



Agenda

City Council Formal Meeting

Wednesday, April 6, 2022

2:30 PM

phoenix.gov

*****REVISED April 5, 2022*****

Items Revised: 3, 81-82; Item Requested to be Continued: 83

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=e28adef4f9e391a32bb528c45282e3e2c>

- **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 2552 753 3455# (for English) or 2558 537 5091# (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 2558 537 5091#. 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 2558 537 5091#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

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| 7 | Liquor License - Fly Bye | District 2 - Page 26 |
| 8 | Liquor License - Humble Bistro | District 2 - Page 31 |
| 9 | Liquor License - California Fish Grill | District 6 - Page 36 |
| 10 | Liquor License - Torchy's Tacos | District 6 - Page 42 |
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REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

ADJOURN

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 4/6/2022, Item No. 1

For Approval or Correction, the Minutes of the Formal Meeting on June 3, 2020

Summary

This item transmits the minutes of the Formal Meeting of June 3, 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 Ginger Spencer and the City Clerk Department.

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 4/6/2022, Item No. 2

For Approval or Correction, the Minutes of the Special Formal Meeting on June 8, 2020

Summary

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

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

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 4/6/2022, Item No. *3

*****REVISED ITEM (SEE ATTACHED MEMO)*** 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
From: Mayor Kate Gallego

Date: April 6, 2022

Subject: REVISED* FOR ADD-ON BOARDS AND COMMISSIONS – APPOINTEES

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

Ahwatukee Foothills Village Planning Committee

I recommend the following for reappointment:

Alexander Benezra

Mr. Benezra is serving his fourth term to expire November 19, 2023.

Darin Fisher

Mr. Fisher is serving his first full term to expire November 19, 2023.

***Alhambra Village Planning Committee**

Councilman Sal DiCiccio recommends the following for appointment:

Marc Bonilla

Mr. Bonilla is the President and Chief Executive Officer of VIAONE Commercial Real Estate Group and a resident of District 6. He replaces Keith Ender for a term to expire November 19, 2023.

Encanto Village Planning Committee

I recommend the following for reappointment:

Ann Cothron

Ms. Cothron is serving her third term to expire November 19, 2023.

Jayson Matthews

Mr. Matthews is serving his third term to expire November 19, 2023.

Human Services Commission

I recommend the following for appointment:

Sheriolyn Curry

Reverend Curry is a Presiding Elder at the African Methodist Episcopal Church. She will serve as a Category II, Area C representative for a term to expire June 30, 2024.

Industrial Development Authority

I recommend the following for appointment:

Phil Gordon

Mr. Gordon is a resident of District 4. He replaces Tony Cani and will fulfill the remainder of his term to expire November 1, 2025.

North Gateway Village Planning Committee

I recommend the following for appointment:

Laura Franco French

Ms. Franco French is the Director of State Government Relations at Taiwan Semiconductor Manufacturing Company and a resident of District 6. She fills a vacancy for a partial term to expire November 19, 2022.

North Mountain Village Planning Committee

I recommend the following for reappointment:

Elizabeth Perez

Ms. Perez is serving her second term to expire November 19, 2023.

Rio Vista Village Planning Committee

Councilwoman Ann O'Brien recommends the following for appointment:

Hunter Perreira

Mr. Perreira is the Regional Safety Manager at The Berg Group and a resident of District 1. He fills a vacancy for a partial term to expire November 19, 2022.

Sister Cities Commission

I recommend the following for appointment:

Christopher Curtin

Mr. Curtin is the Director of Regulatory Affairs at Republic National Distributing Company of Arizona. He fills a vacancy for a term to expire April 6, 2025.

Amilyn Pierce

Ms. Pierce is the Vice President of Government Affairs at the Arizona Diamondbacks. She fills a vacancy for a term to expire April 6, 2025.



Liquor License - Padre Murphy's

Request for a liquor license. Arizona State License Application 182572.

Summary

Applicant

David Gill, Agent

License Type

Series 12 - Restaurant

Location

4338 W. Bell Road, Ste. 1-4

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 is April 24, 2022.

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.

Tim Finnegans (Series 12)
17045 N. 59th Ave., #103, Glendale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have completed Title 4 Basic & Manager training for the last 13 years. I currently hold a 12 license for another company I own."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

"We are a full service restaurant first! We have been serving the surrounding community for almost 30 years."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Padre Murphy's
Liquor License Map - Padre Murphy's

Responsible Department

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

Liquor License Data: PADRE MURPHY'S

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	51.45	0.31	0.53
Violent Crimes	9.65	0.45	0.63

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

Property Violation Data

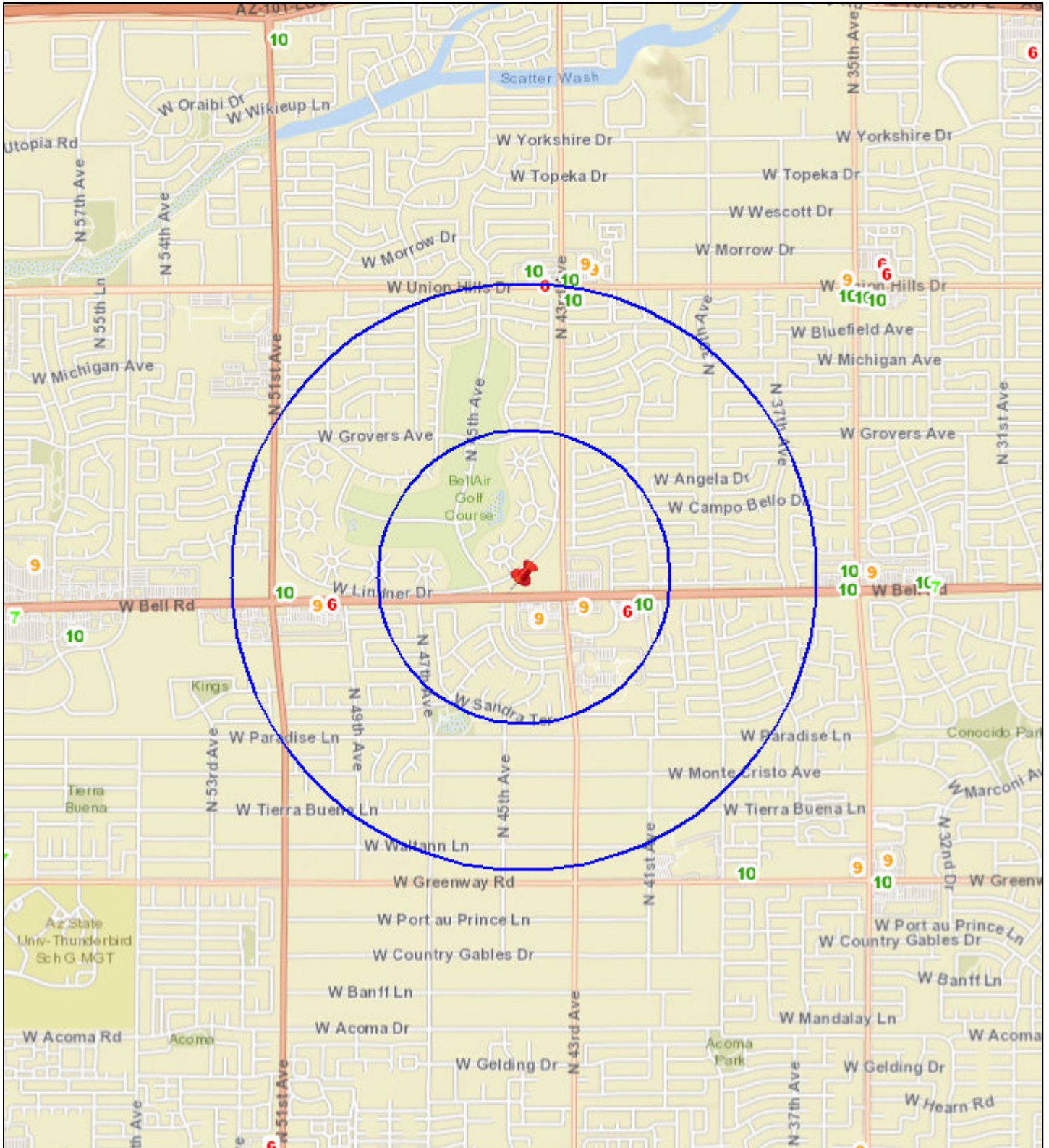
Description	Average	1/2 Mile Average
Parcels w/Violations	55	44
Total Violations	96	80

Census 2010 Data 1/2 Mile Radius

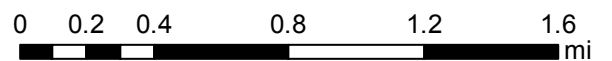
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1042251	1242	53 %	8 %	9 %
1042253	904	85 %	5 %	11 %
1042261	949	26 %	8 %	11 %
6181001	1795	84 %	3 %	7 %
6181003	1271	93 %	6 %	0 %
6183001	1982	94 %	7 %	9 %
Average		61 %	13 %	19 %

Liquor License Map: PADRE MURPHY'S

4338 W BELL RD



Date: 2/24/2022





Off-Track Pari-Mutuel Wagering Permit - Padre Murphy's

Request for an Off-track Pari-Mutuel Wagering Permit for a business that has a Series 12 liquor license.

Summary

State law requires City Council approval before a State Off-track Pari-Mutuel Wagering Permit can be issued. This request is for a permit for off-track betting on horse races conducted at Turf Paradise.

Applicant

David Johnson, Agent for TP Racing L.L.L.P.

Location

4338 W. Bell Road, Ste. 1-4

Zoning Classification: PSC

Council District: 1

Public Opinion

Public notice was posted at the proposed location and special notice letters were mailed to residents within a 1/8 mile radius of the proposed location. The comment period expired March 18, 2022. One letter protesting the issuance of this license has been received and is on file in the Office of the City Clerk. The letter is from Arizona Downs and states that Arizona Downs already has an existing lease and license for an OTB at that location that does not expire until 2024.

Staff Recommendation

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

Attachments

Off-Track Pari-Mutuel Wagering Permit Data - Padre Murphy's

Off-Track Pari-Mutuel Wagering Permit Map - Padre Murphy's

Responsible Department

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

Liquor License Data: PADRE MURPHY'S

Liquor License

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Bar	6	3	1
Liquor Store	9	4	3
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Restaurant	12	11	3

Crime Data

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*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

Property Violation Data

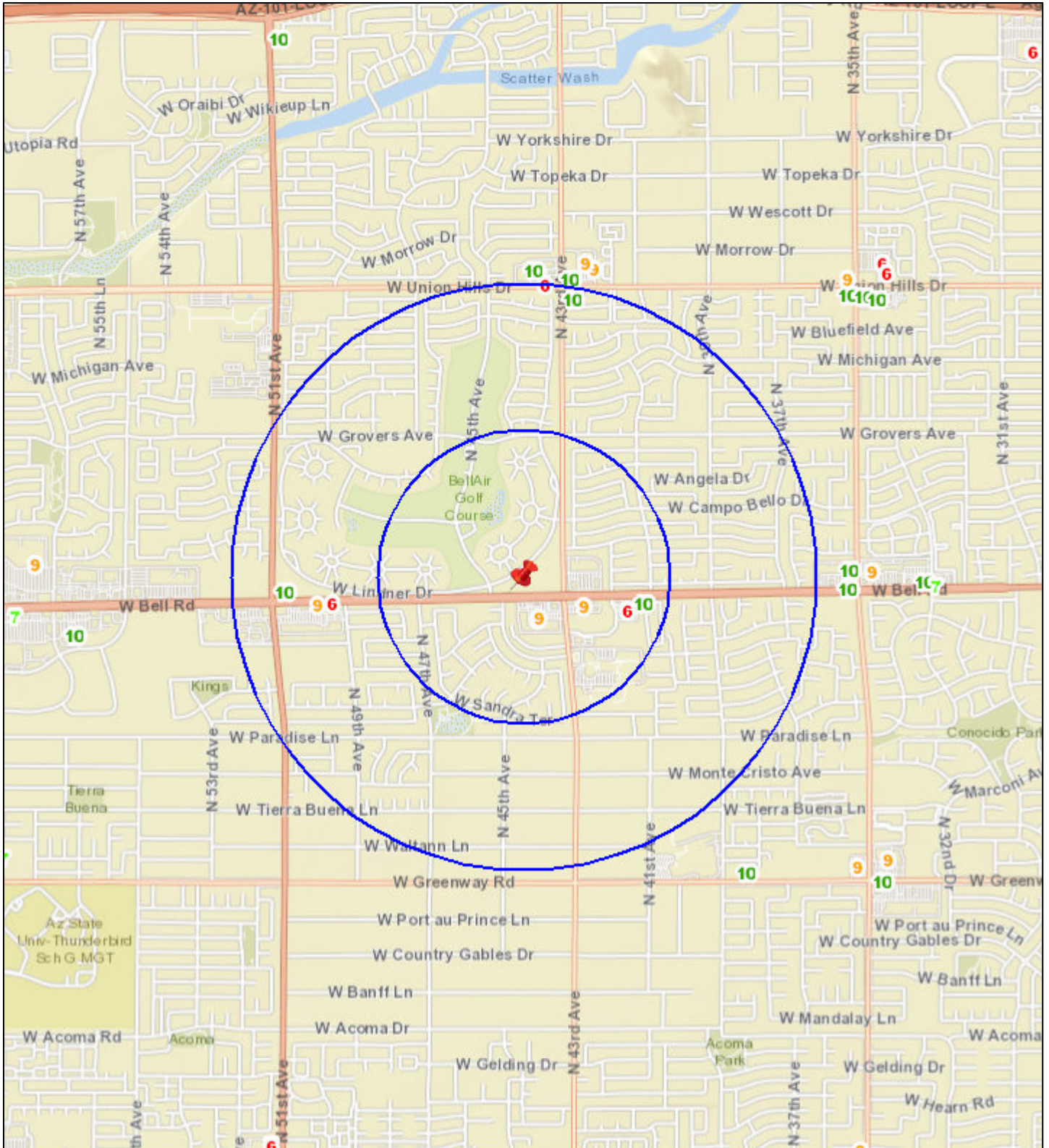
Description	Average	1/2 Mile Average
Parcels w/Violations	55	44
Total Violations	96	80

Census 2010 Data 1/2 Mile Radius

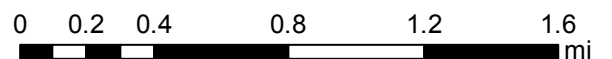
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1042251	1242	53 %	8 %	9 %
1042253	904	85 %	5 %	11 %
1042261	949	26 %	8 %	11 %
6181001	1795	84 %	3 %	7 %
6181003	1271	93 %	6 %	0 %
6183001	1982	94 %	7 %	9 %
Average		61 %	13 %	19 %

Liquor License Map: PADRE MURPHY'S

4338 W BELL RD



Date: 2/24/2022





Liquor License - Special Event - The Singletons

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

Summary

Applicant

Jody Boyd

Location

2832 E. Bell Road

Council District: 2

Function

Fundraiser

Date(s) - Time(s) / Expected Attendance

April 23, 2022 - 6 p.m. to 10 p.m. / 150 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Fly Bye

Request for a liquor license. Arizona State License Application 007070011537.

Summary

Applicant

Samuel Fox, Agent

License Type

Series 7 - Beer and Wine Bar

Location

21001 N. Tatum Blvd., Ste. 74-1557

Zoning Classification: C-2

Council District: 2

This request is for an ownership and location transfer of a liquor license for a beer and wine bar. 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 May 2022.

The 60-day limit for processing this application is April 12, 2022.

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:
"I am the founder of Fox Restaurant Concepts and have opened and operated more than 20 restaurants in Arizona over the last 24 years. I act as agent on many of these licenses and have taken the Arizona Department of Liquor recommended liquor service training."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We believe the public will enjoy a beer or a glass of wine with their Detroit style pizza and chicken tenders at Fly Bye, whether dining in or to-go."

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 - Fly Bye
Liquor License Map - Fly Bye

Responsible Department

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

Liquor License Data: FLY BYE

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	10	7
Beer and Wine Bar	7	3	2
Liquor Store	9	3	3
Beer and Wine Store	10	4	3
Hotel	11	1	0
Restaurant	12	30	27

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	37.04	97.87
Violent Crimes	9.21	2.04	5.41

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

Property Violation Data

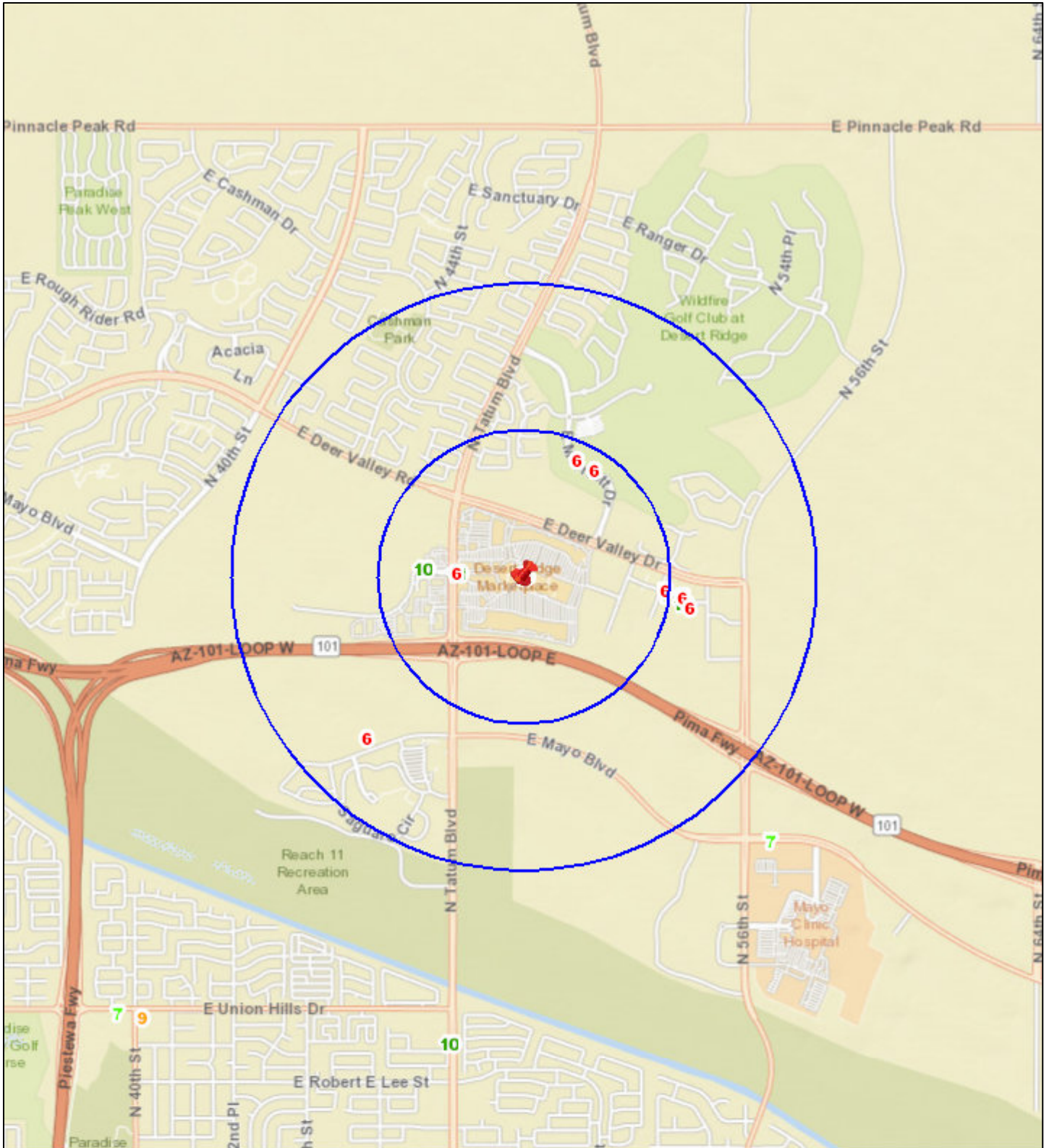
Description	Average	1/2 Mile Average
Parcels w/Violations	55	3
Total Violations	96	3

Census 2010 Data 1/2 Mile Radius

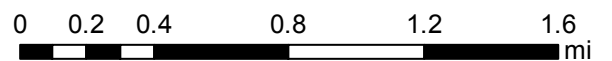
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6150003	344	8 %	38 %	5 %
6151001	1444	84 %	18 %	8 %
6152001	1993	8 %	29 %	12 %
6152002	2127	70 %	10 %	4 %
6152003	867	89 %	26 %	2 %
Average		61 %	13 %	19 %

Liquor License Map: FLY BYE

21001 N TATUM BLVD



Date: 2/15/2022





Liquor License - Humble Bistro

Request for a liquor license. Arizona State License Application 07070363.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 7 - Beer and Wine Bar

Location

5415 E. High St., Ste. 127

Zoning Classification: C-2 DRSP

Council District: 2

This request is for an ownership and location transfer of liquor license for a beer and wine bar. This location is currently licensed for liquor sales with a Series 12, Restaurant, liquor license. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption.

The 60-day limit for processing this application is April 13, 2022.

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.

Humble Bistro (Series 12)
5415 E. High St., Ste. 127, Phoenix
Calls for police service: 25
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Humble Bistro restaurant currently operates with a series 12 liquor license. Applicant would like to add a series 7 beer and wine bar liquor license to allow customers the opportunity to purchase beer and wines they enjoy at the restaurant for off-premises consumption as well. The restaurant will continue to offer its complete menu of homemade meals prepared with the freshest ingredients."

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 - Humble Bistro
Liquor License Map - Humble Bistro

Responsible Department

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

Liquor License Data: HUMBLE BISTRO

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	9	7
Beer and Wine Bar	7	3	2
Liquor Store	9	3	3
Beer and Wine Store	10	4	2
Restaurant	12	31	24

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	51.45	0.18	0.10
Violent Crimes	9.65	0.10	0

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

Property Violation Data

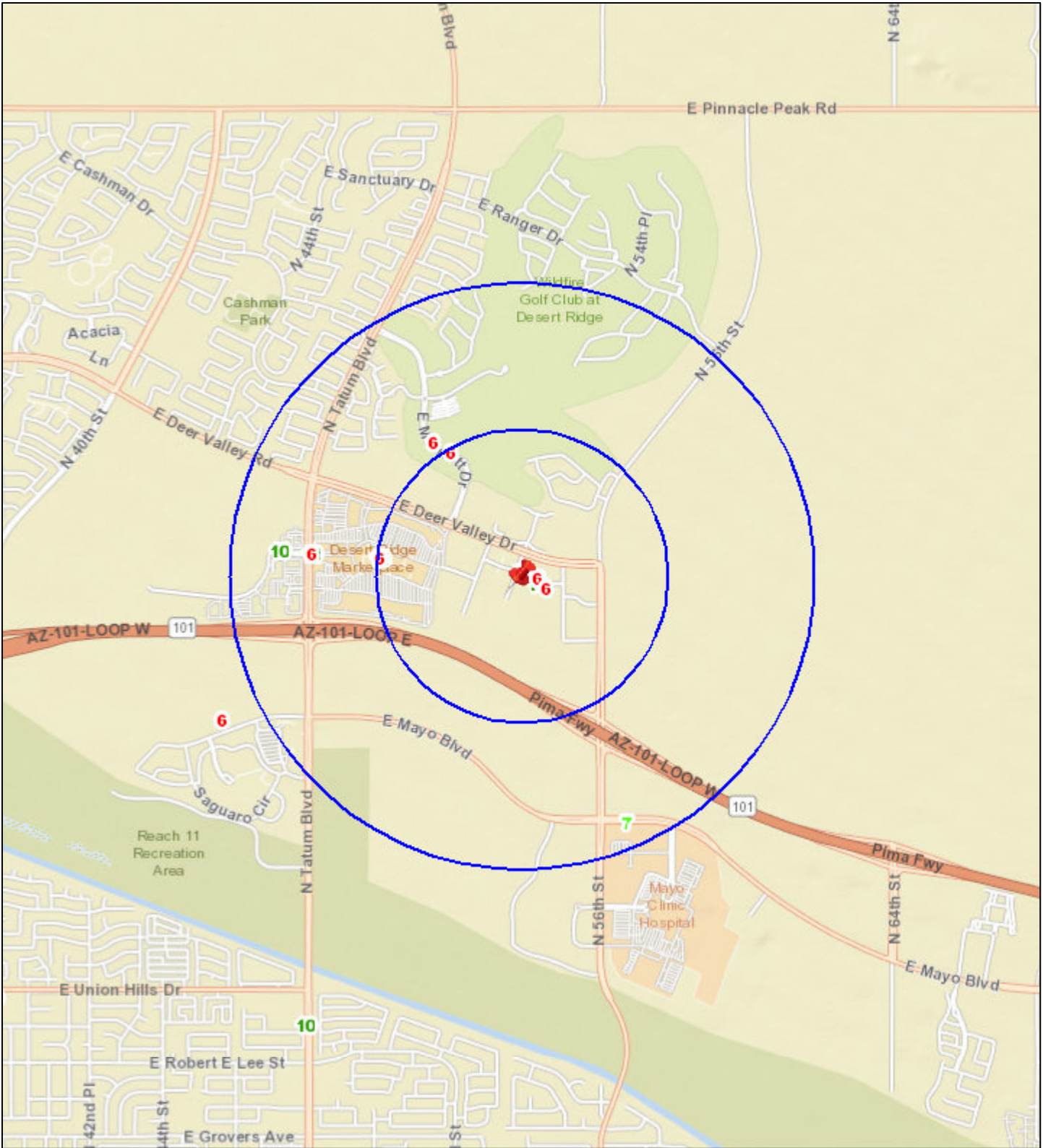
Description	Average	1/2 Mile Average
Parcels w/Violations	55	2
Total Violations	95	2

Census 2010 Data 1/2 Mile Radius

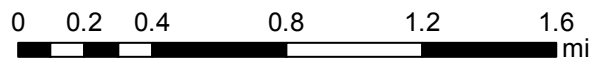
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6152001	1993	8 %	29 %	12 %
6152002	2127	70 %	10 %	4 %
Average		61 %	13 %	19 %

Liquor License Map: HUMBLE BISTRO

5415 E HIGH ST



Date: 3/9/2022



City Clerk Department



Liquor License - California Fish Grill

Request for a liquor license. Arizona State License Application 183525.

Summary

Applicant

Amy Nations, Agent

License Type

Series 12 - Restaurant

Location

1743 E. Camelback Road, Ste. A-5
Zoning Classification: PSC CEPCSP
Council District: 6

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

The 60-day limit for processing this application is April 10, 2022.

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.

California Fish Grill (Series 12)
1855 S. Stapley Drive, #101, Mesa
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"California Fish Grill currently owns and operates 46 restaurants in 3 states. This new location will be our 47th location and our 2nd restaurant in Arizona. They will operate with responsible alcohol services and employees will be trained to ensure compliance with all liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"California Fish Grill will be a new restaurant in the area and provide the neighboring community with a new option for dining out. We only sell seafood that is rated best choice or good alternative by the Monterey Bay Aquarium seafood watch program or Eco-Certified by a third party. All seafood offered on our menu is responsibly sourced. We believe our restaurant will be a good fit for our new neighborhood."

Staff Recommendation

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

Attachments

Liquor License Data - California Fish Grill
Liquor License Map - California Fish Grill

Responsible Department

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

Liquor License Data: CALIFORNIA FISH GRILL

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	2	2
Bar	6	4	1
Beer and Wine Bar	7	5	3
Liquor Store	9	5	4
Beer and Wine Store	10	13	6
Hotel	11	2	1
Restaurant	12	43	20

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	146.04	282.69
Violent Crimes	9.21	16.58	23.03

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

Property Violation Data

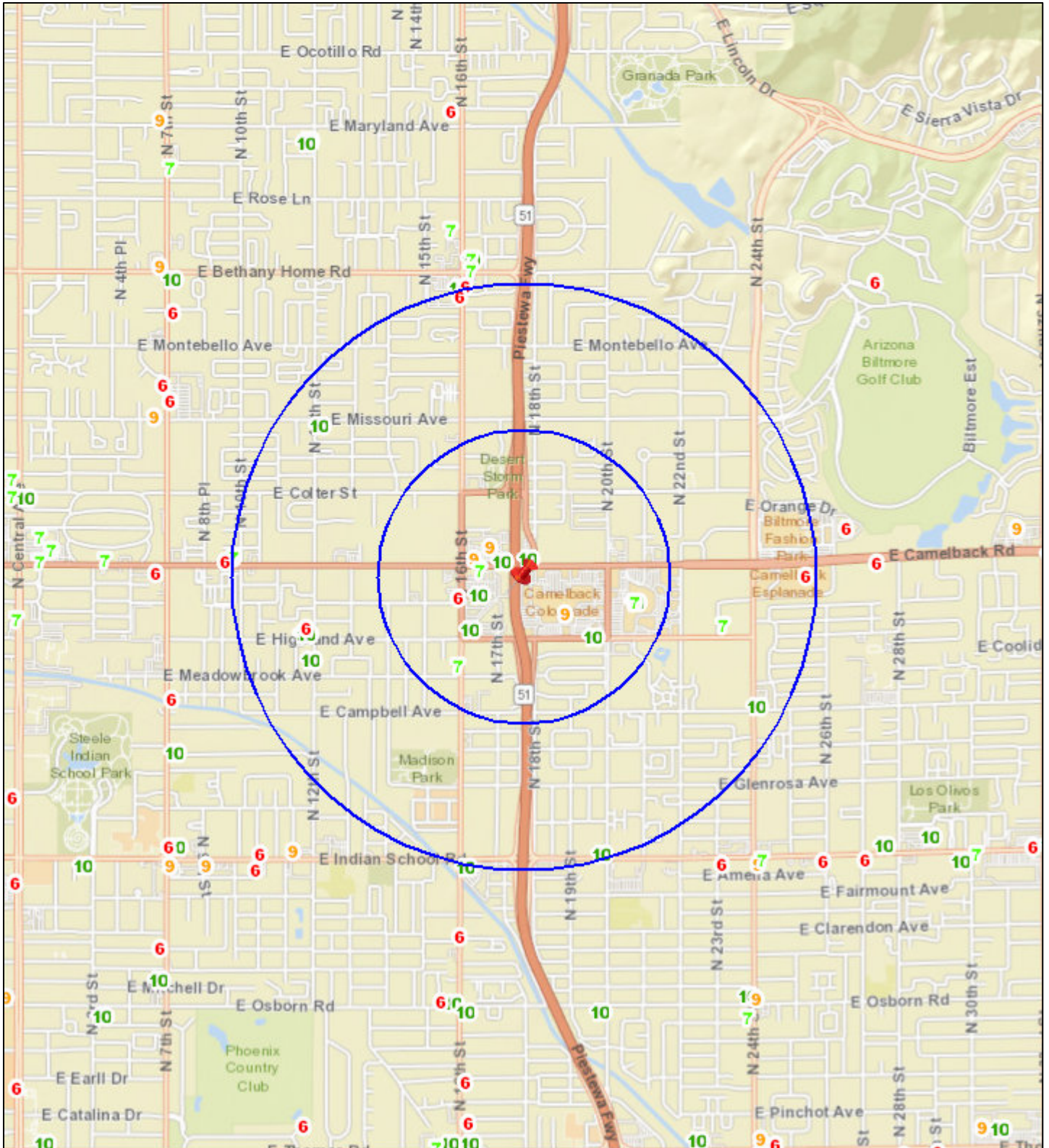
Description	Average	1/2 Mile Average
Parcels w/Violations	55	36
Total Violations	96	72

Census 2010 Data 1/2 Mile Radius

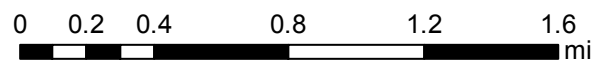
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1076022	1734	54 %	18 %	3 %
1077002	738	57 %	10 %	8 %
1077003	457	26 %	26 %	16 %
1077005	736	14 %	6 %	4 %
1085011	1023	33 %	6 %	13 %
1085012	1416	74 %	21 %	4 %
1085024	549	43 %	31 %	15 %
1086021	790	37 %	38 %	22 %
1086022	1187	11 %	25 %	52 %
Average		61 %	13 %	19 %

Liquor License Map: CALIFORNIA FISH GRILL

1743 E CAMELBACK RD



Date: 2/14/2022



City Clerk Department



Liquor License - Torchy's Tacos

Request for a liquor license. Arizona State License Application 181352.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

1935 E. Camelback Road, Ste. C-130

Zoning Classification: PSC

Council District: 6

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. This business has plans to open in June 2022.

The 60-day limit for processing this application is April 18, 2022.

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:
"Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"With over 90 locations across the United States, Torchy's Tacos is opening it's first location in Arizona. Torchy's Tacos is a casual family-friendly neighborhood restaurant featuring a variety of tacos made with fresh ingredients. Applicant would like to offer alcoholic beverages to guest 21 and over as an incident to the dishes served."

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 - Torchy's Tacos

Liquor License Map - Torchy's Tacos

Responsible Department

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

Liquor License Data: TORCHY'S TACOS

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	2	2
Bar	6	4	1
Beer and Wine Bar	7	4	3
Liquor Store	9	4	4
Beer and Wine Store	10	13	6
Hotel	11	2	1
Restaurant	12	40	20

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	51.45	1.56	3.60
Violent Crimes	9.65	0.95	2.01

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

Property Violation Data

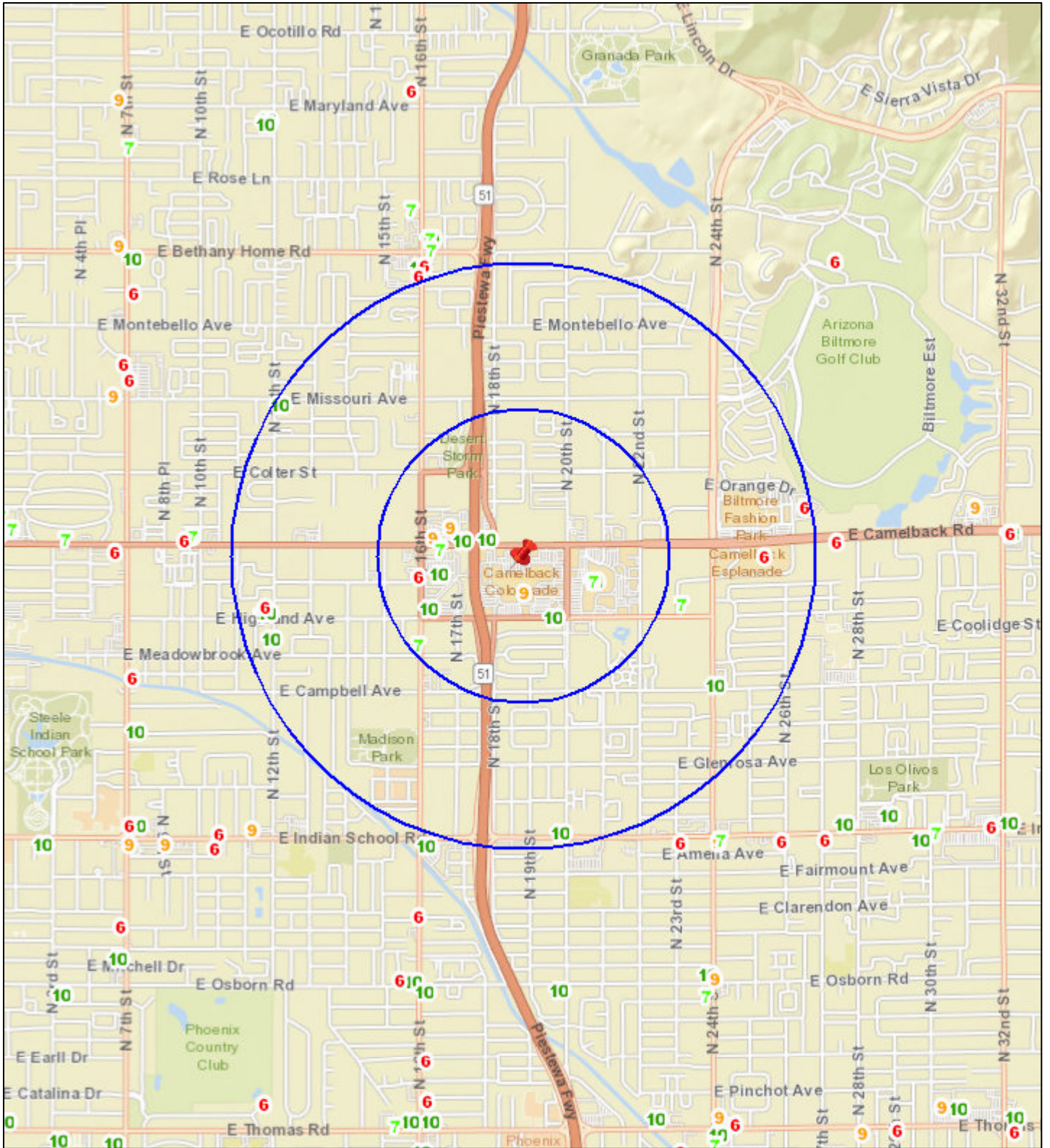
Description	Average	1/2 Mile Average
Parcels w/Violations	55	30
Total Violations	95	52

Census 2010 Data 1/2 Mile Radius

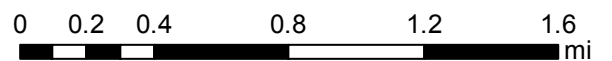
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1076022	1734	54 %	18 %	3 %
1077002	738	57 %	10 %	8 %
1077003	457	26 %	26 %	16 %
1077005	736	14 %	6 %	4 %
1085011	1023	33 %	6 %	13 %
1085012	1416	74 %	21 %	4 %
1085022	732	23 %	28 %	12 %
1085023	1475	42 %	20 %	7 %
1085024	549	43 %	31 %	15 %
1086021	790	37 %	38 %	22 %
1086022	1187	11 %	25 %	52 %
Average		61 %	13 %	19 %

Liquor License Map: TORCHY'S TACOS

1935 E CAMELBACK RD



Date: 2/18/2022





Liquor License - Angry Crab Shack Restaurant

Request for a liquor license. Arizona State License Application 012070011682.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 12 - Restaurant

Location

6360 S. 35th Ave.

Zoning Classification: C-2

Council District: 7

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

The 60-day limit for processing this application is April 18, 2022.

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:
“Angry Crab owns multiple locations throughout Arizona. We ensure our employees are Title 4 liquor law trained.”

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.

Responsible Department

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



Liquor License - Lom Wong/KHLA

Request for a liquor license. Arizona State License Application 184547.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 12 - Restaurant

Location

218 E. Portland St.

Zoning Classification: DTC-West Evans Churchill ACSBO

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 April 19, 2022.

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.

Oliver's Sophisticated Bean/Jobot (Series 12)
333 E. Roosevelt St., #100, Phoenix
Calls for police service: 27
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"We own and operate other establishments in the Phoenix area. We will continue to abide by Title 4 liquor law and ensure our employees have attend the training courses with ALIC."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This location was previously licensed. We want to continue to serve the neighborhood with a great place to enjoy their meal."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - Lom Wong/KHLA
Liquor License Map - Lom Wong/KHLA

Responsible Department

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

Liquor License Data: LOM WONG/KHLA

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	4	2
Government	5	9	4
Bar	6	42	13
Beer and Wine Bar	7	17	8
Liquor Store	9	4	2
Beer and Wine Store	10	13	4
Hotel	11	7	2
Restaurant	12	109	43
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	51.45	1094.77	1580.25
Violent Crimes	9.65	241.71	377.49

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

Property Violation Data

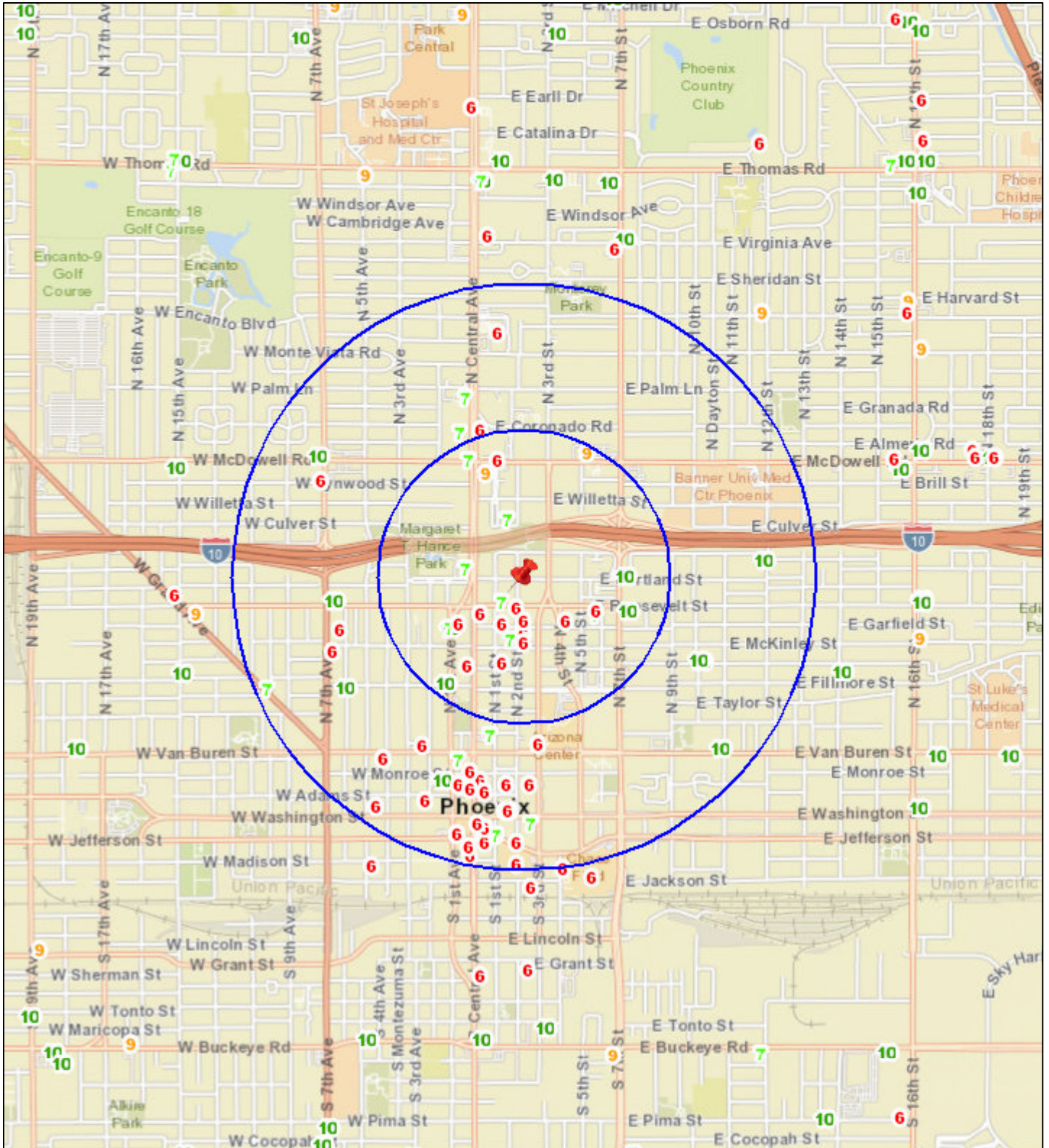
Description	Average	1/2 Mile Average
Parcels w/Violations	55	107
Total Violations	96	174

Census 2010 Data 1/2 Mile Radius

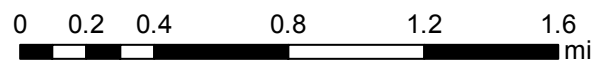
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1118002	1030	67 %	9 %	17 %
1118004	671	62 %	6 %	6 %
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131001	1015	7 %	8 %	28 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031	1473	30 %	20 %	57 %
1132032	638	28 %	7 %	70 %
Average		61 %	13 %	19 %

Liquor License Map: LOM WONG/KHLA

218 E PORTLAND ST



Date: 2/23/2022



City Clerk Department



Liquor License - HC Dining

Request for a liquor license. Arizona State License Application 181594.

Summary

Applicant

Alex Li, Agent

License Type

Series 12 - Restaurant

Location

504 E. Roosevelt St., Ste. 1

Zoning Classification: DTC - East Evans Churchill

Council District: 8

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

The 60-day limit for processing this application is April 8, 2022.

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.

Killer Whale Sex Club (Series 6)
922 N. 6th St., Phoenix
Calls for police service: 8
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:
“Our group has the business acumen and financial means to manage and support our proposed project on Roosevelt Row. Our group has a background in managing similar projects and currently operate another business on Roosevelt Row. We intend to do our best to adhere to the rules and regulations set in place by the City of Phoenix, County of Maricopa and State of Arizona.”

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“The license will be used to operate a restaurant and bar concept in a currently empty building unit. We hope that opening more hospitality concepts in Roosevelt Row will drive more people and revenue into the community. The space is currently sitting empty, and we believe a restaurant and lounge will help liven up the community with additional options for food and entertainment.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - HC Dining
Liquor License Map - HC Dining

Responsible Department

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

Liquor License Data: HC DINING

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	4	2
Wholesaler	4	1	0
Government	5	8	3
Bar	6	45	12
Beer and Wine Bar	7	15	6
Liquor Store	9	4	0
Beer and Wine Store	10	12	5
Hotel	11	8	4
Restaurant	12	105	40
Club	14	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	48.77	167.64	253.07
Violent Crimes	9.21	40.18	52.76

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

Property Violation Data

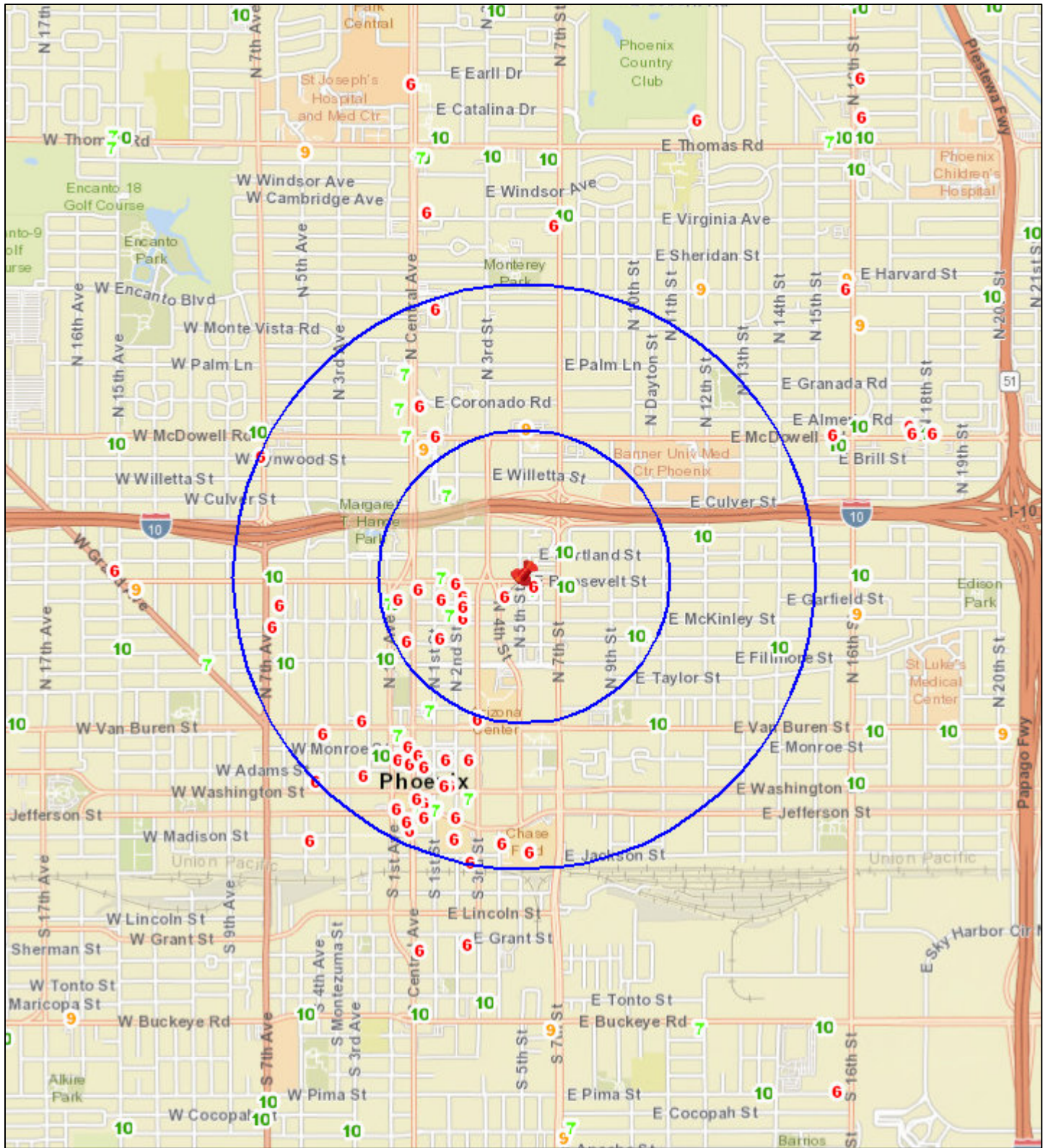
Description	Average	1/2 Mile Average
Parcels w/Violations	56	133
Total Violations	96	222

Census 2010 Data 1/2 Mile Radius

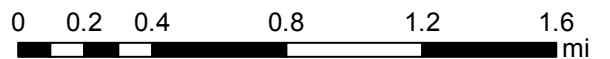
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1117003	1057	64 %	2 %	10 %
1118004	671	62 %	6 %	6 %
1130001	1218	23 %	16 %	11 %
1130002	873	29 %	21 %	38 %
1131002	1242	3 %	7 %	33 %
1132021	731	33 %	20 %	74 %
1132022	1257	47 %	29 %	55 %
1132031	1473	30 %	20 %	57 %
1132032	638	28 %	7 %	70 %
Average		61 %	13 %	19 %

Liquor License Map: HC DINING

504 E ROOSEVELT ST



Date: 2/11/2022





Liquor License - R & F Liquor

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

Summary

Applicant

Steve Delly, Agent

License Type

Series 9 - Liquor Store

Location

4727 E. Southern Ave.

Zoning Classification: C-2

Council District: 8

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

The 60-day limit for processing this application is April 18, 2022.

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 was filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and the 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: "This location has been owned and operated by our family for 24 years. We have always followed Arizona liquor laws and have never had any problems. We have proven ourselves to be good conscience business owners."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

"Being in business at this location for so long our neighbors and the local community have become our regular patrons. Our neighbors know we operate a reputable business with fair prices."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Liquor License Data - R & F Liquor

Liquor License Map - R & F Liquor

Responsible Department

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

Liquor License Data: R & F LIQUOR

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	51.45	2.78	10.08
Violent Crimes	9.65	1.43	3.92

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within 1/2 mile radius

Property Violation Data

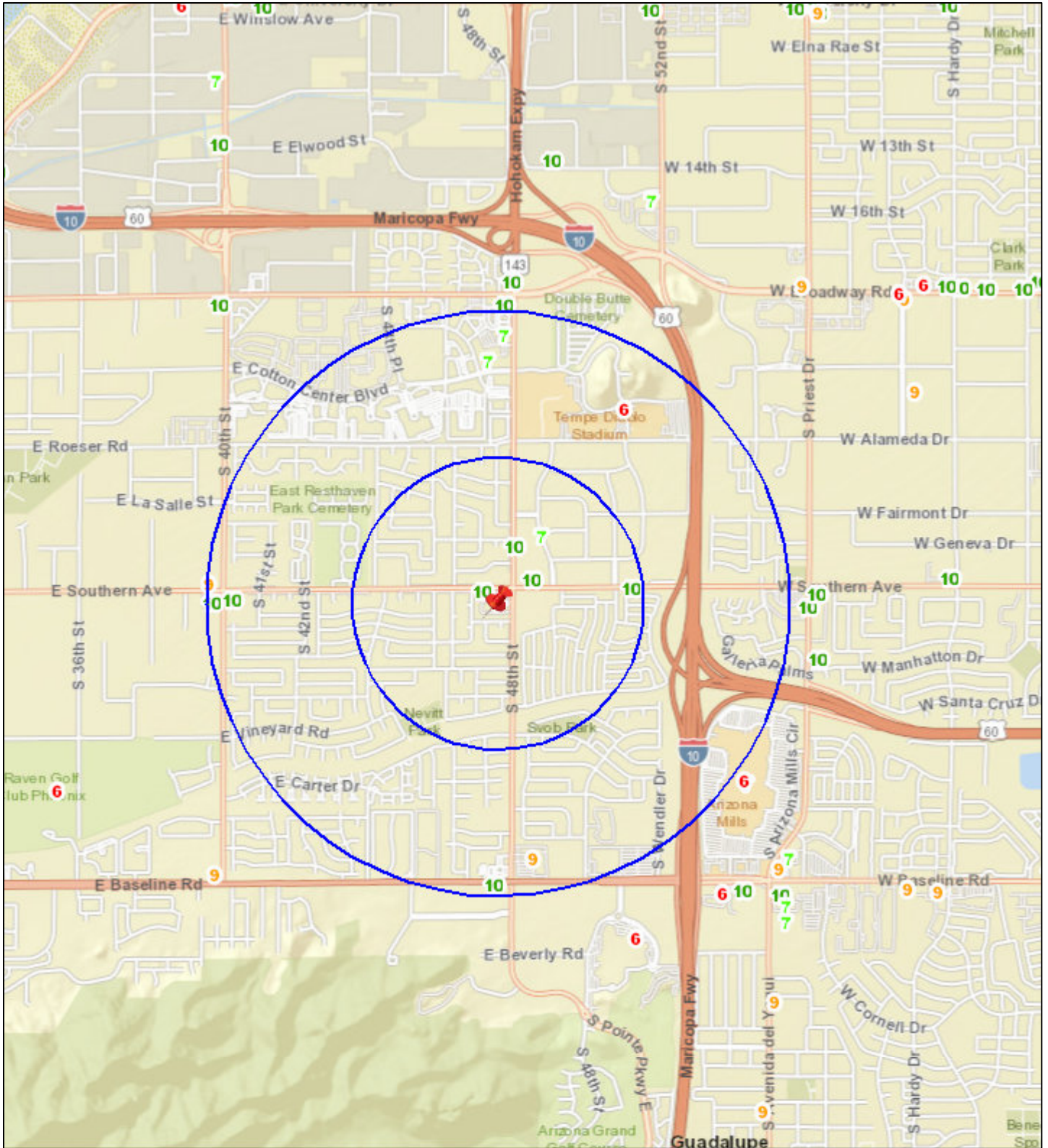
Description	Average	1/2 Mile Average
Parcels w/Violations	55	97
Total Violations	95	142

Census 2010 Data 1/2 Mile Radius

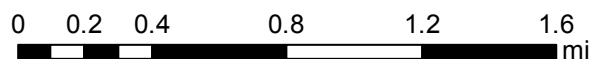
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1162021	1187	94 %	0 %	39 %
1162022	1836	62 %	0 %	20 %
1162023	1215	57 %	6 %	37 %
1162041	1426	79 %	6 %	24 %
1162042	1819	57 %	0 %	32 %
1162043	535	59 %	24 %	8 %
1162052	1024	85 %	4 %	26 %
3197031	1479	51 %	11 %	13 %
3197032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

Liquor License Map: R & F LIQUOR

4727 E SOUTHERN AVE



Date: 3/4/2022





PAYMENT ORDINANCE (Ordinance S-48449) (Items 15-25)

Ordinance S-48449 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.

15 American Association of Airport Executives

For \$250,000.00 in payment authority for 2022-23 American Association of Airport Executives (AAAE) Enterprise membership dues for the Aviation Department. AAAE membership will provide industry-specific professional development training and certification programs for employees to ensure Aviation Department staff are current on issues affecting the industry. AAAE also advocates on behalf of airports to prevent shifting of costs and federal responsibilities to airports, ensuring that unfunded mandates are not imposed. AAAE provides important information, alerts, updates and insight on legislation and proposed regulations, security policy, and congressional hearing reports that position the Aviation Department to proactively represent issues important to the City of Phoenix and our region.

16 Daniel David Yockey doing business as D3 Concepts LLC

For \$10,973.00 in payment authority to purchase the TAC-HUB, Electronic Target Shooting System, for the Police Department. The system includes 10 Targets, one Gateway, one Android Tablet, 40 LED leads, and 40 consumable LEDs. It is the most advanced and connected live-fire training system available with LED feedback and an innovative app. The system will be used by the Firearms Training Detail to provide

specialized training, improve shooting skills, and produce real-time decision-making with live fire. Currently, the Firearms Training Detail does not have a target system capable of providing this level of training.

17 **WS Acquisition, LLC doing business as Western Shelter Systems**

For \$18,285.00 in payment authority to purchase a WSXE1200 Heating Ventilation and Air Conditioning unit for the City of Phoenix Fire Department. The unit utilizes a remote thermostat for automatic operation. It is completely self-contained and portable. The system is critical to City emergency response operations as it will be used to establish a climate-controlled shelter if a catastrophic event occurred. The unit may be used for additional purposes, such as during command post activities for large-scale special events as well.

18 **Principal Bank**

For \$130,000.00 in payment authority from Feb. 22, 2022, through Feb. 21, 2027, for custodian services for the Medical Expense Reimbursement Plan Trust Fund and the Long-Term Disability Trust Fund and Risk Management Self Insurance Trust Fund for the Finance Department. The custody service will provide the setup and maintain separate custody platforms for each trust fund, and will include safeguarding investments, short-term investment of un-invested cash, clearing of transactions and other services deemed necessary for the proper and efficient handling of the assets of each trust fund. The services will be paid from the applicable trust funds for each contract.

19 **CyberSource Corporation**

For \$120,000.00 in additional payment authority for Contract 97062 through June 30, 2027, to continue to provide internet-based electronic credit card payment processing support services for the Finance and Information Technology Services departments. The CyberSource eCommerce solution provides one of the primary technologies for processing credit card payments for City services. Additional payment authority is needed for the annual payment of services over the next five years, which are critical to the continuation of an electronic payment solution for residents and businesses.

20 Arizona Blue Stake, Inc. doing business as Arizona 811

For \$25,000.00 in additional payment authority for Contract 144146 through Nov. 30, 2023, for Arizona 811 Associate Membership for Right-of-Way Excavation Notification Services for the Information Technology Services (ITS) Department. The contract provides ITS with a computer system to receive notifications of excavation activity within the geographic area in which the City owns and operates underground facilities. Per State law A.R.S. 40-360.21-32, participation in this program is a legal requirement for all underground facility owners-operators with the right to bury underground facilities in the right-of-way. Failure to receive excavation notices may result in damages to the City-owned fiber optic cables, which can lead to service outages to the City's internal and external customers who currently use underground communication cables for voice, data, and video service.

21 QCM Technologies, Inc.

For \$413,730.00 in payment authority to purchase IBM software and support for the Information Technology Services Department. The licensing and support renewal is needed for the ongoing licensing and maintenance of the technology infrastructure supporting SAP, for the City's financial and procurement system.

22 Global Music Rights, LLC

For \$10,000.00 in payment authority to purchase annual music licenses for the Parks and Recreation Department. The license allows copyrighted music to be performed publicly at various City parks and events in compliance with the non-dramatic public performances of copyrighted works. The license is for the 2022 calendar year.

23 Degan Construction, LLC

For \$250,000.00 in additional payment authority for Agreement 154399, for Change Order 1 of Project ST83140081 for the Palm Lane Storm Drain: 28th Place to 32nd Street project for the Street Transportation Department. The change order is for bid items that were not captured in the original bid. It provides for additional services including traffic control devices, construction survey and layout, and an allowance for extra work and Storm Water Pollution Prevention Best Management Practices. The

project uses Street Transportation Department's Capital Improvement Program budget and State Aid.

24 Union Pacific Railroad Company

For \$21,729.42 in payment authority to provide on-call design and engineering services for the Street Transportation Department. The services are needed for inspection and to ensure continuity of railroad operations during the Seventh Street Bridge Bearing Pad Replacement project. The payment will cover all costs associated with the project on-call engineering services.

25 Allterra Central, Inc.

For \$35,376.00 in payment authority to purchase surveying equipment for the Street Transportation Department. The equipment is required to complete the City's Continuously Operating Reference Station monuments to be built in three proposed locations within the City of Phoenix. The stations will allow staff to easily update the City's surveying height benchmarks and the City's horizontal positioning.



Authorization to Sell a Strip of City-owned Land Bifurcated from 2121 N. 83rd Ave., South of an Irrigation Ditch (Ordinance S-48450)

Request to authorize the City Manager, or his designee, to sell a strip of City-owned land bifurcated from 2121 N. 83rd Ave., south of an irrigation ditch, via direct sale to the adjacent property owner. Additionally request to authorize the City Treasurer to accept all funds related to this item.

Summary

The strip of land to be sold is along the southern property boundary of the Ak Chin Pavilion outdoor concert venue located at 2121 N. 83rd Ave. and is bifurcated from the improved site by an irrigation ditch. The Parks and Recreation Department received approval from the Parks and Recreation Board on Oct. 28, 2021, to sell directly to Wiley Baker Farms Limited Partnership, an Arizona Limited Partnership, its successors, and assigns ("Purchaser"). The strip of land contains approximately 25,197 square feet adjacent to the Wiley Baker Farm located at 8002 W. McDowell Rd. and is within a gate owned by the Purchaser. The Purchaser is currently maintaining the strip of land.

The City and Purchaser will enter into an agreement for the purchase and sale of City-owned property, containing terms and conditions deemed necessary and appropriate by the City. The land will be conveyed by special warranty deed, with the purchase price based on a valuation of the land. The Purchaser will pay all closing costs, including the cost of a survey. The land will be sold subject to all existing easements and encumbrances.

Financial Impact

Revenue will be reflective of the market value of the property.

Concurrence/Previous Council Action

The Parks and Recreation Department received approval from the Parks and Recreation Board on Oct. 28, 2021.

Location

2121 N. 83rd Ave., within the southern boundary of Maricopa County Assessor parcel

number 102-37-009.
Council District 5

Responsible Department

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



Authorization to Acquire Easements from Roosevelt Irrigation District at 99th Avenue and McDowell Road (Ordinance S-48461)

Request to authorize the City Manager, or his designee, to acquire easements from the Roosevelt Irrigation District (RID) at 99th Avenue and McDowell Road. Further request authorization for the City Controller to disburse, and for the City Treasurer to accept, all funds related to this item.

Additionally request the City Council grant an exception pursuant to Phoenix City Code §42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code §42-18 as RID's form documents include such provisions.

Summary

Acquisition of easements over the RID canal is required for access from 99th Avenue and from McDowell Road to private property located at the northeast corner of the canal. All costs related to this acquisition will be borne by the developer with no costs to the City.

The property impacted by this acquisition is RID canal right-of-way located approximately 144 feet east of 99th Avenue and along the north side of McDowell Road.

Location

Northeast corner of 99th Avenue and McDowell Road.
Council District: 5

Responsible Department

This item is submitted by City Manager Jeffrey Barton and Deputy City Manager Ginger Spencer and the Community and Economic Development and Finance Departments.



Acceptance of Easement for Drainage Purposes (Ordinance S-48468)

Request for the City Council to accept easement for drainage purposes; further ordering the ordinance recorded.

Summary

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

Easement (a)

Applicant: Allero 59, LLC, its successor and assigns

Purpose: Drainage

Location: 5821 W. McDowell Road.

File: FN 210130

Council District: 4

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development and Finance departments.



Acceptance and Dedication of Easements and a Deed for Public Utility, Roadway and Sidewalk Purposes (Ordinance S-48475)

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

Easement (a)

Applicant: Allero 59, LLC, its successor and assigns

Purpose: Sidewalk

Location: 5821 W. McDowell Road.

File: FN 210130

Council District: 4

Easement (b)

Applicant: A5 Residential LLC, its successor and assigns

Purpose: Public Utility

Location: 2746 W. Pima St.

File: FN 220007

Council District: 7

Deed (c)

Applicant: A5 Residential LLC, its successor and assigns

Purpose: Roadway

Location: 2746 W. Pima St.

File: FN 220007

Council District: 7

Easement (d)

Applicant: Chamberlain Development, L.L.C., its successor and assigns

Purpose: Sidewalk

Location: 3939 W. Buckeye Road.

File: FN 220011

Council District: 7

Responsible Department

This item is submitted by the Deputy City Manager Alan Stephenson and the Planning and Development and Finance departments.



Amendments to Classification Plan S-5815 in Accordance with Human Resources Committee 613 Recommendations (Ordinance S-48488)

As part of a classification and compensation study, the following amendments to the Classification Plan [S-5815] are proposed in accordance with the recommendation of Human Resources Committee 613, effective April 18, 2022. The proposal will also require modifications to the City's Pay Ordinance [S-47689] which will be processed under a separate ordinance.

Establish the classification of General Apprentice - U2 (NC), Job Code 00020, Salary Plan 200, Grade 290 (\$15.00 - \$35.00/hourly), Benefit Category 002, Labor Unit Code: 002, EEO-4 Category: Technicians, FLSA Status: Nonexempt.

Establish the classification of General Apprentice - U3 (NC), Job Code 00030, Salary Plan 300, Grade 390 (\$15.00 - \$35.00/hourly), Benefit Category 003, Labor Unit Code: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt.

Establish the classification of General Apprentice - U7 (NC), Job Code 00070, Salary Plan 700, Grade 090 (\$15.00 - \$35.00/hourly), Benefit Category 007, Labor Unit Code: 007, EEO-4 Category: Administrative Support, FLSA Status: Nonexempt.

Summary

BACKGROUND

On Nov. 17, 2021, at the recommendation of Human Resources Committee 611, City Council approved a new model for apprenticeships, using a generic classification and an open range without steps. Specifically, General Apprentice-U1 was established at that time. This model allows for the classification and salary range to be used by a variety of disciplines within the unit, and the specific rates of pay for the apprentices, as they progress through the program, to be developed in partnership between Classification/Compensation and the Apprenticeship Committee. To date, Solid Waste Equipment Operator Apprentice and Street Maintenance Apprentice have been established within General Apprentice-U1.

The success of this model has prompted adding General Apprentice classifications for Units 2, 3, and 7, so that apprenticeships can be established within these units should the need arise.

CONCLUSIONS

Creating General Apprentices-U2, U3, and U7 will improve recruiting efforts and help create a pipeline of skilled workers that have learned a job specifically as it is done at the City of Phoenix. It will also serve the community by creating the opportunity to generate income while learning new skills. And finally, it will allow participants to earn progressively increasing wages as skills are learned, and provide well-paying, well-benefitted jobs with the City, upon successful completion of the apprenticeship.

Financial Impact

There are no budgetary impacts associated with these actions.

Concurrence/Previous Council Action

This action was reviewed and recommended for approval by Human Resources Committee 613 on March 3, 2022.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the Human Resources Department.



Amendments to Pay Ordinance S-47689 in Accordance with Human Resources Committee 613 Recommendations (Ordinance S-48489)

As part of a classification and compensation study, the following amendments to the Pay Ordinance [S 47689] are proposed in accordance with the recommendation of Human Resources Committee 613, effective April 18, 2022. The proposal will also require modifications to the City's Classification Plan [S-5815], which will be processed under a separate ordinance.

Establish the classification of General Apprentice - U2 (NC), Job Code 00020, Salary Plan 200, Grade 290 (\$15.00 - \$35.00/hourly), Benefit Category 002, Labor Unit Code: 002, EEO-4 Category: Technicians, FLSA Status: Nonexempt.

Establish the classification of General Apprentice - U3 (NC), Job Code 00030, Salary Plan 300, Grade 390 (\$15.00 - \$35.00/hourly), Benefit Category 003, Labor Unit Code: 003, EEO-4 Category: Technicians, FLSA Status: Nonexempt.

Establish the classification of General Apprentice - U7 (NC), Job Code 00070, Salary Plan 700, Grade 090 (\$15.00 - \$35.00/hourly), Benefit Category 007, Labor Unit Code: 007, EEO-4 Category: Administrative Support, FLSA Status: Nonexempt.

Summary

BACKGROUND

On Nov. 17, 2021, at the recommendation of Human Resources Committee 611, City Council approved a new model for apprenticeships, using a generic classification and an open range without steps. Specifically, General Apprentice-U1 was established at that time. This model allows for the classification and salary range to be used by a variety of disciplines within the unit, and the specific rates of pay for the apprentices, as they progress through the program, to be developed in partnership between Classification/Compensation and the Apprenticeship Committee. To date, Solid Waste Equipment Operator Apprentice and Street Maintenance Apprentice have been established within General Apprentice-U1.

The success of this model has prompted adding General Apprentice classifications for Units 2, 3, and 7, so that apprenticeships can be established within these units should the need arise.

CONCLUSIONS

Creating General Apprentices-U2, U3, and U7 will improve recruiting efforts and help create a pipeline of skilled workers that have learned a job specifically as it is done at the City of Phoenix. It will also serve the community by creating the opportunity to generate income while learning new skills. And finally, it will allow participants to earn progressively increasing wages as skills are learned, and provide well-paying, well-benefitted jobs with the City, upon successful completion of the apprenticeship.

Financial Impact

There are no budgetary impacts associated with these actions.

Concurrence/Previous Council Action

This action was reviewed and recommended for approval by Human Resources Committee 613 on March 3, 2022.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the Human Resources Department.



Worker's Compensation Third Party Administration Claims Management Services, RFP HR 21-027 (Ordinance S-48491)

Request to authorize the City Manager, or his designee, to enter into a contract with Cannon Cochran Management Services, Inc. (CCMSI) to provide third party administration of claims management services for the City's Worker's Compensation Program in an amount not to exceed \$15,000,000 for a five-year period. Further request to authorize the City Controller to disburse all funds related to this item.

Summary

The City's Worker's Compensation Program has been self-insured since April 2003. The services of a qualified Third Party Administrator (TPA) is required to provide administration of claims management services. The TPA is responsible for the investigation and evaluation of claims to ensure the proper disposition and medical management of each claim, and to follow established City's claim procedures and adhere to claims administration requirements as required by federal, state, and/or local laws. The existing contract for Worker's compensation Third Party Administration Claims Management Services is set to expire Jun. 30, 2022.

Procurement Information

RFP HR 21-027 was conducted in accordance with Administrative Regulation 3.10. The Human Resources Department received four proposals. The Notice of Solicitation was emailed to 325 vendors registered in ProcurePHX.

The offers were scored using the following criteria: Qualifications, Experience and References (250 points), Method of Approach (450 points) and pricing (300 points). Evaluation occurred by a five-person panel. The evaluation panel determined that one offer was within the competitive range. A Best and Final Offer was conducted, which resulted in a price reduction of approximately \$1.6 million. After reviewing the BAFO response, it was the consensus of the evaluation committee to recommend awarding the contract to Cannon Cochran Management Services, Inc.

The consensus scores are as follows:

Cannon Cochran Management Services, Inc.	928 points
CorVel Enterprise, Comp., Inc.	706 points

Sedgwick Claims Management Services, Inc.	650 points
TRISTAR Claims Management Services, Inc.	610 points

The Acting Human Resources Director recommends the offer from Cannon Cochran Management Services, Inc., be accepted as the highest scored, responsive and responsible offer most advantageous to the City.

Contract Term

The five-year contract term shall begin on or about Jul. 1, 2022.

Financial Impact

The five-year aggregate contract value will not exceed \$15,000,000. Funds are available in the Worker's Compensation Program Trust Account.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the Human Resources Department.



Amendment to Pay Ordinance S-47689 to Extend the Deadlines for Premium Pay Under the American Rescue Plan Act of 2021 to Eligible City Employees (Ordinance S-48492)

Request City Council approval of amendments to Pay Ordinance S-47689 to extend the deadline from Jan. 18, 2022 to June 30, 2022 for authorized payment under the American Rescue Plan Act of 2021 (ARPA) of five hundred dollars (\$500) in premium pay to eligible full-time employees and two hundred fifty dollars (\$250) in premium pay to eligible non-seasonal part-time employees in Units 1, 2, 3, 4, 5, 6, 7, and 8, and authorize additional premium pay under ARPA of one thousand five hundred dollars (\$1,500) to eligible full-time employees and seven hundred fifty (\$750) to eligible non-seasonal part-time employees in Units 1, 2, 3, 4, 5, 6, 7, and 8, who are fully vaccinated for COVID-19 by June 30, 2022 (**Attachment A**).

Summary

The proposed amendment to Section 11 [Assignment Pay, Differential, Standby and Other Additional Compensation], paragraph (z) of the current Pay Ordinance (S-47689) would permit the City Manager to extend the deadline from Jan. 18, 2022 to June 30, 2022 to allow for the processing of authorized premium pay, in accordance with ARPA requirements, to eligible full-time employees, non-seasonal part-time employees, and non-seasonal part-time employees who are fully vaccinated by COVID-19. This would allow eligible employees who have not already received ARPA Premium Pay to have an opportunity to do so provided they meet the criteria by June 30, 2022.

Financial Impact

The cost of all actions taken related to this ordinance would be paid for from ARPA funds allocated to the City.

Concurrence/Previous Council Action

Amendment to Pay Ordinance S-47689 to Authorize Premium Pay Under the American Rescue Plan Act of 2021 to Eligible City Employees (Ordinance S-48170) was approved by Council on Dec. 15, 2021.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the Human Resources Department.

Attachment A

PURPOSE – The proposed amendments to Section 11 of the Pay Ordinance (S-47689) is designed to extend the vaccination deadline from January 18, 2022, to June 30, 2022, for the authorized the payment of “premium pay” under ARPA to eligible City employees in Units 1, 2, 3, 4, 5, 6, 7, and 8.

New language to be included in the Pay Ordinance is identified in all capital letters. Deletions are indicated by strikethrough. Proposed language is as follows:

SECTION 11. Assignment Pay, Differential, Standby and Other Additional Compensation

- (z) The City Manager is authorized to provide premium pay as set forth in the American Rescue Plan Act of 2021 (ARPA) in the amount of five hundred dollars (\$500) to eligible full-time employees in Units 1, 2, 3, 4, 5, 6, 7, and 8 who are not teleworking more than two days per week as of January 18, 2022 and two hundred fifty dollars (\$250) to eligible non-seasonal part-time employees in Units 1, 2, 3, 4, 5, 6, 7, and 8 who are not teleworking more than two days per week as of January 18, 2022. THE CITY MANAGER IS AUTHORIZED TO EXTEND THE DATE TO JUNE 30, 2022. All payments must conform with the ARPA, as amended.

The City Manager is authorized to provide premium pay as set forth in the ARPA in the amount of one thousand five hundred dollars (\$1500) to eligible full-time employees in Units 1, 2, 3, 4, 5, 6, 7, and 8 who are not teleworking more than two days per week, and are fully vaccinated for COVID-19 by January 18, 2022, and seven hundred fifty dollars (\$750) to eligible non-seasonal part-time employees in Units 1, 2, 3, 4, 5, 6, 7, and 8 who are not teleworking more than two days per week, and are fully vaccinated for COVID-19 by January 18, 2022. THE CITY MANAGER IS AUTHORIZED TO EXTEND THE VACCINATION DEADLINE TO JUNE 30, 2022. All payments must conform with the ARPA, as amended.



Emergency Call System Monitoring and Maintenance Contract (Ordinance S-48487)

Request to authorize the City Manager, or his designee, to enter into an agreement with Climatec, LLC to provide Emergency Call System Monitoring and Maintenance Service including providing all labor, material, reports, equipment, tools, replacement parts and administrative services necessary to perform all maintenance, inspections and repairs needed to keep the system operational for three Housing Department senior sites. Further request to authorize the City Controller to disburse all funds related to this item over the life of the contract in an amount not to exceed \$96,000.

Summary

The Housing Department is required to provide and maintain a medical emergency call system for Senior Sites by the Arizona Department of Housing. Housing uses an existing pull cord system that meets the Department of Housing and Urban Development requirements for emergency call systems.

In accordance with Administrative Regulation 3.10, a Special Circumstances Without Competition Determination has been fully approved.

Procurement Information

The Housing Department attempted to extend the current contract beyond the five years with a determination however, the current contractor would not extend due to them leaving the monitoring business.

Invitation for Bid (IFB) FY22-086-04 Emergency Call Systems Monitoring and Maintenance was conducted in accordance with Administrative Regulation 3.10. The solicitation notification was distributed to 246 contractors registered with the City of Phoenix. No offers were received by the closing date of Jan. 6, 2022.

The Housing Department reached out to companies that had the potential to provide services and Climatec was the only company contacted that agreed to the City's contract terms and conditions.

Contract Term

The contract term shall begin on April 12, 2022, and end on April 11, 2027.

Financial Impact

The aggregate contract value will not exceed \$96,000 over the life of the contract. There is no impact to the General Fund as these services are paid through federal funding from the U.S. Department of Housing and Urban Development.

Locations

Council District 3 - Sunnyslope Manor, 205 E. Ruth Ave.

Council District 5 - Maryvale Parkway Terrace, 4545 N. Maryvale Parkway Council

District 8 - Fillmore Gardens, 802 N. 22nd Place

Responsible Department

This item is submitted by Deputy City Manager Gina Montes and the Housing Department.



Custodial Services (Parks and Recreation Department) - Requirements Contract (IFB 19-088) (Ordinance S-48457)

Request to authorize the City Manager, or his designee, to allow additional expenditures under Contract 150078 with Bio Janitorial Service, Inc. and Contract 150077 with Commercial Custodial Services for the provision of custodial services 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 \$190,000.

Summary

These contracts provide custodial services for general cleaning of interior and exterior areas of Parks and Recreation facilities. Services include all the necessary trained personnel, supervision, scheduling, equipment and tools, with maintenance, and other accessories required to perform complete custodial services. The funds are needed to add the new Cesar Chavez Community Center, which is expected to open in summer 2022.

Contract Term

The Contract term is July 7, 2019 through June 30, 2024.

Financial Impact

Upon approval of \$190,000 in additional funds, the revised aggregate value of these contracts will not exceed \$4,420,000. Funds are available in the Parks and Recreation Department's budget.

Concurrence/Previous Council Action

These contracts were originally approved by City Council on May 1, 2019.

Responsible Department

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



Aquatic Rescue, Training, and Sports Equipment and Supplies - Requirements Contract IFB 22-077 (Ordinance S-48478)

Request to authorize the City Manager, or his designee, to enter into contracts with The Lifeguard Store and Water Safety Products, Inc. to purchase Aquatic Rescue, Training, and Sports Equipment and Supplies for Parks and Recreation Department. Further request authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$400,000.

Summary

These contracts are for the purchase of aquatic equipment and supplies for the Parks and Recreation Department's Aquatics Division. They will supply the City pools with equipment and supplies necessary to certify lifeguards and operate the City's swim lesson program. Historically, the City hires over 650 certified lifeguards to operate 29 swimming pools annually and approximately 18,000 residents participate in swim lessons and recreational teams.

Procurement Information

IFB 22-077 was conducted in accordance with Administrative Regulation 3.10. There were two offers received by the Procurement Division on Feb. 25, 2022, which were evaluated on price, responsiveness to specifications and responsibility to provide the required goods and services. The bid notification was sent to over 130 suppliers and was publicly posted and available for download from the City's website.

The Assistant Finance Director recommends that the offers from The Lifeguard Store and Water Safety Products, Inc. be accepted as the lowest priced, responsive and responsible offers. Multiple awards are recommended to ensure the overall lowest cost to the City.

Contract Term

The one-year contract term, which includes four, one-year options to extend, will begin on or about April 11, 2022.

Financial Impact

The aggregate contract value will not exceed \$400,000. Funds are available in the

Parks and Recreation Department's budget.

Responsible Department

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



Authorize Deposit Agreement with Jefferson Place Partners, LLC and a Concurrent Non-Project Activity of the South Central Extension Downtown Hub Light Rail Project located at 101 S. Central Ave. (Ordinance S-48490)

Request to authorize the City Manager, or his designee, to enter into a deposit agreement, and other agreements as necessary (Agreements), with Jefferson Place Partners, LLC, or its City-approved designee (Developer), to fund a Concurrent Non-Project Activity (CNPA) of the South Central Extension Downtown Hub (SCE-DH) Light Rail Project (Project) adjacent to the Developer's property at 101 S. Central Ave. (Site). This authorization shall further authorize staff to enter into a CNPA Agreement with Valley Metro Rail, Inc. (Valley Metro) who is constructing the Project. Further requests authorization for the City Treasurer to accept funds and the City Controller to disburse funds related to this item. The project will have no impact to the General Fund.

Summary

Developer intends to construct a mixed-use high-rise project at the Site and wishes for the SCE-DH Project plans to reflect changes in the public right-of-way on Central Avenue compatible with the Developer's future project. Developer has submitted plans for off-site improvements to the City and pending review and approval from the Planning and Development Department (PDD), staff would transmit those plans to Valley Metro who would review the feasibility of revising the Project plans.

Based on a preliminary review of the Developer's off-site plans, Valley Metro has indicated it can construct a new curblin, drainage, sidewalk, paving and valley gutter to the Developer's specifications. In addition, the Project can also relocate a proposed gutter to the new proposed curblin on Central Avenue. Since these improvements are not part of the current Project plans, the City must authorize this work as a CNPA. Furthermore, since the improvements are at the request of the Developer, they must be paid for by the Developer.

Without agreeing to the Developer's proposed alterations, the current Project improvements in the public right-of-way (ROW) adjacent to the Site are at risk of being removed and replaced when the Developer moves forward with its proposed project. Therefore, in order to safeguard the City's investment in the new ROW improvements,

staff recommends authorizing the CNPA and a Deposit Agreement (DA) with the Developer to fund 100 percent of the new ROW improvements. In order to facilitate this work, the following business terms have been negotiated between the Community and Economic Development Department and the Developer:

1. Developer and City shall enter into a DA within one month of Council approval.
2. Upon signing the DA, the Developer shall pay to the City \$131,250. This is the estimated increase in construction costs to build the new ROW improvements.
3. The City will transmit funds to Valley Metro per the costs outlined in the CNPA. Any unused funds shall be reimbursed to the Developer.

Valley Metro via the CNPA will deliver the new improvements on construction timelines compatible with the Project, ensuring a completed ROW condition surrounding the Site is available to the public once the SCE-DH Light Rail Project is completed.

Financial Impact

Developer shall pay all costs associated with the work. There is no impact to the General Fund as a result of this item.

Location

101 S. Central Ave.
Council District: 7

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Ginger Spencer and the Public Transit and Community and Economic Development Departments.



Adoption of Resolution Approving the Issuance of Multifamily Housing Revenue Notes (Harmony at the Park Two Project) for Purposes of Arizona Revised Statutes, Section 35-721(B) (Resolution 22012)

Requests City Council adoption of Resolution 22012 approving the issuance of Multifamily Housing Revenue Notes (Harmony at the Park Two Project), Series 2022, to be issued in one or more tax-exempt and/or taxable series in an aggregate principal amount not to exceed \$25,000,000, solely for the purposes of complying with the Arizona Revised Statutes, section 35-721(B).

Summary

On November 3, 2021, the City Council adopted Resolution 21976 granting approval of the proceedings under which The Industrial Development Authority of the City of Phoenix, AZ. (the "Phoenix IDA") had resolved to issue up to \$20,000,000 of Multifamily Housing Revenue Notes (the "Revenue Notes") as required by A.R.S. 35-721(B). The proceeds from the sale of the Revenue Notes are to be used by Harmony at the Park Two, LLC (the "Borrower"), an Arizona limited liability company, to

- a) finance or refinance, as applicable, all or a portion of the acquisition, construction, improvement, equipping, or operation of a multifamily residential rental housing facility in Phoenix, Arizona, and
- b) pay certain costs related to the issuance of the Revenue Notes.

Resolution 21976 approved the proceedings of the Phoenix IDA under which the Revenue Notes were to be issued. On March 17, 2022, the Phoenix IDA adopted a resolution amending such proceedings to reflect, among other things, an increase to the not to exceed aggregate principal amount of the Notes, from an aggregate principal amount of not to exceed \$20,000,000 to an aggregate principal amount of not to exceed \$25,000,000.

Because Resolution 21976 did not reflect the Phoenix IDA's subsequent proceedings, a new approval of the plan of financing and issuance of the Revenue Notes is requested by adoption of Resolution 22012.

Concurrence/Previous Council Action

The Phoenix IDA Board has previously resolved to issue the Revenue Notes at its meeting held on October 14, 2021 and March 17, 2022.

The Phoenix City Council approved Resolution 21976 at its November 3, 2021 Formal Meeting.

Location

The Project is located at or near 600 N. 20th St. in Phoenix, AZ.
Council District: 8

With the exception of certain housing bonds, the Phoenix IDA can finance projects located anywhere in Arizona. In addition, the Phoenix IDA may issue bonds to finance projects outside of Arizona, if the out-of-state project provides a benefit within the State.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer.



Resolution to Participate In and Support Bid to Host 2029-2031 NCAA Women's Basketball Final Four Tournament (Resolution 22011)

Request to authorize a resolution to express support for the region's bid to host the NCAA Division I Women's Basketball Final Four Tournament in one of the years from 2029 to 2031, and to authorize the City's participation in the bid if Phoenix advances in the bid process as a finalist.

Summary

The National Collegiate Athletic Association (NCAA) has requested a declaration of support from the City of Phoenix in the bid to host the NCAA Women's Basketball Final Four Tournament between 2029 and 2031. This resolution will express the City's support for the bid through the commitment of general government services (including: citywide operations liaison; ambush marketing protections; permitting assistance; public safety support/emergency preparedness; aviation arrival/departure cooperation; and provision of Fan Festival, Super Saturday Concert, Salute Presentation, Youth Bounce and Women's Basketball Coaches Convention venues).

The national semifinals and championship games would require use of the City-owned Footprint Center in downtown Phoenix as the competition venue. City staff and the Phoenix Bid Committee are currently working with the Phoenix Suns to reserve the Center for the requested dates. In addition, major fan-related events, lodging, and meeting activities associated with the tournament would also be held in downtown Phoenix. The tournament is held annually, and this bid is to host the tournament in Phoenix in one of the years spanning 2029 to 2031. If awarded, this would be the second-time that Phoenix would host the Women's Basketball Final Four.

In conjunction with the Phoenix Local Organizing Committee, Arizona State University (Host Institution), and the Greater Phoenix Convention and Visitors Bureau (Visit Phoenix), Phoenix was awarded to host the 2024 NCAA Men's Basketball Final Four for the second-time, and was awarded to host the 2026 NCAA Women's Basketball Final Four for the first-time.

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Phoenix Convention Center Department.



Phoenix Police Department Hiring Software (E-SOPH) - Requirements Contract EXC 22-057 (Ordinance S-48465)

Request to authorize the City Manager, or his designee, to enter into a contract with Miller Mendel, Inc. to purchase hiring software known as E-SOPH for the Police Department. Further request an exception to the indemnity and assumption of liability provisions of Phoenix City Code section 42-18 and authorization for the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$611,770.

Summary

This software will streamline background investigations on prospective applicants and electronic reference checks and will increase efficiencies when data is shared with the 11 Arizona law enforcement agencies that already use E-SOPH. This will allow the City to request and send applicant files to other law enforcement agencies to conduct file reviews. As the Police Department is currently experiencing significant staffing shortages, this new software technology will automate the business processes, streamline case management and reduce applicant processing times.

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

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of an approved Determination Memo which cited the software is a patented system and Miller Mendel is the only vendor who can provide the software.

Contract Term

The five-year contract term will begin on or about April 1, 2022.

Financial Impact

The aggregate contract value will not exceed \$611,770. Funds are available in the Police Department's budget.

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and the Police Department.



Wildlife Management Services - Requirements Contracts - IFB 22-006 (Ordinance S-48452)

Request to authorize the City Manager, or his designee, to enter into a contract with Loomacres, Inc. to provide wildlife management services for the Aviation Department for an aggregate five-year contract term. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$863,000.

Summary

As a Title 14, Code of Federal Regulations, Part 139 certified airport, Phoenix Sky Harbor International Airport (PHX) is required by the Federal Aviation Administration to establish a continually updated wildlife hazard management plan. To meet this requirement, the Aviation Department contracts a full time, on-site biologist stationed at PHX to administer the approved wildlife hazard management plan and to conduct a comprehensive wildlife hazard assessment at PHX. The qualified biologist will work with Aviation Department officials to prevent and mitigate safety hazards related to wild and feral vertebrate animals at PHX, as well as the Phoenix Deer Valley Airport and Phoenix Goodyear Airport.

Procurement Information

AVN IFB 22-006 was conducted in accordance with Administrative Regulations 3.10. The solicitation notification was sent to 378 supplier contacts and publicly posted and available for download from the City's website. Only one offer, shown below, was received on Dec. 1, 2021, and was evaluated on price, responsiveness, and responsibility to provide the required services:

Loomacres, Inc., \$55.38 Hourly Rate, \$94,545 Wildlife Hazard Assessment

The Aviation Department recommends the offer from Loomacres, Inc. be accepted as responsive, responsible, and of fair market value.

Contract Term

The five-year aggregate contract term shall begin on or about July 1, 2022 with no options to extend.

Financial Impact

The aggregate contract value will not exceed \$863,000 for the five-year aggregate contract term.

Funding is available in the Aviation Department's operating budget.

Location

Phoenix Sky Harbor International Airport - 3400 E. Sky Harbor Blvd.;

Phoenix Deer Valley Airport - 702 W. Deer Valley Rd.; and

Phoenix Goodyear Airport - 1658 S. Litchfield Rd. Goodyear, Ariz.

Council Districts: 1, 8 and Out of City

Responsible Department

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



Authorization to Apply for, Accept, and Disburse Federal Grant Funds for Aviation-Related Projects (Ordinance S-48454)

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

Summary

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

These authorizations will allow the Aviation Department to respond promptly to federal agencies if and when grant offers become available on short notice. This approval will be especially important for staff to respond quickly to opportunities for discretionary grants under the Bipartisan Infrastructure Law. The grant agreements or grant amendments or both may become available from the Department of Transportation, including the FAA Airport Improvement Program, Department of Homeland Security, or any other federal program.

Responsible Department

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



Authorization to Apply for, Accept and Disburse Federal Non-Grant Funds for Aviation-Related Projects (Ordinance S-48455)

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

Summary

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

Responsible Department

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



Authorization to Apply for, Accept, and Disburse State Grant Funds for Aviation-Related Projects (Ordinance S-48456)

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

Summary

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

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

Responsible Department

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



**Rental Car Center LED Light Retrofit - Engineering Services - AV15000073
(Ordinance S-48463)**

Request to authorize the City Manager, or his designee, to enter into an agreement with CR Engineers, Inc., to provide Engineering Services that include design and construction administration and inspection services for the Rental Car Center LED Light Retrofit project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$256,000.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to replace the existing light fixtures at the Rental Car Center with LED fixtures which will significantly reduce operating and maintenance costs over a 20-year period and will further the City's sustainability goals by reducing carbon footprint.

CR Engineers, Inc. was previously issued Notice to Proceed to provide design services and construction administration and inspection services under the 2019-20 Engineering On-Call Services contracts. The contract has since expired and CR Engineers, Inc. was not selected under the 2021-22 Engineering On-Call Services contract. CR Engineers, Inc. had completed the design and was assisting through the bid phase and construction administration and inspection. Prior to start of construction,

the project was placed on hold due to COVID-19 impact on the rental car companies' operation. Because CR Engineers, Inc. completed significant work on the project, the need to have the original designer reconstruct the original construction documents and provide construction administration and inspection is essential.

CR Engineers, Inc.'s services include, but are not limited to: repackage original plans and specifications to include complete scope of work and address recently installed changes carried out as part of other projects and Aviation Facilities and Services maintenance work; provide cost estimate backcheck, re-bid assistance and post-bid phase services; construction administration services, and project closeout; and other tasks as required for a complete project.

Procurement Information

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

Contract Term

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

Financial Impact

The agreement value for CR Engineers, Inc. will not exceed \$256,000, including all subconsultant and reimbursable costs.

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

Location

1805 E. Sky Harbor Circle South
Council District: 8

Responsible Department

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



United States Customs and Border Protection Facility Agreement - Amendment to Ordinance (Ordinance S-48464)

Request to authorize the City Manager, or his designee, to amend Ordinance S-44758 to increase the square footage from approximately 30,000 square feet to approximately 93,565 square feet and add Terminal 3 space in the final negotiated facility agreement with United States Customs and Border Protection.

Summary

United States Customs and Border Protection (CBP) conducts passenger processing for inbound international passengers and regulates international trade through the cargo facilities at Sky Harbor International Airport (PHX). In 2018, the City Council approved Ordinance S-44758 allowing the City to enter into an agreement with CBP covering approximately 30,000 square feet at PHX. Further evaluation of the space calculations concluded that the actual square footage reflected in Ordinance S-44758 should be approximately 93,565. The space adjustments reflect enhancements made as a result of the Terminal 4 FIS Modernization Program, the development of CBP office space in Terminal 3 to support airlines with pre-cleared flights from Canada, and miscellaneous adjustments to the South Cargo clearance office space. The Aviation Department is currently negotiating the agreement with CBP and it has not been finalized. As a result, staff recommends the Ordinance be amended to add the additional square footage of 63,565 prior to executing the final agreement.

Contract Term

In order to accommodate annual federal appropriations, the term will be one year with nine one-year options to extend at the mutual discretion of the Director of the Aviation Department and CBP.

Financial Impact

No financial impact.

Concurrence/Previous Council Action

The City Council approved Ordinance S-44758 on June 20, 2018.

Location

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

Responsible Department

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



Window Cleaning and High Dusting Services - Amendment (Ordinance S-48467)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 147357 with Prestige Window Cleaning Inc. dba Professional Window Cleaning, to provide additional funding for window cleaning and high dusting services for the Aviation Department. 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 \$350,000.

Summary

On April 18, 2018, the City Council approved this contract to provide interior and exterior window cleaning and high dusting services. This contract provides specialized services and equipment to clean windows at extreme heights, over roadways, and airside, and to maneuver equipment between parked aircraft in safety and security areas to perform services for the Aviation and Phoenix Convention Center departments.

The purpose of this amendment is to provide the Aviation Department additional cleaning and dusting services required for the modernized Terminal 3 Concourse and Processor, the new Terminal 4 South Concourse, and the new 24th Street and Rental Car Center Sky Train Stations. These modernized and new locations were not completed at the time of the original Council approval.

Contract Term

The contract term will remain unchanged, with options to extend through May 31, 2023.

Financial Impact

The initial authorization for window cleaning and high dusting services was for an expenditure not-to-exceed \$1,848,750. This amendment will increase the authorization for the contract by an additional \$350,000, for a new total not-to-exceed contract value of \$2,198,750.

Funding is available in the Aviation Department's budget.

Concurrence/Previous Council Action

The City Council approved Window Cleaning and High Dusting Service Contract 147357 (Ordinance S-44452) on April 18, 2018.

Location

Phoenix Sky Harbor International Airport - 3400 E. Sky Harbor Blvd.;
Phoenix Deer Valley Airport - 702 W. Deer Valley Road;
Phoenix Goodyear Airport - 1658 S. Litchfield Road, Goodyear, Ariz.; and
Phoenix Convention Center - 100 N. 3rd St.
Council Districts: 1, 7, 8 and Out of City

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Inger Erickson, and the Aviation and Phoenix Convention Center Departments.



Deer Valley Airport Restaurant RCS Award at Phoenix Deer Valley Airport (Ordinance S-48472)

Request to authorize the City Manager, or his designee, to enter into a Food and Beverage Lease with Kind Hospitality, Inc. at Phoenix Deer Valley Airport for seven years with one three-year renewal option. Further request to authorize the City Treasurer to accept all funds and the City Controller to disburse all funds related to this item.

Summary

On Sept. 16, 2020, Phoenix City Council authorized the Aviation Department to issue a Revenue Contract Solicitation (RCS) for a new Food and Beverage operator of the restaurant at Phoenix Deer Valley Airport (DVT). The goal of the RCS was to find a viable restaurant operator to lease the Deer Valley Airport restaurant space, which had been vacant since April 2020. The RCS further sought a restaurant concept and design that would appeal to airport users and customers in the surrounding community.

Kind Hospitality, Inc. (Kind) was recommended as the successful proposer by a qualified evaluation panel.

Procurement Information

An initial RCS (RCS 21-002) was released on Oct. 20, 2020 and produced no responses. Subsequent meetings with potential proposers identified concerns with the condition of the restaurant space that would be addressed in the next RCS. This procurement (RCS 22-001) was released on July 20, 2021. One response was received and determined to be responsive.

On Dec. 16, 2021, the evaluation panel met and evaluated the proposal based on the published evaluation criteria:

- Suitability of the Proposed Restaurant Concept and Design;
- Quality and suitability of menu items;
- Qualifications and experience;
- Amount of Remodel Investment; and

- Proposed First Year Minimum Annual Guarantee (MAG).

The Panel recommendation was reached by consensus in consideration of these criteria. After a local and national outreach effort and a competitive RCS process, Kind is recommended for award of the Deer Valley Airport Restaurant Concessions Lease, with 955 out of 1000 points.

In the RCS the City anticipated the replacement of non-working kitchen fixtures at a total cost to the City of approximately \$20,000. Kind has agreed to procure the replacement fixtures in exchange for rent credits not to exceed \$20,000. Title to the replacement fixtures valued up to \$20,000, based upon the City's valuation, will revert to the City at the end of the lease term. The City also identified needed repairs to underground plumbing and the kitchen floor. Kind has agreed to make these repairs to the building, which the City would otherwise have to complete, in exchange for rent credits not to exceed \$130,000 based on estimates from qualified vendors, plus reasonable contingencies. Total rent credits for these items will not exceed \$150,000.

Contract Term

If approved, the term will be seven years with one three-year option to extend to be exercised at the sole discretion of the Director of Aviation Services.

Financial Impact

Rent is based on percentage of gross sales or Minimum Annual Guarantee (MAG) of \$92,001, whichever is greater. Beginning with the second lease year and each year thereafter, MAG shall be adjusted to 85 percent of the prior years' annual rent payment or 100 percent of the first year MAG, whichever is greater. Expenses to the City will include rent credits not to exceed \$150,000 for replacement kitchen fixtures and building repairs. Funding is available in the Aviation Department's budget.

Concurrence/Previous Council Action

The Phoenix Aviation Advisory Board recommended approval of the item on Feb. 17, 2022, by a vote of 9-0.

Public Outreach

This solicitation process included all standard and required outreach efforts including advertising in local and aviation industry publications.

Location

Phoenix Deer Valley Airport - 702 West Deer Valley Road
Council District: 1

Responsible Department

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



Authorization to Enter into an Intergovernmental Agreement with the Arizona Early Childhood Development Board to Administer an Airport Worker Childcare Scholarship Program (Ordinance S-48486)

Request authorization for the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the Arizona Early Childhood Development and Health Board (known as First Things First) to administer a childcare scholarship program for airport workers. As part of the IGA, the City of Phoenix and First Things First agree to save and hold harmless, defend and indemnify each other from claims resulting from either's or wrongful acts or omissions. Per City Code 42-20, indemnification of another public entity requires approval from the City Council. Further request to authorize the City Controller to disburse all funds related to this item. Funding is available through the City's allocation of the American Rescue Act Plan (ARPA) funding received from the federal government and is under the Aviation Childcare program of the ARPA strategic plan.

Summary

The aviation industry has been severely impacted by the COVID-19 pandemic. One of the most significant challenges to the return to normal operation has been the hiring and retention of airport workers. To assist in mitigating these impacts at Phoenix Sky Harbor International Airport, the City Council allocated \$4 million in American Rescue Act funds to establish a childcare scholarship program for airport workers that would support eligible participating families in returning to work.

To administer the program and ensure that funds are being directed to those most in need, the Aviation Department is seeking to enter into an intergovernmental agreement with First Things First, the statewide organization tasked with funding early education programs for children age birth to five-years-old. Using the established framework of First Things First's Quality First scholarship program and childcare star rating system, the airport worker childcare scholarship program will allow eligible airport workers whose families are low income (at 200 percent or below the federal poverty level) to receive scholarships for childcare. As part of this agreement, First Things First will verify income eligibility for the program, distribute funds to eligible families, and provide reporting on program participation.

Due to the lack of childcare options in the immediate vicinity of Phoenix Sky Harbor International Airport, eligible families will be able to use the scholarships at any eligible Quality First childcare program in Maricopa County.

Contract Term

The contract term will be for two years from the date this agreement is enacted by the parties, with one, one-year option to extend.

Financial Impact

The program will be funded with \$4 million in American Rescue Plan Act funds, from the City's ARPA strategic plan.

Concurrence/Previous Council Action

The City Council approved ARPA Strategic Plan Update, which included the childcare scholarship program on Sept. 21, 2021.

Location

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

Responsible Department

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



Purchase of Residential 35-, 65- and 95-Liquid-Gallon Containers - Requirements Contract, IFB 22-SW-037 (Ordinance S-48460)

Request to authorize the City Manager, or his designee, to enter into a contract with Otto Environmental Systems, and IPL North America Inc., to provide residential 35-, 65 - and 95-liquid-gallon solid waste containers for Citywide solid waste services of green organics, recyclables and refuse collections. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed \$20.25 million.

Summary

The agreement will provide 35-, 65-, 95-liquid-gallon containers on an as needed basis for the City's fully-automated residential refuse, recycling and green organics collection programs. Order quantities are contingent upon replacement needs for existing containers as well as new containers for service area growth.

Procurement Information

Invitation for Bid 22-SW-37 was conducted in accordance with Administrative Regulation 3.10. Four offers were received by the City on Jan. 26, 2022. The offers were evaluated based on responsiveness to all specifications, terms and conditions, and lowest bid. The offers for solid waste containers are based on estimated annual quantities; however, the final contract value factors in higher quantities needed based on expected growth.

Otto Environmental Systems: \$3,953,742.00

IPL North America Inc.: \$4,032,635.33

Rehrig Pacific Company: \$4,410,048.42

Sierra Container Group LLC: \$4,482,000.00

Contract Term

The initial one-year contract term will begin on or about May 1, 2022, and end on April 30, 2023. Provisions of this contract include an option to extend the term for up to four additional years, in increments of up to one-year, which may be exercised by the City Manager or designee.

Financial Impact

The aggregate contract value will not exceed \$20.25 million with an estimated annual expenditure of \$4.05 million.

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.



Purchase of One Cement Silo (Ordinance S-48466)

Request to authorize the City Manager, or his designee, to enter into a contract with BTE Body Company, Inc. for purchase of one Belgrade Cement Silo. Further request to authorize the City Controller to disburse all funds related to this item. The total contract value will not exceed \$72,500.

Summary

The Public Works Department is seeking to purchase one Belgrade 270 cement silo for the Street Transportation Department. This silo will be used to off-load cement to trucks that are dispatched throughout the City to repair streets and sidewalks. The current cement silo has exceeded its service life and does not meet current environmental requirements set forth by Maricopa County. This silo was deemed necessary as a direct replacement to prevent additional site configuration costs, and to meet the necessary environmental requirements.

Procurement Information

In accordance with Administrative Regulation 3.10 normal competition was waived as a result of a determination memo citing sole source. BTE Body Company is the sole local distributor of the Belgrade 270 Cement Silo, with the price below.

BTE Body Company, Inc.: \$72,456.31

Contract Term

This contract will begin on or about City Council approval on April 6, 2022 for the one-time purchase of a cement silo.

Financial Impact

This item will have an estimated total contract value of \$72,500.

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

Location

4220 W. Glenrosa Ave.
Council District: 5

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Karen Peters, and the Street Transportation and Public Works departments.



**SR85 Landfill Tarp Purchase - IFB 22-SW-040 - Requirements Contract
(Ordinance S-48469)**

Request to authorize the City Manager, or his designee, to enter into a contract with ConWal Inc., dba Southwestern Sales Co., to purchase tarps for the State Route 85 Landfill. Further request to authorize the City Controller to disburse all funds related to this item. The aggregate contract value will not exceed \$542,780.

Summary

The State Route 85 (SR85) Landfill is the City of Phoenix's primary waste disposal landfill, located in Buckeye, Ariz. The SR85 Landfill uses tarps for alternative daily cover and operates under a Master Facility Plan approved by the Arizona Department of Environmental Quality (ADEQ). Tarps are the preferred alternative daily cover because they save airspace, which in turn maximizes efficient use of the excavated cell and increases the useful life of the landfill. Over time, these tarps must be replaced due to normal wear and tear and degradation by light and heat.

Procurement Information

An Invitation for Bid, 22-SW-040, was conducted in accordance with Administrative Regulation 3.10. One offer was received by the City on Feb. 9, 2022. The offer was evaluated based on responsiveness to all specifications, terms and conditions, and lowest bid.

ConWal, Inc. dba Southwestern Sales Co.: \$108,556

Contract Term

The initial two-year contract term will begin on or about June 1, 2022 through May 31, 2024. Provisions of the contract may include an option to extend the term for up to three years, to be taken in one-year increments, which may be exercised by the City Manager or designee.

Financial Impact

The aggregate contract value will not exceed \$542,780, with an estimated annual expenditure of \$108,556.

Funding is available in the Public Works Department's budget.

Location

The SR85 Landfill is located at 28633 W. Patterson Road, Buckeye, Ariz.

Council District: Out of City

Responsible Department

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



One-time Purchase of Reachmaster Lift (Ordinance S-48473)

Request to authorize the City Manager, or his designee, to enter into a contract with Mako Equipment, LLC for purchase of one battery-electric FS95 Reachmaster Lift. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate amount not to exceed \$286,939.

Summary

The Public Works Department seeks to purchase one battery-electric FS95 Reachmaster Falcon Lift for the Aviation Department. This supplemental lift will be used to gain access to hard to reach areas, especially in Terminal 3 and the Rental Car Center. This unit is able to self-load on trailers, fit through a standard doorway, reach up to 95 feet, and fit into areas as narrow as three feet.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as a result of a determination memo citing sole source. Mako Equipment is the sole sales and service provider in the Southwest Region for the FS95 lift.

Contract Term

This item will be for the one-time purchase of a FS95 Reachmaster Lift to begin on or about City Council approval on April 6, 2022.

Financial Impact

The aggregate contract value will not exceed \$286,939.

Funding is available in the Aviation Department's budget.

Location

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

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Karen Peters, and the Aviation and Public Works Departments.



One-time Purchase of Two Raymond Reach Forklifts (Ordinance S-48474)

Request to authorize the City Manager, or his designee, to enter into a contract with Raymond West Intralogistics Solutions, dba Handling Systems, Inc. to provide two electric-powered Raymond Reach Forklifts. Further request to authorize the City Controller to disburse all funds related to this item. This item will have an aggregate amount of up to \$108,020.

Summary

The Public Works Department is seeking to purchase two Raymond 7500 Stance Reach Forklifts for the Property Management unit at the Police property warehouse. This electric-powered make and model of forklift is the only known unit that can support impound shelving and retrieval operations at the warehouse. The two new units will replace the units that are over 30 years old and have exceeded their 15-year life span.

Procurement Information

In accordance with Administrative Regulation 3.10, normal competition was waived as the result of a determination memo citing sole source. Raymond West is the sole distributor in Arizona of the Raymond Reach Forklifts. The price below is for one forklift:

Raymond West Intralogistics Solutions: 7500 Reach Forklift, \$49,324 (tax excluded)

Contract Term

This item will be for the one-time purchase of two forklifts starting on or about City Council approval on April 6, 2022.

Financial Impact

The aggregate contract value will not exceed \$108,020.

Funding is available in the Police Department's budget.

Location

Police Property Management Bureau - 100 E. Elwood St.

Council District: 7

Responsible Department

This item is submitted by Assistant City Manager Lori Bays and Deputy City Manager Karen Peters, and the Police and Public Works Departments.



56th Street: Thomas to Camelback Roads - Engineering Services - ST87210047 (Ordinance S-48451)

Request to authorize the City Manager, or his designee, to enter into an agreement with Kimley-Horn and Associates, Inc., to provide Engineering Services that include design and bid assistance services for the 56th Street: Thomas to Camelback roads project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed \$994,167.97.

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 related 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. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to implement bicycle and pedestrian safety improvements along the 1.5-mile-long section of 56th Street (a collector roadway) between Thomas and Camelback roads.

Kimley-Horn and Associates, Inc.'s services include, but are not limited to: providing complete final construction plans, specifications, and engineering estimates; data collection information; topographic surveying, drainage memorandum, material reports, various utility adjustments, and geotechnical investigations; preparing the required documents for Environmental Clearance, Right-of-Way Acquisition, and Temporary Construction Easements; and post-design bid assistance through award of construction.

Procurement Information

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

Selected Firm

Rank 1: Kimley-Horn and Associates, Inc.

Additional Proposers

Rank 2: Dibble & Associates Consulting Engineers, Inc.

Rank 3: Ritoch-Powell & Associates Consulting Engineers, Inc.

Rank 4: Horrocks Engineers, Inc.

Rank 5: Project Engineering Consultants, Ltd.

Rank 6: Olsson, Inc.

Contract Term

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

Financial Impact

The agreement value for Kimley-Horn and Associates, Inc. will not exceed \$994,167.97, including all subconsultant and reimbursable costs.

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

Public Outreach

Kimley-Horn and Associates, Inc. will work with the City of Phoenix Public Outreach firm on public engagement.

Location

56th Street: Thomas to Camelback roads

Council District: 6

Responsible Department

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



Margaret T. Hance Park Improvements Phase 1B Garden Area - Construction Manager at Risk Construction Services - Amendment - PA75200700 (Ordinance S-48462)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 151798 with Haydon Building Corp., to provide additional Construction Manager at Risk Construction Services for the Margaret T. Hance Park Improvements Phase 1B Garden Area project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed \$7 million.

Summary

The purpose of this project is to transform the identity of Margaret T. Hance Park and activate the Central Plaza with day and night programming featuring visual landmarks, shade elements, gardens, a playground, an interactive water feature, a cafe pavilion, and public restrooms. Improvements have been identified at a conceptual level and include park land roughly one block east and west of Central Avenue.

This amendment is necessary to continue with the construction of the Margaret T. Hance Park Improvements. This amendment will provide additional funds and time to the agreement.

Haydon Building Corp.'s additional services include, but are not limited to: constructing Phase 1B with planting, pathways, a shade canopy, lighting, seating, donor signage, temporary site sign wall, irrigation, temporary steps and paths for the Garden area and adjacent planting areas.

Contract Term

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

Financial Impact

- The initial agreement for Construction Manager at Risk (CMAR) Construction Services was approved for an amount not to exceed \$8.6 million, including all subcontractor and reimbursable costs.
- An amendment increased the agreement value by an additional \$113,336.37, for a new total amount not to exceed \$8,713,336.37, including all subcontractor and reimbursable costs.
- This amendment will increase the agreement by an additional \$7 million, for a new total amount not to exceed \$15,713,336.37, including all subcontractor and reimbursable costs.

Funding for this amendment is available in the Parks and Recreation Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to the 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 Park, Arts, Education and Equality Subcommittee:

- Recommended approval of this item on May 24, 2017, by a vote of 3-0.

Parks and Recreation Board approved:

- Sponsorship Agreement for Phase 1A with Fiesta Events, Inc. on Aug. 15, 2019.

The City Council approved:

- Design Services Agreement 145602 (Ordinance S-43648) on July 6, 2017; and
- Design Services Agreement 145602 - Amendment 1 (Ordinance S-44819) on June 20, 2018; and
- CMAR Preconstruction Services Agreement 149558 (Ordinance S-45494) on April 3, 2019; and
- Intergovernmental Agreement 151563 between State of Arizona and City of Phoenix for Margaret T. Hance Park Joint Repair Project (Ordinance S-46304) on Jan. 8, 2020; and
- CMAR Construction Services Agreement 151798 (Ordinance S-46451) on Mar. 18, 2020; and
- Intergovernmental Agreement 151563 between State of Arizona and City of Phoenix for Margaret T. Hance Park Joint Repair Project - Amendment (Ordinance S-46835) on July 1, 2020; and
- CMAR Construction Services Agreement 151798 - Amendment (Ordinance S-

- 47364) on March 17, 2021; and
- CMAR Preconstruction Services Agreement 149558 - Amendment 1 (Ordinance S-47513) on May 5, 2021.

Location

67 W. Culver St.
Council District: 7

Responsible Department

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



Environmental Site Assessment On-Call Services for Fiscal Years 2022-23 through 2023-24 (Ordinance S-48476)

Request to authorize the City Manager, or his designee, to enter into separate agreements with the consultants listed on Attachment A, to provide Environmental Site Assessment On-Call Services citywide. 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 \$7.5 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical; water; sewer; natural gas; telecommunications; cable television; railroads; and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The On-Call consultants will be responsible for providing Environmental Site Assessment On-Call Services that include, but are not limited to: performing Phase I, Phase II, and Phase III Environmental Site Assessments, biological surveys, brownfields related work, environmental program support services, and other related environmental studies and investigations on real property for the City of Phoenix.

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. Twenty-three firms submitted proposals and are listed in **Attachment A**.

Contract Term

The term of each agreement is up to three years, 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 \$7.5 million.

Funding is available in the Citywide Department's Capital Improvement Program and Operating budgets. The Budget and Research Department will review and approve funding availability prior to issuance of any On-Call task order. 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: Engineering and Environmental Consultants, Inc.
- Rank 2: GHD Services, Inc.
- Rank 3: Adams and Wendt, Inc.
- Rank 4: Stearns, Conrad and Schmidt, Consulting Engineers, Inc. dba SCS Engineers, Inc.
- Rank 5: AZTEC Engineering Group, Inc.
- Rank 6: Brown and Caldwell, Inc.
- Rank 7: Partner Engineering and Science, Inc.
- Rank 8: Atlas Technical Consultants LLC
- Rank 9: Stantec Consulting Services, Inc.
- Rank 10: NV5, Inc.

Additional Proposers

- Rank 11: Matrix New World Engineering, Land Surveying and Landscape Architecture, PC
- Rank 12: Speedie & Associates, Inc.
- Rank 13: AECOM Technical Services, Inc.
- Rank 14: Terracon Consultants, Inc.
- Rank 15: Ninyo & Moore Geotechnical & Environmental Services Consultants, Inc.
- Rank 16: Geosyntec Consultants, Inc.
- Rank 17: Water, Civil and Environmental, Inc.
- Rank 18: Pinyon Environmental, Inc.
- Rank 19: Buffalo Environmental Consultants, Inc.
- Rank 20: Universal Engineering Sciences
- Rank 21: Cordova Environmental Consulting, PLLC
- Rank 22: TRC Environmental Corporation
- Rank 23: Commonwealth Heritage Group, Inc.



Intergovernmental Agreement with Maricopa County Department of Transportation to Design and Construct a Traffic Signal at 67th Avenue and Vineyard Road (Ordinance S-48477)

Request authorization for the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Maricopa County Department of Transportation for a new traffic signal at 67th Avenue and Vineyard Road. Further request the City Council to grant an exception pursuant to Phoenix City Code section 42-20 to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code section 42-18. Further request to authorize the City Controller to disburse all funds related to this item. The total estimated financial impact to the City is \$70,424.

Summary

67th Avenue and Vineyard Road is an existing unsignalized intersection with stop control in all directions. The Maricopa County Department of Transportation (MCDOT) currently maintains and operates the north and south legs of 67th Avenue, and maintains and operates Vineyard Road east of the intersection as well. The City maintains and operates the west 33 feet of 67th Avenue, including a right-turn lane and pedestrian facilities, and maintains and operates Vineyard Road west of the intersection. MCDOT evaluated the intersection in June 2018 and determined the intersection met traffic signal warrants based on the warrant conditions from the 2009 Manual on Uniform Traffic Control Devices. The traffic signal cost will be shared with MCDOT contributing 75 percent and the City contributing 25 percent. The traffic signal will be installed, operated and maintained by MCDOT.

Contract Term

The agreement will be effective on the date it is executed by all the governing organizations and shall remain in effect until all stipulations previously indicated have been satisfied.

Financial Impact

The total estimated City contribution is \$70,424 or about 25 percent of the total, which is estimated at \$281,695.

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

Location

67th Avenue and Vineyard Road
Council District: 7

Responsible Department

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



Intergovernmental Agreement with Arizona Department of Transportation to Relocate City of Phoenix Water and Sewer Mains for Interstate 10 Broadway Curve Improvement Project (Ordinance S-48470)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Arizona Department of Transportation to relocate water and sewer mains in conflict with the Interstate 10 Broadway Curve Improvement Project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority, as provided below, and for the City Controller to disburse all funds related to this item. The total value of this agreement will not exceed \$415,000.

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

Also request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The Interstate 10 (I-10) Broadway Curve Improvement Project is planned to improve a segment of I-10 between the I-10 and Interstate 17 (I-17) Split Traffic Interchange and Congressman Ed Pastor Freeway (Loop 202-South Mountain Freeway). The Water Services Department (WSD) owns water and wastewater infrastructure throughout the I-10 Broadway Curve Improvement Project area. Some of the WSD-owned facilities were installed after I-10 was constructed, therefore those facilities do not have prior rights and must be located at the expense of the City. The Arizona Department of Transportation (ADOT) will relocate the affected facilities through use of a procured contractor, and the City will reimburse ADOT for the construction costs associated with

relocation of those facilities with non-prior rights.

Contract Term

This agreement will begin on or about April 1, 2022 and will end on Dec. 31, 2024.

Financial Impact

The total value for this agreement will not exceed \$415,000.

Funding for this project is available in the Water Services Department Capital Improvement Program Budget.

Location

I-10, from the I-10 and I-17 Split Traffic Interchange to Congressman Ed Pastor Freeway.

Council Districts: 6 and 8

Responsible Department

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



Intergovernmental Agreement with Arizona Department of Transportation to Fund City of Phoenix Water and Sewer Inspections for Interstate 10 Broadway Curve Improvement Project (Ordinance S-48471)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Arizona Department of Transportation to fund water and sewer inspections associated with the Interstate 10 Broadway Curve Improvement Project. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The City will be reimbursed in an amount not to exceed \$135,000.

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

Also request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The Interstate 10 (I-10) Broadway Curve Improvement Project is planned to improve a segment of I-10 between the I-10 and Interstate 17 (I-17) Split Traffic Interchange and Congressman Ed Pastor Freeway (Loop 202-South Mountain Freeway). The Water Services Department (WSD) owns water and wastewater infrastructure throughout the I-10 Broadway Curve Improvement Project area. Some of the WSD-owned facilities were installed prior to I-10 being constructed, therefore those facilities have prior rights and must be relocated at the expense of the Arizona Department of Transportation (ADOT). ADOT will relocate and protect existing WSD facilities with prior rights at their cost. The City will hire a consultant to provide inspections to affected facilities and ADOT will reimburse the City for the inspection costs associated with prior right

relocations and protection of existing prior right facilities in close proximity to the new project improvements in an amount not to exceed \$135,000.

Contract Term

The agreement will begin on or about April 1, 2022 and the term of this agreement is through Dec. 31, 2024.

Financial Impact

The City will be reimbursed in an amount not to exceed \$135,000.

Location

I-10, from the I-10 and I-17 Split Traffic Interchange to Congressman Ed Pastor Freeway.

Council Districts: 6 and 8

Responsible Department

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



Salt River Project Land Use License for Royal Palm Bicycle and Pedestrian Bridge Transportation Enhancements - ST87600061 (Ordinance S-48479)

Request to authorize the City Manager, or his designee to enter into a Land Use License with Salt River Project for the continued use and maintenance of a pedestrian bridge at 15th and Dunlap avenues. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary

This Salt River Project Land License is a renewal of a License that was entered into for work associated with the Royal Palm Bicycle and Pedestrian Bridge Transportation Enhancements project and allowed the City to maintain roadways, utilities, landscaping along with other necessary purposes located within USA Fee Property. The original License was executed on May 1, 2012, and expires April 30, 2022.

Contract Term

The term of the Land License shall be for 10 years beginning May 1, 2022, and ending April 30, 2032. The license may be renewed upon written agreement by the parties.

Financial Impact

There is no financial impact to the City of Phoenix for these licenses.

Location

15th and Dunlap avenues
Council Districts: 3 and 5

Responsible Department

These items are submitted by Deputy City Manager Mario Paniagua and the Street Transportation Department.



Salt River Project Construction License for Water Main Replacement from Elwood Street to Broadway Road and 16th to 20th Streets - WS85509046 (Ordinance S-48482)

Request to authorize the City Manager, or his designee, to enter into a Construction License with Salt River Project for work associated with a City of Phoenix Water Services Department project. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code 42-18.

Summary

The City is constructing waterline improvements, and the purpose of this license is to allow the City to install new waterlines that will parallel Salt River Project irrigation facilities. This work is in conjunction with City Project WS85509046 Water Main Replacement in the area bounded by Elwood Street to Broadway Road and 16th to 20th streets.

Contract Term

The term of the Construction License is one year, effective when the City begins construction, expected to be May 2022.

Financial Impact

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

Location

Area Bounded by Elwood Street to Broadway Road and 16th to 20th streets.
Council District: 8

Responsible Department

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



Telecommunications Services and Interstate Telecommunications Services License with Teleport Communications America, LLC (Ordinance S-48480)

Request to authorize the City Manager, or his designee, to execute a non-exclusive, revocable license with Teleport Communications America, LLC to construct, install, operate, maintain, and use public highways in the City of Phoenix to provide telecommunications services and interstate telecommunications services in, under, over, and across public rights-of-way in the City subject to terms and conditions contained in the license and Phoenix City Code. Further request the licensee sign the license within 60 days of City Council action or this authorization will expire.

Summary

The license will be for a period of five years, contain appropriate insurance and indemnification provisions, require a performance bond and security fund, provide for terms of transfer and revocation, and provide for compensation for the commercial use of public rights-of-way while permitting the City to manage the right-of-way.

Contract Term

The license is for a five-year Telecommunications Services and Interstate Telecommunications Services License with an option for a one-time renewal.

Financial Impact

There is no financial impact to the City. Per Phoenix City Code, Licensee will pay an annual fee to the City based on a formula using linear footage and the Consumer Price Index.

Responsible Department

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



Telecommunications Services and Interstate Telecommunications Services License with McLeodUSA Telecommunications Services, LLC (Ordinance S-48481)

Request to authorize the City Manager, or his designee, to execute a non-exclusive, revocable license with McLeodUSA Telecommunications Services, LLC to construct, install, operate, maintain, and use public highways in the City of Phoenix to provide telecommunications services and interstate telecommunications services in, under, over, and across public rights-of-way in the City subject to terms and conditions contained in the license and Phoenix City Code. Further request that the licensee sign the license within 60 days of City Council action or this authorization will expire.

Summary

The license will be for a period of five years, contain appropriate insurance and indemnification provisions, require a performance bond and security fund, provide for terms of transfer and revocation, and provide for compensation for the commercial use of public rights-of-way while permitting the City to manage the right-of-way.

Contract Term

The license is for a five-year Telecommunications Services and Interstate Telecommunications Services License with an option for a one-time renewal.

Financial Impact

There is no financial impact to the City of Phoenix. Per Phoenix City Code, Licensee will pay an annual fee to the City based on a formula using linear footage and the Consumer Price Index.

Responsible Department

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



Telecommunications Services and Interstate Telecommunications Services License with Arcadian Infracom 1, LLC (Ordinance S-48483)

Request to authorize the City Manager, or his designee, to execute a non-exclusive, revocable license with Arcadian Infracom 1, LLC to construct, install, operate, maintain and use the Public Highways in the City of Phoenix to provide telecommunications services and interstate telecommunications services in, under, over, and across public rights-of-way in the City, subject to the terms and conditions contained in the license and Phoenix City Code. Further request that the licensee sign the license within 60 days of City Council action, or this authorization will expire.

Summary

The license will be for a period of five years, contain appropriate insurance and indemnification provisions, require a performance bond and a security fund, provide for terms of transfer and revocation, and provide for compensation for the commercial use of public rights-of-way while permitting the City to manage the rights-of-way.

Contract Term

The request is for a five-year Telecommunications Services and Interstate Telecommunications Services License with an option for a one-time renewal.

Financial Impact

There is no financial impact to the City of Phoenix. Licensee will pay an annual fee based on a formula using linear footage and the Consumer Price Index.

Responsible Department

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



Interstate Telecommunications Services License with MCI Communications Services, Inc. (Ordinance S-48484)

Request to authorize the City Manager, or his designee, to execute a non-exclusive, revocable license with MCI Communications Services, Inc. to construct, install, operate, maintain, and use public highways in the City of Phoenix to provide interstate telecommunications services in, under, over, and across public rights-of-way in the City subject to terms and conditions contained in the license and Phoenix City Code. Further request that the licensee sign the license within 60 days of City Council action or this authorization will expire.

Summary

The license will be for a period of five years, contain appropriate insurance and indemnification provisions, require a performance bond and security fund, provide for terms of transfer and revocation, and provide for compensation for the commercial use of public rights-of-way while permitting the City to manage the right-of-way.

Contract Term

The license is for a five-year Telecommunications Services and Interstate Telecommunications Services License with an option for a one-time renewal.

Financial Impact

There is no financial impact to the City of Phoenix. Per Phoenix City Code, Licensee will pay an annual fee to the City based on a formula using linear footage and the Consumer Price Index.

Responsible Department

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



**Citywide General Electrical Job Order Contracting Services - 4108JOC207
(Ordinance S-48485)**

Request to authorize the City Manager, or his designee, to enter into three separate master agreements, to provide Citywide General Electrical Job Order Contracting services. 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 fee total for services will not exceed \$30 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical; water; sewer; natural gas; telecommunications; cable television; railroads; and other modes of transportation. Further request the City Council to grant an exception to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The Job Order Contract (JOC) contractors' services will be used on an as-needed basis to provide General Electrical services for departments citywide. Additionally, the JOC contractors will be responsible for fulfilling Small Business Enterprise program requirements.

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. Three firms submitted proposals and are listed below.

Selected Firms

Rank 1: AJP Electric, Inc.

Rank 2: Sellers & Sons, Inc.

Rank 3: LLR Electric, Inc.

Additional Proposers

Rank 4: KWR Construction, Inc.

Rank 5: K2 Electric

Rank 6: Kortman, Inc.

Rank 7: Spectra Electrical Services, Inc.

Contract Term

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

Financial Impact

The master agreement values for each of the JOC contractors will not exceed \$10 million, including all subcontractor and reimbursable costs. The total fee for all services will not exceed \$30 million.

Request to authorize the City Manager, or his designee, to execute job order agreements performed under these master agreements for up to \$2 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit.

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

Responsible Department

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



Water Services Department Pavement Restoration Job Order Contract Program - Construction Administration and Inspection Support Services Amendment - 8423600000 (Ordinance S-48453)

Request to authorize the City Manager, or his designee, to execute amendments to Agreements: 148972 with Consultant Engineering, Inc.; and 148973 with Tristar Engineering and Management, Inc. to provide additional Construction Administration and Inspection Services for the Water Services Department Pavement Restoration Job Order Contract Program. 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 additional fee for services included in the amendments will not exceed \$3,356,500 for Consultant Engineering, Inc. and \$3,356,500 for Tristar Engineering and Management, Inc., for a total not to exceed \$6,713,000.

Summary

The purpose of this project is for the consultants to perform Construction Administration and Inspection (CA&I) services on an as-needed basis to support the Water Services Department (WSD) Pavement Restoration Job Order Contract (JOC) Program.

The amendments are necessary due to pavement inspection work exceeding the WSD's original expectations. In 2019, WSD began managing the Pavement Restoration project to ensure compliance with the City's amended Street Pavement Cut Ordinance. The additional funding for Consultant Engineering, Inc. (CEI) and Tristar Engineering and Management, Inc. (Tristar) is based on expected inspection requirements given the pavement restoration needs through the contract timeframe and will provide the continuity of services that is needed to support the Pavement Restoration JOC Program.

Contract Term

The contract term remains unchanged. The scope of work identified and incorporated into the agreements prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreements. No additional changes may be executed after the end of the term.

Financial Impact

- The initial agreements for CA&I services with CEI and Tristar were approved for an amount not-to-exceed \$2.35 million each, including all subconsultant and reimbursable costs.
- An amendment for Tristar was approved for an amount not-to-exceed \$587,000, for a new total amount not to exceed \$2,937,000, including all subconsultants and reimbursable costs.
- These amendments will increase both agreements by an additional \$3,356,500 each, for a new total amount not to exceed \$5,706,500 for CEI and \$6,293,500 for Tristar, including all subconsultant and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved:

- Construction Administration and Inspection Services Agreement 148972 with CEI and 148973 with Tristar (Ordinance S-45230) on Dec. 12, 2018 and;
- Amendment to Agreement 148973 with Tristar (Ordinance S-47516) on May 5, 2021.

Responsible Department

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



CEM Moisture Microwave and Analyzers Equipment, Repairs and Maintenance Agreement - Request for Award (Ordinance S-48458)

Request to authorize the City Manager, or his designee, to enter into an agreement with CEM Corporation to provide maintenance, parts and repairs for the CEM Smart 5 and Smart 6 Moisture Analyzers. Further request authorization for the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed \$350,000.

Summary

The purpose of this agreement is to provide necessary maintenance, repairs, parts and consumable items for Moisture Analyzers at the Water Production and Wastewater Treatment Plants in the Water Services Department. Moisture Analyzers determine the solids percent of various treatment process samples. Results obtained from the sample analysis are used to monitor, optimize, and control the solids thickening and dewatering processes at the plants.

Direct selection is necessary because CEM Corporation is the sole authorized manufacturer, distributor and service provider for CEM Moisture Microwave Analyzers and Equipment.

CEM's services include, but are not limited to: maintenance, repairs, parts and consumables.

Procurement Information

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

Contract Term

The agreement will begin on or about April 1, 2022 for a seven-year aggregate term.

Financial Impact

The agreement value for CEM Corporation will not exceed \$350,000.

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

Responsible Department

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



Central Arizona Water Clearinghouse (Martin & McCoy) - Amendment (Ordinance S-48459)

Request to authorize the City Manager, or his designee, to execute an amendment to consent to assignment of Central Arizona Water Clearinghouse Project Management Services Contract 153668 with Martin & McCoy, LLC., to AMP Insights.

Summary

The purpose of this amendment is to consent to assignment of the agreement with Martin & McCoy, LLC, to AMP Insights. The lead consultant at Martin & McCoy is leaving the company and taking a position with AMP Insights; the amendment would allow project-related work performed by both AMP Insights and the former Martin & McCoy consultant to move forward unhindered.

The contract provides project management services required to develop the Central Arizona Water Clearinghouse platform prototype. The Clearinghouse is a collaborative project developed by the City of Phoenix and an external team of water professionals, academics, and non-profit organizations. The purpose of the Clearinghouse is to create water management tools to facilitate market-based transactions that will advance water resource sustainability for the City and other water users in Central Arizona.

Contract Term

The contract term is unchanged by this amendment and will run through Dec. 31, 2023, with an existing option for the City to extend the term for an additional three years.

Financial Impact

There is no requested change to the existing spending authorization for this contract as part of this amendment.

Concurrence/Previous Council Action

The City Council approved:

- Acceptance and disbursement of U.S. Bureau of Reclamation 'WaterSMART Water Marketing Strategy' Grant (Ordinance S-45870) on June 26, 2019; and

- Central Arizona Water Clearinghouse Contract 153668 (Ordinance S-47164) on Dec. 16, 2020.

Responsible Department

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



Final Plat - Lima 8 - PLAT 210091 - North of Pasadena Avenue and West of 16th Avenue

Plat: 210091

Project: 21-1080

Name of Plat: Lima 8

Owner: Massimo Sommacapagna, TDP 16th and Camelback, LLC

Engineer: Paul M. Miller, RLS

Request: An 8 Lot Residential Plat

Reviewed by Staff: Feb. 25, 2022

Final Plat requires Formal Action Only

Summary

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

Location

Generally located north of Pasadena Avenue and west of 16th Avenue.

Council District: 4

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



Final Plat - Seasons at Vista Del Sur - PLAT 210040 - Northeast Corner of 99th Avenue and Southern Avenue

Plat: 210040
Project: 20-2998
Name of Plat: Seasons at Vista Del Sur
Owner: Prestige Development Inc N W
Engineer: Ronnie E. Dorsey, RLS
Request: A 153 Lot Residential Plat
Reviewed by Staff: March 7, 2022
Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the northeast corner of 99th Avenue and Southern Avenue.
Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



Final Plat - SWC 40th Street and Southern Avenue - PLAT 210076 - Southwest Corner of 40th Street and Southern Avenue

Plat: 210076

Project: 19-3790

Name of Plat: SWC 40th Street and Southern Avenue

Owner: CRP/Brown 40th and Southern Owner, LLC

Engineer: Anthony L. Slater, RLS

Request: A 1 Lot Commercial Plat

Reviewed by Staff: Feb. 23, 2022

Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the southwest corner of 40th Street and Southern Avenue.

Council District: 8

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



Amend City Code - Official Supplementary Zoning Map 1230 (Ordinance G-6977)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1230. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with a portion of Z-122-00-1 and the entitlements are fully vested.

Summary

To rezone land generally located approximately 348 feet east of the southeast corner of the intersection of 19th Avenue and Happy Valley Road

Application No.: Z-122-00-1

Zoning: C-2 and CP/GCP

Owner: Exul Deer Valley Project, LLC; Stormy Property Holdings 1, LLC; Cobblestone Propco, LLC; Whispering Wind, LLC; Brent and AMI Ducoing Living Trust; Bar Industries, LLC; Guliano, LLC; Palo Cristi, LLC; OFMM3, LLC; Pratte Holdings, LLC; and PRA3 Investments, LLC

Acreage: 29.74 acres of C-2 and 8.10 acres of CP/GCP

Location

Approximately 348 feet east of the southeast corner of the intersection of 19th Ave and Happy Valley Road.

Address: 1717, 1725, 1825 W. Happy Valley Road; and 1505, 1506, 1509, 1513, 1523, 1606, 1610, 1614 W. Whispering Wind Drive.

Council District: 1

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY ADOPTING OFFICIAL SUPPLEMENTARY ZONING MAP 1230.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX as

follows:

SECTION 1. That Section 601 of the City of Phoenix Zoning Ordinance is hereby amended by adopting Official Supplementary Zoning Map 1230, which accompanies and is annexed to this ordinance and declared a part hereof.

PASSED by the Council of the City of Phoenix this 23rd day of March, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By: _____

REVIEWED BY:

Jeffrey Barton, City Manager

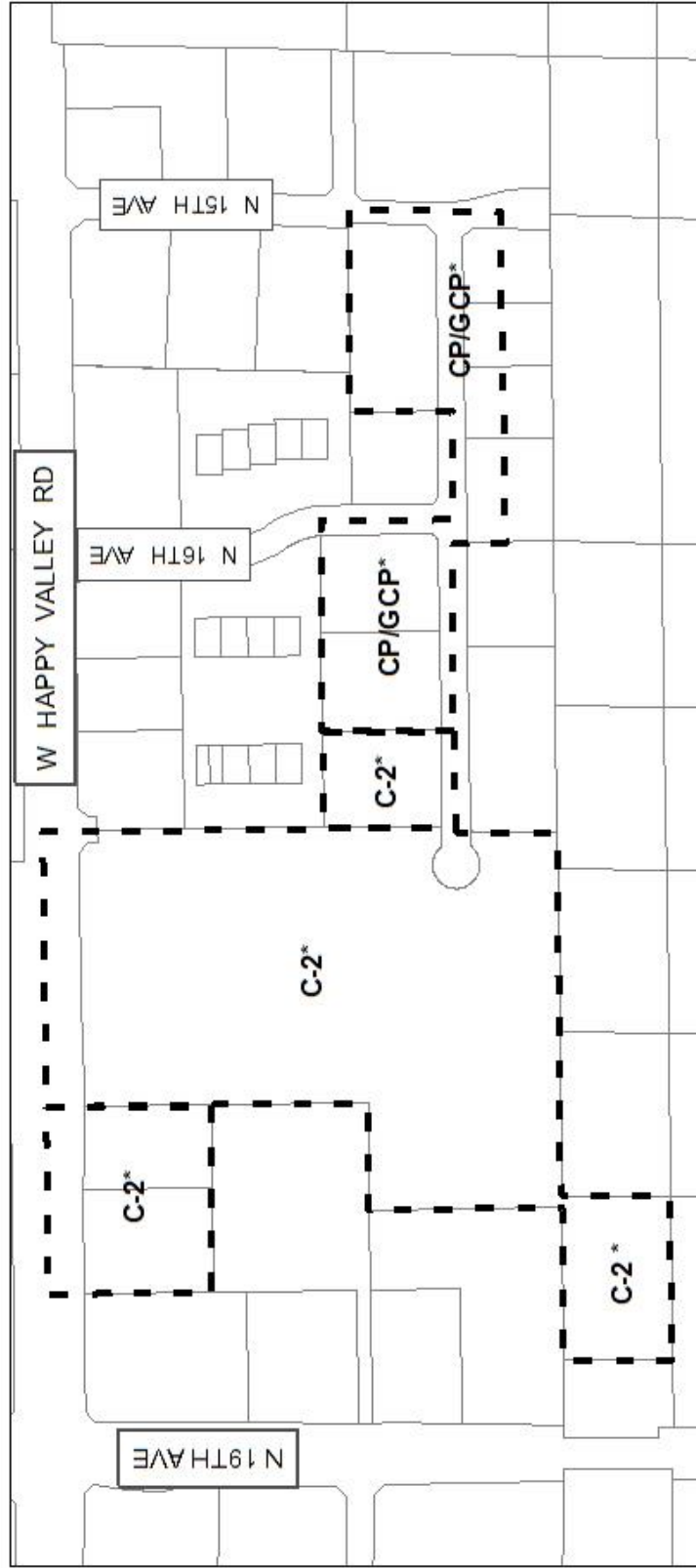
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DRAFT

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 1230

ORDINANCE NO. _____ AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE

Passed by the Council of the City of Phoenix, Arizona this 23rd day of March 2022.



A Portion of Z-122-00

ZONING SUBJECT TO STIPULATIONS: *
AREA INVOLVED BOUNDED THUS: ■■■■■



Drawn by: KS



Amend City Code - Ordinance Adoption - Rezoning Application Z-75-21-2 - Approximately 460 Feet South of the Southwest Corner of North Valley Parkway and Dove Valley Road (Ordinance G-6978)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-75-21-2 and rezone the site from C-2 M-R NBCOD (Intermediate Commercial, Mid-Rise, North Black Canyon Overlay District), CP/GCP M-R PCD NBCOD (Commerce Park/General Commerce Park, Mid-Rise, Planned Community District, North Black Canyon Overlay District), and CP/GCP M-R NBCOD (Commerce Park/General Commerce Park, Mid-Rise, North Black Canyon Overlay District) to C-2 NBCOD (Intermediate Commercial, North Black Canyon Overlay District) to allow an automotive service facility.

Summary

Current Zoning: C-2 M-R NBCOD (0.60 acres), CP/GCP M-R PCD NBCOD (0.48 acres), CP/GCP M-R NBCOD (0.18 acres)

Proposed Zoning: C-2 NBCOD

Acreage: 1.26 acres

Proposed Use: Automotive Service Facility

Owner: Quick Quack Car Wash Holdings, LLC

Applicant: Neil Feaser, RKAA Architects Inc.

Representative: Greg Clark, KCAS II, LLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The North Gateway Village Planning Committee heard this case on Feb. 10, 2022, and recommended approval, per the staff recommendation, by a vote of 3-0.

PC Action: The Planning Commission heard this case on Mar. 3, 2022, and recommended approval, per the North Gateway Village Planning Committee recommendation, by a vote of 7-0.

Location

Approximately 460 feet south of the southwest corner of North Valley Parkway and Dove Valley Road.

Council District: 2

Parcel Address: 32880 N. North Valley Parkway.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson 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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-75-21-2) FROM C-2 M-R NBCOD (INTERMEDIATE COMMERCIAL, MID-RISE, NORTH BLACK CANYON OVERLAY DISTRICT), CP/GCP M-R PCD NBCOD (COMMERCE PARK/GENERAL COMMERCE PARK, MID-RISE, PLANNED COMMUNITY DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT), AND CP/GCP M-R NBCOD (COMMERCE PARK/GENERAL COMMERCE PARK, MID-RISE, NORTH BLACK CANYON OVERLAY DISTRICT) TO C-2 NBCOD (INTERMEDIATE COMMERCIAL, NORTH BLACK CANYON OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 1.26-acre site located approximately 460 feet south of the southwest corner of North Valley Parkway and Dove Valley Road in a portion of Section 13 and 14, Township 5 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from 0.60 acres of "C-2 M-R NBCOD" (Intermediate Commercial, Mid-Rise, North Black Canyon Overlay District), 0.48 acres of "CP/GCP M-R PCD NBCOD" (Commerce Park/General Commerce Park, Mid-Rise,

Planned Community District, North Black Canyon Overlay District), and 0.18 acres of “CP/GCP M-R NBCOD” (Commerce Park/General Commerce Park, Mid-Rise, North Black Canyon Overlay District), to “C-2 NBCOD” (Intermediate Commercial, North Black Canyon Overlay 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 date stamped November 22, 2021, as modified by the following stipulations and approved by the Planning and Development Department.
2. All elevations of the building shall contain a minimum of three building materials as well as 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. All buildings, wall colors, and materials shall be in compliance with the North Black Canyon Overlay District with specific regard to colors being muted and blending, rather than contrasting strongly, with the surrounding desert environment, as approved by the Planning and Development Department.
4. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances and public sidewalks using the most direct route for pedestrians, as approved by the Planning and Development Department.
5. Where pedestrian pathways cross drive aisles, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave parking surfaces and drive aisles, as approved by the Planning and Development Department.

6. A minimum of 75 percent of pedestrian pathways and sidewalks shall be shaded by a structure, landscaping at maturity, or a combination of the two, as approved by the Planning and Development Department.
7. A minimum of two 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.
8. Median openings along North Valley Parkway are prohibited unless otherwise approved by the Street Transportation Department.
9. The developer shall provide conduit and junction boxes at the northwest corner of the southern (east/west) collector street and North Valley Parkway for future traffic signal equipment, as approved by the Street Transportation Department.
10. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
11. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeology survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
12. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determine such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
13. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

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 6th day of April, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

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

EXHIBIT A

LEGAL DESCRIPTION FOR Z-75-21-2

LEGAL DESCRIPTION – LOT 2

A PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 14;

THENCE SOUTH 00 DEGREES 21 MINUTES 42 SECONDS EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 456.50 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF NORTH VALLEY PARKWAY, BEING A POINT ON A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 1502.39 FEET, THE CENTER OF WHICH BEARS NORTH 72 DEGREES 04 MINUTES 45 SECONDS EAST SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 00 DEGREES 15 MINUTES 52 SECONDS AN ARC LENGTH OF 6.93 FEET;

THENCE LEAVING SAID RIGHT OF WAY SOUTH 67 DEGREES 24 MINUTES 32 SECONDS WEST, A DISTANCE OF 75.74 FEET;

THENCE SOUTH 89 DEGREES 38 MINUTES 10 SECONDS WEST, A DISTANCE OF 58.80 FEET;

THENCE SOUTH 00 DEGREES 21 MINUTES 44 SECONDS EAST, A DISTANCE OF 218.67 FEET TO A POINT ON THE PROPOSED NORTH RIGHT OF WAY LINE OF COMMITMENT WAY, SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 470.00, THE CENTER OF WHICH BEARS NORTH 00 DEGREES, 00 MINUTES 03 SECONDS WEST;

THENCE NORTHEASTERLY ALONG SAID CURVE AND SAID RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 23 DEGREES 14 MINUTES 23 SECONDS AN ARC LENGTH OF 190.64 FEET;

THENCE NORTH 13 DEGREES 25 MINUTES 50 SECONDS EAST, A DISTANCE OF 37.75 FEET TO A POINT ON SAID WESTERLY RIGHT OF WAY LINE OF NORTH VALLEY PARKWAY TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE

TO THE NORTHEAST HAVING A RADIUS OF 1502.39 FEET, THE CENTER OF WHICH BEARS NORTH 65 DEGREES 18 MINUTES 29 SECONDS EAST;

THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 06 DEGREES 46 MINUTES 16 SECONDS AN ARC LENGTH OF 177.55 FEET TO THE TRUE POINT OF BEGINNING.

COMPRISING 36,557.01 SF OR 0.8392 AC, MORE OR LESS.

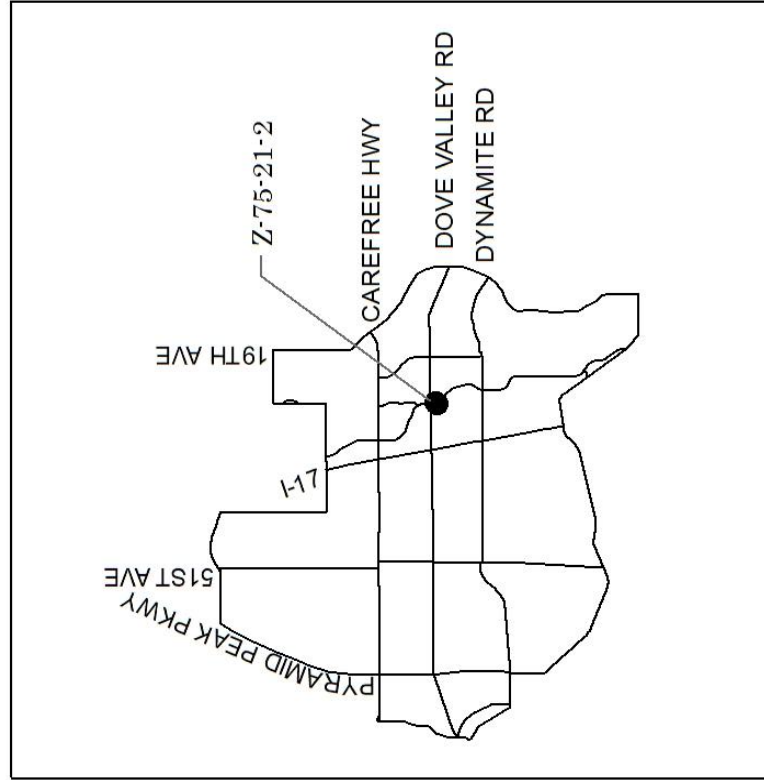
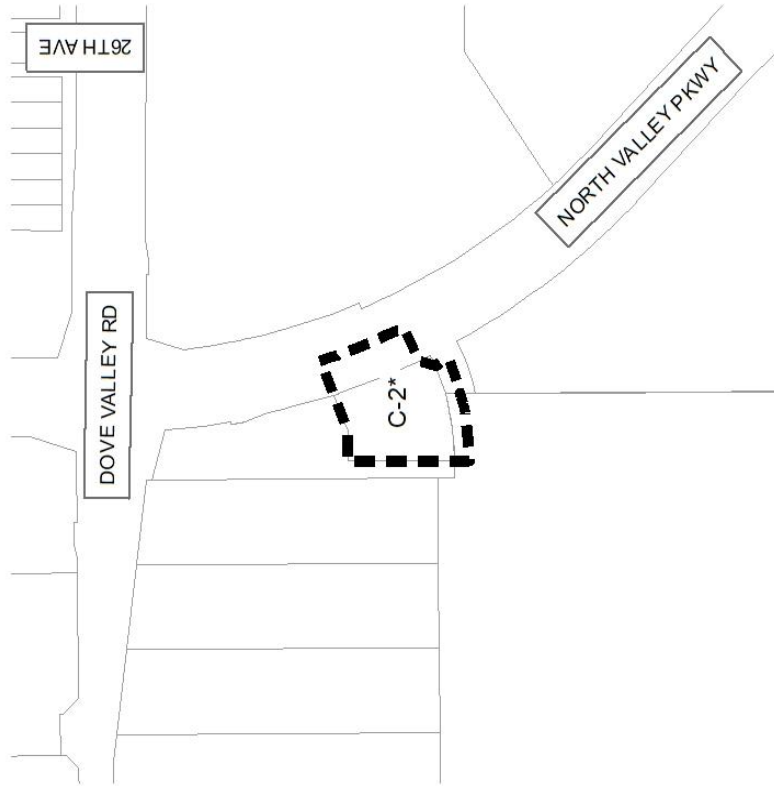
DRAFT

EXHIBIT B

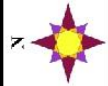
ORDINANCE LOCATION MAP

Zoning Case Number: Z-75-21-2
Zoning Overlay: North Black Canyon Corridor Plan
and Overlay District (NBCOD)
Planning Village: North Gateway

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 3/2/2022



Amend City Code - Ordinance Adoption - Rezoning Application Z-1-22-6 - Southeast Corner of 32nd Place and Camelback Road (Ordinance G-6979)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-1-22-6 and rezone the site from R-O (Residential Office District) to C-O/G-O (Restricted Commercial District, General Office Option) to allow a bank office.

Summary

Current Zoning: R-O

Proposed Zoning: C-O/G-O

Acreage: 0.46 acres

Proposed Use: Bank Office

Owner: BA 32 Pacific, LLC.

Applicant: Wendy Riddell, Berry Riddell, LLC

Representative: Wendy Riddell, Berry Riddell, LLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Camelback East Village Planning Committee did not review the case.

PC Action: The Planning Commission heard the case on March 3, 2022, and recommended approval, per the staff recommendation, by a vote of 7-0.

Location

Southeast corner of 32nd Place and Camelback Road.

Council District: 6

Parcel Addresses: 3237 E. Camelback Road.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson 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-1-22-6) FROM R-O (RESIDENTIAL OFFICE DISTRICT) TO C-O/G-O (COMMERCIAL OFFICE/GRNERAL OFFICE DISTRICT).

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

SECTION 1. The zoning of a 0.46 acre site located on the southeast corner of 32nd Place and Camelback Road in a portion of Section 24, Township 2 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "R-O" (Residential Office District) to "C-O/G-O" (Commercial Office/General Office 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. All building elevations 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.
2. A minimum of two bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances 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.
3. The developer shall dedicate a 10-foot-wide sidewalk easement for the south side of Camelback Road, as approved by the Planning and Development Department.
4. 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.
5. 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.
6. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

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

PASSED by the Council of the City of Phoenix this 6th day of April, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

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

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-1-22-6

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

PARCEL NO. 1:

Lot 10, of CHESTLEY VILLA, according to Book 61 of Maps, page 42; and also that portion of the abandoned alley lying East of and adjacent to Lot 10 as set forth in Resolution of Abandonment in Recording No. 88-079424 and in Re-Recording No. 88-083484 and Amended in Recording No. 88-357906, records of Maricopa County, Arizona.

PARCEL NO. 2:

That portion of Abandoned Roadway, pursuant to Resolution recorded in Recording No. 20180674912, records of Maricopa County, Arizona, described as follows:

The South 10 feet of the right-of-way for Camelback Road lying immediately North of and adjoining the North line of Lot 10, CHESTLEY VILLA, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 61 of Maps at page 42, bounded on the East by the Northerly prolongation of the East line of said Lot 10, and on the West by a curve, concave Southeasterly, having an external tangent distance of 30.12 feet, said curve being tangent to the West line of said Lot 10, and tangent to a line parallel with and 10 feet North of the North line of said Lot 10.

APN: 170-20-010

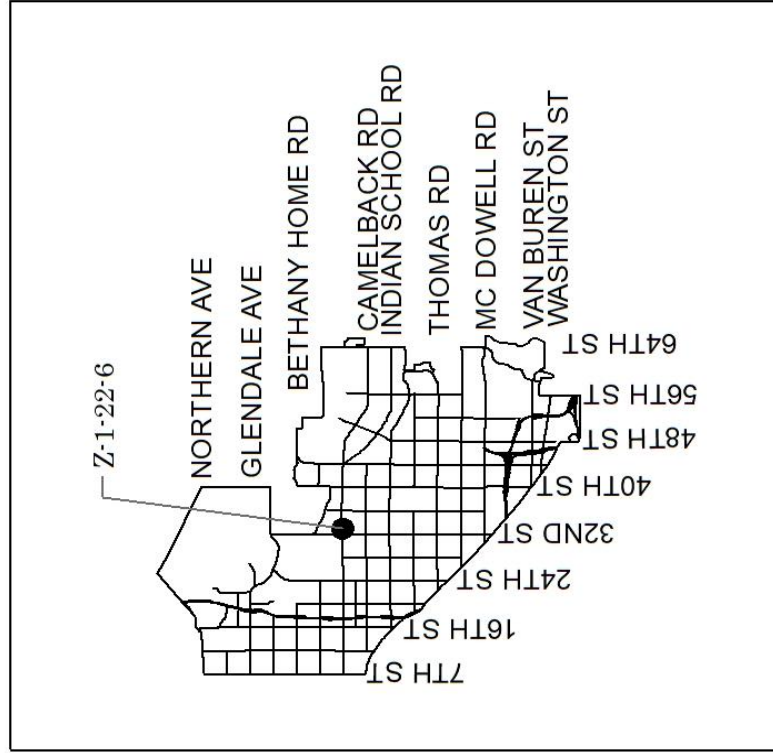
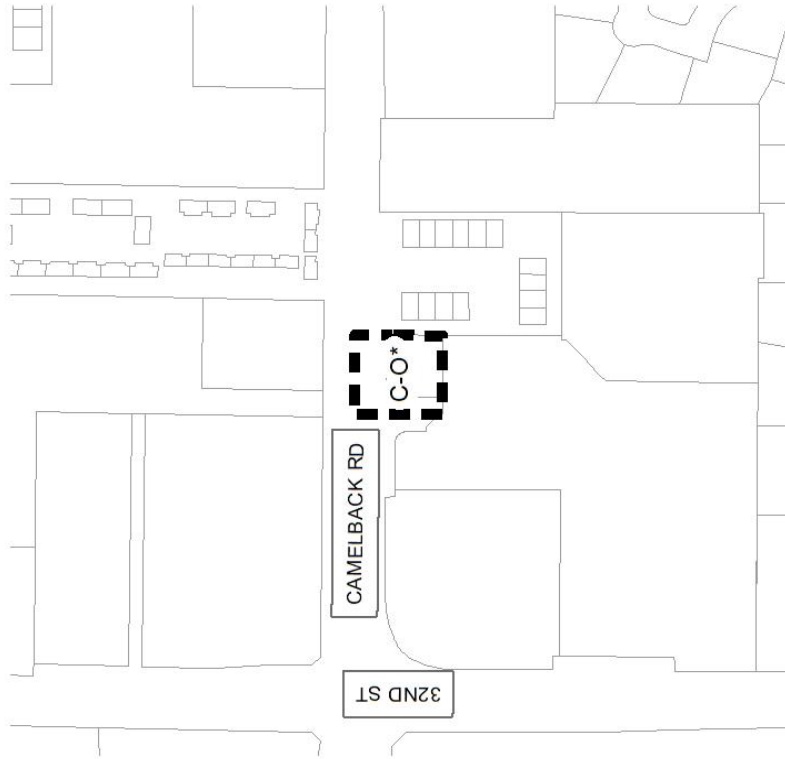
A PORTION OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-1-22-6
Zoning Overlay: N/A
Planning Village: Camelback East

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■■■■■



NOT TO SCALE



Drawn Date: 3/2/2022



Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-6-21-7 - Southeast Corner of the Loop 202 Freeway and Southern Avenue (Ordinance G-6976)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-6-21-7 and rezone the site from S-1 (Approved C-2) (Ranch or Farm Residence District, Approved Intermediate Commercial District) to C-2 SP (Intermediate Commercial District, Special Permit) to allow a self-service storage warehouse and underlying commercial uses.

Summary

Current Zoning: S-1 (Approved C-2)

Proposed Zoning: C-2 SP

Acreage: 3.29 acres

Proposal: Self-service storage warehouse and underlying commercial uses

Owner: REXCO S202, LLC

Applicant: Alan Beaudoin, Norris Design

Representative: Alan Beaudoin, Norris Design

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Laveen Village Planning Committee heard this case and recommended approval, per the staff recommendation with modified stipulations, on Feb. 14, 2022, by a vote of 5-4.

PC Action: The Planning Commission heard this case on Mar. 3, 2022, and recommended approval, per the Addendum A Staff Report with an additional stipulation, by a vote of 7-0.

Location

Southeast corner of the Loop 202 freeway and Southern Avenue.

Council District: 7

Parcel Address: N/A

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson 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-6-21-7) FROM S-1 (APPROVED C-2) (RANCH OR FARM RESIDENCE DISTRICT, APPROVED 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 3.29-acre site located at the southeast corner of the Loop 202 Freeway and Southern Avenue in a portion of Section 31, Township 1 North, Range 2 East, as described more specifically in Exhibit "A", is hereby changed from "S-1 (Approved C-2)" (Ranch or Farm Residence District, Approved Intermediate Commercial District) to "C-2" (Intermediate Commercial District) with a Special Permit to allow a self-service storage warehouse and underlying commercial uses.

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 building elevations date stamped March 1, 2022, with specific regard to the following, as approved by the Planning and Development Department.
 - a. The north elevation of Building A, and east elevation of Building B shall incorporate windows.
 - b. The north elevation of Building A shall incorporate a decorative silo.
 - c. The north and east elevations of Building C shall incorporate decorative elements such as pitched roofs consistent with the elevations of Buildings A and B.
 - d. A minimum of three distinct building materials shall be utilized on all building elevations.
2. All uncovered surface parking lot areas for employees and customers shall be landscaped with minimum 2-inch caliper size 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.
3. Pedestrian walkways connecting the building to adjacent public sidewalks shall be shaded to a minimum of 75 percent using large canopy drought tolerant shade trees at maturity and/or architectural shade.
4. 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 with parking and drive aisle surfaces, as approved by the Planning and Development Department. Vehicular crossings shall be kept to a minimum.
5. 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 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.

6. The developer shall dedicate a 30-foot-wide multi-use trail easement (MUTE) along the south side of Southern Avenue and construct a minimum 10-foot wide multi-use trail (MUT) within the easement, in accordance with the MAG supplemental detail indicated in Section 429 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.
7. The developer shall dedicate minimum 55 feet of right-of-way and construct/permit the south side of Southern Avenue as required by MCDOT and the Street Transportation 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. 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.
10. 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.
11. 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.
12. 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 6th day of April, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

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

EXHIBIT A

LEGAL DESCRIPTION FOR Z-SP-6-21-7

THAT PORTION OF NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 2 EAST, OF THE GILA SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT FOUND PK NAIL IN PAVEMENT MARKING THE NORTHEAST CORNER OF SAID SECTION 31, FROM WHICH BEARS FOUND BRASS CAP IN HAND HOLE STAMPED "LS54404" MARKING THE NORTH QUARTER CORNER OF SAID SECTION 31, BEARS NORTH 89°58'48" WEST (BASIS OF BEARINGS) 2644.65 FEET; AND FROM WHICH A FOUND MARICOPA COUNTY ALUMINUM CAP MARKING THE EAST QUARTER OF SAID SECTION 31 BEARS SOUTH 00°43'54" EAST 2635.30 FEET;

THENCE ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, NORTH 89°58'48" WEST, A DISTANCE OF 1278.89 FEET;

THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 33.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 309.64 FEET;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 69.40 FEET;

THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 155.67 FEET;

THENCE NORTH 90°00'00" WEST, A DISTANCE OF 320.34 FEET;

THENCE NORTH 02°07'27" WEST ALONG A LINE 25.00 FEET WEST OF AND PARALLEL WITH THE EAST RIGHT-OF-WAY LINE OF ARIZONA LOOP 202 RIGHT-OF-WAY, AS SAID RIGHT-OF-WAY IS DESCRIBED IN DOCUMENT 2016-246056, OFFICIAL RECORDS MARICOPA COUNTY RECORDER, A DISTANCE OF 465.72 FEET;

THENCE SOUTH 89°58'48" EAST ALONG A LINE 33.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 268.20 FEET, TO THE TRUE POINT OF BEGINNING.

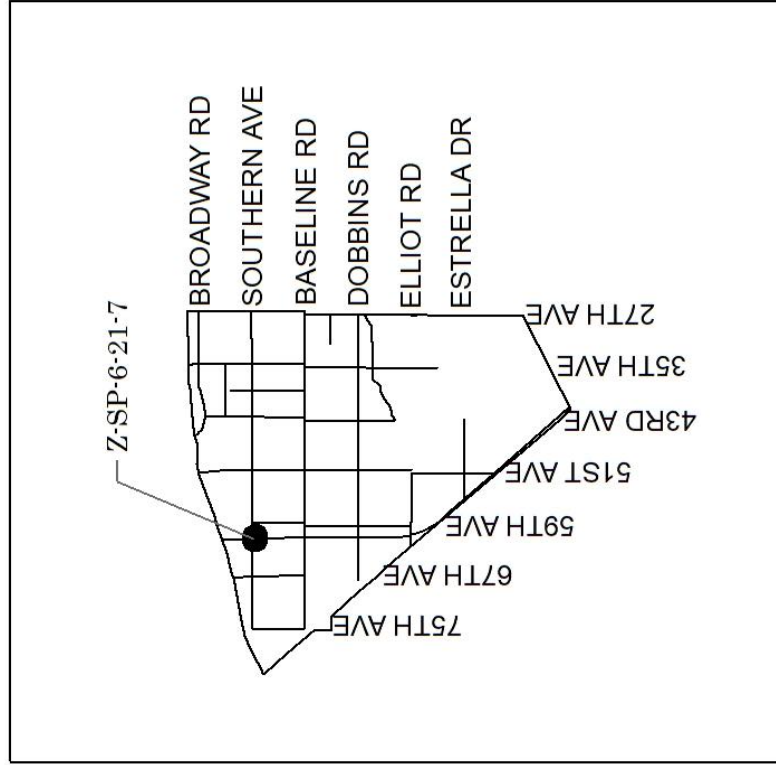
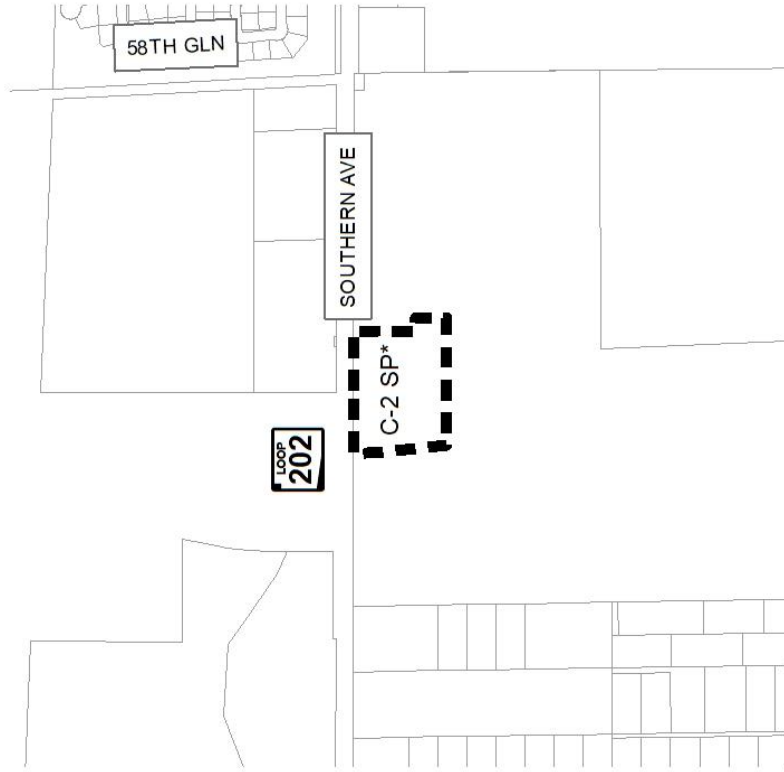
CONTAINING 131,594 SQUARE FEET, OR, 3.021 ACRES OF LAND, MORE OR LESS.

EXHIBIT B

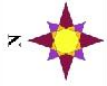
ORDINANCE LOCATION MAP

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -

Zoning Case Number: Z-SP-6-21-7
Zoning Overlay: N/A
Planning Village: Laveen



NOT TO SCALE



Drawn Date: 3/2/2022



(CONTINUED FROM FEB. 2, 2022) - Amend City Code - Ordinance Adoption - Rezoning Application Z-47-21-4 - Approximately 400 Feet Northwest of the Northwest Corner of 33rd Avenue and Grand Avenue (Ordinance G-6952)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-47-21-4 and rezone the site from C-3 (General Commercial District) to C-3 DNS/WVR (General Commercial District, Density Waiver) to allow multifamily residential.

Summary

Current Zoning: C-3

Proposed Zoning: C-3 DNS/WVR

Acreage: 4.88 acres

Proposed Use: Multifamily residential

Owner: P WEST PROPERTIES XX, LLC

Applicant: Jason Morris, Withey Morris, PLC

Representative: Jason Morris, Withey Morris, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Alhambra Village Planning Committee heard this case on Sept. 28, 2021 and recommended approval, per the staff recommendation with an additional stipulation by a vote of 12-0.

PC Action: This case was continued by the Planning Commission on Oct. 7, 2021, Nov. 4, 2021, and Dec. 2, 2021. The Planning Commission heard this case on Jan. 6, 2022 and recommended approval, per the Alhambra Village Planning Committee recommendation, with an additional stipulation by a vote of 8-0.

Location

Approximately 400 feet northwest of the northwest corner of 33rd Avenue and Grand Avenue.

Council District: 4

Parcel Address: 3400 Grand 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 (Z-47-21-4) FROM C-3 (GENERAL COMMERCIAL DISTRICT) TO C-3 DNS/WVR (GENERAL COMMERCIAL DISTRICT, DENSITY WAIVER).

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

SECTION 1. The zoning of a 4.88-acre site located approximately 400 feet northwest of the northwest corner of 33rd Avenue and Grand Avenue, in a portion of Section 26, Township 2 North and Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "C-3" (General Commercial District) to "C-3 DNS/WVR" (General Commercial District with a density waiver).

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 utilize the standards contained in the R-5 (Multifamily Residence District) zoning district development standard, except as modified by the below stipulations and as approved by the Planning and Development Department.
2. A minimum of 6 percent of the gross project area shall be retained as open space and be shaded to a minimum 50 percent by minimum 2-inch caliper large canopy shade trees and architectural shade such as ramadas that shall account for no more than 25 percent of the required shade area, as approved by the Planning and Development Department.
3. The developer shall replenish the existing landscape planters adjacent to Grand Avenue per the C-3 streetscape landscape standards for planting type, size and quantity contained in Chapter 624.E.4.e of the Phoenix Zoning Ordinance, unless underground utilities and/or drainage are found to conflict, 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 the creation of a comfortable pedestrian environment.
4. The developer shall incorporate and maintain bicycle infrastructure as described below and as approved by the Planning and Development Department.
 - a. Secure bicycle parking for residents at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces.
 - b. Inverted-U style bicycle racks with capacity for a minimum of 10 bicycles for guests shall be distributed throughout the site near the primary pedestrian entrance(s) or amenity area.
 - c. A bicycle repair station (“fix it station”) shall be provided in an area of high visibility such as near a central amenity area. 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.
5. The developer shall provide a system of internal, clearly defined pedestrian pathways including the following elements, as approved by the Planning and Development Department:
 - a. Connect all building entrances, exits, and amenity areas, to all public sidewalks, by a direct route.

- b. Where pedestrian pathways cross drive-aisles, the crossing shall visually contrast with parking and drive aisle surfaces.
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. All right-of-way improvements and access control shall be reviewed, permitted and approved by ADOT.
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. 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.
11. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
12. The developer shall provide a "tot lot" as an amenity in a centrally located open space, as approved by the Planning and Development Department.
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 2nd day of February, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

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

EXHIBIT A

LEGAL DESCRIPTION FOR Z-47-21-4

That portion of the Northwest quarter of the Northwest quarter of Section 26, Township 2 North, Range 2 East of the Gila and Salt River Base and Meridian described as follows;

Commencing at the Northeast Corner of the Northwest quarter of the Northwest quarter of Section 26.

Thence west along the north line thereof 175 feet;

Thence South 0 degrees 20 minutes West, parallel with the East line of the Northwest Quarter of the Northwest quarter of Section 26. a distance of 183.00 feet to the True Point of Beginning;

Thence West parallel with the North Line thereof a distance of 152.00 feet to the southwest corner of the North 183 feet of the East 327 of the Northwest Quarter of the Northwest quarter of Section 26.

Thence South 45 degrees 18 minutes West a distance of 86.60 feet; Thence South 0 degrees 20 Minutes West a distance of 198.69 feet;

Thence South 45 degrees 18 Minutes West 309.77 feet to a point on the Northeasterly right of way line of Grand Avenue (said right of way line being 40 feet Northeasterly of the centerline of Grand Avenue as measures at right angles)

Thence South 44 degrees 42 Minutes East along the Northeasterly right of way of Grand Avenue, a distance of 400.26 feet;

Thence North 45 degrees 18 Minutes East 186.70 feet to a point on the South line of the North 825.00 feet of the Northwest quarter of the Northwest quarter of Section 26.

Thence East along said South line 145.81 feet to a point on the West Line of the East 33.00 feet of the Northwest quarter of the Northwest quarter of section 26. Thence North 0 degrees 30 Minutes East along said west line 32.00 feet;

Thence West parallel to the North line of the Northwest quarter of the Northwest of Section 26, a distance of 142.00 feet to the Southwest corner of the North 793.00 feet of the East 175.00 feet of the Northwest quarter of the Northwest quarter of Section 26;

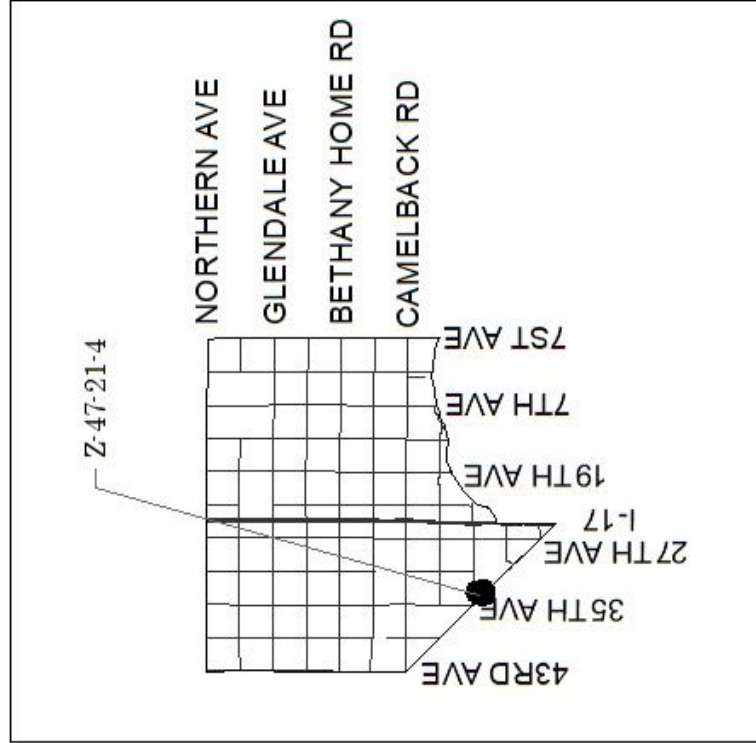
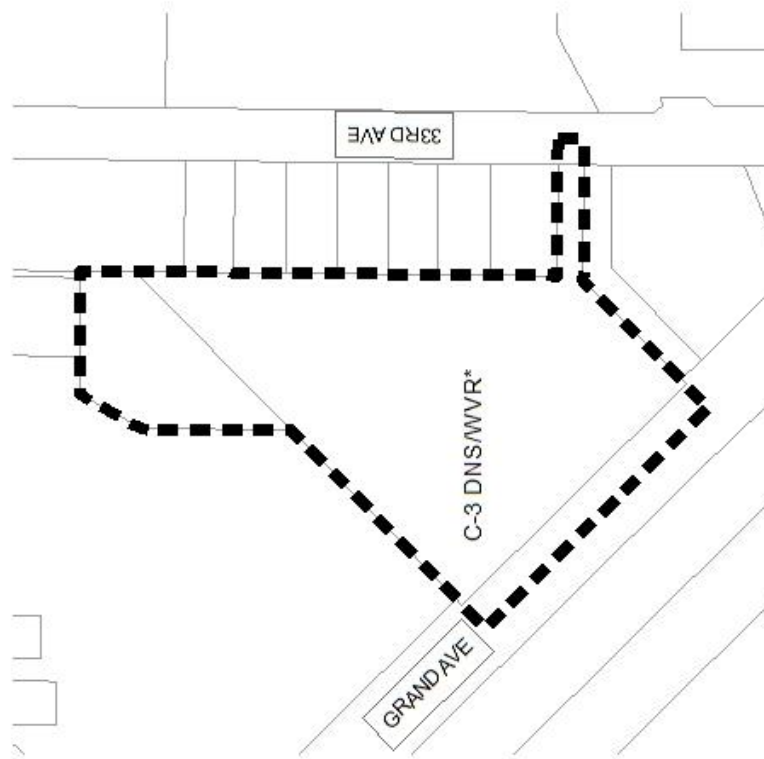
Thence North 0 degrees 20 minutes East parallel to the East line of the Northwest quarter of the Northwest quarter of Section 26, a distance of 610.01 feet to the True Point of Beginning;

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-47-21-4
Zoning Overlay: N/A
Planning Village: Alhambra

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 9/30/2021



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: February 1, 2022

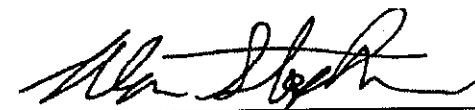
From: Joshua Bednarek 
Planning and Development Deputy Director

Subject: CONTINUANCE OF ITEM 71 ON THE FEBRUARY 2, 2022 FORMAL AGENDA
– Z-47-21-4 (G-6952) – APPROXIMATELY 400 FEET NORTHWEST OF THE
NORTHWEST CORNER OF 33RD AVENUE AND GRAND AVENUE

Item 71, rezoning application Z-47-21-4 is a request to rezone 4.88 acres property located approximately 400 feet northwest of the northwest corner of 33rd Avenue and Grand Avenue from C-3 to C-3 DNS/WVR to allow for multifamily residential with a density waiver.

This request is to continue the item to the April 6, 2022 City Council formal meeting. The applicant has requested the continuance to address unresolved issues associated with the property. Staff recommends this case be continued to the April 6, 2022 meeting.

Approved: _____



Alan Stephenson, Deputy City Manager



Amend City Code - Ordinance Adoption - Rezoning Application Z-73-21-8 - Approximately 415 Feet West of the Northwest Corner of 36th Street and McDowell Road (Ordinance G-6975)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-73-21-8 and rezone the site from C-2 HGT/WVR (Intermediate Commercial District, Height Waiver), C-2 (Intermediate Commercial District), P-1 (Parking District - Passenger Automobile Parking, Limited), and PAD-14 (Planned Area Development District) to R-3 (Multifamily Residence District) to allow a single-family attached residential development.

Summary

Current Zoning: C-2 HGT/WVR (2.06 acres), C-2 (0.49 acres), P-1 (1.69 acres), and PAD-14 (1.63 acres)

Proposed Zoning: R-3

Acreage: 5.87 acres

Proposal: Single-family attached residential

Owner: McDowell Partners I, LLC, et al.

Applicant: McDowell Partners I, LLC

Representative: Ron Harris, Norris Design

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Camelback East Village Planning Committee heard this case on Feb. 1, 2022, and recommended approval, per the staff recommendation, by a vote of 17-0.

PC Action: The Planning Commission heard this case on Mar. 3, 2022, and recommended approval, per the Camelback East Village Planning Committee recommendation with an additional stipulation, by a vote of 7-0.

Location

Approximately 415 feet west of the northwest corner of 36th Street and McDowell Road.

Council District: 8

Parcel Address: 3442, 3450, 3452, 3456, 3502, and 3510 E. McDowell Road

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson 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-73-21-8) FROM C-2 HGT/WVR (INTERMEDIATE COMMERCIAL DISTRICT, HEIGHT WAIVER), C-2 (INTERMEDIATE COMMERCIAL DISTRICT), P-1 (PARKING DISTRICT – PASSENGER AUTOMOBILE PARKING, LIMITED), AND PAD-14 (PLANNED AREA DEVELOPMENT 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 5.87-acre site located approximately 415 feet west of the southwest corner of 36th Street and McDowell Road in a portion of Section 36, Township 2 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from 2.06 acres of “C-2 HGT/WVR” (Intermediate Commercial District, Height Waiver), 0.49 acres of “C-2” (Intermediate Commercial District), 1.69 acres of “P-1” (Parking District – Passenger Automobile Parking, Limited), and 1.63 acres of “PAD-14” (Planned Area Development District) to “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 building elevations date stamped November 15, 2021, with specific regard to variety of materials, decorative garage doors, and covered entries, as approved by the Planning and Development Department.
2. The public sidewalk along McDowell 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 planted to the following standards, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper shade trees that provide a minimum 75 percent shade at maturity.
 - b. Drought tolerant vegetation maintained at a maximum mature height of 24 inches and achieve 75 percent live coverage.
3. A minimum of 6 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near amenity areas. Bike racks shall be 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.
4. The developer shall dedicate minimum 50-feet of right-of-way and construct the north side of McDowell Road, 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. 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.
7. The property owner shall record documents that disclose the existence, and operational characteristics of Sky Harbor International 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.
8. The developer shall submit 7460 Forms to FAA and receive FAA no hazard determination or mitigations approved by FAA for both temporary and permanent development prior to final site plan approval.
9. 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 6th day of April, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (2 Pages)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-73-21-8

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER SECTION 36, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 36, BEING A CITY OF PHOENIX BRASS CAP AT THE INTERSECTION OF EAST MCDOWELL ROAD AND NORTH 34TH STREET, FROM WHENCE THE SOUTH QUARTER CORNER BEARS NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 1324.78 FEET;

THENCE EAST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 36, A DISTANCE OF 485.14 FEET;

THENCE DEPARTING SAID LINE, NORTH, A DISTANCE OF 40.00 FEET TO A POINT ON THE NORTHERN RIGHT OF WAY LINE OF EAST MCDOWELL ROAD ACCORDING TO A QUIT CLAIM DEED ON FILE AT THE OFFICE OF THE MARICOPA COUNTY, ARIZONA RECORDER IN DOCKET 9689, PAGE 872, COINCIDENT WITH THE WEST LINE OF LOT 6 OF "FARVIEW", A SUBDIVISION PLAT, ALSO ON FILE AT THE OFFICE OF MARICOPA COUNTY, ARIZONA IN BOOK 14 OF MAPS, PAGE 3, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG THE WEST LINE OF SAID LOT 6, NORTH 00 DEGREES, 14 MINUTES, 45 SECONDS WEST, A DISTANCE OF 630.91 FEET TO THE NORTHWEST CORNER OF SAID LOT 6;

THENCE ALONG THE NORTH LINE OF SAID LOT 6, 7, 8 AND 9, NORTH 89 DEGREES, 59 MINUTES, 33 SECONDS EAST, A DISTANCE OF 424.58 FEET TO THE NORTHEAST CORNER OF LOT 9 OF SAID FARVIEW SUBDIVISION;

THENCE ALONG THE EAST LINE OF LOT 9, SOUTH 00 DEGREES, 13 MINUTES, 28 SECONDS EAST, A DISTANCE OF 630.97 FEET TO SAID NORTH RIGHT OF WAY LINE OF EAST MCDOWELL ROAD;

THENCE ALONG SAID LINE, WEST, A DISTANCE OF 77.66 FEET;

THENCE DEPARTING SAID LINE NORTH 00 DEGREES, 13 MINUTES, 39 SECONDS WEST, A DISTANCE OF 238.00 FEET;

THENCE WEST, A DISTANCE OF 99.68 FEET;

THENCE SOUTH 00 DEGREES, 13 MINUTES, 49 SECONDS EAST, A DISTANCE OF 238.00 FEET TO SAID RIGHT OF WAY LINE OF EAST MCDOWELL ROAD;

THENCE ALONG SAID LINE, WEST, A DISTANCE OF 247.02 FEET TO THE POINT OF BEGINNING.

END OF DESCRIPTION.

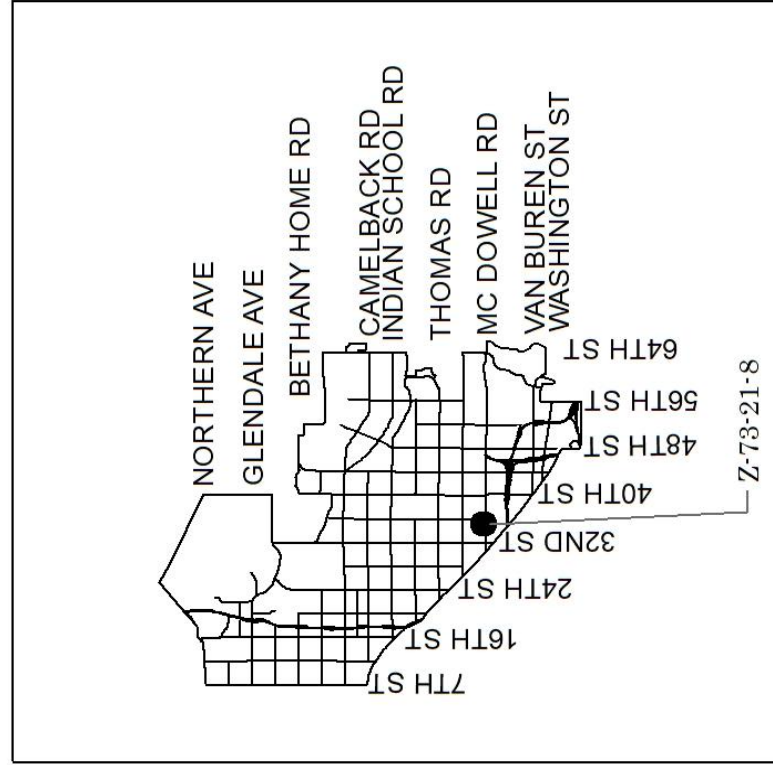
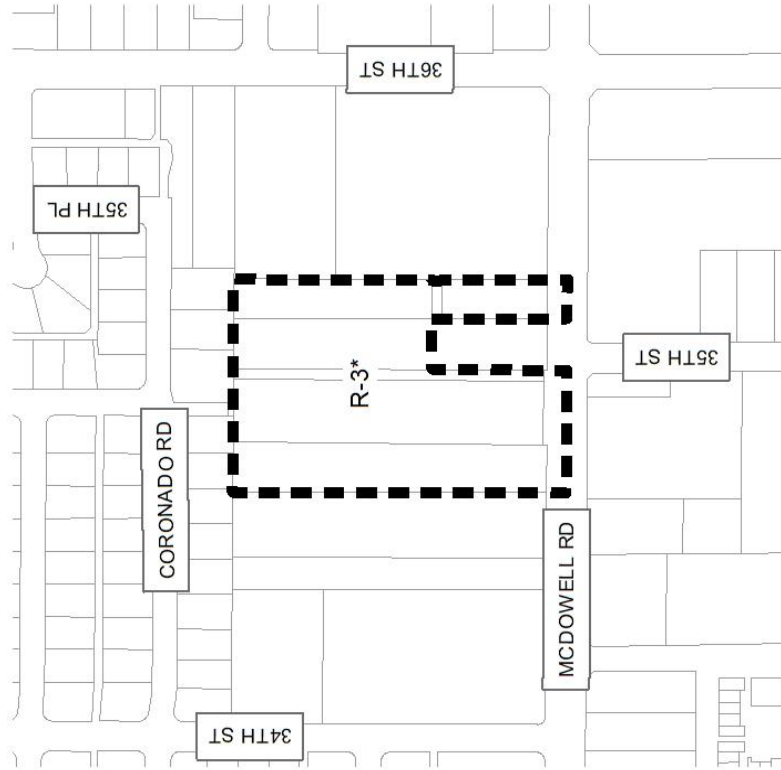
DRAFT

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-73-21-8
Zoning Overlay: N/A
Planning Village: Camelback East

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■■■■■



NOT TO SCALE



Drawn Date: 3/2/2022



(CONTINUED FROM MARCH 2, 2022) - Public Hearing and Ordinance Adoption - Rezoning Application Z-20-21-4 - Approximately 1,300 Feet North of the Northeast Corner of Central Avenue and Indian School Road (Ordinance G-6964)

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-20-21-4 and rezone the site from UR TOD-1 (Urban Residential, Interim Transit-Oriented Zoning Overlay District One) to PUD (Planned Unit Development) to allow multifamily and single-family attached residential.

Summary

Current Zoning: UR TOD-1

Proposed Zoning: PUD

Acreage: 4.34 acres

Proposed Use: Multifamily and single-family attached residential

Owner: Midtown Central Hotel Corporation

Applicant: Cresleigh Homes Arizona, LLC

Representative: Alan Beaudoin, Norris Design

Staff Recommendation: Approval, subject to stipulations.

VPC Info: The Encanto Village Planning Committee heard this case on June 7, 2021, for information only.

VPC Action: The Encanto Village Planning Committee heard this case on Sept. 13, 2021, and recommended approval, per the staff recommendation, by a vote 11-3.

PC Action: The Planning Commission heard this case and continued the item on Oct. 7, Nov. 4, Dec. 2, 2021; and Jan. 6, 2022. The Planning Commission heard this case on Feb. 3, 2022, and recommended approval, per the Addendum A Staff Report, with an additional and modified stipulation by a vote of 6-2.

CC Action: The City Council continued the request on March 2, 2022 to April 6, 2022 to allow the item to be posted for a Public Hearing.

Location

Approximately 1,300 feet north of the northeast corner of Central Avenue and Indian School Road

Council District: 4

Parcel Address: 4325 N. Central Ave.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson 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-20-21-4) FROM UR TOD-1 (URBAN RESIDENTIAL, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 4.34-acre site located approximately 1,300 feet north of the northeast corner of Central Avenue and Indian School Road, in a portion of Section 20, Township 2 North and Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "UR TOD-1" (Urban Residential, Interim Transit-Oriented Zoning Overlay District One) to "PUD" (Planned Unit Development).

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

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

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 Uptown Residential Community 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 July 12, 2021, as modified by the following stipulations:
 - a. Page 12, PUD Development Standards Table (Single-Family Attached), Add a row titled "Pedestrian connections to Central Avenue" with the following development standard: "Two pedestrian connections to the Central Avenue sidewalk from a system of interior pedestrian pathways. All units with a required stoop frontage type shall be connected to Central Avenue by a direct pedestrian pathway. The pedestrian connections to the public sidewalk shall be a minimum 5 feet wide."
 - b. Page 12, PUD Development Standards Table (Single-Family Attached), Add a row titled "Pedestrian system standards" with the following:
 - "Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, public sidewalks, and amenity areas, using the most direct route for pedestrians."
 - c. Page 14, 4. Shade. Replace with the following language and formatting:
 - 75 percent minimum shade shall be provided on public sidewalk along Central Avenue.
 - 75 percent minimum shade shall be provided on private walkways through a combination of vegetative and architectural shade but architectural shade shall not comprise more than 30 percent of the total shade.
 - All interior pedestrian pathways shall be shaded to a minimum of 75 percent
 - d. Page 12, PUD Development Standards Table (Single-Family Attached), Add a row titled "Pedestrian system standards" with the following: "Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, public sidewalks, and amenity areas, using the most direct route for pedestrians."
 - e. Page 15, 6. Walls and Fences, Replace the first sentence with the following "Walls will be in accordance with the wall exhibits herein"
 - f. Page 15, PUD Wall & Fence Design Standards Table, Replace the development standards for all perimeters adjacent to private parcels located near the northwest and northeast corners of the PUD from "6' minimum; 8' maximum" to "maximum height of 6 feet."

- g. Page 12, PUD Development Standards Table (Single-Family Attached), Replace the development standards language for “WU Frontage Types” with the following: “All units adjacent to Central Avenue shall comply with the requirements of Section 1305, Table 1305.1. For stoop. Units 1 through 14, and 38 to 43, as depicted on the illustrative landscape plan date stamped February 1, 2022 shall comply with the requirements of Section 1305, Table 1305.1. For stoop with the frontage oriented to the south. Minimum width: 60% of building façade”
 - h. Page 11, PUD Development Standards Table (Single-Family Attached), Update “Maximum Projection by Porches, Patios, Balconies or port-cocheres into required Perimeter setbacks” to add “Stoops.”
 - i. Page 15, 7. Central Avenue Frontage, Replace “Porch” With “Stoop.”
 - j. Page 8. B. Land Use Plan. Replace all descriptions of “Porch” Frontage Types with “Stoop.”
 - k. Pages 9-10, 17, 22, 24, 25, and 30 - 34. Update the figures and exhibits contained in the narrative to be consistent with the illustrative landscape plan date stamped February 1, 2022 and add the architectural rendering figures date stamped February 1, 2022, to reflect the change from “porch” to “stoop” frontages and the added pedestrian pathway along the south property line.
 - l. Page 26, Section E.2. Architectural Design. Add the following to the beginning of the list and renumber the remaining entries: “The development shall be in general conformance with the architectural renderings with specific regard to parapet design, four-sided architecture, and multiple colors and materials on each building face, as approved by the Planning and Development Department.”
 - m. Page 3, Table of Contents. Update the table of contents to include the architectural renderings and renumber pages accordingly.
2. The developer shall dedicate a 12-foot Image Enhancement Easement along the east side of Central Avenue, as approved by the Planning and Development Department.
 3. The developer shall provide improvements on Central Avenue in compliance with the Central Avenue Image Enhancement guidelines, as approved by the Planning and Development Department.
 4. The developer shall dedicate a public access easement along the northern site boundary to provide legal access to APN 155-25-001L, 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. 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.
7. 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.
8. 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.
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.
12. A maximum one point of ingress/egress shall be allowed onto Central Avenue, not including the shared easement located along the north boundary of the subject site. The width of the vehicular ingress/egress shall be no greater than 30 feet, as approved or modified by the Planning and Development Department.
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 2nd day of March, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

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

EXHIBIT A

LEGAL DESCRIPTION FOR Z-20-21-4

THAT PORTION OF THE SOUTHEAST OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 20 FROM WHICH THE CENTER QUARTER CORNER BEARS NORTH 0°15'41" EAST, A DISTANCE OF 2636.90 FEET;

THENCE ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER NORTH 0°15'41" EAST A DISTANCE OF 1352.76 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WEST LINE, NORTH 0°15'41" EAST A DISTANCE OF 250.00 FEET;

THENCE DEPARTING SAID WEST LINE, SOUTH 89°44'19" EAST A DISTANCE OF 250.00 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DOCUMENT NUMBER 2009-0913462, MARICOPA COUNTY RECORDS;

THENCE ALONG THE EAST LINE OF SAID PARCEL, NORTH 0°15'41" EAST A DISTANCE OF 250.00 FEET TO THE NORTHEAST CORNER THEREOF AND TO A POINT ON THE SOUTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DOCUMENT NUMBER NOD-15422 MARICOPA COUNTY RECORDS;

THENCE ALONG SAID SOUTH LINE SOUTH 89°44'19" EAST A DISTANCE OF 200.00 FEET TO THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DOCUMENT NUMBER 2009-0913462, MARICOPA COUNTY RECORDS;

THENCE ALONG THE WEST LINE OF SAID PARCEL SOUTH 0°15'41" WEST A DISTANCE OF 250.00 FEET TO THE SOUTHWEST CORNER THEREOF;

THENCE ALONG THE SOUTH LINE OF SAID PARCEL SOUTH 89°44'19" EAST A DISTANCE OF 100.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL AND TO A POINT ON THE WEST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DOCUMENT NUMBER 1996-0877263 MARICOPA COUNTY RECORDS;

THENCE ALONG THE WEST LINE OF SAID PARCEL SOUTH 0°15'41" WEST A DISTANCE OF 250.00 FEET;

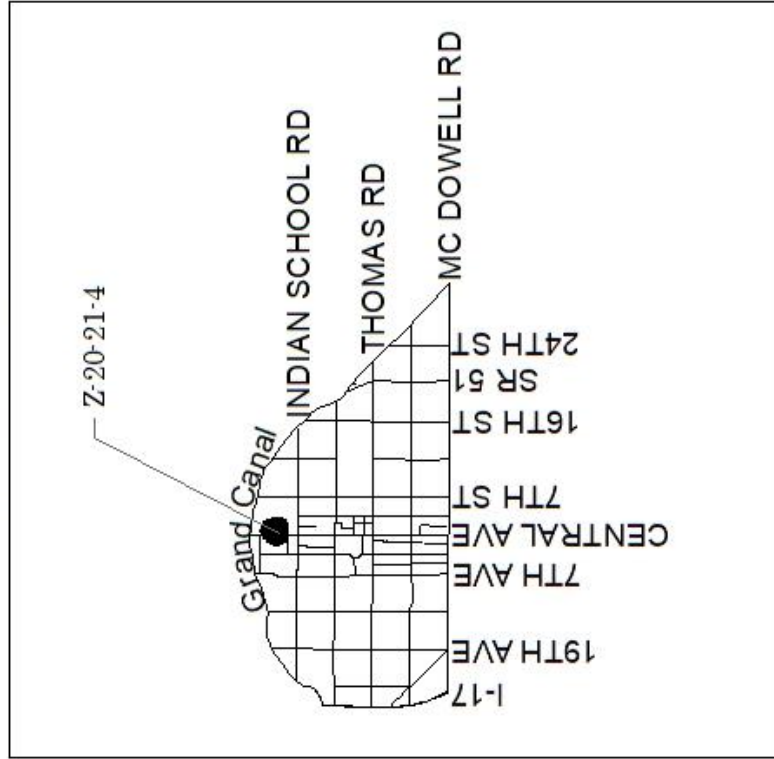
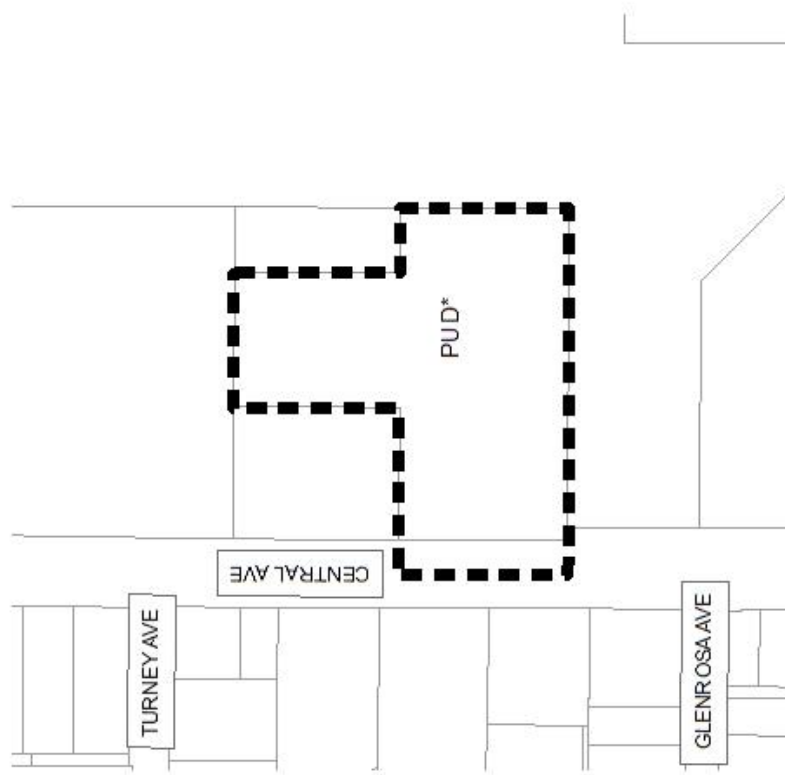
THENCE DEPARTING SAID WEST LINE NORTH 89°44'19" WEST A DISTANCE OF 550.00 FEET TO THE POINT OF BEGINNING.
CONTAINS 187500 SQUARE FEET OR 4.3044 ACRES OF LAND, MORE OR LESS.

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-20-21-4
Zoning Overlay: Transit Overlay District (TOD-1)
Planning Village: Encanto

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 9/30/2021



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager
Planning and Development Director

Date: February 25, 2022

From: Joshua Bednarek 
Planning and Development Deputy Director

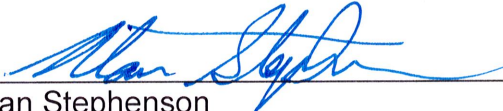
Subject: CONTINUANCE OF ITEM 65 ON THE MARCH 2, 2022 FORMAL AGENDA – Z-20-21-4 (G-6964) – APPROXIMATELY 1,300 FEET NORTH OF THE NORTHEAST CORNER OF CENTRAL AVENUE AND INDIAN SCHOOL ROAD

Item 65, rezoning application Z-20-21-4 is a request to rezone 4.34 acres property located approximately 1,300 feet north of the northeast corner of Central Avenue and Indian School Road from UR TOD-1 to PUD to allow for multifamily and single-family attached residential.

Staff has received correspondence from the applicant requesting a continuance in order to work further with the community and Vice Mayor Pastor.

Staff recommends continuing this item to allow the case to be posted for a public hearing to be held at the April 6, 2022 City Council Formal meeting.

Approved:



Alan Stephenson
Deputy City Manager/Planning and Development Director

Stephanie Vasquez

From: Wade Kempton <WKempton@cresleigh.com>
Sent: Friday, February 25, 2022 1:06 PM
To: Alan Stephenson
Cc: Joshua Bednarek; Stephanie Vasquez; Wade Kempton; Alan Beaudoin
Subject: Zoning case # Z20-21-4

Mr. Stephenson:

Cresleigh Homes Arizona, Inc. is formally requesting a continuance from the Phoenix City Council Meeting to be held on March 2, 2022 for Zoning Case #Z20-21-4 for approximately 30 days until the scheduled Phoenix City Council Meeting to be held on April 6, 2022.

Please let me know if this request is received and will be on the agenda for approval.

We appreciate your interaction with our development on Central.

Wade Kempton
Senior Vice President | Designated Broker
Cresleigh Homes Arizona, Inc.
4100 S. Lindsay Rd., Suite 129
Gilbert, AZ 85297
P. 480.899.2202
C. 602.478.2188
Direct Email. wkempton@cresleigh.com

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*****ITEM REVISED (SEE ATTACHED MEMO)*** Public Hearing and Resolution Adoption - General Plan Amendment GPA-MV-1-21-5 - Area Generally Bounded By 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue (Resolution 22010)**

Request to hold a public hearing on a General Plan Amendment for the following item to consider the Planning Commission's recommendation and the related resolution if approved. This is a companion case to Z-19-G-00-5 and must be heard first, followed by Z-19-G-00-5.

Summary

Application: GPA-MV-1-21-5

Current Designation: Mixed Use (Commercial / Industrial)

Proposed Designation: Residential 3.5 to 5 dwelling units per acre (228.80 acres), Residential 5 to 10 dwelling units per acre (48.13 acres), Residential 10 to 15 dwelling units per acre (49.82 acres)

Acreage: 326.75 acres

Proposed Use: To allow residential densities less than 20 dwelling units per acre

Owner: Algodon AG Revocable Land Trust

Applicant: Stephen W. Anderson, Gammage & Burnham, PLC

Representative: Stephen W. Anderson, Gammage & Burnham, PLC

Staff Recommendation: Approval.

VPC Info: The Maryvale Village Planning Committee heard this case on July 14, 2021 for information only.

VPC Action: The Maryvale Village Planning Committee heard this case on Jan. 12, 2022 and recommended denial, by a vote of 5-4.

PC Action: The Planning Commission heard this case on Feb. 3, 2022 and continued the case to Mar. 3, 2022, by a vote of 8-0. The Planning Commission heard this case on Mar. 3, 2022 and recommended approval, per the Addendum A Staff Report, by a vote of 7-0.

Location

Area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell

Avenue.

Council District: 5

Parcel Addresses: 3540, 3750, 3960 N. 93rd Ave.; 3455 N. 97th Ave.; 3301, 3701 N. 99th Ave.; and 9225, 9375, 9425, 9701 W. Indian School Road.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: March 30, 2022

From: Joshua Bednarek *JB*
Planning and Development Deputy Director

Subject: ITEM 81 ON THE APRIL 6, 2022 FORMAL AGENDA – PUBLIC HEARING/RESOLUTION ADOPTION OF GPA-MV-1-21-5 – AREA GENERALLY BOUNDED BY 91ST AVENUE TO 99TH AVENUE, THOMAS ROAD TO CAMPBELL AVENUE

Item 81 General Plan Amendment Application GPA-MV-1-21-5, is a minor amendment to the General Plan Land Use Map, located in the area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue to allow residential densities less than 20 dwelling units per acre in portions of the Algodon PUD.

The Maryvale Village Planning Committee heard this request on January 12, 2022, and recommended denial by a 5-4 vote. The Planning Commission voted unanimously (8-0) on February 3, 2022, to continue this case to the March 3, 2022 hearing to allow the applicant additional time to make changes to the proposal. The applicant proposed to modify their request to remove approximately 22 acres of the subject site from the application near 99th Avenue and Indian School Road so it can remain designated as Mixed-Use (Commercial/Industrial) on the General Plan Land Use Map as it is today. The original request was for 72.23 acres of Residential 10 to 15 dwelling units per acres in this area, along with the other residential designations requested. The amended request reduced the proposal for Residential 10 to 15 acres to 49.82 acres. The Planning Commission heard this request on March 3, 2022, and recommended approval, per Addendum A of the Staff Analysis Report by a 7-0 vote.





The applicant recently submitted a revised application to further modify the proposed amendment area. The current amended request removes a segment of proposed Residential 3.5 to 5 dwelling units per acre that connected to Indian School Road. This reduces the overall application area to 325.73 acres from the previously proposed 326.75 acres.

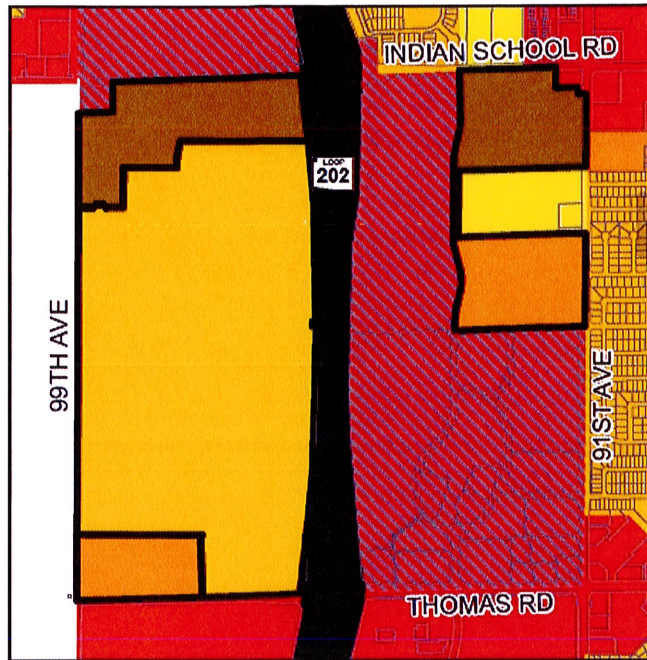
The maps below reflect the sequence of amended requests and updated sketch maps are attached to reflect the updated application.

Approved: 
Alan Stephenson, Deputy City Manager

ORIGINAL REQUEST:





Residential 3.5 to 5 du/ac (228.70 +/- Acres)
Residential 5 to 10 du/ac (48.13 +/- Acres)
Residential 10 to 15 du/ac (72.23 +/- Acres)

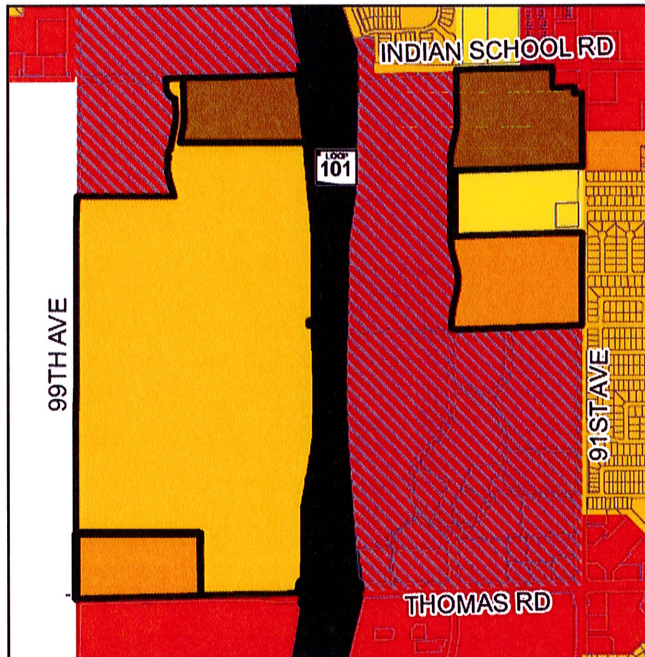
-  Proposed Change Area
-  Residential 3.5 to 5 du/ac
-  Residential 5 to 10 du/ac
-  Residential 10 to 15 du/ac



PREVIOUSLY AMENDED REQUEST:





Residential 3.5 to 5 du/ac (228.80 +/- Acres)
Residential 5 to 10 du/ac (48.13 +/- Acres)
Residential 10 to 15 du/ac (49.82 +/- Acres)

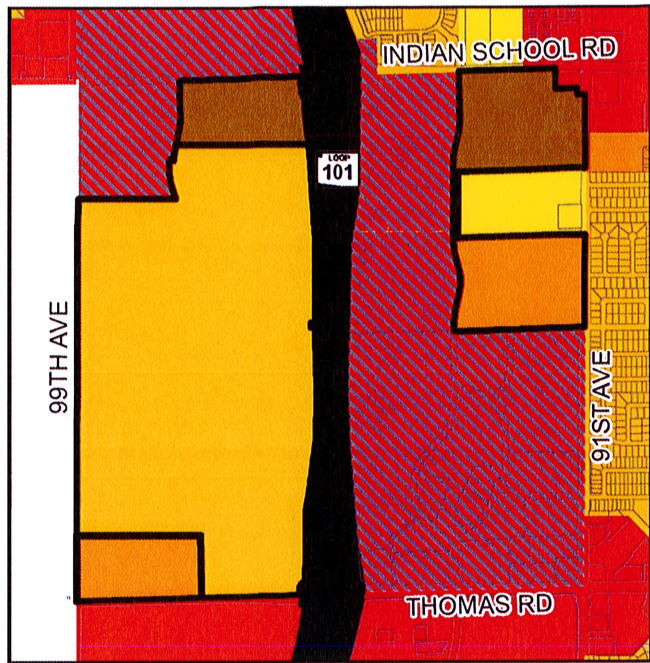
-  Proposed Change Area
-  Residential 3.5 to 5 du/ac
-  Residential 5 to 10 du/ac
-  Residential 10 to 15 du/ac



CURRENT AMENDED REQUEST:

Residential 3.5 to 5 du/ac (226.99 +/- Acres)
Residential 5 to 10 du/ac (48.13 +/- Acres)
Residential 10 to 15 du/ac (50.61 +/- Acres)

-  Proposed Change Area
-  Residential 3.5 to 5 du/ac
-  Residential 5 to 10 du/ac
-  Residential 10 to 15 du/ac



Staff recommends approval of GPA-MV-1-21-5 per the revised application as reflected in this memo.

Enclosures

Sketch Map (2 pages)








GENERAL PLAN AMENDMENT

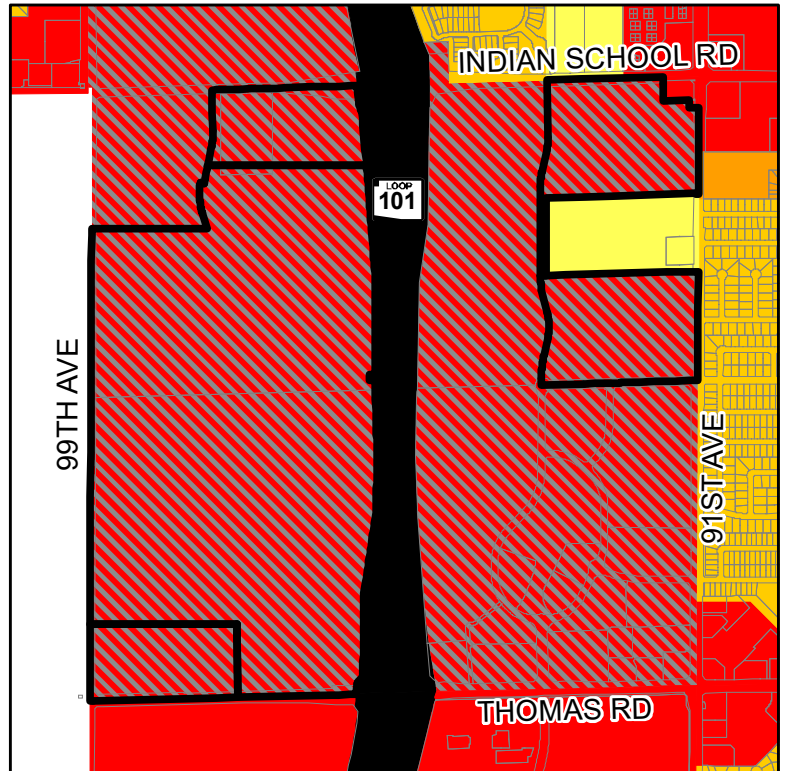
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-MV-1-21-5	ACRES: 325.73 +/-	REVISION DATE:	
VILLAGE: Maryvale	COUNCIL DISTRICT: 5	3/3/2022	3/21/2022
APPLICANT: Stephen W. Anderson		3/25/2022	

EXISTING:





Mixed Use (Commercial / Industrial) (325.73 +/- Acres)

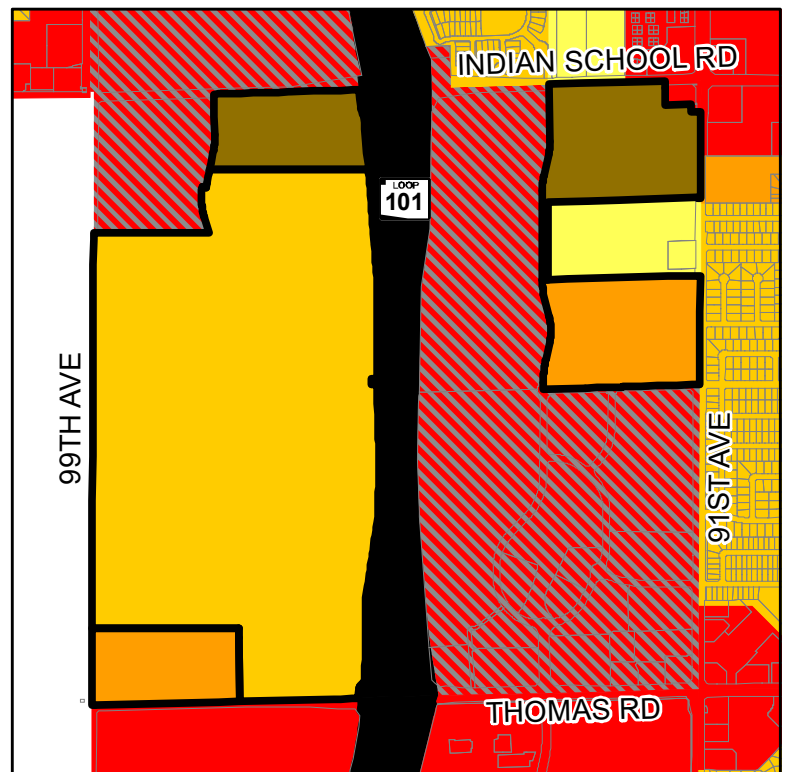
-  Proposed Change Area
-  Residential 1 to 2 du/ac
-  Residential 3.5 to 5 du/ac
-  Residential 5 to 10 du/ac
-  Commercial
-  Mixed Use (Commercial / Industrial)
-  Transportation



PROPOSED CHANGE:

Residential 3.5 to 5 du/ac (226.99 +/- Acres)
 Residential 5 to 10 du/ac (48.13 +/- Acres)
 Residential 10 to 15 du/ac (50.61 +/- Acres)

-  Proposed Change Area
-  Residential 3.5 to 5 du/ac
-  Residential 5 to 10 du/ac
-  Residential 10 to 15 du/ac










GENERAL PLAN AMENDMENT

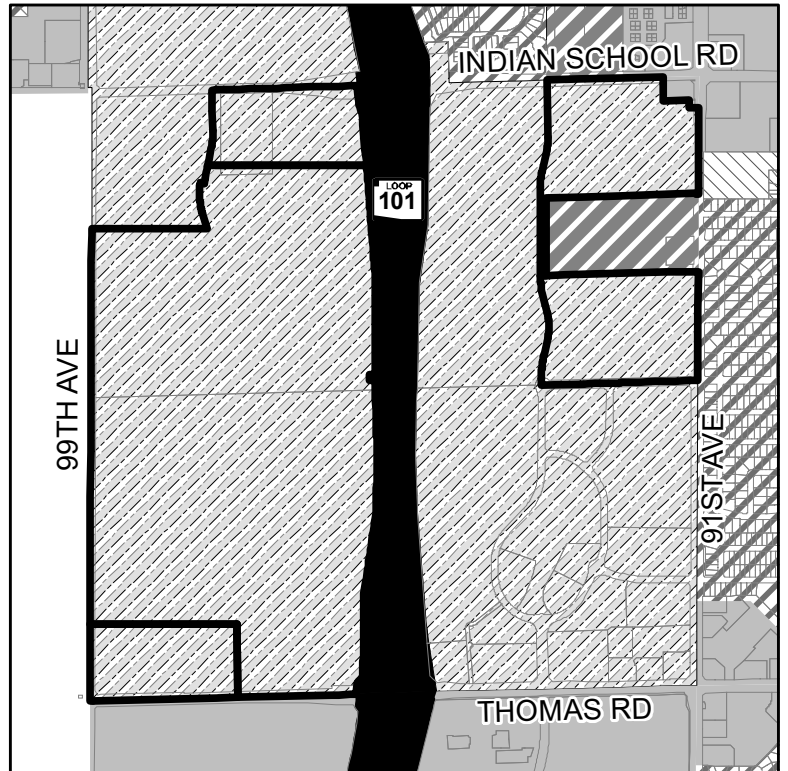
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-MV-1-21-5_BW	ACRES: 325.73 +/-	REVISION DATE:	
VILLAGE: Maryvale	COUNCIL DISTRICT: 5	3/3/2022	3/21/2022
APPLICANT: Stephen W. Anderson		3/25/2022	

EXISTING:





Mixed Use (Commercial / Industrial) (325.73 +/- Acres)

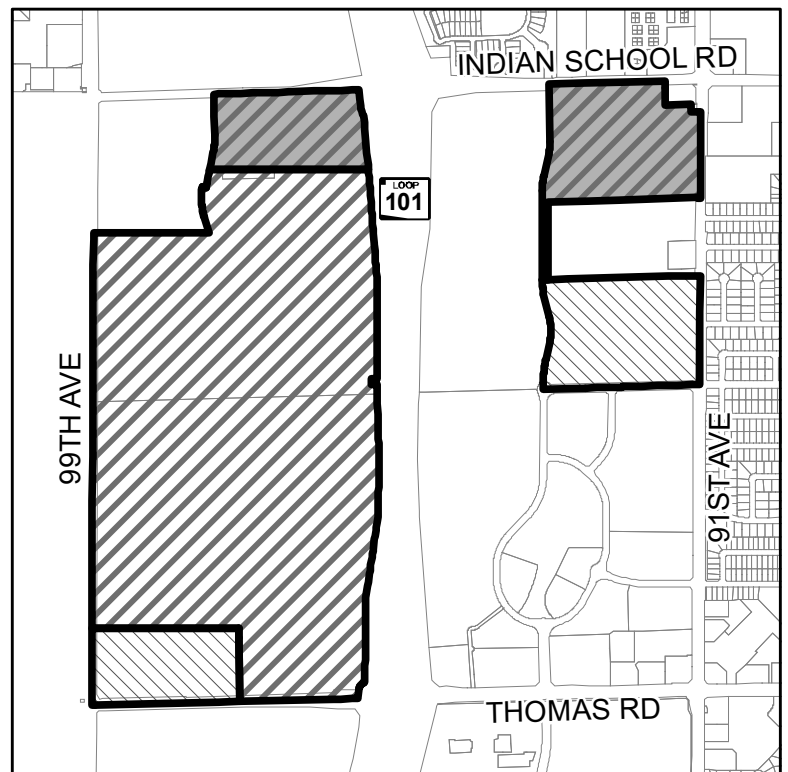
-  Proposed Change Area
-  Residential 1 to 2 du/acre
-  Residential 3.5 to 5 du/acre
-  Residential 5 to 10 du/acre
-  Commercial
-  Mixed Use (Commercial/Industrial)
-  Transportation



PROPOSED CHANGE:

Residential 3.5 to 5 du/ac (226.99 +/- Acres)
 Residential 5 to 10 du/ac (48.13 +/- Acres)
 Residential 10 to 15 du/ac (50.61 +/- Acres)

-  Proposed Change Area
-  Residential 3.5 to 5 du/acre
-  Residential 5 to 10 du/acre
-  Residential 10 to 15 du/acre



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-MV-1-21-5, 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 No. 21307, is hereby amended by adopting GPA-MV-1-21-5. The 326.75 -
acre site located in an area generally bounded by 91st Avenue to 99th Avenue,
Thomas Road to Campbell Avenue is designated 228.80 acres of Residential 3.5 to 5
dwelling units per acre, 48.13 acres of Residential 5 to 10 dwelling units per acre, and
49.82 acres of Residential 10 to 15 dwelling units per acre.

SECTION 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:

Need updated map. Addendum B is pending.

PASSED by the Council of the City of Phoenix this 6th day of April, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

DRAFT



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

**GENERAL PLAN AMENDMENT
STAFF ANALYSIS**

January 7, 2022

Application: GPA-MV-1-21-5

Owner: Algodon AG Revocable Land Trust

Applicant/Representative: Stephen W. Anderson, Gammage & Burnham PLC

Location: Area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue

Acreage: 349.06 acres

Current Plan Designation: [Mixed Use \(Commercial / Industrial\)](#) (349.06 acres)

Requested Plan Designation: [Residential 3.5 to 5 dwelling units per acre](#) (228.70 acres), [Residential 5 to 10 dwelling units per acre](#) (48.13 acres), [Residential 10 to 15 dwelling units per acre](#) (72.23 acres)

Reason for Requested Change: Map amendment allow residential densities less than 20 dwelling units per acre

Village Planning Committee Date: [Maryvale – January 12, 2022](#)

Staff Recommendation: Approval

FINDINGS:

- 1) The companion rezoning case (Z-19-G-00-5), a major amendment to the Algodón Center PUD PCD, proposes residential densities less than 20 dwelling units per acre. The proposal exceeds 10 acres and is not consistent with the existing General Plan Land Use Map designation. Therefore, a General Plan amendment is required to amend the Land Use Map designation.

- 2) The proposed land use designations are compatible with the surrounding land use pattern in the area.
- 3) The proposed General Plan Land Use Map designations and design standards in the companion PUD will help ensure high-quality residential development compatible with surrounding uses.

BACKGROUND

The Algodón Center PUD PCD is generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue. The site was used as agricultural land and is now largely vacant. The proposed request is to modify the General Plan Land Use designations for part of the PUD PCD area west of the Loop 101 Freeway from Indian School Road to Thomas Road and two parcels on the east side of freeway as shown in the map below. This request would amend the existing General Plan Land Use Map designation from Mixed Use (Commercial / Industrial) to Residential 3.5 to 5 dwelling units per acre for 228.70 acres, Residential 5 to 10 dwelling units per acre for 48.13 acres, and Residential 10 to 15 dwelling units per acre for 72.23 acres. Rezoning Case Z-19-G-00-5, a major amendment to the Algodón Center PUD PCD proposes residential densities less than 20 dwelling units per acre.

SURROUNDING LAND USES

The current General Plan Land Use Map designation for the subject site is Mixed Use (Commercial / Industrial). The subject site is currently vacant and bifurcating the subject site is the Loop 101 Freeway. North of Indian School Road are Mixed Use (Commercial / Industrial), Residential 1 to 2 dwelling units per acre, and Residential 3.5 to 5 dwelling units per acre designations with self-service storage, gas station and office uses. East of 91st Avenue are commercial and educational uses and single-family residences with Commercial, Residential 3.5 to 5 dwelling units per acre and Residential 5 to 10 dwelling units per acre designations. South of Thomas Road is designated as Commercial with a hospital and medical office uses in addition to vacant land. To west of 99th Avenue is vacant land within the City of Avondale.

EXISTING:

Mixed Use (Commercial / Industrial) (349.06 +/- Acres)

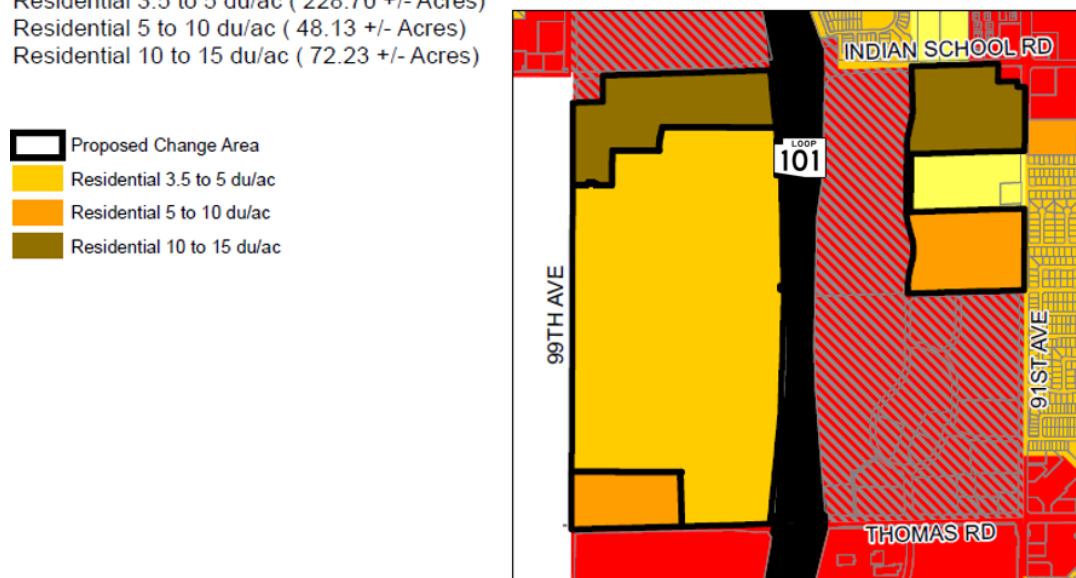


Source: City of Phoenix Planning and Development Department

This request is to designate approximately half of the Algodon Center PUD area (349.06 acres) from Mixed Use (Commercial / Industrial) to Residential 3.5 to 5 dwelling units per acre for 228.70 acres, Residential 5 to 10 dwelling units per acre for 48.13 acres, and Residential 10 to 15 dwelling units per acre for 72.23 acres to allow a single-family detached, single-family attached and multifamily residential uses at densities less than 20 dwelling units per acre.

PROPOSED CHANGE:

Residential 3.5 to 5 du/ac (228.70 +/- Acres)
 Residential 5 to 10 du/ac (48.13 +/- Acres)
 Residential 10 to 15 du/ac (72.23 +/- Acres)



Source: City of Phoenix Planning and Development Department

RELATIONSHIP TO GENERAL PLAN CORE VALUES AND PRINCIPLES

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 proposal will provide a reasonable level of increased intensity that is compatible with the neighboring uses and will complement the land use pattern in the area. The requested land use designations provide for additional housing and retail choices for Maryvale residents.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE

- ***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.***

The proposal via accompanying rezoning case Z-19-G-00-5, will be sensitive in scale and character to the surrounding residential area and incorporates development standards to prevent negative impacts to the existing residential neighborhood.

- ***CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS; CLEAN NEIGHBORHOODS; LAND USE PRINCIPLE: Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.***

The proposal will allow future development of several underutilized parcels for a mixture of housing types that is compatible with the adjacent neighborhood character.

- ***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 proposal will provide additional housing choices for area residents within the Agua Fria Major Employment Center and retains over 300 acres of the Algodón PUD PCD designated as Mixed Use (Commercial / Industrial).

CONCLUSION AND RECOMMENDATION

Staff recommends approval of GPA-MV-1-21-5. Approval of this General Plan Amendment will further the goals of the General Plan and will support the development of underutilized sites with uses that will provide additional opportunities for residential development in Maryvale.

Writer

Sarah Stockham
January 7, 2022

Team Leader

Samantha Keating

Exhibits

Sketch Map (2 pages)








GENERAL PLAN AMENDMENT

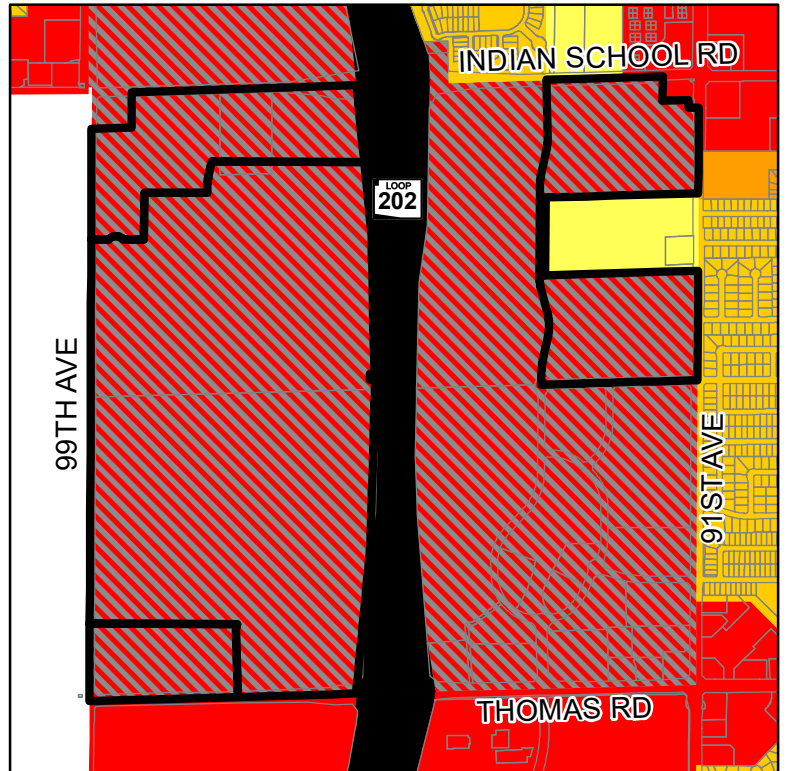
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-MV-1-21-5	ACRES: 349.06 +/-
VILLAGE: Maryvale	COUNCIL DISTRICT: 5
APPLICANT: Stephen W. Anderson	

EXISTING:





Mixed Use (Commercial / Industrial) (349.06 +/- Acres)

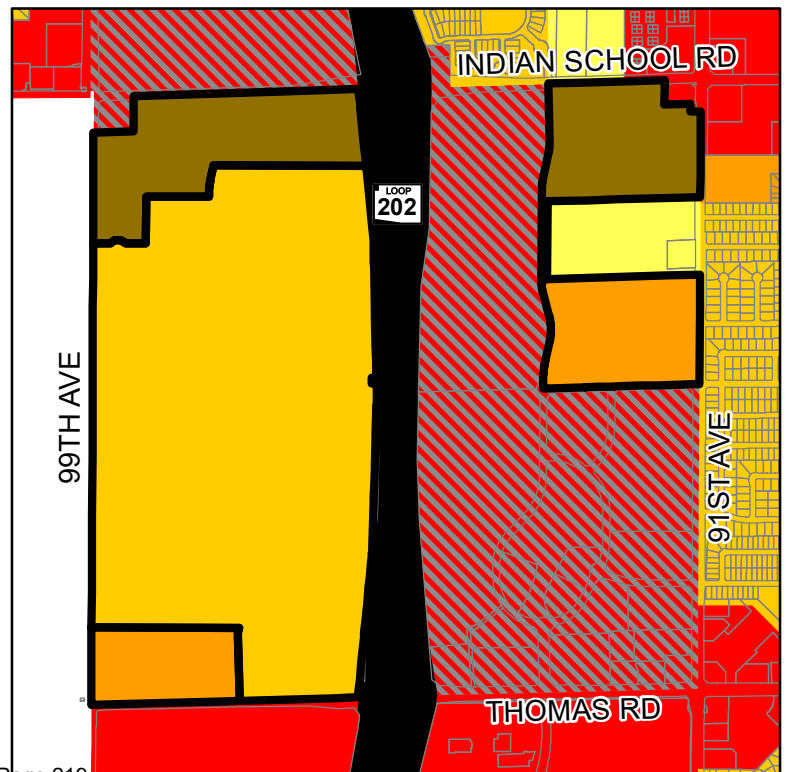
-  Proposed Change Area
-  Residential 1 to 2 du/ac
-  Residential 3.5 to 5 du/ac
-  Residential 5 to 10 du/ac
-  Commercial
-  Mixed Use (Commercial / Industrial)
-  Transportation



PROPOSED CHANGE:

Residential 3.5 to 5 du/ac (228.70 +/- Acres)
 Residential 5 to 10 du/ac (48.13 +/- Acres)
 Residential 10 to 15 du/ac (72.23 +/- Acres)

-  Proposed Change Area
-  Residential 3.5 to 5 du/ac
-  Residential 5 to 10 du/ac
-  Residential 10 to 15 du/ac










GENERAL PLAN AMENDMENT

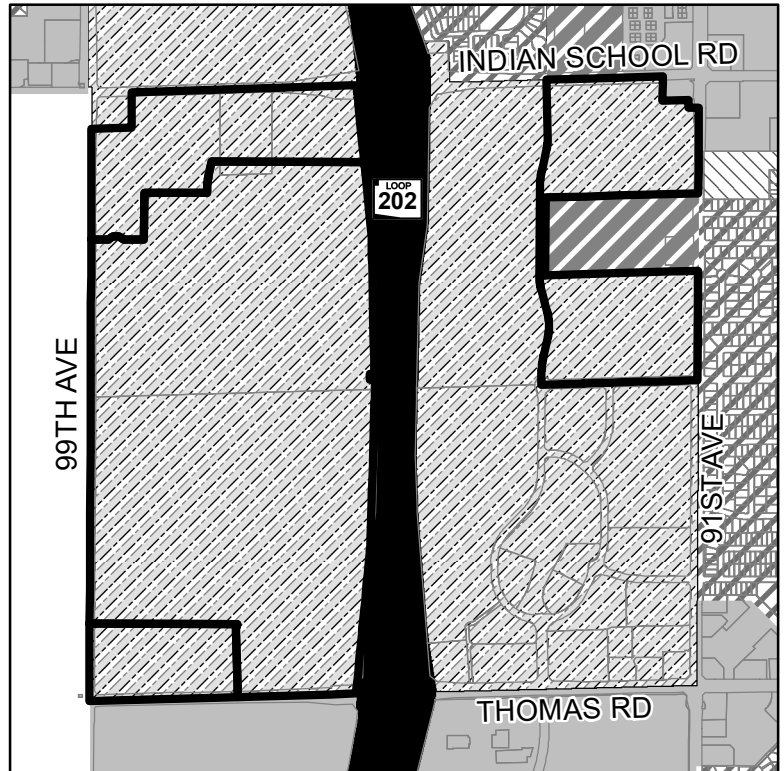
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-MV-1-21-5_BW	ACRES: 349.06 +/-
VILLAGE: Maryvale	COUNCIL DISTRICT: 5
APPLICANT: Stephen W. Anderson	

EXISTING:





Mixed Use (Commercial / Industrial) (349.06 +/- Acres)

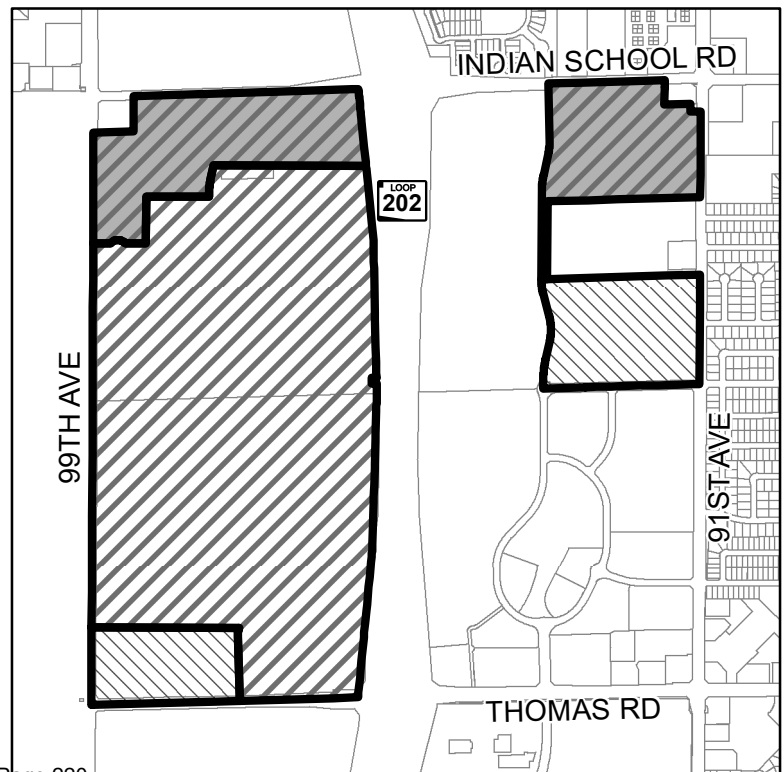
-  Proposed Change Area
-  Residential 1 to 2 du/acre
-  Residential 3.5 to 5 du/acre
-  Residential 5 to 10 du/acre
-  Commercial
-  Mixed Use (Commercial/Industrial)
-  Transportation



PROPOSED CHANGE:

Residential 3.5 to 5 du/ac (228.70 +/- Acres)
 Residential 5 to 10 du/ac (48.13 +/- Acres)
 Residential 10 to 15 du/ac (72.23 +/- Acres)

-  Proposed Change Area
-  Residential 3.5 to 5 du/acre
-  Residential 5 to 10 du/acre
-  Residential 10 to 15 du/acre





Village Planning Committee Meeting Summary

GPA-MV-1-21-5

INFORMATION ONLY

Date of VPC Meeting	July 14, 2021
Request From	Amend the General Plan Land Use Map Designation from Mixed Use (Commercial/Industrial) to Residential 3.5 to 5, Residential 5 to 10, and Residential 10 to 15 dwelling units per acre
Proposed Use	To allow residential densities less than 20 dwelling units per acre
Location	An area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue

VPC DISCUSSION:

Item Nos. 7 (GPA-MV-1-21-5) and 8 (Z-19-G-00-5) are companion cases and were heard together.

Stephen Anderson, representing the applicant with Gammage & Burnham, reviewed the project boundaries and proposed changes to the General Plan Land Use Map, Housing Phoenix Plan goals, proposed projects within the PUD boundaries showing aerial images and site plans, projected rent and sale prices, mortgage and rent assistance programs by the proposed builders, and discussed a potential timeline for recommendation and their completed community outreach to date.

Ken DuBose shared surprise at the request by the property owner (John F. Long), stating that the prices were not affordable, a one-bedroom for rent for \$1400 is not affordable for residents in the area and while the market is generating a lot of housing, none of it is very affordable. Mr. DuBose concluded that he was surprised John F. Long did not have any affordable housing incorporated with this request.

Mike Weber shared that it was a shame that the medical campus is not going into the PUD boundaries, the proposal should still have space for retail, there is still an issue with water out in the area and if the applicant could help involve the City Council to get the light rail to extend near the subject site. **Mr. Anderson** responded that the City is doing water extensions throughout the developed part of the city, replacing farming with housing substantially reduces water consumption and he does not know what Valley Metro plans to do after the light rail gets extended on the I-10 freeway, but there might be a ballot measure (Prop. 500) which would add a 25-cent sales tax for transit.

Sandra Oviedo shared that there are many high-density living spaces in the area but office space is important so that people in the Village can commute closer to where they live, and that is important for people to live, work, shop and play at the subject site.

Jeff O'Toole stated that Algodón is the last large employment corridor in west Phoenix, it was shocking that the most creative option for this site is to put more houses on it, a few years ago the PUD boundary was amended to add houses and that was supposed to be the last request for housing, and that it is also a failure of the Community and Economic Development Department, and that he would like to see a proposal that is more mixed-use. **Mr. Anderson** replied that the site has been out there for 20 years, they have asked the City to work with the property owner to add more commercial uses, this site is not important to CED and showed the committee over economic development sites within the city and reviewed previous proposals for economic development on the site and why those deals did not come to fruition.

Sandra Oviedo stated that while she did not know there were plans to place a water park on the site at one point in time, it would be beneficial to have jobs and some sort of attraction on the site and that Maryvale residents have to go outside of the area to work, they should be able to work in Maryvale too.

Chair Gene Derie shared that having been on the committee for 13 years, he has heard discussions of the various commercial proposals for the site such as Ikea or the stadium, and that while he is not happy with the Community and Economic Development Department he is not a fan of this proposal for housing and that there has been many new housing developments approved in the area which would also contribute to the Housing Phoenix Plan goal, and he was sorry to see the original dream of John F. Long to have an economic corridor on the site change. **Mr. Anderson** replied that it was pure accident that the Tohono O'odham acquired the land north of the stadium for the casino, and that the City of Goodyear used a GPLET proposal for the medical office park and cancer treatment center.

Ken DuBose shared that while the City needs more economic development tools, there are many housing developments being approved, Maryvale is being over-run with all the new housing developments and isn't in the discussion for the light rail extension.



Village Planning Committee Meeting Summary

GPA-MV-1-21-5

Date of VPC Meeting	January 12, 2022
Request From	Amend the General Plan Land Use Map Designation from Mixed Use (Commercial/Industrial) to Residential 3.5 to 5, Residential 5 to 10, and Residential 10 to 15 dwelling units per acre
Proposed Use	To allow residential densities less than 20 dwelling units per acre
Location	An area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue
VPC Recommendation	Denial
VPC Vote	5-4

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Items 6 (GPA-MV-1-21-5) and 7 (Z-19-G-00-5) are companion cases and were heard together.

Sarah Stockham, staff, provided an overview of the requests, noting the location and the history of the site. Ms. Stockham displayed a map of the current and proposed General Plan Land Use Map designations, and staff's findings. Ms. Stockham displayed an aerial map, a conceptual site plan and elevations, and reviewed the surrounding land uses, the proposal, staff's recommendation, and stipulations.

Stephen Anderson, representing the applicant with Gammage & Burnham, reviewed the proposed developments within the Algodón Center PUD area sharing that by 2023 the proposal will add around 4,000 jobs and 2,400 housing units, they had an extensive mailing list and hosted two neighborhood meetings, and the proposed PUD major amendment has gone through a thorough review with city staff. Mr. Anderson reviewed the proposed mix of housing types with estimated pricing, detailed the five-acre central amenity area in the development and shared that they have been asked to construct bicycle lanes along Indian School Road, they will be constructing a sewer lift station, and that converting agricultural land to housing uses less water. Mr. Anderson added that the Pendergast School District is excited for the proposal they will construct 93rd Avenue (which runs along the south side of the school), the proposal is below the density limits for their comparative zoning districts, they are providing three times the amount of open space than what would be required in the Zoning Ordinance, and their PUD standards require detached sidewalks, enhanced shading standard and design

review, in addition to providing 50% shade for the bus stops and bus infrastructure they are required to provide in stipulation Nos. 3 through 5. Mr. Anderson concluded that this proposal would add around 2,500 housing units in a wide variety of housing types, and the proposal preserves approximately 200 acres for commercial development which will add to the job opportunities in the area.

Questions from the Committee:

Sandra Cole asked if the jobs will be high-paying or low-paying. Mr. Anderson replied that he thinks they will be high paying jobs, there is a critical labor shortage and there are a lot of budding businesses in the area and there is data showing wage pressure which is causing higher wages and the entry-level minimum wage is also increasing.

Sandra Oviedo asked what type of corporate buildings would be constructed in the PUD area. Mr. Anderson replied that he does not know, LGE is under contract for 90 days to purchase land in the PUD area to construct commercial buildings and showed LGE's website and examples of their past projects. Ms. Oviedo shared that is nice to see the corporate building examples and shared a desire to see more white-collar jobs in the area rather than big-box retail.

Mike Weber shared that it is nice to see some areas devoted to businesses going into the PUD area and that it is not all housing, and that along the freeway the PUD allows for higher height limits. Mr. Anderson replied that yes, the PUD has always allowed high height limits and they are not proposing to change that, and that the applicant did provide a noise study which calls for over-height walls along the freeway when adjacent to residential homes.

Jeff O'Toole thanked John F. Long for all the investment in Maryvale, shared that he liked the mix of housing types which brings in a diversity of residents, recognized that there is a housing crisis but there is also an employment crisis, which leads to longer commutes and increased traffic, and that while the proposal shows very nice housing with great open space, this is the last area to make an employment center in the West Valley, and it is hard to argue that housing is the highest and best use for this area along the freeway. Mr. O'Toole added that it is a failure of the Community and Economic Development Department to make the employment center a reality, the renderings of the commercial buildings are nice but not guaranteed, in 2018 John F. Long promised that they would not come back to amend the PUD again to allow any more housing and that this proposal is too much housing, they already have around 2,800 units approved in the area.

Joe Barba asked the applicant to provide some statistics on jobs created and the economic impact of this proposal. Mr. Anderson replied that he can send that to staff.

Sandra Oviedo agreed with committee member O'Toole's comments, shared that the area should be a self-sufficient community where people can live, work and play in the same area, asked the applicant to elaborate on the bike lanes and if they would consider a park-and-ride at this site. Mr. Anderson replied that the light rail is not proposed to extend near this area, they will be installing painted bike lanes along the arterial streets, they area stipulated to install bus bays and bus stops which will be shaded to 50%, there is a lot of multimodal access on the site, the Public Transit Department did not ask for a park-and-ride at this location, and they will be adding an additional vehicular lane along Indian School Road in addition to the painted bike lanes,

which are not curb or parking separated. Ms. Oviedo asked how crossing will happen along the major streets and what pedestrian amenities will be provided. Mr. Anderson replied that they are required to install five traffic signals, which is where the crossings will occur.

Jeff O'Toole asked if the proposed housing development will be gated and how far north does the third lane along 99th Avenue extend to. Mr. Anderson replied that yes, the community will be gated, the private streets and amenity areas will be maintained by the HOA, the school buses will have access through the gates, and that the travel lane will extend to Campbell Avenue which is the northern border of the subject site, and that there is a SRP well at 99th Avenue and Campbell Avenue and a SRP ditch, the City of Avondale is in charge of the west side of the street and the improvements will be shifted east. Mr. O'Toole added that going down to two lanes along 99th Avenue in conjunction with not having a dedicated right-turn lane onto Camelback Road creates significant traffic congestion concerns. Mr. Anderson replied that they are only required to improve the street along the subject site which ends at Campbell Avenue, but the other concerns can be shared with the Street Transportation Department.

Zeke Valenzuela asked how long it would be until the subject site reached 60%-70% completion. Mr. Anderson replied that full build out would be around a decade, the commercial buildings would develop faster and that 60%-70% completion might be within five years.

Sandra Oviedo shared that it would be nice to see a self-sufficient community where people play, shop and live in the area, and that the crossings can be dangerous at the surrounding intersections.

Chair Gene Derie shared that the Algodón Center PUD PCD has been around for 20 years, was meant to be a major employment and economic center, there are roughly 2,600 housing units entitled or being built in the surrounding area, half of which are on the west side of 99th Avenue between Indian School Road and Thomas Road and asked what the plan was for the parcel at the northwest corner of 99th Avenue and Indian School Road. **Tim Wright**, with John F. Long Properties replied that the site in Avondale was sold to Fulton homes. Chair Gene Derie continued that there are several housing developments proposed in the area, citing 99th Avenue and Camelback Road by the charter school (267 units), 99th Avenue and Indian School Road (228 units), 111th Avenue and Camelback Road (194 units), east of Loop 101 near 95th Avenue and Indian School Road (501 units) and around 1,300 units in Avondale near 104th Avenue and Indian School Road. Chair Gene Derie added that he liked what is proposed on the east side of the freeway, but not what is proposed west of the freeway, concluding that the PUD was supposed to be the economic engine of Maryvale.

Sandra Oviedo asked the applicant to clarify what the vocational campus is as depicted in the PUD area. Mr. Anderson replied that the West MEC campus is around 30-acres, it stands for the Western Maricopa Education Center, it provides vocation education in many fields such as healthcare, welding, aviation maintenance. Ms. Oviedo responded that the campus is a great addition, there is a need for more places like that in addition to access to healthy food.

Joe Barba asked if the Chair's concerns with the proposal was that it was too much housing. Chair Gene Derie replied affirmatively, sharing that there are many housing

units planned for the area. Joe Barba replied that there are many people moving to Phoenix, and this is an opportunity to bring them to Maryvale, the population is going to increase significantly by 2030, they shouldn't paint too much housing as a bad thing, and that there is a huge need for housing.

Sandra Oviedo shared that there should be both housing and commercial uses in the community where people can work, live and play in the same area.

Joe Barba shared that he is not disagreeing with committee member Oviedo, and that the people who are moving to the area are going into areas like Buckeye and then must commute to their jobs, which will contribute to congestion.

Ken DuBose shared that he has lived in the area for 35 years, they are surrounded by a residential area, traffic is inevitable with growth, it is disappointing to see the City of Phoenix which has an affordable housing plan to not do some affordable housing at this site, this is the last largest land mass in Maryvale and the committee should be careful with this request, and that he wants to see more affordable housing and senior housing in the Village. Mr. DuBose added that the income needed for a one-bedroom in this proposal is \$56,000, a schoolteacher does not make that amount, which confirms the need for affordable housing. Mr. DuBose asked the applicant to explain how they came up with the income needed for the housing units in the proposal. Mr. Anderson replied that the income calculations came from mortgage financing for the homes, and they have talked to the Housing Department about the project site potentially being within an employee-assisted program where employers help get their employees housing, and that the Housing Department does not have funds for that sort of program, but they know that the developer is interested in being involved if that program was ever created.

Jeff O'Toole shared that he agreed with committee member Barba's comments and there is a desire to draw talent to the area, but if nothing but housing is built on land available for commercial uses, they will miss the opportunity to have more places for people to work in the Village and to have more retail spaces. Mr. O'Toole concluded that he might be more amenable to the proposal if the housing to commercial land use ratio was closer to 50/50. Mr. Anderson replied that the proposal is 58% residential and 42% commercial, and asked Mr. David Sellers with LGE Design Group to share about their plans for the commercial areas of the PUD. **David Sellers**, with LGE Design Group, shared that the two parcels within the PUD are incredible pieces of land, having housing nearby their planned commercial properties is a benefit to the employers, the buildings will be very nice and will draw in high-paying jobs, and that while they haven't closed on the property yet they have the capital for the projects, they are a vertically-integrated, they like the freeway visibility and that commercial tenants will see housing nearby as an asset.

Sandra Oviedo asked if there are any long-term projects for when the community ages. Mr. Anderson replied they do not have any age-restricted projects proposed on the site, and that the area could accommodate the Next Gen style of development that Lennar offers.

Chair Gene Derie commented that John F. Long's dream for the Algodón Center PUD PCD was to have an employment center in Maryvale because they had already built enough housing, churches and schools in the Village.

Public Comment:

None.

Item No. 6 GPA-MV-1-21-5

Motion:

Joe Barba motioned to recommended approval of GPA-MV-1-21-5 per the staff recommendation. **Zeke Valenzuela** seconded the motion.

Discussion:

Sandra Oviedo commented that she would like to see safe protected bike lanes within the subject site.

Vote:

4-5, Motion to approve fails, with Committee Members Barba, Cole, Oviedo, and Valenzuela in favor and committee members Battle, DuBose, O'Toole, Weber, and Derie opposed.

Motion:

Jeff O'Toole motioned to recommended denial of GPA-MV-1-21-5. **Mike Weber** seconded the motion.

Vote:

5-4, Motion to deny passes, with Committee Members Battle, DuBose, O'Toole, Weber, and Derie in favor and committee members Barba, Cole, Oviedo, and Valenzuela opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Attachment E

REPORT OF PLANNING COMMISSION ACTION February 3, 2022

ITEM NO: 2	
	DISTRICT NO.: 5
SUBJECT:	
Application #:	GPA-MV-1-21-5
Location:	Area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue
From:	Mixed Use (Commercial/Industrial)
To:	Residential 10 to 15 dwelling units per acre, Residential 3.5 to 5 dwelling units per acre, Residential 5 to 10 dwelling units per acre
Acreage:	349.06
Proposal:	Map amendment to allow residential densities less than 20 dwelling units per acre.
Applicant:	Stephen W. Anderson, Gammage & Burnham, PLC
Owner:	Algodon AG Revocable Land Trust
Representative:	Stephen W. Anderson, Gammage & Burnham, PLC

ACTIONS:

Staff Recommendation: Approval.

Village Planning Committee (VPC) Recommendation:

Maryvale 7/14/2021 Information only.

Maryvale 1/12/2022 Denial. Vote: 5-4

Planning Commission Recommendation: Continued to March 3, 2022 Planning Commission hearing, without fee.

Motion Discussion: To allow the applicant to have additional time to make updates to the plan.

Motion details: Commissioner McCabe made a MOTION to continue GPA-MV-1-21-5 to the March 3, 2022 Planning Commission hearing, without fee.

Maker: McCabe

Second: Gorraiz

Vote: 8-0

Absent: None

Opposition Present: Yes

This publication can be made available in alternate format upon request. Please contact Les Scott at 602-376-3981, Les.scott@phoenix.gov or TTY: Use 7-1-1.



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

ADDENDUM A
GPA-MV-1-21-5
STAFF ANALYSIS

March 3, 2022

Application: GPA-MV-1-21-5

Owner: Algodon AG Revocable Land Trust

Applicant/Representative: Stephen W. Anderson, Gammage & Burnham PLC

Location: Area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue

Acreage: 326.75 acres

Current Plan Designation: [Mixed Use \(Commercial / Industrial\)](#) (326.75 acres)

Requested Plan Designation: [Residential 3.5 to 5 dwelling units per acre](#) (228.80 acres), [Residential 5 to 10 dwelling units per acre](#) (48.13 acres), [Residential 10 to 15 dwelling units per acre](#) (49.82 acres)

Reason for Requested Change: Map amendment allow residential densities less than 20 dwelling units per acre

Village Planning Committee Date: [Maryvale – January 12, 2022](#)

Staff Recommendation: Approval

SUMMARY:





The Maryvale Village Planning Committee heard this request on January 12, 2022, and recommended denial by a 5-4 vote. The Planning Commission voted unanimously (8-0) on February 3, 2022, to continue this case to the March 3, 2022 hearing to allow the applicant additional time to make changes to the proposal.

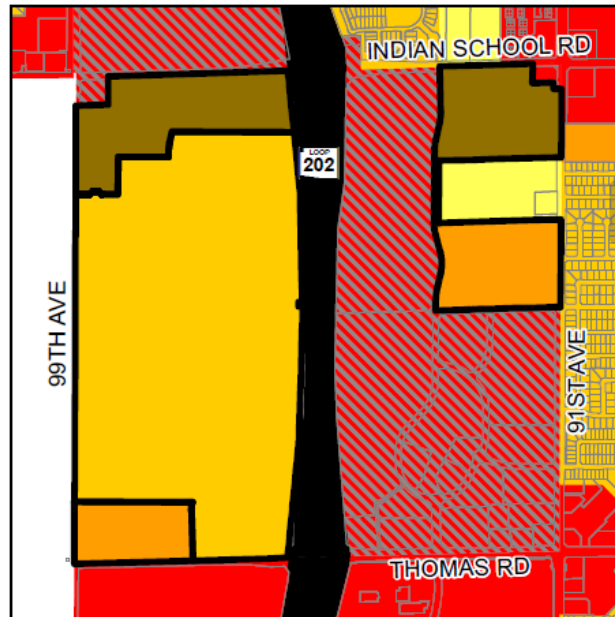
The applicant proposes to modify their request to allow for approximately 22 acres of the subject site to remain designated as Mixed-Use (Commercial/Industrial) on the General Plan Land Use Map. The previous request was for 72.23 acres of Residential

10 to 15 dwelling units per acres, along with the other residential designations requested. The amended request is reduced to propose changing 49.82 acres of Mixed Use (Commercial / Industrial) to Residential 10 to 15 dwelling units per acres. Updated sketch maps are attached to reflect this change. Also attached is one letter of support received since the Village Planning Committee date.

PREVIOUS REQUEST:





Residential 3.5 to 5 du/ac (228.70 +/- Acres)
Residential 5 to 10 du/ac (48.13 +/- Acres)
Residential 10 to 15 du/ac (72.23 +/- Acres)

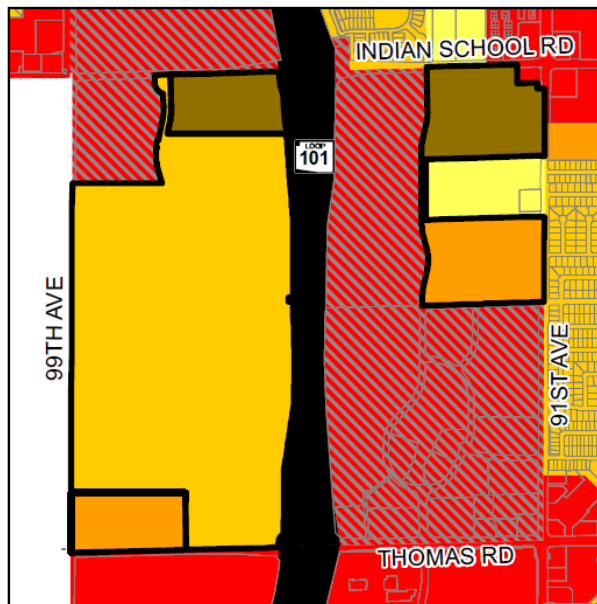
-  Proposed Change Area
-  Residential 3.5 to 5 du/ac
-  Residential 5 to 10 du/ac
-  Residential 10 to 15 du/ac



AMENDED REQUEST:

Residential 3.5 to 5 du/ac (228.80 +/- Acres)
Residential 5 to 10 du/ac (48.13 +/- Acres)
Residential 10 to 15 du/ac (49.82 +/- Acres)

-  Proposed Change Area
-  Residential 3.5 to 5 du/ac
-  Residential 5 to 10 du/ac
-  Residential 10 to 15 du/ac



CONCLUSION AND RECOMMENDATION:

Staff recommends approval of GPA-MV-1-21-5 per Addendum A.

Exhibits

Sketch Map (2 pages)

Correspondence








GENERAL PLAN AMENDMENT

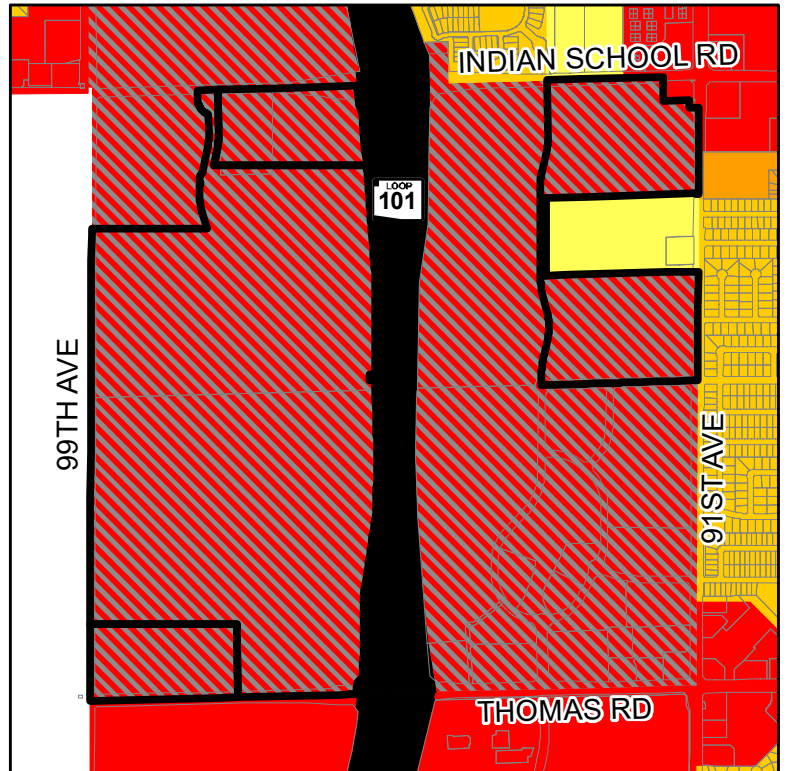
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-MV-1-21-5	ACRES: 326.75 +/-	REVISION DATE:
VILLAGE: Maryvale	COUNCIL DISTRICT: 5	3/3/2022
APPLICANT: Stephen W. Anderson		

EXISTING:





Mixed Use (Commercial / Industrial) (326.75 +/- Acres)

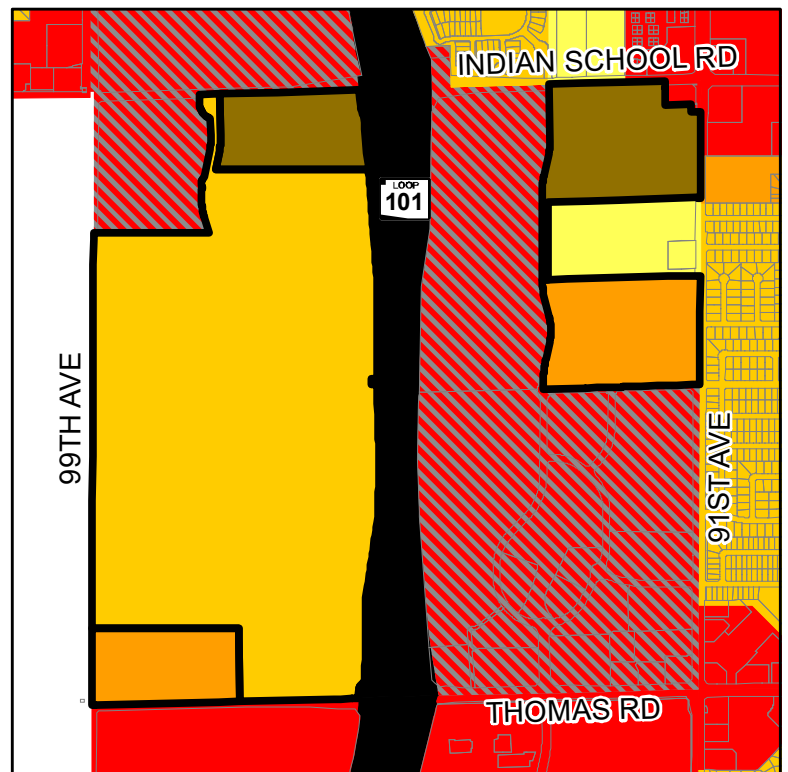
-  Proposed Change Area
-  Residential 1 to 2 du/ac
-  Residential 3.5 to 5 du/ac
-  Residential 5 to 10 du/ac
-  Commercial
-  Mixed Use (Commercial / Industrial)
-  Transportation



PROPOSED CHANGE:

Residential 3.5 to 5 du/ac (228.80 +/- Acres)
 Residential 5 to 10 du/ac (48.13 +/- Acres)
 Residential 10 to 15 du/ac (49.82 +/- Acres)

-  Proposed Change Area
-  Residential 3.5 to 5 du/ac
-  Residential 5 to 10 du/ac
-  Residential 10 to 15 du/ac










GENERAL PLAN AMENDMENT

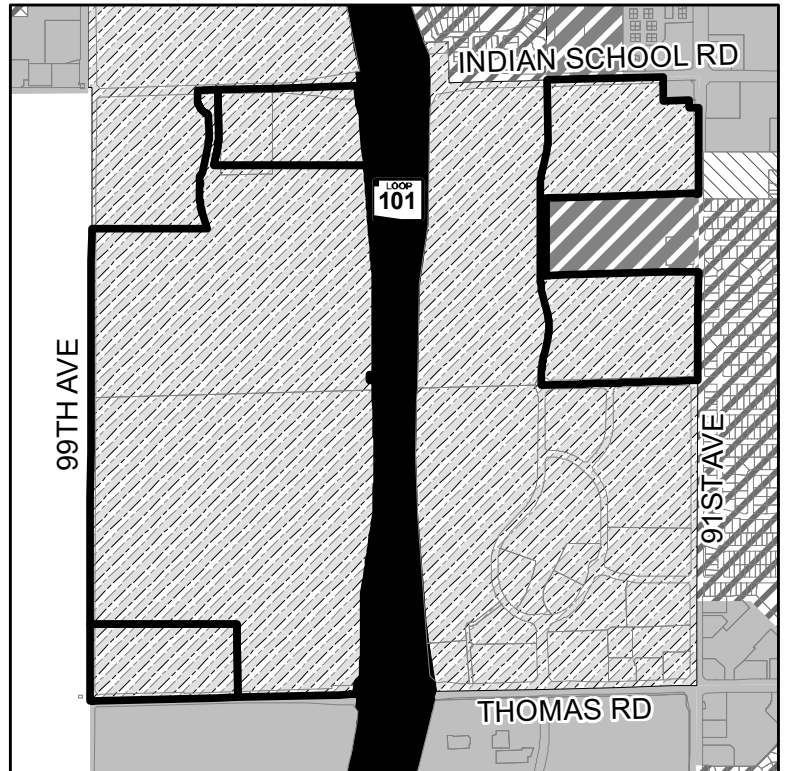
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-MV-1-21-5	ACRES: 326.75 +/-	REVISION DATE:
VILLAGE: Maryvale	COUNCIL DISTRICT: 5	3/3/2022
APPLICANT: Stephen W. Anderson		

EXISTING:





Mixed Use (Commercial / Industrial) (326.75 +/- Acres)

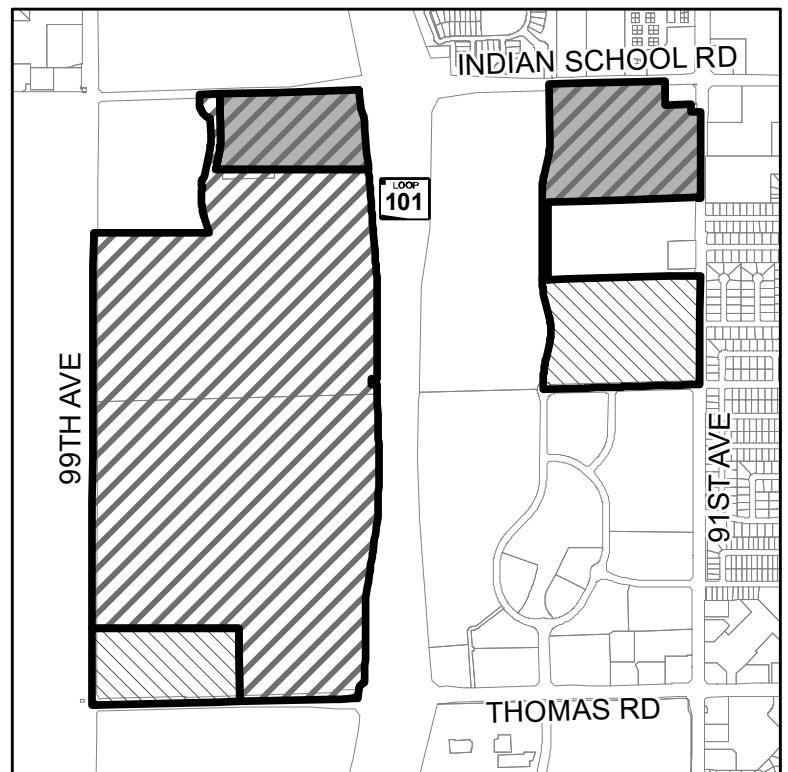
-  Proposed Change Area
-  Residential 1 to 2 du/acre
-  Residential 3.5 to 5 du/acre
-  Residential 5 to 10 du/acre
-  Commercial
-  Mixed Use (Commercial/Industrial)
-  Transportation



PROPOSED CHANGE:

Residential 3.5 to 5 du/ac (228.80 +/- Acres)
 Residential 5 to 10 du/ac (48.13 +/- Acres)
 Residential 10 to 15 du/ac (49.82 +/- Acres)

-  Proposed Change Area
-  Residential 3.5 to 5 du/acre
-  Residential 5 to 10 du/acre
-  Residential 10 to 15 du/acre





Banner Health®

Date: February 2, 2022

Tim Wright
John F. Long Properties
1118 E. Missouri Ave, Suite A
Phoenix, AZ 85014

Re: Algodon Center PUD

Banner Health has been a supporter of growth in the greater Phoenix area for as long as we have been caring for the community. The proposed modifications proposed by John F. Long in conjunction with efforts by Gammage & Burnham for the Algodon Center will bring residential and commercial growth to the west valley. We support the proposed changes described in the Major Amendment & Minor General Amendment by John F. Long. Please feel free to contact me with any questions or concerns.

Sincerely,

Aaron Zeligman
Sr. Project Executive
Aaron.Zeligman@bannerhealth.com
(602) 989-4713

Attachment G

REPORT OF PLANNING COMMISSION ACTION March 3, 2022

ITEM NO: 3	
	DISTRICT NO.: 5
SUBJECT:	
Application #:	GPA-MV-1-21-5 (Companion Case Z-19-G-00-5)
Location:	Area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue
From:	Mixed Use (Commercial/Industrial)
To:	Residential 10 to 15 dwelling units per acre, Residential 3.5 to 5 dwelling units per acre, Residential 5 to 10 dwelling units per acre
Acreage:	349.06
Proposal:	Minor General Plan Map amendment to allow residential densities less than 20 dwelling units per acre.
Applicant:	Stephen W. Anderson, Gammage & Burnham, PLC
Owner:	Algodon AG Revocable Land Trust
Representative:	Stephen W. Anderson, Gammage & Burnham, PLC

ACTIONS:

Staff Recommendation: Approval, per the Addendum A Staff Analysis Report.

Village Planning Committee (VPC) Recommendation:

Maryvale 7/14/2021 Information only.

Maryvale 1/12/2022 Denial. Vote: 5-4.

Planning Commission Recommendation: Approval, per the Addendum A Staff Analysis Report.

Motion Discussion: N/A

Motion details: Commissioner Gaynor made a MOTION to approve GPA-MV-1-21-5, per Addendum A of the Staff Analysis Report.

Maker: Gaynor
Second: McCabe
Vote: 7-0
Absent: Gorraiz
Opposition Present: Yes

Findings:

1. The companion rezoning case (Z-19-G-00-5), a major amendment to the Algodón Center PUD PCD, proposes residential densities less than 20 dwelling units per acre. The proposal exceeds 10 acres and is not consistent with the existing General Plan Land Use Map designation. Therefore, a General Plan amendment is required to amend the Land Use Map designation.
2. The proposed land use designations are compatible with the surrounding land use pattern in the area.
3. The proposed General Plan Land Use Map designations and design standards in

the companion PUD will help ensure high-quality residential development compatible with surrounding uses.

This publication can be made available in alternate format upon request. Please contact Les Scott at 602-376-3981, Les.scott@phoenix.gov or TTY: Use 7-1-1.



*****ITEM REVISED AND CORRECTED (SEE ATTACHED MEMOS)*** PCD Major Amendment and Public Hearing - Rezoning Application Z-19-G-00-5 (Algodon Center PUD) - Area Generally Bounded By 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue (Ordinance G-6980)**

Request to hold a public hearing and to approve Rezoning Application Z-19-G-00-5 and rezone the site from PUD PCD (Planned Unit Development, Planned Community District) to PUD PCD (Planned Unit Development, Planned Community District) for a major amendment to the Algodon Center PUD PCD to allow single-family and multifamily residential. This is a companion case and must be heard following GPA-MV -1-21-5.

Summary

Current Zoning: PUD PCD

Proposed Zoning: PUD PCD

Acreage: 672.92 acres

Proposed Use: Major amendment to the Algodon Center PUD to allow single-family and multifamily residential.

Owner: John F. Long Properties, LLLP, et al.

Applicant: Stephen W. Anderson, Gammage & Burnham, PLC

Representative: Stephen W. Anderson, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Info: The Maryvale Village Planning Committee heard this case on July 14, 2021, for information only.

VPC Action: The Maryvale Village Planning Committee heard this case on Jan. 12, 2022, and recommended denial, by a vote of 6-3.

PC Action: The Planning Commission heard this case on Feb. 3, 2022, and continued the case to Mar. 3, 2022, by a vote of 8-0. The Planning Commission heard this case on Mar. 3, 2022, and recommended approval, per the Addendum B Staff Report, by a vote of 6-1.

Location

Area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell

Avenue.

Council District: 5

Parcel Addresses: 3000, 3100 N. 91st Ave.; 3000, 3010, 3170, 3540, 3750, 3960 N. 93rd Ave.; 2917 N. 94th Ave.; 3455, 4421 N. 97th Ave.; 3301, 3701, 4411 N. 99th Ave.; 9225, 9375, 9425, 9701, 9840 W. Indian School Road; 3020, 3223, 3248 N. Algodon Way; and 9250, 9304, 9356, 9394, 9410, 9440 W. Thomas Road.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

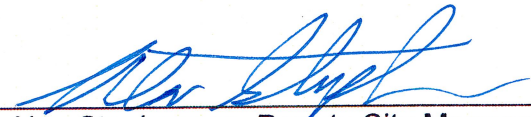
Date: April 4, 2022

From: Joshua Bednarek *JB*
Planning and Development Deputy Director

Subject: CORRECTION TO ITEM 82 ON THE APRIL 6, 2022 – PCD MAJOR AMENDMENT AND PUBLIC HEARING OF Z-19-G-00-5 (ALGODON CENTER PUD) (G-6980)

Item 82 Rezoning Application Z-19-G-00-5, is a major amendment to the Algodon Center Planned Unit Development (PUD) located in the area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue to allow single-family and multifamily residential.

This memo corrects an error in associating this item with a G-ordinance. The request for the PUD is a major amendment to the Algodon Center Planned Community District (PCD). An ordinance is not required for the major amendment to this PCD. Only formal action by the City Council is required subject to the staff recommended stipulations.

Approved: 
Alan Stephenson, Deputy City Manager



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: March 30, 2022

From: Joshua Bednarek *JB*
Planning and Development Deputy Director

Subject: ITEM 82 ON THE APRIL 6, 2022 FORMAL AGENDA – PUBLIC HEARING OF Z-19-G-00-5 – AREA GENERALLY BOUNDED BY 91ST AVENUE TO 99TH AVENUE, THOMAS ROAD TO CAMPBELL AVENUE

Item 82 Rezoning Application Z-19-G-00-5, is a major amendment to the Algodon Center Planned Unit Development (PUD) located in the area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue to allow single-family and multifamily residential.

The Maryvale Village Planning Committee heard this request on January 12, 2022, and recommended denial by a 6-3 vote. The Planning Commission voted unanimously (8-0) on February 3, 2022, to continue this case to the March 3, 2022 hearing to allow the applicant additional time to make changes to the proposal. The Planning Commission heard the request on March 3, 2022, and recommended approval per the Addendum B Staff Report by a 6-1 vote. The Addendum B Staff Report modified language pertaining to the allowable acreage for single-family residential developments and low-density multifamily residential developments to accommodate a change to the corresponding General Plan Amendment No. GPA-MV-1-21-5 and to add the standard waiver of claims stipulation.

Following the Planning Commission meeting, per the direction from the Council District 5 Office, the applicant evaluated the PUD narrative to determine if additional modifications could be proposed to further restrict residential uses in certain locations within the PUD boundaries. The proposed PUD limits the allowable acreage where low-density residential development can occur by implementing an acreage limit, a unit maximum, and the use must occur on areas designated as Residential on the General Plan Land Use Map. The applicant proposes to modify their concurrent General Plan Amendment request to allow for approximately 22 acres of the subject site to remain designated as Mixed-Use (Commercial/Industrial) on the General Plan Land Use Map. While the current PUD narrative provisions would not permit single-family residential uses on this portion of the subject site, it would still allow for multi-family residential uses. The applicant is proposing to add a provision in the PUD that would prohibit all residential uses at the southeast corner of 99th Avenue and Indian School Road to preserve the site for commercial or employment uses. The proposed change is reflected in Stipulation No. 1.c.

Additionally, Stipulation No. 1.b. was updated to reflect an acreage change with the corresponding General Plan Amendment No. GPA-MV-1-21-5

The recommended stipulations are as follows:

STIPULATIONS:

1. An updated Development Narrative for the Algodón Centre PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped December 29, 2021, as modified by the following stipulations:
 - a. Front cover: Revise the date information on the cover page to add the following:

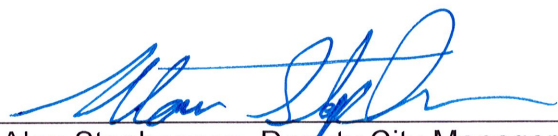
City Council Adopted: [Add Adoption Date]
 - B. PAGE 9, TABLE 1, RESIDENTIAL USE, BULLET POINT 2: AMEND THE SENTENCE TO READ “A MAXIMUM OF ~~326.75~~ **325.73** GROSS ACRES OF THE TOTAL GROSS SITE AREA OF THE PUD SHALL BE USED FOR RESIDENTIAL USES OF LESS THAN 20 DU/AC.”
 - C. **PAGE 9, TABLE 1, RESIDENTIAL USE, ADD BULLET POINT 4: THERE SHALL BE NO RESIDENTIAL USES PERMITTED AT THE IMMEDIATE SOUTHEAST CORNER OF 99TH AVENUE AND INDIAN SCHOOL ROAD DESIGNATED AS MIXED-USE (COMMERCIAL/INDUSTRIAL) ON THE GENERAL PLAN LAND USE MAP.**
 - e. d. Page 15, Table 3A, Streetscape Section, Item 1: Rename section to “Landscape Setback” and delete “measured from back of curb” from first sentence.
 - d. e. Page 15, Table 3A, Low Density Residential Sidewalks Section: Update the first sentence to read “For any residential parcel where density is less than 20 dwelling units per gross acres, sidewalks shall be a minimum of five feet wide, and shall be separated from the curb per the requirements of the Street Classification Map with a minimum five foot wide landscape strip.
 - e. f. Page 17, Table 3B, Streetscape Section, Item 1: Rename section to “Landscape Setback”, delete “measured from back of curb” from first sentence AND ADD “PERIMETER” BEFORE “PUBLIC AND PRIVATE STREET FRONTAGES”.
 - f. g. Page 17, Table 3B, Streetscape Section, Item 2, Bullet Point 1: Add “and utility easements” after “utilities” in first sentence.

- g. h. Page 17, Table 3B, Streetscape Section, Item 2, Bullet Point 2: Add “and utility easements” after “utilities” in first sentence.
 - h. i. Page 18, Table 3B, Perimeter Adjacent to Loop 101 Section, Item 2, Bullet Point 1: Add “and utility easements” after “utilities” in first sentence.
 - i. j. Page 18, Table 3B, Perimeter Adjacent to Loop 101 Section, Item 2, Bullet Point 2: Add “and utility easements” after “utilities” in first sentence.
2. The developer shall dedicate right-of-way and ensure bus stop pad(s) at the following locations, with final siting to be approved by the Public Transit Department:
 - a. Northbound 99th Avenue north of the Earl Drive alignment.
 - b. Northbound 99th Avenue north of the Osborn Road alignment.
 - c. Northbound 99th Avenue north of the Clarendon Avenue alignment.
 - d. Northbound 99th Avenue north of the Glenrosa Avenue alignment.
 - e. Southbound 91st Avenue south of Osborn Road alignment.
 - f. Southbound 91st Avenue south of Cheery Lynn Road alignment.
 - g. Westbound Thomas Road at approximately 9700 West Thomas Road.
 3. Bus stop pads shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. Bus stop pad shall be spaced from the intersection according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide 50% shade coverage to bus stop pad at full maturity.
 4. The developer shall dedicate right-of-way and ensure bus bay with bus stop pad at the following locations, final siting to be approved by the Public Transit Department:
 - a. Northbound 99th Avenue north of Thomas Road.
 - b. Northbound 99th Avenue north of Indian School Road.
 5. Bus bays shall be constructed according to City of Phoenix Standard Detail P1256; attached bus stop pad shall be constructed according to City of Phoenix Standard Detail P1261 with a minimum depth of 10 feet. Bus bay and attached bus stop pad shall be spaced from the intersections according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide 50% shade coverage to bus stop pad at full maturity.
 6. Where pedestrian pathways cross drive aisles FOR MULTIFAMILY RESIDENTIAL AND COMMERCIAL DEVELOPMENTS, they shall be constructed of decorative pavers, stamped or colored concrete, or other

pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.

7. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, bus stop, and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department.
8. An updated Master Street Plan showing all public arterial and collector streets shall be submitted to the Street Transportation Department and Planning and Development Department for review and approval, prior to preliminary site plan approval.
9. The Developer shall submit an updated Traffic Impact Study to the Street Transportation Department prior to preliminary site plan approval for the first phase of development permitted by Amendment G of the Algodón PUD. No preliminary approval of plans shall be granted until the study is reviewed and approved. The applicant shall be responsible for any dedications and required improvements as recommended by the approved study and as approved by the Planning and Development and Street Transportation Department.
10. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Mr. Alan Hilty, (602)262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
11. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
12. 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 IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

Approved: _____


Alan Stephenson, Deputy City Manager

ATTACHMENT A
Algodón Center PUD, Planned Community District

Z-19-G-00-5

- **UPDATE STIPS AFTER ADDENDUM C**

Planning Commission Approved Stipulations from February 3, 2022:

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Exhibits:

A – Legal Description (4 Pages)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-19-G-00-5

Within a portion of Section 21 and 28, Township 2 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Legal Description for Maricopa County Assessor's Parcel Number 102-26-016:
LOT 11 ALGODON MEDICAL OFFICE PARK ACCORDING TO BOOK 978 OF MAPS,
PAGE 34

Legal Description for Maricopa County Assessor's Parcel Number 102-26-017:
LOT 12 ALGODON MEDICAL OFFICE PARK ACCORDING TO BOOK 978 OF MAPS,
PAGE 34

Legal Description for Maricopa County Assessor's Parcel Number 102-26-018:
LOT 13 ALGODON MEDICAL OFFICE PARK ACCORDING TO BOOK 978 OF MAPS,
PAGE 34

Legal Description for Maricopa County Assessor's Parcel Number 102-26-019:
LOT 14 ALGODON MEDICAL OFFICE PARK ACCORDING TO BOOK 978 OF MAPS,
PAGE 34

Legal Description for Maricopa County Assessor's Parcel Number 102-26-020:
LOT 15 ALGODON MEDICAL OFFICE PARK ACCORDING TO BOOK 978 OF MAPS,
PAGE 34

Legal Description for Maricopa County Assessor's Parcel Number 102-26-022:
LOT 17 ALGODON MEDICAL OFFICE PARK ACCORDING TO BOOK 978 OF MAPS,
PAGE 34

Legal Description for Maricopa County Assessor's Parcel Number 102-26-023:
LOT 18 ALGODON MEDICAL OFFICE PARK ACCORDING TO BOOK 978 OF MAPS,
PAGE 34

Legal Description for Maricopa County Assessor's Parcel Number 102-26-024:
LOT 19 ALGODON MEDICAL OFFICE PARK ACCORDING TO BOOK 978 OF MAPS,
PAGE 34

Legal Description for Maricopa County Assessor's Parcel Number 102-26-025:
TRACT A, ALGODON MEDICAL OFFICE PARK ACCORDING TO BOOK 978 OF
MAPS, PAGE 34

Legal Description for Maricopa County Assessor's Parcel Number 102-26-028:
LOT 3, A REPLAT OF LOTS 3 AND 4 OF ALGODON MEDICAL OFFICE PARK
ACCORDING TO BOOK 1247 OF MAPS, PAGE 19

Legal Description for Maricopa County Assessor's Parcel Number 102-26-029:
LOT 4 OF "ALGODÓN MEDICAL OFFICE PARK LOTS 3 AND 4" AS RECORDED IN BOOK 1247 OF MAPS, PAGE 19, RECORDS OF MARICOPA COUNTY, ARIZONA

Legal Description for Maricopa County Assessor's Parcel Number 102-26-026:
LOT 8, REPLAT OF LOTS 8, 9 AND 10 OF ALGODÓN MEDICAL OFFICE PARK ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK 1102 OF MAPS, PAGE 15, RECORDS OF MARICOPA COUNTY, ARIZONA

Legal Description for Maricopa County Assessor's Parcel Number 102-26-027:
LOT 9, ALGODÓN MEDICAL OFFICE PARK, A REPLAT OF LOTS 8, 9 AND 10 OF "ALGODÓN MEDICAL OFFICE PARK" ACCORDING TO BOOK 1102 OF MAPS, PAGE 15, RECORDS OF MARICOPA COUNTY, ARIZONA

Legal Description for Maricopa County Assessor's Parcel Number 102-26-021:
LOT 16, ALGODÓN MEDICAL OFFICE PARK, ACCORDING TO BOOK 978 OF MAPS, PAGE 34, RECORDS OF MARICOPA COUNTY, ARIZONA

Legal Description for Maricopa County Assessor's Parcel Number 102-18-005E:
THAT PART OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER;
THENCE NORTH 00 DEGREES 03 MINUTES 05 SECONDS EAST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 2646.32 FEET TO THE NORTHWEST CORNER (WEST QUARTER CORNER OF SECTION 21) OF SAID SOUTHWEST QUARTER; THENCE NORTH 88 DEGREES 27 MINUTES 01 SECONDS EAST ALONG THE NORTH LINE (EAST-WEST MID-SECTION LINE) OF SAID SOUTHWEST QUARTER, 1461.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF THE AGUA FRIA FREEWAY, STATE ROUTE 417 FROM WHICH THE CENTER OF SECTION BEARS NORTH 88 DEGREES 27 MINUTES 01 SECONDS EAST, 1197.35 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY AS FOLLOWS:
SOUTH 22 DEGREES 27 MINUTES 19 SECONDS EAST, 95.60 FEET;
THENCE SOUTH 24 DEGREES 15 MINUTES 37 SECONDS EAST, 1000.05 FEET;
THENCE SOUTH 20 DEGREES 15 MINUTES 34 SECONDS EAST, 501.60 FEET;
THENCE SOUTH 18 DEGREES 30 MINUTES 04 SECONDS EAST, 476.28 FEET;
THENCE SOUTH 11 DEGREES 18 MINUTES 42 SECONDS EAST, 580.30 FEET;
THENCE SOUTH 81 DEGREES 01 MINUTES WEST, 614.97 FEET;
THENCE LEAVING SAID RIGHT-OF-WAY, SOUTH 01 DEGREES 41 MINUTES 34 SECONDS EAST, 47.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER FROM WHICH THE SOUTHEAST CORNER (SOUTH QUARTER CORNER OF SECTION 21) OF THE SOUTHWEST QUARTER BEARS NORTH 88 DEGREES 18 MINUTES 26 SECONDS EAST, 08.22 FEET; THENCE SOUTH 88 DEGREES 18 MINUTES 26 SECONDS WEST ALONG SAID SOUTH LINE OF THE SOUTHWEST QUARTER, 1743.63 FEET TO THE POINT OF BEGINNING.

Legal Description for Maricopa County Assessor's Parcel Number 102-25-002S:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

FROM THE NORTHEAST CORNER OF SECTION 28, MEASURE; THENCE SOUTH 00 DEGREES

15 MINUTES 51 SECONDS WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 28, 591.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH

00 DEGREES 15 MINUTES 51 SECONDS WEST ALONG SAID EAST LINE, 432.48 FEET; THENCE SOUTH 88 DEGREES 21 MINUTES 09 SECONDS WEST, 1325.69 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 11 SECONDS WEST, 674.44 FEET; THENCE NORTH 88 DEGREES 21 MINUTES 09 SECONDS EAST, 1325.56 FEET TO A POINT ON SAID EAST LINE OF THE NORTHEAST QUARTER OF SECTION 28; THENCE SOUTH 00 DEGREES 15 MINUTES 51 SECONDS WEST ALONG SAID EAST LINE, 949.37 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER (EAST QUARTER CORNER SECTION 28); THENCE SOUTH 88 DEGREES 24 MINUTES 01 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (EAST-WEST MID-SECTION LINE), 2438.78 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF THE AGUA FRIA FREEWAY, STATE ROUTE 417 FROM WHICH THE CENTER OF SECTION 28 BEARS SOUTH 88 DEGREES 24 MINUTES 01 SECONDS WEST, 211.90 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY AS FOLLOWS:

NORTH 01 DEGREES 23 MINUTES 13 SECONDS EAST, 915.03 FEET;
THENCE NORTH 08 DEGREES 12 MINUTES 39 SECONDS EAST, 504.88 FEET;
THENCE NORTH 00 DEGREES 53 MINUTES 32 SECONDS EAST, 1020.28 FEET;
THENCE NORTH 29 DEGREES 22 MINUTES 34 SECONDS EAST, 130.03 FEET;
THENCE NORTH 80 DEGREES 17 MINUTES 59 SECONDS EAST, 323.16 FEET;
THENCE LEAVING SAID RIGHT-OF-WAY NORTH 01 DEGREES 41 MINUTES 44 SECONDS WEST, 55.00 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 28; THENCE NORTH 88 DEGREES 18 MINUTES 16 SECONDS EAST ALONG SAID NORTH LINE 1644.87 FEET, FROM WHICH THE NORTHEAST CORNER OF SECTION 28 BEARS NORTH 88 DEGREES 18 MINUTES 16 SECONDS EAST, 315.18 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 51 SECONDS WEST, 210.12 FEET; THENCE NORTH 88 DEGREES 18 MINUTES 16 SECONDS EAST, 232.14 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 51 SECONDS WEST, 50.03 FEET; THENCE NORTH 88 DEGREES 18 MINUTES 16 SECONDS EAST, 41.02 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 51 SECONDS WEST, 14.41 FEET; THENCE NORTH 89 DEGREES 44 MINUTES 09 SECONDS WEST, 48.00 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 51 SECONDS WEST, 4.00 FEET; THENCE SOUTH 89 DEGREES 44 MINUTES 09 SECONDS EAST, 48.00 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 51 SECONDS WEST, 120.00 FEET; THENCE SOUTH 12 DEGREES 08 MINUTES 15 SECONDS EAST, 195.56 FEET TO THE POINT OF BEGINNING.

Legal Description for Maricopa County Assessor's Parcel Number APN 102-26-003F
APN 102-26-004A, APN 102-26-003G:

THAT PART OF THE WEST HALF OF SECTION 28, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA DESCRIBED AS FOLLOWS:

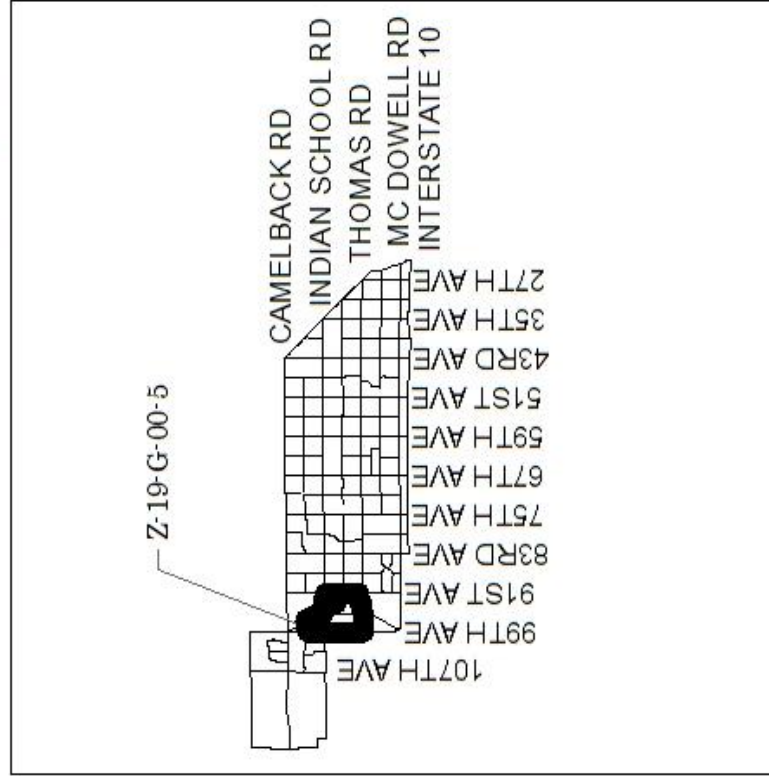
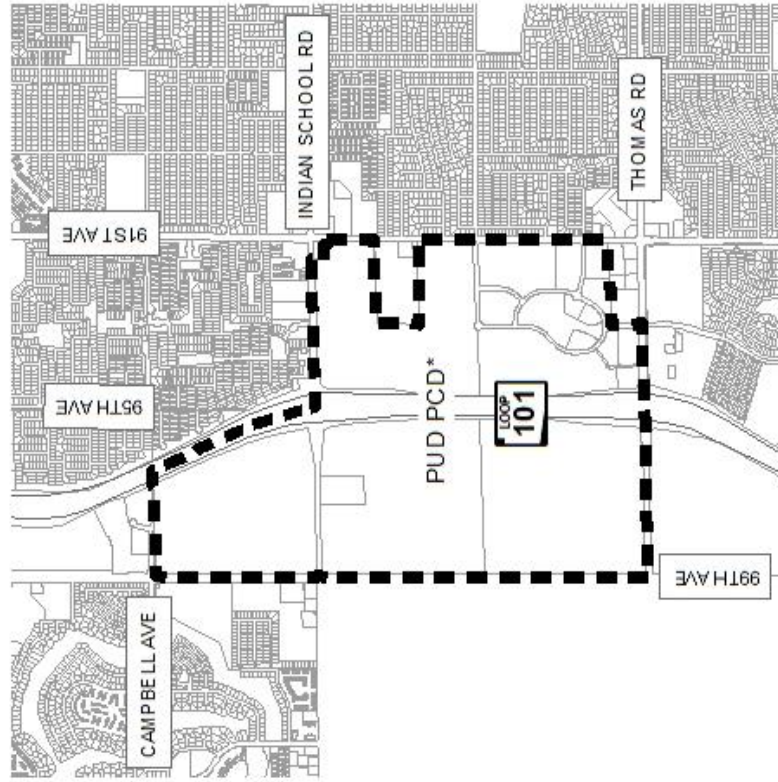
BEGINNING AT THE NORTHWEST CORNER OF SECTION 28;
THENCE NORTH 88 DEGREES 18 MINUTES 26 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, 1623.64 FEET;
THENCE SOUTH 01 DEGREES 41 MINUTES 34 SECONDS EAST, PERPENDICULAR TO SAID NORTH LINE OF SAID NORTHWEST QUARTER, 35.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF THE AGUA FRIA FREEWAY, STATE ROUTE 417;
THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY AS FOLLOWS;
THENCE SOUTH 85 DEGREES 16 MINUTES 27 SECONDS EAST, 402.52 FEET;
THENCE SOUTH 76 DEGREES 26 MINUTES 16 SECONDS EAST, 114.02 FEET;
THENCE SOUTH 88 DEGREES 40 MINUTES 48 SECONDS EAST, 190.26 FEET;
THENCE SOUTH 23 DEGREES 17 MINUTES 15 SECONDS EAST, 117.28 FEET;
THENCE SOUTH 05 DEGREES 20 MINUTES 43 SECONDS EAST, 484.94 FEET;
THENCE SOUTH 04 DEGREES 19 MINUTES 58 SECONDS EAST, 1003.19 FEET;
THENCE SOUTH 00 DEGREES 14 MINUTES 28 SECONDS WEST, 926.48 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST QUARTER FROM WHICH THE CENTER OF SECTION 28 BEARS NORTH 88 DEGREES 24 MINUTES 01 SECONDS EAST, 150.00 FEET; THENCE SOUTH 00 DEGREES 14 MINUTES 28 SECONDS WEST, 73.52 FEET; THENCE SOUTH 02 DEGREES 02 MINUTES 58 SECONDS EAST, 500.40 FEET; THENCE SOUTH 01 DEGREES 23 MINUTES 13 SECONDS WEST, 500.10 FEET; THENCE SOUTH 08 DEGREES 22 MINUTES 16 SECONDS WEST, 707.11 FEET; THENCE SOUTH 00 DEGREES 45 MINUTES 26 SECONDS WEST, 725.40 FEET; THENCE SOUTH 46 DEGREES 45 MINUTES 27 SECONDS WEST, 99.71 FEET; THENCE SOUTH 88 DEGREES 30 MINUTES 13 SECONDS WEST, 200.00 FEET; THENCE SOUTH 01 DEGREES 29 MINUTES 47 SECONDS EAST, 80.00 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28, FROM WHICH THE SOUTH QUARTER CORNER OF SECTION 28 BEARS NORTH 88 DEGREES 30 MINUTES 13 SECONDS EAST, 516.49 FEET; THENCE SOUTH 88 DEGREES 30 MINUTES 13 SECONDS WEST, ALONG SAID SOUTH LINE, 2133.03 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 28; THENCE NORTH 00 DEGREES 18 MINUTES 04 SECONDS EAST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 2638.00 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 28; THENCE NORTH 00 DEGREES 08 MINUTES 18 SECONDS EAST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28, 2638.37 FEET TO THE POINT OF BEGINNING..

EXHIBIT B

MAJOR PCD AMENDMENT MAP

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -

Zoning Case Number: Z-19-G-00-5
Zoning Overlay: N/A
Planning Village: Maryvale



NOT TO SCALE



Drawn Date: 2/2/2022



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

**Staff Report Z-19-G-00-5
(Algodón Center PUD)
January 7, 2022**

Maryvale Village Planning Committee Meeting Date: January 12, 2021

Planning Commission Hearing Date: February 3, 2021

Request From: PUD PCD (Planned Unit Development, Planned Community District) (672.92 acres)

Request To: PUD PCD (Planned Unit Development, Planned Community District) (672.92 acres)

Proposed Use: Major amendment to Algodón Center PUD to allow single-family and multifamily residential

Location: Area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue

Owner: John F Long Properties LLLP, et al.

Applicant/Representative: Stephen Anderson, Gammage & Burnham PLC

Staff Recommendation: Approval, subject to stipulations

<u>General Plan Conformity</u>			
<u>General Plan Land Use Designation</u>		Mixed-Use (Commercial / Industrial)	
<u>Street Map Classification</u>	99th Avenue	Arterial	65 to 75-foot east half street right-of-way
	Campbell Avenue	Collector	30-foot half street
	Indian School Road (West of Loop 101)	Major Arterial	68 plus-foot total right-of-way
	Indian School Road (East of Loop 101)		55 plus-foot south half street
	91st Avenue	Arterial	33 to 55-foot west half street right-of-way
	Thomas Rd	Arterial	50 to 85-foot north half street right-of-way
	Loop 101/Agua Fria Freeway	Freeway Frontage Road	As required by Arizona Department of Transportation (ADOT)

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CLEAN NEIGHBORHOODS; LAND USE PRINCIPLE: Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans.

The PUD area contains several parcels that have long been vacant, and the proposed addition of residential uses is compatible with the residential character of the surrounding area.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; 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 Algodón Center PUD currently permits high-density multifamily residential, and this proposal will allow multifamily residential at a lower density and single-family residential uses which contribute to a mix of housing types in the Maryvale Village.

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 proposed performance standards for the residential uses provides enhanced open space, landscape setbacks and shading requirements which will reduce the urban heat island effect while also improving thermal comfort to site users and the surrounding neighborhood.

Applicable Plan, Overlays, and Initiatives

[Housing Phoenix Plan](#) – See Background Item No. 10.

[Comprehensive Bicycle Master Plan](#) – See Background Item No. 11.

[Complete Streets Guiding Principles](#) – See Background Item No. 12.

[Tree and Shade Master Plan](#) – See Background Item No. 13.

[Zero Waste PHX](#) – See Background Item No. 14.

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Agricultural land, multifamily residential, office	PUD PCD
North	Fire station, school, single-family residential, self-service storage, office	PUD, S-1, R1-6, C-1, C-2 SP
South	Vacant, former agricultural land, medical office, retail	PUD, C-2 H-R PCD, GCP PCD, C-2 PCD
East (across 91st Avenue)	Retail, education center, single-family residential, grocery store	R1-6, R-3, C-2
West (across 99th Avenue)	Multifamily residential, gas station, vacant land	R-3, C-2, PAD (City of Avondale)

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone a 672.92-acre site located in an area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue from PUD PCD (Planned Unit Development, Planned Community District) to PUD PCD (Planned Unit Development, Planned Community District). This request is a Major Amendment to the Algodón Center PUD to allow single-family and multifamily residential densities less than 20 dwelling units per acre. No changes are proposed to the non-residential uses or multifamily residential greater than 20 dwelling units per acre use and associated development standards as permitted currently with the PUD.
2. The subject site has a General Plan Land Use Map designation of Mixed Use (Commercial / Industrial). The surrounding designation to the south is Commercial. The designations to the east are Commercial, Residential 1 to 2 dwelling units per acre, Residential 3.5 to 5 dwelling units per acre and Residential 5 to 10 dwelling units per acre. The designations to the north are Commercial, Residential 1 to 2 dwelling units per acre, Residential 3.5 to 5 dwelling units per acre, and Mixed Use (Commercial / Commerce Park). The designations to the west are Commercial and Residential 3.5 to 5 dwelling units per acre. Parcels south of Indian School Road and west of 99th Avenue are within the City of Avondale.








The request to allow residential densities less than 20 dwelling units per acre is not consistent with the Mixed Use (Commercial / Industrial) designation. A General Plan Amendment (GPA-MV-1-21-5) requesting that approximately half of the PUD area be changed to Residential 3.5 to 5 dwelling units per acre, Residential 5 to 10 dwelling units per acre, and Residential 10 to 15 dwelling units per acre has been filed concurrently with this request. If approved, this request is consistent with the General Plan Land Use Map designation of Residential 3.5 to 5 dwelling units per acre,

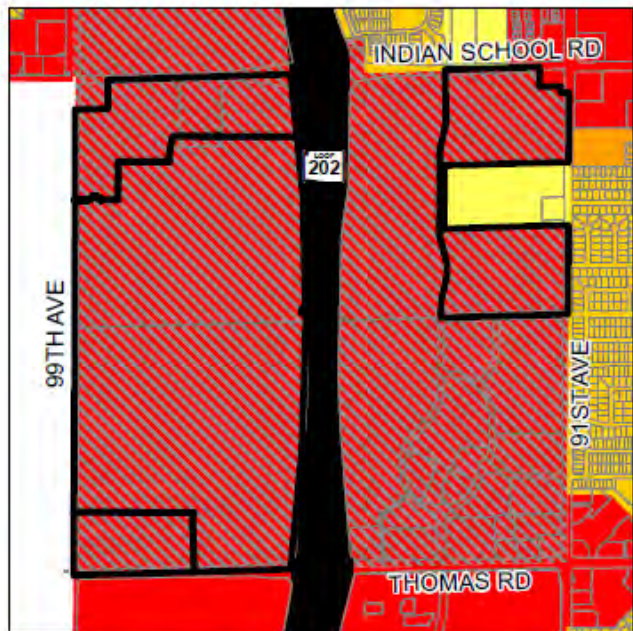
Residential 5 to 10 dwelling units per acre, and Residential 10 to 15 dwelling units per acre.

General Plan Land Use Map, Source: Planning and Development Department

EXISTING:

Mixed Use (Commercial / Industrial) (349.06 +/- Acres)

-  Proposed Change Area
-  Residential 1 to 2 du/ac
-  Residential 3.5 to 5 du/ac
-  Residential 5 to 10 du/ac
-  Commercial
-  Mixed Use (Commercial / Industrial)
-  Transportation







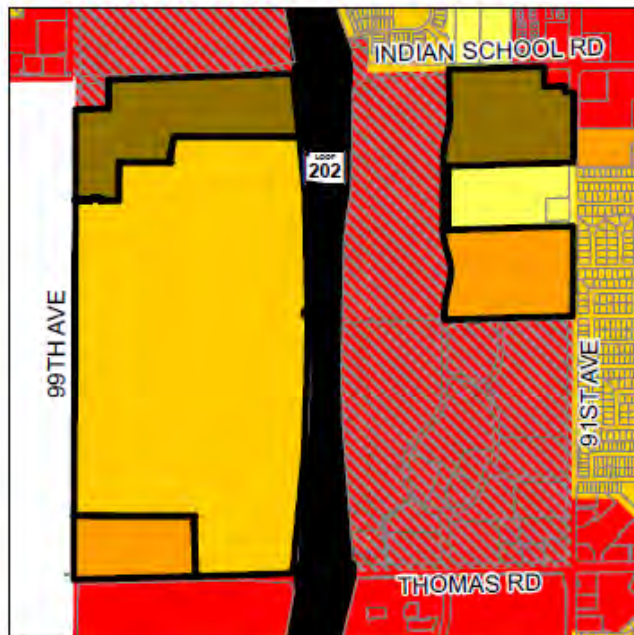
PROPOSED CHANGE:

Residential 3.5 to 5 du/ac (228.70 +/- Acres)

Residential 5 to 10 du/ac (48.13 +/- Acres)

Residential 10 to 15 du/ac (72.23 +/- Acres)

-  Proposed Change Area
-  Residential 3.5 to 5 du/ac
-  Residential 5 to 10 du/ac
-  Residential 10 to 15 du/ac



EXISTING CONDITIONS & SURROUNDING ZONING

3. The PUD area is generally bound 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue, and the Loop 101 Freeway bifurcates the site. The PUD permits a range of commercial, office, retail and commerce park uses in addition to high-density multifamily residential.

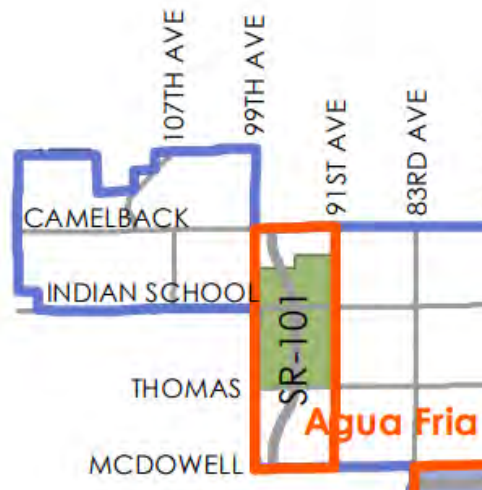
The PUD area contains agricultural land, multifamily residences, and office uses. To the south is vacant land zoned PUD, medical offices, and a hospital zoned C-2 HR PCD (Intermedial Commercial District, High-Rise and High Density District, Planned Community District). To the west is multifamily residential zoned R-2 (Multifamily Residential District), R-3 (Multifamily Residential District), and vacant land within the City of Avondale. To the east are several retail and commercial uses zoned C-2, single-family residential zoned R1-6 (Single-Family Residence District) and a learning center for the Pendergast School District zoned R-3. The Pendergast School District office is located southwest of Indian School Road and 91st Avenue and is zoned S-1 (Ranch or Farm Residence). To the north is a school zoned PUD, a fire station zoned S-1, single-family residences zoned R1-6, self-service storage zoned C-2 SP (Intermediate Commercial District, Special Permit), and office zoned C-1 (Neighborhood Retail District).

The proposed sites for the residential developments at densities less than 20 dwelling units per acre are west of the freeway and south of Indian School Road and the two parcels south of Indian School Road east of the freeway are to the north and south of the Pendergast School District office.

4. The PUD is also within the Agua Fria Employment Center, a City of Phoenix designated Employment Center and the Algodón Major Employment Center as designated by the Maricopa Association of Governments and as listed in the City of Phoenix General Plan. *Source: City of Phoenix General Plan 2015*

MAJOR EMPLOYMENT CENTERS

- Phoenix Designated Employment Centers
- Algodon



APPROVAL AND AMENDMENT HISTORY

5. The Algodón Center PCD was approved by the Phoenix City Council in 2000 via Rezoning Case No. Z-19-00-5.

City Council approved a Major Amendment to the Algodón PCD in June 2011 for 607.52 acres of the PCD to a PUD to allow a mix of uses (multifamily, residential, retail, office, and commerce park), via case Z-19-B-00-5. A subsequent amendment in 2011, Z-19-C-00-5, was withdrawn prior to being granted City Council approval.

City Council approved an additional Major Amendment to the Algodón PUD PCD in May 2012, via case Z-19-D-00-5, for the previously existing 607.52-acre PUD PCD with additional acreage from adjacent parcels. The request designated approximately 852.61 acres generally located west of the 93rd Avenue alignment as a Planned Unit Development (Algodón PUD).

In 2015 City Council approved another Major Amendment Z-19-E-00-5 to the existing 852.61-acre PUD PCD. This request was to adjust the Algodón PUD PCD boundary to exclude approximately 50.86 acres at the northwest corner of 91st Avenue and the Campbell Avenue alignment and was processed with companion case Z-36-15-5 for a single-family residential development.

In 2018 City Council approved another Major Amendment Z-19-F-00-5 to the existing 804.82-acre PUD PCD. The request was to adjust the Algodón PUD PCD boundary to exclude approximately 131.27-acres at the northeast corner of Loop 101/Agua Fria Freeway and Indian School Road with companion case Z-16-18-5 for single-family residential.

PROPOSAL

6. The proposal was developed utilizing the PUD zoning designation. The Planned Unit Development (PUD) is intended to create a built environment that is superior to that produced by conventional zoning districts and design guidelines. Using a collaborative and comprehensive approach, an applicant authors and proposes standards and guidelines that are tailored to the context of a site on a case by case basis. Where the PUD Development Narrative is silent on a requirement, the applicable Zoning Ordinance provisions will be applied.
7. Below is a summary of the proposed modified and additional standards for the subject site, as described in the attached Algodón Center PUD Narrative date stamped December 29, 2021. The PUD already permits multifamily residential uses at a minimum of 20 dwelling units per acre with a maximum density of 52.2 dwelling units per acre. This proposal is to allow residential densities less than 20 dwelling units per acre and adds single-family attached and single-family detached uses to the use list. This proposal limits the amount of residential development by the following provisions as listed in the narrative:

- The total residential units allowed in the PUD area is limited to 25,689.
- Residential uses with a density of less than 20 units per acre are only permitted within 353 gross acres of the total PUD area.
- Residential uses with a density of less than 20 units per acre are only permitted on parcels designated as Residential on the General Plan Land Use Map.

The conceptual site plan attached as an exhibit shows 1,544 units in a mix of single-family detached, single-family attached, and multifamily residential unit types. The elevations show a variety of floorplans, body colors, and architectural styles for each residential unit type. These are shown for conceptual purposes, and the proposed development will need to comply with the PUD standards and guidelines as listed in the narrative. To ensure that the proposal produces high-quality residential developments that are compatible with the existing residential uses surrounding the PUD area and are buffered from the freeway, the proposal includes several performance standards for multifamily residential with densities less than 20 dwelling units per acre, single-family attached, single-family detached uses:

<u>Multifamily Residential Less Than 20 Dwelling Units Per Acre</u> <u>Development Standards</u>	
Standard	Proposed
<i>Density</i>	14 dwelling units per acre maximum
<i>Building Height</i>	30 feet maximum
<i>Open Space</i>	15 percent minimum
<i>Amenity Standards</i>	A central community gathering space or at least 10,000 square feet containing a community pool.
<i>Freeway Building Separation</i>	Average 70 feet from ADOT right-of-way, minimum 40 feet from ADOT right-of way
<i>Maximum Lot Coverage</i>	50 percent
<i>Perimeter Building Setbacks</i>	
Street	15 feet minimum
Side	10 feet minimum
Front	10 feet
Rear	10 feet
<i>Perimeter Landscape Setbacks</i>	
Street	15 feet average, 10 feet minimum
Rear, side, not adjacent to street	10 feet

<u>Single-Family Attached Development Standards</u>	
Standard	Proposed
<i>Density</i>	15 dwelling unit per acre maximum
<i>Building Height</i>	30 feet maximum
<i>Open Space</i>	15 percent minimum
<i>Maximum Garage Width</i>	2 spaces
<i>Minimum Lot Width</i>	22 feet
<i>Maximum Lot Coverage</i>	50 percent
<i>Minimum Building Setbacks</i>	
Freeway	Where adjacent to the southbound Indian School on-ramp to the Loop 101, average 50' from ADOT right-of-way, minimum 20' from ADOT right-of-way. Otherwise, average 70' from ADOT right-of-way, minimum 40' from ADOT right-of-way
Subdivision Boundary	20 feet
Perimeter Street	20 feet
Individual Lot Front to Private Drive	10 feet
Individual Lot Side to Private Drive	10 feet
Individual Lot Rear 2nd Story to Private Drive	2 feet
Building Separation	10 feet
Front to Non-Street (Paseo) lot line	3 feet
Side to Non-Street (Paseo) lot line	0 feet

<u>Single-Family Detached Development Standards</u>		
<u>Standard</u>	<u>Proposed</u>	
	<u>45 feet to 50 feet wide lots</u>	<u>70 feet wide lots</u>
<i>Density</i>	5.5 dwelling units per acre maximum	4 dwelling units per acre maximum
<i>Building Height</i>	30 feet	
<i>Open Space</i>	15 percent minimum	
<i>Amenity Area Requirements</i>	<p>A Major Amenity Area shall be provided for any subdivision containing at least 1,000 dwelling units, shall be a minimum of 5 acres, and shall contain a community pool, 40,000 square feet of open turf, and a basketball court, in addition to the amenities required in Local Amenity Areas.</p> <p>A Local Amenity shall be provided for every 350 dwelling units (or portion thereof), shall contain at least 10,000 square feet of open turf area, a ramada, a grill, and two picnic tables.</p> <p>A Pocket Amenity may be provided in lieu of a Local Amenity for every 125 dwelling units (or portion thereof), shall contain one amenity item such as, but not limited to, exercise equipment, climbing features, horseshoe or open play areas.</p>	
<i>Freeway Building Separation</i>	Average 70 feet from ADOT right-of-way, minimum 40 feet from ADOT right-of way	
<i>Maximum Garage Width</i>	2 car widths	3 car widths
<i>Minimum Perimeter Setbacks</i>	5 foot side, 15 foot rear	5 foot side, 20 foot rear
<i>Minimum Building Setbacks</i>		
Front	10 feet	10 feet
Garage	18 feet	18 feet
Side-Loaded Garage	10 feet	10 feet
Side	5 feet, 5 feet	5 feet, 10 feet
Rear	15 feet	20 feet
<i>Maximum Lot Coverage</i>	50 percent	

8. Design Guidelines

The PUD proposed enhanced design guidelines that are above Zoning Ordinance standards for single-family residential uses including a minimum of four different lot types, a minimum of 18 body colors, roof options and floor plans offered, and required exterior accent materials such as varying shutter types, accent sliding, and stone/brick profiles. Further, lots that are less than 45 feet wide are subject to approval by either the design advisor or the Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage.

The PUD also ensures that perimeter walls include breaks and offsets and that walls adjacent to the freeway have variations in block type and color.

9. Streetscape and Landscape Standards

The proposal requires that all residential developments provide minimum 5-foot-wide sidewalks detached from the curb by a minimum of 5 feet, or as required by the Street Classification Map. Further, the proposal requires planting standards for landscape setbacks that include 50 percent 2-inch caliper trees and 50 percent 3-inch caliper trees. The proposal also requires that all residential developments provide 15 percent open space, which is three times the required amount in the Zoning Ordinance.

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

10. Housing Phoenix Plan

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with 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.

11. 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. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations.

The PUD contains existing standards for bicycle parking for commercial and multifamily residential uses which remain unchanged for this request.

12. **Complete Streets Guiding Principles**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. To support these principles related to pedestrian connectivity and safety, Stipulation No. 6 requires that 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. Further, Stipulation No. 7 requires that clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, bus stop, and public sidewalks, using the most direct route for pedestrians.

13. **Tree and Shade Master Plan**

The Tree and Shade Master Plan has a goal of treating the urban forest as infrastructure to ensure that trees are an integral part of the city's planning and development process. By investing in trees and the urban forest, the city can reduce its carbon footprint, decrease energy costs, reduce storm water runoff, increase biodiversity, address the urban heat island effect, clean the air, and increase property values. In addition, trees can help to create walkable streets and vibrant pedestrian places. The proposal includes enhanced landscape setbacks and shading standards within the PUD narrative.

14. **Zero Waste PHX**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial and mixed-use developments meeting certain criteria. The proposed project will be subject to the City of Phoenix waste collection and recycling requirements.

COMMUNITY INPUT SUMMARY

15. At the time this staff report was written, staff has not received any correspondence from members of the public regarding this request. Staff did receive a letter of support from the Pendergast School District.

INTERDEPARTMENTAL COMMENTS

16. The Phoenix Fire Department has noted that the dimensions and details for turnaround areas at the ends of these fire lanes will require approval, all access gates across fire lanes will require permits through Fire Prevention and that gates shall

comply with Chapter 5 of the 2018 International Fire Code with City of Phoenix amendments from Fire Prevention.

17. The City of Phoenix Water Services Department has noted that the site has existing water and sewer mains that can potentially serve the development and that water capacity is a dynamic condition that can change over time due to a variety of factors.
18. The Public Transit Department requested right-of-way dedications, bus stop pads and bus bays at multiple locations along the PUD area. The Public Transit Department also requested that where pedestrian pathways cross drive aisles, the pathways are constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces. In addition, the Public Transit Department requested that clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, bus stop, and public sidewalks, using the most direct route for pedestrians. These requirements are addressed in Stipulation Nos. 2 through 7.
19. The Street Transportation Department requested that all street improvements be made to current ADA guidelines, that the applicant provide a Traffic Impact Study and submit information to the MAG Transportation Improvement Program and that an updated Master Street Plan be submitted. These requirements are addressed in Stipulation Nos. 8 through 11.

OTHER

20. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 12.
21. The developer shall provide a hydraulic/hydrologic analysis of offsite storm water flows, when present, at the time of preliminary site plan submittal for verification of required infrastructure regarding lot space and density.
22. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The proposal will redevelop an underutilized property and provide a high quality residential development which will help alleviate the housing shortage in Phoenix.
2. This proposal provides for additional housing options in the Maryvale Village and

contributes to the balance of housing and employment opportunities within a Major Employment Center.

3. The proposal includes several development standards that exceed conventional Zoning Ordinance standards such as increased open space, design and shading standards.

Stipulations

1. An updated Development Narrative for the Algodón Centre PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped December 29, 2021, as modified by the following stipulations:
 - a. Front cover: Revise the date information on the cover page to add the following:

City Council Adopted: [Add Adoption Date]
 - b. Page 15, Table 3A, Streetscape Section, Item 1: Rename section to “Landscape Setback” and delete “measured from back of curb” from first sentence.
 - c. Page 15, Table 3A, Low Density Residential Sidewalks Section: Update the first sentence to read “For any residential parcel where density is less than 20 dwelling units per gross acres, sidewalks shall be a minimum of five feet wide, and shall be separated from the curb per the requirements of the Street Classification Map with a minimum five foot wide landscape strip.
 - d. Page 17, Table 3B, Streetscape Section, Item 1: Rename section to “Landscape Setback” and delete “measured from back of curb” from first sentence.
 - e. Page 17, Table 3B, Streetscape Section, Item 2, Bullet Point 1: Add “and utility easements” after “utilities” in first sentence.
 - f. Page 17, Table 3B, Streetscape Section, Item 2, Bullet Point 2: Add “and utility easements” after “utilities” in first sentence.

- g. Page 18, Table 3B, Perimeter Adjacent to Loop 101 Section, Item 2, Bullet Point 1: Add “and utility easements” after “utilities” in first sentence.
 - h. Page 18, Table 3B, Perimeter Adjacent to Loop 101 Section, Item 2, Bullet Point 2: Add “and utility easements” after “utilities” in first sentence.
- 2. The developer shall dedicate right-of-way and ensure bus stop pad(s) at the following locations, with final siting to be approved by the Public Transit Department:
 - a. Northbound 99th Avenue north of the Earl Drive alignment.
 - b. Northbound 99th Avenue north of the Osborn Road alignment.
 - c. Northbound 99th Avenue north of the Clarendon Avenue alignment.
 - d. Northbound 99th Avenue north of the Glenrosa Avenue alignment.
 - e. Southbound 91st Avenue south of Osborn Road alignment.
 - f. Southbound 91st Avenue south of Cheery Lynn Road alignment.
 - g. Westbound Thomas Road at approximately 9700 West Thomas Road.
- 3. Bus stop pads shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. Bus stop pad shall be spaced from the intersection according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide 50% shade coverage to bus stop pad at full maturity.
- 4. The developer shall dedicate right-of-way and ensure bus bay with bus stop pad at the following locations, final siting to be approved by the Public Transit Department:
 - a. Northbound 99th Avenue north of Thomas Road.
 - b. Northbound 99th Avenue north of Indian School Road.
- 5. Bus bays shall be constructed according to City of Phoenix Standard Detail P1256; attached bus stop pad shall be constructed according to City of Phoenix Standard Detail P1261 with a minimum depth of 10 feet. Bus bay and attached bus stop pad shall be spaced from the intersections according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide 50% shade coverage to bus stop pad at full maturity.

6. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
7. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, bus stop, and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department.
8. An updated Master Street Plan showing all public arterial and collector streets shall be submitted to the Street Transportation Department and Planning and Development Department for review and approval, prior to preliminary site plan approval.
9. The Developer shall submit an updated Traffic Impact Study to the Street Transportation Department prior to preliminary site plan approval for the first phase of development permitted by Amendment G of the Algodón PUD. No preliminary approval of plans shall be granted until the study is reviewed and approved. The applicant shall be responsible for any dedications and required improvements as recommended by the approved study and as approved by the Planning and Development and Street Transportation Department.
10. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Mr. Alan Hilty, (602)262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
11. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
12. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33- foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

Writer

Sarah Stockham

January 7, 2022

Team Leader

Samantha Keating

Staff Report: Z-19-G-00-5 (Algodón Center PUD)

January 7, 2022

Page 16 of 16

Exhibits

Sketch Map

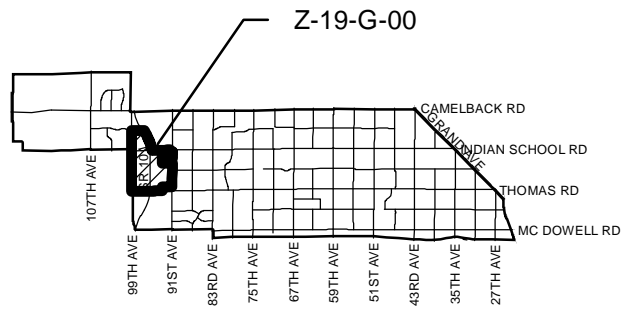
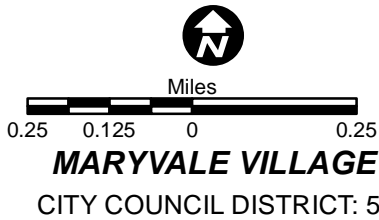
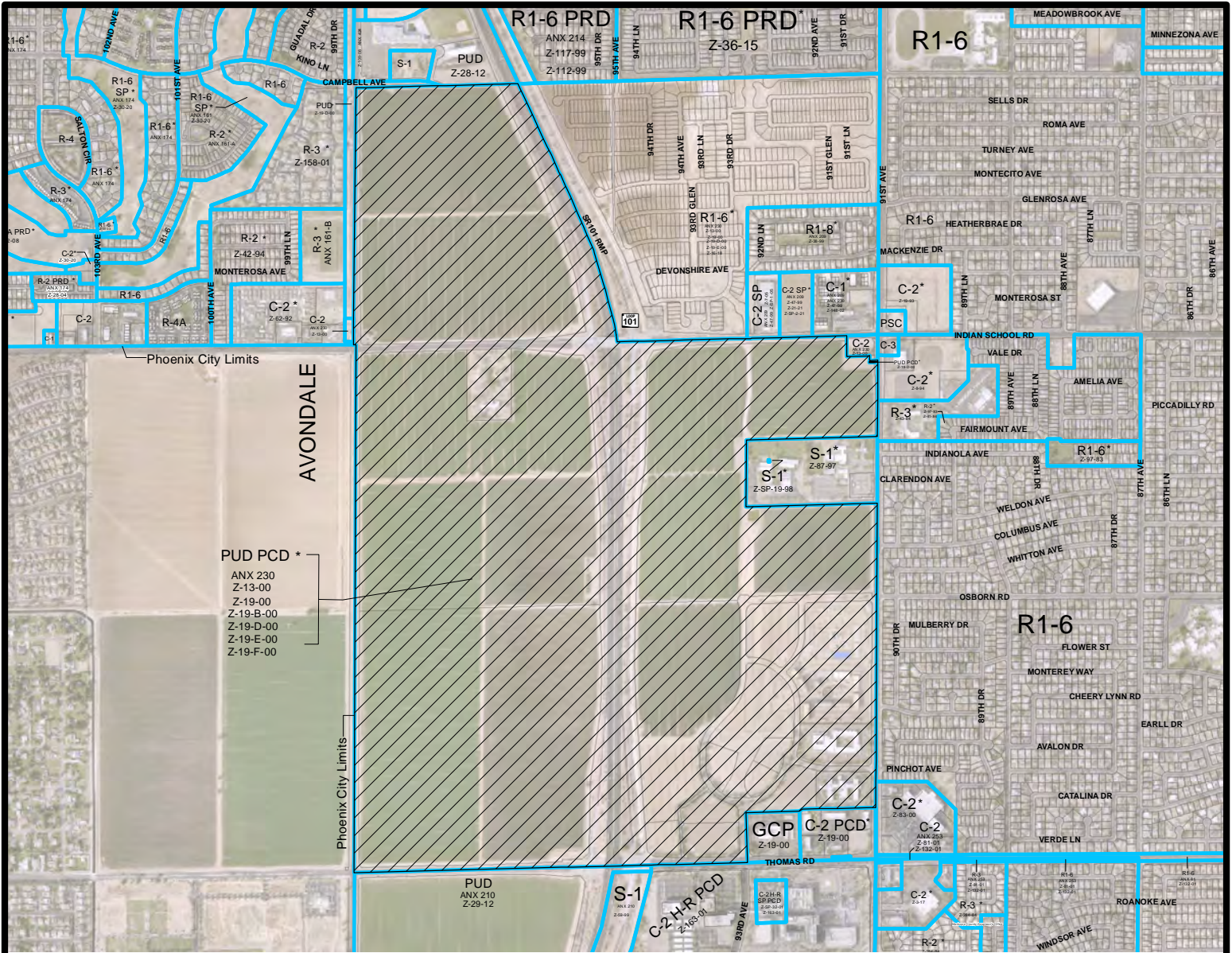
Aerial Map

Site Plan date stamped March 16, 2021 (3 pages)

Elevations date stamped March 16, 2021 (42 pages)

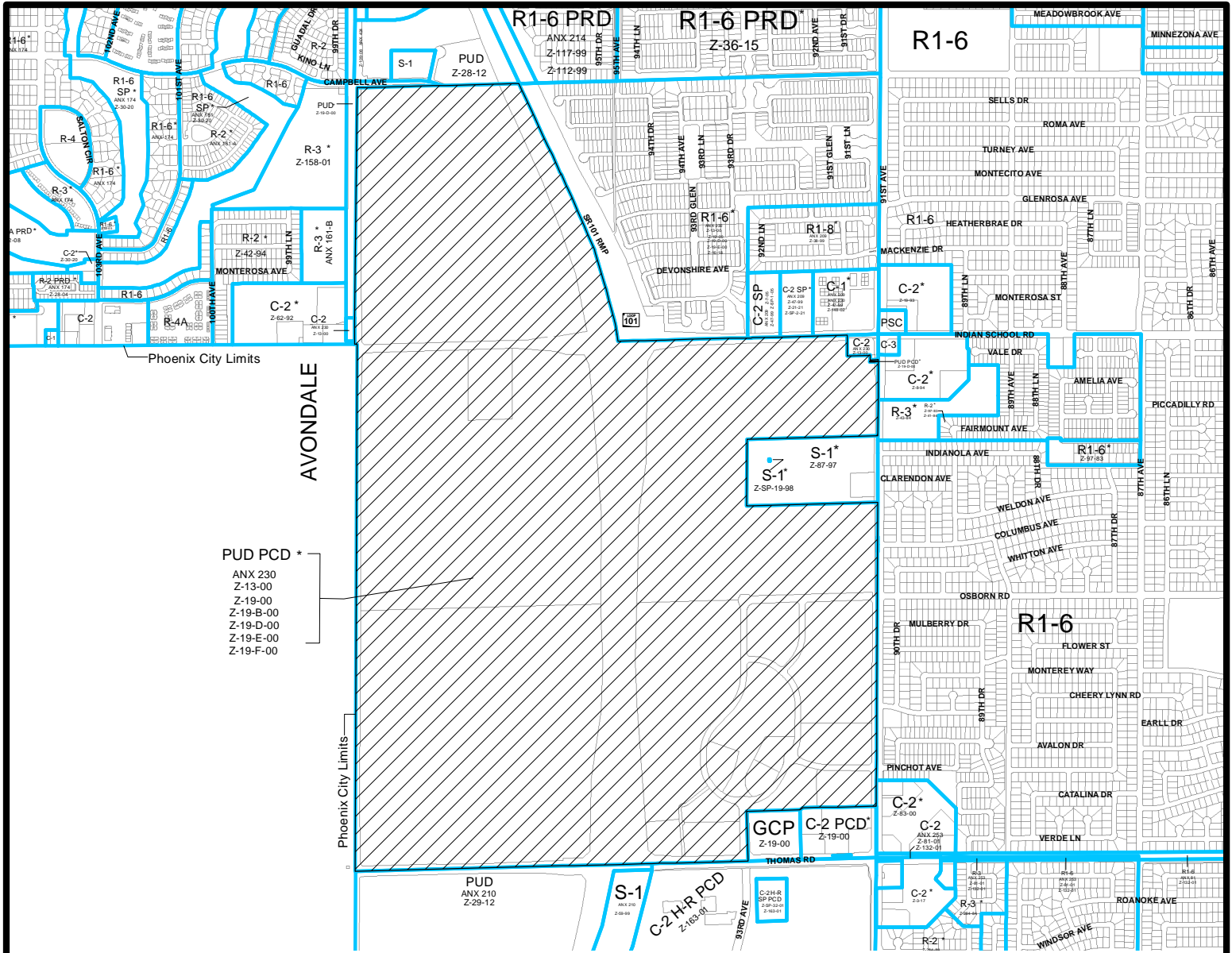
[Algodón Center PUD](#) date stamped December 29, 2021

Correspondence

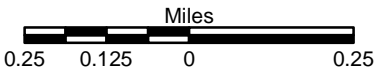


APPLICANT'S NAME: Gammage & Burnham PLC-Stephen Anderson		REQUESTED CHANGE:	
APPLICATION NO. Z-19-G-00		FROM: PUD PCD (672.92 a.c.)	
DATE: 5/27/2021 REVISION DATES:		TO: PUD PCD (672.92 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 672.92 Acres		AERIAL PHOTO & QUARTER SEC. NO. QS 15-5, 15-6, 16-5, 16-6, 17-5	ZONING MAP G-2, G-3, H-2, H-3
MULTIPLES PERMITTED PUD PCD PUD PCD		CONVENTIONAL OPTION 25, 689 25, 689	
		* UNITS P.R.D. OPTION N/A N/A	

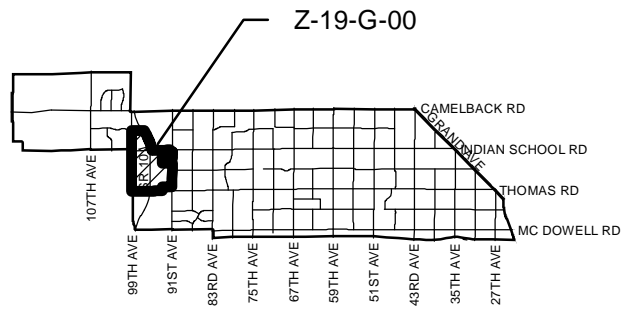
* Maximum Units Allowed with P.R.D. Bonus



- PUD PCD *
- ANX 230
 - Z-13-00
 - Z-19-00
 - Z-19-B-00
 - Z-19-D-00
 - Z-19-E-00
 - Z-19-F-00



MARYVALE VILLAGE
CITY COUNCIL DISTRICT: 5



APPLICANT'S NAME: Gammage & Burnham PLC-Stephen Anderson		REQUESTED CHANGE:	
APPLICATION NO. Z-19-G-00		FROM: PUD PCD (672.92 a.c.)	
DATE: 5/27/2021 <small>REVISION DATES:</small>		TO: PUD PCD (672.92 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 672.92 Acres		<small>AERIAL PHOTO & QUARTER SEC. NO.</small> QS 15-5, 15-6, 16-5, 16-6, 17-5	<small>ZONING MAP</small> G-2, G-3, H-2, H-3
MULTIPLES PERMITTED		CONVENTIONAL OPTION	
PUD PCD		25, 689	
PUD PCD		25, 689	
* UNITS P.R.D. OPTION		N/A	
PUD PCD		N/A	

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



Phase 1		
Traditional SF Gross Acreage	158.72 Ac.	4.01 DU/AC.
Traditional SF Net Acreage	151.27 Ac.	
Traditional SF Open Space	25.31 Ac.	15.9%
Traditional Landscape Setback	1.66 Ac.	1.0%
Open Space Total	26.97 Ac.	17.0%
Unit	Quantity	Mix
30'x97' Alley Homesites	114	17.9%
45'x95' Homesites	74	11.6%
40'x115' Homesites	79	12.4%
45'x120' Homesites	168	26.4%
50'x120' Homesites	143	22.5%
70' x 125' Homesites	58	9.1%
Total Single Family for Rent	636	

Phase 2 Traditional		
Traditional SF Gross Acreage	94.94 Ac.	4.13 DU/AC.
Traditional SF Net Acreage	92.67 Ac.	
Traditional SF Open Space	12.68 Ac.	13.4%
Traditional Landscape Setback	0.42 Ac.	0.4%
Open Space Total	13.10 Ac.	13.8%
Unit	Quantity	Mix
45'x95' Homesites	127	32.4%
40'x115' Homesites	98	25.0%
45'x120' Homesites	75	19.1%
50'x120' Homesites	41	10.5%
70' x 125' Homesites	51	13.0%
Total Single Family for Rent	392	

Phase 2 Townhomes		
Townhomes SF Gross Acreage	16.96 Ac.	11.91 DU/AC.
Townhomes SF Net Acreage	16.33 Ac.	
Townhomes Open Space	5.09 Ac.	30.0%
Townhomes Landscape Setback	0.40 Ac.	2.4%
Open Space Total	5.49 Ac.	32.4%
Unit	Quantity	Mix
Townhomes	202	100.0%
Total	202	

Phase 2 Total		
Trad & TH Gross Acreage	111.90 Ac.	5.31 DU/AC.
Trad & TH Net Acreage	109.00 Ac.	
Single Family for Rent Gross Acreage	22.44 Ac.	13.99 DU/AC.
Gross Acreage Total	134.34 Ac.	6.76 DU/AC.
Traditional SF Open Space	12.68 Ac.	11.3%
Traditional Landscape Setback	0.42 Ac.	0.4%
Townhomes Open Space	5.09 Ac.	4.5%
Townhomes Landscape Setback	0.40 Ac.	0.4%
Trad & TH Open Space Total	17.76 Ac.	15.9%
Trad & TH Landscape Setback Total	0.82 Ac.	0.7%
Open Space Total	18.58 Ac.	16.6%
Single Family for Rent	314	34.6%
Townhomes	202	22.2%
45'x95' Homesites	127	14.0%
40'x115' Homesites	98	10.8%
45'x120' Homesites	75	8.3%
50'x120' Homesites	41	4.5%
70' x 125' Homesites	51	5.6%
Total Single Family for Rent	314	
Total Single Family for Sale	594	
Total	908	

Total		
Traditional SF Gross Acreage	253.66 Ac.	4.05 DU/AC.
Townhomes SF Gross Acreage	16.96 Ac.	11.91 DU/AC.
Trad & TH Gross Acreage Sub-Total	270.62 Ac.	4.55 DU/AC.
Single Family for Rent Gross Acreage	22.44 Ac.	13.99 DU/AC.
Gross Acreage Total	293.06 Ac.	5.27 DU/AC.
Traditional SF Net Acreage	243.94 Ac.	
Townhomes SF Net Acreage	16.33 Ac.	
Single Family for Rent Net Acreage	20.02 Ac.	
Net Acreage Total	280.29 Ac.	
Traditional SF Open Space	37.98 Ac.	15.0%
Traditional Landscape Setback	2.08 Ac.	0.8%
Townhomes Open Space	5.09 Ac.	2.0%
Townhomes Landscape Setback	0.40 Ac.	0.2%
Trad & TH Open Space Total	43.07 Ac.	17.0%
Trad & TH Landscape Setback Total	2.48 Ac.	1.0%
Open Space Total	45.55 Ac.	18.0%
Unit	Quantity	Mix
Single Family for Rent	314	20.3%
Townhomes	202	13.1%
30'x97' Alley Homesites	114	7.4%
45'x95' Homesites	201	13.0%
40'x115' Homesites	177	11.5%
45'x120' Homesites	243	15.7%
50'x120' Homesites	184	11.9%
70' x 125' Homesites	109	7.1%
Total Single Family for Rent	314	
Total Single Family for Sale	1,230	
Total	1,544	

LEGEND
 PRIMARY ENTRY MONUMENT

CITY OF PHOENIX
 MAR 16 2021
 Planning & Development
 Department


CITY OF PHOENIX

MAR 16 2021

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Department

Phase 1		
Traditional SF Gross Acreage	158.72 Ac.	4.01 DU/AC.
Traditional SF Net Acreage	151.27 Ac.	
Traditional SF Open Space	25.31 Ac.	15.9%
Traditional Landscape Setback	1.66 Ac.	1.0%
Open Space Total	26.97 Ac.	17.0%
Unit	Quantity	Mix
30'x97' Alley Homesites	114	17.9%
45'x95' Homesites	74	11.6%
40'x115' Homesites	79	12.4%
45'x120' Homesites	168	26.4%
50'x120' Homesites	143	22.5%
70' x 125' Homesites	58	9.1%
Total Single Family for Rent	636	

LEGEND

 PRIMARY ENTRY MONUMENT



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Phase 2 Total		
Trad & TH Gross Acreage	111.90 Ac.	5.31 DU/AC.
Trad & TH Net Acreage	109.00 Ac.	
Single Family for Rent Gross Acreage	22.44 Ac.	13.99 DU/AC.
Gross Acreage Total	134.34 Ac.	6.76 DU/AC.
Traditional SF Open Space	12.68 Ac.	11.3%
Traditional Landscape Setback	0.42 Ac.	0.4%
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Trad & TH Open Space Total	17.76 Ac.	15.9%
Trad & TH Landscape Setback Total	0.82 Ac.	0.7%
Open Space Total	18.58 Ac.	16.6%
Single Family for Rent	314	34.6%
Townhomes	202	22.2%
45'x95' Homesites	127	14.0%
40'x115' Homesites	98	10.8%
45'x120' Homesites	75	8.3%
50'x120' Homesites	41	4.5%
70' x 125' Homesites	51	5.6%
Total Single Family for Rent	314	
Total Single Family for Sale	594	
Total	908	



Townhome Elevations

CITY OF PHOENIX

MAR 16 2021

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FRONT ELEVATION



RIGHT ELEVATION

CITY OF PHOENIX

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1 of 4
12.08.2020



Mesa, AZ Multi-Family Product Elevation

Hawes Crossing





REAR ELEVATION



LEFT ELEVATION



CITY OF PHOENIX
MAR 16 2021
Planning & Development
Department

DRAWING BY JEFF SIMUTIS, ASAI

3 of 4
12.08.2020

Mesa, AZ | Street Scene Perspective

LENNAR Hawes Crossing





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Department

DRAWING BY JEFF SIMUTIS, ASAI



Hawes Crossing

Mesa, AZ

Alley Perspective

4 of 4
12.08.2020





FRONT

CITY OF PHOENIX

MAR 16 2021

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Department



DECORATIVE GABLE PIPES
(SW0002 RUGGED BROWN)

STUCCO BODY 2
(SW6008 PROPER GRAY)

WROUGHT IRON
(SW7675 SEALSKIN)

STUCCO BODY 1
(SW7684 PEDIMENT)

EAGLE ROOF TILE
(CAPETOWN S TILE #6602 -
CONCORD BLEND)

FASCIA
(SW7020 BLACK FOX)

DECORATIVE SHUTTERS
(SW2740 MINERAL GRAY)

TRIM
(SW6004 MINK)

COACH LIGHT

GARAGE DOOR
(SW0004 MINK)

REAR



LEFT



RIGHT

CITY OF PHOENIX

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Department



DECORATIVE GABLE PIPES
(SW0002 RUGGED BROWN)

STUCCO BODY 2
(SW0007 SMOKY BEIGE)

COACH LIGHT
STUCCO BODY 1
(SW0005 TOUCH OF SAND)

EAGLE ROOF TILE
(CAPISTRANO "S" TILE #3836 -
PIEDMONT BLEND)

FASCIA
(SW0009 FRENCH ROAST)

WROUGHT IRON
(SW7075 SEALSKIN)

TRIM
(SW0008 UTAUPEIA)

FRONT DOOR
(SW7300 CARNELIAN)

DECORATIVE SHUTTERS
(SW7500 CARNELIAN)

VINYL FENCING
(CLAY)

FRONT

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DECORATIVE GABLE PIPES
(SW9082 RUGGED BROWN)

WROUGHT IRON
(SW1675 SEALSINK)

STUCCO BODY 2
(SW9087 SMOKY BEIGE)

COACH LIGHT
STUCCO BODY 1
(SW9085 TOUCH OF SAND)

EAGLE ROOF TILE
(CAPSINO'S BLEND -
PEDIANT BLEND)

FASCIA
(SW9086 FRENCH ROAST)

DECORATIVE SHUTTERS
(SW7580 GARNELLIAN)

TRIM
(SW9088 UTAUPEIA)

GARAGE DOOR
(SW9088 UTAUPEIA)



REAR



LEFT



RIGHT

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FRONT

CITY OF PHOENIX

MAR 16 2021

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Department



REAR



LEFT



RIGHT

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DECORATIVE GABLE PIPES
(SW6802 RUGGED BROWN)

STUCCO BODY 2
(SW1044 AMAZING GRAY)

WROUGHT IRON
TRIM
(SW9171 FELTED WOOD)

STUCCO BODY 1
(SW7042 SICHU WHITE)

EAGLE ROOF TILE
(CAPISTRANO S'TILE #3729 -
ADOBE BLEND)

FASCIA
(SW7045 URBANE BRONZE)

TRIM
(SW9171 FELTED WOOD)

COACH LIGHT

FRONT DOOR
(SW7159 OLYMPIC RANGE)

DECORATIVE SHUTTERS
(SW7159 OLYMPIC RANGE)

VINYL FENCING
(CLAY)

FRONT



DECORATIVE GABLE PIPES
(SW9092 RUGGED BROWN)

WROUGHT IRON
(SW7675 SEALSINK)

STUCCO BODY 2
(SW7044 AMALZING GRAY)

STUCCO BODY 1
(SW7042 SHOUJI WHITE)

EAGLE ROOF TILE
(CAPRISTONE TILE #3723 -
AUBRE BLEND)

FASCIA
(SW7048 URBANE BRONZE)

DECORATIVE SHUTTERS
(SW7750CL YMPIC RANGE)

TRIM
(SW9171 FELTED WOOL)

COACH LIGHT
(SW9171 FELTED WOOL)

GARAGE DOOR
(SW9171 FELTED WOOL)

REAR



LEFT



RIGHT

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Examples of Other Lennar Homesite Elevations

CITY OF PHOENIX

MAR 16 2021

**Planning & Development
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Tradition at Horizon

Elevation Renderings

Coronado | Plan 3522 | Approx. 2,268 sq.ft.
4 Bedroom | 3 Bath | 2-Bay Garage



Elevation E | Tuscan



Elevation F | French Country



Elevation G | Italianate

CITY OF PHOENIX

MAR 16 2021

**Planning & Development
Department**

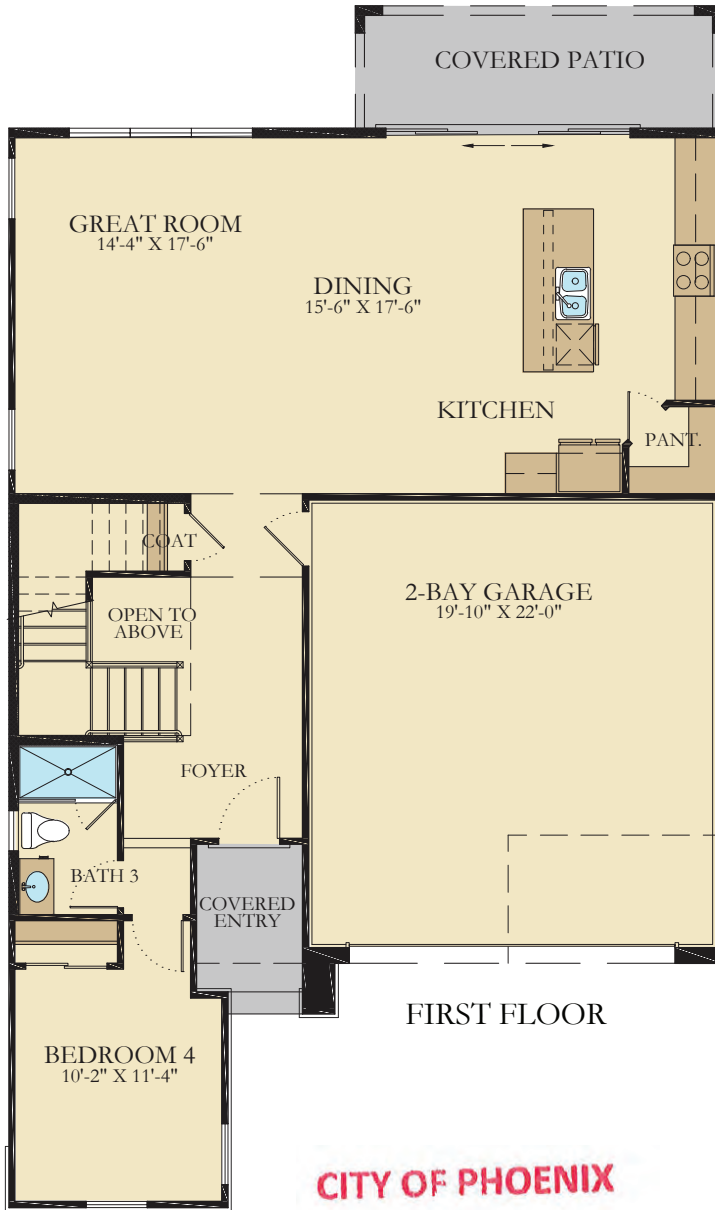


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INCLUDED®**

LENNAR®

Tradition at Horizon Floorplans

Coronado | Plan 3522 | Approx. 2,268 sq.ft.
4 Bedroom | 3 Bath | 2-Bay Garage



CITY OF PHOENIX

MAR 16 2021

**Planning & Development
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Tradition at Horizon

Elevation Renderings

Laguna | Plan 3623 | Approx. 2,342 sq.ft.
4 Bedroom | 3 Bath | 2-Bay Garage



Elevation C | Craftsman



Elevation F | French Country



Elevation K | Farmhouse

CITY OF PHOENIX

MAR 16 2021

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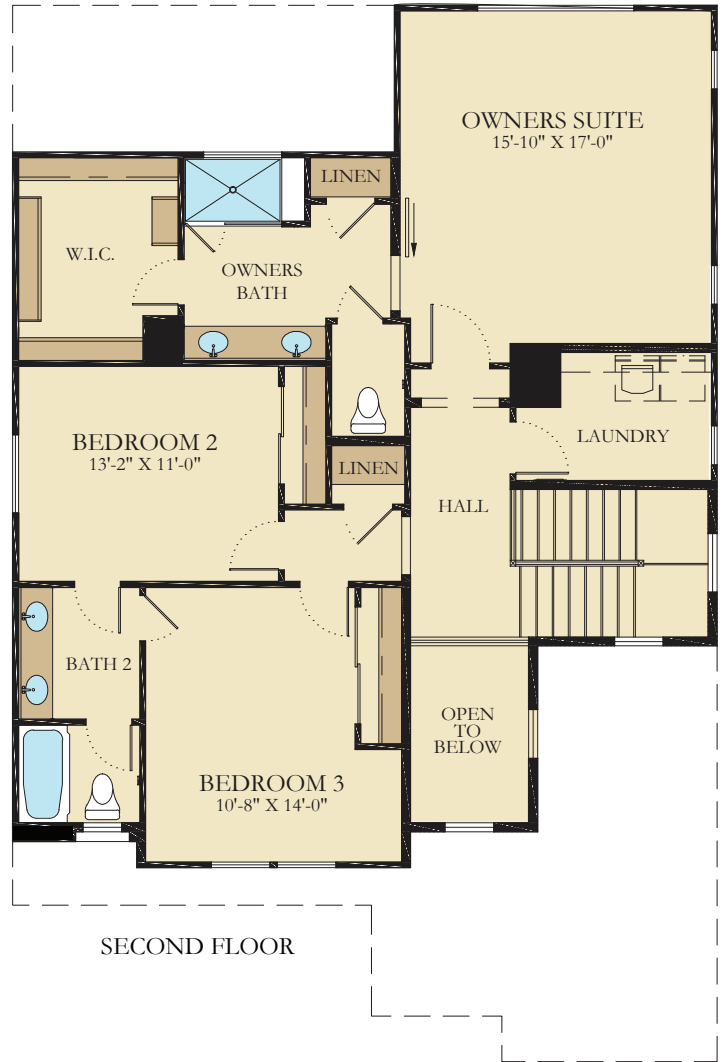


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Tradition at Horizon Floorplans

Laguna | Plan 3623 | Approx. 2,342 sq.ft.
4 Bedroom | 3 Bath | 2-Bay Garage



CITY OF PHOENIX

MAR 16 2021

**Planning & Development
Department**



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Tradition at Horizon

Elevation Renderings

La Jolla | Plan 3624 | Approx. 2,615 sq.ft.
4 Bedroom | Loft | 3 Bath | 2-Bay Garage



Elevation C | Craftsman



Elevation D | Monterey



Elevation F | French Country

CITY OF PHOENIX

MAR 16 2021

**Planning & Development
Department**

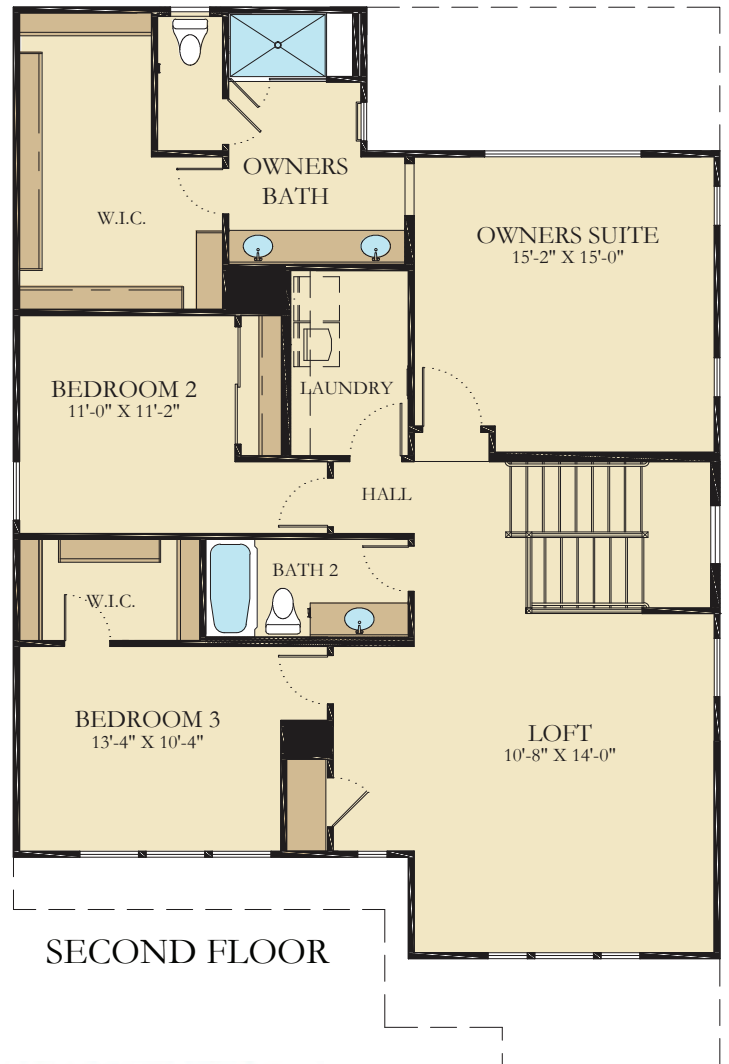
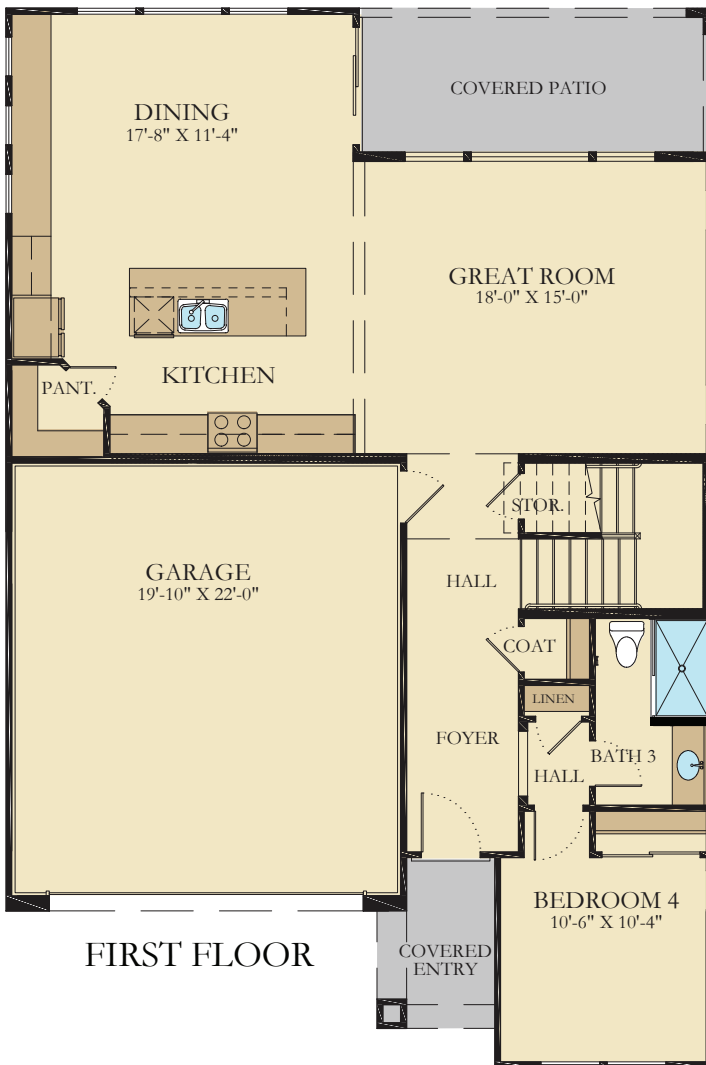


**EVERYTHING'S
INCLUDED***

LENNAR®

Tradition at Horizon Floorplans

La Jolla | Plan 3624 | Approx. 2,615 sq.ft.
4 Bedroom | Loft | 3 Bath | 2-Bay Garage



CITY OF PHOENIX

MAR 1 6 2021

**Planning & Development
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Tradition at Horizon

Elevation Renderings

Balboa | Plan 3626 | Approx. 2,720 sq.ft.
5 Bedroom | 3 Bath | 2-Bay Garage



Elevation C | Craftsman



Elevation F | French Country



Elevation K | Farmhouse

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Department**

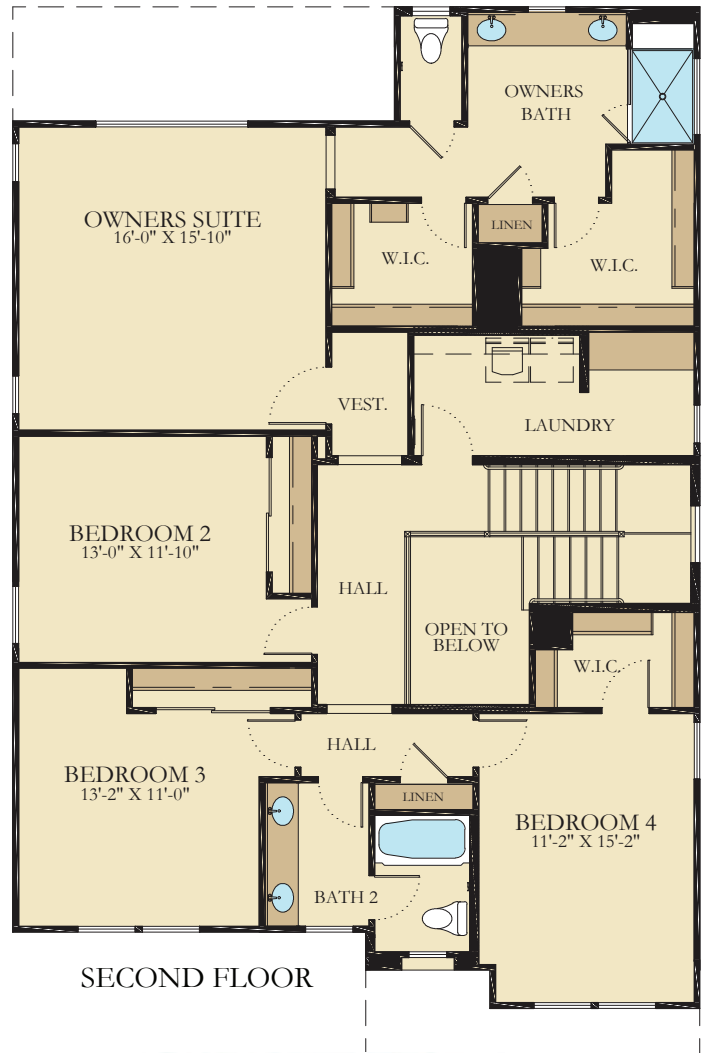


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Tradition at Horizon Floorplans

Balboa | Plan 3626 | Approx. 2,720 sq.ft.
5 Bedroom | 3 Bath | 2-Bay Garage



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Destiny at Arroyo Seco

Elevation Renderings

Wayfarer II | Plan 5579 | Approx. 2,163 sq. ft.
4 Bedrooms | 3 Baths
3-Bay Tandem Garage | RV Garage

PRELIMINARY



Elevation C



Elevation B



Elevation D

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Destiny at Arroyo Seco

Elevation Renderings

Wayfarer II | Plan 5579 | Approx. 2,163 sq. ft.
4 Bedrooms | 3 Baths
3-Bay Tandem Garage | RV Garage

PRELIMINARY

New CAD iPlan Arroyo Specific.

Question on
BR 4 VS DEN w/double doors
and closet?

Owner's suite bath
split top vanity



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Destiny at Arroyo Seco

Elevation Renderings

Outlander II | Plan 5581 | Approx. 2,296 sq. ft.
3 Bedrooms | Study | 2.5 Baths
3-Bay Tandem Garage | RV Garage

PRELIMINARY



Elevation D



Elevation B



Elevation C

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Destiny at Arroyo Seco

Elevation Renderings

Outlander II | Plan 5581 | Approx. 2,296 sq. ft.
3 Bedrooms | Study | 2.5 Baths
3-Bay Tandem Garage | RV Garage

PRELIMINARY



New CAD iPlan Arroyo Specific.

Question on
Oversized Island,
Double sinks in Bath 2,
Hall ceiling

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Destiny at Arroyo Seco

Elevation Renderings

Explorer | Plan 5583 | Approx. 2,584 sq. ft.
4 Bedrooms | 3 Baths | 2-Bay Garage | RV Garage
Main Home 1,910 sq. ft. | Private Living Suite 674 sq. ft.

PRELIMINARY



Elevation L



Elevation B



Elevation H

Asante 6

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LENNAR®

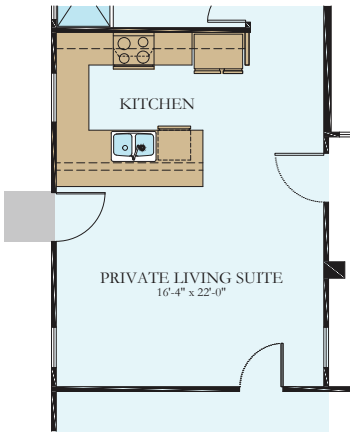
Destiny at Arroyo Seco

Elevation Renderings

Explorer | Plan 5583 | Approx. 2,584 sq. ft.
4 Bedrooms | 3 Baths | 2-Bay Garage | RV Garage
Main Home 1,910 sq. ft. | Private Living Suite 674 sq. ft.

PRELIMINARY

New CAD
for Arroyo Seco
and Asante 6



OPT. GOURMET KITCHEN
AT PRIVATE LIVING SUITE



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NG'S
E D[®]



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Freedom at Heritage Asante

Wayfarer | Plan 5679 | Approx. 2,231 sq. ft.
3 Bedrooms | Study | 3 Baths | 3-Bay Tandem Garage | RV Garage

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Department

PRELIMINARY



Elevation D



Elevation B



Elevation C

Rolls from
Existing Asante RV 70s
Freedom Series

Heritage Parcel 6 | 16433 W. Alameda Rd. | Surprise | 800-864-1058 | Lennar.com



LENNAR® Pursuant to the Fair Housing Act, this housing is intended for occupancy by at least one person 55 years of age or older per home. Plans and elevations are artist's renderings and may contain options which are not standard on all models. Lennar reserves the right to make changes to these floor plans, specifications, dimensions and elevations without prior notice. Stated dimensions and square footage are approximate and should not be used as representation of the home's precise or actual size. Any statement, verbal or written, regarding "under air" or "finished area" or any other description or modifier of the square footage size of any home is a shorthand description of the manner in which the square footage was estimated and should not be construed to indicate certainty. Renderings are conceptual in nature and merely an artist's rendition. These renderings are solely for illustrative purposes and should never be relied upon. Garage size may vary from home to home and may not accommodate all vehicles. No offer to sell or lease may be made or to purchase or lease may be accepted prior to issuance of an Arizona Public Report. A Public Report is available at the State Real Estate Department website www.azre.gov. Broker Lennar Sales Corp. Lennar Arizona, Inc. dba Lennar Homes ROC# 232731, Lennar Arizona Construction, Inc. ROC# 228129, Lennar Communities Development, Inc., ROC# 137295, US Home of Arizona Construction Company ROC# 065983, Greystone Construction, Inc. ROC# 256680. Copyright © 2020 Lennar Corporation. All rights reserved. Lennar, the Lennar logo, Everything's Included and the Everything's Included logo are U.S. registered service marks or service marks of Lennar Corporation and/or its subsidiaries. 12.18.20

Freedom at Heritage Asante

Wayfarer | Plan 5679 | Approx. 2,231 sq. ft.
3 Bedrooms | Study | 3 Baths | 3-Bay Tandem Garage | RV Garage

PRELIMINARY

Rolls from
Existing Asante RV 70s
Freedom Series



CITY OF PHOENIX

MAR 16 2021

Planning & Development
Department

Freedom at Heritage Asante

Outlander | Plan 5680 | Approx. 2,406 sq. ft.
3 Bedrooms | Study | 2.5 Baths | 3-Bay Tandem Garage | RV Garage

CITY OF PHOENIX

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Planning & Development
Department

PRELIMINARY



Elevation C



Elevation B



Elevation D

Rolls from
Existing Asante RV 70s
Freedom Series

Heritage Parcel 6 | 16433 W. Alameda Rd. | Surprise | 800-864-1058 | Lennar.com



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Freedom at Heritage Asante

Outlander | Plan 5680 | Approx. 2,406 sq. ft.
3 Bedrooms | Study | 2.5 Baths | 3-Bay Tandem Garage | RV Garage

PRELIMINARY



Rolls from
Existing Asante RV 70s
Freedom Series

CITY OF PHOENIX

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Department**

Freedom at Heritage Asante

Explorer | Plan 5583 | Approx. 2,584 sq. ft. | 4 Bedrooms | 3 Baths | 2-Bay Garage | RV Garage
Main Home 1,910 sq. ft. | Private Living Suite 674 sq. ft.

PRELIMINARY

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Elevation L



Elevation B



Elevation H

Heritage Parcel 6 | 16433 W. Alameda Rd. | Surprise | 800-864-1058 | Lennar.com


HERITAGE
ASANTE • SURPRISE

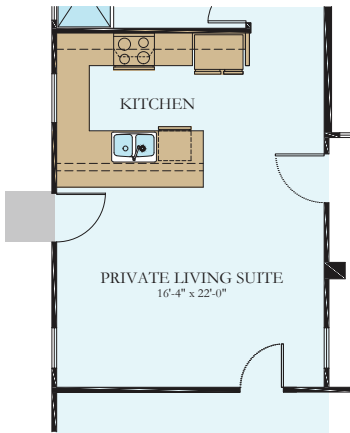
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Freedom at Heritage Asante

Explorer | Plan 5583 | Approx. 2,584 sq. ft. | 4 Bedrooms | 3 Baths | 2-Bay Garage | RV Garage
 Main Home 1,910 sq. ft. | Private Living Suite 674 sq. ft.

PRELIMINARY



OPT. GOURMET KITCHEN
 AT PRIVATE LIVING SUITE



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Destiny

Dobbins Village

Elevation Renderings

Explorer | Plan 5583 | Approx. 2,604 sq. ft.
4 Bedrooms | 3 Baths | 2-Bay Garage | RV Garage
Main Home 1,936 sq. ft. | Private Living Suite 668 sq. ft.

PRELIMINARY



Elevation C | Craftsman



Elevation A | Spanish Colonial



Elevation I | Western Territorial

New for Dobbins Village

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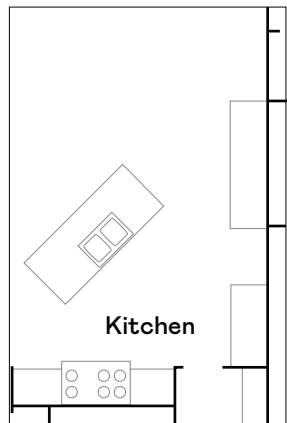
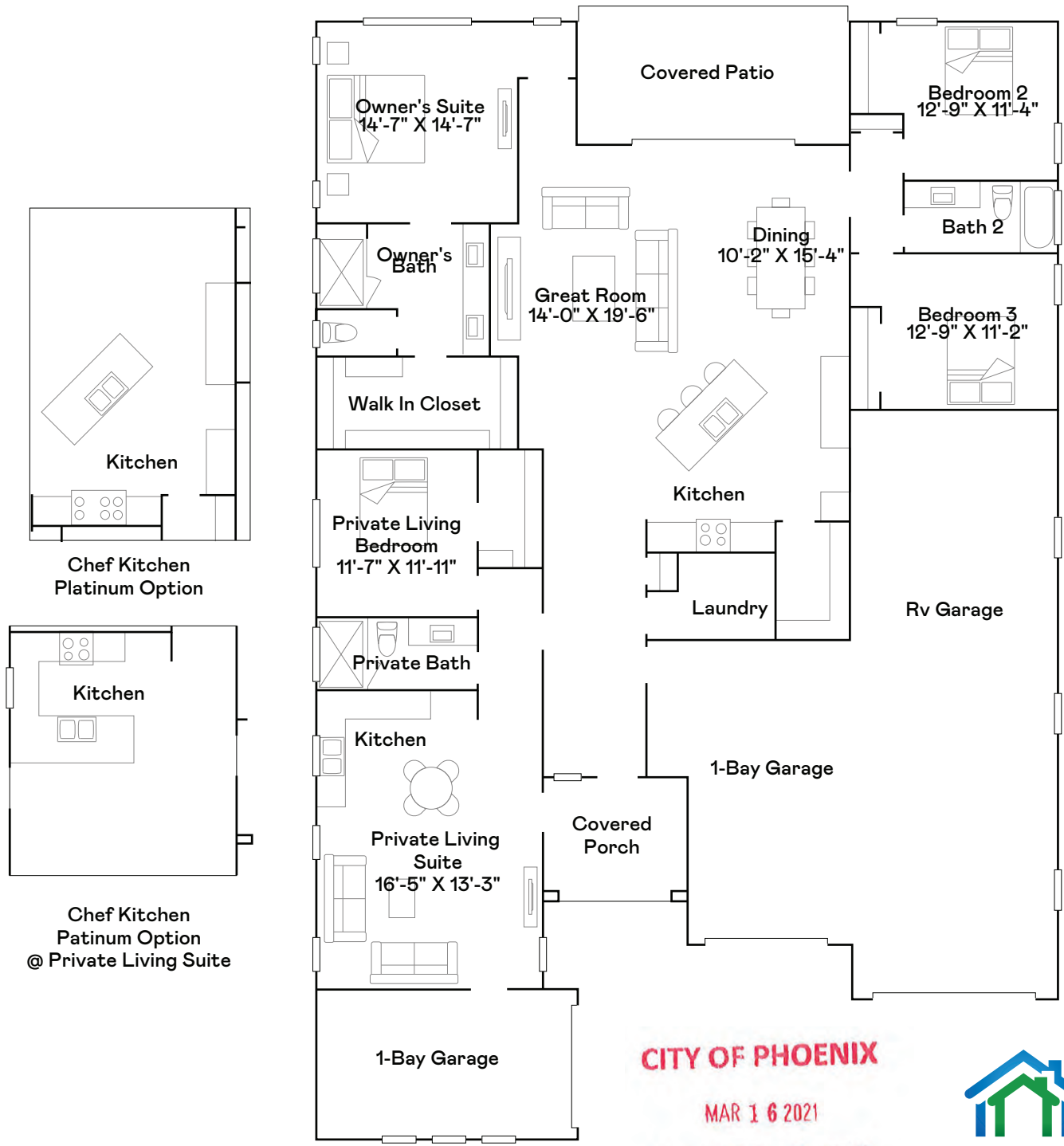
Destiny

Dobbins Village

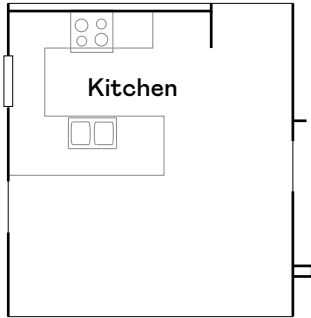
Floorplans

Explorer | Plan 5583 | Approx. 2,604 sq. ft.
 4 Bedrooms | 3 Baths | 2-Bay Garage | RV Garage
 Main Home 1,936 sq. ft. | Private Living Suite 668 sq. ft.

PRELIMINARY



**Chef Kitchen
Platinum Option**



**Chef Kitchen
Platinum Option
@ Private Living Suite**

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Inspiration at Horizon

Elevation Renderings

Oxnard | Plan 2016 | Approx. 1,732 sq.ft.
3 Bedroom | 2.5 Bath | 2-Bay Garage



Elevation A | Spanish Colonial



Elevation B | Hacienda



Elevation C | Craftsman

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Inspiration at Horizon Floorplans

Oxnard | Plan 2016 | Approx. 1,732 sq.ft.
3 Bedroom | 2.5 Bath | 2-Bay Garage



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Inspiration at Horizon

Elevation Renderings

Lucia | Plan 2019 | Approx. 1,974 sq.ft.
3 Bedroom | 2.5 Bath | 2-Bay Garage



Elevation B | Hacienda



Elevation C | Craftsman



Elevation E | Tuscan

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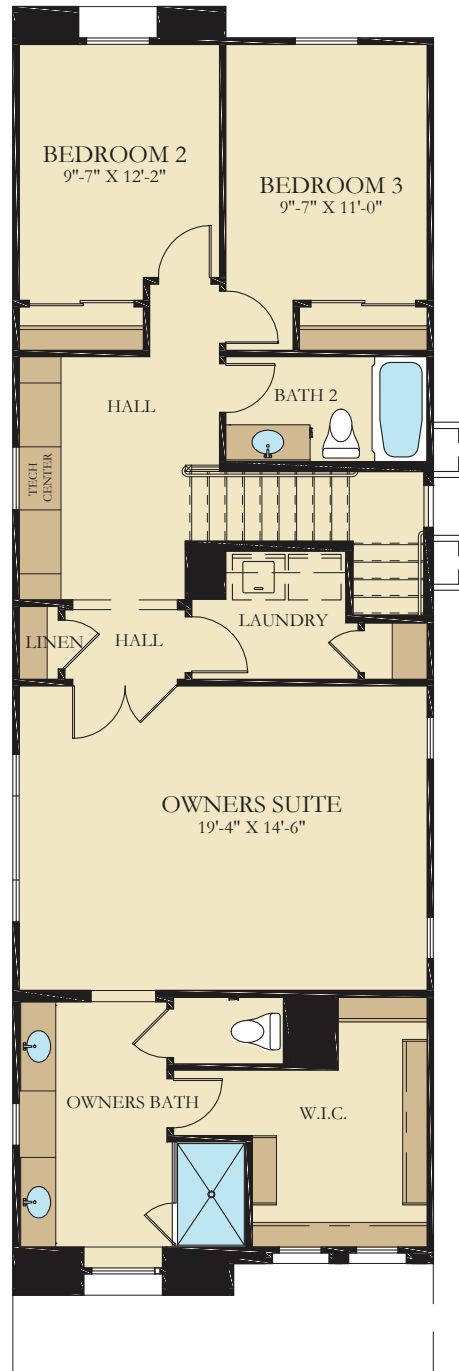
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Inspiration at Horizon Floorplans

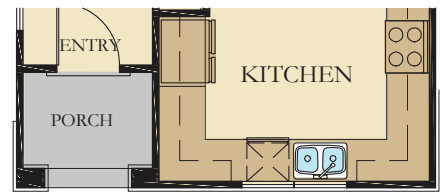
Lucia | Plan 2019 | Approx. 1,974 sq.ft.
3 Bedroom | 2.5 Bath | 2-Bay Garage



FIRST FLOOR



SECOND FLOOR



FIRST FLOOR "E"



FIRST FLOOR "C"

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Inspiration at Horizon

Elevation Renderings

Windsor | Plan 2020 | Approx. 2,078 sq.ft.
4 Bedroom | 3.5 Bath | 2-Bay Garage



Elevation A | Spanish



Elevation B | Hacienda



Elevation D | Monterey

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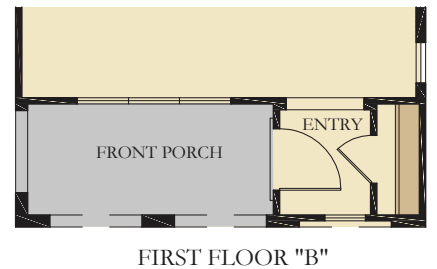
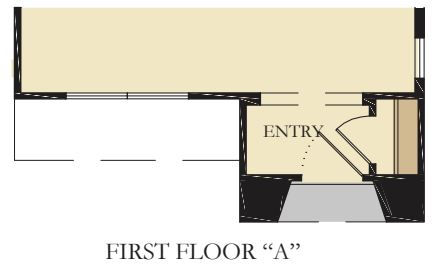
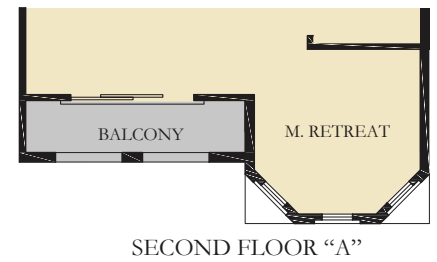
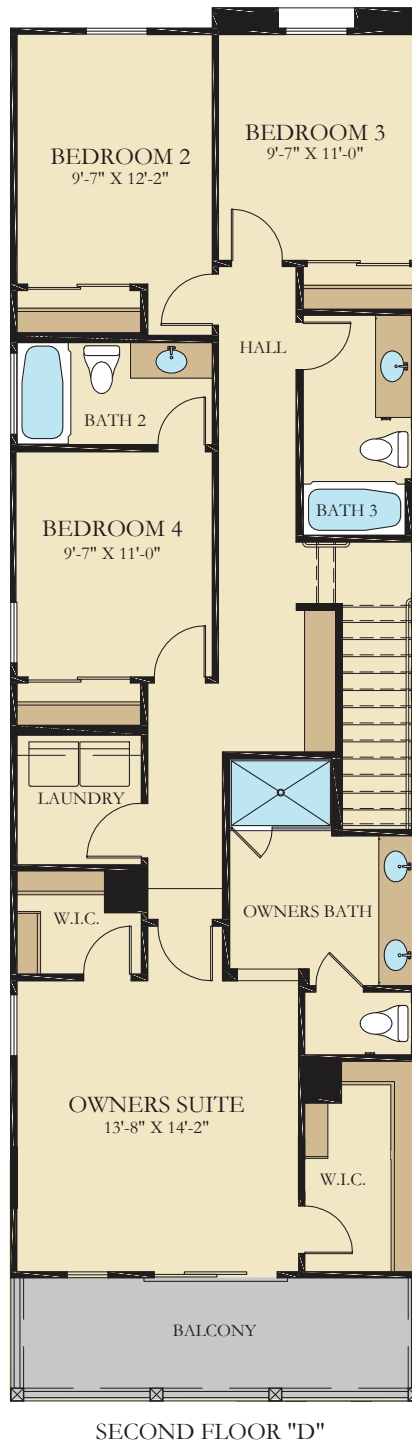
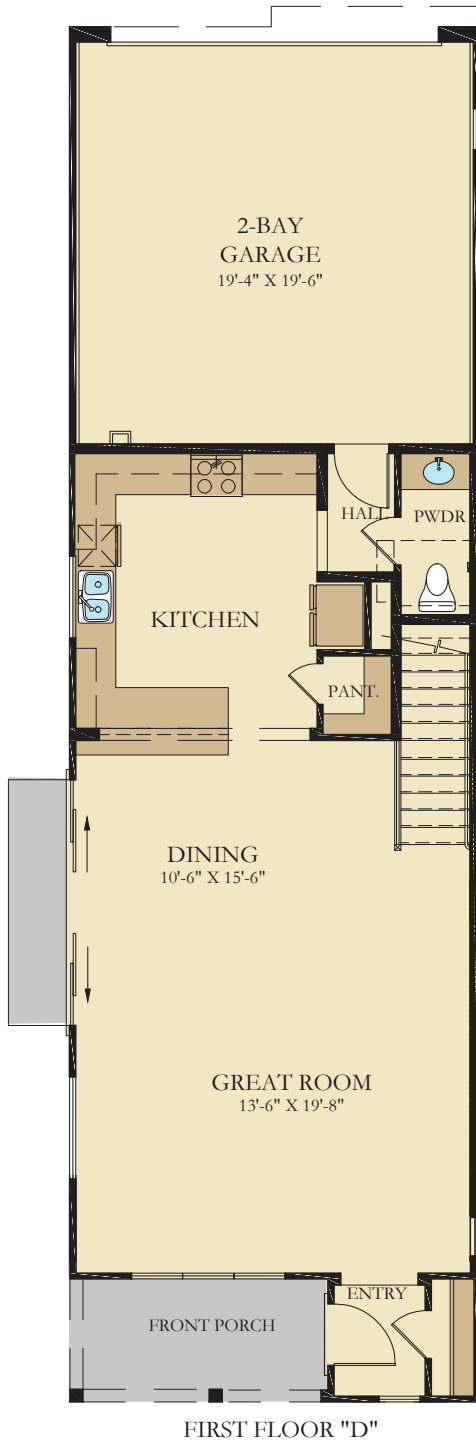


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Inspiration at Horizon Floorplans

Windsor | Plan 2020 | Approx. 2,078 sq.ft.
4 Bedroom | 3.5 Bath | 2-Bay Garage



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From: [Joanne Fimbres](#)
To: [Sarah Stockham](#)
Subject: Fwd: New REZONING Case File: Z-19-G-00-5 Algodón PUD / PCD - Major Amendment - 2nd Submittal (Area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue)
Date: Monday, June 28, 2021 12:45:24 PM

Good Afternoon Sarah,

I would like to take this opportunity to submit a comment in support of the Algodon Center rezoning and proposed plans for the land.

The Pendergast Elementary School District is in support of the proposed residential plans for the development of these parcels. Our District is a great partner in working closely with the City of Phoenix and the City Council members in support of our community and its families. The rezoning and development of this land will provide the growth and stimulation of this community and those surrounding it. As an educational partner, we look forward to welcoming the families that will reside in the proposed homes (single and multi-family). As a continued supporter, we look forward to future communication, rezoning approval, and collaboration between our District and the City of Phoenix.

Thank you,

Joanne Fimbres, MBA

Chief Financial Officer

3802 N. 91st Avenue, Phoenix, AZ 85037

Office - [\(623\) 772-2220](tel:6237722220)

Fax - [\(623\)877-3717](tel:6238773717)

jfimbres@pesd92.org



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City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM A

Staff Report: Z-19-G-00-5

January 12, 2022

Maryvale Village Planning Committee Meeting Date:

January 12, 2021

Planning Commission Hearing Date:

February 3, 2021

Request From:

PUD PCD (Planned Unit Development, Planned Community District) (672.92 acres)

Request To:

PUD PCD (Planned Unit Development, Planned Community District) (672.92 acres)

Proposed Use:

Major amendment to Algodón Center PUD to allow single-family and multifamily residential

Location:

Area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue

Owner:

John F Long Properties LLLP, et al.

Applicant/Representative:

Stephen Anderson, Gammage & Burnham PLC

Staff Recommendation:

Approval, subject to stipulations

The purpose of this addendum is to revise the staff recommended stipulations, as requested by the applicant, to modify language pertaining to the landscape setback standards for single-family residential developments and pedestrian pathways for multifamily and commercial developments to provide additional clarity. The proposed changes to Stipulation No. 1.d refine the landscape setback standards around single-family residential developments adjacent to perimeter streets. Stipulation No. 6, originally provided by the Public Transit Department, was updated to require contrasting pavement treatment/s where pedestrian pathways cross drive aisles only for multifamily and commercial developments. This requested change has been approved the Public Transit Department.

Staff recommends approval per the modified stipulations below:

Stipulations

1. An updated Development Narrative for the Algodón Centre PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped December 29, 2021, as modified by the following stipulations:

- a. Front cover: Revise the date information on the cover page to add the following:

City Council Adopted: [Add Adoption Date]
 - b. Page 15, Table 3A, Streetscape Section, Item 1: Rename section to “Landscape Setback” and delete “measured from back of curb” from first sentence.
 - c. Page 15, Table 3A, Low Density Residential Sidewalks Section: Update the first sentence to read “For any residential parcel where density is less than 20 dwelling units per gross acres, sidewalks shall be a minimum of five feet wide, and shall be separated from the curb per the requirements of the Street Classification Map with a minimum five foot wide landscape strip.
 - d. Page 17, Table 3B, Streetscape Section, Item 1: Rename section to “Landscape Setback”, delete “measured from back of curb” from first sentence AND ADD “PERIMETER” BEFORE “PUBLIC AND PRIVATE STREET FRONTAGES”.
 - e. Page 17, Table 3B, Streetscape Section, Item 2, Bullet Point 1: Add “and utility easements” after “utilities” in first sentence.
 - f. Page 17, Table 3B, Streetscape Section, Item 2, Bullet Point 2: Add “and utility easements” after “utilities” in first sentence.
 - g. Page 18, Table 3B, Perimeter Adjacent to Loop 101 Section, Item 2, Bullet Point 1: Add “and utility easements” after “utilities” in first sentence.
 - h. Page 18, Table 3B, Perimeter Adjacent to Loop 101 Section, Item 2, Bullet Point 2: Add “and utility easements” after “utilities” in first sentence.
2. The developer shall dedicate right-of-way and ensure bus stop pad(s) at the following locations, with final siting to be approved by the Public Transit Department:
- a. Northbound 99th Avenue north of the Earl Drive alignment.
 - b. Northbound 99th Avenue north of the Osborn Road alignment.
 - c. Northbound 99th Avenue north of the Clarendon Avenue alignment.
 - d. Northbound 99th Avenue north of the Glenrosa Avenue alignment.
 - e. Southbound 91st Avenue south of Osborn Road alignment.

- f. Southbound 91st Avenue south of Cheery Lynn Road alignment.
 - g. Westbound Thomas Road at approximately 9700 West Thomas Road.
3. Bus stop pads shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. Bus stop pad shall be spaced from the intersection according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide 50% shade coverage to bus stop pad at full maturity.
4. The developer shall dedicate right-of-way and ensure bus bay with bus stop pad at the following locations, final siting to be approved by the Public Transit Department:
 - a. Northbound 99th Avenue north of Thomas Road.
 - b. Northbound 99th Avenue north of Indian School Road.
5. Bus bays shall be constructed according to City of Phoenix Standard Detail P1256; attached bus stop pad shall be constructed according to City of Phoenix Standard Detail P1261 with a minimum depth of 10 feet. Bus bay and attached bus stop pad shall be spaced from the intersections according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide 50% shade coverage to bus stop pad at full maturity.
6. Where pedestrian pathways cross drive aisles FOR MULTIFAMILY RESIDENTIAL AND COMMERCIAL DEVELOPMENTS, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
7. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, bus stop, and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department.
8. An updated Master Street Plan showing all public arterial and collector streets shall be submitted to the Street Transportation Department and Planning and Development Department for review and approval, prior to preliminary site plan approval.
9. The Developer shall submit an updated Traffic Impact Study to the Street Transportation Department prior to preliminary site plan approval for the first phase of development permitted by Amendment G of the Algodón PUD. No preliminary approval of plans shall be granted until the study is reviewed and approved. The applicant shall be responsible for any dedications and required improvements as recommended by the approved study and as approved by the Planning and Development and Street Transportation Department.

10. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Mr. Alan Hilty, (602)262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
11. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
12. 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.



Village Planning Committee Meeting Summary

Z-19-G-00-5

INFORMATION ONLY

Date of VPC Meeting	July 14, 2021
Request From	PUD PCD
Request To	PUD PCD
Proposed Use	Major Amendment to the Algodón Center PUD to allow single-family and multifamily residential
Location	An area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue

VPC DISCUSSION:

Item Nos. 7 (GPA-MV-1-21-5) and 8 (Z-19-G-00-5) are companion cases and were heard together.

Stephen Anderson, representing the applicant with Gammage & Burnham, reviewed the project boundaries and proposed changes to the General Plan Land Use Map, Housing Phoenix Plan goals, proposed projects within the PUD boundaries showing aerial images and site plans, projected rent and sale prices, mortgage and rent assistance programs by the proposed builders, and discussed a potential timeline for recommendation and their completed community outreach to date.

Ken DuBose shared surprise at the request by the property owner (John F. Long), stating that the prices were not affordable, a one-bedroom for rent for \$1400 is not affordable for residents in the area and while the market is generating a lot of housing, none of it is very affordable. Mr. DuBose concluded that he was surprised John F. Long did not have any affordable housing incorporated with this request.

Mike Weber shared that it was a shame that the medical campus is not going into the PUD boundaries, the proposal should still have space for retail, there is still an issue with water out in the area and if the applicant could help involve the City Council to get the light rail to extend near the subject site. **Mr. Anderson** responded that the City is doing water extensions throughout the developed part of the city, replacing farming with housing substantially reduces water consumption and he does not know what Valley Metro plans to do after the light rail gets extended on the I-10 freeway, but there might be a ballot measure (Prop. 500) which would add a 25-cent sales tax for transit.

Sandra Oviedo shared that there are many high-density living spaces in the area but office space is important so that people in the Village can commute closer to where they live, and that is important for people to live, work, shop and play at the subject site.

Jeff O'Toole stated that Algodón is the last large employment corridor in west Phoenix, it was shocking that the most creative option for this site is to put more houses on it, a few years ago the PUD boundary was amended to add houses and that was supposed to be the last request for housing, and that it is also a failure of the Community and Economic Development Department, and that he would like to see a proposal that is more mixed-use. **Mr. Anderson** replied that the site has been out there for 20 years, they have asked the City to work with the property owner to add more commercial uses, this site is not important to CED and showed the committee over economic development sites within the city and reviewed previous proposals for economic development on the site and why those deals did not come to fruition.

Sandra Oviedo stated that while she did not know there were plans to place a water park on the site at one point in time, it would be beneficial to have jobs and some sort of attraction on the site and that Maryvale residents have to go outside of the area to work, they should be able to work in Maryvale too.

Chair Gene Derie shared that having been on the committee for 13 years, he has heard discussions of the various commercial proposals for the site such as Ikea or the stadium, and that while he is not happy with the Community and Economic Development Department he is not a fan of this proposal for housing and that there has been many new housing developments approved in the area which would also contribute to the Housing Phoenix Plan goal, and he was sorry to see the original dream of John F. Long to have an economic corridor on the site change. **Mr. Anderson** replied that it was pure accident that the Tohono O'odham acquired the land north of the stadium for the casino, and that the City of Goodyear used a GPLET proposal for the medical office park and cancer treatment center.

Ken DuBose shared that while the City needs more economic development tools, there are many housing developments being approved, Maryvale is being over-run with all the new housing developments and isn't in the discussion for the light rail extension.



Village Planning Committee Meeting Summary

Z-19-G-00-5

Date of VPC Meeting	January 12, 2022
Request From	PUD PCD
Request To	PUD PCD
Proposed Use	Major Amendment to the Algodón Center PUD to allow single-family and multifamily residential
Location	An area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue
VPC Recommendation	Denial
VPC Vote	6-3

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Items 6 (GPA-MV-1-21-5) and 7 (Z-19-G-00-5) are companion cases and were heard together.

Sarah Stockham, staff, provided an overview of the requests, noting the location and the history of the site. Ms. Stockham displayed a map of the current and proposed General Plan Land Use Map designations, and staff's findings. Ms. Stockham displayed an aerial map, a conceptual site plan and elevations, and reviewed the surrounding land uses, the proposal, staff's recommendation, and stipulations.

Stephen Anderson, representing the applicant with Gammage & Burnham, reviewed the proposed developments within the Algodón Center PUD area sharing that by 2023 the proposal will add around 4,000 jobs and 2,400 housing units, they had an extensive mailing list and hosted two neighborhood meetings, and the proposed PUD major amendment has gone through a thorough review with city staff. Mr. Anderson reviewed the proposed mix of housing types with estimated pricing, detailed the five-acre central amenity area in the development and shared that they have been asked to construct bicycle lanes along Indian School Road, they will be constructing a sewer lift station, and that converting agricultural land to housing uses less water. Mr. Anderson added that the Pendergast School District is excited for the proposal they will construct 93rd Avenue (which runs along the south side of the school), the proposal is below the density limits for their comparative zoning districts, they are providing three times the amount of open space than what would be required in the Zoning Ordinance, and their PUD standards require detached sidewalks, enhanced shading standard and design

review, in addition to providing 50% shade for the bus stops and bus infrastructure they are required to provide in stipulation Nos. 3 through 5. Mr. Anderson concluded that this proposal would add around 2,500 housing units in a wide variety of housing types, and the proposal preserves approximately 200 acres for commercial development which will add to the job opportunities in the area.

Questions from the Committee:

Sandra Cole asked if the jobs will be high-paying or low-paying. Mr. Anderson replied that he thinks they will be high paying jobs, there is a critical labor shortage and there are a lot of budding businesses in the area and there is data showing wage pressure which is causing higher wages and the entry-level minimum wage is also increasing.

Sandra Oviedo asked what type of corporate buildings would be constructed in the PUD area. Mr. Anderson replied that he does not know, LGE is under contract for 90 days to purchase land in the PUD area to construct commercial buildings and showed LGE's website and examples of their past projects. Ms. Oviedo shared that is nice to see the corporate building examples and shared a desire to see more white-collar jobs in the area rather than big-box retail.

Mike Weber shared that it is nice to see some areas devoted to businesses going into the PUD area and that it is not all housing, and that along the freeway the PUD allows for higher height limits. Mr. Anderson replied that yes, the PUD has always allowed high height limits and they are not proposing to change that, and that the applicant did provide a noise study which calls for over-height walls along the freeway when adjacent to residential homes.

Jeff O'Toole thanked John F. Long for all the investment in Maryvale, shared that he liked the mix of housing types which brings in a diversity of residents, recognized that there is a housing crisis but there is also an employment crisis, which leads to longer commutes and increased traffic, and that while the proposal shows very nice housing with great open space, this is the last area to make an employment center in the West Valley, and it is hard to argue that housing is the highest and best use for this area along the freeway. Mr. O'Toole added that it is a failure of the Community and Economic Development Department to make the employment center a reality, the renderings of the commercial buildings are nice but not guaranteed, in 2018 John F. Long promised that they would not come back to amend the PUD again to allow any more housing and that this proposal is too much housing, they already have around 2,800 units approved in the area.

Joe Barba asked the applicant to provide some statistics on jobs created and the economic impact of this proposal. Mr. Anderson replied that he can send that to staff.

Sandra Oviedo agreed with committee member O'Toole's comments, shared that the area should be a self-sufficient community where people can live, work and play in the same area, asked the applicant to elaborate on the bike lanes and if they would consider a park-and-ride at this site. Mr. Anderson replied that the light rail is not proposed to extend near this area, they will be installing painted bike lanes along the arterial streets, they area stipulated to install bus bays and bus stops which will be shaded to 50%, there is a lot of multimodal access on the site, the Public Transit Department did not ask for a park-and-ride at this location, and they will be adding an additional vehicular lane along Indian School Road in addition to the painted bike lanes,

which are not curb or parking separated. Ms. Oviedo asked how crossing will happen along the major streets and what pedestrian amenities will be provided. Mr. Anderson replied that they are required to install five traffic signals, which is where the crossings will occur.

Jeff O'Toole asked if the proposed housing development will be gated and how far north does the third lane along 99th Avenue extend to. Mr. Anderson replied that yes, the community will be gated, the private streets and amenity areas will be maintained by the HOA, the school buses will have access through the gates, and that the travel lane will extend to Campbell Avenue which is the northern border of the subject site, and that there is a SRP well at 99th Avenue and Campbell Avenue and a SRP ditch, the City of Avondale is in charge of the west side of the street and the improvements will be shifted east. Mr. O'Toole added that going down to two lanes along 99th Avenue in conjunction with not having a dedicated right-turn lane onto Camelback Road creates significant traffic congestion concerns. Mr. Anderson replied that they are only required to improve the street along the subject site which ends at Campbell Avenue, but the other concerns can be shared with the Street Transportation Department.

Zeke Valenzuela asked how long it would be until the subject site reached 60%-70% completion. Mr. Anderson replied that full build out would be around a decade, the commercial buildings would develop faster and that 60%-70% completion might be within five years.

Sandra Oviedo shared that it would be nice to see a self-sufficient community where people play, shop and live in the area, and that the crossings can be dangerous at the surrounding intersections.

Chair Gene Derie shared that the Algodón Center PUD PCD has been around for 20 years, was meant to be a major employment and economic center, there are roughly 2,600 housing units entitled or being built in the surrounding area, half of which are on the west side of 99th Avenue between Indian School Road and Thomas Road and asked what the plan was for the parcel at the northwest corner of 99th Avenue and Indian School Road. **Tim Wright**, with John F. Long Properties replied that the site in Avondale was sold to Fulton homes. Chair Gene Derie continued that there are several housing developments proposed in the area, citing 99th Avenue and Camelback Road by the charter school (267 units), 99th Avenue and Indian School Road (228 units), 111th Avenue and Camelback Road (194 units), east of Loop 101 near 95th Avenue and Indian School Road (501 units) and around 1,300 units in Avondale near 104th Avenue and Indian School Road. Chair Gene Derie added that he liked what is proposed on the east side of the freeway, but not what is proposed west of the freeway, concluding that the PUD was supposed to be the economic engine of Maryvale.

Sandra Oviedo asked the applicant to clarify what the vocational campus is as depicted in the PUD area. Mr. Anderson replied that the West MEC campus is around 30-acres, it stands for the Western Maricopa Education Center, it provides vocation education in many fields such as healthcare, welding, aviation maintenance. Ms. Oviedo responded that the campus is a great addition, there is a need for more places like that in addition to access to healthy food.

Joe Barba asked if the Chair's concerns with the proposal was that it was too much housing. Chair Gene Derie replied affirmatively, sharing that there are many housing

units planned for the area. Joe Barba replied that there are many people moving to Phoenix, and this is an opportunity to bring them to Maryvale, the population is going to increase significantly by 2030, they shouldn't paint too much housing as a bad thing, and that there is a huge need for housing.

Sandra Oviedo shared that there should be both housing and commercial uses in the community where people can work, live and play in the same area.

Joe Barba shared that he is not disagreeing with committee member Oviedo, and that the people who are moving to the area are going into areas like Buckeye and then must commute to their jobs, which will contribute to congestion.

Ken DuBose shared that he has lived in the area for 35 years, they are surrounded by a residential area, traffic is inevitable with growth, it is disappointing to see the City of Phoenix which has an affordable housing plan to not do some affordable housing at this site, this is the last largest land mass in Maryvale and the committee should be careful with this request, and that he wants to see more affordable housing and senior housing in the Village. Mr. DuBose added that the income needed for a one-bedroom in this proposal is \$56,000, a schoolteacher does not make that amount, which confirms the need for affordable housing. Mr. DuBose asked the applicant to explain how they came up with the income needed for the housing units in the proposal. Mr. Anderson replied that the income calculations came from mortgage financing for the homes, and they have talked to the Housing Department about the project site potentially being within an employee-assisted program where employers help get their employees housing, and that the Housing Department does not have funds for that sort of program, but they know that the developer is interested in being involved if that program was ever created.

Jeff O'Toole shared that he agreed with committee member Barba's comments and there is a desire to draw talent to the area, but if nothing but housing is built on land available for commercial uses, they will miss the opportunity to have more places for people to work in the Village and to have more retail spaces. Mr. O'Toole concluded that he might be more amenable to the proposal if the housing to commercial land use ratio was closer to 50/50. Mr. Anderson replied that the proposal is 58% residential and 42% commercial, and asked Mr. David Sellers with LGE Design Group to share about their plans for the commercial areas of the PUD. **David Sellers**, with LGE Design Group, shared that the two parcels within the PUD are incredible pieces of land, having housing nearby their planned commercial properties is a benefit to the employers, the buildings will be very nice and will draw in high-paying jobs, and that while they haven't closed on the property yet they have the capital for the projects, they are a vertically-integrated, they like the freeway visibility and that commercial tenants will see housing nearby as an asset.

Sandra Oviedo asked if there are any long-term projects for when the community ages. Mr. Anderson replied they do not have any age-restricted projects proposed on the site, and that the area could accommodate the Next Gen style of development that Lennar offers.

Chair Gene Derie commented that John F. Long's dream for the Algodón Center PUD PCD was to have an employment center in Maryvale because they had already built enough housing, churches and schools in the Village.

Public Comment:

None.

Item No. 7 Z-19-G-00-5

Motion:

Sandra Oviedo motioned to recommend approval of Z-19-G-00-5 per Addendum A. **Joe Barba** seconded the motion.

Vote:

3-6, Motion to approve fails, with Committee Members Barba, Oviedo, and Valenzuela in favor and committee members Battle, Cole, DuBose, O'Toole, Weber, and Derie opposed.

Motion:

Jeff O'Toole motioned to recommend denial of Z-19-G-00-5. **Mike Weber** seconded the motion

Discussion:

Mike Weber stated that the area needs more jobs and not more houses.

Vote:

6-3, Motion to deny passes, with Committee Members Battle, Cole, DuBose, O'Toole, Weber, and Derie in favor and committee members Barba, Oviedo, and Valenzuela opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

Attachment F

REPORT OF PLANNING COMMISSION ACTION February 3, 2022

ITEM NO: 3	
	DISTRICT NO.: 5
SUBJECT:	
Application #:	Z-19-G-00-5 (Algodon Center PUD)
Location:	Area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue
From:	PUD PCD
To:	PUD PCD
Acreage:	672.92
Proposal:	Major amendment to Algodon Center PUD to allow single-family and multifamily residential.
Applicant:	Gammage & Burnham PLC, Stephen Anderson
Owner:	John F Long Properties LLLP, et al.
Representative:	Gammage & Burnham PLC, Stephen Anderson

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Maryvale 7/14/2021 Information only.

Maryvale 1/12/2022 Denial. Vote: 6-3.

Planning Commission Recommendation: Continued to March 3, 2022 Planning Commission hearing, without fee.

Motion Discussion: To the allow the applicant to have additional time to make updates to the plan.

Motion details: Commissioner McCabe made a MOTION to continue Z-19-G-00-5 to the March 3, 2022 Planning Commission hearing, without fee.

Maker: McCabe

Second: Gorraiz

Vote: 8-0

Absent: None

Opposition Present: Yes

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City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM B

Staff Report: Z-19-G-00-5

March 3, 2022

<u>Maryvale Village Planning Committee Meeting Date:</u>	January 12, 2022
<u>Planning Commission Hearing Date:</u>	February 3, 2022 (Continued to March 3, 2022) March 3, 2022
Request From:	<u>PUD PCD</u> (Planned Unit Development, Planned Community District) (672.92 acres)
Request To:	<u>PUD PCD</u> (Planned Unit Development, Planned Community District) (672.92 acres)
Proposed Use:	Major amendment to Algodón Center PUD to allow single-family and multifamily residential
Location:	Area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue
Owner:	John F Long Properties LLLP, et al.
Applicant/Representative:	Stephen Anderson, Gammage & Burnham PLC
Staff Recommendation:	Approval, subject to stipulations

The purpose of this addendum is to revise the staff recommended stipulations, as requested by the applicant, to modify language pertaining to the allowable acreage for single-family residential developments and low-density multifamily residential developments to accommodate a change to the corresponding General Plan Amendment No. GPA-MV-1-21-5 and to add the standard waiver of claims stipulation. Also attached is one letter of support received since the last addendum.

The Maryvale Village Planning Committee heard this request on January 12, 2022, and recommended denial by a 6-3 vote. The Planning Commission voted unanimously (8-0) on February 3, 2022, to continue this case to the March 3, 2022 hearing to allow the applicant additional time to make changes to the proposal. The applicant proposes to modify their concurrent General Plan Amendment request to allow for approximately 22 acres of the subject site to remain designated as Mixed-Use (Commercial/Industrial) on the General Plan Land Use Map and to reduce the acreage in the PUD that allows the development of single-family and low-density multifamily residences.

The proposed change to Stipulation No. 1.b reduces the amount of acreage within the PUD where single-family residential and low-density multifamily residential uses may occur. The proposed PUD currently limits the allowable acreage where low-density residential development can occur by implementing an acreage limit, a unit maximum,

and the use must occur on areas designated as Residential on the General Plan Land Use Map. Stipulation No. 13 is the standard waiver of claims stipulation.

Staff recommends approval per the modified stipulations below:

Stipulations

1. An updated Development Narrative for the Algodón Centre PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped December 29, 2021, as modified by the following stipulations:
 - a. Front cover: Revise the date information on the cover page to add the following:

City Council Adopted: [Add Adoption Date]
 - B. PAGE 9, TABLE 1, RESIDENTIAL USE, BULLET POINT 2: AMEND THE SENTENCE TO READ “A MAXIMUM OF 326.75 GROSS ACRES OF THE TOTAL GROSS SITE AREA OF THE PUD SHALL BE USED FOR RESIDENTIAL USES OF LESS THAN 20 DU/AC.”**
 - ~~b.~~ c. Page 15, Table 3A, Streetscape Section, Item 1: Rename section to “Landscape Setback” and delete “measured from back of curb” from first sentence.
 - ~~c.~~ d. Page 15, Table 3A, Low Density Residential Sidewalks Section: Update the first sentence to read “For any residential parcel where density is less than 20 dwelling units per gross acres, sidewalks shall be a minimum of five feet wide, and shall be separated from the curb per the requirements of the Street Classification Map with a minimum five foot wide landscape strip.
 - ~~d.~~ e. Page 17, Table 3B, Streetscape Section, Item 1: Rename section to “Landscape Setback”, delete “measured from back of curb” from first sentence AND ADD “PERIMETER” BEFORE “PUBLIC AND PRIVATE STREET FRONTAGES”.
 - e. f. Page 17, Table 3B, Streetscape Section, Item 2, Bullet Point 1: Add “and utility easements” after “utilities” in first sentence.
 - ~~f.~~ g. Page 17, Table 3B, Streetscape Section, Item 2, Bullet Point 2: Add “and utility easements” after “utilities” in first sentence.
 - ~~g.~~ h. Page 18, Table 3B, Perimeter Adjacent to Loop 101 Section, Item 2, Bullet Point 1: Add “and utility easements” after “utilities” in first sentence.

- h. i. Page 18, Table 3B, Perimeter Adjacent to Loop 101 Section, Item 2, Bullet Point 2: Add “and utility easements” after “utilities” in first sentence.
2. The developer shall dedicate right-of-way and ensure bus stop pad(s) at the following locations, with final siting to be approved by the Public Transit Department:
 - a. Northbound 99th Avenue north of the Earl Drive alignment.
 - b. Northbound 99th Avenue north of the Osborn Road alignment.
 - c. Northbound 99th Avenue north of the Clarendon Avenue alignment.
 - d. Northbound 99th Avenue north of the Glenrosa Avenue alignment.
 - e. Southbound 91st Avenue south of Osborn Road alignment.
 - f. Southbound 91st Avenue south of Cheery Lynn Road alignment.
 - g. Westbound Thomas Road at approximately 9700 West Thomas Road.
 3. Bus stop pads shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. Bus stop pad shall be spaced from the intersection according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide 50% shade coverage to bus stop pad at full maturity.
 4. The developer shall dedicate right-of-way and ensure bus bay with bus stop pad at the following locations, final siting to be approved by the Public Transit Department:
 - a. Northbound 99th Avenue north of Thomas Road.
 - b. Northbound 99th Avenue north of Indian School Road.
 5. Bus bays shall be constructed according to City of Phoenix Standard Detail P1256; attached bus stop pad shall be constructed according to City of Phoenix Standard Detail P1261 with a minimum depth of 10 feet. Bus bay and attached bus stop pad shall be spaced from the intersections according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide 50% shade coverage to bus stop pad at full maturity.
 6. Where pedestrian pathways cross drive aisles FOR MULTIFAMILY RESIDENTIAL AND COMMERCIAL DEVELOPMENTS, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.

7. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, bus stop, and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department.
8. An updated Master Street Plan showing all public arterial and collector streets shall be submitted to the Street Transportation Department and Planning and Development Department for review and approval, prior to preliminary site plan approval.
9. The Developer shall submit an updated Traffic Impact Study to the Street Transportation Department prior to preliminary site plan approval for the first phase of development permitted by Amendment G of the Algodón PUD. No preliminary approval of plans shall be granted until the study is reviewed and approved. The applicant shall be responsible for any dedications and required improvements as recommended by the approved study and as approved by the Planning and Development and Street Transportation Department.
10. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Mr. Alan Hilty, (602)262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
11. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
12. 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 IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD**

Exhibits

Algodón Center PUD date stamped December 29, 2021

Correspondence



Banner Health®

Date: February 2, 2022

Tim Wright
John F. Long Properties
1118 E. Missouri Ave, Suite A
Phoenix, AZ 85014

Re: Algodon Center PUD

Banner Health has been a supporter of growth in the greater Phoenix area for as long as we have been caring for the community. The proposed modifications proposed by John F. Long in conjunction with efforts by Gammage & Burnham for the Algodon Center will bring residential and commercial growth to the west valley. We support the proposed changes described in the Major Amendment & Minor General Amendment by John F. Long. Please feel free to contact me with any questions or concerns.

Sincerely,

Aaron Zeligman
Sr. Project Executive
Aaron.Zeligman@bannerhealth.com
(602) 989-4713

Attachment H

REPORT OF PLANNING COMMISSION ACTION
March 3, 2022
REVISED

ITEM NO: 4	
	DISTRICT NO.: 5
SUBJECT:	
Application #:	Z-19-G-00-5 (Algodón PUD) (Companion Case GPA-MV-1-21-5)
Location:	Area generally bounded by 91st Avenue to 99th Avenue, Thomas Road to Campbell Avenue
From:	PUD PCD
To:	PUD PCD
Acreage:	672.92
Proposal:	Major amendment to Algodón Center PUD to allow single-family and multifamily residential.
Applicant:	Stephen W. Anderson, Gammage & Burnham, PLC
Owner:	John F. Long Properties LLLP, et al.
Representative:	Stephen W. Anderson, Gammage & Burnham, PLC

ACTIONS:

Staff Recommendation: Approval, per the Addendum B Staff Report.

Village Planning Committee (VPC) Recommendation:

Maryvale 7/14/2021 Information only.

Maryvale 1/12/2022 Denial. Vote: 6-3.

Planning Commission Recommendation: Approval, per the Addendum B Staff Report.

Motion Discussion: N/A

Motion details: Commissioner Gaynor made a MOTION to approve Z-19-G-00-5, per the Addendum B Staff Report.

Maker: Gaynor
Second: McCabe
Vote: 6-1 (Bushing)
Absent: Gorraiz
Opposition Present: No

Findings:

1. The proposal will redevelop an underutilized property and provide a high quality residential development which will help alleviate the housing shortage in Phoenix.
2. This proposal provides for additional housing options in the Maryvale Village and contributes to the balance of housing and employment opportunities within a Major Employment Center.
3. The proposal includes several development standards that exceed conventional Zoning Ordinance standards such as increased open space, design and shading standards.

Stipulations:

1. An updated Development Narrative for the Algodón Centre PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped December 29, 2021, as modified by the following stipulations:
 - a. Front cover: Revise the date information on the cover page to add the following:
City Council Adopted: [Add Adoption Date]
 - B. PAGE 9, TABLE 1, RESIDENTIAL USE, BULLET POINT 2: AMEND THE SENTENCE TO READ “A MAXIMUM OF 326.75 GROSS ACRES OF THE TOTAL GROSS SITE AREA OF THE PUD SHALL BE USED FOR RESIDENTIAL USES OF LESS THAN 20 DU/AC.”
 - ~~b~~. c. Page 15, Table 3A, Streetscape Section, Item 1: Rename section to “Landscape Setback” and delete “measured from back of curb” from first sentence.
 - ~~c~~. d. Page 15, Table 3A, Low Density Residential Sidewalks Section: Update the first sentence to read “For any residential parcel where density is less than 20 dwelling units per gross acres, sidewalks shall be a minimum of five feet wide, and shall be separated from the curb per the requirements of the Street Classification Map with a minimum five foot wide landscape strip.
 - ~~d~~. e. Page 17, Table 3B, Streetscape Section, Item 1: Rename section to “Landscape Setback”, delete “measured from back of curb” from first sentence AND ADD “PERIMETER” BEFORE “PUBLIC AND PRIVATE STREET FRONTAGES”.
 - e. f. Page 17, Table 3B, Streetscape Section, Item 2, Bullet Point 1: Add “and utility easements” after “utilities” in first sentence.
 - f. g. Page 17, Table 3B, Streetscape Section, Item 2, Bullet Point 2: Add “and utility easements” after “utilities” in first sentence.
 - ~~g~~. h. Page 18, Table 3B, Perimeter Adjacent to Loop 101 Section, Item 2, Bullet Point 1: Add “and utility easements” after “utilities” in first sentence.
 - ~~h~~. i. Page 18, Table 3B, Perimeter Adjacent to Loop 101 Section, Item 2, Bullet Point 2: Add “and utility easements” after “utilities” in first sentence.
2. The developer shall dedicate right-of-way and ensure bus stop pad(s) at the following locations, with final siting to be approved by the Public Transit Department:
 - a. Northbound 99th Avenue north of the Earl Drive alignment.
 - b. Northbound 99th Avenue north of the Osborn Road alignment.
 - c. Northbound 99th Avenue north of the Clarendon Avenue alignment.
 - d. Northbound 99th Avenue north of the Glenrosa Avenue alignment.
 - e. Southbound 91st Avenue south of Osborn Road alignment.

- f. Southbound 91st Avenue south of Cheery Lynn Road alignment.
 - g. Westbound Thomas Road at approximately 9700 West Thomas Road.
3. Bus stop pads shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. Bus stop pad shall be spaced from the intersection according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide 50% shade coverage to bus stop pad at full maturity.
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 6. Where pedestrian pathways cross drive aisles FOR MULTIFAMILY RESIDENTIAL AND COMMERCIAL DEVELOPMENTS, they shall be constructed of decorative pavers, stamped, or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
 7. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, bus stop, and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department.
 8. An updated Master Street Plan showing all public arterial and collector streets shall be submitted to the Street Transportation Department and Planning and Development Department for review and approval, prior to preliminary site plan approval.
 9. The Developer shall submit an updated Traffic Impact Study to the Street Transportation Department prior to preliminary site plan approval for the first phase of development permitted by Amendment G of the Algodón PUD. No preliminary approval of plans shall be granted until the study is reviewed and approved. The applicant shall be responsible for any dedications and required improvements as recommended by the approved study and as approved by the Planning and Development and Street Transportation Department.
 10. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Mr. Alan Hilty, (602)262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
 11. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping

and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

12. 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 IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

This publication can be made available in alternate format upon request. Please contact Les Scott at 602-376-3981, Les.scott@phoenix.gov or TTY: Use 7-1-1.



*****REQUEST TO CONTINUE (SEE ATTACHED MEMO)*** (CONTINUED FROM MARCH 2, 2022) - Amend City Code - Ordinance Adoption - Rezoning Application Z-70-21-5 - Approximately 500 Feet South of the Southeast Corner of 75th Avenue and Camelback Road (Ordinance G-6966)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-70-21-5 and rezone the site from R1-6 (Single-Family Residence District) to R-3A (Multifamily Residence District) to allow multifamily residential.

Summary

Current Zoning: R1-6

Proposed Zoning: R-3A

Acreage: 6.50

Proposed Use: Multifamily residential

Owner: Sheri Ranger, Ranger Homes

Applicant: Daryn Murphy, Commonwealth Development

Representative: Rod Jarvis, Earl and Curley, PC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Maryvale Village Planning Committee heard this case on Jan. 12, 2022, and recommended approval, per the staff recommendation, by a vote of 9-0.

PC Action: The Planning Commission heard this case on Feb. 3, 2022, and recommended approval, per the Maryvale Village Planning Committee recommendation, with an additional stipulation, by a vote of 8-0.

Location

Approximately 500 feet south of the southeast corner of 75th Avenue and Camelback Road

Council District: 5

Parcel Addresses: 4705 and 4735 N. 75th Ave.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: March 30, 2022

From: Joshua Bednarek 
Planning and Development Deputy Director

Subject: CONTINUANCE OF ITEM 83 ON THE APRIL 6, 2022 FORMAL AGENDA -
ORDINANCE ADOPTION – REZONING APPLICATION – Z-70-21-5 –
LOCATED APPROXIMATELY 500 FEET SOUTH OF THE SOUTHEAST
CORNER OF 75TH AVENUE AND CAMELBACK ROAD (ORDINANCE G-6966)

Item 83 is a request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-70-21-5 and rezone the site from R1-6 (Single-Family Residence District) to R-3A (Multifamily Residence District) for a Multifamily Residential and consider adoption of the Planning Commission recommendation on February 3, 2022.

The applicant requested the item be continued to the May 11, 2022 Formal Meeting so they can work with neighbors to address their concerns about the request. This item will be advertised and posted for a public hearing.

Staff concurs with this request for continuance.

Approved: 
Alan Stephenson, Deputy City Manager


Date

Attachment:
Exhibit A – Applicant's request for continuance

Stephanie Vasquez

From: Rod Jarvis <rjarvis@EarlCurley.com>
Sent: Wednesday, March 30, 2022 4:09 PM
To: Alan Stephenson
Cc: Joshua Bednarek
Subject: Z-70-21-5

Alan,

This email will reflect my request, on behalf of the applicant in the above-referenced matter, that this case be continued, to accommodate further work with neighbors, to May 11, 2022.

Thank you,

Rod Jarvis

Rodney Q. Jarvis

Partner

Earl & Curley

(602) 265-0094

3101 N. Central Avenue

Suite 1000

Phoenix, Arizona 85012

www.earlcurley.com [earlcurley.com]



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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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-70-21-5) FROM R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT) TO R-3A (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 6.50-acre site located approximately 500 feet south of the southeast corner of 75th Avenue and Camelback Road in a portion of Section 24, Township 2 North, Range 1 East, as described more specifically in Exhibit "A," is hereby changed from "R1-6" (Single-Family Residence District) to "R-3A" (Multifamily Residence District).

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

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

stipulations, 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 December 14, 2021, as modified by the following stipulations and approved by the Planning and Development Department.
2. 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.
3. Building elevations adjacent and oriented to 75th Avenue and the Grand Canal shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.
4. The south landscape setback shall be planted with minimum 3-inch caliper trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
5. Resident bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces, as approved by the Planning and Development Department. These spaces shall be located near building entrances or common areas and may be provided through a combination of inverted U-bicycle racks, artistic style racks, "Secure/Covered Facilities" or "Outdoor/Covered Facilities" as defined in Appendix K or the Comprehensive Bicycle Master Plan.
6. The developer shall replenish the existing landscape area within the 75th Avenue right-of-way with minimum 2-inch caliper large canopy shade trees placed minimum 20-feet on center and near the sidewalk to provide thermal comfort for pedestrians, 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.
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. The developer shall dedicate 70 feet of right-of-way along the east side of 75th Avenue, as approved by the Planning and Development Department.
9. The developer shall construct a minimum of two 8-foot-wide shaded pedestrian pathways constructed of decorative material such as brick, pavers or

alternative material providing access to the Grand Canal Trail, as approved by the Planning and Development Department.

10. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
11. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
12. 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 2nd day of March, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

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

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-70-21-5:

PARCEL NO. 1:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 40 FEET EAST AND 33 FEET SOUTH OF THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST;

THENCE SOUTH ALONG A LINE PARALLEL WITH AND 40 FEET EAST OF THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 532.90 FEET TO THE TRUE POINT OF BEGINNING;

THENCE EAST 508.25 FEET ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID SECTION 24, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE GRAND CANAL;

THENCE SOUTH 41 DEGREES 56 MINUTES 30 SECONDS EAST, ALONG THE SOUTH RIGHT-OF-WAY OF SAID GRAND CANAL 217.31 FEET TO A POINT;

THENCE WEST PARALLEL WITH THE NORTH SECTION LINE, A DISTANCE OF 656.25 FEET TO A POINT ON THE EAST LINE OF 75TH AVENUE, SAID POINT BEING 40 FEET EAST AND 1877 FEET NORTH OF THE WEST QUARTER CORNER OF SAID SECTION 24;

THENCE NORTH 160.00 FEET ALONG SAID EAST LINE, TO THE TRUE POINT OF BEGINNING. EXCEPT THE WEST 30 FEET THEREOF.

PARCEL NO. 2:

THE NORTH HALF OF THAT PART OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 70 FEET EAST AND 33 SOUTH OF THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST;

THENCE SOUTH ALONG A LINE PARALLEL WITH AND 70 FEET EAST OF THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 532.90 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH A DISTANCE OF 60 FEET POINT;

THENCE EAST 452.96 FEET ALONG A LINE PARALLEL WITH THE NORTH LINE OF SECTION 24 TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE GRAND CANAL;

THENCE SOUTH ALONG THE SOUTH RIGHT-OF-WAY LINE OF THE GRAND CANAL TO A POINT BEING THE NORTHEAST

CORNER OF THE PROPERTY CONVEYED IN JOINT TENANCY WARRANTY DEED RECORDED AS DOCKET 6900, PAGE 365;

THENCE SOUTH 89 DEGREES 37 MINUTES 50 SECONDS WEST A DISTANCE OF 502.96 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL NO. 3:

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 70.00 FEET EAST AND 33.00 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 24;

THENCE SOUTH, ALONG A LINE PARALLEL TO AND 70.00 FEET EAST OF THE WEST LINE OF SAID NORTHWEST QUARTER, 692.90 FEET TO THE POINT OF BEGINNING;

THENCE EAST 656.25 FEET, ALONG A LINE PARALLEL TO THE NORTH LINE OF SAID SECTION 24, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE GRAND CANAL;

THENCE SOUTH 41 DEGREES 56 MINUTES 30 SECONDS EAST, 237.68 FEET ALONG THE SOUTH RIGHT-OF-WAY OF THE GRAND CANAL;

THENCE WEST, 817.92 FEET TO A POINT ON THE EAST LINE OF 75TH AVENUE, SAID POINT BEING 70.00 FEET EAST AND 1702.00 FEET NORTH OF THE WEST QUARTER CORNER OF SAID SECTION 24;

THENCE NORTH 175.00 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING. PARCEL NO. 4:

THE SOUTH HALF OF THAT PART OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 70 FEET EAST AND 33 SOUTH OF THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST;

THENCE SOUTH ALONG A LINE PARALLEL WITH AND 70 FEET EAST OF THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 532.90 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH A DISTANCE OF 60 FEET POINT;

THENCE EAST 452.96 FEET ALONG A LINE PARALLEL WITH THE NORTH LINE OF SECTION 24 TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE GRAND CANAL;

THENCE SOUTH ALONG THE SOUTH RIGHT-OF-WAY LINE OF THE GRAND CANAL TO A POINT BEING THE NORTHEAST CORNER OF THE PROPERTY CONVEYED IN JOINT TENANCY WARRANTY DEED RECORDED AS DOCKET 6900, PAGE 365;

THENCE SOUTH 89 DEGREES 37 MINUTES 50 SECONDS WEST A DISTANCE OF 502.96 FEET TO THE TRUE POINT OF BEGINNING.

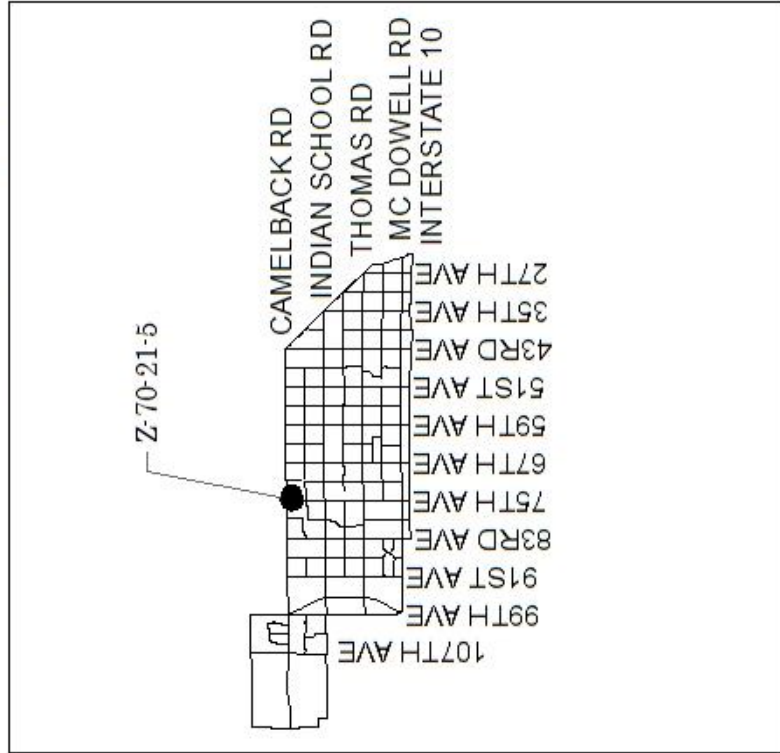
DRAFT

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-70-21-5
Zoning Overlay: N/A
Planning Village: Maryvale

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 2/1/2022