

TABLE OF CONTENTS
FOR CITY COUNCIL PACKET
JANUARY 14, 2014

The January 14, 2014, Policy Meeting is Cancelled.

BACK-UP INFORMATION FOR THE WEDNESDAY, JANUARY 15, 2014, FORMAL AGENDA

Boards Citywide	Page 1	Boards and Commissions - Mayor's Appointments (Including Those Continued from December 18, 2013, Formal Meeting)
Boards Citywide	Page 1	Boards and Commissions - Council Member's Appointments (Including Those Continued from December 18, 2013, Formal Meeting)
Boards Citywide	Page 1	Boards and Commissions - Council Member's Appointments - Reconsideration Request of November 20, 2013 Nominations (Continued from December 18, 2013, Formal Meeting)
Items 29, 31 Districts 1 & 2	Pages 42-45, & 49-50	Police Department Recommendations for Two Liquor License Items
Item 72 Citywide	Page 94	Consideration of Citizen Petition
Item 81.1 Citywide		Add-on Memo and RCA – Approval of Final Corrective Action Plan and Cost Allocation Plans for Close Out of Federal Review
Item 82 Citywide	Pages 99-101	Public Hearing for Zoning Ordinance Text Amendment Z-TA-6-13 to Correct Administrative Errors in the Downtown Code
Items 83-84 District 2	Pages 101-104	GPA-NG-2-13-2 and Z-46-13-2 Located Approximately 400 Feet North of the Northwest Corner of North Valley Parkway and Norterra Parkway

Packet Date: January 9, 2014

CITY COUNCIL REPORT

FORMAL AGENDA

TO: City Council AGENDA DATE: January 15, 2014
FROM: Greg Stanton PAGE: 1
Mayor
SUBJECT: BOARDS AND COMMISSIONS

Board and Commission appointments were continued at the December 18, 2013, City Council Formal Meeting. This report provides revised recommendations for consideration.

Assisted Housing Governing Board

I recommend the following for reappointment:

Amador Lopez

Mr. Lopez is a maintenance employee for the City of Phoenix. He has been recommended for reappointment to the Assisted Housing Governing Board and will serve a two-year term to expire January 15, 2016.

Audit Committee

I recommend the following for appointment:

Kate Baker

Ms. Baker is a CPA and the Vice President and Treasurer of Blue Cross Blue Shield of Arizona. She resides in District 6 and will serve a two-year term, previously held by William Bridgeman, to expire on July 1, 2016.

Kate Gallego

Councilwoman Gallego is recommended to serve on the Committee as one of three appointed councilmembers. She will serve a two-year term, previously held by Councilman Michael Johnson, to expire July 1, 2016.

Ed Zuercher

Mr. Zuercher is recommended to serve on the Committee in his role as the Acting City Manager.

Neal Young

Mr. Young is recommended to serve on the Committee in his role as the Acting Chief Financial Officer.

I recommend the following for reappointment:

Thelda Williams

Councilwoman Williams has served on the Committee since 2012. She is recommended for reappointment and will serve a new two-year term to expire June 30, 2016.

Camelback East Village Planning Committee

I recommend the following new appointment:

Karen Beckvar

Ms. Beckvar is the owner of Beckvar Consulting, a consulting organization for school boards and non-profit boards. She is a resident of District 6 and will replace David Kolbe whose term expired. She will serve a term to expire November 19, 2014.

Central City Village Planning Committee

The following is an amendment to the December 4, 2013, City Council Report:

Veronyka Lockhart

Ms. Lockhart is currently serving a partial term on the Central City Village Planning Committee. She is a resident of District 7 and will serve a new term to expire *November 19, 2014.*

Fire Safety Advisory Board

I recommend the following for appointment:

Michael Jorgensen

Mr. Jorgensen is an architect and a senior project director for Cawley Architects. He volunteers in the community with CASS and Homes for Humanity. He will fill a partial first term, previously held by Jessica Bushong, to expire September 30, 2017.

Troy Eiffert

Mr. Eiffert is an area manager for the Phoenix Terminal at Kinder Morgan, where he has worked since 1989. He serves his community as a team leader in the ministry program at his church. He will fill a three-year term, previously held by Steve Kohne, to expire September 30, 2017.

Industrial Development Authority Board

The following is an amendment to the November 20, 2013, City Council Report:

Charlene Tarver

Ms. Tarver is an attorney and the owner of Tarver Law Group, specializing in charitable estate and tax planning. *She replaces Mark Winkleman, who resigned, and will serve a partial term to expire November 1, 2015.*

I recommend the following for appointment:

Barbara Ryan Thompson

Ms. Ryan Thompson is the chief operating officer for the Helios Education Foundation. She serves the community on a number of boards including Expect More Arizona and the Arizona Grantmakers Forum. She will fill a partial term, previously held by Andrei Cherny, to expire November 1, 2017.

Mayor's Commission on Disability Issues

I recommend the following for appointment:

Daniel Martinez

Mr. Martinez is a community relations manager for Arizona Industries for the Blind, where he has served for twenty-three years. He is also a DES certified instructor and provides vocational and informational classes for employees. He is a resident of District 5 and will fill a vacancy. He will serve a three-year term to expire January 15, 2017.

Military Veterans Commission

I recommend the following for appointment:

Doreen Hamilton

Ms. Hamilton is an IT Manager with the Phoenix Police Department and a U.S. Navy Chief. She will replace Greg Perry on the Commission, whose term expired, and she will serve a three-year term to expire August 31, 2017.

Scott McRoberts

Mr. McRoberts is the Health System Specialist to the Medical Center Director of the Phoenix VA Health Care System and a U.S. Marine Corps veteran. He will replace Dr. Robbi Venditti on the Commission, who resigned, and he will fill her partial term to expire August 31, 2014.

Sean Price

Mr. Price works for the Arizona Department of Veterans Services and is a homeless veterans services coordinator and Co-Leader for the Arizona StandDown Alliance and Project H3 VETS. He will replace James Piper on the Commission, whose term expired, and he will serve a three-year term to expire August 31, 2017.

Phoenix Aviation Advisory Board

I recommend the following for appointment:

Stephanie Cherny

Ms. Cherny is an attorney at Phoenix law firm Mitchell Stein Carey, where she performs worldwide risk assessment for international companies and advises on legal and ethical compliance. She is a fourth-generation Arizonan and currently resides in District 6. Ms. Cherny will serve a partial term previously held by Vince Roig, to expire December 15, 2016.

Phoenix Employee Relations Board

I recommend the following for reappointment:

Joseph Earl Diggs

Mr. Diggs is the current Labor Member of the Phoenix Employee Relations Board. He is recommended to serve a new term to expire December 15, 2016.

Fernando Ortega

Mr. Ortega is the current Public Member of the Phoenix Employee Relations Board. He is recommended to serve a new term to expire December 15, 2016.

Phoenix Women's Commission

I recommend the following new appointment:

Lisa Martinez

Ms. Martinez is an engineer and a member of multiple professional organizations including the Society of Women Engineers and the National Society of Hispanic MBAs. She is a resident of District 8 and is recommended to serve a new term to expire June 30, 2016.

Sister Cities Commission

I recommend the following new appointment:

Eric Sloan

Mr. Sloan is self employed and involved in multiple community activities including the Mesa community College Commission on Excellence and Ronald McDonald House Charities. He is a resident of District 5 and is recommended by Vice Mayor Bill Gates. He will serve a new term to expire June 30, 2016.

Workforce Connection Youth Initiatives Committee

I recommend the following for appointment:

Travis Hardin

Mr. Hardin is a communications consultant at Wells Fargo and an Advanced Leader for Toastmasters International. He resides in District 7 and is recommended to represent the Business category on the Committee. He will serve a partial term to expire August 31, 2014.

CITY COUNCIL REPORT

FORMAL AGENDA

TO: Mayor and Council Members AGENDA DATE: January 15, 2014

FROM: Penny Parrella, Executive Assistant PAGE: 1
to the City Council

SUBJECT: BOARDS AND COMMISSIONS – CITY COUNCIL APPOINTEES

Board and Commission appointments were continued at the December 18, 2013, City Council Formal Meeting. This report provides revised recommendations for consideration.

Camelback East Village Planning Committee

Councilwoman Kate Gallego recommends the following new appointment:

Josephine Valenzuela

Ms. Valenzuela is a neighborhood leader with the Greater Green Gables Neighborhood Association and a resident of District 8. She recommended by Councilwoman Kate Gallego to replace David Nance, who resigned, and will serve a term to expire November 19, 2014.

Central City Village Planning Committee

Councilwoman Kate Gallego recommends the following for reappointment:

Bob Graham

Mr. Graham is the current Chair of the Committee and is recommended for reappointment by Councilwoman Kate Gallego. He will serve a new term to expire November 19, 2014.

John Glenn

Mr. Glenn is the current Vice Chair of the Committee and is recommended for reappointment by Councilwoman Kate Gallego. He will serve a new term to expire November 19, 2015.

John Maurin

Mr. Maurin is recommended for reappointment by Councilwoman Kate Gallego and will serve a new term to expire November 19, 2015.

Deer Valley Village Planning Committee

Vice Mayor Bill Gates recommends the following for appointment:

Todd Lattin

Mr. Lattin is a pilot for US Airways and a resident of District 3. He is recommended by Vice Mayor Gates to fill a vacancy on the Committee. He will serve a term to expire November 19, 2015.

Encanto Village Planning Committee

Councilwoman Kate Gallego recommends the following for reappointment:

Abraham James

Mr. James is a business owner and resident of District 8. He is recommended by Councilwoman Kate Gallego for reappointment and will serve new term to expire November 19, 2014.

Laveen Village Planning Committee

Councilwoman Kate Gallego recommends the following new appointment:

Tonya Glass

Ms. Glass is an asset management planner for the Maricopa County Department of Transportation. She is a resident of District 8 and is recommended by Councilwoman Kate Gallego for appointment. She will fill a vacancy and serve a term to expire November 19, 2015.

North Mountain Village Planning Committee

Vice Mayor Bill Gates recommends the following for appointment:

Pamela Doan

Ms. Doan is an operations coordinator for Riester Public Affairs and is a resident of District 3. She is recommended for reappointment by Vice Mayor Gates and will serve a new term to expire November 19, 2015.

CITY COUNCIL REPORT

FORMAL AGENDA

TO: Mayor and Council Members AGENDA DATE: November 20, 2013

FROM: Penny Parrella, Executive Assistant PAGE: 1
to the City Council

SUBJECT: BOARDS AND COMMISSIONS – CITY COUNCIL APPOINTEES

Pedestrian and Biking Ad Hoc Task Force

Councilman Tom Simplot recommends the following for appointment:

Robert Dalager

Mr. Dalager serves on the Citizen's Transit Commission and is an avid bike rider in Phoenix. He resides in District 4.

Encanto Village Planning Commission

Councilman Tom Simplot recommends the following for appointment:

Rebecca Wininger

Ms. Wininger is a self-employed information technology consultant and the current President of Equality Arizona. She will replace Tom Morning whose term has expired. She currently resides in District 4 and is recommended by Councilman Simplot to serve a two-year term to expire on November 19, 2015.

Paradise Valley Village Planning Commission

Councilman Jim Waring recommends the following for appointment:

James Otis

Mr. Otis is a special needs school bus driver for Paradise Valley Unified School District. He resides in District 2 and is recommended by Councilman Waring. Mr. Otis will replace Jack Alspaugh who has resigned from the Commission, and he will serve a term to expire on November 19, 2015.

CITY COUNCIL REPORT

FORMAL AGENDA

TO: Lisa Takata
Deputy City Manager

AGENDA DATE: January 15, 2014

FROM: Cris Meyer
City Clerk

ITEMS: 29, 31 PAGES: 42-45,
49-50

SUBJECT: POLICE DEPARTMENT RECOMMENDATIONS FOR TWO LIQUOR
LICENSE ITEMS ON THE JANUARY 15, 2014, FORMAL AGENDA

The attached memorandum supplements the Request for Council Action report for two liquor license items on the January 15th Formal Council Agenda. This memorandum provides the Council with additional information regarding the Police Department disapproval recommendations for the following items:

New Business Item

- **District 1, Midnight Café and Bar**

Old Business Item

- **District 2, McFadden's Restaurant & Saloon**

For further information regarding these items, please contact the City Clerk Department, License Services Section, at 602-262-7003.

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	Midnight Café and Bar	District	1
Business Location	10215 North 28th Drive, Suite A		
Applicant Name	Nate Mani	Series Type	12

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

- **The applicant has the following criminal record:**
The applicant, Nate Mani, has had previous documented criminal arrests for the following:

- 07/22/02 - Conspiracy to Distribute Marijuana A.R.S.13-3405A2 and Possession of Marijuana A.R.S. 3505A2. Phoenix Police report number 2002-01505331.
- 11/05/06 - Unlawful Sales of Sounds or Images from Recording Device A.R.S. 13-3705. Phoenix Police report 2006-62127907.
- 04/29/11 - Disorderly Conduct A.R.S. 13-2904.

The applicant, Mr. Mani, has had recent City Code violations at this location:

08/23/13 - Phoenix Police investigated reports of an illegal teen dance hall operation at the Midnight Hookah Lounge, 10215 North 28th Drive, owned and operated by Mr. Mani. As a result of this investigation the following violations were documented on Phoenix Police Report 2013-01505331:

- 8/23/13 - Current Occupancy Exceeded 49 (Over 100 present.)
- 8/23/13 - Failure to Keep All Open Flame LPG Fires At Least 10 Feet From Building.
- 8/23/13 - Keep LPG Tanks Over 2.5 Gallons Out Of Building.

- **Additional reasons for disapproval:**
The Midnight Hookah Lounge, located at this location which is owned and operated by Mr. Mani, has been the location of several unpermitted dance events. These dances have drawn teen attendance and advocated sexual conduct. Phoenix Police Department personnel removed a large poster from 10215 North 28th Drive. This poster stated:

“THUR AUG 1ST MIDNIGHT SEX PARTY-SPECIAL GIVEAWAY’S FROM FASCINATIONS DJ STATYK MIXING LIVE. SPECIAL PERFORMANCE BY AZ LOYALTY. CLUB MIDNIGHT 10215 N 28TH DRIVE \$ 10.00 COVER 10PM-2AM.”

Evidence of this event was documented on Phoenix Police Field Interrogation Report 1308090038.

On September 1, 2013, a “Back to School Bash” flyer was distributed announcing: “Club Midnight Presents Nerds & School Girls Back 2 School Bash. High Heels Giveaway to Best Dressed School Girls \$ 10.00 cover 9PM to 2AM Located at Midnight Hookah Lounge 10215 North 28th Drive.”

On December 5, 2013, Detective Cortez conducted an inspection of 10215 North 28th Drive. While inside Detective Cortez saw couches and chairs set up in a manner which allowed them to be pushed to the side for dance floor accessibility. Additionally, a DJ booth was set up on the north side of the building. Detective Cortez asked Mr. Mani if people danced inside his Hookah Lounge and he said “yes.” When asked how he was going to keep liquor separate from any teen coming inside he explained he was going to have security. Number 17 on the city questionnaire asks in part, “Will the business include any of the following activities?” The category labeled “Patron Dancing” offers two different responses, yes or no. Box no was marked.

In addition, we spoke with the neighborhood and we share their concerns of having a liquor license at a location operated by the applicant who has shown irresponsible business practices in the recent past.

Due to previous incidents and the potential for numerous liquor violations involving youth, the applicant has failed to demonstrate that he is capable, qualified, and reliable to hold a liquor license. The Phoenix Police, Cactus Park Precinct, recommends disapproval of the issuance of a liquor license for this location.

This recommendation for disapproval is submitted by: Det. Oscar Cortez #5263

SIGNATURES	
Administrative Licensing Investigator	Ida E. Alonge #A4289
Liquor Enforcement Detail Supervisor	Lt. Robert Conrad #4925

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	McFadden's Restaurant & Saloon	District	2
Business Location	21001 North Tatum Boulevard, #6		
Applicant Name	Randy Nations	Series Type	12

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

The owners other two locations, McFadden's located at 9425 West Coyotes Boulevard in Glendale, Arizona, and Calico Jacks located at 6770 North Sunrise Boulevard in Surprise, Arizona, have a 3-year history consisting of several violations and fines levied related to Repeated Acts of Violence, Selling to Intoxicated or Disorderly Person's, Underage Consumption, Failure to ID, Employee Consuming on Duty, Accepting Unauthorized ID, Failure to Maintain Capability, Qualification and Reliability, and Having Intoxicated on Premises for 30 minutes.

The application is for a Series 12 license but it appears the location is actually going to be operated as a bar requiring a Series 6 liquor license similar as the owners other two locations operated as bars under Series 6 licenses. The new location is similar to the Series 6 location in Glendale in scope of types of tables appearing to be more than 60% for alcohol consumption, advertisement of promotions and alcohol consumption, business plan operations indicate more of a sports bar atmosphere (24 TV's), staffing of security, layout of location to include an outside bar area.

The applicants have failed to maintain capability, qualification, and reliability for the licenses they already have. Additionally, the Series 12 license that they are applying is inappropriate for the stated intended use. For these reasons the Police Department recommends denial.

This recommendation for disapproval is submitted by: Officer Timothy Mitten #5279

SIGNATURES	
Administrative Licensing Investigator	
Liquor Enforcement Detail Supervisor	

CITY COUNCIL REPORT

FORMAL AGENDA

TO: Ed Zuercher
Acting City Manager

AGENDA DATE: January 15, 2014

FROM: Ginger Spencer
Special Assistant to the City
Manager

ITEM:72 PAGE: 94

SUBJECT: CONSIDERATION OF CITIZEN PETITION BACK-UP

This report provides back-up information regarding Item 72 on the January 15, 2014, Formal Agenda requesting City Council to take action on the petition request presented by Ms. Dianne Barker during the Citizen Comment Session at the November 20, 2013, Formal Meeting, pursuant to Chapter IV of the City Charter.

THE ISSUE

The City Charter (Chapter IV., Section 22) provides that any citizen may appear before the City Council at a regular meeting and present a written petition to the City Council. It further provides that Council act upon the petition in the regular course of business, within fifteen (15) days. Under the City's regular course of business, a matter can only be placed on a City Council agenda by the Mayor, three Councilmembers, or the City Manager.

Ms. Dianne Barker presented a written petition request at the Formal Meeting on November 20, 2013, during the Citizen Comment Session. The petition requests Council action to change Rule 8 of Chapter 2, Rules of Council Proceedings, to have Citizen Comments occur at the beginning of the Formal Meeting following roll call. The petition also requested that items raised at the call for the public be placed on the next formal Council agenda (please see the attachment).

This petition request was presented to the Mayor and City Council at the December 4 Formal Meeting for consideration. Council directed staff to conduct research regarding other cities' policies and practices regarding Citizen Comments. Staff surveyed 43 Arizona cities, towns, and organizations, including the Maricopa Association of Governments (MAG), Valley Metro/Regional Public Transit Authority (RPTA), and Central Arizona Project (CAP). See the attached survey.

Overall, 42 of the 43 organizations allow for Citizen Comments; 23 out of 42 (54.8%) hold public comment at the beginning of the meeting; 11 out of 42 (26.2%) hold public comment at the end of the meeting; six out of 42 (14.3%) hold public comment at the beginning and the end of the meeting; and 20 out of 42 (47.6%) televise the public comments portion of the meeting. Of the survey cities who hold public comment at the beginning of the meeting, one city (Douglas) allows up to one hour for public comment,

two cities (Bullhead City, Chino) have a time limit of 30 minutes, and five entities (Scottsdale, Gilbert, Buckeye, MAG, and Valley Metro/RPTA) limit the public comment portion to 15 minutes. The chair set the limits for the remaining cities and organizations. In addition, the majority of the cities (74%) allow three (3) minutes per speaker for public comment compared to the City's current practice of two (2) minutes per speaker. However, the survey city with the next biggest population compared to the City of Phoenix (Population: 1.4 million) was the City of Tucson with a population of 520,116 residents.

OTHER INFORMATION

Rule 8 of the Rules of Council Proceedings (Phoenix City Code, Chapter 2, Article II) establishes policy regarding Citizen Comments. It states that immediately after adjournment or recess of the regular weekly formal meeting, any member of the public may address the Council to comment on issues of interest or concern to them. A quorum of the City Council may or may not be present, but in either event, no decisions will be made and no action on any issue raised will be taken.

State law does not require citizen comments. The City's current practice is to include Citizen Comments immediately following the formal meeting, pursuant to existing Rule 8 of the Rules of Council Proceedings. The time allotted to speakers is at the discretion of the Chair of the meeting, and the City's current practice is to allow two (2) minutes for each speaker.

RECOMMENDATION

This report provides back-up information to Item 72. Staff seeks direction from City Council for any changes to Council rules on citizen comments.

November 18th, 2013

Chris Meyer, City Clerk
City of Phoenix
200 West Washington, 15th Fl.
Phoenix, Arizona 85003
Attn: Ed Zuercher, At City manager

Dear Mr. Meyer:

Am filing "PETITION with you city clerk offices to the attention of our acting city manager, Chapter III(2)(B)(4), who sees that "all ordinances, provisions of the charter and all acts of the Council are faithfully executed. Also, is acting manager's current oath on file, signed in '90's, as city's Budget & Research employee, supportive of his current position in this matter, Chris ?

If so, am requesting Mr. Zuercher to place our citizen's petition on formal agenda, Wednesday November 20th, 2013 per "Chapter IV 22 " How petitions to be presented and acted upon"-
"Any citizen of this City may appear before the Council at any regular meeting and present a written petition; such petition shall be acted upon by the Council in the regular course of business, within fifteen (15) days"

P E T I T I O N

THIS IS WHAT WANT OUR MAYOR AND CITY COUNCIL TO AMEND:

DIVISION 2. RULES OF COUNCIL PROCEEDINGS Chapter IV, Section 7 of the Charter of the City of Phoenix,

Rule 8: Citizen comments.

Immediately after adjournment or recess of the regular weekly formal meeting, any member of the public may address the Council to comment on issues of interest or concern to them. A quorum of the City Council may or may not be present, but in either event, no decisions will be made and no action on any issue raised will be taken.

Change To- Rule 8: Citizen Comments. Any member of the public may address the Council to comment on issues of interest or concern to them at regular weekly formal meeting. This will occur at the beginning of the meeting following roll call. Citizens are encouraged to participate, and although no decisions will be made, the open meeting law permits the council asking for clarification, and assigning the matter for staff follow-up, and or the matter to be place on the coming formal agenda for discussion, action and possible adoption.

THIS IS WHY OUR MAYOR AND CITY COUNCIL SHOULD AMEND:

*The City of Phoenix Charter was established by the people. The people sit on top of the organization chart of the city. It is a benefit to all to have good communication , and fair interplay in municipal manner.

*All cities of Greater Phoenix, it's county and quasi-government as "MAG" ALL have the citizen comments "participation on general topics as a part of the regular formal agenda on their city council agenda's AND typically before the consent agenda. They give three (3) MINUTES FOR THE PARTICIPATE TO SPEAK, and SOME public entities EVEN ALLOW SPEAKER TO SPEAK both BEGINNING AND END OF plus on individual consent items!!

*THE City Of Phoenix is living in by gone years with an old ordinance that dismisses the public. It does not lend to respect that is necessary for the public to give , the city receive and vice- versa.

*Our Mayor made promises to increase transparency, and embrace the people. This can help. All oath taking officials as Mayor, Council and city manager can be empowered with clear communication this measure will bring..

Thank you for your time and consideration. We citizens look forward to hearing from you.

Sincerely,

Dianne

*Dianne Barker, Citizen
809 N 5th Ave, #303
Phoenix, Arizona 85003
(602) 281-0917
ddbarker88@gmail.com*

c: All Citizenry In Support

City of Phoenix	Population	Public Comment	Beginning or End	Meeting Televised	Public Comment Televised	Time Limit
	1,445,632	Yes	End	Yes	No	2 Min - Individual No limit

Public Comment Survey

Organization	Population	Public Comment	Beginning or End	Meeting Televised	Public Comment Televised	Time Limit
Maricopa County (11)						
City of Scottsdale	217,385	Yes	Both	Yes	Yes	3 Min - Individual 15 Min - Total (each time)
City of Avondale	76,238	Yes	Beginning	No	No	3 Min - Individual
City of Peoria	154,065	Yes	End	Yes	Yes	3 Min - Individual
City of Mesa	439,041	Yes	End	Yes	Yes	3 Min - Individual 3 speakers total
City of El Mirage	31,797	Yes	Beginning	No	No	3 Min - Individual Try to take all
City of Wickenburg	6,363	Yes	End	Yes	Yes	4 Min - Individual
Town of Cave Creek	5,015	Yes	Beginning	No (Live audio streamed)	No (Live audio streamed)	3 Min - Individual
City of Goodyear	65,275	Yes	Beginning	No (Live video stream)	No (Live video stream)	3 Min - Individual No limit
Town of Gilbert	208,453	Yes	Beginning	Yes	Yes	3 Min - Individual 15 Min - Total
Town of Fountain Hills	22,489	Yes	Beginning	Yes	Yes	3 Min - Individual
City of Tempe	161,719	Yes (Public Appearances)	End	Yes	No	5 Min - Individual
Other AZ Cities (17)						
City of Apache Junction	35,840	Yes	Both	Yes	No	3 Min - Individual
City of Bisbee		Yes	Beginning	Yes	Yes	3 Min - Individual
City of Bullhead City		Yes	Beginning	Yes	Yes	3 Min - Individual 5 Min - Groups 30 Min - Total (Council) 15 Min - Total (Boards/Commissions)
City of Douglas	17,378	Yes	Beginning	No	No	3 Min - Individual 60 Min - Total
City of Lake Havasu	52,527	Yes	Both	Yes	Yes	5 Min - Individual Mayor determines how long
City of Maricopa	43,482	Yes	Beginning	Yes	Yes	5 Min - Individual
City of Prescott*	39,843	No	-	No	-	If placed on agenda: 5 Min - Individual (Not enforced)
City of Safford	9,566	Yes	Beginning	No	No	3 Min - Individual
City of Sedona	10,031	Yes	Beginning - (Item 7, w/in the first 30 min)	Yes	Yes	3 Min - Individual

Organization	Population	Public Comment	Beginning or End	Meeting Televised	Public Comment Televised	Time Limit
City of Show Low	10,660	Yes	Beginning (At request of new Mayor, was at the end previously) End	Yes	Yes	3 Min - Individual (+3 Min if requested by a member of the council) Additional time beyond 6 minutes requires majority consensus. 5 Min - Individual
City of Sierra Vista	43,888	Yes	End	Yes	Yes	5 Min - Individual
City of Tucson	520,116	Yes (Call to the Audience)	Middle (after introductory items and Liquor Licenses)	Yes	Yes	3 Min - Individual 30 Min - Total
City of Willcox	3,757	Yes	Beginning	Yes	Yes	May be imposed (no set time)
City of Williams	3,023	Yes	Beginning	No	No	5 Min - Individual
City of Winslow	9,655	Yes	End	No (Live audio streamed)	No (Live audio streamed)	5 Min - Individual (No timer)
City of Yuma	93,064	Yes	End (new this year, was at beginning)	Yes	Yes	5 Min - Individual (Can be shorter depending on # of speakers)
City of Casa Grande	48,571	Yes	Middle	Yes	Yes	3 Min - Individual
Other AZ Towns (12)						
Town of Buckeye	50,876	Yes	Beginning	No	No	3 Min - Individual 15 Min - Total
Town of Jerome	444	Yes	Beginning	No	No	3 Min - Individual
Town of Miami	1,937	Yes	Beginning	No	No	3 Min - Individual
Town of Paradise Valley	12,820	Yes	Beginning	No (Live video stream)	No (Live video stream)	Total time limit varies 3 Min - Individual
Town of Parker	3,083	Yes	End	No	No	3 Min - Individual
Town of Payson	15,301	Yes	Both	Yes	Yes	3 Min - Individual or 5 Min if representing a group
Town of Sahuarita	25,259	Yes	Beginning	No (Live audio streamed)	No (Live audio streamed)	3 Min - Individual
Town of Youngtown	6,156	Yes	End	No	No	5 Min - Individual
Town of Oro Valley	41,011	Yes (Call to Audience)	Both	No (Live video stream)	No (Live video stream)	3 Min - Individual
Town of Quartzsite	3,677	Yes	End	No	No	3 Min - Individual 15 Min Total
Town of Florence	25,536	Yes	Both	Yes	Yes	3 Min - Individual
Town of Chino	10,817	Yes	Beginning	Yes	Yes	3 Min - Individual 30 Min - Total
Other Local Organizations (3)						
Manicopa Association of Governments	N/A	Yes (Call to the Audience)	Beginning	No	No	3 Min - Individual 15 Min - Total
Valley Metro/RPTA Board Meetings	N/A	Yes (Public Comment)	Beginning	No	No	3 Min - Individual 15 Min - Total
CAP	N/A	Yes	End	No	No	3 Min - Individual

Organization	Population	Public Comment	Beginning or End	Meeting Televised	Public Comment Televised	Time Limit
Summary: Total: 43 Responses	Yes - 42 No - 1	Beginning - 23 End - 11 Both - 6 Middle - 2 Do not have PC - 1	Yes - 22 Video St - 3 Audio St - 3 No - 15 Do not have PC - 1	Yes - 20 Video St - 3 Audio St - 3 No - 16 Do not have PC - 1	Individual 3 Min - 32 5 Min - 9 4 Min - 1 Other - 1 Total: 15 Min - 6 30 Min - 3 Other - 7 N/A - 27	

*For the City of Prescott, residents who wish to address Council must fill out a request to speak card and submit to the City Clerk. The Clerk makes a copy for each Councilmember and the Mayor. If two Councilmen sign off, or the Mayor signs his approval, the person gets listed as an item on the meeting agenda. Otherwise, people are only invited to speak on agenda items.



City of Phoenix

To: Ed Zuercher
Acting City Manager

Date: January 9, 2014

From: Deanna Jonovich *D. Jonovich*
Senior Special Assistant To The City Manager

Subject: REQUEST FOR ADD-ON TO JANUARY 15 AGENDA

The City Manager's Office requests an add-on to the January 15, 2014, Formal Agenda for City Council APPROVAL OF FINAL CORRECTIVE ACTION PLAN AND COST ALLOCATION PLANS FOR CLOSE OUT OF FEDERAL REVIEW.

The RCA is of significant importance to the Human Services Department to be able to meet the Office of Head Start Region IX requirement for an approved plan to be submitted no later than January 25, 2014. The City Council Subcommittee serving as the City of Phoenix Head Start Governing Board is not scheduled to meet prior to the January 26, 2014 submission deadline.

Questions on this matter may be addressed to Moises Gallegos, Acting Human Services Director, at 2-6668.

**CITY OF PHOENIX
REQUEST FOR COUNCIL ACTION**

Complete this form per A.R. 4.11.

Refer to the City Council Agenda Process Reference Guide for Assistance

ACTION REQUESTED	Formal Action:	OR	Legal Document:
	Bid Award <input type="checkbox"/>		Ordinance <input type="checkbox"/>
	License Application <input type="checkbox"/>		Amend City Code? <input type="checkbox"/>
	Public Hearing <input type="checkbox"/>		Resolution <input type="checkbox"/>
	Other <input checked="" type="checkbox"/>		Emergency Clause? <input type="checkbox"/> (for use only w/ord. or res. requests)
IMPACTED DISTRICT(S)	CITYWIDE	ADDITIONAL BACKUP MATERIAL SENT UNDER SEPARATE COVER?	<input type="checkbox"/>
SUBJECT	APPROVAL OF FINAL CORRECTIVE ACTION PLAN AND COST ALLOCATION PLANS FOR CLOSE OUT OF FEDERAL REVIEW		
REQUESTED AGENDA DATE	1/15/2014	PREPARED BY	Name Patricia Nightingale
			Department Human Services
			Phone 2-4042
APPROVALS	Division Head: Patricia Nightingale	If prepared for another department: Department Name:	
	Department Head: Moises Gallegos	Approval:	
BID AWARD INFORMATION	Bid Surety Required? <input type="checkbox"/>	Performance Surety Required <input type="checkbox"/>	
	Submitted by Low Bidder? <input type="checkbox"/>	Amount? _____	
	Contract Required? <input type="checkbox"/>	Requisition No. _____	
CONTRACT INFORMATION	Contract Amendment? <input type="checkbox"/>	Sole Source Contract? <input type="checkbox"/>	
	If Yes, Current Contract No. _____		
	Approved by: _____	Ordinance <input type="checkbox"/>	Resolution <input type="checkbox"/>
	Formal Action <input type="checkbox"/>		
BUDGET INFORMATION	\$ 0.00 _____	To Be Encumbered? <input type="checkbox"/>	
	Source of Funds: _____	Fiscal Year? _____	
	Fund Center(s) (SAP-FM): _____	Commitment Item(s) (SAP-FM): _____	
CITY MANAGER'S OFFICE	Approved by Deanna Jonovich 1/9/14		CM Control No. _____
CITY CLERK DEPARTMENT	Council Action Taken:		
	Ordinance Number: _____	RCA No. _____	
	Resolution Number: _____	Contract No. _____	
	Comments: _____	Meeting Date _____	
		Item No. 81.1	

ITEM

CITYWIDE

**APPROVAL OF FINAL
CORRECTIVE ACTION PLAN
AND COST ALLOCATION
PLANS FOR CLOSE OUT OF
FEDERAL REVIEW**

Request City Council approval of the corrective action plan and cost allocation plans to close out the 2013 Head Start triennial federal review.

The Head Start Performance Standards require the U.S. Department of Health and Human Services Administration for Children and Families Office of Head Start to conduct a comprehensive review of each grantee every three years. The review measures seven areas of grantee performance: Program Governance; Management Systems; Fiscal Integrity; Eligibility, Recruitment, Selection, Enrollment, and Attendance; Child Health and Safety; Family and Community Engagement; and Child Development and Education. Data gathered about grantees during monitoring reviews are used by the Office of Head Start to evaluate multiple levels of performance, including determining program strengths, concerns, non-compliances, and deficiencies.

The City of Phoenix triennial review took place February 3 to 8, 2013. Fourteen reviewers conducted an extensive evaluation of the City's systems including 96 classroom/home visit observations, 160 child file reviews, and 100 staff file reviews. The final report, received March 28, 2013, outlined two areas of non-compliance. The City of Phoenix was granted 120 days, to July 27, 2013, to correct the non-compliance items. An extension was requested and granted to October 27, 2013, in order to allow time to train the Delegate Agency staff on the corrective actions when they returned from summer break in August. In addition, once all of the corrective actions were completed, the Head Start Policy Council and Governing Board (City Council Downtown, Aviation, and Redevelopment Subcommittee) were required to approve the corrective actions.

A draft of the final corrective action plan, as approved by the Head Start Policy Council and Governing board, was reviewed by the Office at Head Start Region IX in July 2013. They requested modifications to the plan and granted the City of Phoenix another three-month extension, to January 26, 2014, to complete the revisions. This report incorporates all revisions and requests City Council approval of the plans to close out the 2013 Head Start triennial federal review.

The following information outlines the two areas of non-compliance and the corrective actions taken:

Fiscal Integrity

Applicable Standards	Status	Finding Type
225, App A(C)(3)(a)	Non-compliance	Cost Principles

The grantee did not ensure charges to the Head Start and Early Head Start (EHS) programs were allocated in accordance with relative benefits received. The grantee was unable to support allocation percentages used to charge costs to the grant.

The grantee did not ensure shared costs were allocated to Head Start and EHS based on relative benefits received; therefore, it was not in compliance with the regulation.

Corrective Actions:

The following information documents the actions taken to resolve the area of non-compliance:

•	Cost allocation plans were developed to determine the methodology to be utilized for any shared costs between Head Start, Early Head Start, or the Human Services Department.
•	Journal entries were completed to distribute the costs of the Community Assessment and non-federal share cost for Travis L. Williams and Sunnyslope Family Services Centers according to the cost allocation plans.
•	To ensure all cost for the year were allocated appropriately, staff reviewed all charges to verify the allocation method. Three additional areas required journal entries to correct the charges.
•	The Region IX Technical Assistance consultant met with the Head Start management staff on June 11 to provide training and technical assistance on cost allocation. The assistance included reviewing the draft cost allocation plans.
•	A conference call was conducted with the Region IX Fiscal Specialist and Program Specialist to review the cost allocation plan and review feedback. The draft cost allocation plans were finalized at that time.
•	The Head Start management staff and Management Services Division staff were trained on the new cost allocation plans on August 28, 2013.

Child Health and Safety

Applicable Standards	Program Type	Status	Finding Type
1304.53(a)(7)	Head Start	Non-compliance	Safe Physical Environments

The grantee did not ensure its delegate agency provided for the maintenance and repair of all Head Start facilities. Five percent of settings observed were not in good repair.

The grantee did not ensure its delegate agency provided for the maintenance and repair of all Head Start facilities; therefore, it was not in compliance with the regulation.

Corrective Actions:

The following information documents the actions that have been taken to resolve the area of non-compliance:

•	As soon as the damaged storage shed was identified by the federal reviewer on February 7, 2013, and the Washington Head Start Director was notified, the program began the efforts to repair it. By 10:45 a.m. on February 8, 2013, the damaged shed was repaired by placing a wooden frame on the shed to correct the damage and prevent it from occurring again. A picture of the repaired shed was forwarded to the Washington Head Start Director, Grantee Head Start Director, and federal review team leader.
•	The Region IX Technical Assistance Consultant provided training and technical assistance to the Head Start management team on June 20, 2013. This included reviewing the Grantee Monitoring Plan and tools, and reviewing the Delegate Agency documents.
•	The Grantee Head Start Director met with each Delegate Agency Head Start Director to review the Health and Safety procedures. The procedures were clearly documented to ensure compliance.
•	The Grantee reviewed its ongoing monitoring systems to ensure appropriate actions are being taken to monitor the classrooms.
•	The Delegate Agencies provided training on the Health and Safety procedures during the pre-service orientation in August 2013 and the City of Phoenix employees were trained in September 2013.
•	Six centers randomly selected by Region IX were reviewed from September 13 to September 20. Issues were identified in three of the six sites. Those sites were revisited in December 2013 and no issues were identified.
•	In November 2013, random monthly health and safety checks were implemented by the Delegate Agency administrative staff and/or parents. In addition, the City of Phoenix is conducting a monthly random check.
•	In December 2013, Delegate Agencies began reporting the results of their ongoing monitoring and monthly random health and safety checks to the City of Phoenix. This information will be shared with the Head Start Policy Council and Governing Board (City Council Downtown, Aviation, and Redevelopment Subcommittee).
•	In January 2014, City of Phoenix staff will complete an inventory of all classrooms and playgrounds to identify furniture and equipment needing replacement or repairs. A request will be made to the Office of Head Start to provide one-time program improvement funding for items needing immediate attention. Other items will be replaced and repaired as program savings are identified.

Concurrence

The Head Start Policy Council approved this item on December 9, 2013. The City Council that serves as the City of Phoenix Head Start Governing Board, is not scheduled to meet prior to the January 26, 2014, submission deadline required by the Office of Head Start.

Recommendation

The Human Services Department recommends the City Council approve the corrective action plan and cost allocation plans developed to close out the findings from the 2013 triennial federal review.

CITY COUNCIL REPORT

FORMAL AGENDA

TO: Rick Naimark
Deputy City Manager

AGENDA DATE: January 15, 2014

FROM: Alan Stephenson
Acting Planning and Development
Director

ITEM:82 PAGES: 99-101

SUBJECT: BACK-UP INFORMATION TO ITEM 82 ON THE JANUARY 15, 2014,
FORMAL AGENDA – PUBLIC HEARING FOR ZONING ORDINANCE
TEXT AMENDMENT Z-TA-6-13 TO CORRECT ADMINISTRATIVE
ERRORS IN THE DOWNTOWN CODE

This report provides back-up information on Item 82 on the January 15, 2014, Formal Agenda on a Zoning Ordinance Text Amendment to correct administrative errors in the Downtown Code. Staff requests City Council approval of Zoning Ordinance Text Amendment TA-6-13 as shown in the agenda language.

THE ISSUE

The purpose of this text amendment is to revise Section 1212.D (Downtown Code, Downtown Gateway Character Area Streetscape Standards Matrix) of the Zoning Ordinance to correct administrative errors by reinstating the Storefront (S) frontage type to specific streets in the Downtown Gateway Streetscape Standards Matrix that had inadvertently been left out during the revision of the Downtown Code Text Amendment Z-TA-3-12.

OTHER INFORMATION

On March 14, 2010, the form-based Downtown Code became effective. Several projects have come through the development review process under the adopted Downtown Code have highlighted areas that need adjustments. On January 26, 2012, staff initiated Z-TA-3-12 to improve and clean up the Downtown Code. The intent of this text amendment was to improve clarity and consistency as well as streamline implementation of the downtown ordinance and ensure a vibrant, quality, pedestrian friendly environment.

The Planning Commission initiated this text amendment on August 13, 2013.

The Text Amendment Advisory Committee (TAAC), the Village Planning Committees, and the City Council Neighborhoods, Housing, and Development Subcommittee did not review the proposed text amendment because it was a typographical error.

The Planning Commission recommended approval of this item on December 10, 2013.

RECOMMENDATION

Staff requests City Council approval of Zoning Ordinance Text Amendment TA-6-13 as recommended by the Planning Commission as shown in the agenda language.

Attachment:

- A: Planning Commission Approved Text Amendment Language
- B: Staff Report

Attachment A

Z-TA-6-13 Correct Administrative Errors in the Downtown Code

Proposed Language:

Amend Chapter 12, Section 1212.D (Downtown Gateway) of the Phoenix Zoning Ordinance to correct administrative errors in the Downtown Code as follows:

1212 Downtown Gateway.

D. Streetscape Standards.

Streetscape Standards Matrix						
Street Section	Minimum Building Setback	Maximum Building Setback	Building Frontage	Allowed Frontage Types	Minimum Sidewalk Width	Minimum Streetscape Zone Width

1st Avenue Roosevelt St. to McKinley St.	0'	5'	Minimum 75%	SD, GA, <u>S</u>	8'	8'
1st Avenue McKinley St. to Fillmore St.	0'	5'	Minimum 75%	SD, GA, <u>S</u>	8'	8'
Central Avenue Coronado Rd. to Roosevelt St.	0'	5'	Minimum 75%	SD, GA, <u>S</u>	8'	8'
Central Avenue Roosevelt St. to Fillmore St.	0'	5'	Minimum 75%	SD, GA, <u>S</u>	8'	8'

(AFY) Active Front Yard, (SD) Stoop/Door Well, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report
Zoning Ordinance Text Amendment
Z-TA-6-13

Application No Z-TA-6-13: A request to amend Chapter 12, Section 1212.D (Downtown Gateway) of the Zoning Ordinance to correct administrative errors in the Downtown Code.

Staff Recommendation: Staff recommends approval of Z-TA-6-13 as shown in the recommended text in Attachment A.

Purpose and Summary

The intent of this text amendment is to revise Section 1212.D (Downtown Code, Downtown Gateway Character Area Streetscape Standards Matrix) of the Zoning Ordinance to correct administrative errors by reinstating the Storefront (S) frontage type to specific streets in the Downtown Gateway Streetscape Standards Matrix that was inadvertently been left out during the revision of the Downtown Code Text Amendment Z-TA-3-12. The exact language proposed to be modified is contained in Attachment A.

Background

On March 14, 2010 the form based Downtown Code became effective. There have been several projects that have come through the development review process under the adopted Downtown Code that have highlighted areas that need adjustments. On January 26, 2012 staff initiated Z-TA-3-12 to improve and clean up the Downtown Code. The intent of this text amendment was to improve clarity and consistency as well as streamline implementation of the downtown ordinance and ensure a vibrant, quality, pedestrian friendly environment.

Conclusion

This text amendment will amend Section 1212.D. of the Zoning Ordinance to reinstate the Storefront as a frontage type to specific streets in the Downtown Gateway Character Area. Staff recommends approval of the changes to the Zoning Ordinance as presented in attachment A.

Writer

Vania Fletcher
10/14/2013
LT

Attachments

A. Proposed Language

Attachment A
Z-TA-6-13 Correct Administrative Errors in the Downtown Code

Proposed Language:

Amend Chapter 12, Section 1212.D (Downtown Gateway) of the Phoenix Zoning Ordinance to correct administrative errors in the Downtown Code as follows:

1212 Downtown Gateway.

D. Streetscape Standards.

Streetscape Standards Matrix						
Street Section	Minimum Building Setback	Maximum Building Setback	Building Frontage	Allowed Frontage Types	Minimum Sidewalk Width	Minimum Streetscape Zone Width

1st Avenue Roosevelt St. to McKinley St.	0'	5'	Minimum 75%	SD, GA, S	8'	8'
1st Avenue McKinley St. to Fillmore St.	0'	5'	Minimum 75%	SD, GA, S	8'	8'
Central Avenue Coronado Rd. to Roosevelt St.	0'	5'	Minimum 75%	SD, GA, S	8'	8'
Central Avenue Roosevelt St. to Fillmore St.	0'	5'	Minimum 75%	SD, GA, S	8'	8'

(AFY) Active Front Yard, (SD) Stoop/Door Well, (DY) Dooryard, (S) Storefront, (GA) Gallery/Arcade, (SY) Side Yard, (ALL) All Frontage Types

CITY COUNCIL REPORT

FORMAL AGENDA

TO: Rick Naimark
Deputy City Manager

AGENDA DATE: January 15, 2014

FROM: Alan Stephenson
Acting Planning and Development
Director

ITEMS:83-84 PAGES: 101-104

SUBJECT: BACK-UP INFORMATION TO ITEMS 83-84 ON THE JANUARY 15, 2014,
FORMAL AGENDA – GPA-NG-2-13-2 AND Z-46-13-2 LOCATED
APPROXIMATELY 400 FEET NORTH OF THE NORTHWEST CORNER
OF NORTH VALLEY PARKWAY AND NORTERRA PARKWAY

This report provides back-up information on Items 83-84 on the January 15, 2014, Formal Agenda.

THE ISSUE

A General Plan Amendment and companion rezoning application have been submitted for approval to the City Council for a parcel located approximately 400 feet north of the northwest corner of North Valley Parkway and Norterra Parkway. Application is being made by Toni Bonar of Hilgart Wilson, LLC, representing Randy Christman of Pulte Homes Corporation, on behalf of Patrick R. Anderson Trust ETAL.

OTHER INFORMATION

General Plan Amendment Case GPA-NG-2-13-2 is a request to change the General Plan land use designation on 11.55 acres from Commercial to Residential 3.5 to 5 du/ac to extend the single-family residential use further south along North Valley Parkway.

Rezoning Case Z-46-13-2 is a request to rezone 13.69 acres from PCD NBCOD (Approved C-2 PCD NBCOD) to R1-6 NBCOD for removal of North Gateway PCD (Z-34-01) to allow single-family development.

The North Gateway Village Planning Committee reviewed the applications on November 14, 2013. The General Plan Amendment was recommended for approval on a 5-0 vote and the zoning case was recommended for approval, subject to stipulations on a 5-0 vote.

The application was heard by the Planning Commission on December 10, 2013, and recommended both cases for approval on a 9-0 vote.

Attachments:

A – Staff Report GPA-NG-2-13-2

B – Staff Report Z-46-13-2

C – North Gateway Village Planning Committee Results

D – Planning Commission Minutes



**GENERAL PLAN AMENDMENT
STAFF ANALYSIS
November 5, 2013**

<u>Application:</u>	GPA-NG-2-13-2
<u>Applicant:</u>	Pulte Homes Corporation – Randy Christman Toni Bonar – Hilgart Wilson LLC
<u>Location:</u>	Approximately 400 feet north of the northwest corner of North Valley Parkway and Norterra Parkway
<u>Acreage:</u>	11.55 +/-
<u>Current Plan Designation:</u>	Commercial
<u>Requested Plan Designation:</u>	Residential 3.5 to 5 du/ac
<u>Reason for Requested Change:</u>	To allow the development of a single-family subdivision
<u>Companion Rezoning Case:</u>	Z-46-13-2
<u>Village Planning Committee Action:</u>	North Gateway – November 14, 2013
<u>Staff Recommendation:</u>	Approval

FINDINGS

- 1) Properties east and south of the site are designated Residential 3.5 to 5 du/acre; this proposal will complement the existing character of the area.
- 2) Given the proximity to the North Gateway Village Core and over 400 acres of Mixed Use (MU) development, the change in land use designation will support the need for housing near the core.

BACKGROUND

The purpose of this request is to designate 11.55 acres located approximately 400 feet north of the northwest corner of North Valley Parkway and Norterra Parkway from Commercial to Residential 3.5 to 5 du/ac on the General Plan. The site is located within the North Black Canyon Corridor Plan. The North Black Canyon Corridor Plan promotes a functional and equitable mix of uses to establish a strong sense of community.

The companion rezoning case, Z-46-13-2, is running concurrently and is requesting to rezone the parcel to R1-6 NBCOD to allow for a single-family development to be constructed.

RELATIONSHIP TO GENERAL PLAN GOALS AND POLICIES

LAND USE

- GOAL 2 – EMPLOYMENT AND POPULATION BALANCE: DEVELOPMENT OF EACH VILLAGE’S POTENTIAL SHOULD BE ENCOURAGED BY DISTRIBUTING A DIVERSITY OF EMPLOYMENT AND HOUSING IN A WAY THAT ACHIEVES A BALANCED CITYWIDE PLAN AND THAT IS CONSISTENT WITH COMMUTE TRAVEL PATTERNS AND THE CURRENT CHARACTER OF EACH DEVELOPED VILLAGE.

The proposed residential designation encourages the development of housing near the North Gateway Village Core. Over 400 acres of Mixed Use (MU) commercial property has been designated within a 15 minute drive.

GROWTH ELEMENT

- GOAL 1- GROWTH: MAINTAIN A HIGH QUALITY OF LIFE AND ECONOMICALLY HEALTHY COMMUNITY

Residential land uses in close proximity to the North Gateway Village Core responds to a need for housing and creates the need in the community for more retail and commercial.

HOUSING ELEMENT

- GOAL 2 – HOUSING CHOICE: A DIVERSE CHOICE OF HOUSING SHOULD BE PROVIDED IN ALL VILLAGES OF THE CITY TO MEET THE NEEDS OF ALL HOUSEHOLDS.
- GOAL 6 - HOUSING DEVELOPMENT AND COMMUNITY CHARACTER: HOUSING DEVELOPMENT OF ALL TYPES AND PRICES IN EACH URBAN VILLAGE SHOULD ENHANCE THE CHARACTER OF THE URBAN VILLAGE AND FACILITATE ORDERLY NEIGHBORHOOD AND COMMUNITY DEVELOPMENT.

Development of the proposed land use will provide additional housing opportunities within the North Gateway Village.

NEIGHBORHOOD ELEMENT

- GOAL 2: NEW DEVELOPMENT AND EXPANSION OR REDEVELOPMENT OF EXISTING DEVELOPMENT IN OR NEAR RESIDENTIAL AREAS SHOULD BE COMPATIBLE WITH EXISTING USES AND CONSISTENT WITH ADOPTED PLANS

Policy 3: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.

Approval of this request along with rezoning case Z-46-13-2 will encourage development that is sensitive in scale and character to the surrounding neighborhoods.

The proposed amendment has no significant effect on the following General Plan elements:

**COST OF DEVELOPMENT
NATURAL RESOURCES CONSERVATION ELEMENT
OPEN SPACE ELEMENT
RECREATION ELEMENT
CIRCULATION ELEMENT
PUBLIC SERVICES AND FACILITIES ELEMENT
BICYCLING ELEMENT
CONSERVATION, REHABILITATION AND REDEVELOPMENT ELEMENT
WATER RESOURCES ELEMENT
PUBLIC SERVICES AND FACILITIES ELEMENT
SAFETY ELEMENT**

RECOMMENDATION

Staff recommends approval of this request.

Writer

Kasandra Zobrist
November 14, 2013

Attachments

General Plan Amendment Land Use Map







GENERAL PLAN AMENDMENT

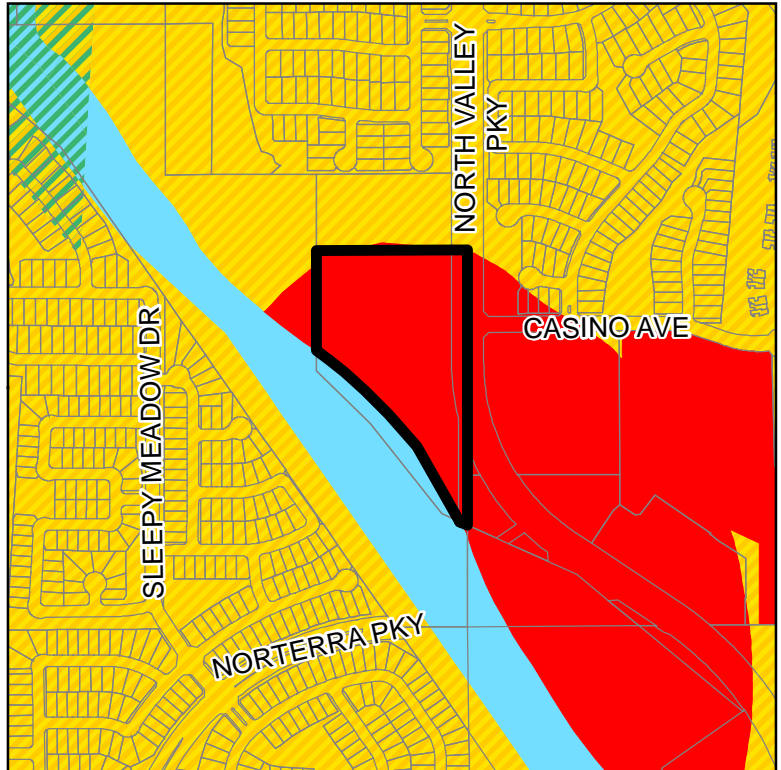
CITY OF PHOENIX ♦ PLANNING DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-NG-2-13-2	ACRES: 11.55 +/-
VILLAGE: North Gateway	COUNCIL DISTRICT: 2
APPLICANT: Toni Bonar	

EXISTING:



Commercial (11.55 +/- Acres)

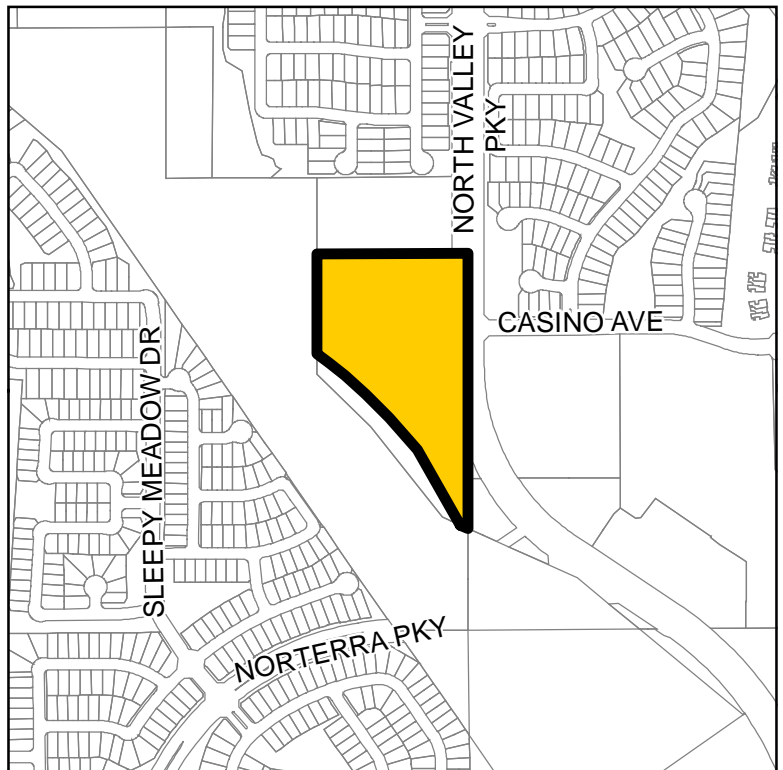
-  Proposed Change Area
-  Commercial
-  Floodplain
-  Preserves / Floodplain
-  Preserves / 2-3.5 or 3.5-5 du / acre
-  Residential 2 to 5 du / acre



PROPOSED CHANGE:

Residential 3.5 to 5 du / acre (11.55 +/- Acres)

-  Proposed Change Area
-  Residential 3.5 to 5 du / acre





City of Phoenix
 PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-46-13-2
 November 5, 2013

North Gateway Village Planning Committee Meeting Date November 14, 2013

Planning Commission Hearing Date December 10, 2013

Request From: PCD NBCOD (App. C-2 PCD NBCOD) (13.69 acres)

Request To: R1-6 NBCOD (13.69 Acres)

Proposed Use Removal of North Gateway PCD (Z-34-01) to allow single-family

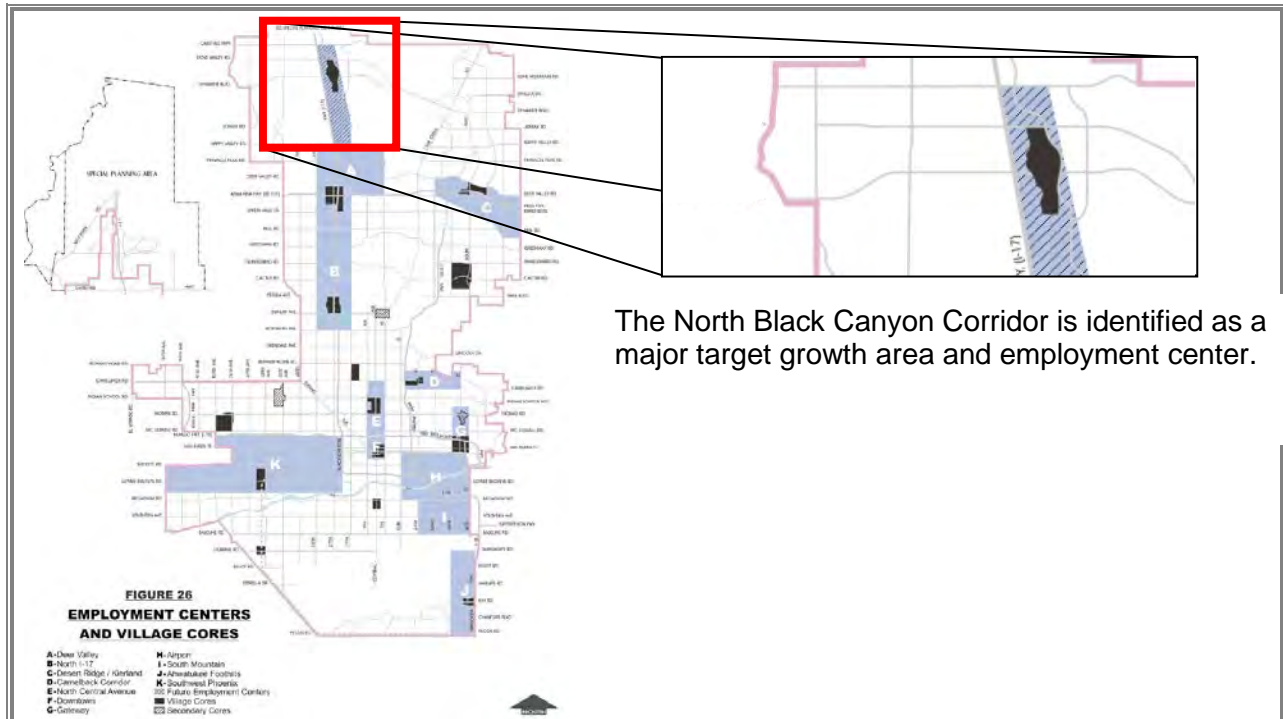
Location Approximately 400 feet north of the northwest corner of North Valley Parkway and Norterra Parkway

Owner Patrick R. Anderson Trust ETAL

Applicant/ Representative Pulte Homes Corporation – Randy Christman
 Toni Bonar – Hilgart Wilson LLC

Staff Recommendation Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Designation		Commercial	
Street Map Classification	North Valley Parkway	Major Arterial	70-foot half-street
	Norterra Parkway	Collector	50-foot half-street
	Casino Avenue	Minor Collector	35-foot half-street
<p><i>Neighborhood Element Goal 1, Policy 1: Promote neighborhood identity through planning that reinforces the existing landscaping and character of the area. Each new development should contribute to the character identified for the village.</i></p> <p>This proposal will create 43 new dwelling units within the North Gateway Village and develop a vacant parcel in a manner that is compatible with the area’s existing, developing, and planned character.</p>			



The North Black Canyon Corridor is identified as a major target growth area and employment center.

**NEIGHBORHOOD ELEMENT, GOAL 2 COMPATIBLE NEIGHBORHOOD DEVELOPMENT:
 NEW DEVELOPMENT SHOULD BE COMPATIBLE WITH EXISTING USES.**

The proposed development would be compatible in density and scale with existing and planned uses in the area.

Area Plan

NORTH BLACK CANYON CORRIDOR PLAN (NBCC)

The site is located within the North Black Canyon Corridor Plan and is consistent with the intent of the following goals:

- Goal 2: Achieve a balance between employment and housing.

A Planned Community District (PCD) requires a Master Developer/Association be formed for each functional unit within the PCD to coordinate master infrastructure, circulation, grading and drainage, conservation, and architectural design planning and responsibility. To date, no such association has been formed and master planning has not occurred with the exception of Functional Unit 1. The removal of the PCD designation eliminates the master plan requirements leaving each parcel to comply with the requirements outlined in the Phoenix Zoning Ordinance.

Surrounding Land Uses/Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant	PCD NBCOD (Approved C-2)
North	Vacant/ Residential	PCD NBCOD (Approved C-O, R1-6)
South	Vacant/ Residential	PCD NBCOD (Approved C-2, S-1)
East	Vacant/ Residential	PCD NBCOD (Approved R1-6, R-2, C-2)
West	CAP Canal	FH NBCOD

Single-Family		<i>*if variance required</i>
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed site Plan</u>
Development Option	Planned Residential Development	Planned Residential Development
Gross Acreage	N/A	13.69 Acres
Total Number of Units	68/ 88	43
Density	5.0/ 6.5 du/acre with density bonus	3.14 du/acre (MET)
Typical Lot Size	N/A	50 feet by 120 feet (MET)
Subject to Single-Family Design Review	10% or more of the lots are equal or les	Yes
Open Space	Minimum 5% of gross area- (.68 Acres)	15% Open Space- (2.05 Acres) (MET)

Background/Issues/Analysis

GENERAL

1. The subject property is part of Functional Unit 1, of the North Gateway Planned Community District (PCD) (Z-34-01-2). Stipulations of the PCD require that the developer submit covenants for the Planning and Development Director's approval which address common area maintenance and notification to prospective residents of the proximity of parks, preserve lands, flashfloods in washes, and mining activities. These stipulations also require that a Master Developer/Association be formed for each functional unit within the PCD to coordinate master infrastructure, circulation, grading and drainage, conservation, and architectural design planning and responsibility. The major infrastructure (right-of-way, water and wastewater) for Functional Unit 1 was put into place with the development of the single-family subdivision in Phase I. The remaining parcels with Functional Unit 1 will contribute to any lingering infrastructure requirements via stipulations or development agreements; therefore the Planned Community District (PCD) designation is no longer necessary.
2. This request is to rezone a commercially zoned property from PCD NBCOD (approved C-2 PCD NBCOD) to R1-6 NBCOD (Single-family residential) in order to develop a single-family subdivision.
3. The subject 13.69-acre property is located 400 feet north of the northwest corner of North Valley Parkway and Norterra Parkway. The request will remove the parcel from the North Gateway PCD (Z-34-01-2). Currently the property is undeveloped, vacant land. The site is located in an area that consists primarily of single-family residential uses.

4. The General Plan Land Use Map designates 11.55 acres of the subject site as Commercial. There is a pending General Plan amendment (GPA-NG-2-13-2) to amend the General Plan designation from Commercial to Residential 3.5-5 du/ac to be consistent with the proposed single-family development. A portion of the site is within a designated floodplain.
5. The subject site is located east of the Central Arizona Project (CAP) Canal. Land to the north is zoned PCD NBCOD (approved C-O) and has recently been reviewed for the development of a church. The Fireside at Norterra Community lies to the east (approved R1-6, R-2, and C-2 PCD). The land immediately to the south is vacant and zoned S-1.
6. Located within the North Gateway Village, the proposed zoning, site plan and elevations are consistent with the existing designations and low density single-family residential. Additional stipulations that limit the number of homes to 43, view fencing along the CAP Canal and decorative walls along North Valley Parkway have been added to maintain the existing character of the surrounding neighborhoods.
7. The development will consist of 43 homes with various façade options available. As submitted, the proposed site plan will complement the existing residential neighborhoods in the area. Stipulations have been included that will include maximum number of lots and general conformance to elevations.
8. A main gated entryway is provided on North Valley Parkway with an internal roadway system to provide connectivity. Stipulations have been included to incorporate the design aesthetic utilized in neighboring projects along North Valley Parkway. Additionally, the main entryway and gate design have been stipulated to conform to the North Gateway PCD, Functional Unit 1 (PCD 34-01) which includes a 12-foot median and a stone veneered entry monument.
9. The site features over 2.7 acres of open space including a small park that will be linked by a community trail. A large community open space area will be provided along the western portion of the site (abutting the CAP Canal). Stipulations have been included for view fencing adjacent to internal open space amenities and the CAP Canal.
10. It has been determined that this parcel/location is within a Special Flood Hazard Area (SFHA), called Zone A, as designated by the Federal Emergency Management Agency (FEMA). SFHA's are areas subject to inundation by a 100 year flood as shown on panel 1205 G of the Flood Insurance Rate Maps (FIRM) dated September 30, 2005.

11. Water and sewer main extensions will be required to serve the proposed single-family residential development. The design and construction of any facilities needed to connect to or increase the capacity of the existing infrastructure will be the responsibility of the developer. Existing Water and Sewer Utilities include a 12-inch water main in North Valley Parkway and a 54-inch transmission main but is (not available for direct connection). A 12-inch sewer main is available off of North Valley Parkway.
12. Fire prevention does not anticipate any problems with this case. But the site or/and building(s) shall comply with the Phoenix Fire Code. Insufficient information has been provided to determine whether additional water supply will be required to meet the required fire flow per the Phoenix Fire Code.
13. This location is currently not served by an existing route due to its outlying location. There are existing improved stops approximately a quarter-mile from this proposed subdivision. There are no additional Public Transit requests at this time pertaining to this location.
14. The developer will be responsible for the installation of Conduit and pull boxes for the future traffic signal at Casino Avenue and North Valley Parkway. Signal installation will only occur after warrants have been met as determined by the Street Transportation Department. A stipulation has been added to address this.
15. Development and use of this site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Zoning adjustments or other formal actions may also be required independent of the zoning request.

Findings

1. The proposed rezoning provides new housing opportunities which are compatible with the character and feel of the surrounding area.
2. The proposed zoning will compliment uses in the surrounding area.
3. As stipulated, the proposal will enhance the CAP canal views and create both passive and active recreational opportunities.

Stipulations

SITE PLAN AND ELEVATIONS

1. The development shall be in general conformance with the site plan and elevations date stamped September 4, 2013, as modified by the Planning and Development Department, with specific regard to 43 lots

2. A minimum of 15% percent of the gross project area shall be retained as open space, including washes and hillside areas as approved by the Planning and Development Department.
3. No more than 50 percent of the required landscape setback adjacent to North Valley Parkway shall be used for retention.
4. The main entryway design shall adhere to the North Gateway PCD, Functional Unit 1 (PCD 34-01) typical detail that includes a 12-foot median and a stone veneered entry monument, as approved by the Planning and Development Department.

WALLS

5. Solid walls above three feet shall not be allowed between the Central Arizona Project (CAP) Canal and the recreational area.
6. Lots adjacent to the open space to the south, along the CAP Canal shall incorporate view fencing, which is any combination of fencing that is at least 50% open, as approved by the Planning and Development Department.
7. The perimeter wall adjacent to North Valley Parkway shall include material and textural differences, such as stucco and/or split face block with a decorative element, as approved by the Planning and Development Department. The NBCC requires stone detail of rock, stone veneer, stonework or faux stone to be incorporated.

STREET TRANSPORTATION

8. The developer shall provide full improvements to North Valley Parkway for the length of the property and construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the City. All improvements shall comply with all ADA accessibility standards.
9. The Developer will be responsible for the installation of Conduit and pull boxes for the future traffic signal at Casino Avenue and North Valley Parkway. Signal installation will only occur after warrants have been met as determined by the Street Transportation Department.

OTHER

10. The property owner shall record a "Notice to Prospective Purchasers of Proximity to Airport" in order to disclose the existence and operational characteristics of the Phoenix Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the template and instructions provided which have been reviewed and approved by the City Attorney.

11. A development agreement shall be provided (prior to Preliminary Site Plan approval) that the development and/or association will be responsible for the landscape and maintenance of the right-of-way and median islands adjacent to the property. The agreement shall run with the entitled property and the City of Phoenix shall be listed as an additional signatory to the agreement, as approved by the Planning and Development Department prior to recordation with the County Recorder.

Writer

Kasandra Zobrist

Team Leader

Josh Bednarek
November 14, 2014

Attachments

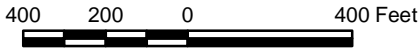
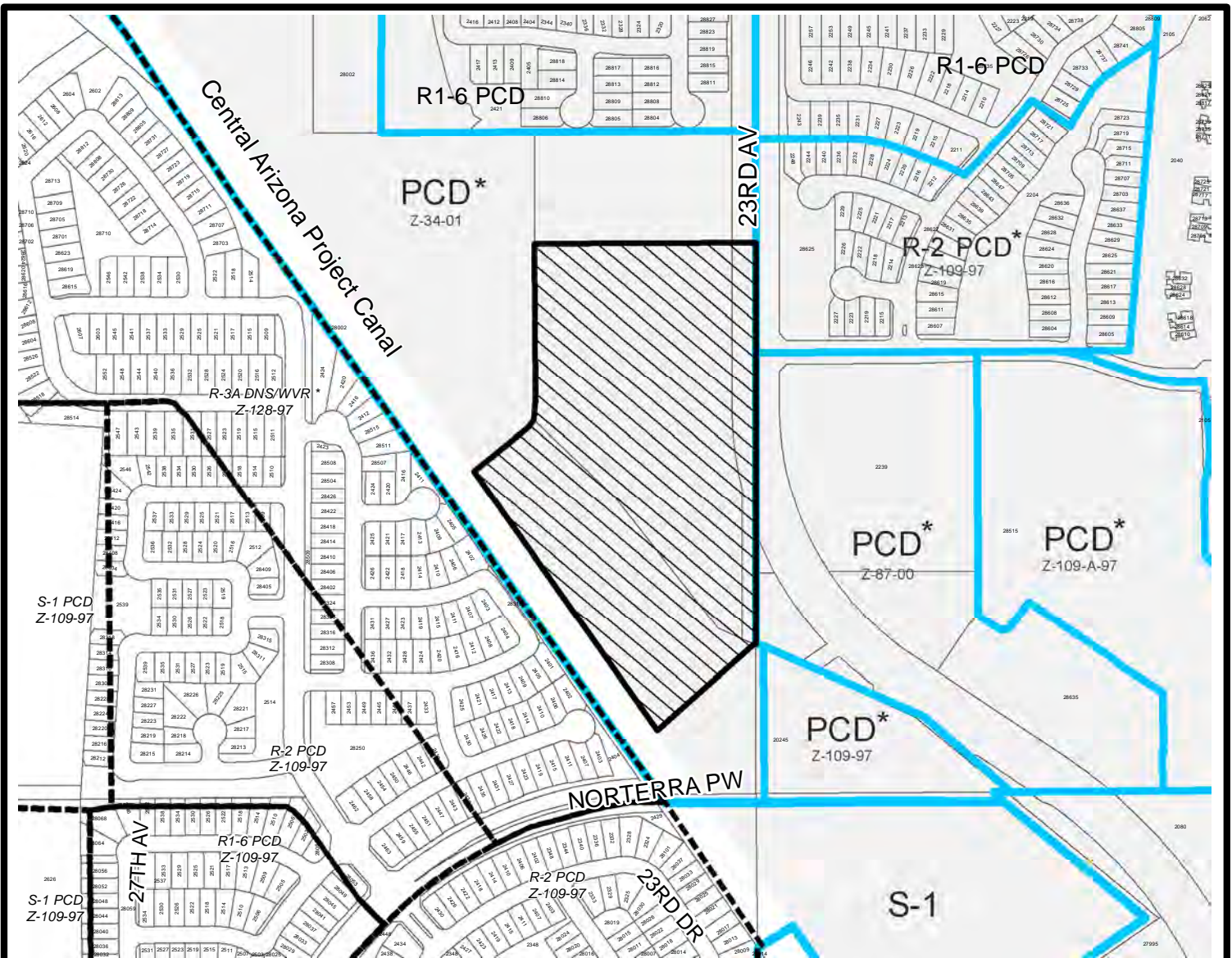
Zoning sketch

Aerial

Site Plan date stamped September 4, 2013

Elevations date stamped September 4, 2013

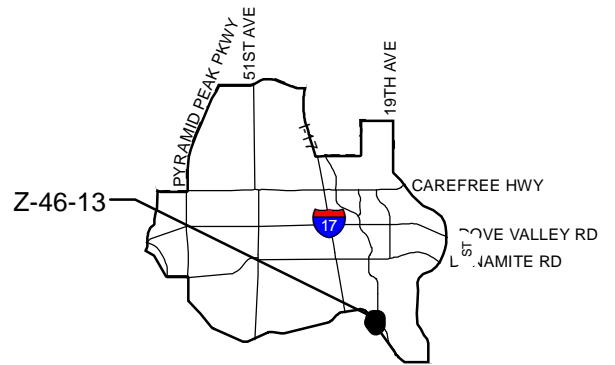
North Gateway PCD, Functional Unit 1 (PCD 34-01) typical detail



CITY OF PHOENIX PLANNING DEPARTMENT

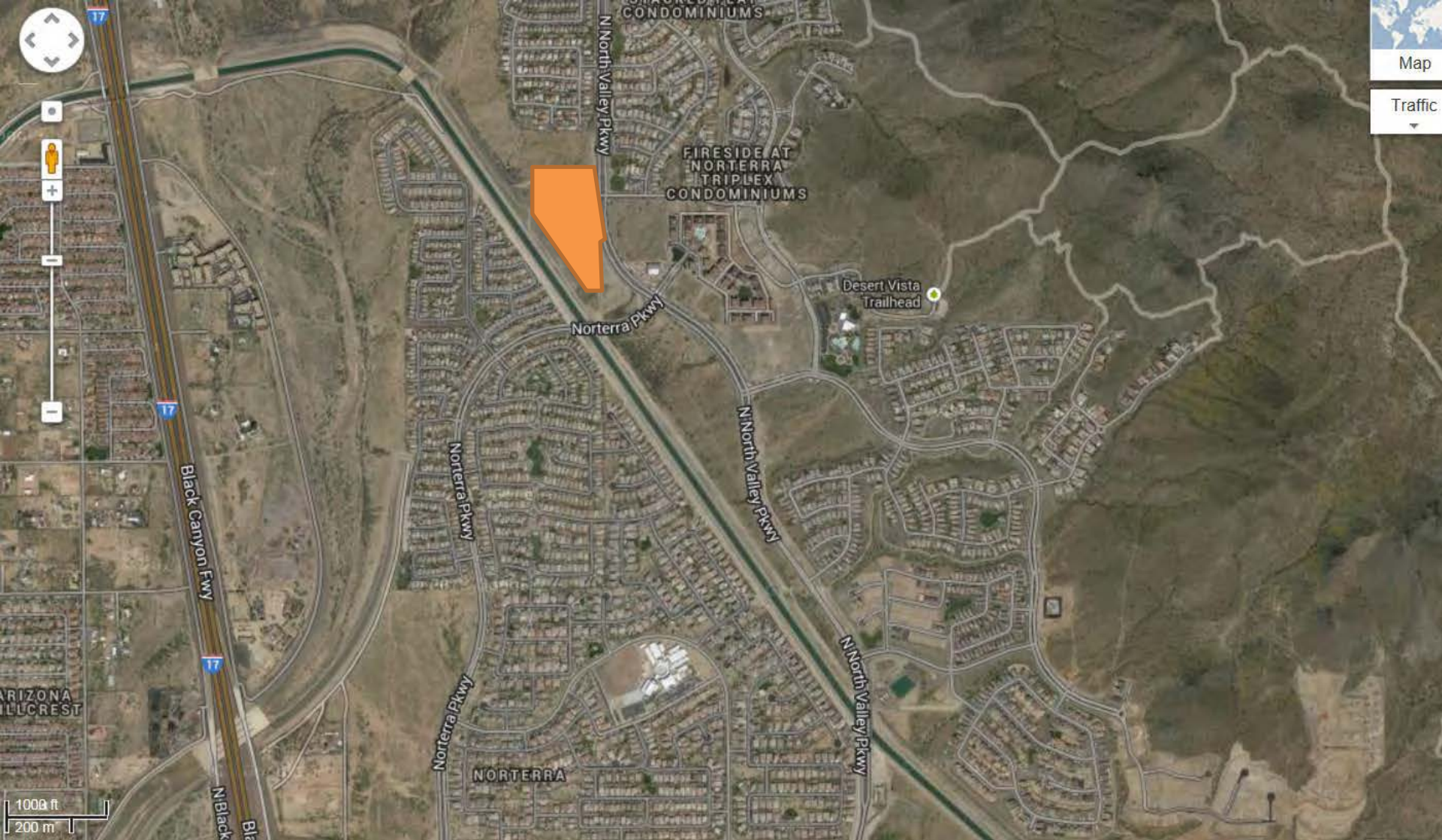
NORTH GATEWAY VILLAGE

CITY COUNCIL DISTRICT: 2



APPLICANT'S NAME: Pulte Homes Corporation, Randy Christman		REQUESTED CHANGE: FROM: PCD NBCOD (APPROVED C-2 PCD NBCOD), (13.69 a. c.) TO: R1-6 NBCOD, (13.69 a. c.)	
APPLICATION NO. Z-46-13	DATE: 9/25/13	REVISION DATES:	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 13.69 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 51-23	ZONING MAP P-7	
MULTIPLES PERMITTED C-2 Approved R1-6	CONVENTIONAL OPTION 198 68	* UNITS P.R.D. OPTION 238 87	

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



Site: 13.69 Acres

Proposed: 43 single family homes, 3.2 du/ac

Copyright: hilgartwilson 2013. This plan document set is the sole property of hilgartwilson. No alterations to these plans, other than adding "as-built" information, are allowed by anyone other than authorized hilgartwilson employees.

U.S. BUREAU OF RECLAMATION

NORTH GATEWAY PCD FUNCTIONAL UNIT 1 PARCEL 3 BOOK 735, PAGE 34, MCR ZONING: R-1-6 PCD

DYNAMITE 45 PROPERTIES LTD

DYNAMITE MOUNTAIN RANCH SECTION 25, PARCEL B1 BOOK 639, PAGE 40, MCR ZONING: R-2 PCD

U.S. BUREAU OF RECLAMATION

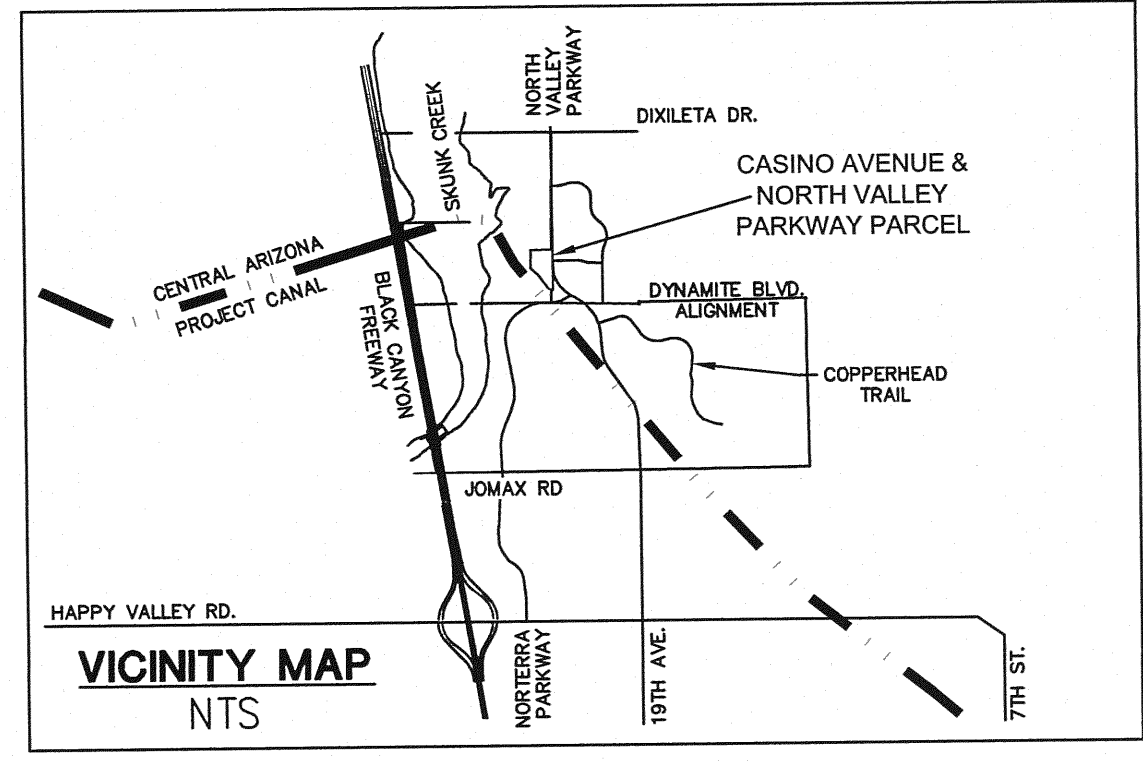
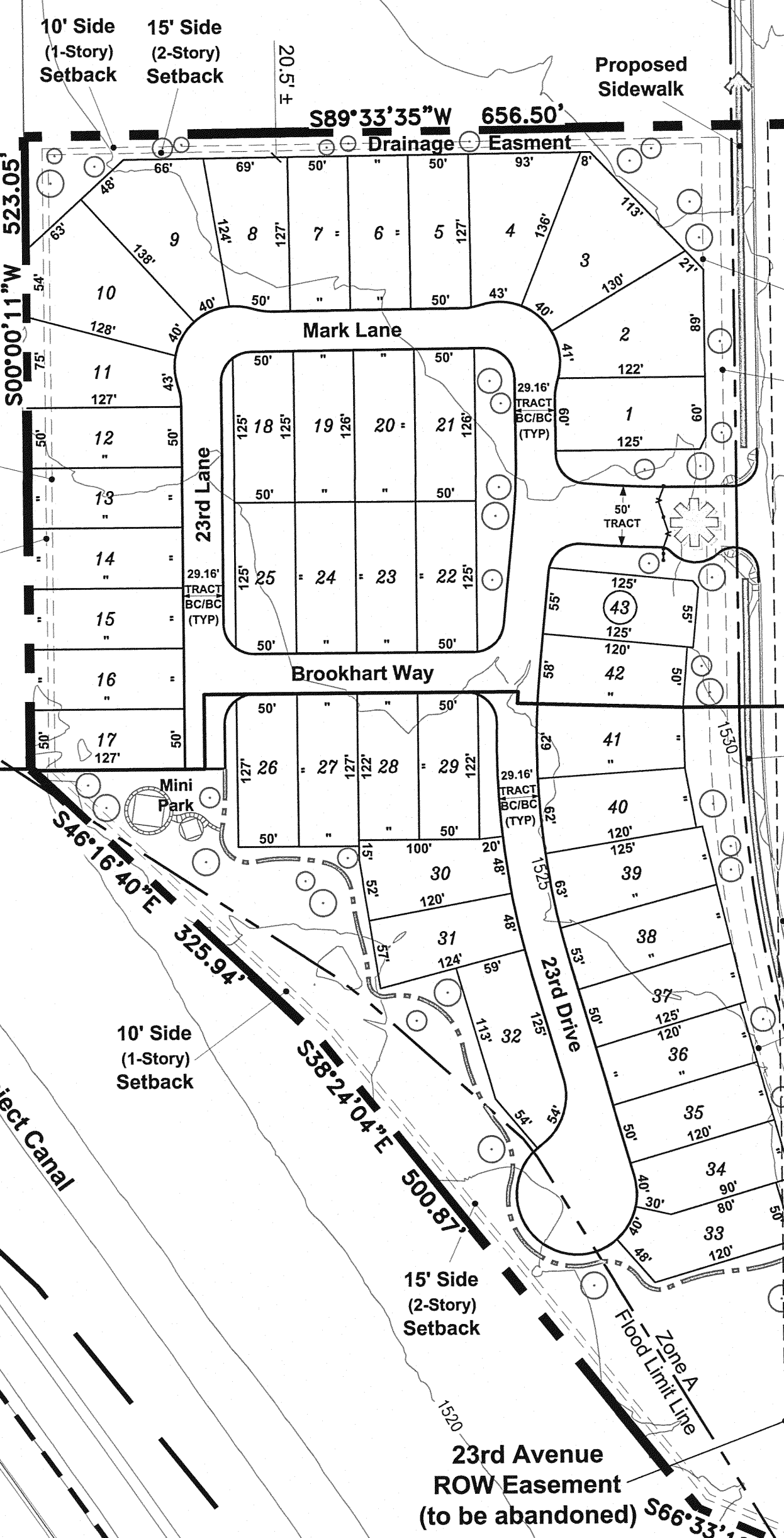
MATCH SHEET SP02
MATCH SHEET SP03

DYNAMITE MOUNTAIN RANCH SECTION A3 BOOK 672, PAGE 48, MCR ZONING: R-2 PCD/R-3A DNS/WVR

PROJECT DESCRIPTION:
THE DEVELOPER PROPOSES TO DEVELOP AND SUBDIVIDE THE PARCEL OF LAND KNOWN AS CASINO AVENUE AND NORTH VALLEY PARKWAY. THE PROPERTY IS PROPOSED TO BE REZONED TO R-1-6 AND IS PROPOSED TO BE DEVELOPED UNDER THE PRD OPTION.

THE PROPOSED SUBDIVISION WOULD CONSIST OF APPROXIMATELY 43 SINGLE FAMILY RESIDENTIAL LOTS WITH COMMON AREA TRACTS FOR LANDSCAPE, RECREATION, AND DRAINAGE MANAGEMENT. STREETS WOULD BE PRIVATE ACCESSWAYS. DEVELOPMENT OF IMPROVEMENTS IS PROPOSED TO GENERALLY FOLLOW AND CONFORM TO CITY OF PHOENIX GUIDELINES.

NOTES:
1.) THIS SITE PLAN IS CONCEPTUAL AND SUBJECT TO CHANGE THROUGH THE DESIGN AND DEVELOPMENT PROCESS.



ENGINEER:
HILGART WILSON
1661 EAST CAMELBACK RD., SUITE 275
PHOENIX, AZ 85016
PH: (602) 490-0535
FAX: (602) 325-0161
CONTACT: BRADLEY NOVACEK, PE

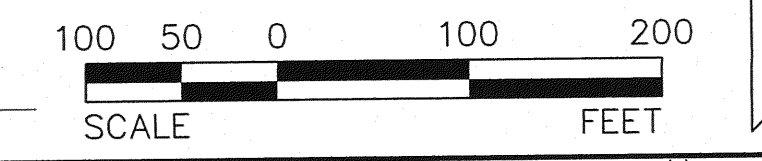
APPLICANT:
PULTE HOME CORPORATION
16767 N. PERIMETER DR., SUITE 100
SCOTTSDALE, AZ 85260
PH: (480) 391-6000
FAX: (480) 391-6100
CONTACT: RANDY CHRISTMAN

LEGEND:

- PROPERTY BOUNDARY
- 300' LIMIT LINE
- PROPOSED TRAIL
- PROPOSED SIDEWALK
- PROPOSED SHARED-USE PATH (SUP)
- EXISTING MULTI-USE TRAIL (MUT)
- FUTURE MULTI-USE TRAIL (MUT)
- PROPOSED TREE
- EXISTING FIRE HYDRANT LOCATION
- GATED ACCESS POINT

SITE DATA TABLE:

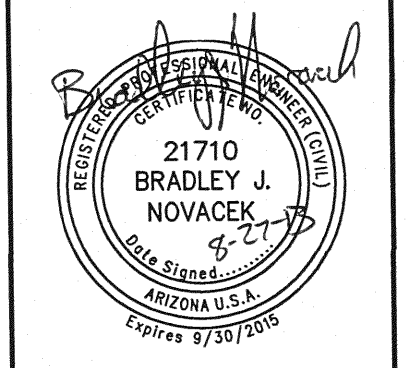
Gross Area (Ac):	13.4
# of Units:	43
Density (du/Ac):	3.2
Open Space Area (Ac):	2.7
Open Space Area (%):	20%
Typical Lot Dimensions:	50' x 120'



CITY OF PHOENIX
SEP 04 2013
Planning & Development Department

hilgartwilson
ENGINEERS • PLANNERS • SURVEYORS
1661 E. CAMELBACK RD., STE. 275 / PHOENIX, AZ 85016
PH 602.490.0535 / FAX 602.325.0161
www.hilgartwilson.com

CASINO AVENUE & NORTH VALLEY PARKWAY PARCEL
PHOENIX, ARIZONA
REZONE SITE PLAN

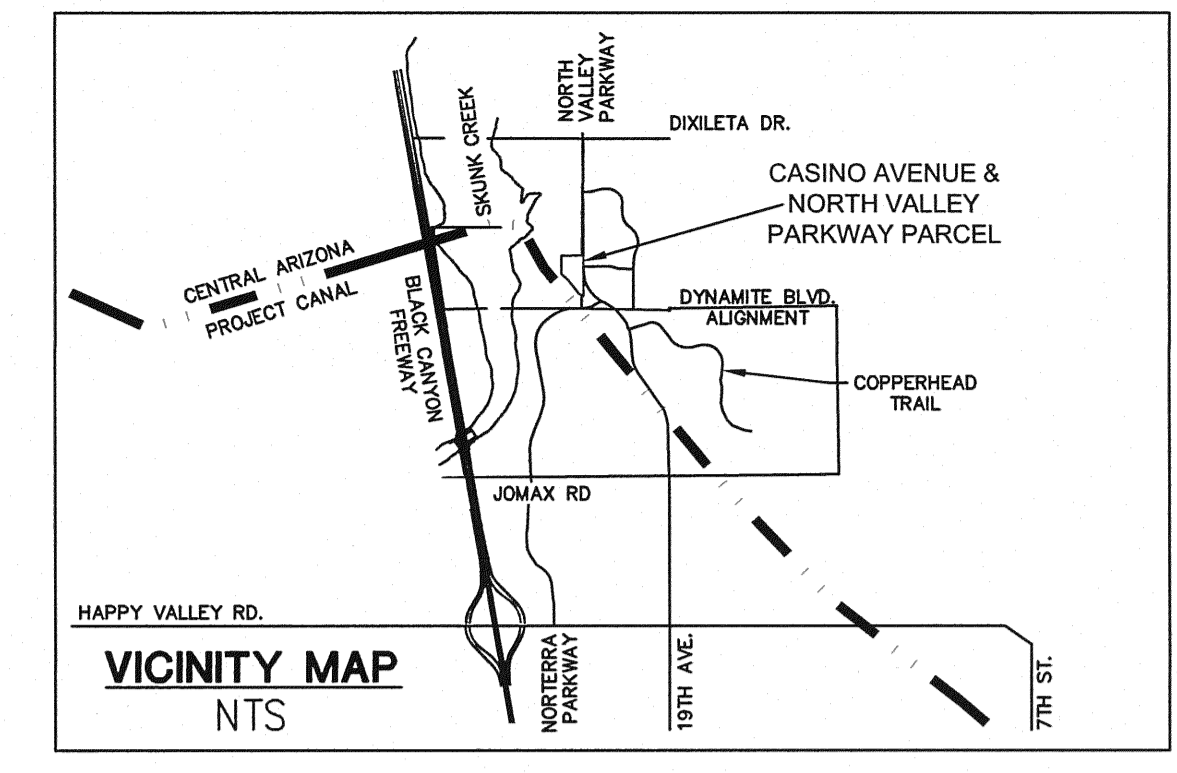
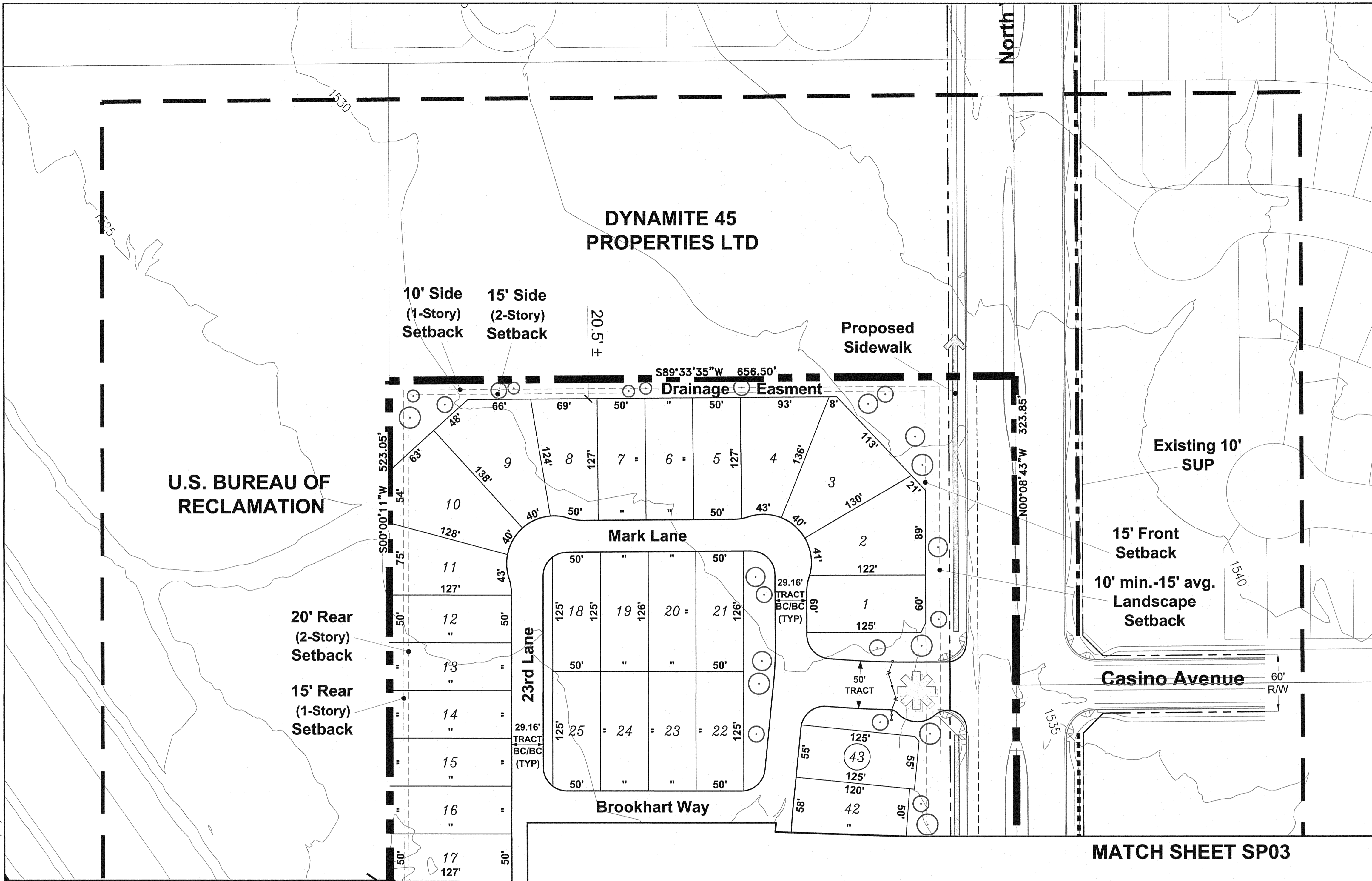


REV.:	PROJ#: 1331-01
DATE: AUGUST 2013	DATE: AUGUST 2013
SCALE: 1" = 100'	SCALE: 1" = 100'
DRAWN: CK	DRAWN: CK
DESIGNED: AP	DESIGNED: AP
APPROVED:	APPROVED:

KIVA#:
Z:
QS: 51-23

DWG. NO. **SP01**
SHT. 1 OF 3

Copyright: hilgartwilson 2013. This plan document set is the sole property of hilgartwilson. No alterations to these plans, other than adding "as-built" information, are allowed by anyone other than authorized hilgartwilson employees.



ENGINEER:
 HILGART WILSON
 1661 EAST CAMELBACK RD., SUITE 275
 PHOENIX, AZ 85016
 PH: (602) 490-0535
 FAX: (602) 325-0161
 CONTACT: BRADLEY NOVACEK, PE

APPLICANT:
 PULTE HOME CORPORATION
 16767 N. PERIMETER DR., SUITE 100
 SCOTTSDALE, AZ 85260
 PH: (480) 391-6000
 FAX: (480) 391-6100
 CONTACT: RANDY CHRISTMAN

- LEGEND:**
- PROPERTY BOUNDARY
 - 300' LIMIT LINE
 - PROPOSED TRAIL
 - PROPOSED SIDEWALK
 - PROPOSED SHARED-USE PATH (SUP)
 - EXISTING MULTI-USE TRAIL (MUT)
 - FUTURE MULTI-USE TRAIL (MUT)
 - PROPOSED TREE
 - EXISTING FIRE HYDRANT LOCATION
 - GATED ACCESS POINT

SITE DATA TABLE:

Gross Area (Ac):	13.4
# of Units:	43
Density (du/Ac):	3.2
Open Space Area (Ac):	2.7
Open Space Area (%):	20%
Typical Lot Dimensions:	50' x 120'

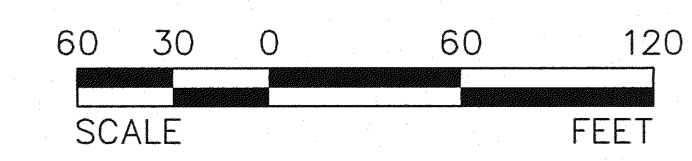
TABLE A: SINGLE FAMILY, DETACHED DEVELOPMENT

Standards	R1-6 Development Option	Planned Residential Development
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area) *7	45' minimum (unless approved by either the design advisor or the Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage (see Section 507 Tab A.2.12.1 B(2)(b) (sic)) *7	45' minimum (unless approved by either the design advisor or the Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage (see Section 507 Tab A.2.12.1 B(2)(b) (sic)) *7
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.5; 6.5 with bonus	5.5; 6.5 with bonus
Minimum perimeter building setbacks	Street (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)	Street (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	None	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths; for lots >60' to 70': 3 car widths; for lots >70': no maximum *7	For lots <60': 2 car widths; for lots >60' to 70': 3 car widths; for lots >70': no maximum *7
Maximum height	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor or for demonstrating enhanced architecture) *7	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor or for demonstrating enhanced architecture) *7
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%	Primary structure, not including attached shade structures: 40% Total: 50%
Common areas	Minimum 5% of gross area	Minimum 5% of gross area
Allowed uses	Single-family detached	Single-family detached
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street or private accessway(1)	Public street or private accessway(1)
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards	Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.	Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

PROJECT DESCRIPTION:
 THE DEVELOPER PROPOSES TO DEVELOP AND SUBDIVIDE THE PARCEL OF LAND KNOWN AS CASINO AVENUE AND NORTH VALLEY PARKWAY. THE PROPERTY IS PROPOSED TO BE REZONED TO R1-6 AND IS PROPOSED TO BE DEVELOPED UNDER THE PRD OPTION.

THE PROPOSED SUBDIVISION WOULD CONSIST OF APPROXIMATELY 43 SINGLE FAMILY RESIDENTIAL LOTS WITH COMMON AREA TRACTS FOR LANDSCAPE, RECREATION, AND DRAINAGE MANAGEMENT. STREETS WOULD BE PRIVATE ACCESSWAYS. DEVELOPMENT OF IMPROVEMENTS IS PROPOSED TO GENERALLY FOLLOW AND CONFORM TO CITY OF PHOENIX GUIDELINES.

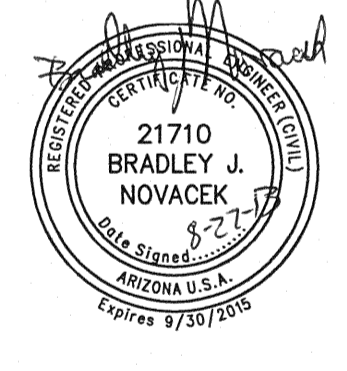
NOTES:
 1.) THIS SITE PLAN IS CONCEPTUAL AND SUBJECT TO CHANGE THROUGH THE DESIGN AND DEVELOPMENT PROCESS.



KIVA#:
 Z:
 QS: 51-23

hilgartwilson
 ENGINEERS-PLANNERS-SURVEYORS
 1661 E. CAMELBACK RD., STE. 275 / PHOENIX, AZ 85016
 PH 602.490.0535 / FAX 602.325.0161
 www.hilgartwilson.com

CASINO AVENUE & NORTH VALLEY PARKWAY PARCEL
 PHOENIX, ARIZONA
REZONE SITE PLAN

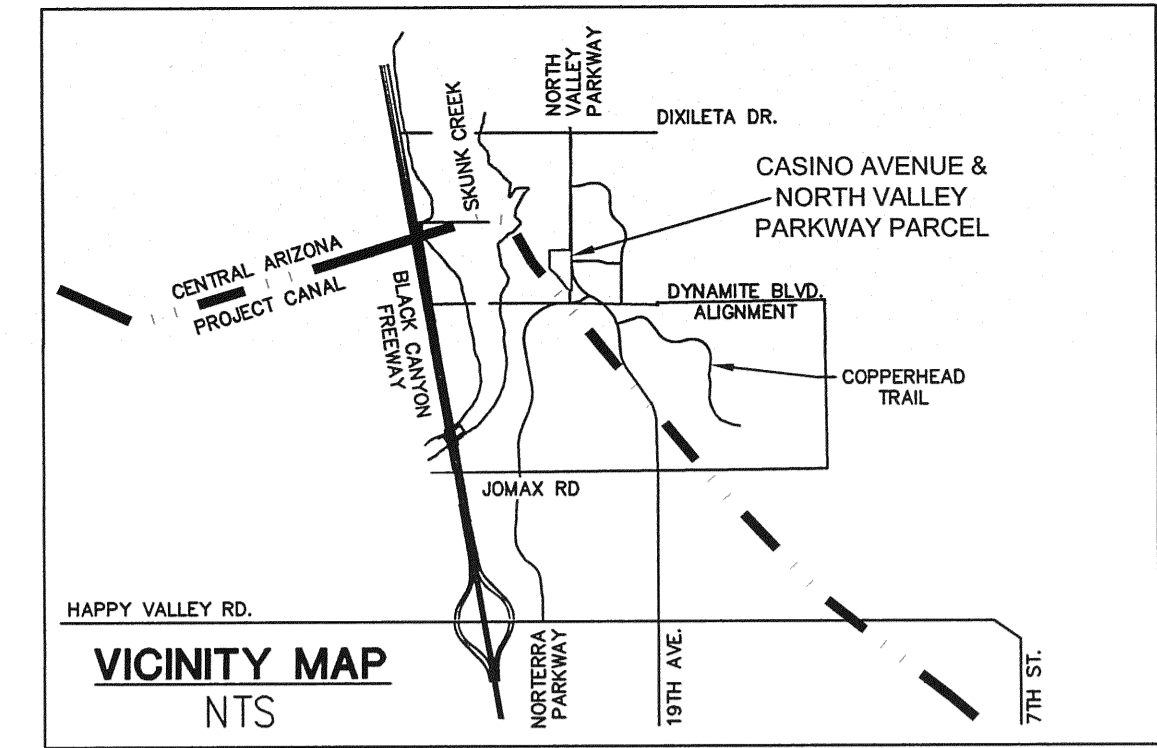
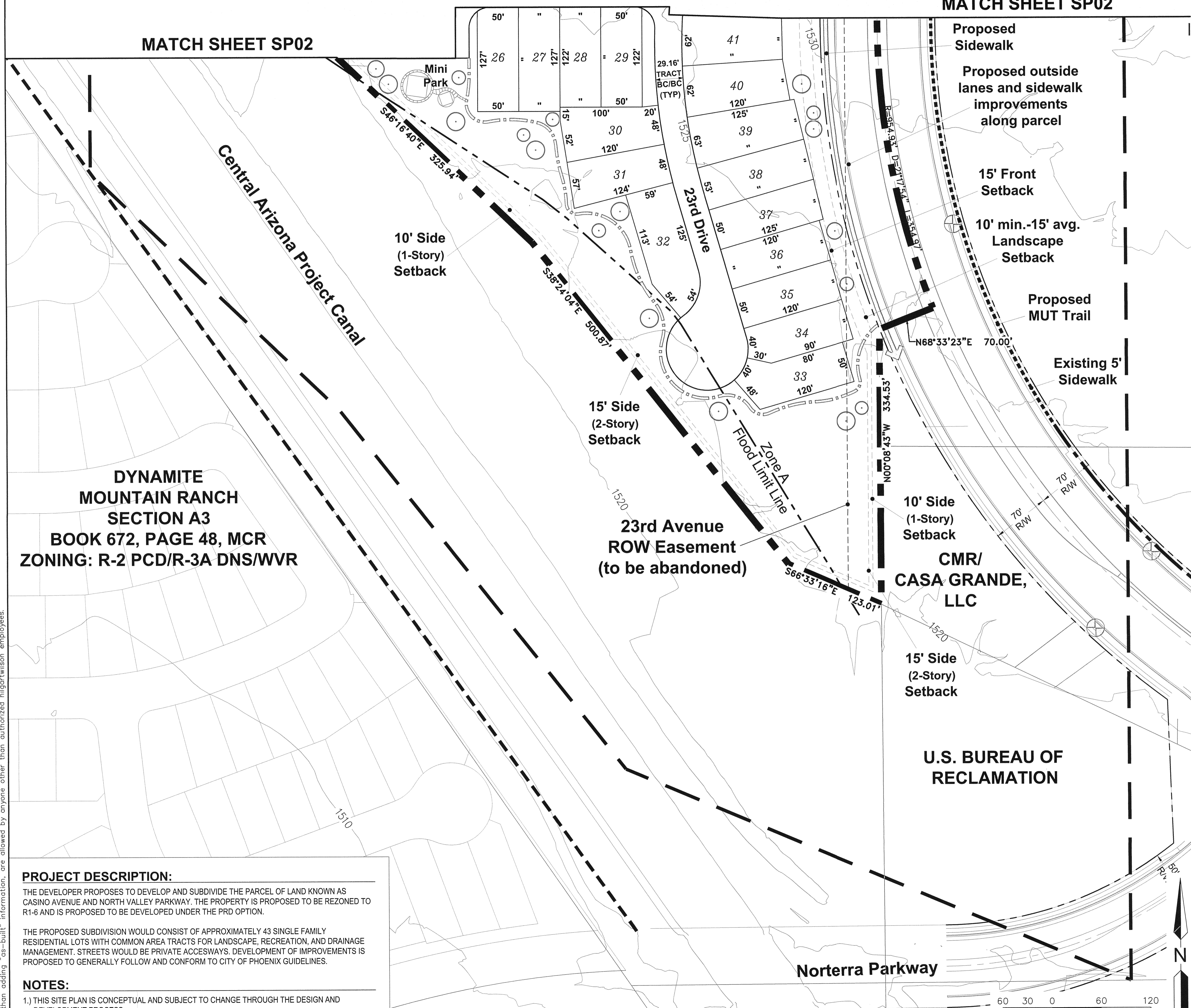


PROJ#: 1331.01	REV:
DATE: AUGUST 2013	
SCALE: 1" = 60'	
DRAWN: CK	
DESIGNED: AP	
APPROVED:	
DWG. NO. SP02	
SHT. 2 OF 3	

Copyright, hilgartwilson, 2013. This plan document set is the sole property of hilgartwilson. No alterations to these plans, other than adding "as-built" information, are allowed by anyone other than authorized hilgartwilson employees.

MATCH SHEET SP02

MATCH SHEET SP02



ENGINEER:

HILGART WILSON
1661 EAST CAMELBACK RD., SUITE 275
PHOENIX, AZ 85016
PH: (602) 490-0535
FAX: (602) 325-0161
CONTACT: BRADLEY NOVACEK, PE

APPLICANT:

PULTE HOME CORPORATION
16767 N. PERIMETER DR., SUITE 100
SCOTTSDALE, AZ 85260
PH: (480) 391-6000
FAX: (480) 391-6100
CONTACT: RANDY CHRISTMAN

LEGEND:

- PROPERTY BOUNDARY
- 300' LIMIT LINE
- PROPOSED TRAIL
- PROPOSED SIDEWALK
- PROPOSED SHARED-USE PATH (SUP)
- EXISTING MULTI-USE TRAIL (MUT)
- FUTURE MULTI-USE TRAIL (MUT)
- PROPOSED TREE
- EXISTING FIRE HYDRANT LOCATION
- GATED ACCESS POINT

SITE DATA TABLE:

Gross Area (Ac):	13.4
# of Units:	43
Density (du/Ac):	3.2
Open Space Area (Ac):	2.7
Open Space Area (%):	20%
Typical Lot Dimensions:	50' x 120'

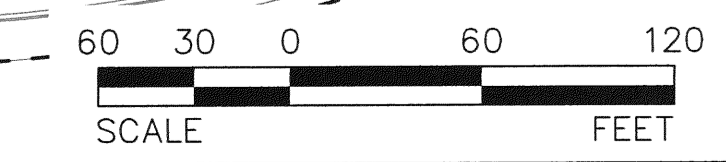
TABLE A: SINGLE FAMILY, DETACHED DEVELOPMENT

Standards	R1-6 Development Option	Planned Residential Development
Minimum lot width (in the event of horizontal property regimes, "lot" shall refer to the width of the structure and exclusive use area) *7	45' minimum (unless approved by either the design advisor or the Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage (see Section 507 Tab A.2.12.1 B(2)(b) [sic]) *7	45' minimum (unless approved by either the design advisor or the Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage (see Section 507 Tab A.2.12.1 B(2)(b) [sic]) *7
Minimum lot depth	None, except 110' adjacent to freeway or arterial	None, except 110' adjacent to freeway or arterial
Dwelling unit density (units/gross acre)	5.5, 6.5 with bonus	5.5, 6.5 with bonus
Minimum perimeter building setbacks	Street (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)	Street (front, rear or side): 15' (in addition to landscape setback); Property line (rear): 15' (1-story), 20' (2-story); Property line (side): 10' (1-story), 15' (2-story)
Common landscaped setback adjacent to perimeter streets	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)	15' average, 10' minimum (Does not apply to lots fronting onto perimeter streets)
Minimum interior building setbacks	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)	Front: 10'; rear: none (established by Building Code); street side: 10'; sides: none (established by Building Code)
Minimum building separation	None	None
Minimum garage setback	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages	18' from back of sidewalk for front-loaded garages, 10' from property line for side-loaded garages
Maximum garage width	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum *7	For lots <60': 2 car widths, for lots ≥60' to 70': 3 car widths, for lots >70': no maximum *7
Maximum height	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture) *7	2 stories and 30' (except that 3 stories not exceeding 30' are permitted when approved by the design advisor for demonstrating enhanced architecture) *7
Lot coverage	Primary structure, not including attached shade structures: 40% Total: 50%	Primary structure, not including attached shade structures: 40% Total: 50%
Common areas	Minimum 5% of gross area	Minimum 5% of gross area
Allowed uses	Single-family detached	Single-family detached
Required review	Development review per Section 507, and subdivision to create 4 or more lots	Development review per Section 507, and subdivision to create 4 or more lots
Street standards	Public street or private accessway(1)	Public street or private accessway(1)
On-lot and common retention	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements	Common retention required for lots less than 8,000 sq. ft. per grading and drainage ordinance requirements
Landscape standards	Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.	Perimeter common: trees spaced a maximum of 20 to 30 feet on center (based on species) or in equivalent groupings, and 5 shrubs per tree.

PROJECT DESCRIPTION:
THE DEVELOPER PROPOSES TO DEVELOP AND SUBDIVIDE THE PARCEL OF LAND KNOWN AS CASINO AVENUE AND NORTH VALLEY PARKWAY. THE PROPERTY IS PROPOSED TO BE REZONED TO R1-6 AND IS PROPOSED TO BE DEVELOPED UNDER THE PRD OPTION.

THE PROPOSED SUBDIVISION WOULD CONSIST OF APPROXIMATELY 43 SINGLE FAMILY RESIDENTIAL LOTS WITH COMMON AREA TRACTS FOR LANDSCAPE, RECREATION, AND DRAINAGE MANAGEMENT. STREETS WOULD BE PRIVATE ACESWAYS. DEVELOPMENT OF IMPROVEMENTS IS PROPOSED TO GENERALLY FOLLOW AND CONFORM TO CITY OF PHOENIX GUIDELINES.

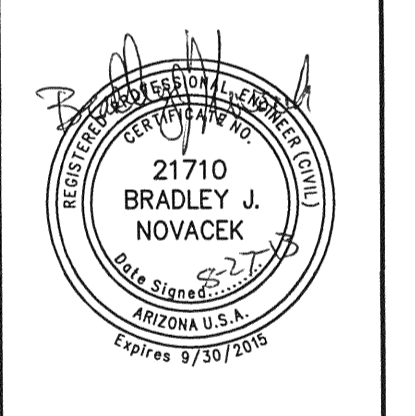
NOTES:
1.) THIS SITE PLAN IS CONCEPTUAL AND SUBJECT TO CHANGE THROUGH THE DESIGN AND DEVELOPMENT PROCESS.



KIVA#:
Z:
QS: 51-23

hilgartwilson
ENGINEERS-PLANNERS-SURVEYORS
1661 E. CAMELBACK RD., STE. 275 / PHOENIX, AZ 85016
PH: 602.490.0535 / FAX: 602.325.0161
www.hilgartwilson.com

CASINO AVENUE & NORTH VALLEY PARKWAY PARCEL
PHOENIX, ARIZONA
REZONE SITE PLAN



PROJ.#: 1331.01	REV.:
DATE: AUGUST 2013	
SCALE: 1" = 60'	
DRAWN: CK	
DESIGNED: AP	
APPROVED:	

DWG. NO. **SP03**
SHT. 3 OF 3



CITY OF PHOENIX

SEP 04 2013

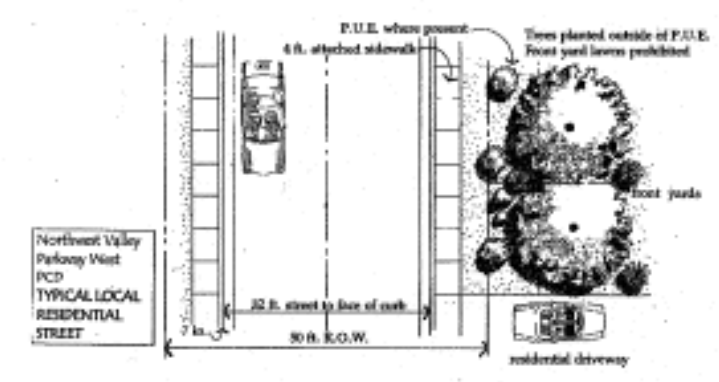
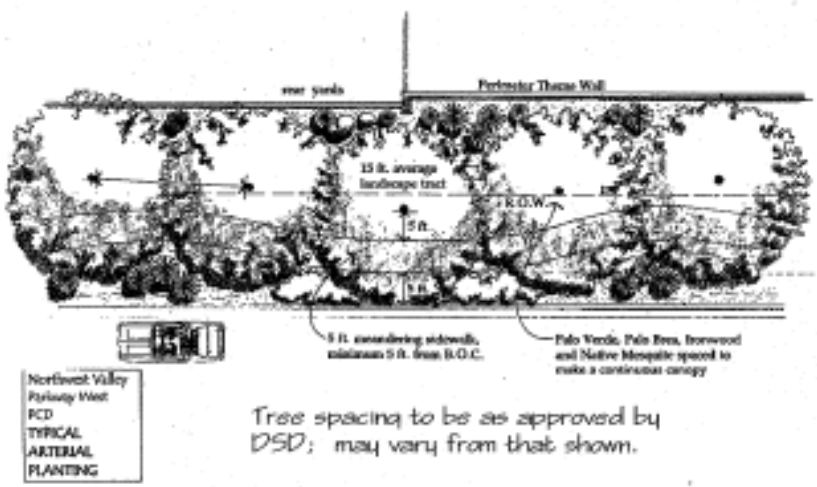
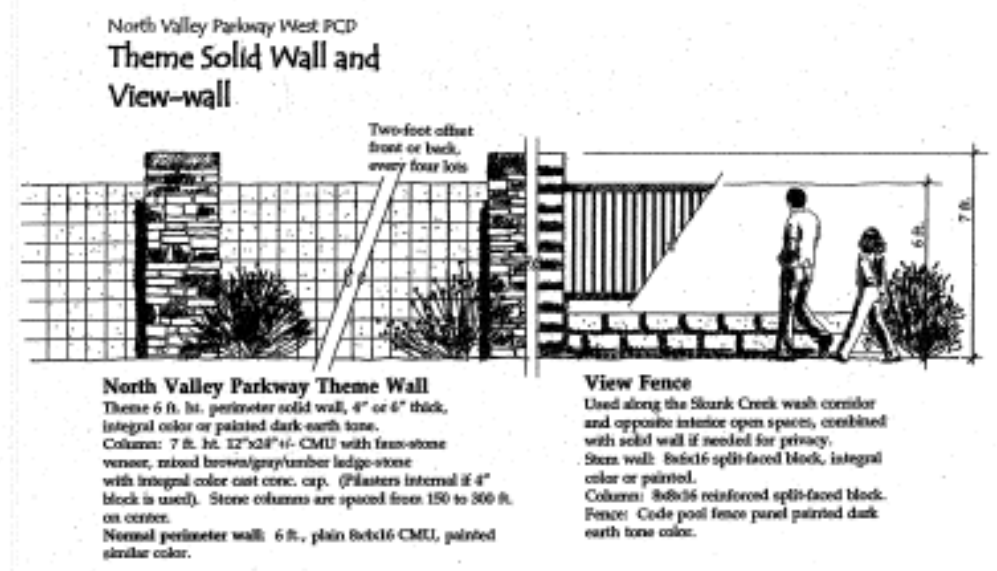
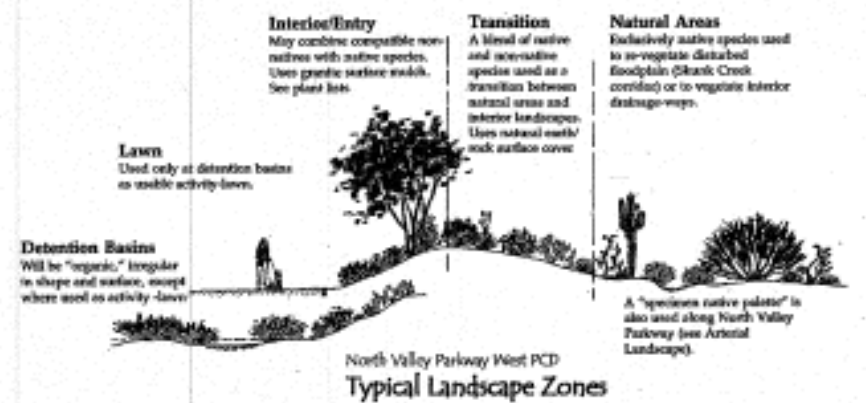
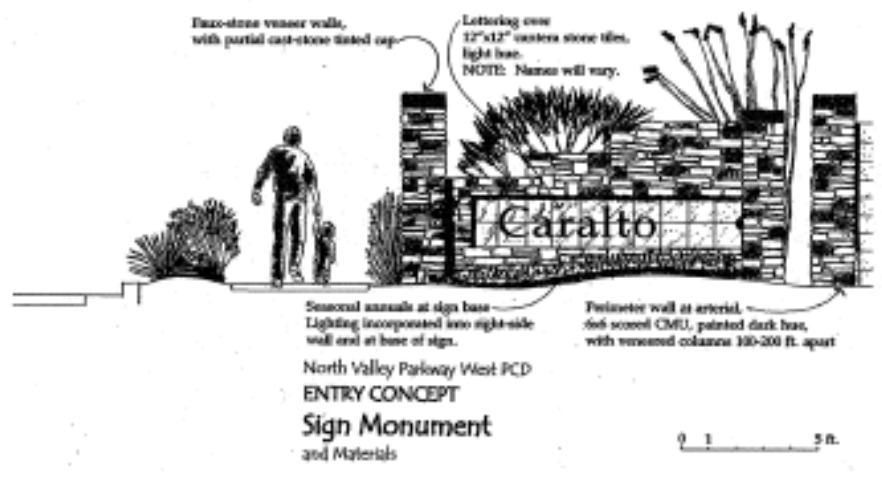
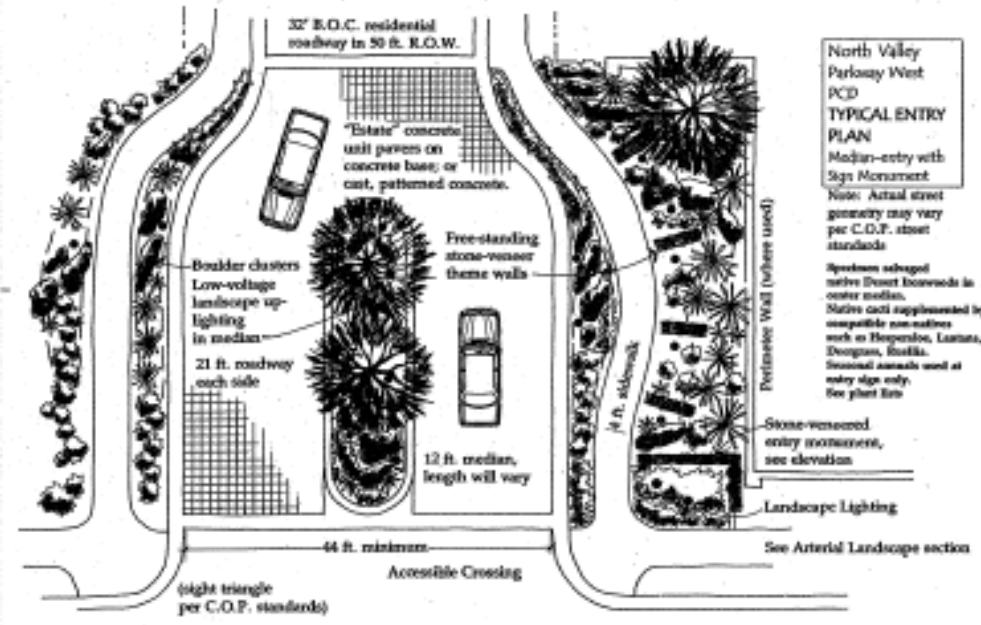
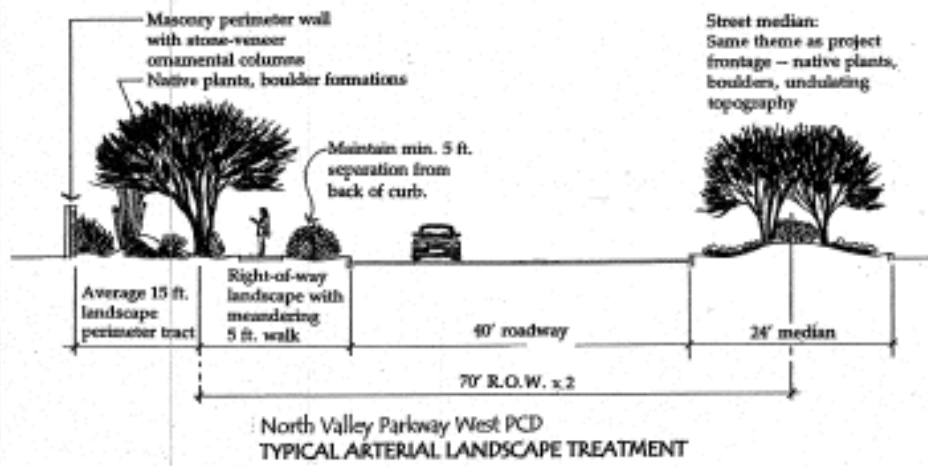
Planning & Development
Department



**CASINO AVENUE &
NORTH VALLEY PARKWAY PARCEL**
PHOENIX, ARIZONA

BUILDING ELEVATIONS

DWG. NO. BE	PROJ# 1331.01	REV:
SHT. 1 OF 1	DATE: AUGUST 2013	
	SCALE: N.T.S.	
	DRAWN: CK	
	DESIGNED: AP	
	APPROVED:	



North Gateway PCD, Functional Unit I
Master Landscape Plan - Plant Lists, Details and Landscape Zones

Zoning Case: 34-01-2
SHEET 3 OF 3

PROJECT: 02401
DRAWN BY: TAV/DJA
CHECKED BY: AB
DATE: 4-16-09
REVISION DATE: 7-5-09

North Gateway PCD, Functional Unit I
Landscape, Plant Lists and Details

CMX GROUP INC.
Urban Design Studio L.L.C.



Village Planning Committee Meeting Summary GPA-NG-2-13-2

Date of VPC Meeting	November 14, 2013
Request From	Commercial
Request To	Residential 3.5 to 5 du /ac
Proposed Use	Single Family Residential
Location	Approximately 400 feet north of the northwest corner of North Valley Parkway and Norterra Parkway
VPC Recommendation	Approval
VPC Vote	5:0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Ms. Toni Bonar requested that item GPA-NG-2-13-2 and Z-46-13-2 be heard together.

Ms. Kasandra Zobrist presented staff recommendations. The proposed 43 single-family residential development (11.55 acres) is on land designated on the General Plan as Commercial (zoned C-2 PCD NBCOD) and within 2 miles of the North Gateway Village Core. The Village Core Plan promotes a functional and equitable mix of uses. The overview also included the request to rezone the parcel from PCD NBCOD (approved C-2 PCD NBCOD- commercial) to R1-6 NBCOD (Single-family residential) for the development of a single-family subdivision. The rezoning request would remove the 13.69-acre (includes the half-street and CAP frontage in the acreage total) property from the North Gateway PCD (Z-34-01-2) and re-zone it to a residential use that would complement the existing single-family residential uses in the area. Additional stipulations that limit the number of homes to 43, view fencing along the CAP Canal and decorative walls along North Valley Parkway were been added to maintain the existing character of the surrounding neighborhoods.

Staff is recommending approval of the request for residential based on the following items:

- The proposed rezoning provides new housing opportunities which are compatible with the character and feel of the surrounding area.
- The proposed zoning will compliment uses in the surrounding area.
- As stipulated, the proposal will enhance the CAP canal views and create both passive and active recreational opportunities.

Ms. Bonar gave a brief overview of the request for **GPA-NG-2-13-2** as well as the companion case **Z-46-13-2**. She explained that the proposed change was to allow for the development of a single-family subdivision on land that was currently designated for commercial development. The future residential land use in close proximity to the North

Gateway Village Core would respond to a need for housing in the area and create a need more retail in the area.

Ms. Bonar explained that the proposed zoning, site plan and elevations were consistent with the existing designations and low density single-family residential in the area. The site features one a tow story homes, 2.7 acres of open space that included a small park and community trail. The site plan depicted a gated entrance; however a final decision had not been made. A large community open space area would be provided along the western portion of the site (abutting the CAP Canal). She noted that the lots were 50x120 and that approximately 15% open space provided.

Several members of the public were present and in opposition of the project.

Mr. Julio Martinez voiced concerns about the numbers of homes being and apartments being proposed in the North Gateway. He felt that more schools were needed since the existing ones were at capacity.

Ms. Angela Gondolfo felt that there were plenty of homes in the area, more schools and commercial were needed in the vicinity.

Ms. Michelle Ricart was concerned over that lack of hospitals and the distances to the existing fire stations and police stations.

Mr. Kurt Neurauter was in opposition and was in support of the comments made by his Fireside neighbors

Mr. Phil Neidhart was in opposition of the project

Ms. Bridget Crosby was in opposition of the project

Mr. Richard Uhl commented that the Deer Valley Unified School District (DVUSD) had been to a recent Village Planning Committee meeting. Future planned schools were affected by the downturn in the economy and the projected number of homes. When the construction slowed down, the proposed schools were delayed. The development of more homes would likely spur the development of a new school. He asked that staff invite the DVUSD to a future meeting to discuss updates (since bond passed).

Mr. Freeman felt that new grocery stores and retail development needed a higher rooftop count.

Mr. Robinson commented that other uses besides commercial could be built on the parcel, things like apartments and condos.

Mr. Baker agreed with Mr. Uhl, the development of residential would attract more commercial to the core.

Mr. Baker motioned to Approve GPA-NG-2-13-2. Mr. Tumminello seconded. The committee voted unanimously 5-0 to approve the motion.

Vote

5-0, Approved

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Staff has no comments.

Village Planning Committee Meeting Summary Z-46-13-2

Date of VPC Meeting	November 14, 2013
Request From	PCD NBCOD (App. C-2 PCD NBCOD)
Request To	R1-6 NBCOD
Proposed Use	Single Family Residential
Location	Approximately 400 feet north of the northwest corner of North Valley Parkway and Norterra Parkway
VPC Recommendation	Approval
VPC Vote	5:0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Ms. Toni Bonar requested that item GPA-NG-2-13-2 and Z-46-13-2 be heard together.

Ms. Kasandra Zobrist presented staff recommendations. The proposed 43 single-family residential development (11.55 acres) is on land designated on the General Plan as Commercial (zoned C-2 PCD NBCOD) and within 2 miles of the North Gateway Village Core. The Village Core Plan promotes a functional and equitable mix of uses. The overview also included the request to rezone the parcel from PCD NBCOD (approved C-2 PCD NBCOD- commercial) to R1-6 NBCOD (Single-family residential) for the development of a single-family subdivision. The rezoning request would remove the 13.69-acre (includes the half-street and CAP frontage in the acreage total) property from the North Gateway PCD (Z-34-01-2) and re-zone it to a residential use that would complement the existing single-family residential uses in the area. Additional stipulations that limit the number of homes to 43, view fencing along the CAP Canal and decorative walls along North Valley Parkway were been added to maintain the existing character of the surrounding neighborhoods.

Staff is recommending approval of the request for residential based on the following items:

- The proposed rezoning provides new housing opportunities which are compatible with the character and feel of the surrounding area.
- The proposed zoning will compliment uses in the surrounding area.
- As stipulated, the proposal will enhance the CAP canal views and create both passive and active recreational opportunities.

Ms. Bonar gave a brief overview of the request for GPA-NG-2-13-2 as well as the companion case Z-46-13-2. She explained that the proposed change was to allow for

the development of a single-family subdivision on land that was currently designated for commercial development. The future residential land use in close proximity to the North Gateway Village Core would respond to a need for housing in the area and create a need more retail in the area.

Ms. Bonar explained that the proposed zoning, site plan and elevations were consistent with the existing designations and low density single-family residential in the area. The site features one a tow story homes, 2.7 acres of open space that included a small park and community trail. The site plan depicted a gated entrance; however a final decision had not been made. A large community open space area would be provided along the western portion of the site (abutting the CAP Canal). She noted that the lots were 50x120 and that approximately 15% open space provided.

Several members of the public were present and in opposition of the project.

Mr. Julio Martinez voiced concerns about the numbers of homes being and apartments being proposed in the North Gateway. He felt that more schools were needed since the existing ones were at capacity.

Ms. Angela Gondolfo felt that there were plenty of homes in the area, more schools and commercial were needed in the vicinity.

Ms. Michelle Ricart was concerned over that lack of hospitals and the distances to the existing fire stations and police stations.

Mr. Kurt Neurauder was in opposition and was in support of the comments made by his Fireside neighbors

Mr. Phil Neidhart was in opposition of the project

Ms. Bridget Crosby was in opposition of the project

Mr. Richard Uhl commented that the Deer Valley Unified School District (DVUSD) had been to a recent Village Planning Committee meeting. Future planned schools were affected by the downturn in the economy and the projected number of homes. When the construction slowed down, the proposed schools were delayed. The development of more homes would likely spur the development of a new school. He asked that staff invite the DVUSD to a future meeting to discuss updates (since bond passed).

Mr. Freeman felt that new grocery stores and retail development needed a higher rooftop count.

Mr. Robinson commented that other uses besides commercial could be built on the parcel, things like apartments and condos.

Mr. Baker agreed with Mr. Uhl, the development of residential would attract more commercial to the core.

Mr. Baker motioned to Approve Z-46-13-2. Mr. Tumminello seconded.

The committee voted unanimously 5-0 to approve the motion.

Vote: 5-0 – Motion to approve subject to staff recommended stipulations as follows:

SITE PLAN AND ELEVATIONS

1. The development shall be in general conformance with the site plan and elevations date stamped September 4, 2013, as modified by the Planning and Development Department, with specific regard to 43 lots
2. A minimum of 15% percent of the gross project area shall be retained as open space, including washes and hillside areas as approved by the Planning and Development Department.
3. No more than 50 percent of the required landscape setback adjacent to North Valley Parkway shall be used for retention.
4. The main entryway design shall adhere to the North Gateway PCD, Functional Unit 1 (PCD 34-01) typical detail that includes a 12-foot median and a stone veneered entry monument, as approved by the Planning and Development Department.

WALLS

5. Solid walls above three feet shall not be allowed between the Central Arizona Project (CAP) Canal and the recreational area.
6. Lots adjacent to the open space to the south, along the CAP Canal shall incorporate view fencing, which is any combination of fencing that is at least 50% open, as approved by the Planning and Development Department.
7. The perimeter wall adjacent to North Valley Parkway shall include material and textural differences, such as stucco and/or split face block with a decorative element, as approved by the Planning and Development Department. The NBCC requires stone detail of rock, stone veneer, stonework or faux stone to be incorporated.

STREET TRANSPORTATION

8. The developer shall provide full improvements to North Valley Parkway for the length of the property and construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the City. All improvements shall comply with all ADA accessibility standards.
9. The Developer will be responsible for the installation of Conduit and pull boxes for the future traffic signal at Casino Avenue and North Valley Parkway. Signal installation will only occur after warrants have been met as determined by the Street Transportation Department.

OTHER

10. The property owner shall record a “Notice to Prospective Purchasers of Proximity to Airport” in order to disclose the existence and operational characteristics of the Phoenix Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the template and instructions provided which have been reviewed and approved by the City Attorney.
11. A development agreement shall be provided (prior to Preliminary Site Plan approval) that the development and/or association will be responsible for the landscape and maintenance of the right-of-way and median islands adjacent to the property. The agreement shall run with the entitled property and the City of Phoenix shall be listed as an additional signatory to the agreement, as approved by the Planning and Development Department prior to recordation with the County Recorder.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Staff has no comments.

Attachment D

Planning Commission Minutes for December 10, 2013

Item #: 2
Application #: GPA-NG-2-13-2 (Companion case Z-46-13-2)
Request: Map Amendment
From: Commercial
To: Residential 3.5 to 5 du/ac
Acreage: 11.55
Location: Approximately 400 feet north of the northwest corner of North Valley Parkway and Norterra Parkway
Proposal: To extend the single-family residential use further south along North Valley Parkway
Applicant: Toni Bonar
Representative: HilgartWilson LLC

Ms. Tricia Gomes presented items 2 and 3 together, but separate motions were made.

GPA-NG-2-13-2; a general plan amendment for 11.55 acres located approximately 400 feet north of the northwest corner of North Valley Parkway and Norterra Parkway from Commercial to Residential 3.5 to 5 du/ac. The North Gateway Village Planning Committee recommended approval 5-0.

Z-46-13-2; a request to rezone 13.69 acres from PCD NBCOD (App. C-2 PCD NBCOD) to R1-6 NBCOD. The North Gateway Village Planning Committee recommended approval 5-0 per staff stipulations.

Staff recommended approval of both requests per the recommendations of the North Gateway Village Planning Committee.

Commissioner Heck clarified it was presented as items 3 and 4, it should be 2 and 3.

Ms. Gomes stated that was correct.

Commissioner Katsenes made a MOTION to approve GPA-NG-2-13-2 as recommended by the North Gateway Village Planning Committee.

Commissioner Heck SECONDED.

There being no further discussion, Chairman Awai called for a vote and the MOTION PASSED 9-0.

* * *

Item #: 3
Application #: Z-46-13-2 (Companion case GPA-NG-2-13-2)
From: PCD NBCOD (App. C-2 PCD NBCOD)
To: R1-6 NBCOD
Acreage: 13.69
Location: Approximately 400 feet north of the northwest corner of North Valley Parkway and Norterra Parkway
Proposal: Removal of North Gateway PCD (Z-34-01) to allow single-family
Applicant: Pulte Homes Corporation, Randy Christman
Owner: Patrick R. Anderson Trust ETAL
Representative: Toni Bonar/ Hilgart Wilson LLC

Ms. Tricia Gomes presented items 2 and 3 together, but separate motions were made.

GPA-NG-2-13-2; a general plan amendment for 11.55 acres located approximately 400 feet north of the northwest corner of North Valley Parkway and Norterra Parkway from Commercial to Residential 3.5 to 5 du/ac. The North Gateway Village Planning Committee recommended approval 5-0.

Z-46-13-2; a request to rezone 13.69 acres from PCD NBCOD (App. C-2 PCD NBCOD) to R1-6 NBCOD. The North Gateway Village Planning Committee recommended approval 5-0 per staff stipulations.

Staff recommended approval of both requests per the recommendations of the North Gateway Village Planning Committee.

Commissioner Heck clarified it was presented as items 3 and 4, it should be 2 and 3.

Ms. Gomes stated that was correct.

Commissioner Katsenes made a MOTION to approve Z-46-13-2 as recommended by the North Gateway Village Planning Committee.

Commissioner Heck SECONDED.

There being no further discussion, Chairman Awai called for a vote and the MOTION PASSED 9-0.

* * *

Stipulations:

SITE PLAN AND ELEVATIONS

1. The development shall be in general conformance with the site plan and elevations date stamped September 4, 2013, as modified by the Planning and Development Department, with specific regard to 43 lots

2. A minimum of 15% percent of the gross project area shall be retained as open space, including washes and hillside areas as approved by the Planning and Development Department.
3. No more than 50 percent of the required landscape setback adjacent to North Valley Parkway shall be used for retention.
4. The main entryway design shall adhere to the North Gateway PCD, Functional Unit 1 (PCD 34-01) typical detail that includes a 12-foot median and a stone veneered entry monument, as approved by the Planning and Development Department.

WALLS

5. Solid walls above three feet shall not be allowed between the Central Arizona Project (CAP) Canal and the recreational area.
6. Lots adjacent to the open space to the south, along the CAP Canal shall incorporate view fencing, which is any combination of fencing that is at least 50% open, as approved by the Planning and Development Department.
7. The perimeter wall adjacent to North Valley Parkway shall include material and textural differences, such as stucco and/or split face block with a decorative element, as approved by the Planning and Development Department. The NBCC requires stone detail of rock, stone veneer, stonework or faux stone to be incorporated.

STREET TRANSPORTATION

8. The developer shall provide full improvements to North Valley Parkway for the length of the property and construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the City. All improvements shall comply with all ADA accessibility standards.
9. The Developer will be responsible for the installation of Conduit and pull boxes for the future traffic signal at Casino Avenue and North Valley Parkway. Signal installation will only occur after warrants have been met as determined by the Street Transportation Department.

OTHER

10. The property owner shall record a "Notice to Prospective Purchasers of Proximity to Airport" in order to disclose the existence and operational characteristics of the Phoenix Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the template and instructions provided which have been reviewed and approved by the City Attorney.

11. A development agreement shall be provided (prior to Preliminary Site Plan approval) that the development and/or association will be responsible for the landscape and maintenance of the right-of-way and median islands adjacent to the property. The agreement shall run with the entitled property and the City of Phoenix shall be listed as an additional signatory to the agreement, as approved by the Planning and Development Department prior to recordation with the County Recorder.