City of Phoenix

Agenda
City Council Formal Meeting

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

Wednesday, September 8, 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=ea3cebe45bda5613d9f6961a7d3009ac3

- 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 2558 203 3678# (for English) or 2554 047 0533# (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 2554 047 0533#. 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 2554 047 0533#). 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: 9/8/2021, **Item No.** 1

For Approval or Correction, the Minutes of the Formal Meeting on May 6, 2020

Summary

This item transmits the minutes of the Formal Meeting of May 6, 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: 9/8/2021, **Item No.** 2

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:** September 8, 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:

Human Relations Commission

I recommend the following for appointment as Chair:

Nate Rhoton
Mr. Rhoton is the Executive Director of One n Ten and will serve as Chair of the commission for a term to expire September 8, 2022.

I recommend the following for appointment:

Claudia Kaercher
Ms. Kaercher is the President of Island Liaison, Inc. and a resident of District 8. She fills a vacancy for a term to expire June 30, 2023.

Henry Lam
Mr. Lam is the Program Management Lead at USAA Federal Savings Bank and a resident of District 7. He fills a vacancy for a term to expire June 30, 2023.

Michael Mazzocco
Mr. Mazzocco is the Vice Chair of the Greater Phoenix Equality Chamber of Commerce and a resident of District 4. He replaces Jeremy Helfgot for a term to expire June 30, 2023.

Sal Bretts
Mr. Bretts is the Managing Director of BrightFi and a resident of District 4. He fills a vacancy for a term to expire June 30, 2023.

Anthony King
Mr. King is a Partner at Snell & Wilmer LLP and a resident of District 5. He fills a vacancy to expire June 30, 2023.

Neighborhood Block Watch Fund Oversight Committee

I recommend the following for appointment:

Darlene Vallo
Darlene Vallo is a Desert Horizon Director on the Phoenix Block Watch Advisory Board. She replaces Vickie Jaquez as the Phoenix Block Watch Advisory Board representative for a partial term to expire August 31, 2022.

Phoenix Youth and Education Commission

I recommend the following for appointment:

Carol Lippert
Ms. Lippert is the Associate Vice President at Grand Canyon University. She replaces Tacy Ashby for a term to expire August 31, 2022.

Richard Ramos
Mr. Ramos is the Executive Director of Innovation and Learning at Roosevelt School District No. 66. He replaces Nedda Shafir for a term to expire August 31, 2022.

I recommend the following for reappointment:

Michael Andrews
Mr. Andrews will serve his second term to expire August 31, 2022.

Zane Balian
Mr. Balian is a youth commissioner. He will serve his second term to expire August 31, 2022.

Jeanine Bashir
Ms. Bashir will serve her sixth term to expire August 31, 2022.

Tracey Beal
Ms. Beal will serve her sixth term to expire August 31, 2022.

Jennifer Cruz
Ms. Cruz will serve her second term to expire August 31, 2022.

Larry De Respino
Mr. De Respino will serve his first full term to expire August 31, 2022.

Lauren Eckstein
Ms. Eckstein is a youth commissioner. She will serve her third term to expire August 31, 2022.

Dana Naimark
Ms. Naimark will serve her first full term to expire August 31, 2022.

Martin Perez
Mr. Perez will serve his sixth term to expire August 31, 2022.

Katie Ritchie
Ms. Ritchie is a youth commissioner. She will serve her second term to expire August 31, 2022.

Rene Rosales
Mr. Rosales will serve his first full term to expire August 31, 2022.

Joe Roselle
Mr. Roselle will serve his second term to expire will serve August 31, 2022.

Larry Sandigo
Mr. Sandigo will serve his fifth term to expire August 31, 2022.

Bryan Smith
Mr. Smith will serve his first full term to expire August 31, 2022.

Ryan Young
Mr. Young is a youth commissioner. He will serve his second term to expire August 31, 2022.

Phoenix Women's Commission

I recommend the following for appointment as Chair:

Allison Otu
Ms. Otu is the Executive Director of Corporate and Community Relations at University of Arizona Health Sciences. She will serve as Chair for a term to expire September 8, 2022.

Tourism and Hospitality Advisory Board

I recommend the following for appointment:

Ron Price
Mr. Price is the CEO of Visit Phoenix. He replaces Steve Moore for a partial term to expire September 30, 2022.

Councilwoman Yassamin Ansari recommends the following for appointment:

Tracey Stoltz
Ms. Stoltz is the General Manager at Renaissance Phoenix Downtown. She fills a vacancy for a term to expire September 30, 2023.

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 3

Liquor License - DaddyO's Grill

Request for a liquor license. Arizona State License Application 154858.

Summary

Applicant
Andrea Carmody, Agent

License Type
Series 12 - Restaurant

Location
4163 W. Thunderbird Road
Zoning Classification: PSC
Council District: 1

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

The 60-day limit for processing this application was Sept. 7, 2021. However, the applicant submitted a written request for more time.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We are U.S. citizens and residents of the state of Arizona. We currently hold a valid LLC under AMC Entertaimen and also have a current transaction privilege tax license, 21402496. Our application with the State of Arizona has been turned in completed along with background checks and fingerprint cards. We have already been issued a interm liquor license. Andrea Carmody is also current on management title 4 training and food handlers card. We are currently are insured as well. We also have 39 years experiance in the industry."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We will continue follow all laws in accordance with the Class 12 liquor licenseing. We have already obatined insurance through Southwest Bonding and Insurance. Our insurance includes general liability, liquor liabilty and workers compensation. We will keep our insurance current at all times."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - DaddyO's Grill
Liquor License Map - DaddyO's Grill

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

Liquor License Data: DADDYO'S GRILL

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.14	50.61	53.60
Violent Crimes	8.58	7.82	7.32

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

Property Violation Data

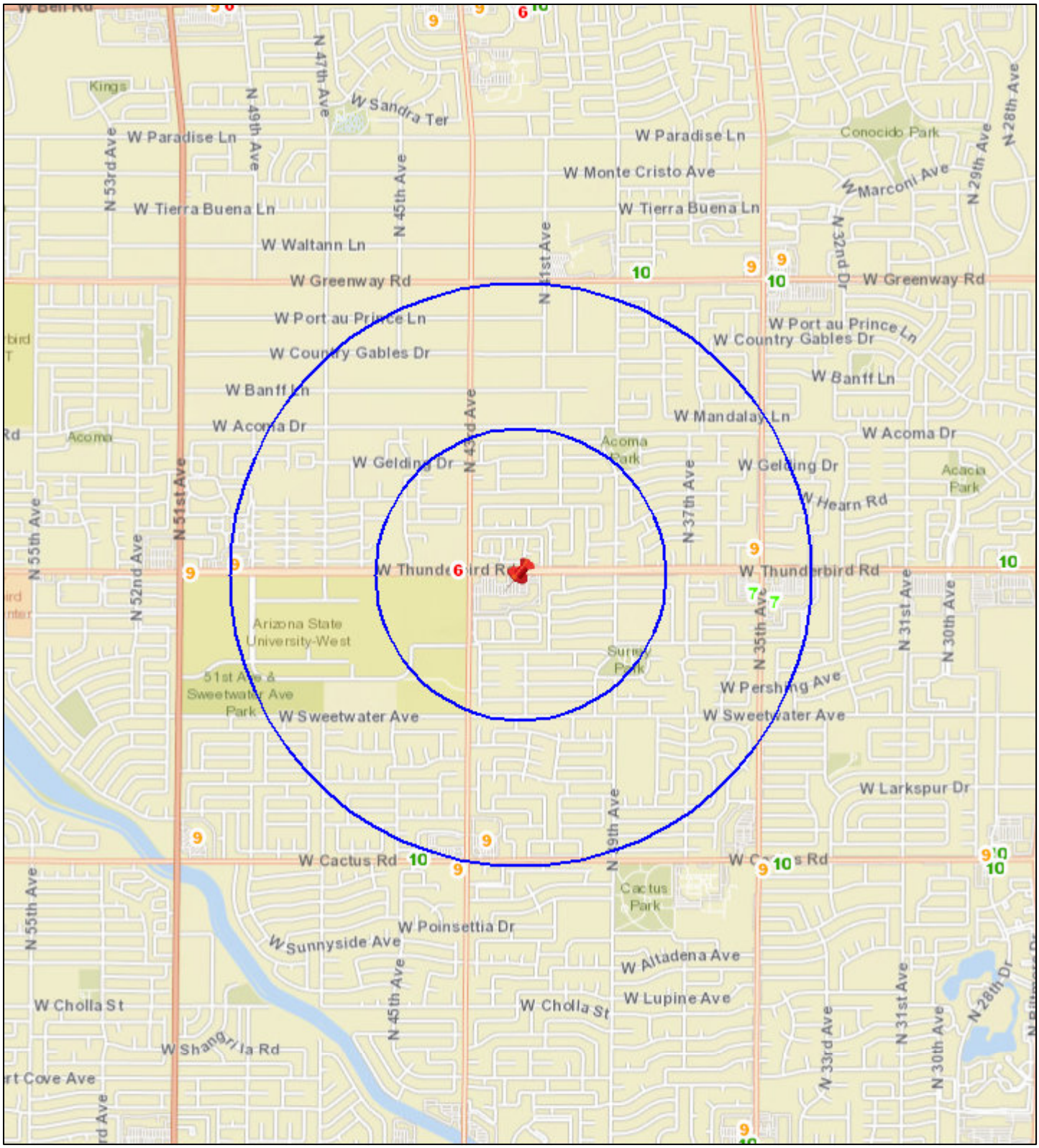
Description	Average	1/2 Mile Average
Parcels w/Violations	55	52
Total Violations	89	81

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1042021	1471	85 %	2 %	7 %
1042023	1420	88 %	18 %	4 %
1042121	1193	15 %	0 %	17 %
1042123	1683	79 %	0 %	10 %
1042124	2501	80 %	3 %	5 %
1042181	1368	85 %	8 %	6 %
1042191	1602	85 %	0 %	13 %
Average		61 %	13 %	19 %

Liquor License Map: DADDYO'S GRILL

4163 W THUNDERBIRD RD



N

Date: 7/13/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 4

Liquor License - Lake Pleasant Brewing Company LLC

Request for a liquor license. Arizona State License Application 155221.

Summary

Applicant
Dustin Westby, Agent

License Type
Series 3 - Microbrewery

Location
1950 W. Rose Garden Lane, Ste. 130
Zoning Classification: PUD
Council District: 1

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

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"As a Arizonan native, I'm proud to live here with my wife and 3 kids. I've been apart of AZ's craft beer scene since it's infancy and have watched it grow into one of the most respected in the Country. The opportunity to join the ranks of some of the best, while pursuing my goal of owing and operating a brewing, is a dream come true. I have completed the AZ Title 4 Basic and Management certification. I will follow all AZ liquor laws and will ensure proper training of managers and staff of the same certification."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The North Phoenix Deer Valley area is known for its airport and suburban neighborhood. However, over the last few years, Deer Valley is evolving into a beer destination for local AZ breweries. We are thrilled to join this community and eager to teach and share our love of craft beer. Lake Pleasant Brewing aims to be a venue that will be a melting pot for all lovers of locally brewed beer. A place where people can share their love of beer with each other, gather to recoup from the stresses of life's challenges, and celebrate life's accomplishments."

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 - Lake Pleasant Brewing Company LLC
Liquor License Map - Lake Pleasant Brewing Company LLC

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

Liquor License Data: LAKE PLEASANT BREWING COMPANY LLC

Liquor License

Description	Series	1 Mile	1/2 Mile
Producer	1	1	0
Bar	6	2	0
Liquor Store	9	1	0
Beer and Wine Store	10	4	1
Restaurant	12	3	3
Craft Distiller	18	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.14	50.74	47.66
Violent Crimes	8.58	6.68	4.03

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

Property Violation Data

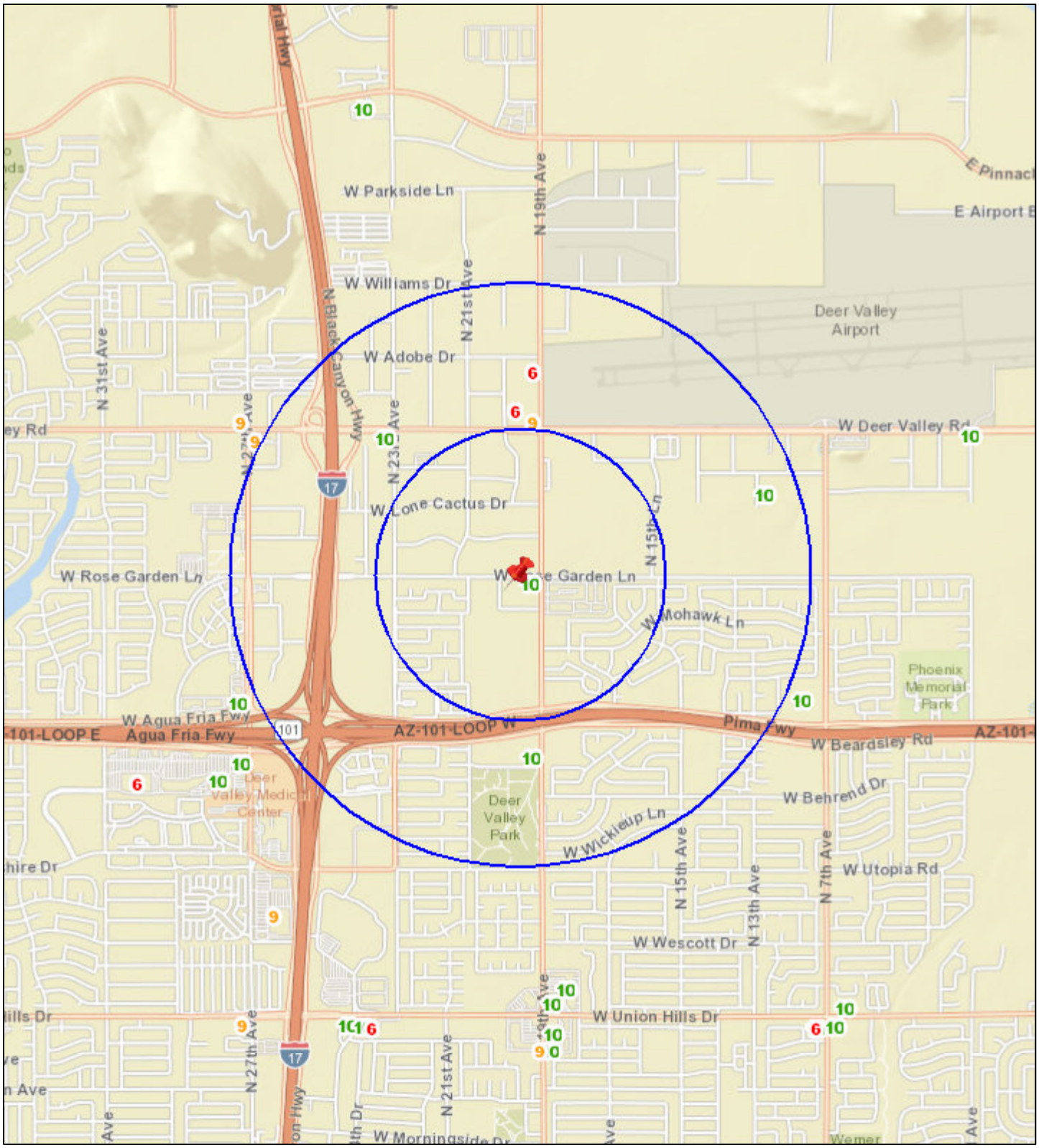
Description	Average	1/2 Mile Average
Parcels w/Violations	55	80
Total Violations	89	135

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6147001	287	86 %	29 %	31 %
6147002	1049	17 %	20 %	26 %
6147003	1517	33 %	14 %	14 %
6148001	1328	27 %	17 %	21 %
6148002	1944	69 %	0 %	7 %
Average		61 %	13 %	19 %

Liquor License Map: LAKE PLEASANT BREWING COMPANY LLC

1950 W ROSE GARDEN LN



N

Date: 8/2/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 5

Liquor License - Circle K Store #9184

Request for a liquor license. Arizona State License Application 155471.

Summary

Applicant
Kim Kwiatkowski, Agent

License Type
Series 9 - Liquor Store

Location
15262 N. Tatum Blvd.
Zoning Classification: C-1
Council District: 2

This request is for a new liquor license for a liquor store. This location was previously licensed for liquor sales and does not have an interim permit. This business is currently under construction with plans to open in January 2022.

The 60-day limit for processing this application is Sept. 18, 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 information is not provided due to the multiple ownership interests held by the

applicant in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Circle K requires all store personnel to attend an in-house training program. This training is designed to provide a safe and positive customer service environment. As part of the Circle K training program, we provide an Alcohol Training Program that meets the requirements of the Arizona Department of Liquor License Control. Employees must pass a test on Techniques of Alcohol Management that becomes part of their employee file. Store managers are required to attend additional in-house manager training and obtain certification from the Arizona Department of Liquor License Control. This certification requires submission of fingerprints and includes a background investigation."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"It is Circle K's objective to provide a product, accessible in a convenient manner that meets the need of the surrounding community. Circle K's success depends on us being able to provide products that are in demand."

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 - Circle K Store #9184
Liquor License Map - Circle K Store #9184

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

Liquor License Data: CIRCLE K STORE #9184

Liquor License

Description	Series	1 Mile	1/2 Mile
Liquor Store	9	3	1
Beer and Wine Store	10	4	2
Restaurant	12	11	3

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.14	29.88	33.43
Violent Crimes	8.58	2.14	2.65

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

Property Violation Data

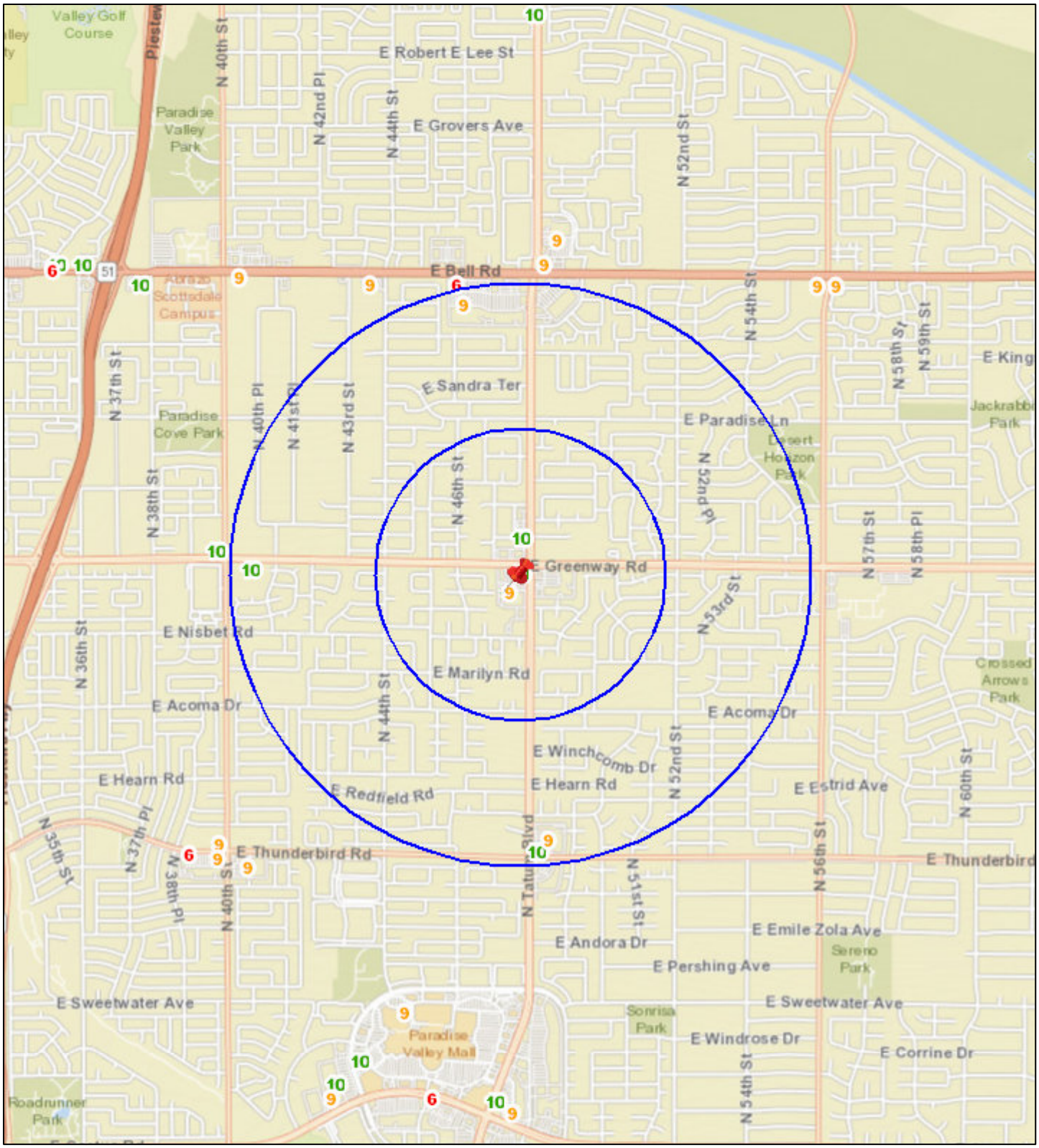
Description	Average	1/2 Mile Average
Parcels w/Violations	55	51
Total Violations	89	60

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1032111	1273	95 %	6 %	9 %
1032112	1945	90 %	10 %	2 %
1032123	1092	97 %	13 %	7 %
1032152	1418	91 %	18 %	4 %
1032162	1982	84 %	0 %	4 %
1032163	1647	68 %	5 %	2 %
Average		61 %	13 %	19 %

Liquor License Map: CIRCLE K STORE #9184

15262 N TATUM BLVD



N

Date: 7/22/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 6

Liquor License - The Buzz Eatery & Treats

Request for a liquor license. Arizona State License Application 155207.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
15215 N. Kierland Blvd., Ste. 190
Zoning Classification: C-2 M-R PCD
Council District: 2

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

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We train all of our employees in responsible liquor service. We also conduct regular audits to ensure the comply."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"At The BUZZ our mission is 'to inspire goodness; good food, good people & good times'. Whether you eat in, enjoy our street-side patio, order takeaway or have us cater your event or occasion."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - The Buzz Eatery & Treats
Liquor License Map - The Buzz Eatery & Treats

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

Liquor License Data: THE BUZZ EATERY & TREATS

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	1
Beer and Wine Bar	7	2	1
Liquor Store	9	3	0
Beer and Wine Store	10	7	1
Restaurant	12	26	14

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.14	14.27	21.76
Violent Crimes	8.58	0.74	1.16

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

Property Violation Data

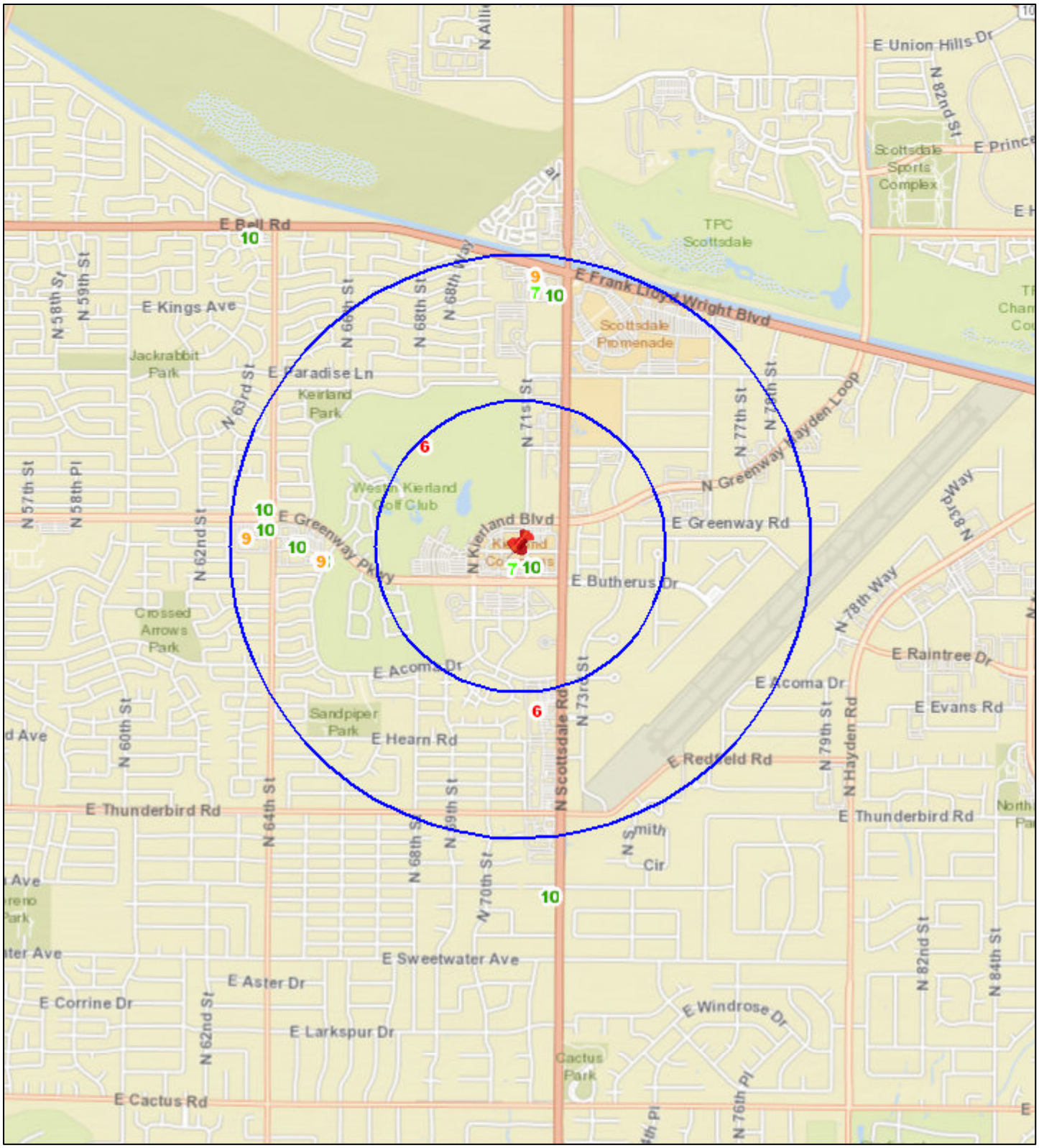
Description	Average	1/2 Mile Average
Parcels w/Violations	55	2
Total Violations	89	3

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1032191	834	44 %	30 %	13 %
1032202	513	51 %	32 %	4 %
1032203	1161	0 %	16 %	7 %
2168161	1812	95 %	0 %	4 %
Average		61 %	13 %	19 %

Liquor License Map: THE BUZZ EATERY & TREATS

15215 N KIERLAND BLVD



N

Date: 7/21/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 7

Liquor License - Special Event - Brophy College Preparatory

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

Summary

Applicant
Julie Peterson

Location
4701 N. Central Ave.
Council District: 4

Function
Dinner

Date(s) - Time(s) / Expected Attendance
Oct. 23, 2021 - 5 p.m. to 11 p.m. / 500 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 8

Liquor License - Camelback Liquors

Request for a liquor license. Arizona State License Application 09070480.

Summary

Applicant
Skala Hashim, Agent

License Type
Series 9 - Liquor Store

Location
2002 W. Camelback Road
Zoning Classification: C-2
Council District: 4

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

The 60-day limit for processing this application was Sept. 4, 2021. However, the applicant submitted a written request for more time.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I am familiar with retail sales and in particular, liquor store sales because I have worked with father who has managed this store for a number of years. When the owner who hired my father died, I took the opportunity to buy into the business as an owner. Since the former owner was the Agent, I chose to become the agent. I know the family well and will work with the surviving spouse and trustee of the trust that owns the business with me.”

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: 9/8/2021, **Item No.** 9

Liquor License - 2322

Request for a liquor license. Arizona State License Application 154962.

Summary

Applicant
Michael Gau, Agent

License Type
Series 12 - Restaurant

Location
2322 E. Indian School Road
Zoning Classification: C-2
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. This business is currently being remodeled with plans to open in October 2021.

The 60-day limit for processing this application is Sept. 10, 2021.

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

Other Active Liquor License Interest in Arizona
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.

Wandering Tortoise (Series 7)
2417 E. Indian School Road, Phoenix
Calls for police service: 9
Liquor license violations: In April 2018, a fine of $750 was paid for failure to request ID from an underage buyer and for selling, giving or furnishing an underage person with alcohol.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been in the restaurant and hospitality business for 25+ years and I realize the responsibility that comes along with owning a liquor license. I understand that it is a great privilege and not a right to be granted a license. I am knowledgeable and certified of the Arizona liquor laws and will do my very best to up hold them. This will be my second license in Arizona."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I am excited about opening another fun business on the corner of 24th St. and Indian School. I look forward to adding another quality business to the corner and neighborhood that people will hopefully come to enjoy for many years to come I hope to be another pillar of the community!!"

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - 2322
Liquor License Map - 2322

Responsible Department

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

Liquor License Data: 2322

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Bar	6	6	4
Beer and Wine Bar	7	4	1
Liquor Store	9	5	1
Beer and Wine Store	10	11	2
Hotel	11	2	0
Restaurant	12	21	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.14	100.69	93.52
Violent Crimes	8.58	15.57	12.10

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

Property Violation Data

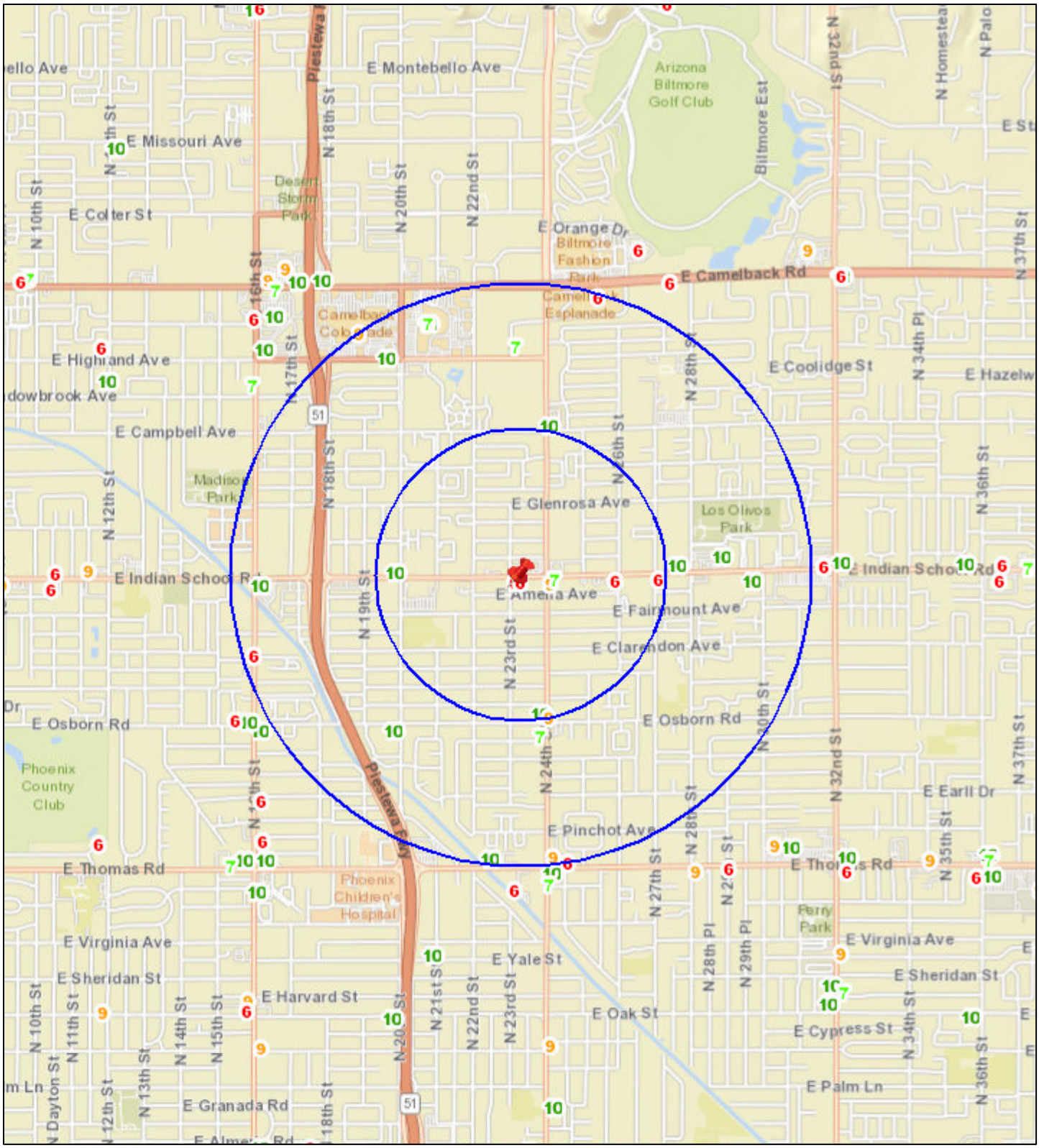
Description	Average	1/2 Mile Average
Parcels w/Violations	55	50
Total Violations	89	77

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1084003	1071	34 %	8 %	40 %
1084004	1641	65 %	7 %	19 %
1084005	422	16 %	37 %	13 %
1085012	1416	74 %	21 %	4 %
1085021	743	50 %	29 %	20 %
1085022	732	23 %	28 %	12 %
1085023	1475	42 %	20 %	7 %
1107021	1972	58 %	0 %	30 %
1108011	1736	56 %	27 %	40 %
Average		61 %	13 %	19 %

Liquor License Map: 2322

2322 E INDIAN SCHOOL RD



N

Date: 7/13/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 10

Liquor License - Hidden Track Bottle Shop

Request for a liquor license. Arizona State License Application 155428 & 155428S.

Summary

Applicant
Danielle Middlebrook, Agent

License Type
Series 10 & 10S - Beer and Wine Store with Sampling Privileges

Location
4700 N. 12th St., Ste. 118
Zoning Classification: C-2
Council District: 4

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

The 60-day limit for processing this application is Sept. 17, 2021.

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

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

Hidden Track Bottle Shop (Series 10)
111 W. Monroe St., Ste. 120, Phoenix
Calls for police service: 37
Liquor license violations: None

Hidden Track Bottle Shop (Series 12)
111 W. Monroe St., #121, Phoenix
Calls for police service: 37
Liquor license violations: None

Hidden Track Bottle Shop (Series 10)
5070 N. Central Ave., Phoenix
Calls for police service: 1
Liquor license violations: None

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"My partner and I have over 25 years of business and alchohal industry experience. We currently hold 2(two) liquor license in good standing. This will be our third location. We are well versed on AZ liquor laws and have found a successful model with zero infractions."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Hidden Track Bottle Shop has been a staple of the downtown Phoenix community for over 6 years. Granting this liquor license will allow us to share the global wines available to us with our community while educating them on wine varietals, regions,

and wine making practices."

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 - Hidden Track Bottle Shop
Liquor License Map - Hidden Track Bottle Shop

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

Liquor License Data: HIDDEN TRACK BOTTLE SHOP

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	0
Wholesaler	4	2	0
Bar	6	9	2
Beer and Wine Bar	7	9	1
Liquor Store	9	10	1
Beer and Wine Store	10	11	1
Restaurant	12	40	5

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.14	147.29	125.47
Violent Crimes	8.58	22.95	21.01

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

Property Violation Data

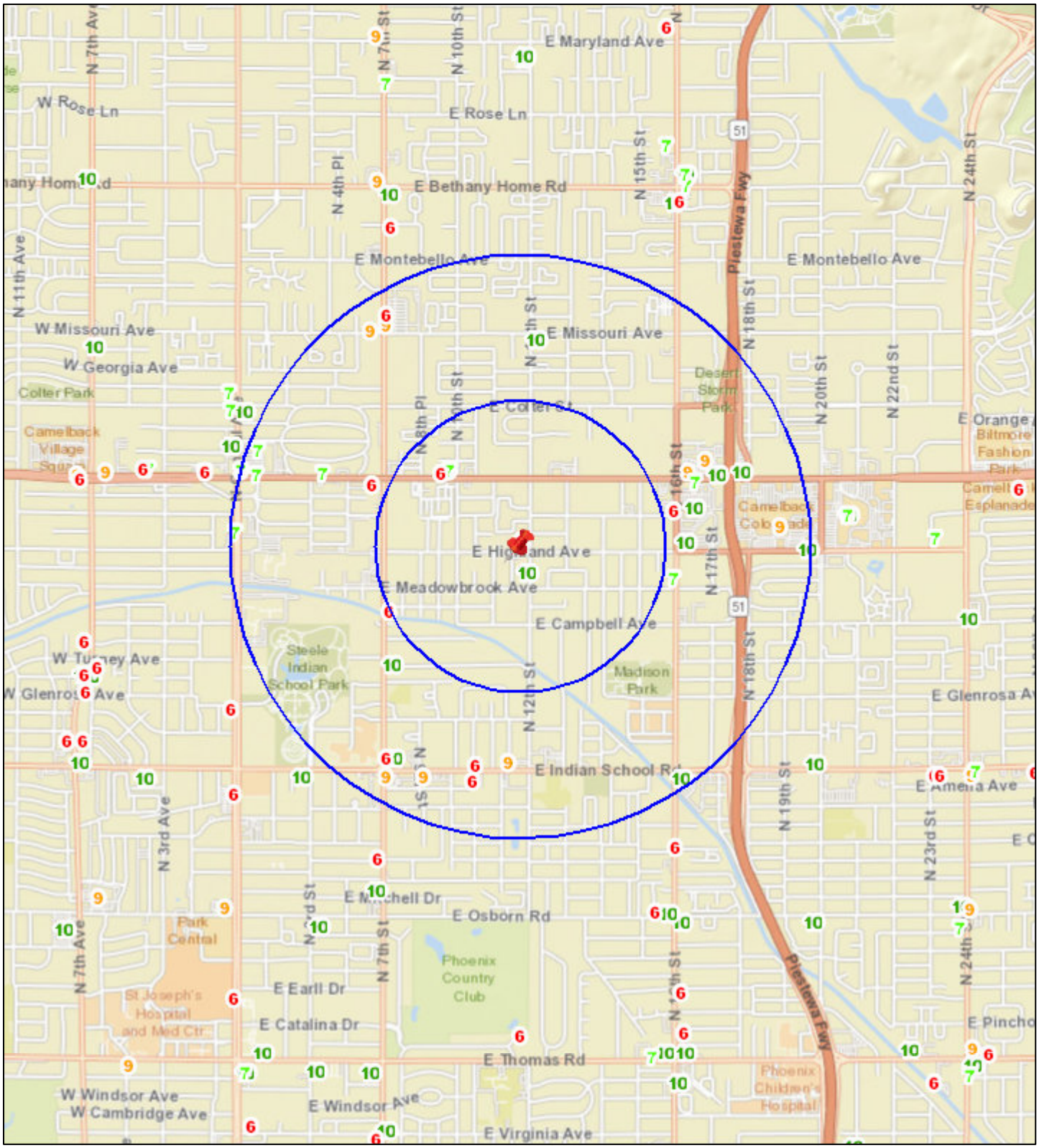
Description	Average	1/2 Mile Average
Parcels w/Violations	55	153
Total Violations	89	282

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1076013	1748	38 %	8 %	17 %
1076022	1734	54 %	18 %	3 %
1086011	1374	18 %	29 %	41 %
1086012	1402	58 %	36 %	46 %
1086021	790	37 %	38 %	22 %
1086022	1187	11 %	25 %	52 %
1086023	650	23 %	34 %	15 %
1086024	1171	24 %	9 %	12 %
1088022	435	43 %	41 %	19 %
Average		61 %	13 %	19 %

Liquor License Map: HIDDEN TRACK BOTTLE SHOP

4700 N 12TH ST



N

Date: 7/21/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 11

Liquor License - Authentic Liberian Cuisine

Request for a liquor license. Arizona State License Application 154904.

Summary

Applicant
Louis Vaagbay, Agent

License Type
Series 12 - Restaurant

Location
7017 N. 19th Ave.
Zoning Classification: C-2
Council District: 5

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

The 60-day limit for processing this application was Sept. 7, 2021. However, the applicant submitted a written request for more time.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Authentic Liberian Cuisine is a dine-in and take-out restaurant with 10+ seating capacity, and has the capacity of adding more seating if necessitated by demand."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This is a full-service restaurant serving the surrounding community and visiting public patrons every single day of the week. While alcoholic beverage sales will generate a small percentage of the overall sales, the investment in a Alcohol license is requested as a service and convenience to the customers as an integral part of the dining experience. Authentic Liberian Cuisine is a class 4 restaurant located in the heart of Phoenix that specializes in the preparation of unique West African dishes. The restaurant is open for business and continues to be extremely desirable to the public by providing area residents, visitors and workers with a selection of authentic food at a reasonable price. The inclusion of a license for incidental alcohol sales with food will allow patrons the same service that they would experience at other local restaurants. We strive to become a valuable member of the community and continue to work hard to help the neighborhood achieve their development goal and continually improve the character of the neighborhood."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Authentic Liberian Cuisine
Liquor License Map - Authentic Liberian Cuisine

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

Liquor License Data: AUTHENTIC LIBERIAN CUISINE

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.14	161.22	218.15
Violent Crimes	8.58	36.73	56.79

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

Property Violation Data

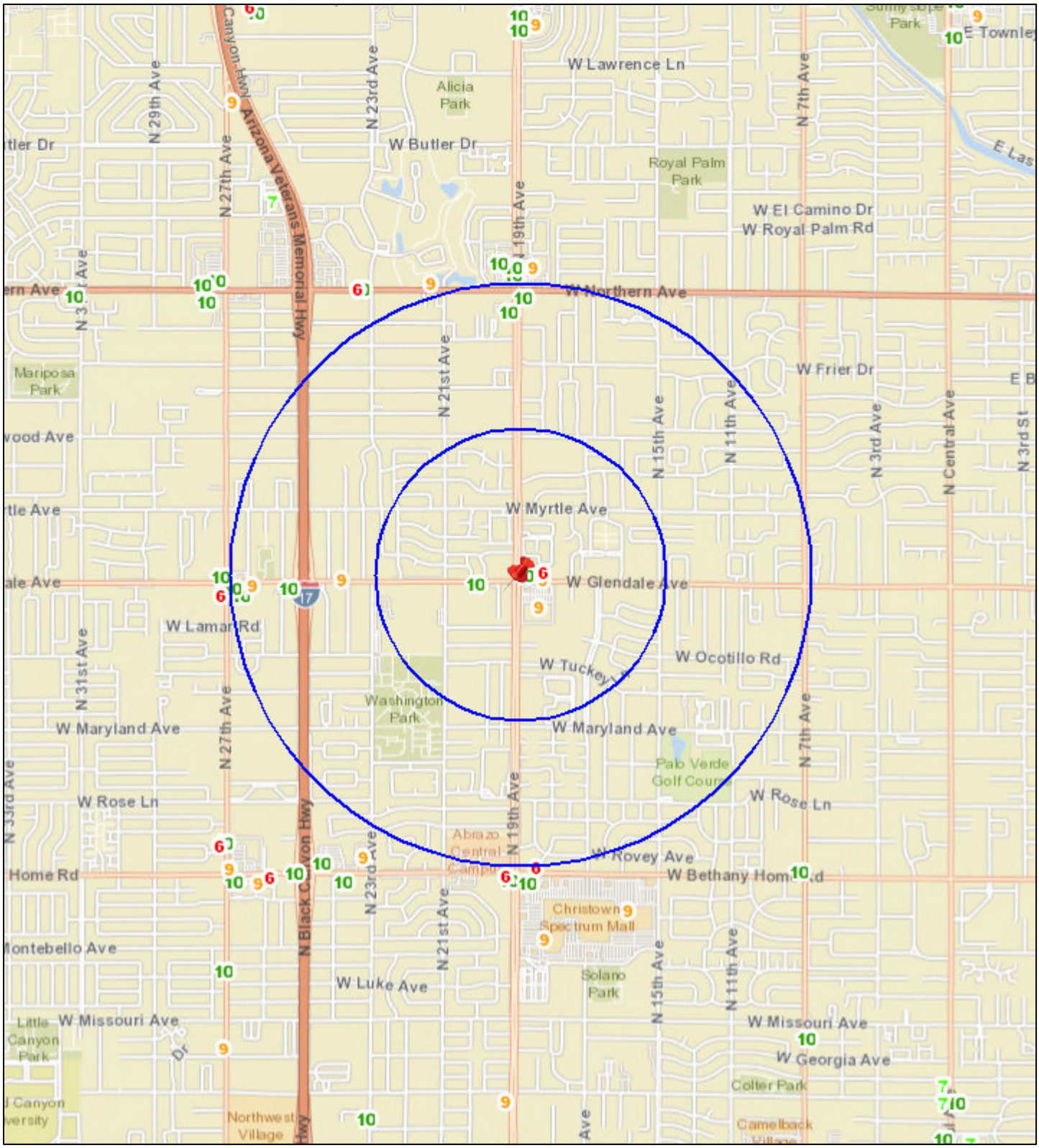
Description	Average	1/2 Mile Average
Parcels w/Violations	55	94
Total Violations	88	164

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1060022	872	25 %	29 %	35 %
1060031	1266	32 %	33 %	51 %
1060032	1673	52 %	15 %	25 %
1061002	841	95 %	17 %	0 %
1061003	1595	18 %	15 %	20 %
1061004	1106	95 %	18 %	0 %
1061005	1074	10 %	23 %	30 %
1067011	1579	4 %	25 %	57 %
1067012	803	9 %	19 %	32 %
1067013	971	33 %	39 %	20 %
1067021	1512	70 %	10 %	24 %
1068021	1099	60 %	0 %	9 %
Average		61 %	13 %	19 %

Liquor License Map: AUTHENTIC LIBERIAN CUISINE

7017 N 19TH AVE



N

Date: 7/12/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 12

Liquor License - Special Event - Kiwanis Club of Ahwatukee Foundation, Inc.

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

Summary

Applicant
Andrea Pettyjohn

Location
4700 E. Warner Road
Council District: 6

Function
Community Event

Date(s) - Time(s) / Expected Attendance
Oct. 23, 2021 - 11:30 a.m. to 5:00 p.m. / 100 attendees
Oct. 24, 2021 - 11:00 a.m. to 4:00 p.m. / 100 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 13

Liquor License - Special Event - Kiwanis Club of Ahwatukee Foundation, Inc.

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

Summary

Applicant
Andrea Pettyjohn

Location
4700 E. Warner Road
Council District: 6

Function
Festival

Date(s) - Time(s) / Expected Attendance
Nov. 13, 2021 - 5 p.m. to 9 p.m. / 100 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 14

Liquor License - Special Event - St. Theresa Council No. 13497 Knights of Columbus

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

Summary

Applicant
Michael Harris

Location
5045 E. Thomas Road
Council District: 6

Function
Festival

Date(s) - Time(s) / Expected Attendance
Oct. 23, 2021 - 5 p.m. to 10 p.m. / 100 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 15

Liquor License - B17 Galactic Inc

Request for a liquor license. Arizona State License Application 155067.

Summary

Applicant
Hannah Stuart, Agent

License Type
Series 4 - Wholesaler

Location
431 N. 47th Ave.
Zoning Classification: A-1
Council District: 7

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

The 60-day limit for processing this application is Sept. 11, 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 offer a combination of proven entrepreneurship in Phoenix and over 25 years of success in breaking start-up beverage brands into the US market. I have spent years in senior management for some of the largest FNB organizations and venues in Las Vegas. I am well-versed in beverage distribution, marketing and the evolving technology requirements necessary for B17 Galactic to differentiate itself in the marketplace.”

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: 9/8/2021, **Item No.** 16

Liquor License - Circle K Store #9541

Request for a liquor license. Arizona State License Application 09070161.

Summary

Applicant
Kim Kwiatkowski, Agent

License Type
Series 9 - Liquor Store

Location
2775 S. 75th Ave.
Zoning Classification: C-2
Council District: 7

This request is for an ownership transfer of a liquor license for a liquor store. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently under construction with plans to open in December 2021.

The 60-day limit for processing this application is Sept. 11, 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 information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"Circle K requires all store personnel to attend an in-house training program. This training is designed to provide a safe and positive customer service environment. As part of the Circle K training program, we provide an Alcohol Training Program that meets the requirements of the Arizona Department of Liquor License Control. Employees must pass a test on Techniques of Alcohol Management that becomes part of their employee file. Store managers are required to attend additional in-house manager training and obtain certification from the Arizona Department of Liquor License Control. This certification requires submission of fingerprints and includes a background investigation."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"It is Circle K's objective to provide a product, accessible in a convenient manner that meets the need of the surrounding community. Circle K's success depends on us being able to provide products that are in demand."

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 - Circle K Store #9541
Liquor License Map - Circle K Store #9541

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

Liquor License Data: CIRCLE K STORE #9541

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.14	53.66	127.38
Violent Crimes	8.58	6.82	12.63

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

Property Violation Data

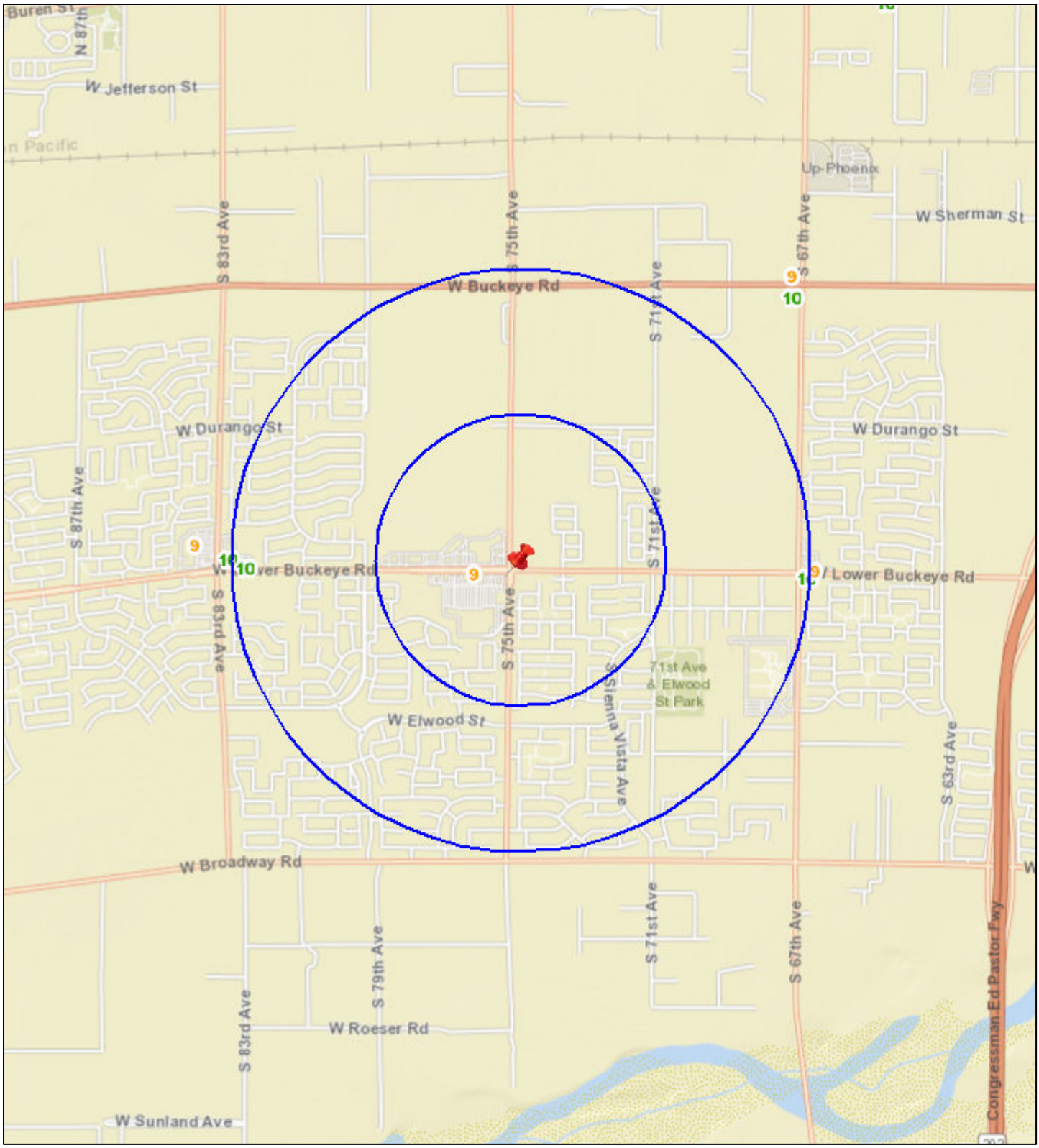
Description	Average	1/2 Mile Average
Parcels w/Violations	55	14
Total Violations	89	14

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1125101	3939	67 %	5 %	4 %
1125102	931	93 %	10 %	39 %
1125111	2081	76 %	7 %	11 %
1125112	3036	75 %	12 %	13 %
1125113	1068	84 %	1 %	50 %
Average		61 %	13 %	19 %

Liquor License Map: CIRCLE K STORE #9541

2775 S 75TH AVE



N

Date: 7/15/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 17

Liquor License - Get It & Go Liquor

Request for a liquor license. Arizona State License Application 09070466.

Summary

Applicant
George Ibrahim, Agent

License Type
Series 9 - Liquor Store

Location
3125 W. Buckeye Road
Zoning Classification: C-3
Council District: 7

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

The 60-day limit for processing this application is Sept. 17, 2021.

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

Other Active Liquor License Interest in Arizona
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.

AZ Mini Market (Series 10)
3637 W. Dunlap Road, #C, Phoenix
Calls for police service: 26
Liquor license violations: None

1 Stop Market (Series 10)
610 W. Dunlap Road, Phoenix
Calls for police service: 6
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:
"Too many years in Business Convinience Stores and Liquor & Spirite Histery with 100% in complience Rating my Experience in Business For Long Time FAMiLY operating & managment well Gurateeed to run Business or Store Smoothly worryless and with No Problems."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Good Management, Knowladge Owenership Understand Customers run the Business in Leagal and Right Way To do The Best For Owner and Community, when understanding that Pubic Intrest served will return in Busniess Favor."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Get It & Go Liquor
Liquor License Map - Get It & Go Liquor

Responsible Department

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

Liquor License Data: GET IT & GO LIQUOR

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.14	47.31	66.66
Violent Crimes	8.58	11.54	19.95

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

Property Violation Data

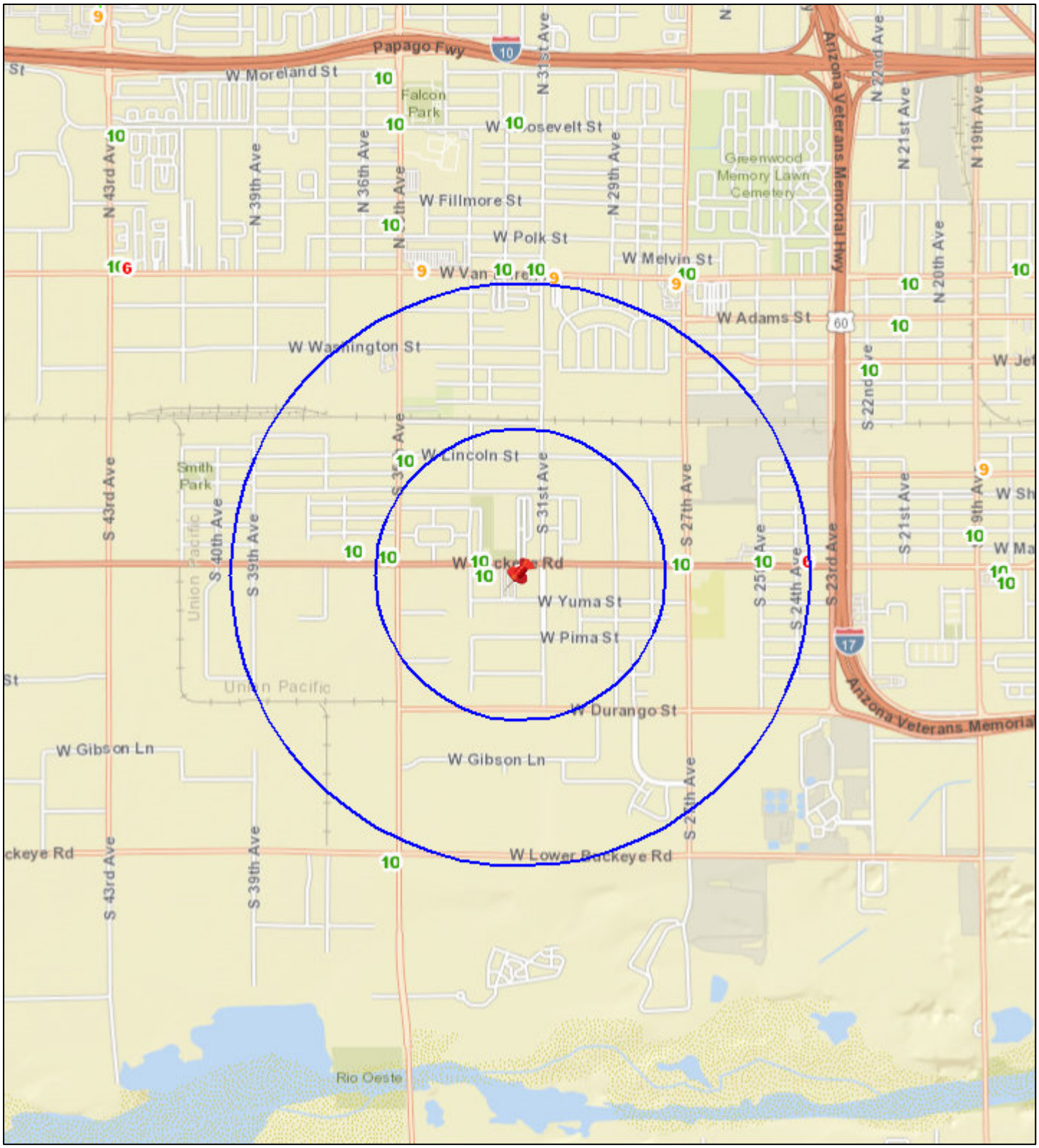
Description	Average	1/2 Mile Average
Parcels w/Violations	55	42
Total Violations	89	51

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1125142	1556	51 %	10 %	7 %
1145003	1018	42 %	15 %	57 %
1146001	2149	47 %	16 %	45 %
1147031	1794	45 %	16 %	64 %
1147032	4507	0 %	0 %	0 %
Average		61 %	13 %	19 %

Liquor License Map: GET IT & GO LIQUOR

3125 W BUCKEYE RD



N

Date: 7/22/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 18

Liquor License - Gus's New York Pizza

Request for a liquor license. Arizona State License Application 155475.

Summary

Applicant
Gus's New York Pizza

License Type
Series 12 - Restaurant

Location
2755 N. 91st Ave., Ste. 100
Zoning Classification: C-2
Council District: 7

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 Sept. 18, 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 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, conveniece/grocery stores & gas stations) similar to this proposed liquor licensed business, all businesses will prosper."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Gus's New York Pizza
Liquor License Map - Gus's New York Pizza

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

Liquor License Data: GUS'S NEW YORK PIZZA

Liquor License

Description	Series	1 Mile	1/2 Mile
Liquor Store	9	2	2
Beer and Wine Store	10	1	0
Hotel	11	1	0
Restaurant	12	4	4

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.14	74.76	97.98
Violent Crimes	8.58	16.05	26.43

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

Property Violation Data

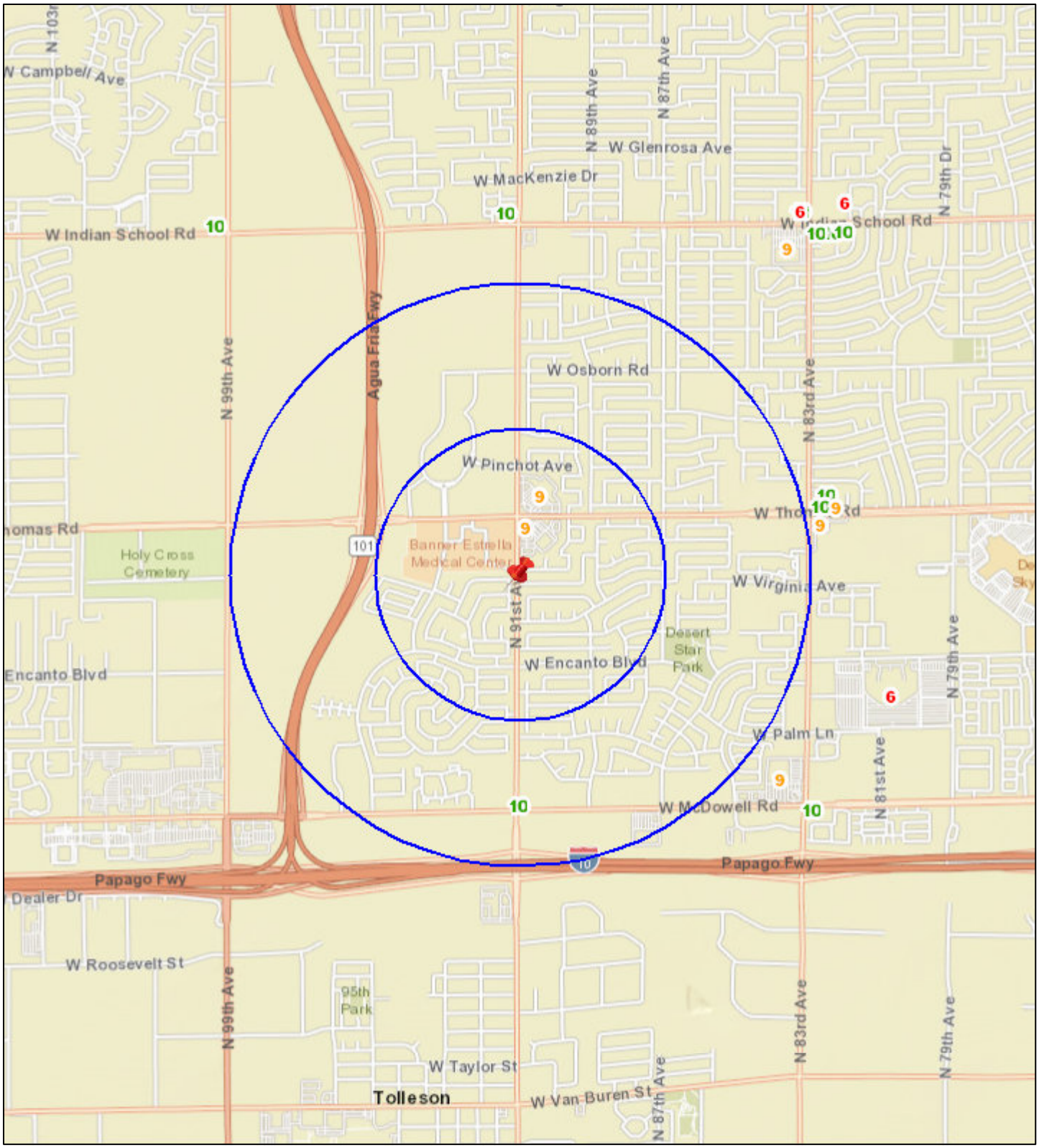
Description	Average	1/2 Mile Average
Parcels w/Violations	55	104
Total Violations	89	146

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
0820092	2444	59 %	9 %	25 %
0820161	2648	65 %	11 %	23 %
0820171	2735	42 %	25 %	19 %
0820172	1746	87 %	18 %	21 %
0820181	2918	82 %	0 %	16 %
0820182	1602	80 %	30 %	1 %
0820282	2141	76 %	25 %	11 %
Average		61 %	13 %	19 %

Liquor License Map: GUS'S NEW YORK PIZZA

2755 N 91ST AVE



N

Date: 7/22/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 19

Liquor License - The Desmond

Request for a liquor license. Arizona State License Application 154954.

Summary

Applicant
Steven Montgomery, Agent

License Type
Series 12 - Restaurant

Location
1 N. 1st St., Ste. 103
Zoning Classification: DTC-Business Core
Council District: 7

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

The 60-day limit for processing this application is Sept. 10, 2021.

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

Other Active Liquor License Interest in Arizona
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.

Kettle Black (Series 12)
1 N. 1st. St., Ste. 108, Phoenix
Calls for police service: 22
Liquor license violations: In October 2018, a fine of $1,250 was paid for an employee being intoxicated/disorderly while on duty.

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 assert this view because I have studied and prepared, in order to receive all necessary State certifications. These studies include high level knowledge of state & federal guidelines when serving spiritous beverages, as well as preparing and serving food in a full service restaurant. I have many years experience in the food industry and look forward to partnering with other members of the community to ensure a safe and clean social setting."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I am an active member in community groups and other organizations. I plan to have an open door policy where guest, staff, business partners & community members can communicate & thrive together. By providing a socially conscious & inclusive space for a wide array of citizens, this restaurant will undoubtedly be a positive addition to the downtown Phoenix community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - The Desmond
Liquor License Map - The Desmond

Responsible Department

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

Liquor License Data: THE DESMOND

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	2	1
Wholesaler	4	1	0
Government	5	8	5
Bar	6	42	27
Beer and Wine Bar	7	12	6
Liquor Store	9	3	2
Beer and Wine Store	10	10	2
Hotel	11	7	5
Restaurant	12	76	35
Club	14	3	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	46.14	141.71	157
Violent Crimes	8.58	43.73	41.50

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

Property Violation Data

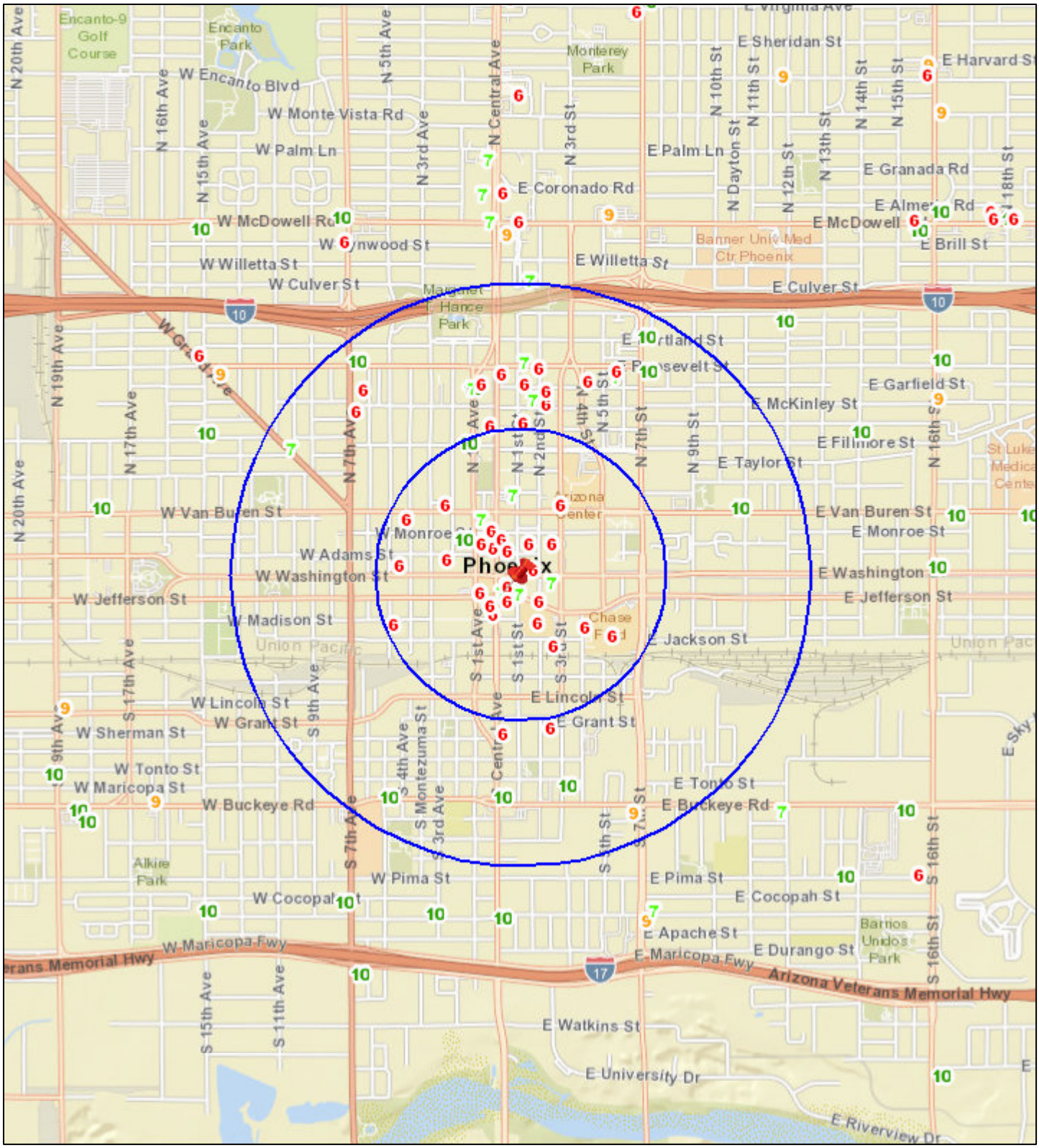
Description	Average	1/2 Mile Average
Parcels w/Violations	55	22
Total Violations	89	40

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1132022	1257	47 %	29 %	55 %
1140001	1831	25 %	20 %	47 %
1140002	78	77 %	0 %	32 %
1141001	2299	16 %	37 %	44 %
1142001	1321	36 %	22 %	50 %
Average		61 %	13 %	19 %

Liquor License Map: THE DESMOND

1 N 1ST ST



N

Date: 7/14/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 20

Liquor License - Special Event - Roosevelt Row Community Development Corporation

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

Summary

Applicant
Amy Otto

Location
707 N. 3rd St., Ste. 130
Council District: 8

Function
Cocktail Event

Date(s) - Time(s) / Expected Attendance
Sept. 21, 2021 - 6 p.m. to 9 p.m. / 130 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 21

Liquor License - Quench Fine Wines

Request for a liquor license. Arizona State License Application 148846.

Summary

Applicant
Robert Delgado, Agent

License Type
Series 4 - Wholesaler

Location
4250 E. Superior Ave., Bldg. B, Ste. 200
Zoning Classification: A-1
Council District: 8

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

The 60-day limit for processing this application is Sept. 11, 2021.

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

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
“I have been in the liquor distribution business for 46 years, serving as the CEO of the largest beer distributor in Arizona for the last 20 years.”

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: 9/8/2021, **Item No.** 22

Liquor License - D's Jerk Hut

Request for a liquor license. Arizona State License Application 153134.

Summary

Applicant
Celeste Reytor, Agent

License Type
Series 12 - Restaurant

Location
15220 N. Cave Creek Road
Zoning Classification: C-2
Council District: 3

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

The 60-day limit for processing this application was Aug. 18, 2021. However, the applicant submitted a written request for more time.

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

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

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have attended multiple liquor law classes furthermore I currently run a successful cleaning business. I have ensured that all employees attend a certified liquor law course and will terminate employees who do not abide by the law. Additionally, I'm committed to upholding the highest standards for my business and maintaining compliance with applicable laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"I would like to offer our guests a drink with their meal if they choose. Our recipes and menus items are prepared with consideration to consumption of beer, wine, spirits.

Staff Recommendation
Staff recommends disapproval of this application based on a Police Department recommendation for disapproval. The Police Department disapproval is based on several items that were omitted by the applicant on the application and possible hidden ownership. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license.

Attachments
Liquor License Data - D's Jerk Hut
Liquor License Map - D's Jerk Hut
Liquor License Police Department Recommendation - D's Jerk Hut

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

Liquor License Data: D'S JERK HUT

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	45.54	51.40	72.18
Violent Crimes	8.44	11.43	16.13

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

Property Violation Data

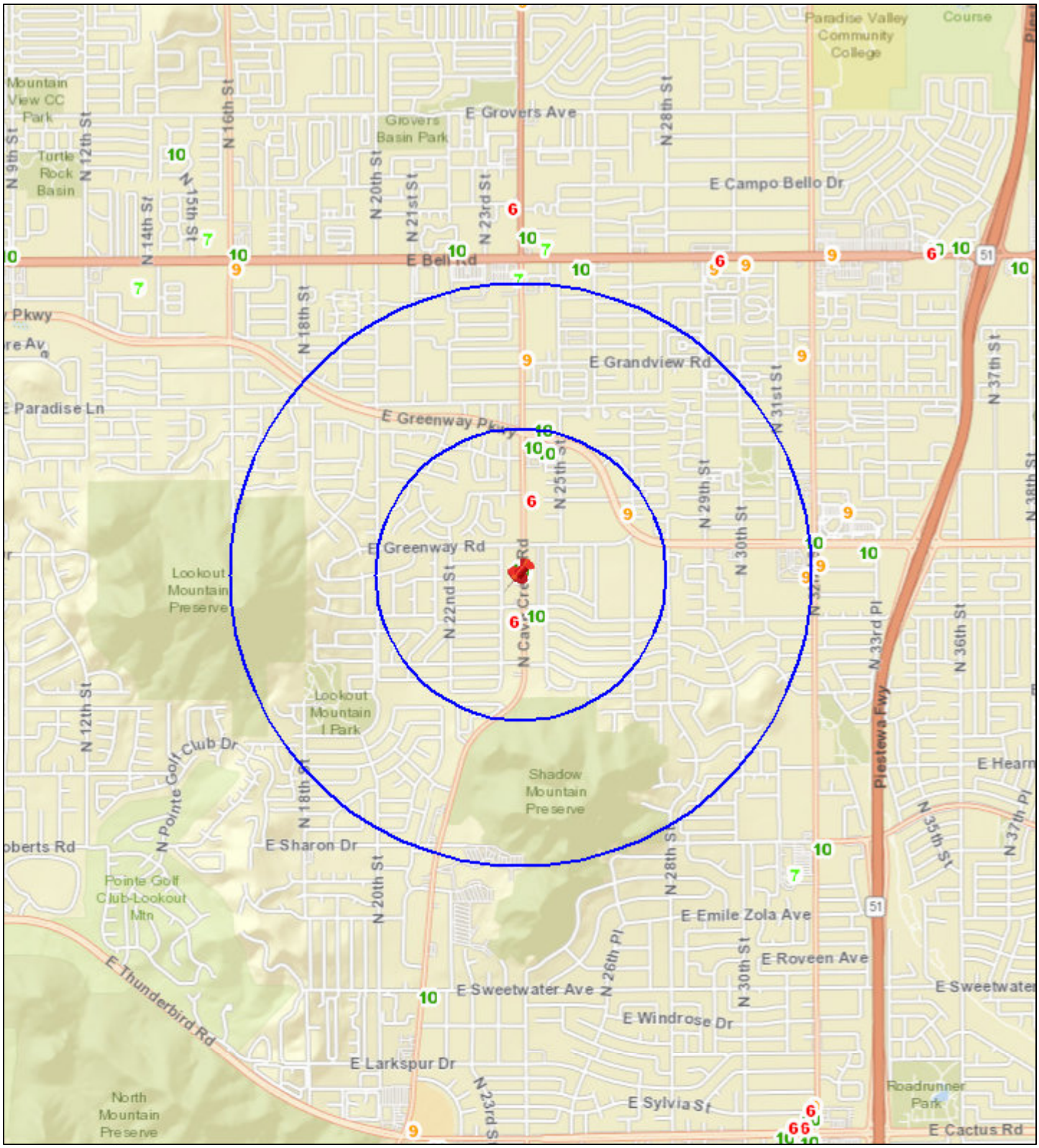
Description	Average	1/2 Mile Average
Parcels w/Violations	55	59
Total Violations	88	108

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1033061	921	18 %	28 %	32 %
1033062	2272	17 %	22 %	37 %
1035011	1381	67 %	5 %	23 %
1035012	999	80 %	8 %	26 %
1035024	884	66 %	13 %	5 %
1036061	1067	84 %	15 %	13 %
1036062	854	90 %	13 %	4 %
1036063	2174	78 %	13 %	25 %
1036071	1285	83 %	3 %	18 %
1036074	1299	89 %	0 %	3 %
Average		61 %	13 %	19 %

Liquor License Map: D'S JERK HUT

15220 N CAVE CREEK RD



N

Date: 6/24/2021

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

LIQUOR LICENSE DISAPPROVAL FORM

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	**D's Jerk Hut**	**District**	**3**
Business Location	**15220 N. Cave Creek Road**		
Applicant Name	**Celeste Reytor**	**Series Type**	**12**

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

A.R.S. 4-203.A states "A spirituous liquor license shall be issued only after satisfactory showing of the capability, qualification and reliability of the applicant"

Applicant Celeste Reytor applied for this license within the City of Phoenix. A review of the applicant and background revealed that she is not capable, qualified or reliable for the following reasons:

Upon receiving this application for review, Detective Hurt, on July 12, 2021, called D's Jerk Hut at the listed business phone number, 602-314-6817. This call was to set up an interview with applicant Ms. Reytor. A male subject answered the phone and said that Ms. Reytor was not there while stating "let me call her". Detective Hurt asked that the male give Ms. Reytor a message to call him. A short while later contact was made with Ms. Reytor via telephone. It was learned that she was not in town nor did she have a potential return date. Ms. Reytor admitted during the call that her husband was in fact at the business but stated "he only goes in and out". When asked who was running the business Ms. Reytor stated she was but also stated she was currently on the east coast. When questioned about doing an in-person interview, Ms. Reytor became defensive and asked if it was necessary. When told that it was, Ms. Reytor explained that she did not know when she would be back but then provided options for a possible one to two-week return. During this discussion she was advised that due to time limitations an interview needed to take place sooner rather than later as there were items within the application which may need to be addressed. Ms. Reytor was further advised that she could possibly get a time extension from licensing if she so requested. Ms. Reytor was given the city of Phoenix's licensing's contact number at that time as well to assist her.

While reviewing Ms. Reytor's application, the application provided D's Jerk Hut LLC as owner of the business while listing Ms. Reytor as the manager/controlling person. According to the Arizona Corporation Commission Ms. Reytor is the only person listed on or within this LLC. An open source media search revealed, Nerron Duncan, date of birth 11/09/1982, who is listed as her husband on her application, as a listed member and manager for the LLC.

Ms. Reytor requested and received a time extension from the city License Services to address any issues with the application. After which Ms. Reytor called Detective Hurt to set a date for an interview. Due to scheduling conflicts the date Ms. Reytor requested could not be accommodated. Det. Hurt explained that he would re-contact her later to set another date. Det. Hurt later went to the location of the business, 15220 N. Cave Creek Road, to contact Ms. Reytor in person about an interview. Ms. Reytor was not present at the business. Det. Hurt called the business back later that same day, again at the business contact number 602-314-6817. A male subject answered the phone and said that she was not there. Det Hurt asked that the male give Ms. Reytor another message to call him.

LIQUOR LICENSE DISAPPROVAL FORM

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	**D's Jerk Hut**	**District**	**3**
Business Location	**15220 N. Cave Creek Road**		
Applicant Name	**Celeste Reytor**	**Series Type**	**12**

As Det. Hurt was never contacted by Ms. Reytor after leaving the message, later on July 27, 2021 he again went to the business to contact her in person. Again, Ms. Reytor was not present. Det.Hurt spoke with her husband Nerron Duncan who was clearly running the business. Mr. Duncan called Ms. Reytor in Det. Hurt's presence via his cellular phone. Det. Hurt explained that he stopped in to talk with Ms. Reytor, yet Ms. Reytor was not there. Ms. Reytor stated, "I just stepped out" and that she had another appointment and could not be there. Det. Hurt explained that he would call again later to discuss the application.

After getting off the phone with Ms. Reytor, Det. Hurt asked to take a look around the business. Ms. Reytor's husband, Nerron Duncan, walked Det. Hurt around the business. Mr. Duncan first pointed out what appeared to be a beer tap where he stated the alcohol would be situated or sold from. Mr. Duncan opened the cabinet where the kegs would be located and they were empty, except for some tools which were there appearing to still be working on the item. The business was clearly still being remodeled or worked on as there were additional tools in at least two other locations within the business. Mr. Duncan opened the refrigerator where their food was supposedly kept, and it was mostly empty. While continuing to walk through the business, Mr. Duncan showed Det. Hurt what was marked as the manager's office on the business floorplan. The office had a tool kart with tools on it which Mr. Duncan had to walk around to get into. Mr. Duncan explained that the office was going to be the area where the liquor was secured indicating that they were planning on building or putting in a locker which was not yet there.

Det. Hurt and Mr. Duncan ended the business walk through back in the main entrance area. Mr. Duncan again went behind the counter where a female employee was also located and working. Det. Hurt asked Mr. Duncan if he was the manager of the business as he knew all the details and plans, locations of everything and was obviously in charge based on his interactions with the other employees on site. There was one cook, a handy-man, and the female who was in the cashier area behind the counter where he now stood. Mr. Duncan quickly stated "no, she is going to be the manager" while pointing to the female near the register. The female turned and looked surprised. Det. Hurt asked the female if she was going to be a manager, she stated "I guess so, just a minute ago I was just the food prepper" (laughing). Jokingly Det. Hurt said that it better come with a pay raise to which she smiled and excitedly stated "Oh..I hope". Det. Hurt then left the business.

On August 2, Det. Hurt phoned the business at 602-314-6817, the listed business phone number. This was at approximately 1104 hours, after the business is said to be open, there was no answer. Det. Hurt again called the business at 1203 hours with no answer, this time leaving a message for Ms. Reytor to call him on the answering machine. Later, at approximately 1340 hours Det. Hurt called Ms. Reytor on her cellular phone. He immediately asked if she was at the business to which she replied "no, actually I stepped out". Det. Hurt asked when she would be back to the business to which she stated "hmmm...I wasn't gonna come back till late tonight...because I have stuff going". Ms. Reytor later contradicted this statement in the interview by saying that she would not be at the business until Wednesday.

LIQUOR LICENSE DISAPPROVAL FORM

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	**D's Jerk Hut**	**District**	**3**
Business Location	**15220 N. Cave Creek Road**		
Applicant Name	**Celeste Reytor**	**Series Type**	**12**

Det. Hurt asked Ms. Reytor if she had any experience in operating a business which sold or sells liquor. She said that she did not. She also stated that she did not have any liquor training while adding "I'll be going to that soon". Det. Hurt asked how soon. Ms. Reytor replied, "I actually have to make an appointment to do the course". Det. Hurt asked Ms. Reytor if she had another job. She stated that she has several businesses, but she was "mostly there" (referring to D's Jerk Hut). She spoke about owning a cleaning business which she stated was in Florida. Having seen Reytor Cleaning on the application Det. Hurt asked about it. Ms. Reytor stated that it was in Florida not in Phoenix, yet she provided it on the DLLC application with the address of 2323 W. Dunlap Ave, Apt 244, Phx, AZ 85021. When questioned about this she stated something to the fact of she must have missed it but reiterated that the Reytor Cleaning business was in the State of Florida and even provided the address of 2121 Collier Avenue #117, Fort Myers, Florida, 33901.

Det. Hurt inquired about how far Ms. Reytor lived from the business location. She said that it was about 30 minutes away and when asked how she got there she said in a car. Det. Hurt asked about her driving as she put on the application that she did not have a driver's license. Ms. Reytor admitted to only having an identification but then said that she has a Florida driver's license, something else omitted from the applications.

During the interview with Ms. Reytor, Det. Hurt brought up that it appeared as though her husband was running the business. Ms. Reytor said no that he just helps her out when she needs stuff done. Det. Hurt asked if the D in the business name was for Duncan, her husband's last name. Ms. Reytor said that it was. Ms. Reytor then stated that her name was also Duncan. Something else she did not disclose or include anywhere in the DLLC or city applications. Ms. Reytor went on to state that it is only listed on her marriage license that she does not use it on any identifications or for other things. Det. Hurt inquired about the female subject who was at the business being a manager there as her husband Nerron Duncan stated. Ms. Reytor said that the female was only a cashier and would not be a manager or bartender because she was not licensed for that. Ms. Reytor stated, "Once I get the liquor license I will hire a bartender and make her the manager". Det. Hurt clarified this by asking if she was planning on operating the business as a bar, which she denied.

When questioned about not being at the business Ms. Reytor stated that the last time was because she had an appointment and the time prior "I had to run to my other business in Florida". This led to additional questioning about her having another job. Ms. Reytor stated she has "several businesses", but only listed the Reytor Cleaning business, which again was confirmed at a different location than what she listed within the application.

In the course of this investigation, on two in-person occasions, and no less than three different calls to the business Ms. Reytor was neither there nor could be contacted directly. This contradicts her answer to question #12 on the State's questionnaire wherein she indicated that she would be present and physically operating the business. Det. Hurt found while at the business, her husband obviously managing and operating the restaurant. That being the case further investigation was conducted into her husband Nerron Duncan. Mr. Duncan was found to be a previously deported alien who is currently residing in the State of

LIQUOR LICENSE DISAPPROVAL FORM

Police Department Liquor License Disapproval Recommendation

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Arizona illegally, and does not appear be eligible to be employed, operate, or apply for a liquor license.

Furthermore, Ms. Reytor the applicant, omitted several items on the application which go directly towards her capability, credibility, and reliability. Ms. Reytor's driver's license status, location of her other job or business, the fact that she has "several businesses" yet only listed one, and that Ms. Reytor has no experience in operating a liquor establishment.

The applicant, Ms. Reytor has shown through the application review process that she lacks candor and attention to detail. Whether she purposely omitted information or not, it does not undermine or lessen the appearance or fact that this application looks to be filed for a hidden ownership. Based on the aforementioned information and the investigators experience, Det. Hurt believes Celeste Reytor to be uncapable, unqualified and/or unreliable to operate a liquor establishment in the best interest of the Black Mountain Precinct or the City of Phoenix and is therefore requesting this application be denied.

This recommendation for disapproval is submitted by: Det. D. Hurt #7109

SIGNATURES	
Administrative Licensing Investigator	**I Alonge A4289**
Liquor Enforcement Detail Supervisor	**Sgt. M. Walter 8360**

PAYMENT ORDINANCE (Ordinance S-47905) (Items 23-27)

Ordinance S-47905 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.

23 **Gans & Pugh Associates, Inc.**

For $18,341.00 in payment authority to purchase a MicroIP audio transmitter kit for the Police Department. The MicroIP audio transmitter is a high-quality miniature digital audio recorder system used by the Drug Enforcement Bureau's Technical Surveillance Squad. The audio transmitter is designed specifically for covert operations providing external audio to investigators away from the target location. The equipment can be worn by undercover detectives or placed in locations such as the interior of a home or a vehicle. The rescue team will monitor real time audio from an appropriate distance that does not compromise the undercover detective. The audio transmitter will provide a life preserving measure and increase the safety of the officer. The item will be purchased with funding from the 2019 Edward Byrne Memorial Justice Assistance Grant.

24 **Sirchie Acquisition Company LLC**

For $83,700.00 in payment authority for a new contract, entered on or about Sept. 15, 2021 for a term of five years for sexual assault kits for the Police Department. The kits are vital to test victims that have been sexually assaulted. The kits contain evidence collection tools that can collect and safely store evidence. The equipment is a critical part of the Police Department's effort to process crime scenes accurately and

efficiently; collect and impound evidence and analyze evidence to assist in criminal investigations.

25 **Settlement of Claim(s) Gutierrez v. City of Phoenix**

To make payment of $30,000.00 in settlement of claim(s) in *Gutierrez v. City of Phoenix*, 19-1265-001, AU, BI, PD, for the Finance Department pursuant to Phoenix City Code chapter 42. This is a settlement of bodily injury and property damage claim arising out of a motor vehicle accident on May 20, 2020 involving the Police Department.

26 **AJP Electric, Inc.**

For $42,500.00 in additional payment authority for Agreement 148621, for Change Order 1 Project ST89330183 for FY2018 Federal TAP HAWK Installation for the Street Transportation Department. The additional funds cover additional construction work and additional time necessary to complete the project as the contractor encountered several issues that included: conflicts with design plans, unforeseen field conditions, right-of-way restrictions outside the normal practices, water leaks, up-sizing of traffic signal poles; and utility relocation and, or coordination.

27 **National Association of Clean Water Agencies - Annual Payment**

For $57,325.00 in payment authority for membership renewal to the National Association of Clean Water Agencies for the Water Services Department. The National Association of Clean Water Agencies conducts a financial survey of the wastewater industry that Water Services uses to benchmark its operations, provides information used by Water Services to formulate policy recommendations on Clean Water Act issues and offers opportunities to collaborate with colleagues around the country to help shape national policy. This item was approved by the Transportation, Infrastructure and Innovation Subcommittee on April 7, 2021.

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 28

Resolution to Appoint the City Manager (Resolution 21956)

This item is a proposed Resolution for the City Council to appoint Assistant City Manager Jeff Barton as City Manager upon the retirement of City Manager Ed Zuercher on Oct. 8, 2021.

Summary

Jeff Barton has served as the Assistant City Manager since February 2021. Prior to that, Mr. Barton was a Deputy City Manager, and served as the Director of the Budget and Research Department.

Mr. Barton has served in the City of Phoenix for 22 years, starting as an internal auditor in the City Auditor Department. He has focused on the City's comprehensive budget and maintaining the City's sensible financial stewardship.

Mr. Barton holds a Bachelor of Arts degree in political science from Morehouse College and a Master of Public Administration from Shippensburg University of Pennsylvania.

Responsible Department

This item is submitted by the Law and Human Resources departments on behalf of the City Council.

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 29

Enter into Employment Agreement with the City Manager (Ordinance S-47938)

Request to authorize the Mayor, on behalf of the City Council, to enter into an agreement with Jeff Barton as City Manager effective Oct. 8, 2021, with the following principal terms.

Summary

The agreement with the City Manager shall commence on Oct. 8, 2021 and shall continue for an indefinite term as provided in the City Charter.

The City Manager shall receive an annual salary of $370,011.20 paid bi-weekly, with annual increases equal to the total compensation percentage awarded by the City Council to employee groups, subject to City Council disapproval at the City Manager's annual performance review. The City Manager shall receive the same benefit and fringe benefit package as other City executives. The City Manager's pension will be calculated based solely upon his salary in accordance with Sec. 401(a)(17) of the Internal Revenue Code. This code provision currently limits pensionable compensation to $290,000.

The City Manager shall receive no honorariums for speaking engagements on his own time, but the City will pay appropriate and reasonable expenses related to such speaking engagements related to his position, leadership, equality, and similar topics.

The City Council recognizes the importance of the City Manager's participation in professional and civic organizations in the performance of his duties and the City shall reimburse the City Manager for ordinary and usual educational and membership expenses incurred by the City Manager not to exceed $2,500 annually.

The City Manager shall have until Dec. 31, 2023 to comply with the residency requirement for the position.

In the event the City Council removes the City Manager from the position prior to his retirement eligibility date, then the City Manager shall be assigned to his former position of Assistant City Manager at his former salary until he reaches retirement eligibility or shall be permitted to cash out all of his accrued sick leave at 100% of his

base hourly salary if he leaves City employment prior to retirement eligibility.

Responsible Department

This item is submitted by the Human Resources and Law departments on behalf of the City Council.

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 30

Grant of Public Utility Easement on City-owned Property for Relocation of Light Pole at Washington Park (Ordinance S-47909)

Request City Council to grant a public utility easement, for consideration of $1.00 and/or other valuable consideration, for the installation of an underground distribution electrical line and pole on City-owned property within the Salt River Project (SRP) service area; and further ordering the Ordinance recorded.

Summary

This public utility easement will be for the area more fully described in the legal description to be recorded with the Ordinance ("Easement Premises") and will be granted to all public service corporations, agricultural improvement districts, and telecommunication corporations providing utility service (collectively "Grantee") to Well 304 in perpetuity so long as Grantee uses the Easement Premises for the purposes herein specified for an indefinite period, subject to the following terms and conditions:

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

Premises without the prior written consent by the Grantee whose facilities will be affected by the change of elevation.

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

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

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

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

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

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

rights granted herein at address listed below.

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

Location
6655 N. 23rd Ave., identified by Maricopa County assessor parcel Number 156-10-001A.
Council District: 5

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: 9/8/2021, **Item No.** 31

Authorization to Extinguish Easement for Abandoned Water Line (Ordinance S-47911)

Request to authorize the City Manager, or his designee, to terminate and extinguish an easement located at 8726 E. Monterey Way in Scottsdale, Ariz., recorded Oct. 1, 1949 in Docket 443, Page 280.

Summary

The water main located within the easement was removed from the City of Phoenix water distribution system in December 2011. As a result, the 33-foot easement is no longer needed by the Water Services Department and can be terminated upon removal or backfilling of the water main. As consideration for termination of the easement at this location, the property owners excavated, crushed in place, and backfilled the water line within their property boundaries. Water Services Department staff confirmed that this work was completed in March 2021.

Location

8726 E. Monterey Way, Scottsdale, Ariz., identified by Maricopa County Assessor's parcel number 130-40-178.
Council District: Out of City

Responsible Department

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 32

Acceptance of Easements for Preservation and Drainage Purposes (Ordinance S -47912)

Request for the City Council to accept easements for preservation and drainage 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: Andrew Robert Chace and Megan Duty, its successor and assigns
Purpose: Preservation
Location: 8436 N. 14th St.
File: FN 210060
Council District: 6

Easement (b)
Applicant: Exeter 39th Land, LLC, its successor and assigns
Purpose: Drainage
Location: 4065 W. Lower Buckeye Road
File: FN 210053
Council District: 7

Responsible Department

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 33

Acceptance and Dedication of a Deed and Easements for Roadway, Public Utility, and Sidewalk Purposes (Ordinance S-47918)

Request for the City Council to accept and dedicate a deed and easements for roadway, public utility, and sidewalk 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.

Deed (a)
Applicant: Hammer Homes, Inc., its successor and assigns
Purpose: Roadway
Location: 18809 N. 30th St.
File: FN 210051
Council District: 2

Easement (b)
Applicant: Benjamin Beltran, its successor and assigns
Purpose: Public Utility
Location: 736 W. Harwell Road
File: FN 210048
Council District: 7

Easement (c)
Applicant: 4221 Thomas LLC, its successor and assigns
Purpose: Sidewalk
Location: 4221 E. Thomas Road
File: FN 210062
Council District: 8

Responsible Department

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 34

Audio Video Equipment and Service Contract - COOP 21-064 (Ordinance S-47907)

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement with IES Communications, LLC using existing spending authority provided by Ordinances S-44246 and S-46260, to purchase Audio Video Equipment and Service for the Aviation Department. A cooperative contract ADSPO17-184598 was established by the State of Arizona under solicitation number ADSPO17-00007302. Further request to authorize the City Controller to disburse all funds related to this item. No additional spending authority is requested.

Summary

The City Council authorized multiple linking agreements for the purchase, installation, and service of Audio Video (AV) equipment on Jan. 24, 2018, utilizing the State of Arizona cooperative solicitation ADSPO17-00007302. At that time, the City inadvertently excluded IES Communications, LLC from that Council approval request.

The Aviation Department is requesting to use the cooperative agreement with IES Communications, LLC to service the AV equipment in various Aviation facilities because they were the vendor responsible for installing the equipment including but not limited to cameras, video conferencing and video recording equipment, in some of the department’s facilities. This AV equipment is now past the warranty and requires periodic servicing. The City will experience cost and time savings by utilizing the additional AV contract with IES Communications, LLC for repairs, maintenance and replacement parts to support the original equipment.

No additional funding is requested to add IES Communications, LLC as a vendor. Spending authority will be shared with the previously authorized Audio Video Equipment Service contracts authorized in Ordinances S-44246 and S-46260. AV equipment and service contracts are available for Citywide departments.

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, which was awarded on Oct. 16, 2017, covers the purchase of AV equipment and service as required by the Aviation department. 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 incorporating the City's terms and conditions will be fully executed between the referenced vendor and the City.

The Assistant Finance Director recommends that the cooperative participating agreement with IES Communications, LLC be accepted.

Contract Term
The contract term will begin on or about Sept. 8, 2021 and end Jan. 28, 2023.

Financial Impact
The initial aggregate authorization for Audio and Video Equipment and Service Contracts was for an expenditure not-to-exceed $3.6 million. Amendments 1 and 2 increased the aggregate authorization of the contracts by $3.85 million, for a new total not-to exceed contract value of $7.45 million.

No additional funding is requested. By adding IES Communications, LLC to Ordinance S-46260, previously authorized spending authority will be used. Funding is available in the Aviation Department's budget.

Concurrence/Previous Council Action
The City Council approved:
- Audio Video Equipment and Service Contracts 147007-147011 and 147438 (Ordinance S-44246) on Jan. 24, 2018;
- Audio Video Equipment and Service Contract 147010 - Amendment (Ordinance S-45757) on June 5, 2019; and
- Audio Video Equipment and Service Contracts 147007-147011 and 147438 - Amendment (Ordinance S-46260) on Dec. 18, 2019.

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 35

Laboratory Equipment and Supplies Cooperative Contract Agreements - Amendment 2 (Ordinance S-47913)

Request to authorize the City Manager, or his designee, to execute amendments to Agreements 145692 with VWR International, LLC and 145861 with Fisher Scientific Company, LLC, to provide additional funding for the purchase of laboratory equipment and supplies for the Police Department's business continuity. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed $175,000.

Summary

The agreements for laboratory equipment and supplies are vital for the daily operations of the Water Services and Police departments. The National Association of State Procurement Officials (NASPO) ValuePoint Cooperative was adopted to obtain best value, and in some cases, achieve more favorable pricing than what is obtainable by an individual state or local government agency.

The additional funding requested in this amendment is necessary to allow the Police Department to continue to purchase items essential for use in the forensic labs. As a result of increased pricing, attributed to the COVID-19 pandemic, funding was exhausted sooner than anticipated.

Contract Term

The agreement terms will remain unchanged, ending on March 31, 2022.

Financial Impact

The initial authorization for Laboratory Equipment and Supplies Cooperative Contract Agreements was for an aggregate expenditure not-to-exceed $4.4 million. Amendment 1 increased the authorization for the agreements by an additional $1.1 million. This amendment will increase the authorization for the agreements by an additional $175,000, for a new total not-to-exceed agreement value of $5,675,000.

Funding for this amendment is available in the Police Department’s budget.

Concurrence/Previous Council Action

The City Council approved:

- Laboratory Equipment and Supplies Cooperative Contract Agreements 145962 and 145861 (Ordinance S-43659) on June 21, 2017; and
- Laboratory Equipment and Supplies Cooperative Contract Agreements 145962 and 145861 - Amendment 1 (Ordinance S-47395) on March 17, 2021.

Responsible Department

This item is submitted by Assistant City Manager Jeffrey Barton, Deputy City Manager Karen Peters, and the Police and Water Services departments.

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 36

Property Management Services Agreement for Village Shopping Center - Amendment 2 (Ordinance S-47915)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 142612 with Newmark Knight Frank Management for property management services to extend the agreement's term an additional nine months and pay the monthly fees for that extension. Further request to authorize the City Controller to disburse all funds related to this item. The expenditures for services included in this amendment will not exceed $31,500.

Summary

In April 2016, a property management services agreement was awarded via a Request for Proposals (RFP) process to Newmark Knight Frank Management (Newmark) for the Village Shopping Center (VSC), a multi-use shopping center located at 19th and Dunlap avenues owned by the Public Transit Department (PTD.) The initial agreement expired April 13, 2021, with no remaining options to extend. On March 17, 2021, City Council authorized amending the agreement to extend the term through Sept. 30, 2021 to provide time to re-solicit, but it was subsequently determined that a significant restructuring of this solicitation will be necessary to encourage more competition, so additional time will be required for the re-solicitation. The City intends to issue the restructured solicitation this fall.

RFP PTD20-009 was issued in January 2021 for property management services of VSC and the Public Transit Building. That solicitation was canceled on April 2 after the only two bidders were disqualified due to being found non-responsive and non-responsible. This amendment will provide a further nine-month extension, which will enable PTD staff to issue a new RFP and ensure seamless customer service for tenants at VSC and the Public Transit Building.

Procurement Information

The initial agreement with Newmark was procured in accordance with Phoenix City Code Chapter 43 and Administrative Regulation 3.10. An exception to the procurement process was determined for this extension as set forth in the City of Phoenix’s Administrative Regulation 3.10.

Contract Term
This further extension will be for the period from Oct. 1, 2021, to June 30, 2022.

Financial Impact
Newmark's current monthly management fee will continue at the current rate of $3,500, not to exceed a total of $31,500 for this amendment's nine-month extension period. It is anticipated that lease revenues from the Village Shopping Center will offset all expenses associated with this amendment. Funds exceeding the lease revenues are available in the Public Transit Department's Operating budget.

Concurrence/Previous Council Action
The City Council approved:
- Property Management Services Agreement 142612 (Ordinance S-42427) on April 6, 2016; and
- Property Management Services Agreement 142612 - Amendment 1 (Ordinance S-47376) on March 17, 2021.

Location
1945 W. Dunlap Ave.
Council District: 5

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 37

3M Equipment Maintenance and Support - Requirements Contract MCC 16015C (B) (Ordinance S-47917)

Request to authorize the City Manager, or his designee, to extend and continue using Ordinances S-42384 and S-47172 under Contract 147966 with BIBLIOTHECA LLC for the purchase of products, annual maintenance and services for library-specific hardware and software from Bibliotheca. Further request authorization for the City Controller to disburse all funds related to this item. No additional funds are needed.

Summary

This contract provides Bibliotheca products and services and annual maintenance which the Library Department utilizes to support and maintain self-checkout stations, Open+ count sensors and occupancy software, RFID security gates, automated materials handler hardware and software, and RFID staff workstations. Additionally, the contract provides annual libraryConnect reporting software subscriptions and RFID tags for library materials. Lack of a contract would negatively impact operations, potentially resulting in manual check-in and sorting of books and materials, and book material unavailability or loss.

Approval of this extension will allow time to complete a new procurement process and ensure current city services are not interrupted.

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

Contract Term

Upon approval, the contract term will be extended through Sept. 30, 2022.

Financial Impact

The contract was approved with an original aggregate value of $1,800,000 and additional funds of $807,000 were added for a total aggregate amount of $2,607,000. No additional funds are needed for this extension. Any remaining funds authorized by previous Council action will be applied to the extended contract term. Funds are available in the Library Department’s budget.

Concurrence/Previous Council Action

This contract was originally approved by City Council on March 24, 2016; and additional expenditures were authorized on Dec. 16, 2020.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 38

Information Technology Professional Services - Requirements Contract ADPSO17-0006933D (Ordinance S-47922)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 148480 with Guidesoft, Inc. for the purchase of managed services provider Information Technology professional services for citywide use. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $3,810,000.

Summary

This contract provides IT professional services through a managed service provider for technology projects and initiatives throughout the City, such as project management, system implementation, data conversion, and hardware and software configuration. Additional funds are needed due to usage that has been higher than originally anticipated and to support projects including Information Technology Services' enterprise-wide network and firewall improvements project; positions to support the Finance Department's SAP infrastructure; the Fire Department's Electronic Patient Care Reporting and CAD Modernization projects; migration of legacy data that is no longer supported; End User Device Replacement Program; IT Asset Management and Unified Print Program; Police Records Management System project; and positions to support the Water Services Department's Permit and Compliance System and Technology Services Division. Additionally, this contract enables the City to obtain contracted IT staff to assist with ongoing work assignments when necessary. The departments currently utilizing these contract services include the Fire, Human Services, Information Technology Services, Parks and Recreation, Police, Street Transportation and Water Services departments.

Contract Term

The contract term is Sept. 6, 2018 through Aug. 31, 2023.

Financial Impact

Upon approval of $3,810,000 in additional funds, the revised aggregate value of the contract will not exceed $7,476,000. Funds are available in the various departments' budgets.

Concurrence/Previous Council Action

This contract was originally approved by City Council on Sept. 5, 2018 for an original aggregate value of $1,100,000. On Dec. 5, 2018, City Council authorized an additional expenditure in the amount of $200,000 and on Nov. 20, 2019 approved an additional expenditure in the amount of $2,366,000 increasing the aggregate value to $3,666,000.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 39

Legal Processing, Notary, and Related Services Requirements Contract - COOP 21-035 (Ordinance S-47923)

Request to authorize the City Manager, or his designee, to enter into cooperative participating agreements with First Legal Network, LLC, Nationwide Legal Services, LLC, and On the Run Legal Solutions, LLC, to purchase legal processing, notary, and related services for citywide use. A cooperative contract was established by the State of Arizona under solicitation number BPM002577. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $350,000.

Summary

The City of Phoenix needs contracts with multiple vendors who can provide legal processing, notary, and related services in order to support all City Departments. These services are used by various departments citywide, but primarily by the Neighborhood Services Department and the Law Department to deliver a wide array of legal notices to residents and businesses. Notices include construction violations, investigations, court proceedings for both in-state and out-of-state addresses, public notices, notary services, court filings, and complete processing services.

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 contracts were awarded through a competitive process, consistent with the City's procurement process, as set forth in the Phoenix City Code, Chapter 43. The contracts cover the purchase of legal processing, notary, and related services as required by the City and were awarded Aug. 1, 2020. Upon City Council approval of this item, purchasing agreements incorporating the City’s terms and conditions will be fully executed between the referenced vendors and the City.

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 Assistant Finance Director recommends that agreements with First Legal Network,

LLC, Nationwide Legal Services, LLC, and On the Run Legal Solutions, LLC be accepted.

Contract Term
The five-year contract term will begin on or about Sept. 20, 2021.

Financial Impact
The aggregate contract value will not exceed $350,000. Funds are available in various departments' budgets.

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 40

Digital Black and White Production Printers - Five Year Lease - COOP 21-119 (Ordinance S-47924)

Request to authorize the City Manager, or his designee, to enter into a cooperative participating agreement with Xerox Corporation to lease high volume digital black and white production printers for the City Clerk Department. A cooperative contract was established by the State of Arizona under solicitation number ADSPO18-00008023. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed $900,000.

Summary

The contract will provide the City Clerk Department black and white production printers used to complete high volume projects for all City departments. These projects include: City Council agendas, sex offender notifications, budget books, account statements, informational materials for the community and other large quantity printing for essential City operations each year. Access to Xerox's catalog for black and white production printers through the State's contract allows the City to leverage the benefits of an extensive competitive process previously completed by the State of Arizona which ensures competitive pricing.

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

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 leasing of black and white production printers as required by the City Clerk Department. The State of Arizona contract was awarded on Oct. 5, 2018. 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 incorporating the City's terms and conditions will be fully executed between the referenced vendor and the City.

Both the American Bar Association and the 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 Assistant Finance Director recommends that the cooperative agreement with Xerox Corporation be accepted.

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

Financial Impact
The aggregate contract value will not exceed $900,000. Funds are available in the City Clerk Department's budget.

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 41

Rye Grass Seed - Requirements Contract IFB 15-202 (C) (Ordinance S-47927)

Request to authorize the City Manager, or his designee, to allow additional expenditures and to extend Contract 141054 with Simplot Partners for the purchase of rye grass seed for the Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $66,000.

Summary
This contract provides rye grass seed, which is used each fall to over seed downtown/special event parks such as Margaret T. Hance Park, and athletic fields to maintain compliance with Major League Baseball standards, as well as national standards for tournaments played at Reach 11. These parks and athletic fields are operated and maintained by the Parks and Recreation Department. Industry-wide, there is currently an increase in price and limited availability for rye-grass seed; and other local organizations have confirmed experiencing the same issues obtaining seed. Due to this unexpected 100 percent price increase, the Parks and Recreation Department needs additional funds to continue daily operations for this upcoming seeding season. The addition funds should be sufficient to cover the seed costs through the end of this contract term.

Contract Term
The contract term is July 23, 2015 through Jan. 1, 2022.

Financial Impact
Upon approval of the $66,000 in additional funds, the revised aggregate value of the contract will not exceed $829,000. Funds are available in the Parks and Recreation Department's budget.

Concurrence/Previous Council Action
This contract was originally approved by City Council on July 1, 2015; and additional expenditures were authorized on April 20, 2016, May 6, 2020 and June 23, 2021.

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 42

Amendments to Pay Ordinance S-47689 in Accordance with Human Resources Committee 610 Recommendations - Utilities Service Specialist - Assignment for Water Services Department (Ordinance S-47933)

As part of a market analysis, the following amendments to the Pay Ordinance [S-47689] are recommended in accordance with the recommendation of Human Resources Committee 610, effective Sept. 20, 2021. The amendments also require the City's Classification Ordinance [S-5815] to be updated. Those will be processed under a separate ordinance.

Establish the classification assignment of Utilities Service Specialist*Water, Job Code: 01372, Salary Plan: 006, Benefit Category: 003, Labor Unit Code:003, Grade: 325 ($17.11 - $24.92/hourly), EEO-4 Category: Administrative Support, FLSA Status: Non-Exempt.

Modify the classification assignment of Utilities Service Specialist*Lead, Job Code: 01371, Salary Plan: 006, Benefit Category: 003, Labor Unit Code: 003, EEO-4 Category: Administrative Support, FLSA Status: Non-Exempt from Grade: 325 ($17.11 - $24.92/hourly) to Grade: 326 ($17.97 - $26.08/hourly).

Modify the classification of Utilities Credit Counselor, Job Code: 50160, Salary Plan 006, Grade: 328 ($19.59 - $28.75/hourly), Benefit Category: 003, Labor Unit Code: 003, EEO-4 Category: Administrative Support, FLSA Status: Non-Exempt to the new class title of Senior Utilities Services Specialist.

Summary

Background

The Utilities Service Specialist job family was evaluated for external market competitiveness in May/June 2020. At that time, the salary and range were determined to be competitive with the external labor market. Furthermore, the City was not experiencing turnover or retention issues at Step 4 and above. The recommendation at the time was to continue the practice of hiring new employees at Step 3 and recognize that this may be a "gateway" classification. Newly hired employees may view this classification/job family as their entryway into the City and plan to transfer and move to other jobs or departments in short order. The City, and the Water Services Department

in particular, should plan for a high level of internal movement and a highly transitory workforce in the call center.

Findings
Further analysis of the job family, after the initial study results were shared, illuminated a concern with internal alignment of jobs and the relative complexity of the job duties in the Water Services Department compared with other positions located elsewhere in the City. To resolve this internal alignment issue, an “assignment” is proposed to provide a one-grade increase for those positions located in the Water Services Department.

Increasing the grade of the assignment would also necessitate a concurrent grade increase in the existing Lead assignment to maintain structural integrity, ensuring the Lead assignment is allocated to a higher grade than the subordinate classes.

The Water Department will also take this opportunity to retitle one of the classifications (Utilities Credit Counselor), to bring the title in line with the actual job duties and to better reflect the true nature of the job.

Conclusions
Providing an assignment for the Utilities Service Specialist positions in the Water Services Department will recognize the higher level of complexity and specialization in this Department. Because it is an assignment, there is no impact to the incumbents’ “time in class” and no impact on seniority. The other actions (regrade the Lead assignment and retitle the Credit Counselor) will also result in no impact to seniority because there will be no change to the job codes for these actions.

Financial Impact
The estimated costs of these actions for a full fiscal year, including benefits, is approximately $116,200. Funding is available in the Water Services Department.

Concurrence/Previous Council Action
This action was reviewed and recommended for approval by Human Resources Committee 610 on Aug. 10, 2021.

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 43

Amendments to Classification Ordinance S-5815 in Accordance with Human Resources Committee 610 Recommendations - Utilities Service Specialist - Assignment for Water Services Department (Ordinance S-47934)

As part of a market analysis the following amendments to the Classification Ordinance [S-5815] are recommended in accordance with the recommendation of Human Resources Committee 610, effective Sept. 20, 2021. The amendments also require the City's Pay Ordinance [S-47689] to be updated. Those will be processed under a separate ordinance.

Establish the classification assignment of Utilities Service Specialist*Water, Job Code: 01372, Salary Plan: 006, Benefit Category: 003, Labor Unit Code: 003, Grade: 325 ($17.11 - $24.92/hourly), EEO-4 Category: Administrative Support, FLSA Status: Non-Exempt.

Modify the classification assignment of Utilities Service Specialist*Lead, Job Code: 01371, Salary Plan: 006, Benefit Category: 003, Labor Unit Code: 003, EEO-4 Category: Administrative Support, FLSA Status: Non-Exempt from Grade: 325 ($17.11 - $24.92/hourly) to Grade: 326 ($17.97 - $26.08/hourly).

Modify the classification of Utilities Credit Counselor, Job Code: 50160, Salary Plan: 006, Grade: 328 ($19.59 - $28.75/hourly), Benefit Category: 003, Labor Unit Code: 003, EEO-4 Category: Administrative Support, FLSA Status: Non-Exempt to the new class title of Senior Utilities Services Specialist.

Summary

Background

The Utilities Service Specialist job family was evaluated for external market competitiveness in May/June 2020. At that time, the salary and range were determined to be competitive with the external labor market. Furthermore, the City was not experiencing turnover or retention issues at Step 4 and above. The recommendation at the time was to continue the practice of hiring new employees at Step 3 and recognize that this may be a "gateway" classification. Newly hired employees may view this classification/job family as their entryway into the City and plan to transfer and move to other jobs or departments in short order. The City, and the Water Services Department

in particular, should plan for a high level of internal movement and a highly transitory workforce in the call center.

Findings
Further analysis of the job family, after the initial study results were shared, illuminated a concern with internal alignment of jobs and the relative complexity of the job duties in the Water Services Department compared with other positions located elsewhere in the City. To resolve this internal alignment issue, an “assignment” is proposed to provide a one-grade increase for those positions located in the Water Services Department.

Increasing the grade of the assignment would also necessitate a concurrent grade increase in the existing Lead assignment to maintain structural integrity, ensuring the Lead assignment is allocated to a higher grade than the subordinate classes.

The Water Department will also take this opportunity to retitle one of the classifications (Utilities Credit Counselor), to bring the title in line with the actual job duties and to better reflect the true nature of the job.

Conclusions
Providing an assignment for the Utilities Service Specialist positions in the Water Services Department will recognize the higher level of complexity and specialization in this department. Because it is an assignment, there is no impact to the incumbents’ “time in class” and no impact on seniority. The other actions (regrade the Lead assignment and retitle the Credit Counselor) will also result in no impact to seniority because there will be no change to the job codes for these actions.

Financial Impact
The estimated costs of these actions for a full fiscal year, including benefits, is approximately $116,200. Funding is available in the Water Services Department.

Concurrence/Previous Council Action
This action was reviewed and recommended for approval by Human Resources Committee 610 on Aug. 10, 2021.

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 44

Amendments to Pay Ordinance S-47689 in Accordance with Human Resources Committee 610 Recommendations - Engineering Manager - Middle Manager (Ordinance S-47935)

As part of a technical positions review, the following amendments to the Pay Ordinance [S-47689] are recommended in accordance with the recommendation of Human Resources Committee 610, effective Sept. 20, 2021. The amendments also require the City's Classification Ordinance [S-5815] to be updated. Those will be processed under a separate ordinance.

Establish the classification of Engineering Manager, Job Code: 21150, Salary Plan: 013, Grade: 840 ($35.97 - $57.54/hourly), Benefit Category: 009, Labor Unit Code: 008, EEO-4 Category: Officials and Administrators, FLSA Status: Exempt.

Modify the classification of Engineering Supervisor, Job Code: 20240, from Salary Plan: 013, Grade 840 ($35.97 - $57.54/hourly), Benefit Category: 009, Labor Unit Code: 008, EEO-4 Category: Officials and Administrators, FLSA Status: Exempt to Salary Plan: 001, Grade: 041 ($37.14 - $56.39/hourly), Benefit Category: 007, Labor Unit Code: 007, EEO-4 Category: Professionals, FLSA Status: Exempt.

Abolish the classification assignment of Engineering Supervisor*U7, Job Code: 20241, Salary Plan: 001, Grade: 041 ($37.14 - $56.39/hourly), Benefit Category: 007, Labor Unit Code: 007, EEO-4 Category: Professionals, FLSA Status: Exempt.

Summary

Background

The City has gone through various changes in the role of Engineering Supervisor. Prior to 1987, there was only one classification for Engineering Supervisor, and it was allocated to Unit 7 - ASPTEA at a grade 040. In March 1987, an "assignment" was established at a middle manager level, grade 840 and positions were transitioned to this level over time through attrition. By 1992, all positions had been transitioned and the original base classification was modified from Unit 7 - ASPTEA, grade 040 to the middle manager, grade 840. Subsequently all positions and employees were moved from the assignment to the base classification.

In February 2012, it was determined that having a middle manager (Engineering Supervisor - grade 840) reporting to another middle manager (Deputy Director - grade 842) was an inefficient arrangement. A new “assignment” was established out of the middle manager level and allocated to Unit 7 at grade 041. Over time, all positions were moved to this assignment.

Current State
There are five employees in the “assignment” Engineering Supervisor*U7, grade 041. None of these employees have ever been in the base classification from which this assignment is associated. However, because they are in an assignment, they have rights back to the base classification. Furthermore, the base classification (840) and the assignment (041) have the same job description.

Conclusion
The recommended course of action is to follow the same methodology employed in 1992, effectively reversing the previous strategy and reestablishing a middle manager level at a grade 840 to serve as a career progression step toward the Deputy Director level at 842.

The base classification will be modified to reflect the allocation to Unit 7, and the grade maintained at 041. This is consistent with the employees’ job history, so there will be no negative impact to the employees when they are reverted from the assignment to the base classification. Once those transactions have been processed, the assignment level will be abolished.

A new classification will be established at the middle manager level, grade 840. Thus, the association of the assignment will be separated, and each classification will have unique and separate job descriptions.

Financial Impact
There is no budgetary impact associated with these actions.

Concurrence/Previous Council Action
This action was reviewed and recommended for approval by Human Resources Committee 610 on Aug. 10, 2021.

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 45

Amendments to Classification Ordinance S-5815 in Accordance with Human Resources Committee 610 Recommendations - Engineering Manager - Middle Manager (Ordinance S-47936)

As part of a technical positions review, the following amendments to the Classification Ordinance [S-5815] are recommended in accordance with the recommendation of Human Resources Committee 610, effective Sept. 20, 2021. The amendments also require the City's Pay Ordinance [S-47689] to be updated. Those will be processed under a separate ordinance.

Establish the classification of Engineering Manager, Job Code: 21150, Salary Plan: 013, Grade: 840 ($35.97 - $57.54/hourly), Benefit Category: 009, Labor Unit Code: 008, EEO-4 Category: Officials and Administrators, FLSA Status: Exempt.

Modify the classification of Engineering Supervisor, Job Code: 20240, from Salary Plan: 013, Grade: 840 ($35.97 - $57.54/hourly), Benefit Category: 009, Labor Unit Code: 008, EEO-4 Category: Officials and Administrators, FLSA Status: Exempt to Salary Plan: 001, Grade 041 ($37.14 - $56.39/hourly), Benefit Category: 007, Labor Unit Code: 007, EEO-4 Category: Professionals, FLSA Status: Exempt.

Abolish the classification assignment of Engineering Supervisor*U7, Job Code: 20241, Salary Plan: 001, Grade: 041 ($37.14 - $56.39/hourly), Benefit Category: 007, Labor Unit Code: 007, EEO-4 Category: Professionals, FLSA Status: Exempt.

Summary

Background

The City has gone through various changes in the role of Engineering Supervisor. Prior to 1987, there was only one classification for Engineering Supervisor, and it was allocated to Unit 7 - ASPTEA at a grade 040. In March 1987 an "assignment" was established at a middle manager level, grade 840 and positions were transitioned to this level over time through attrition. By 1992, all positions had been transitioned and the original base classification was modified from Unit 7 - ASPTEA, grade 040 to the middle manager, grade 840. Subsequently all positions and employees were moved from the assignment to the base classification.

In February 2012, it was determined that having a middle manager (Engineering Supervisor - grade 840) reporting to another middle manager (Deputy Director - grade 842) was an inefficient arrangement. A new “assignment” was established out of the middle manager level and allocated to Unit 7 at grade 041. Over time, all positions were moved to this assignment.

Current State
There are five employees in the “assignment” Engineering Supervisor*U7, grade 041. None of these employees have ever been in the base classification from which this assignment is associated. However, because they are in an assignment, they have rights back to the base classification. Furthermore, the base classification (840) and the assignment (041) have the same job description.

Conclusion
The recommended course of action is to follow the same methodology employed in 1992, effectively reversing the previous strategy and reestablishing a middle manager level at a grade 840 to serve as a career progression step toward the Deputy Director level at 842.

The base classification will be modified to reflect the allocation to Unit 7, and the grade maintained at 041. This is consistent with the employees’ job history, so there will be no negative impact to the employees when they are reverted from the assignment to the base classification. Once those transactions have been processed, the assignment level will be abolished.

A new classification will be established at the middle manager level, grade 840. Thus, the association of the assignment will be separated, and each classification will have unique and separate job descriptions.

Financial Impact
There is no budgetary impact associated with these actions.

Concurrence/Previous Council Action
This action was reviewed and recommended for approval by Human Resources Committee 610 on Aug. 10, 2021.

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 46

Enter into Agreements for Phoenix Resilient Food System Programs (Ordinance S-47932)

Request to authorize the City Manager, or his designee, to enter into separate agreements with: Thrive Consultancy, Inc., Central Arizona Land Trust, NxT Horizon LLC, Lehr Innovations, LLC, and Tiger Mountain Foundation, to provide food assistance to vulnerable populations impacted by COVID-19; offer economic and business opportunities to establish new food businesses; and to preserve urban farmland in Phoenix. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) funding received from the federal government and is under the City's Phoenix Resilient Food System category of the ARPA Strategic Plan approved by the Mayor and Council. The aggregate value of the agreements will not exceed $1,601,000.

Summary

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

The following programs will provide economic and business opportunities for residents and empower residents to grow healthy food in their own backyards to improve health, promote physical activity, and decrease food insecurity and hunger, and preserve urban farmland in Phoenix.

<u>Economic Development and Innovation</u>

Worker Cooperative Sustainable Food System Business Incubator and Training Program

Thrive Consultancy Inc. (Thrive) will provide training on sustainable cooperative food entrepreneurship, including the operational, legal, financial, and marketing practices for a cooperative food business. Thrive is an Arizona benefit corporation located in

Phoenix that provides development services for businesses. Thrive will conduct workshops to educate food business owners, investors, and other stakeholders about the current state of the cooperative economy and the importance of a supportive worker cooperative business infrastructure. The 10-week training will be held in two cohorts for up to 50 individuals in a hybrid virtual/in-person format. Four tailored events and workshops will be held to educate on the cooperative business model. Thrive will serve as a subrecipient and will administer, manage, and develop the program.

Local Food Consumption/Production

The Backyard Food Production Pilot Project aka Backyard Garden Program

This program will empower residents to grow healthy food in their own backyards to improve health, promote physical activity, decrease food insecurity and hunger, and potentially decrease their food budget. The OEP will use the expertise of three local organizations experienced in growing food. Lehr Innovations, LLC, NxT Horizon LLC (NxT) and Tiger Mountain Foundation (TMF) will serve as subrecipients and will administer and manage their respective gardening system programs. Lehr Innovations, LLC is a Phoenix-based organization founded by Ed Williams, who invented the Linking Ecosystems and Hardware for Regeneration (LEHR) Gardens system as a sustainable, regenerative growing method for busy urban lifestyles. NxT is a Phoenix-based organization founded by Dr. George Brooks Jr., a nationally recognized aquaponics expert. TMF is a Phoenix-based nonprofit organization whose mission is to empower communities to better themselves through cultivating gardens.

Lehr Innovations, LLC, NxT, and TMF will install backyard gardens using aquaponics, growing produce and protein (fish and shrimp), and raised beds. The systems chosen are cost-effective and water-efficient growing methods and suitable for the Phoenix climate and growing seasons. These systems will be installed for up to 90 residents living in the South Mountain Village Planning and the Maryvale Village Planning areas. Applicants for the program must meet eligibility criteria, such as, low income; living within the program's geographic boundary; with preference for applicants living in food deserts and applicants that are Black, Indigenous or People of Color.

Homeowners or renters (with written permission from landlord) will be provided with the gardening system of their choice, which includes system installation, including equipment, materials, supplies and labor, and gardening training throughout the 12-month program. Program outreach materials, application, and training materials will be provided in English and Spanish.

Lehr Innovations, LLC, NxT, and TMF will serve as subrecipients and will administer and manage their respective gardening system programs with details on their responsibilities, schedule, and reporting requirements in the agreement. Below is a

brief description of each gardening system:

- LEHR Gardens - Lehr Innovations, LLC will provide installation of up to 30 LEHR Gardens (raised bed system), including all materials, supplies, equipment, and labor and will provide on-call training, maintenance, and repair services for 12 months;
- Aquaponics Victory Gardens - NxT will provide installation of up to 30 aquaponics systems, including all materials, supplies, equipment and labor, 10 hours of education per system plus on-call training, maintenance, and repair services for 12 months.; and
- Tiger Eye Gardens - TMF will provide up to 30 Tiger Eye Gardens (raised bed system), including all materials, supplies, equipment, and labor, on-call training, maintenance, and repair services for 12 months.

Farmland Preservation Program

Central Arizona Land Trust (CALT) will serve as a subrecipient and will administer and manage the program to conserve urban farmland within the boundaries of the City of Phoenix through conservation easements. CALT is a community-based, Arizona nonprofit dedicated to protecting open space, wildlife habitat, and working farms and ranches in perpetuity by working with private landowners to develop conservation easements. CALT will conduct outreach for the program, manage contractors providing services to support placement of conservation easements on qualified properties, and will award grant funding to eligible entities for placement of conservation easements on qualified properties. CALT will coordinate with City staff to develop eligibility criteria. Based on the services required and available budget, a maximum of three conservation easements are anticipated for this program.

The Office of Environmental Programs will assist Thrive, Lehr Innovations, LLC, NxT, TMF, and CALT to oversee the agreements and coordinate any needed services, such as program outreach and recruitment.

Procurement Information

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

Contract Term

The term of the agreement will begin on or about Sept. 20, 2021 and continue through Oct. 31, 2022. Agreements may be extended based on continuous need and available funding, which may be exercised by the City Manager, or his designee.

Financial Impact

Funding for these programs will not exceed $1,601,000. There is no impact to the General Fund. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) funding received from the federal government and is under the City's Phoenix Resilient Food System category of the ARPA Strategic Plan approved by Mayor and Council.

The allocation breakdown is as follows:
Thrive Consultancy Inc. - $200,000;
Lehr Innovations, LLC - $118,000;
NxT Horizon LLC - $145,000;
Tiger Mountain Foundation - $138,000; and
Central Arizona Land Trust - $1 million.

Concurrence/Previous Council Action

The City Council approved the ARPA Strategic Plan on June 8, 2021.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 47

Intergovernmental Agreement with Arizona Department of Education for College Depot at Phoenix Public Library Long-Term Laptop/WiFi Hotspot Lending Program (Ordinance S-47937)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with Arizona Department of Education to offer a long-term laptop and WiFi hotspot lending program to College Depot at Phoenix Public Library students. The term of the contract will begin on or about Oct. 1, 2021 and end on June 30, 2022, with one option to extend through June 30, 2023. The aggregate value of the contract will not exceed $853,000. Further request authorization for the City Controller to disburse all funds related to this item. Funding is one-time monies from the Arizona Department of Education. There is no impact to the General Fund.

Summary

In the spring of 2021, Phoenix Public Library began offering a laptop and Wi-Fi hotspot lending program with a fleet of 425 laptops and 200 Wi-Fi hotspots, which are lent to library customers for three-week lending periods. To better serve students in need of longer lending periods, Arizona Department of Education, City of Phoenix, and Phoenix Public Library proposes an expansion to double the number of laptops and Wi-Fi hotspots available. With funds totaling $853,000 and allocated to College Depot at Phoenix Public Library from the Arizona Department of Education, Phoenix Public Library will purchase an additional 425 laptops/200 Wi-Fi hotspots and specifically reserve the additional devices to meet the needs of students receiving assistance from College Depot at Phoenix Public Library. College Depot staff will identify students in need and provide allocated devices for semester-long and summer-long lending periods.

Contract Term

The term of the contract will begin on or about Oct. 1, 2021 and end on June 30, 2022, with an option to extend the term through June 30, 2023, which may be exercised by the City Manager or his designee.

Financial Impact

The aggregate value of the contract will not exceed $853,000. Funding is one-time monies from the Arizona Department of Education. There is no impact to the General Fund.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 48

2021-22 Community Development Block Grant Public Facility Subrecipient Recommendations (Ordinance S-47926)

Request to authorize the City Manager, or his designee, to enter into 2021-22 Community Development Block Grant (CDBG) agreements for Public Facility projects for an amount not to exceed $383,241. Further request to authorize the City Controller to disburse all funds related to this item over the life of the agreements. These agreements will be funded by the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG).

Summary

On May 5, 2021 City Council approved the issuance of a Request for Proposals (RFP) for CDBG funded Public Facility projects for Fiscal Year 2021-22. The Public Facility Program provides nonprofits an opportunity to apply for funding to implement facility improvements on nonprofit-owned buildings, that are open to the general public as a public facility and will provide critical programs and services serving low- and moderate -income communities in Phoenix. On June 2, 2021 an RFP was issued by the Neighborhood Services Department and closed on July 1, 2021. Six responsive applications, requesting more than $803,000, were received. Applications were evaluated and scored by the Community Development (CD) Review Committee; an 11 -member committee appointed by the Mayor.

Each proposal was rated on a 1,000-point scale:

- Project description/need (250 points);
- Project feasibility (250 points);
- Project budget (250 points) and;
- Track record and capacity (250 points).

In August 2021, the CD Review Committee reviewed the combined scores and invited the six nonprofit organizations to make a brief presentation on their proposed projects. The proposal presentations were ranked individually by the committee. Funding recommendations were developed based on the overall committee's final ranking.

The following list identifies the three nonprofit organizations the CD Review Committee recommended funding for a total of $383,241.

CDBG Public Facility Grant Program Awardees

- ACCEL - Phoenix ADA Enhancements: $150,000
- Civitan Foundation, Inc. - Civitan MIDTOWN Construction Project: $150,000
- VALLEYLIFE - Prep Kitchen to Prepare Healthy Meals to Reduce Illness in Group Homes: $83,241

Contract Term
Contract terms will commence on or about Sept. 8, 2021 through Oct. 31, 2022.

Financial Impact
These programs are funded through CDBG funding. There is no financial impact to the General Fund.

Concurrence/Previous Council Action
The 2021-22 CDBG Public Facility Request for Proposals was recommended for approval by the Land Use and Livability Subcommittee on April 21, 2021, by a vote of 3-0 and approved by the City Council on May 5, 2021.

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 49

Purchase of Golf Merchandise for Direct Resale to the Public (Ordinance S-47925)

Request to authorize the City Manager, or his designee, to purchase various golf merchandise for direct resale to the public at pro shops located at Cave Creek, Encanto, Palo Verde and Aguila golf courses. Items may include, but are not limited to, golf balls, range balls, golf clothing, hats, golf clubs and golf shoes. Further request authorization for the City Controller to disburse all funds related to this item. The two-year aggregate value will not exceed $1 million, with an estimated annual expenditure of $500,000. There is no impact to the General Fund. Revenue from the resale of merchandise at the pro shops funds the expenditure request.

Summary

The City operates four municipal golf courses, each of which has a pro shop where golfers have the ability to purchase golf merchandise such as golf balls, clothing and shoes. To supply the pro shops, the Parks and Recreation Department purchases merchandise for resale directly from more than 190 various wholesale and specialty manufacturers to obtain discounts and the lowest prices. Vendor pricing is based on a variety of factors and changes seasonally; therefore, a low-bid process is not suitable for the purchase of golf merchandise.

Financial Impact

Payment authority in the amount of $1 million for a two-year period, from Sept. 8, 2021, through Sept. 7, 2023, is requested. There is no impact to the General Fund. Revenue from the resale of merchandise at the pro shops funds the Parks and Recreation Department's purchase of golf merchandise.

Location

Cave Creek Golf Course - 15202 N. 19th Ave.
Encanto Golf Course - 2775 N. 15th Ave.
Palo Verde Golf Course - 6215 N. 15th Ave.
Aguila Golf Course - 8440 S. 35th Ave.
Council Districts: 3, 4, 5 and 7

Responsible Department

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 50

Request Authorization for Sale of Canine Zeus (Ordinance S-47929)

Request to authorize the City Manager, or his designee, to approve the sale of Police canine Zeus to Det. Pablo De Santiago for $1.00. Currently, Det. De Santiago is assigned to the Commercial Narcotic Interdiction Unit (CNIU) and has requested to retire and purchase his assigned canine Zeus in accordance with A.R. 4.21. Det. De Santiago will be transferring out of CNIU in the near future.

Summary

Canine Zeus is 9.5 years old and has served the Phoenix Police Department and the citizens of Phoenix with unwavering bravery and distinction in his capacity as a police service dog for over seven years.

This request is for the authorization of the sale of Police canine Zeus for $1.00. Det. De Santiago has requested to retire and purchase canine Zeus and has agreed to accept full responsibility and liability for him until his death.

Responsible Department

This item is submitted by Assistant City Manager Jeffrey Barton and the Police Department.

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 51

Amend Agreements with Various School Districts for Funding of School Resource Officers (Ordinance S-47930)

Request to authorize the City Manager, or his designee, to amend the current ordinance (S-47537) with various school districts for the placement of School Resource Officers (SROs). Authorization of the amendment will add the Tempe Union High School District to the 2021-22 list of school districts. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary
The Police Department has entered into Intergovernmental Agreements with various school districts in the past to assist with the cost of SROs deployed in schools. Funding for these SROs is provided through partnerships with the Arizona Department of Education and individual school districts. Through this partnership, school district funds reimburse the City for 75 percent of the SRO's salary, while the remaining 25 percent is paid by the City.

The amended ordinance will add the Tempe Union High School District. All other terms will remain unchanged.

Contract Term
The terms of these agreements are one year, with varying start and end dates to coincide with each school's 2021-22 school year.

Financial Impact
Cost to the City is 25 percent match for the SRO salary and fringe benefits.

Concurrence/Previous Council Action
Ordinance S-47537 was approved by the City Council at the May 5, 2021 meeting.

Responsible Department
This item is submitted by Assistant City Manager Jeffrey Barton and the Police Department.

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 52

Lubrication Services - Contract Recommendation (Ordinance S-47908)

Request to authorize the City Manager, or his designee, to enter into separate contracts with: Lincoln Constructors, Inc. and Amrep Manufacturing Company, LLC, for as-needed lubrication services for fleet vehicles and equipment. Further request authorization for the City Controller to disburse all funds related to this item. This contract will have an aggregate amount of $1,305,000.

Summary

The Public Works Department is responsible for the weekly lubrication of over 300 pieces of equipment. The majority of this equipment includes solid waste refuse trucks consisting of automated side loaders, rear loaders, front loaders, and tippers with all equipment having strict requirements required by the manufacturer for scheduled lubrication intervals. This contract will be used on an as-needed basis to meet operational demands to manage time-sensitive requests and workload in the event staff is unable to perform the lubrication service.

Procurement Information

Invitation for Bid (IFB) 22-FSD-011 was conducted in accordance with Administrative Regulation 3.10. The Public Works Department received two bids, both being deemed responsive and responsible. Due to the operational need for coverage at multiple service centers on multiple days, both vendors are being recommended for award with the below bids being evaluated as included:

Lincoln Constructors, Inc.: $457
Amrep Manufacturing Co, LLC: $530

Contract Term

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

Financial Impact

This contract will have an estimated $261,000 annual expenditure, with a total aggregate amount of $1,305,000 over the life of the contract. 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: 9/8/2021, **Item No.** 53

Solid Waste Container Yard Management Services - IFB 22-SW-001 - Requirements Contract (Ordinance S-47910)

Request to authorize the City Manager, or his designee, to enter into an agreement with Clean Bin Heroes, LLC., to provide container yard maintenance services for the Public Works Department. The contract term is for one year with up to four option years starting on or about Jan. 1, 2022. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed $750,000.

Summary

This agreement will provide services to the Public Works Department, Solid Waste Division to maintain up to four yards that house various sizes of residential containers. Currently more than 700,000 containers are in service. The vendor will be required to maintain the yards and clean, wash, and repair containers as needed to maintain quick turnaround times for staff to place them back out in service. Also, the vendor will maintain inventory of the containers and stack and sort the containers to either be covered under warranty or to recycled due to the lifecycle of the container or it being beyond repairs.

Procurement Information

Invitation for Bid (IFB) 22-SW-001 was conducted in accordance with Administrative Regulation 3.10. There were five offers received by the Public Works Department Procurement Services on May 12, 2021. The offers were evaluated based on price, responsiveness to all specifications, terms and conditions and responsibility to provide the required services. One offer was deemed non-responsive. Based on the bid submittal, the following offers were received.

Clean Bin Heroes, LLC: $143.25
Wash Monster, LLC: $144.00
Dirty Trash Bins, LLC: $152.25
Fleet Genius, LLC: $177.65

Public Works recommends that the offer from Clean Bin Heroes, LLC be accepted as the lowest-priced, responsive, and responsible offer.

Contract Term
The initial agreement term is for one year beginning on or about Jan 1, 2022. Provisions of the agreement may include an option to extend the term up to four years, to be taken in one-year increments, which may be exercised by the City Manager or his designee.

Financial Impact
The total agreement value will not exceed $750,000. 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: 9/8/2021, **Item No.** 54

Citywide Construction Project Management Information System Implementation Services (Ordinance S-47914)

Request to authorize the City Manager, or his designee, to enter into a contract with D.R. McNatty & Associates Inc. to provide discovery, design and implementation, and ongoing, long-term support for services of Oracle Primavera Unifier system for a Citywide Construction Project Management Information System (CCPMIS) for a five-year period. Further request to authorize the City Controller to disburse all funds related to this item. The total amount of the contract will not exceed $2,018,200.

Summary

A City audit identified the need for standardization and improvement of construction project management information systems. Existing systems like PROMIS, CM13, and Primavera P6, do not adequately support the business needs; hence a new solution is required to provide City staff and contractors adequate tools to capture, plan, maintain and manage projects effectively from inception through the life of the asset(s), or until the asset(s) no longer exist. In certain cases, the lifecycle is perpetual. This new solution will implement an enterprise-level system, Oracle Primavera Unifier, and provide portfolio, program, and project management across the organization for the entire lifecycle of Citywide construction projects to mitigate risk and ensure appropriate oversight. The City will be using a cloud-based solution for its Citywide Construction Project Management tool.

The Aviation Department has successfully used Oracle's Primavera Unifier solution to track and manage all construction projects regardless of funding source, and tenant improvement projects for the past 13 years. The Street Transportation and Water Services departments desire to leverage the same technology platform to build and support a Citywide construction project management solution.

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

Procurement Information

Due to the unique nature of the services required, the City chose to conduct an Agile procurement process. A Letter of Intent (LOI) 63-2105 was posted on the City of

Phoenix solicitation website in accordance with Administrative Regulation 3.10. The LOI was emailed to 627 technology firms.

Six firms responded to the LOI for Implementation Services. A six-member panel evaluated and scored the proposals and demonstrations based on the following criteria with total points ranging from 0-1,000:

- Company Qualifications and Experience (0-250 points);
- References (0-50 points);
- Method of Approach (0-250 points);
- Interview Questions (0-300 points); and
- Pricing (0-150 points).

Offeror Selected for Award

D.R. McNatty	906 points

Additional Proposers

Enstoa	880 points
Anser	855 points
Foresee	845 points
Accenture	617 points
C3IT	460 points

The Information Technology, Street Transportation, and Water Services Directors recommend the offer from D.R. McNatty be accepted as the most responsive and responsible offeror for the implementation.

Contract Term
The five-year contract shall begin on or about Aug. 26, 2021.

Financial Impact
The total contract amount is anticipated to be $2,018,200 over the life of the contract.

Funding is available in the Street Transportation and Water Services departments' Capital Improvement Program budgets.

Responsible Department
This item is submitted by Deputy City Managers Mario Paniagua, Karen Peters and Toni Maccarone, and the Street Transportation, Water Services and Information Technology Services departments.

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 55

Citywide Asbestos and Lead On-Call Consulting Services (Ordinance S-47916)

Request to authorize the City Manager, or his designee, to enter into separate agreements with the seven selected consultants listed in **Attachment A**, to provide Asbestos and Lead On-Call Consulting services citywide for the Street Transportation Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed $5,250,000.

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, telecommunication, cable television, railroads and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Summary

The On-Call consultants will be responsible for providing Asbestos and Lead services that include, but are not limited to: survey of designated facilities and/or facility components for asbestos containing materials (ACM); production of National Emissions Standards for Hazardous Air Pollutants compliant surveys and reports, compliant asbestos survey reports in accordance with Asbestos Hazard Emergency Response Act protocol; Housing and Urban Development type lead paint surveys and other related environmental services; timely laboratory analysis to identify the presence type and extent of ACM and lead paint; development of plans, specifications and computer aided design and drafting drawings; construction administration services to manage abatement activities; air monitoring; monitoring and evaluation of contractor performance; final clearance; and other project related services as requested by the City.

Procurement Information

The selections were made using a qualifications-based selection process set forth in section 34-604 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S.

section 34-604(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Thirteen firms submitted proposals and are listed in **Attachment A**.

Contract Term
The term of each agreement is two years, with an option to extend for one additional year, or up to $750,000, whichever occurs first. 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 each of the On-Call consultants will not exceed $750,000, including all subconsultant and reimbursable costs. The total fee for all services will not exceed $5,250,000.

Funding is available in the various department's Capital Improvement Program and Operating budgets. The Budget and Research Department will review and approve funding availability prior to the issuance of any On-Call task order of $100,000 or more. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

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

ATTACHMENT A

Selected Firms

Rank 1: Adams and Wendt, Inc.
Rank 2: Terracon Consultants, Inc.
Rank 3: Dominion Environmental Consultants, Inc.
Rank 4: ATC Group Services LLC
Rank 5: Western Technologies, Inc.
Rank 6: Partner Assessment Corporation dba Partner Engineering and Science
Rank 7: Stearns, Conrad and Schmidt, Consulting Engineers, Inc. dba SCS Engineers

Additional Proposers

Rank 8: FM Group Inc.
Rank 9: Ninyo & Moore Geotechnical and Environmental Sciences Consultants Inc.
Rank 10: Sevee & Maher Engineers, Inc.
Rank 11: AZTEC Engineering Group Inc
Rank 12: Arizona Environmental Specialist L.L.C.
Rank 13: Protex The PT Xperts, LLC

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 56

Citywide Construction Project Management Information Services - - Licensing Services (Ordinance S-47920)

Request to authorize the City Manager, or his designee, to enter into an agreement with Oracle America, Inc. under Oracle Master Agreement 142562-AR-001, to provide licensing services for Oracle Primavera Unifier system for the Citywide Construction Project Management Information System (CCPMIS) for a five-year period. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $3,565,179.

Summary

A City audit identified the need for standardization and improvement of construction project management information systems. Existing systems like PROMIS, CM13, and Primavera P6, do not adequately support the business needs; hence a new solution is required to provide City staff and contractors adequate tools to capture, plan, maintain and manage projects effectively from inception through the life of the asset(s), or until the asset(s) no longer exist. In certain cases, the lifecycle is perpetual. This new solution will implement an enterprise-level system, Oracle Primavera Unifier, and provide portfolio, program, and project management across the organization for the entire lifecycle of Citywide construction projects to mitigate risk and ensure appropriate oversight. The City will be using a cloud-based solution for its Citywide Construction Project Management tool.

The Aviation Department has successfully used Oracle's Primavera Unifier solution to track and manage all construction projects regardless of funding source, and tenant improvement projects for the past 13 years. The Street Transportation and Water Services departments desire to leverage the same technology platform to build and support a Citywide construction project management solution.

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

Procurement Information

Due to the unique nature of the services required, the City chose to conduct an Agile procurement process. A Letter of Intent (LOI) 63-2105 which included Licensing and

Implementation services was posted on the City of Phoenix solicitation website in accordance with Administrative Regulation 3.10. The LOI was emailed to 627 technology firms.

One firm responded to the LOI for Licensing services. A six-member panel evaluated and scored the proposal based on the following criteria with total points ranging from 0 -1,000:

- Company Qualifications and Experience (0-300 points);
- References (0-300 points);
- Pricing (0-300 points); and
- Acceptance of Terms and Conditions and the City's Conflict of Interest & Solicitation Transparency Disclosure Form (0-100 points).

Offeror Selected for Award
Oracle America, Inc. 750 points

The Information Technology Services, Street Transportation, and Water Directors recommend the offer from Oracle America Inc. be accepted as the most responsive and responsible offer or for the licensing services.

Contract Term
The five-year contract shall begin on or about Aug. 26, 2021.

Financial Impact
The total value is anticipated to be $3,565,179 over the life of the contract.

Funding is available in the Street Transportation Department's Operating and Capital Improvement Program and Water Services Department's Capital Improvement Program budgets.

Concurrence/Previous Council Action
The City Council approved Oracle Master Agreement 142562-AR-001 (Ordinance S-47326) on Feb. 17, 2021.

Responsible Department
This item is submitted by Deputy City Managers Mario Paniagua, Karen Peters and Toni Maccarone, and the Street Transportation, Water Services and Information Technology Services departments.

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 57

Pinnacle Peak Road: 45th to 35th Avenues Paving and Storm Drain Improvements (REBID) - Design-Bid-Build Services - ST85100400 (Ordinance S-47928)

Request to authorize the City Manager, or his designee, to accept Combs Construction Company, Inc. as the lowest-priced, responsive and responsible bidder and to enter into an agreement with Combs Construction Company, Inc. for Design-Bid-Build Services for the Pinnacle Peak Road: 45th to 35th avenues Paving and Storm Drain Improvements (REBID) project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $10,002,554.90.

Summary

The purpose of this project is to construct new roadway paving and storm drain improvements on Pinnacle Peak Road from 45th Avenue to just west of 35th Avenue, and to construct a new storm drain on 43rd Avenue extending north from Pinnacle Peak Road to Misty Willow Lane.

On June 20, 2018, the City entered into Agreement 147888 to provide Design-Bid-Build Services for the Pinnacle Peak Road: 45th to 35th avenues Paving and Storm Drain Improvements project. This agreement was terminated on Nov. 1, 2019 for convenience.

Combs Construction Company, Inc.'s services include, but are not limited to: subgrade preparation and constructing new asphaltic concrete roadway pavement; new concrete curb and gutter, ADA compliant concrete sidewalk, curb returns, concrete driveway entrances; new concrete box culvert crossings, concrete wing walls, concrete headwalls with brick veneer facing, concrete channel lining, new storm drain mainline pipe, storm drain manholes, storm drain connector pipes and catch basins; trenching for underground street light circuits; installation of new traffic signal poles, signal equipment, and traffic signal conduits; installation of new LED street lights and LED luminaries; new landscaping and irrigation system, decomposed granite landscape ground cover; and other required work items.

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 Aug. 17, 2021 and the three lowest bids 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 three lowest responsive, responsible bidders are listed below:

Opinion of Probable Cost: $9,000,722.68
Combs Construction Company, Inc.: $10,002,554.90
Granite Construction Company: $10,900,510.00
J. Banicki Construction, Inc.: $11,672,357.32

Although the bid exceeds the Opinion of Probable Cost by more than 10 percent, it has been determined the bid represents a fair and reasonable price for the required work scope. Additionally, the bid award amount is within the total budget for this project.

The reason for the variance from the Opinion of Probable Cost to the lowest, responsive, responsible bid is due to the large diameter pipe and light poles; both products have long lead times and steel prices have soared recently.

Contract Term

The term of the agreement is 365 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 Combs Construction Company, Inc. will not exceed $10,002,554.90, 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 Agreement 147888 (Ordinance S-44772 on June 20, 2018)

Location
Pinnacle Peak Road from 45th to 35th avenues.
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: 9/8/2021, **Item No.** 58

Revocable Permit with Jefferson Street Signage District, LLC for Off-site Advertising Structures in Right of Way (Ordinance S-47931)

Request to authorize the City Manager, or his designee, to issue or amend existing revocable permits authorized by Agreement 131850 with the Jefferson Street Signage District, LLC dba Legends Entertainment District (Legends), allowing special conditions for sign structures used for off-site (off-premise) advertising that encroach in public right-of-way. Further request exception to Phoenix City Code 3-8 for these revocable permits to allow off-site (off-premise) advertising on the sign structures encroaching into the public right-of-way.

Summary

In 2011, City Council authorized, via Ordinance S-37850, entering into Agreement 131850 with Legends Entertainment District (Legends), which is part of the greater Jefferson Street Master Sign Plan approved by the Planning and Development Department in 2009. As part of this Agreement, Legends is responsible for the operation and maintenance of static billboards, LED video boards, and unique custom 3D signs, and marketing and sales advertising for these signs. In addition, Legends is required to provide revenue sharing to the City and to adhere to the City's approved Advertising Guidelines.

With a few exceptions, Phoenix City Code 3-8 prohibits advertising in public right-of-way. The signs operated and maintained by Legends are mostly mounted on structures on private or City property, through a license agreement, and are completely outside of public right-of-way. However, a number of these signs are mounted on structures on private or City property that encroach into public right-of-way. If approved, the signs that encroach into public right-of-way would be granted an exception to Phoenix City Code 3-8 to allow off-site (off-premise) advertising.

The six impacted properties are listed below:

- 601 E. Washington St.;
- 201 E. Washington St.;
- 101 E. Washington St.;
- 11 W. Washington St.;
- 50 W. Washington St.; and

- 333 E. Jefferson St.

Financial Impact
Permit holders would be required to pay the annual fee associated with the issuance of a revocable permit for an encroachment in public right-of-way. The City would continue to participate in revenue sharing from its agreement with Legends.

Concurrence/Previous Council Action
The City Council approved Legends Entertainment District Agreement 131850 (Ordinance S-37850) on May 18, 2011.

Location
The Legends Entertainment District encompasses several blocks of downtown Phoenix along Jefferson Street from 1st Avenue to 7th Street.
Council Districts: 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: 9/8/2021, **Item No.** 59

Automated Vehicle Locator Services - Amendment (Ordinance S-47906)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 148595 with Manhattan Telecommunications Corporation, dba MetTel Inc., to provide additional funding to the contract. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed $794,000.

Summary

This contract provides telematic hardware and software for tracking vehicles and obtaining essential data for vehicle maintenance, routing and customer inquiries for the Public Works and Water Services departments.

The purpose of this amendment is to provide additional funding to the contract because the volume of City vehicles using the services has increased beyond the initial estimates and the existing spending authority is now anticipated to be depleted at the end of Fiscal Year 2022. It is necessary to request additional funding to maintain this software and continue to gather data that is essential for continuity of operations of both departments for the remaining term of the contract.

Contract Term

The contract term will remain unchanged, with potential options to extend ending on June 30, 2023.

Financial Impact

The initial authorization for Automated Vehicle Locator Services contract was for an expenditure not-to-exceed $1.75 million. This amendment will increase the authorization for the contract by an additional $794,000, for a new total not-to-exceed contract value of $2,544,000.

Funding for this amendment is available in the Public Works and Water Services departments' budgets.

Concurrence/Previous Council Action

The City Council approved Automated Vehicle Locator Service Contract 148595 (Ordinance S-44634) on June 6, 2018.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 60

Digester Tank Cleaning Services Agreement - Request for Award (Ordinance S-47919)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wastewater Solids Management to provide digester tank cleaning services for cleaning the interior of different size digester tanks and pumping the contents to the designated digester cleaning facility beds. Further request to authorize the City Controller to disburse all funds related to this item. The agreement will not exceed $593,600.

Summary

The purpose of this agreement is to provide digester tank cleaning services for different size digester tanks at the Water Services Department Wastewater Treatment Plants.

Wastewater Solids Management services include, but are not limited to: pumping the contents to the designated digester cleaning facility beds, lagoons or digester drains, back flush heated sludge lines, pump, heat exchanger, bottom draw-off legs, mixing pump(s) and mixing lines, and grit cleaning line with impure water, and to provide all spotting during the loading and unloading of equipment and materials.

Procurement Information

The recommendation was made using an Invitation for Bids procurement process in accordance with Administrative Regulation 3.10.

Four vendors submitted bids and are listed below. All bids were found to be responsive and responsible.

Selected Bidder:
Wastewater Solids Management: $359,200

Other Bidders:
Denali Water Solutions: $702,800
Riley Industrial Services: $1,456,180
Olcese Construction Co: $1,524,000

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

Financial Impact
The agreement value for Wastewater Solids Management will not exceed $593,600.

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: 9/8/2021, **Item No.** 61

Courier Services Agreement - Request for Award (Ordinance S-47921)

Request to authorize the City Manager, or his designee, to enter into an agreement with DCS Delivery to provide courier services for transporting laboratory samples. Further request to authorize the City Controller to disburse all funds related to this item. The total value of this agreement will not exceed $95,000.

Summary
The purpose of this agreement is to provide courier services on an as-needed basis.

DCS Delivery's services include but are not limited to transport of laboratory water samples to various Citywide locations. The contract provides scheduled and unscheduled deliveries on weekdays, weekends and City holidays.

Procurement Information
The recommendations were made using a Request for Quote procurement process in accordance with City of Phoenix Administrative Regulation 3.10.

Three vendors submitted bids and are listed below. Two bids were found to be responsive and responsible.

Selected Bidder
DCS Delivery: $17,428.86

Other Bidders
SWABS AZ, Inc.: $30,601

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

Financial Impact
The agreement value for DCS Delivery will not exceed $95,000.

Funding is available in the Water Services Department’s budget.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 62

Modification of Stipulation Request for Ratification of the Aug. 5, 2021 Planning Commission Action - PHO-1-21--Z-67-95-7 - Northeast Corner of 59th Avenue and Lower Buckeye Road

Request to authorize the City Manager, or his designee, to approve the Planning Commission recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on May 19, 2021 and the Planning Commission on Aug. 5, 2021. This ratification requires formal action only.

Summary

Application: PHO-1-21--Z-67-95-7
Existing Zoning: A-1
Acreage: 1.7

Applicant: Taylor C. Earl, Earl and Curley, P.C.
Owner: Glenda D. Massey
Representative: Taylor C. Earl, Earl and Curley, P.C.

Proposal:
1. Modification of Stipulation 1 regarding minimum landscape adjacent to any public street.
2. Modification of Stipulation 4 regarding general conformance to the site plan date stamped November 20, 1995.
3. Technical corrections to Stipulations 2 and 5.

Concurrence/Previous Council Action

Village Planning Committee Recommendation: The Estrella Village Planning Committee heard this case on May 18, 2021 and recommended approval, as requested by the applicant by a vote of 5-0.
PHO Action: The Planning Hearing Officer heard this case on May 19, 2021 and took the case under advisement. On June 3, 2021, the Planning Hearing Officer took the case out from under advisement and recommended approval with modifications and additional stipulations. See **Attachment C (Staff Report)** for the Planning Hearing Officer recommended stipulations.
PC Action: The Planning Commission heard this case on Aug. 5, 2021 and

recommended approval, per the Planning Hearing Officer recommendation with modifications by a vote of 8-0.

Location

Northeast corner of 59th Avenue and Lower Buckeye Road
Council District: 7
Parcel Address: 5858 W. Lower Buckeye Road

Responsible Department

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

Attachment A- Stipulations- PHO-1-21_Z-67-95-7

Location: Northeast corner of 59th Avenue and Lower Buckeye Road

Stipulations:

1.	~~That a minimum 30 foot landscape setback (as per Section 626 of the Zoning Ordinance) be provided adjacent to any public street.~~ THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED AUGUST 5, 2021 AND ELEVATIONS DATE STAMPED MARCH 25, 2021, EXCEPT WHERE THERE MAY BE CONFLICTS WITH GENERAL ZONING ORDINANCE STANDARDS, AND AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.	
	A.	A MINIMUM 30-FOOT LANDSCAPE SETBACK SHALL BE PROVIDED ADJACENT TO ~~ANY PUBLIC STREET~~ LOWER BUCKEYE ROAD.
2.	~~That~~ Lot lines, not on an abutting street shall provide a minimum 5-foot wide landscaped area containing ~~a~~ minimum 15-gallon evergreen trees (or other plant materials as approved by the PLANNING AND Development ~~Services~~ Department) planted to a maximum of 20 feet on center or placed in equivalent groupings.	
3.	~~That~~ No outdoor storage shall be located within 100 feet of a public street and storage shall be enclosed with a minimum six-foot high solid masonry wall.	
~~4.~~	~~That development be in general conformance to the site plan dated November 20, 1995.~~	
4.	A 10-FOOT PUBLIC MULTI-USE TRAIL SHALL BE CONSTRUCTED WITHIN A 30-FOOT EASEMENT PER THE TRAIL DETAIL IN ACCORDANCE WITH THE MAG SUPPLEMENTAL DETAIL ALONG WEST LOWER BUCKEYE ROAD AS APPROVED BY THE PARKS AND RECREATION DEPARTMENT.	
5.	THE DEVELOPER SHALL PROVIDE A SHARED-USE PATH AND EASEMENT ALONG THE EAST SIDE OF 59TH AVENUE IN ACCORDANCE WITH THE CITY OF PHOENIX STANDARD TRAIL DETAILS AND AS APPROVED OR MODIFIED BY THE PARKS AND RECREATION DEPARTMENT.	
6.	THE DEVELOPMENT SHALL CONFORM TO THE ESTRELLA VILLAGE ARTERIAL STREET LANDSCAPING PROGRAM, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.	
7.	~~That~~ The applicant shall dedicate the following right-of-way as approved by	

~~5.~~	the PLANNING AND Development ~~Services~~ Department.	
	a.	A 50-foot north half street for Lower Buckeye Road with a Type “B “ flair at the intersection of 59th Avenue. The applicant shall construct the north half of Lower Buckeye Road with paving, curb, gutter, sidewalk, street lights, landscaping and other incidentals, as approved by the PLANNING AND Development ~~Services~~ Department.
	b.	A 50-foot east half street for 59th Avenue with a Type “B “ flair at the intersection of Lower Buckeye Road. The applicant shall construct the east half of 59th Avenue with paving, curb, gutter, sidewalk, street lights, landscaping and other incidentals, as approved by the PLANNING AND Development ~~Services~~ Department.
	c.	A 21-foot by 21-foot triangle at the northeast corner of 59th Avenue and Lower Buckeye Road.
	d.	Sufficient right-of-way to accommodate a far-side busbay (Detail P-1257) on 59th Avenue at Lower Buckeye Road.
	e.	Additional easements and right-of-way dedications may be required by the PLANNING AND Development ~~Services~~ Department at the time of preliminary site plan approval.
8.	THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY AND CONSTRUCT ONE ~~BUS BAY WITH AN ATTACHED~~ BUS STOP PAD ALONG NORTHBOUND 59TH AVENUE NORTH OF LOWER BUCKEYE ROAD. ~~THE BUS BAY SHALL BE CONSTRUCTED ACCORDING TO CITY OF PHOENIX STANDARD DETAIL P1256~~. THE ~~ATTACHED~~ BUS STOP PAD SHALL BE CONSTRUCTED ACCORDING TO CITY OF PHOENIX STANDARD DETAIL ~~P1261~~ P1260 WITH A MINIMUM DEPTH OF 10 FEET. THE BUS STOP PAD SHALL BE SPACED FROM THE INTERSECTION OF 59TH AVENUE AND LOWER BUCKEYE ROAD ACCORDING TO CITY OF PHOENIX STANDARD DETAIL P1258. TREES SHALL BE PLACED TO PROVIDE MINIMUM 50% SHADE COVERAGE TO THE BUS STOP PAD AT FULL MATURITY.	
9.	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.	
10.	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.
11.	IN THE EVENT ARCHAEOLOGICAL MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, THE DEVELOPER SHALL IMMEDIATELY CEASE ALL GROUND-DISTURBING ACTIVITIES WITHIN A 33-FOOT RADIUS OF THE DISCOVERY, NOTIFY THE CITY ARCHAEOLOGIST, AND ALLOW TIME FOR THE ARCHAEOLOGY OFFICE TO PROPERLY ASSESS THE MATERIALS.

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 63

Final Plat - Courtyards at Madison Ranch Amended - Plat 200582 - Northeast Corner of 19th Avenue and Baseline Road

Plat: 200582
Project: 06-1529
Name of Plat: Courtyards at Madison Ranch Amended
Owner: Courtyards at Madison Ranch HOA and Nineteen Commons, LLC
Engineer: Sunrise Engineering, Inc.
Request: A 152 Lot Residential Subdivision Plat
Reviewed by Staff: August 9, 2021
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public. This plat and the resolution of abandonment for ABND 210032 must be recorded concurrently with the Maricopa County Recorder on the same day, at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location
Generally located at the northeast corner of 19th Ave. and Baseline Road.
Council District: 7

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 64

Abandonment of Right-of-Way - ABND 210018 - 1720 East Camelback Road (Resolution 21955)

Abandonment: ABND 210018
Project: 19-31
Applicant: Noel Griemsmann, AICP; Snell & Wilmer LLP
Request: To abandon the 155-square-foot excess right-of-way located in the northeastern corner of 164-57-023B.
Date of Decision/Hearing: May 13, 2021

Location
1720 East Camelback Road
Council District: 6

Financial Impact
A consideration fee also was collected as part of this abandonment in the amount of $2,300.

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 65

Abandonment of Easements - ABND 210032- East of 19th Avenue at Park Street (Resolution 21953)

Abandonment: ABND 210032
Project: 16-1529
Applicant: Nick Johnson, Sunrise Engineering Inc.
Request: All publicly dedicated easements within all tracts and lots 38, 39, 40, 153, 155, 156, 157, and 158 as shown on the Final Plat for “The Courtyards at Madison Ranch”, Recorded in Book 973, Page 46, MCR; those dedicated within all Tracts as shown on the Final Plat for “The Courtyards at Madison Ranch”, Recorded in Book 1326, Page 50, MCR.
Date of Decision/Hearing: June 30, 2021

Summary
The resolution of the abandonment and PLAT 200582 are to be recorded together with the Maricopa County Recorder on the same day at the same time. The sequence of recording to be followed is that the resolution is recorded first, then the plat is recorded second.

Location
East of 19th Avenue at Park Street
Council District: 7

Financial Impact
None. No consideration fee was required as a part of this easement abandonment, although filing fees were paid. The purpose of this abandonment was to be able to replat the development and rededicate the easements in slightly different locations.

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

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 66

Amend City Code - Ordinance Adoption - Rezoning Application Z-43-20-4 (McDowell Hotel PUD) - Northwest Corner of 12th Street and McDowell Road (Ordinance G-6885)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-43-20-4 and rezone the site from C-2 CNSPD (Intermediate Commercial, Coronado Neighborhood Special Planning District) and P-1 CNSPD (Parking, Coronado Neighborhood Special Planning District) to PUD CNSPD (Planned Unit Development, Coronado Neighborhood Special Planning District) to allow a hotel and other commercial uses.

Summary

Current Zoning: C-2 CNSPD (1.13 acres) and P-1 CNSPD (0.46 acres)
Proposed Zoning: PUD CNSPD
Acreage: 1.59 acres
Proposed Use: Hotel and other commercial uses

Owner: 1144 McDowell Land, LLC
Applicant: Larry Lazarus, Lazarus & Silvyn, P.C.
Representative: Larry Lazarus, Lazarus & Silvyn, P.C.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Encanto Village Planning Committee heard this case on April 5, 2021 for information only. The Encanto Village Planning Committee heard this case on June 7, 2021 and recommended denial by a vote of 5-4.
PC Action:The Planning Commission heard this case on Aug. 5, 2021 and recommended approval, per the Addendum A Staff Report, with an additional stipulation by a vote of 8-0.

Location

Northwest corner of 12th Street and McDowell Road
Council District: 4
Parcel Addresses: 1145 E. 12th St.; 1144, 1146, and 1148 E. McDowell Road; and 1135, 1137, and 1143 E. Almeria Road

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-43-20-4) FROM C-2 CNSPD (INTERMEDIATE COMMERCIAL, CORONADO NEIGHBORHOOD SPECIAL PLANNING DISTRICT) AND P-1 CNSPD (PARKING, CORONADO NEIGHBORHOOD SPECIAL PLANNING DISTRICT) TO PUD CNSPD (PLANNED UNIT DEVELOPMENT, CORONADO NEIGHBORHOOD SPECIAL PLANNING DISTRICT)

_____

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

SECTION 1. The zoning of a 1.59-acre site located at the northwest corner of 12th Street and McDowell Road, in a portion of Section 33 Township 2 North and Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from 1.13 acres of “C-2 CNSPD” (Intermediate Commercial, Coronado Neighborhood Special Planning District) and 0.46-acres of “P-1 CNSPD” (Parking, Coronado Neighborhood Special Planning District) to PUD CNSPD (Planned Unit Development, Coronado Neighborhood Special Planning District).

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

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

1. An updated Development Narrative for McDowell Hotel 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 May 18, 2021, as modified by the following stipulations:

    a. Front cover: Revise the date information on the cover page to add the following:
        - Hearing Draft: May 18, 2021
        - City Council Adopted: TBD [Add Adoption Date]

    b. Page 4 and Exhibits: Add an Exhibit 8 to include the renderings date stamped August 4, 2021.

    c. Page 8: Update Figure 2 to match the site plan date stamped August 4, 2021.

    d. Page 14; Walkable Urban Code: Applications and Modifications Table: Change the column header from “Column B: Standards for hotel use only” to “Column B: Standards for hotel and medical office use only”

    e. Page 14: Change “1303 General Site Development Standards” to “1304 General Site Development Standards”.

    f. Page 15, 1305 Frontage Standards, Fence standards: Add an additional bullet to include the following provision under the first bullet:
        - Decorative screening or open fencing on top of solid walls shall be limited to 66 inches, with a combined height not to exceed 78 inches.

    g. Page 15; Walkable Urban Code: Applications and Modifications Table. 1306 Land Use Matrix in Column B: Add “Clinic, medical or dental; laboratory, medical, dental or clinical; medical or dental office; per Section 1306 Land Use Matrix.”

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h. Page 20; Site; 1st Paragraph: Add the following language “proposals for non-standard material in the public right-of-way shall require approval from the Street Transportation Department”

2. The site shall be in general conformance with the site plan date stamped August 4, 2021 should a hotel use be developed on the site, as approved by the Planning and Development Department.

3. The developer shall dedicate 35-feet of right-of-way for the north side of McDowell Road, as approved by the Planning and Development Department.

4. The developer shall dedicate a 10-foot sidewalk easement for the north half of McDowell Road, as approved by the Planning and Development Department.

5. The driveway along McDowell Road shall be restricted to three quarter access per City of Phoenix standard detail, as approved by the Street Transportation Department.

6. 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.

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

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

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

10. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

11. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified

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archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

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

13. 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 8th day of September 2021.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:
_____

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_____

REVIEWED BY:

_____
Ed Zuercher City Manager

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

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-43-20-4

That part of Lot 16, Homewood Tract, according to Book 3 of Maps, page 26, records of Maricopa County, Arizona described as follows:

Commencing at the South quarter corner of Section 33, Township 2 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Thence North 00 degrees 21 minutes 00 seconds East, along the North-South mid-section line thereof, 33.00 feet to the Southeast corner of Lot 16;
Thence continuing North 00 degrees 21 minutes 00 seconds East, along the aforesaid East line, 2.50 feet;

Thence West, along a line 2.50 feet North of and parallel to the South line of Lot 16, 16.03 feet to the Point of Beginning;

Thence continuing West, along the North line of the South 2.50 feet of Lot 16, 164.27 feet (recorded) 164.28 feet (measured) to a point on the East line of the West 151.50 feet of Lot 16;
Thence North 00 degrees 56 minutes 00 seconds East, along the aforesaid East line 166.25 feet to the Southeast corner of the parcel described in Docket 890, page 260, records of Maricopa County, Arizona;

Thence South 89 degrees 52 minutes 00 seconds West, along the South line of said parcel, 56.50 feet to the Southwest corner thereof, also being the East line of the West 95.00 feet of Lot 16;

Thence North 00 degrees 56 minutes 00 seconds East, along the West line of said parcel and the East line of the West 95.00 feet of Lot 16, 121.40 feet (recorded) 121.45 feet (Measured) to a point on the South line of the North 337.00 feet of Lot 16;

Thence North 89 degrees 52 minutes 00 seconds East, along said South line, 214.00 feet to the Northeast corner of parcel no. 1, as described in Recording No. 1983-0123794, records of Maricopa County, Arizona;

Thence South 00 degrees 25 minutes 09 seconds East, along the East line of said parcel and its Southerly prolongation, being the West right-of –way line of North 12th Street, 287.98 feet to the Point of Beginning.

Except that part thereof described as follows:

Beginning at the intersection of the North line of the South 2.50 feet with a line designated herein as line “A”, which extends from a point on the South line of Lot 16, distant 16.00 feet West from the Southeast corner thereof to a point on the North line of the South half, distant 20.24 feet West from the Northeast corner of the South half;

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Thence Northerly along said line “A”, 16.00 feet;
Thence Southwesterly to a point on the North line of the South 2.50 feet which is 16.00 feet West of the Point of Beginning, And

Except that part of Lot 16 bounded on the East by said Line “A”, on the North by the South right-of-way Line of Almeria Road, as shown on the plat of the Subdivision of the North 337 feet of lots 15 and 16, Homewood Tract according to Book 19 of Maps, page 34, records of Maricopa County, Arizona, and on the Southwest by the arc of a circular curve concave Southwesterly, having a tangent of 12 feet and being tangent to said line “A” and to the South right-of-way line; and

Except the portion described as follows:

Commencing at the intersection of the North line of the South 2.50 feet of Lot 16 with a line, designated herein as Line “A” which extends from a point in the South line of lot 16 which is 16.00 feet West of the Southeast corner thereof to a point in the North line of the South half of Lot 16 which is 20.24 West of the Northeast corner of said South half;

Thence Northerly along said Line “A”, 16.00 feet to the Point of Beginning;

Thence continuing Northerly, along said Line “A”, 1.00 feet;

Thence Southwesterly to a point in the North line of said south 2.50 feet which is 17.00 feet West of the Point of Commencement;

Thence East, along the last said North line, 1.00 feet;

Thence Northeasterly to the Point of Beginning.

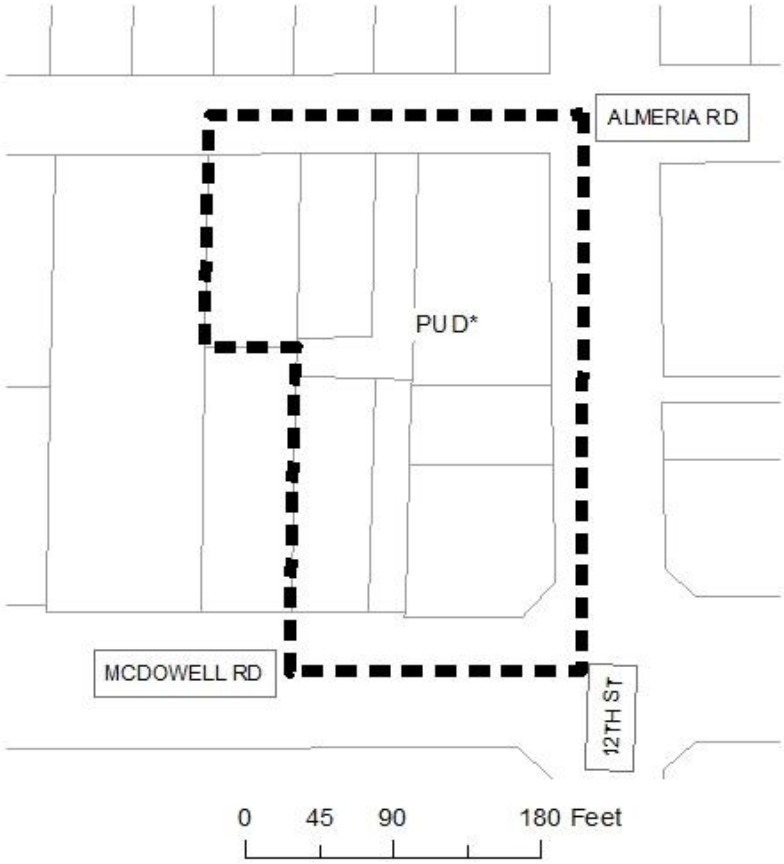
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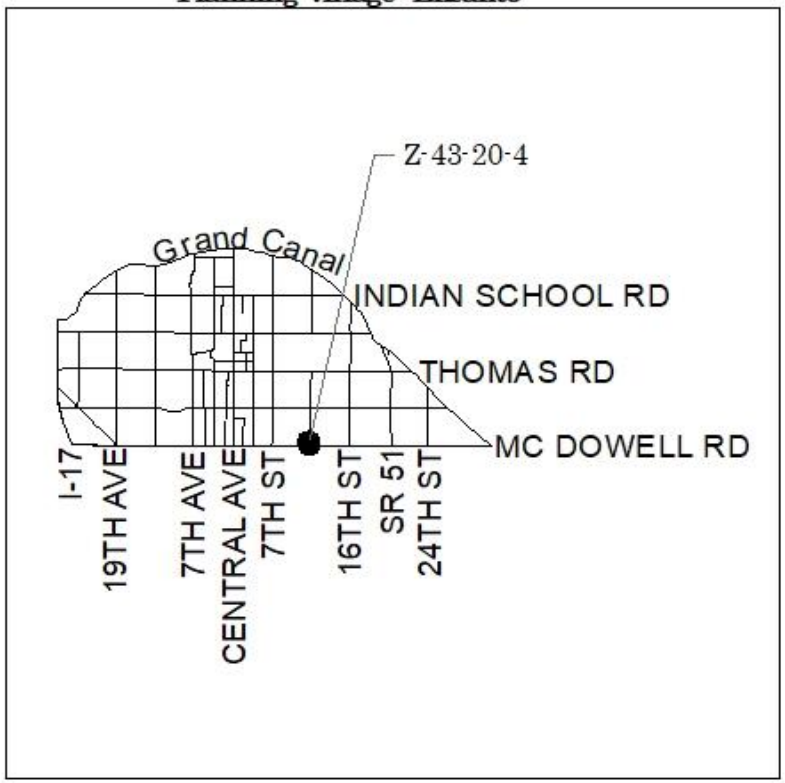
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-43-20-4
Zoning Overlay: Coronado Neighborhood SPD
Planning Village: Encanto





NOT TO SCALE

N

Drawn Date: 7/30/2021

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City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 67

Amend City Code - Ordinance Adoption - Rezoning Application Z-21-21-5 - Approximately 600 Feet West of the Northwest Corner of 91st Avenue and Indian School Road (Ordinance G-6888)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-21-21-5 and rezone the site from PSC (Planned Shopping Center District) to C-2 (Intermediate Commercial District) to allow commercial uses. This is a companion case to Z-SP-2-21-5 and should be heard first, followed by Z-SP-2-21-5.

Summary

Current Zoning: PSC
Proposed Zoning: C-2
Acreage: 4.99 acres
Proposed Use: Commercial uses

Owner: Prime Storage West Phoenix Land, LLC
Applicant: Neil Feaser, RKAA Architects Inc.
Representative: Thomas J. Richardson, EVP Construction

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Maryvale Village Planning Committee heard this case on July 14, 2021 and recommended approval, per the staff recommendation, by a vote of 7-1-1.
PC Action: The Planning Commission heard this case on Aug. 5, 2021 and recommended approval, per the Maryvale Village Planning Committee, by a vote of 7-0.

Location

Approximately 600 feet west of the northwest corner of 91st Avenue and Indian School Road
Council District: 5
Parcel Addresses: 9210 W. Indian School Road

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-21-21-5) FROM PSC (PLANNED SHOPPING CENTER DISTRICT) TO C-2 (INTERMEDIATE COMMERCIAL DISTRICT).

_____

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

SECTION 1. The zoning of a 4.99-acre site located approximately 600 feet west of the northwest corner of 91st Avenue and Indian School Road in a portion of Section 21, Township 2 North, Range 1 East, as described more specifically in Exhibit "A", is hereby changed from "PSC" (Planned Shopping Center District) to "C-2" (Intermediate Commercial District).

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

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

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

1. The development shall be in general conformance with the site plan date stamped April 19, 2021, as modified by the following stipulations and approved by the Planning and Development Department.

2. 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

3. The sidewalk along Indian School Road shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and shall include minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or in equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

4. Perimeter walls adjacent to Indian School Road shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, and be compatible with the existing wall adjacent to Indian School Road on the property to the west, as approved by the Planning and Development Department.

5. The north landscape setback shall be planted with a minimum 3-inch caliper trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

6. A minimum of four inverted-U bicycle spaces for guests or employees shall be provided on site and installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.

7. The developer shall dedicate 55-feet of right-of-way for the north side of Indian School Road, as approved by the Planning and Development Department.

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

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9. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, bus stop pads, and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department.

10. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.

11. Trees shall be placed to provide 75 percent shade coverage on all pedestrian pathways and sidewalks at full maturity. Shade structures may be used to meet the shade requirement in places where trees are unable to be located, as approved by the Planning and Development Department.

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

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 8th day of September, 2021.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

DRAFT

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

_____
_____

REVIEWED BY:

_____
Ed Zuercher City Manager

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

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-21-21-5

The Land referred to herein below is situated in the County of Maricopa, State of Arizona, and is described as follows:

THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPTING THEREFROM ANY PORTION LYING IN W INDIAN SCHOOL ROAD

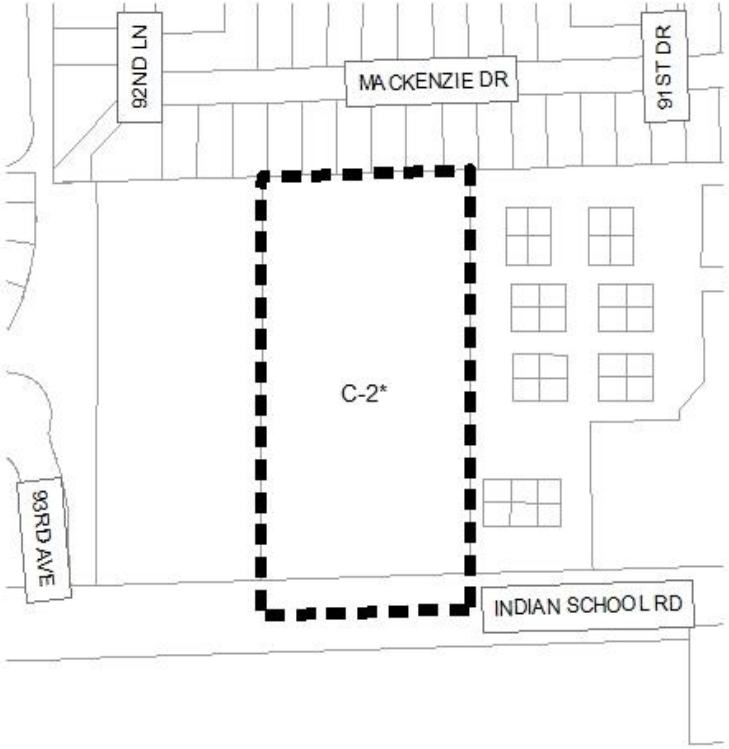
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ORDINANCE LOCATION MAP

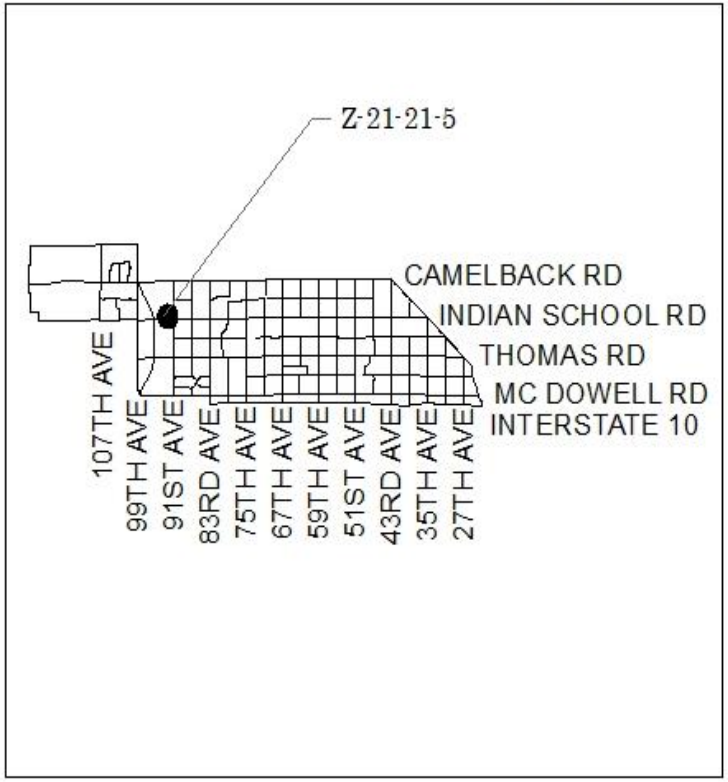
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-21-21-5
Zoning Overlay: N/A
Planning Village: Maryvale



0 115 230 460 Feet



NOT TO SCALE

N

Drawn Date: 7/30/2021

\\one\pdd\Shared\Department Share\Information Systems\PLGIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2021 Ord\9-8-21\Z-21-21-5.mxd

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 68

Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-2-21-5 - Approximately 600 Feet West of the Northwest Corner of 91st Avenue and Indian School Road (Ordinance G-6889)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-2-21-5 and rezone the site from PSC (Pending C-2) (Planned Shopping Center, pending Intermediate Commercial District) to C-2 SP (Intermediate Commercial District, Special Permit) to allow self-service and RV storage, and all underlying C-2 uses. This is a companion case to Z-21 -21-5 and should be heard immediately following.

Summary

Current Zoning: PSC (Pending C-2)
Proposed Zoning: C-2 SP
Acreage: 4.99 acres
Proposed Use: Self-service and RV storage, and all underlying C-2 uses

Owner: Prime Storage West Phoenix Land, LLC
Applicant: Neil Feaser, RKAA Architects Inc.
Representative: Thomas J. Richardson, EVP Construction

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Maryvale Village Planning Committee heard this case on July 14, 2021 and recommended approval, per the staff recommendation, by a vote of 7-1-1.
PC Action: The Planning Commission heard this case on Aug. 5, 2021 and recommended approval, per the Maryvale Village Planning Committee recommendation, by a vote of 7-0.

Location

Approximately 600 feet west of the northwest corner of 91st Avenue and Indian School Road
Council District: 5
Parcel Addresses: 9210 W. Indian School Road

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-SP-2-21-5) FROM PSC (PENDING C-2) (PLANNED SHOPPING CENTER DISTRICT, PENDING INTERMEDIATE COMMERCIAL DISTRICT) TO C-2 SP (INTERMEDIATE COMMERCIAL DISTRICT, SPECIAL PERMIT).

_____

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

SECTION 1. The zoning of a 4.99-acre site located approximately 600 feet west of the northwest corner of 91st Avenue and Indian School Road in a portion of Section 21, Township 2 North, Range 1 East, as described more specifically in Exhibit "A", is hereby changed from "PSC, Pending C-2" (Planned Shopping Center District, pending Intermediate Commercial District) to "C-2 SP" (Intermediate Commercial District, Special Permit) to allow self-service and RV storage facility, and all underlying C-2 uses.

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

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

1. The development shall be in general conformance with the site plan date stamped April 19, 2021, as modified by the following stipulations and approved by the Planning and Development Department.

2. 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

3. The sidewalk along Indian School Road shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and shall include minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or in equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

4. Perimeter walls adjacent to Indian School Road shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, and be compatible with the existing wall adjacent to Indian School Road on the property to the west, as approved by the Planning and Development Department.

5. The north landscape setback shall be planted with a minimum 3-inch caliper trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

6. A minimum of four inverted-U bicycle spaces for guests or employees shall be provided on site and installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.

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7. The developer shall dedicate 55 feet of right-of-way for the north side of Indian School Road, as approved by the Planning and Development Department.

8. 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.

9. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, bus stop pads, and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department.

10. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.

11. Trees shall be placed to provide 75 percent shade coverage on all pedestrian pathways and sidewalks at full maturity. Shade structures may be used to meet the shade requirement in places where trees are unable to be located, as approved by the Planning and Development Department.

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

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 8th day of September, 2021.

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_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:
_____
_____

REVIEWED BY:

_____
Ed Zuercher City Manager

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

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-SP-2-21-5

The Land referred to herein below is situated in the County of Maricopa, State of Arizona, and is described as follows:

THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA
COUNTY, ARIZONA.

EXCEPTING THEREFROM ANY PORTION LYING IN W INDIAN SCHOOL ROAD

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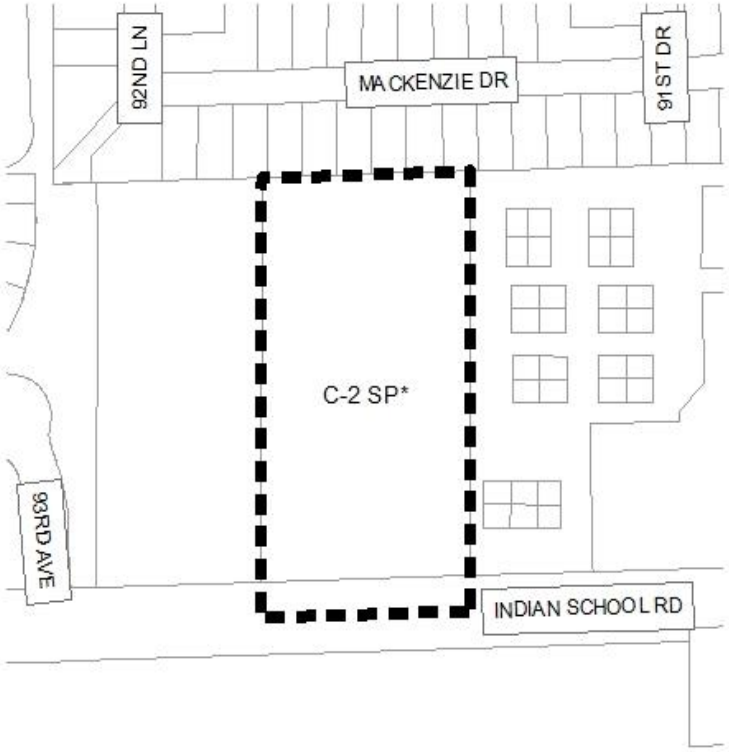
ORDINANCE LOCATION MAP

EXHIBIT B

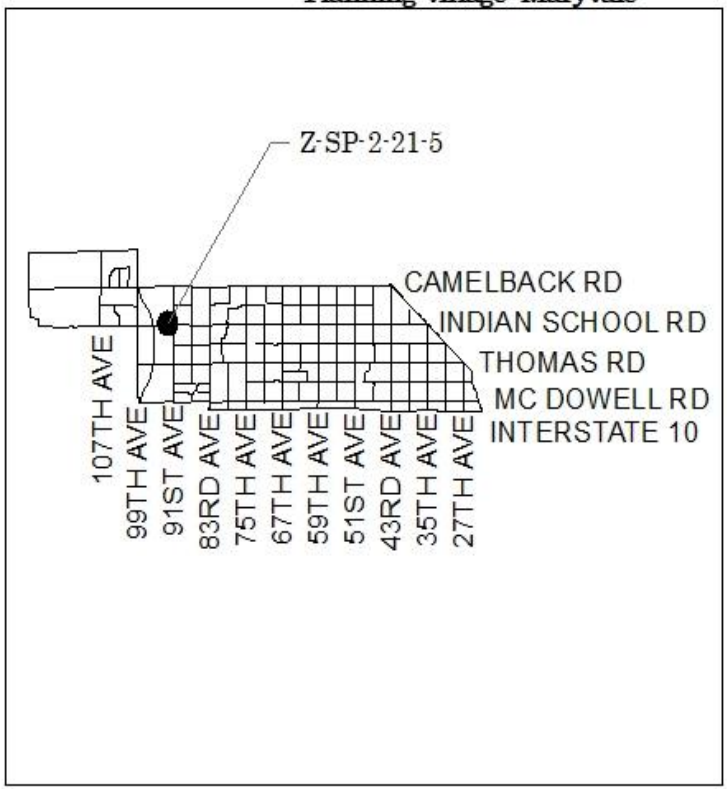
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA:

Zoning Case Number: Z-SP-2-21-5
Zoning Overlay: N/A
Planning Village: Maryvale



0 115 230 460 Feet



NOT TO SCALE

N

Drawn Date: 7/30/2021

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City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 69

Amend City Code - Ordinance Adoption - Application PHO-1-21--Z-9-08-7- Approximately 280 Feet North of the Northeast Corner of 59th Avenue and Lower Buckeye Road (Ordinance G-6884)

Request to authorize the City Manager, or his designee, to approve the Planning Commission recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on May 19, 2021 and the Planning Commission on Aug. 5, 2021.

Summary

Application: PHO-1-21--Z-9-08-7
Existing Zoning: A-2
Acreage: 13.79

Applicant: Taylor C. Earl, Earl and Curley, P.C.
Owner: Glenda D. Massey
Representative: Taylor C. Earl, Earl and Curley, P.C.

Proposal:
1. Modification of Stipulation 1 regarding general conformance to the site plan and elevations date stamped Feb. 5, 2008.
2. Modification of Stipulation 1.a regarding landscape setbacks widths and landscaping surrounding Lot 2.
3. Technical corrections to Stipulations 3, 5 and 6.

Concurrence/Previous Council Action

Village Planning Committee Recommendation: The Estrella Village Planning Committee heard this case on May 18, 2021 and recommended approval, as requested by the applicant by a vote of 6-0.
PHO Action: The Planning Hearing Officer heard this case on May 19, 2021 and took the case under advisement. On June 3, 2021, the Planning Hearing Officer took the case out from under advisement and recommended approval with modifications and additional stipulations. See **Attachment C (Staff Report)** for the Planning Hearing Officer recommended stipulations.
PC Action: The Planning Commission heard this case on Aug. 5, 2021 and

recommended approval, per the Planning Hearing Officer recommendation with modifications, by a vote of 8-0.

Location

Approximately 280 feet north of the northeast corner of 59th Avenue and Lower Buckeye Road
Council District: 7
Parcel Address: 5858 W. Lower Buckeye Road

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO REZONING APPLICATION Z-9-08-7 PREVIOUSLY APPROVED BY ORDINANCE G-5173.

_____

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

SECTION 1. The zoning stipulations applicable located approximately 280 feet north of the northeast corner of 59th Avenue and Lower Buckeye Road in a portion of Section 17, Township 1 North, Range 2 East, as described more specifically in Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

SITE PLAN AND ELEVATIONS

1. ~~That~~ The development shall be in general conformance with the site plan DATE STAMPED AUGUST 5, 2021 and elevations date stamped MARCH 25, 2021 ~~February 5, 2008~~, EXCEPT WHERE THERE MAY BE CONFLICTS WITH GENERAL ZONING ORDIANCE STANDARDS, AND as ~~approved or~~ modified by the FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND Development ~~Services~~ Department. ~~with specific regard to the following:~~

    a. ~~Landscape setback widths as shown on the site plan and the inclusion of a minimum 20-foot wide landscape setback surrounding Lot 2.~~

    A MINIMUM 30-FOOT LANDSCAPE SETBACK SHALL BE PROVIDED ADJACENT TO ~~ANY PUBLIC STREET~~ LOWER BUCKEYE ROAD.

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b. A mix of 2, 3, and 4-inch caliper, drought tolerant trees within the landscape setback/retention areas visible from arterial streets.

2. ~~That~~ A 10-foot public multi-use trail shall be constructed within a 30-foot easement per the trail detail in accordance with the MAG supplemental detail along West Lower Buckeye Road, as approved by the Parks and Recreation Department.

3. THE DEVELOPER SHALL PROVIDE A SHARED-USE PATH AND EASEMENT ALONG THE EAST SIDE OF 59TH AVENUE IN ACCORDANCE WITH THE CITY OF PHOENIX STANDARD TRAIL DETAILS AND AS APPROVED OR MODIFIED BY THE PARKS AND RECREATION DEPARTMENT.

4. ~~That~~ The perimeter wall visible from the arterial street shall include material
~~3.~~ and textural differences, such as stucco and/or split face block with a decorative element, such as tile, glass insets, or stamped designs, as approved by the PLANNING AND Development ~~Services~~ Department.

5. THE DEVELOPMENT SHALL CONFORM TO THE ESTRELLA VILLAGE ARTERIAL STREET LANDSCAPING PROGRAM, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

ARCHAEOLOGY

6. ~~That~~ The applicant shall conduct archaeological testing and/or monitoring
~~4.~~ within the entire project area prior to clearing and grubbing, landscape salvage, and/or grading, as approved or modified by the City Archaeologist.

7. 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.

8. 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.

9. 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

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ALLOW TIME FOR THE ARCHAEOLOGY OFFICE TO PROPERLY ASSESS THE MATERIALS.

STREETS

10. ~~5.~~ ~~That~~ Right-of-way totaling 55 feet shall be dedicated for the north half of Lower Buckeye Road as approved by the PLANNING AND Development ~~Services~~ Department.

11. ~~6.~~ ~~That~~ Right-of-way totaling 55 feet shall be dedicated for the east half of 59th Avenue, as approved by the PLANNING AND Development ~~Services~~ Department.

12. ~~7.~~ ~~That~~ The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the City. All improvements shall comply with all ADA accessibility standards.

13. ~~8.~~ ~~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.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-5173, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5173 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

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

PASSED by the Council of the City of Phoenix this 8th day of September, 2021.

DRAFT

_____
MAYOR

ATTEST:

_____City Clerk

APPROVED AS TO FORM:

_____City Attorney

REVIEWED BY:

_____City Manager

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

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EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-21-- Z-9-08-7

A PORTION OF THE SOUTH 775 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER MERIDIAN MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 17 THENCE NORTH 00 DEGREES 04 MINUTES 18 SECONDS WEST, A DISTANCE OF 281.40 FEET,
THENCE SOUTH 88 DEGREES 41 MINUTES 32 SECONDS EAST A DISTANCE OF 33.01 FEET TO THE TRUE POINT OF BEGINNING,
THENCE NORTH 00 DEGREES 04 MINUTES 18 SECONDS WEST A DISTANCE OF 453.89 FEET,
THENCE SOUTH 88 DEGREES 41 MINUTES 32 SECONDS EAST A DISTANCE OF 80.02 FEET,
THENCE NORTH 00 DEGREES 04 MINUTES 18 SECONDS WEST A DISTANCE OF 40.01 FEET,
THENCE SOUTH 88 DEGREES 41 MINUTES 32 SECONDS EAST, A DISTANCE OF 768.83 FEET,
THENCE SOUTH 00 DEGREES 03 MINUTES 42 SECONDS WEST, A DISTANCE OF 640.22 FEET,
THENCE NORTH 88 DEGREES 41 MINUTES 32 SECONDS WEST A DISTANCE OF 40.01 FEET
THENCE SOUTH 00 DEGREES 03 MINUTES 42 SECONDS WEST, A DISTANCE OF 102.03 FEET,
THENCE NORTH 88 DEGREES 41 MINUTES 32 SECONDS WEST, A DISTANCE OF 577.11 FEET,
THENCE NORTH 00 DEGREES 04 MINUTES 18 SECONDS WEST, A DISTANCE OF 248.39 FEET,
THENCE NORTH 88 DEGREES 41 MINUTES 32 SECONDS WEST A DISTANCE OF 230.00 FEET TO THE TRUE POINT OF BEGINNING.

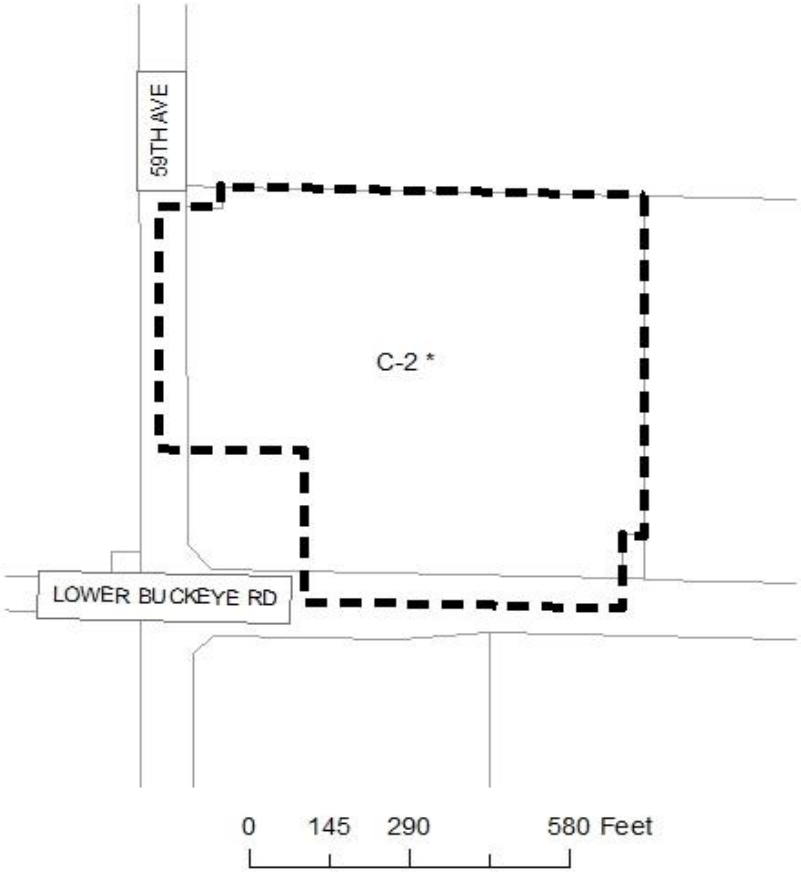
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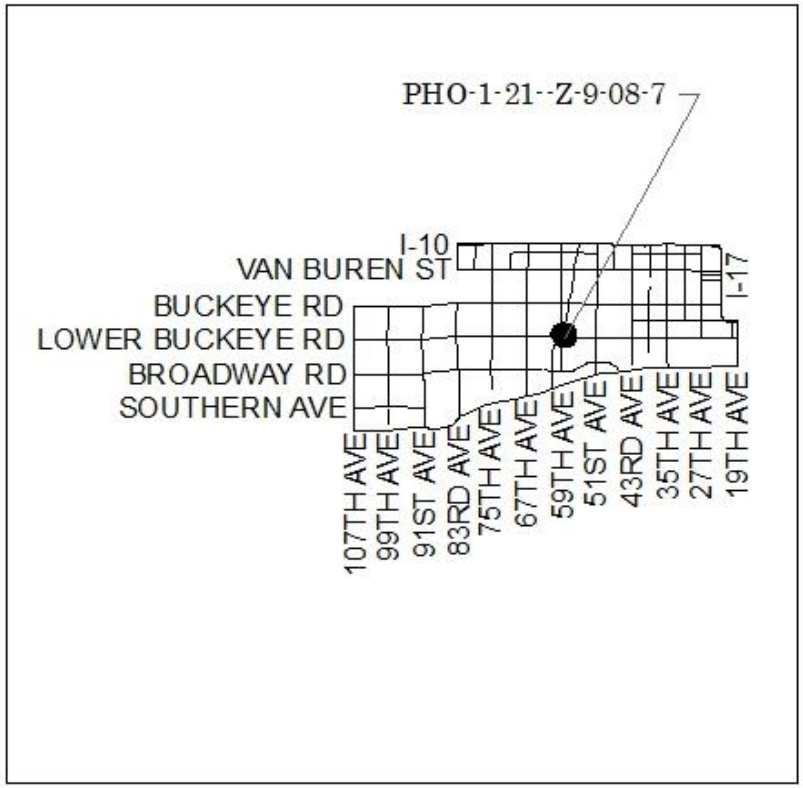
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - -

Zoning Case Number: PHO-1-21--Z-9-08-7
Zoning Overlay: N/A
Planning Village: Estrella





NOT TO SCALE

N

Drawn Date: 6/3/2021

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City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 70

Amend City Code - Ordinance Adoption - Rezoning Application Z-22-21-8 - Approximately 375 Feet East of the Northeast Corner of 59th Avenue and Elliot Road (Ordinance G-6886)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-22-21-8 to rezone the site from S-1 (Ranch or Farm Residence District), S-1 (Approved C-1 PCD) (Ranch or Farm Residence District, Approved Neighborhood Retail District, Planned Community District), and S-1 (Approved R1-8 PCD) (Ranch or Farm Residence District, Approved Single-Family Residence District, Planned Community District) to R-3 (Multifamily Residence District).

Summary

Current Zoning: S-1 (0.67 acres), S-1 (Approved C-1 PCD) (0.62 acres), and S-1 (Approved R1-8 PCD) (3.97 acres)
Proposed Zoning: R-3
Acreage: 5.26 acres
Proposal: Multifamily residential development

Owner: AMED Partners, LLC
Applicant: Isola Elliot, LLC
Representative: Benjamin Tate, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Laveen Village Planning Committee heard this case on July 12, 2021 and recommended approval, per the staff recommendation with a modification and additional stipulations by a vote of 6-3.
PC Action: The Planning Commission heard this case on Aug. 5, 2021 and recommended approval, per the Laveen Village Planning Committee recommendation with an additional stipulation, a modified stipulation, and a deleted stipulation by a vote of 8-0.

Location

Approximately 375 feet east of the northeast corner of 59th Avenue and Elliot Road
Council District: 8
Parcel Address: N/A

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE 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-22-21-8) FROM S-1 (RANCH OR FARM RESIDENCE DISTRICT), S-1 (APPROVED C-1 PCD) (RANCH OR FARM RESIDENCE DISTRICT, APPROVED NEIGHBORHOOD RETAIL DISTRICT, PLANNED COMMUNITY DISTRICT), AND S-1 (APPROVED R1-8 PCD) (RANCH OR FARM RESIDENCE DISTRICT, APPROVED SINGLE-FAMILY RESICENCE DISTRICT, PLANNED COMMUNITY DISTRICT) TO R-3 (MULTIFAMILY RESIDENCE DISTRICT).

_____

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

SECTION 1. The zoning of a 5.26-acre site located approximately 375 feet east of the northeast corner of 59th Avenue and Elliot Road in a portion of Section 8, Township 1 South, Range 2 East, as described more specifically in Exhibit “A”, is hereby changed from 0.67 acres of S-1 (Ranch or Farm Residence District), 0.62 acres of S-1 (Approved C-1 PCD) (Ranch or Farm Residence District, Approved Neighborhood Retail District, Planned Community District), and 3.97 acres of S-1 (Approved R1-8 PCD) (Ranch or Farm Residence District, Approved Single-Family

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Residence District, Planned Community District) to 5.26 acres of R-3 (Multifamily Residence District).

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

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

1. The development shall be in general conformance with the site plan and elevations date stamped April 19, 2021, as modified by the following stipulations and approved by the Planning and Development Department.

2. The front elevations shall consist of a minimum 10 percent non-stucco accent material.

3. The maximum building height shall be 22 feet.

4. All sidewalks adjacent to public rights-of-way shall be detached with a minimum 10-foot-wide continuous landscape area located between the sidewalk and back of curb; and shall include 3-inch minimum caliper, large canopy single-trunk shade trees, 25 feet on center or in equivalent groupings; and minimum five-gallon shrubs with a maximum mature height of 2 feet providing 75 percent live cover, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

5. A minimum 30-foot landscape setback shall be required adjacent to Elliott Road and shall include large canopy shade trees 20 feet on center or in equivalent groupings between the sidewalk and proposed site development as approved by the Planning and Development Department. Twenty-five percent of the trees shall be minimum four-inch caliper and 75 percent of the trees shall be minimum three-inch caliper. Five, five-gallon shrubs per tree, and additional shrubs or live groundcover, shall provide minimum 75 percent live cover at mature size as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

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6. The developer shall provide a minimum of 25 percent open space, as approved by the Planning and Development Department.

7. Public and private open space areas shall provide a minimum 50 percent shade and a minimum of 50 percent live vegetative cover (shrubs, grasses, or groundcover plants).

8. All uncovered surface parking lot areas shall be landscaped with a minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.

9. A pedestrian connection shall be provided between the site and the C-1 portion to the west of the site, as approved by the Planning and Development Department.

10. Decorative rail or similar fencing elements shall be provided along Elliott Road, as approved by the Planning and Development Department.

11. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along Elliott Road and construct a minimum 10-foot wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail and as approved by the Planning and Development Department. Where conflicts or restrictions exist, the developer shall work with the Site Planning section on an alternate design through the technical appeal process.

12. The multi-use trail along Elliott Road shall be shaded to a minimum of 50 percent using shade trees at full maturity, as approved by the Planning and Development Department.

13. A minimum of 10 bicycle parking spaces shall be provided through Inverted U and/or artistic racks (in adherence to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan) or “Outdoor/Covered Facilities” for guests located near entrances or amenity areas and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.

14. The developer shall provide for a 55-foot half street right-of-way dedication for the east side of 59th Avenue from the northern project boundary, extending to Elliot Road. This shall include 37-feet of paving for the east half of 59th Avenue, as approved by the Planning and De elopement Department.

15. The developer shall provide for a 55-foot half street right-of-way dedication on the north side of Elliot Road from 59th Avenue to the existing residential development to the east. This shall include 37 feet of paving for the north half of Elliot Road and additional improvements, as approved by the Planning and Development Department.

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16. The developer shall dedicate and provide all right-of-way improvements during the first phase of the project.

17. The developer shall provide conduit and junction boxes at the northeast corner of 59th Avenue and Elliot Road for future traffic signal equipment. The plan is to be submitted to the Street Transportation Department for review and approval.

18. The applicant shall submit a TIA with an associated Signal Warrant Analysis for the intersection of 59th Avenue and Elliott Road. Development will be responsible for the installation of the traffic signal or an in-lieu contribution as defined within the approved traffic warrant analysis. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.

19. Existing irrigation facilities along 59th Avenue and Elliot Road are to be undergrounded and/or relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish appropriate process to relocate the facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.

20. The developer shall underground existing overhead electrical utilities within the public right-of-way that are impacted or need to be relocated as part of this project. Developer shall coordinate review and permitting with the affected utility companies.

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

22. 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.

23. The developer shall provide a minimum of 24 guest parking spaces in close proximity to the clubhouse amenity area.

24. 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

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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 8th day of September, 2021.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:
_____
_____

REVIEWED BY:

_____
Ed Zuercher City Manager

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

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-22-21-8

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 2 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA. DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 8;

THENCE SOUTH 89°58'16" EAST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OFC405.00 FEET;

THENCE DEPARTING SAID SOUTH LINE, NORTH 00°14'04"

EAST, A DISTANCE OF 253.01 FEET; THENCE SOUTH

89°58'16" EAST, A DISTANCE OF 904.93 FEET;

THENCE SOUTH 00°18'53" WEST, A DISTANCE OF 253.01 FEET TO SAID SOUTH LINE;

THENCE NORTH 89°58'16" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 904.58 FEET TO THE POINT OF BEGINNING.

CONTAINING 228,910.02 SQUARE FEET OR 5.26 ACRES, MORE OR LESS.

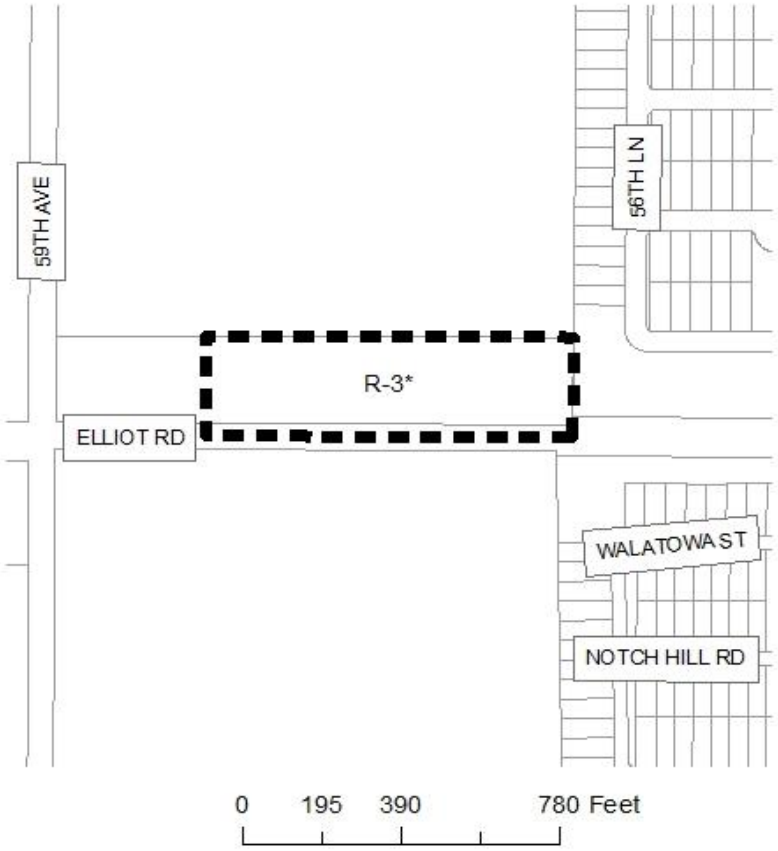
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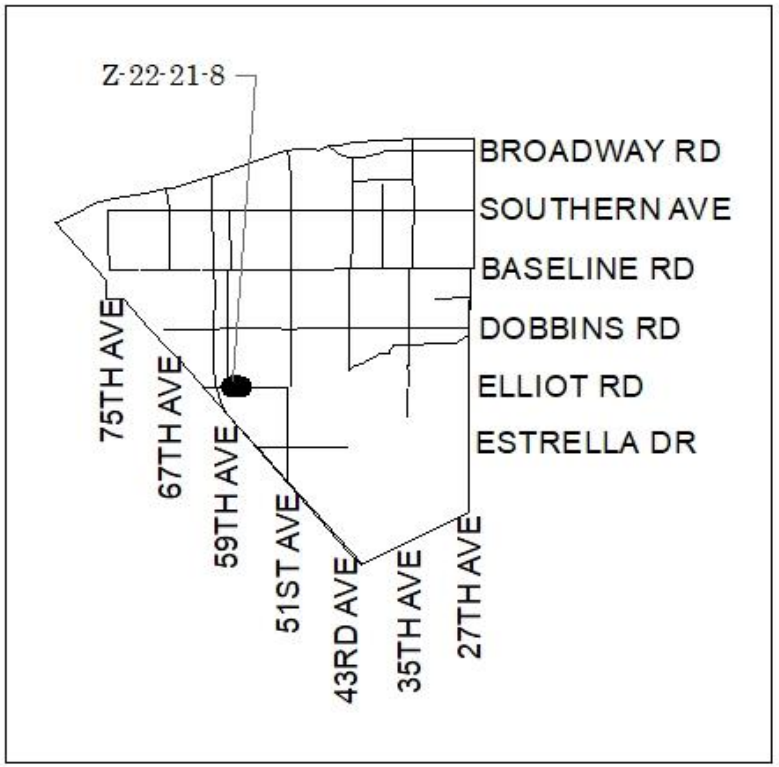
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-22-21-8
Zoning Overlay: N/A
Planning Village: Laveen





NOT TO SCALE

N

Drawn Date: 7/30/2021

\\one\pdd\Shared\Department Share\Information Systems\PLGIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2021 Ord\9-8-21\Z-22-21-8.mxd

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 71

Amend City Code - Ordinance Adoption - Rezoning Application Z-25-21-8 - Approximately 282 Feet West of the Northwest Corner of 23rd Street and Van Buren Street (Ordinance G-6887)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-25-21-8 and rezone the site from C-1 (Neighborhood Retail District) and C-3 (General Commercial District) to WU Code T5:5 GW (Walkable Urban Code, Transect 5:5 District, Transit Gateway Character Area) to allow multifamily residential with ground floor retail and office.

Summary

Current Zoning: C-1 (0.69 acres) and C-3 (4.54 acres)
Proposed Zoning: WU Code T5:5 GW
Acreage: 5.23
Proposed Use: Multifamily residential with ground floor retail and office

Owner: 2220 East Van Buren Street, LLC / L2 Capital, LLC
Applicant: Colin Kenyon
Representative: Colin Kenyon

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Central City Village Planning Committee heard this case on Jul. 12, 2021 and recommended approval, per the staff recommendation, by a vote of 12-0.
PC Action: The Planning Commission heard this case on Aug. 5, 2021 and recommended approval, per the Central City Village Planning Committee recommendation with an additional stipulation by a vote of 8-0.

Location

Approximately 282 feet west of the northwest corner of 23rd Street and Van Buren Street
Council District: 8
Parcel Addresses: 2220 and 2226 E. Van Buren St.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-25-21-8) FROM C-1 (NEIGHBORHOOD RETAIL DISTRICT) AND C-3 (GENERAL COMMERCIAL DISTRICT) TO WU CODE T5:5 GW (WALKABLE URBAN CODE, TRANSECT 5:5 DISTRICT, TRANSIT GATEWAY CHARACTER AREA).

_____

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

SECTION 1. The zoning of a 5.23-acre site located approximately 282 feet west of the northwest corner of 23rd Street and Van Buren Street in a portion of Section 3, Township 1 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from 0.69 acres of “C-1” (Neighborhood Retail District) and 4.54 acres of “C-3” (General Commercial District) to 5.23 acres of “WU Code T5:5 GW” (Walkable Urban Code, Transect 5:5 District, Transit Gateway Character Area).

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

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

1. The developer shall provide a minimum 5-foot-wide landscape area located between the sidewalk and the building along the north half of Van Buren Street.

2. The developer shall provide a minimum 11-foot-wide landscape area located between the sidewalk and back of curb along the south half of Polk Street, as approved by the Planning and Development Department.

3. In addition to the bicycle parking requirements per Section 1307.H.6 of the Phoenix Zoning Ordinance, the developer shall provide and maintain the following bicycle infrastructure as described below and as approved by the Planning and Development Department.

    a. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance.

    b. A bicycle repair station ("fix it station") shall be provided on the site. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.

4. The developer shall dedicate a minimum 10-foot-wide sidewalk easement for the north side of Van Buren Street, as approved by the Planning and Development Department.

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

6. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, bus stop pads, and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department.

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7. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.

8. Trees shall be placed to provide 75 percent shade coverage on all pedestrian pathways and sidewalks at full maturity. Shade structures may be used to meet the shade requirement in places where trees are unable to be located, as approved by the Planning and Development Department.

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

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

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

12. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

13. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

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

15. 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.

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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 8th day of September, 2021.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:
_____
_____

REVIEWED BY:

_____
Ed Zuercher City Manager

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

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-25-21-8:

116-01-085A

Lot 4 of the subdivision of the Southeast quarter of Section 3, Township I North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, according to Book I of Maps, page 41, records of Maricopa County, Arizona;

EXCEPTING the East I00 feet therefrom, and the West I foot therefrom; and EXCEPT BEGINNING at a point which is 33 .05 feet North 0 degrees 08 minutes East from the South section line, said point being North 89 degrees 24 minutes West, a distance of I 024.05 feet from the Southeast comer of said Section 3;

thence North 0 degrees 08 minutes East, a distance of 10.15 feet; thence North 89 degrees 24 minutes West, a distance of 314 feet; thence South 0 degrees 08 minutes West, a distance of 11.29 feet to the South property line of said Lot 4; thence South 89 degrees 52 minutes East, a distance of 314 feet to the PLACE OF BEGINNING.

116-01-086

The East 100 feet of Lot Four (4) of the subdivision of the Southeast quarter of Section Three (3), Township One (1) North, Range Three (3) East of the Gila and Salt River Base and Meridian, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona in Book 1of Maps, page 41.

116-01-087

The East 100 feet of Lot Four (4) of the subdivision of the Southeast quarter of Section Three (3), Township One (1) North, Range Three (3) East of the Gila and Salt River Base and Meridian, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona in Book 1 of Maps, page 41.

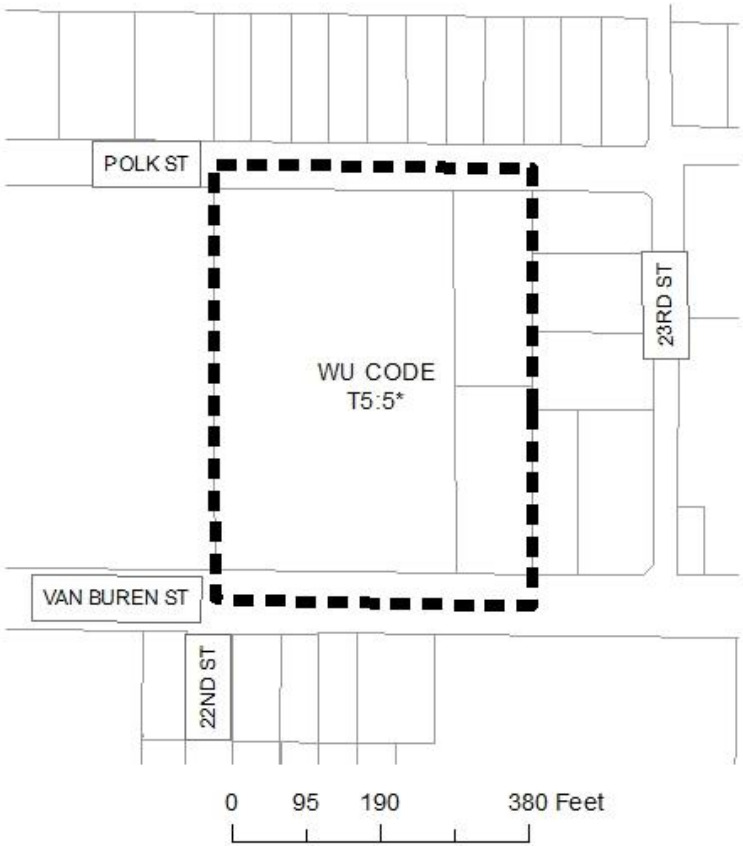
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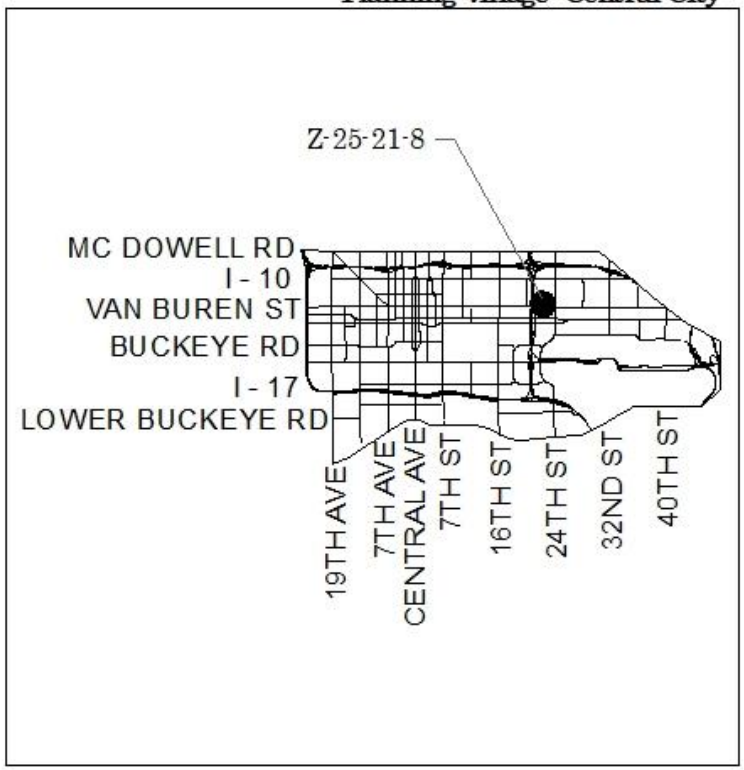
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-25-21-8
Zoning Overlay: N/A
Planning Village: Central City





NOT TO SCALE

N

Drawn Date: 8/3/2021

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City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 72

Public Hearing and Resolution Adoption - General Plan Amendment GPA-EST-1-21-4 - Southeast Corner of 35th Avenue and Interstate 10 (Resolution 21954)

Request to hold a public hearing for the following item to consider adopting the Planning Commission's recommendation and the related Resolution if approved. The file is a companion case to Z-2-21-4 and should be heard first, followed by Z-2-21-4.

Summary

Current Plan Designation: Public/Quasi-Public
Proposed Plan Designation: Mixed Use
Acreage: 8.94 acres
Proposed Use: Commercial and multifamily uses

Owner: Eplex Realty, LLC
Applicant: Charles Huellmantel, Huellmantel & Affiliates
Representative: Charles Huellmantel, Huellmantel & Affiliates

Staff Recommendation: Approval.
VPC Action: The Estrella Village Planning Committee heard the case on July 20, 2021 and recommended approval, by a vote of 7-0.
PC Action: The Planning Commission heard the case again on Aug. 5, 2021 and recommended approval, per the Estrella Village Planning Committee recommendation by a vote of 7-0.

Location

Southeast corner of 35th Avenue and Interstate 10
Council District: 4
Parcel Addresses: 1201 N. 35th Ave. and 1280 N. 34th Ave.

Responsible Department

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

ATTACHMENT A

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

RESOLUTION

A RESOLUTION ADOPTING AN AMENDMENT TO THE 2015 GENERAL PLAN FOR PHOENIX, APPLICATION GPA-EST-1-21-4, CHANGING THE LAND USE CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN.

_____

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

SECTION 1. The 2015 Phoenix General Plan, which was adopted by Resolution 21307, is hereby amended by adopting GPA-EST-1-21-4. The 8.94 acres of property located on the southeast corner of 35th Avenue and I-10 is designated as Mixed Use.

SECTON 2. The Planning and Development Director is instructed to modify the 2015 Phoenix General Plan to reflect this land use classification change as shown below:

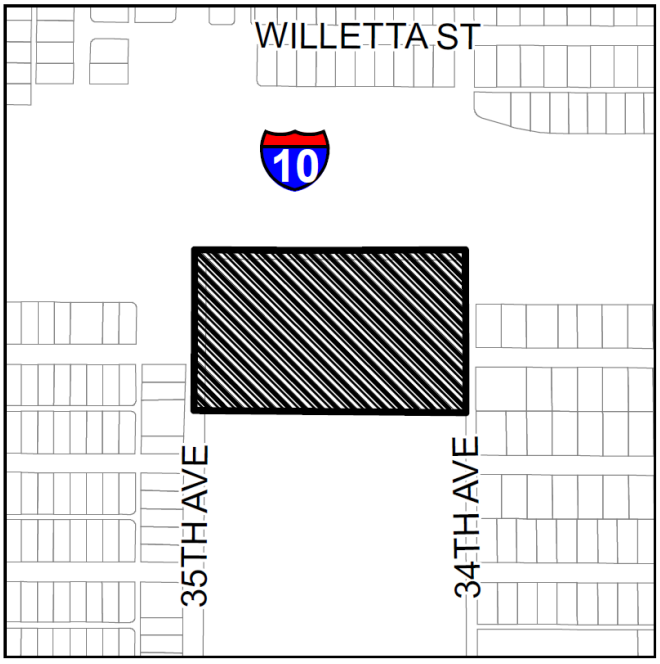
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PROPOSED CHANGE:

Mixed Use (8.94 +/- Acres)

Proposed Change Area

Mixed Use



PASSED by the Council of the City of Phoenix this 8th day of September 2021.

_____

M A Y O R

ATTEST:

_____

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:_____

_____

REVIEWED BY:

_____

Ed Zuercher, City Manager

DRAFT

Attachment B

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

GENERAL PLAN AMENDMENT
STAFF ANALYSIS
July 12, 2021

Application:	GPA-EST-1-21-4
Applicant:	Charles Huellmantel, Huellmantel & Affiliates
Owner:	Eplex Realty, LLC
Representative:	Charles Huellmantel, Huellmantel & Affiliates
Location:	Southeast corner of 35th Avenue and Interstate 10
Acreage:	8.94 acres
Current Plan Designation:	Public/Quasi-Public
Requested Plan Designation:	Mixed Use
Reason for Requested Change:	Minor General Plan Amendment to change the designation to mixed-use to allow for commercial and multifamily uses.
Estrella Village Planning Committee Date:	July 20, 2021
Staff Recommendation:	Approval

FINDINGS:

1) The companion rezoning case, Z-2-20-4, as stipulated, proposes commercial and multifamily on the site that is consistent in scale and character with land uses in the general area.

2) The Mixed Use land use designation requested is consistent with the proposed R-4A and C-2 zoning, as it allows commercial and residential land uses within a quarter-mile of two modes of high-capacity transit.

3) The subject site is in proximity to two planned high-capacity transit lines. Thus, a gradual increase in residential density from the existing land use designation is appropriate.

BACKGROUND

The subject site is located on the southeast corner of 35th Avenue and Interstate 10 and was formerly utilized as a United States Navy recruitment center. The companion Rezoning Case No. Z-2-21-4 is requesting to rezone a portion of the subject site from R1-6 (Single-Family Residence District) and R-5 (Multifamily Residence District) to R-4A (Multifamily Residence District) and C-2 (Intermediate Commercial District) to allow a mix of residential and commercial uses. A multi-story multifamily residential development is proposed along the eastern portion of the site, while a fuel station and convenience store are proposed along the south portion of the site. A future commercial use is also proposed along this north portion of the property.

In 1999, the City of Phoenix approved the Estrella Village Plan which identified goals, objectives and strategies pertaining to growth, the village core, protection of residential neighborhoods, housing and employment, and urban design among other elements. This plan identified the land use designation of the subject site as Public/Quasi-Public, which include schools, churches, wastewater treatment plants, landfills, government complexes and utility facilities. The former use of the site, a United States Navy recruitment center, was consistent with this land use designation.

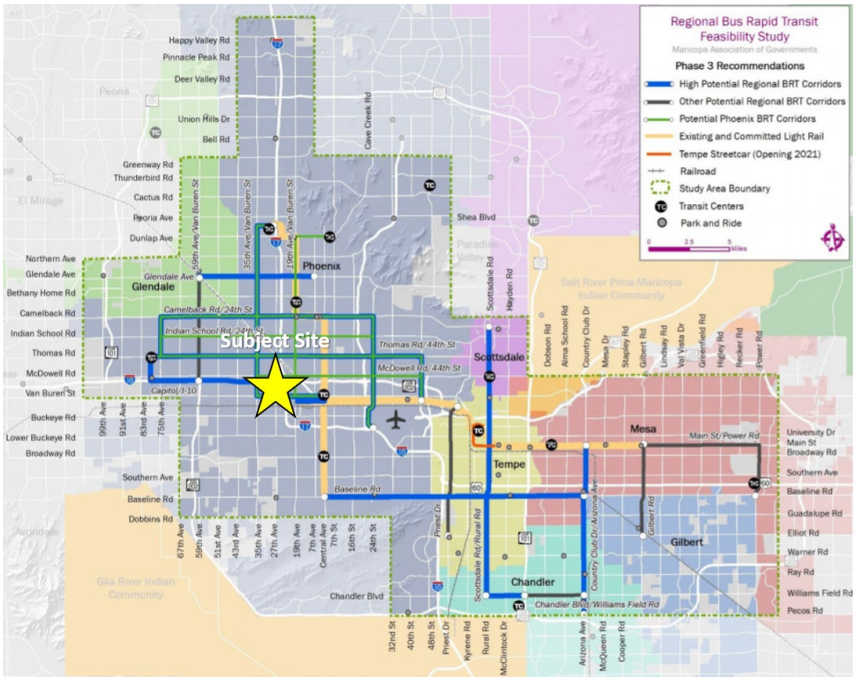
The proposed General Plan Land Use Map Amendment to Mixed Use, will allow a land use map designation that is consistent with the concurrent rezoning case, Z-2-21-4, which proposes residential and commercial uses on the site. The Mixed Use Land Use Map designation is appropriate at this location as it is located within a quarter-mile of the proposed Capitol/I-10 West mass-transit extension that will connect Downtown Phoenix with West Phoenix along a portion of the I-10 freeway. A secondary high-capacity transit mode, Bus Rapid Transit (BRT), will also be available within close proximity to the site. The Mixed Use land use designation allows for a mix of uses such as residential, service, basic commercial, general office, entertainment, and cultural functions. These mix of uses that can provide housing, shopping and employment opportunities in the same area and benefit the site’s proximity to transportation corridors, I-10 and the future light rail corridor.

This land use map designation, as requested, would further diversify the land uses in this part of the Estrella Village in a manner consistent with development patterns based on the existing zoning and general plan land use map designations which include residential, commercial, open space and public/quasi-public categories.



Capitol/I-10 West Transit Map with Planning and Development Department annotations, Source: Valley Metro

As of the writing of this staff report, Valley Metro had determined a locally preferred high-capacity transit alignment approximately 0.1 miles north of the site. The Capitol/I-10 West high-capacity transit corridor will serve as a major transportation route in this part of the region, connecting the residents of this future development to employment, shopping, educational, and other opportunities in Downtown and West Phoenix.



Furthermore, as of the writing of this staff report, the City of Phoenix Transit Department and Citizen Transportation Commission had recommended that 35th Avenue/Van Buren Street route be approved as a BRT corridor. This high-capacity transit will serve to connect residents along 35th Avenue and Van Buren Street to employment, shopping, educational, and other opportunities in Downtown and North West Phoenix.

MAG BRT Corridor Map with Planning and Development Department annotations, Source: Maricopa Association of Governments

SURROUNDING LAND USES

The proposed general plan land use map amendment is located in the northeast portion of the Estrella Village and is generally bounded by the Interstate 10 to the north, north of the Latham Street alignment to the south, 35th Avenue to the west and 34th Avenue to the east. North of the site, the General Plan Land Use Map designation is Transportation within the I-10 and Residential 3.5 to 5 dwelling units per acre within the Maryvale Village north of the freeway. A future proposed light rail station is envisioned at this intersection of 35th Avenue and I-10, as part of the Capitol/I-10 West light rail extension.



Existing General Plan Land Use Map designation, Source: Planning and Development Department

South of the subject site is Falcon Park, a city-owned and maintained park, designated as Parks or Open Space – Publicly Owned. This property is zoned R1-6 (Single-Family Residence District) and R-5 (Multifamily Residence District). Further south, across Roosevelt Street, is Carl Hayden High School, a public high school that is in the Phoenix Union High School District which is also zoned R1-6 and R-5.

West of the property, across 35th Avenue, is a fuel station and convenience store zoned C-3 (General Commercial District) and designated as Commercial on the General Plan Land Use Map. There are also single-family residences zoned R1-6 and R-2 (Multifamily Residence District) which are designated as Residential 3.5 to 5 dwelling units per acre.

East of the subject site, across 34th Avenue, the General Plan Land Use Map has designated properties as Residential 3.5 to 5 dwelling units per acre. These properties are established residential subdivisions which are zoned R1-6 (Single-Family Residence District).

RELATIONSHIP TO GENERAL PLAN CORE VALUES AND PRINCIPLES

CONNECT PEOPLE AND PLACES

- ***TRANSIT ORIENTED DEVELOPMENT; LAND USE PRINCIPLE: Develop land use and design regulations governing land close to transit centers and light rail stations, to maximize the potential for ridership***

  Rezoning case Z-2-21-4, companion of this General Plan Amendment, proposes to develop a portion of the site as multifamily residential that will have pedestrian access to 35th Avenue in order to connect future residents of this community to transportation options including bus and future high-capacity transit stations along 35th Avenue. The proximity to transportation opportunities in the area will encourage the use of high-capacity transit and thus reduce vehicular trips.

- ***OPPORTUNITY SITES; LAND USE PRINCIPLE: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.***

  The proposed General Plan Land Use Map amendment and companion rezoning case will allow for a commercial and multifamily residential development to be established on the subject site. This will provide additional employment opportunities in the area and introduce a new housing type in an area that is predominantly single-family residential. This proposed amendment will locate a residential use near existing residential uses along 34th Avenue, and commercial development along an existing commercial corridor along 35th Avenue. This amendment will support an increase in intensity on the property within proximity to the I-10 freeway, 35th Avenue, and future high-capacity transit corridors that will help serve the increased density over the existing zoning by this development.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS

- ***CERTAINTY AND CHARACTER: DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.***

  As stipulated via companion Case No. Z-2-21-4, the proposed multifamily residential zoning will incorporate stipulations to prevent negative impacts on existing residential properties east of the site. These stipulations include an enhanced building setback and balcony limitations along 34th Avenue, building height limitations, and enhanced landscaping along the street frontage to help with screening of the site.

- ***DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.***

  The proposed General Plan Amendment will further diversify the existing land use map designations in this part of the city by allowing a multifamily residential use in an area that currently does not have many housing options. The stipulations for case Z-2-21-4 incentivizes affordable housing on the site by allowing a greater building height. This will help to provide diverse housing opportunities within proximity to transit to allow a broader range of lifestyles in this area to both current and future residents.

CONCLUSION AND RECOMMENDATION

The staff recommendation for GPA-EST-1-21-4 is to approve as filed, as **Mixed Use**. The proposed land use map designation is consistent in scale and character with existing land uses in the surrounding area. The subject site is in the general vicinity of future high-capacity transit and the I-10 freeway, part of a major transportation corridor for this part of the Phoenix Metropolitan region. The Mixed Use land use designation will allow for a mix of uses such as residential, service, basic commercial, general office, entertainment, and cultural functions that can be integrated to provide housing, shopping and employment opportunities in the same area. The companion rezoning case, Z-2-21-4, will provide compatibility and consistency with the land use pattern in the surrounding area, in addition to buffering the adjacent single-family zoned property to the east of 34th Avenue. Approval of the request will support the development of this underutilized site with uses that are compatible with the land use designations and zoning districts in the general area, while allowing for compatible uses within proximity of a future high-capacity transit station.

Writer
Enrique Bojórquez-Gaxiola
July 12, 2021

Team Leader
Samantha Keating

Exhibits
Sketch Maps (2 pages)

GENERAL PLAN AMENDMENT

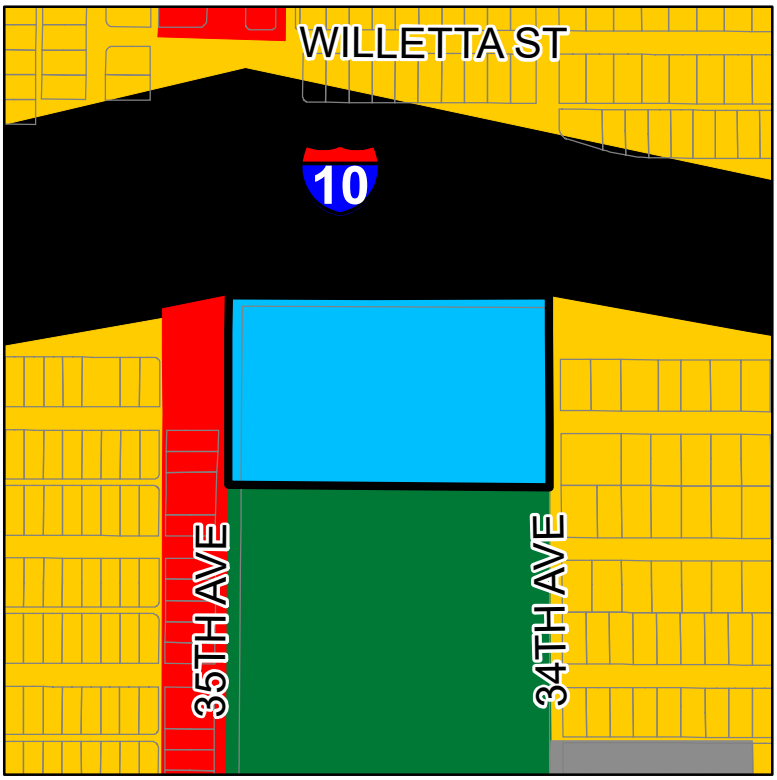
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-EST-1-21-4	ACRES: 8.94 +/-
VILLAGE: Estrella	COUNCIL DISTRICT: 4
APPLICANT: Charles Huellmantel	

EXISTING:

Public/Quasi-Public (8.94 +/- Acres)

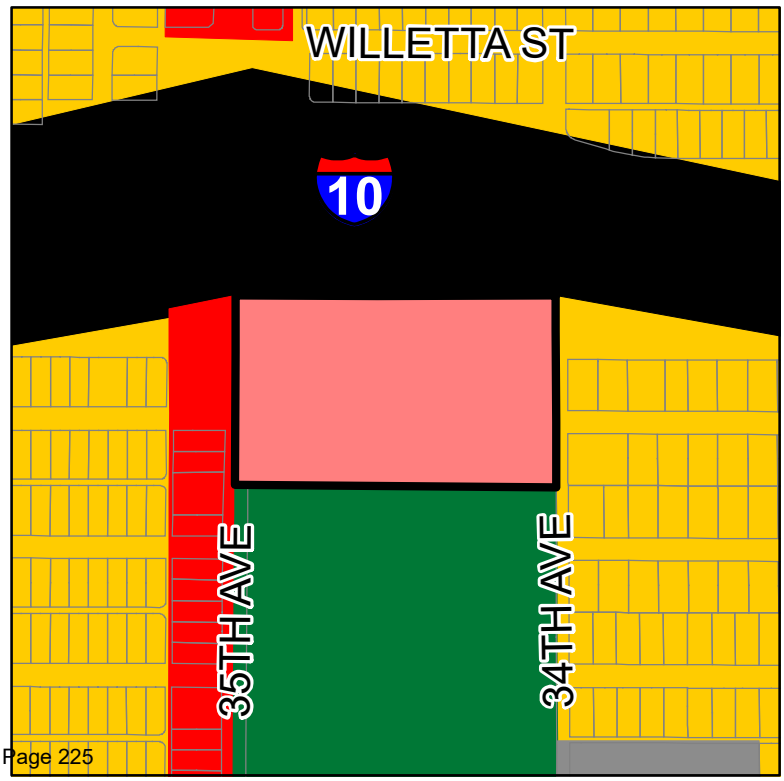
Proposed Change Area
Residential 3.5 to 5 du/ac
Commercial
Industrial
Public/Quasi-Public
Transportation
Parks/Open Space - Publicly Owned



PROPOSED CHANGE:

Mixed Use (8.94 +/- Acres)

Proposed Change Area
Mixed Use



GENERAL PLAN AMENDMENT

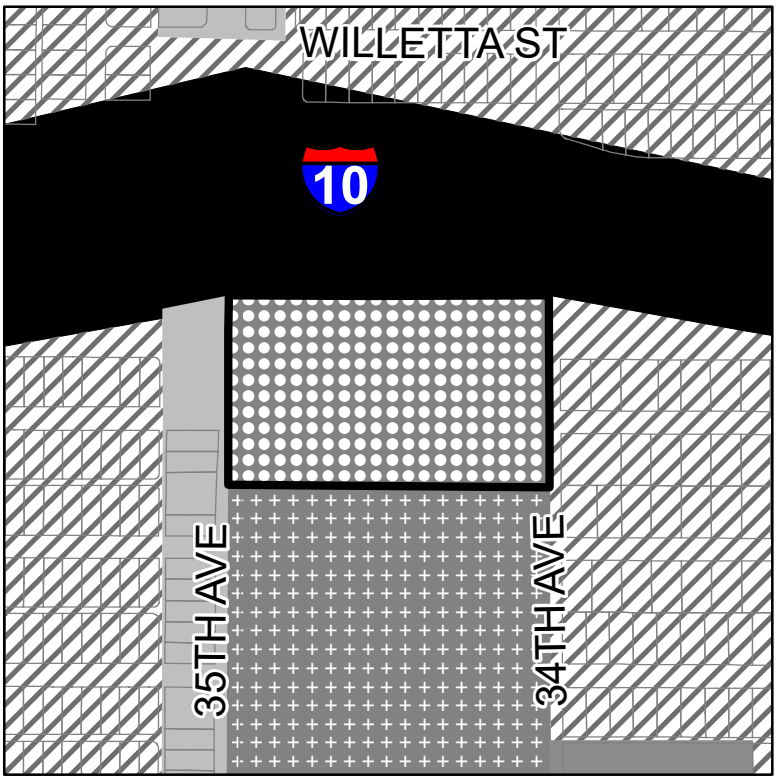
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-EST-1-21-4_BW	ACRES: 8.94 +/-
VILLAGE: Estrella	COUNCIL DISTRICT: 4
APPLICANT: Charles Huellmantel	

EXISTING:

Public/Quasi-Public (8.94 +/- Acres)

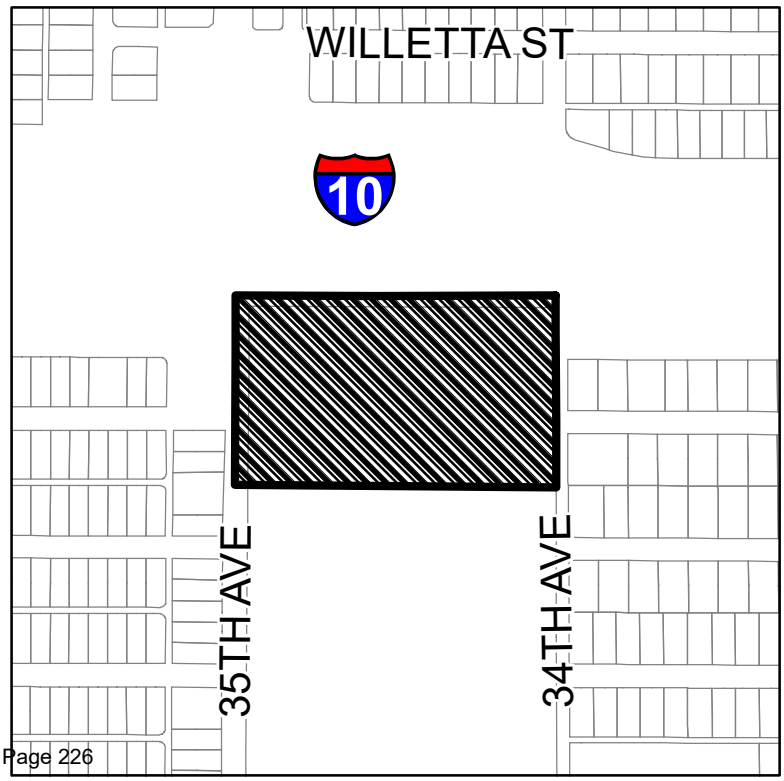
Proposed Change Area
Residential 3.5 to 5 du/ac
Commercial
Industrial
Public/Quasi-Public
Transportation
Parks/Open Space - Publicly Owned



PROPOSED CHANGE:

Mixed Use (8.94 +/- Acres)

Proposed Change Area
Mixed Use



Estrella
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
GPA-EST-1-21-4

Date of VPC Meeting	July 20, 2021
Request From	To amend the General Plan Land Use Designation on approximately 8.94 acres located at the southeast corner of 35th Avenue and I-10 freeway **from** Public/Quasi-Public **to** Mixed Use to allow commercial and multifamily uses.
Proposed Use	Multifamily and commercial uses including a convenience store with fuel station
Location	Southeast corner of 35th Avenue and I-10 freeway
VPC Recommendation	Approval, per the staff recommendation in the staff report
VPC Vote	**7-0**, motion passed; None in dissent.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Cases GPA-EST-1-21-4 and Z-2-21-4 were heard concurrently.

No requests to speak from members of the public were received.

Enrique Bojórquez, staff, introduced himself and provided a combined presentation for companion cases GPA-EST-1-21-4 and Z-2-21-4. He discussed the location of the site, noting surrounding land uses including a public park and the I-10 freeway. He discussed the existing General Plan Land Use map designation of Public/Quasi-Public and the requested Land Use map amendment to Mixed Use. He discussed the surrounding zoning districts in the area, Estrella Village Plan, Estrella Village Arterial Street Landscaping Program and other policy documents including the General Plan. Future high-capacity transit efforts were discussed, pertaining to the Capitol/I-10 West extension and Bus Rapid Transit (BRT) line along 35th Avenue. The conceptual site plans for the proposed commercial and multifamily-zoned portions of the site were shown, indicating the vehicular access points, centralized pedestrian connection, plus open space and density proposed. The conceptual building elevations and/or materials were discussed. He concluded the presentation by providing a staff recommendation of approval on each case and describing the proposed stipulations for case Z-2-21-4, as presented in Addendum A of the staff report.

Charles Huellmantel, with Huellmantel and Affiliates, introduced himself as the applicant and discussed the location of the site plus former use as a United States Navy recruitment center. The location of the proposed C-2 and R-4A zoning was

discussed, including a history of awards based on residential development projects completed. Images of previous multifamily projects were shown to illustrate the character of the proposed residential community that is intended to be affordable within the project site. The conceptual site plan and elevations for the proposed commercial and multifamily zoning were shown and discussed. He concluded the presentation by requesting approval of case GPA-EST-1-21-4 and Z-2-21-4.

Lisa Perez asked for clarification on what the ingress and egress southbound along 35th Avenue was going to be like.

Mr. Huellmantel stated that his team has worked with the Street Transportation Department on future improvements along 35th Avenue. A streetlight might not be warranted at this location due to the existing traffic that is already present on this street.

Ms. Perez asked how other committee members felt about the proposal.

Vice Chair Parris Wallace stated that she has spoken with the applicant on previous concerns that she had. She lives very close to the site and did have various questions pertaining to this project, including whether the community will be proposed residential community will be mixed-income or all affordable. She prefers an all affordable housing community here, since affordable housing is very difficult to come by. Other questions that she had pertained to site access and discussed the impacts of the I-10 freeway to this community. She has no other concerns now but does suggest that edible landscaping is utilized within the landscape areas.

Ms. Perez stated that the property is blighted and there is lots of traffic that already exists in the area. She hopes that the project will be welcoming to the community.

Vice Chair Wallace stated that no major concerns have been discussed with her from the community so far.

Dan Rush asked if a right-turn lane could be added along 35t Avenue to carry traffic into the I-10 freeway.

Mr. Huellmantel responded that he is still working with the Street Transportation Department regarding street improvements, but also wants to maintain good access to their site along 35th Avenue. Furthermore, the Arizona Department of Transportation (ADOT) also has control over street improvements near the I-10 ramp.

Chairman Cardenas asked for further discussion or individual motions on each item.

MOTION – GPA-EST-1-21-4:

Mr. Cardenas motioned to approve case GPA-EST-1-21-4 per the staff recommendation in the staff report. **Ms. Perez** seconded the motion to approve.

VOTE – GPA-EST-1-21-4:
7-0, motion passed; None in dissent.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

Attachment D

REPORT OF PLANNING COMMISSION ACTION
August 5, 2021

ITEM NO: 3	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	GPA-EST-1-21-4 (Companion Case Z-2-21-4)
Location:	Southeast corner of 35th Avenue and I-10
From:	Public/Quasi Public
To:	Mixed Use
Acreage:	8.94
Proposal:	Minor General Plan Amendment to change the designation to mixed-use to allow for commercial and multifamily uses.
Applicant:	Charles Huellmantel, Huellmantel & Affiliates
Owner:	Eplex Realty, LLC
Representative:	Charles Huellmantel, Huellmantel & Affiliates

ACTIONS:

Staff Recommendation: Approval.

Village Planning Committee (VPC) Recommendation:
Estrella 7/20/2021 Approval. Vote: 7-0.

Planning Commission Recommendation: Approval, per the Estrella Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Johnson made a MOTION to approve GPA-EST-1-21-4, per the Estrella Village Planning Committee recommendation.

Maker: Johnson
Second: Howard
Vote: 7-0
Absent: Gorraiz and Magnum
Opposition Present: Yes

Findings:

1. The companion rezoning case, Z-2-20-4, as stipulated, proposes commercial and multifamily on the site that is consistent in scale and character with land uses in the general area.

2. The Mixed Use land use designation requested is consistent with the proposed R-4A and C-2 zoning, as it allows commercial and residential land uses within a quarter-mile of two modes of high-capacity transit.

3. The subject site is in proximity to two planned high-capacity transit lines. Thus, a gradual increase in residential density from the existing land use designation is appropriate.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 73

Public Hearing and Ordinance Adoption - Rezoning Application Z-2-21-4 - Southeast Corner of 35th Avenue and Interstate 10 (Ordinance G-6890)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-2-21-4 and rezone the site from R1-6 (Single-Family Residence District) and R-5 (Multifamily Residence District) to R-4A (Multifamily Residence District) and C-2 (Intermediate Commercial District) to allow multifamily residential and commercial uses including a convenience store with fuel station. This file is a companion case to GPA-EST-1-21-4 and should be heard immediately following.

Summary

Current Zoning: R1-6 (6.98 acres) and R-5 (2.41 acres)
Proposed Zoning: R-4A (5.67 acres) and C-2 (3.72 acres)
Acreage: 9.39 acres
Proposed Use: Multifamily residential and commercial uses including a convenience store with fuel station

Owner: Eplex Realty, LLC
Applicant: Charles Huellmantel, Huellmantel & Affiliates
Representative: Charles Huellmantel, Huellmantel & Affiliates

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Estrella Village Planning Committee heard this case on July 20, 2021 and recommended approval, per the staff recommendation in the Addendum A Staff Report by a vote of 7-0.
PC Action: The Planning Commission heard this case on Aug. 5, 2021 and recommended approval, per the Estrella Village Planning Committee recommendation with an additional stipulation by a vote of 7-0.

Location

Southeast corner of 35th Avenue and Interstate 10
Council District: 4
Parcel Addresses: 1201 N. 35th Ave. and 1280 N. 34th Ave.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-2-21-4) FROM R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT) AND R-5 (MULTIFAMILY RESIDENCE DISTRICT) TO R-4A (MULTIFAMILY RESIDENCE DISTRICT) AND C-2 (INTERMEDIATE COMMERCIAL DISTRICT).

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

SECTION 1. The zoning of a 9.39 acre site located at southeast corner of 35th Avenue and Interstate 10 in a portion of Section 2, Township 1 North, Range 2 East, as described more specifically in Exhibit “A”, is hereby changed from 6.98 acres of “R1-6” (Single-Family Residence District) and 2.41 acres of “R-5” (Multifamily Residence District) to 5.67 acres of “R-4A” (Multifamily Residence District) and 3.72 acres of “C-2” (Intermediate Commercial District).

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

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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:

R-4A ZONED AREA

1. For the R-4A portion of the site, the maximum building height and density shall not exceed 30 feet and 98 dwelling units. If the following conditions are met, the maximum height and density shall be 40 feet and 200 dwelling units. The conditions must be met prior to or in conjunction with the Final Site Plan Review.

    a. A minimum of 75 percent of the housing units are dedicated for long-term affordability, as approved by the Phoenix Housing Department.

    b. The applicant shall submit a copy of the draft Declaration of Affirmative Land use and Restrictive Covenants agreement (LURA), for review and approval by the Phoenix Housing Department.

    c. The applicant shall submit a copy of the Proforma, for review and approval by the Phoenix Housing Department.

2. Prior to the issuance of building permits for the R-4A portion of the site, the applicant shall submit a copy of the Recorded Declaration of Affirmative Land use and Restrictive Covenants agreement (LURA), as approved by the State Housing Department, if conditions listed in Stipulation No.1 for additional height and density are pursued.

3. An average building setback of 40 feet, minimum 20 feet for up to 25 percent of the frontage, shall be provided along 34th Avenue.

4. A minimum 20-foot building setback shall be provided along the north property line of the residentially zoned portion of the site.

5. Residential building elevations shall be developed to the following standards, as approved by the Planning and Development Department:

    a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete, stucco, painted steel or other materials to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.

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b. Building elevations adjacent and oriented to a public park or street, shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material that exhibits quality and durability.

c. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, pop-outs, recesses, variation in window size and location, pitched roofs and/or overhang canopies, as approved by the Planning and Development Department

d. Balconies and windows shall be provided for residential units adjacent to a public park.

6. There shall be no balconies on the upper floors of residential buildings located within 60 feet of the front property line which are oriented toward single-family residential homes not part of this development, as approved by the Planning and Development Department.

7. An average landscape setback of 10 feet, minimum 5 feet for up to 50 percent of the property line, shall be provided along the north property line.

8. The required landscape setbacks for the residentially zoned portion of the site shall be planted with minimum 50-percent 2-inch caliper and 50-percent 3-inch caliper large canopy drought-tolerant evergreen trees, 20 feet on center or in equivalent groupings, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department.

9. A central amenity and open space area shall be provided within close proximity to the primary vehicular entrance into the development. The following amenities shall be provided at a minimum and may be dispersed throughout the development, as approved by the Planning and Development Department:

a. Tot lot;

b. Clubhouse or community room;

c. Two picnic areas each with a barbeque grill, shade ramada and a picnic table; and

d. Two benches or seating features.

10. Vehicular entryways to the residential portion of the development along 34th Avenue shall include the following elements, as approved or modified by the Planning and Development Department:

a. Pedestrian pathways connecting the interior of the development to the public sidewalks on one side of the vehicular driveway at minimum.

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b. The pedestrian pathways shall be lined with landscape areas on both sides and planted with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.

c. A mix of ornamental shrubs and flower beds that will maintain a constant bloom throughout the year and 75 percent live cover, shall be provided along the entryway.

d. The driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.

11. A perimeter wall no less than 6 feet in height shall be provided along the Interstate 10 freeway within the residentially zoned portion of the site. This wall shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.

12. Except where required by the Zoning Ordinance, perimeter walls adjacent to a public street or public park shall be limited to open view wrought iron fencing or a combination of 2-foot solid masonry topped by wrought iron open view fencing, as approved by the Planning and Development Department.

13. The indoor noise levels of residential units shall not exceed a decibel day night-level (DNL) of 45 decibels and that along with the building plans submitted for Phoenix Building Construction Code compliance review to the Planning and Development Department there shall be a sealed and signed analysis by an engineer licensed in Arizona with a proficiency in residential sound mitigation or noise control. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.

14. A minimum five-foot-wide sidewalk along 34th Avenue shall be detached with a minimum five-foot-wide landscape strip located between the sidewalk and back of curb and shall include minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted a minimum of 20 feet on center or in equivalent groupings between the sidewalk and back of curb, as approved by the Planning and Development Department.

15. The developer shall dedicate minimum 25 feet of right-of-way and construct the west side of 34th Avenue for the full limits of the project, as approved or modified by the Planning and Development Department.

16. If the portion of 34th Avenue north of Moreland Street is not approved to be abandoned through a separate process, the developer shall provide a 50-foot

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radius cul-de-sac termination at 34th Avenue, north of Moreland Avenue, as approved or modified by the Planning and Development Department.

C-2 ZONED AREA

17. The development shall be in general conformance with the conceptual site plan date stamped July 14, 2021 and building elevations date stamped May 16, 2021 for the C-2 portion of the site, except as described below and as approved by the Planning and Development Department.

18. The conceptual site plan and elevations for Lot 2, as depicted in the site plan for the overall site date stamped June 30, 2021, shall be administratively reviewed by the Planning Hearing Officer prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.

    a. Location and orientation of buildings and trash receptables in relation to the residentially zoned property to the east.

    b. Accessible pedestrian pathways that connect building entrances, public sidewalks, and the pedestrian pathway connecting the commercially zoned property to the residentially zoned property to the east using the most direct route for pedestrians.

    c. Pedestrian connection between adjacent commercial parcels.

    d. All elevations of the building/s shall contain architectural embellishments and detailing, such as: textural changes, pilasters, offsets, recesses, variation in window size or location, overhang canopies, or similar features.

19. A minimum 20-foot wide landscape setback shall be provided along the east side of the site where adjacent to a residential zoning district. This landscape setback shall be planted with a minimum 2-inch caliper large canopy evergreen trees, 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

20. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards along arterial streets in the Estrella Village, except as otherwise noted herein, as approved by the Planning and Development Department.

21. A landscaped gateway entry feature shall be provided on the southeast corner of 35th Avenue and Interstate 10 as described below and as approved by the Planning and Development Department:

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a. An average 75-foot by 75-foot landscape entryway that adheres to the landscape palette for gateway entry features in the Estrella Village Arterial Street Landscaping Program.

b. A minimum 300-square foot landscaped accent area shall be provided. The landscaped accent area shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.

c. The gateway entry feature shall utilize accents, colors and materials consistent with the theme of the commercial uses on the same site, as approved by the Planning and Development Department.

22. The bus stop pad along 35th Avenue shall be shaded to a minimum of 50 percent using shade trees at full maturity, as approved or modified by the Planning and Development Department.

23. Public Transit Department shall retain right-of-way and bus stop pads on northbound 35th Avenue, as approved by the Planning and Development Department.

24. All sidewalks along 35th Avenue shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved by the Planning and Development Department.

a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide shade to a minimum 75 percent at maturity.

b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.

c. The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for arterial streets.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

25. The developer shall dedicate minimum 50-feet of right-of-way and construct the east half of 35th Avenue for the full limits of the project, per Cross Section D standards identified on the City of Phoenix Street Classification Map, as approved by the Planning and Development Department.

26. Driveway access control to the site will be permitted as approved by the Traffic Impact Study submitted to the Street Transportation Department by

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providing a sealed Traffic Impact Study analyzing access control and proposed mitigation for conflicting turning movements along 35th Avenue.

27. The site shall provide recorded cross-access agreements between lots one and two as depicted on the conceptual site plan date stamped June 30, 2021, as approved by the Planning and Development Department.

28. Prior to preliminary site plan approval, the developer shall work with the Office of Pedestrian Safety in the Street Transportation Department to evaluate a HAWK crossing at the southern boundary of the site within 35th Avenue. The developer shall be responsible for funding any identified improvements including the HAWK crossing, as determined by the Street Transportation Department, but generally to be located between Moreland Street and Portland Street.

R-4A AND C-2 ZONED AREAS

29. All perimeter walls visible from street right-of-way and adjacent to the public park shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs or other alternatives if full view fencing is proposed, as approved by the Planning and Development Department.

30. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.

31. Pedestrian walkways connecting the commercial sites and residentially zoned property to the east, public sidewalks, and walkways within the residentially zoned portion of the site shall be shaded to a minimum of 75 percent using shade trees at maturity and/or architectural shade, as approved by the Planning and Development Department.

32. A system of pedestrian thoroughfares shall be provided as described below and as approved or modified by the Planning and Development Department:

    a. The developer shall provide a minimum of one centralized pedestrian pathway connecting the public sidewalk along 35th Avenue passing through Lot 1 to the public sidewalk along 34th Avenue passing through Lot 3, as depicted in the site plan for the overall site date stamped June 30, 2021. Each phase of the project will construct the portion of the pedestrian path along their development.

    b. Illuminated pedestrian scale lighting per Section 1304.H.5 for the centralized pedestrian pathway.

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c. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.

d. Connections to/between via the most direct route:

(1) All building entrances;

(2) Active open space areas;

(3) Adjacent public sidewalks; and

(4) Bus stop along 35th Avenue.

33. The development shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.

a. "Secure/Covered Facilities" bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit on the residential portion of the site, up to a maximum of 20 spaces, as defined in Appendix K of the Comprehensive Bicycle Master Plan.

b. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the building entrance of each enclosed commercial and residential building and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

c. One bicycle repair station ("fix it station") shall be provided and maintained in the residentially zoned portion of the site within a central amenity area or along a centralized pedestrian pathway. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

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

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35. A Red Border Letter shall be processed for this development, as determined by the Planning and Development Department.

36. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.

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

38. If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

39. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.

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

41. 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 8th day of September, 2021.

_____
MAYOR

DRAFT

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:
_____
_____

REVIEWED BY:

_____
Ed Zuercher City Manager

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

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-2-21-4

R-4A ZONED AREA

LOCATED IN THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 1 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 SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 2;

THENCE NORTH 00 DEGREES 18 MINUTES 01 SECONDS EAST, A DISTANCE OF 832.74 FEET ALONG THE WEST LINE OF SAID NORTHWEST QUARTER TO THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 43 MINUTES 59 SECONDS EAST, A DISTANCE OF 338.62 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 18 MINUTES 01 SECONDS EAST, A DISTANCE OF 464.56 FEET;

THENCE SOUTH 89 DEGREES 46 MINUTES 59 SECONDS EAST, A DISTANCE OF 491.03 FEET;

THENCE SOUTH 00 DEGREES 10 MINUTES 29 SECONDS EAST, A DISTANCE OF 465.00 FEET;

THENCE NORTH 89 DEGREES 43 MINUTES 59 SECONDS WEST, A DISTANCE OF 494.88 FEET TO THE POINT OF BEGINNING.

C-2 ZONED AREA

LOCATED IN THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 1 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 SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 2;

THENCE NORTH 00 DEGREES 18 MINUTES 01 SECONDS EAST, A DISTANCE OF 832.74 FEET ALONG THE WEST LINE OF SAID NORTHWEST QUARTER TO THE POINT OF BEGINNING;

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THENCE CONTINUING NORTH 00 DEGREES 18 MINUTES 01 SECONDS EAST ALONG SAID WEST LINE, A DISTANCE OF 464.26 FEET;

THENCE SOUTH 89 DEGREES 46 MINUTES 59 SECONDS EAST, A DISTANCE OF 331.62 FEET;

THENCE SOUTH 00 DEGREES 18 MINUTES 01 SECONDS WEST, A DISTANCE OF 464.55 FEET;

THENCE NORTH 89 DEGREES 43 MINUTES 59 SECONDS WEST, A DISTANCE OF 331.62 FEET TO THE POINT OF BEGINNING.

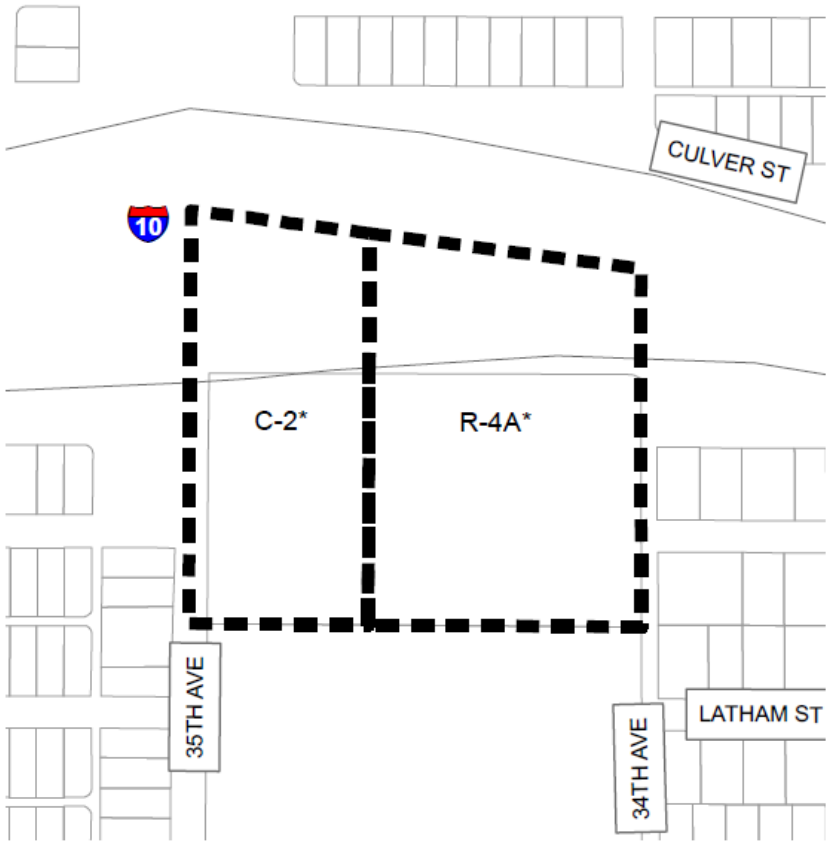
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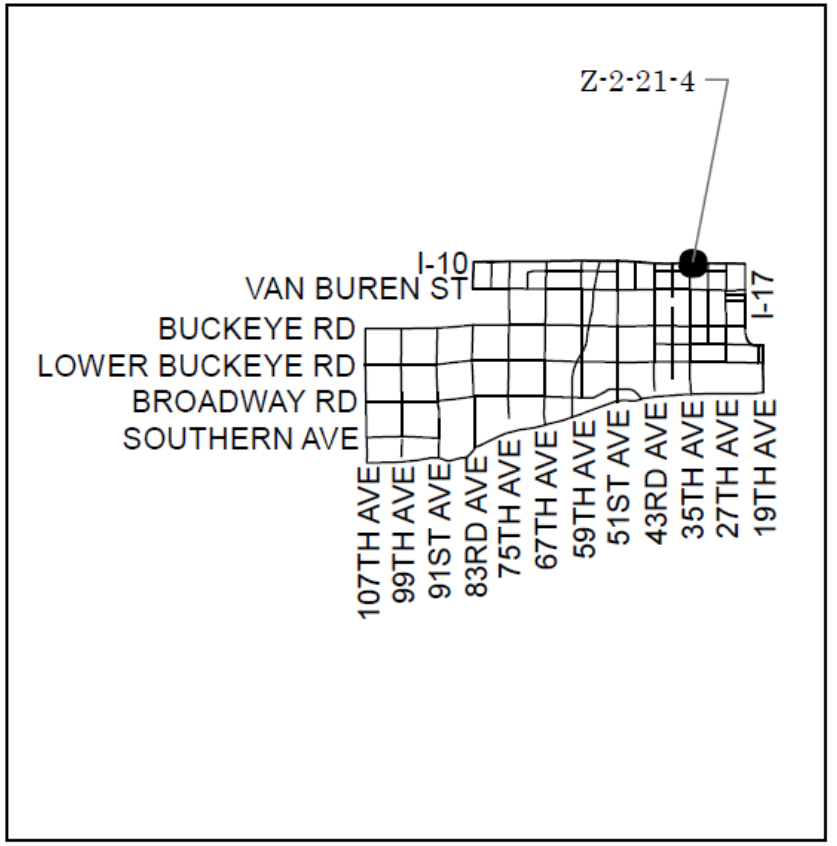
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-2-21-4
Zoning Overlay: N/A
Planning Village: Estrella





NOT TO SCALE

N

Drawn Date: 7/29/2021

Attachment B

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

Staff Report: Z-2-21-4
July 14, 2021

Estrella Village Planning Committee Meeting Date	July 20, 2021
Planning Commission Hearing Date	August 5, 2021
Request From:	R1-6 (6.98 acres) and R-5 (2.41 acres)
Request To:	C-2 (3.72 acres) and R-4A (5.67 acres)
Proposed Use	Multifamily and commercial uses including a convenience store with fuel station
Location	Southeast corner of 35th Avenue and Interstate 10
Owner	Eplex Realty, LLC
Applicant	QuikTrip Corportation
Representative	Huellmantel & Affiliates, Charles Huellmantel
Staff Recommendation	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation	Current	Public/Quasi-Public	
	Proposed (GPA-EST-1-21-4)	Mixed Use (8.94 acres)	
Street Map Classification	35th Avenue	Major Arterial Street	Varies, 33-foot to 40-foot east half street (plus easement)
	34th Avenue	Local Street	25-foot west half street easement
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 requested zoning will allow for increased intensity that is generally consistent in scale and character with the surrounding zoning and General Plan Land Use Map designations in the area. Located at the junction of a major arterial street, Interstate 10 freeway and future high-capacity transit modes along 35th Avenue, the proposed commercial and			

multifamily zoning is compatible with the surrounding area. The development, as stipulated, provides a reasonable level of intensity that is respectful to local conditions by transitioning commercial uses along 35th Avenue to existing single-family homes east of 34th Avenue.

CONNECT PEOPLE AND PLACES CORE VALUE; TRANSIT ORIENTED DEVELOPMENT; LAND USE PRINCIPLE: Develop land use and design regulations governing land close to transit centers and light rail stations, to maximize the potential for ridership.

The requested C-2 and R-4A zoning districts will allow for a mix of uses on the subject site, including multifamily and a convenience store with fuel stations near high capacity transit corridors and near various land uses such as a high school and several commercial establishments. This variety of zoning districts will allow for both housing and additional employment options within the Southwest Phoenix Major Employment center.

CELEBRATE OUR DIVERSE COMMUNITY AND NEIGHBORHOODS CORE VALUE; CONNECTED NEIGHBORHOODS; LAND USE PRINCIPLE: Design and locate new neighborhoods to promote access (both physical and visual) to parks and open space. New developments should also provide convenient pedestrian and bicycle access to transit stops, schools and other neighborhood amenities.

Approval of the request would locate a multifamily use adjacent to a public park (Falcon Park) which will allow immediate access to open space and recreational opportunities. Furthermore, bicycle lanes are located along Roosevelt Street, south of Falcon Park, in addition to a bus stop along 35th Avenue and within walking distance to a future mass-transit station. As stipulated, the development will promote shaded walkways and/or sidewalks plus bicycle parking and repair facilities to encourage walking and bicycling.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The proposal, as stipulated, will be required to provide shade along the adjacent 35th Avenue sidewalks, pedestrian paths connecting the development to adjacent streets, the parking lot and nearby bus stop. This will help to encourage walking and to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the project vicinity.

Applicable Plans, Overlays, and Initiatives

Estrella Village Plan: See Background Item No. 9.

Estrella Village Arterial Street Landscaping Program: See Background Item No. 10.

Tree and Shade Master Plan: See Background Item No. 11.

Complete Street Guidelines: See Background Item No. 12.

Comprehensive Bicycle Master Plan: See Background Item No. 13.

Reimagine Phoenix: See Background Item No. 14.

Housing Phoenix: See Background Item No. 15.

Surrounding Land Uses/Zoning		
	Land Use	**Zoning**
On Site	Former U.S. Navy Recruitment Center	R1-6 and R-5
North	Interstate 10 Freeway	R1-6 and R-5
South	Falcon Park	R1-6 and R-5
East (across 34th Avenue)	Single-family homes and ADOT landscape area	R1-6
West (across 35th Avenue)	Fuel station and ADOT landscape area	C-3

C-2 (Intermediate Commercial) Zoning District		
Standards	**Requirements**	**Met or Not Met**
Minimum Building Setbacks		
Street (35th Avenue)	Average 25 feet, minimum 20 feet permitted for up to 50% of structure	35 feet (Met)
Not adjacent to street (north) when adjacent to C-2 zoning	0 feet	50 feet (Met)
Not adjacent to street (south) when adjacent to R1-6 zoning	50 feet	50 feet (Met)
Not adjacent to street (south) when adjacent to R-5 zoning	15 feet	50 feet (Met)
Not adjacent to street (east) when adjacent to R-4A zoning (pending Z-2-21-4)	15 feet	50 feet (Met)

Minimum Landscaped Setbacks		
Street (35th Avenue)	Average 25 feet for structures not exceeding two stories or 30 feet, minimum 20 feet permitted for up to 50% of the frontage.	25 feet (Met)
Perimeter property lines not adjacent to a street when adjacent to C-2 zoning (pending Z-2-21-4)	None	10 feet (Met)
Perimeter property lines not adjacent to a street (south and east) (pending Z-2-21-4)	10 feet	10 feet (south) (Met) 20 feet (east) (Met)
Maximum Lot Coverage	50%	18% (Met)
Maximum Building Height	2 stories and 30 feet	20 feet (Met)
Minimum Parking	Retail establishments less than 50,000 square feet of gross building area: 1 space per 300 square feet of floor area 5,002 gross square feet for convenience store. 17 spaces required.	50 spaces total (Met)

R-4A (Multifamily Residential) Zoning District		
Standards	**Requirements**	**Met or Not Met**
Total Maximum Number of Units	247 units	192 units (Met)
Maximum Density	43.56 dwelling units per acre	33.87 dwelling units per acre (Met)

Minimum Building Setbacks		
Front (34th Avenue)	20 feet	20 feet (Met)
Sides (north and south)	5 feet	20 feet (Met)
Rear (west)	15 feet	15 feet (Met)
Minimum Landscaped Setbacks		
Front (34th Avenue)	20 feet	15 feet (Not Met)*
Sides and rear (north, south and west)	5 feet	5 feet (Met)
Maximum Lot Coverage	50%	27% (Met)
Maximum Building Height	48 feet	3 stories, 36 feet (Met)
Minimum Parking	Multifamily dwelling units: 1.3 spaces per efficiency unit and 1.5 spaces per 1 or 2 bedroom unit and 2 spaces per 3 or more bedroom unit, 1.0 space per unit of less than 600 square feet regardless of number of bedrooms When the required parking is reserved for residents, additional unreserved parking is required as follows: 0.3 spaces for each efficiency unit and 0.5 spaces per each 1 or 2 bedroom unit and 1.0 space per each 3 or more bedroom unit. 112 one bedroom units and 80 two bedroom units proposed. 288 spaces required.	194 spaces provided (Not Met)*

**Variance or site plan modification may be required.*

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone a 9.39-acre site, located at southeast corner of 35th Avenue and the Interstate 10 from 6.98 acres of R1-6 (Single-Family Residence District) and 2.41 acres of R-5 (Multifamily Residence District) to 5.67 acres of R-4A (Multifamily Residence District) and 3.72 acres of C-2 (Intermediate Commercial) to allow multifamily and commercial uses including a convenience store and fuel station. The applicant intends to develop affordable housing units within the proposed multifamily-family zoned portion of the site, thus allowing for additional housing diversity in this part of the Estrella Village. This and other elements of the project are addressed in further detail subsequently in the report.

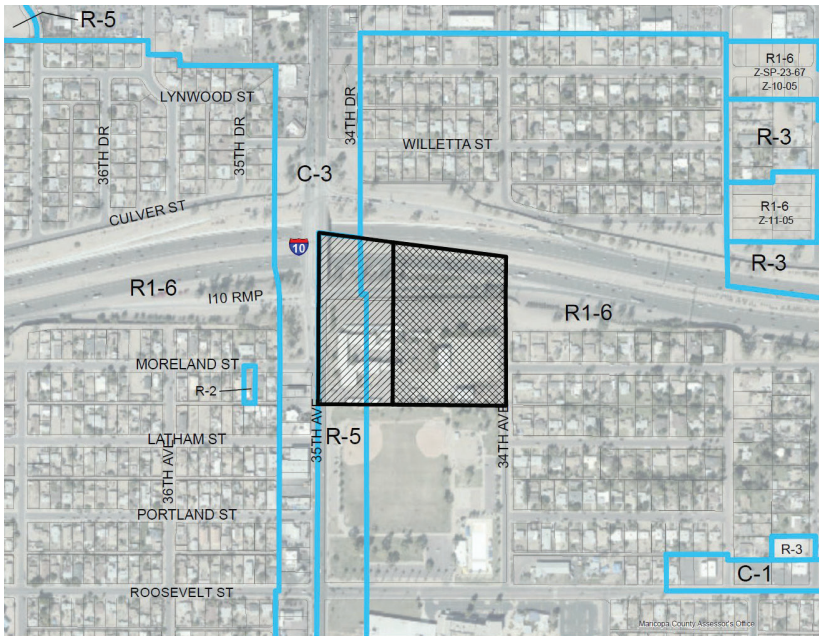
SURROUNDING USES AND ZONING

2. North of the subject site is the Interstate 10 freeway zoned R1-6 (Single-Family Residence District) and R-5 (Multifamily Residence District). A future high-capacity transit station is proposed just across the I-10 freeway within close proximity to 35th Avenue.

   South of the subject site is a public park, Falcon Park, zoned R1-6 (Single-Family Residence District) and R-5 (Multifamily Residence District). Carl Hayden High School is located south of Falcon Park across Roosevelt Street along 35th Avenue.

   West of the subject site across 35th Avenue is ADOT right-of-way property and a convenience store with a fuel station zoned C-3 (General Commercial District).

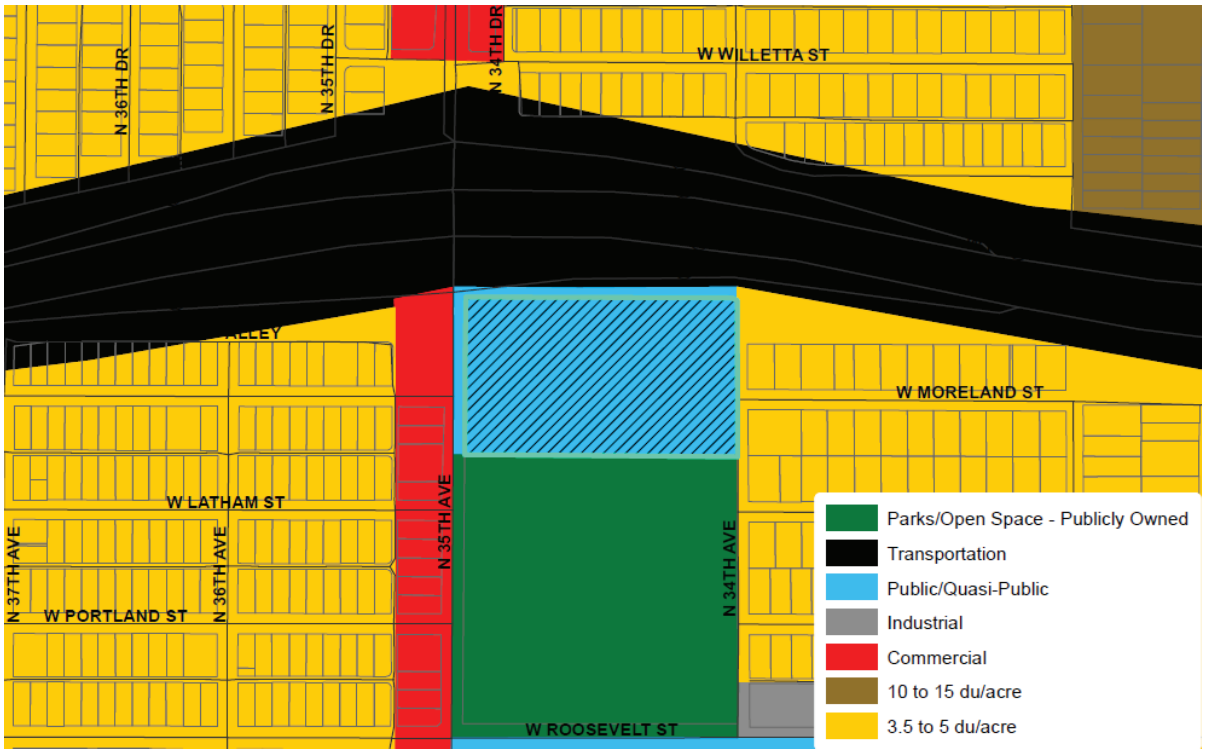
   East of the subject site, across 34th Avenue, are single-family homes zoned R1-6 (Single-Family Residence District).



Zoning Aerial Map, Source: Planning and Development Department

GENERAL PLAN LAND USE MAP DESIGNATIONS

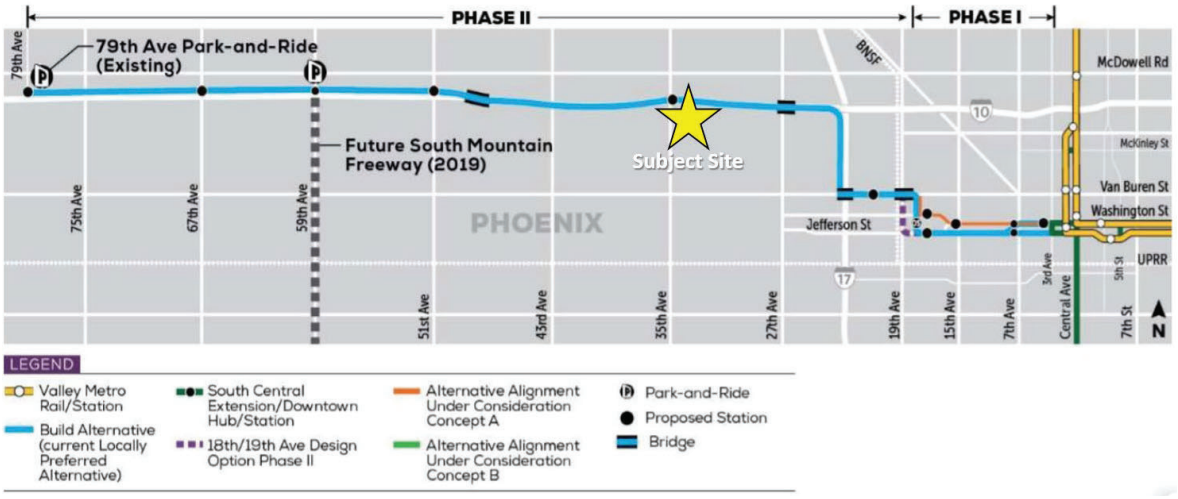
3. The subject site has a General Plan Land Use Map designation of Public/Quasi-Public which is not consistent with the proposed commercial and multifamily residential zoning requested. A concurrent minor General Plan Land Use Map amendment under case GPA-EST-1-21-4 is proposed to change this land use designation to Mixed Use.



The Mixed Use land use designation requested is consistent with the proposed R-4A and C-2 zoning, as it allows commercial and residential land uses. Furthermore, this will promote the use of transit due to its proximity to various modes of high-capacity transit along 35th Avenue.

CAPITOL I-10/WEST EXTENSION

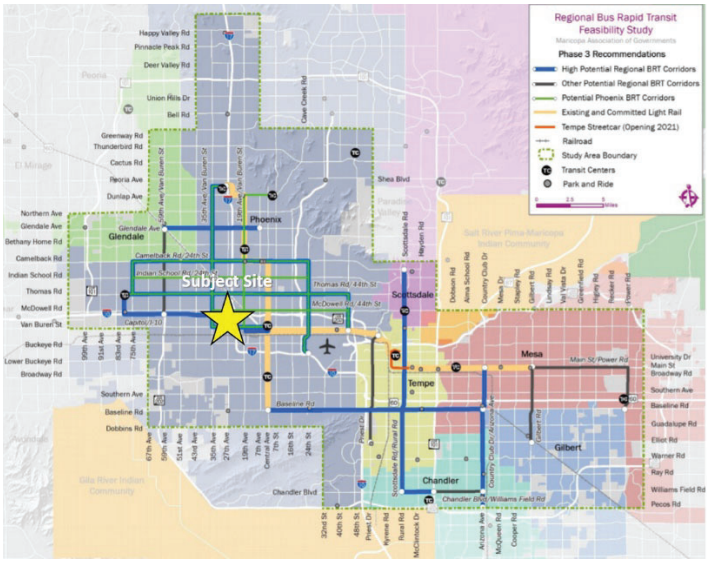
4. As of the writing of this staff report, Valley Metro had determined a locally preferred high-capacity transit alignment approximately 0.1 miles north of the site. The Capitol/I-10 West high-capacity transit corridor will serve as a major transportation route in this part of the region, connecting the residents of this future development to employment, shopping, educational, and other opportunities in Downtown and West Phoenix.



Capitol/I-10 West Transit Map with Planning and Development Department annotations, Source: Valley Metro

BUS RAPID TRANSIT (BRT)

5. Furthermore, as of the writing of this staff report, the City of Phoenix Transit Department and Citizen Transportation Commission had recommended that 35th Avenue/Van Buren Street route be approved as a BRT corridor. This high-capacity transit will serve to connect residents along 35th Avenue and Van Buren Street to employment, shopping, educational, and other opportunities in Downtown and North West Phoenix.



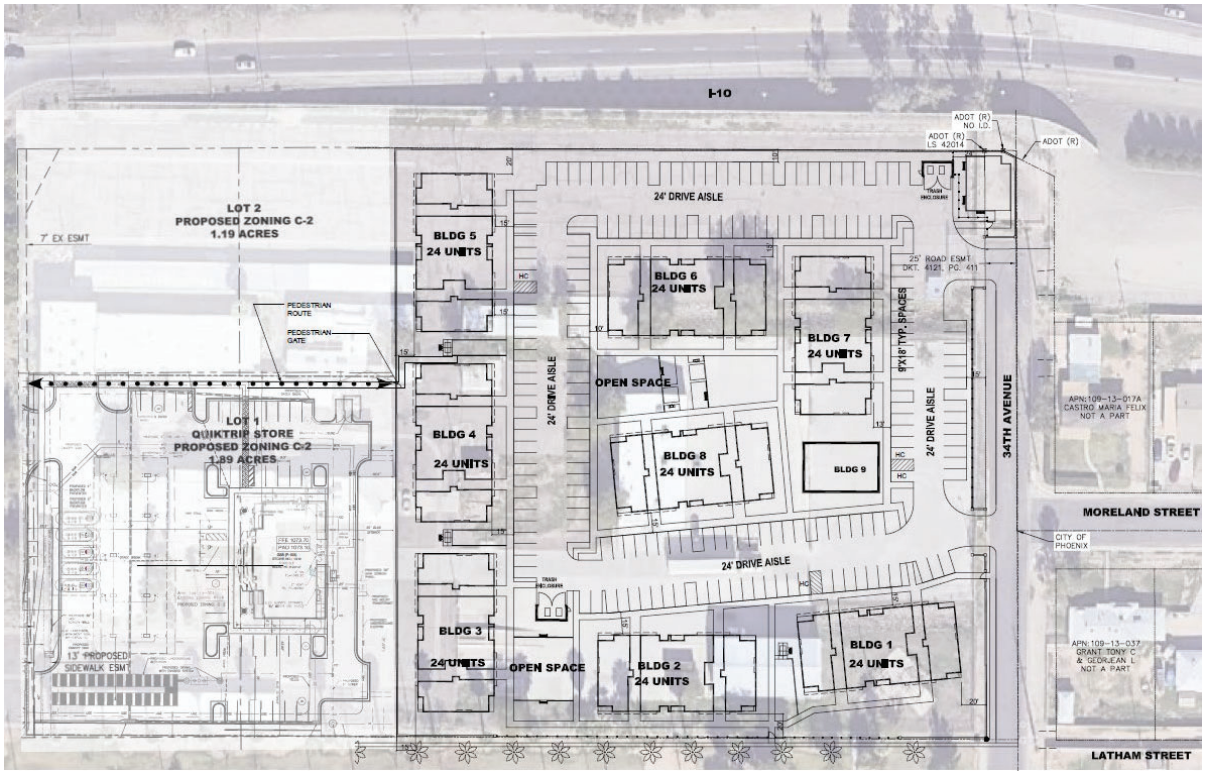
MAG BRT Corridor Map with Planning and Development Department annotations, Source: Maricopa Association of Governments

PROPOSAL

6. **Site Plan**

The conceptual site plan identifies the western portion of the 9.39-acre site along 35th Avenue as a convenience store with fuel canopies and a future commercial user on the north portion of the site along the Interstate 10 freeway. The eastern portion of the site along 34th Avenue proposes a 192-unit multifamily development with one and two-bedroom units located in eight residential buildings at three stories and 36 feet in height. Two vehicular access points to the proposed multifamily

zoning are shown along 34th Avenue, with pedestrian connections to both 35th Avenue and 34th Avenue.



Conceptual Site Plan, Source: Otak Architects, Inc.

Stipulation No. 1 limits the maximum building height and density to 30 feet or 98 dwelling units on the proposed multifamily-zoned portion of the site. However, if affordable housing is provided on the proposed multifamily-zoned portion of the site, the maximum building height and density shall be 40 feet and 200 dwelling units. If the development utilizes the additional height and density outlined in Stipulation No. 1, staff is also requesting Stipulation No. 2 that requires a recorded Declaration of Affirmative Land Use and Restrictive Covenants Agreement be provided prior to issuance of building permits for any structures to ensure that the affordability restrictions are formalized for the site.

Furthermore, Stipulation No. 3 requires an average building setback of 40 feet, minimum 20 feet for up to 25 percent of the frontage along 34th Avenue. This latter stipulation will ensure that multi-story buildings are primarily kept a larger distance away from nearby single-family residential properties west of 34th Avenue. Stipulation No. 4 recommends that a minimum 20-foot building setback be provided along the north property line for the multifamily-zoned portion of the site to require a larger separation between residential buildings and I-10 freeway.

Staff is not recommending a stipulation to require general conformance to the conceptual site plan for the proposed multifamily zoning due to potential variances

required for parking reductions or site plan modifications for the front landscape setback and associated site modifications triggered by constructing a cul-de-sac at the terminus of 34th Avenue. Variances are reviewed and recommended at the discretion of the Zoning Adjustment Hearing Officer (ZAHO) via a public hearing process.

However, staff is recommending a stipulation to require general conformance to the conceptual site plan for the convenience store and fuel station portion of the site. This is addressed in Stipulation No. 17. Furthermore, staff is recommending a stipulation to require administrative review of the site plan and building elevations of the future commercial site, Lot 2, by the Planning Hearing Officer prior to preliminary site plan approval. This is addressed in Stipulation No. 18.

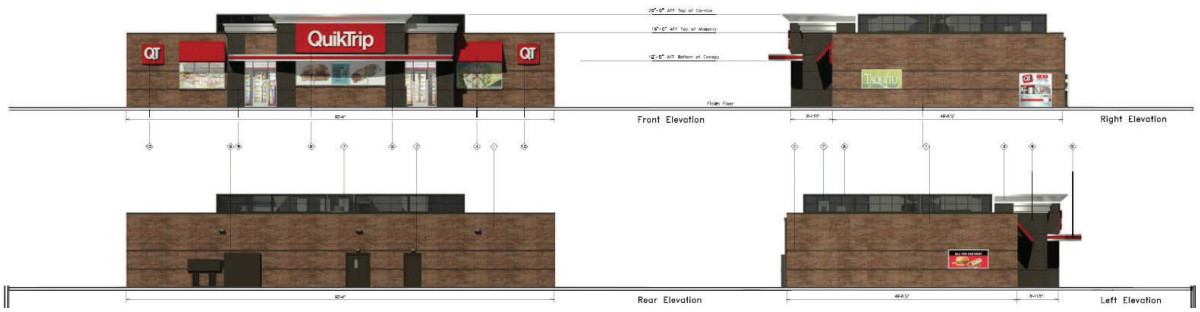
7. **Elevations**

The conceptual building elevations for the proposed multifamily-zoned portion of the site depict a modern-style architecture with flat roofs, large windows, patios and four-sided architecture. These building elevations depict a maximum building height of three stories and 36 feet.

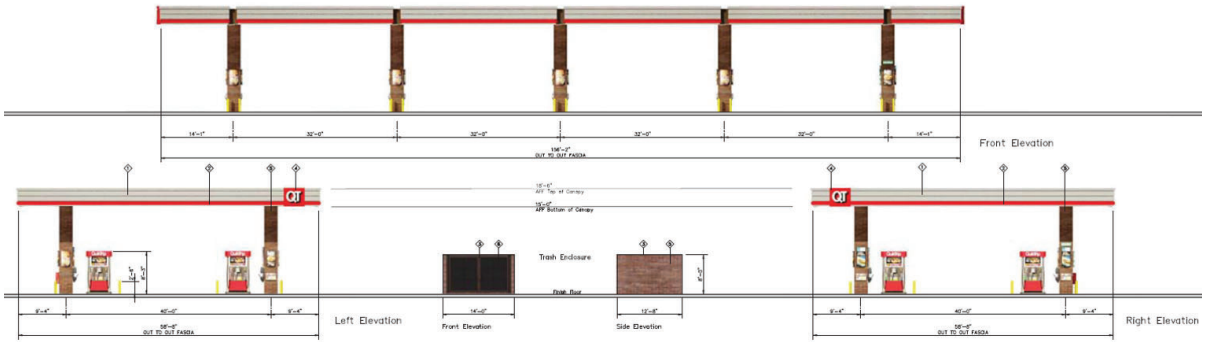
The conceptual building elevations for the proposed convenience store and fuel station depict a modern-style architecture with retro elements such as awnings, decorative roof band, brick, and four-sided architecture. These building elevations depict a maximum building height of one story and 20 feet.



Conceptual Building Elevations, Source: Otak Architects, Inc.



Conceptual Building Elevations, Source: QuikTrip Corporation



Conceptual Building Elevations, Source: QuikTrip Corporation

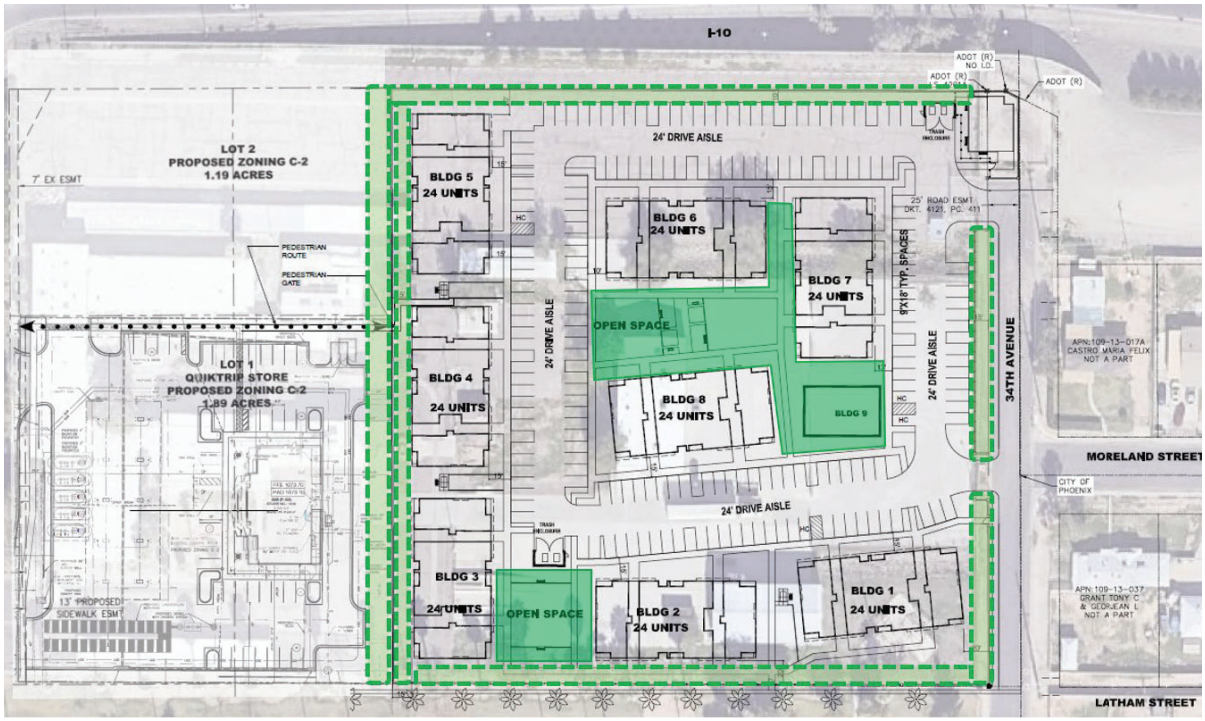
Staff is recommending a stipulation to require that building elevations within the multifamily-zoned portion of the site incorporate a variety of colors, materials and architectural features. This is addressed in Stipulation No. 5, in addition to requiring a minimum of 25 percent of building elevations oriented towards 34th Avenue and Falcon Park, to provide accent materials that exhibit quality and durability that will withstand weather conditions into the future. Furthermore, Stipulation No. 5 requires that balconies and windows be provided for residential units adjacent to Falcon Park in order to “place eyes on the park” to provide visual consistency.

In Stipulation No. 6, staff recommends that balconies on the upper floors of multifamily buildings within 60 feet of the front property line be prohibited, unless these are oriented away from single-family residential homes. This will help to provide a transition between the single-family and multifamily residential uses.

Staff is recommending general conformance with the building elevations for the convenience store and fuel station in Stipulation No. 17, while Stipulation No. 18 would require the administrative review of the building elevations for the future commercial site, Lot 2, by the Planning Hearing Officer prior to preliminary site plan approval to ensure that a variety of colors, materials and architectural features are incorporated.

8. **Landscaping and Screening**
In order to best integrate the proposed land uses and avoid conflicts with existing or future land uses proposed on the site, several landscaping and screening enhancements are recommended by staff.

Stipulation No. 7 recommends an average 10-foot wide landscape setback along the north property line of the proposed multifamily-zoned portion of the site with evergreen trees to help screen the I-10 freeway from residential buildings per Stipulation No. 8. This stipulation also recommends evergreen trees along 34th Avenue and the western property line to screen residential buildings from adjacent single-family homes and the proposed convenience store.



Conceptual Site Plan with Planning and Development Department annotations,
Source: Otak Architects, Inc.

Stipulation No. 8 also recommends landscape enhancements that include providing 50-percent 2-inch caliper and 50-percent 3-inch caliper trees within the required landscape setbacks on the proposed multifamily-zoned portion of the site. This enhancement will help further screen the proposed residential buildings from existing and proposed uses, plus the I-10 freeway.

Stipulation No. 19, applicable on the proposed commercially-zoned portion of the site, requires a minimum 20-foot wide landscape setback planted with minimum 2-inch caliper evergreen trees along the future eastern property line adjacent to the proposed multifamily zoning. This will help buffer and screen commercial uses from the future residential uses on the eastern portion of the site.

9. **Open Space and Amenities**
The conceptual site plan depicts a central amenity area with numerous amenities dispersed throughout the multifamily-zoned portion of the development. Stipulation No. 9 recommended by staff requires a centralized amenity and open space area and that a minimum of the following be provided for residents:

- Tot lot;
- Clubhouse or community room;
- Two picnic areas each with a barbeque grill, shade ramada and a picnic table; and
- Two benches or seating features.

10. **Streetscape and Fencing Enhancements**
The subject site is located at the junction of an arterial street (35th Avenue), freeway (Interstate 10) and public park (Falcon Park), in addition to a local street (34th Avenue). In order to promote further beautification of the Estrella Village and enhance the development area, staff recommends several stipulations that will help achieve this vision.

Stipulation No. 10 recommends entryway enhancements along 34th Avenue that include pedestrian pathways, landscape enhancements and alternative driveway materials to promote a sense of place for the multifamily-zoned portion of the site.

Stipulation Nos. 11 and 12 address fencing requirements for the multifamily zoned portion of the site specifically. These include a minimum six-foot tall solid wall along the north property line to screen residential uses from the adjacent I-10 freeway, plus open view fencing limitations along 34th Avenue and Falcon Park in order to promote visibility to adjacent streets plus the public park to “place eyes on the street” (and park).

Stipulation No. 13 addresses building construction within the multifamily-zoned portion of the site. This stipulation would require a decibel rating inside of residential units, given the adjacent I-10 freeway, in order to reduce noise in these units.

Stipulation No. 29 addresses perimeter wall enhancements for the entire site where these are visible from public streets and Falcon Park to promote beautification of the development area.

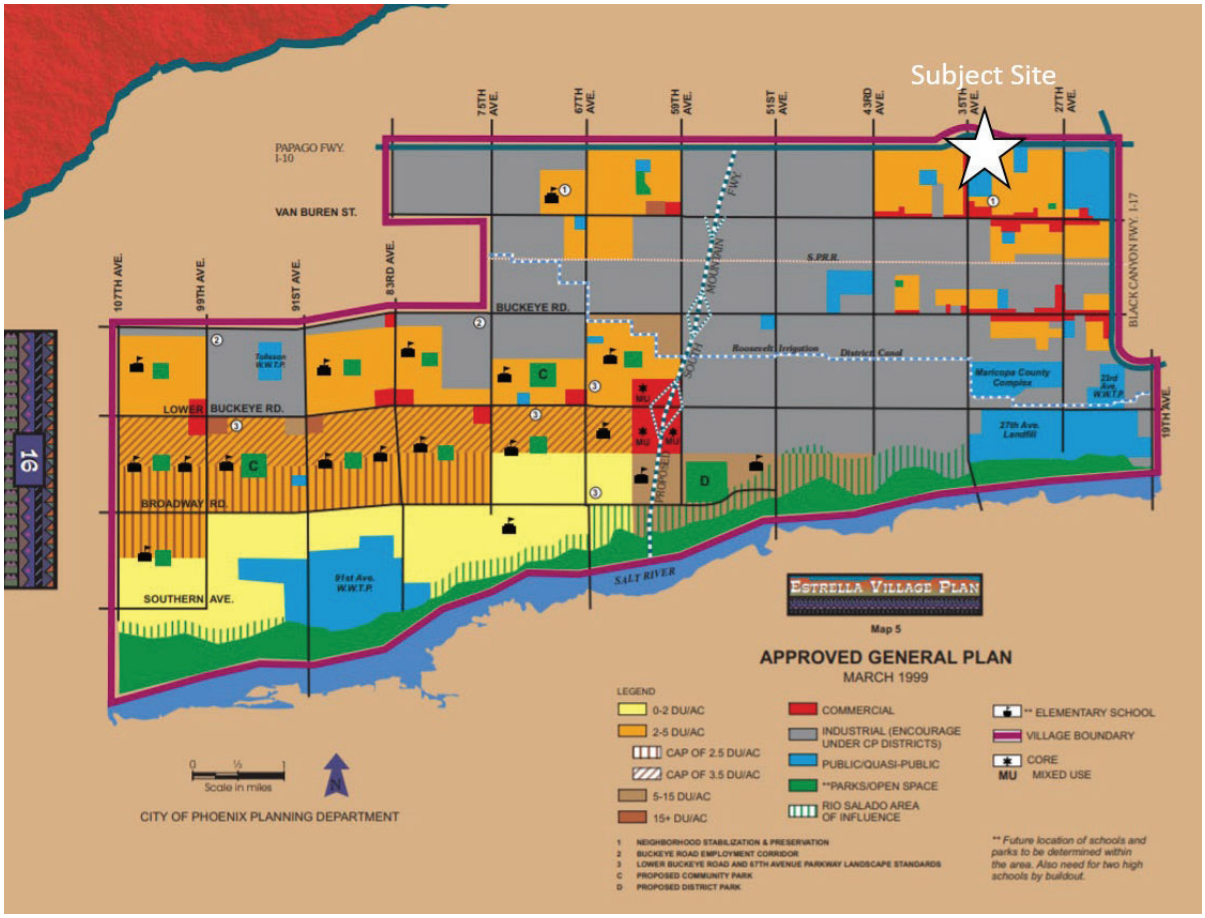
STUDIES AND POLICIES

11. **Estrella Village Plan**

The Estrella Village Plan adopted in 1999, outlines a vision for improving the Estrella Village through five main goals that include:

1. Orderly growth;
2. Identifiable village core;
3. Strong residential neighborhoods;
4. Variety of homes and jobs; and
5. Consistent streetscapes and trail linkages.

Goal 3 of the Estrella Village Plan, “Protection of residential neighborhoods”, Objective A, “New Residential Development”, recommends that new residential developments and retail centers be supported by street circulation systems and surrounding character. Bounded by a major arterial street, freeway and within proximity to a future high-capacity station, the proposed C-2 and R-4A zoning districts allow uses that could be supported by the existing street and future planned transit infrastructure. Thirty-fourth Avenue is classified as a local street that currently acts as a collector street, providing access to Falcon Park and single-family neighborhoods east of 34th Avenue.



Estrella Village Plan Land Use Map, Source: City of Phoenix Planning and Development Department

Goal 3, Objective D, “Residential areas in transition”, recommends that neighborhoods no longer viable for residential use will be converted to non-residential activity in a manner least disruptive to remaining residents. The existing zoning on the site is R-5 and R1-6, with a proposed zoning of C-2 and R-4A. This zoning application will allow for the arterial street frontage of the property to be used for commercial uses along a corridor where similar uses exist. The eastern portion of the site is proposed to remain as a residential use with multifamily zoning. Staff recommends several stipulations, as noted previously in the report, to buffer and screen future multifamily uses from existing single-family neighborhoods in the area to allow for a land use transition.

Goal 4, “Housing and Employment”, Objective B, “Variety of housing densities and types”, recommends a diversity of housing products in the Estrella Village. The proposed R-4A zoning along the eastern portion of the site allows for a variety of residential uses on the site, including a multi-story apartment housing product as depicted in the conceptual site plan. This zoning district will introduce a new land use in the immediate area, allowing for new housing opportunities to existing and new residents within close proximity to transportation and high-capacity transit.

Goal 5, “Urban Design”, recommends for streetscape and trail systems to be uniform and consistent to provide identity and linkage between neighborhoods and with activity centers. Several stipulations as recommended by staff and described previously in this report, would promote enhanced urban design along the streetscapes.

12. **Estrella Village Arterial Street Landscaping Program**

The Estrella Village Arterial Street Landscaping Program adopted in 1999, provides a landscape palette for arterial streets within the Estrella Village to help establish the community’s character. In addition to providing planting guidelines, the plan also indicates the locations to establish entry gateways that welcome individuals entering the village with an entry sign and an enhanced landscape area of 75 feet by 75 feet in size.

The subject site is adjacent to 35th Avenue, an arterial street, and thus staff recommends Stipulation No. 20 to require adherence with the Estrella Village Arterial Street Landscaping Program requirements along the street frontage to promote the community’s character. Furthermore, the southeast corner of 35th Avenue and Interstate 10 is a designated Village gateway. Thus, staff recommends Stipulation No. 21 to require a landscaped gateway entry feature at this intersection.



Conceptual Landscaped Gateway feature, Source: Harrington Planning + Design

13. **Tree and Shade Master Plan**

The Tree and Shade Master Plan is a roadmap for creating a healthier, more livable and prosperous 21st Century desert city. The goal is to treat the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. Staff recommends several stipulations to promote the shading and cooling of uncovered parking lots and pedestrian walkways on both the commercial and multifamily-zone portions of the site, plus the bus stop along 35th Avenue. These shading standards are addressed in Stipulation Nos. 22, 30, and 31.

Additionally, staff recommends that the detached sidewalk along 35th Avenue, be shaded to a minimum of 75 percent using minimum 2-inch caliper trees at maturity. This is addressed in Stipulation No. 24.

14. **Complete Streets Guidelines**

The City's complete streets policy further advances its goal to create a more sustainable transportation system that is safe and accessible for everyone. Complete streets provide infrastructure that encourages active transportation such as walking, bicycling, transportation choices and increased connectivity. Through this policy, the primary focus of street design will no longer be solely on the speed and efficiency of automobile travel, but on the safety and comfort of all users.

To promote walking, staff recommends a system of pedestrian thoroughfares that connects building entrances, active open space areas, adjacent public sidewalks and the bus stop along 35th Avenue. A centralized pedestrian pathway connecting the proposed multifamily-zoned portion of the site with 35th Avenue will help future residents of this new community to use public transportation and high-capacity transit along 35th Avenue. This is addressed in Stipulation No. 32.

To promote bicycling, staff recommends that bicycle parking be provided for both the commercial and multifamily-zoned portions of the site for customers or residents and their guests. A bicycle repair station in the multi-family zoned portion of the site will also help to promote bicycling as alternative transportation method to help decrease vehicular trips. This is addressed in Stipulation No. 33.

Stipulation No. 24, requires a shaded detached sidewalk along 35th Avenue to help promote walking and other alternative methods of transportation along this corridor.

15. **Comprehensive Bicycle Master Plan**

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its Bikeway System and supportive infrastructure. Bicycle lanes have been designated within Roosevelt Street, south of Falcon Park. Staff recommends that secure/covered bicycle parking be provided at a rate of one bicycle space per 0.25 dwelling units up to 20 spaces, and inverted U-bicycle spaces per residential building for guests and customers. A bicycle repair station within the multifamily-zoned portion of the site will also promote alternative transportation by future residents. Bicycle parking and amenities are addressed in Stipulation No. 33.

16. **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, industrial, and mixed-use developments meeting certain criteria. No provisions for recycling containers were depicted on the site plans for the commercial or multifamily-zoned portion of the site. However, the applicant's submittal documents indicate that recycling containers may be incorporated as part of the multifamily-zoned portion of the site pending further review.

17. **Housing Phoenix**

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with

a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

Stipulation No. 1 would limit the maximum density to 98 dwelling units on the proposed multifamily-zoned portion of the site, but if affordable housing units provided, the developer may construct up to 200 dwelling units on this portion of the site. If this development is approved, it would allow a new type of housing product in the area and new housing opportunities for existing and new residents to the area.

COMMUNITY INPUT SUMMARY

18. As of the writing of this report, staff received one letter in support and one letter in opposition with concerns about the development. The letter of concern cited issues with the construction of a fuel station at this site due to fears of increased crime and environmental concerns for existing residents. The letter of support cited the proposed fuel station and available services as a positive use of the property.

INTERDEPARTMENTAL COMMENTS

19. The Water Services Department commented that the property has existing water and sewers mains that can potentially serve the development along 35th Avenue and/or 34th Avenue. In addition, the Water Services Department commented that capacity is a dynamic condition that can change over time due to a variety of factors.

20. The Floodplain Management division of the Public Works Department did not have any comments pertaining to this request as the parcel is not located in a Special Flood Hazard Area (SFHA).

21. The Fire Department commented that the project shall comply with the 2018 International Fire Code with Phoenix Amendments. Other comments provided pertained to fire apparatus access, turning radiuses, fire hydrant spacing, water supply and operational permits. These comments will be addressed in the site plan review process, along with other development review comments.

22. The Public Transit Department requires right-of-way and retention of the bus stop pad along 35th Avenue; bus stop shading of 50 percent minimum; accessible pedestrian pathways that connect all building entrances and exits, bus stop, and all public sidewalks utilizing the minimum possible distance; and pedestrian paths and sidewalks shaded a minimum of 75 percent using trees or shade structures. Lastly,

that pedestrian pathways be constructed of decorative material that contrasts with the adjacent parking and drive aisle surfaces. These are addressed in site plan review and Stipulation Nos. 22, 23, 24 and 32.

23. The Street Transportation Department requires the dedication of right-of-way along 34th Avenue and 35th Avenue with related improvements, cul-de-sac construction along the 34th Avenue terminus, driveway access control along 35th Avenue, cross-access agreement along the commercial portion of site, pedestrian HAWK signal along 35th Avenue, Red Border letter notification to the Arizona Department of Transportation (ADOT), and construction of all streets within and adjacent to the development per ADA standards. These are addressed in Stipulation Nos. 14, 15, 16, 24, 25, 26, 27, 28, 34 and 35.

24. The Aviation Department requires that the property owner record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. Furthermore, that an avigation easement is dedicated to the City of Phoenix as this property is within the PHX International Airport traffic pattern airspace and seeking a noise sensitive land use. These are addressed in Stipulation Nos. 36 and 37.

OTHER

25. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation Nos. 38 through 40.

26. The Historic Preservation Office commented that this U.S. Naval and Marine Corps Reserve Training Center is historically significant under Criterion A, at the local level, for its association with the U.S. Military, more specifically with those efforts to create a reserve training and recruitment center for the Navy and Marines in Phoenix. Thus, the property is subject to a subject to a 30-calendar day hold prior to the issuance of a demolition permit, since it is a non-single family building over 50 years old.

27. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements such as obtaining a use permit to conduct the proposed outdoor use in this zoning district. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The proposal is consistent with the General Plan Land Use Map designation of Mixed Use, proposed with concurrent case GPA-EST-1-21-4.

2. As stipulated, this development will allow affordable housing to be developed in this part of the Estrella Village and within proximity to a public park, high-capacity transit, and employment opportunities in the Southwest Phoenix Major Employment center.

3. As stipulated, the requested C-2 and R-4A zoning is consistent with surrounding land uses and will allow for an appropriate transition between commercial uses along 35th Avenue and single-family residential uses east of 34th Avenue.

4. The proposed development is consistent with the scale and character of developments approved or existing in the surrounding area while balancing employment and housing opportunities within close proximity to future high-capacity transit.

Stipulations

R-4A ZONED AREA

1. For the R-4A portion of the site, the maximum building height and density shall not exceed 30 feet and 98 dwelling units. If the following conditions are met, the maximum height and density shall be 40 feet and 200 dwelling units. The conditions must be met prior to or in conjunction with the Final Site Plan Review.

    a. A minimum of 75 percent of the housing units are dedicated for long-term affordability, as approved by the Phoenix Housing Department.

    b. The applicant shall submit a copy of the draft Declaration of Affirmative Land use and Restrictive Covenants agreement (LURA), for review and approval by the Phoenix Housing Department.

    c. The applicant shall submit a copy of the Proforma, for review and approval by the Phoenix Housing Department.

2. Prior to the issuance of building permits for the R-4A portion of the site, the applicant shall submit a copy of the Recorded Declaration of Affirmative Land use and Restrictive Covenants agreement (LURA), as approved by the State Housing Department, if conditions listed in Stipulation No.1 for additional height and density are pursued.

3. An average building setback of 40 feet, minimum 20 feet for up to 25 percent of the frontage, shall be provided along 34th Avenue.

4. A minimum 20-foot building setback shall be provided along the north property line of the residentially zoned portion of the site.

5. Residential building elevations shall be developed to the following standards, as approved by the Planning and Development Department:

    a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete, stucco, painted steel or other materials to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.

    b. Building elevations adjacent and oriented to a public park or street, shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material that exhibits quality and durability.

    c. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, pop-outs, recesses, variation in window size and location, pitched roofs and/or overhang canopies, as approved by the Planning and Development Department

    d. Balconies and windows shall be provided for residential units adjacent to a public park.

6. There shall be no balconies on the upper floors of residential buildings located within 60 feet of the front property line which are oriented toward single-family residential homes not part of this development, as approved by the Planning and Development Department.

7. An average landscape setback of 10 feet, minimum 5 feet for up to 50 percent of the property line, shall be provided along the north property line.

8. The required landscape setbacks for the residentially zoned portion of the site shall be planted with minimum 50-percent 2-inch caliper and 50-percent 3-inch caliper large canopy drought-tolerant evergreen trees, 20 feet on center or in equivalent groupings, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department.

9. A central amenity and open space area shall be provided within close proximity to the primary vehicular entrance into the development. The following amenities shall be provided at a minimum and may be dispersed throughout the development, as approved by the Planning and Development Department:

    a. Tot lot;

    b. Clubhouse or community room;

    c. Two picnic areas each with a barbeque grill, shade ramada and a picnic table; and

    d. Two benches or seating features.

10. Vehicular entryways to the residential portion of the development along 34th Avenue shall include the following elements, as approved or modified by the Planning and Development Department:

    a. Pedestrian pathways connecting the interior of the development to the public sidewalks on one side of the vehicular driveway at minimum.

    b. The pedestrian pathways shall be lined with landscape areas on both sides and planted with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.

    c. A mix of ornamental shrubs and flower beds that will maintain a constant bloom throughout the year and 75 percent live cover, shall be provided along the entryway.

    d. The driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.

11. A perimeter wall no less than 6 feet in height shall be provided along the Interstate 10 freeway within the residentially zoned portion of the site. This wall shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.

12. Except where required by the Zoning Ordinance, perimeter walls adjacent to a public street or public park shall be limited to open view wrought iron fencing or a combination of 2-foot solid masonry topped by wrought iron open view fencing, as approved by the Planning and Development Department.

13. The indoor noise levels of residential units shall not exceed a decibel day night-level (DNL) of 45 decibels and that along with the building plans submitted for Phoenix Building Construction Code compliance review to the Planning and Development Department there shall be a sealed and signed analysis by an engineer licensed in Arizona with a proficiency in residential sound mitigation or noise control. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.

14. A minimum five-foot-wide sidewalk along 34th Avenue shall be detached with a minimum five-foot-wide landscape strip located between the sidewalk and back of curb and shall include minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted a minimum of 20 feet on center or in equivalent groupings between the sidewalk and back of curb, as approved by the Planning and Development Department.

15. The developer shall dedicate minimum 25-feet of right-of-way and construct the west side of 34th Avenue for the full limits of the project, as approved or modified by the Planning and Development Department.

16. If the portion of 34th Avenue north of Moreland Street is not approved to be abandoned through a separate process, the developer shall provide a 50-foot radius cul-de-sac termination at 34th Avenue, north of Moreland Avenue, as approved or modified by the Planning and Development Department.

C-2 ZONED AREA

17. The development shall be in general conformance with the conceptual site plan date stamped June 30, 2021 and building elevations date stamped May 16, 2021 for the C-2 portion of the site, except as described below and as approved by the Planning and Development Department.

18. The conceptual site plan and elevations for Lot 2, as depicted in the site plan for the overall site date stamped June 30, 2021, shall be administratively reviewed by the Planning Hearing Officer prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.

a. Location and orientation of buildings and trash receptables in relation to the residentially zoned property to the east.

b. Accessible pedestrian pathways that connect building entrances, public sidewalks, and the pedestrian pathway connecting the commercially zoned property to the residentially zoned property to the east using the most direct route for pedestrians.

c. Pedestrian connection between adjacent commercial parcels.

d. All elevations of the building/s shall contain architectural embellishments and detailing, such as: textural changes, pilasters, offsets, recesses, variation in window size or location, overhang canopies, or similar features.

19. A minimum 20-foot wide landscape setback shall be provided along the east side of the site where adjacent to a residential zoning district. This landscape setback shall be planted with a minimum 2-inch caliper large canopy evergreen trees, 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

20. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards along arterial streets in the Estrella Village, except as otherwise noted herein, as approved by the Planning and Development Department.

21. A landscaped gateway entry feature shall be provided on the southeast corner of 35th Avenue and Interstate 10 as described below and as approved by the Planning and Development Department:

a. An average 75-foot by 75-foot landscape entryway that adheres to the landscape palette for gateway entry features in the Estrella Village Arterial Street Landscaping Program.

b. A minimum 300-square foot landscaped accent area shall be provided. The landscaped accent area shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.

c. The gateway entry feature shall utilize accents, colors and materials consistent with the theme of the commercial uses on the same site, as approved by the Planning and Development Department.

22. The bus stop pad along 35th Avenue shall be shaded to a minimum of 50 percent using shade trees at full maturity, as approved or modified by the Planning and Development Department.

23. Public Transit Department shall retain right-of-way and bus stop pads on northbound 35th Avenue, as approved by the Planning and Development Department.

24. All sidewalks along 35th Avenue shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide shade to a minimum 75 percent at maturity.

    b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.

    c. The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for arterial streets.

    Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

25. The developer shall dedicate minimum 50-feet of right-of-way and construct the east half of 35th Avenue for the full limits of the project, per Cross Section D standards identified on the City of Phoenix Street Classification Map, as approved by the Planning and Development Department.

26. Driveway access control to the site will be permitted as approved by the Traffic Impact Study submitted to the Street Transportation Department by providing a sealed Traffic Impact Study analyzing access control and proposed mitigation for conflicting turning movements along 35th Avenue.

27. The site shall provide recorded cross-access agreements between lots one and two as depicted on the conceptual site plan date stamped June 30, 2021, as approved by the Planning and Development Department.

28. Prior to preliminary site plan approval, the developer shall work with the Office of Pedestrian Safety in the Street Transportation Department to evaluate a HAWK crossing at the southern boundary of the site within 35th Avenue. The developer shall be responsible for funding any identified improvements including the HAWK crossing, as determined by the Street Transportation Department, but generally to be located between Moreland Street and Portland Street.

R-4A AND C-2 ZONED AREAS

29. All perimeter walls visible from street right-of-way and adjacent to the public park shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs or other alternatives if full view fencing is proposed, as approved by the Planning and Development Department.

30. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.

31. Pedestrian walkways connecting the commercial sites and residentially zoned property to the east, public sidewalks, and walkways within the residentially zoned portion of the site shall be shaded to a minimum of 75 percent using shade trees at maturity and/or architectural shade, as approved by the Planning and Development Department.

32. A system of pedestrian thoroughfares shall be provided as described below and as approved or modified by the Planning and Development Department:

    a. The developer shall provide a minimum of one centralized pedestrian pathway connecting the public sidewalk along 35th Avenue passing through Lot 1 to the public sidewalk along 34th Avenue passing through Lot 3, as depicted in the site plan for the overall site date stamped June 30, 2021. Each phase of the project will construct the portion of the pedestrian path along their development.

    b. Illuminated pedestrian scale lighting per Section 1304.H.5 for the centralized pedestrian pathway.

c. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.

d. Connections to/between via the most direct route:

(1) All building entrances;

(2) Active open space areas;

(3) Adjacent public sidewalks; and

(4) Bus stop along 35th Avenue.

33. The development shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.

a. “Secure/Covered Facilities” bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit on the residential portion of the site, up to a maximum of 20 spaces, as defined in Appendix K of the Comprehensive Bicycle Master Plan.

b. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the building entrance of each enclosed commercial and residential building and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

c. One bicycle repair station (“fix it station”) shall be provided and maintained in the residentially zoned portion of the site within a central amenity area or along a centralized pedestrian pathway. The bicycle repair station (“fix it station”) shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

34. 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.

35. A Red Border Letter shall be processed for this development, as determined by the Planning and Development Department.

36. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.

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

38. If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

39. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.

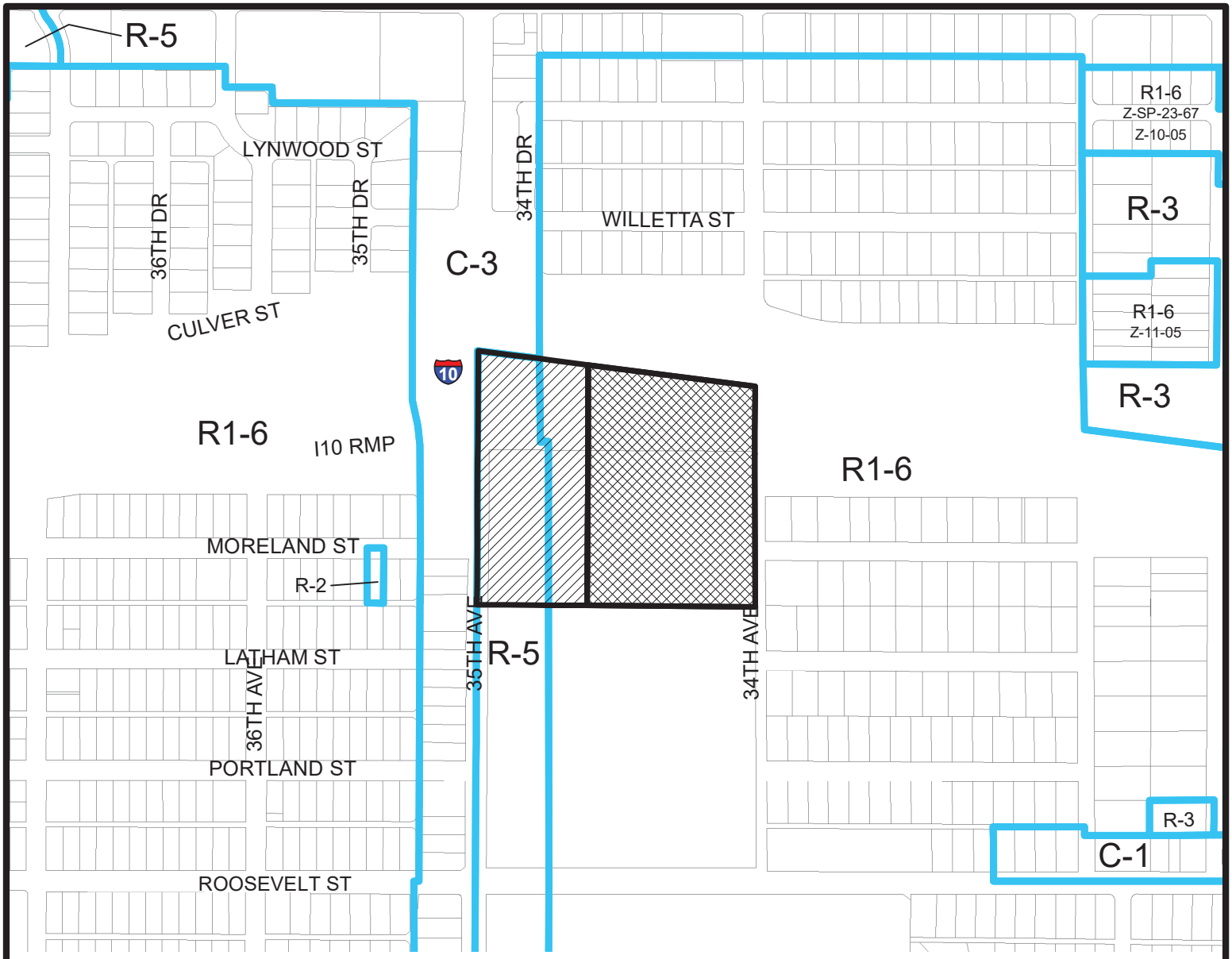
40. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

Writer
Enrique Bojórquez Gaxiola
July 14, 2021

Team Leader
Samantha Keating

Exhibits
Sketch Map
Aerial Map
Conceptual Site Plan for Lot 1 date stamped June 30, 2021
Conceptual Building Elevations for Lot 1 date stamped March 16, 2021
Conceptual Overall Site Plan date stamped June 30, 2021

Conceptual Building Elevations for Lot 3 date stamped June 15, 2021
Gateway Corner Feature date stamped March 16, 2021
Community Correspondence (2 pages)



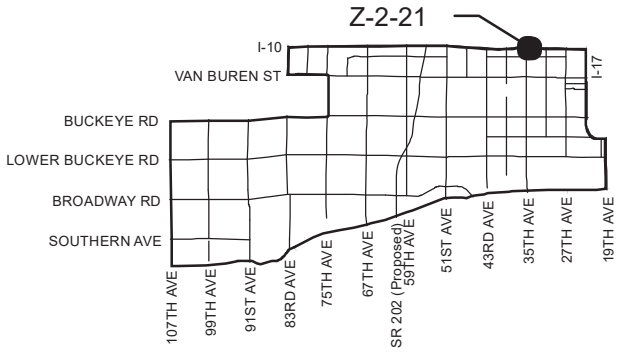
Miles

0.085 0.0425 0 0.085

ESTRELLA VILLAGE

CITY COUNCIL DISTRICT: 4

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: QuikTrip Corporation

REQUESTED CHANGE:

FROM: R-5 (2.41 a.c.)
R1-6 (6.98 a.c)

TO: C-2 (3.72 a.c.)
R-4A (5.67 a.c.)

APPLICATION NO. Z-2-21

DATE: 5/11/2021
REVISION DATES: 6/30/2021

GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.

9.39 Acres

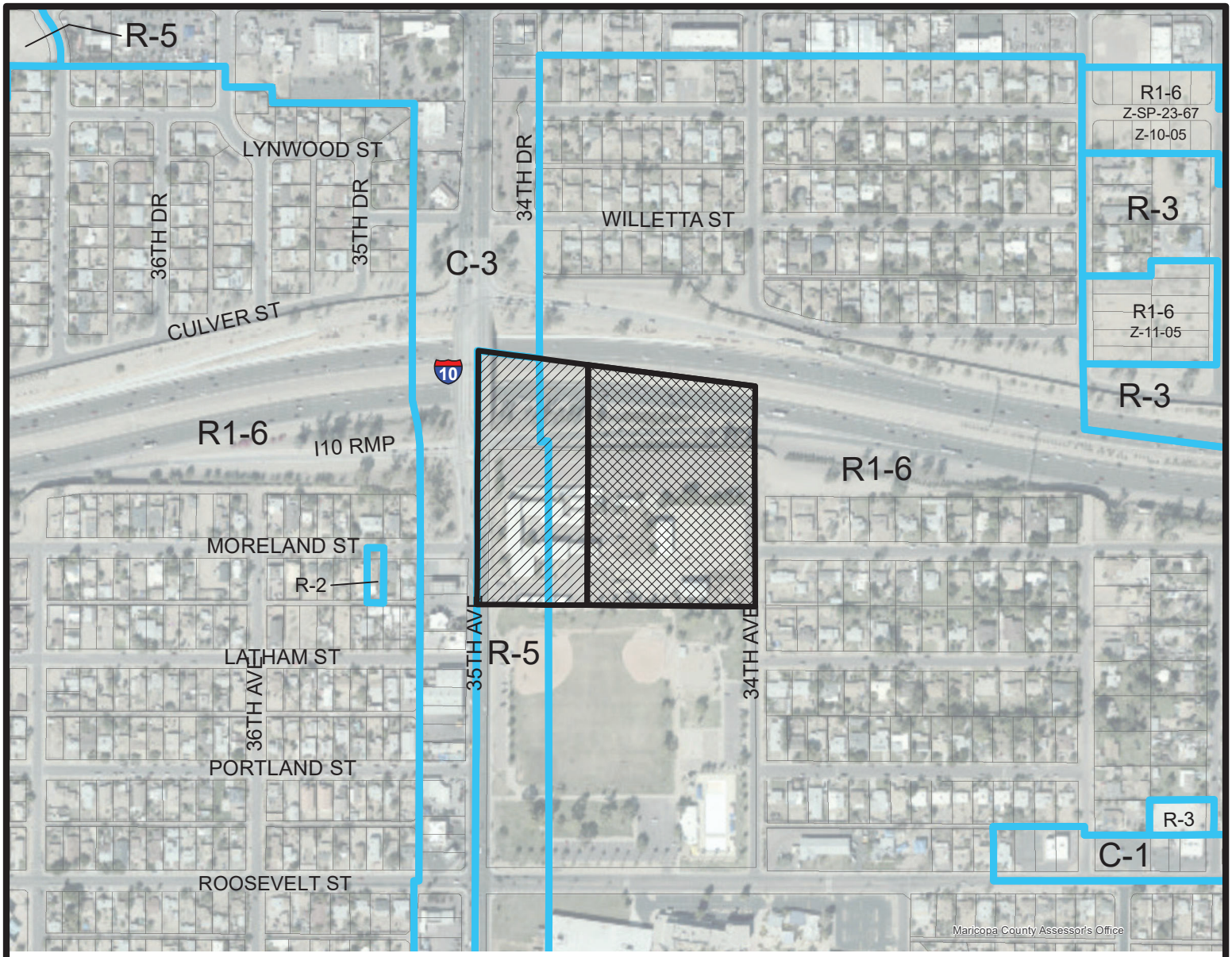
AERIAL PHOTO & QUARTER SEC. NO.: QS 12-21

ZONING MAP: G-6

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
R-5, R1-6	105, 37	126, 45
C-2, R-4A	54, 494	64, N/A

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

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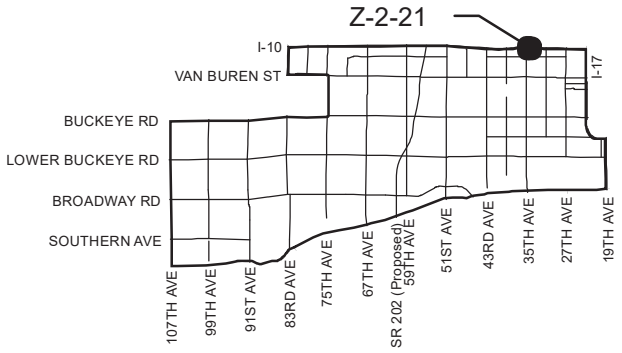
Miles

0.085 0.0425 0 0.085

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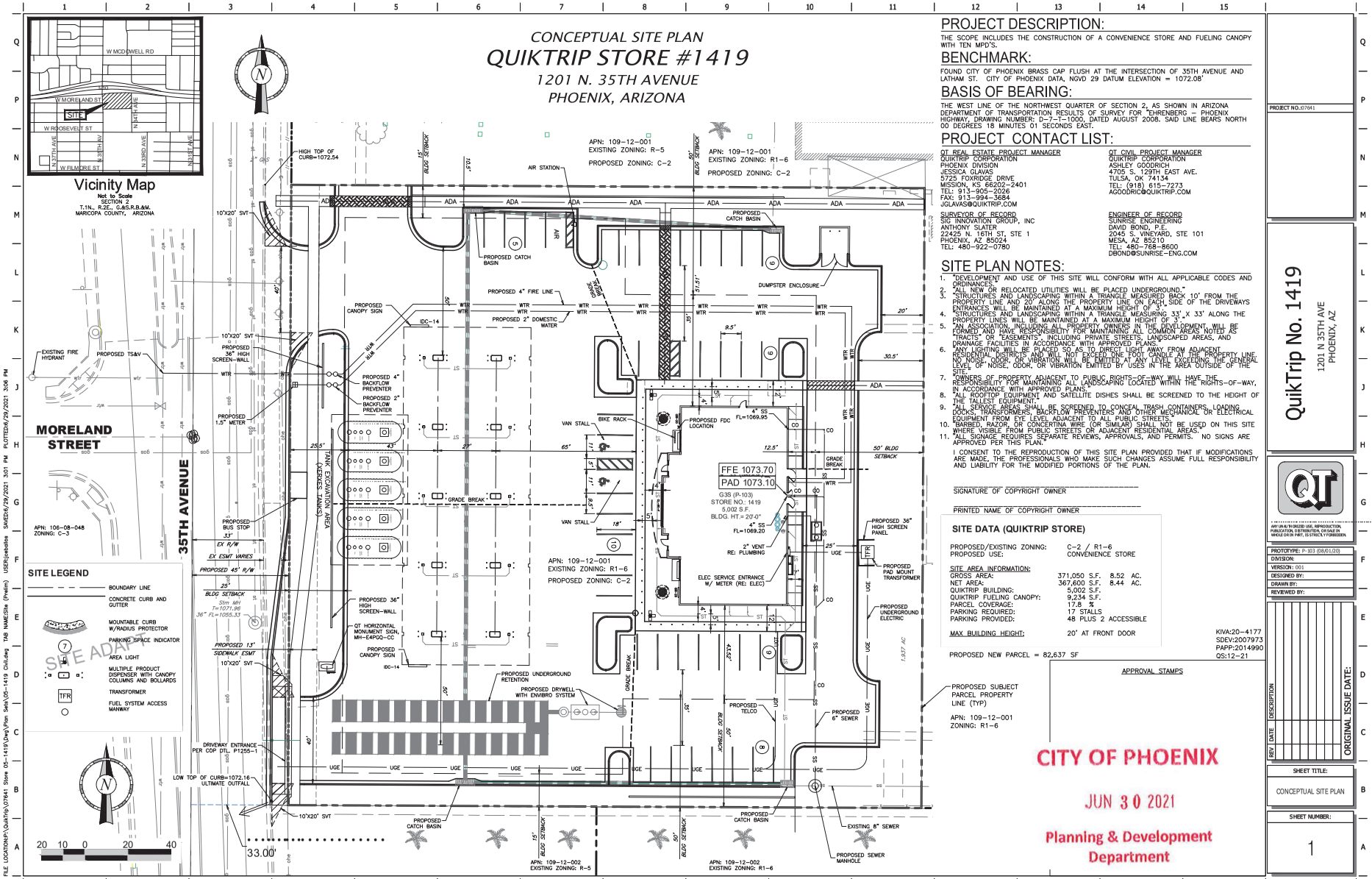
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AERIAL PHOTO & QUARTER SEC. NO.	ZONING MAP
QS 12-21	G-6

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C-2, R-4A	54, 494	64, N/A

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

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CONCEPTUAL SITE PLAN
QUIKTRIP STORE #1419
1201 N. 35TH AVENUE
PHOENIX, ARIZONA
Vicinity Map
Not to Scale
SECTION 2
T.1N., R.2E., G&SR.B.&M.
MARICOPA COUNTY, ARIZONA
SITE
W MCDOWELL RD
W MORELAND ST
W ROOSEVELT ST
W FILLMORE ST
N 35TH AVE
N 33RD AVE
N 31ST AVE
MORELAND STREET
35TH AVENUE
APN: 106-08-048
ZONING: C-3
APN: 109-12-001
EXISTING ZONING: R-5
PROPOSED ZONING: C-2
APN: 109-12-001
EXISTING ZONING: R1-6
PROPOSED ZONING: C-2
APN: 109-12-001
EXISTING ZONING: R1-6
PROPOSED ZONING: C-2
APN: 109-12-002
EXISTING ZONING: R-5
APN: 109-12-002
EXISTING ZONING: R1-6
FFE 1073.70
PAD 1073.10
G3S (P-103)
STORE NO.: 1419
5,002 S.F.
BLDG. HT.= 20'-0"
SITE LEGEND
BOUNDARY LINE
CONCRETE CURB AND GUTTER
MOUNTABLE CURB W/RADIUS PROTECTOR
PARKING SPACE INDICATOR
AREA LIGHT
MULTIPLE PRODUCT DISPENSER WITH CANOPY COLUMNS AND BOLLARDS
TRANSFORMER
FUEL SYSTEM ACCESS MANWAY
SEE ADA
PROPOSED TS&V
EXISTING FIRE HYDRANT
PROPOSED 1.5" METER
PROPOSED BUS STOP
PROPOSED 45' R/W
EX R/W
EX ESMT VARIES
BLDG SETBACK
PROPOSED 13' SIDEWALK ESMT
PROPOSED 36" HIGH SCREEN-WALL
QT HORIZONTAL MONUMENT SIGN, MH-E4PGQ-CC
PROPOSED CANOPY SIGN
IDC-14
PROPOSED 4" BACKFLOW PREVENTER
PROPOSED 2" BACKFLOW PREVENTER
PROPOSED CANOPY SIGN
IDC-14
PROPOSED 4" FIRE LINE
PROPOSED 2" DOMESTIC WATER
HIGH TOP OF CURB=1072.54
AIR STATION
PROPOSED CATCH BASIN
PROPOSED CATCH BASIN
DUMPSTER ENCLOSURE
VAN STALL
BIKE RACK
VAN STALL
PROPOSED FDC LOCATION
4" SS FL=1069.95
4" SS FL=1069.20
2" VENT RE: PLUMBING
ELEC SERVICE ENTRANCE W/ METER (RE: ELEC)
GRADE BREAK
GRADE BREAK
TANK EXCAVATION AREA (SEPARATE PERMIT)
PROPOSED 36" HIGH SCREEN PANEL
PROPOSED PAD MOUNT TRANSFORMER
PROPOSED UNDERGROUND ELECTRIC
PROPOSED UNDERGROUND RETENTION
PROPOSED DRYWELL WITH ENVIRO SYSTEM
PROPOSED TELCO
PROPOSED 6" SEWER
PROPOSED SUBJECT PARCEL PROPERTY LINE (TYP)
APN: 109-12-001
ZONING: R1-6
PROPOSED SEWER MANHOLE
EXISTING 8" SEWER
DRIVEWAY ENTRANCE PER COP DTL. P1255-1
LOW TOP OF CURB=1072.16
ULTIMATE OUTFALL
10'X20' SVT
33.00'
20 10 0 20 40
PROJECT DESCRIPTION:
THE SCOPE INCLUDES THE CONSTRUCTION OF A CONVENIENCE STORE AND FUELING CANOPY WITH TEN MPD'S.
BENCHMARK:
FOUND CITY OF PHOENIX BRASS CAP FLUSH AT THE INTERSECTION OF 35TH AVENUE AND LATHAM ST. CITY OF PHOENIX DATA, NGVD 29 DATUM ELEVATION = 1072.08'
BASIS OF BEARING:
THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 2, AS SHOWN IN ARIZONA DEPARTMENT OF TRANSPORTATION RESULTS OF SURVEY FOR "EHRENBERG – PHOENIX HIGHWAY, DRAWING NUMBER: D-7-T-1000, DATED AUGUST 2008. SAID LINE BEARS NORTH 00 DEGREES 18 MINUTES 01 SECONDS EAST.
PROJECT CONTACT LIST:
QT REAL ESTATE PROJECT MANAGER
QUIKTRIP CORPORATION
PHOENIX DIVISION
JESSICA GLAVAS
5725 FOXRIDGE DRIVE
MISSION, KS 66202-2401
TEL: 913-905-2026
FAX: 913-994-3684
JGLAVAS@QUIKTRIP.COM
QT CIVIL PROJECT MANAGER
QUIKTRIP CORPORATION
ASHLEY GOODRICH
4705 S. 129TH EAST AVE.
TULSA, OK 74134
TEL: (918) 615-7273
AGOODRIC@QUIKTRIP.COM
SURVEYOR OF RECORD
SIG INNOVATION GROUP, INC
ANTHONY SLATER
2425 N. 16TH ST, STE 1
PHOENIX, AZ 85024
TEL: 480-922-0780
ENGINEER OF RECORD
SUNRISE ENGINEERING
DAVID BOND, P.E.
2045 S. VINEYARD, STE 101
MESA, AZ 85210
TEL: 480-768-8600
DBOND@SUNRISE-ENG.COM
SITE PLAN NOTES:
1. "DEVELOPMENT AND USE OF THIS SITE WILL CONFORM WITH ALL APPLICABLE CODES AND ORDINANCES."
2. "ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND."
3. "STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURED BACK 10' FROM THE PROPERTY LINE AND 20' ALONG THE PROPERTY LINE ON EACH SIDE OF THE DRIVEWAYS ENTRANCES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'."
4. "STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURING 33'-X 33' ALONG THE PROPERTY LINES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'."
5. "AN ASSOCIATION, INCLUDING ALL PROPERTY OWNERS IN THE DEVELOPMENT, WILL BE FORMED AND HAVE RESPONSIBILITY FOR MAINTAINING ALL COMMON AREAS NOTED AS "TRACTS" OR "EASEMENTS", INCLUDING PRIVATE STREETS, LANDSCAPED AREAS, AND DRAINAGE FACILITIES IN ACCORDANCE WITH APPROVED PLANS."
6. "ANY LIGHTING WILL BE PLACED SO AS TO DIRECT LIGHT AWAY FROM ADJACENT RESIDENTIAL DISTRICTS AND WILL NOT EXCEED ONE FOOT CANDLE AT THE PROPERTY LINE."
7. "NO NOISE, ODOR, OR VIBRATION WILL BE EMITTED AT ANY LEVEL EXCEEDING THE GENERAL LEVEL OF NOISE, ODOR, OR VIBRATION EMITTED BY USES IN THE AREA OUTSIDE OF THE SITE."
8. "OWNERS OF PROPERTY ADJACENT TO PUBLIC RIGHTS-OF-WAY WILL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL LANDSCAPING LOCATED WITHIN THE RIGHTS-OF-WAY, IN ACCORDANCE WITH APPROVED PLANS."
9. "ALL ROOFTOP EQUIPMENT AND SATELLITE DISHES SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST EQUIPMENT."
10. "ALL SERVICE AREAS SHALL BE SCREENED TO CONCEAL TRASH CONTAINERS, LOADING DOCKS, TRANSFORMERS, BACKFLOW PREVENTERS AND OTHER MECHANICAL OR ELECTRICAL EQUIPMENT FROM EYE LEVEL ADJACENT TO ALL PUBLIC STREETS."
11. "BARBED, RAZOR, OR CONCERTINA WIRE (OR SIMILAR) SHALL NOT BE USED ON THIS SITE WHERE VISIBLE FROM PUBLIC STREETS OR ADJACENT RESIDENTIAL AREAS."
12. "ALL SIGNAGE REQUIRES SEPARATE REVIEWS, APPROVALS, AND PERMITS. NO SIGNS ARE APPROVED PER THIS PLAN."
I CONSENT TO THE REPRODUCTION OF THIS SITE PLAN PROVIDED THAT IF MODIFICATIONS ARE MADE, THE PROFESSIONALS WHO MAKE SUCH CHANGES ASSUME FULL RESPONSIBILITY AND LIABILITY FOR THE MODIFIED PORTIONS OF THE PLAN.
SIGNATURE OF COPYRIGHT OWNER
PRINTED NAME OF COPYRIGHT OWNER
SITE DATA (QUIKTRIP STORE)
PROPOSED/EXISTING ZONING: C-2 / R1-6
PROPOSED USE: CONVENIENCE STORE
SITE AREA INFORMATION:
GROSS AREA: 371,050 S.F. 8.52 AC.
NET AREA: 367,600 S.F. 8.44 AC.
QUIKTRIP BUILDING: 5,002 S.F.
QUIKTRIP FUELING CANOPY: 9,234 S.F.
PARCEL COVERAGE: 17.8 %
PARKING REQUIRED: 17 STALLS
PARKING PROVIDED: 48 PLUS 2 ACCESSIBLE
MAX BUILDING HEIGHT: 20' AT FRONT DOOR
PROPOSED NEW PARCEL = 82,637 SF
KIVA:20-4177
SDEV:2007973
PAPP:2014990
QS:12-21
APPROVAL STAMPS
CITY OF PHOENIX
JUN 30 2021
Planning & Development Department
PROJECT NO.:07641
QuikTrip No. 1419
1201 N 35TH AVE
PHOENIX, AZ
ANY UNAUTHORIZED USE, REPRODUCTION, PUBLICATION, DISTRIBUTION, OR SALE IN WHOLE OR IN PART, IS STRICTLY FORBIDDEN.
PROTOTYPE: P-103 (08/01/20)
DIVISION:
VERSION: 001
DESIGNED BY:
DRAWN BY:
REVIEWED BY:
REV DATE DESCRIPTION
ORIGINAL ISSUE DATE:
SHEET TITLE:
CONCEPTUAL SITE PLAN
SHEET NUMBER:
1
FILE LOCATION=P:\QuikTrip\07641 Store 05-1419\Dwg\Plan Sets\05-1419 Civil.dwg TAB NAME=Site (Prelim) USER=jakeallee SAVED=6/29/2021 3:01 PM PLOTTED=6/29/2021 3:06 PM

CITY OF PHOENIX
MAR 16 2021
Planning & Development Department





QuikTrip.
4705 South 129th East Ave.
Tulsa, OK 74134-7008
P.O. Box 3475
Tulsa, OK 74101-3475
(918) 615-7700

Store #		Address:	City, State:
1419	G3S Building Elevations 5,000SF	1201 N 35th Ave	Phoenix, AZ

Serial #	Scale:	Issue Date:	Drawn By:	Rev/Notes:
05-1419-G3S	1/8"=1'-0"	10.25.20	BP	

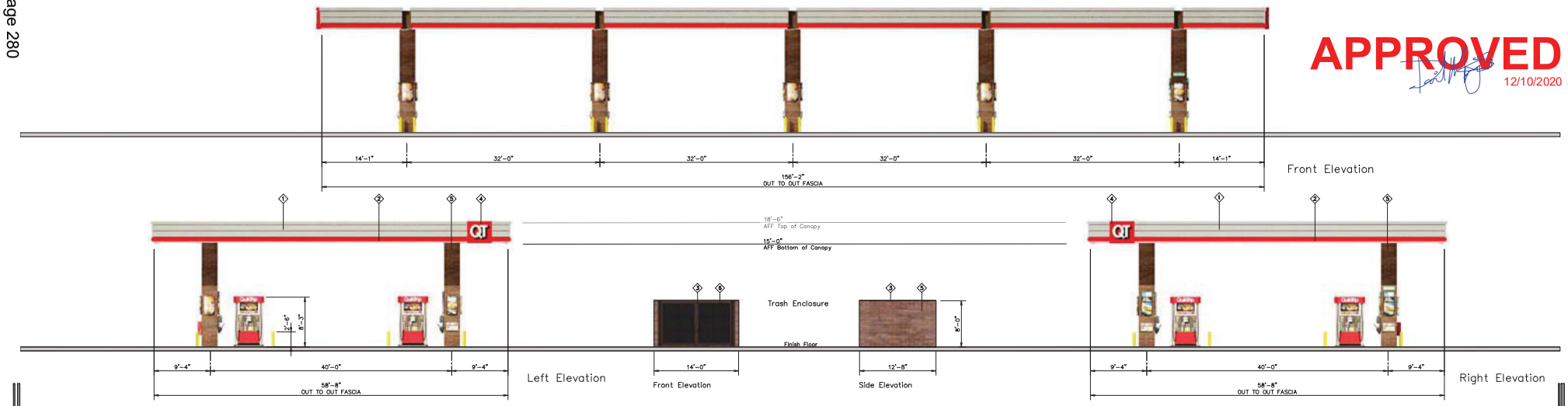
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#	FINISH	MANUFACTURER	SPECIFICATION
1	BRONZESTONE	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
2	MIDNIGHT	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
3	BRUSHED ALUMINUM	REYNOBOND	FASCIA
4	QT RED	SHERWIN-WILLIAMS	STANDING SEAM AWNING
5	RED POLYCARBONATE	ALLEN INDUSTRIES	ILLUMINATED BAND
6	QT BROWN	SHERWIN - WILLIAMS	METAL PAINT
7	BLACK	ALL COURT FABRICS	POLYPRO 95 MESH
8	CLEAR	ALLEN INDUSTRIES	SIGNAGE
9	GRANITE	STO	A100G EIFS
10	108-30	ALLEN INDUSTRIES	ILLUMINATED SIGNAGE

CITY OF PHOENIX
MAR 16 2021
Planning & Development Department



APPROVED
12/10/2020



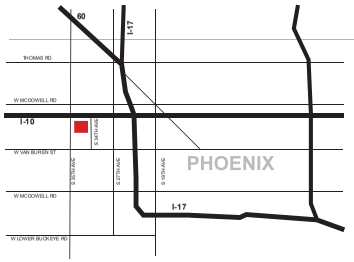
QuikTrip

4705 South 129th East Ave.
Tulsa, OK 74134-7008
P.O. Box 3475
Tulsa, OK 74101-3475
(918) 615-7700

Store # 1419 Custom Height / 15' Clear		Address: 1201 N 35th Ave		City, State: Phoenix, AZ	
Serial # 05-1419-GD10	Scale: 1/16"=1'-0"	Issue Date: 12.10.20	Drawn By: JK	Rev/Notes: #	

#	FINISH	MANUFACTURER	SPECIFICATION
1	BRUSHED ALUMINUM	REYNOBOND	CANOPY
2	RED POLYCARBONATE	ALLEN INDUSTRIES	ILLUMINATED BAND
3	QT BROWN	SHERWIN - WILLIAMS	METAL/PAINT
4	DC-14	ALLEN INDUSTRIES	ILLUMINATED SIGNAGE
5	BRONZESTONE	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
6	BLACK	ALL COURT FABRICS	POLYPRO 95 MESH

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VICINITY MAP

PROJECT DATA

APN:	PORTION OF 109-12-001
SITE AREA (GROSS)	241,389 SQFT (5.54 AC.)
SITE AREA (NET)	229,113 SQFT (5.26 AC.)
EXISTING ZONING	R1-6
PROPOSED ZONING	R-4A
LOT COVERAGE	50% (120,695 SQFT)
COMMON AREA	MIN 5% (12,069 SQFT)
DENSITY	1DU/1000 SQFT MAX. (241 ALLOWED)
HEIGHT LIMIT	48'
SETBACKS	
	20' FRONT SETBACK
	5' SIDE YARD SETBACK
	15' REAR SETBACK

PROPOSED PROJECT

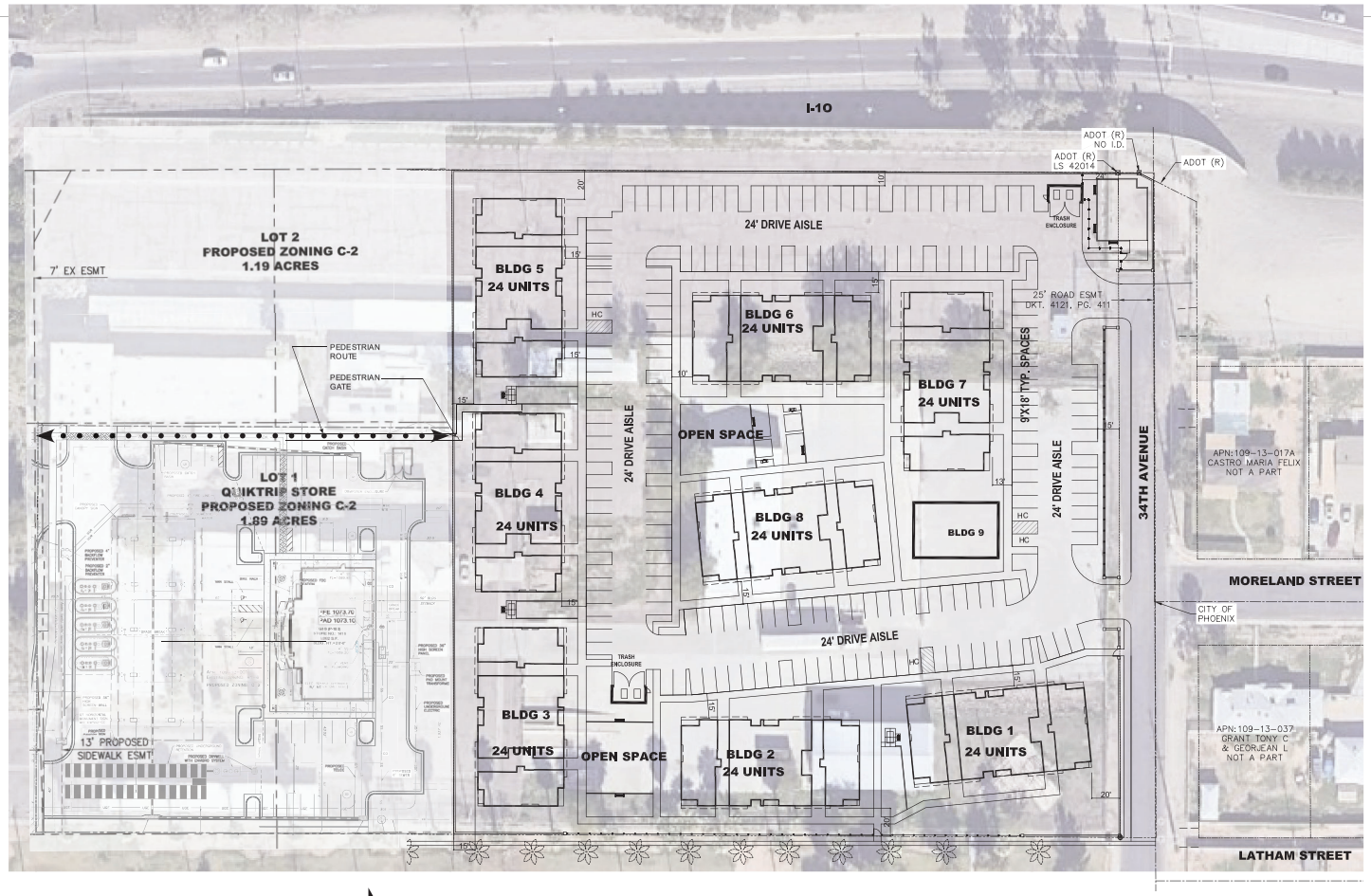
DENSITY	1DU/1250 SQFT
LOT COVERAGE	61,912 (27%)
COMMON AREA	21,157 (09%)
NUMBER OF BUILDINGS	9
RESIDENTIAL BUILDINGS	8
AMENITY BUILDINGS	1
GROSS BUILDING AREA	187,300 SQFT
BUILDING HEIGHT	36'
NUMBER OF STORIES	3
TYPE OF CONSTRUCTION	TYPE VA
AUTOMATIC SPRINKLIERS	YES

UNIT MIX

1 BEDROOM	112
2 BEDROOM	80
TOTAL UNITS	192

PARKING

PARKING REQUIRED	288
PARKING PROVIDED	194



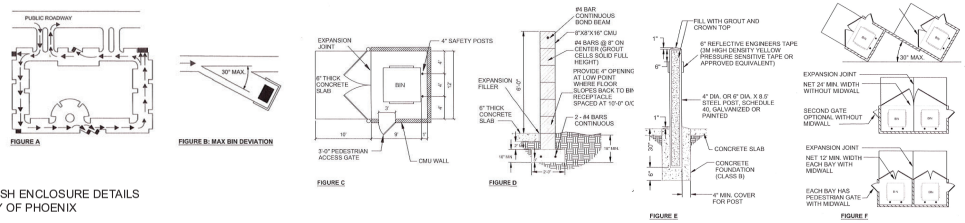
SITE PLAN

SCALE: 1"=40'

0 25' 10' 100' 200'

N

APPROVALS



TRASH ENCLOSURE DETAILS
CITY OF PHOENIX

CITY OF PHOENIX
JUN 30 2021
Planning & Development Department

Otak
Otak Architects, Inc.
808 SW Third Avenue, Suite 800
Portland, OR 97204
503.287.6825
www.otak.com

SITE PLAN

CASE NO.: GPA-EST-1-21-4 & Z-2-21

Property Owner Information
Eplex Realty LLC
1987 S. 169th Avenue Goodyear, Arizona 85338
602-492-4075

TITLE

DRAWN BY
05/21/2021

DATE
020109.000

PROJECT NUMBER
A1.01

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If this drawing is less than 24" x 36", it has been reduced. Scale accordingly.



TYPICAL BUILDING ELEVATION - FRONT

SCALE: 1/8"=1' "



TYPICAL BUILDING ELEVATION - RIGHT

SCALE: 1/8"=1' "

CITY OF PHOENIX

JUN 15 2021

Planning & Development Department



TYPICAL BUILDING ELEVATION - LEFT

SCALE: 1/8"=1' "



TYPICAL BUILDING ELEVATION - REAR

SCALE: 1/8"=1' "

Otak

Otak Architects, Inc.
808 SW Third Avenue, Suite 800
Portland, OR 97204
503.287.6825
www.otak.com

ELEVATIONS

CASE NO.: GPA-EST-1-21-4 & Z-2-21

Property Owner Information
Eplex Realty LLC
1987 S. 169th Avenue Goodyear, Arizona 85338
602-492-4075

TITLE

DRAWN BY
5/21/2 21

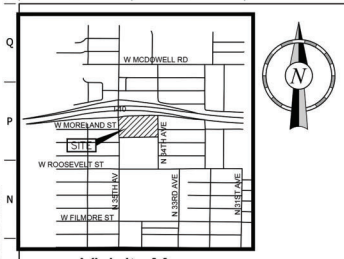
DATE
2 1 9.

PROJECT NUMBER

A2.01

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Vicinity Map
Not to Scale
SECTION 2
T.1N., R.2E., G.&S.R.B.&M.
MARICOPA COUNTY, ARIZONA





20 10 0 20 40

Landscape Schedule - CITY OF PHOENIX

USE	SYMBOL	COMMON NAME / *Botanical Name*	MINIMUM SIZE	QUANTITIES	COMMENTS
GROUNDCOVERS		Bush Morning Glory *Convolvulus cneorum*	5 Gallon *ADWR	16 EA.	SEE LANDSCAPE PLAN FOR LANDSCAPE BED LOCATIONS AND SHRUB SPACING * ADWR = ARIZONA DEPARTMENT OF WATER RESOURCES APPROVED LOW-WATER USE PLANT
		Trailing Lantana 'Gold' *Lantana montevidensis*	5 Gallon *ADWR	22 EA.	
SHRUBS		Texas Sage *Leucophyllum frutescens*	5 Gallon *ADWR	15 EA.	SEE LANDSCAPE PLAN FOR TREE PLACEMENT.
		Baja Ruellia *Ruellia peninsularis*	5 Gallon *ADWR	7 EA.	CONTRACTOR TO VERIFY TREE TYPE, LOCATION, SIZE, HEIGHT, AND SPREAD WITH QT REPRESENTATIVE PRIOR TO INSTALLATION
		Yellow Bells *Tecoma Stans*	5 Gallon *ADWR	5 EA.	
TREES		Texas Red Oak *Quercus Buckleyi*	3" CALIPER 12'H X 7'W	3 EA.	
		CHINESE PISTACHE *Pistacia chinensis*	2" CALIPER 9'H X 3.5'W	7 EA.	
		Sweet Acacia *Acacia smallii*	4" CALIPER 14'H X 10'W	3 EA.	
DG		Decomposed Granite, 3/4" minus, Madison Gold 2" deep in		6,190 S.F.	

LANDSCAPE REQUIREMENTS PER ESTRELLA VILLAGE ARTERIAL STREET LS PROGRAM AND COP LS REQUIREMENT

	REQUIRED	PROVIDED
LANDSCAPE AT GATEWAY	GATEWAY LS	
	AVERAGE 75' X 75' LS	75'X75' PROVIDED
	DETACHED S/W	
	5' WIDE	5' PROVIDED
STREETSCAPE REQUIREMENTS PER R1-6	35TH AVENUE AND I-10	
	TREES ARE TO BE PLACED 20-FEET ON CENTER. 258 FEET =13 TREES REQUIRED.	13 TREES PROVIDED
	MINIMUM OF FIVE 5 GALLON SHRUBS PER TREE, 65 SHRUBS REQUIRED. 50% OF STREETSCAPE TREES TO BE A MINIMUM OF A 2" CALIPER TREES. 25% OF STREETSCAPE TREES TO BE A MINIMUM OF 3" CALIPER TREES. 25% OF STREETSCAPE TREES TO BE A MINIMUM OF 4" CALIPER TREES.	65 SHRUBS PROVIDED 50%=7 TREES (2" CALIPER) PROVIDED. 25%=3 TREES (3" CALIPER) PROVIDED. 25%=3 TREES (4" CALIPER) PROVIDED.

CITY OF PHOENIX
MAR 16 2021
Planning & Development Department

PROJECT CONTACT LIST:

QT REAL ESTATE PROJECT MANAGER
QUIKTRIP CORPORATION
PHOENIX DIVISION
JESSICA GLAVAS
5725 FOXRIDGE DRIVE
MISSION, KS 66202-2401
TEL: 913-905-2026
FAX: 913-994-3684
JGLAVAS@QUIKTRIP.COM

QT CIVIL PROJECT MANAGER
QUIKTRIP CORPORATION
ASHLEY GOODRICH
4705 S. 129TH EAST AVE.
TULSA, OK 74134
TEL: (918) 615-7273
AGOODRIC@QUIKTRIP.COM

LANDSCAPE ARCHITECT
HARRINGTON PLANNING + DESIGN (HP+D)
JASON HARRINGTON
1921 S. ALMA SCHOOL ROAD, STE 204
MESA, AZ 85210
TEL: 480-250-0116
JASON@HARRINGTONPLANNINGDESIGN.COM

SDEV 2007973
KIVA 20-4177
PAPP 2014990
QS 12-21

APPROVAL STAMPS

REGISTERED LANDSCAPE ARCHITECT CERTIFICATE NO. 35873 STATE OF ARIZONA U.S.A. PRELIMINARY NOT FOR CONSTRUCTION

PROJECT NO.: 07641

HARRINGTON PLANNING + DESIGN
3116 S Mill Avenue, Suite 305
Tempe, Arizona 85282
Tel: 480-250-0116
www.harringtonplanningdesign.com

QuikTrip No. 05-1419
1201 N 35TH AVE
PHOENIX, AZ

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PROTOTYPE: P-103 (08/01/20)
DIVISION:
VERSION: 001
DESIGNED BY:
DRAWN BY:
REVIEWED BY:

REV	DATE	DESCRIPTION
		ORIGINAL ISSUE DATE:

SHEET TITLE:
PRELIMINARY LANDSCAPE PLAN GATEWAY FEATURE

SHEET NUMBER:
L110

FILE LOCATION:P:\2020-HP\2020-046 - Sunrise - QT Site 01 - 35th-I-10\04 - CAD\03 - Xref's\Sunrise - 03.10.21\05-1419 Civil - 2021-03-10.dwg TAB NAME:Gateway (Prelim) USER:WS-68A SAVED:3/12/2021 1:54 PM PLOTTED:3/12/2021 1:59 PM

PRE-LS PLAN -GATEWAY LS RENDERING

Enrique A Bojorquez-Gaxiola

To: PDD Zoning
Subject: RE: rezoning case

From: no-reply@phoenix.gov <no-reply@phoenix.gov>
Sent: Wednesday, January 27, 2021 5:24 AM
To: PDD Development Services <pdd@phoenix.gov>
Subject: emplandsd - Form Submission

FROM : Javier Medrano

SUBJECT : QT gas station 35th avenue and I-10 rezoning case number Z-2-21

MESSAGE : Good morning

Today I am sending this e mail about the the QT proposal located near our neighborhood. I spoke to a few neighbors and we oppose any gas station being build on the decommissioned military naval complex because we came to conclusion that it will attract even more crime to our neighborhood. We already have crime in our neighborhood and this gas station will only attract much more crime. We also oppose the gas station because of the harmful vapors of the gas being released when vehicles fuel up and the tanker trucks replenishing the gas station will release gas vapors into the air and we believe it will be harmful to our health. We suggest something positive to be build in the decommissioned military complex. Thank you for taking the time in reading this e mail.

Sincerely

Javier Medrano

Email : jav2028042@maricopa.edu

AREA : 602

PHONE : 3346905

ADDRESS : 3317 W. Latham St

CITY : Phoenix

STATE : AZ

ZIP : 85009

Submission ID: 334ea42de5064bcebb59b0b146e553f8

Form Submission On : 1/27/2021 5:24:03 AM

Referer: https://phoenix.gov/pdd

From:	Jim Schillinger
To:	Enrique A Bojorquez-Gaxiola
Cc:	charles@huellmantel.com
Subject:	QuickTrip Rezoning case SEC 35th Ave and I-10 - Application No: Z-2-21
Date:	Saturday, January 23, 2021 4:22:58 PM

I own a house nearby at 3340 W Portland. I would be in favor of this rezoning. Directly on 35th Avenue would be well suited for a QuickTrip, and provide some needed competition for the Circle K across the street.

However, most importantly, QuickTrip will be able to provide nearby residence a high-quality shopping experience for not only gasoline purchase, but a myriad of other products that make QuickTip a popular place for people to purchase various drinks and snacks.

The customer experience at a QuickTrip is unmatched compared to any other competitor, the stores I visit in Phoenix (about 1/week) are always neat and clean, along with courteous, responsible employees. QuickTrip's presence here would be a wonderful addition to the area!

I enthusiastically support this change in rezoning!

Thanks for the opportunity to respond to this rezoning case.

Jim Schillinger 602-622-6333

Attachment C

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

ADDENDUM A
Staff Report Z-2-21-4
July 20, 2021

Estrella Village Planning Committee Meeting Date	July 20, 2021
Planning Commission Hearing Date	August 5, 2021
Request From:	R1-6 (6.98 acres) and R-5 (2.41 acres)
Request To:	C-2 (3.72 acres) and R-4A (5.67 acres)
Proposed Use	Multifamily and commercial uses including a convenience store with fuel station
Location	Southeast corner of 35th Avenue and Interstate 10
Owner	Eplex Realty, LLC
Applicant	QuikTrip Corportation
Representative	Huellmantel & Affiliates, Charles Huellmantel
Staff Recommendation	Approval, subject to stipulations

On July 14, 2021, the applicant submitted a revised site plan for Lot 1, the proposed convenience store site, removing a pedestrian pathway segment northeast of the proposed convenience store building that connects Lots 1 and 3, the proposed multifamily zoned portion of the site. The applicant proposes to maintain a centralized pedestrian connection between 34th Avenue and 35th Avenue via a centralized pedestrian pathway as depicted on the revised conceptual site plan for Lot 1, date stamped July 14, 2021 and the overall site plan date stamped June 30, 2021.

Due to a change in the conceptual site plan for Lot 1 as described previously, the following stipulation is recommended to be modified:

- **Stipulation No. 17** regarding the conceptual site plan for Lot 1 date stamped July 14, 2021;

Staff recommends approval per the modified stipulations in bold font below:

R-4A ZONED AREA

1. For the R-4A portion of the site, the maximum building height and density shall not exceed 30 feet and 98 dwelling units. If the following conditions are met, the maximum height and density shall be 40 feet and 200 dwelling units. The conditions must be met prior to or in conjunction with the Final Site Plan Review.

    a. A minimum of 75 percent of the housing units are dedicated for long-term affordability, as approved by the Phoenix Housing Department.

    b. The applicant shall submit a copy of the draft Declaration of Affirmative Land use and Restrictive Covenants agreement (LURA), for review and approval by the Phoenix Housing Department.

    c. The applicant shall submit a copy of the Proforma, for review and approval by the Phoenix Housing Department.

2. Prior to the issuance of building permits for the R-4A portion of the site, the applicant shall submit a copy of the Recorded Declaration of Affirmative Land use and Restrictive Covenants agreement (LURA), as approved by the State Housing Department, if conditions listed in Stipulation No.1 for additional height and density are pursued.

3. An average building setback of 40 feet, minimum 20 feet for up to 25 percent of the frontage, shall be provided along 34th Avenue.

4. A minimum 20-foot building setback shall be provided along the north property line of the residentially zoned portion of the site.

5. Residential building elevations shall be developed to the following standards, as approved by the Planning and Development Department:

    a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete, stucco, painted steel or other materials to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.

    b. Building elevations adjacent and oriented to a public park or street, shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material that exhibits quality and durability.

c. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, pop-outs, recesses, variation in window size and location, pitched roofs and/or overhang canopies, as approved by the Planning and Development Department

d. Balconies and windows shall be provided for residential units adjacent to a public park.

6. There shall be no balconies on the upper floors of residential buildings located within 60 feet of the front property line which are oriented toward single-family residential homes not part of this development, as approved by the Planning and Development Department.

7. An average landscape setback of 10 feet, minimum 5 feet for up to 50 percent of the property line, shall be provided along the north property line.

8. The required landscape setbacks for the residentially zoned portion of the site shall be planted with minimum 50-percent 2-inch caliper and 50-percent 3-inch caliper large canopy drought-tolerant evergreen trees, 20 feet on center or in equivalent groupings, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department.

9. A central amenity and open space area shall be provided within close proximity to the primary vehicular entrance into the development. The following amenities shall be provided at a minimum and may be dispersed throughout the development, as approved by the Planning and Development Department:

a. Tot lot;

b. Clubhouse or community room;

c. Two picnic areas each with a barbeque grill, shade ramada and a picnic table; and

d. Two benches or seating features.

10. Vehicular entryways to the residential portion of the development along 34th Avenue shall include the following elements, as approved or modified by the Planning and Development Department:

a. Pedestrian pathways connecting the interior of the development to the public sidewalks on one side of the vehicular driveway at minimum.

b. The pedestrian pathways shall be lined with landscape areas on both sides and planted with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.

c. A mix of ornamental shrubs and flower beds that will maintain a constant bloom throughout the year and 75 percent live cover, shall be provided along the entryway.

d. The driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.

11. A perimeter wall no less than 6 feet in height shall be provided along the Interstate 10 freeway within the residentially zoned portion of the site. This wall shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.

12. Except where required by the Zoning Ordinance, perimeter walls adjacent to a public street or public park shall be limited to open view wrought iron fencing or a combination of 2-foot solid masonry topped by wrought iron open view fencing, as approved by the Planning and Development Department.

13. The indoor noise levels of residential units shall not exceed a decibel day night-level (DNL) of 45 decibels and that along with the building plans submitted for Phoenix Building Construction Code compliance review to the Planning and Development Department there shall be a sealed and signed analysis by an engineer licensed in Arizona with a proficiency in residential sound mitigation or noise control. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.

14. A minimum five-foot-wide sidewalk along 34th Avenue shall be detached with a minimum five-foot-wide landscape strip located between the sidewalk and back of curb and shall include minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted a minimum of 20 feet on center or in equivalent groupings between the sidewalk and back of curb, as approved by the Planning and Development Department.

15. The developer shall dedicate minimum 25-feet of right-of-way and construct the west side of 34th Avenue for the full limits of the project, as approved or modified by the Planning and Development Department.

16. If the portion of 34th Avenue north of Moreland Street is not approved to be abandoned through a separate process, the developer shall provide a 50-foot radius cul-de-sac termination at 34th Avenue, north of Moreland Avenue, as approved or modified by the Planning and Development Department.

C-2 ZONED AREA

17. The development shall be in general conformance with the conceptual site plan date stamped ~~**June 30, 2021**~~ **JULY 14, 2021** and building elevations date stamped May 16, 2021 for the C-2 portion of the site, except as described below and as approved by the Planning and Development Department.

18. The conceptual site plan and elevations for Lot 2, as depicted in the site plan for the overall site date stamped June 30, 2021, shall be administratively reviewed by the Planning Hearing Officer prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.

    a. Location and orientation of buildings and trash receptables in relation to the residentially zoned property to the east.

    b. Accessible pedestrian pathways that connect building entrances, public sidewalks, and the pedestrian pathway connecting the commercially zoned property to the residentially zoned property to the east using the most direct route for pedestrians.

    c. Pedestrian connection between adjacent commercial parcels.

    d. All elevations of the building/s shall contain architectural embellishments and detailing, such as: textural changes, pilasters, offsets, recesses, variation in window size or location, overhang canopies, or similar features.

19. A minimum 20-foot wide landscape setback shall be provided along the east side of the site where adjacent to a residential zoning district. This landscape setback shall be planted with a minimum 2-inch caliper large canopy evergreen trees, 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

20. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards along arterial streets in the Estrella Village, except as otherwise noted herein, as approved by the Planning and Development Department.

21. A landscaped gateway entry feature shall be provided on the southeast corner of 35th Avenue and Interstate 10 as described below and as approved by the Planning and Development Department:

    a. An average 75-foot by 75-foot landscape entryway that adheres to the landscape palette for gateway entry features in the Estrella Village Arterial Street Landscaping Program.

b. A minimum 300-square foot landscaped accent area shall be provided. The landscaped accent area shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.

c. The gateway entry feature shall utilize accents, colors and materials consistent with the theme of the commercial uses on the same site, as approved by the Planning and Development Department.

22. The bus stop pad along 35th Avenue shall be shaded to a minimum of 50 percent using shade trees at full maturity, as approved or modified by the Planning and Development Department.

23. Public Transit Department shall retain right-of-way and bus stop pads on northbound 35th Avenue, as approved by the Planning and Development Department.

24. All sidewalks along 35th Avenue shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide shade to a minimum 75 percent at maturity.

    b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.

    c. The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for arterial streets.

    Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

25. The developer shall dedicate minimum 50-feet of right-of-way and construct the east half of 35th Avenue for the full limits of the project, per Cross Section D standards identified on the City of Phoenix Street Classification Map, as approved by the Planning and Development Department.

26. Driveway access control to the site will be permitted as approved by the Traffic Impact Study submitted to the Street Transportation Department by providing a sealed Traffic Impact Study analyzing access control and proposed mitigation for conflicting turning movements along 35th Avenue.

27. The site shall provide recorded cross-access agreements between lots one and two as depicted on the conceptual site plan date stamped June 30, 2021, as approved by the Planning and Development Department.

28. Prior to preliminary site plan approval, the developer shall work with the Office of Pedestrian Safety in the Street Transportation Department to evaluate a HAWK crossing at the southern boundary of the site within 35th Avenue. The developer shall be responsible for funding any identified improvements including the HAWK crossing, as determined by the Street Transportation Department, but generally to be located between Moreland Street and Portland Street.

R-4A AND C-2 ZONED AREAS

29. All perimeter walls visible from street right-of-way and adjacent to the public park shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs or other alternatives if full view fencing is proposed, as approved by the Planning and Development Department.

30. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.

31. Pedestrian walkways connecting the commercial sites and residentially zoned property to the east, public sidewalks, and walkways within the residentially zoned portion of the site shall be shaded to a minimum of 75 percent using shade trees at maturity and/or architectural shade, as approved by the Planning and Development Department.

32. A system of pedestrian thoroughfares shall be provided as described below and as approved or modified by the Planning and Development Department:

    a. The developer shall provide a minimum of one centralized pedestrian pathway connecting the public sidewalk along 35th Avenue passing through Lot 1 to the public sidewalk along 34th Avenue passing through Lot 3, as depicted in the site plan for the overall site date stamped June 30, 2021. Each phase of the project will construct the portion of the pedestrian path along their development.

    b. Illuminated pedestrian scale lighting per Section 1304.H.5 for the centralized pedestrian pathway.

c. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.

d. Connections to/between via the most direct route:

(1) All building entrances;

(2) Active open space areas;

(3) Adjacent public sidewalks; and

(4) Bus stop along 35th Avenue.

33. The development shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.

a. “Secure/Covered Facilities” bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit on the residential portion of the site, up to a maximum of 20 spaces, as defined in Appendix K of the Comprehensive Bicycle Master Plan.

b. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the building entrance of each enclosed commercial and residential building and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

c. One bicycle repair station (“fix it station”) shall be provided and maintained in the residentially zoned portion of the site within a central amenity area or along a centralized pedestrian pathway. The bicycle repair station (“fix it station”) shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

34. 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.

35. A Red Border Letter shall be processed for this development, as determined by the Planning and Development Department.

36. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.

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

38. If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

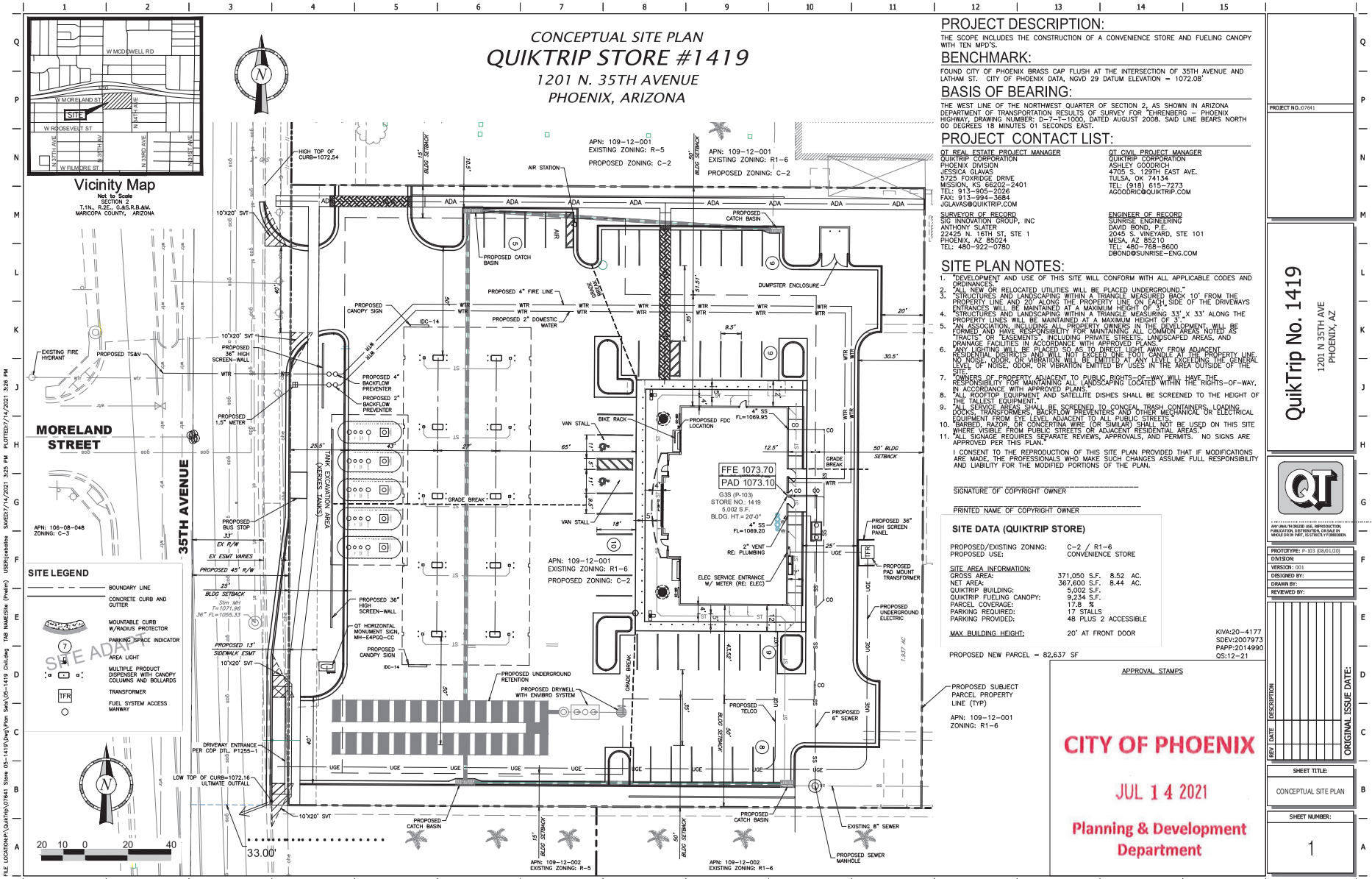
39. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.

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

Writer
Enrique Bojórquez Gaxiola
July 20, 2021

Team Leader
Samantha Keating

Exhibits
Conceptual Site Plan for Lot 1 date stamped July 14, 2021



PROJECT DESCRIPTION:

THE SCOPE INCLUDES THE CONSTRUCTION OF A CONVENIENCE STORE AND FUELING CANOPY WITH TEN MPD'S.

BENCHMARK:

FOUND CITY OF PHOENIX BRASS CAP FLUSH AT THE INTERSECTION OF 35TH AVENUE AND LATHAM ST. CITY OF PHOENIX DATA, NGVD 29 DATUM ELEVATION = 1072.08'

BASIS OF BEARING:

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 2, AS SHOWN IN ARIZONA DEPARTMENT OF TRANSPORTATION RESULTS OF SURVEY FOR "EHRENBERG – PHOENIX HIGHWAY, DRAWING NUMBER: D-7-T-1000, DATED AUGUST 2008. SAID LINE BEARS NORTH 00 DEGREES 18 MINUTES 01 SECONDS EAST.

PROJECT CONTACT LIST:

QT REAL ESTATE PROJECT MANAGER
QUIKTRIP CORPORATION
PHOENIX DIVISION
JESSICA GLAVAS
5725 FOXRIDGE DRIVE
MISSION, KS 66202-2401
TEL: 913-905-2026
FAX: 913-994-3684
JGLAVAS@QUIKTRIP.COM

QT CIVIL PROJECT MANAGER
QUIKTRIP CORPORATION
ASHLEY GOODRICH
4705 S. 129TH EAST AVE.
TULSA, OK 74134
TEL: (918) 615-7273
AGOODRIC@QUIKTRIP.COM

SURVEYOR OF RECORD
SIG INNOVATION GROUP, INC
ANTHONY SLATER
2425 N. 16TH ST, STE 1
PHOENIX, AZ 85024
TEL: 480-922-0780

ENGINEER OF RECORD
SUNRISE ENGINEERING
DAVID BOND, P.E.
2045 S. VINEYARD, STE 101
MESA, AZ 85210
TEL: 480-768-8600
DBOND@SUNRISE-ENG.COM

SITE PLAN NOTES:

1. "DEVELOPMENT AND USE OF THIS SITE WILL CONFORM WITH ALL APPLICABLE CODES AND ORDINANCES."
2. "ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND."
3. "STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURED BACK 10' FROM THE PROPERTY LINE AND 20' ALONG THE PROPERTY LINE ON EACH SIDE OF THE DRIVEWAYS ENTRANCES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'."
4. "STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURING 33'.X 33' ALONG THE PROPERTY LINES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'."
5. "AN ASSOCIATION, INCLUDING ALL PROPERTY OWNERS IN THE DEVELOPMENT, WILL BE FORMED AND HAVE RESPONSIBILITY FOR MAINTAINING ALL COMMON AREAS NOTED AS "TRACTS" OR "EASEMENTS", INCLUDING PRIVATE STREETS, LANDSCAPED AREAS, AND DRAINAGE FACILITIES IN ACCORDANCE WITH APPROVED PLANS."
6. "ANY LIGHTING WILL BE PLACED SO AS TO DIRECT LIGHT AWAY FROM ADJACENT RESIDENTIAL DISTRICTS AND WILL NOT EXCEED ONE FOOT CANDLE AT THE PROPERTY LINE. NO NOISE, ODOR, OR VIBRATIONS WILL BE EMITTED AT ANY LEVEL EXCEEDING THE GENERAL LEVEL OF NOISE, ODOR, OR VIBRATION EMITTED BY USES IN THE AREA OUTSIDE OF THE SITE."
7. "OWNERS OF PROPERTY ADJACENT TO PUBLIC RIGHTS-OF-WAY WILL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL LANDSCAPING LOCATED WITHIN THE RIGHTS-OF-WAY, IN ACCORDANCE WITH APPROVED PLANS."
8. "ALL ROOFTOP EQUIPMENT AND SATELLITE DISHES SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST EQUIPMENT."
9. "ALL SERVICE AREAS SHALL BE SCREENED TO CONCEAL TRASH CONTAINERS, LOADING DOCKS, TRANSFORMERS, BACKFLOW PREVENTERS AND OTHER MECHANICAL OR ELECTRICAL EQUIPMENT FROM EYE LEVEL ADJACENT TO ALL PUBLIC STREETS."
10. "BARBED, RAZOR, OR CONCERTINA WIRE (OR SIMILAR) SHALL NOT BE USED ON THIS SITE WHERE VISIBLE FROM PUBLIC STREETS OR ADJACENT RESIDENTIAL AREAS."
11. "ALL SIGNAGE REQUIRES SEPARATE REVIEWS, APPROVALS, AND PERMITS. NO SIGNS ARE APPROVED PER THIS PLAN."

I CONSENT TO THE REPRODUCTION OF THIS SITE PLAN PROVIDED THAT IF MODIFICATIONS ARE MADE, THE PROFESSIONALS WHO MAKE SUCH CHANGES ASSUME FULL RESPONSIBILITY AND LIABILITY FOR THE MODIFIED PORTIONS OF THE PLAN.

SIGNATURE OF COPYRIGHT OWNER

PRINTED NAME OF COPYRIGHT OWNER

SITE DATA (QUIKTRIP STORE)

PROPOSED/EXISTING ZONING:	C-2 / R1-6
PROPOSED USE:	CONVENIENCE STORE
SITE AREA INFORMATION:	
GROSS AREA:	371,050 S.F. 8.52 AC.
NET AREA:	367,600 S.F. 8.44 AC.
QUIKTRIP BUILDING:	5,002 S.F.
QUIKTRIP FUELING CANOPY:	9,234 S.F.
PARCEL COVERAGE:	17.8 %
PARKING REQUIRED:	17 STALLS
PARKING PROVIDED:	48 PLUS 2 ACCESSIBLE
MAX BUILDING HEIGHT:	20' AT FRONT DOOR

KIVA:20-4177
SDEV:2007973
PAPP:2014990
QS:12-21

APPROVAL STAMPS

CITY OF PHOENIX

JUL 14 2021

Planning & Development Department

QuikTrip No. 1419
1201 N 35TH AVE
PHOENIX, AZ

PROJECT NO.:07641

PROTOTYPE: P-103 (08/01/20)
DIVISION:
VERSION: 001
DESIGNED BY:
DRAWN BY:
REVIEWED BY:

REV	DATE	DESCRIPTION
		ORIGINAL ISSUE DATE:

SHEET TITLE: CONCEPTUAL SITE PLAN

SHEET NUMBER: 1

ANY UNAUTHORIZED USE, REPRODUCTION, PUBLICATION, DISTRIBUTION, OR SALE IN WHOLE OR IN PART, IS STRICTLY FORBIDDEN.

FILE LOCATION=P:\QuikTrip\07641 Store 05-1419\Dwg\Plan Sets\05-1419 Civil.dwg TAB NAME=Site (Prelim) USER=jakeallee SAVED=7/14/2021 3:25 PM PLOTTED=7/14/2021 3:26 PM

Estrella
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-2-21-4

Date of VPC Meeting	July 20, 2021
Request From	R1-6 (Single-Family Residence District) (6.98 acres) and R-5 (Multifamily Residence District) (2.41 acres)
Request To	R-4A (Multifamily Residence District) (5.67 acres) and C-2 (Intermediate Commercial District) (3.72 acres)
Proposed Use	Multifamily and commercial uses including a convenience store with fuel station
Location	Southeast corner of 35th Avenue and I-10 freeway
VPC Recommendation	Approval, per the staff recommendation in Addendum A of the staff report
VPC Vote	**7-0**, motion passed; None in dissent.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Cases GPA-EST-1-21-4 and Z-2-21-4 were heard concurrently.

No requests to speak from members of the public were received.

Enrique Bojórquez, staff, introduced himself and provided a combined presentation for companion cases GPA-EST-1-21-4 and Z-2-21-4. He discussed the location of the site, noting surrounding land uses including a public park and the I-10 freeway. He discussed the existing General Plan Land Use map designation of Public/Quasi-Public and the requested Land Use map amendment to Mixed Use. He discussed the surrounding zoning districts in the area, Estrella Village Plan, Estrella Village Arterial Street Landscaping Program and other policy documents including the General Plan. Future high-capacity transit efforts were discussed, pertaining to the Capitol/I-10 West extension and Bus Rapid Transit (BRT) line along 35th Avenue. The conceptual site plans for the proposed commercial and multifamily-zoned portions of the site were shown, indicating the vehicular access points, centralized pedestrian connection, plus open space and density proposed. The conceptual building elevations and/or materials were discussed. He concluded the presentation by providing a staff recommendation of approval on each case and describing the proposed stipulations for case Z-2-21-4, as presented in Addendum A of the staff report.

Charles Huellmantel, with Huellmantel and Affiliates, introduced himself as the applicant and discussed the location of the site plus former use as a United States Navy recruitment center. The location of the proposed C-2 and R-4A zoning was

discussed, including a history of awards based on residential development projects completed. Images of previous multifamily projects were shown to illustrate the character of the proposed residential community that is intended to be affordable within the project site. The conceptual site plan and elevations for the proposed commercial and multifamily zoning were shown and discussed. He concluded the presentation by requesting approval of case GPA-EST-1-21-4 and Z-2-21-4.

Lisa Perez asked for clarification on what the ingress and egress southbound along 35th Avenue was going to be like.

Mr. Huellmantel stated that his team has worked with the Street Transportation Department on future improvements along 35th Avenue. A streetlight might not be warranted at this location due to the existing traffic that is already present on this street.

Ms. Perez asked how other committee members felt about the proposal.

Vice Chair Parris Wallace stated that she has spoken with the applicant on previous concerns that she had. She lives very close to the site and did have various questions pertaining to this project, including whether the community will be proposed residential community will be mixed-income or all affordable. She prefers an all affordable housing community here, since affordable housing is very difficult to come by. Other questions that she had pertained to site access and discussed the impacts of the I-10 freeway to this community. She has no other concerns now but does suggest that edible landscaping is utilized within the landscape areas.

Ms. Perez stated that the property is blighted and there is lots of traffic that already exists in the area. She hopes that the project will be welcoming to the community.

Vice Chair Wallace stated that no major concerns have been discussed with her from the community so far.

Dan Rush asked if a right-turn lane could be added along 35t Avenue to carry traffic into the I-10 freeway.

Mr. Huellmantel responded that he is still working with the Street Transportation Department regarding street improvements, but also wants to maintain good access to their site along 35th Avenue. Furthermore, the Arizona Department of Transportation (ADOT) also has control over street improvements near the I-10 ramp.

Chairman Cardenas asked for further discussion or individual motions on each item.

MOTION – Z-2-21-4:

Mr. Cardenas motioned to approve case Z-2-21-4 per the staff recommendation in Addendum A of the staff report. **Ms. Perez** seconded the motion to approve.

VOTE – Z-2-21-4:
7-0, motion passed; None in dissent.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

Attachment E

REPORT OF PLANNING COMMISSION ACTION
August 5, 2021

ITEM NO: 4	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	Z-2-21-4 (Companion Case GPA-EST-1-21-4)
Location:	Southeast corner of 35th Avenue and I-10
From:	R-5 and R1-6
To:	C-2 and R-4A
Acreage:	9.39
Proposal:	Multifamily and commercial uses including a service station with fuel and convenience options.
Applicant:	QuikTrip Corportation
Owner:	Eplex Realty, LLC
Representative:	Charles Huellmantel, Huellmantel & Affiliates

ACTIONS:

Staff Recommendation: Approval, subject to stipulations in the Addendum A Staff Report.

Village Planning Committee (VPC) Recommendation:
Estrella 7/20/2021 Approval, per the staff recommendation in the Addendum A Staff Report. Vote: 7-0.

Planning Commission Recommendation: Approval, per the Estrella Village Planning Committee recommendations, with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Johnson made a MOTION to approve Z-2-21-4, per the Estrella Village Planning Committee recommendation, with the additional stipulation as read into the record.

Maker: Johnson
Second: Gaynor
Vote: 7-0
Absent: Gorraiz and Magnum
Opposition Present: Yes

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation of Mixed Use, proposed with concurrent case GPA-EST-1-21-4.

2. As stipulated, this development will allow affordable housing to be developed in this part of the Estrella Village and within proximity to a public park, high-capacity transit, and employment opportunities in the Southwest Phoenix Major Employment center.

3. As stipulated, the requested C-2 and R-4A zoning is consistent with surrounding land uses and will allow for an appropriate transition between commercial uses along 35th Avenue and single-family residential uses east of 34th Avenue.

4. The proposed development is consistent with the scale and character of developments approved or existing in the surrounding area while balancing employment and housing opportunities within close proximity to future high-capacity transit.

Stipulations:

R-4A ZONED AREA

1. For the R-4A portion of the site, the maximum building height and density shall not exceed 30 feet and 98 dwelling units. If the following conditions are met, the maximum height and density shall be 40 feet and 200 dwelling units. The conditions must be met prior to or in conjunction with the Final Site Plan Review.

    a. A minimum of 75 percent of the housing units are dedicated for long-term affordability, as approved by the Phoenix Housing Department.

    b. The applicant shall submit a copy of the draft Declaration of Affirmative Land use and Restrictive Covenants agreement (LURA), for review and approval by the Phoenix Housing Department.

    c. The applicant shall submit a copy of the Proforma, for review and approval by the Phoenix Housing Department.

2. Prior to the issuance of building permits for the R-4A portion of the site, the applicant shall submit a copy of the Recorded Declaration of Affirmative Land use and Restrictive Covenants agreement (LURA), as approved by the State Housing Department, if conditions listed in Stipulation No.1 for additional height and density are pursued.

3. An average building setback of 40 feet, minimum 20 feet for up to 25 percent of the frontage, shall be provided along 34th Avenue.

4. A minimum 20-foot building setback shall be provided along the north property line of the residentially zoned portion of the site.

5. Residential building elevations shall be developed to the following standards, as approved by the Planning and Development Department:

    a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete, stucco, painted steel or other materials to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.

    b. Building elevations adjacent and oriented to a public park or street, shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material that exhibits quality and durability.

    c. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, pop-outs, recesses, variation in window size and location, pitched roofs and/or overhang canopies, as approved by the Planning and Development Department.

d. Balconies and windows shall be provided for residential units adjacent to a public park.

6. There shall be no balconies on the upper floors of residential buildings located within 60 feet of the front property line which are oriented toward single-family residential homes not part of this development, as approved by the Planning and Development Department.

7. An average landscape setback of 10 feet, minimum 5 feet for up to 50 percent of the property line, shall be provided along the north property line.

8. The required landscape setbacks for the residentially zoned portion of the site shall be planted with minimum 50-percent 2-inch caliper and 50-percent 3-inch caliper large canopy drought-tolerant evergreen trees, 20 feet on center or in equivalent groupings, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department.

9. A central amenity and open space area shall be provided within close proximity to the primary vehicular entrance into the development. The following amenities shall be provided at a minimum and may be dispersed throughout the development, as approved by the Planning and Development Department:

   a. Tot lot;

   b. Clubhouse or community room;

   c. Two picnic areas each with a barbeque grill, shade ramada and a picnic table; and

   d. Two benches or seating features.

10. Vehicular entryways to the residential portion of the development along 34th Avenue shall include the following elements, as approved or modified by the Planning and Development Department:

    a. Pedestrian pathways connecting the interior of the development to the public sidewalks on one side of the vehicular driveway at minimum.

    b. The pedestrian pathways shall be lined with landscape areas on both sides and planted with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.

    c. A mix of ornamental shrubs and flower beds that will maintain a constant bloom throughout the year and 75 percent live cover, shall be provided along the entryway.

    d. The driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.

11. A perimeter wall no less than 6 feet in height shall be provided along the Interstate 10 freeway within the residentially zoned portion of the site. This wall shall include material and textural differences, such as stucco and/or split face block with a

decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.

12. Except where required by the Zoning Ordinance, perimeter walls adjacent to a public street or public park shall be limited to open view wrought iron fencing or a combination of 2-foot solid masonry topped by wrought iron open view fencing, as approved by the Planning and Development Department.

13. The indoor noise levels of residential units shall not exceed a decibel day night-level (DNL) of 45 decibels and that along with the building plans submitted for Phoenix Building Construction Code compliance review to the Planning and Development Department there shall be a sealed and signed analysis by an engineer licensed in Arizona with a proficiency in residential sound mitigation or noise control. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.

14. A minimum five-foot-wide sidewalk along 34th Avenue shall be detached with a minimum five-foot-wide landscape strip located between the sidewalk and back of curb and shall include minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted a minimum of 20 feet on center or in equivalent groupings between the sidewalk and back of curb, as approved by the Planning and Development Department.

15. The developer shall dedicate minimum 25 feet of right-of-way and construct the west side of 34th Avenue for the full limits of the project, as approved or modified by the Planning and Development Department.

16. If the portion of 34th Avenue north of Moreland Street is not approved to be abandoned through a separate process, the developer shall provide a 50-foot radius cul-de-sac termination at 34th Avenue, north of Moreland Avenue, as approved or modified by the Planning and Development Department.

C-2 ZONED AREA

17. The development shall be in general conformance with the conceptual site plan date stamped ~~June 30, 2021~~ JULY 14, 2021 and building elevations date stamped May 16, 2021 for the C-2 portion of the site, except as described below and as approved by the Planning and Development Department.

18. The conceptual site plan and elevations for Lot 2, as depicted in the site plan for the overall site date stamped June 30, 2021, shall be administratively reviewed by the Planning Hearing Officer prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.

    a. Location and orientation of buildings and trash receptables in relation to the residentially zoned property to the east.

    b. Accessible pedestrian pathways that connect building entrances, public sidewalks, and the pedestrian pathway connecting the commercially zoned

property to the residentially zoned property to the east using the most direct route for pedestrians.

c. Pedestrian connection between adjacent commercial parcels.

d. All elevations of the building/s shall contain architectural embellishments and detailing, such as: textural changes, pilasters, offsets, recesses, variation in window size or location, overhang canopies, or similar features.

19. A minimum 20-foot wide landscape setback shall be provided along the east side of the site where adjacent to a residential zoning district. This landscape setback shall be planted with a minimum 2-inch caliper large canopy evergreen trees, 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

20. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards along arterial streets in the Estrella Village, except as otherwise noted herein, as approved by the Planning and Development Department.

21. A landscaped gateway entry feature shall be provided on the southeast corner of 35th Avenue and Interstate 10 as described below and as approved by the Planning and Development Department:

a. An average 75-foot by 75-foot landscape entryway that adheres to the landscape palette for gateway entry features in the Estrella Village Arterial Street Landscaping Program.

b. A minimum 300-square foot landscaped accent area shall be provided. The landscaped accent area shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.

c. The gateway entry feature shall utilize accents, colors and materials consistent with the theme of the commercial uses on the same site, as approved by the Planning and Development Department.

22. The bus stop pad along 35th Avenue shall be shaded to a minimum of 50 percent using shade trees at full maturity, as approved or modified by the Planning and Development Department.

23. Public Transit Department shall retain right-of-way and bus stop pads on northbound 35th Avenue, as approved by the Planning and Development Department.

24. All sidewalks along 35th Avenue shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved by the Planning and Development Department.

a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide shade to a minimum 75 percent at maturity.

b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.

c. The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for arterial streets.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

25. The developer shall dedicate minimum 50-feet of right-of-way and construct the east half of 35th Avenue for the full limits of the project, per Cross Section D standards identified on the City of Phoenix Street Classification Map, as approved by the Planning and Development Department.

26. Driveway access control to the site will be permitted as approved by the Traffic Impact Study submitted to the Street Transportation Department by providing a sealed Traffic Impact Study analyzing access control and proposed mitigation for conflicting turning movements along 35th Avenue.

27. The site shall provide recorded cross-access agreements between lots one and two as depicted on the conceptual site plan date stamped June 30, 2021, as approved by the Planning and Development Department.

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30. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.

31. Pedestrian walkways connecting the commercial sites and residentially zoned property to the east, public sidewalks, and walkways within the residentially zoned portion of the site shall be shaded to a minimum of 75 percent using shade trees at maturity and/or architectural shade, as approved by the Planning and Development Department.

32. A system of pedestrian thoroughfares shall be provided as described below and as approved or modified by the Planning and Development Department:

a. The developer shall provide a minimum of one centralized pedestrian pathway connecting the public sidewalk along 35th Avenue passing through Lot 1 to the public sidewalk along 34th Avenue passing through Lot 3, as

depicted in the site plan for the overall site date stamped June 30, 2021. Each phase of the project will construct the portion of the pedestrian path along their development.

b. Illuminated pedestrian scale lighting per Section 1304.H.5 for the centralized pedestrian pathway.

c. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.

d. Connections to/between via the most direct route:

(1) All building entrances;

(2) Active open space areas;

(3) Adjacent public sidewalks; and

(4) Bus stop along 35th Avenue.

33. The development shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.

a. “Secure/Covered Facilities” bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit on the residential portion of the site, up to a maximum of 20 spaces, as defined in Appendix K of the Comprehensive Bicycle Master Plan.

b. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the building entrance of each enclosed commercial and residential building and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

c. One bicycle repair station (“fix it station”) shall be provided and maintained in the residentially zoned portion of the site within a central amenity area or along a centralized pedestrian pathway. The bicycle repair station (“fix it station”) shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

34. 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.

35. A Red Border Letter shall be processed for this development, as determined by the Planning and Development Department.

36. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.

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

38. If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

39. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.

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

41. **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 Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.

City of Phoenix

Report

Agenda Date: 9/8/2021, **Item No.** 74

Public Hearing and Ordinance Adoption - Rezoning Application Z-TA-7-19-8 - Amend Downtown Code Density Map, Buffer Alley Map and Townsend Park Character Area Development Standards (Ordinance G-6891)

Request for a public hearing for a proposed text amendment to the Zoning Ordinance, Text Amendment Z-TA-7-19-8, amending Chapter 12, Section 1202.D. (Regulating Maps, Density Map) to amend the density provisions for a site located approximately 160 feet south of the southeast corner of 3rd Street and McDowell Road; amending Section 1202.F. (Regulating Maps, Buffer Alley Map) to remove the buffer alleys in an area generally bounded by 3rd and 5th streets, Willetta Street and McDowell Road; and amending Section 1220 (Townsend Park) to allow a height bonus.

Summary

The intent of this proposed text amendment is to amend Chapter 12, Section 1202.D. (Regulating Maps, Density Map) to increase the allowable density from a maximum of 43.5 dwelling units per acre to 125 dwelling units per acre for a site located approximately 160 feet south of the southeast corner of 3rd Street and McDowell Road; amend Section 1202.F. (Regulating Maps, Buffer Alley Map) to remove the buffer alley designation in an area general bounded by 3rd and 5th streets, Willetta Street and McDowell Road; and amend Section 1220 (Townsend Park) to allow a height bonus up to 30 percent using the sustainability bonus.

Concurrence/Previous Council Action

Staff Recommendation: Approval, as shown in the recommended text in Exhibit A of the Staff Report **(Attachment B)**.
VPC Info: The Central City Village Planning Committee heard this case for information only on March 9, 2020 **(Attachment C)**.
DSC Action: The Design Standards Committee heard this case and recommend approval, per the staff recommendation with a modification to the density provisions to allow a maximum of 89 dwelling units per acre of this item on April 14, 2020 by a vote of 4-0 **(Attachment D)**.
VPC Action: The Central City Village Planning Committee heard this case on July 12, 2021 and recommend approval, per the staff recommendation by a vote of 10-1 **(Attachment E)**.
PC Action: The Planning Commission heard this case on Aug. 5, 2021 and

recommended approval, per the Central City Village Planning Committee recommendation by a vote of 7-0 **(Attachment F)**.

Location

Approximately 160 feet south of the southeast corner of 3rd Street and McDowell Road.
Council District: 8
Parcel Addresses: 1411, 1419 and 1427 N. 3rd St.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

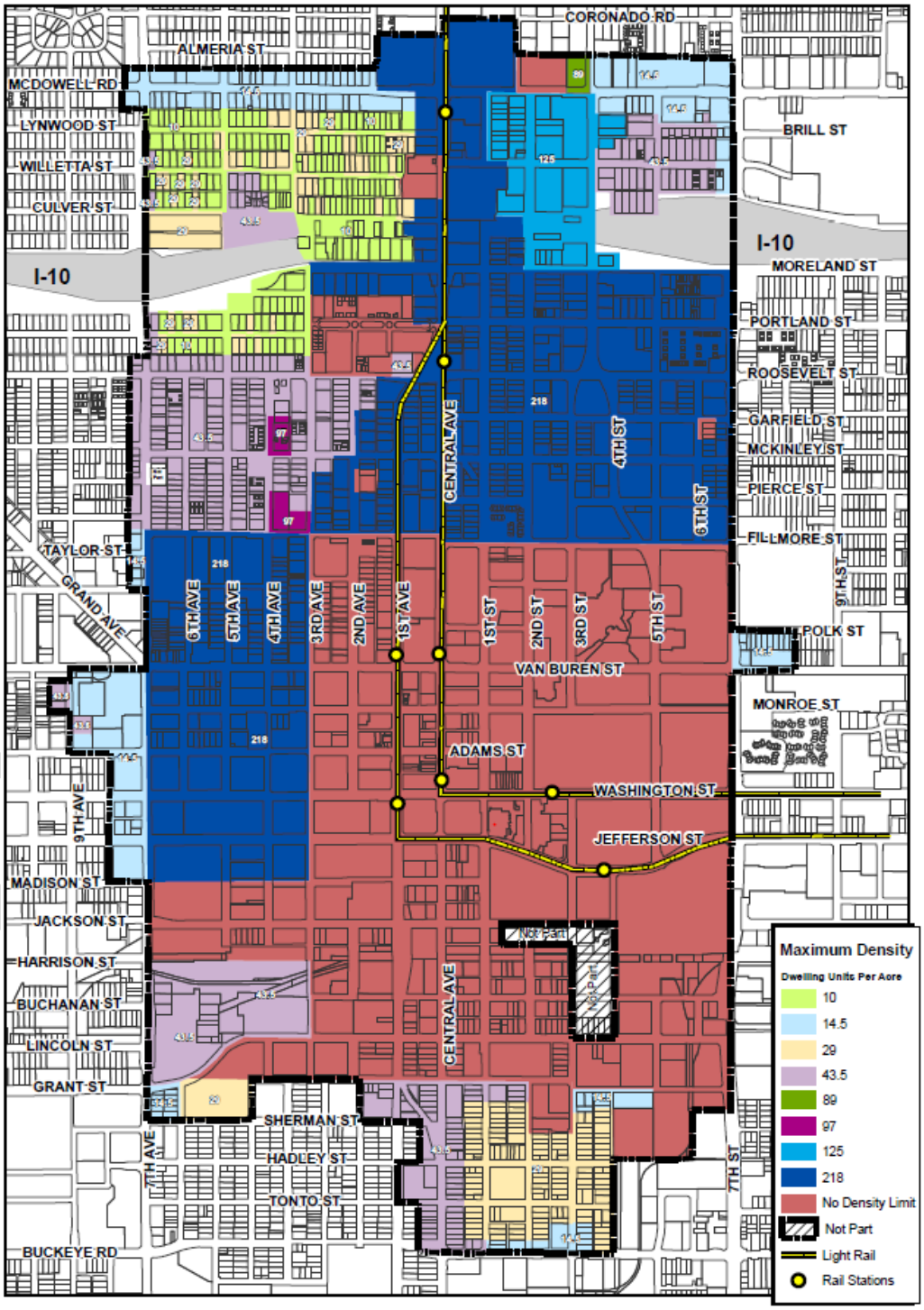
AN ORDINANCE AMENDING A PORTION OF THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX BY AMENDING CHAPTER 12, SECTION 1202.D. (REGULATING MAPS, DENSITY MAP) TO AMEND DENSITY PROVISIONS, SECTION 1202.F. (REGULATING MAPS, BUFFER ALLEY MAP) TO REMOVE BUFFER ALLEYS AND SECTION 1220.B. (TOWNSEND PARK, DEVELOPMENT STANDARDS) TO ADD A HEIGHT BONUS.

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

That Chapter 12, Section 1202.D. (Regulating Maps, Maximum Density) is amended to increase the density of a site located approximately 160 feet south of the southeast corner of 3rd Street and McDowell Road from 43.5 maximum dwelling units per acre to 125, by removing the old map and inserting the new map as follows:

DRAFT

D. The density for any parcel in the Downtown Area shall not exceed the following unless a density bonus is allowed by the Character Area and approved by the Planning and Development Department staff or an appeal is approved by the Design Review Committee (DRC) pursuant to Section 1223 requirements:

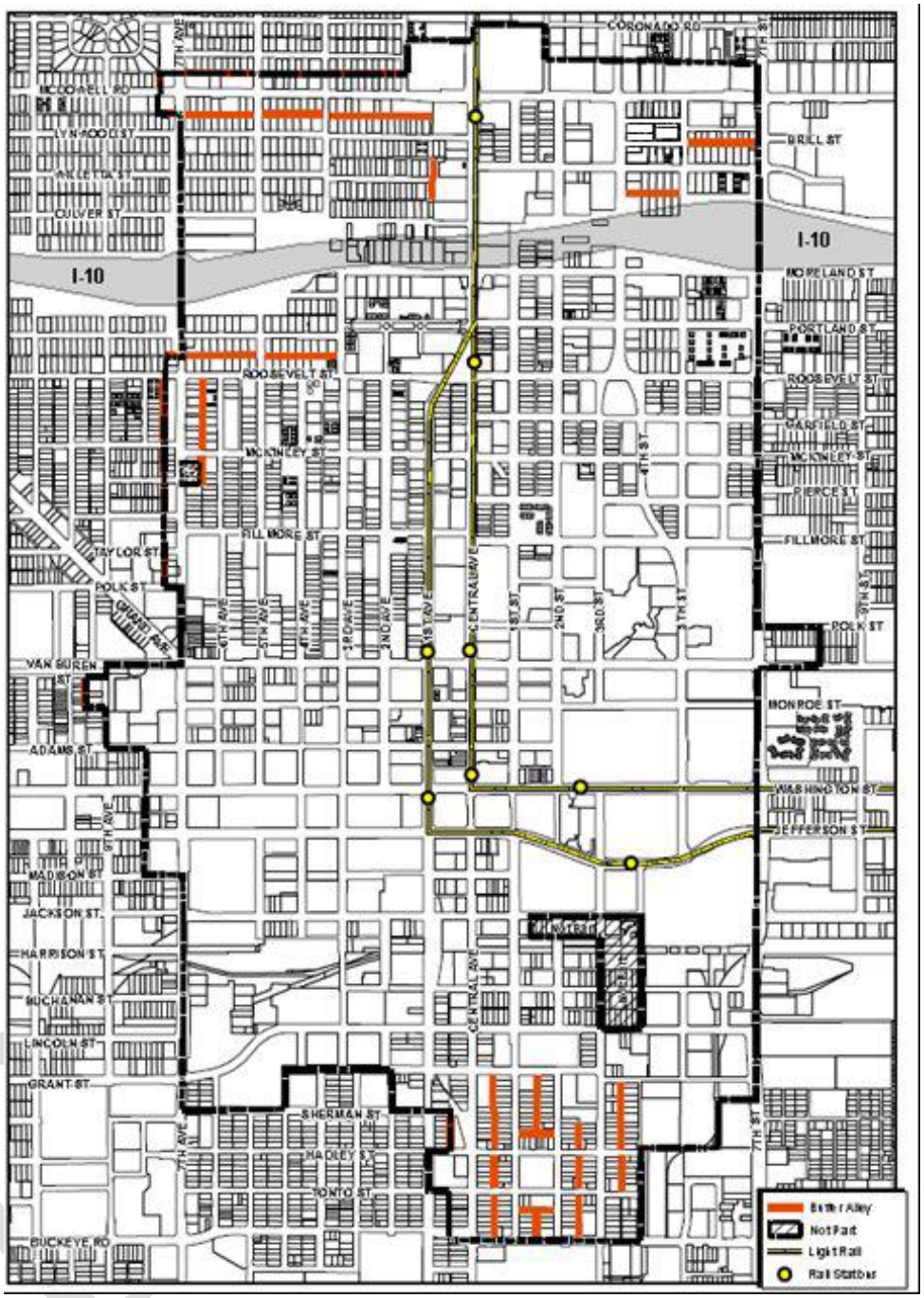


***

SECTION 2: That Chapter 12, Section 1202.F. (Regulating Maps, Buffer Alleys) is amended to remove the buffer alley designation in an area generally bounded by 3rd Street to 5th Street, and Willetta Street to McDowell Road, by removing the old map and inserting the new map as follows:

F. This map designates Buffer Alleys for which abutting property owners must conform to the standards and guidelines outlined in Sections 1207.O and P:

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***

SECTION 3: That Chapter 12, Section 1220. (Townsend Park) is amended to add a height bonus as follows:

***

B. **Development Standards.**

1. **Maximum height.**

a. *Main building:* Governed by the height map, Section 1202.C.

(1) Height bonus: ~~None.~~ MAXIMUM 30% INCREASE.

***

PASSED by the Council of the City of Phoenix this 8th day of September, 2021.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:
_____
_____

REVIEWED BY:

_____
Ed Zuercher City Manager

DRAFT

Attachment B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report
Zoning Ordinance Text Amendment
Z-TA-7-19-8
April 9, 2020

Application No. Z-TA-7-19-8: Amend Section 1202 (Regulating Maps) of the Phoenix Zoning Ordinance to replace the Downtown Code maps to amend density provisions and buffer alleys in an area generally bounded by 3rd Street to 5th Street, and Willetta Street to McDowell Road and amend Section 1220 (Townsend Park) to allow for a height bonus.

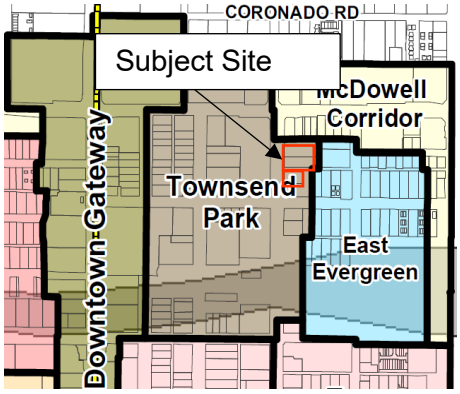
Staff Recommendation: Staff recommends approval of Z-TA-7-19-8 as shown in the recommended text in Exhibit A.

Background

This request is to amend the allowable density to 125 dwelling units per acre on the site, remove two buffer alley designations adjacent to the site and allow for a height increase of up to 30 percent in the Townsend Park Character Area using the sustainability bonus provisions listed in Section 1223 of the Zoning Ordinance. The proposed development is located approximately 160 feet south of the southeast corner of 3rd Street and McDowell Road in the Townsend Park Character Area. The Townsend Park Character Area is primarily intended to transition between the McDowell Corridor Character Area to the north, the Downtown Gateway Character Area to the west, and the East Evergreen Character Area to the east. The vision of the Townsend Park Character Area is to connect adjacent areas by incorporating mixed-use/mid-rise developments with a focus on office and cultural facilities. The Townsend Park Character Area is near the light rail corridor and the City's largest public library.

The buildings on the site are currently used as offices and previously housed single and multifamily residences.

Figure A: Character Areas



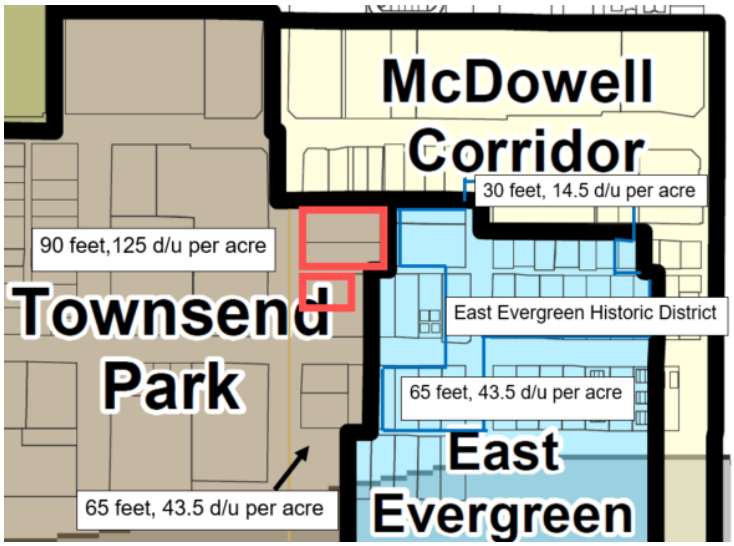
Source: City of Phoenix Planning and Development Department

Figure B: Site Context



Source: City of Phoenix Planning and Development Department

Figure C: Height and Density Designations



Source: City of Phoenix Planning and Development Department

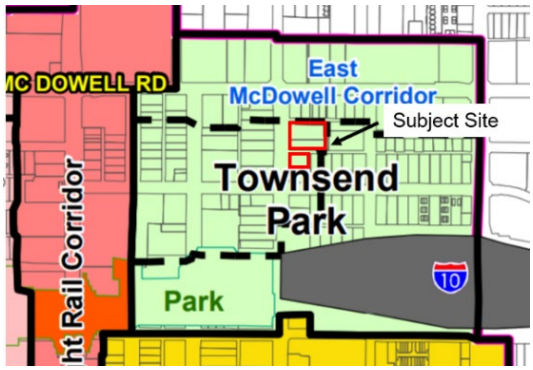
The current regulating maps of the Downtown Code permit a maximum density of 43.5 dwelling units per acre and a maximum height of 65 feet on the proposed development site. The current maximum density and height was determined by the previous zoning, R-5 RI (Multifamily Residence District, Residential Infill District), prior to the adoption of the Downtown Code in 2010. One buffer alley runs along the north side of the proposed development and the other runs in between the two parcels on the site from 3rd Street to 5th Street, connecting to the adjacent East Evergreen Historic District. Buffer alleys are intended to mitigate impacts on single-family residences from more intense uses by requiring additional setback, screening and lighting requirements.

To the west, across 3rd Street, is the Arizona School for the Arts. The Downtown Code designates 125 dwelling units per acre and 90 feet in height allowed on the site. To the north is a Taco Bell fast food restaurant with allowable density of 14.5 dwelling units per acre and 30 feet of allowable height. To the east are two low-rise multifamily developments and a single-family residence used as an office. One of the multifamily developments and the single-family home are part of the East Evergreen Historic District. The allowable density is 43.5 dwelling units per acre and the allowable height to the east is 65 feet. To the south is a two to three-story multifamily development with 65 feet of allowable height and 43.5 dwelling units per acre in allowable density.

Background: Urban Form Project and the Downtown Code

The Downtown Urban Form Project was initiated in 2006. The Downtown Phoenix Plan is a product of the Downtown Phoenix Urban Form Project and was prepared to provide direction for implementation of the community vision for an active, pedestrian-oriented and sustainable Downtown. The Downtown Phoenix Plan was adopted by City Council in 2008 and served as a precursor to the Downtown Code, adopted in 2010, which is now Chapter 12 of the Zoning Ordinance.

Figure D: Downtown Phoenix Plan Character Area



Source: City of Phoenix Planning and Development Department

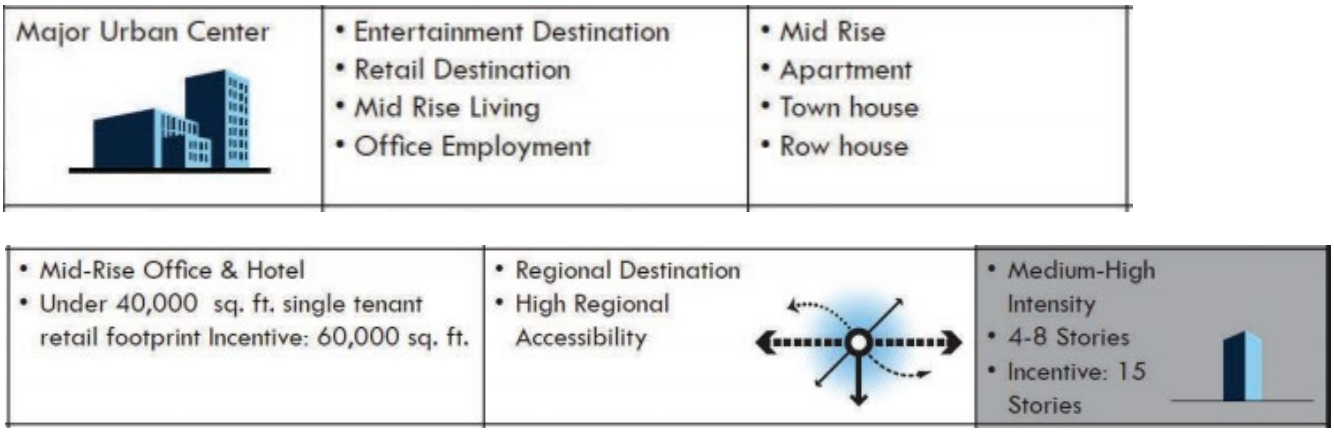
The vision for how the Townsend Park Character area will develop as listed in the Downtown Phoenix Plan is that "The Townsend Park Character Area will be predominantly a residential neighborhood incorporating a historic district and a new mixed-use/mid-rise area" (pg. 3-25) and lists three policies that address specific issues or opportunities unique to the planning area. The three polices for the Townsend Park Character Area are:

> Policy 3-21: Develop height transition strategies to protect and enhance the quality of East Evergreen Historic District
>
> Policy 3-22: Increase building height west of 3rd Street to provide a transition between the Light Rail Corridor and the historic district of East Evergreen
>
> Policy 3-23: New development should maintain the existing streetscape patterns to preserve the character of the area.

Background: Transit Oriented Development Strategic Policy Framework

The Transit Oriented Development Strategic Policy Framework, originally adopted in 2013, identifies policies and place types that are designed to shape walkable and mixed-use environments and focus redevelopment within a half-mile of high capacity transit stations. The site is located a quarter mile from the McDowell Road and Central Avenue light rail station. The identified environment for the McDowell Road and Central Avenue light rail station area is Major Urban Center. Major Urban Center is a place type characterized by medium to high intensity with building heights typically from four to eight stories, with incentive heights of up to fifteen stories.

Figure E: TOD Strategic Policy Framework Place Type



Source: City of Phoenix Planning and Development Department

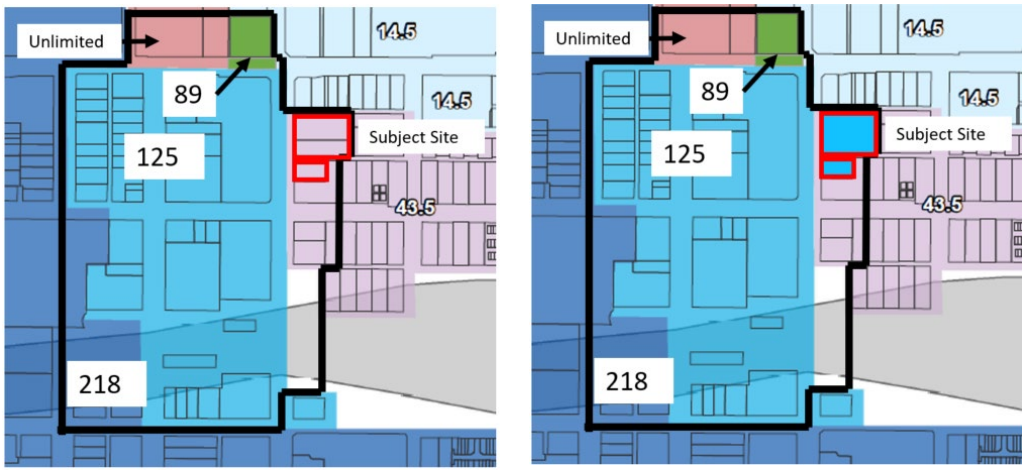
Staff Analysis

Density

The proposal to increase the allowable density to 125 dwelling units per acre is consistent and sensitive to the nature of the Townsend Park Character Area. The majority of the properties within the Townsend Park Character Area are allowed a density of 125 dwelling units per acre. The proposal to increase the allowable density is consistent with the density designation to the west of the proposed development, across 3rd Street, and is consistent with the transitional nature of the Character Area from the higher density allowances of the Downtown Gateway Character Area to the west and the lower density allowances of the McDowell Corridor to the north and the East Evergreen Character Area to the east.

The Walkable Urban Code is a zoning option applicable to properties outside of the Downtown Code that are within the Transit Oriented Development Policy Plan Districts located along the light rail corridor. As mentioned previously, the site is located a quarter mile from the McDowell Road and Central Avenue light rail station. If the project was not within the Downtown Code zoning district, the Walkable Urban Code would allow the physical form, building design, and lot standards to dictate the allowable density on the site without the need to specify a maximum allowable density. The site is also located within walking distance of the Margaret T. Hance Park and the Burton Barr Central Library. Increasing the scale and intensity for projects near cultural amenities is also consistent with the City's transit-oriented development policy and goals.

Figure F: Maximum Density Existing and Proposed



Source: City of Phoenix Planning and Development Department

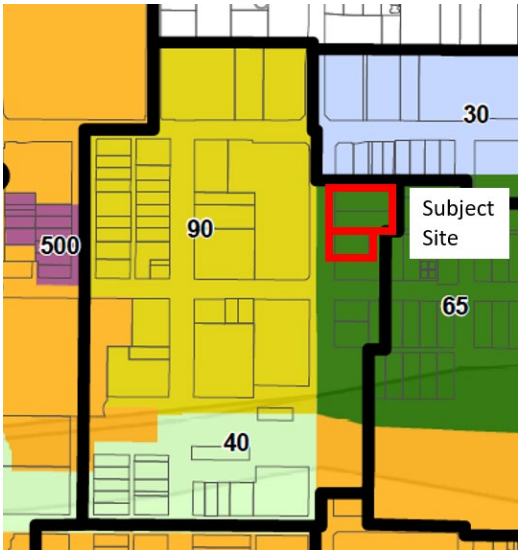
There was a previous request within the Townsend Park Character Area to increase the allowable density on a site. North of the proposed development at the northwest corner of 3rd Street and McDowell Road, is a parcel that previously housed the Los Olivos Car Wash. In 2017, case Z-TA-1-17-4 changed the allowable density from 14.5 dwelling units per acre to 89 dwelling units per acre.

Height

The request does not increase the height allowed in the Townsend Park Character Area by right, rather it creates the opportunity for projects to achieve more height by providing community benefits through sustainability bonus points. The proposal to increase the allowable height by a sustainability bonus provision is consistent with the Major Urban Center TOD Strategic Policy Framework place type, the Downtown Phoenix Plan policies, and provides for a public benefit that is sensitive to the surrounding area.

Major Urban Center is a place type characterized by medium to high intensity with building heights typically from four to eight stories, with incentive heights of up to fifteen stories. The proposal to increase the allowable height up to 30 percent using a sustainability bonus, which would allow up to eight stories in height for the proposed development, is consistent with the place type of the Central Avenue/McDowell Road light rail station area.

Figure G: Maximum Height



Source: City of Phoenix Planning and Development Department

The proposed amendment meets the policies in the Downtown Phoenix Plan for the Townsend Park Character Area.

> Policy 3-21: Develop height transition strategies to protect and enhance the quality of East Evergreen Historic District

The sustainability bonus point category with the most possible credits calls for structures with HP or HPL zoning within the Downtown Code to be rehabilitated. The height transition strategy incentivizes the preservation of historic structures in exchange for an increase in allowable height, which could protect and enhance the quality of East Evergreen Historic District.

> Policy 3-22: Increase building height west of 3rd Street to provide a transition between the Light Rail Corridor and the historic district of East Evergreen

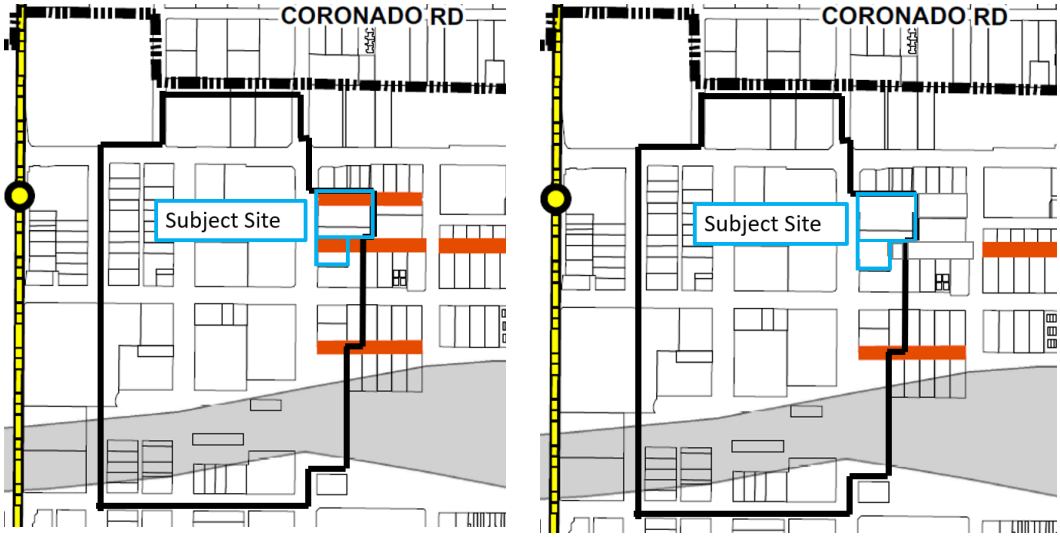
The proposal maintains the existing height transition in the Character Area which calls for higher building heights west of 3rd Street to lower heights east of 3rd Street by not amending the height map, but rather by allowing the opportunity for more height by sustainability bonus points that is sensitive to the existing height allocations. With the proposed text amendment, properties originally designated for 65 feet in height could increase the allowable height up to 84.5 feet, which is shorter than the maximum height designation of 90 feet allowed by right in the Character Area west of 3rd Street. The height transition and integrity of the Character Area is maintained by the proposed text amendment.

Buffer Alleys

Buffer alleys are intended to mitigate impacts on single-family residences from more intense uses by requiring additional setback, screening and lighting requirements. There are no single-family residences abutting the alleys in between McDowell Road and Willetta Street from 3rd Street to 5th Street. Several sites were once used as single-family residences but have been converted to commercial spaces. The request to remove the buffer alley designation is consistent with the existing uses and character of

the area and could provide more opportunities for sites along McDowell Road to redevelop.

Figure H: Existing and Proposed Buffer Alleys



Source: City of Phoenix Planning and Development Department

Conclusion

Staff recommends approval of Z-TA-7-19-8 to amend the density map, buffer alley map, and Townsend Park Character Area text as shown in Exhibit A of the staff report.

The proposal maintains the transitional nature of the Townsend Park Character Area, situated between the Downtown Gateway, McDowell Corridor and East Evergreen Character Areas. Additional density and option for more height is warranted given the proposed development's proximity to the McDowell Road and Central Avenue light rail station. The proposal is in line with the adopted Major Urban Center place type of the TOD Strategic Policy Framework and the policies of the Downtown Phoenix Plan. The sustainability bonus option maintains the existing height transition in the Townsend Park Character Area and offers community benefits in exchange for the option for additional height. The buffer alley removal is consistent with the existing uses and character of the area.

Writer
Sarah Stockham
April 9, 2020

Team Leader
Samantha Keating

Exhibits
A. Proposed Language and Maps

EXHIBIT A

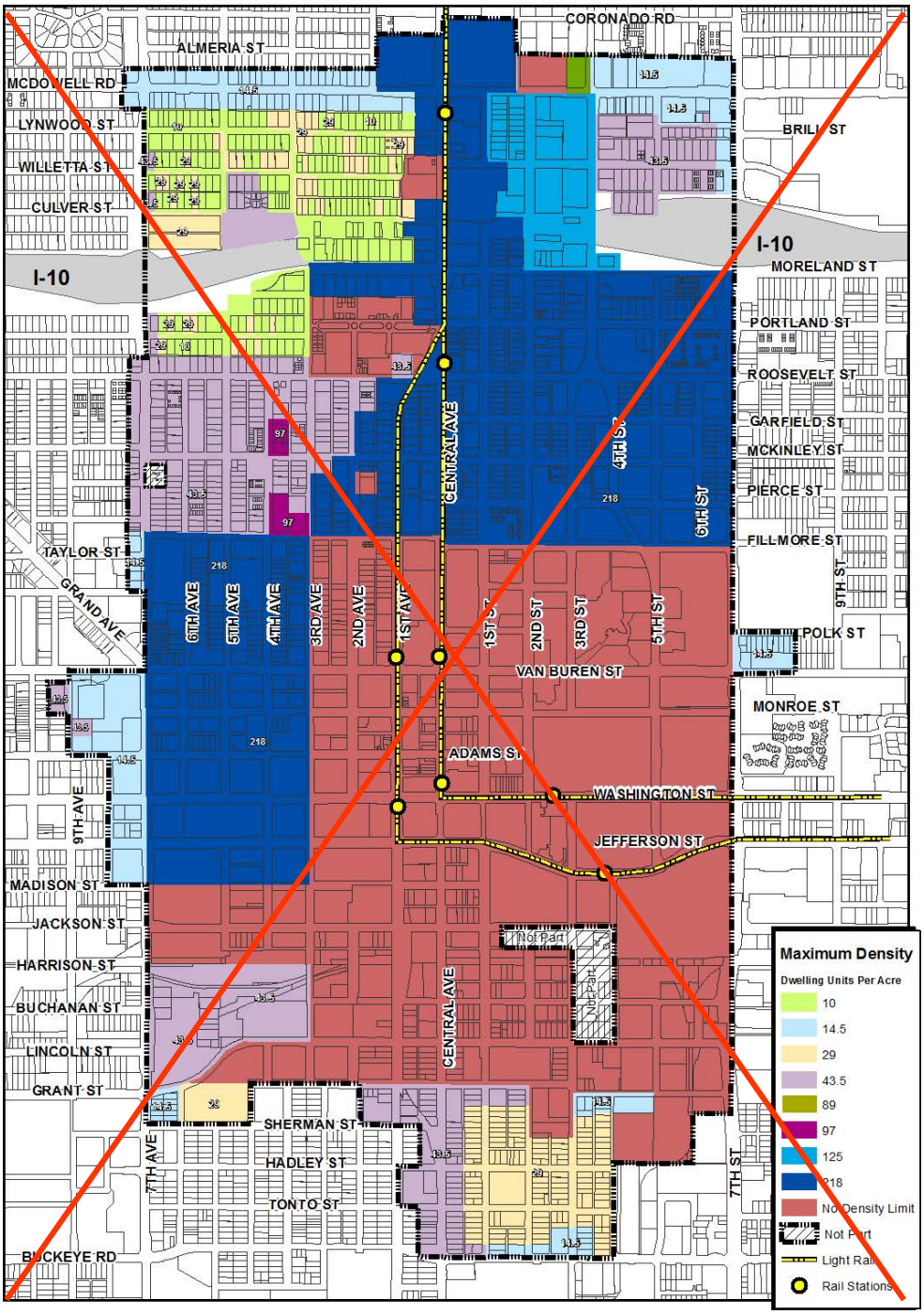
Application No. Z-TA-7-19: Amend Section 1202 (Regulating Maps) of the Phoenix Zoning Ordinance to replace the Downtown Code maps to amend density provisions and buffer alleys in an area generally bounded by 3rd Street to 5th Street, and Willetta Street to McDowell Road and amend Section 1220 (Townsend Park) to allow for a height bonus.

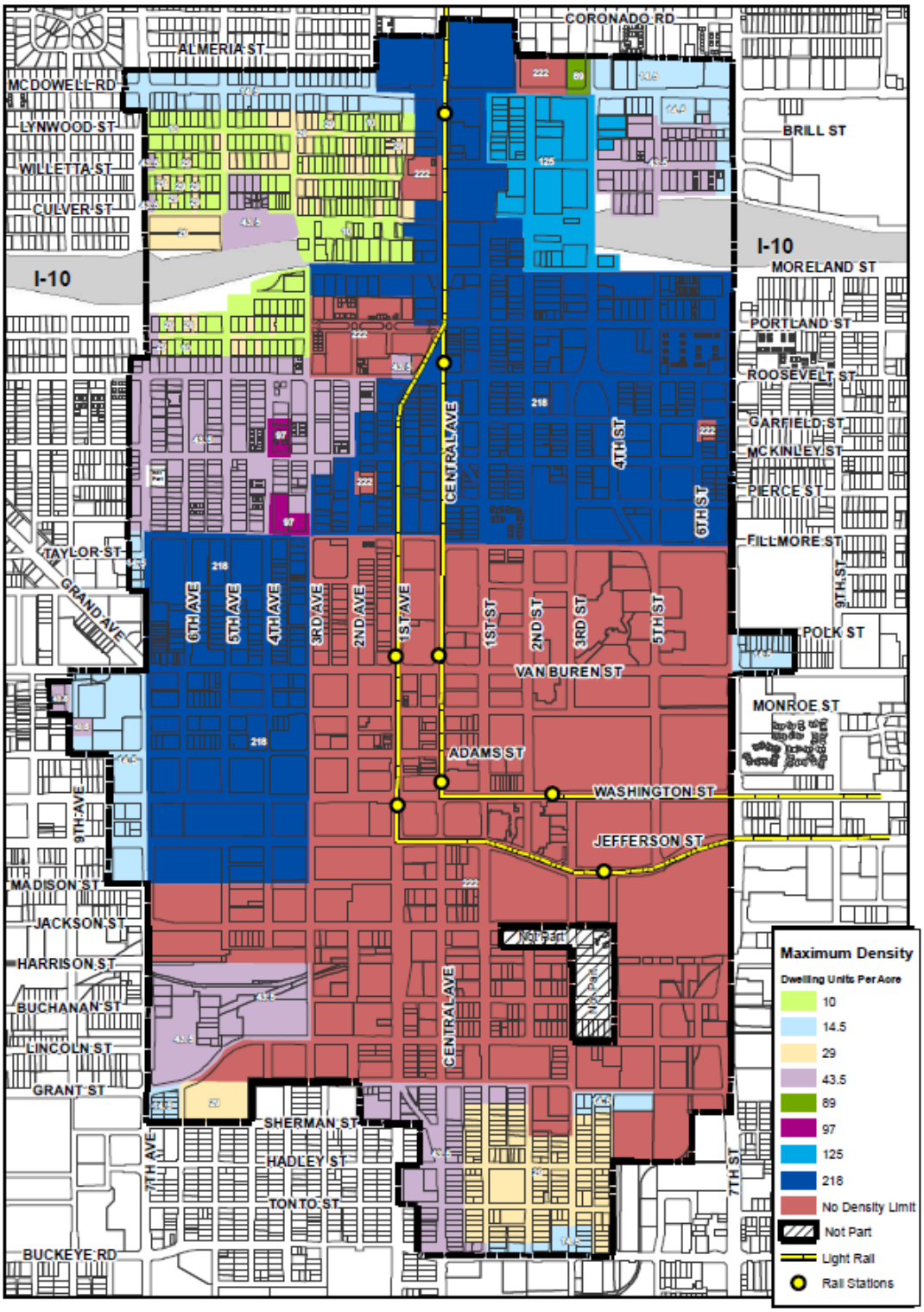
Staff Proposed Language That May Be Modified During the Public Hearing Process is as follows:

Amend Chapter 12, Section 1202 (Regulating Maps) by removing the old maps, and inserting new maps as follows:

***

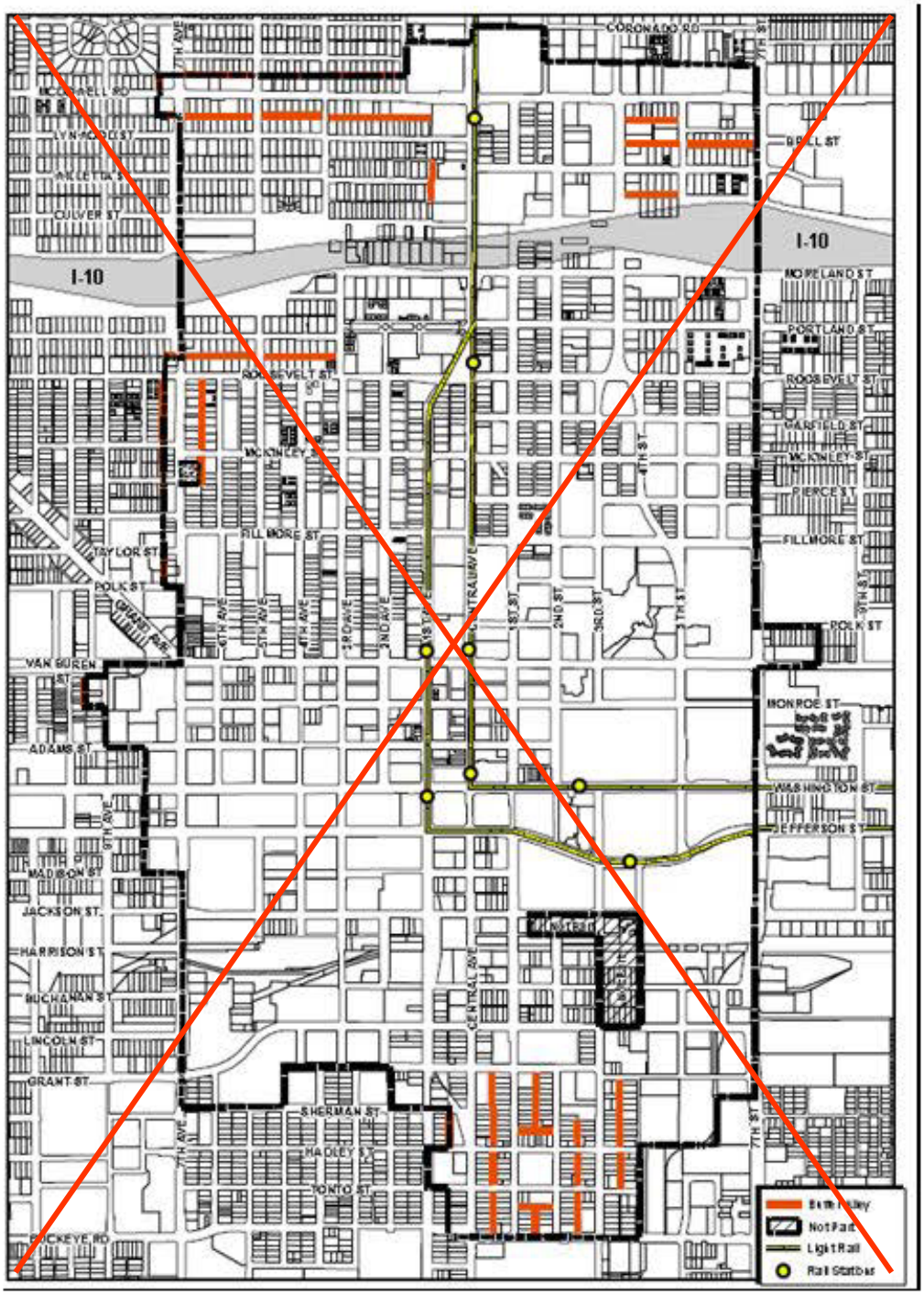
D. The density for any parcel in the Downtown Area shall not exceed the following unless a density bonus is allowed by the Character Area and approved by the Planning and Development Department staff or an appeal is approved by the Design Review Committee (DRC) pursuant to Section 1223 requirements:

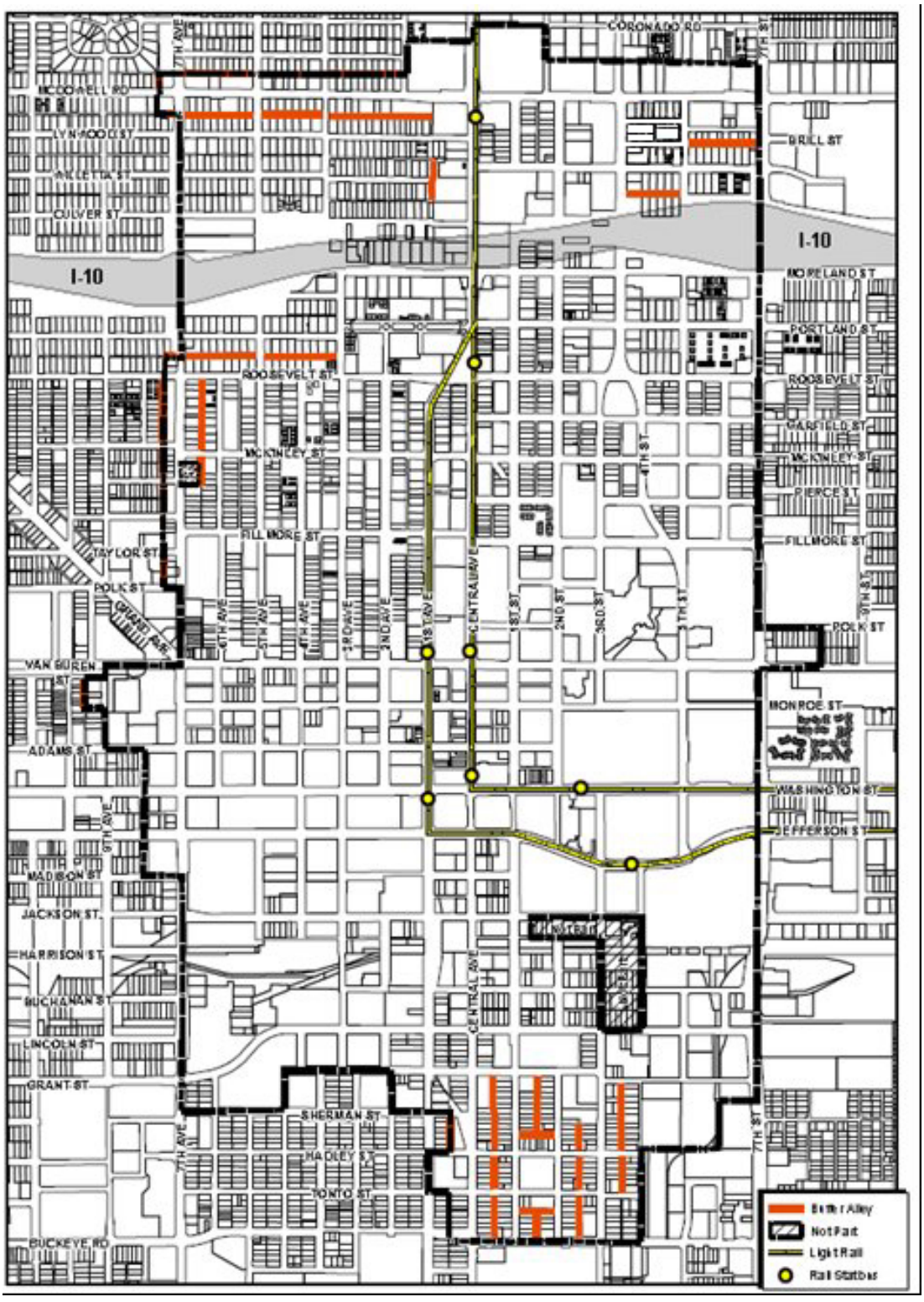



CORONADO RD
ALMERIA ST
MCDOWELL RD
LYNWOOD ST
WILLETTA ST
CULVER ST
I-10
BRILL ST
I-10
MORELAND ST
PORTLAND ST
ROOSEVELT ST
GARFIELD ST
MCKINLEY ST
PIERCE ST
FILLMORE ST
9TH ST
POLK ST
MONROE ST
TAYLOR ST
GRAND AVE
6TH AVE
5TH AVE
4TH AVE
3RD AVE
2ND AVE
1ST AVE
CENTRAL AVE
1ST ST
2ND ST
3RD ST
4TH ST
5TH ST
6TH ST
VAN BUREN ST
ADAMS ST
WASHINGTON ST
JEFFERSON ST
9TH AVE
MADISON ST
JACKSON ST
HARRISON ST
BUCHANAN ST
LINCOLN ST
GRANT ST
SHERMAN ST
HADLEY ST
TONTO ST
7TH AVE
7TH ST
BUCKEYE RD
Maximum Density
Dwelling Units Per Acre
10
14.5
29
43.5
89
97
125
218
No Density Limit
Not Part
Light Rail
Rail Stations

***

F. This map designates Buffer Alleys for which abutting properties must conform to the standards and guidelines outlined in Sections 1207.O and P:




CORONADO RD
7TH AVE
7TH ST
MCDOWELL RD
LYNWOOD ST
WILLETTA ST
CULVER ST
I-10
BRILL ST
MORELAND ST
PORTLAND ST
ROOSEVELT ST
GARFIELD ST
MCKINLEY ST
PIERCE ST
FILLMORE ST
TAYLOR ST
POLK ST
GRAND AVE
VAN BUREN ST
ADAMS ST
MONROE ST
WASHINGTON ST
JEFFERSON ST
MADISON ST
JACKSON ST
HARRISON ST
BUCHANAN ST
LINCOLN ST
GRANT ST
SHERMAN ST
HADLEY ST
TONTO ST
BUCKEYE RD
CENTRAL AVE
1ST AVE
2ND AVE
3RD AVE
4TH AVE
5TH AVE
6TH AVE
1ST ST
2ND ST
3RD ST
4TH ST
9TH ST
Better Alley
Not Paid
Light Rail
Rail Stations

***

Amend Chapter 12, Section 1220 (Townsend Park) to read as follows:

***

B. **Development Standards**

1. **Maximum Height**

a. *Main building:* Governed by the height map, Section 1202.C.

(1) Height bonus: ~~None.~~ MAXIMUM 30% INCREASE.

***

Central City
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-7-19-8
INFORMATION ONLY

Date of VPC Meeting:	March 9, 2020
Request:	Amend Section 1202 (Regulating Maps) of the Phoenix Zoning Ordinance to replace the Downtown Code maps to amend density provisions and buffer alleys in an area generally bounded by 3rd Street to 5th Street, and Willetta Street to McDowell Road and amend Section 1220 (Townsend Park) to allow for a height bonus.

VPC DISCUSSION:

Chris Colyer recused himself, bringing the quorum to 16.
Two speaker cards were submitted in favor, wishing to speak.
One speaker card was submitted, wishing to speak.

Brennan Ray, representing the applicant with Burch & Cracchiolo, P.A., stated that Leon Capital is a multifamily developer who is pursuing a high-quality project in an area that lends itself to density with pedestrian engagement. **Mr. Ray** continued that the project will have 228 residences at a density of 109 dwelling units per acre and be 85 feet tall. **Mr. Ray** added that the request is to amend the density map as this site is in close proximity to many amenities and Central Avenue. **Mr. Ray** continued that the second part of the request is to amend the buffer alley map to remove two buffer alleys because buffer alleys require a fifteen-foot setback, a five-foot landscaped area and a four-foot wall. **Mr. Ray** added that the plan for the site is to abandon the alley, dedicate a public utility easement and keep in open as it is now. **Mr. Ray** continued that the request is to allow for an increase in height via the sustainability bonus provisions in the Code.

Chair Frazier Johnson asked about the unit mix and if any units will be affordable. **Brennan Ray** responded that he expects there to be more studios and one-bedroom apartments, and there will not be affordable units.

Will Gaona asked about the parking spaces and if there will be parking in the neighborhood. **Brennan Ray** responded that the project will be parked to Code

standards, will include two levels of parking and residents will not park in the neighborhood.

Vice Chair Pearl Starks asked what is currently in use on site. **Brennan Ray** responded that the buildings are offices.

Eva Olivas asked for clarification on what was proposed for the alley. **Brennan Ray** responded that they propose to abandon the alley under the proposed building, and that the alley will be used in the same way it is now with the addition of a public utility easement recorded in perpetuity along the alley.

Eva Olivas asked if the applicant has talked to the neighbors. **Brennan Ray** responded that they have talked to the people in the area and was surprised that most of the homes were owned by investors.

Zach Burns asked where the art will go. **Brennan Ray** responded that they propose to have gallery windows along 3rd Street to display the art.

Dana Johnson asked if the art space would be air conditioned. **Brennan Ray** commented that that is a great suggestion.

Vice Chair Pearl Starks asked if they had studied the traffic pattern in the area when it is school dismissal time. **Brennan Ray** replied that he will provide more information on that when the item returns for recommendation.

Sean Sweat asked about the parking ratio, and if it was possible to reduce parking with the sustainability bonus provisions as most apartments build too much parking. **Thomas Hoy** with Leon Capital responded that they will have one space per bed with some guest parking to avoid people from parking in the neighborhood. **Mr. Hoy** added that they have been talking to the school across the street about some of their staff using the garage for parking.

Sean Sweat commented that he is concerned about spot zoning, likes using the sustainability bonus provisions and that he would like the density designation to change to include all the properties along 3rd Street.

Will Gaona asked if there would be any affordable housing units in this project, given the presentation they heard earlier by Ms. Bouchee. **Brennan Ray** responded that they are not considering including any affordable units.

Eva Olivas asked if the applicant were to consider adding affordable housing units, if they would be beyond the normal set-aside timeframe. **Brennan Ray** answered that they are trying to fill the gap of market rate units as presented on by Ms. Bouchee with this project.

Public Comment:

Mitchell Willard with the Urban Phoenix Project asked if there was any way to achieve the proposed height without changing the Zoning Ordinance. **Brennan Ray** stated that the only mechanism to achieve what they need for the project is through a text amendment.

STAFF COMMENTS:

None.

Attachment D

DESIGN STANDARDS COMMITTEE (DSC)

TEXT AMENDMENT Z-TA-7-19, TOWNSEND PARK

MINUTES

Monday, April 14, 2020 Meeting

Per the most recent guidelines from the federal government, the Design Standards Committee held a meeting electronically, via a video conferencing platform.

DSC MEMBERS PRESENT	***DSC MEMBERS ABSENT***	***STAFF PRESENT***
Ben Patton, Chair	**Allan Gutkin**	***Planning and Development Department***
Matt Seaman, Vice-chair		Joshua Bednarek, *Deputy Director, Planning*
Craig Steblay		Christopher DePerro, *Team Leader, Site Plan*
Dennis Newcombe		Samantha Keating, *Principal Planner*
		Sarah Stockham, Central City VPC planner
		Vania Fletcher, *DSC Liaison*

1. Call to Order, introductions, and announcements.

The meeting was called to order by Chair Ben Patton at 2:24 pm, with a quorum of four members. Introductions were made.

2. Remote Meeting Procedures and Staff Announcements.

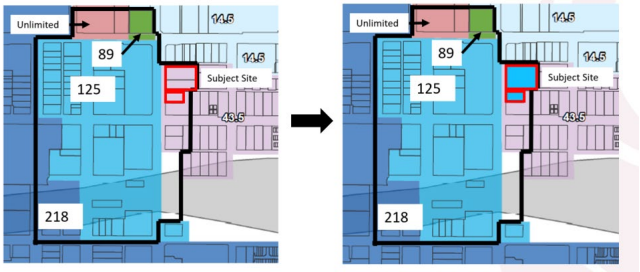
Ms. Fletcher provided information regarding the remote meeting procedures, and informed the Committee that Mr. Allan Guktin had to recuse himself due to a conflict of interest. She read out the roles and duties of the Design Standards Committee under Zoning Ordinance Section 308.

3. Review, discussion, and possible recommendation on the proposed draft of the Text Amendment Z-TA-7-19 – Townsend Park.

The Chair called on Ms. Stockham to present. Ms. Stockham proceeded with a PowerPoint presentation that was provided to the Committee as part of staff documentation. She explained that the text amendment had three parts: to amend the regulatory density map, to amend the regulatory buffer alley map, and to amend the Townsend Park Character Area text for height.

Ms. Stockham described the details of each of the requests, starting with the **Density Map** and the changes requested for a particular property to increase the density from 43.5 dwelling units per acre to 125 dwelling units per acre by right.

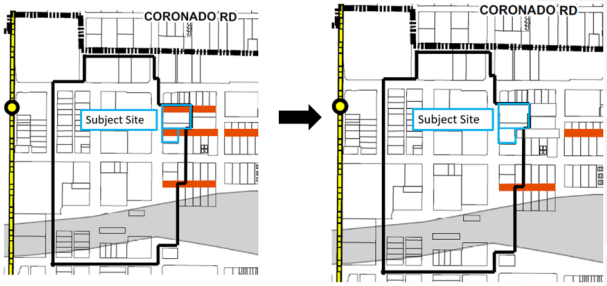
1. **Amend Section 1202 Density Map from 43.5 du/acre to 125 du/acre**



Increase in Density: Ms. Stockham stated that staff found the proposal for density to be consistent with the transitional nature of the Townsend Park Character Area, the density designation to the west of the site, transit-oriented development policies and goals

Buffer Alleys

2. **Amend Section 1202 Buffer Alley Map to delete two buffer alleys from 3rd Street to 5th Street**

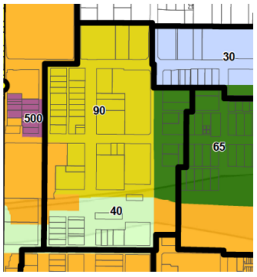


Ms. Stockham clarified that the intent of the buffer alleys was to protect low intensity residential neighborhoods – they alleys were not being removed, only the designation and that there were no single-family residences along the alleys in the proposal. Staff found that the proposal is consistent with existing uses and character of the area.

Height Bonus in the Townsend Park Character Area

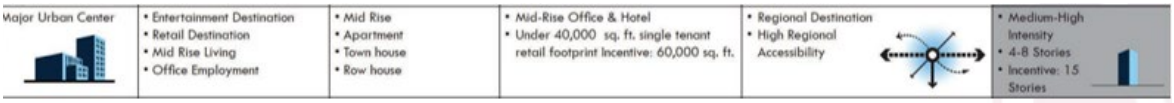
3. Amend Section 1220 (Townsend Park) to allow for a height bonus

B. **Development Standards**
1. **Maximum Height**
a. *Main building:* Governed by the height map, Section 1202.C.
(1) Height bonus: ~~None.~~ MAXIMUM 30% INCREASE.



The final request, she explained, was to allow **30 percent Height Bonus** for the entire character area. Staff found the proposal is consistent with the Major Urban Center TOD Strategic Policy Framework place type, the Downtown Phoenix Plan policies, and that the proposal maintains the existing height transition in the Character Area and provides for an increased level of community benefits.

Ms. Stockham explained that she reviewed the original intent of the Downtown Code and that of the Downtown Phoenix Plan, the vision for the Townsend Park Character Area and the original intent to have a height and strategies to protect the East Evergreen Historic District east of 3rd Street. The Downtown Code adopted a transitional district west of 3rd Street as mixed uses were permitted, and Ms. Stockham explained that Townsend Park now has a very diverse number of businesses. She informed the committee that additional studies have been done post Downtown Code, such as Reinvent Phoenix and the 2013 TOD Strategic Policy Framework which defined place types for areas within the quarter mile from light rail stations. The TOD place type for this particular request falls under the major urban center. She stated that staff finds that this is consistent with the policies for McDowell.



Ms. Stockham stated that staff's recommendation is for **approval of the three text amendment requests** and that the Central City Village Planning Committee heard this request for information only on March 9 and will hear the request for recommendatio on May 11.

Chair Patton noted while the text amendment did approve a specific plan, this came in because of a proposal for a specific developer plan. He had concern over amending the regulatory maps and that it could mean to be 'in hot water with the

neighborhood' without a plan of a development. The chair stated also that this could be a precedent.

Mr. Seaman noted his concern over the proposal to increase the density from 43.5 to 125 dwelling units per acre. He explained to staff that Townsend Park already permits an increase of density with Bonus Points for a maximum 100% increase, potentially allowing for 87 dwelling units per acre. Which meant that 'theoretically' speaking, by approving 125 units, the developer could potentially increase the height up to 250 dwelling units per acre. He proposed that the density should only be increase to 67.5 dwelling units per acre, once bonus points were added, the total increase would come to the same 125.

Ms. Stockham stated that an increase in density would have to come with 'cultural' amenities to be approved and that 125 was the density on all properties on the west side of 3rd Street. He asked if outreach had been done to the community. The applicant stated that they had not done community outreach and also stated that there was no intent to go above the 125 dwellings per unit.

Mr. Newcombe also commented on concerns over the lack of plans [development] and the outreach and asked staff if the Village Planning Committee (VPC) had anything to say. Ms. Stockham explained that the applicant made a presentation and VPC had a discussion, stating that they would prefer affordable housing. Mr. Newcombe stated that he was not as concerned about the increase in height.

Mr. Seaman stated that he was very reluctant regarding amending regulating plans, because that is exactly what was being proposed, and while the DTC may not be have been adapting to changes in intensity, a lot more information was needed for review for this precedent, especially since this was being done as an owner request. He stated that maybe it was time to review the changes [in the DTC] to see why this one site is more deserving than other areas which that could go through a similar path.

Mr. DePerro explained that the density change was specific to this site only and not to the whole of Townsend Park and that because of the DTC rezoning was not the recourse, only the change in the regulatory plans.

Chair Patton reiterated that while the buffer alley and density only applied to the developer parcel, the height increase applied to all of Townsend Park, and Mr. Seaman asked for verification regarding the height. Ms. Keating showed the proposed language showing the language change that would apply to all:

B. **Development Standards**
1. **Maximum Height**
a. *Main building:* Governed by the height map, Section 1202.C.
(1) Height bonus: ~~None.~~ MAXIMUM 30% INCREASE.

The Chair stated that the density request was an issue, it was a precedent, and this could come up again. He noted that a slightly more intense density than 67.5 would be acceptable, and he asked the committee for comments. Mr. Steblay stated that there was a precedent for 89 dwelling units per acre.

Mr. Newcombe noted that changes have occurred overtime in Downtown and that the Character Area may be different in the future but was in agreement with the density concerns. He also noted that the 89 dwelling units per acre had a lot of history on it. He wanted assurances that any increase would require separate sustainability bonus points. Mr. DePerro explained that you can't use the same bonus points for different requests, bonus points for height have to be different than those for the density, that you can't 'double dip'.

The committee looked at the Density Map to identify existing densities. The standard densities above 43.5 were 97 and 140. The committee felt that both were too high and that 97 was also due to a previous entitlement increase. Mr. Seaman reminded members that in order for a developer to double the density, they would have to achieve all bonus points to be approved, but that 89 dwelling units per acre could be the target number.

The Chair offered a motion: To approve all three requests with the exception of the request for density, to be adjusted from 125 to 89 dwelling units per acre. Mr. Seaman seconded.

Discussion: Mr. Steblay directed comments to staff by saying that changing an entire area and spot zoning to allow extra entitlement feels like circumventing the system and this could lead to others trying to pull the same thing. He asked staff to evaluate maps and heights, it did not feel good to give special treatment for an individual. Ms. Stockham and Ms. Keating addressed the concerns by stating that the evaluation also included other policies for guidance such as Reinvent Phoenix and place types.

Mr. Newcomb stated that in the future he would like to see the development plans to see where the 'rubbing' points were. The Chair stated that this case, as a model, felt like spot zoning.

Mr. Steblay, stated that for the record, he didn't like the way this was going, that they should look at a bigger picture. Mr. DePerro stated that as a city process, if someone wants to file a request, they can do it.

The motion to approve all three requests with the exception of the request for density to be adjusted from 125 to 89 dwelling units per acre was approved 4-0.

4. Committee Members announcements.

None.

5. Public comments concerning items not on the agenda. *Not for discussion or action.*

None

6. Identification of additional meeting dates and future agenda items.

None identified

7. Adjournment

The meeting adjourned at 3:51 pm.

For further information on this item please call **Vania Fletcher**, Planning & Development Department at **602-261-8664**. You may also visit our website for this and other public meeting notices and agendas: https://phoenix.gov/cityclerk/publicmeetings/notices.

Central City
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-7-19-8

Date of VPC Meeting	July 12, 2021
Request	Amend Section 1202 (Regulating Maps) of the Phoenix Zoning Ordinance to replace the Downtown Code maps to amend density provisions and buffer alleys in an area generally bounded by 3rd Street to 5th Street, and Willetta Street to McDowell Road and amend Section 1220 (Townsend Park) to allow for a height bonus at approximately 160 feet south of the southeast corner of 3rd Street and McDowell Road.
VPC Recommendation	Approval
VPC Vote	10-1

VPC DISCUSSION:

Committee members Chris Colyer and Wayne Rainey left during this item, bringing quorum to 11.

Sarah Stockham, staff, provided an overview of the three components of the text amendment request, reviewed the surrounding land uses and the proposed project.

Zach Burns asked why this request is a text amendment and not a variance. **Ms. Stockham** replied that the Downtown Code provides height and density limits in the form of the map and any request to amend the maps and/or the character area text is a text amendment.

Chair Rachel Frazier Johnson asked if staff or the applicant decides if their request constitutes a text amendment. **Ms. Stockham** replied that any request to change the text of the character area or update the maps is a text amendment.

Ryan Boyd asked if a future text amendment to the Downtown Code will impact this site. **Ms. Stockham** replied that she is not familiar with the specifics of any future text amendment and given that this request is site specific, it is doubtful that a larger text amendment would impact this site.

Brennan Ray, representing the applicant with Burch & Cracchiolo, introduced himself and the proposed 7-story, 85-foot tall project with 288 units with an overall density of 109 dwelling units per acre. Mr. Ray added that the alley would remain intact but the applicant will be proposing to abandon it and replace it with a public access easement, and the height bonus proposed would require the project to incorporate more amenities and enhance the building, and reviewed trip generation for the site.

Ryan Boyd asked if the applicant was planning on planting palm trees as shown in the rendering, why the applicant is not pursing a revocable permit for the alley instead of abandoning it, and why they are pursing this request which appears to be spot zoning rather than a larger overhaul for the character area.

Brennan Ray replied that the palm trees are part of the rendering, the site will be planted with trees appropriate for the area, the alley is different right-of-way than 2nd Street with the pedestrian bridge so they were directed to go the alley abandonment route, they are proposing to abandon the alley for their site only and record public access and utility easements, and changes to the Downtown Code maps are done through the text amendment process and density provisions perhaps should have been the same for the entire Townsend Park Character Area.

Eva Olivas asked how the request is site specific but will also impact the character area and asked for clarification on the Design Standards Committee's recommendation. **Brennan Ray** replied that the updates to the density and buffer alley maps are site specific and the request for a height bonus allows for sites within the character area to increase the allowable height by using bonus points. **Sarah Stockham**, staff, added that the Design Standards Committee recommended approval of the request with a modification that the allowable density be 89 dwelling units per acre to provide more of a transition and since the character area allows a 100 percent increase in density using bonus points the applicant could still achieve their allowable density with points.

Brennan Ray added that they hosted their neighborhood meeting and one neighbor attended and was supportive, and they have spoken with Mitchell Willard with the Urban Phoenix Project regarding the abandonment.

Motion:
Darlene Martinez motioned to recommend approval of Z-TA-7-19-8. **Patrick Panetta** seconded the motion.

Discussion:
Ryan Boyd shared that he was torn on the request but will be voting yes, and continued that he has a concern with the alley abandonment and the issue of spot-zoning, and that he is tired of requests to update the maps which seems to favor those who get to ask for them.

Eva Olivas agreed with Mr. Boyd's comments.

Vice Chair Nate Sonoskey shared that while the alley abandonment is contentious, it is difficult to get financing with the alley in place or with a revocable permit, and the abandonment is more practical.

Vote:
10-1, motion to recommend approval passed with Committee Members Boyd, Gonzalez, Johnson, Lockhart, Martinez, Olivas, Panetta, Starks, Sonoskey and R. Johnson in favor and Committee Member Burns opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:
None.

Attachment F

REPORT OF PLANNING COMMISSION ACTION
August 5, 2021

ITEM NO: 7	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-TA-7-19-8
Location:	Approximately 160 feet south of the southeast corner of 3rd Street and McDowell Road
Acreage:	2.10
Proposal:	Amend Section 1202 (Regulating Maps) of the Phoenix Zoning Ordinance to replace the Downtown Code maps to amend density provisions and buffer alleys in an area generally bounded by 3rd Street to 5th Street, and Willetta Street to McDowell Road and amend Section 1220 (Townsend Park) to allow for a height bonus.
Applicant:	Brennan Ray, Burch & Cracchiolo, P.A.
Owner:	JAG Development, et al.
Representative:	Brennan Ray, Burch & Cracchiolo, P.A.

ACTIONS:

Staff Recommendation: Approval, as shown in the recommended text In Exhibit A of the Staff Report.

Village Planning Committee (VPC) Recommendation:
Central City 7/12/2021 Approval, per the staff recommendation. Vote: 10-1.

Planning Commission Recommendation: Approval, per the Central City Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve Z-TA-7-19-8, per the Central City Village Planning Committee recommendation.

Maker: Howard
Second: Johnson
Vote: 7-0
Absent: Gorraiz and Magnum
Opposition Present: No

Findings:

The proposal maintains the transitional nature of the Townsend Park Character Area, situated between the Downtown Gateway, McDowell Corridor and East Evergreen Character Areas. Additional density and option for more height is warranted given the proposed development's proximity to the McDowell Road and Central Avenue light rail station. The proposal is in line with the adopted Major Urban Center place type of the TOD Strategic Policy Framework and the policies of the Downtown Phoenix Plan. The sustainability bonus option maintains the existing height transition in the Townsend Park Character Area and offers community benefits in

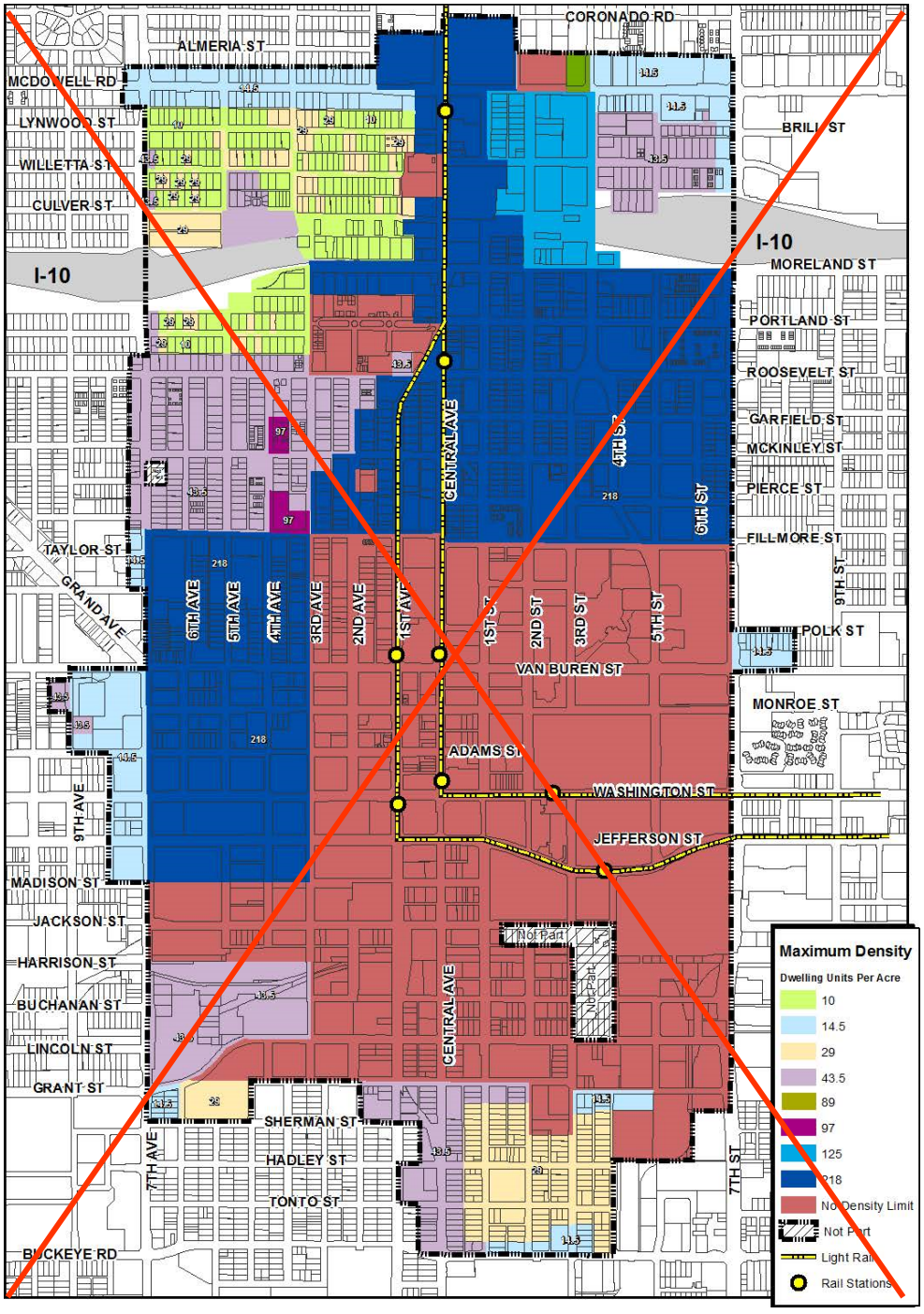
exchange for the option for additional height. The buffer alley removal is consistent with the existing uses and character of the area.

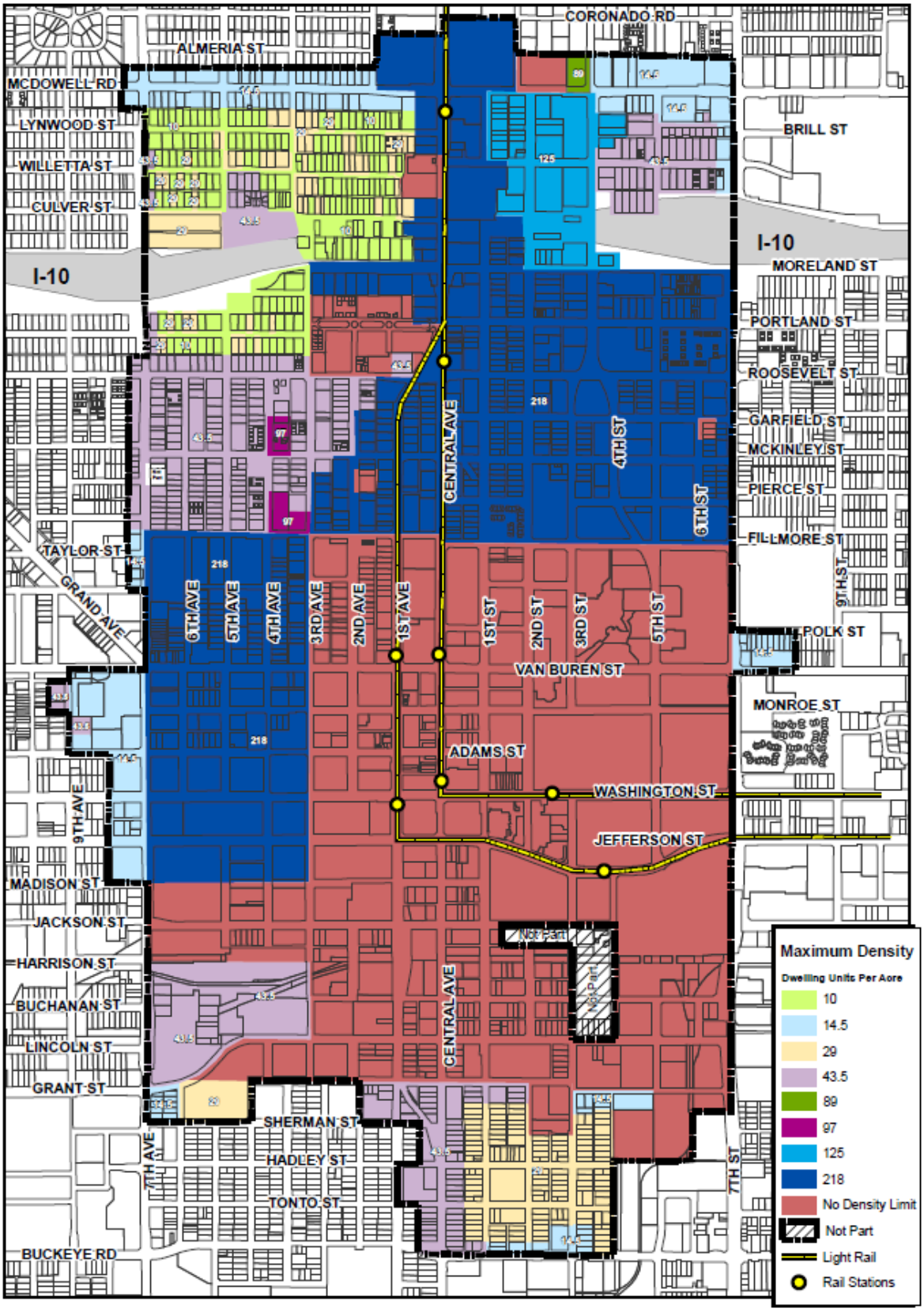
Proposed Language:

Amend Chapter 12, Section 1202 (Regulating Maps) by removing the old maps, and inserting new maps as follows:

***

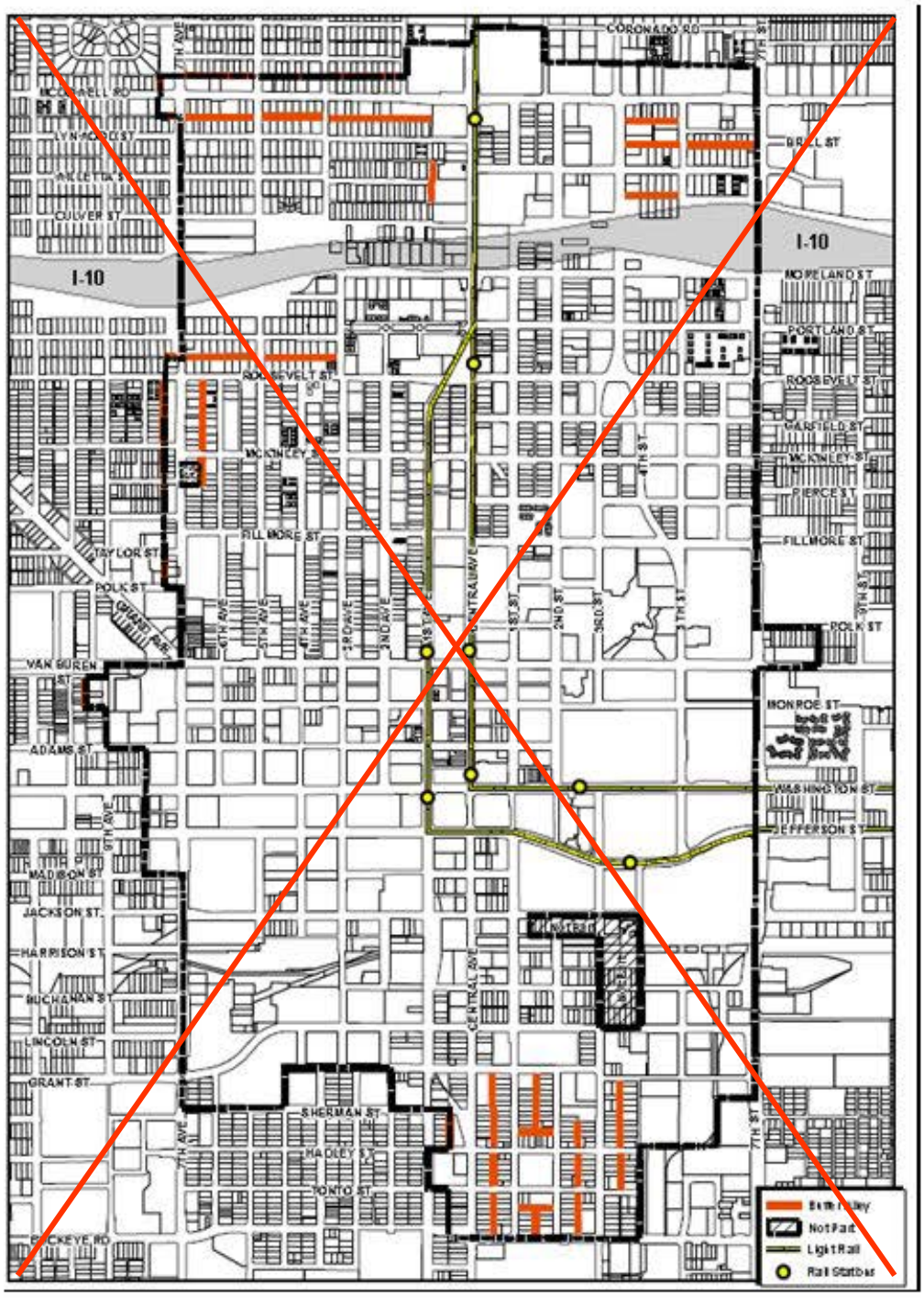
D. The density for any parcel in the Downtown Area shall not exceed the following unless a density bonus is allowed by the Character Area and approved by the Planning and Development Department staff or an appeal is approved by the Design Review Committee (DRC) pursuant to Section 1223 requirements:

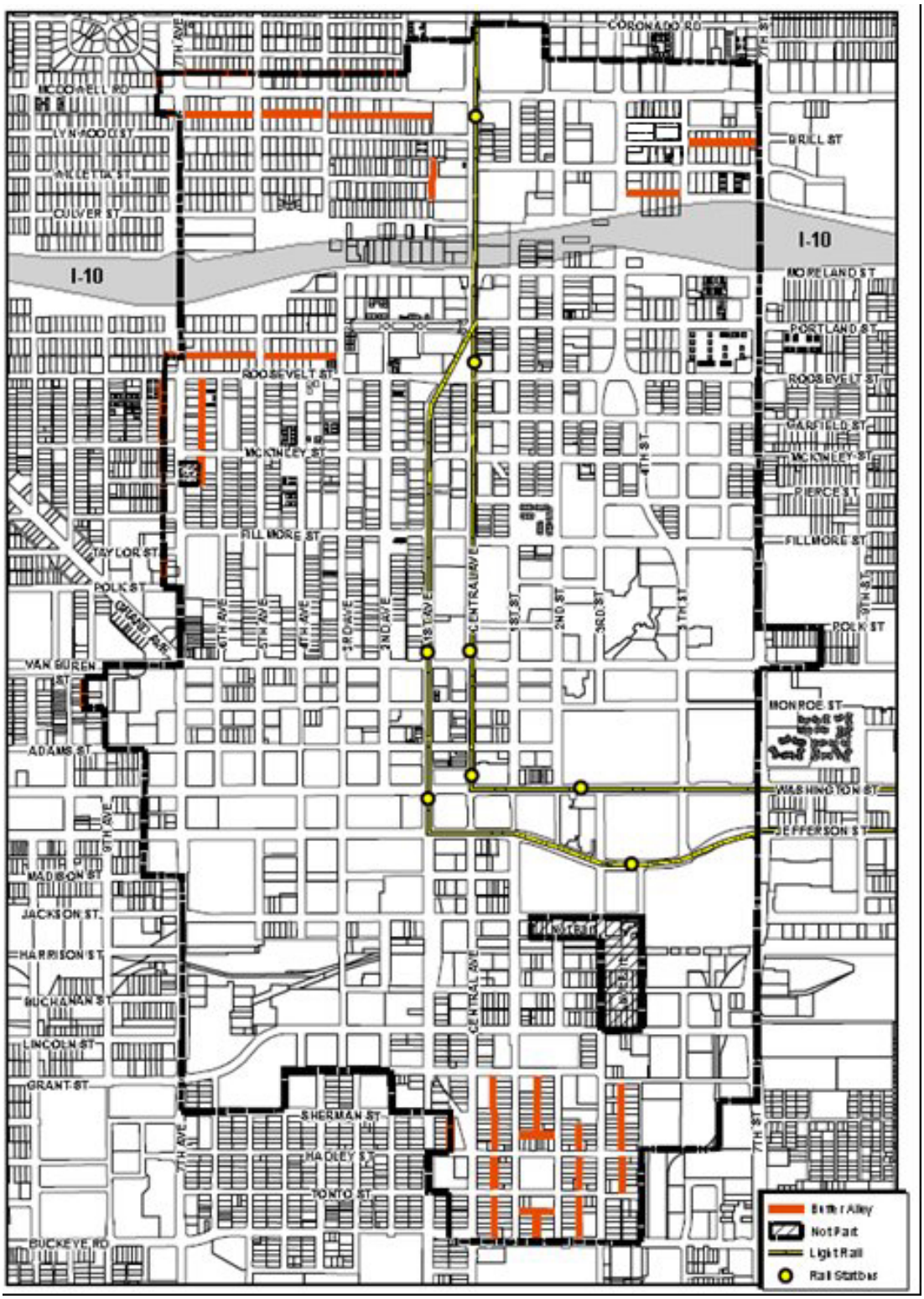



CORONADO RD
ALMERIA ST
MCDOWELL RD
LYNWOOD ST
WILLETTA ST
CULVER ST
I-10
BRILL ST
I-10
MORELAND ST
PORTLAND ST
ROOSEVELT ST
GARFIELD ST
MCKINLEY ST
PIERCE ST
FILLMORE ST
9TH ST
POLK ST
MONROE ST
TAYLOR ST
GRAND AVE
6TH AVE
5TH AVE
4TH AVE
3RD AVE
2ND AVE
1ST AVE
CENTRAL AVE
1ST ST
2ND ST
3RD ST
4TH ST
5TH ST
6TH ST
VAN BUREN ST
ADAMS ST
WASHINGTON ST
JEFFERSON ST
9TH AVE
MADISON ST
JACKSON ST
HARRISON ST
BUCHANAN ST
LINCOLN ST
GRANT ST
SHERMAN ST
HADLEY ST
TONTO ST
7TH AVE
7TH ST
BUCKEYE RD
Maximum Density
Dwelling Units Per Acre
10
14.5
29
43.5
89
97
125
218
No Density Limit
Not Part
Light Rail
Rail Stations

***

F. This map designates Buffer Alleys for which abutting properties must conform to the standards and guidelines outlined in Sections 1207.O and P:





***

Amend Chapter 12, Section 1220 (Townsend Park) to read as follows:

***

B. **Development Standards**

1. **Maximum Height**

a. *Main building:* Governed by the height map, Section 1202.C.

(1) Height bonus: ~~None.~~ MAXIMUM 30% INCREASE.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.

Attachment G

From:	Gary Bushkin
To:	Sarah Stockham
Cc:	Gary Bushkin; Gary Bushkin; Alan Werner
Subject:	Case No Z-TA-7-19
Date:	Wednesday, March 4, 2020 10:12:12 AM

Ms. Stockham,
I represent Bombastic Properties who is the owner of 319 E McDowell Rd, Phoenix, AZ 85004
I have also run our family business out of this building since 1997.

Please be advised that the proposal by LG Acquisitions to change the proposed Buffer Alley is unacceptable. We run an active warehouse at 319 E McDowell Road via the alley directly south of our building. We receive deliveries from large Semi-Trucks as well as ship thousands of books from our warehouse weekly. We not only can not have any changes to the alley, we are very concerned about any disruption during construction.

In addition, We do not feel changing the set backs on the project in any way is a good idea. The height of the building proposed certainly deserves the required city set back area for buffer.

Thank you,

Gary Bushkin

July 2, 2021

Case No. Z-TA-7, 19

To: City of Phx Planning and Development Dept. Zoning Section

To Whom It May Concern: I own two residential properties 331 E. Willetta St. (111-37-028) and 339 E. Willetta St. (111-37-029). I have no issues or problems with the future development of these sites I see it as a benefit to the community. The one issue I do have is currently on Willetta St. between 3rd. and 7th St. There is already a high volume of traffic that cuts through the residential street (Willetta St.) Often at speeds above the posted speed limit to get access to the I-10 freeway off of 7th St. With this new development taking place along with another future development at 5th St. and Willetta St. in the works. There is definitely going to be even more traffic in the future along Willetta St. A solution is to see installments of speed bumps on Willetta St. between 3rd St. and 7th St. To slow the speed of traffic that flows through to get to the freeway off of 7th St.

Thank you for your time

Hazel E. Leonard Trust
David C. Leonard (trustee)
dave.c.leonard@gmail.com
623-225-5813

mailing address to send correspondence

4421 S. Jackrabbit Trail
Buckeye, Az., 85326

CITY OF PHOENIX

JUL 08 2021

Planning & Development
Department

From: Ricki Horowitz
To: Sarah Stockham
Cc: Brennan Ray
Subject: Z-TA-7-19 The Townsend project: Support
Date: Thursday, June 17, 2021 8:08:25 AM

Sarah –

Please add to your file the support email below from one of our neighbors. Thanks. Ricki

---

From: Brian Tassinari <brian@willettapartners.com>
Sent: Wednesday, June 9, 2021 11:56 AM
To: Jacque Collard <jcollard@bcattorneys.com>
Subject: The Townsend project

Warning! This message was sent from outside your organization and we are unable to verify the sender.

Allow sender [nam02.safelinks.protection.outlook.com] | Block sender [nam02.safelinks.protection.outlook.com]

I just saw the notice for a neighborhood meeting on this project. As you can see from my address below, our office is just east of the proposed development. Please enter into the record that we support the zoning changes needed to build this project.

Best,

Brian

Brian Tassinari
Partner

WILLETTA
PARTNERS

516 E. Willetta Street | Phoenix, AZ 85004
602.903.6811 Main | 602.363.2627 Cell
brian@willettapartners.com [nam02.safelinks.protection.outlook.com] | willettapartners.com