



Mayor Greg Stanton

Vice Mayor
District 8
Michael Johnson

District 1
Thelda Williams

District 2
Jim Waring

District 3
Bill Gates

District 4
Tom Simplot

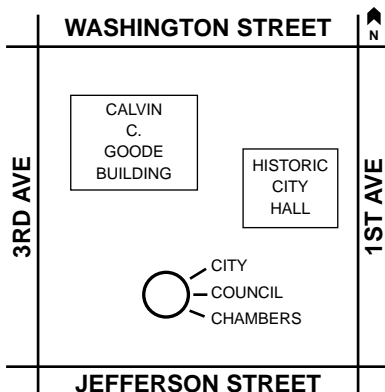
District 5
Daniel Valenzuela

District 6
Sal DiCiccio

District 7
Michael Nowakowski

*Online agendas and
results available at
www.phoenix.gov*

City Council Chambers
200 W. Jefferson St.
Phoenix, AZ 85003



PHOENIX CITY COUNCIL FORMAL AGENDA

WELCOME!

You are now participating in the process of representative government. We welcome your interest and hope you and your friends will often attend Phoenix City Council meetings. Democracy cannot endure without an informed electorate. Phoenix utilizes a Council-Manager form of local government. Policy is set by the Mayor and Council who are elected by the people, and carried out by the City Manager, who is appointed by the Council. The Council decides what is to be done and the City Manager, operating through the entire City staff, does it. This separation of policy-making and policy administration is considered the most economical and efficient form of city government.

FORMAL CITY COUNCIL MEETINGS

The Council takes official action at "formal" meetings each Wednesday at 5:00 p.m. Ordinances, Resolutions and Formal Actions are officially enacted or rejected at this time from the agenda. Although this agenda is subject to change from time to time, all changes to the printed agenda will be available 24 hours prior to the meeting.

The "formal" meeting may appear to proceed extremely fast, with important decisions reached after very little discussion. Actually, Council members receive the agenda the Friday prior to the meeting. They have the opportunity to study every item on the agenda over the weekend and ask questions of City staff members. If no additional facts are presented at the "formal" meeting, they often act on matters, particularly routine ones, without further discussion.

HOW CITIZENS CAN PARTICIPATE

Citizens may appear before the City Council or a Council Subcommittee to express their views on any published agenda item. In addition, a Citizen Comment Session is held on Wednesdays immediately following the formal City Council meetings which begin at 5:00 p.m. The City Council does not meet every Wednesday, so please call the City Clerk Department at 602-262-6811 to confirm the date and time of the next formal meeting.

If you have an individual problem involving the City, you are encouraged to contact your District Council member at 602-262-7029 or the City Manager's Office at 602-262-4449. To reach the Mayor's office, call 602-262-7111. We will do everything possible to be responsive to your individual requests.

REGISTERED LOBBYISTS

Individuals paid to lobby on behalf of persons or organizations other than themselves shall register with the City Clerk prior to lobbying or within five business days thereafter and must re-register annually. If you have any questions about registration or whether or not you must register, please contact the City Clerk's Office at 602-256-3186.

An assistive listening system is available in the Council Chambers for individuals with hearing loss. Headset units are available at the entrance table in the Chambers. In addition, the City Clerk's office will provide sign language interpreting services. Please call (voice) 602-256-3186 or (TTY) 602-534-2737 as early as possible to coordinate needed arrangements.

Si necesita asistencia o traducción en español, favor de llamar lo mas pronto posible a la oficina de la Secretaría Municipal de Phoenix al 602-256-3186.

City of Phoenix Council members and district boundaries



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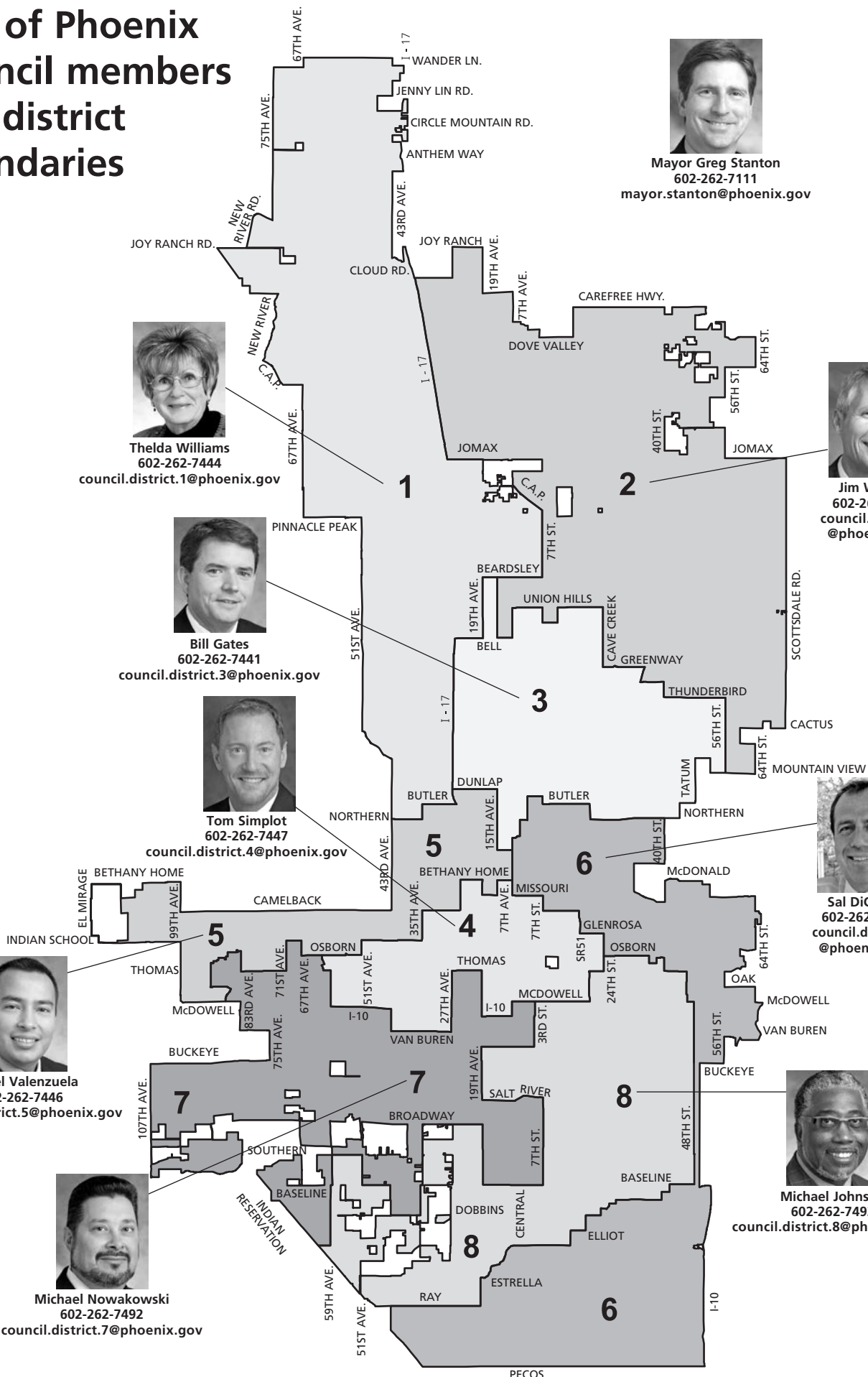
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COUNCIL CHAMBERS, 200 WEST JEFFERSON
PHOENIX, ARIZONA 85003**

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AGENDA FOR FORMAL MEETING

**PHOENIX CITY COUNCIL
WEDNESDAY, JANUARY 16, 2013, 5:00 P.M.
COUNCIL CHAMBERS, 200 WEST JEFFERSON
PHOENIX, ARIZONA 85003**

INVOCATION

The invocation to be given by Pastor Ben Forsberg, The Element.

PLEDGE

The Pledge of Allegiance to the Flag to be led by Councilman Tom Simplot.

ROLL CALL

MINUTES OF MEETINGS

(Continued from December 19, 2012) - For approval or correction, the minutes of the formal meeting of November 28, 2012.
(Submitted to Mr. DiCiccio)

BOARDS AND COMMISSIONS

Mayor's appointments to Boards and Commissions.

City Council Members' appointments to Boards and Commissions.

The names of persons being recommended for appointment and the Board, Commission, or Committee to which their appointments are being recommended are available in the City Clerk's Office, 15th Floor, Phoenix City Hall, 200 West Washington Street, not less than 24 hours prior to the meeting.

LIQUOR LICENSE APPLICATIONS

ITEM 1

DISTRICT 1

LIQUOR LICENSE APPLICATION - HOOTERS

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 12079337.

Applicant: H.J. Lewkowitz, Agent
Hooters
10223 North Metro Parkway East

This request is for a new Series 12 liquor license for a restaurant. This location is currently licensed for liquor sales as Olive Garden Restaurant #1011 and does not have an interim permit. The operation plan filed with the application shows that the restaurant area seats 316 and the bar area seats 51. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application was Monday, January 14, 2013.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.
2. Police Calls for Service - This information is not provided due to the multiple ownership interests of the applicant.
3. Public Opinion - No petitions or protests have been received.
4. 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because:
"Restaurants of America (Hooters) holds several liquor licenses in Arizona; as well as, others throughout the United States and 26 other countries and is committed to the responsible sale of alcoholic beverages in AZ liquor laws. Managers and staff have been, or will be, trained in the techniques of alcohol sales and service to assure proper service to their guests."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Hooters provides its guests a "casual beach theme" and characterizes itself as a "neighborhood place." Hooters offers its guest a menu that includes seafood, salad, sandwiches and spicy chicken wings. Hooters would like to offer alcoholic beverages as an incident to the meal its guest enjoy."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	5	1
Beer & Wine Bar	7	1	1
Liquor Store	9	2	0
Beer & Wine Store	10	5	1
Hotel	11	4	3
Restaurant	12	19	12

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	11.26	11.5
Property Crimes	45.04	109.21	171.62

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	24
Total Violations	105	42

Census 2000 Data 1/2 Mile

ITEM 2

DISTRICT 2

**LIQUOR LICENSE APPLICATION -
HEART AND SOUL CAFE**

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 12079336.

Applicant: Joshua Horton
Heart and Soul Cafe
4705 East Carefree Highway, Suite 117

This request is for a new Series 12 liquor license for a restaurant. This location was previously licensed for liquor sales and is currently operating with an interim permit. The operation plan filed with the application shows that the restaurant area seats 90 and the bar area seats 10. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application was Sunday, January 13, 2013.

Consideration should be given only to the applicant's personal qualifications. In regard to the location, pursuant to Arizona

Revised Statutes 4-203(A), there is a presumption that the public convenience and the best interest of the community were established at the time the location was previously licensed.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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 completed a liquor training program and have maintained a flawless record in this profession for 10+ years."
5. Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

ITEM 3

DISTRICT 2

LIQUOR LICENSE APPLICATION - LENERO MEXICAN GRILL

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 12079355.

Applicant: Juan Ochoa Beltran, Agent
Lenero Mexican Grill
2827 East Bell Road

This request is for a new Series 12 liquor license for a restaurant/bar. This location was previously licensed for liquor sales as The Satisfied Frog on Bell and is currently operating with an interim permit. The operation plan filed with the application shows that the restaurant area seats 48 and the bar area seats 32. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Saturday, January 26, 2013.

Consideration should be given only to the applicant's personal qualifications. In regard to the location, pursuant to Arizona Revised Statutes 4-203(A), there is a presumption that the public convenience and the best interest of the community were established at the time the location was previously licensed.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. Applicant's Statement - The applicant submitted the following statement in support of this application. Spelling, grammar, and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire:

I have the capability, reliability, and qualifications to hold a liquor license because: "I'm a responsible person with a good record and a person with integrity and respect to public laws and State and Federal laws."
5. Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

ITEM 4

DISTRICT 3

**LIQUOR LICENSE APPLICATION -
MARISCOS BELLA VISTA**

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 12079196.

Applicant: Margarita Montoya, Agent
Mariscos Bella Vista
15232 North Cave Creek Road

This request is for an acquisition of control of a Series 12 liquor license for a restaurant. This location is currently licensed for liquor sales. The operation plan filed with the application shows that the restaurant area seats 102 and the bar area seats 16. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application was Friday, January 11, 2013.

Consideration may be given only to the applicant's personal qualifications and not to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not currently hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not currently hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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: "Because I'm responsibly and capability person."
5. Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

ITEM 5

DISTRICT 3

LIQUOR LICENSE APPLICATION - SALTY SOW

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 12079350.

Applicant: Amy Nations, Agent
Salty Sow
4801 East Cactus Road

This request is for a new Series 12 liquor license for a restaurant. This location was previously licensed for liquor sales as Uno Chicago Bar & Grill until January 2004 and does not have an interim permit. The operation plan filed with the application shows that the restaurant area seats 228 and the bar area seats 23. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Saturday, January 26, 2013.

Consideration may be given to the applicant's personal qualifications and to the location.

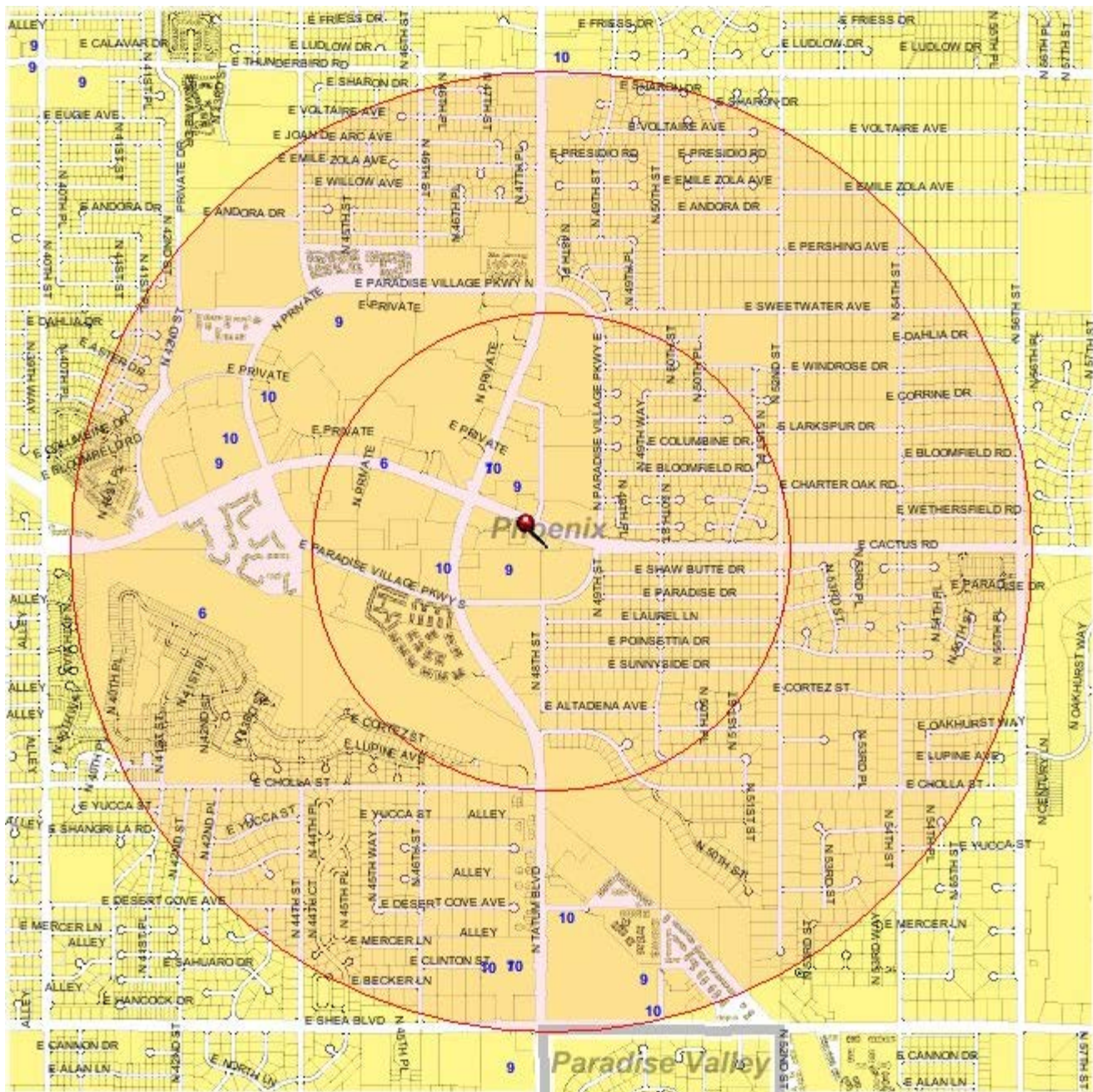
1. Department of Liquor Licenses and Control Public Access Data - This information is not provided

2. Police Calls for Service - This information is not provided due to the multiple ownership interests of the applicant.
3. Public Opinion - No petitions or protests have been received.
4. 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because: "We are very strict with our liquor service policies. Our employees go through liquor law training."
 - B. 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 to offer our patrons drinks with their meals if they choose to have one."
5. Neighborhood Stability - -

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1032053	765	100%	3%	2%
1032054	718	96%	0%	3%
1032081	1666	91%	0%	4%
1032082	887	39%	16%	9%
1032083	1010	88%	10%	1%
1032091	2042	43%	9%	7%
1032092	1321	100%	2%	0%
1032106	550	4%	4%	23%
Average		63%	6%	15%

This item is submitted by Ms. Takata and the City Clerk Department.

District 3 Amy Nations, Agent
Salty Sow
4801 East Cactus Road



ITEM 6

DISTRICT 3

LIQUOR LICENSE APPLICATION - SPROUTS FARMERS MARKET #4

Request for a Series 10, Off Sale-Beer and Wine, Sampling Privileges in an area zoned PSC PCD. Arizona State Application 10076333S.

Applicant: Randy Nations, Agent
Sprouts Farmers Market #4
12415 North Tatum Boulevard

This request is for the addition of sampling privileges to an existing Series 10 liquor license for a grocery store. This location is currently licensed for liquor sales and does not require an interim permit. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Friday, January 25, 2013.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.
2. Police Calls for Service - This information is not provided due to the multiple ownership interests of the applicant.
3. Public Opinion - No petitions or protests have been received.
4. 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because: "We are very strict with our liquor policies. We conduct cashier training and provide continuous refresher courses to ensure they comply."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "This would allow the customer a "one stop shop" as we are a full service market."
5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	2	1
Beer & Wine Bar	7	1	1
Liquor Store	9	4	3
Beer & Wine Store	10	6	3
Hotel	11	1	1
Restaurant	12	23	18

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	2.63	3.12
Property Crimes	45.04	49.95	86.5

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	15
Total Violations	105	19

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1032052	934	95%	2%	5%
1032053	765	100%	3%	2%
1032082	887	39%	16%	9%
1032083	1010	88%	10%	1%
1032091	2042	43%	9%	7%
1032101	1156	21%	8%	8%
1032102	815	81%	25%	4%
1032106	550	4%	4%	23%
Average		63%	6%	15%

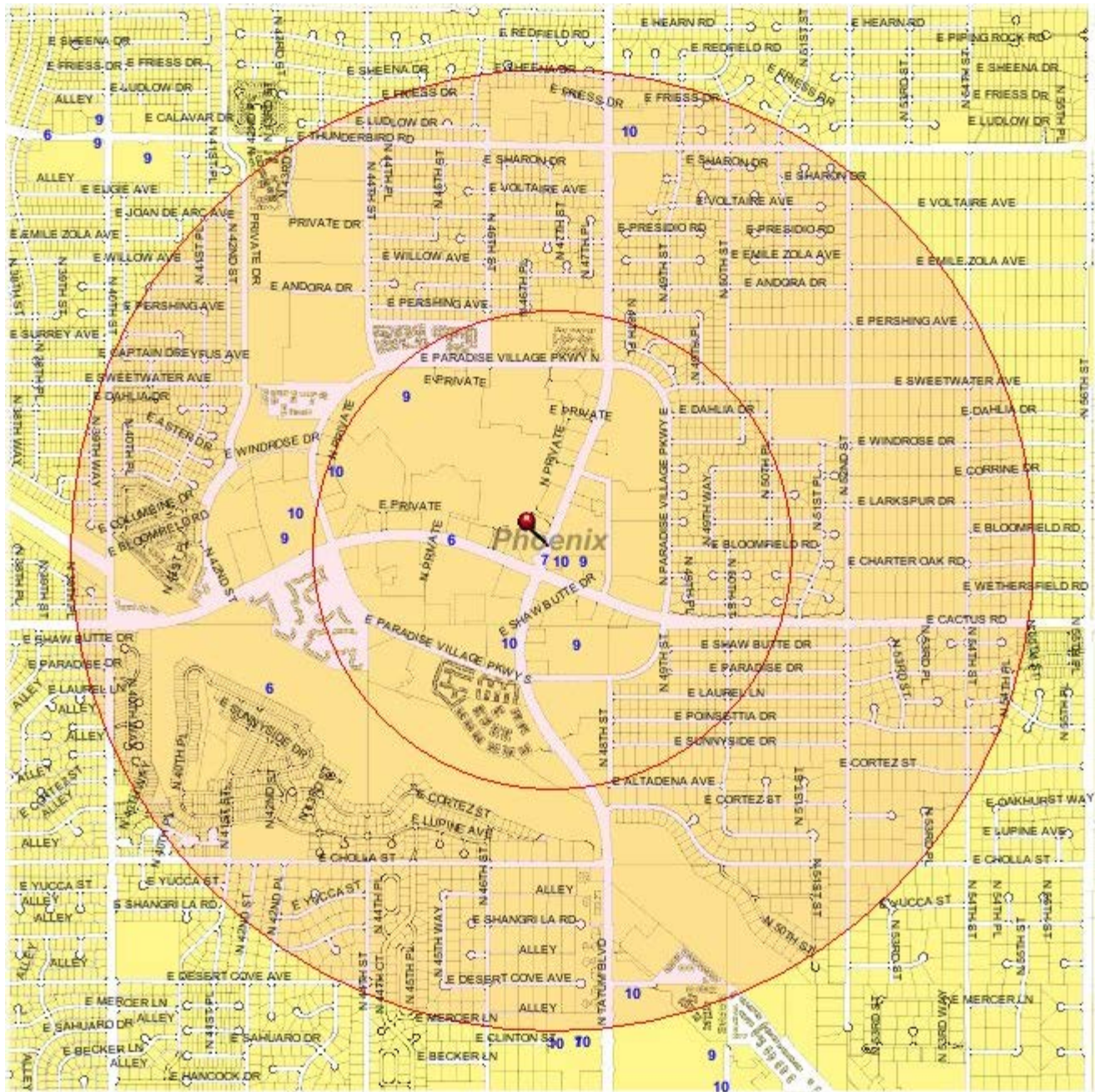
6. Staff Recommendation - Staff recommends approval of this application.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 3

Randy Nations, Agent
 Sprouts Farmers Market #4
 12415 North Tatum Boulevard



ITEM 7

DISTRICT 4

LIQUOR LICENSE APPLICATION - GARNETT'S RITE INN

Request for a Series 6, On Sale-All Liquor, liquor license in an area zoned C-2. Arizona State Application 06070165.

Applicant: Cecelia Miller
Garnett's Rite Inn
4134 North 7th Avenue

This request is for an ownership transfer of a Series 6 liquor license from Ruble Lawrence to Cecelia Miller for a bar. This location was previously licensed for liquor sales and is currently operating with an interim permit. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application was Sunday, January 6, 2013.

Consideration may be given only to the applicant's personal qualifications and not to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not currently hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not currently hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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 had a business for 20 years and know what is involved in running a business. I am a fast learner and want to learn any new aspects of a **NEW BUSINESS.**"
5. 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.

This item is submitted by Ms. Takata and the City Clerk Department.

ITEM 8

DISTRICT 4

LIQUOR LICENSE APPLICATION - PIZZA A METRO

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 12079352.

Applicant: Andrea Lewkowitz, Agent
 Pizza A Metro
 2336 West Thomas Road

This request is for a new Series 12 liquor license for a restaurant. This location was previously licensed for liquor sales and is currently operating with an interim permit. The operation plan filed with the application shows that the restaurant area seats 20 and there is no bar area. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Friday, January 25, 2013.

Consideration should be given only to the applicant's personal qualifications. In regard to the location, pursuant to Arizona Revised Statutes 4-203(A), there is a presumption that the public convenience and the best interest of the community were established at the time the location was previously licensed.

1. Department of Liquor Licenses and Control Public Access Data - The ownership of this business also has an interest in the following liquor licenses:

Tutti Santi by Nina
 9011 East Via Linda
 Scottsdale, Arizona

Tutti Santi Ristorante Italiano by Nina
 832 South Greenfield Road, Unit #101
 Gilbert, Arizona

The Public Access Database indicates that the above licenses have not had any administrative sanctions levied against the ownership by the Department.

2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.

4. 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 the responsible sale of alcoholic beverages under Arizona liquor laws. Managers and staff have been, or will be, trained in the techniques of alcohol sales and service to assure proper service to their guests."

5. Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

ITEM 9

DISTRICT 4

**LIQUOR LICENSE APPLICATION - QUIKTRIP
#443**

Request for a Series 10, Off Sale-Beer and Wine, liquor license in an area zoned C-2. Arizona State Application 10076353.

Applicant: Troy DeVos, Agent
QuikTrip #443
4249 West Indian School Road

This request is for a new Series 10 liquor license for a convenience store that sells gas. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently under construction with plans to open in December 2013. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Friday, January 25, 2013.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.
2. Police Calls for Service - This information is not provided due to the multiple ownership interests of the applicant.
3. Public Opinion - One letter supporting the issuance of this license has been received and is on file in the Office of the City Clerk.

The letter is from the Granada Neighborhood Partnership. They feel that granting this liquor license will contribute to the revitalization of their area.

4. 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because: "QuikTrip Corporation has been in the retail grocery & gasoline business for more than 50 years. QuikTrip uses this experience coupled with extensive alcohol retailing policies & procedures, as well as day to day management efforts to maintain strict compliance with local alcohol laws."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "This facility will offer to the general public goods & services in a format, & at a level of quality not currently at this location. Such goods & services will generally service the general public within 3.0 miles of the facility."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Wholesaler	4	1	0
Bar	6	6	3
Beer & Wine Bar	7	3	1
Liquor Store	9	4	2
Beer & Wine Store	10	7	2
Restaurant	12	6	2

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	16.45	14.75
Property Crimes	45.04	84.13	77.12

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	160
Total Violations	105	261

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1092003	4	100%	0%	0%
1093001	1903	84%	0%	20%
1100012	1893	88%	3%	6%
1100022	1055	92%	0%	8%
1100023	1611	38%	11%	19%
1101001	1779	15%	8%	39%
1101003	2242	89%	1%	17%
Average		63%	6%	15%

6. 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 prior to beginning operations.

If denied, the applicant will not operate this business without a liquor license. This is new construction and there is no previous owner.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 4

Troy DeVos, Agent
QuikTrip #443
4249 West Indian School Road

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.
2. Police Calls for Service - This information is not provided due to the multiple ownership interests of the applicant.
3. Public Opinion - No petitions or protests have been received.
4. 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because: "We are very strict with our liquor service policies. Our employees go through liquor law training."
 - B. 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 to offer our patrons drinks with their meals if they choose to have one."
5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	4	2
Beer & Wine Bar	7	6	0
Liquor Store	9	6	3
Beer & Wine Store	10	8	3
Restaurant	12	13	2

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	4.23	3.57
Property Crimes	45.04	61.8	60.28

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	127
Total Violations	105	156

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1065003	757	67%	0%	5%
1065007	826	29%	8%	10%
1066004	1085	50%	8%	11%
1075001	708	72%	3%	11%
1075003	733	85%	5%	2%
1075004	864	83%	5%	2%
1076003	666	43%	13%	9%
1076004	597	77%	9%	2%
1076006	847	30%	5%	9%
1076007	657	13%	7%	10%
1076008	591	29%	12%	24%
Average		63%	6%	15%

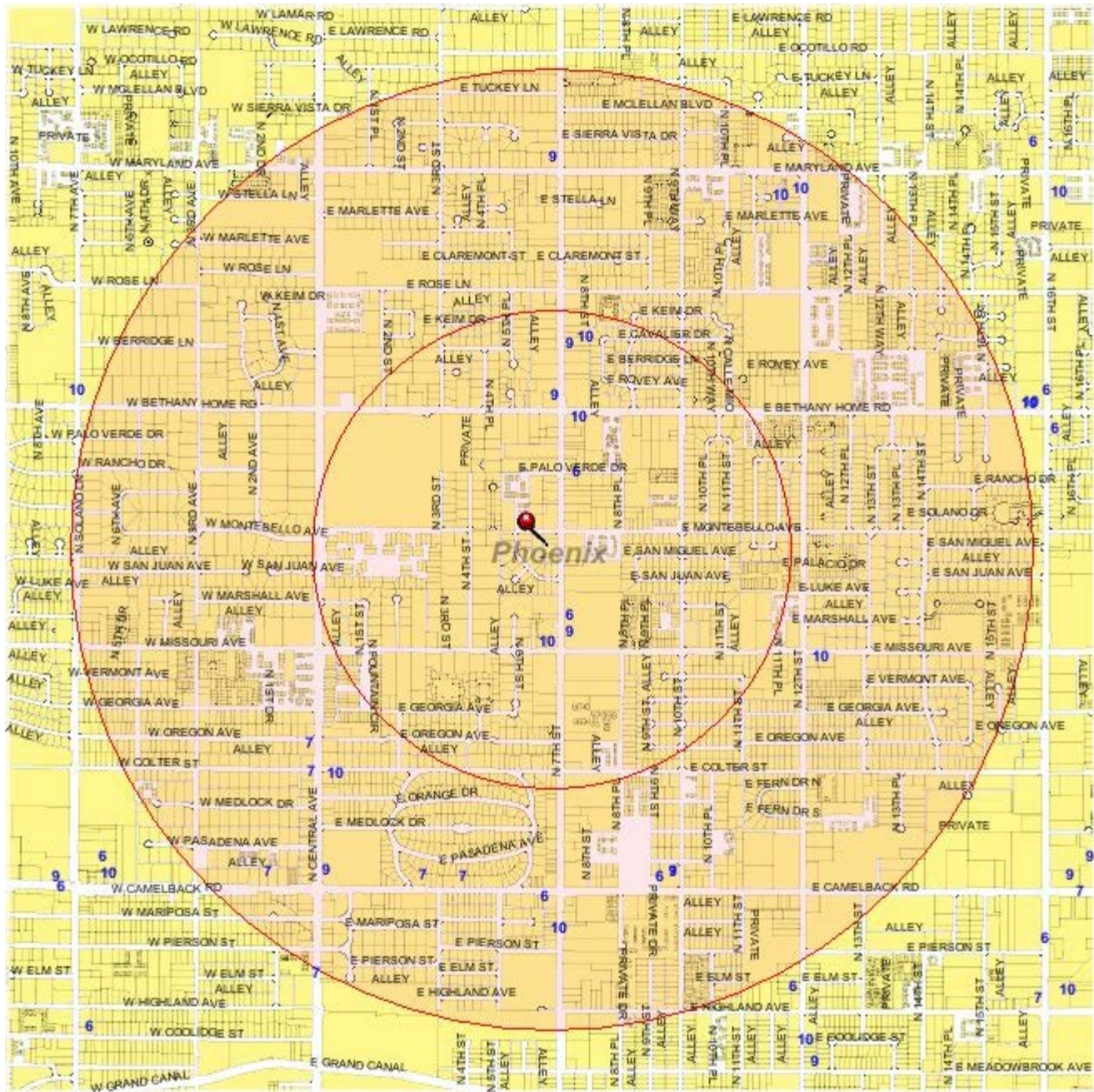
6. Staff Recommendation - Staff recommends approval of this application, noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances prior to beginning operations.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 6

Randy Nations, Agent
The Arrogant Butcher
5632 North 7th Street, Suite 120



ITEM 11

DISTRICT 6

**LIQUOR LICENSE APPLICATION - LUCI'S
HEALTHY MARKETPLACE**

Request for a Series 7, On Sale-Beer and Wine, liquor license in an area zoned C-2. Arizona State Application 07076000.

Applicant: Theresa Morse, Agent
Luci's Healthy Marketplace
1590 East Bethany Home Road

This request is for an ownership and location transfer of a Series 7 liquor license from Mesa for a specialty market. This location

is currently licensed for liquor sales with a Series 10, Off Sale-Beer and Wine, liquor license. This business is currently being remodeled with plans to open in April 2013. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Saturday, January 26, 2013.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - The ownership of this business also has an interest in the following liquor license:

Luci's Healthy Marketplace (Series 10)
1590 East Bethany Home Road
Phoenix, Arizona

The Public Access Database indicates that the above license has not had any administrative sanctions levied against the ownership by the Department.

2. Police Calls for Service - The Department reports the following number of aggregate calls for police service in the last 12 months at establishments located in the City of Phoenix in which the applicant has an ownership interest:

Luci's Healthy Marketplace (Series 10)
1590 East Bethany Home Road
7 calls

3. Public Opinion - No petitions or protests have been received.

4. 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:

A. I have the capability, reliability, and qualifications to hold a liquor license because: "Currently am the owner/operator of Luci's Healthy Marketplace located at the above address. I have attended alcohol law and will take the course again as a refresher to update with new changes in the law. My servers and cashiers will also be trained in AZ liquor law to maintain compliance with city and state laws. The business has grown since I first opened and I am in new of additional space. The series 10 liquor license will be surrendered to the state once the series 7 is approved and transferred. Therefore there will not be an increase in liquor licenses with the series7."

B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The new license will operate the same as the series 10 license with the exception of the ability to consume a beer or glass of wine on the premises. I have a full kitchen offering amazing healthy food choices. The community has been very supportive. The addition of this liquor license and removing the series 10 will not have a negative impact on the neighborhood or businesses."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	4	2
Liquor Store	9	3	0
Beer & Wine Store	10	8	3
Restaurant	12	14	8

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	2.75	3
Property Crimes	45.04	41.41	43.1

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	108

ITEM 12

DISTRICT 6

**LIQUOR LICENSE APPLICATION -
SOLO TRATTORIA**

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2 HR SP. Arizona State Application 12079349.

Applicant: Velimir Veselinovic, Agent
Solo Trattoria
2501 East Camelback Road, Suite 24

This request is for a new Series 12 liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. The operation plan filed with the application shows that the restaurant area seats 55 and the bar area seats 35. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Friday, January 18, 2013.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because: "I am presently part owner of Topaz Cafe, 780 Village Ctr. Dr. Burr Ridge, IL 60527, for the past 4 1/2 yrs. Before that I was 50% owner of Amber Cafe, 13 N. Cass, Westmont, IL 60559. In my 8 1/2 yrs of operating restaurants, neither establishment has had any issues with liquor license."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Solo Trattoria is family owned & will be a family operated Italian restaurant serving lunch & dinner, and will fill a void of Italian cuisine at the Esplanade."
5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	2	2
Beer & Wine Bar	7	4	2
Liquor Store	9	4	0
Beer & Wine Store	10	6	1
Hotel	11	2	1
Restaurant	12	37	14

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	3.63	3.85
Property Crimes	45.04	59.18	64.71

Property Violation Data		Avg.	1/2 Mile
Parcels w/Violations		57	28
Total Violations		105	42

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1077002	181	90%	4%	3%
1078003	463	96%	14%	1%
1078004	1065	52%	24%	6%
1084001	712	97%	4%	1%
1084004	815	71%	6%	10%
1084005	1162	21%	5%	13%
1085003	1203	11%	14%	5%
Average		63%	6%	15%

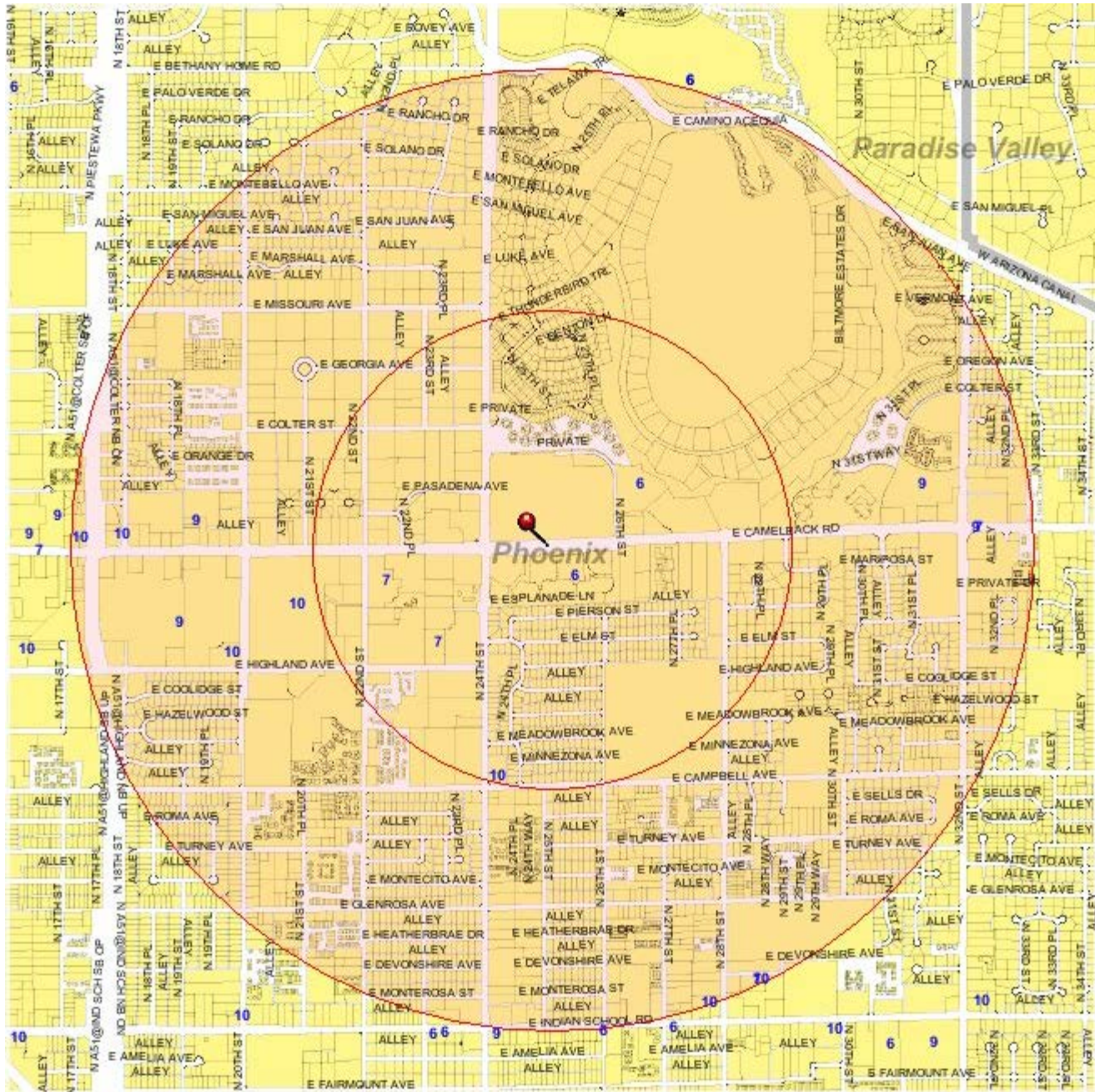
6. Staff Recommendation - Staff recommends approval of this application, noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 6

Velimir Veselinovic, Agent
Solo Trattoria
2501 East Camelback Road, Suite 24



ITEM 13

DISTRICT 6

**LIQUOR LICENSE APPLICATION - SPROUTS
FARMERS MARKET #8**

Request for a Series 10, Off Sale-Beer and Wine, Sampling Privileges in an area zoned C-1. Arizona State Application 10076338S.

Applicant: Randy Nations, Agent
Sprouts Farmers Market #8
2824 East Indian School Road, #126

This request is for the addition of sampling privileges to an existing Series 10 liquor license for a grocery store. This location is currently licensed for liquor sales and does not require an interim permit. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Friday, January 25, 2013.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.
2. Police Calls for Service - This information is not provided due to the multiple ownership interests of the applicant.
3. Public Opinion - No petitions or protests have been received.
4. 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because: "We are very strict with our liquor policies. We conduct cashier training and provide continuous refresher courses to ensure they comply."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "This would allow the customer a "one stop shop" as we are a full service market."
5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	6	3
Beer & Wine Bar	7	3	1
Liquor Store	9	3	1
Beer & Wine Store	10	6	4
Restaurant	12	11	5

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	7.5	6.5
Property Crimes	45.04	80.45	72.87

Property Violation Data		Avg.	1/2 Mile
Parcels w/Violations		57	72
Total Violations		105	115

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1083008	920	65%	4%	2%
1084001	712	97%	4%	1%
1084002	814	69%	10%	12%
1084003	1028	21%	3%	27%
1084004	815	71%	6%	10%
1084005	1162	21%	5%	13%
1084006	820	14%	9%	24%
1108003	1756	32%	6%	29%
1108004	1017	31%	5%	19%
1108005	860	63%	0%	26%
1108006	1137	13%	7%	44%
1108007	827	32%	3%	29%
1108008	987	10%	12%	22%
1109002	1114	94%	1%	9%
Average		63%	6%	15%

Request for a Series 10, Off Sale-Beer and Wine, Sampling Privileges in an area zoned C-2. Arizona State Application 10076354S.

Applicant: Randy Nations, Agent
 Sprouts Farmers Market #17
 1625 East Glendale Avenue

This request is for a new Series 10 liquor license with sampling privileges for a grocery store. This location was previously licensed for liquor sales as Bashas #6 until September 2012 and does not have an interim permit. This business is currently under construction with plans to open in February 2013. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Friday, January 25, 2013.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.
2. Police Calls for Service - This information is not provided due to the multiple ownership interests of the applicant.
3. Public Opinion - No petitions or protests have been received.
4. 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because: "We are very strict with our liquor policies. We conduct cashier training and provide continuous refresher courses to ensure they comply."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "This would allow the customer a "one stop shop" as we are a full service market."
5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	3	1
Liquor Store	9	2	1
Beer & Wine Store	10	7	1
Restaurant	12	14	3
Club	14	2	0
Bar	6	3	1

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	2.71	1.5
Property Crimes	45.04	39.19	28.87

Property Violation Data		Avg.	1/2 Mile
Parcels w/Violations		57	105
Total Violations		105	167

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1051023	534	96%	0%	0%
1051024	731	52%	9%	7%
1063005	954	77%	9%	10%
1064001	617	76%	17%	11%
1064002	962	49%	5%	5%
1064004	920	30%	9%	6%
1065001	654	86%	3%	4%
1065005	571	75%	10%	1%

Average		63%	6%	15%
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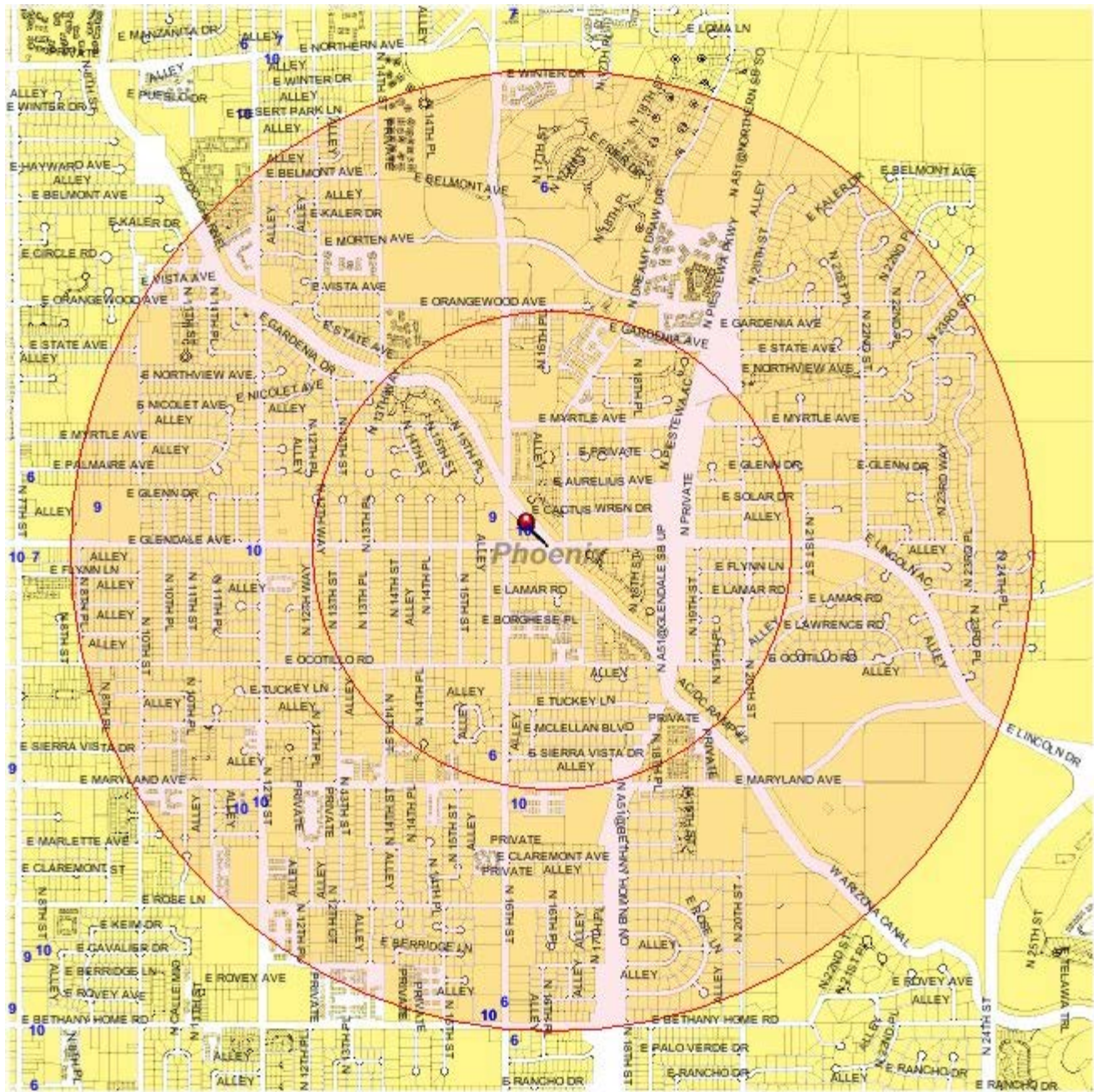
6. Staff Recommendation - Staff recommends approval of this application, noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances prior to beginning operations.

If denied, the applicant will continue operations without a liquor license and the previous owner will not resume ownership.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 6
Randy Nations, Agent
Sprouts Farmers Market #17
1625 East Glendale Avenue



ITEM 15**DISTRICT 7****LIQUOR LICENSE APPLICATION - ARIZONA
JEWISH HISTORICAL SOCIETY**

Request for a Series 7, On Sale-Beer and Wine, liquor license in an area zoned DTC-Townsend Park. Arizona State Application 07070571.

Applicant: Andrea Lewkowitz, Agent
Arizona Jewish Historical Society
122 East Culver Street

This request is for an ownership and location transfer of a Series 7 liquor license from Scottsdale for a cultural center. This location was not previously licensed for liquor sales and does not have an interim permit. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Monday, January 28, 2013.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because: "Applicant is committed to the responsible sale of alcoholic beverages under Arizona liquor laws. Managers and staff have been, or will be, trained in the techniques of alcohol sales and service to assure proper service to their guests."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "The Arizona Heritage Center hosts many functions throughout the year; including, weddings, receptions, fundraisers, seminars and meetings. Guests have requested alcoholic beverages be served at the events."
5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Government	5	7	3
Bar	6	17	2
Beer & Wine Bar	7	8	7
Liquor Store	9	2	2
Beer & Wine Store	10	8	2
Hotel	11	2	0
Restaurant	12	42	13
Club	14	2	0

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	13.87	18.1
Property Crimes	45.04	74.33	92.6

Property Violation Data		Avg.	1/2 Mile
Parcels w/Violations		57	88
Total Violations		105	165

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1117003	485	53%	9%	17%
1118002	938	73%	8%	9%

1118004	679	59%	13%	8%
1130001	336	6%	9%	24%
1130002	208	29%	36%	3%
1130003	551	0%	10%	48%
1130004	610	35%	16%	10%
1131001	563	20%	21%	6%
1131003	798	0%	7%	44%
1131004	565	16%	10%	50%
1132021	2191	24%	11%	42%
1132032	1299	33%	6%	19%
Average		63%	6%	15%

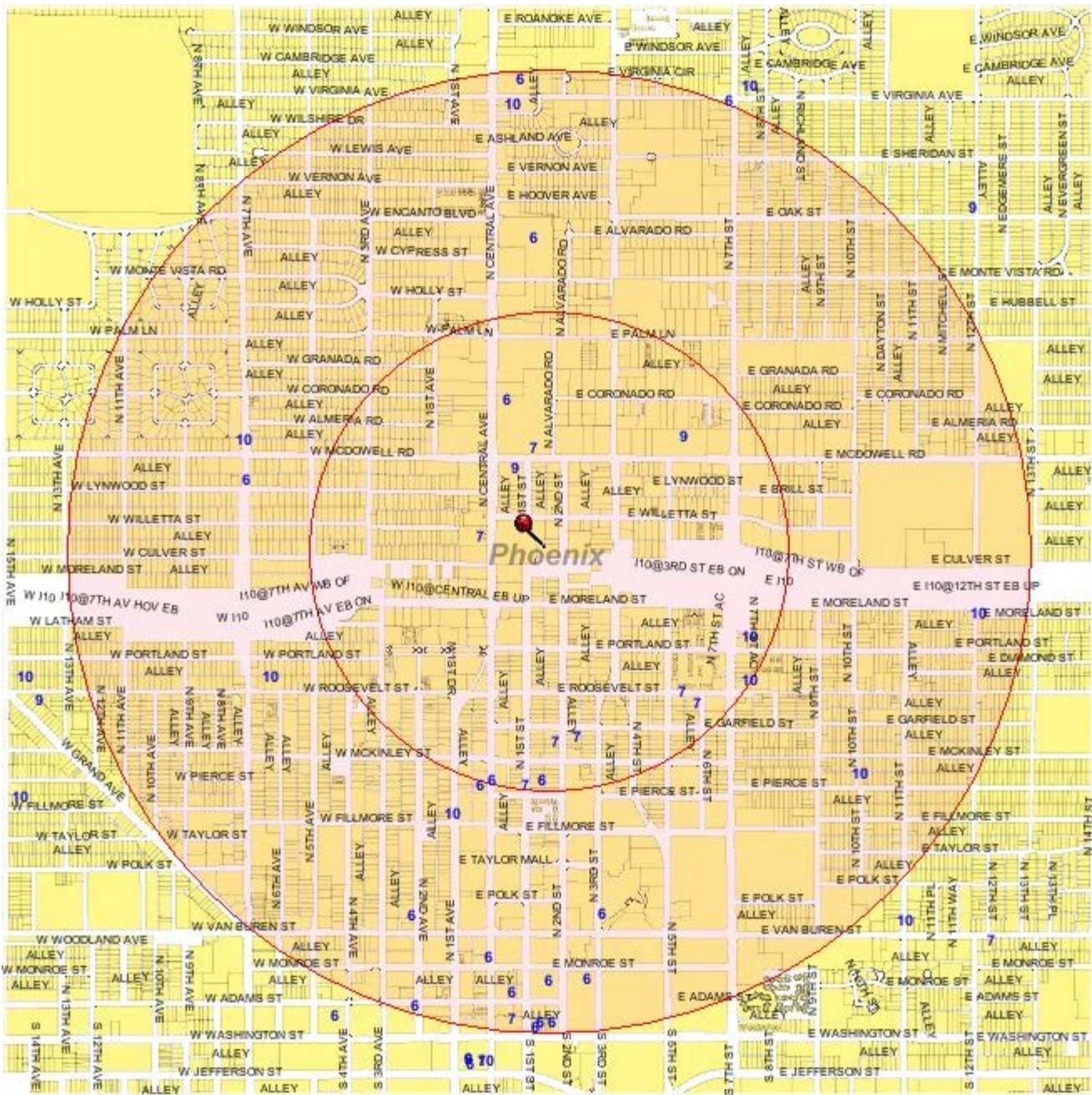
6. Staff Recommendation - Staff recommends approval of this application, noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 7

Andrea Lewkowitz, Agent
Arizona Jewish Historical Society
122 East Culver Street



ITEM 16

DISTRICT 8

LIQUOR LICENSE APPLICATION - COAST PHOENIX SKY HARBOR HOTEL

Request for a Series 11, Hotel/Motel-All Liquor on Premises, liquor license in an area zoned C-2 MR. Arizona State Application 11077026.

Applicant: Darlene Heavlin, Agent
Coast Phoenix Sky Harbor Hotel
4300 East Washington Street

This request is for a new Series 11 liquor license for a hotel. This location was previously licensed for liquor sales as Crowne Plaza-Phoenix Airport and is currently operating with an interim permit. The operation plan filed with the application shows that the restaurant area seats 100 and the bar area seats 65. This business will have patron dancing. This location requires a Use Permit for this type of activity. This location is within 2,000 feet of a light rail station.

The sixty-day limit for processing this application was Saturday, January 12, 2013.

Consideration should be given only to the applicant's personal qualifications. In regard to the location, pursuant to Arizona Revised Statutes 4-203(A), there is a presumption that the public convenience and the best interest of the community were established at the time the location was previously licensed.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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: "Heavlin Management Company, LLC, of which I am a member, has been in existence and has operated hotels and resort properties since 2004. I anticipate the Coast Phoenix Sky Harbor Hotel property will be run in the same violation-free manner as it has operated other properties in Arizona."
5. 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.

This item is submitted by Ms. Takata and the City Clerk Department.

<u>ITEM 17</u>	DISTRICT 8	LIQUOR LICENSE APPLICATION - MARISCOS VUELVE A LA VIDA
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Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned PSC. Arizona State Application 12079358.

Applicant: Theresa Morse, Agent
Mariscos Vuelve A La Vida
1650 East Roosevelt Street, #160

This request is for a new Series 12 liquor license for a restaurant. This location was previously licensed for liquor sales and is currently operating with an interim permit. The operation plan filed with the application shows that the restaurant area seats 442 and the bar area seats 38. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Monday, January 28, 2013.

Consideration should be given only to the applicant's personal qualifications. In regard to the location, pursuant to Arizona Revised Statutes 4-203(A), there is a presumption that the public convenience and the best interest of the community were established at the time the location was previously licensed.

1. Department of Liquor Licenses and Control Public Access Data - The ownership of this business also has an interest in the following liquor licenses:

Mariscos Vuelve A La Vida
2915 North 43rd Avenue
Phoenix, Arizona

Mariscos Vuelve A La Vida Fish/Meat
Market & Restaurant
5630 West Camelback Road,
Suites 101-102
Glendale, Arizona

Mariscos Vuelve A La Vida

In June 2009, a fine of \$750 was paid for failure to follow the identification procedure prescribed by

statutes and for selling, giving, furnishing an underage person with alcohol.

In February 2012, a fine of \$2,000 was paid for failure to notify of an acquisition of control within 30 days and for having false or misleading information on an application or other documents.

2. Police Calls for Service - The Department reports the following number of aggregate calls for police service in the last 12 months at establishments located in the City of Phoenix in which the applicant has an ownership interest:

Mariscos Vuelve A La Vida
2915 North 43rd Avenue
28 calls

3. Public Opinion - No petitions or protests have been received.
4. 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 experience working at two liquor licensed restaurants & one beer and wine store. I also own a 3rd restaurant which will be opening soon. My staff and I recently completed AZ liquor law training."

5. 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.

This item is submitted by Ms. Takata and the City Clerk Department.

ITEM 18

DISTRICT 8

LIQUOR LICENSE APPLICATION - OLE BRASS RAIL

Request for a Series 6, On Sale-All Liquor, liquor license in an area zoned C-2. Arizona State Application 06070673.

Applicant: Daniel Pounds, Agent
Ole Brass Rail
3738 East Thomas Road

This request is for an acquisition of control of a Series 6 liquor license for a bar. This location is currently licensed for liquor sales. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Friday, February 1, 2013.

Consideration may be given only to the applicant's personal qualifications and not to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not currently hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not currently hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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: "This business has been in the family since 1987. I have worked in the business since 1990. I became an assistant

manager when my mother died in 1999. Over the past decade, I have assumed responsibilities for all aspects of the operation. Following my father's death in 2009, I became the primary manager & have been operating the business for the court appointed fiduciary."

5. Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

ITEM 19

DISTRICT 8

**LIQUOR LICENSE APPLICATION - SALT N
PEPPER MARKET**

Request for a Series 9, Off Sale-All Liquor, liquor license in an area zoned C-2. Arizona State Application 09070542.

Applicant: Shahid Hanif, Agent
Salt N Pepper Market
1555 East Baseline Road

This request is for an acquisition of control of a Series 9 liquor license for a convenience store that sells gas. This location is currently licensed for liquor sales. This business will have a drive-thru window. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Friday, February 1, 2013.

Consideration may be given only to the applicant's personal qualifications and not to the location.

1. Department of Liquor Licenses and Control Public Access Data - This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.
2. Police Calls for Service - This information is not provided due to the multiple ownership interests of the applicant.
3. Public Opinion - No petitions or protests have been received.
4. 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 Pres of the Corp."

5. Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

ITEM 20

DISTRICT 8

**LIQUOR LICENSE APPLICATION -
BARRO'S PIZZA**

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 12079340.

Applicant: Bruce Barro, Agent
Barro's Pizza
5240 West Baseline Road, #110

This request is for a new Series 12 liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. The operation plan filed with the application shows that the restaurant area seats 160 and there is no bar area. This business is currently under construction with plans to open in March 2013. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application was Monday, January 14, 2013.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.
2. Police Calls for Service - This information is not provided due to the multiple ownership interests of the applicant.
3. Public Opinion - No petitions or protests have been received.
4. 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because: "We have opened and ran 31 valley Barros Pizzas since 1980 without any liquor law related problems/issues."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "We take being issued a liquor license very serious and will do our best to maintain it in good standard."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Beer & Wine Bar	7	1	0
Liquor Store	9	3	3
Beer & Wine Store	10	4	2
Restaurant	12	2	2

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	3.31	6.42
Property Crimes	45.04	40.15	62.14

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	36
Total Violations	105	49

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1166011	1505	91%	3%	11%
1166012	1318	83%	4%	14%
Average		63%	6%	15%

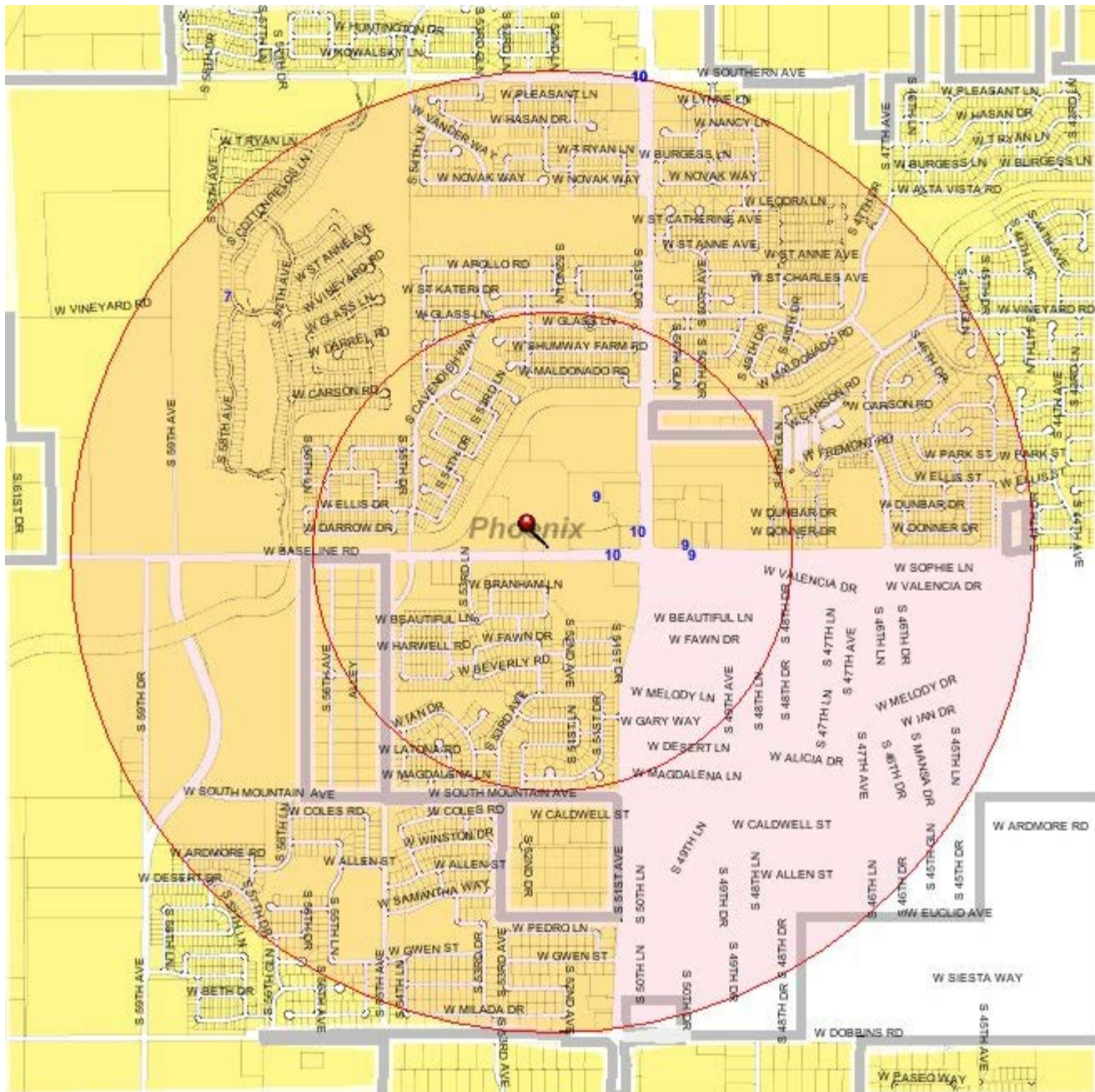
6. Staff Recommendation - Staff recommends approval of this application, noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances prior to beginning operations.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 8

Bruce Barro, Agent
Barro's Pizza
5240 West Baseline Road, #110



ITEM 21

DISTRICT 8

LIQUOR LICENSE APPLICATION - JETBOX

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned A-1. Arizona State Application 12079331.

Applicant: Thomas Romig, Agent
 JetBox
 3800 East Sky Harbor Boulevard, T4, S3 F48

This request is for a new Series 12 liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. The operation plan filed with the application shows that the restaurant area seats 9 and there is no bar area. This business is currently being remodeled with plans to open in June 2013. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application was Sunday, January 6, 2013.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because: "I have been in the Food and Beverage Concession industry since 1972. I used to own a Wine Store Restaurant for eight (8) years. I have held different responsibilities in Managing six (6) companies including SSP America in operating food and beverage concessions."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "JetBox will be able to provide the general public demand for a wide variety of adult beverages selections to choose from to pair with their ordered meals. It will be a convenient service to the visitors, airport employees and passengers at the Phoenix International Airport comparable to other regional airports."
5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	4	1
Beer & Wine Bar	7	1	0
Conveyance	8	7	1
Beer & Wine Store	10	1	0
Restaurant	12	7	6
Club	14	3	2

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	1.2	1
Property Crimes	45.04	35.15	64.66

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	0
Total Violations	105	0

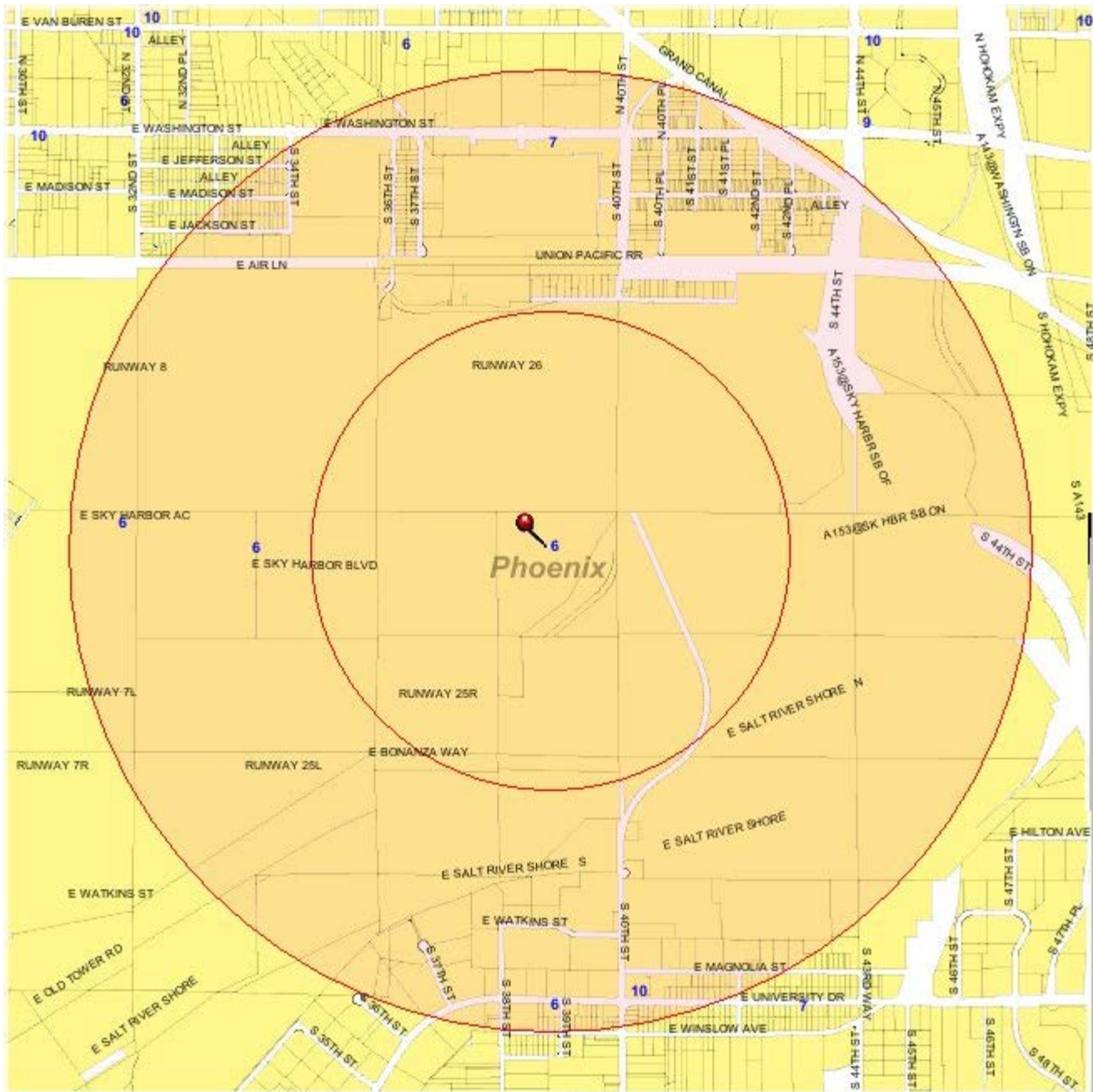
Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1138001	842	10%	52%	28%
Average		63%	6%	15%

6. 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 prior to beginning operations.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 8 Thomas Romig, Agent
 JetBox
 3800 East Sky Harbor Boulevard, T4, S3 F48

**ITEM 22****DISTRICT 8****LIQUOR LICENSE APPLICATION - JETBOX**

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned A-1. Arizona State Application 12079330.

Applicant: Thomas Romig, Agent
JetBox
3800 East Sky Harbor Boulevard, T4, N3 F41

This request is for a new Series 12 liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. The operation plan filed with the application shows that the restaurant area seats 9 and there is no bar area. This business is currently being remodeled with plans to open in February 2013. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application was Sunday, January 6, 2013.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because: "I have been in the Food and Beverage Concession industry since 1972. I used to own a Wine Store Restaurant for eight (8) years. I have held different responsibilities in Managing six (6) companies including SSP America in operating food and beverage concessions."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "JetBox will be able to provide the general public demand for a wide variety of adult beverages selections to choose from to pair with their ordered meals. It will be a convenient service to the visitors, airport employees and passengers at the Phoenix International Airport comparable to other regional airports."
5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	4	1
Beer & Wine Bar	7	1	0
Conveyance	8	7	1
Beer & Wine Store	10	1	0
Restaurant	12	7	6
Club	14	3	2

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	1.2	1
Property Crimes	45.04	35.15	64.66

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	0
Total Violations	105	0

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1138001	842	10%	52%	28%
Average		63%	6%	15%

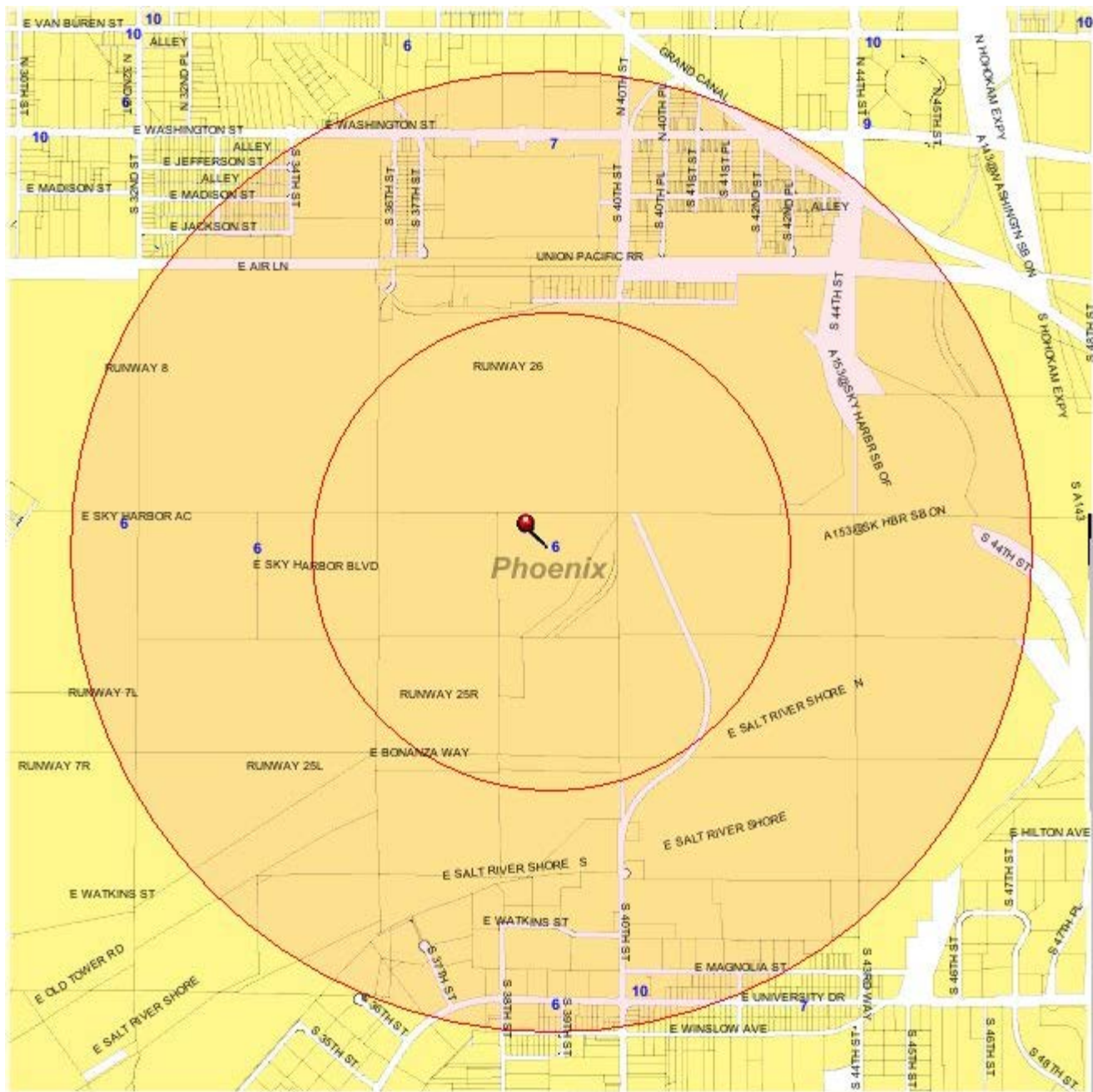
6. Staff Recommendation - Staff recommends approval of this application, noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances prior to beginning operations.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 8

Thomas Romig, Agent
 JetBox
 3800 East Sky Harbor Boulevard, T4, N3 F41



ITEM 23

DISTRICT 8

LIQUOR LICENSE APPLICATION - LAST EXIT LIVE

Request for a Series 7, On Sale-Beer and Wine, liquor license in an area zoned DTC Commercial-2. Arizona State Application 07076004.

Applicant: Brannon Kleinlein, Agent
Last Exit Live
717 South Central Avenue

This request is for an ownership and location transfer of a Series 7 liquor license from Surprise for a bar. This location was previously licensed for liquor sales as The Ruby Room until August 2011 and does not have an interim permit. This location requires a Use Permit for outdoor alcohol consumption. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application was Monday, January 7, 2013.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because: "I previously owned an Arizona Liquor License (06070083) from 2003 to 2009 as owner of Last Exit Bar & Grill in Tempe. The business had a great track record and history of providing a safe and fun environment to see live music in Arizona. I have since operated & managed several bars in the valley."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Last Exit Live is designed to help further the ongoing growth and development of downtown Phoenix by adding another great business to it. We plan to make a positive and active impact on the downtown community and work with fellow business owners and community leaders to enhance the ongoing growth of the area."
5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Government	5	6	0
Bar	6	17	5
Beer & Wine Bar	7	4	1
Liquor Store	9	4	1
Beer & Wine Store	10	10	5
Hotel	11	3	1
Restaurant	12	35	8
Club	14	3	1

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	16.59	18.14
Property Crimes	45.04	63.45	77.85

Property Violation Data		Avg.	1/2 Mile
Parcels w/Violations		57	70
Total Violations		105	154

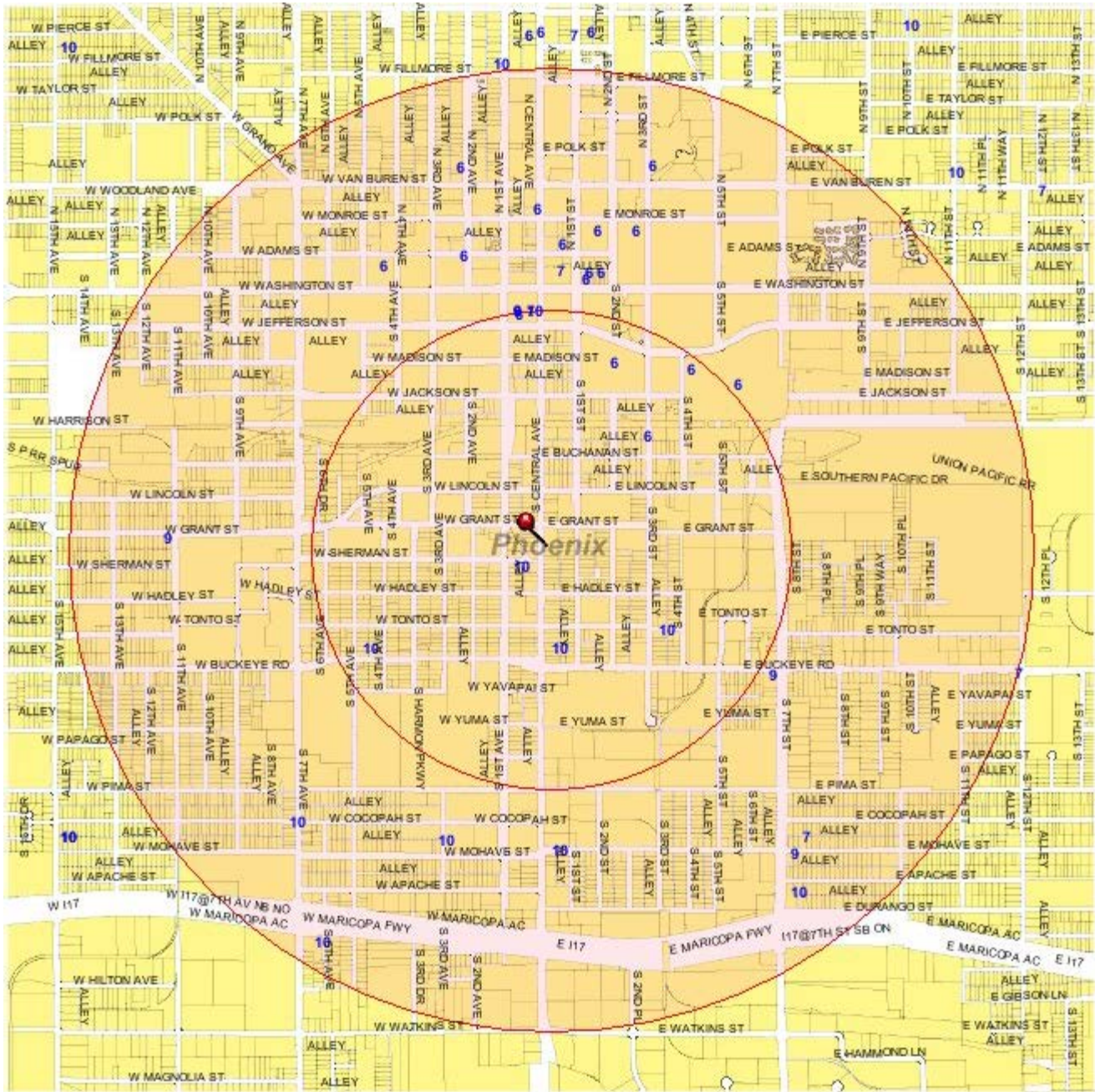
Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1140002	693	27%	9%	29%
1141001	1909	2%	5%	39%
1142001	915	20%	11%	69%
1142002	1104	27%	6%	46%
1149001	656	22%	6%	39%
1149002	1158	22%	5%	51%
1149003	899	5%	4%	79%
Average		63%	6%	15%

6. 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 prior to beginning operations.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

Brannon Kleinlein, Agent
Last Exit Live
717 South Central Avenue



ITEM 24

DISTRICT 8

**LIQUOR LICENSE APPLICATION -
PALLETS FOOD & BAR**

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned DTC East Evans Churchill. Arizona State Application 12079351.

Applicant: Phuong Huang, Agent
 Pallets Food & Bar
 1011 North 3rd Street, #C

This request is for a new Series 12 liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. The operation plan filed with the application shows that the restaurant area seats 118 and the

bar area seats 23. This location is within 2,000 feet of a light rail station.

The sixty-day limit for processing this application is Saturday, January 26, 2013.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because: "I have had bar and management training. I will send all of my bartenders to liquor training. Discipline and organization is a necessary part of the daily operation. I am ready to uphold the standards required by state law."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "There is a local demand for great food and liquor service, we intend to meet this need while respecting the community."
5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Government	5	9	3
Bar	6	22	3
Beer & Wine Bar	7	10	6
Liquor Store	9	3	1
Beer & Wine Store	10	9	3
Hotel	11	3	1
Restaurant	12	51	18
Club	14	2	0

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	15.91	20.75
Property Crimes	45.04	75.41	96.37

Property Violation Data		Avg.	1/2 Mile
Parcels w/Violations		57	139
Total Violations		105	295

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1118004	679	59%	13%	8%
1130001	336	6%	9%	24%
1130002	208	29%	36%	3%
1130003	551	0%	10%	48%
1130004	610	35%	16%	10%
1131001	563	20%	21%	6%
1131003	798	0%	7%	44%
1132021	2191	24%	11%	42%
1132022	985	28%	8%	35%
1132032	1299	33%	6%	19%
Average		63%	6%	15%

6. Staff Recommendation - Staff recommends approval of this application, noting the applicant must

[illegible]

Applicant: Karen McCarrell, Agent
Discount Smokes
16625 North Cave Creek Road

This request is for a new Series 10 liquor license for a smoke shop. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit for alcohol sales within 300 feet of a residential zone. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application was Monday, January 7, 2013.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - One letter protesting the issuance of this license has been received and is on file in the Office of the City Clerk.

The letter is from a local resident. He feels that there are sufficient liquor licenses in the area to meet the community's need and does not support the approval of this liquor license application.

4. 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:

- A. I have the capability, reliability, and qualifications to hold a liquor license because: "It will be a source of employment for the community."
- B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Every day five residence from the community ask for employment. I would like to hire people from community, to work at my store."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	4	1
Beer & Wine Bar	7	2	2
Liquor Store	9	5	1
Beer & Wine Store	10	6	5
Restaurant	12	13	5
Club	14	1	0

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	7.57	11
Property Crimes	45.04	61.9	70.85

Property Violation Data		Avg.	1/2 Mile
Parcels w/Violations		57	10
Total Violations		105	23

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
303153	1157	32%	8%	12%
303301	598	81%	6%	10%
1033051	1585	23%	10%	25%
1033052	1412	72%	8%	32%
1033053	635	61%	7%	31%
1033061	1279	24%	4%	28%
1033062	2641	22%	6%	34%

1036062	2357	87%	4%	4%
1036063	1339	86%	3%	6%
Average		63%	6%	15%

6. Staff Recommendation - Staff recommends disapproval of this application based on a Police Department recommendation for disapproval and neighborhood protest.

The Police Department disapproval is based on concerns with the applicants' failure to disclose criminal history, past incidents involving fraud and dishonesty, and possible hidden ownership. The applicants have not demonstrated that they are capable, reliable, and qualified to hold and control a liquor license.

The neighborhood opposition indicates that the applicant has not shown that the public convenience requires and the best interest of the community will be substantially served by the issuance of this license.

Staff also notes that the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

If denied, the applicant has indicated that they will not operate the business without a liquor license.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 2 Karen McCarrell, Agent
Discount Smokes
16625 North Cave Creek Road

ITEM 26

DISTRICT 8

**LIQUOR LICENSE APPLICATION -
THE ORIGINAL BBQ 2 U**

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 12079354.

Applicant: Sandra King, Agent
The Original BBQ 2 U
2010 East Broadway Road

This request is for a new Series 12 liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. The operation plan filed with the application shows that the restaurant area seats 56 and there is no bar area. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Saturday, January 26, 2013.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - One petition with 19 valid signatures protesting the issuance of this license has been received and is on file in the Office of the City Clerk.

The petition is from residents of the South Phoenix Missionary Baptist Church. They are concerned with location of the proposed liquor license and its close proximity to their church and parishioners. They feel that this liquor license will have a negative impact on their community.

4. 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because: "I am 51 years of age, have sufficient education and prior experience in managing small business and am familiar with the laws pertinent to retail sale of liquor."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Applicant provides fine dining in a part of Phoenix which does not otherwise have such services. People who desire fine dining are accustomed to consuming alcohol products in the course of their fine dining experience. Granting a restaurant liquor license to applicant will promote economic growth and cultural diversity in their part of Phoenix."
5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Wholesaler	4	2	2
Beer & Wine Bar	7	1	0
Beer & Wine Store	10	2	0
Restaurant	12	2	0
Club	14	2	1

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	8.45	8.25
Property Crimes	45.04	43.5	36.37

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	171
Total Violations	105	287

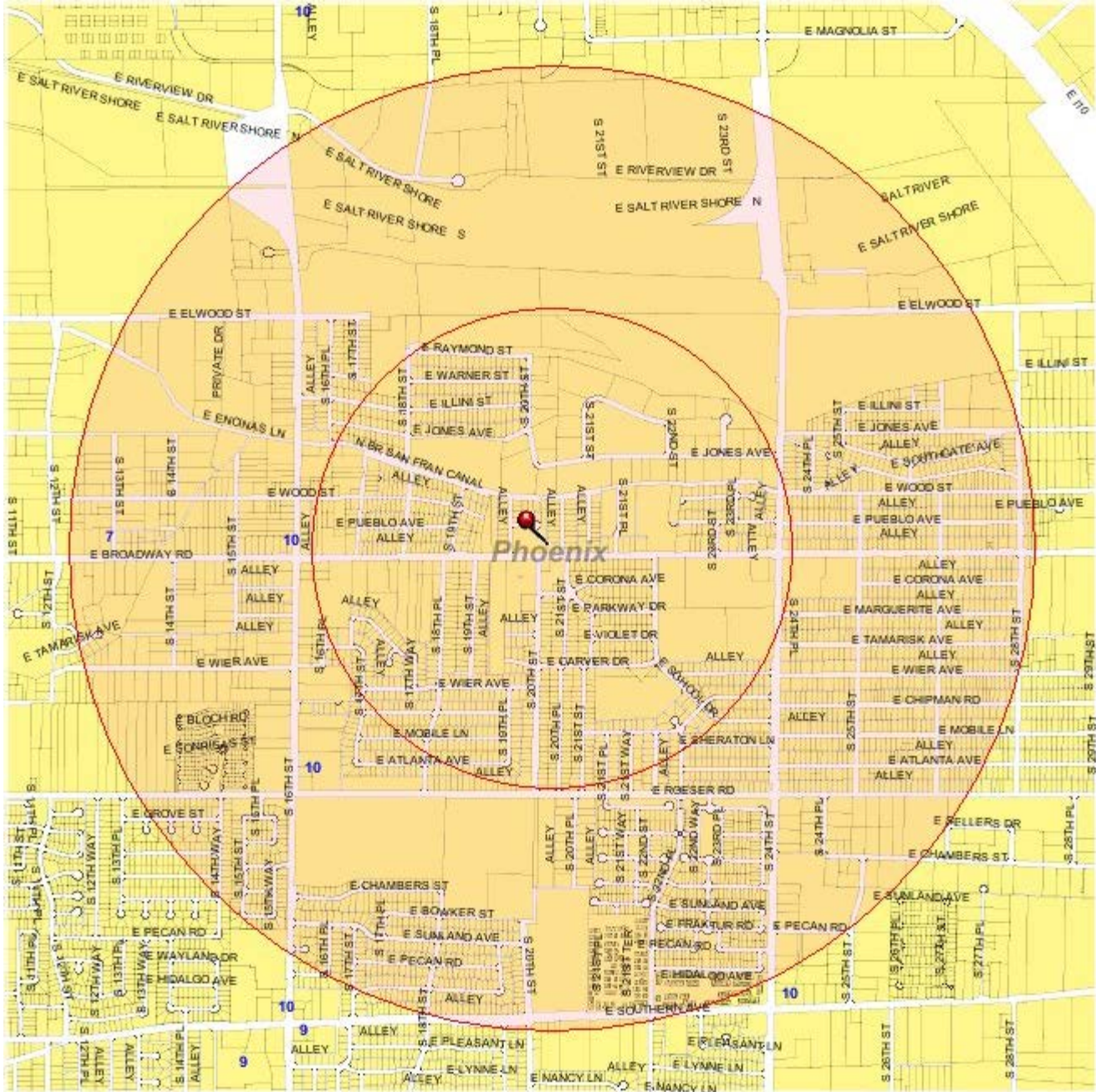
Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1152002	789	37%	8%	72%
1153001	1587	60%	5%	33%
1160001	1286	54%	4%	28%
1160003	1893	53%	3%	45%
1161003	878	32%	5%	48%
Average		63%	6%	15%

6. Staff Recommendation - Staff recommends disapproval of this application based on neighborhood protests.

Staff also notes that the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

This item is submitted by Ms. Takata and the City Clerk Department.

Saundra King, Agent
The Original BBQ 2 U
2010 East Broadway Road



**RATIFICATION OF PLANNING COMMISSION
ACTION - REZONING
APPLICATION Z-119-R-74-6 -
32ND STREET AND LINCOLN DRIVE**

Request to approve a recommendation made on the following rezoning request, which was heard by the Planning Commission on Tuesday, December 11, 2012.

Application: Z-119-R-74-6
From: PSC PCD
To: C-2 PCD
Acreage: 11.69
Location: Southwest corner of 32nd Street and Lincoln Drive
Proposal: Commercial Center; change in maximum dwelling units from 0 to 203.
Applicant: Keith Moser - Landwin
Owner: Lincoln View Plaza, LLC
Representative: Stephen Anderson - Gammage and Burnham
Staff: Deny as filed, approved C-1 PCD, subject to stipulations.
VPC Action: Camelback East - December 4, 2012 - Approved per staff recommendation for denial as filed, and approval of C-1 PCD, subject to stipulations. Vote 14-0
PC Action: December 11, 2012 - Denied as filed, and approved C-1 PCD, subject to an additional stipulation. Vote 8-0

Stipulations

-
1. The development shall be in general conformance to the site plan dated September 7, 2012, as approved by the Planning and Development Department.
2. The building height shall not exceed 20 feet, as approved by the Planning and Development Department.
3. The developer shall update all existing off-site street improvements (curb ramps and driveways) to current Americans with Disabilities Act guidelines, as approved by the Planning and Development Department.
4. THAT PRIOR TO FINAL 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 item is recommended by Mr. Naimark and the Planning and Development Department.

OLD BUSINESS**ITEM 28****DISTRICT 8****LIQUOR LICENSE APPLICATION - EL MORO
MEXICAN GRILL**

(Continued from December 19, 2012) - Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-3. Arizona State Application 12079329.

Applicant: Maria Hernandez
El Moro Mexican Grill
2145 East Van Buren Street

This request is for a new Series 12 liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. The operation plan filed with the application shows that the restaurant area seats 87 and the bar area seats 5. This business will have outdoor dining and outdoor alcohol consumption. This location requires a Use Permit for this type of activity. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application was Friday, January 4, 2013.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. 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:
 - A. I have the capability, reliability, and qualifications to hold a liquor license because: "I have hired a chef with 10 + year's with experience in the food industry, he also went to culinary school, and I my self have done customer service for 11 year's plus and also have management backround experience, and understand how to keep everything under control."
 - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "My restaurant will be offering fine Mexican dinning and our food is our own signature of the house. We also offer ambiance in the area of our community and state controlled enviornment. With my year's of experience with customers I am sure to treat my consumer's with honesty, loyalty and over all with respect."
5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	1	1
Beer & Wine Bar	7	1	1
Liquor Store	9	3	2
Beer & Wine Store	10	13	6
Restaurant	12	3	0
Club	14	1	0

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	17.28	29.71
Property Crimes	45.04	48.85	51.85

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	124
Total Violations	105	351

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1133002	1278	16%	3%	56%
1133003	1307	1%	0%	84%
1133005	1086	31%	4%	43%
1133006	509	4%	0%	71%
1134001	1064	100%	4%	45%
1138001	842	10%	52%	28%
1138004	1126	32%	6%	43%
1139001	143	0%	10%	80%
1139004	1243	16%	8%	69%
Average		63%	6%	15%

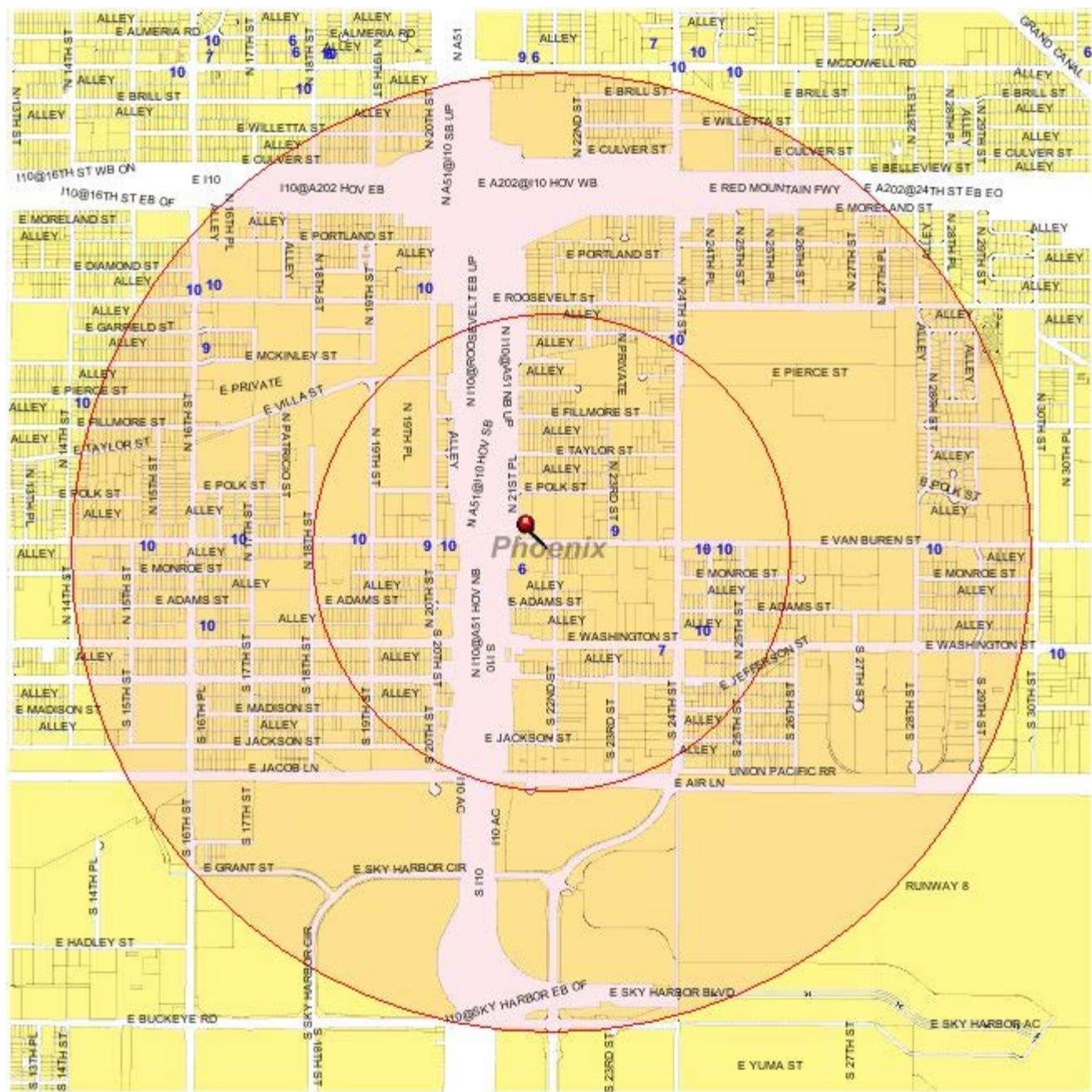
6. Staff Recommendation - Staff recommends approval of this application, noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 8

Maria Hernandez
 El Moro Mexican Grill
 2145 East Van Buren Street



ORDINANCES AND RESOLUTIONS

ITEM 29

DISTRICT 1

ORDINANCE G-5767 - AMEND CITY CODE - REZONING APPLICATION Z-38-12-1

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-38-12-1 for the R1-8 (Single-Family Residence) zoning district located at the northeast corner of 32nd Drive and Jomax Road to allow a single-family residential subdivision.

This item is recommended by Mr. Naimark and the Planning and Development Department.

ITEM 30

DISTRICT 3

ORDINANCE G-5768 - AMEND CITY CODE - MODIFICATION OF STIPULATIONS FOR REZONING APPLICATION Z-41-08-3 ADOPTED BY ORDINANCE G 5218

Request to amend the stipulations applicable to Rezoning Application Z-41-08-3 previously approved by Ordinance G-5218 for the C-2 (Intermediate Commercial) zoning district located approximately 550 feet south of the southeast corner of 20th Street and Bell Road. This request will allow a location of a monopalm wireless communication facility and associated equipment to an approved site plan and elevations.

This item is recommended by Mr. Naimark and the Planning and Development Department.

ITEM 31

DISTRICT 5

ORDINANCE G-5769 - AMEND CITY CODE - REZONING APPLICATION Z-29-12-7(5)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-29-12-7(5) for the PUD (Planned Unit Development) zoning district located at the southeast corner of 99th Avenue and Thomas Road to allow a PUD for a mix of uses - retail, office, commerce park, and light industrial.

This item is recommended by Mr. Naimark and the Planning and Development Department.

ITEM 32

DISTRICT 6

ORDINANCE G-5770 - AMEND CITY CODE - REZONING APPLICATION Z-30-12-8(6)

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-30-12-8(6) for the R-4A (Multifamily Residence-General) and C 2 DNS/HGT WVR (Intermediate Commercial with Height and Density Wavier) zoning district located at the northwest corner of 28th Street and Indian School Road to allow multifamily apartment residences.

This item is recommended by Mr. Naimark and the Planning and Development Department.

ITEM 33

DISTRICT 7

ORDINANCE G-5771 - AMEND CITY CODE - REMOVE AND REPLACE ZONING DISTRICT FOR RUSH 2 - ANNEXATION 452

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County Industrial-3 zoning district and replacing it with the City's A-2 (Industrial) zoning district

on property encompassed by Broadway Road on the north, 30th Avenue on the west, 27th Avenue on the east, and the southern property line of Parcel 105-68-017D on the south, which was annexed into the city of Phoenix on December 19, 2012, by Ordinance S-39441 (Rush 2 Annexation 452).

This item is recommended by Mr. Naimark and the Planning and Development Department.

ITEM 34

DISTRICT 7

**ORDINANCE G-5772 -
AMEND CITY CODE -
REMOVE AND REPLACE ZONING DISTRICT FOR
RUSH 3 - ANNEXATION 453**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County Industrial-3 zoning district and replacing it with the City's A-2 (Industrial) zoning district on property encompassed by Broadway Road on the north, 33rd Avenue on the west, 31st Avenue on the east, and an irrigation Canal on the south, which was annexed into the city of Phoenix on December 19, 2012, by Ordinance S-39442 (Rush 3 Annexation 453).

This item is recommended by Mr. Naimark and the Planning and Development Department.

ITEM 35

DISTRICT 7

**ORDINANCE G-5773 -
AMEND CITY CODE -
REMOVE AND REPLACE ZONING DISTRICT FOR
67TH AVENUE AND BROADWAY ROAD -
ANNEXATION 454**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County Rural-43 zoning district and replacing it with the City's S-1 (Ranch or Farm Residence) zoning district on property encompassed by Broadway Road on the north, New State Canal on the south, 67th Avenue on the east, and 69th Avenue alignment on the west, which was annexed into the city of Phoenix on December 19, 2012, by Ordinance S-39443 (67th Avenue and Broadway Road Annexation 454).

This item is recommended by Mr. Naimark and the Planning and Development Department.

ITEM 36

DISTRICT 7

**ORDINANCE G-5774 -
AMEND CITY CODE -
REMOVE AND REPLACE ZONING DISTRICT FOR
75TH AVENUE AND BROADWAY ROAD -
ANNEXATION 455**

Request to authorize the City Manager to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County Rural-43 zoning district and replacing it with the City's S-1 (Ranch or Farm Residence) zoning district on property encompassed by Broadway Road on the north, New State Canal on the south, 73rd Avenue alignment on the east, and 75th Avenue on the west, which was annexed into the city of Phoenix on December 19, 2012, by Ordinance S-39444 (75th Avenue and Broadway Road Annexation 455).

This item is recommended by Mr. Naimark and the Planning and Development Department.

ITEM 37

CITYWIDE

**ORDINANCE S-39498 -
PAYMENT ORDINANCE**

Request to authorize the City Controller to disburse funds in an aggregate amount not to exceed \$7,587,393.34 for the purpose of paying vendors, contractors, claimants, and others, and providing additional payment authority under certain existing City contracts.

\$	13,500.00	a)	To AZ MLK Celebration Committee for the City's sponsorship of the 2013 Dr. Martin Luther King Jr. Celebration for the Parks and Recreation Department.
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44,802.63	b)	To City of Mesa for water, wastewater, solid waste, and gas charges associated with the Val Vista Water Treatment Plant's annual shut down for maintenance and repairs for the Water Services Department.
13,120.00	c)	To Maricopa County Environmental Services Department to provide annual operating permits for City swimming pools for the Parks and Recreation Department.
18,544.96	d)	To Public Surplus, Provo, UT, for online auction services, during November 2012, provided for the Surplus Property Section of the Finance Department.
\$ 24,828.50	e)	To RKA Petroleum Companies, Inc., Romulus, MI, for the purchase of unleaded gasoline delivered on December 14, 2012, for the Rental Car Center at Phoenix Sky Harbor International Airport for the Aviation Department.
15,210.00	f)	To SC Fuels, Orange, CA, for the purchase of unleaded gasoline delivered on December 6, 2012, for the Rental Car Center at Phoenix Sky Harbor International Airport for the Aviation Department.
26,254.80	g)	To Supreme Oil Company, San Diego, CA, for the purchase of unleaded gasoline delivered on December 11, 2012, for the Rental Car Center at Phoenix Sky Harbor International Airport for the Aviation Department.
39,501.00	h)	To Water Environment Research Foundation, Philadelphia, PA, for payment of annual membership dues for Fiscal Year 2012-2013, to support the advancement of water quality science, for the Water Services Department. The Transportation and Infrastructure Subcommittee approved this item at their December 11, 2012, meeting.

This section requests continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions, and/or bids awarded:

\$ 13,297.00	i)	To Brenntag Pacific, Chandler, to exercise an option to extend Agreement P-9034-12/127693 awarded by IFB 10-060, through December 31, 2013, to continue to provide hydrochloric/muriatic acid for the Water Services Department.
815,542.00	j)	To Caljet of America, LLC to exercise an option to extend Agreement P-9386-12/131086 awarded by RFA 11-025, through November 30, 2013, to continue to provide fuel storage and delivery services for various City departments.
40,000.00	k)	To Clean Scene, LLC to exercise an option to extend Agreement P-A9328-12/130781 awarded by IFB 11-069, through March 31, 2014, to continue to provide medical equipment pick-up and decontamination services related to medical transport services for the Fire Department.
\$ 81,300.00	l)	To Colliers International, Agreement 135022 awarded by City Council as of December 5, 2012, for payment authority to perform property management services at 2120 North Central Avenue, through December 14, 2013, for the Human Services Department.
17,169.00	m)	To Foster Electric Motor Service, Chandler, to exercise an option to extend Agreement P-9341-13/ 130854, awarded by IFB 11-111, through March 31, 2014, to continue to provide groundwater well cleaning and disinfection services for various wells at the 91st Avenue and 23rd Avenue reclamation plants for the Water Services Department.

31,712.00	n)	To G&S Airport Conveyor, Wichita, KS, to exercise an option to extend Agreement P-9450-12 awarded by RFA 11-009, through September 30, 2013, to continue to supply baggage carousel and conveyor parts for the Aviation Department.
57,632.00	o)	To Otto Logistics, LLC, Mesa, to exercise an option to extend Agreement P-9270-12/130394 awarded by IFB 11-067, through January 31, 2014, to continue to provide wastewater screenings removal and transportation services for the Water Services Department.
10,000.00	p)	To Plenum Cleaning Services, LLC to exercise an option to extend Agreement MW11-00075 awarded by RFQ 11-075, through November 30, 2013, to continue to provide controlled environment data center cleaning services for the Information Technology Services Department.
2,119,000.00	q)	To Polydyne, Inc., Riceboro, GA, to exercise an option to extend Agreement P-8845-09/125387 awarded by IFB 09-062, through December 31, 2013, to continue to supply polymer for wastewater treatment for the Water Services Department.
53,201.00	r)	To Reliable Mobile Fleet Services & Repair, Inc., Rocklin, CA, to exercise an option to extend Agreement P-8817-09/125112 awarded by IFB 09-041, through June 30, 2013, to continue to provide packer body and articulated loader lubrication services for the Public Works Department.
\$ 100,000.00	s)	To Southwest Slurry Seal, Inc. to exercise an option to extend Agreement P-9083-11/128377 awarded by IFB 10-079, through May 31, 2013, to continue to provide crack seal and micro seal services at Phoenix Goodyear and Deer Valley Airports for the Aviation Department.
2,090,000.00	t)	To Valley Presort Services, Tempe, to exercise an option to extend Agreement P-8792-10/124986 awarded by IFB 09-027, through November 30, 2013, to continue to provide processing services for water bills and other Citywide first class and special mail for the Mail Services Section of the City Clerk Department.
187,006.85	u)	To Wilbur-Ellis Company, Tempe, for additional funding for Agreement P-9139-11/129145 awarded by IFB 10-145, through June 30, 2013, to continue to supply rye grass seed for annual winter over-seeding at the golf courses and ball fields for the Parks and Recreation Department.
120,000.00	v)	To the following vendors to exercise an option to extend agreements through December 31, 2013, awarded by IFB 08-175, to continue to provide production well and related equipment services and repairs for the Public Works and Water Services Departments: \$20,000.00 Foster Electric Motor Service, Chandler, P-8760-09/124297 100,000.00 Weber Water Resources, LLC, Chandler, P-8759-09/124296

This section requests payment authority, up to amounts indicated below, for the payment of relocation benefits and assistance in connection with the City project identified below or the Airport's Community Noise Reduction Program:

\$ 19,929.00	w)	To Chavira-Ortiz, Abel and/or assignee(s) to provide displacement relocation assistance as part of the Community Noise Reduction Program for the Aviation Department by the Finance Department.
\$ 102,249.00	x)	To Jimenez, Rudy M. and Jimenez, Rosalinda and/or assignee(s) to provide displacement relocation assistance as part of the Community Noise Reduction Program for the Aviation Department by the Finance

Department.

Notice is hereby given of the payment of funds for court ordered judgments pursuant to Phoenix City Code Section 42-13:

\$ 337,169.00	y)	To Clerk of the Superior Court for cash bond pursuant to order dated December 10, 2012, RE: City of Phoenix versus BRE/SW Chris Ridge, LLC, Case CV2012-014918 (Northwest light rail extension property acquisition) for the Law Department.
1,020,986.02	z)	To Gallagher & Kennedy P.A., on behalf of Saia Family Limited Partnership, for payment of Condemnation Judgment dated December 7, 2012, RE: City of Phoenix versus Saia Family Limited Partnership, Case CV2006-008394 (Central Phoenix/East Valley light rail property acquisition) for the Law Department.
31,578.95	aa)	To Generation 3 Investments II, LLC, a Nevada Limited Liability Company, for payment of Condemnation Judgment dated December 10, 2012, RE: City of Phoenix versus Generation 3 Investments II, LLC, a Nevada Limited Liability Company, Case CV2012-011382 (Lower Buckeye Road street improvement project) for the Law Department.
143,859.63	ab)	To Jerrold D. Monkarsh and Joyce L. Monkarsh, as Trustees of the Joy and Jerry Monkarsh Revocable Trust, for payment of Condemnation Judgment dated December 10, 2012, RE: City of Phoenix versus Generation 3 Investments II, LLC, a Nevada Limited Liability Company, Case CV2012-011382 (Lower Buckeye Road street improvement project) for the Law Department.
<hr/>		
\$ 7,587,393.34		
<hr/>		

This item is recommended by Mr. Zuercher and the Finance Department.

ITEM 38

DISTRICT 1

**ORDINANCE S-39499 -
AWARD PHOENIX DEER VALLEY AIRPORT
RETAIL CONCESSION LEASE TO TEEBIRD AIR,
INC.**

Request to authorize the City Manager, or his designee, to enter into a lease with TeeBird Air, Inc. for the Retail Concession at Phoenix Deer Valley Airport.

On September 7, 2012, the Aviation Department (Aviation) issued a Request for Proposals (RFP) for the Retail Concession at Phoenix Deer Valley Airport. In response to the RFP, Aviation received one successful proposal which was submitted by TeeBird Air, Inc. Aviation staff verified that TeeBird Air, Inc.'s experience met the minimum qualifications established in the RFP.

The lease term will be five years, with two, one-year renewal options that may be exercised at the sole discretion of the Aviation Director. TeeBird Air, Inc. will pay rent for the first year of the lease in an amount equal to the greater of its proposed Minimum Annual Guaranteed rent of \$4,000 or percentage rent based on gross sales. Percentage rent for the lease will be two percent of gross sales for aviation-specific items and six percent of gross sales for non-aviation-specific items. The lease may contain other terms and conditions deemed necessary or appropriate by the City Manager or the Aviation Director.

Employment Impact

The estimated number of jobs created or retained is two.

This item is recommended by Mr. Zuercher and the Aviation Department.

ITEM 39

DISTRICT 8

**ORDINANCE S-39500 -
ACQUISITION OF FOUR OCCUPIED
RESIDENTIAL PROPERTIES FOR THE**

COMMUNITY NOISE REDUCTION PROGRAM

Request to authorize the City Manager, or his designee, to perform all acts necessary to acquire fee title to and possession of the occupied residential real properties listed below (Properties) for the Aviation Department's Community Noise Reduction Program. Further request authorization for the City Manager, or his designee, to negotiate and execute short-term, temporary occupancy agreements to give the occupants of the Properties sufficient time to relocate, as such agreements may be necessary to, and in furtherance of, this ordinance.

The following property owners have voluntarily asked the City to purchase their Properties, which are located in Phoenix, Arizona, and identified by a Maricopa County Assessor's Parcel Number (APN):

Owner	Address	Appraisal	WBS Element
Juan Reyes, a married man	1117 East Yuma Street APN: 115-43-076	\$45,000	AV01040166
Ofelia G. Gonzalez, as Trustee of The Ofelia G. Gonzalez Family Living Trust, dated August 28, 2009	1314 East Mohave Street APN: 115-40-049-A	\$35,000	AV01040674
Virginia E. Villalobos, an unmarried woman	1444 South 14th Street APN: 115-42-105	\$15,000	AV01040333
Virginia Villalobos, as Personal Representative of the Estate of Virginia E. Villalobos, deceased	1440 South 14th Street APN: 115-42-102	\$28,000	AV01040334

Further request authorization for the City Controller to disburse funds necessary to purchase the Properties at the City's appraised value, plus usual and customary closing costs, and to accept and disburse funds necessary for the short-term, temporary occupancy agreements.

Financial Impact

Funding is available in the Aviation Department's Capital Improvement Program, from Airport Improvement Program grants and from Passenger Facility Charge revenue.

Employment Impact

There is no employment impact.

Citizen Notification

Community roundtable meetings are being held every other month to update the community and receive feedback regarding the Community Noise Reduction Program. Many property owners, who have voluntarily relocated through the Voluntary Acquisition and Relocation Services (VARS) program have experienced successful moves, report an improvement in their quality of life, and are utilizing the benefits provided through the VARS program.

This item is recommended by Mr. Zuercher and the Aviation Department.

ITEM 40

CITYWIDE

ORDINANCE S-39501 - AMEND ORDINANCE S-39365 TO CORRECT NAME OF MANAGEMENT TECHNICAL ASSISTANCE PROGRAM CONTRACTOR

Request to amend Ordinance S-39365 adopted on November 28, 2012, to correct the name of the contractor entity approved to provide services through the Community and Economic Development Department (CEDD) Management Technical Assistance (MTA) program, by substituting the name Patricia Sachs Chess, dba Chess Business Consulting, a sole proprietorship, for the name Chess Business Strategies, LLC (the "Company").

The Company, which is owned and managed by Patricia Sachs Chess, is presently under contract to provide services through the MTA program. This amendment is requested because Patricia Sachs has proposed to enter into a new contract in her capacity

as a sole proprietor rather than through the Company.

This item is recommended by Mr. Cavazos, Ms. Maccarone, and the Community and Economic Development and Neighborhood Services Departments.

ITEM 41

OUT OF CITY

**ORDINANCE S-39502 -
FOREIGN-TRADE ZONE APPLICATION FOR
ORBITAL SCIENCES CORPORATION**

Request authorization for the City Manager, or his designee, to submit a minor boundary modification application to the Foreign-Trade Zones (FTZ) Board of the U.S. Department of Commerce. Also, request authorization to enter into a Foreign-Trade Zone operations agreement and any other necessary documentation with Orbital Sciences Corporation, or City-approved nominee, and to enter into an intergovernmental agreement with the Town of Gilbert.

The City of Phoenix, as Grantee of Foreign-Trade Zone 75, has the right and authority to apply for foreign-trade zone site designations. Orbital Sciences Corporation manufactures and tests commercial and government satellites. The company has requested a usage-driven designation for the property it owns at 1721 West Elliot Road, in Gilbert, Arizona. The proposed usage-driven site consists of approximately 17 acres.

The Town of Gilbert has submitted a letter to the City of Phoenix indicating their support of Orbital's FTZ application for the site in Gilbert. With Council authorization, the City of Phoenix will enter into an intergovernmental agreement with the Town of Gilbert to evidence conditions of Gilbert's support of the FTZ application and outline the cities' responsibilities to one another.

City staff will prepare an operations agreement with Orbital Sciences Corporation requiring the company to:

- Comply with U.S. Department of Commerce Foreign-Trade Zones Board standards;
- Maintain record keeping satisfactory to the U.S. Customs and Border Protection;
- Obtain business bonding and insurance satisfactory to the City and the U.S. Customs and Border Protection;
- Indemnify the City against claims arising from their FTZ operations;
- Pay to the City all fees pursuant to the current zone fee schedule.

The agreement will contain such other terms and conditions deemed necessary or appropriate.

Financial Impact

The City will incur no costs associated with Orbital Sciences' application.

This item is recommended by Mr. Cavazos and the Community and Economic Development Department.

ITEM 42

CITYWIDE

**ORDINANCE S-39503 -
IFB 12-052 - PROVIDE AND INSTALL
PLAYGROUND EQUIPMENT - REQUIREMENTS
CONTRACT**

Report of four bids received by the Procurement Division on March 16, 2012, to provide and install playground equipment, on an as-needed basis, for a one-year period starting on or about August 1, 2012, for the Parks and Recreation Department. Following is a tabulation of the lowest responsive and responsible bids received:

<u>Bidder</u>	<u>Typical Play Structures for Evaluation Purposes</u>
Micon Construction of Arizona, Inc. Mayer, Arizona	\$73,914.18*
Play Power LT Farmington, Inc. Farmington, Missouri	\$78,450.27

It is recommended by the Deputy Finance Director and the Acting Parks and Recreation Director that the bid of Micon Construction of Arizona, Inc., as asterisked, be accepted as the lowest responsive and responsible bidder. Authorization is also requested for the City Controller to disburse funds over the life of the contract.

Prices for the playground equipment were submitted on the basis of fixed discounts from the manufacturers' published price list. Bid prices were evaluated based on the discounted price for the equipment and applied to two examples of typical playground structures, including the cost for installation and demolition costs for removal of any existing equipment. One bidder is non-responsive for failing to meet the requirement to utilize a clamp connection system as specified in the scope of work. Two protests were received, reviewed, and denied by the City. Both companies appealed and were afforded the opportunity to present their case to an independent Hearing Officer. In both instances, the Hearing Officer recommended the City deny the appeal and proceed with award of IFB 12-052 to Micon Construction.

Financial Impact

Based on historical usage and projected need, the estimated annual costs are \$1,200,000. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the 2012-2013 Parks and Recreation Department's Capital Improvement Program budget.

Employment Impact

The estimated number of private sector jobs created or maintained by this contract is approximately 14.

Option to Extend

Provisions of the agreement include an option to extend the contract up to four additional years, in increments up to one year, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Miller.

ITEM 43

CITYWIDE

**ORDINANCE S-39504 -
IFB 13-039 - SPEED HUMP INSTALLATION -
REQUIREMENTS CONTRACT**

Report of three bids received by the Procurement Division on September 28, 2012, to provide the Street Transportation Department with speed hump installations, on an as-needed basis, during a two-year period beginning about February 1, 2013 and ending January 31, 2015. The resultant Contractor will install, replace, or remove speed humps, as needed. The services are required for City of Phoenix Street Transportation Department operations. Following is a tabulation of the lowest responsive and responsible bids received:

<u>Bidder</u>	<u>Total Bid Prices</u>
Swaine Asphalt Corp.	\$464,548.00*
C.T. Price Contracting, Inc.	\$729,414.20

It is recommended by the Deputy Finance Director that the bid of Swaine Asphalt Corp., as asterisked, be accepted as the lowest responsible bidder. Authorization is also requested for the City Controller to disburse funds over the life of the contract.

Financial Impact

The estimated cost for the initial two-year contract period is approximately \$100,000 based on historical trends. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the Street Transportation Department's budget.

Employment Impact

It is estimated that the estimated two-year contract will create or maintain one private sector job.

Option to Extend

Provisions of the agreement include an option to extend the contract up to three additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Naimark.

ITEM 44**CITYWIDE****ORDINANCE S-39505 -
IFB 13-040 - ALLISON TRANSMISSIONS -
REQUIREMENTS CONTRACT**

Report of three bids received by the Procurement Division on September 21, 2012, to supply and provide the Public Works Department with repairs, rebuilt, and new Allison transmissions on an as-needed basis during a one year contract period beginning on or about January 17, 2013. Request to authorize the City Manager, or his designee, to accept the bids of Phoenix Transmission and W.W. Williams, as asterisked, as the lowest responsive and responsible bidders. Authorization is also requested for the City Controller to disburse funds over the life of the contract.

This contract shall provide all transportation, labor, replacement parts (hard and soft), fluids, tools, software, equipment, and any other material required to remove, rebuild, replace, provide new or repair, and reinstall various Allison transmissions in the City's vehicles and equipments. Following is a tabulation of the lowest responsive and responsible bids received:

Bidder	Groups Awarded - Contractor	Groups Awarded - Allison
	Rebuild	Rebuild
Phoenix Transmission*	1, 2, 3, 4, 5, 6, 7, 11, 12, 13, 18, 19	
W.W. Williams*	8, 9, 10, 14, 15, 16, 17, 19	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 18

Group Description -

1. Highway Series	11. HD 4000 Series (2-Year Warranty)
2. Public Transport/Shuttle	12. HD 4000 Series (1-Year Warranty)
3. Rugged Duty Series	13. 4500 RDS (Solid Waste Trucks)
4. Bus Series	14. 3000 Series
5. Emergency Vehicle Series	15. 5000 Series
6. Motorhome Series	16. 6000 Series
7. Truck RV Series	17. 8000 Series
8. AT 500 Series	18. Removal/Installation
9. MT 600 Series	19. Additional Repairs
10. HT 700 Series	

Financial Impact

Based on historical usage and projected need, the estimated annual costs are \$103,000. Actual usage of this contract may be higher or lower depending on the need and budgeted funds. Funds are available in the Public Works Department's budget.

Employment Impact

The estimated number of private sector jobs created or maintained by this contract is approximately one.

Option to Extend

Provisions of the agreement include an option to extend the contract up to four additional years, in increments of up to one year, which will be exercised by staff if considered in the City's best interest to do so.

This item is recommended by Mr. Naimark and the Finance Department.

ITEM 45**CITYWIDE****ORDINANCE S-39506 -
IFB 13-043 - MULTI-GAS MONITORS -
REQUIREMENTS CONTRACT**

Report of two bids received by the Procurement Division on October 12, 2012, to supply the Water Services Department with multi-gas monitors on an as-needed basis during a one-year contract period beginning January 1, 2013 and ending December 31, 2013. This equipment is required to ensure safe conditions exist prior to entering confined spaces. Authorization is also requested for the City Controller to disburse funds over the life of the contract. Following is a tabulation of the lowest responsive and responsible bids received:

Bidder	Total Bid Discounts
--------	---------------------

Item 1 -

Equipment Brand: Impact Pro

Manufacturer: Honeywell (Neotronics)

- A. Consumables 10%*
- B. Accessories 10%*
- C. Equipment 10%*

Item 2 -

Equipment Brand: iTX

Manufacturer: Industrial Scientific

- A. Consumables 10%*
- B. Accessories 10%*
- C. Equipment 15%*

Item 3 -

Equipment Brand: iTX

Manufacturer: Industrial Scientific

- A. Consumables 10%*
- B. Accessories 10%*
- C. Equipment 10%*

It is recommended by the Deputy Finance Director and the Water Services Director that the bid of AGS Safety & Supply be accepted as the lowest responsive and responsible bidder.

Financial Impact

The estimated cost for the initial one-year contract period is approximately \$60,000 based on historical trends. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the Water Services Department's budget.

Employment Impact

It is estimated that this contract will create or maintain less than one private sector job.

Option to Extend

Provisions of the agreement include an option to extend the contract up to four additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Miller.

ITEM 46**CITYWIDE****ORDINANCE S-39507 -****IFB 13-053 - PIGEON AND BAT CONTROL -
REQUIREMENTS CONTRACT**

Report of three bids received by the Procurement Division on November 2, 2012, to provide pigeon and bat control services at various City locations during the contract period beginning on or about January 16, 2013 through November 30, 2014. Following is a tabulation of the responsive bids received:

Groups	Arizona Wings N Stings, LLC	Payne Free Enterprises, dba The Pigeon Guy
Group I - Bird Spikes/Shock System (Various)	\$27.74/Lft*	\$17.40/Lft
Group II - Bird Netting (Various)	\$0.32/SqFt*	\$0.34/SqFt
Group III - Shock System and Cones (Various)	\$266.69/Ea*	\$343.00/Ea
Optional Additional Requested Services	Arizona Wings N Stings, LLC	Payne Free Enterprises, dba The Pigeon Guy
Regular Service Rate	\$ 49.50/Hr*	\$ 50.00/Hr
Service Rate/Ladder	\$ 49.50/Hr*	\$ 60.00/Hr
Service Rate/Repelling	\$ 49.50/Hr*	\$ 90.00/Hr

Service Rate/Live Trapping

\$325.00/Mo*

\$240.00/Mo

It is recommended by the Deputy Finance Director that the bid of Arizona Wings N Stings, LLC, as asterisked, be accepted as the lowest responsible bidder. Authorization is also requested for the City Controller to disburse funds over the life of the contract.

Financial Impact

The estimated cost, including tax, for the initial two-year contract period is approximately \$108,000 based on historical trends. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the various departments' budgets.

Employment Impact

It is estimated that this contract will create or maintain 1.2 private sector jobs.

Option to Extend

Provisions of the agreement include an option to extend the contract up to three additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Zuercher.

ITEM 47

CITYWIDE

ORDINANCE S-39508 -

**IFB 13-057 - FIRE LIFE SAFETY SYSTEMS
SERVICES - REQUIREMENTS CONTRACT**

Report of nine bids received by the Procurement Division on October 19, 2012, to provide the Public Works Department with fire life safety services on an as needed basis, during a two-year period beginning about January 1, 2013 and ending December 31, 2014. The Contractor will inspect, test, and repair fire life safety systems located throughout City of Phoenix facilities. Following is a tabulation of the lowest responsive and responsible bids received:

Bidder	Group 1 Total Bid Prices	Group 2 Total Bid Prices	Group 3 Total Bid Prices
RCI Systems, Inc.	\$23,709.56*	\$34,055.00*	\$21,051.00*
Firetrol Protection Systems	\$26,185.00	\$35,896.00	
Copperstate Fire Protection	\$54,833.00		
Red Hawk Fire & Security		\$40,166.75	\$31,873.25
Sun Devil Fire Equipment, Inc.			\$30,658.80

It is recommended by the Deputy Finance Director that the bid of RCI Systems, Inc., as asterisked, be accepted as the lowest responsible bidder. Authorization is also requested for the City Controller to disburse funds over the life of the contract.

Financial Impact

The estimated cost for the initial two-year contract period is approximately \$1,000,000 based on historical trends. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in Public Works Department's budget.

Employment Impact

It is estimated that this contract will create or maintain six private sector jobs each year of the contract.

Option to Extend

Provisions of the agreement include an option to extend the contract up to three additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Naimark and the Public Works Department.

ITEM 48

CITYWIDE

ORDINANCE S-39509 -

IFB 13-065 - FENCING RENTAL, INSTALLATION,

AND REPAIRS - REQUIREMENTS CONTRACT

Request to authorize the City Manager, or his designee, to enter into an agreement with LP Rent-A-Fence, LLC to provide the Aviation Department's Community Noise Reduction Program (CNRP) with fencing rental, installation, and repairs on an as-needed basis for a one-year period beginning on or about January 17, 2013 and ending on December 31, 2013. Authorization is also requested for the City Controller to disburse funds over the life of the contract.

This contract will provide temporary fencing, fencing repairs, and permanent fence installation needed for the acquired parcels in the Voluntary Acquisition Relocation Service (VARS) area. Eligible single-family, residential, and vacant lot owners may voluntarily sell their property to the City of Phoenix. Homes acquired by VARS are subject to demolition. Demolition can take up to six months from date of acquisition. Temporary fencing is installed at the time of acquisition when necessary to protect the City from liability. Permanent fencing and fence repairs are utilized on properties on an as-needed basis.

The following are the responsive and responsible bidders:

<u>Bidder</u>		<u>Price</u>
LP Rent-A-Fence, LLC*	Fencing per Lineal Foot	\$6.00 - \$10.50
	Gates per Lineal Foot	\$31.20 - \$55.00
	Rental Fencing Daily Rate	\$0.054
	Rental Fencing Special Events	\$0.89
	Fence Repair per Hour	\$73.00 - \$82.00
	Materials - Cost Plus	15%
Western Fence Co., Inc.	Fencing per Lineal Foot	\$10.05 - \$11.74
	Gates per Lineal Foot	\$34.40 - \$62.00
	Rental Fencing Daily Rate	\$0.014
	Rental Fencing Special Events	\$1.54
	Fence Repair per Hour	\$98.00 - \$270.00
	Materials - Cost Plus	25%

Solicitation IFB 13-065 - Fencing Rental, Installation, and Repairs was conducted in accordance with Administrative Regulation 3.10. Two bids were received by the Procurement Division on November 30, 2012. It is recommended by the Deputy Finance Director and the Aviation Department that the bid of LP Rent-A-Fence, LLC, as asterisked, be accepted as the lowest responsive and responsible bidder.

Financial Impact

The estimated cost, including tax, for the initial one-year contract period is approximately \$230,000 based on historical usage and projected need. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the Aviation Department's budget.

Employment Impact

It is estimated that this contract will create or maintain two private sector jobs.

Option to Extend

Provisions of the agreement include an option to extend the contract up to four additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Zuercher.

ITEM 49

CITYWIDE

ORDINANCE S-39510 -

IFB 13-067 - HONDA POLICE MOTORCYCLES - REQUIREMENTS CONTRACT

Report of two bids received by the Procurement Division on November 2, 2012, to provide current model Honda Police Motorcycles ST1300PA, all factory/ manufacturer accessories, dealer add-on options, parts services (warranty and non-warranty), training, maintenance, preparation, and delivery for the Public Works Department on an as-needed basis for a one model year period beginning on or about January 17, 2013. Model year period is 2012 until the manufacturer cut-off date. Authorization is also requested for the City Controller to disburse funds over the life of the contract. Following is a tabulation of

the responsive and responsible bid received:

<u>Bidder</u>	<u>Bid Price</u>
Coyote Honda	\$24,880*

It is recommended by the Deputy Finance Director and the Acting Public Works Director that the bid of Coyote Honda, Avondale, Arizona, as asterisked, be accepted as the lowest responsive and responsible bidder. The second offer did not meet the specifications as indicated in the solicitation.

Financial Impact

The estimated annual cost, including tax, is approximately \$174,160 based on historical usage and projected need. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the Police Department's budget.

Employment Impact

It is estimated that this contract will create or maintain two private sector jobs.

Option to Extend

Provisions of the agreement include an option to extend the contract up to four model additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Zuercher and Mr. Naimark.

ITEM 50

CITYWIDE

**ORDINANCE S-39511 -
IFB 13-075 - ELECTRIC AND GAS
CART/VEHICLES PREVENTATIVE
MAINTENANCE AND REPAIR - REQUIREMENTS
CONTRACT**

Report of one bid received by the Procurement Division on November 9, 2012, to provide all transportation, labor, replacement parts (hard and soft), fluids, tools, software, equipment, and any other material required for preventative maintenance, rebuild, replace, or repair electric/gas carts in the City vehicles on an as-needed basis for a one-year period beginning on or about January 17, 2013. Authorization is also requested for the City Controller to disburse funds over the life of the contract. Following is a tabulation of the responsive and responsible bid received:

<u>Bidder</u>		<u>Pricing</u>
Electric Vehicle Company*	Preventative Maintenance and Inspection (Monthly)	\$ 35.00 Each
	Additional Parts (As-needed)	0% Discount
	Additional On-Site Labor	\$62.50 per Hour
	Additional Shop Labor	\$62.50 per Hour

It is recommended by the Deputy Finance Director that the bid of Electric Vehicle Company, Phoenix, Arizona, as asterisked, be accepted as the lowest responsive and responsible bidder. The bid is deemed fair and reasonable based on the market and the previous contract price.

Financial Impact

The estimated annual cost, including tax, is approximately \$100,000 based on historical usage and projected need. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the various departments' budgets.

Employment Impact

It is estimated that this contract will create or maintain one private sector job.

Option to Extend

Provisions of the agreement include an option to extend the contract up to four model additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Zuercher.

ITEM 51**CITYWIDE****ORDINANCE S-39512 -
IFB 13-076 - GAMEWELL MAINTENANCE -
REQUIREMENTS CONTRACT**

Report of four bids received by the Procurement Division on November 16, 2012, to provide all the professional services, labor, equipment, tools, and reporting necessary to inspect, test, and repair the City of Phoenix Convention Center West and North Buildings fire life safety systems (FLSS) beginning on or about February 1, 2013 through January 31, 2015. The responsive bids were as follows:

	Sun Devil Fire	Signal One Fire and Communications	Netsian Technologies
Total Monthly Price Excluding Tax Phoenix Convention Center (North and West)	\$8,900.00*	\$10,416.68	\$10,967.00 (converted to monthly price from annual bid)
Additional Services as Indicated from Inspection, Testing, or Maintenance	Sun Devil Fire	Signal One Fire and Communications	Netsian Technologies
On-Site Labor Rating During Regular Business Hours	\$ 85.00*	\$ 85.00	\$ 95.00
On-Site Labor Rate During Non-Regular Business Hours	\$127.50*	\$127.50	\$142.50
Surcharge for On-Site Emergency	\$125.00*	\$105.00	\$150.00
Parts Discount from Published List Price	25%*	70%	25%

It is recommended by the Deputy Finance Director and the Phoenix Convention Center Interim Director that the bid from Sun Devil Fire, as asterisked, be accepted as the lowest responsible bidder. Authorization is also requested for the City Controller to disburse funds over the life of the contract.

Financial Impact

The estimated cost, including tax, for the initial two-year contract period is approximately \$214,000 based on historical trends. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the department's budget.

Employment Impact

It is estimated that this contract will create or maintain approximately two private sector jobs.

Option to Extend

Provisions of the agreement include an option to extend the contract up to two additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Naimark.

ITEM 52**CITYWIDE****ORDINANCE S-39513 -
RFP 13-005 - BODY WORN VIDEO CAMERAS -
REQUIREMENTS CONTRACT**

Request to authorize the City Manager, or his designee, to enter into a contract with Vievu, LLC to provide the City of Phoenix Police Department (PPD) with body worn video cameras on an as-needed basis for a one-year period beginning on or about February 1, 2013 and ending on January 31, 2014. Funding is provided by a U.S. Department of Justice Grant. Authorization is also requested for the City Controller to disburse funds over the life of the contract.

The recommendation to use body worn video camera systems arose out of the Police Community Engagement and Outreach Task Force, implemented by the City Manager in 2010. One of the 34 recommendations was for PPD officers in the patrol division to utilize an on-person or in-car video camera system.

In 2011, PPD applied for and was awarded a grant from the U.S. Department of Justice, Bureau of Justice Assistance, under the Smart Policing Initiative to procure, study, and report on the results of instituting a "body worn" video camera system. The City of Phoenix Police Department intends to have these units worn full time by the patrol division and/or selected other areas for one year. The grant proposal was to use the cameras to study impacts on domestic violence calls, specifically:

1. Will the cameras improve officers' ability to conduct investigations?
2. How will the officers' conduct performance change due to their activity being captured?
3. Will the public change in the presence of an officer wearing a camera?

The following are the responsive and responsible proposers:

Proposer	Total Proposal Scores
Vievu, LLC	968.68*
Taser	839.10

Solicitation RFP 13-005 - Body Worn Video Cameras, was conducted in accordance with Administrative Regulation 3.10. Three proposals were received by the Procurement Division on October 26, 2012. One proposal was deemed non-responsive for not meeting the technical components as stated in the solicitation. The two remaining proposals were scored by a seven-member evaluation committee based on the following criteria: technical component (300 points), testing period by police staff (400 points), testing period by IT staff (100 points), and price (200 points).

Further details of the evaluation conducted are available in the procurement file maintained by the Finance Department, Procurement Division.

The proposal submitted by Vievu, LLC was determined to be the most highly rated and responsible proposal. It is recommended by the Deputy Finance Director and the Chief of Police for PPD that Vievu, LLC, as asterisked, be accepted as the highest scoring responsive and responsible proposer.

Financial Impact

The estimated cost for the initial one-year contract is approximately \$47,038 based on projected need. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in PPD's budget from a U.S. Department of Justice Grant.

Employment Impact

It is estimated that this contract will create or maintain one private sector job.

Option to Extend

Provisions of the agreement include an option to extend the contract up to four additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Zuercher.

ITEM 53

CITWIDE

ORDINANCE S-39514 - RFP 13-009 - EMERGENCY VEHICLE PREEMPTION SYSTEM - REQUIREMENTS CONTRACT

Report of two proposals received by the Procurement Division on September 21, 2012, to provide the Fire Department with an emergency vehicle preemption (EVP) system on an as-needed basis for a five-year period beginning on or about January 1, 2013 and ending December 31, 2017. Request to authorize the City Manager, or his designee, to accept Tomar Electronics, Inc. as the highest scored responsive and responsible proposer. Further request authorization for the City Controller to disburse the necessary funds over the life of the contract. Following is a tabulation of the two proposals received:

Proposer	Total Proposal Scores
Tomar Electronics, Inc.	945*
Global Traffic Technologies, LLC	809

The proposal was scored by a five-member evaluation committee based on the following criteria: proposed equipment (40%),

cost (20%), warranty and service plan (15%), references (15%), and deployment plan (10%).

It is recommended by the Deputy Finance Director and the Fire Chief that Tomar Electronics, Inc., as asterisked, be accepted as the highest scored responsive and responsible proposer.

EVP systems allow responding Fire Department apparatus and ambulances to cycle the traffic light from red to green or to hold the green light to expedite passage through an intersection to an emergency. Fire apparatus must be provided with equipment that activates the receiver at the intersection.

This is a cooperative project between the Street Transportation Department and Fire Department.

Financial Impact

The cost of the contract for the initial five-year period, including tax, is approximately \$1,675,000 based on historical trends. The actual cost of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the Fire Department's budget.

Employment Impact

The estimated number of private sector jobs created or maintained by this contract is approximately 19.

Option to Extend

The contract shall include an option to extend the term of the contract up to five years, in one-year increments, which may be exercised at the sole discretion of the Fire Chief.

This item is also recommended by Ms. Takata.

ITEM 54

CITYWIDE

**ORDINANCE S-39515 -
RFA 13-026 - INLET BARRIER FILTER SYSTEM**

Request to authorize the City Manager, or his designee, to enter into an agreement with Aerospace Filtration Systems, Inc. to provide the Police Department Air Support Unit with an inlet barrier filter system. Authorization is also requested for the City Controller to disburse funds for the purchase.

The Police Air Support Unit requires the inlet barrier filter system for the Augusta A109E helicopter. The filter system helps protect sand and debris from entering the engines. The filter system was not available in 2005 at the time of the helicopter purchase and recently gained approval of the Federal Aviation Administration (FAA).

Aerospace Filtration Systems, Inc. is the sole source distributor approved by the FAA.

Financial Impact

The estimated cost, including tax, is approximately \$67,500. Funds are available in the Police Department's budget.

Employment Impact

It is estimated that this contract will create or maintain one private sector job.

This item is recommended by Mr. Zuercher and the Finance Department.

ITEM 55

CITYWIDE

**ORDINANCE S-39516 -
STATE OF ARIZONA SOLICITATION ADSP012-
00001699 (CONTRACTS FOR
UNINTERRUPTIBLE POWER SUPPLY
EQUIPMENT/ SERVICES) - REQUIREMENTS
CONTRACT**

Request to authorize the City Manager, or his designee, to purchase uninterruptible power supply (UPS) equipment, services, and maintenance from Black Box Network Services; Gruber Technical, Inc.; Insight Public Sector, Inc.; NGH Power Systems; Sabino Electric, Inc.; Titan Power, Inc.; and World Wide Technology using the contracts established by the State of Arizona (State Procurement Office) through a competitive bidding process.

The contract period begins on January 16, 2013 and ends July 15, 2013. Under the Intergovernmental Agreement with the State of Arizona, the City of Phoenix may use its agreements when it is beneficial for the City to do so. Authorization is also requested

for the City Controller to disburse funds over the life of the contracts.

Financial Impact

The estimated annual cost, including tax, is approximately \$77,000 based on historical trends. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the various departments' budgets.

<u>Contractor</u>	<u>State of Arizona Contract</u>
Black Box Network Services	ADSP012-026684
Gruber Technical, Inc.	ADSP013-030061
Insight Public Sector, Inc.	ADSP012-026685
NGH Power Systems	ADSP012-026720
Sabino Electric, Inc.	ADSP012-026688
Titan Power, Inc.	ADSP012-026687
World Wide Technology	ADSP012-026686

Employment Impact

The estimated number of private sector jobs created or maintained by this contract is approximately one.

Option to Extend

Provisions of the agreement include an option to extend the contract up to four additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This request is made by the Deputy Finance Director and the Chief Information Officer.

This item is also recommended by Mr. Zuercher.

ITEM 56

CITYWIDE

ORDINANCE S-39517 - STATE OF ARIZONA CONTRACT ADSP012- 00001903 (CONTRACTS FOR AUDIO/VIDEO EQUIPMENT AND SERVICE)

Request to authorize the City Manager, or his designee, to enter into an agreement with Solutionz Conferencing, Inc.; Wilson Electric Services Corp.; Face to Face Live, Inc.; Unity Technology Services, LLC; Ultimate Presentation Systems, Inc.; Vector Resources, Inc.; Sound Image, Inc.; Digital Video Networks, LLC; Logicalis; Intent Digital, LLC; Plus 6 Technologies, Inc.; AV Innovations, Inc.; Audio Enhancement; AVDB Group; GTSI Corp.; Premise One, Inc.; Troxell Communications, Inc.; GBH Communications, Inc.; Commercial Computer Services, Inc.; AVAZ, Inc., dba Audio Video Resources; Technology Providers, Inc.; EAR Professional Audio Video; IMMEDIA, LLC; Exhibitone Corp.; and Level 3 Audio Visual, LLC, using State of Arizona Contract ADSP012-00001903. Authorization is also requested for the City Controller to disburse funds over the life of the contracts.

These contracts will offer City departments with audio/video equipment, system installation services, and equipment maintenance services, on an as-needed basis.

The contract period will begin on December 20, 2012 and end October 15, 2013. Under the Intergovernmental Agreement with the State of Arizona, the City of Phoenix will use its agreements when it is beneficial for the City to do so.

Financial Impact

The estimated annual cost, including tax, is approximately \$591,700 based on historical trends. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the various departments' budgets.

<u>State of Arizona Contract</u>	<u>Contractor</u>
ADSP012-032684	Solutionz Conferencing, Inc.
ADSP012-032685	Wilson Electric Services Corp.
ADSP012-032686	Face to Face Live, Inc.
ADSP012-032687	Unity Technology Services, LLC
ADSP012-032688	Ultimate Presentation Systems, Inc.
ADSP012-032689	Vector Resources, Inc.
ADSP012-032690	Sound Image, Inc.
ADSP012-032691	Digital Video Networks, LLC

ADSP012-032692	Logicalis
ADSP012-032693	Intent Digital, LLC
ADSP012-032694	Plus 6 Technologies, Inc.
ADSP012-032695	AV Innovations, Inc.
ADSP012-032696	Audio Enhancement
ADSP012-032697	AVDB Group
ADSP012-032698	GTSI Corp.
ADSP012-032699	Premise One, Inc.
ADSP012-032700	Troxell Communications, Inc.
ADSP012-032702	GBH Communications, Inc.
ADSP012-032703	Commercial Computer Services, Inc.
ADSP012-032704	AVAZ, Inc., dba Audio Video Resources
ADSP012-032705	Technology Providers, Inc.
ADSP012-032706	EAR Professional Audio Video
ADSP012-032707	IMMEDIA, LLC
ADSP012-032708	Exhibitone Corp.
ADSP012-032709	Level 3 Audio Visual, LLC

Employment Impact

The estimated number of private sector jobs created or maintained by this contract is approximately six.

Option to Extend

Provisions of the agreement include an option to extend the contract up to four additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This request is made by the Deputy Finance Director.

This item is also recommended by Mr. Zuercher.

ITEM 57

DISTRICTS 3, 4, AND 7

ORDINANCE S-39518 - ACCEPTANCE AND DEDICATION OF EASEMENTS FOR PUBLIC USE

Request to accept easements for sidewalk and public utility purposes; ordering the ordinance recorded; and dedicating to public use the properties described therein.

			District
Easement	(a)	FTT VILLAGE SQUARE II, LLC, Easement is for sidewalk purposes for property located at 4603 East Cactus Road. FN 120036	3
Easement	(b)	7575 DEVELOPMENT, INC., Easement is for public utility purposes for property located at 1499 East Camelback Road. FN 120034	4
Easement	(c)	3125 WEST LAND DEVELOPMENT, LLC, Easement is for sidewalk purposes for property located at 3125 West Buckeye Road. FN 120040	7

This bears the recommendation of the Finance Director.

This item is also recommended by Mr. Zuercher.

ITEM 58

DISTRICT 7

ORDINANCE S-39519 - GRANT OF ELECTRICAL EASEMENT TO ARIZONA PUBLIC SERVICE-ARIZONA STATE UNIVERSITY

Request to authorize the City Manager, or his designee, to grant an electrical easement to Arizona Public Service (APS) for consideration of one dollar and/or other valuable consideration. The easement area contains approximately .024 acres and is

located across Assessor's Parcel Number 111-42-061.

APS requires the easement in order to install a primary distribution line and transformer to support the City-owned Historic Post Office refurbishment project in conjunction with Arizona State University located at 367 North 1st Avenue.

This item is recommended by Mr. Cavazos, Mr. Zuercher, and the Community and Economic Development and Finance Departments.

ITEM 59

DISTRICT 3

**ORDINANCE S-39520 -
ACQUISITION OF ONE PARCEL FOR THE
GREENWAY PARKWAY AT CAVE CREEK
BRIDGE IMPROVEMENT PROJECT**

Request to authorize the City Manager, or his designee, to acquire fee title or lesser interest in, and temporary or permanent rights to enter upon and occupy, all or portions of one improved or vacant privately-owned parcel of land located along Greenway Parkway east of 17th Avenue. This is part of the Greenway Parkway at Cave Creek Bridge Improvement Project. Further request authorization to enter into short-term protective leases to minimize relocation costs and temporary occupancy agreements to allow occupants time to relocate, as may be necessary to, and in furtherance of, this ordinance.

Acquisitions are to be by donation, purchase within the appraised value, or by the power of eminent domain.

Further authorizing the City Controller to disburse funds to purchase the property within the City's appraised value, plus usual and customary closing costs.

This bears the recommendation of the Street Transportation Director and the Deputy Finance Director.

This item is also recommended by Mr. Naimark.

ITEM 60

DISTRICT 7

**ORDINANCE S-39521 -
LAND EXCHANGE BETWEEN THE USA AND
CITY FOR RELOCATION OF IRRIGATION
FACILITIES WITHIN RIGHT-OF-WAY**

Request to authorize the City Manager, or his designee, to execute the necessary documents to enter into a land exchange with the United States of America (USA) through its Department of Interior, Bureau of Reclamation (BOR) for the purpose of relocating irrigation facilities. The proposed and existing properties to be exchanged lie within City of Phoenix right-of-way at 51st Avenue and Lower Buckeye Road. The City of Phoenix will convey approximately 6,214 square feet to the USA in exchange for 5,573 square feet from the USA to the City of Phoenix.

The USA requires the land exchange in order to relocate an underground irrigation pipeline accommodating the Riverside Elementary School development project at this location.

Further authorizing the acceptance of the Quit Claim Deed from the USA to the City of Phoenix.

This bears the recommendation of the Street Transportation Director and the Deputy Finance Director.

This item is also recommended by Mr. Naimark.

ITEM 61

DISTRICT 7

**ORDINANCE S-39522 -
LEASE AGREEMENT WITH PHOENIX
NEWSPAPERS, INC. FOR OFFICE SPACE AT
200 WEST WASHINGTON STREET**

Request to authorize the City Manager, or his designee, to enter into a lease agreement with Phoenix Newspapers, Inc. (The Arizona Republic) for 71 square feet of office space on the 11th floor of Phoenix City Hall, 200 West Washington Street, for print-media purposes.

The lease will contain the following terms and conditions:

1. Lease Term: Five years.
2. Options: None.
3. Cancellation: Arizona Revised Statutes 38-511. Additionally, the lease may be cancelled by either party upon a 60-day written notice.
4. Premises: The lease is for 71 square feet of space on the 11th floor of Phoenix City Hall, plus two non-reserved parking spaces in the City parking structure at 305 West Washington Street.
5. Rental Rate: \$25.35 per square foot per year, plus applicable rental taxes, for the first year, to be adjusted annually thereafter in accordance with the Consumer Price Index. Note: The rental rate is within the range of market rental rates as opined by the City's Real Estate Division staff.
6. Insurance: The lease will contain insurance and indemnity provisions acceptable to the City's Risk Management Division and the City Attorney.
7. Services: The City will be responsible for maintenance, custodial services, and utilities. Lessee will pay its own telephone services.
8. Other: The lease may contain such other terms and conditions deemed necessary or appropriate.

Further request authorization for the City Controller to accept and disburse funds in accordance with the lease terms.

This bears the recommendation of the Public Works Director and the Deputy Finance Director.

This item is also recommended by Mr. Bearup.

ITEM 62

DISTRICT 7

ORDINANCE S-39523 - LEASE WITH B-V FREEPORT DISTRIBUTION CENTER, LLC

Request to authorize the City Manager, or his designee, to enter into a lease with B-V Freeport Distribution Center, LLC for property utilized by the Police Department's Mobile Desktop Hardware and Technical Support, Specialty Vehicle Detail, and Search and Recovery Dive Team at 5240 West Buckeye Road. Authorization is also requested for the City Controller to disburse funds over the life of the lease. The leased property consists of approximately 48,185 square feet of industrial warehouse and office space.

The lease shall include the following terms and conditions:

- | | |
|------------------------------|--|
| Lease Term: | Ten years. |
| Base Rental Rate/Lease Type: | Years 1-5: \$0.49 PSF/Month, Modified Gross
Years 6-10: \$0.54 PSF/Month, Modified Gross
(PSF - Per Square Foot)

The Base Rental Rate is within the range of market rates reviewed by the City's Real Estate staff. |
| Operating Expenses: | Included in the Base Rental Rate and capped at \$0.08 PSF. A three percent annual cost of living adjustment is added to the operating expenses beginning in Year Two. |
| Property Taxes: | Included in the Base Rental Rate, reconciled annually and subject to inflation increases. |

Property Insurance:	Property insurance included in the Base Rental Rate, reconciled annually and subject to inflation increases.
Indemnification/Insurance:	Lease shall contain insurance and indemnity provisions acceptable to the City's Risk Management Division and the City Attorney.
Termination:	Arizona Revised Statutes 38-511 Tenant will have the option to terminate this lease, with or without cause, by delivering written notice of termination to Lessor.
Security Deposit:	Not required.
Tenant Improvements:	Landlord agrees to make the requested tenant improvements and deliver the premises in good working condition.

This lease may contain other terms and conditions deemed necessary by the City.

This bears the recommendation of the Chief of Police and the Deputy Finance Director.

This item is also recommended by Mr. Zuercher.

ITEM 63

DISTRICT 8

**ORDINANCE S-39524 -
ACQUISITION OF ONE PARCEL FOR FUTURE
MINI-PARK RENOVATIONS - WEST OF 20TH
STREET ON CARVER ROAD**

Request to authorize the City Manager, or his designee, to acquire fee title or lesser interest in, and temporary or permanent rights to enter upon, use and occupy, all or portions of one improved or vacant privately-owned parcel of land located west of 20th Street on Carver Road. This property is currently being leased as a mini-park. This acquisition will place the mini-park in City ownership and allow for future renovations.

Further request authorization to enter into short-term protective leases to minimize relocation costs and temporary occupancy agreements to allow occupants time to relocate, as may be necessary to, and in furtherance of, this ordinance.

Acquisition is to be by donation or purchase within the appraised value up to \$100,000.

Further authorizing the City Controller to disburse funds to purchase the property within the City's appraised value, plus usual and customary closing costs.

This bears the recommendation of the Acting Parks and Recreation Director and the Deputy Finance Director.

This item is also recommended by Ms. Maccarone.

ITEM 64

CITYWIDE

**ORDINANCE S-39525 -
FIRE DEPARTMENT AUTOMATIC AID
AGREEMENT**

Request authorization for the City Manager, or his designee, to reauthorize Fire Department automatic aid agreements with 22 cities, towns, fire districts, and governmental jurisdictions in the Phoenix metropolitan area. The new term for the agreements will be December 2012 through December 2017.

The City of Phoenix has been a leader and participant in the automatic aid system since the 1970s, and spearheaded a more formalized arrangement among membership in 1997. Today there are 22 fire providers that are a part of the automatic aid system, a system that is unique to the Phoenix metropolitan area. The automatic aid agreement calls for the automatic dispatch

of fire trucks and other fire resources to an emergency incident without regard to jurisdictional boundary.

Standards for Fire Department deployment, suppression, and emergency medical operations for career fire departments, such as those in the Valley, are established by the National Fire Protection Association (NFPA) Standard 1710. The standard addresses response times, numbers of personnel, and minimum equipment required on various apparatus, among other things. The proposed amendments to the 1997 agreement add certain requirements to the levels of apparatus staffing and equipment provided by each participant, in order to meet NFPA Standard 1710.

A 2011 Efficiency Study of the Fire Department conducted by Management Partners, Incorporated recognized the Phoenix Fire Department's current automatic aid system as outstanding and stated, "If this system was diluted, Phoenix as well as other surrounding cities could have to expend more resources to obtain the same level of system performance."

Automatic aid systems result in significant savings to the taxpayers of the participating jurisdictions through the sharing of resources and avoiding the need to build redundant capital facilities. In addition, residents also receive a standard level of response.

The current automatic aid system participants are the Apache Junction Fire District, Avondale Fire - Rescue, Buckeye Fire Department, Buckeye Valley Fire District, Chandler Fire Department, Daisy Mountain Fire District, El Mirage Fire Department, Gilbert Fire Department, Glendale Fire Department, Goodyear Fire Department, Guadalupe Fire Department, Maricopa Fire Department, Mesa Fire Department, Peoria Fire Department, Phoenix Fire Department, Queen Creek Fire Department, Scottsdale Fire Department, Sun City Fire District, Sun City West Fire District, Sun Lakes Fire District, Surprise Fire Department, Tempe Fire Department, and the Tolleson Fire Department.

This item was approved at the Public Safety, Veterans, Transparency, and Ethics Subcommittee meeting of December 12, 2012. The City Council Report prepared for the Public Safety, Veterans, Transparency, and Ethics Subcommittee meeting incorrectly stated that there were 21 fire jurisdictions that would be parties to these agreements; the correct number is 22.

This item is recommended by Ms. Takata and the Fire Department.

ITEM 65

CITYWIDE

**ORDINANCE S-39526 -
AMEND CONTRACT WITH CSG ADVISORS,
INCORPORATED**

Request to authorize the City Manager, or his designee, to amend Contract 126665-2 and exercise the option to extend the contract term through the maximum five-year term of May 4, 2014, with CSG Advisors, Incorporated. Also authorize the City Manager, or his designee, to approve additional funds in the amount up to, but not to exceed, \$150,000 for various projects. Further request authorization for the City Controller to disburse the funds.

The CSG Advisors, Incorporated contract with the City of Phoenix provides financial advisory services on various City housing projects, assistance with the U.S. Department of Housing and Urban Development (HUD) application processes, and assistance with various financial activities. CSG Advisors provides the expertise needed to assist staff in analyzing and supporting complex housing financial operations that often involve a multitude of state, federal, and private monies.

Previous City Council Action

The initial contract was approved by City Council on May 4, 2009, for a term of up to five years. The initial contract was for a three-year term through May 4, 2012, for an amount not to exceed \$175,000. City Council approved increasing the contract by \$85,000 on October 20, 2010. On May 16, 2012, City Council approved extending the agreement through September 31, 2012. This extension allowed completion of current activities. This action will extend the contract to the five-year maximum contract term on May 4 2014. No additional options to extend exist.

Financial Impact

Funds are available in the Housing Department's Operating budget.

This item is recommended by Mr. Miller and the Housing Department.

ITEM 66

CITYWIDE

**ORDINANCE S-39527 -
TAXI SERVICE FOR FAMILY ADVOCACY
CENTER AND CITY PROSECUTOR'S OFFICE**

Request authorization for the City Manager, or his designee, to enter into an agreement with AAA/Yellow Cab to provide taxi services for clients of the Human Services Department Family Advocacy Center (FAC) and the City Prosecutor's Office. The contract term will be one year beginning January 21, 2013, with an optional one-year extension, which will be exercised by staff if considered in the City's best interest. The cost is not expected to exceed \$20,000 over the entire contract term. Further request authorization for the City Controller to disburse the funds.

A Request for Quotes (RFQ) for taxi transportation services was released on November 1, 2012. One vendor, AAA/Yellow Cab, submitted a proposal. An evaluation committee recommended the contract be awarded to AAA/Yellow Cab.

Program Impact

The City of Phoenix Family Advocacy Center (FAC) serves victims of violent crime in one central location. Transportation is sometimes a barrier to providing those services either at the FAC or at court appearances. The FAC provides taxi transportation for victims of crime to and from the Center or court appearances when other transportation options are not available or appropriate. The City Prosecutor's Office provides taxi services for victims to attend court appearances when they have no other means of transportation. The two sections will share the taxi service agreement.

Staff requests authorization to enter into an agreement with AAA/Yellow Cab to provide taxi services for clients of the FAC and City Prosecutor's Office.

Financial Impact

No General funds are required. FAC funding for this service is available through CHAIRity fundraising (031 Restricted/non-General Purpose Fund) funds and from the Prosecutor's Office through Court Award funds.

Employment Impact

The contract is estimated to create or retain less than one job.

This item is recommended by Mr. Cavazos, Mr. Miller, and the Human Services Department.

ITEM 67

CITYWIDE

**ORDINANCE S-39528 -
AMEND CONTRACT 129847 TO ACCEPT
ADDITIONAL DES EMERGENCY ASSISTANCE
FUNDS**

Request to authorize the City Manager to amend Contract 129847 with the Department of Economic Security (DES) to accept additional funding in the amount of \$223,555 for the contract period of July 1, 2012 through June 30, 2013. This will bring the total DES Intergovernmental Agreement for Fiscal Year 2012-2013 to \$10,588,550.

Authorization is also requested for the City Controller to accept and disburse the necessary funds, and pay all claims against the City associated with this Intergovernmental Agreement and contract amendments.

Funds provided to the City of Phoenix through this amendment will be from the Low Income Home Energy Assistance Program (LIHEAP) Leveraging Fund.

Program Impact

The funding will allow the City of Phoenix to assist approximately 470 additional households with case management, emergency assistance, and information and referral services.

Employment Impact

The additional grant award is estimated to create or retain two jobs.

Financial Impact

There are no matching fund requirements.

This item is recommended by Mr. Miller and the Human Services Department.

ITEM 68

DISTRICTS 4, 7, AND 8

**ORDINANCE S-39529 -
ACCEPT FUNDING FROM PHOENIX PUBLIC
LIBRARY FOUNDATION TO EXPAND EARLY
LITERACY OUTREACH IN CENTRAL PHOENIX**

Request authorization for the City Manager, or his designee, to accept up to \$20,600 in funds from the Phoenix Public Library Foundation to fund the early literacy outreach efforts in Central Phoenix. Funds will be used to hire a part time, temporary outreach specialist to conduct parent workshops and literacy outreach targeted to children birth to five. This position is for a part-time Library Assistant at 20 hours a week for one year. The City Treasurer will accept funds in the amount of \$20,600.

This position is modeled on the successful partnership between Phoenix Public Library and First Things First (FTF), which supports early literacy outreach efforts in North Phoenix. With the FTF funding the City was able to place part-time library assistants at Acacia, Agave, Cholla, Juniper, and Mesquite Libraries. Early literacy event attendance at those branches has increased 224 percent over the last four years as a result.

The funds for this new position were donated for this purpose to the Phoenix Public Library Foundation by the Arizona Community Foundation.

Financial Impact

No General Purpose funds are required. This program is estimated to create or retain .43 jobs per year.

This item is recommended by Ms. Takata and the Library Department.

ITEM 69

CITYWIDE

**ORDINANCE S-39530 -
IGA WITH ASU FOR GREENHOUSE GAS
EMISSIONS INVENTORY AND PLAN UPDATE**

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with Arizona State University (ASU) Global Institute of Sustainability to conduct a Greenhouse Gas Emissions Inventory for City operations for the year 2012, and to update the Climate Action Plan. In 2008, City Council adopted the goal to reduce GHG emissions from City operations to five percent below 2005 levels by the year 2015. To meet this goal, the Office of Environmental Programs (OEP), with assistance of a contractor, conducted a Greenhouse Gas (GHG) Emissions Inventory for the year 2005, and a Climate Action Plan (Plan) for City operations. The 2009 Plan identified ten reduction measures in energy efficiency, transportation, and solid waste to achieve this goal.

The OEP is proposing to enter into an IGA with ASU for consultant services to calculate 2012 GHG emissions based on 2012 energy, fuel, and other raw data provided by the City through the OEP. In conjunction with the emissions inventory, ASU will review data provided by the City on Plan measures to calculate emissions reductions through 2012 to ensure the City is on target to meet the five percent reduction goal by 2015.

Further request authorization for the City Controller to disburse the necessary funds in an amount not to exceed \$64,200.

Financial Impact

An amount not to exceed \$64,200 is provided through vacancy savings from a vacant air quality position and other available funds in the Office of Environmental Programs.

The Finance, Efficiency, Innovation, and Sustainability Subcommittee unanimously supported this action during its December 19, 2012, meeting.

This item is also recommended by Ms. Peters.

ITEM 70

CITYWIDE

**ORDINANCE S-39531 -
RFP 12-004 - ELECTRONIC PLAN REVIEW
SYSTEM - CONTRACT WITH AVOLVE
SOFTWARE CORPORATION**

Request to authorize the City Manager, or his designee, to enter into a contract with Avolve Software Corporation to furnish and install an electronic plan review system. Further request authorization for the City Controller to disburse the necessary funds over the life of the contract, including tax, in an amount not to exceed \$600,000.

In October 2012, the Planning and Development Department issued a Request for Proposals (RFP) to provide electronic plan

review software licensing for a period of five years beginning on or about February 1, 2013, with professional installation services. The Planning and Development Department received two responsive proposals on December 10, 2012. A seven-member evaluation committee comprised of representatives from the Planning and Development Department, Finance Department, one private citizen, and one contract business analyst scored the proposals. Proposals were evaluated based on the following criteria: system functionality (400), background/experience/qualifications (400), integration (250), method of approach (200), schedule (200), cost (400), and hardware requirements (50) for a maximum point total of 1,900.

Following is a tabulation of the proposals received:

<u>Proposer</u>	<u>Total Proposal Scores</u>
Avolve Software Corporation Scottsdale, Arizona	1,744*
Hyland Software, Inc. West Valley City, Utah	1,482

It is recommended by the Acting Planning and Development Director that Avolve Software Corporation, as asterisked, be accepted as the highest scored responsive and responsible proposer.

Financial Impact

The cost of the contract for the initial five-year period, including tax, is approximately \$600,000. Funds are available in the Planning and Development Department's budget.

Employment Impact

The estimated number of private sector jobs created or maintained by this contract over the first five-year period is up to seven.

Option to Extend

Provisions of the agreement include an option to extend the contract up to five additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Naimark.

ITEM 71

CITYWIDE

ORDINANCE S-39532 - CONTRACT CHANGE ORDER WITH ABM-LINC FACILITIES SERVICES

Request to extend Agreement 129319 with ABM-Linc Facilities Services to provide transit facilities maintenance management services, and authorizing the City Controller to disburse funds in accordance therewith.

Agreement 129319 was originally approved by City Council on June 2, 2010. The agreement has a term of August 9, 2010 through August 8, 2013, with two, one-year options. The Public Transit Department is requesting to add the funding for year four of the contract which is not to exceed \$1.65 million. Council originally approved approximately \$4.95 million for the three-year base period.

The contractor shall provide complete facilities maintenance services for three transit operating facilities, the North, South, and West Transit Facilities; and two transit center locations, Central Station Transit Center and Ed Pastor Transit Center. The contractor shall manage and maintain the facilities, buildings, attachments, and all designated equipment, and provide for all necessary preventative maintenance services and repairs, and emergency services.

Financial Impact

Funds are available in the Public Transit Department's Operating budget using Transit 2000 and federal funds. The additional \$1,650,000 added to this contract for year four will bring the total contract value for the four years to \$6,600,000.

This item is also recommended by Mr. Zuercher.

ITEM 72

CITYWIDE

ORDINANCE S-39533 - SOLID WASTE PROGRAM STUDY

Request to authorize the City Manager, or his designee, to enter into contracts with SAIC Energy, Environment & Infrastructure,

LLC (SAIC) and Earth911; and for the City Controller to disburse funds up to \$420,000.

The Public Works Department issued a Request for Proposals (RFP), and informed more than 40 companies that the RFP was available on phoenix.gov. The City received proposals from three companies. A panel, including five City staff members from two departments, evaluated all submittals and interviewed two top-scoring finalists. The panel unanimously recommended awarding contracts to SAIC and Earth911, judging all proposals on the following criteria: cost, method of approach, qualifications and experience, and resumes of the proposed staff.

SAIC will assist the Public Works Solid Waste Division with a strategic review of the solid waste program, including budget review and identifying areas of potential savings; evaluation of operational efficiencies; evaluating the process for developing the solid waste Capital Improvement Program; providing performance metrics and improvement recommendations; providing strategies to achieve a 40 percent diversion rate of solid waste from the landfill by 2020 (current rate is 17 percent); providing recommendations to maximize revenue while creating an equitable fee structure for solid waste customers; and reviewing technology and other methods to improve efficiencies.

Earth911 will work with City staff to develop a citywide communication and education program that inspires, educates, and motivates solid waste customers to voluntarily participate in the City's diversion program.

Entering into contracts with SAIC and Earth911 is expected to promote operational efficiencies in the City's solid waste collection program. Increasing the efficiencies of the solid waste program will help minimize overall operational costs which reduce the potential need to increase solid waste fees in the future.

Financial Impact

Funding for this agreement in the amount of \$420,000 is available in the Public Works Department's budget.

The contract term is for one year, with an option to extend the contract up to four additional years, in one-year increments, which will be exercised if considered in the City's best interests.

Employment Impact

The estimated number of jobs created or maintained is up to four.

On June 12, 2012, the Transportation and Infrastructure Subcommittee recommended City Council approval of the RFP procurement process for a comprehensive study of the Solid Waste Program. This item was also heard by the Finance, Efficiency, Innovation, and Sustainability Subcommittee on June 30, 2012.

This request is recommended by the Acting Public Works Director.

This item is also recommended by Mr. Naimark.

ITEM 73

DISTRICTS 1 AND 8

ORDINANCE S-39534 - AVIATION TRAFFIC ENGINEERING ON-CALL SERVICES

Request to authorize the City Manager, or his designee, to enter into separate agreements with three firms to provide on-call traffic engineering services. Further request to authorize the City Controller to disburse funds for the purpose of this ordinance. Services may include coordination with transportation agencies; traffic modeling; traffic impact studies; analysis of roadway configurations, including capacity and traffic analysis all specifically pertaining to airports; and passenger transportation. The contract will be utilized on an as needed basis for a two-year period beginning February 1, 2013, with a one year option to extend. The contract amount for each firm will be established at a not-to-exceed amount of \$900,000. The firms are as follows:

HDR Engineering, Inc. (Phoenix, Arizona)

Kimley-Horn and Associates, Inc. (Phoenix, Arizona)

Lee Engineering (Phoenix, Arizona)

The on-call contracts will be utilized to provide traffic engineering services to the department for Phoenix Sky Harbor International Airport, Deer Valley Airport, and Goodyear Airport.

The firms were chosen for this project using a qualifications-based selection process as authorized by Section 34-603 of the Arizona Revised Statutes. Based on this selection process, these firms were determined to be the most qualified to provide the

required services for this project.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate, and to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads, and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Employment Impact

The estimated number of jobs created or retained if the full contract amount is utilized for each contract is 30.

Financial Impact

Funds are available in the Aviation Department's Capital Improvement and Operating budgets.

This Council award is subject to execution of an agreement by all of the parties.

This item is recommended by Mr. Zuercher and the Aviation and Street Transportation Departments.

ITEM 74

DISTRICTS 1 AND 8

**ORDINANCE S-39535 -
AVIATION NEPA ON-CALL CONSULTING
SERVICES**

Request to authorize the City Manager, or his designee, to enter into separate agreements with two firms to provide National Environmental Policy Act (NEPA) assessment and compliance services for Phoenix Sky Harbor International Airport, Deer Valley Airport, and Goodyear Airport. Further request authorization for the City Controller to disburse funds for the purposes of this ordinance.

Consulting services may include: preparing categorical exclusions, environmental assessments, environmental impact statements, field surveys, and environmental inventories to comply with the Federal Aviation Administration. Services may also include coordination with federal, state, and local agencies and public outreach and education. The contracts will be utilized on an as needed basis for a two-year period beginning March 1, 2013. The contract amount for each firm will be established at a not-to-exceed amount of \$600,000. The selected firms are Ricondo & Associates (Chicago, Illinois), and HNTB (Oakland, California).

The firms were chosen for this project using a qualifications-based selection process as authorized by Section 34-603 of the Arizona Revised Statutes. Based on this selection process, these firms were determined to be the most qualified to provide the required services for this project.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate, and to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads, and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Employment Impact

The estimated number of jobs created or retained if the full contract capacity is utilized for each contract is 13.

Financial Impact

Funds are available in the Aviation Department's Capital Improvement and Operating budgets.

This Council award is subject to execution of an agreement by all of the parties.

This item is recommended by Mr. Zuercher and the Aviation and Street Transportation Departments.

ITEM 75

DISTRICTS 1 AND 8

**ORDINANCE S-39536 -
AIRPORT PLANNING ON-CALL CONSULTING
SERVICES**

Request to authorize the City Manager, or his designee, to enter into separate agreements with six firms to provide airport

planning on-call services. Further request authorization for the City Controller to disburse funds for the purpose of this ordinance. The on-call planning and consulting services will be utilized on an as-needed basis for Phoenix Sky Harbor International Airport, Deer Valley Airport, and Goodyear Airport to provide a range of aviation planning services including, but not limited to: airport facilities planning, cost/benefit studies, demand/capacity studies, forecasts, land use studies, and other studies as needed. The contract will be utilized on an as-needed basis for a two-year period beginning March 1, 2013. The contract amount for each firm will be established at a not-to-exceed amount of \$900,000. The firms are as follows:

Ricondo & Associates (Chicago, Illinois)
 JACOBS (Phoenix, Arizona)
 Landrum & Brown (San Francisco, California)
 Leigh Fisher (Burlingame, California)
 HNTB (Oakland, California)
 URS (Phoenix, Arizona)

The firms were chosen for this project using a qualifications-based selection process as authorized by Section 34-603 of the Arizona Revised Statutes. Based on this selection process, these firms were determined to be the most qualified to provide the required services for this project.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate, and to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads, and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Employment Impact

The estimated number of jobs created or retained if the full contract amount is utilized for each contract is 60.

Financial Impact

Funds are available in the Aviation Department's Capital Improvement and Operating budgets.

This Council award is subject to execution of an agreement by all of the parties.

This item is recommended by Mr. Zuercher and the Aviation and Street Transportation Departments.

ITEM 76

DISTRICT 2

ORDINANCE S-39537 - WS85050008 - 8A-ES1 LONE MOUNTAIN RESERVOIR REBID - DESIGN-BID-BUILD

Request to authorize the City Manager, or his designee, to accept Currier Construction, Inc. as the lowest priced responsive and responsible bidder, and to enter into a contract with Currier Construction, Inc. for construction services. Further request authorization for the City Controller to disburse funds for the purpose of this ordinance.

Five bids were received, in compliance with Arizona Revised Statutes, Title 34, by the Street Transportation Department on November 13, 2012, to provide construction services in support of the 8A-ES1 Lone Mountain Reservoir REBID project. The reservoir is located at 32625 North 56th Street on an existing site. This reservoir will stabilize water pressure, strengthen fire protection, and provide operational flexibility in northeast Phoenix. All five bids were sent to the Equal

Opportunity Department to determine subcontractor eligibility and general contractor responsiveness in meeting the project's Small Business Enterprise (SBE) goal. Two of the five bids were found non-responsive because they did not meet the SBE goal requirement for the project.

Base bids plus the selected alternate ranged from a low of \$5,229,031 to a high of \$6,380,955. The Engineer's estimate, the second low bidder, and lowest responsible bidder, indicated by an asterisk, are listed below:

	<u>Bid Totals</u>	<u>SBE Goal</u>
Engineer's Estimate	\$5,703,659	9%
Currier Construction, Inc.	\$5,229,031*	9.54%
Skanska	\$5,893,116	9.51%

Recommendation

The Street Transportation Department recommends award of the base bid, plus the selected alternate, to the lowest responsible bidder Currier Construction, Inc. (Phoenix, Arizona), in the amount of \$5,229,031.

Employment Impact

The estimated number of jobs to be created or retained is 58.

Financial Impact

Funding is available in the Water Services Department's Capital Improvement Program budget as follows:

Project	Funding	Total
WS85050008	Water Development Occupational Fee Fund 0054	\$5,229,031

Previous City Council Action

City Council approved Design Contract 130917 on May 4, 2011.

Citizen Notification

Public notification will be provided by the contractor during construction.

This Council award is subject to execution of the agreement by all of the parties.

The Water Services Department concurs with this request.

This item is also recommended by Mr. Miller and the Street Transportation Department.

ITEM 77

DISTRICT 2

ORDINANCE S-39538 - WS85050015 - 7A-G2 3MG CONCRETE RESERVOIR - DESIGN-BID-BUILD

Request to authorize the City Manager, or his designee, to accept Felix Construction Company as the lowest priced responsive and responsible bidder, and to contract with Felix Construction Company for construction services. Further request authorization for the City Controller to disburse funds for the purpose of this ordinance.

Six bids were received, in compliance with Arizona Revised Statutes, Title 34, by the Street Transportation Department on October 2, 2012, to provide construction services in support of the three-million-gallon Concrete Reservoir project. The reservoir will be located at 56th Street alignment and Pinnacle Peak Road. This reservoir will stabilize water pressure, strengthen fire protection, and provide operational flexibility in an already developed area in northeastern Phoenix, which does not currently have water storage facilities.

The top five bids were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and general contractor responsiveness in meeting the project's Small Business Enterprise (SBE) goal. All five bids were found responsive.

Base bids plus selected alternates ranged from a low of \$6,660,652 to a high of \$8,437,866. The Engineer's estimate, the second low bidder, and lowest responsible bidder, indicated by an asterisk, are listed below:

	Total	SBE Goal
Engineer's Estimate	\$8,941,146	12%
Felix Construction Company	\$6,660,652*	15.61%
Currier Construction, Inc.	\$7,389,861	12.41%

Recommendation

The City Engineer recommends award of the base bids plus selected alternates to the lowest responsible bidder, Felix Construction Company (Mesa, Arizona), in the amount of \$6,660,652.

Employment Impact

The estimated number of jobs to be created or retained is 74.

Financial Impact

Funding is available in the Water Services Department's Capital Improvement Program budget as follows:

Project	Funding	Total
WS85050015	Northern Water Impact Fee Fund 0768	\$6,279,972
AR84850024	2008 Civic Improvement Corporation Water Bonds	\$ 380,680
		<u>\$6,660,652</u>

Previous City Council Action

The Council approved Contract 124526 for \$705,212 on September 3, 2008, with Wilson Engineers, LLC to provide design phase services in support of this project.

Citizen Notification

A public open house was held November 19, 2009, January 20, 2010, and October 18, 2011, for the Desert Ridge Community Association.

This Council award is subject to execution of the agreement by all of the parties.

The Water Services Department concurs with this request.

This item is also recommended by Mr. Naimark.

ITEM 78

DISTRICT 3

ORDINANCE S-39539 - ST85110069 - GREENWAY PARKWAY BRIDGE AT CAVE CREEK WASH - CMAR - DESIGN PHASE CONTRACT AWARD

Request to authorize the City Manager, or his designee, to enter into an agreement with Hunter Contracting Co., Gilbert, Arizona, to provide Construction Manager at Risk (CMAR) design phase services for the Greenway Parkway Bridge at Cave Creek Wash project, and further authorize the City Controller to disburse funds for purposes of this ordinance.

The project will construct a cast-in-place three-cell box culvert crossing the Cave Creek Wash and its maintenance roadways, and paving and drainage improvements along Greenway Parkway (one-half mile east of 19th Avenue and Greenway Parkway intersection). The CMAR design phase services include, but are not limited to: construction management plan, project scheduling, design document review, value engineering, cost estimation, demolition and shoring analysis, and Guaranteed Maximum Price (GMP) preparation. The estimated construction cost for this project is \$6.2 million and City Council approval will be requested for construction phase services upon final negotiation of GMP(s).

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate, and to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads, and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Hunter Contracting Co. was selected through a qualifications-based selection process in accordance with Title 34 of the Arizona Revised Statutes as managed by the City Engineer.

Employment Impact

One job is estimated to be created or retained for this phase.

Financial Impact

The CMAR's fee for design phase services shall not exceed \$94,818.99, which includes all subconsultant, subcontractor, and reimbursable costs. Funds are available from Street Transportation Department's Capital Improvement Program funds sourced with Arizona Highway User Revenue.

This Council award is subject to execution of the agreement by all of the parties.

This item is recommended by Mr. Naimark and the Street Transportation Department.

ITEM 79

DISTRICT 4

ORDINANCE S-39540 -

**IGA WITH MARICOPA COUNTY FLOOD
CONTROL DISTRICT FOR 22ND STREET AND
CLARENDON AVENUE STORM DRAIN PROJECT**

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Flood Control District of Maricopa County (DISTRICT) for the construction, operation, and maintenance of 22nd Street and Clarendon Avenue Storm Drain Project. This agreement will allow the DISTRICT to disburse up to \$250,000 to the City. Further, request authorization for the City Controller to receive and disburse funds for the purpose of this ordinance.

Under the DISTRICT's Small Project Assistance Program for Fiscal Year 2014, the City proposed the construction of drainage infrastructure in 22nd Street and Osborn Road to reduce stormwater flows that have historically generated structural flooding in the project vicinity. The project was ranked third by the DISTRICT among thirteen total submittals for the fiscal year.

Financial Impact

The total cost for construction of 22nd Street and Clarendon Avenue Storm Drain Project (ST83140041) is estimated at \$628,000. The City's estimated share is \$378,000. Upon project award, funding for the City's portion will be through the Street Transportation Department's Capital Improvement Program funds using 2006 Storm Drain Bonds.

Employment Impact

When awarded, it is estimated that the City's portion of this project will create or retain four jobs.

Citizen Notification

The City of Phoenix will conduct public involvement meetings during the final design of the project. During construction, further communication with citizens will be scheduled.

This item is recommended by Mr. Naimark and the Street Transportation Department.

ITEM 80

DISTRICTS 7 AND 8

**ORDINANCE S-39541 -
WS85500388 - WATER MAIN REHAB PROJECT -
12TH STREET TO 16TH STREET AND
ROOSEVELT STREET TO MCDOWELL ROAD -
DESIGN BID-BUILD**

Request to authorize the City Manager, or his designee, to accept Mainlining Service, Inc. as the lowest priced responsive and responsible bidder, and to enter into a construction services contract with Mainlining Service, Inc. for lining and rehabilitation of water mains. Further request authorization for the City Controller to disburse funds for the purpose of this ordinance.

Four bids were received, in compliance with Arizona Revised Statutes, Title 34, by the Street Transportation Department on December 11, 2012, to provide construction services in support of the Water Main Rehabilitation Project within the area bounded by 12th Street to 16th Street and Roosevelt Street to McDowell Road. The four bids were sent to the Equal Opportunity Department (EOD) for review to determine subcontractor eligibility and general contractor responsiveness in meeting the project's Small Business Enterprise (SBE) goal. All four bids were found responsive by EOD.

Bids ranged from a low of \$682,752 to a high of \$1,298,529.65. The Engineer's estimate, the second low bidder, and lowest responsible bidder, indicated by an asterisk, are listed below:

	<u>Total</u>	<u>SBE Goal</u>
Engineer's Estimate	\$877,384.60	2%
Mainlining Service, Inc.	\$682,752.00*	2.8%
B & F Contracting, Inc.	\$692,104.00	3.68%

Recommendation

The Street Transportation Department recommends award of the base bid to the lowest responsible bidder, Mainlining Service, Inc. (Elma, New York), in the amount of \$682,752.

Employment Impact

The estimated number of jobs to be created or retained is eight.

Financial Impact

Funding is available in the Water Services Department's Capital Improvement Project budget through Fund 0051 - Water Revenue in the amount of \$682,752 under Project WS85500388.

Previous City Council Action

There has been no previous City Council action on this project.

Citizen Notification

A public information firm will be hired to make all public contact during construction.

This Council award is subject to execution of the agreement by all of the parties.

The Water Services Department concurs with this request.

This item is also recommended by Ms. Maccarone.

ITEM 81

DISTRICT 7

**ORDINANCE S-39542 -
ST85100172 - AMEND ORDINANCE S-39252 TO
ENTER INTO SRP CONSTRUCTION AGREEMENT**

Request to amend S-39252, adopted on October 3, 2012, to authorize the City Manager to enter into a revised agreement for construction of Salt River Project (SRP) facilities, and for the City Controller to disburse funds for the payment of services performed as part of this agreement and for the purposes of this ordinance. This amendment will increase the amount of the original agreement for construction of SRP facilities by \$573,003 to a total of \$666,062. The purpose of the amendment is to allow SRP to construct the irrigation facilities from the Roosevelt Irrigation District (RID) Canal to Lower Buckeye Road, which includes new irrigation pipe, manholes, and other miscellaneous construction items associated with City of Phoenix Project ST85100172 located on 43rd Avenue from Lower Buckeye Road to Buckeye Road.

The agreement includes the authorization pursuant to Phoenix City Code, Section 42-20(B) to indemnify, release, and hold harmless Salt River Project Agricultural Improvement and Power District, the Salt River Valley Water Users' Association, and the United States of America for: (a) acts or omissions of the City, its agents, officers, directors, or employee; (b) the City's use or occupancy of the licensed property for the purposes contemplated by the license, including but not limited to, claims by third parties who are invited or permitted onto the licensed property, either expressed or implied, by the City or by the nature of the City's improvement or other use of the licensed property pursuant to this license; and (c) the City's failure to comply with or fulfill its obligations established by the license or by law.

Previous City Council Action

On October 3, 2012, City Council approved a request to enter into an agreement for construction of SRP facilities and for the City Controller to disburse funds in the amount of \$93,059. The purpose of this agreement is to allow for SRP to construct and install an irrigation delivery structure associated with City of Phoenix Project ST85100172 located on 43rd Avenue and Lower Buckeye Road.

Financial Impact

Funding for the cost increase of the original agreement in the amount of \$573,003 is available through the Street Transportation Department's Capital Improvement Program Arizona Highway User Revenue budget.

Employment Impact

The estimated number of jobs to be created or retained with this increased amount is six.

Citizen Notification

No citizen notification is required.

This item is recommended by Mr. Naimark and the Street Transportation Department.

ITEM 82

DISTRICT 7

**ORDINANCE S-39543 -
ST85100267 - ENGINEERING SERVICES
AGREEMENT WITH SRP FOR BASELINE ROAD -
59TH AVENUE TO 51ST AVENUE**

Request to authorize the City Manager and the City Controller to disburse funds to Salt River Project (SRP) for payment of

irrigation facility design costs associated with City of Phoenix Project ST85100267: Baseline Road - 59th Avenue to 51st Avenue.

The Street Transportation Department entered into an engineering services agreement with SRP on December 3, 2012, thus authorizing SRP to invoice the City of Phoenix for the amount stipulated in the agreement. The purpose of this agreement is for the engineering of irrigation facilities to be modified or relocated along Baseline Road.

Previous City Council Action

City Council previously authorized the City Manager to execute all utility-related design and construction agreements on March 21, 2012, Request for Council Action 68309.

Employment Impact

The estimated number of jobs to be created or maintained is less than one.

Financial Impact

Funding for this agreement in the amount of \$13,870 is available through the Street Transportation Department's Capital Improvement Program Arizona Highway User Revenue budget.

Citizen Notification

No citizen notification is required.

This item is recommended by Mr. Naimark and the Street Transportation Department.

ITEM 83

DISTRICT 7

**ORDINANCE S-39544 -
WS90100092 - 91ST AVENUE WASTEWATER
TREATMENT - ELECTRICAL INSTRUMENTATION
AND CONTROL SYSTEMS INSPECTION AND
TESTING**

Request to authorize the City Manager, or his designee, to enter into an agreement with Bay Area Instrument & Electric, Inc. (Phoenix, Arizona), to provide design support, construction inspections, and commissioning testing for projects associated with electrical, instrumentation, and control systems throughout the 91st Avenue Wastewater Treatment Plant. This contract will be for a two-year period, with an option to extend the contract for an additional two year period, for a total of four consecutive years, which will be exercised by staff if considered to be within the City's best interest to do so. Further request authorization for the City Controller to disburse funds for the purpose of this ordinance.

The Consultant was chosen for this project using a qualifications-based selection process as authorized by Title 34 of the Arizona Revised Statutes. Based on the selection process, this firm was determined to be the most qualified to provide the required services for this project.

The Consultant will enforce electrical, instrumentation, and control standards on all projects at the wastewater treatment plant. The areas of work will be in the design phase, construction installation inspections, and commissioning testing and calibrations of the electrical, instrumentation, and control systems. There will also be operations and maintenance support required when staff performs tests on new and existing equipment.

Employment Impact

The estimated number of jobs created or retained is 14.

Financial Impact

The Consultant's fee shall not exceed \$1,300,000, including all subconsultant and allowable costs. Funding for these services is available from the Water Services Department's Capital Improvement Program (CIP) budget using Wastewater Revenue (0090) and Sub-regional Operating Group CIP (0400) funds.

This Council award is subject to execution of the agreement by all of the parties.

The Water Services Department concurs with this request.

This item is also recommended by Ms. Maccarone and the Street Transportation Department.

ITEM 84

DISTRICT 8

ORDINANCE S-39545 -

**AV08000071 FAA - PSHIA TERMINAL 4 SOUTH
APRON RECONSTRUCTION - DESIGN
SERVICES CONTRACT AWARD**

Request to authorize the City Manager, or his designee, to enter into an agreement with AECOM Technical Services, Inc. (Orange County, California), to provide design services for the Phoenix Sky Harbor International Airport (PSHIA) Terminal 4 South Apron Reconstruction project. The agreement may contain other terms and conditions deemed necessary or appropriate by the City Manager or the Aviation Director. Further request authorization for the City Controller to disburse the necessary funds for the purpose of this ordinance in an amount not to exceed \$510,000.

This project will include the removal and replacement of concrete pavement panels in the Terminal 4 south apron areas. The Engineer's services will include, but are not limited to: surveying, civil engineering, geotechnical investigating, electrical, layout of pavement markings, and the design and preparation of plans and specifications suitable for competitive bidding.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate, and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads, and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

AECOM Technical Services, Inc. was selected through a qualifications-based selection process in accordance with Title 34 of the Arizona Revised Statutes.

Employment Impact

The estimated number of jobs to be created or retained is five.

Financial Impact

The Engineer's fee shall not exceed \$510,000, including all subconsultants and reimbursable costs. Staff anticipates reimbursement from the Federal Aviation Administration Airport Improvement Program Grant. Funds are available in the Aviation Department's Capital Improvement Program budget.

SBE Report

This procurement required proposers to engage in small business outreach efforts. The City has determined the availability of Disadvantaged Business Enterprises (DBE) to be 3.4 percent of the relevant market of potential subconsultants.

This Council award is subject to execution of the agreement by all of the parties.

This item is recommended by Mr. Zuercher and the Aviation and Street Transportation Departments.

ITEM 85

DISTRICT 8

**ORDINANCE S-39546 -
IGA WITH MARICOPA COUNTY FLOOD
CONTROL DISTRICT FOR ALMERIA ROAD AND
WILLETTA STREET STORM DRAIN PROJECT**

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Flood Control District of Maricopa County (DISTRICT) for the construction, operation, and maintenance of Almeria Road and Willetta Street Storm Drain Project. This agreement will allow the DISTRICT to disburse up to \$250,000 to the City. Further, request authorization for the City Controller to receive and disburse funds for the purpose of this ordinance.

Under the DISTRICT's Small Project Assistance Program for Fiscal Year 2014, the City proposed the construction of drainage infrastructure in Almeria Road and Willetta Street between 28th Avenue and McDowell Road to reduce stormwater flows that have historically generated structural flooding. The project was ranked fourth by the DISTRICT among thirteen total submittals for the fiscal year.

Financial Impact

The total cost for construction of Almeria Road and Willetta Street Storm Drain Project (ST83140040) is estimated at \$936,648. The City's estimated share is \$686,648. When the project is awarded, funding for the City's portion will be through the Street Transportation Department's Capital Improvement Program funds using 2006 Storm Drain Bonds.

Employment Impact

When awarded, it is estimated that the City's portion of this project will create or retain up to eight jobs.

Citizen Notification

The City of Phoenix will conduct public involvement meetings during the final design of the project. During construction, further communication with citizens will be scheduled.

This item is recommended by Mr. Naimark and the Street Transportation Department.

ITEM 86

DISTRICT 8

ORDINANCE S-39547 - ST85100185 - AGREEMENT WITH ADOT FOR RAILROAD CROSSING - 40TH STREET AND AIR LANE

Request to authorize the City Manager, or his designee, to enter into an agreement with the State of Arizona through the Department of Transportation (ADOT) to upgrade the railroad crossing (AAR/DOT 741-539-W) on 40th Street north of Air Lane, by furnishing and installing cantilevers, upgrading flashing lights and gates, and installing additional prefabricated concrete surface panels. Further request authorization for the City Controller to disburse or receive funds that may be necessary as a result of this ordinance.

As part of the agreement, the City agrees to save and hold harmless, defend, and indemnify from loss the State for the City's and State's acts, errors, and omissions. The City will certify that all necessary rights-of-way have been or will be acquired. The City will also certify that all obstructions or unauthorized encroachments will be removed.

This agreement encompasses work that will be completed by Union Pacific Railroad using funds acquired by ADOT for the railroad improvements. There is a second part of work that the City of Phoenix will conduct for civil improvements in this area, which will be completed under a separate agreement with ADOT. A separate Request for Council Action will be submitted for approval to enter into that agreement before the construction begins.

The total cost of the railroad improvements encompassed by this agreement is estimated to be \$367,132. The portion of the project that will provide cantilevers, flashing lights, and automatic gates on railroad property will be fully funded by ADOT using Federal Aid and Corporation Commission funds. That cost is estimated to be \$295,247. The remainder of the estimated project cost (\$71,785) is to provide a concrete crossing surface in the roadway. ADOT will provide 94.3 percent of those costs and the City will provide 5.7 percent. Therefore the City of Phoenix portion is estimated to be \$4,092.

On August 27, 2003, City Council approved an agreement, which has since expired, between ADOT and the City of Phoenix for the same work at this railroad crossing. The estimated cost to the City of Phoenix at that time was \$4,937. That amount was paid to ADOT in 2003; however, due to construction complications and utility conflicts the project was never completed. Under the current proposed agreement, once the project costs have been finalized, ADOT will either invoice or reimburse the City for the difference between the \$4,937 already paid and the actual costs.

Employment Impact

There will be no jobs created or retained by the expenditure of the City's portion of this project.

Financial Impact

The City's portion of the project costs is estimated to be \$4,092 and \$4,937 has already been paid to ADOT, so it is not anticipated that additional funding will be needed. The \$4,937 was paid from the Street Transportation Department's Capital Improvement Program budget using Arizona Highway User Revenue. Any reimbursement from ADOT will be returned to this budget.

Citizen Notification

Prior to the start of construction, citizen notification will be performed by ADOT. During construction, the City will provide citizen notification of the construction activities.

This item is recommended by Mr. Naimark and the Street Transportation Department.

ITEM 87

CITYWIDE

ORDINANCE S-39548 - AMENDMENT 1 - BUILDING FIELD INSPECTION

ON-CALL SERVICES

Request to authorize the City Manager, or his designee, to execute Amendment 1 to Contract 133122 with OnSite Engineering to provide professional services to the Planning and Development Department; and further authorize the City Controller to disburse funds for the purpose of this ordinance. Services include conducting building field inspections for building projects submitted to the City by private property owners for permit issuance purposes.

OnSite Engineering supports the Planning and Development staff to perform various building inspections to include electrical inspection work. The Planning and Development Department anticipates an increased need for electrical inspections in commercial construction, which OnSite Engineering is uniquely qualified to provide. This amendment requests approval to increase OnSite's contract amount by \$150,000, for a contract total of \$450,000. The contract will be utilized on an as-needed basis for a two-year period to expire April 30, 2014.

The Consultant was chosen to perform these services using a qualifications-based selection process as authorized by Section 34-603 of the Arizona Revised Statutes. Based on this selection process, this firm was determined to be most qualified to provide the services required. City Council authorized this agreement on April 4, 2012.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate, and to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads, and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Employment Impact

The estimated number of jobs to be created or saved is two.

Financial Impact

Funds are available in the Special Revenue Fund (012).

This Council award is subject to execution of an agreement by all of the parties.

The Acting Planning and Development Director concurs with this request.

This item is also recommended by Mr. Naimark and the Street Transportation Department.

ITEM 88

CITYWIDE

ORDINANCE S-39549 - AGREEMENT WITH EP²M, LLC FOR ORACLE UTILITIES WORK AND ASSET MANAGEMENT CUSTOMIZATION

Request to authorize the City Manager, or his designee, to enter into an agreement with EP²M, LLC for Oracle Utilities Work and Asset Management (WAM) Customization Requirements. Authorization is also requested for the City Controller to disburse the necessary funds for this agreement.

On November 14, 2012, the Administration Division Work Order and Asset Management Team issued a Request for Proposals (RFP) utilizing the City's Work Order and Asset Management Support Qualified Vendor List (QVL)-Category 2-Professional Technical Architect Specific to the Oracle WAM Product. Two firms submitted a Statement of Qualifications (SOQs).

A committee comprised of Water Services and Information Technology Services Department representatives reviewed the SOQs. Firms were evaluated against the Scope of Work and the Qualifications Criteria specified in the RFP. Based on this evaluation, the committee concluded that EP²M, LLC is qualified to provide the necessary services identified in the Scope of Work.

The WAM system is being used by four divisions within the Water Services Department. Several of the divisions have specific needs that are not addressed through the global system. Meeting these needs can be accomplished through programming menus specific to the division. Other customizations provided through this contract will improve efficiency by reducing the time it takes to complete a work order and to update inventory on a real-time basis.

The agreement will commence on the date of execution of the agreement and continue for two years. If there is a mutual consent

between the parties, the agreement may be extended for a period of three additional years, renewable annually; this will be exercised by the City of Phoenix if it is in the best interest of the City.

Financial Impact

Funding in the amount of \$50,000 per year is allocated from the Water Services Department Fund Centers WS85660037 (\$30,000) and WS90660007 (\$20,000), Commitment Item 510025, for this purpose.

Employment Impact

The estimated number of jobs created or retained is less than one.

This item is recommended by Mr. Miller and the Water Services Department.

ITEM 89

CITYWIDE

**ORDINANCE S-39550 -
AMEND AGREEMENT 132731 WITH MORPHEUS
TECHNOLOGY GROUP FOR ANNUAL RENEWAL
OF SOFTWARE MAINTENANCE AND SUPPORT
SERVICES**

Request to authorize the City Manager, or his designee, to amend Agreement 132731 with Morpheus Technology Group (MTG) to provide additional services related to the annual software maintenance and support services agreement. Authorization is also requested for the City Controller to disburse the funds as necessary.

The annual renewal of the software maintenance and support services agreement is for software used by the Water Services Department to integrate Systems, Applications, and Products in Data Processing cost data and Capital Improvement Program (CIP) budget data with the Oracle Primavera Waterworks System. Water Services Department utilizes Waterworks to manage CIP funded projects. MTG is the manufacturer of the integration software and is the sole source for its maintenance and support. The City is contractually obligated to license and/or maintain services by the manufacturer or third party vendor through the life of the software.

This action will also continuously renew the annual coverage for the software maintenance and support service for the MTG contract as long as the Water Services Department uses the Oracle Primavera Waterworks System and it is in the City's best interest to do so.

Financial Impact

The annual licensing renewal, software, and maintenance support shall not exceed \$18,200 per year. Funds are available in the Water Services Department/Technology Services Division's Operating budget.

Employment Impact

The estimated number of jobs created or retained is less than one annually.

This item is recommended by Mr. Miller and the Water Services Department.

ITEM 90

CITYWIDE

**RESOLUTION 21103 -
ISSUANCE OF ONE OR MORE SERIES OF UP TO
\$160,000,000 OF THE INDUSTRIAL
DEVELOPMENT AUTHORITY OF THE CITY OF
PHOENIX, ARIZONA, TAX-EXEMPT AND/OR
TAXABLE SOLID WASTE DISPOSAL REVENUE
REFUNDING BONDS (REPUBLIC SERVICES,
INC. PROJECT), SERIES 2013**

Request approval by Republic Services, Inc. (the "Borrower") of the proceedings under which The Industrial Development Authority of the City of Phoenix, Arizona, (the "Phoenix IDA") has previously resolved to issue up to \$160,000,000 of Solid Waste Disposal Revenue Refunding Bonds (the "Revenue Bonds") to refund (refinance) seven outstanding solid waste disposal revenue bonds previously issued to finance solid waste disposal facilities owned and operated by the Applicant, (Republic Services, Inc.) or its subsidiaries (the "Project").

The Borrower is a for-profit corporation organized and existing under the laws of the State of Delaware. The Republic Services has its corporate headquarters in Phoenix in Council District 2. The original bonds were issued to finance or refinance the

acquisition, construction, installation, improvement, and/or equipping of solid waste disposal facilities located in Georgia, Illinois, Indiana, Nevada, and South Carolina.

It is not uncommon for Arizona IDAs to issue bonds in cities and counties other than their own, especially when the Borrower requests the services of a particular IDA, as is the case here. Fees that are collected at closing and through ongoing assessment fees collected for the life of the bonds are available to invest in programs and initiatives that benefit Phoenix residents. Such investments include supporting small business loan programs aimed at retaining and creating jobs, and other community development programs.

As provided in Arizona Revised Statutes §35-706(A)(16), the Phoenix IDA may issue its Revenue Bonds for a project outside the state of Arizona if its Board of Directors has determined that the issuance of the Revenue Bonds will provide a benefit within the state of Arizona.

On December 18, 2012, the Phoenix IDA adopted a resolution authorizing the issuance of the Revenue Bonds and determined that the issuance of the Revenue Bonds will provide a benefit within the state of Arizona by generating approximately \$56,000 in up-front fees and assessment fees of approximately \$140,000 per year for the expected life of the Revenue Bonds, in assessment fee income to the Phoenix IDA to fulfill its economic development goals, including community investments.

The Revenue Bonds will not involve the credit or financial backing of the City of Phoenix. The City of Phoenix will not incur any costs as a result of the project.

This item is recommended by Mr. Zuercher and the Finance Department.

ITEM 91

DISTRICT 1

**RESOLUTION 21104 -
ABANDONMENT OF EASEMENT - V-120051A**

Request to abandon the following easements as they are no longer needed.

On November 21, 2012, Mr. Doug Walton of Nextgen Apartments requested the abandonment of the four sidewalk easements and adjacent sight visibility triangles on the parcel addressed as 18250 North 25th Avenue (Assessor's Parcel Number 208-05-673), dedicated per plat "Union Hills Corporate", Maricopa County Recorder Book 810, Page 42.

Pursuant to Phoenix City Code, Article 5, Section 31-64(e) the City acknowledges the public benefit received by the generation of additional revenue from the private tax rolls; by the elimination of third party general liability claims against the City, maintenance expenses, and undesirable traffic patterns; and by replatting of the area with new/alternate roadways and new development, as sufficient and appropriate consideration in this matter.

This application does not have the Abandonment Hearing Officer's recommendation as the formal application procedure does not apply. (REF: City Code Section 31-68)

This item is recommended by Mr. Naimark and the Planning and Development Department.

ITEM 92

DISTRICT 3

**RESOLUTION 21105 -
ABANDONMENT OF EASEMENT - V-120041A**

Request to abandon the following easements as the area is being replatted.

On September 27, 2012, RES-AZ KDL, LLC requested the abandonment of all the public easements dedicated per plat "Desert Wind Villas- Phase B", Maricopa County Recorder Book 996, Page 5, including Public Utility Easement, Pedestrian Access Easement, Vehicular Non-access Easement, and Water Easement. This subdivision is located between 21st and 22nd Streets, south of the alignment of East Helena Drive.

Subdivision Plat 120060 under the name of Desert Wind Villas is 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. Recording in this manner will satisfy the stipulation to record concurrently.

Pursuant to Phoenix City Code, Article 5, Section 31-64(e) the City acknowledges the public benefit received by the generation of additional revenue from the private tax rolls; by the elimination of third party general liability claims against the City, maintenance expenses, and undesirable traffic patterns; and by replatting of the area with new/alternate roadways and new development, as

sufficient and appropriate consideration in this matter.

This application does not have the Abandonment Hearing Officer's recommendation as the formal application procedure does not apply. (REF: City Code Section 31-68)

This item is recommended by Mr. Naimark and the Planning and Development Department.

NEW BUSINESS

ITEM 93

DISTRICT 6

DEVELOPMENT AGREEMENT WITH ECHO CANYON ESTATES HOMEOWNERS ASSOCIATION

Request authorization for the City Manager, or his designee, to enter into a development agreement with Echo Canyon Estates Homeowners Association (HOA) to create improvements at the Echo Canyon Park Trailhead.

The purpose of the development agreement will allow construction of a new trail head project to alleviate traffic congestion, parking issues, and public safety issues currently being experienced at the existing trailhead.

On December 13, 2012, the Parks and Recreation Board recommended adopting a development agreement with the Echo Canyon Estates (HOA) to implement the Phoenix Parks and Recreation Board approved solution to the current parking challenges at the park. Through over a year and a half of meetings between staff and HOA representatives, the group has agreed upon the project terms for the construction of the needed trailhead improvements to combat the growing safety and parking issues.

The City of Phoenix and the HOA have negotiated the terms of the development agreement to include construction of the approved trailhead expansion, abandonment of the Echo Canyon Parkway for use as an entrance drive to the HOA properties, and transfer of HOA property to the City of Phoenix to construct the new trailhead entrance.

Financial Impact

There is no financial impact to the City of Phoenix by entering into this agreement.

Employment Impact

No jobs are expected to be created or retained by execution of this development agreement.

This item was presented at the Parks, Arts, Families, and Seniors Subcommittee on October 24, 2012.

This item is recommended by Mr. Miller and the Parks and Recreation Department.

ITEM 94

DISTRICT 3

FINAL PLAT - DESERT WIND VILLAS - 120060

The following final plat has been reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code of the City of Phoenix, and was approved on December 18, 2012:

Plat 120060

Project 05-1806

Name of Plat: Desert Wind Villas

A 27-Lot Residential Plat

Generally located at 21st Street and Campo Bello

Owner(s): RES-AZ KDL, LLC

Engineer(s): Coe & Van Loo Consultants, Inc.

It is recommended 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 V-120041A.

This item is recommended by Mr. Naimark and the Planning and Development Department.

ITEM 95

DISTRICT 5

FINAL PLAT - HENSLEY INDUSTRIAL PARK AMENDED - 120068

The following final plat has been reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code of the City of Phoenix, and was approved on December 27, 2012:

Plat 120068
Project 00-309
Name of Plat: Hensley Industrial Park Amended
A Two-Lot Commercial Plat
Generally located at the northeast corner of 45th Avenue and Monterosa Street

Owner(s): Hensley & Company
Engineer(s): Atherton Engineering, Inc.

It is recommended 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 item is recommended by Mr. Bearup and the Planning and Development Department.

ITEM 96

DISTRICT 7

**FINAL PLAT - SEEFRIED INDUSTRIAL
PROPERTIES - 120055**

The following final plat has been reviewed by the Planning and Development Services Department in accordance with the provisions of Section 32-21 of the Phoenix City Code of the City of Phoenix, and was approved on December 17, 2012:

Plat 120055
Project 12-1072
Name of Plat: Seefried Industrial Properties
A One-Lot Commercial Plat
Generally located at 563 South 63rd Avenue

Owner(s): RELP Estrella, LLC and Western Terminals, LLC
Engineer(s): David S. Klein, R.L.S.

It is recommended 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 item is recommended by Mr. Naimark and the Planning and Development Department.

ITEM 97

DISTRICT 7

**FINAL PLAT - SOUTH MOUNTAIN POLICE
PRECINCT - 120069**

The following final plat has been reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code of the City of Phoenix, and was approved on December 20, 2012:

Plat 120069
Project 04-3175
Name of Plat: South Mountain Police Precinct
A One-Lot Commercial Plat
Generally located at 400 West Southern Avenue

Owner(s): City of Phoenix
Engineer(s): C. Steve Duryea, Jr., R.L.S.

It is recommended 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 item is recommended by Mr. Naimark and the Planning and Development Department.

PLANNING AND ZONING MATTERS

ITEM 98

DISTRICT 6

PUBLIC HEARING -

**ORDINANCE G-5753 -
Z-24-12-6 - HISTORIC OVERLAY OF FRANK
LLOYD WRIGHT HOUSE**

(Continued from November 7 and December 5, 2012) - Request to hold a public hearing and approve the rezoning for the following item by adopting the Planning Commission's recommendation and the related ordinance.

Application: Z-24-12-6 - (Appealed by Opposition)
From: RE-35 ACSPD
To: RE-35 HP-L ACSPD
Acreage: 2.45
Location: Approximately 310 feet north of the northeast corner of Exeter Boulevard and Rubicon Avenue
Proposal: Historic Preservation-Landmark Overlay Zoning for the David and Gladys Wright House.
3/4 Vote Required: Yes
Applicant: City of Phoenix Planning Commission
Owner: 8081 Meridian, LLC
Representative: Kevin Weight
Staff: Approved.
HPC Action: September 17, 2012 - Approved. Vote 7-0
VPC Action: Camelback East - October 2, 2012 - Approved with the condition that the City should make efforts to find an equitable and permanent solution. Vote 9-5
PC Action: October 9, 2012 - Approved. Vote 7-1

This item is recommended by Mr. Naimark and the Planning and Development Department.

ITEM 99

DISTRICT 6

**PUBLIC HEARING -
RESOLUTION 21106 -
GPA-AF-2-12-6 -
LIBERTY LANE AND 17TH AVENUE**

Request to hold a public hearing and approve the land use for the following item by adopting the Planning Commission's recommendation and the related resolution.

Application: GPA-AF-2-12-6 (Companion Case Z-289-N-84-6)
Request: Map Amendment
From: Commercial
To: Residential 3.5 to 5
Acreage: 17.55
Location: Southwest corner of Liberty Lane and 17th Avenue
Proposal: To allow residential uses
Applicant: Stephen Earl - Earl, Curley, and Lagarde
Staff: Approved.
VPC Action: Ahwatukee Foothills - November 26, 2012 - Approved. Vote 11-0
PC Action: December 11, 2012 - Approved. Vote 8-0

This item is recommended by Mr. Naimark and the Planning and Development Department.

ITEM 100

DISTRICT 6

**PUBLIC HEARING -
Z-289-N-84-6 -
LIBERTY LANE AND 17TH AVENUE**

Request to hold a public hearing and approve the rezoning for the following item by adopting the Planning Commission's recommendation.

Application: Z-289-N-84-6 (Companion Case GPA-AF-2-12-6)
From: PCD (Approved CP/GCP PCD)
To: R1-8 PCD

Acreage: 17.55
Location: Southwest corner of Liberty Lane and 17th Avenue
Proposal: Major amendment to the Foothills Planned Community District (PCD) to allow a single-family residential subdivision. Change in maximum dwelling units from 0 to 90.
Applicant: Lennar Arizona, Inc.
Owner: DMB Circle Road Partners, LLP
Representative: Stephen C. Earl - Earl, Curley, and Lagarde

Staff: Approved, subject to stipulations.
VPC Action: Ahwatukee Foothills - November 26, 2012 - Approved, subject to modified stipulations. Vote 11-0
PC Action: December 11, 2012 - Approved. Vote 6-0

The following stipulations are subject to discussion at the meeting, and the City Council may add, delete, or amend stipulations.

Stipulations

1. That the required five percent open space amenity shall be located outside the retention basin. The power line easement may be counted toward the open space calculation.
2. That the power line easement shall be placed under common ownership and maintained as an amenity by the Homeowner Association.
3. That prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development(s) the existence and operational characteristics of the Salt River Project Marley Substation and power lines. 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.
4. The property owner shall record documents, INCLUDING THE ATTACHED AERIAL MAP/CONTEXT PLAN, that discloses to prospective purchasers of property within the development the existence of noise from the potential Loop 202/South Mountain Freeway. THE DOCUMENT SHALL ALSO DISCLOSE TO PROSPECTIVE PURCHASERS THAT THE FINAL DESIGN AND ALIGNMENT OF THE FREEWAY HAS NOT BEEN FINALIZED BY ARIZONA DEPARTMENT OF TRANSPORTATION AND COULD IMPACT THE DEVELOPMENT IN THE FUTURE VIA ADDITIONAL RIGHT-OF-WAY ACQUISITION. 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.

This item is recommended by Mr. Naimark and the Planning and Development Department.

ITEM 101

DISTRICT 7

**PUBLIC HEARING -
RESOLUTION 21107 -
GPA-LV-1-12-7 -
51ST AVENUE AND BASELINE ROAD**

Request to hold a public hearing and approve the land use for the following item by adopting the Planning Commission's recommendation and the related resolution.

Application: GPA-LV-1-12-7 (Companion Case Z-39-12-7)
Request: Map Amendment
From: Residential 3.5 to 5
To: Commercial
Acreage: 25.61
Location: Northeast corner of 51st Avenue and Baseline Road
Proposal: Amend the General Plan Map to allow office and commercial uses
Applicant: Jason Morris - Withey Morris, PLC

Staff: Approved.
VPC Action: Laveen - November 19, 2012 - Approved. Vote 9-1
PC Action: December 11, 2012 - Approved. Vote 8-0

This item is recommended by Mr. Naimark and the Planning and Development Department.

ITEM 102

DISTRICT 7

**PUBLIC HEARING -
ORDINANCE G-5775 -
Z-39-12-7 -
51ST AVENUE AND BASELINE ROAD**

Request to hold a public hearing and approve the rezoning for the following item by adopting the Planning Commission's recommendation and the related ordinance.

Application: Z-39-12-7 (Companion Case GPA-LV-1-12-7)
From: S-1
To: C-2
Acreage: 25.61
Location: Approximately 750 feet east of the northeast corner of 51st Avenue and Baseline Road
Proposal: Office/Commercial and Assisted Living and Memory Care Facility
Applicant: Jason Morris - Withey Morris, PLC
Owner: Ernest Linsenmeyer and Kyle Hindman
Representative: Jason Morris - Withey Morris, PLC
Staff: Approved, subject to stipulations.
VPC Action: Laveen - November 19, 2012 - Approved with additional stipulations. Vote 7-3
PC Action: December 11, 2012 - Approved, subject to additional and modified stipulations. Vote 8-0

The following stipulations are subject to discussion at the meeting, and the City Council may add, delete, or amend stipulations.

Stipulations

1. The development shall be in general conformance with the site plan date stamped September 26, 2012, as approved by the Planning and Development Department.
2. That all elevations of the building shall contain architectural embellishments and detailing, such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or other overhang canopies, as approved by the Planning and Development Department.
3. A 50-foot landscape setback shall be provided along Baseline Road and 51st Avenue, as approved by the Planning and Development Department.
4. A 10-foot public multi-use trail shall be constructed within a 30-foot easement in accordance with City of Phoenix Maricopa Association of Governments Supplemental Detail Section 429 of the Supplemental Specifications along 51st Avenue and Baseline Road, as approved by the Parks and Recreation Department, and Planning and Development Department.
5. Detached sidewalks shall be provided along 51st Avenue and Baseline Road, as approved by the Planning and Development Department.
6. Drive-through facilities shall be located a minimum 100 feet from the north and east property lines, as approved by the Planning and Development Department.
7. The applicant shall pursue a recorded cross access agreement for the subject parcel and the parcel located at the northeast corner of 51st Avenue and Baseline Road to allow the proposed uses to function as a commercial center. The agreement is to be reviewed and approved by the Planning and Development Department prior to recordation with Maricopa County.
8. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order

to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property.

9. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all Americans with Disabilities Act accessibility standards.
10. THAT THE APPLICANT SHALL PRESENT FOR REVIEW AND COMMENT A DETAILED SITE PLAN, LANDSCAPE PLAN, ELEVATIONS, SIGN PLAN, AND TRAILS PLAN TO THE LAVEEN VILLAGE PLANNING COMMITTEE PRIOR TO PRELIMINARY SITE PLAN APPROVAL.
11. THE APPLICANT SHALL NOTIFY THE FOLLOWING INDIVIDUALS BY MAIL 15 DAYS PRIOR TO ANY PLANNING HEARING OFFICER HEARINGS. THE NOTICE SHALL INCLUDE THE DATE, TIME, AND LOCATION OF THE HEARINGS.
 - a. CLAUDINE REIFSCHNEIDER - 4611 WEST SUMMERSIDE ROAD, LAVEEN, AZ 85339
 - b. PHIL HERTEL - 2300 WEST BROADWAY ROAD, PHOENIX, AZ 85041
 - c. STEVEN KLINE - 6820 SOUTH 66TH AVENUE, LAVEEN, AZ 85339
 - d. WENDY ENSMINGER - 6806 SOUTH 55TH LANE, LAVEEN, AZ 85339
 - e. JON KIMOTO - 3216 WEST ANSELL ROAD, LAVEEN, AZ 85339
 - f. RANDY SCHILLER - 8618 SOUTH 54TH LANE, LAVEEN, AZ 85339
 - g. BRYAN BAKER - 7225 WEST ELLIS STREET, LAVEEN, AZ 85339
 - h. ERIKA LOPEZ - 4845 WEST DONNER DRIVE, LAVEEN, AZ 85339

This item is recommended by Mr. Naimark and the Planning and Development Department.

ITEM 103

CITYWIDE

**PUBLIC HEARING -
ORDINANCE G-5776 -
Z-TA-16-12 - SUNSET DOWNTOWN CORE AND
WAREHOUSE OVERLAY DISTRICTS**

Request to hold a public hearing and approve the text amendment changes for the following item by adopting the Planning Commission's recommendation and the related ordinance.

Application: Z-TA-16-12
Request: Sunset 643 Downtown Core District and 645 Warehouse Overlay District
Proposal: Amend Sections 643 (Downtown Core District) and 645 (Warehouse Overlay District) of the Zoning Ordinance by deleting in its entirety to sunset the districts.
Applicant: City of Phoenix Planning Commission
Representative: Planning and Development Department
Staff: Approved.
VPC Action: The Central City Village Planning Committee did not review this amendment.
PC Action: December 11, 2012 - Approved. Vote 8-0
CC Subcommittee Action: Neighborhoods, Planning and Development, Housing, and Homeless Subcommittee - January 15, 2013 - Recommendation will be verbal.

The following language is subject to discussion at the meeting, and the City Council may add, delete, or amend the language.

Proposed Language

~~643 Downtown Core (DC) District. +1~~

- A. Purpose and Intent. The purpose of the Downtown Core District is twofold: to implement the Downtown Plan and to encourage a variety of uses of a sufficiently significant scale and intensity to provide a focus for the region. The specific intent of the district is to:
- 1. Permit uses tailored to the needs of the core.
 - 2. Encourage greater intensities and densities of use.
 - 3. Improve the visual quality of the area.
 - 4. Develop standards specific to the desired pedestrian-oriented environment.
 - 5. Provide equal treatment for all property owners within the district.
- B. Applicability. This district shall apply to lands generally within the boundaries of the centerlines of Fillmore Street, Seventh Street, Harrison Street, and Third Avenue. A site plan approved in accordance with Section 507 of this ordinance is required for all uses. *13
- C. Previously Zoned Property:
- 1. Land previously zoned P-1 HRI, R-5 HRI, C-2 HRI, C-2 H-R1, C-3 H-R1, C-3 H-R1 HP, C-3 HRI, C-3 HRI HP, A-1, A-1 HP, A-1 H-R, A-2 HP, and A-2, and land with previous special permit approval, and developed under standards then in effect, shall be considered to be a conforming use of the Downtown Core District. Any future development shall be according to the standards of the Downtown Core District.
 - 2. Land previously zoned P-1 HRI, R-5 HRI, C-2 HRI, C-2 H-R1, C-3 H-R1, C-3 H-R1 HP, C-3 HRI, C-3 HRI HP, A-1, A-1 HP, A-1 H-R, A-2 HP, and A-2, and undeveloped as of January 1, 1994, but for which a site plan has been filed on or before that date, may be developed in accordance with the regulations for the previously zoned classifications or in accordance with the regulations set forth in this section. Development on such land in accordance with the regulations for the previous zoned classification shall be considered to be a conforming use of the Downtown Core District. Development in accordance with a site plan filed after January 1, 1994, shall comply with the regulations set forth in this section.
 - 3. Land that has been rezoned subject to conditions shall continue to be subject to such conditions. Where any rezoning conditions as applied to property that is undeveloped or for which a site plan has not been filed on or before January 1, 1994, are in conflict with the regulations in this section, the regulations of this section shall govern.
 - 4. Use permits granted under previous zoning classifications or regulations for activities that require use permit approval pursuant to this section shall remain in effect subject to compliance with all prescribed conditions.
 - 5. There are properties within the area that are listed on the Phoenix Historic Property Register or are presently zoned with the Historic Preservation (HP) overlay, in accordance with the provisions of Chapter 8 of the Phoenix Zoning Ordinance. Nothing in this district shall effect that designation and the regulations applicable thereto.
- D. Permitted Uses. -4
- Land and structures in the Downtown Core District may only be used for the following purposes subject to the standards and procedures in Chapters 3 and 5 and the regulations and special standards set forth herein:
 - 1. Accessory uses and structures, incidental to and on the same lot or parcel as the principal use or structure, as indicated below:
 - a. Amateur communication tower and other antenna.
 - b. Automatic teller machine.
 - c. Billiard tables.
 - d. Carport.
 - e. Carwash, not on a corner lot.
 - f. Garage.
 - g. Gas station subject to a special permit.
 - h. Heating, ventilating, air conditioning and swimming pool equipment.
 - i. Outdoor storage/display in compliance with Section 643.I.9 and 11.
 - j. Parking lot. All parking lots in this district, both conforming and legally nonconforming, may be used for parking for off-site events. *7
 - k. Parking structure. A parking structure accessory to an existing development or in conjunction with a new development may be located off-site, subject to obtaining a special permit. All parking structures in this district, both conforming and legally nonconforming, may be used for parking for off-site events. *3 *7
 - l. Any use listed in this section, below may also be used as an accessory use. +3 *12
 - 2. Arena and accessory uses incidental to and located on the same lot or parcel as the principal use or structure. +9

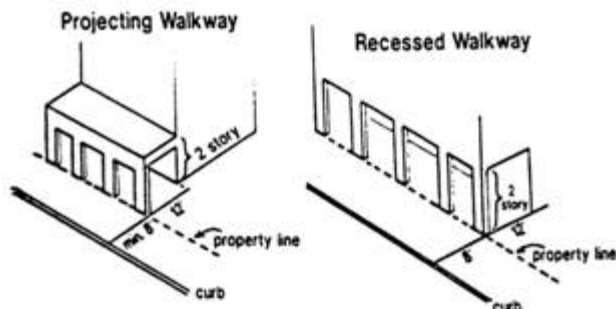
3. Artists' studios. *9 *12
- 4. Automotive repair, minor, subject to a use permit. Repairs shall be limited to sales and installation of tires, batteries, hoses, and belts; oil changes; lubes and minor tune-ups. *9 *12
- 5. Banks and financial institutions. *9 *12
- 6. Bar, lounge, or tavern, subject to a use permit and in compliance with section 643.I.2. *9 *12
- 7. Billiard parlor, subject to a use permit. *9 *12
- 8. Broadcasting studios. *9 *12
- 9. Clubs, private or public qualifying by law as a nonprofit entity. *9 *12 *14
- 10. Construction yard for a site within three hundred feet subject to a use permit. *9 *12 *14
- 11. Cultural institutions for the display or performance of fine arts. *9 *12 *14
- 12. Dancehalls, subject to a use permit. *9 *12 *14
- 13. Dependent care center in compliance with Section 643.I.4. *9 *12 *14
- 14. Employment agency, labor, subject to obtaining a special permit in accordance with the provisions of Section 504.1. *9 *12 *14
- 15. Government facilities. *9 *12 *14
- 16. Health and fitness facility, indoor. Massage therapy shall be permitted as an accessory use. *9 *12 *14
- 17. Helistop or heliport, subject to the following: *9 *12 *14
 - a. A special permit shall be obtained in accordance with the provisions of Section 504.1. *9
 - b. Regulations set forth in Section 643.I.5. *9
- 18. Hotel, motel, or resort. *9 *12 *14
- 19. Liquor, package retail sales, subject to a use permit, and in compliance with Section 643.I.6. *9 *12 *14
- 20. Manufacturing: Fabrication and assembly of finished products or subassemblies, so long as the primary use of the property is not the basic processing and compounding of raw materials, or food products, and such use is in the basement or conducted on the second floor or above. *9 *12 *14
- 21. Mortuaries legally established as of January 1, 1994. *9 *12 *14
- 22. Museums and galleries. *9 *12 *14
- 23. Newspaper publishing. *9 *12 *14
- 24. Offices. *9 *12 *14
- 25. Outside retail sales are allowed if not visible from the public right-of-way. If said use is visible from the public right-of-way, the use shall be allowed, subject to a use permit. *9 *12 *14
- 26. Outdoor storage, display and lighting, in compliance with Section 643.I.9, 10 and 11. *9 *12 *14
- 27. Outside dining, if in the public right-of-way, is subject to a use permit in accordance with Section 307, and in compliance with Section 643.I.8. *9 *12 *14
- 28. Place of assembly, indoors. *9 *12 *14
- 29. Place of assembly, outdoors, provided that a special permit is obtained in accordance with the provisions of Section 504.1. *9 *12 *14
- 30. Place of worship in compliance with Section 643.I.12. *9 *12 *14
- 31. Printers. *9 *12 *14
- 32. Public open space. *9 *12 *14
- 33. Public utility substations. *9 *12 *14
- 34. Research laboratories for scientific research, investigation, testing or experimentation which may include prototype product development. *11 *12 *14
- 35. Residential uses. *9 *11 *12 *14
- 36. Restaurants in compliance with Section 643.I.13. *9 *11 *12 *14
- 37. Retail sales and service. *9 *11 *12 *14
- 38. Schools. *9 *11 *12 *14
- 39. Stadium and accessory uses, incidental to and located on the same lot or parcel as the principal use or structure in compliance with Section 643.I.14. *3 *7 *9 *11 *12 *14
- 40. Tattoo shop subject to a special permit. *3 *9 *11 *12 *14
- E. Bulk Requirements. The regulations governing the height of buildings, and requirements for lot area, width and yards shall be as set forth in the following regulations:
 - 1. Building height Maximum:

- a. The height of a building shall not exceed the height limits as set forth in "The Sky Harbor Airport Zoning Ordinance."

2. Yard and coverage requirements:

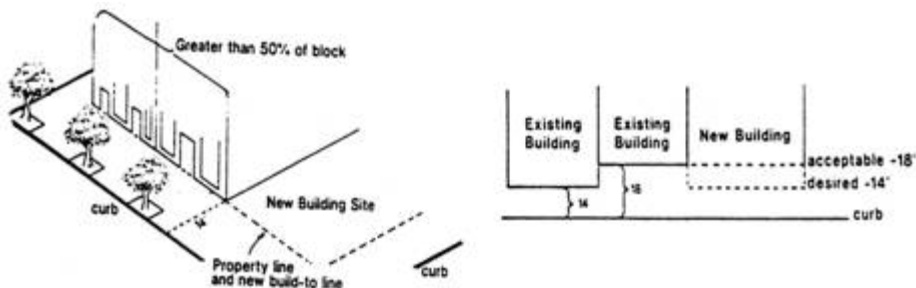
- a. There shall be no maximum lot coverage requirement.
- b. There shall be no front, rear, or side yard requirements except as herein provided:

- (1) Buildings abutting a public street shall maintain at least an eight-foot setback from the curb to the outside edge of any building columns and to the outside edge of the third story and above. The first and second story must maintain a twenty-foot setback from the curb. In no case shall columns or upper floors extend into the public right-of-way.



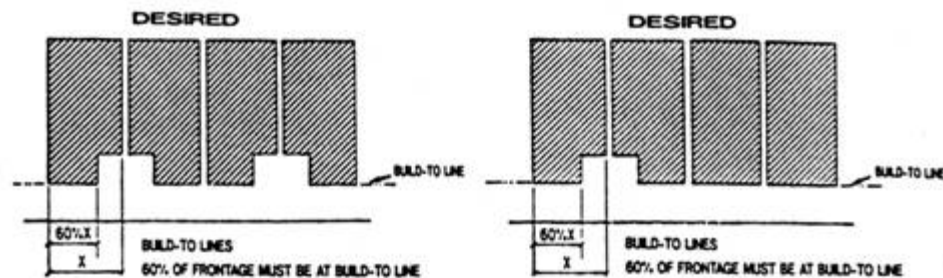
Projecting and Recessed Walkways

- (2) In lieu of providing on-site landscaping between the building front and the property line, the property owner shall provide and maintain landscaping in the public right-of-way in accordance with approved streetscape plans or as approved by the City's Planning and Development Department staff.
- (3) Along the face of a block where a setback pattern has already been established for fifty or more percent of the block's length, new development, or rehabilitation projects shall follow the existing setback pattern.



Setback Pattern 1

- (4) The continuity of building frontages is essential to the functional and visual viability of the downtown area. At least sixty percent of the building front on any parcel or block face shall be located within fifteen feet of the front property line.



Setback Pattern 2

- (5) Structures on corner lots shall be sited so as to maintain a thirty-three-foot visibility triangle at the intersection of two public streets unless approved otherwise by the Planning and Development Department.
- (6) Buildings or structures that abut single or multifamily residential use existing as of January 1, 1994, shall maintain a side or rear yard setback of not less than twenty feet.
- (7) A stadium and its on-site accessory uses shall provide a setback sufficient to ensure a

minimum thirteen-foot-wide sidewalk and landscaped strip adjacent to the street curb. The five feet of setback adjacent to the street curb shall be landscaped beds as approved by the Site Planning Division of the Planning and Development Department. Sections 643.E.2.b.1 through 4 and 6 shall not apply to a stadium or its on-site accessory uses. +3

- - - See also design guidelines in Section 643.J.4.

F. Off-Street Parking and Loading:

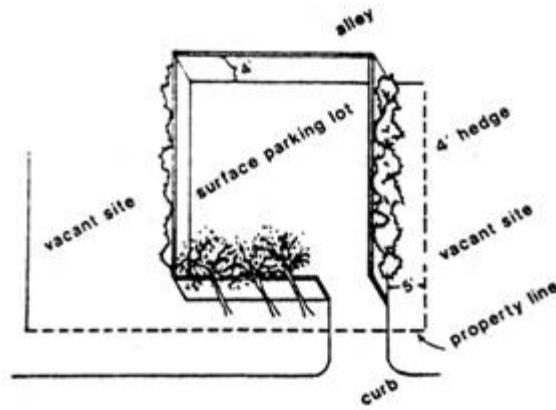
- 1. No parking shall be required within the Downtown Core District. If parking is provided, it shall be designed and constructed following the requirements of Section 702.A.2.a and Section 702.A.4.
- a. *General provisions.* Whenever the expression "off-street loading space" is used, it shall mean a space on private property for the standing, loading, and unloading of vehicles to avoid undue interference with the public use of streets, alleys, and sidewalks. Such space shall be not less than ten feet in width and thirty feet in length, exclusive of access aisles and maneuvering space.
- b. *Off-street loading required.* In the use of land for any building or structure, no building or structure shall be erected unless provision is made for the location on the lot of off-street loading space on the basis of the minimum requirements of Section 702 of the Zoning Ordinance. Office buildings that have an aggregate gross floor area of twenty-five thousand square feet or more shall provide off-street truck loading or unloading berths in accordance with the following table:

Square Feet of Aggregate Gross Floor Area Devoted to Such Use	Required Number of Berths
25,000 sq. ft. up to and including 100,000 sq. ft.	1
100,001 sq. ft. up to and including 240,000 sq. ft.	2
240,001 sq. ft. up to and including 400,000 sq. ft.	3
For each additional 120,000 sq. ft.	1 additional

- c. The off-street loading facilities required shall in all cases be on the same lot or parcel of land as the structure they are intended to serve.

G. Landscaping, Fences, and Walls:

- 1. Fences and walls may be allowed subject to the restrictions of Section 643.J and Section 703.
- 2. Landscaping shall be required only in conjunction with the following situations:
 - a. If the property fronts on or is adjacent to a street for which a streetscape plan has been approved, said property shall adhere to the requirements of the streetscape plan.
 - b. Shading is required per Section 643.J.
 - c. If a parcel is used for surface motor vehicle parking or interior vehicle circulation as a primary or accessory use, a wall and landscaping shall be required along all sides of said lot. Along that portion of the lot which bounds the side or rear yards, the wall shall not be less than three nor more than four feet in height. A wrought iron fence of up to three feet may be constructed on top of the wall. A width of five feet of landscaping shall be maintained on the exterior of the wall. Landscaping shall, when matured, be a minimum of four feet in height and shall be maintained in a living condition. Along that portion of the lot which bounds the front yard, the wall shall be three feet in height. Landscaping shall, when matured, be a minimum of three feet in height and shall be maintained in a living condition. All landscaping or wall construction adjacent to driveway entrances shall not exceed three feet in height within a triangle measuring ten feet in depth from the property line tapering to the property line twenty feet on either side of the driveway. All required walls or landscaping shall be maintained in a neat and orderly condition. Landscaping shall provide at least continuous evergreen (broadleaf or conifer) shrubs or hedges in a planting area which shall be a minimum of five feet in width. The wall and landscaping requirements for side or rear yards abutting a building and the landscaping requirement abutting an alley are not required.



Landscaping, Fences, and Walls

- d. A parking lot that is the primary use of a lot or parcel which does not conform to the landscaping regulations set forth in Section 643.G or the lighting regulations set forth in Section 507 shall be brought into conformance with those regulations prior to the issuance of any permit for construction on the lot or parcel except for permits for repaving or for security gates, guard houses, or related security equipment.
- H. Signs. Signage in the Downtown Core District shall be governed by the regulations applicable to signs for commercial land use as established in Section 705 or as allowed in Section 705.F except as modified by the regulations set forth in this subsection. Signs not visible beyond the boundaries of the lot or parcel upon which they are situated or from any public thoroughfare are not regulated as signs. *15
 - 1. Signs projecting more than six inches from the front of buildings over the public right-of-way shall be perpendicular to the street (i.e., ninety-degree angle), with a maximum of one sign per entrance. All signs that extend into or over the public right-of-way shall be permitted only upon issuance of a revocable permit as administered by the City of Phoenix. Each sign shall:
 - a. Identify only one business.
 - b. Provide a minimum eight-foot head clearance. Existing signs with a minimum of seven feet six inches clearance may remain.
 - c. Be a maximum of nine square feet in area (one face).
 - d. Project no more than three feet into the public right-of-way.
 - e. Be indirectly illuminated from a shielded light source (i.e., not backlit or "cabinet" sign).
 - 2. Signs shall be easily legible from across the street, day and night.
 - 3. Awning signs shall be permitted by right. Awning signs shall have letters no more than ten inches in height.
 - 4. Signs painted on the building surface or letters mounted directly to the building surface shall:
 - a. Be a maximum of one square foot of signage for each lineal foot of building elevation to a maximum of one hundred square feet.
 - b. Have letters no larger than twelve inches in height for building fronts thirty feet in height or less; eighteen inches in height for building fronts thirty feet to sixty feet in height; twenty-four inches in height for building fronts sixty feet in height or greater.
 - c. Extend no closer than one-half the vertical height of the letters employed to a building corner (vertical edge) or to a roofline.
 - Signage may be increased by up to twenty-five percent by submitting a comprehensive sign plan as provided in the Phoenix Sign Code, Section 705.E.2.b.3.
 - The foregoing requirements shall not apply to signs exceeding fifty-six feet in height approved through a comprehensive sign plan and subject to the requirements of Section 705, Table D-1, of the Zoning Ordinance.
 - 5. Windows fronting the public right-of-way may include two types of signage:
 - a. Painted letters on the glass surface shall not exceed a total of more than twenty percent of the windowpane area.
 - b. Neon letters, within three feet of the inside of the glass surface, shall not comprise in total more than twenty percent of the area of the window opening or glazing unit.
 - 6. Second-story or basement businesses fronting the public right-of-way may only use a sign

in a second-story window, or use a wall sign subject to a use permit. Awning signs shall not be permitted on second-story windows.

- 7- Corner buildings shall be allowed signage on each street frontage.
- 8- Freestanding or ground signs may be allowed to a maximum of forty square feet in area if the primary building is set back fifteen or more feet for more than fifty percent of the street frontage. Said sign shall be a maximum of eight feet in height. Signs may be up to twenty feet in height and one hundred square feet in area if a comprehensive sign plan is filed and if the project covers a full block or more.
- 9- Directional signs for accessory parking will be allowed to a maximum of six square feet per sign per driveway entrance. Said sign shall be a maximum of three feet in height. No more than twenty-five percent of the area may be devoted to business identification.
- 10- The provisions of Section 705.C.6.d (illuminated sign spacing from residential uses) shall not apply within the Downtown Core District.
- 11- Signs, banners, balloons, flags, guidons, and similar advertising devices otherwise prohibited by this ordinance may be erected subject to a use permit in conjunction with special promotional events to be held within the Downtown Core of a civic or commercial nature. No more than twenty-five percent of the area may be devoted to corporate sponsorship identity. Findings of approval shall include:
 - a- The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development.
 - b- The length and frequency of such displays are compatible with the goals and objectives of the downtown redevelopment program.
 - When two or more adjoining establishments are to participate equally in the event, a single request for a use permit may be filed.
- 12- For master planned developments covering one or more downtown blocks (three hundred feet by three hundred feet minimum), signs, banners, and flags otherwise prohibited by Section 643.H.11 may be erected, subject to a use permit in compliance with a comprehensive sign plan. In addition to the standards enumerated in Sections 705.E.2 and 705.F, findings of approval shall include:
 - a- The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development.
 - b- The length and frequency of such displays are compatible with the goals and objectives of the downtown redevelopment program.
 - c- The signs, banners, and flags are mounted and secured so as not to pose a distraction or hazard to vehicles or pedestrians.
 - d- Content is limited to logos, graphics, and project name.
- 13- Wall signs on buildings in a designated Historic Preservation zoning district exceeding the applicable size regulations may be allowed by the Historic Preservation Commission in accordance with the procedure set forth in Section 812.C.3 and upon the additional finding that the proposed signage replicates the size, shape, and placement of the original wall signage.
- 14- The following signs are prohibited:
 - a- Signs placed above or on top of any portion of the roof or front parapet.
 - b- Signs advertising goods or services not provided on the premises except for non-commercial signs.
 - c- Signs utilizing moving, flashing, or rotating lights or mechanisms, except as provided by a use permit.
- 15- Stadium signs. +3
 - Unless otherwise specified below, the following provisions shall control stadium signage:
 - a- *Interior signage.* Signage inside a stadium shall be permitted without other regulation even if it is visible from adjacent public streets if it adheres to a comprehensive graphic design package for the stadium.
 - b- *Exterior signage.*
 - (1) *General provisions.*
 - (a) Exterior signage for a stadium shall be approved only as a comprehensive sign plan in accordance with the procedures of Section 705.E. Concurrently with the submission of its request for a use permit pursuant to Section 705.E, the applicant shall notify the Phoenix Arts

Commission and Central City Design and Architectural Review Panel that it has submitted an application and shall provide each group with a copy of that application. The applicant is encouraged to meet with each of these groups to discuss the application and receive comment from them. The height and area of signs specified in this section shall be maximum numbers and shall not be subject to increase through the comprehensive sign plan. The comprehensive sign plan approval shall specifically address design of all ground signs. Such signs shall be designed to be compatible with the architectural treatment and overall character of the site, to conform to the context of the immediate surroundings, and to complement the building in choice of materials, textures and colors.

- - - - (b) Signage that is directed primarily to the interior of the stadium but which is occasionally positioned to be visible from the exterior of the stadium shall be considered interior signage. For purposes of this section, "occasionally" shall be defined as no more than twenty-five percent of any day. Any signs which change position shall be permitted only in compliance with the comprehensive sign plan approval.
- - - - (c) Signs projecting more than six inches from the front of a stadium over the public right-of-way shall satisfy the standards of Section 643.H.1 regarding projecting signs in the Downtown Core District.
- - - - (d) Signs permitted by Sections 643.H.15.b(6) through (9) may include matrix boards, animation, photographs, moving film elements, projected images, and other state of the art graphic communication devices. All animation and other movement shall be permitted only in compliance with the comprehensive sign plan approval.
- - - - (e) Signs may be lighted either directly or indirectly. All signs on a single elevation or facade of the stadium shall be lighted in a consistent manner. A stadium signage package shall not include backlit awnings or cabinet signs.
- - - (2) *Directional signs.* Directional signs shall comply with the standards of Section 643.H.9 regarding directional signs in the Downtown Core District.
- - - (3) *Signage for on-site uses accessory to a stadium.* On-site accessory uses shall comply with the standards of Sections 643.H.1 through 14 regarding signs in the Downtown Core District.
- - - (4) *Wall and ground signs located within twenty-five feet of grade.* Wall and ground signs located within twenty-five feet of grade shall comply with the standards of Section 643.H.1 through 14 regarding signs in the Downtown Core District.
- - - (5) *Graphic art display and outdoor advertising/commercial message signs located on the stadium higher than twenty-five feet above grade.* A graphic art display including outdoor advertising/commercial message signs shall be permitted as part of the comprehensive sign plan on a stadium at a height greater than twenty-five feet above grade. Such signs shall comply with the following standards:
 - - - - (a) No more than twenty-five percent of any one facade or more than eight percent of all facades combined shall be devoted to a graphic art display including outdoor advertising/commercial message signs.
 - - - - (b) The graphic art display and outdoor advertising/ commercial message signs shall be incorporated as an integral part of the overall stadium building. For example, the signs shall be framed by other building elements or set into building recesses.
 - - - - (c) All of the graphic art display and outdoor advertising/ commercial message signs on a single elevation/ facade shall contain colors, lettering, and graphics that are consistent with or complement one another, except as provided in Section 643.H.15.b(6)(e), below.
 - - - - (d) Outdoor advertising/commercial message signs shall be incorporated into a larger graphic art display which could be one panel or several individual panels. The panel or panels shall have a consistent, integrated artistic style.

(e) No more than twenty-five percent of each graphic art display panel shall be used for the outdoor advertising/commercial message. The twenty-five percent shall be allotted as follows:

(i) No more than fifteen percent of the square footage of each panel shall identify the name or logo of the company being advertised. The name or logo shall be placed in a consistent position on each panel or on the building facade adjacent to the panel, such as the top or bottom of each panel or on the building above or below the panels, but in no event more than sixty feet above grade level.

(ii) No more than ten percent of each panel shall be an outdoor advertising/commercial message incorporated into the graphic art display required in Section 643.H.15.b(6)(d).

(f) A change in the graphic art display shall require a major amendment of the stadium's comprehensive sign plan, in accordance with the provisions of Section 705.E.2.d(2). For purposes of this section, a change of the corporate sponsor which does not alter the graphic art display more than changing the corporate name or reference to the corporate sponsor shall not be deemed a change in the graphic art display.

(6) *Ground signs higher than twenty-five feet above grade.* Ground signs on the stadium site which are higher than twenty-five feet above grade shall comply with the following standards:

(a) A stadium may have one such primary sign and two such secondary signs subject to the following size limitations:

(i) The primary sign shall not exceed fifty feet in height and shall contain no more than three faces with a maximum four hundred square feet per face. The approved height and areas for the signs shall be established through the comprehensive sign plan and may be less than the potential maximums. The overall height of the primary sign and its structure, including architectural embellishments, shall not exceed sixty-seven percent of the height of the stadium.

(ii) The secondary sign(s) shall not exceed twenty-five feet in height and shall contain no more than three faces with a maximum two hundred twenty-five square feet per face. The overall height of a secondary sign and its structure, including architectural embellishments, shall not exceed forty feet.

(b) Such signs may, through the comprehensive sign plan approval, include electronic message displays.

(c) An electronic message display shall incorporate a public service or public event message shown five percent of the time the sign is in operation.

(d) Each sign face of the primary and secondary signs may contain stadium identification equal to no more than twenty-five percent of the area of the sign face.

(e) Each sign face of the primary and secondary signs may contain sponsor identification equal to no more than fifteen percent of the area of the sign face.

(7) *Stadium and team identification signage located on the stadium.* Signage on the stadium identifying the stadium and team shall comply with the following standards:

(a) There may be one stadium and/or team identification sign located more than twenty-five feet above grade on each elevation/facade. These signs shall not exceed seven and one-half percent of the area of the elevation/facade.

(b) There may be one stadium and/or team identification sign located not more than twenty-five feet above grade at each entrance to the stadium which is not also a direct entrance to an interior accessory use. These signs shall not exceed the area which is permitted for wall signs in the

Downtown Core District.

- - - (8) *Signage on the stadium roof.* Two signs painted on, or otherwise applied directly to, the stadium roof shall be permitted subject to the following standards:-
 - - - - (a) The signs shall not be visible from the ground;
 - - - - (b) The signs shall not be larger than ten percent of the roof surface on which they are applied; and
 - - - - (c) The signs shall identify the stadium and/or team only by name and/or logo.
- 16. *Arena signs.* Unless otherwise specified below, the following provisions shall control arena signage: +10
 - - a. *Interior signage.* Signage inside an arena which is not visible from any public right-of-way, or which cannot be viewed at an angle greater than forty-five degrees from any public right-of-way, or which is not legible from any public right-of-way, is permitted without regulation. +10
 - - b. *Interior arena sponsorship signage.* Arena sponsorship signage which is: (i) inside an arena, (ii) visible from any public right-of-way at an angle greater than forty-five degrees, (iii) legible from any public right-of-way, and (iv) at least one hundred feet from any public right-of-way it faces shall be subject to comprehensive sign plan approval, in accordance with the following standards: +10
 - - - (1) The cumulative area of any such signage shall not be greater than fifteen percent of the total aggregate elevation area of the arena including accessory buildings on-site; +10
 - - - (2) Such signage may include matrix boards, animation, photographs, moving film elements, projected images, spotlights, skytrackers, colored lighting, audible components, holographic imagery, and any other state-of-the-art communication devices; +10
 - - - (3) In the course of comprehensive sign plan review, the Zoning Administrator shall consider only the cumulative area of such signage as set forth in 643.H.16.b.1 and the context of such signage as set forth in 705.F.2.b.6; and +10
 - - - (4) Amendments which meet the standards set forth in 705.F.2.d.1.b. and c. shall be reviewed by the Zoning Administrator as minor amendments. +10
 - - c. *Arena sponsorship signage in covered area.* Arena sponsorship signage which is: (i) outside an arena, (ii) within a covered area between an arena and an accessory building, (iii) at least twenty-five feet from any public right-of-way, and (iv) not able to be viewed from any public right-of-way at an angle greater than forty-five degrees shall be subject to comprehensive sign plan approval, in accordance with the following standards: +10
 - - - (1) The cumulative area of any such signage shall not be greater than fifteen percent of the total aggregate elevation area of the arena including accessory buildings on-site, and the height of any such signage shall not be greater than sixty feet; +10
 - - - (2) Such signage may include matrix boards, animation, photographs, moving film elements, projected images, spotlights, skytrackers, colored lighting, audible components, holographic imagery, and any other state-of-the-art communication devices; +10
 - - - (3) In the course of comprehensive sign plan review, the Zoning Administrator shall consider only the cumulative area of such signage as set forth in 643.H.16b.1. and the context of such signage as set forth in 705.F.2.b.6; and +10
 - - - (4) Amendments which meet the standards set forth in 705.F.2.d.1.b. and c. shall be reviewed and approved by the Zoning Administrator as minor amendments. +10
 - - d. - *All other arena sponsorship signage.* All other arena sponsorship signage shall be subject to comprehensive sign plan review, in accordance with the procedures of Section 705.F.2. +10
 - - e. - *Exterior signage for parties other than arena sponsors.* +10
 - - - (1) *General provisions.* +10
 - - - - (a) Exterior signage for parties other than arena sponsors at an arena shall

be approved only as a comprehensive sign plan in accordance with the procedures of Section 705.F. Concurrently with the submission of its request for a use permit pursuant to Section 705.F, the applicant shall notify the Phoenix Arts Commission and Central City Design and Architectural Review Panel that it has submitted an application and shall provide each group with a copy of that application. The applicant is encouraged to meet with each of these groups to discuss the application and receive comment from them. The height and area of signs specified in this section shall not be subject to increase through the comprehensive sign plan. The comprehensive sign plan approval shall specifically address design of all ground signs. Such signs shall be designed to be compatible with the architectural treatment and overall character of the site, to conform to the context of the immediate surroundings, and to complement the building and choice of materials, textures and colors. +10

- - - - (b) Signs projecting more than six inches from the front of an arena over the public right-of-way shall satisfy the standards of Section 643.H.1. regarding projecting signs in the Downtown Core District. +10
- - - - (c) Signs permitted by Section 643.H.16.e.(5) through (7) may include matrix boards, animation, photographs, moving film elements, projected images, spotlights, skytrackers, colored lighting, and any other state-of-the-art graphic communication devices. All animation and other movement shall be permitted only in compliance with the comprehensive sign plan approval. +10
- - - - (d) Signs may be lighted either directly or indirectly; all signs on a single elevation or facade of the arena shall be lighted in a consistent manner. A stadium signage package shall not include backlit awnings or cabinet signs. +10
- - - (2) *Directional signs.* Directional signs shall comply with the standards of Section 643.H.9. regarding directional signs in the Downtown Core District. +10
- - - (3) *Wall signs.* Wall signs shall comply with the standards of Section 643.H.1. through 14. regarding signs in the Downtown Core District. +10
- - - (4) *Ground signs located within twenty-five feet of grade.* Ground signs located within twenty-five feet of grade shall comply with the standards of Section 643.H.1. through 14. regarding signs in the Downtown Core District. +10
- - - (5) *Ground signs higher than twenty-five feet above grade.* Ground signs on the arena site which are higher than twenty-five feet above grade shall comply with the following standards: +10
 - - - - (a) An arena may have one such primary sign and two such secondary signs subject to the following size limitations: +10
 - - - - - (i) The primary sign shall not exceed fifty feet in height and shall contain no more than three faces with a maximum four hundred square feet per face. The approved height and areas for the signs shall be established through the comprehensive sign plan and may be less than the potential maximums. The overall height of the primary sign and its structure, including architectural embellishments, shall not exceed sixty-seven percent of the height of the arena. +10
 - - - - - (ii) The second sign(s) shall not exceed twenty-five feet in height and shall contain no more than three faces with a maximum two hundred twenty-five square feet per face. The overall height of a secondary sign and its structure, including architectural embellishments, shall not exceed forty feet. +10
 - - - - (b) Such signs may, through the comprehensive sign plan approval, include electronic message displays. +10
 - - - - (c) An electronic message display shall incorporate a public service or public event message shown five percent of the time the sign is in operation. +10
 - - - - (d) Each sign face of the primary and secondary signs may contain arena identification equal to no more than twenty-five percent of the area of

- the sign's face. +10
- (e) Each sign face of the primary and secondary signs may contain arena sponsor identification equal to no more than fifteen percent of the area of the sign face. +10
- (6) *Arena and team identification signage located on the arena.* Signage on the arena identifying the arena and team(s) shall comply with the following standards: +10
 - (a) There may be one arena and/or team identification sign located more than twenty-five feet above grade on each elevation/facade. These signs shall not exceed seven and one-half percent of the area of the elevation/facade. +10
 - (b) There may be one arena and/or team identification sign located not more than twenty-five feet above grade at each entrance to the arena which is not also a direct entrance to an interior accessory use. These signs shall not exceed the area that is permitted for wall signs in the Downtown Core District. +10
- (7) *Signage on the arena roof.* Two signs painted on, or otherwise applied directly to, the arena roof shall be permitted subject to the following standards: +10
 - (a) The signs shall not be visible from the ground; +10
 - (b) The signs shall not be larger than ten percent of the roof surface on which they are applied; and +10
 - (c) The signs shall identify the arena and/or team(s) only by name and/or logo. +10
- (8) *Temporary signage.* Temporary banners, balloons, and other similar signage may be used at an arena in accordance with the provisions of Section 643.H.11 as part of the comprehensive sign plan approval. +10
- 17. For master planned developments covering a contiguous area of at least ten (10) acres, signs, including those signs, banners, and flags otherwise prohibited by Sections 643.H.11 and 643.H.14, may be erected subject to approval of a Master Planned Development Sign Plan and related detailed project sign plans in accordance with the provisions of this Section. In recognition of design that contributes to and furthers the goals of the Downtown Phoenix Plan, the City may approve a Master Planned Development Sign Plan to allow larger and taller signs than are otherwise allowed within the Downtown Core District. +15
 - a. *Sign types.* In addition to other signs permitted in the Downtown Core District and those signs, banners, and flags otherwise prohibited by Sections 643.H.11 and 643.H.14, the following sign types shall be permitted in a Master Planned Development Sign Plan: Aerial view signs, animated signs, architectural ledge signs, awning signs, electronic message display signs, inflatable signs, kinetic signs, projected image signs, projecting signs, roof signs, supergraphic signs, and wayfinding signs. +15
 - b. *Master Planned Development Sign Plan application.* A Master Planned Development Sign Plan application shall include the following elements: +15
 - (1) Site plans, building elevations or photographs, and design guidelines for each type of sign to be permitted within the boundaries of the master planned development. These plans and elevations/photographs shall indicate orientation, size, location, and method of installation of signs, including delineating on the site plan the locations and orientation of ground-mounted signs and delineating on the elevations/photographs the area in which building/structure mounted signs will be contained. Design guidelines shall address, at a minimum, architectural compatibility with primary structures within the master planned development. +15
 - (2) *Context plan.* The context plan shall include an aerial photograph of the master planned development and the surrounding area with notations of the current land use of parcels within the development and within 150 feet of the perimeter of the development. The context plan shall also include photographs taken looking outward from the perimeter of the master planned development at 100-foot intervals for the entire boundary of the development. +15
 - (3) *Standards.* The standards and restrictions for each sign type shall include, but not be limited to, size, height, illumination levels and hours of illumination, and durability of materials. The standards shall also include calculations showing

the maximum sign area permitted per building face. In no case shall the standards exceed the following limitations: +15

- - - - (a) ~~Ground signs.~~ Ground signs, which may be multi-faced, shall not exceed fifty (50) feet in height and no single face shall exceed six hundred (600) square feet. The overall height of ground signs, including sign embellishments, shall not exceed sixty-seven percent (67%) of the height of the closest building. +15
- - - - (b) ~~Building-mounted signs.~~ Aggregate area for building-mounted signs shall not exceed one hundred percent (100 %) of the facade to which the signs are attached, including the building roof. Building-mounted signs shall not project more than twenty (20) feet above the parapet or from the face of the building. +15
- - - - (c) ~~Illumination.~~ Signs facing or oriented to an existing residential use or structure that has obtained a certificate of occupancy for residential use and located closer than sixty (60) feet to such residential use or structure shall not be illuminated between 12:00 midnight and sunrise. +15
- - - - (d) ~~Temporary signs.~~ Temporary signs shall be allowed at the same sizes and heights as permanent signs. Temporary signs/graphics shall be allowed to cover one hundred percent of construction fencing and barricades. +15
- - - (4) ~~Narrative.~~ A written narrative shall discuss the purpose and intent of the Master Planned Development Sign Plan and its consistency with the Downtown Phoenix Plan. The narrative shall also address the quality and durability/ anticipated lifespan of the proposed sign materials. +15
- - - (5) ~~Architectural lighting.~~ A Master Planned Development Sign Plan may include provisions regarding architectural lighting, which shall be exempt from calculation as sign area. Architectural lighting shall not include text, logos, messages, or images of any kind. Architectural lighting shall not flash, blink, scroll, move, or stream. +15
- - c. ~~Approval of a Master Planned Development Sign Plan.~~ An application for a Master Planned Development Sign Plan shall be submitted to the Planning and Development Director, or designee, for review and approval. The Planning Director, or designee, shall approve, approve with conditions or deny such application within fifteen (15) working days of receipt of the application. The Planning and Development Director, or designee, shall approve such application only if the following findings are made: +15
 - - - (1) The signs, banners, flags, and architectural lighting are mounted and secured so as not to pose a distraction or hazard to vehicles or pedestrians. +15
 - - - (2) The signs and architectural lighting are appropriate in scale, composition, and manner of display with surrounding development. +15
 - - - (3) The signs and architectural lighting conform to the vision, goals, and policies of the Downtown Phoenix Plan. +15
- - d. ~~Detailed project sign plan application.~~ An application for approval of a detailed project sign plan for a development within the boundary of an approved Master Planned Development Sign Plan shall include the following documents or graphics:
 - - - (1) Site plans, building elevations, and/or photo simulations that show the placement of the signs and architectural lighting within the master planned development and on the specific building, structure, or site. +15
 - - - (2) Graphic rendering of the signs depicting its lettering, illumination, color, shape, area, and height. +15
 - - - (3) Details regarding any proposed animation or changeable messages, including duration of each message and intensity of illumination. +15
 - - - (4) Proposed hours for illumination of the signs. +15
 - - - (5) A written narrative discussing the detailed project sign plan's consistency with the Master Planned Development Sign Plan. +15
- - e. ~~Approval of detailed project sign plans.~~ An application for a detailed project sign plan shall be submitted to the Planning and Development Director, or designee, for review for conformance with the standards, restrictions, and guidelines of the Master Planned Development Sign Plan. The Planning and Development Director, or

designee, shall approve, approve with conditions or deny a detailed project sign plan application within fifteen (15) working days of receipt of the application. The Planning and Development Director, or designee, shall approve such application only if the following findings are made: +15

- - - (1) The size and location of the signs, banners, flags, or architectural lighting is allowed under the standards of the Master Development Sign Plan. +15
- - - (2) The scale, composition, and manner of display of the signs, banners, flags, or architectural lighting conform to the standards and guidelines of the Master Development Sign Plan. +15
- - - (3) The type and hours of illumination and/or animation conform to the standards of the Master Development Sign Plan. +15
- - - (4) The quality of the materials proposed for the signs, banners, flags, or architectural lighting is appropriate for the intended lifespan of the signs, banners, flags, or architectural lighting. +15
- - f. *Appeals.* An applicant may appeal the decision of the Planning and Development Director, or designee, regarding a Master Planned Development Sign Plan within five (5) working days of the decision. Appeals shall be considered by the Zoning Adjustment Hearing Officer through the use permit process in accordance with the provisions of Section 307 on the next available agenda. In addition to the standards of Section 307, the Zoning Adjustment Hearing Officer shall review the decision with the standards for approval established in Section 643.H.17. +15
- - g. *Amendment.* Any proposal to exceed the standards and restrictions established in a Master Planned Development Sign Plan shall require amendment through the process required for initial application and approval of a Master Planned Development Sign Plan in Section 643.H.17. +15
- - h. *Specific signs.* Requests for approval of specific, individual signs within a master planned development may be included in an application for either a Master Planned Development Sign Plan or a detailed project sign plan. Such signs shall not be installed or erected before issuance of a sign permit from the Planning and Development Department. If a specific, individual sign within the boundary of a Master Planned Development Sign Plan is not included in either the Master Planned Development Sign Plan or a detailed project sign plan, an application for such sign shall be submitted to the Planning and Development Department for review for conformance with the applicable sign plan and shall not be installed or erected before issuance of a sign permit from the Planning and Development Department. +15
- t. *Performance Standards/Use Requirements of General Applicability.* The following uses shall comply with the special regulations set forth in this subsection. For the purpose of the following regulations, the Downtown Core district is not considered a residential zoning district.
 - 4. Bar, lounge, or tavern. A bar, lounge, or tavern is permitted subject to the following regulations: *12
 - a. Music or entertainment is limited to recorded music or one entertainer unless the building or suite in which the bar, lounge, or tavern is located is at least three hundred feet from a residential zoning district. If this separation standard cannot be satisfied, other live entertainment shall be permitted only upon securing a use permit in accordance with the provisions of Section 307. *12
 - b. Patron dancing shall be permitted as of right if the building or suite in which the bar, lounge, or tavern is located is at least three hundred feet from a residential zoning district. If this separation standard cannot be satisfied, patron dancing shall be permitted only upon securing a use permit in accordance with the provisions of Section 307. Patron dancing that continues beyond the hours of State-regulated liquor sales shall be allowed only upon issuance of a use permit in accordance with the provisions of Section 307. *12
 - c. Outdoor recreation uses, outdoor alcoholic beverage consumption, and associated lighting shall be permitted of right as accessory uses if the site of the outdoor uses is at least three hundred feet from a residential zoning district and the closing time of the outdoor uses does not extend past the closing time of the bar, lounge, or tavern. If this separation standard cannot be satisfied, the outdoor uses shall be permitted only upon securing a use permit in accordance with the provisions of Section 307. *12

- 2. Wireless communication monopoles, roof, or side-mounted antennae, and related facilities, subject to the following limitations: *5 *12
- - a. The wireless communication monopole shall be subject to securing a use permit in accordance with the provisions of Section 307, except as provided in Paragraph b below, and shall be set back from a property line that abuts land zoned RE-43, RE-35, RE-24, R1-18, R1-14, R1-10, R1-8, R1-6, R-2, R-3, S-1, or P.A.D.-1 through P.A.D.-13 or used for single-family residential dwellings two feet for every one foot in height of the wireless communication monopole. Notwithstanding the foregoing setbacks, the wireless communication monopole shall be located no closer to an abutting street than the principal building on the lot or parcel or the minimum street side setback, whichever is greater. At the use permit hearing consideration shall be given to reducing the visual impact on the surrounding area through the use of design standards and technology to minimize the height, bulk and clutter of the facility. Consideration shall also be given to the placement of the facility on the lot or parcel as it may affect existing and potential land use and to the cumulative visual effect that existing Wireless Communication Facilities in the vicinity of the site may have on the ability to mitigate impacts. Approval may be subject to a time limitation when necessary to insure continued compatibility based on land use and available technology. A wireless communication monopole that cannot meet these setback standards shall require a special permit; *5 *12
- - b. The wireless communication monopole shall be permitted as a matter of right when replacing an existing pole, light standard, communication facility, or other pole-like structure with a monopole of no greater height and a diameter not to exceed thirty-six inches at the base of the monopole, or when the antenna is attached to an existing pole or a new or existing detached accessory structure that otherwise meets the applicable provisions of this ordinance, and subject to the following conditions: +5 *12
 - - - (1) For purposes of this provision "existing" shall mean that the pole or structure that otherwise conforms to the requirements of the district was constructed on-site not less than ninety days prior to the issuance of permits for the replacement monopole or new antennae; +5 *12
 - - - (2) Replacement monopoles or antennae attached to existing poles or new or existing detached accessory structures shall maintain a minimum three-hundred-foot setback from a property line that abuts land zoned RE-43, RE-35, RE-24, R1-18, R1-14, R1-10, R1-8, R1-6, R-2, R-3, S-1, or P.A.D.-1 through P.A.D.-13 or used for single-family residential dwellings and shall be located no closer to an abutting street than the principal building on the parcel unless a use permit is secured in accordance with the provisions of Section 307 and which shall be subject to the standards for use permits as provided in Paragraph a above; +5 *12
 - - - (3) Antennae that are enclosed within a new or existing detached accessory structure that otherwise meets the provisions of this ordinance shall not be subject to the setback provisions in Paragraph b(2) above when the antennae are completely screened from view or are integrated with the design of the structure and do not extend more than twelve inches from or constitute more than five percent of the surface area to which the antennae are attached; +5 *12
 - - - (4) Antennae that are attached to an existing wireless communication monopole shall not be subject to the setback provisions in Paragraph b(2) above when: +5 *12
 - - - - (a) There is no more than one existing wireless communication provider; and +5 *12
 - - - - (b) The new antenna maintains a maximum four-foot-width antennae array; and +5 *8 *12
 - - - - (c) The new antenna has no visible wires, cables, pegs, ladders, or similar equipment. +5 *12
- - c. The maximum height of a wireless communication monopole including the base and platform, but excluding attached antennae, shall not exceed sixty-five feet above the finished grade of the site at the base of the monopole; *5 *12
- - d. The maximum height of the antennae attached to a wireless communication monopole or an existing pole or new or existing detached accessory structure shall not exceed

eighty feet above the finished grade of the site and shall be attached at a point no higher than sixty-five feet above the finished grade of the site at the base of the monopole or structure unless the antennae are enclosed within a structure and screened from view; *5 *12

- - e. Rooftop-mounted antennae, including not more than two microwave dishes with diameters of not more than one and one-half meters, fifteen feet or less in height as measured above the building height used as part of a commercial mobile radio service system shall be permitted so long as the supporting structure is screened. Such rooftop-mounted antennae shall be subject to the setback requirements in Paragraph a above unless completely screened; *5 *12
- - f. Antennae mounted on the side of a building shall be permitted as long as the antenna does not extend above the existing profile of the building and does not project more than twelve inches from the building face. The antenna shall be integrated into the building design in a manner that reduces its visual impact. Requests to exceed the established building profile shall be subject to securing a use permit in accordance with the provisions of Section 307 when demonstrated that the architectural element to which the antennae are attached is integrated with and in proportion to the building design; +5 *12
- - g. Antennae that are attached to existing or replacement public utility poles (sixty-nine kv or larger) or existing public utility lattice-type tower structures at a point higher than sixty-five feet or which increase the height of the existing pole or tower structure shall not be subject to the height and setback provisions in Paragraphs b through d above when: +8 *12
 - - - (1) A use permit is secured in accordance with the provisions of Section 307 subject to the following notice provisions: +8 *12
 - - - - (a) Evidence that notice of the date, time, place, and nature of the request has been sent by first class mail to each real property owner, as shown on the last assessment of the property, within six hundred feet of the subject property; and +8 *12
 - - - - (b) Evidence that notice of the date, time, place, and nature of the request has been sent to all homeowners' associations registered with the City located within one mile of the subject property. +8 *12
 - - - (2) The following guidelines are considered when evaluating the appropriateness of the use permit: +8 *12
 - - - - (a) The maximum height of the pole and antennae does not exceed twelve feet above the height of the existing pole or does not increase the height of the existing pole by more than twenty percent, whichever is less, or when the antenna is attached to a lattice-type tower structure and does not exceed twelve feet above the height of the existing tower; +8 *12
 - - - - (b) The maximum diameter of a replacement pole (measured at the base of the pole) does not exceed thirty-six inches or forty-eight inches for a drop pole located on a substation parcel; +8 *12
 - - - - (c) The antennae array maintains a maximum four-foot width when attached a pole or does not extend more than two feet beyond the sides of a lattice-type tower structure; and +8 *12
 - - - - (d) The antennae arrays have no visible wires, cables, pegs, ladders, or similar equipment when mounted on a pole. Antennae arrays and equipment mounted on a lattice-type tower structure shall be painted to match the existing tower or otherwise be screened from view. +8 *12
- - h. Development review and approval in accordance with Section 507 is required; *5 *12
- - i. The color of a wireless communication monopole shall be compatible with the surrounding environment; *5 *12
- - j. Installation of a wireless communication monopole shall avoid removal of mature vegetation; *5 *12
- - k. Wireless communication monopoles which are installed on properties in or within five hundred feet of a hillside development area as defined in Section 710 shall require a special permit; *5 *12
- - l. Radiation from the antennae shall not interfere with any existing communication sites; *5 *12
- - m. An accessory building shall not exceed one story in height and three hundred square

feet of area devoted to a single wireless communication provider or one story in height and six hundred square feet of area devoted to multiple wireless communication providers. Where ground-mounted cabinets are used they shall not exceed eight feet in height or contain an area of more than three hundred square feet for a single wireless communication provider or six hundred square feet for multiple wireless communication providers. An accessory building shall not be located closer to an abutting street than the principal building on the lot or parcel, except for those serving antennae attached to public utility poles which shall be enclosed within the perimeter walls of a substation. An accessory building, ground-mounted cabinets, and all related ground-mounted equipment shall be designed and screened with walls and/or landscaping to minimize the visual impact. +5 *8 *12

- - n. Wireless communication monopoles, antennae, or equipment the use of which has been discontinued for a period of ninety days shall be removed from the site unless a use permit is secured in accordance with the provisions of Section 307. +5 *12
- - o. The expansion or alteration of wireless communication monopoles and related facilities that do not conform to the standards of this district, other than normal maintenance and repair or collocation as provided in Paragraph b.4 above, shall be subject to the securing of a use permit in accordance with the provisions of Section 307 unless demonstrated that the alteration or expansion reduces the height, bulk, or clutter of the facility. +5 *12
- - p. The following information shall be submitted upon application for a use permit, special permit, or development review. +5 *12
 - - (1) A site plan identifying all existing and proposed structures on the site including corresponding heights. +5 *12
 - - (2) Elevations of the proposed monopole or structure, attached antennae and equipment, accessory buildings, ground-mounted cabinets and equipment, and screening structures or materials. +5 *12
 - - (3) Statement on the facility's capacity to allow collocation with other wireless communication providers. +5 *12
 - - (4) Location of all Wireless Communication Facilities within a one-mile radius of the site and the applicant's nearest surrounding facilities, including information on the provider, facility type, equipment, and antennae height. +5 *12
 - - (5) On applications for new or replacement monopoles, information shall be provided regarding all poles and structures within a one-half-mile radius of the site that exceed thirty feet in height or are equal to or greater than a height beginning fifteen feet below the proposed height of the antennae, whichever is greater, together with a statement on attempts to locate or collocate on alternative facilities. +5 *12
- 3. Dependent care center. A dependent care center is permitted subject to the following regulations: *12
 - - a. If a child dependent care center or adult health care facility, the use is licensed by or registered with the State of Arizona Department of Health Services. *12
 - - b. All outdoor play areas are screened by a wall, fence, or landscape screen, as determined by the Site Planning Division of the Planning and Development Department, to a height not less than four feet and not higher than six feet. *12
 - - c. If the outdoor play area is within fifty feet of a residential district and is not separated from the residential district by the primary structure, the outdoor play shall be limited to the hours between 8:00 a.m. and 6:00 p.m. The distance shall be measured from the point of the outdoor play area which is closest to the residential district. *12
- 4. Helistop or heliport. A helistop or heliport is permitted subject to the following regulations. The applicant for the special permits will be required to comply with additional stipulations or any study related to Subsections a through f below. *12
 - - a. Special permits for helistops and heliports granted prior to April 1, 1982, shall continue in effect for the period of time specified in the ordinances granting the special permits; and may be renewed upon a finding by the Zoning Administrator or the Board of Adjustment that the helistop or heliport operator has complied with all the terms and conditions of the ordinance granting the special permit. *12
 - - b. *Frequency of use.* On a daily basis, unless otherwise stipulated, not more than ten combined takeoffs and landings are permitted for the helistop or heliport use, exclusive of emergencies. The hours of operation may be stipulated to make operation

compatible with surrounding land use activities. *12

- - e. *Fire protection.* All helistops or heliports shall comply with provisions acceptable to the Phoenix Fire Department. *12
- - d. *Site plan requirements.* Development review will be based on analysis of general conformance with FAA advisory circular AC 150/5390-1B, "Heliport Design Guideline," issued on August 22, 1977. *12
- - e. Maximum length of a special permit issued for a helistop or heliport is ten years. *12
- - f. *Noise impact.* A helicopter sitting on the touchdown pad of a helistop or heliport shall emit a maximum noise level of no greater than ninety dB(A) at the boundaries of the lot or parcel containing the nearest residential use, excluding high-rise residential developments which have special permits for helistops or heliports and hotels and motels. Noise will be measured with an IEC (International Electrotechnical Commission) or ANSI (American National Standards Institute) S1.4, 1971 Type 1 sound level meter with an A-weighted impulse response. *12
- 5. *Liquor, retail sales.* Retail sales of liquor are permitted subject to the following regulations: *12
 - - a. Retail sale of liquor as a primary use of a property shall require a use permit in accordance with the provisions of Section 307. *12
 - - b. Retail sale of liquor shall not include a drive-through commercial establishment. *12
- 6. *Microwave antenna.* A microwave antenna is permitted subject to the following regulations: *12
 - - a. If the microwave antenna has a diameter less than one and one-half meters and is less than twenty-five feet in height, it shall be permitted as of right. *12
 - - b. If the microwave antenna has a diameter greater than one and one-half meters or is greater than twenty-five feet in height, the antenna shall be screened so it is not visible from adjacent streets or properties or incorporated into a building as approved by the Site Planning Division of the Planning and Development Department. *12
 - - c. If the microwave antenna cannot satisfy the conditions in a or b above, it shall be subject to obtaining a use permit in accordance with the provisions of Section 307. *12
- 7. *Outside dining.* Outside dining in the public right-of-way is permitted subject to the following regulations: *12
 - - a. Businesses desiring to utilize the public right-of-way for outside dining shall obtain a revocable permit as administered by the City of Phoenix. *12
 - - b. The permit request shall include a sketch to scale of the proposed locations of all tables, chairs, fences, and other furniture or landscaping. *12
 - - c. The sketch shall indicate maintenance of eight feet of clear space from the inside edge of all existing light poles, parking meters, or other street furniture to the outside edge of any proposed dining furniture, landscaping, or fences. Spacing from trees should be measured from the edge of a tree grate or planter bed. (Tree canopies must be trimmed up to seven feet to allow pedestrians to pass beneath them.) The eight feet of clear space may be reduced by up to twelve inches if it can be proved that there is no other way to include outside dining in the space available and public safety is not compromised. *12
 - - d. These standards may be modified in conjunction with implementation of the streetscape program described in the Action Plan of the Downtown Phoenix Strategic Visioning Program or any other adopted specific streetscape plan. *12
- 8. *Outdoor display.* Outdoor display of new merchandise in conjunction with an on-site business(es) is permitted subject to the following regulations: *12
 - - a. The display is interior to the site, does not exceed fifteen percent of the net lot area for the use, and is not visible from adjacent rights-of-way or residential property; or *12
 - - b. The display is approved under the temporary use provisions of Section 708. *12
- 9. *Outdoor lighting.* Outdoor lighting shall be consistent with the provisions of Section 704. *12
- 10. *Outdoor storage.* Outdoor storage is permitted subject to the following regulations: *12
 - - a. The storage area shall not encompass more than fifteen percent of the net lot area for the use. *12
 - - b. The storage area shall be screened by a six-foot-high solid masonry wall or landscape screen as approved by the Site Planning Division of the Planning and Development Department. *12
 - - c. The material stored within open storage areas, except trees, shall be no higher than six feet plus one additional foot in height for every three additional feet of setback from the solid wall or landscape screen. *12

- d. If the storage is within one hundred fifty feet of a public street, the screening shall also include fifteen-gallon trees twenty-five feet on center with an adequate watering system in addition to the plant materials required by Section 701.D. *12

41. Place of worship. A place of worship may include the following accessory uses and structures: *12

- a. Administrative offices. *12
- b. Classrooms. *12
- c. Dependent care facilities run by the place of worship. *12
- d. Kitchens. *12
- e. Meeting rooms. *12
- f. Rectory. *12
- g. Pocket shelters, subject to the following conditions: *12
 - (1) A pocket shelter shall house no more than twelve unrelated persons. A pocket shelter may house up to twenty unrelated persons upon approval of a use permit in accordance with the provisions of Section 307. Minors (age eighteen or younger) accompanied by a parent or guardian shall not be counted in the number of unrelated persons. *12
 - (2) A pocket shelter at a place of worship which is not located on an arterial or collector street shall be permitted upon approval of a use permit in accordance with the provisions of Section 307. *6 *12
 - (3) The place of worship shall provide on-site supervision of pocket shelter residents at all times if two or more unrelated residents are at the pocket shelter. *12
 - (4) Drug, alcohol, other substance abuse, or mental health rehabilitation programs shall not be allowed as part of the pocket shelter services. This provision shall not prevent the place of worship from referring pocket shelter residents to other appropriate programs at the place of worship or elsewhere, e.g. Alcoholics Anonymous, which are not part of the pocket shelter services. *12
 - (5) Pocket shelter residents shall not possess alcohol, weapons, or illegal drugs at the pocket shelter. *12
 - (6) Open areas surrounding pocket shelters shall be screened from view of abutting and/or adjoining properties by hedges, trees, other landscaping, or walls. *12
 - (7) Pocket shelter structures shall not have direct access to abutting and/or adjoining properties. *12
 - (8) Pocket shelters shall be housed in permanent structures rather than in tents or other similar temporary structures. *12
 - (9) A place of worship shall house not more than one pocket shelter. *12

42. Restaurant. A restaurant is permitted subject to the following regulations: *12

- a. Music or entertainment is limited to recorded music or one entertainer unless the building or suite in which the restaurant is located is at least three hundred feet from a residential zoning district, measured from the closest demising wall of the use. If this separation standard cannot be satisfied, other live entertainment shall be permitted only upon securing a use permit in accordance with the provisions of Section 307. *12
- b. Patron dancing shall be permitted as of right if the building or suite in which the restaurant is located is at least three hundred feet from a residential zoning district, measured from the closest demising wall of the use. If this separation standard cannot be satisfied, patron dancing shall be permitted only upon securing a use permit in accordance with the provisions of Section 307. *12

43. Stadium. A stadium and its on-site accessory uses are permitted subject to the following regulations. These provisions shall take precedence over any conflicting sections in this ordinance. +3 *12

- a. A stadium shall contain a minimum of twenty-five thousand fixed seats. *12
- b. Off-street loading. *12
 - (1) Four off-street loading berths or one loading berth per each twelve thousand five hundred seats in the stadium, whichever is less, shall be provided. The berths may be located on the same lot as the stadium or on any adjacent lot or parcel. *12
 - (2) Each berth shall be located so as to avoid undue interference with the public use of streets, alleys, and sidewalks. Each such space shall be not less than ten feet in width and thirty feet in length, exclusive of access aisles and maneuvering space. *12

- c. If the property fronts on or is adjacent to a street for which a streetscape plan has been approved, any walls, fences, and landscaping shall be installed only in accordance with a comprehensive landscaping plan that either adheres to or complements the streetscape plan, as approved by the Site Planning Division of the Planning and Development Department. The other landscaping standards of Section 643.G shall also apply to a stadium and its on-site accessory uses and to off-site accessory uses. *12
- d. For purposes of the Zoning Ordinance, a stadium and all accessory uses incorporated within the walls of or same structure as the stadium shall be considered closed even if the stadium is, or has the ability to be, open air. *12

J. Design guidelines and standards. The design guidelines and standards contained herein reflect desired goals and policies of the City as they pertain to the Downtown Core District.

The intention of these guidelines is to encourage diversity through the use of building forms and materials while respecting the patterns, styles, and methods traditionally employed in this area. The general guidelines for design review as found in Section 507, Table A of the Zoning Ordinance shall apply. If the guidelines of this section conflict with the guidelines of Section 507A, the guidelines of this Section (643) shall prevail.

The guidelines and criteria are intended to establish the expectations necessary to ensure a continuation of the character of the district and its streets and to encourage the compatibility of new construction with existing precedents.

The sidewalks most frequented by pedestrians should provide continuous pedestrian-oriented interest and activity in a generally uninterrupted sequence.

The guidelines described below indicate specific implementation standards and consist of requirements, presumptions, and considerations. Guidelines shall be administered in the manner specified in Section 507 of the Zoning Ordinance. Each guideline is followed by a designation (R), (P), or (C) which notes a requirement, presumption, or consideration, respectively. If a presumption (P) is in conflict with any underlying district provision, it may be followed without obtaining a variance or use permit.

1. Architectural character and materials.

- a. All buildings over four stories in height should be designed with a base that is differentiated from the remainder of the building in order to relate to pedestrian scale. The base may be between one and four stories in height, and should be scaled to the immediate context. (P)

Rationale: The incorporation of a building base into a multi-story building helps to define the pedestrian environment and provides a more human scale.



Desired and Not Desired Multi-Story Building

- b. In the design of pedestrian-oriented plazas and courtyards, the use of extensive areas of unshaded hard surfaces should be avoided. (P)

Rationale: Extensive hardscape in open spaces contributes undesirably to considerable heat gain.

2. Windows and fenestration.

- a. To reduce heat gain within buildings, all windows should be recessed or provided with appropriate shading devices. (C)

- b. The reflectivity of windows should be limited to twenty percent. (P)

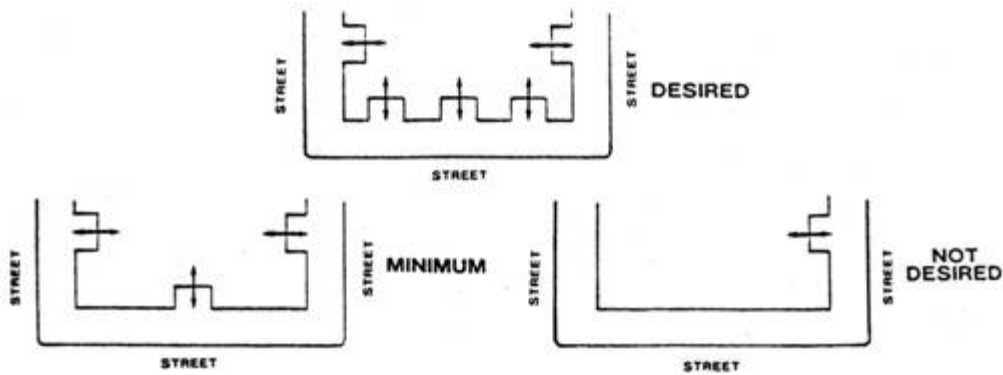
Rationale: Heat gain within buildings requires greater energy usage because it creates added cooling requirements. Highly reflective materials are distracting and focus your attention away from the positive qualities of the downtown environment.

3. Entrance and visual access-Street level.

- a. Provide at least one building or site entrance block per public street. (R)

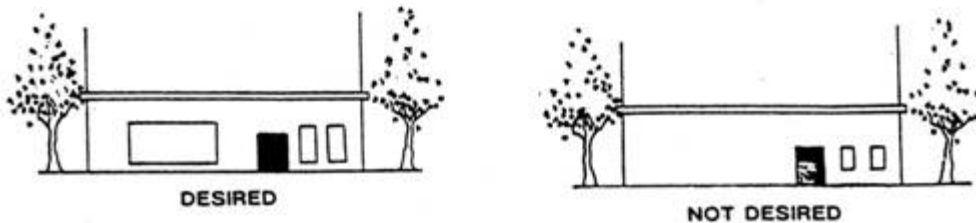
Rationale: The intent in the downtown area is to encourage as much pedestrian activity between the public street/sidewalk and buildings as possible. The downtown

environment will be more active for pedestrians if opportunities to access public uses are provided as often as possible:



Desired and Not Desired Street and Sidewalks

- b. Walls without windows or shadow boxes shall not exceed thirty percent of the area of the base of a building face facing the street. As applied to a particular building this computation will exclude entrances to parking and loading areas. (R)
- Rationale:* Building design which inhibits pedestrian activity does not provide the diversity and richness needed to make an active public environment.

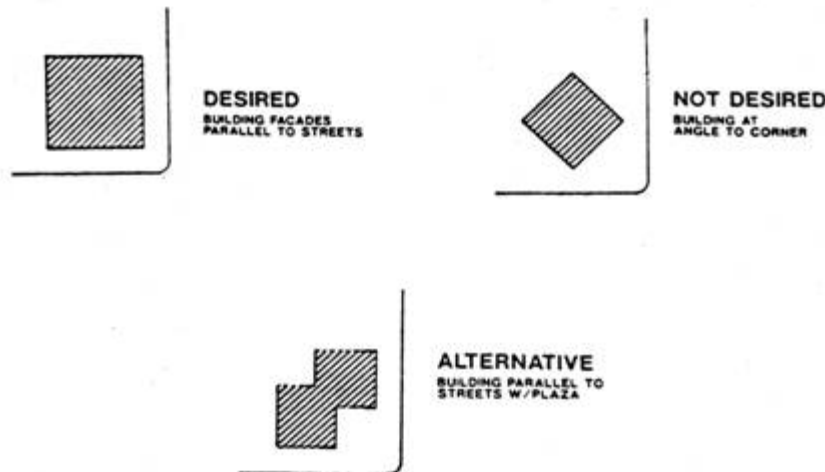


Inhibits Pedestrian Activity

- e. Courtyards focuses are encouraged and should connect with the open space network of downtown. (G)
- Rationale:* Open air courtyards work well in hot arid climates.
- d. All building equipment and service areas, including site appurtenances such as on-grade and roof mechanical equipment, transformers, and backflow preventers readily visible from the public right-of-way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact. (R)
- Rationale:* Viewing of mechanical equipment is not in keeping with the civic nature of a downtown area.

4. Building lines and front area requirements:

- a. The base of a buildings should be placed parallel, and not at an angle, to the street. (P)
- Rationale:* A continuity of building frontage adjacent and parallel to the street encourages a more active involvement between building uses and pedestrians.



Building Lines and Front Area Requirements

- b. Open space provided in front of a building should be an extension of the public street and act as a transition to the building. (G)
- Rationale:* Leftover or ambiguous open space that has no apparent use or sense of

place will not contribute positively to a more active street life.

- e. No upper-story building setbacks are required. However, buildings on the north side of blocks are encouraged to step back in order to allow for solar access to the street in the winter months. (C)

Rationale: In order to provide desirable winter sun and avoid a "canyon" effect on the street, appropriate upper-story setbacks are encouraged.

5. Shading:

- a. The base of any building shall contain an element (i.e., arcade, covered walkway, awning, trellis, or public courtyard with trees), which creates shade along its entire street frontage, excluding loading berths, in order to integrate the building with the public sidewalk. Arcades shall be a minimum of twelve feet wide. All canopies, awnings, and similar shading elements that extend into or over the public right-of-way shall be permitted only upon issuance of a revocable permit as administered by the City of Phoenix. (R)

Rationale: Providing shade from the hot summer sun is necessary to encourage pedestrian activity within the downtown area. Covered walkways or arcades also act as a transition between the building frontage and the public street, and in addition to provided shade. Covered walkways are especially desirable on the south and west facing facades of buildings.

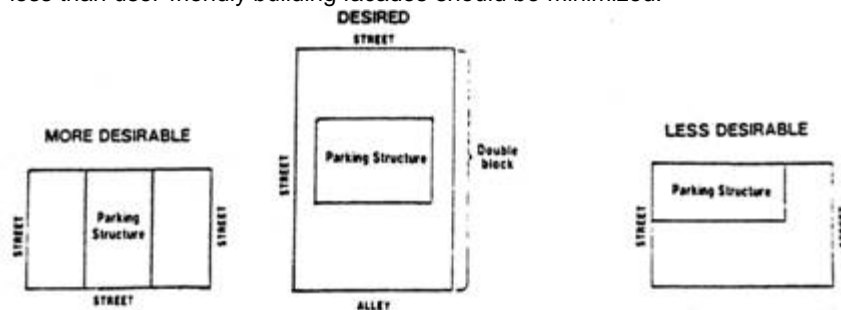
- b. Where the use of arcades or awnings is not possible because of existing building setbacks, street trees shall be planted to create a colonnade. (R)
- c. Street tree improvements shall be made in accordance with adopted streetscape designs for each street or as approved by the City's Planning and Development Department staff. (R)

Rationale: Street trees provide another form of shading and produce a more attractive environment.

6. Parking guidelines. Because of the complementary time use demands of downtown land use and the proximity of public and private parking garages, there shall be no mandatory parking requirements for this district. Where parking is provided, the following guidelines are applicable:

- a. Automobile parking shall only be provided on-site as an accessory use to a primary use except as provided in Section 643.D.1.k. (R) *7
- b. If at all possible, a parking structure should not abut streets but should abut alleys or be internal to a site. If it must do so, the minimum dimension of the structure should abut the street frontage side. (P)

Rationale: In order to create a more active public realm with a maximum number of pedestrian-related uses (i.e., shopping and eating), low-activity uses that result in less than user-friendly building facades should be minimized.



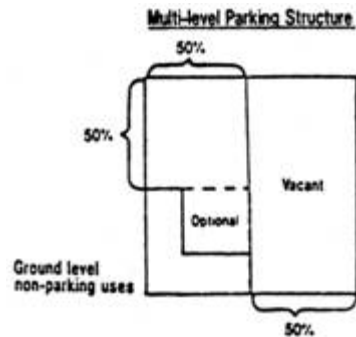
Parking Guidelines

- e. For a parking structure which abuts a public street, no more than fifty percent of the length of a block face, excluding entrances and exits, shall be devoted to parking at the ground level. The total length of all areas of all parking structures within a block devoted to parking at the ground level shall not exceed fifty percent of the length of the block face excluding entrances and exits.

- (1) For land within one hundred fifty feet from the Downtown Core district. (P)
- (2) For land more than one hundred fifty feet from the boundary of the Downtown Core district. (R)

Rationale: Parking spaces at street frontage level discourage pedestrian activity.

- (3) A use permit may be obtained in accordance with the provisions of Section 307 to allow use of the entire ground level of a parking structure for parking for two years provided that the parking is screened from view by permanent materials (not including plywood) which complement the design of the parking structure and are in accord with other applicable design guidelines, including the allowable percentage of blank walls, in compliance with a plan approved by the Zoning Administrator. One time extension of the use permit may be granted for no more than two years. Neither the Zoning Administrator nor the Board of Adjustment shall have jurisdiction to vary these provisions. +7



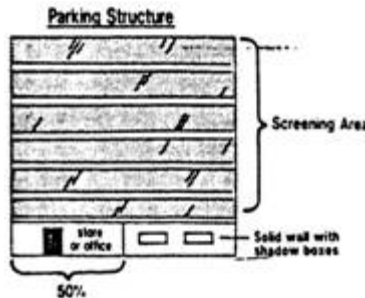
Multi-Level Parking Structure

- d. The first floor of a new parking structure, not adding onto an existing parking structure, shall be designed to accommodate possible alternative non-parking uses. (R)

Rationale: Structural designs of parking garages should not permanently preclude ground-level uses for retail or office which create a more pedestrian environment.

- e. Where visible from the public streets, facades of parking structures shall screen cars from view. (R)

Rationale: Because of their size and bulk, efforts should be made to mitigate the obtrusiveness of parking structures.



Parking Structure

- f. The number and length of curb cuts to surface parking areas should be minimized. (P)

- g. Parking areas should be entered from the public alleyways. (C)

Rationale: Disruptions to pedestrian movement along public walkways should be avoided or minimized.

- h. Service deliveries and refuse collection should occur within areas provided for parking and parking entrances. (C)

Rationale: Service functions should not interfere with pedestrian movement patterns nor provide a source of visual blight.

- i. In order to diminish the number of services (i.e., service/delivery areas) and parking entrances on a site, shared parking structures and service/delivery areas may be used. (C)

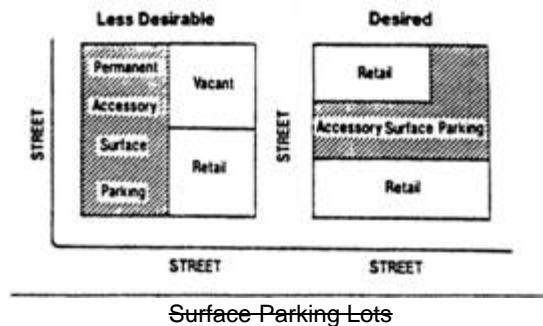
Rationale: Less space devoted to service and parking areas allows for greater opportunities to provide pedestrian-oriented activities.

- j. Shared accessways to surface parking lots should be provided to minimize curb cuts on public streets. (C)

Rationale: Circulation within a block without having to re-enter the public street avoids disruptions to pedestrian movement along public walkways and reduces traffic on the streets.

- k- Surface parking lots that are accessory to on-site buildings should be placed away from corners. If a plan has been approved for the phased development of a site, interim surface accessory parking may be provided at corners. (P)

Rationale: Gaps in continuity of high-activity pedestrian uses do not contribute positively to a vibrant public realm environment.



- l- Developers/operators of parking structures or surface parking lots shall provide at least one bicycle parking rack. Bicycle parking should not interfere with the sidewalk function or flow of pedestrians. (R)

Rationale: The need to provide adequate bicycle parking is heightened by the elimination of automobile parking requirements in the downtown area. Provisions for bicycle parking will encourage this alternative form of transportation.

7- Unique features and adaptations:

- a- *Lighting.* Lighting visible from the public right-of-way should be unobtrusive and in character (night and day) with civic character of the downtown area.
 - (1) Lighting should be designed to avoid bright glare (and consequent shadows) along the public walkways. Toward this end, the overall brightness is not as critical as is the overall pattern of illumination. (C)
 - *Rationale:* Lighting should be designed to satisfy the functional needs of utility, decoration, and security.
- b- *Public art.* As with other areas of the City, the quality of life and the visual interest is enhanced by public art.

8- Stadium and on-site accessory uses: +3

A stadium is a unique use and, as such, warrants special design guidelines. The guidelines set forth below shall be applied to this use in addition to the standards set forth in Sections 643.J.1 through 7, above, or elsewhere in this ordinance. This section shall take precedence over design guidelines set forth in Sections 643.J.1, 3 through 5, and 7, and any conflicting sections of this ordinance. Off-site accessory uses shall be subject to the design guidelines set forth in Sections 643.J.1 through 7 above:

a- Architectural character and materials:

- (1) The stadium should be designed with a base that is differentiated from the remainder of the building in order to relate to pedestrian scale. The base should be scaled to the immediate context taking into account the scale and massing of the stadium. (P)
 - *Rationale:* The incorporation of a building base into a structure as massive as a stadium helps to define the pedestrian environment and public spaces adjacent to the stadium.
- (2) Pedestrian-oriented plazas and courtyards should be designed to facilitate the movement of large numbers of people attending events. Without interfering with such pedestrian movements, shading and soft surfaces should be incorporated into the design of the plazas, courtyards, and walkways. (P)
 - *Rationale:* A stadium will attract crowds numbering in the tens of thousands. The surrounding ground-level environment must be designed in a way that accommodates large numbers of people efficiently and safely.
- (3) The massing of the stadium should be broken down into a series of elements that relate to the immediate context and the neighboring buildings. (C)

Rationale: A stadium is likely to be the most massive element in its immediate surroundings; such elements can ameliorate this contrast in scales.

- - b. *Entrance and visual access.*
- - - (1) To the extent consistent with the need to control access to the stadium and maintain security, provide one building entrance per public street. (P)
- - - - *Rationale:* The intent in the downtown area is to encourage as much pedestrian activity between the street/sidewalk and buildings as possible.
- - - (2) Where it is necessary to have walls without windows or shadow boxes exceed thirty percent of the area of the base of a building face facing the street, include openings in the facade that will permit pedestrians to look into the stadium. (P)
- - - - *Rationale:* Building design which inhibits pedestrian activity does not provide the diversity and richness needed to make an active public environment.
- - - (3) All building equipment and service areas, including site appurtenances such as on-grade and roof mechanical equipment, transformers, and backflow preventers readily visible from the public right-of-way, shall be screened from public view. These elements shall be sited to minimize their visibility and impact. (R)
- - - - *Rationale:* Viewing mechanical equipment is not in keeping with the civic nature of a downtown area.
- - c. *Building lines and front area requirements.*
- - - (1) The base of the stadium should be placed parallel, and not at an angle, to the orthogonal street grid. (P)
- - - - *Rationale:* A stadium should be oriented in a way that is consistent with both the prevailing street grid and existing buildings in its immediate neighborhood.
- - - (2) Open space in front of a stadium should be an extension of the public street and act as a transition to the stadium. During event time, access to such space may be restricted consistent with security and ticketing requirements. (P)
- - - - *Rationale:* Leftover or ambiguous open space that has no apparent use or sense of place will not contribute positively to a more active street life.
- - d. *Shading.* On-site accessory uses and structures shall follow the design guidelines in Section 643.J.5.
- - e. *Unique features and adaptations.*
- - - (1) *Lighting.* Lighting (other than playing field lighting) should be designed to avoid bright glare (and consequent shadows) along public walkways. Toward this end, the overall brightness is not as critical as is the overall pattern of illumination. (P)
- - - - *Rationale:* Lighting should be designed to satisfy the functional needs of utility, decoration, and security.
- - - (2) *Public art.* Public art should be included in areas within a stadium that will be used by large numbers of people (i.e., concourses) and in plazas, courtyards, and walkways adjacent to a stadium. Where feasible, integral components of a stadium should be designed as public art components. (C)
- - - - *Rationale:* As a major public amenity, the areas around and in a stadium will be frequented by large numbers of people. Accordingly, it is a particularly important setting for public art.

645-W Warehouse Overlay District. +1

- A. Purpose. The Warehouse Overlay District is intended to enhance the viability and utility of the unique, diverse area south of the Downtown Core. As stated in the vision in the Downtown Plan: "The Warehouse District is a unique, diverse area ... coffee houses and jazz clubs are interspersed among the industrial buildings ... Artisans cluster in warehouses and industrial buildings ... the larger spaces work well as studios and even residences ... Compatible industrial users such as the produce warehouses, tire facility and printing plant continue."
- The envisioned diversity and mix of uses are intended to ensure that the basic visual character of the area remains unique and complements, rather than duplicates, other districts or developments in Phoenix. A vertical mix of uses is also encouraged, e.g., loft housing, over other uses to

increase the intensity, vitality, and viability of the area.

- The intent of the overlay is to provide design guidelines for the Warehouse District and to preserve the unique character, promote the mixed vitality, and ensure a mix of land uses more appropriate to a pedestrian entertainment environment.
- B- Applicability. The Warehouse District applies to land generally bounded by the centerlines of Lincoln Street, Central Avenue, Jackson Street, First Avenue, Buchanan Street, Central Avenue, Lincoln Street, Third Avenue, Harrison Street, Seventh Avenue, Madison Street, First Street, Jackson Street, Third Street, Madison Street, and Seventh Street, Harrison Street, and Fifth Street.*6
- C- Use Regulations. The regulations governing the uses of land and structures shall be as set forth in the underlying zoning districts except as expressly modified by the following regulations:
 - 1- Bar, lounge, or tavern shall be allowed subject to a use permit and the following regulations:
 - a- Music or entertainment is limited to recorded music or one entertainer unless the building or suite in which the bar, lounge, or tavern is located is at least three hundred feet from a residential zoning district. If this spacing standard cannot be satisfied, other live entertainment shall be permitted only upon securing a use permit in accordance with the provisions of Section 307.
 - b- Patron dancing shall be permitted as of right if the building or suite in which the bar, lounge, or tavern is located is at least three hundred feet from a residential zoning district. If this spacing standard cannot be satisfied, patron dancing shall be permitted only upon securing a use permit in accordance with the provisions of Section 307. Patron dancing that continues beyond the hours of State-regulated liquor sales shall be allowed only upon issuance of a use permit in accordance with the provisions of Section 307.
 - c- Outdoor recreation uses, outdoor alcoholic beverage consumption, and associated lighting shall be permitted as accessory uses as of right if the site of the outdoor uses is at least three hundred feet from a residential zoning district and the closing time of the outdoor uses does not extend past the closing time of the bar, lounge, or tavern. If this spacing standard cannot be satisfied, the outdoor uses shall be permitted only upon securing a use permit in accordance with the provisions of Section 307.
 - 2- Outside dining in the public right-of-way subject to a use permit in accordance with Section 307 and the following regulations: *2
 - a- Businesses desiring to utilize the public right-of-way for outside dining shall obtain a revocable permit as administered by the City of Phoenix.
 - b- The permit request shall include a sketch to scale of the proposed locations of all tables, chairs, fences, and other furniture or landscaping.
 - c- The sketch shall indicate maintenance of eight feet of clear space from the inside edge of all existing light poles, parking meters, or other street furniture to the outside edge of any proposed dining furniture, landscaping, or fences. Spacing from trees should be measured from the edge of a tree grate or planter bed. (Tree canopies must be trimmed up to seven feet to allow pedestrians to pass beneath them.) The eight feet of clear space may be reduced by up to twelve inches if it can be proved that there is no other way to include outside dining in the space available.
 - d- These standards may be modified in conjunction with implementation of the streetscape program described in the Action Plan of the Downtown Phoenix Strategic Visioning Program. *2
 - 3- Outside retail sales are allowed if not visible from the public right-of-way. If said use is visible from the public right-of-way, the use shall be allowed subject to a use permit.
 - 4- Packaged liquor retail sales shall be allowed subject to a use permit.
 - 5- Surface parking lots shall be allowed as an accessory use only, except as provided below. All parking lots shall be subject to the landscaping, fence, and wall provisions of Section 645.F and approval of site plan in accordance with the provisions of Section 507.*4
 - a- All parking lots in this district, both conforming and legally nonconforming, may be used for parking for off-site events. If a property has excess parking spaces which are not needed for the primary use of the site which is conducted within an enclosed building, a use permit may be approved in accordance with the standards of Section 307 to allow off-site surface parking on the same lot as accessory on-site parking for a period of three years or until discontinuance of the primary use, whichever first occurs. One time extension of the use permit may be granted for no more than three years. Neither the Zoning Administrator nor the Board of Adjustment shall have

jurisdiction to vary these provisions. *4

- - b. ~~A use permit may be approved in accordance with the standards of Section 307 to allow surface parking as a primary use for a maximum of three years on a portion of a block or an entire block in the Warehouse Overlay District provided that the following blighting conditions existed on or before January 1, 1998: +4~~
 - - - (1) ~~At least sixty-seven percent of the block did not contain structures; and +4~~
 - - - (2) ~~That sixty-seven percent of the block was in a blighted condition which was neither subject to Neighborhood Preservation Ordinance enforcement nor considered a public safety hazard. +4~~
- - ~~Neither the Zoning Administrator nor the Board of Adjustment shall have jurisdiction to vary these provisions or extend the three-year maximum use. +4~~
- 6. ~~Parking structures accessory to an existing development or built in conjunction with a new development are permitted off-site subject to obtaining a special permit in accordance with the provisions of Section 504.1 and the design guidelines and standards listed in Section 645.F.6. All parking structures in the district, both conforming and legally nonconforming, may be used for parking for off-site events. +4~~
- 7. ~~Residential uses shall be allowed.~~
- 8. ~~Stadium and accessory uses incidental to and located on the same lot or parcel as the principal use or structure shall be allowed subject to the following limitations: +3 *4~~
 - - a. ~~Neither a parking lot nor a parking structure accessory to a stadium shall require a use permit or special permit. Off-site parking lots accessory to a stadium shall not be permitted. *4~~
 - - b. ~~A stadium shall contain a minimum of twenty-five thousand fixed seats. *4~~
- 9. ~~Warehouses and warehouse uses shall be allowed.~~
- 10. ~~The following uses are prohibited within the Warehouse Overlay District: *5~~
 - - 1. ~~Adult bookstore, adult theater, adult live entertainment, erotic dance or performance studio, adult novelty store. +5~~
 - - 2. ~~Agricultural tillage, contractors. *5~~
 - - 3. ~~Aircraft fabrication and assembly. *5~~
 - - 4. ~~Aircraft sales and repair. *5~~
 - - 5. ~~Aircraft storage, including hanger facilities. *5~~
 - - 6. ~~Ammunition, commercial loading of small arms. *5~~
 - - 7. ~~Automobiles: parts and supplies (used); salvage; storage dead (warehouse). *5~~
 - - 8. ~~Blood banks/plasma centers. *5~~
 - - 9. ~~Bottled or containerized fuel, storage, distribution, and retail sales. *5~~
 - - 10. ~~Bus line shops, garage repair. *5~~
 - - 11. ~~Butane distributors. *5~~
 - - 12. ~~Cement products, manufacturing (pipe, blocks, etc.). *5~~
 - - 13. ~~Cement storage. *5~~
 - - 14. ~~Cesspool builders and service; equipment yard. *5~~
 - - 15. ~~Charity dining halls/missions. *5~~
 - - 16. ~~Concrete contractors, storage yards. *5~~
 - - 17. ~~Concrete products, storage. *5~~
 - - 18. ~~Concrete products, manufacturing. *5~~
 - - 19. ~~Concrete, retail sales. *5~~
 - - 20. ~~Cranes, storage yards. *5~~
 - - 21. ~~Crop dusting equipment yards. *5~~
 - - 22. ~~Diesel engines service, equipment, and supplies. *5~~
 - - 23. ~~Excelsior manufacturing. *5~~
 - - 24. ~~Firewood, storage. *5~~
 - - 25. ~~Gasoline, bulk storage tanks. *5~~
 - - 26. ~~Grain elevator. *5~~
 - - 27. ~~Homeless shelters. *5~~
 - - 28. ~~House wreckers' yard. *5~~
 - - 29. ~~Insulation materials, storage, and wholesale. *5~~
 - - 30. ~~Jobbers, bulk materials (sand, gravel, cotton seed, etc.). *5~~
 - - 31. ~~Machinery used, storage. *5~~
 - - 32. ~~Meat packing and smoking. *5~~
 - - 33. ~~Oil, fuel, bulk storage. *5~~
 - - 34. ~~Parking lots not accessory to a primary use. *5~~

- - 35. Paving contractors' equipment storage. *5
- - 36. Paving materials storage yard. *5
- - 37. Pawnshops. *5
- - 38. Petroleum products, packaging, and storage. *5
- - 39. Pipe, concrete, manufacturing. *5
- - 40. Pipe, concrete, storage. *5
- - 41. Pipe, metal, storage. *5
- - 42. Pipe, used, storage, and sales. *5
- - 43. Pipe, fittings, storage, and wholesale. *5
- - 44. Poultry slaughtering. *5
- - 45. Poultry supplies wholesale and storage. *5
- - 46. Produce packing plants. *5
- - 47. Rabbit slaughtering. *5
- - 48. Recycling center. *5
- - 49. Road building equipment, storage yard. *5
- - 50. Scaffolds, equipment storage. *5
- - 51. Septic tanks, contractors, construction. *5
- - 52. Sewer pipe, manufacturing, concrete. *5
- - 53. Sewer pipe, storage. *5
- - 54. Spraying supplies, equipment yards. *5
- - 55. Trailers, assembly, and manufacturing. *5
- - 56. Wrecking contractors' yards. *5

D. Yard, Height, and Area Requirements. The regulations governing the height of buildings, and requirements for lot area, width, and yards shall be as set forth in the underlying zoning districts except as expressly modified by the following regulations. *6

- 4. Building height. Except as defined below, a building height of eighty (80) feet is permitted. In an effort to preserve historic property as defined in Section 803, an increase in the eighty (80) foot building height limitation would be permitted under the following conditions: *6
 - a. Building height of up to one hundred and forty (140) feet would be permitted subject to the dedication of a thirty (30) year conservation easement to the City of Phoenix; as described below, for historic property. Once ninety (90) percent of the historic properties have been preserved by a conservation easement, a building height of one hundred and forty (140) feet would be permitted by right. *6
 - b. A building height of greater than one hundred and forty (140) feet would be permitted subject to compliance with the following: *6
 - (1) Approval by the City Council of a height waiver in accordance with the standards and provisions of Section 506, and *6
 - (2) Dedication of a thirty (30) year conservation easement to the City of Phoenix; as described below, that is recorded against historic property. Once ninety (90) percent of the historic properties have been preserved by a conservation easement, only the City Council approval of a height waiver would be required. *6
 - c. A building height may also exceed the eighty (80) foot height limit if granted by the City Council in accordance with Section 506 and a finding that the applicant has made reasonable efforts to secure a conservation easement on an historic property. The requirement to make a finding of reasonable effort may be waived by the City Council on a case-by-case basis. *6
 - d. The dedication of each conservation easement would permit the construction of up to 30,000 square feet of aggregate floor plate for the structures exceeding eighty (80) feet in height. More than one conservation easement may be needed to achieve the desired floor plate on a site. *6
 - e. Conservation easements will be accepted for complete buildings only, including the walls, floor, and roof of the structure. Each conservation easement must provide the following: *6
 - (1) Protection for the exterior surfaces of the structure, roof, and any associated fences, walls, or fixtures on the site; *6
 - (2) Specifications for how the owner of the structure that is subject to the easement must maintain, repair, and preserve all character-defining features of the structure; *6
 - (3) Protection of the view of the exterior architectural features, as defined in

- - - Section 645.D.1.e.(1), from adjacent publicly accessible areas; and *6
- - - (4) The ability for the City to enter onto the property that is the subject of the conservation easement to enforce its requirements. *6
- - f. Unless otherwise approved by the City Council under the provisions of Section 645.D.1.c or 645.D.1.g, no permits will be issued for a property benefiting from an increase in the height above eighty (80) feet until: *6
- - - (1) The property owner provides evidence to the City that the historic property included in the easement is structurally sound and weather-tight, as determined by a licensed architect or structural engineer and verified by the City; and *6
- - - (2) Upon approval by the City, the conservation easement is recorded to the benefit of the City of Phoenix with the Maricopa County Recorder's Office. *6
- - g. In no event shall any improvement exceed one hundred forty (140) feet in height without obtaining approval by the City Council of a height waiver in accordance with the standards and provisions of Section 506. Improvements shall include, but not be limited to, roofs; parapets; church spires; signs; belfries; cupolas; domes; monuments; water towers; chimneys; flues; vents; flagpoles; radio and television towers; fire lookout towers or airway beacons; and structures used to house water tanks, bulkheads, elevator shafts, stairway penthouses, or similar structure used solely as an auxiliary space for equipment and machinery of the mechanical, electrical, or utility systems of the building. *6
- - h. In no event can the height of any building or any improvements thereon exceed the limits contained in the Sky Harbor Airport Zoning Ordinance. *6
- 2. Building setback. Between finished grade and eighty (80) feet in height, all building facades fronting on a public street/accessway shall maintain a setback that is no greater than five (5) feet from the property line. All portions of a building above eighty (80) feet in height must be stepped back at least ten (10) feet from the property line adjacent to a public street/accessway. *6
- Structures on corner lots shall be constructed so as to maintain a thirty-three-foot visibility triangle at the intersection of two public streets unless approved otherwise by the Planning and Development Department. *6
- E. Signs. Signage in the Warehouse Overlay District shall be governed by the regulations applicable to signs in the G-2 district except as modified by the following regulations:
- 1. Signs projecting from the front of buildings shall be perpendicular to the street (i.e., ninety-degree angle), with a maximum of one sign per entrance. All signs that extend into or over the public right-of-way shall be permitted only upon issuance of a revokable permit as administered by the City of Phoenix. Each sign should:
 - a. Identify only one business.
 - b. Provide a minimum eight-foot head clearance.
 - c. Be a maximum of nine square feet in area (one face).
 - d. Project no more than three feet zero inches into the public right-of-way.
 - e. Be indirectly illuminated from a shielded light source (i.e., not backlit or "cabinet" sign).
- 2. Sign should be easily legible from across the street, day and night.
- 3. Awning signs shall be permitted by right. Awning signs should have letters no more than ten inches in height.
- 4. Signs painted on the building surface or letters mounted directly to the building surface should:
 - a. Be a maximum of one square foot of signage for each lineal foot of building elevation to a maximum of one hundred square feet.
 - b. Have letters no larger than twelve inches in height for building fronts thirty feet or less; eighteen inches in height for building fronts thirty feet to sixty feet; twenty-four inches in height for building fronts sixty feet or greater.
 - c. Extend no closer than one-half the vertical height of the letters employed to a building corner (vertical edge) or to a roofline.
- Signage may be increased by up to twenty-five percent by submitting a comprehensive sign plan as provided in the Phoenix Sign Code, Section 705.E.2.
- 5. Windows visible from the public right-of-way may include two types of signage:
 - a. Painted letters on the glass surface, with the letters not to exceed a maximum of four inches in height nor comprising in total more than twenty percent of the windowpane

area.

- - b. Neon letters, within three feet of the inside of the glass surface, shall not exceed a maximum of six inches in height nor comprise in total more than twenty percent of the area of the window opening or glazing unit.
- 6. Second-story businesses may only use a sign in a second-story window. Awning signs shall not be permitted on second-story windows. Second-story window signs shall be governed by the limitation of 5 above except that the maximum letter height may be increased to six inches.
- 7. Corner building shall be allowed signage on each street frontage.
- 8. Directional signs for accessory parking will be allowed to a maximum of six square feet per sign per driveway entrance. Said sign shall be a maximum of three feet in height. No more than twenty-five percent of the area may be devoted to business identification.
- 9. The provisions of Section 705.C.6.d (illuminated sign spacing from residential uses) shall not apply within the Warehouse Overlay District.
- 10. Signs, banners, balloons, flags, guidons, and similar advertising devices otherwise prohibited by Section 705.C.2 a, b, and c may be erected subject to a use permit in conjunction with special promotional events of a civic or commercial nature. No more than twenty-five percent of the area may be devoted to corporate sponsorship identification. In addition to the standards enumerated in Section 705.F [705.G], findings of approval shall include:
 - a. The signs and other displays are appropriate in scale, composition, and manner of display with surrounding development.
 - b. The length and frequency of such displays are compatible with the goals and objectives of the downtown redevelopment program.
 - When two or more adjoining establishments are to participate equally in the event, a single request for a use permit may be filed.
- 11. Wall signs on buildings designated Historic Preservation (HP) exceeding the applicable size or area regulations may be allowed by the Historic Preservation Commission in accordance with the procedure set forth in Section 812.C.3 and upon the additional finding that the proposed signage replicates the size, shape, and placement of the original wall signage.
- 12. The following signs are prohibited:
 - a. Those placed above or on top of any portion of the roof or front parapet or facade.
 - b. Signs advertising goods or services not provided on the premises except for non-commercial signs.
 - c. Signs utilizing moving, flashing, or rotating lights or mechanisms, except as provided by a use permit.
 - d. Freestanding signs or ground signs (i.e., those not attached to or on the building facade).
- 13. Stadium signs. +3
 - Unless otherwise specified below, the following provisions shall control stadium signage:
 - a. *Interior signage.* Signage inside a stadium shall be permitted without other regulation even if it is visible from adjacent public streets if it adheres to a comprehensive graphic design package for the stadium.
 - b. *Exterior signage.*
 - (1) *General provisions.*
 - (a) Exterior signage for a stadium shall be approved only as a comprehensive sign plan in accordance with the procedures of Section 705.E. Concurrently with the submission of its request for a use permit pursuant to Section 705.E the applicant shall notify the Phoenix Arts Commission and Central City Design and Architectural Review Panel that it has submitted an application and shall provide each group with a copy of that application. The applicant is encouraged to meet with each of these groups to discuss the application and receive comment from them. The height and area of signs specified in this section shall be maximum numbers and shall not be subject to increase through the comprehensive sign plan.
 - The comprehensive sign plan approval shall specifically address design of all ground signs. Such signs shall be designed to be compatible with

the architectural treatment and overall character of the site, to conform to the context of the immediate surroundings, and to complement the building in choice of materials, textures, and colors.

- - - - (b) Signage that is directed primarily to the interior of the stadium but which is occasionally positioned to be visible from the exterior of the stadium shall be considered interior signage. For purposes of this section, "occasionally" shall be defined as no more than twenty-five percent of any day. Any signs which change position shall be permitted only in compliance with the comprehensive sign plan approval.
- - - - (c) Signs projecting more than six inches from the front of a stadium over the public right-of-way shall satisfy the standards of Section 645.E.1 regarding projecting signs in the Warehouse Overlay District.
- - - - (d) Signs permitted by Sections 645.E.13(b)(6) through (9) may include matrix boards, animation, photographs, moving film elements, projected images, and other state of the art graphic communication devices. All animation and other movement shall be permitted only in compliance with the comprehensive sign plan approval.
- - - - (e) Signs may be lighted either directly or indirectly. All signs on a single elevation or facade of the stadium shall be lighted in a consistent manner. A stadium signage package shall not include backlit awnings or cabinet signs.
- - - (2) *Directional signs.* Directional signs shall comply with the standards of Section 645.E.8 regarding directional signs in the Warehouse Overlay District.
- - - (3) *Signage for on-site uses accessory to a stadium.* On-site accessory uses shall comply with the standards of Sections 645.E.1 through 12 regarding signs in the Warehouse Overlay District.
- - - (4) *Wall signs located within twenty-five feet of grade.* Wall signs located within twenty-five feet of grade shall comply with the standards of Section 645.E.1 through 12 regarding signs in the Warehouse Overlay District.
- - - (5) *Graphic art display and outdoor advertising/commercial message signs located on the stadium higher than twenty-five feet above grade.* A graphic art display including outdoor advertising/commercial message signs shall be permitted as part of the comprehensive sign plan on a stadium at a height greater than twenty-five feet above grade. Such signs shall comply with the following standards:
 - - - - (a) No more than twenty-five percent of any one facade or more than eight percent of all facades combined shall be devoted to a graphic art display including outdoor advertising/commercial message signs.
 - - - - (b) The graphic art display and outdoor advertising/ commercial message signs shall be incorporated as an integral part of the overall stadium building. For example, the signs shall be framed by other building elements or set into building recesses.
 - - - - (c) All of the graphic art display and outdoor advertising/ commercial message signs on a single elevation/ facade shall contain colors, lettering, and graphics that are consistent with or complement one another, except as provided in Section 645.E.13.b(6)(e), below.
 - - - - (d) Outdoor advertising/commercial message signs shall be incorporated into a larger graphic art display which could be one panel or several individual panels. The panel or panels shall have a consistent, integrated artistic style.
 - - - - (e) No more than twenty-five percent of each graphic art display panel shall be used for the outdoor advertising/commercial message. The twenty-five percent shall be allotted as follows:
 - - - - - (i) No more than fifteen percent of the square footage of each panel shall identify the name or logo of the company being advertised. The name or logo shall be placed in a consistent position on each panel or on the building facade adjacent to the panel, such as the top or bottom of each panel or on the building above or below the panels, but in no event more than sixty feet above grade level.

- (ii) No more than ten percent of each panel shall be an outdoor advertising/commercial message incorporated into the graphic art display required in Section 645.E.13.b(6)(d).
- - - - (f) A change in the graphic art display shall require a major amendment of the stadium's comprehensive sign plan, in accordance with the provisions of Section 705.E.2.d(2). For purposes of this section, a change of the corporate sponsor which does not alter the graphic art display more than changing the corporate name or reference to the corporate sponsor shall not be deemed a change in the graphic art display.
- - - (6) *Ground signs higher than twenty-five feet above grade.* Ground signs on the stadium site which are higher than twenty-five feet above grade shall comply with the following standards:
 - - - - (a) A stadium may have one such primary sign and two such secondary signs subject to the following size limitations:
 - - - - - (i) The primary sign shall not exceed fifty feet in height and shall contain no more than three faces with a maximum four hundred square feet per face. The approved height and areas for the signs shall be established through the comprehensive sign plan and may be less than the potential maximums. The overall height of the primary sign and its structure, including architectural embellishments, shall not exceed sixty-seven percent of the height of the stadium.
 - - - - - (ii) The secondary sign(s) shall not exceed twenty-five feet in height and shall contain no more than three faces with a maximum two hundred twenty-five square feet per face. The overall height of a secondary sign and its structure, including architectural embellishments, shall not exceed forty feet.
 - - - - (b) Such signs may, through the comprehensive sign plan approval, include electronic message displays.
 - - - - (c) An electronic message display shall incorporate a public service or public event message shown five percent of the time the sign is in operation.
 - - - - (d) Each sign face of the primary and secondary signs may contain stadium identification equal to no more than twenty-five percent of the area of the sign face.
 - - - - (e) Each sign face of the primary and secondary signs may contain sponsor identification equal to no more than fifteen percent of the area of the sign face.
- - - (7) *Stadium and team identification signage located on the stadium.* Signage on the stadium identifying the stadium and team shall comply with the following standards:
 - - - - (a) There may be one stadium and/or team identification sign located more than twenty-five feet above grade on each elevation/facade. These signs shall not exceed seven and one-half percent of the area of the elevation/facade.
 - - - - (b) There may be one stadium and/or team identification sign located not more than twenty-five feet above grade at each entrance to the stadium which is not also a direct entrance to an interior accessory use. These signs shall not exceed the area which is permitted for wall signs in the Downtown Core District.
- - - (8) *Signage on the stadium roof.* Two signs painted on, or otherwise applied directly to, the stadium roof shall be permitted subject to the following standards:
 - - - - (a) The signs shall not be visible from the ground.
 - - - - (b) The signs shall not be larger than ten percent of the roof surface on which they are applied.
 - - - - (c) The signs shall identify the stadium and/or team only by name and/or logo.

F. Design Guidelines and Standards. The design guidelines and standards contained herein reflect

desired goals and policies for the City as they pertain to the Warehouse District. The intention of these guidelines is to allow diversity, rather than monotony, of building forms and materials, but consistent with the pattern, styles, and methods traditionally employed in this area. The general guidelines for design review as found in Section 507 Tab A of the Zoning Ordinance shall apply in the Warehouse District. If the guidelines of this section conflict with the guidelines of Section 507 Tab A, the guidelines of Section 645 shall prevail. *6

- The guidelines and criteria are intended to establish the expectations necessary to ensure a continuation of the historic spatial character of the district and its streets providing a compatibility of new construction with existing precedents. *6

- The guidelines indicate specific implementation standards and consist of requirements, presumptions, and considerations. Guidelines shall be administered in the manner specified in Section 507 of the Zoning Ordinance. Each guideline is followed by a designation (R), (P), or (C) which notes a requirement, presumption, or consideration, respectively. If any guideline is in conflict with any underlying district provision, it may be followed without obtaining a variance or use permit. *6

- Nothing contained in this subsection shall affect or modify the regulations set forth in Chapter 8 of this ordinance applicable to land zoned HP. *6

4. Fences and walls. *6

- a. Fences or freestanding walls of up to five (5) feet in height are permitted between the building setback and the facade of the building provided that the fence or wall is constructed of materials that provide a minimum of fifty percent (50%) visibility at all points above forty (40) inches. All other provisions governing fences and walls are subject to the restrictions of Section 703 of the Zoning Ordinance. *6

2. Landscaping. Landscaping shall be required only in conjunction with the following situations: *6

- a. If the property fronts on or is adjacent to a street for which a streetscape plan has been approved, said property shall adhere to the requirements of the streetscape plan. *6

- b. Shading is required per Section 645.F.5 of the Zoning Ordinance. *6

- c. If a parcel is used for motor vehicle parking or interior vehicle circulation as a primary or accessory use, a wall and landscaping shall be required along all sides of said lot. Along that portion of the lot which bounds the side or rear yards, the wall shall not be less than three nor more than four feet in height. A wrought iron fence up to three feet may be constructed on top of the wall. Five feet of landscaping shall, when matured, be a minimum of four feet in height and shall be maintained in a living condition. Along that portion of the lot which bounds the front yard, the wall shall be three feet in height. Landscaping shall, when matured, be a minimum of three feet in height within a triangle measuring ten feet in depth from the property line tapering to the property line twenty feet on either side of the driveway. All required walls or landscaping shall be maintained in a neat and orderly condition. Landscaping shall provide at least continuous evergreen (broadleaf or conifer) shrubs or hedges in a planting area which shall be a minimum of three feet in width. *6

- d. A parking lot that is the primary use of a lot or parcel which does not conform to the landscaping regulations set forth in Section 645.F or the lighting regulations set forth in Section 507 shall be brought into conformance with those regulations prior to the issuance of any permit for construction on the lot or parcel except for permits for security gates, guard houses, or related security equipment. *6

3. Architectural character and materials. *6

- a. Between finished grade and fifteen (15) feet, all windows visible from a public street/accessway or any public access area should have a reflectivity of no greater than 20%. Mirrored glass should be avoided. (P) *6

- *Rationale:* Visibility of building interiors at the ground level is necessary to maintain visual interest, provide for passive surveillance of the building exterior, and create a vibrant streetscape environment in the Warehouse District. *6

- b. The percentage of windows on the ground floor of a building that are visible from a public street/accessway or any public access area should be at least 40% of the building facade. The percentage of windows on the ground floor that are visible from a public street/accessway or any public access area should not exceed more than 70% of the facade. (P) *6

- *Rationale:* Window treatments are needed to maintain the visual character of the

warehouse district and create a vibrant streetscape environment in the district. *6

- - e: Building elements, such as doors, windows, pilasters, cornices, brick arches, and lintels should be articulated and expressed in a manner similar to existing, historic structures in the district in particular any on the same block face. Blank walls should not exceed thirty (30) feet in length on building facades visible from public streets/accessways or public access areas. (P) *6

- - - *Rationale:* Exterior surfaces of existing structures are seldom smooth; a variety of textures, protruding elements, and recessed windows and doors provide shade and shadow on the surface, lending both interest and a sense of scale. *6

- - d: Avoid parapets designed with a single, continuous line at the top of the facade parapet. No more than three changes in plane at the top of the facade parapet should be incorporated into the design of the parapet using rectangular shapes and articulation. (P) *6

- - - *Rationale:* Simple parapet, cornice lines and projections are more compatible with existing warehouses and will add to the pedestrian character of the district. *6

- - e: Building facades visible from public streets/accessways should contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes, and overhead canopies. (P) *6

- - - *Rationale:* Facade embellishments create detail at a pedestrian scale and provide transitional elements to the public streetscape. Large horizontal or vertical building facades without varied architecture features need to be avoided. Architectural features should break up the exterior massing and impact of large building facades. *6

- - f: Building facades should be designed to provide a sense of human scale at the ground level by providing a clear architectural distinction between at least the ground floor and all additional stories. (P) *6

- - - *Rationale:* A building should reflect a human scale and be inviting to the public.

- - g: Large expanses of bright or intense colors and hues should be avoided. (P) *6

- - - *Rationale:* Colors of structures in the district are typically earth tones and various grays, ranging from a natural dark brick to light brown or tan stucco. Bright colors are found, in some instances, as accent elements and are used sparingly but effectively with special fixtures, window and door trim, signs painted on the building surface, and awnings. *6

- - h: The following design elements should be avoided: (P) *6

- - - (1) From ground level to eighty (80) feet angled building walls (building walls that are not perpendicular or parallel to the adjacent streets). *6

- - - (2) From ground level to eighty (80) feet steeply pitched (more than thirty degrees) roofs including mansard roof forms. *6

- - - (3) Metal, "plastic," or wood siding. *6

- - - (4) Parabolic arches and other non-geometric building forms. *6

- - - (5) Backlit awnings or panels. *6

- - - (6) Plastic and acrylic components used in awnings, and other accessories. *6

- - - (7) From ground level to eighty (80) feet "curtain-wall" facades. *6

- - - (8) Mill finished aluminum and metal. *6

- - - *Rationale:* To maintain and sustain the inherent character of the district, exotic forms and materials should not be introduced in new or renovated construction. *6

- - i: New construction from finished grade to eighty (80) feet should use concrete, brick, or other quality exterior-facing materials found on the structures in the district that have been determined to have character value. Each building facade that is visible from a public street/accessway or public access area should have a stucco surface on no more than twenty-five (25) percent of the facade. (P) *6

- - - *Rationale:* Load bearing walls (brick or block) and concrete post-and-beam structural systems predominate in the area and need to be preserved in order to maintain the character of the district. The majority of the structures within the district do not have stuccoed finishes. *6

- - j: Any structure that exceeds eighty (80) feet in height should not have a diagonal dimension that exceeds 225 feet. This standard applies only to those floors constructed above eighty (80) feet in height and shall be measured at the longest diagonal dimension connecting opposite corners. (P) *6

Rationale: The mass of buildings taller than eighty (80) feet needs to be limited to ensure adequate light and visual access for building occupants. A limitation in massing also provides for maintenance of visual corridors to off-site natural and man-made landmarks. *6

- 4. Windows and fenestration. *6
 - a. Windows should be square or rectangular and similar to existing buildings determined to have character value. (P) *6
 - *Rationale:* To maintain the visual character of the Warehouse District and create a vibrant streetscape environment, architectural details should be incorporated that are consistent with existing structures in the district. *6
 - b. Window openings should be recessed or articulated, particularly at the ground level. (P) *6
 - *Rationale:* Existing windows are usually found recessed, rather than flush, with building surface. In addition, individual windows are generally small in size and are seen as "punched" elements in the building wall, rather than as continuous vertical or horizontal bands.
- 5. Entrance and visual access-Street level. *6
 - a. Single entrances to buildings should be avoided. (P) *6
 - b. Additional entrances to existing structures should be considered at the time of reuse or remodeling. (C) *6
 - c. As an alternative to an enclosed lobby, an outdoor entry courtyard, or patio, covered or uncovered, easily visible from the street may be employed. In such instances and if necessary, building security may be enhanced by large wrought iron gates, closed and secured at off-hours. The courtyards or patios may be extended through the building to provide access or passage from rear parking areas. (C) *6
 - *Rationale:* The frequency and number of public access doors directly fronting the public street greatly enhances the level of activity of the area. Open air entry courtyards work well in hot arid climates. As a continuation of the perceived pedestrian system, such entries do not pose the same limitations as enclosed lobbies. *6
 - d. Razor wire and barbed wire fences are not permitted. (R) *6
 - *Rationale:* The intention of the overlay district is to make the area "user friendly."
 - e. Fencing at the public entrances to buildings should comply with Section 645.F.1. (P) *6
 - *Rationale:* Visual access to buildings enhances visitor and user interest and provides for maintenance of visual corridors to off-site natural and man-made landmarks. *6
- 6. Building lines and front area requirements. *6
 - a. Areas between the building frontage and the public sidewalk shall not be used for vehicle parking. Parking spaces or lots shall not be closer to the street than any portion of the occupied building. (R) *6
 - *Rationale:* Parking areas and parked cars should not create barriers between the public right-of-way and the retail and service activities. *6
 - b. Access to parking should be provided from the public alleys. (P) *6
 - *Rationale:* Automobiles crossing pedestrian zones (i.e., sidewalks) are unsafe and counterproductive in enhancing pedestrian activity. *6
 - c. On corner parcels both street frontages should respect the criteria of (a) above. In such instances, no more than forty percent of the "side" street frontage should be facing a parking lot, driveway, or passenger loading area. (P) *6
 - *Rationale:* The impact of parked cars on the continuity of a pedestrian zone should be minimized and subordinated to the actual building massing. *6
 - d. New construction must provide a minimum eight foot wide sidewalk adjacent to the street curb. (P) *6
 - *Rationale:* To create an active streetscape environment, adequate sidewalk widths need to be provided to accommodate multiple pedestrians without interference by obstructions such as trees, utility poles, and other streetscape infrastructure. *6
- 7. Shading:
 - a. Canopies and awnings extending over the public sidewalk should be incorporated into the design of new buildings. The use of permanent or temporary shading

devices, such as retractable canvas and large umbrellas, may also be incorporated in courtyards or entry patios. All canopies, awnings, and similar devices that extend into or over the public right-of-way shall be permitted only upon issuance of a revocable permit as administered by the City of Phoenix. (P) *6

Rationale: The value of shade in the summer months suggests the necessity of means to temper the intensity of the sun if pedestrian use is to be encouraged. The character of the Warehouse District reflects its historic uses, and its severity provides only a few opportunities for vegetation. Recent developments and some street improvements have introduced trees and shrubbery to the district without unduly compromising its historic visual aesthetic. This is in part due to the diversity of uses and the avoidance of a carefully "manicured" appearance. *6

b. Pole-mounted entrance canopies should not be used. (P) *6

Rationale: Canopy support poles would impede pedestrian movement and detract from the appearance of the area. All canopies should be suspended or cantilevered from the buildings. *6

8. Parking guidelines. Because of the nature of off-hour use and the proximity to public and private parking garages, there shall be no mandatory parking requirements for this district. Where parking is provided, the following guidelines are applicable: *6

a. Automobile parking shall be located behind the buildings fronting the public streets, either in surface lots or in parking structures as an accessory to a primary use except in conjunction with the approval of an application to close a public street. (R) *6

Rationale: The storage of automobiles can be visually disruptive to the desired character of the district where pedestrian activities are expected to be dominant. *6

b. All parking spaces should be screened to ensure that they are not visible from a public street/accessway or public access area. (P) *6

Rationale: Parking spaces visible at street frontage levels discourage pedestrian activity. *6

c. Facades of parking structures should screen cars from view in a manner consistent with the architectural guidelines for this district. (P) *6

Rationale: Parking structures are not a traditional type of structure occurring in the district. Because of their size, efforts should be made to mitigate their obtrusiveness. *6

d. Efforts should be taken to minimize the length of curb cuts to parking areas. Parking areas should be entered from the public alleyways. (P) *6

Rationale: Disruptions to pedestrian movement along public walkways should be avoided or minimized. *6

e. Loading bays and areas used to provide service deliveries and refuse collection should not be visible from any public street/ accessway or public access area. Such areas should be physically separated from public parking via curbs, bollards, walls, raised planters, landscaping, distance, and/or elevation changes. When using walls to separate loading areas from pedestrian areas, landscape elements (e.g. planting, trellises, arbors, etc.) should be used on the outside of the walls to soften their appearance. (P) *6

Rationale: Service functions should not interfere with pedestrian movement patterns nor provide a source of visual blight.

f. Accommodation shall be provided for bicycle parking. Bicycle parking should not interfere with the sidewalk function or flow of pedestrians. (P) *6

Rationale: The need to provide adequate bicycle parking is heightened by the elimination of automobile parking requirements in the district. Provisions for bicycle parking will encourage this alternative form of transportation. *6

9. Unique features and adaptations:

a. *Lighting.* Lighting visible from the public right-of-way should be unobtrusive and in character (night and day) with the traditional historical roots of the district. Indirect up lighting and accent lighting for public entrances are encouraged.

(1) In general, a series of smaller luminary fixtures is preferable to fewer and larger fixtures. (C)

(2) Lighting should be designed to avoid bright glare (and consequent shadows) along the public walkways. Toward this end, the overall brightness is not as critical as is the overall pattern of illumination. (C)

(3) Lighting along public walkways should avoid the distortion of colors.

Rationale: The visual character of the district, particularly at night, can be very much influenced by lighting and lighting fixtures. Inappropriate uses can diminish both safety and the visual attractiveness of the area.

- - - (4) Nighttime attractiveness of the area should be insured by store window and building lighting which complements and augments the light sources on the street. (C)
- - - - *Rationale:* Lighting should be designed to satisfy the functional needs of utility, decoration, and security. Lighting should be permitted to spill onto the street to create a balanced lighting level.
- - b. *Public art.* As with other areas of the City, the quality of life and the visual interest is enhanced by public art.
- - - (1) Various forms of permanent and temporary art visible from the public right-of-way should complement the streetscape, rather than dominate the character of the area. Art may be employed in either an historical context or as a counterpoint to the existing pattern of development. (C)
- - - (2) Both temporary and permanent art forms are encouraged. Artworks may include all forms of visual art including sculpture, painting, frescoes, mosaics, photography, graphic art, stained glass, murals with no advertising copy, wall hangings, fountains, ornamental gateways, fencing, paving, and lighting. (C)
- - - - *Rationale:* The use of art forms can greatly enhance the "quality of life" aspects of the public realm. Current usage and future expectations suggest that a number of artists will live and work in the Warehouse District. Numerous opportunities exist for various art forms in the built environment, including in this district.
- 10. Stadium and on-site accessory uses. A stadium is a unique use and, as such, warrants special design guidelines. The guidelines set forth below are to be applied to this use in addition to the standards set forth in Sections 645.F.1 through 9 above or elsewhere in this ordinance. This section shall take precedence over Sections 645.F.3, 5, 6, 8, and 9, and any conflicting section(s) in this ordinance. Off-site accessory uses shall be subject to the design guidelines set forth in Sections 645.F.3 through 9 above. *6
- - a. *Architectural character and materials.* *6
- - - (1) The general theme of building elements particularly on the lower portions of a stadium, such as doors, windows, pilasters, cornices, brick arches, and lintels, should be articulated and expressed in a manner that complements the existing, historic structures in the district and in particular any on the same block face. (P)
- - - - *Rationale:* Although a stadium is a unique structure, opportunities to make it complement the existing fabric of the district should be maximized particularly on those portions of the building that comprise part of the pedestrian environment.
- - - (2) The following design elements should be avoided in the warehouse district: (P)
- - - - (a) Angled building walls (building walls are orthogonal to the primary City street grid).
- - - - (b) Mirrored glass.
- - - - (c) Plastic or wood siding.
- - - - (d) Parabolic arches and other non-geometric building forms.
- - - - (e) Use of metal as the primary skin material for structures other than the stadium.
- - - - *Rationale:* To maintain and sustain the inherent character of the district, exotic forms and materials should not be introduced in new or renovated construction.
- - - (3) On-site accessory uses shall follow the design guidelines in Section 645.F.3.a, d, g, and i regarding architectural character and materials. *6
- - b. *Windows and fenestration.* Design Guidelines 4.a and b of Section 645.F regarding windows and fenestration shall apply to accessory uses and support portions of a stadium (e.g., office wing) but not to the stadium proper. *6
- - c. *Entrance and visual access-Street level.*
- - - (1) To the extent consistent with the need to control access to the stadium and

maintain security, provide one building entrance per public street. (P)

Rationale: The intent in the downtown area is to encourage as much pedestrian activity between the street/sidewalk and buildings as possible.

- (2) Where it is necessary to have walls without windows or shadow boxes exceed thirty percent of the area of the base of a building face facing the street, include openings in the facade that will permit pedestrians to look into the stadium. (P)

Rationale: Building design which inhibits pedestrian activity does not provide the diversity and richness needed to make an active public environment.

- (3) As an alternative to an enclosed lobby, an outdoor entry courtyard or patio, covered or uncovered, easily visible from the street may be employed. In such instances and if necessary, building security may be enhanced by large wrought iron or other metal (not including chain link) gates, closed and secured at off-hours. The courtyards or patios may be extended through the building to provide access or passage from rear parking areas. (P)

Rationale: Open air entry courtyards or plazas would work well in hot arid climates.

d. *Building lines and front area requirements.*

- (1) Areas between the building frontage and the public sidewalk may be used for vehicle parking only if the parking area is adequately landscaped or fenced to screen it from pedestrians on the public sidewalk. (R)

Rationale: Parking areas and parked cars should not create barriers between the public right-of-way and the retail and service activities.

- (2) Access to parking should be provided from public alleys as well as public streets. Conflicts between parking access points and major routes for pedestrians going to and from a stadium should be minimized. (P)

Rationale: Automobiles crossing pedestrian zones (i.e., sidewalks) are unsafe and counterproductive in enhancing pedestrian activity.

e. *Parking guidelines.* Because of the nature of off-hour use and the proximity to public and private parking structures, there shall be no mandatory parking requirements for a stadium. Because it is likely that some parking will be developed in connection with a stadium, the following guidelines are applicable to any parking structure that is provided as an accessory use to a stadium in lieu of the design guidelines for parking structures in Subsection 8 above.*6

- (1) For a parking structure which abuts a public street, no more than fifty percent of the length of a block face, excluding entrances and exits, shall be devoted to parking at the ground level. (P)

Rationale: Parking spaces at street frontage level discourage pedestrian activity.

- (2) The first floor of a new parking structure, not adding onto an existing parking structure, shall be designed to accommodate possible alternative non-parking uses. (R)

Rationale: Structural designs of parking garages should not permanently preclude ground level uses for retail or office which promote more pedestrian activity.

- (3) Where visible from the public streets, facades of parking structures should screen cars from view in a manner consistent with the architectural guidelines for this district (e.g., grillwork, plantings). (P)

Rationale: Because of their size and bulk, efforts should be made to mitigate the obtrusiveness of parking structures.

- (4) Service and service collection should occur with areas provided for parking and parking entrances or special service courtyards. (P)

Rationale: Service functions should not interfere with pedestrian movement patterns nor provide a source of visual blight.

- (5) Accommodation shall be provided for bicycle parking. Bicycle parking should not interfere with the sidewalk function or flow of pedestrians. (P)

Rationale: Provisions for bicycle parking will encourage this alternative form of transportation.

- f. *Unique features and adaptations.*
- - - (1) *Lighting:*
- - - - (a) *Lighting (other than playing field lighting) should be designed to avoid bright glare (and consequent shadows) along public walkways. Toward this end, the overall brightness is not as critical as is the overall pattern of illumination. (P)*
- - - - - *Rationale: Lighting should be designed to satisfy the functional need of utility, decoration, and security.*
- - - - (b) *Nighttime attractiveness of the area should be ensured by building and plaza lighting which complements and augments light sources on the street. (P)*
- - - - - *Rationale: Lighting should be permitted to spill onto the street to create a balanced lighting level.*
- - - (2) *Public art:*
- - - - (a) *Public art should be included in areas within a stadium that will be used by large numbers of people (i.e., concourses) and in plazas, courtyards, and walkways adjacent to a stadium. Where feasible, integral components of a stadium should be designed as public art components. (C)*
- - - - - *Rationale: As a major public amenity, the areas around and in a stadium will be frequented by large numbers of people. Accordingly, it is a particularly important setting for public art.*
- - - - (b) *Various forms of permanent and temporary art visible from the public right-of-way should complement the streetscape. Art may be employed in either an historical context or as a counterpoint to the existing pattern of development. In light of the scale of a stadium, the scale of the related public art may well dominate or set the character of the immediate area. (C)*
- - - - - *Rationale: The inclusion of public art will complement and support efforts to establish this district as a place in which artists live and work.*

This item is recommended by Mr. Naimark and the Planning and Development Department.

ITEM 104

CITYWIDE

PUBLIC HEARING - ORDINANCE G-5777 - Z-TA-3-12 - ELIMINATE CONFLICTS IN DOWNTOWN CODE, SIGNAGE, AND DEVELOPMENT REVIEW

Request to hold a public hearing and approve the text amendment changes for the following item by adopting the Planning Commission's recommendation and the related ordinance.

Application: Z-TA-3-12
 Request: Eliminate conflicts in Downtown Code, Signage, and Development Review
 Proposal: Amend Chapter 5, Section 507 (Development Review); Chapter 7, Section 705 (Signage); and Chapter 12 (Downtown Code) to eliminate conflicts in the language, clarify terminology, provide clear consistent direction, and reinstate previous entitlements.

Applicant: City of Phoenix Planning Commission
 Representative: Planning and Development Department
 Staff: Approved.
 VPC Action: Central City - November 13, 2012 - Approved with modifications. Vote 10-1-2
 PC Action: December 11, 2012 - Approved with modifications. Vote 8-0
 CC Subcommittee Action: Neighborhoods, Planning and Development, Housing, and Homeless Subcommittee - January 15, 2013 - Recommendation will be verbal.

The following language is subject to discussion at the meeting, and the City Council may add, delete, or amend the language.

Staff's Proposed Language

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Amend Chapter 2, Section 202 (Definitions) to add the following definitions in correct alphabetical order:

ALLEY, BUFFER: AN ALLEY THAT IS ADJACENT TO A SINGLE FAMILY RESIDENTIAL USE AS IDENTIFIED ON MAP 1202.F, AND IN SECTIONS 1207.N, AND 1207.O.

APPLIANCE REPAIR SERVICES: AN ESTABLISHMENT PROVIDING APPLIANCE REPAIR OR OFFICE MACHINE REPAIR. THIS USE DOES NOT INCLUDE THE MAINTENANCE AND REPAIR OF VEHICLES.

ASSEMBLY, GENERAL: A BUILDING, OR PORTION THEREOF USED FOR GROUPS OF PEOPLE TO GATHER FOR AN EVENT, OR REGULARLY SCHEDULED PROGRAM. GENERAL ASSEMBLY USES INCLUDE ARENAS, AUDITORIUMS, BANQUET FACILITIES, CONFERENCE AND RECEPTION CENTERS, CONCERT HALLS AND THEATRES.

ASSISTED LIVING CENTER: A RESIDENTIAL CARE INSTITUTION THAT PROVIDES RESIDENT ROOMS, OR RESIDENTIAL UNITS, TO 11 OR MORE HANDICAPPED OR ELDERLY PERSONS. THE FACILITY PROVIDES, OR CONTRACTS TO PROVIDE, SUPERVISORY CARE SERVICES, PERSONAL CARE SERVICES, OR DIRECTED CARE SERVICES ON A CONTINUOUS BASIS. AN ASSISTED LIVING CENTER SHALL BE LICENSED BY THE STATE OF ARIZONA.

ASSISTED LIVING HOME: A DWELLING UNIT SHARED AS THEIR PRIMARY RESIDENCE BY ONE TO TEN HANDICAPPED, OR ELDERLY PERSONS LIVING TOGETHER AS A SINGLE HOUSEKEEPING UNIT, WHERE STAFF PERSONS PROVIDE ON-SITE CARE, TRAINING, OR SUPPORT FOR THE RESIDENTS. THE FACILITY PROVIDES, OR CONTRACTS TO PROVIDE SUPERVISORY CARE SERVICES, PERSONAL CARE SERVICES, OR DIRECTED CARE SERVICES ON A CONTINUOUS BASIS. AN ASSISTED LIVING HOME SHALL BE LICENSED BY THE STATE OF ARIZONA.

BAKERY: AN ESTABLISHMENT USED FOR THE SALE OF BAKED GOODS ON THE LOT AND BAKING WHEN INCIDENTAL TO RETAIL SALES FROM THE PROPERTY INCLUDING THE COMBINING, BAKING AND PACKAGING OF INGREDIENTS.

BREW PUB, DOMESTIC MICROBREWERY, OR DOMESTIC FARM WINERY: AN ESTABLISHMENT THAT PRODUCES ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A RESTAURANT, RETAIL SALES, OR TASTING ROOM. THE LIQUOR MAY BE DISTRIBUTED TO OTHER LOCATIONS AND BE SOLD ON-SITE.

BUILDING MATERIALS: AN ESTABLISHMENT THAT SELLS GOODS RELATING TO CONSTRUCTION SUCH AS LUMBER, APPLIANCES, ELECTRICAL SUPPLIES AND PLUMBING SUPPLIES.

Build-To-Line: ~~A given THE distance THAT A BUILDING MUST BE CONSTRUCTED from a THE property line or reference point within which the facade of the building is measured.~~ WHERE THERE EXIST OR REQUIRED PUBLIC UTILITY EASEMENTS THAT ARE GREATER THAN THE BUILD-TO, THE MEASUREMENT MAY BE FROM THE DEDICATED PUBLIC UTILITY EASEMENT LINE.

CONTRACTOR'S YARD: AN ESTABLISHMENT USED FOR THE OUTDOOR REPAIR, MAINTENANCE OR STORAGE OF CONSTRUCTION VEHICLES, EQUIPMENT OR MATERIALS OWNED BY THE ESTABLISHMENT.

DENSITY BONUS: ADDITIONAL DENSITY ABOVE ALLOWANCE THAT IS GRANTED BY PROVIDING SITE ENHANCEMENTS FROM A SPECIFIED LIST. REFER TO SECTIONS 608 AND 1223.

GENERAL OFFICE: AN ESTABLISHMENT WHERE COMMERCIAL ACTIVITIES TAKE PLACE BUT WHERE GOODS ARE NOT PRODUCED, SOLD, OR REPAIRED. THESE INCLUDE: GENERAL AND PROFESSIONAL OFFICES, INSURANCE OFFICES, REAL ESTATE OFFICES, AND TAXI-CAB OFFICES.

INTERIM VACANT LAND USES: NEIGHBORHOOD POCKET PARK, DEMONSTRATION GARDEN, PUBLIC PLAYGROUND, MEDITATION GARDEN AND PUBLIC ART DISPLAY ARE ALLOWED USES FOR VACANT PROPERTY.

LABORATORY; MEDICAL, DENTAL OR CLINICAL: AN ESTABLISHMENT FOR SCIENTIFIC ANALYSIS OF BLOOD, TISSUE OR OTHER HUMAN OR ANIMAL COMPONENTS.

LABORATORY, RESEARCH: AN ESTABLISHMENT FOR SCIENTIFIC RESEARCH, INVESTIGATION, TESTING OR EXPERIMENTATION, BUT NOT FOR MANUFACTURING OR SALES OF PRODUCTS.

LIQUOR, RETAIL SALES: A RETAIL ESTABLISHMENT WHERE THE PRIMARY PURPOSE IS THE SALE OF PACKAGED LIQUOR, INCLUDING SPIRITUOUS LIQUOR, BEER, AND WINE.

MANUFACTURING AND ASSEMBLY: AN ESTABLISHMENT FOR MANUFACTURING AND ASSEMBLY OF PRODUCTS PRIMARILY FOR SALE TO RETAIL ESTABLISHMENTS.

MANUFACTURING, ARTISAN: AN ESTABLISHMENT FOR SMALL-SCALE PRODUCTION OF GOODS PRIMARILY BY HAND MANUFACTURING OR ASSEMBLY, INVOLVING THE USE OF HAND TOOLS, AND SMALL-SCALE EQUIPMENT.

MANUFACTURING, LIGHT: AN ESTABLISHMENT FOR MANUFACTURING, PROCESSING, ASSEMBLY, PACKAGING, TREATMENT, FABRICATION, OR STORAGE OF FINISHED OR SEMI-FINISHED PARTS OR PRODUCTS. LIGHT MANUFACTURING AND ASSEMBLY USES ARE CONDUCTED WITHIN AN ENCLOSED BUILDING WITH INCIDENTAL OUTDOOR STORAGE.

MANUFACTURING, GENERAL: AN ESTABLISHMENT FOR MANUFACTURING, PROCESSING, COMPOUNDING, ASSEMBLY, PACKAGING, TREATMENT OR FABRICATION OF PARTS OR PRODUCTS THAT ARE MASS PRODUCED FROM EXTRACTED OR RAW MATERIALS, RECYCLED OR SECONDARY MATERIALS. INCLUDES BULK STORAGE AND HANDLING OF SUCH PRODUCTS OR MATERIALS. MANUFACTURING AND ASSEMBLY USES ARE CONDUCTED EITHER FULLY OR PARTIALLY WITHIN AN ENCLOSED BUILDING WITH LIMITED OFF-SITE IMPACTS.

MANUFACTURING, HEAVY: AN ESTABLISHMENT FOR MANUFACTURING, PROCESSING, COMPOUNDING, ASSEMBLY, PACKAGING, TREATMENT OR FABRICATION OF PARTS OR PRODUCTS THAT ARE MASS PRODUCED FROM EXTRACTED OR RAW MATERIALS, RECYCLED OR SECONDARY MATERIALS. INCLUDES BULK STORAGE AND HANDLING OF SUCH PRODUCTS OR MATERIALS. MANUFACTURING AND ASSEMBLY ACTIVITIES MAY BE CONDUCTED ENTIRELY OUTDOORS AND HAVE MODERATE TO SIGNIFICANT OFF-SITE IMPACTS. USES INVOLVING RADIOACTIVE OR HIGHLY TOXIC MATERIALS, CHEMICALS, HIGHLY COMBUSTIBLE OR EXPLOSIVE MATERIALS, OR OTHER SUBSTANCES OF NOXIOUS NATURE IN THE MANUFACTURING PROCESS ARE INCLUDED IN THIS CLASSIFICATION.

MOTOR VEHICLE RENTAL: RENTAL OF AUTOMOBILES, INCLUDING STORAGE, AND INCIDENTAL MAINTENANCE OF THE RENTAL VEHICLES.

MOTOR VEHICLE SALES (NEW) AND LEASING: SALES, OR LEASING OF NEW AUTOMOBILES, MOTORCYCLES, TRUCKS, INCLUDING STORAGE, AND INCIDENTAL MAINTENANCE.

MOTOR VEHICLE SERVICE AND REPAIR (MINOR): AN ESTABLISHMENT ENGAGED IN THE RETAIL SALE OF GAS OR DIESEL FUEL, LUBRICANTS, PARTS, AND/OR ACCESSORIES, INCLUDING QUICK-SERVICE OIL; TUNE-UP; BRAKE AND MUFFLER SHOPS; AND TIRE SALES AND INSTALLATION, WHERE REPAIRS ARE MADE, OR SERVICE PROVIDED IN ENCLOSED BAYS, AND VEHICLES ARE NOT TYPICALLY STORED OVERNIGHT. THIS CLASSIFICATION EXCLUDES ESTABLISHMENTS PROVIDING ENGINE REPAIR; BODY AND FENDER WORK; VEHICLE PAINTING; TOWING; OR REPAIR OF HEAVY TRUCKS, OR CONSTRUCTION VEHICLES. VEHICLES MUST BE LESS THAN 10,000 GROSS POUNDS.

MOTOR VEHICLE WASHING: AN ESTABLISHMENT THAT WASHES, WAXES, OR CLEANS

AUTOMOBILES OR SIMILAR LIGHT VEHICLES.

Nursing Home: A health care institution other than a hospital or AN ASSISTED LIVING HOME OR CENTER ~~personal care home which~~ THAT PROVIDES is licensed by the Arizona State Department of Health ~~Services as a~~ INPATIENT BEDS OR RESIDENT BEDS TO PERSONS WHO NEED CONTINUOUS NURSING SERVICES ~~facility for two (2) or more unrelated persons~~. A NURSING HOME SHALL BE LICENSED BY THE STATE OF ARIZONA.

OCCUPIABLE SPACE: AN INDOOR OR OUTDOOR ENCLOSED SPACE DESIGNED FOR HUMAN INTERACTIONS, SUCH AS BUT NOT LIMITED TO: LOBBIES, PATIOS, ROOFTOP DECKS AND GARDENS, OR AREAS FOR ASSEMBLY, OR OTHER SIMILAR PURPOSES.

OUTDOOR DISPLAY OR SALES: AN OUTDOOR ARRANGEMENT OF PRODUCTS OR SERVICES USED FOR THE PURPOSE OF ADVERTISING A BUSINESS THAT IS LOCATED ON SITE.

OUTDOOR STORAGE: AN EXTERIOR SPACE USED FOR THE STOCKPILING, OR PLACEMENT OF MATERIALS OR GOODS FOR MORE THAN 48 CONSECUTIVE HOURS.

PARKING, TEMPORARY: A PARKING AREA TO PROVIDE TEMPORARY PARKING SPACES FOR THE GENERAL PUBLIC TO PARK PASSENGER VEHICLES FOR NO MORE THAN 48 CONSECUTIVE HOURS.

PAWN SHOP: THE LOCATION OR PREMISES AT WHICH A PAWNBROKER IS LICENSED TO REGULARLY CONDUCT THE PAWNBROKER'S BUSINESS. THIS INCLUDES ADVANCING OF MONEY ON THE SECURITY OF PLEDGED GOODS OR ENGAGING IN THE BUSINESS OF PURCHASING TANGIBLE PERSONAL PROPERTY ON THE CONDITION THAT IT MAY BE REDEEMED OR REPURCHASED BY THE SELLER FOR A FIXED OR VARIABLE PRICE WITHIN A FIXED OR VARIABLE PERIOD OF TIME.

PERSONAL SERVICES: BUSINESSES OFFERING SERVICES INCLUDING BARBER SHOPS, BEAUTY SHOPS, TANNING SALONS, DAY SPAS, WEIGHT LOSS CLINICS, MASSAGE THERAPY, YOGA/PILATES STUDIO, PERSONAL TRAINING STUDIO, LAUNDROMATS, LAUNDRY AND DRY CLEANING PICK-UP AND DELIVERY STATIONS.

POCKET SHELTER: A CLASS OF RESIDENTIAL FACILITY THAT IS ACCESSORY TO A PLACE OF RELIGIOUS ASSEMBLY, OR SIMILAR PLACE OF WORSHIP, THAT PROVIDES RESIDENCE FOR ONE TO 12 UNRELATED PERSONS. MINORS (AGE 18 AND YOUNGER) ACCOMPANIED BY A PARENT, OR GUARDIAN SHALL NOT BE COUNTED IN THE NUMBER OF UNRELATED PERSONS. A POCKET SHELTER PRIMARILY OFFERS FOOD AND SHELTER TO INDIVIDUALS AND FAMILIES.

RELIGIOUS ASSEMBLY: AN ESTABLISHMENT WHERE PERSONS REGULARLY ASSEMBLE FOR RELIGIOUS PURPOSES AND RELATED SOCIAL EVENTS. THE FOLLOWING MAY BE INCLUDED: RECTORY OR CONVENT, DORMITORY, PRIVATE SCHOOL, MEETING HALL, ADMINISTRATIVE OFFICES, LICENSED DAY CARE (ADULT OR CHILD), PLAYGROUND, ATHLETIC FIELDS OR POCKET SHELTER.

SECONDHAND OR USED MERCHANDISE SALES: BUYING, SELLING, TRADING, EXCHANGING, RECEIVING ON CONSIGNMENT OR OTHERWISE DEALING IN SECOND HAND GOODS, WARES, MERCHANDISE OR ARTICLES.

SELF SERVICE STORAGE FACILITY (MINI-WAREHOUSE): A BUILDING OR GROUP OF BUILDINGS THAT CONTAIN SPACES OF VARYING SIZES THAT ARE RENTED FOR STORAGE OF EXCESS PERSONAL PROPERTY. ESTABLISHMENTS HAVE INDIVIDUAL, COMPARTMENTALIZED AND CONTROLLED ACCESS.

STORAGE/WAREHOUSING INDOORS: AN ENCLOSED BUILDING DESIGNED AND USED PRIMARILY

FOR THE STORAGE OF ASSORTED GOODS AND MATERIALS.

STREET, PEDESTRIAN: SIDEWALK, LANDSCAPE, DRIVEWAY AND BUILDINGS ARE DESIGNED TO CREATE A SAFE, PLEASANT AND ENJOYABLE EXPERIENCE FOR PEDESTRIANS. BUILDING OPENINGS ARE ORIENTED TOWARD THE STREET AND VEHICULAR CONFLICTS WITH PEDESTRIANS ARE MINIMIZED. DESIGNATED ON MAP 1202.E AND INDIVIDUAL CHARACTER AREAS IN CHAPTER 12.

STREETSCAPE ZONE: THE AREA LOCATED BEHIND THE RIGHT-OF-WAY CURB THAT HAS EITHER LANDSCAPING PER SECTION 1207 OR PUBLIC AMENITIES (SUCH AS SEATING, ART WORK).

TATTOO OR BODY PIERCING STUDIO: AN ESTABLISHMENT WHOSE PRINCIPLE BUSINESS ACTIVITY IS PLACING DESIGNS, LETTERS, FIGURES, SYMBOLS OR OTHER MARKS UPON, OR UNDER THE SKIN OF ANY PERSON; USING INK OR OTHER SUBSTANCES THAT RESULT IN THE PERMANENT COLORATION OF SKIN BY MEANS OF THE USE OF NEEDLES OR OTHER INSTRUMENT DESIGNED TO CONTACT OR PUNCTURE SKIN; OR CREATING AN OPENING IN THE BODY OF A PERSON FOR THE PURPOSE OF INSERTING JEWELRY OR OTHER DECORATION.

Amend Chapter 5, Section 507.B (Development Review Approval, Applicability) Paragraphs 2.a(2) and 6 to read as follows and renumber remaining section accordingly:

2. Exterior structural remodeling or new facade treatment to buildings without additional square footage are subject to development review approval as follows: +8
 - a. For properties located within the boundary of the Downtown Code, the following shall apply: +8
 - (1) Compliance with the development standards, design standards and design guidelines of Chapter 12 only for that exterior portion of the building being modified. +8
 - (2) Provision of ~~street trees~~ LANDSCAPING in accordance with adopted streetscape designs: +8 UNLESS PROHIBITIVE BECAUSE OF EXISTING PUBLIC UTILITIES.

- 6- Implementation of development review shall begin on March 1, 1991, and be phased according to the following schedule: +3 *8
 - - - -
 - - a- ~~Phase I: On March 1, 1991, development review shall apply to all zoning districts which require formal site plan control on the effective date of this provision, including: Residential Office, Commercial Office, subdivisions, multiple family districts, high-rise, mid-rise and incentive districts, Resort District, P-1, P-2, Planned Shopping Center, Regional Shopping Center, Planned Community Development, all special permit uses, and projects stipulated to site plan control by the City Council at the time of zoning approval.~~
 - - - -
 - - b- ~~Phase II: On February 1, 1992, development review shall apply to those districts included in Phase I and the following districts: C-1, C-2, C-3, A-1, A-2 and Commerce Park.~~

Amend Chapter 5, Section 507.C (Development Review Approval, Design Review Principles and Guidelines) Paragraphs 1 and 2 to read as follows:

1. Requirements (R). Requirements (R) are guidelines contained in this and other sections of the Zoning Ordinance and specific plans. Requirements are not permissive in that they

contain language that is not discretionary, such as "shall," "must" and "will." Requirements must be satisfied by any plan prior to design review approval. ~~There is no administrative process to overcome a requirement.~~ If a requirement cannot be satisfied, an applicant may seek relief through the variance process with the exception that those requirements followed by an asterisk (R*) are appealable to the Design Review Committee due to their design-related nature. *8

2. Presumptions (P). Most of the guidelines are presumptions (P). A guideline that is a presumption normally will contain the word "should." A plan submitted for design review is incomplete if it does not demonstrate that the presumptive elements have been in some way incorporated or overcome.

- a. *Overcoming a presumption.* A presumption that may be unsuitable for a given project may be waived if an applicant can demonstrate to the Planning and Development Department that there is a good reason why the presumption is inappropriate, unless the property is located within the boundary of the Downtown Code. The Planning and Development Department may approve an alternative that achieves the intent of the presumption. *8

Appropriate reasons for overcoming a presumption include:

- (4) Explaining the unique site factors that make the presumption unworkable such as lot size and shape, slope, natural vegetation, drainage, and characteristics of adjacent development which are identified through their use of materials, colors, building mass and form, and landscaping. *3

Increases in the cost of development ~~generally will~~ IS not be an acceptable reason to waive a guideline or determine that a guideline is inappropriate. *3

Amend Chapter 5, Section 507.G (Development Review Approval, Design Alternatives and Sustainability Bonus Appeals) by deleting Paragraph 9 as follows:

- ~~9. The City Council may adopt the DRC's determination without holding a public hearing, unless a member of the public, or a member of the Planning Commission or City Council, within seven calendar days after the DRC's determination is announced, objects in writing to adoption of the determination. Upon the filing of a written objection, a public hearing will be held by the City Council. +8~~

Amend Chapter 5, Section 507.H (Development Review Approval, Appeals) to read as follows:

H. Appeals. There are two distinct categories of review standards, design and technical: +8

1. Appeal of design review decisions. An action or decision of the Planning and Development Department imposing conditions in accordance with presumptive design review guidelines, urban design principles, or design decisions which are imposed to protect the public health, safety and welfare may be appealed ~~by the applicant~~ to the Design Review Committee within fifteen calendar days from the date of the staff's preliminary review decision. The Planning and Development Department will submit any background material regarding the appeal to the Design Review Committee within two working days prior to the hearing date. *8

- b. An appeal will be heard within ~~thirty~~ 30 calendar days from the date of submission of an appeal. Any person invited to the review of the preliminary report with the applicant shall be informed by the Planning and Development Department of the date, time and location of appeal hearing.

2. Appeal of technical requirements. An action or decision of the Planning and Development Department which results from a non-design-related issue may be appealed by the applicant within fifteen calendar days to the City Manager's representative if the appeal is from conditions which are not required by City ordinance or conditions which are beyond the requirements of City ordinance or is from a determination that a building addition will have significant impacts and is subject to development review. Deviation from conditions which are ordinance requirements must follow the variance process of that ordinance. The Planning and Development Department will submit any background material regarding the appeal to the City Manager's representative within two working days prior to the hearing date. *3

- b. An appeal will be heard within fifteen-15 calendar days from the date of submission of an appeal. Any person invited to the review of the preliminary report with the applicant shall be informed by the Planning and Development Department of the date, time and location of appeal hearing.

- d. Appeal to ~~City Council~~ DEVELOPMENT ADVISORY BOARD. An appeal of the decision of the City Manager's representative may be made to the ~~City Council~~ DEVELOPMENT ADVISORY BOARD within fifteen calendar days after the date of the decision. Appeals shall be in writing on a form provided by the Planning and Development Department and shall include only those items not agreed upon. Within ~~thirty~~-30 calendar days after service of the "notice of appeal," the Planning and Development Department shall transmit to the ~~City Council~~ DEVELOPMENT ADVISORY BOARD and to the Law Department a transcript, with exhibits, of the City Manager's representative's hearing. The ~~City Council~~ DEVELOPMENT ADVISORY BOARD shall review the transcript and exhibits and may, at their discretion, hear further oral arguments and receive written briefs from both the applicant and the Law Department.

- e. ~~City Council~~ DEVELOPMENT ADVISORY BOARD action. The ~~City Council~~ DEVELOPMENT ADVISORY BOARD may:

- (1) Affirm the decision of the City Manager's representative;
- (2) Remand the matter for further proceedings before the City Manager's representative; or
- (3) Reverse or modify the City Manager's representative's decision.

The decision of the ~~City Council~~ DEVELOPMENT ADVISORY BOARD is final.

Amend Chapter 5, Section 507.I (Development Review Approval, Review of technical documents) by deleting Paragraph 1.r as follows:

I. Review of technical documents.

1. Technical standards review. As a part of development review process, technical standards will be applied to each property and compliance will be required unless a property owner is relieved of the requirements through an appropriate appeal process. Applicable standards may include, but are not limited to the current editions of the following:

- ~~f. Phoenix Active Management Area Low Water Using Plant List. +2~~

Amend Chapter 5, Section 507.K (Development Review Approval, Effect of development review approval), Paragraph 6 to read as follows:

K. Effect of development review approval.

6. Validity.

- a. Preliminary approval. Approval of the preliminary development review documents shall be valid for a period of ~~twenty-four~~ 24 months. In a phased project, if preliminary development review documents are filed over the total site and final development review approval is achieved on a portion of the site within the ~~twenty-four~~ 24-month period, the preliminary development review documents will remain valid for an additional ~~twelve~~ 12 months. Additional time beyond the ~~thirty-six~~ 36 months shall require approval by the City Manager's ~~r~~Representative in accordance with Subsection G above.
- b. Final approval. Approved development review documents shall be valid for a period of ~~twenty-four~~ 24 months and continue in effect beyond ~~twenty-four~~ 24 months if a building permit has been issued and has not expired or a certificate of occupancy has been issued with the project complying with the approved development review documents.

Amend Chapter 12, Section 1201.C (Downtown Code, Code Administration, Approval Requirements) Paragraphs 3 and 4 to read as follows:

3. Existing structures and land ~~use~~ USES established legally at the time of adoption of this Code shall be subject to the provisions of Chapter 9, Non-conformities, of the Phoenix Zoning Ordinance.
4. Properties with Historic Preservation (HP) zoning are subject to the provisions of Chapter 8, Historic Preservation, of the Phoenix Zoning Ordinance in addition to the provisions of Chapter 12, Downtown Code. In the event OF a conflict between the provisions of Chapter 8 and Chapter 12, the ~~provisions~~ PROVISIONS of Chapter 8 shall prevail.

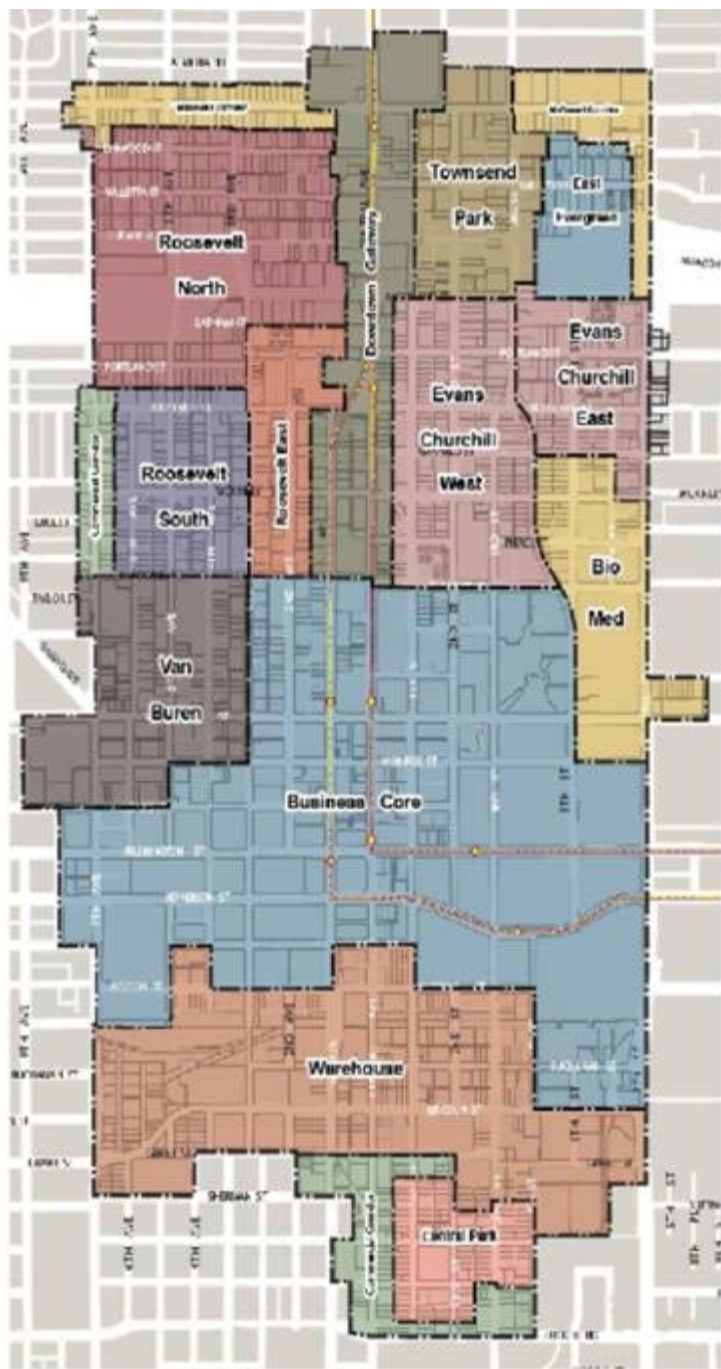
Amend Chapter 12, Section 1202 (Downtown Code, Regulating Maps) to read as follows:

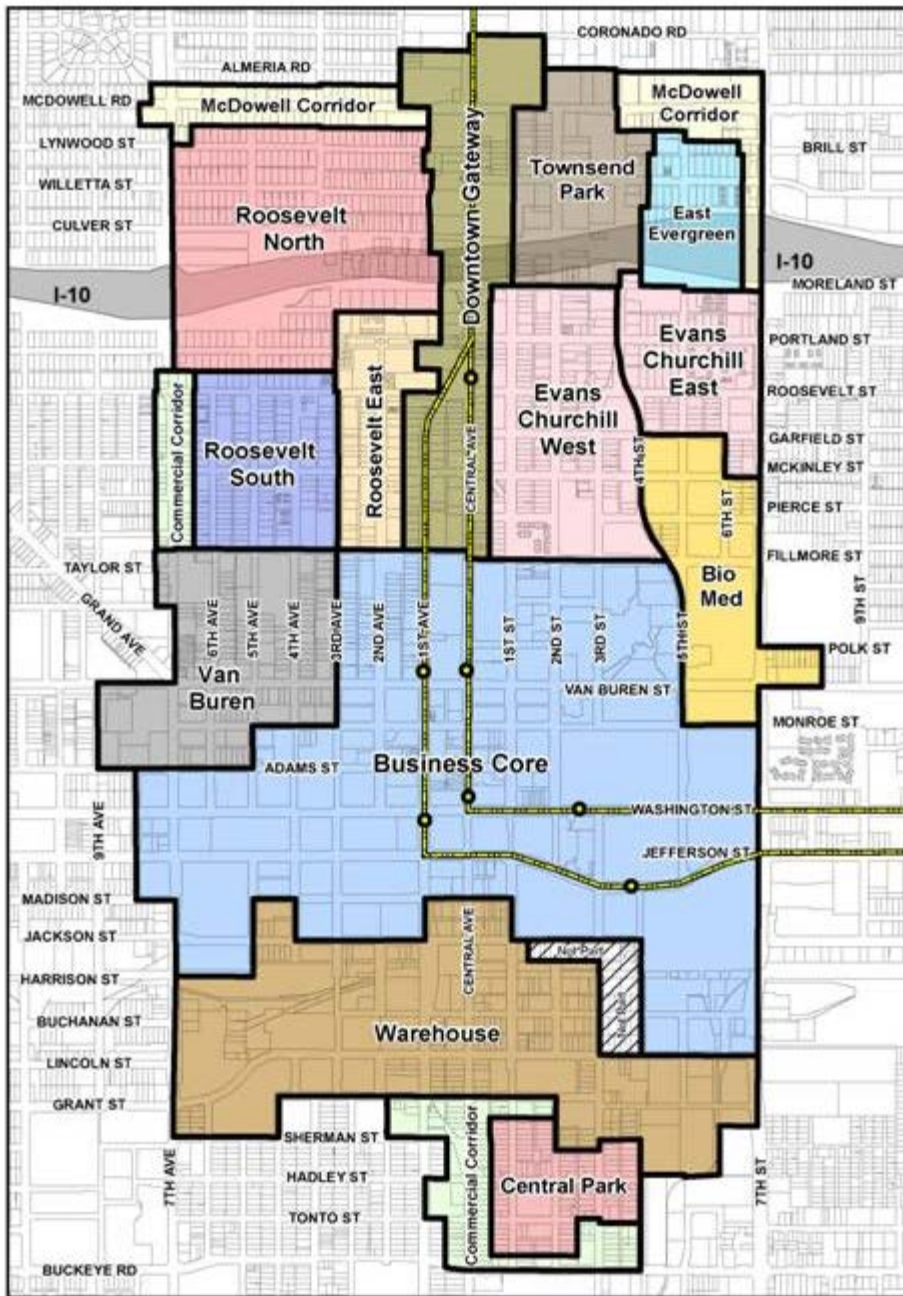
A. This section includes the Regulating Maps for development within Downtown. These maps define the following:

1. Character ~~a~~Areas.
4. ~~Front~~ PEDESTRIAN & ~~AND~~ ~~s~~Side ~~s~~Streets.
- 5- ~~Pedestrian streets.~~
- 6-5. ~~Residential~~ BUFFER ~~a~~ Alleys.
- 7-6. ARTS, CULTURE AND SMALL BUSINESS AREA.

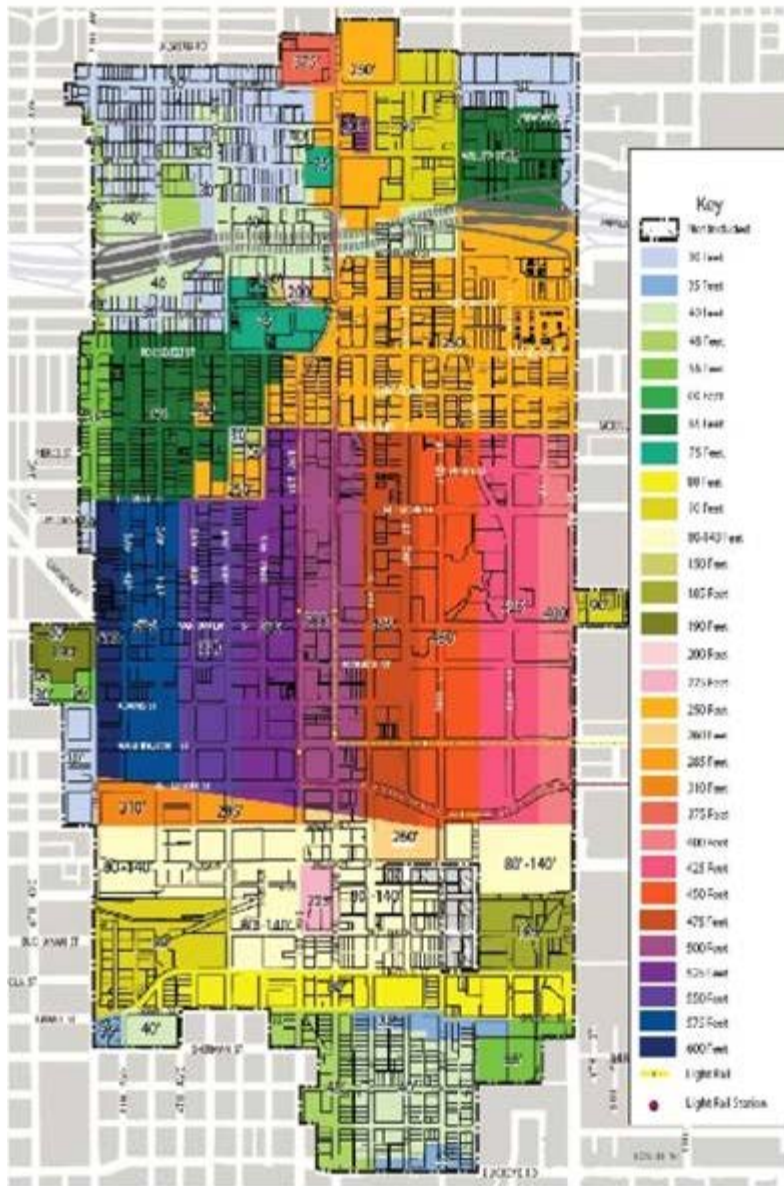
Amend Chapter 12, Section 1202 (Downtown Code, Regulating Maps) to read as follows:

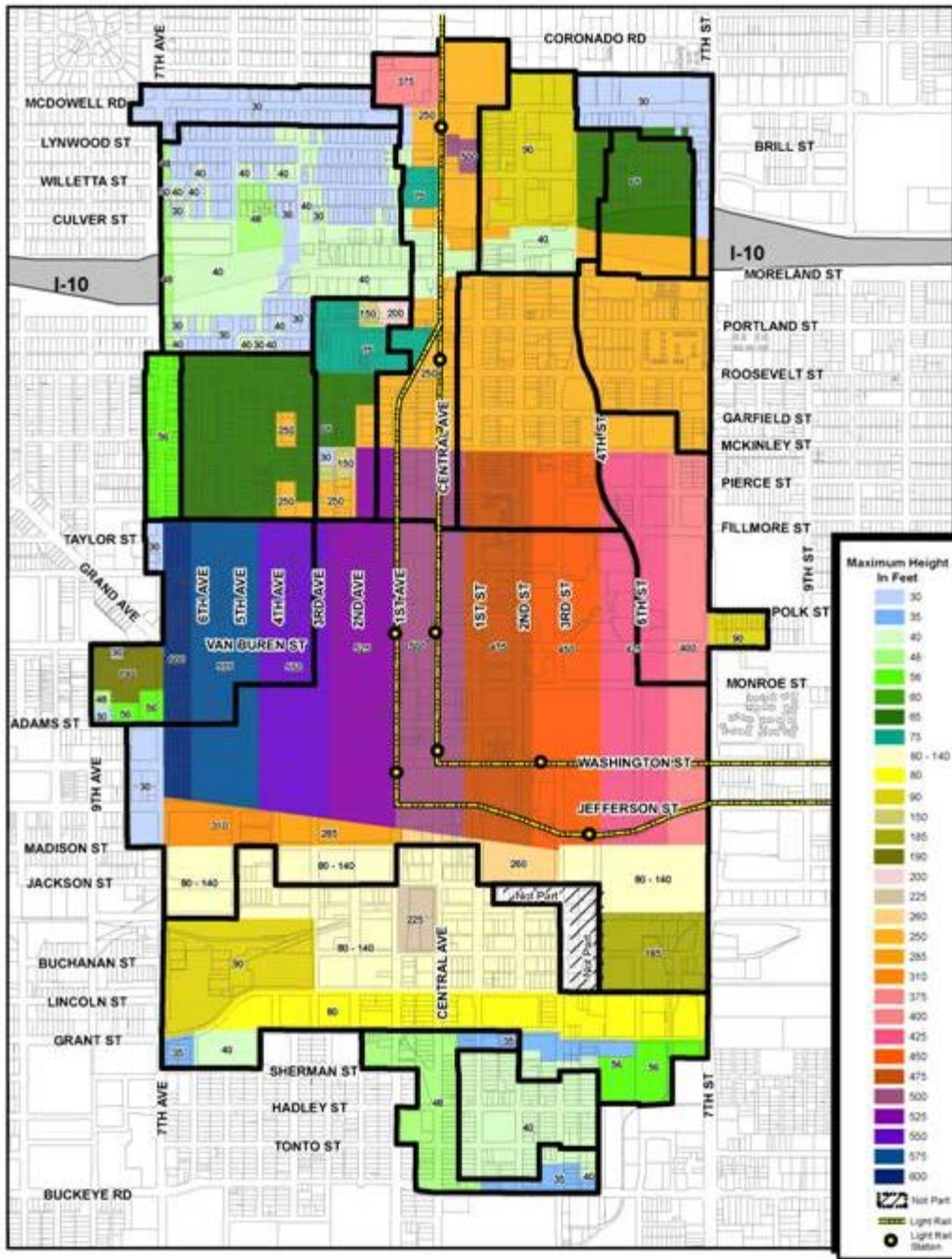
B. This map designates the Character Area boundaries for ~~the~~ Downtown.



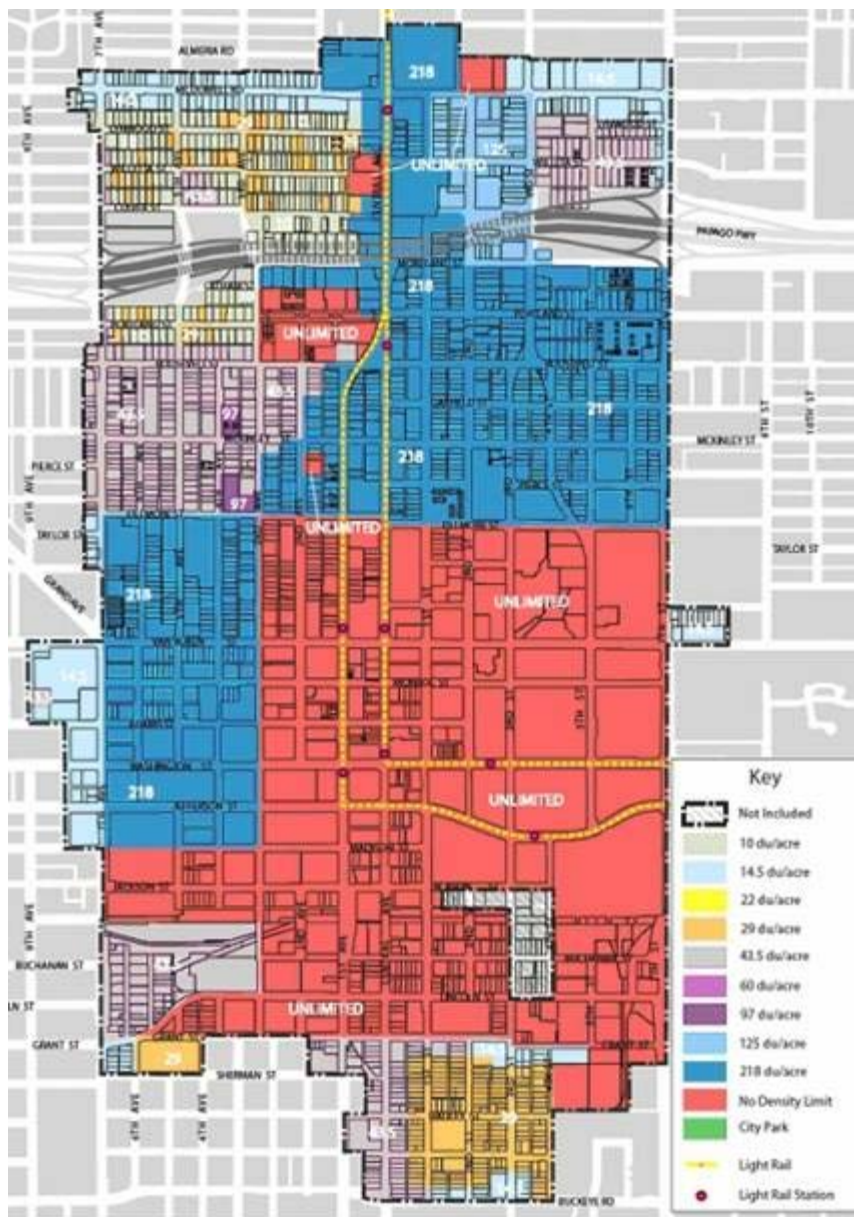


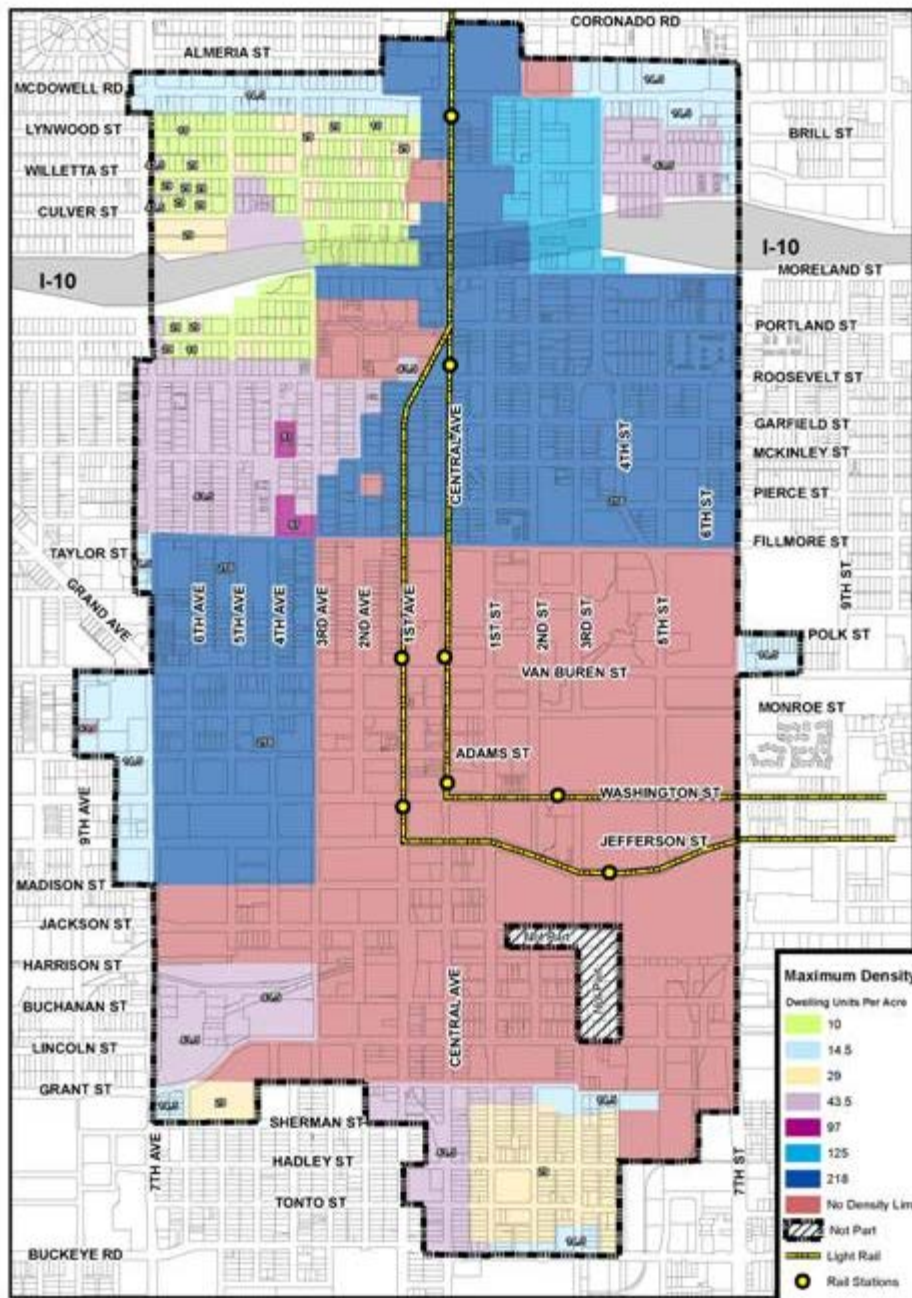
- C. The height for any property in the Downtown area shall not exceed the following unless a height bonus is allowed by the Character Area and approved by PLANNING AND DEVELOPMENT DEPARTMENT STAFF, OR AN APPEAL IS APPROVED BY the Design Review Committee (DRC). IN NO EVENT CAN THE HEIGHT EXCEED THE AIRPORT HEIGHT LIMIT:





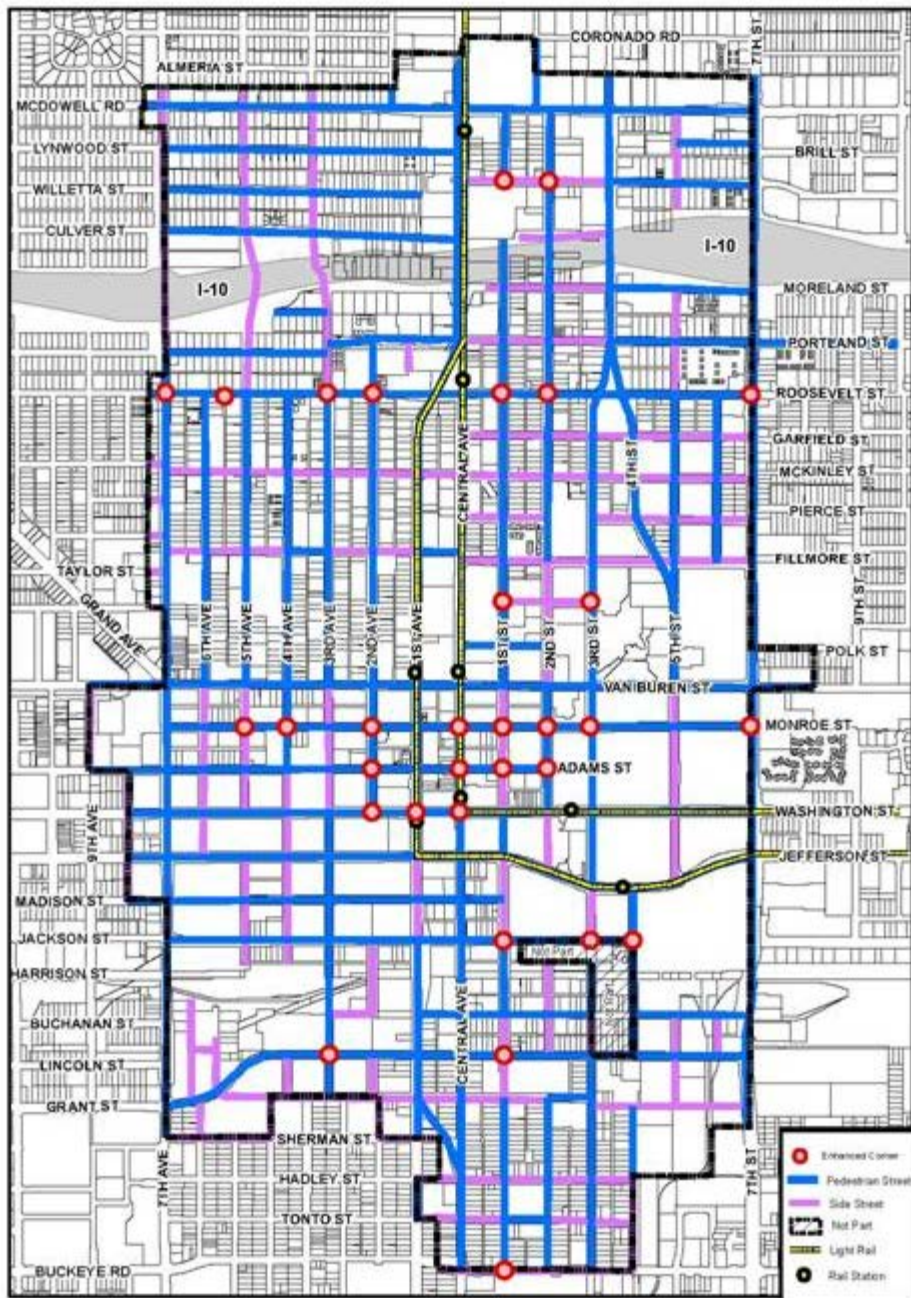
- D. The density for any parcel in the Downtown area shall not exceed the following unless a density bonus is allowed by the Character Area and approved by the PLANNING AND DEVELOPMENT DEPARTMENT STAFF OR AN APPEAL IS APPROVED BY THE DESIGN REVIEW COMMITTEE (DRC) PURSUANT TO SECTION 1223 REQUIREMENTS:





- E. This map designates which THE streets in the Downtown AREA THAT are Front PEDESTRIAN and Side streets as referenced on the ~~street scape~~ STREETSCAPE matrix for each Character Area AND SECTION 1205.G. THE MAP ALSO DESIGNATES ENHANCED CORNER LOCATIONS AS REFERENCED IN SECTION 1207.M.:



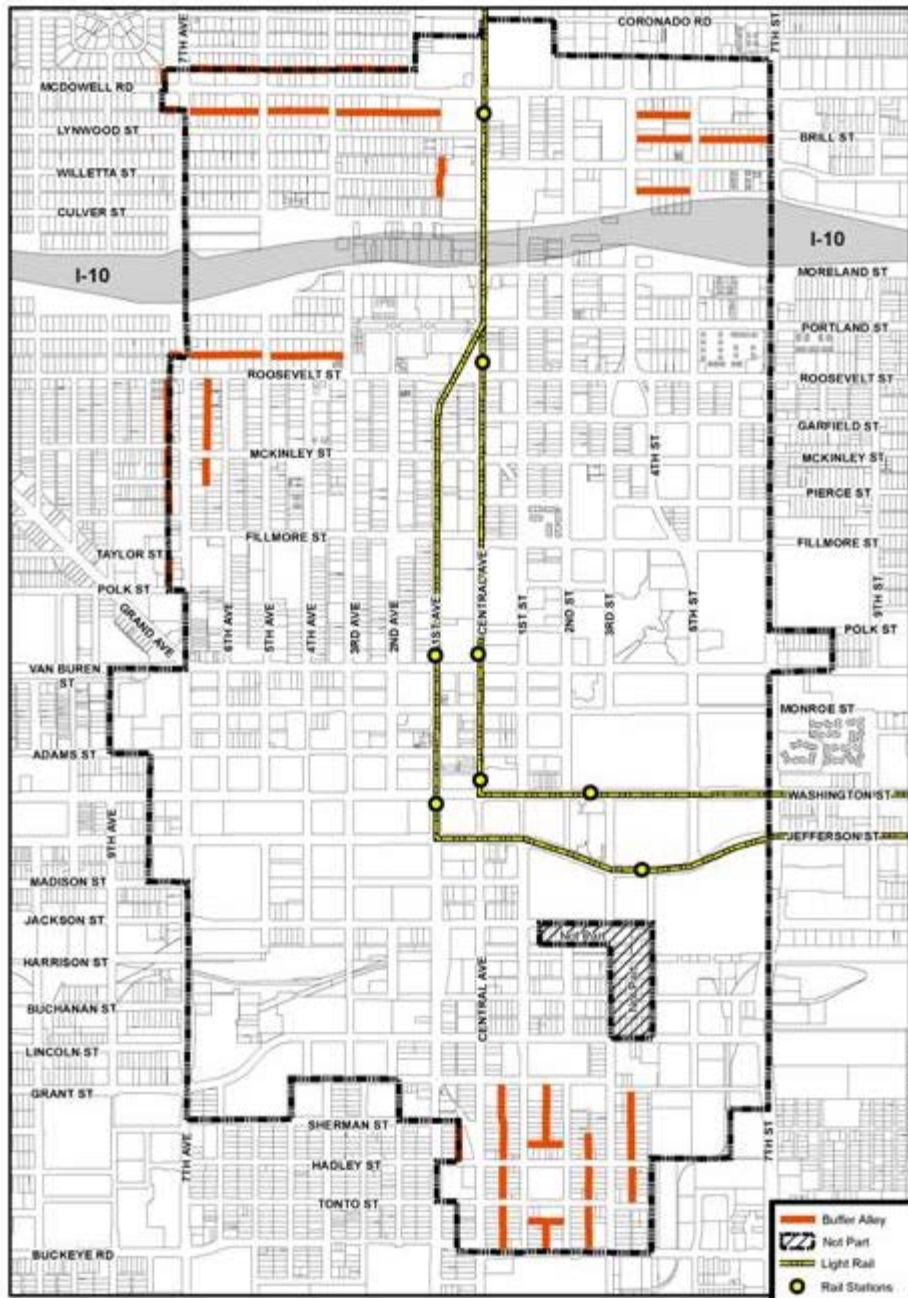


F. The following streets are Pedestrian Streets. Please refer to Sections 1207.K and 1207.L for specific standards and

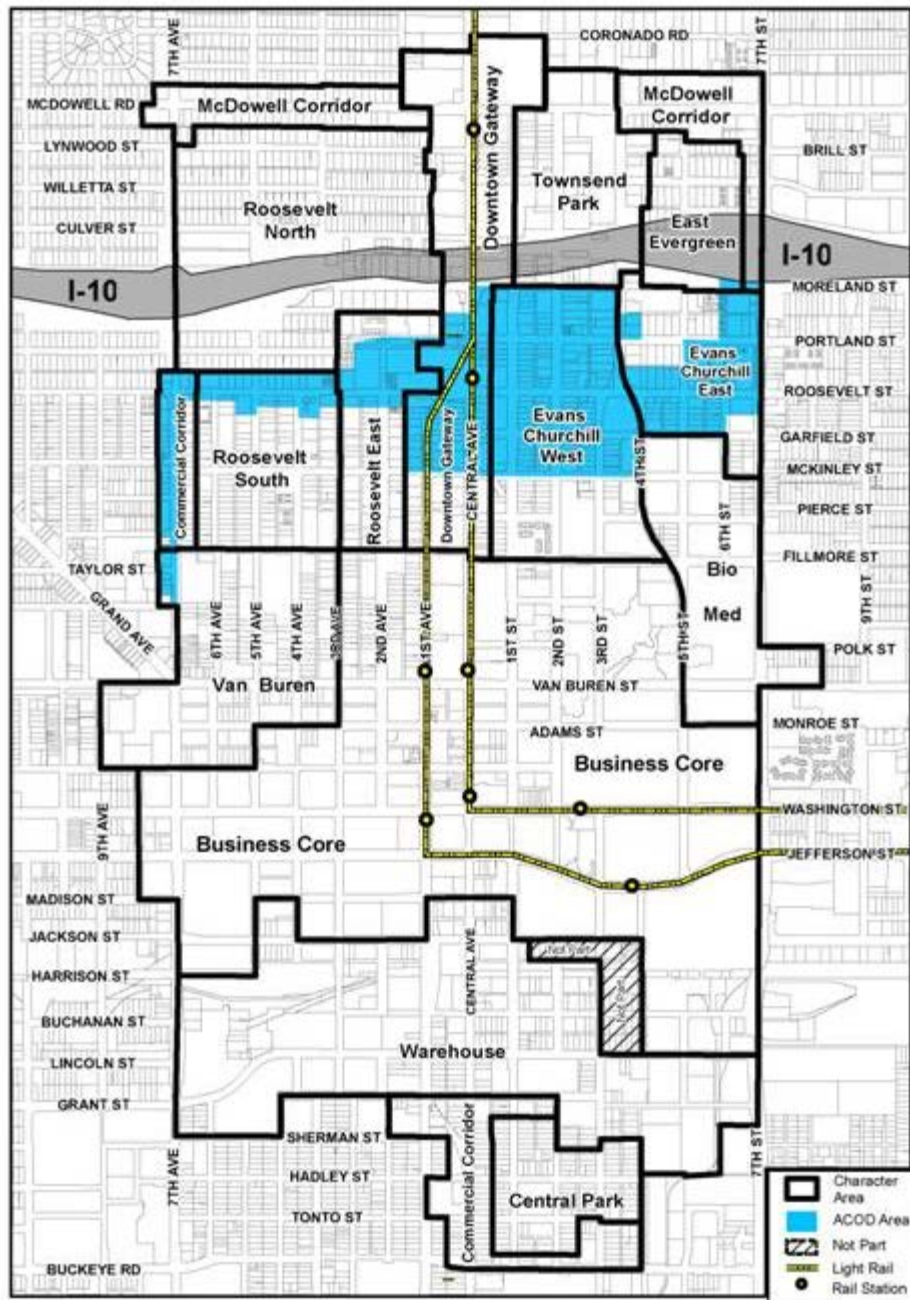


6-F. This map designates BUFFER alleys for which abutting properties must conform to the standards and guidelines outlined in Section 1207. NO-P:





H. G. After the alley map, insert the Arts, Culture, Small Business Map. The character areas will be visible on the map. THIS MAP DESIGNATES THE ARTS, CULTURE, SMALL BUSINESS AREA THAT MUST CONFORM WITH THE STANDARDS AND GUIDELINES OUTLINED IN SECTION 1207.W:



Amend Chapter 12, Section 1203 (Downtown Code, Downtown Land Use Definitions) to read as follows:

1203-Downtown Land Use Definitions:-

1203 RESERVED DOWNTOWN CODE DEFINITIONS (REFER TO DEFINITIONS IN SECTION 202 OF THE ZONING ORDINANCE)

RESIDENTIAL

Dwelling Unit, Single-Family Detached-A structure designed to house a single dwelling unit from lowest level-to-roof with a private outside entrance for use exclusively for residential purposes by a single family or housekeeping unit, separated from other dwellings by open space, and located on a common lot or individual parcels:-

Dwelling Unit, Single-Family and Duplex Attached-A structure designed to house a single dwelling unit from

lowest level to roof with a private outside entrance for use exclusively for residential purposes by a single family or housekeeping unit, not separated from other dwellings by open space, and located on a common lot or individual parcels.

-

Dwelling Unit, Multi-Family-A structure designed to house more than one dwelling unit with either separate or joint entrances for use exclusively for residential purposes by a single family or housekeeping unit living independently of each other.

-

Group Home-A residential facility for six (6) or more unrelated persons providing living facilities, sleeping rooms, and meals and which shall have a permit issued by the appropriate government agency.

-

Live-Work-A building, individual unit or space(s) within a building used jointly for residential and commercial purposes where the commercial use may exceed the limitations of a home occupation.

Residential Care Home (max. 10 persons)-Dwelling unit shared as the primary residence by no more than ten (10) disabled or elderly disabled persons living together as a single housekeeping unit, in which staff persons provide on-site care, training or support for the residents. Such home or service provided therein shall be licensed by, certified by, approved by, registered with, and funded by or through, or under contract with the State.

ASSEMBLY

Assembly, General-A building or portion thereof used for groups of people to gather for an event or regularly scheduled program. General assembly uses include, but are not limited to, arenas, auditoriums, banquet facilities, conference and reception centers, concert halls and theatres.

Day Care-Any facility operated for the purpose of providing care, protection and guidance to five (5) or more individuals during only part of a 24-hour day. This term includes nursery schools, preschools, day care centers for individuals, and other similar uses but excludes public and private education facilities or any facility offering care to individuals for a full 24-hour period.

Religious Assembly-A building where persons regularly assemble for religious purposes and related social events with related facilities such as the following in any combination: rectory or convent, dormitory, private school, meeting hall, administrative offices, licensed day care (adult or child), playground, athletic fields and pocket shelter.

School-A place of general instruction operating under a valid contract issued by the state or a state sponsored organization, institutions of higher education and private educational institutions offering a curriculum of general instruction comparable to public schools, but not including business schools, day care schools, dancing schools, riding academies, or specialized trade, technical or vocational schools.

School, Commercial-A school established to provide for the teaching of industrial, clerical, business, managerial, technical, specialized trade, vocational or artistic skills. This definition applies to schools that are owned and operated privately for profit.

GENERAL RETAIL SALES AND RELATED SERVICES

Artist Studio-A commercial work space within an enclosed structure for artists and artisans, including individuals practicing one of the fine arts or performing arts, MEDIA, or skilled in an applied art or craft. Incidental retail sales of items produced on the premises is allowed.

Bakery-An establishment used for the sale of baked goods on the lot and baking when incidental to retail sales from the property. The combining, baking and packaging of ingredients is allowed as an accessory to a retail establishment.

Bar/Lounge/Night Club-A commercial enterprise whose primary activity is the sale of alcoholic beverages to be consumed on the. Bars include taverns, night clubs, and similar facilities serving alcoholic liquor or beer.

Bed and Breakfast Establishment-An establishment which provides breakfast and rooms for rent to guests on an overnight basis.

Commercial Recreation-A commercial recreational land use conducted entirely within a building, including arcade, arena, art center, athletic and health club, bowling alley, exhibit hall, family game center, gymnasium, skating rink, swimming pool, tennis court and similar uses.

Dance Hall-A building, or portion thereof, open to the general public for the purpose of providing a place for dancing and where an admission is charged for the purpose of making a profit.

Farmers' Markets-A market held in an open area or in a structure where groups of individual sellers offer for sale to the public such items as fresh produce, seasonal fruits, fresh flowers, arts and crafts items and food and beverages (but not to include second-hand goods) dispensed from booths located on site.

Garden Center-An enterprise that conducts the retail and/or wholesale of plants grown on the premises, as well as accessory items (but not power equipment, such as gas or electric lawn mowers and farm implements) directly related to their care and maintenance.

Home Occupation-Home occupation is an occupation, profession, activity, or use which makes up a maximum of 50 percent of a residential dwelling unit by a resident and which does not alter the exterior of the property or affect the residential character of the neighborhood. Such uses include but are not limited to, accountant office, real estate office, architect studio, law office, artist studio, and telemarketing sales. *1

Hotel-An establishment designed for occupancy by transients or as a residence for periods of less than one year. A hotel shall contain rooming units and shall customarily provide housekeeping, bellhop, laundry, and on-site recreation services. Where appropriately zoned, restaurant, bar, personal and retail services, and entertainment may also be available.

Liquor, Retail Sales-An establishment selling general alcoholic beverages, also known as the sale of distilled spirits or hard liquor, beer and wine, for consumption off-premises.

Outdoor Crafting of Art, subject to the following: +1

-
- a. Must be associated with the business inside the building when the subject parcel abuts an arterial or collector street. +1
-
- b. Storage of materials associated with the crafting area shall not exceed eight (8) feet in height and be limited to the rear or side yard. +1
-
- c. Storage area shall be fully screened with a solid wall or landscaping. +1
-
- d. Storage of materials associated with the crafting area exceeding eight (8) feet in height shall be subject to obtaining a use permit in accordance with the provisions of the Zoning Administrator Section of the Zoning Ordinance. +1
-

Outdoor Entertainment-Outdoor events or performances that are open to the public and that feature visual art, music, dance, theater, performance art, science, design or cultural heritage subject to the following: +1

- a. The outdoor event or performance must be presented by an existing business on the property and must comply with all applicable codes and ordinances. +1
-
- b. The business' regularly stocked items may be displayed outdoors and be available for purchase during the event or performance but payment for all items shall occur indoors. No other items may be displayed for sale outdoors during the event or performance. +1

Pawn Shop-Businesses engaged in the buying and selling of new or secondhand merchandise and offering loans in exchange for personal property.

Pet Care Facilities-An establishment in which household pets are kept regularly and for overnight or extended periods of time for the benefit of persons who do not reside on the premises. Facilities may

provide shelter, feeding, grooming and retail sales. This shall not include breeding or raising of household pets or animals.

~~Pet Day Care Facilities~~-An establishment in which household pets are kept for a limited time during the day and not overnight for the benefit of persons who do not reside on the premises. Facilities may provide shelter, feeding, grooming and retail sales. This shall not include breeding or raising of household pets or animals.

~~Pet Grooming~~-An establishment providing services for household pets that may include bathing, grooming and clipping.

~~Restaurant/Brew Pub~~-An establishment where food and beverages are prepared, served and consumed primarily on site. A brewery may be an accessory to a restaurant/brew pub provided it does not occupy more than 20% of the gross floor area. Does not include liquor sales and service, outdoor entertainment, cooking or dining and patron dancing unless specifically allowed in Section 1204 Land Use Matrix.

~~Retail, including Art Gallery~~-An establishment in which goods and merchandise are sold to the general public for personal or household consumption and where incidental services, such as repair are offered.

~~Veterinary Office~~-An office maintained by a licensed doctor of veterinary medicine for the treatment and care of small animals, other animals of a similar size and nature but not livestock.

HEALTH AND SUPPORT SERVICES

~~Clinic, Medical or Dental~~-A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis, including emergency treatment, diagnostic services, training, administration, and services to out-patients, employees and visitors.

~~Hospital~~-An institution which is licensed by the State of Arizona to provide in-patient and out-patient medical care, diagnosis, treatment or major surgical services for persons suffering from illness, injury or deformity or for the rendering of obstetrical or other professional medical care. A hospital may include such related facilities as laboratories, medical testing services, central service facilities, staff offices and volunteer community blood centers (non-profit only).

~~Laboratory; Medical, Dental or Clinical~~-A facility for scientific analysis of blood, tissue or other human and animal components.

~~Laboratory, Research~~-A facility for scientific research, investigation, testing or experimentation; but not manufacturing or sales of products.

~~Medical or Dental Offices~~-A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis, and that accommodates licensed primary practitioners (for example, chiropractors, dentists, medical doctors, optometrists, prescription opticians, psychologists, etc.) within a single office suite.

~~Nursing, Assisted Living Facility~~-A facility offering a combination of housing support services, personalized assistance and health care with a central or private kitchen, dining area, recreation and other facilities, with separate bedrooms or living quarters, where the emphasis of the facility remains residential.

INDUSTRIAL AND MANUFACTURING

~~Building Materials~~-An establishment which sells goods relating to construction which require a large floor area such as lumber, appliances, electrical supplies and plumbing supplies.

~~Contractor's Yards~~-An establishment used for the outdoor repair, maintenance, or storage of a contractors vehicle, equipment or materials.

Manufacturing and Assembly-Manufacturing and assembly of products primarily for sale to other businesses.

Manufacturing, Artisan-Small-scale production of goods by hand manufacturing or assembly, involving the use of hand tools and small-scale equipment.

Manufacturing, Light-Manufacturing, processing, assembly, packaging, treatment, fabrication, and storage of finished or semi-finished parts or products. Light manufacturing and assembly uses are conducted within an enclosed building with incidental outdoor storage.

Manufacturing, General-Manufacturing, processing, compounding, assembly, packaging, treatment or fabrication parts or products, mass produced from extracted or raw materials, or recycled or secondary materials, or bulk storage and handling of such products or materials. General manufacturing and assembly uses are conducted either fully or partially within an enclosed building with limited off-site impacts. Products may require shipping by large trucks.

Manufacturing, Heavy-Manufacturing, processing, compounding, assembly, packaging, treatment or fabrication of finished parts or products, mass produced from extracted or raw materials, or recycled or secondary materials, or bulk storage and handling of such products and materials. Heavy manufacturing and assembly uses may be conducted entirely outdoors and have moderate to significant off-site impacts, including visual impacts. Uses involving radioactive or highly toxic materials or chemicals, highly combustible or explosive materials, or other materials and substances of noxious nature in the manufacturing process are included in this classification.

OFFICE AND PROFESSIONAL

Financial Institutions-A State or Federally chartered bank, credit union, mortgage lender, savings and loan association, or automated teller machine.

General Office-An establishment where commercial activities take place but where goods are not produced, sold, or repaired. These include: general and professional offices; governmental offices; insurance offices; real estate offices; taxi-cab offices, but not taxi stands; travel agency or transportation ticket offices; telephone exchange; utility offices; radio broadcasting and similar uses.

Professional Office-An establishment where the rendering of service of a professional nature is conducted by:

- 1- Architects, engineers, and surveyor.
- 2- Doctors of medicine, osteopathy, dentistry, and optometry.
- 3- Lawyers.
- 4- Accountants.
- 5- Consultants and practitioners who are recognized by the appropriate above licensed professions.
- 6- Chiropractors, chiropodists, and naturopaths.
- 7- Dispensing opticians.

SERVICES

Appliance Repair Services-An establishment providing appliance repair, office machine repair, or building maintenance services. This use does not include the maintenance and repair of vehicles.

Business Services-Establishments that render services, rather than provide goods, primarily to other businesses including delivery/messenger services, package/mail service and similar uses.

Personal Services-Businesses offering services such as barber shops, beauty shops, tanning salons, day spas, weight loss clinics, massage therapy, yoga/ pilates studio, personal training studio, laundromats, laundry and dry cleaning pickup and delivery stations (but excluding actual laundry operations), and similar uses.

Tattoo/Body-Piercing Studio-An establishment whose principal business activity is placing designs, letters, figures, symbols or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of skin by means of the use of needles or other instrument designed to contact or puncture the skin; and/or creating an opening in the body of a person for the purpose of inserting jewelry or other decoration.

STORAGE AND WHOLESALING

Self-Service Storage Facility (Mini-Warehouse)-A building or group of buildings in a controlled access and fenced or screened compound that contains relatively small storage spaces of varying sizes, having individual, compartmentalized and controlled access for the dead storage of excess personal property of an individual or family generally stored in residential accessory structures, when such building or group of buildings are not located on the lot of the residence.

Storage/Warehousing Indoors-An enclosed building designed and used primarily for the storage of frozen foods and goods and materials.

Wholesale Sales-A non-retail use which exclusively provides goods or commodities for resale or business use, including accessory storage. It shall not include a non-accessory storage warehouse.

TRANSPORTATION

Automobile Rental-Rental of automobiles, including storage and incidental maintenance.

Automobile Sales (New) and Leasing-Sales or leasing of new automobiles, motorcycles, trucks, including storage and incidental maintenance.

Automobile Service and Repair (Minor)-An establishment engaged in the retail sale of gas or diesel fuel, lubricants, parts and/or accessories, including quick-service oil, tune-up, brake and muffler shops; and tire sales and installation, where repairs are made or service provided in enclosed bays and vehicles are not typically stored overnight. This classification excludes establishments providing engine repair, body and fender work, vehicle painting, towing, or repair of heavy trucks or construction vehicles.

Automobile Washing-Washing, waxing, or cleaning of automobiles or similar light vehicles.

Bus Terminal-A place for the transient storage or parking of busses, and loading and unloading of passengers for privately operated bus lines.

ACCESSORY USES AND FACILITIES

Accessory Dwelling Unit-A secondary dwelling unit in conjunction with and clearly subordinate to a primary dwelling unit, whether a part of the same structure as the primary dwelling unit or a detached structure on the same lot.

Accessory Structure-A detached subordinate structure, the use of which is incidental to that of the principal structure and located on the same lot therewith.

Dependent Care Facility [Home Occupation Only]-A facility providing care for no more than 12 persons in a protective setting for less than 24 hours a day. Resident dependents under the age of 12 years shall not be counted when they are present on the premises.

Helistop/Heliport-Helistop-A designated landing area used for the landing and taking off of helicopters for the purpose of picking up or discharging passengers or cargo. No fueling or service facilities are permitted. Heliport- any helistop which also includes all necessary passenger and cargo facilities; helicopter maintenance and overhaul, fueling service, storage, tie-down areas, hangars, and other necessary buildings and open spaces. Heliports include any of the uses of helistops.

Outdoor Display/Sales-An outdoor arrangement of products typically not fixed, designed and used for the purpose of advertising a business.

~~Outdoor Storage-An exterior space used for the stockpiling or holding of materials or goods for more than 24 consecutive hours.~~

~~Pocket Shelter-A class of residential facility, only allowed as an accessory use to a place of religious assembly or similar place of worship, which provides residence for one (1) to twelve (12) unrelated persons. Minors (age 18 years or younger) accompanied by a parent or a guardian shall not be counted in the number of unrelated persons. A pocket shelter primarily offers food and shelter to individuals and families. Drug, alcohol, other substance abuse, or mental health rehabilitation programs shall not be allowed as part of the shelter services.~~

~~Storage-An area used for the stockpiling or holding of materials or goods for more than 24 consecutive hours.~~

LOCAL FOOD PRODUCTION

~~Community Garden-A private or public facility for the cultivation of fruits, vegetables, flowers and ornamental plants by more than one person.~~

~~Home Produce Stand-A temporary open air stand or place for the selling of agricultural produce grown on site.~~

INTERIM USES

~~Civic Event-An event which is of civic or public benefit and approved by City Council resolution. The event shall be sponsored by a charitable or nonprofit group or organization and shall not be for personal or private gain. Said event must further the athletic, benevolent, cultural, educational, historical, medical, patriotic, scientific, or social service objectives of the sponsor. +1~~

~~Surface Parking-An unsheltered parking area or lot located at grade level which may be in some manner covered to provide temporary parking spaces for the general public to park passenger vehicles.~~

Amend Chapter 12, Section 1204 (Downtown Code, Land Use Matrix) to read as follows:

- B. Use Regulations: The regulations governing the uses of land and structures shall be set forth in the Land Use Matrix, Section 1204.D and land use conditions in Section 1204.C. Any use not specifically listed in the Use Matrix shall not be permitted. All uses LISTED will be permitted (p), permitted with conditions (pc), permitted with the approval of a special permit (sp), permitted with the approval of a use permit (up) or not permitted (np). ~~Active uses, as indicated in the Land Use Matrix, are required on the ground level of pedestrian streets as shown on the pedestrian streets map, Section 1202.F, and set forth in Section 1207.K.1. For uses permitted with conditions, see Section 1204.C.1. *1~~

~~Active uses, as indicated in the Land Use Matrix, are required on the ground level of Pedestrian Streets as shown on the Pedestrian Streets map, Section 1202.F, and set forth in Section 1207.K.1.~~

~~For uses permitted with conditions, see Section 1204.C.~~

- C. The following shall apply to uses that are permitted with conditions (pc) as indicated with a number that corresponds with the Land Use Matrix IN SECTION 1204.D:

Separation:

5. The use shall not be located within 50 feet of a ~~Residential~~ BUFFER Alley IDENTIFIED ON THE MAP IN SECTION 1202.F as measured from the exterior walls of a building or portion thereof in which the use is conducted to the right-of-way line of the ~~Residential~~ BUFFER Alley.

6. The use shall not be located within 25 feet of a Residential BUFFER Alley IDENTIFIED ON THE MAP IN SECTION 1202.F as measured from the portion of the property on which the use is conducted to the right-of-way line of the ~~Residential~~ BUFFER Alley.

Environmental Quality:

9. No amplified music or loudspeakers may be used outside after 8:00 p.m. on Sundays and after 10:00 p.m. on Fridays and Saturdays, UNLESS A USE PERMIT IS OBTAINED. +1
10. ~~Average noise level, measured at the property line, shall not exceed 55 db (one LDN) when measured on an "A-weighted" sound level meter and according to the procedures of the Environmental Protection Agency (EPA).~~ *1 THE NOISE LEVEL, MEASURED AT ANY POINT ON THE RECEIVED PROPERTY, SHALL NOT EXCEED 55 dBa UNLESS A USE PERMIT IS OBTAINED. AN OCCURRENCE WHERE THE SOUND LEVEL INCREASES UP TO 60 dBa FOR FIVE CONTINUOUS SECONDS OR LESS SHALL NOT BE DEEMED A VIOLATION OF THIS SECTION AS LONG AS THERE ARE NO MORE THAN FIVE OCCURRENCES WITHIN AN HOUR LONG INTERVAL.

Maximum Size:

13. The use shall not exceed 5,000 square feet of building area per tenant, UNLESS A USE PERMIT IS OBTAINED. *1
14. The use shall not exceed 10,000 square feet of building area, UNLESS A USE PERMIT IS OBTAINED. *1

Location:

27. The use may only occur on a site that is adjoining an arterial street. *1
28. DRIVE-THROUGH WINDOWS SHALL NOT FACE RIGHT-OF-WAY AND DRIVE-THROUGH QUEUING MUST BE SCREENED FROM THE VIEW FROM THE RIGHT-OF-WAY UNLESS APPROVAL IS OBTAINED FROM THE DESIGN REVIEW COMMITTEE.
29. USED/SECONDHAND MERCHANDISE CANNOT BE RECEIVED OR PROCESSED AT A SITE IN THE DOWNTOWN CODE AREA FOR SALE AT ANOTHER SITE. NO OUTDOOR SALES OR DISPLAYS ALLOWED.
30. OUTDOOR CRAFTING OF ART SUBJECT TO THE FOLLOWING:
- a. MUST BE ASSOCIATED WITH AN ENCLOSED BUSINESS WHEN THE SUBJECT PARCEL ABUTS AN ARTERIAL OR COLLECTOR STREET.
 - b. STORAGE OF MATERIALS ASSOCIATED WITH THE CRAFTING AREA SHALL NOT EXCEED EIGHT FEET IN HEIGHT AND SHALL BE LIMITED TO THE REAR OR SIDE YARD.
 - c. STORAGE AREA SHALL BE FULLY SCREENED WITH A SOLID WALL OR LANDSCAPING.
 - d. STORAGE OF MATERIALS ASSOCIATED WITH THE CRAFTING AREA EXCEEDING EIGHT FEET IN HEIGHT SHALL BE SUBJECT TO OBTAINING A USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF THE ZONING ADMINISTRATOR SECTION OF THE ZONING ORDINANCE.
31. OUTDOOR ENTERTAINMENT, SUBJECT TO THE FOLLOWING:
- a. OUTDOOR EVENT OR PERFORMANCES ARE OPEN TO THE PUBLIC.

- b. THE OUTDOOR EVENT OR PERFORMANCE MUST BE PRESENTED BY AN EXISTING BUSINESS ON THE PROPERTY.
 - c. THE BUSINESS' REGULARLY STOCKED ITEMS MAY BE DISPLAYED OUTDOORS AND BE AVAILABLE FOR PURCHASE DURING THE EVENT OR PERFORMANCE. PAYMENT FOR ALL ITEMS SHALL OCCUR INDOORS. NO OTHER ITEMS MAY BE DISPLAYED FOR SALE OUTDOORS DURING THE EVENT OR PERFORMANCE.
32. THE FACILITY SHALL BE LICENSED BY THE STATE AS A PRODUCER, DOMESTIC MICROBREWERY OR DOMESTIC FARM WINERY.
33. DRUG, ALCOHOL, OTHER SUBSTANCE ABUSE OR MENTAL HEALTH REHABILITATION PROGRAMS SHALL NOT BE ALLOWED AS PART OF THE SHELTER SERVICES.

D. Land Use Matrix.

LAND USE CATEGORIES		CHARACTER AREAS														
	ACTIVE USE	BioMed	BC	Central Park	Commercial Corridor	Dtn Gateway	East Evergreen	Evans Churhill East	Evans Churhill West	McDowell Corridor	Roosevelt East	Roosevelt North	Roosevelt South	Townsend Park	Van Burien	Warehouse use
Pet Care Facilities (temp boarding)		up	up	np	up	up	up	up	up	up	up	np	np	up	up	up
Pet Day-Care Facilities		up	np	np	p	p	np	p	p	p	up	np	np	p	p	p
Pet-Grooming		up	np	np	p	p	np	p	p	p	up	np	np	p	p	p
Veterinary Office		up	np	np	p	p	np	p	p	p	up	np	np	p	p	p
Artist Studio/GALLERY	X	p	p	pc7,10,0,24	p	p*	pc7,10,24	p*	p*	p	pc7,10,24*	np	pc7,10,24*	p	p	p

Bar/Lounge/After-Hours Club	X	up	p	np	up	up	up	up	up	up	up	np	up	up	up	p
ACCESSORY ONLY TO BAR/LOUNGE/NIGHT CLUB																

LAND USE CATEGORIES		CHARACTER AREAS														
	ACTIVE USE	BioMed	BC	Central Park	Commercial Corridor	Dntn Gateway	East Evergreen	Evans Church hill East	Evans Church hill West	McDowell Corridor	Roosevelt East	Roosevelt North	Roosevelt South	Townsend Park	Van Burden	War ehouser use
BREW PUB, DOMESTIC MICRO-BREWERY, DOMESTIC FARM WINERY	X	UP32	P32	NP	UP32	UP32	UP32	UP32	UP32	UP32	UP32	NP	UP32	UP32	UP32	P32

Farmers Market (Flea Market not included)	X	up	up	np	up	up	up	up	up	up	up	np	up	up	up	up
Garden Center, PLANT NURSERY	X	np	np	np	p	p	p	p	p	p	p	np	p	p	p	p

Lodging																
Bed and Breakfast	X	p	p	up	p	p	p	p	p	p	p	np	p	p	p	p
Hotel	X	p	p	np	p	p	p	p	p	p	p	np	up	p	p	p
Pawn Shops	X	up	np	np	up	up	np	up	up	up	up	np	np	up	up	up

LAND USE CATEGORIES	CHARACTER AREAS														War who use
	ACTI VE USE	BioM ed	BC	Centr al Park	Comme rcial Corrido r	Dntn Gate way	East Evergr een	Evans Churc hill East	Evans Churc hill West	McDo well Corrid or	Roose velt East	Roose velt North	Roose velt South	Towns end Park	Van Bur en
PET CARE FACILITY	X	UP	UP	NP	UP	UP	UP	UP	UP	UP	UP	NP	NP	UP	UP
PET DAY CARE FACILITY	X	UP	NP	NP	P	P	NP	P	P	P	UP	NP	NP	P	P
PET GROOMING	X	UP	NP	NP	P	P	NP	P	P	P	UP	NP	NP	P	P
Restaurant/Brew Pub	X	p	p	np	p*	p*	pc12	p*	p*	p	p*	np	pc5*	p	p
ACCESSORY ONLY TO RESTAURANT/BREW PUB															

- Outdoor Cooking	X	up	npP CZ 23	np	up	up	np	up	up	up	up	np	np	up	up
- Outdoor Dining	X	p	p	np	pc6*	p*	np	p*	p*	p	p*	np	pc5*	p	p
- Patron Dancing	X	p	p	np	p	p	np	p	p	p	p	np	np	p	p
Retail SALES	X	p	p	np	pc15	p	pc12	pc14	pc15	pc15	pc14	np	pc14	pc13	p

[illegible]

LAND USE CATEGORIES	CHARACTER AREAS													
	ACTIVE USE	BioMed	BC	Central Park	Commercial Corridor	Dtn Gateway	East Evergreen	Evans Church Hill East	Evans Church Hill West	McDowell Corridor	Roosevelt East	Roosevelt North	Roosevelt South	Townsend Park
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LAND USE CATEGORIES	CHARACTER AREAS													
	ACTI VE USE	BioM ed	BC	Centr al Park	Comme rcial Corrido r	Dntn Gate way	East Evergr een	Evans Churc hill East	Evans Churc hill West	McDo well Corrid or	Roose velt East	Roose velt North	Roose velt South	Tow en Pa

LAND USE KEY:

p = Permitted use

pc = Permitted with conditions (see numbered footnote for conditions)

up = Use Permit

sp = Special Permit

np = Not permitted

* = FOR PROPERTIES WITHIN THE ARTS, CULTURE, SMALL BUSINESS OVERLAY DISTRICT (ACOD), PER MAP 1202.G., THE MORE PERMISSIVE STANDARD BETWEEN THE ACOD AND THE DOWNTOWN LAND USE MATRIX SHALL APPLY. FOR PROPERTIES NOT WITHIN THE ACOD, PER MAP 1202.G., THE STANDARDS WITHIN THE DOWNTOWN LAND USE MATRIX SHALL APPLY.

Amend Chapter 12, Section 1205 (Downtown Code, Frontage Types) to read as follows:

B. Active Front Yard.

1. Definition: An Active Front Yard ~~means~~ IS the area between the property line and main facade of the building ~~when the building is setback more than 15 feet from the property line creating a front yard~~ with a permanent hardscaped OR LANDSCAPED area that can accommodate seating.
2. SINGLE FAMILY RESIDENTIAL UNITS: No vehicle parking or maneuvering shall be permitted within the Active Front Yard with the exception of a driveway no greater than 16 feet in width to provide access to the rear of the property.
3. A permanent hardscaped OR LANDSCAPED area shall be provided in accordance with the following standards:

- ~~e.~~ ~~Maximum area: No more than 50% of the Active Front Yard.~~
- ~~d.-c.~~ *Maximum height:* 5 feet above adjacent grade.
- ~~e.-d.~~ *Placement:* Adjacent to the front facade of the building at the primary entry.
- ~~f.-e.~~ *Materials:* Hardscape shall consist of concrete slab, pavers, open grid pavers, wood decking (if elevated) or equivalent alternative.

4. Fences: Maximum height 40 inches.

For properties located within an Historic Preservation (HP) Overlay District, fences or freestanding walls in the front yard, meaning the space between the structure and the street right-of-way line, may not exceed a maximum height of three (3) feet, and are conditioned upon obtaining a Certificate of Appropriateness or No Effect in accordance with Section 812 of the Phoenix Zoning Ordinance. This height limitation extends to a point three (3) feet beyond the front corner(s) of the primary structure.

5. A minimum of one (1) primary entrance shall be provided along each frontage that directly connects to the street, unless a corner entrance is provided.

C. Dooryard.

1. Definition: A Dooryard INCORPORATES A COURTYARD OR PATIO AT STREET LEVEL FOR EACH UNIT ~~means the area between the property line and main facade of the building when the building is located within 15 feet of the property line and which is elevated or~~ THAT IS surrounded by a FENCE ~~solid wall~~ to provide differentiation PRIVACY AND TO DIFFERENTIATE from the adjacent public sidewalk.

3. Fences: Maximum height 6 feet.

For properties located within an Historic Preservation (HP) Overlay District, fences or freestanding walls in the front yard, meaning the space between the structure and the street right-of-way line, may not exceed a maximum height of three (3) feet, and are conditioned upon obtaining a Certificate of Appropriateness or No Effect in accordance with Section 812 of the Phoenix Zoning Ordinance. This height limitation extends to a point three (3) feet beyond the front corner(s) of the primary structure.

- a. This shall be measured from the ground and not the elevated door yard.
- b. Fences placed at grade shall be A MINIMUM 50% view fencing above 40 ~~36~~ inches in height measured from FINISHED grade.

5. A minimum of one (1) primary entrance shall be provided along each frontage that directly connects to the street, unless a corner entrance is provided.

6. PRIMARY ENTRANCES MUST LEAD INTO AN OCCUPIABLE SPACE.

D. Stoop/Door Well.

1. Definition: A Stoop/Door Well IS A TYPE OF FAÇADE THAT PROVIDES AN ENTRYWAY ~~means the area between the property line and main facade of the building when the building is located within 15 feet of the property line and which~~ THAT is elevated (Stoop) or depressed (Door Well) to provide differentiation from the adjacent public sidewalk.

3. Fences: Maximum height 40 inches.

For properties located within an Historic Preservation (HP) Overlay District, fences or freestanding walls in the front yard, meaning the space between the structure and the street right-of-way line, may not exceed a maximum height of three (3) feet, and are conditioned upon obtaining a Certificate of Appropriateness or No Effect in accordance with Section 812 of the Phoenix Zoning Ordinance. This height limitation extends to a point three (3) feet beyond the front corner(s) of the primary structure.

4. The area between the property line and main facade of the building which is not improved with permanent hardscape shall be landscaped in accordance with Section 1207.E, Landscaping Standards.

7. PRIMARY ENTRANCES MUST LEAD INTO AN OCCUPIABLE SPACE.

F. Gallery/Arcade Standards.

1. Definition: A Gallery/Arcade means the area between the property line and main facade of the building ~~when the building is located within 10 feet of the property line and which~~ THAT includes a ground floor elevation with a high percentage of transparent glazing to create visual interest from the adjacent public sidewalk and permanent structural shading which either projects from the front facade (Gallery) or is recessed under the front facade (Arcade).

4. A permanent shade structure shall be provided in accordance with the following standards:

- a. *Placement:* The Gallery/Arcade shall extend to the edge of the ~~Green~~ STREETSCAPE Zone and cover the entire sidewalk. No projection or encroachment into the public right-of-way is permitted unless a revocable permit is obtained from the Street Transportation Department.

G. Side Street Standards.

1. Definition: A Side Street Frontage is only for use along streets identified as Side Streets (MAP 1202.E). This frontage type is used typically where alleys, driveways, loading and other vehicular activities occur along the street. Walkability, connectivity and safety are still critical functions along this frontage to enhance the ~~Front and~~ Pedestrian Streets. These standards are a minimum and can be enhanced to promote greater walkability and access.
2. The ground floor building elevation shall be designed in accordance with the following standards:
 - a. A minimum 50% of the ground floor building facade shall include two (2) or more

of the following treatments:

- (1) Green screen.
- (2) Artwork (mural, mosaic, custom masonry, sculpture, relief, etc.).
- (3) Small ~~retail~~-ACTIVE USE space (50 square foot minimum newspaper stand, coffee cart, kiosk, etc.; not vending machines or outdoor merchandise display).

Amend Chapter 12, Section 1206 (Downtown Code, Parking and Loading Standards and Guidelines) to read as follows:

B. Parking Standards.

1. Parking shall be provided in accordance with the following standards with the exception that no parking is required for non-residential uses in the Business Core and Warehouse Character Areas.

b. *Non-residential uses.*

- (1) *Minimum:* 1 space per 1,000 square feet of building square footage.
- (2) *Maximum:* 4 spaces per 1,000 square feet of building square footage.
- (3) NO PARKING REQUIRED IN BUSINESS CORE AND WAREHOUSE CHARACTER AREAS.

3. Surface parking setbacks.

- a. *Front street setback* FROM PROPERTY LINE: 30 feet or behind building.
- b. *Side street landscape setback* FROM PROPERTY LINE: 10 feet.
- c. *Side yard setback:* 0 feet.
- d. *Rear setback:* 0 feet

- ~~e. Subterranean parking may extend to a height of 5 feet above finished grade, provided that garage perimeter wall either aligns with face of building or becomes part of a Stoop or Dooryard Frontage.~~

C. Loading Standards. On-site loading bays ~~should~~ SHALL be a minimum of ten (10) feet in width and ~~thirty (30)~~ feet in length and be used for the standing, loading and unloading of vehicles.

1. On-site loading shall be required for all development greater than 40,000 square feet in accordance with the following schedule:

a. Commercial uses.

- (1) *40,000 to 160,000 square feet:* 1 bay.
- (2) *160,001 to 320,000 square feet:* 2 bays.
- (3) *320,001 to 400,000 square feet:* 3 bays.
- (4) FOR Every additional 180,000 square FEET above 400,000 square

feet, ONE additional loading bay shall be required.

b. *Residential uses.*

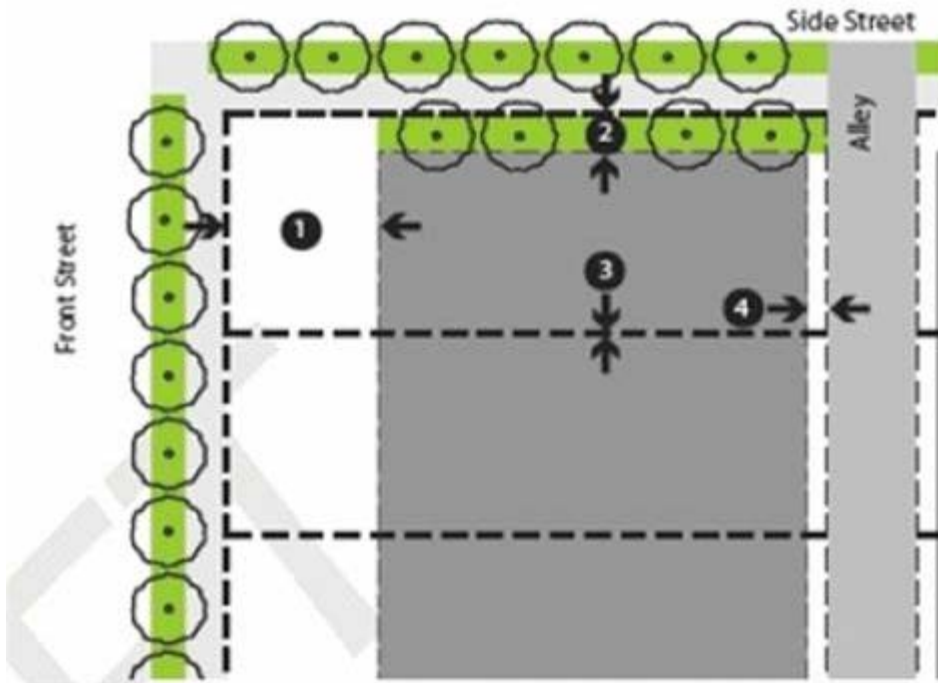
(1) *160,000 square feet or greater: 1 bay.*

2. ON STREET LOADING SHALL BE ALLOWED ADJACENT TO THE SITE IF ADEQUATE RIGHT-OF-WAY EXISTS AT THE TIME OF APPLICATION AND THERE IS SUFFICIENT ROOM FOR FIRE ACCESS, PUBLIC CIRCULATION, AND ACCESS TO UTILITIES.

E. Parking and Loading Guidelines.

1. Parking and loading placement.

- a. Off-street parking and loading should be provided in accordance with the following standards:
- b. Parking and loading should only be allowed in the shaded area as shown in the diagram below, unless subterranean.



KEY CODE FOR SURFACE PARKING DIAGRAM: 1) FRONT SETBACK FROM STREET RIGHT-OF-WAY: 30 FEET OR BEHIND BUILDING (WHICHEVER IS LESS RESTRICTIVE); 2) SIDE LANDSCAPE SETBACK FROM STREET RIGHT-OF-WAY: 10 FEET; 3) INTERIOR SIDE YARD SETBACK: ZERO FEET; AND 4) REAR SETBACK: ZERO FEET

- (2) ~~Parking should not be located immediately adjoining or accessed from a front or pedestrian street.~~

2. Parking and loading access.

- a. ~~Front and Pedestrian Streets~~ should not have parking or loading access if an alley or side street access is available.
- b. Driveways.

- (3) Driveways should not ~~access~~ BE LOCATED ON ~~Front or~~ Pedestrian Streets. If no alternative access is available, shared access should be pursued with compatible properties and a crosswalk of equal width to the sidewalk should be demarcated to contrast with the driveway.

Exceptions may be allowed for properties with HP designation at the discretion of the Historic Preservation Officer where the predominant pattern is driveways leading from the street to parking in the rear.

ACCESS MAY BE FROM ONE OF THE PEDESTRIAN STREETS FOR PROJECTS WITH MULTIPLE PEDESTRIAN STREETS AND NO SIDE STREET.

- (4) Street frontages with parking and service entrances from a ~~Front or~~ Pedestrian Street IDENTIFIED ON MAP 1202.E, should receive special design treatment to increase pedestrian safety, comfort, and should include the following:

- (a) Access should be limited to ONE WAY IN driveways that enter from the street and exit into the alley.

- (5) Site vehicular access should be provided according to the following table:

Conditions	Primary Access	Secondary Access
Compatible Alley and Compatible Side(s)	Alley	Side
Compatible Alley and Front Street	Alley Only	None
Compatible Side and Front Street	Side Only	None
2+ Compatible Side Streets and Front Street	Side	Side
Front Street Only	Shared Access OR, REFER TO 1206.E.2.b.(3)	None

~~e. Automobile drop-offs should be located along Side Streets.~~

- (6) PASSENGER LOADING AND UNLOADING SHOULD BE LOCATED ALONG SIDE STREETS.

- (47) ~~No vehicular access~~ PASSENGER LOADING AND UNLOADING should be allowed from a ~~Front or~~ Pedestrian Street ~~for automobile drop-offs~~ ONLY if a Side Street drop off is not present.

3. SUBTERRANEAN PARKING GUIDELINE

- a. SUBTERRANEAN PARKING MAY EXTEND TO A HEIGHT OF FIVE FEET ABOVE FINISHED GRADE, PROVIDED THAT THE GARAGE PERIMETER WALL EITHER ALIGNS WITH THE FACE OF THE BUILDING, OR BECOMES PART OF A STOOP, OR DOORYARD FRONTAGE.

Amend Chapter 12, Section 1207 (Downtown Code, General Standards and Guidelines) to read as follows:

A. Applicability. The following shall apply to all property within the Downtown CODE Area. If a conflict between the Character Area and these standards and guidelines occur, the Character Area shall take precedent. Any deviation from these standards OR GUIDELINES shall be approved PER SECTION 1224. ~~by the Design Review Committee.~~

B. PLANNING AND DEVELOPMENT DEPARTMENT STAFF HAVE THE AUTHORITY TO MODIFY THE MEASUREMENT IDENTIFIED IN EACH CHARACTER AREA STREETSCAPE MATRIX UP TO 25% FOR THE STREETSCAPE WIDTH AND SIDEWALK WIDTH TO ACCOMMODATE EXISTING CONDITIONS OR A DESIGN SOLUTION CONSISTENT WITH A PEDESTRIAN ENVIRONMENT.

~~B-C.~~ Height Transition Standards.

~~4-~~ For all new development adjacent to lots of a lower height zone, a stepback shall be provided to compensate for disproportionate height disparities.

This additional stepback provides for building separation and circulation of air and light in a dense urban fabric.

1. ~~a-~~ The stepback shall be a minimum 10 feet in width for the length of the building that is adjacent to the lower height zone and shall be measured from the required side or rear yard setback line.

~~2. b-~~ ~~The stepback shall not be required if the proposed new development is setback an additional 10 feet from the required setback line.~~

~~3. c-~~ When new development is adjacent to multiple lots of differing height zones lower than its own, then the ~~step back~~ STEPBACK shall mirror the adjacent height zones.

~~4. d-~~ A stepback shall ~~be not be~~ required in the following circumstances:

~~a.~~ ~~(1)~~ There is a height difference of 20 feet or less between a proposed building and the adjacent height zone.

~~b.~~ ~~(2)~~ A building is adjacent to a height zone of 65 feet or greater.

~~c.~~ ~~(3)~~ A street OR ALLEY (NOT DESIGNATED ON MAP 1202.F) separates different height zones.

~~d.~~ ~~(4)~~ THE PROPOSED NEW DEVELOPMENT IS LOCATED 10 OR MORE FEET BEYOND THE REQUIRED SETBACK LINE.

~~C-D.~~ Height Transition Guidelines. The proposed building should respect the scale of those buildings located on adjacent properties and, where desirable, serve as an orderly transition to a different scale. Building heights with a vastly different scale than those on adjacent parcels should have a transition in scale to reduce and mitigate potential impacts.

~~D-E.~~ Shade Standards.

~~4-~~ All buildings over 5,000 square feet shall provide the following:

1. ~~a-~~ A minimum of 75% of public sidewalks shall be shaded.

2. b. A minimum of 50% of all accessible public and private open space areas shall be shaded, of which 50% of the shade shall be provided by trees or trellised vines.
- e. ~~A minimum of 50% of habitable roof areas shall be shaded.~~
- 3. ~~d.~~ Shade calculations shall be based on the summer solstice at 12:00 p.m.
- 4. ~~e.~~ Shade cast from a building ~~may~~ SHALL count towards shade calculations.

E.-F. Landscaping Standards. UNLESS THERE IS A CONFLICT WITH AN EXISTING OR PROPOSED PUBLIC UTILITY EASEMENT Landscaping treatment shall be used for the entire site exclusive of building(s) AND STRUCTURAL SHADE PROVIDED in accordance with the following:-

1. 30% tree canopy coverage at maturity.
 - a. *Minimum caliper:* 2 inches.
 - (1) ~~At installation~~ INSTALLATION a minimum 20% of all trees shall have a minimum caliper of 3 inches.
 - b. A minimum 2 feet 6 inches radius shall be clear of hardscape around the base of the tree.

F.-G. Landscaping AND HARDSCAPING Guidelines.

3. ~~Phased developments shall indicate a mechanism for dust, weed, and debris control on undeveloped portions of the site. *~~ ALTERNATIVE PAVING MATERIALS SUCH AS PERMEABLE PAVERS, POROUS CONCRETE OR SIMILAR MATERIALS SHOULD BE USED FOR ON SITE HARDSCAPING TO REDUCE URBAN HEAT ISLAND EFFECT, AND TO ALLOW NATURAL DRAINAGE AND FILTRATION.

G.-H. Tree Species Guidelines. The following should be used in accordance with the guidelines established below for the location, type, and care for all trees within Downtown. Any deviation from these standards GUIDELINES ~~should be approved~~ SHALL BE SUBMITTED FOR APPROVAL by the Design Review Committee based on a recommendation from the PLANNING AND DEVELOPMENT DEPARTMENT LANDSCAPE ARCHITECT OR DESIGNEE, City Arborist and FOR PROPERTIES WITH HP DESIGNATION, the Historic Preservation Officer ~~for properties with HP designation~~. TREE LOCATIONS IN CONFLICT WITH OVERHEAD POWER LINES MAY USE ALTERNATIVE TREE SPECIES THAT ARE ON THE APPROVED UTILITY PLANT LIST.

TREE MATRIX KEY

Growth Rate:	Tree Form:	
(S) Slow	(IR) Irregular, Open	(UP) Umbrella
(SM) Slow-Moderate	(R) Rounded Crown	(V) Vase Shaped
(MF) Moderate-Fast	(S) Shrub-like	(P) Palm
(M) Moderate	(U) Upright, Open	
(F) Fast		
Note: Species marked with an asterisk (*) are acceptable under power lines.		

Recommended Tree Species Matrix

Species	Locations					Growth			Tree Form		Notes & Special features
Common Name Botanical Name	Park	Street	Courtyard Plaza	Campus	Linear Park	Height	Spacing	Rate			
Mescal Bean, Texas Mountain Laurel <i>Sophora Secundiflora</i> & <i>Varieties</i>	X	<u>X</u>	X	X	X	10'	10'	SM	V		Very slow growing; small tree; nice wisteria-like blooms in spring; evergreen, seasonal pest problems, large seed pods.

Native Ash (Arizona Ash) <i>Fraxinus Velutina</i>	X		X	X	X	50'	30'	MF	R		Large deciduous shade tree; fall color; more irregular than other varieties; connected to City's cultural HERITAGEHeritage. High water user (moderate following establishment)

Recommended Tree Species Matrix										
Species	Locations					Growth		Tree Form		Notes & Special features
Common Name Botanical Name	Park	Street	Courtyard Plaza	Campus	Linear Park	Height	Spacing	Rate		
Thornless Hybrid Mesquite <i>Prosopis Hybrid AZI</i>	X	X	X	X	X	30'	20'	F	V	Thornless variety, large umbrella-shaped canopy semi-evergreen.

Desert Fern <i>Lysiloma Microphylla</i> A Variety "Thornberi"	X	X	X	X	X	15'	20'	M	IR	Nice smaller semi-evergreen tree with feathery foliage, cream puffball flowers in early summer and large seed pods.

H-I. Streetscape Standards.

4. Sidewalk and Green-STREETSCAPE Zone.

1. a. *Sidewalk.*
- a. ~~(1)~~ THE minimum ~~eight (8) foot zone~~ SIDEWALK WIDTH shall be clear of obstacles ~~along and adjacent to the sidewalk at all times except for tree grates that meet ADA accessibility requirements~~ AND PUBLIC AMENITIES (REFER TO 1207.J.4).
- b. ~~(2)~~ Where existing sidewalks are narrower than the minimum width specified in the respective Character Area streetscape standards table, the additional width shall only be required when new development or redevelopment includes 40% or more of a block face.
2. b- ~~Green~~ STREETSCAPE Zone.
 - a. ~~(1)~~ Street trees shall be required in the ~~Green~~-STREETSCAPE Zone on every street TO THE EXTENT THAT THERE IS A CONFLICT WITH A PUBLIC UTILITY EASEMENT, PUBLIC AMENITIES IN ACCORDANCE WITH SECTION 1207.J.4 SHALL BE PROVIDED IF STREET TREES ARE NOT PLANTED OR EXISTING.
 - (1) ~~(A)~~ Only trees recommended on the Tree Species Matrix for use in the "street" should be used unless approved by the ~~DRC upon recommendation from the City Arborist~~ PLANNING AND DEVELOPMENT LANDSCAPE ARCHITECT OR DESIGNEE.
 - - -
 - ~~(B)~~ Tree spacing should be in conformance with the requirements in the ~~Tree Species Matrix~~.
 - (2) ~~(C)~~ *Minimum caliper:* 3 inches.
 - b. ~~(2)~~ Streets without on-street parking shall be planted with a continuous landscaping strip for the entire width of the ~~Green~~ STREETSCAPE Zone as follows:
 - (1) ~~(A)~~ Trees shall be planted in the center of the ~~Green~~ STREETSCAPE Zone between curb and back of sidewalk.
 - ~~(B)~~ Structural soil shall be installed a minimum four (4) feet deep and ten (10) feet wide if the ~~Green Zone is less than ten (10) feet in width~~.
 - (2) ~~(C)~~ Live vegetation ground coverage shall be a minimum 75% excluding hardscape for pedestrian amenities.
 - (3) ~~(D)~~ The live vegetation coverage can be reduced to 50% if the ~~green~~-STREETSCAPE zone is used for bioswales.
 - (4) ~~(E)~~ IF UNABLE TO PLANT TREES DUE TO PUBLIC UTILITY CONFLICT, OR PUBLIC UTILITY EASEMENT, PUBLIC AMENITIES SHALL BE PROVIDED IN THE AREA (REFER TO 1207.J.4).
 - c. ~~(3)~~ Streets with on-street parking shall be planted with tree wells 20 FEET ON CENTER OR EQUIVALENT GROUPINGS ~~and structural soil~~. This standard shall not apply to Roosevelt North, Roosevelt South and East Evergreen.
 - (1) ~~(A)~~ Trees shall be planted in the center of the ~~Green~~ STREETSCAPE Zone between curb and back of sidewalk.

- (2) (B) *Treewell size:* Minimum 5 feet by 5 feet or a 2 feet 6-inch radius from the base of the tree.
- (I) ~~Structural soil shall be installed a minimum four (4) feet deep and ten (10) feet wide.~~
- (II) A minimum two (2) inches of decomposed granite, NITROGEN STABILIZED MULCH or similar material shall be installed ATOP ~~a top~~ the structural soil and below the tree grates.
- (III) ~~Treewells can be elevated a maximum of two (2) feet.~~
- d. (4) THE STREETScape LOCATION MAY BE SHIFTED AWAY FROM THE CURB AS LONG AS THE SIDEWALK IS SETBACK A MINIMUM OF FIVE FEET FROM THE CURB AND THE TOTAL WIDTH IS PROVIDED. REFERENCED IN THE STREETScape MATRIX FOR EACH CHARACTER AREA IN CHAPTER 12.

f-J. Streetscape Guidelines.

1. ~~Permeable paving or porous concrete should be installed between five (5) and ten (10) feet from the base of the tree if hardscape is required.~~ ALTERNATIVE PAVING MATERIALS SHOULD BE USED ON PRIVATE PROPERTY TO REDUCE URBAN HEAT ISLAND EFFECT, AND TO ALLOW NATURAL DRAINAGE AND FILTRATION.
 - a. PERMEABLE PAVING, POROUS CONCRETE OR SIMILAR MATERIAL SHOULD BE INSTALLED ADJACENT TO TREEWELLS. THE DESIGN SHOULD ENSURE ADEQUATE WATERING AND ROOT GROWTH.
 - b. ALTERNATIVE MATERIALS SUCH AS BRICK PAVERS, PERMEABLE CONCRETE PAVERS, GRANITE AND FLAGSTONE SHOULD BE ENCOURAGED ON WALKWAYS.
2. ~~Utility location-All~~ NO utility lines ~~and~~ OR boxes should ~~not~~ be placed below the street treeS ~~or within the required structural soil~~ IN THE STREETScape ZONE UNLESS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT LANDSCAPE ARCHITECT.
3. ~~Drainage-~~Building downspouts should not drain onto the sidewalk.
4. IF STREET TREES ARE NOT PLANTED OR EXISTING WITHIN THE STREETScape ZONE, ARCHITECTURALLY OR, ARTISTICALLY INTEGRATED PUBLIC AMENITIES SHOULD BE PROVIDED. AMENITIES MAY INCLUDE BUT NOT BE LIMITED TO THE FOLLOWING:
 - a. SEATING (BENCHES/CHAIRS)
 - b. STRUCTURAL SHADE ELEMENTS (MAY BE CANTILEVERED)
 - c. PUBLIC ART ELEMENTS
 - d. COMMUNITY INFORMATION/NEWS EVENT BOARD/ KIOSK
 - e. AREA WAYFINDING SIGNAGE
 - f. DESIGNER LIGHT FIXTURES

PLANNING AND DEVELOPMENT DEPARTMENT STAFF HAVE AUTHORITY TO ACCEPT ALTERNATIVE SOLUTIONS FOR THESE GUIDELINES.

~~NOTE: A revocable permit from the Streets Transportation Department may be required to place amenities in the right-of-way.~~

~~J-K.~~ Street and Alley Abandonment Guidelines.

- ~~1.~~ Street(s)-Where streets are being abandoned, a pedestrian easement should be preserved to maintain a continuous walkable street.
- ~~2.~~ STREET ABANDONMENTS SHOULD ONLY BE CONSIDERED FOR AN ENTIRE BLOCK SO THAT THEY DO NOT RESULT IN STAGGERED RIGHT-OF-WAY ON A BLOCK FACE.
- ~~2- 3.~~ Alley(s)-Should be used for service, loading and other associated vehicular access points that are not consistent with creating a walkable pedestrian environment.
- ~~3- 4.~~ Alley abandonment should only be approved when they result in fewer driveways along Pedestrian ~~or Front~~ Streets while promoting a pedestrian friendly block pattern.

~~K-L.~~ Pedestrian Street ~~Standards~~ GUIDELINES (SEE MAP 1202.E).

- ~~1- 4.~~ All ground floor uses along Pedestrian Streets shall be active as indicated on the Land Use Matrix, except in combination with the active front yard, door yard and/or stoop/doorwell frontage types. *1
- ~~2- 1.~~ A minimum 10 feet of the sidewalk shall remain clear of amenities for pedestrians.
- ~~3- 1.~~ All pedestrian plazas shall ~~SHOULD~~ be located adjacent to or visually accessed-VISIBLE from the sidewalk of a Pedestrian Street.
- ~~2.~~ AN ENHANCED LEVEL OF PEDESTRIAN AMENITIES SUCH AS BENCHES, LIGHTS, SIGNAGE, STREET TREES, AND SHADE STRUCTURES SHOULD BE PROVIDED.
- ~~3.~~ BLANK WALLS WITHOUT DOORS AND WINDOWS SHOULD NOT OCCUPY OVER 70% OF THE GROUND FLOOR FRONTAGE
- ~~4.~~ Sidewalk lighting shall ~~SHOULD~~ be limited to a maximum height of 20 feet.

~~L.~~ Pedestrian Street Guidelines:

- ~~1- 4.~~ The following standards shall apply to the streets identified in Section 1202.F., any deviation from these standards shall be approved by the Design Review Board.
- ~~2- 1.~~ Pedestrian circulation elements:
 - ~~a- 1.~~ Signaled mid-block crossings should be encouraged for blocks longer than 300 feet.
- ~~3- 1.~~ Sidewalk paving:
 - ~~a- 1.~~ Alternative paving colors should only be allowed when the entire length of the block will be paved.
 - ~~b- 1.~~ Alternative materials such as brick pavers, permeable concrete, granite and concrete flags should be encouraged.
- ~~4- 1.~~ Pedestrian plazas and open space should be small in size and located frequently along the block to provide resting space for pedestrians.
- ~~5- 1.~~ Enhanced corners (see Map 1202.FE).

M. ENHANCED CORNER GUIDELINES.

~~a.~~

The uses that generate the highest pedestrian traffic should be located on enhanced corners and provide the following:

1. ~~(1)~~ A primary entrance that faces both streets and serves the greatest number of occupants.
2. ~~(2)~~ Additional building articulation that emphasizes the corner and promotes activity.
3. ACTIVE USES IDENTIFIED ON THE LAND USE MATRIX (SECTION 1204.D) SHOULD OCCUPY THE GROUND FLOOR LEVEL.

~~6.~~ ~~Vehicular access:~~

~~- - -~~

~~- - a. Driveways and other vehicular circulators should be discouraged along pedestrian streets.~~

~~- - -~~

~~- - b. If for unavoidable reasons driveways are located along a pedestrian street, they should be shared by multiple properties to limit the number of curb cuts and drive Aisles.~~

~~M-N.~~ Parking Garage Design Guidelines.

1. ~~Ground floor of~~ Parking garages or liner buildings THAT SCREEN PARKING should have A MINIMUM OF 50% of the ground floor AREA FACING THE STREET RIGHT-OF-WAY, excluding driveways, ~~wrapped with~~ CONSIST OF BUILDING AREA ~~habitable spaces~~ THAT CONTAIN ACTIVE USES PER THE LAND USE MATRIX (1204.D) ~~and consistent with the required frontage type.~~
2. Any portion of the parking garage visible from the public right-of-way or an OFF-SITE building should be screened with material and design consistent with the primary building.

4. Rooftop lighting should be ~~setback~~ SET BACK a minimum of 25 feet from the perimeter of the rooftop parking structure and shall be a maximum of 12 feet in height.
5. There should be a convenient, clear, safe and efficient internal circulation system ~~with in~~ WITHIN the parking structure for both pedestrian and vehicular traffic including appropriate signage and placement of pedestrian circulation cores (elevators and stairs).

~~N-O.~~ ~~Residential~~ BUFFER Alley Standards.

1. The following standards shall apply to properties adjacent to alleys identified ON THE MAP1202.F. in addition to any other requirements of the Downtown Code. ~~Any deviation from these standards shall be approved by the Design Review Board.~~ NEW DEVELOPMENT ADJACENT TO BUFFER ALLEYS MUST MITIGATE IMPACTS.
2. General requirements.
 - a. A minimum 15-FOOT ~~feet~~ building setback MEASURED FROM THE ALLEY RIGHT-OF-WAY shall be provided for non-single family projects above 30 feet in height adjacent to a ~~residential~~ BUFFER ~~a~~ Alley.
 - b. A FIVE-FOOT ~~feet~~ landscaping strip shall be required adjacent to a ~~residential~~ BUFFER ~~a~~ Alley for non-single family buildings and shall contain the following:
 - ~~-~~ ~~(1)~~ A minimum 40 inch high wall that is consistent with the material, design and character of the primary building, OR A landscaping berm or green

wall shall be constructed.

3. Mechanical equipment and ventilation.

- a. NEW Non-roof mounted mechanical equipment and vents shall NOT BE LOCATED WITHIN A REQUIRED ~~be set back a minimum 30 feet from the rear~~ SETBACK FROM THE BUFFER ALLEY ~~property line~~.

(1) The minimum distance can be reduced to 15 feet when a fully ~~dedicated alley is present and~~ BY 50% IF the equipment and vents are fully screened.

- b. NEW Roof mounted equipment, antennas and satellite dishes shall be located a minimum 15 feet from the property line adjacent to the BUFFER ~~a~~Alley with the exception of solar panels and/or solar water heaters.

4. Service area.

- a. When loading areas are within 30 feet from the ~~residential~~-BUFFER ~~a~~Alley, loading, pickup and deliveries shall be prohibited between 9 p.m. and 6 a.m. and posted with signage.
- b. All trash/recycling containers and other odor generating facilities shall be fully screened with a wall or structure, covered and accessed with a latching door.

5. ~~Balconies shall not be oriented towards a residential alley or the surrounding single family homes.~~

- 6. ~~Lighting shall not exceed 15 feet in height.~~

O-P. ~~Residential~~-BUFFER Alley Guidelines.

1. Service areas.

- a. Any trash/recycling container higher than 6 feet should be treated with a green screen on the side visible from the street or BUFFER ~~a~~Alley.

2. Lighting.

- d. Illuminative gases and fiber optics should not be placed on structures that are adjacent to a ~~residential~~-BUFFER ~~a~~Alley.

3. Residential privacy.

- a. Windows, ROOFTOP PATIOS and balconies that ARE VISIBLE FROM ~~can visually access the~~ adjacent EXISTING single family homes should incorporate design treatments such as orientation, location or various screening devices to protect the privacy of the neighboring homes.
- b. Rooftop patios should be oriented away from the ~~residential~~-BUFFER ~~a~~Alley and fully screened to prevent visual access, noise, and light from being directed towards the BUFFER ~~a~~Alley.
- c. Outdoor dining should be prohibited adjacent to or oriented towards a ~~residential~~ BUFFER ~~a~~Alley.

(1) If an outdoor dining area is visible from ~~residential~~-BUFFER ~~a~~Alley it should be fully screened at a height of six (6) feet with vegetation and a

wall that is consistent with the design and character of the primary building.

~~P-Q.~~ ~~Long-Term~~ Bicycle Parking and Amenity Standards.

1. Commercial non-retail uses, over 5,000 ~~sq. ft.~~ SQUARE FEET shall provide a minimum of one (1) ~~long-term~~ BICYCLE space per 40 vehicle parking spaces provided up to a required maximum of 25 ~~long-term~~ BICYCLE spaces.
 - ~~a.~~ If no VEHICLE parking is provided, ~~then~~ THEN a minimum OF two SPACES ARE REQUIRED. TWO SPACES SHALL BE PROVIDED FOR EVERY 25,000 SQUARE FEET OF BUILDING SQUARE FOOTAGE.
 - ~~b.~~ Spaces shall be provided for 25,000 square feet of building square footage.
- ~~-~~ ~~2.~~ ~~Showers and lockers.~~
- ~~2.~~ ~~a.~~ Commercial non-retail uses over 100,000 square feet IN BUILDING AREA shall provide a minimum of two SHOWER STALLS AND 10 LOCKERS THAT ARE ACCESSIBLE TO THE BUILDING'S OCCUPANTS.
 - ~~b.~~ Shower stalls and ten (10) lockers that are accessible to the building's occupants.
 - ~~-~~ -
- ~~-~~ ~~3.~~ MULTIFAMILY RESIDENTIAL DEVELOPMENT SHALL PROVIDE COMMON BICYCLE PARKING AT 0.25 SPACES FOR EACH RESIDENTIAL UNIT, WITH A MAXIMUM OF 50 SPACES.

~~Q-R.~~ General Building Form Guidelines.

1. Building placement.

 - d. AWNINGS, CORNICES, ROOF OVERHANGS AND EAVES MAY PROJECT INTO ANY REQUIRED SETBACK.
2. Building design.

 - f. Architecture and applied treatments that express corporate identity should be de-emphasized. THE Building should be a unique structures that compliments and blends with the surrounding context.

 - k. A designated space for recycle containers should be provided for all new development ~~receiving preliminary site plan approval after (date of ordinance adoption).~~ Location and size shall be determined by the Solid Waste Division of the Public Works Department.
 - l. *Roofs*-Green roofs may be counted toward open space (USEABLE OR PASSIVE) requirements. OCCUPIABLE ~~G~~green roofs should comply with open space landscaping and shade standards and be accessible to all building occupants.

4. Residential privacy.

 - b. Windows and balconies that face each other should receive special design treatment to increase privacy for residential uses by providing one of the following:

- (3) Windows that start a minimum of 6 feet above respective finished floor;
or

R-S. Window Guidelines.

1. Windows placed above 30 feet in height ~~shall~~ SHOULD be designed to reduce summer solar heat gain AND REFLECTIVITY. ~~within the building by incorporating one of the following:~~

S-T. Lighting Guidelines.

- ~~1. Height: Maximum 25 feet.~~

- ~~2-1.~~ Lighting should be shielded with cut off fixtures and deflectors to direct the light downward and limit on-site lighting levels to a maximum of one (1) foot candle at the property line.

- ~~3-2.~~ Lighting fixtures should be consistent with and complement the design and character of the primary building.

- ~~4-3.~~ Uniform pedestrian scale lighting should be used for all on-site lighting at building entrance and exits, and in public assembly and parking areas.

- ~~5-4.~~ Large "flood" type lights should be avoided.

T-U. General Screening Standards.

- ~~2- All services 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.~~

- ~~3-2.~~ Ground floor vents shall be oriented away from pedestrian plazas, ~~front~~ and ~~p~~Pedestrian ~~s~~Streets.

- ~~4-3.~~ All equipment shall be located, designed and have incorporated building materials to reduce the noise and operational impacts on residents, public space and adjacent properties with ~~on~~ONE of the following:

U-V. General Screening Guidelines.

3. All equipment, antennas and satellite dishes should not be located along the ~~front or~~ ~~p~~Pedestrian ~~s~~Street facing facade.

4. All loading docks, trash and recycling containers, transformers, backflow preventers and other mechanical or electrical equipment should not be located along the ~~front or~~ ~~p~~Pedestrian ~~s~~Street and should not be visible from public view

W. ARTS, CULTURE, SMALL BUSINESS AREA

1. INTENT. THE ARTS, CULTURE AND SMALL BUSINESS OVERLAY IS INTENDED TO ALLOW GREATER FLEXIBILITY IN LAND USES AND STANDARDS THAT WILL CONTRIBUTE TO THE VITALITY OF THE DOWNTOWN AREA AND WILL ENHANCE COMMUNITY EVENTS.

2. APPLICABILITY. THE AREA INDICATED ON THE ARTS, CULTURE, SMALL BUSINESS AREA MAP IN SECTION 1202.G HAS THE FOLLOWING STANDARDS AND GUIDELINES. IN THE EVENT OF A CONFLICT WITH OTHER ZONING ORDINANCE PROVISIONS, THE MORE PERMISSIVE SHALL APPLY.

3. OUTDOOR PUBLIC EVENTS AND PERFORMANCES. OUTDOOR EVENTS OR PERFORMANCES THAT ARE OPEN TO THE PUBLIC AND THAT FEATURE VISUAL ART, MUSIC, DANCE, THEATER, PERFORMANCE ART, SCIENCE, DESIGN OR CULTURAL HERITAGE ARE PERMITTED, SUBJECT TO THE FOLLOWING:
 - a. THE OUTDOOR EVENT OR PERFORMANCE MUST BE STAFFED BY AN EMPLOYEE OF AN EXISTING BUSINESS ON THE PROPERTY AND MUST COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES
 - b. THE BUSINESS' ITEMS THAT ARE AVAILABLE FOR PURCHASE DURING NORMAL BUSINESS HOURS MAY BE DISPLAYED OUTDOORS AND BE AVAILABLE FOR PURCHASE DURING THE EVENT OR PERFORMANCE. PAYMENT FOR ALL ITEMS SHALL OCCUR INDOORS. NO OTHER ITEMS MAY BE DISPLAYED FOR SALE OUTDOORS DURING THE EVENT OR PERFORMANCE.
 - c. OUTDOOR EVENTS OR PERFORMANCES ARE LIMITED TO FRIDAYS, SATURDAYS AND SUNDAYS ONLY.
 - d. FRIDAY AND, SATURDAY EVENTS OR PERFORMANCES SHALL BE LIMITED TO THE HOURS BETWEEN 10:00 A.M, AND, 12:00 A.M. NO AMPLIFIED MUSIC OR LOUDSPEAKERS MAY BE USED OUTSIDE AFTER 10:00 P.M.
 - e. SUNDAY OUTDOOR EVENTS OR PERFORMANCES SHALL BE LIMITED TO THE HOURS BETWEEN 10:00 A.M. AND 10:00 P.M. NO AMPLIFIED MUSIC OR LOUDSPEAKERS MAY BE USED AFTER 8:00 P.M.
 - f. HOURS AND DAYS OF OUTDOOR EVENTS OR PERFORMANCES MAY BE EXTENDED SUBJECT TO OBTAINING A USE PERMIT IN ACCORDANCE WITH THE STANDARDS AND PROCEDURES OF THE ZONING ADMINISTRATOR SECTION OF THE ZONING ORDINANCE.
 - g. OUTDOOR EVENTS OR PERFORMANCES IN THE DOWNTOWN CODE BOUNDARIES SHALL BE A MINIMUM OF 300 FEET FROM ANY ADJACENT CHARACTER AREA THAT IS NOT INCLUDED IN THE ARTS, CULTURE, AND SMALL BUSINESS AREA DEPICTED ON THE MAP IN SECTION 1202.G AND FROM ANY SINGLE-FAMILY ZONING DISTRICT OUTSIDE OF THE DOWNTOWN CODE AREA.
4. ACCESSORY USES
 - a. HOME OCCUPATIONS ARE PERMITTED SUBJECT TO THE FOLLOWING:
 - (1) EMPLOYEES ARE PERMITTED, SUBJECT TO OBTAINING A USE PERMIT IN ACCORDANCE WITH THE PROVISIONS OF THE ZONING ADMINISTRATOR SECTION OF THE ZONING ORDINANCE.
 - (2) NO MORE THAN 50% OF THE DWELLING UNIT MAY BE USED FOR ANY HOME OCCUPATION.
 - b. THE FOLLOWING ACCESSORY USES ARE PERMITTED:
 - (1) OUTDOOR DINING AS ACCESSORY TO A RESTAURANT IS PERMITTED SUBJECT TO THE FOLLOWING:
 - (A) THE OUTDOOR DINING AREA SHALL BE A MINIMUM OF 30

FEET FROM THE BOUNDARY OF AN ADJACENT CHARACTER AREA NOT INCLUDED IN THE ARTS, CULTURE, AND, SMALL BUSINESS AREA DEPICTED ON MAP 1202.G AND FROM ANY SINGLE-FAMILY ZONING DISTRICT OUTSIDE OF THE DOWNTOWN CODE AREA.

- (B) THE OUTDOOR DINING AREA AND ACCESSORY PUBLIC SPACE SHALL BE CLEARLY DELINEATED BY A MINIMUM THREE FOOT HIGH CONTINUOUS FENCE, WALL OR PLANTER.
- (C) THE OUTDOOR DINING AREA SHALL NOT BE MORE THAN 25% OF THE PRIMARY BUILDING'S GROUND LEVEL GROSS FLOOR AREA. THE OUTDOOR DINING AREA MAY EXCEED 25% TO A MAXIMUM OF 50% SUBJECT TO OBTAINING A USE PERMIT.
- (D) HOURS OF OPERATION FOR OUTDOOR DINING AREA SHALL NOT EXTEND BEYOND RESTAURANT HOURS OF OPERATION.
- (E) THE OUTDOOR DINING AREA SHALL NOT RESTRICT OR IMPEDE ACCESSIBLE ACCESS TO THE BUILDING OR THE PARKING AREA.

(2) OUTDOOR CRAFTING OF ART ASSOCIATED WITH THE BUSINESS INSIDE THE BUILDING WHEN THE SUBJECT PARCEL ABUTS AN ARTERIAL OR COLLECTOR STREET IS PERMITTED AND SUBJECT TO THE FOLLOWING:

- (A) STORAGE OF MATERIALS ASSOCIATED WITH THE CRAFTING AREA SHALL NOT EXCEED EIGHT FEET IN HEIGHT AND BE LIMITED TO THE REAR AND SIDE YARD.
- (B) STORAGE AREA SHALL BE FULLY SCREENED WITH A SOLID WALL OR LANDSCAPING.
- (C) STORAGE OF MATERIALS ASSOCIATED WITH THE CRAFTING AREA EXCEEDING EIGHT FEET IN HEIGHT SHALL BE SUBJECT TO OBTAINING A USE PERMIT.

5. SIGNS

a. A-FRAME SIGNS ARE PERMITTED ON PRIVATE PROPERTY, SUBJECT TO THE FOLLOWING:

- (1) NO OFF-SITE ADVERTISING IS PERMITTED.
- (2) A MAXIMUM OF ONE A-FRAME SIGN IS PERMITTED PER 25 FEET OF STREET FRONTAGE.
- (3) A MAXIMUM OF SIX SQUARE FEET OF SIGNAGE PER SIDE OF THE A-FRAME SIGN IS PERMITTED.
- (4) THERE SHALL BE A MAXIMUM HEIGHT OF THREE FEET FROM NATURAL GRADE.
- (5) ALL SIGNS SHALL BE REMOVED DAILY AT THE CLOSE OF BUSINESS OR EVENT.

b. SHINGLE SIGNS ARE PERMITTED SUBJECT TO THE FOLLOWING:

- (1) A MAXIMUM OF ONE SIGN IS PERMITTED FOR EACH BUSINESS PER FAÇADE IF ACCESS TO BUSINESS IS AVAILABLE FROM THAT FAÇADE.
- (2) A MINIMUM CLEARANCE OF EIGHT FEET FROM FINISHED GRADE TO THE BOTTOM OF THE SIGN SHALL BE PROVIDED.
- (3) A MAXIMUM OF FIVE SQUARE FEET IN AREA SHALL BE PERMITTED PER SIDE.
- (4) NO BACK LIT OR CABINET SIGNS ARE PERMITTED.

c. WALL AND WINDOW SIGNS ARE PERMITTED FOR STRUCTURES EXISTING AS OF MAY 2, 2008, AS FOLLOWS:

- (1) WALL SIGNS.
 - (A) THE MAXIMUM SQUARE FOOTAGE PERMITTED PER SECTION 705.D MAY BE INCREASED BY 25%.
 - (B) THE MAXIMUM SQUARE FOOTAGE PERMITTED MAY BE INCREASED BY AN ADDITIONAL 10% IF GRAPHICS COMPRISE A MINIMUM OF 10% OF THE OVERALL SQUARE FOOTAGE OF THE SIGN.
- (2) WINDOW SIGNS.
 - (A) THE TOTAL AREA OF SUCH SIGNS SHALL NOT EXCEED 40% OF EACH WINDOW AREA LOCATED ON THE GROUND FLOOR OF THE BUILDING.

d. FREE STANDING DETACHED MONUMENT SIGNAGE SHOULD BE INTEGRATED WITH THE BUILDING ARCHITECTURE.

6. PARKING, YARD AND AREA REQUIREMENTS FOR NON-RESIDENTIAL USES OR MIXED USE CONTAINING NON-RESIDENTIAL USES.

a. FOR PARKING, YARD AND AREA REQUIREMENTS FOR STRUCTURES EXISTING AS OF MAY 1, 2008:

- (1) REGARDLESS OF CHANGE OF USE OR OCCUPANCY NO ADDITIONAL PARKING OR LANDSCAPING SHALL BE REQUIRED.
- (2) STRUCTURES MAY BE INCREASED A TOTAL OF EITHER 500 GROSS SQUARE FEET OR 25% OF THE EXISTING STRUCTURE, WHICHEVER IS GREATER, WITHOUT REQUIRING ADDITIONAL PARKING OR LANDSCAPING.
- (3) BUILDING ADDITIONS MAY EXCEED THE LOT COVERAGE OF THE UNDERLYING ZONING DISTRICT BY 25%, EXCLUDING THOSE WITH HISTORIC PRESERVATION OVERLAYS.
- (4) INTERIOR SETBACKS MAY BE REDUCED BY A MAXIMUM OF 25% OF THAT REQUIRED BY THE UNDERLYING ZONING DISTRICT, EXCLUDING THOSE WITH HISTORIC PRESERVATION OVERLAYS.

b. OUTDOOR DINING THAT DOES NOT EXCEED 25% OF THE PRIMARY BUILDING'S GROUND LEVEL GROSS FLOOR AREA SHALL NOT REQUIRE

ANY ADDITIONAL PARKING. THE OUTDOOR DINING AREA MAY EXCEED 25% TO A MAXIMUM OF 50% SUBJECT TO OBTAINING A USE PERMIT.

- c. SUBJECT TO APPROVAL BY THE PLANNING AND DEVELOPMENT DEPARTMENT, VEHICLES ARE PERMITTED TO MANUEVER IN THE ALLEY WHEN PAVING, ADEQUATE MANEUVERING SPACE AND VISIBILITY ARE ADDRESSED. WHEN VEHICULAR ACCESS TO THE SITE IS PROVIDED FROM AN ALLEY, NO LANDSCAPE SETBACK IS REQUIRED ADJACENT TO THE ALLEY.

X. LOT COVERAGE

LOT COVERAGE BY RIGHT OR OBTAINED BY SUSTAINABILITY BONUS POINTS MAY BE UP TO 100% IN THE FOLLOWING CHARACTER AREAS: DOWNTOWN GATEWAY, EVANS CHURCHILL EAST, EVANS CHURCHILL WEST, ROOSEVELT EAST, TOWNSEND PARK, VAN BUREN, AND WAREHOUSE.

1. DESIGN REVIEW COMMITTEE HAS THE AUTHORITY TO APPROVE REDUCTIONS IN THE REQUIRED SIDE AND REAR BUILDING SETBACKS TO ACCOMMODATE ENTITLED LOT COVERAGE.
2. REQUIRED FRONT BUILDING SETBACKS DO NOT NEED TO BE MET WHEN THERE IS A CONFLICT WITH THE LOT COVERAGE ALLOWANCES.

Y. SIGNAGE

FREE STANDING DETACHED MONUMENT SIGNAGE SHOULD BE INTEGRATED WITH THE BUILDING ARCHITECTURE.

Amend Chapter 12, Section 1208 (Downtown Code, Biomed) to read as follows:

B. Development Standards.

7. SIGNAGE.

SIGNAGE SUBJECT TO THE REGULATIONS OF PHOENIX ZONING ORDINANCE SECTION 705 TABLE D-1, COMMERCIAL/ INDUSTRIAL RIGHT-OF-WAY LOW VOLUME STREET STANDARDS.

C. Building Form Guidelines.

2. Upper floors should be served by common entrance lobbies that ~~shall~~ SHOULD be accessed from the ~~front or p~~ Pedestrian sStreet.

D. Open Space Guidelines.

1. For sites of 50,000 net square feet or larger, minimum open space of at least 5% of the net lot area should be provided.

- b. The open space should connect to or be visible from a ~~front or p~~ Pedestrian sStreet.

- c. *Landscape:*

- (2) Fences/walls.

- (A) *Height:* 6 feet maximum.

(B) *Materials:* Wrought iron, brick, DECORATIVE MASONRY.

E. Streetscape Standards.

STREETSCAPE STANDARDS MATRIX							
STREET SECTION	Ground floor uses	Minimum Building Setback	Maximum Building Setback	Building Frontage	Allowed Frontage Types	Minimum Sidewalk Width	Minimum Green STREETSCAPE Zone Width
Garfield Street 4th St. to 6th St.	All allowed uses	5'	10'	Minimum 50%	ALL	7'5'	40'15'
McKinley Street 4th St. to 7th St.	All allowed uses	5'	10'	Minimum 50%	ALL	7'5'	40'15'
Pierce Street 4th St. to 7th St.	All allowed uses	5'	10'	Minimum 50%	ALL	7'5'	10'
Fillmore Street 5th St. to 7th St.	All Allowed uses	5'	10'	Minimum 50%	ALL	7'5'	10'
Van Buren Street 5th St. to 9th St.	Non-Residential	0'	5'	Minimum 75%	S, GA	6'	6'
4th Street Garfield St. to Fillmore St.	Non-Residential	5'	10'	Minimum 75%	SD, S, GA	6'	8'
5th Street Garfield St. to Fillmore St.	Non-Residential	0'	5'	Minimum 75%	S, GA	10'	10'

5th Street Fillmore St. to Van Buren St.	Non-Residential	0'	5'	Minimum 75%	S, GA	10'	10'
6th Street Garfield St. to Fillmore St.	Non-Residential	5'	10'	Minimum 75%	SD, S, GA	10'	10'
7th Street	Non-	0'	5'	Minimum	S, GA	8'5'	10'

McKinley St. to MONROE Fillmore St.	Residential			75%			
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(AFY) Active Front Yard, (SD) Stoop/Dooryard, (WELL) WELL, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

Amend Chapter 12, Section 1209 (Downtown Code, Business Core) to read as follows:

- A. Intent. The Business Core should function as a strong regional center for employment, entertainment, conventions, tourism, AND cultural institutions, ~~and entertainment venues~~, drawing visitors from around the country and attracting residents from throughout the region. The greatest development intensity within the region should be located within this Character Area. New development should be innovative and incorporate small public spaces that promote pedestrian movement and comfort. The Business Core should have vibrant pedestrian activity and be served frequently by multiple modes of high quality public transit.

- B. Development Standards.

4. Minimum side and rear setbacks.

- a. Primary building.

(1) *Side:* 0 feet.

(2) *Rear:* ~~50~~ feet.

7. Base guidelines.

- a. All buildings over four stories in height should be designed with a base that is differentiated from the remainder of the building in order to relate to the street. The base may be between one ~~(1)~~ and four ~~(4)~~ stories in height, and should be scaled to the immediate context.

- c. *Building form guidelines.*

~~4-~~(1) Above 65 feet, tall buildings should not have massing that is boxy, bulky, and elongated.

~~2-~~(2) Upper floors should be served by common entrance lobbies that shall be accessed from the front or pedestrian street.

~~3-~~(3) Large floor plates should be articulated to break down the mass of the building, create "street interest" and enhance skyline character.

~~4-~~(4) Building towers should have a minimum separation of 20 feet.

~~5-~~(5) The reflectivity of windows should be limited to ~~twenty (20%) percent~~.

~~6-~~(6) The uppermost floors of high-rise buildings should be articulated to achieve a distinctive skyline profile.

8. SIGNAGE.

- a. SIGNAGE IN THE BUSINESS CORE CHARACTER AREA SHALL BE GOVERNED BY THE REGULATIONS APPLICABLE TO SIGNS FOR COMMERCIAL LAND USE AS ESTABLISHED IN SECTION 705. SIGNS NOT VISIBLE BEYOND THE BOUNDARIES OF THE LOT OR PARCEL UPON

WHICH THEY ARE SITUATED OR FROM ANY PUBLIC THOROUGHFARE,
ARE NOT REGULATED AS SIGNS.

- (1) SIGNS PROJECTING MORE THAN SIX INCHES FROM THE FRONT OF BUILDINGS OVER THE PUBLIC RIGHT-OF-WAY SHALL BE PERPENDICULAR TO THE STREET (I.E., NINETY-DEGREE ANGLE), WITH A MAXIMUM OF ONE SIGN PER ENTRANCE. ALL SIGNS THAT EXTEND INTO OR OVER THE PUBLIC RIGHT-OF-WAY SHALL BE PERMITTED ONLY UPON ISSUANCE OF A REVOCABLE PERMIT AS ADMINISTERED BY THE CITY OF PHOENIX. EACH SIGN SHALL:
 - (A) IDENTIFY ONLY ONE ON-SITE BUSINESS.
 - (B) PROVIDE A MINIMUM EIGHT-FOOT HEAD CLEARANCE. EXISTING SIGNS WITH A MINIMUM OF SEVEN FEET SIX INCHES CLEARANCE MAY REMAIN.
 - (C) PROJECT NO MORE THAN THREE FEET INTO THE PUBLIC RIGHT-OF-WAY.
 - (D) BE INDIRECTLY ILLUMINATED FROM A SHIELDED LIGHT SOURCE (I.E., NOT BACKLIT OR "CABINET" SIGN).
- (2) AWNING SIGNS SHALL BE PERMITTED BY RIGHT. AWNING SIGNS SHALL HAVE LETTERS NO MORE THAN 10 INCHES IN HEIGHT.
- (3) SIGNS PAINTED ON THE BUILDING SURFACE OR LETTERS MOUNTED DIRECTLY TO THE BUILDING SURFACE SHALL:
 - (A) BE A MAXIMUM OF ONE SQUARE FOOT OF SIGNAGE FOR EACH LINEAL FOOT OF BUILDING ELEVATION TO A MAXIMUM OF 100 SQUARE FEET.
 - (B) BE AT LEAST HALF THE VERTICAL HEIGHT OF THE LETTERS TO A BUILDING CORNER (VERTICAL EDGE) OR TO A ROOFLINE.
- b. SIGNAGE MAY BE INCREASED BY UP TO 25% BY SUBMITTING A COMPREHENSIVE SIGN PLAN AS PROVIDED IN THE PHOENIX SIGN CODE, SECTION 705.E.
- c. THE FOREGOING REQUIREMENTS SHALL NOT APPLY TO SIGNS EXCEEDING 56 FEET IN HEIGHT APPROVED THROUGH A COMPREHENSIVE SIGN PLAN AND SUBJECT TO THE REQUIREMENTS OF SECTION 705.D.3.i OF THE ZONING ORDINANCE.
- d. WINDOW SIGNS FRONTING THE PUBLIC RIGHT-OF-WAY SHALL NOT EXCEED A TOTAL OF MORE THAN 20% OF THE WINDOW PANEL AREA.
- e. SECOND-STORY OR BASEMENT BUSINESS FRONTING THE PUBLIC RIGHT-OF-WAY MAY ONLY USE A SIGN IN A SECOND-STORY WINDOW OR USE A WALL SIGN. AWNING SIGNS SHALL NOT BE PERMITTED ON SECOND-STORY WINDOWS.
- f. CORNER BUILDINGS SHALL BE ALLOWED SIGNAGE ON EACH STREET FRONTAGE.

- g. FREESTANDING OR GROUND SIGNS MAY BE ALLOWED TO A MAXIMUM OF 40 SQUARE FEET IN AREA IF THE PRIMARY BUILDING IS SET BACK 15 OR MORE FEET FROM THE PROPERTY LINE FOR MORE THAN 50% OF THE STREET FRONTAGE. SAID SIGN SHALL BE A MAXIMUM OF THREE FEET IN HEIGHT. SIGNS MAY BE UP TO 20 FEET IN HEIGHT AND 100 SQUARE FEET IN AREA IF A COMPREHENSIVE SIGN PLAN IS APPROVED AND IF THE PROJECT COVERS A FULL BLOCK OR MORE.
- h. DIRECTIONAL SIGNS FOR ACCESSORY PARKING WILL BE ALLOWED TO A MAXIMUM OF SIX SQUARE FEET PER SIGN PER DRIVEWAY ENTRANCE. SAID SIGN SHALL BE A MAXIMUM OF THREE FEET IN HEIGHT. NO MORE THAN 25% OF THE AREA MAY BE DEVOTED TO BUSINESS IDENTIFICATION.
- i. THE PROVISIONS OF SECTION 705.C.6.d (ILLUMINATED SIGN SPACING FROM RESIDENTIAL USE) SHALL NOT APPLY WITHIN THE BUSINESS CORE CHARACTER AREA.
- j. SIGNS, BANNERS, BALLOONS, FLAGS, GUIDONS, AND SIMILAR DEVICES MAY BE ERECTED SUBJECT TO A USE PERMIT IN CONJUNCTION WITH SPECIAL PROMOTIONAL EVENTS TO BE HELD WITHIN THE DOWNTOWN CODE OF A CIVIC OR COMMERCIAL NATURE. NO MORE THAN 25% OF THE AREA MAY BE DEVOTED TO CORPORATE SPONSORSHIP IDENTITY. FINDINGS OF APPROVAL OF THE USE PERMIT SHALL INCLUDE:
 - (1) THE SIGNS AND OTHER DISPLAYS ARE APPROPRIATE IN SCALE, COMPOSITION, AND MANNER OF DISPLAY WITH SURROUNDING DEVELOPMENT.
 - (2) WHEN TWO OR MORE ADJOINING ESTABLISHMENTS ARE TO PARTICIPATE EQUALLY IN THE EVENT, A SINGLE REQUEST FOR A USE PERMIT MAY BE FILED.
- k. FOR MASTER PLANNED DEVELOPMENTS COVERING ONE OR MORE DOWNTOWN BLOCKS (300 FEET BY 300 FEET MINIMUM), SIGNS, BANNERS, AND FLAGS MAY BE ERECTED SUBJECT TO A USE PERMIT IN COMPLIANCE WITH A COMPREHENSIVE SIGN PLAN. FINDINGS OF APPROVAL OF THE USE PERMIT SHALL INCLUDE:
 - (1) THE SIGNS AND OTHER DISPLAYS ARE APPROPRIATE IN SCALE, COMPOSITION, AND MANNER OF DISPLAY WITH SURROUNDING DEVELOPMENT.
 - (2) THE SIGNS, BANNERS, AND FLAGS ARE MOUNTED AND SECURED SO AS NOT TO POSE A DISTRACTION OR HAZARD TO VEHICLES OR PEDESTRIANS.
 - (3) THE SIGNS AND OTHER DISPLAYS SHALL INCLUDE ONLY LOGOS, GRAPHICS AND PROJECT NAME OF THE MASTER PLANNED DEVELOPMENT.
- l. WALL SIGNS ON BUILDINGS IN A DESIGNATED HISTORIC PRESERVATION ZONING DISTRICT EXCEEDING THE APPLICABLE SIZE REGULATIONS MAY BE ALLOWED BY THE HISTORIC PRESERVATION COMMISSION IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 812.C.3

AND UPON THE ADDITIONAL FINDING THAT THE PROPOSED SIGNAGE REPLICATES THE SIZE, SHAPE, AND PLACEMENT OF THE ORIGINAL WALL SIGNAGE.

m. THE FOLLOWING SIGNS ARE PROHIBITED:

- (1) SIGNS PLACED ABOVE OR ON TOP OF ANY PORTION OF THE ROOF OR FRONT PARAPET.
- (2) SIGNS ADVERTISING GOODS OR SERVICES NOT PROVIDED ON THE PREMISES.
- (3) SIGNS UTILIZING MOVING, FLASHING, OR ROTATING LIGHTS OR MECHANISMS, EXCEPT AS PROVIDED BY A USE PERMIT.

n. FOR MASTER PLANNED DEVELOPMENTS COVERING CONTIGUOUS AREA OF AT LEAST 10 ACRES, SIGNS, INCLUDING THOSE SIGNS, BANNERS, FLAGS OTHERWISE PROHIBITED BY SECTIONS 1209.B.8.j AND 1209.B.8.m MAY BE ERECTED SUBJECT TO APPROVAL OF A MASTER PLANNED DEVELOPMENT SIGN PLAN AND RELATED DETAILED PROJECT SIGN PLANS IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION. IN RECOGNITION OF DESIGN THAT CONTRIBUTES TO AND FURTHERS THE GOALS OF THE DOWNTOWN PHOENIX PLAN, THE CITY MAY APPROVE A MASTER PLANNED DEVELOPMENT SIGN PLAN TO ALLOW LARGER AND TALLER SIGNS THAN ARE OTHERWISE ALLOWED WITHIN THE DOWNTOWN CODE DISTRICT.

(1) SIGN TYPES. IN ADDITION TO OTHER SIGNS PERMITTED IN THE BUSINESS CORE CHARACTER AREA AND THOSE SIGNS, BANNERS, AND FLAGS OTHERWISE PROHIBITED BY SECTIONS 1209.B.8.j AND 1209.B.8.m, THE FOLLOWING SIGN TYPES SHALL BE PERMITTED IN A MASTER PLANNED DEVELOPMENT SIGN PLAN: AERIAL VIEW SIGNS, ANIMATED SIGNS, ARCHITECTURAL LEDGE SIGNS, AWNING SIGNS, ELECTRONIC MESSAGE DISPLAY SIGNS, INFLATABLE SIGNS, KINETIC SIGNS, PROJECTED IMAGE SIGNS, PROJECTING SIGNS, ROOF SIGNS, SUPERGRAPHIC SIGNS, AND WAYFINDING SIGNS.

(2) MASTER PLANNED DEVELOPMENT SIGN PLAN APPLICATION. A MASTER PLANNED DEVELOPMENT SIGN PLAN APPLICATION SHALL INCLUDE THE FOLLOWING ELEMENTS:

- (A) SITE PLANS, BUILDING ELEVATIONS, OR PHOTOGRAPHS, AND DESIGN GUIDELINES FOR EACH TYPE OF SIGN TO BE PERMITTED WITHIN THE BOUNDARIES OF THE MASTER PLANNED DEVELOPMENT. THESE PLANS AND ELEVATIONS/ PHOTOGRAPHS SHALL INDICATE ORIENTATION, SIZE, LOCATION AND METHOD OF INSTALLATION OF SIGNS. INCLUDING DELINEATING ON THE SITE PLAN THE LOCATIONS AND ORIENTATION OF GROUND-MOUNTED SIGNS AND DELINEATING ON THE ELEVATIONS/ PHOTOGRAPHS THE AREA IN WHICH BUILDING/STRUCTURE MOUNTED SIGNS WILL BE CONTAINED. DESIGN GUIDELINES SHALL ADDRESS, AT A MINIMUM, ARCHITECTURAL COMPATIBILITY WITH PRIMARY STRUCTURES WITHIN THE MASTER PLANNED DEVELOPMENT.

- (B) CONTEXT PLAN. THE CONTEXT PLAN SHALL INCLUDE AN AERIAL PHOTOGRAPH OF THE MASTER PLANNED DEVELOPMENT AND THE SURROUNDING AREA WITH NOTATIONS OF THE CURRENT LAND USE OF PARCELS WITHIN THE DEVELOPMENT AND WITHIN 150 FEET OF THE PERIMETER OF THE DEVELOPMENT. THE CONTEXT PLAN SHALL ALSO INCLUDE PHOTOGRAPHS TAKEN LOOKING OUTWARD FROM THE PERIMETER OF THE MASTER PLANNED DEVELOPMENT AT 100 FOOT INTERVALS FOR THE ENTIRE BOUNDARY OF THE DEVELOPMENT.
- (C) STANDARDS. THE STANDARDS AND RESTRICTIONS FOR EACH SIGN TYPE SHALL INCLUDE, BUT NOT BE LIMITED TO SIZE, HEIGHT, ILLUMINATION, AND DURABILITY OF MATERIALS. THE STANDARDS SHALL ALSO INCLUDE CALCULATIONS SHOWING THE MAXIMUM SIGN AREA PERMITTED PER BUILDING FACE. IN NO CASE SHALL THE STANDARDS EXCEED THE FOLLOWING LIMITATIONS:
- i. GROUND SIGNS. GROUND SIGNS, WHICH MAY BE MULTI-FACED, SHALL NOT EXCEED 50 FEET IN HEIGHT AND NO SINGLE FACE SHALL EXCEED 600 SQUARE FEET. THE OVERALL HEIGHT OF GROUND SIGNS, INCLUDING SIGN EMBELLISHMENTS, SHALL NOT EXCEED 67% OF THE HEIGHT OF THE CLOSEST BUILDING.
 - ii. BUILDING MOUNTED SIGNS. AGGREGATE AREA FOR BUILDING MOUNTED SIGNS SHALL NOT EXCEED 100% OF THE FAÇADE TO WHICH THE SIGNS ARE ATTACHED, INCLUDING THE BUILDING ROOF. BUILDING MOUNTED SIGNS SHALL NOT PROJECT MORE THAN 20 FEET ABOVE THE PARAPET OR FROM THE FACE OF THE BUILDING.
 - iii. ILLUMINATION. SIGNS FACING OR ORIENTED TO AN EXISTING RESIDENTIAL USE OR STRUCTURE THAT HAS OBTAINED A CERTIFICATE OF OCCUPANCY FOR RESIDENTIAL USE AND LOCATED CLOSER THAN 60 FEET TO SUCH RESIDENTIAL USE OR STRUCTURE SHALL NOT BE ILLUMINATED BETWEEN MIDNIGHT AND SUNRISE.
 - iv. TEMPORARY SIGNS. TEMPORARY SIGNS SHALL BE ALLOWED AT THE SAME SIZES AND HEIGHTS AS PERMANENT SIGNS. TEMPORARY SIGNS/GRAPHICS SHALL BE ALLOWED TO COVER 100% OF CONSTRUCTION FENCING AND BARRICADES.
- (D) NARRATIVE. A WRITTEN NARRATIVE SHALL DISCUSS THE PURPOSE AND INTENT OF THE MASTER PLANNED

DEVELOPMENT SIGN PLAN AND ITS CONSISTENCY WITH THE DOWNTOWN PHOENIX PLAN. THE NARRATIVE SHALL ALSO ADDRESS THE QUANTITY AND DURABILITY/ANTICIPATED LIFESPAN OF THE PROPOSED SIGN MATERIALS.

- (E) ARCHITECTURAL LIGHTING. A MASTER PLANNED DEVELOPMENT SIGN PLAN MAY INCLUDE PROVISIONS REGARDING ARCHITECTURAL LIGHTING, THAT SHALL BE EXEMPT FROM CALCULATION AS SIGN AREA. ARCHITECTURAL LIGHTING SHALL NOT INCLUDE TEXT, LOGOS, MESSAGES, OR IMAGES OF ANY KIND. ARCHITECTURAL LIGHTING SHALL NOT FLASH, BLINK, SCROLL, MOVE OR STREAM.
- (3) APPROVAL OF A MASTER PLANNED DEVELOPMENT SIGN PLAN. AN APPLICATION FOR A MASTER PLANNED DEVELOPMENT SIGN PLAN SHALL BE SUBMITTED TO THE PLANNING AND DEVELOPMENT DIRECTOR OR DESIGNEE FOR REVIEW AND APPROVAL. THE PLANNING AND DEVELOPMENT DIRECTOR OR DESIGNEE SHALL APPROVE, APPROVE WITH CONDITIONS OR DENY SUCH APPLICATION WITHIN 15 WORKING DAYS OF RECEIPT OF THE APPLICATION. THE PLANNING AND DEVELOPMENT DIRECTOR OR DESIGNEE SHALL APPROVE SUCH APPLICATION ONLY IF THE FOLLOWING FINDINGS ARE MADE:
- (A) THE SIGNS, BANNERS, FLAGS AND ARCHITECTURAL LIGHTING ARE MOUNTED AND SECURED SO AS TO NOT POSE A DISTRACTION OR HAZARD TO VEHICLES AND PEDESTRIANS.
 - (B) THE SIGNS AND ARCHITECTURAL LIGHTING ARE APPROPRIATE IN SCALE, COMPOSITION, AND MANNER OF DISPLAY WITH SURROUNDING DEVELOPMENT.
 - (C) THE SIGNS AND ARCHITECTURAL LIGHTING CONFORM TO THE VISION, GOALS AND POLICIES OF THE DOWNTOWN PHOENIX PLAN.
- (4) DETAILED PROJECT SIGN PLAN APPLICATION. AN APPLICATION FOR APPROVAL OF A DETAILED PROJECT SIGN PLAN FOR A DEVELOPMENT WITHIN THE BOUNDARIES OF AN APPROVED MASTER PLANNED DEVELOPMENT SIGN PLAN SHALL INCLUDE THE FOLLOWING DOCUMENTS OR GRAPHICS:
- (A) SITE PLANS, BUILDING ELEVATIONS OR PHOTO SIMULATIONS THAT SHOW THE PLACEMENT OF THE SIGNS AND ARCHITECTURAL LIGHTING WITHIN THE MASTER PLANNED DEVELOPMENT AND ON THE SPECIFIC BUILDING, STRUCTURE OR SITE.
 - (B) GRAPHIC RENDERING OF THE SIGNS DEPICTING ITS LETTERING, ILLUMINATION, COLOR, SHAPE, AREA, AND HEIGHT.

- (C) DETAILS REGARDING ANY PROPOSED ANIMATION OR CHANGEABLE MESSAGES, INCLUDING DURATION OF EACH MESSAGE AND INTENSITY OF ILLUMINATION.
 - (D) PROPOSED HOURS FOR ILLUMINATION OF THE SIGNS.
 - (E) A WRITTEN NARRATIVE DISCUSSING THE DETAILED PROJECT SIGN PLAN'S CONSISTENCY WITH THE MASTER PLANNED DEVELOPMENT SIGN PLAN.
- (5) APPROVAL OF DETAILED PROJECT SIGN PLANS. AN APPLICATION FOR A DETAILED PROJECT SIGN PLAN SHALL BE SUBMITTED TO THE PLANNING AND DEVELOPMENT DIRECTOR OR DESIGNEE FOR REVIEW FOR CONFORMANCE WITH THE STANDARDS, RESTRICTIONS AND GUIDELINES OF THE MASTER PLANNED DEVELOPMENT SIGN PLAN. THE PLANNING AND DEVELOPMENT DIRECTOR OR DESIGNEE SHALL APPROVE, APPROVE WITH CONDITIONS, OR DENY A DETAILED PROJECT SIGN PLAN APPLICATION WITHIN 15 WORKING DAYS OF RECEIPT OF THE APPLICATION. THE PLANNING AND DEVELOPMENT DIRECTOR OR DESIGNEE SHALL APPROVE SUCH APPLICATION ONLY IF THE APPLICANT DEMONSTRATES THE FOLLOWING:
 - (A) THE SIZE AND LOCATION OF THE SIGNS, BANNERS, FLAGS OR ARCHITECTURAL LIGHTING IS ALLOWED UNDER THE STANDARDS OF THE MASTER DEVELOPMENT SIGN PLAN.
 - (B) THE SCALE, COMPOSITION AND MANNER OF DISPLAY OF THE SIGNS, BANNERS, FLAGS OR ARCHITECTURAL LIGHTING CONFORM TO THE STANDARDS AND GUIDELINES OF THE MASTER DEVELOPMENT SIGN PLAN.
 - (C) THE TYPE AND HOURS OF ILLUMINATION AND ANIMATION CONFORM TO THE STANDARDS OF THE MASTER DEVELOPMENT SIGN PLAN.
 - (D) THE DURABILITY OF THE MATERIALS PROPOSED FOR THE SIGNS, BANNERS, FLAGS OR ARCHITECTURAL LIGHTING IS APPROPRIATE FOR THE INTENDED LIFESPAN OF THE SIGNS, BANNERS, FLAGS OR ARCHITECTURAL LIGHTING.
- (6) APPEALS. AN APPLICANT MAY APPEAL THE DECISION OF THE PLANNING AND DEVELOPMENT DIRECTOR OR DESIGNEE REGARDING A MASTER PLANNED DEVELOPMENT SIGN PLAN WITHIN FIVE WORKING DAYS OF THE DECISION. APPEALS SHALL BE CONSIDERED BY THE ZONING ADJUSTMENT HEARING OFFICER THROUGH THE USE PERMIT PROCESS IN ACCORDANCE WITH THE PROVISIONS OF SECTION 307 ON THE NEXT AVAILABLE AGENDA. IN ADDITION TO THE STANDARDS OF SECTION 307, THE ZONING ADJUSTMENT HEARING OFFICER SHALL REVIEW THE DECISION WITH THE STANDARDS FOR APPROVAL ESTABLISHED IN SECTION 1209.B.8.n.

- (7) AMENDMENT. ANY PROPOSAL TO EXCEED THE STANDARDS AND, RESTRICTIONS ESTABLISHED IN A MASTER PLANNED DEVELOPMENT SIGN PLAN SHALL REQUIRE AMENDMENT THROUGH THE PROCESS REQUIRED FOR INITIAL APPLICATION AND APPROVAL OF A MASTER PLANNED DEVELOPMENT SIGN PLAN IN SECTION 1209.B.8.n.
- (8) SPECIFIC SIGNS. REQUESTS FOR APPROVAL OF SPECIFIC, INDIVIDUAL SIGNS WITH A MASTER PLANNED DEVELOPMENT MAY BE INCLUDED IN AN APPLICATION FOR EITHER A MASTER PLANNED DEVELOPMENT SIGN PLAN OR A DETAILED PROJECT SIGN PLAN. SUCH SIGNS SHALL NOT BE INSTALLED OR ERECTED BEFORE ISSUANCE OF A SIGN PERMIT FROM THE PLANNING AND DEVELOPMENT DEPARTMENT. IF A SPECIFIC, INDIVIDUAL SIGN WITHIN THE BOUNDARY OF A MASTER PLANNED DEVELOPMENT SIGN PLAN IS NOT INCLUDED IN EITHER THE MASTER PLANNED DEVELOPMENT SIGN PLAN OR A DETAILED PROJECT SIGN PLAN, AN APPLICATION FOR SUCH SIGN SHALL BE SUBMITTED TO THE PLANNING AND DEVELOPMENT DEPARTMENT FOR REVIEW FOR CONFORMANCE WITH THE APPLICABLE SIGN PLAN AND SHALL NOT BE INSTALLED OR ERECTED BEFORE ISSUANCE OF A SIGN PERMIT FROM THE PLANNING AND DEVELOPMENT DEPARTMENT.
- o. SIGNAGE MAY BE INCREASED BY UP TO 25% IF A COMPREHENSIVE SIGN PLAN IS APPROVED AS PROVIDED IN SECTION 705.E OF THE PHOENIX ZONING ORDINANCE.

~~D.-C.~~ Taylor Street Pedestrian Paseo Guidelines.

~~E.-D.~~ Streetscape Standards.

STREETSCAPE STANDARDS MATRIX							
STREET SECTION	Ground floor uses	Minimum Building Setback	Maximum Building Setback	Building Frontage	Allowed Frontage Types	Minimum Sidewalk Width	Minimum Green STREETSCAPE Zone Width
Fillmore Street 3rd Ave. to 5th St.	All allowed uses	5'	10'	Minimum 50%	ALL	8'5'	6'6'
Taylor Street 1st St. to 3rd St.	Non-Residential	5'	5'	Minimum 75%	S, GA, SY	8'	6'
Polk Street Central Ave. to 3 rd 2ND St.	Non-Residential	0'	5'	Minimum 75%	S, GA, SY	8'	6'
Van Buren Street 3rd Ave. to 7 th 5TH	Non-Residential	0'	5'	Minimum 75%	S, GA	8'	6'

St.							
Monroe Street 5th Ave. to 5TH 7th St.	Non-Residential	0'	5'	Minimum 75%	S, GA	10'	6'

ADAMS STREET 7 TH AVE TO 7 TH AVE	-	<u>0'</u>	<u>5'</u>	MINIMUM <u>75%</u>	ALL	<u>5'</u>	<u>10'</u>
Adams Street 7th Ave. to 3rd Ave.	Non-Residential	0'	5'	Minimum 75%	S, GA	8'	6'
Adams Street 3rd Ave. to 2ND 3rd St.	Non-Residential	0'	5'	Minimum 75%	S, GA	10'	6'
Washington Street 7th 8 TH Ave. to 2nd St.	Non-Residential	0'	5'	Minimum 75%	S, GA	10'	6'
Washington Street 2ND 3rd St. to 7th St.	Non-Residential	0'	5'	Minimum 75%	S, GA	8'	6'
Jefferson Street 8TH 7th Ave. to 3rd Ave.	Non-Residential	0'	5'	Minimum 75%	S, GA	8'	6'
Jefferson Street 3rd Ave. to 5th St.	Non-Residential	0'	5'	Minimum 75%	S, GA	10'	6'
Jefferson Street 5th St. to 7th St.	Non-Residential	0'	5'	Minimum 75%	S, GA	8'	6'
MADISON STREET 8 TH AVE TO 7 TH AVE	-	<u>0'</u>	<u>5'</u>	Minimum <u>75%</u>	S, GA	<u>8'</u>	<u>6'</u>

Madison Street 5th Ave. to 1st St.	Non-Residential	0'	5'	Minimum 75%	S, GA	8'	6'
Jackson Street 7th Ave. TO 5 TH AVE Central to Ave.	Non-Residential	0'	5'	Minimum 75%	S, GA	8'	6'
JACKSON STREET TH	-	<u>0'</u>	<u>5'</u>	Minimum <u>75%</u>	S, GA	<u>8'</u>	<u>6'</u>

4 AVE TO 1 ST AVE							
Jackson Street 1st St. to 4th St.	Non-Residential	0'	5'	Minimum 75%	S, GA	10'	6'
Buchanan Street 4th St. to 7th St.	All allowed uses	5'	10'	Minimum 75%	SD, DY, S, GA	8'	6'
Lincoln Street 4th St. to 7th St.	All allowed uses	5'	10'	Minimum 75%	SD, DY, S, GA	8'	6'
8th Avenue Adams St. to Madison St.	Non-Residential	5'	10'	Minimum 75%	S, GA, SY	8'	6'
7th Avenue Adams St. to JEFFERSON ST Harrison St. alignment	Non-Residential	5'	10'	Minimum 75%	S, GA	8' 6'	6' 8'

7 TH AVENUE JEFFERSON ST TO HARRISON ST ALIGNMENT	-	NONE REQUIRED	NONE REQUIRED	NONE REQUIRED	ALL	<u>6'</u>	<u>8'</u>
6th Avenue Adams St. to WASHINGTON ST Harrison St. alignment	Non-Residential	5'	10'	Minimum 50%	S, GA	8'	6'
5th Avenue Monroe St. to Washington St.	All allowed uses	5'	10'	Minimum 75%	SD, DY, S, GA	10' 5'	6' 5'
5th Avenue Washington JEFFERS ON St. to Harrison St. alignment	Non-Residential	5'	10'	Minimum 50%	ALL	8' WEST <u>5'</u> EAST	6' WEST <u>5'</u> EAST
4th Avenue Monroe St. to Washington St.	All allowed uses	5'	10'	Minimum 50%	ALL	8'	6'
4th Avenue Washington St. to Jackson St.	All allowed uses	5'	10'	Minimum 75%	SD, DY, S, GA	10'	6'

3rd Avenue Fillmore St. to Van Buren St.	All allowed uses	5'	10'	Minimum 75%	SD, DY, S, GA	8'	6'

3rd Avenue Van Buren St. to Washington St.	All allowed uses	5'	10'	Minimum 50%	ALL	8'	6'
3rd Avenue Washington St. to Jackson St.	Non- Residential	5'	10'	Minimum 75%	S, GA	8'	6'
2nd Avenue Fillmore St. to Adams MONROE St.	All allowed uses	5'	10'	Minimum 75%	SD, DY, S, GA	10' 6'(1)	
2 ND AVENUE MONROE ST. TO ADAMS ST.	-	<u>5'</u>	<u>10'</u>	MINIMUM 75%	SD, DY, S, GA	<u>10'</u>	<u>6'</u>
1st Avenue Fillmore St. to Madison St.	Non- Residential	5'	10'	Minimum 75%	S, GA	8'	6'
1st Avenue Madison St. to Jackson St.	Non- Residential	5' NONE REQUIRED	10' NONE REQUIRED	Minimum 50% NONE REQUIRED	ALL	8' 6' PER EXISTING PLANS(1)	
Central Avenue Fillmore St. to Madison St.	Non- Residential	5'	10'	Minimum 75%	S, GA	10'	6'

1st Street Fillmore St. to Jackson St.	Non- Residential	5'	10'	Minimum 75%	S, GA	10'	6'
2nd Street Fillmore St. to Jefferson St.	Non- Residential	5'	10'	Minimum 75%	S, GA	10'	6'
3rd Street Fillmore St. to Jackson St.	Non- Residential	5'	10'	Minimum 75%	S, GA	10'	6'
4th Street Jefferson St. to Jackson St.	Non- Residential	5'	10'	Minimum 75%	S, GA	8-5'	6-5'
4th Street Jefferson JACKSON St. to Lincoln St.	All allowed uses	5'	10'	Minimum 75%	SD, DY, S, GA	8'	6'
5th Street Fillmore St. to Van Buren St.	All allowed uses	5'	10'	Minimum 75%	SD, DY, S, GA	8'	6'
5th Street Van Buren St. to Jefferson St.	Non- Residential	5'	10'	Minimum 50%	S, GA, SY	8'	6'
5th Street Buchanan St. to	All allowed uses	5'	10'	Minimum 50%	ALL	8'	6'

Lincoln St.							
6th Street Buchanan St. to Lincoln St.	All allowed uses	5'	10'	Minimum 50%	ALL	8'	6'

7th Street Van Buren MONROE St. to Jefferson St.	Non- Residential	5'	10'	Minimum 75%	S, GA	8'	6'
7th Street Jefferson St. to Lincoln St.	All allowed uses	5' NONE REQUIRED	10' NONE REQUIRED	Minimum 75% NONE REQUIRED	SD, DY, GA ALL	8'	6'

(AFY) Active Front Yard, (SD) Stoop/Dooryard WELL, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

(1) PER PLANS APPROVED BY STREET TRANSPORTATION DEPARTMENT.

Amend Chapter 12, Section 1210 (Downtown Code, Central Park) to read as follows:

- A. Intent. Central Park has a strong historic single family ~~form~~ FORM and scale that should be preserved as this area redevelops. A seamless integration of new buildings within the existing fabric should be promoted. Mixed uses, home offices and workshops are allowed in THE PRIMARY STRUCTURE AND IN appropriately scaled accessory buildings. Landscaping is residential in character with front yards separating the building from the sidewalk. Sidewalks are shaded by trees in parkway strips. Parking should be on the street and within detached garages behind the primary structure.

5. Projections.

- b. Awnings, cornices, roof overhangs, and eaves may project more than three (3) feet into any required setback providing they come no closer ~~that~~ THAN two (2) feet from a property line.

8. SIGNAGE.

SIGNAGE SUBJECT TO THE REGULATIONS OF PHOENIX ZONING ORDINANCE SECTION 705 TABLE D-1, NON-RESIDENTIAL ACTIVITY IN A RESIDENTIAL DISTRICT RIGHT-OF-WAY STANDARDS.

C. Building Form Guidelines.

1. Building design.

- d. Buildings wider than 50 feet should be designed to ~~read~~ APPEAR as a series of buildingS no wider than 50 feet each.

E. Streetscape Standards.

STREETSCAPE STANDARDS MATRIX							
STREET SECTION	Ground floor uses	Minimum Building Setback	Maximum Building Setback	Building Frontage	Allowed Frontage Types	Minimum Sidewalk Width	Minimum Green STREETSCAPE Zone Width

TONOTO Street Central ALLEY WEST OF 1 ST ST. Central Ave. to 4 TH 1st St.	All allowed uses	5'	10' 25' -	Minimum 50% N/A	AFY, SD, DY, S, SY	8' 5' -	10' 7' -
TONOTO Street 1st St. to 2nd St.	All allowed uses	15'	25'	Minimum 50%	AFY, SD, DY, S	8'	8'
TONOTO Street 3rd St. to 4th St.	All allowed uses	5'	10'	N/A	AFY, SD, DY, S, SY	8'	8'
Hadley Street ALLEY WEST OF 1 ST ST. to 1st St.	All allowed uses	5'	25	Minimum 50 25%	AFY, SD, DY, S	7' 5' -	10' 7' -

Hadley Street 1st St. to 2nd St.	All allowed uses	5' 15' -	25'	Minimum 50%	AFY, SD, DY, S	7' 5' -	8' 7' -
Hadley Street 2nd St. to 4th St.	All allowed uses	5'	10' 25' -	Minimum 25 50%	AFY, SD, DY, S	7' 5' -	8' 7' -
1st Street SOUTH OF Grant St. to NORTH OF Buckeye Rd.	All allowed uses	15'	25'	Minimum 50%	AFY, SD, DY, S	6' 5' -	6' 7' -
2nd Street SOUTH OF Grant St. to NORTH OF Buckeye Rd.	All allowed uses	15'	25'	Minimum 50%	AFY, SD, DY	6' 5' -	6' 7' -
3rd Street SOUTH OF Grant St. to NORTH OF HADLEY ST. Buckeye Rd.	All allowed uses	15'	25'	Minimum 50%	AFY, SD, DY	7' 5' -	10' 15' -
4th Street SOUTH OF Grant St. to HADLEY ST. Buckeye	All allowed uses	15'	25'	Minimum 50%	AFY, SD, DY	6' 5'	NONE REQUIRED* 6'

Re:							
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(AFY) Active Front Yard, (SD) Stoop/Dooryard and WELL, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

* SEVEN-FOOT FRONT YARD LANDSCAPE REQUIRED FOR DEVELOPMENTS WITH A NET AREA GREATER THAN 20,000 SQUARE FEET.

Amend Chapter 12, Section 1211 (Downtown Code, Commercial Corridors) to read as follows:

B. Development Standards.

3. Maximum lot coverage.

a. *Lot coverage:* 50%.

(1) *Bonus:* Maximum ~~75%~~ lot coverage.

5. Projections.

b. Awnings, cornices, roof overhangs, and eaves may project ~~more than three (3) feet~~ into any required setback ~~providing they come no closer than two (2) feet from a property line.~~

8. SIGNAGE.

SIGNAGE IS SUBJECT TO THE REGULATIONS OF PHOENIX ZONING ORDINANCE SECTION 705 TABLE D-1, COMMERCIAL/ INDUSTRIAL RIGHT-OF-WAY LOW VOLUME STREET STANDARDS.

C. Building Form Guidelines.

5. Buildings wider than 50 feet should be designed to ~~read~~ APPEAR as a series of building no wider than 50 feet each.

D. Streetscape Standards.

STREETSCAPE STANDARDS MATRIX							
STREET SECTION	Ground floor uses	Minimum Building Setback	Maximum Building Setback	Building Frontage	Allowed Frontage Types	Minimum Sidewalk Width	Minimum Green STREETSCAPE Zone Width
7TH AVENUE CORRIDOR							
7th Avenue Alley north of Roosevelt St. to Fillmore St.	Non-Residential	0'	5'	Minimum 75%	S, GA	6'	6'
Roosevelt Street Alley east	All allowed uses	5'	10'	Minimum 50%	AFY, SD, DY, S, SY	6'5' -	6' OR GREATER IF ESTABLISHED

of 7th AVE. St. to Alley west of 7th AVE. St.							
MckKinley Street Alley east of 7th AVE St. to ALLEY WEST OF 7th AVE St.	All allowed uses	5'	10'	Minimum 50%	AFY, SD, DY, S, SY	6'5'	<u>5'</u> WEST OF 7 TH AVE <u>9'</u> EAST OF 7TH

PIERCE STREET 7th AVE. TO ALLEY WEST OF 7th AVE	-	<u>5'</u>	<u>10'</u>	MINIMUM 50%	AFY, SD, DY, S, SY	<u>5'</u> -	<u>5'</u>
Fillmore Street Alley east of 7th AVE. St. to Alley west of 7th AVE. St.	All allowed uses	5'	10'	Minimum 50%	AFY, SD, DY, S, SY	6'5' -	<u>7'</u> OR GREATER IF ESTABLISHED <u>8'</u>
CENTRAL AVENUE SOUTH CORRIDOR							
Central Avenue Grant St. to HADLEY ST. Buckeye Rd.	Non-Residential	0'	5'	Minimum 75%	S, GA	6'5' -	<u>6'</u>
CENTRAL AVENUE Hadley St. to Buckeye Rd.	Non-Residential	<u>0'</u>	<u>5'</u>	MINIMUM 75%	S, GA	<u>5'</u> :	<u>3'</u>
Grant Street 2nd Ave. to 2nd St.	All allowed uses	5'	10'	Minimum 50%	SD, DY, S, SY	40'5' -	<u>6'10'</u> -
Sherman Street 2nd Ave. to 1st St. AVE. Crossover	All allowed uses	5'	10'	Minimum 50%	SD, DY, S, SY	40'5' -	<u>6'</u>
Hadley Street 1st Ave. to Alley east of Central Ave.	All allowed uses	5'	10'	Minimum 50%	SD, DY, S, SY	6'5' -	<u>6'7'</u> -
Ten Oto Street 1st Ave. to Alley east of Central Ave.	All allowed uses	5'	10'	Minimum 50%	SD, DY, S, SY	6'5' -	<u>6'7'</u>

Buckeye Road Alley west of Central Ave. to 3 rd St. 4 th St.	Non- Residential	0'	5'	Minimum 50%	S, GA	6'5' -	6'7'
BUCKEYE ROAD Alley west of 3 rd ST to 4 th St.	Non- Residential	0'	5'	MINIMUM <u>50%</u>	S, GA	7'	NONE REQUIRED*
2nd Avenue Grant St. to Sherman St.	Non- Residential	0'	5'	Minimum 50%	ALL	4'5' -	6'4' -
1st Avenue Grant St. to Sherman St.	Non- Residential	0'	5'	Minimum 75%	S, GA	4'5' -	6'14' -
1st Avenue Crossover Grant St. to Medley SHERMAN HADLEY St.	Non- Residential	0'	5'	Minimum 75%	S, GA	6'	6'
1st Avenue Mosley HADLEY St. to Ton to St.	All allowed uses	5'	25'	Minimum 50%	AFY, SD, DY, S	4'5' -	6'13' -
1 ST ST SOUTH OF GRANT ST.	-	<u>15'</u>	<u>25'</u>	MINIMUM 50%	AFY, SD, DY, S	<u>5'</u>	<u>7'</u>
1st Street Adjacent to Buckeye Rd.	All allowed uses	10'	20'	Minimum 50%	AFY, SD, DY, S	6'5' -	6'7' -
2 ND STREET SOUTH OF GRANT	-	<u>15'</u>	<u>25'</u>	Minimum 50%	AFY, SD, DY	<u>5'</u>	<u>7'</u>
2nd Street Adjacent to Buckeye Rd.	All allowed uses	10'	20'	Minimum 50%	AFY, SD, DY, S	<u>5'</u> <u>6'</u>	<u>7'</u> <u>6'</u>
3rd Street Ton to St. to Buckeye Rd.	All allowed uses	10'	20'	Minimum 50%	AFY, SD, DY, S	7'5' -	4'15' -
4th Street Ton to St. to Buckeye Rd.	Non- Residential	10'	20'	Minimum 50%	AFY, SD, DY, S, SY	<u>5'</u> <u>6'</u>	<u>5'</u> <u>6'</u>

(AFY) Active Front Yard, (SD) Stoop/Dooryard WELL, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

* SEVEN-FOOT FRONT YARD LANDSCAPE REQUIRED FOR DEVELOPMENTS WITH A NET AREA GREATER THAN 20,000 SQUARE FEET.

Amend Chapter 12, Section 1212 (Downtown Code, Downtown Gateway) to read as follows:

B. Development Standards.

7. SIGNAGE.

SIGNAGE SUBJECT TO THE REGULATIONS OF PHOENIX ZONING ORDINANCE SECTION 705 TABLE D-1, NON-RESIDENTIAL ACTIVITY IN A RESIDENTIAL DISTRICT RIGHT-OF-WAY STANDARDS.

C. Building Form Guidelines.

2. Upper floors should be served by common entrance lobbies that ~~shall~~ SHOULD be accessed from the ~~front or pedestrian~~ Street.

5. The reflectivity of windows should be limited to ~~twenty (20%) percent~~.

D. Streetscape Standards.

STREETSCAPE STANDARDS MATRIX							
STREET SECTION	Ground floor uses	Minimum Building Setback	Maximum Building Setback	Building Frontage	Allowed Frontage Types	Minimum Sidewalk Width	Minimum Green STREETSCAPE Zone Width
Coronado Road Central Ave. to Alvarado Rd.	Non-Residential	0'	5'	Minimum 75%	SD, DY, S	8'	8'
McDowell Road 1st Ave. to Alvarado Rd.	Non-Residential	0'	5'	Minimum 75%	SFD, GA	8'	8'

Lynwood Street 1st Ave. WEST OF CENTRAL AVE. to Central Ave.	Non-Residential	0'	5'	Minimum 75%	SD, DY, S	8'	8'
Willetta Street Central Ave. to 1st St.	Non-Residential	0'	5'	Minimum 50%	ALL	8'	8'
Culver Street 1st St. WEST OF CENTRAL AVE. to Central Ave.	Non-Residential	0'	5'	Minimum 50%	ALL	8'	8'
Roosevelt Street ALLEY WEST OF 1st Ave. to ALLEY EAST OF CENTRAL AVE. 1st St.	Non-Residential	0'	5'	Minimum 75%	SD, DY, S	8'	8'

Portland Street 1st Ave. WEST OF CENTRAL AVE. to Central Ave.	Non- Residential	0'	5'	Minimum 75%	SD, DY, S	8'	8'
Portland Street Central Ave. to TO ALLEY EAST OF CENTRAL AVE. 1st St.	Non- Residential	0'	5'	Minimum 50%	ALL	8'	8'
Garfield Street Central Ave. to ALLEY EAST OF CENTRAL AVE. 1st St.	Non- Residential	0'	5'	Minimum 50%	ALL	8'	8'
McKinley Street ALLEY WEST OF 1st Ave. to ALLEY EAST OF CENTRAL AVE. 1st St.	Non- Residential	0'	5'	Minimum 50%	ALL	8'	8'
Pierce Street Central Ave. to ALLEY EAST OF CENTRAL AVE. 1st St.	Non- Residential	0'	5'	Minimum 50%	ALL	8'	8'
Fillmore Street ALLEY WEST OF 1st Ave. to ALLEY EAST OF CENTRAL AVE. 1st St.	Non- Residential	0'	5'	Minimum 50%	ALL	8'	8'
1st Avenue ALLEY NORTH OF ALMERIA RD. Coronado Rd. to McDowell Rd.	All Allowed Uses	5'	20'	N/A	SD, SY	8'	8'
1st Avenue Roosevelt St. to McKinley St.	Non- Residential	0'	5'	Minimum 75%	SFD, GA	8'	8'
1st Avenue McKinley St. to Fillmore St.	Non- Residential	0'	5'	Minimum 75%	SFD, GA	8'	8'
Central Avenue Coronado Rd. to Roosevelt St.	Non- Residential	0'	5'	Minimum 75%	SFD, GA	8'	8'
Central Avenue Roosevelt St. to Fillmore St.	Non- Residential	0'	5'	Minimum 75%	SFD, GA	8'	8'
1st St. McDowell Rd. to	Non- Residential	0'	5'	Minimum 75%	SD, DY, S	8'	8'

Willetta St. (Cancer Survivor Park)							
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(AFY) Active Front Yard, (SD) Stoop/Dooryard WELL, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

Amend Chapter 12, Section 1213 (Downtown Code, East Evergreen) to read as follows:

B. Development Standards.

5. Projections.

- b. Awnings, cornices, roof overhangs, and eaves may project more than three ~~(3)~~ feet into any required setback providing they come no closer ~~that~~ THAN two ~~(2)~~ feet from a property line.

7. Fences.

- a. *Side yard*: Maximum height 6 feet.

- (1) Side street fences should not extend closer than five ~~(5)~~ feet from the front facade of the building.

- d. For properties located within an Historic Preservation (HP) Overlay District, fences or freestanding walls in the front yard, meaning the space between the structure and the street right-of-way line, may not exceed a maximum height of three ~~(3)~~ feet, and are conditioned upon obtaining a certificate of appropriateness or no effect in accordance with Section 812 of the Phoenix Zoning Ordinance. This height limitation extends to a point three ~~(3)~~ feet beyond the front corner(s) of the primary structure.

8. SIGNAGE.

SIGNAGE SUBJECT TO THE REGULATIONS OF PHOENIX ZONING ORDINANCE SECTION 705 TABLE D-1, COMMERCIAL/INDUSTRIAL RIGHT-OF-WAY LOW VOLUME STREET STANDARDS.

C. Building Form Guidelines.

3. Primary buildings should incorporate a minimum 25% of brick, ~~or~~ brick veneer OR DECORATIVE MASONRY on every facade.

4. Fences.

- a. Fences along the front street should be discouraged.

- b. ~~Front~~ PEDESTRIAN ~~s~~ Street fences shall be composed of view fencing.

E. Streetscape Standards.

STREETSCAPE STANDARDS MATRIX							
STREET SECTION	Ground Floor Uses	Minimum Building Setback	Maximum Building Setback	Building Frontage	Allowed Frontage Types	Minimum Sidewalk Width	Minimum Green STREETSCAPE Zone Width

Lynwood Street Approximately WEST OF 7th St. to 4th St.	All allowed uses	15'	25'	Minimum 50%	AFY	5'	6'5' NORTH 4' SOUTH
Willett WILLETTA Street Approximately WEST OF 7th St. to EAST OF 3 RD 4th St.	All allowed uses	15'	25'	Minimum 50%	AFY, DY	4'2'5'	6'14'
5th Street Approximately SOUTH OF McDowell Rd. to I-10 FREEWAY McFarland St.	All allowed uses	5'	15'	Minimum 50%	AFY, DY, SY	4'2'5'	6'14'
	-					-	-

(AFY) Active Front Yard, (SD) Stoop/Dooryard and WELL, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

Amend Chapter 12, Section 1214 (Downtown Code, Evans Churchill East) to read as follows:

- A. Intent. The primary intent of the Evans Churchill East Character Area is to be continuously evolving arts oriented mixed-use community. Home to unique art galleries and trendy restaurants, the existing character consisting of arts-oriented uses coupled with various small businesses should be preserved and additional developments should be consistent with this character. New mixed-use development shares space with old bungalows and historic homes, and new live-work units provide additional commercial spaces to cater to the needs of artists. New pedestrian corridors create connectivity to surrounding destinations, such as the downtown ~~asu~~ ASU campus to the south and ~~Hance Park~~ Hance Park to the north, while new open spaces will be added to serve the increasing number of new residents and create opportunities for public gatherings and art display.

- B. Development Standards.

4. Minimum side and rear setbacks.

- a. *Primary building.*

(1) *Side:* 5 feet.

(2) *Rear:* 15 feet.

- (a). THE REAR SETBACK CAN BE REDUCED TO ZERO FEET
IF A FULLY DEDICATED ALLEY IS PRESENT.

7. SIGNAGE

SIGNAGE SUBJECT TO THE REGULATIONS OF PHOENIX ZONING ORDINANCE
SECTION 705 TABLE D-1, COMMERCIAL/ INDUSTRIAL RIGHT-OF-WAY LOW
VOLUME STREET STANDARDS.

C. Building Form Guidelines.

1. Standards applicable to building taller than 65 feet in height.

a. *General standards.*

- (2) Upper floors should be served by common entrance lobbies that ~~shall~~ SHOULD be accessed from the ~~front or pedestrian street~~.

- (5) The reflectivity of windows should be limited to ~~twenty (20%) percent~~.

b. *Base standards.*

- (1) All buildings over four stories in height should be designed with a base that is differentiated from the remainder of the building in order to relate to the street. The base may be between one ~~(1)~~ and four ~~(4)~~ stories in height, and should be scaled to the immediate context.

D. Open Space Guidelines.

1. For sites of 50,000 net square feet or larger, minimum open space in the amount of at least 5% of the net lot area should be provided.

- b. The open space should connect or be visible from a ~~front or pedestrian street~~.

c. *Landscape.*

- (2) Fences/walls.

(a) *Height:* 6 feet maximum.

(b) *Materials:* Wrought iron, brick, OR DECORATIVE MASONRY.

E. Frontage Modifications.

1. Dooryard and stoop/door well.

- a. Facades should exhibit varying building design to appear as multiple units.

- b. No more than two ~~(2)~~ consecutive façade designs should use the same color paint or method of articulation.

F. Streetscape Standards.

STREETSCAPE STANDARDS MATRIX							
STREET SECTION	Ground floor uses	Minimum Building Setback	Maximum Building Setback	Building Frontage	Allowed Frontage Types	Minimum Sidewalk Width	Minimum Green STREETSCAPE Zone Width
Moreland Street 3 rd St. to 7 th St.	All allowed uses	10'	20'	Minimum 75%	AFY, SD, DY	8'5'	6'15'
Portland Street	All allowed uses	10'	20'	Minimum 75%	AFY, SD, DY	8'5'	6'15'

3rd St. to 7th St.							
Roosevelt Street 3rd St. to 7th St.	Non- Residential	5'	15'	Minimum 75%	AFY, SD, DY, S	4'7'	8'10'
Garfield Street 4th St. to 76th St.	All-allowed uses	5'	15'	Minimum 50%	ALL	8'5'	6'15'
GARFIELD STREET 6 TH ST. TO 7 TH ST.	-	<u>5'</u>	<u>15'</u>	MINIMUM <u>50%</u>	ALL	<u>5'</u>	<u>7'</u>
McKinley Street 4 th 6TH St. to 7th St.	All-allowed uses	5'	15'	Minimum 50%	ALL	8'5'	8'15'

Fillmore Street 6th St. to 7th St.	All-allowed uses	5'	15'	Minimum 50%	ALL	8'	8'
3rd Street NORTH OF Moreland St. to RooseveltPORTLAND St.	Non- Residential	5'	15'	Minimum 75%	AFY, SD, DY, SALL	8'5'	8'12'
3 RD STREET PORTLAND ST. TO ROOSEVELT ST.	-	<u>5'</u>	<u>15'</u>	MINIMUM <u>75%</u>	ALL	<u>5'</u>	<u>10'</u>
4th Street Roosevelt St. to McKinleyGARFIELD St.	Non- Residential	5'	15'	Minimum 75%	AFY, SD, DY, S	8'5'	8'10'
5th Street Moreland to Roosevelt St.	All-allowed uses	5'	15'	Minimum 75%	AFY, SD, DY, S	8'5'	6'15'
5th Street Roosevelt St. to GARFIELD McKinley St.	All-allowed uses	5'	15'	Minimum 75%	AFY, SD, DY, S	4'5'	8'15'
6th Street Roosevelt St. to GARFIELD Fillmore St.	All-allowed uses	5'	15'	Minimum 75%	SD, DY, S, GA	8'5'	6'15'

7th Street Moreland St. to MCKINLEY	All-allowed uses	0'	5'	Minimum 75%	SD, DY, S, GA	8'	8'
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Fillmore St.							
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(AFY) Active Front Yard, (SD) Stoop/Doorway and WELL, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

Amend Chapter 12, Section 1215 (Downtown Code, Evans Churchill West) to read as follows:

B. Development Standards.

7. SIGNAGE.

SIGNAGE SUBJECT TO THE REGULATIONS OF PHOENIX ZONING ORDINANCE
SECTION 705 TABLE D-1, COMMERCIAL/ INDUSTRIAL RIGHT-OF-WAY LOW
VOLUME STREET STANDARDS.

C. Building Form Guidelines.

1. Standards applicable to building taller than 65 feet in height.

a. *General standards.*

- (2) Upper floors should be served by common entrance lobbies that ~~shall~~
SHOULD be accessed from the ~~front or pedestrian~~ Street.

- (5) The reflectivity of windows should be limited to ~~twenty (20%) percent~~.

b. *Base standards.*

- (1) All buildings over four stories in height should be designed with a base
that is differentiated from the remainder of the building in order to relate
to the street. The base may be between one ~~(1)~~ and four ~~(4)~~ stories in
height, and should be scaled to the immediate context.

D. Open Space Guidelines.

1. For sites of 50,000 net square feet or larger, open space in an amount of at least 5% of
the net lot area should be provided.

- b. The open space should connect or be visible from a ~~front or pedestrian~~ Street.

d. *Fences/walls.*

- (1) *Height:* 6 feet maximum.

- (2) *Materials:* wrought iron, brick, OR DECORATIVE MASONRY.

E. Frontage Modifications.

1. Dooryard and stoop/door well.

- b. No more than two ~~(2)~~ consecutive facade designs should use the same color
paint or method of articulation.

F. Streetscape Standards.

STREETSCAPE STANDARDS MATRIX

STREET SECTION	Ground floor uses	Minimum Building Setback	Maximum Building Setback	Building Frontage	Allowed Frontage Types	Minimum Sidewalk Width	Minimum Green STREETScape Zone Width
Moreland Street Alley east of Central Ave 1 ST ST. to 3rd St.	All allowed uses	5'	15'	Minimum 50%	SD, DY, S, GA, SY	8' 5'	6' 15'
Portland Street Alley east of Central Ave. to 3rd St.	All allowed uses	5'	15'	Minimum 50%	SD, DY, S, GA, SY	8' 5'	6' 15'
Roosevelt Street Alley east of Central Ave. to 3rd 4 TH St.	Non-Residential	5'	15'	Minimum 75%	SD, DY, S,	12'	6'
Garfield Street Alley east of Central Ave. to 4th St.	All allowed uses	5'	15'	Minimum 50%	SD, DY, S, GA, SY	8' 5'	6' 15'

McKinley Street Alley east of Central Ave. to 4th St.	All allowed uses	5'	15'	Minimum 50%	SD, DY, S, GA, SY	12' 5'	6' 15'
Pierce Street Alley east of Central Ave. to 2nd St. & 3rd St. to 4th St.	All allowed uses	5'	15'	Minimum 50%	SD, DY, S, GA, SY	8' 5'	6' 10'
Fillmore Street Alley east of Central Ave. to 5th St.	All allowed uses	5'	15'	Minimum 50%	AD , DY, S, GA, SY	8'	6'
FILLMORE STREET 1 ST ST TO 2 ND ST	-	<u>5'</u>	<u>15'</u>	MINIMUM 50%	DY, S, GA, SY	<u>5'</u>	<u>10'</u>
FILLMORE STREET 2 ND ST TO 3 RD ST	-	<u>5'</u>	<u>15'</u>	MINIMUM 50%	DY, S, GA, SY	<u>5'</u> NORTH <u>8'</u> SOUTH	<u>5'</u> NORTH <u>7'</u> SOUTH

FILLMORE STREET 3 RD ST TO 5 TH ST	-	<u>5'</u>	<u>15'</u>	MINIMUM 50%	DY, S, GA, SY	8' NORTH <u>5'</u> SOUTH	<u>7'</u> NORTH <u>10'</u> SOUTH
1 st Street Moreland St. to FILLMORE Van Buren St.	Non-Residential	0'	5'	Minimum 75%	SD, DY, S, GA	42'(1)	6'(1)
2nd Street Moreland St. to MCKINLEY ST. Van Buren St.	Non-Residential	0'	5'	Minimum 75%	SD, DY, S, GA	40' <u>5'</u>	8' <u>20'</u>
2 ND STREET MCKINLEY ST TO FILLMORE ST	-	<u>0'</u>	<u>5'</u>	MINIMUM 75%	SD, DY, S, GA	<u>5'</u>	<u>10'</u> EAST <u>20'</u> WEST
3rd Street Moreland St. to PORTLAND Van Buren St.	All allowed uses	5'	15'	Minimum 75%	SD, DY, S, GA	40' <u>5'</u>	6' <u>10'</u>
3 RD STREET PORTLAND ST TO ALLEY NORTH OF ROOSEVELT ST	-	<u>5'</u>	<u>15'</u>	MINIMUM 75%	SD, DY, S, GA	<u>5'</u>	<u>15'</u> EAST <u>5'</u> WEST
3 RD STREET ALLEY NORTH OF ROOSEVELT STREET TO ROOSEVELT ST	-	<u>5'</u>	<u>15'</u>	MINIMUM <u>75%</u>	SD, DY, S, GA	<u>5'</u>	<u>5'</u>
3 RD STREET ROOSEVELT ST TO FILLMORE ST	-	<u>5'</u>	<u>15'</u>	MINIMUM <u>75%</u>	SD, DY, S, GA	<u>5'</u>	<u>10'</u>
4th Street Moreland ROOSEVELT St. to FILLMORE Van Buren St.	Non-Residential	5'	15'	Minimum 75%	SD, DY, S, GA	40' <u>5'</u>	6' <u>10'</u>

(AFY) Active Front Yard, (SD) Stoop/Dooryard and WELL, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

(1) PER PLANS APPROVED BY STREET TRANSPORTATION DEPARTMENT.

Amend Chapter 12, Section 1216 (Downtown Code, McDowell Corridor) to read as follows:

B. Development Standards.

3. Maximum lot coverage.

a. *Lot coverage: 50%.*

(1) *Bonus: Maximum ~~25-85%~~ increase in lot coverage.*

4. Minimum side and rear setbacks.

a. *Primary building.*

(1) *Side: 5 feet.*

(2) *Rear: 15 feet FROM THE PROPERTY LINE.*

5. Projections.

~~a. Maximum projection by porches, patios, balconies and porte-cocheres into required building setback.~~

~~- - -~~

~~- (1) Front street: 10 feet.~~

~~- - -~~

~~- (2) Side street: 5 feet.~~

~~b. a. Awnings, cornices, roof overhangs, and eaves may project more than three (3) feet into any required setback providing they come no closer than two (2) feet from a property line.~~

7. Fences.

a. *Side yard: Maximum height 6 feet.*

b. *Rear yard: Maximum height 6 feet.*

c. PEDESTRIAN STREET FENCES SHOULD BE COMPOSED OF VIEW FENCING.

8. SIGNAGE.

SIGNAGE SUBJECT TO THE REGULATIONS OF PHOENIX ZONING ORDINANCE SECTION 705 TABLE D-1, COMMERCIAL/ INDUSTRIAL RIGHT-OF-WAY LOW VOLUME STREET STANDARDS.

C. Building Form Guidelines.

~~1.~~

~~Architectural elements. Accent materials and building design should contribute to creating a coherent architectural concept that is consistent with the surrounding design of the area. (e.g. architectural lighting and signage, grilles, railings, downspouts, window and entry trim and moldings, shadow patterns and exterior lighting).~~

~~2. Building materials. Materials from adjacent or nearby buildings should be incorporated to help strengthen the character of the area. (e.g. doors, windows, pilasters, cornices, arches and lintels) They should be articulated and expressed in a manner that is in context with surrounding buildings.~~

~~3. Primary buildings should incorporate a minimum 25% of brick or brick veneer on every facade.~~

~~4. Fences.~~

a. ~~Front street fences should be composed of view fencing.~~

D. Streetscape Standards. *1

STREETSCAPE STANDARDS MATRIX							
STREET SECTION	Ground floor uses	Minimum Building Setback	Maximum Building Setback	Building Frontage	Allowed Frontage Types	Minimum Sidewalk Width	Minimum Green STREETSCAPE Zone Width
McDowell Road WEST OF 7th Ave. to EAST OF 1st Ave.	Non-Residential	0'	5'	Minimum 75%	S, SD	6'5'	NONE REQUIRED*
McDowell Road 3rd St. to 7th St.	Non-Residential	0'	5'	Minimum 75%	S	6'	8'7'
Lynwood Street EAST OF 7th Ave. to 6th Ave. (North Side Only)	All Allowed Uses	15'	25'20'	Minimum 75%50%	AFY, SD, DY	5'	5'10'
Lynwood Street 5th St. to WEST OF 7th St.	All allowed uses	15'	25'20'	Minimum 75%	AFY, SD, DY	5'	5'10'

7th Avenue Alley North of McDowell to LYNWOOD ST Alley South of McDowell	Non-Residential	0'	5'	Minimum 75%	S	6'7'	NONE REQUIRED 40'
5th Avenue Alley North of McDowell Rd. to Alley South of McDowell Rd.	All allowed uses	5'	15'	Minimum 50%	AFY, SD, S, SY	6'5'	40'11'
3rd Avenue Alley North of McDowell Rd. to Alley South of McDowell Rd.	All allowed uses	5'	15'	Minimum 75%	AFY, SD, S, SY	6'5'	AS ESTABLISHED 6'
3rd Street	All allowed	5'	15'	Minimum	AFY,	40'6'	NORTH SIDE

Alley north of McDowell Rd. Alley South of McDowell Rd.	uses			50%	SD, S		NONE REQUIRED 11' SOUTH SIDE 40'
5th Street MCDOWELL Almeria RD. to Lynnwood St.	All-allowed uses	5'	15'	Minimum 50%	AFY, SD, S, SY	5'	15'

7th Street Almeria Rd. to MORELAND Portland St.	Non-Residential	0'	5'	Minimum 75%	S	6'	6'
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(AFY) Active Front Yard, (SD) Stoop/Dooryard, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

* FIVE-FOOT STREET SIDE LANDSCAPE SETBACK REQUIRED FOR DEVELOPMENTS GREATER THAN 20,000 SQUARE FEET NET AREA.

Amend Chapter 12, Section 1217 (Downtown Code, Roosevelt East) to read as follows:

B. Development Standards.

5. Projections.

- B- b. Awnings, cornices, roof overhangs, and eaves may project more than three (3) feet into any required setback providing they come no closer ~~that~~ THAN two (2) feet from a property line.

7. Street trees.

- a. ~~Street~~ Street trees shall be planted with Arizona Ash or Evergreen Elm trees.
- b. PALM TREES WHERE THEY HAVE HISTORICALLY EXISTED MAY BE PLANTED.

8. LANDSCAPING GROUND COVER.

- a. TURF SHOULD BE USED AS GROUND COVER IN THE STREETSCAPE ZONE AND IN THE ACTIVE FRONT YARD OF SINGLE FAMILY RESIDENTIAL PROPERTIES.

~~8-9.~~ 9. Fences.

- d. For properties located within an Historic Preservation (HP) Overlay District, fences or freestanding walls in the front yard, meaning the space between the structure and the street right-of-way line, may not exceed a maximum height of three (3) feet, and are conditioned upon obtaining a certificate of appropriateness or no effect in accordance with Section 812 of the Phoenix Zoning Ordinance. This height limitation extends to a point three (3) feet beyond the front corner(s) of the primary structure.

10. SIGNAGE.

SIGNAGE SUBJECT TO THE REGULATIONS OF PHOENIX ZONING ORDINANCE
SECTION 705 TABLE D-1, NON-RESIDENTIAL ACTIVITY IN A RESIDENTIAL DISTRICT
RIGHT-OF-WAY STANDARDS.

C. Building Form Guidelines.

1. ~~Standards~~ GUIDELINES applicable to building taller than 65 feet in height.

a. ~~General standards~~ GUIDELINES.

- (1) BUILDINGS TALLER THAN ~~Above 65 feet, tall building~~ should not have massing that is boxy, bulky, ~~and~~ OR elongated.
- (2) Upper floors should be served by common entrance lobbies that shall be accessed from the ~~front or~~ Pedestrian sStreet.

- (5) The reflectivity of windows should be limited to ~~twenty (20%) percent~~.

b. ~~Base standards~~ GUIDELINES.

c. *Top.*

- (4)
The uppermost floors of high rise buildings should be articulated to achieve a distinctive skyline profile.

4. Primary buildings should incorporate a minimum 25% of brick, ~~or~~ brick veneer, OR DECORATIVE MASONRY on the ground floor of every façade VISIBLE FROM THE EXTERIOR.

D. Open Space Guidelines.

Objective: Functional open space and plazas should provide gathering locations for pedestrians and residents.

1. For sites of 50,000 net square feet or larger, open space in the amount of at least 2% of the net lot area should be provided.

b. The open space should connect or be visible from a ~~front or~~ Pedestrian sStreet.

d. *Fences/walls.*

- (1) *Height:* 6 feet maximum.
- (2) *Materials:* Wrought iron, brick, OR DECORATIVE MASONRY.

E. Streetscape Standards.

STREETSCAPE STANDARDS MATRIX							
STREET SECTION	Ground floor uses	Minimum Building Setback	Maximum Building Setback	Building Frontage	Allowed Frontage Types	Minimum Sidewalk Width	Minimum Green STREETSCAPE Zone Width
Portland Street 3rd Ave. to WEST OF	Non-Residential	0'	5'	Minimum 75%	SD, S	AS ESTABLISHED 6'	AS ESTABLISHED 40'

CENTRAL AVE. 1st							
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Roosevelt Street 3rd Ave. to 1st Ave.	Non-Residential	0'	5'	Minimum 75%	SD, S	AS ESTABLISHED 6'	AS ESTABLISHED 40'
McKinley Street 3rd Ave. to ALLEY WEST OF 1st Ave.	All allowed uses	0'	10'	Minimum 50%	AFY, SD, DY, SY	6'5'	<u>10'</u>
Fillmore Street 3rd Ave. to Alley WESTeast of 1st Ave.	Non-Residential	0'	10'	Minimum 50%	AFY, SD, DY, SY	6'5'	10' NORTH SIDE <u>6'</u> SOUTH SIDE
1st Drive Roosevelt St. to Portland St.	All allowed uses	0'	40'	Minimum 75%	SD, S	6'	40'
2nd Avenue Portland St. to Roosevelt St.	Non-Residential	0'	10'	Minimum 75%	SD, S	6'	10'
2nd Avenue Roosevelt St. to McKinley St.	Non-Residential	20'	20'	Minimum 50%	AFY, SD, DY, S	6'10' ⁽¹⁾ -	
2nd Avenue McKinley St. to Fillmore	Non-Residential	10'	20'	Minimum 75%	AFY, SD, S	6'10' ⁽¹⁾ -	
3rd Avenue LAetham St. to RosOsevelt St.	All allowed uses	0'	10'	Minimum 50%	AFY, SD, DY, S, SY	<u>6'</u>	AS ESTABLISHED 40'
3rd Avenue Roosevelt St. to McKinley St.	All allowed uses	20'	20'	Minimum 50%	AFY, SD, S	<u>6'</u>	40'14' -
3rd Avenue McKinley St. to Fillmore St.	Non-Residential	10'	20'	Minimum 50%	AFY, SD, S	<u>6'</u>	40'14' -

(AFY) Active Front Yard, (SD) Stoop/Dooryard WELL, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

⁽¹⁾ PER PLANS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.

Amend Chapter 12, Section 1218 (Downtown Code, Roosevelt North) to read as follows:

- A. Intent. Roosevelt North is PART OF THE ROOSEVELT HISTORIC DISTRICT AND IT IS comprised of traditional historic single-family homes. Typically the lots have large front yard setbacks with porches, lush landscaping and turf. ~~In the rear-most p~~ Properties GENERALLY ~~had~~ HAVE carriage houses ~~and~~ OR garages IN THE BACKYARD that are accessed from the alley or the front yard by a porte-cochere. In Roosevelt North the design and pattern of single-family development is critical to

maintaining its strong character and preserving the existing buildings. The large number of historic properties creates a unique character and design that should be preserved. Properties with HP Zoning should refer to Chapter 8, Historic Preservation, of the Phoenix Zoning Ordinance for specific requirements associated with historic designation.

B. Development Standards.

5. Projections.

- a. Maximum projection by porches, patios, balconies and porte-cochères into required building setback.

(1) *Front street:* 10 feet.

(2) *Side street:* 5 feet.

- b. Awnings, cornices, roof overhangs, and eaves may project more than three (3) feet into any required setback providing they come no closer ~~that~~ THAN two (2) feet from a property line.

7. Fences.

- a. *Side yard:* Maximum height 6 feet.

(1) Side street fences should not extend closer than five (5) feet to the front facade of the building.

8. Street trees.

- a. ~~Street trees shall be planted with a~~Arizona ~~a~~Ash or ~~e~~Evergreen ~~e~~Elm trees.

- b. PALM TREES WHERE THEY HAVE HISTORICALLY EXISTED MAY BE PLANTED.

9. Landscaping ground cover.

- a. Turf should be used as ground cover in the ~~green~~STREETSCAPE zone and in the active front yard for residential properties.

10. SIGNAGE.

- SIGNAGE SUBJECT TO THE REGULATIONS OF PHOENIX ZONING ORDINANCE
SECTION 705 TABLE D-1, NON-RESIDENTIAL ACTIVITY IN A RESIDENTIAL DISTRICT
RIGHT-OF-WAY STANDARDS.

C. Building Form Guidelines.

- 3. Primary buildings should incorporate a minimum 25% of brick, ~~or~~ brick veneer, OR DECORATIVE MASONRY on every façade VISIBLE FROM THE EXTERIOR.

4. Fences.

- a. Fences along the ~~front~~ PEDESTRIAN ~~s~~Street should be discouraged.

- b. ~~Front~~ PEDESTRIAN ~~s~~Street fences shall be composed of view fencing.

- c. For properties located within an Historic Preservation (HP) Overlay District, fences or freestanding walls in the front yard, meaning the space between the structure

and the street right-of-way line, may not exceed a maximum height of three (3) feet, and are conditioned upon obtaining a certificate of appropriateness or no effect in accordance with Section 812 of the Phoenix Zoning Ordinance. This height limitation extends to a point three (3)-feet beyond the front corner(s) of the primary structure.

E. Streetscape Standards.

STREETSCAPE STANDARDS MATRIX							
STREET SECTION	Ground floor uses	Minimum Building Setback	Maximum Building Setback	Building Frontage	Allowed Frontage Types	Minimum Sidewalk Width	Minimum Green STREETScape Zone Width
Portland Street 7th Ave. to 3rd Ave.	All allowed uses	20'	30'	None	AFY	5'	10'
LATHAM STREET 5 TH AVE. TO 3 RD AVE.	-	20'	30'	NONE	AFY	5'	7'5"
Culver Street 7th Ave. to Alley 300' west of Central Ave.	All allowed uses	20'	30'	None	AFY	5'	10'

Willetta Street 7th Ave. to Alley west of Central Ave.	All allowed uses	20'	30'	None	AFY	5'	10'
Lynwood Street 7th Ave. to Alley west of Central Ave.	All allowed uses	20'	30'	None	AFY	5'	10'
7 TH AVE LYNWOOD ST. TO ALLEY SOUTH OF PORTLAND ST.	-	20'	30'	None	AFY	6'	NONE REQUIRED
5th Avenue Alley north of Roosevelt St. to Alley NORTH OF LYNWOOD STREET south of McDowell Rd.	All allowed uses	10'	25'	None	AFY, SY	5'	10'
3rd Avenue Alley north of	All allowed	10'	25'	None	AFY, SY	4'-5' -	10'

Roosevelt St. to Culver Street	uses						
3rd Avenue Culver Street to Alley NORTH OF LYNWOOD STREET south of McDowell Rd.	All allowed uses	10'	25'	None	AFY, SY	5'	<u>6'</u> OR AS ESTABLISHED IF GREATER THAN 6' 10'

(AFY) Active Front Yard, (SD) Stoop/Dooryard and WELL, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

Amend Chapter 12, Section 1219 (Downtown Code, Roosevelt South) to read as follows:

- A. Intent. Roosevelt South will be the gateway to historic Roosevelt North, and an oasis for pedestrians from adjacent high-rise and high-density areas. While the neighborhood will retain its residential character, it will become a mixed-use neighborhood. Adaptive re-use of older and historic homes will provide distinctive shopping and ~~set~~ DINING along tree-lined streets creating a highly ~~desireable~~ DESIRABLE, walkable neighborhood.

- B. Development Standards.

5. Projections.

- b. Awnings, cornices, roof overhangs, and eaves may project more than three (3) feet into any required setback providing they come no closer ~~that~~ THAN two (2) feet from a property line.

7. Fences.

- a. *Side street:* Maximum height 6 feet.

- (1) Side street fences should not extend closer than five (5) feet to the front faeçade of the building.

- b. *Rear yard:* Maximum height 6 feet.

- (1) Wall returns or gates should set behind the front faeçade to reveal windows and architectural features.

8. Street trees.

- a. ~~s~~Street trees shall be planted with Arizona Ash or Evergreen Elm trees.

- b. PALM TREES WHERE THEY HAVE HISTORICALLY EXISTED MAY BE PLANTED.

9. Landscaping ground cover.

- a. Turf should be used as ground cover in the ~~green~~ STREETSCAPE zone and in the front yard for residential properties.

10. SIGNAGE.

SIGNAGE SUBJECT TO THE REGULATIONS OF PHOENIX ZONING ORDINANCE SECTION 705 TABLE D-1, NON-RESIDENTIAL ACTIVITY IN A RESIDENTIAL DISTRICT RIGHT-OF-WAY STANDARDS.

C. Building Form Guidelines.

3. Primary buildings should incorporate a minimum 25% of brick ~~or~~ brick veneer OR DECORATIVE MASONRY on every facade.

7. Fences.

- a. Fences along ~~the A front~~ PEDESTRIAN sStreet should be discouraged.
- b. Fences above 40 inches in height ALONG A PEDESTRIAN STREET shall be composed of view fencing.

E. Streetscape Standards.

STREETSCAPE STANDARDS MATRIX							
STREET SECTION	Ground floor uses	Minimum Building Setback	Maximum Building Setback	Building Frontage	Allowed Frontage Types	Minimum Sidewalk Width	Minimum Green STREETSCAPE Zone Width
Roosevelt Street Alley WEST OF 6TH east of 7th Ave. to 3 RD AVE. alley west of 1st St.	All allowed uses	10'	15'	Minimum 75%	AFY, SD, DY, S	5'	6'
McKinley Street Alley WEST OF 6TH east of 7th Ave. to 3 RD AVE. alley west of 1st St.	All allowed uses	10'	15'	Minimum 50%	ALL	5'	6'-10' -
Fillmore Street Alley WEST OF 6TH east of 7th Ave. to 3 RD AVE. alley west of 1st St.	Non-Residential	10'	15'	Minimum 50%	ALL	6'-5' -	6'-7'5" -

6th Avenue Roosevelt St. to Fillmore St.	All allowed uses	20'	25'	Minimum 50%	AFY, SD, DY, S	5'	42'-6' -
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5th Avenue Roosevelt St. to Fillmore St.	All allowed uses	20'	25'	Minimum 50%	AFY, SD, DY, S	5'	6' 14' -
4th Avenue Roosevelt St. to Fillmore St.	All allowed uses	20'	25'	Minimum 50%	AFY, SD, DY, S	5'	42' 15' -
3rd Avenue Roosevelt St. to Fillmore St.	All allowed uses	20'	25'	Minimum 50%	AFY, SD, DY, S	5'	42' 15' -
2nd Avenue Roosevelt St. to Fillmore St.	All allowed uses	20'	25'	Minimum 50%	AFY, SD, DY, S	8'	42'

(AFY) Active Front Yard, (SD) Stoop/Dooryard WELL, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

Amend Chapter 12, Section 1213 (Downtown Code, Townsend Park) to read as follows:

B. Development Standards.

5 Required parking: Governed by Section 1206.

a. *Parking bonus:*

(1) *Increase:* Maximum 50%.

(2) *Decrease:* ~~m~~Maximum 100%.

6. Fences.

a. *Side yard:* ~~m~~Maximum height 6 feet.

b. *Rear yard:* ~~m~~Maximum height 6 feet.

7. SIGNAGE.

SIGNAGE SUBJECT TO THE REGULATIONS OF PHOENIX ZONING ORDINANCE SECTION 705 TABLE D-1, COMMERCIAL/ INDUSTRIAL RIGHT-OF-WAY LOW VOLUME STREET STANDARDS.

C. Building Form Guidelines.

1. ~~Standards~~ GUIDELINES applicable to buildings taller than 65 feet in height.

a. ~~General standards~~ GUIDELINES.

(1) BUILDINGS ~~A~~above 65 feet, ~~tall building~~ should not have massing that is boxy, bulky, ~~and~~ OR elongated.

(2) ~~Upper floors should be served by common entrance lobbies that shall be accessed from the front or pedestrian street.~~

(3) (2) Large floor plates should be articulated to break down the mass of the building, create "street interest" and enhance skyline character.

(4) (3) Building towers should have a minimum separation of 20 feet.

(5) (4) The reflectivity of windows should be limited to twenty (20) percent.

b. ~~Base standards~~ GUIDELINES.

D. Open Space Guidelines.

1. For sites of 50,000 net square feet or larger, open space in an amount of at least 5% of the net lot area should be provided.

b. The open space should connect or be visible from a ~~front or~~ Pedestrian sStreet.

c. *Landscape:*

(2) Fences/walls.

(A) *Height:* 6 feet maximum.

(B) *Materials:* Wrought iron, brick, OR DECORATIVE MASONRY.

F. Streetscape Standards.

STREETSCAPE STANDARDS MATRIX							
STREET SECTION	Ground floor uses	Minimum Building Setback	Maximum Building Setback	Building Frontage	Allowed Frontage Types	Minimum Sidewalk Width	Minimum Green STREETSCAPE Zone Width
McDowell Road 1st St. to EAST OF 3rd St.	Non-Residential	0'	5'	Minimum 75%	S	65'	40' NONE REQUIRED*
Willetta Street 1st St. to 3rd St.	All allowed uses	0'	10'	Minimum 50%	ALL	40'5'	40'15'
Culver Street 1st St. to 2ND3rd St.	All allowed uses	0'	10'	Minimum 50%	ALL	40'5'	40'15'
Moreland Street 1st St. to 3rd St.	All allowed uses	0'	10'	Minimum 50%	ALL	40'5'	40'15'

Portland Street 1st St. to 3rd St.	All allowed uses	0'	10'	Minimum 50%	ALL	10'	10'
1st Street McDowell Rd. to Moreland WILLETTA St.	Non-Residential	0'	10'	Minimum 75%	S, SD, DY, GA	6'5' EAST Z' WEST	40'6' EAST WEST - NONE REQUIRED*

2nd Street McDowell Rd. to Moreland CULVER St.	Non- Residential	0'	10'	Minimum 75%	S, SD, DY, GA	10'5'	10'25'
3rd Street McDowell Rd. to Moreland St.	All-allowed uses	5'	15'	Minimum 75%	S, SD, DY, GA	40'5'	40'15'

(AFY) Active Front Yard, (SD) Stoop/Dooryard, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

* FIVE-FOOT STREET SIDE LANDSCAPE REQUIRED FOR DEVELOPMENTS WITH A NET AREA GREATER THAN 20,000 SQUARE FEET.

Amend Chapter 12, Section 1221 (Downtown Code, Van Buren) to read as follows:

B. Development Standards.

4. Minimum side and rear setbacks.

a. *Primary building.*

(1) *Side:* 10 feet.

(2) *Rear:* 10 feet.

REAR: 0 FEET IF ADJACENT TO FULLY DEDICATED ALLEY.

7. SIGNAGE.

SIGNAGE SUBJECT TO THE REGULATIONS OF PHOENIX ZONING ORDINANCE SECTION 705 TABLE D-1, COMMERCIAL/ INDUSTRIAL RIGHT-OF-WAY LOW VOLUME STREET STANDARDS.

C. Building Form Guidelines.

2. Upper floors should be served by common entrance lobbies that ~~shall~~ SHOULD be accessed from the ~~front or pedestrian~~ Street.

7. Base guidelines.

- a. All buildings over four stories in height should be designed with a base that is differentiated from the remainder of the building in order to relate to the street. The base may be between one (1) and four (4) stories in height, and should be scaled to the immediate context.

D. Open Space Guidelines.

1. For sites of 50,000 net square feet or larger, open space in an amount of at least 5% of the net lot area should be provided, except for properties that are required to develop the Taylor Street Pedestrian Paseo.

- b. The open space should connect or be visible from a ~~front or pedestrian~~ Street.

d. *Fences/walls.*

(1) *Height:* 6 feet maximum.

(2) *Materials:* Wrought iron, brick, OR DECORATIVE MASONRY.

F. Taylor Street Pedestrian Paseo Guidelines.

2. The Paseo should be a minimum of ~~50% percent~~ shaded at plant maturity.

8. Building facades adjacent to the Paseo should be designed with the following elements:

- a. Clear glass windows (allowing at least 75% of visible light as specified by the manufacturer) for a minimum of 60% of the ground floor facade between 3 feet and 8 feet.
- b. A minimum of ~~4~~ONE primary entrance on each Paseo frontage.

G. Streetscape Standards.

STREETSCAPE STANDARDS MATRIX							
STREET SECTION	Ground floor uses	Minimum Building Setback	Maximum Building Setback	Building Frontage	Allowed Frontage Types	Minimum Sidewalk Width	Minimum Green STREETSCAPE Zone Width
Fillmore Street Alley West of 7th Ave. to 3 rd 7TH Ave.	All-allowed uses	0'	5'	Minimum 50%	ALL	7'5'	7'
FILLMORE STREET 7 TH AVE TO 3 RD AVE	-	0'	5'	MINIMUM 50%	ALL	5'	10'
Van Buren Street 7th Ave. to 3RD 4 th Ave.	Non-Residential	0'	5'	Minimum 75%	SF	7'5'	7'5'

Monroe Street 7th Ave. to 3RD 4 th Ave.	All-allowed uses	0'	5'	Minimum 75%	SD, DY, S	9'8'	10'
ADAMS STREET 4 TH AVE TO 7 TH AVE	-	0'	5'	MINIMUM 75%	ALL	5'	10'
Adams Street 4 th 7TH Ave. to 5th Ave.	Non-Residential	0'	5'	Minimum 75%	SD, DY, S, GA	7'8'	7'5'
9th Avenue Adams St. to Van Buren St.	Non-Residential	0'	5'	Minimum 50%	ALL	7'5'	7'20'

7th Avenue Adams St. to Fillmore St.	Non- Residential	0'	5'	Minimum 75%	SD, DY, S	7'	10'Z'
6th Avenue Adams St. to Fillmore VAN BUREN St.	All-allowed uses	0'	5'	Minimum 50 75%	ALL	7' EAST 5' WEST 5'	7' EAST 5' WEST 8'
6 TH AVENUE VAN BUREN ST TO FILLMORE ST	-	0'	5'	MINIMUM 50%	SD, DY, S, GA	EAST 5' WEST 5'	EAST 8' WEST 5'
5 th Avenue Monroe ADAMS St. to Fillmore VAN BUREN St.	Non- Residential	0'	5'	Minimum 75%	SD, DY, S, GA ALL	7'	7'
5 TH AVENUE VAN BUREN ST TO FILLMORE ST	-	0'	5'	MINIMUM 50%	SD, DY, S, GA	5'	10'
5th Avenue Adams St. to Monroe St.	All-allowed uses	0'	5'	Minimum 50%	ALL	7'	7'
4 TH AVENUE MONROE ST TO VAN BUREN ST	-	0'	5'	MINIMUM 75%	ALL	7'	7'
4 th Avenue Van Buren St. to Fillmore St.	All-allowed uses	0'	5'	Minimum 75 50%	SD, DY, S, GA	10 5'	10 15'
3rd Avenue Van Buren MONROE St. to Fillmore VAN BUREN St.	All-allowed uses	0'	5'	Minimum 75%	SD, DY, S, GA ALL	10 5'	10 5'
3 RD AVENUE VAN BUREN ST TO FILLMORE ST	-	0'	5'	MINIMUM 50%	SD, DY, S, GA	5'	10'
Taylor Street Paseo 7th Ave. to 3rd Ave.	Non- Residential	0'	5'	Minimum 65%	SD, S	See Paseo Guidelines	See Paseo Guidelines

(AFY) Active Front Yard, (SD) Stoop/Dooryard and WELL, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

Amend Chapter 12, Section 1222 (Downtown Code, Warehouse) to read as follows:

- A. Intent. The Warehouse Character Area is a unique urban neighborhood that offers a blend of old railroad charm and modern urban living. The unique old warehouse buildings provide design inspiration for the design of new buildings that complement the existing character. This area has

unique sports and entertainment venues, in addition to dining and shopping opportunities that serve the entire region. This area should provide people with the ability to enjoy the character and authenticity of the area while being close to transit and the heart of the City.

B. Development Standards.

1. Maximum height.

a. *Main building:* Governed by the height map, Section 1202.C.

(1) *Bonus:* Maximum: 50% or 140 feet.

(A) A 30-year conservation easement to the City of Phoenix for structures with HP or HP/L (HISTORIC PRESERVATION LANDMARK) zoning in the Warehouse Character Area may be used to obtain the maximum height bonus. Only when 90% of eligible structures are subject to 30-year conservation easements may the sustainability bonuses of Section 1223 be used to achieve any height increase.

6. Fences.

a. *Side yard:* MAXIMUM HEIGHT 8 feet.

b. *Rear yard:* MAXIMUM HEIGHT 8 feet.

7. SIGNAGE

a. SIGNAGE IN THE WAREHOUSE CHARACTER AREA SHALL BE GOVERNED BY THE REGULATIONS APPLICABLE TO SIGNS IN THE COMMERCIAL DISTRICTS OF SECTION 705 OF THE PHOENIX ZONING ORDINANCE.

(1) SIGNS PROJECTING FROM THE FRONT OF BUILDINGS SHALL BE PERPENDICULAR TO THE STREET (I.E., 90-DEGREE ANGLE), WITH A MAXIMUM OF ONE SIGN PER ENTRANCE. ALL SIGNS THAT EXTEND INTO OR OVER THE PUBLIC RIGHT-OF-WAY SHALL REQUIRE A REVOCABLE PERMIT ADMINISTERED BY THE CITY OF PHOENIX PRIOR TO ISSUANCE OF THE SIGN PERMIT, EACH SIGN SHALL:

(A) IDENTIFY ONLY ONE ON-SITE BUSINESS.

(B) PROVIDE A MINIMUM EIGHT-FOOT CLEARANCE.

(C) PROJECT NO MORE THAN THREE FEET INTO THE PUBLIC RIGHT-OF-WAY.

(D) BE INDIRECTLY ILLUMINATED FROM A SHIELDED LIGHT SOURCE (I.E., NOT BACKLIT OR CABINET SIGN).

(2) AWNING SIGNS SHALL BE PERMITTED BY RIGHT. AWNING SIGNS SHALL HAVE LETTERS NO MORE THAN 10 INCHES IN HEIGHT.

(3) SIGNS PAINTED ON THE BUILDING SURFACE OR LETTERS MOUNTED DIRECTLY TO THE BUILDING SURFACE SHOULD:

(A) BE A MAXIMUM OF ONE SQUARE FOOT OF SIGNAGE FOR EACH LINEAL FOOT OF BUILDING ELEVATION TO A

MAXIMUM OF 100 SQUARE FEET. MAY HAVE MINIMUM OF 40 SQUARE FEET.

- (B) BE AT LEAST HALF THE VERTICAL HEIGHT OF THE LETTERS TO A BUILDING CORNER (VERTICAL EDGE) OR TO A ROOFLINE.
- (4) WINDOWS VISIBLE FROM THE PUBLIC RIGHT-OF-WAY SHALL NOT EXCEED A MAXIMUM OF 20% OF THE WINDOWPANE AREA.
- (5) SECOND-STORY BUSINESSES MAY ONLY USE A SIGN IN A SECOND-STORY WINDOW, OR USE A WALL SIGN. AWNING SIGNS SHALL NOT BE PERMITTED ON SECOND-STORY WINDOWS.
- (6) CORNER BUILDINGS SHALL BE ALLOWED SIGNAGE ON EACH STREET FRONTAGE.
- (7) DIRECTIONAL SIGNS FOR ACCESSORY PARKING WILL BE ALLOWED TO A MAXIMUM OF SIX SQUARE FEET PER SIGN PER DRIVEWAY ENTRANCE. THE MAXIMUM HEIGHT OF SAID DIRECTIONAL SIGNS IS THREE FEET. NO MORE THAN 25% OF THE AREA MAY BE DEVOTED TO BUSINESS IDENTIFICATION.
- (8) THE PROVISIONS OF SECTION 705.C.6.d SHALL NOT APPLY WITHIN THE WAREHOUSE CHARACTER AREA.
- (9) SIGNS, BANNERS, BALLOONS, FLAGS, GUIDONS, AND SIMILAR ADVERTISING DEVICES OTHERWISE PROHIBITED BY SECTION 705.C.2.a, b, AND c MAY BE ERECTED SUBJECT TO A USE PERMIT IN CONJUNCTION WITH SPECIAL PROMOTIONAL EVENTS OF A CIVIC OR, COMMERCIAL NATURE. NO MORE THAN 25% OF THE AREA MAY BE DEVOTED TO CORPORATE SPONSORSHIP IDENTIFICATION. IN ADDITION TO THE STANDARDS ENUMERATED IN SECTION 705.F. FINDINGS OF APPROVAL OF THE USE PERMIT SHALL INCLUDE:
 - (A) THE SIGNS AND OTHER DISPLAYS ARE APPROPRIATE IN SCALE, COMPOSITION, AND MANNER OF DISPLAY WITH SURROUNDING DEVELOPMENT.
 - (B) WHEN ADJOINING ESTABLISHMENTS PARTICIPATE IN AN EVENT, A SINGLE REQUEST FOR A USE PERMIT MAY BE FILED.
- (10) WALL SIGNS ON BUILDINGS DESIGNATED HISTORIC PRESERVATION (HP) EXCEEDING THE APPLICABLE SIZE OR AREA REGULATIONS MAY BE ALLOWED BY THE HISTORIC PRESERVATION COMMISSION IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 812.C.3 AND UPON THE ADDITIONAL FINDING THAT THE PROPOSED SIGNAGE REPLICATES THE SIZE, SHAPE, AND PLACEMENT OF THE ORIGINAL WALL SIGNAGE.
- (11) THE FOLLOWING SIGNS ARE PROHIBITED:
 - (A) THOSE PLACED ABOVE OR ON TOP OF ANY PORTION OF THE ROOF OR FRONT PARAPET OR FAÇADE.
 - (B) SIGNS UTILIZING MOVING, FLASHING, OR ROTATING LIGHTS OR MECHANISMS, EXCEPT AS PROVIDED BY A USE

PERMIT.

(C) FREESTANDING SIGNS OR GROUND SIGNS.

- b. SIGNAGE MAY BE INCREASED BY UP TO 25% BY SUBMITTING A COMPREHENSIVE SIGN PLAN AS PROVIDED IN SECTION 705.E OF THE PHOENIX ZONING ORDINANCE.

C. Building Form Guidelines.

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- 1. AWNINGS AND CANOPIES. AWNINGS AND CANOPIES EXTENDING OVER THE PUBLIC SIDEWALK SHOULD BE INCORPORATED INTO THE DESIGN OF NEW BUILDINGS, AND SHOULD BE SUSPENDED OR CANTILEVERED FROM THE BUILDINGS.
-
- 2. PARAPETS. SIMPLE PARAPET, CORNICE LINES AND PROJECTIONS ARE MORE COMPATIBLE WITH EXISTING WAREHOUSES AND WILL ADD TO THE PEDESTRIAN CHARACTER OF THE DISTRICT. NO MORE THAN THREE CHANGES IN PLANE AT THE TOP OF THE FACADE PARAPET SHOULD BE INCORPORATED INTO THE DESIGN OF THE PARAPET USING RECTANGULAR SHAPES AND, ARTICULATION.
- 4- 3. Window design. ~~Square or rectangular windows that are similar to existing historic buildings should be used.~~ Window openings ~~shall~~ SHOULD be recessed or articulated, particularly at the ground level.
- 2- 4. Architectural ELEMENTS. ARCHITECTURAL details should contribute to creating a coherent architectural BUILDING FORM concept that is IN CONTEXT WITH EXISTING HISTORIC BUILDINGS OR consistent with the design of the Character Area. (e.g. exterior finish materials, architectural lighting and signage, grilles, railings, downspouts, window and entry trim and moldings, shadow patterns and exterior lighting), PARTICULARLY ON THE SAME BLOCK FACE.
- 5. DOORS, WINDOWS, PILASTERS, CORNICES, ARCHES AND LINTELS SHOULD BE ARTICULATED AND EXPRESSED IN A MANNER THAT IS IN CONTEXT WITH EXISTING HISTORIC BUILDINGS IN THE CHARACTER AREA, PARTICULARLY ANY BUILDINGS ON THE SAME BLOCK FACE.
- 3- 6. Architecture and applied treatments that express corporate identity should be de-emphasized. Buildings should be ~~a~~ unique structures that complement and blend with the surrounding context.

4- 7. Building materials.

- a. New construction from finished grade to ~~sixty-five (65)~~ feet shall use concrete, brick or other quality exterior-facing materials found on the structures in the character area that have been determined to have character value, such as load bearing walls (brick or block) and concrete post-and-beam structural systems. ~~Materials from adjacent or nearby buildings should be incorporated to help strengthen the character of the area for the first 60 feet.~~ ~~Doors, windows, pilasters, cornices, arches and lintels should be articulated and expressed in a manner that is in context with existing historic buildings in the Character Area, particularly any buildings on the same block face.~~
- b. Brick veneer should ~~be mortared to~~ give the appearance of structural brick. If used, brick tile applications shall use wraparound corner and bullnose pieces to minimize a veneer appearance.

- c. STUCCO FINISHES SHALL BE LIMITED TO NO MORE THAN 25% OF ALL FACADES (FOR NEW OR REMODEL PROJECTS) VISIBLE FROM OFFSITE.

5-8. ~~Standards~~ GUIDELINES applicable to buildingS taller than 65 feet in height.

a. ~~General standards~~ GUIDELINES.

- (1) ~~Above 65 feet, tall b~~ BuildingS should not have massing that is boxy, bulky, ~~and~~ OR elongated.
- (2) Upper floors should be served by common entrance lobbies that shall be accessed from the ~~front or p~~ Pedestrian sStreet.
- ***
- (5) The reflectivity of windows should be limited to ~~twenty (20%) percent~~.
- (6) THE UPPERMOST FLOORS SHOULD BE ARTICULATED TO ACHIEVE A DISTINCTIVE SKYLINE PROFILE.

b- ~~Base standards~~ GUIDELINES:

- - -
- (1) ~~All buildings over four stories in height should be designed with a base that is differentiated from the remainder of the building in order to relate to the street. The base may be between one (1) and four (4) stories in height, and should be scaled to the immediate context.~~

e- ~~Top~~ GUIDELINES:

- (1) ~~The uppermost floors of high rise buildings should be articulated to achieve a distinctive skyline profile.~~

D. Prohibited Elements.

- 1. The following materials are prohibited for new construction from finished grade to 65 feet IN ORDER TO MAINTAIN THE INHERENT CHARACTER OF THE WAREHOUSE AREA, unless approved by the Design Review Committee:

e- ~~Mill finished aluminum and metal.~~

- 2. The following architectural elements are prohibited from finished grade to 65 feet:

- b. Steeply pitched roofs (GREATER THAN 30 DEGREES) including mansard roof forms.

E. Streetscape Standards.

STREETSCAPE STANDARDS MATRIX							
STREET SECTION	Ground floor uses	Minimum Building Setback	Maximum Building Setback	Building Frontage	Allowed Frontage Types	Minimum Sidewalk Width	Minimum Green STREETSCAPE Zone Width
7th Avenue Buckeye Rd. to Jefferson	Non-Residential	0'	5'	Minimum 50%	S	8'	-

St.							
7TH AVENUE SOUTH OF THE TRAIN TRACKS TO GRANT ST	-	NONE	NONE	NONE	ALL	<u>5'</u>	NONE REQUIRED*
7TH AVENUE GRANT ST TO SHERMAN ST.	-	<u>0'</u>	<u>5'</u>	MINIMUM <u>75%</u>	S	<u>5'</u>	NONE REQUIRED*
6TH AVENUE SHERMAN ST TO GRANT ST		<u>0</u>	<u>20'</u>	MINIMUM <u>50%</u>	ALL	<u>5'</u>	<u>7'</u>

5TH AVENUE ALLEY SOUTH OF JACKSON ST TO MADISON ST	-	<u>0'</u>	<u>5'</u>	MINIMUM <u>75%</u>	S	<u>5'</u>	<u>7'</u>
4th Avenue Sherman St. to GRANT ST Lincoln St.	All-allowed uses	0'	5'	Minimum 50%	ALL	6'5'	6'7'
4TH AVENUE GRANT ST TO LINCOLN ST.	All-allowed uses	<u>0'</u>	<u>5'</u>	MINIMUM <u>50%</u>	ALL	<u>5'</u>	<u>14'</u>
4TH AVENUE ALLEY SOUTH OF JACKSON ST TO MADISON ST	-	<u>0'</u>	<u>5'</u>	MINIMUM <u>75%</u>	S	<u>5'</u>	<u>7'</u>
3rd Avenue Grant St. to Jackson St.	Non-Residential	0'	5'	Minimum 75%	S	8'5'	7'15'
2nd Avenue Grant St. to Lincoln St.	All-allowed uses	0'	5'	Minimum 50%	ALL	8'5'	18'
2nd Avenue BUCHANAN ST TO JACKSON ST Sherman St. to Lincoln St.	All-allowed uses	<u>0'</u>	<u>5'</u>	Minimum <u>50%</u>	S ALL	6'5'	<u>5'</u>

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1st Avenue Sherman GRANT St. to Madison St.	Non- Residential	0'	5'	Minimum 75%	S	10'	(1) 6'
Central Avenue GRANT ST Buckeye Rd. to Madison St.	Non- Residential	0'	5'	Minimum 75%	S	8'	(1)
1st Street Grant St. to BUCHANAN RD Madison St.	All allowed uses	0'	5'	Minimum 50%	ALL	8'5'	(1)
1 ST STREET BUCHANAN ST TO MADISON Grant St. to Madison St.	All allowed uses	<u>0'</u>	<u>5'</u>	Minimum <u>50%</u>	ALL	8'6'	<u>14'</u> (1)
2nd Street Lincoln St. to ALLEY SOUTH OF Jackson St.	All allowed uses	0'	5'	Minimum 50%	ALL	8'6'	8'15'
3rd Street SOUTH OF Grant St. to GRANT Jackson St.	All allowed uses	0'	5'	Minimum 75%	S	8'6'	8'14'
3RD STREET GRANT ST. SOUTH TO RAILROAD ROW JACKSON ST.	ALL ALLOWED USES	<u>0'</u>	<u>5'</u>	MINIMUM <u>75%</u>	S	8'6'	<u>8'</u>
4th Street GRANT ST SOUTH TO CHARACTER AREA BOUNDARY Lincoln St. to Buchanan St.	Non- Residential	0'	5'	Minimum 75%	SD, DY, S	8'5'	NONE REQUIRED (2)
5th Street Grant St. to LINCOLN Buchanan St.	All allowed uses	0'	5'	Minimum 50%	ALL	8'6'	4'8'
6th Street Lincoln St. to Buchanan St.	All allowed uses	0'	5'	Minimum 50%	ALL	<u>8'</u>	4'5'
7th Street Buckeye Rd. to Lincoln St TO SOUTH OF GRANT ST.	Non- Residential	0'	5'	Minimum 75%	SD, DY, S	8'6'	4'8'
MADISON STREET	NON- RESIDENTIAL	<u>0'</u>	<u>5'</u>	MINIMUM <u>75%</u>	SD, DY, S	<u>5'</u>	<u>7'</u>

5TH AVE. TO 4 TH AVE							
Madison Street 1st Ave. to 1st St.	Non-Residential	0'	5'	Minimum 75%	SD, DY, S	5'-8'	7'
Jackson Street 5 TH 3rd Ave. to 1 ST 4th St.	Non-Residential	0'	5'	Minimum 75%	S	8'	AS ESTABLISHED WITH TREE WELLS ⁽¹⁾
Buchanan Street 3rd Ave. to 3 RD 7th St.	Non-Residential	0'	5'	Minimum 75%	SD, DY, S	8'7'	5'
Lincoln Street 7th Ave. to 7th St.	Non-Residential	0'	5'	Minimum 75%	SD, DY, S	8'7'	6'5'
Grant Street 6 TH AVENUE Lincoln St. to 2nd St. 3rd St. to 7th St.	All allowed uses	0'	5'	Minimum 50%	ALL	8'5'	40'14'
Grant Street 2nd St. to 3rd St.	Non-Residential	0'	5'	Minimum 75%	SD, DY, S	8'5'	40'14'
Sherman Street 7th Ave. to 4th Ave.	All allowed uses	0'	5'	Minimum 75%	SD, DY, S	8'	6'

(AFY) Active Front Yard, (SD) Stoop/Dooryard WELL, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

⁽¹⁾ PER PLANS APPROVED BY STREET TRANSPORTATION DEPARTMENT

⁽²⁾ FIVE-FOOT FRONT YARD LANDSCAPE REQUIRED FOR DEVELOPMENTS ON LOTS WITH A NET AREA GREATER THAN 20,000 SQUARE FEET.

Amend Chapter 12, Section 1223 (Downtown Code, Sustainability Bonus) to read as follows:

A. Applicability. The sustainability bonus system is designed to provide projects that exhibit environmentally friendly design and performance elements with additional entitlements. This system shall only be applied to projects that are located in character areAs that allow such bonuses.

B. Credit Categories.

1. The bonuses shall apply only when permitted by the Character Area, and may be used in any or multiple credit categories. *1

- d. *Maximum parking increase.* The allowed bonus is an increase based upon the maximum parking allowed in Section 1206.

Total Credits	Allowed Bonus*
50+	50 100%
40+	40 75%
30+	30 50%

20+	20 <u>25</u> %
10+	15%
5+	10%

C. Sustainability Matrix.

CREDIT DESCRIPTION AND QUALIFIERS	OPTIONS	POSSIBLE CREDITS
Project p Provides vertical mixed use development which shall include a combination of uses within a single structure. The combined square footage of all additional uses, EXCLUDING PARKING, BUT INCLUDING USES SUCH AS RETAIL, OFFICE, AND, RESIDENTIAL shall total a minimum 50% of the building'S footprint (not total square footage).	<u>2</u> DIFFERENT USES <u>3</u> DIFFERENT USES	<u>5</u> <u>10</u> -
Project p Provides pedestrian amenities such as: lit bollards, public restrooms (permanent exterior bathrooms open to the public) , waste receptacles (recycling and trash), clocks, way finding, benches, drinking fountains and decorative pedestrian lighting not higher than 15 feet. PROVIDE ACTIVE LIVING AMENITIES SUCH AS RECREATIONAL STRUCTURES WITHIN PROJECT COMMON AREA (E.G. PLAYGROUND EQUIPMENT, SPORTS COURT, SWIMMING POOL, GYMNASIUM). MUST BE IN ADDITION TO REQUIRED AMENITIES.	24 DIFFERENT TYPES OF Amenities <u>5</u> DIFFERENT TYPES OF AMENITIES <u>6+</u> DIFFERENT TYPES OF AMENITIES	<u>2</u> - - <u>3</u> - - <u>4</u>

	3 Amenities	<u>2</u>
	4 Amenities	<u>3</u>
Project s Shades all accessory surface parking lots SPACES using vegetation, low-sloped structural shading with a minimum SR SR of 75 <u>52</u> 9, or a similar material that achieves additional shading with low HIGH reflectivity. EXCLUDES DRIVEWAYS AND, AISLES.	30% OF SPACES <u>40%</u> OF SPACES <u>50%+</u> OF SPACES	4 <u>6</u> - <u>8</u> - <u>10</u>
	40%	<u>2</u>
	<u>50%+</u>	<u>3</u>
SHADE PROVIDED USING SOLAR STRUCTURES FOR SURFACE PARKING LOT OR, OTHER HARDSCAPE AREAS INCLUDING ROOF TOP PARKING.	<u>30%</u> OF SPACES <u>40%</u> OF SPACES <u>50%+</u> OF SPACES	<u>12</u> - - <u>16</u> - <u>20</u> -
Project p Provides permeable paving, structured soil/grass, OPEN GRID PAVING or similar material which allows for water to permeate the surface to promote natural drainage and filtration. The calculation shall include exterior ON SITE pedestrian walkways, private surface driveways and parking stalls; SHALL NOT INCLUDE LOADING AREAS.	20-20 <u>40%</u> HARDSCAPE SURFACE AREA <u>41-60%</u> HARDSCAPE SURFACE AREA	4 <u>3</u> - - <u>4</u> - - <u>5</u>

	61-80% HARDSCAPE SURFACE AREA	-
	80%+ HARDSCAPE SURFACE AREA	6

	40%	2
	60%+	3
Project p Provides a reciprocal parking agreement FOR REQUIRED PARKING to reduce or eliminate on-site parking.	25%+ OF REQUIRED PARKING	48
Project provides non-reserved parking that is accessible to the general public and identified with signage visible from the public right-of-way. Public parking shall be identified on the final site plan.	30%+	2 - -
	60+	3
Project u Uses non-potable or gray water for a minimum 25% of the total REQUIRED irrigation water required.	25%+ 49% 50%+	43 6
Project p Provides on-site renewable energy for the ENTIRE building's electricity from renewable sources, like wind, solar, geothermal, biomass or any similar source that is renewable. BASED ON THE LOAD OF THE SERVICE AND, THE PERCENT OF LOAD BEING PROVIDED BY A RENEWABLE SOURCE.	4%-5% 1 POINT FOR EACH % OF BUILDING ENERGY USAGE BEING PROVIDED	42 : : -
	6%-25%	40
	25%-50%	42
	50%+	48
Project e Outperforms the currently adopted energy code standard by the following percentages. MEASURED BY THE PERCENT (%) OVER REQUIRED ENERGY CODE STANDARD.	40% 5%-9% 10%-14% 15%+	405 10 15
	41%-29%	42
	30%+	46
Project h Has a renewable energy purchasing agreement for the entire building for a minimum 5 years, which runs with the property and applies to the entire building(s). This agreement shall be recorded and submitted with the final site plan. MEASURED BY PERCENT (%) OF POWER PURCHASED TO MEET THE ENERGY DEMAND FOR THE BUILDING.	5%-10% 10%-35% - 35%+	45 - - 10 -
	41%-20%	6
	24%-30%	8
	34%-40%	40
	44%-50%	42

	50%+	48
Project provides additional bicycle amenities which should SHALL be located in common areas of the site, and may include THE FOLLOWING:	2 Amenities	24
COMMERCIAL USE: Locker, shower, bike rental, bike repair, and/or tire air-up facilities. REQUIRED Short and long term bicycle parking and other required amenities are excluded:	3 TYPES OF Amenities 4+ TYPES OF AMENITIES SHOWER	35 - 6 - 10
RESIDENTIAL: PROVIDE BICYCLE AMENITIES SUCH AS SECURE PARKING AREAS, LOCKER, AND/OR TIRE AIR-UP FACILITIES FOR TENANTS. NUMBER OF AMENITIES BASED ON PERCENT OF TOTAL NUMBER OF DWELLING UNITS.	2 TYPES OF AMENITIES FOR 20% OF THE DWELLING UNITS	5 PER EACH INCREMENT
Project provides edible landscaping for the defined percentage of the required landscape area. These percentages shall only be calculated based upon the required amount.	10%-49%	4

	50%+	2
Project exceeds the minimum landscaping requirements by the following amount: calculation (required landscaping x option used (1.5 or 2) = total landscaping) PROVIDING 3-INCH CALIPER OR LARGER SIZE TREES. LANDSCAPING MUST BE VISIBLE AND ACCESSIBLE BY THE PUBLIC.	x1.5 20%+ ABOVE REQUIRED PLANT MATERIAL MINIMUM 3" CALIPER SIZE TREES	43 - 5
	x2	2
Project incorporates passive solar design elements or facilitates air movement and breezes. Provided elements should contribute to the strategic design of buildings to utilize sunlight and air movement for ventilation, heating, and/or cooling with little or no use of mechanical systems. Elements such as window overhangs, louvres, recessed windows, appropriate building orientation, breezeways, solar chimneys, operable windows or similar elements that achieve the desired outcome should be utilized:	2 Element -	2
	3 Elements	4
	4+ Elements	6
Project provides multiple housing types intended for different demographics, such as family size or income level. (e.g. number of bedrooms, unit size or live work)	3 Types	2
	4+ Types	3
Project provides active living amenities such as recreational structures within a project's common area.	2 Amenities	4 -

(e.g. playground equipment, sports court, interactive water feature, swimming pool or gymnasium).		
	3+ Amenities	2
Project p Preserves all VIABLE-large mature trees (over 6-inch caliper) in place. INCLUDES TREES IN THE RIGHT-OF-WAY ALONG THE FRONTAGE OF THE DEVELOPMENT.	EACH TREE	21
Project p Provides a minimum 30-year historic preservation conservation easement for the original footprint of a property zoned HP or HP-IL within the boundary of the Downtown Code as approved by the Historic Preservation Officer.	-	8 <u>20</u>
Project r Rehabilitates a structure (INCLUDING BUILDING STABILIZATION) with HP or HP-I Zoning as approved by the Historic Preservation Officer. BUILDING MUST BE LOCATED WITHIN THE BOUNDARY OF THE DOWNTOWN CODE.	10-	10 <u>30</u>
Project i incorporates "cool" building materials above and at the ground floor. Ground floor: high mass, thick, smooth, light colored materials (e.g. concrete and stone) above ground floor: low mass, thin, smooth and light colored materials (e.g. fritted glass to reduce reflectance and glare), stucco, hollow core clay tiles, and fiber reinforced concrete applied over a free flowing air space or "rain screen"	-	3
Project i incorporates public art that is a permanent installation that is visually or physically accessible by the general public.	APPROVED BY ARTS COMMISSION	<u>5</u>

Project p Provides civic space that is improved open space intended for use by the general public. Civic space is designed to the same standards as private open space in accordance with the Character Area, but differs by being located at the periphery of the site to be visually and physically accessible by the general public and is overlaid with a dedicated public access easement.	40%-49% NET SITE AREA <u>9%-12%</u> NET SITE AREA 13%+ NET SITE AREA	26 - - <u>8</u> - <u>10</u>
	20%-29% NET SITE AREA	3
	30%+ NET SITE AREA	4
Project p Provides affordable housing units in the percentage shown with a deed restriction to ensure affordability for a minimum duration commensurate with the project funding agreement, as approved by the Phoenix Housing Department.	10%-24% <u>25%-49%</u> 50%+	8 : <u>12</u> : <u>18</u>
	25%-49%	12
	50%+	18
PROVIDE SHADE FOR A MINIMUM OF <u>50%</u> OF	-	<u>5</u>

OCCUPIABLE ROOF AREAS.		
Total Credits		134+208+

Amend Chapter 12, Section 1224 (Downtown Code, Design Alternatives) to read as follows:

The Design Review Committee (DRC) shall oversee and approve design alternatives and Sustainability Bonus Appeals. *1

1. A design alternative is a deviation from the prescribed standards and design guidelines that would result in a furtherance of the goals and policies of the Downtown Phoenix Plan and the specific intent of the subject Character Area as approved by the DRC.
 - a. The following may be modified by the ~~the~~ DRC up to 25% from the prescribed standardS: ~~buildable area (including building~~ MINIMUM/MAXIMUM setbacks;; ~~build to line, and lot coverage);~~ frontage type standards (but not frontage type); landscaping; AND parking; ~~lighting.~~

This item is recommended by Mr. Naimark and the Planning and Development Department.

REPORTS FROM CITY MANAGER, COMMITTEES, OR CITY OFFICIALS

Upon request, the City Clerk Department will make this publication available through appropriate auxiliary aids or services to accommodate an individual with a disability by calling the Council Support Section, 602-256-3186; faxing a request to 602-495-5847; or calling TTY number 602-534-2737.