a City of Phoenix 'planned' or in line with the Rio Vista planning committee. When this property was zoned in 2007 there were other factors that did not materialize. I find it troubling and unjust to place a City of Phoenix high density apartment complex with no City of Phoenix resources or amenities east of I17.

I would like to highlight David Cisiewski, PLLC statements on the following items we believe are false and other items we are in disagreement as stated in the 3/9/21 meeting.

1) This apartment complex is not in line with any plan or characteristic in the area. There are too many units too close together. The units are much smaller than anything in the area.

2) There is no large park. According to the site plan, there are small grass areas next to someone bedroom window will not provide their residents with the typical space or luxury of an open park.

3) The amenities are inadequate to support the residents, which will ultimately lead City of Phoenix residents to illegally use Arroyo Norte and Anthem's privately owned parks and trail which provide jungle gyms, Ramada's, picnic tables, BBQ pit, basketball courts, etc. This complex has none of these.

4) Placing the entrance next to Arroyo Norte entrance will not doubt give problems to parking on Arroyo Norte Dr which is against all the HOA rules in the area.

5) The name Arise Arroyo Norte gives the public the false perception this complex is part of Arroyo Norte.

I believe we are starting to get more and more input for property owners in the area, despite the fact the FDG Acquisitions has obviously attempted to notify the minimal amount of people and place the notification sign between two bushes and NOT facing traffic. These facts leads many of the homeowners to believe the FDG Acquisitions is being not forthcoming with such an important matter. In addition, David Cisieski, PLLC attempted to reframe many serious concerns to 'Just traffic'. We can pretty much count on the private company FDG Acquisitions hired to tell us there is no problem, despite the fact we stated traffic will be an issue on the roads leading to the complex, not just Arroyo Norte drive on a weekday. Frequent traffic issues arise on weekends and holidays. A traffic study should involve Maricopa County.

In addition, we would like to review archaeological survey report approved by the city Archaeologist as required. Has this been completed?

I respectfully request you reconsider such high density housing by reducing the number of units and increasing the size of units. Add adequate amenities to deter residents from using privately owned facilities. Add enough parking to deter street parking. Place the entrance on the frontage road and not Arroyo Norte Dr. Please consider single family homes of similar size and nature of Rio Vista. Please consider senior living as well. Please consider leaving it open desert space as we can see this land is home and feeding area to the great horn owls and red tail hawks I see on a weekly basis.

Again, I thank you for your time and consideration in this matter.

Sincerely,

Kelly Johnson
Daniel Rogers

Sent from Yahoo Mail on Android [go.onelink.me]

Sent from Yahoo Mail on Android [go.onelink.me]

Danielle M Jordan

From: Samantha Keating
Sent: Monday, March 15, 2021 1:26 PM
To: Danielle M Jordan
Cc: Adam Stranieri; Julianna Pierre
Subject: FW: Arise Arroyo

Please see below.

Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003

-----Original Message-----
From: Karen <klyons5@cox.net>
Sent: Monday, March 15, 2021 1:06 PM
To: Samantha Keating <samantha.keating@phoenix.gov>
Subject: Arise Arroyo

To: Rio Vista Planning Committee, City of Phoenix Planning, David Cisiewski, LPPC

From: Karen Lyons - Arroyo Norte home owner

Re: Arise Arroyo Norte high density housing

I would to first Thank you for taking the time to consider this matter. I have lived in the Arroyo Norte community for 8 years. The high density apartment complex is of grave concern to the homeowner's in Arroyo Norte and Anthem. The development will have a negative financial impact and the negative impact on our life style are obvious. Based on the call march 9 2021, I don't believe this type of housing is Not a City of Phoenix 'planned' or in line with the Rio Vista planning committee. When this property was zoned in 2007 there were other factors that did not materialize. I feel it is troubling and unjust to place a City of Phoenix high density apartment complex with no City of Phoenix resources or amenities east of I17.

I would like to highlight David Cisiewski, PLLC statements on the following items we believe are false and other items we are in disagreement as stated in the 3/9/21 meeting.
1) This apartment complex is not in line with any plan or characteristic in the area. The white exterior does not lend to desert landscaping. How many white houses do you see in any development in the area?There are far too many units too close together. The units are much smaller than anything in the area.
2) There is no large park. According to the site plan, there are small grass areas next to someone bedroom window will not provide their residents with the typical space or luxury of an open park.

3) The amenities are inadequate to support the residents, which will ultimately lead City of Phoenix residents to illegally use Arroyo Norte and Anthem's privately owned parks and trail which provide jungle gyms, Ramada's, picnic tables, BBQ pit, basketball courts, etc. This complex has none of these. Please note the Artoyo Norte community bears the sole HOA dues which and again are private parks.
4) Placing the entrance next to Arroyo Norte entrance will know doubt give problems to parking on Arroyo Norte Dr which is against all the HOA rules in the area and lends to add to the traffic danger.
5) The name Arise Arroyo Norte gives the public the false perception this complex is part of Arroyo Norte.

I believe we are starting to get more and more input for property owners in the area, despite the fact the FDG Acquisitions has obviously attempted to notify the minimal amount of people and place the notification sign between two bushes and NOT facing traffic. These facts leads many of the homeowners to believe the FDG Acquisitions is being not forthcoming with such an important matter. In addition, David Cisieski, PLLC attempted to reframe many serious concerns to 'Just traffic'. We can pretty much count on the private company FDG Acquisitions hired to tell us there is no problem, despite the fact we stated traffic will be an issue on the roads leading to the complex, not just Arroyo Norte drive on a weekday. Frequent traffic issues arise on weekends and holidays. A traffic study should involve Maricopa County. I have experienced 1 plus hour delays to either leave or return to My home. Also very concerning for police and fire to reach our Homes.

In addition, we would like to review archaeological survey report approved by the city Archaeologist as required. Has this been completed?

I respectfully request you reconsider such high density housing by reducing the number of units and increasing the size of units. Paint exterior desert color scheme, not white. Add adequate amenities to deter residents from using privately owned facilities. Add enough parking to deter street parking. Place the entrance on the frontage road and not Arroyo Norte Dr. Please consider single family homes of similar size and nature of Rio Vista. Please consider senior living as well. Please consider leaving it open desert space as we can see this land is home and feeding area to the great horn owls and red tail hawks we see on a regular basis.

Again, I thank you for your time and consideration in this matter.

Sincerely,

Karen Lyons

Danielle M Jordan

From: Samantha Keating
Sent: Monday, March 15, 2021 7:45 AM
To: Danielle M Jordan
Cc: Adam Stranieri; Julianna Pierre
Subject: FW: Arise Complex

FYI

Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003

-----Original Message-----
From: A G <ag451@hotmail.com>
Sent: Friday, March 12, 2021 11:04 PM
To: Samantha Keating <samantha.keating@phoenix.gov>
Subject: Arise Complex

Good evening.

I just wanted to write to you to echo all of the concerns my neighbors discussed in regards to Arise near Arroyo Norte in New River. We cannot afford for others to use our facilities, it would bankrupt us as families and the traffic is already awful anytime it's a busy weekend or an accident happens and to add this much more the way they have planned is irresponsible. I absolutely oppose this complex in it's entirety.

Sincerely,

Mandy MacDuff
Sent from my iPhone

Danielle M Jordan

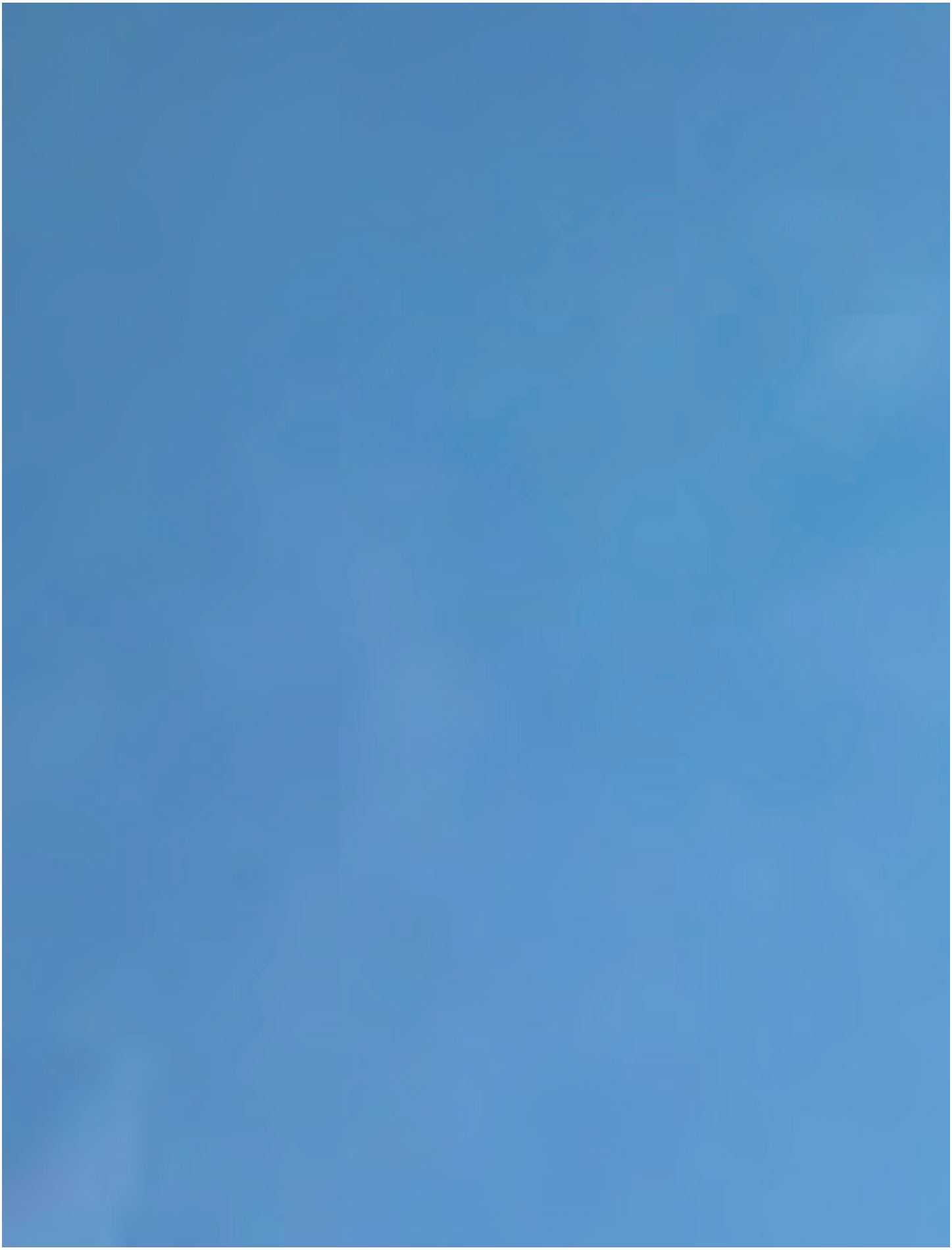
From: A G <ag451@hotmail.com>
Sent: Monday, March 29, 2021 12:09 PM
To: Danielle M Jordan
Subject: Arise traffic

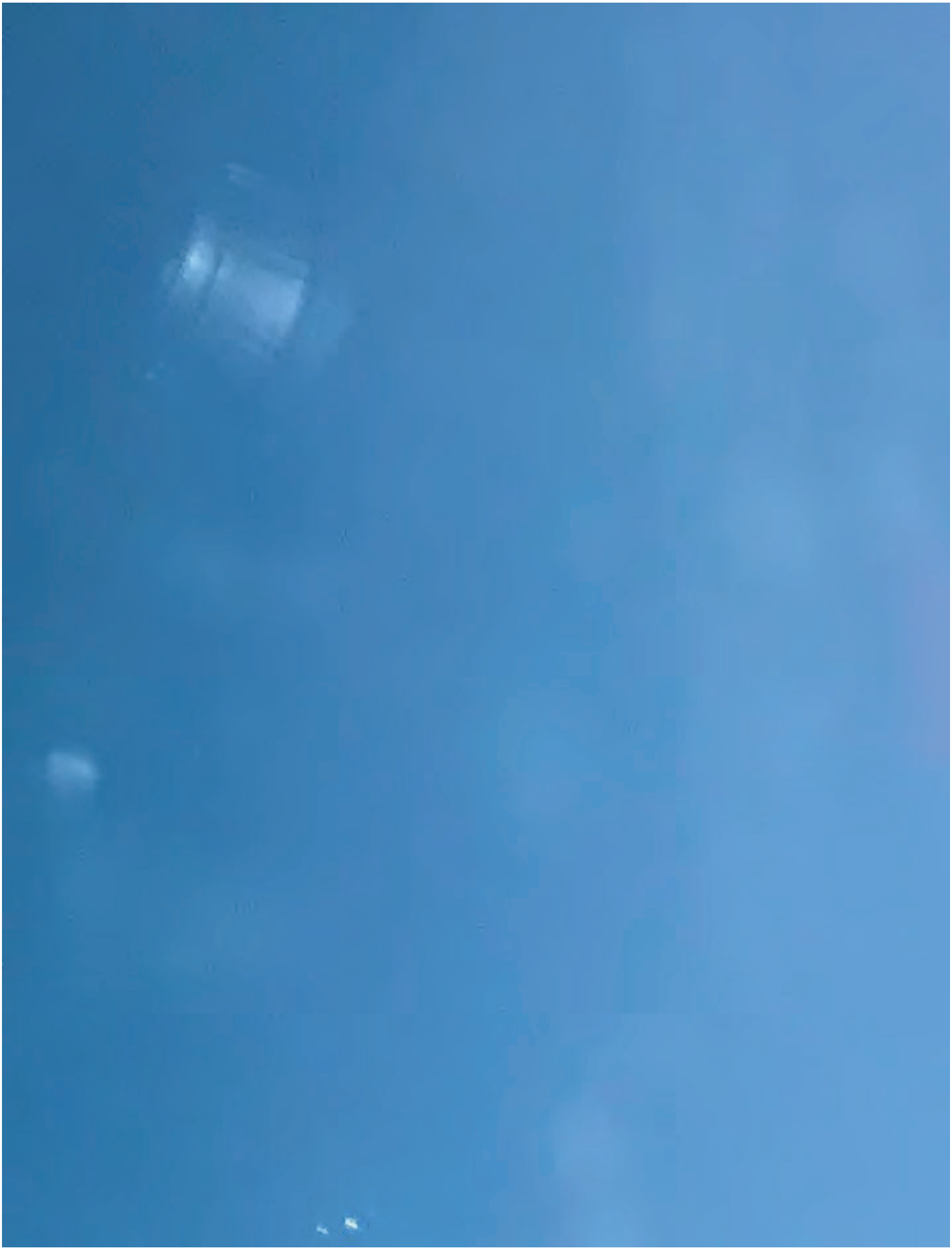
Good afternoon,

I wanted to send in a few pics of traffic that we have been saying happens every weekend on the 17 at Arroyo Norte area. They aren't great but should show what we mean. This is actually much less than the worst as well and if possible I will grab more shots. This is just a weekend surge without a wreck or something that makes it much much worse.

Thank you!

Mandy







Sent from my iPhone

Danielle M Jordan

From: Samantha Keating
Sent: Thursday, March 11, 2021 9:57 AM
To: Danielle M Jordan
Cc: Adam Stranieri; Julianna Pierre
Subject: FW: Application# PHO-1-21-Z-48-07

FYI

Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003

-----Original Message-----
From: Kirsten Myers <kirstenmyers@mac.com>
Sent: Thursday, March 11, 2021 9:40 AM
To: dave@dclawaz.com; tait@ttaitdevelopment.com; lisa@dfgroup.us; Samantha Keating <samantha.keating@phoenix.gov>
Subject: Application# PHO-1-21-Z-48-07

I am writing to express my extreme concern regarding the apartments planned on the corner of the frontage road and Arroyo Norte, as I live in the community and have for over 5 years.

1. As it stands, on weekends it is already a challenge to enter and exit our community due to the traffic on the 17 and the 100's of cars that attempt to bypass it by going to New River road.

2. Additionally, the exit from our community is dangerous, especially at night, when the headlights from the freeway are challenging to discern from those on the frontage road. Even without additional traffic a three way stop would be a improvement.

3. Our HOA is already lacking in financial resources. Though the apartments are not part of our community, I can guarantee that they will utilize our parks and trails. This will put an additional burden on our HOA, causing our dues to increase in order to maintain/replace/water/landscape additional wear and tear/damage to our facilities.

4. There is not enough parking for that many units. They will, inevitably, end up parking on Arroyo Norte, causing a dangerous situation for those walking/biking/running.

I request one of the following occur.

1. DENY the application.

2. If that is a non-starter, then reduce the number of units, add additional parking AND add more amenities to the complex, to limit the amount of people who come to our facilities.

3. Develop it in a Senior Living center, as we do have an aging community, the two facilities in Anthem are at capacity and there is additional need.

I would also like to voice my concern about the fact that my family was never informed about the hearing on the 9th. We never received a notice in the mail, in spite of the fact that this will directly impact our community, the value of our home and our access.

Kirsten Myers
623-826-4022

Danielle M Jordan

From: Julianna Pierre
Sent: Wednesday, April 14, 2021 10:30 AM
To: Danielle M Jordan
Subject: FW: Tonight's meeting

FYI

Thank you,
Julianna Pierre, Planner II – Village Planner
Office: 602-534-5829

City of Phoenix
► Planning & Development Department
Long Range Planning
200 West Washington Street
Phoenix, AZ 85003
Mission: Planning, Development and Preservation for a Better Phoenix

-----Original Message-----
From: Ponsler <ashley.ponsler@gmail.com>
Sent: Tuesday, April 13, 2021 8:43 PM
To: PDD Rio Vista VPC <riovistavpc@phoenix.gov>
Subject: Tonight's meeting

Rio Vista Planning Committee,

"I'm going to vote 'yes' this time, but not next time" - Ozzie Virgil

Tonight, I listened as this committee stated that while they were concerned about the traffic, acknowledge the safety implications to the Arroyo Norte Community, and discuss how this "luxury" high density housing unit did NOT fit into the Rio Vista requirements, then vote to recommend.

Both Ozzie and Massimo made it very clear that this development didn't fit, yet they would vote 'yes' this time and then reevaluate as a committee so that this doesn't happen again.

So my question is this, why does it matter next time, but not this time? Why does the safety and quality of life for the next community matter, but the safety and quality of our community does not?

A response is greatly appreciated.

Ashley Ponsler

Sent from my iPhone

From:	Samantha Keating
To:	Danielle M Jordan
Cc:	Adam Stranieri
Subject:	FW: Rio Vista Arroyo Norte traffic.
Date:	Wednesday, March 17, 2021 7:33:24 AM
Attachments:	Traffic 2020 Facebook post.docx Traffic 5-22-2020.png Traffic 9-2016.png Traffic 10-5-2019.png Traffic 12-1-2019.png

FYI

Thank you,
Samantha Keating
Principal Planner
Long Range Planning
Office: 602-262-6823
200 West Washington Street
Phoenix, AZ 85003

PLANNING & DEVELOPMENT
PRESERVE
SHAPE
BUILD

From: Anthem Air <anthemair@yahoo.com>
Sent: Tuesday, March 16, 2021 8:11 PM
To: PDD Rio Vista VPC <riovistavpc@phoenix.gov>; Samantha Keating <samantha.keating@phoenix.gov>
Subject: Rio Vista Arroyo Norte traffic.

I created a folder showing traffic issues in this location, by using Adots Facebook page. (word doc)
The traffic filters through Anthem and on to frontage road when I17 is backed up.
The residents will never be able to leave their subdivision.
Notice non of the pictures are on holidays or 3 day weekends.

Thank you,

Raymond

480-225-3546

Anthem Air Conditioning LLC

Arizona Department of Transportation

Sep 19, 2020 · Public · UPDATE: The crash has cleared at Anthem Way, but traffic remains backed up. UPDATE: There are now extreme delays on I-17 starting in Anthem where a crash is blocking all lanes. Consider delaying travel or taking an alternate route such as State Route 87 north to State Route 260 west in Payson. SR 260 connects to I-17 in Camp Verde.

Arizona Department of Transportation

May 2, 2020 · Public · …lane remains closed. Continue to expect long delays from Anthem northward.***

alerts.ping4central.com

I-17 NB closed at New River

Arizona Department of Transportation

May 22, 2020 · Public · …the Valley. Heaviest traffic is in the Anthem area, but with moderate backups through New River and Black Canyon. Drive safe!

Arizona Department of Transportation

Dec 26, 2020 · Public · UPDATE: Traffic is now flowing normally.

alerts.ping4central.com

Extreme delays on I-17 NB

Arizona Department of Transportation

May 23, 2020 · Public · ***UPDATE: Traffic now flowing.***

alerts.ping4central.com

I-17 backed up 15 miles.

Arizona Department of Transportation

Sep 4, 2020 · Public · ***UPDATE 7:45 p.m.: Traffic has eased, but continued to expect some pockets of moderate-to-heavy traffic.***

alerts.ping4central.com

Expect heavy delays I-17 NB

Arizona Department of Transportation

Jul 2, 2020 · Public · **6:16 p.m. Thu Jul 2** Except for a couple of pockets of slowing near Black Canyon City, the severe delays appear to have eased on northbound I-17. We encourage all drivers to use the free ADOT Alerts app, the AZ 511 app, and www.az511.gov to stay up-to-date on road traffic and conditions. **4:56 p.m. Thu Jul 2** Delays are easing somewhat on I-17 NB ... but there is still a long backup from Carefree Highway to New River, and near Black Canyon City as well. Please allow extra time if you're heading north this weekend.

Expect long delays on I-17 NB

Arizona Department of Transportation

Jun 13, 2020 · Public · …BACKUP on I-17 northbound persists from near Anthem to near Rock Springs for a non-blocking crash at MP 239.

alerts.ping4central.com

I-17 NB delay near Rock Springs

Arizona Department of Transportation

112K like this · Government Organization

May 22, 2020 · Public · UPDATE: These delays have eased. ---------- You can see for yourself that traffic remains incredibly heavy between Payson and just south of Rye. If you are planning on heading north, it might be best to put it off for awhile!

Arizona Department of Transportation

Apr 17, 2020 · Public · REMINDER: I-17 in Phoenix will be closed this weekend while crews apply asphalt sealant to extend the life of the freeway’s pavement. The work will be done along I-17 SB on Saturday and I-17 NB on Sunday in areas between 19th and Peoria. MORE: bit.ly/2RHJlCW

Arizona Department of Transportation

112K like this · Government Organization

Aug 8, 2020 · Public · ***UPDATE 3:23 p.m.: Traffic has eased, but with some continued moderate-to-heavy delays between Black Canyon City and Sunset Point.*** NOW: Expect delays on Interstate 17 northbound past Black Canyon City.

Arizona Department of Transportation

Oct 5, 2020 · Public · COMING SOON TO I-17 near you: The new Diverging Diamond Interchange at Happy Valley Road is scheduled to open to motorists in mid-October. It's a lot easier than you think! #divergingdiamond bit.ly/36DwTwn

Arizona Department of Transportation

Oct 17, 2020 · Public · ROAD WORK REMINDER: Expect lane restrictions on I-10 between SR 587 and SR 387 for paving. EB and WB I-10 will be intermittently narrowed to 1 lane between 6 p.m. and 5 a.m., Sunday through Thursday for 3 weeks. Only one direction will be restricted at a time.

Arizona Department of Transportation

112K like this · Government Organization

May 31, 2020 · Public · 11:19 p.m. All lanes are now open in both directions. ========== 9:34 p.m. The left lane of I-17 northbound is now OPEN bear Bumble Bee at milepost 248. The right lane remains closed due to the brush fire. Continue to expect delays. ========== 7:26 p.m. I-17 northbound lanes are still closed near Bumble Bee. There is no estimated time to reopen the lanes. The southbound lanes are open. ========== 6:30 p.m. Northbound I-17 is closed near Bumble Bee; there is no estimated time to reopen the lanes. ========== 6:00 p.m. The northbound lanes of I-17 remain closed due to a brushfire; the SOUTHBOUND lanes are OPEN. (There is no estimated time to open the northbound lanes.) ========== 5:32 p.m. Northbound I-17 remains closed near Bumble Bee due to a brushfire; the southbound lanes have reopened. There is no estimated time to open the northbound lanes. ========== 5:08 p.m. The SOUTHBOUND lanes have reopened; the northbound lanes remain closed, with no estimated time to reopen. ========== 4:31 p.m. There is no estimated time to reopen I-17, which is closed in both directions due to a brushfire. The northbound lanes are closed at milepost 248 (near Bumble Bee); the southbound lanes are closed at milepost 262 (near Bloody Basin Road). Alternate routes include State Routes 260 and 87, and SR 69 to SR 89 through Prescott. (Truckers: Trucks are banned on 89 south of Prescott and 89A between Flagstaff and again between Cottonwood and Prescott Valley.) ========== 4:02 p.m. Both directions of I-17 remain closed due to a brushfire. There is no estimated time to reopen the freeway. Drivers are advised to postpone travel or use alternate routes. ========== 3:30 p.m. I-17 is still closed in both directions due to a brushfire (SB: MP 262; NB: MP 248). There is no estimated time to reopen the lanes. ========== 3:00 p.m. There is no estimated time to reopen I-17, which is closed in both directions due to a brushfire. The northbound lanes are closed at

milepost 248 (near Bumble Bee); the southbound lanes are closed at milepost 262 (near Bloody Basin Road). Alternate routes include State Routes 260 and 87, and SR 69 to SR 89 through Prescott. (Truckers: Trucks are banned on 89 south of Prescott and 89A between Flagstaff and again between Cottonwood and Prescott Valley.) ========== 2:33 p.m. I-17 remains closed in both directions due to a brushfire. The northbound lanes are closed at milepost 248 (near Bumble Bee); the southbound lanes are closed at milepost 262 (near Bloody Basin Road). ========== 2:00 p.m. There is no estimated time to reopen I-17, which is closed in both directions due to a brushfire. The northbound lanes are closed at milepost 248 (near Bumble Bee); the southbound lanes are closed at milepost 262 (near Bloody Basin Road). Alternate routes include State Routes 260 and 87, and SR 69 to SR 89 through Prescott. (Truckers: Trucks are banned on 89 south of Prescott and 89A between Flagstaff and again between Cottonwood and Prescott Valley.) Drivers are encouraged to postpone travel or use alternate routes. ========== 1:33 p.m. Both directions of I-17 remain closed due to a brushfire. There is no estimated time to reopen the freeway. Drivers are advised to postpone travel or use alternate routes. ========== 12:02 p.m. BOTH directions of I-17 are now closed due to a brushfire. The northbound lanes are closed at milepost 248, near Bumble Bee; the southbound lanes are closed at milepost 259, near Cordes Lakes. There is no estimated time to reopen the lanes. The on-ramp at Bloody Basin Road will also be closed.

alerts.ping4central.com

Delays on I-17 NB/Bumblee Bee

Arizona Department of Transportation

Aug 15, 2020 · Public · ***UPDATE: 5:04 p.m. Traffic has eased on I-17 NB***

alerts.ping4central.com

Traffic slow on I-17 NB

Arizona Department of Transportation

Feb 15, 2020 · Public · ***UPDATE: Traffic has eased on I-17 northbound.***

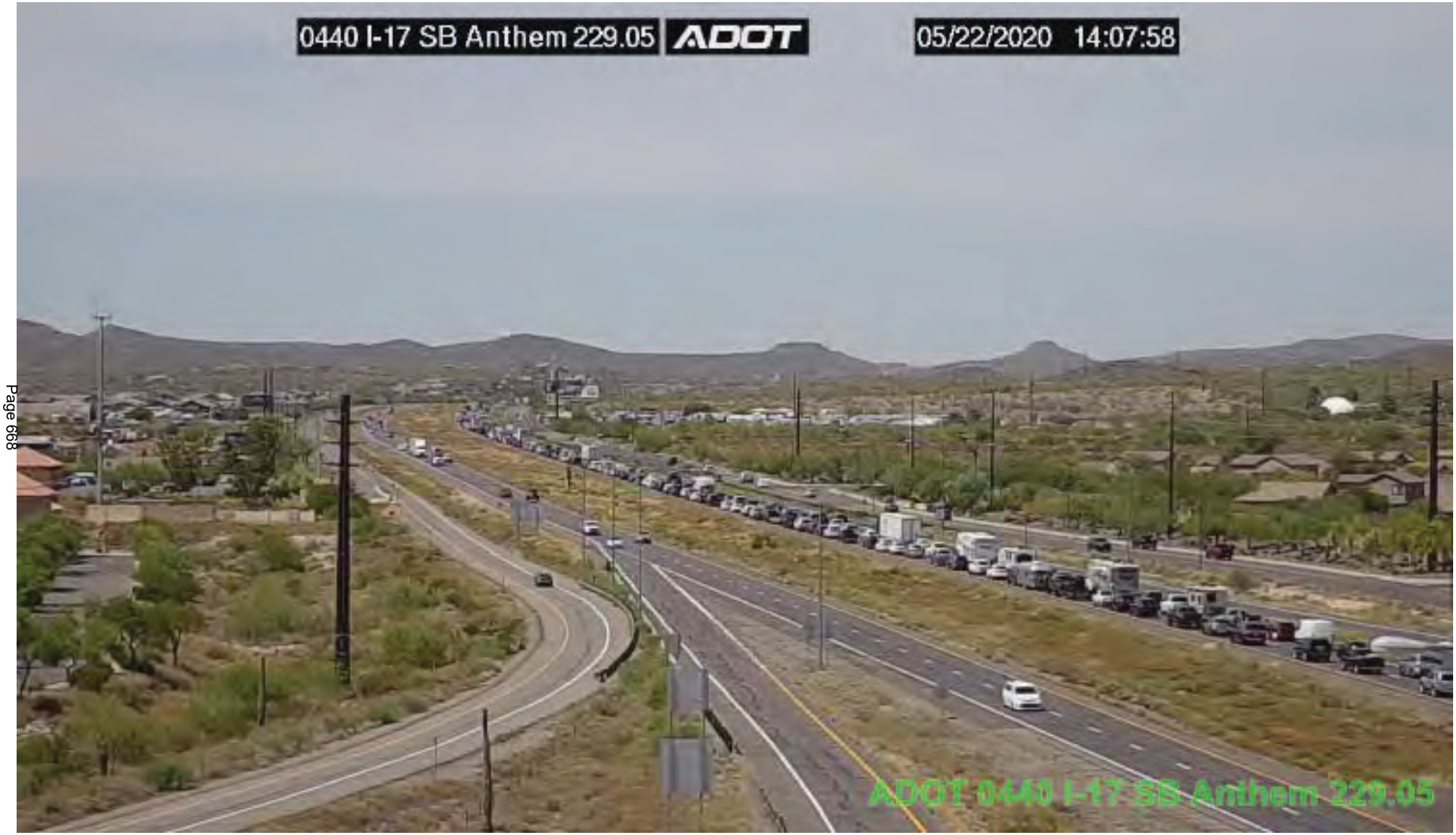
alerts.ping4central.com

I-17 north backed up 10 miles

Arizona Department of Transportation

May 2, 2020 · Public · ***UPDATE: 7 p.m. All lanes now open.*** ***UPDATE: Left lane open. Right lane remains closed.*** ***UPDATE: I-17 NB is now closed at New River.***

Backups on I-17 NB near BCC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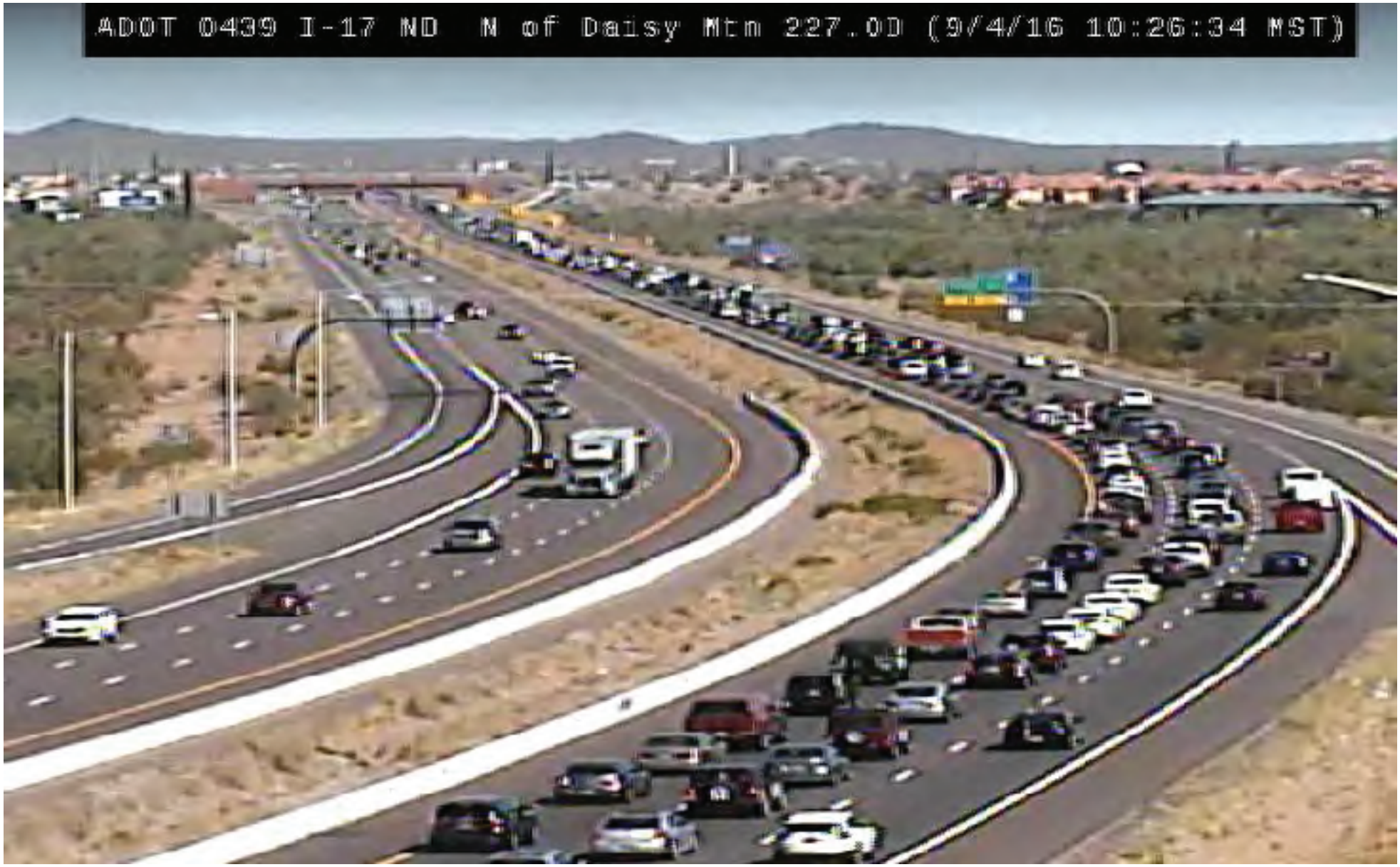
ADOT
05/22/2020 14:07:58
ADOT 0440 I-17 SB Anthem 229.05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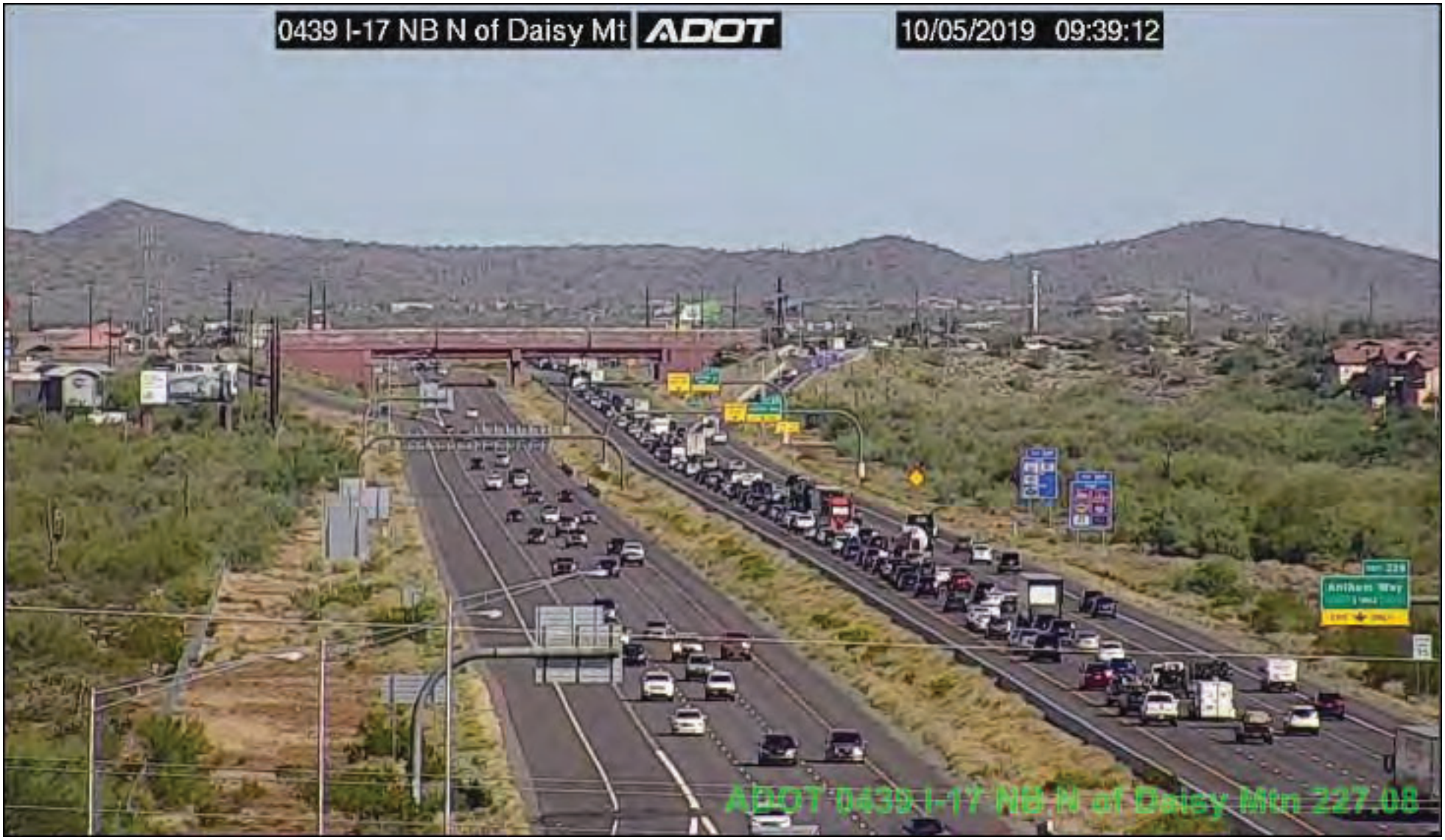
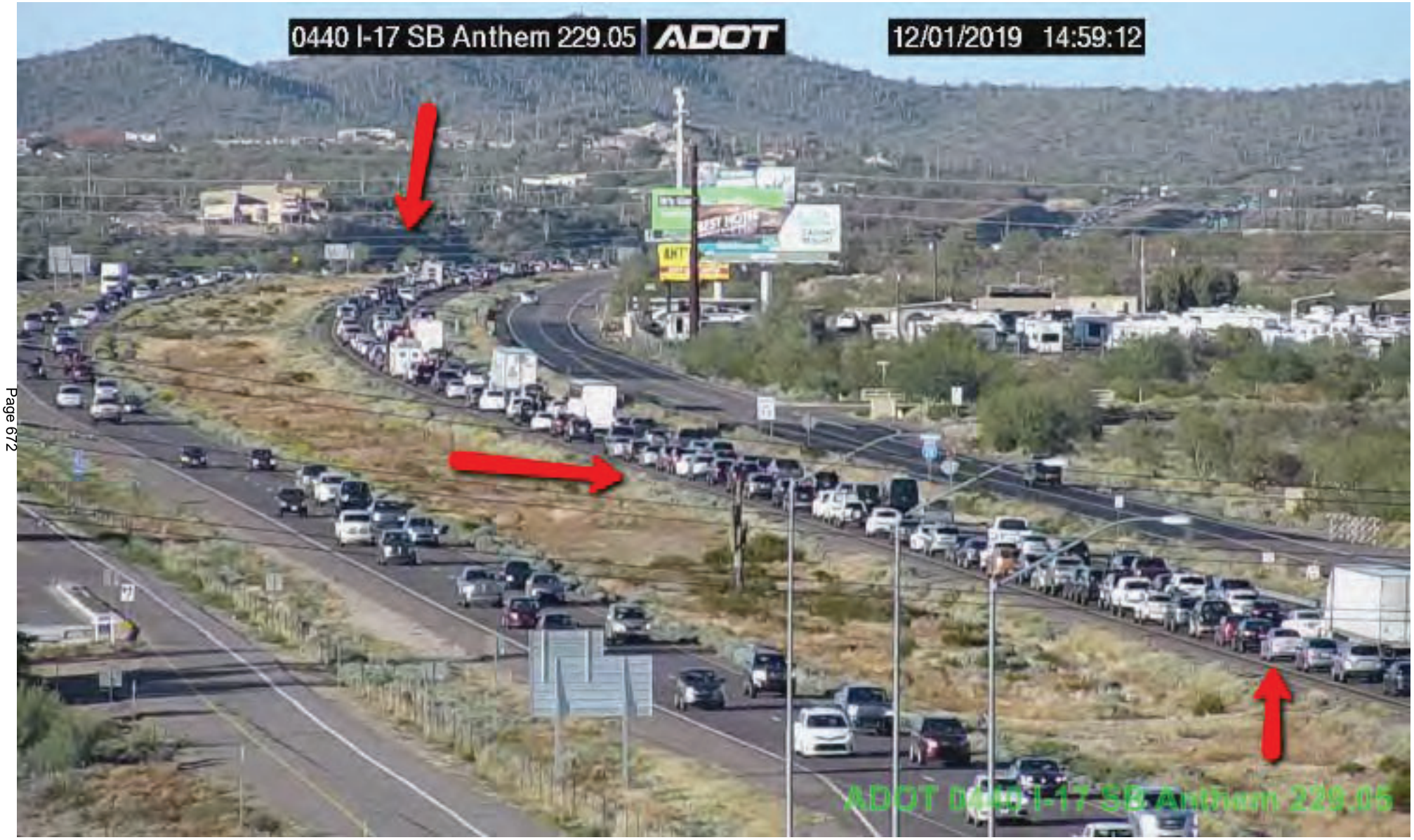

0439 I-17 NB N of Daisy Mt
ADOT
10/05/2019 09:39:12
Anthem Way
ADOT 0439 I-17 NB N of Daisy Mtn 227.08


ADOT 0440 I-17 SB Anthem 229.05 10/14/2017 10:55:01 MST


0440 I-17 SB Anthem 229.05
ADOT
12/01/2019 14:59:12

Danielle M Jordan

From: PDD Zoning
Sent: Wednesday, March 10, 2021 10:34 AM
To: Samantha Keating; Julianna Pierre
Cc: Danielle M Jordan; Adam Stranieri
Subject: FW: cuZoning - Form Submission

Please see email below.

JULIE GARCIA
Board of Adjustment Secretary III – Council Reporter
Phoenix Planning & Development Department
200 West Washington Street
Phoenix, Arizona 85003-1611
602.495.7029

From: no-reply@phoenix.gov <no-reply@phoenix.gov>
Sent: Tuesday, March 9, 2021 6:52 PM
To: PDD Zoning <zoning@phoenix.gov>
Subject: cuZoning - Form Submission

First and Last Name : Lisa Salem

Email : Salemlisa46@gmail.com

Comments : This is addressed to Will Hilton and Ozzy Virgil. Thank you sirs for bringing up the traffic issues at Arroyo Norte. We have major issues with traffic daily not to mention on holiday weekends. Traffic is often diverted from the highway to the Frontage Road causing major congestion on the Frontage Road. Their has been numerous vehicle accidents exiting and entering our neighborhood.

Submission ID: 898e5f438366433da263c2cf4a756670

Form Submission On : 3/9/2021 6:52:19 PM

Referer: https://phoenix.gov/pdd

This is Not Spam - This message is sent on behalf of the City of Phoenix. Please handle appropriately.

Danielle M Jordan

From: PDD Zoning
Sent: Wednesday, March 10, 2021 10:32 AM
To: Samantha Keating; Julianna Pierre
Cc: Danielle M Jordan; Adam Stranieri
Subject: FW: cuZoning - Form Submission

Hello,

Please see email below.

JULIE GARCIA
Board of Adjustment Secretary III – Council Reporter
Phoenix Planning & Development Department
200 West Washington Street
Phoenix, Arizona 85003-1611
602.495.7029

From: no-reply@phoenix.gov <no-reply@phoenix.gov>
Sent: Wednesday, March 10, 2021 9:45 AM
To: PDD Zoning <zoning@phoenix.gov>
Subject: cuZoning - Form Submission

First and Last Name : Lisa Salem

Email : salemlisa46@yahoo.com

Comments : Good morning, I am a resident of Arroyo Norte Subdivision in New River. 85 residents where notified on February 22, 2021 of a hearing regarding application PHO-1-21-Z-48-07. This was the first time that any of us had heard there was a proposed rental community being planned/developed adjacent to our community. Although I do not have an issue with the development itself, I do have an issue with the traffic pertaining to the development. The issues that are occurring currently in our area pertain to the I-17 Frontage Rd at Arroyo Norte Dr. Holiday weekends and ongoing accidents on the I-17 create gridlock on the Frontage Rd causing residents to be trapped in or out of our subdivision. As well as, during the evening hours it is difficult to distinguish vehicles traveling on the Frontage Rd verses I-17. Adding potentially upwards of 170 additional vehicles daily due to this development on the I-17 Frontage Rd will only add to the difficulty of ingress & egress from Arroyo Norte Dr.

The meeting with the Rio Vista Village Planning Committee on March 9, 2021 resulted in the continuance until the April 2021 meeting. Recommendations by the Committee members were that the Developer have better communication with the residents of Arroyo Norte and explore the traffic study issue. I applauded the Committee for hearing the voices of the residents during this meeting and encourage the City of Phoenix to hear us as well. Please for the safety of all parties require a traffic study for this development.

Sincerely,
Lisa Salem
928-897-7330

Submission ID: a4986e69b9d34845815b0eec11e31928

Form Submission On : 3/10/2021 9:44:38 AM

Referer: https://phoenix.gov/pdd

This is Not Spam - This message is sent on behalf of the City of Phoenix. Please handle appropriately.

Danielle M Jordan

From: Schake, Robert - PHX <Robert.Schake@DignityHealth.org>
Sent: Thursday, March 11, 2021 3:27 PM
To: PDD PHO
Cc: rdschake@gmail.com; Careway, Robert - PHX
Subject: Comments regarding Item #1, case (application) #PHO-1-21--Z-48-07-1

Good afternoon,

As a resident of Arroyo Norte, I am against Item #1, Case #PHO-1-21—Z-48-07-1.

I understand these are supposed to be luxury apartments, but based on the location, I cannot believe anyone would pay a higher price to live along an access road which fronts I17. I understand that my home, itself, would not seem that far from this same road, but it is far enough into the development, if it matters.

With that being said on about what the true value of these apartments would be, I am concerned about this being rental property, and bringing clientele that are only renting, versus owning, that close to our very close knit neighborhood.

We are not currently a gated community, so with this proposed apartment complex being at the head of our main street in and out of our development, I can envision the following things happening if the developer would be allowed to continue:

- Parking problems along both sides of Arroyo Norte
    - This would cause traffic congestion for those residents, along with all of us that have homes within Arroyo Norte
    - Strong potential for vehicular and pedestrian accidents due to the parking, increased traffic, and those walking
    - Arroyo Norte is the MAIN road in and out of our development. Yes, there is also Circle Mountain Road, but that is not deemed our main access road, and thus is not maintained in a sufficient manner for this purpose
- Apartment residents using our park areas
    - Apartment residents would be tempted to use our park areas with no responsibility for cost of maintaining it, respecting it, or, picking up after themselves
    - If their residents make use of our park areas, that takes away availability for us homeowners, who are paying for it, to use our own areas
- Safety issues
    - The Anthem area already has some crime, in regards to automobile break-ins and such, and general vandalism
    - The addition of these general-housing (again, not luxury) apartments could bring additional safety and security issues for our neighborhood
- De-Valuation of our property
    - I have great concerns of what such an apartment complex could do to the value of our homes. We have invested a fair amount into our home, and property, and I am afraid that such development would have a negative impact on home appraisals.

At the very least, if my opposition, and those of my fellow residents who also oppose, is not enough to stop this development (but I hope it is), I believe there are a number of stipulations that should be addressed and agreed upon by the developer before they are allowed to proceed. These are:

- Developer responsible for gating of Arroyo Norte's main access road (Arroyo Norte), as well as Circle Mountain Road on the north side of our development. The design, products used, and builder for the gates would need to be approved by Arroyo Norte neighborhood (a committee would need to be established to represent our neighborhood, to coordinate review and ultimate design approvals)
    - Gates are to restrict general access to our neighborhood, but mainly to restrict apartment residents from using our park areas
- Developer responsible for ensuring NO parking allowed along Arroyo Norte, Circle Mountain Road, or basically outside of their development plot.
- Perhaps ask developer to be responsible for the widening of the access road from the southern point of their proposed property line, and north to the Circle Mountain Road entrance.
- Developer responsible for paying for installation of a traffic light at the intersection of Arroyo Norte and the access road (the main entrance into our development).

Thank you for your time in reviewing this matter.

Bob Schake
3706 W. Teresa Drive
New River, AZ 85087
480-215-1988
rdschake@gmail.com

Caution: This email is both proprietary and confidential, and not intended for transmission to (or receipt by) any unauthorized person(s). If you believe that you have received this email in error, do not read any attachments. Instead, kindly reply to the sender stating that you have received the message in error. Then destroy it and any attachments. Thank you.

Danielle M Jordan

From: LISA THOMAS <k2293@aol.com>
Sent: Friday, March 12, 2021 4:41 PM
To: PDD PHO
Subject: PHO-1-21--Z-48-07-1

Re:

Application #: **PHO-1-21--Z-48-07-1**
Existing Zoning: C-2
Acreage: 16.0
Location: Approximately 400 feet east of the southeast corner of I-17 and Arroyo Norte Drive

Danielle Jordan,

I am a homeowner at Arroyo Norte. I've been living here in this quiet community since 2015. I am writing to you to advise of my opposition to this proposal to have 170 very small apartments built so close to my home and my community. These apartments will cause a great deal of overcrowding, congestion, high volumes of traffic, noise and light pollution, as well as create a real danger for many of the young children that live in this community.

The proposed apartments would be built entirely too close to our existing community, creating the illusion to the renters that they are actually a part of this community, but in reality they would not be. Allowing the name of our community Arroyo Norte to be used by the proposed apartments further creates the illusion that they are a part of this community and they are not. They will be led to believe they can use our private parks, and private trails, and park their cars and trucks along our community streets because there will not be enough room for parking their vehicles inside their gated complex of 170 tiny apartments.

In addition the entry and exit for the proposed apartments is too close to existing homes and entirely too close to the main park and playground for our children. Why not make the entrance on Frontage Road? That would make it much safer if for some reason these apartments are approved. It would be much safer for the children and it would lessen the illusion that the renters are a part of this community. If would also be beneficial if an emergency vehicle had to get into that apartment complex because of a fire or other hazard. That is just way too many small apartments to be crammed into a very small area. It's a disaster waiting to happen. And should there be a fire in those apartments our community would be put at risk because the proposal is to place them entirely too close to our existing homes.

There was a fire just north of our community back in the summer of 2019. It was on the BLM land just north of Circle Mountain Drive that borders our community. The day of the fire, residents of this community were not able to get back into our community from the Frontage Rd coming from Anthem. The road was backed up for miles and for hours and residents were forced to leave their cars along the Frontage Road and walk home in the hot sun. What if there was another emergency where someone had to get in to rescue someone at their home for a medical emergency? Residents could not get back to their homes. Elderly parents were left home alone for hours, people could not get home to their pets. Residents were told to go hang out at Starbucks until the fire was put out. There was no evacuation but imagine if there was? My point is that with more people and more cars here Arroyo Norte Drive will not be able to handle the traffic and the congestion.

Weekends are even worse, when people are traveling up North. Travelers think Frontage Rd is a cut thru and a way out of the bumper to bumper traffic on 1-17. It's hard enough now to get to the grocery store on a weekend, or to run out to Urgent Care. Imagine how dangerous it will be with 170 more small apartments with at least that many more cars, but realistically probably double the amount of cars.

Building these apartments would ruin our community in more ways than one and I want you to know that I oppose them 100%. When I moved here, I was told if anything would be built on that lot it would be something commercial, but I was assured it would not be residential, and no people would be living there.

I hope you consider my concerns and vote against these apartments.

Thank you for your time,
Lisa Thomas Arroyo Norte Homeowner
516-527-0317

Attachment C

REPORT OF PLANNING COMMISSION ACTION
June 3, 2021

ITEM NO: 12	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	PHO-1-21--Z-48-07-1
Location:	Approximately 400 feet east of the southeast corner of I-17 and Arroyo Norte Drive
Request:	1) Submittal of conceptual site plan and elevations for approval by the Planning Hearing Officer per Stipulation 1. 2) Modification of Stipulation 2 regarding approval of a comprehensive sign plan. 3) Technical corrections to Stipulations 3 and 7.
Existing Zoning:	C-2
Acreage:	16.0
Applicant:	Law Office of David Cisiewski
Owner:	Tom Tait, AV 203 LLC
Representative:	Lisa Gage, FDG Acquisitions

ACTIONS:

Staff Recommendation: Approval with a modification and additional stipulations, as recommended by the Planning Hearing Officer.

Village Planning Committee (VPC) Recommendation:
Rio Vista 3/9/2021 Continued. Vote: 5-0.
4/13/2021 Approval. Vote: 4-2.

Planning Hearing Officer Recommendation: Approval, with a modification and additional stipulations.

Planning Commission Recommendation: Approval, per the Planning Hearing Officer's recommendation with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Busching made a MOTION to approve PHO-1-21—Z-48-07-1, per the Planning Hearing Officer recommendation with an additional stipulation to require a minimum of two separate public pedestrian pathways, shaded to a minimum of 75 percent, to be provided from the closest parks in the development and connecting to North Whisper Lane on the south and Arroyo Norte Drive on the north.

Maker: Busching
Second: Howard
Vote: 8-0
Absent: Gorraiz
Opposition Present: Yes

Findings:

1. The original rezoning case contemplated development of the site with commercial uses. As there were no site plans or elevations included in the original application, it was unknown at the time how the site would ultimately develop, what specific uses would be implemented, and the scale and intensity of future development. Therefore, Stipulation 1 was adopted to require Planning Hearing Officer review through the public hearing process once these became available. However, this stipulation did recognize that the site may develop with residential uses as permitted in the approved C-2 zoning designation. Stipulation 1.f directly addressed this by establishing criteria for mitigating impacts of the I-17 on potential residences.

   The proposed conceptual site plan in this request depicts a 170-unit multifamily complex consisting of single-story bungalow-style residences. The proposed density is 12.2 dwelling units per gross acre, which is less than the 17.40 dwelling units per gross acre permitted in the R-3 PRD development option with bonus points. The proposed height is less than the two stories and 30 feet permitted in the R-3 PRD development option. Proposed open space is approximately 1.18 acres or 7.4 percent of the gross site area, which is greater than the minimum 5 percent required. The proposed residences are detached stand-alone units rather than a traditional multifamily apartment complex. The scale and intensity of the proposal is appropriate for its location along the I-17 freeway corridor, consistent with the existing zoning and General Plan Land Use map designation, and creates a buffer between existing single-family development to the east, adjacent commercial zoning, and the I-17 freeway corridor.

2. Stipulations 1.a through 1.g established specific criteria regarding the review of the site plan and elevations. General conformance to the proposed conceptual site plan and elevations is recommended as discussed in these findings.

3. Stipulation 1.a requires architectural consistency in the elevations regarding building mass, building style, wall treatments, lighting, and signage. This stipulation was originally intended to address the potential development of the site with multiple commercial uses. With the conversion of this stipulation to general conformance for the proposed residential development, these concerns are not wholly relevant. However, the residential elevations do provide an appropriate level of consistency while still providing for architectural diversity with three home styles. Architectural features include multiple window styles, decorative window treatments, gable ornamentation, use of accent colors, and varied rooflines.

4. Stipulation 1.b requires the use of finishing materials that are appropriate for a desert context. This includes the use of Spanish style terracotta roof tiles. Primary building colors include neutral whites and grays in stucco. Accent colors are limited to front doors.

5. The applicant submitted revised building elevations and a revised color palette intended to address concerns raised during public outreach regarding the

compatibility of the color palette on the initial elevations submitted with the request. These initial elevations included yellow, blue, and red accent doors and a Mediterranean palette. However, the revised elevations were limited to single-perspective renderings, did not incorporate the new door colors on the revised palette, and did not include the level of detail on the four-sided elevations in the original submittal. Therefore, an additional stipulation is recommended that addresses the use of colors that blend with the desert environment, prohibiting reflective materials, and limiting accent colors. The revised color palette date stamped April 20, 2021 would conform with this stipulation. However, the stipulation is intended to allow staff flexibility in reviewing the final palette as there is no building elevation that depicts all the appropriate colors in a single image.

6. Stipulation 1.f requires special consideration for residential uses regarding mitigating impacts of the I-17. It addresses four conditions that are addressed in the applicant's submittal as follows:

   a. **Innovative Site Design** – Vehicular access to the community is located along Arroyo Norte Drive, not along the I-17 frontage road, which will allow a continuous perimeter wall along the west property line. No units front the west property line and there are private yards located along this area.

   b. **Increased Setbacks** – The proposed site area is not adjacent to the I-17 frontage road. There is an approximately 500-foot setback between the I-17 and the closest unit. This area includes a remaining large parcel, subject to the stipulations of this case, and an approximately 70-foot wide drainage channel.

   c. **Sound barriers –** A six-foot split-faced CMU wall is proposed along the west perimeter property line. Additionally, as the subject property does not contain the parcel adjacent to the I-17 frontage road, the closest unit will be setback approximately 500 feet from the I-17.

   d. **Increased Landscaping** – The conceptual landscape plan depicts a variety of large and medium canopy shade trees along the west property line in open spaces. Trees include a variety of acacia, willow, oak, and ash. However, the majority of the west property line consists of private yards and trees are not depicted. The fact that the subject property does not contain the parcel adjacent to the I-17 frontage road and the closest unit will be setback approximately 500 feet from the I-17 reduces the concern regarding enhanced landscaping standards in this area. The property is subject to existing Ordinance standards for landscaping in multifamily developments. The remaining parcel between this site and the I-17 will remain subject to this stipulation and landscaping will be reviewed during a future PHO hearing for these plans.

7. Stipulations 1.c, 1.d, 1.e, and 1.g addressed specific considerations that were relevant to the original vision of the site developing with multiple commercial users. Regarding Stipulation 1.g, the majority of the considerations are

reflected in the conceptual elevations and the recommendation for general conformance.

8. Stipulation 2 regarding approval of a comprehensive sign plan was relevant to the assumption in the original rezoning case that the site would develop with multiple commercial uses. This requirement is not relevant to the development of the site with a single multifamily development. The applicant's request to modify this stipulation is recommended to be approved with a modification to the standard language to specify that this requirement is only relevant to development proposals for commercial land uses.

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 JANUARY 28, 2021, WITH SPECIFIC REGARD TO THE FOLLOWING, 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.~~

      BUILDING AND WALL COLORS SHOULD BE MUTED AND BLEND WITH RATHER THAN CONTRAST WITH THE SURROUNDING DESERT ENVIRONMENT. REFLECTIVE MATERIALS SHOULD NOT BE USED. ACCENT COLORS SHOULD BE USED JUDICIOUSLY AND WITH RESTRAINT.

   b. ~~The primary finishing materials for buildings shall consist of natural desert materials or materials which are appropriate for the natural desert context.~~

      A MINIMUM OF TWO SEPARATE PUBLIC PEDESTRIAN PATHWAYS, SHADED TO A MINIMUM OF 75 PERCENT, SHALL BE PROVIDED FROM THE CLOSEST PARKS IN THE DEVELOPMENT AND CONNECTING TO NORTH WHISPER LANE ON THE SOUTH AND ARROYO NORTE DRIVE ON THE NORTH.

   c. ~~Drive-thru facilities shall be oriented so that drive-thru windows are not directly 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 for residential uses 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. ~~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~~.

3. ~~That~~ Twenty-five feet of right-of-way shall be dedicated for the south half of Teresa Lane or as otherwise approved by the PLANNING AND Development ~~Services~~ Department.

4. ~~That~~ Additional right-of-way shall be dedicated for the future expansion of the freeway/frontage road as approved by the Street Transportation Department.

5. ~~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.

6. ~~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.

7. ~~That~~ The following persons, organizations and associations shall be notified by the applicant at least 15 days before the meeting or hearing of any

PLANNING AND Development ~~Services~~ Department preliminary site plan meetings; Zoning Adjustment hearings; or Planning Hearing Officer hearings:

a. New River Desert Hills Community Association, Inc.
515 E. Carefree Highway, #300
Phoenix, AZ 85085-8839

b. Shareen Goodroad
scgoodroad@msn.com
623-742-0150

c. Terry Marron
t.marron@yahoo.com
623-587-7039

8. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. 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 D

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC **I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:** **July 1, 2021 (10:00 a.m.)**					
APPLICATION NO/ LOCATION	**PHO-1-21--Z-48-07-1** Approximately 400 feet east of the southeast corner of I-17 and Arroyo Norte Drive (I-17 Frontage and Theresa Lane)	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
Phoenix, AZ 85013	PC 6/3/2021	46026 North 35th Avenue New River, Arizona 85087			
	PC DATE	*STREET/ADDRESS/CITY/STATE/ZIP*			
TO PC/CC HEARING	CC 7/1/2021 **(10:00 a.m.)**	Richard Zimmerman 602-527-6938 Ballininphx@yahoo.com			
	CC DATE	*NAME / PHONE / EMAIL*			
REASON FOR REQUEST: Development is not harmonious with the area. Streets infrastructure cannot support this development. This development is a fatality on the frontage road waiting to happen. City of Phoenix has not done their research in regard to streets infrastructure. This development posts a major public safety hazard.					
RECEIVED BY:	Greg Harmon	**RECEIVED ON:**		6/9/2021	

Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Stephanie Vasquez
David Urbinato
Vikki Cipolla-Murillo
Ra'Desha Williams
Village Planner
Samantha Keating
Paul M. Li
GIS
Applicant

CITY OF PHOENIX

JUN 09 2021

Planning & Development Department

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

The **PLANNING COMMISSION** agenda for **June 3, 2021** is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

   There is a $630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **June 10, 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., **June 10, 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. **June 10, 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. **June 17, 2021**.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Pho-1-21-Z-48-07-1
APPLICATION NO.

I-11 frontage + theresa ln
LOCATION OF APPLICATION SITE

June 3 2021
DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

Greg Harmon
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Richard Zimmerman
PRINTED NAME OF PERSON APPEALING

Richard Zimmerman
SIGNATURE

46026 N. 35th Ave
STREET ADDRESS

6-9-2021
DATE OF SIGNATURE

New River AZ. 85087
CITY, STATE & ZIP CODE

602-527-6938
TELEPHONE NO.

ballininphx@yahoo.com
EMAIL ADDRESS

REASON FOR REQUEST
Development isn't harmonious with the area.
Streets infrastructure can't support this development

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

This development is a fatality on the frontage road waiting to happen
City of Phoenix has not done their research in regards to streets infrastructure.

This development post a major public safety hazzard.

City of Phoenix

Report

Agenda Date: 7/1/2021, **Item No.** *138

REQUEST TO ADD-ON (SEE ATTACHED MEMO) First Things First Family Resource Centers - Contract Extension (Ordinance S-47833)

Request authorization for the City Manager, or his designee, to exercise the third option to extend the term of Intergovernmental Agreement 148132 (IGA) with First Things First for an additional year through June 30, 2022 to support Phoenix Families First Resource Centers in current City facilities. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The contractual, grant-funded annual amount is $675,000. There is no impact to the General Fund.

Summary

The Human Services Department and Youth and Education Office entered into an IGA with First Things First in July 2018 to create four Family Resource Centers in current City facilities controlled by the Library, Housing and Parks and Recreation departments. The Phoenix Families First Resource Centers increase families' access to concrete support and services in times of need; improve knowledge of parenting and child development; foster parental resilience and successfully connect families to support in the community; and promote social and emotional competence in children. Family Resource Centers serve as safe, accessible community hubs and provide flexible, family focused, and culturally responsive information, resources, and services covering a wide range of topics. Staff are available to help families access these resources and services and offer referrals to programs designed to meet their diverse needs.

Contract Term

The first contract year term started July 1, 2018, with three additional one-year options to renew, for a total of four years. The fourth and final contract year will start July 1, 2021.

Financial Impact

The contractual, grant-funded annual amount of $675,000 supports staff, supplies, and site costs for implementing Family Resource Centers in City facilities. There is no impact to the General Fund.

Concurrence/Previous Council Action
The contract was approved by Formal Council action on April 4, 2018.

Location
Goelet A.C. Beuf Community Center - 3435 W. Pinnacle Peak Road
Burton Barr Central Library - 1221 N. Central Ave.
Cesar Chavez Library - 3635 W. Baseline Road
Aeroterra Housing Community - 675 N. 16th St.
Council Districts: 1, 7, and 8

Responsible Department
This item is submitted by Deputy City Manager Inger Erickson and the Youth and Education Office.

City of Phoenix

To: Inger Erickson
Deputy City Manager

Date: June 28, 2021

From: Tim Valencia
Youth and Education Manager

Subject: REQUEST TO ADD AN ITEM: AUTHORIZATION TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH FIRST THINGS FIRST

Staff requests to add: Authorization to enter into an Intergovernmental Agreement with First Things First to support early childhood activities in four Phoenix Families First Resource Centers.

Inger Erickson, Deputy City Manager

June 28, 2021
Date