WEDNESDAY, MARCH 3, 2021
PHOENIX CITY COUNCIL FORMAL AGENDA

Mayor
Kate Gallego

Vice Mayor
District 1
Thelda Williams

District 2
Jim Waring

District 3
Debra Stark

District 4
Laura Pastor

District 5
Betty Guardado

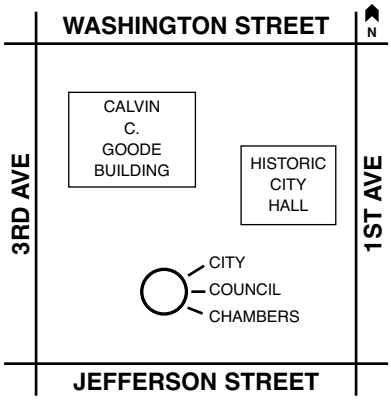
District 6
Sal DiCiccio

District 7
Michael Nowakowski

District 8
Carlos Garcia

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

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



WELCOME!

Thank you for participating in the process of representative local government. We welcome your interest and hope you and your neighbors will often attend Phoenix City Council meetings. Democracy cannot endure without an informed and involved electorate.

Phoenix operates under a Council-Manager form of local government. Policy is set by the Mayor and Council, and the City Manager, who is appointed by the Council, directs staff to carry out the policies. This separation of policy-making and policy administration is considered the most economical and efficient form of city government.

FORMAL CITY COUNCIL MEETINGS

The Council generally holds formal meetings at 2:30 p.m. on Wednesdays to take official action on Ordinances, Resolutions, and other items on the agenda. Although the formal agenda is subject to change, all changes to the printed agenda will be available at least 24 hours prior to the meeting. Visit phoenix.gov/cityclerk/publicmeetings to view the agenda and meeting schedule.

The formal meeting may appear to proceed very quickly, with important decisions reached with little discussion. However, councilmembers receive the agenda the week prior to the meeting, giving them the opportunity to study every item and to ask questions of City staff members. If no additional information is presented at the meeting, action may be taken without discussion.

HOW CITIZENS CAN PARTICIPATE

Phoenix City Council meetings are live streamed on phoenix.gov and available to view on Phoenix Channel 11.

For updated information on how residents can provide input on Council agenda items, please visit phoenix.gov/cityclerk/publicmeetings or call 602-262-6001.

For other questions involving the City, you are encouraged to contact your District councilmember at 602-262-7029 or the City Manager's Office at 602-262-4449. To reach the Mayor's Office, call 602-262-7111. We will do everything possible to be responsive to your individual requests.

REGISTERED LOBBYISTS

Individuals paid to lobby on behalf of persons or organizations other than themselves must register with the City Clerk prior to lobbying or within five business days thereafter and must re-register annually. If you have any questions about registration or whether or not you must register, visit lobbyist.phoenix.gov or contact the City Clerk's Office at 602-534-0490.

ACCESSIBILITY

For further information or reasonable accommodations, please call 602-256-3186 or Relay 7-1-1 as early as possible to coordinate needed arrangements.

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

City of Phoenix Council members and district boundaries

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City of Phoenix

Agenda
City Council Formal Meeting

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

Wednesday, March 3, 2021 **2:30 PM** **phoenix.gov**

*****REVISED March 2, 2021*****
Item Revised: 65; Item with Additional Information: Item 67

OPTIONS TO ACCESS THIS MEETING

- **Watch** the meeting live streamed on phoenix.gov or Phoenix Channel 11 on Cox Cable.

- **Call-in** to listen to the meeting. Dial 602-666-0783 and Enter Meeting ID 126 973 1516# (for English) or 126 459 1728# (for Spanish). Press # again when prompted for attendee ID.

- **Register and speak during a meeting:**

  - **Register online** by visiting the City Council Meetings page on phoenix.gov **at least 1 hour prior to the start of this meeting**. Then, click on this link at the time of the meeting and join the Webex to speak.

<https://phoenixcitycouncil.webex.com/phoenixcitycouncil/onstage/g.php?MTID=e9634ba05a6816cc68026d8173031c18f>

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

CALL TO ORDER AND ROLL CALL

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3	**Liquor License - Bevmo!**	District 1 - Page 16
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18 **Trujillo Consulting, LLC**

19 **Salt River Valley Water Users' Association**

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REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

ADJOURN

City of Phoenix

Report

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

Mayor and Council Appointments to Boards and Commissions

Summary

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

Responsible Department

This item is submitted by the Mayor's Office.

ATTACHMENT A

City of Phoenix

To: City Council **Date:** March 3, 2021

From: Mayor Kate Gallego

Subject: BOARDS AND COMMISSIONS – APPOINTEES

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

Phoenix Deferred Compensation Board/Post Employment Healthcare Plan Board

City Manager Ed Zuercher and I recommend the following for appointment:

Karen Peters
Ms. Peters is a Deputy City Manager for the City of Phoenix. She will replace Milton Dohoney, Jr. as Chair and fulfill the partial term to expire September 30, 2024.

Maryvale Village Planning Committee

Councilwoman Betty Guardado recommends the following for appointment:

Sandra Oviedo
Ms. Oviedo is a resident of the Maryvale community and of District 5. She fills a vacancy for a term to expire November 19, 2022.

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 2

REQUEST TO WITHDRAW (SEE ATTACHED MEMO) (CONTINUED FROM FEB. 17, 2021) Liquor License - Special Event - M.U.S.I.C. Foundation of Arizona, Inc.

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

Summary

Applicant
Bradley Laughlin

Location
5410 E. High St.
Council District: 2

Function
Food and Music Festival

Date(s) - Time(s) / Expected Attendance
March 27, 2021 - 2:00 p.m. to 10:30 p.m. / 2,450 attendees
March 28, 2021 - 12:00 Noon to 8:30 p.m. / 2,450 attendees

Staff Recommendation
Staff recommends approval of this application noting that approval of this application is based on criteria set forth in Title IV of the Arizona Revised Statutes and noting that the applicant has agreed to adhere to the implementation and enforcement of safety precautions consistent with the guidance issued by both the Centers for Disease Control and Prevention and the Arizona Department of Health Services.

Responsible Department

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

City of Phoenix

To: Toni Maccarone
Deputy City Manager

Date: Feb. 16, 2021

From: Denise Archibald
City Clerk

Subject: REQUEST TO CONTINUE ITEM 3 - LIQUOR LICENSE – SPECIAL EVENT – M.U.S.I.C. FOUNDATION OF ARIZONA, INC. FROM THE FEB. 17, 2021 FORMAL AGENDA

The City Clerk Department requests approval to continue Item 3 – Liquor License – Special Event – M.U.S.I.C. Foundation of Arizona, Inc. to the March 3, 2021 formal agenda. The continuance will allow the applicant additional time to review event details with the City work group charged with reviewing events involving more than 50 people.

Approved by:

Toni Maccarone (Feb 16, 2021 14:01 MST)

Toni Maccarone
Deputy City Manager

Feb 16, 2021

Date

City of Phoenix

To: Toni Maccarone
Deputy City Manager

Date: Feb. 22, 2021

From: Denise Archibald
City Clerk

Subject: REQUEST TO WITHDRAW ITEM 2- LIQUOR LICENSE – SPECIAL EVENT – M.U.S.I.C. FOUNDATION OF ARIZONA, INC. FROM THE MARCH 3, 2021 FORMAL AGENDA

The City Clerk Department requests approval to withdraw Item 2– Liquor License – Special Event – M.U.S.I.C. Foundation of Arizona, Inc. from the March 3, 2021 formal agenda. This item was continued from the Feb. 17, 2021 agenda to allow the applicant additional time to review event details with the City work group charged with reviewing events involving more than 50 people. Since that time, the applicant has indicated plans to postpone the event to a future time. If approved by the work group, the item will be placed on a future Council agenda that aligns with the new event dates.

Approved by:

Toni Maccarone (Feb 23, 2021 06:28 MST)

Toni Maccarone
Deputy City Manager

Feb 23, 2021

Date

City of Phoenix

Report

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

Liquor License - Bevmo!

Request for a liquor license. Arizona State License Application 09079011.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 9 - Liquor Store

Location
2370 W. Happy Valley Road, Ste. 1061
Zoning Classification: C-2 M-R PCD
Council District: 1

This request is for an acquisition of control of an existing liquor license for a liquor store. This location is currently licensed for liquor sales with a Series 9 - Liquor Store, liquor license.

The 60-day limit for processing this application is March 7, 2021.

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

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

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

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

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

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

Staff Recommendation
Staff recommends approval of this application.

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 4

Liquor License - Ponderosa Carniceria 2

Request for a liquor license. Arizona State License Application 135427.

Summary

Applicant
Rosa Murrieta, Agent

License Type
Series 10 - Beer and Wine Store

Location
3510 W. Bell Road #D1
Zoning Classification: PSC
Council District: 1

This request is for a new liquor license for a convenience market. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow package liquor sales.

The 60-day limit for processing this application is March 14, 2021.

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

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the

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

Carniceria Mi Ranchito #2 (Series 10)
5035 W. Southern Ave #110, Laveen
Calls for police service: 5
Liquor license violations: None

Ponderosa Carniceria (Series 10)
2340 E. Union Hills Drive, Phoenix
Calls for police service: 1
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We have experience in liquor sale, and we are training for the liquor School."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We are a small carniceria, for neighboorhood people, for their ease of service. The use will not cause adverse impact like noise, & traffiking to neighborhood."

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

Attachments
Liquor License Data - Ponderosa Carniceria 2
Liquor License Map - Ponderosa Carniceria 2

Responsible Department

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

Liquor License Data: PONDEROSA CARNICERIA 2

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	42.36	53.39	73.03
Violent Crimes	7.67	7.48	12.63

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

Property Violation Data

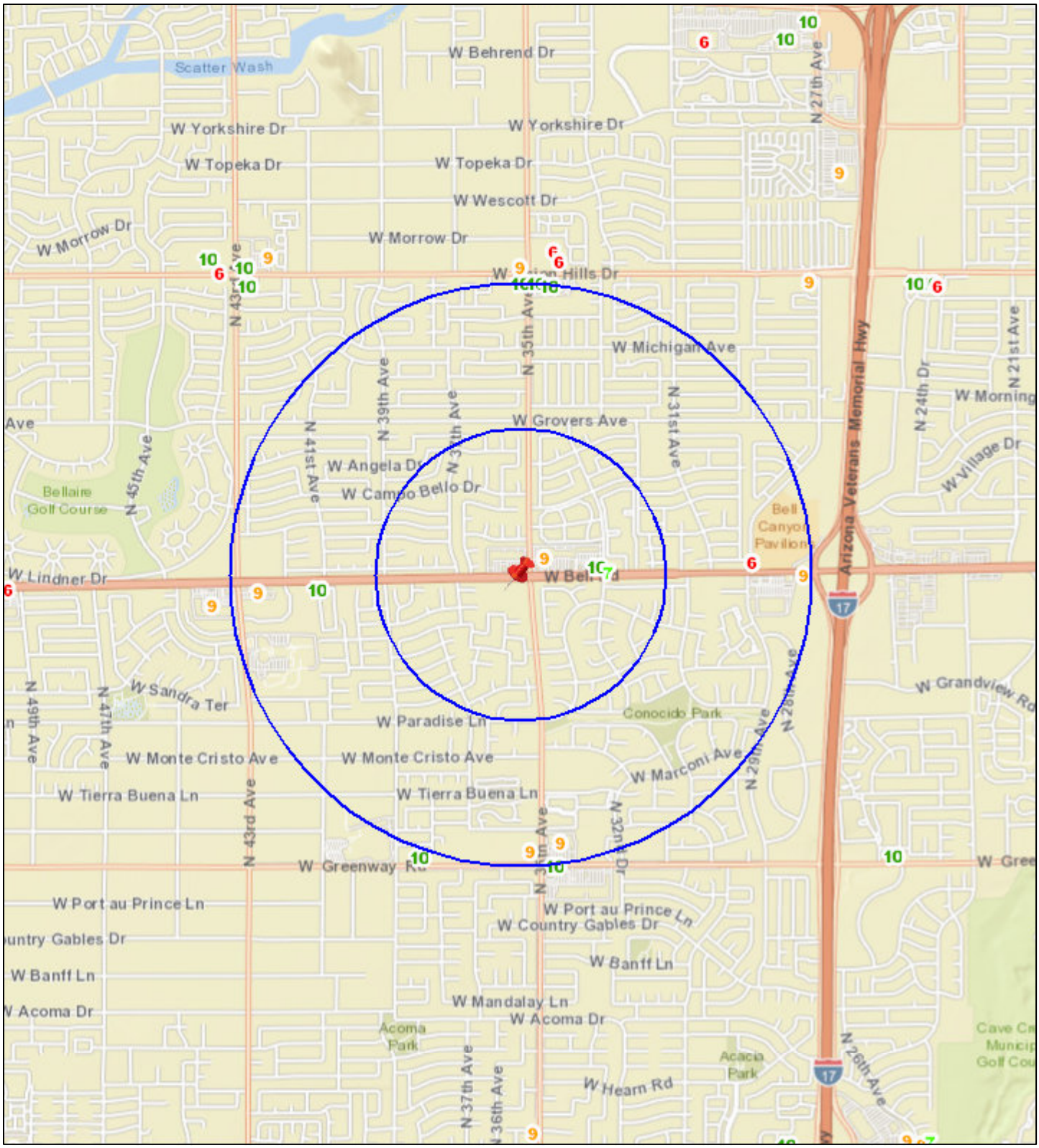
Description	Average	1/2 Mile Average
Parcels w/Violations	61	89
Total Violations	102	120

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1042071	1972	85 %	6 %	5 %
1042072	1463	95 %	11 %	5 %
1042261	949	26 %	8 %	11 %
1042262	1244	92 %	0 %	4 %
6183001	1982	94 %	7 %	9 %
6183002	1444	74 %	0 %	4 %
6185001	2076	86 %	7 %	5 %
6185002	1030	25 %	27 %	22 %
6185003	860	4 %	17 %	17 %
Average		61 %	13 %	19 %

Liquor License Map: PONDEROSA CARNICERIA 2

3510 W BELL RD



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Date: 1/22/2021

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City Clerk Department

City of Phoenix

Report

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

Liquor License - Heart & Soul Cafe

Request for a liquor license. Arizona State License Application 127940.

Summary

Applicant
John Celigoy, Agent

License Type
Series 12 - Restaurant

Location
4705 E. Carefree Hwy., Ste. 117
Zoning Classification: C-2
Council District: 2

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

The 60-day limit for processing this application was Jan. 30, 2021. However, the applicant submitted a written request for more time.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have held positions of public trust for the past 32 years, including 21 years of active duty service as a US Marine Corps officer where I held a security clearance from 1988 to 2016. Additionally, I served for 6 years for the City of Scottsdale as an airport commissioner, and am a Reserve Deputy with the Lapaz County Sheriff's Office. I am an aerospace executive with significant responsibilities for a publicly-traded corporation."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I am a mature, community-minded businessman, and the owner of a veteran-owned business. I consider myself a highly ethical person, and am financially responsible for running a business that supports local vendors and employ more than 20 employees. The business is a local establishment that allows neighbors to gather and socialize. In addition, the business will always support veterans and first-responders."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Heart & Soul Cafe
Liquor License Map - Heart & Soul Cafe

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

Liquor License Data: HEART & SOUL CAFE

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	40.98	1.45	2.01
Violent Crimes	7.43	0.23	0.63

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

Property Violation Data

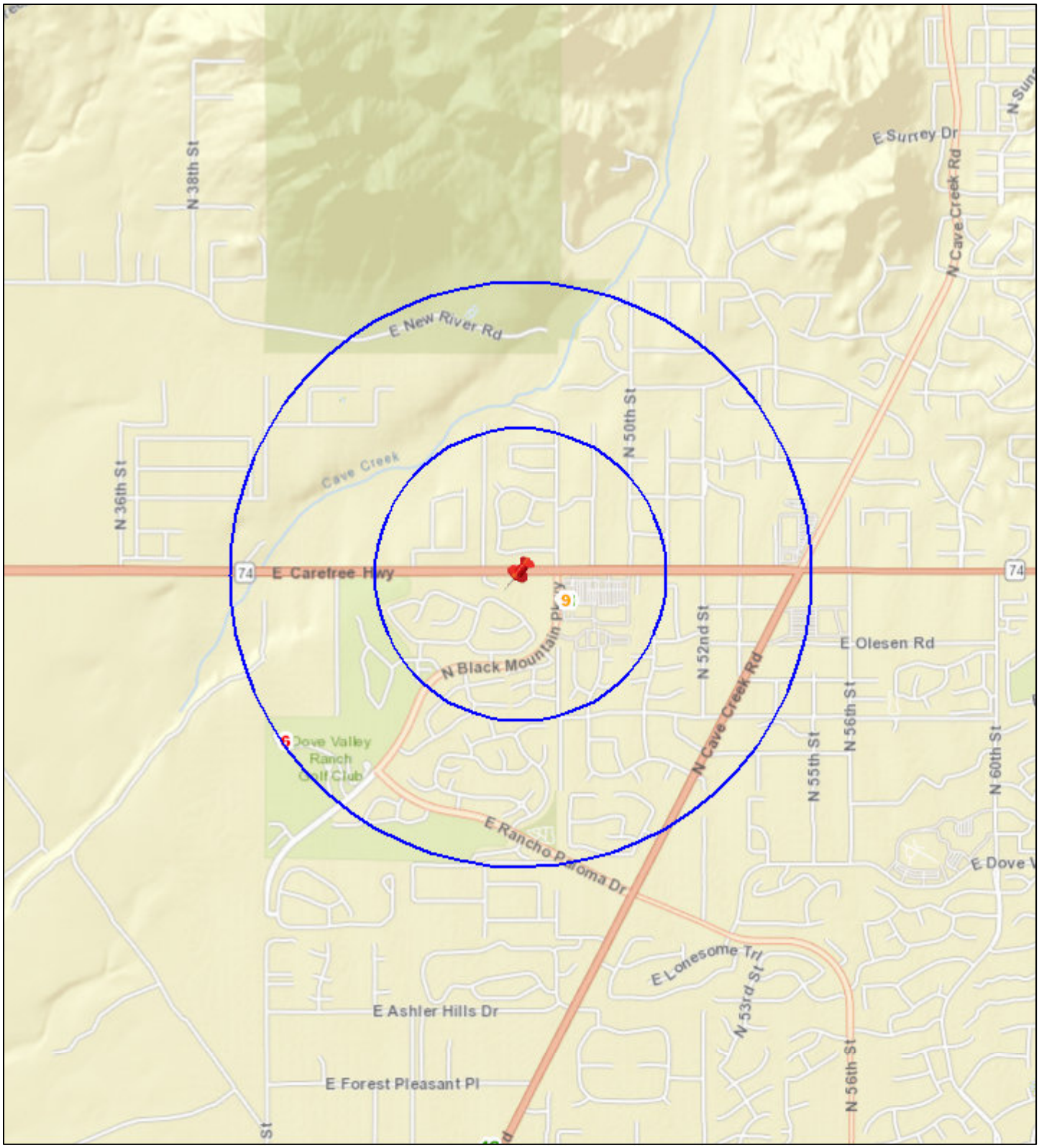
Description	Average	1/2 Mile Average
Parcels w/Violations	61	0
Total Violations	104	0

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
0304023	1955	68 %	18 %	2 %
6125002	1626	98 %	12 %	9 %
6125003	1204	78 %	11 %	6 %
Average		61 %	13 %	19 %

Liquor License Map: HEART & SOUL CAFE

4705 E CAREFREE HWY



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Date: 12/10/2020

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 6

Liquor License - Bob's Market

Request for a liquor license. Arizona State License Application 09070524.

Summary

Applicant
Odette Odeh, Agent

License Type
Series 9 - Liquor Store

Location
12312 N. 32nd St.
Zoning Classification: C-2
Council District: 3

This request is for an ownership transfer of a liquor license for a liquor store. This location is currently licensed for liquor sales with a Series 9 - Liquor Store, liquor license.

The 60-day limit for processing this application was Feb. 20, 2021. However, the applicant has submitted a written request for more time.

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

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

Gas & Food Mart (Series 10)
1902 W. Cactus Road, Phoenix
Calls for police service: 4
Liquor license violations: In January 2014, a fine of $375.00 was paid for delinquent taxes. In March 2017, a fine of $750.00 was paid for failure to request ID for an underage buyer; selling, giving, furnishing underage person with alcohol.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have a Liquor License currently & I have been dealing with his kind of business for The pass-20 years."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"It is currently serving the community and I am planning on servicing the community too."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Bob's Market
Liquor License Map - Bob's Market

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

Liquor License Data: BOB'S MARKET

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	40.98	29.90	31.10
Violent Crimes	7.43	3.26	4.67

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

Property Violation Data

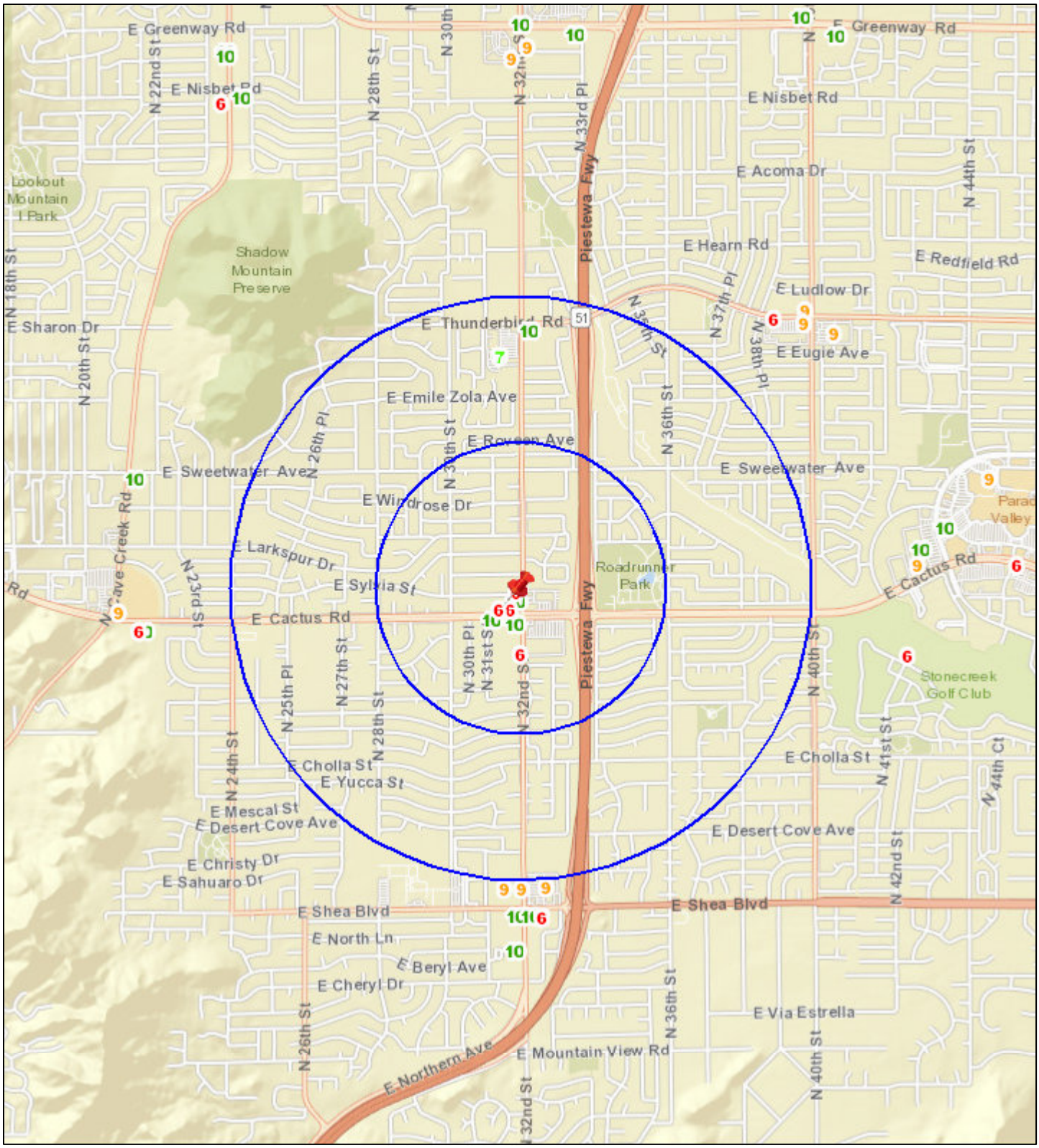
Description	Average	1/2 Mile Average
Parcels w/Violations	62	52
Total Violations	105	86

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1034001	1544	82 %	0 %	6 %
1035021	1498	61 %	5 %	10 %
1035023	1511	71 %	2 %	17 %
1035025	1744	70 %	0 %	4 %
1048021	941	84 %	0 %	4 %
1048022	1874	40 %	0 %	8 %
1049003	2131	84 %	6 %	2 %
Average		61 %	13 %	19 %

Liquor License Map: BOB'S MARKET

12312 N 32ND ST



N

Date: 12/30/2020

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

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

Liquor License - Pointe Hilton Tapatio Cliffs

Request for a liquor license. Arizona State License Application 06070409.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 6 - Bar

Location
11111 N. 7th St.
Zoning Classification: RH PCD
Council District: 3

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

The 60-day limit for processing this application is March 15, 2021.

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

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

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Applicant will manage the Pointe Hilton Tapatio Cliffs, which has been a well-known and popular business and personal travel destination for many years. Applicant would like to continue to offer alcoholic beverages to guests 21 and over.”

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

Attachments
Liquor License Data - Pointe Hilton Tapatio Cliffs
Liquor License Map - Pointe Hilton Tapatio Cliffs

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

Liquor License Data: POINTE HILTON TAPATIO CLIFFS

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	42.36	21.04	35.88
Violent Crimes	7.67	1.56	2.54

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

Property Violation Data

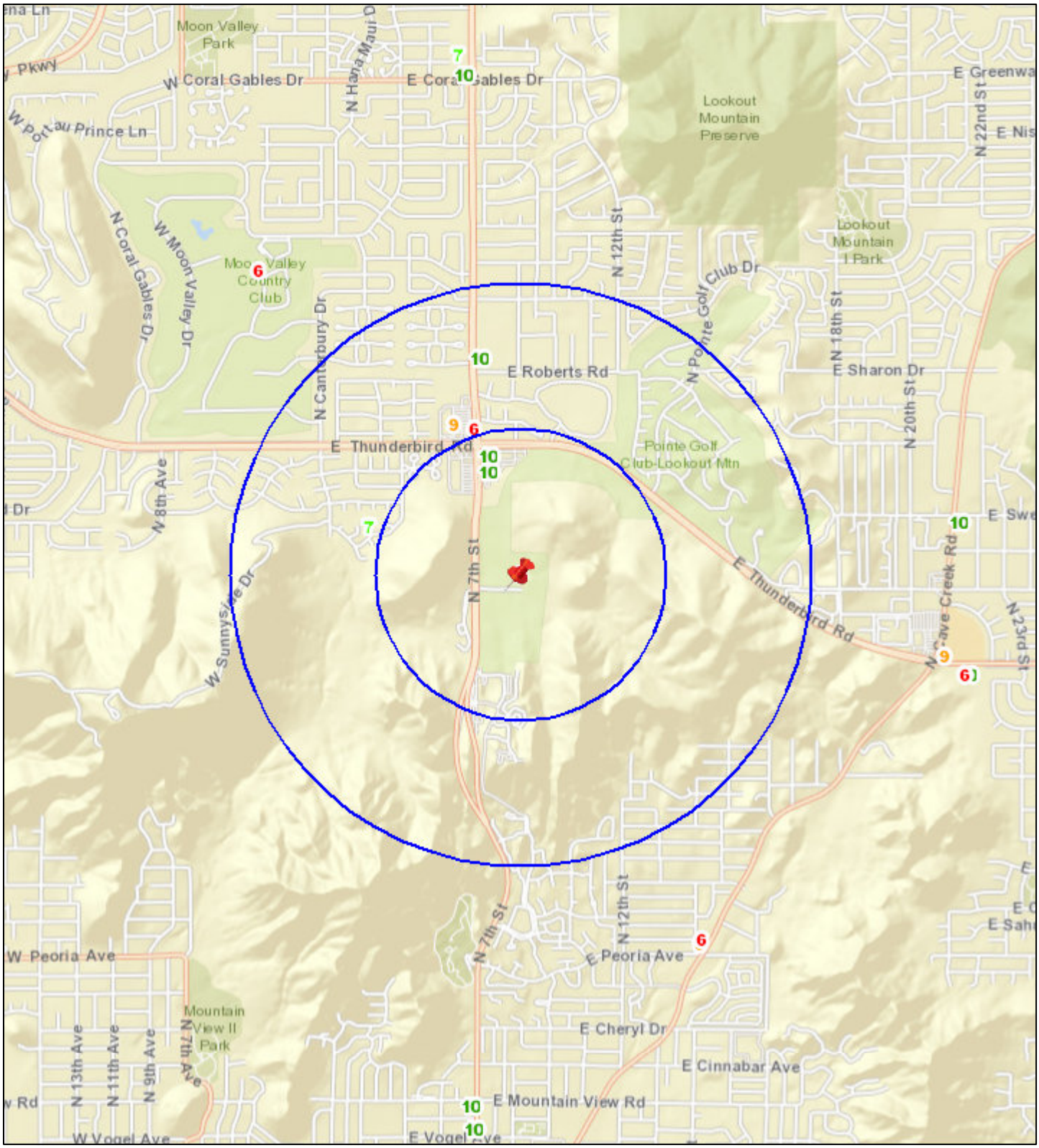
Description	Average	1/2 Mile Average
Parcels w/Violations	59	1
Total Violations	98	2

Census 2010 Data 1/2 Mile Radius

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

Liquor License Map: POINTE HILTON TAPATIO CLIFFS

11111 N 7TH ST



N

Date: 1/15/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 8

Liquor License - NAJ & Eddies Tobacco

Request for a liquor license. Arizona State License Application 135279.

Summary

Applicant
Najman Najman, Agent

License Type
Series 10 - Beer and Wine Store

Location
3338 N. 19th Ave.
Zoning Classification: C-2
Council District: 4

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

The 60-day limit for processing this application is March 13, 2021.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a responsible citizen of the United State of America. I have managed multiple retail locations & have the experience required to sell alcoholic products responsibly."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We will provide tax revenue for the City of Phoenix by selling our products responsibly."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - NAJ & Eddies Tobacco
Liquor License Map - NAJ & Eddies Tobacco

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

Liquor License Data: NAJ & EDDIES TOBACCO

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	0
Government	5	2	0
Beer and Wine Bar	7	3	0
Liquor Store	9	2	0
Beer and Wine Store	10	9	3
Restaurant	12	8	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	41.88	12.89	12.10
Violent Crimes	7.59	3.58	4.98

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

Property Violation Data

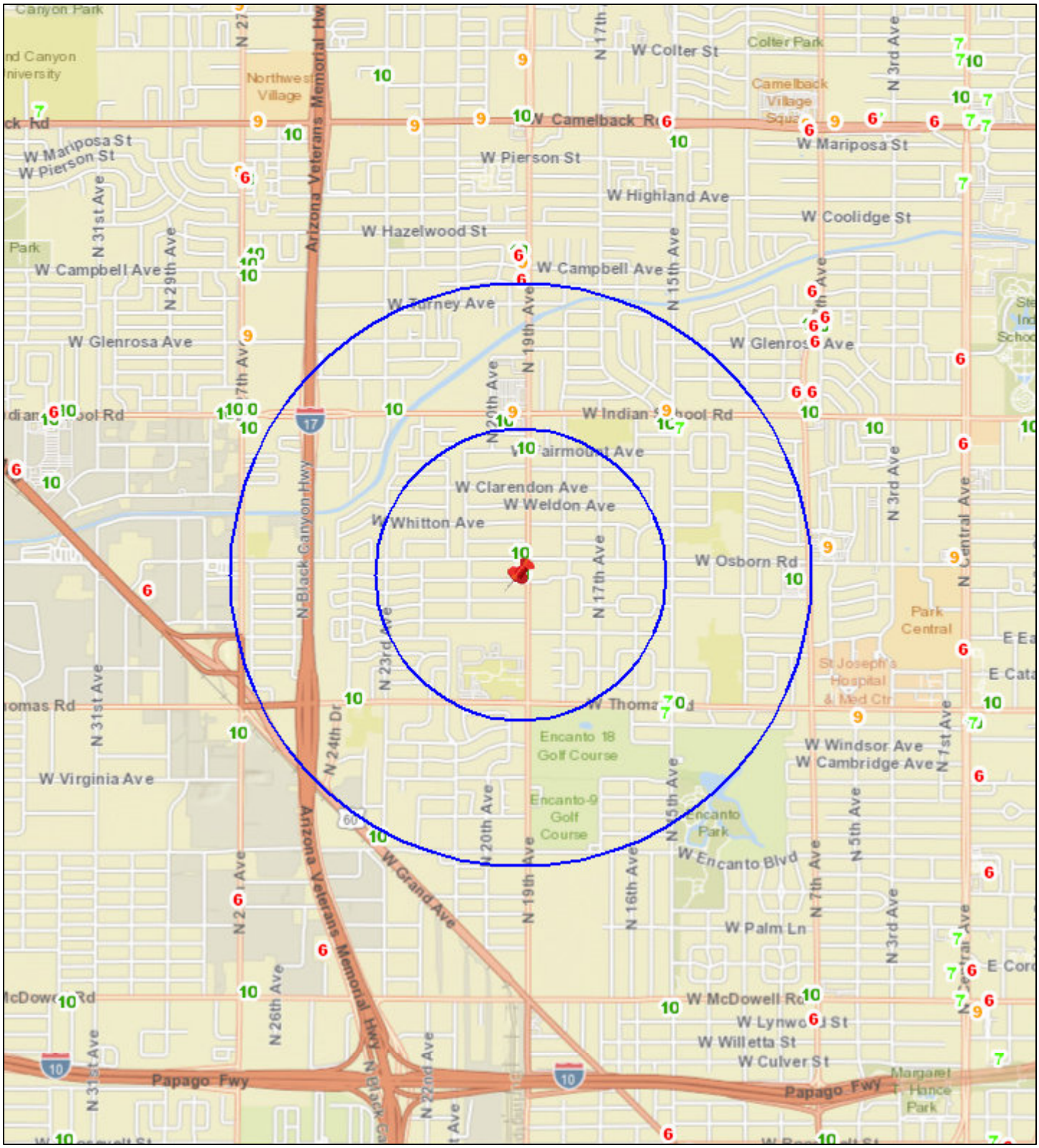
Description	Average	1/2 Mile Average
Parcels w/Violations	62	126
Total Violations	104	183

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1104003	1439	74 %	7 %	37 %
1104004	1344	49 %	16 %	20 %
1119001	678	96 %	8 %	4 %
1168002	1902	64 %	9 %	20 %
1170001	2247	42 %	14 %	25 %
1170002	1845	32 %	9 %	34 %
1170003	2632	43 %	11 %	45 %
Average		61 %	13 %	19 %

Liquor License Map: NAJ & EDDIES TOBACCO

3338 N 19TH AVE



N

Date: 1/14/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 9

Liquor License - Far Away Wine and Provisions

Request for a liquor license. Arizona State License Application 135262.

Summary

Applicant
Patricia Jasmin, Agent

License Type
Series 7 - Beer and Wine Bar

Location
3031 E. Indian School Road, Ste. 10
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is March 12, 2021.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Both my business partner and myself have been in the business for many years. I have had a successful business with a liquor license in Phoenix before. I have been the food and beverage manager for a major resort as well as managed a wine distributer both here in Arizona. My business partner has worked for several liquor distributors in Arizona."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The arcadia area has become known for having some of the best wine cafes, lounges, and restaurants. This neighborhood enjoys having many options to choose from. I believe Far Away Wines and Provisions will be a welcomed addition to the neighborhood."

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

Attachments
Liquor License Data - Far Away Wine and Provisions
Liquor License Map - Far Away Wine and Provisions

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

Liquor License Data: FAR AWAY WINE PROVISIONS

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	41.88	6.07	14.01
Violent Crimes	7.59	1.24	4.24

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

Property Violation Data

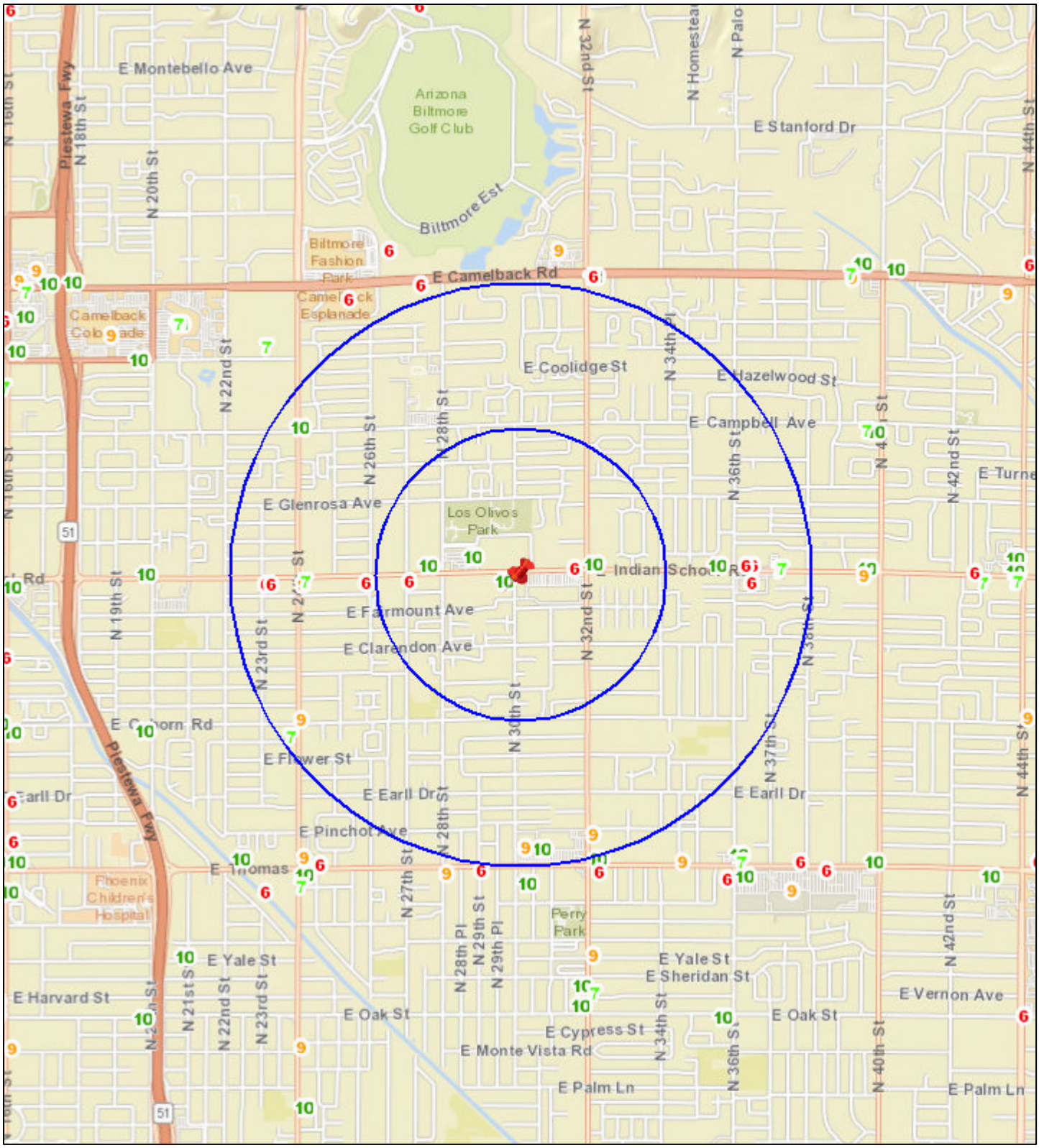
Description	Average	1/2 Mile Average
Parcels w/Violations	62	50
Total Violations	104	90

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1083021	1229	70 %	16 %	3 %
1084001	718	2 %	38 %	46 %
1084002	673	72 %	16 %	3 %
1084005	422	16 %	37 %	13 %
1108011	1736	56 %	27 %	40 %
1108012	1115	19 %	30 %	33 %
1108013	1077	47 %	26 %	14 %
1108021	948	75 %	27 %	13 %
1109011	665	96 %	10 %	13 %
Average		61 %	13 %	19 %

Liquor License Map: FAR AWAY WINE PROVISIONS

3031 E INDIAN SCHOOL RD



N

Date: 1/14/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 10

Liquor License - Pizza to the Rescue

Request for a liquor license. Arizona State License Application 130369.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 12 - Restaurant

Location
2601 E. Indian School Road
Zoning Classification: C-2, C-3
Council District: 6

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor alcoholic beverage consumption.

The 60-day limit for processing this application is March 6, 2021.

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

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the

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

Wrigley Mansion Club (Series 12)
2501 E. Telawa Trail, Phoenix
Calls for police service: 1
Liquor license violations: None

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

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Pizza to the Rescue will be a family-friendly neighborhood restaurant offering Neopolitan style pizza, handmade pastas, fresh salads, and locally sourced craft beverages. Applicant would like to offer alcoholic beverages to guests 21 and over as an incident to the meals they enjoy."

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

Attachments
Liquor License Data - Pizza to the Rescue
Liquor License Map - Pizza to the Rescue

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

Liquor License Data: PIZZA TO THE RESCUE

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	7	4
Beer and Wine Bar	7	3	1
Liquor Store	9	3	1
Beer and Wine Store	10	7	3
Restaurant	12	22	7

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	41.88	8.12	12.84
Violent Crimes	7.59	1.45	3.71

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

Property Violation Data

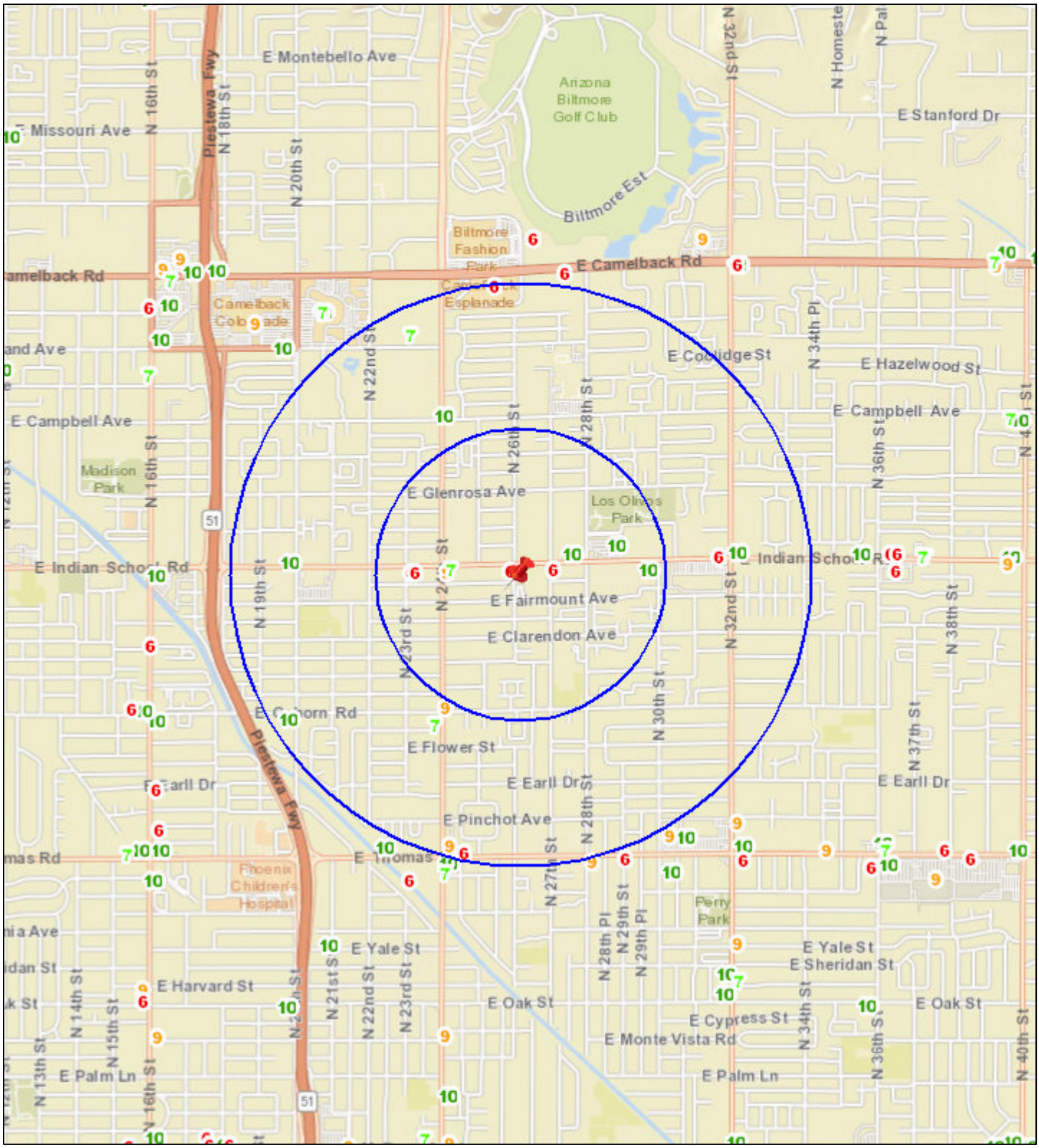
Description	Average	1/2 Mile Average
Parcels w/Violations	61	52
Total Violations	104	87

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1084001	718	2 %	38 %	46 %
1084002	673	72 %	16 %	3 %
1084003	1071	34 %	8 %	40 %
1084005	422	16 %	37 %	13 %
1085021	743	50 %	29 %	20 %
1085023	1475	42 %	20 %	7 %
1107021	1972	58 %	0 %	30 %
1108011	1736	56 %	27 %	40 %
1108012	1115	19 %	30 %	33 %
1108013	1077	47 %	26 %	14 %
1108022	1168	33 %	16 %	7 %
Average		61 %	13 %	19 %

Liquor License Map: PIZZA TO THE RESCUE

2601 E INDIAN SCHOOL RD



N

Date: 1/11/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 11

Liquor License - 3 Sheilas Wine & Spirits

Request for a liquor license. Arizona State License Application 134980.

Summary

Applicant
Nancy Mangone, Agent

License Type
Series 4 - Wholesaler

Location
2440 W. Lincoln St., #165-3S
Zoning Classification: A-2
Council District: 7

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

The 60-day limit for processing this application is March 7, 2021.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications and not to the location.

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I have been a member in good standing of the Arizona Bar since 2004. In that time, I have demonstrated my commitment to not only complying with federal, state and municipal laws but also maintaining a high standard of personal integrity and ethical conduct. For 3 Sheilas, I retained an expert in the liquor distribution industry who spent the last 6 years as an award-winning sales representative for Southern Glazer's Wine & Spirits. Together, we are more than capable, reliable and qualified to hold this Series 4 Wholesaler liquor license.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Our goal is to provide our services to small wine-makers and craft distilleries that do not otherwise have a distributor in Arizona. This focus will open the Arizona market to new products and give Arizona consumers more choices for their wine and spirits needs.”

Staff Recommendation
Staff recommends approval of this application.

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 12

Liquor License - Scout Distribution AZ LLC

Request for a liquor license. Arizona State License Application 132123.

Summary

Applicant
Ryan Anderson, Agent

License Type
Series 4 - Wholesaler

Location
625 S. 27th Ave., Ste. 137
Zoning Classification: A-2
Council District: 7

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

The 60-day limit for processing this application is March 13, 2021.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications and not the location.

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because: “The applicant is a series 4 wholesaler. Its staff will be trained in Techniques of Alcohol Training by an Arizona approved trainer and will follow Arizona's Title 4 liquor laws.”

Staff Recommendation
Staff recommends approval of this application.

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 13

Liquor License - Mariscos y Raspados Tepehuaje

Request for a liquor license. Arizona State License Application 135223.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
4602 S. Central Ave.
Zoning Classification: C-3 SPVTABDO
Council District: 7

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

The 60-day limit for processing this application is March 12, 2021.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been working in the food industry since 2014. I will be attending Arizona Basic and Management Liquor Law training to ensure that I and my staff abide by the laws. I will also have my employees attend Liquor Law training to enforce the serious nature of selling alcohol to intoxicated customers, how to identify them, what steps to take and not selling alcohol to underage. Although, the business will sell alcohol my primary purpose is to sell food."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This business has been in existence since 2016. Community families come here to enjoy the atmosphere, food and ice cream. The primary food served is seafood which many customers have asked to have a beer to complement their meal. This location is family oriented and is not a bar. Service/sale of alcohol is merely to complement the food service. I will be attending both Basic and Management Liquor Law to obtain various ways to determine intoxication and valid forms of identification along with other state & city laws."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Mariscos y Raspados Tepehuaje
Liquor License Map - Mariscos y Raspados Tepehuaje

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

Liquor License Data: MARISCOS Y RASPADOS TEPEHUAJE

Liquor License

Description	Series	1 Mile	1/2 Mile
Government	5	1	0
Bar	6	2	1
Beer and Wine Bar	7	2	0
Liquor Store	9	6	3
Beer and Wine Store	10	13	5
Restaurant	12	3	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	42.36	105.44	166.98
Violent Crimes	7.67	23.40	36.51

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

Property Violation Data

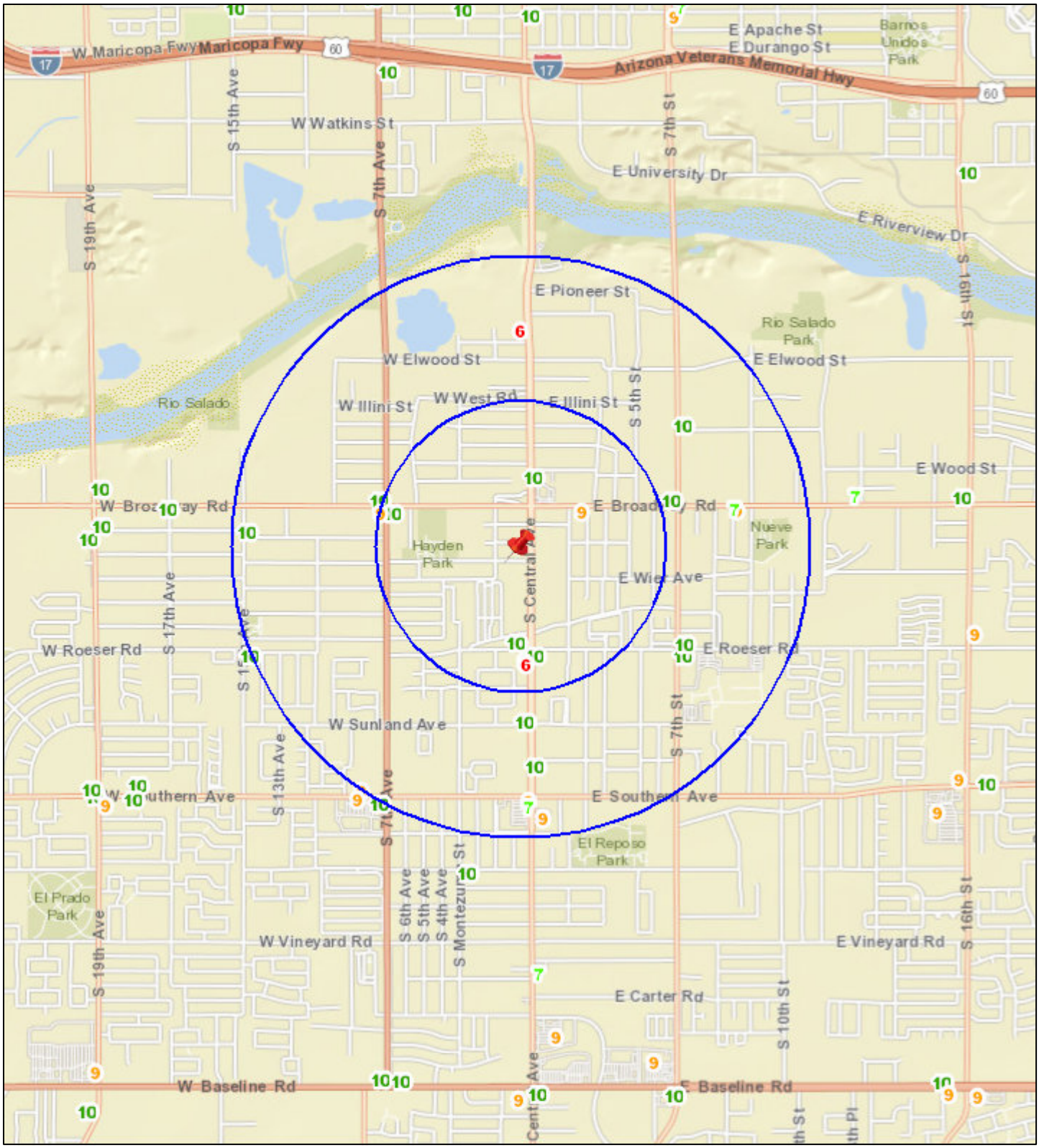
Description	Average	1/2 Mile Average
Parcels w/Violations	59	255
Total Violations	98	449

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1148001	1594	64 %	11 %	36 %
1154001	1174	61 %	17 %	54 %
1154002	1147	57 %	0 %	37 %
1157001	2689	65 %	7 %	23 %
1158011	2230	38 %	18 %	36 %
1158012	1837	18 %	26 %	65 %
1158021	1871	53 %	7 %	47 %
1158022	1536	47 %	17 %	24 %
Average		61 %	13 %	19 %

Liquor License Map: MARISCOS Y RASPADOS TEPEHUAJE

4602 S CENTRAL AVE



N

Date: 1/14/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 14

Liquor License - R & F Liquors

Request for a liquor license. Arizona State License Application 09070729.

Summary

Applicant
Basim Hanna, Agent

License Type
Series 9 - Liquor Store

Location
4727 E. Southern Ave.
Zoning Classification: C-2
Council District: 8

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

The 60-day limit for processing this application is March 9, 2021.

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

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the

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

Maryland Deli & Liquor (Series 9)
6502 N. 7th St., Phoenix
Calls for police service: 22
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a very experienced in operating a liquor store. I currently own another liquor store in Phoenix that I purchased 25 years ago. The liquor store is very successful and I have never received a violation of any kind. I have also recently completed current liquor law training."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location has been a liquor store for many years. The previous owner purchased the store in 1984. Our neighbors like being able to run in and make a quick purchase. This store is part of the community and would like to continue operating for them."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - R & F Liquors
Liquor License Map - R & F Liquors

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

Liquor License Data: R & F LIQUORS

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	42.36	30.91	37.36
Violent Crimes	7.67	6.76	8.17

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

Property Violation Data

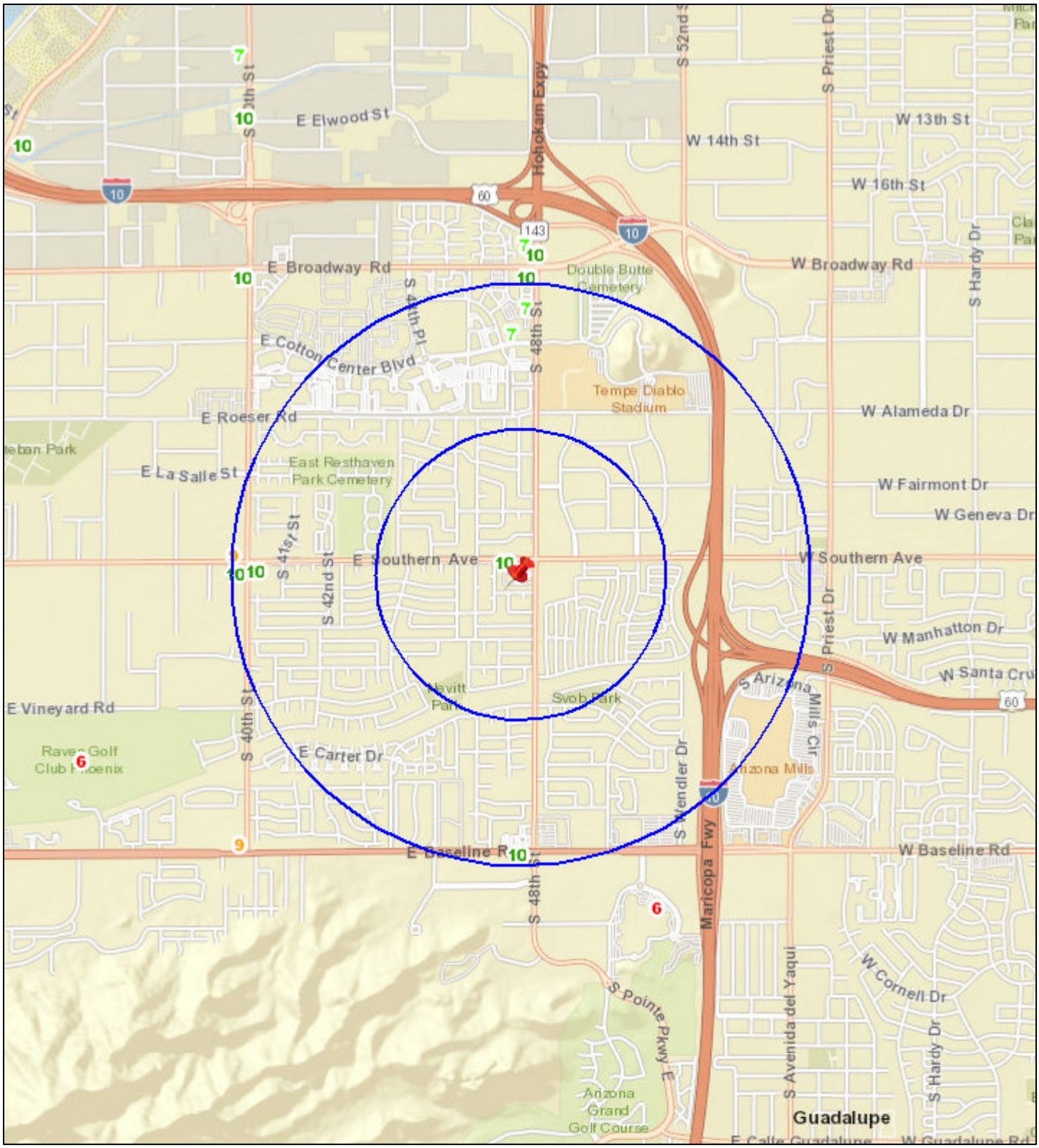
Description	Average	1/2 Mile Average
Parcels w/Violations	60	157
Total Violations	100	215

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1162021	1187	94 %	0 %	39 %
1162022	1836	62 %	0 %	20 %
1162023	1215	57 %	6 %	37 %
1162041	1426	79 %	6 %	24 %
1162042	1819	57 %	0 %	32 %
1162043	535	59 %	24 %	8 %
1162052	1024	85 %	4 %	26 %
3197031	1479	51 %	11 %	13 %
3197032	602	81 %	30 %	11 %
3197033	2085	30 %	14 %	34 %
3197041	1777	42 %	9 %	20 %
Average		61 %	13 %	19 %

Liquor License Map: R & F LIQUORS

4727 E SOUTHERN AVE



N

Date: 2/2/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 15

(CONTINUED FROM FEB. 17, 2021) Liquor License - El Pueblo Restaurant

Request for a liquor license. Arizona State License Application 128136.

Summary

Applicant
Amanda Arriaza, Agent

License Type
Series 12 - Restaurant

Location
2270 N. 75th Ave., Ste. 101
Zoning Classification: C-2
Council District: 7

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

The 60-day limit for processing this application was Feb. 1, 2021. However, the applicant submitted a written request for more time.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I Amanda consider myself a very responsible, honest person with good moral standings, and I believe that I have the ability to handle a liquor license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"They will have more options for alcoholic beverage with their meals."

Staff Recommendation
Staff recommends disapproval of this application based on a Police Department recommendation for disapproval. The Police Department disapproval is based on possible hidden ownership concerns, falsifying information on both City and State questionnaires, and concerns associated with financing of the business. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license.

Attachments
Liquor License Data - El Pueblo Restaurant
Liquor License Map - El Pueblo Restaurant
Liquor License Police Department Recommendation - El Pueblo Restaurant

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

Liquor License Data: EL PUEBLO RESTAURANT

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	1	0
Beer and Wine Bar	7	1	1
Liquor Store	9	3	2
Beer and Wine Store	10	4	1
Restaurant	12	17	11

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	42.36	181.15	278.76
Violent Crimes	7.67	26.56	25.47

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

Property Violation Data

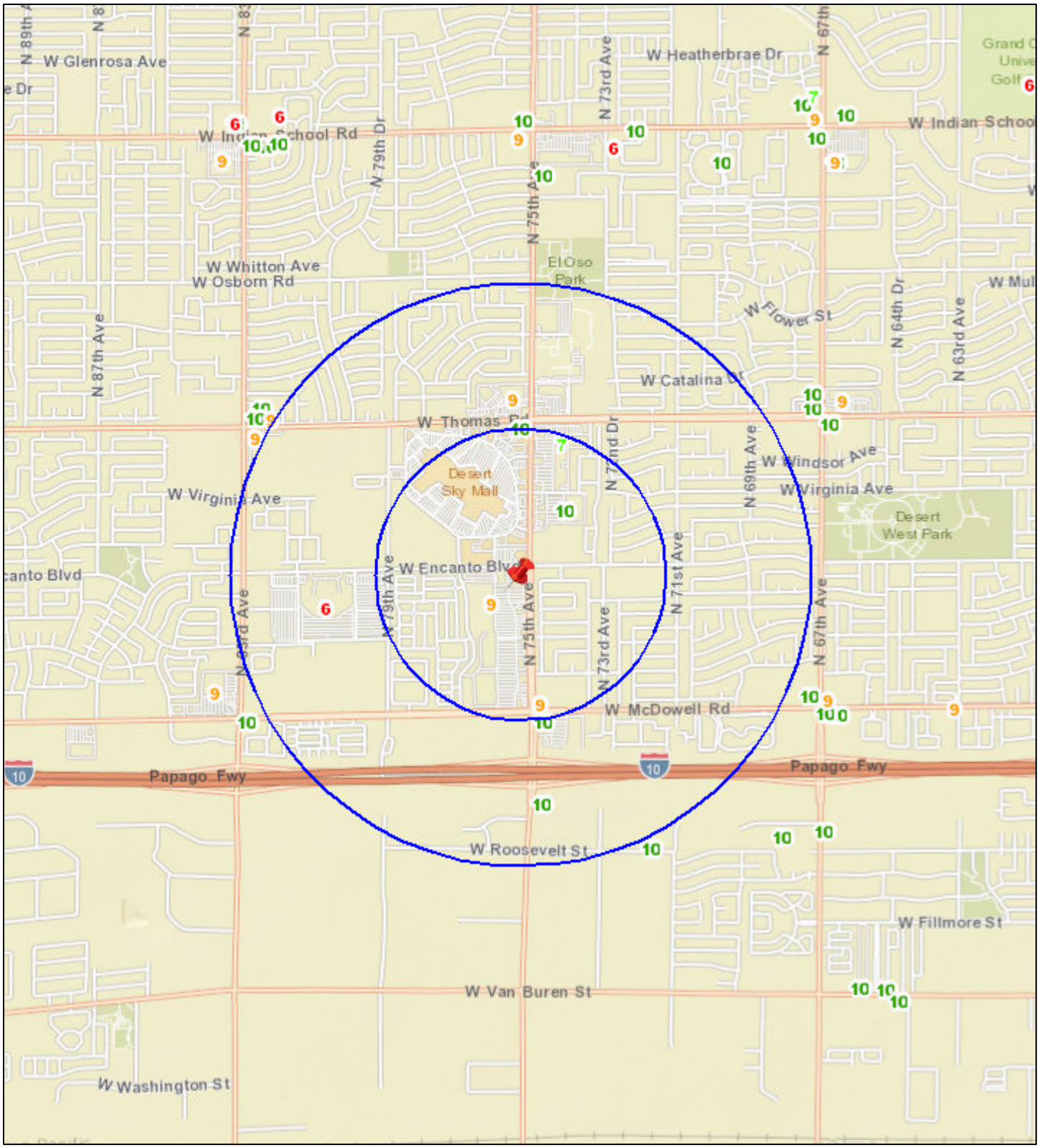
Description	Average	1/2 Mile Average
Parcels w/Violations	60	87
Total Violations	100	143

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1125033	1448	67 %	6 %	8 %
1125034	1913	70 %	12 %	32 %
1125091	1905	0 %	15 %	22 %
1125092	1564	47 %	23 %	9 %
1125093	2841	0 %	14 %	49 %
Average		61 %	13 %	19 %

Liquor License Map: EL PUEBLO RESTAURANT

2270 N 75TH AVE



N

Date: 12/7/2020

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

LIQUOR LICENSE DISAPPROVAL FORM

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	EL PUEBLO RESTAURANT	District	7
Business Location	2270 N. 75th Avenue, Suite 101		
Applicant Name	Amanda Elena Arriaza	Series Type	12

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

There are possible hidden ownership concerns:

The State application and City of Phoenix Questionnaire indicate that Amanda Arriaza is the sole owner of El Pueblo Restaurant LLC. This is also supported by research and documentation filed with the Arizona Corporation Commission. Ms. Arriaza listed no other persons as having ownership or financial interest in the business. In a recorded interview on Jan. 15, 2021, Mr. & Mrs. Arriaza were asked what Mr. Arriaza's role would be in the operation of El Pueblo Restaurant. Ms. Arriaza responded saying Mr. Arriaza would be responsible for "everything". Both stated that Mr. Arriaza intends to act as an owner of the restaurant and make business and financial decisions related to El Pueblo Restaurant. Officer James Rodriguez provided Spanish to English translation during this interview and is a certified translator for the City of Phoenix.

During their interview on Jan. 15, 2021, it was discovered that funds from a Small Business Association (SBA) loan obtained by Mr. Arriaza for his trucking company, Tahuapa Express DBA, were used to cover building renovation costs, application fees, and other start-up costs associated with El Pueblo Restaurant.

In an amendment of her Liquor License Application Questionnaire filed with the City of Phoenix on Jan. 18, 2021, Ms. Arriaza listed herself as having sole ownership interest in the business. She also indicated for a second time that there is no outstanding debt associated with the business, but made a hand-written note stating that her spouse, Mr. Arriaza, is "financing everything" for her business because he "owns a business".

The application was falsified in the following manner:

The applicant stated on the City Questionnaire and State application that she paid $25,000 from her personal savings for the business. This statement is false. Ms. Arriaza stated in a recorded interview on Jan. 15, 2021, that this was merely her contribution to the start-up costs. The remainder of the start-up costs derived from an SBA loan (COVID relief) in the amount of $150,000 obtained by her husband, Enrique Arriaza Esquivel, to offset losses incurred by his trucking business, Tahuapa Express DBA. This was not indicated on the State application, the City of Phoenix Questionnaire or any amendments.

The applicant stated on the State application and City of Phoenix Questionnaire that she owes $0 in outstanding debt associated with the "purchase or start-up" of the business. This is also a false statement. Ms. Arriaza's actual start-up costs were approximated by her and her husband Mr. Arriaza to be over $100,000 as

LIQUOR LICENSE DISAPPROVAL FORM

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	EL PUEBLO RESTAURANT	District	7
Business Location	2270 N. 75th Avenue, Suite 101		
Applicant Name	Amanda Elena Arriaza	Series Type	12

stated in a recorded interview with Detective Falcone on Jan. 15, 2021. The misused funds were provided by the US SBA in the form of an EIDL loan (COVID relief) that were intended to relieve losses incurred by Mr. Arriaza's trucking company.

The applicant indicated on the State Application that the licensed premises was not closed due to "construction, renovation or redesign or rebuild". Detective Falcone met the applicant and her husband at the restaurant and noted that the proposed licensed premises was in fact under renovation. This was also acknowledged by the applicant and her husband when Mr. Arriaza indicated that he used his SBA loan to pay for "all of this" as he physically gestured to the surroundings.

There is possible fraud associated with the financing of the business:

As part of the administrative investigation process the applicant, Amanda Arriza, was asked to provide documentation of any loans associated with her business, El Pueblo Restaurant. She provided an SBA Loan Authorization and Agreement for SBA EDIL (COVID relief) loan number 17322688100 in the amount of $150,000 naming her husband Enrique Arriaza Esquivel as the borrower dated 07/10/2020. When asked where they acquired the funds to renovate the restaurant in a recorded interview with Detective Falcone 9549 on Jan. 15, 2021 Mr. & Mrs. Arriaza stated that the funds provided by the SBA loan were used to cover start-up and operational costs of establishing El Pueblo Restaurant including building renovations and application fees. Mr. Arriaza stated that he understood that the loan was intended to cover operating costs associated with his trucking company, Tahuapa Express DBA but stated he changed his mind once the funds were received and decided to use the funds to help his wife establish El Pueblo Restaurant.

The above stated use of this SBA loan is fraudulent due to the following: Within the Loan Authorization and Agreement document provided by Ms. Arriaza it states in the "Use of Loan Proceeds" section that the borrower, Mr. Arriaza, "will use all the proceeds of this Loan solely as working capital to alleviate economic injury caused by disaster...". The document also states in section titled "Limits on Distribution of Assets" that the borrower, Mr. Arriaza, will not "without the prior written consent of SBA, make any distribution of Borrower's assets, or give any preferential treatment, make any advance, directly or indirectly, by way of loan, gift, bonus, or otherwise, to any owner or partner or any of its employees, or to any company directly or indirectly controlling or affiliated with or controlled by Borrower, or any other company". These sections clearly indicate that the funds provided are to used solely to cover capital needed for the borrowers business and not to establish new businesses. The proceeds provided to Mr. Arriaza associated with this loan were misused and the loan was possibly obtained under fraudulent pretext.

LIQUOR LICENSE DISAPPROVAL FORM

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	EL PUEBLO RESTAURANT	District	7
Business Location	2270 N. 75th Avenue, Suite 101		
Applicant Name	Amanda Elena Arriaza	Series Type	12

The applicant did not exhibit an understanding of basic business practices and therefore does not meet the Capable, Qualified, and Reliable standard for the following reasons:

1. The applicant did not have an established business plan and furthermore did not know what liquor beverages she intended to serve at her restaurant

2. The applicant's husband answered many of the questions during an interview with Detective Falcone on Jan. 15, 2021. At one-point Detective Falcone had to ask Mr. Arriaza to allow Ms. Arriaza to answer questions at which point it was apparent that Ms. Arriaza did not know what her expectation were for her business.

3. Ms. Arriaza indicated in an interview that she would need only ten employees to run her restaurant seven days a week for thirteen hours a day. Ms. Arriaza took several minutes to answer this question and did not seems to know how many employees were necessary to run her restaurant. She indicated on her State application that twenty-five employees were necessary.

4. When asked if they would have a bar area in the restaurant the couple looked around the restaurant as Mr. Arriaza stated "yes" after several seconds and pointed to the corner area that looked to be set up as a serving line.

5. When asked about a discrepancy regarding the documented rent amount of $9,500 and the graduated amounts indicated on their lease agreement the couple stated that the landlord had told them $9,500. It appeared that they were unfamiliar with the lease and they were unable to show or explain the graduated table indicated rent amount increases over time.

6. The applicant had no plan for accounting associated with the restaurant.

This recommendation for disapproval is submitted by: Det. Leonard Falcone 9549

SIGNATURES	
Administrative Licensing Investigator	I. Alonge A4289
Liquor Enforcement Detail Supervisor	Sgt. M. Doty 5785

PAYMENT ORDINANCE (Ordinance S-47331) (Items 16-19)

Ordinance S-47331 is a request to authorize the City Controller to disburse funds, up to amounts indicated below, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requests continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code section 42-13.

16 **Foster & Freeman USA, Inc.**

For $84,000.00 in payment authority to purchase Recover Latent Fingerprint Technology system for the Police Department. The Phoenix Police Department's Crime Gun Intelligence Unit and Laboratory Services Bureau are collaborating to use Recover Technology to process discharged bullet casings to provide forensic information. The Recover Technology can reveal fingerprints even after being physically removed from an object due to washing, exposure to heat, or explosion. The utilization of the equipment will support the Police department's strategic initiative to prevent crime in the City of Phoenix by increasing the success rate of fingerprint recovery. The purchase will be funded by the Phoenix Police Department Project Safe Neighborhoods grant.

17 **Settlement of Claim(s) Tan v. City of Phoenix**

To make payment of up to $175,000.00 in settlement of claim(s) in *Tan v. City of Phoenix,* CV2019-010721,18-0587-001, AU, BI, for the Finance Department pursuant to Phoenix City Code chapter 42. This is a settlement of a bodily injury claim arising from a motor vehicle accident on July 19, 2018 involving the Police Department.

18 **Trujillo Consulting, LLC**

For $50,000.00 in payment authority for a new contract, starting on or about March 8, 2021 to no later than June 30, 2021, to provide executive consulting services for the Human Resources Department. A short-term agreement is needed while a nationwide recruitment is completed to fill the Housing Director position. Executive services will include managing and directing the Housing Department's activities, including Public Housing Operations and Maintenance, Affordable Housing Property Management, Resident Supportive Services, Section 8 Housing Choice Voucher Administration, and Housing Development.

19 **Salt River Valley Water Users' Association**

For $130,000.00 in payment authority to purchase irrigation water during the 2021 calendar year for the Parks and Recreation Department. The irrigation water is needed to water plants, trees, shrubs and grass at various Parks and Recreation locations throughout the City of Phoenix. The expenditure is essential for the grass and plant life at all City park locations.

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 20

Dedication of a Public Utility and Sidewalk Easement Over a Portion of City-owned Land Along Olney and 59th Avenues (Ordinance S-47334)

Request for the City Council to dedicate a public utility and sidewalk easement to public use over a portion of City-owned land along Olney and 59th avenues; further ordering the ordinance recorded.

Summary

The dedication is required for construction of the Estrella Crossing development (KIVA 19-722). Public improvements will be constructed by the developer along the north side of the Olney Avenue alignment and the eastern property boundary adjacent to Estrella Crossing.

The public utility and sidewalk easement is more fully described in Exhibit A, to be recorded with ordinance.

Location

Northwest corner of Olney and 59th avenues, identified by Maricopa County Assessor Parcel number 300-02-060.
Council District: 8

Responsible Department

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 21

Acquisition of Real Property for Intersection Improvements at 3rd and Glendale Avenues (Ordinance S-47338)

Request to authorize the City Manager, or his designee, to acquire real property and related property interests by donation, purchase within the City's appraised value, or by the power of eminent domain for intersection improvements at 3rd and Glendale avenues. Further request authorization to dedicate land with roadway and/or public improvements to public use via separate recording instrument. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

Acquisition is required for the construction and installation of a HAWK signal at the intersection of 3rd and Glendale avenues. Improvements include a new pedestrian signal, pavement, curb, gutter and construction of an Americans with Disabilities Act accessible sidewalk.

The parcels affected by this project and included in this request are identified by Maricopa County Assessor's parcel numbers 161-28-033A (located at 145 W. Glendale Ave.) and 160-33-004G (located at 316 W. Glendale Ave.).

Financial Impact

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

Location

3rd and Glendale avenues
Council District: 6

Responsible Department

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 22

Grant of Public Utility Easement on City-owned Property to Replace Underground Cable at Nevitt Park (Ordinance S-47348)

Request City Council to grant a public utility easement, for consideration of $1.00 and/or other valuable consideration, for electrical facilities and the installation of new conduit-encased cable on City-owned property within the Salt River Project (SRP) service area, and further ordering the ordinance recorded. The public utility easement is required for the replacement of new underground cable at Nevitt Park.

Summary

This public utility easement will be for the area more fully described in the legal description ("Easement Premises") and will be granted to all public service corporations, agricultural improvement districts and telecommunication corporations providing utility service (collectively "Grantee") to the property located at 6815 S. 44th Way, in perpetuity so long as Grantee uses the Easement Premises for the purposes herein specified for an indefinite period, subject to the following terms and conditions:

A. Grantee is hereby granted the right to construct, reconstruct, replace, repair, operate and maintain utility facilities together with appurtenant fixtures for use in connection therewith (collectively "Grantee Facilities") to, through, across and beyond Grantor's property within the Easement Premises. Subject to the notice requirements provided in paragraph "I," Grantee shall at all times have the right of full and free ingress and egress to and along the Easement Premises for the purposes herein specified. Grantee acknowledges and accepts that Grantee shall share the Easement Premises with other Grantees and shall use such Easement Premises with other Grantees in accordance with and consistent with industry standards and customs for shared use. Grantor agrees to coordinate the location of Grantee's Facilities within the Easement Premises and to pay costs for relocation of Grantee's Facilities as provided in paragraph "F."
B. Grantor shall not locate, erect or construct, or permit to be located or erected or constructed, any building or structure within the limits of the Easement Premises. However, Grantor reserves all other rights, interests, and uses of the Easement Premises that are not inconsistent with Grantee's easement rights herein conveyed and which do not interfere with or endanger any of the Grantee Facilities. Notwithstanding the foregoing, Grantor shall not have the right to lower by more

than one foot or raise by more than two feet the surface grade of Easement Premises without the prior written consent by the Grantee whose facilities will be affected by the change of elevation.

C. Grantee shall not have the right to use the Easement Premises to store gasoline or petroleum products, hazardous or toxic substances, or flammable materials; provided however, that this prohibition shall not apply to any material, equipment or substance contained in, or a part of, the Grantee Facilities, provided that Grantee must comply with all applicable federal, state and local laws and regulations in connection therewith. Additionally, the Easement Premises may not be used for the storage of construction-related materials or to park or store construction-related vehicles or equipment except on a temporary basis to construct, reconstruct, replace, repair, operate or maintain the Grantee Facilities.

D. Grantor shall maintain an appropriate three-foot clear area around all edges of all equipment pads for Grantee Facilities in addition to a clear operational area that extends 12 feet immediately in front of all transformer or switching cabinet openings, within the Easement Premises. No obstruction, trees, shrubs, fixtures or permanent structures shall be placed or permitted by Grantor within said areas. Grantee is hereby granted the right to trim, prune, cut, and clear away trees, brush, shrubs or other obstruction within said areas.

E. Grantee shall exercise reasonable care to avoid damage to the Easement Premises and all improvements thereon and agrees that following any work or use by Grantee within the Easement Premises, the affected area, including without limitation, all pavement, landscaping, concrete and other improvements permitted within the Easement Premises pursuant to this easement will be restored by Grantee to as close to original condition as is reasonably possible, at the expense of Grantee.

F. Grantor reserves the right to require the relocation of Grantee Facilities to a new location within Grantor's property; provided however, that: (1) Grantor pays the entire cost of redesigning and relocating existing Grantee Facilities to the new location; and (2) Grantor provides Grantee with a new and substantially similar public utility easement at no cost to Grantee. After relocation of Grantee Facilities to the new easement area, Grantee shall abandon its rights to use the Easement Premises granted in this easement without cost or consequence to Grantor.

G. Each public service corporation and telecommunication services corporation as a Grantee shall coordinate and work with other Grantees in the use of the Easement Premises. In the event that a third party or other Grantee requests the relocation of existing Grantee Facilities to a new location (whether or not) within the Easement Premises, the requesting party shall pay the entire cost of redesigning and relocating the existing Grantee Facilities.

H. Grantee shall not have the right to transfer, convey or assign its interests in this easement to any individual, corporation or other entity without the prior written consent of Grantor, which consent shall not be unreasonably withheld. Grantee

shall notify Grantor of any proposed transfer, conveyance or assignment of any rights granted herein at address listed below.

I. Except in emergencies or exigent circumstances such as service restoration, Grantee agrees to contact Grantor at least one business day prior to Grantee's entrance onto the Easement Premises where the Easement Premises are located: (1) on a site that includes Aviation Department facilities; (2) water and wastewater treatment facilities; (3) Police Department headquarters located at 620 W. Washington St.; (4) Fire Department headquarters located at 150 S. 12th St.; (5) City Hall located at 200 W. Washington St.; (6) City Court Building located at 300 W. Washington St.; (7) Calvin C. Goode Building located at 251 W. Washington St.; (8) Transit Operations Center located at 320 N. 1st Ave. or West Transit Facility located at 405 N. 79th Ave.; or (9) in a secured or fenced area.

Location
6815 S. 44th Way, identified by Maricopa County Assessor's parcel number 123-18-516.
Council District: 8

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 23

Revise Legal Description for Public Utility Easement at Cesar Chavez Park (Ordinance S-47344)

Request the City Council to amend Ordinance S-46897 to revise the legal description for a public utility easement; and further ordering the ordinance recorded.

Summary
Ordinance S-46897 granted a public utility easement (PUE) within the Salt River Project service area for installation of a pad-mounted transformer required for the construction of Cesar Chavez Community Center. After the PUE was granted by ordinance, Parks and Recreation Department (Parks) staff discovered that the PUE conflicted with a large, old tree. At the request of Parks, the design was modified to preserve the tree.

The revised legal description is to be recorded with this ordinance. All other conditions and stipulations previously stated in the above referenced ordinance will remain the same.

Concurrence/Previous Council Action
Ordinance S-46897 was adopted by City Council on Sept. 2, 2020, by a vote of 9-0.

Location
7858 S. 35th Ave., identified by Maricopa County Assessor Parcel Number 300-13-001Q.
Council District: 7

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 24

Auditing and Consulting Services - MCC 180241 (Ordinance S-47336)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 150616 with Eide Bailly LLP; Contract 150617 with Berry, Dunn, McNeil & Parker, LLC; Contract 150635 with MGT of America Consulting, LLC; Contract 150640 with Heinfeld, Meech, & Co.; Contract 150641 with REDW, LLC; Contract 150642 with Myers and Stauffer LC; and Contract 150660 with CliftonLarsonAllen LLP for the purchase of auditing and consulting services for the Regional Wireless Cooperative (RWC) under the Office of Government Relations and the Information Technology Services Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $404,000.

Summary

This contract provides external expertise for auditing and consulting services. The RWC, per its governance, must be financially audited annually by an external auditor. It is budgeted for each year and its findings are shared with the Board of Directors. In addition, the Information Technology Services Department (ITS), in support of maintaining citywide Payment Card Industry (PCI) compliance, will utilize an external auditor to obtain a PCI certified Qualified Security Assessor to perform services required for PCI Data Security Standards (DSS). Compliance with PCI DSS is mandated by the payment card industry in order for the City to process payment card transactions. Services will include, but are not limited to, a report on compliance, a gap analysis, an analysis of the existing PCI structure, and assistance to the City in providing guidance and recommendations on improving current processes. Additional funds are needed to add RWC and ITS as authorized users. The City Auditor Department currently utilizes these contract services.

Contract Term

The contract term is June 1, 2019 through May 31, 2024.

Financial Impact

Upon approval of $404,000 in additional funds, the revised aggregate value of the contract will not exceed $984,000. Funds are available in the RWC (under the Office of Government Relations) and ITS Department budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on June 5, 2019.

Responsible Department

This item is submitted by City Manager Ed Zuercher and the Regional Wireless Cooperative under the Office of Government Relations and Deputy City Manager Toni Maccarone and the Information Technology Services Department.

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 25

Parts, Installation, and Service for Direct Current Battery Plant - IFB 19-020A - Requirements Contract (Ordinance S-47339)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 149250 with Power Products Services, Inc. for the purchase of heavy-duty batteries, preventative maintenance, and repairs to direct current (DC) battery back-up systems for the Information Technology Services Department in support of public safety radio sites. The additional amount of $1,250,000 is needed to purchase additional battery replacements. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $1,250,000.

Summary

This contract currently provides heavy-duty batteries, preventative maintenance, and repairs to direct current (DC) battery backup systems for the Regional Wireless Cooperative (RWC) and the Information Technology Services Department. These batteries power all the RWC communication sites and are instrumental in keeping the Fire and Police departments' public safety radio systems operational in the event of a power outage.

Additional funding is needed to address the replacement cycle of the batteries based on actual experience of battery capacity degradation and failure, with many of the batteries being installed prior to 2019. The original replacement cycle was based on the manufacturer’s estimate of a 10-year lifespan. The manufacturer has since reduced that to seven years, which aligns to what radio systems staff are experiencing in the field. The lifecycle replacement plan has been modified with the more accurate lifespan information. The result is that more batteries than expected will require simultaneous replacement during this contract period.

The cost of the battery replacement is charged to the RWC, and the RWC has already budgeted for this increase.

Contract Term

The contract term is Jan. 23, 2019 through Jan. 22, 2024.

Financial Impact

Upon approval of $1,250,000 in additional funds, the revised aggregate value of the contract will not exceed $2,500,000. Funds are available in the Information Technology Services Department's budget and are reimbursed by the RWC.

Concurrence/Previous Council Action

The contract was originally approved by City Council on Jan. 23, 2019.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 26

Indoor/Outdoor Sport Court Resurfacing and Repair Services - Requirements Contract - IFB 21-027 (Ordinance S-47347)

Request to authorize the City Manager, or his designee, to enter into contracts with Arizona Gym Floors, LLC and Elite Sports Builders, LLC, to provide indoor/outdoor sport court resurfacing and repair services for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $1,350,000.

Summary
These contracts will provide resurfacing and repair services for indoor, multi-use wood floors and outdoor, concrete sport courts. The Parks and Recreation Department uses these services to resurface and repair indoor/outdoor sport court floors such as tennis, volleyball, pickle ball and basketball courts located at various recreation facilities. The services include, but are not limited to; floor screening, line striping, floor repair and wood floor refinishing and maintenance.

Procurement Information
IFB 21-027 was conducted in accordance with Administrative Regulation 3.10. There were seven offers received by the Finance Department's Procurement Division on Nov. 20, 2021, which was evaluated on price and responsibility to provide the required goods and services. The bid notification was sent to 301 suppliers and was publicly posted and available for download from the City's website.

The Deputy Finance Director recommends that the offers from Arizona Gym Floors, LLC and Elite Sports Builders, LLC be accepted as the lowest-priced, responsive and responsible offers.

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

Financial Impact
The aggregate contract value will not exceed $1,350,000. Funds are available in the Parks and Recreation Department's budget.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 27

Federal Legislative Representation and Consulting Services - EXC 20-095A (Ordinance S-47342)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 153512 with HROD, Inc doing business as Murray, Montgomery & O'Donnell, for the purchase of federal representation and consulting services for the Phoenix Office of Government Relations (OGR). Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $160,000.

Summary

This consultant will assist OGR and other City departments with identifying grant opportunities and to successfully pursue funding that supports City services. The consultant will represent the City face-to-face with elected officials and agencies that make decisions about federal funding that directly affects crucial City programs and services in areas including, but not limited to, water and environment, community development, transportation and public safety. Identifying grant funding is particularly important when faced with unforeseen emergency situations, such as COVID-19, which impacts the City's effort to maintain continuity of services for City residents and businesses. Funds were initially approved for the first year of the contract and this request will authorize expenditures for the remaining optional extension period allowed under the agreement.

Contract Term

The contract term is April 15, 2020 through April 14, 2023.

Financial Impact

Upon approval of $160,000 in additional funds, the revised aggregate value of the contract will not exceed $240,000. Funds are available in the Office of Government Relations' budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on April 15, 2020.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 28

Plumbing Services, Including Rooter and Drain Cleaning - Requirements Contract - IFB 18-123A (Ordinance S-47345)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 146660 with Above All Plumbing Services, Inc. for the purchase of plumbing services, including rooter services and drain cleaning, for citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $2,700,000.

Summary
The primary departments having used the contract during the first three years are Fire, Public Works, Parks and Convention Center. The plumbing contract is utilized to supply all standard labor, materials, supplies, equipment, permits, tools, vehicles, transportation and security fees necessary for plumbing repairs and/or services for various privately and publicly owned City of Phoenix properties or facilities. This contract has recently also been used for Covid-19 related supplies to support efforts to change plumbing fixtures, such as faucets, toilets, and drinking fountains, to touchless versions.

Contract Term
The contract term is Jan. 30, 2018 through Jan. 31, 2023.

Financial Impact
Upon approval of $2,700,000 in additional funds, the revised aggregate value of the contract will not exceed $5,700,000. Funds are available in various Department’s budgets.

Concurrence/Previous Council Action
This contract was originally approved by City Council on Jan 10, 2018.

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 29

Audio/Visual Services for City Meetings - IFB 16-022 (Ordinance S-47352)

Request to authorize the City Manager, or his designee, to extend and allow additional expenditures and continue using Ordinance S-42375 under Contract 142347 with Skyline Productions, Inc. for the purchase of audio-visual services for the Communications Office. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $32,000.

Summary

This contract provides on-site audio and visual (A/V) services on an as-needed basis for the Communications Office at citywide public meetings, and board and commission hearings. City Council and/or Subcommittee meetings are held weekly and are currently open to the public through Cisco WebEx, live streamed on phoenix.gov and broadcast to PHXTV to allow accessibility and transparency of the City's public meetings. The public address audio is transmitted to WebEx and to PHXTV studios for the television broadcast and for live or archived viewing online at phoenix.gov. Additionally, visual presentations such as PowerPoints and digital files are used at meetings to supplement discussion. Skyline Productions, Inc. tests the A/V configurations prior to the meeting start, ensures the devices and components are working properly, and makes necessary adjustments to the A/V systems throughout the meetings. The extension would ensure no lapse in coverage as these services are needed to maintain the overall accessibility and transparency of city meetings, held virtually during the on-going COVID-19 pandemic.

Contract Term

Upon approval, the contract term will be extended through March 22, 2022.

Financial Impact

Upon approval of $32,000.00 in additional funds, the revised aggregate value of the contract will not exceed $332,000. Any remaining funds authorized by previous Council action will be applied to the extended contract term. Funds are available in the Communications Office's budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on March 23, 2016.

Responsible Department

This item is submitted by City Manager Ed Zuercher and the Communications Office.

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 30

Amend Federal HOME Program Contract between City of Phoenix and Phoenix Broadway Associates Limited Partnership (Ordinance S-47355)

Request authorization for the City Manager, or his designee, to amend the federal HOME Investment Partnerships Acquisition and Rehabilitation Loan Agreement, City Contract No. 97116, between the City of Phoenix and Phoenix Broadway Associates Limited Partnership, an Arizona limited partnership to increase the number of City HOME units to six units and increase the Period of Affordability by five years in exchange for a forgiveness of the outstanding interest on the loan of approximately $150,000. Authorization is also requested for the City Manager, or his designee, to take all action and execute all necessary documents to implement the amended terms. There is no impact to the General Fund.

Summary

City Contract No. 97116, in the original amount of $250,000 of federal HOME Investment Partnerships Program (HOME) funds, was executed on June 13, 2001 to assist with the development of the 196-unit Sunrise Vista Apartments located at 4415 S. 28th St. As part of this contract the City also entered an intercreditor agreement in partnership with the Arizona Department of Housing and the Phoenix IDA who also provided funding for the project. The Loan Agreement currently secures four City HOME units serving households whose income does not exceed 50 percent of the Area Median Income.

The Phoenix Broadway Associates Limited Partnership, an Arizona limited partnership (Owner) is in the process of refinancing this property and has offered to pay off the entire principal balance of the loan as well as increase the public benefit by extending the Period of Affordability by five years along with providing the City an additional two HOME units (for a total of six) in exchange for a forgiveness of the outstanding interest of approximately $150,000. As the original funding came from federal sources, there is no impact on the General Fund. All recaptured debt will be repurposed for further affordable housing per the requirements of the original funding source.

Financial Impact
There is no financial impact to the General Fund.

Location
4415 S. 28th St.
Council District: 8

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 31

Request to Approve Amendment to IGA with Arizona State University for Civic Space Use (Ordinance S-47349)

Request authorization for the City Manager, or his designee, to execute an amendment to Agreement 119092-IGA, between the Parks and Recreation Department and Arizona State University, regarding the Phase II Civic Space improvements.

Summary

In 2006, the City and Arizona State University (ASU) entered into Master Lease and Operating Agreement 119092 (the "Master Lease"), in which ASU leased property from the City for the ASU Downtown Campus. The City and ASU also entered into Agreement 119092-IGA (the "IGA"), in 2009, regarding the use, operation and maintenance of Civic Space Park and the A.E. England building.

Subsequently, in 2010, the Phase I Civic Space improvements were completed. The IGA was amended in 2012, for use of a vacant retail space in the AE England building. The same year, in 2012, ASU completed renovations to the Post Office building and the City completed the Phase II Civic Space improvements (the "Phase II improvements") on what is referred to as the F2 parcel. With the completion of the Phase II improvements, Civic Space Park's boundaries were extended up to the southern edge of the renovated Post Office.

With the ASU renovations to the Post Office completed and the City's completion of the Phase II improvements on the F2 parcel, the parties amended the Master Lease in 2012, to exclude the F2 parcel and the park improvements from the premises leased by the City to ASU. Additionally, it was understood that the IGA would also need to be amended to reflect the City's and ASU's rights and obligations with respect to the F2 Parcel and the Phase II improvements; however, the amendment did not occur at that time.

City staff and ASU staff recently re-engaged in discussions about updating the IGA to reflect the Phase II improvements and specifically to update the boundary of Civic Space Park relative to the Post Office. In addition to the boundary issue, the amendment also clarifies ASU’s ability to continue to work with the Parks and

Recreation Department regarding enforcement of park rules and regulations relating to the use of the Phase II improvements.

Contract Term
This amendment will not change the term of Agreement 119092-IGA.

Financial Impact
No financial impact as a result of the amendment. The City already maintains the Phase II improvements.

Location
Civic Space Park, 424 N. Central Ave.
Council District: 7

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

SECOND AMENDMENT TO INTERGOVERNMENTAL AGREEMENT (IGA)
AND
OPERATING AND MAINTENANCE OPERATING AGREEMENT

Downtown Phoenix Civic Space / A.E. England Building
City Contract No. **#119092- IGA-002**

This Second Amendment to Intergovernmental Agreement (IGA) and Operating and Maintenance Operating Agreement, Downtown Phoenix Civic Space / A.E. England Building, City Contract No. # 119092-IGA-002 (this "**Amendment**") is made and entered into as of _____, 2020 (the "**Effective Date**"), between the ARIZONA BOARD OF REGENTS, a body corporate, acting for and on behalf of Arizona State University ("**ASU**"), and the CITY OF PHOENIX, a municipal corporation of the State of Arizona ("**City**").

RECITALS

A. The City and ASU have partnered on an ASU Campus in Downtown Phoenix (the ASU Downtown Phoenix Campus), each assuming certain obligations and responsibilities in the development and operation of that campus as described in the Master Lease and Operating Agreement (City Contract #119092) dated June 22, 2006 (the "**Lease**"), as amended by a First Amendment to the Lease dated March 14, 2014 (City Contract No. 119092-001) (the "**First Amendment to Lease**"), a Second Amendment to the Lease dated October 1, 2019 (City Contract #119092-002), and a Third Amendment to the Lease dated October 1, 2019 (City Contract #119092-003) (collectively referred to herein as the "**Master Lease**").

B. The City and ASU previously entered into an Intergovernmental Operating Agreement # 119092-IGA, dated July 24, 2009 (the "**Initial IGA**"), as amended by that certain First Amendment to Intergovernmental Agreement, dated September 11, 2012 (City Contract #119092-IGA-001) to address the use, operation, and maintenance of the Civic Space and A.E. England Building (the "**First Amendment**"; the Initial IGA and the First Amendment are referred to herein as the "**IGA**").

C. The construction of the Phase II Civic Space improvements (the "**Phase II Civic Space Improvements**") on the Downtown Post Office property on the real property legally described on Page 1 of **Exhibit "A"** and graphically depicted on Page 2 of **Exhibit "A"** attached hereto and incorporated herein by this reference (the "**F2 Parcel**") occurred on or about February 28, 2012. Pursuant to the First Amendment to Lease, the parties (i) amended the Master Lease to exclude the F2 Parcel and Phase II Civic Space Improvements from the Premises leased by the City to ASU pursuant to the Master Lease, and (ii) agreed to amend the IGA to reflect the parties' respective rights and obligations with respect to the F2 Parcel and the Phase II Civic Space Improvements.

D. The City and ASU desire to amend the IGA as more fully described below.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual obligations of the parties hereto, the City and ASU agree as set forth below:

AGREEMENT

1. **Property Subject to IGA**. The parties agree that, unless the context expressly indicates otherwise, all references in the IGA and herein to "Civic Space", "Civic Space Park" and the "Park" shall be deemed to include the F2 Parcel and the Phase II Civic Space Improvements constructed thereon.

2. **ASU Use Rights Regarding the Phase II Civic Space Improvements**. The following Section G is added to the end of Section 4 of the Initial IGA:

> G. Notwithstanding anything to the contrary contained herein, the parties agree that (a) ASU's officers, officials, agents, staff, employees, volunteers, and students shall have the right to use the Phase II Civic Space Improvements at all times that the Civic Space Park is open for use by the general public, (b) in addition to using the Phase II Civic Space Improvements for the Private Events permitted by Section 4(C) of the Initial IGA, ASU may use the Phase II Civic Space Improvements for other programs and events, subject to the prior approval of the City, and (c) so long as ASU does not interfere with any Special Events or Private Events hosted by the City at the F2 Parcel, ASU shall have the right to work with the City's Parks and Recreation Department, which is responsible for enforcement of Park rules and regulations, and the Parks and Recreation Department shall work cooperatively with ASU as any concerns arise relating to the use of the Phase II Civic Space Improvements.

3. **General**. The Recitals set forth on the first page hereof are incorporated herein as though fully set forth herein. Unless specifically stated otherwise in this Amendment, all capitalized terms herein shall have the same meaning as set forth in the IGA. Except as amended by this Amendment, the provisions of the IGA remain in full force and effect. In the event of any conflict between the IGA and the provisions of this Amendment, this Amendment shall control.

[SEE NEXT PAGE FOR SIGNATURES]

IN WITNESS WHEREOF, ASU and the City have caused their respective duly authorized representatives to execute this Second Amendment to Intergovernmental Agreement (IGA) and Operating and Maintenance Operating Agreement, Downtown Phoenix Civic Space / A.E. England Building, City Contract No. # 119092-IGA-002, on their behalf as of the Effective Date set forth on the first page hereof.

CITY OF PHOENIX, a municipal corporation of the State of Arizona

By: _____
Name: _____
Title: _____

ATTEST:

_____
City Clerk

The above Amendment has been reviewed pursuant to A.R.S. § 11-952, by the undersigned attorney for City of Phoenix, Arizona, who has determined that it is in the proper form and is within the powers and authority granted to the City of Phoenix, Arizona.

_____
City Attorney

ARIZONA BOARD OF REGENTS
acting for and on behalf of Arizona State University

By: _____
John P. Creer
Vice President for University Real Estate Development, ASU

EXHIBIT "A"

That part of RECORD OF SURVEY CENTRAL AVENUE AND FILLMORE STREET, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 950 of Maps at page 42, located within the Southwest quarter of Section 5, Township 1 North, Range 3 East, G&SRB&M, Maricopa County, Arizona, described as follows:

BEGINNING at the Southeast corner of said RECORD OF SURVEY CENTRAL AVENUE AND FILLMORE STREET, from which the monument line of Fillmore Street bears North 00° 11' 58" East a distance of 311.68 feet (record);

thence North 89° 36' 08" West along the South line of said RECORD OF SURVEY CENTRAL AVENUE AND FILLMORE STREET, a distance of 199.02 feet;

thence North 00° 11' 58" East a distance of 57.77 feet;

thence South 89° 36' 08" East a distance of 8.42 feet;

thence North 00° 11' 58" East a distance of 11.50 feet;

thence South 89° 36' 08" East a distance of 109.00 feet;

thence North 00° 11' 58" East a distance of 15.30 feet;

thence South 89° 36' 08" East a distance of 21.35 feet;

thence North 00° 11' 58" East a distance of 36.85 feet;

thence South 89° 36' 08" East a distance of 60.25 feet to a point in the East line of said RECORD OF SURVEY CENTRAL AVENUE AND FILLMORE STREET;

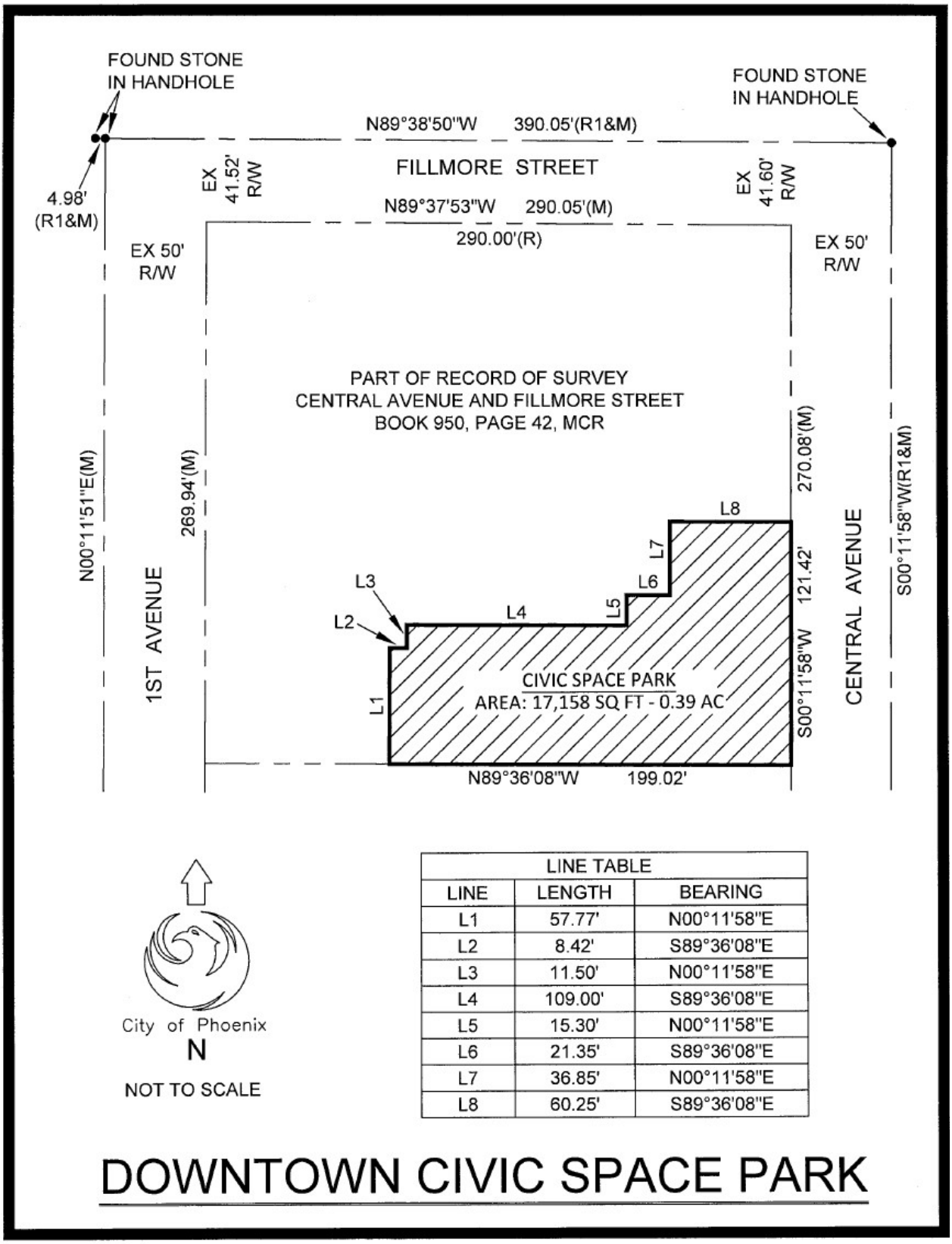
thence South 00° 11' 58" West along said East line, a distance of 121.42 feet to the POINT OF BEGINNING.

Parcel contains a computed area of 17,158 square feet or 0.39 acres.

11059 - XVH_REV.DOC Prepared WA Date 12-07-11 Checked RM

11-27
Downtown Civic Space Park

EXHIBIT "A" GRAPHIC DEPICTION



LINE TABLE		
LINE	LENGTH	BEARING
L1	57.77'	N00°11'58"E
L2	8.42'	S89°36'08"E
L3	11.50'	N00°11'58"E
L4	109.00'	S89°36'08"E
L5	15.30'	N00°11'58"E
L6	21.35'	S89°36'08"E
L7	36.85'	N00°11'58"E
L8	60.25'	S89°36'08"E

DOWNTOWN CIVIC SPACE PARK

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 32

Request to Approve Amendment to IGA with Arizona State University West Park Usage (Ordinance S-47353)

Request authorization for the City Manager, or his designee, to execute an amendment to Agreement 113777-IGA, between the Parks and Recreation Department and Arizona State University, regarding the use of ASU West land as a City of Phoenix park and the payment of related irrigation fees.

Summary

In 2004, the Parks and Recreation Department (City) and Arizona State University (ASU) entered into an Intergovernmental Agreement, Agreement 113777 (the "IGA"), in which ASU provided approximately 40 acres of land on the southwest corner of the ASU West Campus for the City to use as a public park (51st Avenue and Sweetwater Soccer Fields); with ASU having rights of first use to certain portions of the park during certain times of the day. The park included two lighted soccer fields, a restroom building and open turf for general recreation (**Attachment A**). The IGA stated that the park will be maintained by City staff with ASU paying all irrigation costs.

In 2011, ASU and the City executed amendment 113777-1 to remove the eastern, undeveloped portion of the park for exclusive use by ASU (**Attachment B**). This request allowed the university to have space for intramural activities in that area.

Recently, ASU notified the City that they no longer need any priority rights and/or uses for the portion of the park currently maintained by the City. This area includes two lighted soccer fields and a restroom building, which are for public use. As such, ASU has requested that the City now pay for irrigation costs specifically associated with the park area maintained by the City.

Contract Term

This amendment will not change the term of Agreement 113777-IGA.

Financial Impact

Irrigation costs are estimated to be $56,000 per fiscal year.

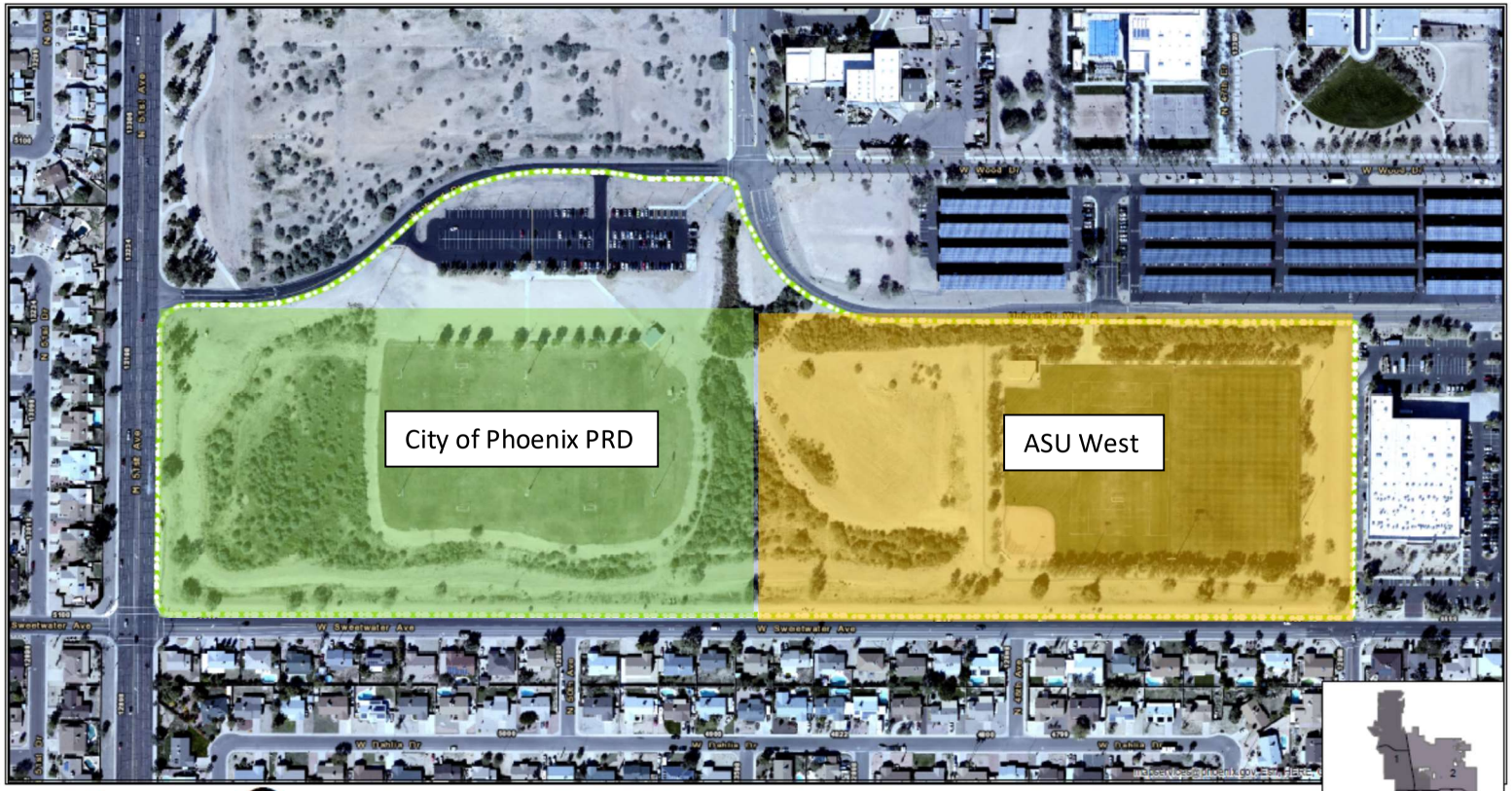
Location
4950 W. Wood Drive
Council District: 1

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

ATTACHMENT A

ASU Property to be Used as a City Park per Agreement 113777-IGA

ATTACHMENT B



City of Phoenix
PARKS AND RECREATION DEPARTMENT

Council District: 1
Size: 44.12 Acres
Division: Northwest
Park Type: Community

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 33

Authorization to Enter into Agreement with Maricopa Association of Governments for 9-1-1 System Planning (Ordinance S-47358)

Request authorization for the City Manager, or designee, to retroactively enter into a contract with the Maricopa Association of Governments (MAG) for emergency 9-1-1 system management and planning in an amount not to exceed $135,000. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The System Administrator Agency for the Regional 9-1-1 Program Maricopa Region is the City of Phoenix (Fire Department). The City of Phoenix is the contracting agent of ongoing operations of the 9-1-1 call routing system. This authority is given through signed resolutions by Maricopa Association of Governments (MAG) member agencies. These agreements act as the governing documents for the oversight of the 9-1-1 system design, implementation, and management in the MAG Region.

MAG is the recipient of 9-1-1 Special Assessments and intends to contract with the City of Phoenix to develop network plans and implementation strategies that enhance information transport into the 9-1-1 emergency system and support the economic goals of the State, provide an easily accessible emergency service to the community, and emergency 9-1-1 planning services.

Contract Term

The contract term is July 1, 2020 through June 30, 2021.

Financial Impact

The Fire Department will be reimbursed for emergency 9-1-1 planning efforts in an amount not to exceed $135,000.

Location

The Phoenix Fire Department Regional 9-1-1 Services section provides 9-1-1 service, and related technical support, across the Valley.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 34

Federal Fiscal Year 2020 Assistance to Firefighters Grant Program Funds (Ordinance S-47362)

Request to authorize the City Manager, or his designee, to retroactively apply for, and accept, if awarded, up to $175,596 from federal fiscal year (FFY) 2020 Assistance to Firefighters Grant (AFG) Program to fund two projects: Personal Protective Equipment (PPE) Decontamination and Fire Ground Survival Training for the Fire Department. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item. If not approved, the grant, if awarded, would be turned down.

Summary

The AFG Program, administered through the Federal Emergency Management Agency (FEMA), is intended to help the nation's fire service by providing vital funds to local fire departments across the country. The primary goal of the program is to meet the firefighting and emergency response needs of fire departments, nonaffiliated emergency medical service organizations, and State Fire Training Academies. Since 2001, AFG has helped firefighters and other first responders obtain critically needed equipment, protective gear, emergency vehicles, training, and other resources necessary to protect the public and emergency personnel from fire and related hazards.

PPE Decontamination

The PPE Decontamination Project will update the Fire Department’s PPE decontamination and cleaning process with an overall goal of improving firefighter health and safety by reducing repeated exposure to harmful contaminants on unclean or inadequately cleaned PPE and fire ground equipment. The funds will be utilized to purchase new washers and dryers and a downdraft table for use in the PFD laundry room. The total cost for this project is $80,596 with a City-match of around 15 percent for upgrading the department’s aging PPE decontamination and cleaning system.

Fire Ground Survival Training

The Fire Ground Survival (FGS) Training Project will certify Phoenix and regional partner department trainers to teach Fire Ground Survival to our personnel. The training will enhance first responder awareness of conditions on the fire ground and give firefighters the critical skills necessary to handle a firefighter emergency. The funds will be utilized to provide training to 30 instructors and purchase two training props; one will be housed permanently at the training academy and one will be trailer mounted for mobile department wide training. The total cost for this project is $95,000, with a City-match of around 15 percent.

Since 2008, the Fire Department has received more than $5 million in AFG funding. These grants were used to purchase portable radios, thermal imaging cameras, Incident Safety Officer System training, Automatic Chest Compression devices, Peer Support Team Training and Physical Therapy Equipment upgrades.

Procurement Information

The Fire Department will administer the grant in accordance with Administrative Regulation 3.10.

Contract Term

The two-year grant Period of Performance is projected to begin on or around May 1, 2021.

Financial Impact

The grant is anticipated to have a 15 percent required cost-match; funds are available in the Fire Department's operating budget.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 35

(CONTINUED FROM FEB. 17, 2021) Wastewater Collection System Emergency Repair and Replacement - Job Order Contracting Services - 4108JOC196 (Ordinance S-47299)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with two contractors to provide Wastewater Collection System Emergency Repair and Replacement Job Order Contracting (JOC) services for the Water Services Department. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed $20 million.

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

Summary

The JOC contractors' services will be used on an as-needed basis to provide Wastewater Collection System Emergency Repair and Replacement services for repair or replacement of sanitary sewer lines and force mains. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

These Agreements are essential to the health, safety, and welfare of the public and critical operations for the City.

Procurement Information

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

Selected Firms
Rank 1: WaCo, LLC dba WaCo Contracting
Rank 2: Achen-Gardner Construction, LLC

Additional Proposers
Rank 3: TF Contracting Services, LLC
Rank 4: FPS Civil, LLC
Rank 5: Action Direct LLC dba Redpoint Contracting
Rank 6: Blucor Contracting, Inc.
Rank 7: Kinkaid Civil Construction, LLC
Rank 8: Degan Construction, LLC

Contract Term
The term of each master agreement is for up to five years, or up to $10 million, whichever occurs first. Work scope identified and incorporated into the master agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the master agreement. No additional changes may be executed after the end of the term.

Financial Impact
The master agreement values for each of the JOC contractors will not exceed $10 million, including all subcontractor and reimbursable costs. The total fee for services will not exceed $20 million. The value for each job order agreement performed under this master agreement will be up to $2 million. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

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

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 36

Substitute Ground Lease with American Greyhound Racing (Ordinance S-47363)

Request to authorize the City Manager, or his designee, to enter into a substitute ground lease with American Greyhound Racing, Inc. (Greyhound) at Phoenix Sky Harbor International Airport.

Summary
Greyhound leases the greyhound racetrack located at 3801 E. Washington St. Greyhound currently uses the location for a community swap meet market. Greyhound has requested a five-year lease extension for their current lease. The current lease has undergone numerous amendments resulting in changes to the boundaries of the original leased premises. This substitute lease will replace the current lease and clarify the description of the lease premises.

Contract Term
The term of the lease will be five years and will contain one option to extend the term on a month-to-month basis for up to two years. The option may be exercised at the sole discretion of the Aviation Director.

Financial Impact
Rent for the first year of the lease will be approximately $954,240 ($0.78 per-square-foot), plus applicable taxes. Rent will be adjusted annually thereafter according to the Phoenix-Mesa-Scottsdale Consumer Price Index. Total anticipated revenue over the five-year term will be approximately $4,771,200.

Concurrence/Previous Council Action
- The Phoenix Aviation Advisory Board recommended this item for approval on Nov. 19, 2020, by a vote of 9-0.
- The Transportation, Infrastructure and Innovation Subcommittee recommended this item for approval on Dec. 2, 2020, by a vote of 4-0.

Location
3801 E. Washington St.
Council District: 8

Responsible Department

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 37

Authorization to Apply for Federal Grant Funds for Aviation-Related Projects (Ordinance S-47359)

Request to authorize the City Manager, or his designee, to submit applications for grants to the United States and any of its agencies on behalf of the City of Phoenix Airport System for aviation-related projects. Further request to authorize the City Manager, or his designee, to sign all certifications required for the grants, to enter into agreements with the United States and any of its agencies for the purpose of accepting federal money, and to amend existing grant agreements. The grant agreements may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Additionally request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

Each year, the Aviation Department submits grant applications to the United States and its agencies for eligible aviation-related projects. The Aviation Department takes a proactive position in obtaining City Council authorization to accept any grants awarded by the United States and its agencies for eligible aviation-related projects.

These authorizations will allow the Aviation Department to respond promptly to federal agencies if and when grant offers become available on short notice. The grant agreements or grant amendments or both may become available from the Department of Transportation, including the FAA Airport Improvement Program, Department of Homeland Security, or any other federal program. Action associated with these authorizations will be for projects in the Aviation Department’s approved Capital Improvement Plan.

Contract Term

These authorizations are effective until June 30, 2022.

Location

Citywide

Responsible Department

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 38

Authorization to Apply for Federal Non-Grant Funds for Aviation-Related Projects (Ordinance S-47360)

Request to authorize the City Manager, or his designee, to submit applications for non-grant funds to the United States and any of its agencies on behalf of the City of Phoenix Airport System for aviation-related projects. Further request to authorize the City Manager, or his designee, to sign all certifications required for the non-grant agreements, enter into agreements with the United States and any of its agencies for the purpose of accepting federal non-grant funds, and to amend existing agreements. The agreements and amendments may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Additionally request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary
These authorizations will allow the Aviation Department to respond promptly to federal agencies if and when non-grant funds become available on short notice. The transaction agreements or amendments may become available from the Department of Homeland Security or any other federal program. The Aviation Department takes a proactive position in obtaining City Council authorization to accept any non-grant funds awarded by the United States for eligible aviation-related projects.

Contract Term
These authorizations are effective until June 30, 2022.

Location
Citywide

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 39

Authorization to Apply for State Grant Funds for Aviation-Related Projects (Ordinance S-47361)

Request to authorize the City Manager, or his designee, to submit applications for grants to the Arizona Department of Transportation (ADOT) on behalf of the City of Phoenix Airport System for aviation-related projects. Further request to authorize the City Manager, or his designee, to enter into grant agreements with ADOT, amend existing grant agreements with ADOT, and take any administrative action related to the grant agreements that the City Manager or his designee deems necessary or appropriate. The grant agreements and amendments may contain other terms and conditions deemed necessary or appropriate by the City Manager or his designee. Additionally request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

Each year, the Aviation Department submits grant applications to ADOT for eligible projects, including those related to maintenance, safety, capacity enhancement, environmental studies or planning, and land acquisition. The Aviation Department takes a proactive position in obtaining City Council authorization to accept any grants awarded by ADOT for eligible aviation-related projects.

Under the grant agreements, the State requires the City to indemnify and hold harmless the State and any of its departments, agencies, officers, and employees from any and all liability, loss, or damage the State may suffer as a result of claims, demands, costs, or judgments of any character arising out of the City's or its independent contractor's performance or non-performance in carrying out any provision of the grant agreements. If any legal action is brought, the indemnification also includes court costs, expenses of litigation, and reasonable attorney's fees. Further, the State will not assume any liability to third persons and will not reimburse the City for the City’s liability to third persons resulting from the performance of the grant agreements or any subcontract thereunder.

Contract Term

These authorizations are effective until June 30, 2022.

Location
Citywide

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 40

Purchase of Nex-Terra Bins (Ordinance S-47335)

Request to authorize the City Manager, or his designee, to enter into a contract with Waxie Sanitary Supply for the purchase of 15 Nex-Terra bins to be used by customers to drop off materials at Phoenix City Hall and Calvin C. Goode buildings. Further request to authorize the City Controller to disburse all funds related to this item. This contract will have a one-time expenditure of $17,464.

Summary

The Public Works Department seeks to purchase 15 Nex-Terra bins for multiple City departments, to be used for customers to drop off materials during the newly established Appointment Only model at Phoenix City Hall and Calvin C. Goode buildings. The bins will be placed in the atriums and will allow materials to be dropped off by customers and vendors in a safe and secure manner. The bins can support larger materials such as blueprints and remain secure until accessed by the respective department. In response to the COVID-19 pandemic, the City established the Appointment Only model and these bins will allow customers to drop off time-sensitive materials to the respective department and continue to use City services without delay.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo citing time restriction. As a result of the current COVID-19 pandemic, time is of the essence to purchase these bins to allow business and services with the City to continue without delay.

Contract Term

This contract will begin upon City Council approval on March 3, 2021 for the one-time purchase of 15 Nex-Terra bins.

Financial Impact

This contract will have a one-time expenditure amount of $17,464, including all applicable taxes. Funding is available in the General Fund.

Location

Phoenix City Hall - 200 W. Washington St.

Calvin C. Goode - 251 W. Washington St.
Council District: 7

Responsible Department

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 41

Sheet Metal Fabrication and Welding Services (Ordinance S-47343)

Request to authorize the City Manager, or his designee, to enter into separate agreements with Ellyson Enterprises, LLC and Lincoln Constructors, Inc. to provide sheet metal fabrication and welding services to be used on an as-needed basis. Further request to authorize the City Controller to disburse all funds related to this item. The total aggregate amount is $1.4 million over the life of the contracts.

Summary

The Public Works Department is responsible for sheet metal fabrication and welding services at various City locations and surrounding areas. These agreements will allow welding and fabrication services to be performed onsite, allowing essential functions to continue with little downtime. These agreements will provide welding services such as metal fence repair, repairs to City-owned communication towers, equipment repairs and custom fabrication. The Aviation Department is responsible for sheet metal fabrication at Phoenix Sky Harbor International, Deer Valley, and Goodyear Airports for items such as stainless-steel wraps for the airport security check-point bin containments or podiums, HVAC plenum duct work, and package air conditioning unit elbows and roof curbs.

Procurement Information

Invitation for Bid 21-FMD-024 was conducted in accordance with Administrative Regulation 3.10. Two offers were received by the Public Works Department Procurement Services on Dec. 2, 2020. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions, and responsibility to provide the required services. The offers submitted by Ellyson Enterprises, LLC and Lincoln Constructors, Inc. were deemed fair and reasonable.

Group A - Welding Services
Ellyson Enterprises, LLC : $205 bid total
Lincoln Constructors, Inc.: $285 bid total

Group B - Sheet Metal Fabrication
Lincoln Constructors, Inc.: $1,140 bid total

Contract Term
The initial contract term is for one year beginning on or about April 1, 2021 with four one-year options to extend the term, for a total contract term of up to five years if all options are exercised.

Financial Impact
The aggregate value of the contracts, including all option years, is $1.4 million, including all applicable taxes, with an estimated annual expenditure of $280,000. Funding is available in the Aviation and Public Works departments' budgets.

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 42

Inform.Net Veeder Root Fuel Monitoring Software Upgrade (Ordinance S-47346)

Request to authorize the City Manager, or his designee, to enter into an agreement with Eaton Sales and Service to provide an upgrade to existing Veeder Root fuel monitoring software. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate amount of $26,652.

Summary

The Public Works Department is responsible for maintenance, repair, and monitoring of 28 fuel sites. Recently, the City of Phoenix upgraded its operating system to Windows 10. At the time of the upgrade, it was discovered that the current Inform.Net software on existing Veeder Root equipment that monitors the underground fuel storage tanks for leaks at these fuel sites was no longer supported by the local vendor. It is imperative to get the new software installed to stay in compliance with federal and state regulations.

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

Procurement Information

In accordance with Administrative Regulation 3.10, a competitive process was waived in lieu of a determination memo citing special circumstance - without competition with a time restriction. The equipment used to monitor these underground storage tanks is currently running on a legacy Windows 7 system, and not supported by Eaton Sales and Service, Public Works Department's current fuel maintenance and repair vendor.

Contract Term

This agreement will begin on or about Council approval on March 3, 2021, and will have two option years to be exercised in increments of up to one year, for a total contract term of three years.

Financial Impact

This item will have an aggregate amount of $26,652. Funding is available in the Public Works Department's budget.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 43

Rubberized Crack Sealant - Requirements Contract IFB 21-037 (Ordinance S-47332)

Request to authorize the City Manager, or his designee, to enter into a contract with Crafco, Inc. to purchase rubberized crack sealant for the Street Transportation Department. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $650,000.

Summary
Rubberized crack sealant is used by the Street Transportation Department as a cost-effective way to prolong the life of asphalt pavement. The rubberized sealant serves as a water-tight filler between cracks in asphalt pavement. This product is necessary for Street Transportation Maintenance staff to perform proper maintenance and repair to the City's roadways.

Procurement Information
IFB 21-037 was conducted in accordance with Administrative Regulation 3.10. There were three offers received by the Procurement Division on Dec. 18, 2020, which were evaluated on price, responsiveness to specifications, and responsibility to provide the required goods. The bid notification was sent to 39 suppliers and was publicly posted and available for download from the City's website.

The Deputy Finance Director recommends the offer from Crafco, Inc. be accepted as the lowest priced, responsive and responsible offer.

Contract Term
The five-year contract term will begin on or about March 4, 2021.

Financial Impact
The aggregate contract value will not exceed $650,000. Funds are available in the Street Transportation Department's budget.

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 44

Telecommunications Services and Interstate Telecommunications Services License with XO Communication Services, LLC (Ordinance S-47333)

Request to authorize the City Manager, or his designee, to execute a nonexclusive, revocable license with XO Communication Services, LLC to construct, install, operate, maintain and use the public highways in the City of Phoenix in order to provide telecommunications services and interstate telecommunications services in, under, over, and across public rights-of-way in the City, subject to the terms and conditions contained in the license and Phoenix City Code. Further request the Licensee sign the license within 60 days of Council action, or this authorization will expire. There is no financial impact to the City for this license.

Summary
XO Communications Services, LLC has a Telecommunications Services and Interstate Telecommunications Services License with the City. XO Communications Services, LLC has requested to enter into a new license. The new license will be for a period of five years with an option for a one-time renewal, and will contain appropriate insurance and indemnification provisions, require a performance bond and a security fund, provide for terms of transfer and revocation, and provide for compensation for the commercial use of public rights-of-way while permitting the City to manage the rights-of-way.

Contract Term
The license is for a five-year Telecommunications Services and Interstate Telecommunications Services License with an option for a one-time renewal and will begin within 60 days of Council approval.

Financial Impact
Licensee will pay an annual fee to the City based on a calculated formula using linear footage and the Consumer Price Index.

Concurrence/Previous Council Action
The City Council approved License 141499 on Aug. 31, 2015 (Ordinance S-41800).

Responsible Department

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 45

Traffic Control Officer Services - Requirements Contract IFB 21-020 (Ordinance S-47354)

Request to authorize the City Manager, or his designee, to enter into an agreement with Blue Enforcement Services LLC to purchase Traffic Control Officer Services for the Street Transportation Department. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate agreement value will not exceed $1.5 million.

Summary

The purpose of this agreement is to provide the Street Transportation Department with off-duty law enforcement officers to manually direct traffic during traffic signal outages throughout the City of Phoenix. The services will be required on a routine basis, such as scheduled repairs to traffic signal infrastructure, and non-routine and emergency situations, such as after normal working hours, weekends, holidays, or early morning call-outs due to traffic collisions involving damage to traffic signals. These services will assist in keeping staff safe while performing repairs, as staff are in close proximity to moving traffic and perform services in overnight hours where the lack of daylight can be dangerous. This agreement will also help alleviate manpower shortages related to Phoenix Police off-duty officer availability in maintaining the City of Phoenix traffic signal system.

Procurement Information

IFB 21-020 was conducted in accordance with Administrative Regulation 3.10. There were four offers received by the Finance Department Procurement Division on Jan. 22, 2021, which were evaluated on price, responsiveness to specifications, and responsibility to provide the required goods and services. The bid notification was sent to 90 suppliers and was publicly posted and available for download from the City's website.

The Deputy Finance Director recommends the offer from Blue Enforcement Services LLC be accepted as the lowest-priced, responsive and responsible offer.

Contract Term

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

Financial Impact
The total agreement value will not exceed $1.5 million. Funding is available in the Street Transportation Department's budget.

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 46

Grand Canal Phase III - Engineering Services - ST87600131 (Ordinance S-47337)

Request to authorize the City Manager, or his designee, to enter into an agreement with J2 Engineering & Environmental Design, LLC, to provide Engineering Services that include design and possible construction administration and inspection (CA&I) services for the Grand Canal Phase III project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $600,000.

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

Summary

The purpose of this project is to install a pathway for pedestrians and bicycle use and incorporate public art, landscaping and neighborhood access points along the Grand Canal between 75th and 47th avenues.

J2 Engineering & Environmental Design, LLC’s services include, but are not limited to: engineer’s cost estimates and special provisions; design of a concrete or asphalt pedestrian and bicycle path; lighting; furniture; shade structures; public art; complementary landscaping; possible pedestrian bridges; street crossing elements such as full traffic signals and HAWK pedestrian beacons; pedestrian refuge islands and/or marked but unsignalized crosswalks that will be constructed within the City of Phoenix right-of-way; assessment and design of landscaping and drainage; and coordination with other City departments, governmental agencies and operations staff during design of the project.

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

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

Selected Firm
Rank 1: J2 Engineering & Environmental Design, LLC

Additional Proposers
Rank 2: Premier Engineering Corporation
Rank 3: Ritoch-Powell & Associates Consulting Engineers, Inc.
Rank 4: Alta Planning + Design, Inc.
Rank 5: SmithGroup, Inc.
Rank 6: Waibel & Associates Landscape Architecture, LLC

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

Financial Impact
The agreement value for J2 Engineering and Environmental Design, LLC will not exceed $600,000, including all subconsultant and reimbursable costs.

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

Location
Grand Canal between 75th and 47th avenues
Council Districts: 4 and 5

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 47

Salt River Project Construction License for City Project on Oak Street: 3rd Street to Grand Canal Bike and Pedestrian Improvements (Ordinance S-47350)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for Bike and Pedestrian Improvements on Oak Street from 3rd Street to the Grand Canal. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18.

Summary
The purpose of this license is to allow the City to install two traffic signal conduit crossings, two traffic signal poles, eight streetlights, and one pull box as well as pavement, curb, and gutter and curb ramp upgrades the entire length of the project that will run parallel with Salt River Project Irrigation facilities. This work is in conjunction with City Project ST87600121 Oak Street: 3rd Street to Grand Canal Bike and Pedestrian Improvements.

Contract Term
The term of the Construction License is one year, effective when the City begins construction, expected to be March 2021.

Financial Impact
There is no financial impact to the City of Phoenix for this license.

Location
Oak Street: 3rd Street to Grand Canal
Council Districts: 4 and 8

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 48

Salt River Project Construction License for Water Main Replacement on Indian School Road to Campbell Avenue, 32nd to 36th Streets (Ordinance S-47351)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for waterline improvements from Indian School Road to Campbell Avenue, between 32nd and 36th Streets. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18.

Summary
The purpose of this license is to allow the City to install four waterline services that will cross and one fire hydrant service line that will run parallel with SRP Irrigation facilities. This work is in conjunction with City Project WS85509044 Water Main Replacement Indian School Road to Campbell Avenue, 32nd to 36th streets.

Contract Term
The term of the Construction License is one year, effective when the City begins construction, expected to be March 2021.

Financial Impact
There is no financial impact to the City of Phoenix for this license.

Location
Indian School Road to Campbell Avenue, 32nd to 36th streets
Council District: 6

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 49

Backflow Prevention Assemblies, Supply and Service - IFB 16-044A (Ordinance S -47356)

Request to authorize the City Manager, or his designee, to ratify the extension and allow additional expenditures under Contract 142113 with Piper Power Plumbing & Mechanical Inc., for the supply and service of Backflow Prevention Assemblies for Public Works, Water Services, and Phoenix Convention Center Departments. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $819,975.

Summary
Backflow Prevention assemblies are required on all potable water supply piping, which must be tested and maintained to ensure proper operation. This contract will provide these services in all City-owned facilities. Without these services, the City of Phoenix would be unable to operate its public buildings, parks, and swimming pools.

The City is working to competitively re-solicit the contract to ensure the City receives the services at the best possible value. An extension is necessary in order to ensure City services are not interrupted during the re-solicitation process.

Contract Term
The contract term will be extended through May 31, 2022.

Financial Impact
Upon approval of $819,975 in additional funds, the revised aggregate value of the contract will not exceed $3,569,975. Funds are available in the various Department’s budgets.

Concurrence/Previous Council Action
This contract was originally approved by City Council on Feb. 3, 2016.

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 50

Backflow Annual Testing and Inspection - IFB 16-124A (Ordinance S-47357)

Request to authorize the City Manager, or his designee, to extend and allow additional expenditures under Contract 143007 with Metering Services Inc., for the supply and service of Backflow Annual Testing and Inspection for Public Works, Water Services, and Phoenix Convention Center Departments. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $84,500.

The City is working to competitively re-solicit the contract to ensure the City receives the services at the best possible value. An extension is necessary in order to ensure City services are not interrupted during the re-solicitation process.

Summary
Backflow prevention devices are required for all domestic water supply piping, and must be tested annually and maintained to ensure proper operation and code compliance. This contract will provide backflow testing and inspection services for City-owned facilities. Without these services, the City of Phoenix would be unable to operate its public buildings, parks, and swimming pools.

Contract Term
The contract term will be extended through May 31, 2022.

Financial Impact
Upon approval of $84,500 in additional funds, the revised aggregate value of the contract will not exceed $1,597,000. Funds are available in the various Department's budgets.

Concurrence/Previous Council Action
This contract was originally approved by City Council on June 1, 2016.

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 51

Supply of Water and Wastewater Treatment Materials (Ordinance S-47340)

Request to authorize the City Manager, or his designee, to enter into separate agreements with Chemrite, Inc., Donau Carbon US LLC, DPC Enterprises LP, DuBois Chemicals, Inc., Hill Brothers Chemical Company, and Thatcher Company of Arizona, Inc. to provide water and wastewater treatment materials for the purpose of treating drinking water and effluent for the Water Services Department (WSD). Further request to authorize execution of amendments to the agreements as necessary within the Council approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The aggregate agreements value will not exceed $25.5 million.

Summary

The purpose of these agreements is to provide WSD with water and wastewater treatment materials. The Water Production, Wastewater Collection, and Wastewater Treatment divisions of WSD produce drinking water, collect sewage, and treat wastewater respectively through a series of treatment processes in accordance with Environmental Protection Agency (EPA) requirements.

The Contractors' services include but are not limited to: supply, delivery, and unloading of water and wastewater treatment materials at various WSD facilities.

Procurement Information

The selections were made using an Invitation for Bid (IFB) procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Selected Contractors
Chemrite, Inc.
Donau Carbon US LLC
DPC Enterprises LP
DuBois Chemicals, Inc.
Hill Brothers Chemical Company
Thatcher Company of Arizona, Inc.

Contract Term
The term for each agreement is five years effective April 1, 2021.

Financial Impact
The agreement values for Chemrite, Inc., Donau Carbon US LLC, DPC Enterprises LP, DuBois Chemicals, Inc., Hill Brothers Chemicals Company, and Thatcher Company of Arizona, Inc.; will not exceed a total aggregate value of $25.5 million.

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

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 52

Maintenance Services for Water Services Department Zeta Potential Analyzers - Amendment 2 (Ordinance S-47341)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 146378 with Malvern Panalytical, Inc., to provide additional maintenance services and replace Zeta Potential Analyzer equipment for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional amount will not exceed $230,000.

Summary

This agreement provides the Water Services Department (WSD), Environmental Services Division with maintenance services for Zeta Potential Analyzer equipment. The equipment is used to measure the effectiveness of the water filtration process and to gather data regarding water quality at each of the laboratories located within the City's four Water Treatment Plants. The equipment also enables WSD to perform a multitude of analytical tests as required by the Safe Drinking Water Act (SDWA) and Arizona and National Pollutant Discharge Elimination System (AZPDES & NPDES) to maintain compliance with Federal, State and Local regulations.

This amendment is necessary because the current equipment is now obsolete and no longer supported by the vendor. This amendment will allow WSD to continue to maintain Zeta Potential Analyzers and replace the obsolete equipment, to continue the department's commitment to providing the highest quality drinking water and services to our customers.

Financial Impact

- The initial agreement for Zeta Potential Analyzer Maintenance services was authorized for a fee not-to-exceed $100,000.
- This amendment will increase the agreement value by an additional $230,000, for a new total not-to-exceed agreement value of $330,000.

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

Concurrence/Previous Council Action

The City Council approved Zeta Potential Analyzer Maintenance Agreement 146378

(Ordinance S-43616) on June 7, 2017.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 53

Final Plat - Villa Fifty 2 - PLAT 200605 - North of Taylor and East of 52nd Streets

Plat: 200605
Project: 19-3156
Name of Plat: Villa Fifty 2
Owner(s): Villa Fifty 2, Limited Partnership
Engineer(s): Richard T. Waage, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: Jan. 29, 2021
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat needs to record concurrently with Abandonment 200521.

Location
Generally located north of Taylor and East of 52nd Streets.
Council District: 6

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 54

Final Plat - Faith Christian Center - PLAT 200590 - North of McDowell Road and West of 26th Place

Plat: 200590
Project: 18-1117
Name of Plat: Faith Christian Center
Owner(s): Faith Christian Center
Engineer(s): David S. Klein, RLS
Request: A 3 Lot Commercial Plat
Reviewed by Staff: Jan. 27, 2021
Final Plat requires Formal Action Only

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

Location
Generally located north of McDowell Road and west of 26th Place
Council District: 8

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 55

Abandonment of Right-of-Way - ABND 200548 - 14251 N. 7th St. (Resolution 21898)

Abandonment: 200548
Project: 04-3558
Applicant: Evan Boxwell; 88 Ventures - 7th Street LLC
Request: Two abandon two sidewalk easements, per Ordinance S-32313; located on 14251 N. 7th St. Recorded with Maricopa County Recorder, recording number 2015-1302598.
Date of Decision: Oct. 28, 2020

Summary
The resolution of this abandonment is to be recorded with the Maricopa County Recorder.

Location
14251 N. 7th St.
Council District: 3

Financial Impact
None.

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 56

Abandonment of Right-of-Way - ABND 200514 - Southeast Corner of Bethany Home Road and West of 107th Avenue (Resolution 21900)

Abandonment: 200514
Project: 14-834
Applicant: Joe Petrucci; EPS Group Inc.
Request: To abandon a portion of right-of-way, public utility easement and multi-use trail easement.
Date of Hearing: May 7, 2020

Location
Southeast corner of Bethany Home Road and West of 107th Avenue
Council District: 5

Financial Impact
A fee was also collected as part of this abandonment in the amount of $625.

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 57

Abandonment of Right-of-Way - ABND 200521 - North of Taylor and East of 52nd Streets (Resolution 21899)

Abandonment: 200521
Project: 19-3156
Applicant: Lorne Wallace; RAS Developments Inc.
Request: To abandon the 20-foot alley right of way
Date of Decision/Hearing: June 4, 2020

Summary
The resolution of the abandonment and the subdivision plat, Final Plat for "Villa Fifty 2," Plat 200605, are to be recorded together with the Maricopa County recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat.

Location
North of Taylor and East of 52nd Streets
Council District: 6

Financial Impact
A fee was also collected as part of this abandonment in the amount of $26,250.

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

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 58

Amend City Code - Ordinance Adoption - Rezoning Application Z-52-20-4 - Northwest Corner of 7th and Oak Streets (Ordinance G-6812)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-52-20-4 and rezone the site from R-3 (Multifamily Residence District) and C-2 (Intermediate Commercial District) to WU Code T3:2 MT (Walkable Urban Code, Transect 3:2 District, Transit Midtown Character Area) and WU Code T5:6 MT (Walkable Urban Code, Transect 5:6 District, Transit Midtown Character Area) for multifamily residential.

Summary

Current Zoning: R-3 (Multifamily Residence District) (2.12 acres) and C-2 (Intermediate Commercial) (2.65 acres)
Proposed Zoning: WU Code T3:2 MT (Walkable Urban Code, Transect 3:2 District, Transit Midtown Character Area) (0.23-acres) and WU Code T5:6 MT (Walkable Urban Code, Transect 5:6 District, Transit Midtown Character Area) (4.54 acres)
Acreage: 4.77 acres
Proposed Use: Multifamily residential

Owner: MBA 7th St, LLC, et al
Applicant: Jimmy McCloskey, Embrey Partners
Representative: Nick Wood, Esq., Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Encanto Village Planning Committee heard this case on Jan. 11, 2021 and recommended approval, per the staff recommendation with an additional stipulation, by a vote of 11-1.
PC Action: The Planning Commission heard this case on Feb 4, 2021 and recommended approval, per the Encanto Village Planning Committee recommendation with an additional stipulation, by a vote of 8-0.

Location

Northeast corner of Oak and 7th Streets
Council District: 4
Parcel Addresses: 2302, 2320, and 2330 N. 7th St.; and 375 E. Sheridan St.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-52-20-4) FROM R-3 (MULTIFAMILY RESIDENCE DISTRICT) AND C-2 (INTERMEDIATE COMMERCIAL DISTRICT) TO WU CODE T3:2 MT (WALKABLE URBAN CODE, TRANSECT 3:2 DISTRICT, MIDTOWN CHARACTER AREA) AND WU CODE T5:6 MT (WALKABLE URBAN CODE, TRANSECT 5:6 DISTRICT, MIDTOWN CHARACTER AREA)

_____

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

SECTION 1. The zoning of a 4.77-acre site located at the northwest corner of 7th Street and Oak Street, in a portion of Section 32, Township 2 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from 2.12 acres of “R-3” (Multifamily Residence District) and 2.65 acres of “C-2” (Intermediate Commercial District) to 0.23 acres of “WU Code T3:2 MT” (Walkable Urban Code, Transect 3:2 District, Midtown Character Area) and 4.54 acres of “WU Code T5:6 MT” (Walkable Urban Code, Transect 5:6 District, Midtown Character Area).

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

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance: (AWAITING PC RECOMMENDATION)

1. There shall be a minimum landscape setback of 15 feet measured from the west property line. The landscape setback shall allow for a maximum encroachment of nine feet to accommodate Walkable Urban Code Frontage Type from Table 1305.1. The landscape setback area shall be planted with shade trees placed 25 feet on center or in equivalent groupings with 75 percent being a minimum 3-inch caliper. The conditions of this stipulation shall be approved by the Planning and Development Department.

2. No solid perimeter wall greater than 36 inches in height shall be situated within the boundary of the required landscape setback along the west property line, as described in Stipulation No. 1.

3. All ground level units oriented to the west (Monterey Park) shall utilize a Walkable Urban Code Frontage Type from Table 1305.1. and Frontage Types shall be permitted to encroach into the required landscape area a maximum of nine feet as necessary to accommodate the selected frontage type, as approved or modified by the Planning and Development Department.

4. The developer shall provide and maintain the following bicycle infrastructure as described below and as approved by the Planning and Development Department.

    a. A bicycle repair station (fix-it station) along the southern edge of the site, visible, and accessible from the public sidewalk. The station shall include but not limited to the following: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand that allows pedals and wheels to spin freely while adjusting the bike.

    b. All required bicycle parking for multifamily use, per Section 1307.H.6.d. of the Phoenix Zoning Ordinance, shall be secured parking.

    c. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near

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entrances of buildings and installed per the requirements of Section 1306.H. of the Phoenix Zoning Ordinance.

5. The developer shall provide pedestrian access to and from the site with an emphasis on minimizing walking distances to the existing HAWK at 7th Street and Oak Street, as approved by the Planning and Development Department.

6. The developer shall provide traffic calming to slow vehicle traffic exiting the property with specific regard to pedestrian safety on the public sidewalk, as approved by the Planning and Development Department.

7. The developer shall dedicate a 10-foot sidewalk easement along the west side of 7th Street, as approved by Planning and Development.

8. There shall be a maximum of one driveway on 7th Street.

9. The developer shall submit a Traffic Impact Study to the City of Phoenix for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. The study shall include, at a minimum, a traffic signal warrant analysis for the intersection of 7th Street and Oak Street to evaluate conversion of the HAWK. The developer shall be responsible for mitigation costs, as identified in the traffic study approval letter.

10. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

11. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

12. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

13. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

14. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

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15. The developer shall place informational signage in the “motor court” area to inform exiting traffic how the reversable lane on 7th Street functions including the hours when the center lane is southbound, northbound, and center-turn.

16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 3rd day of March, 2021.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

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Exhibits:
A – Legal Description (3 Pages)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-52-20-4

Within a portion of Section 32, Township 2 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

PARCEL NO. 1: (APN NO. 118-46-030)

The East half of Lot 5, BALTIMORE HEIGHTS, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 2 of Maps, page 67;

EXCEPT that part described as follows:

BEGINNING at a point 20 feet South of the No1iheast comer of said Lot 5;

THENCE South along the East line of said Lot 5, 75 feet;

THENCE West 250 feet;

THENCE North 75 feet;

THENCE East 250 feet to POINT OF BEGINNING; and

EXCEPT that part described as follows:

BEGINNING at a point 95 feet South of the Northeast comer of said Lot 5;

THENCE South along the East line of said Lot 5, 100 feet to a point;

THENCE West 166 feet to a point;

THENCE North 100 feet to a point;

THENCE East 166 feet to the POINT OF BEGINNING;

EXCEPT the North 20 feet thereof; and

EXCEPT the East 7 feet thereof.

PARCEL NO. 2: (APN NO. 118-46-043A)

The East half of Lot 7, BALTIMORE HEIGHTS, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 2 of Maps, page 67;

DRAFT

EXCEPT the East 132 feet of the South 125 feet of the East half of said Lot 7; and

EXCEPT the East 7 feet conveyed to City of Phoenix, a municipal corporation, by document recorded April 24, 1941, in Book 349 of Deeds, page 456, records of Maricopa County, Arizona.

PARCEL NO. 3: (APN NO. 118-46-033A)

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA AND IS DESCRIBED AS FOLLOWS:

THAT PART OF LOT 5 BALTIMORE HEIGHTS, ACCORDING TO BOOK 2 OF MAPS, PAGE 67, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID LOT 5, 95 FEET SOUTH OF THE NORTHEAST
CORNER OF SAID LOT;

THENCE WEST 166 FEET;

THENCE SOUTH 100 FEET;

THENCE EAST 166 FEET;

THENCE NORTH 100 FEET TO THE POINT OF BEGINNING;

EXCEPT THEREFROM THE EAST 7 FEET THEREOF.

PARCEL NO. 4: (APN NO. 118-46-043B)

The East 132 feet of the South 125 feet of the East half of Lot 7, Baltimore Heights, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona in Book 2 of Maps, page 67;

EXCEPT therefrom the East 7 feet conveyed to the City of Phoenix, by instrument recorded April 24, 1941 in Book 349 of Deeds page 456, records of Maricopa County, Arizona;

ALSO EXCEPT therefrom that part of said Lot 7 described as follows:

BEGINNING at a point on the South line of Lot 7, distant 7 feet West of the Southeast comer thereof;

Thence West 9 feet along the South line of said Lot 7 to a point;

Thence Northeasterly to a point which is 7 feet West and 9 feet North of the Southeast comer of said Lot 7;

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Thence South 9 feet to the POINT OF BEGINNING, as condemned by the City of Phoenix, in Order of Condemnation recorded in Docket 2621 page 154, records of Maricopa County, Arizona;

AND ALSO EXCEPT all oil, gas and other minerals as reserved in instrument recorded in Docket 10313 page 379, records of Maricopa County, Arizona.

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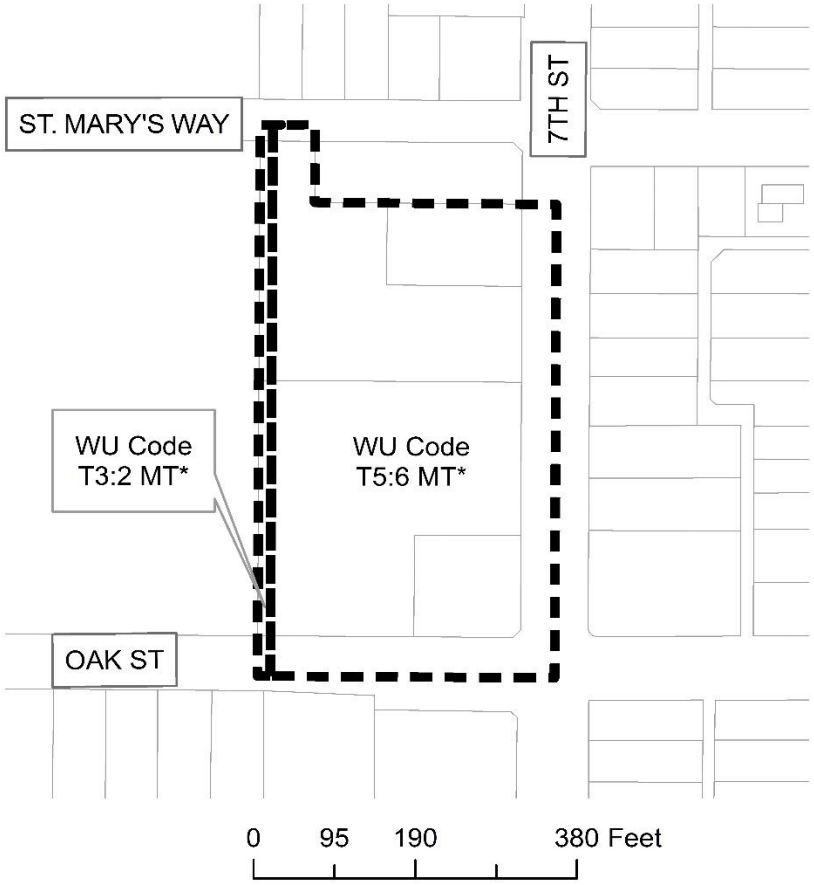
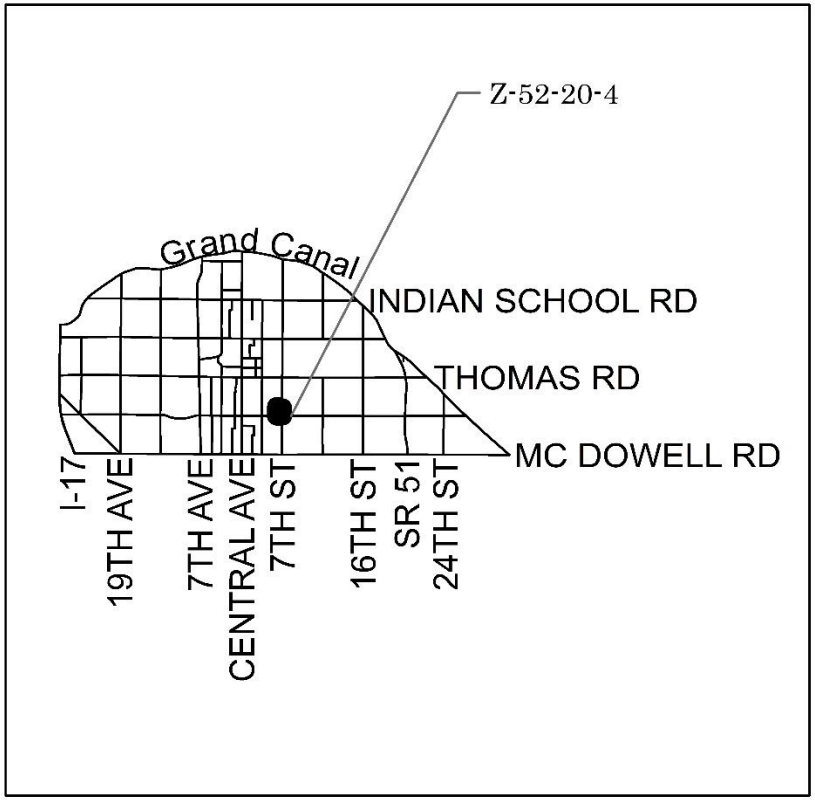
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-52-20-4
Zoning Overlay: N/A
Planning Encanto





NOT TO SCALE

N

Drawn Date: 2/4/2021

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City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 59

Amend City Code - Ordinance Adoption - Rezoning Application Z-64-19-4 - Approximately 238 Feet West of the Southwest Corner of 3rd Street and Thomas Road (Ordinance G-6813)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-64-19-4 and rezone the site from P-2 TOD-1 (Parking, Interim Transit Oriented Zoning Overlay District One) to PUD (Planned Unit Development) for Planned Unit Development to allow a self-service storage facility, household moving center, car sharing, and all uses permitted in Walkable Urban Code Transect 5:7 District (commercial and residential).

Summary

Current Zoning: P-2 TOD-1 (Parking, Interim Transit Oriented Zoning Overlay District One)
Proposed Zoning: PUD (Planned Unit Development)
Acreage: 0.94 acres
Proposed Use: Self-service storage facility, household moving center, car sharing, and all uses permitted in Walkable Urban Code Transect 5:7 District (commercial and residential).

Owner: Amerco Real Estate Company
Applicant: Parul Butala, Amerco Real Estate
Representative: Parul Butala, Amerco Real Estate

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Encanto Village Planning Committee heard this case on Jan. 11, 2021 and recommended approval, per the staff recommendation with a modification, by a vote of 7-6.
PC Action: The Planning Commission heard this case on Feb. 4, 2021 and recommended approval, per the Encanto Village Planning Committee recommendation with a modified and additional stipulation, by a vote of 7-0.

Location

Approximately 238 feet west of the southwest corner of 3rd Street and Thomas Road
Council District: 4

Parcel Addresses: 67, 69, and 71 E. Thomas Road

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-64-19-4) FROM P-2 TOD-1 (PARKING, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) TO PUD (PLANNED UNIT DEVELOPMENT).

_____

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

SECTION 1. The zoning of a 0.94-acre property located approximately 238 feet west of the southwest corner of 3rd Street and Thomas Road, in a portion of Section 32, Township 2 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "P-2 TOD-1" (Parking, Interim Transit-Oriented Zoning Overlay District One) to "PUD" (Planned Unit Development).

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

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

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

1. An updated Development Narrative for the U-Haul Smart Mobility Center Flagship Store PUD reflecting the changes approved through this request shall be submitted to the Planning Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped December 11, 2020 as modified by the following stipulations.

    a. Front Cover: Add “City Council adopted: [Insert Adoption date]” below “Hearing Draft: December 10, 2021.

    b. Page 12: Revise the table entry for Parking Standards to: delete Bullet No. 1 regarding bicycle parking and to modify Bullet No. 2 to specify that the bicycle repair station shall be installed outside the building, in a conspicuous location, and accessible from the public sidewalk.

    c. Page 12: Revise the table entry for Signage Standards to read as follows: “The PUD will meet the requirements of this section aside from one deviations and requirements found in Section E. Signs on page 14.”

    d. Page 12: Revise the table entry for Landscape Standards to read as follows: “The PUD will meet the requirements of this section, as applicable to the T5:7 transect, with the additional requirement that the Thomas Road frontage be planted with a minimum of seven (7) drought tolerant shade trees with 25 percent four-inch caliper and the remainder being three-inch caliper or greater.

    e. Page 13: Revise the table entry for Character Areas to read as follows: “The PUD will meet the requirements of this section, as applicable to the T5:7 Transect, for the Transit Midtown Character Area, with three additions and clarifications…:

        (1) Delete Bullet No. 1

        (2) Modify Bullet No. 2 to read “Trees as required per the Section 1309 and as modified by the Section 1309 reference in this table, in addition to shrubs to provide 75% groundcover between the sidewalk and the building frontage, excluding vehicular driveways.

    f. Page 14 and 15: Delete the table beginning with “Sign Type” in the upper left cell, delete the remaining paragraph, and replace with the below language:

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(1) "To govern signage on the site, the development shall adhere to the following conditions, as approved by the Planning and Development Department:"

(a) The wall mural (lifestyle graphic) shall not exceed 112 square feet in area and 46 feet from grade to the top of the sign.

(b) Prior to the issuance of any sign permits within the PUD, a Comprehensive Sign Plan will be adopted in accordance with the procedures in Section 705.E.2.

(c) Signs over 56 feet from grade to the top of the sign shall be incorporated into the approved or amended Comprehensive Sign Plan.

(d) In order to reduce lighting impacts to nearby residential uses, the maximum luminance (brightness) for all wall signs shall be 60 nits measured at the sign face. The maximum color temperature for all wall signs shall be 4,000 Kelvin. Sign permit applicants shall provide certification from a qualified registrant of compliance with these lighting standards prior to the issuance of permits for wall signs.

(e) The high-rise wall signs shall have a dimmer control installed and the signs' luminance shall be dimmed 50% at 10:30 pm.

2. The driveway on Thomas Road shall be restricted to a three-quarter access prohibiting left-turn egress constructed per City of Phoenix modified Standard Detail P1243-1 or other alternatives, as approved or modified by the Street Transportation Department.

3. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

4. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

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5. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

6. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 3rd day of March, 2021.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

DRAFT

_____City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-64-19-4

A PORTION OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA. BEING MORE PARTICULARLY DESCRIBED AS;

(APN 118-44-005A)
The West half of Lot 3, of WEST BALTIMORE HEIGHTS, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 4 of Maps, Page 31;
EXCEPT the North 9 feet thereof.

AND
(APN 118-44-007A and 118-44-008A)
Lot 4, of WEST BALTIMORE HEIGHTS, according to the plat of record in the Office of the County Recorder of Maricopa County, Arizona in Book 4 of Maps, Page 31;
EXCEPT the West 31 feet of the South 3 feet of the North 12 feet;
and EXCEPT the North 9 feet.

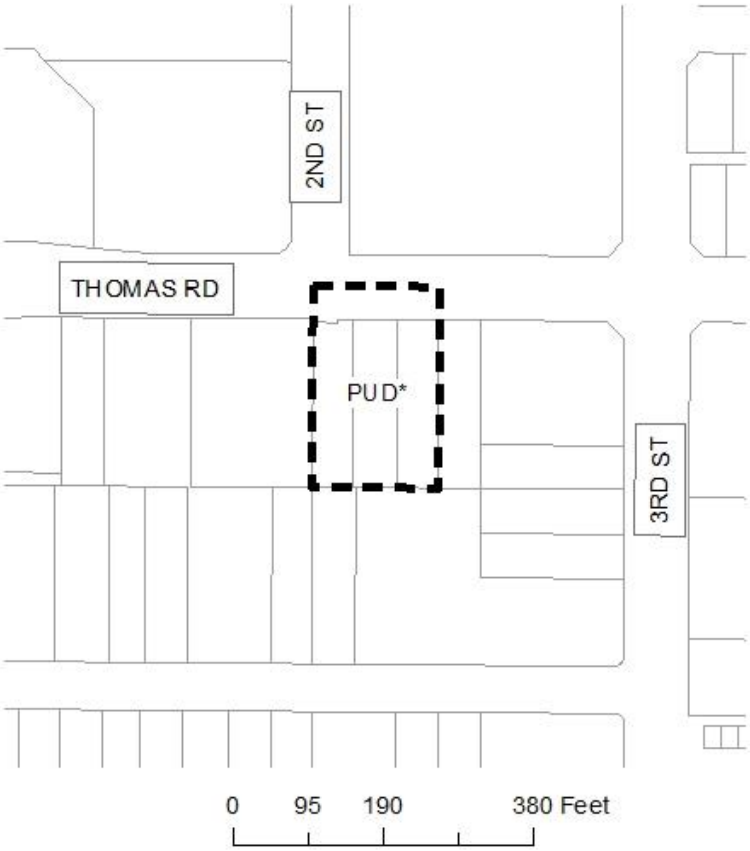
DRAFT

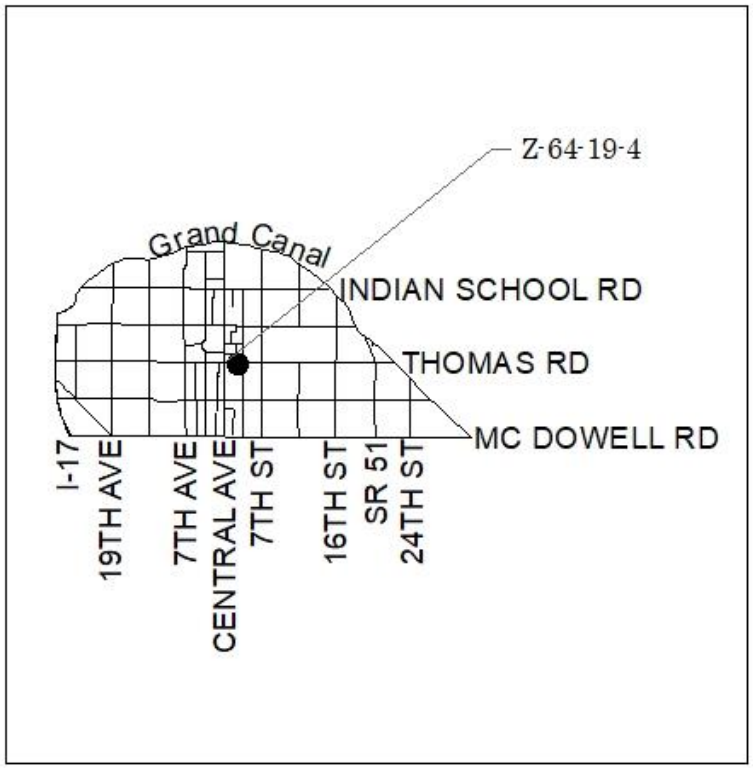
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-64-19-4
Zoning Overlay: N/A
Planning Village: Encanto





NOT TO SCALE

N

Drawn Date: 2/8/2021

\\one\pdd\Shared\Department Share\Information Systems\PLGIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2021 Ord\3-3-21\Z-64-19-4.mxd

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 60

Amend City Code - Ordinance Adoption - Rezoning Application Z-54-20-6 - Southeast Corner of 44th Street and Devonshire Avenue (Ordinance G-6814)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-54-20-6 and rezone the site from R-O (Residential Office - Restricted Commercial District) to R-O HP (Residential Office - Restricted Commercial District, Historic Preservation) for a Historic Preservation Overlay for Avery (Frank and Emma) House.

Summary

Current Zoning: R-O (Residential Office - Restricted Commercial District)
Proposed Zoning: R-O HP (Residential Office - Restricted Commercial District, Historic Preservation)
Acreage: 0.58 acres
Proposal: Historic Preservation Overlay for Avery (Frank and Emma) House

Owner: Rafterhouse Holdings, LLC
Applicant: City of Phoenix, Historic Preservation Commission
Representative: Helana Ruter, Planning and Development Department

Staff Recommendation: Approval.
HPC Action: The Historic Preservation Commission heard this case on Dec. 21, 2020, and recommended approval, by a vote of 9-0.
VPC Action: The Camelback East Village Planning Committee heard this case on Jan. 5, 2021, and recommended approval, per the staff recommendation, by a vote of 17-0.
PC Action: The Planning Commission heard this case on Feb. 4, 2021, and recommended approval, per the Historic Preservation Commission and Camelback East Village Planning Committee recommendations, by a vote of 8-0.

Location

Southeast corner of 44th Street and Devonshire Avenue
Council District: 6
Parcel Address: 4203 N. 44th St.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-54-20-6) FROM R-O (RESIDENTIAL OFFICE – RESTRICTED COMMERCIAL DISTRICT) TO R-O HP (RESIDENTIAL OFFICE – RESTRICTED COMMERCIAL DISTRICT, HISTORIC PRESERVATION).

_____

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

SECTION 1. The zoning of a 0.58-acre site located on the southeast corner of 44th Street and Devonshire Avenue in a portion of Section 19, Township 2 North, Range 4 East, as described more specifically in Exhibit “A”, is hereby changed from “R-O” (Residential Office – Restricted Commercial District) to “R-O HP” (Residential Office – Restricted Commercial District, Historic Preservation).

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

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SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 3rd day of March 2021.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

Exhibits:
A – Legal Description (2 Pages)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-59-20-6

Lot 1 of ARCADIA 44, according to Book 1321 of Maps, Page 21, records of Maricopa County, Arizona;
EXCEPT that portion conveyed to the City of Phoenix, a municipal corporation, in Recording No. 2017-
701466 and re-recorded in Recording No. 2017-836144, and more particularly described as:
A portion of the Southeast quarter of Section 19, Township 2 North, Range 4 East of the Gila and Salt
River Base and Meridian, Maricopa County, Arizona, and more particularly described as follows:
COMMENCING at the intersection of Devonshire Avenue and 44th Street, found Brass Cap in Handhole,
whence the Center Quarter Corner of said Section 19, Brass Cap in Handhole, bears North 00 degrees
03 minutes 58 seconds East, a distance of 1830.89 feet;
THENCE South 00 degrees 03 minutes 58 seconds West (Basis of Bearings), as shown on the Final Plat
for “ARCADIA 44”, recorded in Book 1321 of Maps, page 21, Official Records of Maricopa County,
Arizona departing from said intersection of Devonshire Avenue and 44th Street, along the monument line
of 44th Street, to the Southwest subdivision corner of said “ARCADIA 44”, a distance of 165.01 feet;
THENCE South 88 degrees 27 minutes 00 seconds East, a distance of 42.01 feet to a point on the
Easterly right-of-way line of said 44th Street, said point also being the Southwest property corner of Lot 1
of “ARCADIA 44”, and the POINT OF BEGINNING;
THENCE North 00 degrees 03 minutes 58 minutes East, along said Easterly right-of-way line of 44th
Street, a distance of 128.65 feet, to a point of non-tangent curvature, concave Southeasterly, having a
radius of 19.49 feet, and a radial bearing of South 63 degrees 44 minutes 57 seconds East;
THENCE Northeasterly along the arc of said curve and said right-of-way line to the right, through a
central angle of 65 degrees 17 minutes 57 seconds, a distance 22.21 feet to a point of tangency on the
Southerly right-of-way line of said Devonshire Avenue;
THENCE South 88 degrees 27 minutes 00 seconds East, along said Southerly right-of-way line of
Devonshire Avenue, a distance of 5.53 feet to a point of non-tangent curvature, having a radius of 20.00

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feet and a radial bearing of South 1 degrees 33 minutes 00 seconds West;
THENCE Southwesterly along the arc of said curve to the left, through a central angle of 91 degrees 29
minutes 02 seconds, to a point of tangency, a distance 31.93 feet;
THENCE South 00 degrees 03 minutes 58 seconds West, along a line being parallel with and 45.00 feet
Easterly of, as measured perpendicular to the monument line of said 44th Street, to a point on the
Southerly subdivision boundary line of said “ARCADIA 44”, a distance of 119.48 feet;
THENCE North 88 degrees 27 minutes 00 seconds West, along said Southerly subdivision boundary line,
a distance of 3.0 feet returning to said POINT OF BEGINNING.

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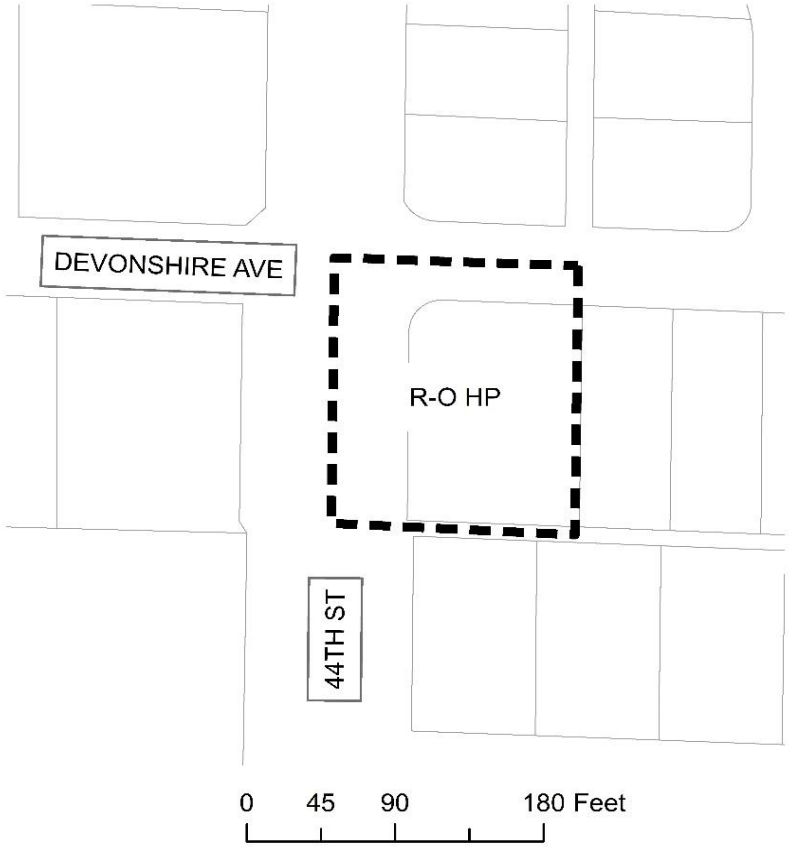
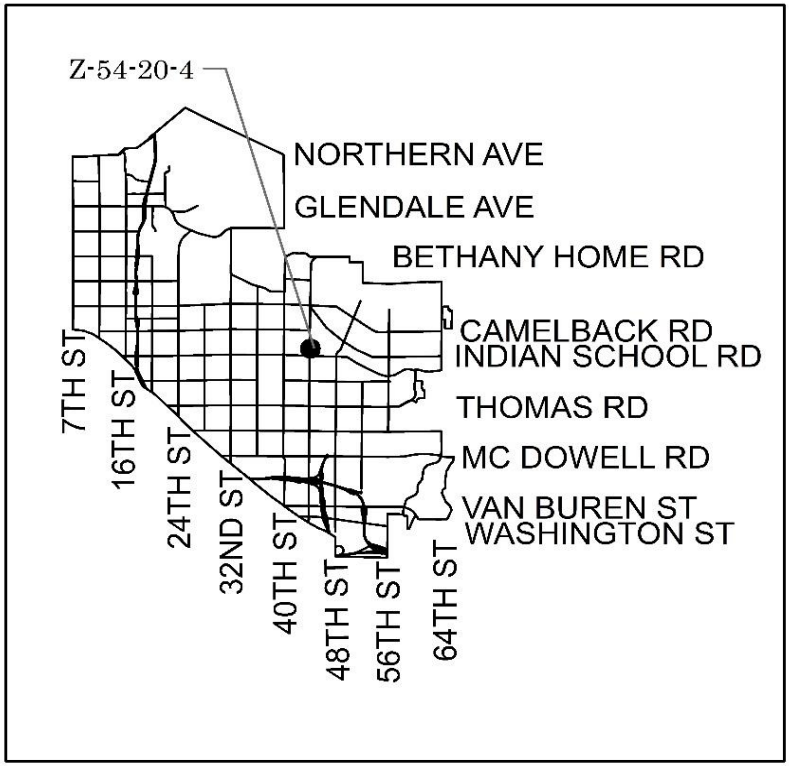
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-54-20-4
Zoning Overlay: N/A
Planning Camelback East





NOT TO SCALE

N

Drawn Date: 2/4/2021

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City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 61

Amend City Code - Ordinance Adoption - Rezoning Application Z-59-20-6 - Approximately 130 Feet West of the Southwest Corner of 16th Street and Bethany Home Road (Ordinance G-6815)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-59-20-6 and rezone the site from PSC (Planned Shopping Center) to C-2 (Intermediate Commercial District) to allow C-2 commercial uses.

Summary

Current Zoning: PSC (Planned Shopping Center)
Proposed Zoning: C-2 (Intermediate Commercial District)
Acreage: 8.80 acres
Proposal: Rezone to C-2 for commercial uses

Owner: James Shough, 16 Bethany Station, LLC
Applicant: Bill Allison, Withey Morris, PLC
Representative: Bill Allison, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on Jan. 5, 2021 and recommended approval, per the staff recommendation with modifications and an additional stipulation by a vote of 18-0.
PC Action: The Planning Commission heard this case on Feb. 4, 2021 and recommended approval, per the Camelback East Village Planning Committee recommendation with an additional stipulation by a vote of 8-0.

Location

Approximately 130 feet west of the southwest corner of 16th Street and Bethany Home Road
Council District: 6
Parcel Address: 1503, 1515, 1517 and 1525 E. Bethany Home Road; and 5808, 5810, 5812 and 5826 N. 16th St.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-59-20-6) FROM PSC (PLANNED SHOPPING CENTER) TO C-2 (INTERMEDIATE COMMERCIAL DISTRICT).

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

SECTION 1. The zoning of a 8.80-acre site located approximately 130 feet west of the southwest corner of 16th Street and Bethany Home Road in a portion of Section 16, Township 2 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "PSC" (Planned Shopping Center) to "C-2" (Intermediate Commercial District).

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

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

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

1. Prior to the issuance of permits for tenant improvements, the existing landscape planters along the 16th Street and Bethany Home Road frontages shall be replenished to provide landscaping in accordance with the C-2 zoning district standards for planting type, size and quantity. Trees along the street frontages shall be planted adjacent to the sidewalk to provide shade/thermal comfort for pedestrians, as approved by the Planning and Development Department.

2. Prior to the issuance of permits for tenant improvements, existing parking lot planters shall be replenished to meet Zoning Ordinance commercial standards per Section 623.E of the Zoning Ordinance, as approved by the Planning and Development Department.

3. Bicycle parking at a rate of one bicycle space per 25 vehicle parking spaces, with a maximum of 25 spaces shall be provided on site. These may be inverted U-bicycle racks, artistic style racks (in adherence to the City of Phoenix Preferred Designs in Appendix K or the Comprehensive Bicycle Master Plan) or “Outdoor/Covered Facilities” for guests and employees. These facilities shall be located near building entrances, installed per the requirements of Section 1307.H of the Zoning Ordinance, and approved by the Planning and Development Department.

4. The bus stop pad, shelter, furniture, and refuse container along southbound 16th Street, south of Bethany Home Road, shall be retained in its current condition. Trees shall be placed near the bus stop pad to provide 50 percent shade coverage at maturity. Any relocation of the bus stop pad or associated structures shall be as approved by the Public Transit Department.

5. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, public sidewalks, and bus stops, using the most direct route for pedestrians, as approved by the Planning and Development Department.

6. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.

7. All pedestrian pathways shall be shaded by trees or shade structures to provide a minimum of 75 percent shade at maturity.

8. The developer shall dedicate a 10-foot-wide sidewalk easement for the south side of Bethany Home Road, prior to any future major site plan amendment on the site.

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9. The developer shall dedicate a 10-foot-wide sidewalk easement for the west side of 16th Street, prior to any future major site plan amendment on the site.

10. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

11. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

12. Any residential development shall require public notice and hearings through the Planning Hearing Officer process, per Section 506.B.3. of the Phoenix Zoning Ordinance, including a recommendation from the Camelback East Village Planning Committee.

13. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 3rd day of March 2021.

_____
MAYOR

ATTEST:

_____City Clerk

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APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

Exhibits:
A – Legal Description (3 Pages)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-59-20-6

A PARCEL OF LAND SITUATE IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 16, MONUMENTED BY A CITY OF PHOENIX BRASS CAP IN A HAND HOLE FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 16, MONUMENTED BY A CITY OF PHOENIX BRASS CAP IN A HAND HOLE BEARS SOUTH 89 DEGREES 59 MINUTES 30 SECONDS WEST, A DISTANCE OF 2667.67 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 30 SECONDS WEST, ALONG THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16, A DISTANCE OF 168.20 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 30 SECONDS EAST, A DISTANCE OF 40.00 FEET TO THE TRUE POINT OF BEGINNING OF PROPOSED LOT 2 AND TO A POINT ON THE WESTERLY BOUNDARY OF THE PROPERTY DESCRIBED IN THE DOCUMENT RECORDED IN RECORDING NO. 2008-0511498, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 00 DEGREES 16 MINUTES 18 SECONDS WEST, A DISTANCE OF 155.00 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 30 SECONDS WEST, A DISTANCE OF 128.00 FEET;

THENCE NORTH 00 DEGREES 16 MINUTES 18 SECONDS EAST, A DISTANCE OF 155.00 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BETHANY HOME ROAD AS DESCRIBED IN THE DOCUMENTS RECORDED IN DOCKET 3715, PAGES 541, 542, 543 AND 544, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 59 MINUTES 30 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 128.00 FEET TO THE TRUE POINT OF BEGINNING OF PROPOSED LOT 2.

Parcel 2:

A PARCEL OF LAND SITUATE IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 16, MONUMENTED BY A CITY OF PHOENIX BRASS CAP IN A HAND HOLE FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 16, MONUMENTED BY A CITY OF PHOENIX BRASS CAP IN A HAND HOLE BEARS SOUTH 89 DEGREES 59 MINUTES 30 SECONDS WEST, A DISTANCE OF 2667.67 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 30 SECONDS WEST, ALONG THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16, A DISTANCE OF 296.20 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 30 SECONDS EAST, A DISTANCE OF 40.00 FEET TO THE TRUE POINT OF BEGINNING OF PROPOSED LOT 3;

THENCE SOUTH 00 DEGREES 16 MINUTES 18 SECONDS WEST, A DISTANCE OF 155.00 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 30 SECONDS EAST, A DISTANCE OF 128.00 FEET;

THENCE NORTH 00 DEGREES 16 MINUTES 18 SECONDS EAST, A DISTANCE OF 27.00 FEET TO A POINT OF THE SOUTHERLY BOUNDARY OF THE PROPERTY DESCRIBED IN THE DOCUMENT RECORDED IN RECORDING NO. 2008-0511498, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 59 MINUTES 30 SECONDS EAST, ALONG SAID SOUTHERLY BOUNDARY LINE, A DISTANCE OF 128.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF 16TH STREET AS DESCRIBED IN THE DOCUMENTS RECORDED IN DOCKET 3715, PAGES 542, 543 AND 544, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 00 DEGREES 16 MINUTES 18 SECONDS WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 491.45 FEET TO A POINT ON THE SOUTHERLY LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16;

THENCE SOUTH 89 DEGREES 59 MINUTES 13 SECONDS WEST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 626.27 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16;

THENCE NORTH 00 DEGREES 12 MINUTES 54 SECONDS EAST, ALONG THE WESTERLY LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16, A DISTANCE OF 110.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE WESTERLY, WHOSE RADIUS POINT BEARS NORTH 00 DEGREES 12 MINUTES 54 SECONDS EAST, A DISTANCE OF 40.00 FEET AND TO A POINT ON THE

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EASTERLY RIGHT OF WAY LINE OF 15TH STREET AS DESCRIBED IN THE DOCUMENTS RECORDED IN DOCKET 3715, PAGES 542, 543 AND 544, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID RIGHT OF WAY LINE:

THENCE NORTHEASTERLY AND NORTHERLY ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 130 DEGREES 08 MINUTES 33 SECONDS, AN ARC DISTANCE OF 90.86 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE, CONCAVE EASTERLY, WHOSE RADIUS POINT BEARS NORTH 50 DEGREES 04 MINUTES 21 SECONDS EAST, A DISTANCE OF 23.53 FEET;

THENCE NORTHERLY ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 40 DEGREES 08 MINUTES 33 SECONDS, AN ARC DISTANCE OF 16.49 FEET TO A POINT OF TANGENCY;

THENCE NORTH 00 DEGREES 12 MINUTES 54 SECONDS EAST, A DISTANCE OF 418.50 FEET;

THENCE NORTH 44 DEGREES 45 MINUTES 47 SECONDS EAST, A DISTANCE OF 14.28 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BETHANY HOME ROAD AS DESCRIBED IN THE DOCUMENTS RECORDED IN DOCKET 3715, PAGES 541,542, 543 AND 544, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 59 MINUTES 30 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 49.83 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 30 SECONDS EAST, A DISTANCE OF 130.00 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 30 SECONDS EAST, A DISTANCE OF 176.00 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 30 SECONDS WEST, A DISTANCE OF 130.00 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BETHANY HOME ROAD AS DESCRIBED IN THE DOCUMENTS RECORDED IN DOCKET 3715, PAGES 542, 543 AND 544, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 59 MINUTES 30 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 110.00 FEET TO THE TRUE POINT OF BEGINNING OF PROPOSED LOT 3.

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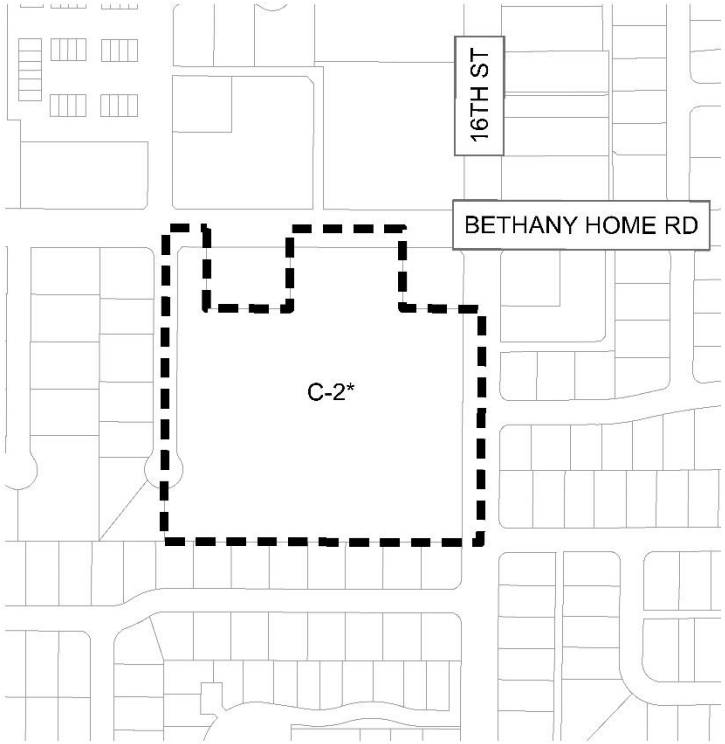
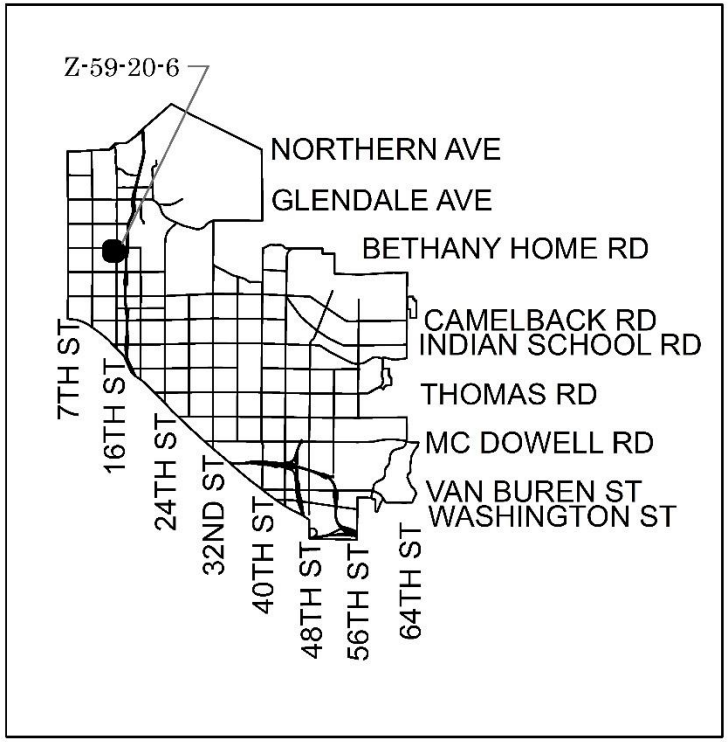
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-59-20-6
Zoning Overlay: N/A
Planning Camelback East





NOT TO SCALE

N

Drawn Date: 2/10/2021

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City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 62

Amend City Code - Ordinance Adoption - Rezoning Application Z-9-20-6 (Willowick PUD) - Southwest Corner of 16th and Colter Streets (Ordinance G-6816)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-9-20-6 and rezone the site from C-O (Commercial Office - Restricted Commercial District) to PUD (Planned Unit development) to allow multifamily, retail, and office uses.

Summary

Current Zoning: C-O (Commercial Office - Restricted Commercial District)
Proposed Zoning: PUD (Planned Unit Development)
Acreage: 3.45 acres
Proposal: Rezone to PUD to allow multifamily, retail, and office

Owner: Willowick Square Owner, LLC
Applicant: Stephen W. Anderson, Gammage and Burnham
Representative: Stephen W. Anderson, Gammage and Burnham

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on Jan. 5, 2021, and recommended approval, per the staff recommendation, by a vote of 18-0.
PC Action: The Planning Commission heard this case on Feb. 4, 2021, and recommended approval, per the Camelback East Village Planning Committee recommendation with an additional stipulation, by a vote of 8-0.

Location

Southwest corner of 16th and Colter Streets
Council District: 6
Parcel Address: 5150 N. 16th St.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-9-20-6) FROM C-O (COMMERCIAL OFFICE – RESTRICTED COMMERCIAL DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 3.45-acre site located at the southwest corner of 16th Street and Colter Street in a portion of Section 16, Township 2 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from “C-O” (Commercial Office – Restricted Commercial District) to “PUD” (Planned Unit Development).

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

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

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

1. An updated Development Narrative for the Willowick PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped December 21, 2020, as modified by the following stipulations:

    a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft: December 21, 2020; City Council adopted: [Add adoption date].

2. The developer shall retain the right-of-way and bus stop pad on southbound 16th Street south of Colter Street. The bus stop pad shall be compliant with City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The bus stop pad shall be spaced from the intersection of 16th Street and Colter Street as per City of Phoenix Standard Detail P1258, as approved by the Planning and Development Department

3. The developer shall utilize the existing driveway along 16th Street on Parcel No. APN 162-12-001X to access the site. The developer shall record a cross access easement between Parcel Nos. 162-12-001X and 162-12-009, to allow for ingress from the existing driveway south of the site. The agreement is to be reviewed and approved by the Planning and Development Department prior to recordation with Maricopa County.

4. The developer shall submit a Traffic Impact Study (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study had been reviewed and approved by the City. Additional off-site improvements and right-of-way dedications may be required as identified in the approved traffic study. Development shall be responsible for the cost associated with these improvements and dedications.

5. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

6. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

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7. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 3rd day of March, 2021.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

Exhibits:
A – Legal Description (2 Pages)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-9-20-6

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN PHOENIX, IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE WEST LINE OF THE 40 FOOT STRIP OF LAND CONVEYED TO THE CITY OF PHOENIX BY DEED RECORDED FEBRUARY 13, 1970 IN DOCKET 7998, PAGE 117 AND THE NORTH LINE OF THE SOUTH 210.00 FEET OF SAID NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 16;

THENCE ALONG SAID NORTH LINE SOUTH 89 DEGREES 58 MINUTES 27 SECONDS WEST 293.32 FEET;

THENCE PARALLEL WITH THE WEST LINE OF SAID NORTH HALF, NORTH 0 DEGREES 04 MINUTES 29 SECONDS WEST 240.49 FEET;

THENCE PARALLEL WITH THE NORTH LINE OF SAID NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 16, SOUTH 89 DEGREES 58 MINUTES 25 SECONDS WEST 22.00 FEET TO THE SOUTHEAST CORNER OF PARCEL 1, AS DESCRIBED IN THE DEED TO THE CITY OF PHOENIX, AS RECORDED IN DOCKET 8661, PAGE 117;

THENCE ALONG THE EASTERLY LINE OF PARCEL 1 AND ITS NORTHERLY PROLONGATION, NORTH 00 DEGREES 04 MINUTES 29 SECONDS WEST 180.00 FEET TO THE SOUTH LINE OF THE NORTH 30.00 FEET OF SAID NORTH HALF;

THENCE ALONG SAID SOUTH LINE, NORTH 89 DEGREES 58 MINUTES 25 SECONDS EAST 271.65 FEET TO THE WEST LINE OF THE EAST 83.00 FEET OF SAID NORTH HALF;

THENCE ALONG SAID WEST LINE, SOUTH 00 DEGREES 10 MINUTES 00 SECONDS EAST 10.00 FEET TO THE SOUTH LINE OF THE NORTH 40.00 FEET OF SAID NORTH HALF;

THENCE ALONG SAID SOUTH LINE, NORTH 89 DEGREES 58 MINUTES 25 SECONDS EAST 43.00 FEET TO THE WEST LINE OF SAID 40 FOOT STRIP OF LAND AS DESCRIBED IN DEED RECORDED IN SAID DOCKET 7998, PAGE 117;

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THENCE ALONG SAID WEST LINE, SOUTH 00 DEGREES 10 MINUTES 00 SECONDS EAST 410.49 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION CONVEYED TO LIV CAMELBACK AT 16TH, LLC IN RECORDING NO. 20160854027, RECORDS OF MARICOPA COUNTY, ARIZONA.

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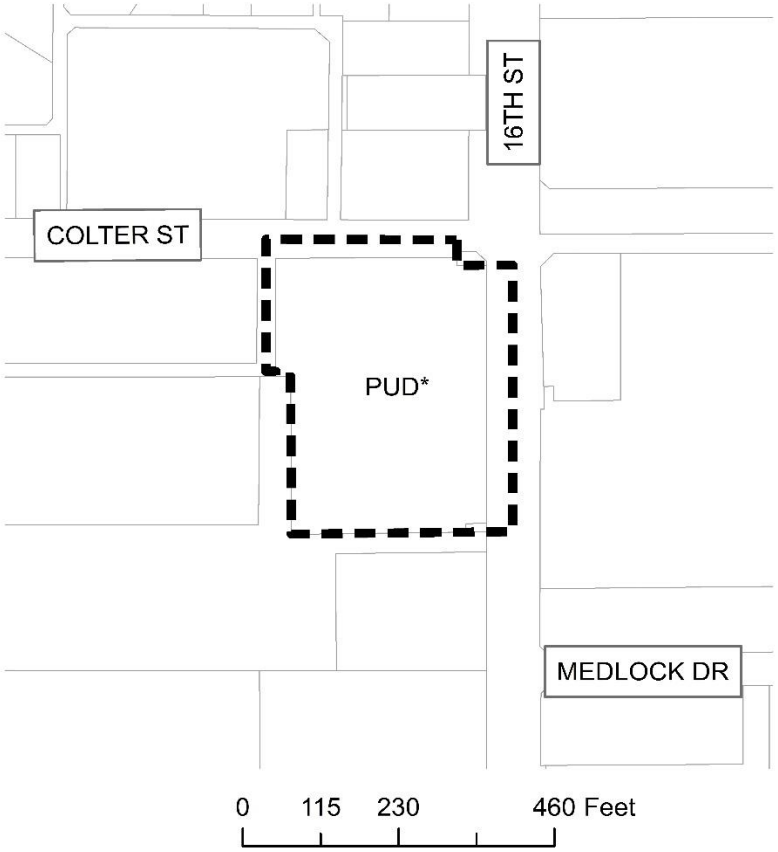
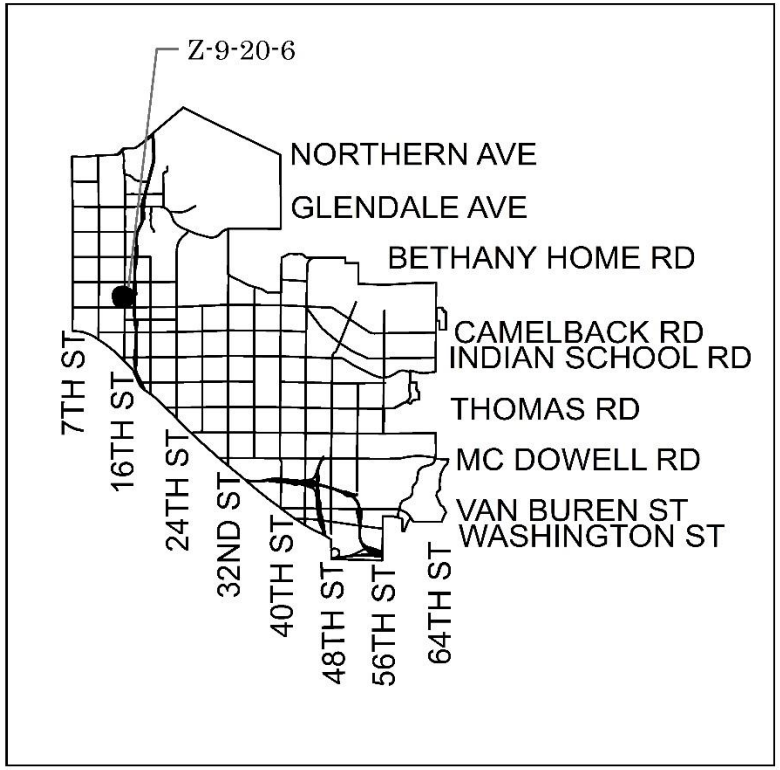
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-9-20-6
Zoning Overlay: N/A
Planning Camelback East





NOT TO SCALE

N

Drawn Date: 2/4/2021

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City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 63

Amend City Code - Ordinance Adoption - Rezoning Application Z-5-20-7 - Southwest Corner of 32nd Drive and Jackson Street (Ordinance G-6817)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-5-20-7 and rezone the site from A -1 SP (Light Industrial, Special Permit) to A-1(Light Industrial) to allow A-1 for light industrial uses (dispatch office and heavy truck parking).

Summary

Current Zoning: A-1 SP (Light Industrial, Special Permit)
Proposed Zoning: A-1(Light Industrial)
Acreage: 3.66 acres
Proposal: Rezone to A-1 for light industrial uses (dispatch office and heavy truck parking)

Owner: MAT Transport, Inc.
Applicant: Milos Minic, Integrated Design
Representative: Milos Minic, Integrated Design

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Estrella Village Planning Committee heard this case on Jan. 19, 2021, and recommended approval, per the Addendum A Staff Report, by a vote of 6-0.
PC Action: The Planning Commission heard this case on Feb. 4, 2021, and recommended approval, per the Estrella Village Planning Committee recommendation, with an additional stipulation, by a vote of 8-0.

Location

Southwest corner of 32nd Drive and Jackson Street
Council District: 7
Parcel Address: 3333 W. Jackson St.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-5-20-7) FROM A-1 SP (LIGHT INDUSTRIAL, SPECIAL PERMIT) TO A-1 (LIGHT INDUSTRIAL).

_____

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

SECTION 1. The zoning of a 3.66-acre site located at the southwest corner of 32nd Drive and Jackson Street in a portion of Section 11, Township 1 North, Range 2 East, as described more specifically in Exhibit “A”, is hereby changed from “A-1 SP” (Light Industrial, Special Permit) to “A-1” (Light Industrial).

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

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

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1. The maximum building height shall be 30 feet.

2. A minimum building setback of 50 feet shall be required along the north property line, exclusive of parking areas, as approved by the Planning and Development Department.

3. A minimum 10-foot-wide landscape area shall be provided for the eastern 100 feet of the north property line.

4. A minimum 20-foot-wide landscape area shall be provided for the western 550 feet along the north property line.

5. The Jackson Street landscape area shall be developed to the following standards, as approved by the Planning and Development Department:

    a. Minimum 25 percent 1-inch caliper, minimum 50 percent 2-inch caliper, and minimum 25 percent 3-inch caliper size evergreen trees planted 20 feet on center or in equivalent groupings.

    b. Trees shall be oriented in a manner that provides the maximum shade possible to the adjacent sidewalk.

    c. Two-inch and 3-inch caliper size trees shall be located in a manner that screens semi-truck parking or outdoor uses from public view as much as possible.

    d. Minimum of five, 5-gallon shrubs per tree.

    e. Where utility conflicts exist, an alternative solution consistent with a pedestrian environment shall be provided.

6. The developer shall dedicate right-of-way and construct a 50-foot radius cul-de-sac at the western end of Jackson Street along with required improvements, as approved by the Planning and Development Department.

7. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

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8. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners of the property.

9. The developer shall provide documentation to the City prior to construction permit approval that Form 7460-1 has been filed for the development and that the development received a “No Hazard Determination” from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a “No Hazard Determination” obtained prior to the construction start date.

10. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

11. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archaeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

12. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

13. The following minimum elements shall be provided and maintained by the property owner within proximity to Jackson Street, as approved by the Planning and Development Department:

    a. A community garden of no less than 600 square feet in area containing irrigation;

    b. A seating node containing a minimum of one seating element or bench.

14. All surface parking areas shall be shaded to achieve a minimum of 25 percent shade at maturity, as approved by the Planning and Development Department.

15. The applicant shall pursue approval of alternative paving that minimizes heat for the surface parking area. If traditional paving is utilized, other design solutions such as increased shade may be utilized to shade parking areas to minimize heat absorption, as approved by the Planning and Development Department.

16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the

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Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 3rd day of March, 2021.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-5-20-7

WITHIN A PORTION OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

THE EAST HALF OF LOT 8, BLOCK 3 AND THE WEST HALF OF LOT 6, BLOCK 4, WORMSERS ADDITION, ACCORDING TO BOOK 2 OF MAPS, PAGE 16, RECORDS OF MARICOPA COUNTY, ARIZONA.

EXCEPT THE SOUTH 82.5 FEET OF SAID
LOTS 6 AND 8. PARCEL NO. 2:
THAT PORTION OF OSBORN AVENUE, NOW KNOWN AS 33RD AVENUE, SHOWN ON THE PLAT OF WORMSERS ADDITION, ACCORDING TO BOOK 2 OF MAPS, PAGE 16, RECORDS OF MARICOPA COUNTY, ARIZONA, LYING BETWEEN THE EASTERLY PROLONGATION OF A LINE PARALLEL TO AND 25 FEET SOUTH OF THE NORTH LINE OF LOT 8 IN BLOCK 3, AND THE EASTERLY PROLONGATION OF A LINE PARALLEL TO AND 82.5 FEET NORTH OF THE SOUTH LINE OF LOT 8, BLOCK 3, SAID WORMSERS ADDITION.

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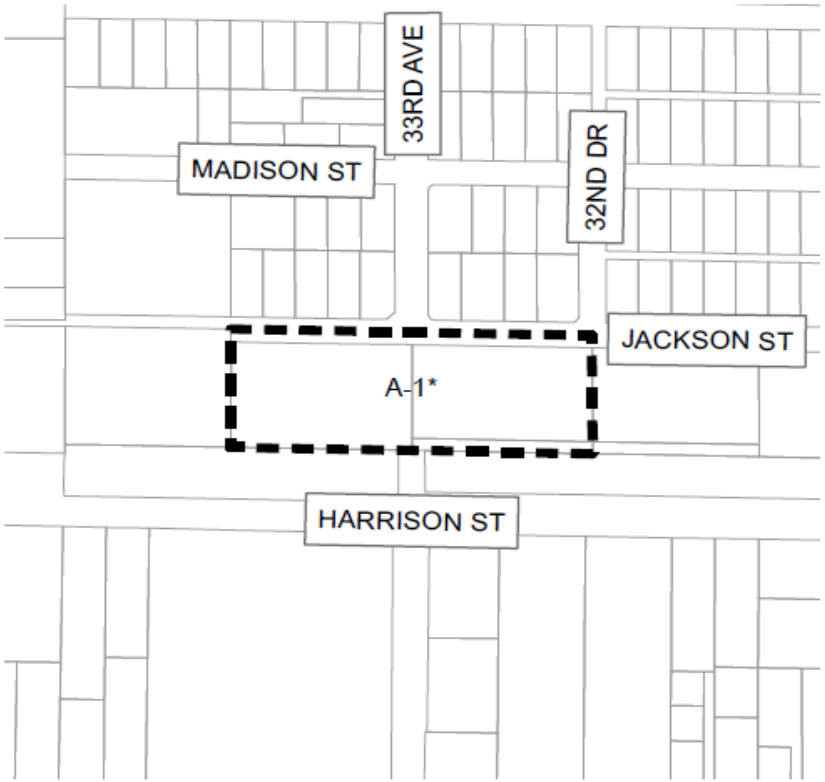
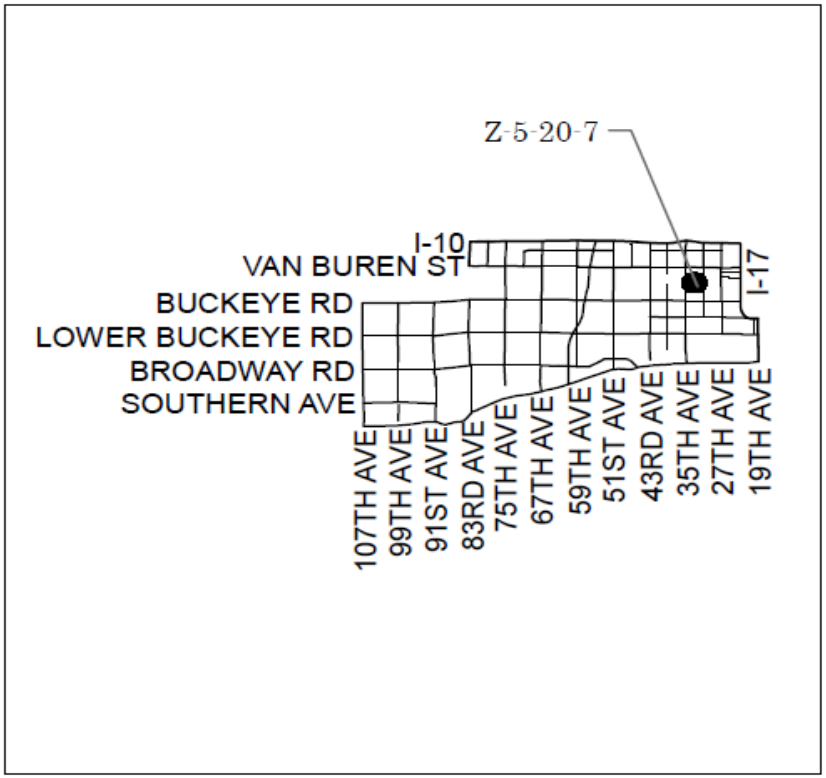
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-5-20-7
Zoning Overlay: N/A
Planning Village: Estrella





NOT TO SCALE

N

Drawn Date: 1/4/2021

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City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 64

Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-13-20-8 - Northwest Corner of State Route 143 and Washington Street (Ordinance G-6819)

Request to hold a public hearing on a proposal to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-13-20-8 and rezone the site from A-2 TOD-1 (Industrial District, Interim Transit-Oriented Zoning Overlay District One) to A-2 (Industrial District) to remove the TOD-1 overlay and allow industrial uses. This is a companion case to Z-TA-6-20-8 and should be heard first.

Summary

Current Zoning: A-2 TOD-1 (Industrial District, Interim Transit-Oriented Zoning Overlay District One)
Proposed Zoning: A-2 (Industrial District)
Acreage: 1.75 acres
Proposal: Removal of the TOD-1 overlay and allow industrial uses

Owner: Werner L.Schlecht Trust
Applicant: William E. Lally, Tiffany & Bosco, PA
Representative: William E. Lally, Tiffany & Bosco, PA

Staff Recommendation: Denial. In the event of an approval action, mitigating stipulations are recommended.
VPC Action: The Camelback East Village Planning Committee heard this case on Jan. 5, 2021, and recommended approval, per the staff recommended stipulations, by a vote of 17-0.
PC Action: The Planning Commission heard this case on Feb. 4, 2021, and recommended approval per the Camelback East Village Planning Committee recommendation, by a vote of 8-0.

Location

Northwest corner of State Route 143 and Washington Street
Council District: 8
Parcel Address: 4632 E. Washington St.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-13-20-8) FROM A-2 TOD-1 (INDUSTRIAL DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) TO A-2 (INDUSTRIAL DISTRICT).

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

SECTION 1. The zoning of a 1.75-acre site located on the northwest corner of State Route 143 and Washington Street in a portion of Section 7, Township 1 North, Range 4 East, as described more specifically in Exhibit “A”, is hereby changed from “A-2 TOD-1” (Industrial District, Interim Transit-Oriented Zoning Overlay District One) to “A-2” (Industrial District).

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

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

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

1. Conceptual site plan and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.

2. The below stipulated streetscape landscaping standards must be planted prior to the issuance of any permits.

3. The sidewalk along Washington Street shall be a minimum of eight feet wide and shall be detached with a minimum 10-foot-wide landscaped strip between the sidewalk and the back of curb, as approved by the Planning and Development Department. A sidewalk easement shall be dedicated as necessary.

4. A minimum of 75 percent of the sidewalk shall be shaded.

5. The 10-foot-wide continuous landscape area located between the sidewalk and back of curb shall include minimum 3-inch caliper, large canopy single-trunk shade trees (limbed-up a minimum of 10-feet clear from finish grade), planted 20 feet on center or in equivalent groupings, and minimum 5-gallon shrubs with a maximum mature height of 2-feet providing 75 percent live cover, as approved by the Planning and Development Department.

6. The required landscape setback adjacent to the southern property line shall be planted to the following minimum standards, as approved by the Planning and Development Department:

    a. Twenty-five percent 3-inch caliper large-canopy trees and 75 percent 4-inch caliper large-canopy trees, planted 20 feet on-center or in equivalent groupings;

    b. Five 5-gallon shrubs per tree, and additional shrubs or live groundcover, shall be provided to a minimum seventy-five percent live cover at mature size.

7. Bollard path lights shall be provided every ten feet along the public sidewalk on Washington Street, as approved by the Planning and Development Department.

8. A bicycle repair station (“fix it station”) shall be provided on the site, in close proximity to the public sidewalk. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.

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9. All outdoor storage shall be completely screened with a decorative wall, as approved by the Planning and Development Department.

10. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

11. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

12. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

13. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

14. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 3rd day of March 2021.

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_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-13-20-8

THAT PART OF THE NORTHWEST QUARTER OF THE NORTHEAST OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 4 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 7, SAID CORNER BEING A BRASS CAP IN A HANDHOLE;

THENCE SOUTH 89°23'30" EAST ALONG THE NORTH LINE OF SAID SECTION 7, 1167.63 FEET;

THENCE SOUTH 00%36"30" WEST 40.00 FEET TO THE EXISTING SOUTH RIGHT OF WAY LINE OF VAN BUREN STREET;

THENCE SOUTH 00°16'30" WEST 329.09 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°16'30" WEST 742.47 FET TO THE NORTHERLY RIGHT OF WAY LINE OF WASHINGTON STREET;

THENCE FROM A LOCAL TANGENT BEARING OF SOUTH 83°32'20" EAST, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 11514.32 FEET, A DISTANCE OF 28.02 FEET TO A POINT THEREAFTER REFERRED TO AS POINT "A";

THENCE CONTINUING ALONG SAID CURVE A DISTANCE 100.00 FEET;

THENCE NORTH 09°15'48" WEST, 767.58 FEET TO THE POINT OF BEGINNING.

THERE SHALL BE NO RIGHT OR EASEMENT OF ACCESS TO STATE ROUTE 143 (HOHOKAM FREEWAY) OR TO WASHINGTON STREET, PROVIDED HOWEVER, THAT ACCESS SHALL BE PERMITTED TO SAID WASHINGTON STREET WEST OF THE AFORESAID POINT "A".

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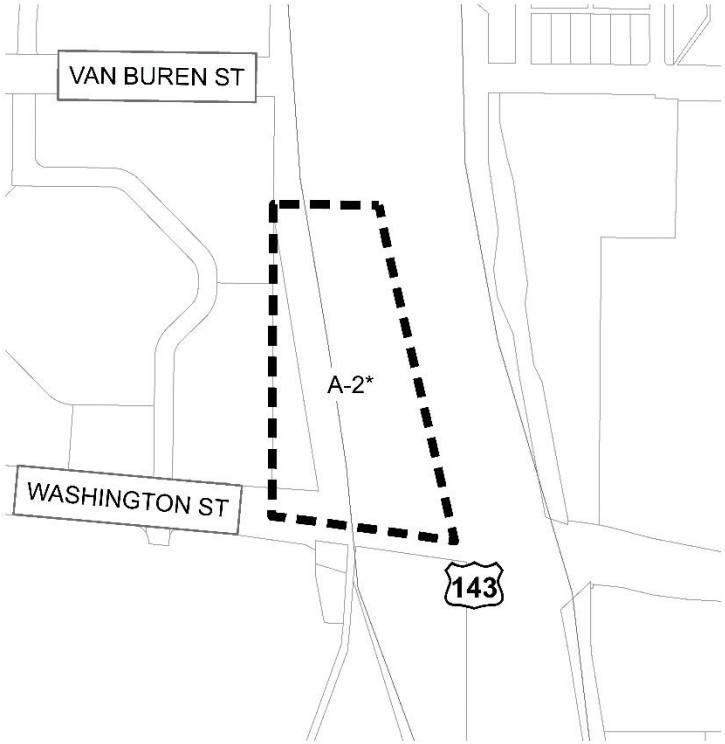
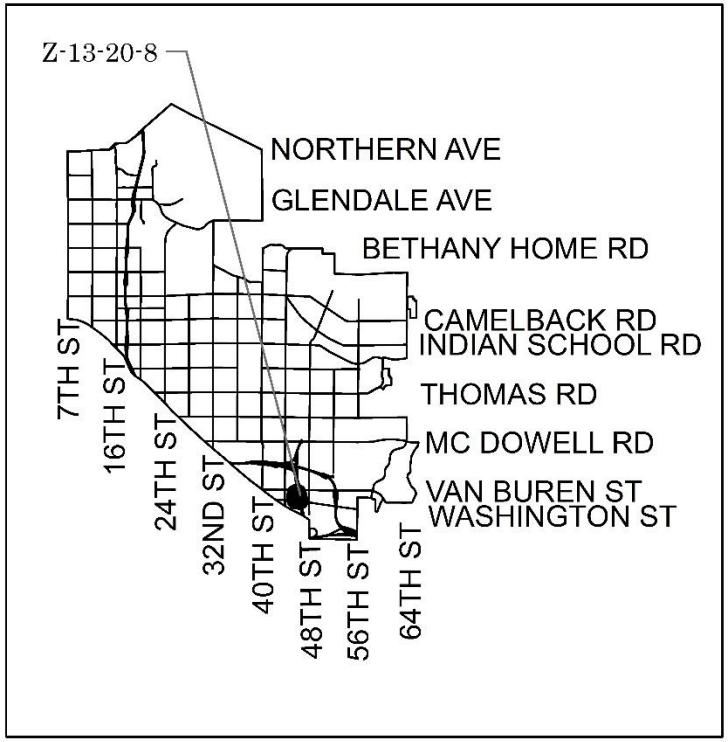
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-13-20-8
Zoning Overlay: N/A
Planning Village: Camelback East





NOT TO SCALE

N

Drawn Date: 2/10/2021

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Attachment A

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-13-20-8
December 30, 2020

Camelback East Village Planning Committee Meeting Date:	December 1, 2020
Planning Commission Hearing Date:	January 7, 2021
Request From:	A-2 TOD-1 (Industrial District, Interim Transit-Oriented Zoning Overlay District One) (1.75 acres)
Request To:	A-2 (Industrial District) (1.75 acres)
Proposed Use:	Removal of the TOD-1 zoning overlay
Location:	Northwest corner of State Route 143 and Washington Street
Owner:	Werner L. Schlecht Trust
Applicant/Representative	William E. Lally, Tiffany & Bosco, PA
Staff Recommendation:	Denial. In the event of an approval action, mitigating stipulations are recommended.

General Plan Conformity			
General Plan Land Use Map Designation		Mixed Use/Camelback East Village Core	
Street Map Classification	Washington Street	Major Arterial with Light Rail Transit	50-foot north half street
	State Route 143	Freeway	Approximately 315-foot west half

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The proposed removal of the TOD-1 overlay on the site opens up the possibility of several intense uses which are not compatible with the type of development desired along the light rail line. The uses that are prohibited by the overlay include auto-oriented and bulk exterior storage uses, as well as others that do not promote the

walkable environment desired within close proximity to the light rail line.

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; MANUFACTURING & INDUSTRIAL DEVELOPMENT; LAND USE PRINCIPLE: Support the expansion of industrial zoning in targeted industrial areas.

Although the City of Phoenix General Plan encourages the expansion of industrial zoning in certain areas, the light rail corridor is not an intended industrial area. Development along this corridor should incorporate a mix of uses and promote a pedestrian-friendly environment, which the overlay district achieves.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; HEALTHY NEIGHBORHOODS; DESIGN PRINCIPLE: Establish design standards and guidelines for parking lots and structures, setback and buildto lines, blank wall space, shade, and other elements affecting pedestrians, to encourage pedestrian activity and identify options for providing pedestrian-oriented design in different types of development.

Removing the TOD-1 overlay from this site will remove standards designed to ensure the development of a pedestrian-friendly environment, including maximum building setbacks, wider sidewalks, frontage activation, and enhanced shade standards.

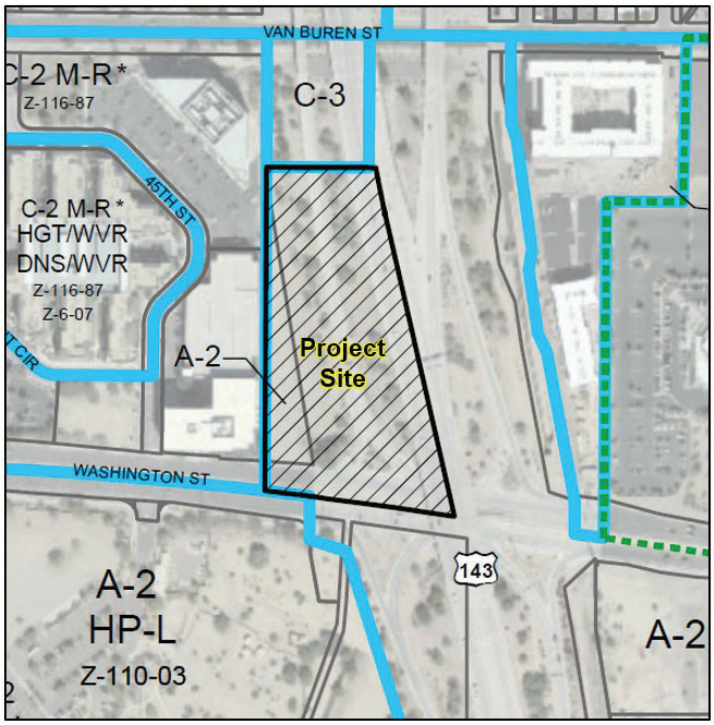
Applicable Plans, Overlays and Initiatives
Interim Transit-Oriented Zoning Overlay District – See Background Item No. 4.
44th Street Corridor Specific Plan – See Background Item No. 12.
Gateway TOD Policy Plan – See Background Item No. 13.
Complete Streets Guiding Principles – See Background Item No. 14.
Tree and Shade Master Plan – See Background Item No. 15.
Reimagine Phoenix – See Background Item No. 16.

Surrounding Land Uses/Zoning		
	Land Use	**Zoning**
On Site	Vacant lot	A-2 TOD-1
North	Freeway landscape area	C-3 TOD-1
South	Pueblo Grande Museum	A-2 HP-L
East	State Route 143 freeway, multifamily residential	A-2, PUD
West	Office park, multifamily residential	C-2 M-R, C-2 M-R HGT/WVR DNS/WVR TOD-1

A-2 (Industrial District)		*if variance required
Standards	**Requirements**	**Proposed Site Plan**
Gross Acreage	-	1.75
Maximum Density (du/ac)	N/A	N/A
Maximum Building Height	56-foot maximum, up to 80 feet allowed with a use permit	Not shown on site plan
Minimum lot width	N/A	N/A
Minimum Building Setbacks	Washington Street: 25 feet Rear and sides: None	Not shown on site plan
Lot Coverage	N/A	Not shown on site plan
Common Areas	N/A	Not shown on site plan

Background/Issues/Analysis

1. This is a request to rezone a 1.75-acre site located on the northwest corner of State Route 143 (SR-143) and Washington Street from A-2 TOD-1 (Industrial District, Interim Transit-Oriented Zoning Overlay District One) to A-2 (Industrial District) to remove the Interim Transit-Oriented Zoning Overlay to allow development of the site per A-2 standards. The vacant site is directly adjacent to the SR-143 freeway to the east, a corporate office park with multifamily residential to the west and is across the street from the Pueblo Grande Museum. Directly to the north and east of the site are freeway landscape areas.



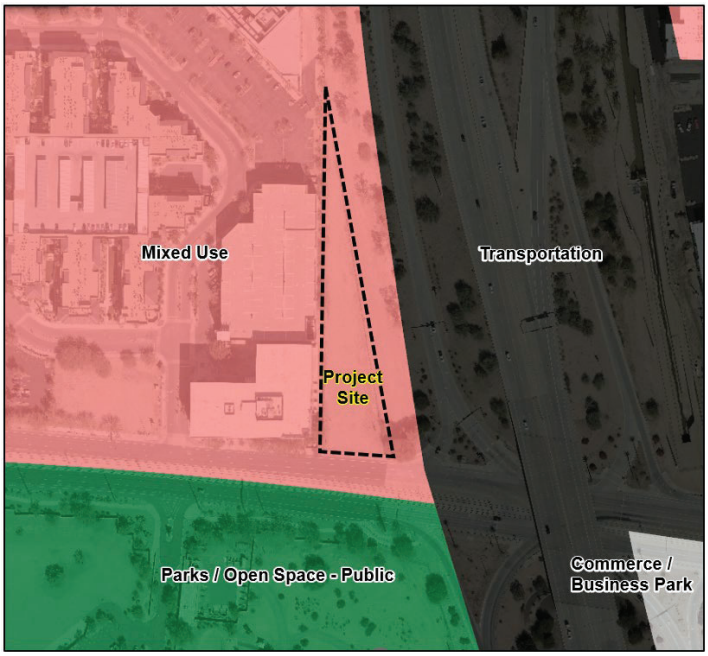
Source: City of Phoenix Planning and Development Department

This request has a companion Text Amendment (Z-TA-6-20), which proposes to amend Section 662.B. (Interim Transit-Oriented Zoning Overlay District One) of the Phoenix Zoning Ordinance to remove the subject property from the TOD-1 Overlay District.

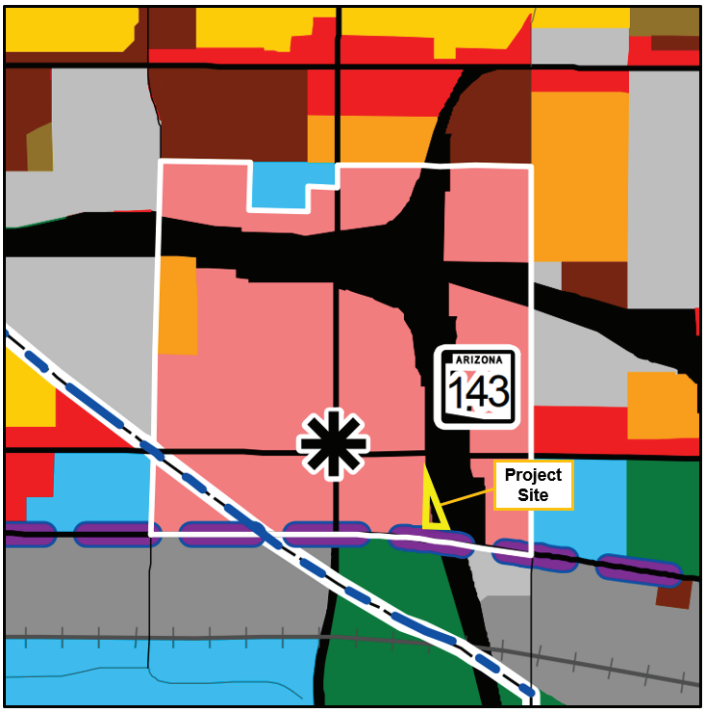
2. The site has a General Plan Land Use Map designation of Mixed Use. This same designation is present to the north and west of the site. To the east of the site is the Transportation designation along the SR-143 freeway and, to the south of the site, is Parks / Open Space – Public designation, where the Pueblo Grande Museum is located.

   Several of the uses permitted in the A-2 district are not consistent with the Mixed Use designation. However, a General Plan amendment is not needed as the site is less than 10 gross acres in size.

   The site is also located within the boundaries of a Village Primary Core, as shown on the General Plan Land Use Map. Village Cores are intended to be the clearly identifiable central focus for the village with pedestrian-oriented mix of land uses. The TOD-1 overlay provides standards that are consistent with this intent.



Source: City of Phoenix Planning and Development Department



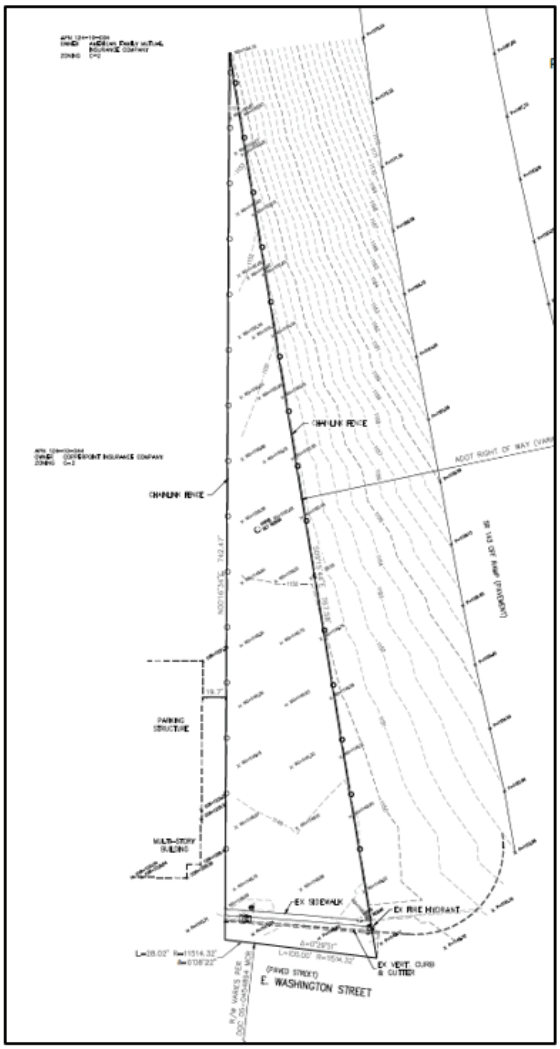
Source: City of Phoenix Planning and Development Department

3. The proposed site plan does not depict any development on the site, nor does the project narrative call out a specific use for the property. The primary intent of this rezoning request, per the applicant's narrative, is to "allow the property owner to maximize the property's value."

   Given the size and shape of this property, any proposed development under the A-2 development standards would likely require several variance requests through the Zoning Adjustment hearing process.

   Further, there is no access to the site depicted on the site plan. With its proximity to the freeway off-ramp, the Arizona Department of Transportation has commented that it will not permit a new driveway to be constructed at this location.

   Staff recommends denial of the request but does acknowledge that the site's location, dimensions and limited access points, are challenges for its development as standalone parcel. Removal of the Overlay will provide some flexibility for the property owner to pursue redevelopment options.



Source: Bowman Consulting

4. The property is located within the boundaries of the TOD-1 overlay district (Interim Transit-Oriented Zoning Overlay District One), which is intended to encourage an appropriate mixture and density of activity around transit stations to increase ridership along the Central Phoenix/East Valley Light Rail Corridor and promote alternative modes of transportation to the automobile. The secondary purpose of the TOD-1 is to decrease auto-dependency and mitigate the effects of congestion and pollution. This request proposes to remove this overlay district, which will effectively remove all of the development standards that provide for a pedestrian-friendly environment and encourage a mix of uses on sites adjacent to the light rail. The following background items are in relation to staff's recommended stipulations in the event of an approval action for this case. The stipuations are deisgned to provide the streetscape and pedestrian improvements envisioned in the TOD overlay.

5. Due to the unknown nature of the envisioned development for the site, staff is recommending that any proposed conceptual site plan and elevations be reviewed by the Planning Hearing Officer through a public hearing process, per Stipulation No. 1. This will allow the community to be involved in any potential development of the site, as no specific development plans are proposed with this entitlement case.

6. The proposed removal of the TOD-1 overlay will result in the loss of many development standards that are intended to provide an enhanced pedestrian environment. To ensure that pedestrian activity continues to be encouraged along the light rail line, staff is recommending that a minimum eight-foot-wide sidewalk be provided along Washington Street, with a minimum 10-foot wide landscape strip between the sidewalk and the back of curb. To further ensure a pedestrian friendly environment, staff is recommending that a minimum of 75 percent of the sidewalk be shaded, and that the landscape area between the sidewalk and back of curb be planted with robust landscaping. These are addressed in Stipulation Nos. 3, 4, and 5.

7. The site is located approximately 1,200 feet from the nearest light rail station. Per the standards set forth in the TOD-1 overlay, this site should have a maximum front yard setback of 12 feet to provide for an activated street frontage. The removal of this overlay will revert setback standards back to the underlying A-2 district, which calls for a minimum 25-foot front yard setback, moving any potential active uses away from the street.

   An active street frontage with buildings close to the street will not be possible under the A-2 district. Therefore, staff is recommending that the landscape setback within this front yard setback area be planted with large-canopy trees. This will help provide a more pedestrian-friendly environment as shade from tree canopies will be provided for those walking or biking along the light rail corridor. This is addressed in Stipulation No. 6.

8. The streetscape development and landscape standards are intended to mitigate the impact of a heavy industrial zoning district and its associated uses on the pedestrian realm. To ensure that these protective standards are upheld, staff is recommending that all streetscape landscaping be planted prior to the issuance of any permits, per Stipulation No. 2. This includes applications for sign permits.

9. A key element of creating a pedestrian-friendly environment is ensuring that individuals feel safe when walking along city streets. This site is located in close proximity to a freeway overpass to the east, which creates safety concerns for pedestrians. To provide individuals with a sense of security when walking this stretch of Washington Street, staff is recommending that pedestrian-scale lighting be provided in the form of bollard lights, along the sidewalk. This is addressed in Stipulation No. 7.

10. The site is located along the light rail line and in close proximity to the light rail station at

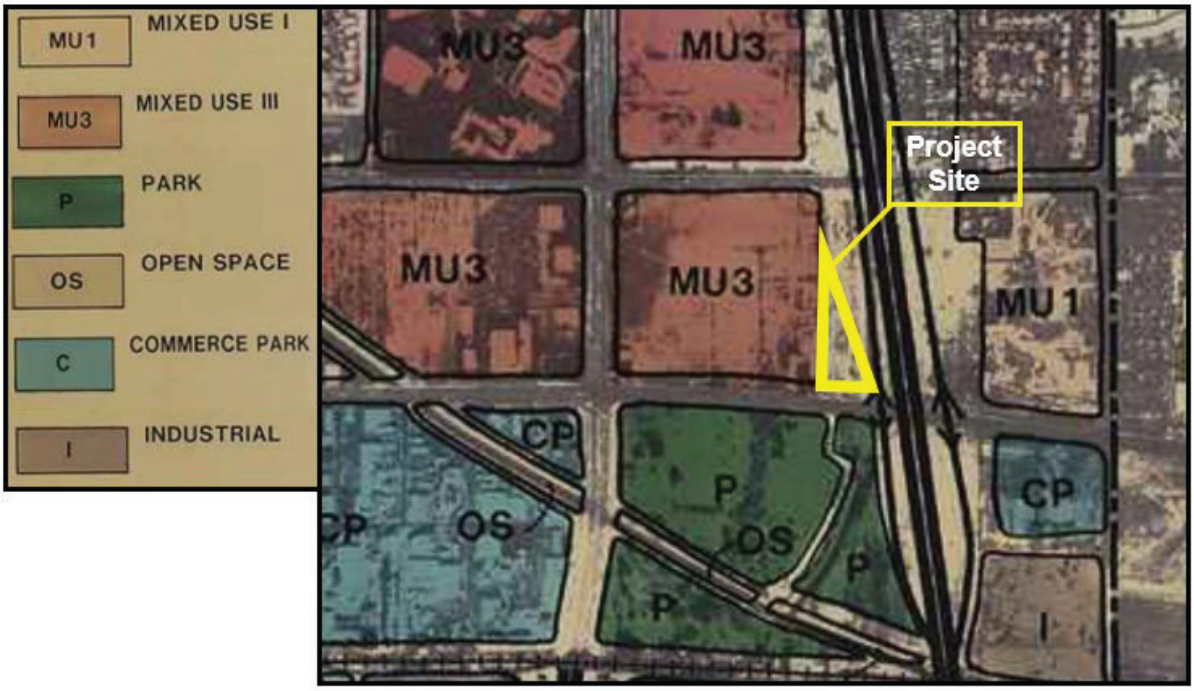
44th Street and Washington Street This is an area where multi-modal transportation methods are encouraged, as there are also bus lines that run on Washington Street, as well as bike lanes on both sides of the street. As such, staff is recommending that a bicycle repair station be provided in close proximity to the sidewalk to serve individuals who choose to travel by bike, per Stipulation No. 8.

11. Should the TOD-1 overlay be removed from this site, all A-2 uses restricted by the overlay will be permitted on the site. One such use is outdoor storage. To reduce the impact of potential outdoor storage on the pedestrian environment, staff is recommending that outdoor storage be completely screened by a decorative wall. This is addressed in Stipulation No. 9.

PLANS, OVERLAYS & INITIATIVES

12. **44th Street Corridor Specific Plan**

The site is located within the boundaries of the 44th Street Corridor Specific Plan. Completed in 1991, this Plan established a framework to provide compatibility for new development within the corridor. Although this specific parcel is not called out in the plan, it is directly adjacent to properties that are designated as MU3 (Mixed Use 3). The MU3 designation envisions land uses such as multifamily residential, retail, office, and hotels. To the south are properties designated as P/OS (Park and Open Space), which include public land developed as park with improved landscape areas, active and passive recreational facilities and public gathering functions. To the east, on the other side of the SR 143 freeway, are properties designated as MU1 (Mixed Use 1), which is lower in intensity than MU3, and includes land uses such as multifamily residential, single-family residential, and public/quasi-public uses.

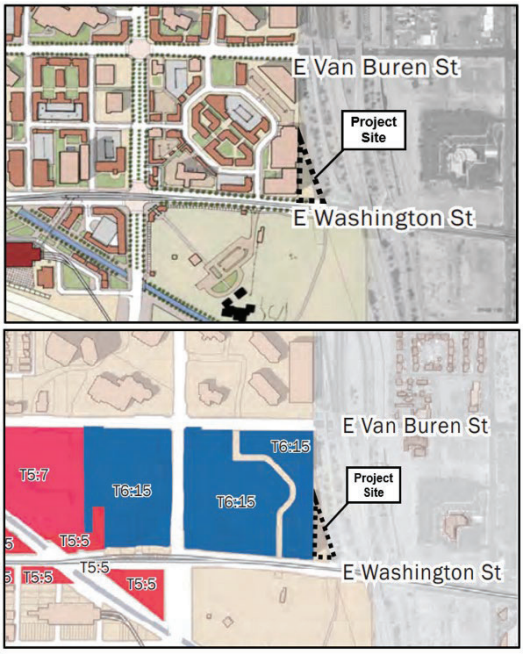


Source: City of Phoenix Planning and Development Department

13. **Gateway TOD (Transit-Oriented Development) Policy Plan**

The site is located within the Gateway TOD District, the boundaries for which are the Union Pacific Railroad on the south, Loop 202 on the north, Interstate 10 on the west and SR-143 on the east. The policy plan adopted for the Gateway TOD District provides a blueprint for fully achieving the transformative potential of light rail in a sustainable manner. Changes advocated in the plan can lower transportation costs for residents, create new business opportunities, encourage active, healthy lifestyles, ensure Phoenix increases its competitive advantage in the global marketplace, and improve prosperity by growing the economy in locations with existing infrastructure and public services. In order to realize the implementation of the Vision and Master Plan for the Gateway TOD District, one key recommendation is the implementation of a form-based zoning code. The standards within the TOD-1 overlay district are similar to many streetscape standards found within the Walkable Urban Code.

The site lies on the eastern edge of the policy plan and has not been given a specific master development vision or a desired Walkable Urban Code Transect District. However, this site is within 1,200 feet of the nearest light rail station on 44th Street and Washington Street, and should be held to the same standards that have been outlined for the properties that are located within a 10-minute walking radius around light rail stations.



Source: City of Phoenix Planning and Development Department

14. **Complete Streets Guiding Principles**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. To support these principles related to pedestrian connectivity and safety, staff is recommending that an eight-foot wide detached sidewalk be provided along Washington Street, that bollard path lights be provided along this sidewalk, and that a bicycle repair station be installed in close proximity to the right-of-way. These are addressed in Stipulation Nos. 3, 7, and 8.

15. **Tree and Shade Master Plan**
The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. By investing in trees and the urban forest, the city can reduce its carbon footprint, decrease energy costs, reduce storm water runoff, increase biodiversity, address the urban heat island effect, clean the air, and increase property values. In addition, trees can help to create walkable streets and vibrant pedestrian places. To support the City's urban forestry efforts, staff is recommending that the applicant provide robust landscaping within the landscape area between the sidewalk and back of curb, as well as within the landscape setback along Washington Street, to provide a minimum of 75 percent shade along the public sidewalk. Further, staff is recommending that the landscaping be planted before the issuance of any permits to ensure that trees and shade are provided regardless of the type of development on the site. These recommendations are addressed in Stipulation Nos. 2, 4, 5, and 6.

16. **Reimagine Phoenix**
As part of the Reimagine Phoenix initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. This request does not propose any specific use on the site, and thus does not address how it will manage its trash and recycling waste.

COMMUNITY INPUT SUMMARY

17. At the time this staff report was written, staff has received one letter from a neighboring property owner citing concerns with traffic generation on this site.

INTERDEPARTMENTAL COMMENTS

18. The Street Transportation Department does not support the removal of the TOD overlay as the request does not support or align with the City Council approved Complete Streets Guidelines adjacent to transit. This department has also stated that development of the site should continue to meet the minimum 75 percent shade standard for public sidewalks, per Stipulation No. 4, and has required that all streets are constructed with all required elements and in compliance with ADA standards, which is addressed in Stipulation No. 10.

19. The site is located within the noise contour area of Phoenix Sky Harbor International Airport and will be subject to overflights of aircraft operating at the airport and that flight tracks and traffic patterns may extend several miles beyond the airport boundary. A Notice to Purchasers will be required that discloses the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property. Further, due to the close proximity of the site to the airport, the developer shall be required to provide documentation prior to final site plan approval that the development has received a "No Hazard Determination" from the Federal Aviation Administration. These requirements are addressed in Stipulation Nos. 11 and 12.

20. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation Nos. 13, 14 and 15.

OTHER

21. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required

Findings

1. The site's location, dimensions and limited access points are challenges for its development as a standalone parcel. Removal of the Overlay would provide some flexibility for the property owner to pursue redevelopment options.

2. Several of the uses permitted in the A-2 district are not consistent with the Mixed Use General Plan Land Use Map designation.

3. The development standards of the A-2 district are not conducive to a pedestrian-friendly environment, which should be the goal of new developments along the light rail corridor.

4. The uses prohibited by the TOD-1 overlay are all permitted by right in the underlying zoning district. These uses are not compatible with transit-oriented development and should continue to be discouraged along the light rail line.

Stipulations, in the event of an approval action

1. Conceptual site plan and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.

2. The below stipulated streetscape landscaping standards must be planted prior to the

issuance of any permits.

3. The sidewalk along Washington Street shall be a minimum of eight feet wide and shall be detached with a minimum 10-foot-wide landscaped strip between the sidewalk and the back of curb, as approved by the Planning and Development Department. A sidewalk easement shall be dedicated as necessary.

4. A minimum of 75 percent of the sidewalk shall be shaded.

5. The 10-foot-wide continuous landscape area located between the sidewalk and back of curb shall include minimum 3-inch caliper, large canopy single-trunk shade trees (limbed-up a minimum of 10-feet clear from finish grade), planted 20 feet on center or in equivalent groupings, and minimum 5-gallon shrubs with a maximum mature height of 2-feet providing 75 percent live cover, as approved by the Planning and Development Department.

6. The required landscape setback adjacent to the southern property line shall be planted to the following minimum standards, as approved by the Planning and Development Department:

    a. Twenty-five percent 3-inch caliper large-canopy trees and 75 percent 4-inch caliper large-canopy trees, planted 20 feet on-center or in equivalent groupings;
    b. Five 5-gallon shrubs per tree, and additional shrubs or live groundcover, shall be provided to a minimum seventy-five percent live cover at mature size.

7. Bollard path lights shall be provided every ten feet along the public sidewalk on Washington Street, as approved by the Planning and Development Department.

8. A bicycle repair station (“fix it station”) shall be provided on the site, in close proximity to the public sidewalk. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.

9. All outdoor storage shall be completely screened with a decorative wall, as approved by the Planning and Development Department.

10. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

11. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

12. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

13. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

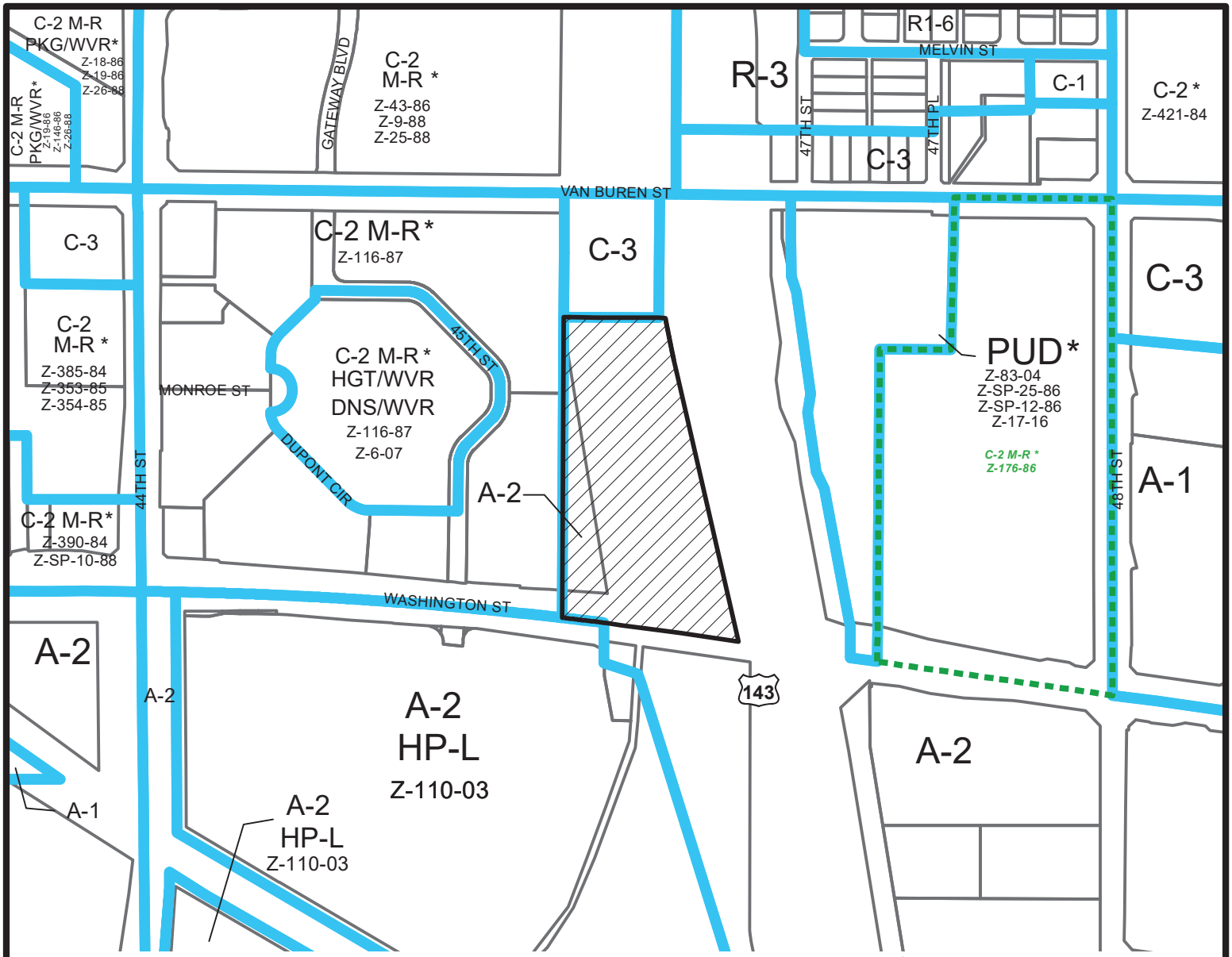
14. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Writer
Sofia Mastikhina
December 30, 2020

Team Leader
Samantha Keating

Exhibits
Sketch Map
Aerial
Community Correspondence (7 pages)
Site plan date stamped March 13, 2020



Miles

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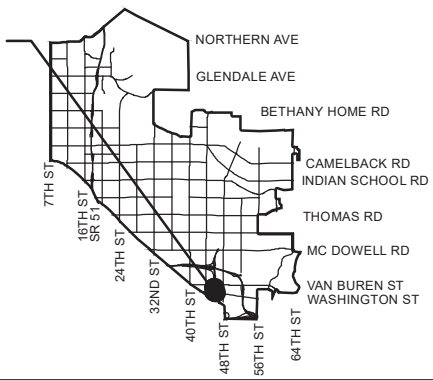
CAMELBACK EAST VILLAGE

CITY COUNCIL DISTRICT: 8

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Z-13-20



APPLICANT'S NAME: William E. Lally, Tiffany & Bosco, PA

REQUESTED CHANGE:

FROM: A-2 TOD-1 (1.75 a.c.)

TO: A-2 (1.75 a.c.)

APPLICATION NO. Z-13-20

DATE: 7/28/2020

REVISION DATES:

GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.

1.75 Acres

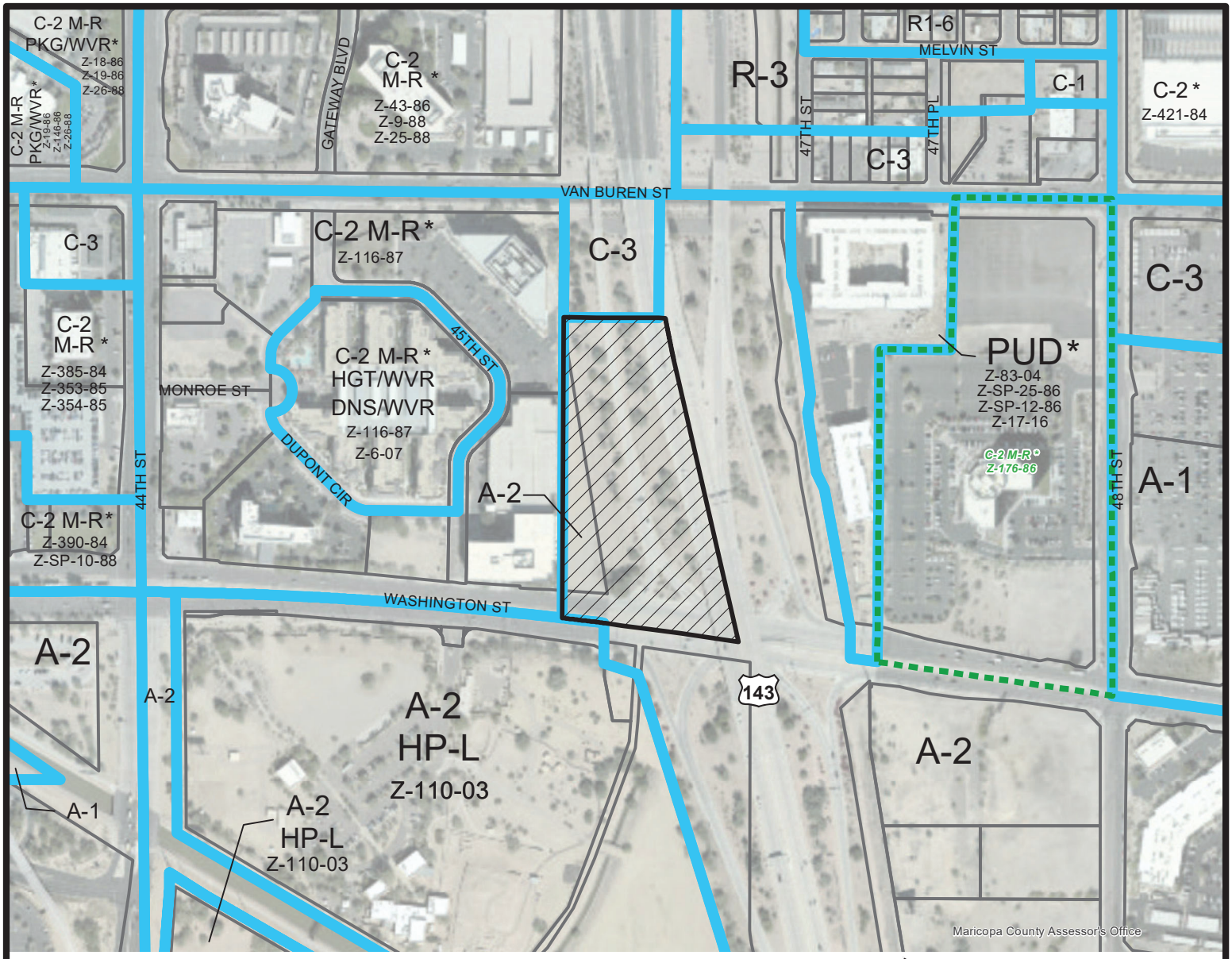
AERIAL PHOTO & QUARTER SEC. NO.: QS 10-38

ZONING MAP: F-11

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
A-2 TOD-1	N/A	N/A
A-2	N/A	N/A

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

Document Path: S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\sketch_maps\2020\Z-13-20.mxd



Miles

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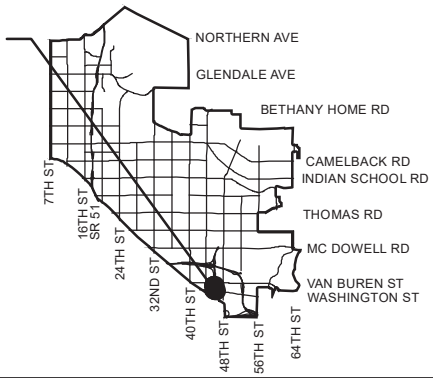
CAMELBACK EAST VILLAGE

CITY COUNCIL DISTRICT: 8

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Z-13-20



APPLICANT'S NAME:	William E. Lally, Tiffany & Bosco, PA
APPLICATION NO.	Z-13-20
DATE:	7/28/2020
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GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	1.75 Acres
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REQUESTED CHANGE:

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A-2 TOD-1	N/A	N/A
A-2	N/A	N/A

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

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Sofia Mastikhina

From: Begley, Sara <SBegley@copperpoint.com>
Sent: Monday, August 17, 2020 4:34 PM
To: wel@tblaw.com; Sofia Mastikhina
Subject: Request to rezone 143 & Washington
Attachments: NWC Washington St and SR-143 TS.pdf; 0734_001.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Lally and Ms. Mastikhina,

We are in receipt of Mr. Lally's correspondence regarding the requested rezoning of the parcel located at 143 & Washington. CopperPoint Insurance Company owns the building at 4600 E. Washington St., directly west of the subject parcel. Attached please find a traffic study commissioned in 2009 when there was a proposed development of that parcel. The engineer concluded that given the location of the parcel, there can be no safe access to the parcel :

> Based on all of the previously presented information, it is the opinion of CivTech tl efficient, and reasonably convenient access to the subject parcel cannot be obtaine the limiting site characteristics and traffic design elements. In addition, an drivew the site frontage would not meet the recommended criteria per ITE *Transportation a Development*.

We are concerned for the safety of the public and our tenants and guests entering and exiting 4600 E. Washington and urge you to consider the attached report as you evaluate the re-zoning request.

Sincerely,

Sara M. Begley
EVP, General Counsel & Chief Compliance Officer
T: 602.631.2136 | C: 602.751-3228

CopperPoint Insurance Companies
[copperpoint.com]

3030 N 3rd Street | Phoenix, AZ 85012
copperpoint.com [copperpoint.com] | f [facebook.com] | t [twitter.com] | in [linkedin.com]

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CivTech

August 31, 2009

Mike Curley
Earl, Curley, & Lagarde, P.C.
3101 North Central Avenue
Suite 1000
Phoenix, Arizona 85012

RE: NWC of Washington Street and State Route 143 Traffic Statement

Dear Mr. Curley:

CivTech has been retained to analyze the potential traffic impacts of a five story, 54,000 square foot, office development proposed to be located on the northwest corner of Washington Street and State Route 143 (SR-143) in Phoenix, Arizona.

The purpose of this traffic statement is to address adjacent development questions and concerns. The specific objectives of this traffic statement are to:

- Determine the trip generation potential of the development;
- Discuss travel routes to/from the subject parcel;
- Discuss potential driveway locations and requirements; and,
- Determine the level of development that could work from a traffic perspective.

TRIP GENERATION

The potential trip generation for the site was estimated utilizing equations developed by the Institute of Transportation Engineers (ITE) provided in *Trip Generation, 8th Edition*. **Table 1** summarizes the trip generation potential of the 54,000 square foot office. Detailed trip generation calculations are included as an **Attachment**.

Table 1: Trip Generation Potential of the 54,000 Square Foot Office

Land Use	ITE Land Use Code	Size	Units	Weekday Trips Generated						
				Daily Total	AM Peak Hour			PM Peak Hour		
					Enter	Exit	Total	Enter	Exit	Total
General Office	710	54,000	SF	832	101	14	115	24	116	140

The results of the trip generation summarized in **Table 1** reveal that the 54,000 square foot office could generate as many as 832 daily trips, with 115 trips occurring during the AM peak hour and 140 trips occurring during the PM peak hour.

EXISTING CONDITIONS

The subject property occupies approximately one acre, and is bordered by Washington Street to the south and the southbound off-ramp of SR-143 to the east and north. An existing office development, Washington Corporate Center, occupies the site immediately to the west of the subject parcel.

Washington Street is an east-west roadway located along the southern boundary of the site. Within the study area, Washington Street provides three travel lanes in each direction separated by a raised center median. The light rail exists in the median of Washington Street adjacent to the subject property. Per the City of Phoenix *Major Traffic Flow 2005 Average Weekday Traffic Map* Washington Street near SR-143 carries approximately 30,900 vehicles per day.

ACCESS TO THE SUBJECT PROPERTY

Access to/from the subject property would only be available from/to westbound Washington Street. Accessing the site driveway from other directions will be somewhat circuitous, as will exiting the site being destined to the north, south, and/or east.

Site patrons arriving to the site from eastbound Washington Street will need to travel past the site, and make a U-turn at SR-143 to access the site driveway.

The easiest way for site patrons arriving from the north to access the site, is to travel southbound on SR-143, and turn right onto Washington Street to access the site driveway.

Site patrons arriving to the site from the south will likely travel northbound on SR-143, and turn left onto Washington Street. From northbound 44th Street, site patrons would need to turn right onto Washington Street, and make a U-turn at SR-143 to access the site driveway.

Site patrons leaving the site destined to the east will need to travel westbound on Washington Street, and make a U-turn at 44th Street to travel to the east.

Site patrons leaving the site destined to the north will need to travel westbound on Washington Street, and make a right-turn at 44th Street to travel to the north. Another option would be to travel westbound on Washington Street, make a U-turn at 44th Street, and make a left-turn at SR-143 to travel to the north.

Site patrons leaving the site destined to the south will need to travel westbound on Washington Street, and make a left-turn at 44th Street to travel to the south on SR-153. Another option would be to travel westbound on Washington Street, make a U-turn at 44th Street, and make a right-turn at SR-143 to travel to the south.

SUBJECT PROPERTY DRIVEWAY

ADOT Access Control

The site has approximately 125 feet of frontage along Washington Street. The subject parcel has no other street frontage. The site frontage along Washington Street falls within the Arizona Department of Transportation (ADOT) access control, as the full access control typically extends along the crossroad a minimum of 300 feet beyond the end of the ramp radius return. Per the ADOT *Roadway Design Guidelines* (January 2007), if the 300 foot minimum is not practical to obtain, as much distance as practical should be obtained, however, an absolute

minimum of 100 feet should be obtained and any access provided within the remaining distance to 300 feet should be accessed only by right-in/right-out traffic. Based on the ADOT access control policy, any site access point would be limited to a right-in/right-out only driveway, and would need to be located on the western half of the site frontage.

Driveway Corner Clearance
The distance between adjacent driveways and intersections must be adequate to allow driveway vehicles to safely queue, accelerate, decelerate, and cross conflicting traffic streams without excessive interference with through traffic, or traffic using the adjacent intersection. Per the ITE *Transportation and Land Development*, the minimum distance downstream from a signalized intersection to a right-in/right-out access is 230 feet. No driveway anywhere along the site frontage will meet this criterion.

Deceleration Lane
Right-turn deceleration lanes are typically required when the outside lane has an expected volume of greater than 250 vehicles per hour and the right-turn volumes is greater than 55 vehicles per hour. Assuming a right-in/right-out driveway along Washington Street is permitted to allow access to the subject property, 101 vehicles would be expected to enter the development during the AM peak hour. This would satisfy the above stated criterion; therefore, a westbound right-turn deceleration lane would be recommended.

ADOT requires a minimum 100 feet storage length for turn lanes; however, a standard right-turn deceleration lane cannot be accommodated at this location due to the configuration of the southbound SR-143 off-ramp at Washington Street. Even if the site driveway is located as far to the west of the property as possible, and a minimal transition length is used, there is only approximately 40-50 feet of storage available for the westbound right-turn lane.

Based on all of the previously presented information, it is the opinion of CivTech that safe, efficient, and reasonably convenient access to the subject parcel cannot be obtained due to the limiting site characteristics and traffic design elements.

ALTERNATIVE DEVELOPMENT SCENARIO

An alternative calculation was conducted to determine the level of development that could work from a traffic perspective for the subject site. Because a right-turn deceleration lane cannot be accommodated at the site driveway, and a right-turn deceleration lane is warranted when the right-turn volume is greater than 55 vehicles per hour, 55 vehicles entering the development in the peak hour was used as the limiting factor. The alternative development scenario trip generation potential was estimated utilizing equations developed by ITE in the *Trip Generation, 8th Edition*. To achieve less than 55 vehicles entering during the peak hour, it was determined that the office development would need to be reduced to 45 percent of the original square footage. This would result in a 24,300 square foot office building. The potential trip generation for the 24,300 square foot office building is summarized in **Table 2**. Detailed trip generation calculations are included as an **Attachment**.

Table 2: Trip Generation Potential of the 24,300 Square Foot Office

Land Use	ITE Land Use Code	Size	Units	Weekday Trips Generated						
				Daily Total	AM Peak Hour			PM Peak Hour		
					Enter	Exit	Total	Enter	Exit	Total
General Office	710	24,300	SF	450	54	7	61	18	89	107

The results of this trip generation reveal that the reduced 24,300 square foot office could generate as many as 450 daily trips, with 61 trips occurring during the AM peak hour and 107 trips occurring during the PM peak hour. The results of the alternative development scenario trip generation summarized in **Table 2** also reveal that the number of vehicles entering the development in the AM peak hour falls just under the threshold volume (55 vehicles per hour) warranting a right-turn deceleration lane.

CONCLUSIONS

From the above, the following has been concluded.

- The results of the trip generation calculations reveal that if the proposed 54,000 square foot office could generate as many as 832 daily trips, with 115 trips occurring during the AM peak hour and 140 trips occurring during the PM peak hour.
- Access to/from the subject property will only be available from/to westbound Washington Street. Accessing the site driveway from other directions will be somewhat circuitous, as will exiting the site being destined to the north, south, and/or east.
- Based on the ADOT access control policy, any site access point would be limited to a right-in/right-out only driveway, and would need to be located on the western half of the site's 125 foot frontage along Washington Street.
- No driveway anywhere along the site frontage will meet the minimum distance requirement of 230 feet downstream from a signalized intersection to a right-in/right-out driveway.
- Assuming a right-in/right-out driveway along Washington Street is permitted to allow access to the subject property, a westbound right-turn deceleration lane, with a minimum 100 feet storage length, would be recommended.
- Even if the site driveway is located as far to the west of the property as possible, and a minimal transition is used, there is likely only approximately 40-50 feet of storage available for the westbound right-turn lane.
- Based on all of the previously presented information, it is the opinion of CivTech that safe, efficient, and reasonably convenient access to the subject parcel cannot be obtained due to the limiting site characteristics and traffic design elements. In addition, an driveway along the site frontage would not meet the recommended criteria per ITE *Transportation and Land Development*.
- It was determined that the office development would need to be reduced to 45 percent of the original square footage (to 24,300 square feet), in order to keep the number of vehicles entering the development in the AM peak hour under the threshold volume (55 vehicles per hour) warranting a right-turn deceleration lane.

In closing, this traffic statement has been prepared to address adjacent development questions and concerns and to allow the adjacent development to understand the traffic impacts of the proposed development. Should you wish to discuss this information further, please contact me at (480) 659-4250.

Sincerely,

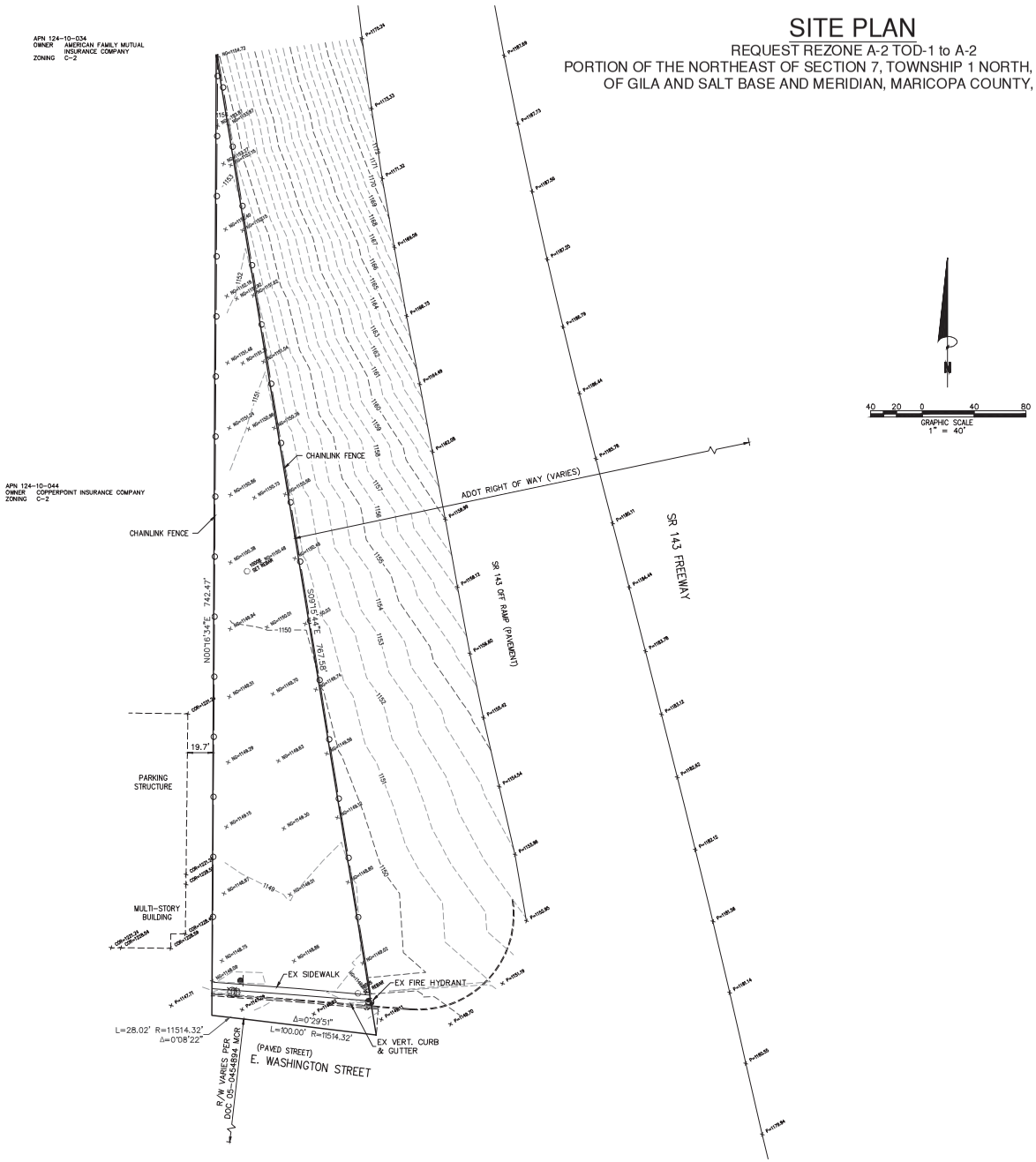
CivTech Inc.

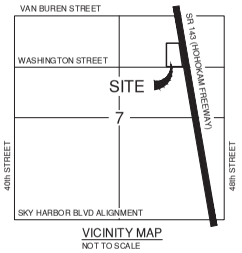
Dana L. Chamberlin, P.E., PTOE
Project Manager/Traffic Engineer

Attachments

SITE PLAN

REQUEST REZONE A-2 TOD-1 to A-2
PORTION OF THE NORTHEAST OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 4 EAST
OF GILA AND SALT BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA





VICINITY MAP
NOT TO SCALE

LEGAL DESCRIPTION

RECORDED DEED 98-0167839

THAT PART OF THE NORTHWEST QUARTER OF THE NORTHEAST OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 4 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 7, SAID CORNER BEING A BRASS CAP IN A HANDHOLE;
THENCE SOUTH 89°23'30" EAST ALONG THE NORTH LINE OF SAID SECTION 7, 1167.63 FEET;
THENCE SOUTH 00%3'6"30" WEST 40.00 FEET TO THE EXISTING SOUTH RIGHT OF WAY LINE OF VAN BUREN STREET;
THENCE SOUTH 00°16'30" WEST 339.09 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING SOUTH 00°16'30" WEST 742.47 FET TO THE NORTHERLY RIGHT OF WAY LINE OF WASHINGTON STREET;
THENCE FROM A LOCAL TANGENT BEARING OF SOUTH 83°32'20" EAST, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 11514.32 FEET, A DISTANCE OF 28.02 FEET TO A POINT THEREAFTER REFERRED TO AS POINT "A";
THENCE CONTINUING ALONG SAID CURVE A DISTANCE 100.00 FEET;
THENCE NORTH 09°15'48" WEST, 767.58 FEET TO THE POINT OF BEGINNING.

THERE SHALL BE NO RIGHT OR EASEMENT OF ACCESS TO STATE ROUTE 143 (HOHOKAM FREEWAY) OR TO WASHINGTON STREET, PROVIDED HOWEVER, THAT ACCESS SHALL BE PERMITTED TO SAID WASHINGTON STREET WEST OF THE AFORESAID POINT "A".

PROJECT DESCRIPTION

REZONE FROM A-2 TOD-1 TO A-2

OWNER

SCHLECHT WERNER L/BACH THUOC
8151 N CHALRES DRIVE
PARADISE VALLEY ARIZONA 85253

ENGINEER

BOWMAN CONSULTING
1295 W. WASHINGTON, STE 108
TEMPE, ARIZONA 85281
PHONE: (480) 629-8830
CONTACT: PAUL SANCHEZ

SITE DATA

PARCEL ADDRESS	SR 143 AND E. WASHINGTON STREET PHOENIX, AZ 85034
ASSESSOR PARCEL	124-10-004C
GROSS AREA	47,219 sf (1.08 acres)
NET AREA	43,782 SF (1.01 acres)
EXISTING ZONING & LAND USE	A-2

LEGEND

PROPERTY LINE	
SECTION LINE	
EASEMENT LINE	
CENTER LINE	
RIGHT OF WAY LINE	
BRASS CAP IN HANDHOLE	
REBAR AS NOTED	
BRASS CAP AS NOTED	
RIGHT OF WAY	R/W

CITY OF PHOENIX
MAR 13 2020
Planning & Development Department

TRACKING #
PROJECT (KIVA) #

Call at least two full working days before you begin excavation.
ARIZONA 811
Arizona Blue Stake, Inc.
Dial 8-1-1 or 1-800-STAKE-IT (782-5348)
In Maricopa County (602) 263-1100

Bowman CONSULTING

Bowman Consulting Group, Ltd.
1295 West Washington Ste 108
Tempe, Arizona 85281

Phone: (480) 629-8830

www.bowmanconsulting.com
© Bowman Consulting Group, Ltd.

SITE PLAN
NWC SR 143 AND WASHINGTON STREET
PHOENIX, ARIZONA
MARICOPA COUNTY

PROJECT NUMBER

PLAN STATUS

DATE	DESCRIPTION

DD DESIGN	DD DRAWN	PS CHKD

SCALE H: 1" = 40'
V:

JOB No. 050635-01-001

DATE : 3/11/20

SP01

SHEET 1 OF 1

CAD FILE NAME: V:\050635 - Becker Boards\050635-01-001 (ENG)\Engineering\00001 - 143rd & Washington Street\Site Plan\050635-01-SP01.dwg 03/11/2020

Camelback East
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-13-20-8

Date of VPC Meeting	January 5, 2021
Request From	A-2 TOD-1
Request To	A-2
Proposed Use	Removal of TOD overlay
Location	Northwest corner of State Route 143 and Washington Street
VPC Recommendation	Approval subject to staff's recommended mitigating stipulations
VPC Vote	17-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Ms. Sofia Mastikhina, staff, provided an overview of the requests, including the location, current zoning and General Plan Land Use Map designation, and surrounding land uses and zoning districts. She explained that the site is designated as Mixed Use on the General Plan Land Use Map and is also located within the boundaries of the Village Core. The proposal to remove the TOD overlay from the site to allow all uses of the underlying A-2 district is not consistent with either, as it would allow outdoor uses such as junk yards, car washes, outdoor storage, and billboards. She explained that the purpose of the TOD overlay district is to encourage an appropriate mixture and density of activity around transit stations to increase ridership along the Central Phoenix/East Valley Light Rail Corridor and promote alternative modes of transportation to the automobile, and to decrease auto-dependency and mitigate the effects of congestion and pollution. The overlay achieves these goals by outlining development standards that promote a pedestrian-friendly environment and encourage a mix of uses on sites adjacent to the light rail. The site is also located in the Gateway TOD Policy Plan, which provides guidance for development along and in close proximity to the light rail line. In order to realize the Vision and Master Plan for the Gateway TOD District, one key recommendation is the implementation of a form-based zoning code. The standards within the TOD-1 overlay district are similar to many streetscape standards found within the Walkable Urban Code. The site is also located within the boundaries of the 44th Street Corridor Specific Plan. Although this parcel is not specifically designated on the plan, it is adjacent to sites that are designated for a variety of mixed-use uses. **Ms. Mastikhina** then presented the site plan submitted with the application, which does not show any development plans. She explained that vehicular access to the site is not a

possibility as the Arizona Department of Transportation has deemed it to be too close to the freeway off-ramp. Staff recognizes that the site's location, dimensions and limited access are challenges for its development as a standalone parcel and that the removal of the overlay could provide some flexibility for the property owner to pursue redevelopment options. She then outlined staff's findings and recommendation for denial. She then listed the stipulations created by staff in the event that an approval action is taken.

Mr. William Lally, representative with Tiffany and Bosco, P.C., provided a summary of the request. He explained that the site is a small sliver located on Washington Street along SR 143, and is a leftover of the condemnation and construction of the freeway. The site has a width of 120 feet along Washington Street, so some of the uses permitted in the underlying A-2 district simply would not be able to sit on the site, in addition to the lack of vehicular access due to its proximity to the freeway off-ramp. These same restrictions would preclude any type of transit-oriented development from being realistically built on the site. Additionally, the property owner has previously sought access to the site from the northern portion of the property, from the neighboring property to the west, but it was not feasible. He explained that the property has been vacant since the 1980's and purchased in the 1990's with the intent to develop. However, the size and location of the property render it unusable. The property owner had approached them to discuss what would be possible here, such as freeway signage. He explained that the proposal is to simply remove the overlay to revert the zoning back to what it's always been. The TOD overlay stops at the freeway, and all transit-oriented developments should and have been developed to the west of this end line. This property does not have the potential to have any type of transit-oriented development on it. He then addressed staff's recommended stipulations, pointing out that a lot of the pedestrian-related improvements that would be required by the overlay will now be required with this removal. As this site is not conducive to transit-oriented development, these improvements would likely never have been built. With this proposal, these improvements such as the sidewalks and landscaping will be built out.

Mr. Daniel Sharaby asked if the applicant has any exhibits showing what the site will look like with the streetscape improvements. **Mr. Lally** replied that they do not, as they only received the stipulations when the staff report was published about a week ago.

Ms. Ashley Nye explained that she understands why staff is recommending denial of this case, but that the mitigating stipulations will result in a much better streetscape, ultimately. Given this, she expressed her support for approving the project.

Mr. Tom O'Malley asked for confirmation that no vehicular access is possible on the site, and that there really only is one use that would be viable on the site. **Mr. Lally** confirmed that ADOT would not permit a new driveway so close to the freeway off-ramp, and that the use envisioned for the site is a freeway sign. **Mr. O'Malley** asked Mr. Lally to explain the history of the attempted sign permit on the site. **Mr. Lally** explained that they had submitted an application for a variance and a use permit to allow an off-premise sign with additional height on the site in 2017. The application underwent staff review and was approved by the Zoning Adjustment Hearing Officer but, due to an appeal and a subsequent Board of Adjustment hearing, further research was done and the restriction on off-premise signage by the TOD overlay was uncovered.

Mr. Vic Grace asked if the sidewalk improvements will be equal to what exists on the property to the west of the site, or if they will go above and beyond it. **Mr. Lally** replied that, per staff's recommended stipulations, the streetscape improvements will include a wider sidewalk that will be detached, 75 percent tree shade, bollard lights, and a bicycle repair facility – all of which exceed what exists along the property to the west.

PUBLIC COMMENT

Mr. Wally Graham stated that the applicant has owned this land since March 4, 1998, when he purchased it from the State Department of Transportation. The deed from this transaction outlines the access restriction due to the proximity to SR 143, so the property owner was aware of this when purchasing the property, as well as the odd shape of the property, which has not changed since then. In 2009, the property owner tried to erect a building on the lot, which was denied. He stated that the proposal at hand is to erect an 85-foot tall billboard and agreed with staff's recommendation for denial. **Mr. Graham** then addressed the TOD removal, stating the overlay was part of the Reinvent Phx initiative, which aims to make areas of Phoenix more walkable and was approved by this committee. He stated that this removal is unprecedented and that, if approved, other property owners will want to do the same. He asked that the committee deny this application.

Mr. Lally addressed Mr. Graham's statement regarding no changes having occurred to the property since the property owner purchased it. He stated that one major change has occurred since then, which was the approval of the TOD overlay in 2009, which immediately restricted what could be developed on the site. Further, the overlay removal would only allow a maximum 70-foot-tall billboard, not 85 feet as Mr. Graham stated, and any request to go above that would be required to go through the Zoning Adjustment Hearing process. Additionally, at least three other overlay removal cases have been processed recently, so this is not unprecedented.

Motion:
Mr. Tom O'Malley made a motion to approve the request subject to the staff recommended mitigating stipulations. **Mr. Daniel Sharaby** seconded the motion.

Vote: 17-0
Motion passes with committee members Swart, Abbott, Augusta, Bair, Thraen, Crawford, Eichelkraut, Grace, McKee, Miller, Nye, O'Malley, Paceley, Rush, Scher, Sharaby, and Tribken in favor.

STIPULATIONS:

1. Conceptual site plan and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.

2. The below stipulated streetscape landscaping standards must be planted prior to the issuance of any permits.

3. The sidewalk along Washington Street shall be a minimum of eight feet wide and shall be detached with a minimum 10-foot-wide landscaped strip between the sidewalk and the back of curb, as approved by the Planning and Development Department. A sidewalk easement shall be dedicated as necessary.

4. A minimum of 75 percent of the sidewalk shall be shaded.

5. The 10-foot-wide continuous landscape area located between the sidewalk and back of curb shall include minimum 3-inch caliper, large canopy single-trunk shade trees (limbed-up a minimum of 10-feet clear from finish grade), planted 20 feet on center or in equivalent groupings, and minimum 5-gallon shrubs with a maximum mature height of 2-feet providing 75 percent live cover, as approved by the Planning and Development Department.

6. The required landscape setback adjacent to the southern property line shall be planted to the following minimum standards, as approved by the Planning and Development Department:

    a. Twenty-five percent 3-inch caliper large-canopy trees and 75 percent 4-inch caliper large-canopy trees, planted 20 feet on-center or in equivalent groupings;
    b. Five 5-gallon shrubs per tree, and additional shrubs or live groundcover, shall be provided to a minimum seventy-five percent live cover at mature size.

7. Bollard path lights shall be provided every ten feet along the public sidewalk on Washington Street, as approved by the Planning and Development Department.

8. A bicycle repair station (“fix it station”) shall be provided on the site, in close proximity to the public sidewalk. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.

9. All outdoor storage shall be completely screened with a decorative wall, as approved by the Planning and Development Department.

10. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

11. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA’s Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

12. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

13. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

14. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Attachment D

REPORT OF PLANNING COMMISSION ACTION
February 4, 2021

ITEM NO: 5	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-13-20-8 (Companion Case Z-TA-6-20-8)
Location:	Northwest corner of State Route 143 and Washington Street
From:	A-2 TOD-1
To:	A-2
Acreage:	1.75
Proposal:	Removal of the TOD-1 zoning overlay
Applicant:	William E. Lally, Tiffany & Bosco, PA
Owner:	Werner L.Schlecht Trust
Representative:	William E. Lally, Tiffany & Bosco, PA

ACTIONS:

Staff Recommendation: Denial.

Village Planning Committee (VPC) Recommendation:
Camelback East 1/5/2021 Approval, with the staff recommended stipulations. Vote: 17-0.

Planning Commission Recommendation: Approval, per the Camelback East Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve Z-13-20-8, per the Camelback East Village Planning Committee recommendation.

Maker: Howard
Second: McGabe
Vote: 8-0
Absent: Johnson
Opposition Present: Yes

Findings:

1. The site's location, dimensions and limited access points are challenges for its development as a standalone parcel. Removal of the Overlay would provide some flexibility for the property owner to pursue redevelopment options.

2. The development standards of the A-2 district are not conducive to a pedestrian-friendly environment, which should be the goal of new developments along the light rail corridor; therefore, mitigating stipulations have been recommended to require a pedestrian-friendly environment.

3. The underlying A-2 zoning district is not consistent with the General Plan Land Use Map designation of Mixed Use; however, the site is under 10 acres.

Stipulations:

1. Conceptual site plan and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.

2. The below stipulated streetscape landscaping standards must be planted prior to the issuance of any permits.

3. The sidewalk along Washington Street shall be a minimum of eight feet wide and shall be detached with a minimum 10-foot-wide landscaped strip between the sidewalk and the back of curb, as approved by the Planning and Development Department. A sidewalk easement shall be dedicated as necessary.

4. A minimum of 75 percent of the sidewalk shall be shaded.

5. The 10-foot-wide continuous landscape area located between the sidewalk and back of curb shall include minimum 3-inch caliper, large canopy single-trunk shade trees (limbed-up a minimum of 10-feet clear from finish grade), planted 20 feet on center or in equivalent groupings, and minimum 5-gallon shrubs with a maximum mature height of 2-feet providing 75 percent live cover, as approved by the Planning and Development Department.

6. The required landscape setback adjacent to the southern property line shall be planted to the following minimum standards, as approved by the Planning and Development Department:

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    b. Five 5-gallon shrubs per tree, and additional shrubs or live groundcover, shall be provided to a minimum seventy-five percent live cover at mature size.

7. Bollard path lights shall be provided every ten feet along the public sidewalk on Washington Street, as approved by the Planning and Development Department.

8. A bicycle repair station (“fix it station”) shall be provided on the site, in close proximity to the public sidewalk. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while

making adjustments to the bike, as approved by the Planning and Development Department.

9. All outdoor storage shall be completely screened with a decorative wall, as approved by the Planning and Development Department.

10. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

11. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

12. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

13. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

14. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** *65

ITEM REVISED (SEE ATTACHED MEMO) Public Hearing and Ordinance Adoption - Amend City Code - Text Amendment Application Z-TA-6-20-9 (Ordinance G-6820)

Request to hold a public hearing on a proposal to amend the Phoenix Zoning Ordinance, Text Amendment Z-TA-6-20-8, amending Section 662.B. (Applicability) to replace Supplementary Zoning Map 1086 with a new map that removes the property at the northwest corner of State Route 143 and Washington Street from the TOD-1 Zoning Overlay. This is a companion case to Z-13-20-8 and should be heard second.

Summary

The intent of this proposed text amendment is to revise the applicability section for the TOD-1 District to modify the reference to a specific Supplementary Zoning Map so that the TOD-1 can be amended by subsequent ordinances.

Concurrence/Previous Council Action

Staff recommends denial.
The Camelback East Village Planning Committee heard this item on Jan. 5, 2021 and recommended approval, by a vote of 16-1.
The Planning Commission heard the item on Feb. 4, 2021 and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 8-0.

Location

Northwest corner of State Route 143 and Washington Street
Council District: 8
Parcel Addresses: 4632 E. Washington St.

Responsible Department

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

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Mario Paniagua
Deputy City Manager

Date: March 1, 2021

From: Alan Stephenson
Planning and Development Director

Subject: CORRECTION TO ITEM 65 ON THE MARCH 3, 2021 FORMAL AGENDA - PUBLIC HEARING AND ORDINANCE ADOPTION - AMEND CITY CODE - TEXT AMENDMENT APPLICATION Z-TA-6-20-9 (ORDINANCE G-6820)

Item 65, is a request to hold a public hearing to amend the Phoenix Zoning Ordinance, Text Amendment Z-TA-6-20-8, amending Section 662.B. (Applicability) to replace Supplementary Zoning Map 1086 with a new map that removes the property at the northwest corner of State Route 143 and Washington Street from the TOD-1 Zoning Overlay.

This memo corrects the last number listed in text amendment application title from "9" to "8" and read as follows:

PUBLIC HEARING AND ORDINANCE ADOPTION - AMEND CITY CODE - TEXT AMENDMENT APPLICATION Z-TA-6-20-8 (ORDINANCE G-6820)

Approved: Mario Paniagua
Mario Paniagua, Deputy City Manager

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING SECTION 662.B. (APPLICABILITY) OF THE PHOENIX ZONING ORDINANCE TO REPLACE SUPPLEMENTARY ZONING MAP 1086 WITH A NEW MAP THAT REMOVES THE PROPERTY AT THE NORTHWEST CORNER OF STATE ROUTE 143 AND WASHINGTON STREET FROM THE TOD-1 ZONING OVERLAY.

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

That Chapter 12, Section 662.B. (Applicability) is amended as follows:

***

B.	Applicability. The City of Phoenix' Transit-Oriented Development Overlay District (TOD-1) shall apply to lands delineated on the City's Official Supplementary Zoning Map 1086 as adopted on November 19, 2003, AND AS AMENDED BY SUBSEQUENT ORDINANCES. All land uses and development including, but not limited to buildings, drives, parking areas, landscaping, streets, alleys, greenways, and pedestrian/bicycle ways designated to be within this district, shall be located and developed in accordance with the following provisions:

***

PASSED by the Council of the City of Phoenix this 3rd day of March 2021.

_____
MAYOR

ATTEST:

_____City Clerk

DRAFT

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

DRAFT

Attachment B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report
Zoning Ordinance Text Amendment
Z-TA-6-20-8
December 30, 2020

Application Z-TA-6-20-8: Amend Section 662.B. (Applicability) of the Zoning Ordinance to replace Supplementary Zoning Map 1086 with a new map that removes the property at the northwest corner of State Route 143 and Washington Street from the TOD-1 Zoning Overlay.

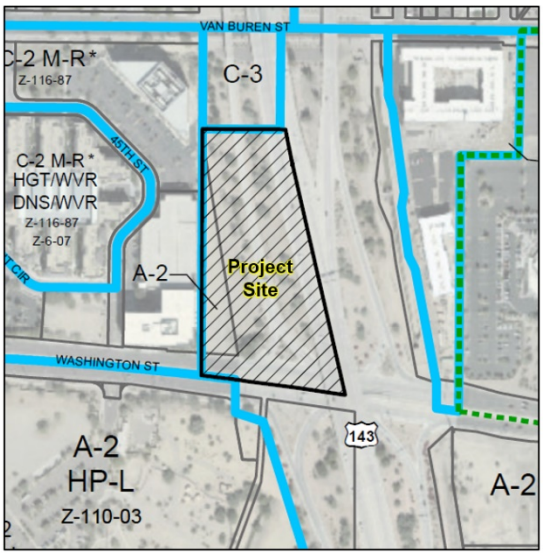
Location:	Northwest corner of State Route 143 and Washington Street
Acres:	1.75
Owner:	Werner L. Schlecht Trust
Applicant/Representative:	William E. Lally, Tiffany & Bosco, PA
Village Planning Committee Date:	Camelback East – December 1, 2020
Staff Recommendation:	Staff recommends denial.

PURPOSE

The intent of this text amendment is to revise the TOD-1 Zoning Overlay map to remove a site from the Transit Oriented District One and allow all uses restricted by the overlay.

BACKGROUND/ISSUES/ANALYSIS

1. This request is a text amendment to amend the Zoning Ordinance to remove the TOD-1 Zoning Overlay from the site located on the northwest corner of State Route 143 (SR-143) and Washington Street. There is a companion rezoning case, Z-13-20-8, to rezone the 1.75-acre site from A-2 TOD-1 (Industrial District, Interim Transit-Oriented Zoning Overlay District One) to A-2 (Industrial District) to remove the Interim Transit-Oriented Zoning Overlay and allow all uses restricted by the overlay. This text amendment would amend the applicability section (Section 662.B. of the Zoning Ordinance) to adjust the boundaries of the TOD-1.



Source: City of Phoenix Planning and Development Department

2. The site is located approximately 1,200 feet east of the light rail station at 44th Street and Wasnington Street. The proposed removal of the TOD-1 overlay will result in the loss of many development standards that are intended to provide an enhanced pedestrian environment along the light rail corridor. An active street frontage with wide sidewalks, shade trees, and buildings close to the street will not be possible with the standards of the underlying A-2 district. The companion rezoning case includes mitigating stipulations, if approved, to address these concerns and provided for those walking or biking along the light rail corridor.

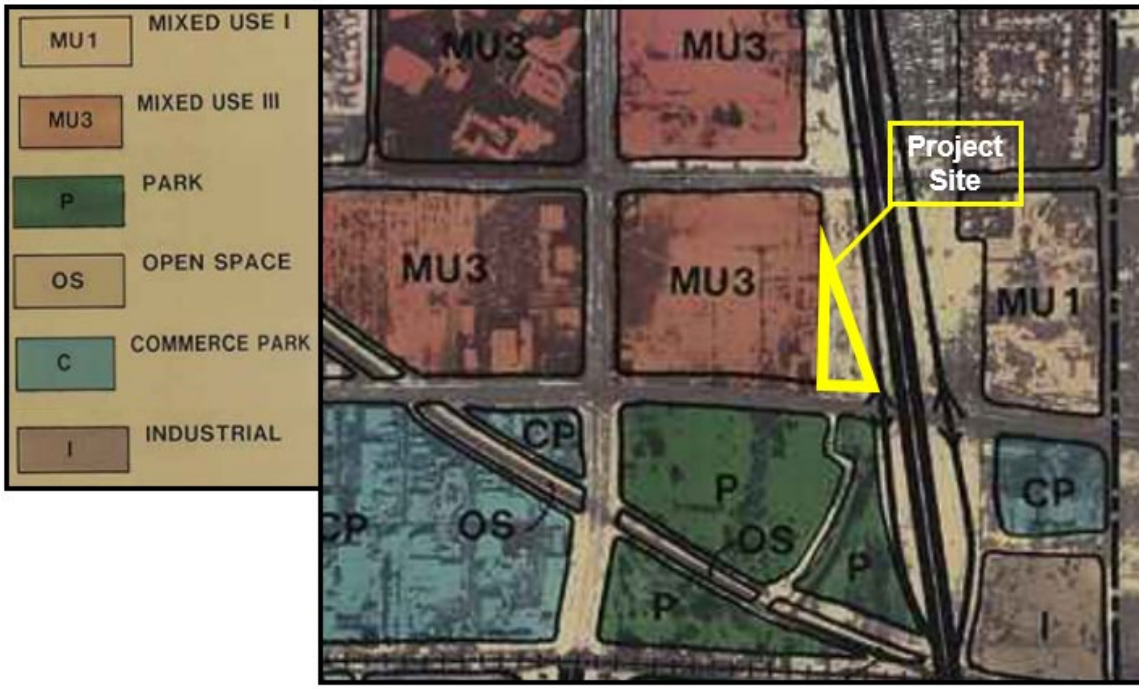
PLANS, OVERLAYS & INITIATIVES

3. **TOD-1 Overlay**

The site is located within the boundaries of the TOD-1 Zoning Overlay (Interim Transit-Oriented Zoning Overlay District One), which is intended to encourage an appropriate mixture and density of activity around transit stations to increase ridership along the Central Phoenix/East Valley Light Rail Corridor and promote alternative modes of transportation to the automobile. The secondary purpose of the TOD-1 is to decrease auto-dependency and mitigate the effects of congestion and pollution. This request proposes to remove this overlay district, which will effectively remove all of the development standards that provide for a pedestrian-friendly environment and encourage a mix of uses on sites adjacent to the light rail. Some of the uses that will be permitted with the removal of this overlay district include, and are not limited to: automobile service stations, car washes, extensive outside uses, gas stations, animated signs, and signs advertising goods or services not provided on the premises (off-premise signs). These, and many of the other uses that will be permitted once the overlay is removed, are not compatible with the intent of transit-oriented development and would greatly diminish the pedestrian experience of this area.

4. **44th Street Corridor Specific Plan**

The site is located within the boundaries of the 44th Street Corridor Specific Plan. Completed in 1991, this Plan established a framework to provide compatibility for new development within the corridor. Although this specific parcel is not called out in the plan, it is directly adjacent to properties that are designated as MU3 (Mixed Use 3). The MU3 designation envisions land uses such as multifamily residential, retail, office, and hotels. To the south are properties designated as P/OS (Park and Open Space), which include public land developed as park with improved landscape areas, active and passive recreational facilities and public gathering functions. To the east, on the other side of the SR-143 freeway, are properties designated as MU1 (Mixed Use 1), which is lower in intensity than MU3, and includes land uses such as multifamily residential, single-family residential, and public/quasi-public uses.



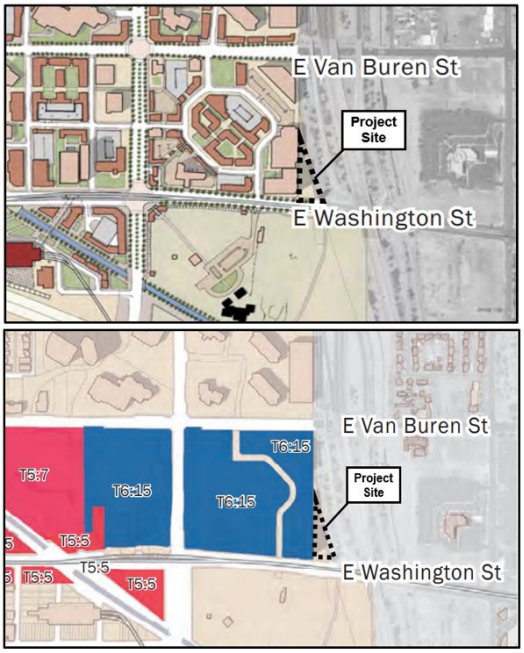
Source: City of Phoenix Planning and Development Department

5. **Gateway TOD (Transit-Oriented Development) Policy Plan**

The site is located within the Gateway TOD District, the boundaries for which are the Union Pacific Railroad on the south, Loop 202 on the north, Interstate 10 on the west and SR-143 on the east. The policy plan adopted for the Gateway TOD District provides a blueprint for fully achieving the transformative potential of light rail in a sustainable manner. Changes advocated in the plan can lower transportation costs for residents, create new business opportunities, encourage active, healthy lifestyles, ensure Phoenix increases its competitive advantage in the global marketplace, and improve prosperity by growing the economy in locations with existing infrastructure and public services. In order to realize the implementation of the Vision and Master Plan for the Gateway TOD

District, one key recommendation is the implementation of a form-based zoning code. The standards within the TOD-1 overlay district are similar to many streetscape standards found within the Walkable Urban Code.

The site lies on the eastern edge of the policy plan and has not been given a specific master development vision or a desired Walkable Urban Code Transect District. However, this site is within 1,200 feet of the nearest light rail station on 44th Street and Washington Street, and should be held to the same standards that have been outlined for the properties that are located within a 10-minute walking radius around light rail stations.



COMMUNITY INPUT SUMMARY

6. At the time this staff report was written, staff has received one letter from a neighboring property owner citing concerns with traffic generation on this site.

CONCLUSION

Staff recommends denial of the request but does acknowledge that the site's location, dimensions and limited access points, are challenges for its development as a standalone parcel. Removal of the Overlay will provide some flexibility for the property owner to pursue redevelopment options. As noted, though, the underlying A-2 zoning district is not consistent with the General Plan Land Use Map designation of Mixed Use. The removal of the TOD-1 overlay is not conducive to a pedestrian-friendly environment, which should be the goal of new development along the light rail corridor. The uses prohibited by the TOD-1 overlay are all permitted by right in the underlying zoning district. These uses are not compatible with transit-oriented development and should continue to be discouraged along the light rail line.

Writers
K. Steadman
Sofia Mastikhina
12/30/2020

Team Leaders
Racelle Escolar
Samantha Keating

Exhibits
Exhibit A - Proposed Language
Sketch Map
Community Correspondence (7 pages)

EXHIBIT A

Application Z-TA-6-20-8: Amend Section 662.B. (Applicability) to replace Supplementary Zoning Map 1086 with a new map that removes the property at the northwest corner of State Route 143 and Washington Street from the TOD-1 Zoning Overlay.

Staff Proposed Language That May Be Modified During the Public Hearing process is as follows:

Amend Section 622.B (Applicability) by removing Supplementary Zoning Map 1086 and inserting the new map as follows:

***

B.	Applicability. The City of Phoenix' Transit-Oriented Development Overlay District (TOD-1) shall apply to lands delineated on the City's Official Supplementary Zoning Map 1086 as adopted on November 19, 2003, AND AS AMENDED BY SUBSEQUENT ORDINANCES. All land uses and development including, but not limited to buildings, drives, parking areas, landscaping, streets, alleys, greenways, and pedestrian/bicycle ways designated to be within this district, shall be located and developed in accordance with the following provisions:

***

Text Amendment

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

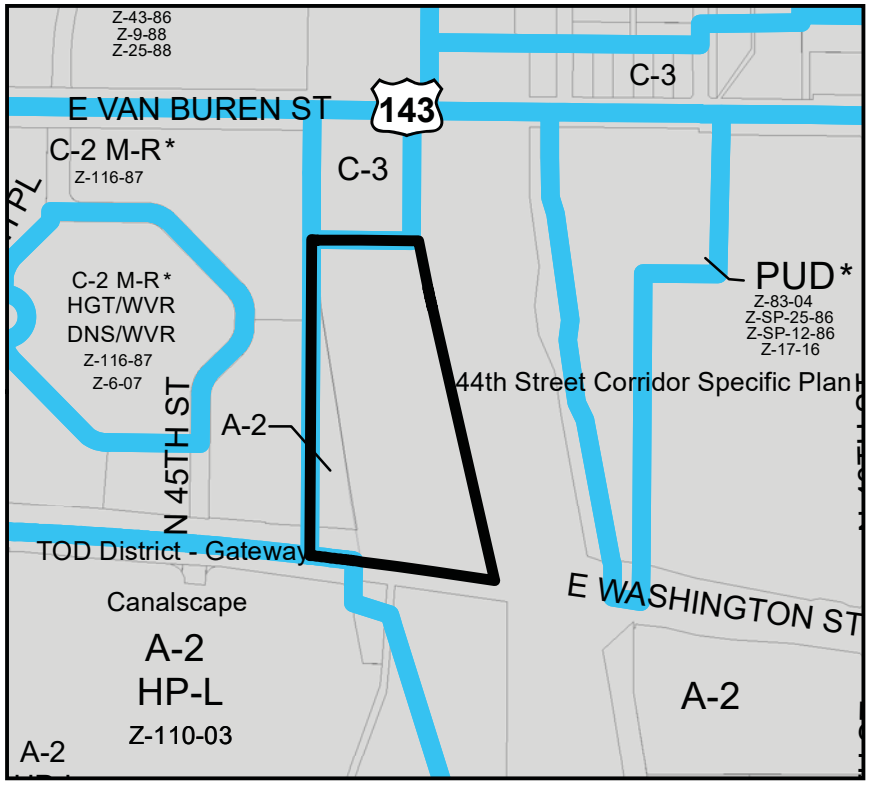
APPLICATION NO: TA-6-20	ACRES: 1.75 +/-
VILLAGE: Camelback East	COUNCIL DISTRICT: 8
APPLICANT: William E. Lally, Tiffany & Bosco, PA	

EXISTING:

A-2 TOD-1 (1.75 +/- Acres)

Proposed Change Area

TOD-1

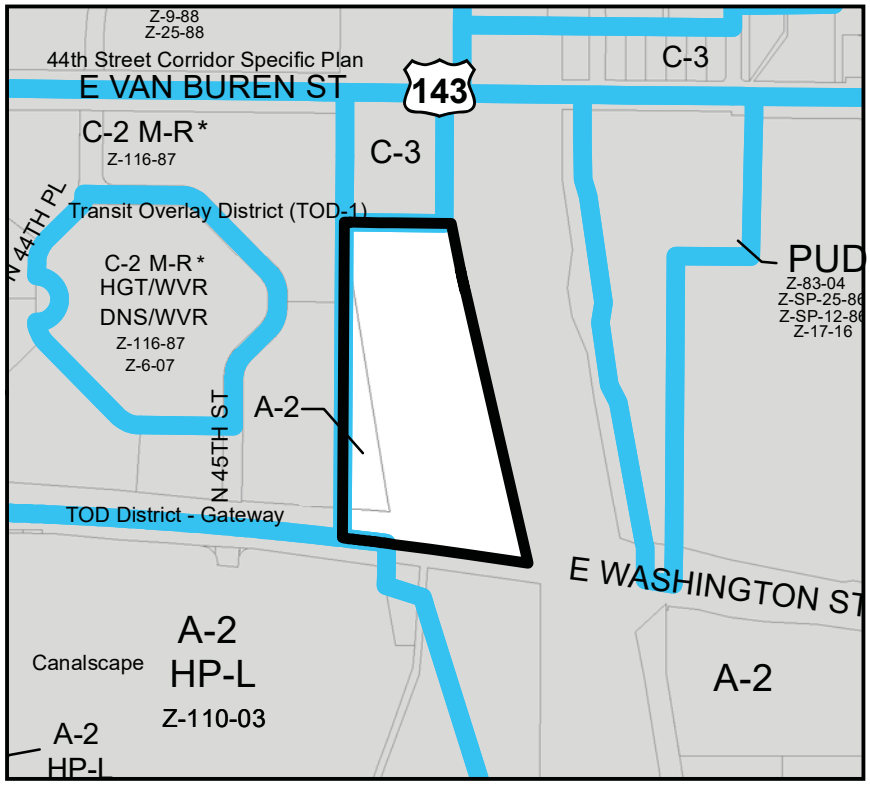


PROPOSED CHANGE:

A-2 (1.75 +/- Acres)

Proposed Change Area

TOD-1



Sofia Mastikhina

From: Begley, Sara <SBegley@copperpoint.com>
Sent: Monday, August 17, 2020 4:34 PM
To: wel@tblaw.com; Sofia Mastikhina
Subject: Request to rezone 143 & Washington
Attachments: NWC Washington St and SR-143 TS.pdf; 0734_001.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Lally and Ms. Mastikhina,

We are in receipt of Mr. Lally's correspondence regarding the requested rezoning of the parcel located at 143 & Washington. CopperPoint Insurance Company owns the building at 4600 E. Washington St., directly west of the subject parcel. Attached please find a traffic study commissioned in 2009 when there was a proposed development of that parcel. The engineer concluded that given the location of the parcel, there can be no safe access to the parcel :

> Based on all of the previously presented information, it is the opinion of CivTech tl efficient, and reasonably convenient access to the subject parcel cannot be obtaine the limiting site characteristics and traffic design elements. In addition, an drivew the site frontage would not meet the recommended criteria per ITE *Transportation a Development*.

We are concerned for the safety of the public and our tenants and guests entering and exiting 4600 E. Washington and urge you to consider the attached report as you evaluate the re-zoning request.

Sincerely,

Sara M. Begley
EVP, General Counsel & Chief Compliance Officer
T: 602.631.2136 | C: 602.751-3228

CopperPoint Insurance Companies
[copperpoint.com]

3030 N 3rd Street | Phoenix, AZ 85012
copperpoint.com [copperpoint.com] | f [facebook.com] | t [twitter.com] | in [linkedin.com]

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CivTech

August 31, 2009

Mike Curley
Earl, Curley, & Lagarde, P.C.
3101 North Central Avenue
Suite 1000
Phoenix, Arizona 85012

RE: NWC of Washington Street and State Route 143 Traffic Statement

Dear Mr. Curley:

CivTech has been retained to analyze the potential traffic impacts of a five story, 54,000 square foot, office development proposed to be located on the northwest corner of Washington Street and State Route 143 (SR-143) in Phoenix, Arizona.

The purpose of this traffic statement is to address adjacent development questions and concerns. The specific objectives of this traffic statement are to:

- Determine the trip generation potential of the development;
- Discuss travel routes to/from the subject parcel;
- Discuss potential driveway locations and requirements; and,
- Determine the level of development that could work from a traffic perspective.

TRIP GENERATION

The potential trip generation for the site was estimated utilizing equations developed by the Institute of Transportation Engineers (ITE) provided in *Trip Generation, 8th Edition*. **Table 1** summarizes the trip generation potential of the 54,000 square foot office. Detailed trip generation calculations are included as an **Attachment**.

Table 1: Trip Generation Potential of the 54,000 Square Foot Office

Land Use	ITE Land Use Code	Size	Units	Weekday Trips Generated						
				Daily Total	AM Peak Hour			PM Peak Hour		
					Enter	Exit	Total	Enter	Exit	Total
General Office	710	54,000	SF	832	101	14	115	24	116	140

The results of the trip generation summarized in **Table 1** reveal that the 54,000 square foot office could generate as many as 832 daily trips, with 115 trips occurring during the AM peak hour and 140 trips occurring during the PM peak hour.

EXISTING CONDITIONS

The subject property occupies approximately one acre, and is bordered by Washington Street to the south and the southbound off-ramp of SR-143 to the east and north. An existing office development, Washington Corporate Center, occupies the site immediately to the west of the subject parcel.

Washington Street is an east-west roadway located along the southern boundary of the site. Within the study area, Washington Street provides three travel lanes in each direction separated by a raised center median. The light rail exists in the median of Washington Street adjacent to the subject property. Per the City of Phoenix *Major Traffic Flow 2005 Average Weekday Traffic Map* Washington Street near SR-143 carries approximately 30,900 vehicles per day.

ACCESS TO THE SUBJECT PROPERTY

Access to/from the subject property would only be available from/to westbound Washington Street. Accessing the site driveway from other directions will be somewhat circuitous, as will exiting the site being destined to the north, south, and/or east.

Site patrons arriving to the site from eastbound Washington Street will need to travel past the site, and make a U-turn at SR-143 to access the site driveway.

The easiest way for site patrons arriving from the north to access the site, is to travel southbound on SR-143, and turn right onto Washington Street to access the site driveway.

Site patrons arriving to the site from the south will likely travel northbound on SR-143, and turn left onto Washington Street. From northbound 44th Street, site patrons would need to turn right onto Washington Street, and make a U-turn at SR-143 to access the site driveway.

Site patrons leaving the site destined to the east will need to travel westbound on Washington Street, and make a U-turn at 44th Street to travel to the east.

Site patrons leaving the site destined to the north will need to travel westbound on Washington Street, and make a right-turn at 44th Street to travel to the north. Another option would be to travel westbound on Washington Street, make a U-turn at 44th Street, and make a left-turn at SR-143 to travel to the north.

Site patrons leaving the site destined to the south will need to travel westbound on Washington Street, and make a left-turn at 44th Street to travel to the south on SR-153. Another option would be to travel westbound on Washington Street, make a U-turn at 44th Street, and make a right-turn at SR-143 to travel to the south.

SUBJECT PROPERTY DRIVEWAY

ADOT Access Control

The site has approximately 125 feet of frontage along Washington Street. The subject parcel has no other street frontage. The site frontage along Washington Street falls within the Arizona Department of Transportation (ADOT) access control, as the full access control typically extends along the crossroad a minimum of 300 feet beyond the end of the ramp radius return. Per the ADOT *Roadway Design Guidelines* (January 2007), if the 300 foot minimum is not practical to obtain, as much distance as practical should be obtained, however, an absolute

minimum of 100 feet should be obtained and any access provided within the remaining distance to 300 feet should be accessed only by right-in/right-out traffic. Based on the ADOT access control policy, any site access point would be limited to a right-in/right-out only driveway, and would need to be located on the western half of the site frontage.

Driveway Corner Clearance

The distance between adjacent driveways and intersections must be adequate to allow driveway vehicles to safely queue, accelerate, decelerate, and cross conflicting traffic streams without excessive interference with through traffic, or traffic using the adjacent intersection. Per the ITE *Transportation and Land Development*, the minimum distance downstream from a signalized intersection to a right-in/right-out access is 230 feet. No driveway anywhere along the site frontage will meet this criterion.

Deceleration Lane

Right-turn deceleration lanes are typically required when the outside lane has an expected volume of greater than 250 vehicles per hour and the right-turn volumes is greater than 55 vehicles per hour. Assuming a right-in/right-out driveway along Washington Street is permitted to allow access to the subject property, 101 vehicles would be expected to enter the development during the AM peak hour. This would satisfy the above stated criterion; therefore, a westbound right-turn deceleration lane would be recommended.

ADOT requires a minimum 100 feet storage length for turn lanes; however, a standard right-turn deceleration lane cannot be accommodated at this location due to the configuration of the southbound SR-143 off-ramp at Washington Street. Even if the site driveway is located as far to the west of the property as possible, and a minimal transition length is used, there is only approximately 40-50 feet of storage available for the westbound right-turn lane.

Based on all of the previously presented information, it is the opinion of CivTech that safe, efficient, and reasonably convenient access to the subject parcel cannot be obtained due to the limiting site characteristics and traffic design elements.

ALTERNATIVE DEVELOPMENT SCENARIO

An alternative calculation was conducted to determine the level of development that could work from a traffic perspective for the subject site. Because a right-turn deceleration lane cannot be accommodated at the site driveway, and a right-turn deceleration lane is warranted when the right-turn volume is greater than 55 vehicles per hour, 55 vehicles entering the development in the peak hour was used as the limiting factor. The alternative development scenario trip generation potential was estimated utilizing equations developed by ITE in the *Trip Generation, 8th Edition*. To achieve less than 55 vehicles entering during the peak hour, it was determined that the office development would need to be reduced to 45 percent of the original square footage. This would result in a 24,300 square foot office building. The potential trip generation for the 24,300 square foot office building is summarized in **Table 2**. Detailed trip generation calculations are included as an **Attachment**.

Table 2: Trip Generation Potential of the 24,300 Square Foot Office

Land Use	ITE Land Use Code	Size	Units	Weekday Trips Generated						
				Daily Total	AM Peak Hour			PM Peak Hour		
					Enter	Exit	Total	Enter	Exit	Total
General Office	710	24,300	SF	450	54	7	61	18	89	107

The results of this trip generation reveal that the reduced 24,300 square foot office could generate as many as 450 daily trips, with 61 trips occurring during the AM peak hour and 107 trips occurring during the PM peak hour. The results of the alternative development scenario trip generation summarized in **Table 2** also reveal that the number of vehicles entering the development in the AM peak hour falls just under the threshold volume (55 vehicles per hour) warranting a right-turn deceleration lane.

CONCLUSIONS

From the above, the following has been concluded.

- The results of the trip generation calculations reveal that if the proposed 54,000 square foot office could generate as many as 832 daily trips, with 115 trips occurring during the AM peak hour and 140 trips occurring during the PM peak hour.
- Access to/from the subject property will only be available from/to westbound Washington Street. Accessing the site driveway from other directions will be somewhat circuitous, as will exiting the site being destined to the north, south, and/or east.
- Based on the ADOT access control policy, any site access point would be limited to a right-in/right-out only driveway, and would need to be located on the western half of the site's 125 foot frontage along Washington Street.
- No driveway anywhere along the site frontage will meet the minimum distance requirement of 230 feet downstream from a signalized intersection to a right-in/right-out driveway.
- Assuming a right-in/right-out driveway along Washington Street is permitted to allow access to the subject property, a westbound right-turn deceleration lane, with a minimum 100 feet storage length, would be recommended.
- Even if the site driveway is located as far to the west of the property as possible, and a minimal transition is used, there is likely only approximately 40-50 feet of storage available for the westbound right-turn lane.
- Based on all of the previously presented information, it is the opinion of CivTech that safe, efficient, and reasonably convenient access to the subject parcel cannot be obtained due to the limiting site characteristics and traffic design elements. In addition, an driveway along the site frontage would not meet the recommended criteria per ITE *Transportation and Land Development*.
- It was determined that the office development would need to be reduced to 45 percent of the original square footage (to 24,300 square feet), in order to keep the number of vehicles entering the development in the AM peak hour under the threshold volume (55 vehicles per hour) warranting a right-turn deceleration lane.

In closing, this traffic statement has been prepared to address adjacent development questions and concerns and to allow the adjacent development to understand the traffic impacts of the proposed development. Should you wish to discuss this information further, please contact me at (480) 659-4250.

Sincerely,

CivTech Inc.

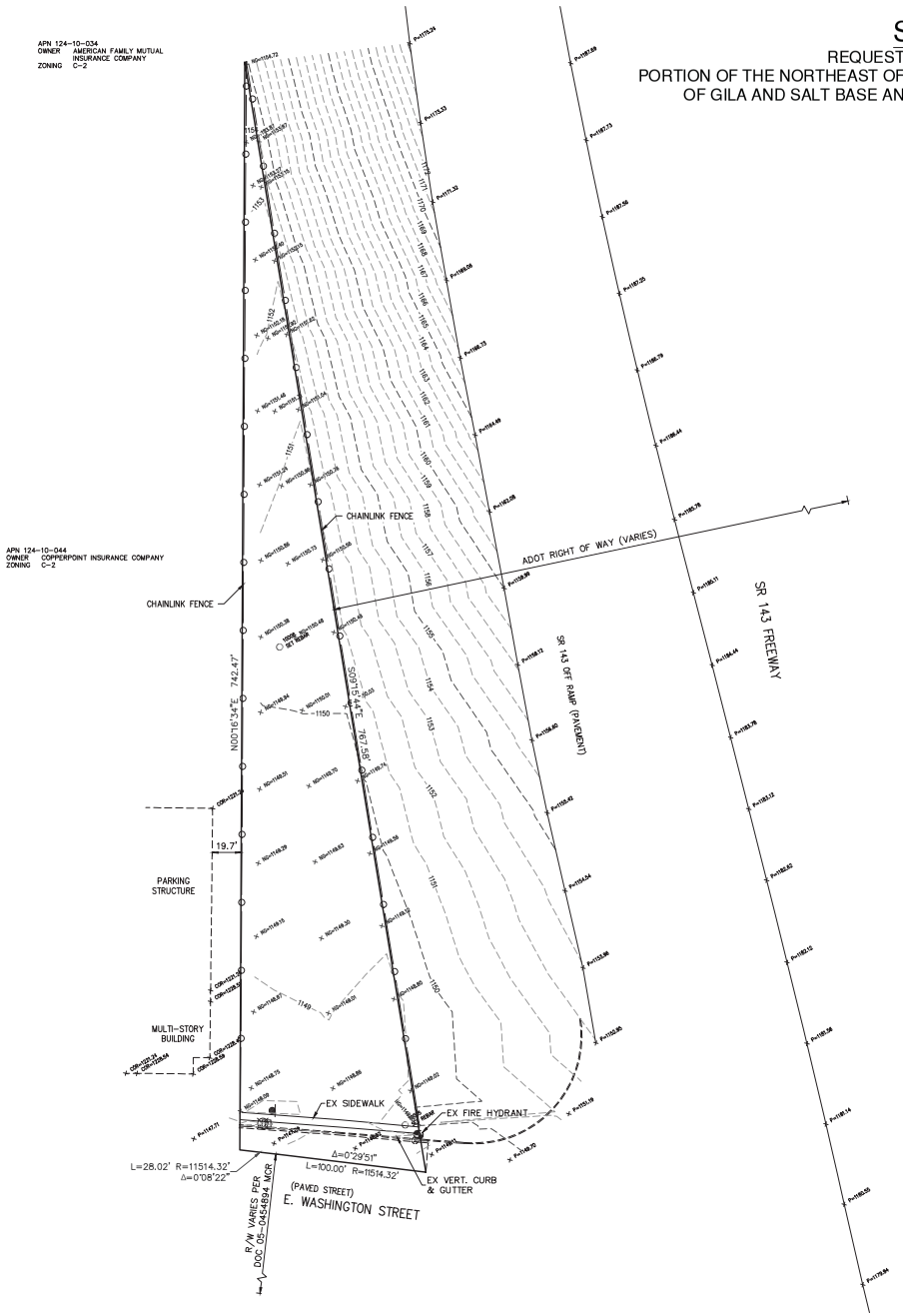
Dana L. Chamberlin, P.E., PTOE
Project Manager/Traffic Engineer

Attachments

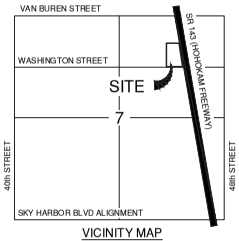
SITE PLAN

REQUEST REZONE A-2 TOD-1 to A-2

PORTION OF THE NORTHEAST OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 4 EAST OF GILA AND SALT BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA



GRAPHIC SCALE
1" = 40'



VICINITY MAP
NOT TO SCALE

LEGAL DESCRIPTION

RECORDED DEED 98-0167839

THAT PART OF THE NORTHWEST QUARTER OF THE NORTHEAST OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 4 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 7, SAID CORNER BEING A BRASS CAP IN A HANDHOLE;
THENCE SOUTH 89°23'30" EAST ALONG THE NORTH LINE OF SAID SECTION 7, 1,167.63 FEET;
THENCE SOUTH 00%3'6"30" WEST 40.00 FEET TO THE EXISTING SOUTH RIGHT OF WAY LINE OF VAN BUREN STREET;
THENCE SOUTH 00°11'30" WEST 339.09 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING SOUTH 00°11'30" WEST 742.47 FET TO THE NORTHERLY RIGHT OF WAY LINE OF WASHINGTON STREET;
THENCE FROM A LOCAL TANGENT BEARING OF SOUTH 83°32'20" EAST, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 11514.32 FEET, A DISTANCE OF 28.02 FEET TO A POINT THEREAFTER REFERRED TO AS POINT "A";
THENCE CONTINUING ALONG SAID CURVE A DISTANCE 100.00 FEET;
THENCE NORTH 09°15'48" WEST, 767.58 FEET TO THE POINT OF BEGINNING.

THERE SHALL BE NO RIGHT OR EASEMENT OF ACCESS TO STATE ROUTE 143 (HOHOKAM FREEWAY) OR TO WASHINGTON STREET, PROVIDED HOWEVER, THAT ACCESS SHALL BE PERMITTED TO SAID WASHINGTON STREET WEST OF THE AFORESAID POINT "A".

PROJECT DESCRIPTION

REZONE FROM A-2 TOD-1 TO A-2

OWNER

SCHLECHT WERNER L/BACH THUOC
8151 N CHALRES DRIVE
PARADISE VALLEY ARIZONA 85253

ENGINEER

BOWMAN CONSULTING
1295 W. WASHINGTON, STE 108
TEMPE, ARIZONA 85281
PHONE: (480) 629-8830
CONTACT: PAUL SANCHEZ

SITE DATA

PARCEL ADDRESS	SR 143 AND E. WASHINGTON STREET PHOENIX, AZ 85034
ASSESSOR PARCEL	124-10-004C
GROSS AREA	47,219 sf (1.08 acres)
NET AREA	43,782 SF (1.01 acres)
EXISTING ZONING & LAND USE	A-2

LEGEND

PROPERTY LINE	
SECTION LINE	
EASEMENT LINE	
CENTER LINE	
RIGHT OF WAY LINE	
BRASS CAP IN HANDHOLE	
REBAR AS NOTED	
BRASS CAP AS NOTED	
RIGHT OF WAY	R/W

CITY OF PHOENIX
MAR 13 2020
Planning & Development Department

TRACKING #
PROJECT (KIVA) #

Call at least two full working days before you begin excavation.
ARIZONA811
Arizona Blue Stake, Inc.
Dial 8-1-1 or 1-800-STAKE-IT (782-5348)
In Maricopa County (602) 263-1100

Bowman CONSULTING

Bowman Consulting Group, Ltd.
1295 West Washington Ste 108
Tempe, Arizona 85281
Phone: (480) 629-8830
www.bowmanconsulting.com

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SITE PLAN
NWC SR 143 AND WASHINGTON STREET
MARICOPA COUNTY
PHOENIX, ARIZONA

PROJECT NUMBER

PLAN STATUS

DATE	DESCRIPTION

DD DESIGN	DD DRAWN	PS CHKD

SCALE H: 1" = 40'
V:

JOB No. 050635-01-001

DATE : 3/11/20

SP01

SHEET 1 OF 1

CAD FILE NAME: V:\050635 - Becker Boards\050635-01-001 (ENG)\Engineering\00001 - 143rd & Washington Street\Site Plan\050635-01-SP01.dwg 03/11/2020

Camelback East
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-6-20-8 (Companion Case Z-13-20-8)

Date of VPC Meeting	January 5, 2021
Request	A-2 TOD-1
Location	Northwest corner of State Route 143 and Washington Street
VPC Recommendation	Approval
VPC Vote	16-1

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Ms. Sofia Mastikhina, staff, provided an overview of the requests, including the location, current zoning and General Plan Land Use Map designation, and surrounding land uses and zoning districts. She explained that the site is designated as Mixed Use on the General Plan Land Use Map and is also located within the boundaries of the Village Core. The proposal to remove the TOD overlay from the site to allow all uses of the underlying A-2 district is not consistent with either, as it would allow outdoor uses such as junk yards, car washes, outdoor storage, and billboards. She explained that the purpose of the TOD overlay district is to encourage an appropriate mixture and density of activity around transit stations to increase ridership along the Central Phoenix/East Valley Light Rail Corridor and promote alternative modes of transportation to the automobile, and to decrease auto-dependency and mitigate the effects of congestion and pollution. The overlay achieves these goals by outlining development standards that promote a pedestrian-friendly environment and encourage a mix of uses on sites adjacent to the light rail. The site is also located in the Gateway TOD Policy Plan, which provides guidance for development along and in close proximity to the light rail line. In order to realize the Vision and Master Plan for the Gateway TOD District, one key recommendation is the implementation of a form-based zoning code. The standards within the TOD-1 overlay district are similar to many streetscape standards found within the Walkable Urban Code. The site is also located within the boundaries of the 44th Street Corridor Specific Plan. Although this parcel is not specifically designated on the plan, it is adjacent to sites that are designated for a variety of mixed-use uses. **Ms. Mastikhina** then presented the site plan submitted with the application, which does not show any development plans. She explained that vehicular access to the site is not a possibility as the Arizona Department of Transportation has deemed it to be too close to the freeway off-ramp. Staff recognizes that the site's location, dimensions and limited access are challenges for its development as a standalone parcel and that the removal of the overlay could provide some flexibility for the property owner to pursue

redevelopment options. She then outlined staff's findings and recommendation for denial. She then listed the stipulations created by staff in the event that an approval action is taken.

Mr. William Lally, representative with Tiffany and Bosco, P.C., provided a summary of the request. He explained that the site is a small sliver located on Washington Street along SR 143, and is a leftover of the condemnation and construction of the freeway. The site has a width of 120 feet along Washington Street, so some of the uses permitted in the underlying A-2 district simply would not be able to sit on the site, in addition to the lack of vehicular access due to its proximity to the freeway off-ramp. These same restrictions would preclude any type of transit-oriented development from being realistically built on the site. Additionally, the property owner has previously sought access to the site from the northern portion of the property, from the neighboring property to the west, but it was not feasible. He explained that the property has been vacant since the 1980's and purchased in the 1990's with the intent to develop. However, the size and location of the property render it unusable. The property owner had approached them to discuss what would be possible here, such as freeway signage. He explained that the proposal is to simply remove the overlay to revert the zoning back to what it's always been. The TOD overlay stops at the freeway, and all transit-oriented developments should and have been developed to the west of this end line. This property does not have the potential to have any type of transit-oriented development on it. He then addressed staff's recommended stipulations, pointing out that a lot of the pedestrian-related improvements that would be required by the overlay will now be required with this removal. As this site is not conducive to transit-oriented development, these improvements would likely never have been built. With this proposal, these improvements such as the sidewalks and landscaping will be built out.

Mr. Daniel Sharaby asked if the applicant has any exhibits showing what the site will look like with the streetscape improvements. **Mr. Lally** replied that they do not, as they only received the stipulations when the staff report was published about a week ago.

Ms. Ashley Nye explained that she understands why staff is recommending denial of this case, but that the mitigating stipulations will result in a much better streetscape, ultimately. Given this, she expressed her support for approving the project.

Mr. Tom O'Malley asked for confirmation that no vehicular access is possible on the site, and that there really only is one use that would be viable on the site. **Mr. Lally** confirmed that ADOT would not permit a new driveway so close to the freeway off-ramp, and that the use envisioned for the site is a freeway sign. **Mr. O'Malley** asked Mr. Lally to explain the history of the attempted sign permit on the site. **Mr. Lally** explained that they had submitted an application for a variance and a use permit to allow an off-premise sign with additional height on the site in 2017. The application underwent staff review and was approved by the Zoning Adjustment Hearing Officer but, due to an appeal and a subsequent Board of Adjustment hearing, further research was done and the restriction on off-premise signage by the TOD overlay was uncovered.

Mr. Vic Grace asked if the sidewalk improvements will be equal to what exists on the property to the west of the site, or if they will go above and beyond it. **Mr. Lally** replied that, per staff's recommended stipulations, the streetscape improvements will include a wider sidewalk that will be detached, 75 percent tree shade, bollard lights, and a bicycle repair facility – all of which exceed what exists along the property to the west.

PUBLIC COMMENT

Mr. Wally Graham stated that the applicant has owned this land since March 4, 1998, when he purchased it from the State Department of Transportation. The deed from this transaction outlines the access restriction due to the proximity to SR 143, so the property owner was aware of this when purchasing the property, as well as the odd shape of the property, which has not changed since then. In 2009, the property owner tried to erect a building on the lot, which was denied. He stated that the proposal at hand is to erect an 85-foot tall billboard and agreed with staff's recommendation for denial. **Mr. Graham** then addressed the TOD removal, stating the overlay was part of the Reinvent Phx initiative, which aims to make areas of Phoenix more walkable and was approved by this committee. He stated that this removal is unprecedented and that, if approved, other property owners will want to do the same. He asked that the committee deny this application.

Mr. Lally addressed Mr. Graham's statement regarding no changes having occurred to the property since the property owner purchased it. He stated that one major change has occurred since then, which was the approval of the TOD overlay in 2009, which immediately restricted what could be developed on the site. Further, the overlay removal would only allow a maximum 70-foot-tall billboard, not 85 feet as Mr. Graham stated, and any request to go above that would be required to go through the Zoning Adjustment Hearing process. Additionally, at least three other overlay removal cases have been processed recently, so this is not unprecedented.

Motion:
Mr. Tom O'Malley made a motion to approve the request. **Mr. Daniel Sharaby** seconded the motion.

Vote: 16-1
Motion passes with committee members Swart, Abbott, Augusta, Bair, Thraen, Crawford, Eichelkraut, Grace, McKee, Miller, Nye, O'Malley, Rush, Scher, Sharaby, and Tribken in favor, and committee member Paceley opposed.

Attachment D

REPORT OF PLANNING COMMISSION ACTION
February 4, 2021

ITEM NO: 4	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-TA-6-20-8 (Companion Case Z-13-20-8)
Location:	Northwest corner of State Route 143 and Washington Street
Acreage:	1.75
Proposal:	Amend Section 662.B. (Applicability) of the Zoning Ordinance to replace Supplementary Zoning Map 1086 with a new map that removes the property at the northwest corner of State Route 143 and Washington Street from the TOD-1 zoning overlay.
Applicant:	William E. Lally, Tiffany & Bosco, PA
Owner:	Werner L. Schlecht Trust
Representative:	William E. Lally, Tiffany & Bosco, PA

ACTIONS:

Staff Recommendation: Denial.

Village Planning Committee (VPC) Recommendation:
Camelback East 1/5/2021 Approval. Vote: 16-1.

Planning Commission Recommendation: Approval, per the Camelback East Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve Z-TA-6-20-8, per the Camelback East Village Planning Committee recommendation.

Maker: Howard
Second: Gorraiz
Vote: 8-0
Absent: Johnson
Opposition Present: Yes

Findings:

1. Removal of the Overlay will provide some flexibility for the property owner to pursue redevelopment options.

2. The underlying A-2 zoning district is not consistent with the General Plan Land Use Map designation of Mixed Use; however, the site is under 10 acres.

3. The removal of the TOD-1 overlay is not conducive to a pedestrian-friendly

environment, which should be the goal of new development along the light rail corridor; therefore, mitigating stipulations have been recommended to require a pedestrian-friendly environment.

Proposed Language:

Amend Section 662.B. (Applicability) to replace Supplementary Zoning Map 1086 with a new map that removes the property at the northwest corner of State Route 143 and Washington Street from the TOD-1 Zoning Overlay.

***

B. Applicability. The City of Phoenix' Transit-Oriented Development Overlay District (TOD-1) shall apply to lands delineated on the City's Official Supplementary Zoning Map 1086 as adopted on November 19, 2003, AND AS AMENDED BY SUBSEQUENT ORDINANCES. All land uses and development including, but not limited to buildings, drives, parking areas, landscaping, streets, alleys, greenways, and pedestrian/bicycle ways designated to be within this district, shall be located and developed in accordance with the following provisions:

***

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** 66

Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-53-20-1 - Northeast Corner of 31st Avenue and Pinnacle Vista Drive (Ordinance G-6821)

Request to hold a public hearing on the request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-53-20-1 and rezone the site from S-1 (Ranch or Farm Residence District) to R1-8 (Single-Family Residence District) for single-family residential use.

Summary

Current Zoning: S-1
Proposed Zoning: R1-8
Acreage: 15.52 acres
Proposed Use: Single-family residential

Owner: Funk Family Enterprises, LLC, et al
Applicant: Chuck Chisholm, K. Hovnanian Homes
Representative: Julie Vermillion, CVL Consultants, Inc.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard the case on Dec. 17, 2020 and recommended a continuance, by a vote of 5-3. The Deer Valley Village Planning Committee heard the case again on Jan. 14, 2021 and recommended approval, per the staff recommendation with the deletion of a stipulation, by a vote of 11-2.
PC Action: The Planning Commission heard the case on Feb. 4 , 2021 and recommended approval, per the Deer Valley Village Planning Committee recommendation with an additional stipulation, by a vote of 7-0.
The Planning Commission recommendation was appealed and a petition for a 3/4 vote was submitted on Feb. 11, 2021. A 3/4 vote is not required.

Location

On the northeast corner of 31st Avenue and Pinnacle Vista Drive
Parcel Addresses: 27652 N. Black Canyon Highway
Council District: 1

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-53-20-1) FROM S-1 (FARM OR RANCH RESIDENCE DISTRICT) TO R1-8 (SINGLE-FAMILY RESIDENCE DISTRICT)

_____

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

SECTION 1. The zoning of a 15.52-acre site located on the northeast corner of 31st Avenue and Pinnacle Vista Drive in a portion of Section 35, Township 5 North, Range 2 East, as described more specifically in Exhibit “A”, is hereby changed from “S-1” (Ranch or Farm Residence District) to “R1-8” (Single-Family Residence District).

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

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

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

1. Lots within 33 feet of the north property line of the development shall be limited to one story and 24 feet in height, as approved by the Planning and Development Department.

2. The conceptual elevations shall be administratively approved by the Planning Hearing Officer prior to single-family design review approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.

    a. Building materials and colors shall express a desert character and shall blend with, rather than strongly contrast with the desert environment.

    b. All elevations of the building shall contain three of the following architectural embellishments and detailing: textural changes, pilasters, offsets, recesses, variation in window size or location, overhang canopies, or similar features.

    c. Covered porches a minimum of 60 square feet in area at a depth of at least six feet, courtyard areas with low surrounding walls a minimum of 60 square feet in area or homes with livable space a minimum of 3-feet in front of the front line of the garage, shall be provided in the front façades of a minimum of 50 percent of the elevations offered within the subdivision.

    d. Decorative garage treatments, including but not limited to, windows, raised or recessed panels, architectural trim, and/or single garage doors.

3. All sidewalks adjacent to rights-of-way shall be detached with a minimum five-foot-wide landscaped area located between the sidewalk and back of curb and shall include minimum 2-inch caliper large canopy shade trees planted a minimum of 20 feet on center or equivalent groupings, except where utility and engineering constraints exist, and minimum 5-gallon shrubs with a maximum mature height of 2 feet providing 75 percent live cover, as approved by the Planning and Development Department.

4. All landscape plant material shall comply with the approved plant species list in Appendix A in the North Black Canyon Overlay District, as approved by the Planning and Development Department.

5. A minimum of 20 percent of the gross project area shall be retained as open space with a minimum of 5 percent improved as active/useable open space, exclusive of landscape setbacks, washes and hillside preserve area, as approved by the Planning and Development Department.

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6. A minimum building setback of 114 feet for residential structures shall be required along the eastern property line, as approved by the Planning and Development Department.

7. Interior walls and privacy fencing, excluding walls located between lots, shall be integral in color or painted to blend with the natural desert environment, as approved by the Planning and Development Department.

8. Perimeter walls shall incorporate stone veneer, stonework, varying types of CMU block, split face or faux stone, as approved by the Planning and Development Department.

9. The developer shall coordinate with ADOT and provide a perpendicular connection and associated right-of-way dedications at the intersection of Pinnacle Vista Drive and the Interstate 17 frontage road, as approved by the Planning and Development Department.

10. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

11. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

12. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

13. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

14. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Deer Valley Airport (DVT) to future owners or tenants of the property as approved by the Aviation Department.

15. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a “No Hazard Determination” from the FAA. If temporary equipment used during construction exceeds the height of the FAA and a “NO Hazard Determination” obtained prior to the construction start date.

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16. The developer shall grant and record an avigation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

17. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 3rd day of March 2021.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

Exhibits:
A – Legal Description (2 Pages)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-53-20-1

The North half of the Southeast quarter of the Southwest quarter of the Northeast quarter of Section 35, Township 5 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT all coal, gas and other minerals as reserved in Patent from the United States of America.

PARCEL NO. 1 (205-01-002A)

The South half of the Southwest quarter of the Southwest quarter of the Northeast quarter of
Section 35, Township 5 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa
County, Arizona;

EXCEPT all coal, gas and other minerals as reserved in Patent from the United States of America.

PARCEL NO. 2 (205-01-004A)

The South half of the Southeast quarter of the Southwest quarter of the Northeast quarter of Section
35, Township 5 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa
County, Arizona;

EXCEPT any portion thereof lying within the right-of-way of Black Canyon Highway; and

EXCEPT all minerals as reserved in the Patent; and

EXCEPTING that portion conveyed to the State of Arizona.

PARCEL NO. 3 (205-01-008)

The North half of the Southeast quarter of the Southwest quarter of the Northeast quarter of Section
35, Township 5 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa
County, Arizona;

EXCEPT any portion thereof lying within the right-of-way of Black Canyon Highway; and

EXCEPTING that portion conveyed to the State of Arizona in Docket 4493, Page 89;

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EXCEPT all coal, oil, gas, minerals and all uranium, thorium, or any other material which is or may be determined to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, as reserved in Patent from United States of America.

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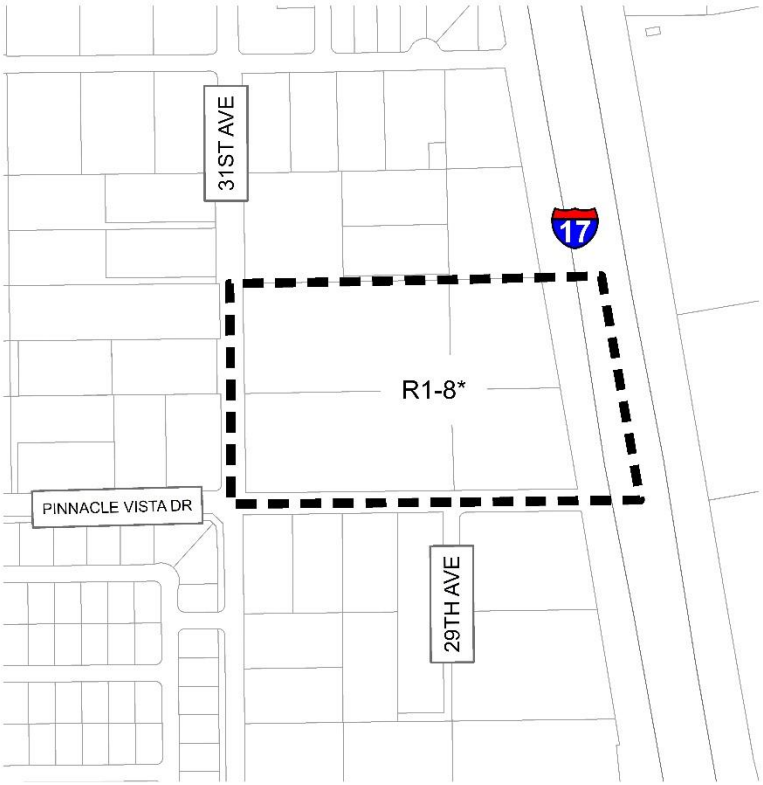
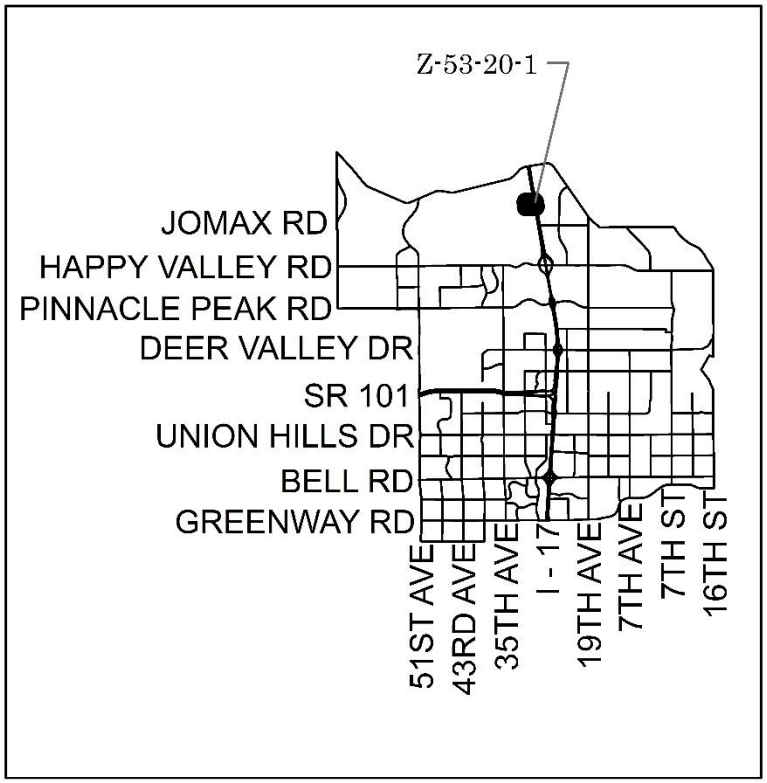
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-53-20-1
Zoning Overlay: N/A
Planning Deer Valley





NOT TO SCALE

N

Drawn Date: 2/4/2021

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City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-53-20-1
December 2, 2020

Deer Valley Village Planning Committee Hearing Date	December 17, 2020
Planning Commission Hearing Date	January 7, 2020
Request From:	S-1 (Farm or Ranch Residence) (15.52 acres)
Request To:	R1-8 (Single-family Residence) (15.52 acres)
Proposed Use	Single-Family Residential
Location	Northeast corner of 31st Avenue and Pinnacle Vista Drive
Applicant	Chuck Chisholm-K. Hovnanian Homes
Representative	Julie Vermillion-CVL Consultants
Owner	Funk Family Enterprises, LLC
Staff Recommendation	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation	Residential 2 to 5 dwelling units per acre		
Street Map Classification	31st Avenue	Local	33-foot east half street
	Pinnace Vista Drive	Minor Collector	33-foot north half street
	Black Canyon Highway Frontage Road	Existing Freeway	Approximately 380 feet, including frontage roads

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY AND CHARACTER; LAND USE PRINCIPLE: 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.

As stipulated, the proposed development will be compatible with the existing single-family residential uses surrounding the site. The General Plan Land Use Map

Designation for this area is 2 to 5 dwelling units per acre. The proposed density of 4.08 dwelling units per acre is consistent with the General Plan designation. As stipulated, the applicant has agreed to construct only single-story homes on the northern property boundary to encourage compatibility with the surrounding area.

BUILD THE SUSTAINABLE URBAN CITY; TREES AND SHADE; DESIGN: INTEGRATE TREES AND SHADE INTO THE DESIGN OF NEW DEVELOPMENT AND REDEVELOPMENT PROJECTS THROUGHOUT PHOENIX.

The proposed development, as stipulated will provide detached sidewalks and trees to encourage walkability along 31st Avenue and Pinnacle Vista Drive.

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The proposed development offers an opportunity to develop an undeveloped property at a scale that is compatible with the surrounding area. This is a unique area that was primarily developed in Maricopa County with larger single-family residential lots. The proposed development supports increased intensity in the area.

Area Plan / Policy / Principles

Reimagine Phoenix Initiative – See Background Item No. 6

Tree and Shade Master Plan – See Background Item No. 7

Complete Streets Guiding Principles – See Background Item No. 8

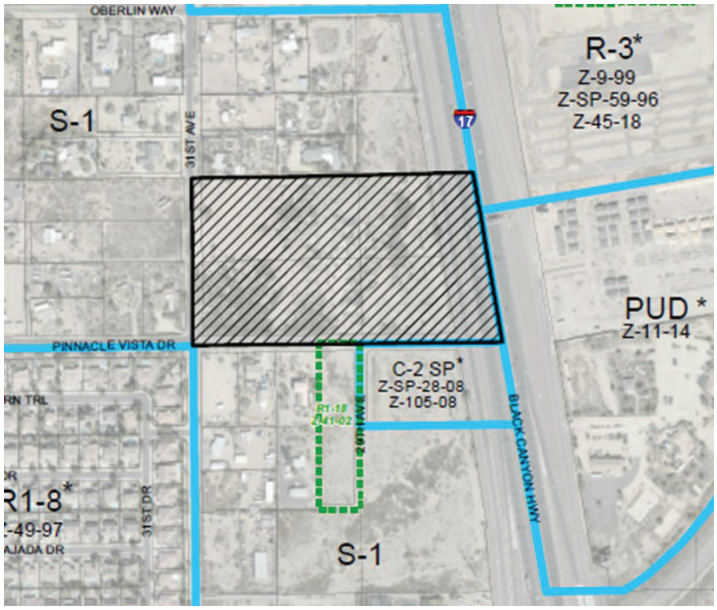
Housing Phoenix Plan – See background item No. 9

Surrounding Land Uses/Zoning

	Land Use	Zoning
On Site	Vacant/ Undeveloped	S-1
North	Single-Family Residential/Vacant	S-1
South	Single-Family Residential/Vacant	S-1
East (across I-17 Highway)	Multifamily Residential/Vacant	PUD and R-3
West	Vacant/ Single-Family Residential	S-1, approved R1-18, C-2 SP

Background/Issues/Analysis

1. This is a request to rezone a 15.52-acre site located on the northeast corner of 31st Avenue and Pinnacle Vista Drive from S-1 (Ranch or Farm Residence) to R1-8 (Single-Family Residence District) to allow for single-family residential.



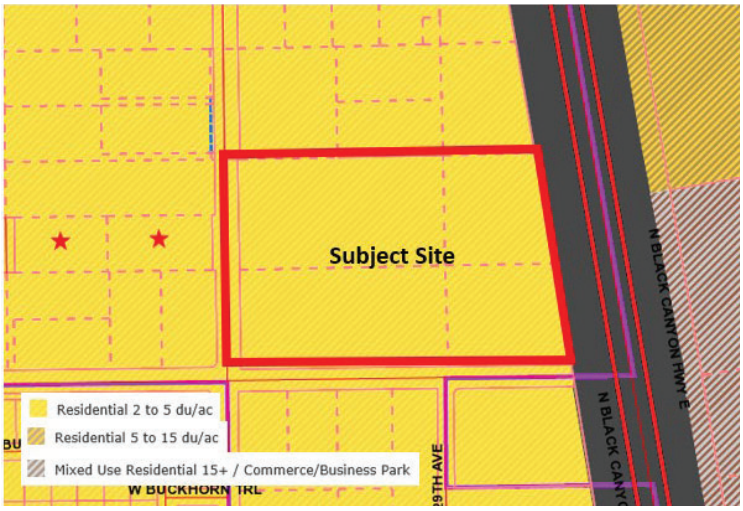
Zoning Aerial Map, Source: City of Phoenix Planning & Development Department

2. The subject site has properties on three sides that are largely undeveloped and zoned S-1. There are existing single-family homes to the north, west, and south on large lots. The subject site is located to the west of the Interstate 17 (I-17) Black Canyon Freeway. The R1-8 property to the southwest was rezoned in 1997 through Rezoning Case No. Z-49-97, which allowed increased density in the area.

3. The General Plan Land Use map designation for the subject site is Residential 2 to 5 dwelling units per acre. The proposed rezoning is consistent with the General Plan Land Use Map designation.

   The following General Plan Land Use Map designations surrounding the site are:

   North: Residential 2 to 5 dwelling units per acre



Source: City of Phoenix Planning & Development Department

South: Residential 2 to 5 dwelling units per acre
East: (Across the N Black Canyon Freeway) Residential 5 to 15 dwelling units per acre and Mixed Use (Residential 15 plus dwelling units per acre/Commerce/Business Park).
West: Residential 2 to 5 dwelling units per acre.

The proposed site plan depicts a 61 lot subdivision. Lots are buffered from existing single-family residential properties by Pinnacle Vista Drive on the south, 31st Avenue to the west and a 33-foot open space buffer on the north. An APS easement buffers the subject site from Interstate 17 (I-17). To provide compatibility with the existing large-lot residential to the north of the site, staff is recommending a stipulation limiting the height of homes located along the northern boundary to one-story and 24 feet in height. This is addressed n Stipulation No. 1.

4. The developer has provided front-facing elevation types that illustrate variations in roofline, window shapes and sizes, architectural embellishments and textural changes. To ensure high quality design on all four-sides of the homes, staff is recommending Stipulation No. 2 that requires PHO review to ensure specific features be implemented.

5. The proposal includes a 61-lot subdivision with vehicular access to Pinnacle Vista Drive and 31st Avenue. In order to provide compatibility with the scale of the surrounding development the conceptual site plan includes several open space areas. To ensure the site develops as presented, staff is recommending 20 percent of the gross project area be retained as open space. This is addressed in Stipulation No. 5. The developer shall provide a 114 foot setback along the eastern property line due to an APS utility easement in the area. This is addressed in Stipulation No. 7. All interior walls shall blend with the desert environment and exterior walls shall contain stone veneer, stonework or other alternative design features to ensure a high-quality aesthetic in the area. These are addressed in Stipulation Nos. 7 and 8. The site plan will be required to meet the standards of the Zoning and Subdivision Ordinance.

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

6. **Reimagine Phoenix Initiative**
As part of the Reimagine Phoenix initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. The City of Phoenix offers recycling collection for all single-family residences. The provision of recycling containers was not addressed in the applicant's submittals; however, per City Code, the City provides recycling containers and services to all single-family residences.

7. **Tree and Shade Master Plan**
The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and

development process. A vision in the master plan is to raise awareness by leading by example. To accomplish the vision and goal of the policy document, Stipulation No. 3 requires that the developer provide detached sidewalks adjacent to rights-of-way and plant shade trees 20 feet on center or in equivalent groupings along all street frontages. Planting trees adjacent to sidewalks provides for the thermal comfort of pedestrians. All landscape plant material shall comply with Appendix A in the North Black Canyon Overlay District. This is addressed n Stipulation No. 4.

8. **Complete Streets Guiding Principles**
The Guiding Principles for Complete Streets encourage a more walkable environment. It is recommended that sidewalks adjacent to rights-of way be detached from the curb and a landscape strip planted between the curb and the sidewalk. Trees planted on the west side of the sidewalk will provide shade from the western sun. The combined landscaping with trees, detached sidewalk and landscape strip, are consistent with a complete streets' environment. These provisions are addressed in Stipulation No. 3.

9. **Housing Phoenix Plan**
In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing.
The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

COMMUNITY INPUT SUMMARY

10. At the time the staff report was written one letter of opposition from surrounding residents have been received by staff. Concerns include increased density, character of area changing, traffic impacts and height.

11. The applicant has held several neighborhood meetings with adjacent residents. As part of the citizen outreach, the applicant has agreed to limit homes to single-story, with a maximum of 24-feet in height along the northern perimeter of the development. This is addressed in Stipulation No. 1.

INTERDEPARTMENTAL COMMENTS

12. The Street Transportation Department has indicated that the developer shall dedicate the existing 33-foot Federal Patent Easement in the north side of the development to ensure the abutting single-family property maintains legal access. Furthermore, the Streets Transportation Department is requiring the developer to coordinate with ADOT and provide connections and dedicate rights-of-way at the intersection of Pinnacle Vista Drive and the I-17 frontage road. Additionally, all streets within and adjacent to the development, shall be constructed with all mandatory elements. All improvements shall meet ADA requirements. These are addressed in Stipulation Nos. 9, 10 and 11.

13. The City of Phoenix Floodplain Management division of the Street Transportation Department has determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 1260 L and 1280 L of the Flood Insurance Rate Maps (FIRM) dated July 20, 2018 and January 29, 2015, also protected by a levy.

14. The City of Phoenix Water Services Department has noted the site has existing water and sewer mains that can potentially serve the proposed development, however there is potential need to up size existing water and sewer infrastructure mains so that any remodels or new buildings will be able to meet domestic and fire code requirements.

15. The Fire Department commented that no fire code issues are anticipated with this case and the site and/or buildings shall comply with the Phoenix Fire Code.

16. The City of Phoenix Aviation Department has noted that the site is within the Phoenix Deer Valley Airport (DVT) traffic pattern airspace, which requires an airport disclosure, avigation easement dedication and a no hazard determination be filed. These are addressed in Stipulation Nos. 15, 16 and 17.

OTHER

17. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation Nos. 12, 13 and 14.

18. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements.

Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The proposal is consistent with the General Plan Land Use Map designation of Residential 2 to 5 dwelling units per acre.

2. As stipulated, the proposed development is compatible with the existing land use pattern in the area and is designed to enhance a walkable environment along Pinnacle Vista Drive and 31st Avenue where there are other single-family developments nearby.

3. As stipulated, the proposal is compatible with the surrounding land uses because of the limited density, limited height, and increased buffers.

Stipulations

1. Buildings within 33 feet of the north property line of the development shall be limited to one story and 24 feet in height, as approved by the Planning and Development Department.

2. The conceptual elevations shall be administratively approved by the Planning Hearing Officer prior to single-family design review approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.

    a. Building materials and colors shall express a desert character and shall blend with, rather than strongly contrast with the desert environment.

    b. All elevations of the building shall contain three of the following architectural embellishments and detailing: textural changes, pilasters, offsets, recesses, variation in window size or location, overhang canopies, or similar features.

    c. Covered porches a minimum of 60 square feet in area at a depth of at least six feet, courtyard areas with low surrounding walls a minimum of 60 square feet in area or homes with livable space a minimum of 3-feet in front of the front line of the garage, shall be provided in the front façades of a minimum of 50 percent of the elevations offered within the subdivision.

    d. Decorative garage treatments, including but not limited to, windows, raised or recessed panels, architectural trim, and/or single garage doors.

3. All sidewalks adjacent to rights-of-way shall be detached with a minimum five-foot-wide landscaped area located between the sidewalk and back of curb and shall include minimum 2-inch caliper large canopy shade trees planted a minimum of 20 feet on center or equivalent groupings, except where utility and engineering constraints exist, and minimum 5-gallon shrubs with a maximum mature height of 2 feet providing 75 percent live cover, as approved by the Planning and Development Department.

4. All landscape plant material shall comply with the approved plant species list in Appendix A in the North Black Canyon Overlay District, as approved by the Planning and Development Department.

5. A minimum of 20 percent of the gross project area shall be retained as open space with a minimum of 5 percent improved as active/useable open space, exclusive of landscape setbacks, washes and hillside preserve area, as approved by the Planning and Development Department.

6. A minimum building setback of 114 feet for residential structures shall be required along the eastern property line, as approved by the Planning and Development Department.

7. Interior walls and privacy fencing, excluding walls located between lots, shall be integral in color or painted to blend with the natural desert environment, as approved by the Planning and Development Department.

8. Perimeter walls shall incorporate stone veneer, stonework, varying types of CMU block, split face or faux stone, as approved by the Planning and Development Department.

9. The developer shall dedicate the existing 33-foot Federal Patent Easement on the north side of the development and construct the south half of the McArthur Road alignment per the local street standard with a minimum of 20 feet of asphalt paving, as approved by the Planning and Development Department.

10. The developer shall coordinate with ADOT and provide a perpendicular connection and associated right-of-way dedications at the intersection of Pinnacle Vista Drive and the Interstate 17 frontage road, as approved by the Planning and Development Department.

11. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

12. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

13. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

14. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33- foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

15. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Deer Valley Airport (DVT) to future owners or tenants of the property as approved by the Aviation Department.

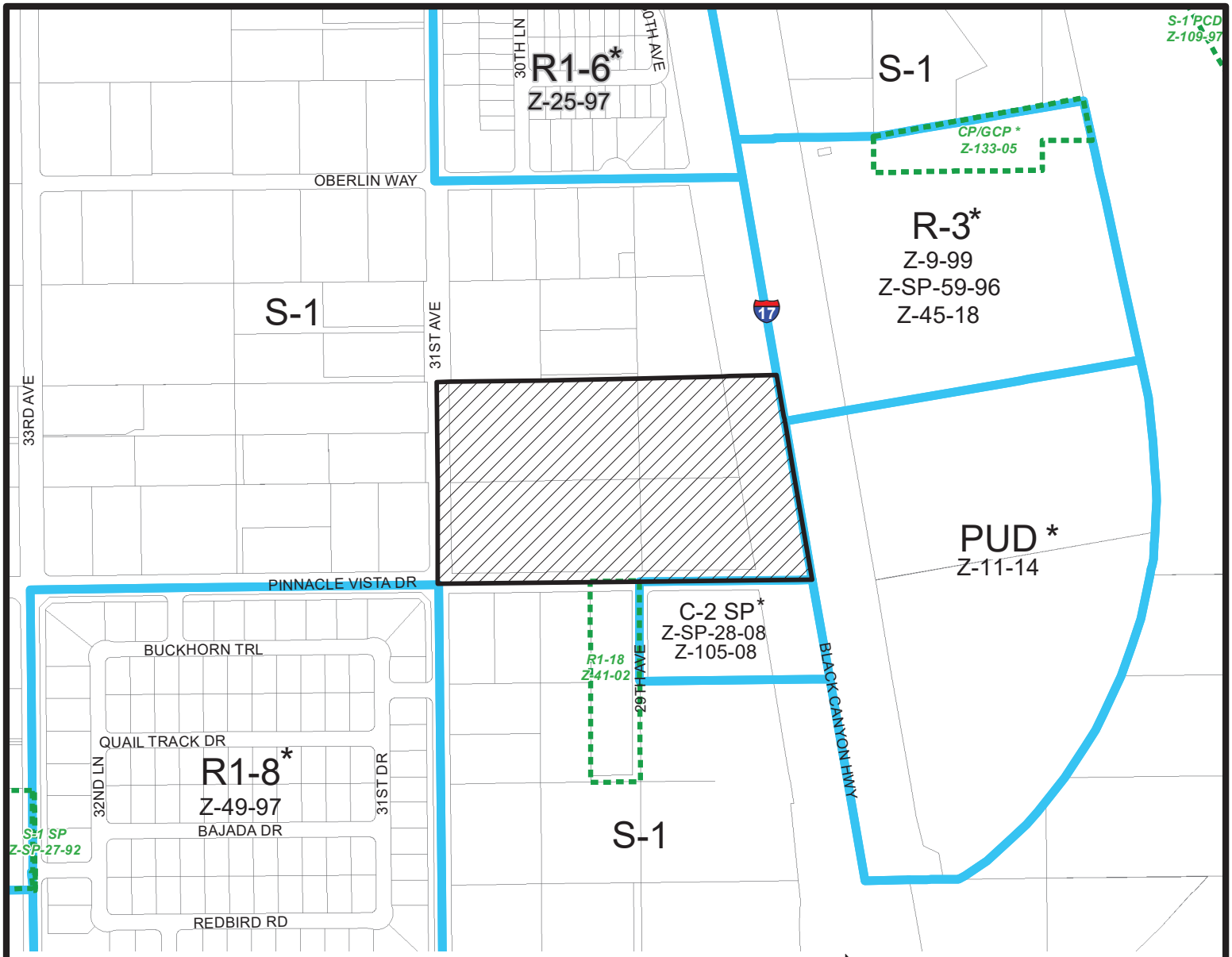
16. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a “No Hazard Determination” from the FAA. If temporary equipment used during construction exceeds the height of the FAA and a “NO Hazard Determination” obtained prior to the construction start date.

17. The developer shall grant and record an avigation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

Writer
David Simmons
December 2, 2020

Team Leader
Samantha Keating

Exhibits
Sketch Map
Aerial
Site Plan date stamped October 2, 2020 (1 page)
Elevations date stamped October 2, 2020 (2 pages)
Community Correspondence (2 pages)



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	Chuck Chisholm - K. Hovnanian Homes
APPLICATION NO.	Z-53-20
DATE:	10/08/2020
REVISION DATES:	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	15.52 Acres
AERIAL PHOTO & QUARTER SEC. NO.	QS 50-22
ZONING MAP	P-7

REQUESTED CHANGE:

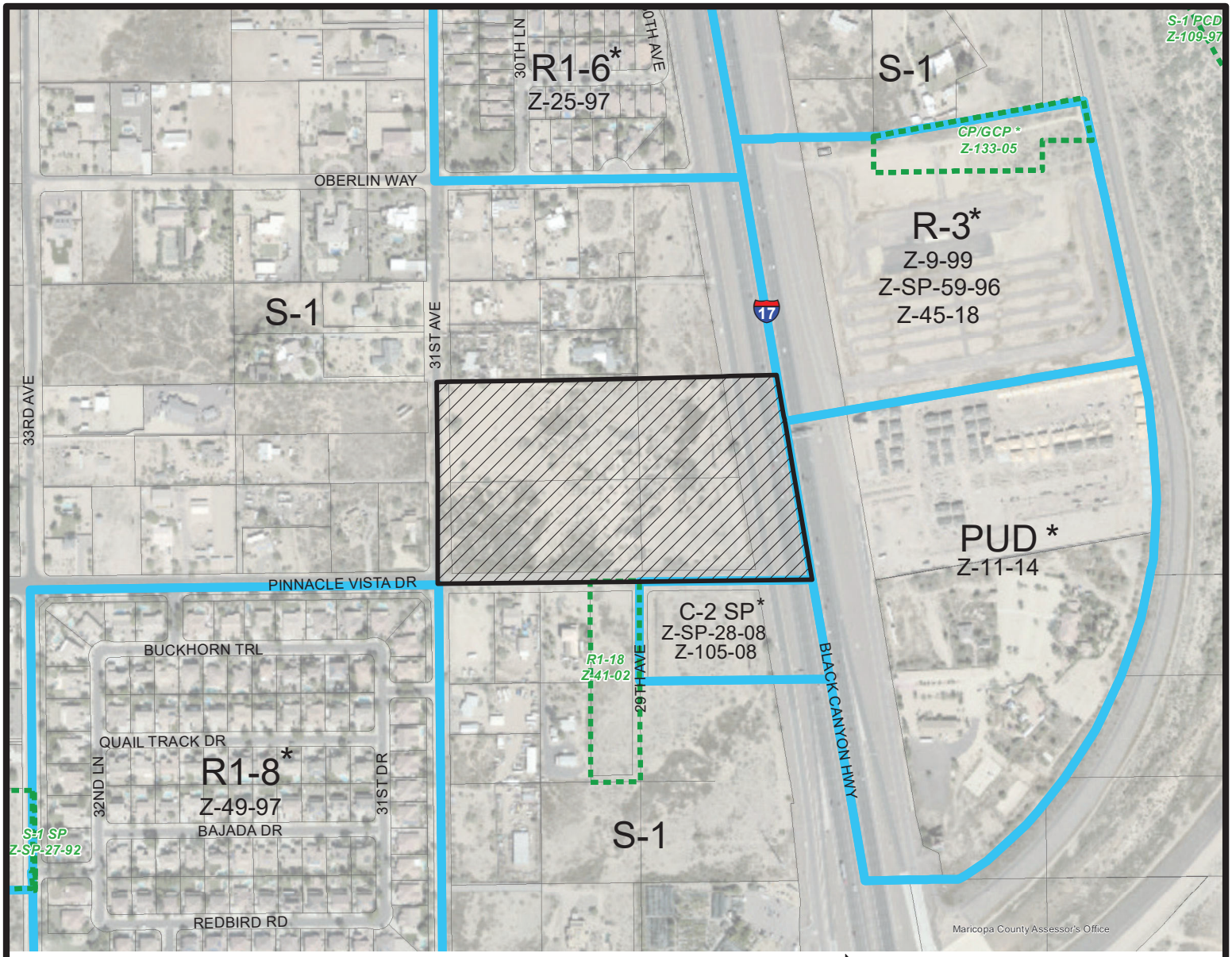
FROM: S-1 (15.52 a.c.)

TO: R1-8 (15.52 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
S-1	15	N/A
R1-8	66	85

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

Document Path: S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\sketch_maps\2020\Z-53-20.mxd



Miles

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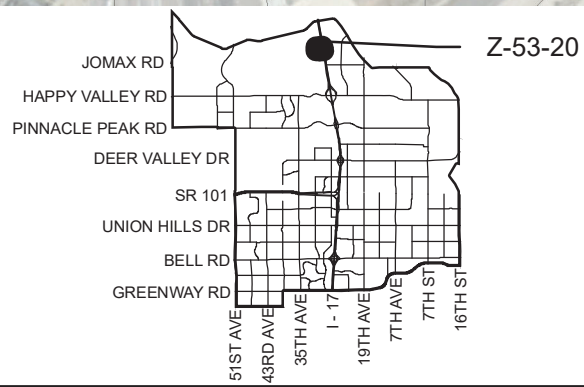
DEER VALLEY VILLAGE

CITY COUNCIL DISTRICT: 1



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Document Path: S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\sketch_maps\2020\Z-53-20.mxd

Sterling Vista

Site Plan

STERLING VISTA		
Existing Zoning	S-1	
Proposed Zoning	R1-8 PRD	
APN #s	205-01-006A, 205-01-002A, 205-01-008, 205-01-004A	
Gross Area	14.95 ac	
Lot Size	45' X 108'	
Yield	61	
Density	4.08 du/ac	
Landscape Tract	2.56 ac	17%
Electrial Easement	1.79 ac	12%
Total Tract Area	4.35 ac	29%
Total Centerline Length	3663.5 lf	

CITY OF PHOENIX
OCT 02 2020
Planning & Development Department

30 September 2020
N:\01\0354401\Graphics\Exhibits\site plan.indd

CVL CONSULTANTS

SERIES WIDTH
35'

PLAN 3570	PLAN 3575	PLAN 3581	PLAN 3525
CRAFTSMAN	SPANISH	ITALIANATE	CRAFTSMAN
(1,351 SF)	(1,565 SF)	(1,808 SF)	(2,033 SF)
1-STORY	1-STORY	1-STORY	1-STORY

KHovnanian® Homes

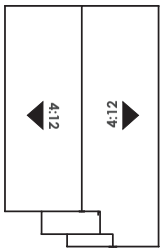
STREET SCENE

CITY OF PHOENIX
OCT 0 2 2020
Planning & Development Department

'SPANISH'
FRONT VIEW: N.T.S.

SERIES WIDTH
35'

LIV. SF:	**1,351**
PLAN WIDTH:	**35'**
PLAN #:	3570
SPANISH	



ROOF PLAN
SCALE: N.T.S.

STYLE LEGEND:

1. PROMINENT GABLES
2. CONCRETE 'S' TILES
3. 12" RAKES AND 12" EAVES
4. DECORATIVE GABLE DETAILS
5. DECORATIVE SHUTTERS
6. 4:12 ROOF PITCH

COLOR SCHEME # 1022 B

RIGHT ELEVATION
SCALE: 3/32" = 1'-0"

REAR ELEVATION
SCALE: 3/32" = 1'-0"

LEFT ELEVATION
SCALE: 3/32" = 1'-0"

FRONT ELEVATION
SCALE: 3/32" = 1'-0"

CITY OF PHOENIX
OCT 0 2 2020
Planning & Development Department

KHovnanian Homes

STERLING VISTA
AZD - PHOENIX, ARIZONA
08.25.2020

12/1/2020

Mr. Simmons,
I am writing this to voice my opposition to the proposed zoning change, Case # Z-53-20-1. The proposed development of 61 homes will have a significant impact on traffic in the area and is not compatible with the surrounding area.

The traffic study presented by the developer is faulty and has no basis for the assumptions made. The study fails to address the already re-zoned properties that are/will be developed and will increase traffic load on the limited egress routes into/out of the area. More importantly, the assumption that only 10-percent of the trips made from and 30-percent of the trip to the proposed development will use 33rd Avenue is completely baseless. Consider the following:

- Shopping, including grocery/convenience/Starbucks/etc., are on Happy Valley Road and will be accessed via 33rd Ave
- Local Schools are most easily accessed via 33rd ave to Happy Valley
- Local gas stations are on Happy Valley Road and will be accessed via 33rd Ave
- The shortest driving route to the development from northbound I-17 will be via Happy Valley. Mapping apps on cell phones/computers are going to direct drivers to use this route.

Anyone with an understanding of how people go about their daily activities should understand that the 33rd Avenue route will be uses significantly more than what is assumed. An “engineered”, and I use that term loosely, document should not take place over a common sense understanding of the situation.

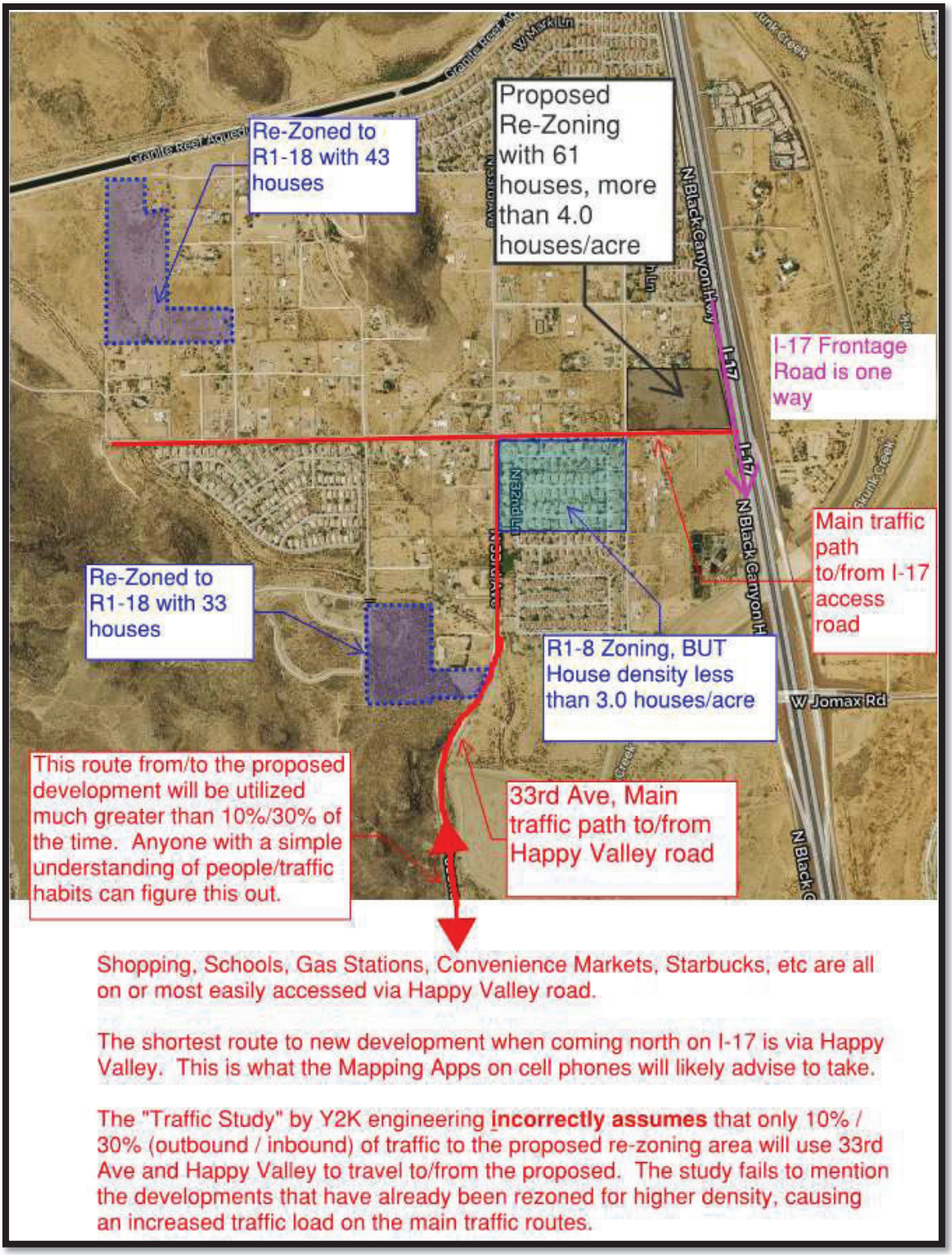
The house density is excessive considering the rural character of the area. Yes, there are some portions of developments in the general area that have similar density, but they are not in the immediate area of the proposed development. These, higher density developments already do not fit into the rural character of the area. There are a sufficient number of these to provide adequate diversity in the neighborhood. We don’t need another one and the additional traffic/people/crime potential that comes with it.

The developer has stated that the houses on the northern part of the project would be restricted to single story, indicating that there are plans for two story units elsewhere. With four-plus houses per acre and two-story units, this development would give a “being in a canyon feeling” when traveling down streets. This would not be compatible with the surrounding properties or the rural nature of the area.

If rezoning is to occur, a maximum density of 3.0 houses/acre should be stipulated. That would ensure the development was compatible with the area and would reduce the negative effect of traffic on the established residents. Please see Figure 1 (next page) for visual representation of egress route limitations and rezoned properties that will increase traffic load in area.

12/1/2020

Figure 1



Please review my correspondence and add it to the file related to the proposed zoning change and associated development. Thank You,

Kenneth A. Vest, 27635 N 37th Ave, Phoenix AZ 85083

Deer Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-53-20-1

Date of VPC Meeting	December 17, 2020
Request From	S-1 (15.52 acres)
Request To	R1-8 (15.52 acres)
Proposed Use	Single-family Residential
Location	Northeast corner of 31st Avenue and Pinnacle Vista Drive
VPC Recommendation	Continuance
VPC Vote	5-3

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Mr. David Simmons, staff, went over the request with the committee. He covered the existing General Plan Land Use designation on the site and surrounding area, the uses in the surrounding area, the height limitations stipulated as well as enhanced buffers abutting existing large lot residential uses. He also went over stipulation rationale with the committee.

Mr. Tom Galvin, Rose Law Group, explained that the intent of the request. He went over concessions made from the time of the initial neighborhood meeting, which includes the following:

- Decreased total # of lots from 61 to 57
- Decreased overall density from 4.08 to 3.8 du/ac (GP allows 2-5 du/ac)
- Increased lot sizes from 45' wide to 50' wide
- Increased open space to 30%
- Removed access on 31st Avenue
- Relocated Pinnacle Vista access closer to Frontage Rd / away from neighbors.
- All lots along 31st Avenue will be restricted to single story.
- Detached sidewalk AND 10' equestrian trail provided along 31st Avenue.
- Constructing new 6' block wall to buffer adjacent property owners to the north (Enna and Doles)

He went over the site challenges as well as the General Plan Land Use Map conformity. He continues to request the committee consider recommending the deletion of Stipulation No. 9.

Mr. Keith Greenberg shared that the HOA can enact CC&R's that can restrict weekend rentals. He asked if this was planned for this community.

Mr. Galvin shared that this provision will be included int eh CC&R's.

Mr. Ricardo Romero shared that traffic may be of concerns here due to access to the area being limited. He asked the applicant how they addressed these challenges.

Mr. Chris Williams, Traffic engineer with Y2k Engineering, shared that the traffic study revealed that this is the lowest possible traffic generator on the scale. He shared that he and the development team worked with ADOT to gain access to the I-17 frontage road to help alleviate traffic on the main ingress/egress point into the area. ADOT allowed two points of ingress/egress out of the subdivision onto the frontage road. This helped to reduce trips in the study on 31st Avenue.

Vice Chair Trilese DiLeo asked if there were tow access points approved onto the frontage road.

Mr. Williams reiterated that there are two access pints proposed onto the frontage road.

Public Comment:

Mr. Roy Weinberg, residing at 3132 W. Buckhorn Trail, shared that he is opposed to the project due to increased density, character of the area changing, and increased traffic volumes. He shared that the proposed horse trail is like throwing a biscuit to a dog. It doesn't achieve anything for the area as existing equestrian residence ride their horses on the streets.

Ms. Cheryl Colin shared that she thinks the technology is too challenging for public hearings. She also shared concerns with the character of the area changing and traffic increase concerns.
Mr. Dan Vanna, residing at 27605 N. 31st Avenue, Has infrastructure concerns, traffic volume concerns, and emergency service access concerns due to an increase in density.

Mr. Rodney Muehlfeld, residing at 3205 W. Wahalla Dr, shared concerns about traffic increases, density proposed is too high, the equestrian lane is ridiculous and shared that this perceived amenity provides no bonus points.

Applicants Response:

Mr. Tom Galvin Explained that the S-1 zoning designation really does not make since at this location. There is an R1-6 subdivision to the north and an R1-8 subdivision to the southwest of the site. He explained that this proposal would be a great transition area between the I-17 and the more rural residential lots further to the west.

Mr. Chris Williams, traffic engineer, shared that a 58 lot single-family subdivision is not going to create traffic issues as this is a low volume traffic generator, comparatively. He explained that gaining access by looping around

the I-17 frontage road takes the same amount of time as someone traveling up 31st Avenue.

VPC Discussion:

Mr. Russell Osborne shared that he is opposed to the project and believes this area should remain S-1.

MOTION: Mr. Russell Osborne motioned to recommend denial for Rezoning Case No. Z-53-20-1. Committee member **Mr. Ozzie Virgil** seconded the motion.

VOTE: 3-4, motion to recommend denial failed, with Committee Members Greenberg, Levy and Osborn in favor. Committee members Gardner Kenney, Romero, and Vice Chair DiLeo not in favor.

Mr. Ozzie Virgil made himself known as a call-in member at 7:30, bringing quorum to 8.

Mr. Russell Osborne stated that this committee was created to be a safeguard for residences. We can't ignore that. This is an existing rural community and the people living there bought in this way.

MOTION: Mr. Matthew Kenney motioned to recommend approval with eh deletion of Stipulation No. 9 for Rezoning Case No. Z-53-20-1. Committee member **Ms. Michelle Gardner** seconded the motion.

VOTE: 4-4, motion to recommend approval with the deletion of Stipulation No. 9 failed, with Committee Members Gardner, Kenney, Romero and DiLeo in favor. Committee members Greenberg, Levy, Osborne, and Virgil not in favor.

Vice Chair Trilese DiLeo went over land rights and the need for additional housing in the current market. She stated that the committee must look at all angles prior to making a decision on cases heard before the committee.

Ms. Michelle Gardner expressed her support for the proposal stating that the developer worked with the neighbors over a extensive amount of time and offered many substantial concessions to ensure concerns were addressed. She applauded the applicant for their community outreach work and explained that growth in this area is inevitable. Something will be developed here. She went on to say that the traffic study was done by a reputable traffic engineering firm and the results are clear. An increase in traffic is a non-issue, especially considering the ADOT access agreements onto the frontage road. She reiterated her support for the project.

Mr. Russell Osborn stated that the State Land department is selling land. There is plenty of land available elsewhere where housing can be built. The existing residence should be able to keep their rural lifestyle in this area and we should listen to their concerns.

Mr. Ricardo Romero stated that home prices are currently out of control. We need more inventory to drive these inflated prices down. People are being priced out of the market. The lack of inventory is causing issues for prospective home buyers.

Vice Cahir DiLeo asked the committee what they would like to see developed on this site.

Mr. Russell Osborne said that this question is out of line and outside of the committee's purview. He went on too state that the committee should not be making determinations on what should be located on private land.

Mr. David Simmons, staff, shared that Vice Chair DiLeo' s inquiry was perfectly acceptable.

Ms. Michelle Gardner also stated that Vice Chair DiLeo's questions was perfectly valid for this committee and asked what the committee would like to see developed here. She asked if the committee thinks it should remain vacant land, farm or ranch residential or a subdivision like the one presented to the committee tonight.

Mr. Simmons shared that the applicant is requesting a continuance to the January 14, 2021 Deer Valley Village Planning Committee meeting to a lot the development team time to work further with the neighbors.

MOTION: **Mr. Keith Greenberg** made a motion to continue Rezoning Case No. Z-53-20-1 to the January 14, 20201 Deer Valley Village Planning Committee meeting agenda. Committee member **Mr. Matthew Kenney** seconded the motion.

VOTE: 5-3, motion to continue passed, with Committee Members Gardner, Greenberg, Kenney, Levy and DiLeo in favor. Committee members Osborne, Romero and Virgil not in favor.

Staff comments regarding VPC Recommendation & Stipulations:

None.

Deer Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-53-20-1

Date of VPC Meeting	January 14, 2021
Request From	S-1 (15.52 acres)
Request To	R1-8 (15.52 acres)
Proposed Use	Single-family Residential
Location	Northeast corner of 31st Avenue and Pinnacle Vista Drive
VPC Recommendation	Approval, per staff recommendation and deletion of Stipulation No. 9
VPC Vote	11-2

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Mr. David Simmons, staff, went over the request with the committee. He covered the existing General Plan Land Use designation on the site and surrounding area, the uses in the surrounding area, the height limitations stipulated as well as enhanced buffers abutting existing large lot residential uses. He also went over stipulation rationale with the committee.

Mr. Tom Galvin, with Rose Law Group, representing the applicant, explained that the intent of the request. He went over concessions made from the time of the initial neighborhood meeting, which includes the following:

- Decreased total # of lots from 61 to 57
- Decreased overall density from 4.08 to 3.8 du/ac (GP allows 2-5 du/ac)
- Increased lot sizes from 45' wide to 50' wide
- Increased open space to 30%
- Removed access on 31st Avenue
- Relocated Pinnacle Vista access closer to Frontage Rd / away from neighbors.
- All lots along 31st Avenue will be restricted to single story.
- Detached sidewalk AND 10' equestrian trail provided along 31st Avenue.
- Constructing new 6' block wall to buffer adjacent property owners to the north (Enna and Doles)
- Restricting rentals through cc & r's.

He went over the site challenges as well as the General Plan Land Use Map conformity. He went over the site layout changes made to date as a result of public comment and concerns. He continued and requested the committee consider the deletion of Stipulation No. 9.

Chairman Joseph Grossman stated that he feels the presentation did not touch on the restrictions in place under the transmission corridor.

Mr. Galvin shared that the transmission corridor presents many challenges for the site as no development can take place within the corridor, which is quite large compared to the size of the overall site.

Vice Cahir Trilese DiLeo asked why short term rentals are becoming an issue.

Mr. Galvin stated this was a direct result of public comment.

Ms. Jennifer Hall, with Rose Law Group, shared that she conducted all public outreach efforts for this case and confirmed that restricting rentals was a direct result of public concerns.

Vice Chair DiLeo asked if there was a sidewalk proposed next to the equestrian trail.

Ms. Hall shared that there is a detached sidewalk proposed along side the equestrian path.

Mr. Russell Osborn asked if long term rentals would be allowed or if short term rentals were only addressed through the cc & r's.

Ms. Hall shared that both long and short term rentals are addressed and only 10 percent of the homes will be allowed to become rental properties.

Mr. Osborn asked if the APS transmission corridor would remain raw desert or be landscaped and maintained by the HOA.

Mr. Doug Chubin, with Co & Van Loo, stated that the area will be landscaped with decomposed granite and low level bushes as well as serve as stormwater retention.

Mr. Ozzie Virgil asked what the actual lot sizes are after all of the changes made.

Mr. Galvin shared that the lot sizes, for the most part, are 50 feet by 100 feet.

Mr. Virgil stated that 5000 square foot lots are very small. He asked what the open space percentage ended up being.

Mr. Galvin shared that the minimum open space proposed is 30 percent.

Mr. Ricardo Romero shared that this comes out to 4 acres of open space.

Mr. Mark Lewis asked Mr. Galvin to explain why they are requesting the deletion of Stipulation No. 9.

Ms. Hall shared that the development team went back and forth with staff on the Stipulation No. 9 requirement. Staff stated that this is a State requirement as it is a GLO easement. Ms. Hall stated that the roadway would most likely never be improved on either side so this improvement would be a “road to nowhere”.

Mr. Osborne asked how many homeowners requested the deletion of Stipulation No. 9.

Mr. Galvin shared that the discussion were between the neighbors abutting to the north, which are two large lot single-family homes. They would like to see this area act as a open space buffer and not an improved roadway. He agrees if the roadway improvements were to occur, this would indeed be a road to nowhere.

Mr. Chris Williams, traffic engineer, stated that a full traffic study was not required for this case because this is the lowest possible use for the site. It only warranted a traffic statement because anticipated traffic volumes are so low.

Public Comment:

Mr. Andy Mills, residing at 27620 N. 31st Ave, provided a power point slide to staff prior to the meeting. He went over circulation for the entire area along the frontage roads and all future planned developments along the frontage roads along I-17. He expressed concerns about the amount of traffic that will have to utilize the frontage roads and highlighted concerns about the Dixileta Drive overpass. He stated that this area will become very dangerous.

Mr. Mark Lewis stated that he appreciates the time, work and detail Mr. Mills put unto his graphic. He shared that a massive development was recently approved just north of the 303 highway. The expansion and growth in this are will require new housing options in the area.

Mr. Mills stated that there are plenty of other areas in which this proposal could be located in the surrounding area.

Mr. Russell Osborn asked if the traffic study included the frontage road.

Mr. Chris Williams, traffic engineer, shared that each new project is required to do a traffic study.

Mr. Dennis Rodriquez, residing at 3114 W. Spur Dr., asked the committee to reconsider a recommendation for approval and expressed concerns with increased traffic and the character of the area changing from rural to a more urban environment.

Mr. Roy Weinberg, residing at 3132 W. Buckhorn Trail, asked the committee if they read his letter of opposition sent out by staff. He reiterated his concerns about traffic and the character of the area changing.

Chairman Joseph Grossman shared that the committee did receive all neighborhood correspondence and all letters were reviewed prior to the meeting. He shared that there are protocols in place to ensure community input is reviewed and considered.

Mr. Rodney Muehlfeld, residing at 3205 W. Bajada Dr, has concerns about the character of the area changing, traffic and the proposed density being to high.

Mr. Randy Schille, residing at 3125 W. Dynamite Blvd, stated that he thinks the development team has gone above and beyond with their negotiations with the concerned neighbors. He shared that he in in support due to the number of concessions made by the developer.

Mr. Ozzie Virgil shared that he would put less people under powerlines, not more.

Mr. Ricardo Romero asked Mr. Schmille where in relation to the project he lives.

Mr. Schmille stated that he lives two blocks away.

Ms. Cheryl Colin, residing at 3031 W Oberlin Way, asked how we are to know how many of the neighbors were notified about this proposal. He shared concerns with traffic, overcrowding in the neighborhood, density and the character of the area changing.

Mr. Virgil asked Ms. Colin what density would be acceptable to her on this site.

Ms. Colin stated that she believes 2 dwelling units per acre would be acceptable.

Mr. Virgil asked Ms. Colin if she knew how many of her neighbors were notified.

Ms. Colin stated that she did not know.

Mr. Don Enna, residing at 27605 N. 31st Ave, shared that he has lived in this area for over 50 years. He gave Ms. Hall and Mr. Osborn kudos for their efforts to understand neighbors' concerns. He stated that this proposal is just another dog and pony show and has concerns about traffic.

Applicants Response:

Mr. Chris Williams, traffic engineer, stated that traffic will not be of concern as it relates to this project because this is the lowest traffic generator there is. We shared that they were able to achieve two access points onto the frontage road from ADOT, which will alleviate traffic in and around the existing neighborhoods.

Mr. Thomas Galvin shared that they have met all notification requirements and have made significant alternations to the original proposal as a result of public comment.

MOTION: Vice Chair Trilese DiLeo motioned to recommend approval per staff's recommendation and the deletion of Stipulation No. 9 for Rezoning Case No. Z-58-20-1. Committee member **Mr. Ricardo Romero** seconded the motion.

VOTE: 11-2, motion to recommend approval passed, with Committee Members Grossman, DiLeo, Davenport, Fergis, Gardner, Greenburg, Kenney, Levy, Lewis, Romero, and Shipman in favor. Committee Members Osborne and Virgil opposed.

Stipulations:

1. Lots within 33 feet of the north property line of the development shall be limited to one story and 24 feet in height, as approved by the Planning and Development Department.

2. The conceptual elevations shall be administratively approved by the Planning Hearing Officer prior to single-family design review approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.

    a. Building materials and colors shall express a desert character and shall blend with, rather than strongly contrast with the desert environment.

    b. All elevations of the building shall contain three of the following architectural embellishments and detailing: textural changes, pilasters, offsets, recesses, variation in window size or location, overhang canopies, or similar features.

    c. Covered porches a minimum of 60 square feet in area at a depth of at least six feet, courtyard areas with low surrounding walls a minimum of 60 square feet in area or homes with livable space a minimum of 3-feet in front of the front line of the garage, shall be provided in the front façades of a minimum of 50 percent of the elevations offered within the subdivision.

    d. Decorative garage treatments, including but not limited to, windows, raised or recessed panels, architectural trim, and/or single garage doors.

3. All sidewalks adjacent to rights-of-way shall be detached with a minimum five-foot-wide landscaped area located between the sidewalk and back of curb and shall include minimum 2-inch caliper large canopy shade trees planted a minimum of 20 feet on center or equivalent groupings, except where utility and engineering constraints exist, and minimum 5-gallon shrubs with a maximum mature height of 2 feet providing 75 percent live cover, as approved by the Planning and Development Department.

4. All landscape plant material shall comply with the approved plant species list in Appendix A in the North Black Canyon Overlay District, as approved by

the Planning and Development Department.

5. A minimum of 20 percent of the gross project area shall be retained as open space with a minimum of 5 percent improved as active/useable open space, exclusive of landscape setbacks, washes and hillside preserve area, as approved by the Planning and Development Department.

6. A minimum building setback of 114 feet for residential structures shall be required along the eastern property line, as approved by the Planning and Development Department.

7. Interior walls and privacy fencing, excluding walls located between lots, shall be integral in color or painted to blend with the natural desert environment, as approved by the Planning and Development Department.

8. Perimeter walls shall incorporate stone veneer, stonework, varying types of CMU block, split face or faux stone, as approved by the Planning and Development Department.

9. ~~The developer shall dedicate the existing 33-foot Federal Patent Easement on the north side of the development and construct the south half of the McArthur Road alignment per the local street standard with a minimum of 20 feet of asphalt paving, as approved by the Planning and Development Department.~~

10. The developer shall coordinate with ADOT and provide a perpendicular connection and associated right-of-way dedications at the intersection of Pinnacle Vista Drive and the Interstate 17 frontage road, as approved by the Planning and Development Department.

11. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

12. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

13. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

14. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33- foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

15. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Deer Valley Airport (DVT) to future owners or tenants of the property as approved by the Aviation Department.

16. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a “No Hazard Determination” from the FAA. If temporary equipment used during construction exceeds the height of the FAA and a “NO Hazard Determination” obtained prior to the construction start date.

17. The developer shall grant and record an avigation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

Staff comments regarding VPC Recommendation & Stipulations:

None.

REPORT OF PLANNING COMMISSION ACTION
February 4, 2021

ITEM NO: 15	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	Z-53-20-1
Location:	Northeast corner of 31st Avenue and Pinnacle Vista Drive
From:	S-1
To:	R1-8
Acreage:	15.52
Proposal:	Single-family residential
Applicant:	Chuck Chisholm, K. Hovnanian Homes
Owner:	Funk Family Enterprises, LLC
Representative:	Julie Vermillion, CVL Consultants, Inc

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
Deer Valley 12/17/2020 Continued. Vote: 5-3.
Deer Valley 1/14/2021 Approval, per the staff recommendation with a deleted stipulation. Vote: 11-2.

Planning Commission Recommendation: Approval, per the Deer Valley Village Planning Committee recommendation, with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Mangum made a MOTION to approve Z-53-20-1, per the Deer Valley Village Planning Committee recommendation, with an additional stipulation as read into the record.

Maker: Mangum
Second: McCabe
Vote: 7-0-1
Absent: Johnson (Conflict: Shank)
Opposition Present: Yes

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation of Residential 2 to 5 dwelling units per acre.

2. As stipulated, the proposed development is compatible with the existing land use pattern in the area and is designed to enhance a walkable environment

along Pinnacle Vista Drive and 31st Avenue where there are other single-family developments nearby.

3. As stipulated, the proposal is compatible with the surrounding land uses because of the limited density, limited height, and increased buffers.

Stipulations:

1. Lots within 33 feet of the north property line of the development shall be limited to one story and 24 feet in height, as approved by the Planning and Development Department.

2. The conceptual elevations shall be administratively approved by the Planning Hearing Officer prior to single-family design review approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.

    a. Building materials and colors shall express a desert character and shall blend with, rather than strongly contrast with the desert environment.

    b. All elevations of the building shall contain three of the following architectural embellishments and detailing: textural changes, pilasters, offsets, recesses, variation in window size or location, overhang canopies, or similar features.

    c. Covered porches a minimum of 60 square feet in area at a depth of at least six feet, courtyard areas with low surrounding walls a minimum of 60 square feet in area or homes with livable space a minimum of 3-feet in front of the front line of the garage, shall be provided in the front façades of a minimum of 50 percent of the elevations offered within the subdivision.

    d. Decorative garage treatments, including but not limited to, windows, raised or recessed panels, architectural trim, and/or single garage doors.

3. All sidewalks adjacent to rights-of-way shall be detached with a minimum five-foot-wide landscaped area located between the sidewalk and back of curb and shall include minimum 2-inch caliper large canopy shade trees planted a minimum of 20 feet on center or equivalent groupings, except where utility and engineering constraints exist, and minimum 5-gallon shrubs with a maximum mature height of 2 feet providing 75 percent live cover, as approved by the Planning and Development Department.

4. All landscape plant material shall comply with the approved plant species list in Appendix A in the North Black Canyon Overlay District, as approved by the Planning and Development Department.

5. A minimum of 20 percent of the gross project area shall be retained as open space with a minimum of 5 percent improved as active/useable open space, exclusive of landscape setbacks, washes and hillside preserve area, as approved by the Planning and Development Department.

6. A minimum building setback of 114 feet for residential structures shall be required along the eastern property line, as approved by the Planning and Development Department.

7. Interior walls and privacy fencing, excluding walls located between lots, shall be integral in color or painted to blend with the natural desert environment, as approved by the Planning and Development Department.

8. Perimeter walls shall incorporate stone veneer, stonework, varying types of CMU block, split face or faux stone, as approved by the Planning and Development Department.

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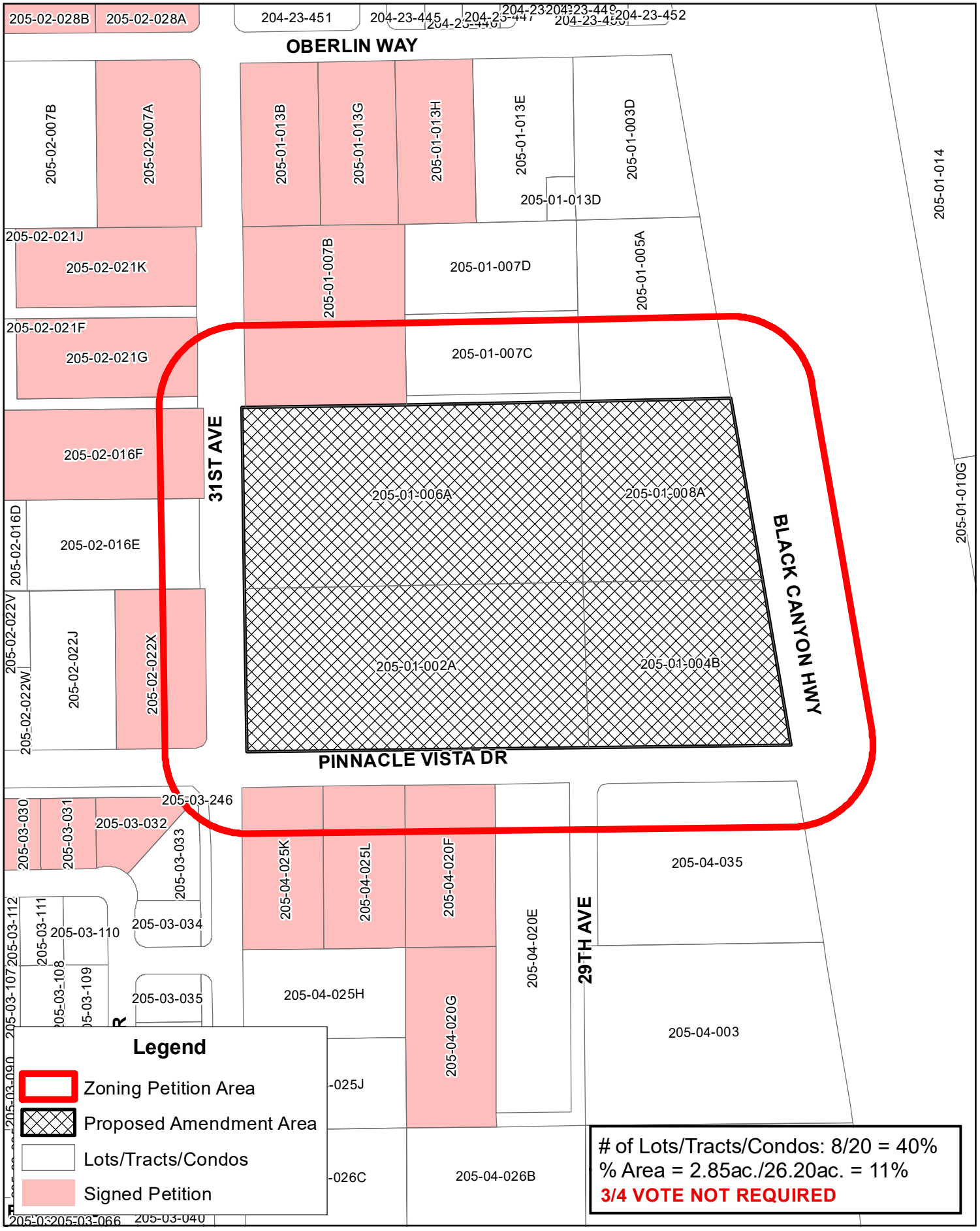
17. The developer shall grant and record an avigation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

18. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.



Petition Verification Map for Z-53-20-1

Map prepared by City of Phoenix, Planning and Development Services Dept. 2/12/2021

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC
I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:
MARCH 3, 2021

APPLICATION NO/ LOCATION	**Z-53-20-1** Northeast corner of 31st Avenue and Pinnacle Vista Drive	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
Phoenix, AZ 85013	PC 2/4/2021	3031 West Oberlin Way Phoenix, AZ 85083			
	PC DATE	*STREET/ADDRESS/CITY/STATE/ZIP*			
TO PC/CC HEARING	CC 3/3/2021	Cheryl Colin 602-499-4291 absoclean@msn.com			
	CC DATE	*NAME / PHONE / EMAIL*			

REASON FOR REQUEST:

Would like to keep S-1, but willing to change zoning to R1-8 under stipulation of 2 houses per acre, no more than 32-24 houses.

I don't know what happened on the Feb 4th, 2021 zoom hearing when we were told no one signed up to speak or no one opposed of this item. Quite a few of us did oppose this, sent in letters, signed up to speak. As I was going around collecting signatures for this petition I had so many people complain about the virtual meetings on zoom. Most of the them who signed the petition did not know how to use the zoom which it made it a huge disadvantage for those who opposed this. These hearings should have been postponed until we were able to meet in person.

I don't understand where it states on the petition to be within 150 feet of the proposed amendment. We are on 1 acre plus properties and it is well over 150 feet. We are pretty spread out.

I have 2 letters attached that I am not sure who received them for the Feb 4th Hearing. I would like to present them now. Again, these are opposing letters. Whether people wrote letters, called, or zoomed into these hearings we had many that opposed.

RECEIVED BY:	Racelle Escolar	**RECEIVED ON:**	2/11/2021

Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Stephanie Vasquez
Leah Swanton
Vikki Cipolla-Murillo
Danielle Jordan
Ra'Desha Williams
Village Planner
Samantha Keating
Paul M. Li
GIS
Applicant

From: Racelle Escolar
To: John/Cheryl Colin
Cc: Victoria C Murrillo
Subject: FW: Agenda#15 Case# Z-53-20-1
Date: Thursday, February 11, 2021 4:34:35 PM
Importance: High

Hello Cheryl,

I have received your appeal and request for a ¾ vote on Rezoning Case No. Z-53-20-1. We will process this and let you know if a ¾ vote will be required.

Thanks,

Racelle Escolar, AICP
Planner III

City of Phoenix
Planning and Development Department
Planning Division
(602) 534-2864

From: John/Cheryl Colin <absoclean@msn.com>
Sent: Thursday, February 11, 2021 4:10 PM
To: Racelle Escolar <racelle.escolar@phoenix.gov>
Subject: RE: Agenda#15 Case# Z-53-20-1

From: Racelle Escolar <racelle.escolar@phoenix.gov>
Sent: Thursday, February 11, 2021 8:20 AM
To: John/Cheryl Colin <absoclean@msn.com>
Subject: RE: Agenda#15 Case# Z-53-20-1

Yes, you can fax it to 602-732-2094
This fax number has not been used for a while but it should work. Please be prepared to email as a back-up though just in case.

Thanks,

Racelle Escolar, AICP
Planner III

City of Phoenix
Planning and Development Department
Planning Division
(602) 534-2864

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

The **PLANNING COMMISSION** agenda for **February 4, 2021** is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

   There is a $630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **February 11, 2021**.

   Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m., **February 11, 2021**.

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

   To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. **February 11, 2021**.

   The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an $830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. **February 18, 2021**.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-53-20-1
APPLICATION NO.

NE Corner 31ST Ave + Pinnacle Vista Dr.
LOCATION OF APPLICATION SITE

2/4/21
DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Cheryl Colin
PRINTED NAME OF PERSON APPEALING

C. Colin
SIGNATURE

3031 W. Oberlin Way ~~Phx~~
STREET ADDRESS

2/10/21
DATE OF SIGNATURE

Phoenix AZ 85083
CITY, STATE & ZIP CODE

602-499-4291
TELEPHONE NO.

absoclean@msn.com
EMAIL ADDRESS

REASON FOR REQUEST Would like to keep S-1 but willing to change zoning to R1-8 under stipulation of 3 Houses per Acre, No more than 32-34 Houses.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

Continuation of appeal form.....

I Don't know what happened on the Feb 4th, 2021 zoom hearing when we were told no one signed up to speak or no one opposed of this item. Quite a few of us did oppose this , sent in letters, signed up to speak. As I was going around collecting signatures for this petition I had so many people complain about the virtual meetings on zoom. Most of the them who signed the petition did not know how to use the zoom which it made it a huge disadvantage for those who opposed this. These hearings should have been postponed until we were able to meet in person.

I don't understand where it states on the petition to be within 150 feet of the proposed amendment. We are on 1 acre plus properties and it is well over 150 feet. We are pretty spread out.

I have 2 letters attached that I am not sure who received them for the Feb 4th Hearing. I would like to present them now. Again, these are opposing letters. Whether people wrote letters, called, or zoomed into these hearings we had many that opposed.

Petition for THREE-FOURTHS (3/4) Vote
by City Council for
REZONING APPLICATION # Z-53-20-1
Request: S-1 TO R1-8 w/stipulation a houses per ac
Location: Northeast Corner of 31ST Ave + Pinnacle Vista Dr.

We the undersigned are OWNERS of property within the area of the proposed amendment or the area within 150-feet of the proposed amendment, including all rights-of-way, requesting the rezoning action. We request that the City Council be required to pass this rezoning application by a three-fourths (3/4) vote.

Date	SIGNATURE	Print Name	ADDRESS	APN
2-10-21	Cheryl Colin	Cheryl Colin	3031 W. oberlin wy	205-01-013G
2-10-21	Shara Hamilton	Shara Hamilton	3115 W. Oberlin way	205-02-007A
2-10-21	[illegible]	Andrew Hamilton	3115 W. Oberlin way	205-02-007A
2-10-21	[illegible]	Andrew M. Mills	27620 N. 31st Ave	205-02-021K
2-10-21	Ellen OLeary	Ellen O LEARY	27606 N. 31st Ave	205-02-021G
2-10-21	[illegible]	Albert Grant	3031 W Pinnacle Vista PK	205-04-025L
2/10/21	[illegible]	Albert Grant	3031 W. Pinnacle Vista PK	205-04-025L
2/10/21	Nabie Sanders	Nabie Sanders	3015 W Pinnacle Vista Dr	205-04-030F
2/10/21	Richard Sanders	RICHARD SANDERS	3015 W. Pinnacle Vista Dr	205-04-030F
2-10-21	[illegible]	BS Risley	3025 W Pinnacle Vista	205-04-020G
2-10-21	[illegible]	MITZI MATTHEWS	3110 W. Pinnacle Vista	205-02-022X
2-10-21	Keith T. Bracht	Keith Bracht	27055 N. 31st Ave	205-04-031D
2-10-21	[illegible]	MgBracht	27055 N 31st Ave	205-04-031D
2/10/21	[illegible]	James K. Weatherald	3035 W. Pinnacle Vista Dr	205-04-030K
2-10-21	[illegible]	Ryan Colin	3031 W Oberlin Way	205-01-013G
2/10/21	[illegible]	BERNIE SZAREK	3114 W Buckhorn Trl	205-03-037
2/10/21	[illegible]	Julia Szarek	3114 W Buckhorn Trl	205-03-037
2-10-21	[illegible]	Kimberly Flowers	3120 W Buckhorn Trl	205-03-031
2-10-21	[illegible]	Lauren Flowers	3120 W Buckhorn Trl	205-03-031
2/10/21	[illegible]	GREGG FLOWERS	3120 W BUCKHORN TRL	205-03-031
2/10/21	[illegible]	Amy Brown	3126 W. Buckhorn Trl	205-03-030
2-10-21	[illegible]	Roy Wormberg	3132 W. Buckhorn	205-03-029
2/10/21	[illegible]	DAN Ennis	27605 N. 31ST Ave Phx	205-01-007B
2/10/21	John Colin	[illegible]	3031 W. Oberlin wy	205-01-013G
2/11/21	[illegible]	PATRICIA HOFFMAN	3120 W Oberlin Way	205-02-028B
2/11/21	[illegible]	JOE T. HOFFMAN	3120 W Oberlin Way	205-02-028B
2/11/21	[illegible]	E. Ruego	3110 W Oberlin	205-02-028A
2/11/21	Maria Ruego	Maria Ruego	3110 W. oberlin way	205-02-028A
2/11/21	[illegible]	Karol Rokal	3033 W Oberlin	205-01-013H
2/11/21	[illegible]	Liane Carroll	3033 W. oberlin way	205-01-013H
2/11/21	Florica Moca	FLORICA MOCA	3043 W OBERLIN WAY	205-01-013B
2/11/21	Gheorghe Moca	GHEORGHE MOCA	3043 W. OBERLIN WAY	205-01-013B
2.11.21	Lidia Indries	Lidia Indries		205-02-016F

Please add

Mariana, Luci, Valentin & Tabita Bl[illegible]
also, can't sign at the moment
at work. 27431 N 32nd Ave.

Dear Committee/ Board Members,

February 2, 2021

Hi, my name is Cheryl Colin I live at 3031 W Oberlin Way. I live on S-1 farming property.

I oppose to the zoning change Z-53-20-1.

I feel this hearing should be delayed due to the Covid 19, so the people can attend in person. This whole technology thing is difficult for most. We are old school; you know like pen and paper. Half the people can't attend because they don't have a computer or don't know how.

My concern is traffic and over crowding the neighborhood.

It would be nice if you all could come and see our unique little neighborhood. These builders want to come in and build a ridiculous amount of houses in one area. If you had a visual, I think you would better understand.

We are surrounded by so many other places people can live, and there is so much land around us to build on. We don't have a housing shortage. Why build so many houses in such a small condensed area. The builder wants to make a quick buck and leave us to deal with higher crime, more traffic, and rentals. We need to keep it S-1 farming, 1 house per Arce. Let me tell you of all the areas that are going up around us. Some have broke ground and others have not. I made a list below.

The 43 homes (Taylor Morris) going up right now west of us in the neighborhood that must filter thru the neighborhood to get out. We only have 2 ways out, the access road and 33rd Ave which turns into 35th Ave.

I have heard this saying before and not just this last hearing but other ones we have fought. " but it is unfortunate that this happens" Well it does not have to be unfortunate. Leave it for what it is "Rural S-1 Farming for horses, chickens' cows, goats not a bunch of track homes. This is a unique rural neighborhood we are trying to keep that way. We ride horses and don't need an over whelming amount of traffic. When friends come over, they have said "this is cool never new this existed back here". That is the feeling we are trying to keep. A lot of us are retiring back here. I have been here for over 18+ years and others a lot longer. We are tucked away people don't really know of this neighborhood. There is so much land around us out of this neighborhood that can be built on. I think most of us would settle for 2 houses per acre just to stop the builders from coming back into our neighborhood.

Sometimes I ask myself is this committee for the builders or the people. We all don't have the money for fancy lawyers like some of these big builders do to fight this, like Taylor Morrison who we lost against and houses are going in as we speak and Pederson by the high school another one we lost, 325 units are going in . These all will impact our neighborhood and schools.

At the last meeting the traffic engineer gave statistics on traffic, but he was only counting what they want to build not everything that is in the works or has not stated yet that will also impact our neighborhood. To me this is not accurate.

Here is a list of other areas that exist, broke ground or is going to break ground:

Avilla Canyon Apts and the Bungalow at Jomax on the East side of the freeway. They must go north onto Dixaletta and south down our Access road. The only way out for them. (Exists)

43 houses by Taylor Morrison in our neighborhood at Deems Hill recreation area (broke ground)

173 houses North of the Canal (west side of freeway) only way out is access Rd (have not broke ground)

325 Units across from high school 35th ave and Happy Valley (broke ground)

57 houses 31st Ave and Pinnacle Peak (Nothing)

Pocono way and 33rd Ave Houses going up on the hill. Only way out of the neighborhood is down 35th ave. (have not broke ground)

Next to USAA across from Norterra Shopping more housing (broke ground)

Union Park 19th Ave between Happy Valley and Jomax 1100 single family homes in progress and 1100 multi family units. (broke ground halfway completed).

More Apts east of 19th ave on Happy Valley. I can go on and on

Not a housing shortage in this area.

I want to thank Russell Osborne (member of the Deer Valley board) for being our voice he stated exactly what we are trying to say.

Please vote to keep this what we live for "Our Rural neighborhood" S-1 Farming 1 house per Arce. Living this type of lifestyle has really molded my boys into the respectable, hardworking young men they are today. I would recommend this lifestyle to anyone.

Thank You,

Cheryl Colin

My name is Dustin Hamilton. I live at 3115 W Oberlin Way

I am opposed to this zoning change Z-53-20-1

My main concern is that there has been no clear explanation as to how all the new construction in this area will affect our local schools. I have a son who attends Sandra Day Oconner High School. We accompanied him last year to see the school, and it was clearly overcrowded.

I cannot understand how the city can keep approving housing developments while the schools around this area are so overcrowded. There is a huge problem in our state retaining quality teachers and providing a good education for our students. There is a correlation between the amount of housing being granted and the number of new students going into our schools. I believe part of the education problem in our state is due to overcrowding and not enough infrastructure. How can a student get quality education in an overcrowded classroom? Why would a teacher want to teach in a situation where there are almost 40 pupils in a class?

I realize that right now class sizes are small due to COVID 19, but as we edge out of this the kids will start coming back to full capacity, especially now that the CDC has said the classroom is the best places for students.

In the last year, the district area around Sandra Day Oconner has approved a 300 plus unit apartment complex, and two other new housing tracts, about another 70 homes. The zoning change Z-53-20-1 is requesting another change to our zoning from 1 house per acre to 4 houses per acre, adding another 57 homes to this area. These homes will have kids that need to go to school somewhere. How is it responsible to continue to approve all these homes without having a proper educational environment in place???? I have not heard of any proposal to build a new school to accommodate the influx of students.

This question was asked at the village planning committee meeting, and someone mumbled something about there were studies done to show that this was all ok. What studies??? Who is doing these studies? Where are the results of these studies to be found? Any sort of clarification on how all these developments are impacting our schools should be made public knowledge. I am skeptical that these studies exist, and if they do, where are the results?

The builder does not need to build so many houses in this proposed area. They can easily build fewer homes, but as I have seen so many times before, they suffer no consequences for the impact they have on the area the build in. It's just another example of greed over responsibility. Can someone please put a hold on more development until some more infrastructure is in place?

I understand that the city is in need of more housing, but can it be done responsibly? I am not opposed to this tract of land being developed, but the number of houses they are proposing is too high. There has been a frenzy of zoning change approvals and soon to be an influx of people in this area. This area is almost built out and I just don't see the sense in approving another irresponsible tract of homes to an already overcrowded area.

The city has made it clear that support the Red for Ed movement, yet they continue to support home developers without acknowledging that they are a part of the problem when it comes to our education system.

Therefore, I feel like the builder has an opportunity to develop this property at a reasonable number of homes, but refuses to do so because they really want to maximize their profits... at our expense. That high number homes will affect our area.

I know the builder has had some traffic experts look at our area, but that person does not live around here. We all complain about the traffic in this area because it really is a problem. Between the drag racing on the frontage road and the reckless driving on 33rd ave, we have all experienced bad situations while

driving around here. This is another example of not enough infrastructure. There is never a police patrol in this area. We need a police officer around once in awhile.

There are no tract homes between Pinnacle Vista and Oberlin way. Or from the I17 to 39th Ave. This is a small area with a more rural feel in the middle of the city. These small lots don't belong here. All we ask is less density for this particular neighborhood. This tract of homes does not flow with the surrounding one acre homesites.

We are all personally invested in this area. I paid for the speed humps all along 31st Ave. I also built my home myself. I built here, what I hoped would be my forever home, because I was under the impression that this area was going to maintain it's great zoning, not be reduced to a high density zoned area.

In conclusion, how many kids can we squeeze into the schools around here?. My son and all the kids around here deserve a decent educational experience. What's the breaking point for the schools around here, especially Sandra Day Oconner high School? The lack of infrastructure around here is a real issue. Allowing more high density is compounding that problem.

I ask that that representatives for the city of Phoenix deny this zoning change... there are some critical infrastructure issues that need to be resolved here before granting more builders the ability to profit off of our area.

Thank you.

Dustin Hamilton

David O Simmons

From: Jennifer Hall <JHall@roselawgroup.com>
Sent: Monday, January 4, 2021 2:08 PM
To: David O Simmons
Cc: Jennifer Hall; Kayla Bertoldo; Tom Galvin
Subject: FW: KHOV Sterling Vista Revised Plan

David,

Happy New Year! Please see email below from Mitzi (Donna) Matthews who lives at 3110 W. Pinnacle Vista Drive (on the NWC of 31st Ave and Pinnacle Vista). We have been working with Ms. Matthews on the Sterling Vista project to ensure she has no issues with our proposed community. Please add to the case file and thanks!

Jennifer Hall
Senior Project Manager
Land Development Solutions Group

Direct: 480.505.3938
Cell: 602.369.0810

From: Mitzi <dmitzim@gmail.com>
Sent: Monday, January 4, 2021 1:04 PM
To: Jennifer Hall <JHall@roselawgroup.com>
Subject: Re: KHOV Sterling Vista Revised Plan

Yes,Everything looks OK to me. The entrances are especially good now.
mm

On Jan 4, 2021, at 11:42 AM, Jennifer Hall <JHall@roselawgroup.com> wrote:

Hi Mitzi – Happy New Year!

I just wanted to check in with you to see if you have any additional questions for me. We are scheduled for another Village Planning Meeting next week – 1/14/21. This meeting, like the others, will be virtual.

As mentioned to you, the homebuilder, K.Hovnanian Homes, is willing to restrict ALL of the homes along 31stAvenue to single story as you requested in exchange for your support of the project. If you are agreeable please respond to this email.

Thanks so much!

Jennifer Hall
Senior Project Manager
Land Development Solutions Group

Direct: 480.505.3938
Cell: 602.369.0810

From: Jennifer Hall <JHall@roselawgroup.com>
Sent: Thursday, December 17, 2020 5:11 PM
To: Mitzi Matthews <dmitzim@gmail.com>
Cc: Jennifer Hall <JHall@roselawgroup.com>; Kayla Bertoldo <kbertoldo@roselawgroup.com>
Subject: RE: KHOV Sterling Vista Revised Plan

Hi Mitzi, thanks for your email. Originally, KHOV wanted to have their primary entrance off of 31 Avenue for marketing purposes; however, after speaking with your neighbors just north of you they asked us to remove it and put the access on the Frontage Rd. It's not ideal for the homebuilder but it we are trying to make the neighborhood happy. We had to get approval from ADOT and APS in order to do it and glad it worked out!

Will you be attending the meeting virtually? Thanks again for your comments!

Jennifer Hall
Senior Project Manager
Land Development Solutions Group

Direct: 480.505.3938
Cell: 602.369.0810

From: Mitzi Matthews <dmitzim@gmail.com>
Sent: Thursday, December 17, 2020 4:33 PM
To: Jennifer Hall <JHall@roselawgroup.com>
Subject: Re: KHOV Sterling Vista Revised Plan

Looks very good and practical for all. I was wondering before why there was no access directly to the I-17 access road. i'm Mitzi (Donna) on all documents except haven't got house changed yet. Long story.

On Dec 17, 2020, at 2:17 PM, Jennifer Hall <JHall@roselawgroup.com> wrote:

Hi Donna,

I'm resending you this information and would love to hear your thoughts. Our team will be presenting this revised plan to the community during this evening's Village Planning Committee hearing.

<Sterling Vista -Site Plan - 2020-12-14.jpg>

David O Simmons

From: George Cannon <thecannongroupllc@gmail.com>
Sent: Monday, January 11, 2021 2:06 PM
To: David O Simmons
Cc: George Cannon
Subject: Sterling Vista (Case# Z-53-20-1)

Dear Mr. Simmons,

RE: Sterling Vista (Case# Z-53-20-1)

I support this project!

The community being proposed by K. Hovnanian Homes is exactly what the city has envisioned for this area and I believe the home builder has done a fantastic job working with the surrounding neighbors. There have been many changes made to the site plan to resolve concerns voiced by immediate neighbors including moving the access points away from the existing homes and onto the frontage road and restricting the homes along the north and west boundaries to single story. I live in the community and feel that this project will be a real benefit to the surrounding area. It will take a vacant parcel that is currently used as a dumping ground and will bring quality single family homes (not apartments!) that will complement the area. Please support this project!

George Cannon
3123 W Redbird Rd. Phoenix , AZ 85083

--
George E. Cannon

C-602-819-3349 - Direct
thecannongroupllc@gmail.com
--
George E. Cannon

C-602-819-3349 - Direct
thecannongroupllc@gmail.com

David O Simmons

From: Jennifer Hall <JHall@roselawgroup.com>
Sent: Tuesday, January 12, 2021 9:11 AM
To: David O Simmons
Cc: Jennifer Hall; Kayla Bertoldo
Subject: Sterling Vista Development Support Letter

Good Morning David,

Please see email in support of our Sterling Vista Case# Z-53-20 and distribute to VPC members, if possible. Mike Doles is one of the adjacent neighbors to the north. Thanks!

Jennifer Hall
Senior Project Manager
Land Development Solutions Group

Direct: 480.505.3938
Cell: 602.369.0810

From: dolesrwextoo@aol.com <dolesrwextoo@aol.com>
Sent: Tuesday, January 12, 2021 9:01 AM
To: Jennifer Hall <JHall@roselawgroup.com>
Subject: Sterling Vista Development

Good morning Jennifer!

We have been in contact with this development and its progress through the efforts of Jennifer Hall. There have been some concessions to myself and Danny Enna along the North boundary of this project which make it much more palatable for myself and I assume Mr. Enna. We are the closest of the nearby neighbors.

Jennifer has been speaking on behalf of the developer in a clear and timely manner, with site plans as well as descriptions of everything.

I am in favor of this project and wish them well! A further advantage not discussed is the curtailment of gangs/juveniles that constantly deface that property and race vehicles around the lot. It will also stop unscrupulous developers from dumping their debris all over this acreage!

Thank You,
Michael Doles
27632 N. Black Canyon Hwy

David O Simmons

From: RKWeinberg at RKWeinberg.net <rkweinberg@rkweinberg.net>
Sent: Thursday, December 10, 2020 7:35 PM
To: David O Simmons
Cc: RKWeinberg; Jennifer Hall
Subject: Rezoning Case number: Z-53-20-1

David Simmons,

Regarding:

DEER VALLEY VILLAGE PLANNING COMMITTEE meeting open to the public on Thursday, December 17, 2020, at 6:00 p.m.

Case number: Z-53-20-1

Presentation, discussion, and possible recommendation regarding a request to rezone 15.52 acres located on the northeast corner of 31st Avenue and Pinnacle Vista Drive from S-1 (Ranch or Farm Residence) to R1-8 (Single-family Residence District) to allow single-family residential.

I oppose the project for various reasons.

1. The density of the project does not fit in with the community. Although there are three 'developments' in the area, they have all been here since around 2002 and nothing has been built or developed since then except for S1 property as S1 property. The current exception is a Taylor Morrison project located southeast of the Dynamite and 39th Ave alignments. That development has 1.4 du/acre.

   This is a rural area and most of us live here because of that lifestyle. The high-density housing proposed by K. Hovnanian Homes does not fit in this area at all. Houses crammed together 10 feet apart on 'postage stamp' size lots will degrade to rural feel of the area. Nothing in this area has lots as small as what is being proposed.

2. Traffic and ***traffic noise***.

   There will be a lot more traffic and its associated noise will be added to our area.

   I live on Pinnacle Vista. Actually, my back yard backs up to Pinnacle Vista. There are 10 homes on the south side of Pinnacle Vista between 33rd Ave. and 31st Ave. (including mine). The speed limit is 30 MPH. Already a lot of people consider it a speedway and speed up and down that road. It is noisy. On the north side of Pinnacle Vista between 31st Ave. and 33rd Ave. are S1 properties.

If the development is built with 61 homes, I estimate that there will be 100+ more cars driving on Pinnacle Vista between 33rd Ave. and 31st Ave. every day. That is a lot of traffic and a lot of noise.

The most common way people enter and exit our area is from Happy Valley Road and 35th Ave.

Another way to enter our area is to travel north on I17 up to Dixileta, make a U-turn and come south on the I17 frontage road.

I talked with Chris Williams of Y2K Engineering at the original meeting with the project personnel and his assumption is that most traffic will enter the area by going up to Dixileta, making the U-turn and coming south on the I17 frontage

road. He assumed 70% of the traffic will use that path. He is **WRONG**. The most commonly used entrance to our area is via Happy Valley Road and 35th Avenue.

Where we live is quiet at night. We hear coyotes. We hear horses. We don't need the noise that a dense development will bring (traffic and human related noise).

I am sure that K. Hovnanian Homes develops nice homes. But, the feel of the existing community must be considered when proposing a deviation to the current environment. We are rural and want to remain rural.

With all due respect, I request that this development **NOT** be allowed.

Thank you.

Roy Weinberg
3132 West Buckhorn Trail
Phoenix, Arizona 85083-5829
602-571-1045
rkweinberg@rkweinberg.net

– –

Roy Weinberg
rkweinberg@rkweinberg.net
http://www.rkweinberg.net [rkweinberg.net]

David O Simmons

From: John/Cheryl Colin <absoclean@msn.com>
Sent: Monday, December 14, 2020 6:34 PM
To: David O Simmons
Subject: #7 Case# Z-53-20-1

Hi David,
I would llke to speak regarding the this case. Please register me.
I am very concerned about the traffic in our neighborhood. This is supposed to be a rural comm where horses can be rode etc.. and with this project going in along with the one at deems hill there is going to be a tremendous amount of traffic in the neighborhood. We already have issues with the amount of traffic and cars speeding. This will just add to it. We all moved out here for reason to get away from the city. We are trying to keep this a community rural/farming properties. We don't want the zoning changed at all. Would like to keep this one house per acre. Its all about the money, once the builders come in and make their profit then they leave and we have to put up with all the crime and over populated neighborhood. We also have another project that is going in just north of the canal. How much more are we going to cram back into this once quiet unknown neighborhood.

Thank You
Cheryl Colin

12/1/2020

Mr. Simmons,
I am writing this to voice my opposition to the proposed zoning change, Case # Z-53-20-1. The proposed development of 61 homes will have a significant impact on traffic in the area and is not compatible with the surrounding area.

The traffic study presented by the developer is faulty and has no basis for the assumptions made. The study fails to address the already re-zoned properties that are/will be developed and will increase traffic load on the limited egress routes into/out of the area. More importantly, the assumption that only 10-percent of the trips made from and 30-percent of the trip to the proposed development will use 33rd Avenue is completely baseless. Consider the following:

- Shopping, including grocery/convenience/Starbucks/etc., are on Happy Valley Road and will be accessed via 33rd Ave
- Local Schools are most easily accessed via 33rd ave to Happy Valley
- Local gas stations are on Happy Valley Road and will be accessed via 33rd Ave
- The shortest driving route to the development from northbound I-17 will be via Happy Valley. Mapping apps on cell phones/computers are going to direct drivers to use this route.

Anyone with an understanding of how people go about their daily activities should understand that the 33rd Avenue route will be uses significantly more than what is assumed. An "engineered", and I use that term loosely, document should not take place over a common sense understanding of the situation.

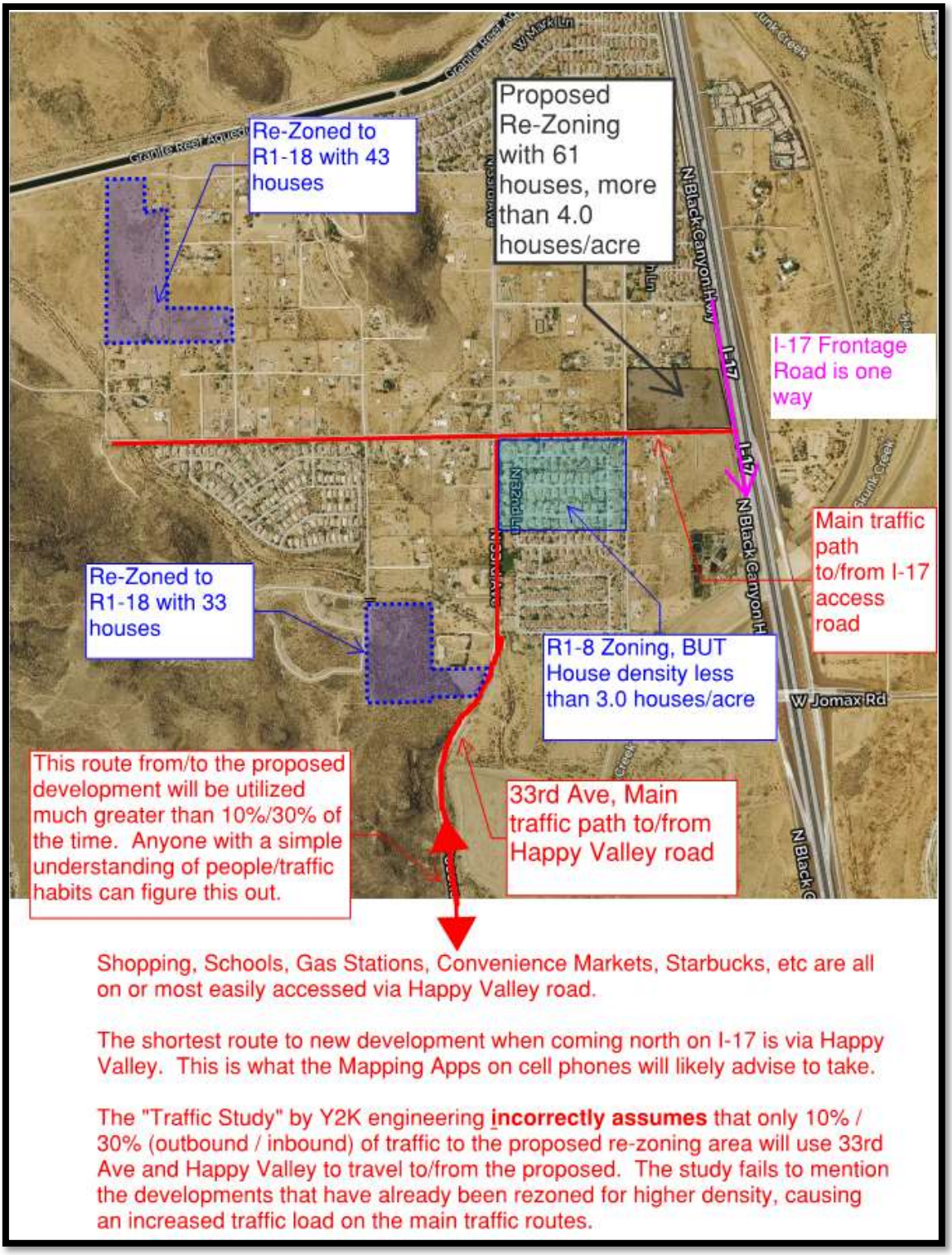
The house density is excessive considering the rural character of the area. Yes, there are some portions of developments in the general area that have similar density, but they are not in the immediate area of the proposed development. These, higher density developments already do not fit into the rural character of the area. There are a sufficient number of these to provide adequate diversity in the neighborhood. We don't need another one and the additional traffic/people/crime potential that comes with it.

The developer has stated that the houses on the northern part of the project would be restricted to single story, indicating that there are plans for two story units elsewhere. With four-plus houses per acre and two-story units, this development would give a "being in a canyon feeling" when traveling down streets. This would not be compatible with the surrounding properties or the rural nature of the area.

If rezoning is to occur, a maximum density of 3.0 houses/acre should be stipulated. That would ensure the development was compatible with the area and would reduce the negative effect of traffic on the established residents. Please see Figure 1 (next page) for visual representation of egress route limitations and rezoned properties that will increase traffic load in area.

12/1/2020

Figure 1



Please review my correspondence and add it to the file related to the proposed zoning change and associated development. Thank You,

Kenneth A. Vest, 27635 N 37th Ave, Phoenix AZ 85083

Dear Committee/ Board Members, February 2, 2021

Hi, my name is Cheryl Colin I live at 3031 W Oberlin Way. I live on S-1 farming property. We have horses, chickens' turtles etc.…

I feel this hearing should be delayed due to the Covid 19, so the people can attend in person. This whole technology thing is difficult for most. We are old school; you know like pen and paper. Half the people can't attend because they don't have a computer or don't know how.

My concern is traffic and over crowding the neighborhood.

It would be nice if you all could come and see our unique little neighborhood. These builders want to come in and build a ridiculous amount of houses in one area. If you had a visual, I think you would better understand.

We are surrounded by so many other places people can live, and there is so much land around us to build on. We don't have a housing shortage. Why build so many houses in such a small condensed area. The builder wants to make a quick buck and leave us to deal with higher crime, more traffic, and rentals. We need to keep it S-1 farming, 1 house per Arce. Let me tell you of all the areas that are going up around us. Some have broke ground and others have not. I made a list below.

The 43 homes (Taylor Morris) going up right now west of us in the neighborhood that must filter thru the neighborhood to get out. We only have 2 ways out, the access road and 33rd Ave which turns into 35th Ave.

I have heard this saying before and not just this last hearing but other ones we have fought. " but it is unfortunate that this happens" Well it does not have to be unfortunate. Leave it for what it is "Rural S-1 Farming for horses, chickens' cows, goats not a bunch of track homes. This is a unique rural neighborhood we are trying to keep that way. We ride horses and don't need an over whelming amount of traffic. When friends come over, they have said "this is cool never new this existed back here". That is the feeling we are trying to keep. A lot of us are retiring back here. I have been here for over 18+ years and others a lot longer. We are tucked away people don't really know of this neighborhood. There is so much land around us out of this neighborhood that can be built on. I think most of us would settle for 2 houses per acre just to stop the builders from coming into our neighborhood.

Sometimes I ask myself is this committee for the builders or the people. We all don't have the money for fancy lawyers like some of these big builders do to fight this, like Taylor Morrison who we lost against and houses are going in as we speak and Pederson by the high school another one we lost, and 325 units are going in . These all will impact our neighborhood.

At the last meeting the traffic engineer gave statistics on traffic, but he was only counting what they want to build not everything that is in the works or has not stated yet that will also impact our neighborhood. To me this is not accurate.

Here is a list of other areas that exist, broke ground or is going to break ground:

Avilla Canyon Apts and the Bungalow at Jomax on the East side of the freeway. They must go north onto Dixaletta and south down our Access road. The only way out for them. (Exists)

43 houses by Taylor Morrison in our neighborhood at Deems Hill recreation area (broke ground)

173 houses North of the Canal (west side of freeway) only way out is access Rd (have not broke ground)

325 Units across from high school 35th ave and Happy Valley (broke ground)

57 houses 31st Ave and Pinnacle Peak (Nothing)

Pocono way and 33rd Ave Houses going up on the hill. Only way out of the neighborhood is down 35th ave. (have not broke ground)

Next to USAA across from Norterra Shopping more housing (broke ground)

Union Park 19th Ave between Happy Valley and Jomax 1100 single family homes in progress and 1100 multi family units. (broke ground halfway completed).

More Apts east of 19th ave on Happy Valley. I can go on and on

Not a housing shortage in this area.

I want to thank Russell Osborne (member of the board) for being our voice he stated exactly what we are trying to say.

Please vote to keep this what we live for "Our Rural neighborhood" S-1 Farming 1 house per Arce. Living this type of lifestyle has really molded my boys into the respectable, hardworking young men they are today. I would recommend this lifestyle to anyone.

Thank You,

Cheryl Colin

Rcvd 2/3/2021

My name is Dustin Hamilton. I live at 3115 W Oberlin Way

I am opposed to this zoning change Z-53-20-1

My main concern is that there has been no clear explanation as to how all the new construction in this area will affect our local schools. I have a son who attends Sandra Day Oconner High School. We accompanied him last year to see the school, and it was clearly overcrowded.

I cannot understand how the city can keep approving housing developments while the schools around this area are so overcrowded. There is a huge problem in our state retaining quality teachers and providing a good education for our students. There is a correlation between the amount of housing being granted and the number of new students going into our schools. I believe part of the education problem in our state is due to overcrowding and not enough infrastructure. How can a student get quality education in an overcrowded classroom? Why would a teacher want to teach in a situation where there are almost 40 pupils in a class?

I realize that right now class sizes are small due to COVID 19, but as we edge out of this the kids will start coming back to full capacity, especially now that the CDC has said the classroom is the best places for students.

In the last year, the district area around Sandra Day Oconner has approved a 300 plus unit apartment complex, and two other new housing tracts, about another 70 homes. The zoning change Z-53-20-1 is requesting another change to our zoning from 1 house per acre to 4 houses per acre, adding another 57 homes to this area. These homes will have kids that need to go to school somewhere. How is it responsible to continue to approve all these homes without having a proper educational environment in place???? I have not heard of any proposal to build a new school to accommodate the influx of students.

This question was asked at the village planning committee meeting, and someone mumbled something about there were studies done to show that this was all ok. What studies??? Who is doing these studies? Where are the results of these studies to be found? Any sort of clarification on how all these developments are impacting our schools should be made public knowledge. I am skeptical that these studies exist, and if they do, where are the results?

The builder does not need to build so many houses in this proposed area. They can easily build fewer homes, but as I have seen so many times before, they suffer no consequences for the impact they have on the area the build in. It’s just another example of greed over responsibility. Can someone please put a hold on more development until some more infrastructure is in place?

I understand that the city is in need of more housing, but can it be done responsibly? I am not opposed to this tract of land being developed, but the number of houses they are proposing is too high. There has been a frenzy of zoning change approvals and soon to be an influx of people in this area. This area is almost built out and I just don’t see the sense in approving another irresponsible tract of homes to an already overcrowded area.

The city has made it clear that support the Red for Ed movement, yet they continue to support home developers without acknowledging that they are a part of the problem when it comes to our education system.

Therefore, I feel like the builder has an opportunity to develop this property at a reasonable number of homes, but refuses to do so because they really want to maximize their profits… at our expense. That high number homes will affect our area.

I know the builder has had some traffic experts look at our area, but that person does not live around here. We all complain about the traffic in this area because it really is a problem. Between the drag racing

on the frontage road and the reckless driving on 33rd ave, we have all experienced bad situations while driving around here. This is another example of not enough infrastructure. There is never a police patrol in this area. We need a police officer around once in awhile.

There are no tract homes between Pinnacle Vista and Oberlin way. Or from the I17 to 39th Ave. This is a small area with a more rural feel in the middle of the city. These small lots don't belong here. All we ask is less density for this particular neighborhood. This tract of homes does not flow with the surrounding one acre homesites.

We are all personally invested in this area. I paid for the speed humps all along 31st Ave. I also built my home myself. I built here, what I hoped would be my forever home, because I was under the impression that this area was going to maintain it's great zoning, not be reduced to a high density zoned area.

In conclusion, how many kids can we squeeze into the schools around here?. My son and all the kids around here deserve a decent educational experience. What's the breaking point for the schools around here, especially Sandra Day Oconner high School? The lack of infrastructure around here is a real issue. Allowing more high density is compounding that problem.

I ask that that representatives for the city of Phoenix deny this zoning change… there are some critical infrastructure issues that need to be resolved here before granting more builders the ability to profit off of our area.

Thank you.

Dustin Hamilton

City of Phoenix

Report

Agenda Date: 3/3/2021, **Item No.** *67

ADDITIONAL INFORMATION (SEE ATTACHED MEMO) Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-56-20-4 - Southeast Corner of 3rd Avenue and Coolidge Street (Ordinance G-6818)

Request to hold a public hearing on a proposal to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-56-20-4 and rezone the site from R-3 (Multifamily Residence District) and R-5 (Multifamily Residence District) to WU Code T5:5 UT (Walkable Urban Code, Transect 5:5 District, Transit Uptown Character Area) for multifamily residential.

Summary

Current Zoning: R-3 (Multifamily Residence District) (0.18-acres) and R-5 (Multifamily Residence District) (3.11 acres)
Proposed Zoning: WU Code T5:5 UT (Walkable Urban Code, Transect 5:5 District, Transit Uptown Character Area)
Acreage: 3.29 acres
Proposed Use: Multifamily residential

Owner: Donor Network of Arizona
Applicant: Trinsic Residential Group, Todd Gosselink
Representative: Withey Morris, PLC, Jason Morris

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Alhambra Village Planning Committee heard this case on Jan. 26, 2021 and recommended approval, per the staff recommendation, by a vote of 15-1.
PC Action: The Planning Commission heard this case on Feb. 4, 2021 and recommended approval, per the Alhambra Village Planning Committee recommendation with an additional stipulation, by a vote of 7-1.
The Planning Commission recommendation was appealed on Feb. 10, 2021 and a petition for a 3/4 vote was submitted on Feb. 11, 2021. **A 3/4 vote is required.**

Location

Southeast corner of 3rd Avenue and Coolidge Street
Council District: 4
Parcel Addresses: 201 W. Coolidge St.

Responsible Department

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

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Mario Paniagua
Deputy City Manager

Date: March 2, 2021

From: Alan Stephenson
Planning and Development Director

Subject: CHANGE ITEM 67 ON THE MARCH 3, 2021 - FORMAL AGENDA – PUBLIC HEARING/FORMAL ACTION OF Z-56-20-4

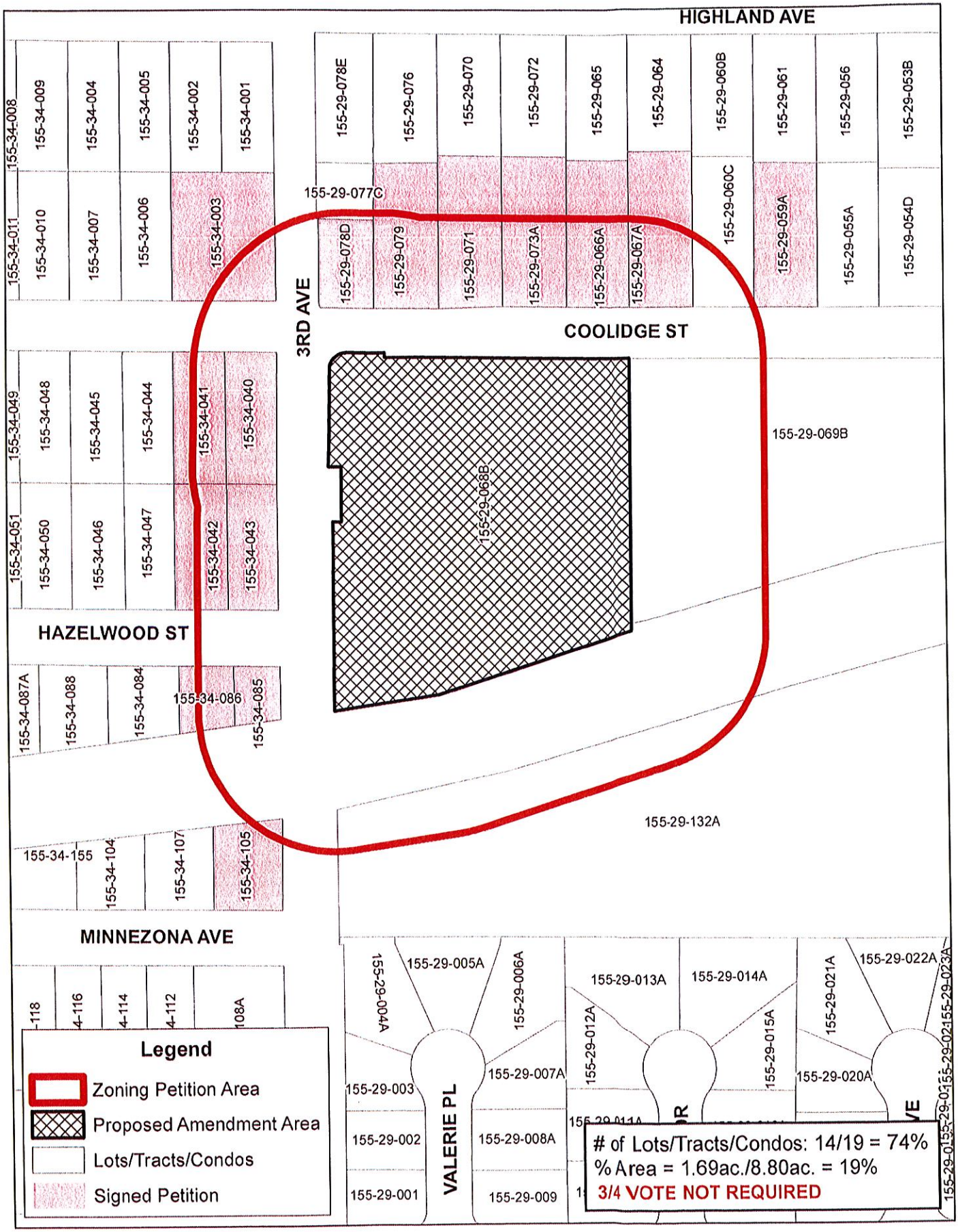
Item 67, on the March 3, 2021 Formal Agenda, is a request to approve Rezoning Application Z-56-20-4 located at the southeast corner of 3rd Avenue and Coolidge Street, from R-3 and R-5 (Multifamily Residence Districts) to WU Code T5:5 UT (Walkable Urban Code, Transect 5:5 District, Transit Uptown Character Area) for multifamily residential.

The Alhambra Village Planning Committee recommended approval, per the staff recommendation, by a 15-1 vote. The Planning Commission recommended approval, per the Alhambra Village Planning Committee recommendation with an additional stipulation, by a 7-1 vote. The Planning Commission recommendation was appealed on February 10, 2021 and a petition for a three-quarter vote was submitted on February 11, 2021. Per the documents submitted by the neighbors a three-quarter vote was required. However, the applicant disputed one of the signatures from the property manager of an adjacent multifamily residential development to the east of the subject site (GG Icon, LLC). The applicant obtained a revised notarized letter from the property manager indicating that he did not have legal authority to sign for the property owner. The applicant also provided the ownership incorporation documents indicating who is the owner of this property asset. Once staff verified this information with the Law Department a revised petition map was generated (attached) and now a three-quarter vote is not required.

This memo requests to change Item 67 from requiring a three-quarter vote from City Council to not requiring the three-quarter vote based on documentation described above.

Approved: Mario Paniagua
Mario Paniagua, Deputy City Manager

Enclosures: Revised Petition Map
Notarized letter from representative of GG Icon, LLC



Petition Verification Map for Z-56-20-4

Map prepared by City of Phoenix, Planning and Development Services Dept. 2/26/2021

Rcvd. 2/25/2021

Mark Daniels
Goodman Real Estate
8400 Normandale Lake Blvd., Suite 920
Bloomington, MN 55438

Racelle Escolar, AICP
Planner III
City of Phoenix Planning and Development Department
Planning Division
200 W. Washington Street, 3rd Floor
Phoenix, AZ 85003

RE: Request for Three-Quarter Vote Appeal – Z-56-20-4

Dear Ms. Escolar,

On February 11, 2021, I signed the petition attached to the Request for Three-Quarter Vote Appeal for Rezoning Case No. Z-56-20-4 (the "Petition") on behalf of GG Icon, LLC, owner of the property located at 77 W. Coolidge Street in Phoenix, AZ, 85013, also known as The Icon on Central Apartments (the "Property"). I am writing to inform you that I was not authorized to sign the Petition on behalf of the ownership of the Property, and the ownership of the Property does not support the Petition.

Sincerely,

Mark Daniels
Investment Portfolio Manager
Goodman Real Estate

SHIRLEY A. MOEN
NOTARY PUBLIC
MINNESOTA
My Commission Expires Jan. 31, 2025

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-56-20-4) FROM R-3 (MULTIFAMILY RESIDENCE DISTRICT) AND R-5 (MULTIFAMILY RESIDENCE DISTRICT) TO WU CODE T5:5 UT (WALKABLE URBAN CODE, TRANSECT 5:5 DISTRICT, TRANSIT UPTOWN CHARACTER AREA).

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

SECTION 1. The zoning of a 3.29-acre property located at the southeast corner of 3rd Avenue and Coolidge Street, in a portion of Section 20, Township 2 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from 0.18-acres of “R-3” (Multifamily Residence District) and 3.11 acres of “R-5” (Multifamily Residence District) to “WU Code T5:5 UT” (Walkable Urban Code, Transect 5:5 District, Transit Uptown Character Area).

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

DRAFT

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The south facing mass of the building(s) oriented to the Grand Canal shall incorporate Walkable Urban Code Frontage Types described in Section 1305 for a minimum 40 percent of the building face(s), as approved by the Planning and Development Department. For the purpose applying the above provisions, the above shall be treated as a Secondary Frontage with regard to glazing.

2. The south facing mass of the building(s) oriented to the Grand Canal shall contain architectural embellishments, design detailing, and / or space programming to activate and provide visual access onto the canal, as approved by the Planning and Development Department. Examples of appropriate enhancements may include textural changes, offsets, recesses, variation in window size and location, overhang canopies, balconies with a depth greater of than 3 feet, and amenities such as gathering spaces.

3. Between the southern mass of the building and the south property line (the Grand Canal right-of-way), the developer shall plant minimum 3-inch caliper, large canopy shade trees, at a minimum frequency of 25 feet on center or in equivalent groupings, as approved or modified by the Planning and Development Department.

4. The provisions of Section 1310.A.2. of the Phoenix Zoning Ordinance shall apply to require shaded open space of which a minimum 50 percent shall be situated adjacent to the south property line (the Grand Canal right-of-way), as approved or modified by the Planning and Development Department.

5. No solid perimeter wall greater than 36 inches in height shall be oriented to and located within 30 feet of the south property line (the Grand Canal right-of-way), as approved by the Planning and Development Department.

6. The developer shall provide traffic calming to slow vehicle traffic exiting the property with specific regard to pedestrian safety on the public sidewalk, as approved by the Planning and Development Department.

7. The developer shall provide a minimum of two direct and accessible pedestrian connections from the amenity areas located south of the building mass to the shared use path along the Grand Canal Trail, as approved by the Planning and Development Department.

DRAFT

8. The developer shall provide and maintain the following bicycle infrastructure as described below and as approved by the Planning and Development Department.

   a. A bicycle repair station (fix-it station) along the southern edge of the site, visible, and accessible from the public sidewalk and / or the Grand Canal Trail. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while adjusting the bike.

   b. All required bicycle parking for multifamily use, per Section 1307.H.6.d. of the Phoenix Zoning Ordinance, shall be secured parking.

   c. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1306.H. of the Phoenix Zoning Ordinance.

9. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

10. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. The following requirements shall apply, as approved by the Planning and Development Department:

    a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3); this includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.

    b. A copy of the Grading and Drainage Plan shall be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.

    c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.

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11. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

12. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

13. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

14. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 3rd day of March 2021.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

DRAFT

_____City Attorney

REVIEWED BY:

_____City Manager

Exhibits:
A – Legal Description (2 Pages)
B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-56-20-4

A PORTION OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CALCULATED CENTER CORNER OF SAID SECTION 20, BEING THE INTERSECTION OF CENTRAL AVENUE AND CAMPBELL AVENUE AS REFERENCED IN THE MONUMENT CORNER TIES FOR LINE SECTION 2 CENTRAL PHOENIX LIGHT RAIL TRANSIT PROJECT, IN DOCUMENT 2009-0003295, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 31 MINUTES 20 SECONDS WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20, A DISTANCE OF 1,318.52 FEET TO A CITY OF PHOENIX BRASS CAP FLUSH “RLS 39131” MARKING THE CENTERLINE OF 3RD AVENUE AND CAMPBELL AVENUE;

THENCE NORTH 00 DEGREES 06 MINUTES 20 SECONDS WEST, ALONG THE CENTERLINE OF SAID 3RD AVENUE, A DISTANCE OF 564.11 FEET TO THE POINT OF **BEGINNING**;

THENCE CONTINUING NORTH 00 DEGREES 06 MINUTES 20 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 416.71 FEET TO THE CENTERLINE OF 3RD AVENUE AND COOLIDGE STREET, BEING SOUTH

1.69 FEET AND 3.40 FEET OF TWO CITY OF PHOENIX BRASS CAPS;

THENCE SOUTH 89 DEGREES 27 MINUTES 41 SECONDS EAST, ALONG THE CENTERLINE OF SAID COOLIDGE STREET A DISTANCE OF 358.31 FEET, BEING 966.10 FEET WEST OF THE INTERSECTION OF CENTRAL AVENUE AND COOLIDGE STREET;

THENCE SOUTH 00 DEGREES 15 MINUTES 25 SECONDS WEST, A DISTANCE OF 348.85, FEET DEPARTING SAID COOLIDGE STREET, ALONG THE EAST LINE OF PARCEL 1 OF THAT SPECIAL WARRANTY DEED RECORDED IN 2001-0882094, AND THE SOUTHERLY PROLONGATION THEREOF, TO A POINT 25 FEET SOUTHERLY OF THE SOUTHERLY LINE OF SAID PARCEL 1, MEASURED AT 90 DEGREES;

THENCE ALONG A 25 FOOT SOUTHERLY OFFSET OF THE SOUTH LINES FOR LOTS 15, 17 AND 19 OF ‘SUBURBAN ACRES’ AS RECORDED IN BOOK 13, PAGE 22 RECORDS OF MARICOPA COUNTY, ARIZONA, SOUTH 72 DEGREES 19 MINUTES 53 SECONDS WEST, DISTANCE OF 65.89 FEET;

THENCE CONTINUING ALONG SAID SOUTHERLY OFFSET, SOUTH 74 DEGREES 12 MINUTES 10 SECONDS WEST, A DISTANCE OF 147.10 FEET;

DRAFT

THENCE CONTINUING ALONG SAID SOUTHERLY OFFSET, SOUTH 78 DEGREES 50 MINUTES 02 SECONDS WEST, A DISTANCE OF 123.95 FEET;

THENCE SOUTH 89 DEGREES 53 MINUTES 40 SECONDS WEST, A DISTANCE OF 30.00 FEET TO THE POINT OF **BEGINNING**.

SAID PARCEL CONTAINS 142,789 SQUARE FEET OR 3.278 ACRES, MORE OR LESS.

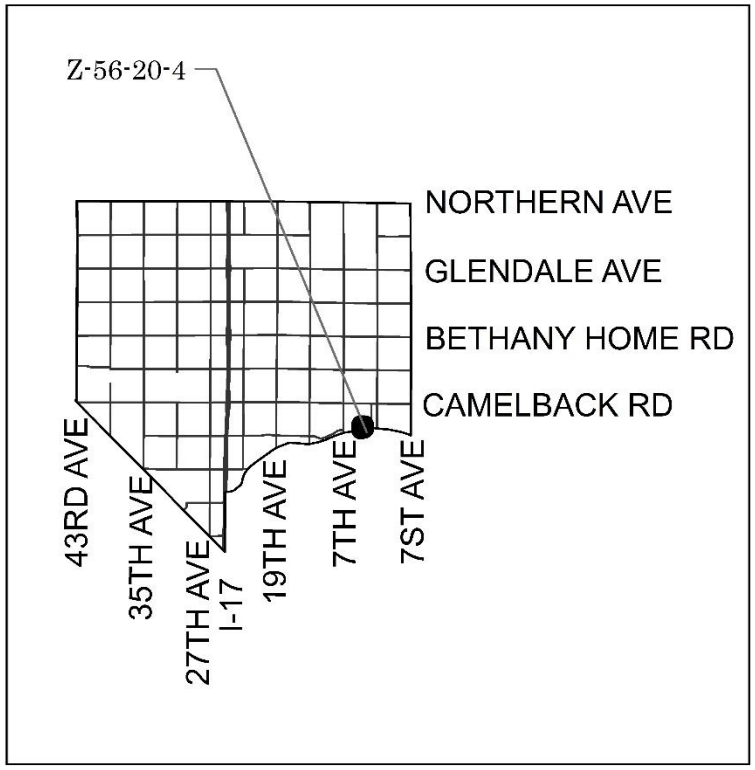
DRAFT

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-56-20-4
Zoning Overlay: N/A
Planning Alhambra



NOT TO SCALE

N

Drawn Date: 2/4/2021

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2021 Ord\3-3-21\Z-56-20-4.mxd

Attachment B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-56-20-4
January 20, 2021

Alhambra Village Planning Committee Meeting Date:	January 26, 2021
Planning Commission Hearing Date:	February 4, 2021
Request From:	R-3 (Multifamily Residence District) (0.18 acres) and R-5 (Multifamily Residence District) (3.11 acres)
Request To:	WU Code T5:5 UT (Walkable Urban Code, Transect 5:5, Uptown Character Area) (3.29 acres)
Proposed Use:	Multifamily Residential
Location:	Southeast corner of 3rd Avenue and Coolidge Street
Owner:	Donor Network of Arizona
Applicant:	Trinsic Residential Group, Todd Gosselink
Representative:	Withey Morris PLC, Jason Morris
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Residential 15+ Dwelling Units Per Acre	
Street Map Classification	3rd Avenue	Local Street	Varies from 30 to 40 foot east half street
	Coolidge Street	Local Street	Varies from 25 to 30 foot south half street

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.
The development, as proposed, will create new housing opportunities in the area and within close proximity to a light rail station, the educational facilities, and the North Central Avenue Employment Center, especially via the Grand Canal Multiuse Trail.

CONNECT PEOPLE AND PLACES CORE VALUE; COMPLETE STREETS; DESIGN PRINCIPLE: Locate parking to the rear of a site to create a more pedestrian environment, when adequate shielding from noise and light can be provided to adjacent established neighborhoods. On-street parking in some areas may also promote a pedestrian environment.
The development, as required by provisions of the Walkable Urban Code, will situate buildings to frame the street environment with vehicle parking lots situated at the interior of the site and to allow for the creation of a comfortable pedestrian environment along the public streets. Further, the development, as stipulated, will screen parking from the Grand Canal and its multiuse trail.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREE AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.
The development, as stipulated, will create an attractive streetscape with detached and shaded sidewalks. The shade incorporated into the development along its frontages will reduce the urban heat island effect and increase thermal comfort which will make the area more walkable, bikeable, and sustainable.

CONNECT PEOPLE AND PLACES CORE VALUE; BICYCLES; DESIGN PRINCIPLE: Development should include convenient bicycle parking.
The development, as stipulated, includes bicycle parking and bicycle facilities as a central component of the project to facilitate bicycling as a way of life. Features include secure bicycle parking for residents, convenient racks for guests, and a bicycle repair station situated as a public amenity; together, these features will complement the Grand Canal and its multiuse trail.

CONNECT PEOPLE AND PLACES CORE VALUE; CANALS AND TRAILS; LAND USE PRINCIPLES: Plan, design, and develop pedestrian linkages between parks, open spaces, village cores, neighborhood shopping centers, neighborhood schools, and neighboring municipalities.
The subject site is immediately adjacent to the Grand Canal which recently was improved through the Canalscape Project and provides regional connectivity, direct connections to Phoenix Central High School, the Phoenix Coding Academy, Xavier College Preparatory, Brophy College Preparatory, Steele Indian School Park, and access to Central Avenue and the rail. The development, as stipulated, will add vitality to this section of the Grand Canal and its multiuse trail as a community asset.

Applicable Plans, Overlays, and Initiatives
Transit Oriented Development Strategic Policy Framework: Background Item No. 5.
Uptown Transit Oriented Development Policy Plan: Background Item No. 6.
Tree and Shade Master Plan: Background Item No. 9.
Complete Streets Guidelines: Background Item No. 10.
Comprehensive Bicycle Master Plan: Background Item No. 11.
Housing Phoenix: Background Item No. 12.
Reimagine Phoenix: Background Item No. 13.

Surrounding Land Uses and Zoning		
	Land Use	**Zoning**
On Site	Office	R-3 and R-5
East	Multifamily	R-5
North (across Coolidge Street	Various residential	R-3 and R-5
South (across the Grand Canal)	Multifamily	R-4
West	Single-family residential	R-3

Walkable Urban Code Transect 5:5 UT		
Standards	**Requirements**	**Provisions on the Proposed Site Plan**
Gross Acreage	No minimum	3.29
Total Number of Units	No maximum	218 units
Density	No maximum	66.26
Building Height	56 foot maximum	56 feet (Met)
Parking Structure Height	Cannot exceed building height	58 feet (Not Met*)
Streetscape Standards (Section 1312.E)		
Minor Collector and Local Streets	Minimum sidewalk width: 5 feet Minimum landscape width: 5 feet (if no public utility conflict)	5 feet (Met) 5 feet (Met)
Main Building Setbacks		
Primary Frontage (Coolidge Street)	12 foot maximum	Varies but less than 12 feet (Met)
Secondary Frontage (3rd Avenue)	10 foot maximum	10 feet (Met)
Non Street (South and East)	0 foot minimum	15 feet and 10 feet respectively (Met)
Parking Setbacks		
Primary Frontage	30 foot minimum or behind building	Behind building (Met)
Secondary Frontage	20 foot minimum with a 10 foot landscape setback measured from the street right of way	Behind building (Met)
Rear (West)	0 foot minimum	Behind building (Met)
Lot Requirements		
Lot Coverage	80 percent maximum	73 percent (Met
Primary Building Frontage	70 percent minimum	94 percent (Met)
Secondary Building Frontage	50 percent minimum	83 percent (Met)

Walkable Urban Code Transect 5:6 UT *(Cont.)*		
Standards	**Requirements**	**Provisions on the Proposed Site Plan**
Frontage Types Allowed		
Primary Frontage (Coolidge Street)	All frontages or alternative frontages as per Section 1305.B.1.c	Storefront and Stoop / Doorwell, Met)
Secondary Frontage (3rd Avenue)	All frontages or alternative frontages as per Section 1305.B.1.c	Stoop / Doorwell, Met)
Entry Requirements	Common Entry: minimum one per 50 feet of primary building frontage and one per 80 feet of secondary frontage. Other frontages as per Table 1305.1	Not provided.
Glazing Requirements T4 standards apply for multifamily	Ground floor and second floor 25 percent minimum. Second floor (east and west): 10 percent minimum Upper floors: not applicable	Not provided.
		**Site plan adjustment required*

Background/Issues/Analysis

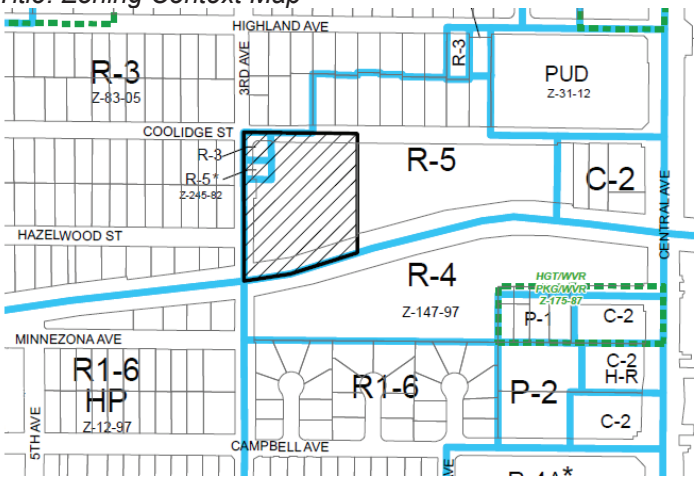
SUBJECT SITE

1. This request is to rezone 3.29 acres at the southeast corner of 3rd Avenue and Coolidge Street from R-3 (Multifamily Residence District) and R-5 (Multifamily Residence District) to WU Code T5:5 UT (Walkable Urban Code Transect 5:5, Uptown Character Area).

SURROUNDING LAND USES AND ZONING

2. The proposed zoning of WU Code T5:5 UT (Walkable Urban Code Transect 5:5, Uptown Character Area) permits a maximum height of 56 feet. The site is currently developed with an office building. The Zoning Context Map depicts the zoning entitlements of the subject site and the surrounding area.

Title: Zoning Context Map



Source: Planning and Development Department

East: Immediately east of the subject site is a multifamily complex which is zoned R-5 (Multifamily Residence District). The zoning permits a maximum height of 48 feet but the existing buildings do not exceed three stories in height.

West: West of the subject site across 3rd Avenue are residential structures of a single-story and single-family detached character. The R-3 (Multifamily Residence District) zoning permits a maximum height of 30 feet by right, and up to 48 feet with increased setbacks.

North: North of the subject site across Coolidge Street are various residential structures ranging from a single-family detached character to small apartment complex, with neither type exceeding two stories. The approximate west half of sites immediately north of the subject site are zoned R-3 (Multifamily Residence District) which permits a maximum height of 30 feet by right, and up to 48 feet with increased setbacks, and the remaining sites to the east are zoned R-5 (Multifamily Residence District) which permits a maximum height of 48 feet.

South (the Grand Canal): South of the subject site is the Grand Canal which was recently improved through the Canalscape project which brought lighting, landscaping, and seating improvements to this section of the canal.

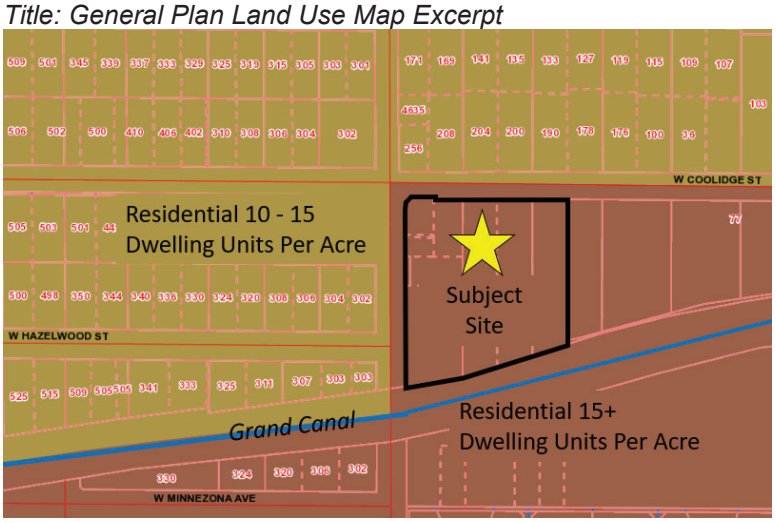
South (beyond the Grand Canal): South of the subject site across the Grand Canal is a multifamily community zoned R-4 (Multifamily Residence District) which permits a maximum height of 48 feet.

3. Located along Central Avenue and several properties east of the subject site is the Interim Transit-Oriented Zoning Overlay District One (TOD-1). The primary purpose of TOD-1 was "to encourage an appropriate mixture and density of activity around transit stations to increase ridership along the light rail corridor and promote alternative modes of transportation to the automobile" while the Walkable Urban Code was developed.

GENERAL PLAN LAND USE MAP

4. The General Plan Land Use Map depicts a land use designation of Residential 15+ dwelling units per acre which is consistent with the density proposed.

Title: General Plan Land Use Map Excerpt



Source: Planning and Development Department

Surrounding the subject site are designations for multifamily densities including Residential 15+ dwelling units per acre to the south and east and Residential 10 to 15 dwelling units per acre to the north and west. The proposed use and density of the subject site is consistent with the surrounding context.

5. The Encanto Village Character Plan was approved and adopted in the Phoenix General Plan through General Plan Amendment GPA-1-19. Each of the 15 Urban Villages have a Character Plan.

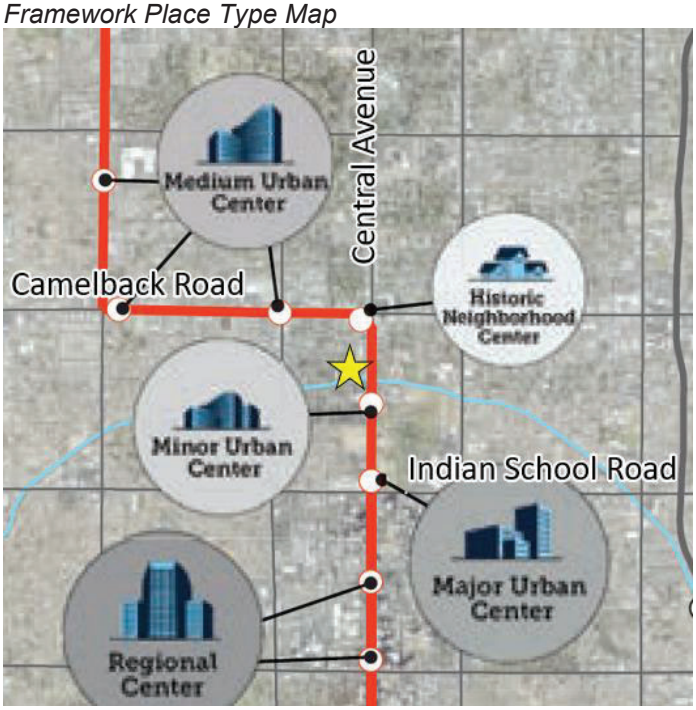
The proposed project advances the following items identified in the Encanto Village Character Plan: encourage growth along the light rail; integrating canals into project design; and new development being consistent with adopted plans.

One such area of alignment is with the North Central Employment Center (profile attached) which identifies the presence of approximately 770,000 young, well-educated, workers within a 10 to 20 minute drive and projected growth of 170,000 new residents within a 30 minute drive. The proposed development will provide housing opportunities for the growing population in proximity to the growing employment center while also reducing the need for long vehicle commutes.

6. **Transit Oriented Development Strategic Policy Framework:**
The Transit Oriented Development Strategic Policy Framework is part of the City's General Plan. The framework identifies planning typologies to describe urban environments in terms of appropriate scale and intensity

As depicted on the right, the subject site is located within one-quarter mile from two light rail stations. The nearest station, Central and Campbell, is identified in the Strategic Policy Framework as a Minor Urban Center Place Type.

Title: Transit Oriented Development Strategic Policy Framework Place Type Map



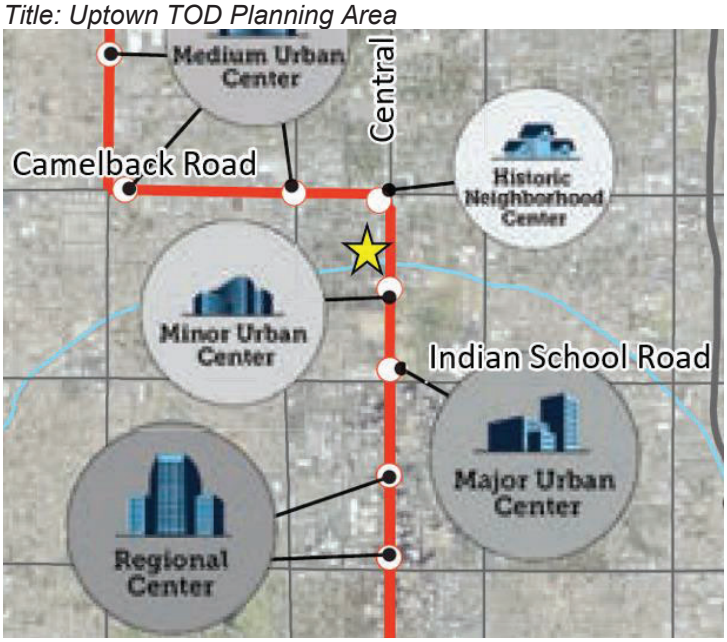
Source: Planning and Development Department

The Minor Urban Center Place Type is characterized by two to five story buildings with allowances for up to seven when incentive criteria are met or when a special circumstance exists. The proposed development, using the Walkable Urban Code and depicting a height of four stories, is consistent with the Minor Urban Center Place Type.

7. **Uptown Transit Oriented Development Policy Plan:**
The subject site is located within the Uptown TOD Planning Area which is depicted on the following page. The policy plan adopted for the Uptown TOD District provides a blueprint for fully achieving the transformative potential of light rail in a sustainable manner. Changes advocated in the plan can lower transportation costs for residents, create new business opportunities, encourage active, healthy lifestyles, ensure Phoenix increases its competitive advantage in the global marketplace, and improve prosperity by growing the economy in locations with existing infrastructure and public services.

While the subject site is not mapped for a specific recommended transect for redevelopment, the Uptown TOD District Plan provides the following direction relevant to the subject site:

Title: Uptown TOD Planning Area



Source: Planning and Development Department

Activating the Grand Canalscape:
The Uptown TOD Plan describes at length the importance and opportunity of embracing the Grand Canal as an open space amenity, as a regional active transportation trail, and as waterfront. While the Canalscape Project is complete, it is the projects adjacent to the Grand Canal that will enliven the waterfront.

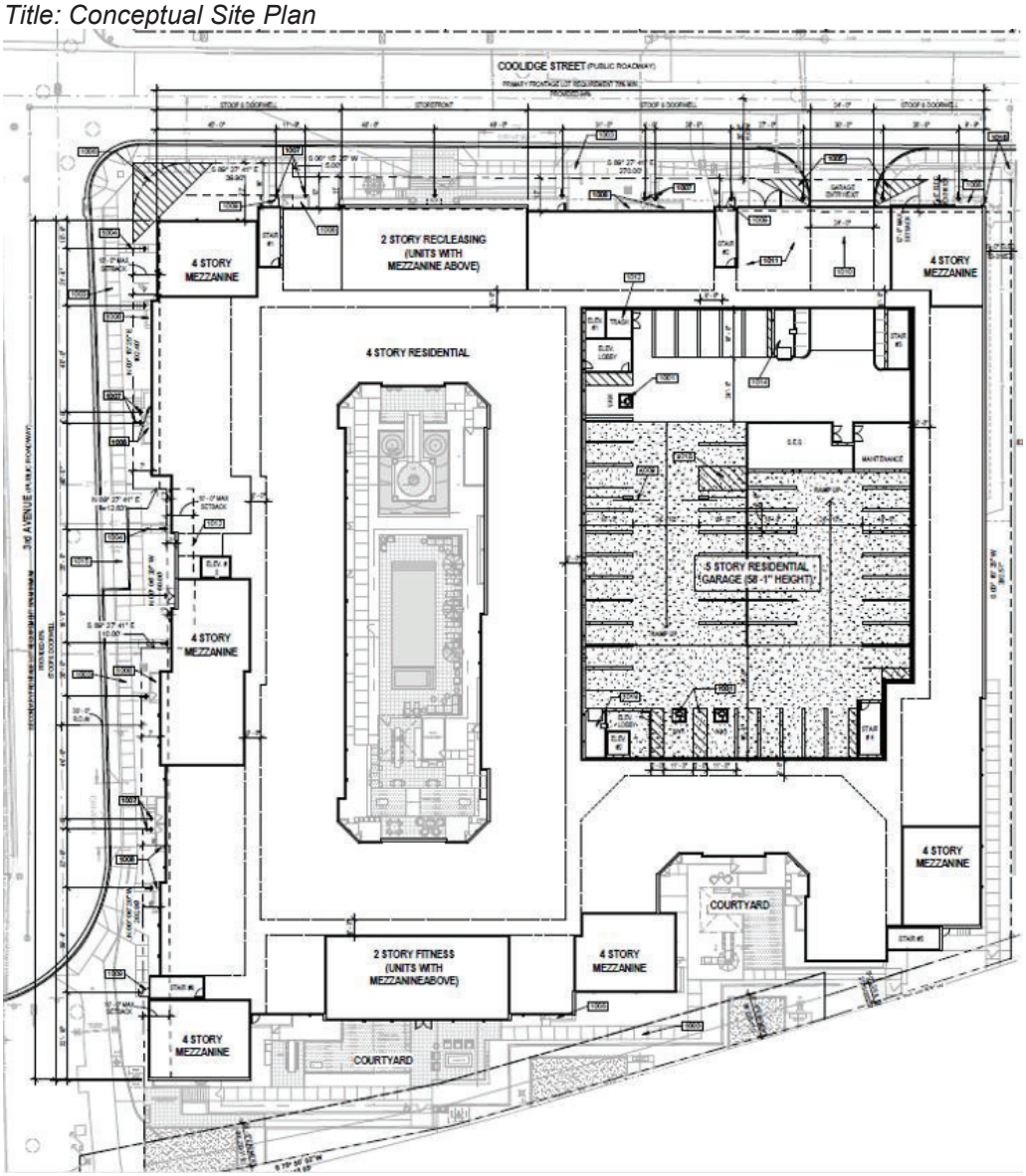
Increase the Population Using Alternative Transportation: .
The Uptown TOD Plan includes several measurable outcomes focused on increasing ridership on the light rail, increasing the number of individuals riding bikes or walking to work, and decreasing the number of Vehicle Miles Traveled (VMT). The proposed project will position new households within walking and bicycling distance to jobs, schools, and major park facilities.

PROPOSAL

8. *Site Plan*

As depicted on the conceptual site plans and elevations on the following pages, the proposal is for four floors of housing with five levels of parking located at the interior of the site. The site plan depicts one point of vehicular access from Coolidge Street. The site plan depicts 218 dwelling units with 46 studios, 116 one-bedroom, and 56 two-bedroom units. At a rate of 1.3 parking spaces per studio and 1.5 spaces per one and two bedroom units, the code would require 318 parking spaces but due to the proximity to light rail, a 10 percent reduction is applied for a total of 287 spaces.

Title: Conceptual Site Plan



Source: Rich Barber Architects

The ground floor units fronting 3rd Avenue and Coolidge Street will employ stoop and doorwell frontages and the main leasing area oriented to Coolidge Street will employ a storefront frontage; these ground level treatments abide by the intent of the Walkable Urban Code to active the street frontage in addition to detached sidewalks and trees planted between the curb and sidewalk as required by the Walkable Urban Code.

The conceptual site plan depicts frontage types along the southern face of the

building mass to activate the interface with the canal. Staff is recommending Stipulation No. 1 to require the frontage types along 40 percent of the canal oriented building frontage.

9. *Canal Interface*

The conceptual site plan and building elevations depict measures intended to embrace and activate the frontage to the Grand Canal including amenity areas, common areas, bike racks, a bicycle repair station, vegetation, and a perimeter wall comprised mostly of view fence for ground level transparency. The Phoenix Zoning Ordinance governs canal interface through the design standards contained in Section 507 Tab A.

To advance the intent of the design guidelines and the Walkable Urban Code, staff is recommending a series of stipulations to provide additional specificity regarding improvements to the area between the southern mass of the building and the Grand Canal right-of-way including the following:

- Stipulation No. 1: To require Walkable Urban Code Frontage Types along a minimum 50 percent of the canal-facing building façade.
- Stipulation No. 2: To require architectural enhancements along the canal-facing building façade.
- Stipulation No. 3: To require large canopy shade trees to soften the canal environment and provide thermal comfort in the amenity areas and near the canal.
    - Due to the presence of an SRP easement at this location, the extent to which the developer will be allowed to improve this are is unknown and, therefore, the stipulation contains the language “as approved or modified by the Planning and Development Department.
- Stipulation No. 4: To require shaded open space adjacent to the canal right-of-way through the application of Section 1310.A.2 of the Phoenix Zoning Ordinance.
    - Due to the presence of an SRP easement at this location, the extent to which the developer will be allowed to improve this are is unknown and, therefore, the stipulation contains the language “as approved or modified by the Planning and Development Department.
- Stipulation No. 5: To require all walls and fences within 30 feet and oriented-to the canal right-of-way to have a maximum opaque height of 36 inches to promote interface between the project and the canal amenity.

10. *Conceptual Elevations*

The conceptual building elevations, pictured below, depict a four story multifamily complex exhibiting modern design elements, multiple colors, building articulation, shaded upper floor balconies, and a mix of ground floor frontage treatments including stoops, doorwells, and storefronts.

Title: Conceptual Building Elevations

Source: Rich Barber Architects

STUDIES AND POLICIES

11. **Tree and Shade Master Plan:**
The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect.

The Walkable Urban Code contains landscape standards to provide enhanced tree plantings with a focus on thermal comfort and the conceptual site plan complies with code requirements.

To require tree shade be integrated into the project between the southern building mass and the Grand Canal right-of-way, staff is recommending Stipulation No. 3 requiring large canopy shade trees, placed 20 feet on center or in equivalent groupings, and with a minimum caliper of 3-inches at installation; the purpose of this stipulation is to promote thermal comfort for the amenity areas and along the Grand Canal.

12. **Complete Streets Guidelines:**
In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. The Walkable Urban Code contains requirements for detached sidewalks with vegetative shade which will enhance the thermal comfort and sense of security for pedestrians passing on adjacent sidewalks.

Staff is recommending Stipulation No. 8 to require enhanced bicycle facilities on the site including secure bicycle parking for residents, bicycle racks for guests, and a publicly accessible bicycle repair station near the southern edge of the site; the purpose of these stipulations is to complement 3rd Avenue which is identified as the Phoenix Sonoran Bikeway and the Grand Canal multiuse trail which provides regional trail connectivity.

13. **Comprehensive Bicycle Master Plan:**
The Comprehensive Bicycle Master Plan is a guide for creating a culture and environment conducive to bicycling as a viable mode of transportation. The proximity to high capacity transit underscores the importance of walking and bicycling in this area.

Recognizing the presence of the Grand Canal, the recently completed Canalscape investments, the presence of the Phoenix Sonoran Bikeway, and proximity to high capacity transit, staff is recommending Stipulation No. 8 which requires secure bicycle parking for residents, bicycle parking for guests, and a publicly accessible bicycle repair station.

14. **Housing Phoenix:**
In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with the vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing.

The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant or underutilized land in a more sustainable fashion.

15. **Zero Waste PHX:**
The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The provision of recycling containers was not addressed in the applicant's submittals.

COMMUNITY CORRESONDENCE

16. As of the writing of this report, one letter of opposition was received detailing concerns relating to scale, privacy, traffic, the abundance of multifamily, and the design compatibility with the historic district.

INTERDEPARTMENTAL COMMENTS

17. The Fire Department commented that the site plan must comply with the Phoenix Fire Code and further indicated there are no problems anticipated with the case. Further, the Department commented that they do not know the water supply at this site and noted that additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.

18. The Public Works Department, Floodplain Management Division determined the site is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. The Public Works Department provided Stipulation No. 10 to require the applicant follow and document all necessary processes and improvements.

19. The Street Transportation Department provided Stipulation Nos. 6, 7, and 9 to require traffic calming at vehicular driveways, two pedestrian connections to the Grand Canal trail, and their standard stipulation regarding the applicant being responsible for construction of adjacent streets, respectively.

    The Street Transportation Department including the Pedestrian Safety Coordinator further commented on the importance of enhanced pedestrian and bicycle facilities including detached sidewalks, bicycle parking, a bicycle repair station, and connections to the Grand Canal trail. These issues are addressed in other stipulations or will be addressed through the application of the Walkable Urban Code.

20. The Public Transit Department commented on the need for a robust system of shaded pedestrian pathways with measures to delineate pedestrian crossings at drive-aisles. These issues are addressed in other stipulations or will be addressed through the application of the Walkable Urban Code.

OTHER

21. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 13.

22. Based on the proximity to Sky Harbor Airport, the Aviation Department is requiring Stipulation Nos. 11 and 12 which require recorded documents to disclose the existence of Sky Harbor Airport to future owners and residents, and that an avigation easement be recorded.

23. Development and use of the site are subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments may be required.

Findings

1. The proposal is consistent with the General Plan Land Use Map designation of Residential 15+ Dwelling Units Per Acre and the TOD Strategic Policy Framework Minor Urban Center Place Type designation.

2. The development advances the vision and recommendations contained in the Uptown Transit Oriented Development Plan and will support pedestrian oriented development near the light rail and multiple urban bikeways.

3. The proposal will create additional housing options for the significant number of residents in the Uptown TOD District.

Stipulations

1. The south facing mass of the building(s) oriented to the Grand Canal shall incorporate Walkable Urban Code Frontage Types described in Section 1305 for a minimum 40 percent of the building face(s), as approved by the Planning and Development Department. For the purpose applying the above provisions, the above shall be treated as a Secondary Frontage with regard to glazing.

2. The south facing mass of the building(s) oriented to the Grand Canal shall contain architectural embellishments, design detailing, and / or space programming to activate and provide visual access onto the canal, as approved by the Planning and Development Department. Examples of appropriate enhancements may include textural changes, offsets, recesses, variation in window size and location, overhang canopies, balconies with a depth greater of than 3 feet, and amenities such as gathering spaces.

3. Between the southern mass of the building and the south property line (the Grand Canal right-of-way), the developer shall plant minimum 3-inch caliper, large canopy shade trees, at a minimum frequency of 25 feet on center or in equivalent groupings, as approved or modified by the Planning and Development Department.

4. The provisions of Section 1310.A.2 of the Phoenix Zoning Ordinance shall apply to require shaded open space of which a minimum 50 percent shall be situated adjacent to the south property line (the Grand Canal right-of-way), as approved or modified by the Planning and Development Department.

5. No solid perimeter wall greater than 36 inches in height shall be oriented to and located within 30 feet of the south property line (the Grand Canal right-of-way), as approved by the Planning and Development Department.

6. The developer shall provide traffic calming to slow vehicle traffic exiting the property with specific regard to pedestrian safety on the public sidewalk, as approved by the Planning and Development Department.

7. The developer shall provide a minimum of two direct and accessible pedestrian connections from the amenity areas located south of the building mass to the shared use path along the Grand Canal Trail, as approved by the Planning and Development Department.

8. The developer shall provide and maintain the following bicycle infrastructure as described below and as approved by the Planning and Development Department.

    a. A bicycle repair station (fix-it station) along the southern edge of the site, visible, and accessible from the public sidewalk and / or the Grand Canal Trail. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while adjusting the bike.

    b. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.

    c. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1306.H. of the Phoenix Zoning Ordinance.

9. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

10. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. The following requirements shall apply, as approved by the Planning and Development Department:

a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3); this includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.

b. A copy of the Grading and Drainage Plan shall be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.

c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.

11. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

12. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

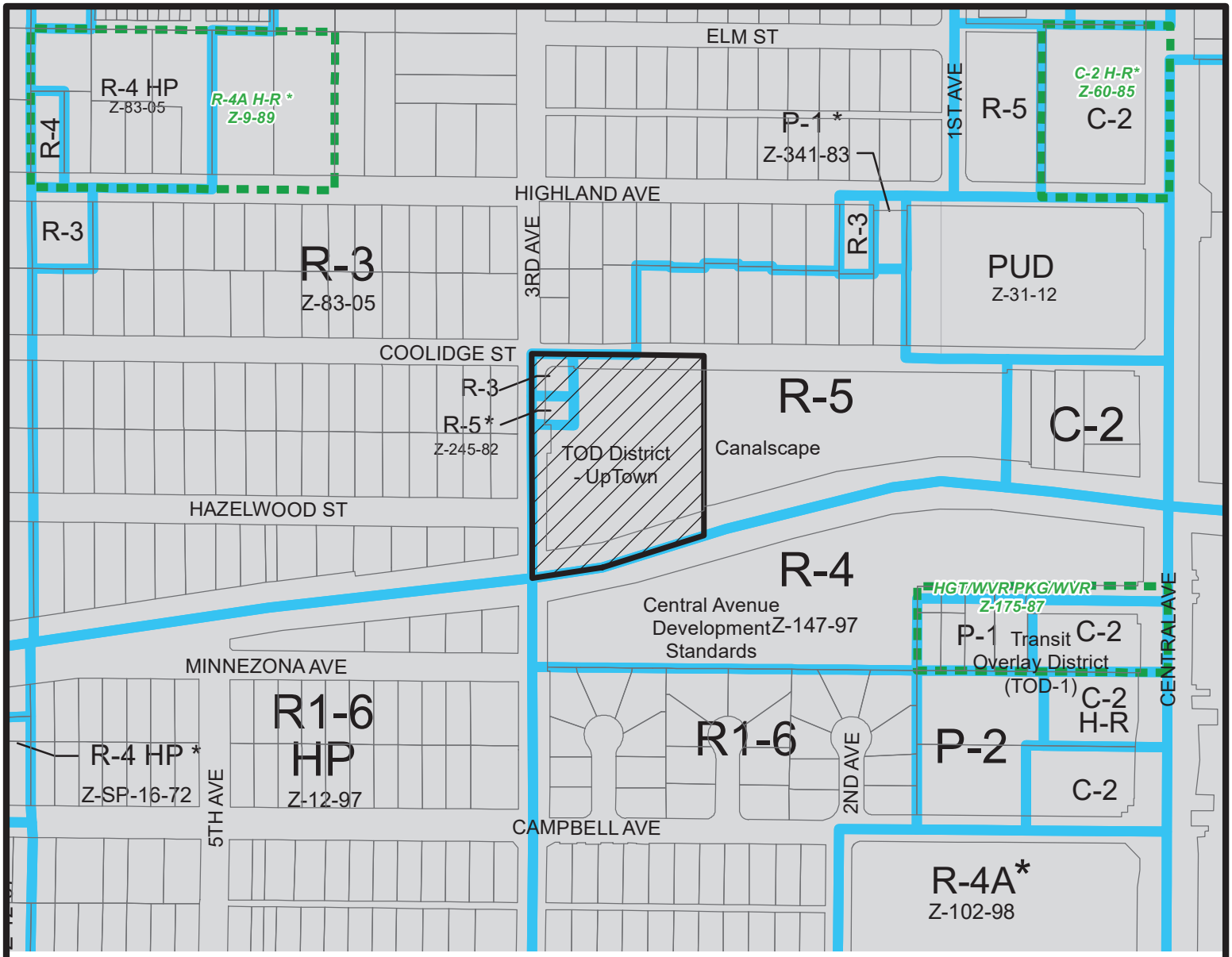
13. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Writer
Nick Klimek
January 20, 2021

Team Leader
Samantha Keating

Exhibits
Zoning sketch map
Aerial sketch map
Conceptual Site Plan and Elevations date stamped October 19, 2020 (2 pages)
Community Correspondence (4 pages)

North Central Employment Center Profile (2 pages)



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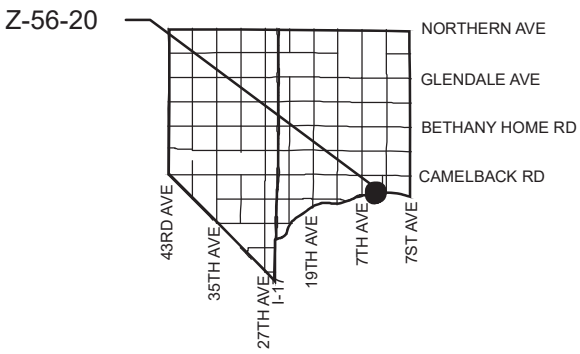
ALHAMBRA VILLAGE

CITY COUNCIL DISTRICT: 4



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	Trinsic Residential Group, Todd Gosselin
APPLICATION NO.	Z-56-20
DATE:	10/23/2020
REVISION DATES:	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	3.29 Acres
AERIAL PHOTO & QUARTER SEC. NO.	QS 18-27
ZONING MAP	H-8

REQUESTED CHANGE:

FROM: R-3 (0.18 a.c.)
R-5 (3.11 a.c.)

TO: WU Code T5:5 UT (3.29 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
R-3, R-5	2, 135	3, 162
WU Code T5:5 UT	No Maximum	N/A

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

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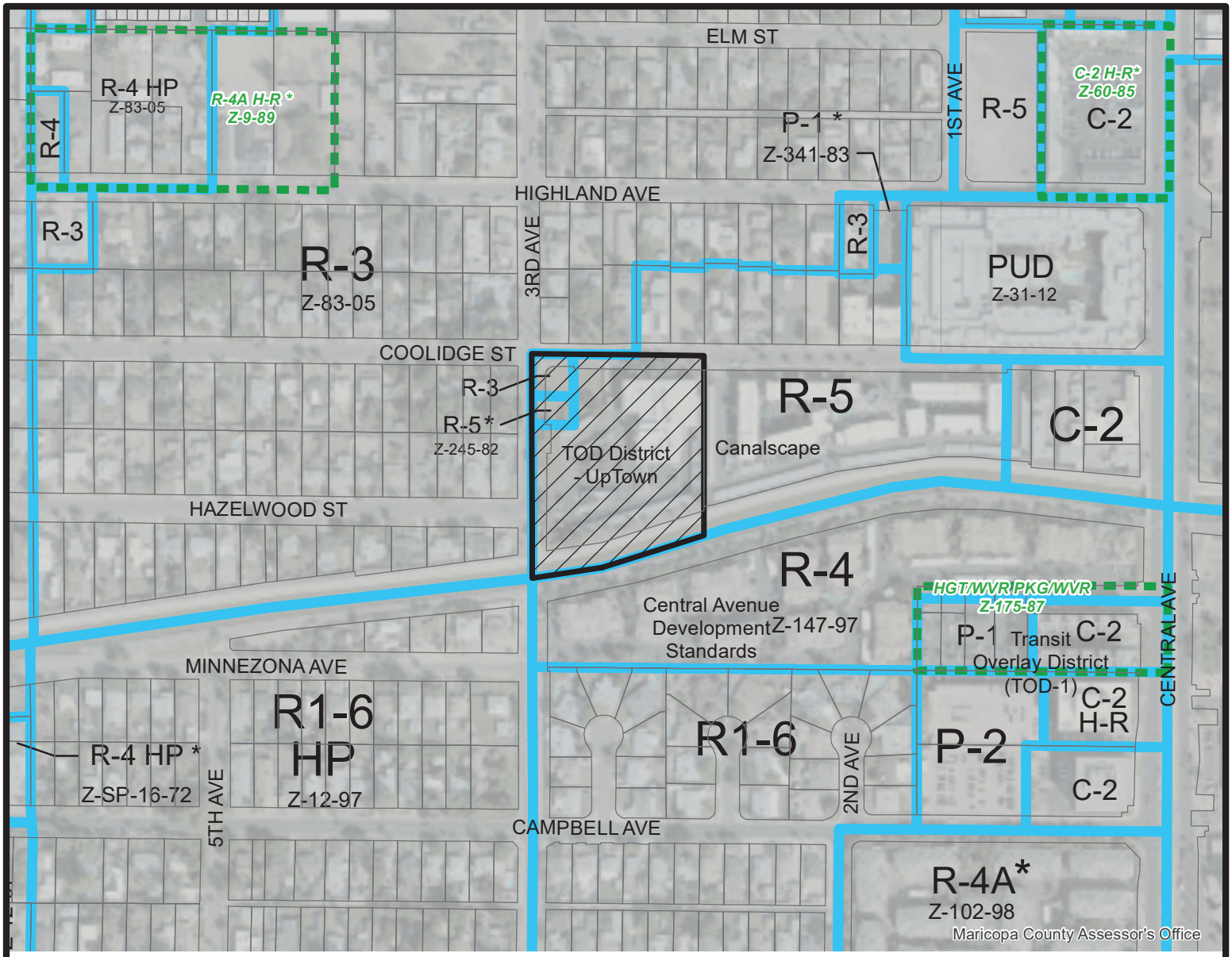

Miles

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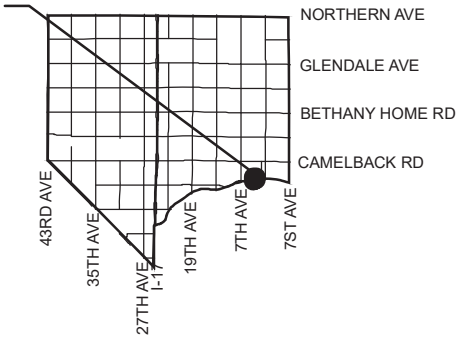
ALHAMBRA VILLAGE

CITY COUNCIL DISTRICT: 4

Z-56-20



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LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1:
THE WEST HALF OF LOT 16 AND THE EAST HALF OF LOT 17, SUBURBAN ACRES, ACCORDING TO PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 13 OF MAPS, PAGE 22;
EXCEPT THE NORTH 7.5 FEET FOR STREET PURPOSES.
PARCEL NO. 2:
THE WEST HALF OF LOT 17, SUBURBAN ACRES, ACCORDING TO PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 13 OF MAPS, PAGE 22;
EXCEPT THE NORTH 7.5 FEET FOR ROAD.
PARCEL NO. 3:
LOT 19, SUBURBAN ACRES, ACCORDING TO PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 13 OF MAPS, PAGE 22.
EXCEPT THEREFROM THE NORTH 185 FEET THEREOF;
EXCEPT THEREFROM THE WEST 30 FEET THEREOF; AND
EXCEPT THEREFROM ANY PART, THEREOF, LYING WITHIN THE WEST 30 FEET OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS PROVIDED IN DEED RECORDED IN DOCKET 940 1, PAGE 123.
PARCEL NO. 4:
THE SOUTH 60 FEET OF THE NORTH 185 FEET OF LOT 19, SUBURBAN ACRES, ACCORDING TO PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 13 OF MAPS, PAGE 22;
EXCEPT THE FOLLOWING DESCRIBED PARCEL FOR ROADWAY PURPOSES;
THAT PART OF THE SOUTH 60 FEET OF THE NORTH 185 FEET OF LOT 19, SUBURBAN ACRES, LYING WITHIN 40 FEET OF THE MONUMENT LINE OF THIRD AVENUE, AS SAID MONUMENT LINE IS SHOWN ON THE PLAT OF SOUTH PIERSON PLACE, THE PLAT OF WHICH IS RECORDED IN BOOK 17 OF MAPS, PAGE 45.
PARCEL NO. 5:
THE SOUTH 38 FEET OF THE WEST 60 FEET OF THE EAST 120 FEET OF THE NORTH 125 FEET OF LOT 19, SUBURBAN ACRES, AND THE NORTH 5 FEET OF THE SOUTH 43 FEET OF THE WEST 60 FEET OF THE EAST 120 FEET OF THE NORTH 125 FEET OF LOT 19, SUBURBAN ACRES, ACCORDING TO PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 13 OF MAPS, PAGE 22.
PARCEL NO. 6:
THE NORTH 82 FEET OF THE WEST 60 FEET OF THE EAST 120 FEET OF THE NORTH 125 FEET OF LOT 19, SUBURBAN ACRES, ACCORDING TO PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 13 OF MAPS, PAGE 22.
EXCEPTING THEREFROM THAT PORTION OF THE LAND CONVEYED TO THE CITY OF PHOENIX, A MUNICIPAL CORPORATION, MORE PARTICULARLY DESCRIBED IN QUIT-CLAIM DEED, RECORDED NOVEMBER 06, 2012 AS 2012-911309 OF OFFICIAL RECORDS.
PARCEL NO. 7:
THE EAST 60 FEET OF THE NORTH 125 FEET OF LOT 19, SUBURBAN ACRES, ACCORDING TO PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 13 OF MAPS, PAGE 22;
EXCEPT THE NORTH 7.5 FEET THEREOF.

CITY OF PHOENIX SITE PLAN NOTES

1. Development and use of this site will conform with all applicable codes and ordinances.
2. All new or relocated utilities will be placed underground.
3. "Structures and landscaping within a triangle measured back 10' from the property line and 20' along the property line on each side of the driveways entrances will be maintained at a maximum height of 3."
4. Structures and landscaping within a triangle measuring 35' x 35' along the property lines will be maintained at a maximum height of 3'.
5. Any lighting will be placed so as to direct light away from adjacent residential districts and will not exceed one foot candle at the property line. No noise, odor, or vibration will be emitted at any level exceeding the general level of noise, odor, or vibration emitted by uses in the area outside of the site.
6. Owners of property adjacent to public rights-of-way will have the responsibility for maintaining all landscaping located within the rights-of-way, in accordance with approved plans.
7. All rooftop equipment and satellite dishes shall be screened to the height of the tallest equipment.
8. All service areas shall be screened to conceal trash containers, loading docks, transformers, backflow preventers and other mechanical or electrical equipment from eye level adjacent to all public streets.
9. Barbed, razor, or concertina wire (or similar) shall not be used on this site where visible from public streets or adjacent residential areas.
10. All signage requires separate reviews, approvals, and permits. No signs are approved per this plan.
11. Gates are to remain open, or are to open automatically, between the hours of _____ and _____.

Please consider placing the following note (signed and dated) on the site plan to authorize minor amendment to the plan in the future:

I consent to the reproduction of this site plan provided that if modifications are made, the professionals who make such changes assume full responsibility and liability for the modified portions of the plan.

Rich Barber — 10/16/2020
SIGNATURE OF COPYRIGHT OWNER — DATE

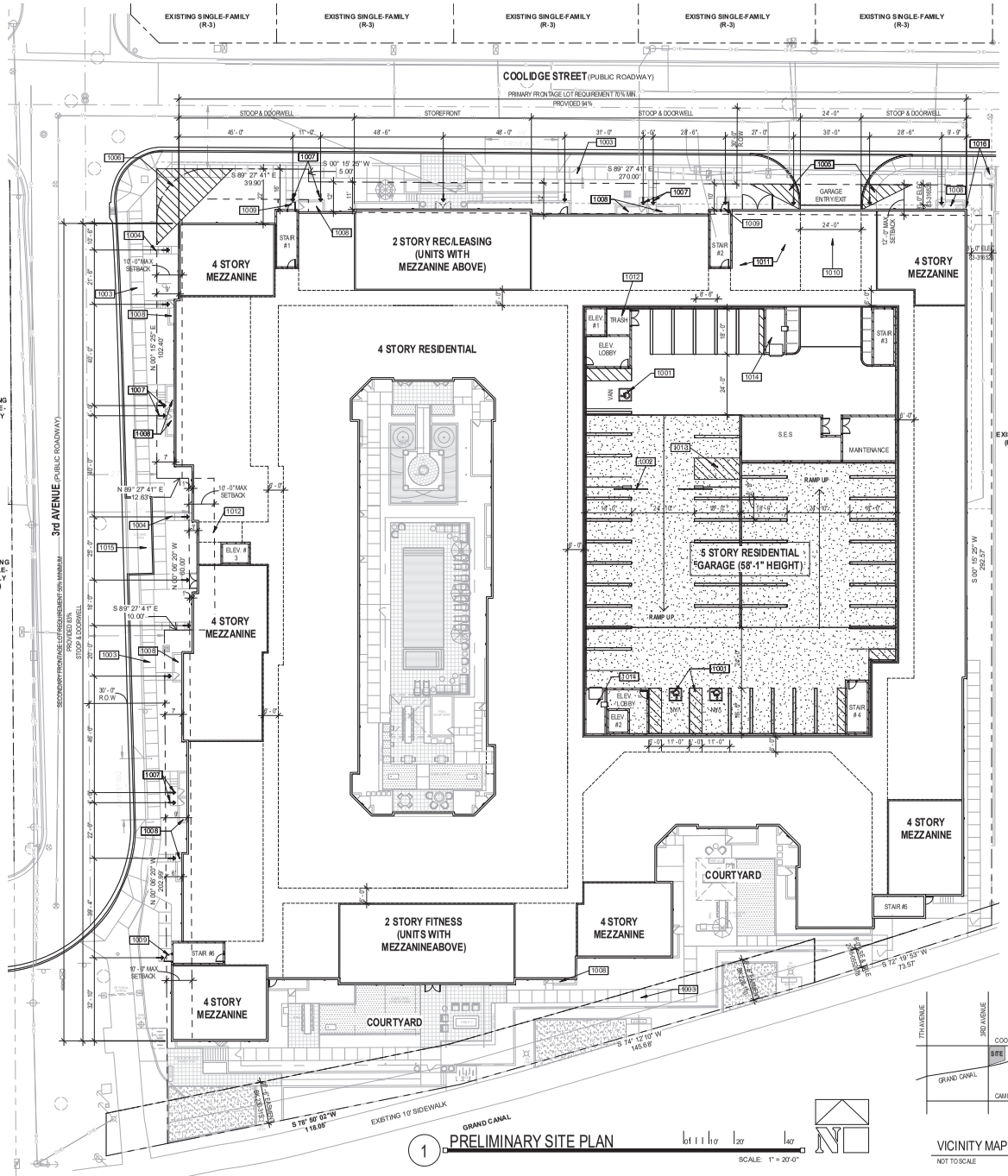
Rich Barber
PRINTED NAME OF COPYRIGHT OWNER

SOLID WASTE NOTES

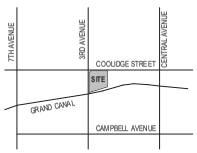
SOLID WASTE NARRATIVE:
TRASH CHUTES ARE LOCATED IN THE PARKING GARAGE ON ALL FLOORS AND AN ADDITIONAL CHUTE LOCATED ON THE WEST SIDE OF BUILDING.

TRASH TERMINATION ROOMS ARE LOCATED IN PARKING GARAGE AT GRADE LEVEL AND ON WEST SIDE OF BUILDING WHERE TRASH IS COMPACTED AND PLACED INTO 2 YD BINS. TRASH BINS ARE TAKEN TO HOLDING ROOM LOCATED AT GRADE LEVEL ON NORTH SIDE OF GARAGE. HOLDING ROOM IS COMPLETELY ENCLOSED AND SCREENED WITH GATES (SEE ELEVATIONS). ON TRASH PICK UP DAYS BINS ARE TAKEN OUT BY STAFF TO PROVIDED STAGING AREA FOR COLLECTION. 6YD RECYCLE BIN WILL BE PROVIDED IN GARAGE ACCESSIBLE TO ALL RESIDENTS. RECYCLE BIN WILL BE ROLLED OUT ON PICK UP DAY TO STAGING AREA.

REQUIRED SOLID WASTE CAPACITY:
(2 MINI TRASH COMPACTORS ARE LOCATED IN THE PARKING GARAGE LEVEL 1. EACH COMPACTOR COMPACTS TRASH INTO 2YD BINS.
(1) MINI TRASH COMPACTOR IS LOCATED ON LEVEL 1 (WEST SIDE OF BUILDING). COMPACTOR COMPACTS TRASH INTO 2YD BINS.
.5 CUBIC YARDS PER UNIT. 2.1890 .5 = 1109 CY. SERVICED TWICE PER WEEK = 109.2÷65 CY. COMPACTION OF 3.1 = 19 CY PER SERVICE TWICE PER WEEK.
10 CY PER SERVICE/52 CY PER BIN = MIN OF 5 BINS IN HOLDING ROOM.
A SINGLE 6 CY RECYCLE BIN ARE LOCATED IN GARAGE NEAR MAIN ENTRY. SERVICE WILL BE BASED ON USE AND BUILDING OCCUPANCY.



1 PRELIMINARY SITE PLAN



VICINITY MAP
NOT TO SCALE

DEVELOPMENT DATA

PROJECT DESCRIPTION:

TRINSIC RESIDENTIAL GROUP INTENDS TO DEVELOP AN EXCEPTIONAL 218 UNIT MULTI-FAMILY RESIDENTIAL (FOR RENT) PROPERTY LOCATED ON THE SOUTHEAST CORNER OF 3RD AVENUE AND COOLIDGE STREET.

ZONING:
CURRENT: R-5
PROPOSED: WU TS 5

DENSITY:
PROPOSED:
85.49 D.U./ACRE (2.18 UNITS)

APN #:
155-29-068B

LOT AREA

GROSS:	142,789 SF	3.278 acres
NET:	111,308 SF	2.555 acres

AMMENITIES:
POOL, SPA, FITNESS.
RECREATION CLUB ROOM, BIKE STORAGE.

CONSTRUCTION TYPE:
PARKING GARAGE: IA
RESIDENTIAL: VA
BUILDING HEIGHT:
MAX: 56 FEET
PROVIDED: 56 FEET

SET BACKS: PER CHAPTER. 1303.2 TRANSECT T5

PRIMARY FRONTAGE (COOLIDGE):	12' MAX.
SECONDARY FRONTAGE (3rd AVE.):	10' MAX.
SIDE LOT LINE (EAST):	0' MIN.

UNIT MIX:

STUDIO	46
1 BED ROOM	116
2 BED ROOM	56
TOTAL UNITS	218

BUILDING AREAS:

LEVEL L1	BUILDING AREA	58,885 SF
LEVEL L2	BUILDING AREA	56,837 SF
LEVEL L3	BUILDING AREA	60,276 SF
LEVEL L4	BUILDING AREA	60,276 SF
TOTAL		236,275 SF

- ALL UNITS SHALL BE OF AT LEAST ANSI TYPE 'B' ACCESSIBILITY STANDARDS
- 2% OF UNITS TO BE ANSI TYPE 'A' ACCESSIBILITY STANDARDS

GARAGE BUILDING AREAS:

LEVEL L1	GARAGE AREA	21,661 SF
LEVEL L2	GARAGE AREA	20,634 SF
LEVEL L3	GARAGE AREA	20,634 SF
LEVEL L4	GARAGE AREA	20,634 SF
GARAGE LEVEL L5	GARAGE AREA	20,634 SF
LEVEL L6 (GARAGE)	GARAGE AREA	5,276 SF
TOTAL		109,414 SF

LOT COVERAGE

AREA PROVIDED:	80,485
SITE NET AREA:	111,308
PERCENT PROVIDED:	73%

PRIMARY FRONTAGE REQUIRED MINIMUM 70%
PROVIDED : 317/330' = 94 %

SECONDARY FRONTAGE REQUIRED MINIMUM 50%
PROVIDED : 322.08/ 485' = 83%

OPEN SPACE:

REQUIRED: (SEC 1310)	5% OF GROSS ACREAGE
AREA PROVIDED:	
CENTER COURTYARD:	9,159 S.F.
SOUTH COURTYARD:	7,789 S.F.
TOTAL:	16,948 SF
SITE GROSS AREA:	142,789
PERCENT PROVIDED:	16,948 S.F. / 142,789 S.F. = 12%

PARKING:

EXISTING (R-5)

REQUIRED:
1.3 SPACES PER STUDIO — 46 x 1.3 = 60
1.5 SPACES PER 1&2 BED — 172 x1.5 = 258
TOTAL REQUIRED: 318 P.S

REDUCTION:
10% REDUCTION FOR PROXIMITY TO LIGHT RAIL STATION (1.320')
3.18 P.S. x 90 = 287 REQUIRED SPACES

PROVIDED :

PROSPECTIVE /RESIDENT	11
RESIDENT GARAGE	292
TOTAL PROVIDED	303

ACCESSIBLE PARKING: (INCLUDED IN COUNT)
REQUIRED: 318/02 = 7

GARAGE L1 3 PS (2 VAN ACCESIBLE)
GARAGE L2 2PS
GARAGE L3 2PS

PROVIDED: 7 PS (2 VAN ACCESIBLE)

GLAZING :
REQUIRED PER TABLE 1303.2 TRANSECT T4 :
MINIMUM 25% GROUND FLOOR FRONTAGE: 317.3' X 8 = 1,556.2 SF.

GLAZING	657 SF

PROVIDED:
657 SF / 1,556.2 SF = 43%

FIRE SPRINKLERS:
NFPA 13

BUILDING FRONTAGE ENTRY REQUIREMENTS:
REQUIRED (TRANSECT T5):
PRIMARY BUILDING FRONTAGE 1/50'
SECONDARY BUILDING FRONTAGE 1/80'

KEYNOTES

1001 ACCESSIBLE GARAGE SPACE 18' x 11'.
1002 VEHICULAR SLIDING GATE.
1003 5' SIDEWALK SEE LANDSCAPE.
1004 3' SIDEWALK SEE LANDSCAPE.
1005 20'x10' SIGHT VISIBILITY TRIANGLE.
1006 30'x33' SIGHT VISIBILITY TRIANGLE.
1007 BUILDING ENTRY/EXIT.
1008 EXTENDED PATIO/STOOPS.
1009 ENTRY STAIR.
1010 GARAGE ENTRY AT GROUND LEVEL WITH RESIDENTIAL UNITS LEVELS 2-4.
1011 TRASH HOLDING ROOM FULLY SCREENED AT GROUND LEVEL WITH RESIDENTIAL UNITS LEVEL 2-4 - SEE SOLID WASTE NARRATIVE THIS SHEET.
1012 TRASH COMPACTOR.
1013 VEHICULAR TURN AROUND SPACE.
1014 MECHANICAL VENTILATION SHAFT.
1015 10'x 30' LOADING ZONE. ONE LOADING BAY REQUIRED PER WU CODE TABLE 1307.2.
1016 EXHISTING FIRE HYDRANT.

CITY OF PHOENIX
OCT 19 2020
Planning & Development Department

KIVA PROJECT: 20-3452
SDEV #: 2007876
FACT #: 2013599
PAPP:
QS:

AURA COOLIDGE

3RD AVENUE AND COOLIDGE
PHOENIX, AZ 85013

Office of Rich Barber Architecture, LLC
ORB
WorldHQ@ORBArch.com
REGISTERED ARCHITECT — Rich Barber — 16 — 2020 — Expires 9/30/2021

REVISIONS/ SUBMITTALS

DATE	DESCRIPTION

DATE: OCTOBER 16, 2020 ORB #: 20-212

A1.10

PRELIMINARY SITE PLAN

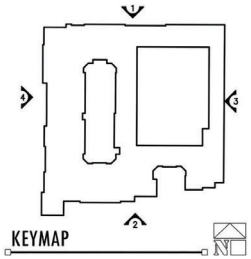
BIM 360://20-212 Aura Coolidge/20212_Aura Coolidge.rvt 10/17/2020 2:18:11 PM

1 NORTH ELEVATION
COOLIDGE STREET
SCALE: 1/16" = 1'-0"

2 SOUTH ELEVATION
SCALE: 1/16" = 1'-0"

3 EAST ELEVATION
SCALE: 1/16" = 1'-0"

4 WEST ELEVATION
3RD AVENUE
SCALE: 1/16" = 1'-0"



KEYMAP

MATERIAL KEY NOTES:

- (A) STUCCO FINISH DUNN EDWARDS DEW380 "WHITE" LRV 93
- (B) STUCCO FINISH DUNN EDWARDS DE6213 "FINE GRAIN" LRV 59
- (C) STUCCO FINISH DUNN EDWARDS DE6378 "LOOKING GLASS" LRV 23
- (D) STUCCO FINISH DUNN EDWARDS DE6379 "JET" LRV 9
- (E) STUCCO FINISH DUNN EDWARDS DET459 "RED ROOSTER" LRV 11
- (F) CANOPIES PAINTED, COLOR DUNN EDWARDS DE6378 "JET" LRV 9
- (G) BLOCK WALL – "PRECISION" COLOR: RED ROCK – NW SEDONA RED, SIZE: 8"X8"X16"
- (H) MECHANICAL EQUIPMENT SCREENED BY PARAPET
- (I) SERVICE DOOR, COLOR TO MATCH ADJACENT WALL
- (J) 2x2 WIRE MESH BALCONY RAILING, PAINTED DUNN EDWARDS DE6378 "JET" LRV 9
- (K) STONE VENEER CORONADO STONE " THE GETTY STONE" 16" X 24" COLOR "BLACK FOREST"
- (L) HARDY PLANK PAINTED DEW380 "WHITE" LRV 93
- (M) HARDY PLANK PAINTED DE6378 "LOOKING GLASS" LRV 23

KIVA PROJECT: 20-3452
SDEV #: 2007876
FACT #: 2013599
PAPP:
QS:

CITY OF PHOENIX
OCT 19 2020
Planning & Development Department

AURA UPTOWN

3RD AVENUE AND COOLIDGE
PHOENIX, ARIZONA 85013

Office of Rich Barber Architecture, LLC
ORB
WorldHQ@ORBArch.com

15213 Rich Barber
10/16/20
Date: 3/31/2013
PRELIMINARY NOT FOR CONSTRUCTION

REVISIONS

DATE: OCTOBER 16, 2020 ORB # 20-212

A3.40

PRELIMINARY COLOR ELEVATIONS

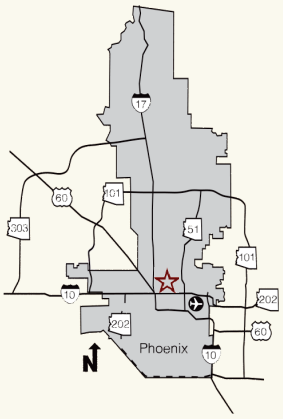
FILE: T:\Jobs\ORB Job Files\20-212_TR_AURA Coolidge\CAD Files\Preliminary\20212 A3.40 ColorElevations.dwg USER: FJ DATE: Oct. 19 2020 TIME: 08:28 am

City of Phoenix Employment Center Profile

NORTH CENTRAL

The North Central employment center offers an exceptional location in one of the city's premier office corridors.

This employment center extends from McDowell Road north to Camelback Road between Seventh Street and Seventh Avenue. The North Central area includes high-rise office and residential buildings surrounded by historic single family neighborhoods, parks and cultural amenities.



- Access to a large executive and professional workforce
- Advanced telecommunications infrastructure
- Large inventory of office space
- Competitive lease rates
- Superior accessibility to key business and financial services

Labor Force Accessibility and Skills

The North Central employment center offers excellent access to a large portion of the metro area's 1.7 million workers. Approximately 770,000 young, well-educated workers reside within a 30 minute drive time.[1] High concentrations of service and health care workers live within 10 to 20 minutes. In addition, about 16 percent of the workforce living within a 20 minute drive time is made up of executives, managers and technical professionals.[2]

Projected growth for this area will result in close to 170,000 new residents within a 30 minute drive time by 2020, providing a continually expanding labor pool.[3]

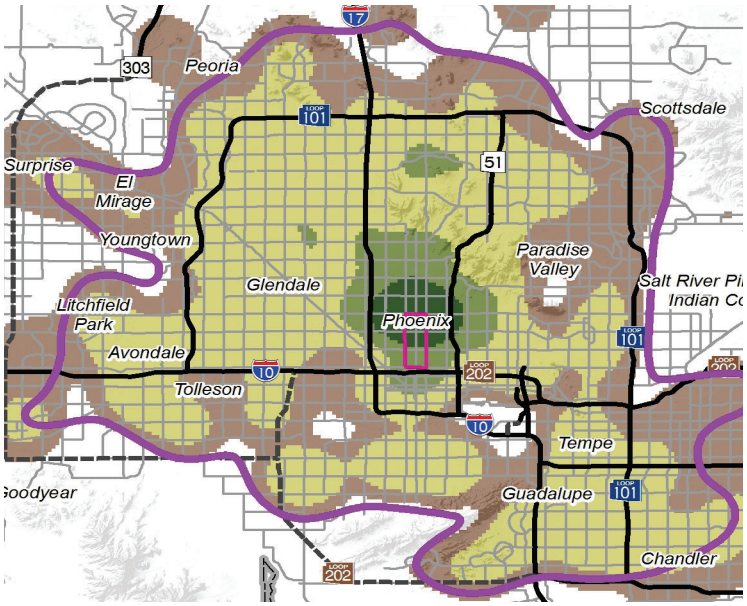
1, 2, 3 Claritas, 2015.

Employment by Occupation

Workforce	10 Min. Drive		20 Min. Drive		30 Min. Drive	
	Number	%	Number	%	Number	%
Management	7,416	7	57,595	8	131,498	9
Engineering & Science	2,224	2	16,777	2	36,046	3
Healthcare & Education	11,089	10	82,493	11	170,387	12
Service	16,173	15	109,119	15	195,911	14
Sales	10,112	9	81,075	11	167,369	12
Clerical & Admin. Support	15,143	14	117,524	16	219,346	16
Construction	8,978	8	48,001	6	71,611	5
Production	6,210	6	39,874	5	64,441	5
Trans./Material Mover	6,373	6	46,614	6	76,283	5
Total	**83,718**		**599,072**		**1,132,892**	

Source: Claritas, 2015.

Commute Shed



Commuters who travel to Employment Corridor per Square Mile

- 4 to 10
- 10 to 25
- 25 to 50
- More than 50
- Phoenix North Central Job Center
- Phoenix North Central Job Center Catchment Area

Source: Maricopa Association of Governments, TRP Reduction Database, 2013

Equal Opportunity Employer/Program. Auxiliary Aids and services are available upon request to individuals with disabilities. Products and services made available through Federal Funding provided by the Workforce Investment Act.

Sites and Buildings

The North Central employment center offers a **large inventory of office and commercial space** mixed with a variety of hotel and residential developments. From high-rise office buildings and condominiums to palm tree-lined streets of historic single-family neighborhoods, diversity enhances the appeal of this conveniently located area.

The area has about **14.5 million square feet of existing office space** in close proximity to downtown. For companies that require build-to-suit space, there are prime commercial high-rise parcels available.[4]

The map to the right highlights the type of community real estate in the North Central area. Our team can provide more detail, custom information based on your requirements.

4 CoStar Realty Information Inc., 2015

Connectivity

The North Central employment center features modern, **reliable telecommunications infrastructure** that is supported by multiple providers. These providers are able to offer specialized capabilities such as complete digital infrastructure, T-1 (DS1) lines, T-3 (DS3) lines, self-healing fiber ring architecture and high-speed data communications. Local exchange carriers with service in the North Central area include CenturyLink and Cox Communications.

Infrastracture

Abundant and reliable power sources are available from a highly advanced network system that provides redundant feeds from multiple sub-stations.

The North Central employment center enjoys easy access to a **modern network of urban freeways and arterial streets**. This employment center has excellent transit service and is located along the **METRO light rail** transit line that connects the area to downtown Phoenix, Phoenix Sky Harbor International Airport and surrounding cities.

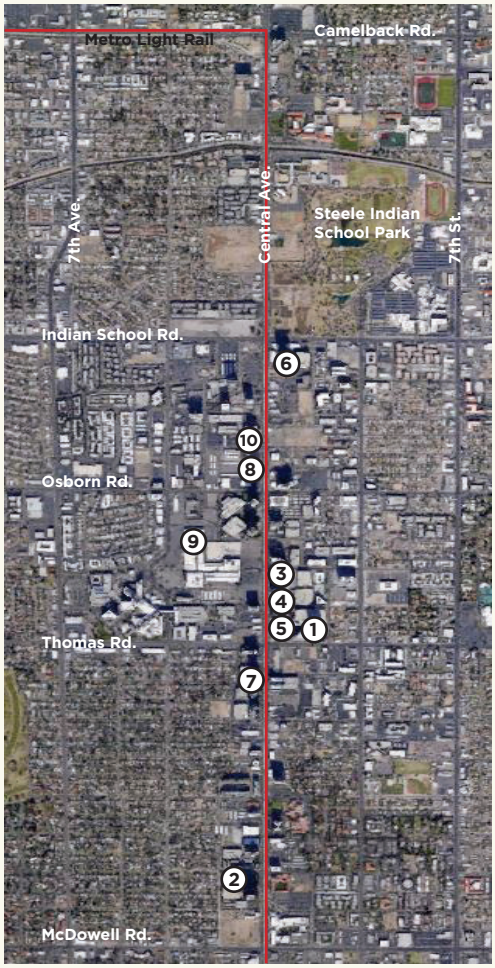
For businesses that require convenient air access, **Phoenix Sky Harbor International Airport** is located just 15 minutes away. The airport is one of the busiest in the U.S. based on passenger traffic and offers more than **830 daily non-stop flights** to nearly 80 domestic destinations and 13 international destinations.[5]

5 Phoenix Sky Harbor International Airport, 2015.

Existing and Planned Development

1. **Century Link Tower**
   586,403 sq. ft.
   Office
2. **Viad Tower Phase II**
   478,488 sq. ft.
   Office - Proposed
3. **Phoenix Corporate Tower**
   445,811 sq. ft.
   Office
4. **Phoenix Plaza Tower II**
   419,453 sq. ft.
   Office
5. **Phoenix Plaza Tower I**
   418,613 sq. ft.
   Office
6. **Younan Central Plaza**
   405,693
   Office
7. **2800 Tower**
   364,533 sq. ft.
   Office
8. **3550 Tower**
   287,269 sq. ft.
   Office
9. **Park Central - Bldg 7**
   224,953 sq. ft.
   Office
10. **Security Title Plaza**
    219,032 sq. ft.
    Office

Source: CoStar Realty Information Inc., 2015



Amenities and Attractions

The exciting **Phoenix Arts District** includes the Phoenix Art Museum and Theater, the Playhouse on the Park and the internationally renowned Heard Museum of Native American Art. Steele Indian School Park, located at the northeast corner of Central Avenue and Indian School Road, features an expansive 15-acre entry garden, several historical buildings depicting the history of Phoenix Indian School, an amphitheater with seating for 1,500, a 2.5-acre bird-shaped lake and waterfall and a 15-acre neighborhood park. Located in the heart of the North Central employment center, Park Central is a 500,000 square foot mixed-use redevelopment featuring offices, retail, restaurants and business-oriented hotels. In addition, there are a number of **new luxury apartment developments** in the area that provide a variety of housing options for workers and support continued office and retail development.

Major Area Employers

CenturyLink
Telecommunications
Deloitte LLP
Accounting and Management Consulting
Fennemore Craig
Law Firm
SCF Arizona
Direct Property and Casuality Insurance - HQ
Viad Corporation
Business Services - HQ
PricewaterhouseCoopers
Accounting and Management Consulting
Dignity Health
Hospital Administration
IBM Corporation
Administrative Operations
U-Haul International
Leasing Services - Corp. HQ
Xerox Corporation
Copiers and Office Products
BMO Harris Bank
Banking and Financial Services

Source: Maricopa Association of Governments, 2013

City of Phoenix
Community and Economic Development Department
200 W. Washington St., 20th Floor | Phoenix, AZ 85003
www.phoenix.gov/econdev | 602-262-5040

From: Adam Ghiz
To: Nick Klimek
Cc: ben@witheymorris.com
Subject: Re: Z-56-20 (3rd Avenue and Coolidge)
Date: Tuesday, November 3, 2020 12:07:07 PM

One Additional concern.

The large grassy area on the corner of 3rd and Coolidge has been used for years by the neighborhood as a makeshift park. Families have used this area for recreation with their children and pets. It provides for a grassy green area, in an otherwise paved jungle. You will be taking this away from all residents, and instead of providing more greenery, will be adding more concrete.

~Adam

> On Nov 3, 2020, at 11:51 AM, Adam Ghiz <a.ghiz@me.com> wrote:
>
> Here are my concerns for this project:
>
> 1. 56ft building height allowed by T5:5
> 2. 10 ft setback from current sidewalk, this in combination of the height will basically provide for an entire block of apartments from the canal to Coolidge looking directly over my fence and into my yard and house.
> 3. Noise, this is an extremely quiet section and adding an additional 218 housing units will greatly increase the noise factor of the neighborhood.
> 4. Traffic. Hazelwood turns into 3rd ave and as a result, there is a very low traffic density. Even with the the garage entry on Coolidge, traffic is going to greatly increase on these streets and most likely all street parking with cease to exist.
> 5. Saturation. There are already 5 or 6 (possibly even more) high density apartment complexes in this immediate area. Adding yet another complex will adversely and disproportionately affect this neighborhood vs other neighborhoods.
> 6. Historic district. This complex is almost surrounded on the 3rd ave and Coolidge street sections by the Pierson Place Historic district. Constructing this large complex when surrounded by a historic district diminishes the intention of having a historic district. The proposed elevations are quoted as “blending in” yet it looks like every other apartment complex built.
>
> This project adversely affects my property disproportionately as I am on the corner of 3rd and Hazelwood and this apartment complex will be towering over my house, and on the entire east side of my property I will now stare at 56ft of apartment building.
>
> ~Adam
>
> > On Nov 3, 2020, at 11:18 AM, Nick Klimek <nick.klimek@phoenix.gov> wrote:

Good morning, Adam –

I apologize but I believe I failed to answer one of your primary questions, expressed via Maura, regarding whether the property is currently approved for development. The answer is both yes and no… please allow me to explain.

The property is currently zoned R-5 which generally means they could build to a height of 48 feet.

However, the applicant has elected to pursue additional zoning entitlement under the Walkable Urban Code. The process will take 4-6 months and include 3 public hearings and a neighborhood meeting. During this process, the site plan may change and evolve in response to community concerns and priorities. I recommend putting your concerns in writing and sending them over to me. I also suggest reaching out to the applicant's representative, Ben Tate, to express yours concerns early on.

In the coming weeks, I will be reviewing the proposal in greater detail.

Kind regards,

Nick

<image002.jpg>

Nick Klimek, AICP
Village Planner
Office: 602-534-7696
E-mail: nick.klimek@phoenix.gov

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

Mission: Planning, Development and Preservation for a Better Phoenix

I am currently working remotely on a rotational schedule, but will be checking voicemails multiple times per day. Please feel free to leave me a voice message or email me for a more timely response. Thank you.

From: Adam Ghiz <a.ghiz@me.com>
Sent: Tuesday, November 3, 2020 10:45 AM
To: Nick Klimek <nick.klimek@phoenix.gov>

Subject: Re: Z-56-20 (3rd Avenue and Coolidge)

Thanks for the response. So I am in the house directly across from this and will be affected greatly as most of my exposure is to the east where the current donor network building is. This picture is what I see from most of my house. I estimate that these trees are approximately 30ft tall and from what I have seen, it looks like the building will be 56ft tall. Also, correct me if I am wrong, but the building will only be setback 10 ft from the current sidewalk?

If this is the case, how can I expect any modicum of privacy? Not to mention, that all I will be able to see from my windows will now be building.

How does a project this large get approved so close to a historic residential neighborhood? It destroys any point in trying to preserve the original feel of the neighborhood.

I am greatly distressed by this news and also would like to know if there is an estimated time when construction will begin.

Thanks,
Adam

<image003.jpg>

> On Nov 3, 2020, at 10:38 AM, Nick Klimek <nick.klimek@phoenix.gov> wrote:
>
> Good morning, Mr. Ghiz –
>
> My name is Nick Klimek and I am the Alhambra Village Planner. I received your contact information from Maura Jackson from our Historic Preservation Office. Please feel free to send any written comments to me and I will ensure they be provided to the applicant and included with the staff report as the request is processed; in your email, please reference the case number Z-56-20.
>
> If you would like to discuss, please feel free to call me at the below number but please note that the request is very new so I may be light on exact details regarding the site plan.
>
> Kind regards,

Nick

Nick Klimek, AICP
Village Planner
Office: 602-534-7696
E-mail: nick.klimek@phoenix.gov

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

Mission: Planning, Development and Preservation for a Better Phoenix

I am currently working remotely on a rotational schedule, but will be checking voicemails multiple times per day. Please feel free to leave me a voice message or email me for a more timely response. Thank you.

Alhambra
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-56-20-4

Date of VPC Meeting	January 26, 2021
Request From	R-3 and R-5
Request To	WU Code T5:5 UT
Proposed Use	Multifamily Residential
Location	Southeast corner of 3rd Avenue and Coolidge Street
VPC Recommendation	Approve per staff recommendation
VPC Vote	**15-1-0**, motion passes with Farina, Ammon, Ender, Fitzgerald, Adams, Keyser, Kreitor, LeBlanc, Sanchez, Jones, Solorio, McCabe, Bryck, Vice Chair Williams, and Chair Shore in favor; Smith in dissent; and none in abstention.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

One speaker card was received on this item from an individual wishing to speak in opposition to the request.

During this item, Becker was unavailable by audio or video and did not vote on the item. For the purpose of the vote, he is considered absent reducing the quorum to 16 members (10 being needed for a quorum).

STAFF PRESENTATION

Klimek, staff, provided an overview of the site, the request, the proposal, and the recommendation. Located at the southeast corner of 3rd Avenue and Coolidge Street, the site is currently occupied by an office complex, and the request is to rezone the property from R-3 and R-5 to the Walkable Urban Code Transect 5:5 Uptown to allow for multifamily redevelopment. The site is within 0.25 miles of light rail, multiple schools, and immediately adjacent to both the Phoenix Sonoran Bikeway (3rd Avenue) and the Grand Canal which position the property at the junction of two major bicycle routes.

The request is consistent with the General Plan Land Use Map designation of Residential 15+ dwelling units per acre and with the Transit Oriented

Development Strategic Policy Framework which is identified as supporting intensity of 2 to 5 stories and up to 7 when certain bonus criteria are met. Further, the proposal will advance the Canalscape Catalyst Project identified in the Uptown Transit Oriented Development Policy Plan.

The proposal for a 4 story multifamily complex with 218 units includes shaded and detached sidewalks along 3rd Avenue and Coolidge Street and "frontage types" to activate the streetscape environment. The elevations and conceptual site plan depict measures to engage and activate the Grand Canal including frontage types oriented to the canal, plazas and amenities between the building and the canal, and low walls designed to embrace the waterfront.

Staff is recommending approval, subject to 13 stipulations, on the basis of the request being consistent and aligned with the recommendations of the Phoenix General Plan, the TOD Strategic Policy Framework, the Uptown TOD Policy Plan, and the Housing Phoenix Plan.

Stipulation Nos. 1 – 5 seek to promote a strong interface with the Grand Canal. Stipulations Nos. 6 – 8 seek to promote a safe and comfortable environment for pedestrians and bicyclists. Stipulation Nos. 9 – 13 include standard language pertaining to street improvements, removing the site from the special flood hazard area, aviation disclosures, and archaeology.

APPLICANT PRESENTATION

Jason Morris, of Withey Morris, introduced himself, his client, the project, and the change happening in this area. Trinsic Residential has done many projects throughout the region and their investment model is to hold their properties long term due, in large part to their ownership structure which includes the Texas Teachers' Retirement Fund.

The property is currently an office complex but its tenant, the Donor Network of Arizona, has relocated to Tempe. There is a concentration of multifamily development here because of the urban core, because of the transit overlay, and because of the transportation patterns in the area. The developer views this location as an excellent opportunity for multi-modal transportation with the adjacency to the Grand Canal, the Phoenix Sonoran Bikeway, and the light rail along Central Avenue. Unlike the nearby multifamily residential projects, these projects did not embrace the canal nor their street frontages. The subject site currently is entitled for 4 story multifamily development, the developer is seeking to transition this entitlement to the Walkable Urban Code to yield a better and more context-appropriate project.

Multiple city adopted policies call for this level of intensity at this location including the General Plan, the Transit Oriented Strategic Policy Framework, and the Uptown Transit Oriented Development Policy Plan. The location is ideal to

leverage the city's investment in the light rail and in the Canalscape improvements and the project is designed to embrace these policies and investments.

The Walkable Urban Code is a newer zoning category that is much more restrictive or directive in terms of the types of things that should be done in the project while also being more flexible in other ways. He then provided an overview of the site plan and renderings focusing on the street environment, the canal interface designed to create more eyes and interaction onto this waterfront, and the building architecture which includes offsets, recesses, and a variety of materials to break up the mass of the building. The project is designed with units wrapped around the parking structure which will not be visible from the perimeter.

Through the neighborhood outreach efforts which included an additional meeting with the Pierson Place Historic Neighborhood, stakeholders raised a series of concerns and the plan responds to these as follows:

- On Street Parking. Parking is provided in excess to the amount required by code. To reduce the likelihood of street parking, the project was designed to make street parking less convenient than garage parking for future tenants. As a buy-hold builder, tenant retention is important to the ownership group they are therefore conscious that parking must be sufficient. Further, the applicant has agreed to work with the city to prohibit on street parking along the 3rd Avenue and Coolidge Street frontages.
- Traffic. The development is served by a single-point of vehicular access located at the far northeast corner of the site to reduce westbound traffic through the neighborhood and to reduce vehicle conflicts with the bikeway.
- Height. The site is currently permitted to build 48 feet and four stories and the request for 56 feet and four stories is intended to allow for higher ceiling heights. The increase in height from 48 to 56 feet will be imperceptible from ground level and produce a significantly better project.
- Publicly Accessible Open Space. The plan includes a public amenity area in the southwest corner of the site with a bicycle fix-it station, bike racks, seating, and shade. The plan also includes publicly accessible lawn areas and seating along the canal frontage with lush landscaping and a pedestrian connection into the project.
- Trash Collection. Waste collection will be provided by a private contractor with all dumpsters located within the parking structure which will reduce noise.

He concluded by reiterating that the site is permitted for high density multifamily currently, how the project embraces alternative transportation as an amenity in a manner consistent with city policy and investments, and will create an enhanced canalscape including an active interface with publicly accessible open space and amenities.

QUESTIONS FROM THE COMMITTEE

Solorio: Does the project include affordable units?

- **Morris:** No, while there is a need in the region, there is currently no affordable housing program which would provide an even approach. If such a program were in place, the applicant would participate.

Adams: What are the price-points for units, the size of units, and the projected impact on nearby property values?

- **Morris:** The units will rent from $1,300 – $2,000. The project includes a mix of unit sizes. Trinsic has studied the issue of property values in the vicinity of their projects and has found that their projects produce an increase in values beyond the increase projected by the market baseline. He added that this trend is not universal for all multifamily projects but because Trinsic is in it for the long-haul, their projects are well-designed, well-managed, and well-maintained long term.
- **Adams:** Expressed concern over how the landscaping and architectural design elements will likely be unsuccessful in breaking up the mass of the building in reality.

Smith: Is this a 4 or 5 story building, is there an opportunity to reduce the height of the building, and are they concerned about security with the site being so open to the canal? She added concern that parking does not seem sufficient and noted that it will likely spill over into the neighborhood.

- **Morris:** There will be a limited number of premium units that have an interior staircase to a mezzanine level; that the applicant recognizes that parking is an important consideration for long-term tenant retention and has therefore studied the topic extensively; and that, while the project does place more eyes on the canal, security measures include a perimeter fence, access controlled gates, and all perimeter doors to the building being locked.

  The site is zoned for high-intensity multifamily, identified for high-intensity residential in the General Plan, located nearly adjacent to the light rail, and along two major alternative-transportation routes and the proposal embraces these concepts utilizing the Walkable Urban Code which is recommended for these types of circumstances. Change can be challenging especially when it comes from “left field” but all publicly accessible policy points to this being an area to accommodate growth. He concluded this point by sharing that there are no single-family, owner occupied homes north of Coolidge, and that the applicant has worked extensively with owners west of the subject site to resolve concerns.

  The development will include security measures such as a perimeter fence, access-controlled gates, and all perimeter doors to the building being locked.

Ammon: What improvements are proposed at the 3rd Avenue bridge over the canal, do the ground floor units have direct street access, is open space being provided beyond code requirements, and does the project include photovoltaic energy productions?

- **Morris:** There will be an open masonry portal that will further enhance and complement the canalscape improvements. The ground floor units along 3rd Avenue and Coolidge Street have stoop and doorwell frontages and the lobby will be a storefront. The project will have 12 percent open space compared to the 5 percent required by code. To reduce the potential for overflow parking and interference with the bikeway, they will work with the city to prohibit on street parking.
- **Gosselink:** Todd Gosselink introduced himself as the developer and explained that they are proud to include a photovoltaic array on the building. One of their earlier projects, Aura Watermark, on the north shore of Tempe Town Lake included a $150,000 solar array and was the first market-rate, multifamily project, in Arizona to include solar energy. They currently have a project at Central Avenue and Indianola Avenue with a $750,000 solar array. Trinsic recognizes the value of solar as long term investors and this project will have a $750,000 – $1,000,000 solar array on the rooftop in addition to other efficiency enhancements.

PUBLIC COMMENTS

Frank Paoletti introduced himself and state that he lives on Coolidge Street west of the subject site and has livered there for 22 years and knew some of the original owners. He expressed concerns related to parking, safety, and traffic noting that Coolidge does not have sidewalks west of 3rd Avenue. He asked whether the streets, sewers, and other infrastructure can accommodate another 218 units and 436 cars daily.

APPLICANT RESPONSE

Morris responded that traffic and on street parking had been early concerns from the neighborhood and the plan had been revised to address these issues. He added that code could have required less parking but, given its importance to retaining tenants, the plan includes structured parking in excess of that required by code. Regarding traffic, the site is zoned for high-intensity development and is developed as an office complex, and therefore, the proposed multifamily complex will replace traffic and infrastructure impacts already present on the site.

FLOOR/PUBLIC COMMENT CLOSED: DISCUSSION, MOTION AND VOTE

Motion
Bryck moved to approve the request per staff recommendation. **McCabe** seconded the motion.

VOTE: 15-1-0, motion passes with Farina, Ammon, Ender, Fitzgerald, Adams, Keyser, Kreitor, LeBlanc, Sanchez, Jones, Solorio, McCabe, Bryck, Vice Chair Williams, and Chair Shore in favor; Smith in dissent; and none in abstention.

VPC RECOMMENDED STIPULATIONS

1. The south facing mass of the building(s) oriented to the Grand Canal shall incorporate Walkable Urban Code Frontage Types described in Section 1305 for a minimum 40 percent of the building face(s), as approved by the Planning and Development Department. For the purpose applying the above provisions, the above shall be treated as a Secondary Frontage with regard to glazing.

2. The south facing mass of the building(s) oriented to the Grand Canal shall contain architectural embellishments, design detailing, and / or space programming to activate and provide visual access onto the canal, as approved by the Planning and Development Department. Examples of appropriate enhancements may include textural changes, offsets, recesses, variation in window size and location, overhang canopies, balconies with a depth greater of than 3 feet, and amenities such as gathering spaces.

3. Between the southern mass of the building and the south property line (the Grand Canal right-of-way), the developer shall plant minimum 3-inch caliper, large canopy shade trees, at a minimum frequency of 25 feet on center or in equivalent groupings, as approved or modified by the Planning and Development Department.

4. The provisions of Section 1310.A.2 of the Phoenix Zoning Ordinance shall apply to require shaded open space of which a minimum 50 percent shall be situated adjacent to the south property line (the Grand Canal right-of-way), as approved or modified by the Planning and Development Department.

5. No solid perimeter wall greater than 36 inches in height shall be oriented to and located within 30 feet of the south property line (the Grand Canal right-of-way), as approved by the Planning and Development Department.

6. The developer shall provide traffic calming to slow vehicle traffic exiting the property with specific regard to pedestrian safety on the public sidewalk, as approved by the Planning and Development Department.

7. The developer shall provide a minimum of two direct and accessible pedestrian connections from the amenity areas located south of the building mass to the shared use path along the Grand Canal Trail, as approved by the Planning and Development Department.

8. The developer shall provide and maintain the following bicycle infrastructure as

described below and as approved by the Planning and Development Department.

a. A bicycle repair station (fix-it station) along the southern edge of the site, visible, and accessible from the public sidewalk and / or the Grand Canal Trail. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while adjusting the bike.

b. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.

c. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1306.H. of the Phoenix Zoning Ordinance.

9. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

10. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. The following requirements shall apply, as approved by the Planning and Development Department:

a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3); this includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.

b. A copy of the Grading and Drainage Plan shall be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.

c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.

11. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be

according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

12. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

13. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Attachment D

REPORT OF PLANNING COMMISSION ACTION
February 4, 2021

ITEM NO: 13	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	Z-56-20-4
Location:	Southeast corner of 3rd Avenue and Coolidge Street
From:	R-3 and R-5
To:	WU Code T5:5 UT
Acreage:	3.29
Proposal:	Multifamily residential
Applicant:	Trinsic Residential Group, T. Gosselink
Owner:	Donor Network of Arizona
Representative:	Jason Morris , Withey Morris, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
Alhambra 1/26/2021 Approval, per the staff recommendation. Vote: 15-1.

Planning Commission Recommendation: Approval, per the Alhambra Village Planning Committee recommendation, with an additional stipulation.

Motion Discussion: Commissioner Howard made a MOTION to approve Z-56-20-4, per the Alhambra Village Planning Committee recommendation, with an additional stipulation as read into the record.

Commissioner McCabe seconded.

Chairwoman Shank asked if there was any questions or comments.

Commissioner Busching made a substitute motion to continue Z-56-20-4.

Chairwoman Shank asked for a second. There was no second, therefore the motion failed.

Motion details: Commissioner Howard made a MOTION to approve Z-56-20-4, per the Alhambra Village Planning Committee recommendation, with an additional stipulation as read into the record.

Maker: Howard
Second: McCabe
Vote: 7-1 (Busching)
Absent: Johnson
Opposition Present: Yes

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation of Residential 15+ Dwelling Units Per Acre and the TOD Strategic Policy Framework Minor Urban Center Place Type designation.

2. The development advances the vision and recommendations contained in the Uptown Transit Oriented Development Plan and will support pedestrian oriented development near the light rail and multiple urban bikeways.

3. The proposal will create additional housing options for the significant number of residents in the Uptown TOD District.

Stipulations:

1. The south facing mass of the building(s) oriented to the Grand Canal shall incorporate Walkable Urban Code Frontage Types described in Section 1305 for a minimum 40 percent of the building face(s), as approved by the Planning and Development Department. For the purpose applying the above provisions, the above shall be treated as a Secondary Frontage with regard to glazing.

2. The south facing mass of the building(s) oriented to the Grand Canal shall contain architectural embellishments, design detailing, and / or space programming to activate and provide visual access onto the canal, as approved by the Planning and Development Department. Examples of appropriate enhancements may include textural changes, offsets, recesses, variation in window size and location, overhang canopies, balconies with a depth greater of than 3 feet, and amenities such as gathering spaces.

3. Between the southern mass of the building and the south property line (the Grand Canal right-of-way), the developer shall plant minimum 3-inch caliper, large canopy shade trees, at a minimum frequency of 25 feet on center or in equivalent groupings, as approved or modified by the Planning and Development Department.

4. The provisions of Section 1310.A.2 of the Phoenix Zoning Ordinance shall apply to require shaded open space of which a minimum 50 percent shall be situated adjacent to the south property line (the Grand Canal right-of-way), as approved or modified by the Planning and Development Department.

5. No solid perimeter wall greater than 36 inches in height shall be oriented to and located within 30 feet of the south property line (the Grand Canal right-of-way), as approved by the Planning and Development Department.

6. The developer shall provide traffic calming to slow vehicle traffic exiting the property with specific regard to pedestrian safety on the public sidewalk, as approved by the Planning and Development Department.

7. The developer shall provide a minimum of two direct and accessible pedestrian connections from the amenity areas located south of the building mass to the

shared use path along the Grand Canal Trail, as approved by the Planning and Development Department.

8. The developer shall provide and maintain the following bicycle infrastructure as described below and as approved by the Planning and Development Department.

    a. A bicycle repair station (fix-it station) along the southern edge of the site, visible, and accessible from the public sidewalk and / or the Grand Canal Trail. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while adjusting the bike.

    b. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.

    c. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1306.H. of the Phoenix Zoning Ordinance.

9. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

10. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. The following requirements shall apply, as approved by the Planning and Development Department:

    a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3); this includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.

    b. A copy of the Grading and Drainage Plan shall be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.

    c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.

11. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be

according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

12. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

13. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

14. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.

Attachment E

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC **I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:** **MARCH 3, 2021**					
APPLICATION NO/ LOCATION	**Z-56-20-4** Southeast corner of 3rd Avenue and Coolidge Street	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
Phoenix, AZ 85013	PC 1/8/2021	308 West Coolidge Street Phoenix, AZ 85013			
	PC DATE	*STREET/ADDRESS/CITY/STATE/ZIP*			
TO PC/CC HEARING	CC 3/3/2021	Ron Szematowicz 602-748-5607 Pjharveytrack12@yahoo.com			
	CC DATE	*NAME / PHONE / EMAIL*			
REASON FOR REQUEST: See attached sheet.					
RECEIVED BY:	Racelle Escolar	**RECEIVED ON:**		1/10/2021	

Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Stephanie Vasquez
Leah Swanton
Vikki Cipolla-Murillo
Danielle Jordan
Ra'Desha Williams
Village Planner
Samantha Keating
Paul M. Li
GIS
Applicant

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

The **PLANNING COMMISSION** agenda for **February 4, 2021** is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

   There is a $630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **February 11, 2021**.

   Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m., **February 11, 2021**.

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

   To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. **February 11, 2021**.

   The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an $830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. **February 18, 2021**.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-56-20-4
APPLICATION NO.

SE corner 3rd Ave / Coolidge St
LOCATION OF APPLICATION SITE

1/8/21
DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

Racelle Escolar
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Ron Szematowicz
PRINTED NAME OF PERSON APPEALING

SIGNATURE

308 W. Coolidge St
STREET ADDRESS

1-8-21
DATE OF SIGNATURE

Phoenix AZ 85013
CITY, STATE & ZIP CODE

602-748-5607
TELEPHONE NO.

pjharveytrack12@yahoo.com
EMAIL ADDRESS pjharveytrack12@yahoo.com

REASON FOR REQUEST
see attached

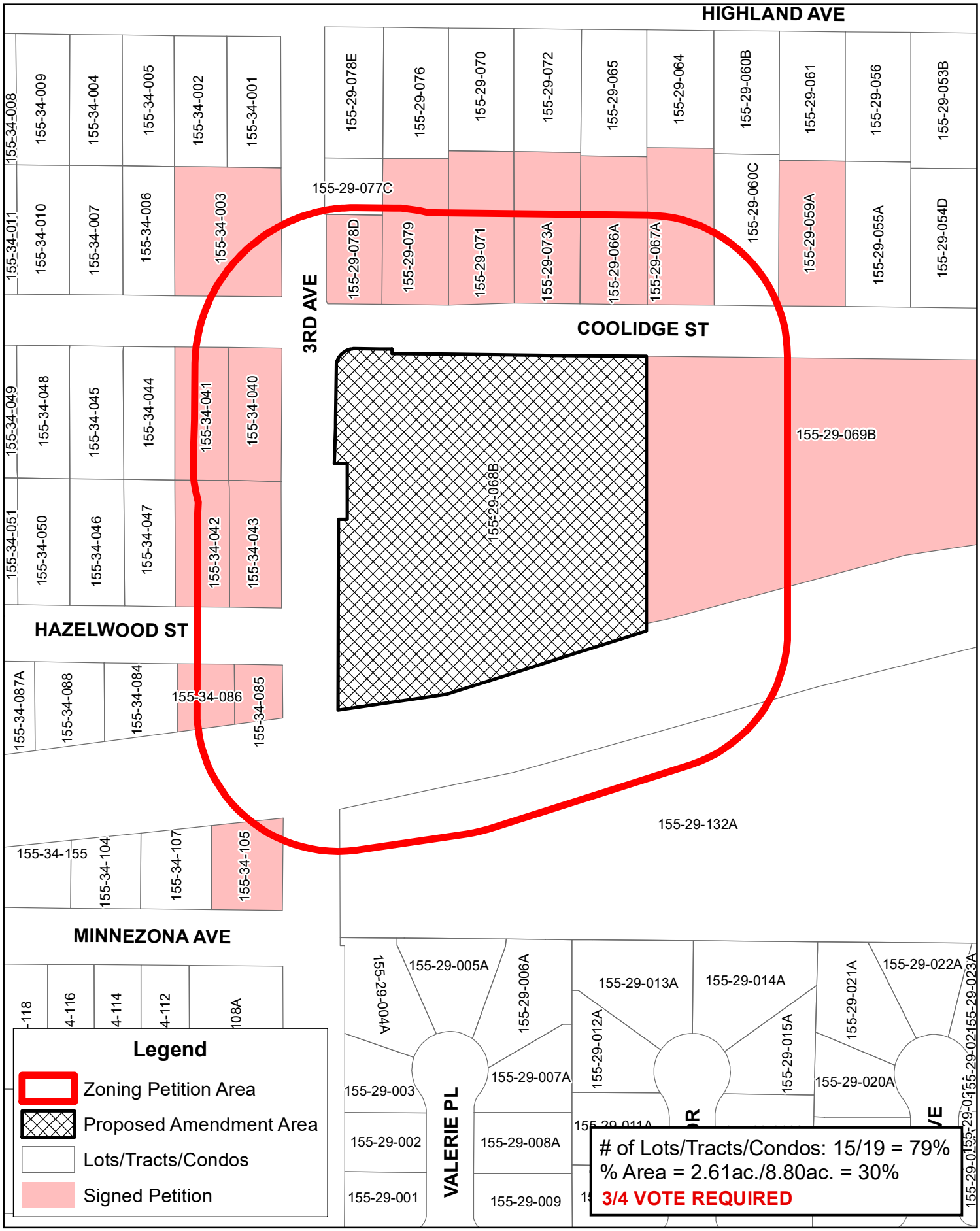
CITY OF PHOENIX
FEB 10 2021
Planning & Development Department

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

The reason for this request is the increased capacity of the zoning change will inundate the Pierson Place neighborhood and particularly Coolidge St, Hazelwood, Highland and the 3rd Ave bike path with traffic. This project is going deep within the neighborhood quite far from major thoroughfares. Pierson Place is already cut off to the south by the canal, limited access on the north and east because of the light rail and dealing with a suicide lane to the west with 7th Ave. They are putting their garage toward Central Ave, but Central Ave only heads south. The traffic will come through the neighborhood. We support sensible development and we too want to beautify the canal but our infrastructure cannot handle the increase in traffic and parking deep within our neighborhood. The code change will also allow the developers to increase height within the neighborhood and disregard easement and go to the curb. It is also a relatively small space of canal (only five historic house lengths) to sacrifice the interior of the historic neighborhood for.

CITY OF PHOENIX
FEB 10 2021
Planning & Development
Department

Attachment F



Petition Verification Map
for Z-56-20-4

Map produced by City of Phoenix, Planning and Development Services Dept. 2/12/2021

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC **I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:** **MARCH 3, 2021**					
APPLICATION NO/ LOCATION	**Z-56-20-4** Southeast corner of 3rd Avenue and Coolidge Street	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
Phoenix, AZ 85013	PC 2/4/2021	308 West Coolidge Street Phoenix, AZ 85013			
	PC DATE	*STREET/ADDRESS/CITY/STATE/ZIP*			
TO PC/CC HEARING	CC 3/3/2021	Ron Szematowicz 602-748-5607 Pjharveytrack12@yahoo.com			
	CC DATE	*NAME / PHONE / EMAIL*			
REASON FOR REQUEST: Petition for Three Quarter Vote on Rezoning Case No. Z-56-20-4. (Sent via email February 11, 2021.)					
RECEIVED BY:	Racelle Escolar	**RECEIVED ON:**		2/11/2021	

Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Stephanie Vasquez
Leah Swanton
Vikki Cipolla-Murillo
Danielle Jordan
Ra'Desha Williams
Village Planner
Samantha Keating
Paul M. Li
GIS
Applicant

From:	Racelle Escolar
To:	R S
Cc:	dillon.hall.mtaz@gmail.com; Victoria C Murrillo
Subject:	FW: 3/4 City Council Petition Signatures
Date:	Thursday, February 11, 2021 2:29:42 PM
Attachments:	34 City Council Petition Signatures with Icon.pdf 34 City Council Petition Signatures Page 2 with Ron Carpenter of 302 W Minnezona.pdf Mark Daniels, GG ICON LLC.pdf
Importance:	High

Hello Ron,

I have received your request for a ¾ vote on Rezoning Case No. Z-56-20-4. We will process this and let you know if a ¾ vote will be required.

Thanks,

Racelle Escolar, AICP
Planner III

City of Phoenix
Planning and Development Department
Planning Division
(602) 534-2864

From: R S <pjharveytrack12@yahoo.com>
Sent: Thursday, February 11, 2021 2:17 PM
To: Racelle Escolar <racelle.escolar@phoenix.gov>
Cc: dillon.hall.mtaz@gmail.com
Subject: 3/4 City Council Petition Signatures

Hello Racelle

Attached are two pages of signatures including the Icon next door to the proposed project. With the Icon, I think we have should have covered our 20% land and we are over 75% of land owners I believe. Thank you. I cc'ed Dillon in case there is anything else you need today.

Ron

Petition for THREE-FOURTHS (3 / 4) Vote by City Council for
REZONING APPLICATION # **Z-56-20-4**

Request: **R3/R5 - WU**
Location: **SE Corner of 3rd Ave and Coolidge St**

We the undersigned are OWNERS of property within the area of the proposed amendment or the area within 150-feet of the proposed amendment, including all rights-of-way, requesting the rezoning action. We request that the City Council be required to pass this rezoning application by a three-fourths (3/4) vote.

Date	Signature	Print Name	Address	APN
2/3/21	K. Monroe	Karen Monroe	303 W Hazelwood	155-34-086
2/4/21	A Gh.2	Adam Gh.2	302 85013 W Hazelwood	155-34-040
2-8-21	Teresa C. Hayes	TERESA C. HAYES	204 W COOLIDGE ST	155-29-071
2-8-21	Rose D. Hayes	Rose D. Hayes	204 West Coolidge St	155-29-071
2-8-21	Gregory R. Vallandano	Gregory R. Vallandano	178 West Coolidge	155-29-076A
2-8-21	Gregory R. Vallandano	Gregory R. Vallandano	190 West Coolidge	155-29-066A
2-9-21	Maureen M. McKiernan	Maureen M. Kiernan	208 W. Coolidge St	155-29-074
2-9-21	James R. Lockhart Jr	James R. Lockhart Jr	301 W. Coolidge St	155-34-040
2/9/21	Michael Grosso	MICHAEL GROSSO	308 W COOLIDGE	155-34-041
2/9/21	Oksane Pierce	OKSANE PIERCE	256 W Coolidge	155-29-078D
2/9/21	Said A-F Kary	Said A-F Kary	300-302 W. Coolidge St	155-34-003
2-9-21	Joel Richer	JOEL RICHER	200 W. COOLIDGE	155-29-073B
2-9-21	Emily Kane Kiona	Emily Kane	100 W Coolidge	155-29-054A
2-9-21	Kim Grennan	Kim Grennan	301 W Hazelwood	155-34-085
2/10/21	Ron Carpenter	RON CARPENTER	302 W MINNEZONA	

Petition for THREE-FOURTHS (3 / 4) Vote by City Council for
REZONING APPLICATION # **Z-56-20-4**

Request: **R3/R5 - WU**
Location: **SE Corner of 3rd Ave and Coolidge St**

We the undersigned are OWNERS of property within the area of the proposed amendment or the area within 150-feet of the proposed amendment, including all rights-of-way, requesting the rezoning action. We request that the City Council be required to pass this rezoning application by a three-fourths (3/4) vote.

Date	Signature	Print Name	Address	APN
2/2/21	[illegible]	Karen Mauro	3023 W Hazelwood	155-34-[illegible]
2/4/21	[illegible]	Adam Gh.Z.	301 W Hazelwood	155-34-045
2-8-21	Teresa C. Hayes	TERESA C. HAYES	204 W COOLIDGE ST	155-29-071
2.8.21	Rose D. Hayes	Rose D. Hayes	204 West Coolidge St	155-29-071
2.8.21	[illegible]	[illegible]	178 West Coolidge	155-29-076A
2.8.21	[illegible]	[illegible]	150 West Coolidge	155-29-066A
2-9-21	[illegible]	[illegible]	208 W. Coolidge St	155-29-072
2-9-21	[illegible]	[illegible]	301 W Coolidge St	155-29-040
2/9/21	[illegible]	MICHAEL GRESKO	302 W COOLIDGE	155-34-041
2/9/21	[illegible]	OKSANE PIERCE	256 W Coolidge	155-29-078
2.9.21	[illegible]	Saied A-Fkary	300-302 W. Coolidge St	155-34003
2-9-21	Joel Ricker	JOEL RICKER	200 W. COOLIDGE	155-29-073
2-9-21	[illegible]	Erum Kara	100 W Coolidge	155-29-059A
2-9-21	[illegible]	Kim Grennan	301 W Hazelwood	155-34-085
2/10/21	[illegible]	Paula Hardy	304 W Hazelwood	155-34-042
2/11/21	Mark Daniels	Mark Daniels	77 West Coolidge St.	155-29-069B
	Agent for	Ownership Group GG Icon LLC		

GOODMAN REAL ESTATE
An Investment Company

To whom it may concern:

Goodman Real Estate has been contracted to provide Asset Management services to Icon On Central (entity name – GG ICON LLC) located at 77 West Coolidge Street, Phoenix, AZ 85013. As the Investment Portfolio Manager assigned to Icon On Central I am responsible to act as agent for ownership for all issues pertaining to the Icon on Central property. If you have any questions I can be reached at the contact info listed below.

Sincerely,

Mark Daniels | Investment Portfolio Manager
GOODMAN REAL ESTATE
8400 Normandale Lake Blvd.| Suite 920 | Bloomington, MN 55438
M: 952.451.1206
mdaniels@goodmanre.com |www.goodmanre.com

Attachment G

From: pamlperry@cox.net pamlperry@cox.net
To: Nick Klimek
Subject: rezone 3.29 acres located at the southeast corner of 3rd Avenue and Coolidge Street
Date: Monday, January 25, 2021 2:55:26 PM

Alhambra Village Planning Committee

Regarding: 7. Z-56-20-4: Presentation, discussion, and possible recommendation regarding a request to rezone 3.29 acres located at the southeast corner of 3rd Avenue and Coolidge Street from R-3 (Multifamily Residence District) and R-5 (Multifamily Residence District) to WU Code T5:5 UT (Walkable Urban Code, Transect 5:5, Transit Uptown Character Area) to allow multifamily residential.
The Planning Commission will consider this request on February 4, 2021.

The proposed zoning change requested by developers to meet WU code benefits for the property that used to be known as the donor network site will indeed justify the time and money spent developing this code. However, the changes proposed fail to meet a walkable urban situation for residents along Coolidge street. The development would be more appropriate along a main thoroughfare with existing sidewalks and perhaps even bike lanes. Density of this level is also questionable in a neighborhood already afforded zoning for level commercial residential 3 and 5 which was in place when the neighborhood was registered on The National Historic Register.

- The largest concern voiced by residents is generally described as 'traffic'. To be sure we understand and observe daily the increased ratio of cars to driveway parking available or even cars to designed, planned parking in recent multi-unit developments. Streets are parked bumper to bumper: vehicles, both sides. Cyclists, pedestrians, runners, dog walkers, baby strollers all use active traffic lanes. Delivery vehicles are forced to double park… access for police, ambulance fire equipment is limited and restricted.
- Traffic is sometimes defined as the number of trips in and out of a property. More and more this traffic includes all sorts of deliveries. Currently neighbors are delivered of something more than half a dozen times a day. Multiply that by two hundred and too many units! The driveway for this property becomes ingress/ egress for hundreds of deliveries and an increasingly noticeable traffic hazard for cyclists, pedestrians, dog walker, toddlers on tiny bikes, moms with strollers…
- It is projected that development residents will avail themselves to grand canalscape project and light rail as a means of going places, but for those excursions to retail opportunities (some not so very far, but not on canal or train lines) and others when delivery is not used, people make trips in their cars. Their guests park where there is space…increased vehicle trips, count them again!
- There are limited sidewalks on Coolidge Street. All bike, pedestrian, dog walkers, children waiting for busses, yes, this will happen again, runners, children going to school, (there are several proximate), stroller-brigade, toddlers on tiny bikes with training wheels and parents following along slowly along at decreased rates of speed to supervise, or just folks going out for a meal or coffee must walk in the street. They run the gamut along both sides of the thoroughfare of stationary parking, travel lanes cluttered with delivery vehicles, moving vans, ubers and other gig parcel and package delivery, trash collectors, city vehicles, cut thru traffic as well as locals simply arriving, or leaving their homes exiting driveways… . This hardly qualifies as "WALKABLE". It will be a very unsafe and not walkable district.

- Extracting a vehicle from a driveway with sight line impeded by what becomes double parked vehicles (only for a moment, let me drop off this package…) living in the neighborhood becomes less and less conducive to personal safety: pedestrians and vehicles two or 4 wheeled.

Who knows what sort of lurkers find all this stationary parking a good place to while away time waiting to steal packages delivered or spring on unsuspecting victims…? Is this "WALKABLE" ? Or Safe? Calls for service by fire trucks, ambulances, and police are all impeded.

Your developer is investing client's dollars. He wants to make them a good return, but does this need to be at the expense of livability in an Historic District? Current zoning may be dated to earlier planning goals, but perhaps they better reflects the multiple uses of pedestrian, bicycle and automotive traffic that prevail in our ever-denser central core. Walking and biking along Coolidge are a chancy thing sometimes already. Let's not go out our way to make it worse.

Thank you, Pam Perry 304 W. Coolidge St.

P.S. In case this is not clear, I do not support these rezoning efforts for the old donor network property!

From:	R S
To:	Nick Klimek
Subject:	Rezoning effort at Coolidge and 3rd Ave(Meeting Jan 26th... Item: 126 771 4317)
Date:	Monday, January 25, 2021 2:49:22 PM

There is a rezoning effort happening within my neighborhood at 3rd Ave and Coolidge St. I beg you not to allow the zoning change as it will deeply affect the traffic and parking in the neighborhood as well as a create a hazard on the 3rdAve bike path. I am not against the project as much as I am against the increase in units. Its too much added traffic and parking into the neighborhood. Please hear me out.

The developers are trying to increase zoning from the current R3-R5 to a WU which would basically allow and 4+ story building increase from about 137 units to 213ish. This apartment complex would be situated in the middle of the historic neighborhood rather than on a major road (like Camelback or Central). Currently standing in the proposed space is an office building (formerly Organ Donors) with a private park that the neighborhood has enjoyed for the 20+ years I have lived here. The proposed project is at the corner of 3rd Ave and Coolidge along the canal which coincides with the 3rdAve bike path.

Before covid, I enjoyed walking to businesses and watering hole landmarks but I still owned a vehicle the entire time as most residents do. While walkability is an important tool for those of us that live in the neighborhood, most of us still need to drive to work or the store or to get out of town. Just because people walk occasionally does not mean that they do not own a vehicle and use it. On top of that, this apartment complex will be very close to the sidewalk (like Elevation) on a neighborhood street not having the same easement houses are required. The front of end of the complex will face the canal while we in the neighborhood get its backside. We need easement within our neighborhood. I understand the importance of city growth, but cities that grow need to also ensure there is ample green space for the congested masses living within such areas. If nothing else give us that easement.

If you look at other apartment complexes in the area such as the Pavilions (Campbell and Central), Elevation (Coolidge and Central), the Station (Central and Monterosa), you will see cars constantly parked along the road day and night even with ample parking garages. It creates a hazardous congestion and unsightly view of the neighborhood. Since Elevation was built here on Coolidge and Central, the traffic on Coolidge St has increased with drivers flying down the street even with speed bumps. We also have a constant problem of cars stopping to load or unload dangerously close to Central. There is nothing to stop the proposed development from having irresponsible parking and traffic from inundating the neighborhood. The increase in variance is going to add more cars and more congestion. Elevation is attractive on the website and from Central Ave but from Coolidge St is a block monstrosity right on top of the sidewalk with a parking garage and a bunch of parked cars all around it. There is nothing attractive about it from Coolidge St.

While I understand I cannot stop the development nor do I necessarily want to, I just want the city council to understand this complex is going directly into the neighborhood and has no direct access to a major through street (like Central and Camelback). It must cut through this neighborhood. The developers will try to sell to you people won't need a car, but I implore you to look at the parking around the apartment complexes I have mentioned. Its Phoenix. Most people own vehicles. We in the neighborhood are already having to sacrifice this private park that added much charm and use to an otherwise busy area in Phoenix but an

additional 75 units will not help us maintain control of neighborhood streets or the added congestion of parking.

Sincerely

Ron Szematowicz

home owner living at 308 W Coolidge St

pjharveytrack12@yahoo.com

From: frank paoletti
To: Nick Klimek
Subject: Rezoning Z-56-20-4
Date: Tuesday, January 26, 2021 10:14:16 AM

Why has the zoning change for the area at 3rd Ave and Coolidge St now state there are to be 165 units minimum to no maximum. This is not what the developer and lawyer stated in our neighborhood meeting. Also, what about the parking, no one has ever addressed that and no one from the city has come to see the congestion at the end of Coolidge St because of the other 2 apartment buildings? Nothing has been done with that problem that already exists. Will 3rd Ave and Coolidge St have no street parking signs along with fines for violating the parking rules?
Thank you,
Frank Paoletti
449 W. Coolidge St

Racelle Escolar

From: gbvalladao@gmail.com
Sent: Monday, February 1, 2021 12:49 PM
To: PDD Planning Commission
Subject: Opposition to Case #13 Z-56-20-4

I write in opposition to the rezoning application hearing for rezoning 3rd Avenue & Collidge from R-5/R-3 zoning to Walkable Urban Code zoning. While I am not opposed to the development of the site, it should be within the confines of it's current zoning. I oppose the request for the following reasons:

- Pierson Place is one of the few historic neighborhoods in the urban core and Central/Uptown Phoenix and fabric of it should be preserved if at all possible
- WC Code T5:5T was intended for high traffic urban mixed-use districts with retail/office/dining uses like Central Avenue, not the middle of a residential historic neighborhood. Even if a rezone is allowed it should be limited to either:
    - T3:2 since it is a residential neighborhood with single family homes and duplexes with a maximum height of 30 feet
    - T4:3 an area characterized by single and multi-family residences with a maximum height of 40 feet.
- The 3rd Avenue & Coolidge location is a quiet dead end street that was never intended to accommodate the heavy vehicular traffic the project will generate. While a traffic study has repeatedly been referenced, it has not been shared with the neighborhood.
- The developer request to increase the unit count from the currently zoned 136 to 218 adds 80 units to the project increasing the unit count by 59% with no justification as to why it is needed.
- Increasing the height limitations from 48 feet to 56 feet will impair the sunlight on the north side of Coolidge as well as impede the southern site lines for homes throughout the neighborhood.
- Overflow parking from a project this size will spill into the single family homes on Coolidge, Hazelwood and 3rd avenue which is can be witnessed daily on the streets adjacent to The Elevations on Central, The Icon and the Lexington.

Again, I am not opposed to development of the site, but there is no reason a project should be built beyond the currently zoning requirements which allows for 136 units and 48 feet of height on the R-5 zoned parcels.

I thank you for your consideration.

Regards – Greg Valladao

Greg Valladao
VALCOR Commercial
602-697-0078

Sent from Mail [go.microsoft.com] for Windows 10

Racelle Escolar

From: pamlperry@cox.net pamlperry@cox.net <pamlperry@cox.net>
Sent: Monday, February 1, 2021 12:58 PM
To: PDD Planning Commission
Subject: case number Z-56-20-4

Planning Committee

The proposed zoning change requested by developers to meet WU code benefits for the property that used to be known as the donor network site will indeed justify the time and money spent developing this code. However, the changes proposed fail to make a walkable urban situation for all residents along Coolidge street. The WU development would certainly be more appropriate along a main thoroughfare Camelback, Central,7th Ave. with existing sidewalks and perhaps even bike lanes.

Pierson Place Historic District neighborhood already is afforded zoning for commercial residential 3 and 5 which was in place when the neighborhood was registered on The National Historic Register. Other in-fil developers are expected to use these parameters.

Your developer is investing client's dollars. He wants to make them a good return, but does this need to be at the expense of walkability in an Historic District? Current zoning may be dated to earlier planning goals, but perhaps they better reflect the multiple uses of pedestrian, bicycle and automotive traffic that prevail in our ever-denser central core. Walking and biking along Coolidge are a chancy thing sometimes already. Let's not go out our way to make it worse.

the frequently cited developers of proposed and existing multi-family projects will not be afforded the privilege of WU code benefits, having to work withing current zoning. Any developer can add gates to fencing along the canal to avail residents to easy access to that local feature. Gates in fences is not rocket science for WU code developers only. There is little excuse to make special exceptions for this project.

The major concern voiced by residents is generally described as 'traffic'. We understand and observe daily the increased street parking. Streets are parked bumper to bumper: vehicles, both sides. Cyclists, pedestrians, runners, dog walkers, baby strollers all use active traffic lanes. Delivery vehicles are forced to double park… access for police, ambulance fire equipment become more and more limited and restricted. We are seeing increasing numbers of auto related crime as well.

- There are limited sidewalks on Coolidge Street. All bike, pedestrian, dog walkers, children waiting for busses, yes, this will happen again, runners, children going to school, (there are several proximate), stroller-brigade, toddlers on tiny bikes with training wheels and parents following along slowly along at decreased rates of speed to supervise, or just folks going out for a meal or coffee must walk in the street. They run the gamut along both sides of the thoroughfare of stationary parking, travel lanes cluttered with delivery vehicles, moving vans, ubers and other gig parcel and package delivery, trash collectors, city vehicles, cut thru traffic as well as locals simply arriving, or leaving their homes exiting driveways… . This hardly qualifies as "WALKABLE". It will be a very unsafe and not walkable district.
- Extracting a vehicle from a driveway with sight line impeded by double parked vehicles (only for a moment, let me drop off this package…) living in the neighborhood becomes less and less conducive to personal safety: pedestrians and vehicles two or 4 wheeled.
- Who knows what sort of lurkers find all this stationary parking a good place to while away time waiting to steal packages delivered, break into parked cars, or spring on unsuspecting victims…? Is this "WALKABLE" ? Or Safe? We are already seeing increased crime in automobiles parked along the east end of Coolidge, and this can be expected to move west with parked cars!
- Calls for service by fire trucks, ambulances, and police are all impeded.

Thank you, Pam Perry 304 W. Coolidge St.

P.S. In case this is not clear, I do not support these rezoning efforts for the old donor network property!

Racelle Escolar

From: Monica Kearns <monycisneros9900@gmail.com>
Sent: Monday, February 1, 2021 2:22 PM
To: PDD Planning Commission
Subject: Rezoning case No.Z-56-20-4 WU code T5: 5 UT

good afternoon, regardless this Project we are on opposition, no only the time that will take to build 24 months, we are families who has to work and we want to rest after work and on our days off too,but also the traffic, our privacy, because those apartments will face at our houses and when the highschools open again it will be a big, big problem of traffic I am talking about 2 highschools beside businesses around and other traffic, we are concern about people will parking on front of our houses specially on the weekends, the noise of the traffic, this is a HISTORIC DISTRICT and we want to keep this neighborhood that way, WE DONT WANT MORE APARTMENTS AROUND, I INVITE YOU TO STAY ONE DAY LOOKING AT THE TRAFFIC ON CENTRAL AVE, CAMELBACK RD AND 7 AV. we are living here, we see it every day, I hope we all from this neighborhood hope to consider our petition to not to build more apartments.

Thank for your time, sincerely:

MM.

Racelle Escolar

From: R S <pjharveytrack12@yahoo.com>
Sent: Monday, February 1, 2021 9:29 PM
To: PDD Planning Commission
Subject: Rezoning on Coolidge St and 3rd Ave 56-20-4 item 13
Attachments: project 56-20-4 is the Red boxed area.png

To the Phoenix Planning Commission,

I ask you to consider the gravity of the zoning change on case 56-20-4 in this Thursday's agenda. The property in question is not on a major thoroughfare, but deep within the historic Pierson Place neighborhood.

The developers are asking to go from a R3-R5 to a WU because the site in question is on the canal. While that is true, the area of the canal that the said project would be built on is relatively small. It is only four to five historic house properties long. In return they want to increase units from 137 to about 215, which comes out to 275 beds (as there are two bedroom units), increase the height to 56' in the middle of the neighborhood, have next to no easement on the street and not supply adequate parking. On top of that, the project would not face the neighborhood. We would get its backside. I have attached a copy of a map of the said property.

Please take the time to go the site and inspect the canal area, the bike path and the neighborhood and you will see this is too great a sacrifice on height, easement, traffic and parking for the limited canal scaping they will accomplish. Let them use their already in place R3-R5 zoning to help ease traffic congestion and parking overflow.

Please vote NO on the said project. It will irreversibly hurt the historic neighborhood in which will reside within. Again it is not on a major street, Camelback, 7th Ave and Central are all a good distance away and 3rd Ave does not cut through for purposes of limiting traffic.

Sincerely

Ron Szematowicz

home owner living at 308 W Coolidge St

pjharveytrack12@yahoo.com
602-748-5607

Elevation on Central
2D

Racelle Escolar

From: Thomas Rice <javelinatreework@gmail.com>
Sent: Tuesday, February 2, 2021 3:16 PM
To: PDD Planning Commission
Subject: Reasoning Case No Z-56-20-4

Hello,

My name is Thomas Rice; I live at 320 W Hazelwood St. I am writing this letter to oppose the zoning change from R-3 and R-5 to WU Code T5:5 UT. I oppose this for the following reasons:

Not enough parking

Intrudes on Pierson Place Historic Neighborhood

Insufficient access

Takes away a green space in the neighborhood

Too congested

Thank you for your time!

Thomas D. Rice
Owner/Operator
Javelina Tree Work LLC
480-208-1974

Racelle Escolar

From: grosso9377@cox.net
Sent: Tuesday, February 2, 2021 3:34 PM
To: PDD Planning Commission
Subject: Oppsition to 56-20-4

To whom it concern (Phoenix Planning Commission),

My name is Michael Grosso, owner of the property at 303 W Coolidge. I am in opposition of the planning and zoning of the proposed property at 3 ave. and Coolidge.

My concerns are:

1. 218 unit complex built on the edges of Coolidge and 3 ave, to large of a footprint for the area.

2. The building will not allow any parking on Coolidge or limited which turns the street into a single lane road. Dangerous for riding bikes and walking.

3. Increases the walking traffic and more chance for crime.

4. Coolidge Ave. is a cut-through for 7 ave to Central, which could be dangerous for residents.

5. The community is going to suffer with all the added walking traffic.

Thank You for you time please do not rezone the location.

Racelle Escolar

From: Jeff Rahm <j.rahm@ohpartners.com>
Sent: Tuesday, February 2, 2021 4:41 PM
To: PDD Planning Commission
Subject: RE Application #: Z-56-20-4

Attn Planning Commission:
I own a home (306 West Coolidge) just down the street from the proposed apartment development site. While I am all for growth & expansion, I have reservations with the proposed WU rezone. I foresee a heavy increase in vehicular traffic, especially on Coolidge, Hazelwood & Highland. Central Ave only allows for a right turn heading south. To travel north, the only option is to drive to 7th Ave on either street and make a right. Again, I am all for growth, but just want to be sure that the traffic congestion issue is carefully considered.
Thank you,
Jeff Rahm

Jeff Rahm • Sr. Digital Media Planner/Buyer
o. 602.228.2377
OHPARTNERS.COM [ohpartners.com]
[ohpartners.com]

Racelle Escolar

From: Sarah Simpson <sjsimpso@asu.edu>
Sent: Tuesday, February 2, 2021 4:53 PM
To: PDD Planning Commission
Subject: Rezoning Case No: Z-56-20-4

Hello! I am a resident at 308 W. Hazlewood St. and I am writing to request a reduction in the size of the multifamily residential dwelling that is planned for the Southeast corner of 3rd avenue and Coolidge. Case Z-56-20. Please reduce the size to 80 units. Please let me know if you have any questions!

-Sarah Simpson
(602)405-6943

Racelle Escolar

From: Bill Wells <bdtgwells@icloud.com>
Sent: Tuesday, February 2, 2021 5:15 PM
To: PDD Planning Commission
Subject: Opposition to Application No. Z-56-20-4

I am opposed to Application No. Z-56-20-4 to change the zoning from R-3 and R-5 to WU Code T5:5 UT located on the Southeast corner of 3rd Avenue and Coolidge Street for several reasons including:

a) constructing a multifamily residential property with no maximum units allowed will significantly increase the traffic on 3 residential streets (Coolidge, Hazelwood, and 3rd Avenue)
b) increased traffic will increase the likelihood of pedestrian getting harmed as this is primarily a residential area consisting of families with children and older adults
c) Other than a standard size sidewalk along the eastern edge of 3rd Avenue there is no public sidewalk on Coolidge, Hazelwood, and other nearby residential streets. The proposal is an extremely dangerous mix of increased pedestrian traffic walking in the street and an increase in vehicle traffic
d) Access to and from the Grand Canal pathway is from 3rd Avenue and Hazelwood which already stresses the pedestrian and vehicle traffic in the area
e) Increasing the population density within the area will increase levels of crime and lower public safety
f) Parking along Hazelwood, Coolidge, and other nearby residential streets is restricted but does not appear to be enforced. Additional residents and vehicles will take advantage of unauthorized street parking.

Until such time as the proponent can provide studies that these reasons have been addressed in their proposal or provide mitigation measures to offset or compensate for this reasons, I am opposed to this application.

Regards,

Bill Wells
498 W Hazelwood St
Phoenix, AZ 85013
bdtgwells@icloud.com

Racelle Escolar

From: Lina Money <linamoney@gmail.com>
Sent: Tuesday, February 2, 2021 5:53 PM
To: PDD Planning Commission
Subject: Opposition / 56-20-4, item 13

Zoning case 56-20-4. Item 13.

Dear Sir and Madam,

I am deeply troubled to know that there is a high possibility of a new build of apartment complex in our small historic neighborhood, which we the neighbors have been in charge of making it better, cleaner , more safe and friendlier place to live. My family and I have been living on Coolidge st since 2007 and we have been part of the transitions in the hood. I have two small kids and two dogs, as a mother I am very concern of rezoning the corner lot and allowing some Texan investor developer to make money from the work we did all these years (to maintain and make it a better neighbourhood) without being considerate to the people and pets in the Pierson Place. We as human have responsibilities to make life better for all and not just for one company!!! Life is not all about money and we have to make the right steps to protect each other and not to allow this rezoning!
I deeply ask you to view this case as a person who lives in Pierson Place and not just as an outsider.
If they are allowed to build they should be limited to the current zoning and they should provide place (trees, green grass , play area for the families in the neighborhood. We are already overwhelmed by cars parked on the side walks and fast drivers and lets not forget that 3 ave has a bike lane used by many to commute . It will put a lot of people in danger!
This letter represents the families living at 510, 505 and 506 W Coolidge Street!

Yours truly,
Lina Money
Tania Bachelot
Olga Pegkova

Lina Money