



Agenda

City Council Formal Meeting

Wednesday, January 24, 2024

2:30 PM

phoenix.gov

*****REVISED Jan. 23, 2024*****

Item Revised: 1; Item Requested to be Continued: 57

OPTIONS TO ACCESS THIS MEETING

Virtual Request to speak at a meeting:

- **Register online** by visiting the *City Council Meetings* page on phoenix.gov **at least 2 hours 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=eeef6f3eef439eb904d10782837ee7cd9>

- **Register via telephone** at 602-262-6001 **at least 2 hours 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.

In-Person Requests to speak at a meeting:

- Register in person at a kiosk located at the City Council Chambers, 200 W. Jefferson St., Phoenix, Arizona, 85003. Arrive **1 hour prior to the start of this meeting.** Depending on seating availability, residents will attend and speak from the Upper Chambers, Lower Chambers or City Hall location.

- Individuals should arrive early, 1 hour prior to the start of the meeting to submit an in-person request to speak before the item is called. After the item is called, requests to speak for that item will not be accepted.

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 2557 837 7953# (for English) or 2558 298 4084# (for Spanish). Press # again when prompted for attendee ID.

- **Watch** the meeting in-person from the Upper Chambers, Lower Chambers or City Hall depending on seating availability.

- Members of the public may attend this meeting in person. Physical access to the meeting location will be available starting 1 hour prior to the meeting.

Para nuestros residentes de habla hispana:

- **Para registrarse para hablar en español**, llame al 602-262-6001 **al menos 2 horas 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 298 4084#. 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 298 4084#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

- **Para asistir a la reunión en persona**, vaya a las Cámaras del Concejo Municipal de Phoenix ubicadas en 200 W. Jefferson Street, Phoenix, AZ 85003. Llegue 1 hora antes del comienzo de la reunión. Si desea hablar, regístrese electrónicamente en uno de los quioscos, antes de que comience el tema. Una vez que se comience a discutir el tema, no se aceptarán nuevas solicitudes para hablar. Dependiendo de cuantos asientos haya disponibles, usted podría ser sentado en la parte superior de las cámaras, en el piso de abajo de las cámaras, o en el edificio municipal.

- Miembros del público pueden asistir a esta reunión en persona. El acceso físico al lugar de la reunión estará disponible comenzando una hora antes de la reunión.

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000 CITIZEN COMMENTS**ADJOURN**

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 1/24/2024, Item No. *1

*****ITEM REVISED (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: January 24, 2024

Subject: *REVISED 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

Councilman Kevin Robinson recommends the following for appointment:

Jill Ostendorp

Ms. Ostendorp is a Realtor Team Lead at West USA and a resident of District 6. She fills a vacancy for a term to expire November 19, 2025.

Camelback East Village Planning Committee

Councilman Kevin Robinson recommends the following for appointment:

Kelli Williams

Ms. Williams is a Senior Litigation Counsel at CNA Insurance Companies. She fills a vacancy for a term to expire November 19, 2025.

***Citizens Commission on Salaries for Elected City Officials**

The City Charter Chapter III, Section 12 requires the City Council to appoint a Commission on Salaries for Elected Officials every four years during the same year a regular election for Mayor is scheduled.

The Commission is required to conduct a review of the rates of pay of elected City officials. The purpose of this review is to determine a recommendation of pay levels appropriate to the duties and responsibilities of city elected officials. The Commission must submit to the City Clerk, no later than April 1, 2024, a report of the results of the review and its recommendations.

The Commission's salary recommendations must be certified by the Commission to the City Clerk. If the Commission recommends a salary increase, the City Council shall submit the question to the qualified electors at the next regular municipal election for their approval or rejection. In the event the Commission recommends no change in salaries for the elected officials, it shall file such recommendation of no change with the City Clerk and no question shall be submitted to the electorate.

~~The Commission is composed of a Chair plus six residents to serve a term not to exceed three months.~~

*The Commission is composed of seven residents to serve a term not to exceed three months. A Chair will be selected among the Commission members.

Councilman Jim Waring recommends the following for appointment:

Matthew Kenney

Mr. Kenney is the President at Public Square Public Affairs.

Councilwoman Debra Stark recommends the following for appointment:

Barbie Johnson

Ms. Johnson is a neighborhood leader.

Councilwoman Laura Pastor recommends the following for appointment:

Tony Moya

Mr. Moya is the Director of Strategic Projects at Chicanos Por La Causa.

Councilwoman Betty Guardado recommends the following for appointment:

Paul Johnson

Mr. Johnson is a former mayor of the City of Phoenix.

Councilman Kevin Robinson recommends the following for appointment:

Michelle Kemp

Ms. Kemp is a local neighborhood leader.

Councilwoman Yassamin Ansari recommends the following for appointment:

Brent Kleinman

Mr. Kleinman is a Professor at Glendale Community College.

Councilwoman Kesha Hodge Washington recommends the following for appointment:

Dr. Ann Hart

Dr. Hart is an educational consultant at The Heart of Education.

Development Advisory Board

I recommend the following for appointment:

Emilio Gaynor

Mr. Gaynor is the Director of International Development at Chicanos Por La Causa, and a resident of District 1. He replaces Marcia Busching as the Planning Commission representative for a term to expire January 24, 2027.

Fast Track Cities Ad-Hoc

I recommend the following for appointment:

Dr. Angel Algarin

Dr. Algarin is an Assistant Professor at Arizona State University. He fills a vacancy for a term to expire January 24, 2025.

Stacey Jay Cavaliere

Mr. Cavaliere is the Executive Director of Aunt Ritas. He replaces Jimmy Thomason for a term to expire October 6, 2030.

Human Services Commission

I recommend the following for appointment:

Gail Knight

Ms. Knight is a Balsz School District Board Member and a resident of District 8. She fills a Category III vacancy for a term to expire January 24, 2026.

Mayor's Human Trafficking Task Force

I recommend the following for appointment:

Kaleigh Jenkins

Ms. Jenkins is a representative of the Maricopa County Attorney's Office. She replaces Sarah Micfilikier for a term to expire May 18, 2025.

Lt. Chris Parese

Lt. Parese is a member of the HEAT Unit at the Phoenix Police Department. He replaces Lt. Rick Leyvas for a term to expire September 7, 2030.

James Sampanes

Mr. Sampanes is a Prosecutor at the City of Phoenix. He replaces Bob Smith for a term to expire October 7, 2025.

Shauna Sexton

Ms. Sexton is the Executive Director of Young Adults Programs with the Dream Center. She will serve a term to expire January 24, 2025.

North Mountain Village Planning Committee

Vice Mayor Debra Stark recommends the following for appointment:

Steve Pamperin

Mr. Pamperin is a retiree and resident of District 3. He fills a vacancy for a term to expire November 19, 2024.

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Liquor License - Special Event - Assyrian Church of the East - St. Peter AZ

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

Summary

Applicant

Henry Benjamin

Location

1915 W. Thunderbird Road
Council District: 3

Function

Dinner

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

Feb. 10, 2024 - 8 p.m. to 1 a.m. / 300 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 - Special Event - Free Serbian Orthodox Church St. Nicholas

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

Summary

Applicant

Milan Djordjic

Location

11640 N. 16th Place

Council District: 3

Function

Folk Festival

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

Feb. 3, 2024 - 3 p.m to Midnight / 350 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 - Special Event - North Valley Symphony Orchestra

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

Summary

Applicant

Breana Keen

Location

4530 E. Gold Dust Avenue

Council District: 3

Function

Gala

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

Feb. 3, 2024 - 5 p.m. to 9 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 - Cactus Jack's Bar & Grill

Request for a liquor license. Arizona State License Application 268966.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 6 - Bar

Location

4747 E. Elliot Road, Ste. 5
Zoning Classification: PSC
Council District: 6

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

The 60-day limit for processing this application is Feb. 17, 2024.

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.

Mesa Drummer Bar & Grill (Series 6)
1211 N. Country Club Drive, Ste. 9, 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:
"We have owned and operated another establishment in Arizona. We ensure our employees follow the Title 4 liquor laws."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Cactus Jack's Bar and Grill has operated for several years. We would like to continue to serve our regulars and new guests."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Attachment - Cactus Jack's Bar & Grill - Data
Attachment - Cactus Jack's Bar & Grill - Map

Responsible Department

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

Liquor License Data: CACTUS JACK'S BAR & GRILL

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	41.87	74.09
Violent Crimes	12.31	4.08	7.96

*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	47	13
Total Violations	82	21

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1167071	1481	69	3	3
1167072	1353	90	10	3
1167082	1243	52	3	17
1167083	1314	34	0	7
1167084	1551	93	10	2
1167092	790	90	9	11
1167151	1267	94	0	5
1167152	888	81	17	2
Average	0	61	13	19

4747 E ELLIOT ROAD



Error Type	Relative Frequency (mi)
Other	~1.4
Misheard	~0.1
Misread	~0.3
Miswritten	~0.8
Misheard and Miswritten	~1.2

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Liquor License - Postino Winebar

Request for a liquor license. Arizona State License Application 264807.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 12 - Restaurant

Location

3939 E. Campbell Ave. Ste. 100

Zoning Classification: C-1

Council District: 6

This request is for a new liquor license for a restaurant. This location is currently licensed for liquor sales with a Series 7 - Beer and Wine Bar, liquor license.

The 60-day limit for processing this application is Feb. 12, 2024.

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:
"Applicant is an experienced license committed to upholding the highest standards to maintain 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:
"Postino is known for its delicious food and wide selection of curated wines and specialty beers. In response to customer requests, Postino would like to offer spirits to guests 21+ who prefer craft cocktails with the fresh meals they enjoy at the restaurant."

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

Attachment - Postino Winebar - Data

Attachment - Postino Winebar - Map

Responsible Department

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

Liquor License Data: POSTINO WINEBAR

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	2	0
Bar	6	6	0
Beer and Wine Bar	7	6	1
Liquor Store	9	5	1
Beer and Wine Store	10	8	2
Restaurant	12	45	6

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	89.09	78.34
Violent Crimes	12.31	7.37	5.73

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

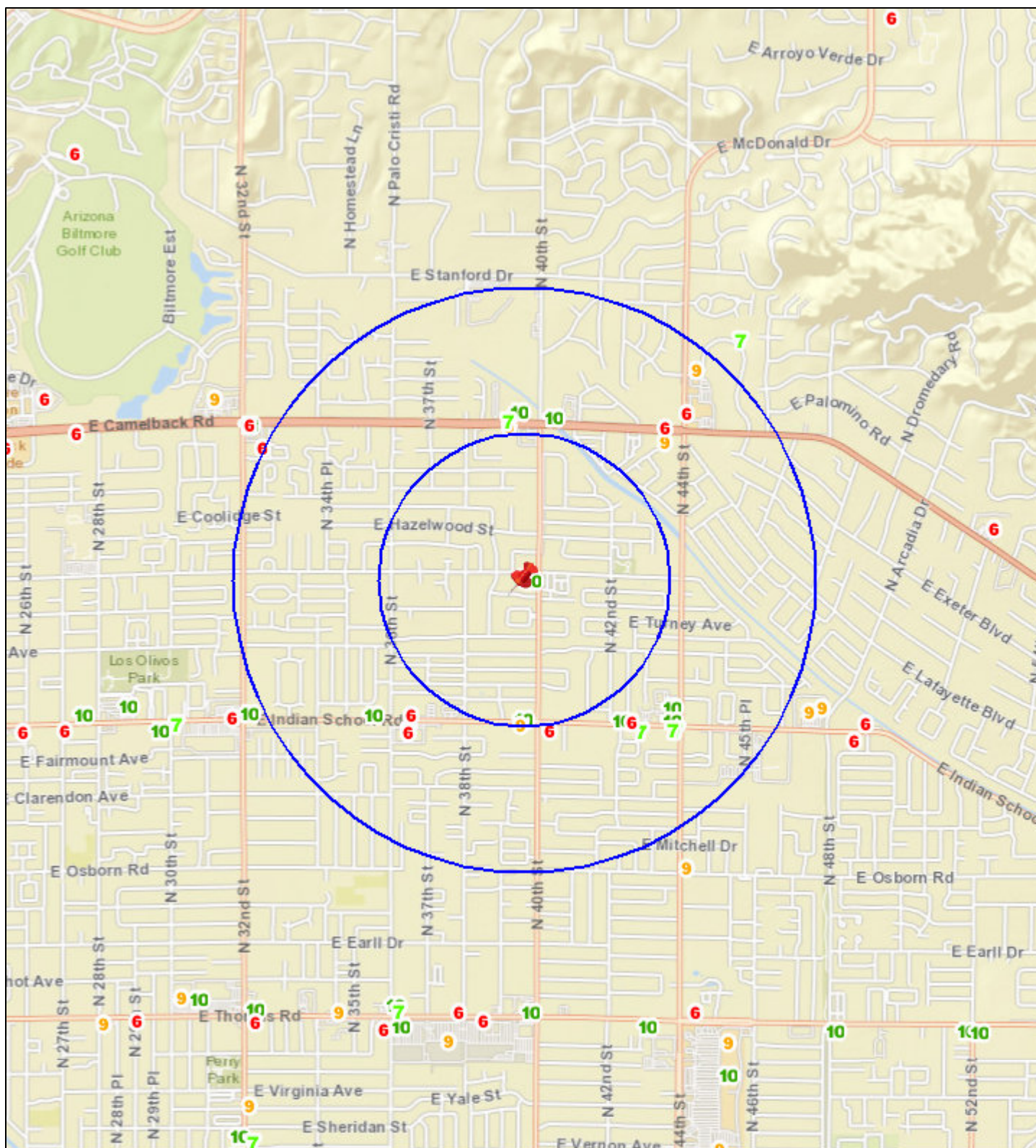
Property Violation Data

Description	Average	1/2 Mile Average
Parcels w/Violations	47	34
Total Violations	82	53

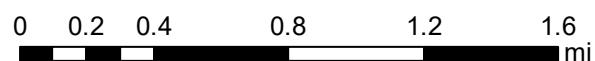
Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1081001	1849	78	1	7
1082001	717	56	23	6
1082003	1225	76	13	17
1083012	1221	72	5	1
1083013	982	75	18	1
1083021	1229	70	16	3
1083022	1824	50	13	4
1109022	2224	39	7	18
1110001	781	25	11	3
Average	0	61	13	19

3939 E. CAMPBELL AVE.



Date: 1/10/2024



City Clerk Department



PAYMENT ORDINANCE (Ordinance S-50493) (Items 7-13)

Ordinance S-50493 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.

7 Line of Duty Death Benefit Payment to Miguel H. Angulo Jr. and Maria H. Angulo

The Human Resources Department request authority to pay the total sum of \$93,525 to the beneficiaries of Miguel Angulo, to be split equally between Miguel H. Angulo Jr. and Maria H. Angulo in one payment to each. Funds are available in the Human Resources Department budget.

8 Settlement of Claim(s) Boehle v. City of Phoenix

To make payment of up to \$450,000 in settlement of claim(s) in *Boehle v. City of Phoenix*, CV2020-014768, 19-1299-001, AU, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Water Services Department that occurred on Dec. 12, 2019.

9 Settlement of Claim(s) Foster v. City of Phoenix

To make payment of \$34,500 in settlement of claim(s) in *Foster v. City of Phoenix*, 22-0026-001, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Water Services Department that occurred on July 6, 2022.

10 Settlement of Claim(s) Gonzalez v. City of Phoenix

To make payment of \$90,000 in settlement of claim(s) in *Gonzalez v. City of Phoenix*, CV2022-004219, 21-0323-001 AU, BI for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Police Department that occurred on April 14, 2021.

11 Settlement of Claim(s) Hamilton v. City of Phoenix

To make payment of \$153,190 in settlement of claim(s) in *Hamilton v. City of Phoenix*, 22-0690, GL, PD for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Water Services Department that occurred on Jan. 6, 2023.

12 Settlement of Claim(s) Polihonki v. City of Phoenix

To make payment of \$100,000 in settlement of claim(s) in *Polihonki v. City of Phoenix*, CV2020-096785, 19-0849-002, AU, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Fire Department that occurred on Dec. 28, 2019.

13 Settlement of Claim(s) Windes Farm, LLC v. City of Phoenix

To make payment of \$114,810 in settlement of claim(s) in *Windes Farms, LLC v. City of Phoenix*, CV2023-002368, 22-0398-001 GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Water Services Department that occurred on Oct. 11, 2022.



An Ordinance Authorizing the Issuance of General Obligation Bonds (Ordinance S-50520)

Requests City Council approval of an ordinance to authorize the City Manager, or his designee, the issuance of one or more series of various purpose general obligation bonds not to exceed the principal amount of \$500,000,000 to provide funding for fire, police, roadway and pedestrian infrastructure projects; library, parks and historic preservation projects; education, economic development, reducing waste, resource management, arts and culture projects; affordable housing and senior center projects. Further this request authorizes the City Controller to receive and expend all necessary funds related to this item.

Summary

On Dec. 13, 2022, after an extensive community input based process, the Phoenix City Council approved a \$500,000,000 general obligation bond program ("2023 GO Bond Program"). On May 3, 2023, the Phoenix City Council ordered and called a special bond election and approved the form of ballot for the 2023 GO Bond Program. On Nov. 7, 2023, Phoenix voters approved all four questions related to the 2023 GO Bond Program. This ordinance provides authorization to issue obligations in one or more series not to exceed \$500,000,000 principal amount, plus related financing costs to acquire, construct, expand and improve real and personal property.

The generated funds will be used to pay for all necessary design, construction, reconstruction, improvement, repair, renovation, equipment, and associated costs, including the acquisition of land or interests necessary for such purposes, all legal, financial, consulting, and other costs and fees in connection therewith. The debt will be supported by property taxes to pay financing costs; the ordinance grants an exemption to Phoenix City Code section 42-18 to include indemnification and legal remedy limitations.

Financial Impact

The City will levy secondary property taxes for the repayment of the obligations.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE S-

AN ORDINANCE ORDERING THE SALE OF NOT EXCEEDING THE PRINCIPAL AMOUNT OF \$500,000,000 VARIOUS PURPOSE GENERAL OBLIGATION BONDS IN ONE OR MORE SERIES, OF THE CITY OF PHOENIX, MAKING PROVISION FOR THE REGISTRATION, TRANSFER AND PAYMENT OF ALL BONDS AUTHORIZED HEREBY, AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN CONTRACTS AND THE RETENTION OF CERTAIN AGENTS OF THE CITY IN THAT CONNECTION, GRANTING AN EXEMPTION TO PHOENIX CITY CODE SECTION 42-18 TO INCLUDE INDEMNIFICATION AND LEGAL REMEDY LIMITATIONS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN THAT CONNECTION AND AUTHORIZING THE CITY CONTROLLER TO RECEIVE AND EXPEND ALL NECESSARY FUNDS THEREFOR.

WHEREAS at a special bond election duly called and held in the City on November 7, 2023, the following questions (collectively, the “Bond Questions”), carried:

QUESTION NUMBER 1

Enhance Community Safety through Fire, Police, Roadway and Pedestrian Infrastructure

Shall the City of Phoenix, Arizona be authorized to issue and sell general obligation bonds in the principal amount of up to \$214,000,000 to provide funding for fire, police, roadway and pedestrian infrastructure projects, including, but not limited to projects intended to:

- Reduce response times and improve service delivery by modernizing public safety infrastructure

- Construct, improve, repair, and renovate local fire and police stations
- Repair streets and enhance safety conditions for drivers and pedestrians, including resurfacing, lighting, crosswalks and sidewalks
- Improve roadway mobility and reduce congestion for commuters
- Expand and enhance transportation connectivity options for the disabled community and in areas where access to safe transportation is limited
- Mitigate the impact of floods and storms through infrastructure improvements, including sewers, detention basins, and flood control projects
- Create facilities for city residents struggling with mental and behavioral health, including unhoused residents

Generated funds will be used to pay for all necessary design, construction, reconstruction, improvement, repair, renovation, equipment and associated costs, including the acquisition of land or interests necessary for such purposes, all legal, financial, consulting, and other costs and fees in connection therewith. Such bonds to be issued in one or more series as tax-exempt or taxable bonds, and may be sold at prices that include premiums not greater than permitted by law. Such bonds may bear fixed or variable interest not exceeding 10% per annum and may have principal payable not later than 25 years from the date of issuance of each series. Such bonds will be issued as general obligations bonds and the issuance of these bonds will result in a property tax increase sufficient to pay the annual debt service on the bonds.

QUESTION NUMBER 2

Improve Quality of Life in Phoenix Neighborhoods

Shall the City of Phoenix, Arizona be authorized to issue and sell general obligation bonds in the principal amount of up to \$108,615,000 to provide funding for library, parks and historic preservation projects, including, but not limited to:

- Build or improve new and existing libraries
- Enhance existing parks and add additional park space across the city
- Construct and renovate playgrounds and recreational facilities
- Increase accessibility and improve ADA compliance in publicly owned spaces and facilities

Generated funds will be used to pay for all necessary design, construction, reconstruction, improvement, repair, renovation, equipment and associated costs, including the acquisition of land or interests necessary for such purposes, all legal, financial, consulting, and other costs and fees in connection therewith. Such bonds to be issued in one or more series as tax-exempt or taxable bonds and may be sold at prices that include premiums not greater than permitted by law. Such bonds may bear fixed or variable interest not exceeding 10% per annum, and may have principal payable not later than 25 years from the date of issuance of each series. Such bonds will be issued as general obligations bonds and the issuance of these bonds will result in a property tax increase sufficient to pay the annual debt service on the bonds.

QUESTION NUMBER 3

Create an Efficient, Modern Phoenix to Live and Work

Shall the City of Phoenix, Arizona be authorized to issue and sell general obligation bonds in the principal amount of up to \$114,385,000 to provide funding for education, economic development, reducing waste, resource management, arts and culture projects, including, but not limited to:

- Drive healthcare workforce development with an educational facility
- Develop land parcels to encourage new business/industry investment and recruitment
- Establish heat resiliency projects to cool public spaces and high-density urban areas
- Upgrade city facilities to be energy and water efficient and/or use renewable energy
- Renovate and enhance arts and cultural facilities and museums

Generated funds will be used to pay for all necessary design, construction, reconstruction, improvement, repair, renovation, equipment and associated costs, including the acquisition of land or interests necessary for such purposes, all legal, financial, consulting, and other costs and fees in connection therewith. Such bonds to be issued in one or more series as tax-exempt or taxable bonds, and may be sold at prices that include premiums not greater than permitted by law. Such bonds may bear fixed or variable interest not exceeding 10% per annum, and may have principal payable not later than 25 years from the date of issuance of each series. Such bonds will be issued as general obligations bonds and the issuance of these bonds will result in a property tax increase sufficient to pay the annual debt service on the bonds.

QUESTION NUMBER 4

Enhance, Preserve and Increase the Supply of Affordable Housing and Senior Centers

Shall the City of Phoenix, Arizona be authorized to issue and sell general obligation bonds in the principal amount of up to \$63,000,000 to provide funding for affordable housing and senior center projects, including, but not limited to:

- Construct new affordable housing units throughout the city to support low to moderate income residents and address homelessness
- Repair and refurbish existing affordable housing units
- Build and renovate new and existing senior centers

Generated funds will be used to pay for all necessary design, construction, reconstruction, improvement, repair, renovation, equipment, and associated costs, including the acquisition of land or interests necessary for such purposes, all legal, financial, consulting, and other costs and fees in connection therewith. Such bonds to be issued in one or more series as tax-exempt or taxable bonds and may be sold at prices that include premiums not greater than permitted by law. Such bonds may bear fixed or variable interest not exceeding 10% per annum and may have principal payable not later than 25 years from the date of issuance of each series. Such bonds will be issued as general obligations bonds and the issuance of these bonds will result in a property tax increase sufficient to pay the annual debt service on the bonds.

WHEREAS, the City intends for the bonds authorized hereby (the “Bonds”) to be sold by negotiated sale in accordance with Arizona Revised Statutes, Section 35-457.C, to one or more underwriters selected by the City (the “Underwriters”),

as provided in one or more bond purchase agreements (each, a “Bond Purchase Agreement”), in substantially the same form as that used in connection with the sale of the City’s General Obligation Refunding Bonds, Series 2022, with such changes as are approved by the Chief Financial Officer or her designee; and

WHEREAS, the Bonds will be reoffered by the Underwriters pursuant to one or more Preliminary Official Statements (as defined herein) and one or more Official Statements (as defined herein); and

NOW, THEREFORE, be it ordained by the Council of the City of Phoenix, as follows:

Section 1. Purpose. That for the purpose of providing funds for the projects and related costs authorized under the Bond Questions, the City hereby authorizes the issuance of its General Obligation Bonds in one or more series which may include bonds, the interest on which is intended to be excludible from gross income for federal income tax purpose (the “Tax-Exempt Bonds”) in the aggregate principal amount not to exceed \$500,000,000. Any net premium received from the sale of the Bonds shall be subject to Arizona Revised Statutes, Section 35-457.D. The City Manager, the Chief Financial Officer, in each case, whether interim or actual or their designee (each, an “Authorized Officer”) shall determine the dollar amounts and respective ballot propositions under which each series of Bonds shall be issued.

Section 2. Authorization of Bonds. The Bonds shall be issued as fully registered bonds registered as to both principal and interest, in the denominations determined by an Authorized Officer or any integral multiple thereof and shall be dated the date of delivery of the Bonds.

Interest on the Bonds shall be payable on January 1 and July 1 of each year (the "Interest Payment Dates"), at the rates to be set forth in each Bond Purchase Agreement (not to exceed an aggregate yield of 10%) until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from the date of delivery, or such other date as approved by an Authorized Officer. Interest on the Bonds will be computed on the basis set forth in each Bond Purchase Agreement. The final amounts and respective maturity dates of the Bonds shall be set forth in each Bond Purchase Agreement, but none of the Bonds shall mature later than twenty-five (25) years from then date of issuance.

Section 3. Sale of Bonds. Each Authorized Officer is authorized to determine the amount of the Bonds to be sold to the Underwriters pursuant to negotiated sale as described in the applicable Official Statement (such entity purchasing the Bonds, the "Purchasers"). Each such sale will be evidenced by the execution and delivery of a Bond Purchase Agreement for each series of Bonds to be sold concurrently, if applicable. Each Authorized Officer is hereby authorized to execute and deliver a Bond Purchase Agreement for each series of Bonds to be sold concurrently, with such insertions, omissions and changes as are necessary and consistent with this Ordinance, the execution of a Bond Purchase Agreement for each series of Bonds to be sold concurrently, if applicable, being conclusive evidence of such approval. An Authorized Officer may make provision for insurance and/or liquidity support of the Bonds, if such Authorized Officer determines that such insurance or credit support

would provide a net borrowing cost savings or enhance the marketability of the Bonds. Such determinations shall be included in each Bond Purchase Agreement.

If bond insurance and/or liquidity support is obtained with respect to any of the Bonds, an Authorized Officer is authorized to execute and deliver, on behalf of the City, appropriate agreements with the bond insurer and/or liquidity provider and the Bond Registrar with provisions concerning, without limitation, any of the following:

(i) the terms of the bond insurance and/or liquidity support and the premium to be paid for it, (ii) procedures for payments under the bond insurance and/or liquidity support and reimbursement of amounts advanced including subrogation to the rights of bondholders paid, (iii) voting rights, (iv) remedies and (v) notices and providing of information with respect to the Bonds.

Section 4. Custody of Registered Bonds. Such Bonds shall only be issued in book entry form, except as provided in Section 10 hereof, and (i) one certificate for each Bond maturity in typewritten form shall be registered in the name of the Depository (as defined herein) or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the beneficial owners of the Bonds (the "Beneficial Owners") shall have no right to receive the Bonds in the form of physical securities; (iii) ownership of beneficial interests in the principal amounts of \$5,000 or integral multiples thereof shall be shown by book entry on the system maintained and operated by the Depository and its participants, and transfers of the ownership of beneficial interest shall be made only by book entry by the Depository and its participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except in transfer to another Depository or to another nominee of a Depository.

The City and the Bond Registrar shall treat the Depository or its nominee in whose name the Bonds are registered in the Bond Registrar as the owner of the Bonds for all purposes. Accordingly, principal and interest payments will be paid to the Depository as the registered owner of the Bonds. All notices required by this Ordinance to be given to the registered owners of Bonds shall be given to the Depository as the registered owner of the Bonds. The transfer of principal and interest and of notices to the Beneficial Owners will be the responsibility of the Depository and its Participants or other nominees of the Beneficial Owners. The City will not be responsible or liable for such transfers or the failure thereof or for maintaining, supervising or reviewing records of the Depository.

For the purposes of this Ordinance, "Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its participants or otherwise, a book entry system to record ownership of beneficial interests in Bonds, and to effect transfers of such beneficial interests in the Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

Section 5. Execution. The Bonds shall be signed by the Mayor and attested by the City Clerk (references in this Ordinance to such officers shall include persons acting in the capacity of such officers) in their official capacities. The signature of any or all of such officers may be facsimiles. No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be

conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

Section 6. Registrar and Paying Agent. U.S. Bank Trust Company, National Association is hereby appointed as the authenticating agent, bond registrar, transfer agent and paying agent (collectively, the “Bond Registrar”) for the Bonds. An Authorized Officer is hereby authorized to appoint a qualified financial institution to serve as a successor or replacement Bond Registrar.

Section 7. Payment of Bonds. The principal of, premium, if any, and interest on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Subject to Section 9 hereof, (a) principal and premium, if any, shall be payable when due upon presentation and surrender of the Bonds at the principal corporate trust office of the Bond Registrar and (b) interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered in the Bond Register, at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date (the “regular record date”) at that person’s address appearing on the Bond Register (as defined in Section 9 below), or at such other address as is furnished to the Bond Registrar, in writing, by the registered owner before the regular record date. Any interest which is not timely paid or duly provided for shall cease to be payable to the person who is shown as the registered owner thereof (or of one or more predecessor bonds) as of the regular record date and shall be payable to the registered owner hereof (or of one or more predecessor bonds) at the

close of business on a special record date for the payment of that overdue interest. The special record date shall be fixed by the Bond Registrar whenever monies become available for payment of the overdue interest and notice of the special record date shall be given to registered owners not less than ten days prior thereto.

Section 8. Prior Redemption.

(a) Each series of Bonds shall be subject to redemption prior to maturity as set forth in the applicable Bond Purchase Agreement and the form of Bond.

(b) (1) Notice of redemption of any Bond shall be mailed by first class mail, postage prepaid, not more than sixty (60) nor less than thirty (30) days prior to the date set for redemption to the registered owner of the Bond or Bonds being redeemed at the address shown on the registration books for the Bonds maintained by the Bond Registrar and Paying Agent. Failure to give properly such notice of redemption shall not affect the redemption of any Bond for which notice was properly given. A notice of optional redemption may contain a statement that the redemption is conditional upon receipt by the Bond Registrar as paying agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Bonds so called for redemption, and that if such funds are not available, such redemption shall be cancelled by written notice to owners of the Bonds called for redemption in the same manner as the original redemption notice was mailed.

(2) On the date designated for redemption by notice given as herein provided, the Bonds or portions thereof to be redeemed shall become and be due and payable at the redemption price for such Bonds or such portions thereof on such date, and, if moneys for payment of the redemption price are held in separate

accounts by the Bond Registrar and Paying Agent, interest on such Bonds or such portions thereof shall cease to accrue, such Bonds or such portions thereof shall cease to be entitled to any benefit or security hereunder, the registered owners of such Bonds or such portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof and accrued interest thereon and such Bonds or such portions thereof shall be deemed paid and no longer outstanding.

(c) Any Bond or portion thereof in authorized denominations shall be deemed paid and defeased and thereafter shall have no claim on ad valorem taxes levied on taxable property in the City (i) if there is deposited with a bank or comparable financial institution, in trust, moneys or obligations issued by or guaranteed by the United States government ("Defeasance Obligations") or both which, with the maturing principal of and interest on such Defeasance Obligations, if any, will be sufficient, as evidenced by a certificate or report of an accountant or nationally recognized public finance consultant, to pay the principal of and interest and any premium on such Bond or portion thereof as the same matures, comes due or becomes payable upon prior redemption and (ii) if such defeased Bond or portion thereof is to be redeemed, notice of such redemption has been given in accordance with provisions hereof or the City has submitted to the Bond Registrar and Paying Agent instructions expressed to be irrevocable as to the date upon which such Bond or portion thereof is to be redeemed and as to the giving of notice of such redemption. Bonds the payment of which has been provided for in accordance with this Section shall no longer be deemed payable or outstanding hereunder and thereafter such Bonds shall be entitled to payment only from

the moneys or Defeasance Obligations deposited to provide for the payment of such Bonds.

Section 9. Registration and Exchange. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep at its principal corporate trust office all books and records necessary for the registration, exchange and transfer of Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 7 above, (a) the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of this Ordinance, (b) payment of or on account of the principal of, premium, if any, and interest on any Bond shall be made only to or upon the order of that person, and (c) neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

Any Bond may be exchanged for Bonds of any authorized denomination upon presentation and surrender at the principal corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the principal corporate trust office of the Bond Registrar, together with an assignment executed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any

authorized denomination or denominations requested by the registered owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of exchanged or transferred Bonds, the City shall sign, and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. All fees and costs associated with the exchange or transfer, including any tax or other governmental charges required to be paid with respect to the exchange or transfer, shall be paid by the registered owner requesting the exchange or the transferor, as appropriate. The City or the Bond Registrar may require that those fees and costs, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under this Ordinance as the Bonds surrendered upon that exchange or transfer.

Any Bond surrendered to the Bond Registrar for payment, retirement, exchange, replacement or transfer shall be canceled by the Bond Registrar. The City may at any time deliver to the Bond Registrar for cancellation any previously authenticated and delivered Bonds that the City may have acquired in any manner whatsoever, and those Bonds shall be promptly canceled by the Bond Registrar. The canceled Bonds shall be retained for a period of time and then returned to the City or destroyed by the Bond Registrar as directed by an Authorized Officer.

The City and the Bond Registrar will not be required (a) to issue or transfer any Bonds during a period beginning with the opening of business on the 15th day next preceding any date of selection of Bonds to be redeemed and ending with the close of business on the day on which the applicable notice of redemption is given or (b) to transfer any Bonds which have been selected or called for redemption in whole or in part.

In case any Bond becomes mutilated or destroyed or lost, the City shall cause to be executed and delivered a new Bond of like date and tenor in exchange and substitution for and upon the cancellation of such mutilated Bond or in lieu of and in substitution for such Bond destroyed or lost, upon the registered owner's paying the reasonable expenses and charges of the City in connection therewith and, in the case of the Bond destroyed or lost, filing with the City Clerk by the registered owner evidence satisfactory to the City that such Bond was destroyed or lost, and furnishing the City with a sufficient indemnity bond pursuant to Section 47-8405, Arizona Revised Statutes.

Section 10. Book-Entry Depository. If any Depository determines not to continue to act as a Depository for the Bonds for use in a Book Entry System, the City may attempt to have established a securities depository/book entry relationship with another qualified Depository. If the City does not or is unable to do so, the City and the Bond Registrar, after the Bond Registrar has made provision with the Depository for notification of the Beneficial Owners by the then Depository, shall permit withdrawal of the Bonds from the Depository, and authenticate and deliver replacement Bonds in fully registered form in the denominations of \$5,000 or any integral multiple thereof to the assignees of the Depository or its nominee. If the event is not the result of City action or

inaction, such withdrawal, authentication and delivery shall be at the cost and expense (including costs of printing definitive Bonds) of those persons requesting such authentication and delivery.

Section 11. Form of Bond. The Bonds shall be in substantially the following form, the officials executing the Bonds to make the insertions and deletions necessary to conform the Bonds to this Ordinance:

(FORM OF FACE OF BOND)

REGISTERED
NO.

REGISTERED
\$

CITY OF PHOENIX, ARIZONA
GENERAL OBLIGATION BOND, _____ SERIES _____

INTEREST RATE: MATURITY DATE: DATED AS OF: CUSIP:
_____ % per annum July 1, _____ Date of Delivery _____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: _____ DOLLARS

The City of Phoenix, Arizona (the "City"), for value received, promises to pay to the Registered Owner named above, or registered assigns, the Principal Amount on the Maturity Date, each as stated above, and interest thereon until the Principal Amount is paid or provided for at the Interest Rate stated above, on January 1 and July 1 of each year (the "Interest Payment Dates"), commencing _____. This Bond will bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from its date. Principal and interest are payable in lawful money of the United States of America, without deduction for the paying agent services, to the person in whose name this Bond (or, if applicable, one or more predecessor Bonds) is registered (the "registered owner" or "owner") on the Register maintained by the Bond Registrar, initially U.S. Bank Trust Company, National Association. Principal is payable upon presentation and surrender of this Bond at the principal corporate trust office of the Bond Registrar. Interest is payable by check or draft mailed by the Bond Registrar on each Interest Payment Date to the registered owner of this Bond (or one or more predecessor Bonds) as shown and at the address appearing on the Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date (the "regular record date"). Any interest which is not timely paid or duly provided for shall cease to be payable to the

registered owner hereof (or of one or more predecessor Bonds) as of the regular record date and shall be payable to the registered owner hereof (or of one or more predecessor Bonds) at the close of business on a special record date for the payment of that overdue interest. The special record date shall be fixed by the Bond Registrar whenever monies become available for payment of the overdue interest and notice of the special record date shall be given to registered owners not less than ten days prior thereto.

This Bond is one of an issue of like date, tenor and effect except as to maturity and interest rate, aggregating the sum of \$_____, issued to pay all or a portion of certain and to pay all necessary legal, financial, architectural, engineering and contingent costs in connection therewith (the "Bonds"), under authority of and pursuant to the laws of the State of Arizona, particularly Title 35, Chapter 3, Article 3, Section 35-451, et seq., of the Arizona Revised Statutes (the "Act"), the Charter of the City, the requisite majority vote of the electors of the City cast at a special election held on November 7, 2023, upon the question of issuing bonds in the original principal amount of \$500,000,000 and Ordinance No. S-_____, passed by the Council of the City on _____ (the "Bond Ordinance").

The Bonds are issuable only as fully registered bonds in the denominations of \$5,000 or any integral multiple thereof. This Bond is exchangeable and transferable for Bonds of other authorized denominations at the principal corporate trust office of the Bond Registrar, by the registered owner or by a person legally empowered to do so, upon presentation and surrender hereof to the Bond Registrar, together with a request for exchange or an assignment, signed by the registered owner or by a person legally empowered to do so, in a form satisfactory to the Bond Registrar, all subject to the terms, limitations and conditions provided in the Bond Ordinance. All fees and costs associated with the exchange or transfer, including any tax or governmental charges payable in connection therewith, shall be paid by the owner requesting the exchange or the transferor, as appropriate. The City or the Bond Registrar may also require that such fees and charges be paid prior to the procedure for exchange or transfer. The City and the Bond Registrar may deem and treat the registered owner as the absolute owner of this Bond for the purpose of receiving payment of or on account of principal or interest and for all other purposes, and neither the City nor the Bond Registrar shall be affected by any notice to the contrary.

The Bonds are subject to redemption prior to their stated maturities as follows:

Bonds maturing on or after July 1, _____, shall be subject to redemption prior to maturity at the option of the City on and after July 1, _____, in whole or in part at any time in increments of \$5,000 principal amount from maturities selected

by the City and within any maturity by lot selected by the Bond Registrar, at the principal amount thereof and accrued interest to the date fixed for redemption, but without premium.

Bonds maturing on July 1, ____, are subject to mandatory sinking fund redemption on July 1 of each of the years ____ and ____ by lot to be selected by the Bond Registrar, at the principal amount thereof and accrued interest to the date fixed for redemption, without premium, and in the amounts set forth in the Bond Ordinance.

Notice of any such redemption, unless waived, shall be sent by first class or certified mail, postage prepaid, not less than 30 days nor more than 60 days prior to the date fixed for redemption to the registered owner of each bond to be redeemed in whole or in part at the address shown on the bond register of the City maintained by the Bond Registrar or at such other address as is furnished to the Bond Registrar in writing by such registered owner. When so called for redemption, this bond, or the portion thereof being so called for redemption, will cease to bear interest on the specified redemption date, provided funds for redemption are on deposit at the place of payment at that time, and shall not be deemed to be outstanding.

The Council of the City of Phoenix has by ordinance ordered the creation of a special fund for the payment of principal of and interest on the bonds of the issue of which this bond is one. Payments are to be made into said fund from taxes to be levied on all taxable property in the City and the money in said fund is to be used solely to pay principal of and interest on the bonds of the issue of which this is one. Such taxes, together with other monies to be deposited in said fund (including earnings on

investments made with money in said fund), are required to be sufficient to pay such principal, interest and redemption premiums, if any, when due.

Reference is made to the Bond Ordinance for a more complete description of the provisions, among others, with respect to the nature and extent of the security for the Bonds, the rights, duties and obligations of the City, the Bond Registrar and the registered owners, and the terms and conditions upon which the Bonds are issued and secured. The registered owner of this Bond assents, by acceptance hereof, to all of the provisions of the Bond Ordinance.

It is hereby certified and recited that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuance of the Bonds in order to make them legal, valid and binding special obligations of the City, have been performed and have been met in regular and due form as required by law; that payment in full for the Bonds has been received; and that no statutory, charter or constitutional limitation on indebtedness has been exceeded in issuing the Bonds.

This Bond shall not be valid or obligatory for any purpose and shall not be entitled to any security or benefit under the Bond Ordinance until the Certificate of Authentication below has been signed.

IN WITNESS WHEREOF, the City of Phoenix, Arizona has caused this Bond to be executed in its name by the facsimile signatures of the Mayor and attested to by the facsimile signature of its City Clerk, all as of _____, 20__.

CITY OF PHOENIX, ARIZONA

(facsimile)
Mayor

ATTEST:

(facsimile)
City Clerk

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the Bond Ordinance referred to above.

Date of Authentication:

U.S. BANK TRUST COMPANY, NATIONAL ASSOCIATION,
as Bond Registrar

By _____
Authorized Representative

Registrable at and Payable by:

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Insert Social Security or Taxpayer
Identification Number of Assignee)

the within bond and does hereby irrevocably constitute and appoint

_____, attorney, to transfer the same bond on the books kept for
registration thereof with full power of substitution in the premises.

Dated: _____

Signature Guaranteed: _____

Signature guarantee should
be made by a guarantor
institution participating in the
securities transfer agent's
medallion program or in such
other guarantee program
acceptable to the Registrar

NOTICE: The signature to this assignment must correspond with the name of the
registered owner as it appears upon the face of the within bond in every particular,
without alteration or enlargement or any change whatever.

(END OF FORM OF BOND)

Section 12. Delivery of Bonds. The Mayor or any Authorized Officer shall cause the Bonds to be prepared and shall have the Bonds signed, authenticated and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the purchasers thereof upon payment of the par value thereof plus the net premium or less the discount set forth in the applicable Bond Purchase Agreement.

Section 13. Application of Proceeds. The proceeds from the sale of the Bonds shall be paid into the proper fund or funds and credited to separate book accounts, and those proceeds are appropriated and shall be used in the amounts and solely for the purposes as set forth in the respective ballot question submitted to the qualified voters of the City at the aforesaid special bond elections, as determined by an Authorized Officer, subject to the provisions of Arizona Revised Statutes, Section 35-457.D. The proceeds of the Bonds will be invested pursuant to State law. The City shall include in its records sufficient information to identify the proceeds, expenditures and investment income relating to the Bonds.

Section 14. Allocation of Bonds Between 6% and 20% Debt Limits; Ratification of Prior Actions. An Authorized Officer is hereby authorized to determine the respective allocations between the 6% and 20% debt limitations set forth and in accordance with applicable law.

Section 15. Security for the Bonds; Covenants. For the purpose of paying principal of and interest on the bonds herein authorized there shall be levied on all taxable property in the City of Phoenix a continuing, direct, annual ad valorem tax sufficient to produce the amounts required below; said amounts are hereby found sufficient and necessary to assure payment of the principal of and interest on said

Bonds as the same become due at or prior to maturity. In each year the money derived from said tax shall be paid into separate funds which are hereby created and named the "Interest Fund" and the "Redemption Fund". Such Interest Fund and Redemption Fund shall be kept separately by the City for the equal benefit of the holders of the Bonds herein authorized and used solely for the payment of principal of and interest on such Bonds. There shall be paid into said Interest Fund and Redemption Fund the accrued interest and any premium received by the City from the Purchasers of the Bonds herein authorized plus an amount sufficient to pay all interest when due on said Bonds plus the amounts on or prior to July 1 in the years determined by an Authorized Officer.

If at the time of any annual tax levy the amount in the Interest Fund and Redemption Fund accumulated as hereinabove required shall not be sufficient to pay all principal and interest falling due on said Bonds prior to the time that taxes will become available from the next succeeding tax levy, the City shall include in such earlier tax levy such additional amount as shall produce funds sufficient to remedy any such deficiency and deposit the proceeds of said taxes into the Interest Fund and Redemption Fund. Whenever there shall be insufficient money in the Interest Fund and Redemption Fund to pay Bonds and interest thereon payable therefrom when due, the City may pay such principal and interest from any other legally available fund and shall reimburse such other fund when money becomes available from the proceeds of the taxes hereinabove required.

Section 16. Official Statement. All actions of the City related to preparing and distributing a form of Preliminary Official Statement, to be used if any of the Bonds are sold by negotiated sale to the Underwriters, in substantially the same form as that

was used in connection with the offer and sale of the City's General Obligation Refunding Bonds, Series 2022, which may be distributed in connection with the offer and sale of the Bonds (as prepared in accordance with the terms of this Ordinance, the "Preliminary Official Statement"), are hereby approved and ratified. The portions of each Preliminary Official Statement regarding the Bonds which concern and describe the non-financial characteristics of the City are hereby approved and, if so necessary, each Authorized Officer is hereby authorized and directed to execute the same and any required certificates as to the accuracy and completeness of said Official Statement descriptions of the City.

If so necessary, each Authorized Officer is authorized to approve the distribution of each, and to deem each Preliminary Official Statement "final" (except for permitted omissions), by the City as of its date for purposes of SEC Rule 15c2-12(b)(1) and, if so necessary, a final official statement (the "Official Statement") will be prepared and distributed to the Underwriters for purposes of SEC Rule 15c2-12(b)(3) and (4). Each Authorized Officer is authorized and directed to complete and sign on behalf of the City and in his or her official capacity, the Official Statement, with such modifications, changes and supplements as being necessary to carry out and comply with the terms, provisions, and intent of this Ordinance. Each Authorized Officer is authorized to use and distribute, or authorize the use and distribution of, the Official Statement and any supplements thereto as so signed in connection with the original issuance of the Bonds as may in his or her judgment be necessary or appropriate.

Section 17. Continuing Disclosure Undertaking. Each Authorized Officer is hereby authorized, empowered and directed to execute and deliver the Continuing

Disclosure Undertaking in substantially the same form as now executed in connection with the City's General Obligation Refunding Bonds, Series 2022, or with such changes therein as the individual executing the Continuing Disclosure Undertaking on behalf of the City shall approve, his or her execution thereof to constitute conclusive evidence of his or her approval of such changes. If a Continuing Disclosure Undertaking is executed and delivered on behalf of the City as herein provided, such Continuing Disclosure Undertaking will be binding on the City and the officers, employees and agents of the City, and the officers, employees and agents of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Continuing Disclosure Undertaking as executed. Notwithstanding any other provision of this Ordinance, the sole remedies for failure to comply with the Continuing Disclosure Undertaking shall be the ability of the Beneficial Owner of any Bond to seek mandamus or specific performance by court order, to cause the City to comply with its obligations under the Continuing Disclosure Undertaking.

Section 18. Tax Covenants. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Tax-Exempt Bonds in such manner and to such extent as may be necessary so that (a) the Tax-Exempt Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the "Code"), or (ii) be treated other than as bonds to which Section 103(a) of the Code applies, and (b) the interest thereon will not be treated as a preference item under Section 57 of the Code.

The City further covenants (a) that it will take or cause to be taken such actions that may be required of it for the interest on the Tax-Exempt Bonds to be and remain excluded from gross income for federal income tax purposes, (b) that it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) that it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Tax-Exempt Bonds to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

Each Authorized Officer is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Tax-Exempt Bonds as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Tax-Exempt Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations,

make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Tax-Exempt Bonds, and (c) to give one or more appropriate certificates of the City for inclusion in the transcript of the proceedings for the Tax-Exempt Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Tax-Exempt Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Tax-Exempt Bonds.

Section 19. Further Actions. All actions of the officers and agents of the City which are in conformity with the purposes and intent of this Ordinance and in furtherance of the issuance and sale of the Bonds as contemplated by this Ordinance whether heretofore or hereafter taken shall be and are hereby ratified, confirmed and approved. The Mayor, each Authorized Officer and the City Clerk and other appropriate officers and agents of the City are hereby authorized and directed to do all such acts and things and to execute and deliver all such documents on behalf of the City as may be necessary to carry out the terms and intent of this Ordinance.

Section 20. All Conditions Met. This Council determines that all acts and conditions necessary under the Act and other applicable laws to be performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding special obligations of the City, have been performed and met, or will at the time of delivery of the Bonds have been performed and met, in regular and due form as required by law; and that no statutory, charter or constitutional

limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

Section 21. Open Meeting. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

Section 22. Requests of City. Whenever any action is to be taken by the Bond Registrar or any depository bank, issuing and paying agent, trustee, tender agent, paying agent or remarketing agent at the request of the City under this Ordinance, if no other means of authenticating such request is required herein or therein, such request shall be evidenced by a written instrument signed by an Authorized Officer or by such other City official or employee (one or more) as may from time to time be designated by the Mayor and Council; a duly certified copy of such designation shall have been filed with such entity.

Section 23. Severability. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

Section 24. Other Actions in Furtherance of Ordinance. Each Authorized Officer is and hereby authorized to take any and all actions and execute all documents or instruments necessary or appropriate to carry out the transactions contemplated by this Ordinance and the documents described herein and to employ such professionals

and consultants as are necessary in order to accomplish the purposes of this Ordinance, professionals for the services of bond counsel, accounting and auditing purposes, registrar, remarketing, issuing and paying agent, financial advisory services, and any other services necessary to accomplish the purposes of this Ordinance. Any contracts for the provision of such services shall be executed by an Authorized Officer, and the execution of such contracts shall represent approval by the City of the terms of such contracts. Such instruments shall include, but shall not be limited to (a) one or more swap agreements for the purpose of managing interest rate risk relating to the debt service on any or all of the Bonds pursuant to Arizona Revised Statutes, Section 35-1002 and (b) one or more forward purchase agreements relating to the reinvestment of the proceeds of certain government obligations acquired with the proceeds of the Bonds, each in such form as acceptable to such Authorized Officer.

Section 25. Ordinance Constitutes a Contract. This Ordinance constitutes a contract with the Bondholders binding the City, and, therefore, it is proper and appropriate for the Mayor of the City to execute the same on behalf of the City and for the City Clerk of the City to attest the same.

Section 26. City Code Section 42-18 (A) and (B) Exemption. That the Council grants an exemption to Phoenix City Code Sections 42-18 (A) and (B) to allow the City's provision of indemnification and to allow limitations on the City's damages with respect to all contractual documents or instruments necessary or appropriate to carry out the transactions contemplated by this Ordinance and the contractual documents described herein, including but not limited to, documents or instruments entered into with bond trustees, escrow agents, bond underwriters and lenders or credit

enhancement providers where providing these parties with indemnity and agreeing to limit City's damages are standard terms in the contemplated transactions.

Section 27. Expenditure of Funds. The City Controller is hereby authorized to receive and expend such funds as necessary to accomplish the purposes of this Ordinance. It is the intention of this Council that if any or all of such expenditures occur prior to the issuance and delivery of the Bonds, such expenditures shall be reimbursed from the proceeds of such obligations as and when they, or another issue of tax-exempt obligations out of which Council evidences its intention to pay such expenditures, are issued and delivered. Each Authorized Officer is hereby authorized and directed to file with respect to the expenditures herein authorized one or more Declarations of Official Intent as may be required by Treasury Regulations Section 1.150-2 based upon the best information as to the source of reimbursement available to them at the time of execution of such declarations.

PASSED and adopted by the Council of the City of Phoenix this _____ day of _____, 2024.

MAYOR

Date

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By: _____

REVIEWED BY:

Jeffrey Barton, City Manager

JS:tml:LF____:[date]:2416071v1

DRAFT



Request to Enter into Education Partnership Intergovernmental Agreement with Maricopa County Community College District for Student Placements

Request to authorize the City Manager, or his designee, to allow Volunteer PHX to renew Intergovernmental Agreement with Maricopa Community College District for student learning placements.

Summary

The purpose of this agreement is to provide Maricopa Community College District (MCCCD) students with opportunities for learning and serving in the City of Phoenix departments, including service learning and volunteering. MCCCD will coordinate with and assist the City of Phoenix to match students' interests with opportunities for service and volunteering with City departments. Phoenix will provide instruction and support to students to ensure students meet learning objectives as well as the City's objectives for each opportunity.

MCCCD includes 10 accredited colleges across the valley, with four Phoenix locations: Phoenix College, Paradise Valley Community College, GateWay Community College, and South Mountain Community College. Campuses support more than 200,000 students annually. MCCCD offer students Service-Learning opportunities, combining service and volunteering with academic learning for a more comprehensive educational experience. Students serve within government agencies, civic organizations, education associations and citizen advocacy groups.

Contract Term

The agreement will be valid for five years from the date of execution by all parties but may be terminated for convenience by either party with written notice to the other party.

Financial Impact

There is no cost or financial impact for these activities.

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and Volunteer PHX Chief Service Officer.



Agenda Date: 1/24/2024, Item No. 16

Acceptance and Dedication of Easements and Deeds for Roadway, Public Utility and Sidewalk Purposes (Ordinance S-50514)

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

Summary

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

Easement (a)

Applicant: W.L. Gore & Associates, Inc., its successor and assigns

Purpose: Public Utility and Sidewalk

Location: South of the southwest corner of W. Dove Valley Road and N. North Valley Parkway

File: FN 230094

Council District: 1

Deed (b)

Applicant: W.L. Gore & Associates, Inc., its successor and assigns

Purpose: Roadway

Location: South of the southwest corner of W. Dove Valley Road and N. North Valley Parkway

File: FN 230094

Council District: 1

Easement (c)

Applicant: Winslow Guidance Associates, Inc., its successor and assigns

Purpose: Public Utility

Location: 12424 N. 28th Drive

File: FN 230058

Council District: 1

Easement (d)

Applicant: Francisco Sales; Norinelda Barrera, its successor and assigns

Purpose: Public Utility

Location: 11430 N. Bancroft Drive

File: FN 230112

Council District: 3

Deed (e)

Applicant: Jeffrey M. Slaughter, its successor and assigns

Purpose: Roadway

Location: 2940 E. South Mountain Ave.

File: FN 230109

Council District: 8

Responsible Department

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



Industrial/Commercial Doors - Service and Supply Contract - IFB 23-128 - Request for Award (Ordinance S-50506)

Request to authorize the City Manager, or his designee, to enter into a contract with DH Pace Company, Inc., to provide maintenance, repair, and installation of industrial and commercial doors for Citywide departments on an as-needed basis. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$7,100,000.

Summary

The contract is intended to fulfill the City's ongoing needs for the supply, maintenance, and repair of industrial and commercial doors. The functionality and durability of these doors are essential to meeting the operational and security requirements of the City. Furthermore, ensuring the ongoing functionality of these doors is imperative, necessitating both preventative maintenance and on-demand repairs.

Procurement Information

An Invitation for Bid procurement was processed in accordance with Administrative Regulation 3.10.

One vendor submitted a bid deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following an evaluation based on price, the procurement officer recommends award to the following vendor:

Selected Bidder

DH Pace Company, Inc.

Contract Term

The contract will begin on or about Feb. 1, 2024, for a five-year term with no options to extend the term.

Financial Impact

The aggregate contract value will not exceed \$7,100,000.

Funding is available in the various department budgets including Fire, Water, Public

Works and Phoenix Convention Center.

Responsible Department

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



**Plumbing Services, Including Rooter and Drain Cleaning - Requirements
Contract - IFB 18-123 (Ordinance S-50511)**

Request to authorize the City Manager, or his designee, to execute amendment to Contract 146660 with Above All Plumbing Services, Inc., to extend the contract term and add additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$1,050,000.

Summary

This contract will provide all standard labor, materials, supplies, equipment, permits, tools, vehicles, transportation and security fees necessary for plumbing repairs and/or service for various privately and publicly owned city properties or facilities on an as-needed basis. This contract is currently in use throughout the city and an extension will allow for uninterrupted availability of services. Contracted services are needed to maintain health and safety operations associated with water and sewer within city buildings.

Contract Term

Upon approval, the contract will be extended through Jan. 31, 2025, with an option to extend through Jan. 31, 2026.

Financial Impact

Upon approval of \$1,050,000 in additional funds, the revised aggregate value of the contract will not exceed \$7,800,000. Funds are available in various department budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request;

- Plumbing Services, including Rooter and Drain Cleaning 146660 (Ordinance S-44185) on Jan. 10, 2018;
- Plumbing Services, including Rooter and Drain Cleaning 146660 (Ordinance S-47345) on March 3, 2021;
- Plumbing Services, including Rooter and Drain Cleaning 146660 (Ordinance S-49359) on Jan. 25, 2023;

Responsible Department

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



Sports Uniforms and Promotional Items - IFB 19-055 - Amendment (Ordinance S-50516)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 150154 with Dumars Industries, LLC dba Explosion Sportswear and Image Sourcing (Dumars) to amend contract to assigned vendor, Sportswear Express AZ, LLC. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed as the request is to continue using Ordinance S-45726.

Summary

This contract provides a large variety of sports uniforms, trophies, awards and promotional items to support community classes, exercises, sporting events and children's sports leagues throughout the City. Additionally, this contract provides promotional items to promote City services and programs at outreach events. On Aug. 1, 2023, Dumars assigned its assets and contracts to Sportswear Express AZ, LLC. Approval is requested to amend this contract accordingly and continue receiving products and services from Sportswear Express AZ, LLC.

Contract Term

The contract term remains unchanged, ending on June 14, 2024.

Financial Impact

The aggregate value of the contract will not exceed \$1,309,000 and no additional funds are needed.

Previous Council Action

The City Council previously reviewed this request:

- Sports Uniforms and Promotional Items - Contract 150151, Contract 150152, Contract 150153, and Contract 150154 (Ordinance S-45726) on June 5, 2019;
- Sports Uniforms and Promotional Items - Contract 150151, Contract 150152, Contract 150153, and Contract 150154 (Ordinance S-49039) on Oct. 12, 2022.

Responsible Department

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



Street Sweeper Replacement Brooms - IFB 19-022 - Amendment (Ordinance S-50526)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 149139 with United Rotary Brush Corporation, to extend the contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed. Staff requests to continue using Ordinance S-45271.

Summary

This contract will provide replacement brooms to maintain a fleet of sweep vehicles of various makes, such as Elgin, Mobil, Tennant, and Tymco. As part of the maintenance for these vehicles, replacement tube brooms and gutter brooms are needed to maintain performance of routine sweeping duties.

Contract Term

Upon approval the contract will be extended through Jan. 31, 2025, with an option to extend through Jan. 31, 2026.

Financial Impact

The aggregate value of the contract will not exceed \$1,960,000 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Street Sweeper Replacement Brooms (Contract 149139, Ordinance S-45271) on Jan. 9, 2019.

Responsible Department

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



Contract Extension with Hyas Group for Investment Consulting for 401(A)/457 Plans and Post Employment Health Plan (PEHP) (Ordinance S-50504)

This report requests City Council approval to extend Contract 149752 with Hyas Group, LLC for a one year period and add \$120,000 in additional payment authority for consulting services over the term of the extension. Further request authorization for the City Controller to disburse all funds related to this extension.

Summary

Hyas Group was awarded a contract to provide consulting services to the 401(A)/457 ("Deferred Compensation Plan", "DCP") and PEHP Plans following a competitive procurement in 2019. The original three-year agreement included two, one-year options to extend which have been exercised, with a total contract value of an amount not to exceed \$600,000. A one-year contract extension is requested to allow for continuing investment and plan consulting services to allow Hyas Group to continue providing consulting services and implementation of the 2024 provisions of the federal regulations included in the SECURE 2.0 (Setting Every Community Up for Retirement Enhancement) legislation. SECURE 2.0 makes several important changes to the retirement savings that greatly benefit all City employees and their beneficiaries. There are a total of 38 federal statutory changes that apply to Phoenix' DCP and PEHP Plans. The 2024 changes include the addition of plan provisions that allow for penalty free emergency withdrawals for unforeseeable or immediate financial needs, penalty free withdrawals for individuals involved in cases of domestic abuse and extends the age at which required minimum distributions must be taken, to name a few.

During this time, a new procurement process will be started.

Contract Term

The initial contract term was for three years covering Feb. 27, 2019 through Feb. 27, 2022, and included two options to extend in one year increments which extend the expiration date to Feb. 27, 2024. The additional contract extension term will be for one year beginning Feb. 28, 2024, through Feb. 28, 2025.

Financial Impact

The additional funding authority will not exceed \$120,000, for a total contract value not

to exceed \$720,000. The consulting service fees are paid from the City of Phoenix Employees' Deferred Compensation Plan Trust. The Trust funding source is retained revenue from the DCP investment earnings and are restricted funds.

Concurrence/Previous Council Action

The City Council approved the original Contract 149752 on Apr. 3, 2019.

The DCP/PEHP Board of Trustees recommended approval of the Contract 149752 extension on Dec. 14, 2023.

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Retirement Office.



Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-50518)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Stefanie C. Blahut in the amount of \$10,398.19 to the Arizona State Retirement System. Further request to authorize the City Controller to disburse the funds.

Summary

Pursuant to Arizona Revised Statutes, sections 38-730 and 38-322, retirement service credits for former members of the City of Phoenix Employees' Retirement System (COPERS) may be transferred to the Arizona State Retirement System upon approval by the City Council. The following former City of Phoenix employee has requested transfer of the balance of her credited service:

Blahut, Stefanie: \$10,398.19

Concurrence/Previous Council Action

This item was approved by the COPERS Board at the Oct. 5, 2023, meeting.

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Retirement Office.



Transfer of Retirement Funds to Arizona State Retirement System (Ordinance S-50519)

Request to authorize the City Manager, or his designee, to transfer retirement funds for Gonzalo Muniz, Jr. in the amount of \$5,399.35 to the Arizona State Retirement System. Further request to authorize the City Controller to disburse the funds.

Summary

Pursuant to Arizona Revised Statutes, sections 38-730 and 38-322, retirement service credits for former members of the City of Phoenix Employees' Retirement System (COPERS) may be transferred to the Arizona State Retirement System upon approval by the City Council. The following former City of Phoenix employee has requested transfer of the balance of his credited service:

Muniz Jr., Gonzalo: \$5,399.35

Concurrence/Previous Council Action

This item was approved by the COPERS Board at the Nov. 2, 2023, meeting.

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Retirement Office.



Authorization to Apply, Accept, Disburse Funds and Enter into Agreements for the Climate Pollution Reduction Grant Program Phase II Competitive Implementation Grant (Ordinance S-50527)

Request approval for the City Manager, or his designee, to serve as the lead applicant and submit a grant application on behalf of regional coalition members from eligible entities in the Phoenix-Mesa-Chandler Metropolitan Statistical Area (MSA) to develop and implement climate pollution reduction strategies. Phase II implementation funds for programs, policies, measures, and projects can be up to a \$500 million award. Further request the City Manager to execute all contracts and Memorandums of Agreement (MOA), if awarded. Additionally, request to authorize the City Treasurer to accept, and the City Controller to disburse, grant funds.

Summary

The Climate Pollution Reduction Grant (GPRG) program, through the 2022 Inflation Reduction Act, provides investments to support states, municipalities, air pollution control agencies, tribes, and groups to develop and implement climate pollution reduction strategies. The two-staged grant program offers funding of \$250 million for non-competitive planning grants (Phase I) and \$4.6 billion for competitive implementation grants (Phase II).

The Phoenix-Mesa-Chandler Metropolitan Statistical Area (MSA) is receiving \$1 million under Phase I of this grant to develop a regional Priority Climate Action Plan (PCAP) to reduce harmful air pollution. Maricopa Association of Governments (MAG) is the lead agency for the Phase I Planning Level Grant with oversight and management of funds to develop a regional PCAP by March 1, 2024.

The PCAP (Phase I) is a pre-requisite for competing in Phase II of the CPRG program, which will competitively award \$4.6 billion for implementation. Eligible applicants include coalitions formed by eligible entities in the MSA. Phase II implementation funds for programs, policies, measures, and projects can be up to a \$500 million award. The implementation grant items must be in the final PCAP due to EPA March 1, 2024. Below are examples of types of projects that may be funded:

- Electrification;
- Weatherization;
- Green/organic waste diversion;
- Expansion of existing programs at the County (residential / commercial lawn and garden equipment to electric, fireplace retrofit, fire pit replacement); and
- Mass transit.

Office of Environmental Programs staff is collaborating regionally to apply for Phase II funding. Eligible cities and towns have shown significant interest in participating in a coalition to execute programs broadly in the region, which may increase chance of award. Office of Environmental Programs staff is requesting to be the lead applicant for Phase II implementation funding as Maricopa County and MAG cannot serve as the lead applicant, and Phoenix is the only other entity in the region eligible to apply.

The Phase II Competitive Implementation grant deadline is April 1, 2024. Award announcements will be made before the end of 2024.

Contract Term

The grant term is for up to four years.

Financial Impact

The program is funded through the 2022 Inflation Reduction Act Grant. There is no financial impact to the City.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Office of Environmental Programs.



Choice Neighborhoods Supplemental Grant Application (Ordinance S-50501)

Request to authorize the City Manager, or his designee, to apply for a U.S. Department of Housing and Urban Development's (HUD) Choice Neighborhoods Supplemental Grant for up to \$2.5 million or the maximum award, for the Edison-Eastlake Community (EEC), and to enter into program contracts and amendments as needed to implement the grant. Further request to authorize the City Treasurer to accept and the City Controller to disburse all funds for the life of the grant.

Summary

Choice Neighborhoods is a federal initiative through HUD that is designed to transform distressed neighborhoods and public housing into mixed-income neighborhoods, linking housing and neighborhood improvements with appropriate services, transportation, and access to jobs. In July 2018, the City of Phoenix was awarded a \$30 million Choice Neighborhoods Implementation Grant to revitalize the EEC.

Recently, HUD recognized that many of the current Choice Neighborhoods Implementation grantees were struggling to absorb significant cost increases resulting from the COVID-19 pandemic and related supply chain disruptions and has offered Supplemental Grant opportunities to assist with these unforeseen expenses. Supplemental Grant funds may only be used for the construction of replacement housing in mixed-income developments. In 2023, the Housing Department applied for and was awarded a \$10 million Choice Neighborhoods Supplemental Grant to further support the development of replacement housing in conjunction with the Transformation Plan for the EEC.

HUD has now released a new Notice of Funding Opportunity for previously awarded Choice Neighborhoods Implementation Grantees, allowing for an application for an additional \$2.5 million to support housing redevelopment. Applications are due to HUD on March 4, 2024. Together with the previously awarded Choice Neighborhoods funding, these funds will be used for the redevelopment of the City's former A.L. Krohn Homes and Sidney P. Osborn public housing sites that will result in approximately 475 brand new units of mixed-income housing within the EEC. In total, more than 1,000 units of mixed-income housing will be built as part of the Housing Department's Choice Neighborhoods redevelopment efforts, in addition to the neighborhood beautification and improvement projects.

Contract Term

If awarded, the Housing Department will execute the appropriate contract agreement (s) with HUD.

Financial Impact

There is no impact to the General Fund.

Concurrence/Previous Council Action

On Dec. 14, 2022, City Council authorized implementing additional Choice Neighborhoods Program resources, initiatives, and program amendments via Ordinance S-49244 including the \$10 million Supplemental Grant.

On Oct. 4, 2017, through Ordinance S-43959, the City Council authorized applying for and implementing a \$30 million HUD Choice Neighborhoods Implementation Grant for the EEC, that also included approval to apply for and accept grants and to expend matching funds, in-kind and other funding sources to support and implement the Grant.

Location

Edison-Eastlake Choice Neighborhoods Community (bounded by the I-10 Freeway on the north and east, 16th Street on the west, and the Union Pacific Railroad on the south).

Council District: 8

Responsible Department

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



Amend Ordinance to Add Federal Community Development Block Grant Funding for Maryvale Parkway Terrace Affordable Housing Rehabilitation (Ordinance S-50509)

Request to authorize the City Manager, or his designee, to amend Ordinance S-49245 to add up to \$1.5 million in U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funding and to take all necessary actions and execute all documents as needed for the rehabilitation of the Maryvale Parkway Terrace affordable housing community. Further request to authorize the City Controller to disburse all funds related to this item. There is no impact to the General Fund.

Summary

On Dec. 14, 2022, City Council approved Ordinance S-49245 to appropriate, expend and disburse up to \$12 million in Public Housing, Capital Fund Program and/or Affordable Housing Program funds to provide for the pre-development, development, rehabilitation, programming, and/or operations to implement the Maryvale Parkway Terrace rehabilitation project to renovate the outdated units and community center, including common area improvements, replacement of major systems, upgrade of exterior paint and asphalt, etc. Maryvale Parkway Terrace, comprised of 108 one-bedroom units, is owned by the City of Phoenix Housing Department and operates as a senior Public Housing community.

The Housing Department is seeking approval to add \$1.5 million in CDBG funds to implement the Maryvale Parkway Terrace rehabilitation project and address additional hard construction costs due to increasing prices as well as upgrades for better operational efficiency, resident amenities, safety, and code compliance purposes. Construction is currently underway and is anticipated to be completed in March 2025.

Financial Impact

There is no impact to the General Fund. Funding is available in the Neighborhood Services Department's CDBG program.

Concurrence/Previous Council Action

City Council approved Ordinance S-49245 on Dec. 14, 2022, to implement additional

federal public housing and affordable housing resources, initiatives, and program amendments, including the Maryvale Parkway Terrace rehabilitation project.

Location

4545 N. Maryvale Parkway
Council District: 5

Responsible Department

This item is submitted by Deputy City Manager Gina Montes and the Housing and Neighborhood Services departments.



Authorization to Amend Federal HOME Program Affordable Housing Loan Agreement, Contract 130000 (Ordinance S-50521)

Request for City Council to grant authorization for the City Manager, or his designee, to amend the federal HOME Investment Partnerships Program (HOME) Acquisition and Rehabilitation Loan Agreement, Contract 130000, between the City of Phoenix and Oasis TC, LLC, or a City-approved nominee, to increase the number of City HOME units to 46 units and increase the period of affordability by five years in exchange for a forgiveness of the outstanding interest on the loan up to \$950,000. Authorization is also requested for the City Manager, or his designee, to execute all necessary documents.

Summary

Contract 130000, was executed on Nov. 9, 2010, for \$3,195,000 of HOME funds to assist with the rehabilitation of the 60-unit Oasis on Grand located at 1534 and 1538 W. Roosevelt St., and 1501 NW Grand Ave. The loan agreement currently secures 38 City HOME units serving households whose income does not exceed 60 percent of the Area Median Income (AMI).

The current owner, Oasis TC, LLC, is in the process of selling the property and to facilitate the transaction, the parties have agreed to increase the public benefit by extending the period of affordability by five years to 2057, along with providing the City an additional eight HOME units (for a total of 46 affordable housing units serving those at 60 percent AMI or below) in exchange for a forgiveness of the outstanding interest up to \$950,000.

Concurrence/Previous Council Action

On Sept. 21, 2011, through Ordinance S-38190, City Council authorized an additional \$195,000 in HOME program funding to Oasis TC, LLC for the rehabilitation of the Oasis on Grand adaptive reuse affordable housing complex.

On Jan. 20, 2010, through Ordinance S-36825, City Council authorized a loan of up to \$3 million in HOME funds for use in the rehabilitation of the Oasis Motel into a 60 unit affordable housing project with at least 48 percent of the units rented to persons with incomes at or below 60 percent AMI.

Financial Impact

There is no financial impact to the General Fund. HOME is a federally funded program.

Location

1534 and 1538 W. Roosevelt St., and 1501 NW Grand Ave.

Council District: 4

Responsible Department

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



Substantial Amendment to the 2020-24 Consolidated Plan's 2022-23 Annual Action Plan

Request City Council approval of a Substantial Amendment to the 2020-24 Consolidated Plan's 2022-23 Annual Action Plan to include the reallocation of Emergency Solutions Grant (ESG) funds to eligible activities.

Summary

The 2020-24 Consolidated Plan defines how the Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) funds will be used to address how the priorities and goals outlined in the five-year Consolidated Plan and is carried out through Annual Action Plans. The 2022-23 Annual Action Plan provides a concise summary of activities the City prioritized in fiscal year 2022-23 to address the priority needs identified by the community in support of the goals outlined in the Consolidated Plan.

The Human Services Department Office of Homeless Solutions is proposing the following Substantial Amendment to the 2020-2024 Consolidated Plan's 2022-2023 Annual Action Plan to reallocate ESG funding for the following purpose: providing homelessness prevention assistance due to the continued increase in persons entering the homeless service system.

The following outlines how the City of Phoenix intends proposes to reallocate Fiscal Year 2022-23 ESG funds to provide homelessness assistance and supportive services:

Current budget:

- Emergency Shelter Program - \$38,866.39
- Rapid Rehousing - \$347,956.26
- HMIS - \$9,638.50
- Homeless Prevention - \$0

Total: \$396,461.15

Proposed revised (reallocated) budget:

- Emergency Shelter Program - \$0
- Rapid Rehousing - \$50,000
- HMIS - \$0
- Homeless Prevention - \$346,461.15

Total: \$396,461.15

Further City Council action will be required to enter into any new contracts, or to modify any existing contracts, with service providers for services funded under these eligible activities.

Procurement Information

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

Financial Impact

These programs are federally funded by HUD. There is no impact to the General Fund.

Public Outreach

As part of ESG, HUD requires that proposed substantial amendments be made public and provide for a 30-day public comment period.

The City of Phoenix published a 30-day comment period and public hearing notice in the Arizona Republic on Nov. 20, 2023. A public hearing was held to provide an opportunity for public comment on Dec. 11, 2023. The public comment period was open from Dec. 4, 2023, to Jan. 3, 2024.

Concurrence/Previous Council Action

- The Community and Cultural Investment Subcommittee recommended approval of the 2022-23 Annual Action Plan on May 4, 2022, by a 4-0 vote.
- City Council approved the 2022-23 Annual Action Plan on May 11, 2022.
- The Economic Development and Housing Subcommittee recommended approval of this item on Jan. 10, 2024, by a 4-0 vote.

Responsible Department

This item is submitted by Deputy City Manager Gina Montes and the Human Services and Neighborhood Services departments.



Authorization to Amend Contract 156398 with AVID Consulting, LLC to Expand Scope and Budget (Ordinance S-50502)

Request to authorize the City Manager, or his designee, to amend Contract 156398 with AVID Consulting, LLC (AVID) to add \$75,000 for a new contract amount not to exceed \$400,000. AVID provides workplace readiness skills training through the City's Workforce Innovation and Opportunity Act (WIOA) Adult and Dislocated Worker Programs to adult learners residing in Phoenix and adjacent areas. Further request authorization for the City Controller to disburse all funds related to this item. Funds are available from the City's allocation of WIOA grant funds.

Summary

AVID provides behavioral training services to clients enrolled as an adult or dislocated worker to help build and refine soft-skills, increase workplace readiness, and increase opportunities for attaining employment in high-growth industry positions at family sustaining wages. The expanded scope and additional funding will allow for increased training and inclusion of substitute teaching options to continue coverage and support for AVID over the term of the agreement.

Contract Term

The term of the contract will remain unchanged. The contract began on or about July 1, 2022 and runs through June 30, 2023, with four one-year options to extend, which may be exercised by the City Manager, or his designee.

Financial Impact

The new total value of the contract shall not exceed \$400,000. Funds are available from WIOA grant funds in the Human Services Department budget.

Concurrence/Previous Council Action

- On Feb. 2, 2022, the City Council authorized \$300,000 on Contract 156398 with Ordinance S-48312; and
- On Jan. 25, 2023, the City Council authorized \$25,000 on Contract 156398 with Ordinance S-49353.

Responsible Department

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



Authorization to Amend Contract with Community Legal Services Tenants Eviction Assistance Project (TEAP) Program (Ordinance S-50505)

Request to authorize the City Manager, or his designee, to extend the term of Contract 159091 with Community Legal Services, Inc. (CLS) through Dec. 31, 2024 and add an additional \$1 million in funding to allow CLS to continue to provide legal assistance, advocacy and representation to Phoenix tenants facing eviction proceedings through local Justice Courts. Further request authorization for the City Controller to disburse all funds related to this item. Funding is provided from the American Rescue Plan Act (ARPA). There is no impact to the General Fund.

Summary

In June 2020, CLS created the Tenants Assistance Eviction Project (TEAP). TEAP is staffed with attorneys providing legal assistance, advocacy and representation to low-income Phoenix residents experiencing eviction and related court action. CLS does not charge a fee for this service, has an established relationship with the Phoenix-area Justice Courts, and has considerable familiarity in working with low income and vulnerable populations.

City Council allocated funding for this program at the Nov. 15, 2023, Formal Council meeting as part of the ARPA November 2023 reallocation. The amendment will add an additional \$1 million in ARPA funds for CLS to serve Phoenix residents and allow continuation of program operations through Dec. 31, 2024.

Contract Term

The initial term of the contract was July 1, 2023 through June 30, 2024. The amendment will extend the contract through Dec. 31, 2024.

Financial Impact

The revised total value of this contract shall not exceed \$1.3 million. Additional funding is provided from the ARPA. There is no impact to the General Fund.

Concurrence/Previous Council Action

The City Council approved Contract 159091 via Ordinance S-49929 on June 28, 2023.

Responsible Department

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



**Financial Community Assistance Services - EXC 22-082 - Amendment
(Ordinance S-50524)**

Request to authorize the City Manager, or his designee, to execute amendment to Contract 155846 with Partnership for Economic Innovation (PEI) to add additional funds. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$400,000. There is no impact to the General Fund. Funding is available through the City's allocation of American Rescue Plan Act (ARPA) funding received from the federal government.

Summary

The contract will provide administrative and customer support services to City programs. The Business and Workforce Development Division of the City's Human Services Department requires funding in the amount of \$400,000 to cover additional costs, which include student stipends, administrative costs, and insurance coverage. The additional funding is available within the City Council's allocation of ARPA funds for workforce development.

The objective of the contract remains the same, except that all funding for the Family Assistance Resource program has been exhausted, and the remaining program, Workforce Wraparound, is the only resource left. Upon approval of the additional expenditures, the City shall exercise the first of two optional one-year renewals extending the contract through Feb. 6, 2025.

Contract Term

The contract term remains unchanged, ending on Feb. 6, 2025, with one one-year option to extend.

Financial Impact

Upon approval of \$400,000 in additional funds, the revised total value of the contract will not exceed \$17,400,000. There is no impact to the General Fund as funding is available through the City's allocation of the ARPA funding received from the federal government.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Financial Community Assistance Services Contract 155846 Ordinance S-48212 on Dec.15, 2021.

Responsible Department

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



Agenda Date: 1/24/2024, Item No. 32

Authorization to Amend Ordinance S-49884 Authorizing Development Agreement with Republic Services, Inc. and CN Associates A, LLC and CN Associates K, LLC (Ordinance S-50495)

Request authorization for the City Manager, or his designee, to amend Ordinance S-49884, and to execute any other additional agreements, instruments or documents necessary with Republic Services, Inc., and its affiliates or subsidiaries (Republic) and CN Associates A, LLC and CN Associates K, LLC (Crown), or their City-approved designees, to apply certain funds towards a performance-based job creation reimbursement program for Republic with the eligible portion of certain transaction privilege taxes (TPT). Further request authorization for the City Controller to disburse funds under the terms of the agreement.

Summary

On June 14, 2023, the Phoenix City Council approved Ordinance S-49884, authorizing the City to provide \$2,500 from the Strategic Economic Development Fund to Republic, in arrears, for each qualifying new employee at Republic's new Phoenix corporate headquarters, with a cap of \$1.5 million in payments. Ordinance S-49884 also authorized the City to reimburse Crown up to \$2.4 million (Reimbursement Cap) for public infrastructure improvements derived from the General Fund share of the TPT generated from construction, leasing, and other activity at the site of Republic's new corporate headquarters over 15 years.

Request amending Section 3 of Ordinance S-49884 to add the following terms:

- If Crown should not utilize or qualify for the full Reimbursement Cap for public infrastructure, Republic will be eligible for additional job creation payments to be paid from the eligible share of the TPT generated at the site.
- Additional job creation payments will only be made for each new employee with an average annual wage at or above \$97,000 (including base pay, overtime, commissions and bonuses) in their second year of employment.
- The total combined reimbursement to Crown and Republic shall not exceed the TPT Reimbursement Cap.

All other terms and conditions of the Ordinance will remain unchanged.

Contract Term

The term of the agreement will not exceed 15 years from the Construction Commencement Date or extend beyond the date the Reimbursement Cap is reached, whichever occurs sooner.

Financial Impact

This action will not change the total financial impact as approved by Ordinance S-49884. The action modifies how the reimbursement of the eligible General Fund share of the TPT generated from the site over 15 years, with a maximum of \$2.4 million in payments, can be remitted. Financial terms of the agreement will be provided to the Budget and Research and Finance departments for review prior to execution of the agreements.

Concurrence/Previous Council Action

Previously approved by the City Council on June 14, 2023 (Ordinance S-49884).

Location

Desert Ridge, Phoenix, Ariz.
Council District: 2

Responsible Department

This item is submitted by Deputy City Manager John Chan and the Community and Economic Development Department.



Greater Phoenix Chamber Foundation Contract Amendment (Ordinance S-50496)

Request to authorize the City Manager, or his designee, to amend Contract 157892 with the Greater Phoenix Chamber Foundation (GPCF) to extend the term through July 31, 2024 for the Elevate Education Workforce Development Program (ElevateEdAZ).

Summary

This contract provides consulting services to expand the ElevateEdAZ program to schools in the Phoenix Union High School District, the Paradise Valley Unified School District, and Deer Valley Unified School District to address the skills gap in high-wage, high-demand careers. To date, GPCF has established a Memorandum of Understanding with each of these districts, increased staffing to fully support the expansion of ElevateEdAZ, coordinated eleven business advisory council meetings, enrolled three educators into externships, and provided 46 students with job shadow experiences and eleven students with internship opportunities. GPCF also coordinated two career awareness events: one at Betty Fairfax High School that served 1,200 students and the second at Barry Goldwater High School that served 1,350 students.

If approved, the extension will align the contract term with the end of the 2023-24 school year and provide the time needed to capture ElevateEdAZ student participation data.

Procurement Information

In compliance with Administrative Regulation 3.10, an exception to the procurement process was approved to select GPCF as it is the only organization in Arizona licensed to implement the national ElevateEd Program.

Contract Term

The initial one-year term of the contract began on March 4, 2023 and ends March 3, 2024. Upon approval, the contract will be extended through July 31, 2024.

Financial Impact

The total contract value will not exceed the previously authorized amount of \$750,000.

Concurrence/Previous Council Action

The City Council approved Contract 157892 (Ordinance S-49007) on Sept. 21, 2022.

Responsible Department

This item is submitted by Deputy City Manager John Chan and the Community and Economic Development Department.



Amend Contract 147086 the West Fillmore Redevelopment and Purchase Agreement with High Street Fillmore, LLC. and High Street Fillmore Phase 2, LLC (Ordinance S-50508)

Authorize the City Manager, or his designee, to amend Contract 147086, the West Fillmore Redevelopment and Purchase Agreement (Agreement) with High Street Fillmore, LLC and High Street Fillmore Phase 2, LLC (Developer) to extend the construction commencement performance deadline for Phase 2 of the High Street Fillmore project.

Summary

On March 20, 2018, the City entered into the Agreement with High Street Fillmore, LLC and High Street Fillmore Phase 2, LLC for the sale of multiple city-owned parcels in downtown Phoenix for a mixed-use project to be developed in multiple phases. Phase 1 was completed in 2022 with 330 residential units, approximately 10,000 square feet (SF) of retail, and completion of the Taylor Street Paseo (4th Ave. to 6th Ave.). Two future phases, known as Lots 4 and 5, are currently in the visioning and design phases respectively. Phase 2, the subject of this request, will include 330 residential units and approximately 10,000 SF of additional retail. The Agreement, as currently authorized, requires the Developer to commence construction of Phase 2 by Feb. 7, 2024. The Developer is currently paying an annual carry payment of 2.5 percent of the Phase 2 purchase price and, because of the current state of the financial markets, has asked for an additional two years to commence construction on Phase 2. If approved, this will extend the Phase 2 construction commencement date to Feb. 7, 2026. All other terms of the Agreement will remain unchanged.

Financial Impact

The financial return to the City will not be altered by this request. Upon the sale of the Phase 2 Site, 7.6 acres will return to private ownership which will generate net new property tax revenues. The total project is estimated to generate approximately \$1.3 million in construction taxes.

Concurrence/Previous Council Action

This item was recommended for approval at the Economic Development and Housing Subcommittee meeting on Jan. 10, by a vote of 4-0. City Council approved Contract

147086 (Ordinance S-43802) on July 6, 2017.

Location

Two parcels located between 5th and 6th Avenues, south of Fillmore Street. Parcel Numbers: 111-41-184, 111-41-185
Council District: 7

Responsible Department

This item is submitted by Deputy City Manager John Chan and the Community and Economic Development Department.



Medium Voltage Maintenance Contract - IFB PCC 24-0067 Request for Award (Ordinance S-50500)

Request to authorize the City Manager, or his designee, to enter into a contract with Sabino Electric, Inc., to provide medium voltage maintenance and thermal imaging for the Phoenix Convention Center Department (PCCD). Further request to authorize for the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$780,000.

Summary

This contract will provide all labor and materials to service, maintain, troubleshoot and repair; perform factory-recommended preventive and predictive maintenance; and conduct the testing and inspection of all switch gears, breakers and cables for all medium voltage power for PCCD's North and West buildings and the electrical infrastructure equipment located adjacent to Symphony Hall. This is an essential service to aid in maintaining compliance with all applicable standards and regulations. Additionally, this service aids in reducing repair and replacement costs by helping to detect problems before they occur.

Procurement Information

An Invitation for Bid was processed in accordance with City of Phoenix Administrative Regulation 3.10.

One vendor submitted a bid deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following an evaluation based on price, the procurement officer recommends award to the following vendor:

Bidder A: Sabino Electric, Inc. - \$148,209.60, plus as needed repairs billed hourly

Contract Term

The contract will begin on or about Feb. 1, 2024, for a five-year term with no options to extend.

Financial Impact

The contract value will not exceed \$780,000.

Funding is available in the PCCD Operating budget.

Location

North Building, 100 N. Third St., Phoenix, Ariz., 85004

West Building, 100 N. Third St., Phoenix, Ariz., 85004

Council Districts: 7 and 8

Responsible Department

This item is submitted by Deputy City Manager John Chan and the Phoenix Convention Center Department.



Pharmaceuticals and Emergency Medical Supplies - IFB 19-095 - Amendment (Ordinance S-50528)

Request to authorize the City Manager, or his designee to allow additional expenditures under Contract 151652 with Life-Assist, Inc.; Contract 151653 with Bound Tree Medical, LLC; Contract 151654 with Nashville Medical & EMS Products, Inc; and Contract 151655 with Henry Schein, Inc. for the purchase of pharmaceuticals and emergency medical supplies for the Fire and Police departments. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$2,313,300.

Summary

These contracts will provide pharmaceuticals and emergency medical supplies to the Fire and Police departments to provide emergency services to the residents of Phoenix as needed throughout the term of the contract. The additional funds will ensure continuation of these services throughout the greater Phoenix area.

Contract Term

The contract term remains unchanged, ending on Jan. 31, 2025.

Financial Impact

Upon approval of \$2,313,300 in additional funds, the revised aggregate value of the contract will not exceed \$21,532,300. Funds are available in the Fire and Police departments' budgets.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Pharmaceuticals and Emergency Medical Supplies Contracts 151652, 151653, 151654, and 151655 (Ordinance S-46370) on Feb. 19, 2020.

Responsible Department

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



LeadsOnline Web-Based Pawn Application - City of Mesa 2016122 - Amendment (Ordinance S-50507)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 147014 with LeadsOnline, LLC to extend contract term and add additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$475,791.

Summary

This contract will allow the Police Department's Pawnshop Detail to report pawnshop and second-hand dealer transactions to the Maricopa County Sheriff's Office (MCSO) as required by Arizona Revised Statue 44-1625, in addition to tracking and collecting transaction fees as required by Ordinance 19-40. The Pawnshop Detail receives monthly regulatory fees that result in approximately 1.2 million revenue dollars each year from pawnshops and second-hand dealer transactions. Additionally, the Police Department Pawnshop Detail assists in investigations and recovers stolen property for victims. The web-based system will allow consolidation of reporting, billing for transaction fees, property release hearing requests and inspections, and investigative queries by detectives. Utilizing the web-based system increases staff productivity, improves business relationships with pawnshops and second-hand dealers and is in alignment with current City of Phoenix business practices and technical requirements. The additional funds will allow for continuation of this service throughout the contract term.

Contract Term

Upon approval the contract will be extended through Jan. 31, 2025, with an option to extend through Jan. 31, 2026.

Financial Impact

Upon approval of \$475,791 in additional funds, the revised aggregate value of the contract will not exceed \$1,435,536. Funds are available in the Police Department's budget.

Previous Council Action

The City Council previously reviewed this request:

- Pawnshop Web-based Application Services - Contract 147014 (Ordinance S-44267) on Feb. 21, 2018;
- Pawnshop Web-based Application Services - Contract 147014 (Ordinance S-47386) on March 17, 2021;
- Pawnshop Web-based Application Services - Contract 147014 (Ordinance S-49358) on Jan. 25, 2023.

Responsible Department

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



Fiscal Year 2023 Community Policing Development Microgrant (Ordinance S-50512)

Request retroactive authorization for the City Manager, or his designee, to allow the Police Department to accept grant funding in the amount of \$172,900 and enter into an agreement with the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) for the Fiscal Year (FY) 2023 Community Policing Development Microgrant. Further request authorization for the City Treasurer to accept, and the City Controller to disburse all funds related to this item.

Summary

The Community Policing Development (CPD) Microgrants provide funding to propose implementation or pilot projects in the following subcategories: Community Violence Intervention, Officer Recruitment and Retention and Workforce Diversification, Hate Crimes and Domestic Extremism, Underserved Populations, Building Trust and Legitimacy with the Community.

The CPD Microgrants award is to provide funding to research why officers are being called to respond to a persistently high volume of mental health calls that include a significant number of recurrent contacts with the same individuals. The Phoenix Police Department and Maricopa County currently follow best practices recommended by the U.S. Federal Government but many people still face challenges in entering a more supportive system for mental health related situations.

This grant will allow the Police Department to:

- Engage community stakeholders to help identify the system gaps that are resulting in a failure of the mental health system to meet the needs of certain individuals.
- Partner with researchers at Arizona State University to collect and analyze community responses and identify evidence-based recommendations for system improvements.
- Partner with necessary stakeholders to apply for a larger Bureau of Justice Assistance grant to fund a pilot of any needed system improvements that are identified.

The grant was awarded on Nov. 8, 2023. If authorization is denied, the grant award will be rescinded.

Contract Term

One year beginning Oct. 1, 2023, through Sept. 30, 2024.

Financial Impact

The total funding request is \$172,900. No matching funds are required.

Responsible Department

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



Report

Agenda Date: 1/24/2024, Item No. 39

Request Authorization for Sale of Canine Turbo (Ordinance S-50517)

Request to authorize the City Manager, or his designee, to approve the sale of canine Turbo to Officer Paul Meintel for \$1.00. Officer Meintel was assigned to the Tactical Support Bureau's Canine Unit and in January 2024 will be moving to the Airport Bureau. Officer Meintel has requested to purchase and retire his assigned canine Turbo in accordance with Administrative Regulation 4.21.

Summary

Canine Turbo has served the Canine Unit as a patrol and narcotics canine for over six years. Canine Turbo has met the Bureau's standard of five years of service and, due to his age and bond with his handler, it is not operationally beneficial to try to pair him with a new handler.

This request is for the authorization of the sale of canine Turbo for \$1.00. The purchase of canine Turbo is being made by Officer Paul Meintel, who agrees to accept full responsibility and liability for canine Turbo and to care for him for the remainder of his life.

Responsible Department

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



Agenda Date: 1/24/2024, Item No. 40

Taser Equipment, Parts and Accessories - EXC 20-055 - Amendment (Ordinance S-50525)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 151421 with Axon Enterprises, Inc. to modify scope of work. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinance S-46254.

Summary

This contract will provide the Police Department with tasers, parts and accessories. This amendment will offer a trial period for 90 days, for 30 Taser-10 devices, excluding device delivery and set up time, at no cost.

Contract Term

The contract term remains unchanged, ending on Dec. 31, 2024.

Financial Impact

The aggregate value of the contract will not exceed \$12,141,400 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Taser Equipment Contract 151421 S-46254 on Dec. 18, 2019.

Responsible Department

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



**Automated Teller Machine Services at Phoenix Sky Harbor International Airport
AVN RCS 24-006 - Request for Award (Ordinance S-50522)**

Request to authorize the City Manager, or his designee, to enter into a contract with Bank of America, National Association to provide Automated Teller Machine (ATM) Services at Phoenix Sky Harbor International Airport (PHX), for a five-year term with three one-year renewal options at the sole discretion of the Aviation Director. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary

To maintain desired passenger amenities and the overall concessions program at PHX, the Aviation Department sought a qualified financial institution with airport experience to provide their expertise in ATM services at PHX. ATM services continue to be a key amenity for travelers and placing ATMs at key locations within the airport terminals and Rental Car Center will provide our customers with the convenience of services including withdrawing money, depositing checks, viewing their account balances, and more. The Aviation Department also sought an experienced financial institution to provide foreign currency exchange services at PHX.

Procurement Information

The Aviation Department issued Revenue Contract Solicitation (RCS) 24-006 on Sept. 12, 2023, with responses due on Nov. 15, 2023, for both ATM services and Foreign Currency Exchange services. One response was received for ATM services, and the respondent was deemed responsive and responsible. No responses were received for Foreign Currency Exchange services.

The Response Opening was held on Nov. 15, 2023, and it was determined that Bank of America, National Association submitted the response for ATM services with the highest proposed Minimum Annual Guarantee (MAG) of \$150,000, providing the most financial benefit to the City. The Response was evaluated based on the highest proposed MAG, which meets or exceeds the minimum required MAG of \$100,000.

Contract Term

The contract term is five years with three one-year renewal options to extend at the sole discretion of the Aviation Director.

Financial Impact

The estimated annual revenue to the City will be the established MAG or percentage of gross sales, whichever is greater. For the first year, MAG will be \$150,000 or 10 percent of gross sales, whichever is greater. MAG will be adjusted annually thereafter at 85 percent of the prior year's annual rent or 100 percent of MAG for the first lease year, whichever is greater. The estimated revenue is \$1.2 million over the eight-year aggregate contract term.

Concurrence/Previous Council Action

The Business and Development Subcommittee recommended approval of the item on Dec. 7, 2023, by a vote of 2-0.

The Phoenix Aviation Advisory Board recommended approval of the item on Dec. 21, 2023, by a vote of 8-0.

Public Outreach

The solicitation process included all standard and required local and national outreach efforts, including advertising in Aviation industry publications.

Location

Phoenix Sky Harbor International Airport, 2485 E. Buckeye Road
Council District: 8

Responsible Department

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



Agenda Date: 1/24/2024, Item No. 42

Phoenix Sky Harbor International Airport New Crossfield Taxiway U - Construction Manager at Risk Construction Services - AV08000085 FAA, AV06000025 FAA, AV16000031 FAA, AV16000036 (Ordinance S-50529)

Request to authorize the City Manager, or his designee, to enter into an agreement with Kiewit Infrastructure West Co. to provide Construction Manager at Risk Construction Services for the Phoenix Sky Harbor International Airport New Crossfield Taxiway U 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 \$279.5 million.

Summary

The purpose of this project is to modify each of the following to enable the new taxiway: the existing Facilities and Services complex, ramp, roadways, and utilities; and construct new cross field Taxiway U and associated airfield improvements at Phoenix Sky Harbor International Airport. In 2020, the Aviation Department completed the New West Crossfield Taxiway Conceptual Design and Program Report to highlight important project considerations. Detailed design development for the project began in 2022 and is nearly complete.

Kiewit Infrastructure West Co.'s initial services will include preparation of a Guaranteed Maximum Price proposal for the Construction Services provided under the agreement and participating with the City in a process to establish a Disadvantaged Business Enterprise (DBE) goal for the project. Kiewit Infrastructure West Co. will be responsible for construction means and methods related to the project and fulfilling the DBE program requirements. Kiewit Infrastructure West Co. will be required to solicit bids from prequalified subcontractors and to perform the work using the City's subcontractor selection process.

Kiewit Infrastructure West Co.'s services include, but are not limited to: construct Taxiway U, airfield modification, Facilities and Services Complex modifications, West Air Cargo modifications, roadway modifications, utility modifications and relocation corridor; select subcontractors/suppliers; coordinate with various City of Phoenix departments, utility companies, and other agencies as needed; arrange for

procurement of materials and equipment; schedule and manage site operations; bid, award, and manage all construction related contracts while meeting City bid requirements including the DBE participation goal; provide quality controls; bond and insure the construction; address all federal, state, and local permitting requirements; maintain a safe work site for all project participants; maintain all project records in electronic format; and other work as required for a complete project.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes. Scoring and selection were made in conjunction with the Construction Manager at Risk Preconstruction Services selection process.

Contract Term

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

Financial Impact

The agreement value for Kiewit Infrastructure West Co. will not exceed \$279.5 million, including all subcontractor and reimbursable costs. This project anticipates federal funds and is subject to the requirements 49 CFR Part 26 and the U.S. Department of Transportation Disadvantage Business Enterprise program.

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.

Concurrence/Previous Council Action

The City Council approved CMAR Preconstruction Services Agreement 156127 (Ordinance S-48513) on April 20, 2022.

Location

2485 E. Buckeye Road
Council District: 8

Responsible Department

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



Request to Issue Solicitation of Proposals for the South Central Transit Oriented Development Implementation

Request to authorize the City Manager, or his designee, to issue a Request for Proposals (RFP) to conduct a Transit Oriented Development (TOD) study for cross-disciplinary implementation efforts regarding equitable land use, transportation, and infrastructure investments along the South Central light rail corridor.

Summary

In November 2022, the Public Transit Department received a \$1 million grant from the Federal Transit Administration (FTA) through the Federal Fiscal Year (FFY) 2021-22 Pilot Program for TOD Planning. The funding will be used to conduct a TOD study for cross-disciplinary implementation efforts regarding equitable land use, transportation, and infrastructure investments along the South Central light rail corridor. These efforts will work toward achieving the established South Central TOD Community Plan's shared vision for environmentally equitable, compact, and connected communities that: are sustainable and resilient; show incremental change and growth; and make a world-class regional destination that supports local small businesses, shares cultures, and improves health for existing and future residents.

Procurement Information

The solicitation for services will be issued in early 2024.

Contract Term

The resulting contract is expected to commence on or about July 1, 2024, and will have a three-year term.

Concurrence/Previous Council Action

The City Council approved staff to accept and disburse the grant funding for this item on Aug. 31, 2022.

Financial Impact

The estimated total cost for the contract is approximately \$1.21 million, as the in-kind match does not contribute to contract cost. The FTA awarded the City a \$1 million grant under the Federal Bipartisan Infrastructure Law through the FFY 2021-22 Pilot

Program for TOD Planning. The City's costs would be approximately \$285,000, with in-kind contributions included for the local match. This amounts to an approximate total of \$1.285 million in federal and local funding.

Funding for the local match is available from the following departments:

- Public Transit Department - \$50,000 (Transportation 2050)
- Street Transportation Department - \$50,000 (CIP)
- Community and Economic Development Department - \$50,000 (CIP)
- The Office of Environmental Programs - \$50,000 (General Funds)
- The Office of Sustainability - \$10,000 (Grant)
- Planning and Development Department - \$50,000 (in-kind)
- Housing Department - \$25,000 (in-kind)

Location

South Central TOD Community Plan Area
Council Districts: 7 and 8

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua, Alan Stephenson, John Chan and Gina Montes, the Public Transit, Planning and Development, Street Transportation, Community and Economic Development, and Housing departments, the Office of Sustainability, and the Office of Environmental Programs.



Appraisal Services COOP BPM004770 - Request for Award (Ordinance S-50523)

Request to authorize the City Manager, or his designee, to enter into contracts with Karl Baltutat Valuation Services, LLC; Paul Hendricks Real Estate Appraisal & Counseling, PLLC; Richard Rothwell Jr, PLLC DBA Rothwell Appraisal; Southwest Appraisal Associates, Inc.; and Top Hat, Inc. DBA Glover Valuation Group, using a competitively procured State of Arizona Cooperative Purchasing Contract (RFP No. BPM004770), to provide real estate and appraisal services on an as-needed basis for the Public Transit Department. Further request to authorize the City Controller to disburse all funds related to this item. The total combined value of the contracts will not exceed \$1,250,000.

Summary

These contracts will provide real estate and appraisal services, including commercial real estate appraisals, residential real estate appraisals, real estate appraisal review services, real estate consulting services, and billboard/outdoor advertising appraisals. These services will be used on an as-needed basis by the Public Transit Department for real property acquisitions, such as land for bus and light rail projects and facilities. Contracts with these providers will include terms and conditions required by the Federal Transit Administration (FTA) for projects receiving federal funding.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Alternative Competition. The State of Arizona's Cooperative Purchasing Contract best aligns with the Public Transit Department's need for appraisal service contracts compliant with FTA requirements.

Contract Term

The contracts will begin on or about Jan. 24, 2024 and will continue through Jan. 28, 2028.

Financial Impact

The combined aggregate value for all five contracts will not exceed \$1,250,000 for their contract term. Funding is available in the Public Transit Department's budget.

Responsible Department

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



Apply for Water Infrastructure Finance Authority - Water Conservation Grant Funding Opportunity: High Efficiency Toilet Replacement Downtown Facilities, High Efficiency Toilet Replacement Valley Wide, and MIOX Cooling Tower Retrofits (Ordinance S-50499)

Request to retroactively authorize the City Manager, or his designee, to apply for and if awarded accept and enter into an agreement for disbursement of Arizona State and Federal funding from the Water Infrastructure Finance Authority, beginning on or about May 2023 through Fiscal Year (FY) 2026-27 the Water Conservation Grant Fund (WIFA-WCGF) opportunity. Further request to authorize the City Treasurer to accept and the City Controller to disburse all funds related to this item. The total grant funds applied for will not exceed \$8,225,648 and the City's local match will not exceed \$2,056,413.

Summary

The Water Services Department (WSD) submitted three grant applications to the Water Infrastructure Finance Authority for a Water Conservation Grant Fund award on behalf of the Public Works Department (PWD). The awards would be used as follows: 1) The grant for the Phoenix Valley Wide Plumbing Fixture Replacement Water Saving Initiative involves plumbing fixture replacements across eight City departments with work occurring at approximately 300 city buildings to replace and retrofit approximately 4,400 fixtures resulting in 82.9 acre feet in water savings per year, 2) the grant for the Downtown Plumbing Fixture Replacement Water Saving Initiative involves fixture replacements across a minimum of four downtown city buildings replacing approximately 1,100 bathroom fixtures resulting in 19.87 acre feet of water savings per year, 3) the grant for the Cooling Tower Water Savings Project involves installing upgrades to include a combination of MIOX and water softeners at four sites to improve the operational efficiency of seven cooling towers resulting in 40.19 acre feet of water savings.

These projects would fulfill components of the city's Drought Management Plan.

The grant programs would be phased in over the grant period of FY 2023-24 through FY 2026-27 with operations beginning as soon as possible. The deadline to utilize the WIFA-WCGF funds is Dec. 31, 2026.

The WIFA-WCGF submittal deadline was May 19, 2023. Due to the timing of the deadline put forth by WIFA, WSD on behalf of Public Works submitted applications prior to obtaining City Council approval. If City Council does not approve this retroactive request, the application will be withdrawn by WSD.

Financial Impact

The estimated total cost for the three water saving projects is approximately \$8,225,648. The maximum WIFA award is \$6,169,236. The required local match, if awarded, is 25 percent of the projects. If the maximum award is received, the minimum match is \$2,056,413. Staff project a savings of nearly 143 acre-feet of water if all three grants are funded. The water savings is expected to be long term because the installed equipment is durable and will be maintained. The water savings is expected to offset the cost of match in the long term.

If awarded, the 25 percent match at \$588,506 for the Downtown Facilities High Efficiency Toilet Replacements would be funded by using funding from approved plumbing work at PCH and 100 West.

If awarded, the 25 percent match at \$720,996 for the Valley Wide High Efficiency Toilet Replacement would be funded using a Public Works existing funding source for water savings.

If awarded, the 25 percent match at \$746,912 for the MIOX Cooling Tower Retrofits would be funded by using a Public Works funding source for energy saving initiatives.

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Ginger Spencer, and the Public Works and Water Services departments.



Solid Waste Facilities Improvements - Job Order Contracting Services - 4108JOC221 (Ordinance S-50503)

Request to authorize the City Manager, or his designee, to enter into separate master agreements with three contractors listed below, to provide Solid Waste Facilities Improvements Job Order Contracting services for the Public Works Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for all services will not exceed \$15 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 Job Order Contracting (JOC) contractors' services will be used on an as-needed basis to provide Solid Waste Facilities Improvement services to provide excavation and earthmoving; roadwork and concrete repair, plumbing, piping, and roof repair for the transfer stations; supply and installation of landfill gas pipelines in open and closed landfill environments; supply and installation of landfill gas equipment such as well heads, valves, sump vaults, wyes, tees and similar connectors; and forming, supplying and finishing of concrete for pads, foundations and backfill. 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: Rummel Construction, Inc.

Rank 2: BWC Enterprises, Inc. dba Woodruff Construction

Rank 3: Primavera Grading & Paving LLC

Contract Term

The term of each master agreement is for up to five years, or up to \$5 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 value for each of the JOC contractors will not exceed \$5 million, including all subcontractor and reimbursable costs. The total fee for services will not exceed \$15 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 Public Works Department's Capital Improvement Program. The Budget and Research Department will review and approve funding availability prior to issuance of any job order agreement. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location(s)

Del Rio Landfill, 1150 E. Elwood St.

Skunk Creek Landfill, 3165 W. Happy Valley Road

19th Avenue Landfill Cell A, 1701 W. Lower Buckeye Road

19th Avenue Landfill Cell A-1, 3850 S. 15th Ave.

27th Avenue Landfill, 3060 S. 27th Ave.

27th Avenue Transfer Station/MRF, 3060 S. 27th Ave.
North Gateway Transfer Station/MRF, 30205 N. Black Canyon Highway
Deer Valley Landfill/Cave Creek Golf Course, Greenway Road and 19th Avenue
SR-85 Landfill (Out of City), 28361 W. Patterson Road, Buckeye, Ariz.
Council Districts: 1, 2, 4, 7, 8 and Out of City

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Alan Stephenson, the Public Works Department and the City Engineer.



Intergovernmental Agreement with City of Peoria to Accept and Process Recyclable Materials (Ordinance S-50513)

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the City of Peoria to accept and process recyclable materials collected in the City of Peoria and delivered to the City of Phoenix's Material Recovery Facilities (MRF). Additionally, request the City Council to grant an exception pursuant to Phoenix City Code section 42-20(B) to authorize inclusion of mutual indemnification language that otherwise would be prohibited by Phoenix City Code section 42-18(A) and (B). Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The City of Peoria has requested to enter into an IGA with the City of Phoenix to accept and process its recyclable material. The City of Phoenix can accept these materials with terms to address changing market conditions, resulting in lower commodity prices and increased processing costs from contamination in the recyclables. This IGA will authorize the City of Phoenix to charge a processing fee to the City of Peoria for recycling tonnage processed at the City's MRFs, which is designed to ensure all costs associated with processing recyclables are recovered by the fee. The terms of this IGA include:

- In a market with low recycling commodity prices, the City of Phoenix will charge a processing fee to the City of Peoria, and no revenue share to Peoria will be available.
- In a market with high recycling commodity prices, the City of Peoria will pay a processing fee and will receive 50 percent of the net revenue share and the City of Phoenix will receive the remaining 50 percent.

Annually, the City of Peoria will deliver up to 20,000 tons of recyclable materials to the City's MRFs.

Contract Term

The one-year term of this IGA will begin on or about Jan. 1, 2024 and conclude on or about Dec. 31, 2024. Provisions of the IGA include four, one-year options to extend the agreement.

Financial Impact

The City of Peoria will be paying City of Phoenix to accept recyclables to cover all expenses associated with proper handling of the materials. If recycle market prices increase during the term of the agreement, Phoenix and Peoria would share the additional revenue at a 50/50 split.

Location

North Gateway Material Recovery Facility, 30205 N. Black Canyon Hwy.
27th Avenue Material Recovery Facility, 3060 S. 27th Ave.
Council Districts: 2 and 7

Responsible Department

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



Authorize Revisions to Phoenix City Code Chapter 32 (Ordinance G-7218)

Request to amend Phoenix City Code 32B (Floodplains) to correct minor typographical errors and replace text inadvertently removed with the previous revisions in May 2023.

Summary

The National Flood Insurance Program (NFIP) Community Rating System (CRS) was implemented in 1990 as a voluntary program for recognizing and encouraging community floodplain management activities that exceed minimum NFIP standards. Under the CRS, flood insurance premium rates are discounted to reward community actions that meet the three goals of the CRS:

- Reduce flood damage to insurable property.
- Strengthen and support the insurance aspects of the NFIP.
- Encourage a comprehensive approach to floodplain management.

During the City of Phoenix 2023 CRS Cycle Verification, it was discovered that a section of text related to mechanical and utility equipment was inadvertently removed with the previous revisions of Chapter 32B in May 2023. The amended language in the proposed ordinance meets the CRS Class 8 or better prerequisites for Act. 430 FRB - freeboard requirements (**Attachment A**). The amended language is necessary to remain CRS compliant.

A summary of revisions to this chapters are as follows: Chapter 32B - Corrects minor typographical errors and replace text inadvertently removed with the previous revision in May 2023.

Concurrence/Previous Council Action

The City Council authorized revisions to Phoenix City Code Chapter 32 (Ordinance G-7116) on May 31, 2023.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson, Street Transportation Department and the Office of the City Engineer.

ATTACHMENT A

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

ORDINANCE G-XXXX

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO
AMEND PHOENIX CITY CODE CHAPTER 32B
FLOODPLAINS BY ADDING A NEW SUBSECTION TO
ARTICLE V, SECTION 32B-20.B PERTAINING TO
CONSTRUCTION MATERIALS AND METHODS.

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

SECTION 1. Article IV. Administration.

Sec. D. Obtain and maintain for public inspection:

4. Certification required in Section [32B-23\(A\)\(2\)](#) (subdivisions and other
PROPOSED proposed development standards);

SECTION 2. Article V. Provisions for Flood Hazard Reduction.

Sec. 32B-20.B Standards of Construction – Materials and Methods.

1. All new construction and substantial improvements must be constructed with materials and utility equipment resistant to flood damage;
2. All new construction and substantial improvements must be constructed using methods and practices that minimize flood damage;

3. ALL NEW CONSTRUCTION AND SUBSTANTIAL IMPROVEMENT AND OTHER PROPOSED NEW DEVELOPMENT WITH MECHANICAL AND UTILITY EQUIPMENT UTILIZED BY THE STRUCTURE MUST BE CONSTRUCTED TO OR ABOVE THE REGULATORY FLOOD ELEVATION;

4. Within Zone AH or AO, adequate drainage paths must be constructed around structures on slopes to guide floodwaters around and away from proposed structures.

PASSED by the City Council of the City of Phoenix this XXth day of

_____, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager
RRH/ab:2411947;;LF# XX-XXXX; x/x/24



Wireless Mesh Radios - IFB 19-043 - Amendment (Ordinance S-50497)

Request to authorize the City Manager, or his designee, to execute amendment to Contract 149367 with L4 Technologies, LLC to extend contract term. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to continue using Ordinance S-45384.

Summary

The contract will provide wireless mesh radios for the Street Transportation Department which maintains a hybrid fiber/wireless network for communications between the Traffic Management Center and field devices located at more than 1,100 signalized intersections to monitor signal timing throughout the City. The contract includes the purchase of radio equipment, management tools, training as well as hardware and software support, on-call remote, and on-site technical assistance to facilitate the continuing expansion of the ITS Fiber/Wireless Network to all signalized intersections.

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

Contract Term

Upon approval, the contract will be extended through Feb. 19, 2025, with an option to extend through Feb. 19, 2026.

Financial Impact

The aggregate value of the contract will not exceed \$6,750,000 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Wireless Mesh Radios Contract 149367 (Ordinance S-45384) on Feb. 20, 2019.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Street Transportation Department.



Citywide General Construction - Job Order Contracting Services Amendment - 4108JOC209 (Ordinance S-50515)

Request to authorize the City Manager, or his designee, to execute amendments with six contractors listed below to provide additional Citywide General Construction Job Order Contracting Services. 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 total fee for services included in these amendments will not exceed \$120 million.

Summary

The Contractors' services will be used on an as-needed basis to provide Job Order Contracting Services citywide that include general building/site construction remodeling, new building construction, re-roofing, HVAC installation, site enhancements, painting, improvements, and some project related design work.

These amendments are necessary because the amount of work under these contracts continue to increase and the available capacity for each contractor is being utilized faster than anticipated. These contracts will also support the General Obligation bond projects beginning July 2024. These amendments will provide additional funds to the agreements.

Contract Term

The term of the agreements remain unchanged from the original Notices 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 agreements for General Construction Job Order Contracting Services was approved for an amount not to exceed \$15 million each, including all subcontractor and reimbursable costs.
- These amendments will increase the agreements by an additional \$20 million each,

for a new total amount not to exceed \$35 million each, including all subcontractor and reimbursable costs.

Funding for these amendments is available in the citywide departments' Capital Improvement Program and Operating budgets. 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 City Council approved:

- Citywide Job Order Contracting Services Agreement 156749 with BRYCON Corporation, Agreement 156750 with Caliente Construction, Inc., Agreement 156751 with ForeSite Design & Construction, Inc., Agreement 156752 with McCarthy Building Companies, Inc., Agreement 156753 with Okland Construction Company, Inc., and Agreement 156754 with CHASSE Building Team, Inc. (Ordinance S-48850) on July 1, 2022;
- Citywide Job Order Contracting Services Agreement 156749 Amendment 1 (Ordinance S-49283) on Aug. 1, 2022; and
- Citywide Job Order Contracting Services Agreement 156753 Amendment 1 (Ordinance S-49602) on April 19, 2023.

Responsible Department

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



Aqua-Serv Engineering, Incorporated (Ordinance S-50494)

Request to authorize the City Manager, or his designee, to enter into an agreement with Aqua-Serv Engineering, Inc., to provide testing and chemical treatment to maintain operational efficiency of boiler systems for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the agreement will not exceed \$150,000.

Summary

This agreement will provide monitoring and maintenance of the boiler systems for Wastewater Treatment. Aqua-Serv Engineering, Inc., will monitor and maintain the boiler systems in optimal working condition and ensure that the boiler is free of any fouling due to scale formation, biological growth or slime, and limit corrosion on equipment as outlined in the scope of work as directly connected to the boiler system.

Procurement Information

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

One vendor submitted a bid and is found to be responsive and responsible. Following and evaluation based on price, the procurement officer recommends award to the following vendor:

Selected Bidder

Aqua-Serv Engineering, Incorporated - \$1,100

Contract Term

The contract will begin on or about March 1, 2024, for a five-year term with no options to extend.

Financial Impact

The aggregate contract value will not exceed \$150,000.

Funding is available in the Water Services Department Operating Budget.

Responsible Department

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



ARC Flash Analysis, Electrical Design and Inspection Services for Water Remote Facilities - Engineering Services - WS85400011 (Ordinance S-50498)

Request to authorize the City Manager, or his designee, to enter into an agreement with Black & Veatch Corporation to provide Engineering Services that include design support services and construction and commissioning inspections for the ARC Flash Analysis, Electrical Design and Inspection Services for Water Remote Facilities 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 \$2 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 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 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 conduct ARC flash hazardous analysis on all new motor control centers, switchgear, and power panels. In addition, each site is required to have a five year review of ARC flash hazardous analysis to determine if all the electrical gear is still in compliance with National Fire Protection Association 70E and that any changes are documented and re-analyzed.

Black & Veatch Corporation's services include, but are not limited to: provide ARC flash hazardous testing services utilizing a professional electrical engineer, the ARC flash hazardous testing will include as-built existing single line diagrams, conducting load calculations for motor control centers, switchgear and power panels, have the knowledge to conduct a power system study and ground system testing, required to as

-built existing control panels, be required to have a complete understanding and expertise of UL508 requirements, be required to participate on the Water Services Department (WSD) Process Controls Standards Committee and Arc Flash Hazard Analysis Committee, provide design support services consisting of presenting advice and technical consultations relative to installation techniques and procedures for City of Phoenix as needed, design meetings and project engineer demonstrations, support the engineer with research of existing conditions, conduct 30 percent, 60 percent, 90 percent and 100 percent reviews of the project plans and specifications, support the engineering consultants and contractors with the understanding of the WSD's standards for electrical systems, and maintain and update WSD standards, coordinate design reviews and construction and commissioning inspections, and other requirements with the firm selected for Instrumentation and Control support services.

Procurement Information

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

Selected Firm

Rank 1: Black & Veatch Corporation

Additional Proposers

Rank 2: Canfield Engineering & Integration, LLC

Rank 3: HP Engineering, Inc.

Rank 4: Quantum Engineering, Inc.

Rank 5: The RMH Group of Colorado, 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 Black & Veatch Corporation will not exceed \$2 million, including all subconsultant and reimbursable costs.

Funding is available in the Water Services 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.

Responsible Department

This item is submitted by Deputy City Managers Ginger Spencer and Alan Stephenson, the Water Services Department and the City Engineer.



Apply for Environmental Protection Agency, EPA Water Workforce Development Funding Opportunity: Phoenix Water Conservation Corps Grant Opportunity for Fiscal Year 2023-24 (Ordinance S-50510)

Request to retroactively authorize the City Manager, or his designee, to apply for and, if awarded, enter into agreements for disbursement of Federal funding from the Environmental Protection Agency, beginning in or about July 2024 through the Fiscal Year (FY) 2027-28, for the Environmental Protection Agency Water Workforce Development funding opportunity. Further request to authorize the City Treasurer to accept, and the City Controller disburse, all funds related to this item. The total grant funds applied for will not exceed \$6,800,000.

Summary

The Water Services Department (WSD) submitted a grant application to the Environmental Protection Agency (EPA) for a Water Workforce Development funding opportunity. This award would be used to fund a three-year program in which young adults in the Phoenix metro receive training opportunities and temporary employment through an applied bridge program, learning about water resources and lowering barriers to entry in the water work field by participating in project-based job duties and receiving relevant training. If awarded, the WSD would initiate a program of organizing the water conservation consultation opportunities throughout the City of Phoenix; Corps Members would perform water efficiency consultations and learn about water stewardship, allowing them to become future job candidates for water-related work. The Corps program would allow Phoenix to create training opportunities, offer jobs for career entry and transition in the diverse field of water resources and natural resource management, and apply a community-based solution to help lower barriers for community-wide water savings. The program can help Phoenix to expand the applicant field for water-related work and help to ensure a resilient water work force for years to come. WSD projects a water savings of 5,720 acre-feet of water (or greater) because of only three years of the program's operation. The cumulative lifetime water savings is estimated to be as high as 29,000 acre-feet in twenty years.

The grant programs would be phased in over the grant period (FY 2024-25 to FY 2025-26) with operation beginning as soon as possible. There is no deadline to use the awards, but the project timeline will last three years.

The EPA Water Workforce Development grant submittal opportunity was Nov.17, 2023.

Due to the timing of the deadline put forth by EPA, WSD submitted an application prior to obtaining City Council approval. If City Council does not approve this retroactive request, the application will be withdrawn by WSD.

Financial Impact

The estimated total cost for the project is approximately \$6.8 million. The maximum EPA award is \$6.8 million for the application's relevant program category. There is no required local match.

There is potential for additional funding from upcoming Bureau of Reclamation and Water Infrastructure Finance Authority grant opportunities for conservation-related work.

Responsible Department

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



Final Plat - Seasons at Baker Farms - PLAT 220020 - Northwest Corner of McDowell Road and 79th Avenue

Plat: 220020

Project: 21-977

Name of Plat: Seasons at Baker Farms

Owner: Wiley Baker Farms Limited Partnership

Engineer: Richard G. Alcocer, RLS

Request: A 178-Lot Detached Single Family Residential Plat

Reviewed by Staff: Dec. 29, 2023

Final Plat requires Formal Action Only

Summary

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

Location

Generally located at the northwest corner of McDowell Road and 79th Avenue

Council District: 5

Responsible Department

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



Agenda Date: 1/24/2024, Item No. 55

Final Plat - Replat of Phoenix Central Station - PLAT 220102 - Northwest Corner of Central Avenue and Van Buren Street

Plat: 220102
Project: 19-2846
Name of Plat: Replat of Phoenix Central Station
Owner: City of Phoenix
Engineer: Jason P. Graham, RLS
Request: A One-Lot Commercial Plat
Reviewed by Staff: Dec. 28, 2023
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 northwest corner of Central Avenue and Van Buren Street
Council District: 7

Responsible Department

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



Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-23--Z-8-22-1 - Approximately 760 Feet North of the Northeast Corner of I-17 and Circle Mountain Road (Ordinance G-7219)

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Nov. 15, 2023.

Summary

Application: PHO-1-23--Z-8-22-1

Existing Zoning: R-2 and R-3

Acreage: 40.04

Owner: Circle Mountain Holdings, LLC

Applicant/Representative: Hannah Bleam, Withey Morris Baugh, PLC

Proposal:

1. Request to modify Stipulation 1 regarding Planned Residential Development option.
2. Request to modify Stipulation 2 regarding minimum building setback.
3. Request to modify Stipulation 4.b regarding drought tolerant vegetation.
4. Request to add Stipulation 4.c regarding drought tolerant vegetation.
5. Request to delete Stipulation 11.a regarding secured bicycle parking.
6. Request to modify Stipulation 11.b regarding guest bicycle spaces.
7. Request to delete Stipulation 11.c regarding bicycle repair station.
8. Request to modify Stipulation 12.b regarding north-south pedestrian connection.
9. Request to modify Stipulation 12.c regarding the number of pedestrian connections.
10. Request to modify Stipulation 13 regarding indoor noise levels.
11. Request to modify Stipulation 14 regarding the development of noise mitigation walls.
12. Request to modify Stipulation 15 regarding noise wall setbacks.
13. Request to modify Stipulation 16 regarding perimeter wall materials.
14. Request to modify Stipulation 20 regarding view walls and fencing along property lines.
15. Request to modify Stipulation 22 regarding Electric Vehicle Capable infrastructure.
16. Request to modify Stipulation 23.b regarding drought tolerant vegetation ground

- cover in landscaped areas between the back of curb and sidewalk.
17. Request to add Stipulation 23.c regarding native vegetation ground cover for landscaped areas between back of curb and sidewalk.
 18. Request to modify Stipulation 24 regarding construction of detached sidewalks.
 19. Request to modify Stipulation 24.b regarding drought tolerant vegetation ground coverage in landscaped areas along detached sidewalks.
 20. Request to add Stipulation 24.c regarding native vegetation ground coverage in landscaped areas along detached sidewalks.
 21. Request to modify Stipulation 25 regarding right-of-way dedications and street improvements.
 22. Request to delete Stipulation 27 regarding a 30-foot right-of-way dedication along the southern boundary of the project.
 23. Request to modify Stipulation 28.b regarding drought tolerant vegetation ground coverage in landscaped areas in right-of-way.
 24. Request to add Stipulation 28.c regarding native vegetation ground coverage in landscaped areas in right-of-way.
 25. Request to delete Stipulation 29 regarding enhanced pedestrian connections.
 26. Request to delete Stipulation 37 regarding capping and abandonment of existing wells.
 27. Request to delete Stipulation 38 regarding a petition to the Street Transportation Department to eliminate required street light infrastructure.
 28. Request to delete Stipulation 39 regarding primary construction access.
 29. Request to delete Stipulation 40 regarding roadway damage repair.
 30. Request to delete Stipulation 41 regarding disclosure language in future leases for a portion of Jenny Lin Road.
 31. Request to delete Stipulation 42 regarding Phase 1 to be in general conformance with the site plan date stamped May 4, 2023.
 32. Request to delete Stipulation 43 regarding Phase 1 to be in general conformance with the elevations and design elements date stamped May 4, 2023.
 33. Request to delete Stipulation 44 regarding the maximum dwelling units for Phase 1.
 34. Request to modify Stipulation 45 regarding Phase 2 to be in general conformance with the site plan.
 35. Request to modify Stipulation 46 regarding Phase 2 to be in general conformance with the elevations.
 36. Request to modify Stipulation 47 regarding the number of lots for Phase 2.
 37. Request to delete Stipulation 48 regarding conceptual site plans and elevations for Phase 3.
 38. Request to delete Stipulation 49 regarding surface parking lot landscaped areas for Phase 3.
-

VPC Action: The Rio Vista Village Planning Committee heard this case on Nov. 14, 2023, and recommended approval with modifications, by a vote of 6-0.

PHO Action: The Planning Hearing Officer took the case under advisement. The case was taken out of advisement on Dec. 20, 2023, and recommended denial as filed, approval with modifications and additional stipulations.

Location

Approximately 760 feet north of the northeast corner of I-17 and Circle Mountain Road

Council District: 1

Parcel Address: 44421 North Black Canyon Highway

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 STIPULATIONS APPLICABLE TO
REZONING APPLICATION Z-8-22-1 PREVIOUSLY APPROVED BY
ORDINANCE G-7140.

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

SECTION 1. The zoning stipulations applicable located approximately
760 feet north of the northeast corner of I-17 and Circle Mountain Road in a portion of
Section 3, Township 6 North, Range 2 East, as described more specifically in
Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

Overall Site

1. Each phase of the development shall utilize the Planned Residential Development (PRD) option.
2. A minimum building setback of 58 ~~100~~ feet shall be provided along the west property line, ~~except for the northern most 1,077 feet, which shall have a minimum building setback of 55 feet,~~ as approved or modified by the Planning and Development Department.
3. A minimum landscaped setback of 30 feet shall be provided along the west property line, as approved by the Planning and Development Department.
4. All perimeter setbacks adjacent to public streets shall be planted to the following standards, as approved by the Planning and Development Department.

- a. Minimum 50% 2-inch caliper and 50% 3-inch caliper large canopy drought tolerant shade trees planted 20 feet on center or in equivalent groupings with a staggered row of trees for every 20 feet of setback.
 - b. LANDSCAPE AREAS USING Drought tolerant shrubs and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.
 - c. LANDSCAPE AREAS USING SALVAGED NATIVE DESERT SHRUBS, ACCENTS, AND VEGETATIVE GROUNDCOVERS SHALL ACHIEVE A MINIMUM OF 50 PERCENT LIVE VEGETATIVE GROUND COVERAGE AT MATURITY.
- 5. A minimum of 10% of the required shrubs shall be a milkweed or other native nectar species and shall be planted in groups of three or more, as approved by the Planning and Development Department.
- 6. All pedestrian pathways and trails, including sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, calculated at summer solstice at noon as shown on a shading study, as approved by the Planning and Development Department.
- 7. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments, that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
- 8. The primary entry/exit drives into the residential developments shall incorporate decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.
- 9. The primary entry/exit drives into the residential developments shall incorporate enhanced landscaping on both sides within minimum 250-square-foot landscape areas and shall incorporate a minimum 5-foot-wide landscape median, planted with a variety of at least three plant materials, as approved by the Planning and Development Department.
- 10. Traffic calming measures shall be provided at all site entries and exits to slow down vehicular speeds as they approach sidewalks and trails, as approved by the Planning and Development Department.
- 11. ~~Each phase of the~~ The development shall provide bicycle infrastructure as described below, as approved by the Planning and Development Department.
 - ~~a. Secured bicycle parking shall be provided for units without garages at a rate of 0.25 spaces per multifamily residential dwelling unit, up to a maximum of 50 spaces.~~
 - a. Guest bicycle parking shall be provided at a minimum of 0.05 spaces per

- ~~b. multifamily residential and single-family residential dwelling unit, up to a maximum of 50 spaces, LOCATED IN COMMON OPEN SPACE AND AMENITY AREAS. Guest bicycle parking for single-family residential shall be located in open space and amenity areas. Bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the community center and/or clubhouse and open space areas and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.~~
 - ~~e. A bicycle repair station ("fix it station") shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to 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.~~
- 12. A Water Master Plan, Wastewater Master Plan, and Trails and Pedestrian Circulation Master Plan for the overall development, per the requirements of the Planned Community District (PCD), Section 636 of the Phoenix Zoning Ordinance, shall be provided and updated with each phase of development to include the following elements, as approved by the Planning and Development Department.
 - a. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the west side of the site adjacent to the I-17 frontage road and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement, in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development department.
 - b. A north-south pedestrian connection shall be provided THROUGH THE CENTER OF THE DEVELOPMENT TO PROVIDE AN ULTIMATE CONNECTION FROM CIRCLE MOUNTAIN ROAD TO JENNY LIN ROAD, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. ~~to connect all phases of the development, including the area between Project II and Project 111.~~
 - c. ~~ONE~~ Four pedestrian connections shall be provided from the site leading to the adjacent trails directly east or west of the site.
 - d. Pedestrian access shall be provided to future development to the east for each phase of development.
- 13. PRIOR TO FINAL SITE PLAN APPROVAL, THE DEVELOPER SHALL INCLUDE WITH THE BUILDING PLANS SUBMITTED FOR PHOENIX BUILDING CONSTRUCTION COE COMPLIANCE REVIEW CERTIFICATION BY AN ACOUSTICAL CONSULTANT DEMONSTRATING THE AVERAGE ~~The~~

indoor noise levels of residential units shall not exceed a decibel day night- level (DNL) of 45 decibels, as approved by the Planning and Development Department. ~~A sealed and signed analysis by an engineer licensed in Arizona with a proficiency in residential sound mitigation or noise control shall be included with the building plans submitted for Phoenix Building Construction Code compliance review to the Planning and Development Department. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.~~

14. Noise mitigation walls shall be provided along the west perimeter of the site. The wall height shall be A MINIMUM OF 8 FEET OR AS determined through a noise analysis prepared by a registered professional engineer. The wall shall be constructed of minimum 8-inch-thick concrete masonry units (CMU) or of cast-in-place concrete and contain no openings unless they are above the minimum height required for adequate noise mitigation or for drainage, ~~Noise walls shall be constructed to wrap around corner lots and areas near intersections. Wrap around walls, upon turning a corner, shall continue for at least 120 feet (approximately two lot widths),~~ as approved by the Planning and Development Department.
15. Perimeter walls, noise walls, and other walls ADJACENT TO PERIMETER STREETS shall vary by a minimum of four feet every 400 lineal feet to visually reflect a meandering or staggered setback, as approved by the Planning and Development Department.
16. Perimeter walls, including the noise wall, ALONG THE WEST, NORTH AND EAST PERIMETER, shall incorporate stone veneer, stonework, or integral color CMU block, as approved by the Planning and Development Department.
17. Interior walls and privacy fencing, excluding walls located between lots, shall use materials and colors that blend with the natural desert environment, as approved by the Planning and Development Department.
18. A minimum of 15% of each phase shall be retained as open space, including washes and hillside areas, as approved by the Planning and Development Department.
19. Each phase of the development shall contain a minimum of four shaded active (recreation amenities, such as a tot lot, picnic areas, seating features, garden amenities, or similar amenities, as approved by the Planning and Development Department.
20. A combination of view walls/fencing and partial view walls/fencing WITH A MINIMUM 2-FOOT VIEW FENCE, shall be incorporated along property lines adjacent to dedicated public or private open space areas, natural and/or improved drainageways or recreational areas, EXCEPT ADJACENT TO A PERIMETER STREET, as approved by the Planning and Development Department.

21. Drainage channels shall be designed to look natural in the desert setting through color, texture, landscaping, or other means, as approved by the Planning and Development Department.
22. A minimum of 502% of the required parking spaces, ~~including garages,~~ shall include Electric Vehicle (EV) CAPABLE-Installed infrastructure and 5% of the ~~required parking spaces shall include EV Capable infrastructure,~~ as approved by the Planning and Development Department.
23. A minimum of 2% of the required parking spaces, including garages, shall include Electric Vehicle (EV) Installed infrastructure and 5% of the required parking spaces shall include EV Capable infrastructure, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper single-trunk large canopy drought tolerant shade trees planted 20 feet on center or in equivalent groupings.
 - b. LANDSCAPE AREAS USING Ddrought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity. LIVE COVERAGE TO HAVE A MAXIMUM MATURE HEIGHT OF TWO FEET WITHIN SIGHT VISIBILTY TRIANGLES.

Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

24. Minimum 5-foot-wide detached sidewalks, or wider to meet Maricopa County Department of Transportation (MCDOT) minimum standards, and minimum 5-foot-wide landscape strips located between the back of curb and sidewalk, or wider to meet MCDOT minimum standards shall be constructed along ~~the south side of Jenny Lin Road, the east side of the I-17 frontage road, and the north side of Circle Mountain Road,~~ planted to the following standards. The developer shall record a landscaping maintenance agreement with the Maricopa County Department of Transportation (MCDOT) requiring the landowner and/or property management to maintain the installed landscaping within MCDOT right-of-way to the following planting standards, as approved by MCDOT and the Planning and Development Department.
 - a. Minimum 2-inch caliper single-trunk large canopy drought tolerant shade trees planted 20 feet on center or in equivalent groupings.
 - b. LANDSCAPE AREAS USING Ddrought tolerant shrubs, accents, and vegetative groundcovers SHALL-to achieve a minimum of 75% live vegetative ground coverage at maturity. LIVE COVERAGE TO HAVE A MAXIMUM MATURE HEIGHT OF TWO FEET WITHIN SIGHT VISIBILTY TRIANGLES.

Where utility conflicts arise, the developer shall work with the MCDOT and the

Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

25. All right-of-way dedications and street improvements for ~~Circle Mountain Road~~, the I-17 frontage road, and ~~Jenny Lin Road~~ shall comply with Maricopa County Department of Transportation (MCDOT) requirements, as approved by MCDOT. Where possible the County Rural Residential Cross Section shall be utilized for Jenny Lin Road.
26. A minimum 65-feet of right-of-way shall be dedicated, and the east half of the I-17 frontage road shall be constructed per the Maricopa County Department of Transportation (MCDOT) Rural Minor Arterial cross section, as required and approved by MCDOT.
27. ~~A minimum of 30 feet of right-of-way shall be dedicated and constructed for the north side of the minor collector street along the southern boundary of Project III. The improvements shall be consistent with Minor Collector Cross Section F and include a minimum 5-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape strip located between the back of curb and sidewalk, planted to the following standards, as approved by the Planning and Development Department.~~
 - a. ~~Minimum 2-inch caliper single-trunk large canopy drought tolerant shade trees planted 20 feet on center or in equivalent groupings.~~
 - b. ~~Drought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.~~

~~Where utility conflicts arise, the developer shall work with the MCDOT and the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.~~

27. A minimum of 60 feet of right-of-way shall be dedicated and constructed for the full width of the minor collector street along the northern boundary of THE PROJECT ~~Project II~~. The improvements shall be consistent with Minor Collector Cross Section F and include minimum 5-foot-wide detached sidewalks separated by minimum 5-foot-wide landscape strips located between the back of curb and sidewalk, planted to the following standards, as approved by the Planning and Development Department.
28.
 - a. Minimum 2-inch caliper single-trunk large canopy drought tolerant shade trees planted 20 feet on center or in equivalent groupings.
 - b. LANDSCAPE AREAS USING ~~D~~drought tolerant shrubs, accents, and vegetative groundcovers SHALL ~~to~~ achieve a minimum of 75% live vegetative ground coverage at maturity. LIVE COVERAGE TO HAVE A MAXIMUM MATURE HEIGHT OF TWO FEET WITHIN SIGHT VISIBILITLY TRIANGLES.

Where utility conflicts arise, the developer shall work with the MCDOT and the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

28. Enhanced pedestrian connections shall be designed and constructed at all
~~29.~~ public street crossing locations to interconnect the pedestrian trails throughout the entirety of the site, as approved by the Street Transportation Department and the Planning and Development Department.
29. The developer shall construct all streets within and adjacent to the development
~~30.~~ with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department and MCDOT (where applicable). All improvements shall comply with all ADA accessibility standards
30. A Red Border Letter shall be submitted to the Arizona Department of
~~31.~~ Transportation (ADOT) for this development.
31. The developer shall record documents that disclose to prospective purchasers
~~32.~~ and renters of property within the development the existence of noise from the I-17 Freeway. The form and content of such documents shall be reviewed and approved by the City prior to recordation.
32. If determined necessary by the Phoenix Archeology Office, the applicant shall
~~33.~~ 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.
33. If Phase I data testing is required, and if, upon review of the results from Phase I
~~34.~~ 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.
34. In the event archeological materials are encountered during construction, the
~~35.~~ 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.
35. Prior to preliminary site plan approval, the landowner shall execute a Proposition
~~36.~~ 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.
36. Prior to the construction of any residences, all existing wells within the
~~37.~~ development shall be capped and abandoned, as required by the Arizona Department of Water Resources (ADWR).
37. ALL STREET, SITE AND BUILDING LIGHTING SHALL BE DARK SKY
~~38.~~ COMPLIANT, AS APPROVED BY THE PLANNING AND DEVELOPMENT

DEPARTMENT AND THE STREET TRANSPORTATION DEPARTMENT. The development shall petition the Street Transportation Department to eliminate the requirement for street light infrastructure for the development where possible in an effort to protect dark skies.

- 39. Primary construction access shall be from Circle Mountain Road, or the frontage road, and ancillary construction activity and access may occur on Jenny Lin Road during parts of Project III, as approved by the City of Phoenix Planning and Development Department.
- 40. The developer shall promptly repair any roadway damage that may occur on Jenny Lin Road during construction.
- 41. The developer shall include disclosure language in future leases requiring all residents of Project III to acknowledge that a portion of Jenny Lin Road is private property, and no trespass is permitted.

Phase 1 (R-3 Zoned Area)

- 42. The development shall be in general conformance with the site plan date stamped May 4, 2023, as modified by these stipulations and as approved by the Planning and Development Department.
- 43. The development shall be in general conformance with the elevations date stamped August 29, 2022, with specific regard to the following elements, as modified by these stipulations and as approved by the Planning and Development Department.
 - a. Spanish Colonial architectural style.
 - b. Windows and glass doors with muntins and mullions.
 - c. Decorative lighting fixtures at building entrances/exits and by garage doors.
 - d. Covered front porches.
 - e. Window and door treatment.
 - f. Decorative doors.
 - g. Architectural embellishments including, but not limited to, corbels and terracotta gable vent tubes.
- 44. Phase 1 of the development shall be limited to a maximum of 288 dwelling units.

Phase 2 (R-2 Zoned Area)

- 45. The development shall be in general conformance with the site plan date stamped NOVEMBER 17, 2023 April 13, 2023, as modified by these stipulations

and as approved by the Planning and Development Department.

46. The development shall be in general conformance with the elevations date stamped SEPTEMBER 29, 2023 ~~August 29, 2022~~, with specific regard to the following elements, as modified by these stipulations and as approved by the Planning and Development Department.

- a. ~~Variety of architectural styles.~~
- b. ~~Windows and glass doors with muntins and mullions.~~
- c. ~~Decorative lighting fixtures at building entrances/exits and by garage doors.~~
- d. ~~Covered front porches and covered rear patios.~~
- e. ~~Garage, window and door treatment.~~
- f. ~~Decorative doors.~~
- g. ~~Architectural embellishments including, but not limited to, corbels, terracotta gable vent tubes, and window shutters.~~
- h. ~~Gable end treatment with varied materials and colors.~~
- i. ~~Breaking of massing and with varied materials and colors.~~

47. ~~Phase 2 of t~~The development shall be limited to a maximum of 239 ~~172~~ lots.

Phase 3 (R-3A Zoned Area)

48. ~~Conceptual site plans and elevations for Phase 3 shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.~~

- a. ~~All building facades shall contain architectural embellishments and detailing such as, but not limited to, textural changes, pilasters, offsets, recesses, window fenestration, shadowboxes, and canopies.~~
- b. ~~Building and wall colors shall be muted and blend with, rather than contrast, with the surrounding desert environment. Accent colors may be appropriate but used judiciously and with restraint.~~
- c. ~~An architectural theme shall convey a sense of continuity through all phases.~~

49. ~~A minimum of 10% of surface parking lot areas, exclusive of perimeter landscape setbacks, shall be landscaped. The surface parking lot areas shall be landscaped with minimum 2-inch caliper large canopy drought-tolerant shade trees and shall be dispersed throughout the parking area to achieve a minimum 25% shade at maturity, as approved by the Planning and Development Department.~~

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-7140 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-7140 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

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

PASSED by the Council of the City of Phoenix this 24th day of January, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:

Julie M. Kriegh, 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 PHO-1-23--Z-8-22-1

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

A PORTION OF THE WEST HALF OF SECTION 3, TOWNSHIP 6 NORTH, RANGE 2 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 3, BEING MARKED BY A GLO BRASS CAP WITH SECTIONAL MARKINGS FROM WHICH POINT THE NORTHWEST CORNER OF SAID SECTION 3, BEING MARKED BY A GLO BRASS CAP WITH SECTIONAL MARKINGS BEARS AS A BASIS OF BEARING, NORTH 00 DEGREES 03 MINUTES 38 SECONDS EAST, 2654.67 FEET;

THENCE ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, NORTH 89 DEGREES 50 MINUTES 57 SECONDS EAST, 2648.37 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION;

THENCE ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION, SOUTH 00 DEGREES 08 MINUTES 44 SECONDS EAST, 126.94 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID EAST LINE, SOUTH 00 DEGREES 08 MINUTES 44 SECONDS EAST, 1,787.69 FEET;

THENCE DEPARTING SAID EAST LINE, NORTH 89 DEGREES 45 MINUTES 10 SECONDS WEST, 1,089.67 FEET TO A NON-TANGENT CURVE, CONCAVE TO THE RIGHT, HAVING A RADIUS OF 25,028.70 FEET, THE CENTER OF WHICH BEARS SOUTH 88 DEGREES 58 MINUTES 32 SECONDS EAST;

THENCE NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 01 DEGREES 43 MINUTES 28 SECONDS, AND AN ARC LENGTH OF 753.33 FEET TO A NON-TANGENT LINE;

THENCE NORTH 03 DEGREES 44 MINUTES 22 SECONDS EAST, 375.39 FEET;

THENCE NORTH 03 DEGREES 37 MINUTES 18 SECONDS EAST, 192.16 FEET;

THENCE NORTH 04 DEGREES 16 MINUTES 15 SECONDS EAST, 178.98 FEET;

THENCE SOUTH 87 DEGREES 43 MINUTES 09 SECONDS EAST, 194.03 FEET;

THENCE NORTH 75 DEGREES 52 MINUTES 39 SECONDS EAST, 61.55 FEET;

THENCE NORTH 80 DEGREES 23 MINUTES 18 SECONDS EAST, 97.92 FEET;
THENCE NORTH 56 DEGREES 26 MINUTES 12 SECONDS EAST, 144.15 FEET;
THENCE NORTH 70 DEGREES 06 MINUTES 16 SECONDS EAST, 177.82 FEET;
THENCE NORTH 70 DEGREES 06 MINUTES 16 SECONDS EAST, 8.62 FEET;
THENCE NORTH 81 DEGREES 46 MINUTES 29 SECONDS EAST, 57.44 FEET;
THENCE NORTH 59 DEGREES 36 MINUTES 35 SECONDS EAST, 136.89 FEET;
THENCE NORTH 67 DEGREES 58 MINUTES 37 SECONDS EAST, 88.16 FEET;
THENCE NORTH 85 DEGREES 48 MINUTES 13 SECONDS EAST, 108.48 FEET
TO THE **POINT OF BEGINNING**.

SAID PORTION OF LAND CONTAINING 1,705,522 SQUARE FEET, OR 39.1534
ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS,
RESTRICTIONS, AND/OR RIGHTS-OF-WAYS OF RECORD OR OTHERWISE.

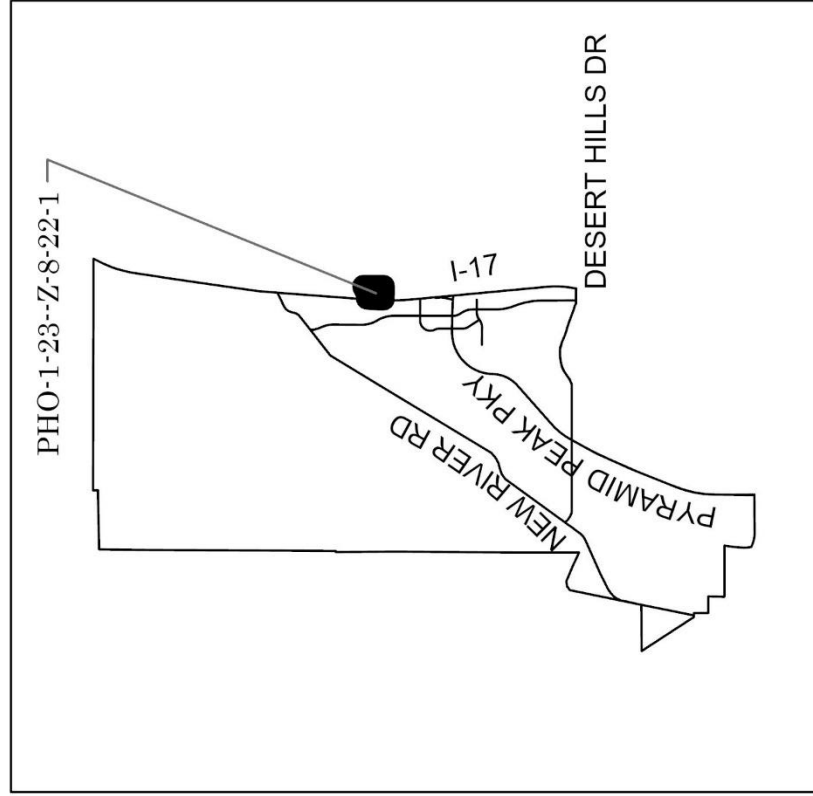
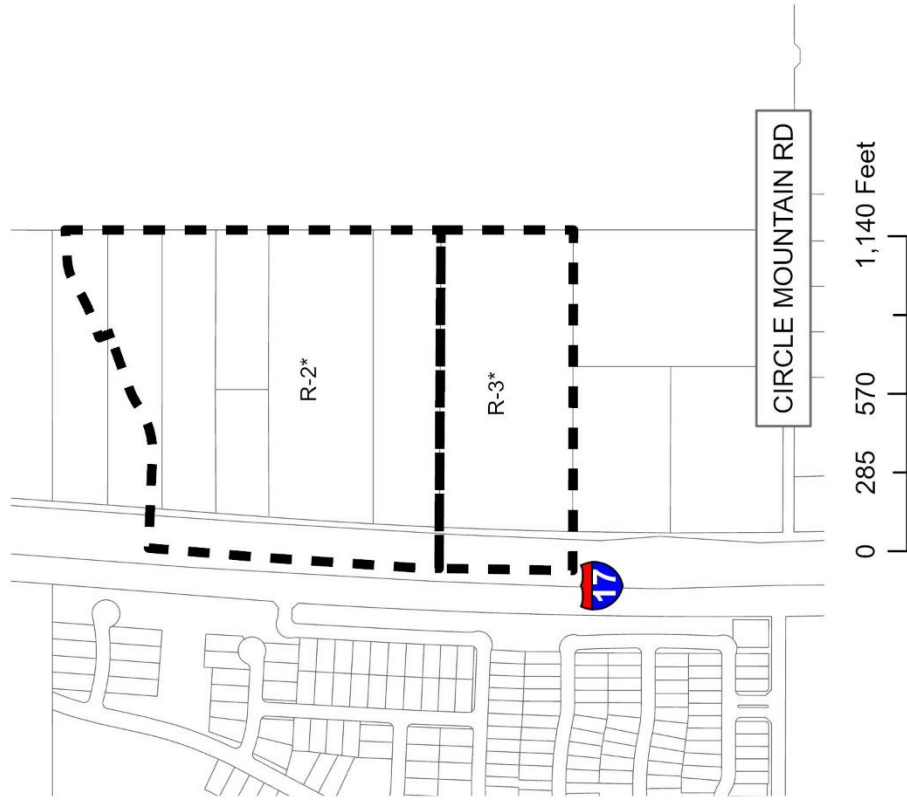
THIS DESCRIPTION SHOWN HEREON IS NOT TO BE USED TO VIOLATE
SUBDIVISION REGULATIONS OF THE STATE, COUNTY AND/OR MUNICIPALITY,
OR ANY OTHER LAND DIVISION RESTRICTIONS.

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: PHO-1-23--Z-8-22-1
Zoning Overlay: N/A
Planning Village: Rio Vista



NOT TO SCALE



Drawn Date: 12/28/2023



*****REQUEST TO CONTINUE (SEE ATTACHED MEMO)*** (CONTINUED FROM OCT. 4, NOV. 1, DEC. 6, 2023 AND JAN. 3, 2024) - Amend City Code - Ordinance Adoption - Rezoning Application Z-27-23-1 - Southwest Corner of 19th Avenue and Quail Avenue (Ordinance G-7172)**

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-27-23-1 and rezone the site from IND. PK. DVAO (Industrial Park, Deer Valley Airport Overlay District) to C-3 DVAO (General Commercial, Deer Valley Airport Overlay District) to allow electric vehicle sales and repair.

Summary

Current Zoning: IND. PK. DVAO

Proposed Zoning: C-3 DVAO

Acreage: 7.91 acres

Proposal: Electric vehicle sales and repair.

Owner/Applicant: Aztec 19th Ave., LLC

Representative: William E. Lally, Tiffany & Bosco, PA

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Deer Valley Village Planning Committee heard this case on Aug. 10, 2023, and recommended approval, per the staff recommendation with deleted stipulations, by a vote of 11-1.

PC Action: The Planning Commission heard this case on Sept. 7, 2023, and recommended approval, per the Deer Valley Village Planning Committee recommendation, by a vote of 6-0.

Location

Southwest corner of 19th Avenue and Quail Avenue

Council District: 1

Parcel Address: 21030 and 21040 N. 19th Ave. and 1929 W. Quail 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: January 23, 2024

From: Joshua Bednarek
Planning and Development Director

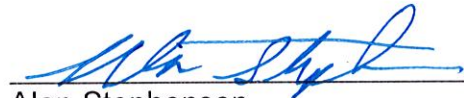
Subject: CONTINUANCE OF ITEM 57 ON THE JANUARY 24, 2024, FORMAL AGENDA
– Z-27-23-1 – SOUTHWEST CORNER OF 19TH AVENUE AND QUAIL AVENUE
(ORDINANCE G-7172)

Item 57, rezoning application Z-27-23-1 is a request to rezone 7.91 acres located at the southwest corner of 19th Avenue and Quail Avenue from IND.PK. DVAO (Industrial Park, Deer Valley Airport Overlay District) to C-3 DVAO (General Commercial, Deer Valley Airport Overlay District) to allow electric vehicle sales and repairs.

Staff has received correspondence from the applicant requesting a continuance to address concerns.

Staff recommends continuing this item to the February 7, 2024, City Council Formal meeting.

Approved:



Alan Stephenson
Deputy City Manager

Attachment:
Exhibit A – Applicant's request for continuance

EXHIBIT A

Subject: FW: Z-27-23-1 -REQUEST TO CONTINUE

From: William Fischbach <wmf@tblaw.com>
Sent: Monday, January 22, 2024 10:23 PM
To: Racelle Escolar <racelle.escolar@phoenix.gov>
Cc: William E. Lally <wel@tblaw.com>; Megan N. Bowen <MBowen@tblaw.com>
Subject: RE: Z-27-23-1 -REQUEST TO CONTINUE

Hi Racelle, yes we would request to continue to FEB 7. Thank you.

From: Racelle Escolar <racelle.escolar@phoenix.gov>
Sent: Monday, January 22, 2024 4:21 PM
To: William Fischbach <wmf@tblaw.com>
Cc: William E. Lally <wel@tblaw.com>
Subject: RE: Z-27-23-1 -REQUEST TO CONTINUE
Importance: High

Hello – Just following up on this. Will another continuance be requested?

Thanks,

Racelle Escolar, AICP
Principal Planner
racelle.escolar@phoenix.gov (602) 534-2864



City of Phoenix
Planning and Development Department
Planning Division

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-27-23-1) FROM IND. PK. DVAO (INDUSTRIAL PARK, DEER VALLEY AIRPORT OVERLAY DISTRICT) TO C-3 DVAO (GENERAL COMMERCIAL, DEER VALLEY AIRPORT OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 7.91-acre property located at the southwest corner of 19th Avenue and Quail Avenue in a portion of Section 24, Township 4 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "IND.PK. DVAO" (Industrial Park, Deer Valley Airport Overlay District) to "C-3 DVAO" (General Commercial, Deer Valley Airport 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 elevations date stamped May 4, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
2. 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 contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
3. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Installed infrastructure, as approved by the Planning and Development Department.
4. All nonresidential uses over 5,000 square feet floor area shall provide one bicycle parking space per 25 vehicle parking spaces, with a maximum of 25 spaces. Bicycle parking shall be provided through Inverted U and/or artistic racks located near the front office 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.
5. Existing streetscape beginning at back of curb shall be replenished with the approved landscaping and ground cover along 19th Avenue and Quail Avenue, as approved by the Planning and Development Department.
6. All streets within and adjacent to the development shall be constructed 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. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
8. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

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

PASSED by the Council of the City of Phoenix this 4th day of October, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, 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-27-23-1

Within a portion of Section 24, Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

PARCEL 1:

LOT 31, AZTEC BUSINESS PARK, A SUBDIVISION RECORDED IN BOOK 310 OF MAPS, PAGE 48 AND CERTIFICATES OF CORRECTION RECORDED IN RECORDING NO. 87-384338 THROUGH 87-384341, INCLUSIVE, RECORDS OF MARICOPA COUNTY, ARIZONA.

EXCEPT THE WEST 229 FEET.

PARCEL 2:

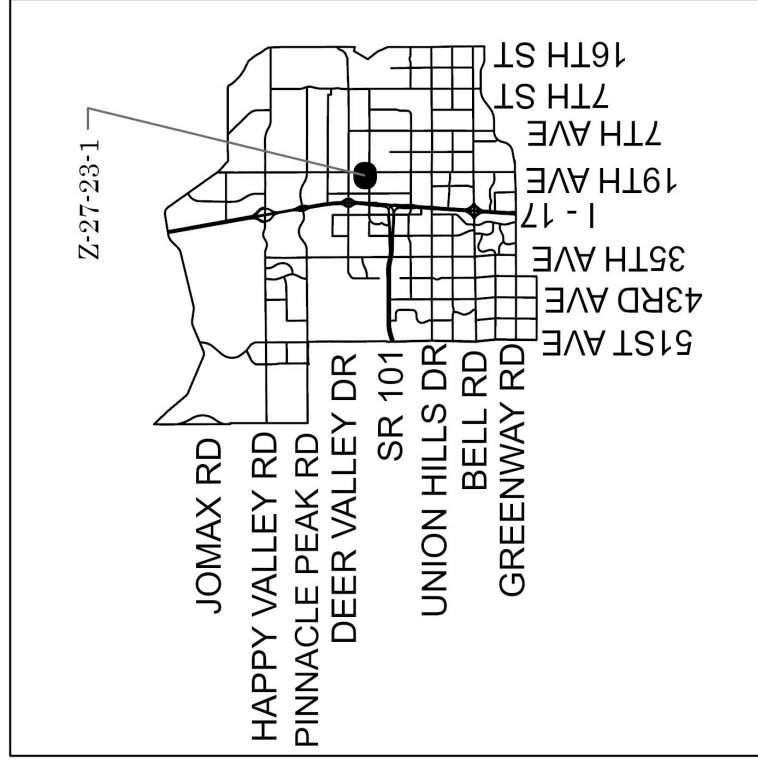
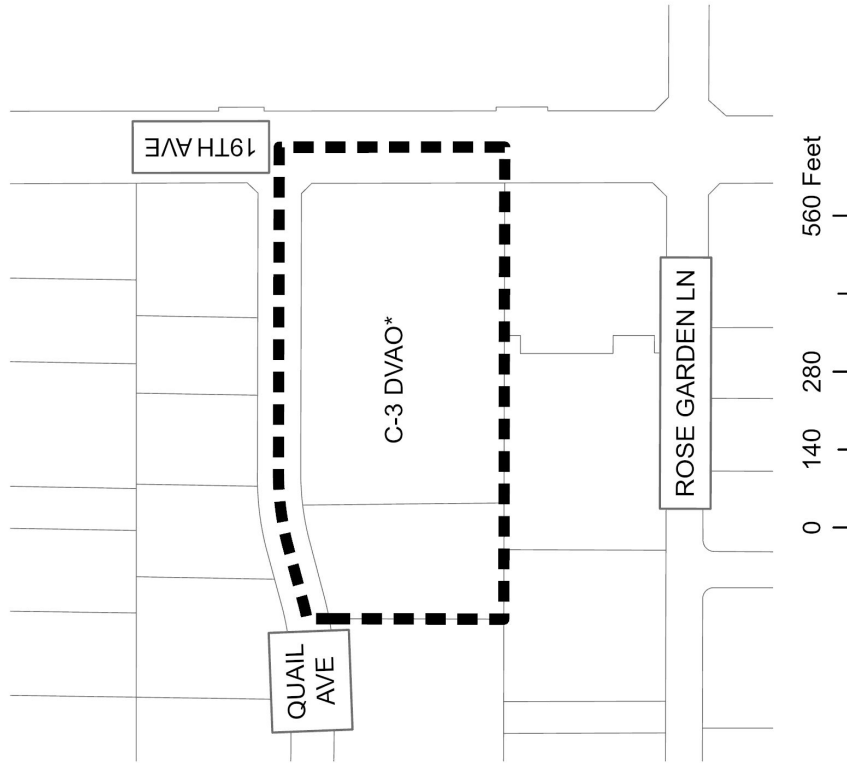
LOT 32, AZTEC BUSINESS PARK, A SUBDIVISION RECORDED IN BOOK 310 OF MAPS, PAGE 48 AND CERTIFICATES OF CORRECTION RECORDED IN RECORDING NO. 87-384338 THROUGH 87-384341, INCLUSIVE, RECORDS OF MARICOPA COUNTY, ARIZONA.

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-27-23-1
Zoning Overlay: Deer Valley Overlay District
Planning Village: Deer Valley



NOT TO SCALE



Drawn Date: 9/5/2023



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: October 4, 2023

From: Joshua Bednarek *JB*
Planning and Development Director

Subject: CONTINUANCE OF ITEM 82 ON THE OCTOBER 4, 2023, FORMAL AGENDA –
Z-27-23-1 – SOUTHWEST CORNER OF 19TH AVENUE AND QUAIL AVENUE
(ORDINANCE G-7172)

Item 82, rezoning application Z-27-23-1 is a request to rezone 7.91 acres located at the southwest corner of 19th Avenue and Quail Avenue from IND.PK. DVAO (Industrial Park, Deer Valley Airport Overlay District)) to C-3 DVAO (General Commercial, Deer Valley Airport Overlay District) to allow electric vehicle sales and repairs.

Staff has received correspondence from the applicant requesting a continuance to address concerns by adjacent property owners.

Staff recommends continuing this item to the November 1, 2023, City Council Formal meeting.

Approved:


Alan Stephenson
Deputy City Manager

Attachment:
Exhibit A – Applicant's request for continuance

Joshua Bednarek

From: William E. Lally <wel@tblaw.com>
Sent: Wednesday, October 4, 2023 8:41 AM
To: Ann M O'Brien
Cc: Derrik C Rochwalik; Alan Stephenson; Joshua Bednarek; Tricia Gomes; Rachel Applegate (PND); Scott Schirmer; Ryan Smith
Subject: Z-27-23-1 -REQUEST TO CONTINUE

Councilwoman O'Brien, as you know I represent the owners of the property located at the southwest corner of 19th Ave. and Quail Avenue in the Deer Valley Airpark area, subject to rezoning case Z-27-23-1 scheduled on your formal City Council Agenda today.

We respectfully request a continuance of the case to the November 1, 2023 meeting.

Thank you,



William E. Lally | Shareholder | 602.452.2716 cell 480.620.9272

wel@tblaw.com | Bio [\[tblaw.com\]](https://tblaw.com) | vCard [\[tblaw.com\]](https://tblaw.com) | Website [\[tblaw.com\]](https://tblaw.com) | Practice Areas [\[tblaw.com\]](https://tblaw.com)



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: October 31, 2023

From: Joshua Bednarek 
Planning and Development Director

Subject: CONTINUANCE OF ITEM 70 ON THE NOVEMBER 1, 2023, FORMAL AGENDA –
Z-27-23-1 – SOUTHWEST CORNER OF 19TH AVENUE AND QUAIL AVENUE
(ORDINANCE G-7172)

Item 70, rezoning application Z-27-23-1 is a request to rezone 7.91 acres located at the southwest corner of 19th Avenue and Quail Avenue from IND.PK. DVAO (Industrial Park, Deer Valley Airport Overlay District)) to C-3 DVAO (General Commercial, Deer Valley Airport Overlay District) to allow electric vehicle sales and repairs.

Staff has received correspondence from the applicant requesting a continuance to address concerns by adjacent property owners.

Staff recommends continuing this item to the December 6, 2023, City Council Formal meeting.

Approved:


Alan Stephenson
Deputy City Manager

Attachment:
Exhibit A – Applicant's request for continuance

Stephanie Vasquez

From: William E. Lally <wel@tblaw.com>
Sent: Tuesday, October 31, 2023 8:33 AM
To: Joshua Bednarek; Ann M O'Brien
Cc: Derrik C Rochwalik; Alan Stephenson; Tricia Gomes; Scott Schirmer; Ryan Smith; Stephanie Vasquez; Racelle Escolar
Subject: RE: Z-27-23-1 -REQUEST TO CONTINUE

Councilwoman O'Brien and Josh, as you know I represent the owners of the property located at the southwest corner of 19th Ave. and Quail Avenue in the Deer Valley Airpark area, subject to rezoning case Z-27-23-1 scheduled on your formal City Council Agenda tomorrow.

We respectfully request a 30 day continuance of the case.

Thank you very much for your support and patience as we work out some real estate issues.



William E. Lally | Shareholder | 602.452.2716 cell 480.620.9272
wel@tblaw.com | Bio.tblaw.com | vCard.tblaw.com | Website.tblaw.com | [Practice Areas.tblaw.com](http://PracticeAreas.tblaw.com)

From: Joshua Bednarek <joshua.bednarek@phoenix.gov>
Sent: Wednesday, October 4, 2023 8:58 AM
To: William E. Lally <wel@tblaw.com>; Ann M O'Brien <ann.obrien@phoenix.gov>
Cc: Derrik C Rochwalik <derrik.rochwalik@phoenix.gov>; Alan Stephenson <alan.stephenson@phoenix.gov>; Tricia Gomes <tricia.gomes@phoenix.gov>; Scott Schirmer <schirmer@m3companiesllc.com>; Ryan Smith <ryans@smdico.com>; Stephanie Vasquez <stephanie.vasquez@phoenix.gov>; Racelle Escolar <racelle.escolar@phoenix.gov>
Subject: RE: Z-27-23-1 -REQUEST TO CONTINUE

Thank you Bill. We will get a continuance memo circulated right away.



Joshua Bednarek
Director, Planning and Development Department
Office: 602-262-6656
E-mail: joshua.bednarek@phoenix.gov

**PRESERVE
SHAPE
BUILD**

City of Phoenix
Planning & Development Department
200 West Washington Street
Phoenix, AZ 85003



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: December 5, 2023

From: Joshua Bednarek *JB*
Planning and Development Director

Subject: CONTINUANCE OF ITEM 95 ON THE DECEMBER 6, 2023, FORMAL AGENDA
– Z-27-23-1 – SOUTHWEST CORNER OF 19TH AVENUE AND QUAIL AVENUE
(ORDINANCE G-7172)

Item 95, rezoning application Z-27-23-1 is a request to rezone 7.91 acres located at the southwest corner of 19th Avenue and Quail Avenue from IND.PK. DVAO (Industrial Park, Deer Valley Airport Overlay District) to C-3 DVAO (General Commercial, Deer Valley Airport Overlay District) to allow electric vehicle sales and repairs.

Staff has received correspondence from the applicant requesting a continuance to address concerns.

Staff recommends continuing this item to the January 3, 2024, City Council Formal meeting.

Approved:

A blue ink signature of Alan Stephenson, written over a horizontal line.

Alan Stephenson
Deputy City Manager

Attachment:
Exhibit A – Applicant's request for continuance

From: William E. Lally <wel@tblaw.com>
Sent: Tuesday, December 5, 2023 2:49 PM
To: Racelle Escolar <racelle.escolar@phoenix.gov>
Cc: Joshua Bednarek <joshua.bednarek@phoenix.gov>; Scott Schirmer <schirmer@m3companiesllc.com>; Ryan Smith <ryans@smdico.com>
Subject: RE: Z-27-23-1 -REQUEST TO CONTINUE

Racelle

Please accept this as a request for thirty (30) days of rezoning case (Z-27-23-1) to the first available hearing in January.

Thank you very much for your support and patience as we work out some real estate issues.



William E. Lally | Shareholder | 602.452.2716 cell 480.620.9272

wel@tblaw.com | [Bio \[tblaw.com\]](https://tblaw.com) | [vCard \[tblaw.com\]](https://tblaw.com) | [Website \[tblaw.com\]](https://tblaw.com) | [Practice Areas \[tblaw.com\]](https://tblaw.com)



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: January 2, 2024

From: Joshua Bednarek 
Planning and Development Director

Subject: CONTINUANCE OF ITEM 82 ON THE JANUARY 3, 2024, FORMAL AGENDA –
Z-27-23-1 – SOUTHWEST CORNER OF 19TH AVENUE AND QUAIL AVENUE
(ORDINANCE G-7172)

Item 82, rezoning application Z-27-23-1 is a request to rezone 7.91 acres located at the southwest corner of 19th Avenue and Quail Avenue from IND.PK. DVAO (Industrial Park, Deer Valley Airport Overlay District) to C-3 DVAO (General Commercial, Deer Valley Airport Overlay District) to allow electric vehicle sales and repairs.

Staff has received correspondence from the applicant requesting a continuance to address concerns.

Staff recommends continuing this item to the January 24, 2024, City Council Formal meeting.

Approved: _____


Alan Stephenson
Deputy City Manager

Attachment:
Exhibit A – Applicant's request for continuance

Subject: FW: Z-27-23-1 -REQUEST TO CONTINUE

From: William E. Lally <wel@tblaw.com>

Sent: Tuesday, January 2, 2024 11:01 AM

To: Racelle Escolar <racelle.escolar@phoenix.gov>

Cc: Joshua Bednarek <joshua.bednarek@phoenix.gov>; Scott Schirmer <schirmer@m3companiesllc.com>; Ryan Smith <ryans@smdico.com>; Tricia Gomes <tricia.gomes@phoenix.gov>; Benjamin Timm <btimm@tblaw.com>; Megan N. Bowen <MBowen@tblaw.com>; Derrik C Rochwalik <derrik.rochwalik@phoenix.gov>; William Fischbach <wmf@tblaw.com>

Subject: RE: Z-27-23-1 -REQUEST TO CONTINUE

Racelle and Josh, as you know I represent the owners of the property located at the southwest corner of 19th Ave. and Quail Avenue in the Deer Valley Airpark area, subject to rezoning case Z-27-23-1 scheduled on your formal City Council Agenda tomorrow.

We respectfully request a continuance of the case to the 1/24/24 City Council meeting.

Thank you very much for your support and patience as we work out some real estate issues.



William E. Lally | Shareholder | 602.452.2716 cell 480.620.9272

wel@tblaw.com | Bio.tblaw.com | vCard.tblaw.com | Website.tblaw.com | PracticeAreas.tblaw.com



Agenda Date: 1/24/2024, Item No. 58

**Public Hearing and Ordinance Adoption - Planning Hearing Officer Application
PHO-1-23--Z-SP-5-21-7 - Approximately 100 Feet West of the Northwest Corner of
59th Avenue and Lower Buckeye Road (Ordinance G-7220)**

Request to hold a public hearing and authorize the City Manager, or his designee, to consider the Planning Hearing Officer's recommendation by the City Council on matters heard by the Planning Hearing Officer on Nov. 15, 2023.

Summary

Application: PHO-1-23--Z-SP-5-21-7

Existing Zoning: C-2 SP

Acreage: 11.83

Owner: Aamerco Real Estate Company

Applicant/Representative: EPS Group, Inc.

Proposal:

1. Modification to Stipulation 1 regarding general conformance with building elevations date stamped Nov. 16, 2021.
2. Deletion of Stipulation 5 regarding perimeter walls.
3. Modification to Stipulation 6 regarding parking lot landscaping.
4. Deletion of Stipulation 7.a regarding shading of pedestrian walkways.
5. Deletion of Stipulation 8.a regarding location of pedestrian thoroughfares.
6. Modification to Stipulation 9.b regarding the location of a bicycle repair station.
7. Modification to Stipulation 12 regarding location of sidewalks along Lower Buckeye Road.

VPC Action: The Estrella Village Planning Committee was scheduled to hear the request on Oct. 17, 2023, but did not have a quorum.

PHO Action: The Planning Hearing Officer heard the request on Nov. 15, 2023, and recommended approval, with a modification.

Location

Approximately 100 feet west of the northwest corner of 59th Avenue and Lower Buckeye Road

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
Ordinance – PHO-1-23—Z-SP-5-21-7

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

ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO
REZONING APPLICATION Z-SP-5-21-7 PREVIOUSLY APPROVED BY
ORDINANCE G-6935.

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

SECTION 1. The zoning stipulations applicable located approximately
100 feet west of the northwest corner of 59th Avenue and Lower Buckeye Road in a
portion of Section 18, Township 1 North, Range 2 East, as described more
specifically in Attachment “A”, are hereby modified to read as set forth below.

STIPULATIONS:

1. The self-service storage warehouse portion of the development shall be in general conformance with the building elevations date stamped SEPTEMBER 8, 2023 ~~November 16, 2021~~, as modified by the following stipulations and approved by the Planning and Development Department. Other building elevations shall be developed with a common architectural theme to the following standards, as approved by the Planning and Development Department:
 - a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability to provide a decorative and aesthetic treatment.
 - b. 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.

- c. A minimum of two building materials listed in the Estrella Village Core Plan shall be utilized in all building elevations.
2. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards along arterial streets in the Estrella Village, except as noted herein, as approved by the Planning and Development Department.
3. Project entry drives along Lower Buckeye Road shall incorporate enhanced landscaping on both sides planted with a variety of at least three plant materials. Each landscaped area shall be a minimum of 125-square feet, as approved by the Planning and Development Department.
4. Project entry drives along Lower Buckeye Road shall be constructed of decorative pavers, stamped, or colored concrete, or similar alternative material, as approved by the Planning and Development Department.
- ~~5. Where perimeter walls are adjacent to the Loop 202 freeway drainage channel, these shall be limited to open view wrought iron fencing or similar material, or a combination of 4-foot solid masonry topped by wrought iron open view fencing or similar material, unless required otherwise by the Zoning Ordinance, as approved by the Planning and Development Department.~~
5. All uncovered CUSTOMER AND EMPLOYEE surface parking lot areas 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.
6. The following pedestrian shade standards shall be met as described below and as approved or modified by the Planning and Development Department:
 - a. Pedestrian walkways connecting the commercial buildings 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.
 - b. The bus stop along Lower Buckeye Road shall be shaded to a minimum of 50 percent.
7. A system of pedestrian thoroughfares shall be provided as described below and as approved or modified by the Planning and Development Department:
 - a. Connections to/between via the most direct route:
 - (1) All building entrances.
 - (2) Adjacent public sidewalks.

- (3) The bus stop along Lower Buckeye Road.
- b. 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. Vehicular crossings shall be kept to a minimum.
8. The development shall incorporate bicycle infrastructure, as described below and as approved by the Planning and Development Department.
- a. 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.
- b. One bicycle repair station ("fix it station") shall be provided and maintained within close proximity to Lower Buckeye Road or the C Store building as depicted in the site plan date stamped SEPTEMBER 8, 2023 ~~July 12, 2021~~. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
9. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) ~~10.~~ along the north side of Lower Buckeye Road 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.
10. The developer shall dedicate right-of-way and construct one bus stop pad along ~~11.~~ westbound Lower Buckeye Road west of 59th Avenue. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The bus stop pad shall be spaced from the intersection according to City of Phoenix Standard Detail P1258.
11. All sidewalks along Lower Buckeye Road shall be ATTACHED AND A ~~12.~~ MINIMUM OF 5 FEET IN WIDTH ~~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 Arizona Department of Transportation (ADOT) and/or the Planning and Development Department.

- a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75 percent shade.
- b. Drought tolerant vegetation maintained at a maximum height of 24 inches and achieve 75 percent live coverage.
- c. The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for arterial streets.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

- ~~13.~~ 12 All sidewalks along 59th Avenue shall be a minimum of 5 feet in width and detached with a minimum 10-foot wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Arizona Department of Transportation (ADOT) and/or the Planning and Development Department.

- a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75 percent shade.
- b. Drought tolerant vegetation maintained at a maximum height of 24 inches and achieve 75 percent live coverage.
- c. The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for arterial streets.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

- ~~14.~~ 13 All proposed driveways along Lower Buckeye Road shall require the approval of the Arizona Department of Transportation (ADOT) and the Planning and Development Department.

- ~~15.~~ 14 The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

- ~~16.~~ 15 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.

- 16 If Phase I data testing is required, and if, upon review of the results from Phase
17. 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.
- 17 In the event archeological materials are encountered during construction, the
18. 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.
- 18 Prior to preliminary site plan approval, the landowner shall execute a
19. 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 2. Due to the site's specific physical conditions and the use
district granted pursuant to Ordinance G-6935 this portion of the rezoning is now
subject to the stipulations approved pursuant to Ordinance G-6935 and as modified in
Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of
Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site
until all the stipulations have been met.

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

PASSED by the Council of the City of Phoenix this 24th day of January,
2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, 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 PHO-1-23--Z-SP-5-21-7

THAT PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER (E $\frac{1}{2}$ SE $\frac{1}{4}$) OF SECTION 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, LYING BETWEEN THE EXISTING WESTERLY RIGHT OF WAY LINE OF 59TH AVENUE AND THE FOLLOWING DESCRIBED LINE:

LINE DESCRIPTION:

COMMENCING AT A 2005 3 INCH MARICOPA COUNTY BRASS CAP IN HANDHOLE "LS 31610" MARKING THE SOUTHEAST CORNER OF SAID SECTION 18, BEING SOUTH 00°04'18" EAST 2637.50 FEET FROM A 2 INCH 2005 MARICOPA COUNTY ALUMINUM CAP IN HANDHOLE "LS 31610" MARKING THE EAST QUARTER CORNER OF SAID SECTION 18;

THENCE ALONG THE EAST LINE OF SAID SECTION 18, NORTH 00°04'18" WEST 33.81 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89°55'42" WEST 33.00 FEET TO THE JUNCTURE OF THE EXISTING NORTHERLY RIGHT OF WAY LINE OF LOWER BUCKEYE ROAD WITH THE EXISTING WESTERLY RIGHT OF WAY LINE OF 59TH AVENUE;

THENCE ALONG SAID EXISTING NORTHERLY RIGHT OF WAY LINE OF LOWER BUCKEYE ROAD NORTH 88°40'28" WEST 100.03 FEET;

THENCE CONTINUING ALONG SAID EXISTING NORTHERLY RIGHT OF WAY LINE NORTH 00°04'18" WEST 33.51 FEET;

THENCE CONTINUING ALONG SAID EXISTING NORTHERLY RIGHT OF WAY LINE NORTH 88°40'28" WEST 103.90 FEET;

THENCE CONTINUING ALONG SAID EXISTING NORTHERLY RIGHT OF WAY LINE NORTH 76°00'25" WEST 118.56 FEET;

THENCE CONTINUING ALONG SAID EXISTING NORTHERLY RIGHT OF WAY LINE NORTH 88°40'28" WEST 169.49 FEET TO THE EXISTING EASTERLY RIGHT OF WAY LINE OF STATE ROUTE 202L (SOUTH MOUNTAIN FREEWAY);

THENCE ALONG SAID EXISTING EASTERLY RIGHT OF WAY LINE OF STATE ROUTE 202L NORTH 16°00'43" EAST 399.68 FEET;

THENCE CONTINUING ALONG SAID EXISTING EASTERLY RIGHT OF WAY LINE NORTH 17°01'23" EAST 500.10 FEET;

THENCE CONTINUING ALONG SAID EXISTING EASTERLY RIGHT OF WAY LINE NORTH 17°16'47" EAST 399.69 FEET;

THENCE CONTINUING ALONG SAID EXISTING EASTERLY RIGHT OF WAY LINE NORTH 17°44'31" EAST 292.19 FEET TO THE EXISTING WESTERLY RIGHT OF WAY LINE OF SAID 59TH AVENUE;

THENCE NORTH 89°55'42" EAST 55.00 FEET TO THE POINT OF ENDING ON SAID EAST LINE OF SECTION 18, BEING SOUTH 00°04'18" EAST 1010.54 FEET FROM SAID EAST QUARTER CORNER OF SECTION 18.

EXCEPTING THEREFROM THE SOUTH 83.00 FEET OF THE EAST 83.00 FEET OF THE SOUTHEAST QUARTER (SE¼) OF SAID SECTION 18;

ALSO EXCEPTING THEREFROM THAT PORTION OF THE SOUTHEAST QUARTER (SE¼) OF SAID SECTION 18 DESCRIBED AS FOLLOWS:

COMMENCING AT A 2005 3 INCH MARICOPA COUNTY BRASS CAP IN HANDHOLE STAMPED "LS 31610" MARKING THE SOUTHEAST CORNER OF SAID SECTION 18, FROM WHICH A 3 INCH CITY OF PHOENIX BRASS CAP IN HANDHOLE MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 18 BEARS NORTH 88°40'28" WEST 2693.67 FEET;

THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 18, NORTH 88°40'28" WEST 83.02 FEET;

THENCE NORTH 00°04'18" WEST 33.01 FEET TO THE POINT OF BEGINNING ON THE NORTH LINE OF THE SOUTH 33 FEET OF THE SOUTHEAST QUARTER OF SAID SECTION 18;

THENCE ALONG SAID NORTH LINE OF THE SOUTH 33 FEET NORTH 88°40'28" WEST 50.01 FEET;

THENCE NORTH 00°04'18" WEST 150.04 FEET;

THENCE SOUTH 88°40'28" EAST 100.03 FEET;

THENCE SOUTH 00°04'18" EAST 100.03 FEET TO THE NORTH LINE OF THE SOUTH 83 FEET OF SAID SOUTHEAST QUARTER;

THENCE ALONG SAID NORTH LINE OF THE SOUTH 83 FEET, NORTH 88°40'28" WEST 50.01 FEET TO THE WEST LINE OF THE EAST 83 FEET OF SAID SOUTHEAST QUARTER;

THENCE ALONG SAID WEST LINE, SOUTH 00°04'18" EAST 50.01 FEET TO THE POINT OF BEGINNING.

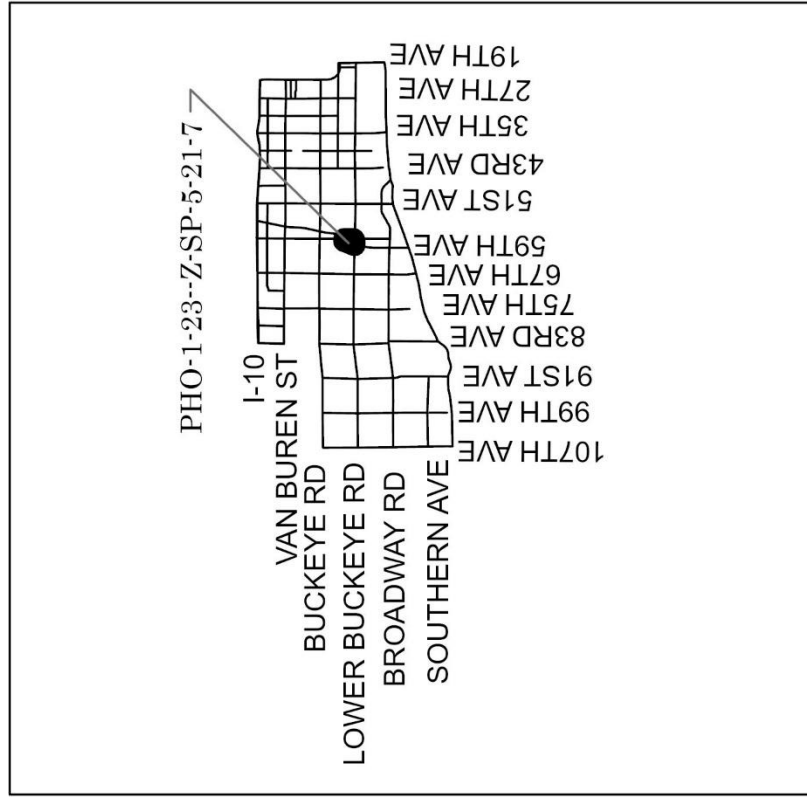
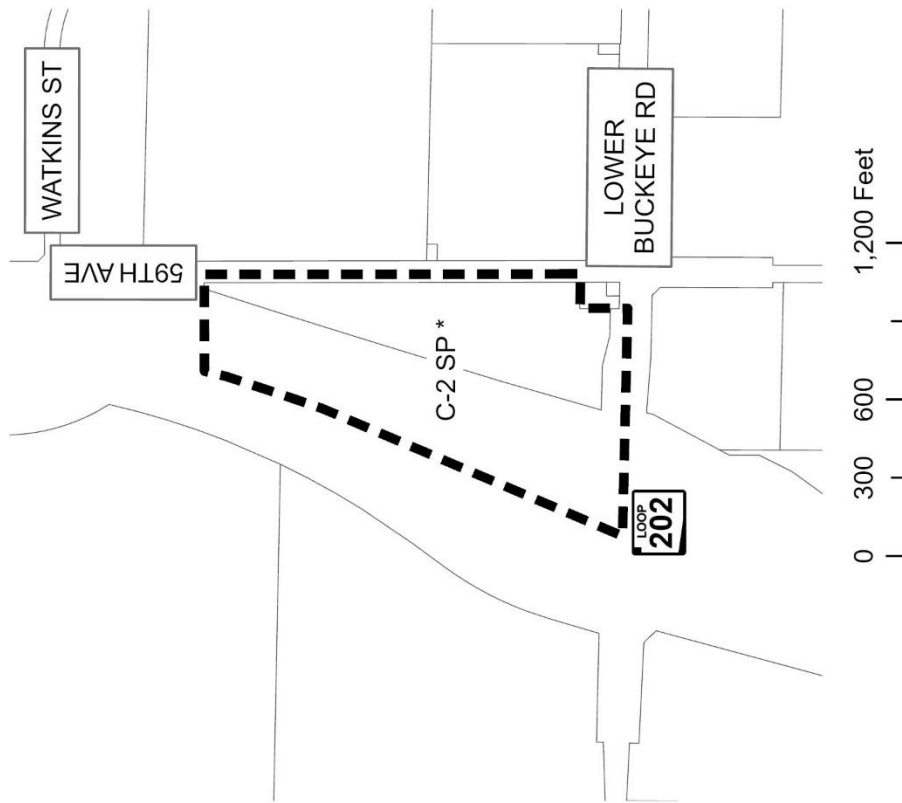
AND EXCEPT ALL MINERALS, COAL, CARBONS, HYDROCARBONS, OIL, GAS, CHEMICAL ELEMENTS AND COMPOUNDS, WHETHER IN SOLID, LIQUID OR GASEOUS FORM, AND ALL STEAM AND OTHER FORMS OF THERMAL ENERGY ON, IN OR UNDER SAID LAND AS RESERVED IN DEED RECORDED IN 2001-1105056, OFFICIAL RECORDS.

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: PHO-1-23--Z-SP-5-21-7
 Zoning Overlay: N/A
 Planning Village: Estrella

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



NOT TO SCALE



Drawn Date: 11/17/2023



Village Planning Committee Meeting Summary PHO-1-23--Z-SP-5-21-7

Date of VPC Meeting	October 17, 2023
Date of Planning Hearing Officer Hearing	November 15, 2023
Request	1) Modify Stipulation Nos. 1, 6, 9.b, and 12 regarding general conformance to the building elevations, parking lot landscaping, location of the bicycle repair station, and location of sidewalks on Lower Buckeye Road 2) Deletion of Stipulation Nos. 5, 7.a, and 8.a regarding perimeter walls, pedestrian walkways, and pedestrian thoroughfares
Location	Approximately 100 feet west of the northwest corner of 59th Avenue and Lower Buckeye Road
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:

No quorum.

Staff comments regarding VPC Recommendation

None.

Attachment C

***REVISED**

REPORT OF PLANNING HEARING OFFICER ACTION

Mr. Byron Easton, Planner III, Hearing Officer

Teresa Garcia, Planner I, Assisting

November 15, 2023

ITEM NO: 3	
	DISTRICT NO. 7
SUBJECT:	
Application #:	PHO-1-23--Z-SP-5-21-7
Location:	Approximately 100 feet west of the northwest corner of 59th Avenue and Lower Buckeye Road
Zoning:	C-2 SP
Acreage:	11.83
Request:	1) Modification to Stipulation 1 regarding general conformance with building elevations date stamped November 16, 2021. 2) Deletion of Stipulation 5 regarding perimeter walls. 3) Modification to Stipulation 6 regarding parking lot landscaping. 4) Deletion of Stipulation 7.a regarding shading of pedestrian walkways. 5) Deletion of Stipulation 8.a regarding location of pedestrian thoroughfares. 6) Modification to Stipulation 9.b regarding the location of a bicycle repair station. 7) Modification to Stipulation 12 regarding location of sidewalks along Lower Buckeye Road.
Applicant:	EPS Group, Inc.
Owner:	Aamerco Real Estate Company
Representative:	EPS Group, Inc.

ACTIONS:

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with a modification.

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee was scheduled to hear this request on October 17, 2023, but did not have a quorum.

DISCUSSION:

David Hughes, representative of EPS Group, Inc, gave an overview of the site and the modifications that were requested. He stated the existing conditions on

the site, including an existing ADOT chain link fence along the western property line. He gave an overview of the VPC hearing, indicating there was no quorum, but had a meeting with the VPC chair, Lisa Perez, to answer some questions she had about the site.

Parul Butala, representative of U-Haul, stated her support for the project and was available to answer questions regarding U-Haul's operation.

Mr. Easton asked Mr. Hughes if he was aware of any sound wall requirements from ADOT.

Mr. Hughes stated he is not aware of any requirements.

Mr. Easton asked if Mr. Hughes reached out to ADOT regarding the project.

Mr. Hughes stated he did reach out to ADOT and is preparing a traffic study and the site plan for their review. He stated he discussed it with Teresa Garcia, Planning Hearing Officer Assistant, and mentioned the materials will be provided with the site plan application.

Mr. Easton asked if the proposed site plan meets the City of Phoenix's current landscape requirements.

Mr. Hughes stated the landscape on the plan was used for presentation and would need to double check the landscaping requirements.

Mr. Easton stated there was no public correspondence for this case. He stated there was no recommendations from the Estrella VPC due to no quorum at the VPC hearing. He recommended approval with a modification to Stipulation 1, modifying the general conformance date to September 8, 2023 for the new proposed elevations. He recommended approval to Stipulations 5 and 6, indicating that the applicant is offering to add additional landscaping to the site. He stated modification requests to Stipulations 7.a and 8.a were withdrawn. He recommended approval to Stipulation 9.b, indicating the applicant is going to keep the bicycle repair station and is updating the site plan date. He recommended approval to Stipulation 12 as written. He stated a Prop 207 waiver was received and no additional stipulations were added.

FINDINGS:

- 1) The request to modify Stipulation 1 is approved with a modification. The purpose of the original rezoning was to allow the development of commercial self-service storage warehouse buildings on the Site. The proposal is offering the same use and intensity on the same portion of the

property and therefore only needs the revised elevations for the new development to be referenced in the general conformance Stipulation.

- 2) The request for the deletion of Stipulation 5 is approved. The applicant indicated that there is an existing view fence provided by ADOT adjacent to the Loop 202 freeway drainage channel. The applicant also stated that they will provide additional landscaping along that frontage and provided a landscape plan showing the added buffering in lieu of additional perimeter walls.
- 3) The request to modify Stipulation 6 regarding parking lot landscaping is recommended to be approved. The Stipulation has been modified to specify which parking areas are to be landscaped with 2-inch caliper shade trees, excluding areas that will only be used for moving van storage. The overall goal to achieve 25 percent of parking area shade at maturity, will still be achieved.
- 4) The request for modification of Stipulation 7.a is withdrawn.
- 5) The request for deletion of Stipulation 8.a is withdrawn.
- 6) The request to modify Stipulation 9.b is approved. The Stipulation is being updated to match the revised site plan for the new development (different developer).
- 7) The request to modify Stipulation 12 is approved. Due to Lower Buckeye Road right-of-way being under the jurisdiction of ADOT, the ultimate design of the sidewalk and landscaping in ADOT right-of-way is solely at their discretion. In addition, existing SRP facilities in the right-of-way would prohibit/severely limit planting in a landscape buffer on top of those facilities. Typically, the City of Phoenix would require the facilities to be moved out of the right-of-way and onto private property but are unable to, in this situation, as it's not under the City's jurisdiction.

STIPULATIONS:

1.	The self-service storage warehouse portion of the development shall be in general conformance with the building elevations date stamped SEPTEMBER 8, 2023 ~~November 16, 2024~~ , as modified by the following stipulations and approved by the Planning and Development Department. Other building elevations shall be developed with a common architectural theme to the following standards, as approved by the Planning and Development Department:

	a.	Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability to provide a decorative and aesthetic treatment.
	b.	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.
	c.	A minimum of two building materials listed in the Estrella Village Core Plan shall be utilized in all building elevations.
2.		The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards along arterial streets in the Estrella Village, except as noted herein, as approved by the Planning and Development Department.
3.		Project entry drives along Lower Buckeye Road shall incorporate enhanced landscaping on both sides planted with a variety of at least three plant materials. Each landscaped area shall be a minimum of 125-square feet, as approved by the Planning and Development Department.
4.		Project entry drives along Lower Buckeye Road shall be constructed of decorative pavers, stamped, or colored concrete, or similar alternative material, as approved by the Planning and Development Department.
5.		~~Where perimeter walls are adjacent to the Loop 202 freeway drainage channel, these shall be limited to open view wrought iron fencing or similar material, or a combination of 4-foot solid masonry topped by wrought iron open view fencing or similar material, unless required otherwise by the Zoning Ordinance, as approved by the Planning and Development Department.~~
5. 6.		All uncovered CUSTOMER AND EMPLOYEE surface parking lot areas 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.
6. 7.		The following pedestrian shade standards shall be met as described below and as approved or modified by the Planning and Development Department:
	a.	Pedestrian walkways connecting the commercial buildings 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.
	b.	The bus stop along Lower Buckeye Road shall be shaded to a minimum of 50 percent.
7. ~~8.~~	A system of pedestrian thoroughfares shall be provided as described below and as approved or modified by the Planning and Development Department:	
	a.	Connections to/between via the most direct route:
	(1)	All building entrances.
	(2)	Adjacent public sidewalks.
	(3)	The bus stop along Lower Buckeye Road.
	b.	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. Vehicular crossings shall be kept to a minimum.
8. ~~9.~~	The development shall incorporate bicycle infrastructure, as described below and as approved by the Planning and Development Department.	
	a.	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.
	b.	One bicycle repair station ("fix it station") shall be provided and maintained within close proximity to Lower Buckeye Road or the C Store building as depicted in the site plan date stamped SEPTEMBER 8, 2023 ~~July 12, 2024~~ . The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

9. 10.		The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along the north side of Lower Buckeye Road 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.
10 11.		The developer shall dedicate right-of-way and construct one bus stop pad along westbound Lower Buckeye Road west of 59th Avenue. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The bus stop pad shall be spaced from the intersection according to City of Phoenix Standard Detail P1258.
11 12.		All sidewalks along Lower Buckeye Road shall be ATTACHED AND A MINIMUM OF 5 FEET IN WIDTH ~~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 Arizona Department of Transportation (ADOT) and/or the Planning and Development Department.
	a.	Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum.7.5 percent shade.
	b.	Drought tolerant vegetation maintained at a maximum height of 24 inches and achieve 75 percent live coverage.
	c.	The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for arterial streets.
		Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
12 13.		All sidewalks along 59th Avenue shall be a minimum of 5 feet in width and detached with a minimum 10-foot wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Arizona Department of Transportation (ADOT) and/or the Planning and Development Department.
	a.	Minimum 2-inch caliper single-trunk large canopy drought-tolerant

		shade trees to provide a minimum 75 percent shade.
	b.	Drought tolerant vegetation maintained at a maximum height of 24 inches and achieve 75 percent live coverage.
	c.	The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for arterial streets.
		Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
13 14.		All proposed driveways along Lower Buckeye Road shall require the approval of the Arizona Department of Transportation (ADOT) and the Planning and Development Department.
14 15.		The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
15 16.		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.
16 17.		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.
17 18.		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.
18 19.		Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Upon request, this publication will be made available within a reasonable length of time through appropriate auxiliary aids or services to accommodate an individual with a disability. This publication may be made available through the following auxiliary aids or services: large print, Braille, audiotape or computer diskette. To request a reasonable accommodation, please contact Teleia Galaviz at teleia.galaviz@phoenix.gov or (602) 291-2559 or TTY: 7-1-1.



*****ADDITIONAL INFORMATION (SEE ATTACHED MEMO)*** (CONTINUED FROM SEPT. 6 AND NOV. 1, 2023) - Public Hearing - Amend City Code - Ordinance Adoption - Parking Reductions for Multifamily Developments - Z-TA-8-23-Y (Ordinance G-7161)**

Request to hold a public hearing on a proposed text amendment Z-TA-8-23-Y and to request City Council approval per the Planning Commission recommendation which amends Chapter 2, Section 202 (Definitions) to add definitions for affordable housing, passenger loading space, passenger loading zone, and revise parking space, unreserved; amend Chapter 6, Section 608.J (Density Bonus For Low or Moderate Income Housing); amend Chapter 7, Sections 702.C (Parking Requirements) and Section 702.E (Modifications to Parking Requirements); and amend Chapter 13, Section 1307 (Parking Standards) to modify the parking requirements for multifamily, single-family attached, and affordable housing, and add requirements for passenger loading zones.

Summary

The intent of the proposed text amendment is to reduce parking requirements for multifamily developments. Related definitions have been revised and/or deleted, with new definitions provided as necessary; “passenger loading space” and “passenger loading zone” has been added for use with the Walkable Urban code, together with proposed development standards; and parking requirements have been reduced for multifamily developments as detailed in the Staff Report (**Attachment B**).

Applicant: City of Phoenix, Planning Commission

Representative: City of Phoenix, Planning and Development Department

Staff Recommendation: Approval of Z-TA-8-23-Y as shown in Exhibit A of the Staff Report (**Attachment B**).

VPC Info: Eleven of the 15 Village Planning Committees (VPCs) heard this item for information only throughout June, as reflected in **Attachments C and D**.

VPC Action: Fourteen VPCs considered the request. Four VPCs recommended approval, per the staff recommendation; two VPCs recommended approval, per the staff recommendation, with modifications; and nine VPCs recommended denial, as reflected in **Attachments C and E**.

PC Info: The Planning Commission heard this item on June 1, 2023, for information only (**Attachment F**).

PC Action: The Planning Commission heard this item on Aug. 3, 2023, and recommended approval, per the staff recommendation (in the Staff Report) with modifications, by a vote of 6-2, as reflected in **Attachment G**.

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: January 10, 2024

From: Joshua Bednarek
Planning and Development Director

Subject: ITEM 59 ON THE JANUARY 24, 2024, FORMAL AGENDA -PUBLIC HEARING -
AMEND CITY CODE -ORDINANCE ADOPTION -PARKING REDUCTIONS FOR
MULTIFAMILY DEVELOPMENTS -Z-TA-8-23-Y (ORDINANCE G-7161)

Item 59, Z-TA-8-23-Y is a request to amend Chapter 2, Section 202 (Definitions) to add definitions for affordable housing, passenger loading space, passenger loading zone, special needs populations, and revise parking space, unreserved; amend Chapter 6, Section 608.J (Density Bonus For Low or Moderate Income Housing); amend Chapter 7, Sections 702.C (Parking Requirements) and Section 702.E (Modifications to Parking Requirements); and amend Chapter 13, Section 1307 (Parking Standards) to modify the parking requirements for multifamily, single-family attached, and affordable housing, and add requirements for passenger loading zones.

The Village Planning Committees considered the request throughout July and August. Four VPCs recommended approval, per the staff recommendation; two VPCs recommended approval, per the staff recommendation, with modifications; and nine VPCs recommended denial.

The Planning Commission heard this item on August 3, 2023, and recommended approval, per the staff recommendation (in the Staff Report) with modifications, by a vote of 6-2.

Staff provided an overview of the text amendment to the City Council Transportation Infrastructure and Planning (TIP) Subcommittee on October 18, 2023. Staff also provided the Subcommittee a summary of the feedback and recommendations received during the public review process. In response to the feedback and recommendations staff presented several changes to the text amendment language for the Subcommittee's consideration. Changes included modifications to the proposed parking standards for multi-family development citywide, an adjustment to the parking standard for properties with Walkable Urban Code zoning and the introduction of new reduction provisions for projects serving special needs populations.

The City Council Transportation, Infrastructure and Planning Subcommittee heard this item on October 18, 2023, and recommended approval, per staff's modified recommendation (in the Staff Report Addendum A), by a vote of 3-1.

The following changes to the proposed language for Z-TA-8-23-Y are outlined in Staff Report Addendum A dated December 22, 2023.

Staff recommends approval per the addendum A staff report dated December 22, 2023.

Approved: 
Alan Stephenson, Deputy City Manager

Attachments:

Exhibit A – Staff Report Addendum A dated December 22, 2023

Exhibit B – Recommendation Summary Matrix

Exhibit C – Letter of Support dated January 3, 2024

Exhibit A



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM A

Staff Report: Z-TA-8-23-Y Zoning Ordinance Text Amendment December 22, 2023

Application No Z-TA-8-23-Y: Amend Chapter 2, Section 202 (Definitions) to add definitions for affordable housing, passenger loading space, passenger loading zone, special needs populations and revise parking space, unreserved; amend Chapter 6, Section 608.J (Density Bonus For Low or Moderate Income Housing); amend Chapter 7, Sections 702.C (Parking Requirements) and Section 702.E (Modifications to Parking Requirements); and amend Chapter 13, Section 1307 (Parking Standards) to modify the parking requirements for multifamily, single-family attached, and affordable housing, and add requirements for passenger loading zones.

Staff recommendation: Staff recommends approval of Z-TA-8-23-Y as shown in the recommended text in Attachment A.

Background: The attached language and changes reflect input and review of suggested language from the public hearing process. Staff have proposed revisions based upon further direction from the Transportation, Infrastructure and Planning City Council Subcommittee, the Planning Commission recommendation and other concerns expressed at the Village Planning Committee meetings. Below is a summary of the proposed revisions to the text amendment which are denoted as **BOLD/UNDERLINED** text in Exhibit A dated December 22, 2023.

Proposed Changes

Following the VPC meetings and the Planning Commission recommendation, staff proposes that the following changes be made to the proposed language for Z-TA-8-23-Y, as follows:

- A. Revise Section 202 to add a definition of “Special Needs Populations”, based upon the existing criteria stated in Section 702 (Off-Street Parking and Loading):

SPECIAL NEEDS POPULATIONS: PERSONS OR HOUSEHOLDS WITH SPECIAL NEEDS, SUCH AS BUT NOT LIMITED TO THE DISABLED AND ELDERLY, AS DETERMINED BY THE ZONING ADMINISTRATOR.

- B. Revise Section 608.J to remove the proposal to provide a parking reduction for Affordable Housing:

~~3. PARKING REDUCTION.~~

~~A. FOR EACH AFFORDABLE HOUSING UNIT, THE REQUIRED PARKING CALCULATION MAY BE REDUCED BY 50%.~~

~~B. A PARKING REDUCTION AWARDED PER THIS SECTION SHALL APPLY ONLY WHEN NO OTHER TYPE OF PARKING REDUCTION AUTHORIZED ELSEWHERE IN THE ZONING ORDINANCE HAS BEEN GRANTED.~~

3.4. Other requirements. The total number of units within a project shall be as approved by the Department of Housing, and Urban Development. Further, the location of any such units shall be consistent with the goals of the City of Phoenix Housing Assistance Allocation Plan.

Revise Section 702.C to revise the proposed City-wide multi-family parking requirement from 1.25 spaces/dwelling to 1.5 spaces/dwelling.

Type of Land Use	Parking Requirements

Type of Land Use	Parking Requirements
Dwelling Unit, Multi-Family	~~Total required parking~~ ~~1.3 spaces per efficiency unit and 1.5 spaces per 1 or 2 bedroom unit and 2 spaces per 3 or more bedroom unit, 1.0 space per unit of less than 600 square feet regardless of number of bedrooms~~ ~~When the required parking is reserved for residents, additional unreserved parking is required as follows: 0.3 spaces for each efficiency unit and 0.5 spaces per each 1 or 2 bedroom unit and 1.0 space per each 3 or more bedroom unit.~~ ~~Exception for unreserved parking: where minimum 18-foot driveways are provided for individual units, .25 space per each unit.~~ ~~Unreserved parking shall be distributed throughout the site.~~ ~~Note: Any unreserved parking spaces required by this section may be counted toward the total required parking count.~~ ~~1.25 SPACES PER DWELLING UNIT~~ ~~A MINIMUM OF 30% OF THE REQUIRED PARKING SPACES MUST REMAIN UNRESERVED.~~ ~~<u>1.5 SPACES PER DWELLING UNIT</u>~~ ~~<u>A MINIMUM OF 50% OF THE REQUIRED PARKING SPACES MUST BE PROVIDED AS UNRESERVED SPACES.</u>~~

C. Revise Section 702.D.3 to remove the proposed subsection f, regarding a parking reduction for affordable housing, which was not recommended for approval by Planning Commission:

~~f. INCENTIVES FOR AFFORDABLE HOUSING (RESIDENTIAL DISTRICTS, SECTION 608.J)~~

- D. Revise Section 702.D.6 to revise the existing Special Needs Populations parking reductions to introduce a new administrative approval and parking study requirement:

~~6. Special needs populations. The Zoning Administrator or Board of Adjustment may grant a use permit in accordance with the standards and procedures of Section 307 to reduce the otherwise applicable parking requirements for housing which serves households with special needs, such as but not limited to the disabled and elderly, when it can be shown there is less demand for parking or alternative sources of transportation are available.~~

6. REDUCTIONS FOR SPECIAL NEEDS POPULATIONS. FOR PERSONS OR HOUSEHOLDS WITH SPECIAL NEEDS, THE REQUIRED PARKING CALCULATION MAY BE REDUCED BY UP TO 50% UPON APPROVAL OF A PARKING DEMAND STUDY DEMONSTRATING THAT THE NUMBER OF VEHICLES PARKED AT THE ANTICIPATED PEAK HOUR CAN BE PARKED FULLY ON THE SITE.

a. THE PARKING DEMAND STUDY SHALL BE SEALED BY A REGISTERED TRAFFIC ENGINEER AND SUBMITTED TO THE PLANNING AND DEVELOPMENT DEPARTMENT FOR REVIEW AND APPROVAL.

b. ADDITIONAL REDUCTIONS LARGER THAN 50% MAY BE GRANTED BY OBTAINING A USE PERMIT PER SECTION 307. THE PARKING DEMAND STUDY OUTLINED IN 706.E.6.a SHALL BE SUBMITTED CONCURRENT WITH THE USE PERMIT APPLICATION.

c. A PARKING REDUCTION AWARDED PER THIS SECTION SHALL APPLY ONLY WHEN NO OTHER TYPE OF PARKING REDUCTION AUTHORIZED ELSEWHERE IN THE ZONING ORDINANCE HAS BEEN GRANTED.

- E. Revise Section Table 1307.1 to increase the parking requirement for market-rate multi-family developments zoned WU Code to respond to the Planning Commission recommendation and to reconcile the existing WU Code Affordable Housing parking requirements:

USE	MEASURE	T3	T4	T5 1—5 Stories	T5 6—10 Stories	T6

RESIDENTIAL, MULTI-FAMILY ⁽²⁾	PER UNIT	N/A	A MINIMUM OF ~~0.5~~ ~~0.65~~ <u>0.75</u> ~~30~~ <u>50</u> % OF THE REQUIRED SPACES SHALL REMAIN UNRESERVED.			

Affordable Housing	per unit	0.85	0.75	0.5		0.5
AFFORDABLE HOUSING	PER UNIT	0.75	NONE REQUIRED			

EXHIBIT A

Text Amendment Z-TA-8-23-Y:

Parking Reductions for Multifamily and Affordable Housing

Proposed Language:

Amend Chapter 2, Section 202 (Definitions) to add definitions for affordable housing, passenger loading space, passenger loading zone, special needs populations and revise parking space, unreserved, as follows:

AFFORDABLE HOUSING: RESIDENTIAL OR MIXED-USE DEVELOPMENT PROVIDING HUD OR OTHER ASSISTED LOW- TO MODERATE-INCOME HOUSING, AS VERIFIED BY THE PHOENIX HOUSING DEPARTMENT; TYPICALLY INCLUDES DWELLING UNIT(S) COMMITTED FOR A MINIMUM TERM THROUGH COVENANTS OR RESTRICTIONS TO HOUSEHOLDS WITH INCOMES AT 80 PERCENT OR LESS OF THE AREA MEDIAN INCOME, AS DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE CITY.

Parking Space, Unreserved: An unassigned parking space that is available to both-residents, EMPLOYEES, and visitors TO THE PROPERTY. UNRESERVED PARKING SPACES WHICH COUNT TOWARD ANY REQUIRED PARKING MINIMUMS SHALL NOT BE USED FOR OFF-SITE OR COMMERCIAL PARKING USES.

FOR RESIDENTIAL DEVELOPMENTS, UNRESERVED SPACES MAY BE LOCATED BEHIND A VEHICULAR GATE IF A CALL BOX IS PROVIDED TO ALLOW VISITOR ENTRY BY RESIDENTS OF THE PROPERTY.

FOR NON-RESIDENTIAL DEVELOPMENTS, UNRESERVED SPACES MAY NOT BE LOCATED BEHIND A VEHICULAR GATE UNLESS THE GATE IS OPEN (OR WILL OPEN AUTOMATICALLY UPON APPROACH) DURING ALL STANDARD BUSINESS HOURS.

PASSENGER LOADING SPACE: A DESIGNATED SPACE FOR THE SHORT-TERM USE BY ONE VEHICLE TO STAND DURING PASSENGER PICK UP OR DROP OFF OF VISITORS, RESIDENTS, OR OCCUPANTS OF THE BUILDING OR USE; OR DURING DELIVERY OF GOODS TO INDIVIDUAL OCCUPANTS. A PASSENGER LOADING SPACE MAY NOT INCLUDE ANY DELIVERY OF GOODS OR SERVICE AREAS FOR COMMERCIAL USES, NOR ANY USE NOT CONSIDERED SHORT-TERM.

PASSENGER LOADING ZONE: AN AREA ADJACENT TO A PRIMARY ENTRY COMPRISED OF AT LEAST ONE PASSENGER LOADING SPACE, CONSTRUCTED IN TANDEM (WITH NO BARRIERS IN BETWEEN) FOR USE AS ONE CONTIGUOUS LOADING ZONE.

SPECIAL NEEDS POPULATIONS: PERSONS OR HOUSEHOLDS WITH SPECIAL NEEDS, SUCH AS BUT NOT LIMITED TO THE DISABLED AND ELDERLY, AS DETERMINED BY THE ZONING ADMINISTRATOR.

Amend Chapter 6, Section 608.J (Density Bonus For Low or Moderate Income Housing) to read as follows:

- J. **~~Density Bonus INCENTIVES For Low or Moderate Income AFFORDABLE Housing.~~** In order to overcome a demonstrated deficiency in the supply of housing for persons of low and moderate income, ~~density bonus-incentives~~ are established to foster the provision of such housing. ~~The bonuses in this paragraph shall apply to the maximum density for any district and may be in addition to bonuses earned by the provision of additional open space.~~
1. **Applicability.** All development LOCATED WITHIN A ZONING DISTRICT SUBJECT TO THE PROVISIONS OF SECTION 608 providing HUD ~~or other assisted mixed income rental housing as approved by the Phoenix Housing and Urban Redevelopment Department~~ AFFORDABLE HOUSING AS DEFINED IN SECTION 202.
 2. **Density bonus.**
 - a. One additional ~~conventional~~ unit SHALL BE allowed for every two ~~low/moderate income~~ AFFORDABLE HOUSING units, provided that the overall project density does not exceed ten percent beyond that which would otherwise be allowed.
 - b. ~~The A DENSITY bonuses in this paragraph~~ AWARDED PER THIS SECTION shall apply to the maximum density for any district and may be in addition to A DENSITY bonuses earned ~~by the provision of additional open space~~ PER THE PROVISIONS OF SECTION 608.I.2.
 3. **~~PARKING REDUCTION.~~**

~~A. FOR EACH AFFORDABLE HOUSING UNIT, THE REQUIRED PARKING CALCULATION MAY BE REDUCED BY 50%.~~

~~B. A PARKING REDUCTION AWARDED PER THIS SECTION SHALL APPLY ONLY WHEN NO OTHER TYPE OF PARKING REDUCTION AUTHORIZED ELSEWHERE IN THE ZONING ORDINANCE HAS BEEN GRANTED.~~

~~3.4. Other requirements. The total number of units within a project shall be as approved by the Department of Housing, and Urban Development. Further, the location of any such units shall be consistent with the goals of the City of Phoenix Housing Assistance Allocation Plan.~~

~~***~~

Amend Chapter 7, Section 702.C (Parking Requirements) to read as follows:

C. **Parking Requirements.** Off-street automobile parking space or area shall be provided according to the following table, except for large scale retail commercial uses (see Section 702.D). The parking ratios in the table identify the minimum level of parking required to serve that use and receive site plan approval.

Type of Land Use	Parking Requirements

Type of Land Use	Parking Requirements
Dwelling Unit, Multi-Family	~~Total required parking~~ ~~1.3 spaces per efficiency unit and 1.5 spaces per 1 or 2 bedroom unit and 2 spaces per 3 or more bedroom unit, 1.0 space per unit of less than 600 square feet regardless of number of bedrooms~~ ~~When the required parking is reserved for residents, additional unreserved parking is required as follows: 0.3 spaces for each efficiency unit and 0.5 spaces per each 1 or 2 bedroom unit and 1.0 space per each 3 or more bedroom unit.~~ ~~Exception for unreserved parking: where minimum 18-foot driveways are provided for individual units, .25 space per each unit.~~ ~~Unreserved parking shall be distributed throughout the site.~~ ~~Note: Any unreserved parking spaces required by this section may be counted toward the total required parking count.~~ ~~1.25 SPACES PER DWELLING UNIT~~ ~~A MINIMUM OF 30% OF THE REQUIRED PARKING SPACES MUST REMAIN UNRESERVED.~~ ~~<u>1.5 SPACES PER DWELLING UNIT</u>~~ ~~<u>A MINIMUM OF 50% OF THE REQUIRED PARKING SPACES MUST BE PROVIDED AS UNRESERVED SPACES.</u>~~

Type of Land Use	Parking Requirements
Dwelling Unit, Single-Family Attached	~~1.3 spaces per efficiency unit and 1.5 spaces per 1 or 2 bedroom unit and 2 spaces per 3 or more bedroom unit, 1.0 space per unit of less than 600 square feet regardless of number of bedrooms~~ PER SECTION 608.F.6, IF DEVELOPING UNDER THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION PER SECTIONS 614-618. 2 SPACES PER UNIT IF NOT DEVELOPING UNDER THE SFI OPTION. THE REQUIRED SPACES FOR EACH DWELLING UNIT MUST BE PROVIDED ON THE SAME LOT. AN ADDITIONAL 0.25 UNRESERVED SPACE PER DWELLING UNIT MUST PER PROVIDED ELSEWHERE WITHIN THE DEVELOPMENT FOR VISITOR PARKING.

Amend Chapter 7, Section 702.E (Modifications to Parking Requirements) to read as follows:

E. Modifications to Parking Requirements.

3. **Reductions.** Parking reductions are specified within the specific zoning districts. The listed zoning districts offer parking reductions:

- a. ~~Downtown Core District: No parking required. (Section 643)~~
DOWNTOWN CODE: PER SUSTAINABILITY BONUS AWARDS.
(CHAPTER 12)
- b. ~~Warehouse District: No parking required. (Section 645)~~ WALKABLE
URBAN (WU) CODE. (CHAPTER 13)

- ~~f. INCENTIVES FOR AFFORDABLE HOUSING (RESIDENTIAL DISTRICTS, SECTION 608.J)~~

6. ~~Special needs populations. The Zoning Administrator or Board of Adjustment may grant a use permit in accordance with the standards~~

~~and procedures of Section 307 to reduce the otherwise applicable parking requirements for housing which serves households with special needs, such as but not limited to the disabled and elderly, when it can be shown there is less demand for parking or alternative sources of transportation are available.~~

6. REDUCTIONS FOR SPECIAL NEEDS POPULATIONS. FOR PERSONS OR HOUSEHOLDS WITH SPECIAL NEEDS, THE REQUIRED PARKING CALCULATION MAY BE REDUCED BY UP TO 50% UPON APPROVAL OF A PARKING DEMAND STUDY DEMONSTRATING THAT THE NUMBER OF VEHICLES PARKED AT THE ANTICIPATED PEAK HOUR CAN BE PARKED FULLY ON THE SITE.

a. THE PARKING DEMAND STUDY SHALL BE SEALED BY A REGISTERED TRAFFIC ENGINEER AND SUBMITTED TO THE PLANNING AND DEVELOPMENT DEPARTMENT FOR REVIEW AND APPROVAL.

b. ADDITIONAL REDUCTIONS LARGER THAN 50% MAY BE GRANTED BY OBTAINING A USE PERMIT PER SECTION 307. THE PARKING DEMAND STUDY OUTLINED IN 706.E.6.a SHALL BE SUBMITTED CONCURRENT WITH THE USE PERMIT APPLICATION.

c. A PARKING REDUCTION AWARDED PER THIS SECTION SHALL APPLY ONLY WHEN NO OTHER TYPE OF PARKING REDUCTION AUTHORIZED ELSEWHERE IN THE ZONING ORDINANCE HAS BEEN GRANTED.

9. ~~Reductions for Infill Development District.~~ THE INFILL DEVELOPMENT DISTRICT, AS SHOWN ON THE GENERAL PLAN, IS SUBJECT TO THE FOLLOWING PROVISIONS:

a. ~~Within the infill development district, as shown on the general plan for Phoenix, a development's on-street parking adjacent to and along the same side of a public, local or collector street may be counted toward parking requirements.~~ PARKING REDUCTIONS.

(1) THESE REDUCTIONS DO NOT APPLY TO PROPERTIES ZONED DOWNTOWN CODE OR WALKABLE URBAN CODE.

(2) NON-RESIDENTIAL USES SUBJECT TO THE PARKING REQUIREMENTS OF SECTION 702.C WITH NO OTHER PARKING REDUCTIONS MAY REDUCE THE AMOUNT OF REQUIRED PARKING BY 20%.

(3) MULTI-FAMILY USES SUBJECT TO THE PARKING REQUIREMENTS OF SECTION 702.C WITH NO OTHER PARKING REDUCTIONS MAY REDUCE THE AMOUNT OF REQUIRED PARKING BY 50%.

- c. Use Permit Notice Procedure for ~~Infill-OFF-SITE Parking Reductions~~. The following additional procedures shall be followed as part of the ~~infill parking reduction-use permit process~~ (in addition to the procedures required by Section 307):

Amend Chapter 13, Section 1307 (Parking Standards) to modify the parking requirements for multi-family, single-family attached, and affordable housing, and add requirements for passenger loading zones to read as follows:

Chapter 13 WALKABLE URBAN (WU) CODE

Section 1307. Parking AND LOADING standards.

B. Required Vehicular Parking.

1. Vehicular parking must be provided for each use in accordance with Table 1307.1 and as follows:
 - a. Minimum required vehicular parking is the sum of parking required for each use within a lot.

- b. ~~Accessory dwellings in T3 and T4 require one parking space per unit.~~
- c. B. Vehicular parking may be limited to a maximum number of spaces by parking districts where established.
- d. C. Other uses not identified on Table 1307.1 shall follow Section 702 standards.

Table 1307.1 Minimum Required Vehicular Parking

USE	MEASURE	T3	T4	T5 1—5 Stories	T5 6—10 Stories	T6
Residential, Single-Family DETACHED	per unit	2.0		n/a	n/a	n/a
~~Residential: Single-Family Attached and Multifamily~~	~~(1) As per Section 702. Additional 25% reduction when the off-street parking area is located within 1,320 feet from a light rail station when measured in a direct line from the building, and 10% reduction of required parking if the development is greater than 1,320 feet from a light rail station. The minimum required on-site vehicular parking is exclusively for the patrons of the subject parcel.~~					
RESIDENTIAL, SINGLE-FAMILY ATTACHED	PER SECTION 608.F.6, IF DEVELOPING UNDER THE PROVISIONS OF 1303.A.1.A.; OTHERWISE PER SECTION 702.					
RESIDENTIAL, MULTI-FAMILY ⁽²⁾	PER UNIT	N/A	~~0.5-0.65~~ <u>0.75</u> A MINIMUM OF ~~30-50~~ % OF THE REQUIRED SPACES SHALL REMAIN UNRESERVED.			

Affordable Housing	per unit	0.85	0.75	0.5		0.5

USE	MEASURE	T3	T4	T5 1—5 Stories	T5 6—10 Stories	T6
AFFORDABLE HOUSING	PER UNIT	0.75	NONE REQUIRED			

- D. **Required SERVICE/GOODS Loading AREAS and Service Bays.** THE FOLLOWING REQUIREMENTS APPLY TO SHORT-TERM LOADING AND UNLOADING OF SERVICE VEHICLES WITH MATERIALS, GOODS OR EQUIPMENT. PASSENGER LOADING ZONES ARE ADDRESSED IN SECTION 1307.I.

1. On-site SERVICE/GOODS loading shall be required for all development as follows:

- E. **Off-Street Parking Location and Access.**

1. Parking must be set back from frontages according to Table 1303.2, except where parking is located underground. PASSENGER LOADING SPACES/ZONES ARE NOT SUBJECT TO THESE SETBACK REQUIREMENTS.

- I. **PASSENGER LOADING.** THE FOLLOWING REQUIREMENTS APPLY TO PASSENGER LOADING SPACES AND ZONES ONLY. SERVICE/GOODS LOADING AREAS ARE ADDRESSED IN SECTION 1307.D.

1. **REQUIRED NUMBER OF SPACES.** PASSENGER LOADING SPACES SHALL BE PROVIDED AS FOLLOWS:

TABLE. 1307.3 REQUIRED PASSENGER LOADING SPACES	
USE TYPE	PASSENGER LOADING SPACES REQUIRED ⁽²⁾
CULTURAL OR PUBLIC FACILITY	2

HOSPITAL	3
HOTEL OR MOTEL	3
MULTI-FAMILY RESIDENTIAL	1 PER 50 DWELLING UNITS ⁽¹⁾
PUBLIC ASSEMBLY	1 PER 50 REQUIRED PARKING SPACES ⁽¹⁾
ALL OTHER USES	1 PER 25,000 GROSS SF ⁽¹⁾

(1) OR PORTION THEREOF. NO SITE SHALL BE REQUIRED TO PROVIDE MORE THAN 10 PASSENGER LOADING SPACES.

(2) FOR MIXED USES, THE MINIMUM NUMBER OF REQUIRED SPACES SHALL BE THE SUM OF THE SPACES REQUIRED FOR THE INDIVIDUAL USES, ALTHOUGH ROUNDING UP SHALL OCCUR AT THE FINAL STEP OF THE CALCULATIONS. FOR EXAMPLE, A DEVELOPMENT WITH 70,000 GROSS SF OF OFFICE SPACE, PLUS 125 MULTI-FAMILY DWELLING UNITS, IS REQUIRED 1.4 SPACES (70,000 SF / 50,000 SF/SPACE), PLUS 1.25 SPACES (125 DU / 100 DU/SPACE), WHICH TOTALS 2.65 REQUIRED, OR 3 PASSENGER LOADING SPACES.

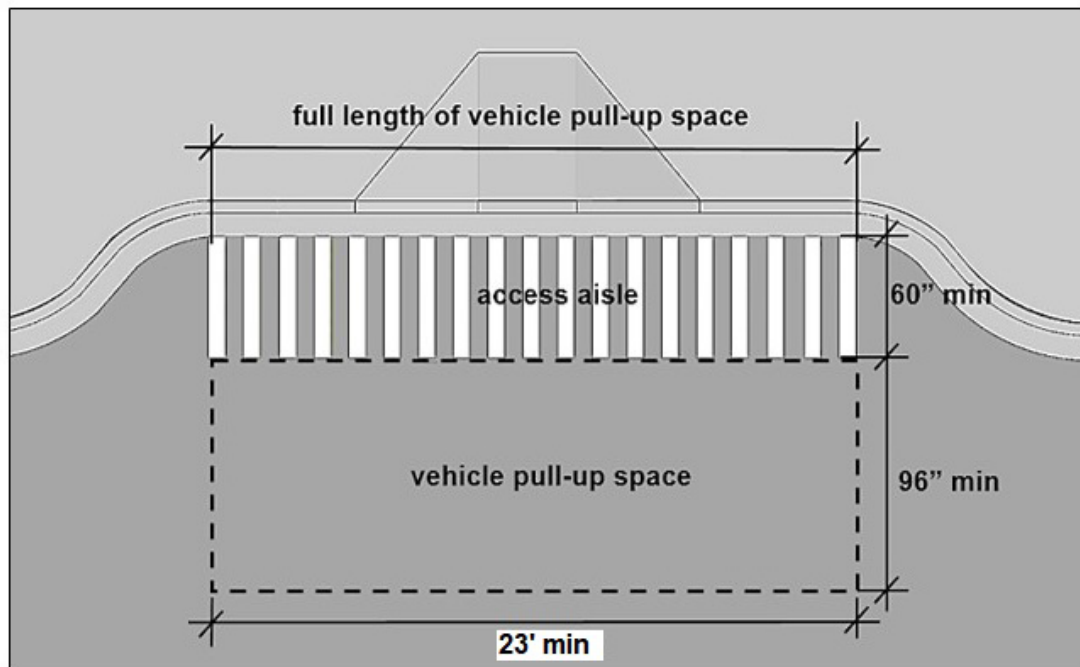
2. DEVELOPMENT STANDARDS FOR PASSENGER LOADING ZONES.

A. ACCESSIBLE PASSENGER LOADING SPACES.

- (1) AT LEAST ONE ACCESSIBLE PASSENGER LOADING SPACE SHALL BE PROVIDED FOR EVERY 100 LINEAR FEET OF CONTIGUOUS PASSENGER LOADING ZONE. HOWEVER, EACH PHYSICALLY SEPARATE PASSENGER LOADING ZONE MUST ALSO HAVE AT LEAST ONE ACCESSIBLE PASSENGER LOADING SPACE.
- (2) AN ACCESSIBLE PASSENGER LOADING SPACE SHALL BE A MINIMUM OF 96 INCHES WIDE AND A MINIMUM 23 FEET LONG.
- (3) THE PEDESTRIAN ACCESS AISLE SERVING THE ACCESSIBLE LOADING ZONE SPACE SHALL EXTEND THE LENGTH OF THE SPACE AND SHALL BE A MINIMUM 60 INCHES WIDE.

- (4) THE VEHICLE PULL-UP SPACE AND ACCESS AISLE MUST COMPLY WITH ADA REQUIREMENTS FOR GROUND AND FLOOR SURFACES AND CANNOT EXCEED A SLOPE OF 2%.
- (5) CURB RAMPS CANNOT OVERLAP ACCESS AISLES OR VEHICLE PULL-UP SPACES.
- (6) A VERTICAL CLEARANCE OF 14 FEET IS REQUIRED FOR EACH VEHICLE PULL-UP SPACE AND ACCESS AISLE, AND ALL ALONG ANY VEHICULAR ROUTE CONNECTING THEM TO A VEHICLE ENTRANCE AND EXIT, UNLESS OTHERWISE APPROVED FOR EMERGENCY/SERVICE VEHICLE ACCESS.
- (7) THE PEDESTRIAN ACCESS AISLES SHALL NOT ENCROACH INTO A TRAVEL LANE.

DETAIL 1307.1. ACCESSIBLE PASSENGER LOADING SPACE



B. GENERAL REQUIREMENTS FOR PASSENGER LOADING ZONES.

- (1) STANDARD PASSENGER LOADING SPACES, WHEN PROVIDED IN ADDITION TO THE MINIMUM REQUIRED ACCESSIBLE PASSENGER LOADING SPACE(S), SHALL BE CONSTRUCTED TO THE SAME STANDARDS AS AN ACCESSIBLE PASSENGER LOADING SPACE, BUT WITHOUT THE REQUIREMENT FOR AN ACCESS AISLE.
- (2) A CONTIGUOUS PASSENGER LOADING ZONE MAY BE PROVIDED, WHICH SHALL CONSIST OF TWO (2) OR MORE LOADING ZONE SPACES PROVIDED IN TANDEM WITH NO BARRIERS SEPARATING SAID SPACES, THUS ENABLING VEHICLES TO MOVE FORWARD THROUGH MULTIPLE PASSENGER LOADING ZONE SPACES.
- (3) PASSENGER LOADING ZONES SHALL BE PROVIDED WITHIN 50' OF THE MAIN ENTRANCE OF THE USE OR STRUCTURE THEY ARE INTENDED TO SERVE, AS APPROVED BY PLANNING AND DEVELOPMENT DEPARTMENT STAFF.
- (4) PASSENGER LOADING ZONES SHALL NOT ENCROACH WITHIN THE MINIMUM WIDTH OF ANY FIRE LANES OR DRIVE AISLES.
- (5) PARKING AND/OR STANDING SHALL BE LIMITED TO 30 MINUTES WITHIN A PASSENGER LOADING ZONE, AND SIGNS SHALL BE INSTALLED AND MAINTAINED STATING THIS RESTRICTION, AS APPROVED BY PDD AND STREET TRANSPORTATION.

- (6) A PASSENGER LOADING ZONE SHALL NOT BE LOCATED BEHIND ANY TYPE OF VEHICULAR GATE OR BARRIER, EXCEPT FOR NON-RESIDENTIAL USES, WHEN SUCH GATE OR BARRIER IS LEFT OPEN DURING ON-SITE BUSINESS HOURS.
- (7) ON-STREET PASSENGER LOADING ZONES LOCATED IN THE PUBLIC RIGHT-OF-WAY ADJACENT TO THE PROPERTY MAY ONLY BE PROVIDED WHEN COMPLIANCE WITH ALL OF THE FOLLOWING IS DEMONSTRATED:
 - (A) APPROVAL FOR THE DESIGN OF THE PASSENGER LOADING ZONE HAS BEEN OBTAINED FROM THE STREET TRANSPORTATION DEPARTMENT.
 - (B) AN ENCROACHMENT PERMIT HAS BEEN OBTAINED FROM THE STREET TRANSPORTATION DEPARTMENT FOR ANY STRUCTURES REQUIRED AS PART OF THE PASSENGER LOADING ZONE (SHADE CANOPIES, SCREEN WALLS, SIGNS, ETC.).
 - (C) THE PASSENGER LOADING ZONE DOES NOT REDUCE OR PRECLUDE ANY REQUIRED STREETScape OR FRONTAGE ELEMENTS, INCLUDING THE PROVISION OF REQUIRED STREET TREES AND SHADE.
 - (D) THE PASSENGER LOADING ZONE DOES NOT INTERRUPT A DESIGNATED BICYCLE LANE.

C. PASSENGER LOADING AREA DESIGN GUIDELINES.

- (1) PASSENGER LOADING ZONES SHOULD BE LOCATED INTERNALLY TO THE BUILDING WHEN POSSIBLE.

- (2) PASSENGER LOADING ZONES SHOULD HAVE PRIMARY ACCESS FROM A STREET, RATHER THAN AN ALLEY.
- (3) PASSENGER LOADING ZONES SHOULD PROVIDE LANDSCAPED AND/OR STRUCTURAL SHADE FOR A MINIMUM OF 75% OF THE PASSENGER WAITING AREAS.

**Zoning Ordinance Text Amendment
Z-TA-8-23-Y (Parking Reductions for Multifamily Developments)
Recommendation Summary**

Sections	Existing Requirements	Original Staff Recommendation	Planning Commission Recommendation	Modified Staff Proposal (TIP 10-18-23)
Citywide	1.3 spaces per studio unit	1.25 spaces per dwelling unit	Maintain existing requirements	1.5 spaces per dwelling unit
	1.5 spaces per 1 or 2 bedroom unit			
	2 spaces per 3 + bedroom unit			
	1.0 space per unit of less than 600 square feet			
Citywide Affordable	No reductions for affordable housing	50% reduction of Citywide requirements	No reductions for affordable housing	No reductions for affordable housing
Infill	Same as Citywide, but can count abutting on-street parking spaces	50% reduction of Citywide requirements	Approved per staff recommendation	(Same) 50% reduction of Citywide requirements
WU Code	Same as Citywide, but 25% reduction if close to transit station or 10% reduction if further away	0.5 spaces per dwelling unit	Modified to 0.65 spaces per dwelling unit	0.75 spaces per dwelling unit
WU Code Affordable	T3: 0.85 spaces per dwelling unit	0 spaces per dwelling unit	Maintain existing requirements	Maintain existing requirements
	T4: 0.75 spaces per dwelling unit			
	T5-T6: 0.5 spaces per dwelling unit			
Special Needs Populations	Parking reduction by use permit (public hearing)	not included	n/a	Up to 50% admin reduction with parking study; larger reductions possible with use permit (public hearing)
Passenger Loading	No passenger loading requirements	New requirement for sites zoned WU Code only	Approved per staff recommendation	(Same) New requirement for sites zoned WU Code only



P: (608) 835-3900

F: (608) 835-3922



info@GormanUSA.com

www.GormanUSA.com

200 N Main Street
Oregon, WI 53575

January 3, 2024

To: City of Phoenix Mayor & Council Members

Re: Zoning Ordinance Text Amendment Z-TA-8-23-Y

As one of Arizona's largest producers of affordable housing, I wanted to thank you for considering the parking text amendment for multi-family housing throughout the City of Phoenix. I understand these types of ordinances can create concerns in the community, but I want to assure you that the reductions proposed are standard for affordable housing communities that we develop across the country. Gorman & Company is a national affordable housing builder with 23 completed developments in Arizona and another 8 currently under construction. Parking counts for our new construction projects in the City of Phoenix range between .51 to 1.22 spaces per unit and our broader Arizona portfolio ranges from .51 to 2.14 with an overall average of .93 spaces per unit. Our developments with higher parking ratios enforced by the local municipality typically sit 25-40% empty, wasting precious land that could be producing more units and property taxes.

During the community hearing process for this legislation, Gorman & Company has heard the idea that low income people deserve as much parking as anyone else. While we do not disagree with that statement, it is not based in the reality of need and sounds like a typical NIMBY complaint meant more for preventing affordable housing than true concern about the residents. We believe that resources should be put into more housing units, not empty parking spaces. We have witnessed on multiple occasions in communities across the country, when a variance process is used to prevent affordable housing from being built with parking being the central "concern".

Here is a quick example of the price impact of unnecessary surface parking spaces. The cost for modestly priced land and construction of a surface parking space is approximately \$8,000. If a development of 100 units is required to build 1.5 spaces vs. our average .93 spaces per unit that will cost \$456,000 more or remove opportunities for amenity space and units for our residents. Since affordable rents are fixed and cannot be adjusted higher when construction costs rise, that simply forces more value engineering or fewer units/amenities. We know that with tight budgets most of the affordable housing resources from the past two years are going away, so cost will become even more of an issue in the coming years.

I appreciate the proposed reduction in spaces for affordable housing required in the infill area, as well as with special needs populations, and for maintaining the ratios on Walkable Urban (WU) code zoned properties. These are very beneficial for affordable developments, and I applaud your efforts to make real change. If you pass this text amendment, we will continue to learn and study the need for

parking in a broader context and hopefully continue further down the path of creating only the amount of parking necessary. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Swanton". The signature is fluid and cursive, with the first name "Brian" and last name "Swanton" clearly distinguishable.

Brian Swanton

President & CEO

Cc Alan Stephenson
 Josh Bednarek
 Tricia Gomes

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING PORTIONS OF THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX BY AMENDING CHAPTER 2, SECTION 202 (DEFINITIONS) TO ADD DEFINITIONS FOR AFFORDABLE HOUSING, PASSENGER LOADING SPACE, PASSENGER LOADING ZONE, AND REVISE PARKING SPACE, UNRESERVED; AMEND CHAPTER 6, SECTION 608.J (DENSITY BONUS FOR LOW OR MODERATE INCOME HOUSING); AMEND CHAPTER 7, SECTIONS 702.C (PARKING REQUIREMENTS) AND SECTION 702.E (MODIFICATIONS TO PARKING REQUIREMENTS); AND AMEND CHAPTER 13, SECTION 1307 (PARKING STANDARDS) TO MODIFY THE PARKING REQUIREMENTS FOR MULTIFAMILY, SINGLE-FAMILY ATTACHED, AND AFFORDABLE HOUSING, AND ADD REQUIREMENTS FOR PASSENGER LOADING ZONES OF THE PHOENIX ZONING ORDINANCE TO MODIFY PARKING STANDARDS FOR AFFORDABLE HOUSING DEVELOPMENTS.

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

SECTION 1: That Chapter 2, Section 202 (Definitions), is amended to read as follows:

AFFORDABLE HOUSING: RESIDENTIAL OR MIXED-USE DEVELOPMENT PROVIDING HUD OR OTHER ASSISTED LOW- TO MODERATE-INCOME HOUSING, AS VERIFIED BY THE PHOENIX HOUSING DEPARTMENT; TYPICALLY INCLUDES DWELLING UNIT(S) COMMITTED FOR A MINIMUM TERM THROUGH COVENANTS OR RESTRICTIONS TO HOUSEHOLDS WITH INCOMES AT 80 PERCENT OR LESS OF THE AREA MEDIAN INCOME, AS DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE CITY.

Parking Space, Unreserved: An unassigned parking space that is available to both residents, EMPLOYEES, and visitors TO THE PROPERTY. UNRESERVED PARKING SPACES WHICH COUNT TOWARD ANY REQUIRED PARKING MINIMUMS SHALL NOT BE USED FOR OFF-SITE OR COMMERCIAL PARKING USES.

FOR RESIDENTIAL DEVELOPMENTS, UNRESERVED SPACES MAY BE LOCATED BEHIND A VEHICULAR GATE IF A CALL BOX IS PROVIDED TO ALLOW VISITOR ENTRY BY RESIDENTS OF THE PROPERTY.

FOR NON-RESIDENTIAL DEVELOPMENTS, UNRESERVED SPACES MAY NOT BE LOCATED BEHIND A VEHICULAR GATE UNLESS THE GATE IS OPEN (OR WILL OPEN AUTOMATICALLY UPON APPROACH) DURING ALL STANDARD BUSINESS HOURS.

PASSENGER LOADING SPACE: A DESIGNATED SPACE FOR THE SHORT-TERM USE BY ONE VEHICLE TO STAND DURING PASSENGER PICK UP OR DROP OFF OF VISITORS, RESIDENTS, OR OCCUPANTS OF THE BUILDING OR USE; OR DURING DELIVERY OF GOODS TO INDIVIDUAL OCCUPANTS. A PASSENGER LOADING SPACE MAY NOT INCLUDE ANY DELIVERY OF GOODS OR SERVICE AREAS FOR COMMERCIAL USES, NOR ANY USE NOT CONSIDERED SHORT-TERM.

PASSENGER LOADING ZONE: AN AREA ADJACENT TO A PRIMARY ENTRY COMPRISED OF AT LEAST ONE PASSENGER LOADING SPACE, CONSTRUCTED IN TANDEM (WITH NO BARRIERS IN BETWEEN) FOR USE AS ONE CONTIGUOUS LOADING ZONE.

SECTION 2: That Chapter 6, Section 608.J (Density Bonus For Low or Moderate Income Housing), is amended to read as follows:

- J. ~~Density Bonus INCENTIVES For Low or Moderate Income AFFORDABLE Housing.~~ In order to overcome a demonstrated deficiency in the supply of housing for persons of low and moderate income, density bonus incentives are established to foster the provision of such housing. ~~The bonuses in this paragraph shall apply to the maximum density for any district and may be in addition to bonuses earned by the provision of additional open space.~~

1. **Applicability.** All development LOCATED WITHIN A ZONING DISTRICT SUBJECT TO THE PROVISIONS OF SECTION 608 providing HUD or other ~~assisted mixed income rental housing as approved by the Phoenix Housing and Urban Redevelopment Department~~ AFFORDABLE HOUSING AS DEFINED IN SECTION 202.
2. **Density bonus.**
 - a. One additional ~~conventional~~ unit SHALL BE allowed for every two ~~low/moderate income~~ AFFORDABLE HOUSING units, provided that the overall project density does not exceed ten percent beyond that which would otherwise be allowed.
 - b. ~~The A DENSITY bonuses in this paragraph~~ AWARDED PER THIS SECTION shall apply to the maximum density for any district and may be in addition to A DENSITY bonuses earned by the provision of ~~additional open space~~ PER THE PROVISIONS OF SECTION 608.I.2.
3. **Other requirements.** The total number of units within a project shall be as approved by the Department of Housing. ~~and Urban Development. Further, the location of any such units shall be consistent with the goals of the City of Phoenix Housing Assistance Allocation Plan.~~

SECTION 3: That Chapter 7, Section 702.E (Modifications to Parking Requirements), is amended to read as follows:

E. Modifications to Parking Requirements.

3. **Reductions.** Parking reductions are specified within the specific zoning districts. The listed zoning districts offer parking reductions:
 - a. ~~Downtown Core District: No parking required. (Section 643)~~
DOWNTOWN CODE: PER SUSTAINABILITY BONUS AWARDS.
(CHAPTER 12)

- b. ~~Warehouse District: No parking required. (Section 645)~~ WALKABLE URBAN (WU) CODE. (CHAPTER 13)

9. **Reductions for Infill Development District.** THE INFILL DEVELOPMENT DISTRICT, AS SHOWN ON THE GENERAL PLAN, IS SUBJECT TO THE FOLLOWING PROVISIONS:

- a. ~~Within the infill development district, as shown on the general plan for Phoenix, a development's on-street parking adjacent to and along the same side of a public, local or collector street may be counted toward parking requirements.~~ PARKING REDUCTIONS.

(1) THESE REDUCTIONS DO NOT APPLY TO PROPERTIES ZONED DOWNTOWN CODE OR WALKABLE URBAN CODE.

(2) NON-RESIDENTIAL USES SUBJECT TO THE PARKING REQUIREMENTS OF SECTION 702.C WITH NO OTHER PARKING REDUCTIONS MAY REDUCE THE AMOUNT OF REQUIRED PARKING BY 20%.

(3) MULTI-FAMILY USES SUBJECT TO THE PARKING REQUIREMENTS OF SECTION 702.C WITH NO OTHER PARKING REDUCTIONS MAY REDUCE THE AMOUNT OF REQUIRED PARKING BY 50%.

- c. Use Permit Notice Procedure for ~~Infill-OFF-SITE Parking Reductions~~. The following additional procedures shall be followed as part of the ~~infill parking reduction-use permit process~~ (in addition to the procedures required by Section 307):

SECTION 4: That Chapter 13, Section 1307 (Walkable Urban Code, Parking Standards), is amended to read as follows:

Section 1307. Parking AND LOADING standards.

B. Required Vehicular Parking.

1. Vehicular parking must be provided for each use in accordance with Table 1307.1 and as follows:
 - a. Minimum required vehicular parking is the sum of parking required for each use within a lot.
 - b. ~~Accessory dwellings in T3 and T4 require one parking space per unit.~~
 - c. ~~B. Vehicular parking may be limited to a maximum number of spaces by parking districts where established.~~
 - d. ~~C. Other uses not identified on Table 1307.1 shall follow Section 702 standards.~~

Table 1307.1 Minimum Required Vehicular Parking

USE	MEASURE	T3	T4	T5 1—5 Stories	T5 6—10 Stories	T6
Residential, Single-Family DETACHED	per unit	2.0		n/a	n/a	n/a
Residential: Single-Family Attached and Multifamily	~~(1) As per Section 702. Additional 25% reduction when the off-street parking area is located within 1,320 feet from a light rail station when measured in a direct line from the building, and 10% reduction of required parking if the development is greater than 1,320 feet from a light rail station. The minimum required on-site vehicular parking is exclusively for the patrons of the subject parcel.~~					

USE	MEASURE	T3	T4	T5 1—5 Stories	T5 6—10 Stories	T6
RESIDENTIAL, SINGLE-FAMILY ATTACHED	PER SECTION 608.F.6, IF DEVELOPING UNDER THE PROVISIONS OF 1303.A.1.A.; OTHERWISE PER SECTION 702.					
RESIDENTIAL, MULTI-FAMILY ⁽²⁾	PER UNIT	N/A	0.65 A MINIMUM OF 30% OF THE REQUIRED SPACES SHALL REMAIN UNRESERVED.			

Affordable Housing	per unit	0.85	0.75	0.5		0.5

- D. **Required SERVICE/GOODS Loading AREAS and Service Bays.** THE FOLLOWING REQUIREMENTS APPLY TO SHORT-TERM LOADING AND UNLOADING OF SERVICE VEHICLES WITH MATERIALS, GOODS OR EQUIPMENT. PASSENGER LOADING ZONES ARE ADDRESSED IN SECTION 1307.I.

1. On-site SERVICE/GOODS loading shall be required for all development as follows:

- E. **Off-Street Parking Location and Access.**

1. Parking must be set back from frontages according to Table 1303.2, except where parking is located underground. PASSENGER LOADING SPACES/ZONES ARE NOT SUBJECT TO THESE SETBACK REQUIREMENTS.

- I. **PASSENGER LOADING.** THE FOLLOWING REQUIREMENTS APPLY TO PASSENGER LOADING SPACES AND ZONES ONLY. SERVICE/GOODS LOADING AREAS ARE ADDRESSED IN SECTION 1307.D.

1. **REQUIRED NUMBER OF SPACES.** PASSENGER LOADING SPACES SHALL BE PROVIDED AS FOLLOWS:

TABLE. 1307.3 REQUIRED PASSENGER LOADING SPACES	
USE TYPE	PASSENGER LOADING SPACES REQUIRED ⁽²⁾
CULTURAL OR PUBLIC FACILITY	2
HOSPITAL	3
HOTEL OR MOTEL	3
MULTI-FAMILY RESIDENTIAL	1 PER 50 DWELLING UNITS ⁽¹⁾
PUBLIC ASSEMBLY	1 PER 50 REQUIRED PARKING SPACES ⁽¹⁾
ALL OTHER USES	1 PER 25,000 GROSS SF ⁽¹⁾

(1) OR PORTION THEREOF. NO SITE SHALL BE REQUIRED TO PROVIDE MORE THAN 10 PASSENGER LOADING SPACES.

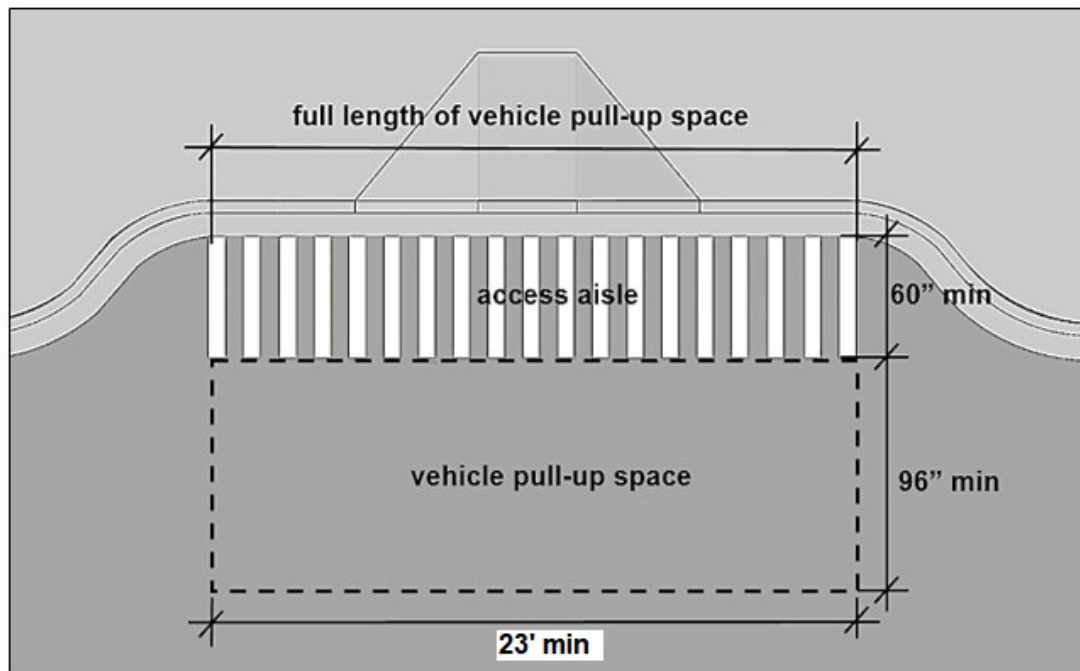
(2) FOR MIXED USES, THE MINIMUM NUMBER OF REQUIRED SPACES SHALL BE THE SUM OF THE SPACES REQUIRED FOR THE INDIVIDUAL USES, ALTHOUGH ROUNDING UP SHALL OCCUR AT THE FINAL STEP OF THE CALCULATIONS. FOR EXAMPLE, A DEVELOPMENT WITH 70,000 GROSS SF OF OFFICE SPACE, PLUS 125 MULTI-FAMILY DWELLING UNITS, IS REQUIRED 1.4 SPACES (70,000 SF / 50,000 SF/SPACE), PLUS 1.25 SPACES (125 DU / 100 DU/SPACE), WHICH TOTALS 2.65 REQUIRED, OR 3 PASSENGER LOADING SPACES.

2. **DEVELOPMENT STANDARDS FOR PASSENGER LOADING ZONES.**

A. ACCESSIBLE PASSENGER LOADING SPACES.

- (1) AT LEAST ONE ACCESSIBLE PASSENGER LOADING SPACE SHALL BE PROVIDED FOR EVERY 100 LINEAR FEET OF CONTIGUOUS PASSENGER LOADING ZONE. HOWEVER, EACH PHYSICALLY SEPARATE PASSENGER LOADING ZONE MUST ALSO HAVE AT LEAST ONE ACCESSIBLE PASSENGER LOADING SPACE.
- (2) AN ACCESSIBLE PASSENGER LOADING SPACE SHALL BE A MINIMUM OF 96 INCHES WIDE AND A MINIMUM 23 FEET LONG.
- (3) THE PEDESTRIAN ACCESS AISLE SERVING THE ACCESSIBLE LOADING ZONE SPACE SHALL EXTEND THE LENGTH OF THE SPACE AND SHALL BE A MINIMUM 60 INCHES WIDE.
- (4) THE VEHICLE PULL-UP SPACE AND ACCESS AISLE MUST COMPLY WITH ADA REQUIREMENTS FOR GROUND AND FLOOR SURFACES AND CANNOT EXCEED A SLOPE OF 2%.
- (5) CURB RAMPS CANNOT OVERLAP ACCESS AISLES OR VEHICLE PULL-UP SPACES.
- (6) A VERTICAL CLEARANCE OF 14 FEET IS REQUIRED FOR EACH VEHICLE PULL-UP SPACE AND ACCESS AISLE, AND ALL ALONG ANY VEHICULAR ROUTE CONNECTING THEM TO A VEHICLE ENTRANCE AND EXIT, UNLESS OTHERWISE APPROVED FOR EMERGENCY/SERVICE VEHICLE ACCESS.
- (7) THE PEDESTRIAN ACCESS AISLES SHALL NOT ENCROACH INTO A TRAVEL LANE.

DETAIL 1307.1. ACCESSIBLE PASSENGER LOADING SPACE



B. GENERAL REQUIREMENTS FOR PASSENGER LOADING ZONES.

- (1) STANDARD PASSENGER LOADING SPACES, WHEN PROVIDED IN ADDITION TO THE MINIMUM REQUIRED ACCESSIBLE PASSENGER LOADING SPACE(S), SHALL BE CONSTRUCTED TO THE SAME STANDARDS AS AN ACCESSIBLE PASSENGER LOADING SPACE, BUT WITHOUT THE REQUIREMENT FOR AN ACCESS AISLE.
- (2) A CONTIGUOUS PASSENGER LOADING ZONE MAY BE PROVIDED, WHICH SHALL CONSIST OF TWO (2) OR MORE LOADING ZONE SPACES PROVIDED IN TANDEM WITH NO BARRIERS SEPARATING SAID SPACES, THUS ENABLING VEHICLES TO MOVE FORWARD THROUGH MULTIPLE PASSENGER LOADING ZONE SPACES.

- (3) PASSENGER LOADING ZONES SHALL BE PROVIDED WITHIN 50' OF THE MAIN ENTRANCE OF THE USE OR STRUCTURE THEY ARE INTENDED TO SERVE, AS APPROVED BY PLANNING AND DEVELOPMENT DEPARTMENT STAFF.
- (4) PASSENGER LOADING ZONES SHALL NOT ENCROACH WITHIN THE MINIMUM WIDTH OF ANY FIRE LANES OR DRIVE AISLES.
- (5) PARKING AND/OR STANDING SHALL BE LIMITED TO 30 MINUTES WITHIN A PASSENGER LOADING ZONE, AND SIGNS SHALL BE INSTALLED AND MAINTAINED STATING THIS RESTRICTION, AS APPROVED BY PDD AND STREET TRANSPORTATION.
- (6) A PASSENGER LOADING ZONE SHALL NOT BE LOCATED BEHIND ANY TYPE OF VEHICULAR GATE OR BARRIER, EXCEPT FOR NON-RESIDENTIAL USES, WHEN SUCH GATE OR BARRIER IS LEFT OPEN DURING ON-SITE BUSINESS HOURS.
- (7) ON-STREET PASSENGER LOADING ZONES LOCATED IN THE PUBLIC RIGHT-OF-WAY ADJACENT TO THE PROPERTY MAY ONLY BE PROVIDED WHEN COMPLIANCE WITH ALL OF THE FOLLOWING IS DEMONSTRATED:
 - (A) APPROVAL FOR THE DESIGN OF THE PASSENGER LOADING ZONE HAS BEEN OBTAINED FROM THE STREET TRANSPORTATION DEPARTMENT.
 - (B) AN ENCROACHMENT PERMIT HAS BEEN OBTAINED FROM THE STREET TRANSPORTATION DEPARTMENT FOR ANY STRUCTURES REQUIRED AS PART OF THE PASSENGER LOADING ZONE (SHADE CANOPIES, SCREEN WALLS, SIGNS, ETC.).

(C) THE PASSENGER LOADING ZONE DOES NOT REDUCE OR PRECLUDE ANY REQUIRED STREETScape OR FRONTAGE ELEMENTS, INCLUDING THE PROVISION OF REQUIRED STREET TREES AND SHADE.

(D) THE PASSENGER LOADING ZONE DOES NOT INTERRUPT A DESIGNATED BICYCLE LANE.

C. PASSENGER LOADING AREA DESIGN GUIDELINES.

- (1) PASSENGER LOADING ZONES SHOULD BE LOCATED INTERNALLY TO THE BUILDING WHEN POSSIBLE.
- (2) PASSENGER LOADING ZONES SHOULD HAVE PRIMARY ACCESS FROM A STREET, RATHER THAN AN ALLEY.
- (3) PASSENGER LOADING ZONES SHOULD PROVIDE LANDSCAPED AND/OR STRUCTURAL SHADE FOR A MINIMUM OF 75% OF THE PASSENGER WAITING AREAS.

PASSED by the Council of the City of Phoenix this 6th day of September, 2023

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report
Zoning Ordinance Text Amendment
Z-TA-8-23-Y
June 30, 2023

Application No Z-TA-8-23-Y: Amend Chapter 2, Section 202 (Definitions) to add definitions for affordable housing, passenger loading space, passenger loading zone, and revise parking space, unreserved; amend Chapter 6, Section 608.J (Density Bonus For Low or Moderate Income Housing); amend Chapter 7, Sections 702.C (Parking Requirements) and Section 702.E (Modifications to Parking Requirements); and amend Chapter 13, Section 1307 (Parking Standards) to modify the parking requirements for multifamily, single-family attached, and affordable housing, and add requirements for passenger loading zones.

Staff recommendation: Staff recommends approval of Z-TA-8-23-Y as shown in the recommended text in Attachment A.

BACKGROUND

In 2020, City Council unanimously approved the Housing Phoenix Plan to create a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. The Plan's primary goal is to create or preserve 50,000 homes by 2030, and increase overall supply of market, workforce, and affordable housing to address the housing shortage in Phoenix. In order to implement this goal, nine policy initiatives were identified. Policy Initiative 5 is "Building Innovations and Cost Saving Practices". These proposed changes would address concerns that existing parking requirements are more than necessary, and contribute to the increasing costs of development, and in turn, increasing housing costs.

PURPOSE

The intent of the proposed text amendment is to reduce parking requirements for multi-family developments. Related definitions have been revised and/or deleted, with new definitions provided as necessary; "passenger loading space" and "passenger loading zone" has been added for use with the Walkable Urban code, together with proposed development standards; and parking requirements have been reduced for multi-family developments as further detailed below.

DESCRIPTION OF THE PROPOSED TEXT

The proposed text amendment primarily reduces parking requirement for multi-family development, but in varying degrees based primarily upon location and/or if the housing qualifies as "affordable" per definitions used by HUD and the City's Housing Department. It also introduces a requirement for multi-family developments zoned WU Code for Passenger Loading Zones, to provide staging zones for rideshare, food deliveries, and personal package deliveries.

1. City-wide multi-family parking requirements:

The proposed text modifies the standard multi-family parking requirement to more closely match parking demand identified for multi-family housing as published in the Institute of Transportation Engineers (ITE) Manual, 5th Edition, 2019. The demand is identified at 1.21 spaces per dwelling unit, for low rise (up to 2-story) development not located near rail transit, in a general urban/suburban area. The proposed City-wide standard requirement is proposed to be 1.25 spaces per dwelling unit, with 30% of parking to remain unreserved (not assigned for a particular unit or person).

Proposed: 100 dwelling units = 125 spaces, of which 38 must be unreserved.
Existing: 100 dwelling units = 150 spaces*, of which 50 must be unreserved.

**For 1- or 2-bedroom apartments. 1.3 required for studio and 2 spaces for 3-bedroom, but outside of DTC these are not provided in great numbers*

2. City-wide affordable housing parking reduction:

The proposed text modifies an existing provision in the zoning ordinance which provides a density bonus for affordable housing, to add a parking reduction for affordable housing. The reduction is proposed to be 50%, or 0.625 spaces per dwelling unit. This is supported by the demand identified for affordable housing as published in the ITE Manual, 5th Edition, 2019. The demand is identified at 0.53 spaces per dwelling unit, for affordable (income-limited) developments in a dense multi-use urban area.

Proposed: 100 dwelling units = 63 spaces, of which 19 must be unreserved.
Existing: 100 dwelling units = 150 spaces*, of which 50 must be unreserved.

**For 1- or 2-bedroom apartments. 1.3 required for studio and 2 spaces for 3-bedroom, but outside of DTC these are not provided in great numbers*

3. Infill Development District (IDD) parking reductions:

The same reduction proposed for City-wide affordable housing is also proposed for multi-family development within the Infill Development District (IDD). The reduction is proposed to be 50%, or 0.625 spaces per dwelling unit. This is supported by the demand identified for affordable housing as published in the ITE Manual, 5th Edition, 2019. The demand is identified at 0.58 spaces per dwelling unit, for low-rise developments in a dense multi-use urban area located within ½ mile of rail transit.

Proposed: 100 dwelling units = 63 spaces, of which 19 must be unreserved.
Existing: 100 dwelling units = 150 spaces*, of which 50 must be unreserved.

**only reduction currently available is to be able to count adjacent on-street parking.*

Non-Residential Reduction

A smaller reduction of 20% is also proposed for non-residential development, since the reduction was written in such a way to remove the existing “reduction” of allowing on-street parking spaces to count toward parking requirements. The on-street parking has conflicted with some proposed bike lanes. This proposed 20% reduction should meet or exceed the typical amount of on-street parking which could be counted toward on-site parking requirements.

4. Walkable Urban (WU) Code parking requirements:

The proposed text modifies the existing standard multi-family housing parking requirements to more closely match parking demand identified for dense multi-family housing as published in the ITE Manual, 5th Edition, 2019. The demand is identified at 0.71 spaces per dwelling unit, for mid-rise (3-10 story) developments in a dense multi-use urban area, within ½ mile of rail transit. The proposed multi-family parking requirement for development zoned WU Code is proposed to change from a 25% reduction from City-wide standards, to 0.5 spaces per dwelling unit, with 30% of parking to remain unreserved (not assigned for a particular unit or person).

Proposed: 100 dwelling units = 50 spaces, of which 15 must be unreserved.

Existing: 100 dwelling units = 113 spaces*, of which 38 must be unreserved.

**For 1- or 2-bedroom apartments. 1.3 required for studio and 2 spaces for 3-bedroom, but outside of DTC these are not provided in great numbers.*

5. Walkable Urban (WU) Code affordable housing parking requirements:

The proposed text modifies the existing affordable multi-family housing parking requirements to more closely match parking demand identified for dense affordable multi-family housing as published in the ITE Manual, 5th Edition, 2019. The demand is identified at 0.53 spaces per dwelling unit, for affordable (income-limited) developments in a dense multi-use urban area. The proposed affordable multi-family housing parking requirement for development zoned WU Code is proposed to change from a 0.5 spaces per dwelling unit to 0 spaces (no minimum required).

Proposed: 100 dwelling units = 0 spaces.

Existing: 100 dwelling units = 50 spaces, with no unreserved requirement.

6. Passenger Loading Zones within WU Code:

This text amendment also proposes a new requirement for passenger loading spaces/zones, which are pull-out areas for short-term waiting for rideshare vehicles, meal delivery vehicles, and package delivery vehicles (but not commercial docks or loading areas). Such services are frequently used by persons living in denser central urban environments to supplement transit and bicycle transportation. Such areas should be located on-site but may be located off-street if they do not reduce required landscaping and pedestrian amenities, and if approved by Street

Transportation. The proposed rates are adapted from standards adopted by the Town of Eloy, AZ and Chandler, AZ, with development standards provided in accordance with federal requirements:

USE TYPE	PASSENGER LOADING SPACES REQUIRED ⁽²⁾
CULTURAL OR PUBLIC FACILITY	2
HOSPITAL	3
HOTEL OR MOTEL	3
MULTI-FAMILY RESIDENTIAL	1 PER 50 DWELLING UNITS ⁽¹⁾
PUBLIC ASSEMBLY	1 PER 50 REQUIRED PARKING SPACES ⁽¹⁾

Conclusion:

The proposed changes to parking requirements, generally to reduce parking minimums for transit-oriented, multi-family, and affordable development, is supported by demand studies in the ITE Parking Generation Manual. The requirement for passenger loading zones in WU Code is to support the use of ancillary transportation services often used by persons utilizing transit or bicycle as a primary means of transportation.

Staff recommends approval of the changes to the Zoning Ordinance as proposed in Attachment A.

Writer

C. DePerro

6/30/2023

Attachments

A. Proposed Language

EXHIBIT A

Text Amendment Z-TA-8-23-Y:

Parking Reductions for Multifamily and Affordable Housing

Proposed Language:

Amend Chapter 2, Section 202 (Definitions) to add definitions for affordable housing, passenger loading space, passenger loading zone, and revise parking space, unreserved, as follows:

AFFORDABLE HOUSING: RESIDENTIAL OR MIXED-USE DEVELOPMENT PROVIDING HUD OR OTHER ASSISTED LOW- TO MODERATE-INCOME HOUSING, AS VERIFIED BY THE PHOENIX HOUSING DEPARTMENT; TYPICALLY INCLUDES DWELLING UNIT(S) COMMITTED FOR A MINIMUM TERM THROUGH COVENANTS OR RESTRICTIONS TO HOUSEHOLDS WITH INCOMES AT 80 PERCENT OR LESS OF THE AREA MEDIAN INCOME, AS DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE CITY.

Parking Space, Unreserved: An unassigned parking space that is available to both residents, EMPLOYEES, and visitors TO THE PROPERTY. UNRESERVED PARKING SPACES WHICH COUNT TOWARD ANY REQUIRED PARKING MINIMUMS SHALL NOT BE USED FOR OFF-SITE OR COMMERCIAL PARKING USES.

FOR RESIDENTIAL DEVELOPMENTS, UNRESERVED SPACES MAY BE LOCATED BEHIND A VEHICULAR GATE IF A CALL BOX IS PROVIDED TO ALLOW VISITOR ENTRY BY RESIDENTS OF THE PROPERTY.

FOR NON-RESIDENTIAL DEVELOPMENTS, UNRESERVED SPACES MAY NOT BE LOCATED BEHIND A VEHICULAR GATE UNLESS THE GATE IS OPEN (OR WILL OPEN AUTOMATICALLY UPON APPROACH) DURING ALL STANDARD BUSINESS HOURS.

PASSENGER LOADING SPACE: A DESIGNATED SPACE FOR THE SHORT-TERM USE BY ONE VEHICLE TO STAND DURING PASSENGER PICK UP OR DROP OFF OF VISITORS, RESIDENTS, OR OCCUPANTS OF THE BUILDING OR USE; OR DURING DELIVERY OF GOODS TO INDIVIDUAL OCCUPANTS. A PASSENGER LOADING SPACE MAY NOT INCLUDE ANY DELIVERY OF GOODS OR SERVICE AREAS FOR COMMERCIAL USES, NOR ANY USE NOT CONSIDERED SHORT-TERM.

PASSENGER LOADING ZONE: AN AREA ADJACENT TO A PRIMARY ENTRY COMPRISED OF AT LEAST ONE PASSENGER LOADING SPACE, CONSTRUCTED IN TANDEM (WITH NO BARRIERS IN BETWEEN) FOR USE AS ONE CONTIGUOUS LOADING ZONE.

Amend Chapter 6, Section 608.J (Density Bonus For Low or Moderate Income Housing) to read as follows:

- J. ~~Density Bonus~~ **INCENTIVES For Low or Moderate Income AFFORDABLE Housing.** In order to overcome a demonstrated deficiency in the supply of housing for persons of low and moderate income, ~~density bonus~~ incentives are established to foster the provision of such housing. ~~The bonuses in this paragraph shall apply to the maximum density for any district and may be in addition to bonuses earned by the provision of additional open space.~~
1. **Applicability.** All development LOCATED WITHIN A ZONING DISTRICT SUBJECT TO THE PROVISIONS OF SECTION 608 providing ~~HUD or other assisted mixed income rental housing as approved by the Phoenix Housing and Urban Redevelopment Department~~ AFFORDABLE HOUSING AS DEFINED IN SECTION 202.
 2. **Density bonus.**
 - a. One additional ~~conventional~~ unit SHALL BE allowed for every two ~~low/moderate income~~ AFFORDABLE HOUSING units, provided that the overall project density does not exceed ten percent beyond that which would otherwise be allowed.
 - b. ~~The A DENSITY bonuses in this paragraph~~ AWARDED PER THIS SECTION shall apply to the maximum density for any district and may be in addition to A DENSITY bonuses earned ~~by the provision of additional open space~~ PER THE PROVISIONS OF SECTION 608.I.2.
 3. **PARKING REDUCTION.**
 - A. FOR EACH AFFORDABLE HOUSING UNIT, THE REQUIRED PARKING CALCULATION MAY BE REDUCED BY 50%.

B. A PARKING REDUCTION AWARDED PER THIS SECTION SHALL APPLY ONLY WHEN NO OTHER TYPE OF PARKING REDUCTION AUTHORIZED ELSEWHERE IN THE ZONING ORDINANCE HAS BEEN GRANTED.

~~3-4.~~ **Other requirements.** The total number of units within a project shall be as approved by the Department of Housing, and Urban Development. Further, ~~the location of any such units shall be consistent with the goals of the City of Phoenix Housing Assistance Allocation Plan.~~

Amend Chapter 7, Section 702.C (Parking Requirements) to read as follows:

C. **Parking Requirements.** Off-street automobile parking space or area shall be provided according to the following table, except for large scale retail commercial uses (see Section 702.D). The parking ratios in the table identify the minimum level of parking required to serve that use and receive site plan approval.

Type of Land Use	Parking Requirements

Type of Land Use	Parking Requirements
Dwelling Unit, Multi-Family	~~Total required parking~~ ~~1.3 spaces per efficiency unit and 1.5 spaces per 1 or 2 bedroom unit and 2 spaces per 3 or more bedroom unit, 1.0 space per unit of less than 600 square feet regardless of number of bedrooms~~ ~~When the required parking is reserved for residents, additional unreserved parking is required as follows: 0.3 spaces for each efficiency unit and 0.5 spaces per each 1 or 2 bedroom unit and 1.0 space per each 3 or more bedroom unit.~~ ~~Exception for unreserved parking: where minimum 18 foot driveways are provided for individual units, .25 space per each unit.~~ ~~Unreserved parking shall be distributed throughout the site.~~ ~~Note: Any unreserved parking spaces required by this section may be counted toward the total required parking count.~~ 1.25 SPACES PER DWELLING UNIT A MINIMUM OF 30% OF THE REQUIRED PARKING SPACES MUST REMAIN UNRESERVED.
Dwelling Unit, Single-Family Attached	~~1.3 spaces per efficiency unit and 1.5 spaces per 1 or 2 bedroom unit and 2 spaces per 3 or more bedroom unit, 1.0 space per unit of less than 600 square feet regardless of number of bedrooms~~ PER SECTION 608.F.6, IF DEVELOPING UNDER THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION PER SECTIONS 614-618 2 SPACES PER UNIT IF NOT DEVELOPING UNDER THE SFI OPTION. THE REQUIRED SPACES FOR EACH DWELLING UNIT MUST BE PROVIDED ON THE SAME LOT. AN ADDITIONAL 0.25 UNRESERVED SPACE PER DWELLING UNIT MUST PER PROVIDED ELSEWHERE WITHIN THE DEVELOPMENT FOR VISITOR PARKING.

Amend Chapter 7, Section 702.E (Modifications to Parking Requirements) to read as follows:

E. Modifications to Parking Requirements.

3. **Reductions.** Parking reductions are specified within the specific zoning districts. The listed zoning districts offer parking reductions:

- a. ~~Downtown Core District: No parking required. (Section 643)~~
DOWNTOWN CODE: PER SUSTAINABILITY BONUS AWARDS.
(CHAPTER 12)
- b. ~~Warehouse District: No parking required. (Section 645)~~ WALKABLE
URBAN (WU) CODE. (CHAPTER 13)

- F. INCENTIVES FOR AFFORDABLE HOUSING (RESIDENTIAL
DISTRICTS, SECTION 608.J)

9. **Reductions for Infill Development District.** THE INFILL DEVELOPMENT DISTRICT, AS SHOWN ON THE GENERAL PLAN, IS SUBJECT TO THE FOLLOWING PROVISIONS:

- a. ~~Within the infill development district, as shown on the general plan for Phoenix, a development's on-street parking adjacent to and along the same side of a public, local or collector street may be counted toward parking requirements.~~ PARKING REDUCTIONS.

(1) THESE REDUCTIONS DO NOT APPLY TO PROPERTIES
ZONED DOWNTOWN CODE OR WALKABLE URBAN CODE.

(2) NON-RESIDENTIAL USES SUBJECT TO THE PARKING
REQUIREMENTS OF SECTION 702.C WITH NO OTHER
PARKING REDUCTIONS MAY REDUCE THE AMOUNT OF
REQUIRED PARKING BY 20%.

(3) MULTI-FAMILY USES SUBJECT TO THE PARKING
REQUIREMENTS OF SECTION 702.C WITH NO OTHER
PARKING REDUCTIONS MAY REDUCE THE AMOUNT OF
REQUIRED PARKING BY 50%.

- c. Use Permit Notice Procedure for ~~Infill~~ OFF-SITE Parking ~~Reductions~~. The following additional procedures shall be followed as part of the ~~infill parking reduction-use~~ permit process (in addition to the procedures required by Section 307):

Amend Chapter 13, Section 1307 (Parking Standards) to modify the parking requirements for multi-family, single-family attached, and affordable housing, and add requirements for passenger loading zones to read as follows:

Chapter 13 WALKABLE URBAN (WU) CODE

Section 1307. Parking AND LOADING standards.

B. Required Vehicular Parking.

1. Vehicular parking must be provided for each use in accordance with Table 1307.1 and as follows:
 - a. Minimum required vehicular parking is the sum of parking required for each use within a lot.
 - ~~b. Accessory dwellings in T3 and T4 require one parking space per unit.~~
 - ~~c. B.~~ Vehicular parking may be limited to a maximum number of spaces by parking districts where established.
 - ~~d. C.~~ Other uses not identified on Table 1307.1 shall follow Section 702 standards.

Table 1307.1 Minimum Required Vehicular Parking

USE	MEASURE	T3	T4	T5 1—5 Stories	T5 6—10 Stories	T6
Residential, Single-Family DETACHED	per unit	2.0		n/a	n/a	n/a
~~Residential: Single-Family Attached and Multifamily~~	~~(1) As per Section 702. Additional 25% reduction when the off-street parking area is located within 1,320 feet from a light rail station when measured in a direct line from the building, and 10% reduction of required parking if the development is greater than 1,320 feet from a light rail station. The minimum required on-site vehicular parking is exclusively for the patrons of the subject parcel.~~					
RESIDENTIAL, SINGLE-FAMILY ATTACHED	PER SECTION 608.F.6, IF DEVELOPING UNDER THE PROVISIONS OF 1303.A.1.A.; OTHERWISE PER SECTION 702.					
RESIDENTIAL, MULTI-FAMILY ⁽²⁾	PER UNIT	N/A	0.5 A MINIMUM OF 30% OF THE REQUIRED SPACES SHALL REMAIN UNRESERVED.			

Affordable Housing	per unit	0.85	0.75	0.5		0.5
AFFORDABLE HOUSING	PER UNIT	0.75	NONE REQUIRED			

- D. **Required SERVICE/GOODS Loading AREAS and Service Bays.** THE FOLLOWING REQUIREMENTS APPLY TO SHORT-TERM LOADING AND UNLOADING OF SERVICE VEHICLES WITH MATERIALS, GOODS OR EQUIPMENT. PASSENGER LOADING ZONES ARE ADDRESSED IN SECTION 1307.I.

1. On-site SERVICE/GOODS loading shall be required for all development as follows:

E. Off-Street Parking Location and Access.

1. Parking must be set back from frontages according to Table 1303.2, except where parking is located underground. PASSENGER LOADING SPACES/ZONES ARE NOT SUBJECT TO THESE SETBACK REQUIREMENTS.

- I. **PASSENGER LOADING.** THE FOLLOWING REQUIREMENTS APPLY TO PASSENGER LOADING SPACES AND ZONES ONLY. SERVICE/GOODS LOADING AREAS ARE ADDRESSED IN SECTION 1307.D.

1. **REQUIRED NUMBER OF SPACES.** PASSENGER LOADING SPACES SHALL BE PROVIDED AS FOLLOWS:

TABLE. 1307.3 REQUIRED PASSENGER LOADING SPACES	
<i>USE TYPE</i>	<i>PASSENGER LOADING SPACES REQUIRED ⁽²⁾</i>
CULTURAL OR PUBLIC FACILITY	2
HOSPITAL	3
HOTEL OR MOTEL	3
MULTI-FAMILY RESIDENTIAL	1 PER 50 DWELLING UNITS ⁽¹⁾
PUBLIC ASSEMBLY	1 PER 50 REQUIRED PARKING SPACES ⁽¹⁾
ALL OTHER USES	1 PER 25,000 GROSS SF ⁽¹⁾

⁽¹⁾ OR PORTION THEREOF. NO SITE SHALL BE REQUIRED TO PROVIDE MORE THAN 10 PASSENGER LOADING SPACES.

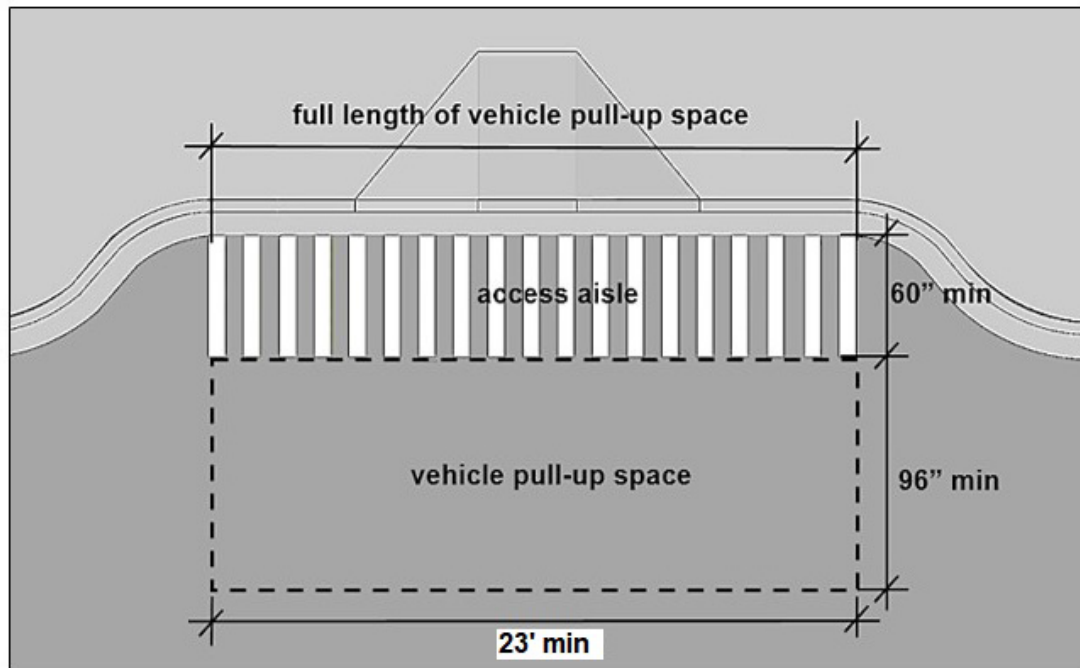
⁽²⁾ FOR MIXED USES, THE MINIMUM NUMBER OF REQUIRED SPACES SHALL BE THE SUM OF THE SPACES REQUIRED FOR THE INDIVIDUAL USES, ALTHOUGH ROUNDING UP SHALL OCCUR AT THE FINAL STEP OF THE CALCULATIONS. FOR EXAMPLE, A DEVELOPMENT WITH 70,000 GROSS SF OF OFFICE SPACE, PLUS 125 MULTI-FAMILY DWELLING UNITS, IS REQUIRED 1.4 SPACES (70,000 SF / 50,000 SF/SPACE), PLUS 1.25 SPACES (125 DU / 100 DU/SPACE), WHICH TOTALS 2.65 REQUIRED, OR 3 PASSENGER LOADING SPACES.

2. **DEVELOPMENT STANDARDS FOR PASSENGER LOADING ZONES.**

A. ACCESSIBLE PASSENGER LOADING SPACES.

- (1) AT LEAST ONE ACCESSIBLE PASSENGER LOADING SPACE SHALL BE PROVIDED FOR EVERY 100 LINEAR FEET OF CONTIGUOUS PASSENGER LOADING ZONE. HOWEVER, EACH PHYSICALLY SEPARATE PASSENGER LOADING ZONE MUST ALSO HAVE AT LEAST ONE ACCESSIBLE PASSENGER LOADING SPACE.
- (2) AN ACCESSIBLE PASSENGER LOADING SPACE SHALL BE A MINIMUM OF 96 INCHES WIDE AND A MINIMUM 23 FEET LONG.
- (3) THE PEDESTRIAN ACCESS AISLE SERVING THE ACCESSIBLE LOADING ZONE SPACE SHALL EXTEND THE LENGTH OF THE SPACE AND SHALL BE A MINIMUM 60 INCHES WIDE.
- (4) THE VEHICLE PULL-UP SPACE AND ACCESS AISLE MUST COMPLY WITH ADA REQUIREMENTS FOR GROUND AND FLOOR SURFACES AND CANNOT EXCEED A SLOPE OF 2%.
- (5) CURB RAMPS CANNOT OVERLAP ACCESS AISLES OR VEHICLE PULL-UP SPACES.
- (6) A VERTICAL CLEARANCE OF 14 FEET IS REQUIRED FOR EACH VEHICLE PULL-UP SPACE AND ACCESS AISLE, AND ALL ALONG ANY VEHICULAR ROUTE CONNECTING THEM TO A VEHICLE ENTRANCE AND EXIT, UNLESS OTHERWISE APPROVED FOR EMERGENCY/SERVICE VEHICLE ACCESS.
- (7) THE PEDESTRIAN ACCESS AISLES SHALL NOT ENCROACH INTO A TRAVEL LANE.

DETAIL 1307.1. ACCESSIBLE PASSENGER LOADING SPACE



B. GENERAL REQUIREMENTS FOR PASSENGER LOADING ZONES.

- (1) STANDARD PASSENGER LOADING SPACES, WHEN PROVIDED IN ADDITION TO THE MINIMUM REQUIRED ACCESSIBLE PASSENGER LOADING SPACE(S), SHALL BE CONSTRUCTED TO THE SAME STANDARDS AS AN ACCESSIBLE PASSENGER LOADING SPACE, BUT WITHOUT THE REQUIREMENT FOR AN ACCESS AISLE.
- (2) A CONTIGUOUS PASSENGER LOADING ZONE MAY BE PROVIDED, WHICH SHALL CONSIST OF TWO (2) OR MORE LOADING ZONE SPACES PROVIDED IN TANDEM WITH NO BARRIERS SEPARATING SAID SPACES, THUS ENABLING VEHICLES TO MOVE FORWARD THROUGH MULTIPLE PASSENGER LOADING ZONE SPACES.

- (3) PASSENGER LOADING ZONES SHALL BE PROVIDED WITHIN 50' OF THE MAIN ENTRANCE OF THE USE OR STRUCTURE THEY ARE INTENDED TO SERVE, AS APPROVED BY PLANNING AND DEVELOPMENT DEPARTMENT STAFF.
- (4) PASSENGER LOADING ZONES SHALL NOT ENCROACH WITHIN THE MINIMUM WIDTH OF ANY FIRE LANES OR DRIVE AISLES.
- (5) PARKING AND/OR STANDING SHALL BE LIMITED TO 30 MINUTES WITHIN A PASSENGER LOADING ZONE, AND SIGNS SHALL BE INSTALLED AND MAINTAINED STATING THIS RESTRICTION, AS APPROVED BY PDD AND STREET TRANSPORTATION.
- (6) A PASSENGER LOADING ZONE SHALL NOT BE LOCATED BEHIND ANY TYPE OF VEHICULAR GATE OR BARRIER, EXCEPT FOR NON-RESIDENTIAL USES, WHEN SUCH GATE OR BARRIER IS LEFT OPEN DURING ON-SITE BUSINESS HOURS.
- (7) ON-STREET PASSENGER LOADING ZONES LOCATED IN THE PUBLIC RIGHT-OF-WAY ADJACENT TO THE PROPERTY MAY ONLY BE PROVIDED WHEN COMPLIANCE WITH ALL OF THE FOLLOWING IS DEMONSTRATED:
 - (A) APPROVAL FOR THE DESIGN OF THE PASSENGER LOADING ZONE HAS BEEN OBTAINED FROM THE STREET TRANSPORTATION DEPARTMENT.
 - (B) AN ENCROACHMENT PERMIT HAS BEEN OBTAINED FROM THE STREET TRANSPORTATION DEPARTMENT FOR ANY STRUCTURES REQUIRED AS PART OF THE PASSENGER LOADING ZONE (SHADE CANOPIES, SCREEN WALLS, SIGNS, ETC.).

(C) THE PASSENGER LOADING ZONE DOES NOT REDUCE OR PRECLUDE ANY REQUIRED STREETScape OR FRONTAGE ELEMENTS, INCLUDING THE PROVISION OF REQUIRED STREET TREES AND SHADE.

(D) THE PASSENGER LOADING ZONE DOES NOT INTERRUPT A DESIGNATED BICYCLE LANE.

C. PASSENGER LOADING AREA DESIGN GUIDELINES.

- (1) PASSENGER LOADING ZONES SHOULD BE LOCATED INTERNALLY TO THE BUILDING WHEN POSSIBLE.
- (2) PASSENGER LOADING ZONES SHOULD HAVE PRIMARY ACCESS FROM A STREET, RATHER THAN AN ALLEY.
- (3) PASSENGER LOADING ZONES SHOULD PROVIDE LANDSCAPED AND/OR STRUCTURAL SHADE FOR A MINIMUM OF 75% OF THE PASSENGER WAITING AREAS.

ATTACHMENT C
Z-TA-8-23: Parking Reductions
Village Planning Committee Summary Results

Village	Information Only Date	Recommendation Date	Recommendations	Vote
Paradise Valley	6/5/2023	7/10/23	No Quorum	N/A
Encanto	~~6/5/2023~~	7/10/23	Approval, per the staff recommendation	12-1
Laveen	6/12/2023	7/10/23	Denial	8-0
Central City	6/12/2023	7/10/23	Approval, per the staff recommendation	10-4
Camelback East	6/6/2023	7/11/23	Approval, per the staff recommendation	14-1
Desert View	6/6/2023	7/11/23	Denial	9-0
Rio Vista	6/13/2023	7/11/23	Denial	3-2
South Mountain	6/13/2023	7/11/23	Denial	11-0
Maryvale	~~6/14/2023~~	7/12/23	Denial	7-2-1
Deer Valley	~~6/8/2023~~	7/13/23	Denial	5-4
North Gateway	6/8/2023	7/13/23	Denial	6-0
Estrella	6/20/2023	7/18/23	Denial	8-1
North Mountain	6/21/2023	7/19/23	Approval, per the staff recommendation with direction that staff and the city council to explore additional methods to help with the production of affordable housing	12-1-1
Ahwatukee Foothills	~~6/26/2023~~	7/24/23	Denial	6-2
Alhambra	6/27/2023	7/25/23	Approval, per the staff recommendation	9-6



Village Planning Committee Meeting Summary

Z-TA-8-23-Y

INFORMATION ONLY

Date of VPC Meeting	June 5, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

Mr. Zambrano shared the parking reductions proposed and displayed an image of a typical multifamily development with a lot of parking. Mr. Zambrano shared the current and proposed parking requirement for multifamily development City-wide, affordable multifamily development City-wide, multifamily development in the Infill Development District, market-rate multifamily development in the Walkable Urban (WU) Code, and affordable multifamily development in the WU Code. Mr. Zambrano displayed an example for each type of multifamily development of a 300-unit complex, having only 1- or 2-bedroom units, and shared what the difference in the parking requirement would be. Mr. Zambrano then discussed passenger loading zones, a new requirement proposed only for sites zoned WU Code. Mr. Zambrano concluded with the timeline for the text amendment.

Mr. Soronson asked if there are parking reductions proposed adjacent to transit. **Mr. Zambrano** responded that transit would be covered under the Infill Development District and the Walkable Urban Code.

Chair Popovic asked what the current parking requirement is for multifamily. **Mr. Zambrano** displayed the current requirement verbatim from the Phoenix Zoning Ordinance.

Roy Wise asked about the intent of this text amendment. **Mr. Zambrano** responded that current parking requirements are resulting in overparking. **Mr. Wise** stated that he believes the text amendment is trying to force more people to use transit.

Ms. Balderrama asked how the proposed parking requirement was calculated. **Mr. Zambrano** responded that the Traffic Services Division conducted a study that showed the actual parking demand is less than what the current parking requirements are. Mr. Zambrano added that part of the intent behind the text amendment is trying to encourage more transit use and acknowledging that not everyone may own a private vehicle and may rely on other modes of transportation.

Ms. Sepic asked if the proposed parking ratio would apply to four-bedroom units as well. **Mr. Zambrano** responded affirmatively, noting that the previous requirement was two parking spaces per three or more-bedroom unit.

Chair Popovic asked where the distance to a light rail station in the Walkable Urban Code is measured from. **Mr. Zambrano** responded that it is measured from the lot line.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting

June 5, 2023

Request

Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

No quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

No quorum.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting	June 12, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

Committee Member Rouse left during this item bringing quorum to eight.

Staff Presentation:

Mrs. Sanchez Luna provided an overview of the proposed text amendment. Mrs. Sanchez Luna noted that the proposed text amendment would allow for a reduction in parking for multifamily and affordable multifamily citywide. Ms. Sanchez Luna summarized other parking reductions. Mrs. Sanchez Luna presented examples of the proposed parking reductions. Mrs. Sanchez Luna concluded the presentation by noting the proposed hearing dates for the text amendment.

Questions from the Committee:

Mr. Nasser-Taylor asked if ADA parking would still be required. **Ms. Gomes** confirmed. **Mr. Nasser-Taylor** asked prompted this text amendment. **Ms. Gomes** noted that the text amendment has been in response to legislative and affordability movements. Ms. Gomes noted that the city analyzed affordability and that is why there were standards for infill development, the walkable urban code, and city wide. **Mr. Nasser-Taylor** noted that it would allow for more units because of the reduction in parking. **Ms. Gomes** noted that residents in affordable housing have less vehicles and that more units would drive down rental costs. Ms. Gomes noted that these would be minimum parking standards. **Mr. Nasser-Taylor** noted that Phoenix doesn't have an efficient public transportation system to support the parking reduction. Mr. Nasser-Taylor added that existing multifamily developments do not have enough parking. Mr. Nasser-Taylor asked if a study was conducted before presenting the new parking ratios. **Ms. Gomes** stated that the city utilized ITE data that focuses on traffic counts in order to create the proposal. **Ms. Perrera** asked what year the data was collected. **Ms. Gomes** stated that that information could be provided at a later date.

Ms. Perrera noted that the parking reduction made sense in infill development if amenities are in a walkable distance. Ms. Perrera noted that a citywide reduction was

not feasible. Ms. Perrera added that Laveen did not have sufficient public transit. Ms. Perrera noted that there should be a reduction in commercial parking rather than multifamily parking. Ms. Perrera added that she had concerns on data utilized.

Ms. Rouse voiced her agreement and stated that parking would spill onto the street.

Ms. Rubio-Raffin agreed that the city doesn't have the public transit infrastructure to support the reduction. Ms. Rubio-Raffin noted that the City of Tempe has an efficient public transit system. Ms. Rubio-Raffin added that the reduction could reduce the number of cars.

Ms. Jensen stated that more public transportation infrastructure would be required before a reduction could occur. Ms. Jensen asked how much overflow parking occurs in walkable urban code areas. **Ms. Gomes** noted that the department has been working to gather the data.

Mr. Chiarelli noted that apartments could start charging for parking which would affect housing affordability. Mr. Chiarelli asked what would make a housing project affordable. Mr. Chiarelli added that people that live in affordable housing still have vehicles.

Francisco Barraza noted that a reduction in vehicles per household would not be attainable. Mr. Barraza stated that downtown development discourages parking, but other parts of the city cannot accommodate the reduction. Mr. Barraza added that the proposed text amendment would benefit developers rather than individuals.

Chair Abegg stated that she hasn't seen a decrease in vehicles with less parking availability. Chair Abegg asked if existing projects could revise their site plan to reduce the parking. Chair Abegg asked about the outreach and noted that in-person meetings are less accessible for the community.

Vice Chair Hurd noted that she has seen multifamily projects with excessive parking but would discourage filling empty parking lots with more housing. Vice Chair Hurd noted that the data utilized needed to be evaluated. **Chair Abegg** noted that the reduction made sense in some overlay areas but not the entire city.

Ms. Gomes noted that staff has heard similar comments from northern villages. Ms. Gomes noted that if the text amendment is adopted, all current developments could utilize the parking reduction. Ms. Gomes noted that existing projects would have to be evaluated on a case by case basis. Ms. Gomes noted that information only items for text amendment allow the community to voice their initial concerns prior to recommendation. Ms. Gomes added that the information is available online and recommended the committee to promote any input. **Chair Abegg** noted that the in-person meetings are not accessible to the entire community. **Ms. Gomes** stated that the text amendments have been a respond to City Council requests and legislative movements. **Chair Abegg** reiterated that a virtual meeting would increase community input and accessibility. **Ms. Gomes** stated that not all facilities have the technical

capabilities to host hybrid meetings.

Mr. Chiarelli noted that South Mountain has not have quorum in several months. Mr. Chiarelli added that this prevents community input. Mr. Chiarelli asked what the city has done to ensure an active committee. **Chair Abegg** encouraged Committee Member Chiarelli to contact the City Council. **Ms. Gomes** voiced her agreement and confirmed that the City Council is addressing the issue.

Public Comment:

Mr. Hertel stated that ADA parking spaces will be utilized by non-ADA vehicles. Mr. Hertel added that an efficient public transportation system is required prior to a parking reduction. Mr. Hertel asked for the purpose behind the text amendment and if any data was collected to support the reduction in Laveen. Mr. Hertel added that this would result in modifications to existing approved site plans. Mr. Hertel voiced his opposition to the text amendment.

Committee Discussion:

None.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting	June 12, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

No members of the public registered to speak on this item.

Anthony Grande, staff, provided a presentation regarding the proposed text amendment to reduce parking requirements for multifamily and affordable housing. He described the proposed citywide parking requirements for multifamily development and affordable multifamily development and further described the proposed parking requirements for the Infill Development District and in the Walkable Urban Code.

Committee Member Sherman stated that the pick-up/drop-off areas should be encouraged to be on-street to reduce the number of driveways.

Committee Member Olivas expressed concern about the proposal, citing an example of an affordable housing development with a low parking requirement where there is an issue with cars parking on the street.

Committee Member Dana Johnson asked for clarification regarding the on-street parking allowance in the infill district and expressed concern about the proposal from an equity perspective. **Mr. Grande** provided clarification that on-street parking would no longer count toward parking requirements in the infill district.

Committee Member Uss stated that parking is a barrier to providing affordable housing and that this proposal would open up more parcels for affordable housing development.

Committee Member Martinez agreed with the example raised by Ms. Olivas, noting that traffic situation around the development is problematic due to the reduced parking requirements.

Committee Member Gaughan stated that it is important to get families into housing units and that providing parking makes the units more expensive.

Committee Member Martinez noted that low-income people still own cars. **Ms. Uss** replied that the vehicle ownership rate is lower for low-income people.

Vice Chair O'Grady stated that it would be helpful to tour affordable developments with minimal parking, such as the Native American Connections buildings.

Committee Member Rachel Frazier Johnson asked that staff provide examples of affordable developments with lower parking requirements for the next meeting.

Chair Gonzales asked for clarification on how the proposal would affect the Downtown Code. **Mr. Grande** clarified that it would not change any requirements of the Downtown Code.

Committee Member Sonoskey asked about maximum parking requirements. **Mr. Grande** replied that there were only parking maximums in the Downtown Code, and this proposal would not change that.

Committee Member Olivas asked about congestion on narrow streets with street parking. **Mr. Grande** replied that the Street Transportation Department reviews any on-street parking to verify the street width is sufficient to handle the parked cars and the flow of traffic.

Village Planning Committee Meeting Summary

Z-TA-8-23-Y INFORMATION ONLY

Date of VPC Meeting June 6, 2023
Request Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing

VPC DISCUSSION:

No member of the public registered to speak on this item.

STAFF PRESENTATION:

John Roanhorse, staff, provided a presentation the proposed text amendment to reduce parking, the scope, requirements and adjustments for multifamily development. Mr. Roanhorse discussed the current parking requirements, the proposal and the comparative reduction calculations for affordable housing, infill development, Walkable Urban Code areas and other site adjustments. Mr. Roanhorse displayed the changes that will include passenger loading zones pull up/drop off spaces for streetscapes. Mr. Roanhorse discussed the time frame for review for the at Villages, Planning Commission and City Council.

QUESTIONS FROM COMMITTEE:

Ms. Schmieder asked about the text amendment as a method of clarifying information and parking reduction is a significant change and why this being considered as a text amendment. Mr. Roanhorse responded that the text amendment is a method that allow the City to adjust an existing requirement. Ms. Schmieder stated that changing the parking requirements has big implications for neighborhoods and new development. **Mr. Roanhorse** responded that a text amendment is changes to the text of the requirement.

PUBLIC COMMENTS:

None.

STAFF RESPONSE:

None.

COMMITTEE DISCUSSION:

None.

Village Planning Committee Meeting Summary

Z-TA-8-23-Y INFORMATION ONLY

Date of VPC Meeting	June 6, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing

VPC DISCUSSION:

No members of the public registered to speak on this item.

Anthony Grande, staff, provided a presentation regarding the proposed text amendment to reduce parking requirements for multifamily and affordable housing. He described the proposed citywide parking requirements for multifamily development and affordable multifamily development and further described the proposed parking requirements for the Infill Development District and in the Walkable Urban Code.

Committee Member Hankins asked about the impetus behind this proposal. **Mr. Grande** replied that there was interest from the city and stakeholders in reducing barriers to providing housing.

Vice Chair Lagrave asked if the proposal makes the assumption that people residing in affordable housing have lower vehicle usage. **Mr. Grande** replied that he didn't have any studies available on the question but will try to provide more information at the next meeting.

Committee Member Santoro asked if there were studies done that show apartment buildings with vacant parking spaces. **Mr. Grande** replied that he would follow up with more information at the next meeting.

Chair Bowser stated that multifamily housing has different users than single-family, which could impact the need for parking, adding that he would like to see a requirement for proximity to transit as part of the proposal.

Committee Member Kollar stated that parking in many apartment complexes can be very difficult and that he'd like to see studies showing the feasibility of the proposal.

Committee Member Younger asked if this amendment would only affect new construction. **Mr. Grande** replied that it was for new construction.

Committee Member Israel asked about the AMI levels included in the definition of affordable housing. **Mr. Grande** replied that there will be more information by the next meeting when there is proposed text.

Committee Member Reynolds stated that low-income families may have multiple people working and needing parking spaces, which could be an issue.

Committee Member Nowell stated that the proposal could increase demand on commercial parking lots nearby, potentially leading to issues in the future.

Committee Member Younger asked what the purpose of the proposal was. **Mr. Grande** replied that it would eliminate a barrier to providing additional housing.

Chair Bowser stated that there is a general need to reduce parking requirements across the city because the city is generally overparked, adding that he would like to see some studies to show the need for this specific proposal.

Committee Member Kollar stated that the 1.25 spaces per unit for multifamily housing seems low.

Committee Member Israel asked for clarification on the proposed citywide requirements for multifamily housing compared to proposed requirements related to transit-oriented areas in the central part of Phoenix. **Mr. Grande** provided clarification.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting June 13, 2023
Request Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

Mr. Zambrano shared the parking reductions proposed and displayed an image of a typical multifamily development with a lot of parking. Mr. Zambrano shared the current and proposed parking requirement for multifamily development City-wide, affordable multifamily development City-wide, multifamily development in the Infill Development District, market-rate multifamily development in the Walkable Urban (WU) Code, and affordable multifamily development in the WU Code. Mr. Zambrano displayed an example for each type of multifamily development of a 300-unit complex, having only 1- or 2-bedroom units, and shared what the difference in the parking requirement would be. Mr. Zambrano then discussed passenger loading zones, a new requirement proposed only for sites zoned WU Code. Mr. Zambrano concluded with the timeline for the text amendment.

Mr. Virgil stated that developers will try to fit more homes in a development by removing parking spaces. Mr. Virgil stated that there is never enough parking for visitors. Mr. Virgil stated that the City wants to push people out of their cars.

Mr. Sommacampagna asked about removing on-street parking in the Infill Development District. **Mr. Zambrano** responded that the Street Transportation Department has had issues with adding bike lanes in certain areas because developments are counting the on-street parking towards their minimum required parking spaces.

Mr. Virgil stated that the City does not want people to own cars.

Mr. Zambrano stated that part of the intent of the text amendment is trying to support multi-modal transportation.

Chair Lawrence stated that this would be a great idea if everything was within walking distance of the light rail.

Mr. Virgil stated that he would rather have too much parking than not enough. Mr. Virgil asked if handicap parking would be reduced as well. **Mr. Zambrano** responded that ADA parking requirements would still be the same. **Mr. Virgil** asked if the ideas for the text amendments are coming from California. **Mr. Zambrano** responded that they are trying to address a number of issues, including the housing shortage and affordability.

Vice Chair Perreira asked Mr. Zambrano could share his opinion on the text amendment. **Mr. Zambrano** responded that based on information he has heard, the current Phoenix Zoning Ordinance parking requirement requires more parking than what the actual market demand is for parking.

Mr. Virgil reiterated that he would rather have more parking than not enough.

Chair Lawrence stated that he would have to disagree with the parking requirement supplying more than the actual parking demand. Chair Lawrence asked if Mr. Zambrano has ever lived in apartment complex in Phoenix. **Mr. Zambrano** responded he has lived in apartment complex only in Tempe. **Chair Lawrence** asked if there was plenty of parking when coming home at 9:00 PM. **Mr. Zambrano** responded that he had a reserved parking space. **Chair Lawrence** stated that when the parking ratio is 0.5 spaces per dwelling unit, there are not enough reserved spaces for each unit. **Mr. Zambrano** responded that the 0.5 spaces per unit ratio is only for the Walkable Urban Code, which is typically along the light rail corridor. **Chair Lawrence** stated that he is okay with the proposal along the light rail, but that other apartment complexes he has been to have had parking issues. Chair Lawrence added that he has never driven into an apartment complex before that has had many empty parking spots or an empty space nearby the unit, which is under the current parking requirements.

Mr. Virgil stated that there is an apartment complex on Union Hills Drive and 35th Avenue where off-street parking is impossible to find in the complex and people park in the street, noting that their parking is under the current requirements.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting

June 13, 2023

Location

Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

No quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Committee member Ashley Hare left during the previous item, thus losing quorum.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting	June 14, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

No quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

No quorum.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting

June 8, 2023

Request

Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

No quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

No quorum.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting

June 8, 2023

Request

Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

Staff Presentation:

Mr. Zambrano shared the parking reductions proposed and displayed an image of a typical multifamily development with a lot of parking. Mr. Zambrano shared the current and proposed parking requirement for multifamily development City-wide, affordable multifamily development City-wide, multifamily development in the Infill Development District, market-rate multifamily development in the Walkable Urban (WU) Code, and affordable multifamily development in the WU Code. Mr. Zambrano displayed an example for each type of multifamily development of a 300-unit complex, having only 1- or 2-bedroom units, and shared what the difference in the parking requirement would be. Mr. Zambrano then discussed passenger loading zones, a new requirement proposed only for sites zoned WU Code. Mr. Zambrano concluded with the timeline for the text amendment.

Discussion:

None.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting June 20, 2023

Request Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

Staff Presentation:

Mrs. Sanchez Luna provided an overview of the proposed text amendment. Mrs. Sanchez Luna noted that the proposed text amendment would allow for a reduction in parking for multifamily and affordable multifamily citywide. Ms. Sanchez Luna summarized other parking reductions. Mrs. Sanchez Luna presented examples of the proposed parking reductions. Mrs. Sanchez Luna concluded the presentation by noting the proposed hearing dates for the text amendment.

Questions from the Committee:

Mr. Sanou and **Ms. Wallace** voiced their disagreement.

Chair Perez stated that the text amendment came from movement at the legislative level. Chair Perez voiced her disagreement on the proposed text amendment and provided an example on 67th Avenue and Broadway Road that would be able to reduce parking with the proposed text amendment. Chair Perez noted that all current projects could revise their site plan to reduce the number of parking.

Angelica Terrazas voiced her disagreement and stated that the reduction in parking would make living in the city inconvenient, negatively affecting the population.

Chair Perez stated that Estrella did not have the infrastructure nor amenities to support the reduction. Chair Perez added that the reduction could work in certain areas of the city, but not the entire city nor Estrella.

Dan Rush stated multifamily development did not have enough parking. **Chair Perez** stated that if parking is unavailable, it could allow for alternative forms of transportation.

Ms. Wallace stated that Estrella did not have the public transportation infrastructure or street infrastructure to support the reduction. Ms. Wallace stated that the population

needed vehicles and parking spaces. Ms. Wallace reiterated her disagreement and opposition to the text amendment. **Chair Perez** noted that families have numerous vehicles that overcrowd garages and driveways. **Ms. Wallace** stated that parking garages could help reduce on street parking and overcrowded driveways.

Ms. Terrazas stated that single-family residences don't always have families that require one vehicle. Ms. Terrazas noted that numerous people share one house, requiring additional vehicles. Ms. Terrazas voiced her disagreement and added that the reduction was impractical.

Ms. Wallace noted that a reduction in parking is only feasible to certain social groups who can afford the reduction.

Chair Perez asked staff about the input that they have received in the northern villages. **Ms. Escolar** noted that they have heard similar concerns and were opposed to the text amendment.

Ms. Terrazas asked for information regarding commercial parking reduction. Ms. Terrazas noted that a reduction in commercial parking would also have negative effects on the village. **Ms. Escolar** stated that the proposed text amendment would not reduce commercial parking.

Public Comment:

Ms. Groff stated that the proposed text amendment does not affect the parking maximum. Ms. Groff stated that the idea would be to allow the market demand to determine the number of parking. Ms. Groff noted that this could lead to shared parking between developments and parking adjusted to the market.

Committee Discussion:

Ms. Wallace stated that the reduction would allow for zero parking. **Mrs. Sanchez Luna** responded that the zero required parking would only be in the Walkable Urban Code and affordable housing projects.

Ms. Groff added that the lack of parking could reduce rental rates. **Mr. Sanou** disagreed.

Chair Perez noted that there could be additional revenue if there were rented parking garages. **Ms. Wallace** stated that the parking garages should be free in certain areas.

Ms. Wallace voiced her opposition for the proposed text amendment.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting June 12, 2023
Request Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

Mr. Klimek shared the parking reductions proposed and displayed an image of a typical multifamily development with a lot of parking. He shared the current and proposed parking requirement for multifamily development City-wide, affordable multifamily development City-wide, multifamily development in the Infill Development District, market-rate multifamily development in the Walkable Urban (WU) Code, and affordable multifamily development in the WU Code. He displayed an example for each type of multifamily development of a 300-unit complex, having only 1- or 2-bedroom units, and shared what the difference in the parking requirement would be. He then discussed passenger loading zones, a new requirement proposed only for sites zoned WU Code and concluded with the timeline for the text amendment.

COMMITTEE MEMBER QUESTIONS

Committee Members Adams, Alauria, O'Hara and Vice Chair Fogelson expressed concern over the proposed parking reduction.

Committee Members O'Hara asked if 1.25 spaces per unit is a standard that comes from a national study or if it focuses on cities such as Phoenix. **Mr. Klimek** responded that the ITE study is national and shows 1.23 spaces per unit for suburban development and 1.2 spaces per unit for urban development. He added that the proposal also equates to 1 space per resident dwelling plus 0.25 guest spaces.

Committee Member Molfetta stated that the zoning district prescribes the number of dwelling units permitted on a site so less parking means more units can be constructed.

Committee Member Freeman stated that this provides greater flexibility, that the parking supply should be specific to the context, and that the current standard is high. He asked if this will limit the amount of parking that can be provided. **Mr. Klimek** responded that this reduces the number of spaces that are required but does not limit the amount of parking that can be provided.

Committee Members O'Hara asked Chair Jaramillo how the proposal was received by the Planning Commission. **Chair Jaramillo** responded that the proposal was well received, will support affordable housing, and he then cited cul-de-sac in Tempe as an example of an innovative community that would not be permitted in Phoenix.

Committee Members O'Hara stated that cul-de-sac is at a good location with plenty of students, good access to transit and ASU, and a responsible owner. He expressed concern that not all owners are responsible, and this could be used to create less desirable housing products. **Committee Members Krentz** stated he was involved in the cul-de-sac project and that half the residents are not affiliated with ASU.

Committee Member Sommacampagna asked if the parking reductions in the Infill Development District would be allowed by-right and if there were any parking reductions permitted in the area that require a use permit. **Mr. Klimek** responded that the parking reductions are by-right in the Infill Development Area and responded that he wasn't sure about the use permit areas.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
INFORMATION ONLY

Date of VPC Meeting	June 26, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION:

Meeting was canceled due to lack of quorum.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Meeting was canceled due to lack of quorum.



Village Planning Committee Meeting Summary

Z-TA-8-23-Y INFORMATION ONLY

Date of VPC Meeting	June 27, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Two members of the public registered to speak on this item.

STAFF PRESENTATION

Samuel Rogers, staff, provided a presentation regarding the proposed text amendment to reduce parking requirements for multifamily and affordable housing. He described the proposed citywide parking requirements for multifamily development and affordable multifamily development and further described the proposed parking requirements for the Infill Development District and in the Walkable Urban Code.

QUESTIONS FROM THE COMMITTEE

Committee Member Adams asked how the parking reductions were determined. **Mr. Rogers** stated that he was not aware of how the reductions were determined, but he would provide the staff report.

Committee Member Keyser stated that surveys have shown that people want mass transit, but he expects innovation in autonomous vehicles, electric vehicles, or smart car technology to impact how people interact with cars. Committee Member Keyser stated that Phoenix could become walkable someday, but the City needs to implement linear cores. Committee Member Keyser stated that he is shy on this text amendment until we know the future automobile market trends.

Committee Member Solorio stated that parking minimums have been eliminated across the country in cities like Buffalo, Seattle, and Portland and in the City of Mesa's downtown form-based code. Committee Member Solorio explained that parking will be determined by the financier based on the product type, so luxury apartments will still provide parking and developments that serve specialty populations such as veterans,

the elderly, or individuals with severe mental illnesses will be able to provide less parking and thus more units.

Committee Member Fitzgerald encouraged everyone to read the text amendments very carefully and stated that there is no outreach to the people in neighborhoods.

PUBLIC COMMENTS

John Hathaway stated that there is a law of unintended consequences that is always present and stated that the increase in luxury apartments being built in Phoenix has caused the City to be ranked number one in the county for increasing housing rates at 32 percent. Mr. Hathaway stated that he understands the need for affordable housing, but there will be consequences and explained that places like Portland, Southern California, or Manhattan are not the same as Phoenix because car ownership is much higher in Phoenix.

Jackie Rich stated that she would like to see the research that supports the parking reduction and stated that the proposed text amendment would reduce parking requirements for luxury units to what is currently required for a studio unit. Ms. Rich stated that luxury unit residents will likely want amenities like electric vehicle charging rather than fewer parking spaces and explained people will not walk because the City of Phoenix is seeing around 100 days with temperatures over 100 degrees Fahrenheit and because Phoenix is ranked number six in most pedestrian fatalities. Ms. Rich stated that while some residents in affordable housing developments may not drive, some residents may have a medical condition that make it difficult to walk and those residents need easily accessible parking and explained more public transit needs to be available before this text amendments moves forward.

STAFF COMMENTS REGARDING VPC RECOMMENDATION

None.



Village Planning Committee Meeting Summary

Z-TA-8-23-Y

Date of VPC Meeting	August 7, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.
VPC Recommendation	Approval, per staff recommendation, with modifications
VPC Vote	14-0

VPC DISCUSSION:

Staff Presentation:

Mr. Zambrano discussed the purpose of the parking reductions text amendment and potential benefits. Mr. Zambrano shared the parking reductions proposed and then shared the current and proposed parking requirement for multifamily development City-wide, affordable multifamily development City-wide, multifamily development in the Infill Development District, market-rate multifamily development in the Walkable Urban (WU) Code, and affordable multifamily development in the WU Code. Mr. Zambrano noted that the proposed parking ratio for multifamily development City-wide was based on an average of multifamily parking demand of 1.23 spaces per unit for suburban development and 1.2 spaces per unit for urban development, per the Institute of Transportation Engineers (ITE) Manual, which has decades-worth of data based on studies done in cities throughout the nation where cars were counted and resulted in these parking ratios based on the actual parking demand. Mr. Zambrano then discussed passenger loading zones, a new requirement proposed only for sites zoned WU Code. Mr. Zambrano concluded with the timeline for the text amendment, VPC results, Planning Commission results, and stated that staff recommends approval as listed in the staff report.

Questions from the Committee:

Ms. Sepic asked how the City defines affordable housing, noting that the term is often used politically. **Mr. Zambrano** responded that development would only qualify as affordable housing after being vetted through the various programs and meeting the criteria to be able to qualify as an affordable housing project. Mr. Zambrano added that the City would not accept a development as affordable housing just because the developer calls it affordable, and that it would need to go through the programs necessary to qualify it as an affordable housing project.

Chair Popovic stated that he works for the largest affordable housing developer in the country and the seventh largest market-rate housing developer in the country. Chair Popovic stated that parking is the most prohibitive, restrictive and costly element in housing development. Chair Popovic noted that the costs spent on building parking cannot be recuperated and it limits affordable housing developers on bringing their projects to fruition. Chair Popovic stated that his firm recently put in a bid for a Request for Proposals (RFP) in Tempe for affordable housing, which required over 435 parking spaces, costing over \$15 million to build two parking structures, or \$35,000 per parking stall, and the project died. Chair Popovic emphasized that parking increases costs for housing development and makes housing less affordable by requiring more parking.

Mr. Goodhue asked where people would park their cars. **Chair Popovic** responded that not many people living in true affordable housing projects own cars and the current parking requirements do not meet the actual parking demand of affordable housing.

Ms. Sepic stated that she is a multifamily operator and thinks it would be wrong to not reduce the parking requirements. Ms. Sepic stated that one of her clients that is building a high-rise building in Downtown Phoenix is still building in parking, despite having minimal parking requirements because it is located right along the light rail. Ms. Sepic added that based on her experience of operating Class C apartment buildings, most of the residents in the studio and one-bedroom units did not own vehicles. Ms. Sepic stated that most of the two-bedroom units had at least one vehicle and the three- and four-bedroom units that had anywhere from eight to 10 people living in it typically had two vehicles. Ms. Sepic noted that an average of about one-fourth of parking was unused for apartment complexes she operated. Ms. Sepic stated that she does believe there is room to adjust the parking ratios and that she does not believe they should be kept as high as they currently are.

Mr. Goodhue stated that he moved in 1990 from Seattle into an apartment nearby his current home and stayed there for a few months, and there was no one parking on the street. Mr. Goodhue noted that these parking ratios were based on what was required back in the 1980s and now the streets are covered with cars and are coming into the adjacent neighborhoods. Mr. Goodhue added that the City of Seattle requires no parking adjacent to their light rail and someone he knew opened up a business next to a brand-new apartment complex that had cars parked along the alley that were blocking the loading bay for the business. Mr. Goodhue agreed that parking ratios should be looked at to make sure they are realistic but disagreed with reducing the parking ratios to an extreme.

Chair Popovic agreed that the parking ratios should not be reduced to an extreme, noting that the parking ratios still do need to be reduced. Chair Popovic reiterated that many of the parking spaces for his affordable housing developments are unused. Chair Popovic shared the criteria in order to get the credits for affordable housing.

Mr. Goodhue agreed that parking for affordable housing should be reduced to meet their demand but expressed concerns with reducing parking for market-rate housing.

Chair Popovic reiterated the cost of building parking structures. **Vice Chair Anita Mortensen** asked if the parking spaces are used once the building is built. **Chair Popovic** responded that it depends, but most residents in market-rate studio and one-bedroom units do not use cars.

Ms. Sepic added that she knows two people her age that do not have a driver's license.

Chair Popovic agreed, noting that this lowers the parking ratio. Chair Popovic stated that the younger generation does not want cars.

Mr. Wise stated that he has lived in Arizona for a long time, and it is car-centric.

Ms. Sepic stated that rideshare is another way to get around.

Chair Popovic disagreed that Phoenix is car-centric, noting that it is changing.

Ms. Sepic agreed. Ms. Sepic stated that she is okay with the passenger loading zone requirement as proposed. Ms. Sepic added that she believes there should be a reduction to the parking ratios, but not to the extent as proposed. Ms. Sepic recommended there be 0.5 parking spaces required for each studio unit or one-bedroom unit, 1.25 parking spaces required for each two-bedroom unit, and 1.5 spaces required for each three- or more bedroom unit. Ms. Sepic recommended that the average parking ratio for market-rate housing be 1.75 spaces per unit.

Mr. Soronson asked for clarification that Ms. Sepic recommends the proposed 1.25 parking spaces per unit ratio is increased to 1.75 parking spaces per unit. **Ms. Sepic** responded affirmatively. **Mr. Soronson** asked why Ms. Sepic would recommend increasing the parking ratio to 1.75 when she just stated that she believes the parking ratios should be reduced.

Chair Popovic agreed, noting that the current parking ratio is 1.5 parking spaces per unit for one- and two-bedroom units.

Ms. Sepic stated that she believes the proposed parking ratio of 1.25 parking spaces per unit for market-rate housing needs to be increased. **Mr. Soronson** asked again why Ms. Sepic believes it should be increased when she had just stated that she believes the parking ratios need to be decreased. **Ms. Sepic** responded that 1.25 parking spaces per unit is still too low for market-rate housing.

Chair Popovic disagreed, noting that 1.75 parking spaces per unit is too high and is above the current requirement of 1.5 parking spaces per unit for one- and two-bedroom units.

Mr. Soronson concurred.

Ms. Sepic asked if the proposed parking ratio of 1.25 parking spaces per unit was the average of the current requirement. **Mr. Zambrano** responded that the parking ratio of

1.25 parking spaces per unit is the average of actual parking demands per the ITE Manual.

Mr. Goodhue stated that there was a similar discussion of parking reductions for a project within the Kierland Commons area which proposed 1.45 parking spaces per unit, noting that the parking ratio of 1.25 parking spaces per unit is even lower than what was approved in Kierland Commons. Mr. Goodhue recommended the parking ratio match what was approved in Kierland Commons.

Chair Popovic disagreed, noting that he believes the parking reduction for that project should have been more. Chair Popovic stated that from a developer's perspective, 1.25 parking spaces per unit is more than reasonable.

Ms. Sepic noted that 1.45 parking spaces per unit is a higher ratio than 1.25 parking spaces per unit.

Mr. Soronson agreed, noting that Ms. Sepic had previously stated that she recommended a parking ratio of 1.75 parking spaces per unit.

Chair Popovic concurred, noting that it would result in even more parking.

Ms. Sepic recommended that the parking ratios for affordable housing be lower than market-rate housing. Ms. Sepic noted that the current requirement for a studio unit is 1.3 parking spaces per unit, and most people that live in studio units do not even have a car.

Mr. Zambrano asked for clarification if Ms. Sepic wanted to keep the parking ratios broken out based on the number of units. **Ms. Sepic** responded affirmatively.

Mr. Goodhue asked if Ms. Sepic's proposed parking ratios are based on traffic engineering studies. **Ms. Sepic** responded that it is based on her experience of operating multiple apartment complexes that had studio, one-, two-, three-, and four-bedroom units. Ms. Sepic reiterated that residents in studio and one-bedroom units did not have a car.

Chair Popovic agreed, noting that it is a trend that is being seen more often.

Ms. Hall asked if the proposed parking ratio was prepared by traffic engineers. **Mr. Zambrano** responded affirmatively, noting that it came from the ITE Manual.

Chair Popovic stated that he agreed with the proposed parking ratios per staff recommendation.

Ms. Hall stated that most multifamily projects in the Kierland Commons area opt for PUD zoning so they can reduce their parking requirements, noting that there is a way to get around it now rather than changing the Phoenix Zoning Ordinance.

Abram Bowman asked if the proposed parking ratio of 1.25 parking spaces per unit would simplify the process for developers rather than having the parking ratios broken out by unit. **Chair Popovic** responded that some projects have more studios than one-bedroom units and other projects do not have any studios and have all one- and two-bedroom units. Chair Popovic stated that the parking ratios do need to be broken out by unit.

Ms. Sepic concurred. Ms. Sepic added that more three- and four-bedroom units are needed for families, but they are more expensive to build. Ms. Sepic noted that Arizona is top five in refugee resettlement and most refugee families have a lot of children. Ms. Sepic reiterated that the type of housing product needed is three- and four-bedroom units. Ms. Sepic stated that the information of the parking ratios should have been put in a graph to better understand the proposal.

Chair Popovic agreed, noting that there are some individuals that may not fully understand what the parking ratios translate to.

Ms. Sepic concurred, noting that the proposed parking ratio of 1.25 parking spaces per unit for any type of unit and a 50% reduction of that for affordable housing was confusing.

Mr. Wise asked if the Committee's recommended modifications would get to the City Council if the Planning Commission has already recommended approval of this text amendment with their own modifications. **Mr. Zambrano** responded affirmatively, noting that the City Council members and Mayor would review the results and meeting minutes of the VPCs and the Planning Commission and would make their own decision based on that information collectively.

Ms. Sepic stated that if there was a generic parking ratio and an apartment complex was built with all three-bedroom units, 1.25 parking spaces per unit would not be enough parking.

Daniel Mazza asked if the developer would just build more parking in that scenario. **Chair Popovic** responded that they would not build more than required because of the cost associated with it.

Mr. Soronson asked if it costs \$35,000 per parking stall for surface parking or structured parking. **Chair Popovic** responded that surface parking costs \$30,000 per parking stall and \$35,000 per parking stall for structured parking. Chair Popovic added that the cost could go up to \$60,000 per parking stall for underground parking on the first level and goes up from there the further underground it goes. Chair Popovic stated that almost a third of real estate development costs are related to parking.

Mr. Wise expressed concerns with there being no parking left after the parking reductions, assuming people will still drive as much as they are now. **Chair Popovic** stated that from the data his firm is getting, the trend is to not own a car. **Mr. Wise** asked if someone could rent an apartment unit without a parking space. **Chair Popovic**

responded affirmatively. **Mr. Wise** asked what someone would do if they owned a car, and the apartment complex did not have a dedicated parking space for them. **Chair Popovic** responded that they would go somewhere else that did have parking available for them.

Mr. Soronson stated that there is a project being built with no parking in the City of Tempe along the light rail.

Mr. Goodhue stated that the City Council would probably focus on the Planning Commission's recommendation versus this Committee's recommendation. **Mr. Zambrano** responded that this information may be helpful to the City Council, since the City Council did direct staff to initiate this text amendment through the Housing Phoenix Plan that was adopted.

Public Comments:

None.

Staff Response:

None.

MOTION – Z-TA-8-23-Y:

Ms. Sepic motioned to recommend approval of Z-TA-8-23-Y, per the staff recommendation, with modifications. **Mr. Bowman** seconded the motion.

Modifications listed for clarity:

- *Market-Rate Housing City-wide*
 - *1 parking space per studio unit*
 - *1.5 parking spaces per 1- or 2-bedroom unit*
 - *2 spaces per 3- or more bedroom unit*
- *Affordable Housing City-wide*
 - *0.5 parking spaces per studio unit*
 - *1 parking space per 1- or 2-bedroom unit*
 - *2 parking spaces per 3- or more bedroom unit*

VOTE – Z-TA-8-23-Y:

14-0; motion to recommend approval of Z-TA-8-23-Y per the staff recommendation with modifications passes with Committee members Bowman, Bustamante, DeMoss, Goodhue, Hall, Mazza, Petersen, Schmidt, Sepic, Soronson, Ward, Wise, Mortensen, and Popovic in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 10, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	12-1

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

- 1 member of the public registered in support, wishing to speak.*
- 1 member of the public registered in opposition wishing to speak.*

STAFF PRESENTATION

Mr. Roanhorse, staff, provided a presentation on the proposed text amendment to reduce parking city wide for residential developments with inclusion of minimum requirements. Mr. Roanhorse discussed the current parking requirements, the proposal and the comparative reduction calculations for affordable housing, infill development, Walkable Urban Code areas and other site adjustments. Mr. Roanhorse displayed the changes that will include passenger loading zones pull up/drop off spaces for streetscapes. Mr. Roanhorse discussed affordable housing at the applicability for parking and demand adjustments that will be made. Mr. Roanhorse discussed the time frame for review for the at Villages, Planning Commission and City Council.

Mr. DePerro stated that the development of the text amendment was based on many years of trying to address parking for multifamily development with a nominal city-wide reduction and reductions for affordable and infill housing and the biggest reduction for the Walkable Urban Code. Mr. DePerro noted that the staggered approach for parking was possible. Mr. DePerro explained parking information was obtained from the Institute of Traffic Engineers (ITE) Parking Manual to determine parking demands and to make it meaningful and applicable to the city.

QUESTIONS FROM THE COMMITTEE

Committee Member Jewett asked if the parking demand we are seeing now is accurate or is there a margin for adjustment. **Mr. DePerro** responded that certain adjustments were made where the calculated demand was 1.23 spaces which was rounded up to 1.25 spaces to provide a measure of simplification.

Vice Chair Rodriguez asked what is expected in the future for single family or commercial developments and will parking requirements decrease overall. **Mr. DePerro** responded that there has been a focus on multifamily development and this is unlikely to change but for now Council is looking to reduce parking requirements Citywide.

Mr. Procaccini asked has there been any consideration for requiring parking maximums. **Mr. DePerro** responded that this exists in the Downtown Code but was not consider for this text amendment because there are different expectations downtown and there are no plans currently, but it may be applicable for the WU Code in the future. **Mr. Proaccinni** asked about the applicability for infill areas. **Mr. DePerro** responded it might be possible but it would depend if an infill area were rezoned to WU Code.

Chair Wagner asked about the applicability of 0 parking within the WU Code. **Mr. DePerro** responded that the City has invested funds on light rail and other transit methods and these are encouraged with reducing parking. **Mr. DePerro** mentioned that there is a difference between caps and minimums and it is ideal to have some flexibility.

PUBLIC COMMENT

Cory Kincaid introduced himself and mentioned his volunteer work with Perfect Phoenix and has been involved with parking issues. **Mr. Kincaid** expressed concern and has spoken with developers and understands the frustration with parking around the city. **Mr. Kincaid** noted the economics of parking and expressed support for the parking reduction text amendment.

Neal Haddad with the Neighborhood Coalition of Greater Phoenix introduced himself and expressed concerns with the parking reduction. **Mr. Haddad** stated in some areas of the city you need access to an automobile and you cannot impose reductions for the entire city. **Mr. Haddad** noted that in some villages the distance to stores is far and an automobile is necessary. **Mr. Haddad** stated that reducing parking to 0 does not make sense. **Mr. Haddad** stated that there is also an issue with providing outreach and getting information to the public and that the Village Planning Committees was not the best method. **Mr. Haddad** expressed that the text amendment was not presented in some Villages because there was no quorum so the information did not reach the public. **Mr. Haddad** stated that the proposed parking reduction will create a big problem all over the city.

Committee Member Kleinman commented that there are various meeting coordinated by the city and asked what type of outreach is expected to get more people involved. **Mr. Haddad** responded that the Planning and Development should include outreach to registered neighborhood groups through NSD to get information directly to the public. **Mr. Haddad** stated he works with a neighborhood group to disseminate information and noted that many meetings are not well attended and there has to be a way to get people involved.

STAFF RESPONSE

Mr. Roanhorse responded that there are many issues that have been discussed and that the City has taken great steps to provide information and has received an extensive volume of comments and these will be reviewed and considered.

Mr. DePerro noted there is an additional action regarding short term rentals that is not zoning related, the City Code is being amended to adopt the strictest regulations that the state will allow for licensing, and this may impact short term rentals and there is much more happening.

Mr. Cardenas asked for clarification on state requirements and taxation for short term rentals. **Mr. DePerro** stated this text amendment is zoning entitlement to allow an ADU on your property and talks about accessory uses. Mr. Cardenas asked if there is only one chance for review and will there be an opportunity to make changes in the future if there are unintended consequences. Mr. DePerro responded from the meeting tonight the recommendations will be reviewed and the amendment will go to the Planning Commission for further review and discussion and finally to the City Council for action.

MOTION:

Vice Chair Nicole Rodriguez made a motion to recommend approval of Z-TA-8-23-Y per the staff recommendation. **Committee Member Paul Benjamin** seconded the motion.

DISCUSSION:

Committee Member George noted a situation in Encanto Palmcroft where a developer wanted to develop vacant lot with reduced parking. Ms. George stated if the development did occur it would have been detrimental to the surrounding neighborhoods and there was extensive opposition. Ms. George expressed her concern and stated her opposition for the proposed text amendment.

Committee Member G. G. George made a substitute motion to deny Z-TA-8-23-Y.

Chair Wagner asked for a second to the substitute motion and no second motion was received and Chair Wagner stated the substitute motion failed. Chair Wagner stated the original motion for approval would be considered and asked the Committee for discussion and no discussion was noted.

VOTE:

12-1; motion to approve Z-TA-8-23-Y per the staff recommendation passes with Committee Members Benjamin, Cardenas, Doescher, Jewett, Kleinman, Mahrle, Picos, Procaccini, Searles, Tedhams, Vice Chair Rodriguez and Chair Wagner in support; with Committee Member George opposed.

Chair Wagner stated that the text amendment does not work for all of Phoenix but does work for Encanto Village and supports the proposal.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 10, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing
VPC Recommendation	Denial
VPC Vote	8-0

VPC DISCUSSION:

Staff Presentation:

Tricia Gomes, acting Deputy Director of the Planning and Development Department, provided a presentation regarding the proposed text amendment to reduce parking requirements for multifamily and affordable housing. Ms. Gomes described the proposed citywide parking requirements for multifamily development and affordable multifamily development and further described the proposed parking requirements for the Infill Development District and in the Walkable Urban Code.

Questions from the Committee:

Rebecca Perrera asked if any research was done to determine the proposed parking ratio. **Ms. Gomes** stated that staff utilized ITE data. **Ms. Perrera** asked if it was for the entire country or were there categories. **Ms. Gomes** noted that there are three subcategories to evaluate the data. **Ms. Perrera** stated that Laveen needed parking and that there is not enough infrastructure to support the reduction. Ms. Perrera stated that she would like to see a reduction in commercial uses rather than residential. Ms. Perrera added that the proposed text amendment seems to treat people in affordable housing differently from other individuals.

Carlos Ortega asked how the parking reduction would benefit Laveen as it continues to grow. **Ms. Gomes** noted that the text amendment would apply city-wide and would make housing more affordable by reducing some requirements. Ms. Gomes added that the proposed changes are minimums and that some developments provide more than the required.

JoAnne Jensen stated that the proposed text amendment would treat individuals in affordable housing differently from market rate housing. **Ms. Gomes** asked for clarification. **Ms. Jensen** noted that the parking rate should be the same for affordable housing and market rate housing. Ms. Jensen stated that she would not support the text

amendment.

Francisco Barraza stated that the city has a large footprint and instead of having sufficient public transit or density, it continues to grow outward. Mr. Barraza stated that Laveen doesn't have enough public transit infrastructure to support the text amendment. **Ms. Gomes** added that affordable housing developments are typically located along transit options. Ms. Gomes noted that developers would look at the surrounding amenities.

Public Comment:

Dan Penton asked for clarification on-street parking and bike lanes. **Phil Hertel** agreed. **Ms. Gomes** stated that developers could utilize on-street parking as part of their required parking; however, current initiatives have promoted bicycle lanes. Ms. Gomes explained that the bicycle lanes replace on-street parking. Ms. Gomes added that the proposed reduction would remove the need for on-street parking by providing a reduction for on-site parking. **Mr. Penton** stated that there should be a reduction in vehicle lanes to provide bike lanes. Mr. Penton added that developers should provide additional bicycle parking since there is a reduction in auto parking. Mr. Penton added that the LCRD supports the Neighborhood Coalition of Greater Phoenix letter and that the reductions should be a village-by-village basis. Mr. Penton stated that public transit needed to be provided before a reduction was approved.

Phil Hertel asked if ADA parking spaces are considered reserved or unreserved. **Ms. Gomes** noted that ADA parking spaces are reserved. **Mr. Hertel** noted that enforcement would be an issue and Laveen doesn't have the public transit infrastructure to support the reduction. Mr. Hertel noted a multifamily development on 35th Avenue and Southern Road and asked if individuals from the development parked in the commercial uses, who would enforce the parking situation. **Ms. Gomes** stated that the proposed development is probably not affordable and would be at the 1.25 parking requirement. Ms. Gomes noted that the commercial development can enforce who parks in their parking lot.

Jack Purvis asked if the reduction would apply to existing or proposed developments. **Ms. Gomes** stated that it would be existing and new developments.

Committee Discussion:

Mr. Ortega asked the committee if they would support a standard parking reduction regardless of affordable or market rate. **Patrick Nasser-Taylor** stated that this would negatively impact individuals living in all multifamily developments.

Mr. Penton stated that the LCRD supports the Neighborhood Coalition of Greater Phoenix letter regarding the parking reduction and that there is a need for pedestrian-only zones.

Mr. Hertel stated that the committee could vote to recommend denial.

Motion:

Carlos Ortega motioned to recommend denial of Z-TA-8-23-Y. **Jennifer Rouse** seconded the motion.

Ms. Perrera asked staff to provide their input on the Neighborhood Coalition of Greater Phoenix recommendation. **Ms. Gomes** stated the City's recommendation would be approval, but the committee could still recommend a different parking ratio. Ms. Gomes noted that the passenger loading zones are meant for drop off services such as food or getting an Uber. Ms. Gomes noted that commercial loading areas are away from the street and that the passenger loading zones are not meant for commercial loading.

Vote:

8-0, motion to recommend denial of Z-TA-8-23-Y passed with Committee Members Barraza, Chiarelli, Jensen, Nasser-Taylor, Ortega, Perrera, Rouse, and Hurd in favor.

Staff Comments Regarding VPC Recommendation:

None.

Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 10, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing
VPC Recommendation	Approval per the staff recommendation
VPC Vote	10-4

VPC DISCUSSION:

No members of the public registered to speak on this item.

STAFF PRESENTATION

Anthony Grande, staff, provided a presentation regarding the proposed text amendment to reduce parking requirements for multifamily and affordable housing. He described the proposed citywide parking requirements for multifamily development and affordable multifamily development and further described the proposed parking requirements for the Infill Development District and in the Walkable Urban Code.

QUESTIONS FROM COMMITTEE

Committee Member Gaughan stated that this proposal could create more resistance to affordable housing from neighbors concerned about traffic.

Committee Member Sherman stated that the streets belong to the public, anyone can park there, and streets can be safer with cars parked on the street.

Committee Member Dana Johnson stated that he doesn't support the reductions for affordable housing because he doesn't want to assume residents of affordable housing don't own cars, noting that vehicle ownership is still the way people are living in Phoenix.

Committee Member Uss stated that there are statistics from different organizations that show lower vehicle ownership rates for low-income people, further noting that parking requirements historically have been racially discriminatory.

Committee Member Olivas stated that parking is an issue in projects that have used reduced parking requirements, leading to people parking a long way from their units

and streets becoming parking lots.

Committee Member Starks asked for clarification on the amount of affordable housing that needs to be provided to use the lower rate. **Mr. Grande** replied that the reduced requirement would only apply to the affordable units.

Chair Gonzales stated that it can be challenging to get funding for projects with parking requirements that are lower than what's standard. **Mr. Grande** stated that he would discuss the issue with staff internally.

Committee Member Greenman asked whether the city explored the idea of removing permit requirements for on-street parking for historic neighborhoods. **Mr. Grande** replied that he wasn't aware of any conversations about that option.

Committee Member Martinez stated that she doesn't see a difference in vehicle ownership between affordable housing and market rate housing.

Committee Member Greenman asked whether these new requirements would apply to existing apartments or only new developments. **Mr. Grande** replied that if a developer were to add new units to a site and go through a new site plan review process, the proposed requirements would apply to the whole site.

Committee Member Sonoskey stated that developers should have more tools available to make this feasible and that more parking could be provided on-street if the city allowed head-in parking.

Committee Member Sherman asked about the Downtown Code. **Mr. Grande** replied that this proposal would not affect Downtown Code and that there is already a bonus points system for reducing parking downtown.

Committee Member Olivas expressed concern about the process used to approve the text amendment.

Committee Member Uss asked if the city is planning any further transportation studies related to this proposal. **Mr. Grande** replied that individual projects typically do traffic analysis and provide necessary improvements.

Committee Member Gaughan asked about whether parking is reviewed for individual development projects. **Mr. Grande** stated that the focus is on traffic generated for each use.

Committee Member Panetta asked if there are many variances looking for parking reductions and if this is approved, will there be more units constructed. **Mr. Grande** discussed the requirements of variances and noted that there are projects that don't reach their maximum potential due to an inability to provide enough parking.

Committee Member Sonoskey stated that changing the size of required parking stalls would also allow more room for parking in garages, which would reduce the amount of garage space developers need to build.

PUBLIC COMMENTS

None.

MOTION

Eva Olivas made a motion to recommend denial of Z-TA-8-23-Y. There was no second; therefore, the motion failed.

MOTION

Jeff Sherman made a motion to recommend approval of Z-TA-8-23-Y per the staff recommendation. **Ash Uss** seconded the motion for approval.

VOTE

10-4, Motion to recommend approval of Z-TA-8-23-Y per the staff recommendation passed, with Committee Members Burns, Burton, Gaughan, Greenman, Panetta, Sherman, Sonoskey, Starks, Uss, and Gonzales in favor; Committee Members Johnson, Lockhart, Martinez, and Olivas opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 11, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing
VPC Recommendation	Approval per the staff recommendation
VPC Vote	14-1

VPC DISCUSSION:

1 member of the public registered to speak on this item in opposition.

Chris DePerro, staff, provided a presentation on the proposed text amendment to reduce parking city wide for residential developments with inclusion of minimum requirements. Mr. DePerro discussed the current parking requirements, the proposal and the comparative reduction calculations for affordable housing, infill development, Walkable Urban Code areas and other site adjustments. Mr. DePerro displayed the changes that will include passenger loading zones pull up/drop off spaces for streetscapes. Mr. DePerro provided information on the Institute for Traffic Engineers (ITE) Parking Manual to determine suitable parking demands. Mr. DePerro discussed affordable housing at the applicability for parking and demand adjustments that will be made. Mr. DePerro discussed the time frame for review for the at Villages, Planning Commission and City Council.

QUESTIONS FROM THE COMMITTEE:

None.

PUBLIC COMMENTS:

Neal Haddad thanked the Committee for the opportunity to speak and stated he wanted to high light some of the points in the letter provided to the Committee. Mr. Haddad stated that some developers have had to deal with parking constraints, but the one size fits all is not an appropriate action for a City as large as Phoenix. Mr. Haddad stated that parking spaces calculations for multifamily development should only be based on proximity to public transportation options not on rental rates or affordable rates. Mr. Haddad noted the text amendment might be appropriate for the downtown area but is

not acceptable to areas outside the downtown areas and that visibility triangles should be maintained and part of the parking requirements.

STAFF RESPONSE:

Mr. DePerro responded that visibility triangles are required under City Code, and they are mentioned in the zoning ordinance when they are not covered by intersections. Nothing regarding visibility triangles has been changed.

COMMITTEE DISCUSSION:

None.

MOTION

Committee member Dawn Augusta motioned to recommend approval of Z-TA-8-23-Y per the staff recommendation. **Committee member Kitty Langmade** seconded the motion.

VOTE:

14-1; motion to approve Z-TA-8-23-Y per the staff recommendation passes with Committee members Abbott, Augusta, Baumer, Bayless, Beckerleg Thraen, Czerwinski, Eichelkraut, Grace, Langmade, Miller, O'Malley, Paceley, Wilenchik and Swart in favor and Committee member Schmieder in opposition.

Mr. Paceley stated the corridor center, high density, light rail are areas where we focus, and this could be perceived as negative but does support this amendment and votes yes.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Staff have no comments.

Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 11, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing
VPC Recommendation	Denial
VPC Vote	9-0

VPC DISCUSSION:

Two members of the public registered to speak on this item, in opposition.

STAFF PRESENTATION

Anthony Grande, staff, provided a presentation regarding the proposed text amendment to reduce parking requirements for multifamily and affordable housing. He described the proposed citywide parking requirements for multifamily development and affordable multifamily development and further described the proposed parking requirements for the Infill Development District and in the Walkable Urban Code.

QUESTIONS FROM COMMITTEE

Committee Member Nowell asked about the criteria for units to be considered affordable. **Mr. Grande** responded with the definition of affordable housing in the proposed text.

Vice Chair Lagrave expressed concern that funding for transit projects could run out at some point. **Mr. Grande** responded by highlighting the Transportation 2050 plan, which provides a funding source for transit projects for many years into the future.

Committee Member Israel asked about the applicability to single-family attached housing. **Mr. Grande** replied that the changes would apply to single-family attached developments.

Committee Member Kirkilas asked if ADA accessible parking spaces would be required for developments with no parking. **Mr. Grande** replied that it wouldn't because it is based on the number of spaces provided. **Chair Bowser** noted that the requirement is one accessible space per 25 parking spaces.

PUBLIC COMMENTS

Larry Whitesell introduced himself and noted that the NCGP recommends denial of the text amendment, noting that parking studies are not relevant to Phoenix where transit is lacking. However, he reviewed several recommended modifications if the proposal is approved.

Jackie Rich introduced herself and spoke about the lack of transit options in Phoenix, highlighting the amount of time it would take to travel to the VPC meeting by transit.

STAFF RESPONSE

Mr. Grande stated that residential developments require loading zones, separate from passenger drop off and pick up, further noting that the text amendment is targeting transit-rich sections of the city for the largest reductions, acknowledging that transit options are limited in many areas of the city.

COMMITTEE DISCUSSION

MOTION

Committee Member Rick Nowell made a motion to recommend denial of Z-TA-8-23-Y. **Committee Member Rick Powell** seconded the motion for denial.

Vice Chair Lagrave stated that Phoenix is not a walkable city, and he has concerns about where cars are going to park without enough off-street parking.

Committee Member Powell stated that the text amendment was being rushed and that the city should focus on WU Code and TOD areas for parking reductions, adding that reductions for affordable housing don't make sense.

Committee Member Israel stated that affordable housing has financing issues and that he would be in favor of affordable housing parking reductions.

Vice Chair Lagrave stated that there is no correlation between affordable housing and a reduced need for parking.

VOTE

9-0, motion to recommend denial of Z-TA-8-23-Y passed; Committee Members Barto, Israel, Kirkilas, Nowell, Powell, Reynolds, Santoro, Lagrave, and Bowser in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary

Z-TA-8-23-Y

Date of VPC Meeting	July 11, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.
VPC Recommendation	Denial
VPC Vote	3-2

VPC DISCUSSION:

Staff Presentation:

Mr. Zambrano shared the parking reductions proposed and then shared the current and proposed parking requirement for multifamily development City-wide, affordable multifamily development City-wide, multifamily development in the Infill Development District, market-rate multifamily development in the Walkable Urban (WU) Code, and affordable multifamily development in the WU Code. Mr. Zambrano noted that the proposed parking ratio for multifamily development City-wide was based on an average of multifamily parking demand of 1.23 spaces per unit for suburban development and 1.2 spaces per unit for urban development, per the Institute of Transportation Engineers (ITE) Manual, which has data based on studies done in cities throughout the nation where cars were counted and resulted in these parking ratios based on the actual parking demand. Mr. Zambrano displayed an example for each type of multifamily development of a 100-unit complex, having only 1- or 2-bedroom units, and shared what the difference in the parking requirement would be. Mr. Zambrano then discussed passenger loading zones, a new requirement proposed only for sites zoned WU Code. Mr. Zambrano concluded with the timeline for the text amendment and stated that staff recommends approval as listed in the staff report.

Questions from the Committee:

Chair Lawrence asked for clarification that the current requirement is a minimum of 1.5 parking spaces per unit for 1- to 2-bedroom units and 2 parking spaces per unit for 3- or more bedroom units. **Mr. Zambrano** responded affirmatively. **Chair Lawrence** asked if the proposed parking ratio is for any number of bedrooms. **Mr. Zambrano** responded affirmatively.

Ms. Stockham added that the staff that wrote the proposed text amendment not only looked at the ITE Manual, which is a mega study of cities throughout the nation over several decades, but also conducted a study of City of Phoenix projects in terms of the actual amount of parking most projects provide, and parking variances requested.

Chair Lawrence stated that Phoenix is like no other city in the country. Chair Lawrence asked for clarification that the multifamily affordable housing example with the parking reduction would have 100 units with only 63 parking spaces and 19 unreserved spaces, noting that it is less than the number of units and that there would be no parking spaces for visitors if everyone in the apartment complex owned a vehicle. **Mr. Zambrano** responded that the parking ratio is a minimum standard, and that developers could still provide more parking than the minimum based on the demand of their clientele. **Chair Lawrence** responded that developers would not provide more than the minimum parking required because they would not have to provide it and they do not want to provide it. **Mr. Zambrano** responded that developers would know what their clientele parking demand is and will know what they will need to provide in order to have a successful project, which may be more than the minimum requirement.

Ms. Stockham added that she looked at a recent project that the Rio Vista VPC approved near the I-17 freeway and Jenny Lin Road, which had provided 25 percent more parking spaces than the minimum required.

Chair Lawrence agreed that people would not be inclined to rent at a certain apartment complex if they are not able to park their car there.

Mr. Virgil stated that the parking reduction text amendment would negatively impact apartment rentals as a result.

Mr. Holton asked what the typical dimensions are for a parking space. **Mr. Zambrano** responded that they are typically about eight feet wide and 19 feet long.

Mr. Virgil asked if the text amendment would change the minimum parking dimensions. **Mr. Zambrano** responded that it would not change those requirements, noting that parking dimensions are existing requirements in the Phoenix Zoning Ordinance. Mr. Zambrano added that the text amendment is only changing the minimum number of parking spaces required. **Mr. Virgil** stated that everyone that lives in the Rio Vista Village has a car, and that most households have two individuals that work in order to afford living there, so each household will typically have two cars. Mr. Virgil added that there is not any affordable housing in the Rio Vista Village. **Mr. Zambrano** responded that the idea of including affordable housing in the parking reduction text amendment was to encourage more affordable housing. **Mr. Virgil** responded that people would be overcrowded in an apartment complex with not enough parking. **Mr. Zambrano** responded that the idea behind the inclusion of affordable housing is that parking spaces take up a lot of land which makes projects more expensive because of all the land needing to be dedicated to parking. **Mr. Virgil** responded that it would make more sense in Downtown Phoenix since there is not a lot of room to build there, but it will not work in the Rio Vista Village.

Chair Lawrence added that there are parking garages in Downtown Phoenix. **Mr. Virgil** agreed, adding that there is a lack of public transit in their area.

Chair Lawrence added that people are not walking a few blocks in the extreme heat during Phoenix's summer to go somewhere.

Mr. Virgil stated that projects in Downtown Phoenix may need the extra space to build projects, but in the Rio Vista Village they do not, and people will need the extra parking in the Rio Vista Village. Mr. Virgil was unclear why the proposed parking reduction was City-wide.

Chair Lawrence added that he does not know anyone that lives in Phoenix that does not own a vehicle since there are other regional and recreational destinations that require a car to travel to them.

Ms. Stockham stated that she has two employees that do not have cars. **Chair Lawrence** asked if they lived in Downtown Phoenix. **Ms. Stockham** responded that one employee lives east of Downtown Phoenix and the other lives by Margaret T. Hance Park. **Chair Lawrence** asked if Ms. Stockham would agree that reduced parking is unusual for Arizona. **Ms. Stockham** responded that there are students that do not have cars and there is a trend of younger adults that do not want to own cars. **Chair Lawrence** stated that he would question the number of students without cars since Arizona State University (ASU) has a zoo of parking. **Ms. Stockham** responded that some students do not have cars because they live in Downtown Phoenix and that is where their classes are. **Chair Lawrence** disagreed with a 50 percent reduction for parking, noting that it would be less than one parking space per home.

Mr. Zambrano stated that the 50 percent parking reduction would not really impact the Rio Vista Village, because it is specific for the Walkable Urban (WU) Code which is typically adjacent to the light rail. **Chair Lawrence** asked for clarification that the parking ratio of 1.25 parking spaces per unit would be the parking ratio that would apply to their village. **Mr. Zambrano** responded affirmatively, noting that it would apply only for multifamily residential development, and not for single-family homes. **Chair Lawrence** asked for clarification that the difference for their village would be 1.5 parking spaces per unit for 1- and 2-bedroom units and 2 parking spaces per unit for 3- or more bedroom units versus 1.25 parking spaces per unit for any number of bedroom units. **Mr. Zambrano** responded affirmatively. **Chair Lawrence** stated that it would be challenging since their village has no other places to park, such as parking garages, and they do not have street parking. Chair Lawrence added that his HOA does not even allow street parking and if he has friends that come over, all the cars have to be jammed into his driveway, or parked on his RV side, which then results in a letter from the HOA for parking in a landscape area. Chair Lawrence added that his children used to live in an apartment complex and when visiting them, he could never find a parking space. Chair Lawrence stated that his son would have to park three blocks away because of the lack of parking spaces.

Ms. Stockham reiterated that the proposed parking ratios are a minimum and that the developer that came to the Rio Vista VPC a few months ago knew the area they were building in and provided 100 more parking spaces than the minimum required. Ms. Stockham reiterated that more than the minimum number of parking spaces could be provided, based on the area and the type of people a developer is serving. Ms. Stockham stated that she had also looked at an affordable housing project and a project next to the light rail within the Central City Village, which still provided between eight

percent to 12 percent more parking than the minimum required. **Chair Lawrence** asked what the reason is for reducing the parking minimums so much. **Ms. Stockham** responded that this text amendment stems from the Housing Phoenix Plan, and that the City Council directed staff to look at cost-saving ways to incentivize more housing construction. Ms. Stockham reiterated that parking is extremely expensive and that most of the time, a developer is burdened by so much parking requirement, that the first part of the design in a project is for parking. Ms. Stockham added that parking really limits development based on how much parking needs to be provided.

Mr. Virgil stated that the residential building would become larger in place of the removed parking spaces.

Chair Lawrence stated that a developer could also buy a smaller lot, which would cost less money, and they would be able to get more units on smaller lots, and that it is being set up to appear as if it costs less.

Mr. Scharboneau asked what the process would be if there is a developer that wants an exception to the minimum parking requirement. **Ms. Stockham** responded that one option would be a shared parking model, such as being located next to a parking garage, or one could apply for a variance to reduce the required parking and would have to prove that the lot has a hardship.

Chair Lawrence stated that if a developer chooses to provide less parking, they will have a hard time selling or leasing units when people find out they would not have a parking space. Chair Lawrence stated that it would hinder developers on the performance of their projects if they do not make good decisions.

Ms. Stockham added that most projects are funded with construction loans, and banks are usually conservative in the amount of money they will lend to developers and would likely not lend money to a developer that would want to build multifamily residential with less parking in an area that required more parking.

Mr. Holton asked what had been said regarding projects in the Rio Vista Village. **Ms. Stockham** responded that she was providing an example of a developer that was building a project within their village. **Mr. Holton** stated that people are coming to Phoenix for the space because they are tired of being in small spaces.

Chair Lawrence asked if the text amendment language was reviewed by the Law Department. **Ms. Stockham** responded affirmatively.

Mr. Virgil recommended looking at the City of Las Vegas because they have a similar type of development as Phoenix. Mr. Virgil asked if the City looked at parking for the City of Las Vegas. **Ms. Stockham** was not sure if Las Vegas was looked at.

Chair Lawrence stated that Phoenix's environment is pretty brutal to walk in. Chair Lawrence added that he believes a majority of people in Arizona have a vehicle. Chair Lawrence stated that he is in the construction industry, and each one of their workers

living within an affordable housing project would need a vehicle to get to a job site where construction is happening, which is not within walking distance.

Mr. Zambrano reiterated that the parking ratios came from the ITE Manual, which comes from professional traffic engineers that did a study of the actual parking demand.

Mr. Holton asked if handicap parking is incorporated in the text amendment. **Mr. Zambrano** responded that handicap parking requirements are existing standards that would remain and are not being changed. **Mr. Holton** asked about the handicap parking ratios. **Mr. Zambrano** responded that he is unsure of the exact parking ratios, but he believes it is based on the number of dwelling units.

Chair Lawrence stated that handicap parking would not be affected by this text amendment since it is federally regulated.

Mr. Holton stated that the overall message is a parking reduction, so all parking would be reduced.

Chair Lawrence asked for clarification that this text amendment is separate from handicap parking requirements. **Mr. Zambrano** responded affirmatively.

Mr. Scharboneau asked if it was ever considered to focus on specific areas, such as Downtown Phoenix, rather than City-wide. **Mr. Zambrano** responded that there are some existing parking reductions, such as allowing on-street parking to be counted towards the minimum required parking within the Infill Development District, and parking reductions within the WU Code, based on proximity to the light rail, or based on being located in Downtown Phoenix. Mr. Zambrano added that there are separate parts to the text amendment, including multifamily City-wide, affordable multifamily City-wide, the Infill Development District, and the Walkable Urban Code.

Chair Lawrence stated that the part of the text amendment that would affect the Rio Vista Village would be the multifamily parking reduction City-wide. Chair Lawrence asked for clarification that the Infill Development District does not come up to the Rio Vista Village. **Mr. Zambrano** responded affirmatively.

Ms. Stockham added that the Committee could vote to approve parts of the text amendment, such as the Infill Development District and the Walkable Urban Code, if they are okay with those parts of the text amendment but not okay with the other City-wide parts of the text amendment.

Mr. Virgil asked what the other VPC recommendations were. **Ms. Stockham** responded that the Central City VPC and Encanto VPC recommended approval and the Laveen VPC recommended denial.

Chair Lawrence stated that the City Council will look at the VPC recommendations and will make the ultimate decision.

Mr. Holton stated that the VPC should let the City Council see what they are standing for.

Mr. Sommacampagna asked about the boundary of the Infill Development District. **Mr. Zambrano** responded that anything within the boundary allows single-family attached (SFA) development by-right, whereas anything outside of the boundary within the grey area on the map allows single-family attached development subject to obtaining a use permit. **Mr. Sommacampagna** asked if a development is outside of the boundary within the grey area on the map, they would be able to obtain a use permit for SFA as well as have a 50 percent reduction in parking. **Mr. Zambrano** responded that they would not be able to get that parking reduction since that would be single-family development, and the proposed parking reductions are for multifamily development. **Mr.**

Sommacampagna asked if townhomes such as duplexes, triplexes, and fourplexes, if condo platted, would not be allowed a parking reduction. **Mr. Zambrano** responded that a triplex and above would be considered multifamily. **Mr. Sommacampagna** asked for clarification that the proposed parking reductions do not affect SFA development.

Ms. Stockham responded that as she understands it, the text amendment would only allow the 50 percent parking reduction for multifamily development within the Infill Development District. **Ms. Stockham** added that the main intent of the map is to indicate if SFA development is allowed by-right or subject to a use permit, in addition to some other items related to development.

Mr. Holton asked what by-right meant. **Mr. Zambrano** responded that it means it is allowed without having to go through a special process to allow it. **Mr. Holton** stated that he wished to make a motion, noting that the parking reduction is not appropriate for the Rio Vista Village.

Mr. Virgil stated that **Mr. Holton** could recommend stipulations with his motion.

Mr. Zambrano stated that text amendments do not have stipulations, but they can be approved with direction, or that portions of the text amendment could be approved.

Chair Lawrence added that **Mr. Holton** could also make a motion to deny the entire text amendment.

Public Comments:

None.

Staff Response:

None.

MOTION – Z-TA-8-23-Y:

Mr. Holton motioned to recommend denial of Z-TA-8-23-Y. **Mr. Virgil** seconded the motion.

VOTE – Z-TA-8-23-Y:

3-2; motion to recommend denial of Z-TA-8-23-Y passes with Committee members Holton, Virgil, and Lawrence in favor and Committee members Scharboneau and Sommacampagna opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 11, 2023
Location	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.
VPC Recommendation	Denial
VPC Vote	11-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

STAFF PRESENTATION

Samuel Rogers, staff, provided a presentation regarding the proposed text amendment to reduce parking requirements for multifamily and affordable housing. Mr. Rogers described the proposed citywide parking requirements for multifamily development and affordable multifamily development and further described the proposed parking requirements for the Infill Development District and in the Walkable Urban Code.

QUESTIONS FROM THE COMMITTEE

Committee Member Coleman asked how the new multifamily and affordable housing parking requirements are more simple than the previous requirements. **Mr. Rogers** stated that while the proposed parking requirements are more nuanced and individualized for different uses and locations throughout the City, the new language is a simple ratio rather than a formula with multiple variables. Committee Member Coleman asked if a five-bedroom unit would have the same parking requirement as a unit with less bedrooms. Mr. Rogers confirmed that the new parking calculation is based on the number of units not the number of bedrooms within units.

Chair Daniels stated that a 300-unit multifamily example had been provided during the info only item during the June meeting and asked if that slide was in the presentation. **Mr. Rogers** stated that the slide deck had been updated to use 100-unit multifamily examples.

Committee Member Viera stated that she is concerned about how the proposal will impact the underserved population, stated she would like to pause this discussion until a mobility plan is presented, and stated that the parking reductions assumes that public transportation is working for everyone.

Committee Member Shepard stated that people can't live in Phoenix without a car, stated that the proposal will cause problems, and stated that the proposal will benefit developers not the general public.

Chair Daniels stated that she had spoken to five developers who stated that they are not asking for a parking requirement reduction and that they provide more parking than required on multifamily developments because limited parking can cause safety and economic issues. Chair Daniels explained that she used to be a regional manager for apartment complexes and explained she had asked for the 300-unit multifamily example because apartments have 300-units on average. Chair Daniels stated that the federal standard occupancy is two people per bedroom and explained that a 300-unit apartment complex with a mix of studios, one-bedroom, two-bedroom, and three-bedroom units typically has 1,200 occupants. Chair Daniels explained that if half of the 1,200 occupants drive the proposal would not provide one parking space for everyone that drives. Chair Daniels stated that if the 300-unit apartment complex located at 19th Avenue and Southern had been built under the proposed parking reduction, the residents of the adjacent subdivision that had opposed the development would now have residents of the multifamily development parking within their subdivision due to a lack of available parking in the multifamily development. Chair Daniels stated she charged \$25 a month for covered parking when she managed apartments in 1998 and explained that with the decrease in required parking she expects parking to run \$100-\$150 a month due to the small quantity of parking spaces. Chair Daniels explained that, per the Arizona Landlord Tenant Act, property management companies are required to provide safety for the residents and stated the parking reduction will cause dangerous situations for women who must park outside of their apartment community and walk from their cars to their apartments during the night. Chair Daniels stated that the proposal is social and economic racism because it affects the underserved and stated that the Arizona House bill that had included parking reductions for multifamily had failed. Chair Daniels stated that she supports parking reductions for commercial uses, but reducing multifamily parking requirements destroys people's safety and forces people pay extra to park within their apartment communities.

Committee Member Shepard asked where people with electric cars will park.

Committee Member Coleman stated that parking reductions within the downtown area already exist and stated he does not know how the parking reduction will work in places other than downtown. **Chair Daniels** stated that the South Central TOD Community Plan identifies areas where the Walkable Urban Code is supported in South Mountain. **Committee Member Viera** stated that a mobility plan is still needed.

Chair Daniels stated that parking has already been lost due to the light rail and bike lanes and now the parking reduction will eliminate even more of the already limited parking. Chair Daniels refuted a letter that stated an uncovered parking space costs a developer \$10,000 and a covered parking space \$35,000 to \$55,000 and explained the actual cost is \$2,000 to \$2,500 for an uncovered parking space and \$10,000 for a

covered parking space. Chair Daniels explained that apartments will charge what they can, stated that rents do not go down, and explained apartment rates are based on rates in the surrounding area.

Committee Member Alvarez stated that the parking reductions should not be citywide, but rather only areas near transit. **Chair Daniels** added she spent three hours a day on the bus and had to walk home in the dark when she took transit for three weeks due to issues with her vehicle. Committee Member Alvarez added that a 10 minute drive can be a 60 minute transit ride.

Committee Member Viera stated that this proposal is creating more disparity and mentioned that she and Committee Member Hare needed to leave earlier but this issue is too important to leave without a vote. **Chair Daniels** reminded members of the committee that meetings are until nine o'clock. **Committee Member Hare** stated she cannot keep paying a babysitter so she can attend a volunteer job. Chair Daniels reiterated that if quorum is lost a vote cannot be taken.

Committee Member Fatima Muhammad Roque stated that the parking reduction will increase danger for people who will have to walk, especially people of color.

PUBLIC COMMENT

Cory Kincaid stated that one own experience should not be projected on others and explained that 40% of Maricopa County residents do not have a car. Mr. Kincaid stated that he had met with five builders over the last month and when the land cost is incorporated into the calculation, structured parking costs more than \$50,000 per stall. Mr. Kincaid explained that one studio apartment is equivalent in cost to five structured parking spaces and stated that the question is not how much rents will go down, but rather how much will rents go up. Mr. Kincaid reiterated that the proposal is for parking minimums not maximum and stated that developers will build what they need as a development with no parking cannot get financed. Mr. Kincaid added that a lot of jobs allow individuals to work remotely.

Committee Member Greathouse asked what the demographic are considered residents in regard to the 40% figure of those who do not own a car. **Mr. Kincaid** stated that the 40% was for the entirety of Maricopa County.

Committee Member Shepard stated that everyone subsidizes the light rail and the bus system whether people use it or not.

Chair Daniels stated that while some people are working remotely, not everyone has the luxury to work remotely, and the underserved population will be negatively impacted by the text amendment. Chair Daniels agreed that parking garage spaces are more expensive and stated that the committee has been pushing to get a text amendment to allow the Walkable Urban Code, which includes existing parking reductions, to be

utilized in the South Central TOD Community Plan area, so she is surprised the citywide parking reduction text amendment has been brought to the committee first.

Mr. Valencia explained that the text amendment to the Baseline Area Overlay District to allow for the Walkable Urban Code to be utilized will be maximized by the parking reduction text amendment and stated it is unfortunate the parking reduction came first, but he believed the parking reduction text amendment was also initiated first.

Chair Daniels stated she would like to have the Walkable Urban Code allowed in the South Central TOD area and in the meantime commercial parking should be reduced. Chair Daniels added that she thought this proposal would cause a fair housing discrimination lawsuit to be brought against the City.

Committee Member Jackson asked if the purpose of the parking reduction was to allow more units to be built. **Ms. Gomes** summarized the proposal, stated that affordable developments will not be able to get funding unless the project is near transit and in close to employment, spoke about the Infill Development District's transit availability, and spoke about the transit investment in locations where the Walkable Urban Code is allowed. Ms. Gomes reiterated that the proposal is for parking minimums, not maximum and explained that the organizations that provide funding will require different parking ratios depending on who is being served. Ms. Gomes explained that the parking reductions are based on ITE (Institute of Traffic Engineers) data, summarized how data is collected, and explained that the proposed citywide parking ratio requires more parking spaces than the ITE data would suggest **Chair Daniels** stated that in her time working with apartment complexes she has never seen a multifamily parking lot not full in the evening. Ms. Gomes reiterated that the ITE data are nighttime counts.

Committee Member Coleman asked if many variances had been requested to reduce parking requirements. **Ms. Gomes** stated that variances can be pursued to reduce parking requirements, but that adds time and costs more money.

Chair Daniels stated that a slum lord will build the minimum amount of parking to take advantage of the underserved communities and stated that people do not have the time use light rail as much as people expected.

Committee Member Greathouse stated that Mr. Kincaid made a great point that the parking reduction is for the minimum number of required parking spaces, not the maximum and stated that providing less parking will save a lot of money. **Chair Daniels** stated that the money saved will not translate into greater affordability of units.

Committee Member Viera stated that this is a food desert and walking a mile in 117-degree weather to get groceries will not be sustainable.

Chair Daniels reiterated that Arizona Senate Bill 1117, which included ADUs and a parking reduction, had failed.

Committee Member Jackson asked why the parking reduction is proposed. **Ms. Gomes** stated that the parking reduction drives down the cost to provide housing.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

MOTION

Committee Member Shepard made a motion to recommend denial of Z-TA-8-23-Y. **Committee Member Viera** seconded the motion.

VOTE

11-0, motion to recommend denial of Z-TA-8-23-Y passed with Committee Members Alvarez, Coleman, F. Daniels, Hare, Jackson, Roque, Shepard, Smith, Viera, Greathouse, and T. Daniels in favor and Committee Members and opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary

Z- TA-8-23-Y

Date of VPC Meeting	July 12, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing
VPC Recommendation	Denial
VPC Vote	7-2-1

VPC DISCUSSION:

Two members of the public registered to speak on this item.

Committee member Sandra Cole left the meeting during this item, bringing quorum to 10 members.

Staff Presentation:

Matteo Moric, staff, presented the proposed text amendment. Mr. Moric showed a comparison of current and proposed requirements as part of the text amendment for Citywide multifamily, affordable housing, Infill Development District, and Walkable Urban Code projects. Mr. Moric stated in the WU Code areas there would be required passenger loading zones for rideshare, personal deliveries, etc.

Questions from Committee:

Sandra Oviedo asked about commercial parking. **Sarah Stockham**, staff, replied that the only proposed changes were for multifamily projects.

Sandra Oviedo asked about the ADU's. **Ms. Stockham** mentioned the parking requirement reductions only applied to multifamily residential.

Melissa Acevedo asked why the text amendment was being proposed. **Ms. Stockham** said this was part of the City Council directive to find ways to address the housing shortages.

Public Comments:

Larry Whitesell with the Neighborhood Coalition of Greater Phoenix spoke on their position for the text amendment and identified items they found as problems with the amendment. Mr. Whitesell said Phoenix is unique and is very spread out and a plan to reduce parking for a city which does not have reliable public transportation will have problems. Mr. Whitesell had suggestions for improvements to the proposed text amendment. Mr. Whitesell expressed that it should not be based on the price of the units but only should be based on proximity to public transportation. Mr. Whitesell also believed the size of the unit should not be based on the parking calculations. Mr. Whitesell felt that 1.5 parking spaces is the standard calculation for a one or two bedroom and felt the infill development district should not be given a parking reduction but a density bonus. Mr. Whitesell stated the Walkable Urban Code parking requirement should never be zero and there always should be some parking. Mr. Whitesell said this does not accommodate ADA and people living in the Walkable Urban Code areas who have guests. Mr. Whitesell asked the committee to deny the text amendment entirely or amend per the recommendations he provided.

Jackie Rich said she agreed with Mr. Whitesell and gave an example of how long it would take to get to the community center by bicycle or bus versus by car.

Staff Response:

Sarah Stockham, staff, stated this is a reduction in the minimum requirements but would not mean a developer cannot provide more parking. Ms. Stockham added that affordable housing is based on HUD and to qualify applicants would need to be verified by the Housing Department.

Motion:

Chris Demarest made a motion to recommend denial of Z-TA-8-23-Y. **Ken Dubose** seconded the motion.

Vote:

7-2-1, Motion to recommend denial of Z-TA-8-23-Y passed, with Committee Members Acevedo, Battle, Demarest, DuBose, Fostino, Valenzuela, Chair Derie in favor; Committee Members Barba and Norgaard opposed, and Committee Member Oviedo abstained.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 13, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing
VPC Recommendation	Denial
VPC Vote	5-4

One member of the public registered to speak on this item, and one member of the public registered to speak on this item, in opposition.

VPC DISCUSSION:

STAFF PRESENTATION

Matteo Moric, staff, presented the proposed text amendment. Mr. Moric shared a comparison for current requirements and the proposed changes for citywide multifamily, affordable multifamily housing, Infill Development District, and Walkable Urban Code projects. Mr. Moric stated in the WU Code areas there would be required passenger loading zones for rideshare, personal deliveries, etc.

QUESTIONS FROM THE COMMITTEE

Trilese DiLeo asked what “affordable” units meant in the proposal.

Matteo Moric said the Housing Department would verify if a project was providing affordable units.

Al Field wanted to know if the information applied to only affordable housing units.

Matteo Moric said it would be for multifamily housing citywide.

Trilese DiLeo said there would be a reduction of parking in the affordable units.

Matteo Moric said the WU code properties were mostly along light rail and transit corridors.

Ricardo Romero said always what comes up the zoning projects is traffic or parking concerns. Mr. Romero said it's a changing world we live in.

Matteo Moric said the City looked at the requirements per the Institute of Traffic Engineers (ITE) and the city would require more parking than what that prescribes.

James Sutphen explained the City of Phoenix was over 500 square miles and wondered about areas like Metro Center and its impacts.

Gregory Freeman provided clarification that the text amendment would not allow development to lower their parking below the minimum requirement and developers could provide more, as there would be no caps.

Matteo Moric confirmed this was correct.

Trilese DiLeo said the developer would not be providing less than their required parking but would still look at market conditions to potentially provide more than what is required.

Al Field said this was another effort to create a 15 minute city. Mr. Field expressed that developers reduce the size of the parking and the number of parking spaces and felt this was an instance of the government's desire to move you into public transit.

Ozzie Virgil agreed with Al Field and was concerned the size of parking cannot even open the door of a vehicle. Mr. Virgil noted there was a parking problem at 35th Avenue and Union Hills where residents have a second vehicle and only one designated for it. Mr. Virgil indicated there were problems with on street parking. Mr. Virgil also expressed concerns that developers do what will make more money and would build more units with less parking. Mr. Virgil felt it was okay for downtown where there is more public transit. Mr. Virgil felt once you let this reduction happen you will not get it back.

Trilese DiLeo said she used to be the President of the HOA for the complex Ozzie Virgil was speaking of. Ms. DiLeo said it has ample parking but did not have driveways on the houses that were built. Ms. DiLeo added one thing developers want is to put more units on the property and this would be a more creative method to cut cost. Ms. DiLeo added that when you create a supply and demand problem you would have communities like LA and New York. If not like those communities she felt we would need to do something different.

PUBLIC COMMENTS

Sandy Grunow said she was co-chair of a neighborhood association. Ms. Grunow referenced a 2nd part of concerns for this text amendment. Ms. Grunow mentioned one size fits all is not appropriate for a city of 517 square miles and felt it should not be based on rental rates. Ms. Grunow noted that it might be appropriate for Downtown Code, Walkable Urban Code or transit-oriented districts but not city wide. Ms. Grunow

identified a concern with visibility triangles and expressed that base parking requirements should not be reduced lower than 1.5 spaces per unit. And Ms. Grunow stated she wanted infill development be given 10% density bonus vs. a parking reduction.

Jackie Rich stated some parts of the city are harder to get to than others and by driving it took 30 minutes to get to the meeting and that included a coffee stop. Ms. Rich added it would take two hours and it would have required being outside for at least one hour. Ms. Rich said the proposed text amendment assumes people can park on the street and that will not cause any problems. Ms. Rich added that the text amendment assumes fewer people need handicap parking and it would similarly reduce the number of handicap spaces, and it assumes lower income people need fewer cars than medium or higher end.

Sarah Stockham said the visibility triangles were regulated by the City Code and that would not be changed.

MOTION:

Trilese DiLeo motioned to recommend approval of Z-TA-8-23-Y per staff recommendation. **Gregory Freeman** seconded the motion.

VOTE:

4 – 5, motion to recommend approval of Z-TA-8-23-Y failed with Committee Members DiLeo, Freeman, Hoffman, and Kenney in favor. Field, Herber, Romero, Sutphen and Virgil opposed.

Al Field tagged onto what Jackie Rich said about waiting out in the heat. Mr. Field added the police department is overwhelmed by policing the bus stops. Mr. Field felt with the text amendment the city was trying to force people to eliminate cars and force public transportation on them was not a good idea.

Ricardo Romero believed the city is not prepared for this change in the transportation system.

Trilese DiLeo said there are people who do not have vehicles, and have an option to buy a vehicle and this option will provide greater flexibility to a developer. Ms. DiLeo said its more needed in an affordable housing unit versus a luxury apartment. Ms. DiLeo felt this would take people off the streets and have a snow ball effect and this is a small piece of it. Ms. DiLeo added that most zoning cases come with concerns of traffic and she said she did not understand why people were concerned with less cars.

Susan Herber spoke against the motion. Ms. Herber felt this was idealistic and not practical except for the affordable housing aspect.

Ozzie Virgil felt the reduction in parking would work in some areas and not others, there's no real fix-all and believed will realistically people would have to drive out here. Mr. Virgil could not believe it took like three hours to get to the airport on public transit from his area.

Gregory Freeman noted the parking reduction would not work for all. Mr. Freeman said there is a development in Tempe called the Cul-de-Sac which does not have parking and includes not only younger but older residents without cars. Mr. Freeman said he wanted the city to have the option.

Trilese DiLeo said it would be important to vote on a denial in order to get a recommendation.

MOTION

Ozzie Virgil motioned to recommend denial of Z-TA-8-23-Y. **James Sutphen** seconded the motion.

VOTE

5-4, motion to recommend denial of Z-TA-8-23-Y passes with Committee Members Field, Herber, Romero, Sutphen, and Virgil in favor. Committee Members DiLeo, Freeman, Hoffman, and Kenney opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 13, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.
VPC Recommendation	Denial
VPC Vote	6-0

VPC DISCUSSION:

Two members of the public registered to speak on this item, in opposition.

Staff Presentation:

Christopher DePerro, staff, shared the parking reductions proposed, noting that the parking ratios were taken from the Institute of Transportation Engineers (ITE) Manual, which contains about three decades worth of actual parking counts for multifamily across North America. Mr. DePerro displayed an example of market-rate and affordable multifamily development City-wide of a 100-unit complex, having only 1- or 2-bedroom units, and shared what the difference in the parking requirement would be, noting that the requirement is a minimum and not a maximum. Mr. DePerro mentioned that many multifamily projects find out they are a few parking spaces short after going through Site Planning and accounting for open space, retention, and other required items that take up space on a site, and it would have been easier to get through the process if the parking requirement was a little bit less. Mr. DePerro added that affordable housing has either State or federal money and must qualify through all sorts of programs, commitments, covenants and other items. Mr. DePerro stated that there is a lot of vetting that goes on for affordable housing developments in order for them to qualify as an affordable housing development, such as proximity to light rail, and the parking reduction would be handled as the affordable housing program prescribes. Mr. DePerro then discussed passenger loading zones, a new requirement proposed only for sites zoned WU Code. Mr. DePerro concluded with the timeline for the text amendment.

Questions from Committee:

None.

Public Comments:

Jack Leonard, member with the Neighborhood Coalition of Greater Phoenix (NCGP), architect, and former member of the Camelback East Village Planning Committee (VPC) and Encanto VPC, stated that he does not think this text amendment was

thought out well enough. Mr. Leonard stated that he believes the existing parking requirements are realistic. Mr. Leonard stated that the proposed parking reductions are a drastic change. Mr. Leonard noted that there is about a half a mile between his home and the nearest bus stop near 16th Street and Northern Avenue, and his office is at 16th Street and Thomas Road, but it is too hot during the summer to make that half mile trip to the bus stop. Mr. Leonard stated that Phoenix is car-dependent and that there are certain areas in the City where parking can be reduced, but not the majority of the City. Mr. Leonard added that there are too many holes in the text amendment and would leave neighbors of multifamily developments suffering because of all the vehicles that will be parked in their neighborhood. Mr. Leonard stated that this text amendment should not be getting rushed through and it should be looked at more thoroughly.

Neal Haddad, member with NCGP, concurred that this text amendment is a drastic change. Mr. Haddad stated that six VPCs that have met so far have all denied this text amendment and they would ask the North Gateway VPC to do the same. Mr. Haddad concurred that this text amendment has not been thought out, and that parking reductions would be appropriate in the downtown area and urban core and corridor areas, but not City-wide. Mr. Haddad added that he does not believe it would be unfair for the City to reach out to certain neighborhood organizations, noting that people likely do not believe it is unfair that the members of the North Gateway VPC were appointed to the Committee. Mr. Haddad stated that people are appointed to many committees throughout the City, and that they are appointed because of their knowledge and because the elected officials know the committee members and know their community. Mr. Haddad added that citizens could have been appointed to a stakeholder group for this text amendment, noting that it was mentioned before that the City Council did reach out to certain stakeholders for their opinions and input. Mr. Haddad asked that the Committee deny this text amendment.

Staff Response to Public Comment:

None.

Discussion:

Chair Julie Read stated that the North Gateway VPC primarily deals with multifamily development, and that she is not supportive of this text amendment. Chair Read stated that if minimum parking spaces are reduced for multifamily, it would be detrimental to their area, because they do not have any mass transit and are not getting any mass transit anytime soon. Chair Read recommended that this text amendment be denied.

Jeff Johnson stated that he looked at the top zip codes for Phoenix that have the most cars and found that they are in the North Gateway Village. Mr. Johnson stated that Phoenix is tied for fourth for the top cities with the most cars. Mr. Johnson mentioned that a possible solution would be for developers to construct parking garages so there is less parking spread out over an area. Mr. Johnson stated that he is against this proposal.

Shannon Simon stated that she was curious why the text amendment was not written more like the WU Code to reflect the areas where it would be more appropriate to have

parking reductions. Ms. Simon stated that people need to have a car in the North Gateway Village and that she cannot support this text amendment.

Mr. DePerro stated that the direction came from the City Council to look at a nominal reduction City-wide and to tier the rest down based on areas they are located in.

MOTION – Z-TA-8-23-Y:

Vice Chair Michelle Ricart motioned to recommend denial of Z-TA-8-23-Y. **Mr. Johnson** seconded the motion.

VOTE – Z-TA-8-23-Y:

6-0; motion to recommend denial of Z-TA-8-23-Y passes with Committee members French, Johnson, Krieger, Simon, Ricart and Read in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Village Planning Committee Meeting Summary
Z-TA-8-23-Y
REVISED

Date of VPC Meeting	July 18, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.
VPC Recommendation	Denial
VPC Vote	8-1

VPC DISCUSSION:

Four members of the public registered to speak on this item.

Staff Presentation:

Nayeli Sanchez Luna, staff, provided a presentation regarding the proposed text amendment to reduce parking requirements for multifamily and affordable housing. Ms. Gomes described the proposed citywide parking requirements for multifamily development and affordable multifamily development and further described the proposed parking requirements for the Infill Development District and in the Walkable Urban Code.

Questions from the Committee:

None.

Public Comment:

Dan Kocke stated that Arizona State University had conducted a study that concluded that 10 percent of the entire city is utilized by parking. Mr. Kocke noted that asphalt has contributed to the urban heat island effect within the city. Mr. Kocke noted that the excessive parking requirements lead to higher construction costs for all development. Mr. Kocke added that the current parking requirements impact the developer, renters, and the city. Mr. Kocke stated that the hundred of miles of road construction led to higher costs to individuals and parking does not contribute to property taxes. Mr. Kocke noted that renters are not represented in the committee and the parking reduction would be one piece of the large issue regarding infrastructure and housing affordability. Mr. Kocke

stated that parking minimums were introduced in the development 70 years ago and added that the city has drastically changed since then. Mr. Kocke concluded his comment by supporting the text amendment.

Jack Leonard stated that Phoenix is a vehicle driven society. Mr. Leonard noted that bus ridership has declined and that the hot weather does not help promote public transportation. Mr. Leonard added that flip developers do not care about affordability and will reduce their parking. Mr. Leonard noted that the current parking requirements are not complicated, and the different categories allow for reasonable parking. Mr. Leonard stated that the reduction in parking and an increase in density would not help alleviate sprawling. Mr. Leonard added that people renting in affordable housing developments still need parking. Mr. Leonard voiced his disagreement for the text amendment.

Neal Haddad voiced his agreement with Jack Leonard. Mr. Haddad added that Phoenix does not have the public transit capacity to support the reduction. Mr. Haddad noted that public transportation times are not efficient. Mr. Haddad stated that the reduction of parking would help increase housing affordability.

Leezah Sun noted that there have been some city and state initiatives to increase public infrastructure. Ms. Sun noted that in a high-density area, a reduction of parking could be beneficial. **Mr. Kocke** noted that affordable housing needs to have high tax credits and that is achieved by being adjacent to public transit. Mr. Kocke noted that car maintenance can negatively affect renters. Mr. Kocke added that the reduction of parking can lead to more amenities being accessible.

Committee Discussion:

Chair Lisa Perez noted that there is only one affordable housing project in the Estrella Village. Chair Perez noted that there are no restaurants, amenities, bus shelters, or other forms of public transit in Estrella. Chair Perez stated that the blanket text amendment does not apply to all villages. Chair Perez added that a lot of items have not been considered to support the text amendment.

Parris Wallace stated that affordable housing developments should not be treated differently when compared to market rate developments. Ms. Wallace voiced her support for the text amendment. Ms. Wallace noted that a reduction in parking could lead to more open space and amenities. Ms. Wallace added that she supports more amenities and affordable rental rates in exchange for less parking.

Renee Dominguez stated that multiple children require more vehicles. Ms. Dominguez noted that some families do not let children walk in Estrella. **Ms. Wallace** added that her children walk in the neighborhood and if a family has one vehicle, then everyone would walk. **Ms. Dominguez** noted that the village doesn't have the amenities.

Dan Rush voiced his opposition to the text amendment. Mr. Rush stated that it was counterintuitive to suggest more housing in exchange for parking when most developments do not have enough parking.

Jennifer Ayala noted that she has lived in an affordable housing development and employment opportunities were not in close proximity to the development. Ms. Ayala

added that limiting parking would not help neighborhoods. Ms. Ayala stated that affordable housing developments did not have enough parking.

Ms. Wallace stated that the text amendment would not eliminate parking. Ms. Wallace added that the text amendment would make a difference for the future.

Kristine Morris stated that she was opposed to the text amendment. Ms. Morris added that it places environmental and social issues on the less fortunate.

Motion:

Dan Rush made a motion to recommend denial of Z-TA-8-23-Y. **Bill Barquin** seconded the motion.

Vote:

8-1, Motion to recommend denial of Z-TA-8-23-Y passed with Committee Members Ayala, Barquin, Dominguez, Morris, Rush, Sanou, Serrette, and Perez in favor and Committee Members Wallace in opposition.

Staff Comments Regarding VPC Recommendation:

None.

Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 19, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing
VPC Recommendation	Approval per the staff recommendation with direction
VPC Vote	12-1-1

VPC DISCUSSION:

Four members of the public submitted speaker cards with all wishing to speak. Two indicated they are in favor, one opposed, and one in favor and opposition.

STAFF PRESENTATION

Mr. Klimek, staff, provided a presentation regarding the proposed text amendment to reduce parking requirements for multifamily and affordable housing. He described the proposed citywide parking requirements for multifamily development and affordable multifamily development and further described the proposed parking requirements for the Infill Development District and in the Walkable Urban Code. He presented the staff recommendation to approve the proposed text amendment.

QUESTIONS FROM COMMITTEE

Committee Member Larson asked for clarification regarding the guest and resident parking calculation. **Mr. Klimek** tried to clarify.

Committee Member Veidmark expressed concern over the prospect of an apartment complex with no parking.

Committee Member Matthews asked staff to confirm that a housing development without parking would be permitted today if an applicant sought a planned unit development. **Mr. Klimek** confirmed.

Committee Member O'Connor asked how the mixed-use reduction in the WU Code would be applied if this text amendment were approved. **Mr. Klimek** responded that the text amendment applies only to multifamily uses and that, in a mixed-use

development with commercial and multifamily, a blend of commercial and multifamily parking standards would be used to calculate the requirement. He added that he is not certain how the by-right reduction in WU Code mixed-use projects would interplay with this proposed amendment.

Committee Member Gore asked how parking deters investment in affordable housing and how the change would support housing construction. **Mr. Klimek** responded that parking is expensive to construct and occupies much of the total site area which thereby reduces the number of units that can be constructed on the site. By reducing costs and increasing available land area, more units may become viable.

PUBLIC COMMENTS

Ms. Sandy Grunow expressed concern that this reduction is inappropriate city-wide because there is limited public transit, that the proposed text amendment may impact visibility triangles at intersections which is a safety issue, and that it is unfair to base parking requirements on resident incomes. She added that developers will not provide more parking than required by code.

Ms. Jackie Rich expressed that parking reductions happen all the time and this text amendment is therefore not necessary, that there is not adequate transit, and that many individuals who reside in apartments will not give up their cars. She added that on street parking therefore infringes upon a pedestrian's ability to safely walk in an area without sidewalks and the proposed reduction for affordable housing feel punitive. She acknowledged that some reduction may be appropriate but stated that the requirement should never be allowed to "go to zero." She added that she would like more neighborhood engagement for text amendments and that the proposed text amendment would allow for developments to provide no ADA parking.

Ms. Nicole Rodriguez expressed support for the amendment, noted that it doesn't go far enough, and explained that both parking requirements and auto-oriented development patterns are costly to renters and builders. The parking requirements make housing less affordable and the also contribute to the urban heat island effect. She concluded by stating that the requirements were arbitrary when originally developed.

Mr. Dan Klocke introduced himself as an affordable housing developer and expressed his support for the amendment. He cited an ASU study which found that approximately 50 square miles of the city is paved which contributes to the urban heat island effect. Regarding the impact on affordability, he shared a hypothetical example to demonstrate how requiring additional parking beyond that which will be used adds cost to the developer and consumes land area which, together, can make an affordable housing project infeasible. He explained that many affordable housing projects are operating on negative profit margins and therefore require multiple financial sources to make the project work financially. He added that the additional land area required to

provide parking adds to the overall infrastructure cost and long-term maintenance burden which is the responsibility of the City of Phoenix. He concluded by stating that the VPC just voted 14-0 to allow Accessory Dwelling Units without any additional parking.

STAFF RESPONSE

Mr. Klimek thanked the audience for their comments. The proposed amendment includes minimums, rather than maximum, parking requirements which allows a developer to provide more parking than required if they desire; he added that he has seen developers provide more parking than the minimum for projects where they believe it will improve the marketability of their products. The proposed amendment is based on empirical data that is used broadly throughout the field of land use and transportation planning.

There is no way for staff to significantly reduce parking requirements administratively. Only two procedural pathways exist to reduce parking: 1) to propose a planned unit development with custom development standards and commit to the full 6 – 9 month rezoning process; and 2) to request a variance from the zoning ordinance through a public hearing process but he cautioned that this process requires that a Zoning Adjustment Hearing Officer determines there is a hardship related to the physical characteristics of the lot, and he noted this is uncommon for parking requests.

Regarding ADA parking requirements, he added that this proposed text amendment does not override ADA which is a federal law and that ADA compliant parking spaces will continue to be required.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE.

Committee Member Matthews clarified that ADA requires a portion of all facilities provided to be accessible so a development that provides no parking would not be required to provide accessible spaces; however, if some parking is provided then a share of that would need to comply with ADA. **Mr. Klimek** agreed and apologized for the mistake.

Committee Member Matthews stated that he is in support of the request and that these are parking minimums, not maximums, so developers are free to provide more parking than required. He stated that most developers will not build projects with zero parking and that the possibility is being overblown. This will allow a greater variety of housing options such as more affordable units or car-free options that are currently restricted by existing parking requirements.

Committee Member Gore stated that 9 percent of the population being car-free is insignificant and should not drive the proposed text amendment which allows developments without any parking. He added that it would be helpful if the city could

forecast the impact of this amendment.

Committee Member O'Connor stated that he is not supportive of the request because Phoenix is not a walkable city and there are other programs, such as GPLETS, to support affordable housing construction.

Committee Member Perez stated that she is torn but expressed concern that reducing parking requirements would only have a limited impact on the housing crisis. She added that a different housing requirement for low-income populations feels punitive.

Committee Member Krentz stated that this text amendment would provide the opportunity to develop housing with fewer costs and design constraints mandated by the city. He added that the development community will respond to actual forecasted parking demands because it only makes business sense to develop something that will be marketable. At present, staff does not have flexibility to allow for innovation by the free market.

Committee Member O'Hara stated that he left the Information Only presentation in June as a "no" but reconsidered the proposal through the lens of Member Krentz and he indicated that he is now closer to a "yes." He stated that the market will respond to demand based on the context of a site.

Committee Member Matthews stated that 10 percent of households not having access to a car is not insignificant and that providing 10 percent of all developments as an affordable would far exceed the present construction pattern. The margins for affordable development are slim and often negative so any reduced cost or increased yield will have a direct and positive impact on affordable housing production. He stated that he lives in Moon Valley and frequently uses transit to get downtown and back; he cautioned his colleagues from assuming everyone is the same as them in their transportation preferences and socioeconomic needs. **Committee Member Gore** agreed that 9% is not trivial but stated that the city should also be building transportation infrastructure such as transit and bike lanes.

Committee Member Veidmark asked why staff is proposing that no parking be provided for affordable housing. **Mr. Klimek** responded that it is in response to many conversations with affordable housing developers regarding the narrow margins and empirical data showing that affordable housing generates a lower demand for parking than other types of housing. He added that the proposed amendment is intended to provide flexibility by removing a mandate but noted that these are minimum requirements rather than maximums.

Committee Member Sommacampagna stated that the presentation did not touch on rideshare which is increasingly augmenting public transportation and reducing the need for private automobiles. As an infill developer focused on missing middle housing, he

noted that parking is a costly burden and that GPLETs are not viable due to their complexity and cost. He expressed support for the proposal to promote more small-scale housing production which benefits most from parking reductions.

Committee Member Alauria noted the amendment makes sense but expressed concern that the proposal is not based on Phoenix data.

Committee Member Gore stated that just because there are not many pedestrian / transit commuters in Moon Valley it does not mean that they have the right amount of surface parking. He asked Member Krentz if there is a significant likelihood of 300-unit complexes providing zero parking and, conversely if it is more likely that small project would provide no parking if allowed. **Committee Member Krentz** agreed.

Chair Jaramillo shared that zero parking is being treated like the gold standard of what developers will ultimately provide but noted that this will be a minority of total projects. Affordable housing requires subsidies, and most will still provide some parking in response to the forecasted needs of the tenants. In 2022, only 16 LIHTC were issued in Arizona which is too little to meet demand; by reducing cost and space burdens, more affordable housing projects will become viable. He concluded by stating that this is not the solution to the housing crisis but is a part of a solution.

MOTION:

Committee Member O'Hara moved to approve the request per the staff recommendation. **Committee Member Matthews** seconded the motion.

FRIENDLY AMENDMENT:

Committee Member Perez proposed a friendly amendment to "direct staff and the city council to explore additional methods to help with the production of affordable housing.

Committee Member O'Hara and Committee Member Matthews both agreed to the friendly amendment. The motion was revised to include the friendly amendment.

DISCUSSION:

Committee Member Alauria stated that people will continue to use cars but that she wants to remove excessive parking.

Committee Member Matthews stated that this is a simple risk versus reward scenario and that the risk that both overblown and acceptable. The risk is that the city will see a problematic number of zero parking affordable housing complexes is unlikely but would mean that an abundance of much needed affordable housing projects are being constructed.

Committee Member O'Hara and **Committee Member Perez** thanked Member Krentz for the developer's perspective.

VOTE: 12-1-1, motion to approve Z-TA-8-23-Y per the staff recommendation with the direction provided by Committee Member O'Hara, passes with Committee Members, Gore, Krentz, Larson, Matthews, McBride, Molfetta, O'Hara, Perez, Sommacampagna, Veidmark, Whitney, and Chair Jaramillo in favor; O'Connor in opposition; and Alauria in abstention.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.



Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 24, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing
VPC Recommendation	Denial
VPC Vote	6-2

VPC DISCUSSION:

5 members of the public registered to speak on this item, in support.

2 members of the public registered to speak on this item, in opposition.

Staff Presentation:

Matteo Moric, staff, presented the proposed text amendment. Mr. Moric shared a comparison for current requirements and the proposed changes for citywide multifamily, affordable multifamily housing, Infill Development District, and Walkable Urban Code projects. Mr. Moric stated in the WU Code areas there would be required passenger loading zones for rideshare, personal deliveries, etc.

Questions from Committee:

Vice Chair Fisher asked what data were being used to determine that people living in low income housing do not have cars. **Mr. Moric** said that there was no cap on parking but there was a minimum requirement, and developers could provide at least the minimum but more if they felt the market demand required it.

Toni Broberg asked why the city was doing this by reducing the number of parking spaces.

Vice Chair Fisher felt this text amendment was more about density than cost savings, and that we'd be building more rooftops. Mr. Fisher felt we are not building enough than is necessary. **Mr. Moric** said the Zoning Ordinance would still require development standards for items such as density, lot coverage, setbacks, etc.

Mr. Clifford Mager shared he had no confidence that developers would exceed minimum requirements if they could monetize more units.

Chair Gasparro said there is a desire to have sufficient parking as a developer.

Mike Maloney noted there were rules in place which were developed over time. Mr. Maloney asked where these new numbers are coming from. **Mr. Moric** said it was determined from the ITE manual and developments in Phoenix.

Ms. Broberg asked if staff researched other cities that have implemented parking reductions.

Elena Pritchette shared her experience that more and more cities in her travels are using alternative parking solutions such as automated garages.

Vice Chair Fisher referenced Proposition 400, stating he did not believe legislature would increase public transit to compensate for the reduction in the parking requirement.

Mr. Mager asked about if the new rules would apply to the development that was already permitted.

Mr. Fisher asked on clarity if the reduction would be citywide. **Mr. Moric** said the 1.25 spaces per unit would apply to citywide. Mr. Fisher said many places in the city were not designed for street overflow in parking.

Public Comments:

Mr. Dan Klocke said he had been working in affordable housing for many years, and 45% of Phoenixians are renters. Mr. Klocke noted that 8.4% or 47,000 households of Phoenix do not have cars, about 35% own one car, and almost half have one car or less. Mr. Klocke shared that the average one bedroom rental in Phoenix is \$1300, and this would chip away at some of the issues we face with affordability. Mr. Klocke shared that 10% of the city is paved, and shared an example of an affordable housing project, and with this proposal, would save almost \$500,000 in costs, which would also help develop smaller pieces of land for affordable housing.

Mr. Larry Whitesell stated he would like the committee to reject the proposal, but if they felt inclined to recommend approval the parking rate should be increased to 1.5 spaces and should be based on affordability.

Mr. Neal Haddad said he was with the Neighborhood Coalition of Greater Phoenix and stated there are two types of developers: those who buy, build and hold and those who flip properties. Mr. Haddad added that Phoenix is 517 square miles and is unique, so parking standards for other cities should not apply to Phoenix.

Mr. Ryan Boyd from the Urban Phoenix Project shared that this text amendment comes down to cost, there are those who do not have a choice on using a car or not, and that this would provide flexibility for new housing developments.

Ms. Nicole Rodriguez said she was in support of the text amendment, she came to Phoenix 20 years ago without a car and shared her experience with having limited vehicles for her family and using public transportation.

Ms. Abbey Tomich said she is unable to afford a vehicle and rides her bike instead during which time she sees all the extra parking spaces in apartments.

Mr. Derek Tomich said he rides his bike everywhere and he sees parking lots that are always empty which he felt was a waste of space and the parking surface increases the urban heating effect, and there is no thing such as free parking. Mr. Tomich added this would not add to cars on the street or increase street parking and there would almost never be zero parking even if the requirement was zero parking.

Mr. Mager requested for clarification if the excess parking he observed was for commercial or residential development. **Mr. Tomich** stated his observations were regarding residential.

Vice Chair Fisher asked Mr. Tomich if he could, would he buy a car. **Mr. Tomich** stated ideally he would not buy a car and felt if more people used public transit, the public transit system would get improved.

Staff Response:

None.

Discussion:

Vice Chair Fisher asked Dan Klocke if we have an affordable housing problem in Phoenix because we have too many cars or because affordable housing does not stay affordable. **Mr. Klocke** said we have massive affordable housing problem and we make decisions based on our smaller communities, and said this would chip away at the problem.

Vice Chair Fisher said he was having a hard time accepting that the affordable housing issue is a parking problem.

Ms. Broberg stated her concern the reduction of parking would add to the congestion on the streets which she further clarified as parking on the streets.

Ms. Broberg asked Chair Gasparro if the developer would reinvest any cost savings from not providing additional parking spaces. **Chair Gasparro** replied that with a reduction in parking requirements a smaller site could be developed, and this not only benefits the developer but also the City.

Mr. Mager asked if \$5000 in cost savings from a parking reduction moved the needle. **Chair Gasparro** replied yes, those saving impact a project.

Suzanne Sharer said there already is a shortage on parking and developers would be the only ones benefiting and it is a backhanded way to force people to give up their cars. Ms. Sharer said to pay for extra parking in their complexes would be a burden on families.

Vice Chair Fisher felt it was a coupon for the developer, it is an incentive for more developer profit, and he could be supportive of this for affordable housing projects.

Ms. Broberg said it is going to incentivize people to live in different places based on what they value if they want additional parking and asked if this was part of the grand scheme of Housing Phoenix Plan.

Chair Gasparro mentioned this is just part of the solution for a bigger plan.

Mr. Mager felt there was a lack of empirical data.

Motion:

Vice Chair Darin Fisher motioned to recommend denial of Z-TA-8-23-Y. **Suzanne Sharer** seconded the motion.

Vote:

6-2, Motion to recommend denial of Z-TA-8-23-Y passed, with Committee Members Mager, Maloney, Meier, Pritchette, Sharer, Fisher in favor; and Broberg and Gasparro in opposition.

Motion No. 2 (Advisory)

Vice Chair Fisher made a second motion to provide direction to the Planning Commission and City Council that while he rejects the proposal as a whole, there are elements of the proposal he supports.

Vice Chair Fisher motioned to recommend approval of Z-TA-8-23-Y with modifications to remove the parking reduction for market-rate multifamily residential citywide, and approve the reduction for affordable housing projects, and sites within the Infill Development District and the Walkable Urban Code. **Toni Broberg** seconded the motion.

Vote No. 2 (Advisory)

6-2, advisory motion to recommend approval of Z-TA-8-23-y with modifications passes with committee members Broberg, Maloney, Meier, Sharer, Fisher and Gasparro in support; and Mager and Pritchette opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Staff has no comments.

Village Planning Committee Meeting Summary Z-TA-8-23-Y

Date of VPC Meeting	July 25, 2023
Request	Amend Chapters 2, 6, 7 and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	9-6

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Eight members of the public register to speak on this item.

STAFF PRESENTATION

Samuel Rogers, staff, provided a presentation regarding the proposed text amendment to reduce parking requirements for multifamily and affordable housing. He described the proposed citywide parking requirements for multifamily development and affordable multifamily development and further described the proposed parking requirements for the Infill Development District and in the Walkable Urban Code.

QUESTIONS FROM THE COMMITTEE

Committee Member Shultz discussed the urbanization of Phoenix and stated that the text amendment makes sense in areas that have urbanized.

Committee Member Williams clarified that the reduction is for parking minimums not maximums and provides more flexibility. **Mr. Rogers** confirmed that the proposal is to reduce parking minimums not maximums and discussed how lenders require a minimum number of parking spaces for different types of developments.

Committee Member Harris asked how the required number of ADA parking spaces is affected by the parking reduction. **Mr. Rogers** stated that the number of required ADA parking spaces is based on the number of regular spaces provided.

Committee Camp stated that the reduction will help with the urban heat island effect, help promote walkability, and help with transit-oriented development.

Committee Member Malkoon asked if a minimum number of ADA parking spaces will be provided if there is no regular parking provided. **Ms. Stockham** stated that if no parking is provided ADA spaces will not be required, but most projects will not provide no parking.

Committee Member DeGraffenreid stated concerns about the low-income parking reduction being discriminatory.

Committee Member Smith stated that a car is needed for low-income individuals' economic mobility, stated it is unlikely that low-income people will use food delivery services, and stated that the proposal does not consider the people.

Committee Member Solorio explained that the text amendment allows flexibility to projects that serve specialty populations, discussed how lower parking minimums had enabled developments to be built in other jurisdictions, and explained the text amendment would eliminate the need for low-income developments to pursue parking variances.

Committee Member Adams stated that City is removing a restrictive number, spoke about dealing with ratios on her own professional projects, and stated that the parking reduction would allow the number of parking spaces to be determined on a case-by-case basis.

Committee Member Mulgado stated multifamily parking lots are full and most households living in multifamily developments have multiple cars.

Committee Member Fitzgerald discussed walking in extreme heat, discussed a low-income development that got variances for reduced parking and now rents parking at a nearby church, and stated that developers won't pay for parking if they do not have too.

Committee Member Malkoon stated that the proposal will be good for developer profits, spoke about his son who does not drive, spoke about his experience riding the light rail where he spoke to a woman who had a 2.5 hour commute to and from work, and asked where visitors will park.

Committee Member Solorio stated that banks will not loan money to projects that do not provide any parking.

Committee Member Harris asked for clarification about where parking requirements are proposed to be reduced to 0 parking spaces per unit. **Committee Member Solorio** stated that parking requirements are proposed to be 0 parking spaces per unit in the WU Code and for affordable housing. **Mr. Rogers** clarified that affordable unit parking requirements are proposed to be reduced 50% citywide.

Committee Member Malkoon stated concerns about those struggling being taken advantage of. **Committee Member Solorio** that 25% of parking spaces are always open on projects he has worked on.

Committee Member DeGraffenreid stated that there are likely too many parking spaces, but the minimum should not be zero. Committee Member DeGraffenreid stated that he does not trust banks and builders to build parking, stated that cars can be necessary to commute to well-paying jobs, and stated it is not that hard for developments that serve special communities to get a variance.

Committee Member Keyser discussed other cities that have been successful with parking reductions, spoke about rising rents, spoke about the need for personal vehicles for those that are disabled, and spoke about the need for a parking study.

Committee Member Malkoon asked why luxury developments are not built for affordable units, stated more money for affordable units is needed, and stated there needs to be more public-government partnerships.

Committee Member Solorio stated that low-income developments have a fixed budget and revenue, explained that less parking means more amenities, and spoke about a failed variance.

PUBLIC COMMENTS

Sterling Sourk stated that potential residents will not move into a complex if there is no parking and clarified the difference between parking minimums and maximums.

Abby Tomich explained that she rides her bike everyday because she cannot afford a vehicle, explained that her mother rides the light rail to work everyday, stated that excess parking is being valued over more affordable housing, and stated the text amendment does not go far enough.

Derek Tomich explained that he rides his bike everywhere, explained that everywhere he goes he see empty parking lots that contribute to the urban heat island effect, stated 10% of Phoenix is parking lots, explained that parking is subsidized by the prices of goods and services, and reiterated that zero spaces required wont equate to zero spaces provided.

Nicole Rodriguez stated she is in support of the text amendment, discussed parking and heat, stated that the text amendment is the first step towards parking requirements that will match demand, stated the text amendment will facilitate infill developments, explained that parking can cost between \$35,000 to \$80,000 per stall, and explained the origins of parking requirements. Ms. Rodriguez explained that she came to Phoenix without a vehicle and her family now has one vehicle due to the medical costs from taking care of others.

Wes Ballu stated that there is too much parking in Phoenix, stated that the proposal will allow for flexibility, and stated this is the first step to making the City more walkable.

Dan Clocky stated that affordable housing is tax credit housing, stated that 87 parking spaces costs well over half a million, and stated that budgets are capped so more parking means less units.

Jackie Rich recounted a story told at the Estrella VPC were an individual who was utilizing affordable housing was grateful parking was provided at her apartment complex, explained reducing parking will not reduce the number of cars people own, and added that the future of light rail depends on state legislature.

Neil Haddad stated that questionable people that buy, build, and flip developments are why parking minimums are a thing, stated that Phoenix does not compare to other cities, discussed the urban heat island effect and buildings, stated Phoenix is a car city, explained that the state will not allow sales tax to be used for transit, and stated he would like to see the studies the parking reductions are based on.

Chair Bryck confirmed that he had received the NCGP letter on July 14.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DUSCUSSION, AND VOTE

MOTION

Committee Member Camp motioned to recommend approval of Z-TA-8-23-Y, per staff recommendation. **Committee Member Shultz** seconded the motion.

VOTE

9-6, motion to recommend approval of Z-TA-8-23-Y, per staff recommendation passes with Committee Members Adams, Camp, Ender, Harris, Sanchez, Shultz, Solorio, Williams, and Bryck in favor and Committee Members DeGraffenreid, Fitzgerald, Keyser, Malkoon, Mulgado, and Smith opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION

None.

ATTACHMENT F

Phoenix, Arizona

June 1, 2023

The meeting of the Phoenix Planning Commission was called to order by Acting Chairman Emilio Gaynor at 6:06 p.m. in the Council Chambers, 200 West Jefferson Street, Phoenix, Arizona. Commissioners present participated in the meeting both in-person and virtually from a remote location.

Present: Commissioner Emilio Gaynor, (Acting Chairman)
Commissioner Ryan A. Boyd, (Acting Vice-Chairman)
Commissioner Marcia Busching (Virtual)
Commissioner Pete Gorraiz
Commissioner Gabriel Jaramillo (Virtual)
Commissioner Lachele Mangum
Commissioner Lisa Perez
Commissioner Shannon Simon

Absent: Commissioner Nico Howard, Chairman

Also

Present: Ms. Racelle Escolar, Planner Principal
Ms. Tricia Gomes, Deputy Director, PDD
Mr. Greg Harmon, Planner I
Ms. Vikki Cipolla-Murillo, Secretary III/Council Reporter

At the request of Acting Chairman Emilio Gaynor, Ms. Racelle Escolar, Staff Liaison, read the hybrid meeting introduction. She welcomed everyone to the Planning Commission Hearing and stated that all attendees who were participating virtually and requested to speak would remain muted until called on to speak. Speakers experiencing audio issues were asked to switch their audio connection to have WebEx call them. She stated that all individuals speaking virtually at the meeting tonight had contacted staff within the required timeframe prior to the start of the meeting. Those who did not contact staff, wishing to speak, were asked to contact her after the meeting to discuss the next steps and future opportunities to speak regarding any items on the agenda. She provided her contact information, via phone at 602-534-2864 and email at racelle.escolar@phoenix.gov, which was also listed on the bottom of the public meeting notice for the meeting. She asked those attending the meeting from the Council Chambers to complete a speaker card and provide it to one of the staff members.

Acting Chairman Gaynor asked Acting Vice-Chair Boyd to read the opening remarks.

Acting Chairman Gaynor asked the audience to follow the General Rules of Order for the meeting:

16. **INFORMATION ONLY: Z-TA-8-23-Y:** Presentation and discussion regarding a request to amend Chapters 2, 6, 7, and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

Ms. Racelle Escolar stated that Item No. 16 is an information presentation regarding Z-TA-8-23-Y, a request to amend Chapters 2, 6, 7, and 13 of the Phoenix Zoning Ordinance to reduce parking requirements for multifamily and affordable housing.

Ms. Tricia Gomes, the Deputy Director, presented this item.

Ms. Gomes stated that **Z-TA-8-23-Y** encompasses parking reductions for affordable and multifamily housing, including parking reductions for multifamily developments (City-wide), reductions for affordable housing (City-wide), reductions for Infill Development District (IDD), and reductions for Walkable Urban (WU) Code.

Ms. Gomes stated that currently multifamily parking requirements (City-wide) are based on the number of bedrooms. The current requirement is 1.3 spaces per efficiency unit and 1.5 spaces per 1- or 2-bedroom unit; and 2 spaces per 3- or more bedroom unit, 1.0 space per unit of less than 600 square feet regardless of number of bedrooms. When the required parking is reserved for residents, additional unreserved parking is required as follows: 0.3 spaces for each efficiency unit and 0.5 spaces per each 1- or 2-bedroom unit; and 1.0 space per each 3- or more bedroom unit. It is somewhat long and complex. Staff is trying to reduce City-wide multifamily parking down to 1.25 spaces per dwelling unit, regardless of number of bedrooms. Of those spaces, a minimum 30% must remain “unreserved”, and would not be assigned to any one unit. Anyone could park there, whether they are a guest or another person living in the development. She provided an example for a 300-unit multifamily development, having only 1- or 2-bedroom units:

- Current Requirements: 450 total spaces @ 1.5 per dwelling units, 150 unreserved (part of total) @ 0.5 per dwelling unit.
- Proposed Requirements: 375 total spaces @ 1.25 per dwelling unit 113 unreserved (part of total) @ 30% of required.

Ms. Gomes stated that currently there is no differentiation for affordable multifamily housing (City-wide). It would be the same parking counts that were just discussed, per the number of bedrooms in that unit, proposing the same 1.25 calculation. Plus, for affordable housing, there is a 50% reduction, in addition. She provided an example for a 300-unit multifamily development, having only 1- or 2-bedroom units, all qualifying as “affordable housing”:

- Current Requirements: (same as City-wide) 450 total spaces @ 1.5 per dwelling unit and 150 unreserved (part of total @ 0.5 dwelling units.
- Proposed Requirements: (50% reduction) 188 total spaces @ 1.25 per dwelling unit x 50% and 57 unreserved (part of total) @ 30% of required.

Ms. Gomes stated, within the Infill Development District (IDD), currently you can only get a parking reduction for multifamily if you are counting on-street parking. That is for the distance of your project adjacent to the right-of-way. If there is 100 feet of frontage on your property, divide that by 22 feet due to parallel parking, and that is how many spaces you can count and how many can be reduced for on-street parking.

For the proposed requirement within the Infill Development District, there is a 50% reduction off that 1.25 parking calculation. This area typically falls along or near the transit areas, as well. She provided an example for a 300-unit multifamily development, having only 1- or 2-bedroom units. It is the same as the affordable housing.

- Proposed Requirements: 188 spaces, @ 1.25 per dwelling unit x 50%

Ms. Gomes stated, for the Walkable Urban Code, the current requirement in the Zoning Ordinance is 0.5 for market-rate housing per dwelling unit. You get an additional 25% reduction when you are within a quarter of a mile (1,320 feet) of the light-rail station, or you get 10% if you are greater than a quarter of a mile (1,320 feet) from the light-rail station.

The current multifamily parking requirement is with the 25 and 10 %. Staff is proposing a 0.5 spaces per dwelling unit parking requirement for those located within the Walkable Urban Code. Of those spaces, a minimum 30% must remain “unreserved”, and not assigned to a particular unit or the leasing office. She provided an example for a 300-unit multifamily development, having only 1- or 2-bedroom units.

- Current Requirements: 338 total spaces @ the 1.5 % for a 1- to 2-bedroom vs. proposed text amendment
- Proposed Requirements: 150 total spaces @ 0.5 per dwelling unit
45 unreserved (part of total) @ 30% of required

Ms. Gomes stated that for affordable housing, Walkable Urban Code does have provisions for affordable in the different transects. They are proposing ‘no parking required within those transects’, for affordable housing within the Walkable Urban Code. T3 is the only exception because it is very similar to a single-family development. Multifamily is not allowed in that transect. She provided an example for a 300-unit multifamily development, having only 1- or 2-bedroom units, all affordable. There are no parking requirements.

- Current Requirements: (T5 transect example) 150 total spaces @ 0.5 per dwelling units and 0 unreserved (part of total) @ none required
- Proposed Requirements: (T5 transect example) 0 total spaces @ none required and 0 unreserved (part of total) @ none required

Ms. Gomes stated, in response to that and understanding that passenger loading zone requirements have been proposed in the Walkable Urban Code, people are going to be coming to their homes and developments in a variety of different ways, whether it is light-rail, ride-share, taxis, etc. The City wants to provide and ensure that there is an area for that drop-off and pick-up for pedestrians happening on the site.

Ms. Gomes stated that passenger loading zones are a new requirement for sites zoned WU Code only. They provide designated area(s) for ride-share, pick-up/drop-off, and personal delivery services (package delivery; meal delivery). Loading zones are encouraged to locate on site but may be located on the street when approved by the Street Transportation Department. This is difficult because there must be room in the right-of-way, depending on the type of street. They are looking for it to be provided onsite. Accessibility requirements apply per Federal ADA regulations. The proposal is one passenger loading zone per 50 dwelling units; so, depending on the number of units, there will be a larger space for a larger passenger loading zone. Ms. Gomes displayed an example of what that would look like. The minimum requirement is 23 feet for a parallel parking space to be able to pull in and backing out of the space. Lastly, she provided upcoming meeting dates:

- Planning Commission (information): June 2023
- Villages (information): June 2023
- Villages (action): July 2023
- Planning Commission (action): August 2023
- City Council Hearing: September 2023

Acting Chairman Gaynor asked if there were questions.

Commissioner Busching stated that there is a new movement going on to reduce parking spaces. She asked where the numbers came from and if there were comparisons done with other cities. She also asked if other cities have experiences with these numbers. She wanted some background and history behind the thinking of the numbers.

Ms. Gomes responded that staff derived at the 1.25 number in working with the Traffic Department and looking at ITE data on suburban and urban developments for a multifamily.

Commissioner Busching stated that she does not know what ITE is, and she does not know where all the other parking reductions are, other than the 1.25.

Ms. Gomes responded that staff derived the 1.25 number from the initial review with Traffic Department staff while looking at their manual for typical demands for parking, for these types of developments. Staff's focus was to reduce the parking to one space per unit. The 0.25 is for visitors and leasing. That is how they derived the 1.25. They looked at demand and what they were trying to achieve, regarding the number of parking spaces per unit.

Ms. Gomes stated that the 50% reduction within their Infill Development District today is an allowance that the developer can do. It is a 50% reduction, but it is only counting those spaces on-street. The Street Transportation Department is hearing a lot of push-back from communities to have on-street parking, which is resulting in no longer providing the space for bike lanes or creating conflicts for bike lanes. They looked at that. It is really to achieve two goals within the City: 1) to provide the bike lanes, and 2) to offset the parking reduction onsite for properties. By taking away or modifying those parking reductions for on-street, to allow for those bike lanes, it is providing that parking reduction onsite. That is where the 50% comes from.

Ms. Gomes stated that for affordable to zero, Walkable Urban Code, already had a significant parking reduction. They were directed by City Council to look at eliminating those parking requirements for affordable, because staff is trying to focus on the items that are creating additional costs and challenges for affordable developments.

Commissioner Busching thanked Ms. Gomes and said the information was very helpful.

Acting Vice-Chairman Boyd stated that he was quite excited to hear this. ITE stands for Institute of Transportation Engineers. He said it is not just the hippie bike people, these are the full-on professional, do-all-the-fun traffic, people. He wanted to add two important points of context. Firstly, these are the minimums. Developers can and likely will still go above those minimums, as we see in almost every project. This is just them not being penalized from a legal perspective, if you wanted to try to do something like a cul-de-sac in Tempe, zero parking for the units there. There are a few shared parking spots on their development. It would not be possible in Phoenix without some creative zoning. Secondly, there are, in fact, neighbors to the north. Prescott has one of these. Work-force housing has a different parking ratio that is lower than their normal parking ratio. Flagstaff has an incentive program for their affordable housing that includes the reduction of parking. These are not new concepts. They are in Arizona and have been in play before. He was excited to hear how this is going to go through. It will be interesting to see how this debate proceeds.

Commissioner Perez asked if this goes through the process and gets approved in September, if there would be a mad rush of all the cases that have been approved, asking for variances to reduce their parking. Right now, they would all be stipulated to certain parking spaces. She asked how that would work.

Ms. Gomes responded, if there are current stipulation requirements, whether it is in a rezoning case or other like that, they would still have to adhere to those requirements. If they got parking variances, there is a potential that the parking variance is mute, because the Ordinance could require less. Those were the two scenarios she could think of, now.

Commissioner Perez stated that they had required in the staff narrative that if it is reduced, it would just automatically get reduced with it. She asked if she was understanding correctly. She gave the example of building a multifamily with 200 required parking spaces. Under the new requirements, it would be less, theoretically. She asked if she would be stuck with the 200, or if it would be automatically less, or if she would have to get a variance to make it less.

Ms. Gomes respond that if this text amendment were to pass in September and go to Council in October, it would be effective. So, anyone developing, could utilize those requirements.

Acting Chairman Gaynor reminded the commissioners that this presentation was only informational at this time. There were no further questions.

No action was necessary.

ATTACHMENT G

REPORT OF PLANNING COMMISSION ACTION August 3, 2023

ITEM NO: 17	
	DISTRICT NO.: Citywide
SUBJECT:	
Application #:	Z-TA-8-23-Y (Parking Reductions for Affordable Housing)
Proposal:	Amend Chapter 2, Section 202 (Definitions) to add definitions for affordable housing, passenger loading space, passenger loading zone, and revise parking space, unreserved; amend Chapter 6, Section 608.J (Density Bonus For Low or Moderate Income Housing); amend Chapter 7, Sections 702.C (Parking Requirements) and Section 702.E (Modifications to Parking Requirements); and amend Chapter 13, Section 1307 (Parking Standards) to modify the parking requirements for multifamily, single-family attached, and affordable housing, and add requirements for passenger loading zones of the Phoenix Zoning Ordinance to modify parking standards for affordable housing developments.
Applicant:	City of Phoenix, Planning Commission
Representative:	City of Phoenix, Planning and Development Department

ACTIONS:

Staff Recommendation: Approval, as shown in the recommended text in Attachment A of the Staff Report.

Village Planning Committee (VPC) Recommendation:

Ahwatukee Foothills 6/26/2023 Information only. Canceled (no quorum).

Ahwatukee Foothills 7/24/2023 Denial. Vote: 6-2.

Alhambra 6/27/2023 Information only.

Alhambra 7/25/2023 Approval, per the staff recommendation. Vote: 9-6.

Camelback East 6/6/2023 Information only.

Camelback East 7/11/2023 Approval, per the staff recommendation. Vote: 14-1.

Central City 6/12/2023 Information only.

Central City 7/10/2023 Approval, per the staff recommendation. Vote: 10-4.

Deer Valley 6/8/2023 Information only. No quorum.

Deer Valley 7/13/2023 Denial. Vote: 5-4.

Desert View 6/6/2023 Information only.

Desert View 7/11/2023 Denial. Vote: 9-0.

Encanto 6/5/2023 Information only. No quorum.

Encanto 7/10/2023 Approval, per the staff recommendation. Vote: 12-1.

Estrella 6/20/2023 Information only.

Estrella 7/18/2023 Denial. Vote: 8-1.

Laveen 6/12/2023 Information only.

Laveen 7/10/2023 Denial. Vote: 8-0.

Maryvale 6/14/2023 Information only. No quorum.

Maryvale 7/12/2023 Denial. Vote: 7-2-1.

North Gateway 6/8/2023 Information only.

North Gateway 7/13/2023 Denial. Vote: 6-0.

North Mountain 6/21/2023 Information only.

North Mountain 7/19/2023 Approval, per the staff recommendation with direction.

Vote: 12-1-1.

Paradise Valley 6/5/2023 Information only.

Paradise Valley 7/10/2023 No quorum.

Paradise Valley 8/7/2023 Approval, per the staff recommendation with modifications.

Vote: 14-0.

Rio Vista 6/13/2023 Information only.

Rio Vista 7/11/2023 Denial. Vote: 3-2.

South Mountain 6/13/2023 Information only.

South Mountain 7/11/2023 Denial. Vote: 11-0.

Planning Commission Recommendation: Approval, per the staff recommendation with modifications.

Motion Discussion:

Commissioner Boyd made a MOTION to approve Z-TA-8-23-Y, per the staff recommendation, with modifications to adjust the citywide components to apply to Alhambra, North Mountain, Encanto, Central City, and Camelback East villages, and with the adjustment of the WU Code amount up to 0.65 (spaces per dwelling unit).

There was no second on the motion, therefore the motion failed.

There was discussion about the motion and potentially other motions.

Commissioner Busching made a MOTION that the item be sent back to staff for further work with the notion that it would be brought back before the Planning Commission.

There was some discussion about what direction to provide, however there was no second on the motion.

Commissioner Busching made a MOTION to approve Z-TA-8-23-Y, per the staff recommendation, with modifications regarding the following sections as listed in the Staff Report:

- Section 1 (City wide multifamily parking requirements): Change from 1.25 spaces per dwelling unit to 1.50 spaces per dwelling unit.
- Section 2 (City wide affordable housing parking reduction): Delete proposed changes.
- Section 3 (Infill Development District parking reduction): Approve as proposed.
- Section 4 (Walkable Urban Code parking requirements): Change from 0.50 spaces per dwelling unit to 0.65 spaces per dwelling unit.
- Section 5 (Walkable Urban Code affordable housing parking requirements): Delete proposed changes.
- Section 6 (Passenger loading zones within Walkable Urban Code): Approve as proposed.

Commissioner Simon stated that she supported the motion except for the change to Section No. 1.

Commissioner Perez agreed.

Commissioner Simon offered a FRIENDLY AMENDMENT to eliminate changes to Section No. 1.

Mr. Christopher DePerro (staff) asked for clarification from Commissioner Simon. He asked if she was proposing to leave the existing Citywide requirement as is.

Commissioner Simon responded, yes.

Commissioner Busching stated that although she was reluctant to agree, because she supports staffs' desire to simplify this city wide parking requirements in order to move this forward, she would accept Commissioner Simon's amendment.

Commissioner Gaynor SECONDED the amended motion.

There was discussion and clarifications made about the motion on the floor.

Commissioner Jaramillo explained that he did not agree with removing any flexibility for affordable housing.

Motion details: Commissioner Busching made a MOTION to approve Z-TA-8-23-Y, per the staff recommendation, with modifications regarding the following sections as listed in the Staff Report:

- Section 1 (City wide multifamily parking requirements): Delete proposed changes.
- Section 2 (City wide affordable housing parking reduction): Delete proposed changes.
- Section 3 (Infill Development District parking reduction): Approve as proposed.
- Section 4 (Walkable Urban Code parking requirements): Change from 0.50 spaces per dwelling unit to 0.65 spaces per dwelling unit.
- Section 5 (Walkable Urban Code affordable housing parking requirements): Delete proposed changes.
- Section 6 (Passenger loading zones within Walkable Urban Code): Approve as proposed.

Maker: Busching
Second: Vice Chairman Gaynor
Vote: 6-2 (Boyd and Jaramillo)
Absent: Mangum
Opposition Present: Yes

Proposed Language (Planning Commission recommendation is highlighted for clarity):

Amend Chapter 2, Section 202 (Definitions) to add definitions for affordable housing, passenger loading space, passenger loading zone, and revise parking space, unreserved, as follows:

AFFORDABLE HOUSING: RESIDENTIAL OR MIXED-USE DEVELOPMENT PROVIDING HUD OR OTHER ASSISTED LOW- TO MODERATE-INCOME HOUSING, AS VERIFIED BY THE PHOENIX HOUSING DEPARTMENT; TYPICALLY INCLUDES DWELLING UNIT(S) COMMITTED FOR A MINIMUM TERM THROUGH COVENANTS OR RESTRICTIONS TO HOUSEHOLDS WITH INCOMES AT 80 PERCENT OR LESS OF THE AREA MEDIAN INCOME, AS DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE CITY.

Parking Space, Unreserved: An unassigned parking space that is available to both residents, EMPLOYEES, and visitors TO THE PROPERTY. UNRESERVED PARKING SPACES WHICH COUNT TOWARD ANY REQUIRED PARKING MINIMUMS SHALL NOT BE USED FOR OFF-SITE OR COMMERCIAL PARKING USES.

FOR RESIDENTIAL DEVELOPMENTS, UNRESERVED SPACES MAY BE LOCATED BEHIND A VEHICULAR GATE IF A CALL BOX IS PROVIDED TO ALLOW VISITOR ENTRY BY RESIDENTS OF THE PROPERTY.

FOR NON-RESIDENTIAL DEVELOPMENTS, UNRESERVED SPACES MAY NOT BE LOCATED BEHIND A VEHICULAR GATE UNLESS THE GATE IS OPEN (OR WILL OPEN AUTOMATICALLY UPON APPROACH) DURING ALL STANDARD BUSINESS HOURS.

PASSENGER LOADING SPACE: A DESIGNATED SPACE FOR THE SHORT-TERM USE BY ONE VEHICLE TO STAND DURING PASSENGER PICK UP OR DROP OFF OF VISITORS, RESIDENTS, OR OCCUPANTS OF THE BUILDING OR USE; OR DURING DELIVERY OF GOODS TO INDIVIDUAL OCCUPANTS. A PASSENGER LOADING SPACE MAY NOT INCLUDE ANY DELIVERY OF GOODS OR SERVICE AREAS FOR COMMERCIAL USES, NOR ANY USE NOT CONSIDERED SHORT-TERM.

PASSENGER LOADING ZONE: AN AREA ADJACENT TO A PRIMARY ENTRY COMPRISED OF AT LEAST ONE PASSENGER LOADING SPACE, CONSTRUCTED IN TANDEM (WITH NO BARRIERS IN BETWEEN) FOR USE AS ONE CONTIGUOUS LOADING ZONE.

Amend Chapter 6, Section 608.J (Density Bonus For Low or Moderate Income Housing) to read as follows:

- J. **Density Bonus INCENTIVES For Low or Moderate Income AFFORDABLE Housing.** In order to overcome a demonstrated deficiency in the supply of housing for persons of low and moderate income, density bonus-incentives are established to foster the provision of such housing. ~~The bonuses in this paragraph shall apply to the maximum density for any district and may be in addition to bonuses earned by the provision of additional open space.~~

1. **Applicability.** All development LOCATED WITHIN A ZONING DISTRICT SUBJECT TO THE PROVISIONS OF SECTION 608 providing HUD or other assisted mixed income rental housing as approved by the Phoenix Housing and Urban Redevelopment Department AFFORDABLE HOUSING AS DEFINED IN SECTION 202.
2. **Density bonus.**
 - a. One additional conventional unit SHALL BE allowed for every two low/moderate income AFFORDABLE HOUSING units, provided that the overall project density does not exceed ten percent beyond that which would otherwise be allowed.
 - b. ~~The A DENSITY bonuses in this paragraph AWARDED PER THIS SECTION shall apply to the maximum density for any district and may be in addition to A DENSITY bonuses earned by the provision of additional open space PER THE PROVISIONS OF SECTION 608.1.2.~~

3. PARKING REDUCTION.

A. FOR EACH AFFORDABLE HOUSING UNIT, THE REQUIRED PARKING CALCULATION MAY BE REDUCED BY 50%.

B. A PARKING REDUCTION AWARDED PER THIS SECTION SHALL APPLY ONLY WHEN NO OTHER TYPE OF PARKING REDUCTION AUTHORIZED ELSEWHERE IN THE ZONING ORDINANCE HAS BEEN GRANTED.

- 3-4. **Other requirements.** The total number of units within a project shall be as approved by the Department of Housing. and Urban Development. Further, the location of any such units shall be consistent with the goals of the City of Phoenix Housing Assistance Allocation Plan.

Amend Chapter 7, Section 702.C (Parking Requirements) to read as follows:

- C. **Parking Requirements.** Off-street automobile parking space or area shall be provided according to the following table, except for large scale retail commercial uses (see Section 702.D). The parking ratios in the table identify the minimum level of parking required to serve that use and receive site plan approval.

Type of Land Use	Parking Requirements

Dwelling Unit, Multi-Family	Total required parking 1.3 spaces per efficiency unit and 1.5 spaces per 1 or 2 bedroom unit and 2 spaces per 3 or more bedroom unit, 1.0 space per unit of less than 600 square feet regardless of number of bedrooms When the required parking is reserved for residents, additional unreserved parking is required as follows: 0.3 spaces for each efficiency unit and 0.5 spaces per each 1 or 2 bedroom unit and 1.0 space per each 3 or more bedroom unit. Exception for unreserved parking: where minimum 18-foot driveways are provided for individual units, .25 space per each unit. Unreserved parking shall be distributed throughout the site. Note: Any unreserved parking spaces required by this section may be counted toward the total required parking count. ~~1.25 SPACES PER DWELLING UNIT~~ ~~A MINIMUM OF 30% OF THE REQUIRED PARKING SPACES MUST REMAIN UNRESERVED.~~

Type of Land Use	Parking Requirements
Dwelling Unit, Single-Family Attached	~~1.3 spaces per efficiency unit and 1.5 spaces per 1 or 2 bedroom unit and 2 spaces per 3 or more bedroom unit, 1.0 space per unit of less than 600 square feet regardless of number of bedrooms~~ PER SECTION 608.F.6, IF DEVELOPING UNDER THE SINGLE-FAMILY INFILL DEVELOPMENT OPTION PER SECTIONS 614-618. 2 SPACES PER UNIT IF NOT DEVELOPING UNDER THE SFI OPTION. THE REQUIRED SPACES FOR EACH DWELLING UNIT MUST BE PROVIDED ON THE SAME LOT. AN ADDITIONAL 0.25 UNRESERVED SPACE PER DWELLING UNIT MUST PER PROVIDED ELSEWHERE WITHIN THE DEVELOPMENT FOR VISITOR PARKING.

Amend Chapter 7, Section 702.E (Modifications to Parking Requirements) to read as follows:

E. Modifications to Parking Requirements.

3. **Reductions.** Parking reductions are specified within the specific zoning districts. The listed zoning districts offer parking reductions:
 - a. ~~Downtown Core District: No parking required. (Section 643)~~
DOWNTOWN CODE: PER SUSTAINABILITY BONUS AWARDS. (CHAPTER 12)
 - b. ~~Warehouse District: No parking required. (Section 645)~~ WALKABLE URBAN (WU) CODE. (CHAPTER 13)

F. INCENTIVES FOR AFFORDABLE HOUSING (RESIDENTIAL DISTRICTS, SECTION 608.J)

9. **Reductions for Infill Development District.** THE INFILL DEVELOPMENT DISTRICT, AS SHOWN ON THE GENERAL PLAN, IS SUBJECT TO THE FOLLOWING PROVISIONS:

- a. ~~Within the infill development district, as shown on the general plan for Phoenix, a development's on-street parking adjacent to and along the same side of a public, local or collector street may be counted toward parking requirements.~~ PARKING REDUCTIONS.

(1) THESE REDUCTIONS DO NOT APPLY TO PROPERTIES ZONED DOWNTOWN CODE OR WALKABLE URBAN CODE.

(2) NON-RESIDENTIAL USES SUBJECT TO THE PARKING REQUIREMENTS OF SECTION 702.C WITH NO OTHER PARKING REDUCTIONS MAY REDUCE THE AMOUNT OF REQUIRED PARKING BY 20%.

(3) MULTI-FAMILY USES SUBJECT TO THE PARKING REQUIREMENTS OF SECTION 702.C WITH NO OTHER PARKING REDUCTIONS MAY REDUCE THE AMOUNT OF REQUIRED PARKING BY 50%.

- c. Use Permit Notice Procedure for ~~Infill~~-OFF-SITE Parking Reductions. The following additional procedures shall be followed as part of the ~~infill parking reduction~~ use permit process (in addition to the procedures required by Section 307):

Amend Chapter 13, Section 1307 (Parking Standards) to modify the parking requirements for multi-family, single-family attached, and affordable housing, and add requirements for passenger loading zones to read as follows:

Chapter 13 WALKABLE URBAN (WU) CODE

Section 1307. Parking AND LOADING standards.

B. Required Vehicular Parking.

1. Vehicular parking must be provided for each use in accordance with Table 1307.1 and as follows:

- a. Minimum required vehicular parking is the sum of parking required for each use within a lot.
- b. ~~Accessory dwellings in T3 and T4 require one parking space per unit.~~
- c. B. Vehicular parking may be limited to a maximum number of spaces by parking districts where established.
- d. C. Other uses not identified on Table 1307.1 shall follow Section 702 standards.

Table 1307.1 Minimum Required Vehicular Parking

USE	MEASURE	T3	T4	T5 1—5 Stories	T5 6—10 Stories	T6
Residential, Single-Family DETACHED	per unit	2.0		n/a	n/a	n/a
~~Residential: Single-Family Attached and Multifamily~~	~~(1) As per Section 702. Additional 25% reduction when the off-street parking area is located within 1,320 feet from a light rail station when measured in a direct line from the building, and 10% reduction of required parking if the development is greater than 1,320 feet from a light rail station. The minimum required on-site vehicular parking is exclusively for the patrons of the subject parcel.~~					
RESIDENTIAL, SINGLE-FAMILY ATTACHED	PER SECTION 608.F.6, IF DEVELOPING UNDER THE PROVISIONS OF 1303.A.1.A.; OTHERWISE PER SECTION 702.					
RESIDENTIAL, MULTI-FAMILY ⁽²⁾	PER UNIT	N/A	0.5-0.65 A MINIMUM OF 30% OF THE REQUIRED SPACES SHALL REMAIN UNRESERVED.			

Affordable Housing	per unit	0.85	0.75	0.5		0.5
AFFORDABLE HOUSING	PER UNIT	0.75	NONE REQUIRED			

USE	MEASURE	T3	T4	T5 1—5 Stories	T5 6—10 Stories	T6

- D. **Required SERVICE/GOODS Loading AREAS and Service Bays.** THE FOLLOWING REQUIREMENTS APPLY TO SHORT-TERM LOADING AND UNLOADING OF SERVICE VEHICLES WITH MATERIALS, GOODS OR EQUIPMENT. PASSENGER LOADING ZONES ARE ADDRESSED IN SECTION 1307.I.

1. On-site SERVICE/GOODS loading shall be required for all development as follows:

- E. **Off-Street Parking Location and Access.**

1. Parking must be set back from frontages according to Table 1303.2, except where parking is located underground. PASSENGER LOADING SPACES/ZONES ARE NOT SUBJECT TO THESE SETBACK REQUIREMENTS.

- I. **PASSENGER LOADING.** THE FOLLOWING REQUIREMENTS APPLY TO PASSENGER LOADING SPACES AND ZONES ONLY. SERVICE/GOODS LOADING AREAS ARE ADDRESSED IN SECTION 1307.D.

1. **REQUIRED NUMBER OF SPACES.** PASSENGER LOADING SPACES SHALL BE PROVIDED AS FOLLOWS:

TABLE. 1307.3 REQUIRED PASSENGER LOADING SPACES	
USE TYPE	PASSENGER LOADING SPACES REQUIRED ⁽²⁾
CULTURAL OR PUBLIC FACILITY	2
HOSPITAL	3
HOTEL OR MOTEL	3
MULTI-FAMILY RESIDENTIAL	1 PER 50 DWELLING UNITS ⁽¹⁾
PUBLIC ASSEMBLY	1 PER 50 REQUIRED PARKING SPACES ⁽¹⁾

ALL OTHER USES	1 PER 25,000 GROSS SF ⁽¹⁾

- (1) OR PORTION THEREOF. NO SITE SHALL BE REQUIRED TO PROVIDE MORE THAN 10 PASSENGER LOADING SPACES.
- (2) FOR MIXED USES, THE MINIMUM NUMBER OF REQUIRED SPACES SHALL BE THE SUM OF THE SPACES REQUIRED FOR THE INDIVIDUAL USES, ALTHOUGH ROUNDING UP SHALL OCCUR AT THE FINAL STEP OF THE CALCULATIONS. FOR EXAMPLE, A DEVELOPMENT WITH 70,000 GROSS SF OF OFFICE SPACE, PLUS 125 MULTI-FAMILY DWELLING UNITS, IS REQUIRED 1.4 SPACES (70,000 SF / 50,000 SF/SPACE), PLUS 1.25 SPACES (125 DU / 100 DU/SPACE), WHICH TOTALS 2.65 REQUIRED, OR 3 PASSENGER LOADING SPACES.

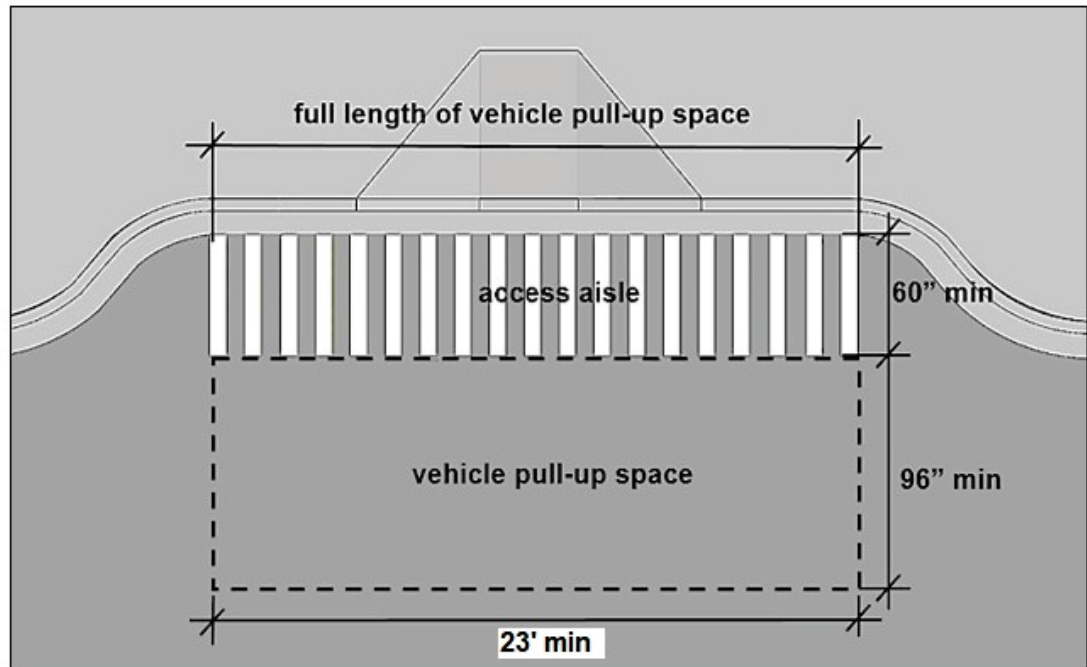
2. DEVELOPMENT STANDARDS FOR PASSENGER LOADING ZONES.

A. ACCESSIBLE PASSENGER LOADING SPACES.

- (1) AT LEAST ONE ACCESSIBLE PASSENGER LOADING SPACE SHALL BE PROVIDED FOR EVERY 100 LINEAR FEET OF CONTIGUOUS PASSENGER LOADING ZONE. HOWEVER, EACH PHYSICALLY SEPARATE PASSENGER LOADING ZONE MUST ALSO HAVE AT LEAST ONE ACCESSIBLE PASSENGER LOADING SPACE.
- (2) AN ACCESSIBLE PASSENGER LOADING SPACE SHALL BE A MINIMUM OF 96 INCHES WIDE AND A MINIMUM 23 FEET LONG.
- (3) THE PEDESTRIAN ACCESS AISLE SERVING THE ACCESSIBLE LOADING ZONE SPACE SHALL EXTEND THE LENGTH OF THE SPACE AND SHALL BE A MINIMUM 60 INCHES WIDE.
- (4) THE VEHICLE PULL-UP SPACE AND ACCESS AISLE MUST COMPLY WITH ADA REQUIREMENTS FOR GROUND AND FLOOR SURFACES AND CANNOT EXCEED A SLOPE OF 2%.
- (5) CURB RAMPS CANNOT OVERLAP ACCESS AISLES OR VEHICLE PULL-UP SPACES.
- (6) A VERTICAL CLEARANCE OF 14 FEET IS REQUIRED FOR EACH VEHICLE PULL-UP SPACE AND ACCESS AISLE, AND ALL ALONG ANY VEHICULAR ROUTE CONNECTING THEM TO A VEHICLE ENTRANCE AND EXIT, UNLESS OTHERWISE APPROVED FOR EMERGENCY/SERVICE VEHICLE ACCESS.

- (7) THE PEDESTRIAN ACCESS AISLES SHALL NOT ENCROACH INTO A TRAVEL LANE.

DETAIL 1307.1. ACCESSIBLE PASSENGER LOADING SPACE



B. GENERAL REQUIREMENTS FOR PASSENGER LOADING ZONES.

- (1) STANDARD PASSENGER LOADING SPACES, WHEN PROVIDED IN ADDITION TO THE MINIMUM REQUIRED ACCESSIBLE PASSENGER LOADING SPACE(S), SHALL BE CONSTRUCTED TO THE SAME STANDARDS AS AN ACCESSIBLE PASSENGER LOADING SPACE, BUT WITHOUT THE REQUIREMENT FOR AN ACCESS AISLE.
- (2) A CONTIGUOUS PASSENGER LOADING ZONE MAY BE PROVIDED, WHICH SHALL CONSIST OF TWO (2) OR MORE LOADING ZONE SPACES PROVIDED IN TANDEM WITH NO BARRIERS SEPARATING SAID SPACES, THUS ENABLING VEHICLES TO MOVE FORWARD THROUGH MULTIPLE PASSENGER LOADING ZONE SPACES.

- (3) PASSENGER LOADING ZONES SHALL BE PROVIDED WITHIN 50' OF THE MAIN ENTRANCE OF THE USE OR STRUCTURE THEY ARE INTENDED TO SERVE, AS APPROVED BY PLANNING AND DEVELOPMENT DEPARTMENT STAFF.
- (4) PASSENGER LOADING ZONES SHALL NOT ENCROACH WITHIN THE MINIMUM WIDTH OF ANY FIRE LANES OR DRIVE AISLES.
- (5) PARKING AND/OR STANDING SHALL BE LIMITED TO 30 MINUTES WITHIN A PASSENGER LOADING ZONE, AND SIGNS SHALL BE INSTALLED AND MAINTAINED STATING THIS RESTRICTION, AS APPROVED BY PDD AND STREET TRANSPORTATION.
- (6) A PASSENGER LOADING ZONE SHALL NOT BE LOCATED BEHIND ANY TYPE OF VEHICULAR GATE OR BARRIER, EXCEPT FOR NON-RESIDENTIAL USES, WHEN SUCH GATE OR BARRIER IS LEFT OPEN DURING ON-SITE BUSINESS HOURS.
- (7) ON-STREET PASSENGER LOADING ZONES LOCATED IN THE PUBLIC RIGHT-OF-WAY ADJACENT TO THE PROPERTY MAY ONLY BE PROVIDED WHEN COMPLIANCE WITH ALL OF THE FOLLOWING IS DEMONSTRATED:
 - (A) APPROVAL FOR THE DESIGN OF THE PASSENGER LOADING ZONE HAS BEEN OBTAINED FROM THE STREET TRANSPORTATION DEPARTMENT.
 - (B) AN ENCROACHMENT PERMIT HAS BEEN OBTAINED FROM THE STREET TRANSPORTATION DEPARTMENT FOR ANY STRUCTURES REQUIRED AS PART OF THE PASSENGER LOADING ZONE (SHADE CANOPIES, SCREEN WALLS, SIGNS, ETC.).
 - (C) THE PASSENGER LOADING ZONE DOES NOT REDUCE OR PRECLUDE ANY REQUIRED STREETScape OR FRONTAGE ELEMENTS, INCLUDING THE PROVISION OF REQUIRED STREET TREES AND SHADE.

- (D) THE PASSENGER LOADING ZONE DOES NOT INTERRUPT A DESIGNATED BICYCLE LANE.

C. PASSENGER LOADING AREA DESIGN GUIDELINES.

- (1) PASSENGER LOADING ZONES SHOULD BE LOCATED INTERNALLY TO THE BUILDING WHEN POSSIBLE.
- (2) PASSENGER LOADING ZONES SHOULD HAVE PRIMARY ACCESS FROM A STREET, RATHER THAN AN ALLEY.
- (3) PASSENGER LOADING ZONES SHOULD PROVIDE LANDSCAPED AND/OR STRUCTURAL SHADE FOR A MINIMUM OF 75% OF THE PASSENGER WAITING AREAS.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.

ATTACHMENT H

July 6, 2023

I am in full support of Z-TA-8-23-Y as it reflects the true parking need for multi-family housing versus the current zoning ordinance and supports City Council's desire to increase the amount of housing options and homes for our fellow Phoenixians. Too often we do not think of multifamily development as a place where we would live, but the reality is almost every one of us were renters at one point in our life. Furthermore, if we as a community want to provide places for our children to live that are more reasonably priced, we cannot continue to make it so costly and difficult to build apartments. These restrictions have led to the enormous rent increases we have experienced. As a parent with a daughter in an out of town masters program looking to possibly become a teacher, affordability of housing will guide her decision on whether to return to Phoenix or not. By reducing the required number of parking spaces, we will need smaller parcels of land to build the needed housing and reduce the overall cost of the project. Fewer parking spaces means less asphalt and heat island impact. More building and less parking increases property tax revenues to maintain our city. Smaller parking lots means shorter distances between places, reducing traffic and improving walkability.

I applaud the willingness to make these modifications and immediately look to the next step. All of the changes being suggested are critical. However, while it is wonderful to reduce parking requirements on multi-family land, the fact remains there is little to no land available which is actually zoned to build multi family housing and every re-zoning case typically takes 9 months, increases costs and ultimately sets us back from reaching our housing goals. This lack of opportunity drives correctly zoned land prices higher and higher off setting the great steps hopefully being taken at this meeting to build more housing. With that in mind I would implore this body in a future step to consider allowing commercially zoned land along arterials and collectors throughout our city, especially those with bus or light rail transit, to allow by right T:4:3 zoning and T:5:5 zoning in appropriate places, which will then actually give us land to build housing on.

Thank you for your consideration of this case and I hope for continued progress in the future.

Dan Klocke

Phoenixian

Carnation Neighborhood

July 19, 2023

City of Phoenix Mayor and Council
200 W. Washington Street, 11th Floor
Phoenix, AZ 85003

RE: Neighborhood Leaders Support Amendments to Reduce Parking Restrictions

Dear Mayor Kate Gallego and Phoenix City Council:

On behalf of myself and the Carnation Association of Neighbors, I am writing in support of proposed Zoning Ordinance Text Amendment Z-TA-8-23-Y and request that you vote yes to approve this amendment to reduce the mandatory minimum parking requirements for multifamily, single-family, and affordable housing. The Carnation Neighborhood is located in the Melrose area of Phoenix between the Light Rail and 7th Avenue on the east and west and between Indian School and the Grand Canal on the north and south. Our neighborhood is a diverse mix of single family and multifamily homes. Many people have moved to our neighborhood in recent years because it is adjacent to major public transit stops, including the Light Rail, and walking distance to the wonderful businesses in the Melrose District. Just in the past decade, I have seen many people eschewing car use in favor of walking, biking, taking public transit or rideshares. This phenomenon will continue, especially if our City builds the infrastructure to support it. I am writing in support of the proposed text amendment because it will continue to make our community more bikeable and walkable, it reflects the reality that our residents have more transit options and will help reduce the cost of building housing in this City.

The historical and empirical evidence has made it clear that minimum parking requirements, especially around public transit nodes, have led to empty, unused parking lots that make our City less walkable, bikeable, and livable. Residents in the Carnation Neighborhood and all around our City are looking for policies that will encourage walkability and make it safe and easy for all of our families to walk and bike in our neighborhoods. The proposed Text Amendment Z-TA-8-23-Y is a very reasonable step in the right direction, and I encourage you to vote yes on the proposed text amendment as proposed. Thank you for your work to make housing more affordable and this City more walkable and transit friendly.

Sincerely,



Ed Hermes
President, Carnation Neighborhood Association
Carnationassociationaz@gmail.com
<https://www.carnationassociationaz.com/>
480-452-2062

July 31, 2023

Phoenix City Council and
Phoenix Planning Commission

Re: Support of Text Amendment Z-TA-8-23-Y
Phoenix Scholar House, 2945 N. 18th Pl, Phoenix, AZ
Affordable Housing in Phoenix

To Whom it May Concern,

As developer of the Phoenix Scholar House, a proposed 56-unit mixed-income, multifamily community in Phoenix, we write in support of **Text Amendment Z-TA-8-23-Y** for right-sizing parking mandates.

The Phoenix Scholar House has been thoughtfully designed to include 56 rental units that will serve families making from 30% to 60% of the Area Median Income. While working closely with the City's Planning professionals, along with our local non-profit partner *Save the Family*, we will combine education and housing to lift families into self-sufficiency and permanently from public assistance.

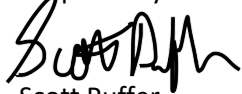
Because affordable housing has long been a stated as a priority of the City of Phoenix Concept Plan, we support this Text Amendment's objective to refresh the outdated zoning codes, which, in effect, will continually price community members out of their neighborhoods and their city.

- Right-sizing parking mandates have become popular across the country. The May-June YouGov poll of Arizona voters found that 60% of Maricopa County residents support reducing parking mandates, so long as at least one parking space is provided per home.

Please vote YES on Z-TA-8-23-Y to align mandatory parking rations with the needs and budgets of everyday, hardworking residents of Phoenix.

Should you have any questions, or need any additional information, please do not hesitate to call me at (513) 603-0074 or by email at scott@brinshore.com.

Respectfully submitted,



Scott Puffer
Senior Vice President
Brinshore Development, L.L.C.



July 31, 2023

Planning Commission Chairs and Members
c/o City of Phoenix, Planning and Development Department
200 West Washington Street, 2nd Floor
Phoenix, Arizona 85003

Re: Support of Text Amendment Z-TA-8-23-Y
Phoenix Scholar House, 2945 N. 18th Pl, Phoenix, AZ
Affordable Housing in Phoenix

To Whom it May Concern,

As a co-developer of the Phoenix Scholar House, a proposed 56-unit mixed-income, multifamily community in Phoenix, we write in support of **Text Amendment Z-TA-8-23-Y** for right-sizing parking mandates.

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Because affordable housing has long been a stated as a priority of the City of Phoenix Concept Plan, we support this Text Amendment's objective to refresh the outdated zoning codes, which, in effect, will continually price community members out of their neighborhoods and their city.

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Please vote YES on Z-TA-8-23-Y to align mandatory parking rations with the needs and budgets of everyday, hardworking residents of Phoenix.

Should you have any questions, or need any additional information, please do not hesitate to call me at (480) 898-0228 or via email at Robyn.Julien@savethefamily.org.

Respectfully,

A handwritten signature in blue ink, appearing to read "Robyn Julien", is written over a horizontal line.

Robyn Julien
Save the Family Foundation of Arizona

Board of Directors

Rachel Pearson, President
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Cindi Harper
Marvin Ruth
Mike Specht
Brett Young

Chief Executive Officer
Robyn Julien

Racelle Escolar

From: Krista Shepherd <Krista.Shepherd@multi.studio>
Sent: Tuesday, August 1, 2023 1:53 PM
To: PDD Planning Commission
Cc: Krista.Shepherd@multi.studio
Subject: August 3, 2023_Planning commission_SUPPORT FOR ITEMS 16 and 17

To whom it may concern:

I am writing to **support the following items** on the August 3, 2023 Planning Commission Agenda:

Item 16: Z-TA-5-23-Y (ADU's): This would positively allow for:

- incremental density/missing middle and affordable housing
- multi-generational housing
- property owner wealth building through rental opportunities
- aligns with the South Central TOD Community Vision and Plan approved by Mayor and City Council in 2022.

Item 17: Z-TA-8-23-Y (Parking reductions): This would positively allow for:

- greater utilization of transit systems
- allows for greater density to be built on small infill lots
- promotes development of small lots that could not be developed due high parking requires that cannot reasonably fit on site
- supports development of affordable housing
- aligns with the Walkable Urban Code
- aligns with transit-oriented plans including the South Central TOD Community Vision and Plan approved by Mayor and City Council in 2022.

Thank you.

Krista

Resident of District 6, Business location is District 7, Member of the 2025 Plan Phoenix Leadership Committee

Krista Shepherd AIA, LEED AP, NCARB
Principal

multistudio

o 602.650.7630 c 602.708.4588

Krista.Shepherd@multi.studio

w Multi.studio [multi.studio]

Racelle Escolar

From: Kelly Hatch <Kelly.Hatch@multi.studio>
Sent: Tuesday, August 1, 2023 2:05 PM
To: PDD Planning Commission
Subject: August 3, 2023_Planning commission_SUPPORT FOR ITEMS 16 and 17

To whom it may concern:

I am writing to **support the following items** on the August 3, 2023 Planning Commission Agenda:

Item 16: Z-TA-5-23-Y (ADU's): This would positively allow for:

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- supports development of affordable housing
- aligns with the Walkable Urban Code
- aligns with transit-oriented plans including the South Central TOD Community Vision and Plan approved by Mayor and City Council in 2022.

Kelly Hatch

Kelly Hatch NCIDQ
Senior Associate

multistudio

o 602.650.7635 c 425.218.5383

Kelly.Hatch@multi.studio

w Multi.studio [multi.studio]

Racelle Escolar

From: Mike Anglin <Mike.Anglin@multi.studio>
Sent: Tuesday, August 1, 2023 2:11 PM
To: PDD Planning Commission
Subject: Aug 3, 2023 - Planning Commission - SUPPORT FOR ITEMS 16 and 17
Importance: High

To whom it may concern:

I am writing to **support** the following items on the August 3, 2023 Planning Commission Agenda:

Item 16: Z-TA-5-23-Y (ADU's):

This would positively allow for:

- incremental density/missing middle and affordable housing
- multi-generational housing
- property owner wealth-building through rental opportunities
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- supporting development of affordable housing
- alignment with the Walkable Urban Code
- alignment with transit-oriented plans including the South Central TOD Community Vision and Plan approved by Mayor and City Council in 2022.

Thank you.

Mike

Resident of District 5 and employee of business located in District 7

Mike Anglin RA, LEED AP
Senior Associate
he/him

multistudio

o 602.650.7614 c 520.664.4625

Mike.Anglin@multi.studio

w Multi.studio [multi.studio]

Racelle Escolar

From: Melissa Alexander <Melissa.Alexander@multi.studio>
Sent: Tuesday, August 1, 2023 2:29 PM
To: PDD Planning Commission
Subject: August 3, 2023_Planning commission_SUPPORT FOR ITEMS 16 and 17

To whom it may concern:

I am writing to **support the following items** on the August 3, 2023 Planning Commission Agenda:

Item 16: Z-TA-5-23-Y (ADU's): This would positively allow for:

- incremental density/missing middle and affordable housing
- multi-generational housing
- property owner wealth building through rental opportunities
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- supports development of affordable housing
- aligns with the Walkable Urban Code
- aligns with transit-oriented plans including the South Central TOD Community Vision and Plan approved by Mayor and City Council in 2022.

Thank you.

Melissa

Resident of District 6, Business location is District 7

Melissa Alexander NCIDQ, IIDA
Principal

multistudio

o 602.650.7627 c 602.748.5505
Melissa.Alexander@multi.studio
w Multi.studio [multi.studio]



7250 N. 16th Street, Suite 302 | Phoenix, AZ 85020
1-866-389-5649 | Fax: 602-256-2928 | TTY: 1-877-434-7598
aarp.org/az | azaarp@aarp.org | twitter: @AZ_AARP
facebook.com/aarparizona

AARP Arizona on City of Phoenix Text Amendments Z-TA-5-23-y and Z-TA-8-23-Y

AARP Arizona, on behalf of its almost 900,000 Arizona members is excited to support both text amendments as they will reduce and remove barriers to creating more housing that is affordable to all Phoenixians.

TA-5-23:

The City of Phoenix is in desperate need of more units that are affordable. As one of the largest cities in the nation, and growing, we must work to address these concerns. As our economy and population have grown, so too have the prices of rent. While we welcome the growth and prosperity to our city, we must ensure that city residents have access to stable housing. We've watched our population of unhoused grow dramatically over the last few years, especially amongst the 50+. In our heat, housing is a matter of life and death.

Accessible Dwelling Units (ADUs), also known as Casitas or Mother-in-Law Suites, are a great way to combat the over 150,000-unit shortage we have in the city. We also have evidence that these units, if allowed, will go to those most in need of them. A 2018 study in Vancouver found that 32% of the residents of ADUs had income that was less than 80% of the regional median income, and 16% had income that was less than half of the regional median income.

The average Social Security check in Arizona is roughly \$1,550 per month, whereas the average rent in Phoenix is closer to \$2,100 per month. People who moved to Arizona in years past are now being priced out leading to some of the difficulties we are currently seeing.

From another perspective, ADUs can also allow for older adults, who need care by family but can't afford living in a long-term care facility, to have a home to age in place. There are an estimated 800,000 unpaid family caregivers in Arizona and having more options to those needing care to be near those providing helps everyone.

TA-8-23:

Regarding the parking requirement changes, AARP policy actually recommends no on-site parking requirements. Parking requirements create additional barriers to ADU

creation because there is additional land needed and present additional costs. For instance, depending on the type of parking being built it can range between \$2,500 and \$15,000.

Interestingly, we do not require more parking for every additional bedroom created in a home, thus, AARP believes that ADUs should be treated similarly.

According to a recent AARP Arizona survey, 80% of respondents put increasing rent as one of the top concerns they had which could prevent them from aging in place. In the same survey, 90% of respondents said that Elected Leaders should make affordable housing a priority.

We are seeing everyone including stakeholders, elected officials, and residents all agree that housing is a major concern. These proposed changes would be a step in the right direction to allow Phoenix to grow without leaving people, especially older adults behind.

Sincerely,

Dana Marie Kennedy, MSW

State Director, AARP Arizona





August 2, 2023

Re: ADU and Parking Reform Items Before Your Commission

To Whom It May Concern:

As a Phoenix resident, father of two children, and someone who works in the development and construction industry, I urge the Phoenix Planning Commission to support text amendments Z-TA-5-23-Y (legalizing casitas) and Z-TA-8-23-Y (right-sizing parking mandates).

Our zoning code must keep pace with the needs of society. These needs are not static. Indeed, they are dynamic and always changing. If our zoning code is meant to serve our community and protect its best interests, then it too must remain dynamic and open to change. Because affordability metrics, long permitting times, and housing production numbers clearly indicate that the status quo is not keeping up. This reality demands action.

I am proud to see our city step up to the plate and show leadership by taking a serious look at zoning reform. Both text amendments before you are critical.

Backyard units give people options, especially for multi-generational families or those who need more space but cannot move due to an existing job or today's much higher interest rates. These same units were once legal in some of our most beloved historic neighborhoods—just take a look around Coronado, for example. It is time we re-legalize what was once a common sense way to gently grow and incrementally expand a family's use of their hard-won property.

PLEASE VOTE YES on Z-TA-5-23-Y to legalize casitas!

Relaxed parking minimums are equally valuable. There is a long and proven literature covering the many ways high parking ratios negatively impact our communities, but that's not even the most important point. Simply put, these requirements driven significant cost, and those costs transfer all the way down to the monthly rent paid by everyday people. Reducing parking ratios is not a giveaway to well capitalized developers. Instead, it is a leg up to our neighbors, many of whom rent either out of necessity or by choice. We need to do everything we can to encourage efficient use of infill land while reducing the cost to construct infill housing.

PLEASE VOTE YES on Z-TA-8-23-Y to align mandatory parking ratios with today's needs!

Thank you,
Lucas Lindsey



Racelle Escolar

From: Lorenzo Perez <lorenzo@venueprojects.com>
Sent: Wednesday, August 2, 2023 10:37 PM
To: Racelle Escolar
Cc: Joshua Bednarek
Subject: FW: Planning Commission - Discussion on Reduced Parking Minimums (Multifamily Development Projects)

Dear Planning Commission,

I'm submitting this email to acknowledge and support the efforts undertaken by the Planning and Development Department to proactively evaluate and propose reducing required Parking Minimums for Multifamily Residential Development projects in the City of Phoenix.

It's no secret that we as a nation are significantly underhoused, especially with affordable and attainable housing. Travel the state or country and witness the impact in large amounts of under and unsheltered individuals. Several factors contribute to this reality, some of which are dated development policies that don't keep up with the times, fail to consider different contexts in the built environment nor account for evolving market demand conditions. It's encouraging to see Phoenix take proactive measures to find solutions to help facilitate new approaches to encouraging the development of more diverse cost efficient housing. Time is money for developers and having policies in place that reduce or eliminate the need to pursue time and cost intensive parking reduction variances helps get projects to market faster at less cost. This is fundamental for establishing affordability as development costs ultimately get passed onto the user/consumer. City governments are in the unique position to lead efforts such as this to streamline and simplify the development process.

As a developer, owner and operator of mixed use projects, particularly infill and adaptive reuse projects, I'm proud to see the City of Phoenix leading this effort and taking proactive action to find workable solutions, soliciting input from people/firms that develop projects.

As a practitioner in this space, I offer the P&D department and Planning Commission a few points to consider as they reflect on and continue to work through this process

1. I encourage the commission to PRIORITIZE HOUSING PEOPLE OVER PARKING CARS. It is a community and economic development priority that effects every citizen's quality of life. If we don't have an adequate supply of diverse residential options to house all levels of the workforce, especially the most vulnerable in high value service roles such as firemen, police officers, nurses, office clerks, teachers, retailers, service workers, construction workers, tradesman, laborers, grocery store clerks, etc, what kind of city and local economy will we have?
2. Consider that not all households are the same. Small household formations of 1-2 people are one of the fastest and largest growing market sectors in the US that cover all ages of adults. Not all residents can afford cars or choose not to own one and instead take advantage of transit and rideshare. Developing policy that addresses the needs of a varied and diverse housing base is critical. This study and proposal is a significant step in that direction.
3. Having to dedicate less land for parking opens up more space to add diverse housing options and reduce housing development cost. Increased housing supply delivered faster, at less cost, translates to more available affordable housing options. Parking is expensive to construct, to maintain and significantly hinders the ability to develop urban / suburban sites.

4. Requiring less parking reduces the potential to have overparked and underutilized sites that often become attractive nuisances for illicit activity and become costly burdens to maintain and service during operation, negatively contributing to a property's appeal and ongoing affordability.
5. Offering parking reduction incentives to encourage affordable housing is a good idea to attract more affordable/attainable and attractive development.
6. Encouraging property owners to work together and develop shared parking strategies is something that should be examined. We've had success with our commercial infill projects working with neighbors to use adjacent or nearby underutilized parking assets to help provide overflow parking for our retail / dining projects. Office and retail properties are great complimentary evening parking solutions for residential.
7. Less surface parking is a sensitive development sustainability approach to reducing heat island effect from large exposed parking fields.
8. We are blessed in Phoenix to have large right of way streets. Consider leveraging this existing asset to provide additional on street parking as an option for multifamily development. Owners and developers would likely entertain paying a reasonable and proportionate fee to help contribute to the ongoing maintenance of the streets in exchange for this option in lieu of overinvesting into parking that may or may not get used. In many cases across the city, we have enough space to accommodate on street parking while maintaining adequate traffic flow. Many cities across the world utilize on-street parking as an asset to free up land for more housing. Phoenix could benefit from this paradigm shift to help generate revenue to assist with the maintenance of streets while simultaneously helping to incentivize more housing.

Thank you for the opportunity to voice some thoughts on this issue and for taking this important step to build a more livable city.

Respectfully,

Lorenzo Perez
602.689.0194 Cell
lorenzo@venueprojects.com





August 3, 2023

Sent via email

City of Phoenix Planning Commission
200 W Jefferson St
Phoenix AZ 85003

RE: August 3, 2023 Planning Commission Meeting Agenda Items 16 and 17 (ADUs and Parking Minimums)

Dear Phoenix Planning Commission:

On behalf of the Home Builders Association of Central Arizona (“HBACA”), we write in support of the proposed zoning ordinance text amendments related to Accessory Dwelling Units¹ (“ADUs”) and parking minimums² on the August 3 Planning Commission meeting under agenda items 16 and 17. The City of Phoenix and the State of Arizona are facing a housing supply and affordability crisis.³ The City itself has set a goal of creating or preserving 50,000 homes by 2030.⁴ **These two text amendments are a necessary first step in achieving that goal and we respectfully request you vote “yes” on both text amendments.**

Legalizing ADUs are an increasingly popular way to increase housing supply around the country. “Accessory Dwelling Units (ADUs) provide one option for increasing housing supply without noticeably changing neighborhood aesthetics, since ADUs are typically secondary units that discretely share a lot with a primary residence.”⁵ While ADUs are helpful in increasing housing supply it is important that these ordinances are drafted in a way that results in ADUs being constructed. “But getting the rules right is important: in many cases, cities adopt excessively strict rules surrounding ADUs, resulting in few units being built.”⁶

As these ordinances have been adopted and implemented around the country there are several key recommendations for making ADUs feasible to build⁷:

- No owner occupier requirement
- No parking requirement for the ADU
- Approve ADUs by-right/ministerially
- Allow attached and detached ADUs
- Allow reasonably sized ADUs

¹ Z-TA-5-23-Y

² Z-TA-8-23-Y

³ See e.g., *Why experts say Arizona housing crisis is a ‘growing cancer’* (available at <https://azbigmedia.com/real-estate/why-experts-say-arizona-housing-crisis-is-a-growing-cancer/>).

⁴ [Phoenix.gov/housing](https://phoenix.gov/housing)

⁵ Vanessa Brown Calder and Jordan Gygi, *The Promising Results of Accessory Dwelling Unit Reform*, Cato at Liberty Blog (June 28, 2023) (available at <https://www.cato.org/blog/results-accessory-dwelling-unit-reform-so-far>).

⁶ M. Nolan Gray, *Arbitrary Lines: How Zoning Broke the American City and How to Fix It*, 113 (Island Press 2022).

⁷ See *The Promising Results of Accessory Dwelling Unit Reform*.

It appears that the proposed text amendment covers most of these. We are concerned about an owner occupier requirement as this requirement tends to reduce the value add of an ADU to a property's appraisal and makes financing for ADU construction more difficult. We are also concerned that the City's lot coverage regulations will hinder the ability of some homeowners to add an ADU despite the increase in lot coverage proposed in the text amendment. The City's current setback requirements are sufficient to regulate the buildable area on a lot. Therefore, the city should remove any owner occupier requirement and the general lot coverage limitations.

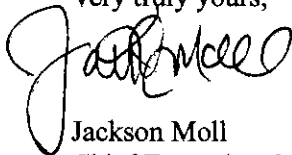
Although it is not within the purview of this text amendment, the HBACA is concerned about the implementation of this ordinance amendment. Our members are experiencing very long plan review, permitting, and approval times in the City. Our concern is that this problem is going to get worse with an influx of new applications to build ADUs. The City should consider how it is going to go about reviewing and approving these applications so as to not elongate an already cumbersome process.

The HBACA also supports the parking minimum reform text amendment. While this amendment will only affect a few of our members, these reforms will help reduce housing costs. Moreover, it is a recognition that the market is better at determining these needs than municipal planners.

As far as off-street parking goes, developers – not planners – have both the right incentives and local knowledge needed to determine how much off-street parking is necessary. After all, if a developer builds too much parking, they waste money, while if they build too little, they may have trouble selling or leasing out the space. Eliminating minimum parking requirements merely gives developers the flexibility needed to adjust the amount of parking to local conditions, perhaps building more in suburban areas and less in more urban areas.⁸

The HBACA and our members are very appreciative of the City's work on increasing the supply of housing. However, there is still much work that needs to be done. We are looking forward to working with the City on future reforms such as addressing the missing middle (duplexes, triplexes), reducing minimum lot sizes, and reforming design review regulations. In addition, we are looking forward to procedural reforms to expedite the plan review, permitting, and approval processes. After all the value of these text amendments is significantly diminished if our members cannot actually get these additional units constructed in a timely fashion.

Very truly yours,



Jackson Moll
Chief Executive Officer
Home Builders Association of Central Arizona
Registered Lobbyist with the City of Phoenix

Cc: Josh Bednarek, Director City of Phoenix Planning and Development

⁸ *Arbitrary Lines* at 114.

August 3rd, 2023

City of Phoenix Planning Commission,

As community organizations led by and serving Phoenix families and community leaders, we urge the Planning Commission at the City of Phoenix to support text amendments Z-TA-5-23-Y (legalizing casitas) and Z-TA-8-23-Y (right-sizing parking mandates). **These proposals will help make housing more affordable and attainable across our city, increase access to jobs and amenities, and save Phoenixians money when we desperately need it.**

Housing is a basic human need and we believe that any hard-working Phoenixian should be able to find safe, stable housing they can afford. We also recognize that our outdated zoning codes present a huge barrier to affordable and attainable housing. **Our city policymakers have an obligation to act, to ensure no hard-working Phoenixian is priced out of their community.**

The two proposals before the Planning Commission and City Council would provide modest, but important improvements to affordability and livability in Phoenix. They will create a pathway for our city to stay a place Phoenixians can afford to live, work, and raise families, while maintaining the visual character and livability of our neighborhoods.

Legalize casitas to expand affordable housing options

Vote YES on Z-TA-5-23-Y to legalize casitas, vital to any affordable housing strategy.

Casitas are among the most naturally affordable forms of housing.

- A new market-rate casita **rents for 75% less** than a new single-family home.¹
- Multiple studies have found the average casita is **affordable at between 60% and 80% of area median income.**

Casitas provide opportunity to people of all ages.

- Casitas **enable seniors to age in place** by providing ongoing rental income without needing to move off their property.²
- Casitas **enable multigenerational living on a single parcel**, particularly useful for families who want to live in multigenerational arrangements.³

Legalizing casitas is popular. A YouGov poll of Arizona voters in May-June of this year found that **73% of Maricopa County residents support allowing owners of single-family houses to build and rent out casitas on their property, vs. only 18% opposition.**⁴

¹ <https://www.sightline.org/2021/08/01/we-ran-the-rent-numbers-on-portlands-7-newly-legal-home-options/>

² <https://www.aarp.org/home-family/your-home/info-2020/accessory-dwelling-unit.html>

³ <https://accessorydwellings.org/2016/01/22/adu-multigenerational-families/>

⁴ https://drive.google.com/file/d/1BrOgBvXI9v1q7Z_fFm-tC7uE5fV9FuTF/view?usp=sharing

Right-size parking mandates to bring down housing costs

Vote YES on Z-TA-8-23-Y to align mandatory parking ratios with the needs and budgets of everyday, hardworking Phoenixians.

Study after study shows parking mandates make housing more expensive.

- Multiple independent, nonpartisan analyses of parking mandates found that on-site parking adds 15% - 17% to the cost of rent.^{5 6}
- Another study showed that during peak periods 37% of urban residential parking spaces are unoccupied.⁷

Relaxing parking mandates enables more homes to be built more quickly.

- Studies of cities that repealed parking mandates in the last ten years found that 60% to 70% of new homes built there would not have been legal under prior mandates.⁸

Right-sizing parking mandates are popular. The May-June YouGov poll of Arizona voters found that **60% of Maricopa County residents support reducing parking mandates, so long as at least one parking space is provided per home, vs. only 22% opposition.**

Phoenixians support bold action to build more affordable housing

With Phoenix facing a shortage of over 163,000 homes, the working residents of our city are done waiting for action.⁹ The May-June YouGov poll of Arizona voters found that **55% of Maricopa County residents believe “building more affordable housing” is important.**

The time to act is now. Phoenix’s working families need you to vote YES on text amendments Z-TA-5-23-Y and Z-TA-8-23-Y.

Signed,

Urban Phoenix Project
Arizona State Senator Anna Hernandez
Arizona State Representative Analise Ortiz
American Institute of Architects
AIA Phoenix Metro
A Permanent Voice Foundation

⁵ https://www.sightline.org/research_item/who-pays-for-parking/

⁶ <https://www.tandfonline.com/doi/full/10.1080/10511482.2016.1205647>

⁷ <https://www.seattletimes.com/seattle-news/data/seattles-car-population-has-finally-peaked/>

⁸ <https://www.sightline.org/2023/04/13/parking-reform-legalized-most-of-the-new-homes-in-buffalo-and-seattle/>

⁹ <https://www.phoenixnewtimes.com/news/phoenix-draft-homeless-plan-hopes-portal-advocates-community-gallego-11478370>

Carbon Vudu LLC
Carnation Association of Neighbors
CHISPA AZ
Fuerte AZ
Merge Architectural Group
Phoenix Spokes People
RAIL CDC
SoPho Convening
Trees Matter
Unemployed Workers United

Racelle Escolar

From: pearce@carbon-vudu.us
Sent: Thursday, August 3, 2023 8:07 AM
To: PDD Planning Commission
Subject: ADU Support and less parking

Yes I support the ADU program and less parking c.

Pearce | 602.430.3451 ©2023 OWNERSHIP OF SERVICE -- All reports, plans, specifications, computer documents, field data, notes and information prepared by **CARBON VUDU LLC** and their consultants shall remain the property thereto. **CARBON VUDU LLC** shall retain all common law, statutory and other reserved rights, including the copyright thereto.

Racelle Escolar

From: Dudzik Smith, Katherine <Katherine.DudzikSmith@hdrinc.com>
Sent: Thursday, August 3, 2023 8:58 AM
To: PDD Planning Commission
Subject: Support for Z-TA-5-23-Y and Z-TA-8-23-Y

Hello,

I am writing in support of the Zoning text amendments suggested by the City of Phoenix staff to allow ADUs and reduction of parking minimums. Both of these measures will help with the affordable housing crisis that the Phoenix metro area is experiencing and thus help the homelessness situation. Both of these measures help with creating a stronger community by allowing more diverse development. Please adopt these zoning text amendments.

Thank you,
Katherine

Katherine Dudzik Smith, AIA, NOMA, LEED AP, NCARB
Senior Design Architect

HDR
20 East Thomas Road, Suite 2500
Phoenix, AZ 85012
D 602.474.7812 **M** 480.239.6291
Katherine.DudzikSmith@hdrinc.com

hdrinc.com/follow-us [hdrinc.com]

**COMMENTS BEFORE ALHAMBRA VILLAGE PLANNING COMMITTEE
ON CITY OF PHOENIX TEXT AMENDMENTS PERTAINING TO
REDUCTIONS IN PARKING, ACCESSORY DWELLING UNITS, AND
MOBILE HOME PARKS**

Please include these comments as provided in the minutes for the AVPC.

**(1) Process for Formulating, Reviewing, and Approving the proposed
Text Amendments**

The process for public involvement to comment on these proposed text amendments is unacceptable. There was an effort to include stakeholders in at least one of the amendments (for mobile homes – unknown for the others), but neighbors, neighborhood associations, mobile home residents and related organizations, and affordable housing advocates were not considered to be stakeholders - only those groups who would stand to benefit financially from any changes were included. As far as I can tell, none of these text amendments included any resident input whatsoever in their formulation – despite the fact that residents are the ones who would be most impacted by them.

There has been very little publicity about any of these proposed changes in order to garner public input – nothing on the City of Phoenix website, in the water bill, in Councilmembers' or Mayor's newsletters, nothing in the newspaper or any other publication. The only residents who will even know this is happening are those who monitor VPC agendas (you can probably count all of them on one hand) and those who somehow stumbled into this information because they knew someone who knew someone (which is how I found out). The VPC agendas don't provide any information about the proposed amendments or even much of a description. There are no links or details - so the only way to learn about the amendments is to attend the meeting and wait through a lot of the agenda, and then to attend another meeting when the VPC votes on it.

This "opportunity" for the public to comment may be called public review or public involvement, but it is neither. It is an obligatory gesture towards the persons who would be most impacted by these provisions, not a

meaningful conduit to achieve understanding and obtain thoughtful public comments.

(2) Accessory Dwelling Units:

I believe the intention of this text amendment is to increase the supply of attainable if not affordable housing in single family residential zones. It attempts to achieve this by allowing by right additional construction in single family zones for structures that have a separate entrance, are one-story and fit within the setbacks of the current zoning.

There are many reasons for a homeowner to want an accessory dwelling unit on their property as allowed by this proposed text amendment and the vast majority have nothing to do with creating affordable or attainable housing that would be rented to a stranger. From what I can tell in the text amendment, an accessory dwelling unit could be used as a home office; as a guest house for visitors, for one's family members (parents, in-laws, teens, siblings, grandparents, etc.), etc.; as a short-term rental; for storage; a gardening center; an art studio; an exercise studio; for parties; among others.

It takes a special type of person to be willing to let a stranger live long-term practically on top of them and to be their landlord. I hypothesize that most homeowners aren't that type of person, either because they value their privacy or because they don't want to be a landlord.

However, investors are those types of people. They want to be landlords, they aren't concerned about privacy lost, security issues, noise, traffic, a proliferation of cars on the street, etc. For them it is a business model in which they are remote from the impacts of their revenue generator.

Allowing accessory dwelling units by right will be a shot in the arm for investors who would be allowed to knock down a house and build two houses on the same lot, one a little smaller, and rent them both. Essentially the result would be duplexes that aren't necessarily physically connected. If not duplexes, then flag lots.

Accessory dwelling units also would be appealing to investors who would buy up homes, build an accessory dwelling unit and use both as short-term

rentals. It sounds ideal as a party house set up – great for investors and problematic for neighbors.

This Amendment also (as far as I can tell) doesn't address the potential impact on historic districts. Would a historic home with a modern accessory dwelling unit lose its historic status? Would there be provisions to protect against that?

Finally, ADUs are not a direct solution for the current housing shortage. There is no guarantee that an ADU would be used as long-term housing; if it is, there is no guarantee that it would be affordably priced. Many studio and one-bedroom apartments are expensive—size alone is not an indicator of rent that would be charged.

At a minimum, (1) short term rentals should be regulated so they don't cause problems for the neighbors and this text amendment should not be passed without those regulations in place; (2) historic neighborhoods should be protected from degradation from ADUs; (3) there should be some provisions to deter investors from buying up homes and converting them to rentals (which drives up the cost of all housing); (4) the proposed text amendment needs to be evaluated in terms of its likely impact on the housing supply. If it won't make a meaningful contribution to the housing supply, then it should be reconsidered in that light.

(3) Reduction in Required Parking:

The proposed reduction in affordable and multi-family parking (1.25 parking spaces per unit) would mean fewer parking places per unit are provided than is currently required for any apartment units of any size, including studios (which are 1.3 parking spaces/unit). It is unclear why this is being considered. Is it because existing parking lots and garages for apartments are largely empty? Are there statistics showing that the number of vehicles per apartment unit is declining and that is the justification? It would be useful to see and analyze these statistics.

This proposed reduction would apply to luxury apartments as well as more affordable apartments-- everywhere, not simply near light rail. Does this mean that affluent people have gotten rid of their vehicles to ride buses and

bicycles and walk to their destinations? Given the increasing amount of traffic in Phoenix, I would be surprised if that were the case.

The 1.25 parking spaces/unit is a maximum number of parking spaces under the proposed text amendments. In affordable housing located anywhere, for all multi-family units in infill areas and near light rail, those numbers decline by a minimum of 40% and a maximum of 100% for affordable housing in areas subject to the Walkable Urban Code.

These reductions in parking spaces either assume that everyone is taking alternative transit and walking or that there is sufficient street parking for the vehicles for which there is reduced or no on-site parking provided. These vehicles would be parking on the same residential streets that now also have extra vehicles on them from ADUs, for which no additional parking spaces have been required.

Essentially, this would create the same reality faced by people in major midwestern and eastern metropolises where parking spaces are in short supply. In those cities, finding a parking space is a daily grind, and people have to walk blocks from their vehicle to their home, carrying groceries, pets, children, packages, etc. Key differences between Phoenix and those cities are: (1) Phoenix is a city largely without sidewalks, so there would be more pedestrians walking in residential streets that are narrowed from cars parked on both sides of the street, while facing increased traffic from drivers looking for someplace to park; and (2) Phoenix typically has almost 100 days of triple digit temperatures. Unlike most midwestern and eastern cities, Phoenix does not have mass transit that makes it easy to get around the city and doesn't have the weather, traffic, or infrastructure that makes it safe to bicycle or even walk year around. If I didn't have a car to drive to this meeting from my house at about 3rd Street and Bethany Home Road, it would have taken me 52 minutes – including 24 minutes of walking and 28 minutes on the bus—assuming that the buses were on time. Driving, it took 10 minutes and I daresay I arrived smelling fresher.

Reducing parking for affordable housing to zero ignores the many persons in affordable housing who have disabilities and cannot walk very far. Parking blocks from their apartment is not an option for those with

health or mobility problems, nor is walking several blocks to get on a bus or rapid transit. They need onsite parking.

This proposed reduction of parking spaces would only work if coupled with a plan to help people to travel in Phoenix without cars. This text amendment alone does not achieve this. Otherwise, it appears the only ones who would benefit from this text amendment would be apartment developers and their shareholders who could increase the number their apartment units without having to pay for adequate parking. There is no provision to require them to pass their cost savings on to their tenants in reduced rents or to compensate the neighbors for the traffic and safety problems and inconvenience created by the additional vehicles parked on the street.

Additionally, this text amendment does not address providing charging stations for electric vehicles in multifamily housing. Surely this would be the time and place to address this.

(4) Mobile Homes: I am not clear whether the AVPC is addressing the mobile home text amendments as they aren't on this agenda. I would hope that there would be a presentation on this as the text amendments are complex. Or did I miss the presentation?

Thank you for this opportunity to share our neighborhood association's concerns.

Jackie Rich
President, Murphy Trail Estates Neighborhood Association
June 27, 2023

FROM : Robert Maynard

SUBJECT : Parking space

MESSAGE : I just read where the city council will vote to reduce parking spaces for apartments in various parts of the city. I am very much against this. Parking is an issue around this city all the time. Look around any school and the residential neighborhoods where the neighborhood, is inundated with students, and parents cars. Try finding a parking spot in uptown plaza on the weekends and holidays.
Overall it is a very bad idea. It would have been a good idea if done in the 60s or early 70s but not now.

Thank you for your public service on the council,
Robert Maynard
524 W. Why Worry Lane
Phoenix, 85021

Email : maynard198@cox.net

AREA : 602

PHONE : 9976640

ADDRESS : 524 W. Why Worry Lane

CITY : PHOENIX

STATE : AZ

ZIP : 85021

Submission ID: 53d14aade3b24416acf98b1c660f80cb

Form Submission On : 7/18/2023 12:24:07 PM

Referer: <https://phoenix.gov/district3/contact-district-3>
This is Not Spam. This message is sent on behalf of the City of Phoenix.
Please handle appropriately.



1 August 2023

Chair and Commissioners
Planning Commission
c/o City of Phoenix, Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, Arizona 85003

RE: TA-5-23 (ADUs); TA-8-23 (Affordable and Multi-Family Housing parking reductions)

Mr. Chairman and Commissioners:

Attached with this letter is a correspondence the Neighborhood Coalition (NCGP) sent to all Village Planning Committees (VPCs) in July regarding the subject text amendments.

NCGP representatives presented on the subject at ten of the 15 VPCs.

Planning and Development submitted to you an addendum to the ADU text amendment. While we appreciate the effort to improve the TA, the changes have yet to be aired so we wish for a more fulsome public discussion before embracing the changes suggested.

We continue to stand by our recommendations—amending the ADU TA to improve the clarity of its impact on historic preservation districts, special planning districts and overlays, and HOAs and CC&Rs. We also think managing short term rentals (STRs) deserves a greater inspection.

We also believe that the proposed parking reductions to affordable and multifamily housing projects warrant substantial amendments to be considered viable on a citywide basis. Indeed, nine of the 15 VPCs voted to deny the reduced parking text amendment as presented to you.

Please consider the recommendations NCGP has offered you for both TAs.

Respectfully,

Neighborhood Coalition of Greater Phoenix members and friends

att.



11 July 2023

Chair and Committee Members
Desert View Village Planning Committee
c/o City of Phoenix, Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, Arizona 85003

RE: TA-5-23 (ADUs); TA-8-23 (Affordable and Multi-Family Housing parking reductions)

Chair and Committee members:

The Neighborhood Coalition of Greater Phoenix is registered with the Corporation Commission of the State of Arizona and has continuously been a member in good standing since 1984. Our members are from neighborhoods across the City of Phoenix.

Background

We understand that our nation is facing a housing shortage and that Arizona and Phoenix have not been spared from this shortage. NCGP members believe it falls upon all of us to help provide relief and a sustainable path forward.

In that spirit, members of the NCGP working group gathered to review and discuss the proposed subject text amendments the City has anticipated to address our housing shortage.

2023 Arizona Legislative Session

This year's session saw several housing bills make their way through the Legislature without success. Indeed, NCGP, its members and our partners across the Valley and the state were active in seeking 'no' votes from elected representatives. Ultimately, the bills were either voted down decisively, on a bipartisan basis, or they failed to make their way to the floor of either Chamber.¹

¹ Senate bill SB1117 was denied in the Senate on a bipartisan vote, failing 20 to 9 in March. The bill was then broken into 3 separate bills: HB1161, HB1163 and SB2536. On the final day of voting in June, SB2536 was defeated on a bipartisan basis, 19-10. HB1161 and HB1163 failed to get a vote on the House floor, ending the bill sponsor's push for so-called 'zoning reform.'

We provide this information to let VPC members know that all the text amendments coming through committees in the last several months--and now this month—can claim origins from the bills at the state legislature that we are intimately familiar with.

Z-TA-5-23 (Accessory Dwelling Units or ADUs)

Many of us think that ADUs can have a positive impact on the housing supply in our city. Yet, we believe that there are several elements of the proposed TA that require additional scrutiny. These are our comments and suggestions.

I. Historic Preservation and other Special Planning/Overlay Districts:

We have great concern that the TA as presented will create confusion and contention between this ordinance and the ordinances that govern properties of historic significance. Z-TA-5-23-Y must state that for historic properties, Chapter 8 of the Zoning Ordinance takes precedence over the design review standards for ADUs. Specifically, the proposed language states:

"(c) DWELLING UNITS ON LOTS ZONED OR DESIGNATED HP ARE EXEMPT FROM THE PROVISIONS OF SECTION 8.5, SO LONG AS THE PLANS ARE REVIEWED AND APPROVED THROUGH HISTORIC PRESERVATION PRIOR TO ISSUANCE OF ANY BUILDING PERMITS."

The phrase "so long as..." is imprecise and doesn't make it clear that ADUs in historic districts MUST be reviewed by the HP Office. The proposed language is subject to misinterpretation that a project may EITHER be approved by the HP Office OR incorporate the Design Guidelines of Section 8.5 of the TA.

To make it clear that ADUs in historic districts must have HP approval, we suggest the following language:

"Dwelling units within a historic district and/or with HP or HP-L zoning overlay are subject to review by the City of Phoenix Historic Preservation Office pursuant to Article 8 of the Zoning Ordinance. In the event the provisions of Section 8.5 herein, or other ordinance or regulations are inconsistent with Article 8 of the Zoning Ordinance (Historic Preservation), Article 8 shall have precedence."

We also believe the proposed TA Section 702.F.1(b) (Special Parking Standards), likewise does not make it clear that HP approval is REQUIRED for the addition of parking to the front of a historic property (widening of driveways and curb cuts, etc.), and the language should be strengthened. The proposed language states:

"Spaces in excess of those required for single family and duplex residential uses may be located in the required front yard. However, all parking and maneuvering areas within the required front yard shall not exceed forty-five percent (45%) 50% OF THE AREA OF THE REQUIRED FRONT YARD, EXCEPT THAT A DRIVEWAY SHALL NOT BE REQUIRED TO BE LESS THAN 18' IN WIDTH UNLESS OTHERWISE STIPULATED BY HISTORIC PRESERVATION."

We think stronger language is needed to ensure that Historic Preservation regulation takes precedence over the ADU ordinance by deleting, "Unless otherwise stipulated by Historic Preservation", and adding the following sentence:

"Any and all changes to driveways, parking and maneuvering areas within a historic district and/or with HP or HP-L zoning overlay are subject to review by the City of Phoenix Historic Preservation Office pursuant to Article 8 of the Zoning Ordinance. In the event the provisions of Section 702.F.1 herein, or other ordinance or regulations are inconsistent with Article 8 of the Zoning Ordinance (Historic Preservation), Article 8 shall have precedence."

Third, the proposed amendment Section 706.A.3.b (Accessory Dwelling Units (ADU)) is also worded in such a way that makes HP approval seem optional.

The proposed language states:

"b. A DETACHED ADU, WHEN VISIBLE FROM ADJACENT STREETS, SHALL BE CONSTRUCTED WITH SIMILAR AND/OR COMPLEMENTARY MATERIALS, DESIGN, AND COLOR(S) AS THE PRIMARY DWELLING UNIT, OR AS MAY BE APPROVED BY HISTORIC PRESERVATION FOR HP ZONED OR DESIGNATED PROPERTIES. (P)"

Instead of using the imprecise phrase, "or as may be approved", the language should be strengthened as follows to make it clear HP approval is REQUIRED for historic properties:

Delete the phrase "or as may be approved by Historic Preservation..." and add the following sentence:

"A detached ADU within a historic district and/or with HP or HP-L zoning overlay is subject to review by the City of Phoenix Historic Preservation Office pursuant to Article 8 of the Zoning Ordinance. In the event the provisions of Chapter 7, Section 706.A.3.b herein, or other ordinance or regulations are inconsistent with Article 8 of the Zoning Ordinance (Historic Preservation), Article 8 shall take precedence."

II. Parking for ADUs

We agree that the amount of the front yard that can be allowed for parking needs to increase from 45% to 50% for parcels that are approved for an Additional Dwelling Unit. We also know, based on experience, that on-street parking will become more frequent.

To ensure that property owners in proximity to a property with an ADU is not inconvenienced or that use of their property is not diminished, on-street parking should be regulated. Please note that homes subject to Historic Preservation, Special Zoning and Overlay Districts are still subject to whatever specific regulation(s) applies to those properties per the first consideration in this position statement.

Combining on-site and on-street parking concerns, the regulation should read:

“A minimum of 1 parking space shall be available either on-site with adherence to Section 720.F.1 as amended to 50% of the front yard, or on-street parking that must only be in front of the subject property unless the property is a corner lot and side-street parking is possible.”

Consideration should also be given to adding language to ensure visibility triangles are maintained.

III. Short Term Rental

We appreciate the addition of the paragraph in the revised TA requiring a Restrictive Covenant but do not feel it is strong enough to meet the City’s goal of increasing affordable housing supply for permanent residents. As currently worded, the Restrictive Covenant will preclude investors who own residential property from applying for an ADU, but it does not prevent an owner-occupied property from renting an ADU on a short-term basis. The consequence will have a negative impact on affordable housing for first time renters (e.g., college-aged adults), and temporary workers (e.g., traveling nurses), among others.

The Restrictive Covenant paragraph should be revised to add the regulation that ADUs, if rented, must be for a term of no less than thirty (30) days. The current City of Flagstaff ordinance states:

(a)The property owner, which includes title holders and contract purchasers, shall occupy either the primary dwelling unit or the ADU as their principal residence, unless the primary dwelling unit and ADU are allowed to be separately leased or rented in accordance with subsection G of this Section.

(b)The primary dwelling unit or the ADU that is not occupied by the property owner that is rented or leased shall be for a period of no less than 30 days.

IV. Homeowners’ Associations/ CCRs

The proposed TA does not address coordination with Homeowners’ Associations or Covenants, Conditions and Restrictions. By law, these contracts must be honored in addition to municipal codes and ordinances. This TA should state that applicants for ADUs must comply with HOA and Covenants, Conditions and Restrictions in addition to the provisions of the ordinance.

Z- TA-8-23 (Affordable and Multi-Family Housing parking reductions)

We understand the desire to relieve what developers perceive as parking ‘constraints.’ We generally believe, however, that a ‘one size fits all’ approach to parking reductions does not reflect a thoughtful approach for a city of 517 square miles.

Any reduction in the current parking space calculations for multi-family housing, in any district and any price category, will put the burden of parking on public streets throughout the city. Therefore, any revisions to the current ordinance need careful consideration.

We believe this TA is being rushed through the approval process without such diligence. With the goal of working together to find suitable solutions, we make observations and propose revisions to the current ordinance as follows:

I. Parking space calculations for multi-family developments should only be based on proximity to currently available transportation options. They should never be based on the rental rates of the units (i.e., luxury, affordable, market rate, low-income/subsidized). It is discriminatory to believe that people who live in lower-priced housing do not have or do not want personal vehicles.

II. Because of the cost of apartment rentals, more units of every size are being shared by two or more people, oftentimes housemates rather than couples. Expecting that no occupant will have a car, even in TODs and WU code areas, is not based on empirical data.

III. Reducing the on-site parking requirements for multi-family housing might be appropriate for residents living in the Downtown Core, Transit Oriented and WU Code districts, yet it is not acceptable to residents living outside of those districts.

Phoenix is the second largest city by area in the United States. Because of the lack of convenient, reliable public transportation in every Phoenix Village outside of downtown and within walking distance of light rail, residents depend on personal vehicles to go to work, to the grocery, and to the entertainment venues clustered in downtown.

Those residents who do not live downtown will also need parking to continue enjoying all that downtown has to offer. If all the street parking is taken by downtown residents, commuting patrons will be deterred from attending events.

IV. Include a requirement that visibility triangles must be maintained.

A. Reducing on-site parking to encourage more density with potentially small front and side setbacks could lead to encroachment on the visibility triangle that is a necessity to ensure safety.

V. City-wide Multi-family Parking Requirement

A. The base parking space requirement should be 1.5 spaces per dwelling unit.

- i. This simplifies the calculation instead of calculation based on size of DU
- ii. Maintains the current requirement as the most frequently built size of unit (1-2 bdrm)
- iii. Averages the current requirements (1.25/efficiency; 1.5/1-2 bdrm; 2/3 bdrm)

iv. It should not be less than the current efficiency DU requirement

VI. Citywide Affordable housing Parking Reduction

- A. Delete this provision because it does not consider proximity to alternative to personal vehicle modes of transportation.

VII. Infill Development District Parking Reduction

- A. Delete the calculations entirely
- B. Use 10% bonus density incentive

VII. Walkable Urban (WU) Code affordable housing parking requirements

- A. Required parking should never be “zero”
- B. Parking for handicapped residents should always be required and maintained
- C. It should not be expected that residents living in affordable housing in the areas of the WU Code will not have personal vehicles
- D. It should not be expected that residents living in affordable housing in the areas of the WU Code will never have a guest with a personal vehicle

IX. Passenger Loading Zones within WU Code

- A. Also require parking of service vehicles (e.g., repair technicians) that require more time than the other stated examples
- B. Also require parking for renter move-in/move-out vehicles that require more time than the other stated examples

Process: Lack of neighborhood outreach

In a June 1, 2023, staff report to the City of Phoenix Planning Commission, PDD staff wrote:

Staff obtained input from various stakeholders and held four meetings to review and request additional input on the proposed text amendment. Stakeholders included individuals from the following organizations:

- *Manufactured Housing Communities of Arizona (MHCA)*
- *Manufactured Housing Industry of Arizona (MHIA)*
- *Arizona Department of Housing Board of Manufactured Housing Member*
- *Affordable Housing/Private Developers*
- *Arizona State University, Real Estate Development*

While we understand that staff feels the need to reach out to industry representatives to understand their position, so, too does staff need to reach out to citizens and neighborhoods to understand the issues of the vast swaths of residents who will be impacted by these proposed sweeping changes to our housing stock.

Does the City of Phoenix think that simply vetting these proposals—changes that can have a vast impact on the existing population—should only be presented to VPCs?

Clearly, some VPCs took issue with the speed and confusion of the proposals of the initial two text amendments when they were presented. It appears six of 15 VPCs did not meet quorum on the first go-around; yet another VPC did not meet quorum last night.

We ask: How can vast changes to the entire city be vetted by, perhaps, 150 people or less?

Next steps: Approve our recommended amendments

We have pored over these proposals to identify the gaps and looked ahead to stave off unintended consequences. We've shared those with you here. Simply approving what's been presented in your packet would be to ignore the serious concerns we've presented without rectifying those issues.

The Neighborhood Coalition looks to make these TAs the strongest and most applicable they can be. We would be disappointed if members simply approved the proposals "as is" because we don't want to see this opportunity squandered for the sake of speed, with all of us missing out on something that can truly help our city now and in the future.

Respectfully,

Neighborhood Coalition of Greater Phoenix (NCGP)

Neal Haddad, President, NCGP; Arcadia Osborn Neighborhood Association

B. Paul Barnes, Vice President, NCGP; AZ APA Distinguished Citizen Planner; former CEVPC chair

Mary Crozier, President, North Central Phoenix Homeowners Association

Sandy Grunow, Co-Chair, Mid-Century Modern Neighborhood Association

Dave Jackson, President, Rancho Ventura Neighborhood Association

Jack Leonard, architect, AIA, NCARB, LEED AP; 2015 General Plan update committee;

former Camelback East and Encanto Village Planning Committees

Michael Phillips, President, Arcadia Camelback Neighborhood Association

Jackie Rich, President, Murphy Trail Estates Neighborhood Association

Larry Whitesell, Co-Chair, The Peak Neighborhood Association

Racelle Escolar

From: jvrich@gmail.com
Sent: Tuesday, August 1, 2023 5:46 PM
To: PDD Planning Commission
Subject: Comments on Agenda Items 16 and 7 (Z-TA-5-23-Y and Z-TA-8-23-Y)

Dear Planning Commissioners,

I am writing this email to urge you to take your time in considering the proposed complex text amendments pertaining to Accessory Dwelling Units and Reduced Parking Requirements. Do not rush into a decision before you are comfortable that what you are acting on will not come back and bite you and the city of Phoenix at a later date.

These two text amendments will have a big impact on Phoenix and Phoenicians. They sprung from the Planning Department, were sent to the Village Planning Committees for their recommendations (all of whom are Council appointees), now you, also Council appointees, are considering them, and then finally, the Council will act on them. The public's opportunity to provide input was neither publicized or solicited. No neighborhood stakeholders were included in their development. While there were articles in the AZ Republic about the Accessory Dwelling Unit amendment as early as July 3, the first article on the parking reduction text amendment was on July 19, when all but 3 VPCs had already met and made recommendations. It is also worth mentioning that the agendas for the VPCs did not identify Z-TA-8-23-Y as reducing required parking although they identified the other amendment as allowing ADUs. Instead the agenda listed all the sections that needed to be changed so that someone looking at it would have no idea what that text amendment was actually about.

The only members of the public who have participated in the VPC meetings are people who serve on a different VPC, work for an industry that would benefit from these amendments, or neighbors and neighborhood groups who accidentally found out about the amendments. I have been to five VPC meetings, each of which lasted for as long as 3.5 hours, just to be able to speak for 2 minutes max on each text amendment. (Note, some VPCs allowed more time for members of the public to speak - just not the ones I attended.) At the meetings I attended, I was not allowed to ask questions. Following public comments, staff often offered a rebuttal to what members of the public said, and after that the public was ignored - no opportunity for any of us to answer questions that came up or to respond to incorrect information. It was frustrating.

I have other concerns about the VPC meetings. The packets that were sent to the VPC members online were well in excess of 200 pages. Some packets weren't sent out until after 3:30 pm the day of the meeting; some VPC members never received a packet; other VPC members received packets but didn't read them (perhaps because of lack of time or because of the length). There was a questionable email conversation about the text amendments that all VPC members were part of and which was potentially in violation of the Open Meeting Law that was referred to at a VPC meeting by several VPC members. Several of the VPCs did not have a quorum in June and so learned about the text amendments for the first time in July when they were expected to vote on them.

Some of the Planning Commission members are essentially in the same position as those VPC members who had the least amount of time to learn about the text amendments. They are hearing staff's presentation about these complex text amendments on the same night they are expected to vote on them. Your consideration of the text amendments will be late in the night after considering 13 other cases. How many hundreds of pages were in your packet? The text amendments alone are a lot of information to digest in an evening.

These text amendments are too important and consequential to be rushed through and there is no compelling reason to do so. I urge you to take your time and give these text amendments the time and attention that they deserve.

Thank you,

Jackie Rich
Murphy Trail Estates Neighborhood Association

Racelle Escolar

From: jvrich@gmail.com
Sent: Tuesday, August 1, 2023 5:55 PM
To: PDD Planning Commission
Subject: Comments on Agenda item 17: Z-TA-8-23-Y

Dear Planning Commissioners,
I am writing with regards to Z-TA-8-23-Y concerning reductions in parking requirements for multifamily housing.

First of all, I find it surprising that in Z-TA-5-23-Y, which would allow Accessory Dwelling Units, one covered parking space per dwelling unit is required, while for multi-family housing according to this text amendment, it is acceptable to have .5 parking spaces per unit or even zero.

The proposed reductions in required parking spaces may work in some parts of town where light rail is nearby, where stores and services are nearby, and in seasons when the temperatures are moderate. However, it is difficult to imagine that residents living in parts of the city like Laveen, Desert View, Estrella Mountain, Ahwahtukee, in neighborhoods that are miles from light rail or convenient, reliable bus service will benefit from the proposed reduced parking requirements. Taking away required parking will not reduce vehicle ownership. It will mean that apartment residents must park in the streets and walk to and from their cars. On street parking is less convenient, less safe, less secure than parking in an apartment complex.

It is also difficult to imagine that living within a quarter mile of the light rail would allow people who live in affordable housing to go entirely without cars and justify zero required parking. A quarter mile is a long way to walk in extreme heat even for young people in good health. It would be more arduous for everyone else, particularly people who are disabled with mobility problems. There is a reason that ADA parking spaces are the ones that are closest to entrances to stores and offices - persons with mobility issues can't move very far - certainly not a quarter of a mile to get on light rail.

In addition, there are very few grocery and other retail stores, doctors' offices, and other services that are located along the light rail. Relying on Light Rail also can limit where one can work, as some jobs require the mobile flexibility that, at this time, only a car can provide.

It has been argued by affordable housing providers that people living in affordable housing don't have cars and their parking lots are half empty. That isn't true, which you can check out by looking at street view on Google maps. It has been argued that developers will provide more parking than the requirement if that is in the best interest of their prospective tenants. My experience as a neighbor engaged in land use decisions for more than 20 years, is 9 out of 10 developers will meet the minimum requirements and not go beyond them in order to maximize their profits. Only the rare developer cares about creating a quality development that benefits the tenants and the neighborhood.

Thanks to the recently adopted Prop 400 that will be going on the ballot in November, there is no funding allocated to expanding the light rail system. So in our best case scenario and Proposition 400 is passed, the light rail will not, in the foreseeable future, serve the communities on the edge of Phoenix. If this is all the light rail there will be, do the proposed reductions in parking requirements in this text amendment still make sense?

Thank you,

Jackie Rich
Murphy Trail Estates Neighborhood Association



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: August 30, 2023

From: Joshua Bednarek 
Planning and Development Director

Subject: CONTINUANCE OF ITEM 70 ON THE SEPTEMBER 6, 2023, FORMAL AGENDA
- PUBLIC HEARING - AMEND CITY CODE - ORDINANCE ADOPTION -
PARKING REDUCTIONS FOR MULTIFAMILY DEVELOPMENTS - Z-TA-8-23-Y
(ORDINANCE G-7161)

Item 70, Z-TA-8-23-Y is a request to amend Chapter 2, Section 202 (Definitions) to add definitions for affordable housing, passenger loading space, passenger loading zone, and revise parking space, unreserved; amend Chapter 6, Section 608.J (Density Bonus For Low or Moderate Income Housing); amend Chapter 7, Sections 702.C (Parking Requirements) and Section 702.E (Modifications to Parking Requirements); and amend Chapter 13, Section 1307 (Parking Standards) to modify the parking requirements for multifamily, single-family attached, and affordable housing, and add requirements for passenger loading zones.

The Planning and Development Department requests the text amendment be continued to the November 1, 2023, City Council Formal meeting to allow it to be heard by the City Council, Transportation, Infrastructure and Planning (TIP) Subcommittee on October 18, 2023, before returning to City Council Formal.

Approved: 
Alan Stephenson, Deputy City Manager



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: October 25, 2023

From: Joshua Bednarek 
Planning and Development Director

Subject: CONTINUANCE OF ITEM 82 ON THE NOVEMBER 1, 2023, FORMAL AGENDA - PUBLIC HEARING - AMEND CITY CODE - ORDINANCE ADOPTION - PARKING REDUCTIONS FOR MULTIFAMILY DEVELOPMENTS - Z-TA-8-23-Y (ORDINANCE G-7161)

Item 82, Z-TA-8-23-Y is a request to amend Chapter 2, Section 202 (Definitions) to add definitions for affordable housing, passenger loading space, passenger loading zone, and revise parking space, unreserved; amend Chapter 6, Section 608.J (Density Bonus For Low or Moderate Income Housing); amend Chapter 7, Sections 702.C (Parking Requirements) and Section 702.E (Modifications to Parking Requirements); and amend Chapter 13, Section 1307 (Parking Standards) to modify the parking requirements for multifamily, single-family attached, and affordable housing, and add requirements for passenger loading zones.

Staff provided an overview of the text amendment to the City Council Transportation Infrastructure and Planning (TIP) Subcommittee on October 18, 2023. Staff also provided the Subcommittee a summary of the feedback and recommendations received during the public review process. In response to the feedback and recommendations staff presented several changes to the text amendment language for the Subcommittee's consideration. Changes included modifications to the proposed parking standards for multi-family development citywide, an adjustment to the parking standard for properties with Walkable Urban Code zoning and the introduction of new reduction provisions for projects serving special needs populations.

The Subcommittee recommended approval of the proposed changes to the text amendment by a 3-1 vote and directed staff to meet with all City Council members to discuss the changes prior to the text amendment returning to the City Council Formal meeting for action. In order to provide sufficient time to engage with each of the City Council members, finalize language for the proposed text changes and meeting notice requirements, staff requests the text amendment be continued to the January 24, 2024, City Council Formal meeting.

Approved:


Alan Stephenson, Deputy City Manager



Consideration of Citizen Petition by Jerry Carlton

This report provides the City Council with information in response to the citizen petition submitted by Mr. Jerry Carlton at the Dec. 13, 2023 Formal Meeting.

Summary

The attached document (**Attachment A**) was submitted to the City Council regarding a request to adopt a City Ordinance 1) prohibiting the acquisition of additional park land if any park property were to remain undeveloped after five years, and 2) requiring the Parks and Recreation Department to re-convey title of park property back to the original owner for a nominal value if it remains undeveloped for 10 years.

The City Council may direct staff to propose an ordinance incorporating the first request. The second request affects the Parks and Recreation Board's Charter authority to manage park property. The City Council cannot adopt this request without the Parks and Recreation Board's concurrent approval. Presently, the City Council may only direct staff to put this request on the Parks and Recreation Board's agenda.

After reviewing both requests, staff recommends the City Council decline to take any action for the reasons stated below.

The Department's ability to construct and operate parks throughout the City is dependent on various factors, including the availability of funding, the availability of potential preserve or park land on the market, and other factors outside the City's control. When potential park or preserve land becomes available for purchase or donation, the Department will try to acquire such property before the land goes off the market again. Forcing the City to develop park land after five years will force the Department to forgo the opportunity to acquire additional park or preserve land when it becomes available. This will affect future Phoenix residents' access to parks and preserves. For that reason, staff recommends the City Council take no action regarding the first request.

The second request would also negatively impact the Parks and Recreation Department's ability to provide valuable open space and recreation opportunities for the community. Rather than constructing parks based on careful planning based on

community outreach and growth patterns, this request will force the construction of parks based on an arbitrary deadline instead of rational planning. For that reason, staff recommends the City Council take no action regarding the second request.

Responsible Department

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

ATTACHMENT A

2023 DEC 13 PM 5:43
CITY CLERK DEPT.

Rogers Ranch Residents Committee

C/O Vision Community Management
16625 S. Desert Foothills Parkway
Phoenix, AZ 85044

December 13, 2023

To: City of Phoenix, Mayor Gallego, Vice Mayor Ansari and City Council
Parks & Recreation Board and Staff

Re: 1. Our Prior Petitions Have Been Ignored
2. Our December 13, 2023 Petition

After we Petitioned City Council during earlier meetings, we were advised by a member of the City Manager's Staff that the City Council would not act upon our Petition. It is claimed that only the Parks & Recreation Board has jurisdiction over issues of ownership of Park lands.

The Phoenix City Charter provides only for filing Citizen Petitions by submitting them in writing during a General Session of the City Council. It is not possible to submit a Charter authorized Petition to the Parks & Recreation Board. Therefore it is not possible to require the City to respond within 15 days to that Petition. We believe that the prior Petitions were validly filed. We insist that they be considered and addressed as required by the Charter.

Second, we Petition the City to adopt a new ordinance addressing the acquisition or sale of any properties designated or intended for use as a Park when that Park property will be adjacent to a public school.

Background: From 1990 to 2006 the City of Phoenix at least six acquired properties designated for use as a Park which are immediately adjacent to District school properties all of which remain dormant and have never been developed as Parks. Those dormant Park properties are concentrated in Districts 7 (Rogers Ranch Park property) and District 8 (at least five and possibly six properties).

Vacant Park lots are a blight on the communities that they are supposed to serve. They present both health hazards and fire hazards. Vacant Park properties adjacent to schools are intended to be used in conjunction with the school

properties for the benefit of the schools and the communities. When the City cannot appropriate funds needed to build those Parks, the schools and the communities they serve suffer.

The City should adopt an ordinance providing as follows:

Dormant Parks Properties Ordinance

“1. If at any time the City owns any property designated for use as a Park which it has failed to develop into a Park within 5 years of taking title to the land, the City shall cease acquiring any further Park properties until all Land designated for use as a Park has been developed as a Park.

2. If at any time a City owned Property designated for use as a Park has not been used to construct a functioning Park within 10 years of taking title to or possession of the land, the City shall immediately deed that land back to the former property owner (or its assignee).

3. In consideration of the transfer of ownership of the land, the City shall be paid for the fair value of the Land. Since the Land can be used only as a Park and has limited value, the City shall be paid \$1 per acre for the land so transferred.”

Respectfully submitted on behalf of the residents who serve as Rogers Ranch Residents Committee.

Jerry Carlton, Phoenix Resident and Committee Chair

Cc: Rogers Ranch 2 Board and HOA Mgmt. Representative, Shawn Nurse