City of Phoenix

Agenda
City Council Formal Meeting

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

Wednesday, April 21, 2021 **2:30 PM** **phoenix.gov**

OPTIONS TO ACCESS THIS MEETING

Request to speak at a meeting:

- Register online by visiting the City Council Meetings page on phoenix.gov **at least 1 hour prior to the start of this meeting**. Then, click on this link at the time of the meeting and join the Webex to speak: https://phoenixcitycouncil.webex.com/phoenixcitycouncil/onstage/g.php?MTID=e0f7deda1e1c104ad349b38a59d56162b

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

At the time of the meeting:

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

- Call-in to listen to the meeting. Dial 602-666-0783 and Enter Meeting ID 126 940 0540# (for English) or 126 509 3560# (for Spanish). Press # again when prompted for attendee ID.

Para nuestros residentes de habla hispana:

- Para registrarse para hablar en español, llame al 602-262-6001 **al menos 1 hora antes del inicio de esta reunión** e indique el número del tema. El día de la reunión, llame al 602-666-0783 e ingrese el número de identificación de la reunión 126 509 3560 #. El intérprete le indicará cuando sea su turno de hablar.

- Para solamente escuchar la reunión en español, llame a este mismo número el día de la reunión (602-666-0783; ingrese el número de identificación de la reunión 126 509 3560 #). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

CALL TO ORDER AND ROLL CALL

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REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

ADJOURN

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 1

For Approval or Correction, the Minutes of the Formal Meeting on Dec. 18, 2019

Summary

This item transmits the minutes of the Formal Meeting of Dec. 18, 2019, for review, correction and/or approval by the City Council.

The minutes are available for review in the City Clerk Department, 200 W. Washington St., 15th Floor.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 2

For Approval or Correction, the Minutes of the Formal Meeting on Jan. 8, 2020

Summary

This item transmits the minutes of the Formal Meeting of Jan. 8, 2020, for review, correction and/or approval by the City Council.

The minutes are available for review in the City Clerk Department, 200 W. Washington St., 15th Floor.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 3

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:** April 21, 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:

Fast Track Cities Ad Hoc Committee

I recommend the following for appointment:

Chad Stecher
Mr. Stecher is an Assistant Professor at Arizona State University and a resident of District 8.

Human Trafficking Task Force

I recommend the following for appointment:

Libby Dwyer
Ms. Dwyer is a former paralegal at the Maricopa County Attorney's Office.

Paradise Valley Village Planning Committee

Councilman Jim Waring recommends the following for appointment:

Abram Bowman
Mr. Bowman is a Partner at Lewis Brisbois and a resident of District 2. He fills a vacancy for a term to expire November 19, 2022.

Phoenix Business and Workforce Development Board

I recommend the following for appointment:

Allison Benezra
Ms. Benezra is a Senior Specialist of Campus Recruiting at Charles Schwab. She fills the Business Financial Services vacancy for a term to expire June 30, 2023.

Ben Miller
Mr. Miller is the Human Resources Director at Taiwan Semiconductor Manufacturing Company. He fills a Business vacancy for a term to expire June 30, 2023.

Luke Tate
Mr. Tate is a Managing Director at ASU Enterprise Partners. He fills a Business vacancy for a term to expire June 30, 2023.

South Mountain Village Planning Committee

I recommend the following for appointment:

Edward Aldama
Mr. Aldama is a Goal Achievement Coach at Your Greatest Self Coaching and a resident of District 8. He replaces Matthew Aguilar for a partial term to expire November 19, 2021.

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 4

Liquor License - Times 3 Sports Grille

Request for a liquor license. Arizona State License Application 06070175.

Summary

Applicant
Peter Schelstraete, Agent

License Type
Series 6 - Bar

Location
6525 W. Happy Valley Road, Ste. C109
Zoning Classification: C-2
Council District: 1

This request is for an acquisition of control of an existing liquor license for a bar. This location is currently licensed for liquor sales with a Series 6 - Bar, liquor license.

The 60-day limit for processing this application is May 8, 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: “Have extensive experience in the liquor industry and will comply with all laws including Title IV and rules.”

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: 4/21/2021, **Item No.** 5

Liquor License - Kasai Asian Grill

Request for a liquor license. Arizona State License Application 012070003708.

Summary

Applicant
Kevin Kramber, Agent

License Type
Series 12 - Restaurant

Location
14344 N. Scottsdale Road
Zoning Classification: C-2 PCD
Council District: 2

This request is for an acquisition of control of an existing liquor license for a restaurant. This location is currently licensed for liquor sales with a Series 12 - Restaurant, liquor license.

The 60-day limit for processing this application is May 2, 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:
“I currently represent over 180+ liquor licenses in the state of Arizona. Current on site manager has approved Title IV liquor training. There have been no violations of Title IV law at the restaurant since opening. All controlling persons should clear background with no issues.”

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: 4/21/2021, **Item No.** 6

Liquor License - Dodey's Bar

Request for a liquor license. Arizona State License Application 06070605.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 6 - Bar

Location
3114 E. Cactus Road
Zoning Classification: C-2
Council District: 3

This request is for an acquisition of control of an existing liquor license for a bar. This location is currently licensed for liquor sales with a Series 6 - Bar, liquor license.

The 60-day limit for processing this application is May 3, 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:
“I was managing this bar for several years and am now the owner. I will continue to abide by 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: 4/21/2021, **Item No.** 7

Liquor License - Inches Tacos

Request for a liquor license. Arizona State License Application 141858.

Summary

Applicant
Jared Repinski, Agent

License Type
Series 12 - Restaurant

Location
3108 W. McDowell Road
Zoning Classification: C-3
Council District: 4

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 May 8, 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 representing liquor licensed establishments in Arizona for over 15 years."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Tourism plays an important role in our local economy and liquor licensed establishments (the sale of alcohol) is a very important aspect of tourism. Therefore, if the City of Phoenix continues to lead the State of Arizona by approving quality and diverse businesses (restaurants, bars, microbreweries, distilleries, hotels, resorts, golf courses, special events, convenience / grocery stores & gas stations) similar to this proposed liquor licensed business all businesses will prosper in our tourism based economy."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Inches Tacos
Liquor License Map - Inches Tacos

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

Liquor License Data: INCHES TACOS

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	43.40	91.79	65.71
Violent Crimes	7.97	21.89	14.96

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

Property Violation Data

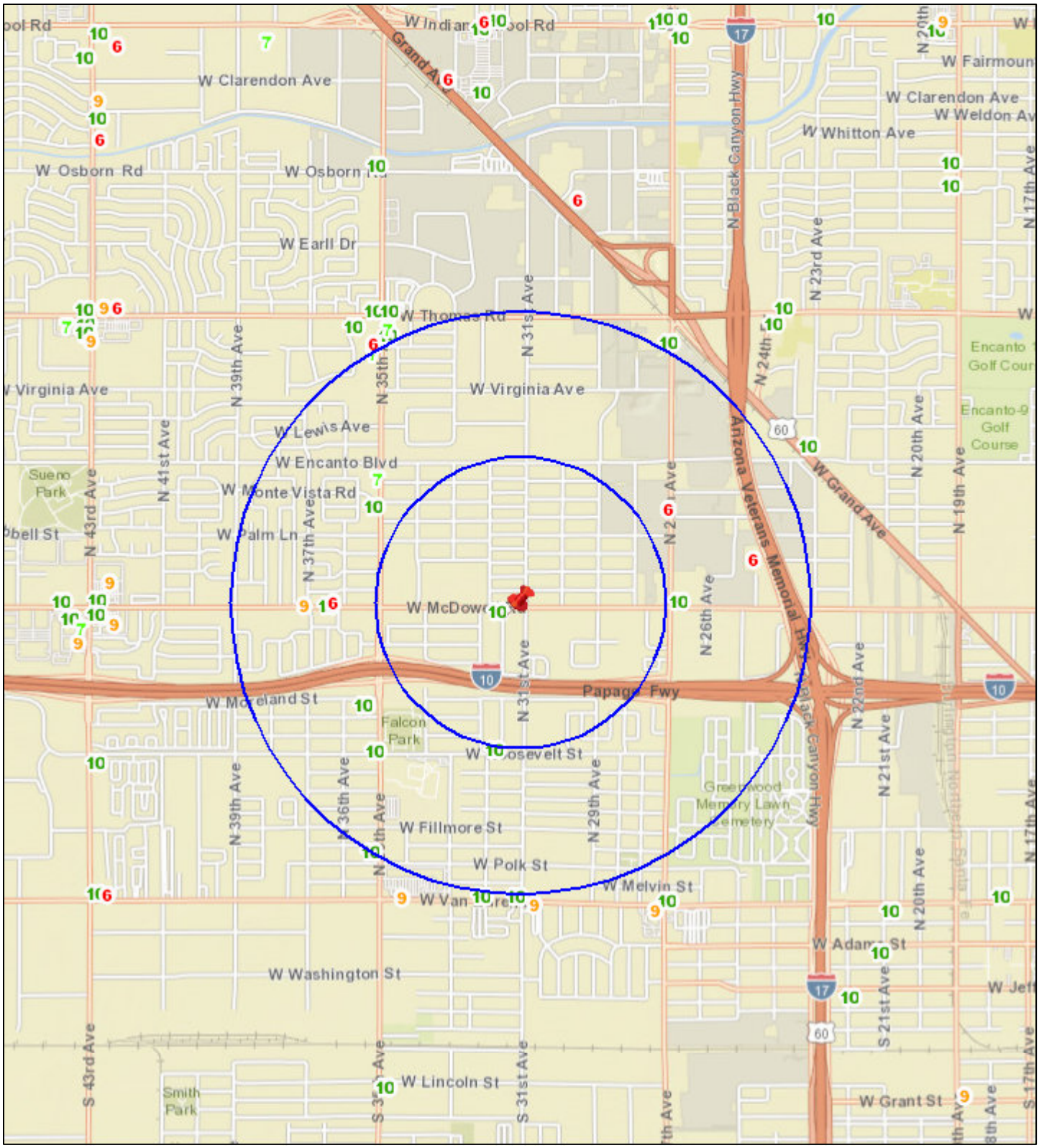
Description	Average	1/2 Mile Average
Parcels w/Violations	57	112
Total Violations	92	254

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1121001	989	53 %	5 %	35 %
1121002	1598	60 %	3 %	32 %
1121003	1225	54 %	0 %	46 %
1122012	2059	55 %	21 %	17 %
1126012	1987	42 %	16 %	47 %
1127001	1882	54 %	0 %	25 %
1127004	673	79 %	31 %	33 %
Average		61 %	13 %	19 %

Liquor License Map: INCHES TACOS

3108 W MCDOWELL RD



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Date: 3/29/2021

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City Clerk Department

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 8

Liquor License - Wok N'Roll

Request for a liquor license. Arizona State License Application 139439.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
2801 N. Central Ave.
Zoning Classification: C-2 HRI TOD-1
Council District: 4

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

The 60-day limit for processing this application is April 26, 2021.

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

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations

on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Wok N'Roll (Series 12)
4412 N. Miller Road, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a current owner of the same concept in Scottsdale. I wanted to venture into Phoenix and bring my great food and service to the area. I will continue to abide by Title 4 liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location has been licensed with a liquor license. I want to continue provide that service."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Wok N'Roll
Liquor License Map - Wok N'Roll

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

Liquor License Data: WOK N'ROLL

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	8	4
Beer and Wine Bar	7	4	1
Liquor Store	9	5	1
Beer and Wine Store	10	8	4
Hotel	11	2	1
Restaurant	12	35	11
Club	14	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	43.40	120.62	109.23
Violent Crimes	7.97	19.95	21.44

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

Property Violation Data

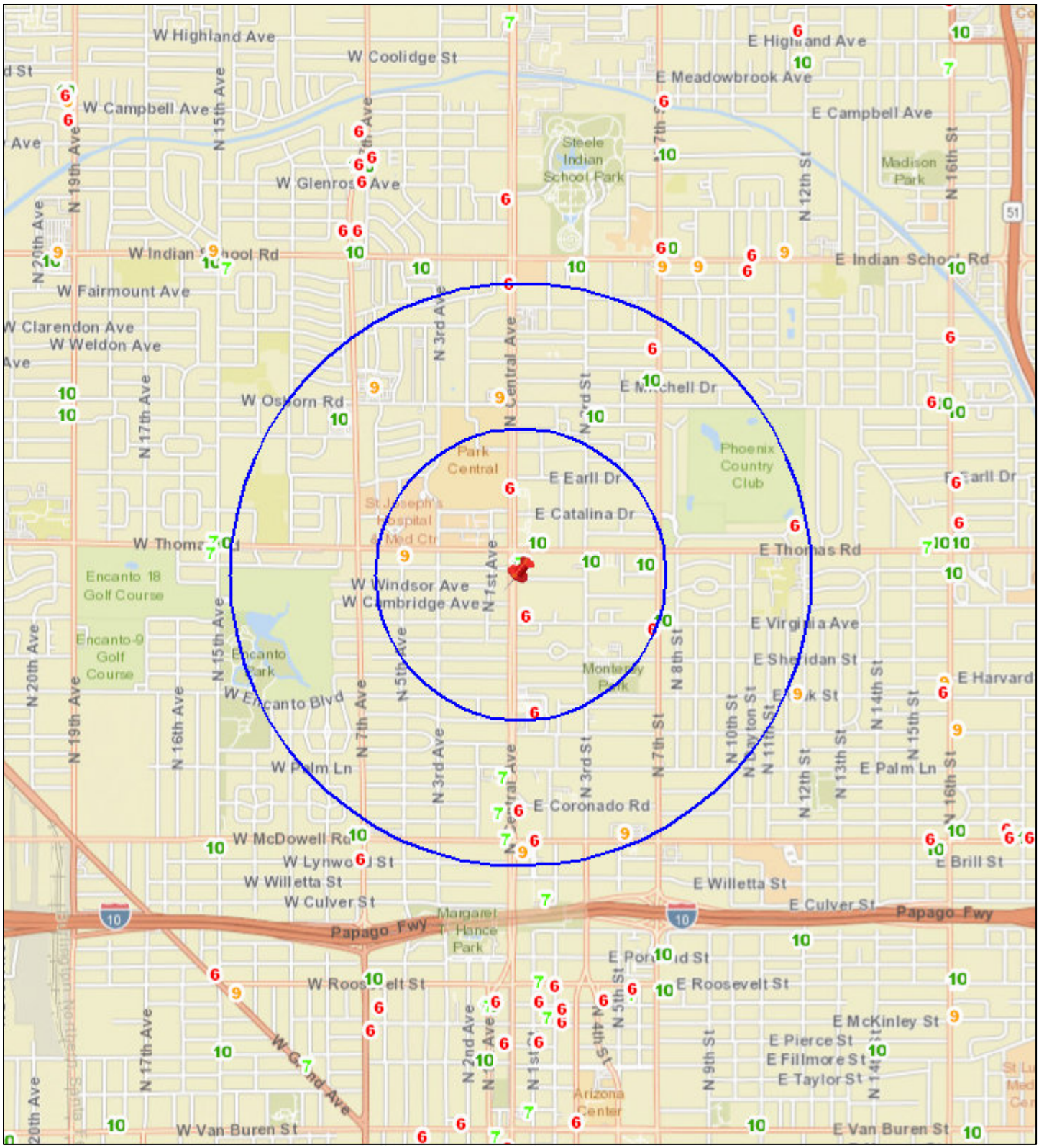
Description	Average	1/2 Mile Average
Parcels w/Violations	58	28
Total Violations	95	39

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1105013	824	16 %	17 %	40 %
1105022	1216	28 %	19 %	23 %
1106004	1456	47 %	27 %	3 %
1117004	1227	75 %	20 %	21 %
1118001	742	44 %	28 %	5 %
1118002	1030	67 %	9 %	17 %
1118003	996	65 %	15 %	4 %
1118004	671	62 %	6 %	6 %
Average		61 %	13 %	19 %

Liquor License Map: WOK N'ROLL

2801 N CENTRAL AVE



N

Date: 3/1/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 9

Liquor License - Jimmy's Quick Stop

Request for a liquor license. Arizona State License Application 139294.

Summary

Applicant
Akram Jabaieh, Agent

License Type
Series 10 - Beer and Wine Store

Location
2344 W. Glendale Ave.
Zoning Classification: C-2
Council District: 5

This request is for a new liquor license for a beer and wine store. This location is currently licensed for liquor sales with a Series 9 - Liquor Store, liquor license and does not have an interim permit.

The 60-day limit for processing this application is April 24, 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.

AK Quick Stop (Series 10)
8802 S. Central Ave, Phoenix
Calls for police service: 20
Liquor license violations: None

Public Opinion
Four letters protesting the issuance of this license have been received and are on file in the Office of the City Clerk. The letters are from North Glen Square Neighborhood Association, Lane Avenue Block Watch, Washington Park Neighborhood Association, and Ocotillo Glen Neighborhood Association. They feel that the issuance of a liquor license to this location would not be in the best interest of the community and that the need and convenience of the community is met with other existing liquor licenses.

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 hold a certificate for The Basic Liquor Law Training. This training provided me the opportunity of learning the importance and significance of obtaining a beer and wine license. I am assured to uphold the laws and regulations about beer and wine license. I have never been involved in any criminal activity, no record of getting in trouble with law and authorities."

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

Staff Recommendation

Staff recommends approval of this application 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. Staff gave careful consideration to the protest letter received, however after reviewing the application in its entirety staff is recommending approval of this application.

Attachments

Liquor License Data - Jimmy's Quick Stop
Liquor License Map - Jimmy's Quick Stop

Responsible Department

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

Liquor License Data: JIMMY'S QUICK STOP

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	3	1
Liquor Store	9	5	2
Beer and Wine Store	10	8	5
Restaurant	12	3	1
Club	14	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	43.40	147.45	151.38
Violent Crimes	7.97	38.45	43.63

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

Property Violation Data

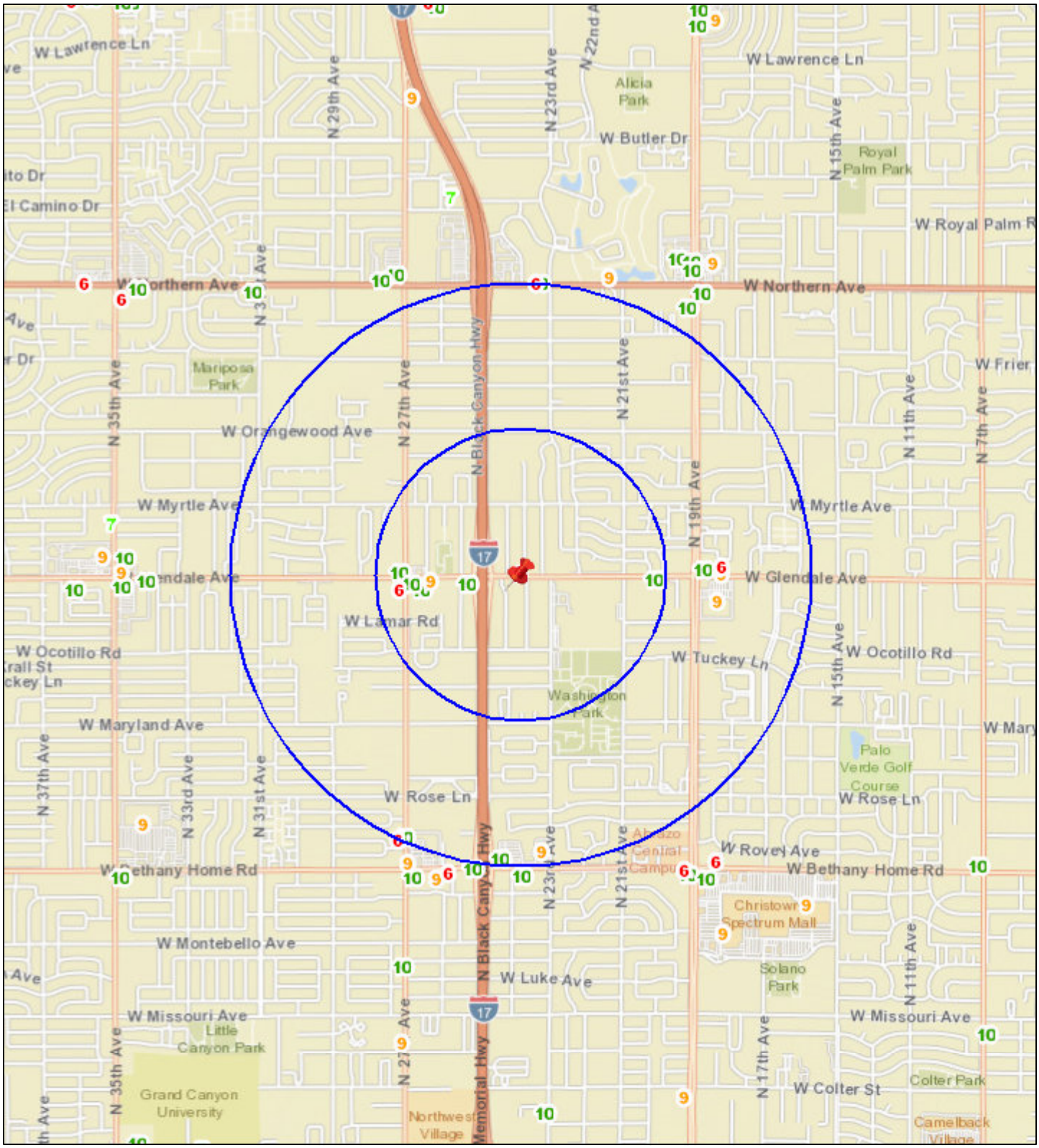
Description	Average	1/2 Mile Average
Parcels w/Violations	59	140
Total Violations	97	265

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1059003	1609	59 %	5 %	25 %
1060011	1487	31 %	17 %	50 %
1060021	1678	27 %	14 %	27 %
1060031	1266	32 %	33 %	51 %
1060032	1673	52 %	15 %	25 %
1068011	1652	2 %	12 %	52 %
1068012	1670	5 %	28 %	55 %
1068021	1099	60 %	0 %	9 %
1069001	1043	81 %	11 %	4 %
Average		61 %	13 %	19 %

Liquor License Map: JIMMY'S QUICK STOP

2344 W GLENDALE AVE



N

Date: 2/25/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 10

Liquor License - Vektor Vodka

Request for a liquor license. Arizona State License Application 140481.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 4 - Wholesaler

Location
431 N. 47th Ave.
Zoning Classification: Ind. PK.
Council District: 7

This request is for a new liquor license for a wholesaler. This location is currently licensed for liquor sales with a Series 4 - Wholesaler, liquor license.

The 60-day limit for processing this application is May 3, 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
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.

Vektor Vodka (Series 4)
1661 N. Quail, Mesa
Calls for police service: N/A - not in Phoenix

Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I will abide by all Title 4 liquor laws. Currently own a Series 4 at a different location and have decided to move to a different warehouse."

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: 4/21/2021, **Item No.** 11

Liquor License - First Stop Market

Request for a liquor license. Arizona State License Application 135083.

Summary

Applicant
Lora Patch, Agent

License Type
Series 10 - Beer and Wine Store

Location
2610 W. Baseline Road, Ste. 100
Zoning Classification: C-1
Council District: 8

This request is for a new liquor license for a convenience store that does not sell gas. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow package liquor sales.

The 60-day limit for processing this application is April 30, 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 over 30 years experience operating and managing small businesses. I have the necessary finances and management experience, plus the work ethic and a long history of providing outstanding customer experiences. I treat my customers and my co-workers like family, and will always maintain a nice, clean, safe, friendly and fair business."

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 in an area that, without our store, would require our customers to travel 1-2 miles in any direction to find the products and services we offer. We offer convenient hours, easy check-out, fair pricing, and a wide selection of products that our neighbors enjoy. We save our customers time, money, travel, and hassle. Our store is clean, well-lit and well stocked."

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 - First Stop Market
Liquor License Map - First Stop Market

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

Liquor License Data: FIRST STOP MARKET

Liquor License

Description	Series	1 Mile	1/2 Mile
Liquor Store	9	1	0
Beer and Wine Store	10	2	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	43.40	36.75	31.42
Violent Crimes	7.97	4.43	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

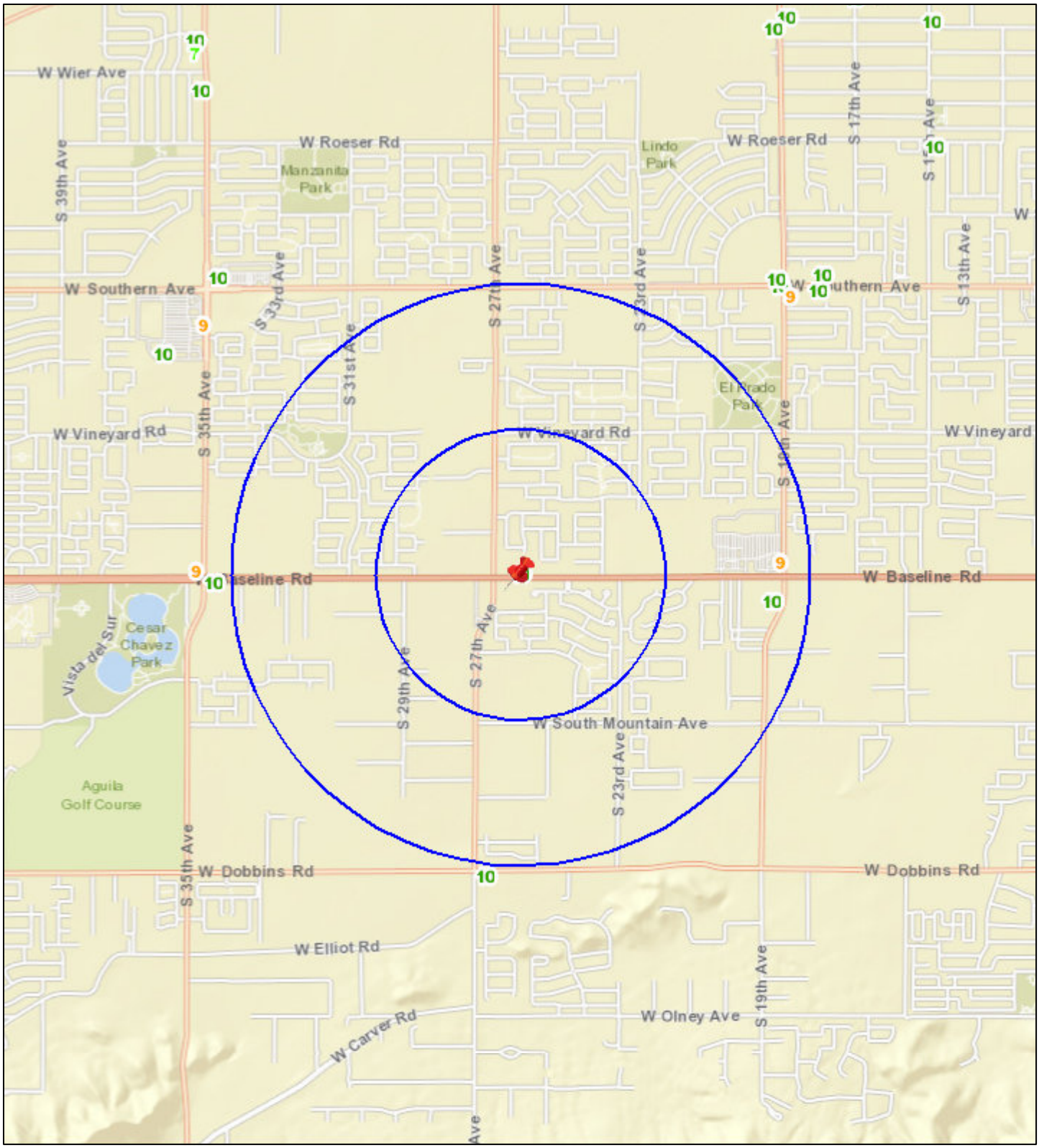
Description	Average	1/2 Mile Average
Parcels w/Violations	58	23
Total Violations	95	29

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1166122	1483	77 %	0 %	17 %
1166123	1051	98 %	0 %	17 %
1166131	1193	81 %	0 %	1 %
1166132	1388	49 %	0 %	31 %
1166133	1862	95 %	14 %	9 %
Average		61 %	13 %	19 %

Liquor License Map: FIRST STOP MARKET

2610 W BASELINE RD



N

Date: 3/5/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

PAYMENT ORDINANCE (Ordinance S-47465) (Items 12-15)

Ordinance S-47465 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.

12 **Kandy Lynn Evans**

For $41,200.00 in payment authority for a new contract, entered on or about May 1, 2021, for a term of five years for nursing services for the Baby Shot Program for the Fire Department. Kandy Lynn Evans will provide licensed practical nurse services to assist with the administration and management of vaccination/immunization clinics of the Phoenix Fire Department's Baby Shot Program.

13 **Callyo 2009 Corp. doing business as Callyo**

For $18,260.00 in payment authority for an annual subscription to Callyo Platinum Package Pro, which includes 25 Callyo lines, Callyo Pro feature, platinum accessory pack and personalized on-site training, additional unlimited lines, video licenses, and four Police Premium COVID-19 Relief licenses, for the Police Department. The Drug Enforcement Bureau's Street Enforcement and Human Exploitation and Trafficking squads currently use the Callyo annual phone subscription and video licenses for undercover investigations. The product provides seamless operations between all squads working in joint investigations. The system provides Police Department personnel the ability to monitor activities while engaging in undercover operations. The evidence provided reduces the amount of time detectives spend in court testifying and protects officers' undercover identities.

14 **Applied Concepts, Inc. doing business as Stalker Radar**

For $17,500.00 in payment authority to purchase 11 Stalker II Stationary Radars for the Police Department. The Stalker Stationary radar gun is an instrument used to measure the speed of an object and is essential for the Traffic Bureau's daily operation. The Traffic Bureau uses this device to enforce traffic laws, reduce excessive speeding, and promote safety on City streets. Without these devices, police officers will not be able to measure the speed of vehicles which can lead to higher rates of collisions. The product will include a 24-month warranty and will be purchased using grant funds from the Governor's Office of Highway Safety.

15 **The Myers-Briggs Company**

For $64,065.00 in payment authority to purchase the Myers-Briggs Type Inventory (MBTI) personality assessment tool from The Myers-Briggs Company for the Human Resources Department. The MBTI is a key training tool used in City leadership development training courses. The assessment tool provides supervisors, managers, and executives with insight into their personality preferences including communicating, decision making, conflict resolution, managing change, interpersonal interactions, and conflict situations. The outcome of these assessments is for leaders to recognize how to best adapt their preferences to be a more effective leader. The City training will include over 1,125 participants over five years, starting April 7, 2021. Funding is available in the Human Resources Department.

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 16

Selection of Vice Mayor

Request to permit the City Council to select one of its members to serve as Vice Mayor, until such time of another Vice Mayor selection, pursuant to Phoenix City Charter IV, section 3. Rule 7(c) of the Rules of Council Proceedings states that "The Council shall select a new Vice Mayor once each calendar year at the first Formal meeting in January or at the next regularly scheduled meeting after a Vice Mayor vacancy occurs."

Responsible Department

This item is submitted by the City Manager's Office.

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 17

Proposed 51st Avenue and Baseline Road Annexation - Authorization to File

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

Summary

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

Location

The proposed annexation area includes parcels 104-89-007J, 104-89-007B, 104-89-007G and 104-89-007F located at 51st Avenue and Baseline Road (**Attachment A**). The annexation area is approximately 6.55 acres (0.0103 sq. mi.) and the population estimate is zero individuals.
Council District: 7

Responsible Department

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

ANNEXATION MAP

51ST AVENUE & BASELINE ROAD

City of Phoenix

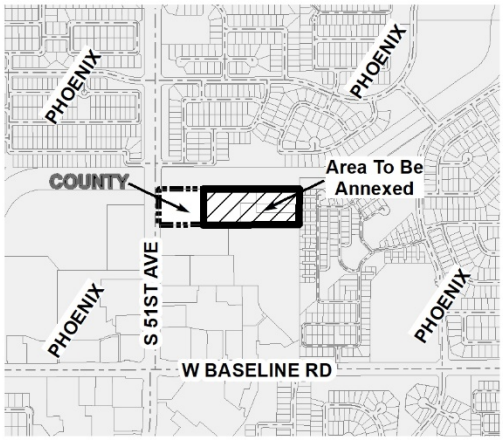
LEGAL DESCRIPTION

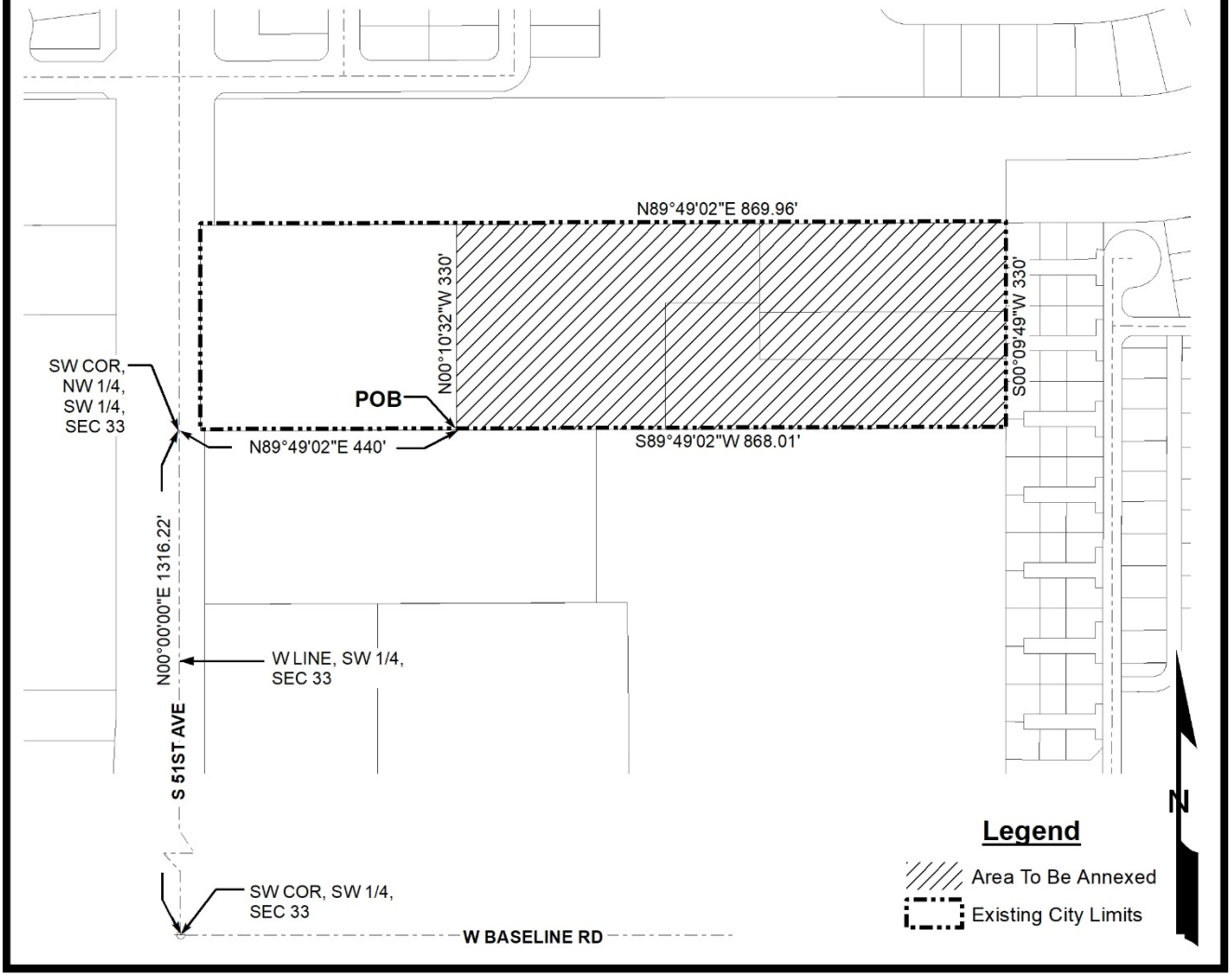
SECTION 33 T. 1 N., R. 2 E.,
G. & S. R. B. & M.

ANNEXATION NUMBER: XXX

AREA IN SQUARE MILES
0.0103

VICINITY MAP





City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 18

Public Communication Equipment and Services - COOP 20-077 (Ordinance S-47466)

Request to authorize the City Manager, or his designee, to enter into cooperative participating agreements with ICOM America, Incorporated, E.F. Johnson Company, Microwave Networks, Inc., Kelley Communications, Inc., Access Technologies, Inc., Durham Communications, Inc., Aviat U.S., Inc., DFW Communications, Inc., L3Harris Technologies, Inc., and JVCKenwood USA Corporation, to purchase public communications equipment and services for citywide use. A cooperative contract was established by the State of Arizona under solicitation number ADSPO19-00008376. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $18,552,000.

Summary

These cooperative agreements will allow Information Technology Services (ITS), Fire, Police, and other city departments to purchase public safety radios and microwave radios, provide services for the equipment and radios, as well as equipment for the Regional Wireless Cooperative (RWC). They will primarily serve Phoenix Police and Phoenix Fire departments by providing a contract vehicle that will allow the City to replace portable radios which are on a seven-year replacement cycle. They will also allow RWC to replace the microwave network which has adopted a 10-year replacement cycle.

In addition to providing critical equipment to the City for Police and Fire, this contract will provide equipment and support for the RWC microwave communications network, with equipment located at approximately 80 sites, providing communication coverage over 6,000 square miles. The microwave network is a main component of public safety communications, including providing connectivity for more than 30,000 users of the RWC public safety radio communications network. The City serves as the “Administrative Managing Member” responsible for the administration and financial management of the RWC. RWC is a cooperative formed under a series of Intergovernmental Agreements (IGA) with membership being open to all local, county, state, federal, and tribal government entities supporting over 14,000 first responder’s radio communications. Through these memberships RWC will off-set our costs.

Furthermore, this request will also support the Public Transit Department’s equipment purchases for their Computer Aided Dispatch / Automatic Vehicle Locator (CAD/AVL) system, used for bus communications, transit vehicle monitoring, and other public transit service-related functions.

Procurement Information
In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The contract was awarded through competitive processes consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43.

The State of Arizona contract covers the purchase of public communications equipment and services as required by the ITS, Police and Fire departments. The contract was awarded on Oct. 9, 2019. The use of this cooperative will provide the City national discounts on these products. Additionally, review of pricing and availability from registered small and local businesses indicates that this cooperative contract offers the best value to the City.

Upon City Council approval of this item, a purchasing agreement(s) incorporating the City’s terms and conditions will be fully executed between the referenced vendor(s) and the City.

Both the American Bar Association and National Institute of Government Purchasing endorse the use of Cooperative Agreements by municipalities and other public institutions. An established best practice in government procurement, Cooperative Agreements provide extensive benefits to procurement officials by leveraging volume purchasing for maximum cost benefit and ensuring best value.

The Deputy Finance Director recommends that the cooperative participating agreement with ICOM America, Incorporated, E.F. Johnson Company, Microwave Networks, Inc., Kelley Communications, Inc., Access Technologies, Inc., Durham Communications, Inc., Aviat U.S., Inc., DFW Communications, Inc., L3Harris Technologies, Inc., and JVCKenwood USA Corporation, be accepted.

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

Financial Impact
The aggregate contract value will not exceed $18,552,000. Funds are available in the various departments' budgets.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 19

Lease of City-Owned Property to AIA Arizona, American Institute of Architects - Amendment 3 (Ordinance S-47467)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 130769 with AIA Arizona, American Institute of Architects, a non-profit corporation (AIA) to extend the lease term for a three-year period plus two additional one-year options. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary

AIA currently leases approximately 4,425 square feet of interior office space on the 2nd floor of the J.W. Walker building located at 30 N. 3rd Ave. The current contract term expires April 30, 2021. The agreement will be amended to extend the term for a three-year period plus two additional one-year options. Base rent during the first year of the three-year extension period will be $5,065.28 per month, plus applicable taxes, which is within the range of market rents as determined by the Real Estate Division. Base rent will increase annually thereafter based on the Consumer Price Index (CPI). Each option period will be exercised upon mutual agreement of the City and AIA. AIA has occupied this space since 2001 and is in good standing.

Financial Impact

Revenue during the first year of the three-year extension period will be $60,783.36 per year, plus applicable taxes.

Concurrence/Previous Council Action

The City Council approved:

- Lease of City-Owned Property to AIA Arizona Agreement 130769 (Ordinance S-37723) on March 16, 2011;
- Lease of City-Owned Property to AIA Arizona Agreement 130769 - Amendment 1 (Ordinance S-37998) on June 15, 2011; and
- Lease of City-Owned Property to AIA Arizona Agreement 130769 - Amendment 2 (Ordinance S-42192) on Dec. 16, 2015.

Location
30 N. 3rd Ave., 2nd Floor
Council District: 7

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 20

Acquisition of Real Property for Roadway and Railroad Improvements at the Intersection of West Thomas Road and North 27th Avenue (Ordinance S-47469)

Request to authorize the City Manager, or his designee, to acquire real property and all related property interests by donation, purchase within the City's appraised value, or by the power of eminent domain for roadway and railroad improvements at the intersection of West Thomas Road and North 27th Avenue. Further request to authorize dedication of land with public improvements to public use via separate recording instrument. Additionally request to authorize the City Controller to disburse all funds related to this item.

Summary

Acquisition of real property is required for roadway and railroad improvements at the West Thomas Road and North 27th Avenue intersection. The project is on a priority path to improve the crossing safety for pedestrians and the public. Improvements will include signage, new Americans with Disabilities Act compliant sidewalks and ramps, relocation of a traffic signal and markings at the crossings associated with the overall safety improvement plan. The project is a collaborative and coordinated effort with the Burlington Northern Santa Fe Railway.

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

Financial Impact

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

Location

Thomas Road and 27th Avenue.
Council Districts: 4 and 7

Responsible Department

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

Attachment A
Property Identification

City of Phoenix Street Improvement Project: ST85100198-1
Thomas Road and 27th Avenue Roadway and Railroad Improvement Project

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

APN	**Address / Location**
108-06-001F	2720 W. Grand Ave.
108-06-005F	2738 W. Thomas Road
108-06-005G	2736 W. Thomas Road
108-06-032	Northwest corner of 27th Avenue and Thomas Road
108-08-013	2703 W. Thomas Road

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 21

Amend Ordinance for Acquisition of Real Property for Street Improvement Project from Mountain View Road to Peoria Avenue between 15th and 7th Avenues (Ordinance S-47481)

Request the City Council amend Ordinance S-45599 for authorization to acquire additional parcels required for a street improvement project from Mountain View Road to Peoria Avenue, between 15th and 7th avenues.

Summary
Additional parcels were identified during design that are necessary to accommodate project construction. All other conditions and stipulations previously stated in the above referenced ordinance will remain the same.

The additional parcels affected by this project and included in this request are identified by Maricopa County Assessor's parcel number (APN) 158-30-127 located at 1401 W. Brown St. and APN 158-30-128 located at 1405 W. Brown St.

Financial Impact
The project is federally funded with funding available in the Street Transportation Department's Capital Improvement Program budget.

Location
Area bounded by Mountain View Road to Peoria Avenue and 15th to 7th avenues.
Council District: 3

Concurrence/Previous Council Action
The City Council approved:
- Acquisition of Real Property for a Street Improvement Project from Mountain View Road to Peoria Avenue between 15th and 7th Avenues (Ordinance S-45599) on May 1, 2019; and
- Acquisition of Real Property for a Street Improvement Project from Mountain View Road to Peoria Avenue between 15th and 7th Avenues - Amendment (Ordinance S-46056) on Oct. 2, 2019.

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: 4/21/2021, **Item No.** 22

Authorization to Accept Easements for Traffic Control Purposes Along 7th Avenue, South of Buckeye Road (Ordinance S-47470)

Request to authorize the City Manager, or his designee, to accept easements for traffic control for the installation of a High-Intensity Activated Cross Walk (HAWK) signal along 7th Avenue, south of Buckeye Road.

Summary

Memorial Key LLC, its successor and assigns, has agreed to donate easements for the installation of a HAWK signal and Americans with Disabilities Act pedestrian ramps to provide pedestrians a safe crossing at 7th Avenue, near the driveway entrance and exit at Phoenix Memorial Hospital. The easements are approximately 449 square feet.

The parcel affected by this project and included in this request is identified by Maricopa County Assessor's parcel number 112-36-045G located at 1201 S. 7th Ave.

Location

7th Avenue, south of Buckeye Road
Council District: 8

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: 4/21/2021, **Item No.** 23

Authorization to Grant Temporary Construction Easement and Dedicate Sidewalk Easement over Portion of City-owned Property Along West Lynne Lane at 11th Avenue (Ordinance S-47482)

Request to authorize the City Manager, or his designee, to grant a temporary construction easement to Lynne Village, LLC across City-owned property located at 6310 S. 7th Ave. Additionally, request authorization to dedicate a sidewalk easement to public use via separate recording instrument. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary
The temporary construction easement and sidewalk dedication is required for the construction of a sidewalk for the Lynne Village Apartments development (KIVA 19-2976), adjacent to the City-owned property. Public improvements will be constructed by the developer within Lynne Lane which is a private roadway for Foothills Village Apartments; FVA, LLC leases the City-owned property and provided concurrence for the easements.

Financial Impact
Revenue for the easement will be reflective of market value.

Location
6310 S. 7th Ave. identified by Maricopa County Assessor's parcel number 105-83-002F.
Council District: 7

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 24

Acceptance and Dedication of Easements for Sidewalk and Public Utility Purposes (Ordinance S-47483)

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

Summary

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

Easement (a)
Applicant: Pepsquad Development, LLC, its successor and assigns
Purpose: Sidewalk
Location: 7710 W. Indian School Road
File: FN 210010
Council District: 5

Easement (b)
Applicant: GVCL Enterprises, L.L.C., its successor and assigns
Purpose: Sidewalk
Location: 1935 W. Northern Ave.
File: FN 210008
Council District: 5

Easement (c)
Applicant: Peter L. Rizzo Holding Company, LLC, its successor and assigns
Purpose: Sidewalk
Location: 4910 E. Indian School Road
File: FN 210004
Council District: 6

Easement (d)
Applicant: Estate of John J. Sorci, deceased Probate Case number PB2020-050124, its successor and assigns

Purpose: Public Utility
Location: 4803 E. Chandler Blvd.
File: FN 210013
Council District: 6

Responsible Department

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 25

Acceptance of Easements for Sewer and Vehicular Non-Access Purposes (Ordinance S-47486)

Request for the City Council to accept easements for sewer and vehicular non-access purposes; further ordering the ordinance recorded.

Summary

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

Easement (a)
Applicant: Host Camelback I, LLC, its successor and assigns
Purpose: Sewer
Location: 5943 N. Elsie Ave.
File: FN 210012
Council District: 6

Easement (b)
Applicant: Estate of John J. Sorci, deceased Probate Case number PB2020-050124, its successor and assigns
Purpose: Vehicular Non-Access
Location: 4803 E. Chandler Blvd.
File: FN 210013
Council District: 6

Responsible Department

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 26

Authorization to Enter into Revocable License with Hunter Contracting Co. for City-Owned Property Located at 3345 E. Roeser Road (Ordinance S-47489)

Request to authorize the City Manager, or his designee, to enter into a revocable license with Hunter Contracting Co. for approximately 5,000 square feet of the unimproved portion of Esteban Park located at 3345 E. Roeser Road for construction staging and storage. The license fee will be $1,400 for the initial term. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary

Hunter Contracting Co. has been contracted by the City to provide design and construction services for the Roeser Road improvements from 32nd Street to 37th Street. Approximately 5,000 square feet of the unimproved portion of Esteban Park will be used for construction staging, parking and a construction trailer to facilitate the City's project.

The term of the license will be for an initial seven months, with an option to extend on a month-to-month basis, up to an additional five months. The license fee is $200 per month, plus applicable taxes, or $1,400 for the initial term, which is within range of market rents as determined by the Real Estate Division. Hunter Contracting Co. shall provide insurance and indemnification acceptable to the City of Phoenix Finance Department's Risk Management Division and Law Department. The license may be canceled pursuant to Arizona Revised Statute 38-511, or upon 60-days' written notice. The license may contain other terms and conditions deemed necessary by the City.

Contract Term

The term of the license will be seven months, with an option to extend on a month-to-month basis, up to an additional five months.

Financial Impact

The license fee will be $1,400 for the initial term, plus applicable taxes.

Location

3345 E. Roeser Road, identified by assessor parcel number 122-71-002.
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: 4/21/2021, **Item No.** 27

Heavy Duty Fleet, Construction and Agricultural/Industrial Parts, Service and Accessories - COOP 21-067 (Ordinance S-47490)

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement with Balar Holding Corporation dba Balar Equipment, Don Sanderson Ford Inc. dba Sanderson Ford, Drake Truck Bodies LLC, FleetPride Inc. and The WW Williams Company dba Auto Safety House to purchase heavy duty fleet, construction and agricultural/industrial parts, services and accessories. A cooperative contract was established by Maricopa County under solicitation number 200209-C. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate agreement value will not exceed $4,295,000.

Summary

The Public Works Department is responsible for maintaining a diverse fleet of over 7,300 vehicles and equipment, of which 2,344 are categorized as heavy-duty, 310 off-road equipment, and 256 stationary generators. These pieces of equipment are maintained not only at Public Works service centers but within operations at the City’s transfer stations, landfill, and remote locations for generators. The adoption of this agreement will supplement existing City agreements to ensure that Public Works has the appropriate level of vendor support for these specialized vehicles.

Procurement Information

In accordance with Administrative Regulation 3.10, a participating agreement is required when the City uses a cooperative agreement from another public agency. The agreement was awarded through competitive processes consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43.

The Maricopa County agreement covers the purchase of heavy-duty fleet, construction and agricultural/industrial parts, services and accessories as required by the Public Works Department. The agreement began Oct. 1, 2020 and use of this cooperative will provide the City competitive discounts on these products. Additionally, review of pricing and availability from registered small and local businesses indicates that this cooperative agreement offers the best value to the City.

Upon City Council approval of this item, agreements incorporating the City's terms and conditions will be fully executed between the referenced vendors and the City.

Both the American Bar Association and National Institute of Government Purchasing endorse the use of Cooperative Agreements by municipalities and other public institutions. An established best practice in government procurement, Cooperative Agreements provide extensive benefits to procurement officials by leveraging volume purchasing for maximum cost benefit and ensuring best value.

The Deputy Finance Director recommends that the cooperative participating agreement with Balar Holding Corporation dba Balar Equipment, Don Sanderson Ford Inc. dba Sanderson Ford, Drake Truck Bodies LLC, FleetPride Inc. and The WW Williams Company dba Auto Safety House be accepted.

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

Financial Impact
The aggregate agreement value will not exceed $4,295,000. 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: 4/21/2021, **Item No.** 28

Purchase of Property and Casualty Insurance Policies for the City of Phoenix (Ordinance S-47491)

Request to authorize the City Manager, or his designee, to purchase various property and casualty insurance policies on behalf of the City for July 2021 through June 2022. Further request authorization for the City Controller to disburse funds, not to exceed $15,150,000.

Summary

Competitive quotes are sought from all viable commercial insurance markets to assure the best coverage and cost available. The total estimated cost for all insurance is approximately $15,150,000 for Fiscal Year 2021-2022, up from $11,629,465 in the current year. The increase of $3,520,535 is due to: (1) a high demand for insurance coverage in the property and excess liability coverage and a reduced supply of capacity in the commercial insurance market throughout the country; (2) the City experienced a large property loss over the last 10 years that exceeded $10 million; (3) the City experienced its first loss that pierced the excess liability insurance; (4) claims are increasing in frequency and severity throughout the country; and (5) insurers are struggling to overcome underwriting losses.

Citywide insurance policies are purchased from the Risk Management Self-Insurance Fund or the Workers' Compensation Self-Insurance Fund and are then allocated to each department's budget. Funds for special policies purchased are available from those departments budgets.

Insurance Policy Type	Department	Estimated Cost
Blanket Property and Boiler and Machinery Insurance	Citywide	$7,241,000.00
Excess Liability Insurance (Multiple Layers)	Citywide	$5,870,000.00
Excess Workers' Compensation Insurance	Citywide	$352,000.00

Network Security and Cyber	Citywide	$540,000.00
Police Aircraft Liability and Hull Insurance	Police	$200,000.00
Aviation Airport Liability Insurance	Aviation	$697,000.00
Miscellaneous Property and Casualty Insurance	Citywide	$250,000.00

Financial Impact
The amount will not exceed $15,150,000, comprised of funds from the Risk Management Self-Insurance Fund, and are included in the Fiscal Year 2021-2022 budget.

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 29

Stable Value Fund Manager Services (Ordinance S-47505)

Request to authorize the City Manager, or his designee, to enter into a contract with Principal Global Investors, LLC to provide Stable Value Fund Manager services in an amount not to exceed $5.3 million over a five-year period. No disbursement of funds from the City Controller is required for this contract. The administrative costs are paid by plan participants.

Summary

This contract is needed to provide professional management of the Phoenix Stable Income Fund including discretionary investment management of the underlying securities as well as the wrap providers for a stable value portfolio totaling approximately $445 million in assets. The Contractor will maintain knowledge of the federal laws and regulations applicable to such funds and will manage the assets in the Fund in a manner consistent with the requirements of such laws and regulations.

Procurement Information

RFP HR 20-123 was conducted in accordance with Administrative Regulation 3.10. The Human Resources Department received eight offers and one offer was deemed non-response. The Notice of Solicitation was emailed to 48 vendors registered in ProcurePHX and 18 firms provided by the Consultant, Hyas Group. The offers were scored on the following criteria: Qualifications and Experience (250 points), Method of Approach (500 points) and Price (250 points).

The City's Financial Investment Consultant, Hyas Group, conducted an analysis of the offers and provided a report to the evaluation committee. Evaluation occurred by a four -person panel. The evaluation committee determined that two offers were within the competitive range, and those offerors participated in Finalists Interviews and Best and Final Offers (BAFO) process. It was the consensus of the evaluation committee to recommend awarding the contract to Principal Global Investors, LLC.

The City of Phoenix Employees' Deferred Compensation Board approved the award recommendation at the March 18, 2021 Special Session Board meeting.

The following are the scores of all responsive Offerors:

Principal Global Investors, LLC	838.00
T. Rowe Price Associates, Inc.	800.00
Voya Financial	639.50
The Vanguard Group, Inc.	627.00
Galliard Capital Management, Inc.	609.50
Invesco Advisers, Inc	584.50
J.P. Morgan Investment Management, Inc.	508.50

The Human Resources Director recommends the offer from Principal Global Investors, LLC be accepted as the highest-scored, responsive, and responsible offeror.

Contract Term
The five-year contract shall begin on or about May 21, 2021.

Financial Impact
The aggregate five-year contract value for these services shall not exceed $5.3 million. No disbursement of funds from the City Controller is required for this contract. The administrative costs are paid by plan participants.

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 30

Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-47492)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Kathryn Sorensen in the amount of $150,930.53 to the Arizona State Retirement System, and further request authorization for the City Controller to disburse funds.

Summary

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

Sorensen, Kathryn: $150,930.53

Concurrence/Previous Council Action

This item will be approved by the COPERS Board at its April 1, 2021 meeting.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 31

Contract with UMOM New Day Centers, Inc. for COVID-19 Rapid Rehousing Case Management Services (Ordinance S-47502)

Request authorization for the City Manager, or his designee, to enter into a contract with UMOM New Day Centers, Inc. to provide rapid rehousing case management services to families impacted by COVID-19. The term of this contract will begin on or about July 1, 2021 through Sept. 30, 2022. The contract total will not exceed $507,740 over the life of the contract. Further request authorization for the City Controller to disburse all funds related to this item. Funding is one-time Emergency Solutions Grant (ESG) monies from the U.S. Department of Housing and Urban Development (HUD). There is no impact to the General Fund.

Summary
UMOM New Day Centers, Inc. will provide rapid rehousing case management services to families impacted by COVID-19. These services include housing relocation and stabilization services and/or short- and/or medium-term rental assistance to help individuals or families living in shelters or in places not meant for human habitation to move into permanent housing and achieve stability in that housing.

Procurement Information
The City of Phoenix has obtained all necessary federal waivers to alleviate the need to comply with federal procurement guidelines.

Contract Term
The term of this contract will begin on or about July 1, 2021 through Sept. 30, 2022.

Financial Impact
The total value of this contract shall not exceed $507,740. Funding is one-time ESG through the HUD. There is no impact to the General Fund.

Concurrence/Previous Council Action
On Feb. 17, 2021, City Council approved an allocation of ESG funds for Rapid Rehousing for women and families.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 32

Request Authorization to Submit Federal Transit Administration Coronavirus Grant Applications (Ordinance S-47494)

Request to authorize the City Manager, or his designee, to apply for, accept, and distribute Federal Transit Administration Coronavirus Response and Relief Supplemental Appropriations Act grants and to enter into any agreements necessary to receive those federal grants. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all grant funds in accordance with the terms of the aforementioned grants and agreements. These grants are anticipated for an amount not to exceed $85,856,151.

Summary

The City of Phoenix is the designated recipient of Federal Transit Administration (FTA) grant funds for the Phoenix-Mesa Urbanized Area. Phoenix submits FTA grant applications on behalf of all local governments and agencies in the region. On Dec. 27, 2020, the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) was approved with funding provided through existing FTA formula programs at 100 percent federal share, with no local match required. Such funding is available to support capital, operating, and other expenses to prevent, prepare for, and respond to the COVID-19 pandemic.

The Maricopa Association of Governments (MAG), as the Metropolitan Planning Organization for the Phoenix metropolitan area, is responsible for programming FTA funds for the region. MAG has allocated the CRRSAA Act funding for the region to support transit operations. Phoenix is expected to receive $43,171,577 for itself from this allocation.

Financial Impact

The total of all grant funds in the applications is $85,856,151. The applications and total federal amounts by fund type are:

- $85,260,499 - FTA Section 5307 Urbanized Area Formula funding apportioned to the Phoenix-Mesa Urbanized Area; and
- $595,652 - FTA Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities funding apportioned to the Phoenix-Mesa Urbanized Area.

Concurrence/Previous Council Action

This item was recommended for approval by the Transportation, Infrastructure and Innovation Subcommittee on April 7, 2021 by a vote of 4-0.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 33

Request to Amend Contract with Teaching Strategies, LLC for Head Start Birth to Five Program (Ordinance S-47475)

Request authorization for the City Manager, or his designee, to amend Contract 141887 with Teaching Strategies, LLC for the Head Start Birth to Five program by extending the term of the contract through June 30, 2023 and increasing the contract amount by $160,000. The extension will provide continued use of the online child assessment tool. Further request authorization for the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

Summary

To ensure statewide consistency in early childhood assessment, the Arizona Department of Education (ADOE) mandates all early childhood programs purchase the same assessment tool. The Head Start Birth to Five program utilizes Teaching Strategies Gold, the approved ADOE assessment tool. The early childhood assessment tool is designed to measure children's progress, appropriately plan for children's learning, implement best practices, and meet the accountability requirements of the Individuals with Disabilities Education Improvement Act of 2004, Part B, Section 619. The City entered into a contract with Teaching Strategies, LLC on July 1, 2015, following the ADOE statewide contract.

Procurement Information

Teaching Strategies was selected through an ADOE Request for Proposal RFP-ADED 15-00004546 for a statewide Early Childhood Assessment tool to be utilized by other state agencies, political subdivisions, and Head Start grantees.

The ADOE contract with Teaching Strategies expired on March 22, 2020. ADOE entered into a one-year agreement, Agreement CTR048634, with Teaching Strategies, LLC extending the contract terms through June 30, 2021, allowing time to procure a new provider. Due to the coronavirus pandemic, ADOE was unable to complete the procurement process. As such, an additional extension through June 30, 2023 with Teaching Strategies has been secured by ADOE.

In accordance with Administrative Regulation 3.10, a Determination Memo citing a need to extend the City's current contract beyond the maximum option years was

approved on April 10, 2020.

Contract Term
The original five-year contract began on July 1, 2015, with four one-year extension options exercised by the City Manager. Approval of this request would extend the contract through June 30, 2023.

Financial Impact
The total value of this agreement will not exceed $544,000 over the life of the contract. Funding is available from the U.S. Department of Health and Human Services, Administration of Children, Youth and Families. There is no impact on the General Fund.

Concurrence/Previous Council Action
City Council approved the initial contract on May 13, 2015, with Ordinance S-41702. An extension through Dec. 31, 2020, was approved by City Council on June 3, 2020, with Ordinance S-46682. An additional extension through June 30, 2021, was approved by the City Council on Sept. 2, 2020.

The Head Start Policy Council will vote on this item on April 12, 2021.

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 34

Authorization to Convert Temporary Full-Time Positions to Regular Full-Time Positions to Support Human Services Department Business and Workforce Development Services (Ordinance S-47496)

Request to authorize the City Manager, or his designee, to convert eight temporary full-time positions to regular full-time positions in the Human Services Department. No General Fund dollars are requested to support this request; Workforce Innovation and Opportunity Act (WIOA) grant funds are available.

Summary

The request to convert the temporary positions is due to funding that was previously provided by the U.S. Department of Labor under the Strengthening Working Families Initiative Grant ending on June 30, 2021. In order to continue the delivery of free training and childcare services to City of Phoenix residents who qualify, the Human Services Department is requesting that eight temporary full-time positions be converted to regular full-time positions. See **Attachment A** for the positions being requested to be converted.

Financial Impact

The estimated full-year costs for these positions in Fiscal Year 2021-2022 is estimated to be $690,000. No General Fund dollars are requested to support this request; WIOA grant funds are available.

Responsible Department

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

Attachment A
Human Services Department
Business and Workforce Development Position Conversions

Position/Job Code	
Admin Aide (1)	326
Caseworker II (3)	028
Training Specialist (1)	030
Workforce Development Specialist (1)	031
Business Systems Analyst (1)	033
Workforce Development Supervisor (1)	037

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 35

Amend Contract with Local Initiatives Support Coalition (Ordinance S-47498)

Request to authorize the City Manager, or his designee, to amend Contract 153102-0 with the Local Initiatives Support Coalition to add $14,375 in Community Development Block Grant program funds for a contract total of $2,314,375. Further request authorization for the City Controller to disburse all funds associated with this agreement. The Community Development Block Grant Program is funded by the U.S. Department of Housing and Urban Development; no General Funds are required.

Summary

The Phoenix RISE Microbusiness Grant Program was approved by City Council through Ordinance S-46606 as part of the 2015-2020 Consolidated Plan's 2019 Annual Action Plan CARES Act Amendment. The purpose of this grant program was to assist microenterprise businesses who have five or fewer employees, that have been impacted by the COVID-19 public health crisis, by providing funding for lost revenue, the provisions of goods or services to respond to COVID-19, or the business model changes to support COVID-19.

This program awarded $2,000,000 in CARES Act Community Development Block Grant funds (CDBG-CV) through 276 grants to low- and moderate-income microenterprise business owners in amounts up to $10,000. Additionally, $300,000 in CDBG-CV funding was utilized for the purposes of Local Initiatives Support Coalition's program administration, planning and coordination services. Due to the overwhelming need of the microenterprise business community, the initial allocation was extinguished before the final three eligible applicants could be awarded.

The Neighborhood Services Department seeks authorization to use an additional $12,500 in CDBG funding to award the three remaining low- and moderate-income microenterprise business owner grant applications and $1,875 in CDBG funding for program administration costs. The total additional contract amount equates to $14,375.

Contract Term

The contract expires on May 31, 2021.

Financial Impact
The CDBG Program is funded by the U.S. Department of Housing and Urban Development; no General Funds are required.

Concurrence/Previous Council Action
This program was adopted by the City Council on May 6, 2020.

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 36

Community Development Block Grant Neighborhood Commercial Rehabilitation Program Loan Agreement (Ordinance S-47499)

Request to authorize the City Manager, or his designee, to enter into a loan agreement with Sandhu Investments, LLC for up to $100,000 in Community Development Block Grant program funds for facade and site improvements through the Neighborhood Commercial Rehabilitation program for their tenant, Hotel Electric, LLC and to take all actions and execute all documents necessary to complete the loan. Further request authorization for the City Controller to disburse all funds associated with this agreement. The CDBG Program is funded by the U.S. Department of Housing and Urban Development; no General Funds are required.

Summary

The Neighborhood Commercial Rehabilitation (NCR) program offers Community Development Block Grant (CDBG) funding for property owners to complete exterior improvements through a deferred loan, secured by a Deed of Trust which is forgiven over a period of up to 10 years. The program was approved by City Council through Ordinance S-46657 as part of the 2020-2024 CDBG Consolidated Plan. NCR projects are selected through an open application process.

Hotel Electric, LLC is an electrical company that has primarily served Phoenix's hospitality industry and multi-family residential developments since 1996; they employ 21 full-time and 10 seasonal employees at the project site for a total of 31 employees. The proposed exterior improvements include grading and drainage repairs, with the installation of a retainage bioswale, Americans with Disabilities Act (ADA) modifications, parking lot improvements, building facade and roof drainage renovations, and new signage. Hotel Electric, LLC is a tenant, therefore the deferred loan will be executed with the property owner, Sandhu Investments, LLC.

The goal of the NCR program is to support the revitalization or improvement of commercial buildings along targeted business corridors to ensure the long-term sustainability of the community, its businesses and structures. Eligible economic revitalization projects must provide a public benefit or deliver neighborhood enhancements including job creation for local residents, blight elimination, or the provision of qualified goods or services to residents of targeted, low- and moderate-

income areas in Phoenix.

Financial Impact
The CDBG Program is funded by the U.S. Department of Housing and Urban Development; there is no impact to the General Fund.

Concurrence/Previous Council Action
This item was recommended for approval by the Land Use and Livability Subcommittee on March 17, 2020 by a unanimous vote.

Location
10402 N. 19th Ave. (North Mountain Redevelopment Area)
Council District: 3

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 37

Community Development Block Grant Neighborhood Commercial Rehabilitation Program Recipient (Ordinance S-47500)

Request to authorize the City Manager, or his designee, to enter into a loan agreement with Greek Family, LLC. (dba Greektown Restaurant) for up to $100,000 in Community Development Block Grant program funds for facade and site improvements through the Neighborhood Commercial Rehabilitation program, and to take all actions and execute all documents to complete the loan. Further request authorization for the City Controller to disburse all funds associated with this agreement. The Community Development Block Grant Program is funded by the U.S. Department of Housing and Urban Development; no General Funds are required.

Summary

The Neighborhood Commercial Rehabilitation (NCR) program offers Community Development Block Grant (CDBG) funding to complete exterior improvements through a deferred loan, secured by a Deed of Trust, that is forgiven over a period of up to 10 years. The program was approved by City Council through Ordinance S-46657 as part of the 2020-2024 CDBG Consolidated Plan. NCR projects are selected through an open application process.

Greektown Restaurant is a full-service establishment that has served classic Greek cuisine to the Sunnyslope area for 22 years. The project scope of work includes facade and parapet improvements and Americans with Disabilities Act (ADA) parking lot enhancements; and a new patio for outdoor dining as an alternate bid, if funding is available.

The goal of the NCR program is to support the revitalization or improvement of commercial buildings along targeted business corridors to ensure the long-term sustainability of the community, its businesses, and structures. Eligible economic revitalization projects must provide a public benefit or deliver neighborhood enhancements including job creation for local residents, blight elimination, or the provision of qualified goods or services to residents of targeted, low- and moderate-income areas in Phoenix.

Financial Impact
The CDBG Program is funded by the U.S. Department of Housing and Urban Development; there is no impact to the General Fund.

Concurrence/Previous Council Action
This item was recommended for approval by the Land Use and Livability Subcommittee on March 17, 2021 by a unanimous vote.

Location
8519 N. 7th St. (Target Area F Redevelopment Area)
Council District: 3

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 38

MOU with American Forests on Tree Equity Projects

Request to authorize the City Manager, or his designee, to enter into a Memorandum of Understanding between the City of Phoenix and American Forests for a five-year collaboration to achieve a shared vision of “tree equity” in Phoenix neighborhoods. There is no financial impact to the City associated with this item.

Summary

Trees are more than just scenic amenities in neighborhoods fortunate enough to have them; they are critical infrastructure that improve quality of life by lessening the impacts of climate change and corresponding heat-related illnesses, dramatically improving air quality, increasing positive behaviors, and providing tree care industry careers. Tree Equity is the term American Forests trademarked to raise awareness about the need to address historic disparities in tree canopy in cities throughout the United States.

American Forests is the oldest national nonprofit conservation organization in the United States. Since its founding in 1875, they have been the pathfinders for creating healthy forests from coast to coast. In the early 1900s, for example, they rallied forest advocates to champion creation of the U.S. Forest Service, and in 2018, won a decade -long campaign persuading Congress to provide stable funding for preventing and fighting forest fires.

Today, American Forests is focused on building a reforestation movement in America, by partnering with cities to grow the urban forest in neighborhoods that need it most--heat vulnerable communities that have a limited tree canopy. American Forests has established connections with businesses and philanthropy desiring to invest in vulnerable communities, and has selected a handful of communities to partner with, including Phoenix--given our clear goals, a growing investment in the urban forest, and vision for the path forward.

Goal of Tree Equity Partnership

Achieving Tree Equity means all of Phoenix’s neighborhoods will reach a minimal standard of tree canopy cover that is feasible and appropriate for the city’s desert climate and conditions by 2030.The Phoenix Tree Equity Partnership will use American

Forests' impact model to pursue Tree Equity and produce outcomes at scale across the City. Partners will focus on the six different aspects of the impact model, shown below.

1. Stakeholder Facilitation - The social, public health and environmental benefits trees provide impact both individual people and governmental services on many levels. The City and American Forests will collaborate and invite further collaboration with neighborhood and community groups, nonprofit organizations, industry professionals, academic researchers and county, state, tribal and federal agencies also wanting to contribute to achieving a citywide Tree Equity goal. Facilitation and other roles will be determined based on staffing capacity and funding.
2. Planning - The partnership will use as-needed technical resources such as existing Phoenix tree canopy inventories and assessments, walk-shed and "cool corridor" mapping analyses, the findings of the urban forest climate vulnerability assessment recently undertaken by the U.S. Forest Service (Northern Institute of Applied Climate Science) and American Forests' Tree Equity Score Analyzer, Vibrant Cities Lab and Career Pathways Action Guide. The objective is to identify existing inequities in tree canopy cover throughout Phoenix and optimize the urban forest for future climate scenarios to protect public health. Similar scientific resources that optimize protection of existing trees and planting new ones for public health and climate change outcomes will be used whenever possible.
3. Advocacy - Partners will cooperate with one another to engage state and federal policy makers, agencies and civic leaders to attract resources and advance programs that help every census block group neighborhood achieve a passing Tree Equity Score.
4. Funding - Existing levels of funding for urban forestry are inadequate. Partners to this agreement will collaborate amongst themselves and with other stakeholders to align the funding needs necessary to achieve Tree Equity with the interests of governmental, corporate and philanthropic funding entities as appropriate. Partners will also make use of innovative funding alternatives such as exploring environmental impact investing and carbon credits.
5. Planting and Protecting - Achieving Tree Equity across the Phoenix region will be a function of preserving existing tree canopy and planting new trees in locations where their climate and public health benefits are maximized. Tree planting and maintenance work also offers the opportunity to advance Tree Equity even further by intentionally training and hiring people from population groups who have typically been under-represented in urban forestry careers.
6. Communicating and Replicating - Achieving Tree Equity will only be achievable and sustainable if the benefits and progress of doing so are widely shared and made known. Partners will identify strategic opportunities and milestones and use the commercial and proprietary broadcast, print and electronic media resources

available to them to promote Tree Equity efforts.

This Memorandum of Understanding reflects a commitment among the parties to work toward the vision and purpose described above. This Memorandum of Understanding is an affirmative expression of each partner's intent to collaborate by putting forth their best, professional efforts and does not obligate or restrict the activity of any party in any way.

Contract Term
The Memorandum of Understanding will remain in effect for five years from the date of signing but could be cancelled with 60-days' notice by either party.

Financial Impact
There is no financial impact associated with this item.

Concurrence/Previous Council Action
The Transportation, Infrastructure and Innovation Subcommittee approved this item on April 7, 2021, by a vote of 4-0.

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 39

Recreation Management Software Application Upgrades (Ordinance S-47497)

Request to authorize the City Manager, or his designee, to authorize the City Controller to disburse all funds related to critical online improvements to the Parks and Recreation Department's current recreation management software application used by the City. The total payment authority requested is $24,000, to be paid in two phases.

Summary

The Parks and Recreation Department utilizes ActiveNet, the recreation management software application for facility rentals, activity registration, membership management, league management, point of sale, reports and credit card processing. The provider is Active Network.

Currently, if members of the public desire to make reservations for sports fields, courts, classrooms, certain ramadas and other permits, they must contact staff during business hours and/or visit a physical location, such as a division office or recreation center. During the COVID-19 pandemic, recreation centers have been closed, making it more difficult for the public to make reservations.

In order to respond appropriately to the changing environment the pandemic has presented, and to provide a higher level of service to the community, staff was approved to work with Active Network to begin the software reconfiguration necessary to provide the public with the ability to make reservations online. The ActiveNet system already allows for the ability to pay for classes and beer permits online; therefore, the Active Network Remote Refresher and System Optimization software will further enhance online offerings, making additional reservations/permits available to the public online.

Because the existing contract with Active Network, Agreement 148327, is revenue-based, a payment authority was not previously requested; therefore, at present there is not a payment mechanism for the software reconfiguration services.

Contract Term

Agreement 148327 was entered into in 2018, for a term of five years with an option to extend for another five-year period, making Active Network a sole-source provider of

the proprietary functions being provided.

Financial Impact
The total payments to Active Network pursuant to this project will not exceed $24,000. Funds are available in the Parks and Recreation Department's budget.

Emergency Clause
Active Network agreed to begin providing the software reconfiguration services described herein, which are time sensitive due to the ongoing COVID-19 pandemic. The requested emergency clause is needed to pay Active Network prior to the typical 30-day period required for the ordinances to go into effect.

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 40

Aircraft Rescue Firefighter Training (Ordinance S-47504)

Request authorization for the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Dallas Fort Worth (DFW) International Airport Fire Training Resource Center for Aircraft Rescue Firefighter Training for the Fire Department. Further request authorization for the City Controller to disburse funds required for this item.

Summary

Phoenix Sky Harbor International Airport (PSHIA) has Aircraft Rescue Firefighting (ARFF) capability. In order to maintain this capability, City of Phoenix Fire Department (PFD) firefighters stationed at PSHIA must train in accordance with Federal Aviation Administration (FAA) standards. These standards mandate that PFD firefighters train with live burn exercises each year, and every third year the training must be held at a facility with multiple, simultaneously burning full-scale aircraft. DFW meets or exceeds the Index D training facility requirements by the FAA.

There are very few large-scale training sites located across the United States that meet the Index D training facility requirements set by the FAA. ARFF requires a site with ample flight availability and proximity to allow an approximate 24 hour turn around training for students. DFW is a large-scale training facility and meets the flight and proximity requirements.

DFW has taken exception to the indemnification and liability provisions in the contract. PFD is seeking an exception to Phoenix Code section 42-18 in allowing for indemnification against any liability, claim, loss, damage or expenses, including without limitation, reasonable attorney fees, arising from its negligent acts or omissions in connection with its performance of the agreement, or its failure to comply with the terms of the agreement, as determined by a court of competent jurisdiction. PFD is also seeking an exception to Phoenix Code section 42-18 in allowing a limitation of damages not to exceed $5,000,000.

Contract Term

The contract term shall begin on or about April 21, 2021 and end April 20, 2026.

Financial Impact
Maximum total five-year contract value could be up to $500,000. The funds are in the Aviation Department's budget.

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 41

Aviation Glass Repair, Replacement and Maintenance Services Agreement (Ordinance S-47484)

Request to authorize the City Manager, or his designee, to consent to assignment and assumption of Aviation Glass Repair, Replacement and Maintenance Services Agreement 152953 from True View Windows and Glass Block, Inc. which had changed its name to True-Point Ventures, Inc to True View Windows and Glass LLC, a Delaware limited liability company. All terms and conditions of the Agreement will remain the same and there is no additional financial impact as part of this request.

Summary

Agreement 152953 (Agreement) provides glass repair, replacement, installation and maintenance services for facilities throughout Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and the Phoenix Goodyear Airport. True-Point Ventures, Inc (Assignor) is assigning the Agreement to True View Windows and Glass LLC, a Delaware limited liability company (Assignee). This assignment and assumption require the City's prior approval.

Contract Term

The Agreement started Oct. 1, 2020 for a five-year aggregate term with no options to extend.

Financial Impact

The Agreement was authorized for an amount not-to-exceed $1 million for the five-year aggregate agreement term. There is no change to the financial impact.

Concurrence/Previous Council Action

The City Council approved Aviation Glass Repair, Replace and Maintenance Services Agreement 152953 (Ordinance S-46913) on Sept. 16, 2020.

Location

Phoenix Sky Harbor International Airport - 3400 E. Sky Harbor Blvd.
Phoenix Deer Valley Airport - 702 W. Deer Valley Road
Phoenix Goodyear Airport - 1658 S. Litchfield Road, Goodyear, Ariz.
Council Districts: 1, 8 and Out of City

Responsible Department

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 42

Fuel Supply System Compliance Inspection, Testing, Maintenance and Repair Services - Agreement Recommendation (Ordinance S-47485)

Request to authorize the City Manager, or his designee, to enter into an agreement with A&H Contracting Services, Inc. for compliance inspection, testing, maintenance and repair services for the Aviation Department. Further request authorization for the City Controller to disburse all funds related to this item. The agreement amount will not to exceed $300,000.

Summary
The contractor will provide compliance inspections, testing, maintenances, and repair services for the fuel systems at various fuel sites throughout Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport, and Phoenix Goodyear Airport.

Procurement Information
An Invitation for Bid (IFB) 21-006 was conducted in accordance with Administrative Regulation 3.10. One bid was received on Feb. 3, 2021 from A&H Contracting Services, Inc. The offer was evaluated based on the minimum qualifications, price, responsive and responsible to provide the required goods and services. The offer from A&H Contracting Services, Inc. is deemed to be fair and reasonable based on the market and the previous contract pricing.

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

Financial Impact
The agreement value will not exceed $300,000 for the five-year aggregate agreement term. Funding is available in the Aviation Department's budget.

Locations
Phoenix Sky Harbor International Airport - 3400 E. Sky Harbor Blvd.
Phoenix Deer Valley Airport - 702 W. Deer Valley Road
Phoenix Goodyear Airport - 1658 S. Litchfield Road, Goodyear, Ariz.
Council Districts: 1, 8 and Out of City

Responsible Department

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 43

Executive Hangar Lease at Phoenix Sky Harbor International Airport (Ordinance S-47493)

Request to authorize the City Manager, or his designee, to enter into an Executive Hangar Lease with Modern Industries, Inc. at Phoenix Sky Harbor International Airport for two years, with two, one-year options to extend the term of the Lease.

Summary
Modern Industries, Inc. (Modern) currently subleases space from Honeywell International, Inc. at Phoenix Sky Harbor International Airport where they are engaged in the aerospace and semiconductor industries. Modern has requested to lease Executive Hangar E13 to store the company's aircraft.

Contract Term
The term will be for two years, with two, one-year options to extend the Lease.

Financial Impact
Rent for the first year of the lease will be approximately $29,645 ($7.04 per square foot). Rent will be adjusted annually based on the Phoenix-Mesa-Scottsdale Consumer Price Index. Total anticipated revenue over the term, if all options are exercised, will be approximately $118,582.

Concurrence/Previous Council Action
- The Phoenix Aviation Advisory Board recommended this item for approval on March 18, 2021, by a vote of 9-0.
- The Transportation, Infrastructure and Innovation Subcommittee recommended this item for approval on April 7, 2021, by a vote of 4-0.

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

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 44

Parking Access Revenue Control System Maintenance and Technical Support Contract - Extension (Ordinance S-47501)

Request to authorize the City Manager, or his designee, to extend the existing Contract 142643 with Scheidt & Bachmann USA, Inc. for ongoing maintenance and technical support of the Parking Access Control System at Phoenix Sky Harbor International Airport. Further request authorization for the City Controller to disburse all funds related to this item. The agreement value will not exceed $7,812,000.

Summary

Parking is the largest non-aeronautical revenue source at the airport, and the Parking Access Control System (PARCS) is the underlying technology which facilitates that operation. PARCS supports the operation of nine parking facilities with approximately 26,000 parking spaces. The system consists of airport-wide infrastructure that includes 43 entries, 39 exits, nine pay-on-foot kiosks, and 72 license-plate revenue control cameras. This hardware is actuated by parking management software that enables passengers and employees to park in various airport parking facilities and pay their parking fees. Prior to COVID-19, the system processed approximately 3.1 million parking transactions and generated revenue exceeding $90 million per year.

PARCS is a highly complex system and is tightly integrated with several other key airport systems, including SAP for revenue management, a third-party Online Reservations System, Aviation’s Security and Access Control System and Employee Parking System for access control, and the Chase Bank payment system. Under the current support contract, the vendor provides maintenance services, including 24/7 technical support, software updates, firmware updates, security patches, system enhancements and modifications, repair and replacement, and onsite/remote troubleshooting for operational issues. The system currently performs as expected and meets the Airport's needs. From a life-cycle perspective, the current system has useful life remaining and does not require major hardware or software upgrades or replacements. The current support contract expires May 31, 2021.

The estimated implementation cost for a brand-new system is approximately $10.5 million with an annual maintenance cost of $1.25 million, resulting in a total cost of ownership of $16.75 million over five years. The current maintenance contract, if

extended, would result in annual maintenance cost of $1.56 million, or a total cost of ownership of $7.8 million over five years. Considering the scope and scale of the system, a replacement would also take approximately two or more years and require the current contract to be extended for a minimum of three years to allow for a new solicitation followed by the implementation. Extending the existing contract will ensure that maintenance and technical support will not be interrupted and foregoing a replacement effort at this time will result in a significant cost savings and mitigate any revenue loss for the Aviation Department.

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

Contract Term
The contract extension will begin on or about June 1, 2021 for an initial two-year term, with three one-year options to extend for a five-year aggregate contract term.

Financial Impact
The contract extension value will not exceed $7,812,000 for the five-year term aggregate term, with an estimated annual cost of $1,562,400. Funding is available in the Aviation Department's budget.

Concurrence/Previous Council Action
- The Phoenix Aviation Advisory Board recommended this item for approval on March 18, 2021, by a vote of 9-0.
- The Transportation, Infrastructure and Innovation Subcommittee recommended this item for approval on April 7, 2021, by a vote of 4-0.

Location
Parking facilities at Phoenix Sky Harbor International Airport
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: 4/21/2021, **Item No.** 45

United States of America and State of Arizona Airport Joint Use Agreement at Phoenix Sky Harbor International Airport (Ordinance S-47503)

Request to authorize the City Manager, or his designee, to enter into a Joint Use Agreement with the United States of America, acting by and through Chief, National Guard Bureau, and the State of Arizona, acting by and through the Adjutant General (collectively known as Air National Guard [ANG]) at Phoenix Sky Harbor International Airport. The term of this Agreement will be for 10 years. The rent over the agreement term will be $1,014,000.

Summary
The Joint Use Agreement allows the ANG use of Phoenix Sky Harbor International Airport (PHX) facilities that are open to the public, which includes, but is not limited to: runways, taxiways, lighting systems, navigational aids, markings, and appurtenances. The Aviation Department is responsible for maintaining the public facilities at PHX. The ANG will be responsible for any damages to public facilities at PHX, if such damage is caused solely by the ANG. Although City Council previously authorized a five-year term on Oct. 16, 2019, ANG has requested a 10-year term.

Contract Term
The term of the agreement will be ten years with no options to extend.

Financial Impact
Rent over the term of the agreement will be $1,014,000.

Concurrence/Previous Council Action
The City Council approved Air National Guard Joint Use Agreement (Ordinance S-46115) on Oct. 16, 2019.

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

Responsible Department

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 46

Fluid Analysis - Agreement Recommendation (Ordinance S-47472)

Request to authorize the City Manager, or his designee, to enter into an agreement with Empire Southwest, LLC to provide fluid analysis on the City's fleet vehicles and equipment. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate amount of $235,000.

Summary

The Public Works Department maintains a fleet of over 6,800 vehicles and equipment, including light, medium, and heavy-duty units. This agreement will provide the ability for technicians to collect and ship fluid, such as oil or transmission fluid, to a local vendor for the purpose of analyzing the fluid for contaminants. The units tested under this agreement range from daily driven fleet cars and trucks to emergency response vehicles and equipment such as fire apparatus and police patrol units. This agreement will be used to support fleet managed by Public Works and the Aviation departments.

Procurement Information

Invitation for Bid (IFB) 21-FSD-020 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department received four bids, with an overall group total determining low bid. The vendor below was the only successful bid to be deemed responsive and responsible and is being recommended for award.

Empire Southwest, LLC: $23,160

Contract Term

The initial one-year agreement term shall begin on or about Council approval on April 21, 2021, with four option years to be exercised in increments of up to one year, for a total agreement option term of five years.

Financial Impact

This agreement will have an estimated annual expenditure of $47,000, with a total aggregate amount of $235,000 over the life of the agreement. 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: 4/21/2021, **Item No.** 47

Forklifts - Agreement Recommendation (Ordinance S-47474)

Request to authorize the City Manager, or his designee, to enter into an agreement with Leavitt Machinery USA, Inc., dba Reliable Forklift Sales, Handling Systems, Inc., and Octane Forklifts, Inc., for the purchase of various types of forklifts used for operations. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate amount of $1.25 million.

Summary

The Public Works Department has an immediate need to purchase various types of forklifts for City departments. This equipment will be used to safely move and lift items from one location to another within a warehouse, maintenance yard, or other facility to maintain employee safety or prevent damage to materials being moved. Currently, 37 forklifts in the fleet have exceeded their 15-year life cycle. This contract supports the replacement of aged equipment in Public Works, Police, Fire, Parks and Recreation, Neighborhood Services, Human Resources, and the City Clerk departments. Over the next five years, this agreement will also support an additional 24 forklifts estimated to exceed the 15-year life cycle through the life of the contract.

Procurement Information

Invitation for Bid (IFB) 21-FSD-037 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department received four bids, with all being deemed responsive and responsible, with the vendors being recommended for award based on low bid found in **Attachment A**.

Contract Term

This agreement will begin on or about Council approval on May 1, 2021 and will have an initial one-year contract period, with four additional option years to be exercised in increments of up to one year, for a total contract term of five years.

Financial Impact

This item will have an estimated $250,000 annual expenditure, with a total aggregate amount of $1.25 million over the life of the contract. Funding is available in various City departments' budgets.

Responsible Department

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

ATTACHMENT A

IFB 21-FSD-037 – FORKLIFTS

Recommended vendor noted with an "X"

	Vendor							
Bid Item One: Propane Forklift	Handling Systems, Inc.		Leavitt Machinery USA, Inc, dba Reliable Forklift Sales		Naumann Hobbs Material Handling Corp II, Inc.		Octane Forklifts, Inc.	
4,000 lbs	X	$23,374.00	X	$21,620.00		$30,008.39		$29,138.00
5,000 lbs	X	$23,994.00	X	$22,464.00		$31,692.59		$29,860.00
6,000 lbs	X	$24,935.00	X	$23,932.00		$35,981.27		$29,925.00
7,000 lbs	X	$26,713.00	X	$26,484.00		$38,150.79		$32,786.00
10,000 lbs	X	$49,332.00	X	$41,189.00		$54,583.98		$52,569.00
Bid Item One: Unleaded Gas/LPG Forklift								
4,000 lbs	X	$23,924.00	X	$22,473.00		no bid		$29,138.00
5,000 lbs	X	$24,997.00	X	$23,119.00		no bid		$29,860.00
6,000 lbs	X	$25,685.00	X	$24,582.00		no bid		$29,925.00
7,000 lbs	X	$27,463.00	X	$27,134.00		no bid		$32,786.00
10,000 lbs	X	$49,910.00	X	$42,989.00		no bid		$52,569.00
Bid Item One: Diesel Forklift								
4,000 lbs	X	$24,974.00	X	$25,553.00		$35,775.00		$27,068.00
5,000 lbs	X	$25,281.00	X	$26,179.00		$37,416.83		$27,724.00
6,000 lbs	X	$28,834.00	X	$28,118.00		$40,291.53		$29,726.00
7,000 lbs	X	$29,619.00	X	$30,582.00		$42,363.92		$32,542.00
10,000 lbs	X	$52,806.00	X	$44,952.00		$59,199.09		$55,913.00
Bid Item Two: Electric Pallet Truck								
2,000 lbs		no bid		$31,282.00		$18,618.00	X	$7,946.00
4,000 lbs		no bid		$31,563.00		$18,618.00	X	$10,414.00
6,000 lbs		$14,400.00		no bid		$18,618.00	X	$11,166.00
Bid Item Three: Narrow Aisle Forklift								
3,200 lbs	X	$66,540.00	X	$62,530.00		$121,011.00		no bid
4,500 lbs	X	$74,992.00		no bid		$121,011.00		no bid
5,500 lbs	X	$78,850.00		no bid		$121,011.00		no bid
Bid Item Four: Walkie Reach Pallet Truck								
2,500 lbs	X	$24,535.00		no bid		$30,636.46		no bid
3,500 lbs		no bid	X	$15,381.00		$30,636.46		no bid
4,500 lbs		no bid		no bid		no bid		no bid

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 48

Purchase Street Sweepers - COOP 21-071 (Ordinance S-47487)

Request to authorize the City Manager, or his designee, to use a cooperative agreement with Balar Holding Corp. dba Balar Equipment Company for the one-time purchase of seven street sweepers for the Public Works Department. The cooperative contract was established by the Arizona Department of Transportation under solicitation number BPM002883. Further request to authorize the City Controller to disburse all funds related to this item. The total contract amount will not exceed $2,119,038.

Summary

Street sweepers are purchased in accordance with Particulate Matter (PM-10) guidelines using Maricopa Association of Governments (MAG) funding to reimburse the City for 94.3 percent of the total cost. By using MAG funding and the State of Arizona contract, the City will save approximately $1.90 million as a result of the MAG reimbursement funding program. In addition, the City continually uses street sweepers as dust inhibitors and for pollution preventive measures. The seven sweepers will replace sweepers that are currently in Street Transportation Department's fleet and have reached the end of their useful life cycle or have become too costly to keep in operation.

Procurement Information

In accordance with Administrative Regulation 3.10, the City is authorized to use cooperative agreements from other public agencies. The agreement was awarded through a competitive process consistent with the City's procurement processes, as set forth in the Phoenix City Code, Chapter 43.

The Arizona Department of Transportation agreement covers the purchase of the street sweepers as required by the Public Works Department and was awarded on Oct. 30, 2020. The use of this cooperative agreement will provide the City significant discounts on these products. Additionally, review of pricing and availability from registered small and local businesses indicates that this cooperative agreement offers the best value to the City.

Both the American Bar Association and National Institute of Government Purchasing endorse the use of cooperative agreements by municipalities and other public institutions. An established best practice in government procurement, cooperative agreements provide extensive benefits to procurement officials by leveraging volume purchasing for maximum cost benefit and ensuring best value.

The Deputy Finance Director recommends that use of the cooperative agreement with Balar Holding Corp. dba Balar Equipment Company be accepted.

Contract Term
This one-time purchase will begin on or about April 7, 2021.

Financial Impact
The total agreement amount will not exceed $2,119,038. Funding is available in the Street Transportation 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: 4/21/2021, **Item No.** 49

Downtown Shared Electric Scooter Pilot Program Fee Increases to Ensure Full Cost Recovery (Ordinance G-6835)

Request to authorize the City Manager, or his designee, to approve fee increases associated with the Downtown Shared Electric Scooter Pilot Program to ensure full cost recovery.

Summary

On June 26, 2019, City Council unanimously approved the Downtown Shared Electric Scooter Pilot Program, which allowed shared electric scooter vendors to obtain a permit to operate within the City of Phoenix. As part of the Pilot Program, City Council approved Ordinance G-6602, amending the Phoenix City Code to allow shared electric scooters to operate on public streets. The Ordinance amendment also included definitions for an electric scooter and authorized the City of Phoenix Police Department or peace officer to issue civil traffic citations for, among other things, speed limit violations, yielding the right-of-way, parking violations, and riding on the sidewalk. Additionally, the Ordinance amendment included a one-year sunset provision, which effectively would repeal the Code changes on June 25, 2020.

The initial six-month Pilot Program was to end on March 16, 2020. On Feb. 19, 2020, City Council approved Ordinance G-6676, extending the Pilot Program for an additional six months and to open the permit application process to allow new vendors to apply for the Pilot Program. Ordinance G-6676 also amended Ordinance G-6602 to extend the sunset provision until Dec. 31, 2020. Due to the COVID-19 pandemic, however, the start of the second six-month pilot program was delayed. To accommodate this delay, on Dec. 2, 2020, City Council approved Ordinance G-6772, extending the second six-month Pilot Program through March 31, 2021, and amending Ordinance G-6602 to extend the Phoenix City Code sunset provision to Dec. 31, 2021.

In October 2020, staff issued permits for the second six-month Pilot Program to two electric scooter vendors: Razor and Spin. The second six-month Pilot Program commenced on Oct. 1, 2020, and was scheduled to end on March 31, 2021. On March 17, 2021, City Council approved a 12-month extension of the Downtown Shared Electric Scooter Pilot Program through March 31, 2022, and an amendment to Ordinance G-6602 to extend the Phoenix City Code sunset provision to June 30, 2022.

Program Fees and Expenses

Vendors have been required to pay a $500 application fee and a $5,000 permit fee to participate in both six-month phases of the Pilot Program. In total, the City collected $27,500 in application and permit fees during the 12 months of the Pilot Program. In addition, vendors are invoiced monthly for a $0.10 surcharge fee per trip and for parking violations at the rate of $80 per scooter. During the first six-month phase of the Pilot Program, the City collected a total of $34,788 in surcharge fees and violations, and anticipates collecting an additional $16,000 during the second six-month phase. Therefore, the total revenue to the City during the initial 12-month Pilot Program will be approximately $78,288.

The City contracts with a scooter retrieval company, SWEEP, to monitor, report, and correct any vendor violations and is available 24 hours a day, seven days a week. The contract with SWEEP provides for a per day rate of $271, or approximately $8,100 per month. This rate is not based on the number of relocated scooters but on service availability. The total cost for the initial 12-month Pilot Program for SWEEP's contract will be approximately $94,203. Streets staff currently provide approximately four hours of program management efforts per week. The total cost for program management for the initial 12-month Pilot Program will be approximately $48,000. Therefore, the total cost to administer the Pilot Program for the first 12 months is estimated at $142,203.

Because the administrative expenses have exceeded the revenues to the City to date, the Street Transportation Department has been working to ensure the Pilot Program is cost neutral to the City. In order to ensure the Pilot Program is cost neutral, the department has prepared to modify the Pilot Program fees by posting the proposed fee increases for public notice, pursuant to Arizona Revised Statutes Section 9-499.15, on Feb. 1, 2021. The proposed fee increases are a $500 application fee (unchanged); a six-month permit fee not to exceed $7,500 (increase of $2,500); a surcharge fee per trip not to exceed $0.25 (increase of $0.15); and a relocation parking fee not to exceed $100 per scooter (increase of $20). The Street Transportation Department is evaluating potential contract modifications for scooter retrieval services and working with the two current vendors to set the appropriate fees within these limits to ensure the Pilot Program is cost neutral.

Concurrence/Previous Council Action

The Aviation and Transportation Subcommittee:

- Recommended approval of the initial Pilot Program on Jan. 22, 2019, by a vote of 3 -0; and
- Reviewed this item on June 25, 2019.

The Transportation, Infrastructure and Innovation Subcommittee:
- Was provided with a three-month update on the Pilot Program on Jan. 7, 2020;
- Recommended approval of the Pilot Program extension on Feb. 5, 2020, by a vote of 4-0;
- Was provided with an update on the Pilot Program extension on Feb. 3, 2021, and requested the item be brought back to the March 3, 2021, meeting; and
- Was provided with an update on the second six-month extension and recommended approval of a twelve-month extension on March 3, 2021, by a vote of 4-0.

The Planning and Economic Development Subcommittee:
- Was provided information on the initial Pilot Program on Feb. 5, 2019; and
- Received an update for information and discussion on June 4, 2019.

The Workforce and Economic Development Subcommittee:
- Was provided a report with a summary of the second six-month extension on Feb. 24, 2021 and presented on March 24, 2021.

The City Council approved:
- The Pilot Program (Ordinance G-6602) on June 26, 2019;
- A Pilot Program extension (Ordinance G-6676) on Feb. 19, 2020;
- A Sunset Provision extension (Ordinance G-6772) on Dec. 2, 2020; and
- A Pilot Program extension and a Sunset Provision extension (Ordinance G-6823) on March 17, 2021.

Public Outreach
The proposed fee increases were posted on phoenix.gov at least 60 days prior to this meeting in compliance with Arizona law. The schedule and written report or data supporting the increased fees is filed in the City Clerk Department. Also, as required by state law, a notice of intent to establish the proposed fee increases was posted on phoenix.gov at least 15 days prior to this meeting and was distributed through the City's social media accounts.

Location
The main boundaries of the Pilot Program are from 7th Avenue to 7th Street and from Buckeye to McDowell roads. The Pilot Program boundary includes an extension of the area bounded by Roosevelt Street and Grand Avenue, and a reduction of the northern boundary to Portland Street between 7th and Central avenues.
Council Districts: 4, 7 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: 4/21/2021, **Item No.** 50

Amend City Code - Section 36-158, Schedule I, Local Speed Limits at 19 Locations (Ordinance G-6839)

Request to amend Phoenix City Code, section 36-158, Schedule I, Local Speed Limits at 19 locations due to record keeping and local speed limit changes.

Summary

Speed limits are established under Arizona Revised Statutes, section 28-703, which requires an "engineering study and traffic investigation." The Phoenix City Code and Charter require that all local speed limits on City streets be approved by City Council in the form of an amendment to Phoenix City Code (**Attachment A**).

The Street Transportation Department (Streets) is recommending record keeping and local speed limit changes at the 19 locations summarized in (**Attachment B**). Streets staff has conducted a comprehensive review of the speed limit ordinance and has noted locations where speed limits posted on City streets do not match the speed limits included in the current ordinance. In addition to these record keeping changes, there are streets or street segments that are being removed from the ordinance as they are either private or no longer part of the City's street network. Only one change is related to the construction of a street that warrants a speed limit change. As with all recommended speed limit changes, they are based on traffic investigations conducted with the engineering judgment of Streets staff.

Streets actively and regularly reviews posted speed limits and reconciles any discrepancies with the ordinance. Field reviews are typically conducted by the Streets Traffic Services Investigations team, but most recently this effort has been supported by the Universal Right-of-Way Inspections team. Field reviews over the last year have been completed for over 700 street segments. This update includes findings and corrections from approximately half of the reviews conducted, with the remainder anticipated for completion by October 2021.

Concurrence/Previous Council Action

The Transportation, Infrastructure and Innovation Subcommittee recommended approval of this item on April 7, 2021, by a vote of 4-0.

Responsible Department

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

ATTACHMENT A

ARTICLE XII. PENALTY AND SCHEDULES

36-158 Schedule I—Local speed limits.

It is hereby determined upon the basis of an engineering and traffic investigation that the speed limit permitted by state law on the following streets or intersections is greater or less than is reasonable under existing conditions, and it is hereby declared that the maximum speed limits shall be as hereinafter set forth on those streets, parts of streets or intersections herein designated at the times specified when signs are erected giving notice thereof.

The City Traffic Engineer may declare a maximum speed limit that is determined pursuant to this section to be effective at all times or at such times as indicated on the speed limit signs. The City Traffic Engineer may establish lower speed limits for different times of day, different types of vehicles, varying weather conditions, special events, work zones for construction, maintenance or other activity in the roadway and other factors bearing on safe speeds. The lower limits are effective when posted on appropriate fixed, variable or portable signs.

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.	
Acoma Drive	51st Avenue to 43rd Avenue
Acoma Drive	Black Canyon Freeway to 23rd Avenue
Acoma Drive	36th Street to 40th Street
Acoma Drive	Tatum Boulevard to 64th Street
~~Air Lane~~	~~1,240 Feet East of 32nd Street to 750 Feet East of 36th Street~~
Arroyo Norte Drive	Northbound I-17 Frontage Road to 3900 West
~~Beardsley Road~~	~~20th Street to Cave Creek Road~~
Beardsley Road	32nd Street to 34th Street
Butler Drive	39th Avenue to 27th Avenue
Butler Drive	Black Canyon Freeway to 19th Avenue
Campbell Avenue	71st Avenue to 51st Avenue

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.	
Campbell Avenue	113th Avenue to 107th Avenue
Campbell Avenue	35th Avenue to 15th Avenue
Campbell Avenue	12th Street to 16th Street
Campbell Avenue	20th Street to 44th Street
Canterbury Drive	Thunderbird Road to Tam-O-Shanter Drive
Cashman Drive	Pinnacle Peak Road to 44th Street
~~Central Avenue~~	~~Lincoln Street to Roosevelt Street~~
CENTRAL AVENUE	**LINCOLN STREET TO MADISON STREET**
Central Avenue	Grovers Avenue to Union Hills Drive
Chauncey Lane	68th Street to Scottsdale Road
Cholla Street	24th Street to 56th Street
Clarendon Avenue	55th Avenue to Maryvale Parkway
Colter Street	16th Street to SR-51
Copperhead Trail	North Valley Parkway to Gambit Trail
Copperhead Trail	West of 14th Lane Traffic Circle to Gambit Trail
Coral Gables Drive	Thunderbird Road to 7th Street
Deer Valley Drive	0.5 Miles East of 7th Street to Cave Creek Road
Desert Willow Parkway	East Dixileta Drive to Dynamite Boulevard
Desert Willow Parkway West	30200 North Cave Creek Road to 31000 North Cave Creek Road
Dove Valley Road	52nd Place to 56th Street

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.	
Dunlap Avenue	7th Street to 12th Street
Durango Street	67th Avenue to 63rd Avenue
Elwood Street	40th Street to 48th Street
Encanto Boulevard	93rd Avenue to 91st Avenue
Encanto Boulevard	75th Avenue to 73rd Avenue
Encanto Boulevard	71st Avenue to 51st Avenue
Encanto Boulevard	49th Avenue to 31st Avenue
Encanto Boulevard	Grand Avenue to 19th Avenue
Freemont Road	Rough Rider Road to Cashman Drive
Galvin Parkway	100 Feet +/- North of East Papago Park to Traffic Circle at Botanical Garden Entrance
Greenway Road	20th Street to Cave Creek Road
Grovers Avenue	51st Avenue to 27th Avenue
Grovers Avenue	Central Avenue to Cave Creek Road
Hatcher Road	Central Avenue to 12th Street
Highland Avenue	Campbell Avenue to 107th Avenue
Highland Avenue	16th Street to 24th Street
Illini Street	30th Street to Riverpoint Parkway
Jefferson Street	27th Avenue to 23rd Avenue
Jefferson Street	7th Avenue to 4th Avenue
Jefferson Street	4th Street to 7th Street

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.	
Jesse Owens Parkway	Central Avenue to 7th Street
Jones Avenue	103rd Avenue to 99th Avenue
Kelton Lane	29th Avenue to 28th Avenue
Knox Road	Warpaint Drive to 36th Street
Lakewood Parkway West	3300 East to 3600 East to 17000 South to 15800 South
Lakewood Parkway East	3600 East to 3800 East to 17000 South to 15800 South
Lindner Drive (West Section)	45th Avenue to Augusta North
Lindner Drive (East Section)	45th Avenue to Grovers Avenue
Lockwood Drive	Freemont Road to Cashman Drive
Marriott Drive	Pathfinder Drive to Deer Valley Drive
Maryland Avenue	43rd Avenue to Black Canyon Freeway
Maryvale Parkway	51st Avenue to Indian School Road
~~Mayo Boulevard~~	~~Black Mountain Boulevard to 40th Street~~
Missouri Avenue	43rd Avenue to 27th Avenue
Missouri Avenue	Black Canyon Freeway to 19th Avenue
Mohave Street	7th Avenue to 7th Street
Morningside Drive	Black Canyon Freeway to 21st Avenue
MORTEN AVENUE	16th Street to 1900 East
Mountain View Road	23rd Avenue to 15th Avenue

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.	
Mountain View Road	12th Street to 17th Street
Mountain View Road	32nd Street to 36th Street
Northern Avenue	26th Street to 32nd Street
North Valley Parkway	Carefree Highway to 33rd Lane
Oak Street	16th Street to 24th Street
Oak Street	32nd Street to 44th Street
Oak Street	48th Street to 52nd Street
Oak Street (Eastbound)	56th Street to 64th Street
Olympic Drive	Central Avenue to Jesse Owens Parkway
Orangewood Avenue	43rd Avenue to 19th Avenue
Osborn Road	83rd Avenue to 75th Avenue
Osborn Road	73rd Avenue to Grand Avenue
Osborn Road	Black Canyon Freeway to 19th Avenue
Osborn Road	40th Street to 56th Street
Paradise Lane	7th Street to 16th Street
Paradise Lane	Tatum Boulevard to 56th Street
Paradise Lane	47th Avenue to 43rd Avenue
Pathfinder Drive	44th Street to Marriott Drive
Piedmont Road	48th Street to 51st Street
Pinnacle Vista Drive	Pyramid Peak Parkway to Inspiration Mountain Parkway

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.	
Pinnacle Vista Drive	52nd Street to 56th Street
Quail Track Drive	North Valley Parkway to Copperhead Trail
Ranger Drive	Tatum Boulevard to 55th Street
Riverpoint Parkway	Wood Street to Illini Street
Roeser Road	7th Avenue to Central Avenue
Roeser Road	40th Street to 48th Street
Roosevelt Street	51st Avenue to 43rd Avenue
Roosevelt Street	39th Avenue to 35th Avenue
Roosevelt Street	33rd Avenue to 27th Avenue
Roosevelt Street	19th Avenue to 16th Street
Rose Garden Lane	29th Avenue to 19th Avenue
Rough Rider Road	Aviano Way to 40th Street
Sells Drive	79th Drive to 71st Drive
SKY CROSSING WAY	DEER VALLEY ROAD TO 33RD STREET
Squaw Peak Drive	Lincoln Drive to Squaw Peak Park Boundary
SR-51 (East Access Road)	500 Feet North of Camelback Road to Colter Street
Stanford Drive	40th Street to 44th Street
Stetson Hills Loop	43rd Avenue to 39th Drive
Sweetwater Avenue	51st Avenue to Black Canyon Freeway
Sweetwater Avenue	32nd Street to 42nd Street

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.	
Sweetwater Avenue	Paradise Valley Parkway East to Scottsdale Road
Thunderbird Road	28th Street to 32nd Street
Trailblazer Drive	44th Street to Tatum Boulevard
University Drive	24th Street to Magnolia Street (2700 East)
Utopia Road	23rd Avenue to 19th Avenue
Van Buren Street	7th Street to 16th Street
Via Del Deserto	33rd Lane to Via Puzzola
Via Puzzola	Carefree Highway to Cloud Road
Via Tramonto	Carefree Highway to Via Vista
Via Vista	27th Avenue to Via Tramonto
Vineyard Road	47th Avenue to 43rd Avenue
Virginia Avenue	35th Avenue to 27th Avenue
Virginia Avenue	Central Avenue to 12th Street
Warpaint Drive	Knox Road to Coconino Street
Washington Street	7th Avenue to 4th Avenue
Washington Street	4th Street to 7th Street
Wier Avenue	39th Avenue to 35th Avenue
Winchcomb Drive	26th Avenue to Acoma Drive (2300 West)
Wood Street	Riverpoint Parkway to University Drive
1st Avenue	Grant Street to Roosevelt Street

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.	
3rd Avenue	Van Buren Street To McDowell Road
3rd Avenue	Thomas Road to Osborn Road
3rd Street	Monroe Street to Fillmore Street
5th Avenue	Van Buren Street To McDowell Road
5th Street	Van Buren Street to 5th Street Crossover
5th Street Crossover	5th Street to Fillmore Street
7th Avenue	Jackson Street to Van Buren Street
7th Avenue	Coral Gables Drive to Greenway Parkway
7th Street	Jefferson Street to Van Buren Street
11th Avenue	Greenway Parkway to Bell Road
11th Street	Washington Street to Moreland Street
12th Street	Vineyard Road to Southern Avenue
12th Street	Moreland Street to Thomas Road
12th Street	Osborn Road to Indian School Road
12th Street	Bell Road to Agua Fria Freeway
15th Avenue	Harrison Street to Van Buren Street
15th Avenue	Bethany Home Road to Northern Avenue
15th Avenue	Hatcher Road to Shangri-La Road
15th Avenue	Bell Road to Grovers Avenue
15th Avenue	Union Hills Drive to Utopia Road

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.	
16th Street	Grovers Avenue to Beardsley Road
18th Street	Camelback Road to 500 Feet North of Camelback Road
20th Street	Dobbins Road to Baseline Road
20th Street	Roeser Road to Broadway Road
20th Street	Jefferson Street to Roosevelt Street
20th Street	McDowell Road to Cambridge Avenue
20th Street	Indian School Road to Highland Avenue
20th Street	Missouri Avenue to Bethany Home Road
21st Avenue	Bell Road to Union Hills Drive
23rd Avenue	Indian School Road to Bethany Home Road
23rd Avenue	Orangewood Avenue to Dunlap Avenue
23rd Avenue	Acoma Drive to Greenway Road
23rd Avenue	Union Hills Drive to Utopia Road
24th Street	Shea Boulevard to Sweetwater Avenue
26th Avenue	Thunderbird Road to Acoma Drive
26th Street	SR-51 to Shea Boulevard
27th Avenue	Rose Garden Lane to Deer Valley Drive
27th Drive	Carefree Highway to Via Vista
28th Street	Cholla Street to Thunderbird Road
28th Street	Oak Street to Camelback Road

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.	
28th Avenue	29th Avenue to Kelton Lane
29th Avenue	Union Hills Drive to Kristal Way
29th Avenue	Beardsley Road to Rose Garden Lane
31st Avenue	Van Buren Street to Encanto Boulevard
31st Avenue	Thomas Road to Grand Avenue
31st Avenue	Indian School Road to Camelback Road
31st Avenue	Missouri Avenue to Orangewood Avenue
31st Avenue	Northern Avenue to Dunlap Avenue
31st Avenue	Cheryl Drive to Thunderbird Road
31st Avenue	Bell Road to Kristal Way
31st Avenue	Yorkshire Drive to Beardsley Road
32nd Street	750 Feet South of Beautiful Lane to Baseline Road
32nd Street	Deer valley Road to Sky Crossing Way
32nd Street	Puget Avenue to Mountain View Road
33rd Lane	North Valley Parkway to Via Del Deserto
35th Avenue	Happy Valley Road to 800 Feet North of Hackamore Drive
36th Street	Ranch Circle North to Suncrest Court
36th Street	Roeser Road to Broadway Road
36th Street	McDowell Road to Camelback Road
36th Street	Mountain View Road to Shea Boulevard

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.	
36th Street	Cactus Road to Greenway Road
39th Avenue	Van Buren Street to Osborn Road
39th Avenue	Missouri Avenue to Camino Acequia
39th Avenue	Peoria Avenue to Cactus Road
39th Avenue	Bell Road to Yorkshire Drive
40th Street	University Drive to 0.25 Miles North of University Drive
40th Street	Mountain View Road to Shea Boulevard
44th Street	Frye Road to Chandler Boulevard
44th Street	Ray Road to Warner-Elliot Loop
44th Street	Paradise Village Parkway North to Bell Road
44th Street	Deer Valley Drive to Cashman Drive
45th Avenue	Bell Road to Union Hills Drive
46th Street	Paradise Village Parkway North to Thunderbird Road
47th Avenue	Baseline Road to Vineyard Road
47th Avenue	Thomas Road to Camelback Road
47th Avenue	Thunderbird Road to Greenway Road
47th Avenue	Acoma Drive to Bell Road
48th Street	Pecos Park Entrance to Frye Road
48th Street	Elwood Street to University Drive
48th Street	Van Buren Street to McDowell Road

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.	
48th Street	Cholla Street to Paradise Village Parkway South
50th Street	Frye Road to Chandler Boulevard
51st Street	Elliot Road to Piedmont Road
52nd Place	Rancho Paloma Drive to Dove Valley Road
52nd Street	Thomas Road to Osborn Road
52nd Street	Cholla Street to Cactus Road
52nd Street	Thunderbird Road to Bell Road
52nd Street	Jomax Road to Pinnacle Vista Drive
53rd Avenue	Maryvale Parkway to Indian School Road
55th Avenue	McDowell Road to Camelback Road
55th Avenue	Pinnacle Peak Road to Alameda Road
56th Street	Camelback Road to Rockridge Road
56th Street	Mountain View Road to Shea Boulevard
59th Avenue	South Mountain Avenue To Baseline Road
60th Street	Desert Cove Avenue to Cholla Street Alignment
60th Street	Cactus Road to Bell Road
63rd Avenue	Lower Buckeye Road to Pima Street
63rd Avenue	Thomas Road to Osborn Road
63rd Avenue	Indian School Road to Camelback Road
70th Street	Princess Drive to Mayo Boulevard

Table A. Prima Facie Speed Limit 30 Miles Per Hour at All Times.	
71st Avenue	Van Buren Street to Roosevelt Street
71st Avenue	McDowell Road to Indian School Road
71st Avenue	Campbell Avenue to Camelback Road
71st Drive	Indian School Road to Sells Drive
79th Drive	Osborn Road to Sells Drive
80th Lane	Thomas Road to Osborn Road
93rd Avenue	Encanto Boulevard to Thomas Road
103rd Avenue	Broadway Road to Country Place Boulevard
103rd Avenue	Indian School Road to Campbell Avenue
111th Avenue	Campbell Avenue to Camelback Road

Table A1. Prima Facie Speed Limit 30 Miles Per Hour from 7:00 a.m. to 4:00 p.m. on School Days.

Cactus road	Wb 350 ft +/- east of 37th Avenue and eb 350 ft +/- west of 37th Avenue
Ray Road	400 Feet North of Thunderhill Drive to 100 Feet South of Mountain Sky Avenue
19th Avenue	450 Feet North of Orangewood Avenue to 450 Feet South of Orangewood Avenue

Table B. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

Adams Street	27th Avenue to Washington Street
~~Air Lane~~	~~32nd Street to 1,240 Feet East of 32nd Street~~
~~Air Lane~~	~~750 Feet East of 36th Street to 40th Street~~

Table B. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

Anthem Way	46th Drive to Black Canyon Freeway
BEARDSLEY ROAD	**20TH STREET TO CAVE CREEK ROAD**
Bethany Home Road	16th Street to 18th Street
Black Canyon Freeway Frontage Road	Madison Street to Van Buren Street
Black Canyon Freeway Frontage Road (Southbound)	Interstate 17 Milepost No. 213.34 (North of Bell Road) to Bell Road
Black Mountain Boulevard	Sr101 To Mayo Boulevard
~~Black Mountain Boulevard~~	~~Deer Valley Road to Rough Rider Road~~
Black Mountain Boulevard	Rancho Paloma Drive to Carefree Highway
Buckeye Road	31st Avenue to 27th Street
Camelback Road	27th Avenue to 28th Street
Carefree Highway	3900 West to 700 Feet East of 33rd Avenue
Central Avenue	Briarwood Terrace to Chandler Boulevard
Central Avenue	Mineral Road to Thunderbird Trail
Central Avenue (Southbound)	Thunderbird Trail to Dobbins Road
Central Avenue	Vineyard Road to Pioneer Street
Central Avenue	Watkins Street to Lincoln Street
Central Avenue	Roosevelt Street to Mountain View Road
Central Avenue	Happy Valley Road to 2,050 Feet +/- North of Happy Valley Road
Chandler Boulevard	Shaughnessey Road To 19th Avenue

Table B. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

Chandler Boulevard (Westbound)	19th Avenue to 15th Avenue
Chandler Boulevard	Pecos Road to Shaughnessey Road
Cheryl Drive	35th Avenue to Metro Parkway West
Circle Mountain Road	New River Road to Barko Lane
Cotton Center Boulevard	40th Street to 48th Street
Deer Valley Drive	1,200 Feet West of 35th Avenue to 35th Avenue
Desert Foothills Parkway	Chandler Boulevard to 5th Avenue
Desert Willow Parkway East	31000 North Cave Creek Road (East Side) to 5000 East Dixileta Drive
Dobbins Road	Central Avenue to 16th Street
Dove Valley Road	North Valley Parkway to 16th Avenue
Dunlap Avenue	7th Avenue to 7th Street
Encanto Boulevard	83rd Avenue to 75th Avenue
Frye Road	3rd Street to Desert Foothills Parkway
Galvin Parkway	North of Traffic Circle at Botanical Garden Entry to McDowell Road
Grand Avenue	19th Avenue to 7th Avenue
Grant Street	Black Canyon Freeway to Lincoln Street
Grant Street	16th Street to Sky Harbor Circle
Greenway Road	Cave Creek Road to Greenway Parkway
Guadalupe Road	48th Street to Interstate 10

Table B. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

~~Happy Valley Road (Eastbound)~~	~~29th Avenue to I-17~~
HAPPY VALLEY ROAD	**29TH AVENUE TO 23RD AVENUE**
Hatcher Road	19th Avenue to Central Avenue
~~Hess Street~~	~~24th Street to 26th Street~~
Holmes Boulevard	Bell Road to Grovers Avenue
Indian School Road	27th Avenue to 20th Street
Indian School Road	45th Street to 48th Street
Jefferson Street	23rd Avenue to 7th Avenue
Jefferson Street	7th Street to Washington Street
Jefferson Street	7th Street to 265 Feet +/- East of 26th Street (except frontage road which is 25 mph)
Jomax Road	Cave Creek Road to Tatum Boulevard
Jomax Road	Tatum Boulevard to 52nd Street
Knox Road	36th Street to 48th Street
Lafayette Boulevard	44th Street to 64th Street
Liberty Lane	17th Avenue to Central Avenue
Liberty Lane	Desert Foothills Parkway to 13th Way
Lincoln Street	Grant Street to 7th Street
Lone Mountain Road	40th Street to Cave Creek Road
Lower Buckeye Road	300 Feet West to 300 Feet East of 99th Avenue
Lower Buckeye Road	22nd Avenue to 19th Avenue

Table B. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

Maryland Avenue	19th Avenue to 16th Street
Maryvale Parkway	Indian School Road to 51st Avenue
McDowell Road	27th Avenue to 32nd Street
Metro Parkway	Entire Street Surrounding Metro Center
Missouri Avenue	19th Avenue to 24th Street
Mohave Street	7th Street to Sky Harbor Circle
Mohave Street	22nd Street to 24th Street
Mountain View Road	Central Avenue to 12th Street
Norterra Parkway	Happy Valley Road to Jomax Road
Oak Street	24th Street to 32nd Street
Oak Street	52nd Street to 56th Street
~~Old Tower Road~~	~~26th Street to 32nd Street~~
Osborn Road	19th Avenue to 36th Street
Paloma Parkway	Bronco Butte Trail to Dove Valley Road
Paradise Village Parkway	Entire Street Surrounding Paradise Village
Peoria Avenue	19th Avenue to 7th Avenue
Pinnacle Peak Road	19th Avenue to 7th Street
~~Pointe Golf Club Drive~~	~~Thunderbird Road to Friess Drive~~
POINTE GOLF CLUB DRIVE	**THUNDERBIRD ROAD TO SHARON DRIVE**
Princess Drive	68th Street to Scottsdale Road

Table B. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

Pyramid Peak Parkway (Northbound)	1,900 Feet +/- north of Brookhart Way to City Limits
Ranch Circle North	Ray Road (3600 East) to Ray Road (4300 East)
Ranch Circle South	Ray Road to Mountain Parkway
Rancho Paloma Drive	Black Mountain Boulevard to 56th Street
Roeser Road	Central Avenue to 40th Street
~~Roosevelt Street~~	~~59th Avenue to 51st Avenue~~
Roosevelt Street	16th Street to 32nd Street
Rose Garden Lane	19th Avenue to 7th Avenue
Shea Boulevard	24th Street to 32nd Street
Sky Harbor Circle	22nd Street to Grant Street, Mohave Street to Grant Street, and Mohave Street to 22nd Street
Southern Avenue	7th Avenue to 7th Street
Sweetwater Avenue	Cave Creek Road to 32nd Street
Tatum Boulevard	40th Street to Cave Creek Road
Thistle Landing Drive	48th Street to 50th Street
Thomas Road	27th Avenue to 32nd Street
Thunderbird Road	32nd Street to 38th Place
Tombstone Trail	Norterra Parkway to 21st Avenue
University Drive	16th Street to 24th Street
Utopia Road	Black Canyon Freeway to 23rd Avenue

Table B. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

Utopia Road	Cave Creek Road to 32nd Street
Van Buren Street	35th Avenue to 7th Avenue
Van Buren Street	16th Street to 44th Street
Washington Street	Adams Street to 7th Avenue
~~Washington Street~~	~~7th Street to 24th Street~~
Washington Street	7th Street to 24th Street (except frontage road which is 25 mph)
Williams Drive	Black Canyon Freeway to 19th Avenue
Yorkshire Drive	43rd Avenue to Black Canyon Freeway
1st Avenue Crossover	Grant Street to Hadley Street
3rd Avenue	Osborn Road to Indian School Road
3rd Street	Frye Road to Chandler Boulevard
3rd Street	Fillmore Street to Indian School Road
4th Street	5th Street Crossover to Roosevelt Street
5th Avenue	Desert Foothills Parkway to Chandler Boulevard
5th Street Crossover	Fillmore Street to 4th Street
7th Avenue	Dobbins Road to Baseline Road
7th Avenue	Magnolia Street to Jackson Street
7th Avenue	Van Buren Street to Missouri Avenue
7th Avenue	Dunlap Avenue to Hatcher Road
7th Avenue	Cinnabar Avenue to Peoria Avenue

Table B. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

7th Avenue	Greenway Parkway to Bell Road
7th Street	Mineral Road to Baseline Road
7th Street	Lincoln Street to Jefferson Street
7th Street	Van Buren Street to Missouri Avenue
7th Street	Butler Drive to Cinnabar Avenue
12th Street	Indian School Road to Mountain View Road
15th Avenue	Southern Avenue to Broadway Road
15th Avenue	0.25 miles South of Magnolia Street to Harrison Street
15th Avenue	Van Buren Street to Bethany Home Road
16th Street	Dobbins Road to Baseline Road
16th Street	Maricopa Freeway to Bethany Home Road
16th Street	Bell Road to Grovers Avenue
17th Avenue	Pecos Road to Chandler Boulevard
17th Avenue	Buckeye Road to Grant Street
19th Avenue	Buckeye Road to the Grand Canal
19th Avenue	Glendale Avenue to Northern Avenue (Except where noted in subsection A.1 of this section)
20th Street	Greenfield Road to Indian School Road
20th Street	Highland Avenue to Missouri Avenue
21st Avenue	Jomax Road to Tombstone Trail
23rd Avenue	Bethany Home Road to Glendale Avenue

Table B. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

23rd Avenue	Mountain View Road to Cactus Road
23rd Avenue	Utopia Road to Deer Valley Drive
23rd Avenue	Pinnacle Peak Road to Happy Valley Road
24th Street	South Mountain Avenue to Baseline Road
24th Street	Buckeye Road to Indian School Road
25th Avenue	Dunlap Avenue to Peoria Avenue
~~26th Street~~	~~Old Tower Road to Hess Street~~
27th Avenue	South Mountain Avenue to Baseline Road
27th Avenue	Lower Buckeye Road to Van Buren Street
27th Avenue	Northern Avenue to Dunlap Avenue
27th Avenue	Grovers Avenue to Union Hills Drive
27th Avenue	Yorkshire Drive to Rose Garden Lane
27th Drive	North Valley Parkway to Carefree Highway
28th Drive	Peoria Avenue to Cactus Road
29th Avenue	Dunlap Avenue to Metro Parkway
29th Avenue	Greenway Road to Bell Road
32nd Street	Air Lane to Van Buren Street
32nd Street	Chandler Boulevard to Pecos Road
35th Avenue	South Mountain Avenue to Baseline Road
35th Avenue	Van Buren Street to Encanto Boulevard

Table B. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

36th Street	Shea Boulevard to Cactus Road
39th Drive	Pinnacle Peak Road to Happy Valley Road
40th Street	0.39 miles South of Air Lane to Washington Street
40th Street	McDowell Road to Missouri Avenue
40th Street (Southbound)	Shea Boulevard to Mercer Lane
40th Street	Potter Drive to Deer Valley Drive
40th Street	Tatum Boulevard to Lone Mountain Road
43rd Avenue	Olney Avenue to Dobbins Road
43rd Avenue	Elwood Street Alignment to Lower Buckeye Road
43rd Avenue	Anthem Way to 1,930 Feet North of Anthem Way
44th Street	Campbell Avenue to Calle Feliz
44th Place	Cotton Center Boulevard to Broadway Road
48th Street	Frye Road to Chandler Boulevard
48th Street	Washington Street to Van Buren Street
48th Street	Piedmont Road to Guadalupe Road
50th Street	Chandler Boulevard to Ray Road
51st Street	500 Feet South of Elliot Road to Warner-Elliot Loop
52nd Street	McDowell Road to Thomas Road
52nd Street	Cactus Road to Thunderbird Road
55th Avenue	Alameda Road to Happy Valley Road

Table B. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

56th Street	South City Limit to Van Buren Street
56th Street	Oak Street to Camelback Road
56th Street	Bell Road to Central Arizona Project Canal
56th Street	Lone Mountain Road to Rancho Paloma Drive
64th Street	Oak Street to McDowell Road (Southbound Only)
64th Street	255 Feet North of Hillcrest Boulevard to Chaparral Road
68th Street	Princess Drive to Mayo Boulevard
71st Avenue	Baseline Road to Vineyard Road
107th Avenue	Camelback Road to Missouri Avenue

Table B1. Prima Facie Speed Limit 35 Miles Per Hour from 7:00 a.m. to 4:00 p.m. on School Days.

Dunlap Avenue	For Westbound, 650 Feet +/- West of 29th Avenue to 625 +/- West of 35th Avenue
Dunlap Avenue	For Eastbound, 545 Feet +/- West of 35th Avenue to 30th Avenue

Table B2. Prima Facie Speed Limit 35 Miles Per Hour from 7:00 a.m. to 5:00 p.m. on School Days.

Greenway Parkway	400 Feet West of 7th Avenue to 250 Feet East of 5th Avenue

Table C. Prima Facie Speed Limit 40 Miles Per Hour at All Times.

Air Lane	24th Street to 32nd Street
Baseline Road	51st Avenue to 35th Avenue

Table C. Prima Facie Speed Limit 40 Miles Per Hour at All Times.

Baseline Road	7th Avenue to 7th Street
Beardsley Road (Eastbound Frontage)	37th Avenue to 27th Avenue
Beardsley Road	Cave Creek Road to 32nd Street
Bell Road	19th Avenue to 12th Street
Bell Road	0.25 miles West of Cave Creek Road to 1,500 Feet East of 40th Street
Bethany Home Road	43rd Avenue to 16th Street
Black Canyon Freeway Frontage Roads	Maricopa Freeway to Madison Street
Black Canyon Freeway Frontage Road (Northbound)	Thomas Road to Cactus Road
Black Canyon Freeway Frontage Road (Northbound)	Bell Road to Union Hills Drive
Black Canyon Freeway Frontage Road (Southbound)	Mountain View Road (Alignment) to Thomas Road
~~Black Mountain Boulevard~~	~~Mayo Boulevard to Deer Valley Road~~
~~Black Mountain Boulevard~~	~~Rough Rider Road to Pinnacle Peak Road~~
BLACK MOUNTAIN BOULEVARD	**MAYO BOULEVARD TO PINNACLE PEAK ROAD**
Broadway Road	19th Avenue to 32nd Street
Buckeye Road	39th Avenue to 31st Avenue
Cactus road	39th avenue to 350 ft west of 37th ave
Cactus road	350 ft east of 37th ave to 19th ave

Table C. Prima Facie Speed Limit 40 Miles Per Hour at All Times.

Cactus Road	Cave Creek Road to 60th Street
Camelback Road	43rd Avenue to 27th Avenue
Camelback Road	28th Street to 64th Street
Cave Creek Road	Dunlap Avenue to Peoria Avenue
Cave Creek Road	Marco Polo Road to Rose Garden Lane
Central Avenue (Northbound)	Thunderbird Trail to Dobbins Road
Central Avenue	Dobbins Road to Vineyard Road
Central Avenue	Pioneer Street to Watkins Street
Chandler Boulevard	Marketplace Way to 34th Street
Deer Valley Drive	600 Feet West of 27th Avenue to 0.25 Miles East of 19th Avenue
Deer Valley Drive	600 Feet West of 16th Street to 56th Street
Desert Foothills Parkway	Pecos Road to Chandler Boulevard
Desert Peak Parkway	Lieber Place to Cave Creek Road
Dobbins Road	From West City Limit to 1,320 Feet +/- East
Dobbins Road	23rd Avenue to Central Avenue
Dunlap Avenue	43rd Avenue to 7th Avenue (Except where noted in Table B1 of this section)
Durango Street	35th Avenue to Black Canyon Freeway
Elliot Road	2,085 Feet +/- West of 59th Avenue to 51st Avenue
Elliot Road	46th Street to 51st Street

Table C. Prima Facie Speed Limit 40 Miles Per Hour at All Times.

Elwood Street	7th Street to 16th Street
Galvin Parkway	Van Buren Street to 100 Feet +/- North of East Papago Park (Zoo Entrance)
Gavilan Peak Parkway	800 Feet +/- West of 33rd Lane to Cloud Road
Glendale Avenue	43rd Avenue to 21st Street
Grand Avenue	21st Avenue to 19th Avenue
Greenway Parkway	500 Feet West of 7th Avenue to 3rd Avenue (Except where noted in Table B2 of this section)
Greenway Parkway	Cave Creek Road to Greenway Road
Greenway Road	51st Avenue to 19th Avenue
Greenway Road	Greenway Parkway to 300 Feet East of 30th Street
Greenway Road	52nd Street to 500 Feet East of 60th Street
~~Happy Valley Road~~	~~35th Avenue to Black Canyon Freeway~~
Indian School Road	67th Avenue to 27th Avenue
Indian School Road	20th Street to 45th Street
Indian School Road	48th Street to 60th Street
Jomax Road	Black Canyon Freeway to Norterra Parkway
Liberty Lane	13th Way to 24th Street
Lincoln Drive	21st Street to 800 Feet East of Ocotillo Road
Lower Buckeye Road	103rd Avenue to 300 Feet +/- West of 99th Avenue
Lower Buckeye Road	300 Feet +/- East of 99th Avenue to 95th Avenue

Table C. Prima Facie Speed Limit 40 Miles Per Hour at All Times.

Lower Buckeye Road	27th Avenue to 22nd Avenue
Maricopa Freeway Frontage Roads	23rd Avenue to 16th Street
MAYO BOULEVARD	**BLACK MOUNTAIN BOULEVARD TO 40TH STREET**
McDowell Road	43rd Avenue to 27th Avenue
McDowell Road	32nd Street to 52nd Street
Mountain Parkway	Chandler Boulevard to Ray Road
Norterra Parkway	Jomax Road to North Valley Parkway
Northern Avenue	43rd Avenue to SR-51
North Valley Parkway	Jomax Road to 30th Avenue
North Valley Parkway	800 Feet +/- West of 33rd Lane to 33rd Lane
Peoria Avenue	43rd Avenue to 19th Avenue
Pyramid Peak Parkway (Southbound)	67th Avenue to City Limits
Pyramid Peak Parkway (Northbound)	67th Avenue to 1,900 Feet +/- North of Brookhart Way
Ray Road	Chandler Boulevard to Interstate 10 (Except where noted in Table A1 of this section)
Rose Garden Lane	Cave Creek Road to 32nd Street
Shea Boulevard	32nd Street to 450 Feet East of 40th Street
Southern Avenue	39th Avenue to 31st Avenue
Southern Avenue	19th Avenue to 7th Avenue
Southern Avenue	7th Street to 24th Street

Table C. Prima Facie Speed Limit 40 Miles Per Hour at All Times.

Thomas Road	800 Feet West of 59th Avenue to Grand Avenue
Thomas Road	32nd Street to 56th Street
Thunderbird Road	31st Avenue to Coral Gables Drive
Thunderbird Road	38th Place to Scottsdale Road
Union Hills Drive	27th Avenue to 19th Avenue
Union Hills Drive	7th Street to 20th Street
University Drive	Wood Street to 48th Street
Van Buren Street	67th Avenue to 200 Feet West of 63rd Avenue
Van Buren Street	39th Avenue to 35th Avenue
Van Buren Street	44th Street to 56th Street
Warner-Elliot Loop	4600 East Elliot Road to 578 Feet East of Wakial Loop
Washington Street	24th Street to 34th Street
7th Avenue	Baseline Road to Magnolia Street
7th Avenue	Missouri Avenue to Dunlap Avenue
7th Avenue	Bell Road to Union Hills Drive
7th Avenue	Rose Garden Lane to Deer Valley Drive
7th Street	Baseline Road to Lincoln Street
7th Street	Missouri Avenue to Butler Drive
7th Street	Cinnabar Avenue to 400 Feet North of Peoria Avenue
7th Street	Thunderbird Road to 600 Feet North of Bell Road

Table C. Prima Facie Speed Limit 40 Miles Per Hour at All Times.

16th Street	Baseline Road to the Maricopa Freeway
16th Street	Bethany Home Road to Northern Avenue
19th Avenue	Southern Avenue to Buckeye Road
19th Avenue	Grand Canal to Glendale Avenue
19th Avenue	Northern Avenue to Evans Drive
24th Street	Pecos Road to Chandler Boulevard
24th Street	Baseline Road to Buckeye Road
24th Street	Indian School Road to Montebello Avenue
27th Avenue	Baseline Road to 500 Feet +/- North
27th Avenue	Van Buren Street to Northern Avenue
32nd Street	Baseline Road to Wood Street
32nd Street	Van Buren Street to the Arizona Canal
32nd Street	Mountain View Road to Bell Road
32nd Street	Beardsley Road to Rose Garden Lane
35th Avenue	Dobbins Road to South Mountain Avenue
35th Avenue	Baseline Road to Broadway Road
35th Avenue	Lower Buckeye Road to Van Buren Street
35th Avenue	Encanto Boulevard to Bell Road
35th Avenue	Union Hills Drive to Beardsley Road
40th Street	Pecos Road to Chandler Boulevard

Table C. Prima Facie Speed Limit 40 Miles Per Hour at All Times.

40th Street	800 Feet South of Roeser Road to University Drive
40th Street	Washington Street to McDowell Road
40th Street (Northbound)	Shea Boulevard to Mercer Lane
40th Street	Mercer Lane to Union Hills Drive
40th Street	Deer Valley Drive to Pinnacle Peak Road
43rd Avenue	Buckeye Road to Glendale Avenue
43rd Avenue	Thunderbird Road to Beardsley Road
43rd Avenue	Pinnacle Peak Road to Happy Valley Road
~~44th Street~~	~~Washington Street to McDonald Drive~~
44TH STREET	**WASHINGTON STREET TO CAMPBELL AVENUE**
44TH STREET	**CALLE FELIZ TO MCDONALD DRIVE**
48th Street	Chandler Boulevard to Piedmont Road
51st Avenue	0.5 Miles South of Lower Buckeye Road to Lower Buckeye Road
51st Avenue	Roosevelt Street to Camelback Road
51st Avenue	250 Feet South of Cactus Road to Union Hills Drive
51st Avenue	Pinnacle Peak Road to Happy Valley Road
52nd Street	Van Buren Street to McDowell Road
56th Street	Shea Boulevard to Bell Road
56th Street	Central Arizona Project Canal to Deer Valley Drive
59th Avenue	Dobbins Road to South Mountain Avenue

Table C. Prima Facie Speed Limit 40 Miles Per Hour at All Times.

59th Avenue	Roosevelt Street to Camelback Road
64th Street	Cactus Road to Bell Road
67th Avenue	400 Feet +/- South of Elwood Street to Camelback Road
67th Avenue	Happy Valley Road to Pyramid Peak Parkway
75th Avenue	Baseline Road to Vineyard Road
75th Avenue	0.25 Miles South of Thomas Road to Devonshire Avenue
83rd Avenue	Van Buren Street to Papago Freeway
91st Avenue	McDowell Road to Indian School Road
99th Avenue	0.5 Miles South of Lower Buckeye Road to Durango Street
107th Avenue	Indian School Road to Camelback Road

Table D. Prima Facie Speed Limit 45 Miles Per Hour at All Times.

Baseline Road	55th Avenue to 51st Avenue
Baseline Road	27th Avenue to 7th Avenue
Baseline Road	7th Street to 48th Street
Beardsley Road (Frontage Roads)	27th Avenue to 20th Street
Beardsley Road Frontage Road (Westbound)	27th Avenue to 51st Avenue
Beardsley Road Frontage Road (Eastbound)	51st Avenue to 37th Avenue
Bell Road	51st Avenue to 19th Avenue
Bell Road	12th Street to 0.25 Miles West of Cave Creek Road

Table D. Prima Facie Speed Limit 45 Miles Per Hour at All Times.

Bell Road	1,500 Feet East of 40th Street to Scottsdale Road
Black Canyon Frontage Road	Van Buren Street to Thomas Road
Black Canyon Frontage Road (Northbound)	Cactus Road to Greenway Road
Black Canyon Frontage Road (Southbound)	Union Hills Drive to MP 213.34 (North of Bell Road)
Black Canyon Frontage Road (Southbound)	Bell Road to Mountain View Road Frontage Road (Alignment)
Broadway Road	107th Avenue to 99th Avenue
Broadway Road	27th Avenue to 19th Avenue
Broadway Road	32nd Street to 48th Street
Buckeye Road	71st Avenue to 39th Avenue
Cactus Road	51st Avenue to 39th Avenue
Camelback Road	113th Avenue to 99th Avenue
Carefree Highway	4700 West to 3900 West
Carefree Highway	700 Feet East of 33rd Avenue to 0.5 Miles East of Via Tramonto
Cave Creek Road	Peoria Avenue to Marco Polo Road
Cave Creek Road	Rose Garden Lane to Pinnacle Peak Road
Cave Creek Road (Southbound)	Pinnacle Peak To 660 Feet +/- North of Quiet Hollow Lane
Cave Creek Road	Peak View Road to Westland Road
Chandler Boulevard (Eastbound)	19th Avenue to 15th Avenue

Table D. Prima Facie Speed Limit 45 Miles Per Hour at All Times.

Chandler Boulevard	15th Avenue to Marketplace Way
Chandler Boulevard	34th Street to Interstate 10
Deer Valley Drive	35th Avenue to 600 Feet West of 27th Avenue
Deer Valley Drive	0.25 Miles East of 19th Avenue to 600 Feet West of 16th Street
Dixileta Drive	Tatum Boulevard to 52nd Street
Dobbins Road	1,320 Feet +/- East of City Limit to 200 Feet +/- West of 56th Glen
Dobbins Road	0.25 Miles West of 35th Avenue to 33rd Avenue
Dobbins Road	27th Avenue to 23rd Avenue
Dove Valley Road	16th Avenue to Sonoran Desert Drive
Dynamite Boulevard	Cave Creek Road to 40th Street
Grand Avenue	43rd Avenue to 21st Avenue
Greenway Parkway	17th Drive to 500 Feet West of 7th Avenue
Greenway Parkway	3rd Avenue to Cave Creek Road
Greenway Road	19th Avenue to 17th Drive
Greenway Road	300 Feet East of 30th Street to 52nd Street
Greenway Road	500 Feet East of 60th Street to Scottsdale Road
~~Happy Valley Road~~	~~67th Avenue to 35th Avenue~~
HAPPY VALLEY ROAD	**67TH AVENUE TO 29th Avenue**
HAPPY VALLEY ROAD	**23RD AVENUE TO 7TH STREET**

Table D. Prima Facie Speed Limit 45 Miles Per Hour at All Times.

~~Happy Valley Road~~	~~Black Canyon Freeway to 15th Avenue~~
~~Happy Valley Road~~	~~7th Avenue to 7th Street~~
Indian School Road	99th Avenue to 67th Avenue
Jomax Road	Norterra Parkway to 19th Avenue
Lincoln Drive	800 Feet East of Ocotillo Road to 32nd Street
Lone Mountain Road	56th Street to 63rd Street
Lower Buckeye Road	95th Avenue to 83rd Avenue
Lower Buckeye Road	79th Avenue to 75th Avenue
Lower Buckeye Road	67th Avenue to 27th Avenue
Mayo Boulevard	Tatum Boulevard to Scottsdale Road
McDowell Road	83rd Avenue to 43rd Avenue
McDowell Road	52nd Street to 1,350 Feet East of 52nd Street
McDowell Road	1,575 Feet West of Galvin Parkway to 64th Street
New River Road	1.0 Mile Southwest of Black Canyon Freeway to Black Canyon Freeway
PINNACLE PEAK ROAD	**55th Avenue to 19th Avenue**
~~Pinnacle Peak Road~~	~~51st Avenue to 19th Avenue~~
Pinnacle Peak Road	Cave Creek Road to Tatum Boulevard
Shea Boulevard	450 Feet East of 40th Street to 64th Street
Sonoran Desert Drive	Dove Valley Road to Cave Creek Road
Southern Avenue	59th Avenue to 51st Avenue

Table D. Prima Facie Speed Limit 45 Miles Per Hour at All Times.

Southern Avenue	31st Avenue to 19th Avenue
Southern Avenue	24th Street to 48th Street
Tatum Boulevard	Mockingbird Lane to Pinnacle Peak Road
Tatum Boulevard	Prickly Pear Trail to Cave Creek Road
Thomas Road	99th Avenue to 800 Feet West of 59th Avenue
Thunderbird Road	51st Avenue to 31st Avenue
Thunderbird Road	Coral Gables Drive to 1,400 Feet East of 7th Street
Thunderbird Road	18th Street to Cave Creek Road
Union Hills Drive	51st Avenue to 27th Avenue
Union Hills Drive	19th Avenue to 7th Street
Union Hills Drive	20th Street to Tatum Boulevard
Van Buren Street	83rd Avenue to 67th Avenue
Van Buren Street	200 Feet West of 63rd Avenue to 39th Avenue
Van Buren Street	56th Street to 508 Feet East of Project Drive
Washington Street	34th Street to 56th Street
7th Avenue	Union Hills Drive to Rose Garden Lane
7th Street	400 Feet North of Peoria Avenue to Thunderbird Road
7th Street	600 Feet North of Bell Road to Happy Valley Road
19th Avenue	Dobbins Road to Southern Avenue
19th Avenue	Evans Drive to Jomax Road

Table D. Prima Facie Speed Limit 45 Miles Per Hour at All Times.

24th Street	Baseline Road to Roeser Road
24th Street	Montebello Avenue to Lincoln Drive
27th Avenue	Southern Avenue to Broadway Road
29th Avenue	Pinnacle Peak Road to Happy Valley Road
32nd Street	Arizona Canal to Lincoln Drive
32nd Street	Bell Road to Beardsley Road
35th Avenue	200 Feet South of Elliot Road to Dobbins Road
35th Avenue	Baseline Road to 500 Feet +/- North
35th Avenue	Broadway Road to Lower Buckeye Road
35th Avenue	Bell Road to Union Hills Drive
35th Avenue	Beardsley Road to Pinnacle Peak Road
40th Street	Baseline Road to 800 Feet South of Roeser Road
43rd Avenue	South Mountain Avenue to Southern Avenue
43rd Avenue	Lower Buckeye Road to Buckeye Road
43rd Avenue	Glendale Avenue to Thunderbird Road
48th Street	Baseline Road to Southern Avenue
51st avenue	Dobbins Road to Baseline Road
51st Avenue	Baseline Road to Roosevelt Street
51st Avenue	Union Hills Drive to Beardsley Road
59th Avenue	Elliot Road to Dobbins Road

Table D. Prima Facie Speed Limit 45 Miles Per Hour at All Times.

59th Avenue	Buckeye Road to Roosevelt Street
75th Avenue	Broadway Road to Van Buren Street
75th Avenue	Roosevelt Street 0.25 miles South of Thomas Road
75th Avenue	Devonshire Avenue to Camelback Road
83rd Avenue	Broadway Road to Elwood Street
83rd Avenue	Papago Freeway to Camelback Road
91st Avenue	Elwood Street to Buckeye Road
91st Avenue	Indian School Road to Camelback Road
99th Avenue	Durango Street to Buckeye Road

Table E. Prima Facie Speed Limit 50 Miles Per Hour at All Times.

Black Canyon Freeway Frontage Road (Northbound)	Greenway Road to Bell Road
Black Canyon Freeway Frontage Road	Union Hills Drive to Pinnacle Peak Road
Black Canyon Freeway Frontage Roads	Happy Valley Road to Interstate 17 Mile Post No. 220.82 (South of Dixileta Drive Alignment)
Broadway Road	99th Avenue to 91st Avenue
Buckeye Road	75th Avenue to 71st Avenue
Cave Creek Road (Northbound)	Pinnacle Peak Road to 660 Feet +/- North Of Quiet Hollow Lane
Cave Creek Road	660 Feet +/- North of Quiet Hollow Lane To Peak View Road
Dobbins Road	43rd Avenue to 0.25 Miles West of 35th Avenue

Table E. Prima Facie Speed Limit 50 Miles Per Hour at All Times.

El Mirage Road	0.25 Miles South of Camelback Road to 0.50 Miles North of Camelback Road
Lower Buckeye Road	107th Avenue to 103rd Avenue
Lower Buckeye Road	83rd Avenue to 79th Avenue
Lower Buckeye Road	75th Avenue to 71st Avenue
McDowell Road	1,350 Feet East of 52nd Street to 1,575 Feet West of Galvin Parkway
New River Road	Cloud Road to 1.0 Mile Southwest of Black Canyon Freeway
~~Pinnacle Peak Road~~	~~51st Avenue to 43rd Avenue~~
~~Pinnacle Peak Road~~	~~Cave Creek Road to Tatum Boulevard~~
Pinnacle Peak Road	Tatum Boulevard to Scottsdale Road
Tatum Boulevard	Pinnacle Peak Road to Prickly Pear Trail
Thunderbird Road	1,400 Feet East of 7th Street to 18th Street
51st Avenue	Dobbins Road to Baseline Road
51st Avenue	Estrella Drive to Olney Avenue
59th Avenue	Broadway Road to Durango Street Alignment
75th Avenue	Van Buren Street to Roosevelt Street
83rd Avenue	Elwood Street to Buckeye Road
91st Avenue	1.56 Miles South of Broadway Road to 0.5 Miles South of Broadway Road
99th Avenue	Indian School Road to Camelback Road
99th Avenue	0.25 Miles North of Broadway Road to 0.5 Miles South of Lower

Table E. Prima Facie Speed Limit 50 Miles Per Hour at All Times.

	Buckeye Road

Table F. Prima Facie Speed Limit 55 Miles Per Hour at All Times.

Carefree Highway	6600 West to 4700 West
Carefree Highway	1,200 Feet East of 33rd Avenue to 0.5 Miles East of Via Tramanto

G. Parks.

1. North Mountain Park.

a. Prima Facie Speed Limit 25 Miles Per Hour at All Times.

North Mountain Park Drive	Entire Length

2. Papago Park.

a. Prima Facie Speed Limit 25 Miles Per Hour at All Times.

All roadways except Galvin Parkway.

3. Pecos Park.

a. Prima Facie Speed Limit 25 Miles Per Hour at All Times.

All roadways within park boundary.

4. South Mountain Park.

a. Prima Facie Speed Limit 25 Miles Per Hour at All Times.

All roadways within park boundary.

5. Squaw Peak Park.

a. Prima Facie Speed Limit 30 Miles Per Hour at All Times.

Squaw Peak Road	Squaw Peak Park Boundary to End of Road Within Squaw Peak Park

H. Sky Harbor Airport.

1. Prima Facie Speed Limit 15 Miles Per Hour at All Times.

Sky Harbor Boulevard (North and South Roadway)	Between Terminal Curb and Sky Harbor Boulevard Median on All Terminals 2 and 3 and on Level 1 of Terminal 4
Sky Harbor Boulevard (North and South Roadway)	All Ticketing/Check-in Lanes on Level 2 of Terminal 4

2. Prima Facie Speed Limit 20 Miles Per Hour at All Times.

Sky Harbor Boulevard (South Roadway)	4,400 Feet East of 24th Street to 6,300 Feet East of 24th Street

3. Prima Facie Speed Limit 25 Miles Per Hour at All Times.

Sky Harbor Boulevard (North and South Roadway)	All Ramps, Entries and Exits for All Ticketing/Check-in and Baggage Claim Lanes at Terminals 3 and 4

4. Prima Facie Speed Limit 30 Miles Per Hour at All Times.

Sky Harbor Boulevard (South Roadway)	3,000 Feet East of 24th Street to 4,400 Feet East of 24th Street

5. Prima Facie Speed Limit 35 Miles Per Hour at All Times.

Sky Harbor Boulevard (North and South Roadway)	Between 24th Street and SR 143, Except as Provided in the Prior Subsections

ATTACHMENT B

SUMMARY OF CHANGES IN CITY OF PHOENIX SPEED LIMITS
AMENDING SECTION 36-158, SCHEDULE I - LOCAL SPEED LIMITS

Prima Facie Speed Limit **30 mph** at all times

Street Changed	Segment Changed	Reason for Change	Council District
Air Lane	1,240 Feet East of 32nd Street to 750 Feet East of 36th Street	**Remove** private street from ordinance.	8
Central Avenue	Lincoln Street to Madison Street	**Record keeping**. Remove from ordinance. Speed limit posted is 25 mph.	7 and 8
Morten Avenue	16th Street to 1900 East	**Record keeping**. Change to reflect correct spelling.	6

Prima Facie Speed Limit **35 mph** at all times

Street Changed	Segment Changed	Reason for Change	Council District
Air Lane	32nd Street to 1,240 Feet East of 32nd Street	**Remove** private street from ordinance.	8
Air Lane	750 Feet East of 36th Street to 40th Street	**Remove** private street from ordinance.	8
Beardsley Road	20th Street to Cave Creek Road	**Record keeping**. Raise ordinance speed limit from 30 mph to 35 mph to reflect posted speed limit.	2
Happy Valley Road	29th Avenue to 23rd Avenue	**Record keeping**. Set both eastbound and westbound ordinance speed limit to 35 mph to reflect posted speed limit.	1
Hess Street	24th Street to 26th Street	**Remove** from ordinance. Street no longer exists with Sky Train extension.	8
Old Tower Road	26th Street to 32nd Street	**Remove** private street from ordinance.	8
Pointe Golf Club Drive	Thunderbird Road to Sharon Drive	**Record keeping**. Segment from Friess Drive to Sharon Drive not included in previous ordinance.	3
Roosevelt Street	59th Avenue to 51st Avenue	**Record keeping**. Remove from ordinance. Speed limit posted is 25 mph	7
Washington Street	7th Street to 24th Street	**Record keeping**. Duplicate entry.	8
26th Street	Old Tower Road to Hess Street	**Remove** from ordinance. Street no longer exists with Sky Harbor expansion.	8

Prima Facie Speed Limit **40 mph** at all times

Street Changed	Segment Changed	Reason for Change	Council District
Mayo Boulevard	Black Mountain Boulevard to 40th Street	**Record keeping**. Raise ordinance speed limit from 30 mph to 40 mph to reflect posted speed limit.	2
Black Mountain Boulevard	Mayo Boulevard to Pinnacle Peak Road	**Speed limit change.** Raise ordinance speed limit from 35 mph to 40 mph from Deer Valley Drive to Rough Rider Road due to roadway construction improvements.	2
44th Street	Washington Street to Campbell Avenue	**Record keeping**. Remove portion from Campbell Avenue to Calle Feliz that is posted at 35 mph.	6

Prima Facie Speed Limit **45 mph** at all times

Street Changed	Segment Changed	Reason for Change	Council District
Happy Valley Road	67th Avenue to 29th Avenue	**Record keeping**. Raise ordinance speed limit from 40 mph to 45 mph to reflect posted speed limit**.**	1
Happy Valley Road	23rd Avenue to 7th Street	**Record keeping**. Combine segments and add 15th Avenue to 7th Avenue to reflect posted speed limit.	1
Pinnacle Peak Road	55th Avenue to 19th Avenue	**Record keeping**. Lower ordinance speed limit from 50 mph to 45 mph for the portion between 55th Avenue to 51st Avenue to reflect posted speed limit.	1

Note: All speed limit changes were recommended based on a traffic study and approved by a Traffic Engineer.

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 51

Grand Canal Phase III - Construction Manager at Risk Preconstruction Services - ST87600131 (Ordinance S-47468)

Request to authorize the City Manager, or his designee, to enter into an agreement with Hunter Contracting Co., to provide Construction Manager at Risk Preconstruction 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 $100,000.

Summary

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

Hunter Contracting Co. will begin in an agency support role for Construction Manager at Risk Preconstruction Services. Hunter Contracting Co. will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

Hunter Contracting Co’s services include, but are not limited to, providing detailed cost estimating; planning and scheduling project construction phases; performing site investigation including utility potholing; providing constructability studies; and coordination with City staff and design consultant. A Small Business Enterprise goal will be established for this project upon substantial completion of Preconstruction Services and prior to the start of construction.

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

Procurement Information

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

Selected Firm
Rank 1: Hunter Contracting Co.

Additional Proposers
Rank 2: J. Banicki Construction, Inc.
Rank 3: Combs Construction Company, Inc.
Rank 4: Sunland Asphalt & Construction, Inc.

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

Financial Impact
The agreement value for Hunter Contracting Co. will not exceed $100,000, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action
The City Council approved:
- Engineering Services Agreement 153853 (Ordinance S-47337) on March 3, 2021.

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: 4/21/2021, **Item No.** 52

3rd Street Promenade: Garfield Street to Indian School Road Modernization - Design-Bid-Build Services - ST87100162 (Ordinance S-47473)

Request to authorize the City Manager, or his designee, to accept Hunter Contracting Co. as the lowest-priced, responsive and responsible bidder and to enter into an agreement with Hunter Contracting Co. for Design-Bid-Build Services for the 3rd Street Promenade: Garfield Street to Indian School Road Modernization project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $7,567,049.20.

Summary

The purpose of this project is to improve traffic circulation and increase safety and mobility for pedestrians and bicyclists by implementing a new lane configuration.

Hunter Contracting Co.'s services include, but are not limited to, providing one lane in each direction with a center turn lane; adding bicycle lanes on both sides of the street; asphalt pavement replacement, microsurfacing and crack seal; concrete sidewalk and curb ramps; streetlighting; landscaping and irrigation; traffic signals; and other ancillary items.

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

Procurement Information

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Two bids were received on Feb. 16, 2021, and were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and contractor responsiveness in demonstrating responsiveness to Small Business Enterprise program requirements.

The Opinion of Probable Cost and the one lowest responsive, responsible bidder is listed below:

Opinion of Probable Cost: $7,271,803.67
Hunter Contracting Co.: $7,567,049.20

Bidder who was deemed non-responsive is listed below:
AJP Electric, Inc.

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

Contract Term
The term of the agreement is 300 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Hunter Contracting Co. will not exceed $7,567,049.20, including all subcontractor and reimbursable costs.

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

Location
3rd Street: Garfield Street to Indian School Road
Council Districts: 4, 7, 8

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: 4/21/2021, **Item No.** 53

Falcon Park and Momo Park Renovations - Engineering Services - PA75200491 (Ordinance S-47477)

Request to authorize the City Manager, or his designee, to enter into an agreement with Gavan and Barker, Inc., to provide Engineering Services that include design and construction administration and inspection services for the Falcon Park and Momo Park Renovations projects. 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 $90,000.

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

Summary

The purpose of this project is to provide various park renovation improvements to Falcon Park and Momo Park. The projects will be bid separately using federal funds under the Neighborhood Services Department.

In September 2020, Gavan and Barker, Inc. was issued an initial Notice to Proceed under the 2019-20 Engineering On-Call Services contract to provide design services that included plans, bid assistance, and submittals for Falcon Park and Momo Park renovations. The contract has since expired and Gavan and Barker, Inc. was not selected under the new 2021-22 Engineering On-Call Services contract. Gavan and Barker, Inc. has completed significant work on the project and the need to have the original designer available for the pre-bid meeting, to answer questions regarding the

prepared plans, and for construction administration and inspection services is essential.

Gavan and Barker, Inc.'s continued services include, but are not limited to: plan submittals, bid assistance, and providing construction administration and inspection services through the construction of the projects.

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

Procurement Information
Gavan and Barker, Inc. was chosen for this project using a Direct Select process set forth in section 34-103 of the Arizona Revised Statutes. The Direct Select process will reduce the time to procure additional design and construction administration and inspection services, as opposed to an advertised selection process; therefore, meeting the project deadline and ensuring continuity and the most efficient use of staff and funding resources.

Contract Term
The term of the agreement is 215 calendar days 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 Gavan and Barker, Inc. will not exceed $90,000, including all subconsultant and reimbursable costs.

Funding is available in the Parks and Recreation Department's Capital Improvement Program budget. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action
The City Council approved Citywide Engineering/Consulting On-Call Services for Calendar Years 2019-20 Agreement 148782 (Ordinance S-45138) on Nov. 14, 2018.

Locations
Falcon Park - 3420 W. Roosevelt St.
Momo Park - 5447 S. 5th Place
Council Districts: 4 and 7

Responsible Department

This item is submitted by Deputy City Managers Inger Erickson and Mario Paniagua, the Parks and Recreation Department, and the City Engineer.

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 54

Indian School Fiber Transportation Enhancement - Design-Bid-Build Services - ST89360035 (Ordinance S-47479)

Request to authorize the City Manager, or his designee, to accept MP Nexlevel, LLC, as the lowest-priced, responsive and responsible bidder and to enter into an agreement with MP Nexlevel, LLC for Design-Bid-Build Services for the Indian School Fiber Transportation Enhancement project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $2,813,113.

Summary

The purpose of this project is to expand the current fiber optic infrastructure communication network equipment to allow for remote monitoring and control and traffic signal optimization along a 12.5-mile route to the western limits of the City of Phoenix. The fiber optic line will traverse through a portion of the City of Glendale and through Arizona Department of Transportation managed right-of-way; the fiber will serve City of Phoenix needs.

MP Nexlevel, LLC's services include, but are not limited to: installing a majority of new conduit infrastructure; utilizing existing conduit infrastructure to the extent possible to fill in gaps along the existing conduit path; connecting to existing traffic signals along the route; installing fiber and pull box infrastructure and a Layer 3 network switch at two locations; connection to City of Phoenix and neighboring agency existing fiber communications cable; and other miscellaneous work items as required to complete the project.

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

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

Procurement Information

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Five bids were received on Feb. 23,

2021 and were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and contractor responsiveness in demonstrating responsiveness to Disadvantaged Business Enterprise (DBE) program requirements.

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

Engineer's Opinion of Probable Cost: $4,177,835.00
MP Nexlevel, LLC: $2,813,113.00
Roadway Electric, LLC: $2,966,295.00
CS Construction, Inc: $3,116,942.00

Bidders who were deemed non-responsive are listed below, in alphabetical order:
B&F Contracting, Inc.: $5,313,055.94
Sturgeon Electric Company, Inc.: $2,614,426.50

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

The reason for the variance from the Engineer's Opinion of Probable Cost to the lowest, responsive, responsible bid is the pricing for the electrical conduit and the electrical system was developed based on contractor's pricing on similar projects in other jurisdictions during 2020, and the pricing for the fiber optic equipment was based on very old historical bid information. The Engineer evaluated the bids received by the City and compared them to the Engineer's Opinion of Probable Cost, and did not find any severe variations of unit prices that would cause concern to prevent the City from moving forward with awarding this project to MP Nexlevel, LLC.

Contract Term
The term of the agreement is 270 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for MP Nexlevel, LLC will not exceed $2,813,113, including all subcontractor and reimbursable costs.

This project will utilize federal funds and is subject to the requirements of 49 Code of Federal Regulations (CFR) Part 26 and the U.S. Department of Transportation DBE Program. 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
City of Phoenix:
- 99th Avenue from Camelback to Indian School roads
- Campbell Avenue from 99th Avenue to Phoenix Fire Station 54
- Indian School Road from 99th Avenue to Loop 101 Agua Fria Freeway
- Indian School Road from Loop 101 Agua Fria Freeway to 27th Avenue
- 27th Avenue from Indian School to Camelback roads
- Camelback Road from 27th to 23rd avenues
- 23rd Avenue from Camelback Road to Phoenix Fire Station 18

City of Glendale:
- 99th Avenue from Cardinals Way to Camelback Road

Arizona Department of Transportation:
- Indian School Road at Loop 101 Agua Fria Freeway
- Camelback Road at Black Canyon Freeway

Council Districts: 4, 5, 7 and Out of City

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: 4/21/2021, **Item No.** 55

Northwest Valley Transportation - Construction Manager at Risk Preconstruction Services - ST85100449 (Ordinance S-47495)

Request to authorize the City Manager, or his designee, to enter into an agreement with Hunter Contracting Co. to provide Construction Manager at Risk Preconstruction Services for the Northwest Valley Transportation project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $150,000.

Summary

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

Hunter Contracting Co. will begin in an agency support role for Construction Manager at Risk Preconstruction Services. Hunter Contracting Co. will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

Hunter Contracting Co.'s services include, but are not limited to, installation of asphalt, curb, gutter, sidewalk, drainage facilities, streetlights, and landscaping that will serve the TSMC facility and surrounding region. A Small Business Enterprise goal will be established for this project upon substantial completion of Preconstruction Services and prior to the start of construction.

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

Procurement Information

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

and are listed below.

Selected Firm
Rank 1: Hunter Contracting Co.

Additional Proposers
Rank 2: Haydon Builiding Corp.
Rank 3: Sundt Construction, Inc.
Rank 4: Kiewit Infrastructure West Co.
Rank 5: Ames Construction, Inc.

Contract Term
The term of the agreement is 180 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Hunter Contracting Co. will not exceed $150,000, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action
The City Council approved Development Agreement with Taiwan Semiconductor Manufacturing Company (Ordinance S-47129) on Nov. 18, 2020.

Location
The site is bounded by I-17 Freeway to the east, the Loop 303 Freeway to the south, the Deadman Wash to the west, and State Route 74 to the north.
Council District: 1

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 56

Centrifuges Agreement for Water Production Plants - Request for Award (Ordinance S-47471)

Request to authorize the City Manager, or his designee, to enter into an agreement with Alfa Laval, Inc. to provide centrifuge parts and services for the purpose of maintaining the centrifuges at the Water Production Plants 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 value of the agreement will not exceed $2.2 million.

Summary
The purpose of this agreement is to provide parts and services for the existing centrifuges used by the Water Production Plants. The centrifuges are necessary equipment that remove debris and sludge from the surface water in the production process.

This direct selection is necessary because Alfa Laval, Inc. is the sole source provider for the Alfa Laval Centrifuges.

Alfa Laval, Inc.'s services include, but are not limited to parts, service, and troubleshooting when necessary.

Procurement Information
An exception to the procurement process was determined to select the Contractor as set forth in City of Phoenix Administrative Regulation 3.10. A direct selection was made because there is only one known capable supplier of goods or services due to the unique nature of the requirement, supplier, or market condition.

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

Financial Impact
The agreement value for Alfa Laval, Inc. will not exceed $2.2 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: 4/21/2021, **Item No.** 57

Microbiological Products Agreement - Request for Award (Ordinance S-47476)

Request to authorize the City Manager, or his designee, to enter into an agreement with IDEXX Distribution Corporation, to provide microbiological reagents and supplies for the purpose of testing water samples and to comply with state and federal regulatory required analytical methods. 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 agreement value will not exceed $685,000.

Summary

The purpose of this agreement is to provide microbiological reagents and supplies to the Water Services Department for the purpose of testing the drinking water provided to the City of Phoenix customers.

This direct selection is necessary because IDEXX Distribution Corporation is the sole distributor of the water testing items that comply with U.S. Environmental Protection Agency analytical methods and Arizona Department of Health Services (ADHS) requirements. The City of Phoenix Water Services Compliance Laboratory is licensed under the same methods and required to use the approved products.

IDEXX Distribution Corporation's services include, but are not limited to: sole distribution of certain Dynal brand products related to Dynabead Giardia, Crytosordium, Quanit-trays and SimPlate reagents and supplies as well as HPC test kits.

Procurement Information

An exception to the procurement process was determined to select the Contractor pursuant to City of Phoenix Administrative Regulation 3.10. A direct selection was made because there exists only one known capable supplier of goods or services due to the unique nature of the requirement, supplier, or market condition.

Contract Term

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

Financial Impact
The agreement value for IDEXX Distribution Corporation will not exceed $685,000.

Funding is available in the Water Services Department 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: 4/21/2021, **Item No.** 58

Agreement with Valley Metro Rail, Inc. for Northwest Extension Phase II Light Rail Train Project Utility Relocation Services - WS85500330 (Ordinance S-47478)

Request to authorize the City Manager, or his designee, to enter into an agreement with Valley Metro Rail, Inc., to procure services to relocate Water facilities that are near the Northwest Extension Phase II Light Rail Train Project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority, as provided below, and for the City Controller to disburse all funds related to this item. The total value of this agreement will not exceed $6.95 million.

Summary

The Water Services Department (WSD) owns water and wastewater infrastructure throughout the Light Rail Train (LRT) project area which require relocation to meet Valley Metro Rail, Inc. (METRO) and City of Phoenix standards. METRO standards require infrastructure within 10 feet of the centerline of the track to be relocated. These relocations are paid for as part of the LRT Project using Proposition 400 or Transit 2050 funds. WSD established an additional standard to review and relocate infrastructure within 16 feet of the centerline of the track on a case-by-case basis. Infrastructure relocations outside of the METRO standard are paid for by WSD using Capital Improvement Program funds.

Based on the LRT Project’s current design, there is existing water infrastructure within the impacted construction area of the project which must be relocated in conformance with the LRT Project schedule, to meet these standards.

METRO will relocate the affected facilities through the use of a procured contractor, and the City will reimburse METRO for construction costs associated with the relocations.

Contract Term

The agreement will begin on or about July 1, 2021, and the term of this agreement is through June 30, 2026.

Financial Impact
The total value for this agreement will not exceed $6.95 million. Funding for the project is available in the Water Services Department Capital Improvement Program budget.

Location
The LRT Project is located along Dunlap Avenue from 19th to 25th avenues, along 25th Avenue from Dunlap to Mountain View avenues, and along Mountain View Avenue from 25th Avenue (crossing Interstate 17) to MetroCenter.
Council Districts: 1, 3 and 5

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 59

Generator Maintenance Service and Fuel Supply - Request for Award (Ordinance S-47480)

Request to authorize the City Manager, or his designee, to enter into an agreement with Empire Power Systems to provide generator maintenance services for the purpose of maintaining proper functionality of 16 emergency standby power generators within Water Services Booster Stations and Water Treatment Plants. 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 agreement value will not exceed $3 million.

Summary

The purpose of this agreement is to provide regular and consistent maintenance by specialized technical staff that are proficient with the specific types of industrial sized emergency generators installed within Water Services Department's treatment plants and booster stations.

This direct selection is necessary because of the specialized type of equipment and the need to use the authorized service provider for CAT generators.

Empire Power Systems' services include but are not limited to: provision of all materials and specialized labor required to adequately service and maintain optimal performance of 16 emergency standby power generators on a regular schedule over the contract term of five years.

Procurement Information

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

Contract Term

The agreement will begin on or about July 1, 2021 for a five-year aggregate term.

Financial Impact
The aggregate value for Empire Power Systems will not exceed $3 million.

Funding is available in the Water Services Department 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: 4/21/2021, **Item No.** 60

Riverware Software Agreement with University of Colorado - Request for Award (Ordinance S-47488)

Request to authorize the City Manager, or his designee, to enter into an agreement with University of Colorado, to provide annual software registration for the purpose of continuing research using the proprietary Riverware software system. Further request to authorize the City Controller to disburse all funds related to this item. The agreement value will not exceed $20,000.

Summary

The purpose of this agreement is to quantify the potential effects of shortages from Colorado River water on the volumes received by the City of Phoenix using Riverware software developed by the University of Colorado.

This direct selection is necessary because the University of Colorado is the sole proprietor of the Riverware modeling software and the sole source for obtaining annual renewals required to maintain the program within the City of Phoenix Water Services Department.

The University of Colorado's services include, but are not limited to: owner of the intellectual property associated with the Riverware modeling software and sole provider of the software through the Center for Advanced Decision Support for Water and Environmental Systems (CADSWES).

Procurement Information

An exception to the procurement process was determined to select the Contractor pursuant to City of Phoenix Administrative Regulation 3.10. A direct selection was made because there exists only one known capable supplier of goods or services due to the unique nature of the requirement, supplier, or market condition.

Contract Term

The agreement will begin on or about May 19, 2021, for a five-year aggregate term with no options to extend.

Financial Impact

The agreement value for the University of Colorado will not exceed $20,000.

Funding is available in the Water Services Department 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: 4/21/2021, **Item No.** 61

Final Plat - Norterra PUD Parcels 7, 8 & 9 - PLAT 200635 - North of Happy Valley Road and East of 21st Avenue

Plat: 200635
Project: 15-3108
Name of Plat: Norterrra PUD Parcels 7, 8 & 9
Owner(s): US Relp Norterra East I, LLC
Engineer(s): Ethan Boyle, PE and Thomas Gettings, RLS
Request: A 16 Lot Detached Single Family Plat
Reviewed by Staff: March 16, 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 Happy Valley Road and east of 21st Avenue.
Council District: 1

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 62

Final Plat - Talinn Phase 2 - PLAT 200545 - North of Deer Valley Road and East of 56th Street

Plat: 200545
Project: 06-657
Name of Plat: Talinn Phase 2
Owner(s): DR Horton, Inc. and Shea Homes, LP
Engineer(s): Brian Diehl, RLS
Request: A 273 Lot Single Family Subdivision Plat
Reviewed by Staff: March 19, 2021
Final Plat requires Formal Action Only

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

Location
Generally located north of Deer Valley Road and east of 56th Street.
Council District: 2

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 63

Final Plat - Shops at Chauncey Mayo - PLAT 200624 - Southeast Corner of Allied Way and Mayo Boulevard

Plat: 200624
Project: 00-8265
Name of Plat: Shops at Chauncey Mayo
Owner(s): Levine Investments, Limited Partnership
Engineer(s): Leonard J. Erie, RLS
Request: A 4 Lot Commercial Plat
Reviewed by Staff: March 11, 2021
Final Plat requires Formal Action Only

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

Location
Generally located at the southeast corner of Allied Way and Mayo Boulevard.
Council District: 2

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 64

Final Plat - Lexia Manor - PLAT 200579 - South of State Avenue and East of 15th Avenue

Plat: 200579
Project: 19-3539
Name of Plat: Lexia Manor
Owner(s): Lexia Development, LLC
Engineer(s): Keogh Engineering, Inc.
Request: A 5 Lot Residential Plat
Reviewed by Staff: March 18, 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 south of State Avenue and east of 15th Avenue.
Council District: 3

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 65

Final Plat - Mesquite Terrace - PLAT 200534 - North of Camelback Road on the East Side of 19th Avenue

Plat: 200534
Project: 17-2967
Name of Plat: Mesquite Terrace
Owner(s): Trinity Housing Development, LLC
Engineer(s): David S. Klein, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: March 17, 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 Camelback Road on the east side of 19th Avenue.
Council District: 4

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 66

Final Plat - Karma Subdivision - PLAT 210006 - East of 13th Place and South of Bethany Home Road

Plat: 210006
Project: 20-2243
Name of Plat: Karma Subdivision
Owner(s): BVI-1317, LLC
Engineer(s): Paul M. Miller, RLS
Request: A 11 Lot Residential Plat
Reviewed by Staff: March 22, 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 east of 13th Place and south of Bethany Home Road.
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: 4/21/2021, **Item No.** 67

Final Plat - Zora Encanto - PLAT 200597 - Northeast Corner of 83rd Avenue and Encanto Boulevard

Plat: 200597
Project: 19-2618
Name of Plat: Zora Encanto
Owner(s): Encanto OZ, SPE, LLC
Engineer(s): Douglas B. Toney, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: March 19, 2021
Final Plat requires Formal Action Only

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

Location
Generally located at the northeast corner of 83rd Avenue and Encanto Boulevard.
Council District: 7

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 68

Final Plat - Retreat at Tuscano - PLAT 200600 - Southwest Corner of 75th Avenue and Lower Buckeye Road

Plat: 200600
Project: 02-3184
Name of Plat: Retreat at Tuscano
Owner(s): Nextgen Apartments - 75 LB, LLC
Engineer(s): Anthony L. Slater, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: March 19, 2021
Final Plat requires Formal Action Only

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

Location
Generally located at the southwest corner of 75th Avenue and Lower Buckeye Road.
Council District: 7

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 69

Final Plat - McClellan Ranch - Parcels 2B & 3B - PLAT 200601 - North of Dobbins Road, West of 67th Avenue Alignment

Plat: 200601
Project: 17-1627
Name of Plat: McClellan Ranch - Parcels 2B & 3B
Owner(s): Pulte Home Company, LLC and Meritage Homes of Arizona, Inc.
Engineer(s): Brian J. Benedict, RLS
Request: A 97 Lot Subdivision Plat
Reviewed by Staff: March 19, 2021
Final Plat requires Formal Action Only

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

Location
Generally located 2,000 feet north of Dobbins Road, west of 67th Avenue Alignment.
Council District: 7

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 70

Final Plat - McClellan Ranch - Parcels 6B & 7 - PLAT 200602 - Northwest Corner of 67th Avenue and Dobbins Road

Plat: 200602
Project: 17-1627
Name of Plat: McClellan Ranch - Parcels 6B & 7
Owner(s): Pulte Home Company, LLC and Meritage Homes of Arizona, Inc.
Engineer(s): Brian J. Benedict, RLS
Request: A 110 Lot Subdivision Plat
Reviewed by Staff: March 19, 2021
Final Plat requires Formal Action Only

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

Location
Generally located at the northwest corner of 67th Avenue and Dobbins Road.
Council District: 7

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 71

Final Plat - Earll 6 SFA Subdivision - PLAT 200617 - West of 38th Street and South of Earll Drive

Plat: 200617
Project: 18-1790
Name of Plat: Earll 6 SFA Subdivision
Owner(s): Russell P. Black, PLLC
Engineer(s): Kent D. Miller, RLS
Request: A 6 Lot Residential Plat
Reviewed by Staff: March 22, 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 west of 38th Street and south of Earll Drive.
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: 4/21/2021, **Item No.** 72

Final Plat - Sherman Place - PLAT 200620 - Southwest Corner of 2nd Avenue and Sherman Street

Plat: 200620
Project: 19-4408
Name of Plat: Sherman Place
Owner(s): Morris Thomas/Susan
Engineer(s): Paul M. Miller, RLS
Request: A 1 Lot Commercial Plat
Reviewed by Staff: March 22, 2021
Final Plat requires Formal Action Only

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

Location
Generally located at the southwest corner of 2nd Avenue and Sherman Street.
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: 4/21/2021, **Item No.** 73

Abandonment of Easement - ABND 200510 - Northeast Corner of Happy Valley Road and Norterra Parkway (Resolution 21916)

Abandonment: ABND 200510
Project: 15-3108
Applicant(s): AHW Construction, Inc.
Request: To abandon drainage easement FN 190070, recording number with Maricopa County Recorder's office, 2019-1035710 and FN 190010, recording number with Maricopa County Recorder's office 2019-0430679.
Date of Decision/Hearing: May 15, 2020

Location
Northeast corner of Happy Valley Road and Norterra Parkway
Council District:1

Financial Impact
None. No consideration fee was required as a part of this abandonment, although filing fees were paid.

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 74

Abandonment of Easement - ABND 200532 - Southwest Corner of Baseline Road and 43rd Avenue (Resolution 21917)

Abandonment: ABND 200532
Project: 19-822
Applicant: Keith Green
Request: To abandon entirety of multi-use trail easement and vehicular non-access easement, adjacent to parcels addressed 4343 W. Baseline Road and 7900 S. 43rd Ave.
Date of Decision/Hearing: Sept. 9, 2020

Location
Southwest corner of Baseline Road and 43rd Avenue
Council District: 8

Financial Impact
None. No consideration fee was required as a part of this abandonment, although filing fees were paid.

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 75

Abandonment of Right-of-Way - V190022A - 214 S. 37th Street (Resolution 21918)

Abandonment: V190022A
Project: 99-40227
Applicant: Sebastian Sandersins
Request: To abandon a 13-foot right-of-way along the east end of lot addressed 214 S. 37th Street, per ordinance S-3250.
Date of Decision/Hearing: May 9, 2019

Location
214 S. 37th Street
Council District: 8

Financial Impact
A consideration fee was also collected as part of this abandonment in the amount of $6,500.

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

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 76

Modification of Stipulation Request for Ratification of March 17, 2021 Planning Hearing Officer Action - PHO-3-21--Z-129-95-3 - Approximately 330 Feet East of the Southeast Corner of 7th Avenue and Bell Road

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on March 17, 2021. This ratification requires formal action only.

Summary

Application: PHO-3-21--Z-129-95-3
Existing Zoning: C-2
Acreage: 1.68

Applicant: Geyser Management, LLC
Owner: Turner Property Development II, LLC
Representative: Susan Demmitt, Gammage & Burnham, PLC

Proposal:
1. Deletion of Stipulation 1 regarding general conformance to the site plan dated Sept. 18, 1995.
2. Deletion of Stipulation 6 regarding driveways on 7th Avenue and Bell Road.
3. Deletion of Stipulation 7 limiting number and design of pads.
4. Deletion of Stipulation 9 regarding a variance for an eight-foot wall on the south property line.
5. Deletion of Stipulation 10 regarding construction, maintenance, and repair of the south perimeter wall.
6. Deletion of Stipulation 12 regarding an average 25-foot landscape buffer along the south property line.
7. Deletion of Stipulation 13 prohibiting illumination of the ice rink roof.
8. Deletion of Stipulation 14 regarding speed bumps in main driveway aisles.
9. Deletion of Stipulation 15 limiting height of freestanding signs.
10. Deletion of Stipulation 16 regarding notifications for future Site Plan Review Division meetings.
11. Deletion of Stipulation 17 requiring construction commence within 24 months of City

Council approval.
12. Technical corrections to Stipulations 3 and 5.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Deer Valley Village Planning Committee heard this case on March 11, 2021 and recommended approval with a modification, by a vote of 8-0.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on March 17, 2021, and recommended approval with a modification and an additional stipulation. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Approximately 330 feet east of the southeast corner of 7th Avenue and Bell Road
Council District: 3
Parcel Address: 601 W. Bell Road

Responsible Department

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

Attachment A- Stipulations- PHO-3-21_Z-129-95-3

Location: Approximately 330 feet east of the southeast corner of 7th Avenue and Bell Road

Stipulations:

~~1.~~	~~That development be in general conformance to the site plan dated September 18, 1995, as amended by the stipulations below.~~
1. ~~2.~~	~~That~~ An average 40-foot landscaped setback SHALL be provided along Bell Road. No more than 50 percent of this landscape setback shall be used for retention purposes.
2. ~~3.~~	~~That~~ An average 20-foot landscaped setback SHALL be provided along 7th Avenue. Landscaping within this setback shall include mature shade trees, planted 20 feet on-center or in equivalent groupings as approved by the PLANNING AND Development ~~Services~~ Department. This landscape setback shall also include berming and/or decorative walls to screen the parking areas as approved by the PLANNING AND Development ~~Services~~ Department. No more than 50 percent of this landscaped setback may be used for retention purposes.
3. ~~4.~~	~~That~~ The portion of landscaping or usable hardspace that surrounds each commercial pad area SHALL be approximately 35 percent of the building square footage. ~~That~~ Approximately one-third (1/3) of the site improvements surrounding the building should be landscaped. If no parking is provided in front of the pad, all landscaping behind the public sidewalk on the pad site may be utilized in meeting this stipulation.
4. ~~5.~~	~~That~~ Sidewalks within required setback areas SHALL be set back a minimum of eight (8) feet from the curb on Bell Road and 7th Avenue to create a landscaped buffer between pedestrians and adjacent automobile traffic, as approved by THE PLANNING AND Development ~~Services~~ Department.
5. ~~6.~~	~~That~~ Site access shall be limited to a maximum of three (3) driveways each to 7th Avenue and Bell Road. Shared access shall be provided with the adjoining land to the east, if developed with commercial zoning.
~~7.~~	~~That three pads be allowed, but designed to minimize the effect of a strip mall, including maximizing view corridor and integrating landscaping.~~
6. ~~8.~~	~~That~~ The applicant shall agree to record covenants, conditions and restriction (CC & R's) on the property ensuring the continued maintenance of the property and that trash or graffiti that appear within the boundaries of the development be removed within forty-eight (48) hours after discovery in order to discourage future defacement and destruction of the property.
~~9.~~	~~That, within 120 days of approval by the City Council of the requested C-2 zoning, that applicant shall file a variance request with the Zoning Administrator seeking approval of an eight (8) foot high wall to be constructed on the south property line between the subject property and the D.R. Horton residential~~

	~~development located to the south. Should the request for an over-height wall be approved, the perimeter wall shall be shown on the site plan for the ice rink to be submitted to the Site Plan Division of the Development Services Department.~~
~~10.~~	~~That the south perimeter wall shall be constructed prior to or concurrent with development located adjacent to the south property line. Said wall shall be fully grouted (for noise attenuation) and shall include a design, materials, and paint consistent with the existing D.R. Horton perimeter wall. The maintenance and repair of the proposed wall shall be the responsibility of the commercial property owner adjacent to the wall.~~
7. ~~11.~~	~~That~~ All freestanding security lighting shall be of recessed cut-off design and shall conform to the lighting standards of the City of Phoenix.
~~12.~~	~~That an average twenty-five (25) foot landscape buffer be provided along the south property line. Said landscape buffer shall be planted with a double row of drought-resistant shade trees spaced twenty (20) feet on center in a staggered alignment and shrubbery as approved by the Site Plan Division of the Development Services Department of the City of Phoenix. The commercial property owner adjacent to the proposed landscape strip shall maintain the landscaping and replace any dead trees or shrubs in a timely manner, not to exceed four (4) weeks after removal.~~
~~13.~~	~~That the ice rink roof shall not be illuminated.~~
~~14.~~	~~That the main driveway aisles on the ice rink site shall incorporate speed bumps.~~
~~15.~~	~~That any freestanding sign for the ice rink be limited to ten (10) feet in height maximum.~~
~~16.~~	~~That the applicant and the City of Phoenix Site Plan Division shall notify Ken Groom (415 W. Aire Libre, Phoenix, AZ 85023) and Jeff Marek (604 W. Kelton, Phoenix, AZ 85023) for future meetings with the City of Phoenix Development Services Site Plan Review Division regarding the subject site.~~
~~17.~~	~~That construction of the ice rink shall commence within 24 months of City Council approval in accordance with Section 506.B.~~
8.	PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 77

Modification of Stipulation Request for Ratification of March 17, 2021 Planning Hearing Officer Action - PHO-4-21--Z-40-85-6 - Northeast Corner of 44th Street and Flower Street

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on March 17, 2021. This ratification requires formal action only.

Summary

Application: PHO-4-21--Z-40-85-6
Existing Zoning: C-O
Acreage: 1.90

Applicant: Tim Rasnake, Archicon AAI, LC
Owner: DOC-331 North 44th Street MOBs, LLC
Representative: Tim Rasnake, Archicon AAI, LC

Proposal:
1. Deletion of Stipulation 8 restricting FAR to a maximum of 0.33.
2. Deletion of Stipulation 10 regarding conditional zoning approval.
3. Deletion of Stipulation 13 regarding a pool and construction fence.
4. Deletion of Stipulation 14 regarding landscaping and a watering system.
5. Deletion of Stipulation 15 regarding a six-foot wall along residences to the east.
6. Deletion of Stipulation 16 regarding a landscape and watering plan.
7. Deletion of Stipulation 17 regarding compliance with Stipulations 15 and 16.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Camelback East Village Planning Committee opted not to hear this request.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on March 17, 2021, and recommended approval with an additional stipulation. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location
Northeast corner of 44th Street and Flower Street
Council District: 6
Parcel Address: 3333 N. 44th St.

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

Attachment A- Stipulations- PHO-4-21--Z-40-85-6

Location: Northeast corner of 44th Street and Flower Street

Stipulations:

1.	~~That~~ The project shall be built in substantial compliance with the site plan and elevations dated January 27, 1985.	
2.	~~That~~ There SHALL be a one-foot vehicular non-access easement dedicated to the City of Phoenix along the south side of the parcel to preclude access to and from the project along Flower Street.	
3.	~~That~~ A landscaped setback of 25 feet shall be provided along Flower Street and a 20-foot landscaped setback shall be provided along 44th Street.	
4.	~~That~~ THE landscaping plan along the east boundary line of the site shall provide for a continuous oleander hedge with any existing void spaces to be replanted with 15-gallon oleander plants six feet on center.	
5.	~~That~~ The maximum height of the buildings shall be in accordance with R-O Ordinance.	
6.	~~That~~ Access SHALL be limited to 44th Street.	
7.	~~That~~ A mature landscape barrier SHALL be provided as follows:	
	a.	10 feet on the east property line.
	b.	25 feet on the south property line.
	c.	20 feet on the west property line.
~~8.~~	~~That the FAR not exceed 0.33.~~	
8. ~~9.~~	~~That~~ There shall be a 10-foot setback along the east property line.	
~~10.~~	~~That approval of this rezoning be conditioned upon development in accordance with Section 108-K of the Zoning Ordinance within 60 days of City Council's August 26, 1987 approval action.~~	
9. ~~11.~~	~~That the~~ Trash pickup shall be limited to the daylight hours on the weekdays.	
10. ~~12.~~	~~That~~ Sufficient right-of-way SHALL be dedicated within one year of final City Council action to provide:	
	a.	A 50-foot half street for 44th Street.
	b.	A 12-foot radius at 44th Street and Flower Street.

~~13.~~	~~That the pool remaining in the cleared area be filled and the construction fence surrounding the property removed.~~
~~14.~~	~~That the site be landscaped/grassed with an appropriate watering system installed within 60 days of City Council action, as approved by the Development Coordination Office.~~
~~15.~~	~~That within 60 days, a six-foot wall be constructed along the residences to the east, and such building material, for the wall, be compatible to the residences.~~
~~16.~~	~~That within 30 days, landscaping be installed, including grass on the total site with an appropriate water system. The Development Coordination Office, as previously stipulated, is to approve the plan.~~
~~17.~~	~~That if Item Nos. 15 and 16 are not done within the set time frame, these will be considered zoning violations, subject to prosecution.~~
11.	THE DEVELOPER SHALL RECORD A CROSS-ACCESS EASEMENT AND COMMON DRIVEWAY AGREEMENT FOR PARCELS NOS. 1A AND 1B, AS DEPICTED ON THE ILLUSTRATIVE CONCEPTUAL SITE PLAN DATE STAMPED JANUARY 22, 2021, AND AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 78

Modification of Stipulation Request for Ratification of March 17, 2021 Planning Hearing Officer Action - PHO-4-21--Z-81-05-7(8) - Approximately 170 Feet East of the Southeast Corner of 35th Avenue and Southern Avenue

Request to authorize the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on March 17, 2021. This ratification requires formal action only.

Summary

Application: PHO-4-21--Z-81-05-7(8)
Existing Zoning: C-2
Acreage: 8.69

Applicant: Adam Baugh, Withey Morris, PLC
Owner: All Other Property LLP/ETAL
Representative: Adam Baugh, Withey Morris, PLC

Proposal:

1. Modification of Stipulation 1 regarding general conformance to the site plan date stamped Sept. 23, 2005.
2. Modification of Stipulation 1.b limiting the maximum number of lots to 59.
3. Modification of Stipulation 2 regarding general conformance to elevations date stamped May 26, 2005.
4. Modification of Stipulation 2.a requiring homes to include covered entrances.
5. Modification of Stipulation 4 requiring a landscaped entry feature.
6. Modification of Stipulation 5 regarding side yard setbacks on Lots 31 and 32.
7. Modification of Stipulation 6 regarding a 12-inch roof overhang.
8. Deletion of Stipulation 18 regarding right-of-way and a transit pad along Southern Avenue.
9. Deletion of Stipulation 19 regarding right-of-way and a transit pad along 35th Avenue.
10. Deletion of Stipulation 20 regarding right-of-way and a bus-bay along Southern Avenue.
11. Modification of Stipulation 22 limiting minimum lot width to 50 feet.

12.Technical corrections to Stipulations 3, 8, 9, and 16.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on March 15, 2021 and recommended approval with additional stipulations, by a vote of 6-4.
Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on March 17, 2021, and recommended denial as filed and approval with modifications and additional stipulations. Please see **Attachment A** for a complete list of the Planning Hearing Officer's recommended stipulations.

Location

Approximately 170 feet east of the southeast corner of 35th Avenue and Southern Avenue
Council District: 8
Parcel Address: 3435 W. Southern Ave.

Responsible Department

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

Attachment A- Stipulations- PHO-4-21--Z-81-05-7(8)

Location: Approximately 170 feet east of the southeast corner of 35th Avenue and Southern Avenue

Stipulations:

~~General Conformance~~ RESIDENTIAL		
1.	~~That~~ THE development shall be in general conformance ~~to~~ WITH the site plan date stamped MARCH 16, 2021 ~~September 23, 2005~~, as modified by the following STIPULATIONS~~,~~ and ~~as~~ approved ~~or modified~~ by the PLANNING AND Development ~~Services~~ Department:	
	a.	~~That~~ A shaded walkway shall be incorporated into the parking lot with alternative paving materials where walkways cross drive aisles.
	b.	~~That~~ The MULTIFAMILY residential DEVELOPMENT ~~portion~~ shall not exceed 133 ~~59~~ lots.
	C.	A MINIMUM OF 21 PERCENT OF THE GROSS PROJECT AREA SHALL BE RETAINED AS OPEN SPACE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
	D.	THE MULTIFAMILY RESIDENTIAL DEVELOPMENT SHALL BE GATED.
	E.	ENCLOSED, PRIVATE, RESIDENTIAL GARAGES SHALL PROVIDE PARKING SPACES WITH A MINIMUM LENGTH OF 20 FEET, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
	F.	THE VEHICULAR GATE AT THE SOUTHWEST CORNER OF THE SITE SHALL SUPPORT BOTH INGRESS AND EGRESS, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
	G.	SPEED BUMPS OR ANOTHER ALTERNATIVE TRAFFIC CALMING MEASURE SHALL BE USED FOR SPEED MITIGATION.
~~Residential~~		
2.	~~That~~ THE development shall be in general conformance WITH ~~to~~ the ~~residential~~ elevations date stamped MARCH 16, 2021 ~~May 26, 2005~~, as modified by the following STIPULATIONS~~,~~ and ~~as~~ approved ~~or modified~~ by the PLANNING AND Development ~~Services~~ Department.	
	~~a.~~	~~That all homes shall include covered entrances, such as porches, archways, or landscaped courtyards;~~
	A. ~~b.~~	~~That~~ The elevations shall incorporate four-sided architecture.

	B.	ALL BUILDING FACADES SHALL HAVE A MINIMUM OF 25 PERCENT ACCENT MATERIAL.
	C.	BUILDING ROOFLINES SHALL PROVIDE ARTICULATION, DESIGN ELEMENTS, OR SIMILAR FEATURES AT A MINIMUM SPACING OF 45 FEET.
3.	THE REQUIRED LANDSCAPE SETBACK ALONG SOUTHERN AVENUE SHALL BE PLANTED WITH A MINIMUM 50 PERCENT 3-INCH CALIPER TREES, AND MINIMUM 25 PERCENT 2-INCH CALIPER TREES.	
4. ~~3.~~	~~That~~ The common open space area shall provide active recreational elements, such as tot lots and ramadas, as approved by the PLANNING AND Development ~~Services~~ Department.	
~~4.~~	~~That a minimum 40-foot by 40-fot landscaped entry feature shall be provided on both sides of the main entry into the residential development, as approved by the Development Services Department.~~	
~~5.~~	~~That the side yard setback on Lots 31 and 32 provide a minimum of 20 feet between buildings.~~	
~~6.~~	~~That all buildings must have a minimum 12-inch roof overhang.~~	
5.	THE DEVELOPER SHALL CONSTRUCT A MINIMUM 5-FOOT-WIDE PUBLIC SIDEWALK ALONG SOUTHERN AVENUE TO BE DETACHED WITH A MINIMUM 13-FOOT-WIDE LANDSCAPE AREA LOCATED BETWEEN THE BACK OF CURB AND SIDEWALK, CONSISTENT WITH CROSS SECTION D, AS IDENTIFIED ON THE STREET CLASSIFICATION MAP, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. TREES IN THE LANDSCAPE AREA SHALL BE PLANTED NEAR THE SIDEWALK TO PROVIDE THERMAL COMFORT FOR PEDESTRIANS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.	
6.	THE DEVELOPER SHALL PROVIDE A BICYCLE REPAIR STATION (FIX-IT-STATION) ALONG THE NORTH PERIMETER PROPERTY LINE THAT IS ACCESSIBLE AND VISIBLE FROM THE PUBLIC SIDEWALK, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.	
7.	THE DEVELOPER SHALL PROVIDE A MINIMUM OF 15 BICYCLE PARKING RACKS OR BIKE LOCKERS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.	
Commercial		
8. ~~7.~~	~~That~~ The commercial buildings elevations shall be approved through the Planning Hearing Officer process prior to preliminary site plan approval, with specific regard to the following.	
	a.	~~That~~ The commercial structures shall have pitched roofs or pitched roof elements.

9. ~~8.~~	~~That~~ A minimum 40-foot by 40-foot landscaped entry feature shall be provided at the two ingress/egress points furthest from the intersection of 35th Avenue and Southern Avenue, as approved or modified by the PLANNING AND Development ~~Services~~ Department. The enhanced landscape feature shall include a turf area and provide plant types from the following list:	
	a.	Trees: pecan, Arizona ash, evergreen elm, heritage live oak, sycamore, or other similar canopied trees;
	b.	Shrubs: myrtle (true, dwarf, and/or twisted), pomegranate, AZ yellow bells, bush lantana, Mexican honeysuckle, primrose jasmine, or other similar shrubs;
	c.	Accents: deer grass, wild sunflowers, penstemon, golden columbine, or other similar accents;
	d.	Vines: White Lady Banks Rose, common trumpet creeper, coral vine, pink trumpet vine, and primrose jasmine, or other similar vines.
10. ~~9.~~	~~That~~ The retention area located at the southeast corner of the commercial portion of the site SHALL incorporate an offset double row of 3 and 4-inch caliper trees, spaced 20-feet on center, as approved by the PLANNING AND Development ~~Services~~ Department.	
11. ~~10.~~	~~That~~ A landscape plan and a lighting plan shall be brought back to the Laveen Village Planning Committee (LVPC) for review and comment prior to City approval.	
12. ~~11.~~	~~That~~ THE development shall be subject to a comprehensive sign plan in accordance with Section 705. The LVPC shall have the opportunity to review the plan prior to the public hearing.	
Street Transportation		
13. ~~12.~~	~~That~~ Right-of-way totaling 55 feet shall be dedicated for the south half of Southern Avenue.	
14. ~~13.~~	~~That~~ Right-of-way totaling 55 feet shall be dedicated for the east half of 35th Avenue.	
15. ~~14.~~	~~That~~ A 21-foot by 21-foot right-of-way triangle shall be dedicated at the southeast corner of 35th Avenue and Southern Avenue.	
16. ~~15.~~	~~That~~ Sufficient right-of-way shall be dedicated to accommodate a bus-bay on Southern Avenue at 35th Avenue.	
17. ~~16.~~	~~That~~ The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the	

	PLANNING AND Development ~~Services~~ Department. All improvements shall comply with all ADA accessibility standards.
18. ~~17.~~	~~That~~ The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
PUBLIC Transit	
19. ~~18.~~	~~That~~ Right-of-way shall be dedicated and a transit pad constructed (Detail P1261) along eastbound Southern Avenue, east of 35th Avenue, as approved by the Public Transit Department.
20. ~~19.~~	~~That~~ Right-of-way shall be dedicated and a transit pad constructed (Detail P1262) along northbound 35th Avenue, north of Alta Vista Road, as approved by the Public Transit Department.
21. ~~20.~~	~~That~~ Right-of-way shall be dedicated and a bus-bay (P1257) constructed along eastbound Southern Avenue, east of 35th Avenue, as approved by the Public Transit Department.
Other	
22. ~~21.~~	~~That~~ Prior to final site plan approval, the property owner shall record documents that disclose to the purchasers of property within the development(s) the existence and operational characteristics of Sky Harbor International Airport. The form and content of such documents shall be reviewed and approved by the City Attorney.
~~22.~~	~~That the minimum lot width be 50 feet.~~
23.	~~That~~ Residential elevationS SHALL be brought back to the Laveen Village Planning Committee for review and comment.
24.	~~That~~ One of the amenities shall be a club house or ramada, with lights and seating for use by the Homeowners Association (HOA) for meetings.
25.	~~That~~ Any request to change or modify the stipulations or site plan~~,~~ SHALL be brought back to the Laveen Village Planning Committee for review and comment prior to approval by the City.

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 79

Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-21_Z-36-18-2 - Southeast Corner of Tatum Boulevard and Grovers Avenue (Ordinance G-6837)

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on March 17, 2021.

Summary

Application: PHO-1-21_Z-36-18-2
Existing Zoning: R1-10, R-2
Acreage: 121.73

Applicant: Withey Morris, PLC
Owner: DR Horton, Inc.
Representative: Benjamin Tate, Withey Morris, PLC

Proposal:
1. Modification of Stipulation 3 restricting lots along Grovers Avenue and 52nd Street to one-story and 15 feet in height.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Paradise Valley Village Planning Committee heard this case on March 1, 2021 and recommended approval, by a vote of 14-3.
PHO Action: The Planning Hearing Officer heard this case on March 17, 2021 and recommended approval. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location

Southeast corner of Tatum Boulevard and Grovers Avenue
Council District: 2
Parcel Address: N/A

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO REZONING APPLICATION Z-36-18-2 PREVIOUSLY APPROVED BY ORDINANCE G-6524.

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

SECTION 1. The zoning stipulations applicable located at the southeast corner of Tatum Boulevard and Grovers Avenue in a portion of Section 32, Township 4 North, Range 4 East, as described more specifically in Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

1. The development shall be in general conformance with the site plan and circulation plan date stamped August 10, 2018, except as modified by the following stipulations and as approved by the Planning and Development Department:

    a. A minimum of 20% of the gross site area shall be retained as open space.

    b. The concrete trail shall be a minimum of 8-feet in width.

2. Full view fencing shall be utilized along 52nd Street and Grovers Avenue where common tracts abut the perimeter of the subdivision, adjacent to internal streets and open space, as approved by the Planning and Development Department.

3. All lots along Grovers Avenue and 52nd Street shall be limited to one story and ~~15~~ 17 feet AND 6 INCHES in height, as approved by the Planning and Development Department.

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4. A minimum 25-foot landscape setback with minimum 2-inch caliper trees placed 20 feet on center or in equivalent groupings shall be provided along Grovers Avenue and 52nd Street, as approved by the Planning and Development Department.

5. The developer shall provide a minimum of two amenity areas. The amenity areas shall be a minimum of one acre in size and provide at least three of the following active recreational elements or other similar elements, as approved by the Planning and Development Department:

    a. Swimming pool

    b. Tot lot

    c. Barbecue and picnic areas

    d. Game courts

    e. Lawn or turf, putting green

    f. Pavilions or ramadas

6. The single-family detached product shall comply with the Single-Family Design Review standards, regardless of lot size as, outlined in Section 507.Tab A.II.C.8.1 through 8.4 of the Phoenix Zoning Ordinance and as approved by the Planning and Development Department.

7. A shade tree shall be planted in every front yard within 10 feet of the sidewalk, as approved by the Planning and Development Department.

8. The single-family detached and attached elevations shall incorporate the following elements, as approved by the Planning and Development Department.

    a. Every 20 linear feet on each story there shall be an architectural embellishment, structural relief, window or similar, as approved by the Planning and Development Department.

    b. All windows shall either be recessed a minimum of 2 inches or have a decorative pop-out at a minimum of 2-inches on all four sides of the home, as approved by the Planning and Development Department.

    c. Covered porches a minimum of sixty square feet in area shall be provided in the front yard of 50% of the homes that are offered in the subdivision. No porch shall terminate within the plane of a door or window.

9. The attached single-family development shall be in general conformance with the Duplex Lot Staggering Exhibit, date stamped August 10, 2018, as approved by the Planning and Development Department.

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10. The developer shall dedicate a one foot Vehicular Non-Access Easement (VNAE) along the eastern perimeter of the site, with an allowance for a maximum of one, 20-foot wide emergency access point to 52nd Street, as approved by the Planning and Development Department.

11. Right-of-way totaling 40 feet shall be dedicated for the south half of Grovers Avenue for the first 150 feet east of Tatum Boulevard. Right-of-way tapering from 40 feet to 30 feet shall be dedicated for the next 150 feet, with 30 feet of dedication for the remainder of the street, as approved by the Planning and Development Department.

12. Right-of-way totaling 40 feet shall be dedicated for the west half of 52nd Street for the first 150 feet north of Bell Road. Right-of-way tapering from 40 feet to 30 feet shall be dedicated for the next 150 feet, with 30 feet of dedication for the remainder of the street, as approved by the Planning and Development Department.

13. A 20-foot right-of-way radius shall be dedicated at the southwest corner of Grovers Avenue and 52nd Street, as approved by the Planning and Development Department.

14. 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.

15. The applicant shall submit a Traffic Impact Study to the Street Transportation Department and the Planning and Development Department prior to preliminary site plan review. The applicant shall be responsible for any dedications and required improvements as recommended by the approved traffic study, as approved by Planning and Development Department and the Street Transportation Department.

16. The property owner shall record documents that disclose the existence, and operational characteristics of Scottsdale Municipal Airport (SDL) 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.

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

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6524, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6524 and as modified in

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Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

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

PASSED by the Council of the City of Phoenix this 21st day of April, 2021.

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

Exhibits:
A - Legal Description (4 Pages)
B - Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-21-- Z-36-18-2

TATUM & BELL ROAD
R1-10 ZONING
LEGAL DESCRIPTION

A portion of the Southwest quarter of Section 32, Township 4 North, Range 4 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

BEGINNING at a found brass cap in hand hole accepted as the South quarter corner of said Section 32 from which a found brass cap in hand hole accepted as the Southwest corner thereof bears North 89°35'07" West, 2641.00 feet;

Thence North 89°35'07" West, 1320.50 feet along the south line of said southwest quarter;

Thence leaving said south line, North 00°03'45" West, 204.82;

Thence South 89°57'14" East, 160.94 feet;

Thence South 00°02'46" West, 9.16 feet;

Thence South 37°05'07" West, 29.77 feet;

Thence South 39°47'23" West, 7.02 feet;

Thence South 00°02'46" West, 91.50 feet;

Thence South 89°57'14" East, 420.00 feet;

Thence North 00°02'46" East, 91.50 feet;

Thence North 39°41'51" West, 7.02 feet;

Thence North 54°08'30" West, 40.61 feet;

Thence North 00°02'46" East, 254.16 feet;

Thence South 89°57'14" East, 15.00 feet;

Thence North 00°02'46" East, 180.00 feet;

Thence North 89°57'14" West, 25.00 feet;

Thence North 00°02'46" East, 372.98 feet;

Thence South 89°57'14" East, 135.66 feet;

DRAFT

Thence North 00°02'46" East, 419.16 feet;

Thence North 89°57'14" West, 91.55 feet;

Thence South 48°09'05" West, 8.67 feet;

Thence South 49°45'12" West, 29.70 feet;

Thence South 00°02'46" West, 15.00 feet;

Thence North 89°57'14" West, 521.24 feet;

Thence North 00°02'46" East, 217.16 feet;

Thence North 89°57'14" West, 284.11 feet;

Thence North 00°02'46" East, 115.66 feet;

Thence North 89°56'42" West, 756.62 feet;

Thence South 00°02'46" West, 115.78 feet;

Thence North 89°57'14" West, 73.91 feet;

Thence North 39°21'24" West, 48.97 feet;

Thence North 89°57'14" West, 91.50 feet;

Thence South 00°02'46" West, 180.00 feet;

Thence South 89°57'14" East, 135.66 feet;

Thence South 00°02'46" West, 85.10 feet;

Thence North 89°57'33" West, 225.66 feet;

Thence North 00°03'00" West, 1320.43 feet along the west line of said Southwest quarter to a found City of Scottsdale brass cap flush accepted as the West quarter corner of said Section 32;

Thence South 89°57'14" East, 2639.73 feet along the north line of said Southwest quarter to a found brass cap flush accepted as the Center of said Section 32;

Thence South 00°04'31" East, 2700.77 feet along the east line of said Southwest quarter to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 4,222,690 sq. ft. (96.94 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

DRAFT

TATUM & BELL ROAD
R-2 ZONING
LEGAL DESCRIPTION

A portion of the Southwest quarter of Section 32, Township 4 North, Range 4 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found brass cap in hand hole accepted as the South quarter corner of said Section 32 from which a found brass cap in hand hole accepted as the Southwest corner thereof bears North 89°35'07" West, 2641.00 feet;

Thence North 89°35'07" West, 1320.50 feet along the south line of said southwest quarter;

Thence leaving said south line, North 00°03'45" West, 204.82 to the **POINT OF BEGINNING**;

Thence South 89°57'14" East, 160.94 feet;

Thence South 00°02'46" West, 9.16 feet;

Thence South 37°05'07" West, 29.77 feet;

Thence South 39°47'23" West, 7.02 feet;

Thence South 00°02'46" West, 91.50 feet;

Thence South 89°57'14" East, 420.00 feet;

Thence North 00°02'46" East, 91.50 feet;

Thence North 39°41'51" West, 7.02 feet;

Thence North 54°08'30" West, 40.61 feet;

Thence North 00°02'46" East, 254.16 feet;

Thence South 89°57'14" East, 15.00 feet;

Thence North 00°02'46" East, 180.00 feet;

Thence North 89°57'14" West, 25.00 feet;

Thence North 00°02'46" East, 372.98 feet;

Thence South 89°57'14" East, 135.66 feet;

Thence North 00°02'46" East, 419.16 feet;

DRAFT

Thence North 89°57'14" West, 91.55 feet;

Thence South 48°09'05" West, 8.67 feet;

Thence South 49°45'12" West, 29.70 feet;

Thence South 00°02'46" West, 15.00 feet;

Thence North 89°57'14" West, 521.24 feet;

Thence North 00°02'46" East, 217.16 feet;

Thence North 89°57'14" West, 284.11 feet;

Thence North 00°02'46" East, 115.66 feet;

Thence North 89°56'42" West, 756.62 feet;

Thence South 00°02'46" West, 115.78 feet;

Thence North 89°57'14" West, 73.91 feet;

Thence North 39°21'24" West, 48.97 feet;

Thence North 89°57'14" West, 91.50 feet;

Thence South 00°02'46" West, 180.00 feet;

Thence South 89°57'14" East, 135.66 feet;

Thence South 00°02'46" West, 85.10 feet;

Thence South 89°57'33" East, 1094.49 feet;

Thence South 00°03'45" East, 1167.14 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 1,080,044 sq. ft. (24.794 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

DRAFT

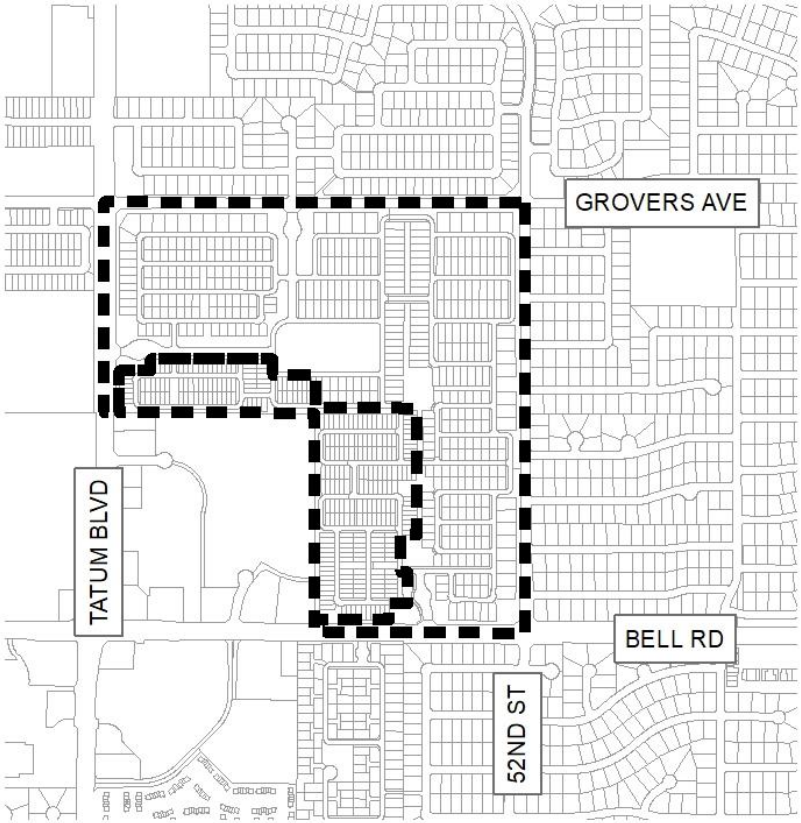
ORDINANCE LOCATION MAP

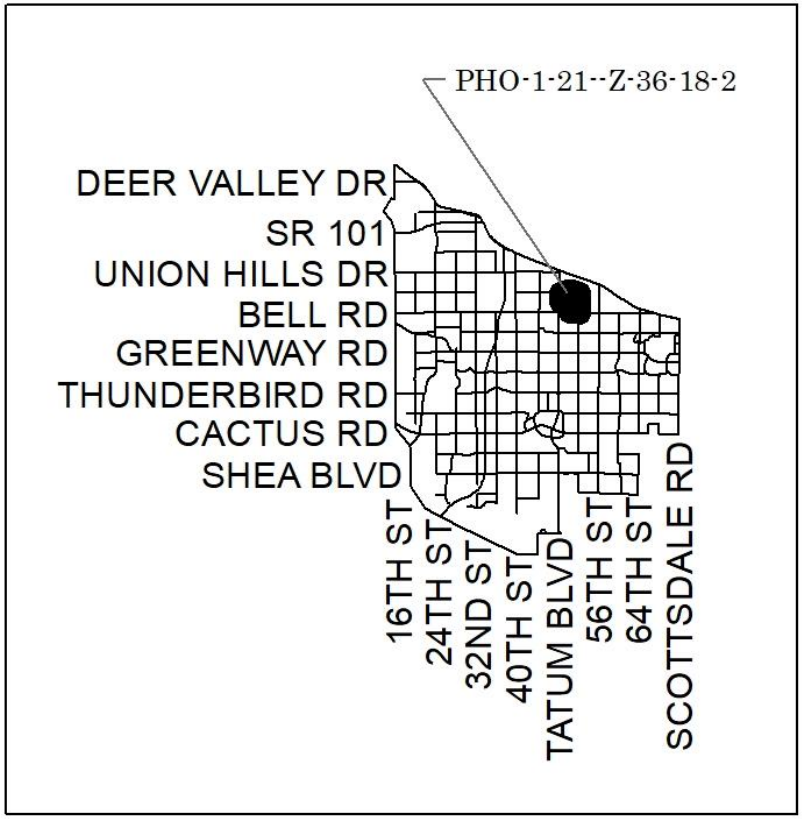
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: - - - -

Zoning Case Number: PHO-1-21--Z-36-18-2
Zoning Overlay: N/A
Planning Village: Paradise Valley





NOT TO SCALE

N

Drawn Date: 3/24/2021

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2021 Ord\4-21-21\PHO-1-21--Z-36-18-2.mxd

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 80

Amend City Code - Ordinance Adoption - Rezoning Application Z-51-20-2 - Approximately 4,000 Feet North of the Northeast Corner of Black Canyon Highway and Jomax Road (Ordinance G-6838)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-51-20-2 and rezone the site from S-1 (Ranch or Farm Residence District) to R-3A (Multifamily Residence District) for single-family residential.

Summary

Current Zoning: S-1 (20.08 acres)
Proposed Zoning: R-3A (20.08 acres)
Acreage: 20.08 acres
Proposed Use: Single-family residential

Owner: Fred Bishop, et al
Applicant: Chuck Chisholm, K Hovnanian Homes
Representative: Nick Wood, Esq. Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Deer Valley Village Planning Committee heard the case on March 11, 2021. No recommendation was made due to a lack of quorum.
PC Action: The Planning Commission heard the case on April 1, 2021 and recommended approval, per the staff recommendation with an additional stipulation, by a vote of 7-0.

Location

Approximately 4,000 feet north of the northeast corner of Black Canyon Highway and Jomax Road
Council District: 2
Parcel Addresses: 21602 N. 21st Ave., 27827 N. Black Canyon Highway, and 3002 W. Oberlin Way

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-51-20-2) FROM S-1 (RANCH OR FARM RESIDENCE) TO R-3A (MULTIFAMILY RESIDENCE DISTRICT).

_____

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

SECTION 1. The zoning of a 20.08-acre site located approximately 4,000 feet north of the northeast corner of Black Canyon Highway and Jomax Road 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 “R-3A” (Multifamily Residence District).

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

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

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

1. The maximum building height shall be 30 feet.

2. The development shall be limited to a maximum of 285 units.

3. All elevations of the buildings shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies, as approved by the Planning and Development Department.

4. A sidewalk and landscaping strip shall be provided along the Black Canyon Freeway Frontage Road and shall be detached with a minimum five-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 25 feet on center or equivalent groupings to provide a minimum of 75 percent shade on adjacent sidewalks.

    b. Drought tolerant shrubs and vegetative groundcovers.

5. An enhanced landscaped entry shall be provided at the main entryway into the development off of the frontage road with a minimum 300 square feet of landscaped area on each side of the entrance. The landscaped areas shall be planted and maintained with a variety of at least three different plant materials, as approved by the Planning and Development Department.

6. A minimum landscape setback of 20 feet shall be required along the west property line and along the frontage road. These landscape setbacks shall include minimum 3-inch caliper large canopy shade trees planted a minimum of 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department

7. A minimum landscape setback of 20 feet shall be required along the south property line and shall include minimum 2-inch caliper trees planted a minimum of 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

8. There shall be a minimum of two private open space amenity areas. Each area shall provide, at a minimum, two of the following active amenity elements or other similar elements, as approved by the Planning and Development Department:

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a. Swimming Pool

b. Fire Pit

c. Pavilion or Ramada

d. Barbecue and Picnic Area

9. Perimeter walls adjacent to the frontage road and private drive to the north shall incorporate stone veneer, stonework, integral color CMU block or faux stone, and be compatible with the existing wall on the property line to the north, as approved by the Planning and Development Department.

10. The developer shall submit a cross-access agreement prior to preliminary site plan approval for APN 204-23-001A to support future cross-access of Oberlin Way.

11. All frontage improvements, access control and location of driveways shall be permitted and approved through ADOT.

12. 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.

13. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Deer Valley Airport (DVT) 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.

14. The developer must file FAA Form 7460 and provide City FAA's no hazard determination prior to construction permit approval, as per plans approved by the Planning and Development Department.

15. 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.

16. 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.

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17. 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.

18. 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.

19. 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 21st day of April, 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-51-20-2

A portion 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 being more particularly described as follows;

COMMENCING at the North quarter of said Section 35; Thence North 89 Degrees 25 Minutes 16 Seconds East along the North line of said Northeast quarter a distance of 1492.67 feet to the TRUE POINT OF BEGINNING; Thence North 89 Degrees 25 Minutes 16 Seconds East a distance of 420.06 feet; Thence South 12 Degrees 09 Minutes 55 Seconds East a distance of 1108.05 feet; Thence South 80 Degrees 07 Minutes 08 Seconds West a distance of 693.21 feet; Thence South 89 Degrees 25 Minutes 09 Seconds West a distance of 255.53 feet; Thence North 09 Degrees 52 Minutes 39 Seconds West a distance of 641.80 feet; Thence North 89 Degrees 25 Minutes 16 Seconds East a distance of 370.70 feet; Thence North 00 Degrees 34 Minutes 40 Seconds West a distance of 200.00 feet; Thence North 89 Degrees 25 Minutes 16 Seconds East a distance of 30.00 feet; Thence North 00 Degrees 34 Minutes 40 Seconds West a distance of 364.17 feet to the POINT OF BEGINNING.

The above described parcel contains 19.224 acres (837390 sq. ft.), more or less

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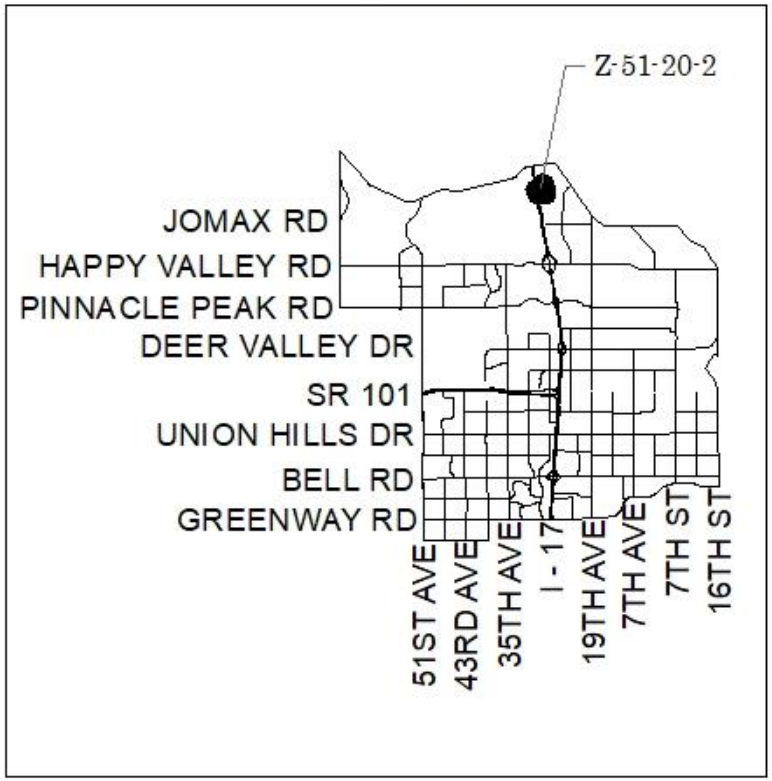
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - -

Zoning Case Number: Z-51-20-2
Zoning Overlay: N/A
Planning Village: Deer Valley



NOT TO SCALE

N

Drawn Date: 3/24/2021

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City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 81

Amend City Code - Ordinance Adoption - Rezoning Application Z-6-21-7 - Southwest Corner of 35th Avenue and the Durango Street Alignment (Ordinance G-6836)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-6-21-7 and rezone the site from A-1 (Light Industrial District) to A-1 HGT/WVR (Light Industrial District, Height Waiver) to allow a height waiver up to 110 feet for a mill tower at an existing processing facility.

Summary

Current Zoning: A-1
Proposed Zoning: A-1 HGT/WVR
Acreage: 0.36
Proposed Use: Height waiver up to 110 feet for a mill tower at an existing processing facility

Owner: Procter & Gamble
Applicant: Procter & Gamble
Representative: Nick Wood, Esq./Noel Griemsmann, Snell & Wilmer, L.L.P.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Estrella Village Planning Committee heard this case on March 16, 2021 and recommended approval, per the staff recommendation, by a vote of 7-0.
PC Action: The Planning Commission heard this case on April 1, 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 35th Avenue and the Durango Street alignment
Council District: 7
Parcel Address: 2050 S. 35th Ave.

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-6-21-7) FROM A-1 (LIGHT INDUSTRIAL DISTRICT) TO A-1 HGT/WVR (LIGHT INDUSTRIAL DISTRICT, HEIGHT WAIVER).

_____

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

SECTION 1. The zoning of a 0.36 acre site located at southwest corner of 35th Avenue and the Durango Street alignment in a portion of Section 15, Township 1 North, Range 2 East, as described more specifically in Exhibit “A”, is hereby changed from “A-1” (Light Industrial District) to “A-1 HGT/WVR” (Light Industrial District, Height Waiver) to allow a height waiver up to 110 feet.

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. A maximum building height of 110 feet shall be permitted, exclusive of Section 701.B height provisions in the Zoning Ordinance.

2. A system of clearly defined, accessible pedestrian pathways shall be provided to connect building entrances via the most direct route for pedestrians, as approved by the Planning and Development Department.

3. A portion of this parcel is located in a Special Flood Hazard Area (SFHA) called Zone AE Floodplain, on panels 2195L of the Flood Insurance Rate Map (FIRM) revised September 21, 2020. If the proposed building is attached to an existing building that is not shown to be FEMA compliant, it will be included in the existing building's floodplain restrictions and requirements, unless it can be detached and placed outside of the FEMA floodplain. Alternatively, the larger building can be shown by the applicant to be FEMA compliant with this building addition. The following requirements are for buildings in special flood hazard areas, as approved by the Planning and Development Department:

    a. The Architect/Engineer is required to show the special flood hazard area boundary limits on plans and ensure that impacts to the proposed facilities and surrounding properties have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but is not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.

    b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements prior to issuance of a Grading Permit.

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

5. The developer shall 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.

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6. Developer to 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.

7. 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.

8. 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 21st day of April, 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-6-21-7

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 15 MARKED BY A BRASS CAP IN A HAND HOLE, THENCE SOUTH 00°07'06" EAST, 127.04 FEET TO A POINT FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 4 BEARS SOUTH 00°07'06" EAST, 2492.71 FEET;

THENCE SOUTH 89°52'52" WEST, 720.71 FEET TO THE POINT OF

BEGINNING; THENCE SOUTH 00°07'08" EAST, 111.00 FEET;

THENCE SOUTH 89°52'52" WEST, 140.00 FEET;

THENCE NORTH 00°07'08" WEST, 111.00 FEET;

THENCE NORTH 89°52'52" EAST, 140.00 FEET TO THE POINT OF BEGINNING;

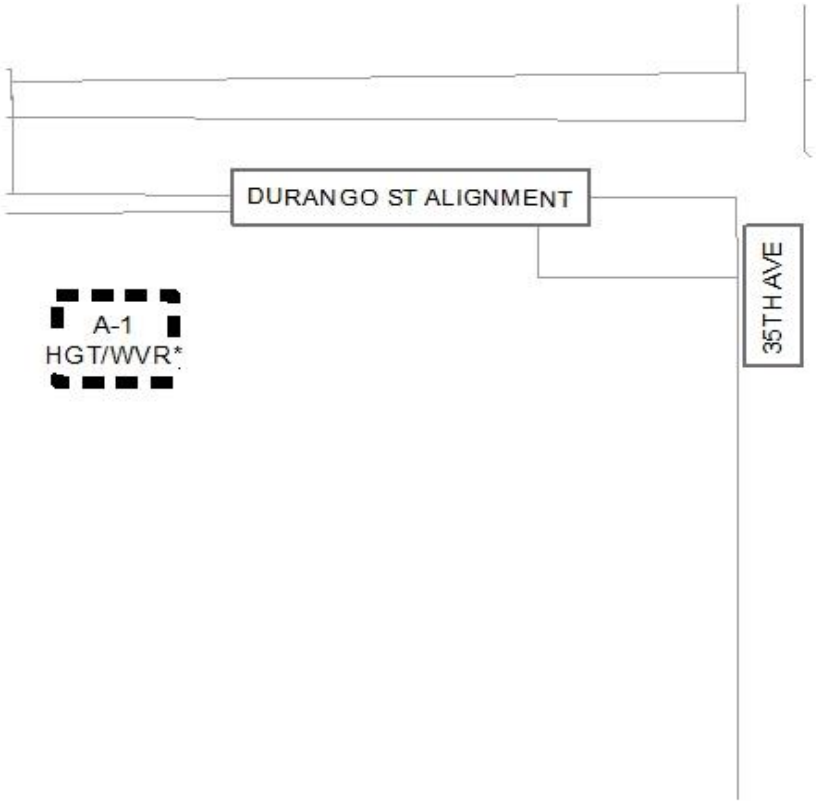
DRAFT

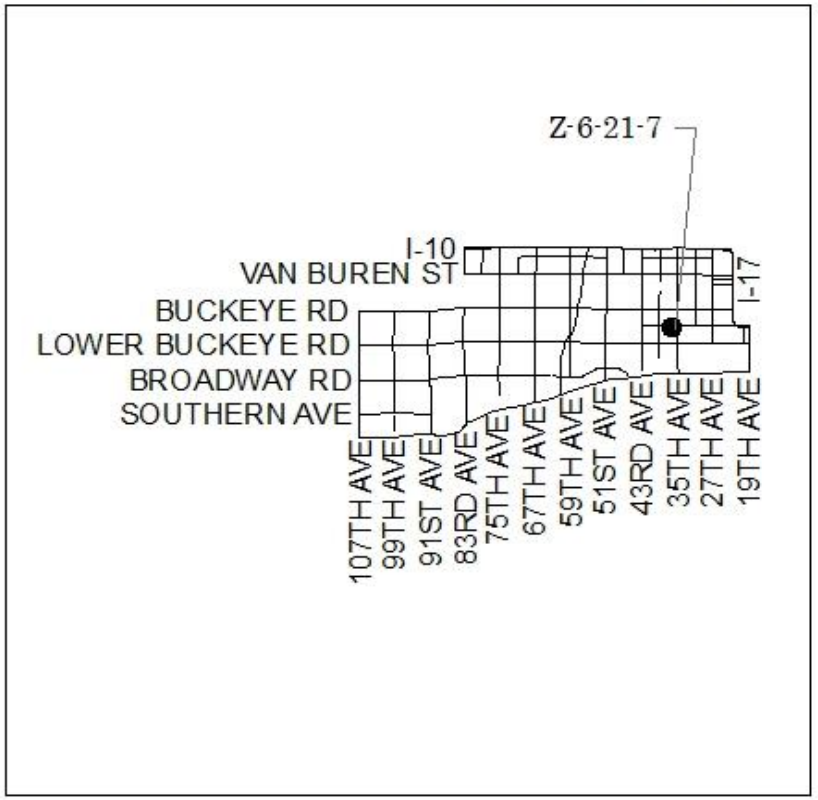
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - -

Zoning Case Number: Z-6-21-7
Zoning Overlay: N/A
Planning Village: Estrella





0 100 200 400 Feet

NOT TO SCALE

N

Drawn Date: 3/24/2021

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City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 82

Amend City Code - Official Supplementary Zoning Map 1212 (Ordinance G-6834)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1212. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-116-D-81 and the entitlements are fully vested.

Summary

To rezone a parcel located approximately 466.00 feet south of the southwest corner of the intersection of East Beverly Road and South Pointe Parkway
Application No.: Z-116-D-81
Zoning: C-O PCD
Owner: HRA Mountain Pointe LP, Mountain Pointe Office INV LLC, and RCH Mountain Pointe LLC
Acreage: 4.46

Location

Approximately 466.00 feet south of the southwest corner of the intersection of East Beverly Road and South Pointe Parkway
Address: 8211 S. 48th Street
Council District: 6

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY ADOPTING OFFICIAL SUPPLEMENTARY ZONING MAP 1212

_____

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. That Section 601 of the City of Phoenix Zoning Ordinance is hereby amended by adopting Official Supplementary Zoning Map 1212 signed by the Mayor and City Clerk, which is accompanies and is annexed to this ordinance and declared a part hereof.

PASSED by the Council of the City of Phoenix this 21st day of April, 2021.

_____
M A Y O R

ATTEST:

_____ City Clerk

APPROVED AS TO FORM:

DRAFT

_____ City Attorney

REVIEWED BY:

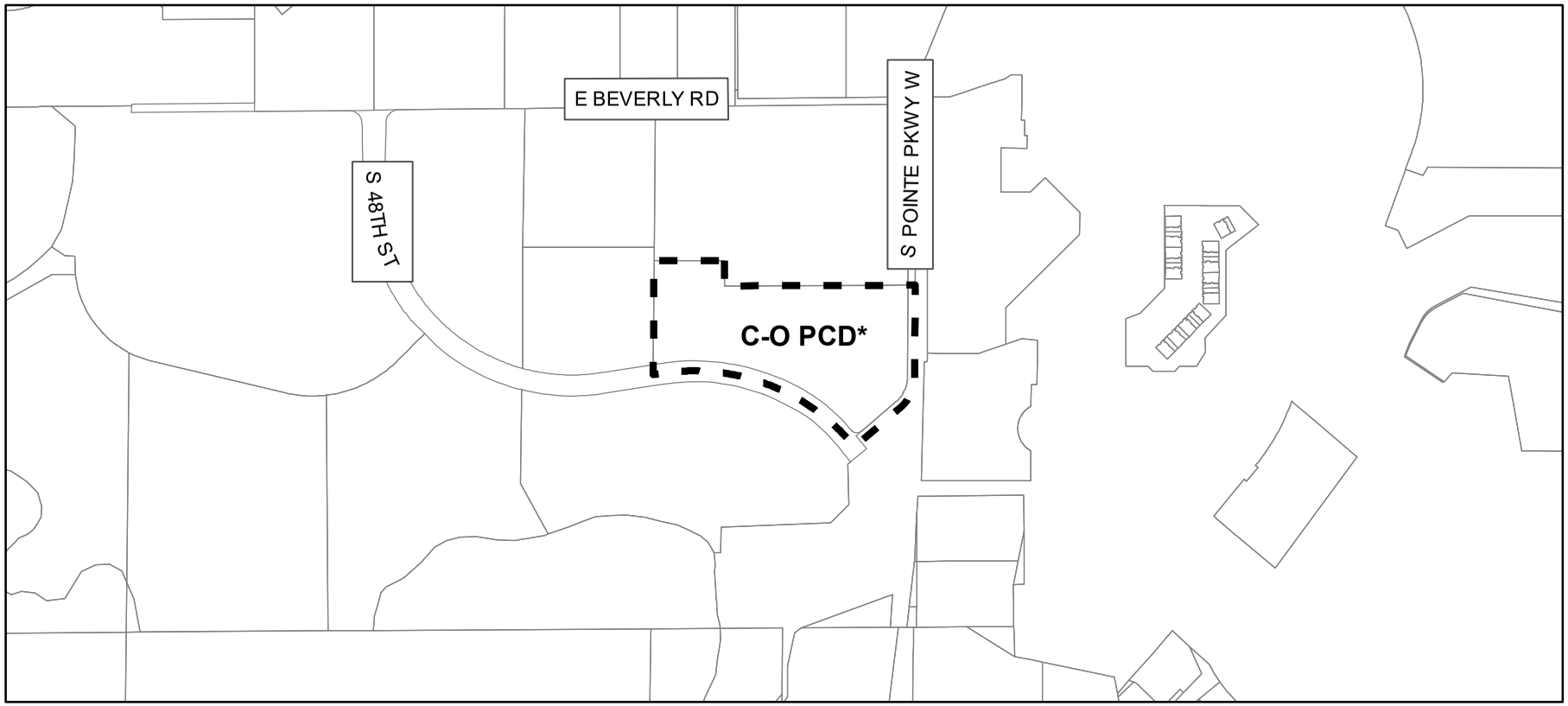
_____ City Manager

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 1212

Sheet 1 of 1

ORDINANCE NO. _____ AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE

Passed by the Council of the City of Phoenix, Arizona this 21st day of April 2021.



A Portion of Z-116-D-81

Drawn by: KS

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

ZONING SUBJECT TO STIPULATIONS: *

AREA INVOLVED BOUNDED THUS: ▬ ▬ ▬ ▬ ▮

City of Phoenix

Report

Agenda Date: 4/21/2021, **Item No.** 83

Public Hearing and Ordinance Adoption - Amend City Code - Rezoning Application Z-41-20-3 (Honor Health Outpatient Medical Center - Shea PUD) - Approximately 400 Feet West of the Northwest Corner of 54th Street and Shea Boulevard (Ordinance G-6840)

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-41-20-3 (Honor Health Outpatient Medical Center - Shea PUD) and rezone the site from C-O (Approved PAD-2 SP) (Commercial Office, Approved Planned Area Development, Special Permit) and PAD-2 (Approved PAD-2 SP) (Planned Area Development, Approved Planned Area Development, Special Permit) to PUD (Planned Unit Development) to allow a hospital and commercial uses.

Summary

Current Zoning: C-O (Approved PAD-2 SP) (0.12 acres) and PAD-2 (Approved PAD-2 SP) (3.07 acres)
Proposed Zoning: PUD (3.19 acres)
Acreage: 3.19 acres
Proposed Use: Hospital and commercial uses

Owner: 5316 East Shea Boulevard, LLC
Applicant: Wendy Riddell, Berry Riddell, LLC
Representative: Wendy Riddell, Berry Riddell, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Paradise Valley Village Planning Committee heard the case on Nov. 2, 2020 for information only. The Paradise Valley Village Planning Committee heard the case on Feb. 1, 2021 and recommended approval, per the staff recommendation, with two additional stipulations, by a vote of 10-4-2.
PC Action: The Planning Commission heard the case on March 4, 2021 and recommended approval, per the Paradise Valley Village Planning Committee recommendation, with an additional stipulation, by a vote of 6-3. The City Council was scheduled to ratify the Planning Commission approval on April 7, 2021 agenda, however, Councilwoman Stark requested that the item be withdrawn from the agenda in order to advertise the item for a public hearing on the April 21, 2021 Formal Council

agenda.

Location
Approximately 400 feet west of the northwest corner of 54th Street and Shea Boulevard
Council District: 3
Parcel Addresses: 5320 E. Shea Blvd.

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-41-20-3) FROM C-O (APPROVED PAD-2 SP) (COMMERCIAL OFFICE, APPROVED PLANNED AREA DEVELOPMENT, SPECIAL PERMIT) AND PAD-2 (APPROVED PAD-2 SP) (PLANNED AREA DEVELOPMENT, APPROVED PLANNED AREA DEVELOPMENT, SPECIAL PERMIT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 3.19 acre site located approximately 400 feet west of the northwest corner of 54th Street and Shea Boulevard in a portion of Section 20, Township 3 North, Range 4 East, as described more specifically in Exhibit “A”, is hereby changed from 0.12-acres of “C-O (Approved PAD-2 SP)” (Commercial Office, Approved Planned Area Development, Special Permit) and 3.07 acres of “PAD-2 (Approved PAD-2 SP)” (Planned Area Development, Approved Planned Area Development, Special Permit) to “PUD” (Planned Unit Development).

DRAFT

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

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

1. An updated Development Narrative for the HonorHealth Outpatient Medical Center - Shea 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 January 6, 2021, as modified by the following stipulations:

    a. Front Cover: Remove “HEARING DRAFT” and revise submittal date information on bottom of the cover page as follows:
    1st Submittal: July 29, 2020
    2nd Submittal: October 14, 2020
    Hearing Draft: January 6, 2021
    City Council adopted: TBD

    b. Add parking standards to the comparative development standards table.

    c. Add standards for the detached sidewalk in the Development Standards table as depicted on the landscape plan.

    d. Provide a dimensioned landscape plan depicting distance between sidewalk and back of curb at a 5-foot minimum, sidewalk widths at a minimum of 5 feet wide and landscape setbacks. Include caliper sizes of trees, number of shrubs under each tree, groundcover percentages in a table format on the plan.

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

DRAFT

3. 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.

4. 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.

5. The developer shall construct a traffic signal at the intersection of Shea Boulevard and 54th Street, as approved by the Street Transportation Department.

6. The operator of this facility shall not contract with Emergency Medical Services (“EMS”) to bring patients to the facility by ambulance with lights and sirens (Code 3).

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 21st day of April 2021.

_____
MAYOR

ATTEST:

DRAFT

_____City Clerk

APPROVED AS TO FORM:

_____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-41-20-3

LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER SECTION 20, TOWNSHIP 3 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT CITY OF PHOENIX BRASS CAP IN HANDHOLE MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 20, FROM WHICH A CITY OF PHOENIX BRASS CAP IN HANDHOLE MARKING THE SOUTHEAST CORNER BEARS SOUTH 89 DEGREES 51 MINUTES 17 SECONDS EAST, A DISTANCE OF 2638.35 FEET;

THENCE SOUTH 89 DEGREES 51 MINUTES 17 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20, A DISTANCE OF 498.89 FEET TO THE **POINT OF BEGINNING;**

THENCE NORTH 00 DEGREES 08 MINUTES 43 SECONDS EAST, A DISTANCE OF 60.00 FEET TO THE SOUTHWEST CORNER OF LOT 1 OF LOT SPLIT "MOUNTAINSIDE FITNESS" RECORDED IN BOOK 1483, PAGE 7, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 00 DEGREES 08 MINUTES 21 SECONDS EAST, A DISTANCE OF 40.11 FEET;

THENCE SOUTH 89 DEGREES 51 MINUTES 17 SECONDS EAST, A DISTANCE OF 94.31 FEET;

THENCE NORTH 00 DEGREES 08 MINUTES 43 SECONDS EAST, A DISTANCE OF 65.25 FEET;

THENCE NORTH 89 DEGREES 51 MINUTES 17 SECONDS WEST, A DISTANCE OF 45.24 FEET;

THENCE NORTH 00 DEGREES 14 MINUTES 02 SECONDS EAST, A DISTANCE OF 294.64 FEET;

THENCE SOUTH 89 DEGREES 51 MINUTES 17 SECONDS EAST, A DISTANCE OF 267.48 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 343.28 FEET;

THENCE SOUTH 89 DEGREES 51 MINUTES 17 SECONDS EAST, A DISTANCE OF 107.50 FEET;

DRAFT

THENCE SOUTH 00 DEGREES 03 MINUTES 36 SECONDS EAST, A DISTANCE OF 56.72 FEET TO THE SOUTHEAST CORNER OF LOT 1 OF LOT SPLIT "MOUNTAINSIDE FITNESS" RECORDED IN BOOK 1483, PAGE 7, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 00 DEGREES 08 MINUTES 43 SECONDS WEST, A DISTANCE OF 60.00 FEET;

THENCE NORTH 89 DEGREES 51 MINUTES 17 SECONDS WEST, ALONG SAID SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 425.57 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 137,958 SQUARE FEET OR 3.167 ACRES, MORE OR LESS.

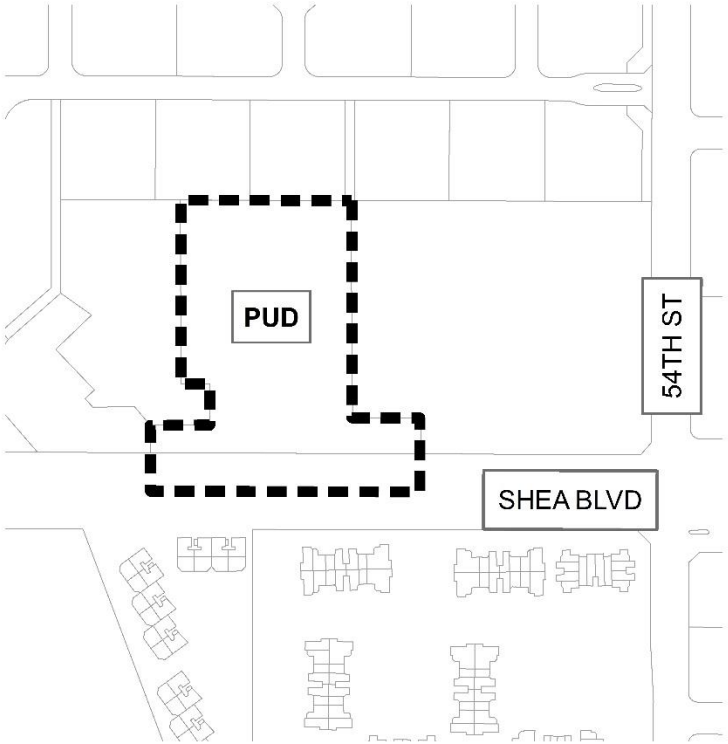
DRAFT

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-41-20-3
Zoning Overlay: N/A
Planning Village: Paradise Valley



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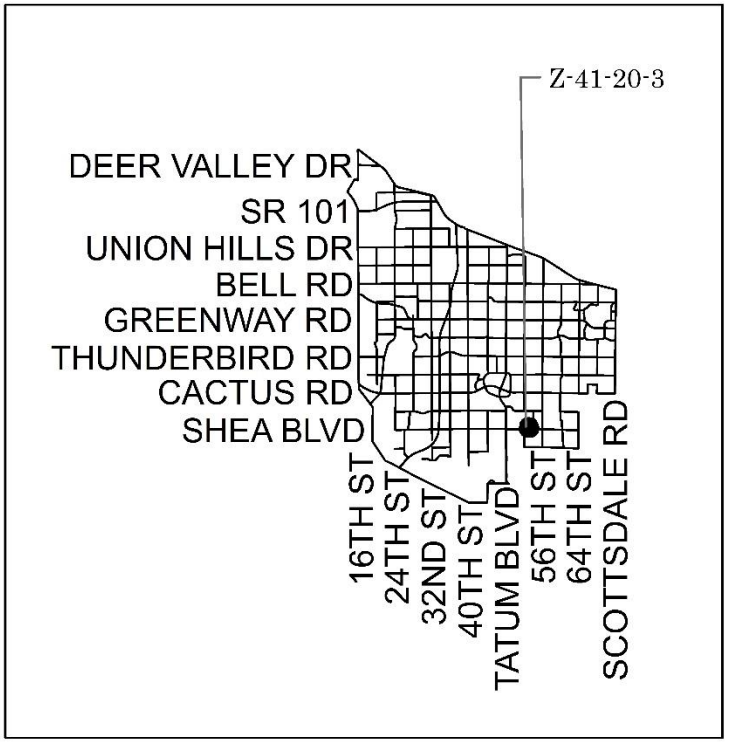


NOT TO SCALE

N

Drawn Date: 3/11/2021

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2021 Ord\4-7-21\Z-41-20-3.mxd

Attachment B

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

Staff Report Z-41-20-3
HonorHealth Outpatient Medical Center - Shea PUD
January 25, 2021

Paradise Valley Village Planning Committee Meeting Date:	February 1, 2021
Planning Commission Hearing Date:	March 4, 2021
Request From:	C-O (Approved PAD SP) (Commercial Office, Approved Planned Area Development, Special Permit) (0.12 acres) and PAD (Approved PAD SP) (Planned Area Development, Approved Planned Area Development, Special Permit) (3.07 acres)
Request To:	PUD (Planned Unit Development) (3.19 acres)
Proposed Use:	Planned Unit Development to allow a hospital and other commercial uses
Location:	Approximately 400 feet west of the northwest corner of 54th Street and Shea Boulevard
Owners:	5316 E Shea Boulevard, LLC
Applicant:	Wendy Riddell, Berry Riddell
Representative:	Wendy Riddell, Berry Riddell
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation	Residential 3.5 - 5 dwelling units/acre		
Street Map Classification	Shea Boulevard	Major Arterial	60-foot north half street

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE; ENTERPRENEURS/EMERGING ENTERPRISES; LAND USE PRINCIPLE: Encourage land uses that promote the growth of entrepreneurs or new businesses in Phoenix in appropriate locations.

Rezoning to PUD will support opportunities for new businesses to develop along a major arterial street.

BUILD THE SUSTAINANLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLES*: *Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The Honor Health Shea PUD proposes enhanced landscaping around the development and internal landscaped areas. A detached sidewalk along Shea Boulevard includes landscape areas with shade trees on both sides of the sidewalk to provide thermal comfort for pedestrians.

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 will be compatible with the existing single-family residential development to the north. The PUD requires enhanced landscape buffers and conditions for potential emergency vehicle ingress/egress.

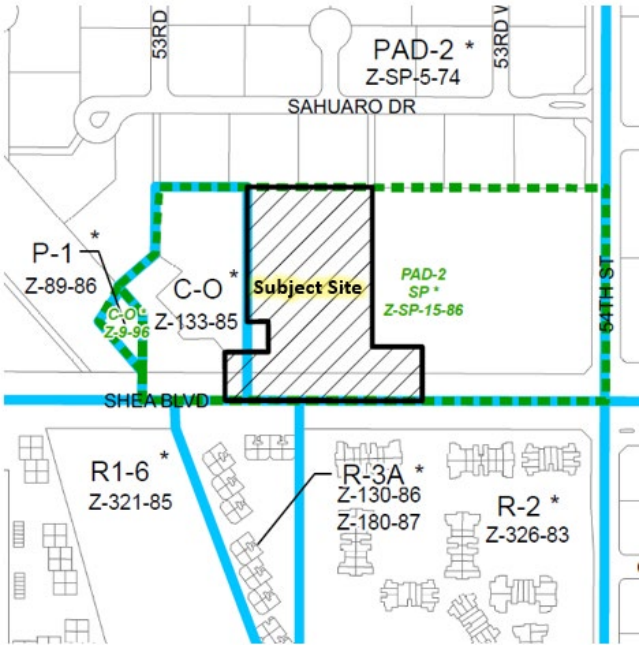
Applicable Plans, Overlays and Initiatives
Tree and Shade Master Plan – See background item No. 7
Complete Streets Guiding Principles – See background item No. 8
Comprehensive Bicycle Master Plan – See background item No. 9
Zero Waste PHX – See background item No. 10

Surrounding Land Uses/Zoning		
	Land Use	**Zoning**
On Site	Vacant	C-O (Approved PAD SP) and PAD (Approved PAD SP)
North	Single-family Residential	PAD SP
South (across Shea Boulevard)	Multifamily Residential	R-3A, R-2
East	Fitness Center	PAD SP
West	Commercial Office	C-O (Approved PAD SP) and P-1 (Approved C-O)

Background/Issues/Analysis

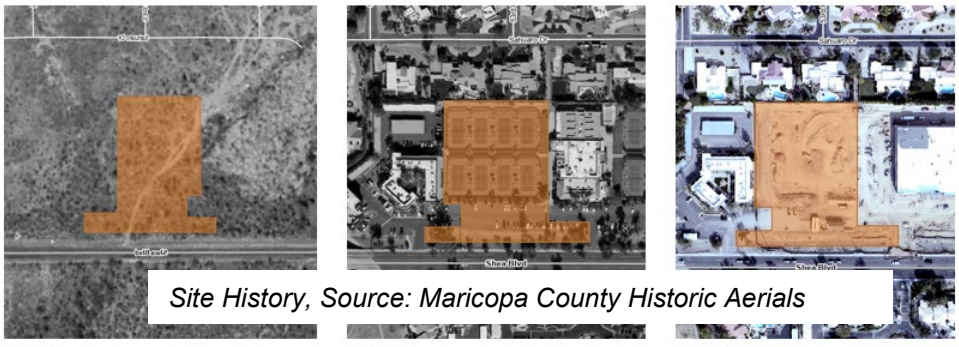
SUBJECT SITE

1. This is a request to rezone a 3.19-acre property located approximately 400 feet west of the northwest corner of 54th Street and Shea Boulevard. The request is to rezone from C-O (Approved PAD SP) (Commercial Office, Approved Planned Area Development-2 Special Permit) (0.12 acres) and PAD (Approved PAD SP) (Planned Area Development, Approved Planned Area Development Special Permit) (3.07 acres) to PUD (Planned Unit Development) to allow a hospital and commercial uses.



Context Zoning Map, Source: City of Phoenix Planning and Development Department

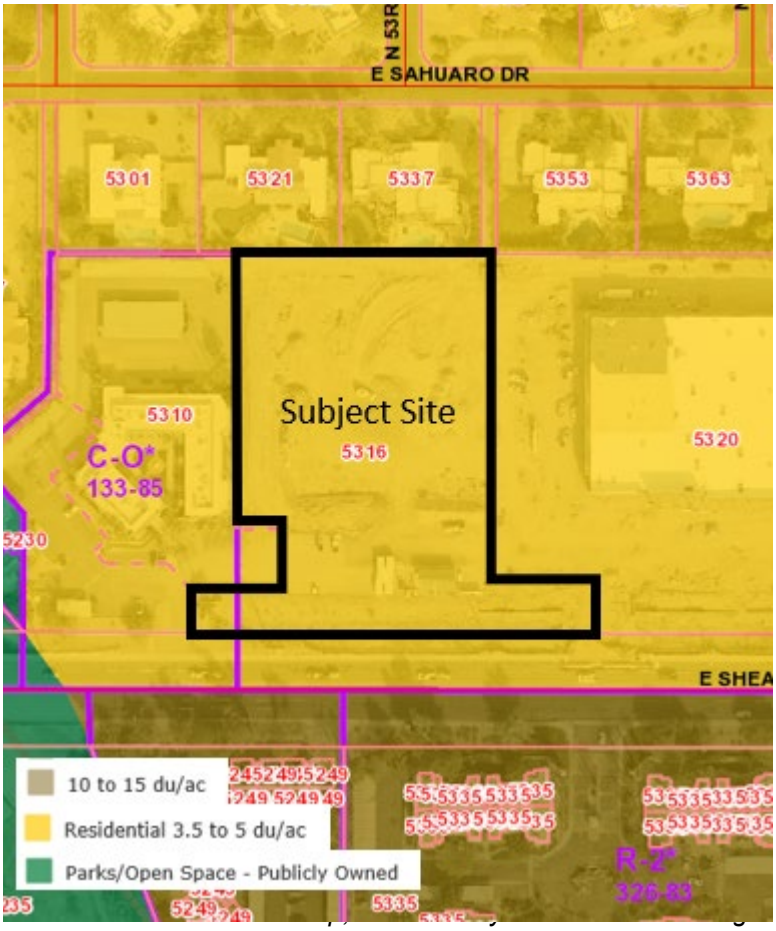
2. The subject site consists of one parcel that is under the ownerships of 5316 E Shea Boulevard, LLC. The site is currently vacant. The subject site was annexed into the City of Phoenix on October 15, 1961. At that time the subject site and the surrounding area vastly consisted of vacant land. This area was rezoned in 1974 as a Planned Area Development (PAD) comprised of 80 acres through Rezoning Case No. Z-64-74 and a concurrent special permit case, Z-SP-5-74, for a tennis club along the Shea Boulevard frontage and a golf course. The golf course was not built within this Special Permit area. In 1985 a portion of the site was rezoned to C-O through Rezoning Case No. Z-133-85 to allow administrative office uses for the tennis club along the Indian Bend Wash and Shea Boulevard. In 1986 an expansion of the tennis club and parking area was requested through Rezoning Case No. Z-SP-15-86.



Site History, Source: Maricopa County Historic Aerials

3. The General Plan Land Use Map designation for the subject site is Residential 3.5 to 5 dwelling units per acre. The proposal is not consistent with the General Plan Land Use Map designation but is consistent with current land uses in the area. A General Plan Amendment is not required because the site is less than 10 acres in size.

   The General Plan Land Use Map designation on all sides of the subject parcel are also Residential 3.5 to 5 dwelling units per acre, with some Residential 10 to 15 dwelling units per acre south of the site and Parks/Open Space – Publicly Owned west of the site.



and Development Department

SURROUNDING ZONING AND USES

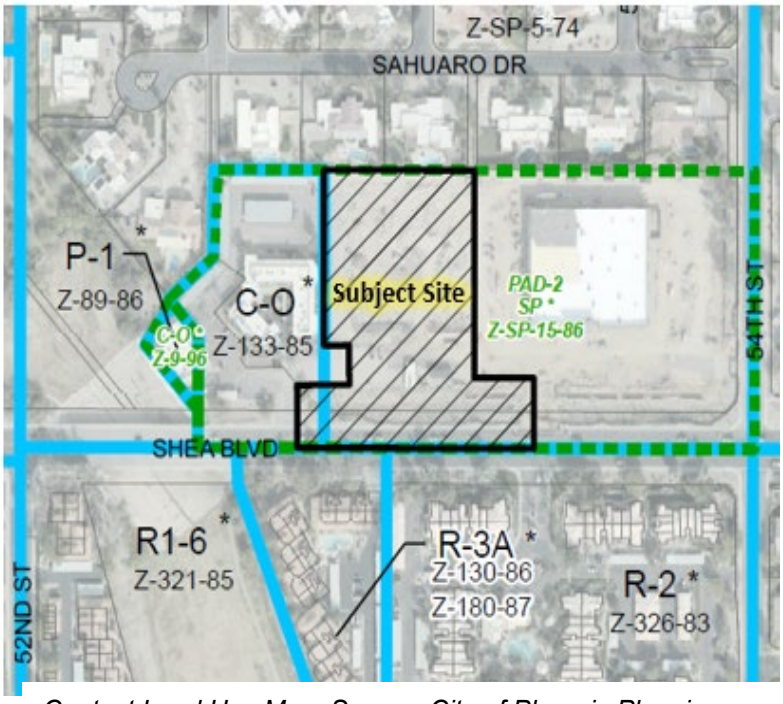
4. ***North***

The area to the north of the subject site is a single-family subdivision by the name of La Camarilla zoned PAD SP (Planned Area Development - 2, Special Permit). The subdivision was platted in 1982.

South

Directly south of the subject site, across Shea Boulevard, are two two-story multifamily developments named La Camarilla Villas Condominiums and Bella Terra Condominiums. La Camarilla Villas Condominiums, located south and southwest of the site, is zoned R-3A (Multifamily Residential District) through Rezoning Case No. Z-180-87. Bella Terra Condominiums, located south of the site zoned R-2 (Multifamily Residence District) through Rezoning Case No. Z-326-83.

East
Directly to the east of the subject site is a fitness center zoned PAD SP (Planned Area Development, Special Permit) approved through PHO-2-18--Z-SP-15-86, which modified stipulations in the original special permit rezoning case, allowing a fitness center.



Context Land Use Map, Source: City of Phoenix Planning and Development Services Department

West
West of the subject site, are two commercial office buildings with one and two story buildings zoned C-O (Approved PAD SP) (Commercial Office, approved Planned Area Development, Special Permit) and PAD SP (Planned Area Development Special Permit) and P-1 (Approved C-O) (Passenger Automobile Parking, Limited, approved Commercial Office).

PROPOSAL

5. The proposal was developed utilizing the PUD zoning designation. The PUD is intended to create a built environment that is superior to that produced by conventional zoning districts and design guidelines. Using a collaborative and comprehensive approach, an applicant writes a document proposing standards and guidelines that are tailored to the context of a site on a case by case basis.

   Where the HonorHealth Outpatient Medical Center - Shea PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions shall be applied.

6. Below is a summary of the proposed standards for the subject site as described in the attached PUD Development Narrative date stamped January 6, 2021. The proposed standards were designed to allow for a commercial development that continues enhancement along the Shea Boulevard corridor for a more pedestrian-friendly environment and provides a thoughtful or appropriate transition from the adjacent residential uses to the north of the subject site.

List of Uses

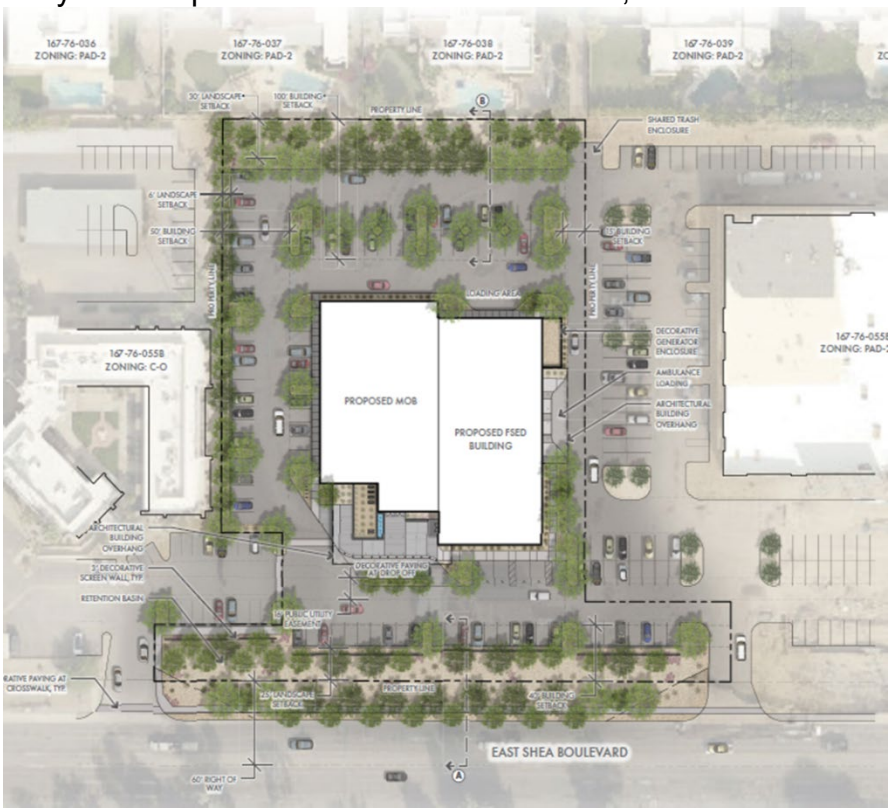
The Development Narrative proposes a hospital and land uses in C-O/M-O (Commercial Office, Major Office option).

Prohibited Uses

The Development Narrative proposes restricting RV Parking and a helistop. Prohibiting these uses helps to make this proposal more consistent with adjacent commercial office and residential uses.

Conceptual Site Plan

The development's main access points are along Shea Boulevard. The project proposes a one-story, 18-foot tall commercial building with approximately 13,500 square feet of the building being utilized for urgent/emergency care and 11,500 square feet being utilized for physical therapy and primary care. The subject site proposes 50 percent open space, which includes shaded pedestrian pathways and enhanced landscaping. Shea Boulevard will contain an enhanced streetscape with a detached sidewalk framed by landscape areas that will include trees, shrubs and live ground cover. The development narrative does not call out the dimension of the detached sidewalk. Staff is recommending in Stipulation No. 1.a. which requires a minimum 6-foot-wide detached sidewalk along Shea Boulevard. This is consistent with the approved Street Classification Map approved cross section. The northern property boundary proposes a 100-foot building setback, 30 foot landscape setback and a double row of multitrunked trees abutting the northern property boundary, which provides an enhanced buffer between the proposed use and existing single-family residential uses to the north.



Illustrative Landscape Plan, Source: Devenney Group

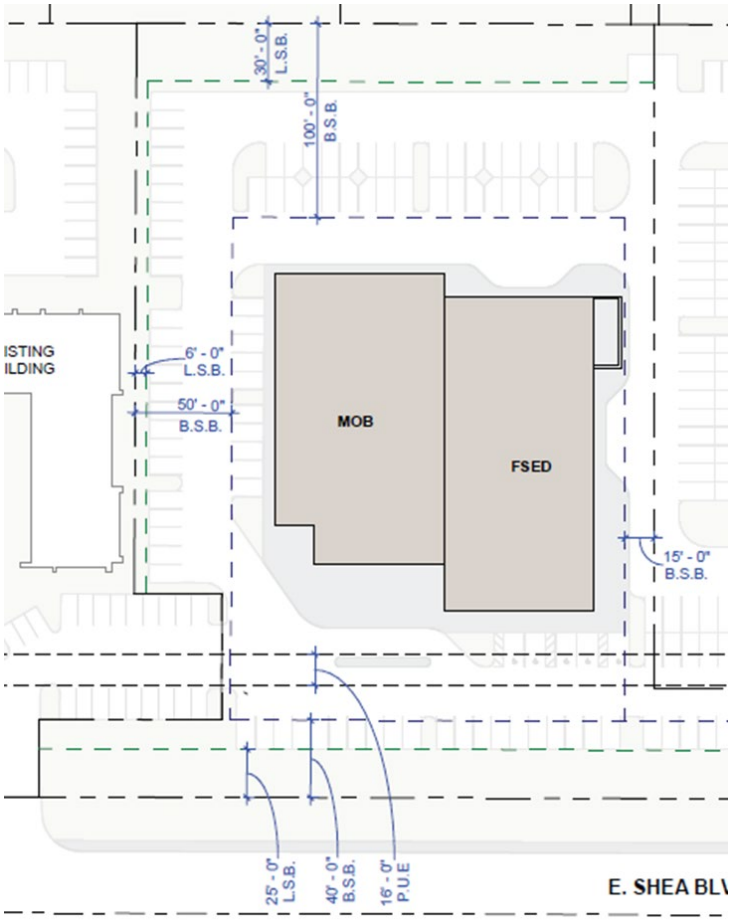
Development Standards

The PUD development narrative proposes development standards based on the C-1 Zoning District. Several of the enhanced standards from the C-1 standards are in relation to height, lot coverage, open space and building setbacks. All other development standards are comparable.

The proposed maximum height of the project is 18 feet. The C-1 standards allow a maximum height of 30 feet. Staff is supportive of the reduction in height due to the close proximity of residential uses to the north.

The lot coverage proposed for the project is a maximum of 20 percent. The C-1 standards allow a maximum lot coverage of 50 percent. The reduction in lot coverage allows more landscape areas to be incorporated on the site to serve as buffer areas to the north and open space areas for employees and people visiting the site.

The proposed building setbacks are 100 feet on the northern boundary, 15 feet on the eastern boundary, 40 feet on the southern boundary and 50 feet on the western boundary. The PUD development narrative proposes enhanced setbacks on all sides of the property compared to the C-1 zoning standards.



Setback Exhibit, Source: Devenney Group

Landscape Standards

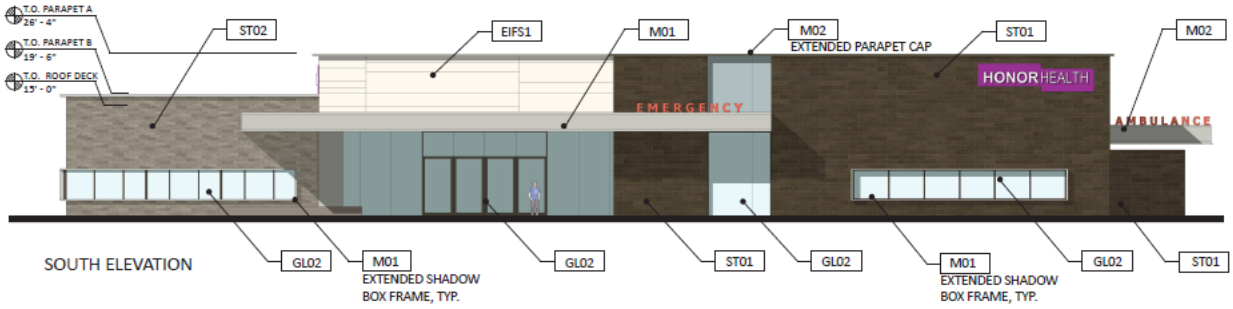
The Development Narrative includes increased landscape setbacks adjacent to the

existing residential uses to the north. Minimum landscape setbacks of 30 feet will be provided along the northern property boundary whereas a 25-foot setback will be provided along the Shea Boulevard property line on the south of the site. The Shea Boulevard frontage will utilize existing trees in addition to replacement of three-inch caliper trees along all the public right-of-way and new two and three-inch caliper trees in all landscape areas. The developer shall install shrubbery and groundcover plants in all landscape areas.

The streetscape along Shea Boulevard will include a detached sidewalk and minimum three and four-inch caliper trees along the public right-of-way. This exceeds minimum tree size requirements in the C-1 district. The landscaping will provide for a pedestrian-friendly environment with 75 percent shade at maturity along the detached sidewalk and 25 percent shade in the parking lot area.

Design Guidelines and Standards

The Development Narrative includes design standards that promotes four sided architecture in an effort to create visual interest on all four sides of the building. Design standards ensure that the building facade will blend with the natural desert environment and contain a minimum of 33 percent of each building elevation include integral color dimensional concrete masonry block with honed finish, stone tile, metal paneling, glazing, exterior insulated finish system with reveal pattern or integral color dimension concrete masonry block with smooth finish. The graphic below depicts the quality architecture proposed in the PUD narrative.



Conceptual Elevation, Source: Devenney Group

The final elevations and building plans submitted to the City will incorporate the provisions outlined in the development narrative and shall follow the Design Guidelines of Section 507.Tab A of the Phoenix Zoning Ordinance.

Parking Standards

The proposed parking is less than what is required by Section 702 of the Zoning Ordinance. Staff is supportive of the reduction in parking as the developer has opted to eliminate a row of spaces on the northern most boundary of the site due to the close proximity of residential uses. Staff is recommending the development narrative address specific standards, which is reflected in Stipulation No. 1.b. A double row of

trees will be planted between the parking lot and residential subdivision to the north in an effort to create a greater buffer between the two uses. The PUD proposes a minimum of one bicycle space per 25 parking stalls with a maximum of 50 spaces and shall comply with Section 1307.H. of the City of Phoenix Zoning Ordinance.

Fences/Walls
All site fences and walls will be consistent with Section 703.A of the Phoenix Zoning Ordinance. In addition, the emergency generator, depicted on the Site Plan adjacent to the proposed building, depicted on the Site Plan adjacent to the proposed building, shall be screened by a minimum 11-foot wall.

Shade
The proposed shade standards require that a minimum of 75 percent of shade cover be provided at maturity over the Shea Boulevard sidewalk. Further, 25 percent of the parking lot shall be shaded, and 50 percent of all accessible public and private open space areas shall be shaded.

Lighting Plan
All lighting will be consistent with the standards of Section 507 Tab A (Guidelines for Design Review) and 704 (Environmental Performance Standards) of the Phoenix Zoning Ordinance and Section 23-100 of the City Code. In addition, other restrictions have been incorporated.

Emergency Vehicles
Emergency vehicles are not regulated by the City of Phoenix. However, the PUD development narrative states that non-emergency patients may be transported to the facility by ambulance without the use of lights and sirens. Emergency vehicles may use lights and sirens for patients that require immediate transport, on occasion.

Signage
The proposed sign standards will comply with the Zoning Ordinance standards for commercial development. In addition, the signage will be compatible with the project design and signs shall not be located on the north side of the building.

Sustainability
The Development Narrative proposes several options to incorporate sustainability principals including drought tolerant landscaping, vegetated parking lot and other open space areas, which will reduce the heat island effect. The project also proposes the utilization of low flow water fixtures among other features.

PUD Compatibility to Zoning Ordinance
The PUD proposes building setbacks that are comparable or greater than what is required by the Phoenix Zoning Ordinance in the C-1 zoning district. Most notably, the enhanced building and landscape setbacks, shade at 75 percent coverage at maturity

to increase pedestrian comfort and activity. Additionally, the building height is restricted to 18 feet (28 feet at the top of the parapet). Enhanced protections for abutting residential to the north include setbacks, enhanced landscaping buffers, and a signage restriction on the site.

Phasing

The project will be constructed in one phase.

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

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. In addition, a vision in the master plan is to raise awareness by leading by example. The proposal includes a robust landscaped pedestrian walking path along Shea Boulevard, open space areas and greater planting standards than otherwise required by the City of Phoenix Zoning Ordinance.

8. **Complete Streets Guiding Principles**

In 2014, the Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, and connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. There is a proposed detached sidewalk adjacent to the public street which provides a safer and more comfortable pedestrian experience.

9. **Comprehensive Bicycle Master Plan**

The Comprehensive Bicycle Master Plan also supports options for both short-and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. The proposal requires bicycle parking spaces be provided on the site. Bicycle racks shall be a decorative design and installed per the requirements of Section 1307. H. of the Zoning Ordinance.

Source: Dero

10. **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 INPUT SUMMARY

11. At the time the staff report was written, staff has received 42 letters of opposition with concerns related to the proposed use, line of site to existing residential, buffering, proximity to residential uses, traffic, signage, lighting and noise generated from emergency vehicles entering and exiting the site. The applicant has been working with concerned neighbors to mitigate these concerns.

INTERDEPARTMENTAL COMMENTS

12. The Street Transportation Department has proposed stipulations requiring that all streets within and adjacent to the development, shall be constructed with all mandatory elements. In addition, no preliminary approval of plans shall be granted until a Traffic Impact Study/Statement is reviewed and approved by the City. These are addressed in Stipulation Nos. 2 and 3.

13. The Public Transit Department has proposed decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisles surfaces be implemented. Additionally, it is recommended that all building entrances and exits, and all public sidewalks be connected utilizing the minimum possible distance and providing the most direct route. All cross-access agreements shall incorporate a pedestrian pathway. Further, trees shall be placed to provide 75 percent shade coverage on all pedestrian paths and sidewalks at full maturity. Development standards within the Development Narrative prescribe standards for pedestrian connectivity and shade. These are addressed within the PUD narrative.

14. The Phoenix Fire Department has noted that they do not anticipate any problems with this case and that the site and/or buildings shall comply with the Phoenix Fire Code.

15. The City of Phoenix Floodplain Management division of the Public Works 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 1755 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.

16. The City of Phoenix Water Services Department has noted the property 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.

OTHER

17. 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. 4.

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 proposed development provides additional protections for nearby residential uses through site design and enhanced development standards.

2. The proposed development will provide a needed service in the area.

3. The proposed development contains enhanced standards that will result is a more walkable, shaded and pedestrian-friendly environment that will help to reduce the urban heat island effect.

Stipulations

1. An updated Development Narrative for the HonorHealth Outpatient Medical Center - Shea 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 January 6, 2021, as modified by the following stipulations:

    a. Front Cover: Remove “HEARING DRAFT” and revise submittal date information on bottom of the cover page as follows:
    1st Submittal: July 29, 2020
    2nd Submittal: October 14, 2020
    Hearing Draft: January 6, 2021
    City Council adopted: TBD

    b. Add parking standards to the comparative development standards table.

c. Add standards for the detached sidewalk in the Development Standards table as depicted on the landscape plan.

d. Provide a dimensioned landscape plan depicting distance between sidewalk and back of curb at a 5 foot minimum, sidewalk widths at a minimum of 5 feet wide and landscape setbacks. Include caliper sizes of trees, number of shrubs under each tree, groundcover percentages in a table format on the plan.

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

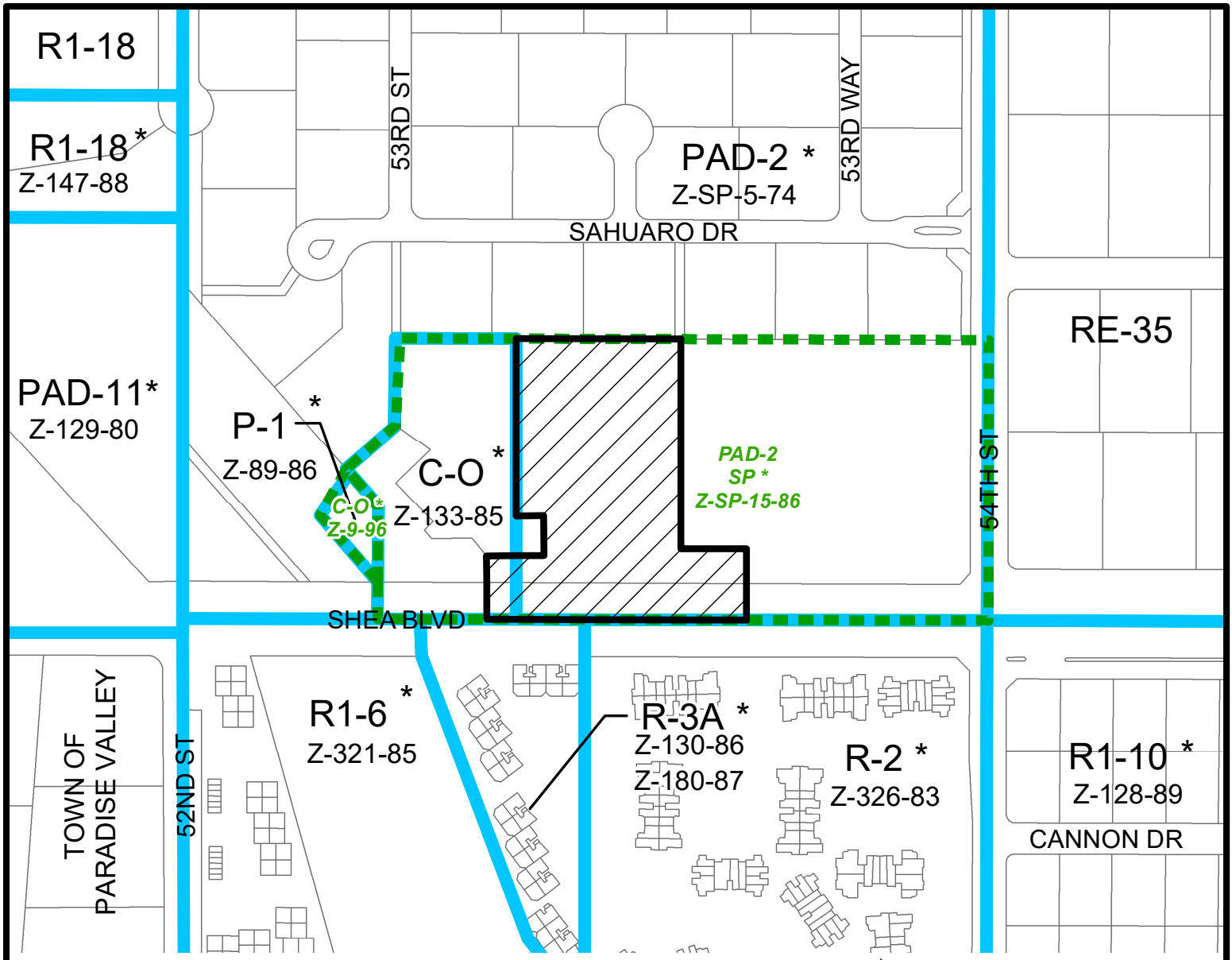
3. The developer shall submit a Traffic Impact Study (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study had been reviewed and approved by the City. Additional off-site improvements and right-of-way dedications may be required as identified in the approved traffic study. Development shall be responsible for the cost associated with these improvements and dedications.

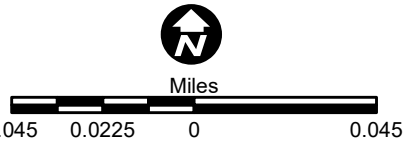
6. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Writer
David Simmons
January 26, 2021

Team Leader
Samantha Keating

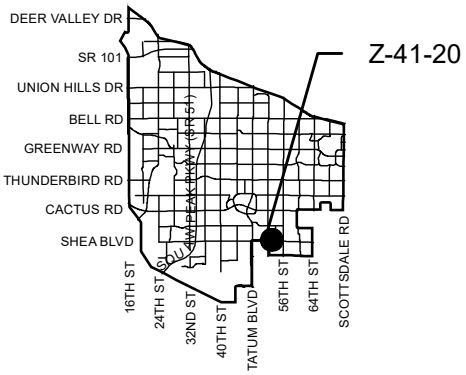
Exhibits
Zoning Sketch Map
Zoning Aerial Map
Community Correspondence (69 pages)
HonorHealth Outpatient Medical Center - Shea PUD Development Narrative date stamped January 6, 2021





PARADISE VALLEY VILLAGE

CITY COUNCIL DISTRICT: 3



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	Wendy Riddell, Berry Riddell
APPLICATION NO.	Z-41-20
DATE:	8/06/2020
REVISION DATES:	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	3.19 Acres
AERIAL PHOTO & QUARTER SEC. NO.	QS 29-40
ZONING MAP	K-11

REQUESTED CHANGE:

FROM: C-O (Approved PAD-2 SP) (0.12 a.c.)
PAD-2 (Approved PAD-2 SP) (3.07 a.c.)

TO: PUD (3.19 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
C-O (Approved PAD-2 SP), PAD-2 (Approved PAD-2 SP)	N/A (0), 3 (3)	N/A (N/A), N/A (N/A)
PUD	N/A	N/A

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

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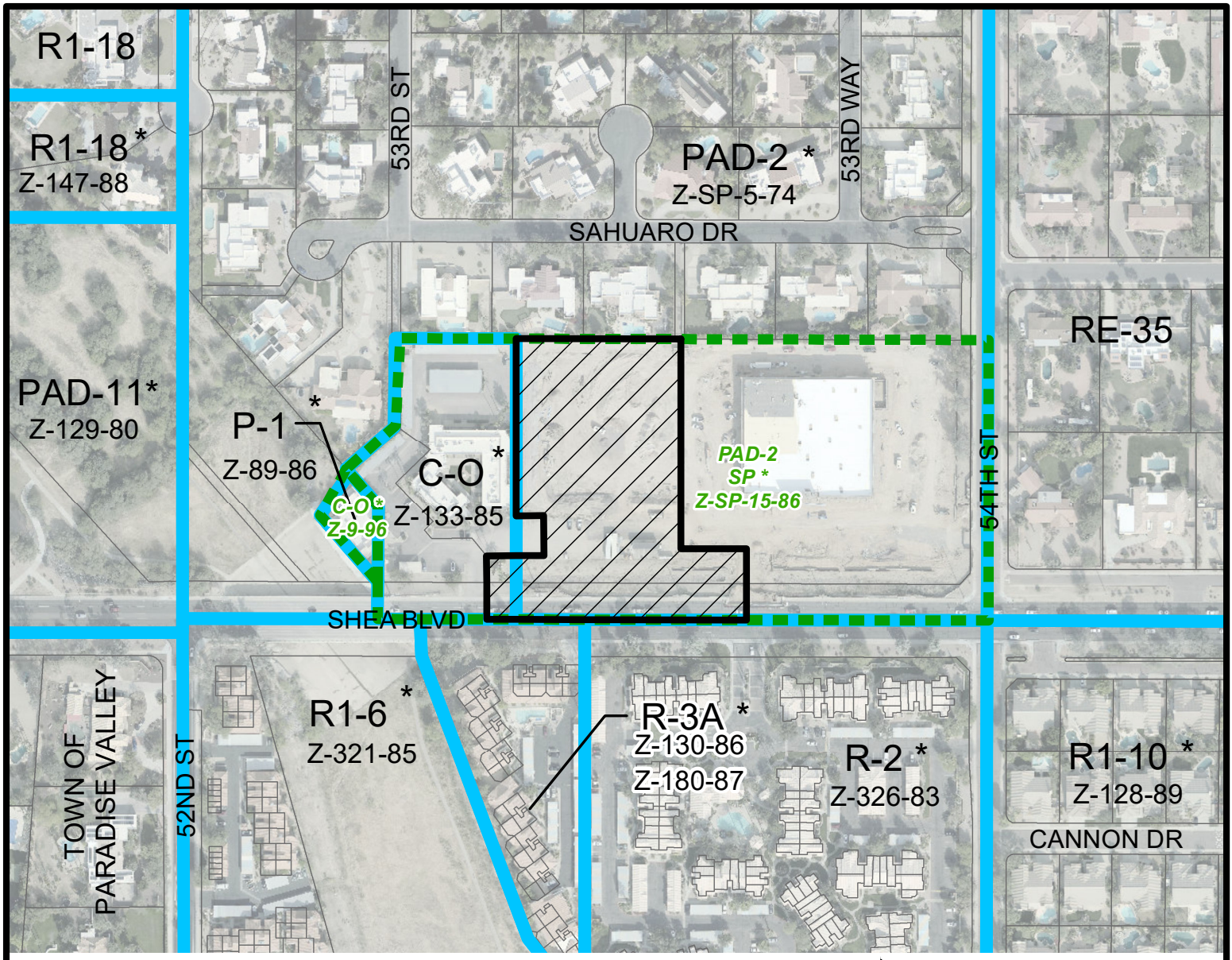
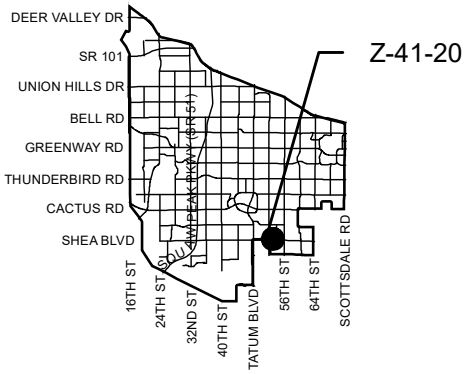


Miles

0.045 0.0225 0 0.045

PARADISE VALLEY VILLAGE

CITY COUNCIL DISTRICT: 3



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	Wendy Riddell, Berry Riddell
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PUD	N/A	N/A

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

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David O Simmons

From: Alex Neville <alex.neville@gmail.com>
Sent: Sunday, August 23, 2020 2:33 PM
To: kmw@berryriddell.com; David O Simmons
Subject: Proposed HonorHealth on Shea

Good afternoon,

I'm not sure if I will be able to attend the Zoom meeting so I am sending in my concerns ahead of time.

I've been a resident on Shea for the past 15 years, directly across from the proposed location of HonorHealth. Like many parts of Shea Blvd, this is a very busy street. This particular section has notably bad traffic for several reasons:

1) The narrowing of westbound Shea at 56th St, forcing three lanes of rush hour traffic into two lanes.

This narrowing leads to many aggravated drivers and aggressive driving due to individuals not wanting to lose a single spot in line, especially at the afternoon rush hour. It has forced inattentive drivers to cut over left a lane, oblivious to the existing occupant of that lane, causing near crashes. At rush hour (during non-COVID times), the traffic is solid bumper to bumper from Tatum back to 56th Street, and further on some days.

2) Several driveways and intersections, including side streets, condominium developments and Mountainside Fitness

There is a lot to pay attention to here with locals trying to drive home, or turn out of their respective driveways onto Shea. This will be more difficult with the increased emergency traffic of the proposed HonorHealth. Many of those coming to HonorHealth may not be familiar with the driveways or the area and may not be able to focus on the traffic coming from multiple directions as they try to find HonorHealth, especially as they are personally stressed with their own emergency situations.

3) A bi-directional center turn lane.

This in particular is a major concern. Many drivers treat this as a long merge lane, driving 200-300 yards up the center lane to merge into traffic. I've watched drivers get into this lane from in front of Mountainside Fitness to turn left onto 52nd St, which is about 300 yards. Other drivers come out of Bella Terra condominiums and make it all the way to the light at 51st Place before merging. Drivers coming to Mountainside from the west will get into the merge lane as soon as 52nd Street so they can pass slower traffic in the left lane. This turns this center turn lane into a suicide lane with many, many near accidents. There probably are logged accidents but I don't have access to those records.

I believe there is a major safety issue in bringing 24 hour emergency traffic to this section of Shea Blvd that is not capable as currently engineered to safely handle that traffic. There are too many distractions, too many people coming from different directions, and too many drivers sharing that turn lane as head on traffic.

Secondarily, the presence of Mountainside Fitness is more omnipresent than the prior occupant, La Camarilla Tennis/Fitness. While we were made promises of how it would coexist, those promises do not appear to be kept. The lights are brighter than before and they even have music playing outside 24 hours a day (in non-COVID times). I cannot sleep with a window open and not hear their music. This is not acceptable.

This location would be better served as professional or non-emergency medical offices. If a 24 hour emergency location is to be considered then major improvements must be provided on Shea Blvd, and the business must better conform to the neighborhood environment with sound, light, etc. than has Mountainside Fitness.

Sincerely,
Alex Neville
5249 E. Shea Blvd, Unit 101
Scottsdale, AZ 85254
480.389.4006

David O Simmons

From: William Christian <whchristian@msn.com>
Sent: Tuesday, October 27, 2020 10:40 AM
To: David O Simmons
Subject: Honor Health Medical Center Zoning Chg Request Z-41-20

Hi David,

I missed your call yesterday. I'm the HOA President of North Phoenix Promontory, just to the southeast of this proposed development. We have a lot of concerns about this project and I need some clarification on the upcoming Village Planning Informational Meeting.

I went thru this process a couple years ago when Cachet Homes wanted a zoning chg for their Astoria residential development. Thru the Village Planning Comm Hearing we were able to come up with a satisfactory compromise and it was approved up the chain to the City Council. However, I never heard of this Informational Hearing before.

Some questions:

1- It is my understanding the Village Committee members listen and use this to help make their decision for when they have their actual Committee hearing?
2- With #1 above in mind, are the opinions given here more important for one's case than at the actual Village Planning Comm Hearing?
3- If one wants to give their speaking time on 11/2 to someone else, how is that done in this virtual set-up?
4- Best guess as to when the Village Plan Comm Hearing will be? Before end of year? And will it be held virtually as well?
5- Last time I brought our Community signed petition to the Village Hearing. I take it now I will need to mail or email it in?
6- When I research PUD zoning, under "Uses", it says " Appropriate limitations will be placed on the character and intensity of permitted uses to promote neighborhood compatibility." I would just like to confirm this is still the current wording.

Finally, how do I get my email address added to the notification list? Right now it goes to our Block Watch person who ends up forwarding to me.

Thanks for your help, David!

Bill Christian

Sent from my iPad

David O Simmons

From: Bill Grove <bgrove1946@gmail.com>
Sent: Wednesday, August 12, 2020 11:42 AM
To: David O Simmons
Subject: Honor Health rezoning Shea/54th st.

David,

I am a homeowner in La Camarilla Estates off of 54th St. I have followed the city's handling of the Mountainside Fitness project from start to finish. I have also followed the Honor Health proposal to construct adjacent to Mountainside.

I usually can go along with progress if dealt with in a fair and equitable manner. However, neither one of these projects have done so. I am personally disappointed in how the city handled the Mountainside project and the project's blatant disregard to zoning requirements and laws. It almost seems to me as though the city turned a blind eye to what was expected and what was not even disclosed in the planning to the city. I might also add that the developer continues to ignore city guidelines. The individual is a bully and continues to act as such and in no way is concerned about this neighborhood. I am also disappointed that the Honor Health development is taking on the same posture with the Mountainside group involved from the start.

I implore you to do your civic duty and first of all require that Mountainside comply with signage lighting and do not ignore the plea of this neighborhood in regards to the zoning of the Honor Health project. There are numerous locations that this group could have considered for their project which would have benefited this area and been far less abusive with lights and noises to residents than their choice here. There should also be concern over the amount of traffic on Shea Blvd. that would be further impacted by this project.

Thank you in advance for your consideration.

Cheers,
Bill Grove

Sent from my iPhone

David O Simmons

From: Bob King <rbking2405@yahoo.com>
Sent: Saturday, January 9, 2021 2:58 PM
To: David O Simmons
Subject: Rezoning Case: HonorHealth Shea PUD is Z-41-20-3

David-

Below is the email I sent to Councilwoman Stark in December regarding the above referenced case. Please include this in the Public Record and forward to the Village Planning Committee as appropriate.

If you have any questions, please let me know.

Robert King
cell: 480-241-7521

----- Forwarded Message -----
From: Bob King <rbking2405@yahoo.com>
To: council.district.3@phoenix.gov <council.district.3@phoenix.gov>
Sent: Saturday, December 5, 2020, 12:46:30 PM MST
Subject: Opposition to Phoenix Rezoning Case Z-41-20

Dear Councilwoman Stark -

I am writing to express my opposition to Phoenix Rezoning Case Z-41-20, and respectfully request that you join in this opposition. This request pertains to the proposed Honor Health Medical Center on Shea, east of 56th Street, requiring a rezoning from residential to commercial. My wife and I feel strongly that this rezoning for a 24/7 Urgent Care and Emergency Room operation is not compatible with our neighborhood. This neighborhood was severely impacted by the construction of the huge Mountainside Fitness facility which replaced La Camarilla; the construction of this Medical Center will cause even greater permanent irreparable harm.

Thank you in advance for your support.

Robert and Patricia King
10213 N. 55th Street
cell: 480-241-7521

David O Simmons

From: Council District 3 PCC
Sent: Monday, December 7, 2020 10:37 AM
To: David O Simmons
Subject: FW: rezoning case Z-41-20

Forwarding…

Raquel Estupinan
Chief of Staff
Councilwoman Debra Stark's Office
Main: 602-262-7441

From: Raneeduckie <raneeduckie@gmail.com>
Sent: Saturday, December 5, 2020 10:13 AM
To: Council District 3 PCC <council.district.3@phoenix.gov>; ALieberman@azleg.gov
Subject: rezoning case Z-41-20

I am a resident of North Phoenix Promontory, my husband and I, along with all of the surrounding neighborhoods are strongly opposed to Rezoning Case No. Z-41-20, the HonorHealth Medical Center with 24/7 Urgent Care and Emergency Room Operations.

The current PAD zoning at this location, in accordance with City Municipal Code Sec 635, was designed to "provide a desirable and stable environment in harmony with that of the surrounding area." Contrary to this, the planned development is utterly out of harmony with the character of the original zoning. ***Rezoning of a residential parcel for a 24/7 Emergency Room could not be a more jarring replacement of the idyllic tennis club that was previously zoned for this land.***

Additionally, this rezoning proposal does not meet the City's usage requirements for this area. PUD Sec 671 states: "Appropriate limitations will be placed on the character and intensity of permitted uses to promote neighborhood compatibility." 24/7 Urgent Care and Emergency Room operations, increased ambulance service, increased traffic, associated late-night noises and lighting, are simply incompatible with the character of a residential neighborhood.

This rezoning is particularly unnecessary given the existence of an obvious compromise: Honor Health should simply be encouraged to find a nearby property that is already correctly zoned. As more and more big-box chain stores inevitably close, there will be multiple commercial properties available in the vicinity, either now or in the near future. This would allow HonorHealth to provide its services while also preserving the character of our neighborhood.

We respectfully request that this rezoning case be categorically denied.

Respectfully signed

Charles Duckworth

****

David O Simmons

From: Dianne Hampton <dhampt@aol.com>
Sent: Monday, November 2, 2020 9:57 PM
To: dhampt@a.com; David O Simmons
Cc: Geno Koman; docroc@cox.net
Subject: Re: Paradise valley village nov 2 @6pm - Addendum to my written opposition

Good evening David,

As follow up to this evening's Rezoning agenda item, overview, and discussion: HonorHealth Outpatient Medical Center-Shea PUD, I am requesting my additional concerns be apart of the record for my written opposition to the proposed building of the ER.

Alternative site recommendations offered by several speakers this evening included consideration of vacant buildings located at PV Village Center (PVVC), ie., currently vacant Albertsons Store, Bed, Bath and Beyond (proposed closing), etc. Please DONOT build at this location.

This immediate area is densely populated by retailers, homes, and condominium properties, ie., Milano Terrace, Tuscany Villas, and Village at Stone Creek, etc.

Although, Milano Terrace has not rendered a formal position, many of its condo owners do not want the proposed ER Center built on E. Shea Blvd. nor at PVVC. In past years, condo owners and residents have raised a myriad of problems with PVVC management. Building the ER will potentially exacerbate problems.

The HOA's, condo owners and entities adjacent to the area must have a viable opportunity to express their concerns, which in cases mirror Dr. Rockowitz and others speaking this evening in opposition to the rezoning.

As I listen to Agenda Item 4: Z-14-20-2, it is ironic that communication with HOA's can be problematic in the planning process. Thus, limiting valuable feedback.

Again, I want to go on record registering my OPPOSITION to REZONING AND BUILDING THE HONORHEALTH OUTPATIENT MEDICAL CENTER-SHEA.

David, know how much your hard work is appreciated. And, Dr. Rockowitz, many thanks for your advocacy.

Best,
Dianne Hampton, Condo Owner
Milano Terrace
5122 E Shea Blvd., Unit 1068
Scottsdale, AZ 85254
202-746-3317 iphone

Sent from my iPhone

Dianne Hampton

On Oct 27, 2020, at 12:33 PM, dhampt@aol.com wrote:

Hello Mr. Simmons,

I am a condo owner in Milano Terrace, who is strongly against rezoning the land adjacent to Mountainside Fitness on E. Shea Blvd., to accommodate Honor Health Care's proposed project for a 24/7 Emergency Center. Currently the land is zoned as PAD-2, a residential classification that is congruent with this densely populated area of single family homes and condominiums.

Additionally, traffic on E. Shea Blvd. is already extremely heavy, making it difficult for residents and guests to enter and exit homes and condos adjacent to the area. Rezoning the land to PUD will exacerbate the problems we currently face. Increased noise (sirens), traffic, pollution, etc., will impede the quality of life for residents and lead to property value reduction.

Please register me to participate in the Village Planning Committee meeting on November 2, 2020 at 6pm. I am requesting to speak and share my objection to the proposed rezoning project but will donate my allotted time to Dr. Neal Rockowitz.

I look forward to receiving your confirmation and to participating in the meeting.

Thank you,
Dianne Hampton, Owner
5122 E Shea Blvd., Unit 1068
Scottsdale, AZ 85254

-----Original Message-----
From: neal rockowitz, md <docroc@cox.net>
To: 'Dianne Hampton' <dhampt@aol.com>
Sent: Tue, Oct 27, 2020 11:18 am
Subject: FW: Paradise valley village nov 2

<image002.gif>

From: David O Simmons <david.simmons@phoenix.gov>
Sent: Thursday, October 22, 2020 1:04 PM
To: neal rockowitz, md <docroc@cox.net>
Cc: Geno Koman <geno.koman@phoenix.gov>
Subject: RE: Paradise valley village nov 2

Good afternoon, Neal,

The case is going to Village for Information Only. This is an opportunity for surrounding stakeholders to express their support or concerns for the case. If you would like to speak please reply to this email as this will serve as a formal request to speak to agenda item no. 3. Geno Koman will then send you a link to access the meeting as a participant. Please let me know if you have any additional questions. Email is the best point of contact for me as I am teleworking and don't check voicemail messages as often as email.

Respectfully,

David Simmons, MA
Planner II* Village Planner
200 West Washington Street
3rd Floor
Phoenix, AZ 85003
602-262-4072
david.simmons@phoenix.gov
<image003.png>
<image004.png>

From: neal rockowitz, md <docroc@cox.net>
Sent: Thursday, October 22, 2020 10:56 AM
To: David O Simmons <david.simmons@phoenix.gov>
Subject: Paradise valley village nov 2

Hi david
I am a concerned citizen regarding the Honorhealth proposed project at 54th st/Shea. Is the Nov 2 meeting informational only? Is it designed to hear input from neighboring residences? I left a voicemail without return call.
Thx
nr

From the desk of
Neal L. Rockowitz, MD

<image002.gif>
<image004.png>
<image003.png>

David O Simmons

From: Rica Carotenuto <rica.carotenuto@gmail.com>
Sent: Tuesday, January 5, 2021 4:33 PM
To: David O Simmons
Subject: Stop the ER project Shea Blvd

I understand that you want to hear from residents surrounding Mountainside Fitness and the proposed ER facility. My husband and I are such residents (5420 E Shea) who oppose the construction of the ER. We also contend that Mountainside violates zoning/building ordinances. My husband and I have signed the petition to block this project.

Thank you,

Enrica Carotenuto
Pasquale Carotenuto
Sent from my iPhone

David O Simmons

From: Council District 3 PCC
Sent: Monday, December 7, 2020 10:38 AM
To: David O Simmons
Subject: FW: Please listen to our pleas..... regarding the Phoenix Rezoning Case Z-41-20.

Forwarding…

Raquel Estupinan
Chief of Staff
Councilwoman Debra Stark's Office
Main: 602-262-7441

From: Helene Spero <hbdmimi@gmail.com>
Sent: Friday, December 4, 2020 7:19 PM
To: Council District 3 PCC <council.district.3@phoenix.gov>
Subject: Please listen to our pleas..... regarding the Phoenix Rezoning Case Z-41-20.

Good Afternoon. I live at 5403 E, Cannon Drive 85253 in the North Phoenix Promontory subdivision. My husband and I attended the virtual meeting that your council held regarding this proposed zoning change. I personally listened to the virtual board meeting as both sides presented. Many of them were things that I had not thought about.

One man who spoke said he had been in his house for over forty years and he remembers when Scottsdale Airport came to the neighborhood wanting to build their small airport. The neighborhood ended up granting them their support. The problem is that once any of these groups receive their change in zoning, there is no one to watch over them to make sure that they keep their promises to the neighborhood. He went on to say, who then would have thought that this tiny airport would turn into a hub for private jets and place us right in their flight pattern!!

In applying this to Honor Health, they say that right now they aren't planning to have any helicopters but once they get their zoning change,

there isn't anyone that will supervise them and before you know it, right in the middle of our residential area we will
have sirens during all hours of the night and eventually helicopters landing right in the middle of our once million dollar homes. Our homes are our
greatest asset, please don't let them come in here and reduce the value and the desirability of our homes. It will have a domino affect…. our homes
are our retirement funds. We will become a drain on our system in every way when our money is devalued.

It was also brought up that with so many businesses closing, Honor could have it's choice of property already zoned
for commercial use. Albertsons, Bed, Bath and Beyond, Paradise Valley Mall and the list goes on are all available properties that already have the commercial zoning.
It makes sense that they use one of these properties instead of coming into a residential area. Take a minute and think about how you would feel if this
was being proposed in your neighborhood. Would you want this coming in next door to you?

We all know that the traffic on Shea is already a huge problem. Anyone driving on it around 3 in the afternoon and beyond, can witness the congestion that takes place during the weekdays every afternoon. Not only does it add to the pollution around us but it adds noise and inconvenience as well. Our country is facing so many
problems already, do we really need to add another one? We are the ones who saved and put into the system. Corporate greed needs to be stopped. The citizens of this country deserve to be heard. There is absolutely no reason why they can't adapt the tons of commercial sites that are available to them.

Thank you for your attention, your time, and your efforts on our behalf. I wish your family and you a healthy and happy holiday season.
Please make mine the same by not allowing Honor Health to come into our residential neighborhood.

Sincerely,

Helene B. Spero
****

David O Simmons

From: Jeremy Goodman <jeremygo73@gmail.com>
Sent: Thursday, October 29, 2020 7:12 AM
To: David O Simmons
Subject: Public Comment on Z-41-20-3

Re: Z-41-20-3
Paradise Valley Village Planning Committee
Public Meeting, November 2, 2020
Item #3

Dear Mr. Simmons,

I would like to register the strongest possible objection to the request to rezone 3.19 acres located approximately 400 feet west of the northwest corner of 54th Street and Shea Boulevard from C-O, approved PAD-2 SP and PAD-2, approved PAD-2 SP to PUD to allow a hospital and other commercial uses.

I own a home one street north of the planned hospital/24-hour hybrid outpatient medical center. I have a personal and vested interest in the rezoning of the indicated property.

I object to the proposed rezoning and planned use for the following reasons:

1. The planned use for this property is inconsistent with the intention of the original zoning.
2. The change in zoning will allow for other unwanted and unsightly property use if the proposed hospital/24-hour hybrid outpatient medical center is not built.
3. There are already at least 3 urgent care centers on Shea Blvd bounded by Tatum and Scottsdale Roads.
4. The proposed structure for the newly re-zoned area is inconsistent with the aesthetic of the area, will be unsightly, and reduce property values for the homes surrounding the area.
5. The Mountainside Fitness building is unsightly and inconsistent with the aesthetic of the area, and an adjacent commercial building will further degrade the neighborhood aesthetic.
6. The increase in traffic, including ambulance traffic, will increase noise levels, traffic and congestion, and will decrease the safety of neighborhood pedestrians and cyclists who traverse this area. This planned use presents a clear and present danger to the safety of the neighborhood.

I join my neighbors in strenuously opposing this rezoning request, and respectfully urge the committee to consider the profoundly negative impact such a rezoning will necessarily have on the surrounding neighborhoods.

Sincerely yours,

Jeremy Goodman
5302 E Sahuaro Drive
Scottsdale, AZ 85254

David O Simmons

From: Jonathan Miller <JMiller@Millerjcpa.com>
Sent: Tuesday, January 5, 2021 11:59 AM
To: Debra W Stark
Cc: David O Simmons; Alan Stephenson
Subject: PROPOSED ER/UC AT 54TH AND SHEA

Debra
I have lived in the neighborhood for 15 years and raised my children here
We live at Cannon and 54th, only ½ mile or less across the street
We drive this section of Shea Blvd daily if not multiple times

We saw the destruction of the La Camarilla, where my children learned to swim, play tennis and vote
While I understand that "progress" cannot allow us to hold on to the past
The MONSTROSITY that was build is not what was intended when the area was zoned, it has created traffic as well as an eyesore for the Paradise Valley community.

The proposed ER/UC next to the mountainside site is not warranted wanted or within the zoning to my understanding
In no way should the zoning change to allow another non "residential" complementary structure
In addition to Traffic, Noise and Lighting concerns, the slow denigration of the zoning will allow future destruction of our neighborhood

While Honor Health claims that this is the ONLY place they can put such a structure, amazingly they now have partnered up with the Urgent Care at the corner of Tatum and Shea, which now holds 2 EMPTY big box stores (Albertsons and Bed Bath and Beyond)

That shopping center has access from all 4 sides (yes there is actually a street that runs behind there to cut the corner)
There is ample parking and seems like a much better location that my back yard.
While I am not a city planner, it just makes no sense to put an Urgent Care/Emergency room in my backyard when there is plenty of space ½ mile away
The traffic on Shea is horrible at times between Tatum and 56th street, and we don't need more

Hope that my input helps

Stay Healthy and Safe
Thanks

jm
Jonathan Miller CPA PC
StarCross Management LLC
Office 602-535-1197
My Office Address:
5010 E Shea Blvd Suite 140
Scottsdale AZ 85254
Mobile 602-820-2220
FAX 602-297-6608

To set up an appointment You can schedule an appointment online at *https://secure.scheduleonce.com/MillerJCPA [secure.scheduleonce.com]* OR if you cannot find a time that works, please call 602-535-1197 and speak with my assistant Lise

To upload FILES to my secure portal - Guest Exchange
https://millerjcpa.securefilepro.com/portal/#/login [millerjcpa.securefilepro.com]

My SECURE Mailing Address

10645 N Tatum Blvd
Ste 200-608
Phoenix AZ 85028
Email Jmiller@millerjcpa.com
www.millerjcpa.com [millerjcpa.com]
www.starcrossllc.com [starcrossllc.com]
Pay your bill ONLINE at www.MillerJCPA.com [millerjcpa.com]

My new book "WAIT, Don't Sign the Contract" now available on Amazon.
https://www.amazon.com/Wait-Dont-Sign-That-Contract-ebook/dp/B07R689HYX [amazon.com]

Find out more
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www.beyondthegamefilm.com [beyondthegamefilm.com]
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David O Simmons

From: Kaelee Wilson <kmw@berryriddell.com>
Sent: Tuesday, August 11, 2020 1:17 PM
To: David O Simmons; Gary David
Subject: RE: Honor Health zoning change, Z-41-20

Gary,
David forwarded your email to me. I would like to introduce myself. My name is Kaelee Wilson and I am a planner with Berry Riddell.

Do you mind explaining which Albertson's shopping center? The development team searched properties for quite sometime for the appropriate location. I would be more than happy to set up a call between you, myself and Wendy Riddell to discuss further.

Thanks,

Kaelee Wilson
Planner
BERRY RIDDELL LLC
6750 E. Camelback Road | Suite 100 | Scottsdale, AZ 85251
505-328-6606 | 480-385-2757 fax | kmw@berryriddell.com This message and any of the attached documents contain information from Berry Riddell LLC that may be confidential and/or privileged. If you are not the intended recipient, you may not read, copy, distribute, or use this information, and no privilege has been waived by your inadvertent receipt. If you have received this transmission in error, please notify the sender by reply e-mail and then delete this message. Thank you.

-----Original Message-----
From: Gary David <garystractor@icloud.com>
Sent: Monday, August 10, 2020 2:59 PM
To: David O Simmons <david.simmons@phoenix.gov>
Subject: Re: Honor Health zoning change, Z-41-20

David, Thanks for the quick reply. We were discussing here and wondered why the Albertsons location wasn't under consideration? Wouldn't that make more sense as far as location and congestion? Thanks again, Gary David

Sent from my iPad

> On Aug 10, 2020, at 4:40 PM, David O Simmons <david.simmons@phoenix.gov> wrote:
>
> Mr. & Ms. David,
>
> Thank you for reaching out in regard to Rezoning Case No. Z-41-20, Honor Health Outpatient Medical Center-Shea PUD. Your concerns have been noted and added to the case file to be included as part of the public record. I have also forwarded your email to the applicant (cc'd here) as well as to the members of the Paradise Valley Village Planning Committee so they are aware of your concerns. This case has not been scheduled for public hearings.

> Staff does not have a position on the case as of yet. We will not have a recommendation until we have a hearing draft of the development narrative. We are currently in the first review cycle. Once we have a hearing draft, I will be able to draft the staff report with a staff recommendation and schedule public hearing dates for recommendation.
>
> The applicants narrative is available for review on the City's website:
> https://www.phoenix.gov/pdd/planning-zoning/pzservices/pud-cases
>
> Please let me know if you have additional comments or concerns.
>
> Respectfully,
>
> David Simmons, MA
> Planner II* Village Planner
> 200 West Washington Street
> 3rd Floor
> Phoenix, AZ 85003
> 602-262-4072
> david.simmons@phoenix.gov
>
>
> -----Original Message-----
> From: Gary David <garystractor@icloud.com>
> Sent: Monday, August 10, 2020 1:58 PM
> To: David O Simmons <david.simmons@phoenix.gov>
> Subject: Honor Health zoning change
>
> We just received notice of the proposed zoning change. My wife and I are owners at Bella Terra and we would like to know how the increased traffic is going to be handled. Our driveway is already a nightmare with the normal Shea traffic flow. The addition of the fitness center across the street has made the access even more treacherous. With the hospital and ambulance service addition is there going to be a stoplight added to the street at this location? Or just a wrecker on standby? Gary and Joan David
>
> Sent from my iPad

David O Simmons

From: Council District 3 PCC
Sent: Monday, December 7, 2020 10:36 AM
To: David O Simmons
Subject: FW: Phoenix Rezoning Case Z-41-20.

Good morning David,

Hope you had a nice weekend. I'm going to forward you a few emails we received over the weekend regarding the Honor Health case.

Best,

Raquel Estupinan
Chief of Staff
Councilwoman Debra Stark's Office
Main: 602-262-7441

From: Larry Spero <lrspero@gmail.com>
Sent: Saturday, December 5, 2020 6:28 PM
To: Council District 3 PCC <council.district.3@phoenix.gov>
Subject: Phoenix Rezoning Case Z-41-20.

It is with extreme concern that I send you this email. I live at 5403 E. Cannon Drive, North Phoenix Promontory Homes, 85253. I listened to
the virtual meeting held on this case. I heard Honor Health present their case and then I heard many people from my neighborhood speak and
present their feelings, They made so many outstanding points and observations, I can not imagine after hearing their presentations that you
would pass the Phoenix Rezoning Case Z-41-20.

We are homeowners in the area and we feel strongly that adding an Urgent Care and Emergency Room that will be open 24/7 hours will
attract more people from all over at all hours, increasing late night traffic and noise. Shea is already handling a lot of traffic and rush hour starts at
three o'clock in the afternoon and traffic is bumper to bumper. The only way they will be able to reach this facility is by using their siren.
Who wants a siren in their bedrooms or home? This property is zoned for a neighborhood friendly and absolutely should not be
changed to 24/7 commercial zoning which is not compatible with the surrounding residential neighborhoods.

Once this facility is built, it will grow. Once they have their commercial zoning in hand, they will need to increase the size . They will do so by
adding on. and taking the building closer to Shea. They will begin to build up . Eventually they will make it a trauma center and helicopters
will provide transportation to those who need emergency care. Is there anything wrong with this picture as this emergency room increases
in size and in handling their patients? Absolutely not and we all would support creating this facility just not by changing the zoning of this property.
There is no reason why with all the commercial property available in our area that Honor Health needs to invade a residential neighborhood. More and

more commercial property is unfortunately becoming available with the passing of each day as the virus continues to close businesses. Please
encourage Honor Health to choose a piece of property that is already zoned for their needs.

We are of course upset. This facility will devalue our property. It will increase the noise, affect the environment and bring in more people.
Our neighbors saved and saved in order to afford our location. Most of us paid top dollar for our property. Please don't rezone this
property and take our investments and our life style, that we paid dearly for, and change it all with the rezoning case Z-41-20 especially when
this organization has so many other options.

Thank you for listening to me and hopefully rejecting this rezoning.

Sincerely,
Larry R. Spero

****

David O Simmons

From: LDLMSL <ldlmsl@cox.net>
Sent: Wednesday, October 28, 2020 2:20 PM
To: David O Simmons
Cc: Larry Langford; docroc@cox.net
Subject: PV Village Planning Committee Request

This requests speaking time at the Monday 11/2/20 rezoning hearing for Paradise Valley Village Planning Committee agenda item #3 (The Honor Health Medical Center).

I am opposed to the rezoning but I will not be available to speak; instead, this requests that my allotted time be donated to Neal Rockowitz M.D.

Confirmation of this request would be appreciated.

Larry Langford
10811 North 52nd Street
Scottsdale, Az. 85254
480-443-1968
ldlmsl@cox.net

David O Simmons

From: Leslie Lewis <leslieflewis@gmail.com>
Sent: Friday, January 8, 2021 1:11 PM
To: David O Simmons
Subject: Project near 55th Place and Shea

Hi - I am writing regarding the proposed HonorHealth Medical Center rezoning request near Shea and 54th Street. I live in the Promontory neighborhood, across from the relevant site, along with my husband and children. We have raised four children in this neighborhood, and there are some details about this area that must be considered in regards to this rezoning case (Z-41-20).

We moved into the Promontory neighborhood when my children were very young (age 5 months to 9). I wanted to be in a good school district for the children, and after significant research, decided that the Scottsdale district would be a good fit. I graduated from Chaparral myself, and loved the idea of being in the same district while raising my children. We really loved Cherokee Elementary and Sequoia Elementary, but the houses in the 85253/85254 area codes are not cheap. However, the Promontory area and the area just north of Shea and 56th Streetare more affordable than the PV/Scottsdale proper addresses, and so we bought in this neighborhood and sent our kids to Cherokee.

We are not the only ones who have had this idea. These neighborhoods are FILLED with children, teenagers, pets, and parents walking babies. They are wonderful neighborhoods. The only real issue with them is that Shea Blvd, in this area, is a nightmare. Cars drive by this stretch at 60-70 mph on a regular basis. I have never seen a police officer police this area in the 15 years I have lived here. It is extremely difficult to make a left onto Shea from these areas (the ongoing jokes about suicide turns are alarming). And there are SO many teenage drivers navigating this area.

Adding a Medical Center to an already dangerous area of Shea, in an area where young families are raising children, is not only irresponsible. It is going to significantly increase the chance that children or young adults will die. This is not an appropriate area for this Center. It is not fair to the families that live here. And it is not fair to the children.

If this rezoning does happen, please please please require a traffic light or two in this area. A light at 54th Streetwould greatly help with the turns onto Shea from these family neighborhoods, and would also slow traffic.

Thank you for reading this. This rezoning would change the character of the neighborhood, and that would be a shame. But the real reason that this rezoning is a problem is that it could lead to fatalities. Please don't allow this.

Leslie Lewis
10214 N. 55th St.
Paradise Valley, AZ. 85253
480-773-4193

David O Simmons

From: Council District 3 PCC
Sent: Monday, December 7, 2020 9:30 AM
To: David O Simmons
Cc: Raquel Estupinan; Rose Ferguson
Subject: Leslie Lewis - Phoenix Rezoning Case Z-41-20

Good morning David,

I wanted to share Mr. Lewis email that has suggestions if the re-zoning is approved for Honor Health. Please see below.

Best,
Adam Grant
Council Aide to Councilwoman Debra Stark
District 3
Adam.grant@phoenix.gov

From: Leslie Lewis <leslieflewis@gmail.com>
Sent: Saturday, December 5, 2020 3:22 PM
To: Council District 3 PCC <council.district.3@phoenix.gov>
Subject: Phoenix Rezoning Case Z-41-20

Hi - I am writing regarding the proposed HonorHealth Medical Center rezoning request near Shea and 54th Street. I live in the Promontory neighborhood, across from the relevant site, along with my husband and children. We have raised four children in this neighborhood, and there are some details about this area that must be considered in regards to this rezoning case (Z-41-20).

We moved into the Promontory neighborhood when my children were very young (age 5 months to 9). I wanted to be in a good school district for the children, and after significant research, decided that the Scottsdale district would be a good fit. I graduated from Chaparral myself, and loved the idea of being in the same district while raising my children. We really loved Cherokee Elementary and Sequoia Elementary, but the houses in the 85253/85254 area codes are not cheap. However, the Promontory area and the area just north of Shea and 56th Street are more affordable than the PV/Scottsdale proper addresses, and so we bought in this neighborhood and sent our kids to Cherokee.

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Adding a Medical Center to an already dangerous area of Shea, in an area where young families are raising children, is not only irresponsible. It is going to significantly increase the chance that children or young adults will die. This is not an appropriate area for this Center. It is not fair to the families that live here. And it is not fair to the children.

If this rezoning does happen, please please please require a traffic light or two in this area. A light at 54th Street would greatly help with the turns onto Shea from these family neighborhoods, and would also slow traffic.

Thank you for reading this. This rezoning would change the character of the neighborhood, and that would be a shame. But the real reason that this rezoning is a problem is that it could lead to fatalities. Please don't allow this.

Leslie Lewis
10214 N. 55th St.
Paradise Valley, AZ. 85253
480-773-4193
****

David O Simmons

From: Lisa Miller <rlmjmiller22@gmail.com>
Sent: Monday, January 11, 2021 2:10 PM
To: Debra W Stark
Cc: David O Simmons; Alan Stephenson; 'Randy Miller'
Subject: Concerned for proposed Honor Health Med Center

Hello Ms. Stark,

My husband and I live in the Promontory community off of Shea and we are very concerned about the Proposed Honor Health Med Center that might go up right across the street from us.

Here are our concerns:

1) The amount of traffic that it will bring to the area (as you know it is already getting bad with Mountainside Fitness and there are no lights nearby to regulate it).
2) The fact that the Honor Health will have an ER attached to it is concerning due to the noise it will bring (ambulances, etc..)
3) We are beginning to lose the appeal of this 'community neighborhood/area' with the Mountainside now up and then possibly this Honor Health facility - it just doesn't seem right.
4) We are concerned with the violations that took place with Mountainside that the City messed up on – we are not feeling comfortable with the City applying the appropriate restrictions with Honor Health or any other facility that may open in that area.
5) We are in favor of having a closer ER to us, however we believe there are many other places they could be looking in this area to put this facility.

Thank you for your consideration.

Lisa and Randy Miller
10232 N. 54th PL, Paradise Valley, AZ 85253

David O Simmons

From: mshano@ascosigns.com
Sent: Tuesday, October 27, 2020 1:27 PM
To: David O Simmons
Cc: Geno Koman
Subject: RE: Paradise valley village nov 2

Hi David,
My name is Mike Shano and I live nearby the proposed Honor Health ER. I would like to voice my opposition to the project and rezoning of the parcel. I will try being on the virtual meeting
If my schedule permits.
Respectfully,
Mike Shano

[search.google.com] [facebook.com] [yelp.com]

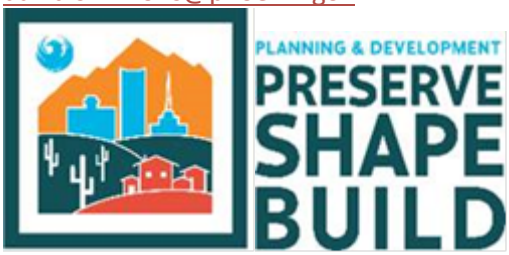
From: David O Simmons <david.simmons@phoenix.gov>
Sent: Thursday, October 22, 2020 1:04 PM
To: neal rockowitz, md <docroc@cox.net>
Cc: Geno Koman <geno.koman@phoenix.gov>
Subject: RE: Paradise valley village nov 2

Good afternoon, Neal,

The case is going to Village for Information Only. This is an opportunity for surrounding stakeholders to express their support or concerns for the case. If you would like to speak please reply to this email as this will serve as a formal request to speak to agenda item no. 3. Geno Koman will then send you a link to access the meeting as a participant. Please let me know if you have any additional questions. Email is the best point of contact for me as I am teleworking and don't check voicemail messages as often as email.

Respectfully,

David Simmons, MA
Planner II* Village Planner
200 West Washington Street
3rd Floor
Phoenix, AZ 85003
602-262-4072
david.simmons@phoenix.gov



From: neal rockowitz, md <docroc@cox.net>
Sent: Thursday, October 22, 2020 10:56 AM
To: David O Simmons <david.simmons@phoenix.gov>
Subject: Paradise valley village nov 2

Hi david
I am a concerned citizen regarding the Honorhealth proposed project at 54th st/Shea. Is the Nov 2 meeting informational only? Is it designed to hear input from neighboring residences? I left a voicemail without return call.
Thx
nr

From the desk of
Neal L. Rockowitz, MD

David O Simmons

From: Council District 3 PCC
Sent: Friday, December 4, 2020 3:30 PM
To: David O Simmons
Cc: Adam Grant; Rose Ferguson
Subject: FW: Rezoning of property at 52nd St and Shea Blvd for Honor Health Emergency Room/Urgent Care

Hi David,

Forwarding the email below as an FYI. If we receive additional emails like this, should we send them to you?

Thank you,

Raquel Estupinan
Chief of Staff
Councilwoman Debra Stark's Office
Main: 602-262-7441

From: Robert George <314ravs1@cox.net>
Sent: Friday, December 4, 2020 3:24 PM
To: Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>
Subject: FW: Rezoning of property at 52nd St and Shea Blvd for Honor Health Emergency Room/Urgent Care

Sent from Mail [go.microsoft.com] for Windows 10

From:
Sent: Friday, December 4, 2020 3:20 PM
To: debra.stark@phoeinix.gov; jim.waring@phoenix.gov
Subject: Rezoning of property at 52nd St and Shea Blvd for Honor Health Emergency Room/Urgent Care

Dear Ms. Stark and Mr. Waring
It is my understanding that Honor Health is requesting the reference property above to be rezoned from residential zoning to a zone category that would allow them to build a 24/7 Emergency Room and Urgent Care. My home is located at Shea Blvd and 56th St. Mr. Waring is my City Council representative and Ms. Stark is the City Council representative for the area the property for the ER is located. This property was a classic tennis club until just a couple of years ago when the tennis club closed and the property was used to build a fitness facility building (Mountainside Fitness) and Honor Health wants to use the adjacent property for their ER/Urgent Care. My wife and I are opposed to this rezoning and want it to stay residential. There are already 5 Urgent Care facilities within 2.5 miles of 56th ST and Shea Blvd and the closest one is a Honor Health facility. Honor Health Shea Medical Center is less than 5 miles away. Adding an 24/7 ER next to residential property will be very disturbing with sirens all night long and increase in traffic. There are frequent accidents at the intersection of 56th St and Shea Blvd and although I couldn't find recent data on the number of reported accidents, I imagine you would access to this data. In my opinion it would be best for the local residents of this area and Honor Health for that matter, if they want to have a 24/7 facility in the area, is to expand their current facility location at 4902 Shea Blvd, just 3 blocks away. Their current facility is located in a business strip mall and zoning would not be a problem, I assume.
Sincerely,

Robert George
10227 N 56th St
Paradise Valley

Sent from Mail [go.microsoft.com] for Windows 10

****

David O Simmons

From: Nancy Ribble <nribble@q.com>
Sent: Thursday, January 7, 2021 3:20 PM
To: David O Simmons
Subject: Fwd: HonorHealth rezoning case: HonorHealth Shea PUD Z-41-20-3

David,
Forwarding you the email I sent to Debra Stark regarding the rezoning case #Z-41-20-3 to be included in the Public Record and forwarded to each member of the Village Planning Committee.

Thank you,
Nancy Ribble

From: "nribble" <nribble@q.com>
To: "debra stark" <debra.stark@phoenix.gov>
Sent: Tuesday, December 1, 2020 10:53:00 AM
Subject: HonorHealth rezoning case # Z-41-20 - please reject

Dear Debra Stark,

I live in the LaCamarilla Estates near 54th Street and Shea (behind MountainSide Fitness and the proposed HonorHealth 24/7 urgent/emergent care facility).

I am very concerned about rezoning case #E-41-20 for this new HonorHealth facility for the following reasons:

Reason/Description	Questions to ask yourself if you lived in our community
24/7 business	Would you want a 24/7 business behind your house? This is a business going into a Residential neighborhood. We bought our homes and have an expectation of quiet when it gets dark.
Property values	Who wants to live near a 24/7 business with threat of sirens/traffic, etc. Damage our quality of life….24/7 urgent care vs. tennis courts.
Increase in traffic	85 patients per day? How will they exit if they want to go east on Shea--cross over MountainSide Fitness? Very difficult to go east on Shea from this location. If they can't go left, they will feed into the neighborhood on 54th street. Traffic lights would cause further congestion on Shea. Already increased number of accidents on 54th and Shea due to MountainSide Fitness.
Increase in noise/noise pollution	Cannot guarantee no sirens anytime during the day or night for those being transported to the hospital. This noise level comes from the patients and traffic. Regarding the building, would you want to listen to a blender all day and night? HonorHealth had a noise study done and the increase in noise level would be equivalent to a blender.
Increased crime	Looking for drugs. HonorHealth can have security, but the point is that more individuals will come thinking there are drugs to be had bringing

	them closer to our neighborhood. They can jump the walls and head to our community.
Increased lights 24/7	Light is already a nuisance coming from the MountainSide Fitness sign and this issue has yet to be resolved. How much more light is going to bleed into our homes and bedrooms at night due to HonorHealth?
Height of Building	The proposed height has not substantially changed. The height of most of the building (not the tallest point) is only a few feet different. The ground has already been raised from the previous development. Instead of having a view of the mountains, we will have yet another huge building behind our homes.
Location	Why does it need to be located here in a residential neighborhood? There are so many locations already zoned for commercial that are available with ample lighting, parking, existing lights, proper traffic controls, etc.
Change	We are already going through so much change, how much more change do we need to endure? It is not like we are going to a similar business.

I implore you to consider all these items as though you lived in our same community and not what is going to bring $$$ to the City because it still can -- just from an alternate location.

Thank you for your time and consideration.

Sincerely,
Nancy Ribble
602-300-3655

David O Simmons

From: David Urbinato
Sent: Wednesday, September 16, 2020 9:48 AM
To: David O Simmons
Cc: Samantha Keating
Subject: FW: emdist3 - Form Submission

David, this one is yours, correct? I told D3 staff I'd share the comment. No follow up necessary, unless you see the need.

David Urbinato
Management Assistant II
Phoenix Planning and Development Department
602-534-3630

From: Council District 3 PCC <council.district.3@phoenix.gov>
Sent: Wednesday, September 16, 2020 6:23 AM
To: Debra W Stark <debra.stark@phoenix.gov>; David Urbinato <david.urbinato@phoenix.gov>; Raquel Estupinan <raquel.estupinan@phoenix.gov>
Cc: Rose Ferguson <rose.ferguson@phoenix.gov>
Subject: FW: emdist3 - Form Submission

Good morning,

Please see Ms. Ribble's concerns regarding HonorHealth rezoning near 54th St. and Shea Blvd below.

Adam Grant
Council Aide to Councilwoman Debra Stark
District 3
Adam.grant@phoenix.gov

From: no-reply@phoenix.gov <no-reply@phoenix.gov>
Sent: Tuesday, September 15, 2020 5:31 PM
To: Council District 3 PCC <council.district.3@phoenix.gov>
Subject: emdist3 - Form Submission

FROM : Nancy Ribble

SUBJECT : HonorHealth rezoning near 54th St. and Shea Blvd.

MESSAGE : I appreciate your assistance in asking Honor Health to work with the neighbors at La Camarilla estates so we don't have another episode of what happened with Mountainside Fitness. I just wanted to let you know that Honor Health is not answering our questions and continues to give us a sales pitch about how great they are to the community. They are giving the appearance that they are working with us when in fact they are not and I am very concerned about them moving into the neighborhood and what it means for our immediate residential community. For example, the height of the proposed Honor Health building is only one foot below the Mountainside Fitness building. The picture they provided makes it look like it is less; however, I can do the math plus the building will be starting at a much higher

elevation than the prior building which also makes a huge difference. I have other concerns as well. Your continued support in this matter would be greatly appreciated.

Email : nribble@q.com

AREA : 602

PHONE : 300-3655

ADDRESS : 5227 E Sahuaro Dr

CITY : Scottsdale

STATE : AZ

ZIP : 85254

Submission ID: 114f69b7bcd443ccbb66042f36884495

Form Submission On : 9/15/2020 5:30:53 PM

Referer: https://phoenix.gov/district3/contact-district-3

This is Not Spam - This message is sent on behalf of the City of Phoenix. Please handle appropriately.

David O Simmons

From: neal rockowitz, md <docroc@cox.net>
Sent: Thursday, October 22, 2020 10:56 AM
To: David O Simmons
Subject: Paradise valley village nov 2

Hi david
I am a concerned citizen regarding the Honorhealth proposed project at 54th st/Shea. Is the Nov 2 meeting informational only? Is it designed to hear input from neighboring residences? I left a voicemail without return call.
Thx
nr

From the desk of
Neal L. Rockowitz, MD

David O Simmons

From: Nelda <nelda1011@gmail.com>
Sent: Tuesday, January 5, 2021 8:46 PM
To: Debra W Stark
Cc: David O Simmons; Ian.stephenson@phoenix.gov
Subject: SHEA REZONING OBJECTION !!

It's simple. This is a residential area and should remain as such. There are existing structures that are better geographically suited for this type of business.

Do not destroy the Shea corridor with another massive structure which will bring too much traffic and noise to the area.

There will be too many cars in and out of Bella Terra, Mountainside and La Camarilla villas, possibly at the same time, all added to the commuter traffic which will cause accidents.

Anyone that thinks this is a good idea - to destroy a residential area which includes million dollar homes and beautiful properties, is slightly crazy. No one that I've spoken with disagrees that another medical establishment is not a bad thing. BUT NOT HERE!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!

Find another place.

David O Simmons

From: Gary David <garystractor@icloud.com>
Sent: Monday, August 10, 2020 1:58 PM
To: David O Simmons
Subject: Honor Health zoning change

We just received notice of the proposed zoning change. My wife and I are owners at Bella Terra and we would like to know how the increased traffic is going to be handled. Our driveway is already a nightmare with the normal Shea traffic flow. The addition of the fitness center across the street has made the access even more treacherous. With the hospital and ambulance service addition is there going to be a stoplight added to the street at this location? Or just a wrecker on standby? Gary and Joan David

Sent from my iPad

City of Phoenix Planning and development Dept

200 West Washington St. 2nd floor

Phoenix AZ 85003

8-10-2020

Re: Case # Z-41-20

In reference to proposed rezoning of tract at 54th St and Shea Blvd I need to object to proposed use of this tract.

The building of a medical center in what has numerous condo complexes and single residences will devalue our property. In addition, 24 hour light and noise pollution from ambulances will be detrimental to health of residents in immediate area. This stretch of Shea Blvd has backed up traffic numerous times of the day and adding more entrances and exits will see more hazardous driving conditions for anyone wanting to get on or off Shea Blvd.

I strongly oppose this rezoning

Virginija Paulauskas

5249 E. Shea Blvd unit 105

Scottsdale AZ 85254

CITY OF PHOENIX

AUG 13 2020

Planning & Development Department

David O Simmons

From: Peggy Jackson <peggyjacksonfeller@gmail.com>
Sent: Wednesday, October 28, 2020 5:04 PM
To: David O Simmons
Cc: neal rockowitz, md; Geno Koman
Subject: Re: Paradise valley village nov 2

Hello David,

This is a request to speak at the upcoming Paradise Valley Village Planning Committee **agenda item 3**.

As a concerned neighbor it's extremely unfortunate that Honor Health has chosen a plan to rezone the lot directly attached to our La Camarilla development. My late husband and I moved here 25 years ago hoping for a nice quiet neighborhood. La Camarilla Racquet Club was a great neighbor for many, many years. The plan to rezone for a medical emergency rooms seem unnecessary as there are so many options for medical offices within one mile of here.

1. Honor Health Primary Care Physicians have offices at 5010 East Shea. That Complex is very large and I'm sure there's availability.

2. The center at the NorthEast Corner of Tatum and Shea. Albertson's went out of business years ago and nothing has filled that space. It would be great for the community if something filled that space.

3. In that same complex, Bed Bath and Beyond is going out of business leaving another huge empty space.

4. Fast Med is also within that complex. I understand that Honor Health recently completed a joint venture with Fast Med, perhaps there is a way to work within their existing building at 4902 East Shea.

I'm a big fan of Honor Health. I'm currently in treatment for lung cancer and due to complications have been hospitalized twice at Honor Health Thompson Peak. Which, is the emergency room I go to or Honor Health Shea which are both close enough, fully equipped and staffed with outstanding medical teams.

Again, its unfortunate that we all have to dedicate so much time and energy to rezoning something that is so unnecessary and extremely intrusive on our neighborhood.

Thank you,
Peggy Jackson
480-710-8278

> On Oct 22, 2020, at 1:03 PM, David O Simmons <david.simmons@phoenix.gov> wrote:
>
> <image002.gif>
> Good afternoon, Neal,
>
> The case is going to Village for Information Only. This is an opportunity for surrounding stakeholders to express their support or concerns for the case. If you would like to speak please reply to this email as this will serve as a formal request to speak to agenda item no. 3. Geno Koman will then send you a link to access the meeting as a participant. Please let me know if you have any additional questions. Email is

the best point of contact for me as I am teleworking and don't check voicemail messages as often as email.

Respectfully,

David Simmons, MA
Planner II* Village Planner
200 West Washington Street
3rd Floor
Phoenix, AZ 85003
602-262-4072
david.simmons@phoenix.gov
<image003.png><image004.png>

From: neal rockowitz, md <docroc@cox.net>
Sent: Thursday, October 22, 2020 10:56 AM
To: David O Simmons <david.simmons@phoenix.gov>
Subject: Paradise valley village nov 2

Hi david
I am a concerned citizen regarding the Honorhealth proposed project at 54th st/Shea. Is the Nov 2 meeting informational only? Is it designed to hear input from neighboring residences? I left a voicemail without return call.
Thx
nr

From the desk of
Neal L. Rockowitz, MD

David O Simmons

From: Peter Reaven <preaven@cox.net>
Sent: Tuesday, January 5, 2021 2:10 PM
To: Debra W Stark
Cc: David O Simmons; Alan Stephenson
Subject: HonorHealth and related projects on Shea and 54th st

Dear Councilwoman Stark,

I wanted to add my voice to the concern over the development of the HonorHealth ER project. As a physician I have great respect and interest in seeing the community receive access and availability to health care services. However, this seems an inappropriate location for a project such as this, and seems a marked deviation from the type of zoning that was intended for this residential neighborhood. In addition to the inappropriateness of the large project in this area- both esthetically and in terms of the effect on those that live nearby, this is likely to add greatly to the congestion and traffic in the area. It is already nearly impossible to turn off Shea into many of these residential streets, and this has grown worse with the traffic related to Mountain Fitness. The number of accidents or near accidents continues to increase and will only get worse with added business activity thrust into this small area. I personally have barely avoided collisions with last second maneuvers as cars failed to see me as they raced to enter or leave the property area. I really encourage you all to strongly discourage this development.

I would also request you seriously examine the zoning and signage issues related to Mountain Fitness- they have certainly misled the neighborhoods and likely the City- and their failure to even make any effort to reduce the unneeded all night signage lighting on the building shows how little regard they have for the local residents.

Sincerely,

Peter Reaven, MD
10852 N. 53rd St

David O Simmons

From: Council District 3 PCC
Sent: Monday, December 7, 2020 10:37 AM
To: David O Simmons
Subject: FW: Opposition to Phoenix Rezoning Case Z-41-20

Forwarding…

Raquel Estupinan
Chief of Staff
Councilwoman Debra Stark's Office
Main: 602-262-7441

From: Bob King <rbking2405@yahoo.com>
Sent: Saturday, December 5, 2020 12:47 PM
To: Council District 3 PCC <council.district.3@phoenix.gov>
Subject: Opposition to Phoenix Rezoning Case Z-41-20

Dear Councilwoman Stark -

I am writing to express my opposition to Phoenix Rezoning Case Z-41-20, and respectfully request that you join in this opposition. This request pertains to the proposed Honor Health Medical Center on Shea, east of 56th Street, requiring a rezoning from residential to commercial. My wife and I feel strongly that this rezoning for a 24/7 Urgent Care and Emergency Room operation is not compatible with our neighborhood. This neighborhood was severely impacted by the construction of the huge Mountainside Fitness facility which replaced La Camarilla; the construction of this Medical Center will cause even greater permanent irreparable harm.

Thank you in advance for your support.

Robert and Patricia King
10213 N. 55th Street
cell: 480-241-7521
****

David O Simmons

From: TIM FROHOCK <azrockitman@me.com>
Sent: Wednesday, January 6, 2021 11:46 AM
To: David O Simmons; Debra W Stark; Alan Stephenson
Cc: tim timlasota.com
Subject: Rezoning Case: HonorHealth Shea PUD is Z-41-20-3

Good afternoon

My wife, young son and I are residents in La Camarilla subdivision. I've been a phoenix metro resident for 30 years. We moved to La Camarilla from mid-town Phoenix a bit more than four years ago for the schools for our son, as well as seeking more of a suburban, quieter pace of life further away from the typical noise experienced in midtown or downtown. We've been extremely happy with the subdivision as well as the neighborhood at large.

We are troubled by the proposed plans to build a 24/7 clinic with emergency room facility adjacent to our nice quiet neighborhood. We can not see the rationale for changing the complexion of the light commercial plot that abuts our neighborhood in this manner. For years, that plot of land has housed a fitness center with tennis courts that caused no late night noise or excessive lighting issues. Stated differently, the facility was a good neighbor to the homeowners. The oversized new fitness center has changed part of that already with the nearly obscene late night lighting, but adding an emergency room clinic on the adjacent land would forever alter much of the allure that La Camarilla attracted us to from the start.

The current quietness of the area lends itself well to taking advantage of the cool spring and fall nights with the windows open. It would only take a few nights of being woken up to blaring sirens before that luxury would be lost forever. Maybe that seems like a minor issue to some but it's not to our family nor our neighbors. It's a quality of life issue.

There are four corners of properly zoned commercial real estate less than 1/2 mile to the west from our neighborhood at Tatum and Shea. I wouldn't pretend to know the benefit to Honor Health by pursuing our specific neighboring plot of land versus the large quantity of possibilities at Tatum and Shea , or other similar areas, but it baffles me to think a fair minded business like Honor Health would think this location adjacent to La Camarilla would produce a positive relationship between our neighbors and the business. It also troubles me that long-term zoned adjacent real estate could so easily be rezoned and changed forever. If successful, what should we brace ourselves for, for a subsequent change in the near future?

Please do not allow this 24/7 emergency room project to proceed.

Thank you.

Respectfully,

Tim Frohock
5344 e. Mercer Lane
Scottsdale AZ, 85254
602-568-5200

City of Phoenix Planning and development Dept

200 West Washington St. 2nd floor

Phoenix AZ 85003

8-10-2020

Re: Case # Z-41-20

In reference to proposed rezoning of tract at 54th St and Shea Blvd I need to object to proposed use of this tract.

The building of a medical center in what has numerous condo complexes and single residences will devalue our property. In addition, 24 hour light and noise pollution from ambulances will be detrimental to health of residents in immediate area. This stretch of Shea Blvd has backed up traffic numerous times of the day and adding more entrances and exits will see more hazardous driving conditions for anyone wanting to get on or off Shea Blvd.

I strongly oppose this rezoning

Virginija Paulauskas

5249 E. Shea Blvd unit 105

Scottsdale AZ 85254

CITY OF PHOENIX

AUG 13 2020

Planning & Development Department

David O Simmons

From: Randy Oppenheimer <randyoppenheimer50@gmail.com>
Sent: Thursday, January 21, 2021 10:52 AM
To: David O Simmons; Debra W Stark
Subject: Rezoning Case

As a physician I think its great to have more facilities accessible to the community. However, having a 24/7 facility with an ER and ambulances in a residential neighborhood is **not a good idea.**Especially when there are plenty of empty commercial buildings available less than a mile away.

Randy Oppenheimer MD

David O Simmons

From: Eileen Shorr <eileenshorr@gmail.com>
Sent: Tuesday, January 12, 2021 1:19 PM
To: Debra W Stark
Cc: David O Simmons; Alan Stephenson
Subject: Honor Health current emergency proposal

>
> Please vote no to the HonorHealth emergency facility near 52nd and Shea in Scottsdale. I live in the condo at this corner on Shea. The traffic noise is awful now, please do not allow ambulances 24/7 to this location. It is difficult for a 75 year old to sleep now, this proposal will make sleep impossible. Traffic is also a nightmare. Even though I do all my healthcare with HonorHealth, I still request that you please vote against this proposal at this location. Please have them consider the Sears or Dillard's locations or any spot at the Paradise Valley Mall. Thanks for your time and consideration of this important matter for many residents near by the proposed location.
>
> Sincerely,
>
> Eileen Shorr
eileenshorr@gmail.com
> 856-275-4796
> Sent from my iPhone

David O Simmons

From: Clark Westburn <inthehoodmooky@outlook.com>
Sent: Monday, January 18, 2021 2:17 PM
To: Debra W Stark
Cc: David O Simmons; Alan Stephenson
Subject: Rezoning Case: HonorHealth Shea PUD is Z-41-20-3

Dear Ms. Stark,

The purpose of this email is not to convince you of the evils of the planned HonorHealth "Outpatient" Medical Center - Shea, but to ask you to help convince HonorHealth to collaborate with neighborhood residents to relocate it to a more appropriate place in the neighborhood.

The label of "Outpatient" is misleading, as HonorHealth plans to operate a 24-hour Emergency Room there, transporting patients by ambulance to HonorHealth Shea down the road as needed.

And yet, knowing the above, we with think this facility is fantastic to have in our neighborhood. The problem is that HonorHealth could not have done a worse job of picking the lot in our neighborhood to build it.

Our reasons consist of the following:

1. **Unusually Dangerous Traffic** - We highly urge you to drive by the proposed location. Phoenix traffic is bad, but this particular spot is unusually dangerous. Here, Shea Blvd. Eastbound backs up all the way from 56th Street, and Shea Blvd Westbound backs up all the way from Tatum Blvd. In front of the proposed HonorHealth site, it is not unusual for traffic to be at a slow stop-and-go throughout the day. HonorHealth's own plans require ambulances to make a left turn out of their facility onto Shea. Anyone living here, and folks at Mountainside Fitness next door, can attest that left turns onto Shea are nearly impossible because of the traffic, and we residents all have our own workarounds through the neighborhood to circumvent it. In fact, the City of Phoenix just finished installing a new traffic light at the commercial center of 4700 block of E. Shea because of this same problem. There is no traffic light at the proposed HonorHealth site. Following HonorHealth's ambulance plan, ambulances will have to make risky left turns through traffic, or use a workaround like a u-turn on Shea or an alternate path through residential streets - with disruptive sirens and lights running the whole time. The many non-emergency vehicles will also be faced with risky turns out of the parking lot. We drive this stretch of Shea often, and we are very concerned about our safety with all the new traffic trying to enter Shea there.

2. **Missed Opportunity for Adaptive Re-Use** - Within a just a few blocks of the proposed site, there are literally acres of empty commercial real estate space. We are 2nd and 3rd generation Phoenicians, and the pain we feel every time we see our buildings thrown away never lessens. Paradise Valley Mall and the other retail malls around Tatum & Cactus, and Tatum & Shea all have occupancy issues and are at risk. There is good news - this poses a terrific opportunity for anyone wanting to locate their business here, including HonorHealth. We residents would welcome with open arms the planned HonorHealth facility in one of our unoccupied storefronts. However, instead of working with us and being part of our community, HonorHealth decided to leave us out of the planning and leave our empty business space to a dismal fate.

3. **Directly Disrupts Too Many Residences** - The proposed site might be on Shea Blvd, but in truth it is a wholly residential area merely divided by Shea Blvd. There are many residences on both sides of Shea here. The facility will also directly border single family homes that never had to deal with frequent ambulance sirens and lights, and is across the street from residential condominiums with hundreds of residents that never had to deal with problems from lighted signs, headlights shining directly into their windows from across the street and frequent ambulance noise. The average ambulance siren is 130 decibels - a tremendous increase over the 38.4-79.9 decibels that HonorHealth says is the current ambient noise level in the area.

4. **Wildly Inappropriate Zoning** - Our understanding is that this site was zoned PAD-2 so it could act as a buffer between the La Camarilla homes and Shea Blvd. A highly active 24x7 Emergency Room is a wild departure from the spirit of the lot's original zoning, and we oppose that departure and HonorHealth's request to change the lot's zoning.

Let us be clear - We do want this new HonorHealth facility to be built in our neighborhood. We also want people to be able to exit the facility safely, and want it to not negatively impact our quality of life and that of our neighbors. With all the available commercial real estate close by, we strongly believe it is possible to have all those things.

We hope the residents here can count on your leadership to help us reach a solution that works for everyone.

Full disclosure, by a technicality of a few hundred feet we currently live in Paradise Valley. Regardless of our current official citizenship, we are proud Phoenicians through and through, and would love to discuss this issue further if you would like.

Best,

The adult residents of 10450 N. 52nd St., Paradise Valley, AZ 85253

Bob Erdman

Tammi Erdman

Robert Erdman III

480.443.4755

David O Simmons

From: VICKI ROSS <vbr737@gmail.com>
Sent: Thursday, January 21, 2021 11:22 AM
To: David O Simmons
Cc: debra.stark@phx.gov; neal rockowitz, md
Subject: Propsed honor health 54th st and Shea

I am writing on behalf of my husband, Dr Burr Ross, and myself to express our strong disapproval for the proposed emergency center on Shea. My husband and I have lived in this neighborhood for 35 years. We bought one of the first lots available, because of the family friendly tennis club in front of us on Shea and the intimate neighborhood setting. We are terribly disappointed with Mountainside going in and the accompanying traffic and signage. But we are even more unhappy with the proposed health/emergency center with all the potential noise, ambulances, etc. associated. There are multiple medical centers within walking distance of our homes. I cannot imagine how there could be a need, in the first place.
But more importantly, we were assured as original owners that property was could only be used for recreation!

The traffic at 54th street and Shea is already at excessive. The lights from Mountainside Fitness already exceed city regulations. The shopping center at Tatum and Shea has countless buildings empty that could be used for such a health center. There are so many reasons why this proposal makes no sense and would be damaging to us as homeowners.

Please put yourself, as a homeowner, in our position when you make your recommendations.

Vicki and Burr Ross
5342 E Sahuaro Dr
Scottsdale, Arizona
6023215690

David O Simmons

From: Bieniek <asbien@cox.net>
Sent: Tuesday, January 19, 2021 1:30 PM
To: David O Simmons
Cc: Debra W Stark
Subject: Reasoning Honor Health on Shea

I have lived in La Camarilla for 27 years and in the past have been a member of the tennis and health clubs. I am sad that the new owner Mountainside as built a monster building in place of a pleasing design of the previous building. Now Honor Health is proposing a 24 hour facility. Has anyone studied the traffic on Shea? In afternoon, the West bound traffic is backed up past 56 th street. So are ambulances and patients Going to divert through the neighborhoods? I don't get it. There is an empty lot west of Trader Joe's and an empty center where Albertsons was. What's the problem with either of these areas? Al Bieniek

Sent from my iPad

David O Simmons

From: Bob Wiesenberger <rjwdmd@aol.com>
Sent: Friday, January 22, 2021 11:55 AM
To: David O Simmons
Cc: Debra W Stark
Subject: Rezoning Case: Honor Health Shea PUD is Z-41-20-3

As a long time resident,23 years, of the North Promontory development, which is across the street from the proposed 24/7 Honor Health Emergency facility, I oppose its constriction.
My reason for this that the area is currently zoned for residential usage and there is no community need for such a facility the area. There already exists an Honor Health Urgent Care facility
three blocks West on Shea Blvd. A 24/7 facility will be disruptive and disturb the tranquil residential nature that presently exists.

Shea Blvd. east of 56th street is a six lane road that narrows to four lanes in the area of the proposed site. Construction will only lead to further road congestion, traffic delays, and possible accidents. Also resulting
in problems entering and leaving the communities on the South side of Shea Blvd. The emergency vehicles that will be arriving, once construction is completed will cause further traffic problems in both directions. The noise
from the sirens will be disturbing to the local residents.

The planning committee should be aware that there exists ample commercial sites West of the proposed site at Tatum and Shea Blvd's. There are vacant lots as well as vacant stores that could be converted to medical space.

I believe that it is the obligation, duty, and responsibility of the committee to have the best interest of the local community in mind when deciding these matters.

Therefore, I am requesting that the planning committee deny the request for a change in zoning.

Thank you for your consideration.

Robert Wiesenberger
10211 N 55th Pl.
Paradise Valley, AZ 85253

David O Simmons

From: Bruce E. Beverly <BBeverly@azgat.com>
Sent: Monday, January 25, 2021 11:17 AM
To: David O Simmons; geno.koman@phoneix.gov; Debra W Stark
Subject: Honor Heath Facility at 54th and Shea Blvd. (Case Number Z-41-20)

Importance: High

Mr. Simmons, Mr. Koman, Ms. Stark,

My wife and I live in the Promontory subdivision which is just South of the proposed Honor Health facility. We don't have any objection to the development of a health care facility in the general area but we strongly object to its proposed placement at 54th Street and Shea and we will explain why.

Most would agree that having a medical facility similar to what Honor Health proposes is a positive for nearby residents but placing such a facility in a residential setting when the commercial market is shifting almost daily from large box stores and commercial centers is, at best, premature.

Easy access to such a facility benefits a broader segment of the population so why shouldn't the facility be placed closer to freeways like state route 51 or the 101 to make it easier for patients from a larger geographic area to access it. To access the proposed site on Shea and 54th Street would require an individual to navigate 4 or 5 traffic lights if they are driving East on Shea and a similar number if driving West. Placing the facility in a commercially zoned location near one of the larger freeways would facilitate access for the consumer and reduce traffic at traffic lights on Shea and would be in compliance with commercial zoning guidelines and restrictions.

Currently there are more than half a dozen urgent or medical care facilities in commercially zoned locations off of Shea Blvd (Honor Health Fast Med, Honor Health Medical Group, Phoenix Children's Scottsdale Urgent Care, Banner Urgent Care, Minute Clinic and Banner Health Center on East Greenway Road to name just a few). All of those facilities are located in commercially zoned locations and are not zoned for PAD-2.

The neighboring residents don't object to having medical facilities nearby as noted above. The residents object to placing it literally in their back yard when so many commercial facilities are undergoing dynamic changes. The residents are looking to the City to comply with their own zoning policies and to protect the interests of the resident who made decisions to acquire property in the area because they were assured that zoning requirements would be adhered to by the City. If the City is not going to adhere to these zoning restrictions then we believe the City should explore how best to compensate residents for their diminished property values.

Honor Health itself has stated that placing such facilities in residential locations is the wave of the future. Based on Honor Health's own forecasts this residential strategy will be successful and with its great use comes additional traffic – not just East and West traffic but North and South traffic as well. If Honor Health's forecasts are correct, then it is reasonable to expect Honor Health to return with future proposals for expansion. Once the zoning of this Honor Health facility is approved what keeps the City from approving future proposals especially since the facility is already in place

Another concern is compliance with PAD-2 zoning restrictions. Honor Health has outlined what restrictions would be in place should their proposal be approved by the City but what assurances residents have that the City of Phoenix will enforce those zoning restrictions when they clearly have not done so with the adjoining Mountainside facility.

PAD-2 zoning restrictions for the area prohibited Mountainside from having a structure as high or building signage as bright as it is at night (PAD-2 only permits a business that coexists on residential zoned land). Signage for the area should be much more subtle, in a halo format, to fit into the neighborhood but that clearly didn't happen nor has the City taken any action to correct it. Presumably the City's response is – Oh well, it's too late now. Such a response is unacceptable and corrective action is needed now. Drive down Shea Blvd. from State Route 51 to the 101 and the only signs similar to Mountainside's will be found in commercially zoned space – not property that is zoned PAD-2. With that said, why should the residents affected believe the City is sincere in complying with legally approved zoning guidelines and restrictions?

The former occupant of the space (La Camarilla) complied with the existing PAD -2 zoning (Residential Zoning) guidelines and restrictions and coexisted well with its neighbors but the City clearly allowed Mountainside to depart from the legally required restrictions so again, if the City is not going to comply or actively regulate then why should residents believe this process is not simply a "form over substance" process. Once the City approves Honor Health's PUD zoning proposal what keeps Honor Health or the City from deviating from their proposal or the City from acquiescing to any proposed change. Who pays the price for this lack of compliance, not the businesses nor the city administrators or elected officials who permitted it to happen. The residents pay the price and it is a price that will continue to be paid so long as these facilities are permitted to stray from the legal restrictions and PUD zoning plan.

In light of the above, can one reasonably believe that the City, its administrators and our elected officials, will look out for the best interests of the area residents and comply with the PUD restrictions when they didn't do so with respect to Mountainside? Under the circumstances we believe most would agree that the City has failed to adhere to its own zoning policies so we believe that residents have a legitimate reason to be concerned and to object.

In summary, neighbors don't have any objection to Honor Health developing a facility in the area but residents and neighbors object to its placement at 54th Street and Shea. With the rapidly changing commercial market we believe it would be best to place the facility in a commercially zoned area away from residential homes. Honor Health obviously believes that their health care model will be successful and will grow so Honor Health should identify a location that will allow for future growth. If Honor Health does so then I am confident that residents and neighbors in the geographic area of 54th Street and Shea will benefit and potentially use it.

Respectfully,

Bruce and Toni Beverly
10202 North 54th Place
Paradise Valley, AZ 85253
602-327-8425
bbeverly@azgat.com
602-828-9531
ttbeverly@aol.com

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David O Simmons

From: Terry <Terry@all-ininc.com>
Sent: Friday, January 22, 2021 3:04 PM
To: David O Simmons
Subject: Honor Health Rezoning

David-

As residents at the Promontory since its inception. Becky and Terry Hamlin are adamantly opposed to the current rezoning as proposed. The current location is not suitable for a 24 hour 7 day a week Urgent care facility.

The air traffic above Paradise Valley and Promontory in an out bound to Scottsdale Airport is loud enough without adding the sirens proposed at the Honor Health facility.

Pluse, Shea narrows to two lanes and the additional traffic generated from Mountain Side will add to a traffic problem that the city needs to address before considering rezoning of property in the traditionally residential area.

Again we are opposed to the rezoning proposed by Honor Health

Terry & Becky Hamlin
5432 E. Alan Lane
Phoenix, AZ 85253
602.625.0054

Sent from my Verizon, Samsung Galaxy smartphone

Sent from my Verizon, Samsung Galaxy smartphone

David O Simmons

From: Helene B. <hbdmimi@gmail.com>
Sent: Monday, January 25, 2021 11:57 PM
To: David O Simmons; Debra W Stark; Council District 3 PCC
Cc: neal rockowitz, md; William Christian
Subject: Rezoning Case: HonorHealth Shea PUD is Z-41-20-3. The Village Planning Committee

David,

We have registered to speak on Feb. 1, 2021 dealing with the rezoning case: HonorHealth Shea PU is Z-41-20-3. We have previously written to you stating our objections to this rezoning. We have also signed the petition from our neighborhoods. We would like to donate our speaking time to Neal L. Rockowitz, M.D.

We both feel strongly about not rezoning this property. There is a lot of property available that is already zoned in the area for commercial use. We are so concerned about the added traffic to Shea that this project will bring to our residential neighborhood. Hopefully, you have driven on Shea any time after three o'clock in the afternoon and been stuck in that traffic.

It is literally bumper to bumper. I can't imagine how someone needing emergency assistance would be able to navigate their way through

that kind of traffic. As the traffic continues to build, they will eventually have to resort to using sirens. As this facility's business continues

to grow, so will the traffic and with it open 24/7, it will have a major impact on our environment as well as our neighborhood.

In addition, the lighting and signage will not be compatible with our homes. We have put in a great deal of money into our homes.

Therefore, our biggest asset/investment, our homes and our property values will go down.

We have lived in this area for a long time. When Scottsdale Airport wanted zoning for a small airport with hardly any traffic, we supported it.

Now it is a busy airport and our homes are right in the middle of all their flight patterns. Once they had their zoning, over the years, they forgot about

all the promises they had made to get our support.

While HonorHealth says now that there will be no sirens 24/7 and there are no immediate plans for this building to become a trauma center,

once they get their zoning, it is my understanding that some years down the line, they can add the sirens. Eventually, they could add a helicopter pad.

Would you want your home near this type of facility?

There is absolutely no reason to do this to our neighborhood. With businesses closing at Tatum and Shea and on Cactus, there

is plenty of commercial property for them to choose from. When the La Camarilla developer wanted to build the La Camarilla Estates

sub-division of homes and a tennis club, we were all excited to have those facilities available to us. He created a tasteful complex and

actually added to our neighborhood. When he sold his club property, that property already had been rezoned and when Mountainside

built their building, they needed no approval to build that awful building. Please, please do not rezone this property and further add

to the devaluation of our homes.

Thank you for giving our speaking time to Dr. Neal Rockowitz and please take my letter to heart and turn this rezoning down.

Sincerely,

Helene and Larry Spero

P.S. I just received a notice that Harvest Health is seeking rezoning on the corner of Tatum and Shea. https://www.phoenix.gov/pddsite/Documents/PZ/Z-38-20n.pdf

This is to establish a Marijuana Dispensary. That particular shopping center has limited parking. I also would worry about security and safety.

Just a few doors down is a yogurt store where families can sit outside at tables and enjoy their treat together. Our neighborhood is a family

area with lots of children. The Marijuana registry where you had an appointment to have your examination & to qualify for your medical marijuana card was located

on the SE corner of Scottsdale Road and Shea. It was located on the inside of that strip mall. They had plenty of parking. Because of the set up

of those buildings, it would provide **privacy** of those seeking to purchase Marijuana. It would be a win/win situation for everyone. Please **protect**

our neighborhood.

David O Simmons

From: Sherry Brown <sherrybrown@cox.net>
Sent: Sunday, January 24, 2021 8:45 AM
To: David O Simmons
Subject: Rezoning #Z-41-20-3

Dear Mr. Simmons,

I've been updated by my neighbors about the potential of an HonorHealth 24-hour emergency facility in our family neighborhood of, Shea and 52nd Street. I am clearly opposed to this possibility for a variety of reasons. I've lived in our home for 23 years and have invested in our community and home. I'm curious why HonorHealth thinks putting in a 24-hour facility in a spot with homes surrounding the area and already Shea being a busy street, is a great choice and why we should allow this.

I understand there's an upcoming virtual meeting, February 1st? Can you tell me how I can connect with that meeting?

Regards,

Sherry Brown
602.524.3138

David O Simmons

From: William Christian <whchristian@msn.com>
Sent: Monday, January 25, 2021 10:52 AM
To: David O Simmons
Cc: Geno Koman
Subject: Register to Speak- Z-41-20-3, Feb 1st

Mr Simmons,

Please register me to speak on Feb 1st regarding case Z-41-20-, Honor Health.

I am opposed to the rezoning.

Thank you,

William Christian

Sent from my iPhone

Paradise Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-41-20-3
INFORMATION ONLY

Date of VPC Meeting	November 2, 2020
Request From	C-O (Commercial Office) (0.12 acres) and PAD-2 (Planned Area Development 2) (3.07 acres)
Request To	PUD (Planned Unit Development) (3.19 acres)
Proposed Use	Hospital and other commercial uses
Location	Approximately 400 feet west of the northwest corner of 54th Street and Shea Boulevard

VPC DISCUSSION:

24 speaker cards were submitted in opposition, wishing to speak
4 speaker cards were submitted in favor, wishing to speak

Ms. Wendy Riddell, representing the applicant, went over the PUD request in great detail. She outlined why the PUD designation was being proposed as opposed to a traditional zoning designation. She highlighted the increased setbacks, which are more than double that what is required in the underlying zoning designation. She highlighted that the proposal is dark sky compliant. She went over the hours of operation and highlighted peak times. She went over emergency vehicle lights and siren policy on the site and shared that an acoustical study had been conducted. She went over the traffic study and shared that there will be a slight increase in traffic. She went over the public outreach efforts to date.

Mr. Rick Murdock, the applicant representing Honor Health, He went over the business model for the proposed development and the potential relationships and benefits the community could take advantage of.

Mr. Joe Lesher thanked Ms. Riddell for addressing the high points of the project.

Mr. Alex Popovic applauded the applicant for providing a website as a community resource during COVID-19 for the project.

Mr. Robert Goodhue asked staff if the tennis club that was previously located on this site count as open spare for the PAD-2 zoning designation.

Mr. David Simmons, staff, shared that the tennis club did count as open space for the PAD-2 designation.

Mr. Eric Cashman asked what the difference between the like facility was located on Thunderbird and this location.

Ms. Riddell shared that this product type is a first of its find and is not comparable to the Thunderbird location.

Mr. Murdock stated that the Thunderbird location is a Scottsdale Healthcare facility, not an Honor Health facility.

Vice Chair Gubser asked what is allowed in the PAD-2 designation.

Ms. Louisa Ward asked if the PAD-2 was an older designation that originally allowed residential and minor commercial uses found in C-1.

Vice Chair Gubser asked if C-1 would allow this use.

Ms. Riddell shared the C-1 designation would allow this use with a Use Permit.

Ms. Toby Gerst applauded the applicant for proposing double the setback requirement and asked about toxic waste generated on site. She asked what the disposal method is for the toxic medical waste and how are the neighbors protected from such waste.

Ms. Riddell shared that all medical waste is stored internally and disposed of by a third-party contractor.

Ms. Gerst applauded the signage proposed.

Mr. Popovic asked if ambulances would be dropping people off.

Mr. Murdock explained that this facility will not pull patience from other areas and will only serve the local community. Therefore, ambulances will not drop people off too often from outside the area.

Ms. Ward asked if there will be a helicopter pad and service.

Ms. Riddell shared that there will not be helicopter service at this location, and it is specifically forbidden in the PUD ordinance for this site. Therefore, there will never be an opportunity to add helicopter service at this location.

Public Comment:

Dr. Neal Rockowitz, speaking for himself and several other neighbors, opened by sharing when he moved to the area. He lightly touched on the PAD-2 zoning designation requirements found in the City of Phoenix Zoning Ordinance**.** He shared that he and his neighbors have concerns about lighting, blocked view corridors, signage concerns, emergency vehicle traffic, noise and the specific use at this location. He also shared concerns with the proximity of this use in relation to single-family homes, the 24-hour operation of the use, and the massing of the building.

Mr. Steward Taylor stated that he lives on the south side of Shea Blvd. He has concerns about the representation from the applicant. He is concerned that promises made will not be kept over time and they can't be enforced by the City of Phoenix. He feels the proposed use is an inappropriate use of the land. Major concerns with use are sirens, lights, traffic, and the character of the area changing.

Mr. Terry Hamlin shared that he resides at 5432 E Alan Ln. Shared concerns about the proposed zoning designation, air traffic, noise resulting from air traffic, and feels a better use of the land would be a public park.

Ms. Lauren Leonard residing at 5401 E Alan St shared concerns about light pollution, noise, traffic and the business model of the proposed use. She stated that this use would not be a benefit to the community, but a burden.

Mr. Luis Lopez residing at 5358 E Mercer Ln shared concerns about the public neighborhood meeting times. He believes the applicant is lying to the public. He has traffic and safety concerns as well.

Ms. Nancy Ribble residing at 5227 E Saguaro Dr ditto' d Neal's comments. He also has concerns about the 24-hour business in proximity to residential, property values, traffic and noise.

Mr. Tim La Sota residing at 2198 E Camelback Rd has concerns with the use proposed at this location.

Mr. Maulik Parikh resides on the south side of Shea Blvd. He shared concerns with the character of the area changing, property values decreasing and the long-range urban vision for the area. He shared that there are many vacant commercial uses in the area that this applicant could utilize where the use is more appropriate. He is opposed.

Mr. Rafael Dutoit shared that he is 10 years old. He shared that he was a member of the tennis club, which was replaced with Mountain Side Fitness. He would like to see a public park on this site to give local children a place to play.

Ms. Jennifer Wann resides in Paradise Valley North. He is in support of the proposal. She has a terminal ill child who would benefit from this proposed use. She shared that this specific use if needed for the area. She asked the committee to recommend approval.

Mr. Gino Davi residing at 4650 E Alan Ln. shared that he is in favor of the proposal.

Applicants Response:

Ms. Wendy Riddell iterated that this proposal has nothing to do with the Mountain Side Fitness site. It is a different developer, owner, and applicant. She stated that the tennis club is not coming back. She stated that change is hard for most people in most scenarios. She also stated that this is not prime residential

real estate as it fronts onto Shea Blvd, which is an extremely busy major arterial. She also shared that the applicant has shopped other sites and the subject site is the best choice.

VPC Discussion:

Ms. Toby Gerst asked if the committee has been equitable with time for both the opponents and proponents of the cases. She stressed that this is of utmost importance.

Chairwoman Jennifer Hall stated that we try our best to accommodate, but it is dependent upon many factors including number of registered speakers, length of presentations as some projects are more complex than others and length of agenda.

Paradise Valley
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-41-20-3

Date of VPC Meeting	February 1, 2021
Request From	C-O (Approved PAD-2 SP) (Commercial Office, Approved Planned Area Development, Special Permit) and PAD-2 SP (Approved PAD-2 SP) (Planned Area Development, Approved Planned Area Development, Special Permit) (3.19 acres)
Request To	PUD (Planned Unit Development) (3.19 acres)
Proposed Use	Hospital and other commercial uses
Location	Approximately 400 feet west of the northwest corner of 54th Street and Shea Boulevard
VPC Recommendation	Approval, per the staff recommendation with two additional stipulations.
VPC Vote	**10-4-2** with committee members Belous, Goodhue, Hall, Maggiore, Mazza, Popovic, Severs, Sparks, Wise, and Gubser in favor. Committee members Cantor, Gerst, Mortensen and Stewart not in favor. Committee members Balderrama and Lesher abstained.

VPC DISCUSSION:

5 speaker cards were submitted in favor, wishing to speak

16 speaker cards were submitted in opposition, wishing to speak

35 speaker cards were submitted in opposition, donating time to others

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 to the north as well as the enhanced streetscape along Shea Boulevard. He also went over stipulation rationale with the committee.

Mr. Alex Popovic asked about emergency vehicle operations on the site.

Mr. Simmons shared that this is non regulatory from a zoning perspective. However, he shared that the applicant has written a small section into the development narrative that addresses this.

Ms. Toby Gerst asked if there were other emergency rooms such as this.

Mr. Simmons shared that this is a fairly new product type.

Ms. Anita Mortensen shared that she has traffic concerns.

Ms. Wendy Riddell, with Berry Riddell, LLC, representing the applicant, gave an in depth presentation covering what she and the development team have done since the last public hearing including numerous phone calls to neighbors, meeting with Dr. Rockowitz on site and took pictures from his yard to determine best mitigation measures. As a result, they made the following clarifications and modifications:

- The permitted uses have been modified from C-1 and hospital use to Commercial Office and hospital use (prohibiting stand-alone retail uses).
- RV parking and a helistop have been added as prohibited uses.
- Lighting standards were clearly defined, to ensure all lighting is shielded and light poles do not exceed 15 feet in height.
- Added language to ensure that building colors are neutral and non-reflective.
- Explored additional traffic mitigation with the City of Phoenix and committed to making improvements required by the City.

Ms. Riddell added that as a result of public outreach, additional landscaping has been added in the northern parking lot. She highlighted the enhanced building and landscape setbacks adjacent to residential to the north and highlighted the building height is well below the development standards for the underlying zoning designation. She proposed a stipulation that would restrict the HonorHealth facility from contracting with emergency service agencies, which would cut down in siren usage. Lighting, signage and hours of operation were also covered.

Ms. Toby Gerst asked the applicant to show the hospital comparison graphic so she the VPC can see how close those facilities are to residential.

Ms. Riddell stated that the hospital comparison graphic depicts all large hospital campuses and we do not know exactly how close residential is to these campuses but can check and get back.

Vicechair Joe Lesher asked why this project couldn't be located somewhere else.

Ms. Riddell shared that some commercial use will be going on this site if this project does not move forward. She went on to say that other commercial lots in the area that have leases which preclude this use from going on other nearby sites.

Mr. Alex Popovic stated that he applauds the development teams' efforts, particularly in regard to public outreach. He said the efforts are commendable.

Public Comment:

Dr. Neal Rockowitz, residing at 5337 E Sahuaro Drive, abutting the site to the north, stated that the applicant is very arrogant. He shared that he any 35 of his

fellow neighbors, whom donated time to him to speak, have concerns about traffic, land use, livability of area, height, and the appropriateness of the project next to a residential area. He also stated that this would constitute leap from zoning as there should be a C-O, R-5, or some lighter zoning designation between residential and a use such as the one proposed. A 24/7 emergency center directly adjacent to residential is unacceptable. Dr. Rockowitz went on to discuss the history of how the area developed. He shared that he and many of his neighbors have a jaded view of city processes from past experiences, particularly the neighboring Mountainside Fitness project. He stated that a yes vote for this project would be misguided and wrong.

Mr. Bill Christian shared that two other neighbors donated time to him. He shared that this proposal does not fit the character of the area. The noise, intensity, sirens and increased amount of traffic over time would be a detriment to the existing residence int eh area. He stated that there has got to be a more suitable place for this use.

Mr. La Sota, representing 29 homeowners on the south side of Shea, shared that an emergency room is an emergency room, despite what size the facility is. This use is going to be loud and does not belong in a residential area.

Mr. Bruce Beverly stated that this is the wrong use in the wrong place at the wrong time. He shared that commercial facilities are vacating rapidly due to changing market conditions. Why not move to an exiting commercial site.

Ms. Sherry Brown, residing on 57th Street and Shea, stated that she is shocked that this is even proposed at this location as there are already several similar uses in the area.

Ms. Tami Erdman stated that their ha been a lack of communication with the applicant and the notification area is not large enough. Has concerns about noise.

Ms. Nancy Ribble shared that she has concerns about noise and increased light pollution.

Mr. Maulik Parikg has concerns about traffic, proposed use, and character of area changing.

Mr. Luis Lopez stated that this proposal is unique.

Mr. Geno Davi shared that he is in support of the request.

Mr. Doug Leventhal shared that he is in support of the proposal from two perspectives. It is a community amenity and the design and use are outstanding.

Mr. Dan Cheyne supports the project as it is a great amenity in the neighborhood.

Mr. Doug Heltne shared that he is in support of the project.

Ms. Julie Silverthorn has concerns about public safety and traffic.

Mr. Bruce Bethancourt in in support of the proposal.

Mr. Paul Katsenes is in support of the project as this is a 1st class medical service.

Mr. Bryan Jeffries shared his support for the request.

Ms. Nancy Ganz stated that one's core beliefs reflect who they are and that is a good thing. We, the neighbors, have concerns about this project.

Mr. Victor Felicia shared his support for the project.

Applicant Response:

Ms. Riddell asked a rhetorical question, why this location? Because it is needed. She went overt the meeting minutes from the case history on this site a sited that this was never intended to be open space, a park or anything other than commercial. She is proposing an additional stipulation that would restrict he facility from contracting with private emergency vehicle services, which would greatly reduce the number of emergency vehicle trips in and out of the site.

VPC Response:

Mr. Alex Popovic asked what community outreach had been conducted? He shared he is in support of the project.

Ms. Riddell shared that they had done extensive public outreach, created a website and had numerous Zoom meetings.

Mr. Robert Goodhue asked what could be built by tight without a rezone.

Ms. Riddell shared that government buildings, group homes, churches, schools and other light commercial uses could be built here by right.

Mr. Alan Sparks shared that the has concerns with the Mountain Side Fitness violations.

Mr. David Simmons, staff, said that he would reach out to NSD to get a list of violations on the Mountain Side site.

Ms. Toby Gerst shared that this project should be in a location that gets buy in from the community. She said the concept is fabulous, but this site is inappropriate. Therefore, she is not in support.

Ms. Anita Mortensen stated that this site is not a good spot for this use.

Ms. Jennifer Hall stated that she is conflicted with the case. She can see both sides of the argument. She said that this case has nothing to do with Mountain side Fitness next door. She shared that all of the public comment is needed and

appreciated. However, we must look at this from a land use perspective. She is in support.

Ms. Kathryn Belous shared that this is a viable use for the site and is in support.

Mr. Popovic stated that the lady that was struck by the car on Shea was running in and out of traffic and was most likely under the influence of drugs or alcohol.

Ms. Mortensen wanted it to be on the record that the lady was not under the influence but has a disability.

MOTION:

Mr. Alex Popovic made a motion to recommend approval of Rezoning Case No. Z-41-20-3, per staff's recommendation and two additional stipulations.

Mr. Alan Sparks seconded the motion.

VOTE:

10-4-2 with committee members Belous, Goodhue, Hall, Maggiore, Mazza, Popovic, Severs, Sparks, Wise, and Gubser in favor. Committee members Cantor, Gerst, Mortensen and Stewart not in favor. Committee members Balderrama and Lesher abstained.

Stipulations:

1. An updated Development Narrative for the HonorHealth Outpatient Medical Center - Shea 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 January 6, 2021, as modified by the following stipulations:

    a. Front Cover: Remove "HEARING DRAFT" and revise submittal date information on bottom of the cover page as follows:
    1st Submittal: July 29, 2020
    2nd Submittal: October 14, 2020
    Hearing Draft: January 6, 2021
    City Council adopted: TBD

    b. Add parking standards to the comparative development standards table.

    c. Add standards for the detached sidewalk in the Development Standards table as depicted on the landscape plan.

    d. Provide a dimensioned landscape plan depicting distance between sidewalk and back of curb at a 5 foot minimum, sidewalk widths at a minimum of 5 feet wide and landscape setbacks. Include caliper sizes of trees, number of shrubs under each tree, groundcover percentages in a table format on the plan.

2. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping

and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

3. 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.

4. 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.

5. THE DEVELOPER SHALL CONSTRUCT A TRAFFIC SIGNAL AT THE INTERSECTION OF SHEA BOULEVARD AND 54TH STREET, AS APPROVED BY THE STREETS TRANSPORTATION DEPARTMENT.

6. THE OPERATOR OF THIS FACILITY SHALL NOT CONTRACT WITH EMERGENCY MEDICAL SERICVES (“EMS”) TO BRING PATIENTS TO THE FACILITY BY AMBULANCE WITH LIGHTS AND SIURENS (CODE 3)

Staff Comments:

None

Attachment E

REPORT OF PLANNING COMMISSION ACTION
March 4, 2021

ITEM NO: 14	
	DISTRICT NO.: 3
SUBJECT:	
Application #:	Z-41-20-3 (Honor Health Outpatient Medical Center – Shea PUD)
Location:	Approximately 400 feet west of the northwest corner of 54th Street and Shea Boulevard
From:	C-O (Approved PAD-2 SP) and PAD-2 (Approved PAD-2 SP)
To:	PUD
Acreage:	3.19
Proposal:	Planned Unit Development to allow a hospital and other commercial uses.
Applicant:	Wendy Riddell, Berry Riddell, LLC
Owner:	5316 East Shea Boulevard, LLC
Representative:	Wendy Riddell, Berry Riddell, LLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
Paradise Valley 11/2/2020 Information only.
Paradise Valley 2/1/2021 Approval, per the staff recommendation with additional stipulations. Vote: 10-4 (2 abstained).

Planning Commission Recommendation: Approval, per the Paradise Valley Village Planning Committee recommendation, with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve Z-41-20-3, per the Paradise Valley Village Planning Committee recommendation, with the additional stipulation as read into the record.

Maker: Howard
Second: Johnson
Vote: 6-3 (Gaynor, Montalvo, Shank)
Absent: None
Opposition Present: Yes

Findings:

1. The proposed development provides additional protections for nearby residential uses through site design and enhanced development standards.

2. The proposed development will provide a needed service in the area.

3. The proposed development contains enhanced standards that will result is a more walkable, shaded and pedestrian-friendly environment that will help to reduce the urban heat island effect.

Stipulations:

1. An updated Development Narrative for the HonorHealth Outpatient Medical Center - Shea 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 January 6, 2021, as modified by the following stipulations:

    a. Front Cover: Remove "HEARING DRAFT" and revise submittal date information on bottom of the cover page as follows:
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    b. Add parking standards to the comparative development standards table.

    c. Add standards for the detached sidewalk in the Development Standards table as depicted on the landscape plan.

    d. Provide a dimensioned landscape plan depicting distance between sidewalk and back of curb at a 5-foot minimum, sidewalk widths at a minimum of 5 feet wide and landscape setbacks. Include caliper sizes of trees, number of shrubs under each tree, groundcover percentages in a table format on the plan.

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

3. 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.

4. 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.

5. THE DEVELOPER SHALL CONSTRUCT A TRAFFIC SIGNAL AT THE INTERSECTION OF SHEA BOULEVARD AND 54TH STREET, AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.

6. THE OPERATOR OF THIS FACILITY SHALL NOT CONTRACT WITH EMERGENCY MEDICAL SERVICES (“EMS”) TO BRING PATIENTS TO THE FACILITY BY AMBULANCE WITH LIGHTS AND SIRENS (CODE 3).

7. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.

Attachment F

David O Simmons

From: Wayne Spiekerman <waynes84@cox.net>
Sent: Saturday, January 30, 2021 3:14 PM
To: David O Simmons
Subject: HonorHealth project

Dear Councilwoman Stark,
My name is Wayne Spiekerman and I am a neighbor in the La Camarilla area. I have heard about the potential HonorHealth project and I wanted to let you know that I am in full support. I believe this will provide a much-needed use to the surrounding community. I have heard some of the people in my community spreading lies about this project trying to scare others into opposition and I think that is disgraceful. The fact is, this has nothing to do with lights, sirens, or Mountainside Fitness, they just want to keep it empty land. Unfortunately for them, they don't own the land and they don't get to bully other people away either. I am asking you to continue to represent us and those in your community who listen to the facts and support this project. Thank you for all that you do.

Sincerely,
Wayne Spiekerman
5437 E Lupine
Scottsdale, AZ 85254

David O Simmons

From: Maria Antonia Ospina <maospina305@hotmail.com>
Sent: Saturday, January 30, 2021 4:07 PM
To: David O Simmons

I support the Honor Health initiative
Maria Antonia Ospina

David O Simmons

From: Doug Leventhal <doug.leventhal@gmail.com>
Sent: Saturday, January 30, 2021 4:54 PM
To: David O Simmons
Subject: Z-41-20-3

Hi David,
I am a nearby property owner that would like to speak in support of the above-captioned zoning case (Honor Health) at Monday night's Village Planning Committee hearing. We support the project and think it is a very good use for the area.
Thank you,
Doug Leventhal
10021 N 55th Place

David O Simmons

From: jcaltmann@cox.net
Sent: Saturday, January 30, 2021 11:28 PM
To: David O Simmons
Subject: Citizen Comment on Z-41-20-3 before the PV VPC on 01 Feb 2021

Mr. Simmons,

I submit my comments on Case Z-41-20-3, at Shea and 54th Street, to support a future Outpatient Medical Center for HonorHealth:

Mr. Chairman, VPC Members,

I am Jon Altmann, A 20-year home owner residing at 5305 E. Sweetwater Av in the City of Phoenix. I am past VPC member and currently serve as the chairman of another city commission. To be clear, I am not representing the commission I chair, but only myself as a homeowner in the area potentially effected by this zoning case. I am retired from the U.S. Navy and now serve as a public high school teacher in the Paradise Valley VPC. I also operate a public safety consulting firm specializing in emergency planning to including emergency medical services. In the past three years my clients have included three Arizona cities and one regional airport with regular schedule airline service. I am familiar with the demands and needs for regional health care services and facilities.

I support the request for change in Case Z-41-20-3. The increasing population growth in the area and possible additional density growth in the area creates an additional demand for health care services, and services that are in closer proximity to where people live. My concern has been the amount of unused or underused commercial type property in the area over the past several years. The potential locating of a health care facility that will have an emergency clinic adds a vital service and allows use of the commercial type space for clean, quiet and appropriate use.

Your vote in support of this case would be appreciated and is supported by the this area home owner.

Very respectfully yours,

JON C. ALTMANN, M. Ed. Secondary Ed.
Senior Chief Intelligence Specialist
U.S. Navy (Ret.)

February 1, 2021

Re: Z-41-20-3 HonorHealth Outpatient Medical Building

Dear Mr. Simmons & To Whom it May Concern:

We are writing regarding the Honor Health project proposal, the City zoning application of which we have reviewed in great detail.

My family has lived in the neighborhood that this proposed project serves since May 2000. This is the neighborhood in which we actually live, work, grocery shop, dine, go to school, walk, bike and visit with our neighbors every day. Even our primary doctors are just down the street on Shea (at Honor Health Primary Care). This is truly is our community, and we care about it.

Upon learning of this proposed project, we took great interest in reading the application materials (we are very disappointed with the aesthetics of the Mountainside Fitness and regretted not having then taken the opportunity to provide feedback, support or otherwise, as part of the community input to the zoning process of that project). After having studied this project's application materials, we'd like to make known our conclusion to overwhelmingly support Honor Health's bringing its new healthcare facility to our neighborhood.

We believe the Honor Health use will be an amenity by providing my family, neighbors and extended community the access to convenient, state-of-the-art, medical care in a local setting. The current options in the event of an urgent medical need are limited to "urgent care" (which seldomly demonstrates any urgency, usually doesn't have a doctor, and is insufficient for more severe/pressing needs) or drive many miles away to wait in the ER at a full-size, regional hospital (and suffer that increased expense). We would much rather have the option to visit a neighborhood facility to meet all of our medical needs (urgent or otherwise), including being able see an actual doctor.

As it relates to the project location and design, we are in full support of these revised versions as well. We are glad to see the lengths that the proposal addresses the overall project aesthetics: increased building setbacks to benefit the neighbors, limited overall height (at 28' vs 40' at Mountainside), higher-end architectural materials, enhanced landscape buffers, dark-sky lighting, convenient driveway circulation, etc. The design will also actually bring much improvement to the visual aesthetic along Shea; which we drive and bike every day.

We would assume the few neighbors whose property lines immediately border Mountainside fitness were not pleased with that project. We are certainly sympathetic to them as the Mountainside development was clearly not as considerate of the neighborhood in its site planning and design; this is evidenced by the end result. By contrast, however, we are confident that Honor Health's conscientious architectural efforts will be a huge improvement to the current dirt lot, and the thoughtful building design & landscaping is more in keeping with

the neighborhood. Frankly, it will actually serve to soften the commercial look of Mountainside.

Last, I also suggest not to overlook the huge advantage this project brings to all of the local households and families that will benefit by having healthcare brought close to home and further improve the number of high-quality amenities that make this community so highly desirable in which to live.

Sincerely,

The Nelson Family

David O Simmons

From: Alan and Lou <aleibowitz1@cox.net>
Sent: Sunday, January 31, 2021 10:08 PM
To: David O Simmons
Subject: Presentation February 1, 2021 at the Paradise Village Planning Meeting

I will virtually attend the presentation via Webex on February 1, 2012 at 6pm.

I have the following comments and questions.

Thank you.

Alan Leibowitz, MD

Town of Paradise Valley

Cell Phone: 602-826-0735

RE: Z-41-20-3: concerning the p*resentation, discussion and possible recommendation regarding a request to rezone 3.19 acres located approximately 400 feet west of the northwest corner of 54th Street and Shea Boulevard from C-O (Approved PAD-2 SP) (Commercial Office, Approved Planned Area Development, Special Permit) and PAD-2 SP (Approved PAD-2 SP) (Planned Area Development, Approved Planned Area Development, Special Permit) to PUD (Planned Unit Development) to allow a hospital and other commercial uses*

I would like to submit 2 comments with questions to the applicant:

1. Shea Blvd. in this area is busy during the day with vehicular traffic. It is extremely busy during rush hour especially afternoon west bound traffic from Scottsdale. Traffic slows to a halt in this area.

The proposed health center will face difficulties both for entering vehicles traveling westbound that will require a left turn into the facility and exiting traffic in both directions on to Shea Blvd. This is a setup for accidents especially by sick or stressed people attending the center for medical care.

If traffic is affected in either direction, vehicles could circumvent bottlenecks, South, through the Town of Paradise Valley. This will have a major affect on currently low traffic, residential streets.

QUESTION: Has a traffic study been performed?

2. The narrative speaks to extremely rare instances of emergency ambulance presence, mainly transport from the facility. Yet the graphic on the cover of the narrative shows a red neon EMERGENCY sign. That is either a mistake or the narrative misstates or understates the use of emergency services. The sign is confusing to the public and a misrepresentation of services or the narrative is wrong.

QUESTION:

- **Will there be an Emergency area staffed by appropriate professionals?**
- **Is this appropriate for a freestanding, non-hospital with the traffic difficulties described in 1. (above)?**

Angela M. Banks & Marcus M. Young
5353 E. Sahuaro Drive
Scottsdale, AZ 85254

February 1, 2021

Paradise Valley Village Planning Committee

RE: Rezoning Case: HonorHealth Shea PUD is Z-41-20-3

Dear Committee members,

We are residents of La Camarilla. Angela is a professor at Arizona State University and Marcus is a dentist in private practice. We are writing to express our strong disapproval of the proposal by HonorHealth to rezone the 3.19 acre property located approximately 400 feet west of the northwest corner of 54th Street and Shea Boulevard. Rezoning this property to allow the construction of a 24/7 medical center will destroy the residential character of the area.

The medical center proposed by HonorHealth will operate 24/7 and have ambulance services. As property owners directly north of the property at issue we are deeply concerned about the increased noise and light pollution. Having a medical facility operating 24/7 with ambulance service will dramatically increase the traffic, noise pollution, and light pollution that the residents adjacent to the property will experience. While HonorHealth contends that the ambulance will only operate during specified hours, this statement is based on HonorHealth's proposed business model. Once the property is rezoned HonorHealth will be free to have ambulances utilize the facility 24/7. The PUD proposed by HonorHealth does not prohibit the use of ambulance lights and sirens, it merely states that lights and sirens will not be used for non-emergency patients.

Having a 24/7 medical facility at this location will have the additional impact of increasing traffic and lowering home values. HonorHealth has argued that placing a medical center at this location will benefit the broader community by providing additional medical resources. Yet HonorHealth currently has an urgent care facility near the intersection of E. Shea Boulevard and N. Tatum Boulevard. This urgent care facility is less than one mile from the property at issue in this rezoning application. An overwhelming number of community residents oppose this rezoning effort as we have adequate medical resources in the neighborhood.

It is our great hope that the Planning Committee will take seriously the concerns of the residents who live in the areas surrounding the property at issue in this rezoning application. There is plenty of commercial property in the area that can accommodate a 24/7 medical center without drastically changing the residential character of our neighborhood.

Sincerely,

/s/
Angela M. Banks

/s/
Marcus M. Young

David O Simmons

From: Kevin Engelhardt <kengelhardt352@gmail.com>
Sent: Thursday, January 28, 2021 7:03 PM
To: Candace Engelhardt; David O Simmons; docroc@cox.net
Subject: Honor Health Urgent care ER PV villages

David,

The Mountainside Fitness at PV villages replacing La Camarena was wrong. This proposed development is worse. Stop this rezoning. This area of Phoenix does not need to be "developed" and you know that.

Beyond the noise in a residentially zoned area I have the following concerns.

As a board certified pediatric intensive care physician I find freestanding ERs to be ethically deplorable. In my 5 years time in Dallas where such free standing ERs are a common scourge on the surrounding north Texas cities, I have seen first hand the horror they create when parents and EMS bring serious and often critically ill pediatric patients to unprepared physicians or worse independent practice APPs without physician backup. The providers staffing these ERs often have little or no meaningful hospital backup, minimal true emergency training, minimal emergency trained staff nor staff experience, and minimal tangible emergency resources. This model delays care on critical timelines often with the addition of missed and incorrect diagnosis' and out of date interventions. Emergencies can and should be taken to emergency rooms in hospitals staffed with surgical and specialty medical services. This project has nothing to do with access to care and everything to do with greed. Do the right thing and stop it.

My wife Candace Engelhardt MD, a Pediatrician of the same opinion, happily give our time at the upcoming meeting on this topic to Dr Neal R Rockowitz MD.

Thank you for your time,

Kevin Engelhardt MD

David O Simmons

From: Darcy Royal <darcyroyal@gmail.com>
Sent: Sunday, January 31, 2021 3:54 PM
To: David O Simmons
Cc: Debra W Stark; Rob A. Royal; Darcy Royal
Subject: Rezoning Case: HonorHealth Shea PUD is Z-41-20-3"

Dear PV Planning Committee,
(Please replace this email for my earlier one I sent. I accidentally hit the sent button too early. Thank you!)

We moved into our Orange Tree Estates neighborhood north of Shea in May 1987 because it was a "Quiet" & beautiful neighborhood. We enjoyed years playing tennis at La Camarilla as a "quiet" family neighborhood low profile business that enhanced the value of our neighborhood.

Rob is a litigator attorney & I am a former Risk Manager for a Bank. We had many opportunities to move elsewhere but love the acre lots, space & quiet neighborhood for 34 years, but when you allowed Mountainside fitness to build their tall, ugly egregious building I CRINGE in disgust everytime we turn on 54th Street!
Most of our friends & family have commented, how did the city allow such a building in your neighborhood? So if our friends say this to us, what do you think a potential buyer is thinking?

When anyone decides to purchase a home we don't look for a busy place to buy, we look for a quiet family neighborhood. And when banks or real estate appraisers look at a neighborhood with too much commercial businesses then that neighborhood is less desirable and their values go down & interest rates go up.

When you allowed Mountainside Fitness to build their eyesore in our neighborhood you helped destroy the visual appeal of our quiet beautiful neighborhood. The signage is disgusting and the building is like a Walmart.

Why would you want to destroy our neighborhood AGAIN with excessive traffic & noise by allowing a commercial entity like Honor Health to back up to our neighbors back yards?

When you allow this type of commercial activity (more traffic, exhaust, noise, lights, toxic medical waste & sirens...Pollution) like the Honor Health & Mountainside Fitness types of buildings it's an horrible intrusion to our quiet family neighborhood and you destroy our Property values & potential future sales.

There is plenty of open Commercial VACANT space just West a couple blocks near Tatum.

PLEASE protect our quiet Neighborhood and make them move to a Commercial pad as there is plenty available, and there is no reason to Rezone our neighborhood!

Also, please give Dr. Neal Rockowitz time to speak on our behalf.

Thank you very much for your valuable time and serious consideration.

Darcy Royal
darcyroyal@gmail.com
602-501-0675

"The Heart of A Volunteer, there is nothing stronger than the heart of a volunteer, with it beats the spirit of service, generosity and compassion…the health and well-being of our community, our country and our world." -Yamada

Sent from my iPhone

David O Simmons

From: Dianne Hampton <dhampt@aol.com>
Sent: Tuesday, January 26, 2021 9:37 AM
To: David O Simmons
Cc: Neil Rockowitz, MD
Subject: Feb. 1, 2021 Registration Request - Dianne Hampton

Happy New Year David,

I'm hope you are safe and well. I am having problems with accessing the app to register for February 1st at 6pm

I would like time to address continued opposition to Agenda item#10, Mountainside Fitness PUD Rezoning. I yield my allotted time to Dr. Neil Rockowitz.

Please continue to take good care. Thank you for your assistance.

Respectfully,
Dianne Hampton, condo owner
Milano Terrace
5122 E. Shea Blvd.
Scottsdale, AZ 85254
Dhampt@aol.com

Sent from my iPhone
Dianne Hampton

David O Simmons

From: Harold Ganz <hganz@haroldganz.com>
Sent: Thursday, January 28, 2021 2:30 PM
To: David O Simmons
Cc: Debra W Stark; docroc@cox.net
Subject: rezoning case: HonorHealthShea PUD is Z-41-20-3

Mr. Simmons,

I am contacting you in reference to the proposed rezoning of the land adjacent to Mountainside Fitness. As a homeowner for the past 28 years, it NEVER entered my mind that the tranquil neighborhood I love, would be substantially diminished and denigrated by having the peace and quiet destroyed by the construction of a 24/7 emergency medical facility.

The thought of sirens throughout the day and night, and the added congestion and traffic that already makes Shea Blvd a nightmare, is hard to comprehend. Since there is already high quality care delivered at Mayo and the Honor Health Facility at 90th and Shea, both only 10 minutes away, our residential community is NOT looking for any other conveniences closer to home.

It is wildly unreasonable for anyone to frame this rezoning project as a much needed addition to OUR neighborhood. Therefore, please inform the individuals trying to rezone not insult the collective intelligence of our community by stating in the Honorhealth flyer that this facility will be offering us CONVENIENCE. Mayo and HonorHealth, 10 minutes away, is all the convenience we are seeking.

Thanking you in advance of the meeting,

hganz@haroldganz.com

David O Simmons

From: Terry Hamlin <terry@all-ininc.com>
Sent: Thursday, January 28, 2021 4:56 PM
To: David O Simmons
Cc: whchristian@msn.com
Subject: Honor Heath zoning meeting Z-41-20-3 on Feb 1st

David Simmons, MA
Planner II* Village Planner
200 West Washington Street
3rd Floor
Phoenix, AZ 85003
602-262-4072
david.simmons@phoenix.gov

David-

Becky and I wish to relinquish our time to speak regarding Z-41-20-3 on Feb 1st to Bill Christian.

We as long time residents are opposed to the Honor Health Rezoning proposal. It should be denied on the basis it is involation of existing zoning and is inconsistent with nearby residential zoning.

Mountainside Fitness was allowed to violate existing Phoenix City Zoning Codes. Because a mistake was made. The City of Phoenix does not need to continue to violate or even change existing zoning law.

Becky and Terry Hamlin although unable to attend the public hearing on the 1st of February. We continue to remain opposed to any rezoning of the subject property for purposes as proposed by Honor Health.

Regards.

Terry & Becky Hamlin
5432 E. Alan Lane
Phoenix, AZ 85253
Sent from Mail [go.microsoft.com] for Windows 10

David O Simmons

From: Gracie Rayburn <ghrayburn@aol.com>
Sent: Monday, February 1, 2021 1:12 PM
To: David O Simmons
Cc: Debra W Stark
Subject: Rezoning Case: HonorHealth Shea PUD Z-41-20-3

Mr. Simmons,

As residents of La Camarilla Estates, we vehemently oppose the above rezoning. Our subdivision is adjacent to the property being considered to be rezoned for the Honor Health development of a 24/7 urgent care/emergency room. This has been a strictly residential area since we moved here in 1985 and the proposed commercial business would significantly diminish the quality of life in this residential area.

The existence of such a development is just not compatible with a residential neighborhood and would be detrimental to the area. It would create increased traffic, noise, a twenty four hour business, twenty four hour signs and lighting glaring directly into our subdivision, and, worst of all the sound of ambulance sirens at all hours. Such an incongruous change would also cause a significant drop in real estate values.

We strongly support the opposition expressed in previous letters, for the many reasons articulated in them. Please deny the request for rezoning.

We are registered to attend the meeting under James Rayburn and will not be speaking. We would like to donate our speaking minutes to Dr. Neal Rockowitz.

James & Gracie Rayburn
La Camarilla Estates
5370 E. Mercer Lane
Scottsdale, AZ 85254

David O Simmons

From: Nancy Ganz <nganz@haroldganz.com>
Sent: Thursday, January 28, 2021 4:51 PM
To: David O Simmons
Cc: Debra W Stark; docroc@cox.net
Subject: Rezoning Case: HonorHealth Shea PUD is Z-41-20-3

Dear Mr. Simmons,

I am writing to you hoping to have a say in defeating Honor Health in their proposal of rezoning the area next to Mountainside Fitness.

Please add this letter to what you present to the committee members. Also, please donate both my husband's, Harold Ganz, and my speaking minutes to Dr. Neal Rockowitz.

Thank you for all you are doing to respect our community's opinions.

Nancy Ganz

January 28, 2021

To Whom it May Concern,

When you purchase a home, and picture living there with your family, many things are considered. We chose a residential neighborhood with retail areas being developed. This was a purposeful decision, and we have invested 28 years supporting our neighborhood small and large businesses, schools, and community. **Honor Health should not be the deciding factor that changes the atmosphere of OUR residential neighborhood that we all chose to live in!**

The land where Honor Health wants to build their facility was NEVER intended for their purpose—thus the present zoning! Their proposal that a change in zoning to clear the path for their build will be a "bonus" to our area, is laughable! I don't ever remember a time I hoped **for a devaluation of our property, even more excessive traffic, greater noise, extreme lighting, and 24/7 activity!** No residential neighborhood would want this. In addition we all currently live ten minutes away from two existing facilities that provide the same medical needs.

I assume Honor Health is capable of finding another piece of land which **does not require rezoning** that will be perfect for their needs and welcomed by the surrounding area.

Life has changed enough this last year for all of us. We are all looking to get back to the "usual." **Honor Health is not promoting anything we want. Honor Health is creating chaos,**

anxiety, and anger. <u>And</u> attempting to impose something on people who made choices long before they decided to <u>interfere in our lives!</u>

They need to: **<u>S</u>TOP**

<u>T</u>hink about their actions and assumptions

<u>O</u>bserve the reactions of the people being affected

<u>P</u>roceed with NEW understanding and insight

THIS IS THE WRONG PLACE FOR THEIR FACILITY

<u>Please, all committee members, **vote NO for the rezoning** of this land.</u>

Nancy Ganz

David O Simmons

From: Sandy Kravetz <sekravetz@gmail.com>
Sent: Monday, February 1, 2021 4:09 PM
To: David O Simmons
Cc: Debra W Stark
Subject: Fwd: Letter to Phoenix Planning Committee

Importance: High

Dear Mr. Simmons and Councilwoman Stark,

It is my understanding that the Phoenix Planning Commission is meeting this evening. I am writing today about a zoning change that will adversely impact my neighborhood.

The Honor Health Outpatient Medical Center (an emergency medical facility) is requesting a rezoning permit for the empty lot to the west of the Mountainside Fitness (a new eyesore) on Shea Boulevard and 54th Street. While a landlocked neighborhood surrounded by other neighborhoods is truly safe from development, the homeowners directly behind the former La Camarilla, and those nearby, had a realistic expectation due to stringent zoning, that their neighborhood would be protected from development that would negatively impact their quality of life and their homes' values.

La Camarilla Tennis and Racquet Club only existed because of special PAD-2 residential zoning specific to that business. The developer who built La Camarilla Estates' homes also owned and built the tennis club. The owner of the parcel of land in question is Tom Hatten, the CEO and owner of Mountainside Fitness. I am sure he paid several million dollars to purchase La Camarilla and expended several more millions to create the Mountainside Fitness in its place. This facility is basically a warehouse in situated on property that was originally zoned for a racket club that complimented and was an asset to the neighborhood. I have no doubt that Mr. Hatten is eager to sell his remaining parcel to the highest bidder with as little regard that he showed the homes that abut Mountainside Fitness, just so he can recoup some of the invest he has made in the former La Camarilla club.

By Honor Health's own admission, this medical center will serve as an emergency room. This means neighbors can expect additional traffic and noise pollution from sirens. The Mountainside Fitness building is basically the "camel's nose under the tent." With the addition of the Honor Health Medical Center, the whole camel will be inside the tent. While there may not be a discussion now, I can envision adding a traffic signal to the intersection of 54th St. and Shea due to the increase in traffic.

Interestingly, Honor Health operates an office in a building to the west of this parcel. Has Honor Health considered locating its emergency medical center in that building? Currently there are at least three vacant spaces in the Paradise Village shopping Center on the northeast corner of Shea and Tatum. Can none of these spaces (the former Bed Bath and Beyond, the former Nationwide Eyeglasses that abutted the former Albertson's supermarket) be repurposed for Honor Health's Medical Center? There is also a large vacant parcel just west of Tatum on Shea that used to be the site of a suite of medical buildings. Did Honor Health consider that location?

Our community has already been ignored by the Planning Committee and the City Council once when it approved a big box gym in our neighborhood. I urge you not to make a rezoning mistake with the Honor Health Emergency Medical Center.

Additionally, I request that my minutes for addressing the Planning Committee be donated to Dr. Neal Rockowitz.

Thank you,

Sandy Kravetz
5430 E Mercer Lane

David O Simmons

From: Darcy Royal <darcyroyal@gmail.com>
Sent: Saturday, January 30, 2021 10:21 AM
To: David O Simmons
Cc: Debra W Stark; Rob A. Royal; Darcy Royal
Subject: "Rezoning Case: HonorHealth Shea PUD is Z-41-20-3"

Dear PV Planning Committee,

We moved into our Orange Tree Estates neighborhood north of Shea in May 1987 because it was a "Quite" & beautiful neighborhood. We enjoyed years playing tennis at La Camarilla as a "quite" family neighborhood low profile business that enhanced the value of our neighborhood.

Rob is a litigator attorney & I am a former Risk Manager for a Bank. We had many opportunities to move elsewhere but love the acre lots, space & quite neighborhood for 34 years but when you allowed Mointainside fitness to build their tall, ugly gregarious building I CRINGE in disgust everytime we turn on 54th Street!
Most of our friends & family have commented how did the city allow such a building in your neighborhood? So if our friends say this to us, what do you think a potential buyer is thinking?

When anyone decides to purchase a home we don't look for a busy place to buy, we look for a quite family neighborhood. And when banks or real estate appraisers look at a neighborhood with too much commercial businesses then that neighborhood is less desirable and their values go down & interest rates go up.

When you allowed Mountainside Fitness to build their eyesore to our neighborhood you helped destroy the visual appeal of our quite beautiful neighborhood.

Why would you want to destroy our neighborhood AGAIN with excessive traffic & noise with allowing a commercial entity like Honor Health to backup to our neighbors back yards?

When you allow this type of commercial activity (more traffic, exhaust, noise, lights, toxic medical waste & sirens...pollution) like the Honor Health & Mountainside Fitness types of buildings it's an intrusion to our quite family neighborhood and you destroy our Property values & potential future sales.

There is plenty of open Commercial VACANT space just West a couple blocks near Tatum.

PLEASE, protect our quite Neighborhood and make them move to a Commercial pad as there is plenty available & no reason to Rezone our neighborhood!

Also, please give Neal Rockowitz time to speak on our behalf.

Best,
Darcy

Darcy Royal
darcyroyal@gmail.com
602-501-0675

"The Heart of A Volunteer, there is nothing stronger than the heart of a volunteer, with it beats the spirit of service, generosity and compassion…the health and well-being of our community, our country and our world." -Yamada

Sent from my iPhone

David O Simmons

From: Kevin Ladin <kladin@gmail.com>
Sent: Saturday, January 30, 2021 7:58 PM
To: David O Simmons
Cc: La Camarilla HOA; neal rockowitz
Subject: Rezoning 54th/Shea parcel

Dear Mr. Simmons:

I wholeheartedly concur with Dr. Engelhardt. Rezoning the parcel to allow for the development of a 24/7 urgent care/emergency room is entirely unacceptable on so many levels in a residential community and MUST be staunchly opposed. It will destroy the character and livability of our neighborhood and community. There are undoubtedly many other options HonorHealth can pursue on land already appropriately zoned.

I also agree that HonorHealth is looking to capitalize on the ability to up-charge for urgent care services by masquerading as a full-fledged Emergency Room thereby putting patients at risk in the name of maximizing profits. That is the business model HonorHealth is pursuing. It is truly deplorable and has no place in our community. When confronted by this obvious fact, HonorHealth had no satisfactory response. Having a critically ill patient show up at this facility only to be "stabilized" while awaiting transfer to an actual hospital will unnecessarily delay needed care that could have been instituted right away had they traveled a few miles down the road to HonorHealth Scottsdale Shea or Mayo Clinic Hospital in the first place. This potential for patient harm far outweighs any "convenience" provided by a freestanding ER in our backyards.

Sincerely,

Kevin S. Ladin, MD
5330 E Mercer Lane
Scottsdale, AZ 85254

David O Simmons

From: Paul Michaud <pmichaud@paradisevalleyaz.gov>
Sent: Wednesday, January 27, 2021 3:36 PM
To: David O Simmons
Subject: HonorHealth Outpatient Medical Center- Shea (Z-41-20-3) Feb 1 Agenda

David:

I received a call from a resident in Paradise Valley concerned about possible traffic cut-through down 52nd Street to either Mountain View Road to Tatum Boulevard or further south to DoubleTree Ranch Road. I reviewed the case material online. On behalf of this resident, I would appreciate any information or further discussion by the Village Planning Commission Members about cut-through traffic off Shea Boulevard or Tatum Boulevard (particularly as it relates to emergency vehicles).

Regards,

Paul E. Michaud, AICP
Planning Manager
Community Development – Planning Division
6401 E Lincoln Drive
480-348-3574 (phone)
pmichaud@paradisevalleyaz.gov
Office Hours: Mon-Fri 7:00 a.m. – 4:00 p.m., closed noon-1:00 p.m. and holidays

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Sign up for the Town's weekly COVID-19 Update by visiting: https://l.townofpv.com/COVID19 [l.townofpv.com]

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David O Simmons

From: Judith Pedersen <judithcpedersen@gmail.com>
Sent: Wednesday, January 27, 2021 10:58 AM
To: Debra W Stark
Cc: Geno Koman; David O Simmons
Subject: Rezoning Case: HonorHealth Shea PUD Z-41-20-3

Dear Ms Stark,

We oppose the rezoning of our residential neighborhood to one that would allow for the building of an emergency urgent care facility on Shea Blvd across the street from North Promontory.

A commercial facility in our residential neighborhood would have a negative impact and shows lack of wisdom when considering the following:

*** Safety.** There is enough traffic to contend with as it is on Shea Blvd, and noise, and we don't want to see this situation worsened by the presence of ambulances/emergency vehicles, sirens, and 24/7 activity. Access onto Shea is already encumbered by drivers in and out of Mountainside Fitness, a rather cold and austere architectural monster, ie, ugly, that many of us had hoped would have been at least as lovely as the tennis and exercise club it replaced (it didn't turn out that way) and pulling out on Shea will only get worse and more dangerous with the additional traffic an ambulance/urgent care facility will cause, no matter how attractive the owners promise to make the building.

*** Quality Environment.** This additional traffic activity will erode the quality of the neighborhood for the many people who enjoy living here. Many people walk and stroll the adjacent sidewalks and walkways to go to the store, to walk their pets, to jog or exercise, and to ride their bikes. We bought a house in North Promontory for its excellent location to schools and stores and the quality neighborhood it gave us. It has proven to be all we had hoped for and we would like to retain that value for us and for those who live here after us. This rezoning effort to commercial will negatively affect the value of our house.

*** Need.** We have never felt the need for an urgent care facility to enhance our neighborhood. That said, there is already an urgent care facility nearer the Tatum and Shea intersection. This proposal for a second facility seems redundant.

*** Stewardship of land.** It makes no sense to develop this area into a commercial setting when there are many other properties with better advantages for this kind of business. The Paradise Valley Mall is easily accessed, centrally located and probably has space available for upgrading to the needs of an urgent care facility for less than building a new structure. Why destroy something good in a neighborhood, its safety and ambience, when other, better suited options for an emergency care setting are available?

It takes time to build good, safe neighborhoods. They take care to maintain.

This letter is our vote to retain our neighborhood and oppose the addition of a commercial facility within it.

Thank you.

Judy and Peder Pedersen
5423 E Beryl Avenue
Scottsdale, AZ 85253

SAVE OUR NEIGHBORHOOD PETITION

We, the undersigned residents of La Camarilla Estates and North Phoenix Promontory, along with all of the surrounding neighborhoods are strongly opposed to Rezoning Case No. Z-41-20-3, the HonorHealth Medical Center with 24/7 Urgent Care and Emergency Room Operations.

The current PAD zoning at this location, in accordance with City Municipal Code Sec 635, was designed to "provide a desirable and stable environment in harmony with that of the surrounding area." Contrary to this, the planned development is utterly out of harmony with the character of the original zoning. Rezoning of a residential parcel for a 24/7 Emergency Room could not be a more jarring replacement of the idyllic tennis club that was previously zoned for this land.

Additionally, this rezoning proposal does not meet the City's usage requirements for this area. PUD Sec 671 states: "Appropriate limitations will be placed on the character and intensity of permitted uses to promote neighborhood compatibility." 24/7 Urgent Care and Emergency Room operations, increased ambulance service, increased traffic, associated late-night noises and lighting, are simply incompatible with the character of a residential neighborhood.

This rezoning is particularly unnecessary given the existence of an obvious compromise: Honor Health should simply be encouraged to find a nearby property that is already correctly zoned. As more and more big-box chain stores inevitably close, there will be multiple commercial properties available in the vicinity, either now or in the near future. This would allow HonorHealth to provide its services while also preserving the character of our neighborhood. We respectfully request that this rezoning case be categorically denied.

Respectfully signed,

First Name	Last Name	Email	Phone	Address	Zip
Tom	Rusling	trusling@gmail.com	585-820-0213	5352 E Sahuaro Dr	85254
Neal	Rockowitz	docroc@cox.net	602-319-1961	5337 E. Sahuaro Dr	85254
Laura	Rockowitz	lrockowitz@cox.net	480-510-1931	5337 E. Sahuaro Dr	85254
Narita	Rusling	naritameme@yahoo.com			85254
Mike	Shano	mshano@ascosigns.com	602-920-4124	5419 E. Mercer Lane	85254
jonathan	Miller	hockeycpa@gmal.com	6028202220	5415 E Cannon Dr	85253
Victoria	Ross	vbr737@gmail.com	6023215690	5342 E Sahuaro Dr	85254
Burr	Ross	jbross@cox.net	6026201740	5342 E Sahuaro Dr	85254
Nancy	Ribble	nribble@q.com	6023003655	5227 E Sahuaro Dr	85254
Kevin	Ladin	kladin@gmail.com	6026977320	5330 E Mercer Ln	85254
James	Rayburn	jamestrayburn@aol.com	602-703-5593	5370 E. Mercer Lane	85254
Gracie	Rayburn	ghrayburn@aol.com	602-550-5073	5370 E. Mercer Lane	85254
Jody	Stachel	jodystachel@cox.net	480-213-9883	5321 E.Mercer Lane	85254
penny	miller	hockeywife77@msn.com	6024992679	5415 east canon drive	85253
Michael	Lee	ylipake@cox.net	480-951-3848	5322 east sahuaro drive	85254
Cynthia	Papa	ylipake@gmail.com	480-951-3848	5322 east sahuaro drive	85254
Richard	Hock	richie85253@gmail.com		10221 N 52nd st.	85253
Alvin	Bieniek	asbien@cox.net	480-998-2488	10839 N 52nd St	85254
Sharon	Bieniek	asbien@cox.net	480-998-2488	10839 N 52ND St	85254
Erik	Lige	eklige25@gmail.com	(201) 220-9439	5203 E. Sahuaro Dr.	85254
Rona	Lige	ronalige@hotmail.com	(703) 989-0984	5203 E. Sahuaro Dr.	85254
Eileen	Shorr	eileenshorr@gmail.com	856-275-4796	10401 N. 52d St. #101	85253
Steven	Shapiro	sscfsls@aol.com	602-418-3001	5363 e sahuaro dr.	85254
Paula	Shapiro	pss1217@aol.com	602-418-1383	5363 e sahuaro dr	85254
Nelda	Levine	nelda1011@gmail.com	310.924.2446	5249 E. Shea Blvd Unit 118	85254
Louis	Lopez	lopezphx@gmail.com	6025130787	5358 E Mercer	85254
Ashley	lopez	nolandlopez@gmail.com		5358 E Mercer	85254
Leigh	Ribble	lribble@q.com	6025739440	5227 E Sahuaro Dr	85254
laurie	shelton	laurieshelton@hotmail.com			
sue	McGrath	suenailsmcgrath@gmail.com			
Stephen	Stachel	sstach26@gmail.com	4803919039	5321 E Mercer Ln	85254
David	Efros	leodeo918@gmail.com	2484599430	5249 E shea unit 114	85254

Susan	Efros	leodeo918@gmail.com		5249 E Shea Blvd unit 114	85254
Will	Ephister	Will_Ephister@post.com		5230 E. Shea Blvd	85254
Alex	Neville	alex.neville@gmail.com	480.389.4006	5249 E Shea Blvd, Unit 101	85254
Mark	Aronauer	maronauer@palazzohc.com	615-429-3051	10819 N 52nd St	85254
Jack	Aronauer	jaronauer@palazzohc.com	615-364-7473	10819 N 52nd St	85254
Angela	Zampino	Angela@ZampinoHomes.com	602-616-8075	5249 E Shea Blvd 219	85254
Nicole	Hatton	nicolehatton4@gmail.com	602-617-0022	5249 E Shea Blvd, Unit 204	85254
Judy	Shano	jshano@ascosigns.com	480-390-7747	5419 E. Shea Blvd	85254
Dixie	Normous	Dixie_Normous_1963@pacificwest.com	602 652-0163	5230 E. Shea Blvd	85254
Sandy	Kravetz	sekravetz@gmail.com	480-231-5383	5430 E Mercer Lane	85254
Jeffrey	Kravetz	jeffkravetz@cox.net	480-642-7025	5430 E Mercer Lane	85254
Ben	Kravetz	bkravetz007@cox.net	480-642-7025	5430 E Mercer Lane	85254
Julie	Harvey	Jmagharvey@hotmail.com		5249 E Shea Blvd, Unit 113	85254
Susan	Brandt	suekbrandt@gmail.com	928-300-6648	5122 E. Shea Blvd., Unit 1030	85254
Matt	Vaccaro	mvaccaro@q.com	928-899-0147	5122 E. Shea Blvd., Unit 1086	85254
Sabra	Barnett			Sahuaro Dr	85254
Alvin	Bieniek			Lot 16, La Camarilla Estates	85254
Margaret	Stewart	ms.margaret.stewart@gmail.com	661-332-9102	5249 E. Shea Blvd Until 200	85254
Virginija	Paulauskas	virginijapaulauskas@yahoo.ccom	623-332-4522	5249 E Shea Blvd Unit 105	85254
na	Paulauskas	tinapaulauskas@yahoo.com	623-570-5773	12827 N 38th Way	85032
Robert	George			10227 N 56th St	85253
Victoria	George			10227 N 56th St	85253
Lou	Stools	loustools100@mail.com		5122 E Shea 1122	85254
Enrica	Carotenuto	rica.carotenuto@gmail.com	480-889-4627	5420 E Shea Blvd	85254
Pasquale	Carotenuto	rica57@cox.net	480-889-4626	5420 E Shea Blvd	85254
Jeff	Strom	strom@pobox.com	480-543-8160	5122 E Shea Blvd 1107	85254
suzan	pearlstein	suzan@suzanpearlstein.com	6022064343	5314 E Mercer	85254
Lynn	Pearlstein	lynn@lynnpearlstein.com	480-363-5121	5314 E Mercer	85254
Corinne	Canivez	canivez@hotmail.com	602-320-5783	5468 E. Oakhurst	85254
Jeff	Canivez	canivez@hotmail.com	480-905-3900	5468 E. Oakhurst	85254
Mike	Auxlong	Mike.Auxlong_4cm@workmail.com		5231 E Shea	85254
Jennifer	Rawicz	jenrawicz@cox.net	480-664-3569	5333 E. Mercer Lane	85254
John	Rawicz	jrawicz@cox.net	480-664-3569	5333 E. Mercer Lane	85254
Ken	Kahle	cladd121212@yahoo.com		5249 E Shea Blvd 211	85254
William	Christian	whchristian@msn.com	480-229-0858	5428 E Cannon Dr	85253
Laura	Gianas	lmgianas@gmail.com	480-694-2629	5428 E Cannon Dr	85253
Stuart	Taylor	stuart@stuarttaylor.name	415-515-4168	5507 E Shea Blvd	85254
Caroline	Richards Taylor	carolinerichardstaylor@gmail.com	415-846-2202	5507 E Shea Blvd	85254
Helene	Spero	speroaz@cox.net	602-999-3740	5403 E. Cannon Drive	85253
Larry	Spero	speroaz@codx.net	602-803-4559	5403 E. Cannon Drive	85253
Lauren	Leonard	laureneleonard@gmail.com	404-625-5948	5401 E Alana Lane	85253

Syed (Ish)	Jafri	ijafri@gmail.com	832-768-5374	5401 E Alan Lane	85253
Carol	Hunter	cahshopper@cox.net	480-922-4436	5401 E. Shea Blv.	85254
Debbie	Moudy	dmoudy1@cox.net	480-9484207	5427 E. Alan Lane	85253
Elizabeth	Fuentes	azemfuentes@gmail.com		5409 east Cannon Drive	85253
Larry	Moudy	lmoudy1@cox.net	480-948-4207	5427 E. Alan Lane	85253
Karen Ranee	Duckworth	Raneeduckie@gmail.com	480-213-2544	5427 E Cannon Drive	85253
Charles	Duckworth	cbduckwo@cox.net	602-809-2222	5427 E Cannon Drive	85253
Randall	Bain	crbain@cox.net	602-989-3273	5503 E. Cannon Drive	85253
Robert	Wiesenberger	rjwdmd@aol.com	480-607-3959	10211 N55th Pl.	85253
Fran	Wiesenberger	rjwdmd@aol.com	480-607-3959	10211 N55th Pl	85253
Robert	King	rbking2405@yahoo.com	480-241-7521	10213 N55th Street	85253
Patricia	King	pattik419@yahoo.com	480-628-1693	10213 N55th Street	85253
Leslie	Lewis	LeslieFLewis@gmail.com	480-773-4193	10214 N. 55th St.	85253
David	Lewis	David.Lewis@dlapiper.com	480-707-2913	10214 N. 55th St.	85253
John	Raines	johnmraines@aol.com	602-622-0401	10207 N. 54th. Pl.	85253
Barbara	Raines	rainesfam@aol.com	480-205-4279	10207 N. 54th. Pl.	85253
Linda	Miles	lhmiles56@gmail.com	480-596-8297	10216 N. 55th Pl.	85253
Terry Allin	Hamlin	allin1947@gmail.com	602-625-0054	5432 E. Alan Lane	85253
Becky	Hamlin	bhamlinaz@aol.com	602-625-6252	5432 E. Alan Lane	85253
Shawn	Ruth	shawnlruth@gmail.com	480-686-4071	5249 E Shea Blvd #110	85254
Anne	Dutoit	acdutoit@me.com	718-974-4067	5501 E Shea Blvd	85254
Lucas	Dutoit			5501 E Shea Blvd	85254
Antonio	Dias	tonio04@gmail.com	480-209-4323	5373 E Sahuaro Dr	85254
Marcus	Young	mmy213@nyu.edu	7168600245	5353 E Sahuaro Dr.	85254
Larry	Langford	ldlmsl@cox.net	480-443-1968	10811 North 52nd Street	85254
Mary Sue	Langford	ldlmsl@cox.net	480-443-1968	10811 North 52ns Street	85254
Gary	Miller	gary@themgroupinc.com	4809514034	10802 N 52nd Street	85254
Amy	Miller	amymiller@cox.net	4809514034	10802 N 52nd Street	85254
Tim	Frohock	azrockitman@me.com	6025685200	5344 E. Mercer Lane	85254
Angelina	Cooper	angelina.n.cooper@gmail.com	6195080955	5414 E Alan Ln	85253
Daniel	Cooper	daniel.e.cooper@me.com	6195599289	5414 E Alan Ln	85253
Bruce	Beverly	bbeverly@azgat.com	602-327-8425	10202 N. 54th Place	85253
Toni	Beverly	ttbeverly@aol.com	602-828-9531	10202 N. 54th Place	85253
Jen	McCall	jenmccall@cox.net	480 628 6427	10810 N. 52nd St.	85254
Maulik	Parikh	parikh.physics@gmail.com	7189744077	5501 E Shea Blvd	85254
Jeff	McCall	jmjk254@gmail.com	602 565 3496	10810 N. 52nd St.	85254
Scott	Campbell	Scott@SierraCharlieAviation.com	480-390-2346	5321 E. Sahuaro Dr	85254
Melise	Campbell	MelseCampbell@Gmail.com	928-499-9624	5321 E. Sahuaro Dr	85254
Ken	Diamond	kbd0214@cox.net	602-538-1946	11201 N. 54th St.	85254
Barb	Diamond	kbd0214@cox.net	602-524-9854	11201 North 54th St	85254
Michelle	Ladin	michandbar@aol.com	602-565-0883	5330 E. Mercer Ln	85254
Angela	Banks	Young72013@gmail.com		5353 E Sahuaro Dr.	85254

Amy	Nielsen	toys72@hotmail.com	480-252-0873	5402 E Mercer Lane	85254
John	Nielsen	john.nielsen02@gmail.com	480-747-3483	5402 E Mercer Lane	85254
Peter	Reaven	preaven@cox.net	480-368-0926	10852 N. 53rd St	85254
Sylvia	Vela	bsvela@aol.com	480-368-0926	10852 N. 53rd St	85254
Kathryn	Mendivil	kaizen21@cox.net	480-348-9969	5430 E Shea Blvd	85254
Steven	Kopp	steven.m.kopp@gmail.com	480-695-3803	5416 E. Cannon Drive	85253
Alexis	Barton-Marsh	alexismmarsh@gmail.com	6173145940	5413 E Shea Blvd	85254
Drew	Marsh	drewmarsh.phx@gmail.com	4804450155	5413 E Shea Blvd	85254
Prabhakar	Chinta	reddy.code@gmail.com	4802482448	5509 E Cannon Dr	85253
Deepa	Biyyam	docrad4@gmail.com	4802482448	5509 E Cannon Dr	85253
Smith	Robert	aerobob1@gmail.com	4804433733	5433 E Alan Ln	85253
Smith	Joan	aerojoan1@gmail.com	4804433733	5433 E Alan Ln	85253
weiner	gerald	ghweiner@aol.com	480-483-1655	5407 e. Alan ln	85253
Minkner	Jay	jmrealtor@cox.net	4805968388	10207 N 55th St	85253
Minkner	Diane	dmrealtor@cox.net	6026229567	10207 N 55th St	85253
Gerston	Sandra	sandyger@cox.net	480 948 4746	9841 n. 57 st	85253
Sarah	Paikowsky	sarahpaikowsky@gmail.com	480-368-9078	5514 E Alan Lane	85253
OTenney	Dawn	dtenney@deserthighlandsscottsdale.com	480-200-9268	5624 E Larkspur Dr	85254
Tenney	Lynn	lynn@dkltofscottsdale.com	480-45-2727	5624 E Larkspur Dr	85254
Roth	Todd	todd.roth@sbcglobal.net	847-530-7113	5433 E Cannon Dr	85253
Roth	Sheila	rothsheila@yahoo.com	847-338-4240	5433 E Cannon Dr	85253
Roth	Colleen	cgroth1@asu.edu	847-477-5242	5433 E Cannon Dr	85253
Hiland	Chris	chris@mercurytradingco.com	602.538.4195	10226 N 54th Place	85253
Hiland	Katy	katka@cox.net	602.321.7364	10226 N 54th Place	85253
Hiland	Hannah	hannah.hiland@cox.net		10226 N 54th Place	85253
pHiland	Emma	emma.hiland@cox.net		10226 N 54th Place	85253
Audrey	Lamp	alamp@asu.edu	401.215.6232	5054 E Yucca St	85254
Leslie	Speedie	lesliespeedie@yahoo.com	480.206.0581	5054 E Yucca St	85254
Craig	Lamp	craiglamp@yahoo.com	401.215.6143	5054 E Yucca St	85254
Ian	Lamp	ianlamp7@gmail.com	401.215.6230	5054 E Yucca St	85254
Bill	Grove	bgrove1946@gmail.com	602.910.3607	10821 N 53rd Way	85254
Carol	Grove	cmcf8az@gmail.com	602.573.7452	10821 N 53rd Way	85254
Andrew	Armstrong	andrewmichaelarmstrong@gmail.com	480-251-9513	10235 N. 55th PL.	85253
Robert	Dubnow	bobbydubnow@gmail.com	480-483-2007	11825 N 55th St	85254
Pat	Chiccarella	rpchiccarella@yahoo.com	602-380-1502	5504 East Cannon Drive	85253
Sherry	Brown	sherrybrown@cox.net	602-524-3138	5201 East Turquoise Ave	85253
Richard	Folz	rtfolz@msn.com	6024004655	5448 E. Oakhurst Way	85254
Julie	Chrisman	julchrisman@gmail.com	513-505-8050	5448 E Oakhurst Way	85254
Rob	Royal	robroyalaz@gmail.com	602-708-3341	5420 E. Mercer Lane	85254
Darcy	Royal	darcyroyal@gmail.com	602-501-0675	5420 E. Mercer Lane	85254
Judith	Pedersen	judithcpedersen@gmail.com	602-234-0597	5423 E Beryl Avenue	85253
Peder	Pedersen	judithcpedersen@gmail.com	602-234-0597	5423 E Beryl Avenue	85253
Eva	Pedersen	eva.pedersen@gmail.com	602-507-0168	5423 E Beryl Avenue	85253
Marla	Crown	crownlaw@cox.net	4809485303	10222 N 55th Pl	85253

Dixie	Normous	DixieNormous_100@mail.com	602 652-0163	5230 E. Shea Blvd	85254
Erdman	Tammi	inthehoodmooky@outlook.co		10450 N 52nd St	85253
Erdman	Bob	inthehoodmooky@outlook.com		10450 N 52nd St	85253
Jim	Carroll	jamescarroll1@cox.net		5426 East Alan Lane	85253
kelly	bird	kelley@me.com	(502) 489-1599	16213 N 63rd Pl	85254
leah	odoherty	leaho@cox.net	6023639461	5226 east sahuaro drive	85254
Matt	Crown	macrown@cox.net		10222 N 55th Pl	85253
Frank	Medina	monamae3@cox.net		10401 N52nd St	85253
Mona	Firestone	monamae54@gmail.com	602-881-0185	10401 N 52nd St	85253
Peggy	Jackson	peggyjacksonfeller@gmail.com		10847 N. 53rd Way	85254
Shirley	Carroll	shirleycarroll9@yahoo.com		5426 East lan Lane	85253
cari	miller		6024218279	6930 Mcdonald Drive	85253

Emma	Paikowsky	emma.paikowsky@gmail.com		5514 East Alan Lane	85253
Dianne	Hampton	Dhampt@aol.com	202-746-3311	5122 E Shea Blvd	85254
Arthur	Paikowsky	abpaiskys@aol.com		5514 East Alan Lane	85253
Kim	Benson	kbenson54@me.com		5122 E. Shea Blvd	85254
kelly	archer	kjarcher5@gmail.com	602-908-5550	5122 E Shea Blvd	85254
steve	hartley	stevehartley@shaw.ca		5122 E. Shea Blvd	85254
Joe	De la Vara	joe@delavaraco.com	602-309-8595	5301 E.Sahuaro Drive	85254
Michelle	De la Vara	delavara@cox.net	602-316-5333	5301 E. Sahuaro Drive	85254
Nico	De la Vara	ndelavara@gmai.com	480-473-3722	5301 E. Sahuaro Drive	85254
Joseph	De la Vara	josephdlv@icloud.com	480-473-3722	5301 E. Sahuaro Drive	85254
Terry	Hartley	terryhartley@shaw.ca		5122 E. Shea Blvd	85254
Aaron	Smidt	aaronsmidt@yahoo.com		5359 E Mercer Ln	85254
Jeff	Beiser	jbeiser@ymail.com		5301 East Mercer Lane	85254
Amy	Beiser	Abeiser@ymail.com		5301 East Mercer Lane	85254
Tatum	Savocchia		602-618-4385	5249 E Shea Blvd	85254
Nick	Savocchia		602-618-3416	5249 E Shea Blvd	85254
Luis	Gonzalez		623-293-7431	5249 E Shea Blvd	85254
Randy	Oppenheimer	randyoppenheimer50@gmail.com	4803264740	5421 E Cannon Dr	85253
Julie	Oppenheimer	zonymom1@gmail.com	4806998868	5421 E Cannon Dr.	85253
Sean	Lille	thanositytree@yahoo.com	4809486073	10500 N 52nd St	85253
Diane	Lille	thanositytree@yahoo.com	4809486073	10500 N 52nd St	85253

Rasha	Kidess	duked87201@gmail.com	(480) 991-2290	4930 E Cochise Rd	85253
Reem	Kidess	duked87201@gmail.com	(480) 991-2290	4930 E Cochise Rd	85253
Nancy	Ganz	nganz@haroldganz.com	480-483-6969	5429 E Mercer Lane	84254
Harold	Ganz	hganz@haroldganz.com	480-483-6969	5429 E Mercer Lane	85254
Connie	Berger	cberger49@cox.net	602-996-9221	4526 0E. Mercer Lane	85028
Carol	Berger	cberger29@cox.net	602-996-9221	4526 E. Mercer Lane	85028
Jason	Ganz	jganz@cmgrisks.com	602-316-5412	4417 E Acoma Dr	85032
Hillary	Ganz Lee	hillaryganz@me.com	602-910-0538	4901 E Dahlia Dr	85254
Wayne	Lee	waynerlee@msn.com	602-348-7171	4901 E Dahlia Dr	85254
Ralph	Rabadi	red295wing@gmail.com	480-878-4269	10452 N 48th Pl	85253
Mary	Rabadi	red295wing@gmail.com	480-878-4269	10452 N 48th Pl	85253

Debby	Reynolds	gustocregino@gmail.com	605-338-4112	10416 N 52nd St	85253
Julio	Rodriguez	72ambrosekid@gmail.com		5040 E Cannon Dr	85253
Rebeca	Garcia	72ambrosekid@gmail.com		5040 E Cannon Dr	85253
Giselle	Linse	linse.giselle@gmail.com	703-371-2700	5420 E. Sahuaro Dr.	85254
CHristopher	Linse	linse.giselle@gmail.com	703-371-2700	5420 E. Sahuaro Dr.	85254
Augustine	Chavez	allvalleycarpentry@gmail.com		5054 E Cannon	85253
Alyssa	Forcehimes	allvalleycarpentry@gmail.com		5054 E Cannon	85253
David	Dorward	forchrisnato@gmail.com		10400 N 49th Pl	85253
Jen	Dorward	forchrisnato@gmail.com		10400 N 49th Pl	85253
John	Jurju	dtrounder@aol.com	480-699-4780	4801 E Beryl Ave	85253
Charlton	Haerter	cph3456@yahoo.com	602-549-1760	5202 E Sahuaro Drive	85254
Sonal	Haerter	haerter.sonal@gmail.com	602-758-4336	5202 E Sahuaro Drive	85254
Paul	Couture	azbrandy@outlook.com		10423 N 48th Pl	85253
Robin	Couture	azbrandy@outlook.com		10423 N 48th Pl	85253
Stephen	Kaplan	sk@driverprovider.com	480-998-5088	10221 N. 54th Pl	85253
Barbara	Kaplan	barbara@barbarakaplan.com	480-998-5088	10221 N. 54th Pl	85253
Janine	Lobello	jlo4376@gmail.com	602-341-7500	5363 e sahuaro dr.	85254
Kevin	Englelhardt	kengelhardt352@gmail.com			
Candace	Englehardt	candaceengelhardt@gmail.co			

David O Simmons

From: Leslie <lesliespeedie@yahoo.com>
Sent: Saturday, January 30, 2021 11:25 AM
To: David O Simmons
Cc: neal rockowitz; Debra W Stark
Subject: Rezoning Case: HonorHealth Shea PUD is Z-41-20-3

Hello Mr. Simmons,

I am requesting to speak at the meeting on February 1, 2021 and would like to donate my minutes to Neal Rockowitz.

I and my husband, Craig Lamp, are opposed to the rezoning of the property on Shea for the proposed HonorHealth facility. We feel that it would diminish the value of the surrounding neighborhoods. The zoning of the property was not meant for that - it would represent poor planning and aesthetically would not add anything to the area except noise and increased traffic right where the road narrows from three to two lanes.

There are other medical facilities nearby, including a full Honor hospital approximately 4.5 miles east and an honor urgent care approximately 0.5 miles west on Shea near Tatum. Is a standalone ER a good idea? What happens when a patient needs emergency surgery or another intervention? There is now wasted transport time to a larger facility and the chance that care workers at the standalone facility will not be ready and/or qualified to treat a serious emergency. They will be treating patients of all ages.

Thank you,
Leslie Speedie and Craig Lamp

David O Simmons

From: Jody Stachel <jodystachel@cox.net>
Sent: Thursday, January 28, 2021 11:45 AM
To: David O Simmons
Cc: Debra W Stark
Subject: Meeting for zoning of Honor Health on shea

I am writing to you to give my minutes to speak to Neal Rockowitz.
I am attending the meeting virtually but want to give Neal my minutes. I also want to indicate that my husband and i do not want Honor Health to build on that land that is west of Mountainside Fitness for many reasons. We live in La CAMARILLA estates and feel that Mountainside Fitness has already violated many regulations that were put in place and we have so many ongoing issues with them that we do not trust anyone else to adhere to certain laws in that location.
Thank you.
Jody and Stephen Stachel

Best Regards,

Jody Stachel
Events 13

David O Simmons

From: William Christian <whchristian@msn.com>
Sent: Wednesday, January 27, 2021 4:31 PM
To: David O Simmons
Cc: Geno Koman
Subject: Letter Opposed to Rezoning Case Z-41-20

Dear Paradise Valley Village Planning Committee Members:

I am writing to request your support in denying Honor Health's Medical Center rezoning request, Case Z-41-20, located near 54th St and Shea Blvd.

I am a Phoenix resident and live in the North Phoenix Promontory subdivision which borders Shea Blvd starting at 54th St.

As you are aware, the proposed rezoning area is currently zoned PAD-2 SP, especially designed by the City of Phoenix to be a residential compatible area. Section 635 of the Phoenix Municipal Code for PAD zoning says: "…developments which will provide a desirable and stable environment in harmony with that of the surrounding area".

Honor Health's request will not provide neighborhood harmony or compatibility in the service and hours of operation it plans on providing and in my opinion, it does not meet the requirements for PUD rezoning. Phoenix Municipal Code Section 671 for PUD states: "Use: Appropriate limitations will be placed on the character and intensity of permitted uses to promote neighborhood compatibility." An Urgent Care and Emergency Room Medical Center with 24/7 operations should not qualify under the PUD city zoning code due to its lack of "neighborhood compatibility". 24/7 operations with increased traffic, round the clock business operations with associated noises, ambulance and otherwise, certainly do not qualify under character or intensity concerning neighborhood compatibility.

I am not only concerned about Honor Health's operations in the near future, but what about 5-10 years down the road? To borrow from the movie Field of Dreams – "if you build it, they will come." Honor Health promotes their business model to provide patients with more expeditious service and cost savings by having the opportunity to first use their 24/7 Urgent Care before needing to use Emergency Room services. As the word gets out and hospitals get overwhelmed with even longer ER wait times, more and more people will make the drive, even a longer drive, to get faster and less expensive care at the newly proposed Honor Health site. In the long term this proposed rezoning request will equate to more 24/7 traffic and more people visiting the HH Med Center at all hours – all leading to more round the clock traffic and surrounding area noise. Honor Health claims there will be very little ambulance traffic, but in the small print they acknowledge they cannot guarantee the amount. Even Honor Health's Community Organizer, Tom Bilsten, said at a meeting in Dec 2020 that if his child was to get sick in the middle of the night, he would prefer the opportunity to use a 24/7 medical center like this one versus having to take his child to a hospital emergency room . That is exactly my point! Over time its popularity will only increase drawing more and more customers and all the associated round the clock activities and noises.

With the current economy and wave of the future there are many commercially zoned areas that are or will become available. Honor Health needs to find an already commercially zoned area to build their medical center, not one surrounded by residential neighborhoods - this proposed area is not the appropriate location for a 24/7 medical business.

I am not against this portion of land being developed. I am; however, opposed to any 24/7 operation for the reasons explained above. This is not the appropriate location for this medical center business with round the clock operations. At various meetings some of us asked the Honor Health representatives if they would be willing to compromise by eliminating the ER, thus the 24/7 operation – Honor Health refused – a stark indicator of their true concerns for the surrounding residents.

Honor Health promotes a viable business model that will likely turn out to be very successful. However, it should be located in an already commercially zoned area that will still aptly serve its customers. This area of land they would like to rezone needs to be developed without 24/7 operations and with a business or set-up that is compatible, harmonious and provides a stable environment with the surrounding residential neighborhoods - the City's intent of the current PAD- 2 zoning. Honor Health's 24/7 Medical Center proposal certainly does not meet these requirements. Finally, Honor Health's stated operations do not meet PUD zoning qualifications in the "character and intensity" needed to promote neighborhood compatibility.

I ask that you vote to deny this rezoning request.

Respectfully,

William H Christian Jr
5428 E Cannon Dr

Paradise Valley, AZ 85253

David O Simmons

From: Council District 3 PCC
Sent: Tuesday, March 16, 2021 3:46 PM
To: David O Simmons
Cc: Raquel Estupinan; Rose Ferguson
Subject: FW: Opposition to Phoenix Rezoning Case Z-41-20

Hello David,

Please see the opposition to Case Z-41-20 below.

Adam

From: Bob King <rbking2405@yahoo.com>
Sent: Tuesday, March 16, 2021 3:43 PM
To: Debra W Stark <debra.stark@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>
Subject: Opposition to Phoenix Rezoning Case Z-41-20

Dear Councilwoman Stark -

I am writing as a resident, and in my capacity as President of the North Phoenix Promontory Homeowners Association, to oppose Phoenix Rezoning Case Z-41-20, and respectfully request that you join in this opposition.

This request pertains to the proposed Honor Health Medical Center on Shea, east of 56th Street, requiring a rezoning from residential to commercial. We feel strongly that this rezoning for a 24/7 Urgent Care and Emergency Room operation is not compatible with our neighborhood. This neighborhood was severely impacted by the construction of the huge Mountainside Fitness facility which replaced La Camarilla; the construction of this Medical Center will cause even greater permanent irreparable harm.

Instead of granting this unnecessary re-zoning request to construct a 24/7 Emergency Room in a residential area, I believe it would be far more prudent for Honor Health to utilize the now largely vacant shopping center at the NE corner of Tatum and Shea which already has the requisite zoning. Adding more commercial zoning to a residential area when so much commercial space is currently vacant is not in the best interests of our community.

Thank you in advance for your support.

Robert and Patricia King
10213 N. 55th Street
cell: 480-241-7521

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David O Simmons

From: Raquel Estupinan
Sent: Wednesday, March 17, 2021 12:04 PM
To: David O Simmons
Cc: Rose Ferguson; Adam Grant
Subject: Honor Health PUD opposition

Hi David,

I received a call from Joan Smith in opposition to the Honor Health PUD. She let me know she is opposed because of the proximity to the residential neighborhood, and there are other nearby vacant properties that she feels would be more appropriate and already have the required zoning. She would like her opposition put into the record. Ms. Smith can be reached at 480-443-3733 and aerojoan1@gmail.com.

Thank you,

Raquel Estupinan
Chief of Staff
District 3 Councilwoman Debra Stark
602-261-8623 | direct
602-262-7441 | main
raquel.estupinan@phoenix.gov

David O Simmons

From: Raquel Estupinan
Sent: Wednesday, March 17, 2021 12:36 PM
To: David O Simmons
Subject: Honor Health PUD opposition

Hi David,

We received another call from a resident opposed to the Honor Health PUD. Larry Langford, who lives at 10811 N. 52nd St. is opposed for two reasons: there are other vacant lots/properties nearby that already have the required zoning; and he's concerned about rezoning practices in general and the impact that has on neighborhoods.

Mr. Langford wanted his opposition included for the record. He can be contacted at ldlmsl@cox.net or 480-443-1968.

Thank you,

Raquel Estupinan
Chief of Staff
District 3 Councilwoman Debra Stark
602-261-8623 | direct
602-262-7441 | main
raquel.estupinan@phoenix.gov

David O Simmons

From: Council District 3 PCC
Sent: Friday, March 19, 2021 8:34 AM
To: Helene Spero
Cc: David O Simmons; Adam Grant; Rose Ferguson
Subject: RE: Rezoning Case No. Z-41-20, the HonorHealth Medical Center with 24/7 Urgent Care and Emergency Room Operations

Good morning Helene and Larry Spero,

Thank you for contacting the District 3 Office and taking the time to express your concerns about the Honor Health rezoning case. I will pass along your comments to Councilwoman Stark. I'm also copying David Simmons, the village planner, on this email.

Respectfully,

Raquel Estupinan
Chief of Staff
Councilwoman Debra Stark's Office
Main: 602-262-7441

From: Helene Spero <hbdmimi@gmail.com>
Sent: Thursday, March 18, 2021 7:16 PM
To: Council District 3 PCC <council.district.3@phoenix.gov>
Subject: Rezoning Case No. Z-41-20, the HonorHealth Medical Center with 24/7 Urgent Care and Emergency Room Operations

Dear Council District 3 PCC,

In 1972, my family and I moved to 5401 E. Cortez, Scottsdale, 85254. We now live at: 5403 E. Cannon Drive, Paradise Valley, 85253. I have watched this area grow literally. When we first moved here, we had to grocery shop at Bayless and during the summers, we would take a styrofoam cooler with us in order to bring our groceries home. Many things have changed but one thing that has **not changed** is that this area has grown and remained ***a residential community.*** We have watched people continue to invest in their residential properties. Our area is beautiful and very family conscience.

As a community, I don't really remember fighting the city on a lot of the growth that has taken place. I even remember when Smitty's originally came in and wanted to build on the corner of Tatum and Shea. The company met with us and together we planned to satisfy both sides. When La Camarilla Racquet Club Tennis Courts [tennismaps.com] wanted to come into our neighborhood. They set up meetings at the community's homes and took the time to answer every question of everyone in the area. They took notes of our concerns. The went back to the drawing board and represented everything until the community was satisfied. Many signed up for membership even before they broke ground. They sought, they worked for and they earned our support.

Now Honor Health wants to come into our neighborhood, wants to change the zoning, desires to create more traffic on Shea and to force our acceptance of a facility that we truly do **NOT** want in our neighborhood! In addition, we feel strongly about this because there are so many properties open to them that are already zoned for their facility. Building on the NE corner of Tatum and Shea would be a welcome use of the land available but they are not willing to compromise or go where our neighborhood would gladly accept them.

I don't know how in good conscience your council can support this decision. We were brought up to believe that our elected officials are elected to represent our citizenship and to support those who have elected you to office. May I suggest that you work a little bit harder and think a little more deeply into finding a solution to this problem. Have any of you verified any of the people that were brought before your council by Honor Health as examples in favor of this zoning change? Some of our coordinators checked where these people reside. They are not people who reside adjacent to this property. Some live as far as eight miles away. Those of us who do live close to this property are begging you to re-examine your decision. Take the time to evaluate the alternative properties available to Honor Health. You have a solution right in front of you that would be welcomed by our community. Please show so empathy - think about how you might feel with this in your backyard. We want to know and to see the democratic process working. We are praying that you will do the job that we elected you to do....***represent us !***

Thank you for taking the time to read how I feel; how our community feels and please seek a decision against this rezoning and a solution that would be very advantageous to us all.

Thank you,

Helene and Larry Spero

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David O Simmons

From: Raquel Estupinan
Sent: Monday, March 22, 2021 7:53 AM
To: Joan Smith
Cc: David O Simmons; Rose Ferguson; Adam Grant
Subject: RE: ER zoning

Good morning Ms. Smith,

Thank you for your email. I will pass on your concerns about the Honor Health PUD to Councilwoman Stark and the village planner, David Simmons.

Respectfully,

Raquel Estupinan
Chief of Staff
Councilwoman Debra Stark's Office
Main: 602-262-7441

-----Original Message-----
From: Joan Smith <aerojoan1@gmail.com>
Sent: Friday, March 19, 2021 9:32 PM
To: Raquel Estupinan <raquel.estupinan@phoenix.gov>
Subject: ER zoning

1. Too much noise day and night.
2. Too much congestion.
3. Empty big box stores already zoned for ER purposes.
4. Tatum and Shea a much better location.
5. Would harm our community and may even lower property values.

Joan Smith
480-443-3733

Sent: Monday, March 22, 2021 1:20:05 PM
Subject: Please reject Rezoning case #Z-41-20 (near 54th and Shea from HonorHealth)

I am writing today to ask you to PLEASE reject the rezoning application from HonorHealth (Case #Z-41-20).

I live in the LaCamarilla Estates near 54th Street and Shea (behind MountainSide Fitness and the proposed HonorHealth 24/7 urgent/emergent care facility).

I have numerous concerns outlined below in the form of questions along with additional commentary. Please think about how you would honestly respond to these questions as though you lived in our community to fully appreciate the impact to us.

Reason/Description	Questions to ask yourself if you lived in our community
24/7 business	Would you want a 24/7 business behind your house? This is a business going into a Residential neighborhood. You bought a home with the expectation of quiet when it gets dark and to keep the views you love. It is not as if this building was already there and we chose to move in next to it. HonorHealth wants the facility open 24/7 which is when they can charge a lot more for each and every diagnosis.
Property values	What impact does this have on your property value? It decreases the values of the properties surrounding a 24/7 business. Who is going to pay for this decrease in your property value – Is it the City of Phoenix? Is it the Committee? Is it the Community? Or is it HonorHealth? It also damages your quality of life….think 24/7 urgent care vs. tennis courts.
Increase in traffic	The traffic of 85 patients per day – won't this continue to increase over time creating more noise and traffic pollution? How will the customers exit if they want to go east on Shea--cross over MountainSide Fitness? It is very difficult to go east on Shea from this location. If they can't go left, they will feed into the neighborhood on 54th street. Traffic lights would cause further congestion on Shea. There is already increased number of accidents on 54th and Shea. Is this what you want for your family and loved ones if you lived here?
Increase in noise pollution	The proposal cannot guarantee no sirens anytime during the day or night for those being transported to the hospital. The noise level comes from the building, patients and traffic. Regarding the increase in noise level mentioned in the HonorHealth presentation, it would equate to the noise level of a blender. This is not a joke and is not as HonorHealth presents it as simple as just spinning up a blender to make a margarita. This is misleading since people turn off their blenders when done. Would you willingly subject yourself to listening to your blender 24/7? Listening to a blender for that long drastically increases the stress level of those who are subjected to it. I'm sure you would agree this noise pollution is unacceptable.

Increased crime	Do you think there might be increased crime with the new business going in? Will people be looking for drugs? HonorHealth can have security, but the point is that more individuals will come thinking there are drugs to be had bringing them closer to our neighborhood. They can jump the walls and head into the community.
Increased lights 24/7	In HonorHealth's presentation, they indicated that there were previously tall lights with the tennis courts and made the assumption that these lights were far worse than what they are proposing. This is very misleading when those lights which were turned off at night. Their lights would be on 24/7 and bleeding into our homes.
Height of Building	Would you like the view from your home lost? The revised proposed height has not substantially changed. The height of most of the building (not the tallest entry point) is only a foot different. It is misleading to state that the new building is several feet lower than the building next to it. Plus the ground has already been raised from the previous development. Instead of having a view of the mountains, you will now have yet another huge building.
Location	Why does it need to be located here in a residential neighborhood? There are so many locations already zoned for commercial that are available with ample lighting, parking, proper traffic controls, room for expansion, etc. Certainly more locations than what was presented. For those individuals who are “for” this building, if the facility was open after hours, but still equi-distant from your home, wouldn’t that be acceptable? This would then still provide an avenue of revenue for HonorHealth as well as the City.
Change	Since all of us is already going through so much with covid, and community, state, country affairs, how much more change do we need to endure? What does it take to protect our home values from big corporations coming in and destroying our neighborhoods? HonorHealth says we need to accept change and just accept that it is going to be loud (as Ms. Riddell puts it). This project causes more traffic and noise pollution, impacts our property values, and so on. Enough is enough.

I am confident if you responded to the above questions authentically as though you lived in the neighborhood, you would not approve this rezoning case.

HonorHealth has several other location options available to them--they and the City can still make money off their proposal -- just not at this location.

We have over 275 homeowners in the neighborhood who are against this facility being in our backyard. I pray you will be objective and not ignore the people whom these decisions directly impact.

Thank you for your time and consideration.

Sincerely,

Nancy Ribble

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David O Simmons

From: Council District 3 PCC
Sent: Tuesday, March 23, 2021 8:48 AM
To: David O Simmons
Cc: Raquel Estupinan; Rose Ferguson
Subject: FW: Save Our Neighborhood

Good morning David,

Below is an opposition to rezoning case Z-41-20-3.

Adam

From: Timothy Spooner <t.spooner@spoonerpt.com>
Sent: Tuesday, March 23, 2021 8:40 AM
To: Debra W Stark <debra.stark@phoenix.gov>
Cc: Council District 3 PCC <council.district.3@phoenix.gov>
Subject: Save Our Neighborhood

Dear Councilwoman Stark,

I write this message as a resident of La Camarilla Estates and North Phoenix Promontory, and along with all of the surrounding neighborhood residents, are strongly opposed to Rezoning Case No. Z-41-20-3, the HonorHealth Medical Center with 24/7 Urgent Care and Emergency Room Operations.

The current PAD zoning at this location, in accordance with City Municipal Code Sec 635, was designed to "provide a desirable and stable environment in harmony with that of the surrounding area." Contrary to this, the planned development is utterly out of harmony with the character of the original zoning. Rezoning of a residential parcel for a 24/7 Emergency Room could not be a more jarring replacement of the idyllic tennis club that was previously zoned for this land.

Additionally, this rezoning proposal does not meet the City's usage requirements for this area. PUD Sec 671 states: "Appropriate limitations will be placed on the character and intensity of permitted uses to promote neighborhood compatibility." 24/7 Urgent Care and Emergency Room operations, increased ambulance service, increased traffic, associated late-night noises and lighting, are simply incompatible with the character of a residential neighborhood.

This rezoning is particularly unnecessary given the existence of an obvious compromise: Honor Health should simply be encouraged to find a nearby property that is already correctly zoned. As more and more big-box chain stores inevitably close, there will be multiple commercial properties available in the vicinity, either now or in the near future. This would allow HonorHealth to provide its services while also preserving the character of our neighborhood. We respectfully request that this rezoning case be categorically denied.

Respectfully signed,

Timothy A Spooner, PT, FAFS
President/CEO

Spooner Inc

14287 N. 87th St., Suite C-220
Scottsdale, AZ 85260

602-527-0586 Cell
480-247-8499 Fax
www.spoonerpt.com [spoonerpt.com]

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From: AnnDee Johnson <anndeej@cox.net>
Sent: Tuesday, March 23, 2021 3:36 PM
To: Council District 3 PCC <council.district.3@phoenix.gov>
Cc: anndeej@cox.net
Subject: HonorHealth Rezoning effort on Shea Blvd.

Dear Councilwoman Stark,

I live the in Promontory subdivision across Shea Blvd from the proposed HonorHealth 24/7 Emergency Room Site. I am completely opposed to this rezoning effort and ask you to stop this. The City of Phoenix already dropped the ball by allowing the monstrosity that is Mountainside Fitness to slide under the radar and violate several zoning ordinances, such as height and signage. Please do not compound this mistake by allowing this proposed rezoning to happen.

I have lived in my house for 26 years and this rezoning, if allowed to happen, will completely disrupt our whole area, comprising several residential neighborhoods. I ask you to consider how you would like it if someone were allowed to put a 24/7 emergency room right across the street from your house? I suspect you would not appreciate it. I ask you to put yourself in our shoes. We have all invested in our community and do not want it blasted apart like this. The noise and traffic increase will be impossible.

The northeast corner of Tatum and Shea offers several sites that are already zoned commercial and could easily accommodate a facility like this. In fact, HonorHealth is now part owner of the UrgentCare facility on that corner.

Please respect our neighborhoods and STOP THIS REZONING EFFORT!

AnnDee Johnson
5503 E Alan Ln
Scottsdale, AZ 85253

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From: AnnDee Johnson <anndeej@cox.net>
Sent: Tuesday, March 23, 2021 3:36 PM
To: Council District 3 PCC <council.district.3@phoenix.gov>
Cc: anndeej@cox.net
Subject: HonorHealth Rezoning effort on Shea Blvd.

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The northeast corner of Tatum and Shea offers several sites that are already zoned commercial and could easily accommodate a facility like this. In fact, HonorHealth is now part owner of the UrgentCare facility on that corner.

Please respect our neighborhoods and STOP THIS REZONING EFFORT!

AnnDee Johnson
5503 E Alan Ln
Scottsdale, AZ 85253

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-----Original Message-----
From: Al And Sharon Bieniek <asbien@cox.net>
Sent: Thursday, March 25, 2021 8:18 PM
To: Mayor Gallego <mayor.gallego@phoenix.gov>; Thelda Williams <thelda.williams@phoenix.gov>; Jim Waring <Jim.Waring@phoenix.gov>; Debra W Stark <debra.stark@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Laura Pastor <laura.pastor@phoenix.gov>; Betty S Guardado <betty.guardado@phoenix.gov>; Sal DiCiccio <sal.diciccio@phoenix.gov>; Michael.nowakowski@phoenix.gov; Carlos D Garcia <carlos.garcia@phoenix.gov>
Subject: Rezoning, La Camarilla

As all of you may be aware, Honor Health is requesting that the City of Phoenix rezone a parcel of land on Shea Blvd. and 52nd Street from PAD 2 to C-O in order to build a 24 hour 7 day a week emergency room. I sat in the recent meeting with the zoning commission which approved the zoning change. Honor Health's attorney expressed the need in the area for this new type of medical facility, but did NOT MENTION why it had to be on that parcel!!! There are properly zoned empty shopping centers at Tatum and Shea, as well as around PV mall. So what's the fascination with this property that backs up to a residential neighborhood? I was always told to "follow the money". There appears to be two organizations that will profit greatly from locating this facility here.
Mountainside Fitness which owns the land in question and the Johnson Companies who owns the multistory office property already zoned C-O immediately to the west of this parcel. Are they the ones supporting and promoting this?? Honer Health can afford to go anywhere. My question to all of you and to Honor Health is when have you seen a medical facility that does not grow over time? I foresee the future facility stretching from 54th Street to the wash on the west with both of the above organizations selling to Honor Health. What then, a multistory surgical center, cancer treatment center, enhanced ER with not only ambulances but maybe helicopters?? I am a property owner on 52nd Street (and part of La Camarilla) which will be impacted by the reduced property values caused by adding this facility not to mention the increased traffic and stop lights on a already gridlocked Shea Blvd..
Al Bieniek, Phoenix

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This email has been checked for viruses by Avast antivirus software.
https://urldefense.com/v3/__https://www.avast.com/antivirus__;!!LkjWUF49MRd51_ry!MDlArt2HZvG9C826ti2rKH_Ug_w8sXUy9yVF4msnz2Wul_fKgULo0Bj1YtIupYLYQW3mfwYlO6GC$

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From: JDK <johndavidkay@gmail.com>
Sent: Thursday, March 25, 2021 6:04 PM
To: Council District 3 PCC <council.district.3@phoenix.gov>
Subject: PROPOSED HonorHealth 24-hour Emergency Room and Urgent Care center at 54th St. and Shea

I write urging you to protect and defend the residential nature of the beautiful part of the Shea Boulevard corridor my family moved onto in 2008, by VOTING NO on the OUTRAGEOUS proposal by HonorHealth, which has gotten way too far already! This proposal would bring a 24-hour commercial business right to my front door. This would be horrible for me and my neighbors in North Promontory - RIGHT ACROSS SHEA BOULEVARD from HonorHealth's NEW HOSPITAL!

How much real estate tax relief will you also vote in favor of, to compensate me for the loss of value your irresponsible and reckless behavior is about to inflict on me?

How about I find some nifty commercial operation to develop next to your house?

DO THE RIGHT THING HERE!!! VOTE TO REJECT THIS OUTRAGEOUS INCONSISTENT LAND USE IN MY FRONT YARD!

Thanks.

Best regards,

John David Kay

5407 E Shea Blvd

Scottsdale, AZ 85254

(610) 733-6974
****

From: Larry Spero <lrspero@gmail.com>
Sent: Thursday, March 25, 2021 6:08 PM
Subject: The rezoning of the property on E. Shea and 54th St. for Honor Health. Rezoning Case No. Z-41-20, the HonorHealth Medical Center with 24/7 Urgent Care and Emergency Room Operations

To Whom It May Concern,

I have previously written to you begging you **not to approve t**his rezoning. My letter was extensive and it included numerous reasons why your vote should be **no**. Today, I was driving on Shea. I came across a piece of land on Shea, across the street from Fry's on the north side of the street. It is adjacent to where the new traffic light was installed on Shea just west of Tatum. The land is just west of the shopping center where Trader Joe's is located. There is a separate building directly to the west of this piece of property. This would be a perfect place for HonorHealth to build their Emergency Room.

While I am not in commercial real estate, I would think that this land is worth Honor Health to take a look and see if it meets their demands: It already has the zoning. It already has the traffic light. In addition, they can still capitalize on the fact that they could build a standalone building in a "high income and highly insured" areas. If affiliated with a hospital (HonorHealth), the facility can upcharge all services. If they are 24/7, they can upcharge even more. While this particular site is not directly across the street from PV nor does it have the zip code of 85253. (The PV zip code of 85253 is ranked #1 in AZ for MEDIAN INCOME and #2 for INCOME GROWTH.) This property that I am talking about is not across the street, BUT it is *diagonally across from PV.* (HonorHealth can not buy in the zip code in PV because PV does not permit development like this) So, the next best thing is to open the facility across the street in PHX *or one that is diagonally across still in PHX*. HonorHealth is literally unconcerned about the downside for our neighborhood. It really shows because of all the millions of empty commercial square footage nearby at Tatum/Shea and Tatum/Cactus already zoned properly."

Please consider how your voters feel. With all this property available to them, they must get rezoning of a piece of property right in the middle of an upscale neighborhood where the citizens really care about their homes. Please, please do your jobs. Represent your voters and protect our properties.

Thank you.

Larry and Helene Spero
5403 E. Cannon Drive
PV, AZ 85253

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From: jshano@ascosigns.com <jshano@ascosigns.com>
Sent: Wednesday, March 31, 2021 4:30 PM
To: Debra W Stark <debra.stark@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>
Subject: Honor Health ER Proposal at 54th St and Shea
Importance: High

Good Afternoon Council Member Stark,
I am writing to you to let you know that I am very much opposed to the Honor Health ER location to be put in at Shea and 54th Street. I am sure you have heard from many of my neighbors with similar feelings. It makes no sense that the council would consider changing the zoning of this property when there are so many vacant spaces within a half mile or so of this location that already have the proper zoning. Why would the council disrupt a neighborhood and cause so much more traffic on Shea when it is not necessary. I am also sure you have seen the literature that medicare did on facilities like this that shows that only reason for them setting these up is so they can charge more for the visits. Seeing as how the income level of this area is higher than most, this area is being targeted. If they say we need one in the area, then just put it where it already has the proper zoning. Why would the city council want to see all these buildings sitting vacant just to build a new one.

I was very impressed that you made known that you would vote "NO" for the dispensary that was to go in at Tatum and Shea, so they have decided to not continue to fight for that spot. I am asking you to make an equally wise decision and vote "NO" for Honor Health to put an Emergency Room in the middle of a neighborhood. This whole project is being driven by the developer, which very well may be the guy that owns Mountainside Fitness. I can't imagine that Honor Health feels like this is the only location that can serve their needs.

I appreciate your time in reading this email and beg you to please make the right decision and say "NO" to this project.
Sincerely,
Judy Shano

ASSOCIATED SIGN COMPANY
JUDY SHANO
jshano@ascosigns.com
phone 602.278.8464
fax 602.278.8933
mobile 480.390.7747
3335 West Vernon Avenue
Phoenix, Arizona 85009

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From: Robert George <314ravs1@cox.net>
Sent: Wednesday, March 31, 2021 3:15 PM
To: Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>
Subject: Honor Health Shea Rezoning - Z-41-20-3

Council members Debra Stark and Jim Waring,
I have email you both before about the efforts of Honor Health to rezone a property on Shea Blvd between Tatum and 56th St for a 24/7 Emergency Room, Urgent Care, etc., but have not receive any reply. I am opposed to the rezoning. I live within a short walk of this property in Mr. Waring's district and many of my neighbors' homes back up to the property or are directly next to it or just across the street. The area is a neighborhood, not meant for a 24/7 business with sirens and increased traffic 24 hours a day. Less than a mile to the West at the corner of Shea Blvd and Tatum is commercial zoning and vacant buildings. Old Albertsons, Bed Bath and Beyond and Staples are all empty now. There is a Honor Health Urgent Care at the Northeast corner where these empty commercial buildings are located as well. Just across the street to the East already is an Honor Health Family practice location. Please tell Honor Health if they want to locate a 24/7 Emergency Room in this area of town, use one or more of the empty buildings there at Tatum and Shea NE corner so there is less disturbance of a long established neighborhood. Hopefully, then neighbor's property values won't be negatively effected as well.
As Ms Stark was quoted in the March 31 Arizona Republic about the Harvest dispensary rezoning request – "This is the way it's supposed to work…neighbors should have a say in what is developed in their area". Please have Honor Health withdraw their rezoning request and resubmit it if they choose for the intersection of Tatum and Shea. Honor Health still gets their 24/7 ER in the area of Phoenix they want closer to their two other operations and they don't destroy the peace and quiet and quality of the long time neighborhood and the surrounding residents.
Robert George
10227 N 56th St
Paradise Valley

Sent from Mail [go.microsoft.com] for Windows 10

****

From: Sandy Kravetz <sekravetz@gmail.com>
Sent: Wednesday, March 31, 2021 12:00 PM
To: Debra W Stark <debra.stark@phoenix.gov>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Thelda Williams <thelda.williams@phoenix.gov>; Council District 1 PCC <council.district.1@phoenix.gov>; Jim Waring <Jim.Waring@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Laura Pastor <laura.pastor@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Betty S Guardado <betty.guardado@phoenix.gov>; Council District 5 PCC <council.district.5@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; michael.nowakowski@phoenix.gov; Council District 7 PCC <council.district.7@phoenix.gov>; Carlos D Garcia <carlos.garcia@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Sal DiCiccio <sal.diciccio@phoenix.gov>
Subject: Proposed HonorHealth Emergency Facility on Shea Blvd.

Dear Councilwoman Stark,

I am writing about the rezoning proposed by HonorHealth for the vacant parcel located to the east of the Mountainside Fitness on Shea Boulevard. The land/building owners that will benefit from these changes are eager to sell and make a profit without considering this project's negative impact on our neighborhood.

The homeowners directly behind the former La Camarilla Tennis Club and those nearby, had a realistic expectation due to stringent zoning that their neighborhood would be protected from development that would negatively impact their quality of life and their homes' values.

La Camarilla Tennis and Racquet Club only existed because of special PAD-2 residential zoning specific to that business. Tom Hatten the President of Mountainside Fitness told representatives of the La Camarilla neighborhood that he was counting on the land being rezoned when he purchased the tennis club from George Johnson. He needs to recoup his investment in the property. ***If the City Council approves this rezoning then its members are telling homeowners across Phoenix that their neighborhoods can also be targeted and are not immune from intrusive, inappropriate developments in their area.***

I listened/watched last month's city Planning Commission meeting. There were several questions that were left unanswered by HonorHealth's attorney Wendy Riddell during the discussion. Additionally, the Committee afforded Ms. Riddell the opportunity to refute comments made by opponents of the project. However, this was mostly a one-sided presentation, as opponents were not allowed to then counter her second set of misleading remarks.

Some of Ms. Riddell's inaccuracies included:

1) The parcel is already zoned commercial and her zoning change is just a "tweak" to allow the ER. *The current zoning is Residential/PAD-2*

2) The building is only 18 feet high. *The proposed building is 26 feet 4 inches high!*

3) She implied that the residents in La Camarilla that did not attend her Webex meeting support the project. *What Webex meeting? Many in the community were not aware of HonorHealth's plans until well after the Paradise Village Planning Commission met.*

4) Ms. Riddell as a representative for HonorHealth portrayed this project as having significant local support. *In truth the eight people that spoke in support of the project live no closer than 1.3 mi away, and as far as 8 mi away. More than 250 residents living close to the site signed a petition in opposition to this plan.*

5) The project is designed to make Shea Blvd a more "pedestrian friendly environment" (this is in her written proposal). *No one will equate Shea Boulevard to a pedestrian friendly roadway.*

6) Ms. Riddell also noted that sirens "will rarely be used" by the ambulances. *What is her definition of "rarely"?*

There is already an abundance of vacant retail/commercial space on the northeast corner of Tatum and Shea Boulevards, with traffic lights on either road leading directly into the center. HonorHealth currently has a FastMed

location in this same retail space. It makes no sense to rezone a residential, non-commercial parcel for more retail and commercial space, when a plethora of such space exists less than a mile away.

Honor Health has framed this facility in terms of providing community service. It claims that these combined Urgent Care/Emergency Health centers provide care that one would find at a hospital, at a reduced price for the consumer. Ms. Riddell cited similar facilities in Texas as the model for HonorHealth's new endeavor. However, several articles in newspapers in Texas (see attachments below) have highlighted that the costs to consumers, even after insurance co-pays are often more than they anticipated.

How will HonorHealth's fees compare with those of its primary care facilities? Will patients be billed at an Urgent Care rate or at an Emergency Room rates? Will it depend upon the time of day a doctor treats a patient? Higher after "normal business hours"? How will HonorHealth communicate its fee structure? It previously had an urgent care facility at Tatum and Thunderbird. It is now closed.

Has HonorHealth considered launching its new service model in an underserved area of the Valley, not in proximity to a hospital? It appears that HonorHealth is considering this site due to its location adjacent to the 85253 (and 85254) zip code where ability to pay may not be as great an issue as in other areas of the Valley. ***HonorHealth has not provided the residents with any data to support its claim that their facility is most needed in this location.***

Hundreds of families bought their homes in this desirable area because it was zoned for non-commercial/retail space. On my street of just six houses, four of us purchased our homes more than 20 years ago; we have made a long-term investment in our neighborhood.

We have signed petitions, written letters and attended planning commission meetings by Zoom when we learned about them.

During the recent planning commission meeting, Ms. Riddell noted that HonorHealth's recommendation to help with the site's entrance and egress is to add a traffic light at 54th Street. There are already three traffic lights between 56th Street and Tatum Boulevard. How many homeowners on 54th Street want a traffic light installed there? A traffic light will increase traffic through a quiet neighborhood.

Honor Health should try its experiment in a new, unestablished development and determine how well their model works their before inserting itself into a well-established community.

What happens to this facility and the rezoned property if Honor Health finds that this location is not as profitable as it has prognosticated? You will have negatively altered the neighborhood and it will be left with an empty building now zoned for a commercial building.

I implore you to **vote 'No"** on the approval of HonorHealth's project.

Thank you for your attention to this matter and to your service to the citizens of Phoenix.

Sincerely,

Sandy Kravetz
5430 E Mercer Lane
480-231-5383

https://www.dallasnews.com/business/health-care/2017/11/10/keller-family-sues-texas-emergency-room-chain-for-over-1-million-after-preschoolers-death/ [dallasnews.com]

https://www.nbcnews.com/health/health-care/you-thought-it-was-urgent-care-center-until-you-got-n750906 [nbcnews.com]

https://www.star-telegram.com/news/business/article3868661.html [star-telegram.com]

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From: Helene Drew <hbdsaz@gmail.com>
Sent: Thursday, April 1, 2021 2:25 PM
Subject: HonorHealth's request for re-zoning property at N. 54th St. and E. Shea Blvd.

Dear Council Members,

Today I had to leave my home in Promontory Homes off of Shea and 55th Place to go to an appointment. I couldn't get over the traffic on Shea. People have been working from home and not going out except when absolutely necessary for the last year and we have been lulled into thinking that traffic wasn't that bad. All of a sudden, with a lot of people having received the vaccines, everyone is out and about. I ran to Target on Sunday and I couldn't find a parking spot for 30 minutes! Today, on Shea, at eleven o'clock in the morning - not even at a time of heavy traffic, Shea was consumed with a lot of traffic.

Before voting to grant HonorHealth their rezoning request, please take a look at the traffic on Shea at various times of the day. Now that everyone has decided to venture out, we all need to remind ourselves what "normal" traffic on Shea looks like. I realize that you are probably extremely busy but please consider this request as an assignment or homework needed to make the proper voting decision. Try to imagine how the traffic will look if HonorHealth builds their emergency room. I believe that we will have a bumper to bumper, Los Angeles style, looking road filled with traffic.

Of course, traffic is not the homeowners only concern. One must factor in the noise factor. More traffic = more noise; emergency vehicles siren's = a lot more noise for a residential area; all things need to be considered. This building will decrease the value of our homes and the quality of life in our residential community, Once HonorHealth gets their zoning passed, then in the future, they can do whatever they like with their property. They can make it a trauma center which would allow helicopters to come and go to this property.

When all is said and done, I think that one of the things that bothers me the most is that because of our economic situation at this time, HonorHealth has a huge variety of places open to them that already has the zoning, would gladly welcome new tenants or owners. Why must this facility be built in our residential neighborhood? As our representative on the city council, please help us to protect our properties. Please request that HonorHealth grab on of these already zoned properties that are already equipped with traffic lights for better traffic control and can absorb the increased noise and traffic flow without disrupting a carefully planned and maintained neighborhood.

Thank you for doing your job of representing us and hopefully turning down this rezoning application.
Sincerely,

H.B. Drew
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From: Kevin Berger <kbergermd@yahoo.com>
Sent: Thursday, April 8, 2021 4:37 PM
To: Mayor Gallego <mayor.gallego@phoenix.gov>; Thelda Williams <thelda.williams@phoenix.gov>; Council District 1 PCC <council.district.1@phoenix.gov>; Jim Waring <Jim.Waring@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Debra W Stark <debra.stark@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Laura Pastor <laura.pastor@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Betty S Guardado <betty.guardado@phoenix.gov>; Sal DiCiccio <sal.diciccio@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Michael.nowakowski@phoenix.gov; Council District 7 PCC <council.district.7@phoenix.gov>; Carlos D Garcia <carlos.garcia@phoenix.gov>; council.distict.8@phoenix.gov
Subject: Rezoning Case No. Z-41-20-3, the HonorHealth Medical Center OPPOSITION

Mayor Gallego and Council Members,

Rezoning Case No. Z-41-20-3, the HonorHealth Medical Center with 24/7 Urgent Care and Emergency Room Operations.

I would like to express my **strong opposition** to the Rezoning from Residential single family to an Emergency Room on the now vacant land next to Mountainside Fitness.

I share this opinion with over 250 of my neighbors and live directly opposite of this proposed new building. The claim made by Counsel Wendy Riddell that only a few oppose this is not true. It may be good lawyering but it is false information. The **petition** already submitted shows this concern.

Out of respect for your time I will keep this brief and to the point.

1. There is NO NEED for an Emergency Room in the middle of a residential neighborhood with Honorhealth Shea campus just 3 miles east and an Urgent Care at Tatum and Shea, a short walk away. There are medical offices everywhere in this area.
2. Our neighborhood does not need more HIGH COST CARE. These facilities that are owned by hospitals bill for physician services, as well as a FACILITY FEE that hospitals are allowed to add on to medical visits. This makes care unnecessarily expensive and will also cost our AHCCCS health system even more when AHCCCS patients visit this hospital-owned facility.
3. There is a massive amount of vacant space in the shopping center at Tatum and Shea, with adequate parking. Existing traffic flow diverting from Shea will allow for an ER in that center. Albertson's vacated that space over 2 years ago and it has stood vacant all this time. If there is an actual need for an Emergency Room/ Urgent Care in our neighborhood, let them use the commercial space already available.
4. Traffic on Shea is already a nightmare with 3 lanes each way with drivers going at high speeds. I turn across Shea to go west every morning and it takes a long time for a break in traffic and a small miracle to get across safely. *This road will be more dangerous if an ER is constructed on this stretch of high speed 6 lane residential roadway. Please consider this point*

as a critical notification of a problem in the area. If this does get approved, planning MUST include a traffic light at 54th street and Shea.

5. My property value will go down significantly. That is not fair when the area considered is Residential and has been forever. The owner of Mountainside Fitness and Honorhealth's financial interests are being pitted against the financial interests of hundreds of surrounding families who are not organized with a high priced legal team.
6. Other reasons have been outlined in detail by my neighbors so I will not repeat things I know they have submitted.

My expectation is that this Rezoning Case will be reviewed and denied as it benefits a very wealthy hospital system and a single business owner. One hopes that the Residents' best interests in a Residential area will be protected against Commercial opportunism, by our government. I am hopeful that officials will hear the residents and not just go along with a special interest. The hearsay is that this process is merely just a process and rubber stamp for those who are pushing the narrative with professional assistance and financial backing to do that. This is so disheartening to me. We desperately need strong leaders!
The notion that there are not enough people concerned and speaking out is false and a misrepresentation. I am hopeful that the Council Members reviewing this matter are the citizens' representation.

Lastly, I am a physician. I am on staff at Honorhealth and certainly have some reservation speaking out against this. But I feel strongly about this. I expect there will be no backlash from expressing my opposition.
I have lived in this highly sought after neighborhood for 21 years. Again, there is no need for ANY Emergency Room in this location. Please be brave and stand up for the residents and please do not rubber stamp this.

Please leave the Residential Zoning intact.

Respectfully,

Kevin Berger, M.D.
10229 N 55th PL.
Paradise Valley, AZ 85253
North Phoenix Promontory

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Racelle Escolar

Subject: FW: Rezoning Case No. Z-41-20, the HonorHealth Medical Center with 24/7 Urgent Care and Emergency Room Operations SAD BUT TRUE...

From: Helene Spero <hbdmimi@gmail.com>
Sent: Saturday, April 10, 2021 8:07 PM
To: Helene Spero <hbdsaz@me.com>
Cc: Mayor Gallego <mayor.gallego@phoenix.gov>; Debra W Stark <debra.stark@phoenix.gov>; Thelda Williams <thelda.williams@phoenix.gov>; Council District 1 PCC <council.district.1@phoenix.gov>; Jim Waring <Jim.Waring@phoenix.gov>; Council District 2 PCC <council.district.2@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; Laura Pastor <laura.pastor@phoenix.gov>; Council District 4 <council.district.4@phoenix.gov>; Betty S Guardado <betty.guardado@phoenix.gov>; Sal DiCiccio <sal.diciccio@phoenix.gov>; Council District 6 PCC <District6@phoenix.gov>; Michael.nowakowski@phoenix.gov; Carlos D Garcia <carlos.garcia@phoenix.gov>; council.distict.8@phoenix.gov; Tlaporte@honorhealth.com
Subject: Rezoning Case No. Z-41-20, the HonorHealth Medical Center with 24/7 Urgent Care and Emergency Room Operations SAD BUT TRUE...

Dear Ms. Stark,

The question we have all been asking ourselves is why does HonorHealth want this piece of land when all around us there are open spaces in already zoned places available. We have done some research and as it turns out, the following is the reason: Greed!

"Honorhealth will not answer the question: Why Here? We now have documents to finally explain. Standalone ERs are popping up across the nation in "high income and highly insured" areas. If affiliated with a hospital (Honorhealth), the facility can upcharge all services. If they are 24/7, they can upcharge even more. Across the street from this site is PV 85253 which is ranked #1 in AZ for MEDIAN INCOME and #2 for INCOME GROWTH. PV does not permit development like this. Next best thing is open the facility across the street in PHX (thanks to liberal development attitude of each of these committees). All of this with millions of empty commercial square footage nearby at Tatum/Shea and Tatum/Cactus already zoned properly."

In addition, we would like you to read the following article:
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In another research, a. neighbor found a Medicare Study on Standalone ERs which is a model of care for this ER. "Key result of this study:

1. Off campus emergency depts (OCED) that are affiliated with a hospital can charge a lot more v. no affiliation
2. Urgent Care bills can also be up-charged with hospital affiliation v no affiliation
3. OCED that stay open 24/7 can charge a lot more for each/every diagnosis v. no 24/7. Riddell claims the "state" makes them stay open
4. OCEDs are concentrated in "certain **markets**": NOT AREAS OF NEED!
5. Study showed that these OCEDs are targeting: high-income areas, highly insured areas and positioned for rapid growth
6. Riddell has been claiming 70% of pts seen in an ER could be seen at Urgent Care. TOTAL LIE! This study showed that 13-27% of pts seen in ER could be seen at Urgent Care. Translation: This is NOT an Urgent Care with added Emergency Coverage. It is an

Emergency Room with added Urgent Care (that can charge more than all of their competitors up/down Shea Blvd.

7. Study concluded that cost of typical ER and Urgent Care diagnoses were ALL higher at these centers v. alternative
8. Medicare sees the value of OCED in under-served areas but the usage of these centers is simply increasing the cost of medicine.
9. **UGLY REASON WHY RIDDELL/HONORHEALTH HAS NEVER RESPONDED TO QUESTION …..WHY HERE??**
10.

- **South side of Shea (across the street from this site) is Zipcode 85253.**

- **85253 IS RANKED #1 IN AZ: MEDIAN INCOME BY ZIP.**

- **85253 IS RANKED #2 IN AZ: MEDIAN INCOME GROWTH BY ZIP**
- **Paradise Valley does not permit commercial development so the next best thing is to build across the street in Phoenix 85254 (Ranked #13 Median Income) This project has nothing to do about building where consumers need medical services. It is about Honorhealth going after affluent market share and their disregard for the needs of the residents that they claim are being served.**

  This is a disgusting display of greed at our expense."

The bottom line here is that not only will we lose as neighboring property owners, we will lose again if we use this facility by being charged inflated prices for the same services given elsewhere. You are our representative on the city council. You are up for re-election. At a time when the citizens of this county are feeling that no-one in politics is listening to us, no one is representing us, and no-one is caring about our interests, you have a unique opportunity, at this present time, to be the bright light in an already depressing state of affairs. Big business are running our country and we really need you to represent the people who voted for you and are begging you to represent the homeowners from your area. By voting "NO" on this re-zoning, you can show your constituents that you are listening and that you care.

Please take the time to read this article... it will be worth your time doing so.

Sincerely,

Larry & Babs Spero
5403 E. Cannon Drive. 85253