City of Phoenix

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

City of Phoenix

Agenda

Wednesday, November 13, 2024

2:30 PM

phoenix.gov

City Council Formal Meeting

*****REVISED November 12, 2024*****
Request to Continue: 74; Items with Additional Information Added: 75, 77-79

If viewing this packet electronically in PDF, open and use bookmarks to navigate easily from one item to another.

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=ef759a9260011ec6ffa56419da6b13c75

- 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 2553 580 8804# (for English) or 2557 635 9656# (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 2557 635 9656#. 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 2557 635 9656#). 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.

CALL TO ORDER AND ROLL CALL

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Attachment C - VPC Summary - Z-74-24-6.pdf
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Attachments

Item 75 - Back Up Memo.pdf
Attachment A - Draft Ordinance - Z-TA-2-24-Y.pdf
Attachment B - Staff Report - Z-TA-2-24-Y.pdf

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Item 77 - Back Up Memo.pdf
Attachment A - Draft Ordinance - Z-TA-3-24-Y.pdf
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*78 ***ADDITIONAL INFORMATION (SEE ATTACHED MEMO) *** Public Hearing and Ordinance Adoption - Rezoning Application Z-136-24-Y - Various Parcels within the Area Generally Bounded by Peoria Avenue on the North, State Route 51 on the East, South Mountain Avenue on the South, and 83rd Avenue on the West (Ordinance G-7321) - Citywide** Page 868

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Item 78 - Back Up Memo.pdf
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Attachment B - Staff Report - Z-136-24-Y.pdf
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*79 ***ADDITIONAL INFORMATION (SEE ATTACHED MEMO) *** Public Hearing - Amend City Code - Ordinance Adoption - Rezoning Application Review Timeframes and Written Protest Petition Exemption - Z-TA-8-24-Y (Ordinance G-7320) - Citywide

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Attachment A - Draft Ordinance - Z-TA-8-24-Y.pdf
Attachment B - Z-TA-8-24-Y - Staff Report.pdf

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

ADJOURN

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 1

For Approval or Correction, the Minutes of the Formal Meeting on February 21, 2024

Summary

This item transmits the minutes of the Formal Meeting of February 21, 2024, for review, correction and/or approval by the City Council.

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

Responsible Department

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 2

For Approval or Correction, the Minutes of the Formal Meeting on March 6, 2024

Summary

This item transmits the minutes of the Formal Meeting of March 6, 2024, for review, correction and/or approval by the City Council.

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

Responsible Department

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 3

For Approval or Correction, the Minutes of the Formal Meeting on March 20, 2024

Summary

This item transmits the minutes of the Formal Meeting of March 20, 2024, for review, correction and/or approval by the City Council.

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

Responsible Department

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 4

For Approval or Correction, the Minutes of the Formal Meeting on April 3, 2024

Summary

This item transmits the minutes of the Formal Meeting of April 3, 2024, for review, correction and/or approval by the City Council.

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

Responsible Department

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 5

Mayor and Council Appointments to Boards and Commissions

Summary

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

Responsible Department

This item is submitted by the Mayor's Office.

ATTACHMENT A

City of Phoenix

To: City Council **Date:** November 13, 2024

From: Mayor Kate Gallego

Subject: BOARDS AND COMMISSIONS – APPOINTEES

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

Human Services Commission

I recommend the following for appointment:

Jackie Castrellon
Ms. Castrellon is a Community Relations Program Manager at Salt River Project. She fills a vacancy representing Category III for a term to expire June 30, 2026.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 6

Liquor License - Coconut's Fish Cafe - District 2

Request for a liquor license. Arizona State License Application 309323.

Summary

Applicant
Jared Repinski, Agent

License Type
Series 12 - Restaurant

Location
7000 E. Mayo Boulevard, Ste. 1108
Zoning Classification: PUD PCD
Council District: 2

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

The 60-day limit for processing this application is November 15, 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 applicant does not hold an interest in any other active liquor license in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been representing liquor licensed establishments in Arizona for over 15 years."

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

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Coconut's Fish Cafe - Data
Attachment - Coconut's Fish Cafe - Map

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

Liquor License Data: COCONUT'S FISH CAFE

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	3	3
Beer and Wine Bar	7	1	1
Liquor Store	9	2	2
Restaurant	12	18	18

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	19.47	60.08
Violent Crimes	12.31	1.48	3.92

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

Property Violation Data

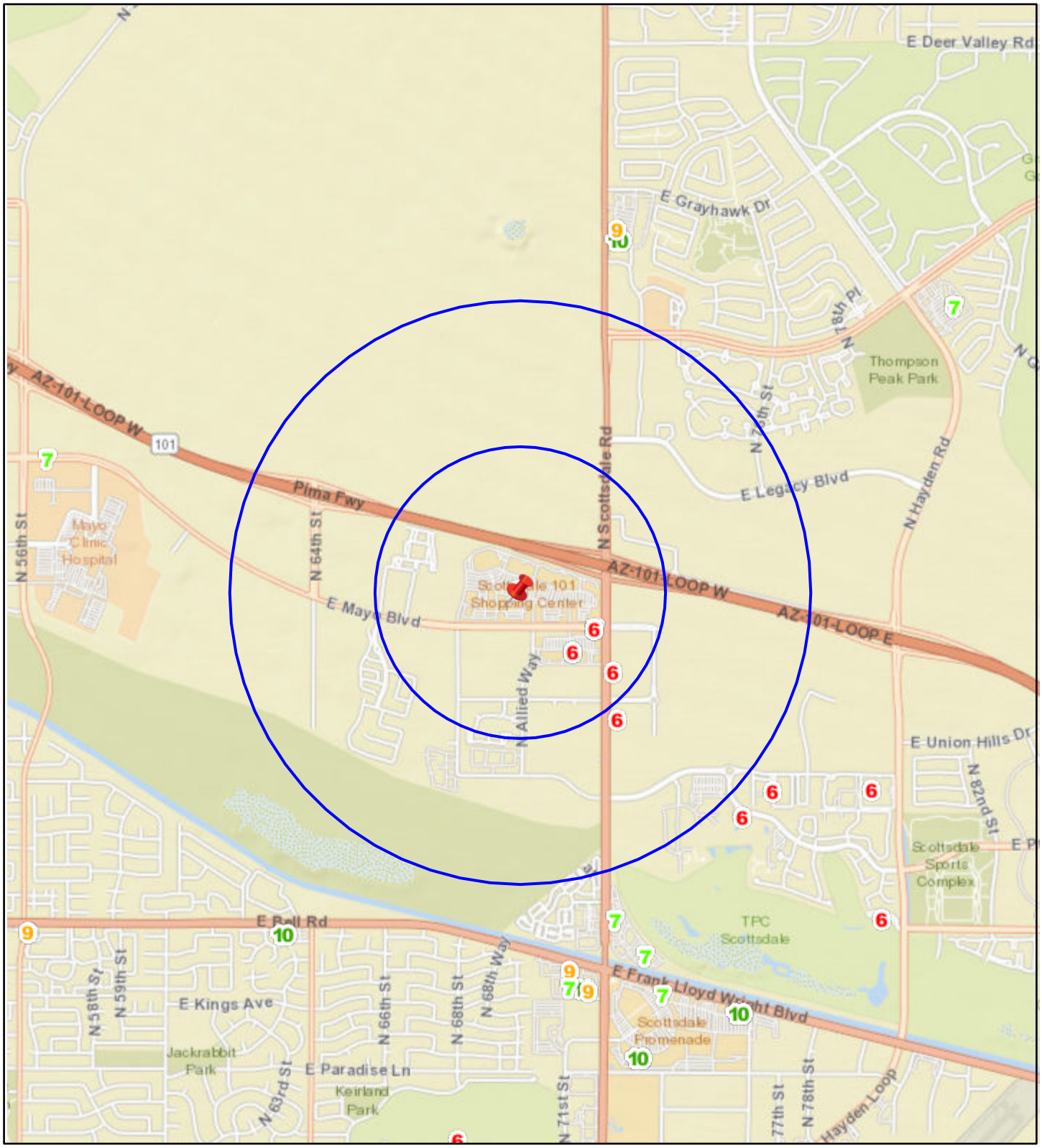
Description	Average	1/2 Mile Average
Parcels w/Violations	43	2
Total Violations	74	2

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
2168442	1681	50	43	4
2168452	694	23	38	8
6152001	1993	8	29	12
Average	0	61	13	19

Liquor License Map: COCONUT'S FISH CAFE

7000 E MAYO BLVD



N

Date: 10/31/2024

0 0.17 0.35 0.7 1.05 1.4 Miles

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 7

Liquor License - Rubio's Fresh Mexican Grill #57 - District 2

Request for a liquor license. Arizona State License Application 308096.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
4747 E. Bell Road, Ste. 17
Zoning Classification: PSC
Council District: 2

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

The 60-day limit for processing this application is November 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
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have owned several liquor licensed restaurants in Arizona and have an in State manager to run the day to day operation. I have not had any liquor violations. My manager is a resident of AZ to manager the location. The manager has current AZ liquor law training. Additionally, I will ensure that all employees are knowledgeable in AZ liquor laws required. The purpose of the restaurant is to serve food. The alcohol is only to compliment the food sales should a customer disire to purchase alcohol with their meal."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This is an existing restaurant currently meeting the needs of the community. There have been no changes to the existing restaurant other than the ownership. The business hours will remain the same. There will be no entertainment, games or drive-thru at the business. I am looking forward to being a business owner in the city of Phoenix and look forward to serving the community."

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 - Rubio's Fresh Mexican Grill #57 - Data
Attachment - Rubio's Fresh Mexican Grill #57 - Map

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

Liquor License Data: RUBIO'S FRESH MEXICAN GRILL#57

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	63.32	132.8
Violent Crimes	12.31	4.9	11.67

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

Property Violation Data

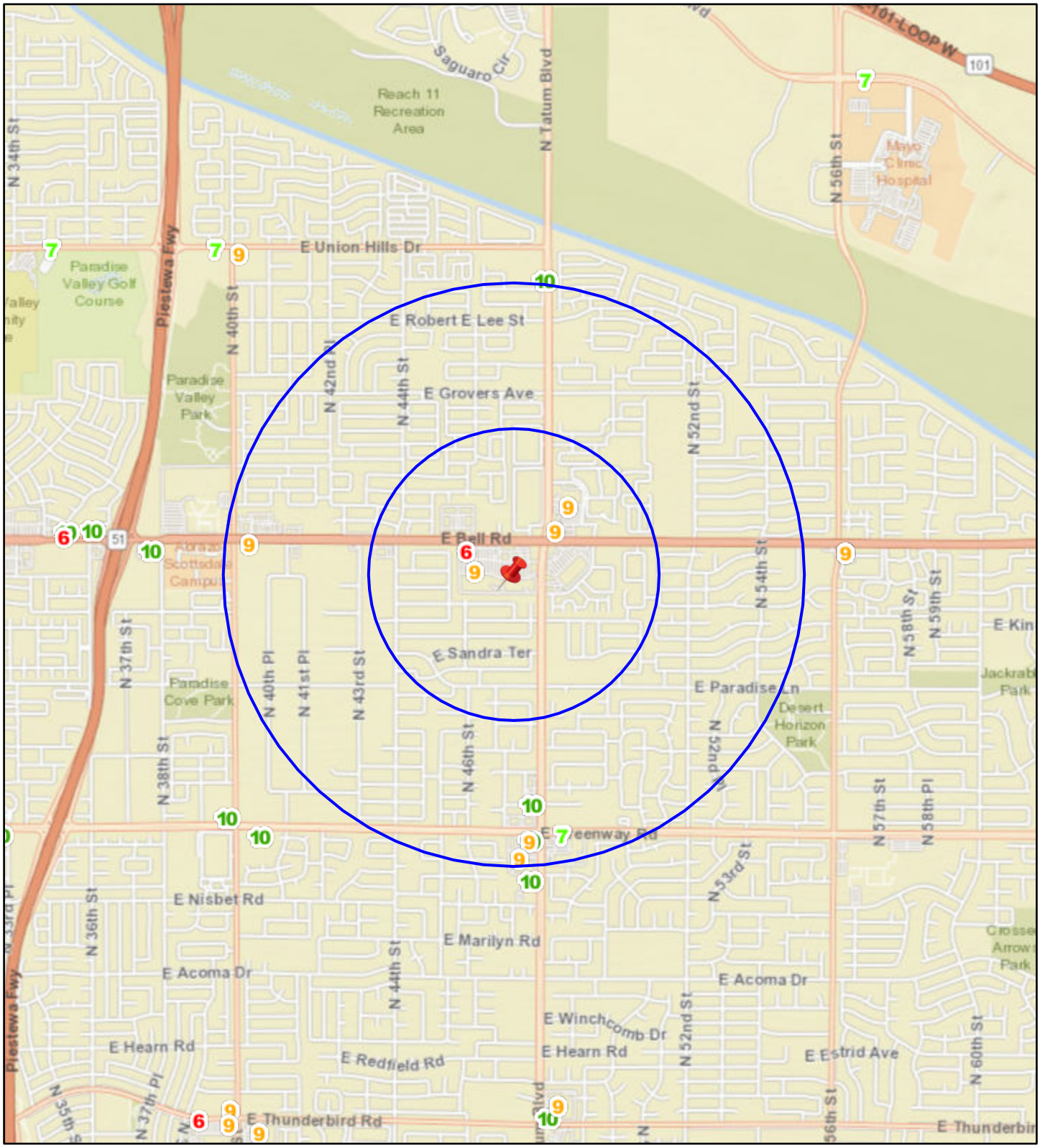
Description	Average	1/2 Mile Average
Parcels w/Violations	43	18
Total Violations	74	28

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1032151	1421	86	0	2
1032152	1418	91	18	4
1032163	1647	68	5	2
1032164	996	57	0	0
6198001	1043	95	8	2
6198002	1789	5	13	9
6198003	1556	82	0	5
6199002	1589	43	4	7
Average	0	61	13	19

Liquor License Map: Rubio's Fresh Mexican Grill #57

4747 E BELL RD



N

Date: 10/31/2024

0 0.17 0.35 0.7 1.05 1.4
Miles

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 8

Liquor License - Fire and Fury Brewing Company - District 3

Request for a liquor license. Arizona State License Application 306654.

Summary

Applicant
Michael Mathis, Agent

License Type
Series 12 - Restaurant

Location
13825 N. 32nd Street, Ste. 32
Zoning Classification: C-2
Council District: 3

This request is for a new liquor license for a restaurant. This location is currently licensed for liquor sales with a Series 3 - Microbrewery, liquor license and does not have an interim permit. This location requires a Use Permit to allow outdoor dining.

The 60-day limit for processing this application is November 16, 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.

Fire and Fury Brewing Company (Series 3)
13825 N. 32nd Street, Ste. 32
Calls for police service: 6
Liquor license violations: In March 2024, a fine of $500 was paid for producing less than 5,000 gallons of beer in a calendar year.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been in this industry for over 10 years. My brewery has been open for almost 3 years. I believe my knowledge through those years has prepared me for this license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"As a brewery we have been here nearly 3 years. We have rooted ourselves into the neighbor and maintain strong ties. This license will allow additional families/patrons the option to stay for more than the brewery."

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 - Fire and Fury Brewing Company - Data
Attachment - Fire and Fury Brewing Company - Map

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

Liquor License Data: FIRE AND FURY BREWING COMPANY

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Bar	6	2	0
Beer and Wine Bar	7	1	1
Liquor Store	9	5	0
Beer and Wine Store	10	5	1
Restaurant	12	3	2
Club	14	2	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	57.61	60.5
Violent Crimes	12.31	9.15	9.55

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

Property Violation Data

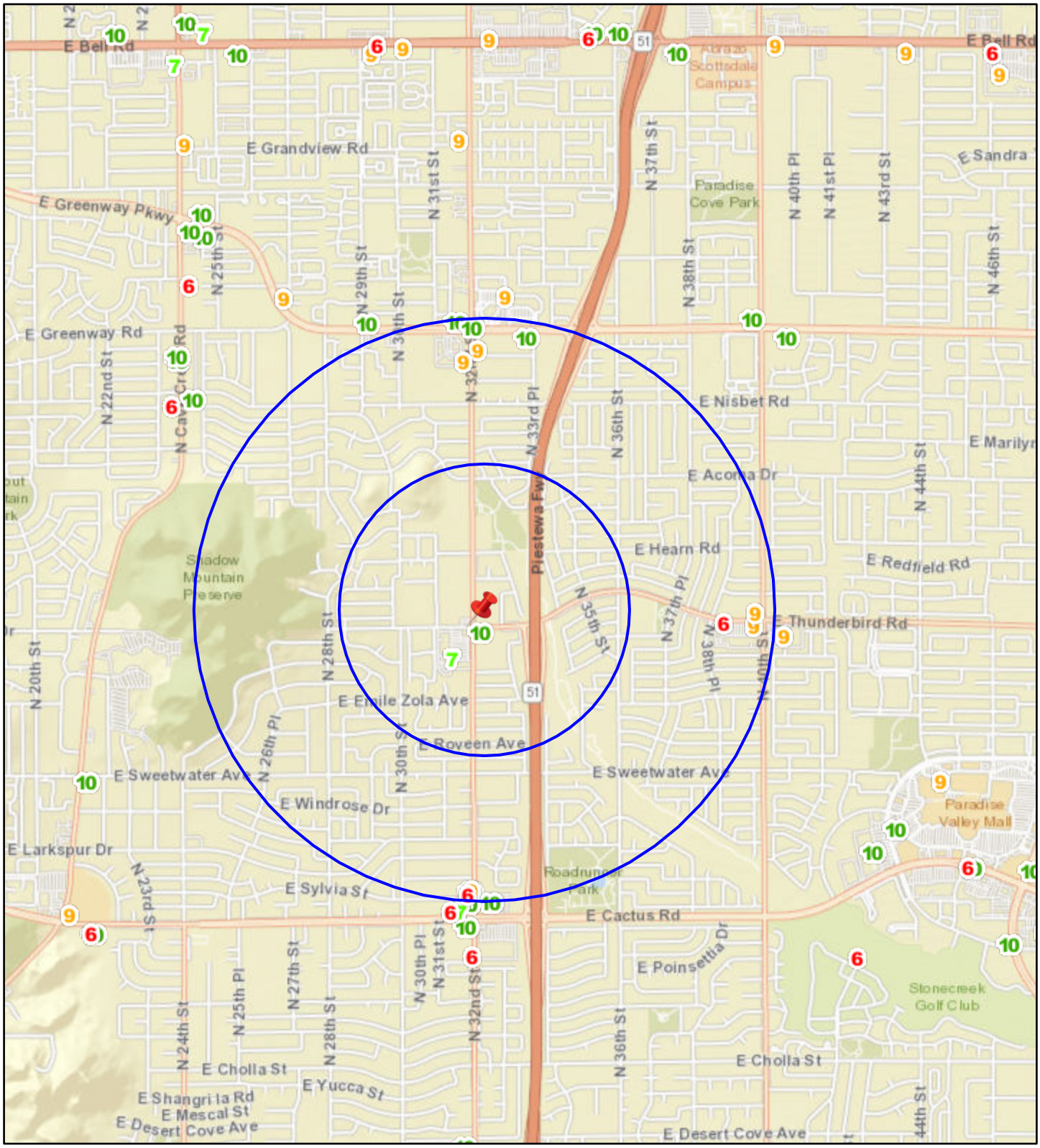
Description	Average	1/2 Mile Average
Parcels w/Violations	43	49
Total Violations	74	79

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1033021	1993	86	0	41
1033022	2862	83	0	4
1033023	1946	82	2	19
1034001	1544	82	0	6
1034002	1569	76	4	8
1035012	999	80	8	26
1035013	1038	66	0	40
1035021	1498	61	5	10
1035024	884	66	13	5
Average	0	61	13	19

Liquor License Map: FIRE AND FURY BREWING COMPANY

13825 N 32ND ST



N

Date: 9/27/2024

0 0.17 0.35 0.7 1.05 1.4 Miles

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 9

Liquor License - Special Event - Chatting with Char Char - District 4

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

Summary

Applicant
Kathleen Haley

Location
4626 N. 16th Street, Ste. 104
Council District: 4

Function
Community Event

Date(s) - Time(s) / Expected Attendance
November 24, 2024 - 10 a.m. to 3 p.m. / 40 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.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 10

Liquor License - The Larder & The Delta - District 4

Request for a liquor license. Arizona State License Application 307472.

Summary

Applicant
Jared Repinski, Agent

License Type
Series 12 - Restaurant

Location
2320 E. Osborn Road
Zoning Classification: C-1, P-1
Council District: 4

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

The 60-day limit for processing this application is November 18, 2024.

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

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

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

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

applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
“I have been representing liquor licensed establishments in Arizona for over 15 years.”

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.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 11

Liquor License - Mandarin Buffet - District 4

Request for a liquor license. Arizona State License Application 305998.

Summary

Applicant
Nai Ang Jiang, Agent

License Type
Series 12 - Restaurant

Location
1501 W. Bethany Home Road
Zoning Classification: PSC TOD-1
Council District: 4

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

The 60-day limit for processing this application is November 16, 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 applicant does not hold an interest in any other active liquor license in the State of

Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I am committed to upholding the best standards for alcohol sales. All our staff will be trained in legal and responsible sales."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Our business will offer guest a comfortable dinning experience."

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 - Mandarin Buffet - Data
Attachment - Mandarin Buffet - Map

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

Liquor License Data: MANDARIN BUFFET

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	299.25	662.63
Violent Crimes	12.31	41.85	47.66

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

Property Violation Data

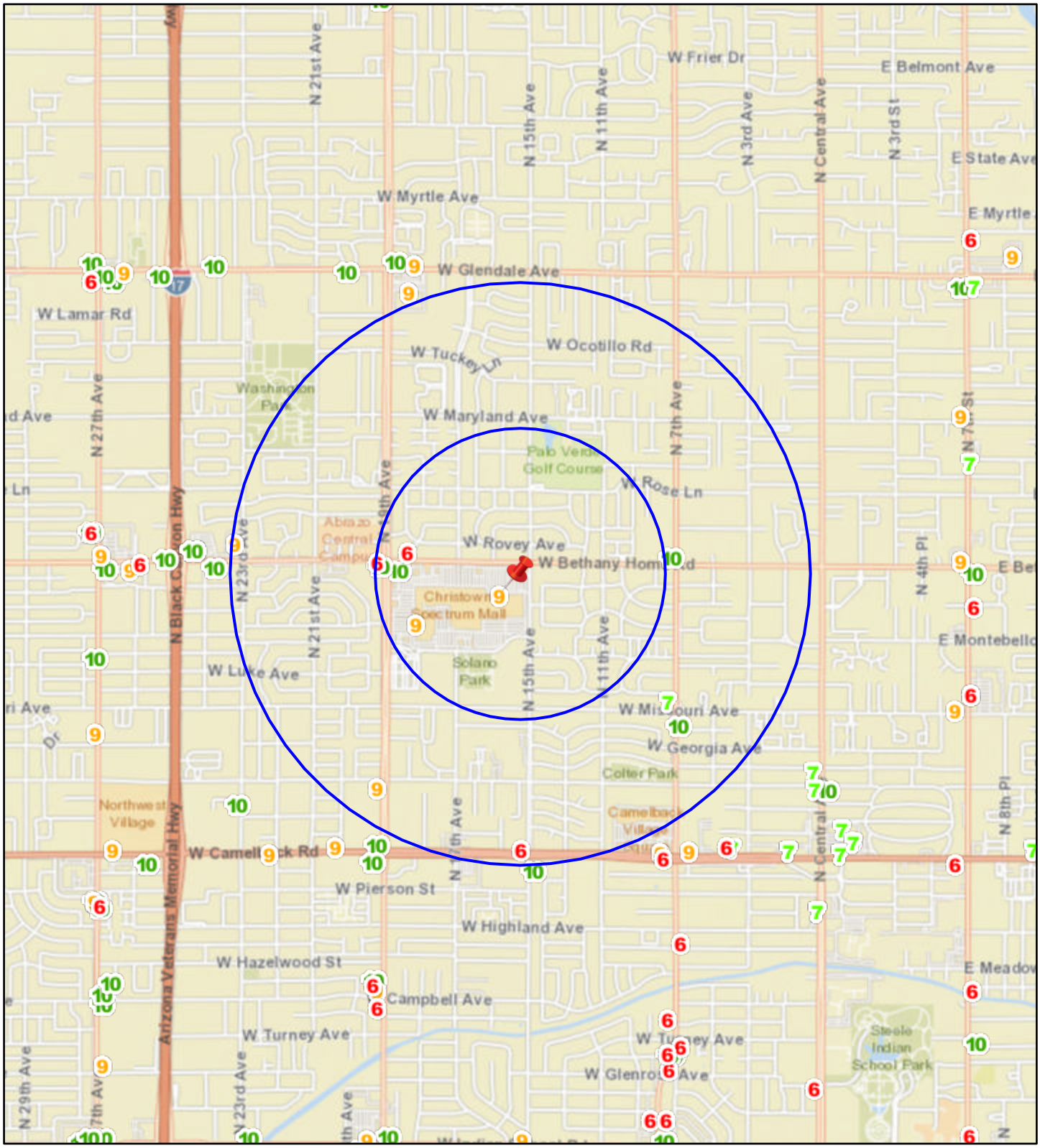
Description	Average	1/2 Mile Average
Parcels w/Violations	43	73
Total Violations	75	120

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1067031	1122	79	3	16
1067032	1120	92	0	4
1068023	1633	17	17	34
1073001	2203	79	3	6
1074001	1280	80	4	15
1074002	1009	62	7	16
1074003	839	0	6	56
1074006	2186	16	13	53
Average	0	61	13	19

Liquor License Map: MANDARIN BUFFET

1501 W BETHANY HOME RD



N

Date: 10/2/2024

0 0.17 0.35 0.7 1.05 1.4 Miles

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 12

Liquor License - Rubio's Coastal Grill #292 - District 4

Request for a liquor license. Arizona State License Application 308156.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
540 W. McDowell Road
Zoning Classification: DTC McDowell Corridor - HP
Council District: 4

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

The 60-day limit for processing this application is November 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
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have owned several liquor licensed restaurants in Arizona and have an in State manager to run the day to day operation. I have not had any liquor violations. My manager is a resident of AZ to manager the locations. The manager has current AZ liquor law training. Additionally, I will ensure that all employees are knowledgeable in AZ liquor laws as required. The purpose of the restaurant is to serve food. The alcohol is only to compliment the food sales should a customer disire to purchase alcohol with their meal."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This is an existing restaurant currently meeting the needs of the community. There have been no changes to the existing restaurant other than the ownership. The business hours will remain the same. There will be no entertainment, games or drive-thru at the business. I am looking forward to being a business owner in the city of Phoenix and look forward to serving the community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Rubio's Coastal Grill #292 - Data
Attachment - Rubio's Coastal Grill #292 - Map

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

Liquor License Data: RUBIO'S COASTAL GRILL #292

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	3	1
Wholesaler	4	1	0
Government	5	4	1
Bar	6	20	3
Beer and Wine Bar	7	10	4
Liquor Store	9	6	1
Beer and Wine Store	10	9	3
Restaurant	12	73	15
Club	14	2	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	190.36	144.37
Violent Crimes	12.31	37.36	19.21

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

Property Violation Data

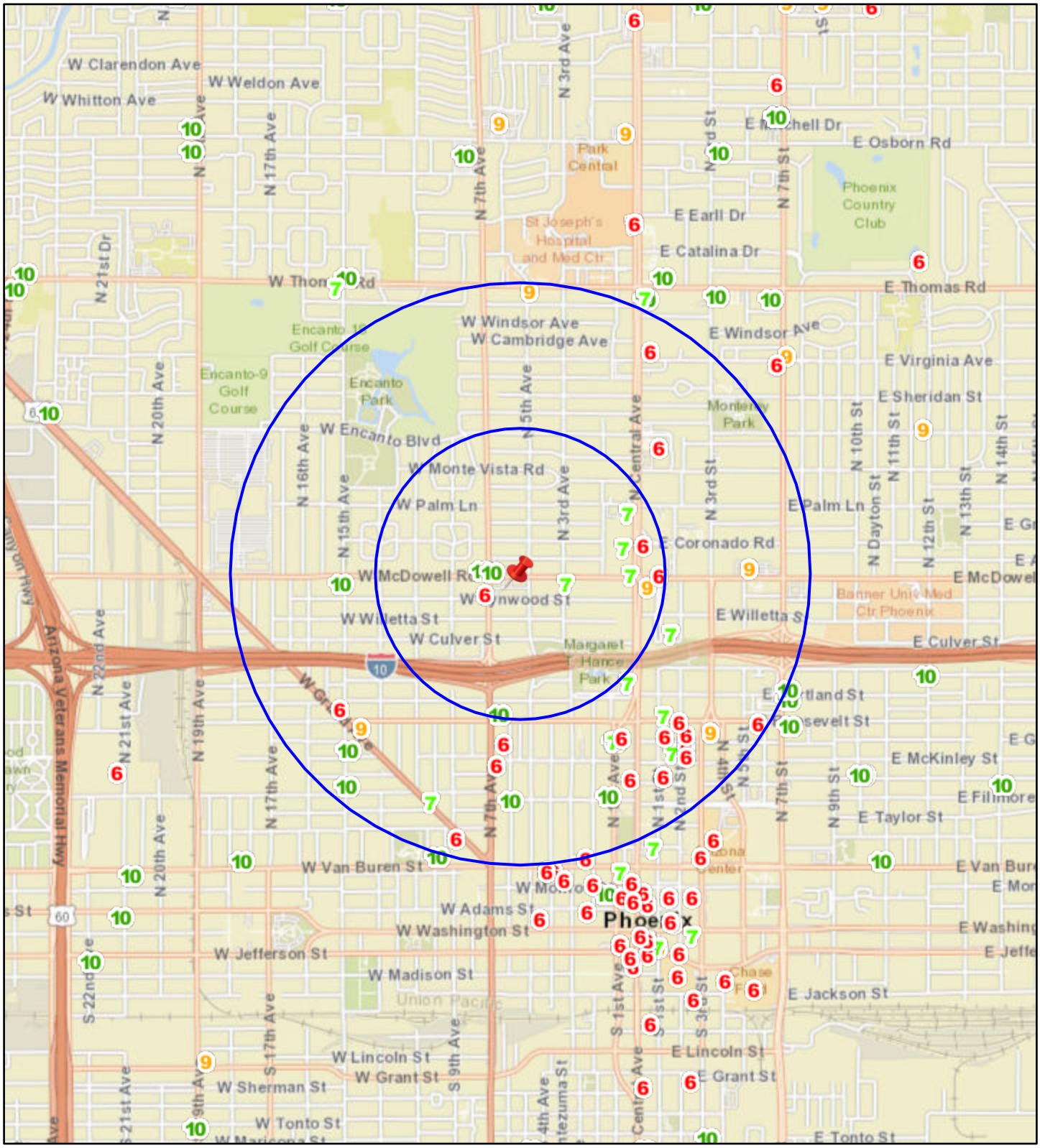
Description	Average	1/2 Mile Average
Parcels w/Violations	43	52
Total Violations	74	71

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1118002	1030	67	9	17
1118003	996	65	15	4
1118004	671	62	6	6
1119001	678	96	8	4
1119002	899	68	5	9
1129001	1670	70	4	19
1129002	815	37	22	24
1130001	1218	23	16	11
1130002	873	29	21	38
Average	0	61	13	19

Liquor License Map: RUBIO'S COASTAL GRILL #292

540 W MCDOWELL RD



N

Date: 9/24/2024

0 0.17 0.35 0.7 1.05 1.4 Miles

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 13

Liquor License - Rubio's Baja Grill #99 - District 6

Request for a liquor license. Arizona State License Application 308103.

Summary

Applicant
Theresa Morse, Agent

License Type
Series 12 - Restaurant

Location
4340 E. Indian School Road, Ste. 1
Zoning Classification: C-2
Council District: 6

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

The 60-day limit for processing this application is November 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
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have owned several liquor licensed restaurants in Arizona and have an in State manager to run the day to day operation. I have not had any liquor violations. My manager is a resident of AZ to manager the locations. The manager has current AZ liquor law training. Additionally, I will ensure that all employees are knowledgable in AZ liquor laws as required. The purpose of the restaurant is to serve food. The alcohol is only to compliment the food sales should a customer disire to purchase alcohol with their meal."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This is an existing restaurant currently meeting the needs of the community. There have been no changes to the existing restaurant other than the ownership. The business hours will remain the same. There will be no entertainment, games or drive-thru at the business. I am looking forward to being a business owner in the city of Phoenix and look forward to serving the community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Rubio's Baja Grill #99 - Data
Attachment - Rubio's Baja Grill #99 - Map

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

Liquor License Data: RUBIO'S BAJA GRILL #99

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Wholesaler	4	2	2
Bar	6	7	2
Beer and Wine Bar	7	5	3
Liquor Store	9	7	2
Beer and Wine Store	10	6	4
Restaurant	12	35	16

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	82.4	108.59
Violent Crimes	12.31	7.27	10.61

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

Property Violation Data

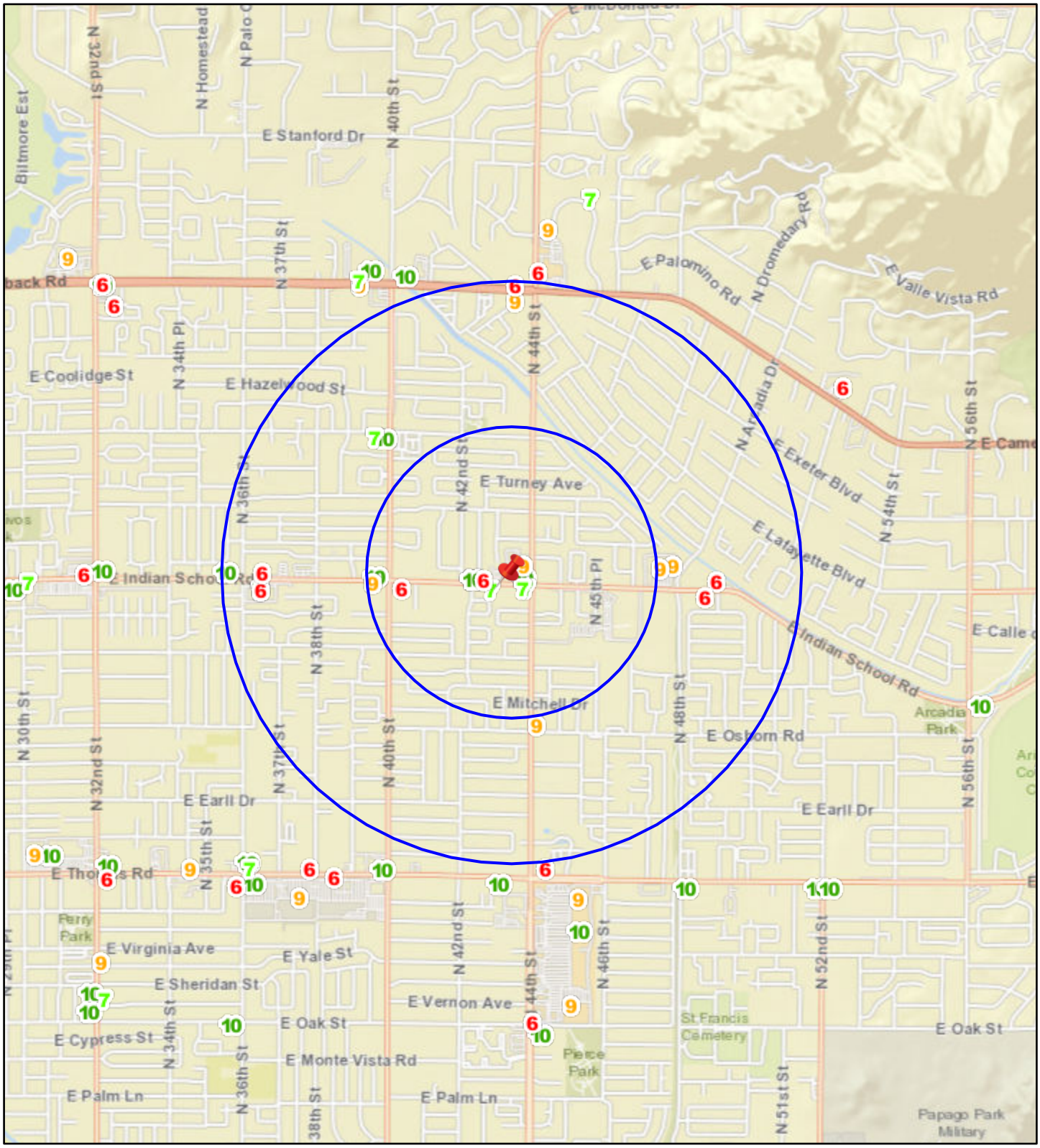
Description	Average	1/2 Mile Average
Parcels w/Violations	43	69
Total Violations	74	106

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
1082002	1178	45	8	8
1082003	1225	76	13	17
1083022	1824	50	13	4
1109022	2224	39	7	18
1110001	781	25	11	3
1110002	1105	63	8	19
1110004	707	59	25	0
1110005	698	88	19	5
Average	0	61	13	19

Liquor License Map: RUBIO'S BAJA GRILL #99

4340 E INDIAN SCHOOL RD



N

Date: 9/24/2024

0 0.17 0.35 0.7 1.05 1.4 Miles

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 14

Liquor License - Grand Avenue Brewing Company - District 7

Request for a liquor license. Arizona State License Application 306809.

Summary

Applicant
John Coll, Agent

License Type
Series 12 - Restaurant

Location
1205 W. Pierce Street
Zoning Classification: C-3
Council District: 7

This request is for a new liquor license for a restaurant. This location is currently licensed for liquor sales with a Series 3 - Microbrewery, liquor license and does not have an interim permit.

The 60-day limit for processing this application is November 16, 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.

Grand Avenue Brewing Company (Series 3)
1205 W. Pierce Street, Phoenix
Calls for police service: None
Liquor license violations: In May 2018, a fine of $500 was paid for producing less than 5,000 gallons of beer in a calendar year. In April 2019, a fine of $1,000 was paid for producing less than 5,000 gallons of beer in a calendar year. In May 2021, a fine of $1,000 was paid for producing less than 5,000 gallons of beer in a calendar year.

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

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have held a Number 3 Microbrewery Liquor License for five (5) years at the location of 1205 W. Pierce Street in Phoenix and there have been no incidents involving the police or any type of violation involving the service of alcohol. I am the owner and manager o the brewpub and I have overseen the production of beer and food (and it's service) and we have a 4.9 stars out of five stars rating on Google Reviews."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Although we have served beer at the location as a microbrewery for five years, not all of our patrons or friends patrons like to drink beer. We have received numerous requests from customers dining with us for a choice of wine, cider or even a few cocktails. We are primarily a neighborhood brewpub. While we have a loyal base of beer fans who regularly visit, those beer fans often have friends and spouses who like our food, but would prefer other drink options. The availability of such options would substantially serve the community."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Attachment - Grand Avenue Brewing Company - Data
Attachment - Grand Avenue Brewing Company - Map

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

Liquor License Data: GRAND AVENUE BREWING COMPANY

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	3	1
Wholesaler	4	1	1
Government	5	4	0
Bar	6	25	4
Beer and Wine Bar	7	8	1
Liquor Store	9	3	1
Beer and Wine Store	10	13	5
Hotel	11	1	0
Restaurant	12	61	9
Club	14	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	194.45	197.87
Violent Crimes	12.31	63.93	57.11

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

Property Violation Data

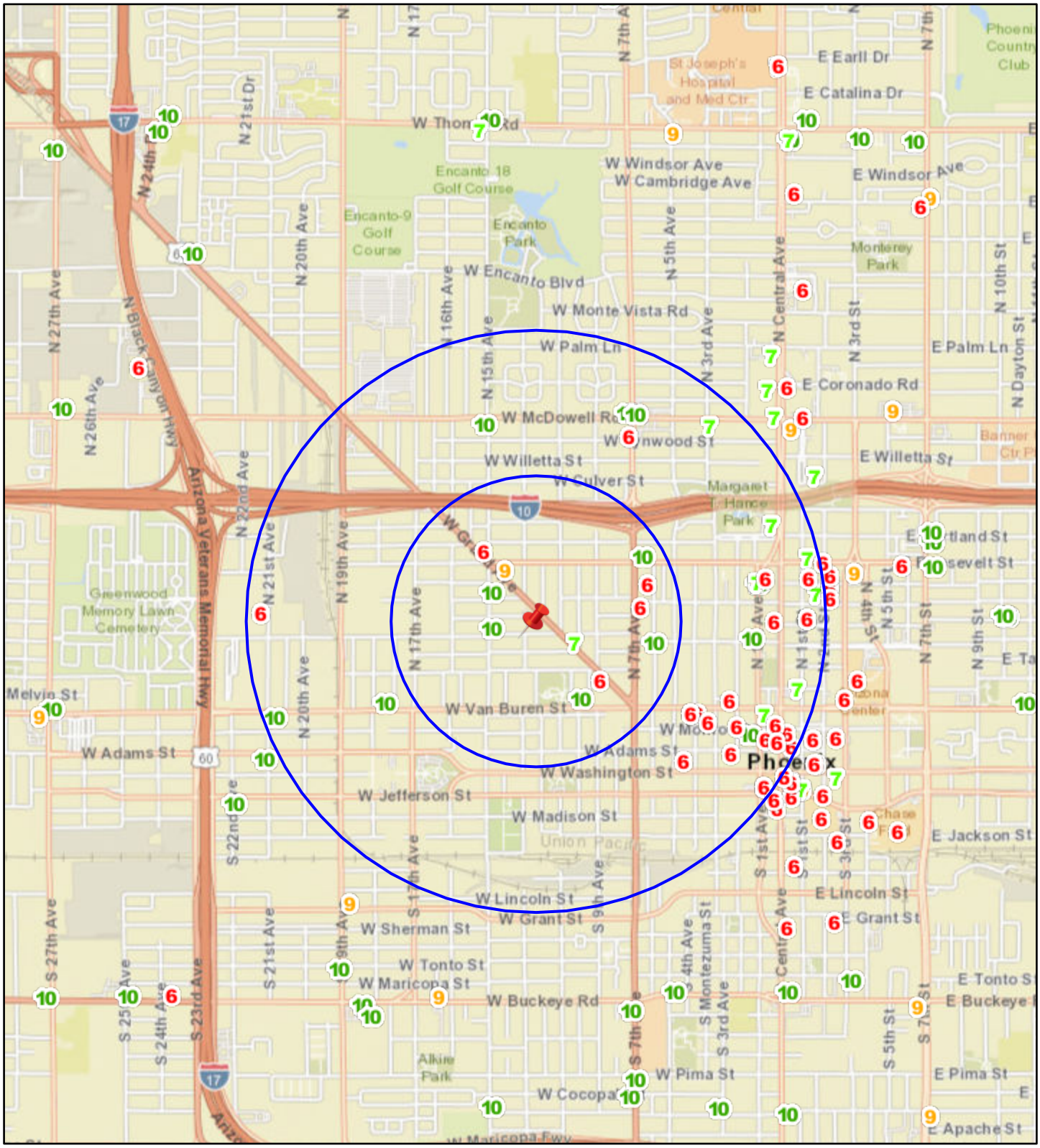
Description	Average	1/2 Mile Average
Parcels w/Violations	43	267
Total Violations	74	406

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1129001	1670	70	4	19
1129002	815	37	22	24
1129003	1372	4	18	40
1129004	1325	47	24	52
1130001	1218	23	16	11
1131001	1015	7	8	28
1141001	2299	16	37	44
1143011	1389	22	15	57
Average	0	61	13	19

Liquor License Map: GRAND AVENUE BREWING

1205 W PIERCE ST



City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 15

Liquor License - Special Event - Children's Museum of Phoenix - District 8

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

Summary

Applicant
Kelley Fitzsimmons

Location
215 N. 7th Street
Council District: 8

Function
Gala

Date(s) - Time(s) / Expected Attendance
November 23, 2024 - 6 p.m. to 11 p.m. / 400 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.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 16

Brody Chemical Company, Inc.

For $150,000 in payment authority for a new contract, entered on or about October 7, 2024, for a term of five years for asphalt removal cleaning agents for the Street Transportation Department. This contract will supply cleaning agents, which provide a chemical barrier to prevent adhesion of bituminous and/or emulsified asphalt products to tools and equipment. Use of these cleaning products will enable asphalt application systems to function correctly, safely and will extend the life of the tools and equipment.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 17

LambTech, Inc

For $200,000 in payment authority for a new contract, entered on or about November 1, 2024, for a term of five years for fence line odor testing, monitoring equipment, and evaluation services for the Water Services Department (WSD). The contract will provide WSD with the ability to conduct regular testing and evaluations of fence line hydrogen sulfide emissions. WSD utilizes these testing and evaluation services to maintain City compliance with Maricopa County air quality reporting requirements.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 18

Settlement of Claim(s) Kwan v. City of Phoenix

To make an additional payment of up to $14,550 in settlement of claim(s) in *Kwan v. City of Phoenix*, 22-0745-001, 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 December 17, 2022.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 19

Adoption of 2025-26 Budget Calendar - Citywide

The City Charter and Code include legal deadlines and actions that must be followed in adopting the budget. In cases where the deadlines conflict, the City meets the earlier of the two dates or a date designated by the City Council. Adoption of the budget calendar ensures compliance with the City Charter and Code, and also allows staff to properly plan the budget development process and all legally required advertising. Staff requests City Council approval of the 2025-26 budget calendar reflected in **Attachment A.**

Responsible Department

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

ATTACHMENT A

2025-26 BUDGET ADOPTION CALENDAR

Date	Budget Items
November 2024	FundPHX and Inventory of Programs
February 25, 2025	Preliminary 2025-26 Budget Status and Multi-Year General Fund Forecast
March 18, 2025	City Manager's Trial Budget and Preliminary CIP
April 2025	Community Budget Hearings
May 6, 2025	City Manager's Proposed Budget
May 20, 2025	Council Budget Decision
June 4, 2025	2025-26 Tentative Budget Ordinance Adoption
June 18, 2025	2025-26 Funding Plan and Final Budget Ordinance Adoption
July 2, 2025	2025-26 Property Tax Levy Ordinance Adoption

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 20

American Rescue Plan Act Obligation Deadline and Final Reallocation - Citywide

This report provides an update on American Rescue Plan Act (ARPA) spending to date, the reallocation of current unspent ARPA funds, and the steps taken to obligate all funding before the US Treasury obligation deadline. The City is on track to meet all ARPA spending deadlines.

Summary

The federal government allocated $396 million to the City of Phoenix as part of ARPA. On June 8, 2021, and June 7, 2022, City Council approved the ARPA Strategic Plan and at several subsequent Council meetings, approved additional programs which included new programs in affordable housing and homelessness funded through the first large reallocation in December 2022. Additional homelessness programs were funded through the second reallocation in November 2023 and a third reallocation in February 2024.

There are currently over 70 programs across 19 City departments and as of September 2024, near $280 million (about 70 percent) has been spent. The 2024 Recovery Plan was submitted to the US Treasury in July 2024 and can be found at www.phoenix.gov in the Open Data Portal on the ARPA website.

Reallocation of Unused, Underspent, or Reprioritized ARPA Funds

During the June 7, 2022, City Council Formal meeting, staff indicated reallocation exercises would be performed throughout the remaining duration of the grant to analyze all programs with unused, underspent, or reprioritized funding that may be used for other ARPA eligible uses. The intent of the reallocation exercises is to ensure full utilization of all awarded ARPA funds. The ARPA covered period will end December 31, 2024, and all funding must be obligated by this date. To avoid any funding returning to the US Treasury, staff has been diligent in its four reallocation exercises, and this action serves as the final reallocation.

The first reallocation exercise on December 14, 2022, resulted in the approval of $21.2 million, for three affordable housing and homelessness projects. The second reallocation exercise on November 15, 2023, resulted in the approval of $19.6 million to fund various homelessness programs.

The second reallocation included four programs that required additional funding which had not yet been identified. This had been reduced to three programs and funding was identified, reallocation totaling $3.84 million. The third reallocation exercise on February 21, 2024, resulted in the approval of approximately $15 million to various programs including several homelessness projects and one Library project.

While this is the last reallocation exercise for the ARPA grant, a method of reclassification is available if the City needs to move funding before the expenditure deadline of December 31, 2026. Staff will provide updates should reclassification occur before the end of the expenditure deadline.

Reallocation Programs

As the City continues to work towards providing solutions for homelessness and increasing the supply of affordable housing units, staff is recommending the use of the remaining ARPA funds to continue current homelessness programs and using ARPA interest strategically to alleviate pressure from the General Fund in Fiscal Year (FY) 2025-26 and beyond. All ARPA funds will be expended by June 30, 2026, to allow for six months of close-out procedures. Several programs supporting homelessness services are on-going and will be moved to the General Fund beginning FY 2026-27. Funding sources are identified in the summary below.

In order to meet the obligation deadline and provide continued resources to programs that would otherwise require General Fund resources to continue, staff's recommendation includes the following reallocation of ARPA funding and the use of ARPA interest-earned funding. Moreover, should staff need to repurpose any funds prior to the end of this calendar year to meet obligation requirements, funds will be moved to homelessness budget projects planned to be included in the proposed General Fund for FY 2025-26.

71st Avenue Shelter: St. Vincent de Paul Neighborhood Brigade Program - $438,281
Funding will support St. Vincent de Paul's work readiness program, Neighborhood Brigade, at the 71th Avenue Shelter. Participants in the program become part-time St. Vincent de Paul employees and have access to employment-specific case management services. All funds will be expended by June 30, 2026. This program will be funded in the General Fund beginning July 1, 2026, with an annual budget of $150,000.

Homeless Services: Central Arizona Shelter Services (CASS) Contract - $453,000
Funding will continue to support the City's contract with CASS, providing emergency shelter and wraparound services to individuals experiencing homelessness. All funds

will be expended by June 30, 2026. The City currently provides CASS with an annual program budget of $1,047,000 from the General Fund. This program's General Fund budget will increase beginning July 1, 2026, bringing total program annual budget to $1,500,000.

Overnight Summer Heat Respite - $650,000
Funding will support overnight summer heat respite services from April - June 2025. This program will be funded in the General Fund beginning July 1, 2025, with an annual budget of $3,900,000.

71st Avenue Shelter: Community Bridges, Inc. (CBI) Contract - $800,000
Funding will provide shelter wraparound services by CBI at the 71st Avenue Shelter for FY 2025-26. This program will be partially funded in the General Fund beginning July 1, 2026, with an annual budget of $800,000.

Washington Shelter: CBI Contract - $971,250
Funding will provide case management, behavioral health, and outreach services by CBI at the Washington Street Shelter. All funds will be expended by January 2026.

Homeless Services: Keys to Change Contract - $1,500,000
Funding will provide shelter wraparound services at the Keys to Change, Key Campus. All funds will be expended by June 30, 2026. This program will be funded in the General Fund beginning July 1, 2026, with an annual budget of $1,500,000.

Homelessness Projects: Safe Outdoor Space (SOS) CBI Contract - $1,600,000
Funding will provide case management, behavioral health, and outreach services at the SOS by CBI. All funding will be expended by June 30, 2026. This program will be funded in the General Fund beginning July 1, 2026, for an additional six months with a contract value of $600,000.

Homelessness Projects: SOS Keys to Change Contract - $7,500,000
Funding will provide operational services at the SOS by Keys to Change. All funding will be expended by June 30, 2026. This program will be funded in the General Fund beginning July 1, 2026, for an additional six months with a contract value of $2,500,000.

ARPA Interest Programs
71st Avenue Shelter Operational Costs - $330,555
Funding will be used for operational costs for the shelter located on 71st Avenue and Van Buren Street. Costs include utilities and maintenance. All funds will be expended by June 30, 2026.

Modified Bus Route Program - $500,000
The Public Transit Department will utilize funds to modify Route 27 (27th Avenue) to provide service on Durango Street between 27th and 35th avenues. The route modification will provide additional connections and access to the county's court system and resources in the area. These funds will support the route modification for one year, beginning in January 2025, during which Phoenix will work with Maricopa County on a longer-term funding strategy if the service proves successful, via ridership analysis.

Mercy House Contract - $538,663
Funding will be used for operational costs including facility lease at 4120 E. Van Buren Street, meals, and case management services for a temporary lodging site which has capacity to provide emergency shelter for up to 50 people per night. All funds will be expended in FY 2024-25.

XWings Senior Bridge Project - $750,000
Funding will be used to support the construction of 40 units of temporary housing on a campus located at 2853 E. Van Buren Street which includes 65 units of affordable housing for older adults, aged 55 and over. The 40 non-congregate temporary housing units are constructed from converted shipping containers and are solar powered. All funds will be expended by June 30, 2026.

North Mountain Healing Center Renovation - $751,565
Funding will be used for the renovations needed to convert an existing office building to a 100-bed emergency shelter. Renovation work includes masonry, roofing, plumbing, HVAC, electrical, and concrete work. All funds will be expended by June 30, 2026.

Eviction Protection Services and Legal Assistance - $1,263,032
This program will fund legal assistance to qualifying households who are facing eviction in the City, which includes assistance with resolving evictions both in and outside the courtroom. The services will include tenant outreach and education, landlord-tenant mediation, court navigation services, legal advice, representation, and counsel, post eviction services to assist with sealing a record or satisfying a judgement and housing stabilizing services to avoid eviction filing or judgment or to reduce negative impacts of eviction. Funds will be expended according to contract award.

Digital Divide Program - $2,210,487
ARPA funds were used to cover costs of system development, equipment, and installation of the Phoenix Digital Education Connection Canopy (PHX DECC). This funding will be used to cover maintenance and operational costs for the first five years

of full implementation and for planned equipment refurbishment in FY 2029-30.

71st Avenue Shelter Construction - $13,000,000
Funding will be used to provide a temporary structure and complete construction of the permanent shelter located on 71st Avenue and Van Buren Street. Once construction is complete, this facility will house 280 individuals. All funds will be expended in FY 2024-25.

Attachment A summarizes each proposed program and funding amounts.

Obligation Deadline
Phoenix is on track to obligate all funding by the US Treasury deadline of December 31, 2024. Most programs will be obligated by the traditional method of an order placed for property and services (such as purchase orders) and entering into contracts, subawards, and similar transactions that require payment including payroll. The US Treasury provided another avenue to obligate funds: interagency agreements. The City will enter into an interagency agreement between the City Manager's Office and seven departments. The total amount of programs obligated in this manner is approximately $80 million.

Expenditure Category 6.1: Revenue Replacement - Provision of Government Services
Several programs are better served to be categorized in Expenditure Category (EC) 6.1 as part of revenue replacement detailed by the US Treasury reporting. ARPA guidelines state recipients may use funds for the provision of government services to the extent of reduction in revenue, making the following projects an eligible use of the grant. The City reported over $294 million in revenue loss due to the COVID-19 public health emergency and only utilized $20 million in revenue replacement, which was allocated to the Convention Center and has since been spent.

The following programs and amounts are recommended to be reported in the revenue replacement category, totaling $23,100,000.

Infrastructure, Technology, and Capital Needs: 2021 Local Drainage Mitigation Program - $13,000,000
This entire project will be moved to EC 6.1 to meet reporting requirements as outlined by the US Treasury.

Heat Response/Temporary Shelter - Washington Shelter - $8,000,000
Only a portion of this program will be moved to EC 6.1. Expenditures include operational costs and lease payments.

Homelessness Projects - Safe Outdoor Space Capital and Operating Expenses - up to $2,100,000
Only a portion of this program will be moved to EC 6.1. Expenditures include capital costs and future operational costs.

Recommendation
Staff requests approval to reallocate approximately $13.9 million in ARPA funds and to utilize approximately $19.3 million in ARPA interest funds for the programs listed on **Attachment A,** to support the City's efforts to assist residents experiencing homelessness.

Responsible Department
This item is submitted by City Manager Jeffrey Barton and the City Manager's Office.

ATTACHMENT A

American Rescue Plan Act Reallocation Funding			
Program	**Department**	**Amount**	**End Date**
71st Avenue Shelter - St. Vincent de Paul Neighborhood Brigade Program	OHS	$ 438,281	6/30/2026
Homeless Services - CASS Contract		$ 453,000	6/30/2026
Overnight Summer Heat Respite		$ 650,000	6/30/2025
71st Avenue Shelter - CBI Contract		$ 800,000	6/30/2026
Washington Shelter - CBI Contract		$ 971,250	1/31/2026
Homeless Services - Keys to Change Contract		$ 1,500,000	6/30/2026
Homelessness Projects - SOS CBI Contract		$ 1,600,000	6/30/2026
Homelessness Projects - SOS Keys to Change Contract		$ 7,500,000	6/30/2026
TOTAL		**$ 13,912,531**	

American Rescue Plan Act Interest Funding		
Program	**Department**	**Amount**
71st Avenue Shelter Operational Costs	OHS	$ 330,555
Modified Bus Route Program	PTD	$ 500,000
Mercy House Contract	OHS	$ 538,633
XWings Senior Bridge Project	OHS	$ 750,000
North Mountain Healing Center Renovation	OHS	$ 751,565
Eviction Protection Services and Legal Assistance	HSD	$ 1,263,032
Digital Divide Program	CED	$ 2,210,487
71st Avenue Shelter Construction	OHS	$ 13,000,000
TOTAL		**$ 19,344,272**

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 21

Request for City Council to Call to Meet in Executive Session on Specific Dates January through December 2025 - Citywide

Request for the City Council to call meetings for the purpose of holding an Executive Session pursuant to Arizona Revised Statute Section 38-431.03.A, on the following dates at noon in the Central Conference Room, on the 12th Floor of Phoenix City Hall, located at 200 W. Washington Street:

- January 14
- January 28
- February 11
- February 25
- March 18
- April 15
- April 29
- May 6
- June 10
- July 1
- September 9
- September 23
- October 7
- October 28
- November 4
- November 25
- December 9

Public Outreach

The Notice and Agenda for these Executive Sessions will be posted no later than 24 hours before each scheduled meeting.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 22

Proposed 67th Avenue and Lower Buckeye Road Right-of-Way Annexation (Ordinance S-51386) - District 7

An ordinance extending and increasing the corporate limits of the City of Phoenix, Arizona, pursuant to the provisions of Arizona Revised Statutes, Section 9-471(N), by annexing a certain tract of land contiguous to and not embraced within the present limits of the City of Phoenix, contingent upon the approval by the Maricopa County Board of Supervisors, designated as 67th Avenue and Lower Buckeye Road Right-of-Way Annexation, No. 549.

Summary

This annexation process will be in accordance with Arizona Revised Statutes, Section 9-471(N) which provides that the annexation of County right-of-way may be accomplished by the mutual consent of the governing bodies of the County and City. When the proposed annexation is approved by both bodies at public meetings, and both actions become effective, the annexation is complete.

Location

This requested annexation of right-of-way is for the unincorporated right-of-way on Lower Buckeye Road between 67th and 71st avenues, as recommended by the City of Phoenix Street Transportation Department. The area being annexed (**Attachment A**) is approximately 3.9085 acres (0.0061 square miles).
Council District: 7

Responsible Department

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

ANNEXATION MAP

67TH AVENUE AND LOWER BUCKEYE ROAD

City of Phoenix

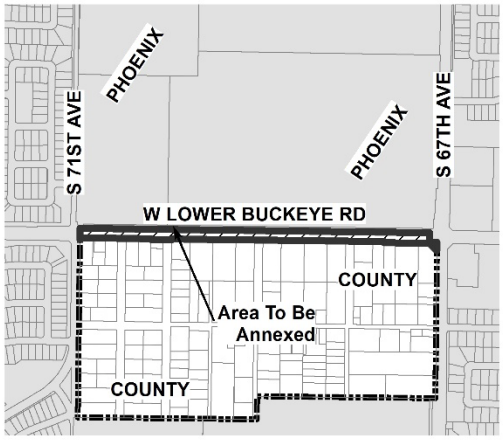
LEGAL DESCRIPTION

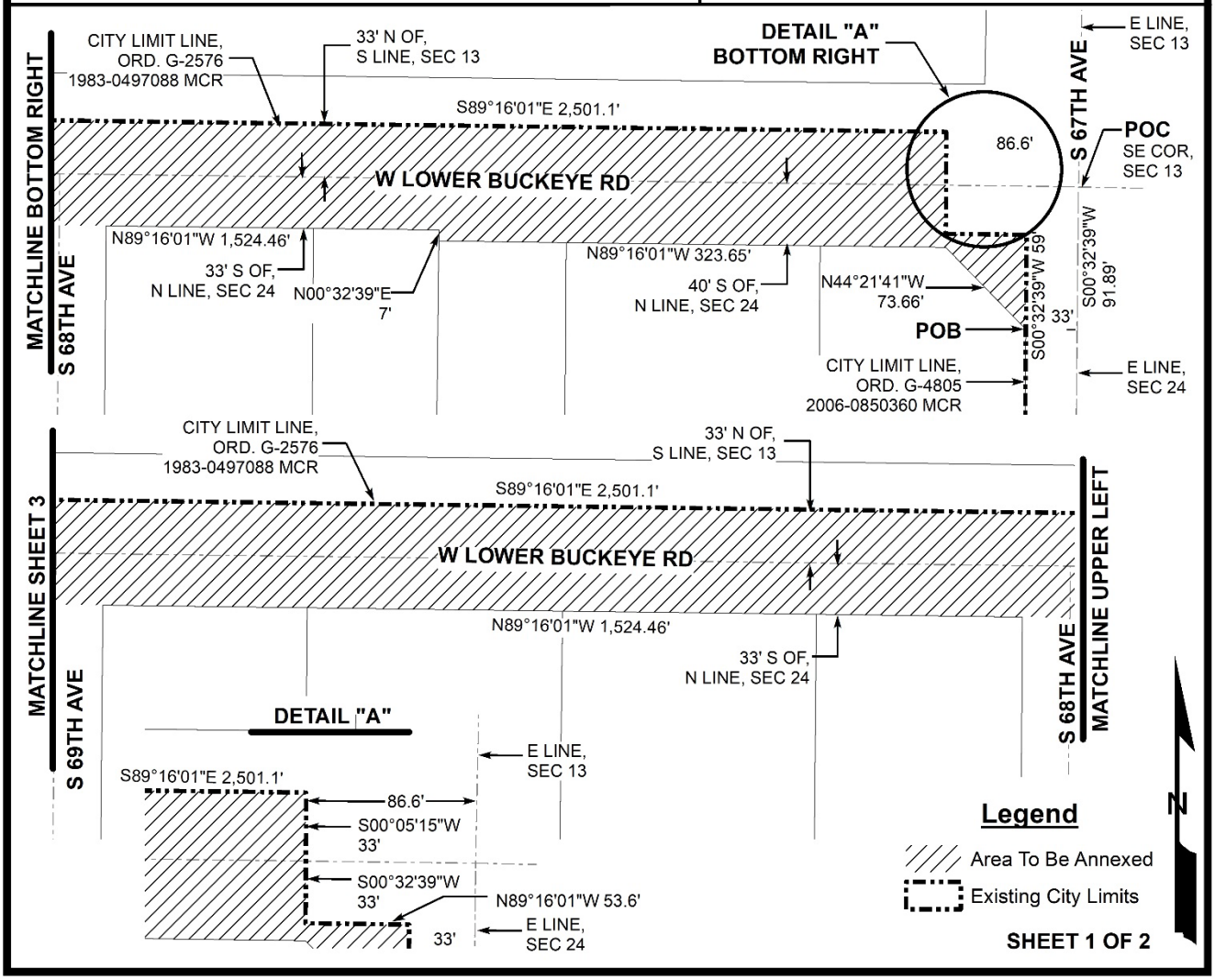
SECTION 24 T. 1 N., R. 1 E., G. & S. R. B. & M.

ANNEXATION NUMBER: 549

AREA IN SQUARE MILES
0.0061

VICINITY MAP





ANNEXATION MAP

67TH AVENUE AND LOWER BUCKEYE ROAD

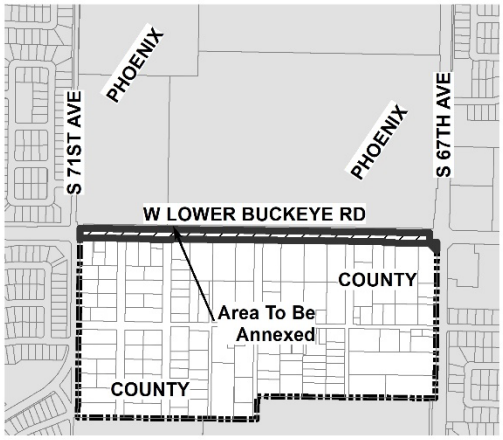
City of Phoenix

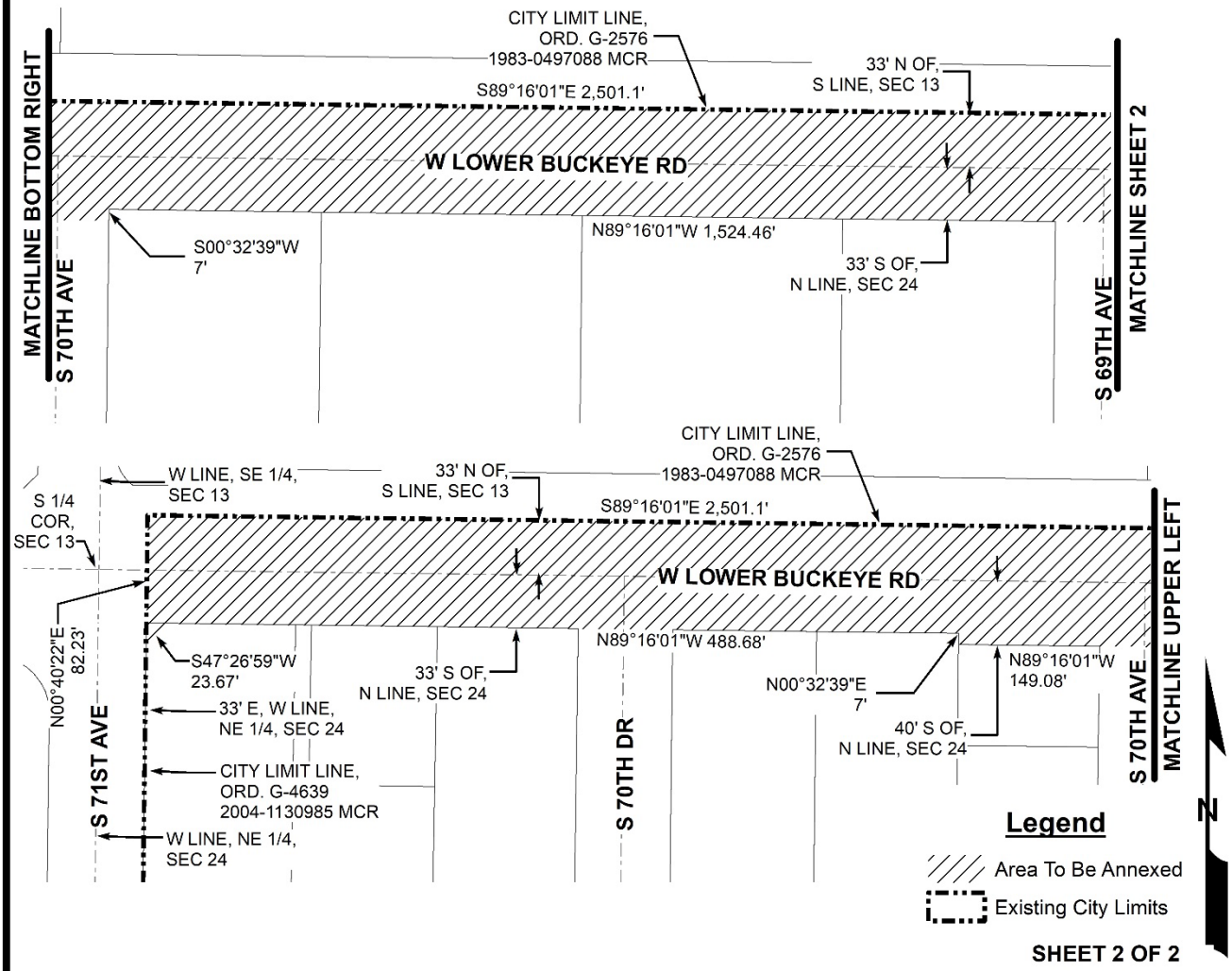
LEGAL DESCRIPTION

SECTION 24 T. 1 N., R. 1 E., G. & S. R. B. & M.

ANNEXATION NUMBER: 549	AREA IN SQUARE MILES 0.0061

VICINITY MAP





SHEET 2 OF 2

Legal Description

67th Avenue and Lower Buckeye Road

A parcel of land located within the Southeast Quarter of Section 13 and the Northeast quarter of Section 24, Township 1 North, Range 1 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, described as follows:

Commencing, at the Southeast corner of said Section 13, marked by a City of Phoenix brass cap in a hand hole, from which the South quarter corner of said Section, marked by a City of Phoenix brass cap in a hand hole, bears, North 89 degrees 16 minutes 01 seconds West (Basis of Bearing), a distance of 2618.04' feet;

Thence, South 00 degrees 32 minutes 39 seconds West, along the East line of said Section 24, a distance of 91.89' feet;

Thence, leaving said East line, North 89 degrees 27 minutes 21 seconds West, a distance of 33.00' feet, to the **POINT OF BEGINNING**;

Thence, North 44 degrees 21 minutes 41 seconds West, a distance of 73.66' feet, to a point on a line parallel with and 40.00 feet South of the North line of said Section 24;

Thence, along said parallel line, North 89 degrees 16 minutes 01 seconds West, a distance of 323.65' feet;

Thence, leaving said parallel line, North 00 degrees 32 minutes 39 seconds East, a distance of 7.00' feet, to a point on a line parallel with and 33.00' feet South of the North line of said Section 24;

Thence, North 89 degrees 16 minutes 01 seconds West, along said parallel line, a distance of 1,524.46' feet;

Thence, South 00 degrees 32 minutes 39 seconds West, a distance of 7.00' feet, to a point on a line parallel with and 40.00' feet South of the North line of said Section 24;

Thence, along said parallel line, North 89 degrees 16 minutes 01 seconds West, a distance of 149.08' feet;

Thence, leaving said parallel line, North 00 degrees 32 minutes 39 seconds East, a distance of 7.00' feet, to a point on a line parallel with and 33.00' feet South of the North line of said Section 24;

Thence, North 89 degrees 16 minutes 01 seconds West, along said parallel line, a distance of 488.68' feet;

Thence, leaving said parallel line, South 47 degrees 26 minutes 59 seconds West, a distance of 23.67' feet, to a point on a line parallel with and 30.00' feet East of the West line of said Section 24;

Thence, North 00 degrees 40 minutes 22 seconds East, along said parallel line and it's Northerly prolongation, a distance of 82.23' feet, to a point on a line parallel with and 33.00' feet North of the South line of said Section 13;

Thence, South 89 degrees 16 minutes 01 seconds East, along said parallel line, a distance of 2,501.10' feet, to a point on a line parallel with and 86.60' feet West of the East line said Section 13;

Thence, leaving said parallel line, South 00 degrees 05 minutes 15 seconds West, along said parallel line, a distance of 33.00' feet, to the North line of said Section 24;

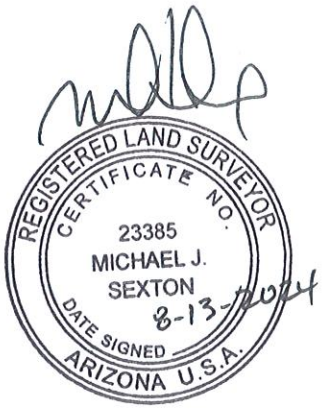
Thence, South 00 degrees 32 minutes 39 seconds West, along a line parallel with and 86.61' feet West of the East line of said Section 24, a distance of 33.00' feet, to a point on a line parallel with and 33.00' feet South of the North line of said Section 24;

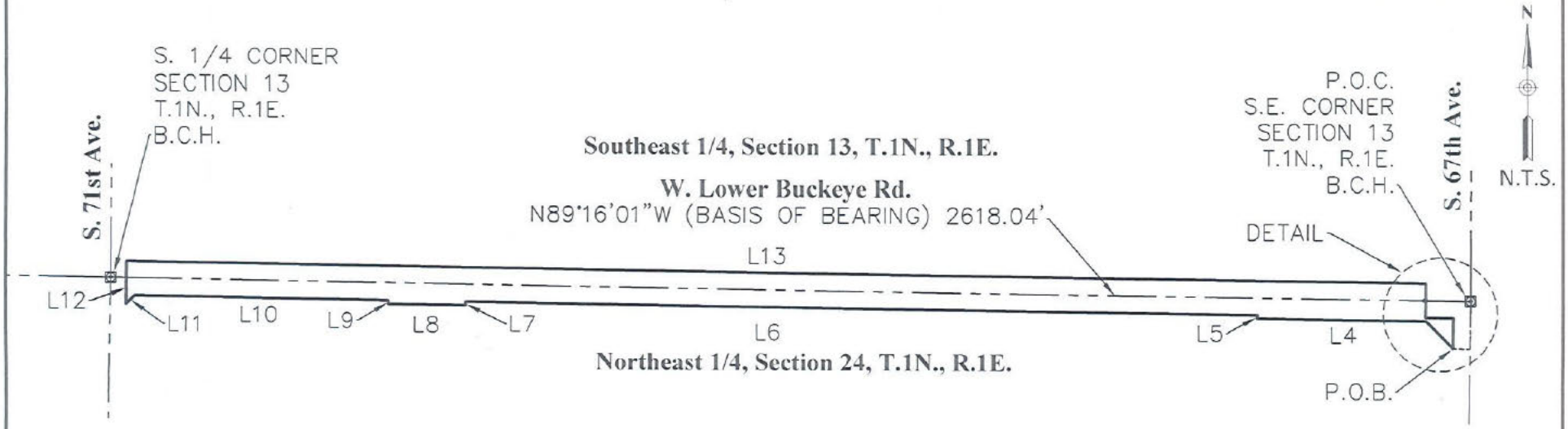
Thence, leaving said parallel line, South 89 degrees 16 minutes 01 seconds East, along said parallel line, a distance of 53.61' feet, to a point on a line parallel with and 33.00' feet West of the East line of said Section 24;

Thence, leaving said parallel line, South 00 degrees 32 minutes 39 seconds West, along said parallel line, a distance of 59.00' feet, to the **POINT OF BEGINNING**.

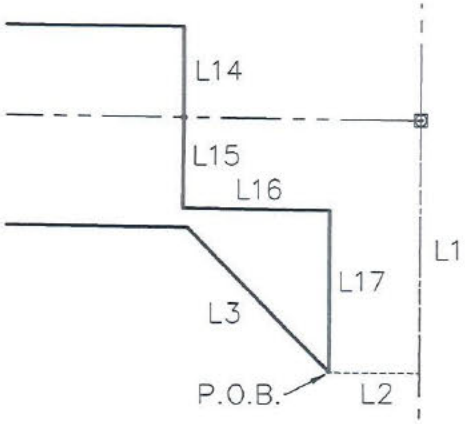
Described parcel contains 170,255 square feet or 3.9085 acres, more or less.

Described parcel subject to existing rights-of-way and easements.





LINE TABLE			LINE TABLE			LINE TABLE		
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	S00°32'39"W	91.89'	L7	S00°32'39"W	7.00'	L13	S89°16'01"E	2501.10'
L2	N89°27'21"W	33.00'	L8	N89°16'01"W	149.08'	L14	S00°05'15"W	33.00'
L3	N44°21'41"W	73.66'	L9	N00°32'39"E	7.00'	L15	S00°32'39"W	33.00'
L4	N89°16'01"W	323.65'	L10	N89°16'01"W	488.68'	L16	S89°16'01"E	53.61'
L5	N00°32'39"E	7.00'	L11	S47°26'59"W	23.67'	L17	S00°32'39"W	59.00'
L6	N89°16'01"W	1524.46'	L12	N00°40'22"E	82.23'			



DETAIL

P.O.C.= POINT OF COMMENCEMENT
P.O.B.= POINT OF BEGINNING
B.C.H.= BRASS CAP IN HAND HOLE

PAGE 3 OF 3

ANNEXATION EXHIBIT
LOWER BUCKEYE~67th AVE TO 71st AVE.
PROJECT NO. CC6370002205

City of Phoenix
STREET TRANSPORTATION DEPARTMENT
DESIGN AND CONSTRUCTION MANAGEMENT

DATE:	8/13/24
DSN:	MJS
DRN:	JJS
CHK:	VKM

Michael J. Sexton

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
23385
MICHAEL J.
SEXTON
Date Signed 8/13/24
ARIZONA, U.S.A.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 23

Proposed 53rd Avenue and Broadway Road Annexation (Ordinance S-51412) - District 7

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Arizona, by annexing an area not within the present limits of the City of Phoenix, designated as the 53rd Avenue and Broadway Road Annexation. Further, request to authorize current Maricopa County zoning to continue in effect until municipal zoning is applied to the annexed territory.

Summary

The annexation was requested by Tim Priebe with Fisher Sand and Gravel Co. for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes Section 9-471 regarding annexation. The City Clerk Department has received signed petitions representing 100 percent of the assessed value and 100 percent of the owners, excluding utilities, within the proposed annexation area.

Public Outreach

A public hearing was conducted on August 26, 2024, to allow the City Council to gather community input regarding the annexation proposal. Notification of the public hearing was published in the Arizona Business Gazette newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the area proposed to be annexed.

Location

The proposed annexation area includes Maricopa County Assessor parcel 104-59-001N, located west of 53rd Avenue along Broadway Road (**Attachment A**). The annexation area is approximately 3.2 acres (0.005 sq. mi.) and the population estimate is zero individuals.
Council District: 7

Responsible Department

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

ANNEXATION MAP

53RD AVE AND BROADWAY RD

City of Phoenix

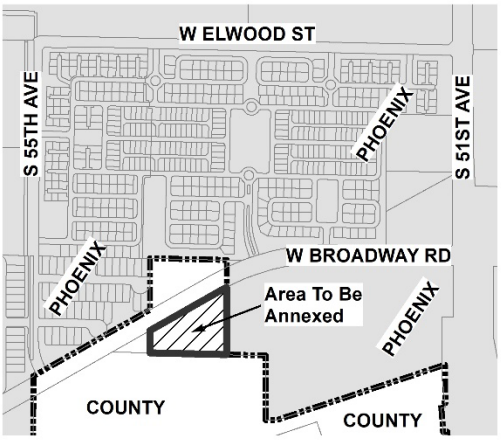
LEGAL DESCRIPTION

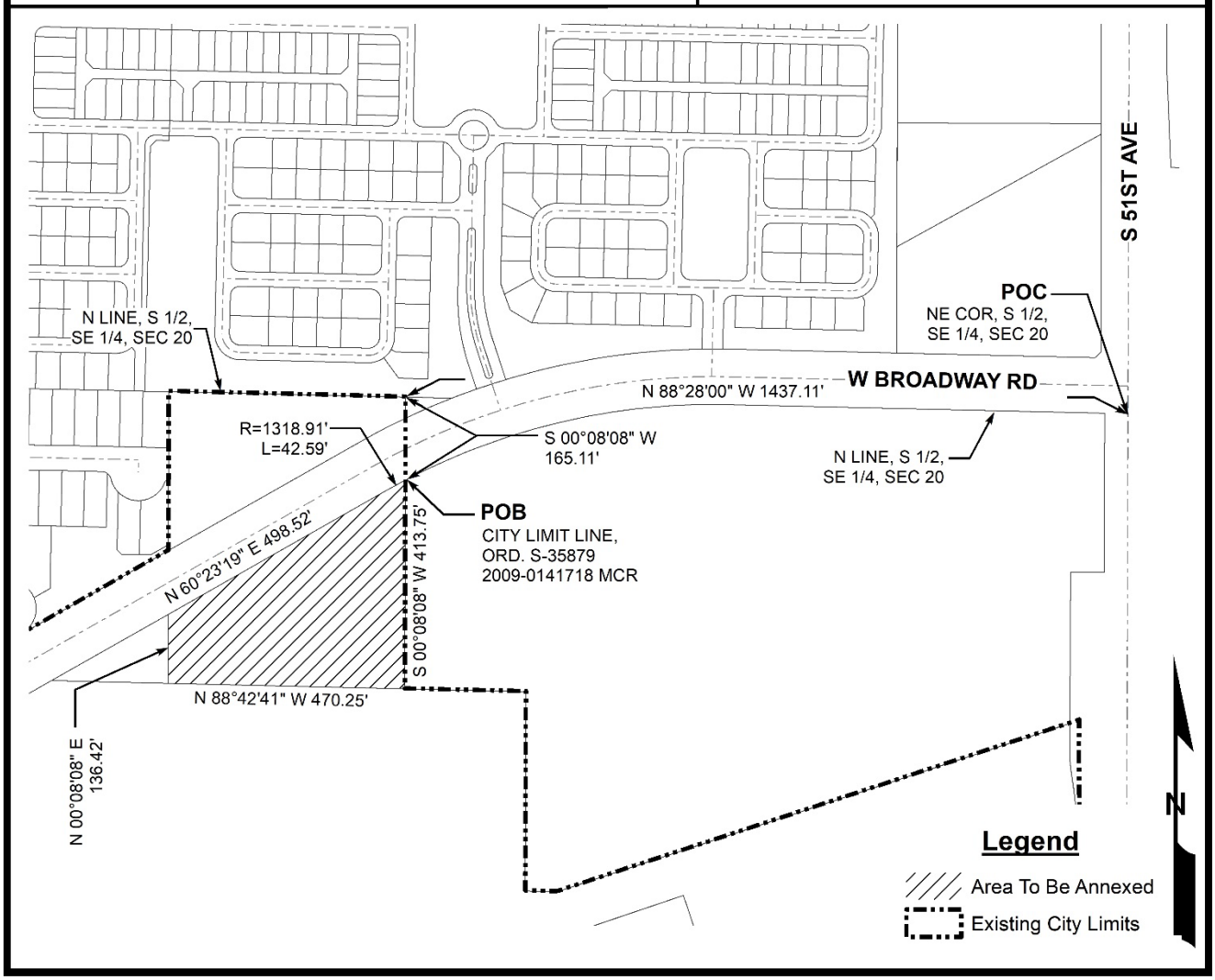
SECTION 20 T. 1 N., R. 2 E.,
G. & S. R. B. & M.

ANNEXATION NUMBER: 551

AREA IN SQUARE MILES
0.005

VICINITY MAP





LEGAL DESCRIPTION

53RD AVENUE AND BROADWAY ROAD

All that certain real property in the County of Maricopa, State of Arizona, described as follows:

A portion of the Southeast quarter of Section 20, Township 1 North, Range 2 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the Northeast corner of the South half of the Southeast quarter of said Section 20;

Thence North 88 degrees 28 minutes 00 seconds West, along the North line of the South half of the Southeast quarter of said Section 20, a distance of 1437.11 feet to the Northwest corner of the area annexed to the City of Phoenix by its Ordinance No S-35879, recorded in Document No 2009-0141718, Records of Maricopa County, Arizona;

Thence South 00 degrees 08 minutes 08 seconds West, along the West line of said area annexed by Ordinance No. S-35879, a distance of 165.11 feet to the TRUE POINT OF BEGINNING;

Thence South 00 degrees 08 minutes 08 seconds West, a distance of 413.75 feet;

Thence departing said West line of area annexed by Ordinance No. S-35879, North 88 degrees 42 minutes 41 seconds West, a distance of 470.25 feet;

Thence North 00 degrees 08 minutes 08 seconds East, a distance of 136.42 feet to a point on the South right-of-way line of Broadway Road, recorded in Document No. 1988-0816380, Records of Maricopa County, Arizona;

Thence North 60 degrees 23 minutes 19 seconds East along said South right-of-way line of Broadway Road, a distance of 498.52 feet to the beginning of a tangent curve to the right, having a radius of 1318.91 feet;

Thence Northeasterly, along the arc of said to the right, through a central angle of 01 degrees 51 minutes 01 seconds, a distance of 42.59 feet to the TRUE POINT OF BEGINNING.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 24

Apply for U.S. Department of Commerce Digital Equity Competitive Grant Program Grant Opportunity for Federal Fiscal Years 2021-24 - Federal Bipartisan Infrastructure Law Funding (Ordinance S-51400) - Citywide

Request to retroactively authorize the City Manager, or his designee, to apply for, accept and, if awarded, enter into an agreement for disbursement of Federal funding from the U.S. Department of Commerce through the Federal Fiscal Years (FFYs) 2021-24 Digital Equity Competitive Grant Program grant opportunity. If awarded, the funding will be used to pursue digital equity initiatives in the Housing, Human Services and Library departments. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. Funding for this grant opportunity is available through the Federal Bipartisan Infrastructure Law. The total grant funds applied for will not exceed $11,840,537.02, and the City's local match would not exceed $4,556,967.73.

Summary

The Digital Equity Competitive Grant Program is a funding program under the Bipartisan Infrastructure Law, which was signed into law on November 15, 2021. The U.S. Department of Commerce issued a Notice of Funding Opportunity on July 24, 2024, offering $750 million in funding for FFYs 2021-24. The Digital Equity Competitive Grant Program is a discretionary grant program that aims to fund applications that will support efforts to achieve digital equity, promote digital inclusion activities, and spur greater adoption and meaningful use of broadband for historically disadvantaged individuals, defined as "Covered Populations."

The Digital Equity Competitive Grant Program grant submittal deadline was September 23, 2024.

If awarded, the City's application would serve Covered Populations by offering the tools, training, and services needed to promote sustainable digital engagement. The project aims to expand broadband access and digital literacy programs while ensuring economic empowerment and connectivity for underserved populations through the following initiatives:

- Phoenix Public Library Hotspot Lending Program.
- Senior and Affordable Housing Internet Program.

- Edison-Eastlake Community Wi-Fi.
- Connected Careers Initiative.
- Workforce Digital Navigator Program.
- Digital Equity for Aging Participants.

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

Financial Impact
The estimated total cost for the project is approximately $16,397,504.75. The maximum Federal participation rate is 90 percent, with a minimum local match of 10 percent of the total eligible project cost. For this funding opportunity, applicants are awarded additional points during review for including additional local match. If awarded, the Federal match would not exceed $11,840,537.02 (72 percent) and the City's costs would be approximately $4,556,967.73 (28 percent) for the local match. The City's local match contribution would consist of $987,999.22 (6 percent) from matching funds and $3,568,968.51 (22 percent) from in-kind contributions by the Housing, Human Services and Library departments.

Funding for the local match is available in the Capital Improvement Program budget. Potential grant funding received is available through the Federal Bipartisan Infrastructure Law, from the U.S. Department of Commerce through the FFYs 2021-24 Digital Equity Competitive Grant Program grant opportunity.

Responsible Department
This item is submitted by Deputy City Managers Gina Montes, Inger Erickson and Mario Paniagua, and the Housing, Human Services, Library and Information Technology Services departments.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 25

Safety and Non-Safety Uniforms, Accessories and Related Services - IFB 20-057 - Amendment (Ordinance S-51387) - Citywide

Request to authorize the City Manager, or his designee to allow additional expenditures under contracts 152935 with Ritz Safety LLC & AGS Safety and Supply, 152936 with Arizona Uniform and Apparel, 152937 with International Promotional Ideas Corporation, 152938 with International Corporate Apparel Inc., 152939 with Tyndale Company Inc., and 152940 with Galls Parent Holding LLC, for the purchase of safety and non-safety related uniforms and accessories for departments citywide. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $542,570.

Summary
These contracts provide safety related and non-safety related uniforms to employees across various City departments. Safety-related and non-safety related uniforms, including arc-related and reflective high-visibility gear, are essential for protecting employees during work assignments. As our citywide workforce continues to grow and the need exists to replace outdated apparel, additional funds are needed to support the ongoing supply of these essential uniforms.

Contract Term
The contracts term remain unchanged, ending on September 30, 2025.

Financial Impact
Upon approval of $542,570 in additional funds, the revised aggregate value of the contracts will not exceed $5,542,570. Funds are available in various department budgets.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
•Citywide Safety and Non-Safety Uniforms, Accessories and Related Services, Contracts 152935,152936,152937,152938,152939,152940, Ordinance S-46906 on September 02, 2020.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 26

Vehicle Rental Services Contract - IFB-24-0351 - Request for Award (Ordinance S -51389) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with The Hertz Corporation to provide vehicle rental services for departments Citywide. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $208,850.

Summary

This contract will provide vehicle rental services in good mechanical and physical condition for citywide usage. Citywide departments will have the ability to make daily, weekly, or monthly reservation rentals for a variety of vehicle classes such as compact, intermediate, full size, minivans, cargo van, and box trucks. Furthermore, the use of this contract is necessary for the Fire Department, as sponsoring agency for Arizona Task Force 1, to ensure their team can obtain vehicles to maintain their readiness for rapid deployment when responding to large scale incidents locally and nationally.

Procurement Information

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

There were four offers submitted and two were deemed to be responsive and responsible. The procurement officer evaluated the offers based on price and recommends award to the following Offeror:

- The Hertz Corporation

Contract Term

The contract will begin on or about November 13, 2024, for a five-year term with no options to extend.

Financial Impact

The aggregate contract value will not exceed $208,850. Funding is available in the various departments' budgets.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 27

Acquisition of Temporary Construction Easements for A High Intensity Activated Crosswalk on Camelback Road East of 16th Street (Ordinance S-51390) - Districts 4 & 6

Request to authorize the City Manager, or his designee, to acquire temporary construction easements required by donation, purchased within the City's appraised value, or by the power of eminent domain for the installation of a High Intensity Activated Crosswalk (HAWK) on Camelback Road east of 16th Street. Additionally, request to authorize the City Controller to disburse all funds related to this item.

Summary

The acquisition of temporary construction easements is required to construct ramp and sidewalk improvements that meet Americans with Disabilities Act requirements for the operation of a HAWK signal. Improvements include new traffic signal equipment, junction boxes, street lighting, striping, curbs, gutters, and signage.

The parcels affected by this project and included in this request are identified by Maricopa County Assessor's parcel numbers 163-25-005M, 163-25-005P and 163-25-006J located at 1701 E. Camelback Road, and 164-57-081 located at 1670 E. Camelback Road.

Financial Impact

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

Location

Camelback Road, east of 16th Street
Council Districts: 4, 6

Responsible Department

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 28

Grant of an Irrigation Easement within 91st Avenue, North of Lower Buckeye Road, to Salt River Project for Development of Villas at 91st Avenue (Ordinance S-51391) - District 7

Request to authorize the City Manager, or his designee, to grant an irrigation easement to Salt River Project (SRP) within the 91st Avenue right-of-way, north of Lower Buckeye Road, for consideration in the amount of the appraised value. Further request authorization for the City Treasurer to accept all funds related to this item.

Summary
Development of the Villas at 91st Avenue project requires SRP irrigation facilities to be relocated from an open distribution ditch to an underground pipeline. The approximate 1,332 square foot easement within the west side of the 91st Avenue right-of-way will connect SRP's irrigation pipe to the relocated facilities. The developer is paying for all costs related to the easement.

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

Location
Within the 91st Avenue right-of-way, north of Lower Buckeye Road.
Council District: 7

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 29

Acceptance and Dedication of Easements for Sidewalk and Public Utility Purposes (Ordinance S-51401) - Districts 1 & 7

Request for the City Council to accept and dedicate easements for sidewalk, roadway and public utility 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: CADO Bell Ringer LLC; its successor and assigns
Purpose: Sidewalk
Location: 16402 N. 28th Avenue
File: 240078
Council District: 1

Easement (b)
Applicant: Robert Pimentel Sr. and Teresa A. Pimentel; its successor and assigns
Purpose: Public Utility
Location: 1101 W. Corona Avenue; 1105 W. Corona Avenue
File: 240073
Council District: 7

Responsible Department

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 30

Acceptance of an Easement for Sewer Purposes (Ordinance S-51402) - District 6

Request for the City Council to accept an easement for sewer 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: Aric D. Mei; its successor and assigns
Purpose: Sewer
Location: 3602 N. 56th Street
File: 240074
Council District: 6

Responsible Department

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 31

Vehicle Wash Services - IFB19-141 - Letter of Agreement to Extend Contracts for Vehicle Wash Services (Ordinance S-51404) - Citywide

Request to authorize the City Manager, or his designee, to enter into Letters of Agreement with US Metro Center Phoenix LLC dba Ultra Suds Car Wash; PacWest Energy LLC dba Jacksons Car Wash; and Foothills Car Wash LLC to continue to provide vehicle wash services for Citywide use. 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-45954, S-47257, and S-50551.

Summary
The purpose of these Letters of Agreement is to continue to provide vehicle wash services to City departments. Vehicle wash services are necessary to clean City cars, trucks, SUVs, cargo and passenger vans, Police mobile command and specialty vehicles. Services include both automated and hand wash services.

Contract Term
The terms of the Letters of Agreement will begin on or about November 13, 2024, and expire on March 31, 2025.

Financial Impact
The aggregate value of the contracts will not exceed $1,030,000 and no additional funds are needed.

Concurrence/Previous Council Action
The City Council previously reviewed this request:
• Vehicle Wash Services - Requirements Contract - IFB 19-141 (Ordinance S-45954) on August 28, 2019.
• Vehicle Wash Services - Requirements Contract - IFB 19-141 (Ordinance S-47257) on January 20, 2021.
• Vehicle Wash Services - Requirements Contract - IFB 19-141 - Amendment (Ordinance S-50551) on February 7, 2024.

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 32

Computer Equipment, Peripherals and Related Services Contract - COOP 24-0337 - Request for Award (Ordinance S-51421) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with Hewlett Packard Enterprise Company to provide computer equipment, peripherals and related services for departments Citywide. Payment may be made to Hewlett Packard Enterprise Company as the contractor or to the subcontractors set forth in the contract, which are listed in Exhibit A. Further request an exception to the indemnity and assumption of liability provisions of Phoenix City Code Section 42-18. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed, request to use Ordinance S-51117.

Summary

This contract will provide a wide variety of technology needs for all City departments. Purchase made under this contract include ongoing replacement of end-user computer equipment, peripherals, devices laptops, tablets, monitors, power cables, other end-of-life user devices, and related services. The City intends to adopt multiple computer equipment, peripherals and related services cooperative contracts using payment authorization approved under Ordinance S-51117, and will request Council approval for each, once the city receives signed cooperative purchasing agreements from the vendors.

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. Central Procurement with Information Technology Services staff's support has researched various local and nationwide cooperatives and determined that the State of Arizona cooperative contracts best align with the City's technology needs.

Contract Term

The contract will begin on or about November 13, 2024 and continue through June 30, 2025 with an option to extend three additional years.

Financial Impact

The aggregate value of this contract and all other related cooperative contracts will not exceed $73,080,000 authorized in Ordinance S-51117 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:
• Computer Equipment, Peripherals & Related Services Contract (Ordinance S-51201) on August 26, 2024
• Computer Equipment, Peripherals & Related Services Contract (Ordinance S-51117) on June 26, 2024

Responsible Department

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

ATTACHMENT A

Subcontractors:

1) CDW Governmental LLC
2) SHI International Corp
3) Frontier Technology, LLC dba Microage
4) ITP Consulting, Inc.
5) Advanced Network Management LLC
6) Milestone Computer Technology, Inc.
7) Red8
8) Sentinel Technologies, Inc

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 33

Shade Phoenix Plan - Citywide

Request approval to adopt the Shade Phoenix Plan for years 2024-2028. This plan provides policy and program direction regarding the addition and maintenance of natural and built shade in Phoenix to protect public health, improve quality of life, and create community resilience.

Summary

The Need for Shade

Shade is a critical community resource. Providing adequate shade is one of the most effective strategies to make outdoor urban environments safe and comfortable. Shade protects the human body from direct sun exposure, which is the primary factor that determines outdoor thermal safety in hot weather. Shade also protects infrastructure from sun exposure, which reduces the dangers of people interacting with hot surfaces and increases the life span of materials. Studies estimate that shade reduces the net heat burden on the human body by up to 70 degrees Fahrenheit.

Inadequate shade in certain neighborhoods and vital outdoor areas like transit stops and commercial corridors is a high community concern. This shade deficiency presents a significant risk to public health, particularly for residents with underlying health issues, to our neighborhoods, and to Citywide economic vitality. Maintaining and expanding publicly available shade, with a focus on where people are most exposed to outdoor heat and where there are high concentrations of vulnerable populations, is critical to our future.

Vision and Values

The Shade Phoenix Plan presents a vision of a future where all community members experience the benefits of trees and built shade throughout the City. The plan is anchored around a set of core values that shaped its development and will guide its implementation. Those values are to:

- Focus on people first by targeting actions where shade can have the greatest impact on human health and wellbeing, especially for vulnerable populations;
- Recognize that shade is critical resource provided to the community by public and private assets;

- Lead with an environmental justice and equity lens and address inequities;
- Respect the unique landscape and heritage of the Sonoran Desert, one of the most special places in the world;
- Collaborate within City government, between public and private actors, and with the communities of Phoenix to accelerate collective action; and
- Go beyond the status quo by innovating and taking risks to change historical trajectories and realize the Plan's vision.

Assessment and Inventory

The Shade Phoenix Plan provides updated data regarding tree canopy and shade coverage in the City of Phoenix, as well as specific analysis and inventories for City of Phoenix property. The most recent tree canopy data indicates significant disparity in canopy coverage throughout Phoenix. Many neighborhoods in Central City South, West Phoenix, and along the Interstate 17 Corridor have tree canopy cover less than five percent, whereas other neighborhoods in Phoenix have canopy cover exceeding 25 percent. In high-income neighborhoods in Phoenix, tree canopy coverage is nearly double the amount as in lower-income neighborhoods. The median tree canopy cover in Phoenix Citywide is 11 percent. Total shade coverage from all built and natural sources follows similar patterns.

The Shade Phoenix Plan also provides a detailed accounting of tree and shade initiatives on City property and includes an action item to update the City's official tree inventory, which is estimated to include more than 100,000 trees. Over the past 15 years, at least 32,968 trees have been planted by the Street Transportation Department, Parks and Recreation Department, and Aviation Department. These plantings have helped the City maintain its recognition from the Arbor Day Foundation as a Tree City USA for 37 consecutive years. The Plan also includes analysis of built shade structures on City properties, and it reports more than 3,000 bus stops with shade structures and another 639 shade structures at City of Phoenix parks.

Strategies and Actions

The Shade Phoenix Plan provides four broad strategies, 11 strategic priorities, and 36 specific actions to achieve its vision. The strategies and strategic priorities are as follows:

- Strategy 1 is to Expand Shade, increasing shade for people where they need it most. Strategic priorities are to increase shade for children, increase shade on City-owned properties, increase shade on public right-of-way, and increase shade on private properties.
- Strategy 2 is to Preserve and Maintain Existing Shade, ensuring that the community

is working together to support a thriving urban forest and well-maintained built shade. Strategic priorities are to care for and maintain trees and shade structures on public property, to strengthen code enforcement on private property, and to increase City capacity to maintain trees and shade.
- Strategy 3 is to Evaluate and Institutionalize the ongoing implementation and improvement of shade efforts to scale their impacts and maximize benefits. Strategic priorities are to monitor and evaluate progress on the Shade Phoenix Plan, to strengthen organizational coordination and staff capacity, to strengthen regulations, design standards, and guidelines, and to create and expand pathways for careers in urban forestry.
- Strategy 4 is to Educate and Empower, so that all Phoenicians understand the importance and values of trees and shade and how they can support them. Strategic priorities are to create a Citywide movement around shade and heat and to provide public education around sustainable and equitable shade practices.

Collectively, the 36 actions in the Shade Phoenix Plan represent at least $60,000,000 in allocated and planned funding that will be directed toward tree and shade initiatives in the next five years, from a combination of local, federal, and private sources. More than half of the funding has been committed in the past two years. Of the total investment, 50 percent is anticipated to be made in low- to moderate-income communities in the City of Phoenix and 85 percent is anticipated to be made in low-, moderate-, and middle-income communities.

The Shade Phoenix Plan is included as **Attachment A** and is available online in both English and Spanish at www.phoenix.gov/shade.

Concurrence/Previous Council Action

- City Council approved the Phoenix Tree and Shade Master Plan on January 5, 2010;
- City Council approved a Memorandum of Understanding with American Forests on Tree Equity on April 21, 2021;
- City Council approved General Plan Update 2025 on April 17, 2024; and
- City Council reviewed and discussed a draft of the Shade Phoenix Plan on June 11, 2024.

Public Outreach

In the nearly 15 years since the 2010 Tree and Shade Master Plan was adopted, a wide range of City and community-driven initiatives have generated new perspectives, needs, and opportunities to guide the City’s tree and shade efforts moving forward. The Shade Phoenix Plan is built upon community input and lessons learned over that

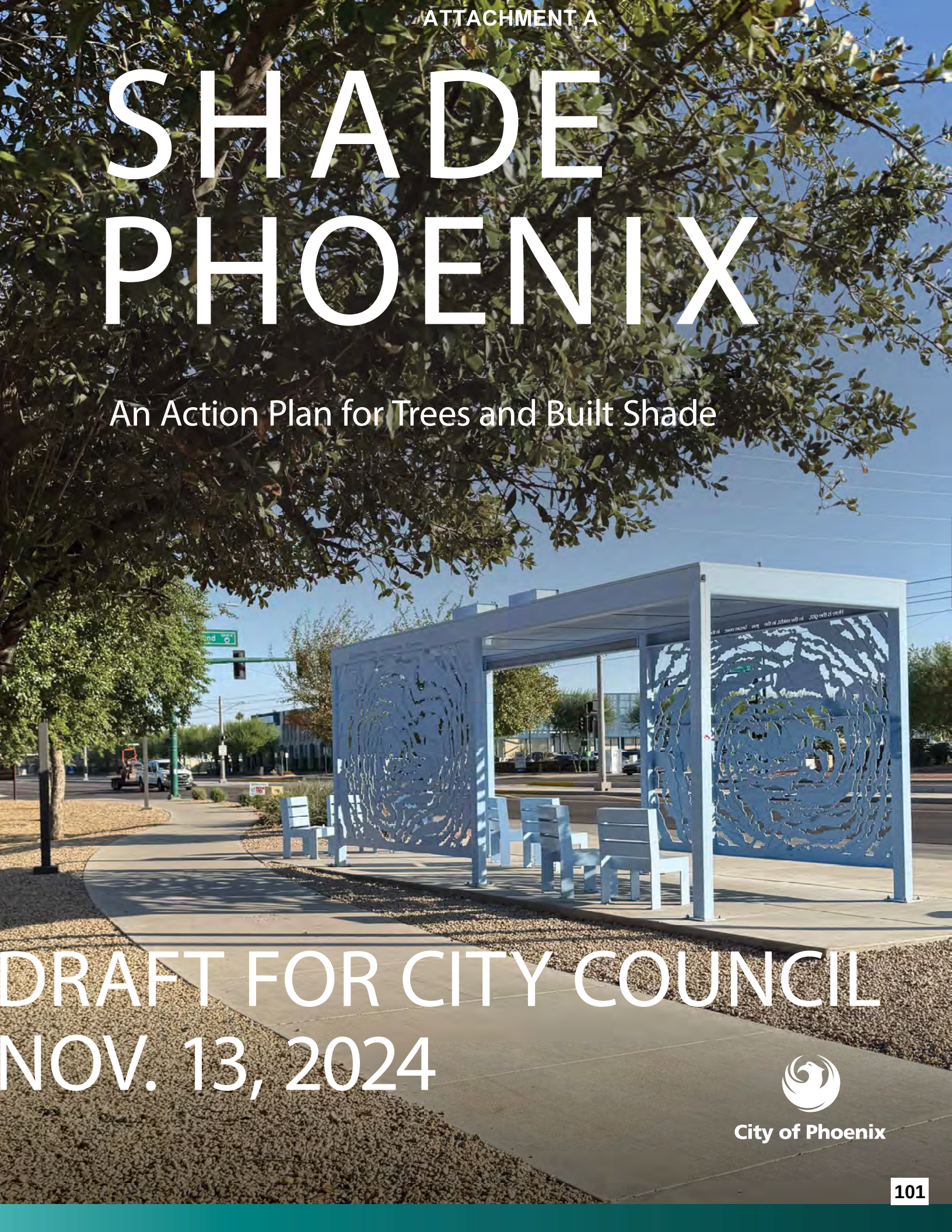
15-year period, as well as specific stakeholder and public engagement activities designed to inform the new plan.

Stakeholder and public engagement activities for the Shade Phoenix Plan accelerated in 2023 and included meetings with all Village Planning Committees, Community Sustainability Workshops attended by more than 600 residents, meetings with local advocates and experts, and an online Tree and Shade Community Feedback Questionnaire that has received more than 1200 responses. Guidance for the Shade Phoenix Plan has also been sourced from prior and ongoing efforts of the City of Phoenix Environmental Quality and Sustainability Commission and other public advisory boards and commissions, the Metro Phoenix Urban Forestry Roundtable, the Nature Conservancy Heat Action Planning Guide for Greater Phoenix, public comment at City Council meetings and budget hearings, and academic research.

Responsible Department
This item is submitted by Deputy City Manager Gina Montes and the Office of Heat Response and Mitigation.

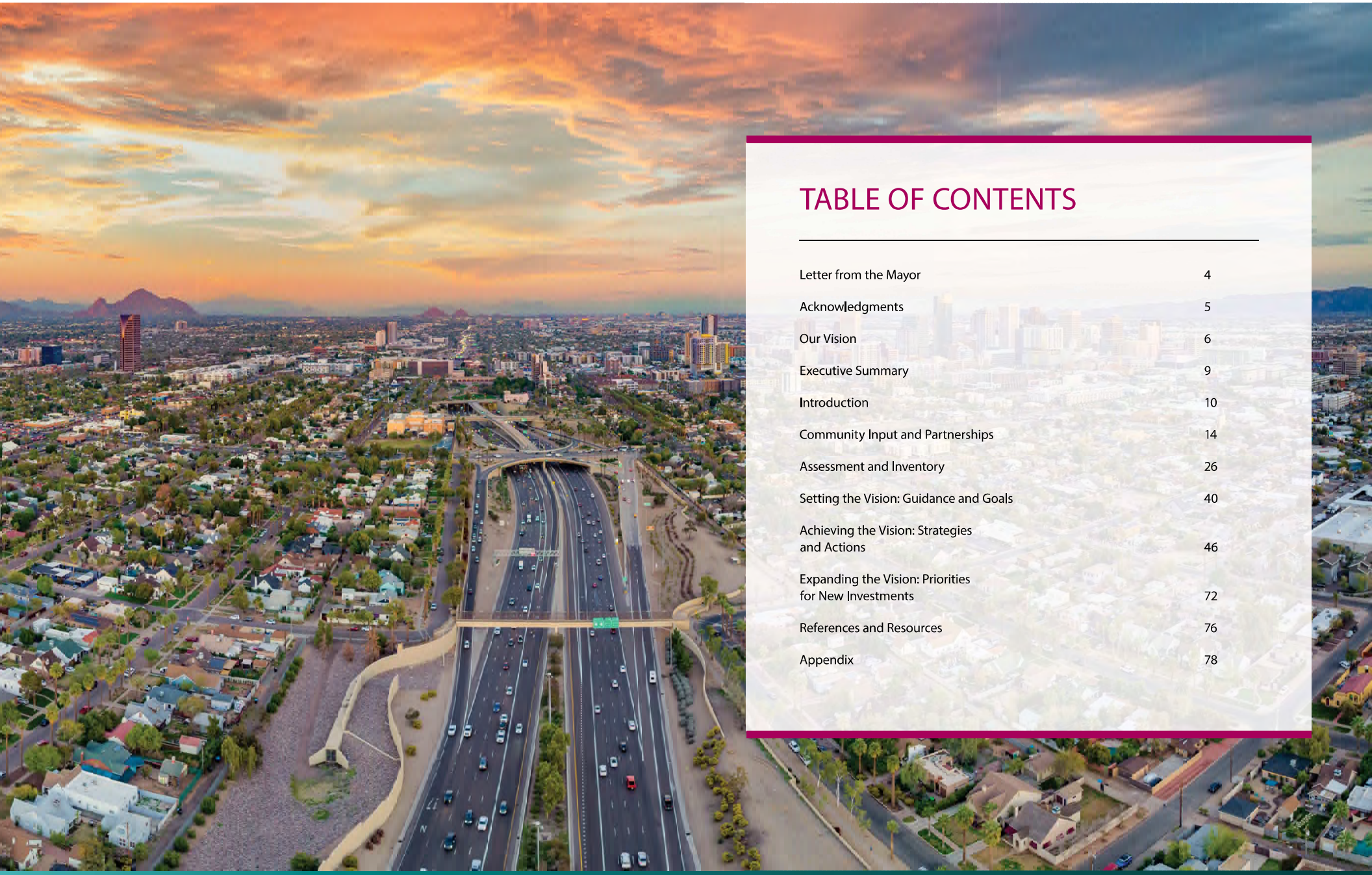
SHADE PHOENIX

An Action Plan for Trees and Built Shade



DRAFT FOR CITY COUNCIL
NOV. 13, 2024

City of Phoenix



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LETTER FROM THE MAYOR

Dear Friends and Neighbors,

I'm excited to introduce the City of Phoenix 2024 tree and shade master plan: Shade Phoenix! This plan will guide our efforts to enhance the livability of our great city, coalescing multiple initiatives to make our neighborhoods cooler and more comfortable.

As Phoenix continues to experience rising summer temperatures and more frequent extreme heat events, it is more important than ever that we expand shade coverage from both trees and built structures. In the hottest months, shade can make up to a 30-degree difference. Those of us in Phoenix know that that difference can be significant and in extreme cases, lifesaving.

Many years in the making, Shade Phoenix represents our commitment to increase our urban tree canopy and promote the use of innovative shade structures, especially in the areas of our city that need it most. The goals outlined in the Plan complement years of intentional policymaking that puts resilience at the forefront. From implementing our Walkable Urban Code that increases shade in high-volume pedestrian areas to curbing our emissions through efficiency improvements and renewable energy expansion, we are well on our way to becoming the most sustainable desert city in the world—a goal set thanks to the will of Phoenix voters in 2015.

These efforts are not just critical for cooling our city and keeping Phoenicians safe. They are also essential to improve air quality, reduce energy consumption, and provide beautiful, functional spaces for residents and visitors to enjoy year-round. Additionally, the strategies in the Plan were tailored to fit our unique home here in the Sonoran Desert, with water conservation and biodiversity as key considerations.

The Shade Phoenix Plan is the result of countless hours of diligent work and collaboration among City staff, environmental experts, and community members. I invite you to engage with us as we roll out the strategies outlined in this plan. Your feedback, participation, and support are crucial to our shared success. Let's come together to foster a cooler and more resilient Phoenix for ourselves and for future generations!

Thank you,

Kate Gallego
Mayor of Phoenix

ACKNOWLEDGEMENTS

The 2024 Shade Phoenix Plan is an update and expansion of the City's Tree and Shade Master Plan from 2010. The Plan reflects initiatives and perspectives from many local, regional, and national collaborators and community members. It also draws content and direction from a network of related plans, including the City of Phoenix's PlanPHX General Plan, Climate Action Plan, Water Resource Plan, Transportation 2050 Plan, and Transit Oriented Development Plans, as well as the Maricopa County Hazard Mitigation Plan, the Maricopa County Department of Public Health Strategic Plan for Climate and Health, the Heat Action Planning Guide for Greater Phoenix, and the Arizona Department of Health Services Climate and Health Adaptation Plan. Thank you to everyone who
contributed insight, ideas, and passion for making Phoenix a better place.

City of Phoenix Mayor and Council

Mayor Kate Gallego
Ann O'Brien - District 1
Jim Waring - District 2
Debra Stark - District 3
Laura Pastor - District 4
Betty Guardado - District 5
Kevin Robinson - District 6
Carlos Galindo-Elvira – District 7
Kesha Hodge Washington - District 8

City of Phoenix Departments

Arts & Culture, Aviation, City Engineer, City Manager's Office, Communications, Community and Economic Development, Environmental Programs, Fire, Heat Response and Mitigation, Homeland Security and Emergency Management, Homeless Solutions, Housing, Human Services, Innovation, Library, Neighborhood Services, Parks and Recreation, Planning and Development, Police, Public Health, Public Transit, Public Works, Street Transportation, Sustainability, Volunteer Programs, Water Services.

City of Phoenix Advisory Boards

The City of Phoenix appreciates the contributions of the many community members who serve on public advisory boards and commissions that have provided input to this plan, including the Environmental Quality and Sustainability Commission and all 15 Village Planning Committees.

Local, Regional, and National Partners

Organizations listed below are partners in the tree and shade programs that the City operates or supports, and/or have provided input regarding the content of this plan.

American Forests, American Society of Landscape Architecture Arizona Chapter, Arizona Community Tree Council, Arizona Conservation Corps, Arizona Cooperative Initiative, Arizona Department of Forestry and Fire Management, Arizona Landscape Contractors Association, Arizona Nursery Association, Arizona Public Service, Arizona State University, Arizona Sustainability Alliance, Artlink, Bloomberg Associates, Bloomberg Philanthropies, CHISPA AZ, Keep Phoenix Beautiful, Maricopa Association of Governments, Maricopa County, Phoenix Metro Urban Forestry Roundtable, Resilient Cities Catalyst, Salt River Project, The Design Laboratory, The Nature Conservancy, Trees Matter, U.S. Forest Service, University of Arizona, University of Arizona Maricopa County Cooperative Extension, University of California Los Angeles, Unlimited Potential, Venture Café Phoenix, Watershed Management Group.

The City of Phoenix also deeply appreciates contributions from many individual community members, as well as neighborhood and business associations, who have provided input to the Shade Phoenix Plan and shared their feedback on tree and shade efforts at other community forums in recent years.

OUR VISION

A future in which all community members and visitors experience the benefits of trees and built shade throughout Phoenix.

Project Name: Ocotillo Restaurant
Project Landscape Architect: Trueform Landscape Architecture Studio
Photo credit: Matt Winquist
www.trueformlas.com

OUR VALUES

Shade Phoenix is anchored around a set of core values that shaped its development and will guide its implementation.

Focus on people first by targeting actions where shade can have the greatest impact on human health and wellbeing, especially for vulnerable populations.

Recognize that shade is a critical resource provided to the community by public and private assets.

Lead with an environmental justice and equity lens to address inequities.

Respect the unique landscape and heritage of the Sonoran Desert, one of the most special places in the world.

Collaborate within City government, between public and private actors, and with the communities of Phoenix to accelerate collective action.

Go beyond the status quo by innovating and taking risks to change historical trajectories and realize the Plan's vision.

EXECUTIVE SUMMARY

The Shade Phoenix Plan outlines the actions the City and its partners will take over the next five years to accelerate the creation and enhance the maintenance of shade in Phoenix. The vision of the Shade Phoenix Plan is that all community members experience the benefits of trees and built shade throughout the city. Actions in the plan prioritize places in Phoenix where people are outside the most and populations most vulnerable to extreme heat.

Shade Phoenix is a data-driven plan, leveraging detailed analysis of citywide tree and shade data across City-owned, public, and private properties. At the census tract scale, tree canopy cover varies from 2% to 30%. The median census tract has 11% tree canopy. The plan includes findings from the City's first shade analysis, which estimates the combined impact of shade from both built and natural sources.

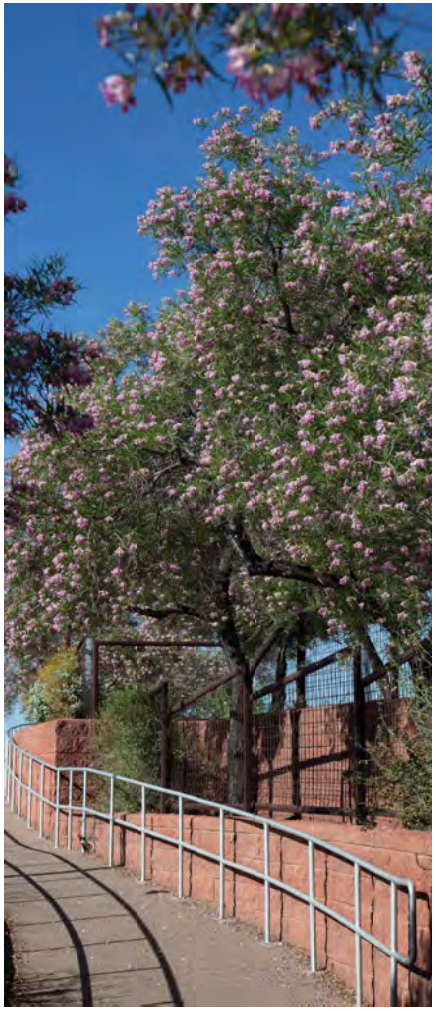
The Plan includes 36 actions across four strategy areas, addressing 11 strategic priorities. Collectively, these actions represent more than $60 million in allocated funding over the next five years and will result in more than 27,000 new trees and 550 new shade structures. This represents an almost doubling of the number of trees planted annually by the City of Phoenix. More than 50% of the total investment will be made in low-to moderate-income communities and 85% will be made in low-moderate-and middle-income communities. The four strategy areas are:

1. Expand Shade - increase shade for children and on City-owned properties, the public right-of-way, and private properties
2. Preserve and Maintain Existing Shade - care for and maintain trees and shade structures on public property, strengthen code enforcement on private property, and increase City capacity to maintain trees and shade
3. Evaluate and Institutionalize - monitor and evaluate progress on the Shade Phoenix Plan; strengthen organizational coordination and staff capacity; strengthen regulations, design standards, and guidelines; and create and expand pathways for careers in urban forestry.
4. Educate and Empower - create a citywide movement around shade and heat and provide public education on sustainable and equitable shade practices.

Development of the Shade Phoenix Plan was led by the City's Office of Heat Response and Mitigation and reflects the collective efforts of 26 City departments and offices. The Plan was shaped by significant public engagement that involved more than 2,000 community members who contributed input via public meetings and presentations, an online survey, engagement with Village Planning Committees, community events, and at workshops on heat and mobility held by the Office of Heat Response and Mitigation and the Office of Sustainability.

INTRODUCTION

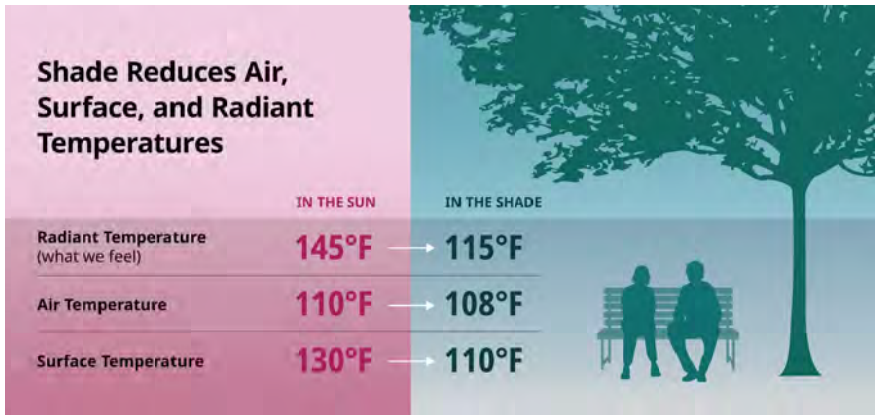
In the hottest large city in the United States, shade is critical community resource. Shade, provided by trees and built structures, creates cooler, comfortable spaces that protect public health, improve quality of life, and strengthen community resilience. Maintaining and expanding Phoenix's shade will take proactive, coordinated action among residents, businesses, non-profit partners, and across City departments. This plan, an update to and expansion of the City's 2010 Tree and Shade Master Plan, outlines the concrete actions the City and its partners will take over the next five years to scale up and accelerate efforts to expand shade in Phoenix, with an explicit focus on the city's most vulnerable residents.



Why focus on shade?

This plan prioritizes increasing shade coverage throughout the city as a strategy to improve health and quality of life. Extreme heat is a public health challenge for the City of Phoenix, especially for community members with higher physical sensitivity, more exposure, and fewer coping resources. Over the past ten years, Phoenix has averaged more than 115 days each year with daytime temperatures exceeding 100°F, and more than 45 days each year when the overnight low temperature does not fall below 85°F. Hot days and nights are becoming more common and are projected to continue to increase in frequency and intensity in the coming decades. People's experiences in the Phoenix of the future will be influenced by how successfully our community maintains and expands publicly available shade, because shade is one of the most effective strategies to make hot outdoor urban environments safe and comfortable.

The heat load of the human body is sensitive to many different environmental variables including air temperature, wind speed, sunlight, and surface temperatures, and physiological research demonstrates that shade is the most consequential variable in determining how safe and comfortable people will be as they move through outdoor spaces. The reduction in the net heat burden on the human body that can be achieved by shade has been measured as high as



70 degrees Fahrenheit. Shade also provides benefits to physical infrastructure, increasing the life span of materials that degrade or become more vulnerable when exposed to the sun, and making it easier to keep homes, vehicles, and indoor workspaces safe and comfortable.

The dominant role of shade in shaping the health of Phoenix's residents and infrastructure has motivated the orientation of this plan. It is a plan that focuses first on adding shade. Its primary emphasis is not on achieving reductions in regional or site-specific air and surface temperatures, although many of the actions proposed in the plan will help realize those additional benefits. Additional strategies to achieve local and regional heat mitigation, including through the deployment of cool and reflective surfaces, are included in the City's Climate Action Plan.

Why was a new plan needed?

The Shade Phoenix Plan provides an update to and expansion of the City's 2010 Tree and Shade Master Plan (2010 Plan). The 2010 Plan has served as a policy tool related to tree and shade initiatives since its adoption and laid an important foundation for efforts to improve and maintain tree canopy and shade coverage in the City. Many of the principles and priorities from the 2010 Plan remain relevant today and are reflected in the new Shade Phoenix Plan. The new plan also addresses community priorities that have emerged or become higher priorities over the past 15 years, especially and the importance of built shade. In April 2021, a Memorandum of Understanding with American Forests was approved by City Council that augmented the vision of the 2010 Plan with specific attention to equity. Having a new plan that clearly articulates values and actions aligned with today's community needs will improve the City's ongoing program and policy development and day-to-day operations.

It was also important to create a new plan to reflect the City's significantly improved capacity to make meaningful progress toward tree and shade goals. Uncertainty around financial resources was presented as a major challenge in the 2010 Plan as the City had made significant cuts to tree and shade initiatives during the Great Recession. At the time of its adoption, City Council directed staff to begin implementing the plan as subject to available financial resources. Today, approximately 70% of the actions from the 2010 Plan have been completed or are ongoing (see Appendix). The new Shade Phoenix Plan more explicitly identifies financial resources that are available to support its vision, strategies, and actions, and more clearly communicates the community benefits that will be achieved with those resources.

Finally, the new Shade Phoenix Plan serves to provide a comprehensive and updated public accounting of the state of City-led tree and shade initiatives and the status of tree and shade coverage throughout the city, and a new baseline and framework for measuring progress and ensuring accountability moving forward.

What is in the Shade Phoenix Plan?

The Shade Phoenix Plan was crafted with recognition that heat is not the only environmental challenge facing Phoenix. Careful attention to the region's water resources, air quality, and ecology must be integral to planning efforts to increase shade from natural and engineered sources. New trees and shade structures must be resilient to many urban environmental challenges and should be considered as part of a holistic approach to making communities healthier and more sustainable.

Shade Phoenix is a portfolio of community-inspired solutions to solve challenges at the intersection of extreme heat, public health, quality of life, and environmental justice and equity. The Plan includes avenues for investments not only in the physical infrastructures necessary to help Phoenix's hottest, most heat vulnerable neighborhoods become cooler, greener, and healthier, but also in the human capital that is essential for realizing the full suite of environmental and social benefits that natural and built shade can provide.

Implementation of the Plan will ensure:

- Phoenicians understand the importance and value of trees and shade and how they can support them
- Built and natural shade is expanded for people where they need it most
- The community works together to support a thriving urban forest and well-maintained built shade
- Ongoing implementation and improvement of shade efforts to scale their impacts and maximize benefits

The 11 strategic priorities and 36 actions in the Plan will guide the spending of more than $60 million in public and private investments over the next five years and will result in more 27,000 new trees and 550 new shade structures in Phoenix.

Reflecting the values of the Plan, more than 50% of these will be planted or installed in low-income communities and more than 85% will be in low- to moderate-income communities. Together, these actions will help achieve the overarching vision to create a future where all community members and visitors to Phoenix experience the benefits of trees and built shade throughout the city.

Tree Equity Score

One element central to shade cover, or the lack of it, is tree canopy. In 2021, American Forests developed the Tree Equity Score to address and identify environmental inequities in tree distribution common to cities across the United States. Tree Equity Score measures how well the critical benefits of urban tree canopy are reaching those who need them most at the census tract level.
The score—which ranges from 0 to 100 and the Priority Index (based on seven equally-weighted factors: age, health burden, heat disparity, people in poverty, linguistic isolation, and people of color) —establishes an equity-first standard to guide investment in low-income communities, communities of color, and areas disproportionately affected by extreme heat, pollution and other environmental hazards.

In November 2023, American Forests launched the Maricopa County Tree Equity Score Analyzer (TESA), providing high resolution information to the region. This tool was custom-built for Maricopa County with input from local stakeholders and includes specific place-based metrics such as heat disparity, qualified census tracts, bus stops, light rails, schools and cooling centers. (Qualified census tracts are defined by the U.S. Department of Housing and Urban Development as those in which
50% or more of the households are income eligible and the population of all census tracts that satisfy this criterion does not exceed 20% of the total population of the respective area.) The TESA supports people-centered planning to improve low neighborhood Tree Equity Scores across Maricopa County.

The tool allows users to see where tree planting can have the greatest impact to address tree inequity, and customize Tree Equity Score targets and create detailed tree planting and protection plans at the property level. TESA can be used to to track progress and forecast project impacts of mature trees.

COMMUNITY INPUT AND PARTNERSHIPS

A robust dialog around trees and shade has been ongoing since before the City's first Tree and Shade Master Plan was adopted in 2010.

Community engagement to inform the Shade Phoenix Plan formally began in 2022 with the creation of the Office of Heat Response and Mitigation, which was delegated the responsibility for the Tree and Shade Master Plan. The Office of Heat Response and Mitigation, in collaboration with other departments, strived to center community voices in the creation of this plan. Engagement included presentations to community groups, seeking input at community events and budget hearings, facilitating a bi-language dialogue at community charettes, and soliciting input from an online questionnaire in English and Spanish.

Public documents and plans that were created with substantive community engagement, such as the South Phoenix Transit Oriented Development Plan and the Heat Action Planning Guide for Greater Phoenix, were reviewed for concerns, ideas, stories and expertise. Development of the Shade Phoenix Plan has also been guided by the Core Values of the City of Phoenix 2025 General Plan: Create a network of vibrant cores, centers and corridors, Connect people and places, Strengthen our local economy, Celebrate our diverse communities and neighborhoods, and Build the most sustainable desert city.

The community feedback collectively created and shaped the goals, strategies, and actions of this plan. The level of response, passion, and time Phoenix residents, practitioners, and researchers have dedicated demonstrates the community's prioritization of tree and shade initiatives in pursuit of a higher overall quality of life.

There were three primary modes of feedback:

Online Engagement

- Tree and Shade Community Questionnaire

Direct Engagement Events

- Community Sustainability charrettes with the Office of Sustainability
- Presented and collected feedback at all of the Village Planning Committee (VPC) meetings
- Presented and collected feedback at the Environmental Quality and Sustainability Commission (EQSC) meetings
- Presented and collected feedback at a variety of community meetings

Partnership Events

- Attended and collected feedback at City Council Community Meetings
- Attended and collected feedback at public Budget Hearings
- Innovate PHX Challenge with the Office of Innovation and Venture Café Phoenix
- Tabled and collected feedback at community events

More than 2,000 community members have contributed input on current and future tree and shade efforts.

Tree and Shade Community Questionnaire

A Tree and Shade Community Questionnaire was available online in English and Spanish from March through August 2024 and received more than 1,200 responses. City staff promoted the survey at community events and through traditional and social media channels. Residents from all 15 of Phoenix's Villages completed the questionnaire, with higher representation from Alhambra, Encanto, Central City, Laveen, and North Mountain. Community members who took the questionnaire overwhelmingly described shade as essential to their day-to-day activities, which provided confirmation that the questionnaire reached communities that encounter heat on a regular basis.

Feedback provided through the questionnaire provides clear direction that the City should invest in more trees and shade structures, particularly in areas where people spend time outdoors, commute, or gather for recreation. Respondents pointed to a serious deficiency of natural and built shade in Phoenix. Approximately 90% of respondents said that there is not enough natural or built shade throughout the city and among those respondents, about half described the current state as "severely lacking" (Figure 1). When asked "How is the City doing in terms of providing enough trees and shade for everyone in Phoenix to enjoy a good quality of life?," only 20% of respondents evaluated the City's efforts as Good, Very Good, or Excellent.

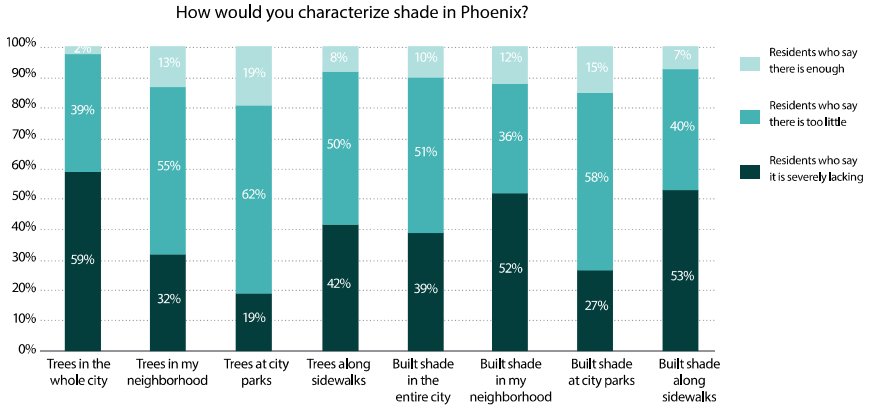


Figure 1. Community Questionnaire responses to prompts about tree and shade coverage in different places in Phoenix. Response rates varied by question, but each prompt received at least 950 responses.

Respondents were asked to identify good examples of places with tree and shade coverage in the community as well as places that needed more shade. Many people responded to these questions in a manner that indicated a need for more trees and shade everywhere in the city. Among more specific responses, the following major themes emerged:

- Parks with existing natural shade are highly valued, and community members want to see shade in parks expanded to more parts of the city. Parks with good examples of tree coverage included Encanto Park, Cesar Chavez Park, and the Japanese Friendship Garden. The Phoenix Zoo and Desert Botanical Garden were also frequently mentioned as good examples.
- Individual built shade structures and canopies on public and private property were viewed favorably. Specific examples included light rail stops downtown, large shade structures covering playgrounds, such as at Pierce Park, shade canopies at certain bars and restaurants, and the Shadow Play sculpture at 3rd Street and Roosevelt.
- Major streets were often mentioned as lacking sufficient shade, making them uncomfortable for pedestrians. A notable exception to this perception is the Murphy Bridle Path in central Phoenix, which many respondents indicated was a place with good tree coverage that they enjoy visiting regularly. Along major streets, bus stops were frequently mentioned as high priority candidates for additional built shade.
- Over 1,000 specific locations were identified by community members as either good examples or as places needing more shade. All responses are being compiled into maps for City staff to use in future planning.

Finally, residents were invited to share additional comments and questions about trees and shade in Phoenix. Many community members shared detailed responses supporting additional tree and shade investment, the importance of using the right shade in the right place, concerns about tree maintenance, and ensuring the use of native trees in planting efforts. These responses reflect the deep care and concern residents have around trees and shade.

Examples of community comments include:
General support for tree and shade efforts

"Shade can be life saving; important work you are doing!"

"This should be a high priority for the city, not only as a matter of human rights, but as preparation for continued climate change…Trees will make it more habitable for future residents, which will in turn allow Phoenix to continue to be a place people want to move to, not just for work, but as a place to call home and raise children."

Right Shade, Right Place

"Built shade needs to be oriented to the location. It cannot simply be artistic - it must be functional and provide shade onto the ground at the specific times of days. Otherwise why build it."

"In order for Phoenix to be a walkable city…we need to make all of the pathways leading to mass transit shaded. Same goes for walking to a store or other essential services - it doesn't matter if there is something within a mile if you can't safely walk to it in the heat."

"All city streets and sidewalks should have native trees like Mesquites and Palo Verdes that create a good canopy to help with the heat index while also being drought tolerant."

Maintenance

"Hire enough city employees to take care of the dead trees or trees that need trimming before planting an overabundance"

"Trees that are planted [need to] have a maintenance and irrigation plan that is sustainable and consulted on by certified arborists and skilled professionals."

Community Sustainability Workshops

In 2023, the Office of Heat Response and Mitigation held 16 charettes on heat and mobility in collaboration with the Office of Sustainability, Resilient Cities Catalyst, and Unlimited Potential, a Phoenix-based community organization. The charettes were attended by over 600 community members. The workshops, set up as listening sessions, sought community perspectives in two phases. The first phase focused on identifying mobility solutions and heat mitigation strategy prioritization, like prioritizing the reliability of the transit system. Community members provided over 2,000 specific places where they would like more trees and shade, such as bus stops, community centers, schools, parks, and street intersections.

The second phase established deeper engagement with the community on heat and mobility challenges. Open-ended questions about likes and dislikes were asked.

Out of 576 answers to the question: "What do you like about your community," the most common answer referenced parks.

Out of 881 answers to the question: "What don't you like about your community," some of the top answers were related to lack of trees and shade.

"I don't like my community because there aren't many trees."

"Bus stops need good shade, they supposedly have shade, but they do not."

"Lack of trees at the edge of the sidewalks."

"The City does not allow us to plant shade trees in front of our houses, and the cars get very hot"

"It's so hot, please plant more trees."

"We need more shaded structures at the commercial parking lots."

"There isn't enough shade when I go out to walk."

SHADE PHOENIX COMMUNITY INPUT AND PARTNERSHIPS

Community Engagement with Unlimited Potential

For almost two years the City of Phoenix's Office of Heat Response and Mitigation and the Office of Sustainability worked with Unlimited Potential, a local community-based organization, and with Resilient Cities Catalyst, a national non-profit, to engage community members in discussions about climate and health. During this period the City held 16 formal community meetings with more than 600 participants, conducted 48 neighborhood canvassing events, and engaged over 30 community-based organizations.

Four main themes were covered during the community sessions: transportation, air quality, heat, and assets and needs.

In the category of "Air quality" five subgroups were identified: air pollution, pollution sources, individuals at higher health risk, health issues and possible solutions. In the theme "Heat", increasing tree canopy was mentioned as the number one solution for heat mitigation. Additional solutions included: increasing the number of cooling centers, shaded areas, community gardens and pools, improving home cooling/AC. Maps were provided for community members to tell the City where they would like to see more trees and cooling elements like drinking water and cooling spaces.

Infrastructure, nature and sense of community were identified as community assets. However, areas of concern raised by participants included: homelessness, lack of infrastructure, poor lighting, public safety, increase in drug use, and high rent.

The Office of Sustainability will work with Resilient Cities Catalyst and community members on ideas for shade structures for the neighborhood from round one of engagement. The Office of Heat Response and Mitigation will work with Unlimited Potential and a team from ASU to create neighborhood tree plans using this engagement as a starting point. The City will seek to continue these types of events and the level of engagement to ensure that community members are part of the solutions for their communities.

Village Planning Committee Meetings

The Office of Heat Response and Mitigation engaged all 15 Village Planning Committees (VPCs) in 2022 and 2023 to inform the Shade Phoenix Plan. The 2022 VPC meeting discussions were designed to solicit heat-related priorities from the community including trees and shade. The 2023 VPC meetings considered potential solutions to improve tree and shade coverage and provided feedback on tree and shade goals. The feedback from the VPC echoes previous feedback on the need for more shade, concerns about tree maintenance and replacement, and the sustainability of funding sources that support tree and shade investments (Figure 2).

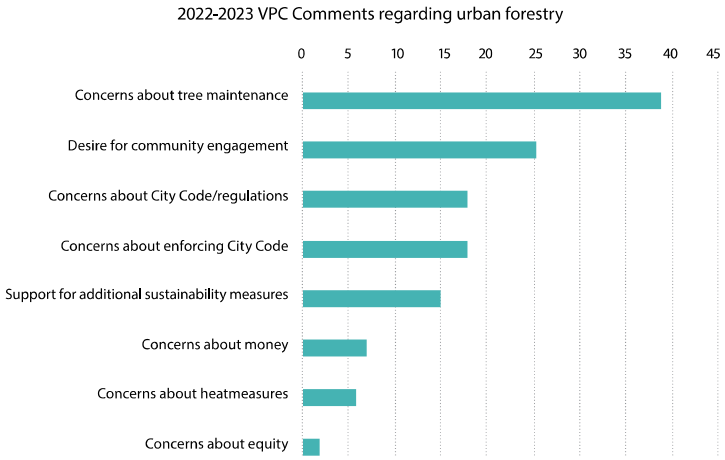


Figure 2. Feedback from Village Planning Committees received by the Office of Heat Response and Mitigation between 2022 and 2023.

Public Advisory Boards and Commissions

The City of Phoenix Environmental Quality and Sustainability Commission (EQSC) identifies and advises the Phoenix City Council on environmental quality and sustainability issues affecting the city. EQSC also recommends to City Council policies, positions, and action the City might take to address issues that protects, promote, restores, or enhances the city's natural and built environments. City staff participated in four EQSC meetings between 2022 and 2024 to share progress updates on the Shade Phoenix Plan and receive feedback. EQSC members provided feedback and advice on numerous aspects of the Plan including community engagement, tree care on public and private property, and stewardship of water resources.

In 2018, the EQSC established an Urban Heat Island and Tree Shade (UHITS) Subcommittee to make recommendations related to urban heat, including recommendations related to the implementation of the 2010 Tree and Shade Master Plan. The Urban Heat Island and Tree Shade Subcommittee performed this role through 2022, the first full year of the formation of the Office of Heat Response and Mitigation.

During their five years of service, UHITS members and community leaders spearheaded numerous tree and shade-related initiatives. Key recommendations to the EQSC from the UHITS are listed in the following table.

UHITS Recommendations and Status

Recommendation	Status
Creation of an ordinance to strengthen tree protection language.	Completed- The Landscape Text Amendment (Z-TA-5-15) was adopted by City Council in 2021.
Creation of a full-time Urban Forest Infrastructure Manager Position.	Completed- This position was created as part of the Office of Heat Response and Mitigation in 2021. The Office now has 7 full time positions including two solely focused on urban forestry.
Establishment of an Urban Forest Interdepartmental Team (UFIT) of City employees to coordinate implementation of tree and shade initiatives	Completed- the he UFIT was formed and meets monthly
Prioritization of tree and shade programs to benefit public transit stops, people vulnerable to extreme heat, and highly used walking routes	In process- this is an action in the Shade Phoenix Climate Action Plan
Incorporation of Green Stormwater Infrastructure features, designed to meet site-specific needs and characteristics	In process- this is an action in the Shade Phoenix Plan, Climate Action Plan and was included in PlanPHX 2025.
Development of a citywide Cool Corridor program. Definitions, prioritization factors, stakeholder engagement strategies, and evaluation and accountability methods for the Cool Corridors program are defined.	In process- The Cool Corridor program was launched in 2021 and is an action in the Shade Phoenix Plan.
Development of a city-wide heat equity policy to serve as a framework for guiding future investments related to heat	In process- The Shade Phoenix Plan addresses critical components of the citywide heat strategy and prioritized equity
Delivery of annual reports from City staff to the public on the state of the urban forest and related programs and initiatives	In process- this is an action in the Shade Phoenix Plan

Full copies of UHITS recommendation memos and meeting minutes are available on the City's webpage for EQSC.

Partnerships: American Forests and Phoenix Metro Urban Forestry Roundtable

The vision, strategies, and actions in the Shade Phoenix Plan are also informed by and will be implemented with valued partnerships with local, regional, and national organizations. In March 2022, the Phoenix City Council adopted a resolution committing the City to a Tree Equity partnership agreement with American Forests, the nation's oldest forestry nonprofit organization. Tree Equity is climate justice and health justice, and achieving Tree Equity means investing in communities with the most need by growing trees, creating jobs, and implementing just policies which prioritize built shade and tree planting investments in neighborhoods with less shade, and which support changes to a system that led to inequity in built shade and tree planting.

In November 2019, the City of Phoenix, American Forests, and the Arizona Sustainability Alliance founded the Phoenix Metro Urban Forestry Roundtable, a civic-led coalition that has grown to over 60 organizations with the goal of achieving Tree Equity in the Phoenix Metro area to help combat extreme heat and ensure historically disadvantaged community members have access to the benefits that trees provide. The Phoenix Metro Urban Forestry Roundtable consists of nonprofits, private sector entities, cities, county and state level representatives, and university stakeholders all focused on solving the underlying challenges needed to improve the tree canopy in the region.

Partnerships: Academic

Partnerships with academic institutions have also informed the Shade Phoenix Plan. Through research collaborations and course instruction, the City works closely with Arizona State University to ensure that tree and shade initiatives are informed by cutting-edge science. For example, as a partner on a Department of Energy-funded project, the Southwest Urban Integrated Field Laboratory (SWIFL), the Office of Heat Response and Mitigation worked with researchers who provided plan evaluations for the 2010 Tree and Shade Master Plan and a draft of the Shade Phoenix Plan. Additionally, the Office of Heat Response and Mitigation participated in six university classes and design studios in Fall 2022 where ASU Sustainability students analyzed shade

best practices and made recommendations for the plan, while the ASU senior Landscape Architecture Studio developed built environment designs based on the plan's core principles. The City also collaborates with multiple research teams with specialized expertise in urban climate, heat-health, and urban forestry, including partners at the University of California Los Angeles (UCLA) and ASU.

Innovate PHX Challenge

The Office of Innovation launched the Innovate PHX Challenge to engage diverse communities in creating solutions to the city's most pressing challenges. In December 2023, the Office of Innovation partnered with the Office of Heat Response and Mitigation and Venture Café Phoenix to explore innovative manufactured shade solutions with more than 170 innovators, students, researchers, and residents from across the city. Some ideas produced by the participants include ideas for passive wind cooling incorporated into the structure, shaded bike lanes, artistic concepts, and multi-directional shade. The City is currently working to prototype and test ideas from the Innovate PHX Challenge event.

City Budget Hearings

The City of Phoenix conducts a rigorous public engagement process each year to inform the adoption of the City's budget. This process includes a series of public hearings in every City Council district, as well as opportunities for comment and input through an online tool and at multiple City Council meetings. Requests for more trees and shade in Phoenix have been consistently voiced by community members at budget hearings in recent years. Notably, in spring 2021, increased investment in tree and shade initiatives ranked as the second most-requested action by the public in the hearings for the 2021-2022 City budget.

ASSESSMENT AND INVENTORY

Strategic planning and implementation of Phoenix's tree and shade programs are dependent upon accessible and actionable data. This section presents state-of-the-art analysis of tree and shade data available to support City decision-making and evaluation of progress. The section focuses both on community-wide data as well as data specific to City-managed properties. All analysis is based on the most current, quality-controlled data products as much as possible. To understand Phoenician's access to shade from all sources, this Plan includes a case study assessment of shade coverage from built and natural sources using the City's first shade analysis. As described in the Values and Introduction, equity is a fundamental consideration for the tree and shade analysis included in this Plan. While future work is needed to formally quantify tree and shade targets for different properties, land use categories, and neighborhoods in Phoenix, this section provides a detailed analysis of contemporary conditions that will guide future efforts.

Location: Rio Salado Trailhead
Project Landscape Architect: Floor Associates
Photo taken by: Chris Brown
www.floorassociates.com

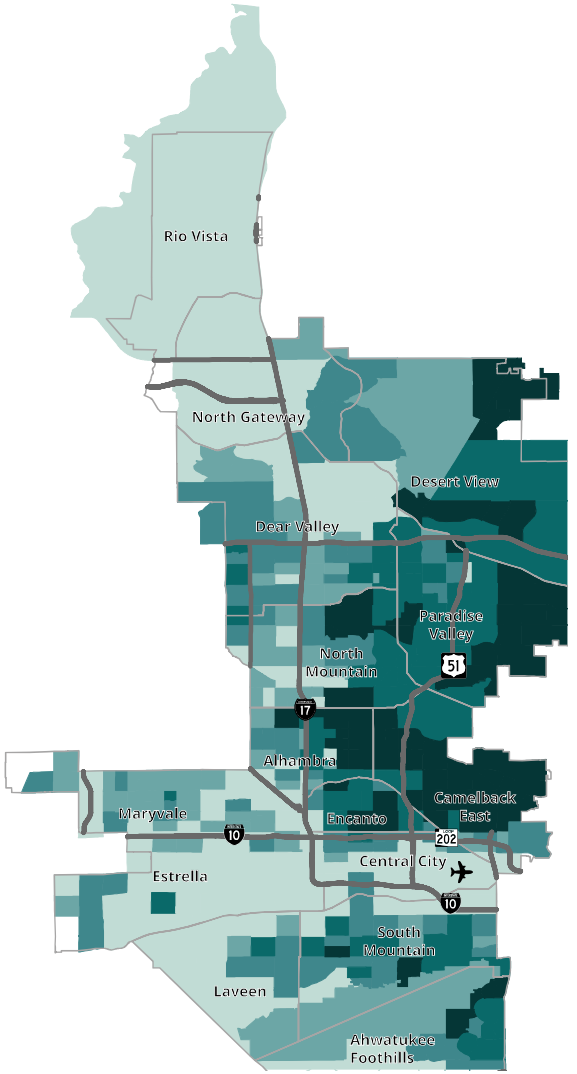
Tree Canopy Analysis – Citywide

Citywide tree canopy coverage was assessed using publicly available data from Google's Environmental Insights Explorer. This tool measures tree canopy as a percentage of the total land area and building footprint area is excluded from those calculations for the Shade Phoenix Plan. The Google Environmental Insights Explorer data are highly detailed and have been summarized in this plan at different levels, such as individual properties and neighborhoods (represented by census tracts, see Figure 3).

The median tree canopy coverage at the neighborhood scale for Phoenix is 11%, but canopy is highly variable from one neighborhood to another. 78% of neighborhoods fall below American Forests' recommendation for desert cities of 15% tree canopy cover, although recommendations for specific neighborhoods and sites should be developed in collaboration with community members and with recognition for land use, topography, and other factors.

The neighborhoods with the most tree canopy coverage are located in central and eastern portions of the city including the Arcadia and Encanto neighborhoods. In these areas, tree canopy cover often exceeds 15%, and in some cases, over 25%. Tree canopy coverage is lowest in Central City South, in much of West Phoenix, and in many neighborhoods along the Interstate 17 Corridor. In those communities, tree canopy cover is often less than 8%, and in some cases, lower than 5%. There is more than a 10-fold difference in tree canopy cover between the neighborhood with the least tree coverage and the one with the most.

Measuring tree canopy coverage on specific parcel and property types is important because there are different tree planting programs, funding sources, and policies that apply to different properties. Single-family residential property is one important parcel type to consider because it accounts for approximately 30% of the total land area of Phoenix, and people spend a high percentage of their time at home (U.S. Department of Labor, Bureau of Labor Statistics). The median single-family residential property in Phoenix has 14% tree canopy cover, excluding the building footprint. The proportion of single-family residential parcels having more or less tree canopy than this citywide median is also highly variable across Phoenix (Figure 4). Summary statistics for different property types are shown in Figure 5.



Village	Tree Canopy*
Ahwatukee Foothills	9.2
Alhambra	15.0
Camelback East	17.1
Central City	5.7
Deer Valley	9.3
Desert View	13.0
Encanto	14.3
Estrella	6.2
Laveen	7.8
Maryvale	7.8
North Gateway	7.7
North Mountain	12.3
Paradise Valley	15.5
Rio Vista	6.4
South Mountain	11.1

*Building footprints are not included in percentage calculation.

Figure 3. Tree Canopy by Census Tract
Derived from Google Environmental Insights Explorer high resolution tree canopy data from 2022 with building footprints removed from analysis.

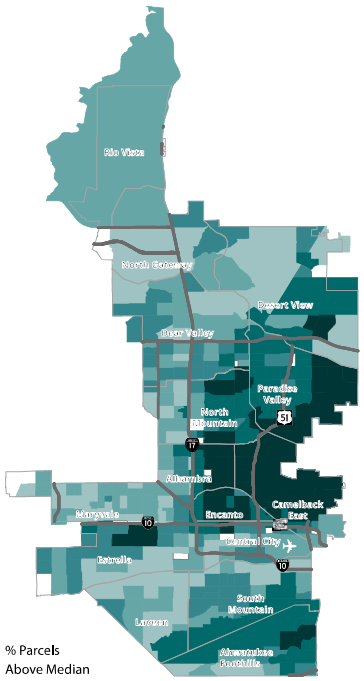


Figure 4. Single-Family Residential Parcels
Above Median Tree Canopy % for Single-Family Residential Parcels. Map shows the percent of single-family residential parcels that exceed the median tree canopy of all single-family residential parcels (14%) in the city, aggregated to census tract. Tree canopy data are derived from Google Environmental Insights Explorer high resolution tree canopy data from 2022 with building footprints removed from analysis.

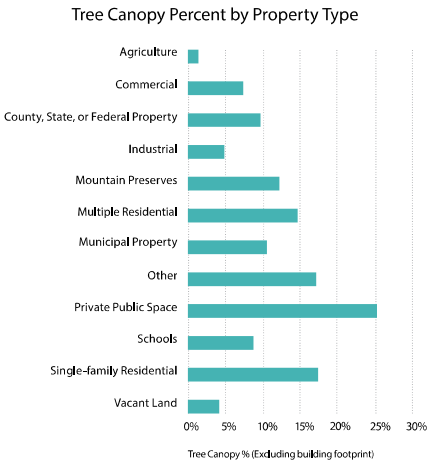


Figure 5. Tree Canopy Percent by Property Type
Average tree canopy % by parcel property type/groups. Using Google Tree canopy data (2022) with building footprints removed from analysis. Property types are groups of similar property use codes. "Private public space" includes residential recreation centers/clubhouses, greenbelts/retention basins, open space and walkways owned by HOA/community, and golf courses.

The inequitable distribution of tree canopy coverage throughout Phoenix is closely related to many social and economic variables. Overall, tree canopy coverage is lower in communities with lower incomes, a higher percentage of people of color, and more people who do not own a personal vehicle (Figures 6-8, Figure 10).

This pattern, which has been well-documented for many communities across the United States. Increasing tree canopy coverage in the neighborhoods where it is most needed was formally adopted as a City priority in 2021 with the adoption of the Tree Equity Pledge to American Forests. As a component of the City's partnership with American Forests, City staff use the American Forests Tree Equity Score to help identify priority communities for tree and shade initiatives. The Tree Equity Score (Figure 9) combines nine indicators of social, economic, and environmental conditions into one index on a 0-100 scale.

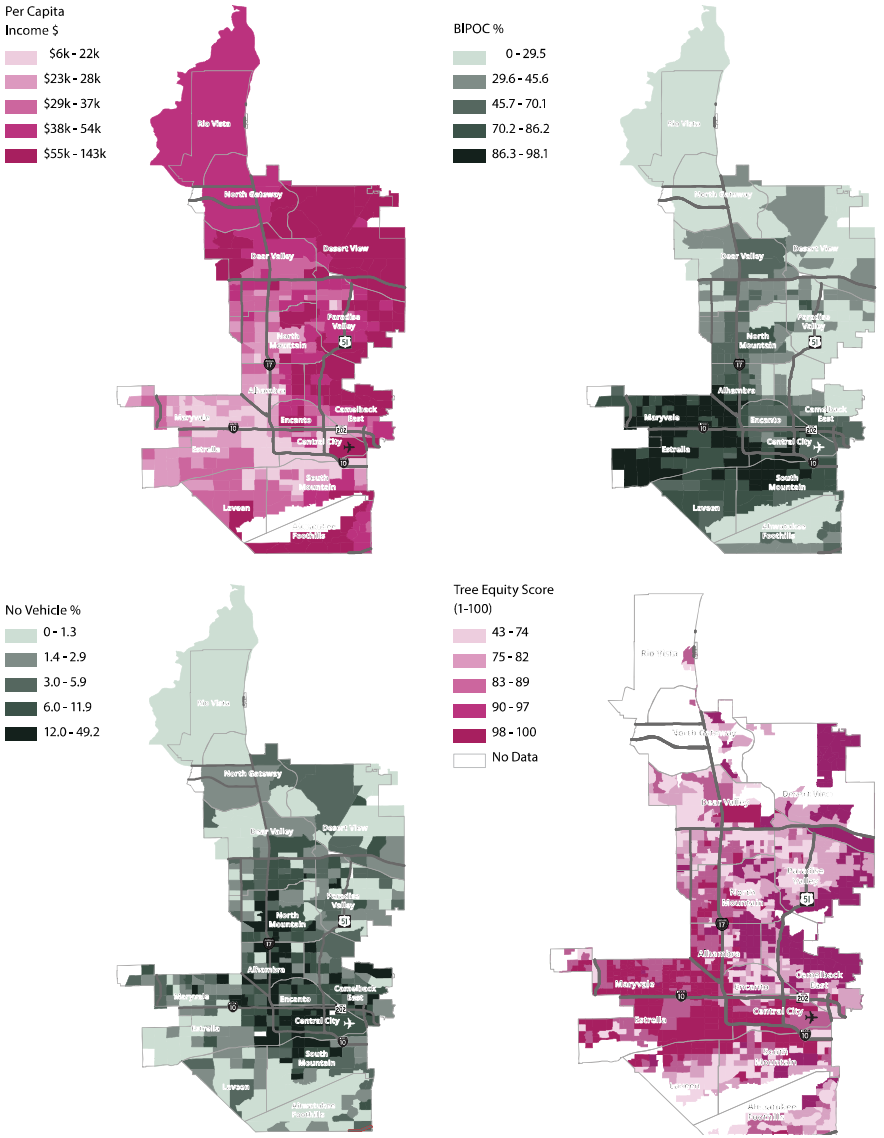


Figure 6-9. Per Capita Income; Percent of Population Identifying as Black, Indigenous, Hispanic, People of Color; Percent of Population with No Vehicle (U.S. Census Bureau 2022 5-year American Community Survey); Tree Equity Score (American Forests, 2017-2022).

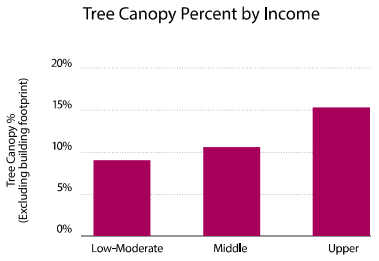


Figure 10. Average Tree Canopy Percent in Low-Moderate, Middle, and Upper-Income Neighborhoods. Using Google Tree canopy data (2022) with building footprints removed from analysis.

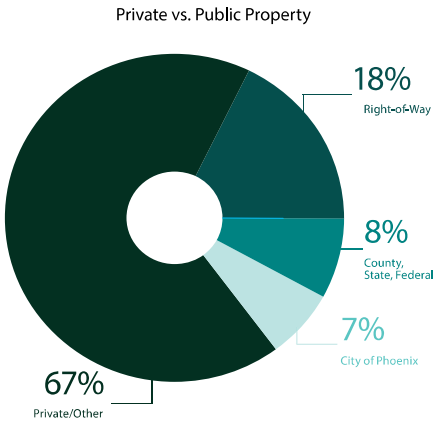


Figure 11. Private vs. Public Property in Phoenix
Based on parcel data property use codes from Maricopa County Tax Assessor database. Mountain preserves and undeveloped land are removed from analysis. Right-of-way includes all developed land between parcel property boundaries, which is largely composed of streets, freeways, canals, alleys, sidewalks, and landscaping abutting property boundaries.

Tree Canopy Analysis and Inventory – City Property

Shade Phoenix places a special emphasis on tree and shade actions for properties owned and managed by the City of Phoenix. Many City properties are highly used and valued public resources where people need and seek shade—especially the City's flatland parks and the areas of the streetscape right-of-way that are owned and managed by the City. Collectively, City facilities and flatland parks account for about 7% of the total land area of the city (Figure 11). Road networks, sidewalks, canals and other rights-of-way, which are owned and managed by a combination of the City, Maricopa County, State of Arizona, and utilities, account for an additional 18%. While the City of Phoenix owns a relatively small percentage of the total area of interest for tree and shade initiatives, one-third of the land area in Phoenix is publicly owned managed, or accessible, not including mountain preserves and undeveloped land. Those areas are prioritized for planning and investment because of their public purpose as well as the imperative for the City to lead by example in providing effective shade in places where it is needed.

The City's most recent comprehensive tree inventory, which involves a professional measurement and assessment of every physical tree on City property (excluding mountain preserves), was completed in 2014. Portions of the inventory have been updated intermittently since that time. As of the most recent update, the City inventory included approximately 106,000 trees. However, as the previous inventory is now more than a decade old, a new inventory (planned for 2025) is necessary to guide tree planting and maintenance efforts on City property.

Over the past 14 years, the City has tracked and reported the number of trees planted and removed by the Street Transportation Department, Parks and Recreation Department, and Aviation Department, as part of the City's engagement with the Arbor Day Foundation for the Tree City USA Program. That reporting shows a total of 32,968 trees planted on City property since 2010 by those three departments. Tree removal due to damage from accidents, storms, or aging, has resulted in 21,222 trees lost on these City properties over the same time period (Figure 12). A net of 11,746 trees were added to these City properties over the period 2010–2023.

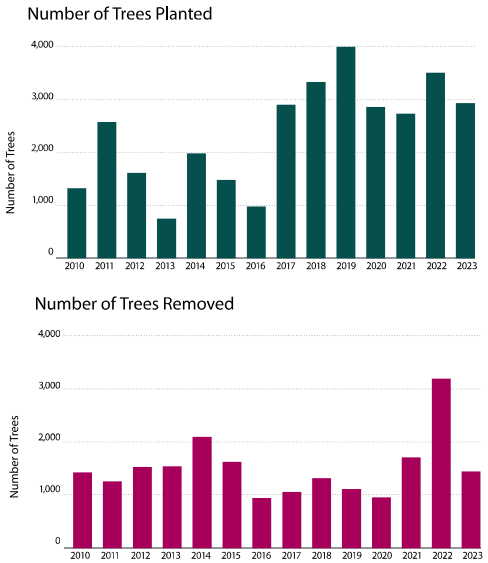


Figure 12. Tree Planted and Removed by the Parks and Recreation, Street Transportation, and Aviation Departments, 2010–2023.

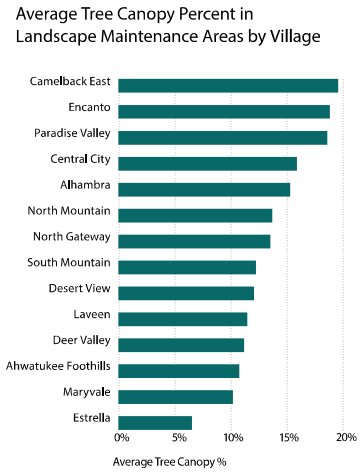


Figure 13. Landscape Maintenance Areas Tree Canopy by Village.
Tree canopy values in Landscape Maintenance Areas shown here include all landscape types: Streetscape, Freeways, Canalscape, Other, and Roundabout. Rio Vista does not encompass any Landscape Maintenance Areas, so it does not appear on the figure. Google Tree canopy data (2022) with building footprints removed from analysis.

Analysis of tree canopy coverage on City property provides a useful complement to the tree inventory to guide future City investment. Staff are completing a detailed analysis of tree and shade coverage and opportunities on all relevant City properties as a an action action in this plan.

The City manages trees and landscape in approximately 55 million square feet of public streetscape, freeway, and canalscape area as part of the Landscape Maintenance Area program. There are 13,700 unique Landscape Maintenance Areas across the city, which largely fall on the sides and medians of major arterial streets. Across the entire city, Landscape Maintenance Areas tend to be highly fragmented, interrupted by private property and infrastructure conflicts. The majority of Landscape Maintenance Areas are found along major arterial streetscapes in Phoenix; there is minimal Landscape Maintenance Area along collector and neighborhood streets. Trees and landscape outside of the Landscape Maintenance Areas are the responsibility and the liability of the owner of the adjacent private lot.

The public can explore the entire inventory of Landscape Maintenance Areas through the City's open data portal: https://mapping-phoenix.opendata.arcgis.com/

As is the case for citywide tree canopy coverage, the percentage of tree canopy on the City-managed Landscape Maintenance Areas is highly variable (Figure 13).

Shade Analysis

In the urban setting, shade is provided by a combination of natural and engineered sources. Advances in environmental monitoring systems and computational resources are enabling the generation of maps of shade coverage for entire metropolitan areas. While the tree canopy estimates introduced earlier in the plan provide some information about shade in the city, comprehensive shade assessment must also account for shade cast from urban features other than trees as well as the movement of the sun. For instance, the shade cast by buildings in the downtown region is significant, especially later in the day (Figure 14).

In this plan, shade estimates for Phoenix are derived from a joint research project between the Luskin Center for Innovation at University of California Los Angeles and Arizona State University that models how sunlight is obstructed by the three-dimensional structure of the city. The shade estimates are based on sun angles on June 21 (the summer solstice) at noon, 3pm, and 6pm (Figure 14). The City will continue to work closely with partners from the University of California Los Angeles and Arizona State University to ensure the most accurate and up-to-date data are used in shade studies moving forward.

Shade estimates for particular land use types, such as residential, commercial, or City-owned can be used for policy guidance and program implementation. Pedestrian areas are identified by stakeholders as a high priority for shade, and the Maricopa Association of Governments (MAG) has established recommendations for sidewalk shade coverage in the Phoenix Metropolitan Area.

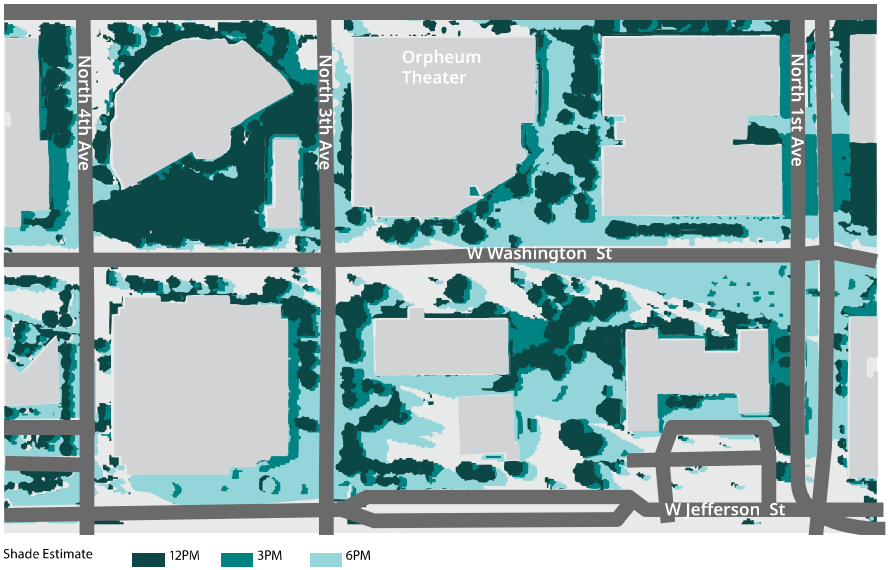


Figure 14. Shade estimates for an area of downtown Phoenix at noon (green), 3pm (dark blue), and 6pm (light blue) on June 21. Shade estimates include both built and natural shade.

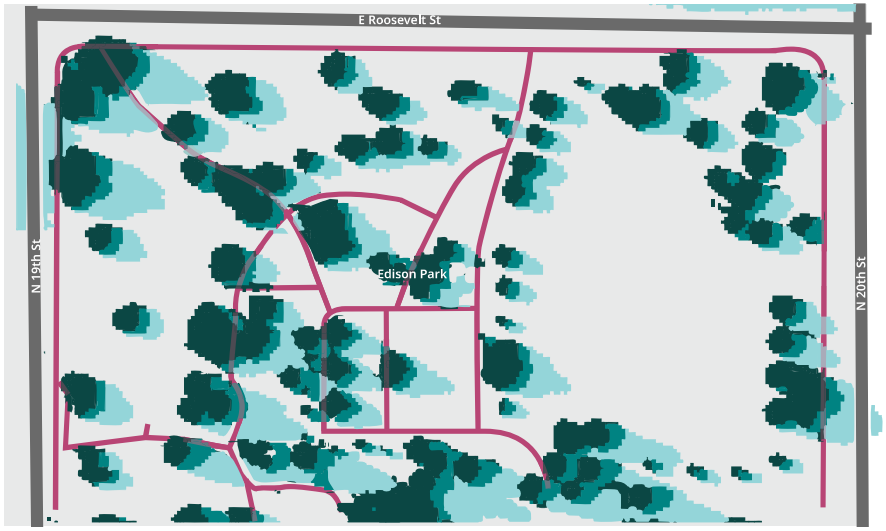


Figure 15. Shade estimates in Edison Park at noon (green), 3pm (dark blue), and 6pm (light blue) on June 21. Shade estimates include both built and natural shade. Sidewalks in the park are shown on the map in green.

The current shade map for Edison Park, located to the east of downtown Phoenix, is presented as an illustrative example (Figure 15). Today, shade coverage on all walking paths in and along the perimeter of Edison Park is estimated at 13% at 12 PM, 15% at 3 PM, and 29% at 6 PM. There is higher shade coverage on some of the interior paths in the park, and lower coverage along the perimeter sidewalks. MAG recommends a minimum of 20% shade coverage for pedestrian paths.

As a part of the transformative investments being made in the larger Edison-Eastlake Community, Edison Park is scheduled for major renovation and expansion over the next two years. Improving shade coverage, including along walking routes, is a priority component of those plans. Ongoing shade assessments should be completed in future years to ensure that planned investments are realized and shade coverage throughout the park, including along walking paths, is improved.

Built Shade Analysis and Inventory – City of Phoenix Property

The City of Phoenix builds and maintains a wide variety of shade structures on its properties to help protect the public from heat and direct sun exposure. A recommended action in this plan is the development of a comprehensive shade structure inventory for all City property. As of the publication of this plan, a preliminary inventory has been compiled with the shade structures available at City parks and the structures managed by the Public Transit Department at public bus stops.

There are currently 3,054 bus stops with shade shelters throughout the City of Phoenix, representing 75% of all public bus stops. The Villages with the highest percentage of shaded bus stops are those with higher transit ridership, including South Mountain, Encanto, and Alhambra (Figure 16). In those villages, nearly 80% of bus stops have shade structures. At City of Phoenix parks, there are 639 shade structures, including 530 ramadas and 109 shade canopies.

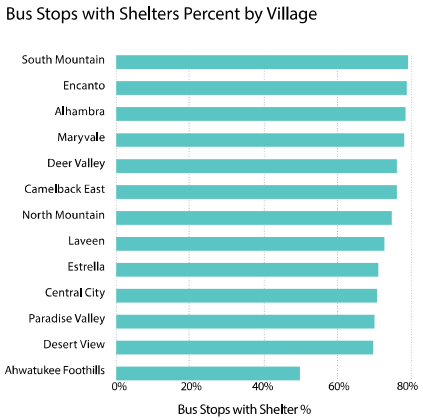
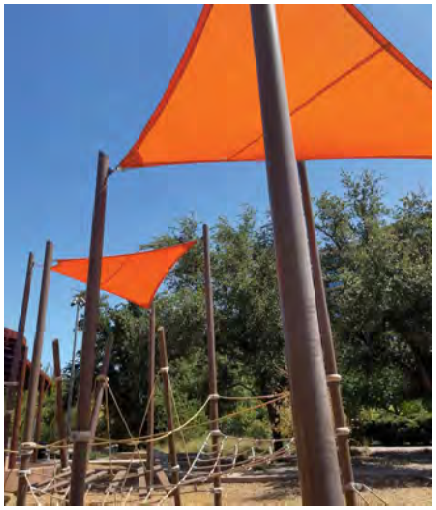


Figure 16. Bus Stops with Shelter Percent by Village. Note: Rio Vista and North Gateway do not have any Valley Metro bus stops.



Heat, Shade, and Playground Safety for Children

In this plan, playgrounds are highlighted as a priority location for shade because children are particularly sensitive to the effects of heat and common playground equipment can become extremely hot when exposed to direct sunlight.

At playgrounds, children are usually engaged in active play and extra exertion that can cause them to overheat quickly. Shaded playgrounds are safer because shade reduces children's heat and sun exposure.

Integrating shade in playgrounds is a standard for the Parks and Recreation Department when installing or renovating municipal playgrounds. Ensuring adequate shade at playgrounds throughout Phoenix, including those managed by schools, churches, neighborhood and homeowner's associations, and multifamily properties will help youth have more opportunities for safe outdoor recreation.

SETTING THE VISION

Guidance and Goals

As part of this Plan, the City developed recommendations for shade goals for different use cases and is providing guidance on the costs and water use associated with tree planting. As the city moves toward a future with more shade, it is important to guide the efforts of all City departments and community partners to provide shade consistently and equitably where it is most needed. It is also important to provide guidance about how tree and shade efforts should be implemented with recognition of limited financial resources, careful stewardship of water resources, and environmental change.

HOW TO DESIGN A SITE FOR SHADE:

Goals for shade coverage should change based on the use of the space

Shade recommendations are based on four criteria:

Duration of use - The duration people are exposed to direct sunlight at a specific location. The term 'Forced Wait' is sometimes used to describe situations where individuals must wait for a service, such as at a crosswalk or bus stop. As exposure to the sun increases, the need for shade becomes more critical.

Intensity of activity - The level of activity among people at a location. Highly active individuals are more prone to overheating than those who are less active, making shade especially important for them.

Quantity of people/Occupancy - The number of people at a location. Crowded areas require more shade for two reasons: First, body heat and restricted airflow in dense spaces can make the area feel hotter. Second, providing adequate shade ensures a more comfortable environment for larger groups of people.

Use of the space by high-risk populations / The presence of high-risk populations at the site a - Certain groups are more vulnerable to heat-related injuries, including young children, the elderly, individuals with health conditions, those with mental illness, outdoor workers, and people taking certain medications, using illegal substances, or consuming alcohol. Shade could help prevent heat-related injuries in these populations.

How to Design a Site for Shade	Shade Guidance		
Land Use Type	% shade cover goal minimum	% shade cover goal better	% shade cover goal best
A: Priority sites due to high duration of exposure to heat from high-risk populations that are forced to wait outside and/or engaging in high intensity activity Examples: Bus Stops, Playground equipment and seating	100	100	100
B: High duration of exposure, forced wait, high-risk populations, intense activity, crowded Examples: School pick up and drop off zones, waiting areas at intersections, sidewalks, pathways, patios, plazas, eating areas, parking spots, sidelines at play areas, bleachers, areas where lines form for large events	25	50	75
C: Short duration of exposure, light activity, low occupancy, individuals are not forced to wait Examples: Residential yards open space, dog park, entire parking lots, open space in parks	10	20	30

Sun angles and shade:

When designing and placing shade elements, consider the impact of changing sun angles to ensure shade is cast in the location people are mostly likely to be at the time of day and year which is most impactful. The hottest parts of the day typically occur between 12:00 PM and 5:00 PM, and most shade should be placed to maximize shade at these times. In some cases, it may make more sense to prioritize shade in the morning hours if that is when more people will be present, such as at recreational sites.

While there will be cases in which shade is not appropriate or practical, these shade recommendations should be followed whenever possible.

TREE CARE GUIDELINES:

Water and Costs

In budgeting for tree planting, it is important to account for more than the cost of the tree alone. Additional funds are required for irrigation supplies, recurring maintenance, and water.

An estimate of these costs is presented below for a single tree. While these costs will vary depending on the specific scenario, these costs apply to the average tree planting on public or private property.

Category	Cost	Recurring
Tree (24" box + labor)	$750	one-time cost
Irrigation supplies	$300	one-time cost
Maintenance	$100*	annual cost
Water Cost	$0**- $114.32***	annual cost

* No maintenance needed during the establishing period of a tree (year 1-2). Annual cost assumes one $300 maintenance visit every 3 years.

** Everyone in the City of Phoenix gets a water allowance of 2,244-3,740 gallons per month, depending on the month. If one can add the gallons needed to water a tree, without going over, there is no additional charge. For further information please go to https://www.phoenix.gov/waterservices/customerservices/rateinfo

*** Charges shown are the portion of the cost for a full extra unit (748 gallons) of water, that a single tree will use. Amount per unit changes depending on the month. The cost for one extra unit for an entire year will be $57.16. For further information please go to https://www.phoenix.gov/waterservices/customerservices/rateinfo

How to water a new tree

Total Gallons of water per tree for the first 20 weeks after planting.

Low-water use tree			
	How often to water	Total gallons per watering session	Total gallons per month
First 6 months	2 times each week	5- 10	40 - 80
0.5 years - 3 years	Winter: 1 - 2 times each month	10	10 - 20
	Summer: 2 - 4 times each month	20	40 - 80
After 3rd year	Winter: 1 - 2 times each month	15	15 - 30
	Summer: 2 - 4 times each month	30	60 - 120

This is a guide only. Water should be added to the tree slowly. Each individual tree may need more or less than this amount. Be aware of the symptoms of stress from too much or too little water. Correct the water issue as soon as you can with little trees, they are sensitive to water issues. Winter refers to November-February.

How to Prioritize Funding for Shade: A Checklist

This rubric can be used by local practitioners to evaluate the relative merit and impact of a shade project. While all projects that add shade have merit, limited budgets often necessitate prioritization. This sample rubric is intended to serve as a starting point and may be adapted for specific decision-making needs.

Metric	Total Points per Metric
Shade improvements: Successful projects achieve more points the closer they are achieving the highest shade coverage for their land types.	30
Areas of Need or People in Need: Successful projects have higher amount of people who are within formal or informal areas or classes of need	30
Community Priority: Successful projects have demonstrated that the project is a high priority project to the community.	20
Pedestrian High Use Areas: Successful projects are found within area with high traffic pedestrian activity.	10
Leverage Projects: Successful projects are adding shade to existing projects.	10
Total Points	100
Bonus Points: Added points come from extra sustainability, economic or social benefits. Examples: Solar Components, Green Stormwater Infrastructure, Hardscape Removal, Native Species, Education Components, Art Components, other Additional Co-benefits	10

ACHIEVING THE VISION

Strategies and Actions

Increasing and caring for shade in the city is a long-term effort that will require all parts of our community/city. The City is committed to leading this effort to ensure Phoenix remains the most sustainable desert city in the U.S. and achieves the vision set forth in this Plan. Shade Phoenix contains 11 strategic priorities and 36 actions the City and its partners will take across four key strategies: educate and empower residents and businesses, expand shade on public and private properties, maintain the built and natural shade we have, and evaluate and institutionalize these efforts.

Collectively, these actions represent more than $60 million in investments over five years and will result in more than 27,000 new trees and 550 new shade structures across the city. More than 50% of these will be planted or installed in low-to-moderate income communities and more than 85% will be planted or installed in low, moderate, and medium-income communities.

STRATEGY 1: EXPAND SHADE

Increase shade for people where they need it most

Increase shade for children

1 Complete implementation of the Shade for Students program

In 2023, the City launched the Shade for Students grant program to construct built shade at public and private nonprofit schools and nonprofits who use their sites to serve youth. This program was funded by an allocation from the Federal American Rescue Plan Act (ARPA). Through this program, schools could apply for up to $75,000 per site to install shade structures. Projects were selected by a panel of internal and external partners and had to be located within areas that are designated as disadvantaged by the U.S. Department of Housing and Urban Development (HUD), or at facilities that provide free or reduced lunch to at least 80% of their students. To date, 47 structures have been funded serving 26 campuses.

Funding	American Rescue Plan Act (ARPA) Funding ($1.5M)
Lead Department	Office of Heat Response and Mitigation
Partners	Youth and Education Office

2 Complete implementation of Canopy for Kids program

In 2023, the City allocated $2 million from the ARPA to launch the Canopy for Kids grant program to plant trees at public and private nonprofit schools and nonprofits who use their sites to serve youth. All projects must be located within areas that are designated as disadvantaged by HUD, or at facilities that provide free or reduced lunch to at least 80% of their students. Nearly 200 trees have been planted at seven different sites since the program began, and approximately 1,100 trees will be planted on 53 sites in Fall 2024. Unlike many other tree planting funding sources, this funding can also be spent to install or modify irrigation systems to ensure the trees are sufficiently watered.

To continue the program for five more years, the City has allocated an additional $2 million from the Inflation Reduction Act. Schools will collaborate with local nonprofits to complete comprehensive tree planting projects with drip irrigation systems, integrating GSI elements where possible. Partnering nonprofits will deliver educational programming and resources for teachers, students, and families as part of the tree planting initiatives to bolster community urban forestry knowledge and appreciation.

Funding	ARPA ($2M), IRA ($2M)
Lead Department	Office of Heat Response and Mitigation
Partners	ARPA: various school partners, Youth and Education Office, Arizona Public Service, Trees Matter, AZ Sustainability Alliance, Keep Phoenix Beautiful; IRA: Watershed Management Group, Arizona State University

3 Integrate shade in new construction and renovation at municipal playgrounds

Children are particularly vulnerable to the impacts of extreme heat. Playgrounds can provide outdoor spaces for children and their families to recreate and cool off during hot days. Parks and Recreation will continue to work with designers, engineers, and relevant City departments to review new and substantial renovations for Capital Improvement Program (CIP) projects to ensure that shade is provided at playgrounds as feasible. OHRM will work to identify funding opportunities to increase shade at existing playgrounds.

Funding	Parks Capital Improvement Program (CIP) and General Obligation (GO) Bond
Lead Department	Parks and Recreation
Partners	Street Transportation, Planning and Development, Office of Heat Response and Mitigation, Office of the City Engineer

Increase shade on public property

4 Plant trees in City parks

Phoenix's City-managed parks are home to an urban forest of tens of thousands of trees that provide significant benefits to residents' quality of life including shade, stormwater management, and air quality improvements. The Parks and Recreation Department has planted nearly 17,000 trees in city parks since the 2010 Tree and Shade Master Plan was released. They currently manage a large portion of the City's total tree inventory, including all trees in public parks. The City will continue to explore opportunities to build upon this work to enhance and maintain natural shade within parks as aligned with the values of the Shade Phoenix Plan, the Parks Master Plan, and Parks and Recreation policies.

Funding	Parks and Recreation
Lead Department	Parks and Recreation
Partners	Office of Heat Response and Mitigation

Parks and Recreation Department Urban Forestry Team

The Phoenix Parks and Recreation Department has an Urban Forest Team dedicated to caring for Phoenix's trees on City-owned land and along the public right-of-way. The team's daily responsibilities include tree pruning, planting, removals, hauling green waste from job sites or division brush areas, watering trees, and storm clean-up. The Urban Forestry team also handles after-hours tree-related emergency requests from the Streets, Police, Fire, and Water Departments.

Each Urban Forestry crew includes multiple staff and there are five crews currently responsible for the maintenance of over 100,000 trees across the city. Team members undergo extensive training in various areas, including proper tree pruning techniques, aerial vehicle operations, tractor and equipment large truck operations, CDL licensing, tree climbing, tree identification, and chain saw operation. The goal is for each team member to achieve certification as a Certified Arborist.

The team is responsible for the planting of 85% of the trees planted in City parks.

5 Add natural and built shade to City facilities

Many City facilities provide shade that directly benefits Phoenix residents, especially along walkways and bikeways and in outdoor gathering spaces. The City is using data from recent and upcoming tree and shade assessments to prioritize City facilities for new natural and built shade investments. The focus will be on facilities where outdoor space is used by the public in order to meet or exceed the shade standards established in this Plan. Additional natural and built shade will be included in the construction of new City facilities funded by the GO Bond Program including police and fire stations.

Funding	GO Bond Program (portion of $7.7M Heat Resilience program and other projects), IRA ($0.25M)
Lead Department	Office of Heat Response and Mitigation
Partners	Aviation, Convention Center, Fire, Housing, Human Services, Innovation, Library, Parks and Recreation, Police, Planning and Development, Public Transit, Public Works, Street Transportation, Water, Office of Environmental Programs, Office of the City Engineer

6 Build Green Stormwater Infrastructure projects in the right-of-way

Green stormwater infrastructure (GSI) can support vegetation while providing many co-benefits, including heat reduction, stormwater improvements, assistance with localized ponding and flooding, and reductions in potable water irrigation needs. The City will find opportunities to install GSI in Capital Improvement Program (CIP) projects and in landscape improvement projects on existing City properties and rights-of-way.

The City is working to identify priority neighborhoods that have wide rights-of-way that are good candidates for trees to be supported with GSI (especially curb cuts and bioswales). Funding provided by the Inflation Reduction Act (IRA) will support project construction and will also cover water and maintenance of the trees for the establishment period of three years. After three years these renovated right-of-way areas will become part of the Street Transportation Department's landscape maintenance areas and will be maintained in perpetuity using City funds. The City is exploring mechanisms to increase resources for maintenance as more trees are added to the publicly managed inventory.

Funding	IRA ($1.23M), Capital Improvement Program (CIP), Street Transportation Operating Budget
Lead Department	Street Transportation, Office of Heat Response and Mitigation
Partners	Parks and Recreation, Water Services, Planning and Development, Office of Environmental Programs, Green Stormwater Infrastructure Working Group

Green Stormwater Infrastructure : South Phoenix Streetscape and the Parking Lot at the Phoenix Zoo

In 2024, the first bioswale built and maintained by the City of Phoenix started construction along the new light-rail extension in South Phoenix. The bioswales are located in three segments along Central Ave, between W. Lynne Ave. and St Charles Ave. This project will bring approximately 570 linear feet of plantings, including 171 plants and 15 trees, that will collect stormwater run-off from streets during rain events. The City worked with the South Central Collaborative, which advocated for GSI projects in their community for many years. This project, along with other GSI projects around the city, will serve as a model for future street GSI projects to support the City's tree and water goals and reduce flooding.

From June 2020 to January 2022, the City of Phoenix constructed a new parking lot and renovated the existing parking lots at the Phoenix Zoo in Papago Park. The project consisted of a new 608-space parking lot (Lot D) and renovation of existing Lots A, B, and C, which altogether provide parking for 1,818 vehicles. The parking lots include new curbs, asphalt paving, lighting and landscaping and green stormwater infrastructure elements such as landscape islands and bioswales designed to capture runoff from the parking lot. These features will benefit the vegetation and reduce the amount of storm water runoff leaving the site.

7 Expand Cool Corridors network

In 2022, Phoenix's Street Transportation Department launched the Cool Corridors program to plant trees in targeted transportation corridors to keep pedestrians, bicyclists, and transit users safe and provide relief from high temperatures. Corridors were envisioned as one-quarter to half-mile walkways or trails adjacent to an arterial street and were selected using four key criteria: neighborhood heat vulnerability, transit dependency, pedestrian use, and shade coverage and temperature. Cool Corridors can also include engineered shade, chilled drinking water stations, and other design features and amenities to promote thermal safety and comfort, and should be implemented through a combination of public and private partnerships and resources.

The focus on equity in the Shade Phoenix Plan and learnings from the first few years of the Cool Corridors program require a reconsideration of its goals and investment plan, which originally called for 1,800 trees to be planted per year and projects across all City Council districts. The focus of the program will continue to be to increase shade coverage on highly used walking routes in communities disproportionately impacted by summer heat. However, construction and maintenance of successful Cool Corridor projects in the places with the greatest need requires a more comprehensive implementation strategy with higher per-project costs. OHRM will work with the Street Transportation Department to identify key community destinations, such as schools and community centers, in priority areas to be incorporated into the program. The City will also work with community and private property owners to understand how people walk to and want to walk to priority destinations and focus investments on those preferred routes. The Cool Corridor program will focus on construction and maintenance of exemplar projects in priority communities that address infrastructure deficiencies and conflicts to provide robust shade. Projects will seek to include additional elements such as structured shade, green stormwater infrastructure (GSI), chilled drinking fountains and bottle-filling stations, wayfinding, public art, seating, and "Smart Cities" technologies that support active transportation activities. When feasible, Cool Corridor investments will align with major construction and capital improvement program (CIP) projects to maximize impact and efficiency.

Funding	General Fund ($1.4M/year), Department Capital Improvement Program (CIP) funds
Lead Department	Office of Heat Response and Mitigation
Partners	Street Transportation, Parks and Recreation, Office of Innovation, Planning and Development

8 Add shade structures at bus stops

Phoenix has 4,080 designated public bus stops supporting 15.6 million annual riders. Approximately 75%, or 3,054, have shelters, which can provide some shade and thermal relief for riders. Since the 2010 Tree and Shade Master Plan was released, 1,869 shelters have been added, representing an investment of more than $18 million in new and replacement bus shelters. Bus stops were prioritized based on ridership to maximize program impact.

The Public Transit Department will install at least 80 shade structures at bus stops each year as it works toward the goal of having shade structures at all public bus stops where feasible in the city within the next 10 years. As part of this effort, the Public Transit Department will continue to explore innovative design strategies to maximize shade provision at bus stops.

Funding	Public Transportation 2050 (T2050), Public Transit General Fund
Lead Department	Public Transit
Partners	Street Transportation, Office of Heat Response and Mitigation

Innovative Bus Shelter Design with ASU

In 2016, the Phoenix Public Transit Department (PTD) worked with the ASU School of Industrial Design to develop alternative bus shelter designs that would improve the amount of shade provided by bus stop structures, particularly in areas where public right-of-way is limited. In partnership with ASU's faculty, a competition was held for Design School students. The competition received 15 individual and team submissions and five finalists selected for a final interview process. Four winners were selected and offered summer internships to work with PTD staff and an engineering firm to develop new bus shelter designs.

The process resulted in two major designs and another kit-of-parts design that allowed for multiple configurations based on the specific location for installation.

All the designs were further refined during a structural engineering analysis and with input from PTD's bus shelter manufacturer to ensure cost-effectiveness and long-term durability. The designs now provide PTD flexibility when analyzing a location for a bus shelter.

9 Construct Phoenix Sidewalk Shade installations in high-traffic public right-of-way

Providing shade for pedestrians and bicycle riders can improve public health and the economic vitality of communities. The City will design and construct shade structures for heavily trafficked public rights-of-way. Current structure designs include contributions from local artists and target major intersections and crosswalks where people are forced to wait while transiting. Construction of tup to 20 structures is expected to begin in 2025 and conclude in 2026. Locations were selected based on pedestrian and bicycle volumes, heat vulnerability index, tree canopy coverage, and access to vehicles. Due to funding requirements, all locations are in or near federally designated Qualified Census Tracts. To date, five standard shade structure designs have been developed. Ongoing development will incorporate concepts produced from the Innovate PHX Challenge @ Venture Café focusing on expanding manufactured shade and other community driven projects. Some ideas produced by the nearly 170 challenge participants include passive wind cooling incorporated into the structure, shaded bike lanes, artistic concepts, and multi-directional shade.

Funding	ARPA ($3M)
Lead Department	Street Transportation
Partners	Office of Heat Response and Mitigation, Office of Arts and Culture, Office of Innovation, Office of Sustainability, Office of Public Health

10 Pilot a shade structure right-of-way revocable permit

Currently, if a property owner wants to construct a shade structure in the public right-of-way within the Downtown Phoenix area and areas covered by the Walkable Urban Code, they must obtain a revocable permit (also known as an encroachment permit) in addition to appropriate variances as needed. The revocability, and the potential lack of permanence, and unfamiliarity with the permitting process can discourage property owners from making shade investments in shade in public rights-of-way. The City will explore the feasibility of piloting a streamlined permitting process for shade structures, canopies, and building overhangs, as long as the structures are built in accordance with all associated City requirements. Development of this permitting process may require changes to guidance documents, City code, ordinances, and/or variances to be obtained to allow for shade structure permits both inside and outside high-density urban development.

Funding	N/A
Lead Department	Planning and Development
Partners	Office of Heat Response and Mitigation, Street Transportation

Increase shade on private properties

11 Complete implementation of the Community Canopy Grant Program

Launched in 2023, the Community Canopy Grant Program aims to improve tree canopy coverage in communities within Qualified Census Tracts (as defined by the U.S. Department of Housing and Urban Development) throughout Phoenix. Through this program, neighborhood associations, community nonprofits, multi-family residential sites, and individual community members can submit applications requesting trees, supplies and support for tree planting projects designed to assist communities in increasing their tree canopies.

To date, approximately 800 trees have been planted through this program on approximately 400 residential properties. The goal for the fall 2024 planting season is to plant an additional 1,500 trees. A portion of the IRA funding will be allocated to extend this program and allow more residents to benefit with the planting of 6,000 trees over the next five years.

Funding	ARPA ($2M), IRA ($2.5M)
Lead Department	Office of Heat Response and Mitigation
Partners	Neighborhood Services, West Coast Arborists, Dusty Landscaping, Treeland Nurseries, Whitfill Nursery, Desert Tree Farm

Community Canopy Grant Program

The Community Canopy Tree Grant Program managed by OHRM is a unique effort to green our city's residential spaces in the neighborhoods that have the lowest tree canopy coverage. The grant provides up to two free trees for each house and up to 50 trees to multifamily complexes. This program provides more than just trees—City staff, along with a team of landscape architects, contractors, and arborists, work with residents to select the appropriate trees and ensure proper placement. Additionally, landscape contractors handle irrigation installation and the tree planting for residents. With the support of the landscape contracts, the City is able to plant larger trees.

The grant encourages neighborhoods to apply to trees for their entire neighborhood. For the neighborhood plantings, City staff and residents collaborate on an event to celebrate the neighborhood and give away supply bags and t-shirts. Often the events included live music, face painting or a food truck.

Each house that receives a tree also gets a supply bag with a 100-foot hose, irrigation timer, soil moisture meter, and educational materials in English and Spanish to help grantees care for their new trees. Each tree planted in homes comes with two t-shirts with a design from a local artist.

Fully supported tree plantings like this cost more than just the price of a tree. A tree by itself can cost around $180 and the City of Phoenix tree planting program for single family homes costs (tree, labor for planting, kit of supplies) approximately $1,088 per tree.

This program, the first of its of its kind at the City of Phoenix, was created by the Office of Heat Response and Mitigation. They entered into dozens of new contracts with vendors, most of them small businesses that had not previously worked with the City. In the first year of this program, over 2,000 trees were planted at homes in front-line neighborhoods that have lower than average tree coverage. With the Inflation Reduction Act grant, OHRM can offer this program through 2029.

12 Develop a permit for small tree planting projects

Planting a tree on a private multi-family residential or non-residential property in the City of Phoenix requires a permit from the Planning and Development Department. Replacements of pre-existing permitted trees do not require a new permit but must adhere to similar tree species and size standards. This process is time and labor intensive for individual community members, which can be a burden for small tree planting projects.

To help support small tree planting projects, the City is exploring options for a streamlined permitting and approvals process. OHRM is working with the Planning and Development Department to develop simpler processes for projects that would plant five or fewer trees.

Funding	N/A
Lead Department	Office of Heat Response and Mitigation, Planning and Development
Partners	Street Transportation

13 Develop sample shade stipulations for Village Planning Committees and Planning Commission

Phoenix is divided into 15 urban Villages, each with a Village Planning Committee (VPC) appointed by the Mayor and City Council. The VPCs provide guidance on a range of citywide and local issues, and they hear and discuss re-zoning cases, general plan amendments, and text amendments and provide recommendations to the Planning Commission.

One tool used by the VPCs are stipulations, which can take the form of legal, enforceable rezoning stipulations drafted together with the village planners. Planning and Development and OHRM will work together to refine and strengthen existing and develop new sample stipulations for use by VPCs and the Planning Commission to support the goals of this plan, including expanding shade, incorporating green stormwater infrastructure (GSI) features where relevant.

Funding	N/A
Lead Department	Planning and Development
Partners	Office of Heat Response and Mitigation

SHADE PHOENIX ACHIEVING THE VISION: STRATEGIES AND ACTIONS

STRATEGY 2: PRESERVE AND MAINTAIN EXISTING SHADE

The community works together to support a thriving urban forest and well-maintained built shade

Care for and maintain trees and shade structures on public property

14 Continue and expand tree replacement program using 'right tree, right place' and 'no-net-loss' approaches

The Street Transportation Department will continue to be responsible for ensuring the timely replacement of trees that are damaged, pose safety risks, or have died in landscape maintenance areas. Replacement trees will be chosen using recommendations from the species list developed by Phoenix Metro Urban Tree Roundtable and to comply with all regulatory requirements with the Phoenix Active Management Area as defined by the Arizona Department of Water Resources. The City will work to expand the number of departments that have dedicated funding for tree replacement and follow similar processes to those used by Street Transportation. In cases where there is a utility conflict on City-managed property that requires tree removal, Salt River Project (SRP) and Arizona Pubic Service (APS) will help to identify and remedy the conflict while preserving total tree canopy coverage. Both utilities will remove conflicting trees and provide replacement(s) at their expense.

Funding	~$390K/year funding allocated in Street Maintenance Operation budget, Salt River Project, Arizona Public Service
Lead Department	Street Transportation
Partners	Office of Heat Response and Mitigation, Parks and Recreation, Landscape maintenance contractors

15 Maintain City-managed trees and shade structures

Caring for and maintaining the City's existing tree canopy is critical to ensuring a healthy and thriving city. The City will continue to perform regular maintenance work, including trimming, pruning, and removal of dead limbs and seek additional resources as available to expand this vital work.

The City will also work to ensure that shade structures remain in good working condition. Routine maintenance will include actions such as power washing, graffiti removal, repainting, tightening bolts, and re-attaching and repairing shade sails.

Funding	Office of Heat Response and Mitigation General Fund
Lead Department	Office of Heat Response and Mitigation
Partners	Planning and Development, Arizona State Department of Forestry and Fire Management, Parks and Recreation, Street Transportation, Office of Innovation

Preserve trees and shade structures on private property

16 Strengthen enforcement of tree code

The City will review and update its codes and processes as necessary to strengthen tree and plant violation enforcement on commercial and multi-family residential. properties. This includes exploring the designation of a tree and plant violation inspector. The City will explore more proactive identification of at-risk properties, including possible development of screenings to identify properties that are out of compliance with enforceable site plans.

Funding	N/A
Lead Department	Neighborhood Services
Partners	Office of Heat Response and Mitigation, Planning and Development, Law

STRATEGY 3: EVALUATE AND INSTITUTIONALIZE

Ongoing implementation and improvement of shade efforts to scale their impacts and maximize benefitsshade

Monitor and evaluate progress on Shade Phoenix plan

17 Complete citywide tree and shade assessments

The City will assess both tree canopy and shade coverage to better understand the existing conditions and identify opportunities for expansion in the areas of greatest need. This assessment will provide data about the percentage of land area in the city, in different neighborhoods, and on individual sites and properties that is covered by tree canopy and/or shaded by natural or engineered sources. The current tree assessment uses data embedded in Google's Environmental Insights Explorer, which uses high-resolution overhead imagery. While many cities have conducted tree assessments, few have assessed total shade. The City will also conduct a citywide assessment of where shade exists at different times of day and different times of the year. This first-of-its kind assessment for Phoenix will use three-dimensional building and landscape data, run through a model that casts shadows based on sun positions. OHRM will work with experts at University of California Los Angeles (UCLA) and Arizona State University (ASU) to create a best management reporting practice for shade assessments. These assessments will be updated at least once every five years if possible based on data availability, and staff will continue to review evolving monitoring techniques and technologies to improve citywide assessments.

Funding	N/A
Lead Department	Office of Heat Response and Mitigation
Partners	Google, University of California Los Angeles (UCLA), Arizona State University (ASU)

18 Conduct and maintain an inventory of trees and shade structures on City property

To help complement the shade assessment and to identify opportunities for new shade structures in areas of high need, the City will conduct a citywide inventory of shade structures on publicly managed property. This will include, but not be limited to, bus shelters, City facilities, and park spaces. For trees, the City will complete an updated citywide inventory of trees on publicly managed property, using asset management software. Once completed, the tree inventory will be managed by the Office of Heat Response and Mitigation in coordination with all relevant City departments.

Using property inventories, data from the citywide assessments, and ongoing community engagement, city staff will work to assess and prioritize needs for shade on City-owned property. Staff will also work to identify additional sources of funding to add shade and cover other critical installation and maintenance costs including irrigation, archeological surveying and preservation, and utility conflict avoidance.

Funding	Parks and Recreation (tree inventory), N/A (shade structure inventory)
Lead Department	Office of Heat Response and Mitigation
Partners	Parks and Recreation, Street Transportation

19 Provide an annual progress report on Shade Phoenix

The Shade Phoenix Plan outlines the actions the City and its partners will take over the next five years. To track progress toward the goals, OHRM will produce an annual report documenting the City's progress on each of the actions in the Plan. This public-facing document will ensure these efforts are transparent and stakeholders can follow the City's progress.

The annual progress report will be part of an annual public engagement process. The Office of Heat Response and Mitigation will invite community participation in progress evaluation and goal setting for subsequent years and annual progress reports should center community perspectives and wisdom.

Funding	General Fund
Lead Department	Office of Heat Response and Mitigation
Partners	All relevant City departments

20 Update the Shade Phoenix Plan every 5 years

Achieving the City's long-term goals and expanding and maintaining shade in Phoenix will take time, continued effort, and investments. The City and its partners will also continue to learn about the most effective ways to deliver this work and better understand the unique needs of Phoenix's diverse communities as it implements Shade Phoenix. To ensure that Phoenix's shade efforts remain current and focused on the most pressing needs, OHRM will work with all City departments and partners to update the Shade Phoenix Plan every 5 years.

Funding	General Fund
Lead Department	Office of Heat Response and Mitigation
Partners	All relevant departments, All relevant stakeholders, City Council

Strengthen organizational coordination and staff capacity

21 Review and improve City processes governing landscaping and tree care

The Budget and Research Department completed a study of the City's current landscape maintenance efforts in summer 2024, which included a detailed assessment of current practices within City departments as well as comparisons to landscape maintenance efforts in peer cities. The Office of Heat Response and Mitigation will work with City departments to explore opportunities for implementation of recommendations that emerged from the study related to staffing models, inter-departmental coordination, contract management and oversight, and water use.

Funding	General Fund
Lead Department	Budget and Research
Partners	Office of Heat Response and Mitigation, All relevant departments

22 Assess and improve proper planting and maintenance practices for City-managed urban trees, following industry-standard best management practices

Planting and maintaining trees require specific knowledge and expertise. Trees on City of Phoenix property are planted and maintained both by in-house City staff and by contractors. To increase the health of public trees, it is critical to ensure sufficient personnel, training, training, equipment, budgets and time to plant and maintain trees properly. It is also important that the City staff that oversee the work of the contractors have proper training to guide and oversee the work based on evolving best practices. Building upon the results of the landscape maintenance study, the Office of Heat Response and Mitigation will benchmark the City's urban forestry processes and resources against care standards developed by the International Society for Arboriculture (ISA). A comprehensive report will be presented to City Council by the end of 2025, with suggestions on strategies to close any gaps in capacity and service.

Funding	N/A
Lead Department	Office of Heat Response and Mitigation
Partners	Parks and Recreation, Street Transportation, Budget and Research

23 Build institutional capacity for Green Stormwater Infrastructure

The City is working to expand the use of green stormwater infrastructure (GSI) across Phoenix and build the capacity to design and maintain GSI projects. The recently initiated cross-departmental working group serves as a resource to departments and provides a forum for learning. The City will identify opportunities to provide specific training to City project managers on incorporating GSI into design, construction, and maintenance practices. GSI expertise will be included in future engineering on-call contract requests for proposals. To help lead this work, the City will also explore opportunities to fund a new position to coordinate work on GSI across departments. Private property owners and developers are also critical in expanding the use of GSI. The City will evaluate opportunities to streamline permitting processes and expand resident and professional familiarity with GSI installation and maintenance. To this end, the City will provide educational resources for private parties to support implementation of GSI on their property/development, including a GSI Handbook for Residents and other resources on the City's GSI website.

Funding	N/A
Lead Department	Planning and Development, GSI Working Group
Partners	Office of Heat Response and Mitigation, Office of Environmental Programs, Street Transportation, Parks and Recreation

24 Re-establish cross-departmental working group on urban forestry and establish a new built shade working group

To better align City staff across departments, the City has re-established a cross-departmental working group on urban forestry comprised of staff that manage trees on their properties. In addition to the urban forestry working group, the City will establish a new working group to coordinate this work across departments. These working groups will also help to align City departments in their engagement with community stakeholders and external partners, and serve as a mechanism to ensure that city staff, management, and leadership are kept up to date on tree and shade initiatives, successes, and challenges.

Funding	N/A
Lead Department	Office of Heat Response and Mitigation
Partners	Aviation, Convention Center, Office of Environmental Programs, Fire, Housing, Human Services, Library, Neighborhood Services, Parks and Recreation, Planning and Development, Police, Public Transit, Public Works, Street Transportation, Sustainability, Water Services

Strengthen regulations, design standards and guidelines

25 Update City of Phoenix plant species guidance

Planting the right tree in the right place is critically important to expanding natural shade in Phoenix. The urban desert setting requires special attention to many factors when selecting tree species that will thrive into the future. Trees planted today, throughout their long lives, are likely to experience climatic conditions that differ from those observed in Phoenix in decades prior. The City and its partners must think ahead to which trees species will be best adapted to future environmental conditions including projected hotter and drier summers. Planning and Development will continue to work with other City departments to evaluate species guidance and regulatory plant lists against the tree list developed by the Urban Forestry Roundtable. The City will explore any necessary updates to codes on species requirements and guidance and, where possible, contribute to new or updated tree species lists adopted by other regulatory bodies.

Funding	N/A
Lead Department	Planning and Development
Partners	Office of Heat Response and Mitigation, Office of Environmental Programs, Parks and Recreation, Street Transportation, Law, Water Services

26 Embed shade recommendations into City-owned building design standards and facility review

The City is updating its standards for new municipal building construction projects and substantial renovations to shape projects funded by the General Obligation (GO) Bond Program. In addition, to ensure these standards are followed consistently, the City re-established the Facility Review Committee. The Committee will provide recommendations on all new construction and substantial renovation projects for compliance with the new building standards. OHRM provided recommendations for the building standards related to shade and will serve on the Facility Review Committee to ensure alignment with the vision and goals of the Shade Phoenix Plan.

Funding	N/A
Lead Department	Public Works
Partners	Office of Heat Response and Mitigation, Street Transportation, Office of the City Engineer

27 Pilot a Public Shade Fund

Several types of property developments are required by City Code to include trees and built shade. In some instances, the development cannot comply with the shade requirements due to factors out of their control, such as proposed tree locations in conflict with existing underground infrastructure. The City is seeking to create a Shade Fund that can be used in instances where these projects cannot meet the required square footage of shade. Planning and Development will work with other City departments to design and launch a pilot Shade Fund and ensure that funds are used in close proximity to the project to mitigate the loss of shade in an equitable manner.

Funding	N/A
Lead Department	Planning and Development
Partners	Private developers, Office of Heat Response and Mitigation, Law

28 Integrate tree and shade goals in all relevant City plans

The City has several plans to guide efforts to ensure Phoenix is the most sustainable desert city in the U.S. This includes documents and planning processes like the General Plan – PlanPHX 2025, as well as topic-specific plans like the Climate Action Plan and Hazard Mitigation Plan, and departmental strategies such as the Parks and Recreation Master Plan, the Street Planning and Design Guidelines Manual, and Stormwater Policies and Standards. OHRM will work with colleagues across the City to ensure that all plans and planning processes are aligned with the vision and goals presented in this Plan. Community members participating in the Urban Heat Leadership Academy, led by the Nature Conservancy, will help identify opportunities to integrate tree and shade initiatives into local and regional hazard mitigation plans.

Funding	FEMA BRIC Grant ($300K)
Lead Department	Office of Heat Response and Mitigation
Partners	All relevant departments

Create and expand pathways for careers in urban forestry

29 Create a Tree Steward Program

The City recognizes the importance of planting trees in high need areas, but also considers educating the public on how to plant and care for trees just as critical. With funding from the Inflation Reduction Act (IRA), the City will partner with community organizations focused on workforce development to hire and train ten community members as Community Tree Stewards. The Tree Stewards will work in conjunction with the City to organize and lead neighborhood tree plantings, inventory and monitor neighborhood trees, coordinate tree maintenance, and help educate and inspire other residents about the importance and value of trees.

OHRM has been working with the Arizona Department of Forestry and Fire Management on the development of a training manual to educate community members. Community Tree Stewards will be trained in the following subjects: tree biology, soil, water and fertilizer, tree identification, tree selection and planting, tree maintenance and on-going care, biological and physical tree threats, and the benefits of trees and environmental justice.

Funding	Inflation Reduction Act (IRA) ($2M)
Lead Department	Office of Heat Response and Mitigation
Partners	Parks and Recreation, Community-based organizations, Arizona State Department of Forestry and Fire Management

30 Support youth workforce development for urban forestry career pathways

An Arizona State University (ASU) team is working with state apprenticeship offices, local and national urban forestry industry leaders, professional organizations, and community colleges to document and design urban forestry workforce and entrepreneurial pathways with a focus on addressing barriers to access and points of disconnection. With funding from the Inflation Reduction Act (IRA), the ASU team will create an urban forestry vocational program that includes experiential courses, internships and apprenticeships. The aim is to create pre-professional on-ramps for underserved communities, with a focus on opportunity youth (ages 16–24). The City will support this project by exploring opportunities to pilot contracting and hiring of program participants.

Funding	Inflation Reduction Act (IRA) via Arizona State University
Lead Department	Office of Heat Response and Mitigation
Partners	Arizona State University, Arizona Conservation Corps, Arizona Landscape Contractors Association, Bartlett Tree Experts, Arizona Community Tree Council, Arizona Nursery Association, Arizona Cooperative Initiative, Parks and Recreation

Workforce Development Pathways for Urban Forestry

Urban Nature is a new three-year project led by Arizona State University's Rob and Melani Walton Sustainability Solutions Service - in partnership with community-based organizations, industry partners, national organizations, several ASU departments and with the City of Phoenix. The Urban Nature program will offer five community-based, industry-supported learning pathways into viable and thriving green jobs. Residents of frontline communities will be offered 95 paid learning opportunities in English and in Spanish across a range of sectors and 63 paid internships in green jobs that grow and sustain our urban tree ecosystems.

The program will also include three courses for entrepreneurs aiming to launch or scale businesses that promote urban nature, as well as a Seed Start Center offering hands-on learning related to tree nursery operations and business development.

These Urban Nature pilot programs will develop local infrastructure and industry pipelines to help make shade for all achievable and sustainable while bringing the social, health, environmental, and economic benefits of trees to residents and neighborhoods most impacted by extreme heat.

31 Provide Certified Arborist Training to professionals and residents

Proper tree planting and maintenance requires specialized knowledge and expertise. The City has partnered with the Arizona Community Tree Council to host Certified Arborist Training courses with the Parks and Recreation Department. These courses are designed to prepare tree care industry workers for the International Society of Arboriculture (ISA) Certified Arborist Exam, the industry standard certification. The City will work with community partners to promote this course, as well as other training opportunities, to a wide audience to expand the trained workforce to help care for trees in the city and to inspire the next generation of urban foresters.

Funding	General Fund
Lead Department	Parks and Recreation, Office of Heat Response and Mitigation
Partners	Arizona Community Tree Council

STRATEGY 4: EDUCATE AND EMPOWER

Phoenicians understand and support the importance and value of trees and shade

Create a citywide movement around shade and heat

32 Launch Shade Phoenix public communications campaign

Create and launch, in consultation with community stakeholders, a citywide communications campaign to engage residents and businesses about the importance of shade and how it can be incorporated into the city, and to maximize awareness of public resources available to support trees and shade. The campaign will create multi-media content for diverse stakeholders, with emphasis on areas with low amounts of trees and shade . Content will be distributed through a variety of traditional and social media channels.

Funding	Inflation Reduction Act (IRA) Urban and Community Forestry program
Lead Department	Office of Heat Response and Mitigation
Partners	Communications, Departmental Public Information Officers

33 Create shade award and recognition opportunities for innovative projects adding shade in Phoenix

Programs that recognize and celebrate innovative and well-designed shaded places will help drive new approaches to shading and promote the importance of shade as a fundamental design element for outdoor spaces. This effort could include certification for well-shaded outdoor spaces, annual awards for effective shade projects, businesses, municipal workers, and other actors contributing to shade efforts in our communities. OHRM will work with partners to establish certification criteria that corresponds to different typologies of outdoor spaces.

Funding	Office of Heat Response and Mitigation General Fund
Lead Department	Office of Heat Response and Mitigation
Partners	Planning and Development, Arizona State Department of Forestry and Fire Management, Parks and Recreation, Street Transportation, Office of Innovation

34 Commission local artists to design and deploy public art shade installations in public spaces

Public art can be a powerful tool to raise awareness about extreme heat as well as celebrate the identity and history of a neighborhood or community. In 2023, the City of Phoenix was one of eight U.S. cities selected as a winner of Bloomberg Philanthropies' Public Art Challenge, which invites mayors and artists to submit proposals for innovative public art projects designed to address local challenges. Phoenix's submission, '¡Sombra! - The Celebration of Shade', commissioned nine artists to create shading and cooling installations in neighborhood parks across Phoenix. The temporary structures will be installed in 2025 and be accompanied by community engagement activities and a one-day festival celebrating the city's resilience to heat and the importance of shade in Phoenix.

Funding	Bloomberg Philanthropies' Public Art Challenge ($1M)
Lead Department	Arts and Culture
Partners	Office of Heat Response and Mitigation, Parks and Recreation, Office of Innovation, Artlink, Arizona State University

35 Develop neighborhood tree plans in partnership with local communities

Urban Nature is a new three-year project led by Arizona State University's Rob and Melani Walton Sustainability Solutions Service — in partnership with community-based organizations, industry partners, national organizations, and several ASU departments — working directly with Phoenix residents to co-create Neighborhood Tree Action plans while supporting economic growth.

ASU has mapped Phoenix resident input from previous listening sessions for 2,066 locations where trees, water stations, cooling stations, and built shade are needed. Starting fall 2024, ASU will conduct eight Shade for ALL workshops with the City of Phoenix and Unlimited Potential, resulting in four Neighborhood Tree Action Plans for Phoenix's hottest and least shaded neighborhoods: Lindo Park neighborhood in South Phoenix, South Central Corridor, Desert West Park neighborhood in Maryvale, and the Mountain View Park neighborhood in Sunnyslope.

Funding	Inflation Reduction Act Funds to Arizona State University
Lead Department	Office of Heat Response and Mitigation
Partners	ASU Rob and Melani Walton Sustainability Solution Service, Neighborhood Services, Planning and Development

Provide public education around sustainable and equitable shade practices

36 Create and distribute materials for a variety of audiences on natural and built shade

The City will use new and existing resources created by public and private partners to engage and activate a variety of audiences to support the goals of expanding and maintaining natural and built shade in Phoenix. Topics may include 'Right Tree, Right Place' and 'Right Shade, Right Place' campaigns, proper tree maintenance practices (e.g. trimming and watering), designs for green stormwater infrastructure (GSI) installations, tree and heat equity, urban climate science, physiology, and public health. All resources will be aligned with the values of this plan and be provided in Spanish and English.

The City recently published a new website with resources to provide information and guidance on GSI – what it is, how it can be designed, and how to navigate permitting and plan review processes. The City will continue to explore other partnership opportunities to educate the public about trees and shade.

Funding	Citywide General Fund
Lead Department	Office of Heat Response and Mitigation
Partners	Street Transportation, Planning and Development, Water Services, Office of Environmental Programs, Office of Innovation, Parks and Recreation, Communications, Trees Matter, Maricopa County, American Forests, Arizona Sustainability Alliance, U.S. Forest Service, Watershed Management Group

EXPANDING THE VISION

Priorities for New Investments

The Shade Phoenix Plan proposes transformative actions to improve the quality of life across our community. Yet, fully achieving the collective vision will require additional investments beyond the scope of this Plan. While implementing the Shade Phoenix Plan is an essential first step, it should also ignite efforts to secure more resources, broaden community involvement in tree and shade initiatives, and refine City processes. This section highlights the key priorities for further investments and actions beyond current commitments.

Project Name: City Grocery
Project Landscape Architect: Steve Martino and Associates
Photo credit: Steve Gunther

1 The level of sustained funding for new trees and built shade must increase

To meet the community's needs, investments in trees and built shade from both public and private sectors must significantly accelerate. Over the next five years, the City of Phoenix is committed to planting at least 27,000 trees on public and private properties. Private investment is also expected to contribute tens of thousands more trees on residential and commercial lands. However, these combined efforts are still projected to fall short of the tree and shade coverage needed citywide. Achieving the minimum shade coverage goals set forth in this Plan for different land-use types will require significantly more funding over the coming decades for additional trees and built shade structures.

Currently, over half of the Shade Phoenix Plan's funding for new trees and shade comes from one-time sources, such as federal grants and the voter-approved General Obligation Bond. The City should continue exploring ways to reinforce its commitment to tree and shade projects in public spaces through the General Fund and Capital Improvement Program. Additionally, Phoenix must collaborate with regional, state, and federal agencies to identify or create new funding streams, and work with private and philanthropic partners to expand support for tree and shade investments.

2 Gaps in maintenance practices and budgets for public property trees and built shade must be closed quickly

Maintenance is a top concern regarding public trees and built shade for City staff, local experts, and residents alike. Many believe that the City already faces challenges in adequately maintaining its existing tree and shade inventory, raising concerns that these issues will increase as tree planting and shade structure projects expand in the coming years. In 2024, the Budget and Research Department completed a Landscape Maintenance Study to assess current practices across multiple City departments and compare them with those of peer and regional cities. This report provided several recommendations for improving landscape maintenance, which will be further explored with a focus on trees and built shade.

The study highlighted key areas for improvement, including hiring and retaining qualified staff, enhancing contract monitoring and enforcement, upgrading technology to track water usage, and modernizing maintenance equipment. Currently, a significant portion of the City's tree and shade maintenance operates on an as-needed or complaint-based basis. Adopting a more proactive, scheduled maintenance approach would help extend the quality and lifespan of the City's tree and shade assets.

While the City has committed to adding numerous new trees and shade structures over the next five years, this growth has not been matched with a proportional increase in maintenance budgets, risking the long-term benefits of these investments. Rather than waiting until resources are overstretched, City staff should proactively seek new funding mechanisms to ensure maintenance budgets grow in tandem with tree and shade expansions. This will help secure the maximum community benefits from these investments.

3 Community members from all parts of the City, especially those with low tree and shade coverage, need to be more fully integrated into planning, implementation, and evaluation

Phoenix is a diverse, dynamic city, with neighborhoods and residents that have unique experiences, perspectives, and needs regarding trees and shade. Meaningful, consistent, and respectful engagement across all Phoenix communities is essential to ensure that tree and shade investments are tailored to address local needs within each neighborhood's distinct context and culture. Including voices from all community members throughout the planning and implementation process is crucial; however, historically, institutions have not fully responded to the needs of all residents.

To bridge this gap, the City and its partners must invest in innovative approaches to integrate under-engaged individuals, neighborhoods, and organizations into tree and shade initiatives. The Whole Measures Rubric for Urban Heat Solutions identifies the highest-impact modes of community engagement as those founded on trust and respect. Effective engagement builds long-term relationships beyond individual projects, centers historically marginalized voices in decision-making, and provides flexible opportunities for community members to participate in ways that align with their lives and livelihoods. It also involves a diverse range of stakeholders, encourages openness to change, and maintains mutual transparency.

While the Shade Phoenix Plan includes several actions for community outreach and engagement, the effectiveness of these efforts in truly engaging Phoenix's diverse communities must be carefully monitored and evaluated. Achieving the highest level of impact will likely require additional, sustained resources and expertise to support a more inclusive and impactful engagement process.

4 The City should look for and leverage advances in technology and analytical tools that can improve tree and shade efforts

Ongoing advancements in environmental monitoring and analytical capabilities offer the City new opportunities to track and address the needs of its assets, plan strategically for the future, and improve project outcomes. In terms of environmental monitoring, breakthroughs in remote sensing and image processing are enabling the City to better monitor the urban forest and built shade infrastructure over time on both public property and across the community. This data can inform future decisions on species selection, maintenance strategies, community engagement, budgeting, and policy development.

Additionally, new monitoring technologies can help the City more effectively steward its water resources. These technologies will allow for precise irrigation scheduling throughout the year, real-time leak detection, and other measures to support the health and longevity of trees. As the City continues to invest in tree and shade infrastructure, it will also benefit from research quantifying the value of shade to the community. City staff are currently collaborating with Bloomberg Associates and Replica, an environmental and transportation analytics firm, to explore how shade impacts public space usage and economic activity in Phoenix. Enhanced estimates of shade's value will inform cost-benefit analyses for Federal funding applications and aid local and regional leaders in advocating for and making budget decisions for public projects.

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Vanos, J. K., Middel, A., McKercher, G. R., Kuras, E. R., & Ruddell, B. L. (2016). Hot playgrounds and children's health: A multiscale analysis of surface temperatures in Arizona, USA. Landscape and Urban Planning, 146, 29-42. https://doi.org/10.1016/j.landurbplan.2015.10.007

Data Resources

Tree Canopy
All tree canopy data presented in this plan were processed from Google Environmental Insights Explorer high resolution tree canopy data for Phoenix (accessed July 2023). https://insights.sustainability.google/

Shade Estimates
Data used for shade estimates were accessed through a data sharing partnership with the Luskin Center for Innovation at University of California Los Angeles and Arizona State University. Others may request data by contacting the authors of the study:
Buo, I., Sagris, V., Jaagus, J., & Middel, A. (2023). High-resolution thermal exposure and shade maps for cool corridor planning. Sustainable Cities and Society, 93, 104499. https://doi.org/10.1016/j.scs.2023.104499

Building Footprints
Building footprints were accessed through Microsoft Building Footprints – Features (accessed July 2023). https://hub.arcgis.com/datasets/esri::microsoft-building-footprints-features/

Census Data
U.S. Census Bureau American Community Survey (ACS) 5-year estimates (2018-2022) for census tracts. Census data were used for maps and figures displaying: Per Capita Income, Black, Indigenous, People of Color (BIPOC), and Population with No Vehicle. https://www.census.gov/programs-surveys/acs

Parcel Data
Parcel data sourced from Maricopa County Assessor's Office via City of Phoenix Mapping Open Data (https://mapping-phoenix.opendata.arcgis.com/) and Arizona State University GeoData Map and Geospatial Hub (https://geodata-asu.hub.arcgis.com/).

Tree Equity Score
Tree Equity Score was accessed from American Forests Tree Equity Score explorer (2024). http://www.treeequityscore.org/

SHADE PHOENIX APPENDIX

APPENDIX

Shade Phoenix Plan - Implementation Table

Key Performance Indicators. All quantities are cumulative.

Strategic Priority		Action	Lead Dept.	Milestone - Year 1 (by June 30, 2025)	Milestone - Year 3 (by June 30, 2027)	Milestone - Year 5 (by June 30, 2029)	Impact Metrics
STRATEGY 1: EXPAND SHADE - Increase shade for people where they need it most							
Increase shade for children	1	Complete implementation of the Shade for Students program	OHRM	Install 47 structures	Evaluation of installed shade structures, pursue additional resources	Pursue additional resources	# of sites # of shade structures installed
	2	Complete implementation of Canopy for Kids program	OHRM	Plant 1,000 trees	Plant 1,800 trees	Plant 2,500 trees	# trees planted # of schools
	3	Integrate shade in new construction and renovation at municipal playgrounds	PRD	Increase shade at 5 playgrounds	Increase shade at 15 playgrounds	Increase shade at 25 playgrounds	# of municipal playgrounds receiving shade structures % of municpal playgrounds meeting shade goal
Increase shade on public property	4	Plant trees in City parks	PRD	Plant at least 120% of the number of trees lost the prior year.	Plant at least 120% of the number of trees lost the prior year.	Plant at least 120% of the number of trees lost the prior year.	# of trees planted in parks
	5	Add natural and built shade to City facilities	OHRM	Increase tree and shade coverage at 5 facilities	Increase tree and shade coverage at 15 facilities	Increase tree and shade coverage at 25 facilities	# of trees planted # of shade structures installed
	6	Build green stormwater infrastructure projects in the public right-of-way	STD/OHRM	Finalizing location for 3 projects	Design 3 and install 1 project	Install and evaluate 3 projects	# of projects installed
	7	Expand Cool Corridors network	OHRM	Assess potential project sites and complete prioritization assessment	At least 1 Cool Corridor project complete and additional sites evaluated	At least 3 Cool Corridors projects completed	# of Cool Corridor projects installed
	8	Add shade structures at bus stops	PTD	Install at least 80 shade structures	Install at least 240 shade structures	Install at least 400 s hade structures	% of bus stops providing shade # of new bus stop shelters installed
	9	Construct Phoenix Sidewalk Shade installations in high-traffic public right-of-way	STD/OHRM	Begin construction of 10 shade structures	Complete installation o f 20 shade structures	Evaluate and identify resources needed	# of shade structures installed
	10	Pilot a shade structure right-of-way revocable permit	STD/PDD	Draft requirements for permit	Permit process finalized; Issue permits	Issue permits	# of permits issued
Increase shade on private properties	11	Complete implementation of the Community Canopy Grant Program	OHRM	Plant 1,000 trees	Plant 3,000 trees	Plant 7,000 trees	# of trees planted # of properties participating
	12	Develop a permit for small tree planting projects	OHRM	Draft requirements for permit	Permit process finalized; Issue permits	Issue permits	# of permits issued # of trees planted
	13	Enhance sample shade stipulations for Village Planning Committees and Planning Commission	PDD	Complete review of existing stipulations and begin drafting enhancements	Finalize enhanced stipulations and begin incorporating into planning processes	Evaluate shade stipulations and revise as needed	# of shade stipulations issued

SHADE PHOENIX APPENDIX

Key Performance Indicators. All quantities are cumulative.

Strategic Priority		Action	Lead Dept.	Milestone - Year 1 (by June 30, 2025)	Milestone - Year 3 (by June 30, 2027)	Milestone - Year 5 (by June 30, 2029)	Impact Metrics
STRATEGY 2: PRESERVE AND MAINTAIN EXISTING SHADE - The community works together to support a thriving urban forest and well-maintained built shade							
Care for and maintain trees and shade structures on public property	14	Continue and expand tree replacement program using 'right tree, right place' and 'no-net-loss' approaches	STD	Plant 500 replacement trees	Plant 1500 replacement trees	Plant 2500 replacement trees	# of trees replaced
	15	Maintain City-managed trees and shade structures	ALL	Develop consistent maintenance protocol across all departments, explore additional resources needed for maintenance	Explore additional resources needed for maintenance	Review and update maintenance plans and resources	$ allocated to tree and shade structure maintenance; % of trees/structures in 'good' condition
Care for and maintain trees and shade structures on public property	16	Stengthen enforcement of tree code	NSD	Create pilot program for enhanced enforcement	Formally adopt revised enforcement process	Complete evaluation of new enforcement process	% of landscape plans in compliance # of enforcement actions taken for non-compliance
STRATEGY 3: EVALUATE AND INSTITUTIONALIZE - Ongoing implementation and improvement of shade efforts to scale their impacts and maximize benefits							
Monitor and evaluate progress on Shade Phoenix Plan	17	Complete citywide tree and shade assessments	OHRM	Complete tree assessment; Complete shade assessment	Maintain tree assessment; Maintain shade assessment	Update tree assessment; Update shade assessment	% of canopy coverage; % of shade coverage % of sites/properties meeting specific shade goals
	18	Conduct and maintain an inventory of trees and shade structures on city property	OHRM	Finalize tree inventory; Finalize shade inventory	Update shade inventory	Update tree inventory; Update shade inventory	# of trees inventoried, # of structures inventoried
	19	Provide an annual progress report on Shade Phoenix	OHRM	Develop reporting mechanisms and begin data collection	Annual progress reports completed and published (2025, 2026)	Annual progress reports completed and published (2027, 2028)	% of actions complete and underway
	20	Update the Shade Phoenix Plan every 5 years	OHRM	n/a	n/a	Update Shade Phoenix Plan	n/a
Strengthen organizational coordination and staff capacity	21	Review and improve City processes governing landscaping and tree care	B&R/OHRM	Complete initial study, pursue recommendations in relevant working groups	Formally adopt recommendations from initial study	Evaluate adopted recommendations	n/a
	22	Assess and improve proper planting and maintenance practices for city-managed urban trees, following industry-standard best management practices	OHRM	Collect data and benchmarking guidelines to inform assessment	Complete study, pursue recommendations in relevant working groups	Formally adopt recommendations and evaluate adopted recommendations	n/a
	23	Build institutional capacity for green stormwater infrastructure	PDD	Train at least 10 employees on GSI	Train at least 30 employees on GSI, include GSI in on-call contracts	Train at least 50 employees on GSI, update GSI contract language	# of people trained
	24	Re-establish cross-departmental working group on urban forestry and establish a new built shade working group	OHRM	# of City Departments engaged, # of City employees engaged	Urban Forestry working group meeting regularly; Built Shade working group meeting regularly	Urban Forestry working group meeting regularly; Built Shade working group meeting regularly	# of City Departments engaged, # of City employees engaged

Strategic Priority		Action	Lead Dept.
STRATEGY 3: EVALUATE AND INSTITUTIONALIZE - Ongoing implementation and improvement of shade efforts to scale their impacts and maximize benefits			
Strengthen regulations, design standards and guidelines	25	Update City of Phoenix plant species guidance	PDD
	26	Embed shade recommendations into City-owned building design standards and facility review	PWD
	27	Pilot a Public Shade Fund	PDD
	28	Integrate tree and shade goals in all relevant City plans	OHRM
Create and expand pathways for careers in urban forestry	29	Create a Tree Steward Program	OHRM
	30	Support youth workforce development for urban forestry career pathways	OHRM
	31	Provide Certified Arborist training to professionals and residents	PRD/OHRM
STRATEGY 4: EDUCATE AND EMPOWER - Phoenicians understand and support the importance and value of trees and shade			
Create a citywide movement arround shade and heat	32	Launch Shade Phoenix public communications campaign	OHRM
	33	Create award and recognition opportunities for innovative projects adding shade in Phoenix	OHRM
	34	Commission local artists to design and deploy public art shade installations in public spaces	Arts
	35	Develop neighborhood tree plans in partnership with local communities	OHRM
Provide public education around sustainable and equitable shade practices	36	Create and distribute materials for a variety of audiences on natural and built shade	OHRM

Key Performance Indicators. All quantities are cumulative.

Milestone - Year 1 (by June 30, 2025)	Milestone - Year 3 (by June 30, 2027)	Milestone - Year 5 (by June 30, 2029)	Impact Metrics
Analyze existing tree species guidance	Issue updated tree species guidance	Review updated tree species guidance	n/a
Review projects for compliance with shade recommendations	Review projects for compliance with shade recommendations	Review projects for compliance with shade recommendations	# of projects incorporating shade recommendations
Conduct research, stakeholder and public engagement	Design and launch pilot fund	Plant trees and install shade structures using Public Shade Fund resources	$ invested through the Fund # of trees planted through the Fund # of shade structures installed through the Fund
All relevant City plans incorporate tree and shade goals	All relevant City plans incorporate tree and shade goals	All relevant City plans incorporate tree and shade goals	# of plans w/ tree and/or shade goals, or supporting actions
Create contracts with non-profit partners to operate program	Hire and train 10 tree stewards	Identify opportunities to continue and expand program beyond IRA funding	# of tree stewards trained
Design and launch program with non-profit partners	Provide training and hands on experience	Secure employment for program graduates	# of youth trained # of youth placed in jobs
Promote Certified Arborist training to other City Departments and the public annually	Promote Certified Arborist training to other City Departments and the public annually	Promote Certified Arborist training to other City Departments and the public annually	# of trainings offered
Consult w/ stakeholders on communications campaign	Launch communications campaign	Expand communications campaign	Audience reached (estimated impressions/people)
Develop shade award and identify other recognition opportunities	Recognize projects with awards	Evaluate impact and replication	# of projects awarded
Announce winning artists and install temporary public art projects	Evaluate opportunities for permanent installations	Install permanent public art projects	# of installations # of people participating in associated programming
Host 4 workshops	Host 8 workshops. Co-create 4 neighborhood tree plans	n/a	# plans written, # of people involved
Consolidate materials and create single packet of 'Shade Phoenix' materials for distribution	Distribute Shade Phoenix info packets; Revise and update info packets	Distribute Shade Phoenix info packets; Revise and update info packets	# of materials distributed # of campaigns launched # of people reached (estimated)

Implementation Status of Actions from 2010 Tree and Shade Master Plan

Raise awareness about the condition and benefits of the urban forest by educating staff and the public. Build demonstration projects. Establish partnerships that promote stewardship and investment in trees.		
A.1	Create a council-approved Citizen Tree and Shade Committee to oversee Urban Forest issues.	Completed[1]
A.2	Provide information to the public about on-going efforts and long-term strategies.	Ongoing
A.3	Develop and Establish Education and Outreach Programs	Ongoing
A.4	Create Channel 11 Programs, Streaming Web Videos and DVDs	Redirected[2]
A.5	Hold Urban Forest and Shade Symposium	Redirected[3]
A.6	Develop Shade and Urban Forest Excellence Award	Incomplete
A.7	Research grant opportunities	Ongoing
A.8	Establish and Maintain Partnerships	Ongoing
A.9	Develop and Complete Shade Demonstration Projects	Ongoing

Preserve, protect and increase the quality and quantity of trees and vegetation, especially large shade trees in appropriate areas.		
B.1	Conduct a baseline tree inventory that will assess canopy coverage for the entire city	In process[4]
B.2	Develop a Tree and Shade Management Plan	In process
B.3	Research and develop additional sources of revenue for the care and maintenance of our urban forest	Ongoing
B.4	Incrementally restore budget for street trees, landscape and park maintenance as well as community tree outreach programs.	Ongoing
B.5	Establish Best Management Practices (BMP) based upon national arboriculture specifications, and adopt them into the Parks and Recreation Department's Field Operation Procedures.	Completed[5]
B.6	Establish an Urban Forest Infrastructure Team to oversee implementation of the Master Plan	Completed
B.7	Update Tree and Shade Master Plan biannually to ensure action items are being completed.	Incomplete

SHADE PHOENIX APPENDIX

Treat the urban forest as infrastructure to ensure that trees and engineered shade are an integral part of the city's planning and development process		
C.1	Integrate goals of the Tree and Shade Master Plan into the General Plan	Completed
C.2	Develop and establish a comprehensive tree, shade and landscape ordinance	Redirected
C.3	Further develop a green waste program, and look for ways to improve efficiencies	Ongoing
C.4	Research and complete shade demonstration projects	Ongoing

[1] A council-approved committee was created and sunseted. The EQSC currently holds the responsibility for overseeing tree and shade issues.

[2] Focus has shifted away from videos to broader online materials

[3] PDD held an Urban Tree workshop as part of the ReinventPHX initiative and an annual Shade Conference is now hosted by regional partners.

[4] A tree inventory was conducted in 2014 of City of Phoenix owned property

[5] The Parks and Recreation Department has adopted the American National Standards Institute Tree Care standards for field operations.

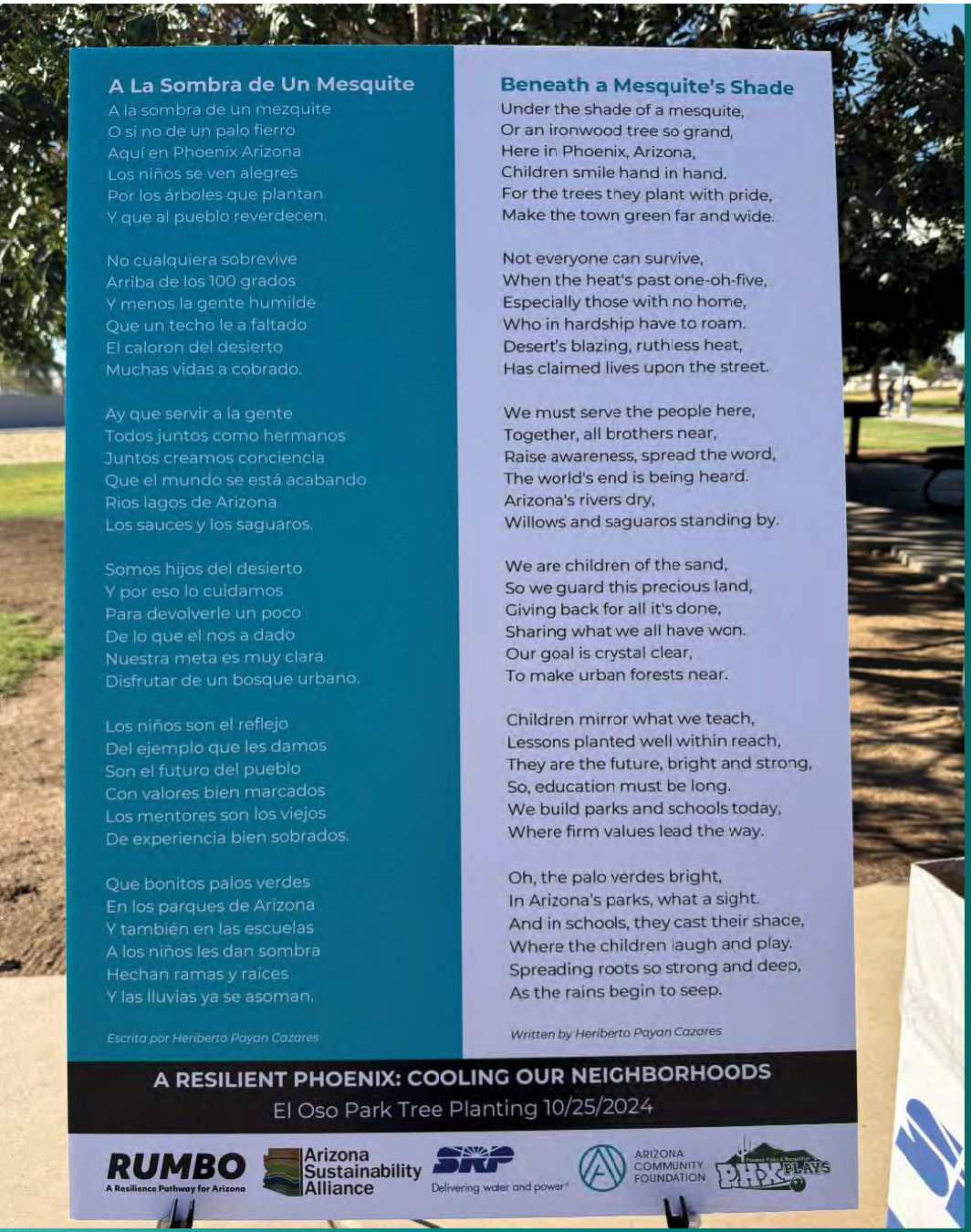
Completed: Action was completed

In process: Action is in process of being completed

Ongoing: Action does not have a finite milestone or state of completion and represents ongoing activities

Redirected: Action was redirected to other activities, reflecting a change in focus or understanding of need

Incomplete: Action has a finite milestone that has not been completed



City of Phoenix

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Report

Agenda Date: 11/13/2024, **Item No.** 34

ARPA Phoenix Resilient Food System Program Amendments to Ordinance S-49079 and S-51028 (Ordinance S-51423) - Citywide

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 159342-001 with the Arizona Board of Regents for and on behalf of Arizona State University (ASU) to decrease American Rescue Plan Act (ARPA) funding from $750,000 to $640,978 and for the Treasurer to accept the funds. The source of funding for this Agreement is through the City's allocation of the ARPA funding to the Phoenix Resilient Food System Program by the ARPA Strategic Plan approved by the Mayor and Council. There is no impact to the General Fund.

Summary

In response to the COVID-19 pandemic, the Office of Environmental Programs (OEP) developed the ARPA Phoenix Resilient Food System Program, a food assistance plan to address the food needs of vulnerable populations and communities impacted by COVID-19.

ARPA Phoenix Resilient Food System Program

The Agri-Food Tech Incubator provides inclusive economic and business opportunities and training for food system entrepreneurs and ecosystem stakeholders to support growth of new ventures, new products and/or services, and to support existing food-related businesses to expand the size and scope of the sustainable food and agriculture economy in the City of Phoenix. It includes pathways for COVID-19-impacted Black, Indigenous, People of Color (BIPOC) communities to realize economic development opportunities within the sustainable food systems and agricultural technology space.

Reallocation of $109,022 from Agreement 159342-001 is required due to ASU's administrative challenges affecting completion of certain components of the program resulting in the inability to complete the scope of work prior to expiration of the Agreement. The funds will be reallocated to the Food System Transformation Grants program to be spent by December 31, 2024.

Procurement Information

Services may be procured, as needed, in accordance with Administrative Regulation

3.10 to implement and administer programs intended to prevent, prepare for, and respond to the COVID-19 pandemic.

Contract Term
The contract term will remain unaffected and expire on December 31, 2024. All agreements may be extended based on available funding, which extensions may be executed by the City Manager, or his designee.

Agreement 159342-1, ASU will be amended to include a decrease of $109,022 in ARPA funds from $750,000 to $640,978 as directed and approved by the City Manager's Office.

Financial Impact
There is no impact to the General Fund. Funding is available through the City's allocation of the ARPA funding to the Phoenix Resilient Food System Program by the ARPA Strategic Plan approved by the Mayor and Council.

Concurrence/Previous Council Action
- The City Council approved the ASU Agri-Food Tech Incubator Program on October 12, 2022 (Ordinance S-49079).
- The City Council approved Amendment One to extend the contract term on August 26, 2024 (Ordinance S-51028).

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 35

Authorization to Increase Spending Authority Under Ordinance S-49227 (Ordinance S-51407) - Citywide

Request to authorize for the City Manager, or his designee, to increase authority on Ordinance S-49227 by $150,000, for a new aggregate contract total not to exceed $5,450,000. Further request authorization for the City Controller to disburse all funds related to this item for the life of the contracts.

Summary

This funding provides support in areas where there are critical gaps in services to comprehensively address the needs of refugees in the areas of housing, medical case management, employment, access to benefits, and legal aid. Many refugee and immigrant populations have been disproportionately impacted by the recent housing crisis with rising rent costs and lack of affordable housing. Those with medical, dental, or behavioral health needs need support in navigating complex systems to access care and financial assistance for non-Medicaid eligible services. Other services will include increasing access to English as Second Language classes, citizenship education, and food assistance programs. The increase in spending authority will allow additional funding to International Rescue Committee (IRC) to close out the existing contract.

Contract Term

The contracts' term remains unchanged, and began on March 1, 2023, and ending on December 31, 2024.

Financial Impact

The new aggregate value of the contracts approved via Ordinance S-49227 will not exceed $5,450,000. Funding is available through the City's allocation of the American Rescue Plan Act (ARPA) funding received from the federal government and is under the City's Financial Assistance for Phoenix Refugee and Asylee Community. The requested additional $150,000 in funding authority has been reallocated from Ordinance S-48205. There is no impact to the General Fund.

Concurrence/Previous Council Action

- On December 15, 2021, City Council approved Contracts 156920 and 156905

(Ordinance S-48205)
- On December 7, 2022, City Council approved Contracts 157880, 157881, 157893, and 157934 (Ordinance S-49227)

Responsible Department

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 36

Phoenix Public Library's Annual Application for Arizona State Library's State Grants-In-Aid Funds (Ordinance S-51398) - Citywide

This report requests Phoenix City Council's approval to authorize the City Manager, or his designee, to authorize Phoenix Public Library to apply for, accept and enter into an agreement for Fiscal Year (FY) 2024-25 Arizona State Library's State Grants-in-Aid (SGIA) grant funds in an amount of $71,210.

Summary

Arizona State Grants-in-Aid are allocated annually to the Library based on a per capita distribution of funds by the Arizona State Legislature through the Arizona State Library, Archives and Public Records. The amount allocated for Phoenix Public Library this year is $71,210.

Funds will be utilized to support early literacy and school-age outreach through the hiring of a full-time library assistant on the Literacy Outreach Team. Staff will conduct programs and workshops in schools and community centers and work with City of Phoenix Housing on community book distribution and early literacy programs in public housing communities. SGIA funds allow Phoenix Public Library to extend critical early literacy outreach into the community citywide. Priority will be given to areas of the City identified with the most need (based on school district reading scores).

Given the approval timeline, the position will be vacant for half of the fiscal year. To compensate for that, the remaining funds will be used to purchase giveaway books and to create new picture book trails for the Library's three StoryWalk® trails located in Cesar Chavez, Harmon, and Edison parks.

Financial Impact

The amount allocated for Phoenix Public Library this year is $71,210 and no matching funds are required, there is no impact to the General Fund.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 37

Public Hearing and Resolution to Approve the 2025 Downtown Enhanced Municipal Services District Assessments (Resolution 22260) - Districts 7 & 8

Request to hold a public hearing for the approval of the 2025 Downtown Enhanced Municipal Services District (Downtown EMSD) assessments and adopt a resolution approving such assessments for Calendar Year (CY) 2025. The General Fund estimated annual expenditure for this program is $443,389.

Summary

Pursuant to Arizona state law, a public hearing must be held prior to the annual adoption of the assessments for the Downtown EMSD. The City Council authorized the formation of the Downtown EMSD in 1990 to provide enhanced public services above and beyond the level of services provided in the remainder of the City. The costs for the Downtown EMSD services are paid through assessments on property owners within the Downtown EMSD boundaries, which are generally Garfield Street on the north, 7th Street on the east, 3rd Avenue on the west, and the railroad tracks south of Jackson Street on the south.

The City contracts directly with Downtown Phoenix, Inc. (DPI) to implement the Downtown EMSD work program, as described in **Attachment A**. The work plan and budget for CY 2025 provides a variety of enhanced services in the downtown core, including business improvement services and overall business development.

The annual assessments for the Downtown EMSD will be levied for CY 2025 after the required legal process for the Downtown EMSD has been completed. Assessments are determined in proportion to the benefits received by each parcel. There are approximately 742 parcels in the Downtown EMSD on which the budget will be assessed. This is based on the approved Downtown EMSD assessment diagram that indicates the properties to be assessed for enhanced municipal services. This diagram is on file with the Office of the Director of the City of Phoenix Street Transportation Department and was posted online at the City's Community and Economic Development Department website.

The figures below represent the assessments for private and public property owners based on the approved 2025 Downtown EMSD budget of $4,990,256. See

Attachment B for a breakdown of the expense categories. This includes $167,222 for streetscape maintenance expenses, which are paid only by property owners and tenants adjacent to the Streetscape Improvement District (SID). The SID includes certain portions of Monroe Street from 3rd Avenue to 7th Street; Adams Street from 2nd Avenue to 2nd Street; 2nd Street from Jefferson to Van Buren streets; and 3rd Street from Monroe to Van Buren streets.

Estimated 2025 District Budget: $4,990,256
Estimated 2025 Assessment Revenue: $4,740,256
Estimated 2025 Non-assessment Revenue: $250,000

Downtown EMSD CY 2025 Assessments
Private Property Owners Assessments: $2,032,483
Public Property Assessments: $2,707,773
Total Assessments: $4,740,256

Streetscape Maintenance Expenses (expenses included in the figures above)
Private Property Owners Assessments: $92,253
Public Property Assessments: $74,969
Total Streetscape Expenses: $167,222

Financial Impact
The City's total estimated annual expenditure for this program is $1,290,391, which includes:

- $443,389 from the General Fund (approximate $4,266 increase from 2024);
- $632,648 from the Phoenix Convention Center;
- $151,673 from the Sports Facilities Fund; and
- $62,681 from the Phoenix Bioscience Core.

Concurrence/Previous Council Action
This item was recommended for approval at the Economic Development and Housing Subcommittee meeting on September 11, 2024, by a vote of 4-0.

On October 2, 2024, the City Council approved:

- The 2025 Downtown EMSD Budget, Assessments and Set Public Hearing Date of November 13, 2024, for the hearing on the estimated assessments; and
- The 2025 Downtown EMSD Assessment Diagram.

Public Outreach

On October 2, 2024, the City Council set November 13, 2023, as the date for the public hearing on the Downtown EMSD assessments. On October 18, 2024, a total of 26 days prior to the hearing as legally required, all property owners were notified by mail of their annual assessment cost by the Street Transportation and Community and Economic Development departments. In addition, DPI sent letters to all property owners, and the Downtown EMSD Board approved the 2025 budget at its June 2024 board meeting.

To answer any questions that Downtown EMSD property owners might have, Community and Economic Development Department staff were available virtually for an hour prior to the November 13, 2024, public hearing. Notice of the public hearing was also published in the Record Reporter on October 30, 2024, and November 1, 2024, as specified below. No further notification is required after the public hearing.

Location
The Downtown EMSD is generally bounded by Garfield Street on the north, 7th Street on the east, 3rd Avenue on the west, and on the south by the railroad tracks south of Jackson Street
Council Districts: 7 and 8

Responsible Department
This item is submitted by Deputy City Managers John Chan and Inger Erickson, and the Community and Economic Development and Street Transportation departments.

Attachment A

Downtown Phoenix Inc.
2025 EMSD Work Plan

Administration, Finance, and Information Technology

Goal: To manage shared resources and maximize efficiencies while supporting initiatives and projects organization-wide.

Proposed Objectives to Achieve Goal

1. Provide technical assistance for customer relationship management (CRM) platform
2. Continue to identify process improvements, training, budget saving opportunities, and ways to help staff across all DPI departments and affiliates work more efficiently and effectively
3. Support the work of all DPI departments and affiliates through finance, administrative, HR and IT services
4. Manage DPI employee benefits and payroll compliance
5. Utilize and maximize resources within Emfluent program, a local Predictive Insights firm that specializes in talent optimization, office culture development, career pathing and hiring best practices
6. Prioritize employee development and retention throughout the year
7. Oversee the implementation and completion of mid-year and end-of-year assessments
8. Help create an experience for both employees and visitors, making it an increasingly magnetic nexus of city building activity
9. Manage inventory and spending of Downtown Phoenix Inc. branded merchandise and uniforms

Marketing & Events

Goal: Sustaining our neighborhood's positive momentum through mission-driven programming and events, relentless business support, rich, human interest-driven storytelling, and user-friendly resources that reinforce our live/work/play/learn/create identity.

Proposed Objectives to Achieve Goal

1. Continue to develop and expand potential of new dtphx.org web site, which migrated away from WordPress and Google to an industry leading firm GeoCentric, a company that specializes in building web sites for place managing organizations like ours
2. Continue to share more human interest stories through the DTPHX blog and social media, similar to Phoenix Community Alliance's (PCA) City Shapers series that spotlights legacy Members and other Downtown leaders; in addition to highlighting those stakeholders, investors and Members who have impacted our Downtown it's also important that we raise the profile of the work we do to propel the neighborhood forward (Clean + Green Team, DTPHX Ambassadors, event support, business support, etc.)
3. Develop targeted PR campaigns to amplify the organization's initiatives. This includes reports on economic growth, DPI produced events, and other newsworthy announcements
    a. Track media results through a media monitoring program that showcases reach, impressions, and publicity value
    b. Track events results to show growth and impact

4. Cultivate strategic partnerships with City of Phoenix, Visit Phoenix, and Arizona Office of Tourism to streamline marketing efforts and increase awareness about Downtown stakeholders, events, and special announcements
5. Raise public awareness to work DPI is doing to support individuals experiencing homelessness:
    a. Promoting the work of our Outreach Navigators
    b. Promoting We're In This Together v2.0 campaign
    c. Promoting work being done in DTPHX Community Resources Hub, a new facility opening in Q4 2024 that will serve as a coordination headquarters for several Downtown partners who are working collaboratively to support homelessness services, including the DTPHX Ambassadors, the City's Community Assistance Program (CAP), DPI's contracted Outreach Navigators, Valley Metro, the Phoenix Police Department's Downtown Operations Unit (DOU), plus Upward and Onward, a team that provides learning challenged graduating Phoenix Union seniors with work experience in Downtown
6. Continue to curate an events portfolio that checks multiple mission-driven boxes:
    a. Family Friendly
    b. Activating Public Spaces
    c. Inclusive
    d. Promoting Downtown Businesses
    e. Budget Friendly
    f. Multi-Cultural
    g. Arts-Centric
7. Continue to identify new creative event spaces to expand our portfolio, positively impact other areas of Downtown and to help relieve stress on our Downtown parks
8. Increasing event attendance through increased outreach to Downtown employees, students and residents
    a. Continue collaboration with ASU leadership to activate Civic Space Park
    b. Work with Community Engagement department to target property managers and help attract more Downtown residents to our events
9. Continue celebration of cultural events like Can I Kick It (Black History Month) and Loteria (Hispanic Heritage Month)
10. Advance our event recruitment strategy by creating a trusted network of Downtown event producers and convene those producers annually while connecting them to important City administrators in Parks and Recreation, Public Safety, Permitting, etc.
11. Create a Downtown focus group made up of residents, students, employees and business owners that will provide important feedback and direction to our staff
12. Continue to grow sponsorship opportunities, focusing on providing opportunities to our investors and stakeholders
13. Continue to work with Visit Phoenix, Phoenix Convention Center, and hospitality partners to sell Downtown to convention clients and event producers, including assisting on site visits, executing golf cart tours and leveraging our constantly improving amenity package

DTPHX Ambassadors and Clean & Green Team

Goal: To curate a distinguishing sidewalk experience that is clean, safe, welcoming, and inclusive.

Proposed Objectives to Achieve Goal

Ambassador Program

1. Continue to serve as eyes and ears for Downtown by maintaining up to 24 full-time positions
    a. Includes funding to financially support two (2) City of Phoenix Civic Space Park Rangers
2. Continue to participate in the City's coordinated efforts to reducing homelessness by connecting individuals in need to services
    a. Continue to provide services to EMSD and Greater Downtown through two (2) dedicated dehp Integrative Services Outreach Navigators who office with DPI and coordinate with DTPHX Ambassadors and Downtown stakeholders directly
3. Continue to develop Ambassadors through monthly training programs beyond 30/60/90-day onboarding
    a. Provide street-level business tours and walking familiarization tours to Ambassadors to keep up with the rapid growth and development of Downtown
    b. Schedule ongoing field trainings such as CPR and self-defense
    c. Offer professional development opportunities through Emfluent partnership
4. Manage the front lobby of both the DPI main office and the new Community Resources Hub at Central and Washington, which acts as a coordination headquarters for several Downtown partners who are working collaboratively to support homelessness services, including the DTPHX Ambassadors, the City's Community Assistance Program (CAP), DPI's contracted Outreach Navigators, the Phoenix Police Department's Downtown Operations Unit (DOU) and Valley Metro, plus Upward and Onward, a Phoenix Union High School program that provides work experiences for learning-challenged graduating seniors at CityScape businesses
5. Continue to track daily and report monthly Ambassador interactions and services through Eponic hand held devices
    a. Increase stakeholder awareness and usage of the Eponic app, which allows stakeholders to request services digitally
6. Maintain inventory of DTPHX-branded merchandise for visitors and incentives for interactions with info tables and other Ambassador activations
7. As Downtown development continues to deliver new residential and commercial offerings, evolve deployment to best serve entire EMSD
    a. For example, thousands of apartment units have recently opened or will open in 2024/2025 in the northwest portion of the EMSD
    b. Starting January 1, 2025, the northern portion of the Phoenix Bioscience Core (PBC) will be included in the EMSD and allow for Ambassador presence

Clean & Green Team

1. Continue to clean and disinfect high-touch, high-traffic public spaces and infrastructure with pressure washing equipment
2. Improve walkability of Downtown's corridors and enhance the street level experience through landscaping
    a. Increase shade through tree plantings and identify potential grant funding to purchase and install manufactured shade structures for high traffic sidewalks where trees cannot be planted
    b. Continue adding planters with flowering plants to beautify building exteriors near main intersections throughout the EMSD
    c. Focus on west/northwest portions of EMSD where thousands of apartment units have recently opened or will open in 2024/25
    d. Starting January 1, 2025, the northern portion of the Phoenix Bioscience Core (PBC) will be included in the EMSD and will be a new area of focus for landscaping services

e. Continue to design, install and maintain dog stations throughout the EMSD

3. Continue to assess and improve public amenities throughout the Streetscape Improvement District, such as:
    a. Site furnishings like artistic benches and chess/checkers tables
    b. Outdoor string lights across pedestrian corridors and other decorative lighting
4. Continue to assess existing vehicular and pedestrian wayfinding signage throughout the EMSD and provide recommendations for updating or sunsetting existing signage
5. Continue to support Downtown's bike culture and pedestrian experience with an emphasis on improving the safety of sidewalks, crosswalks and bike lanes
    a. Support stakeholders, such as ASU, working with the City of Phoenix to create pedestrian malls/corridors
6. Update branding on Clean & Green trucks and equipment to align with corporate marks

Community Engagement

Goal: To inform and engage Downtown Stakeholders in Downtown Phoenix Inc.'s events, resources, and services by building and supporting avenues of communication.

Proposed Objectives to Achieve Goal:

1. Continue staff's familiarization and proficiency in the utilization of Client Relationship Management (CRM) platform Virtuous, and refine stakeholder lists to maximize performance and allow for more targeted communications and stronger historical data
2. Continue to work with Valley Metro and Kiewit to strategize around Light Rail construction mitigation, working collaboratively toward completion of the South Central extension and assisting with "Launch Day" information campaign
3. Ensure proper communication channels are in place with property management, security teams, and parking teams to support Downtown's high volume event days
4. Work with City of Phoenix Street Transportation Department to continue to monitor and assess the use and efficacy of the co-branded 15-minute metered parking spaces
5. Raise awareness of our services with property managers and ownership of new and recent apartment developments within the EMSD, with the ultimate goal of reaching the residents inside of them
6. Continue placemaking efforts throughout EMSD by partnering with stakeholders on a variety of projects
    a. Continue Family Friendly infrastructure initiative by continuing to update Story Walk at Arizona Center, expanding Family Friendly Hotel Award, building out musical instrument activation at Regency Garage, etc.
    b. Establish partnerships with local sustainability experts for greening projects and redevelopment of green space
7. In partnership with Marketing + Events department, support community efforts to resurrect Downtown Neighborhood Association (DNA), including stakeholder outreach, Member recruitment, business matchmaking and marketing services
8. Evolve street pole banner program to be increasingly process oriented and cost efficient to improve value proposition and increase non-assessment revenue
9. Continue stakeholder engagement through monthly meetings (Open House, Events, Streets + Transportation), email communications (SOE, Stakeholder Alerts) and individual visits and events

10. Host a series of amenity familiarization + heat mitigation walks to determine where priority areas are for a variety of different stakeholders (i.e. residents, families, office tenants, etc.) Use findings to influence our work in the public realm

Business Development

Goal: To foster Downtown as a sustainable, inclusive, family-friendly and economically-viable business, education, entertainment and residential center of our city and region.

Proposed Objectives to Achieve Goal:

1. Assist the City of Phoenix's Community and Economic Development Department with the attraction of new businesses and companies while also targeting retail gaps in Downtown, with emphasis on non-F&B businesses
2. Assist the City of Phoenix's Community and Economic Development Department with prioritizing office retention efforts
    a. Continue to support companies' employee retention + attraction efforts through employee engagement initiatives
3. Continue to serve as "one-stop" information + data resource for developers, brokers, and companies interested in locating/expanding Downtown, including access to a new digital twin platform specifically for Downtown Phoenix
4. Improve collection, organization and presentation of data, including but not limited to GIS mapping tools, to develop a strong understanding and visualization of Downtown trends
5. Continue to promote, organize and facilitate curated golf cart tours of Downtown for brokers, potential tenants, developers and other stakeholders to showcase the area and foster valuable new business connections
6. Improve connectivity to commercial property management teams and increase their awareness of business development services and economic development data and collateral available to them through DPI

Attachment B
CY 2025 EMSD Budget - Estimated

	Account	2025 Budget
Expenses	General Office	648,979
	Admin Salaries	185,460
	Events	425,016
	Marketing	532,796
	Business Development	214,650
	BID Services	2,566,135
	SID	167,222
	Total District Expenses	4,740,258
	Miscellaneous non-district expenses	250,000
	Total Budgeted Expenses	**4,990,258**
Revenue	Assessment Revenue	4,740,258
	Non-assessment Revenue	250,000
	Total Revenues	**4,990,258**

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 38

Pay Invoices for 2025 Downtown Enhanced Municipal Services District (Ordinance S-51383) - Districts 7 & 8

Request to authorize the City Manager, or his designee, to pay all invoices received from Downtown Phoenix, Inc. (DPI) through the Phoenix Downtown Enhanced Municipal Services District (EMSD) Agreement, in an amount not to exceed $4,740,256 for work related to the calendar year 2025 Downtown EMSD budget and work plan through December 31, 2025. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

The City Council authorized formation of the Downtown EMSD in 1990 to provide enhanced public services above and beyond the level of services provided in the remainder of the City. The City contracts directly with DPI to implement the Downtown EMSD work program, including the Ambassadors program, streetscape improvements and maintenance, the Green and Clean Team program, marketing, event promotion, business assistance and transportation services. Pursuant to State law, the Downtown EMSD's budget must be approved each year. This action is the final step in the annual budget process to authorize the Community and Economic Development Department to pay DPI for services rendered in calendar year 2025 under the Downtown EMSD contract, City Contract No. 153585, as amended.

Financial Impact

The City's total estimated annual expenditure for this program is $1,290,391, which includes:

- $443,389 from the General Fund (approximate $4,266 increase from 2024);
- $632,648 from the Phoenix Convention Center;
- $151,673 from the Sports Facilities Fund; and
- $62,681 from the Phoenix Bioscience Core.

An additional $1,142,955 is collected from other government-owned properties including Maricopa County, Maricopa County Stadium District, and the State of Arizona. A total of $712,679 is also collected from tenants on City-owned properties. The remaining $1,594,233 of funds are collected from private property owners through

an assessment on their property tax bills.

Estimated 2025 District Budget: $4,990,256
Estimated 2025 Assessment Revenue: $4,740,256
Estimated 2025 Non-assessment Revenue: $250,000

In preparation for remitting the first payment by January 1, 2025, the Community and Economic Development Department request the advance term as December 1, 2024 - December 31, 2025, to prepare for implementation.

Concurrence/Previous Council Action
This item was recommended for approval at the Economic Development and Housing Subcommittee meeting on September 11, 2024, by a vote of 3-0.

On October 2, 2024, the City Council approved:

- The 2025 Downtown EMSD Budget, Assessments and Set Public Hearing Date of November 13, 2024 for the hearing on the estimated assessments; and
- The 2025 Downtown EMSD Assessment Diagram.

Public Outreach
On October 2, 2024, the City Council set November 13, 2024, as the date for the public hearing on the Downtown EMSD assessments. On October 18, 2024, a total of 26 days prior to the hearing as legally required, all property owners were notified by mail of their annual assessment cost by the Street Transportation and Community and Economic Development departments. In addition, DPI has sent letters to all property owners, and the Downtown EMSD Board approved the 2025 budget at its June 2024 board meeting.

To answer any questions that property owners in the Downtown EMSD might have, Community and Economic Development Department staff were available virtually for an hour prior to the November 13, 2024, public hearing. Notice of the public hearing was also published in the Record Reporter on October 30, 2024, and November 1, 2024. No further notification is required after the public hearing.

Location
The Downtown EMSD is generally bounded by Garfield Street on the north, 7th Street on the east, 3rd Avenue on the west, and on the south by the railroad tracks south of Jackson Street.
Council Districts: 7 and 8

Responsible Department

This item is submitted by Deputy City Managers John Chan and Inger Erickson, and the Community and Economic Development and Street Transportation departments.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 39

Authorization to Execute Short-Term License Agreements with Other Government Entities for the Use of Vacant City-Owned Phoenix Bioscience Core Lots for Construction Staging (Ordinance S-51410) - District 8

Request to authorize the City Manager, or his designee, to execute short-term licenses with other government entities for the use of any City-owned Phoenix Bioscience Core (PBC) vacant lot for PBC related construction staging from December 15, 2024, through December 31, 2030. Further request to authorize the City Treasurer to accept all necessary funds related to this item.

Summary

The Community and Economic Development Department (CEDD) regularly receives requests from other government agencies to license City-owned property within the PBC to support ongoing PBC developments on other City-owned property. In consultation and coordination with other government agencies, CEDD will enter into licenses for use of vacant City-owned PBC property in support of those development activities. The license fee will be based on a prorated rental rate of $1 per square foot per year and/or other valuable consideration. Each license may contain other terms and conditions acceptable to the City. There are currently construction staging requests for two parcels located at the southwest corner of 6th Street and Garfield Street, and northwest corner of 5th Street and Fillmore Street; however, other City-owned PBC lots may be the subject of a license depending on need.

Financial Impact

The license fee will be based on a prorated rental rate of $1 per square foot per year and/or other valuable consideration. Fees received would be deposited into CEDD's Genomic Facilities and Operations Fund. This action will have no impact to the General Fund.

Location

Various locations within Phoenix Bioscience Core which is generally bounded by Garfield and Monroe Streets and 4th and 7th Streets.
Council District: 8

Responsible Department

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 40

Authorization to Execute Short-Term License Agreements for Use of City-Owned Property for Downtown Special Events (Ordinance S-51411) - Districts 7 & 8

Request to authorize the City Manager, or his designee, to execute short-term licenses for the use of City-owned vacant lots, including parking lots, for special events between December 15, 2024, and December 31, 2027, in Downtown Phoenix. Further request to authorize the City Treasurer to accept all necessary funds related to this item.

Summary

The Community and Economic Development Department (CEDD) regularly receives requests from private entities to license City-owned property to support special events hosted at other City-owned properties. CEDD, in consultation and coordination with the event organizer, will enter into licenses for use of vacant City-owned property in support of those special events. The license fee will be based on market rent and/or other valuable consideration, including to but not limited to maintenance and security of the property. Each license may contain other terms and conditions acceptable to the City based on the use. Each licensee will provide insurance and indemnification acceptable to the City's Risk Management Division and Law Department.

Through this authorization, seven CEDD managed sites would be available to support events:

- Location No. 1: 1016 N. 2nd Street - APNs 111-36-029A, 029B and 030
- Location No. 2: Southwest corner of 6th Street and Garfield Street - APN 111-44-147
- Location No. 3: Southwest corner of 1st Street and McKinley Street - APNs 111-43-005A, 006A and 007A
- Location No. 4: Northwest corner of 5th Street and Fillmore Street - APN 111-46-156
- Location No. 5: Southwest corner of 5th Avenue and Fillmore Street - APNs 111-41-184 and 185
- Location No. 6: Southeast corner of 5th Avenue and Taylor Street - APN 111-41-186
- Location No. 7: Southwest corner of 7th Avenue and Washington Street - APNs 112-05-033A, 032B, 035A, 036A and 037A

Financial Impact
Each license fee will be based on market rent and/or other valuable consideration, and any fees received will go into CEDD's Downtown Community Reinvestment Fund. No impact to the General Fund.

Location
Location 1 - 1016 N. 2nd Street
Location 2 - 817 N 5th Street
Location 3 - 722 N 1st Street
Location 4 - 610 N 5th Street
Location 5 - Southwest corner of 5th Avenue and Fillmore Street
Location 6 - Southeast corner of 5th Avenue and Taylor Street
Location 7 - 701 W Washington Street.
Council Districts: 7 and 8

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 41

Food and Beverage Performance Audit Contract - RFP PCC 24-0325 - Request for Award (Ordinance S-51385) - Districts 7 & 8

Request to authorize the City Manager, or his designee, to enter into a contract with fsSTRATEGY, Inc. to audit the performance of Aramark, d.b.a Aventura Catering (Aventura), the exclusive in-house caterer for the Phoenix Convention Center Department (PCCD). The contract's funding in the amount of $224,500 will be paid for by Aventura.

Summary

This contract will provide performance audits on Aventura. In accordance with the terms and conditions of the contract between PCCD and Aventura, a performance auditor will be utilized to conduct an annual assessment of the performance of Aventura. The performance auditor will be responsible for developing an audit plan to measure the performance of Aventura in several areas including, but not limited to, adherence to approved operating procedures; employee training; financial performance; food presentation; food quality; food safety, hazard analysis and critical control points; sales and marketing effectiveness; sanitation practices; and service timing.

Procurement Information

A Request for Proposal was processed in accordance with City of Phoenix Administrative Regulation 3.10.

Three vendors submitted proposals deemed responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point total of 1000:

Proposed Audit Reporting Methodology	0-500 points
Proposed Audit Method	0-200 points
Experience of Proposing Firm	0-200 points
Cost of Proposal	0-100 points

After reaching consensus, the evaluation committee recommends award to the following vendor:

fsSTRATEGY, Inc. 820 Points

Contract Term
The contract will begin on or about April 1, 2025, for a five-year term with no options to extend.

Financial Impact
There is no financial impact related to this contract as funds will be paid for by Aventura.

Location
General Location: Phoenix Convention Center and Venues
Council Districts: 7 and 8

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 42

Fire Station Furniture - RFP 21-062 - Amendment (Ordinance S-51399) - Citywide

Request to authorize the City Manager, or his designee to allow additional expenditures under contracts 155428 with David Woods,LLC, dba Fire Station Outfitters; 155426 with Ecologic Industries, LLC, dba Ecologic Furniture; and 155427 with Goodmans, Inc., dba Goodmans Interior Structures for the purchase of fire station furniture for the Fire Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $150,000.

Summary
This contract for fire station furniture ensures that firefighters have the necessary furnishings to support daily operations and living conditions in fire stations. Due to the increased need for additional furniture, increased wear and tear on current furniture, an amendment is needed to secure additional funds. These funds will enable the purchase of new furniture and the replacement of damaged items, ensuring stations remain fully functional and safe for use.

Contract Term
The contract term remains unchanged, ending on October 31, 2026.

Financial Impact
Upon approval of $150,000 in additional funds, the revised aggregate value of the contract will not exceed $775,000. Funds are available in the Fire Department's budget.

Concurrence/Previous Council Action
The City Council previously reviewed this request:

- Fire Station Furniture Contracts 155428, 155426, and 155427 (Ordinance S-48040) on October 27, 2021.

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 43

Extend the Cooperative Fire Rate Agreement with the Arizona Department of Forestry and Fire Management (Ordinance S-51422) - Citywide

Request to authorize the City Manager, or his designee, to extend the agreement term with the Arizona Department of Forestry and Fire Management (Arizona DFFM) that establishes reimbursement rates for Fire Department resources. Further request authorization for the City Treasurer to accept and the City Controller to disburse all funds related to this item.

Summary

The Arizona DFFM executes agreements with fire departments across Arizona to set reimbursement rates for usage of apparatus and firefighters. These rates are utilized if Arizona DFFM engages local fire department resources to respond to an incident. The agreements have reimbursed the City for incident responses, usually wildland fires. The agreement reimburses the City of Phoenix for payroll, overtime backfill, vehicle fuel, and maintenance costs associated with Fire Department deployment to emergency incidents.

The current Fire Rate Agreement, initially approved for a two-year term from April 1, 2024, to April 1, 2026, requires an extension. Arizona DFFM has transitioned to a five-year agreement process. To align with this change, we are requesting an extension of the existing agreement by three additional years, adjusting the expiration date to April 1, 2029.

Contract Term

The term of the agreement is April 1, 2024, through April 1, 2029.

Financial Impact

Due to the unpredictable nature of natural and human-caused disasters, it is not possible to estimate the financial impact of deploying resources in response to requests from the Arizona DFFM in advance. However, if resources are deployed, the Arizona DFFM will reimburse the City of Phoenix according to the terms outlined in the Fire Rate Agreement.

Concurrence/Previous Council Action

Council approved the current Fire Rate Agreement (S-50389) on December 6, 2023.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 44

Phoenix Sky Harbor International Airport TRACON Demolition and West Hold Bay Expansion - 2-Step Construction Manager at Risk Preconstruction Services - AV08000089 FAA (Ordinance S-51397) - District 8

Request to authorize the City Manager, or his designee, to enter into an agreement with J. Banicki Construction, Inc. to provide Construction Manager at Risk Preconstruction Services for the Phoenix Sky Harbor International Airport TRACON Demolition and West Hold Bay Expansion 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 $300,000.

Summary

The purpose of this project is to expand the West Hold Bay and demolish a building that was formerly used to provide Federal Aviation Administration Terminal Radar Approach Control (TRACON) services at the Airport. A replacement TRACON was co-located with the Airport's control tower in 2006. The West Hold Bay is used for aircraft parking, aircraft staging, and other airfield operations. The size of the hold bay will be reduced with the completion of the new Crossfield Taxiway U project, which overlaps with the west end of the hold bay. Demolition of the TRACON building will allow for expansion of the east end of the hold bay to accommodate the space lost to Taxiway U.

J. Banicki Construction, Inc. will begin in an agency support role for Construction Manager at Risk Preconstruction Services. J. Banicki Construction, Inc. will assume the risk of delivering the project through a Guaranteed Maximum Price (GMP) agreement.

J. Banicki Construction, Inc.’s Preconstruction Services include, but are not limited to: providing project site survey and inventory of existing conditions; validating site constraints, site investigations, and utility locations; attending all project meetings as necessary to maintain the project objectives; coordinating work with the City and Design Team to secure all permits and approvals from various agencies, federal, state, county, and local utility authorities; identifying GMP packaging strategy and presenting alternate strategies to optimize the sequence of construction; providing detailed cost

estimating; providing reconciliation with third party estimating for each design phase and have knowledge of marketplace conditions; providing value engineering and cost reduction efforts to optimize project budget; providing for construction phasing, scheduling, and evaluating sequencing based on stakeholder feedback to minimize interruption to City operations; coordinating and communicating with the City on any salvage items for turnover to the City; facilitating and supporting the City's coordination with other internal and external stakeholders; providing alternate systems evaluation and constructability studies; advising the City on ways to gain efficiencies in project delivery; advising the City on choosing green building materials; providing long-lead procurement studies and initiate procurement of long-lead items; participating with the City in a process to set a goal for local and DBE participation and implement the local and DBE process; assisting the design team with efforts to identify public and private utilities; collaborating with the design team on coordination associated with all disciplines relative to mechanical, electrical, plumbing, technology, structural, Fire Life Safety, security, and civil; protecting the City's sensitivity to quality, safety, and environmental factors; validating and incorporating the Aviation Department's sustainability goals and initiatives; performing preconstruction services to comply with Title 34, Arizona Revised Statutes (A.R.S); and all other tasks as needed for a complete project.

Procurement Information

The selection was made using a two-step qualifications and price-based selection process set forth in A.R.S. Section 34-603. 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. Three firms submitted proposals and are listed below.

Selected Firm
Rank 1: J. Banicki Construction, Inc.

Additional Proposers
Rank 2: Kiewit Infrastructure West Co.
Rank 3: ViaSun Corporation

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 J. Banicki Construction, Inc. will not exceed $300,000, including all subcontractor and reimbursable costs.

Funding is available in the Aviation Department's Capital Improvement Program budget. The Aviation Department anticipates grant funding for a portion of the project. 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 termination of the agreement.

Previous Council Action
The City Council approved Engineering Services Agreement No. 159151 (Ordinance S -50136) on September 6, 2023.

Location
2485 E. Buckeye Road
Council District: 8

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 45

Phoenix Deer Valley Airport Reconstruct Taxiway C Connectors C4-C10 - Construction Manager at Risk Construction Services - AV31000096 FAA/ADOT (Ordinance S-51408) - District 1

Request to authorize the City Manager, or his designee, to enter into an agreement with J. Banicki Construction, Inc. to provide Construction Manager at Risk Construction Services for the Phoenix Deer Valley Airport Reconstruct Taxiway C Connectors C4-C10 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 $8.5 million.

Summary

The purpose of this project is to reconstruct and reconfigure connectors between Taxiway C and Runway 7R-25L to conform to current Federal Aviation Administration guidelines and eliminate non-standard intersections at Phoenix Deer Valley Airport. Connectors C5, C6, C7, C8, and C10 will be demolished and reconstructed with a new configuration. Existing connectors between Taxiway C and Runway 7R-25L will be upgraded to address operational and safety needs and hold bar locations between the runway and taxiway. Connectors C4, C7, and C10 will be perpendicular connectors. Connectors C5, C6, and C9 will be acute angle connectors. Connector C9 will also have modified filets and will be renamed C8.

J. Banicki Construction, Inc.'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. J. Banicki Construction, Inc. will be responsible for construction means and methods related to the project and fulfilling the DBE program requirements. J. Banicki Construction, Inc. will be required to solicit bids from prequalified subcontractrors and to perform work using the City's subcontractor selection process. J. Banicki Construction, Inc. may also compete to self-perform limited amounts of work.

J. Banicki Construction, Inc.'s services include: delivering construction of the project on time, within budget, and according to the plans, specifications, and owner's

requirements; scheduling and managing site operations; providing quality controls; bonding and insuring construction; addressing all federal, state, and local permitting requirements; maintaining a safe work site for all project participants; providing monthly schedule updates and construction progress reports; providing project close-out service; and providing 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 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 termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for J. Banicki Construction, Inc. will not exceed $8.5 million, including all subcontractor and reimbursable costs.

Funding for this agreement is available in the Aviation Department's Capital Improvement Program budget. The Aviation Department anticipates partial grant funding for this project. 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 termination of the agreement.

Concurrence/Previous Council Action
The City Council approved:
- Construction Manager at Risk Preconstruction Services Agreement 159739 (Ordinance S-50459) on January 3, 2024.

Location
720 W. Deer Valley Road
Council District: 1

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 46

Worldwide Flight Service, Inc. Terminal Facility License Agreement at Phoenix Sky Harbor International Airport (Ordinance S-51416) - District 8

Request to authorize the City Manager, or his designee, to enter into a facility license agreement with Worldwide Flight Services, Inc. (Worldwide Flight Services) for approximately 108 square feet of terminal space in Terminal 4 at Phoenix Sky Harbor International Airport (PHX).

Summary
Worldwide Flight Services currently operates at the West Air Cargo facilities under Commercial Use Permit No. 406-17 and leases several cargo bays under a Cargo Facility License Agreement No. 150697 to support its cargo service activities. Air France contracted with Worldwide Flight Services under its Commercial Use Permit to provide passenger and ramp services at Terminal 4. Worldwide Flight Services requested to lease approximately 108 square feet of administrative office space in Terminal 4 to support its services for Air France at PHX.

Contract Term
The term of the Terminal Facility License Agreement is month-to-month.

Financial Impact
Worldwide Flight Services, Inc. shall pay the terminal rate of $187.08 per square foot per year for the space in Terminal 4. The estimated monthly revenue to the City is $1,683.72. The terminal rental rate will be adjusted in accordance with the Rates and Charges provisions of Article IX of Chapter 4 of the Phoenix City Code.

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

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 47

Authorization to Enter into a New Ground Lease Agreement with Swissport Fueling, Inc. for Fueling Operations Center Facility (Ordinance S-51417) - District 8

Request to authorize the City Manager, or his designee, to enter into a new ground lease agreement (New Ground Lease) with Swissport Fueling, Inc. (Swissport Fueling) for a fueling operations facility at Phoenix Sky Harbor International Airport (PHX). Further request to authorize the City Treasurer to accept all funds related to the New Ground Lease.

Summary

Under Ground Lease No. 132521, Swissport Fueling leases approximately 33,000 square feet of land for a fueling operations facility. This facility is used to coordinate aircraft fueling operations and house Swissport Fueling's fueling trucks. This facility will be displaced to accommodate the construction of Taxiway Uniform and the future airside development related to the new West Terminal. Ground Lease No. 132521 will expire on February 23, 2025. Aviation staff requests to terminate Ground Lease No. 132521 effective December 31, 2024, and enter into a New Ground Lease commencing January 1, 2025, to align the same commencement date and termination date for this New Ground Lease with two additional ground leases with Swissport Fueling at PHX. The New Ground Lease will include provisions for Swissport Fueling to relocate its fueling operations center facility to an airfield location that will not be impacted by upcoming PHX construction projects. This relocation will be at Swissport's expense and in accordance with the PHX tenant improvement process.

Contract Term

The term of the New Ground Lease is five years commencing on January 1, 2025, and expiring on December 31, 2029. Provisions of the New Ground Lease will include five, one-year options to extend the term at the sole discretion of the Aviation Director.

Financial Impact

Rental rate for the first year of the New Ground Lease will be $1.40 per square foot, which is approximately $46,200 annual revenue. Rent will be adjusted annually based on the Phoenix-Mesa-Scottsdale Consumer Price Index or three percent, whichever is greater. Total revenue anticipated over the term of the New Ground Lease will be

approximately $462,000, if all options to extend the term are exercised.

Concurrence/Previous Council Action
The Phoenix Aviation Advisory Board recommended approval of this item on October 17, 2024, by a 5-0 vote.

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.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 48

Phoenix Deer Valley Airport Fixed Base Operator Revenue Contract Solicitation (Ordinance S-51418) - District 1

Request to authorize the City Manager, or his designee, to issue a Revenue Contract Solicitation (RCS) for a Fixed Base Operator (FBO) at Phoenix Deer Valley Airport (DVT).

Summary

DVT is currently home to over 1,100 general aviation tenants, including a growing number of corporate jet users. Since 1999, FBO aircraft support services for the DVT community have been provided by Cutter Aviation and, until 2015, Atlantic Aviation.

With the recent developments at DVT, including the construction of corporate jet hangars, increased flight activity from corporate jets, growing demand for additional general aviation services, and increased inquiries from other FBO operators and developers about the potential for another FBO facility, the Aviation Department commissioned an update to the DVT Land Use Plan. The updated plan recommended a second FBO facility on a 20-acre parcel on the southwest corner of DVT based on the relative size of the parcel compared to the other available parcels, which have high visibility from Deer Valley Road, and the proximity to the longer of the two DVT runways.

The new FBO development will be governed by DVT Minimum Standards for FBOs to ensure the delivery of high-quality general aviation products, services, and facilities to DVT users and the design and development of quality general aviation improvements and facilities.

Procurement Information

The Aviation Department proposes to conduct an RCS process to select a qualified FBO to develop, build, operate, and manage a full-service FBO facility.

The RCS will require responsive and responsible respondents to provide the following products and services, as required by DVT FBO Minimum Standards:

- Aircraft Fueling

- Aircraft Maintenance
- Passenger, Crew, Aircraft Ground Services, Support and Amenities
- Aircraft Storage
- Aircraft Flight Training

The required site premises of the FBO will be on a minimum of nine contiguous acres with improvements consisting of:

- Aircraft apron / ramp
- FBO building
- Aircraft maintenance space
- Aircraft storage hangar(s)
- Flight Training space
- Fuel farm storage

Respondents will be encouraged to submit plans to lease and develop the entire 20-acre parcel which, in addition to the FBO facility, may be developed for other aeronautical uses as approved by the Aviation Director.

Responsive and responsible respondents will be evaluated according to the following criteria:

- Experience and Qualifications of Respondent and Partners
- Method of Approach to design, build, and operate a full service FBO and other aeronautical facilities
- Proposed design concept of the FBO and additional aeronautical facilities
- Operations and Management Plan
- Proposed Capital Investment Plan

The highest ranked respondent will be recommended for award to develop and operate a full-service FBO facility at DVT. The Aviation Department intends to issue this solicitation on or about January 2025, with an estimated contract award by November 2025. The City's Transparency Policy will be in effect with the release of the RCS and throughout the solicitation process.

Contract Term

Minimum lease term of 30 years. The lease term may be negotiated up to 40 years depending on proposed capital investment. The lease will include a development term of up to 36 months to develop the site improvements.

Financial Impact

Financial return to the City will be based on current ground rent market value, which is the current aviation industry business model for FBO facility developments. Additional

revenue will be generated from fuel flowages fees and applicable specialized aviation services operators fees, which are subject to adjustments based on the Phoenix City Code.

For the designated FBO facility portion of the site parcel, the ground rental rate will be $0.65 per square foot. For the non-FBO portion of the site parcel, the ground rental rate will be $0.55 per square foot. Ground rental rates will be adjusted by the Phoenix-Mesa-Scottsdale Consumer Price Index or three percent, whichever is greater.

Concurrence/Previous Council Action
The Phoenix Aviation Advisory Board recommended approval of the item on October 17, 2024, by a 5-0 vote.

Public Outreach
The solicitation process will include all standard and required outreach efforts and conduct targeted outreach efforts to attract interest.

Location
Phoenix Deer Valley Airport, 702 W. Deer Valley Road
Council District: 1

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 49

Authorization to Enter into a New Ground Lease Agreement with Swissport Fueling, Inc. for Ground Support Equipment Fuel Storage Facility (Ordinance S-51419) - District 8

Request to authorize the City Manager, or his designee, to enter into a new ground lease agreement (New Ground Lease) with Swissport Fueling, Inc. (Swissport Fueling) for a ground support equipment fuel storage facility at Phoenix Sky Harbor International Airport (PHX). Further request to authorize the City Treasurer to accept all funds related to the New Ground Lease.

Summary

Under Facility Lease No 132684, Swissport Fueling leases approximately 3,983 square feet of a fuel storage facility, including two fuel tanks. Upcoming PHX airfield projects, including West Hold Bay Expansion and TRACON building demolition, will require relocation of the fuel storage facility. The Facility Lease is set to expire on December 31, 2024, and Swissport Fueling desires to enter a New Ground Lease to build a new fuel storage facility to continue their fueling operations at PHX. The New Ground Lease will have the same commencement date and termination date as two other ground leases with Swissport Fueling and PHX. The New Ground Lease will also include provisions for Swissport Fueling to relocate the new fuel storage facility to a similar-sized PHX airfield location that will not be impacted by upcoming airport construction projects. The new fuel storage facility and equipment relocation will be at Swissport Fueling's expense and in accordance with the PHX's tenant improvement process.

Contract Term

The term of the New Ground Lease is five years commencing on January 1, 2025, and expiring on December 31, 2029. Provisions of the New Ground Lease will also include five, one-year options to extend the term at the sole discretion of the Aviation Director.

Financial Impact

Rental rate for the first year will be $1.40 per square foot, which is approximately $5,576 annual revenue. Rent will be adjusted annually based on the Phoenix-Mesa-Scottsdale Consumer Price Index or three percent, whichever is greater. Total revenue anticipated over the term of the New Ground Lease will be approximately $55,762, if

all options to extend are exercised.

Concurrence/Previous Council Action
The Phoenix Aviation Advisory Board recommended approval of this item on October 17, 2024, by a 5-0 vote.

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.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 50

Authorization to Enter into a New Ground Lease Agreement with Swissport Fueling, Inc. for Aircraft Lavatory Services Facility (Ordinance S-51420) - District 8

Request to authorize the City Manager, or his designee, to enter into a new ground lease agreement (New Ground Lease) with Swissport Fueling, Inc. (Swissport Fueling) for an aircraft lavatory service facility at Phoenix Sky Harbor International Airport (PHX). Further request to authorize the City Treasurer to accept all funds related to the New Ground Lease.

Summary

Under Ground Lease No. 135697, Swissport Fueling leases approximately 6,450 square feet to operate an aircraft lavatory service facility, also known as a triturator facility. The lease is set to expire on January 23, 2025, and Swissport Fueling desires to enter into a New Ground Lease to continue operating the triturator facility. Aviation staff requests to terminate Ground Lease No. 135697 on December 31, 2024, and enter into a New Ground Lease commencing January 1, 2025, to align the same commencement date and termination date for this New Ground Lease with two additional ground leases with Swissport Fueling at PHX.

Contract Term

The term of the New Ground Lease is five years, commencing on January 1, 2025, and will expire on December 31, 2029. Provisions of the New Ground Lease will also include five, one-year options to extend the term that may be exercised at the sole discretion of the Aviation Director.

Financial Impact

Rental rate for the first year of the New Ground Lease will be $1.40 per square foot, which is approximately $9,030 annual revenue. Rent will be adjusted annually based on the Phoenix-Mesa-Scottsdale Consumer Price Index or three percent, whichever is greater. Total revenue anticipated over the term of the New Ground Lease would be approximately $90,300 if all options to extend are exercised.

Concurrence/Previous Council Action

The Phoenix Aviation Advisory Board recommended approval of this item on October

17, 2024, by a 5-0 vote.

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.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 51

Public Utility Equipment with Related Accessories and Supplies COOP 24-0398 - Request for Award (Ordinance S-51381) - Citywide

Request to authorize the City Manager, or his designee, to enter into a cooperative purchasing agreement with Altec Industries Inc., to provide public utility equipment with related accessories and supplies for the Public Works Department and in support of other departments citywide. Further request to authorize the City Controller to disburse all funds related to this item. The total value of this contract will not exceed $5,000,000.

Summary

This contract will provide a wide array of equipment, including but not limited to, aerial bucket trucks, digger derricks, cranes, chippers, and grinders. This equipment applies to several departments throughout the City and is crucial to the day-to day operations. Altec Industries Inc. equipment is utilized by Public Works for their utility trucks and specialized vehicles, which allows maintaining of infrastructure, ensuring that repairs and upkeep are efficient and effective. The Parks and Recreation Department utilizes Altec equipment that can be instrumental in tasks like tree trimming and maintenance, contributing to a safer and more aesthetically pleasing environment for residents. Altec equipment is particularly valuable for the Streets Department offering versatile utility trucks and specialized vehicles that streamline road maintenance, pothole repairs, and street cleaning operations ensuring safer and well maintained roadways for the community.

Procurement Information

In accordance with City of Phoenix Administrative Regulation 3.10, standard competition was waived as a result of an approved determination memo, based on Special Circumstances, Alternative Competition. Sourcewell awarded contract RFP #110421 for equipment. This cooperative contract was awarded through competitive process consistent with the City’s procurement processes set forth in the Phoenix City Code, Chapter 43.

Contract Term

The contract will begin on or about December 4, 2024 through December 27, 2025, with two one-year options to extend.

Financial Impact
The aggregate contract value will not exceed $5,000,000. Funding is available in the Public Works Department's budget.

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 52

Diagnostic Software for Maintenance and Repair of Fleet Vehicles Contract - RFA 25-FSD-014 - Request for Award (Ordinance S-51394) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with Mitchell Repair Information Company, LLC dba Mitchell1 to supply diagnostic software for the maintenance and repair of fleet vehicles on an as-needed basis for the Public Works Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $175,000.

Summary
The Public Works Department is responsible for maintaining more than 6,500 light, medium, and heavy-duty vehicles. This contract will be used to purchase multiple licenses for Mitchell1 Pro-Demand and TruckWorks diagnostic software that is used at multiple Fleet Services Division maintenance shops. The diagnostic software provides a safe and efficient method for repairing vehicles, diagnosing electronic vehicle components, and maintaining a serviceable fleet.

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

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 Without Competition. Mitchell1 is the developer and sole provider of this software.

Contract Term
The contract will begin on or about December 1, 2024, for a three-year term with two one-year options to extend.

Financial Impact
The aggregate contract value for will not exceed $175,000 for the five-year aggregate term.

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

Responsible Department

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 53

Citywide Water and Wastewater Technical Assistance for Developments On-Call Services (Ordinance S-51382) - Citywide

Request to authorize the City Manager, or his designee, to enter into separate agreements with the four consultants listed below, to provide Water and Wastewater Technical Assistance for Developments On-Call Services citywide. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for all services will not exceed $5 million.

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

Summary

The On-Call consultants will be responsible for providing On-Call Water and Wastewater Technical Assistance for Developments services that include, but are not limited to: construction plan review and technical support services for public water and wastewater infrastructures that are designed by private developments to comply with Arizona Department of Environmental Quality, Maricopa Association of Governments, and City requirements; work with Planning and Development Department to provide special inspections for public water and wastewater infrastructures that are constructed by private developments; provide review and input for special industrial pre-treatment permit applications; and provide other miscellaneous technical services as required.

Procurement Information

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

Selected Firms
Rank 1: Wilson Engineers, LLC
Rank 2: Carollo Engineers, Inc.
Rank 3: Entellus, Inc.
Rank 4: Brown and Caldwell, Inc.

Additional Proposers
Rank 5: Kimley-Horn and Associates, Inc.
Rank 6: Hazen and Sawyer, P.C.
Rank 7: Garver, LLC
Rank 8: Michael Baker International, Inc.

Contract Term

The term of each agreement is up to five years, or up to $1.25 million, whichever occurs first. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for each of the On-Call consultants will not exceed $1.25 million, including all subconsultant and reimbursable costs. The total fee for all services will not exceed $5 million.

Funding is available in the Citywide Water Services Department Development Occupation Fee budget. The Budget and Research Department will review and approve funding availability prior to issuance of any On-Call task order of $100,000 or more. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 54

Cathodic Protection Rehabilitation and Replacement - Job Order Contracting Services - JOC229 (Ordinance S-51384) - Citywide

Request to authorize the City Manager, or his designee, to enter into a master agreement with Peak Corrosion Control, Inc., to provide Cathodic Protection Rehabilitation and Replacement Job Order Contracting Services citywide for the Water Services Department. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $4 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) Contractor’s services will be used on an as-needed basis to provide Cathodic Protection Rehabilitation and Replacement of sacrificial anodes for galvanic Cathodic Protection (CP) systems; the ability to drill new replacement deep wells for impressed current CP systems; repair and replacement of rectifiers; conduct annual CP system testing and repair CP test stations, leads, terminal boards, and other CP related hardware. Additionally, the Contractor will be responsible for fulfilling Small Business Enterprise program requirements.

Procurement Information

The selection was made using a qualifications-based selection process set forth in Section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S.

Section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Four firms submitted proposals and are listed.

Selected Firm
Rank 1: Peak Corrosion Control, Inc.

Additional Proposers
Rank 2: Piping and Corrosion Specialties, Inc.
Rank 3: Accurate Corrosion Control, Inc.
Rank 4: Farwest Corrosion Control Company

Contract Term
The term of the master agreement is for up to five years, or up to $4 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 Contractor will not exceed $4 million, including all subcontractor and reimbursable costs.

Request to authorize the City Manager, or his designee, to execute job order agreements performed under this master agreement 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 Water Services Department's Capital Improvement Program budget. The Budget and Research Department will review and approve funding availability prior to issuance of any job order agreement. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Responsible Department
This item is submitted by Deputy City Managers Ginger Spencer and Inger Erickson, the Water Services Department, and the City Engineer.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 55

Intergovernmental Agreement with City of Glendale for the Funding, Upgrading, Operation, and Maintenance of the Traffic Signal at the Intersection of 51st Avenue and Thunderbird Road (Ordinance S-51395) - District 1

Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) with the City of Glendale to rebuild the traffic signal at the intersection of 51st Avenue and Thunderbird Road. Additionally, request the City grant exception pursuant to Phoenix City Code Section 42-20 to authorize indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code Section 42-18. Additionally, request the City Controller to disburse all funds related this item.

Summary

The City of Phoenix Street Transportation Department (Streets) requests to coordinate with the City of Glendale to rebuild the traffic signal at the intersection of 51st Avenue and Thunderbird Road. The purpose of this IGA is to identify and define the responsibilities of the City of Glendale and the City of Phoenix for the construction of the rebuild. Both parties agree that it would be beneficial for the traffic signal to be rebuilt to manage congestion and improve traffic flow. The City of Phoenix submitted a grant application for funding through the Maricopa Association of Governments Roadway Safety Program (RSP).

The IGA will authorize the City of Phoenix to rebuild the traffic signal and equipment within portions of the City of Glendale's right-of-way. The City of Glendale will review and approve the design and provide no-cost permits to the City of Phoenix for project-related work, such as construction and traffic control, that lies within Glendale city limits. The City of Phoenix will administer funding, permitting, construction, and construction management, as well as the perpetual maintenance of the proposed signal system. In addition, the City of Phoenix will own, maintain, operate, and pay all utility costs associated with the traffic signal.

Contract Term

This agreement will become effective as of the date it is approved by all parties and will remain in effect as long as the traffic signal remains operational.

Financial Impact
This project will be funded with local and regional funds. The programmed total project cost is $600,000. The agreement is contingent upon the availability of funds through the RSP.

Location
51st Avenue and Thunderbird Road
Council District: 1

Responsible Department
This item is submitted by Deputy City Manager Inger Erickson and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 56

Cathodic Protection System Condition Assessment - Engineering Services - WS85500463 (Ordinance S-51396) - Citywide

Request to authorize the City Manager, or his designee, to enter into an agreement with Coffman Engineers, Inc., to provide Engineering Services that include assessment, design and possible construction administration and inspection for the Cathodic Protection System Condition Assessment 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 $500,000.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services 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 perform assessment services on an as-needed basis to support the work of the Water Services Department Cathodic Protection Job Order Contract (JOC) Program.

Coffman Engineers, Inc.'s services include, but are not limited to: assessment and inspection of the City's existing pipeline cathodic protection (CP) systems; provide recommendations and design services for the repair and replacement of existing impressed current and galvanic CP components including, but not limited to rectifiers, anodes, and test stations. Construction Administration and Inspection services will be utilized on an as-needed basis in support of the Cathodic Protection JOC Program.

Procurement Information

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

Selected Firm
Rank 1: Coffman Engineers, Inc.

Non-Selected Firms
Rank 2: Black & Veatch Corporation
Rank 3: Peak Corrosion Control, Inc.
Rank 4: JDH Corrosion Consultants, Inc.
Rank 5: PureHM Xylem
Rank 6: Corrpro Companies, 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 Coffman Engineers, Inc. will not exceed $500,000, 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 Inger Erickson, the Water Services Department and the City Engineer.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 57

Street Transportation Department Soils and Materials Testing On-Call Services for Calendar Years 2025-2027 (Ordinance S-51403) - Citywide

Request to authorize the City Manager, or his designee, to enter into separate agreements with the 16 consultants listed in **Attachment A**, to provide Soils and Materials Testing On-Call Services for the Street Transportation Department. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The total fee for services will not exceed $24 million.

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

Summary

The On-Call consultants will be responsible for providing On-Call Soils and Materials Testing Services that include, but are not limited to: miscellaneous geotechnical investigations, materials testing and laboratory services including, but not limited to: sampling, laboratory and field testing of soil, concrete and asphalt; asphalt, concrete, aggregate, and pipe plant inspections; analyses and preparations of reports; forensic geotechnical and pavement investigations; special inspections, and other services as required. The consultants will have appropriate certifications such as Occupational Safety and Health Administration Trench Safety, Mine Safety Health Administration, American Concrete Institute, Arizona Technical Institute, Concrete & Cement Reference Laboratory and American Association of State Highway and Transportation Officials AASHTO re:source (formally AMRL). Firms performing tests on Federal Aid

projects by the Street Transportation Department will also need to be included in the list of accredited laboratories by the Arizona Department of Transportation.

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, including the scoring results, until an agreement is awarded. Seventeen firms submitted proposals and are listed in **Attachment A**.

Contract Term
The term of each agreement is up to three years, or up to $1.5 million, whichever occurs first. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for each of the On-Call consultants will not exceed $1.5 million, including all subconsultant and reimbursable costs. The total fee for all services will not exceed $24 million.

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

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

ATTACHMENT A

Selected Firms

Rank 1: WSP USA Inc.
Rank 2: Ninyo & Moore Geotechnical and Environmental Sciences Consultants, Inc.
Rank 3: Quality Testing, LLC
Rank 4: Terracon Consultants, Inc.
Rank 5: Western Technologies, Inc.
Rank 6: Alta CMTI, LLC dba Alta Arizona
Rank 7: Speedie & Associates, LLC
Rank 8: ACS Services, LLC
Rank 9: Olsson, Inc.
Rank 10: Alpha Geotechnical and Materials, Inc.
Rank 11: ATEX Engineering Consultants, LLC
Rank 12: ProTeX - The PT Xperts, LLC
Rank 13: Ricketer, Atkinson, McBee, Morman & Associates, Inc.
Rank 14: CMT Technical Services, Inc.
Rank 15: Smith & Annala Engineering Co.
Rank 16: Atlas Technical Consultants, LLC

Additional Proposers

Rank 17: Phoenix Testing & Inspection, LLC

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 58

Federal Fiscal Year 2021-22 Safe Streets and Roads for All Road Safety Action Plan Pedestrian Risk Network - Engineering Services - ST89320174 (Ordinance S -51405) - Citywide

Request to authorize the City Manager, or his designee, to enter into an agreement with Stanley Consultants, Inc. to provide Engineering Services that include research, data collection, analysis, programming, and procedure development services for the Federal Fiscal Year (FFY) 2021-22 Safe Streets and Roads for All (SS4A) Road Safety Action Plan Pedestrian Risk Network 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 $350,000.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services 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 develop a Pedestrian High-Risk Network Plan that will supplement the City's Vision Zero Road Safety Action Plan.

Stanley Consultants, Inc.'s services include, but are not limited to: research, data collection, data analysis, risk factor identification, implementation requirements, and public involvement.

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. Three firms submitted proposals and are listed below.

Selected Firm
Rank 1: Stanley Consultants, Inc.

Additional Proposers
Rank 2: Y2K Engineering, LLC
Rank 3: Greenlight Traffic Engineering, LLC

Contract Term
The term of the agreement is 365 calendar days from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Stanley Consultants, Inc. will not exceed $350,000, including all subconsultant and reimbursable costs.

Funding is available in the Street Transportation Department's Capital Improvement Program budget and Federal Grant Funds. 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 the FFY 2021-22 SS4A Grant Application (Ordinance S-48976) on September 7, 2022.

Public Outreach
Stanley Consultants, Inc. will present the final plan to the Vision Zero Road Safety Action Plan Community Advisory Committee for public input.

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 59

Telecommunications Services and Interstate Telecommunications Services License with Vexus Fiber, LLC d/b/a “Metronet” (Ordinance S-51406) - Citywide

Request to authorize the City Manager, or his designee, to execute a non-exclusive, revocable license with Vexus Fiber, LLC d/b/a “Metronet” to construct, install, operate, maintain, and use the Public Highways in the City of Phoenix in order to provide telecommunications services and interstate telecommunications services in, under, over, and across public rights-of-way in the City, subject to the terms and conditions contained in the license and Phoenix City Code. Further request to authorize the City Treasurer to accept all funds related to this item. Additionally request that the Licensee sign the license within 60 days of Council action, or this authorization will expire. There is no financial impact to the City for this license.

Summary

Vexus Fiber, LLC d/b/a “Metronet” is a telecommunications company that desires to construct, install, operate, maintain, and use the Public Highways in the City of Phoenix in order to provide telecommunications services and interstate telecommunications services in, under, over, and across public rights-of-way in the City. The license will be for a period of five years with an option for one time renewal, contain appropriate insurance and indemnification provisions, require a performance bond and a security fund, provide for terms of transfer and revocation, and provide for compensation for the commercial use of public rights-of-way while permitting the City to manage the rights-of-way.

Contract Term

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

Financial Impact

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

Responsible Department

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 60

2022 Safe Streets for All Road Safety Action Plan Speed Limit Setting Study - Engineering Services - ST89320174 (Ordinance S-51409) - Citywide

Request to authorize the City Manager, or his designee, to enter into an agreement with Y2K Engineering, LLC to provide Engineering Services that include research, data collection, analysis, and procedure development services for the 2022 Safe Streets for All Road Safety Action Plan Speed Limit Setting Study 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 $225,000.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services 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 develop a supplemental Road Safety Action Plan. The supplement will build upon the City's Vision Zero Road Safety Action Plan to develop a Speed Limit Setting Study to align with the City's goal to eliminate fatal and serious injury crashes by 2050. The new procedures, when implemented, may be used to appropriately set speed limits within the City that satisfy all users' mobility and safety needs.

Y2K Engineering, LLC's services include, but are not limited to, research, data collection, data analysis, speed limit setting process, implementation requirements, and public involvement.

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. Two firms submitted proposals and are listed below.

Selected Firm
Rank 1: Y2K Engineering, LLC

Additional Proposer
Rank 2: Greenlight Traffic Engineering, LLC

Contract Term
The term of the agreement is 365 calendar days from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Y2K Engineering, LLC will not exceed $225,000, including all subconsultant and reimbursable costs.

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

Public Outreach
The consultant will present the final plan to the Vision Zero Road Safety Action Plan Community Advisory Committee for public input.

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 61

Telecommunications Services, Private Line Services, and Interstate Telecommunications Services License with Light Source Communications, LLC (Ordinance S-51413) - Citywide

Request to authorize the City Manager, or his designee, to execute a non-exclusive, revocable license with Light Source Communications, LLC to construct, install, operate, maintain, and use the Public Highways in the City of Phoenix in order to provide telecommunications services, private lines services, and interstate telecommunications services in, under, over, and across public rights-of-way in the City, subject to the terms and conditions contained in the license and Phoenix City Code. Further request to authorize the City Treasurer to accept all funds related to this item. Additionally request that the Licensee sign the license within 60 days of Council action, or this authorization will expire. There is no financial impact to the City for this license.

Summary

Light Source Communications, LLC is a telecommunications company that desires to construct, install, operate, maintain, and use the Public Highways in the City of Phoenix in order to provide telecommunications services, private line services, and interstate telecommunications services in, under, over, and across public rights-of-way in the City. The license will be for a period of five years with an option for one time renewal, contain appropriate insurance and indemnification provisions, require a performance bond and a security fund, provide for terms of transfer and revocation, and provide for compensation for the commercial use of public rights-of-way while permitting the City to manage the rights-of-way.

Contract Term

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

Financial Impact

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

Responsible Department

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 62

Telecommunications Services, Private Line Services, and Interstate Telecommunications Services License with Cablevision Lightpath LLC (Ordinance S-51414) - Citywide

Request to authorize the City Manager, or his designee, to execute a non-exclusive, revocable license with Cablevision Lightpath LLC to construct, install, operate, maintain, and use the Public Highways in the City of Phoenix in order to provide telecommunications services, private line services, and interstate telecommunications services in, under, over, and across public rights-of-way in the City, subject to the terms and conditions contained in the license and Phoenix City Code. Further request to authorize the City Treasurer to accept all funds related to this item. Additionally request that the Licensee sign the license within 60 days of Council action, or this authorization will expire. There is no financial impact to the City for this license.

Summary
Cablevision Lightpath LLC is a telecommunications company that desires to construct, install, operate, maintain, and use the Public Highways in the City of Phoenix in order to provide telecommunications services, private line services, and interstate telecommunications services in, under, over, and across public rights-of-way in the City. The license will be for a period of five years with an option for one time renewal, contain appropriate insurance and indemnification provisions, require a performance bond and a security fund, provide for terms of transfer and revocation, and provide for compensation for the commercial use of public rights-of-way while permitting the City to manage the rights-of-way.

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

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

Responsible Department
This item is submitted by Deputy City Manager Inger Erickson, the Street

Transportation Department and the City Engineer.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 63

Ductile Iron Pipe and Fittings - IFB-2425-WDD-646 - Request for Award (Ordinance S-51388) - Citywide

Request to authorize the City Manager, or his designee, to enter into contracts with Arizona Waterworks Supply Inc., Alb Piping Products & Services LLC and Fortiline Inc. dba Fortiline Waterworks to provide ductile iron pipe and fittings 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 agreements will not exceed $3,000,000.

Summary

These contracts will provide Water Services with the ability to purchase Ductile Pipe and Fittings. The City of Phoenix requires that there is a supply of Ductile Pipe and Fittings on hand for repair and new installation. Water Services will utilize the products included in these contracts for repair and installation of water distribution pipes and fittings.

Procurement Information

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

Four vendors submitted bids 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 vendors:

Selected Bidders

Arizona Waterworks Supply Inc.	$391,939.08 (projected annual amount)
Alb Piping Products & Service LLC	$491,114.30 (projected annual amount)
Fortiline Inc. dba Fortiline Waterworks	$492,967.96 (projected annual amount)

Additional Bidders

Ferguson Waterworks

Contract Term

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

Financial Impact
The aggregate contracts value will not exceed $3,000,000. Funding is available in the Water Service Department's Operating Budget.

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 64

AUVESY-MDT Octoplant Conversion and Software Maintenance - RFA-2425-WPC-640 - Request for Award (Ordinance S-51392) - Citywide

Request to authorize the City Manager, or his designee, to enter into a contract with Q-Mation, Inc., for the analysis, planning, execution, and integration of a new automation change management software, AMDT Octoplant software. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $888,000.

Summary

The Water Services Department (WSD) is seeking to upgrade the existing MDT Autosave software used within its facilities. MDT Autosave software has an End-of-Life of December 31, 2025. As a result, there is a need to transition to AMDT Octoplant, which will help WSD enhance and modernize its automation change management process, thereby achieving increased operations efficiency, reduced downtime, improved system reliability, and strengthen its cyber security measures.

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

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 Without Competition. Q-Mation, Inc. is the exclusive authorized distributor for the AMDT Octoplant software. It is critical to have a local partner to provide support and response to potential emergencies. The infrastructure of AMDT servers are already in place at WSD facilities, requiring a minimal uplift to the upgrade to the new Octoplant software.

Contract Term

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

Financial Impact

The aggregate contract value will not exceed $888,000 for the five-year aggregate

term.

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

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 65

Water and Wastewater Treatment Chemicals - IFB-2021-WPP-308 - Amendment (Ordinance S-51393) - Citywide

Request to authorize the City Manager, or his designee to allow additional expenditures under Contracts 153938, 153956, 153943, 153957, 153958, 153959, 153960 with Hill Brothers Chemical Company, Thatcher Company of Arizona, Inc., Donau Carbon US LLC, Dubois Chemicals Inc., DPC Enterprises, LP and Chemrite Inc. for the purchase of Acidified Copper Sulfate, Caustic Soda, Hydrofluorosilicic Acid, Powdered Activated Carbon, Silica Dioxide, Sodium Bisulfite and Sodium Hypochlorite for the Water Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $14,500,000.

Summary

The purpose of the amendment is to request additional funds for the supply of Acidified Copper Sulfate, Caustic Soda, Hydrofluorosilicic Acid, Powdered Activated Carbon, Silica Dioxide, Sodium Bisulfite and Sodium Hypochlorite for the water and wastewater treatment processes. These contracts have experienced extreme fluctuations to price over the past three-and-a-half-years, creating a lack of funding required for the remaining term of the contract period. The additional funds allow the contracted vendors to supply the products required for the Water Services Department water production and water treatment processes to provide clean drinking water to the City of Phoenix residents.

Contract Term

The contract term remains unchanged, ending on March 31, 2026.

Financial Impact

The initial authorization for Water and Wastewater Treatment Chemicals was for an expenditure not-to-exceed $25,500,000. This amendment will increase the authorization of the agreement by an additional $14,500,000, for a new not-to-exceed value of $40,000,000. Funds are available in the Water Services Department's budget.

Concurrence/Previous Council Action

The City Council previously approved this request:
Water and Wastewater Treatment Chemicals Contracts 153938, 153956, 153943, 153957, 153958, 153959, 153960 (Ordinance S-47340) on March 3, 2021.

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 66

Authorization to Enter into an Intergovernmental Agreement with the Arizona Department of Water Resources (Ordinance S-51415) - Citywide

Request to authorize the City Manager, or his designee, to enter into an agreement with the Arizona Department of Water Resources to facilitate the City of Phoenix's participation in the Alliance for Water Efficiency's Large-Scale Landscape Research Project. The one-time payment will not exceed $18,500 over the life of the agreement. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Water Services Department will participate in the Alliance for Water Efficiency's Large-Scale Landscape Research Project. The Project, funded by several local governments and entities as coordinated by Arizona Department of Water Resources (ADWR), aims to assess how different irrigation strategies and large-scale landscape changes affect water usage across various utilities and climates. The Project will provide specific evaluations tailored to each agency that will include analyses that can support both internal and external planning, decision-making, promotions, and communications. Additionally, it will offer cost-effective ways to obtain customized technical analyses by collaborating with several utilities on one research effort.

Procurement Information

In accordance with City of Phoenix Administrative Regulation 3.10, competitive procurement was waived considering the unusual nature of the project and the number of public partners funding the Large-Scale Landscapes Research Project.

Contract Term

The contract term is for three years effective on or about November 1, 2024, through June 30, 2026.

Financial Impact

The aggregate value of the contract is not to exceed a one-time payment of $18,500. Funding for this Intergovernmental Agreement is available in the Water Services Department's operating budget.

Responsible Department

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 67

Abandonment of Right-of-Way - ABND 240033 - 12802 North 22nd Street (Resolution 22262) - District 3

Abandonment: 240033
Project: 99-40486
Applicant: Thomas J. Roth
Request: To abandon a five-foot by two-hundred foot right-of-way (ROW), that is located south of 12802 N. 22nd Street.
Date of Hearing: August 15, 2024

Location
Generally located at 12802 N. 22nd Street
Council District: 3

Financial Impact
A fee was also collected as part of this abandonment in the amount of $550.

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 68

Abandonment of Easements and Right-of-Way - ABND 230046 - Southeast Corner of 40th Street and East McDowell Road (Resolution 22261) - District 8

Abandonment: 230046
Project: 23-221
Applicant: 40th McDowell LLC
Request: To abandon right of way and easements along the east side of 40th Street, adjacent to property.
Date of Hearing: October 12, 2023

Location
Generally located on the southeast corner of 40th Street and East McDowell Road
Council District: 8

Financial Impact
Pursuant to Phoenix City Code Article 5, Section 31-64 (e) as the City acknowledges the public benefit received by the generation of additional revenue from the private tax rolls and by the elimination of third-party general liability claims against the City, maintenance expenses, and undesirable traffic patterns, also replatting of the area with alternate roadways and new development as sufficient and appropriate consideration in this matter.

A fee was also collected as part of this abandonment in the amount of $743.

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

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 69

Amend City Code - Ordinance Adoption - Rezoning Application PHO-2-24--Z-8-22-1 - Northeast Corner of Circle Mountain Road and I-17 Frontage Road (Ordinance G-7316) - District 1

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 October 16, 2024.

Summary

Application: PHO-2-24--Z-8-22-1
Existing Zoning: R-3
Acreage: 17.55

Owner: Circle Mountain Holdings LLC
Applicant: Bela Flor Communities
Representative: Adam Baugh, 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 11 regarding bicycle infrastructure.
4. Request to modify Stipulation 12.b regarding north-south pedestrian connection.
5. Request to modify Stipulation 12.c regarding the number of pedestrian connections.
6. Request to modify Stipulation 13 regarding indoor noise levels.
7. Request to modify Stipulation 14 regarding the development of noise mitigation walls.
8. Request to modify Stipulation 15 regarding noise wall setbacks.
9. Request to modify Stipulation 16 regarding perimeter wall materials.
10. Request to modify Stipulation 24 regarding construction of detached sidewalks.
11. Request to modify Stipulation 25 regarding street improvements.
12. Request to delete Stipulation 27 regarding a 30-foot right-of-way dedication along the southern boundary of the project.
13. Request to delete Stipulation 27.a regarding drought-tolerant trees.
14. Request to delete Stipulation 27.b regarding drought-tolerant shrubs.
15. Request to delete Stipulation 28 regarding minimum right-of-way.

16. Request to delete Stipulation 28.a regarding drought-tolerant trees in landscape areas in right-of-way.
17. Request to delete Stipulation 28.b regarding drought-tolerant vegetation ground coverage in landscaped areas in the right-of-way.
18.Request to delete Stipulation 37 regarding capping and abandonment of existing wells.
19. Request to modify Stipulation 38 regarding a petition to the Street Transportation Department to eliminate required street light infrastructure.
20. Request to delete Stipulation 39 regarding primary construction access.
21. Request to delete Stipulation 40 regarding roadway damage repair.
22. Request to delete Stipulation 41 regarding disclosure language in future for a portion of Jenny Lin Road.
23. Request to modify Stipulation 42 regarding Phase 1 to be in general conformance with the site plan date stamped May 4, 2023.
24. Request to modify Stipulation 43 regarding Phase 1 to be in general conformance with the elevations and design elements date stamped August 29, 2022.
25. Request to modify Stipulation 44 regarding the maximum dwelling units for Phase 1.
26. Request to delete Stipulation 45 regarding Phase 2 to be in general conformance with the site plan.
27. Request to delete Stipulation 46 regarding Phase 2 to be in general conformance with the elevations.
28. Request to delete Stipulation 47 regarding the number of lots for Phase 2.
29. Request to delete Stipulation 48 regarding conceptual site plans and elevations for Phase 3.
30. Request to delete Stipulation 49 regarding surface parking lot landscaped areas for Phase 3.

VPC Action: The Rio Vista Village Planning Committee heard the request on October 8, 2024, and recommended approval with a modification by a vote of 3-0.
PHO Action: The Planning Hearing Officer recommended denial as filed and approval with modifications.

Location

Northeast corner of Circle Mountain Road and I-17 Frontage Road
Council District: 1
Parcel Address: 4000 W. Circle Mountain Road

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE 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 at the Northeast corner of Circle Mountain Road and I-17 frontage Road in a portion of land lying within the West Half 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 norther most 1,007 feet, which shall have a minimum building setback of 55 feet,~~ as approved 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.

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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. Drought tolerant shrubs and vegetative groundcovers to achieve a minimum of 75% 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 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.

b. Guest bicycle parking shall be provided at a minimum of 0.05 spaces per multifamily residential and single-family residential dwelling unit, up to a maximum of 50 spaces. 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

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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.

c. A bicycle repair station ("fix it station") shall be provided and maintained on the site within an amenity area or near a primary site entrance. The bicycle repair station ("fit 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 1-17 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 FACILITATE THE EVENTUAL 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 III.~~

c. ONE ~~Four~~ pedestrian connection~~s~~ 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 CODE COMPLIANCE REVIEW CERTIFICATION BY AN ACCOUSTICAL 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~~

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~~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 AN ACOUSTICAL CONSULTANT ~~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 AND SOUTH 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 shall be incorporated along property lines adjacent to dedicated public or private open space areas, natural and/or improved drainageways or recreational areas, 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 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.

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23. Minimum 5-foot-wide detached sidewalk and minimum 5-foot-wide landscape strips located between the back of curb and sidewalk within the development shall be constructed and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees 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 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 sidewalks, 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 withing 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. 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.

25. All right-of-way dedication and street improvements for Circle Mountain Road AND 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.

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~~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.~~

~~28. 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 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.~~

~~a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 20 feet on center on 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 ~~29.~~ Enhanced pedestrian connections shall be designed and constructed at all 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.

28. ~~30.~~ 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 and MCDOT (where applicable). All improvements shall comply with all ADA accessibility standards.

29. ~~31.~~ A Red Border Letter shall be submitted to the Arizona Department of Transportation (ADOT) for this development.

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30. 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.

31. 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.

32. If Phase I data testing is required, and if, upon review of the results from Phase ~~34.~~ 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.

33. In the event archeological materials are encountered during construction, the ~~35~~. developer shall immediately cease all ground disturbing activities within 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

34. Prior to preliminary site plan approval, the landowner shall execute a ~~36.~~ 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.

~~37. Prior to the construction of any residences, all existing wells within the development shall be capped and abandoned, as required by the Arizona Department of Water Resources (ADWR).~~

35. 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.~~

36. The developer shall promptly repair any roadway damage that may occur on ~~40.~~ CIRCLE MOUNTAIN ROAD ~~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.~~

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Phase 1 (R-3 Zoned Area)

37. The development shall be in general conformance with the site plan date
~~42.~~ stamped OCTOBER 11, 2024 ~~May 4, 2023~~, as modified by these stipulations and as approved by the Planning and Development Department.

38. The development shall be in general conformance with the elevations date
~~43.~~ stamped AUGUST 30, 2024 ~~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

39. ~~Phase 1 of~~ The development shall be limited to a maximum of 151 ~~288~~ dwelling
~~44.~~ units.

Phase 2 (R-2 Zoned Area)

~~45. The development shall be in general conformance with the site plan date stamped 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 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 buildings entrances/exits and by garage doors~~

~~d. Covered front porches and covered rear patios~~

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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 the development shall be limited to a maximum of 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

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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 13th day of November, 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 (3 Pages)
B - Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR PHO-2-24--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 land lying within the West Half of Section 3, Township 6 North, Range 2 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING, at the Center of said Section 3, marked by a 1/2" rebar with a tag stamped "RLS 38862", from which the North Quarter of said Section 3, marked by a 1" iron pipe, bears North 00°00'26" East, 2647.85 feet;

THENCE, on the east boundary of the west half of said Section 3, South 00°00'35" East, 1964.14 feet to the **POINT OF BEGINNING;**

THENCE, continuing on said east boundary, South 00°00'35" East, 640.75 feet;

THENCE, parallel with and offset 40.00 feet north of the south boundary of said Section 3, North 89°53'06" West. 1027.67 feet;

THENCE, on a curve concave northeasterly, having a radius of 25.00 feet, through a central angle of 89°23'56", an arc distance of 39.01 feet;

THENCE, on a curve concave easterly, parallel with and offset 42.00 feet easterly of the 1-17 frontage road right of way per ADOT Right of Way Plans C-7-R-666B, having a radius of 22672.31 feet, through a central angle of 01°34'09", an arc distance of 620.95 feet;

THENCE, South 89°37'00" East, 1049.30 feet to the **POINT OF BEGINNING.**

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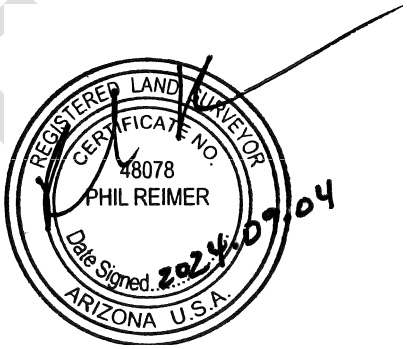
Containing 711,678 square feet or 16.338 acres more or less.

Subject to any easements, restrictions, rights-of-way of recorded or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HILGARTWILSON, LLC
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 2558
Date September 3, 2024



September 3, 2024
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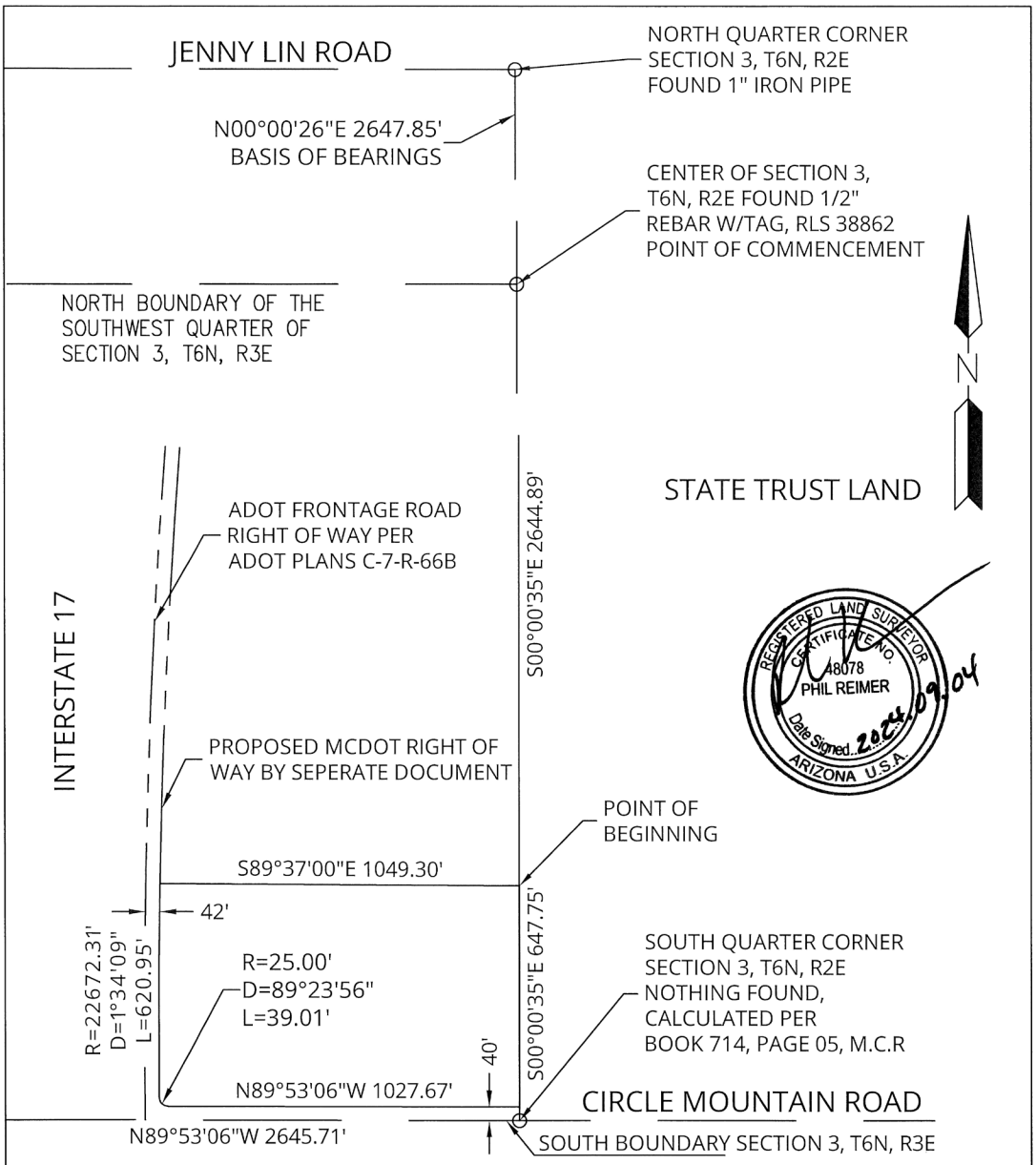


PROJ.NO.:	2558
DATE:	SEPT. 2024
SCALE:	1" = 400'
DRAWN BY:	BMG
CHECKED BY:	PR

CIRCLE MOUNTAIN PARCEL NO.1 PHO

I–17 & CIRCLE MOUNTIAIN
PHOENIX, AZ

EXHIBIT

HILGARTWILSON
2141 E. HIGHLAND AVE., STE. 250
PHOENIX, AZ 85016
P: 602.490.0535 / F: 602.368.2436

©2024, HILGARTWILSON, LLC

U:\2500\2558\SURVEY\DOCS\LEGAL\2558– PHO Parcel 1.dwg 9/4/2024 10:29 AM

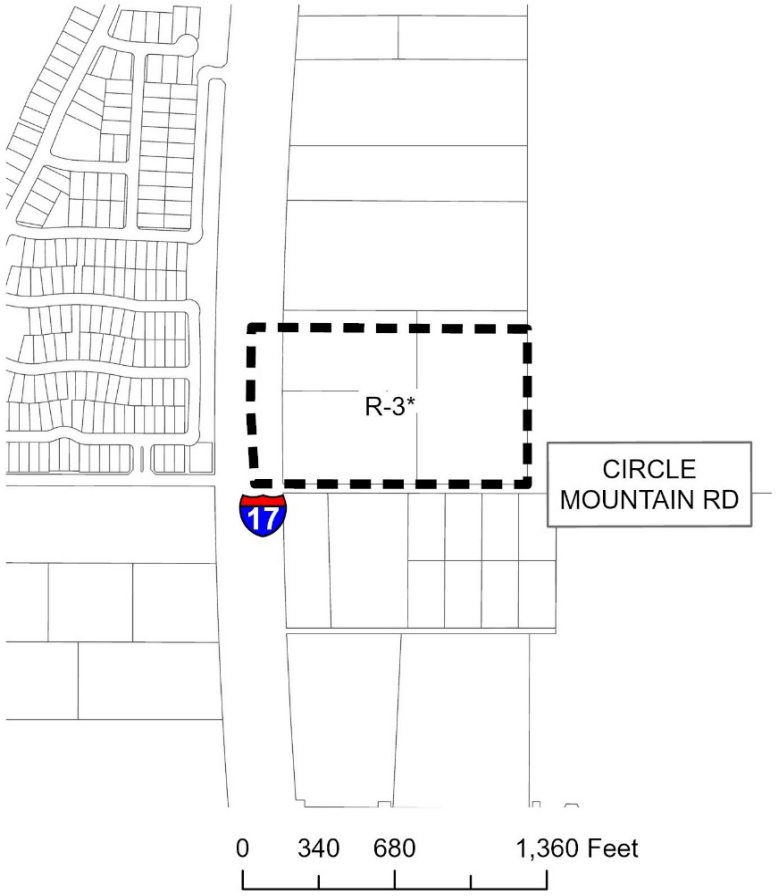
ORDINANCE LOCATION MAP

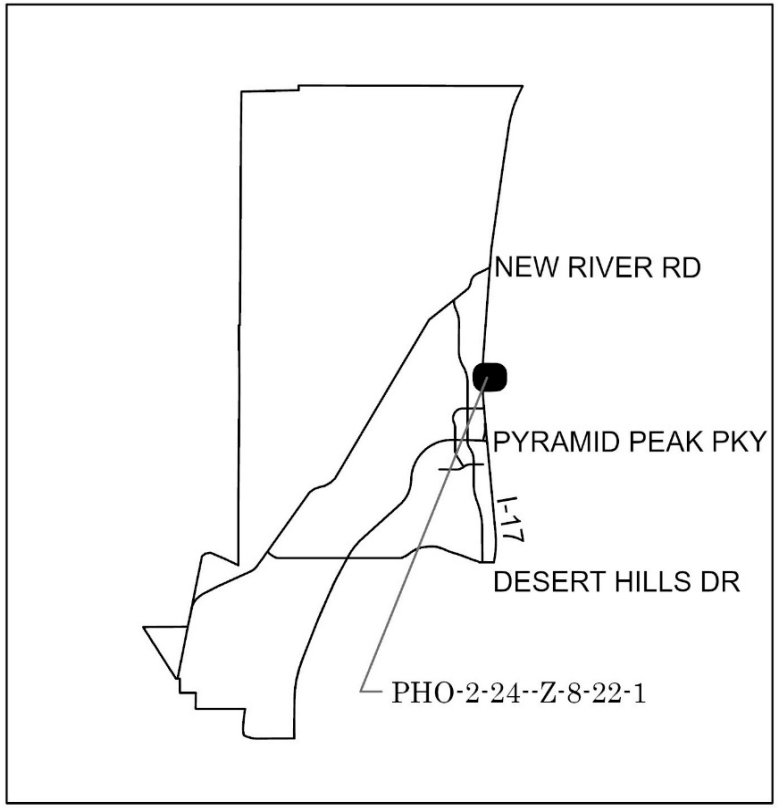
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA:

Zoning Case Number: PHO-2-24--Z-8-22-1
Zoning Overlay: N/A
Planning Village: Rio Vista





NOT TO SCALE

N

Drawn Date: 10/16/2024

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2024 Ord\11-13-24\11-13-24.aprx

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 70

Modification of Stipulation Request for Ratification of Planning Commission Action - PHO-2-24--Z-181-99-3 - Approximately 350 Feet South of the Southeast Corner of 26th Street and Vogel Avenue - District 3

Request to authorize the City Manager, or his designee, to approve the Planning Commission's recommendation without further hearing by the City Council on matters heard by the Planning Commission on October 10, 2024. This ratification requires formal action only.

Summary

Application: PHO-2-24--Z-181-99-3
Existing Zoning: R1-6
Acreage: 2.0

Owner: Tim Hammer, H&H Developers, Inc.
Applicant: Hannah Bleam, Withey Morris Baugh, PLC
Representative: William F. Allison, Withey Morris Baugh, PLC

Proposal:
1. Request to modify Stipulation 1 regarding general conformance to the site plan and elevations date stamped March 2, 2017.
2. Request to modify Stipulation 2 regarding maximum dwelling units and maximum density.
3. Request to modify Stipulation 3 regarding maximum building height.
4. Request to delete Stipulation 6 regarding sewer odor mitigation.
5. Request to modify Stipulation 8 regarding property owner addresses.

VPC Action: The Paradise Valley Village Planning Committee chose to not review the application.
PHO Action: The Planning Hearing Officer heard the item on April 17, 2024, and recommended denial as filed with additional stipulations.
PC Action: The Planning Commission heard the item on October 10, 2024, and recommended approval, per the staff memo dated October 7, 2024, by a vote of 7-0.

Location

Approximately 350 feet south of the southeast corner of 26th Street and Vogel Avenue
Council District: 3
Parcel Address: 9455 N. 26th Street

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

ATTACHMENT A

PHO-2-24—Z-181-99-3
Location: Approximately 350 feet south of the southeast corner of 26th Street and Vogel Avenue

Planning Commission approved stipulations:

1. The development shall be in general conformance to the site plan and elevations date stamped September 24, 2024, as approved by the Planning and Development Department.

2. There shall be no more than 7 dwelling units.

3. The building height shall not exceed one story and a maximum of 20 feet in height.

4. Right-of-way dedications and street alignments for local streets within the subdivision will be determined by the Planning and Development Department at the time of Preliminary Subdivision Plan Review.

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

6. The applicant shall install some means of mitigation treatment to eliminate potential sewer odor.

7. The development shall be subject to Design Review guideline standards, as per the Planning and Development Department.

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

9. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

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10. 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.

11. The developer shall initiate and participate in efforts to restrict parking on 26th street adjacent to the development site.

12. Only low profile, shielded neighborhood lighting that does not exceed 2,700 k and emits no more than one-foot candle detectable at the property line shall be utilized within the development, as approved by the Planning and Development Department.

13. If access to the development is gated, the southern access point shall be exit only and the northern access shall be full access, as approved by the Planning and Development Department.

14. Construction fencing shall be installed along the north property line prior to issuance of a grading and drainage permit.

15. The applicant shall mail written notice of any request to modify the above-referenced stipulations to the following:

    Estates at Dreamy Draw Homeowner's Association, PO Box 62073, Phoenix, AZ 85082.

    Phoenix Hillside Estates Property Owners Association, c/o Thomas Connelly, 2321 East Hatcher Road, Phoenix, AZ 85028.

    Francesca Cervelli Browner, 2616 East Vogel Avenue, Phoenix, AZ 85028.

    Dr. Kevin Grisham, 9845 North 22nd Place, Phoenix, AZ 85028.

    Sharon Oscar, 2527 East Carol Avenue, Phoenix, AZ 85028.

    Gini Linam, 2536 East Vogel Avenue, Phoenix, AZ 85028.

    Jason Isaak, 2626 East Vogel Avenue, Phoenix, AZ 85028.

    Josh and Erin Alquist, 9609 North 26th Place, Phoenix, AZ 85028.

    Shauna Connelly, 2321 East Hatcher Road, Phoenix, AZ 85028.

    Mountain View Villas, c/o Apostolic Christian Church, Inc., 9230 North

26th Street, Phoenix, AZ 85028.

W. Blair Grafe, 9616 North 26th Place, Phoenix, AZ 85028.

Gregroy and Melissa Wille, 9601 North 26th Street, Phoenix, AZ 85028.

Nehemiah Holding, LLC/Hope Bible Church, 2355 East Camelback Road, Ste. 425, Phoenix, AZ 85016.

Nicholas and Miriam Aquafredda, 9636 North 26th Street, Phoenix, AZ 85028.

Howard Rothenberg, 2505 East Carol Avenue, Phoenix, AZ 85028.

Paul and Emily Hamra, 9617 North 26th Street, Phoenix, AZ 85028.

John Largay, Wespac Construction, 9440 North 26th St, Phoenix, AZ 85028.

Peter and Alison Tymkiw, 9628 North 26th Street, Phoenix, AZ 85028.

Steve and Emily Jackson, 9615 North 26th Place, Phoenix, AZ 85028.

Mary Ann Maher, 9609 North 27th Street, Phoenix, AZ 85028.

16. The City shall notify the above-noted residents of meetings with the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 71

Amend City Code - Ordinance Adoption - Rezoning Application Z-87-24-4 - Northwest Corner of 36th Avenue and Cambridge Avenue (Ordinance G-7315) - District 4

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-87-24-4 and rezone the site from Ind.Pk. (Industrial Park) to A-1 (Light Industrial District) to allow office, fabrication, indoor storage, and vehicle/equipment repair.

Summary

Current Zoning: Ind.Pk.
Proposed Zoning: A-1
Acreage: 5.11
Proposal: Office, fabrication, indoor storage, and vehicle/equipment repair.

Owner: Ellis Johnson, Big Dog Properties, LLC
Applicant: Dane Brubaker
Representative: Jordan Greenman, Greenman Law Firm

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Maryvale Village Planning Committee heard this item on September 11, 2024, and recommended approval, per staff recommendation, by a vote of 12-0.
PC Action: The Planning Commission heard this item on October 10, 2024, and recommended approval, per the Maryvale Village Planning Committee recommendation, by a vote of 7-0.

Location

Northwest corner of 36th Avenue and Cambridge Avenue
Council District: 4
Parcel Address: 2654 N. 36th Avenue; 3602, 3612, and 3622 W. Cambridge Avenue; and 3601, 3617, and 3627 W. Roanoke Avenue

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-87-24-4) FROM IND.PK. (INDUSTRIAL PARK) TO A-1 (LIGHT INDUSTRIAL DISTRICT).

_____

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

SECTION 1. The zoning of a 5.11-acre site located at the northwest corner of 36th Avenue and Cambridge Avenue in a portion of Section 34, Township 2 North, Range 2 East, as described more specifically in Exhibit “A,” is hereby changed from “Ind.Pk.” (Industrial Park) to “A-1” (Light Industrial District).

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

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

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violation of which shall be treated in the same manner as a violation of the City of

Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the site plan date stamped June 25, 2024 with specific regard to the 20-foot landscape setbacks along all street frontages, planted with minimum 2-inch caliper, large canopy, shade trees, planted 20 feet on center, or in equivalent groupings, as modified by the following stipulations and as approved by the Planning and Development Department.

2. The development shall be in general conformance with the elevations date stamped August 12, 2024, as approved by the Planning and Development Department.

3. One outdoor employee resting area of no less than 400 square feet, or two 200 square foot areas shall be provided on site. Each required pedestrian area shall include a minimum of two pedestrian seating benches, constructed of quality and durable materials, and shaded to a minimum of 75% using minimum 2-inch caliper large canopy shade trees and/or architectural shade, as approved by the Planning and Development Department.

4. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.

5. A minimum 5-foot-wide sidewalk shall be constructed on the west side of 36th Avenue, adjacent to the development.

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. Bicycle parking shall be provided at a rate of two bicycle spaces per 25 vehicle parking spaces through Inverted U and/or artistic racks and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, or through secure parking storage area/s, 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.

8. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.

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9. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Installed Infrastructure, as approved by the Planning and Development Department.

10. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.

11. Natural turf shall only be utilized for required retention areas (bottom of basin, and only allowed on slopes if required for slope stabilization) and functional turf areas located on properties for uses such as parks, schools, and residential common areas, as approved by the Planning and Development Department.

12. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.

13. Pressure regulating sprinkler heads and/or drip lines shall be utilized in any turf areas to reduce water waste.

14. A leak detection device shall be installed for the irrigation of landscape areas 10,000 square feet or greater.

15. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.

16. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.

17. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Phoenix Water Efficiency Checkup program for a minimum of 10 years, or as approved by the Planning and Development Department.

18. Any wet-cooling systems shall be designed and installed per the standards in the latest adopted version of the International Green Construction Code (IGCC).

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19. 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.

20. Prior to final 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 13th day of November, 2024.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

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

By:
_____
_____

REVIEWED BY:

DRAFT

_____
Jeffrey Barton, City Manager

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

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-87-24-4

WITHIN A PORTION OF SECTION 34, TOWNSHIP 2 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 50 THROUGH 56, INCLUSIVE, THOMAS ROAD PROPERTIES UNIT II, ACCORDING TO BOOK 316 OF MAPS, PAGE 17, RECORDS OF MARICOPA COUNTY, ARIZONA.

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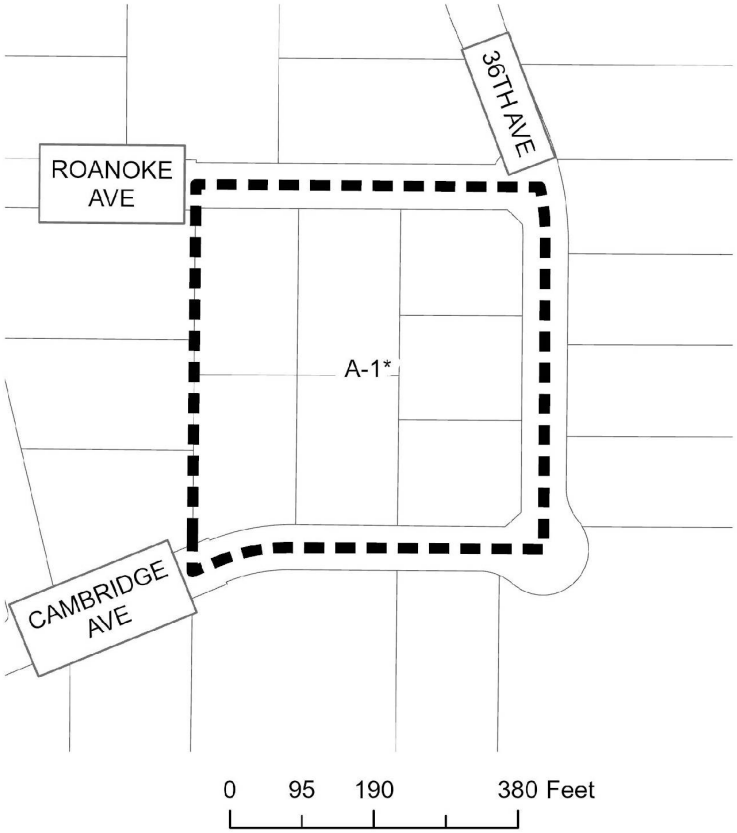
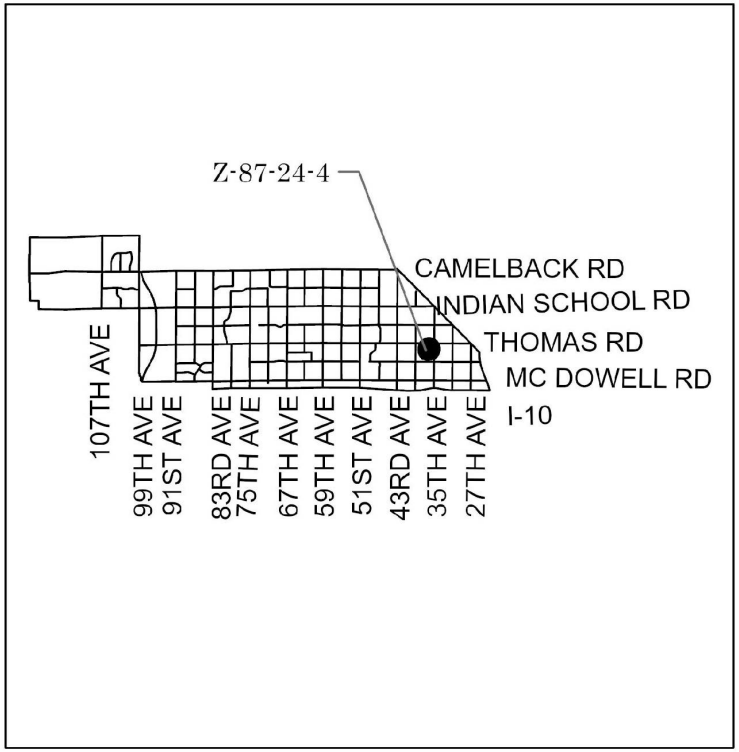
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-87-24-4
Zoning Overlay: N/A
Planning Village: Maryvale





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Drawn Date: 10/11/2024

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City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 72

Public Hearing on Land Use Assumptions and Infrastructure Improvements Plans for Updating the Development Impact Fee Program - Citywide

Request to hold a public hearing on the Land Use Assumptions (LUAs) and Infrastructure Improvements Plans (IIPs) that establish a base analysis for the Development Impact Fee Program update as required by Arizona Revised Statutes (ARS).

Summary

Development impact fees are assessed on building permits obtained with designated impact fee service areas to help pay for certain capital facilities that are necessary to serve new development. Arizona's impact fee enabling statute (ARS 9-463.05) requires cities to review and, if necessary, update fees every five years. In addition, to maintaining compliance with impact fee statutes, updating the impact fee program helps ensure fees are in-line with current raw materials, labor and development demand along with projected growth/service needs, infrastructure plans, and overall facility costs. Phoenix currently administers nine development impact fee programs: Fire Protection, Police, Parks, Libraries, Major Arterials, Storm Drainage, Water, Wastewater, and Water Resources Acquisition. As proposed, the update would divide Water and Wastewater into Water Treatment, Water Transmission, Wastewater Treatment, and Wastewater Collection for a total of eleven programs. The City's last impact fee update was approved by Council on January 29, 2020, and the fees took effect later that spring.

This public hearing is being conducted in accordance with ARS 9-463.05(D) that requires a public hearing on LUAs and IIPs, no less than 60 days after releasing plans to the public. Proposed LUAs and IIPs, along with supplemental reports, were posted to the City's website on or before August 2, 2024, and can be viewed online at: www.phoenix.gov/pddsite/Pages/Proposed2025InfrastructureFinancingPlan.

Proposed IIPs for each fee category have been updated to reflect current growth projections and inflation in construction costs since the last fee update. Facility cost estimates assumed in the proposed IIPs have been escalated at three percent per year to 2028 dollars to account for normal inflation.

Other notable proposed changes to the impact fee program include:

Fire: Replaced the ‘incremental’ approach with a ‘plan-based’ approach to better align capital facility needs with the Fire Department’s service delivery model.

Police: Incorporated new development's share of debt service for Police Headquarters and Cactus Park Precinct.

Parks: Incorporated new development's eligible share of debt service for 'civic space' parks in Desert View and Estrella Villages. Added trailhead amenities to better serve the preserve lands that are a key resource for future recreational opportunities, particularly in north Phoenix.

Library: Incorporate new development's eligible share of debt service for 'civic space' branch libraries in Desert View and Estrella Villages.

Storm Drainage: Updated cost estimates and Flood Control District of Maricopa County contributions for approved projects in Paradise Ridge, Estrella and Laveen impact fee service areas.

Major Arterials: Restructured the program to focus on bridges and specific regional road segments that are anticipated prior to development of adjacent lands. This will allow the city to participate in major bridge projects while constructing to require private development to construct roadway improvements along the properties frontage.

Water Treatment: Water Treatment is proposed to be separated from the current "Water" fee and would be assessed Citywide. The newly authorized Water Resiliency Program, contained in the proposed Water Treatment Fee, will ensure a robust water future that supports on-going development in the City.

Water Transmission: Water Transmission is proposed to be separated from the current 'Water' fee and would continue to be assessed in the northern and southern impact fee service areas.

Wastewater Treatment: Wastewater Treatment is proposed to be separated from the current "Wastewater" fee and would be assessed Citywide. As proposed, areas north of the Central Arizona Project (CAP) would be assessed for new treatment plant and solids handling capacity. While areas south of CAP would be assessed for solids handling capacity, but not new treatment plant capacity.

Wastewater Collection: Wastewater Collection is proposed to be separated from the

current "Wastewater" fee and would be assessed in the Northern impact fee service area, excluding Deer Valley, and Estrella South area.

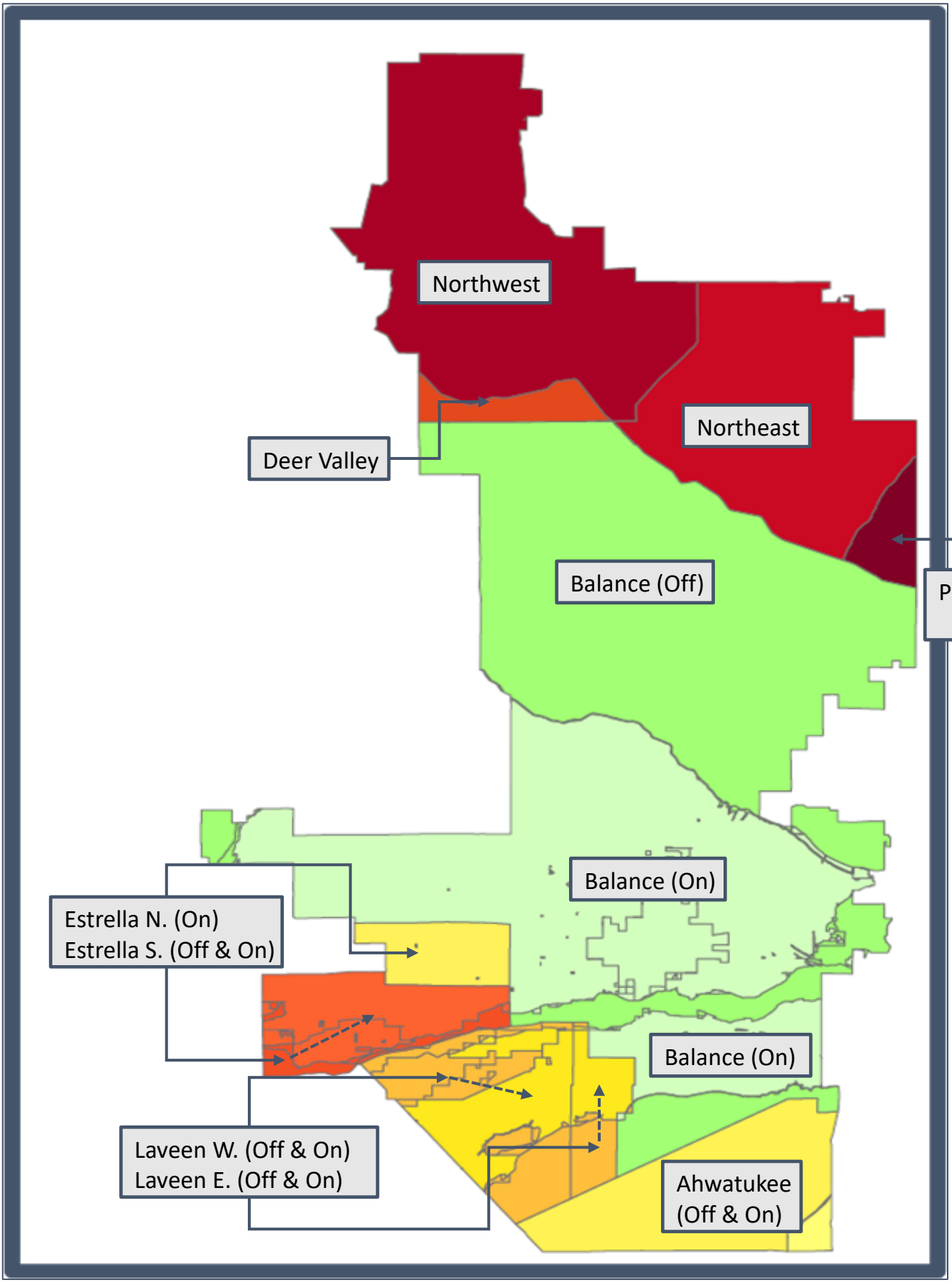
Water Resource Acquisition: Updated to include the City's participation in the Bartlett Dam project to store more water and increase future water supplies.

The LUAs and IIPs are the principal planning documents needed to support changes to development impact fee assessments. Additional information can be found on the 2025 Impact Fee Update website (link above). The *Impact Fee Service Area Map* is attached as **Attachment A** and provides a map of all Impact Fee Area "Building Blocks" including Water Resources Acquisition Fee Areas shown as "Off" and "On" Project. A *Preliminary Net Fee Summary* is attached as **Attachment B** and contains the combined preliminary net fee for each "Building Block" area.

Next Steps
Between 30 and 60 days after this public hearing, Council is required to take action on the LUAs and IIPs. If approved, a notice of intention to assess a development fee will be released to the public and posted on the City's website. No less than 30 days after posting the notice of intent, a subsequent public hearing will be conducted on the proposed development fees. Between 30 and 60 days after the public hearing on proposed development fees, Council is required to take action on the proposed development fees.

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

IMPACT FEE ASSESSMENT AREAS



COMBINED NET IMPACT FEES ($/EDU)

Impact Fee Area	Total
Northwest	$36,985
Deer Valley	$28,324
Northeast	$36,336
Paradise Ridge	$39,430
Estrella North (Off Project)	$14,625
Estrella North (On Project)	$12,502
Estrella South (Off Project)	$21,535
Estrella South (On Project)	$19,412
Laveen West (Off Project)	$14,819
Laveen West (On Project)	$12,696
Laveen East (Off Project)	$14,819
Laveen East (On Project)	$12,696
Ahwatukee (Off Project)	$11,927
Ahwatukee (On Project)	$9,804
Balance of the City (Off Project)	$8,172
Balance of the City (On Project)	$6,049

Notes: Facility cost estimates used to calculate fees have been escalated to 2028 dollars.
The offset for Water and Sewer Development Occupational Fees is not included.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 73

Public Hearing and Ordinance Adoption - Rezoning Application Z-74-24-6 - Northeast Corner of 21st Street and Turney Avenue (Ordinance G-7319) - District 6

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-74-24-6 and rezone the site from R-3 (Multifamily Residence District) to R-5 (Multifamily Residence District) to allow multifamily residential.

Summary

Current Zoning: R-3
Proposed Zoning: R-5
Acreage: 1.82
Proposal: Multifamily residential

Owner: 4401 Turney Villas, LLC; 2118 Turney, LLC; Charles Goodwin, III
Applicant/Representative: Ashley Marsh, Gammage & Burnham, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this item on August 6, 2024, and a motion to recommend approval failed by a vote of 7-9. No recommendation was forwarded to the Planning Commission.
PC Action: The Planning Commission heard this item on October 10, 2024, and recommended approval, per the Addendum A Staff Report, by a vote of 9-0. The Planning Commission recommendation was appealed by a community member and petition for a three-quarter vote was submitted on October 17, 2024. A three-quarter vote is not required.

Location

Northeast corner of 21st Street and Turney Avenue
Council District: 6
Parcel Address: 4401, 4405, 4407, and 4421 N. 21st Street; and 2118 E. Turney Avenue

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-74-24-6) FROM R-3 (MULTIFAMILY RESIDENCE DISTRICT) TO R-5 (MULTI FAMILY DISTRICT).

_____

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

SECTION 1. The zoning of a 1.82-acre site located at the northeast corner of 21st Street and Turney Avenue in a portion of Section 22, Township 2 North, Range 3 East, as described more specifically in Exhibit “A,” is hereby changed from “R-3” (Multifamily Residence District) to “R-5” (Multifamily Residence District).

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

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

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

1. The maximum number of dwelling units shall be 64.

2. The building height shall be limited to a maximum 3 stories and 39 feet within 37 feet of the Turney Avenue property line and within 45 feet of the 21st Street property line.

3. The landscape setback along 21st Street shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.

4. A minimum 40-foot building setback shall be provided along the north property lines, as approved by the Planning and Development Department.

5. A minimum 5-foot sidewalk shall be constructed on the east side of 21st Street, adjacent to the development.

6. A minimum 5-foot-wide detached sidewalk, separated by a minimum 7-foot-wide landscape area, shall be constructed on the north side of Turney Avenue. The landscape area shall be planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.

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

7. All existing electrical utilities within the public right-of-way on 21st Street shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.

8. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.

9. 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.

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10. Bicycle parking shall be provided at a minimum rate of 0.25 spaces per unit, up to a maximum of 50 spaces, 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.

11. A minimum of three of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.

12. A bicycle repair station ("fix it station") shall be provided on the site. The station shall include, but not be limited to, standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.

13. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Installed Infrastructure, as approved by the Planning and Development Department.

14. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.

15. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.

16. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.

17. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.

18. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.

19. The property owner shall record documents that disclose the existence, and

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

20. 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.

21. Prior to final 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 13th day of November, 2024.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

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

By:

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_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

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

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-74-24-6

Maricopa County Assessor's Parcel Numbers 163-31-012 and 163-31-015

The land referred to herein is situated in a portion of the Southeast quarter of Section 22, Township 2 North, Range 3 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and is legally described as follows:

Parcel No. 1:

Lot 4 in Block 1, HOMESIDE ACRES, according to Book 20 of Maps, Page 18, records of Maricopa County, Arizona;

EXCEPT the North 100.00 feet; and

EXCEPT the South 90 feet.

Parcel No. 2:

The West 166.00 feet of the South 90.00 feet of Lot 4 in Block 1, HOMESIDE ACRES, according to Book 20 of Maps, Page 18, records of Maricopa County, Arizona.

Maricopa County Assessor's Parcel Number 163-31-014B

The land referred to herein is situated in a portion of the Southeast quarter of Section 22, Township 2 North, Range 3 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and is legally described as follows:

The West 77 feet of the East 134 feet of the South 90 feet of Lot 4, Block 1, of HOMESIDE ACRES, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 20 of Maps, Page 18;

EXCEPT any part thereof lying within the West 166 feet of the South 90 feet of said Lot 4, Block 1 of said subdivision.

Maricopa County Assessor's Parcel Number 163-31-013D

The land referred to herein is situated in a portion of the Southeast quarter of Section 22, Township 2 North, Range 3 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and is legally described as follows:

Parcel No. 1:

The East half of the following described property:

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The North 100 feet of Lot 4, Block 1, of HOMESIDE ACRES, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 20 of Maps, Page 18.

Except the West 100 feet.

Parcel No. 2:

An Easement for ingress and egress over the North 20 feet of the West 100 feet of the North 100 feet of Lot 4, Block 1, of HOMESIDE ACRES, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 20 of Maps, Page 18.

Parcel No. 3:

An Easement for ingress and egress of the North 20 feet of the following described property:

The West half of the following described property:

The North 100 feet of Lot 4, Block 1, of HOMESIDE ACRES, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 20 of Maps, Page 18.

Except the West 100 feet.

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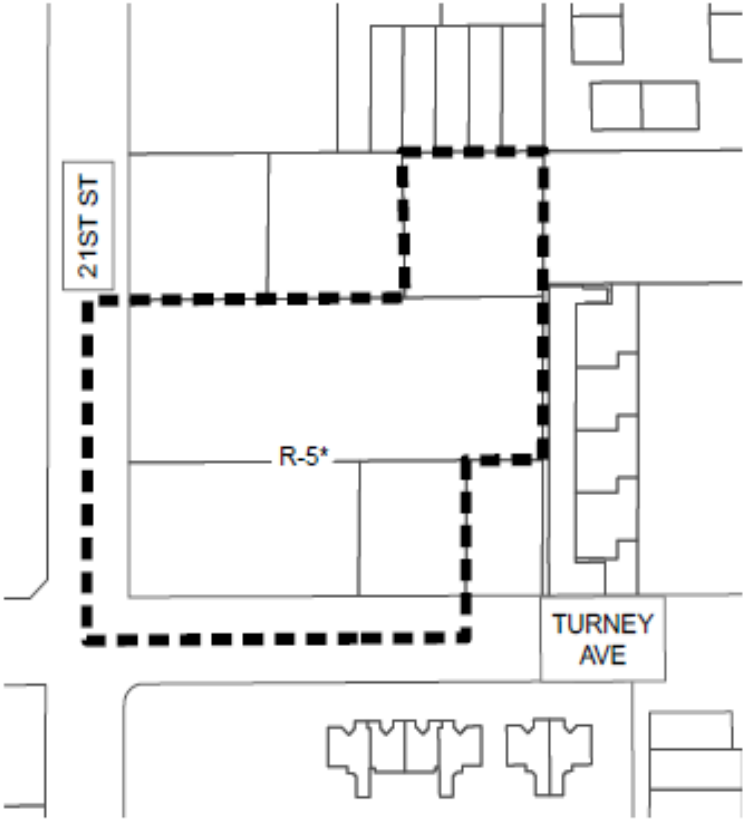
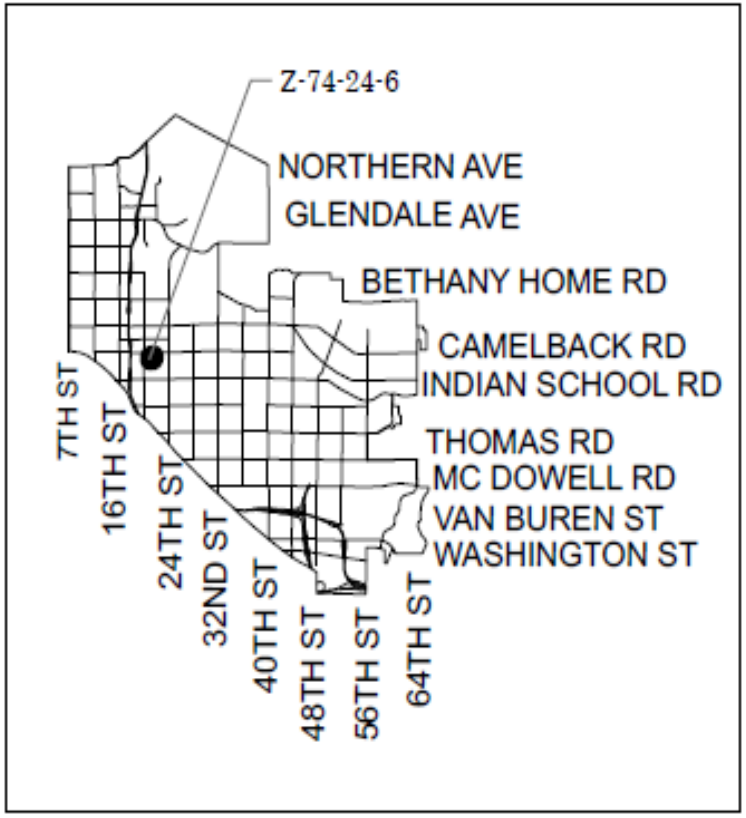
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-74-24-6
Zoning Overlay: N/A
Planning Village: Camelback





NOT TO SCALE

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Drawn Date: 10/11/2024

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ATTACHMENT B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-74-24-6
July 26, 2024

Camelback East Village Planning Committee Meeting Date:	August 6, 2024
Planning Commission Hearing Date:	September 5, 2024
Request From:	R-3 (Multifamily Residence District) (1.82 acres)
Request To:	R-5 (Multifamily Residence District) (1.82 acres)
Proposal:	Multifamily residential
Location:	Northeast corner of 21st Street and Turney Avenue
Owner:	4401 Turney Villas, LLC
Applicant/Representative:	Ashley Marsh, Gammage & Burnham, PLC
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Residential 10 to15 dwelling units per acre	
Street Map Classification	21st Street	Local	30-foot east half street
	Turney Avenue	Local	30-foot north half street

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on residential properties.

The proposal, as stipulated, will allow a new residential development in a neighborhood where there is a range of existing residential use types. As stipulated, the proposal will provide a large building setback along the north property lines to buffer the use from the single-family residences to the north.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Protect residential areas from concentrations of incompatible land uses that could change their character or destabilize land values.

The proposal is a compatible use of similar size and type in the surrounding neighborhood. The proposal will also complement the area by providing a range of housing types in accordance with the Housing Phoenix Plan.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The proposal, as stipulated, incorporates streetscape and design standards to promote a pedestrian-friendly environment along 21st Street and Turney Avenue that is compatible with the surrounding residential development in the area.

R-5 (Multifamily Residence District) Subdivision Development Option		
Standards	**Requirements**	**Site Plan Provisions**
Gross Acres	-	1.82 acres
Maximum Dwelling Units	79	75 (Met)
Maximum Density (dwelling units/acre)	43.5	41.21 (Met)
Maximum Building Height	4 stories or 48 feet	4 stories and 48 feet (Met)
Minimum Building Setbacks		
North (side)	3 feet	46 feet (Met)
East (rear)	15 feet	48 feet (Met)
West (21st Street, front)	20 feet	10 feet (Not Met*)
South (Turney Avenue, side)	10 feet	9 feet (Not Met*)
Minimum Landscape Setbacks		
North (side)	5 feet	5 feet (Met)
East (rear)	5 feet	5 feet (Met)
West (21st Street, front)	20 feet	10 feet (Not Met*)
South (Turney Avenue, side)	10 feet	9 feet (Not Met*)
Lot Standards		
Minimum Open Space	5 percent	5.26 percent (Met)
Maximum Lot Coverage	50 percent	15 percent (Met)
Minimum Parking	113 vehicular spaces	96 vehicular spaces (Not Met*)

**Site plan modification required or variance must be obtained.*

Applicable Plans, Overlays, and Initiatives
Phoenix Climate Action Plan – See Background Item No. 6.
Housing Phoenix Plan – See Background Item No. 7.
Tree and Shade Master Plan – See Background Item No. 8.
Transportation Electrification Action Plan – Background Item No. 9.
Complete Streets Guiding Principles – See Background Item No. 10.
Comprehensive Bicycle Master Plan – See Background Item No. 11.
Zero Waste PHX – See Background Item No. 12.
Conservation Measures for New Development – See Background Item No. 13.

Surrounding Land Uses and Zoning		
	Land Use	**Zoning**
On Site	Single-family and multifamily residential	R-3
North	Single-family and multifamily residential	R-3
West (across 21st Street)	Multifamily residential	R-5
East	Multifamily residential	R-3
South (across Turney Avenue)	Multifamily residential	R-5

Background/Issues/Analysis

SUBJECT SITE

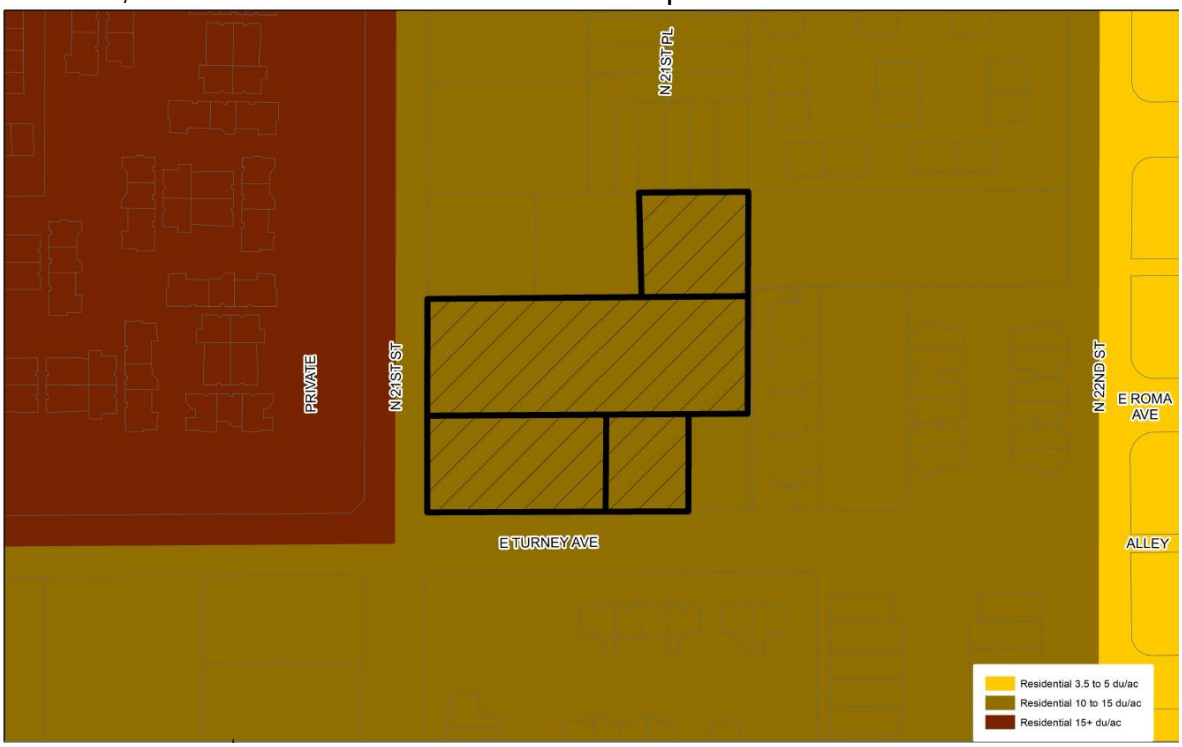
1. This request is to rezone 1.82 acres located at the northeast corner of 21st Street and Turney Avenue, from R-3 (Multifamily Residence District) to R-5 (Multifamily Residence District) for a multifamily residential development.

SURROUNDING LAND USES AND ZONING

2. There are single-family and multifamily residences to the north zoned R-3 (Multifamily Residence District), and to the south, across Turney Avenue is a multifamily residential development zoned R-5 (Multifamily Residence District). To the west, across 21st Street, is a multifamily residential development zoned R-5 (Multifamily Residence District).

GENERAL PLAN LAND USE MAP

3. The General Plan Land Use Map depicts the subject site and the properties to the north, south and east with a designation of Residential 10 to 15 dwelling units per acre. The area to the west, across 21st Street, has a General Plan Land Use Map designation of Residential 15+ dwelling units per acre. The request to rezone the site to R-5 is not consistent with the General Plan Land Use Map designation, however, a General Plan Amendment is not required as the site is under 10 acres.



General Plan Land Use Map; Source: Planning and Development Department

PROPOSAL

4. The site plan, attached as an exhibit, proposes a 75-unit multifamily residential development with an outdoor amenity area, pool, clubhouse, and gym. The site plan includes 96 parking spaces along the northern sides of the building, secured bicycle parking in the residential building and in the northeast parking lot. Full driveway access to the parking lots will be from 21st Street and Turney Avenue. Landscaping along the northern property line will include trees and shrubs to provide added buffering along the property perimeter. A detached sidewalk along Turney Avenue and an attached sidewalk along 21st Street will provide pedestrian connections to the adjacent residential developments in the area. The sidewalks will include trees for shade coverage. Due to the need to seek variances for the patio projections within the building and landscape setbacks along 21st and Turney Avenue and a reduction in parking, staff does not recommend general conformance to the site plan. Staff recommends Stipulation Nos. 1, 2, 4, and 15 to

provide an enhanced pedestrian environment, shade, and an enhanced setback along the north property lines.

5. The conceptual elevations attached as an exhibit, demonstrate four-sided architecture with a building height of 48 feet with various architectural features including fenestrations, shade devices, balcony railings and a smooth exterior finish. The building includes windows, entry accent features and neutral color tones to complement the existing residential developments along 21st Street and Turney Avenue.

STUDIES AND POLICIES

6. **Phoenix Climate Action Plan:**
In October 2021, the Phoenix City Council approved the Climate Action Plan. The Climate Action Plan will serve as a long-term plan to achieve greenhouse gas emissions reductions and resiliency goals from local operations and community activities as well as prepare for the impacts of climate change. This plan contains policy and initiatives regarding stationary energy, transportation, waste management, air quality, local food systems, heat, and water. Goal W2 (Water), Action W2.4, pertains to the implementation of the Greater Phoenix Green Infrastructure (GI) and Low Impact Development Details for Alternative Stormwater Management to benefit the environment, promote water conservation, reduce urban heat, improve the public health, and create additional green spaces. This goal is addressed in Stipulation No. 16, which requires a minimum of two GI techniques for stormwater management to be implemented in this development.

7. **Housing Phoenix Plan:**
In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposal supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion. The proposal includes 75 units which includes studios, one- and two-bedroom units.

8. **Tree and Shade Master Plan:**
The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. The proposal, as stipulated, will create a streetscape environment with a shaded and detached sidewalk and the parking lot landscaping will include shade trees. These

are addressed in Stipulation Nos. 1, 3, 4, and 15.

9. **Transportation Electrification Action Plan:**
In June 2022, the Phoenix City Council approved the Transportation Electrification Action Plan. The current market desire for the electrification of transportation is both a national and global phenomenon, fueled by a desire for better air quality, a reduction in carbon emissions, and a reduction in vehicle operating and maintenance costs. Businesses, governments, and the public are signaling strong future demand for electric vehicles (EVs), and many automobile manufacturers have declared plans for a transition to fully electric offerings within the coming decade. This Plan contains policy initiatives to prepare the City for a future filled with more EVs, charging infrastructure and e-mobility equity, and outlines a roadmap for a five-step plan to prepare for the EV infrastructure needs of 280,000 EVs in Phoenix by 2030. One goal of the Plan to accelerate public adoption of electric vehicles through workplace, business, and multifamily charging infrastructure recommends a standard stipulation for rezoning cases to provide EV charging infrastructure. This is addressed in Stipulation Nos. 9 and 11.

10. **Complete Streets Guiding Principles:**
The City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. The proposed development, as stipulated, will support walking, bicycling, and transit-use by including bicycle parking on the site, by including a bicycle repair (fix it) station to help patrons keep their bikes in a state of good repair, and by constructing a shaded and detached sidewalk along 21st Street. These are addressed in Stipulation Nos. 4 through 10.

11. **Comprehensive Bicycle Master Plan:**
The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its bikeway system and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. As stipulated, the development will provide a bicycle repair station and bicycle parking spaces per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. This is addressed in Stipulation Nos. 8 and 10.

12. **Zero Waste Phoenix PHX:**
The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. The proposal includes the placement of a recycling receptacle will be provided for residential use.

13. **Conservation Measures for New Development:**
In June 2023, the Phoenix City Council adopted the Conservation Measures for New Development policy as part of a resolution addressing the future water consumption of new development (Resolution 22129). This resolution addresses the future water consumption of new development to support one of the City's Five Core Values in the General Plan which calls for Phoenix to - *Build the Sustainable Desert City*. The Conservation Measures for New Development policy includes direction to develop standards for consideration as stipulations for all rezoning cases that will address best practices related to water usage in nine specific categories. This is addressed in Stipulation Nos. 12 through 16.

COMMUNITY CORRESPONDENCE

14. As of the writing of this report, no community correspondence has been received.

INTERDEPARTMENTAL COMMENTS

15. The Street Transportation Department identified that this subject site is within the 20th Street bicycle corridor which is consistent with bicycle and pedestrian infrastructure development. The 20th Street Improvement Project is currently under construction and is designed to greatly enhance connectivity with existing and planned bicycle and pedestrian infrastructure and transit service for this transportation corridor and throughout the Camelback East Village Core. On-site bicycle lockers, fix-it stations, and other infrastructure should be considered as part of the residential development. This is addressed in Stipulations Nos. 8 and 10. The Street Transportation Department also required an attached sidewalk on 21st Street, a detached sidewalk on Turney Avenue, that utilities be undergrounded, and all street improvements be made to City and ADA standards. These are addressed in Stipulation Nos. 3 through 7.

OTHER

16. The Aviation Department requested that the property owner record documents that disclose the existence and operational characteristics of Sky Harbor Airport to future owners or tenants of the property. This is addressed in Stipulation No. 17.

17. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 18.

18. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to final site plan approval. This is addressed in Stipulation No. 19.

19. Development and use of the site are subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments may be required.

Findings:

1. The proposal is appropriate at this location and is consistent with the scale and existing uses in the surrounding area.

2. The proposal, as stipulated, will incorporate landscaping and shading that will enhance the location, consistent with General Plan goals and principles.

3. The proposal will create additional housing options in line with the Housing Phoenix Plan's goal of preserving or creating 50,000 housing units by 2030.

Stipulations:

1. The landscape setback along 21st Street shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.

2. A minimum 40-foot building setback shall be provided along the north property lines, as approved by the Planning and Development Department.

3. A minimum 5-foot sidewalk shall be constructed on the east side of 21st Street, adjacent to the development.

4. A minimum 5-foot-wide detached sidewalk, separated by a minimum 7-foot-wide landscape area, shall be constructed on the north side of Turney Avenue. The landscape area shall be planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.

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

5. All existing electrical utilities within the public right-of-way on 21st Street shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.

6. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.

7. 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.

8. Bicycle parking shall be provided at a minimum rate of 0.25 spaces per unit, up to a maximum of 50 spaces, 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.

9. A minimum of three of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.

10. A bicycle repair station (“fix it station”) shall be provided on the site. The station shall include, but not be limited to, standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.

11. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Installed Infrastructure, as approved by the Planning and Development Department.

12. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.

13. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.

14. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.

15. A minimum of 25% of the surface parking areas shall be shaded, as approved by

the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.

16. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.

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

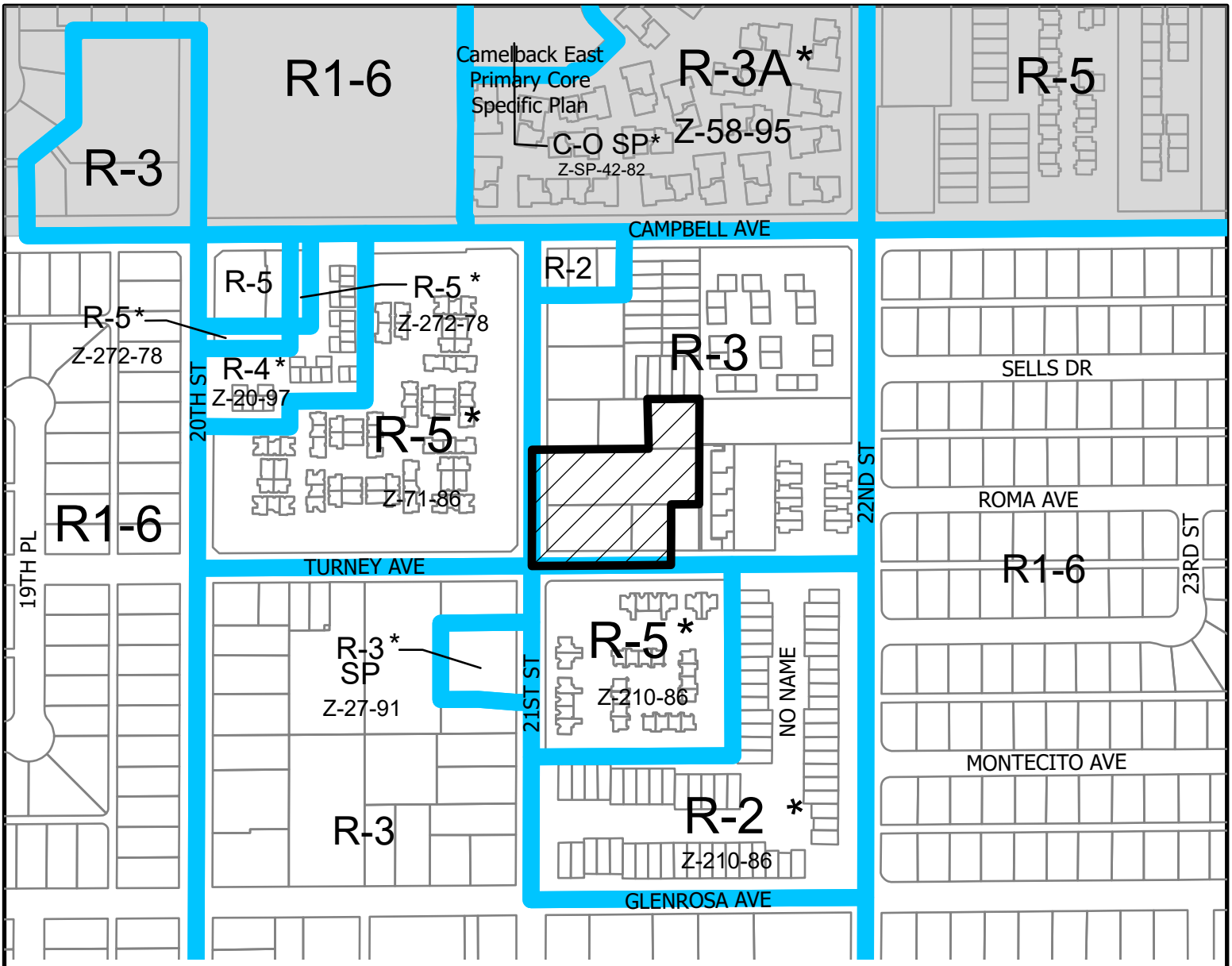
18. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

19. Prior to final 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.

Writer
John Roanhorse
July 26, 2024

Team Leader
Racelle Escolar

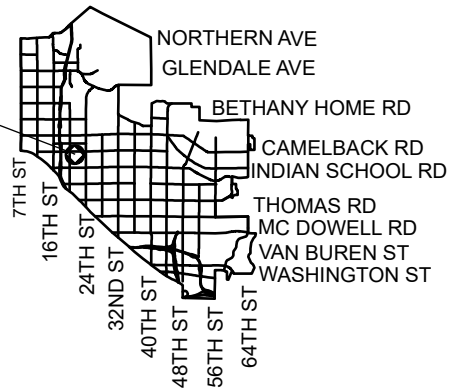
Exhibits
Zoning sketch map
Aerial sketch map
Conceptual Site Plan date stamped May 30, 2024
Conceptual Building Elevations date stamped May 30, 2024 (2 pages)



CAMELBACK EAST VILLAGE

COUNCIL DISTRICT: 6

Z-74-24



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	Gammage & Burnham, PLC
APPLICATION NO:	Z-74-24
DATE:	6/24/2024
REVISION DATES:	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	1.82Acres
AERIAL PHOTO & QUARTER SEC. NO.	QS 17-32
ZONING MAP	H-9

REQUESTED CHANGE:

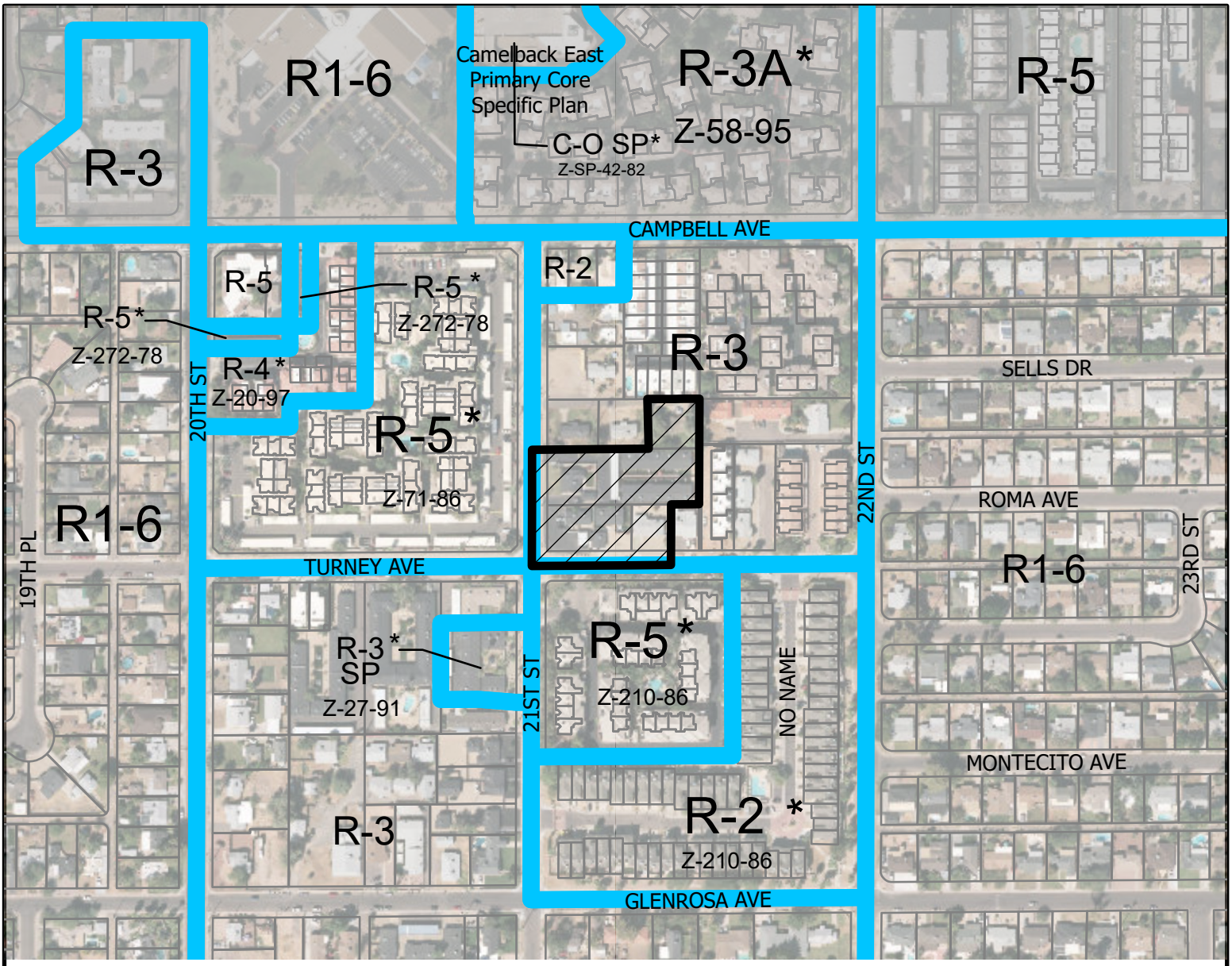
FROM: R-3 (1.82 a.c.)

TO: R-5 (1.82 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D OPTION
R-3	26	31
R-5	79	95

* Maximum Units Allowed with P.R.D. Bonus

Path: S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\sketch_maps\2024\Z-74-24.aprx



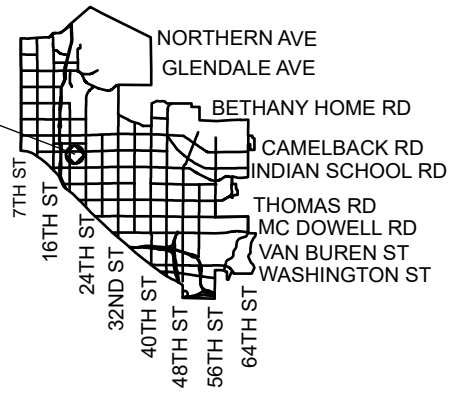
N

0 0.03 0.06 0.11 Miles

CAMELBACK EAST VILLAGE

COUNCIL DISTRICT: 6

Z-74-24



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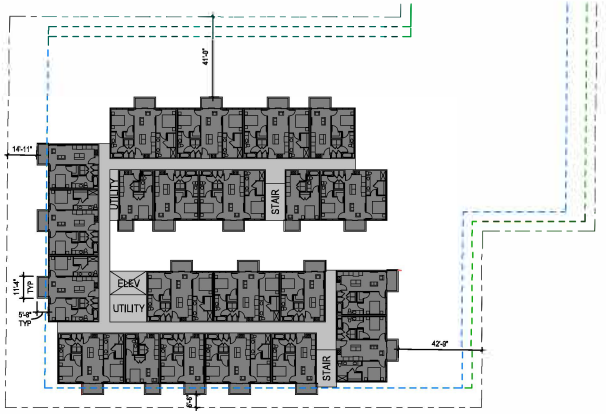
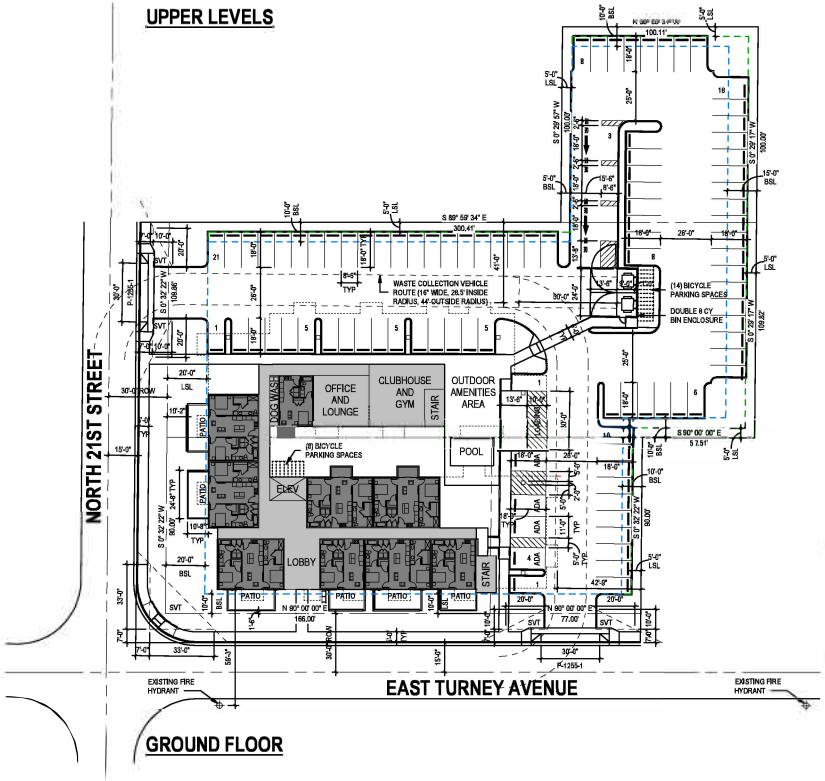


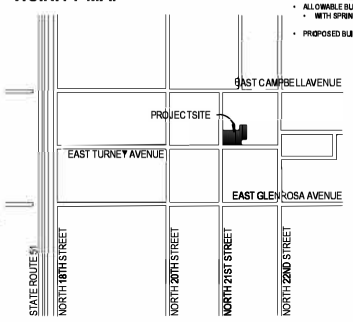
UPPER LEVELS



GROUND FLOOR

1 ARCHITECTURAL SITE PLAN
1" = 30'-0"

VICINITY MAP



PROJECT INFORMATION

SITE DATA

- PROPERTY OWNER: 4401 TURNEY VILLAS LLC
  7373 E DOUBLETREE RANCH RD, SUITE 1
  SCOTTSDALE AZ USA 8525 1
  602.680.6330
- DESIGN PROFESSIONAL: KENZY ARCHITECTURE & INTERIORS
  2390 E CAMELBACK RD, SUITE 130
  PHOENIX, AZ 85016
  602.626.8792
- PROPERTY ADDRESSES AND ASSESSOR PARCEL NUMBERS: 4401 NORTH 21 ST STREET
  PHOENIX, ARIZONA 85016
  163-31-012
  15,213.59 SF (NET) / 23, 35 .62 SF (GROSS)

  218 EAST TURNEY AVENUE
  PHOENIX, ARIZONA 85016
  163-31-014B
  7,07.09 SF (NET) / 9,288.29 SF (GROSS)

  4405 NORTH 21 ST STREET
  PHOENIX, ARIZONA 85016
  163-31-015
  33,091.32 SF (NET)/ 35,288.14 SF (GROSS)

  4421 NORTH 21ST STREET
  PHOENIX, ARIZONA 85016
  163-31-013D
  8,955.35 SF (NET AND GROSS)

  (LOT COMBINATION REQUEST FOR ALL FOUR PARCELS)
- SITE SQUARE FOOTAGE | ACREAGE: 65, 337.75 SF / 1.50 ACRES (NET)
  79,258.60 S F / 1.81 ACRES (GROSS)
- PROPOSED PHASING: THIS IS NOT A PHASED PROJECT
- EXISTING ZONING: R-3
- PROPOSED ZONING: R-5
  (REZONE REQUEST FROM R-3 TO R-5)
- R-5 DEVELOPMENT OPTION: (A) SUBDIVISION
- ALLOWABLE / PROPOSED DENSITY: 43.5 DU/ACRE / 41.2 DU/ACRE
- ALLOWABLE / PROPOSED HEIGHT: 4 STORIES (48'-0") / 4 STORIES (46'-0")
- ALLOWABLE / PROPOSED LOT COVERAGE: 50% / 15%
- REQUIRED / PROPOSED COMMON AREA: 3,955 SF / 4, 175 SF

MINIMUM BUILDING SETBACKS

- REQUIRED / PROPOSED FRONT (21 ST STREET): 20'-0" / 22'-1"
- REQUIRED / PROPOSED STREETSIDE (TURNEY AVENUE): 10'-0" / 10'-4"
- REQUIRED / PROPOSED INTERIOR SIDES (NORTH, WEST, AND SOUTH): 5'-0" / 46'-10"
- REQUIRED / PROPOSED REAR (EAST): 15'-0" / 46'-9"

UNIT MIX

• STUDIO UNITS	(13%)	10 UNIT S
• 1 BED UNITS	(31%)	23 UNITS
• 2 BED UNITS	(56%)	42 UNITS
• TOTAL UNITS		75 UNITS

UNIT TYPES PER LEVEL

- STUDIO UNITS: 3 (1 ON LEVEL 1)
- 1 BED UNITS: 7 (2 ON LEVEL 1)
- 2 BED UNITS: 12(4 ON LEVEL 1)

TYPICAL UNIT SF

- STUDIO UNITS: 423 SF
- 1 BED UNITS: 547 SF
- 2 BED UNITS: 630 SF

PARKING COUNT

- PARKING REQUIRED
  - VEHICULAR PARKING (1.5 X 75 UNIT S): 1 12.5 VEHICULAR STALLS
  - ACCESSIBLE PARKING (2% - 100 STALLS): 4 ACCESSIBLE STALLS
  - LOADING SPACE S (26 - 150 D WELLING UNITS): 1 LOADINGS PACE
  - BICYCLE PARKING (0.25 X 75 UNITS): 18.75 BICYCLE STALLS
- PARKING PROVIDED
  - VEHICULAR PARKING (100% UNRESERVED): 86 STALLS
  - PERPENDICULAR PARKING: 69 PERPENDICULAR STALLS
  - PARALLEL PARKING: 3 PARALLEL STALLS
  - ACCESSIBLE PARKING: 4 ACCESSIBLE STALLS
  - LOADING SPACES: 1 LOADINGS PACE
  - BICYCLE PARKING: 22 BICYCLE STALLS

BUILDING DATA

- BUILDING AREA
  - LEVEL 1: 1,1 76 SF
  - LEVEL 2: 19,544 SF
  - LEVEL 3: 19,544 SF
  - LEVEL 4: 19,544 SF
  - TOTAL: 70,342 SF
- OCCUPANCY CLASSIFICATION: R-2 RESIDENTIAL
- BUILDING TYPE: TYPE IIIB
- ALLOWABLE BUILDING AREA / HEIGHT / STORIES: 24,000 SF / 60 FT / 4 STORIES
  - WITH SPRINKLER INCREASE: 90,00 SF / 60 FT / 4 STORIES
- PROPOSED BUILDING AREA / HEIGHT / STORIES: 70,342 SF / 48 FT / 4 STORIES

KIVA PROJECT #	24-189	ZONING CASE #	###
SDEV #	2400063	PAPP / FACT #	2400838

APPROVAL STAMP AREA

KENZY
architecture & interiors
2390 EAST CAMELBACK ROAD
SUITE 130
PHOENIX, ARIZONA 85016
P: 6026208792
WWW.KENZYARCHITECTS.COM

CITY OF PHOENIX
MAY 30 2024
Planning & Development Department

TURNEY VILLAS APARTMENTS

4401 TURNEY VILLAS LLC

4401 NORTH 21ST STREET
PHOENIX, ARIZONA 85016

DELTA REVISIONS

#	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

PROJECT # 2301 0
ISSUE DATE: 05.30.2024
ISSUE NAME: PHOENIX SET
PLOT DATE: 5/24/2024 11:45:57 PM

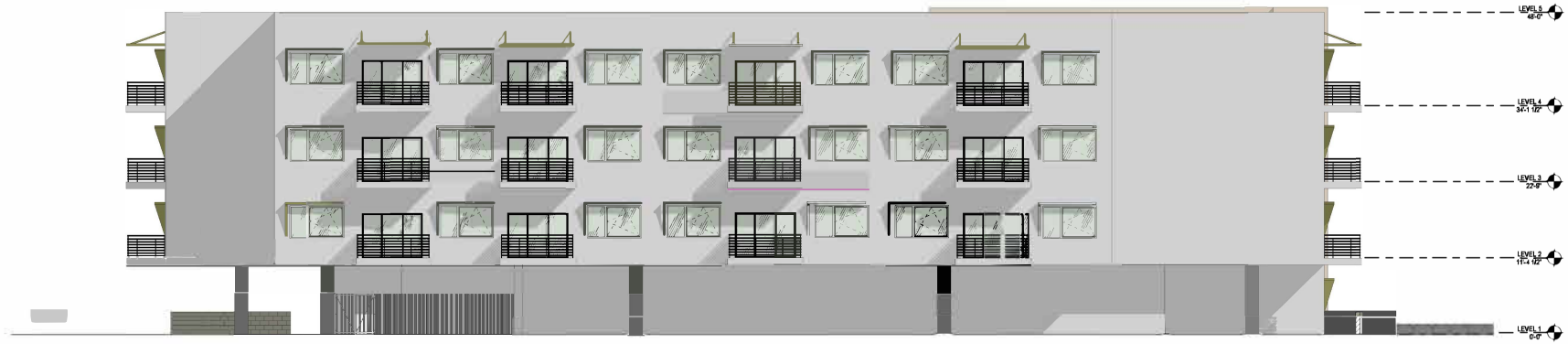
A011
ARCHITECTURAL SITE PLAN

GENERAL NOTES (EXTERIOR ELEVATIONS)

KENZY
architecture & interiors
2390 EAST CAMELBACK ROAD
SUITE 130
PHOENIX, ARIZONA 85016
P: 6026208792
WWW.KENZYARCHITECTS.COM

CITY OF PHOENIX
MAY 30 2024
Planning & Development Department

2 EXTERIOR ELEVATION_SOUTH
1/8" = 1'-0"



1 EXTERIOR ELEVATION_NORTH
1/8" = 1'-0"

TURNEY VILLAS APARTMENTS

4401 TURNEY VILLAS LLC
4401 NORTH 21ST STREET
PHOENIX, ARIZONA 85016

DELTA REVISIONS

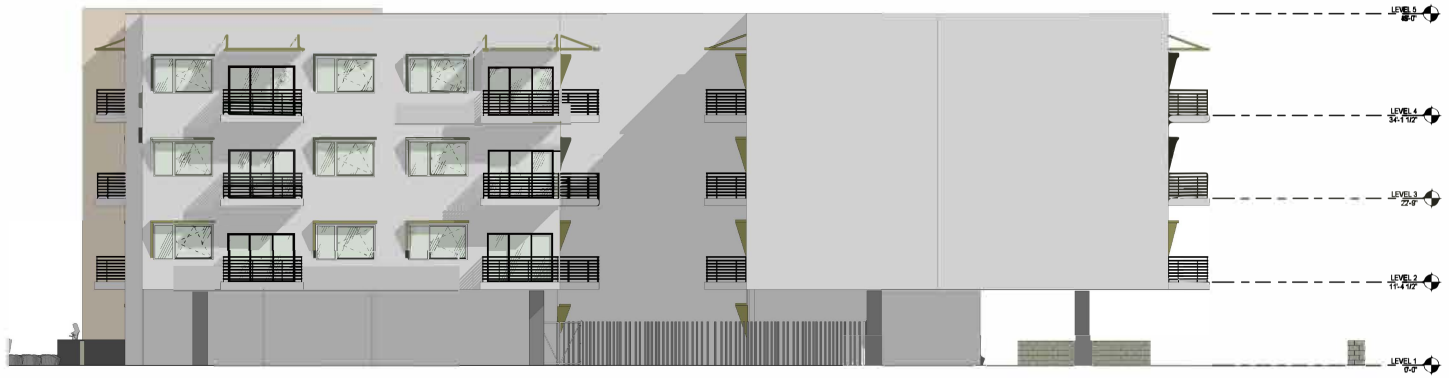
NOT FOR CONSTRUCTION

A201
EXTERIOR ELEVATIONS N/S

GENERAL NOTES (EXTERIOR ELEVATIONS):

KENZY
architecture & interiors
2390 EAST CAMELBACK ROAD
SUITE 130
PHOENIX, ARIZONA 85016
P: 6026208792
WWW.KENZYARCHITECTS.COM

2 EXTERIOR ELEVATION_WEST
1/8" = 1'-0"



1 EXTERIOR ELEVATION_EAST
1/8" = 1'-0"

CITY OF PHOENIX
MAY 30 2024
Planning & Development Department

TURNEY VILLAS APARTMENTS

4401 TURNEY VILLAS LLC
4401 NORTH 21ST STREET
PHOENIX, ARIZONA 85016

DELTA REVISIONS

NOT FOR CONSTRUCTION

A202
EXTERIOR ELEVATIONS E/W

ATTACHMENT C

Camelback East
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-74-24-6

Date of VPC Meeting	August 6, 2024
Request From	R-3
Request To	R-5
Proposal	Multifamily residential
Location	Northeast corner of 21st Street and Turney Avenue
VPC Recommendation	No recommendation
VPC Vote	n/a

VPC DISCUSSION:

Eight members of the public registered to speak on this item in opposition.
Seven members of the public registered in opposition, not wishing to speak.

STAFF PRESENTATION:

John Roanhorse, staff, provided a summary overview of the rezoning request noting that the committee will vote on the case. Mr. Roanhorse discussed the proposal location, the existing and proposed zoning districts, and surrounding land uses and adjacent streets. Mr. Roanhorse displayed the site plan, development standards for building height, parking, site access, setbacks, streetscapes and open space. Mr. Roanhorse discussed the General Plan Land Use Map designation. Mr. Roanhorse displayed and reviewed the staff findings and recommendation for approval subject to stipulations.

APPLICANT PRESENTATION:

Ashley Marsh representing the applicant with Gammage & Burnham, PLC introduced herself and recognized Michelle Santoro, with Gammage & Burnham, PLC and Mr. Richard Kafka who developed the Tapatio hotel. Ms. Marsh stated that Mr. Kafka is pleased with the opportunity to bring this proposal forward and has extensive expertise in project development. Ms. Marsh reviewed the details of the site including location, size, history, and current layout of the site. Ms. Marsh stated the location is underutilized compared to many of the adjacent residences in the area. Ms. Marsh noted the proximity of the site in relation to the Camelback Corridor which is an important feature for residential

development that is situated near commercial uses to the north and south. Ms. Marsh stated the site currently is zoned R-3 and is within an existing multi-family residential district area with R-5 zoning built up to three stories which includes the adjacent Dakota and Biltmore Commons. Ms. Marsh said that the multifamily residential designs of the area have various options with urban design concepts. Ms. Marsh stated the current site has 1970's styled architecture and no perimeter sidewalks and are single story in an area where there are multi-story residences. Ms. Marsh displayed a site plan and reviewed the details noting the height of 48 feet, four stories, and that the buildings are placed closer to the corner with significant setbacks to create an urban concept for building massing on the streetscape. Ms. Marsh stated the proposal has 75 units with a mix of studio, one bedroom and two-bedroom units and the first floor will accommodate amenities for the proposal. Ms. Marsh stated the ground level around the building will include 22 parking spaces, enhanced landscaping and setbacks situated away from the adjacent properties. Ms. Marsh displayed conceptual elevations and stated the proposed design fits in the existing neighborhood and with the patios there is connection to pedestrian activity. Ms. Marsh stated the proposal does meet the city's Housing Phoenix Plan, the Tree and Shade Master Plan by including 25 percent shading and will include electrical vehicle charging. Ms. Marsh stated the proposal include bicycle amenities for charging and is within the Bicycle Master Plan area. Ms. Marsh said a neighborhood meeting was held and there was support and concerns expressed by neighbors including privacy, increased traffic and building height. Ms. Marsh stated Mr. Will Kahili with Lokahi conducted a traffic study and the results was the additional trips in the area would be minimal.

QUESTIONS FROM THE COMMITTEE:

Committee Member Paceley asked if the sidewalks were detached. **Ms. Marsh** responded that the current site plan is outdated and the sidewalk along Turney Avenue will be detached and the sidewalk along 21st Street will be attached, and this is consistent with the Street Transportation Department requirements.

PUBLIC COMMENTS:

Lee Busenbark introduced herself as a resident from a neighborhood next to the proposed site. Ms. Busenbark stated there is limited traffic access to the neighborhood where the proposed site is located. Ms. Busenbark stated that speed cushions were installed on 20th Street but there has been an increase in traffic due to the development in the area. Ms. Busenbark stated there is a housing shortage, but there is a shortage of single-family developments and there is more multifamily development that removes single family residences. Ms. Busenbark asked why are there no attached or semi-attached and single-family developments being built. Ms. Busenbark stated that there should be opportunities for homeowners who have a greater stake in neighborhoods rather than commercial rental owners.

Robert Greenberg introduced himself and stated he resides in a townhome on 21st Street which faces the parking lot of the proposed development. Mr. Greenberg stated the location

of the parking lot is problematic due to increased traffic noise and lighting and said with school traffic there are more drivers in the area. Mr. Greenberg stated that with kids being picked up and dropped off this is a safety issue, and a traffic light is needed. Mr. Greenberg stated that the existing single-family homes on the site add quality to the area. Mr. Greenberg stated that development needs to address affordable housing, the parking lot poses a problem and the increased traffic at the intersection needs to be addressed, and the site needs appropriate fencing, and the architecture of the proposal should add to the neighborhood**.**

John Paletta introduced himself and stated he resides on Glenrosa Avenue. Mr. Paletta displayed maps of the area and stated he has been following development in the neighborhood for 20 years and is aware of some of the historic details. Mr. Paletta stated he is concerned the proposal is being fast tracked and there was not sufficient information provided. Mr. Paletta stated that there have been previous high-density proposals that were defeated, and the more recent developments have been two stories which is not consistent with the existing building height in the area. Mr. Paletta stated the neighbors in the area have opposed higher densities to maintain the quality of the area. Mr. Paletta said that it would be beneficial if the presentation was for information only and a recommendation meeting should be conducted at a later date as a better option for the neighborhood.

Agnes Fickera introduced herself and stated she has lived on 22nd Street for 26 years and witnessed lots of development. Ms. Fickera stated that the church on Campbell Avenue has been overlooked and like the school will be impacted by increased traffic resulting from the development. Ms. Fickera stated there has been so much multifamily development in the area of the proposed site that traffic and parking have become significant issues. Ms. Fickera stated she does not support a 70-unit, four-story development in the neighborhood.

Ashley Bunch introduced herself and noted that the applicant appears to be intransigent and unwilling to work with the neighborhood. Ms. Bunch stated that the applicant has discussed the details of the project without addressing the concerns expressed by the community. Ms. Bunch stated that the applicant is not responsive to the concerns. Ms. Bunch stated that there is concern with the building height and privacy. Ms. Bunch requested that the committee ask the applicant to adjust their plans in response to the concerns that have been expressed by the neighborhood representatives.

Melissa Rhodes introduced herself as a resident of Peters View Neighborhood and expressed concern with the increased density and the recent trend of gigantic residential buildings that have been approved. Ms. Rhodes stated that the applicant has not adequately addressed the increased traffic and with the school and church in the area there will be significant problems. Ms. Rhodes said that the approval of large developments without addressing increased traffic is a problem for residents. Ms. Rhodes stated that this request has been rushed and there should be an informational meeting as part of the review. **Vice Chair Fischbach** responded that PUD (Planned Unit Development) projects have an information only meeting and rezoning requests only have one committee review meeting, and this proposal is a rezone request.

Royden Hudnall introduced himself as a resident east of the proposed site. Mr. Hudnall stated he agrees with the neighbors regarding all the noted concerns including density, height and traffic. Mr. Hudnall said the main concern he has is the precedent that this development will have for the neighborhood and there are no four-story developments south of Campbell Avenue and there is R-5 zoning in the area, but none are four stories. Mr. Hudnall stated that the transition between R-3 zoning, and R-5 represents an excessive increase that will be seen by other developers who will pursue similar actions on small lots in the area. Mr. Hudnall stated this proposal reflects a drastic change that will undermine the character of the neighborhood permanently if this project is approved. Mr. Hudnall stated that he met with the developer, but he does not understand how drastic this change will be to the community. Mr. Hudnall stated he has initiated a petition to block the proposal that has over 160 signatures. Mr. Hudnall invited any meeting participants to sign the petition if interested. **Vice Chair Fischbach** asked Mr. Hudnall about a message sent to the developer, and if there was a request for an agreement regarding the proposal. Mr. Hudnall stated that Mr. Kafka contacted him to see if there was an opportunity to come to an agreement regarding support for the proposal. Vice Chair Fischbach asked if there was a request for access privileges to the development. Mr. Hudnall stated that the proposal would impact the adjacent home values and by having access to the pool may promote the neighboring home values to offset negative equity. Vice Chair Fischbach asked if there was a request for an easement. Mr. Hudnall stated that he asked for an agreement but not an easement for neighborhood access but there was no conclusion.

Kathy DeLorey introduced herself and stated she has resided on Roma Avenue for 35 years. Ms. DeLorey stated that she greatly appreciates the area and neighbors who have invested in the community. Ms. DeLorey stated the proposal is an invasion into the existing neighborhood and asked the committee to deny the rezoning request, for all the concerns voiced by the previous speakers. Ms. DeLorey asked that the presentation to the Planning Commission on September 5, 2024, be rescheduled to allow more time for review and to educate the neighborhood about the proposal. Mr. DeLorey stated that this proposal sets a precedent to allow four stories on interior streets of neighborhoods and with narrow streets on-street parking is not safe. Ms. DeLorey stated that four story complexes should be built on collector streets not on internal streets. Ms. DeLorey stated that with the proposal having rentals, this will be more tenants and cars than expected will increase traffic in the area. Ms. DeLorey expressed that she was instrumental in the installation of speed humps to reduce cut through traffic from 24th Street. Ms. DeLorey stated she has signed the petition and is opposed to the proposed development.

APPLCIANT RESPONSE:

Ashley Marsh thanked the committee and members of the public for their feedback. Ms. Marsh stated they sent out over 450 pieces of mail to provide as much notification as possible. Ms. Marsh stated the proposal is not a PUD, just a regular rezoning case. Ms. Marsh stated they have been answering questions from the neighbors to consider access to some amenities and other possible agreements. Ms. Marsh stated that the proposal is an infill site and is in a desirable area for multifamily residences and suitable for R-5

development. Ms. Marsh stated the site plan was carefully developed to respond to the adjacent neighbors and provide landscaping and street frontage. Ms. Marsh stated that at the neighborhood meeting a site line exhibit was presented to mitigate impacts to the neighborhood. Ms. Marsh stated that a traffic study was conducted which determined that the number of trips at different times was suitable and the study was conducted by an engineer.

Committee Member Jurayeva stated that with the concerns regarding visibility to the neighbors asked what has been done to address the angles of view. **Ms. Marsh** displayed the site exhibit and responded that the placement of the building is approximately 100 feet from the property line and there are six residences along the perimeter, so this reduces any direct view lines.

Committee Member Augusta noted that a school was mentioned, and asked what is the location and how site lighting would be managed. Ms. Marsh responded that the school is one block north of the proposed site and site lighting will be down lit. Committee Member Augusta asked what would be the height of the light poles. Ms. Marsh responded that the poles would be in the parking lot and illuminate directly downward.

Vice Chair Fischbach asked what kind of school is located near the site. Ms. Marsh responded that it is Camelview Elementary School, located one block to the north.

Committee Member Grace asked is there will be a wall or landscaping along the east perimeter of the site. **Ms. Marsh** responded that there will be a 6-foot perimeter wall along the eastern side of the site.

Committee Member Whitesell asked if the units would be rentals or owner occupied and if the applicant knew what the surrounding residences were. **Ms. Marsh** responded that yes, the proposed development would be rental units and the majority of the surrounding units are multifamily condominiums which can be owned or rented. Committee Member Whitesell commented that the city is pursuing a targeted housing quantity with various types and asked what is the expected rental price range. Ms. Marsh responded that the rentals would be available at market rate. Committee Member Whitesell stated that from the Phoenix Housing Plan there is a distinguished quantity of the missing middle, including duplexes and triplexes for workforce housing remains deficient. Committee Member Whitesell stated that new developments need to focus on a variety of housing types and the proposed location would be ideal for workforce housing rather than market rate housing.

Committee Member Schmieder asked about the communication with the adjacent neighbors to accommodate amenities. **Ms. Marsh** responded the development is forward thinking and the site has been adjusted closer to the streetscape and provides buffering and landscaping. Ms. Marsh stated that there has been request for amenities such as a pickleball court but to make the project work the requested density would be needed.

Committee Member Guevar asked if the proposal is the tallest building in the neighborhood. Ms. Marsh responded that it would be the tallest building south of Campbell Avenue but not the tallest in the neighborhood. Committee Member Guevar asked if the project is not approved could changes be made. Ms. Marsh responded that since it is an infill site and there are fixed costs the project as presented is what works economically.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE.

Chair Swart asked the committee if there were other questions and asked if there was a motion for consideration.

MOTION:

Committee Member Jurayeva motioned to recommend approval of Z-74-24-6 per the staff recommendation. **Committee Member Beckerleg Thraen** seconded the motion.

Committee Member Jurayeva stated that in 2017 condominiums in the area were priced at $300,000 and now it is too expensive to buy a home and the proposal provides available housing. Committee Member Jurayeva stated that housing needs to be available for professionals working and commuting in the area and it is an infill site.

Chair Swart asked the committee if there was discussion on the motion before proceeding to a roll call vote.

Committee Paceley asked if members could explain their vote.

Committee Member Whitesell commented that he received the proposal information and drove the site and saw some of the homes in the area and did not see any problems initially. Committee Member Whitesell stated he reviewed the R-5 zoning requirements and certain things should be met in the district, and there should be continuity with the adjacent neighborhood and the neighbors have been heard and this project is not an enhancement to the area. Committee Member Whitesell stated that with a zoning comparison table, including the R-3 requirements would have been helpful to see the difference with the R-5 requirements to allow them to evaluate what impact it would have on the surrounding neighborhood. Committee Member Whitesell stated he will vote no but would entertain the idea of having the applicant come back to the committee, and this presentation would be for information only.

Committee Member Augusta stated that with the R-5 zoning the proposal does fit in the area and there does need to be more housing in the city and votes yes.

Committee Member Grace stated he votes no on the motion. Committee Member Grace stated that more housing is needed but going to four stories is not the only economically

viable reason and this was tried with a project on 44th Street and to fit in that neighborhood two-story units were built to be consistent with that neighborhood.

Committee Member Guevar stated that there are other solutions to address the housing issue that could focus on ownership not just rental property. Committee Member Guevar stated that no comparison of the zoning was presented between R-3 and R-5 and there maybe there is some creative opportunity to rethink the development to address density and possibly build to three stories. Committee Guevar stated he votes no.

Committee Member Jurayeva stated that with her experience housing was a challenge in 2017 with the current housing market people cannot obtain housing. Committee Member Jurayeva stated that nurses, teachers, and firefighters cannot afford to buy homes and there needs to be an alternative to live and commute to work. Committee Member Jurayeva stated people should have homes, so they do not have extended commutes to work and to the downtown area. Committee Jurayeva said the traffic study shows that this project is feasible and is in favor of this project moving forward.

Committee Member Paceley stated he does like the project, but it is not suitable for the location and R-3 might be more applicable for this proposal. Committee member Paceley stated he votes no.

Committee Member Schmieder stated she agrees with the neighborhood comments and there should be more interplay with the neighborhood. Committee Member Schmieder stated she votes no.

Committee Member Sharaby stated he has been on the committee for a while and favors residential development and respects Committee Member Jurayeva. Committee Member Sharaby stated that there are housing alternatives for professionals and the people have expressed their passion for their neighborhood. Committee Member Sharaby stated that too many projects get approved, and this proposal is not in the right location and the applicant can go back and rethink their situation. Committee Sharaby stated he votes no.

VOTE:

7-9; motion to recommend approval of Z-74-24-6 per the staff recommendation fails with Committee members Augusta, Bayless, Beckerleg Thraen, Garcia, Jurayeva, Fischbach and Swart in favor; and Committee members Eichelkraut, Grace, Guevar, O'Malley, Paceley, Schmieder, Sharaby, Whitesell and Williams opposed.

Chair Swart stated that the motion fails with seven votes in favor and nine in opposition.

No other motions were made on this item.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

ATTACHMENT D

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM A
Staff Report: Z-74-24-6
October 10, 2024

Camelback East Village Planning Committee Meeting Date:	August 6, 2024
Planning Commission Hearing Date:	October 10, 2024
Request From:	R-3 (Multifamily Residence District) (1.82 acres)
Request To:	R-5 (Multifamily Residence District) (1.82 acres)
Proposal:	Multifamily residential
Location:	Northeast corner of 21st Street and Turney Avenue
Owner:	4401 Turney Villas, LLC
Applicant/Representative:	Ashley Marsh, Gammage & Burnham, PLC
Staff Recommendation:	Approval, subject to stipulations

The purpose of this addendum is to revise the site plan and elevations on file to reflect updated documents submitted by the applicant.

The request is to rezone 1.82 acres located on the northeast corner of 21st Street and Turney Avenue from R-3 (Multifamily Residence District) to R-5 (Multifamily Residence District) for multifamily residential.

The Camelback East Village Planning Committee heard this case on August 6, 2024, and a motion for approval failed with a 7-9 vote. Therefore, no recommendation was forwarded to the Planning Commission.

On October 3, 2024 the applicant submitted a revised site plan and elevations. The revised site plan depicts a reduction in the number of units from 75 to 64. The revised elevations depict a reduction in building height along the Turney Avenue and 21st Street frontages from four stories (48 feet) to three stories (approximately 38 feet). The applicant reduced the number of units and the building height in response to community concerns regarding compatibility with the surrounding area. Staff recommends additional stipulations to ensure compliance with the reduced number of units and building height (see new Stipulation Nos.1 and 2).

Additional correspondence received after the publication of the staff report is also attached to this addendum.

Staff recommends approval, per the modified stipulations in **bold** font below:

Stipulations

1. **THE MAXIMUM NUMBER OF DWELLING UNITS SHALL BE 64.**

2. **THE BUILDING HEIGHT SHALL BE LIMITED TO A MAXIMUM 3 STORIES AND 39 FEET WITHIN 37 FEET OF THE TURNEY AVENUE PROPERTY LINE AND WITHIN 45 FEET OF THE 21ST STREET PROPERTY LINE.**

3.~~1~~. The landscape setback along 21st Street shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.

4.~~2.~~ A minimum 40-foot building setback shall be provided along the north property lines, as approved by the Planning and Development Department.

5.~~3.~~ A minimum 5-foot sidewalk shall be constructed on the east side of 21st Street, adjacent to the development.

6.~~4.~~ A minimum 5-foot-wide detached sidewalk, separated by a minimum 7-foot-wide landscape area, shall be constructed on the north side of Turney Avenue. The landscape area shall be planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.

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

7.~~5.~~ All existing electrical utilities within the public right-of-way on 21st Street shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.

8.~~6.~~ Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.

9.~~7.~~ 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.

10.~~8.~~ Bicycle parking shall be provided at a minimum rate of 0.25 spaces per unit, up to a maximum of 50 spaces, 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.

11.~~9.~~ A minimum of three of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.

12.~~10.~~ A bicycle repair station ("fix it station") shall be provided on the site. The station shall include, but not be limited to, standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.

13.~~11.~~ A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Installed Infrastructure, as approved by the Planning and Development Department.

14.~~12.~~ Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.

15.~~13~~. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.

16.~~14~~. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.

17.~~15.~~ A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.

18.~~16.~~ A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.

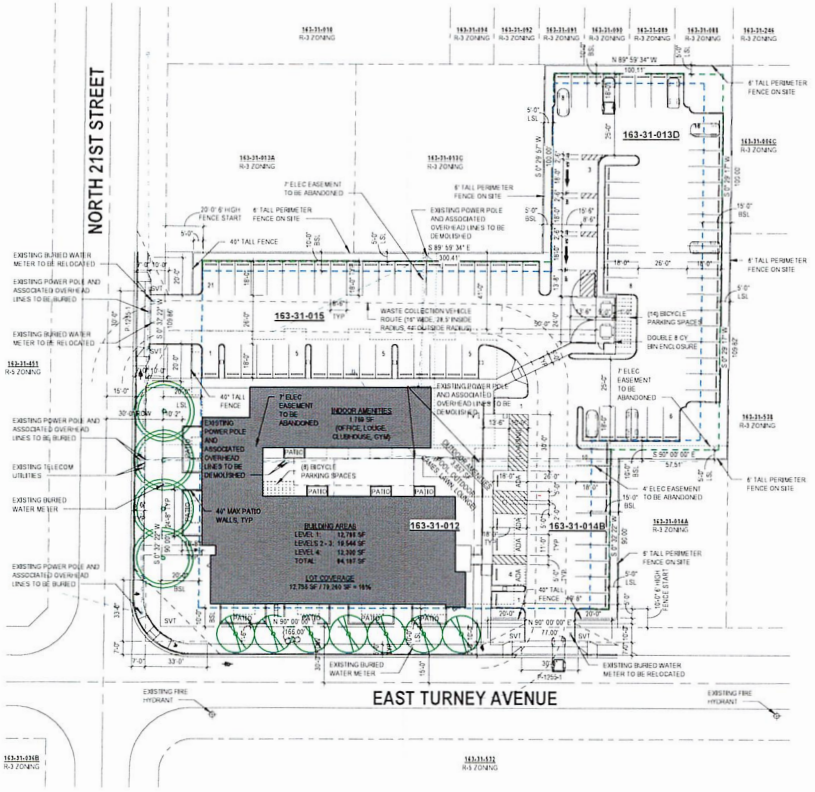
19.~~17.~~ The property owner shall record documents that disclose the existence, and operational characteristics of Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed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

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

21.~~19.~~ Prior to final 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.

Exhibits

Site Plan date stamped October 3, 2024
Elevations date stamped October 3, 2024 (2 pages)
Correspondence (36 pages)



1 ARCHITECTURAL SITE PLAN

1" = 30'-0"

0 30 60 120

PROJECT INFORMATION (R-5)

SITE DATA

- PROPERTY OWNER: 4401 TURNEY VILLAS LLC, 7, SCOTTSDALE AZ USA 85251, 602.980.6300
- DESIGN PROFESSIONAL: KENZY ARCHITECTURE & INTERIORS, 8160 E BUTHERUS DR SUITE 2, SCOTTSDALE AZ 85260, 602.620.8792
- PROPERTY ADDRESSES AND ASSESSOR PARCEL NUMBERS:
  - 4401 NORTH 21ST STREET, PHOENIX, ARIZONA 85016, 163-31-012, 15,213.99 SF (NET) / 23,705.82 SF (GROSS)
  - 2118 EAST TURNEY AVENUE, PHOENIX, ARIZONA 85016, 163-31-014B, 7,077.09 SF (NET) / 9,299.29 SF (GROSS)
  - 4425 NORTH 21ST STREET, PHOENIX, ARIZONA 85016, 163-31-015, 33,091.32 SF (NET) / 36,290.16 SF (GROSS)
  - 4421 NORTH 21ST STREET, PHOENIX, ARIZONA 85016, 163-31-013D, 9,555.35 SF (NET AND GROSS)
  - (LOT COMBINATION REQUEST FOR ALL FOUR PARCELS)
- SITE SQUARE FOOTAGE | ACREAGE: 65,337.75 SF / 1.50 ACRES (NET) / 79,259.63 SF / 1.81 ACRES (GROSS)
- PROPOSED PHASING: THIS IS NOT A PHASED PROJECT
- EXISTING ZONING: R-3
- PROPOSED ZONING: R-5 (REZONE REQUEST FROM R-3 TO R-5)
- R-5 DEVELOPMENT OPTION: (R) SUBDIVISION
- ALLOWABLE / PROPOSED DENSITY: 43.5 DUA/ACRE / 41.2 DUA/ACRE
- ALLOWABLE / PROPOSED HEIGHT: 4 STORIES (48'-0") / 4 STORIES (48'-0")
- ALLOWABLE / PROPOSED LOT COVERAGE: 50% / 15%
- REQUIRED / PROPOSED COMMON AREA: 2,935 SF / 5,626 SF (3,857 SF OUTDOOR + 1,769 SF INDOOR)
- REQUIRED PARKING LOT LANDSCAPING: 5% (1,764 SF / 35,878 SF)
- PROPOSED PARKING LOT LANDSCAPING: 7% (2,617 SF / 35,878 SF)

MINIMUM BUILDING SETBACKS

REQUIRED / PROPOSED FRONT (21ST STREET)	20'-0" / 10'-2"
REQUIRED / PROPOSED STREET SIDE (TURNEY AVENUE)	10'-0" / 1'-6"
REQUIRED / PROPOSED INTERIOR SIDES (NORTH, WEST, AND SOUTH)	10'-0" / 41'-0"
REQUIRED / PROPOSED REAR (EAST)	15'-0" / 42'-0"

MINIMUM LANDSCAPE SETBACKS

REQUIRED / PROPOSED FRONT (21ST STREET)	20'-0" / 10'-2"
REQUIRED / PROPOSED STREET SIDE (TURNEY AVENUE)	10'-0" / 1'-6"
REQUIRED / PROPOSED INTERIOR SIDES (NORTH, WEST, AND SOUTH)	5'-0" / 5'-0"
REQUIRED / PROPOSED REAR (EAST)	5'-0" / 5'-0"

UNIT MIX

1 BED UNITS	(37%)	24 UNITS
2 BED UNITS	(63%)	40 UNITS
TOTAL UNITS		64 UNITS

UNIT TYPES PER LEVEL

- 1 BED UNITS: 3 ON L1, 8 ON L2, 8 ON L3, AND 5 ON L4
- 2 BED UNITS: 7 ON L1, 13 ON L2, 13 ON L3, AND 7 ON L4

TYPICAL UNIT SF

- 1 BED UNITS: 547 SF
- 2 BED UNITS: 833 SF

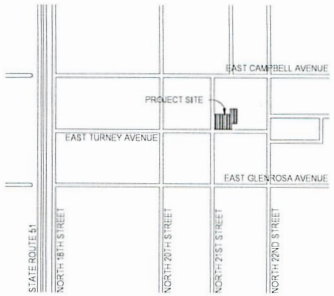
PARKING COUNT

- PARKING REQUIRED
  - VEHICULAR PARKING (1.5 X 64 UNITS): 96 VEHICULAR STALLS
  - ACCESSIBLE PARKING (76 - 100 STALLS): 4 ACCESSIBLE STALLS
  - LOADING SPACES (26 - 150 DWELLING UNITS): 1 LOADING SPACE
  - BICYCLE PARKING (0.25 X 66 UNITS): 16.5 BICYCLE STALLS
- PARKING PROVIDED
  - VEHICULAR PARKING (100% UNRESERVED): 98 STALLS
  - PERPENDICULAR PARKING: 89 PERPENDICULAR STALLS
  - PARALLEL PARKING: 3 PARALLEL STALLS
  - ACCESSIBLE PARKING: 4 ACCESSIBLE STALLS
  - LOADING SPACES: 1 LOADING SPACE
  - BICYCLE PARKING: 32 BICYCLE STALLS

BUILDING DATA

- BUILDING AREA
  - LEVEL 1: 12,788 SF
  - LEVEL 2: 19,544 SF
  - LEVEL 3: 19,544 SF
  - LEVEL 4: 12,309 SF
  - TOTAL: 64,187 SF
- OCCUPANCY CLASSIFICATION: R-2 RESIDENTIAL
- BUILDING TYPE: TYPE IIIB
- ALLOWABLE BUILDING AREA / HEIGHT / STORIES: 24,000 SF / 60 FT / 4 STORIES
  - WITH SPRINKLER INCREASE: 60,000 SF / 60 FT / 4 STORIES
- PROPOSED BUILDING AREA / HEIGHT / STORIES: 61,515 SF / 48 FT / 4 STORIES

VICINITY MAP



CITY OF PHOENIX SITE PLAN NOTES

ARCHEOLOGY NOTE

- NO KNOWN ARCHAEOLOGICAL SITES ARE LOCATED WITHIN THIS PROJECT AREA.
- NO ARCHAEOLOGICAL WORK IS NECESSARY FOR THIS PROJECT. HOWEVER, IF ANY ARCHAEOLOGICAL MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, ALL GROUND-DISTURBING ACTIVITIES MUST CEASE WITHIN 10 METERS OF THE DISCOVERY AND THE CITY OF PHOENIX ARCHAEOLOGY OFFICE MUST BE NOTIFIED IMMEDIATELY AND ALLOWED TIME TO PROPERLY ASSESS THE MATERIALS.

KENZY architecture & interiors
8160 EAST BUTHERUS DRIVE
SUITE 2
SCOTTSDALE, ARIZONA 85260
P 602.620.8792
WWW.KENZYARCHITECTS.COM

TURNEY VILLAS APARTMENTS

4401 TURNEY VILLAS LLC
4401 NORTH 21ST STREET
PHOENIX, ARIZONA 85016

DELTA REVISIONS

#	DESCRIPTION	DATE

KIVA PROJECT #	24-189	ZONING CASE #	####
SDEV #	240063	PAPP #	2400838
LSPL #	####	ADDR #	####
PLAT #	####	Q-S #	17-32

APPROVAL STAMP AREA

CITY OF PHOENIX
OCT 03 2024
Planning & Development Department

NOT FOR CONSTRUCTION

PROJECT # 24189
ISSUE DATE 09.26.2024
ISSUE NAME PROGRESS SET
PLOT DATE 9/27/2024 8:40:12 AM

A011
ARCHITECTURAL SITE PLAN

CITY OF PHOENIX
OCT 03 2024
Planning & Development Department

GENERAL NOTES (EXTERIOR ELEVATIONS):

KENZY architecture & interiors
8160 EAST BUTHERUS DRIVE
SUITE 2
SCOTTSDALE, ARIZONA 85260
P: 602.620.8792
WWW.KENZYARCHITECTS.COM

2 EXTERIOR ELEVATION_SOUTH
1/8" = 1'-0"

1 EXTERIOR ELEVATION_NORTH
1/8" = 1'-0"

TURNEY VILLAS APARTMENTS

4401 TURNEY VILLAS LLC
4401 NORTH 21ST STREET
PHOENIX, ARIZONA 85016

DELTA REVISIONS

#	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

PROJECT # 230710
ISSUE DATE 09.26.2024
ISSUE NAME PROGRESS SET
PLOT DATE 9/27/2024 8:36 AM

A201
EXTERIOR ELEVATIONS

CITY OF PHOENIX
OCT 03 2024
Planning & Development
Department

GENERAL NOTES (EXTERIOR ELEVATIONS)

KENZY
architecture & interiors
8160 EAST BUTHERUS DRIVE
SUITE 2
SCOTTSDALE, ARIZONA 85260
P: 602.620.8792
WWW.KENZYARCHITECTS.COM

2 EXTERIOR ELEVATION_WEST
1/8" = 1'-0"

1 EXTERIOR ELEVATION_EAST
1/8" = 1'-0"

TURNEY VILLAS APARTMENTS

4401 TURNEY VILLAS LLC
4401 NORTH 21ST STREET
PHOENIX, ARIZONA 85016

DELTA REVISIONS

#	DESCRIPTION	DATE

NOT FOR CONSTRUCTION

PROJECT # 230710
ISSUE DATE 09.26.2024
ISSUE NAME PROGRESS SET
PLOT DATE 9/27/2024 10:22 AM

A202
EXTERIOR ELEVATIONS

OPPOSITION

CITY OF PHOENIX
OCT 09 2024
Planning & Development
Department

Subject: FW: Phoenix, "R-3A" zoning refers to **Multifamily Residence Distri In Phoenix,

From: jpaletta1 <jpaletta1@cox.net>
Sent: Wednesday, October 9, 2024 2:03 PM
To: Teleia Galaviz <teleia.galaviz@phoenix.gov>; John Roanhorse <john.roanhorse@phoenix.gov>
Cc: Melissa Rhodes <melissa.rhodes.az@gmail.com>; Kathy DeLorey <ksews60@gmail.com>; Russell Birkland <rgenebirkland@gmail.com>; Betsy & Robert Greenberg <berto56@cox.net>
Subject: Phoenix, "R-3A" zoning refers to **Multifamily Residence Distri In Phoenix,

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.
Report Suspicious

Telesia:

PLEASE PLACE THIS IN THE FILE GOT THE INDIVIDUAL PLANNING COMMISSION MEMBERS.

In Phoenix, "R-3A" zoning refers to **Multifamily Residence Distri In Phoenix, "R-3A" zoning refers to **Multifamily Residence District, Urban**. This zoning district is intended to allow for medium-density residential development, such as apartments, townhomes, or other types of multifamily housing.

Here are some key characteristics of R-3A zoning in Phoenix:

- **Density**: Typically allows for more dense residential development compared to standard single-family zones, though not as dense as higher multifamily zones (like R-5).
- **Height Restrictions**: Structures can be taller compared to single-family zones, often with a limit around 40 feet, but this can vary depending on specific regulations and overlays.
- **Uses**: Primarily residential, though sometimes complementary uses such as community centers, schools, or small retail establishments may be permitted under certain conditions.
- **Lot Size**: The minimum lot size is generally smaller than in single-family zones, allowing for more compact de

CITY OF PHOENIX
OCT 09 2024
Planning & Development
Department

Subject: FW: UNCERTAINTY OF HIGHER R5 ZONING IN RESIDENTIAL SINGLE FAMILY NEIGHBORHOOD

From: jpaletta1 <jpaletta1@cox.net>
Sent: Wednesday, October 9, 2024 2:15 PM
To: Teleia Galaviz <teleia.galaviz@phoenix.gov>
Cc: Melissa Rhodes <melissa.rhodes.az@gmail.com>; Kathy DeLorey <ksews60@gmail.com>; Kathryn northcentralnews.net <kathryn@northcentralnews.net>; Russell Birkland <rgenebirkland@gmail.com>; ryanworldtravel8@gmail.com; jpaletta1: cox.net <jpaletta1@cox.net>
Subject: UNCERTAINTY OF HIGHER R5 ZONING IN RESIDENTIAL SINGLE FAMILY NEIGHBORHOOD

Give definition of uncertainty that develops in a neighborhood when high density rezoning is intoducted

Uncertainty in a neighborhood following high-density rezoning refers to the anxiety, unpredictability, and concerns among residents, property owners, and stakeholders about the future of the area. This uncertainty often stems from various factors, such as:

1. **Changes in Property Values:** Residents may be unsure whether property values will rise or fall due to the new zoning rules, affecting their investments.
2. **Impact on Community Character:** People may worry about how the introduction of higher-density buildings (e.g., apartments, condos) will alter the neighborhood's aesthetic, social, and cultural atmosphere.
3. **Traffic and Infrastructure Concerns:** Higher density often brings more people, which can strain existing roads, public services, schools, and utilities, causing apprehension about congestion or overuse of infrastructure.
4. **Housing Market Shifts:** There may be concern over whether the rezoning will lead to a more affordable or less affordable housing market, influencing who can afford to live in the area.
5. **Unpredictable Development Timeline:** Residents may be unsure when and how quickly new developments will take place, disrupting the current way of life or bringing about sudden changes.

This collective uncertainty can create tension, resistance, or even conflict within the community as different stakeholders react to the potential impacts of the rezoning.

Sent from Yahoo Mail for iPhone [mail.onelink.me]

CITY OF PHOENIX

OCT 09 2024

Planning & Development Department

Subject: FW: Letter of opposition to rezoning case z-74-24"0

From: jpaletta1 <jpaletta1@cox.net>
Sent: Wednesday, October 9, 2024 2:40 PM
To: Teleia Galaviz <teleia.galaviz@phoenix.gov>
Cc: Kathy DeLorey <ksews60@gmail.com>; Kathryn northcentralnews.net <kathryn@northcentralnews.net>; Melissa Rhodes <melissa.rhodes.az@gmail.com>; Russell Birkland <rgenebirkland@gmail.com>; Betsy & Robert Greenberg <berto56@cox.net>; ryanworldtravel8@gmail.com; jpaletta1: cox.net <jpaletta1@cox.net>
Subject: Letter of opposition to rezoning case z-74-24"0

TELEIA:

PLEASE PLACE THIS IN THE FILE GOR THE PLANNING COMMISSION MEMBERS

Rezoning a property from a medium-density multifamily residential district to R5 (high-density residential district) can bring several changes to a neighborhood. Here are the key potential impacts on the certainty and character of the area:

1. **Increased Density and Population**
- **Impact**: R5 zoning allows for taller and larger buildings, which can accommodate more units and increase the population density of the area.
- **Neighborhood Character**: The influx of more residents could lead to a busier, more urban feel in what might have been a quieter or less densely populated neighborhood.

2. **Change in Building Size and Aesthetics**
- **Impact**: R5 zoning typically permits larger buildings, which could lead to taller apartment complexes or multi-story residential buildings.
- **Neighborhood Character**: This may disrupt the architectural harmony of the neighborhood, especially if surrounding properties are primarily smaller, single-family homes or lower-rise buildings.

3. **Traffic and Parking**
- **Impact**: Higher-density residential areas often bring more vehicles, which could increase traffic congestion and the demand for parking.
- **Neighborhood Character**: Residents may experience increased noise, parking shortages, and overall street congestion, which could reduce the quality of life for long-time residents.

4. **Public Services and Infrastructure**
- **Impact**: Increased population density will put more pressure on public services, such as schools, public transportation, water, and sewer systems. The neighborhood might see upgrades to these services, but there may also be growing pains during the transition.
- **Neighborhood Character**: The strain on services could affect the experience of current residents, but improvements could attract more amenities and infrastructure upgrades.

5. **Property Values**
- **Impact**: Rezoning to a high-density residential district can increase property values due to the potential for redevelopment, but it can also make properties more expensive, which might push out long-term residents.
- **Neighborhood Character**: This could lead to gentrification, changing the socio-economic makeup of the area and potentially altering the neighborhood's culture and identity.

6. **Commercial Development**
  - **Impact**: High-density zones sometimes encourage nearby commercial developments to support the growing population, leading to the opening of new businesses like shops, restaurants, and services.
  - **Neighborhood Character**: This could make the area more vibrant and convenient, but it might also shift the neighborhood from a residential to a more mixed-use environment.

7. **Social and Community Impact**
  - **Impact**: Higher-density developments can change the social fabric of the neighborhood, with less familiarity among neighbors due to an increase in transient or short-term residents.
  - **Neighborhood Character**: Long-standing community bonds could be weakened as a result of more turnover and less cohesion.

8. **Environmental Impact**
  - **Impact**: More development may reduce green spaces, while also potentially increasing waste, noise pollution, and reducing air quality.
  - **Neighborhood Character**: A reduction in open space and greenery could detract from the neighborhood's charm and sense of tranquility.

Rezoning a property to R5 may bring growth and economic benefits, but it will also inevitably change the landscape and lifestyle of the neighborhood. Understanding these factors can help residents and policymakers weigh the potential benefits and drawbacks.

Sent from Yahoo Mail for iPhone [mail.onelink.me]

Opposition to Case Z-74-24-6
October 8, 2024

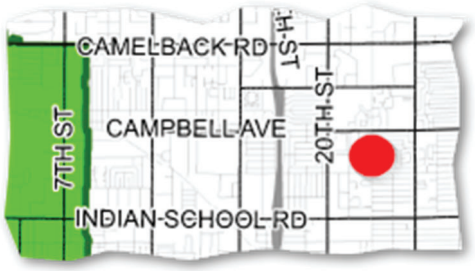
Good afternoon,

I reside in Peter's View, situated directly west of 20th Street. I am writing to express my concerns with item 5 (Z-74-24-6) the 4401 Turney Villas project. While I am not against redevelopment, I strongly oppose substantial increases in density and height within established neighborhoods. The following points aim to illustrate why the proposed density and scale of this project unsuitable for this location and sets a detrimental precedence for the stability of neighborhoods throughout the area.

In-Fill Projects

The developer has referred to this project as infill development. However, per the City's own Infill development criteria, general plan, and policies, this project is **NOT** an infill development.

1. It is NOT located within an infill district or boundary. The green shading in the following image indicates the infill boundaries defined by Resolution R-21189, with the red dot marking the general project location. General Plan Amendment Infill Policy - Resolution R21189



2. This project IS within the Single Family Attached Development Option - Ordinance G-5874 and Expansion Boundaries for the Single Family (SFA) Development Option - Ordinance G-5897 The following image illustrates the boundary of the single family attached development (grey dashed line), the approximate project location (red dot) and the infill development district per the general plan (solid black line).

3. This parcel is neither vacant, blighted, nor underutilized as defined in Part III of the core values. While the landowner may seek to increase income, this should not impose a burden on the neighborhoood.

General Plan, Part III Core Values Infill Land Use and Design Principles:

- "Promote and encourage compatible infill development with a mix of housing types."

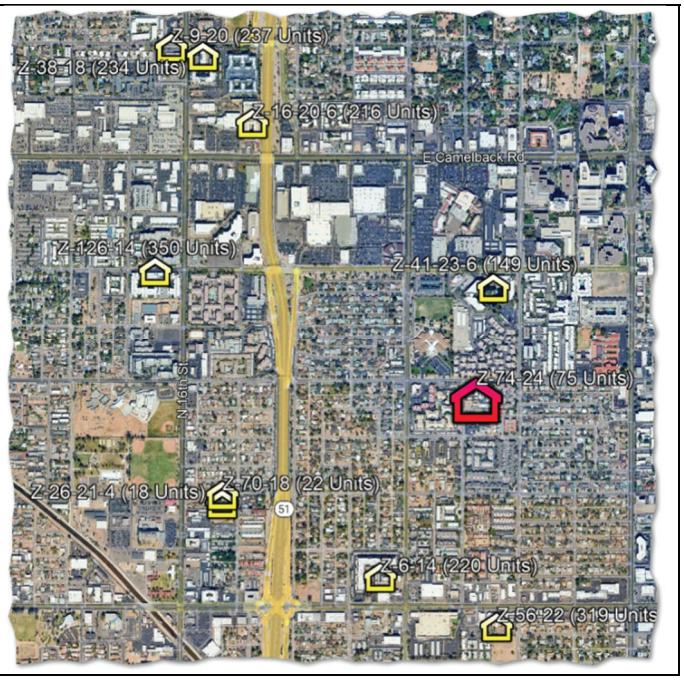
General Plan, Part III, Tools: Policies and Actions:

- "an infill development must be located with the infill development district map."
- "Implement the proposed infill development district shown on the General Plan Land Use Map."

Projects within 1-mile radius of this location that have been constructed or approved in the last decade:

Since 2014, there have been 8 new multifamily projects approved and/or constructed within a 1-mile radius of this development. Collectively, these project contribute a total of 1,415 apartments to the area. The table below provides a summary of these project along with the corresponding number of units.

Project	Number of Units	Notes:
Z-74-24 (This Project)	**75**	**Located in a neighborhood on local streets**
Z-41-23	149	On a Collector road
Z-56-22	319	On a Principal Arterial road
Z-38-18	234	
Z-9-20	237	
Z-16-20	216	
Z-6-14	220	
Z-70-18	22	Located in a neighborhood on a local street similar to this project
Z-26-21	18	



All the high-density projects are located on collector or principal arterial roads, which are more capable of accommodating higher traffic volumes.

In a neighborhood comparable to this project, there are two low to medium density developments. These projects align in height and density with a development located centrally on a local street, representing a suitable redevelopment within an established community.

Since 2018, **NO** single-family development projects have been proposed or constructed in the same 1-mile vicinity. Residential projects have been limited to the renovation or remodeling of existing homes in accordance with current zoning regulations. In the past two years along, there have been six such renovations on my street. Many of the high-density developments have acquired and removed existing single-family homes, condos, or townhouses from the market.

A notable imbalance is emerging due to the exclusive focus on large multifamily developments, which undermines the opportunity for families to own either detached or attached homes in the area.

Traffic Impacts

It is a common assertion among various projects that they will have no or minimal effects on local traffic. However, these assessments often overlook the repercussions on adjacent local roads and minor collectors that ultimately bear the burden of the additional traffic generated.

The following is derived from traffic data gathered by the City of Phoenix for the 20th Street Improvement Project, which received City Council approval in 2014, with data collection occurring in 2015 and 2017. According to the City of Phoenix's Planning and Design Guidelines, traffic data should not exceed two years in age. However, the data pertaining to 20th Street is nearing a decade old. See the Summary of 20th Street Traffic Numbers below.

20th Street is a minor collector, experiencing traffic volumes approaching 600 vehicles during peak hours. Additionally, the peak hour factor serves as a measure of traffic consistency, indicating whether traffic flows steadily or experiences interruptions. The peak hour factor for 20th Street is nearly 1, suggesting that traffic levels are consistently aligned with the reported vehicle count. Residents of Peter's View depend on 20th Street for safe access to and from our neighborhood, as we are constrained by the SR 51 to the west. We can personally attest to the difficulties encountered when entering or exiting our neighborhood during peak traffic times.

The City has identified 20th Street as a crucial corridor for both bicycles and pedestrians, ranking it 4th out of 39 corridors in terms of significance. Each additional vehicle on this corridor has a substantial impact on the quality of life and safety for all users.

Summary of 20th Street Traffic Numbers

Location	AM Peak	PM Peak	Peak Hour Factor
20th Street at Cambell	378 SB 346 NB	412 SB 575 NB	0.90 AM 0.98 PM
20th Street at Indian School Road	444 SB 305 NB	403 SB 509 NB	0.95 AM 0.97 PM

The significance of these figures lies in the fact that approximately 66 vehicles are generated between Indian School Road and Campbell Avenue, which can be presumed to be primarily from residents utilizing 20th Street.

The following table is a summary of the development traffic numbers that will be seen on the local streets.

Location	AM Peak	PM Peak
21st Street & Turney	21	30

The traffic report associated with this development does not provide a detailed distribution of traffic; however, considering the traffic destinations along 20th Street and the substantial congestion on Campbell Avenue, it can be inferred that at least 50% of the traffic from the development will likely be directed towards 20th Street.

When this figure is juxtaposed with the overall traffic counts on 20th Street, it represents an approximate 2% increase in vehicle volume. Conversely, when compared to the traffic generated by the surrounding neighborhoods, this results in an increase of over 20% in traffic attempting to make left or right turns onto or from 20th Street. Such increased delays contribute to heightened pollution levels and a decline in the overall quality of life.

The following table provides a summary derived from Chapter 7 of the City of Phoenix Street Planning Design Guidelines (2023):

Local Street		**Maximum Vehicles per Day**	**Maximum Vehicles per Hour**
	Low Density (Single Family Homes)	1000	100
	High Density (more Developed)	2000	200
Minor Collector Street (20TH Street)		1000 to 8000	800

It is important to note that this development will utilize 15% of the capacity of the two local streets. The current traffic volume data has not been disclosed, suggesting that this percentage may be higher.

Currently, 20th Street exceeds the threshold of 800 vehicles per hour in both directions by approximately 22%. The residents' concerns regarding traffic impacts are valid, particularly in light of proposals for projects that do not align with the existing character, scale, and density of the area, which is already under strain.

Chapter 9 Traffic Impact Analysis, Section 9.1.1: Additional factors that may necessitate a Traffic Impact Analysis (TIA) or an expanded scope include: concerns or complaints regarding existing neighborhood traffic. We have expressed our concerns and have been voicing complaints about the traffic situation on 20th Street for several years. We are still awaiting the installation of a left turn arrow for southbound traffic on 20th at Indian School Road.

Table 9.1-1 Criteria for Determining TIA Study Requirements: Rezoning and General Plan Amendments – Criteria have been met, and a TIA must receive approval prior to the submission of preliminary plans. Given that this is a rezoning initiative, this project does not qualify for the provisions outlined in Table 9.2-1 and must adhere to a TIA that includes all requisite criteria.

Section 9.2.2: Zoning applications: there is a lack of comparison between existing and proposed conditions.

Opposition to Case Z-74-24-6
October 8, 2024

Summary

This project is unsuitable for the proposed location for several reasons:

1. It falls outside the designated multi-family infill boundary and is instead located within the single-family infill boundary.
2. There is a deficiency of single-family housing, and developments like this one contribute to the elimination of such housing.
3. The project's character, density, and scale do not align with those of comparable neighborhoods within a one-mile radius.
4. The anticipated increase in traffic will adversely affect the quality of life, as previously indicated.
5. The project contradicts the City's established General Plan, Design Guidelines, Policies, Resolutions, and Ordinances.

I urge you to reject this project and insist that the developers adhere to the existing zoning regulations or propose a project that aligns with the aforementioned considerations. Additionally, it is requested that a Traffic Impact Analysis be conducted in accordance with the City's guidelines. Approving this project will negatively impact all surrounding neighborhoods and single-family residences.

Sincerely,

Lee Busenbark
1902 E Montecito Ave

Please place this in fileðŸ˜Ž

THIS LETTER WILL BE SENT TO THE PLANNING COMMISSION AND CITY COUNCIL TO SHOW THE CONERNS WITH THE COMPROMISE

The community's feedback regarding rezoning case # Z-74-24 â€“ Turney Villas, located at the northeast corner of Turney Avenue and 21st was not fully addressed by the development team. (Senior Land Use Planner Gammage & Burnham). Despite our concerns, the changes made were minimal and did not align with our preferences:

1. We are not in favor of a large apartment complex in our neighborhood.

2. We would prefer a development that consists of owner-occupied units, which we believe would contribute to increased property values.

3. The proximity of the property to the road, specifically 20 feet from Turney, creates a canyon effect that we find undesirable.

The revised proposal, which includes reducing the building's height along Turney Ave and 21st St to 3 stories, is not considered acceptable. We believe that maintaining a similar height to the two-story buildings across the street, particularly on the south side of Turney, would be more appropriate. The reduction of 15% in the number of units, from 75 to 64, can be accomplished within the parameters of R3A zoning at a lower height.

We are aware that the Planning Commission is scheduled to review this case with the proposed revisions on Thursday, October 10th, 2024, at 6 pm, under Item number 5. We would like to express that the current proposal does not reflect a genuine compromise and may be perceived as an attempt to increase the property's value for future sale. If the intention is to complete the project, we believe that a lower zoning designation could still facilitate development.

Granting approval for high density and height may set a precedent that could be attractive to developers eyeing properties further south on 21st Street. We hope that our concerns are taken into consideration during the review process.

John Paletta
East Morningside
Neighborhood Association

CITY OF PHOENIX
OCT 0 4 2024
Planning & Development
Department

They tried but really didn't give back much - Height - Density - Traffic are still a problem. I still want the R3 which is doable but the developer is either greedy or want to resale once zoning is granted.

We have to make it very clear that if this go to city council weâ€™ll force a 3/4 vote and they will get nothing.

Melessia is right about the traffic add to the nightmare at 20th Street and problem with the school children.

Height is still a problem because it will set a president all along 21st Street.

We donâ€™t need a large apartment complex in our neighborhood - we could live with owner occupied at a longrt density.

PLEASE PLACE IN FILE

CITY OF PHOENIX
OCT 03 2024
Planning & Development Department

From: jpaletta1 <jpaletta1@cox.net>
Sent: Saturday, August 24, 2024 5:40 AM
To: Teleia Galaviz <teleia.galaviz@phoenix.gov>
Subject: Minutes from compromise meeting - rezoning case Z-74-24-6

COMPROMISE MEETING 08/23/24

During our recent meeting on 8/23/24, we were joined by the attorney, developer, and property owners to engage in discussions regarding a potential compromise. The meeting was attended by Kathy, Robert, Betsy, Melissa, Leah, Russ, myself, Rich (developer), and Marsh (lawyer).

In the meeting, the developer presented his case, citing the impact of COVID and the economy to justify his request for a higher zoning, which could impactour property value. The lawyer also referred to studies indicating that surrounding property values could potentially increase by 8 to 10 percent due to the proposed apartments.

Russ Kitkland, president of the HOA for townhomes on Campbell, provided real-life examples countering the lawyer's statement. Russ had conducted a meeting with property owners in his complex, and they voted against the rezoning.

Robert Greenberg eloquently elucidated that the developer could currently develop low-density multifamily units that would better align with the established neighborhood under the current zoning, and the developer agreed.

Betsy Greenberg countered the developer's assertion regarding the community's support for the project by highlighting how the Camelback Village Planning Committee opposed the rezoning with a 9-7 vote, suggesting a lack of overall support.

Kathy adeptly facilitated the meeting and conveyed our concerns regarding traffic, height, and density.

Leah skillfully addressed traffic concerns and challenged the limited scope of the traffic study. She proposed comprehensive traffic studies by the city for the surrounding area and emphasized that the project may not be termed as an infill development, as it does not align with the city's definition of infill.

We were successful in obtaining a much-needed continuance, providing us with another month to organize the neighborhood.

Kathy proposed holding another meeting to review new plan from the developer, suggesting the use of the Devonshire Senior Citizens Center.

It is essential to keep in mind that the developer requested the continuance to demonstrate to the Planning Commission that they have engaged with the neighborhood.

We need to prepare for the Council Meeting by advocating for our stance to the Planning Commission, drafting letters to the Planning Commission, and initiating a petition against the project. The petition should involve street captains for distributing flyers and generating support through signatures on petition.

The supermajority for the City Council holds great significance, as it will necessitate a 2/3 majority vote. Property owners within 600 feet of the project carry particular weight.

We have a two-month timeframe to prepare for the City Council meeting. This matter will be brought before the City Council because whoever loses at the Planning Commission will appeal to the City Council.

Sent from Yahoo Mail for iPhone [mail.onelink.me]

Subject: FW: Rebuttal to Staff Report Z-74-24-6

From: jpaletta1 <jpaletta1@cox.net>
Sent: Wednesday, August 21, 2024 7:31 PM
To: Teleia Galaviz <teleia.galaviz@phoenix.gov>
Subject: Rebuttal to Staff Report Z-74-24-6

Please Distribute to Planning Commission

Rebuttal to Staff Report Z-74-24-6

East Village Planning Committee
Date: August 6, 2024
Phoenix Planning Commission Hearing
Date: September 5, 2024
Request From: R-3 (Multifamily Residence) (1.82 acres)
Request To: R-5 (Multifamily Residence) (1.82 acres)
Proposal: Multifamily Apartments
Location: Northeast corner of 21st Street and Turney Ave
Applicant Representative: Ashley Marsh, Gammage & Burnham, PLC

Staff Recommendation:

John Roanhorse's Statement:
"Create new development or redevelopment sensitive to the surrounding neighborhoods' scale and character and incorporate adequate development standards to prevent negative impact(s) on residential properties."

Rebuttal:
The proposed development is out of character with our neighborhood, which currently does not have any four-story apartment complexes south of Campbell Road. Allowing such a tall structure would set a precedent that is inconsistent with the existing urban landscape and community makeup.

Zoning Integrity
John Roanhorse's Statement:
"The proposal, as stipulated, will allow new residential development in a neighborhood with a range of existing residential use types. As stipulated, the proposal will provide a large building setback along the north property lines to buffer the use from the single-family residences to the north."
Rebuttal:
The proposed transition from R-3 to R-5 zoning represents a substantial increase in building height and density. Such a transition risks disrupting the balance and integrity of our neighborhood, altering its character in ways that are inconsistent with the existing urban fabric.

Compatibility with Neighborhood
John Roanhorse's Statement:
"The proposal is a compatible use of equal size and type in the surrounding neighborhood. The proposal will also complement the area by providing a range of housing types by the Housing Phoenix Plan."
Rebuttal:

While there are apartment complexes zoned R-5 in our neighborhood, they are not four stories high and have significant setbacks from the street and surrounding neighbors. This approach ensures compatibility with the surrounding neighborhood and maintains the established character of the area. The proposed zoning change represents an excessive increase in density that undermines the suburban nature of our community and threatens to alter its character permanently.

Streetscape and Design Standards
John Roanhorse's Statement:
"The proposal, as stipulated, incorporates streetscape and design standards to promote a pedestrian-friendly environment along 21st Street and Turney that is compatible with the surrounding residential development."
Rebuttal:
The proposed development introduces a four-story apartment complex south of Campbell Road, a significant departure from the existing character of our neighborhood. The tallest structures in the area are well below this height and are set back significantly from the street and neighboring properties. The transition from R-3 to R-5 zoning introduces an excessive increase in density, which is inconsistent with the neighborhood's character and could have a lasting negative impact.

BACKGROUND/ISSUES/ANALYSIS

Subject Site:
John Roanhorse's Statement:
"The request is to rezone 1.82 acres located at the corner of 21st Street and Turney, from R-3 to R-5 for multifamily residential development."
Rebuttal:
The property owner prefers a development plan that prioritizes owner-occupied residences. The surrounding neighborhood includes townhomes to the south and east, with owner-occupied units extending to Campbell Avenue. This approach aims to create a cohesive community with long-term residents, fostering greater stability and investment in the neighborhood.

Surrounding Land Uses and Zoning:
John Roanhorse's Statement:
"There are single-family and multifamily residences to the north zoned R-3 and to the south, across Turney Avenue, is a multifamily development zoned R-5. To the west, across 21st Street, is a multifamily residential development zoned R-5."
Rebuttal:
Most of the properties are owner-occupied, and the R-5 zoning for the existing developments resulted from compromises with the city. For example, the R-5 zoning to the west was granted as part of a compromise after the corner of 20th Street and Campbell was rezoned to Mid-Rise in 1978. The R-5 development is set back 30 feet with parking in the front, which reduces the impact of the three-story buildings.
Similarly, the small R-5 parcel to the south was part of a compromise with the city and a developer who initially sought to build 216 units on the entire block. Zoning case 104-96-6 was approved, resulting in downzoning the parcel to R-2 for 65 townhomes to act as a buffer between the R-5 development and the neighborhood. It was stipulated that two-story units would be constructed along the perimeter, down Turney Avenue and south on 21st Street, with a small section of three-story units in the center.

General Plan Land Use Map:

John Roanhorse's Statement:
"The General Plan Land Use Map depicts the site and the properties to the north, south, and east with a designation of Residential 10 to 15 dwellings units per acre. The request to rezone the site to R-5 is

not consistent with the General Plan and Land Use Map; however, a General Plan Amendment is not required as the site is under 10 acres."

Rebuttal:

When developing vacant or underdeveloped land in older parts of the city, it's crucial to ensure that the proposed development is compatible with existing development in the area and aligns with long-term goals. Encouraging reasonable levels of increased intensity in development while respecting local conditions and surrounding neighborhoods is key.

Proposal:

Site Plan Overview:

John Roanhorse's Statement:

"The site plan proposes a 75-unit multifamily residential development with an outdoor amenity area, a pool, a clubhouse, and a gym. The plan includes 96 parking spaces located along the northern sides q the building, secure bicycle parking within the residential building, and the northeast parking lot. Full driveway access to the parking lots will be from 21st Street and Turney Avenue. Landscaping along the northern property line will feature trees and shrubs to provide additional buffering along the property perimeter. A detached sidewalk along Turney and an attached sidewalk along 21st Street will provide pedestrian connections to the adjacent residential developments in the area. The sidewalks will include trees for shade coverage. However, due to the need to seek variances for the patio projections within the building, landscape setbacks along 21st and Turney Avenue, and a reduction in parking, the staff does not recommend general conformance to the site plan."

Rebuttal:

It's important to consider the following information regarding the 75-unit multifamily apartment development: The inclusion of amenities such as the pool, clubhouse, gym, 96 parking spaces (ideally 150 spaces), bicycle parking, landscaping, and sidewalk contributes to the overall cost of the project. The developer is advocating for the property owner to potentially reconsider the value of their property, expressing concerns that adding apartments to the neighborhood may hurt property values and the neighborhood's well-being, potentially resulting in increased profits for the developer.

However, due to the necessary variances for patio projections within the building, landscape setbacks along 21st and Turney Avenue, and a reduction in parking, the staff does not recommend general conformance to the site plan.

Findings:

John Roanhorse's Statement:

"The proposal is appropriate at this location and is consistent with the scale and existing area. The proposal, as stipulated, will incorporate landscaping shading that will enhance the location, consistent with General Plan goals and principles. The proposal will create additional housing options in line with the Housing Phoenix Plan's goal of preserving or creating 50,000 housing units by 2030."

Rebuttal:

The proposal is not suitable for this location because the closest four-story structure is located half a mile away on 20th Street and Highland. The R-5 zoning was granted through a compromise, and the stipulated landscaping and shading won't be binding after the rezoning is approved. The Housing Phoenix Plan goal is 88% satisfied and should not be a factor in this rezoning.

Conclusion:

This project to rezone a parcel in a residential neighborhood, which will negatively impact the property owner, should be handled neutrally. The role of the city planner should be to provide a report of the project strictly based on the zoning ordinances.

This staff report favors the application in tone and presentation, which is not the staff member's job. The merits of the rezoning should be presented by the lawyers, not the city staff. When entering an

established residential neighborhood and requesting rezoning from R-3 to R-5, it's essentially asking the property owners to devalue their property to cover the costs of the proposed apartment complex.

This parcel could be developed under the current R-3 zoning, which would:

Provide the city with the units for the Housing Plan for 2030.
Ensure the developers achieve a profit on their investment.
Deliver a project compatible with the existing neighborhood.
Reduce traffic in the neighborhood.
Provide neighborhood sidewalks and landscaping.

Robert DeLorey
2201 E. Roma Avenue
Phoenix, AZ 85016
602.757.7324

August 15, 2024

City of Phoenix
Planning and Development Department
200 W. Washington Street
Phoenix, AZ 85003

RE: Rezoning Case: Z 74-24-6

I respectfully request you deny the rezoning application of case #Z 74-24-6 for the following reasons.

- Zoning - the transition from R-2 to R-5 will set the precedent for other developers to request rezoning for other smaller apartment complexes along 21st Street between Glenrosa and Campbell.
- Utilities – The existing water and sewer pipelines from the 1950s supplying Turney Ave between 21st and 22nd streets are inadequate to accommodate the excessive burden of another 75 residences above the current utility loading.
- Privacy – the loss of existing views from neighboring properties will be adversely affected by the height of the development and will allow direct view into many homes and backyards.
- Visual impact - The rendering shows the building pushed out to the corner of 21st Street and Turney which will create a canyon effect at the corner.
- Height Discrepancy - The proposed 4 story development is exceedingly high, out-of-scale and out of character in terms of its appearance compared with existing developments in the vicinity.
- Increased traffic and street parking - Our local streets are narrow and cannot be safely driven when cars are parked on both sides of Turney Ave. Adding another 100+ vehicles will disrupt local traffic, and will negatively affect Madison Camelview school ingress / egress when in session. The parking lot of the proposed property will almost certainly be unable to accommodate the large number of tenant vehicles; considering most residents will have roommates and multiple cars per unit.

Respectfully,

Robert F. DeLorey

CITY OF PHOENIX
AUG 15 2024
Planning & Development Department

CITY OF PHOENIX
AUG 12 2024
Planning & Development Department

Kathy DeLorey
2201 E. Roma Avenue
Phoenix, AZ 85016
602.725.0315

August 12, 2024

City of Phoenix
Planning and Development Department
200 W. Washington Street
Phoenix, AZ 85003

RE: Rezoning Case: Z 74-24-6

I am requesting you to deny the rezoning application of case #Z 74-24-6 for the following reasons.

- Gammage & Burnham has not held neighborhood meetings to address the residents' concerns.
- Privacy – the loss of existing views from neighboring properties will be adversely be affected by the height of the development and will allow direct view into many homes, and backyards.
- Visual impact - The rendering shows the building pushed out to the corner of 21st Street and Turney which will create a canyon effect at the corner.
- Height Discrepancy - The proposed 4 story development is unacceptably high, it's over-bearing, out-of-scale and out of character in terms of its appearance compared with existing developments in the vicinity.
- Zoning - the transition from R-2 to R-5 will set the precedent for other developers to request rezoning for other small apartment complexes along 21st Street between Glenrosa and Turney.
- Increased traffic and street parking - our local streets are narrow and cannot be driven safely when cars are parked on both sides even with the current population. This influx of vehicles will not only disrupt our neighborhood but also pose safety risks especially when Madison Camelview Elementary School is in session. Additionally, the parking lot of the property will almost certainly be unable to accommodate the large number of rental units; considering most residents will have roommates and multiple cars per unit.

Respectfully,

Kathy DeLorey

CITY OF PHOENIX
AUG 08 2024
Planning & Development
Department

Royden Hudnall
2130 E Turney Ave #1
Phoenix, AZ, 85016
Roydenhud98@gmail.com
480.384.0336
8/7/2024

John Roanhorse
Planner Camelback East Village
City of Phoenix Planning & Development Department
200 W Washington St
Phoenix, AZ, 85003

Dear John,

I am writing to express my strong opposition to the proposed zoning density increase that would allow the construction of a four-story apartment complex in our neighborhood located at **4405 N 21st St, Phoenix, AZ 85016.** This development raises several critical concerns that I believe will adversely affect the character and quality of life in our community.

Privacy Concerns
The proposed four-story apartment complex will significantly invade our neighborhood's privacy. The height of the building will allow direct views into many of our homes, backyards, and rooftop decks, compromising the privacy that families in our community value and deserve.

Increased Traffic and Street Parking
The development of a high-density apartment complex will lead to a considerable increase in traffic on our quiet residential streets. This influx of vehicles will not only disrupt the tranquility of our neighborhood but also pose safety risks and elevate noise levels, impacting the quality of life for all residents, especially when Madison Camelview Elementary School is in session. Additionally, the parking lot of the property will almost certainly be unable to accommodate the large number of units proposed, especially considering most residents will have roommates and multiple cars.

Height Discrepancy
The proposed development is out of character with our neighborhood, which currently does not have any four-story apartment complexes south of Campbell Rd that are not on a major road like Indian School. Allowing such a tall structure would set a precedent that is inconsistent with the existing urban landscape and makeup of our community.

Zoning Integrity
While there are apartment complexes zoned R-5 in our neighborhood, they are not four stories high and they have significant setbacks from the street and surrounding neighbors, which fits within the neighborhood. The transition from R-2 to R-5 zoning represents an excessive

CITY OF PHOENIX

AUG 07 2024

Planning & Development Department

Committee members:

I would like to voice my opinion regarding the case number Z-74-24-6
The growth has risen in Phoenix greatly. The distribution of housing has not been evenly spread across the valley. The proposed location has already had many small single or one story multi family properties in the area to become "multi family communities". Most of the communities have increased in height and "over utilizing" the size of the property with crowding of units.

My disapproval of this proposal is the "brand new attractive community" is already surrounded by 2-3 story units. Most of the homes, including the ones in the proposed property, are kept up and not "dated". What is left are "historic" properties built in the 1950's of quality workmanship, unlike the construction of homes and communities of today which are wood frames and drywall, which how can they be called "luxury" housing.

The proposed height is a concern. The properties to the east will have no view to the west. The 75 units will increase more traffic in the reasonably quiet neighborhood, plus double the cars if double occupancy. I have so much speeding and traffic by me already. Plus, the owners with pets (dogs) leave behind their waste either in my yard or in the alley by the back wall, think of 75 more walking.

The new communities in the area are using the promotion of "luxury and Biltmore". The area has already "enhanced streetscape" and modest housing without being "luxury overpriced" for most middle class incomes. The increase of new properties median value will not allow families with children, who could have attended the near by Madison school.

The current properties that are on there now have all been renovated, kept up appearance, reduces crowding/traffic and do not take away the view.

I am definitely opposed for the rezoning. Thank you for allowing to express my opinion.

Concerned property owner.

John Roanhorse

From: Royden Hudnall <roydenhud98@gmail.com>
Sent: Wednesday, August 7, 2024 5:48 PM
To: John Roanhorse
Subject: Re: Opposition Letter: 4405 N 21st St
Attachments: Opposition Letter_ 4405 N. 21st St..pdf

CAUTION: This email originated outside of the City of Phoenix.

Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Hi John,

I sent you one of the drafts that I created for the opposition letter on accident. Attached is the final version I would like to be added to the case file. Below is my original email as well. Please confirm receipt of this email. - Thank you!

Thanks for returning my call earlier, I appreciate your time. As mentioned, I attended the Village Planning Committee meeting for Camelback East last night and spoke in opposition to the project located at 4405 N 21st St, Phoenix, AZ 85016.

I have attached my letter of opposition to the project and kindly request that you distribute it to the members of the committee.

Additionally, I would like to address concerns regarding the voicemail I left for Rick Kafka. Rick solicited me, asking if there was anything he could do to help alleviate concerns from our HOA regarding the project. I suggested building a community center and granting us permanent access to the development's amenities. As my property is directly adjacent to the project, I am particularly concerned about the potential negative impact on our home values, even more so than my fellow neighbors due to the proximity of the project. My suggestion was an attempt to proactively offset the anticipated loss in equity if the project proceeds. If necessary, I can provide voicemails and phone records to demonstrate that Rick solicited me.

Ultimately, I believe this was not a genuine effort to address our HOA and neighborhood concerns. Instead, I feel it was an attempt to discredit me, the petition I created, and the legitimate concerns raised by my fellow neighbors and myself.

Thank you for your attention to this matter. Please confirm receipt of my letter.

Best regards,

Royden Hudnall

On Wed, Aug 7, 2024 at 5:36 PM Royden Hudnall <roydenhud98@gmail.com> wrote:

Hi John,

Thanks for returning my call earlier, I appreciate your time. As mentioned, I attended the Village Planning Committee meeting for Camelback East last night and spoke in opposition to the project located at 4405 N 21st St, Phoenix, AZ 85016.

I have attached my letter of opposition to the project and kindly request that you distribute it to the members of the committee.

Additionally, I would like to address concerns regarding the voicemail I left for Rick Kafka. Rick solicited me, asking if there was anything he could do to help alleviate concerns from our HOA regarding the project. I suggested building a community center and granting us permanent access to the development's amenities. As my property is directly adjacent to the project, I am particularly concerned about the potential negative impact on our home values, even more so than my fellow neighbors due to the proximity of the project. My suggestion was an attempt to proactively offset the anticipated loss in equity if the project proceeds. If necessary, I can provide voicemails and phone records to demonstrate that Rick solicited me.

Ultimately, I believe this was not a genuine effort to address our HOA and neighborhood concerns. Instead, I feel it was an attempt to discredit me, the petition I created, and the legitimate concerns raised by my fellow neighbors and myself.

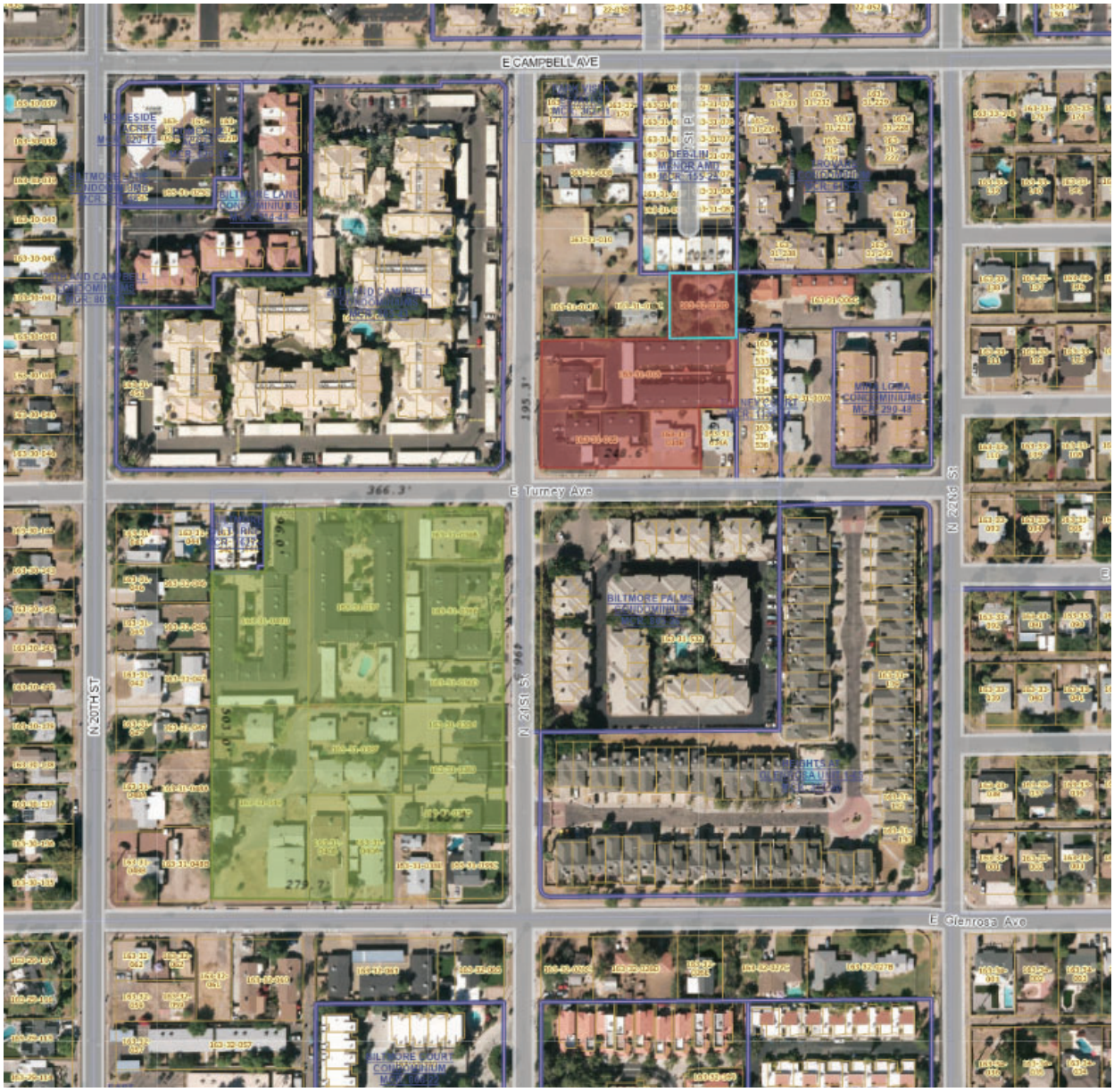
Thank you for your attention to this matter. Please confirm receipt of my letter.

Best regards,

Royden Hudnall

increase in density. Permitting such a drastic change undermines the suburban nature of our community and threatens to alter its character permanently.

The most dangerous aspect of this proposal is the precedent it will set for other small multifamily lots located along 21st St and Turney Ave. This precedent will be seen by other developers, allowing them to assemble a couple of these lots and build 75-100 unit apartment complexes. This development is 4 feet higher than the next tallest building in the area. What is to stop a developer from building a structure that is 4 feet higher than this one in the future, possibly even adding an extra story? This precedent could create a snowball effect, with future projects using this as precedent to build higher and more dense projects - leading to unreasonable height and density throughout our neighborhood. I have attached a map of the apartment complexes I worry could be assembled for similar developments if this project is allowed to move forward.



- The subject site is highlighted in Red
- The small apartment complexes are highlighted in Green
    - There are 12 parcels on this map, only two or three of these parcels would need to be assembled in order to build a similar development as the one proposed at **4405 N 21st St, Phoenix, AZ 85016**

City of Phoenix Macro Housing Development Concern

I would like to address the concerns raised by some council members last night regarding the housing shortage in Phoenix. It is imperative to emphasize that the current need is not for additional market-rate apartment developments but rather for more affordable housing options. I further argue that the heart of a residential neighborhood in a middle class area is not the correct place to put an affordable or government subsidized development and could adversely affect the community's character and quality of life - even more than this development does.

The City of Phoenix has seen a significant increase in the construction of market-rate multifamily properties over the last four years. However, despite this boom, there remains a critical shortage of housing, particularly in affordable homes and workforce housing. According to recent data, the problem is not a lack of apartment complexes; in fact, vacancy rates in market-rate apartments have been steadily rising. In Phoenix “occupancy [is] down 80 basis points year-over-year through March, to 93.1%.” “Yardi Matrix forecasts that Phoenix’s inventory will grow by 3.3% this year, ranking ninth for projected inventory expansion among the country’s top 30 metros.” (Matrix Phoenix Multifamily Report). The real issue lies in the shortage of affordable and workforce housing options. These lower rent options are where the gap exists, and this is where the focus should be.

In the past five years, Phoenix has experienced a significant boom in multifamily development, adding nearly 14,000 new apartment units in 2023 alone, a 90% increase from the previous year (RentCafe) (Rose Law Group Reporter). This surge places Phoenix among the top U.S. cities for new apartment construction, alongside major metros like New York and Miami. Despite this rapid growth, the city's housing shortage persists, particularly in affordable housing. Arizona ranks among the five worst states for affordable housing availability, with a critical shortfall for low-income renters (UMOM). Addressing this issue requires shifting focus from market-rate to affordable housing developments to meet the actual needs of the population.

The "Matrix Multifamily Phoenix Report" from June 2024 highlights that while Phoenix has added numerous market-rate units, the occupancy rates in these new developments are declining, pointing to a surplus in the market-rate segment. “Nearly 92% of the [multifamily construction] volume underway was in Lifestyle communities, followed by fully affordable assets (7.0%)” (Matrix Phoenix Multifamily Report). Additionally, according to UMOM, the Phoenix Metro Area faces a significant shortfall in affordable housing, with a deficit of over 250,000 affordable and available rental homes for low-income renters (UMOM). This underscores the urgent need to address the affordable housing crisis rather than adding more market-rate units, which do not meet the current demand for lower-income housing.

Community Petition Against Zoning Density Increase

In response to the proposed zoning density increase, I initiated a community petition to gather support and express our collective concerns. The petition has garnered 169 signatures from neighbors and other members of the public who share our apprehensions about the potential impacts of the development. This strong community response highlights the widespread opposition to the project and underscores the significant concerns regarding privacy invasion, increased traffic, and the setting of a precedent for unreasonable height and density in our neighborhood. The support for this petition demonstrates our community's commitment to preserving the character and quality of life in our area, reinforcing the need for careful consideration by the zoning board. I have included the link to the petition below:

Petition: Opposition to Zoning Density Increase at 4405 N 21st St, Phoenix, AZ 85016

Conclusion

In conclusion, I strongly urge the zoning board and other decision makers to reject the proposed zoning density increase. The privacy, safety, and character of our community are at stake, and it is essential to preserve the integrity of our neighborhood for current and future residents. Addressing the real housing needs of Phoenix, focusing on affordable and workforce housing, will better serve our city's long-term interests and maintain the quality of life we cherish.

Thank you for your attention to this matter.

Sincerely,
Royden Hudnall

SUPPORT

CITY OF PHOENIX
OCT 10 2024
Planning & Development Department

City of Phoenix
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, AZ 85003

Re: Support for Rezoning Request Z-74-24-6
Northeast Corner of 21st St and Turney Ave.

To Members of the City Council, Planning Commission, Village Planning Committee and the Planning Department:

I am writing in support of the proposed multifamily community at the northeast corner of 21st Street and Turney Ave. I have lived in this area for many years and believe that the proposed development will be a welcome addition to the neighborhood, replacing what is an outdated property and bringing investment into the community.

In addition, I do not agree with the statement that the proposed apartment community will have a negative impact on the surrounding area. The proposed location is in an area where there are several existing multifamily properties, some of which already have R-5 zoning. The proposed placement of the building makes sense for the property and was clearly designed to be as far away from the surrounding properties as possible. I do not believe that the proposed height or density is out of character for what is an urban area and would like to see the request approved for this property.

Sincerely,

Chad Lafferty

2019 E Campbell Ave #105

Phoenix, AZ 85016

PROPRIETARY & CONFIDENTIAL INFORMATION ©2023 CBRE, INC.

From: Courtney Anderson <cmande56@gmail.com>
Sent: Tuesday, October 8, 2024 10:14 AM
To: PDD Planning Commission

CAUTION: This email originated outside of the City of Phoenix.

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Report Suspicious

Dear Planning Commission Members,

My name is Courtney and I'm reaching out as a resident of the City of Phoenix and Arizona native to support the Turney Villas project Z-74-24-6 on the October 10 Planning Commission agenda.

According to a new report by the Morrison Institute [morrisoninstitute.asu.edu], rents in Arizona increased by 72% from 2010 to 2022. This has put tremendous stress on middle and low-income workers in our state. In August, almost 8,000 Maricopa county residents [azcentral.com] faced eviction filings. Homelessness has also increased and is at the highest level since 2010. In 2023, there were 14,237 people who experienced homelessness, including over a thousand older adults.

Arizona's housing crisis requires ongoing investments in housing, and this project will bring 64 new units to a neighborhood that already supports a mixture of density and types of housing.

This project is a much needed source of housing for the City of Phoenix. While this one project will not solve the crisis, we must do everything we can to ensure that every Arizonan can be at home and live a stable, purposeful life.

For these reasons, I support this project.

Sincerely,
Courtney Anderson
2202 N 28th Street
Phoenix, AZ 85008

--
Courtney Anderson
email: cmande56@gmail.com
phone: 602.980.3125

City of Phoenix
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, AZ 85003

CITY OF PHOENIX
OCT 08 2024
Planning & Development Department

Re: Support for Rezoning Request Z-74-24-6
Northeast Corner of 21st St and Turney Ave.

To Members of the City Council, Planning Commission, Village Planning Committee and the Planning Department:

I am writing in support of the proposed multifamily community at the northeast corner of 21st Street and Turney Ave. I have been an investor in this area for many years and believe that the proposed development will be a welcome addition to the neighborhood, replacing what is an outdated property and bringing investment into the community.

In addition, I do not agree with the statement that the proposed apartment community will have a negative impact on the surrounding area. The proposed location is in an area where there are several existing multifamily properties, some of which already have R-5 zoning. The proposed placement of the building makes sense for the property and was clearly designed to be as far away from the surrounding properties as possible. I do not believe that the proposed height or density is out of character for what is an urban area and would like to see the request approved for this property.

Sincerely,

CITY OF PHOENIX

OCT 0 2 2024

Planning & Development
Department

City of Phoenix
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, AZ 85003

Re: Support for Rezoning Request Z-74-24-6
Northeast Corner of 21st St and Turney Ave.

To Members of the City Council, Planning Commission, Village Planning Committee and the Planning Department:

I am writing in support of the proposed multifamily community at the northeast corner of 21st Street and Turney Ave. I have lived in this area for many years and believe that the proposed development will be a welcome addition to the neighborhood, replacing what is an outdated property and bringing investment into the community.

In addition, I do not agree with the statement that the proposed apartment community will have a negative impact on the surrounding area. The proposed location is in an area where there are several existing multifamily properties, some of which already have R-5 zoning. The proposed placement of the building makes sense for the property and was clearly designed to be as far away from the surrounding properties as possible. I do not believe that the proposed height or density is out of character for what is an urban area and would like to see the request approved for this property.

Sincerely,

Kevin McDaniels
Resident
4114 N. 28th St
Phoenix, AZ 85016

CITY OF PHOENIX

SEP 26 2024

Planning & Development Department

City of Phoenix
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, AZ 85003

Re: Support for Z-74-24-6
Northeast Corner of 21st St and Turney Ave.

Dear Councilman Robinson and Camelback East Village Planning Committee,

I am writing this letter to express my support for the rezoning request at the northeast corner of 21st t and Turney Avenue, Rezoning Case No. Z-74-24-6, which seeks to rezone the property from R-3 to R-5 Multifamily Zoning.

My family and I have owned investment property in the immediate area of the subject site for many years, I have a significant interest in this area and am excited to see new investment in the area, especially to the subject parcel that is underutilized and need of updating and redevelopment. I have spoken with the owner requesting the rezoning request and believe that the proposal is not only an appropriate use for the property but will be a welcome addition to the area. The development plants will enhance the streetscape and bring much-needed improvements, like the addition of sidewalks along the property perimeter, which is a neighborhood benefit.

I am familiar with the proposed site plan and appreciate that the apartment building is close to the corner of 21st Street and Turney Avenue, which will allow for parking and landscape between the building and mine and my neighbors' properties. I also think that the proposed height and density are appropriate and will not negatively impact the area as many of the nearby properties are already 3-story, multifamily properties similar in height.

The proposed community is an excellent use of the property and I believe this project will benefit the community and is appropriate for this location.

Sincerely,

Authentisign
Layla Hedayat 09/23/24

Layla Hedayat

CITY OF PHOENIX

SEP 25 2024

Planning & Development Department

City of Phoenix
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, AZ 85003

Re: Support for Z-74-24-6
Northeast Corner of 21st St and Turney Ave.

Dear Councilman Robinson and Camelback East Village Planning Committee,

I am writing this letter to express my support for the rezoning request at the northeast corner of 21st t and Turney Avenue, Rezoning Case No. Z-74-24-6, which seeks to rezone the property from R-3 to R-5 Multifamily Zoning.

I own 3 residential investment properties directly across from the subject site. I have a significant interest in this area and am excited to see new investment in the area, especially to the subject parcel that is underutilized and need of updating and redevelopment. I believe that the proposal is not only an appropriate use for the property but will be a welcome addition to the area. The development plan will enhance the streetscape and bring much-needed improvements, like the addition of sidewalks along the property perimeter, which is a neighborhood benefit.

I am familiar with the proposed site plan and appreciate that the apartment building is close to the corner of 21st Street and Turney Avenue, which will allow for parking and landscape between the building and mine and my neighbors' properties. I also think that the proposed height and density are appropriate and will not negatively impact the area as many of the nearby properties are already 3-story, multifamily properties similar in height.

The proposed community is an excellent use of the property and I believe this project will benefit the community and is appropriate for this location.

Sincerely,

Mike Menez
163-31-462
163-31-505
163-31-461

CITY OF PHOENIX

SEP 13 2024

Planning & Development Department

AUNT CHILADA'S

August 27, 2024

City pf Phoenix
Planning and Development Department
200 West Washington Street
Phoenix, Arizona

Attention: John Roanhorse
RE: Rezoning Case Z 74-24-6

Dear Mr. Roanhorse

I wish to express my strong support for the above referenced Rezoning Case.

As an oner of a family restaurant within the Camelback East Village boundaries and employing more than 300 people within Phoenix: available quality staff housing is a major concern. For many of our people the cost of shelter is a great concern. Also, the imbalance of supply and demand needs to be corrected to help make rents affordable.

The proposed project, if approved, will contribute to the correction of this imbalance in a sustainable, environmentally responsible fashion.

Accordingly, it is urged that this rezoning case be approved.

Respectfully,

Kenneth E. Nagel
Managing Owner
Aunt Chilada's @ The Peak
Rustler's Rooste

7330 North Dreamy Draw Drive Phoenix, Arizona 85020 602-944-1286 auntchiladas.com

CITY OF PHOENIX

SEP 13 2024

Planning & Development
Department

September 5, 2024

City of Phoenix
Planning and Development Department
200 W. Washington Street
Phoenix, AZ 85003

Att: John Roanhorse

RE: Rezoning Case: Z 74-24-6

Dear Mr. Roanhorse.

I wish to express my strong support for the above referenced Rezoning Case.

For many citizens of Phoenix the cost of shelter is of great concern and the current imbalance of supply & demand needs to be corrected for rents to remain affordable.

The proposed project, if approved, is appropriate for the neighborhood and will contribute to the correction of this imbalance in a sustainable, environmentally responsible fashion.

Accordingly, it is urged that this rezoning be approved.

Sincerely,

Susanna Reust

CITY OF PHOENIX
AUG 06 2024
Planning & Development Department

City of Phoenix
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, AZ 85003

Re: Support for Rezoning Request Z-74-24-6
Northeast Corner of 21st St and Turney Ave.

To Members of the City Council, Planning Commission, Village Planning Committee and the Planning Department:

My name is James Sean McGettigan. I am writing in support of the proposed multifamily community at the northeast corner of 21st Street and Turney Ave.

I have lived in this area for many years for the vibrant neighborhood it is and continues to evolve into being. The proposed development will be a welcome addition to the neighborhood, replacing an outdated property and bringing much needed investment into the community. I would love this area to evolve similar in nature to 16th Street and Highland or 36th – 40th Street and Campbell with areas for fitness studios, coffee shops, co-working spaces, etc. providing additional areas to gather and feel the vibrancy.

I do not agree with the statement that the proposed apartment community would have a negative impact on the surrounding area and wish it incorporated more of the surrounding properties into the design and build. The proposed location is in an area where there are several existing multifamily properties, some of which already have R-5 zoning. The proposed placement of the building maximizes the property's highest and best use while clearly designed to minimize the impact on the surrounding properties.

I do not believe that the proposed height or density is out of character for the area and would like to see the request approved for this property and welcome continued development and investment in the area.

Best Regards,

James Sean McGettigan

CITY OF PHOENIX

JUL 29 2024

Planning & Development Department

City of Phoenix
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, AZ 85003

Dear Councilman Robinson and Camelback East Village Planning Committee:

I am writing this letter to express my support for the rezoning request at the northeast corner of 21st St and Turney Avenue, Rezoning Case No. Z-74-24-6. The applicant seeks to upgrade the zoning from R-3 to R-5 Multifamily Zoning.

As the property owner of three properties that abut the subject property to the northwest. I have a significant interest in this request to rezone.

I'm a real estate broker specializing in multi-family living. I've lived, worked and invested in this area for over 20 years.

When Dakota on Camelback, across the street to the west, went through the conversion to condos, I represented the Seller in the sales and marketing. The Biltmore Palms is a condo community across the street, south of the subject property that I've had a very strong presence in representing Buyers and Sellers, as well.

Over the last 20 years I've witnessed the positive impact the residential density these communities have brought to the neighborhood. Not only have they both contributed to appreciation of property values in the neighborhood, they have improved the quality of life of their neighbors. Both of these communities are highly sought after by buyers searching for condos near the Biltmore.

As a real estate investor in the area, the future value of my parcels is of great importance to me. I strongly believe that this rezoning request will enhance and update an economically and socially underutilized area. The redevelopment will have a positive impact on the entire community.

I purchased the three parcels that abut the subject property over the last 11 years understanding the value that eventual density could bring to the neighborhood. My long term plans have always been to assemble the parcels and develop some sort of multi-family community. I've put a lot of thought into this. The applicant's proposal exceeds my expectations and dream for the neighborhood!

Lastly, one of the parcels I own is a vacant lot that is street facing. I am constantly dealing with homeless people camping, theft, garbage dumping, illegal parking, etc. Just today, I had to confront someone from attempting to steal a personal item. The human-centric spaces that the applicant is proposing will eliminate this bad behavior and make the neighborhood a safer more walkable, desirable neighborhood.

I'm available to answer any questions you might have or to further elaborate on my opinion.

Sincerely,

Authentisign
Roberta Candelaria 07/23/24

Roberta Candelaria
APN 163-31-010, 163-31-013A, 161-31-013C
602-791-3292

ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION
October 10, 2024

ITEM NO: 5	
	DISTRICT NO.: 6
SUBJECT:	
Application #:	Z-74-24-6 (Continued from September 5, 2024)
Location:	Northeast corner of 21st Street and Turney Avenue
From:	R-3
To:	R-5
Acreage:	1.82
Proposal:	Multifamily residential
Applicant:	Ashley Z. Marsh, Gammage & Burnham, PLC
Owner:	4401 Turney Villas, LLC; 2118 Turney, LLC; Charles E. Goodwin, III
Representative:	Ashley Z. Marsh, Gammage & Burnham, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations (per the Addendum A Staff Report).

Village Planning Committee (VPC) Recommendation:
Camelback East 8/6/2024 No Recommendation (motion to recommend approval failed).

Planning Commission Recommendation: Approval, per the Addendum A Staff Report.

Motion Discussion: N/A

Motion details: Commissioner Matthews made a MOTION to approve Z-74-24-6, per the Addendum A Staff Report.

Maker: Matthews
Second: Gorraiz
Vote: 9-0
Absent: None
Opposition Present: Yes

Findings:

1. The proposal is appropriate at this location and is consistent with the scale and existing uses in the surrounding area.

2. The proposal, as stipulated, will incorporate landscaping and shading that will enhance the location, consistent with General Plan goals and principles.

3. The proposal will create additional housing options in line with the Housing Phoenix Plan's goal of preserving or creating 50,000 housing units by 2030.

Stipulations:

1. THE MAXIMUM NUMBER OF DWELLING UNITS SHALL BE 64.

2. THE BUILDING HEIGHT SHALL BE LIMITED TO A MAXIMUM 3 STORIES AND 39 FEET WITHIN 37 FEET OF THE TURNEY AVENUE PROPERTY LINE AND WITHIN 45 FEET OF THE 21ST STREET PROPERTY LINE.

3.~~1.~~ The landscape setback along 21st Street shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.

4.~~2.~~ A minimum 40-foot building setback shall be provided along the north property lines, as approved by the Planning and Development Department.

5.~~3.~~ A minimum 5-foot sidewalk shall be constructed on the east side of 21st Street, adjacent to the development.

6.~~4.~~ A minimum 5-foot-wide detached sidewalk, separated by a minimum 7-foot-wide landscape area, shall be constructed on the north side of Turney Avenue. The landscape area shall be planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.

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

7.~~5.~~ All existing electrical utilities within the public right-of-way on 21st Street shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.

8.~~6.~~ Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.

9.~~7.~~ 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.

10.~~8.~~ Bicycle parking shall be provided at a minimum rate of 0.25 spaces per unit, up to a maximum of 50 spaces, 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.

11.~~9.~~ A minimum of three of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.

12.~~10.~~ A bicycle repair station (“fix it station”) shall be provided on the site. The station shall include, but not be limited to, standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.

13.~~11.~~ A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Installed Infrastructure, as approved by the Planning and Development Department.

14.~~12.~~ Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.

15.~~13~~. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.

16.~~14~~. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.

17.~~15.~~ A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.

18.~~16.~~ A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.

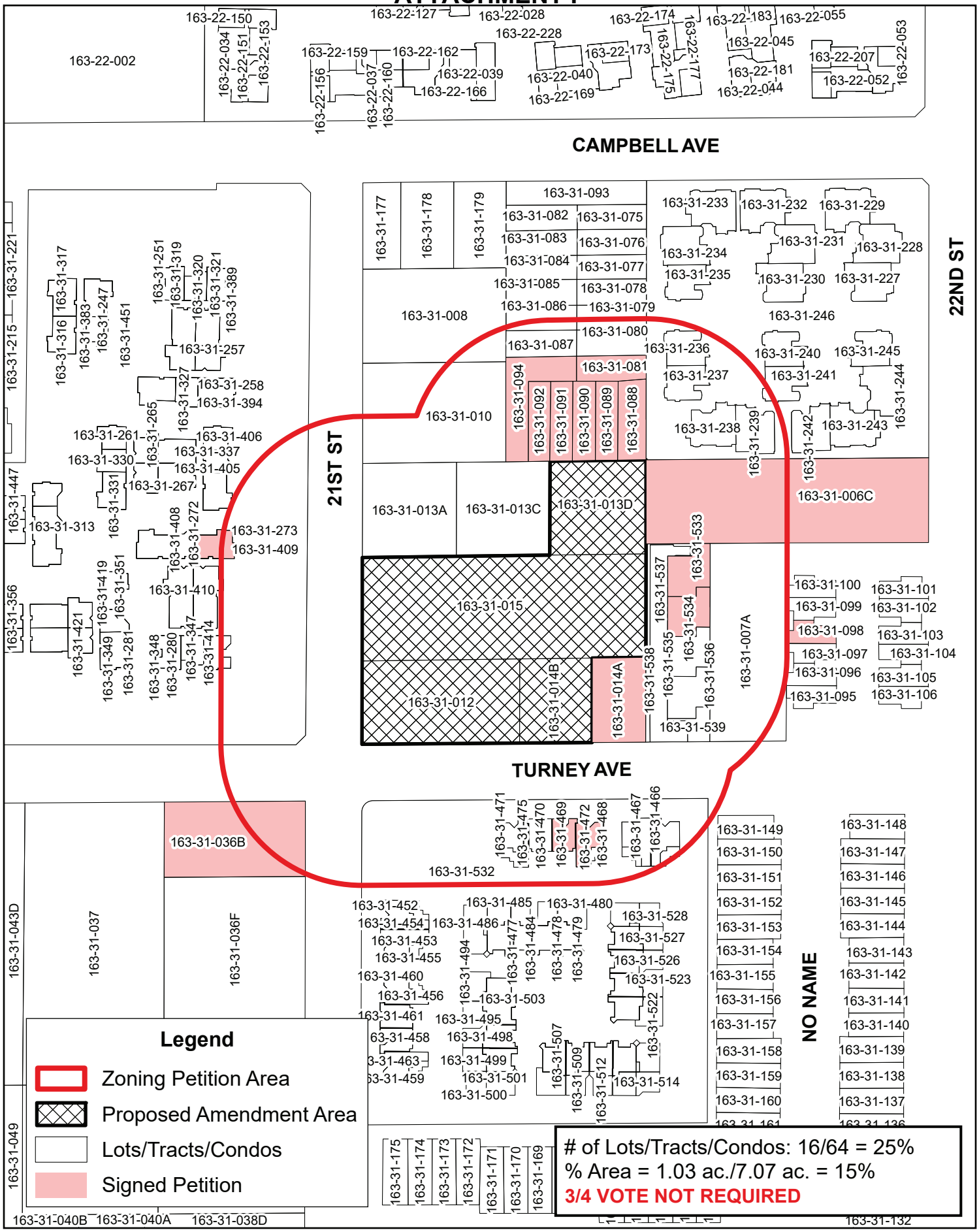
19.~~17.~~ The property owner shall record documents that disclose the existence, and operational characteristics of Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed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

20.~~18.~~ In the event archaeological materials are encounter 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.

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

This publication can be made available in alternate format upon request. Please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov, TTY: Use 7-1-1.

ATTACHMENT F



Petition Verification Map for Z-74-24-6

Map prepared by City of Phoenix, Planning & Development Services Dept. 10/18/2

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC **I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:**					
APPLICATION NO/ LOCATION	**Z-74-24-6 (Continued from September 5, 2024)** Northeast corner of 21st Street and Turney Avenue	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
APPEALED FROM:	PC 10/10/2024	2121 East Glenrosa Phoenix, AZ 85016			
	PC DATE	*STREET/ADDRESS/CITY/STATE/ZIP*			
TO PC/CC HEARING	CC 11/13/2024	**John Paletta** 602-300-4067 Jpaletta1@cox.net			
	CC DATE	*NAME / PHONE / EMAIL*			
REASON FOR REQUEST: **<u>Request for 3/4 vote</u>: Opposition to rezoning case Z-74-24-6 and secure a three-quarter vote of Council.**					
RECEIVED BY:	Julie Loewen	**RECEIVED ON:**		10/17/2024	

Joshua Bednarek
Tricia Gomes
Racelle Escolar
Sarah Stockham
Adam Stranieri
Stephanie Vasquez
Heather Klotz

Camryn Thompson
Daniel Inglese (Attorney)
GIS
Byron Easton (for PHO appeals only)
Village Planner - John Roanhorse
Applicant

CITY OF PHOENIX

OCT 17 2024

Planning & Development Department

City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

The **PLANNING COMMISSION** agenda for **October 10, 2024** is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

   There is a $630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **October 17, 2024**.

   Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. **October 17, 2024.**

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

   To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. **October 17, 2024.**

   The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an $830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. **October 24, 2024.**

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-74-24-6
APPLICATION NO.

21ST STREET AND TURNEY AVE
LOCATION OF APPLICATION SITE

10-10-24
DATE APPEALED FROM

☑ OPPOSITION
☐ APPLICANT

Julia Loewen, Planner I
PLANNER (PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

JOHN PALETTA
PRINTED NAME OF PERSON APPEALING

John Paletta
SIGNATURE

2121 EAST GLENROSA
STREET ADDRESS

10/11/24
DATE OF SIGNATURE

PHOENIX, ARIZONA 85016
CITY, STATE & ZIP CODE

602-300-4067
TELEPHONE NO.

JPaletta1@COX.NET
EMAIL ADDRESS

REASON FOR REQUEST:
OPPOSITION TO REZONING CASE Z-74-24-6 AND SECURE 3/4 VOTE OF COUNCIL.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

Deb-lin Manor
Board of Directors

Pres- Russell Burkland
Vice P- Courtney Humphrey
Sec Yvette Gresser

Board - Jeff Haberstab

PETITION for a THREE-FOURTHS (3/4) Vote by the City Council for REZONING # Z-74-24-6 from R3 to R-5 at 21st Street and Turney Ave.

We, the undersigned property owners within the proposed area or within 150 feet of it, including all rights-of-way, are against the proposed rezoning from R3 to R5.

DATE	SIGNATURE	PRINT NAME	ADDRESS	APN
10-12-2024		Russell Goldman	4446 N 21st Pl. Phx, AZ. 85016	163-31-094
10/12/24		BETSY GREENBERG	4437 N. 21ST PL PHX AZ 85016	163-31-081
10/13/24		Yvette Graser	4434 N 21st Pl Phoenix AZ 85016	163-31-092
10/13/24		Courtney Humphrey	4432 N. 21st Pl Phoenix, AZ 85016	163-31-091
10-14-24		Jeff Hasenstab	4435 N 21st Pl. Phoenix, AZ 85016	163-31-088
10/15/24		Caroline Wheet	4433 N 21st PL Phoenix, AZ 85016	163-31-089
10/15/24		Daniela Howe	4431 N 21st Pl Phoenix AZ 85016	163-31-090

ERIC FIE

PETITION for a THREE-FOURTHS (3/4) Vote by the City Council for REZONING # Z-74-24-6 from R3 to R-5 at 21st Street and Turney Ave.

We, the undersigned property owners within the proposed area or within 150 feet of it, including all rights-of-way, are against the proposed rezoning from R3 to R5.

DATE	SIGNATURE	PRINT NAME	ADDRESS	APN
10-15-24		JOHN M. HAMER	2142 E TURNEY AVE PHOENIX, AZ 85016 #3	3
10/14/24	Kathleen DeLorey	KathleenADeLorey	2201 E. Roma Ave PHX, AZ 85016	
10/14/24	Robert F DeLorey	Robert F. DeLorey	2201 E. Roma Ave Phoenix AZ. 85016	
10/14/24		Matthew Barber	2142 E Turney Ave #9 Phoenix AZ 85016	163-31-098
10/14/24	Katherine Barber	Katherine Barber	2142 E Turney Ave #9 Phoenix AZ 85016	
10/14/24	Kim M	Kim M. Drager-Hall	2142 E Turney Ave #7 Phoenix, AZ 85016	
10/14/24	Leah	Leah Adelman	2130 E Turney Ave #1 Phoenix AZ 85016	163-31-533
10/14/24		Zayden Hedhall	2130 E Turney Ave #1 Phoenix AZ 85016	
10-15-24	Robert Armenta	Robert Armenta	2124 E. Turney Ave	163-31-014A
10/15/24		Alessandro Scavenius	2142 E Turney Ave. unit 12	
10/15/24		Allie Pinkus	2142 E Turney Ave Unit 12	
		Chrysanthe Cipon	4301 N. 21st Ave #39 PHX, AZ 85016	
10/15/24		Kerstin Beinnes	2142 E TURNEY AVE #8, PHX AZ 85016	

PETITION for a THREE-FOURTHS (3/4) Vote by the City Council for REZONING APPLICATION #Z-74-24-6 from R3 to R5 at 21st Street and Turney Ave.

We, the undersigned property owners within the proposed area or within 150 feet of it, including all rights-of-way, are against the proposed rezoning from R3 to R5.

DATE	SIGNATURE	PRINT NAME	ADDRESS	APN
09/17/24	Linda Callabres	Linda Callabres	4420 N. 22nd Street Phoenix, AZ 85016	163-31-006C

PETITION for a THREE-FOURTHS (3/4) Vote by the City Council for REZONING APPLICATION #Z-74-24-6 from R3 to R5 at 21st Street and Turney Ave.

PETITION for a THREE-FOURTHS (3/4) Vote by the City Council for REZONING # Z-74-24-6 from R3 to R-5 at 21st Street and Turney Ave.

We, the undersigned property owners within the proposed area or within 150 feet of it, including all rights-of-way, are against the proposed rezoning from R3 to R5.

Date	Signature	Print Name	Address	APN
10/10		David Spierer	2430 E. Turney Ave Apt 2 Phoenix AZ	163-31-534
10/14		Marnie Spierer	" "	163-31-534
10/8		Andrew Wilson	4343 N 21st St. Unit 110 Phoenix, AZ 85014	163-31-469

PETITION for a THREE-FOURTHS (3/4) Vote by the City Council for REZONING # Z-74-24-6 from R3 to R-5 at 21st Street and Turney Ave.

We, the undersigned property owners within the proposed area or within 150 feet of it, including all rights-of-way, are against the proposed rezoning from R3 to R5.

DATE	SIGNATURE	PRINT NAME	ADDRESS	APN
10/13/2024	A. Lalwani	ANWER ALI	#109 / 4343 N. 21st	163-31-468
10/15/24		KEITH SMITH	#207 / 4343 N 21st St	163-31-466
10/16/24		JEREMY [illegible]	# D7 / 2025 E. Campbell	163-31-273
10/17/24		DAVID YANKO	4344 W 21st	168-81-0368
	.....			

STATE OF ARIZONA

Corporation Commission

To all to Whom these Presents shall Come, Greeting:

BE IT KNOWN THAT **DEB-LIN MANOR HOMEOWNERS ASSOCIATION**

HAVING SUBMITTED TO THE ARIZONA CORPORATION COMMISSION EVIDENCE OF COMPLIANCE WITH THE LAWS OF THE STATE OF ARIZONA GOVERNING THE INCORPORATION OF COMPANIES, BY VIRTUE OF THE POWER VESTED IN THE COMMISSION UNDER THE CONSTITUTION AND THE LAWS OF THE STATE OF ARIZONA, HEREBY GRANTED THIS

CERTIFICATE OF INCORPORATION

AUTHORIZING SAID COMPANY TO EXERCISE THE FUNCTIONS OF A CORPORATION UNDER THE LAWS NOW IN EFFECT IN THE STATE OF ARIZONA AND SUBJECT TO SUCH LAWS AS MAY HEREAFTER BE ENACTED. FOR A PERIOD OF TWENTY-FIVE YEARS FROM THE DATE HEREOF, UNLESS SOONER REVOKED BY AUTHORITY OF LAW.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

In Witness Whereof, I, **ERNEST GARFIELD**, THE CHAIRMAN, HAVE HEREUNTO SET MY HAND AND CAUSED THE OFFICIAL SEAL OF THE ARIZONA CORPORATION COMMISSION TO BE AFFIXED AT THE CAPITOL, IN THE CITY OF PHOENIX, THIS **12th** DAY OF **April,** A. D. **1976.**

CHAIRMAN.

ATTEST

SECRETARY NO **101990**

BY

ASSISTANT SECRETARY

DEB-LIN MANOR HOMEOWNERS ASSOCIATION

ARTICLES OF INCORPORATION
DATED September 9, 1975

101990

ARIZONA [illegible] COMMISSION
[illegible]

SEP 9 1975

At 11:35 A.M. Request of
Mariscal, Weeks, Lehman & McIntyre, P.A.
Address 830 N. 1st Ave.,
Phoenix, Ari. 85003
By Trudy Kriegel

George M. Dempsey

STATE OF ARIZONA }
County of Maricopa } ss

I hereby certify that the within instrument was filed and recorded at request of
Mariscal Weeks et al
SEP 10 1975 -9 22
in Docket 11325
on page 487-497
Witness my hand and official seal the day and year aforesaid.
Tom Freestone
County Recorder
By [illegible]
Deputy Recorder

213319

COPY

ARIZONA CORPORATION COMMISSION

Corporate Name
And Address

DEB-LIN MANOR HOMEOWNERS ASSOCIATION
3201 North 16th Street
Phoenix, Arizona
248-8550

Incorporating Division
1688 West Adams
Phoenix, Arizona 85007

Certificate Of Conformance
A.R.S. 10-139
General Order I-3

FEE FOR FILING THIS CERTIFICATE $1.00

For new corporations:
File with articles.

For existing corporations:
File with annual report.

If officers not filed at time of incorporation, file one for them twenty days after organizational meeting.

Check A or B, whichever is appropriate:

X A. There are no persons serving either by election or appointment as an officer, director or incorporator of the above named corporation who have:

1. Been convicted of either a felony or misdemeanor involving a transaction in securities within the ten year period immediately preceding his election or appointment, or

2. Been convicted of any other crime, essential elements of which are fraud and misrepresentation to the public within the ten year period immediately preceding his election or appointment, or

3. Is subject to an order, judgment or decree of a court of competent jurisdiction, entered within the ten year period immediately preceding his election or appointment, which order, judgment or decree enjoins or declares unlawful any conduct or practice in connection with a transaction involving securities.

___ B. The following persons serving either by election or appointment as an officer, director or incorporator of the above named corporation are the only such officers, directors or incorporators who have:

1. Been convicted of either a felony or misdemeanor involving a transaction in securities within the ten year period immediately preceding his election or appointment, or

2. Been convicted of any other crime, essential elements of which are fraud and misrepresentation to the public within the ten year period immediately preceding his election or appointment, or

3. Is subject to an order, judgment or decree of a court of competent jurisdiction, entered within the ten year period immediately preceding his election or appointment, which order, judgment or decree enjoins or declares unlawful any conduct or practice in connection with a transaction involving securities.

If "B" is checked, insert a list of the names and corporate position of such persons together with a concise statement of the nature of the offense or transaction, the caption of the proceeding, the cause number, the name of the tribunal, the judgment or sentence imposed, whether the judgment or sentence has been satisfied or carried out, and the nature of any injunctions, orders, judgments or decrees in effect at the [illegible] making of the certification:

State Of ARIZONA)
) ss.
County Of Maricopa)

We, _____, _____ and

_____, _____ of DEB-LIN MANOR HOME-

OWNERS ASSOCIATION do solemnly swear that to the best of our knowledge and belief, the foregoing is a true, complete and correct statement, and have therefore caused same to be prepared and delivered to the Arizona Corporation Commission.

(NOTE: THIS CERTIFICATE SHALL BE EXECUTED BY ANY TWO EXECUTIVE OFFICERS OR DIRECTORS OF THE CORPORATION OR COMBINATION THEREOF.)

_____ _____
(Signature) (Title)

_____ _____
(Signature) (Title)

Subscribed and sworn to before me this _____ day of _____, 19 ____.

_____
(Signature)

My Commission Expires:

_____
(NOTARY SEAL) (CORPORATE SEAL)

(ALTERNATE FORM OF OATH TO BE USED BY INCORPORATORS FILING A CERTIFICATE OF CONFORMANCE PURSUANT TO A.R.S. 10-199.)

State Of ARIZONA)
) ss.
County Of Maricopa)

We, Pasquale R. DiRuzza, Thomas L. Neddoff and Richard A. Polito the incorporators of DEB-LIN MANOR HOMEOWNERS ASSOCIATION, do solemnly swear that to the best of our knowledge and belief, the foregoing is a true, complete and correct statement, and have therefore caused same to be prepared and delivered to the ARIZONA CORPORATION COMMISSION.

Pasquale R. DiRuzza
Incorporator

Thomas L. Neddoff
Incorporator

RICHARD A. POLITO, incorporator

Subscribed and sworn to before me this 26th day of August, 1975.

_____
Signature

My Commission Expires

_____
(NOTARY SEAL) (CORPORATE SEAL)

A. FARTH
...
...
...
...
...
...

ARIZONA CORPORATION COMMISSION
1200 W. ST ADAMS
PHONE ... 271-4166

...
...
...
...
...

FOR THE PURPOSE OF CLARIFICATION: THE DEFINITION OF A FISCAL DATE AS IT PERTAINS TO THE FUNCTIONS OF THE ARIZONA CORPORATION COMMISSION, INCORPORATING DIVISION IS AS FOLLOWS---(THE FISCAL DATE OF A CORPORATION IS THAT DATE WHICH IS SELECTED BY A CORPORATION TO END OR CLOSE ITS ACCOUNTING PERIOD FOR THEIR CORPORATION AND UPON WHICH AN ANNUAL REPORT MUST BE FILED)---THIS PERIOD OF TIME MAY BE FOR TWELVE MONTHS OR LESS, BUT MUST END ON THE LAST DAY OF THE PERIOD SELECTED.

A FISCAL DATE LETTER IS REQUIRED AT THE TIME A REQUEST IS FILED IN THIS OFFICE FOR THE INCORPORATING OF A DOMESTIC CORPORATION, OR AT THE TIME OF SUBMISSION OF A REQUEST FOR A FOREIGN LICENSE.

YOU MUST KEEP US PROPERLY INFORMED AND CURRENT WHEN CHANGES OF FISCAL DATE ARE MADE BY YOUR CORPORATION.

YOU WILL NOTE THAT ON THE LOWER PORTION OF THIS LETTER THERE ARE NOTATIONS RELATIVE TO THE FISCAL DATE AND THEIR PARTICULAR APPLICATION TO YOUR CORPORATION. PLEASE COMPLETE THIS SECTION.

SINCERELY,

Caroline Granquist

CAROLINE GRANQUIST
CORPORATE DOCUMENT SECTION (27-4152)

FISCAL DATE REQUESTED FOR:

_____A. FOREIGN CORPORATION ENTERING ARIZ. TO BE A NEW DOMESTIC CORP.

_____B. CHANGE OF FISCAL DATE FOR AN EXISTING CORP. (FROM _____

EXACT NAME OF CORPORATION DEB-LIN MANOR HOMEOWNERS ASSOCIATION

FISCAL DATE REQUESTED January 1

REQUESTED BY Tom Neddoff, incorporator TITLE

DATE REQUEST MADE 8/26/75

Tom Neddoff

1/75

DNM:lj:1/21/75

ARTICLES OF INCORPORATION OF

DEB-LIN MANOR HOMEOWNERS ASSOCIATION

ARTICLE I

AUG

Name. The name of this corporation, which is incorporated as a nonprofit corporation under the laws of the State of Arizona, is DEB-LIN MANOR HOMEOWNERS ASSOCIATION.

ARTICLE II

Principal Place of Business. The principal place of business of the corporation shall be located in the City of Phoenix, Maricopa County, Arizona, but the corporation may transact business anywhere in the world as may be directed by the board of directors.

ARTICLE III

A. General Nature of Business. The general nature of the business to be transacted by the corporaton and the objects and purposes for which the corporation is established shall be and are to provide for the maintenance, preservation and architectural control of the planned unit development project situated on that certain real property located in the City of Phoenix, County of Maricopa, State of Arizona, and all structures and improvements thereon, described as follows:

> Lots 1 through 18, and Tracts A and B, DEB-LIN MANOR AMENDED, a sublot development of the East half of Lot Three (3), Block One (1), Homeside Acres, according to the plat of record in the office of the Maricopa County Recorder in Book 155 of Maps, Page 29.

B. Powers. In furtherance and not in limitation of the general powers conferred upon corporations by the laws of the State of Arizona, and in furtherance and not in limitation of the objects and purposes set forth in these articles (but, however, subject to the limitations imposed by the laws of Arizona on Arizona nonprofit corporations), this corporation shall have and exercise all powers necessary for, incidental to, desirable for or useful or convenient in carrying out each and all of its objects and purposes (including implied objects and purposes). These powers shall include but not be limited to the following:

(1) To promote the health, safety and welfare of the residents within the above described property;

(2) To exercise all of the powers and privileges and to perform all of the duties and obligations of the corporation arising from any declaration, covenant or restriction

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630 NORTH FIRST AVENUE
PHOENIX, ARIZONA 85003
(602) 257-1106

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MARISCAL, WEEKS, LEHMAN & McINTYRE, P.A.
830 NORTH FIRST AVENUE
PHOENIX, ARIZONA 85003
(602) 257-1106

applicable to the above described property;

(3) To fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration of Covenants, Conditions and Restrictions (establishing a Planned Unit Development) to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the corporation, including all the property of the corporation;

(4) To acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the corporation;

(5) To borrow money and with the assent of two-thirds of each class of members, mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

(6) To have and to exercise any and all powers, rights, and privileges which a nonprofit corporation organized under Arizona law may now or hereafter have or exercise;

(7) To do any and all things set forth or included in these Articles by implication or otherwise as an object or purpose or otherwise, either alone, as an agent, as principal through the agency of others, by contract with any person, firm, association, partnership or corporation, as a joint adventurer or partner, and in any other manner whatsoever;

(8) To apply for, obtain, lease, register, purchase or otherwise acquire, hold, own, control, sell and dispose of letters patent, patents, patent rights, rights to patents pending, applications for patents, copyrights, licenses and priviledges, inventions, improvements, processes, trademarks and trade names; labels, brands, franchises, dealerships, and any other rights, permits, or privileges of any kind or character whatsoever relating to or useful in connection with any business of the corporation, and to use, develop, exercise, grant license in respect of, sell, let, protect, maintain, exchange or otherwise deal in and with the same;

(9) To carry on business in its own name, in any assumed business name, and through any partially or wholly owned corporation and to sue and be sued in its own name, and any assumed business name;

(10) To act as an incorporator of subsidiary corporations formed to carry out any part of its objects, purposes and functions;

(11) To act as agent, trustee, guardian, executor, administrator, broker and in any other representative or fiduci-

ary capacity, with or without revealing such relationship; the grant or order of any court, and regardless of the kind of the fiduciary relationship or the kind of assets held or to be responsibilities upon it imposed by the instrument or order creating the relationship, including the exercise of powers not specifically or by implication herein set forth;

(12) To buy, acquire, acquire rights in, hold, lease (as lessee or lessor), sell, transfer, convey and otherwise dispose of improved or unimproved real property and interests therein of every kind and description, whether or not in possession;

(13) To acquire and hold all licenses from governmental agencies, necessary or desirable for the conduct of any business undertaken by the corporation.

This Article III shall be construed as a statement both of purposes and powers, and purposes and powers in each clause shall be in no wise limited or restricted by reference to or inference from the terms or provisions of any other clause, but shall be broadly construed as independent purposes and powers. Notwithstanding any of the above statements of purposes and powers, the corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in futherance of the primary purposes of the corporation.

C. Restriction on Powers While a Private Foundation. During any period that this corporation is a private foundation, as that term is defined at Section 509 of the Internal Revenue Code of 1954, as amended, this corporation's powers shall be restricted specifically as follows:

(1) The corporation shall be without power to engage in any act of self-dealing as that term is defined at Section 4941 of the Internal Revenue Code of 1954, as amended.

(2) The corporation shall be without power to retain any excess business holdings as that term is defined at Section 4943 of the Internal Revenue Code of 1954, as amended.

(3) The corporation shall be without power to make any investment in any manner which would subject it to tax under Section 4944 of the Internal Revenue Code of 1954, as amended.

(4) The corporation shall be without power to make any taxable expenditure as that term is defined at Section 4945 of the Internal Revenue Code of 1954, as amended.

D. Required Distribution of Income While a Private Foundation. During any period that it is a private foundation, as that term is defined at Section 509 of the Internal Revenue Code of 1954, as amended, it shall be required to distribute such

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PHOENIX, ARIZONA 85003
(602) 257-1106

amounts at such time and in such manner as to prevent it from becoming liable for the tax imposed by Section 49 of the Internal Revenue Code of 1954, as amended.

ARTICLE IV

Nonstock, Membership Corporation. This shall be a nonstock corporation. This shall be a membership corporation. The authorized number and qualifications of members of the corporation, the different classes of membership, if any, the property, voting and other rights and privileges of members, and their liability for dues and assessments and the method of collection thereof, shall be as set forth in the Bylaws.

ARTICLE V

Incorporators. The names, residences and post office addresses of the incorporators are as follows;

Pasquale R. DiRuzza
5330 North 15th Street
Phoenix, Arizona 85014

Thomas L. Neddoff
2503 East Christy Drive
Phoenix, Arizona 85028

Richard A. Polito
2525 East Mercer Lane
Phoenix, Arizona 85028

ARTICLE VI

Time and Commencement. The time of commencement of this corporation shall be the day a Certificate of Incorporation shall be issued to it by the Arizona Corporation Commission, and termination thereof shall be twenty-five years thereafter, with the privilege of successive renewal as provided by law so as to achieve perpetual succession.

ARTICLE VII

Conduct of Affairs. This corporation shall be a not-for-profit corporation and shall have no stock. The affairs of this corporation shall be conducted by the board of directors and such officers and committees as the directors may from time to time appoint. The number of directors shall be fixed by the Bylaws, but shall not exceed the maximum number of directors permitted by law. The directors shall serve without compensation and no director shall receive any pecuniary benefit as a direct result of being a director of the corporation. The initial board of directors named herein and any subsequent board of directors shall have power to increase the size of the board of directors subject to the restrictions imposed by this Article. Such new

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positions and any vacancies on the board of directors resulting from death, resignation or inability to serve shall be filled in a manner provided in the Bylaws. The failure to fill any vacancy on the board of directors shall not operate to reduce the size of the board of directors, but the directors actually in office shall at any time constitute the board of directors, provided, however, that should the number of directors actually in office fall below three, the remaining directors shall be without power to take any action except to fill the vacancy. The board of directors shall have the power to appoint committees to act on behalf of the corporation and to define, by appropriate bylaw, each committee's purposes and powers. The committees appointed by the board of directors may have all the powers available to the board under these Articles of Incorporation and permitted by the Bylaws except the power to amend the Bylaws or to fill vacancies on the board of directors or any committee. The Bylaws shall provide the method for election of directors. The annual meeting of the corporation shall be held each year on January 2, or such later date as may be specified by notice duly given in accordance with the Bylaws to each member. The following persons were elected as initial directors of the corporation at a meeting of the incorporators held on June 11, 1975, at Phoenix, Arizona;

Pasquale R. DiRuzza
Thomas L. Neddoff
Richard A. Polito

ARTICLE VIII

Indebtedness. The highest amount of indebtedness or liability, direct or contingent, to which the corporation is at any time to subject itself, is the sum of one million dollars ($1,000,000.00).

ARTICLE IX

Exemption of Private Property. The private property of the incorporators, directors, officers, employees and agents of this corporation shall be forever exempt from liability for its debts or obligations.

. . . . .

. . . . .

LAW OFFICES
MARISCAL, WEEKS, LEHMAN & McINTYRE, P.A.
830 NORTH FIRST AVENUE
PHOENIX, ARIZONA 85003
(602) 257-1100

LAW OFFICES
MARISCAL, WEEKS, LEHMAN & McINTYRE, P.A.
230 NORTH FIRST AVENUE
PHOENIX, ARIZONA 85003
(602) 257-1108

ARTICLE X

Amendment of Articles. These Article of Incorporation may be amended by the membership at any regular or special meeting of members by the affirmative vote of three-fourths of the number of members present at the meeting in person or by proxy. At least ten days written notice of any proposed amendment to these Articles must be given each member in advance of the meeting at which such proposed amendment is to be considered. No additional notice to members shall be required.

ARTICLE XI

FHA/VA Approval. As long as there is a Class B membership, the following actions will require the prior approval of the Federal Housing Administration or the Veterans Administration: annexation of additional properties, mergers and consolidations, mortgaging of Common Area, dedication of Common Area, dissolution and amendment of these Articles.

ARTICLE XII

Dissolution. The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of each class of members. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association was created. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed and assigned to any nonprofit corporation, association, trust or other organization to be devoted to such similar purposes.

ARTICLE XIII

Indemnification of Directors and Officers. Subject to the further provisions hereof, the corporation shall indemnify any and all of its directors, officers, former directors and former officers against all expenses incurred by them and each of them, including but not limited to legal fees, judgments, and penalties which may be incurred, rendered or levied in any legal action or omission alleged to have been committed while acting within the scope of employment as director or officer of the corporation. Whenever any director, officer, former director or former officer shall report to the president of the corporation or the chairman of the board of directors that he has incurred or may incur expenses, including but not limited to legal fees, judgments and penalties in a legal action brought against him for or on account of any action or omission alleged to have been committed by him while acting within the scope of his employment as a director or officer of the corporation, the board of directors of the corporation shall, at its next regular or at a special meeting held within a reasonable time thereafter, determine in good faith whether, in regard to the matter involved

in the action or contemplated action, such person acted, failed to act, or refused to act willfully, with gross negligence or with fradulent or criminal intent. If the board of directors determines in good faith that such person did not act, failed to act, or refused to act willfully or with gross negligence or with fradulent or criminal intent in regard to the matter involved in the action or contemplated action, indemnification shall be mandatory and shall be automatically extended as specified herein, provided, however, that no such indemnification shall be available with respect to liabilities under the Securities Act of 1933, and provided, further that the corporation shall have the right to refuse indemnification in any instance in which the person to whom indemnification would otherwise have been applicable shall have unreasonably refused to permit the corporation, at its own expense and through counsel of its own choosing, to defend him in the action.

ARTICLE XIV

Statutory Agent. Mariscal, Weeks, Lehman & McIntyre, P.A. whose address is 830 North 1st Avenue, Phoenix, Arizona a corporation authorized to do business in the State of Arizona is hereby appointed the agent of the corporation, upon whom all notices and processes, including service of sum[illegible]may be served, and the service upon such agent shall be lawful personal service on the corporation. This appointment may be revoked at any time by the filing of the appointment of another agent as provided by law.

IN WITNESS WHEREOF, THE incorporators hereunto set their hands as of the 12th day of June, 1975.

Pasquale R. DiRuzza

Thomas L. Neddoff

Richard A. Polito

LAW OFFICES
MARISCAL, WEEKS, LEHMAN & McINTYRE, P.A.
830 NORTH FIRST AVENUE
PHOENIX, ARIZONA 85003
(602) 257-1100

STATE OF ARIZONA)
) ss
County of Maricopa)

The foregoing instrument was acknowledged before me this 12th day of June, 1975, by Pasquale R. DiRuzza

Notary Public

My commission expires:
March 14, 1979

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 12th day of June, 1975, by

Notary Public

My commission expires:

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 12th day of June, 1975, by Richard R. Polito

Notary Public

My commission expires:
March 14, 1979

LAW OFFICES
MARISCAL, WEEKS, LEHMAN & McINTYRE, P.A.
830 NORTH FIRST AVENUE
PHOENIX, ARIZONA 85003
(602) 257-1106

Racelle Escolar

From: jpaletta1 <jpaletta1@cox.net>
Sent: Friday, October 11, 2024 12:59 PM
To: Racelle Escolar
Cc: Kathy DeLorey; Melissa Rhodes; Russell Birkland; Betsy & Robert Greenberg
Subject: Re: Opposition letter regarding Z-74-24-6 - R5 Misrepresented

CAUTION: This email originated outside of the City of Phoenix.

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Report Suspicious

PLEASE PLACE IN CITY COUNCIL FILE

It seems there were some concerns about the representation of the R5 zoning during the planning commission meeting. It was perceived that the commission and the planning department may have favored the developer's interests. Some specific points of concern include the emphasis on the suitability of R5 for the site, overlooking traffic concerns, and the lack of consideration for the negative impact of R5 on the area.

It was stressed that the R5 zoning was part of a compromise from a previous rezoning, and it's important to provide detailed explanations to the council and during office visits regarding the reasons for having this higher zoning.

It was also mentioned that the lawyer's presentation on the R5 zoning was misleading. During the council hearing, it was suggested that speakers provide a detailed explanation of the history to ensure a comprehensive understanding.

In conclusion, the choice between R3 and R5 zoning for a multifamily development on 1.82 acres will depend on factors such as desired density, community context, and local zoning regulations. R5 zoning typically allows for higher density and taller buildings compared to R3, which might be more suitable for urban or higher-density suburban areas.

John Paletta
2121 East Glenrosa Ave
Phoenix, Arizona

Sent from Yahoo Mail for iPhone [mail.onelink.me]

On Friday, October 11, 2024, 12:53 PM, jpaletta1 <jpaletta1@cox.net> wrote:

> PLEASE PLACE IN CITY COUNCIL FILE
>
> It seems there were some concerns about the representation of the R5 zoning during the planning commission meeting. It was perceived that the commission and the planning department may have favored the developer's interests. Some specific points of concern include the emphasis on the suitability of R5 for the site, overlooking traffic concerns, and the lack of consideration for the negative impact of R5 on the area.

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John Paletta
2121 East Glenrosa Rd

Sent from Yahoo Mail for iPhone [mail.onelink.me]

Racelle Escolar

From: jpaletta1 <jpaletta1@cox.net>
Sent: Friday, October 11, 2024 1:38 PM
To: Racelle Escolar
Cc: Kathy DeLorey; Melissa Rhodes; Russell Birkland; ryanworldtravel8@gmail.com; Betsy & Robert Greenberg
Subject: Letter of Oppositon - Rezoning Case Z-74-24-6

CAUTION: This email originated outside of the City of Phoenix.

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Report Suspicious

PLEASE PLACE IN COUNCIL FOLDER FOR 21/12/24

At the recent Planning Commission meeting on 10/10/24 regarding Rezoning Case Z-74-24, it was observed that individuals from outside the immediate area were brought in to advocate for the R3 to R5 zoning change. These individuals seemed unfamiliar with the specific details of the case, and it was noted that the rezoning primarily impacts the local neighborhood rather than individuals residing four miles away on 28th Street.

Furthermore, during the hearing, there were speakers who voiced support for the rezoning in the context of affordable housing, although this aspect was not directly relevant to the rezoning case at hand.

The manufactured nature of this support was unfortunate and detracted from the substantive discussion of the hearing.

Best regards,
John Paletta
2121 East Glenross Ave

Sent from Yahoo Mail for iPhone [mail.onelink.me]

Racelle Escolar

Subject: R5 MISREPRESENTATION

From: jpaletta1 <jpaletta1@cox.net>
Sent: Friday, October 11, 2024 3:31 PM
To: Racelle Escolar <racelle.escolar@phoenix.gov>
Cc: Kathy DeLorey <ksews60@gmail.com>; Kathryn northcentralnews.net <kathryn@northcentralnews.net>; Melissa Rhodes <melissa.rhodes.az@gmail.com>; Russell Birkland <rgenebirkland@gmail.com>; ryanworldtravel8@gmail.com; Betsy & Robert Greenberg <berto56@cox.net>
Subject: R5 MISREPRESENTATION

Subject: Concerns Regarding Rezoning Case Z-74-24-6 - R5 MISREPRESENTSTION

Dear Phoenix City Council:

I am writing to express our concerns regarding the recent presentation of the rezoning case Z-74-24-6 at the 10/10/2024 Planning Commission Meeting. It has come to our attention that there were some misrepresentations made during the presentation, particularly in the portrayal of R5 zoning in our neighborhood.

We believe that there was a lack of transparency in the presentation, as certain crucial historical details regarding the R5 zoning were omitted. It is important to note that these details were extensively discussed during the compromise meetings with the lawyer and developer, but unfortunately, they were not conveyed to the Planning Commission.

Our neighborhood has a long history of grappling with rezoning issues, dating back to 1986 (Z-210-86). After 11 years of negotiations, a compromise was reached in 1994, resulting in the downzoning of the entire block between Glenrosa and Turney and 21st Street and 22nd Street to R2, with the southeast corner designated as R5 as part of the compromise. Specific stipulations were put in place for two-story structures along Turney Ave and 21st Street and three stories in the center of the project.

Furthermore, the northwest corner has a history of rezoning dating back to 1978, with the corner of 20th Street and Campbell initially zoned as an 8-story Midrise. Subsequently, through negotiations with the city, it was rezoned to R5 with specific restrictions, including no traffic entering the neighborhood and a 30-foot setback behind the parking lot.

We are concerned that the use of these two parcels of R5 to justify the current rezoning is misleading and does not fully capture the complexities and history of the zoning in our neighborhood.

We hope that these concerns can be addressed and that all relevant information will be accurately presented to the Council on 11/12/24.

Thank you for your attention to this matter.

Sincerely,

John Paletta
2121 East Glenrosa Ave
Phoenix, Arizona. 85016
602 300 4067
jpaletta1@cox.net
Sent from Yahoo Mail for iPhone [mail.onelink.me]

John Roanhorse

From: Leah Adelman <lfadelman@gmail.com>
Sent: Thursday, October 10, 2024 4:55 PM
To: John Roanhorse
Subject: Concern Regarding the Impact of Proposed Project on My Property Value

CAUTION: This email originated outside of the City of Phoenix.

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Dear Committee Members,

I hope this letter finds you well. My name is Leah Adelman and I am writing as a first-time homeowner who lives adjacent to the proposed project. While I understand that development is often necessary for community growth, I am deeply concerned that this particular project will negatively impact the value of my home and the quality of life in my neighborhood.

As a homeowner, this investment is significant to me, both financially and emotionally. The proximity of the project to my property raises serious concerns about increased noise, traffic, and potential environmental effects, all of which are likely to drive down the value of my home. This is particularly troubling as I had hoped this would be a place where I could establish long-term roots in a stable and growing community.

I respectfully urge you to reconsider the current scope of the project and take into account the potential harm it could cause to homeowners like myself, who will be directly affected. Please consider alternative solutions or mitigations that could alleviate these concerns, ensuring that this project supports both the growth of the community and the wellbeing of its residents.

Thank you for your time and consideration of my concerns.

Sincerely,
Leah Adelman
2130 E Turney Ave #1 Phoenix AZ 85018
4043957474

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** *74

REQUEST TO CONTINUE (SEE ATTACHED MEMO) Public Hearing and Ordinance Adoption - Rezoning Application Z-58-24-8 - Approximately 710 Feet North and 305 Feet West of the Northwest Corner of 20th Avenue and South Mountain Avenue (Ordinance G-7322) - District 8

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-58-24-8 and rezone the site from S-1 (Ranch or Farm Residence) to R1-10 (Single-Family Residential) for single-family residential.

Summary

Current Zoning: S-1
Proposed Zoning: R1-10
Acreage: 4.54
Proposal: Single-family residential

Owner: Dorothy M. Hallock
Applicant/Representative: John Fox

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The South Mountain Village Planning Committee heard this item on July 9, 2024, and recommended a continuance to the August 13, 2024, Village Planning Committee meeting, by a vote of 11-3. The South Mountain Village Planning Committee heard this item on August 13, 2024, and recommended a continuance to the September 10, 2024, Village Planning Committee meeting, by a vote of 12-0. The South Mountain Village Planning Committee heard this item on September 10, 2024, and recommend approval, per the staff recommendation, with additional stipulations, by a vote of 7-5.
PC Action: The Planning Commission heard this item on October 10, 2024, and recommended approval, per the staff memo dated October 7, 2024, with a modification, by a vote of 7-2.
The Planning Commission recommendation was appealed by a community member and a petition for a 3/4 vote was submitted on October 15, 2024. **A 3/4 vote is required.**

Location
Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue
Council District: 8
Parcel Address: N/A

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: November 8, 2024

From: Joshua Bednarek
Planning and Development Director

Subject: CONTINUANCE OF ITEM 74 ON THE NOVEMBER 13, 2024, FORMAL AGENDA – PUBLIC HEARING AND ORDINANCE ADOPTION - REZONING APPLICATION Z-58-24-8 – APPROXIMATELY 710 FEET NORTH AND 305 FEET WEST OF THE NORTHWEST CORNER OF 20TH AVENUE AND SOUTH MOUNTAIN AVENUE (ORDINANCE G-7322)

Item 74, rezoning application Z-58-24-8 is a request to rezone 4.54 acres located approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue from S-1 (Ranch or Farm Residence) to R1-10 (Single-Family Residential) for single-family residential.

Staff has received correspondence from the applicant requesting a continuance to allow additional time to work with the area residents.

Staff recommends continuing this item to the January 15, 2025, City Council Formal meeting.

Approved:
Alan Stephenson
Deputy City Manager

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING 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-58-24-8) FROM S-1 (RANCH OR FARM RESIDENCE) TO R1-10 (SINGLE-FAMILY RESIDENCE DISTRICT).

_____

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

SECTION 1. The zoning of a 4.54-acre site located approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue in a portion of Section 1, Township 1 South, Range 2 East, as described more specifically in Exhibit “A,” is hereby changed from “S-1” (Ranch or Farm Residence) to “R1-10” (Single-Family Residence).

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

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

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

1. The conceptual site plan and landscape plan for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to preliminary site plan approval. 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.

2. The conceptual elevations for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to final site plan approval. 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.

3. Prior to preliminary plat approval, documentation shall be provided that demonstrates participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, as approved by the Planning and Development and Water Services departments.

4. A WaterSense inspection report from a third-party verifier shall be submitted that demonstrates successful participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, prior to certificate of occupancy, as approved by the Planning and Development Department.

5. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized in the common areas and within the front yards of individual residential lots, as approved or modified by the Planning and Development Department.

6. Natural turf shall only be utilized on individual single-family lots (behind the front yard); required retention areas (bottom of basin); and functional turf areas within common areas, as approved by the Planning and Development Department.

7. Pressure regulating sprinkler heads and/or drip lines shall be utilized in any turf areas to reduce water waste.

8. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green

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Infrastructure and Low-Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.

9. Participation in the City of Phoenix Homeowner's Association Water Efficiency Program shall be incorporated into to Covenants, Conditions, and Restrictions for the subdivision, prior to final site plan approval.

10. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.

11. A minimum 50 feet of right-of-way shall be dedicated and constructed for the full width of 20th Lane for the full length of the subject site, connecting to the southern adjacent parcel.

12. A minimum 50-foot radius easement shall be dedicated and a minimum 45-foot radius temporary turnaround shall be constructed at the southern terminus of 20th Lane. Alternatively, a permanent turn around design may be considered and shall include a center landscaped island, designed to City of Phoenix standards, as approved by the Street Transportation Department.

13. 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.

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

15. 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.

16. Prior to final 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.

17. The development shall be limited to a maximum of 18 units.

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18. A minimum of 30% of building elevations shall include covered porches in the front yard and rear yard at a minimum of 60 feet each and at a depth of at least 6 feet, as approved by the Planning and Development Department.

19. The maximum building height for 80% of the lots shall be limited to one story and 26 feet, as approved by the Planning and Development Department. Two-story lots shall be south of lots 5 and 15, as shown on the site plan date stamped September 5, 2024.

20. A minimum of 8% of the gross project area shall be retained as common area, as approved by the Planning and Development Department.

21. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.

22. All street-facing garage doors lengths shall be less than 50% of the total width of the façade, as approved by the Planning and Development Department.

23. Front setbacks for covered building elements shall be staggered by a minimum of 5 feet, as approved by the Planning and Development Department.

24. Lot widths shall vary, as approved by the Planning and Development Department.

25. The southern end of the street shall have landscaping and wrought iron view fencing to enhance the view of South Mountain, until 20th Lane is constructed to the south of the property, as approved by the Planning and Development Department.

26. A retaining wall shall be provided along the northern boundary of Tract A, as approved or modified by the Planning and Development Department.

27. The development shall be in general conformance with the site plan date stamped September 5, 2024, as modified by the above stipulations and as approved by the Planning and Development Department.

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.

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PASSED by the Council of the City of Phoenix this 13th day of November, 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)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-58-24-3

THE NORTH 595.00 FEET OF THE WEST HALF OF THE WEST HALF OF FARM UNIT H, MORE PARTICULARLY DESCRIBED AS THE WEST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA.

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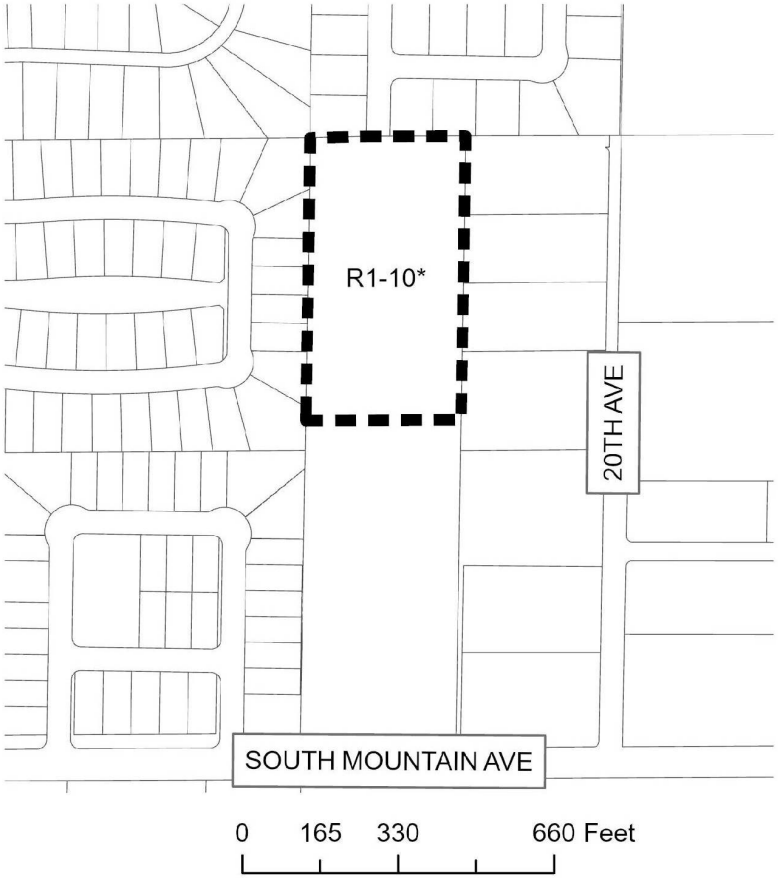
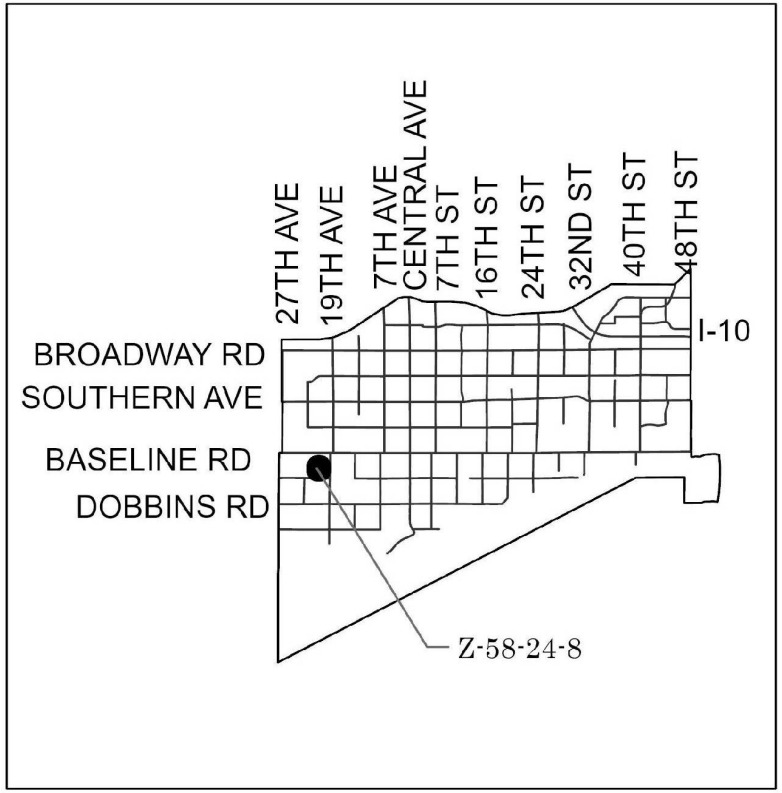
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-58-24-8
Zoning Overlay: N/A
Planning Village: South Mountain





NOT TO SCALE

N

Drawn Date: 10/11/2024

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2024 Ord\11-13-24\11-13-24.aprx

ATTACHMENT B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-58-24-8
June 25, 2024

South Mountain Village Planning Committee Meeting Date:	July 9, 2024
Planning Commission Hearing Date:	August 1, 2024
Request From:	S-1 (Ranch or Farm Residence) (4.54 acres)
Request To:	R1-10 (Single-Family Residence District) (4.54 acres)
Proposal:	Single-family residential
Location:	Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue
Owner:	Dorothy M. Hallock
Applicant/Representative:	John Fox, William Seymour Co. Inc.
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Residential 2 to 3.5 dwelling units per acre	
Street Map Classification	20th Lane	Local	0-foot full street
CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; CLEAN NEIGHBORHOODS; LAND USE PRINCIPLE: Facilitate the acquisition of vacant, underutilized and blighted parcels for appropriate redevelopment, compatible with the adjacent neighborhood character and adopted area plans. The proposal, as stipulated, will facilitate development of this vacant lot in a manner that will be compatible in scale and character with the adjacent single-family residential uses.			
CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS CORE VALUE; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Promote neighborhood identity through planning that reinforces the existing landscaping and character of the area. Each new development should contribute to the character identified for the village.			

As stipulated, the proposal will promote neighborhood identity by requiring the site plan, landscape plan, and elevations be reviewed and approved by the Planning Hearing Officer through a public hearing process, including review by the South Mountain Village Planning Committee. This will also promote the existing character of the area and the vision for the Rio Montaña Area Plan.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The proposal includes detached sidewalks within the development that will be planted with shade trees and enhanced landscaping within the front yards of individual lots. These improvements will be required to earn the necessary bonus points to achieve the proposed density. The proposal, will create a comfortable pedestrian environment within the development, reduce the urban heat island effect, and make the walk to nearby destinations safer and more comfortable.

Applicable Plans, Overlays, and Initiatives
Rio Montaña Area Plan: Background Item No. 6.
Housing Phoenix Plan: Background Item No. 7.
Phoenix Climate Action Plan: Background Item No. 8.
Conservation Measures for New Development: Background Item No. 9.
Tree and Shade Master Plan: Background Item No. 10.
Complete Streets Guiding Principles: Background Item No. 11.
Zero Waste PHX: Background Item No. 12.

Surrounding Land Uses and Zoning		
	Land Use	**Zoning**
On Site	Vacant	S-1
North	Single-family residential	R1-10
South	Single-family residential	S-1
East	Single-family residential	S-1

West	Single-family residential	S-1 (Approved R1-10)

R1-10 – Single-Family Residence District (Planned Residential Development Option)		
Standards	**R1-10 Requirements**	**Provisions on the proposed site plan**
Gross Acreage	-	4.54
Total Maximum Number of Units	16; 20 with bonus	20 with 90 bonus points required (Not specified)
Maximum Density	3.5; 4.5 with bonus	4.4 (Met)
Minimum Lot Width	45 feet	50 to 60 feet (Met)
Minimum Lot Depth	None, except 110 feet adjacent to freeway or arterial	110 to 140 (Met)
Maximum Building Height	2 stories and 30 feet	2 story (24 feet and 4 inches) (Met)
Maximum Lot Coverage	50 percent, up to 60 percent for an ADU and/or attached shade structures	Not specified
Minimum Building Setbacks		
Perimeter Streets	15 feet (in addition to landscape setback)	No perimeter street
Perimeter Property Lines (Side and Rear)	Rear 1-story building: 15 feet 2-story building: 20 feet Side 1-story building: 10 feet 2-story building: 15 feet	Rear: Not specified Side: Not specified
Minimum Landscape Setbacks and Standards		
Common landscaped setback adjacent to perimeter streets	15 feet average, 10 feet minimum	No perimeter street
Minimum Common Area	5 percent of gross site area	Not specified

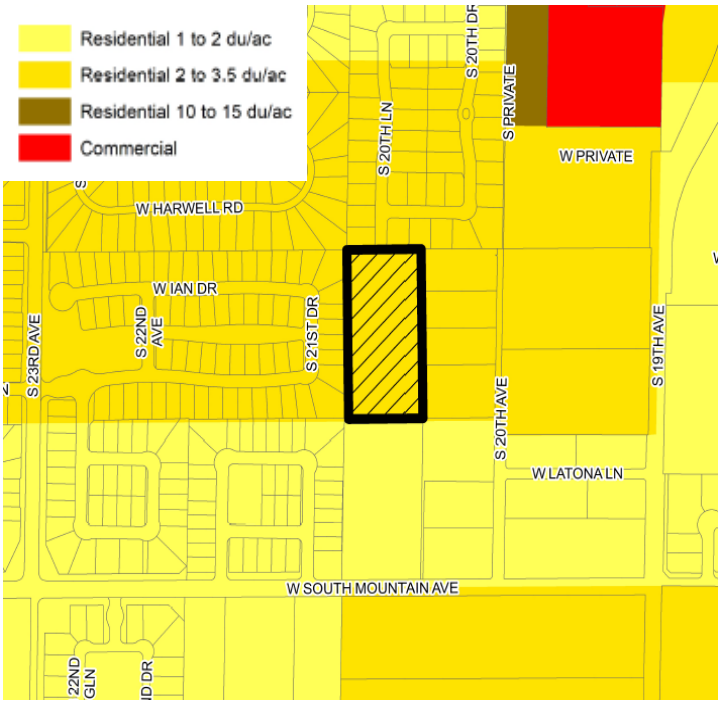
Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 4.54 acres located approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue from S-1 (Ranch or Farm Residence) to R1-10 (Single-Family Residence District) for a detached single-family residential subdivision. The subject site is presently vacant.

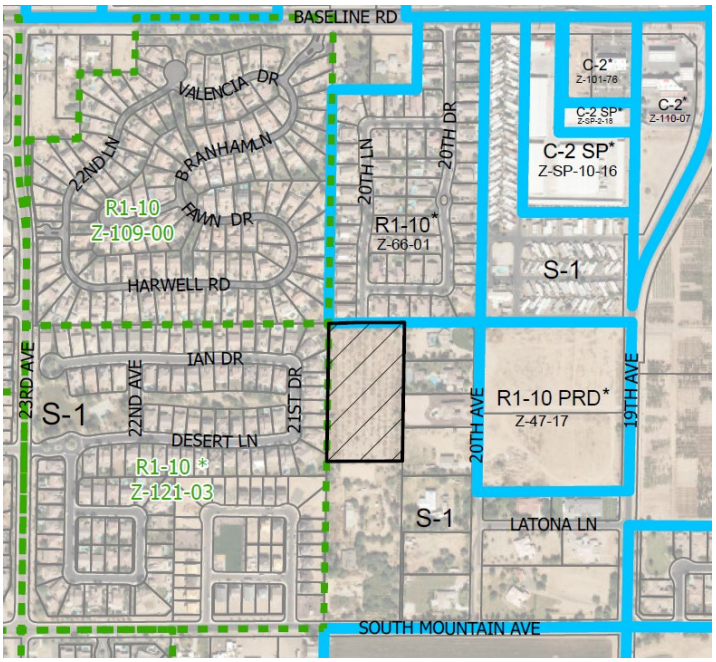
2. The subject site is designated as Residential 2 to 3.5 dwelling units per acre on the General Plan Land Use Map. The areas to the north, east, and west are also designated Residential 2 to 3.5 dwelling units per acre. The area to the south is designated as Residential 1 to 2 dwelling units per acre. The request to rezone to R1-10 is consistent with the General Plan Land Use Map designation on the site.

General Plan Land Use Map; Source: Planning and Development Department



SURROUNDING LAND USE AND ZONING

3. To north is a single-family subdivision zoned R1-10; to the east are single-family residences zoned S-1; to the west is a single-family subdivision zoned S-1 (Approved R1-10); and to the south is a single-family residence zoned S-1.



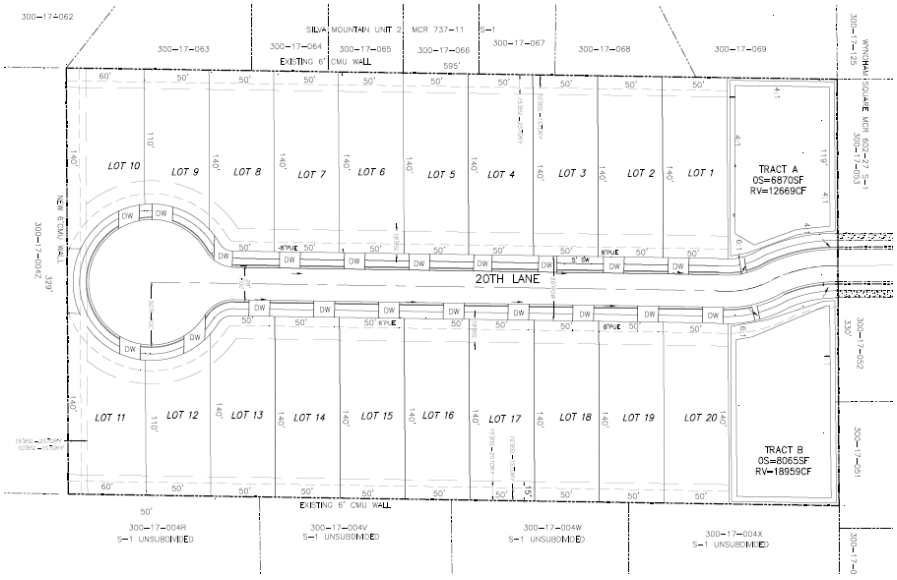
Location Map; Source: Planning and Development Department

PROPOSAL

4. *Site Plan*

The proposal is for a 20-lot subdivision. The requested R1-10 zoning district allows for 16 units, and up to 20 units with a density bonus. To achieve 20 units the development will need 90 bonus points, the development proposes to achieve the 90 bonus points through the provision of detached sidewalks, enhanced landscaping, additional open space, enhanced architectural design, and entry monuments. The proposed bonus points will be reviewed through the development review process.

Conceptual Site Plan; Source: William Seymour Co. Inc.



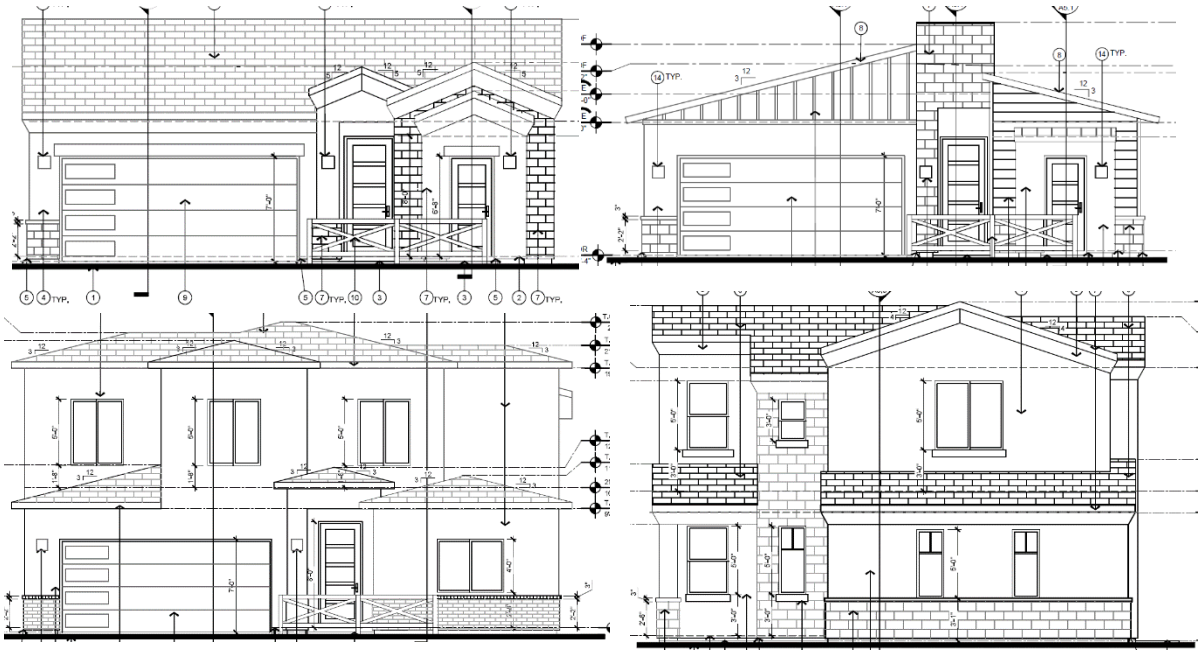
The conceptual site plan, attached as an exhibit, depicts the site layout including the location of each lot, the open space areas, proposed lot widths, proposed lot depths, the connection to the existing subdivision to the north, and pedestrian circulation. The site will have access to Baseline Road through the subdivision to the north. A temporary cul-de-sac will be constructed at the southern portion of the site until a future connection to South Mountain Avenue is constructed.

To ensure compatibility with the surrounding area and the Rio Montaña Area Plan, staff recommends Stipulation No. 1 to require that the site plan and landscape plan for future development of the site be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee.

5. *Conceptual Building Elevations*

The conceptual building elevations and renderings, attached as an exhibit, feature two, one-story and two, two-story elevations. Each elevation highlights four-sided architecture and a diverse mix of building materials. The designs incorporate enhanced architectural variation that is needed to earn the necessary bonus points to achieve the proposed density. Staff recommends Stipulation No. 2 to require that the building elevations for future development of the site be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee.

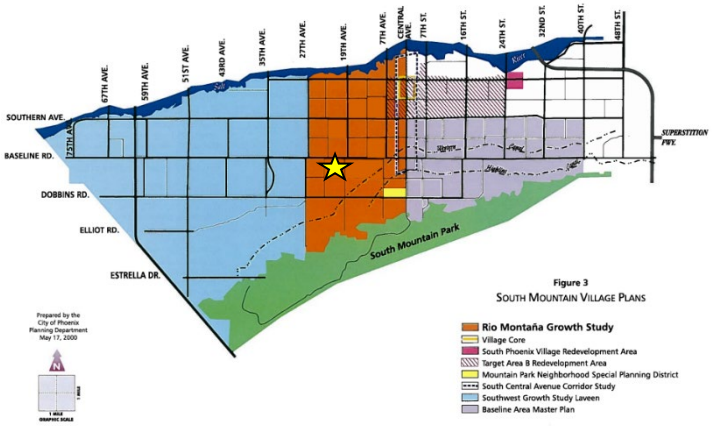
Conceptual Building Elevations; Source: E-Project International



STUDIES AND POLICIES

6. **Rio Montaña Area Plan:**
The Rio Montaña Area Plan encourages preservation of the rural character of the area and incorporates transition zones to protect desert and open space areas. The plan also encourages pedestrian and equestrian activities through a network of trails and aspires to develop a sense of community while encouraging investment in the community.

Source: Planning and Development Department



The Rio Montaña Area Plan intended to accomplish this vision through seven goals that include: promoting balanced, high quality development; protecting and improving neighborhoods through maintenance, rehabilitation and infill projects; keeping a distinctive character that reflects the diversity in its equestrian heritage, culture, history and architecture; protecting the rural character, the Sonoran Desert and the riparian potential of the Rio Salado Habitat Restoration Project; promoting future business development and economic growth; developing the tourism industry through a wide range of opportunities; and providing a variety of transportation options.

This site is located in the center of the Rio Montaña Area Plan boundaries in an area with a mix of rural residential neighborhoods, single-family subdivisions, commercial, and agricultural uses. The development of this vacant parcel will further the Rio Montaña Area Plan goal of promoting infill projects.

The proposal will further address design and pedestrian connectivity goals by providing detached sidewalks within the development, entry monuments, enhanced landscaping, and enhanced building elevations. These improvements will be required to earn the necessary bonus points to achieve the proposed density.

Additionally, to ensure the development is compatible with the Rio Montaña Area Plan design goals, Stipulation Nos. 1 and 2 require that the site plan, landscape plan, and elevations for future development of the site be reviewed and approved

by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee

Other design elements of the Rio Montaña Area Plan will be addressed through the design guidelines of the Phoenix Zoning Ordinance in Chapter 5, Section 507 Tab. A (Guidelines for Design Review).

7. **Housing Phoenix Plan:**
In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with the vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing.

The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by providing housing that will address the supply shortage at a more rapid pace while using vacant or underutilized land in a more sustainable fashion.

8. **Phoenix Climate Action Plan**
In October 2021, the Phoenix City Council approved the Climate Action Plan. The Climate Action Plan will serve as a long-term plan to achieve greenhouse gas emissions reductions and resiliency goals from local operations and community activities as well as prepare for the impacts of climate change. This plan contains policy and initiatives regarding stationary energy, transportation, waste management, air quality, local food systems, heat, and water. Goal W2 (Water), Action W2.4, pertains to the implementation of the Greater Phoenix Metro Green Infrastructure (GI) and Low Impact Development Details for Alternative Stormwater Management to benefit the environment, promote water conservation, reduce urban heat, improve the public health, and create additional green spaces. This goal is addressed in Stipulation No. 8, which requires a minimum of two GI techniques for stormwater management to be implemented in this development.

9. **Conservation Measures for New Development:**
In June 2023, the Phoenix City Council adopted the Conservation Measures for New Development policy as part of a resolution addressing the future water consumption of new development (Resolution 22129). This resolution addresses the future water consumption of new development to support one of the City's Five Core Values in the General Plan which calls for Phoenix to - Build the Sustainable Desert City. The Conservation Measures for New Development policy includes

direction to develop standards for consideration as stipulations for all rezoning cases that will address best practices related to water usage in nine specific categories. This is addressed in Stipulation Nos. 3 through 10.

10. **Tree and Shade Master Plan:**
The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontage should be detached from the curb to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. The proposal will create a comfortable streetscape environment with enhanced landscaping and shaded, detached sidewalks within the development. These improvements will be required to earn the necessary bonus points to achieve the proposed density.

Additionally, to ensure the proposal provides adequet shading and landscaping, the landscape plan for future development, as stipulated, will be required to be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee. This is addressed in Stipulation No. 2.

11. **Complete Streets Guiding Principles:**
The City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles.

The proposed development, as stipulated, will support walking, bicycling, and transit-use by proposing sidewalks along both sides of 20th Lane. This is addressed in Stipulation No. 13. Additionally, to earn the necessary bonus points to achieve the proposed density, detached sidewalks within the development are proposed.

12. **Zero Waste Phoenix PHX:**
The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs.

The city provides recycling service to single-family developments.

COMMUNITY CORRESONDENCE

13. At the time this staff report was written, staff has received two letters of opposition regarding the request. Concerns include increased traffic congestion, developer's credibility, public outreach, impact on community character and quality of life, and environmental and infrastructure strain.

INTERDEPARTMENTAL COMMENTS

14. The Street Transportation Department requested that right-of way be dedicated for 20th Lane; a temporary turnaround easement be dedicated until 20th Lane is extended to the south, alternatively, a permanent turn around design may be considered and shall include a center landscaped island; and all improvements in the right-of-way be constructed with all required elements and to ADA standards. These are addressed in Stipulation Nos. 11 through 13.

15. The Aviation Department requested the airport disclosure stipulation. This is addressed in Stipulation No. 14.

OTHER

16. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 15.

17. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to final site plan approval. This is addressed in Stipulation No. 16.

18. Development and use of the site are subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments may be required.

Findings

1. The proposal is consistent with the General Plan Land Use Map designation, the Rio Montaña Area Plan, and with the character of the surrounding area.

2. The requested R1-10 zoning district is consistent with surrounding zoning and development patterns in the general area.

3. The proposal will offer additional housing options within the area, contributing to the mix of housing types in the vicinity, and aiding in alleviating the housing shortage in Phoenix.

Stipulations:

1. The conceptual site plan and landscape plan for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to preliminary site plan approval. 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.

2. The conceptual elevations for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to final site plan approval. 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.

3. Prior to preliminary plat approval, documentation shall be provided that demonstrates participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, as approved by the Planning and Development and Water Services departments.

4. A WaterSense inspection report from a third-party verifier shall be submitted that demonstrates successful participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, prior to certificate of occupancy, as approved by the Planning and Development Department.

5. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized in the common areas and within the front yards of individual residential lots, as approved or modified by the Planning and Development Department.

6. Natural turf shall only be utilized on individual single-family lots (behind the front yard); required retention areas (bottom of basin); and functional turf areas

within common areas, as approved by the Planning and Development Department.

7. Pressure regulating sprinkler heads and/or drip lines shall be utilized in any turf areas to reduce water waste.

8. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low-Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.

9. Participation in the City of Phoenix Homeowner's Association Water Efficiency Program shall be incorporated into to Covenants, Conditions, and Restrictions for the subdivision, prior to final site plan approval.

10. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.

11. A minimum 50 feet of right-of-way shall be dedicated and constructed for the full width of 20th Lane for the full length of the subject site, connecting to the southern adjacent parcel.

12. A minimum 50-foot radius easement shall be dedicated and a minimum 45-foot radius temporary turnaround shall be constructed at the southern terminus of 20th Lane. Alternatively, a permanent turn around design may be considered and shall include a center landscaped island, designed to City of Phoenix standards, as approved by the Street Transportation Department.

13. 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.

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

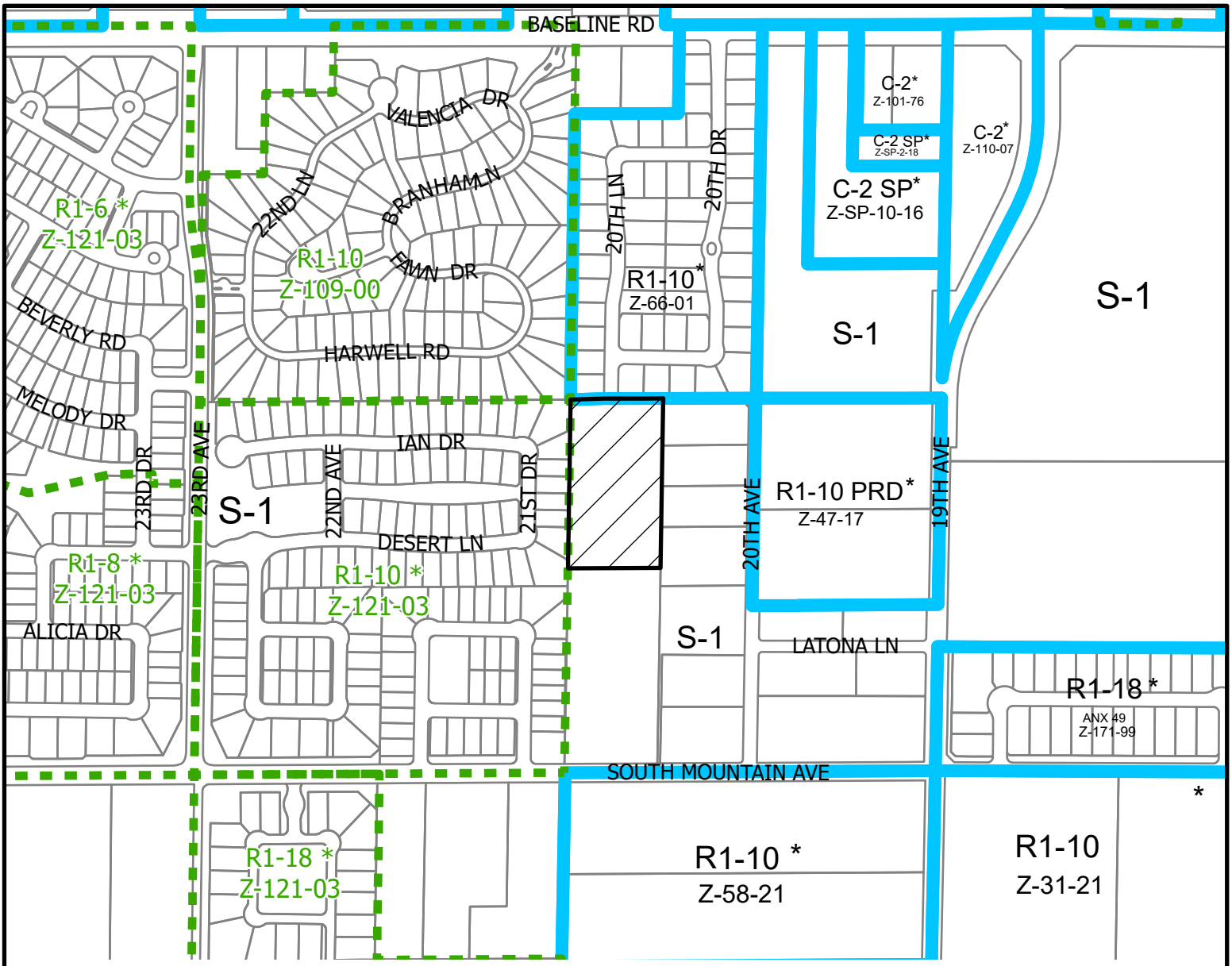
15. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

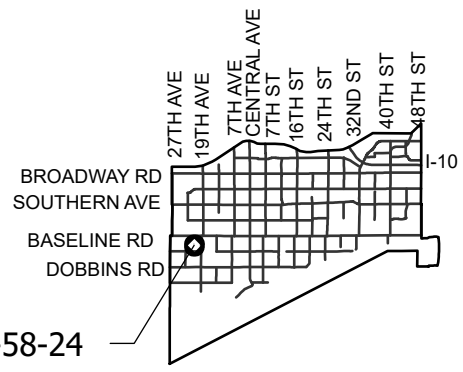
16. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Writer
Samuel Rogers
June 25, 2024

Team Leader
Racelle Escolar

Exhibits
Zoning sketch map
Aerial sketch map
Conceptual Site Plan date stamped April 23, 2024
Conceptual Building Elevations and Renderings date stamped April 23, 2024 (6 pages)
Conceptual Landscape Plan date stamped April 23, 2024
Correspondence (7 pages)





SOUTH MOUNTAIN VILLAGE

COUNCIL DISTRICT: 8

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	John Fox
APPLICATION NO:	Z-58-24
DATE:	4/30/2024
REVISION DATES:	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	4.54 Acres
AERIAL PHOTO & QUARTER SEC. NO.	QS 01-24
ZONING MAP	D-7

REQUESTED CHANGE:

FROM: S-1 (4.54 a.c.)

TO: R1-10 (4.54 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D OPTION
S-1	4	N/A
R1-10	16	20

* Maximum Units Allowed with P.R.D. Bonus

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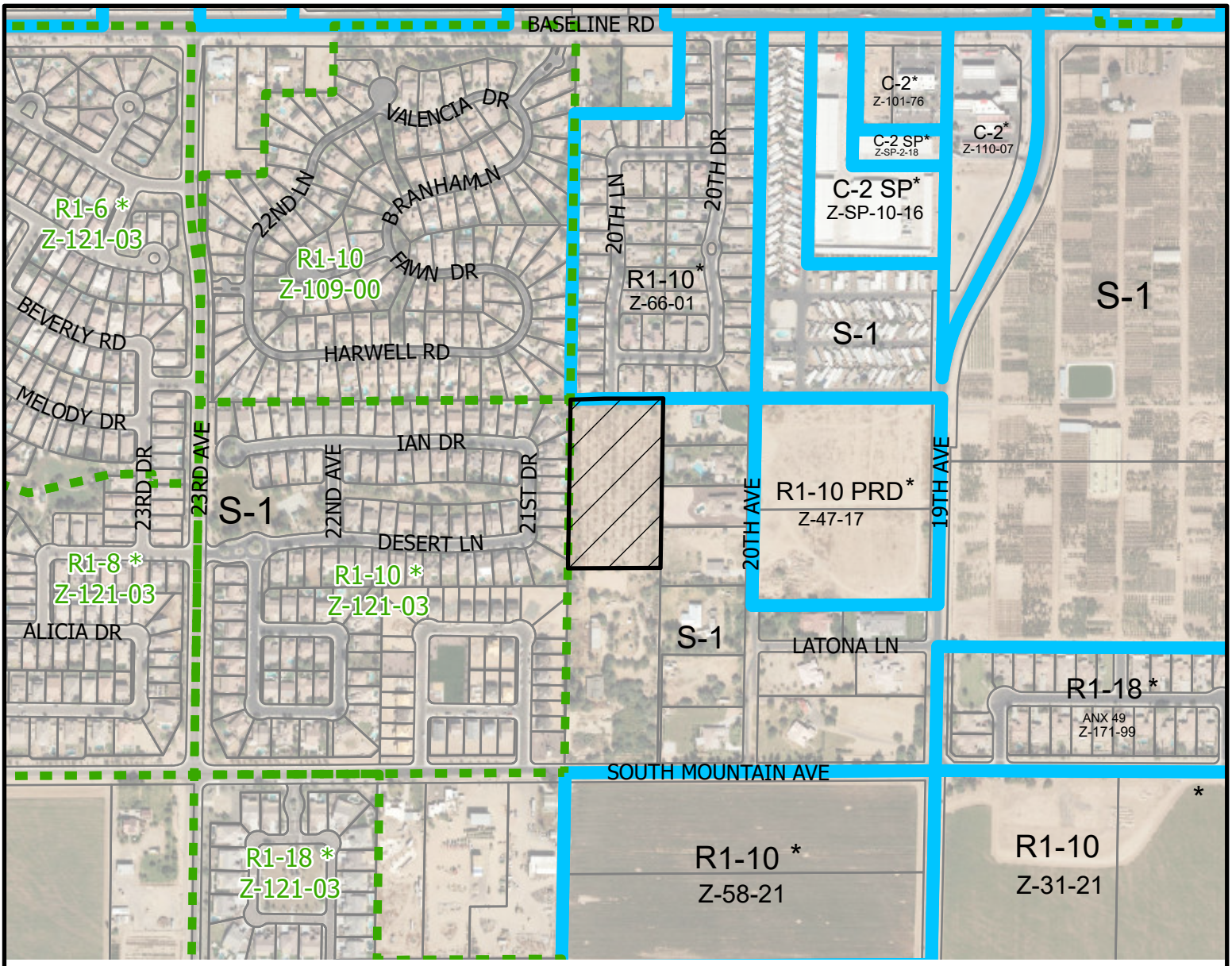
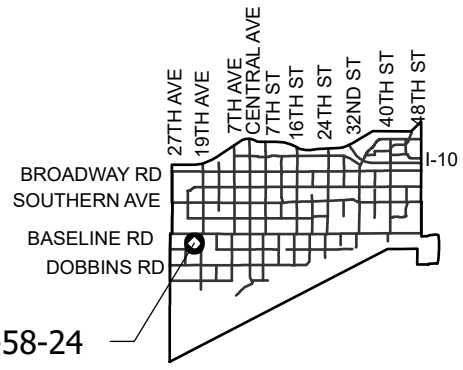


SOUTH MOUNTAIN VILLAGE

COUNCIL DISTRICT: 8

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



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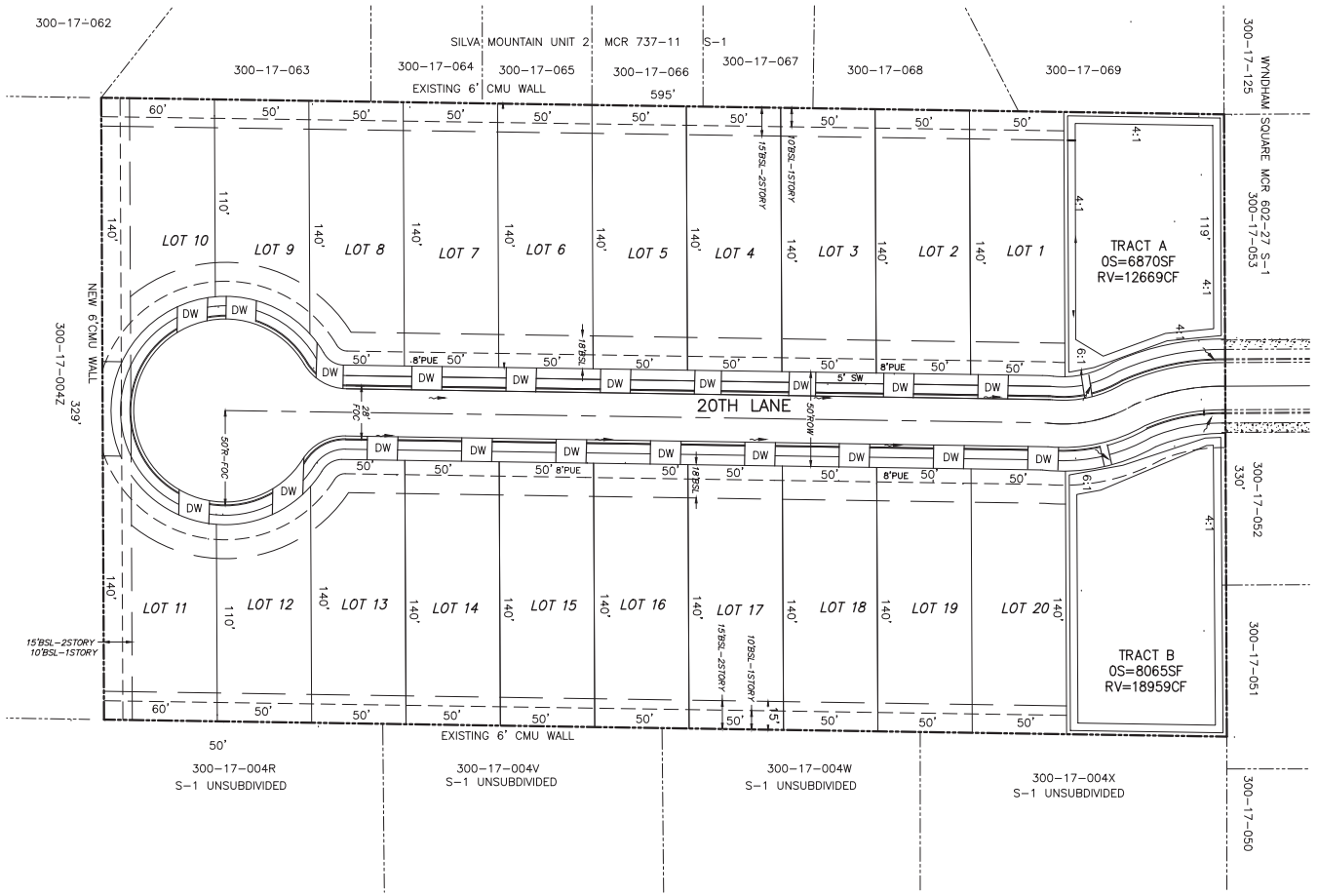
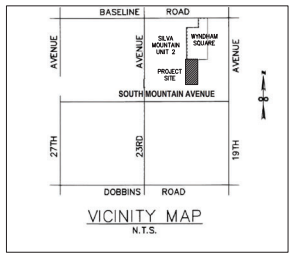
PRE-APPLICATION SITE PLAN
SOUTH MOUNTAIN MODERN
RI-10 PRD TABLE-A PLANNED RESIDENTIAL DEVELOPMENT



SITE PLAN



VICINITY MAP
N.T.S.

PROJECT DESCRIPTION

THIS APPLICATION IS FOR THE REZONING OF THE PROPERTY FROM S-1 TO R1-10 TABLE A PLANNED RESIDENTIAL DEVELOPMENT OPTION.
PROPOSED DEVELOPMENT A 20 SINGLE FAMILY LOT SUBDIVISION, WITH ACCESSORY DWELLING UNIT ADU PROPOSED ON EACH LOT.

THE PROJECT CONSISTS OF 4.5 ACRES, NORTH OF SOUTH MOUNTAIN ROAD
ZONING CONTIGUOUS NORTH R1-10, SOUTH, EAST & WEST S-1
GENERAL PLAN IS 3.5 -5.0 DU/AC

THE ACCESS TO THE SITE IS 20TH LANE, AN EXTENSION OF WYNDHAM SQUARE SUBDIVISION TO THE NORTH.
A 50'ROW DEDICATION IS PROPOSED WITH 5' OFFSET SIDEWALKS CONSISTENT WITH WYNDHAM SQUARE
WATER AND SEWER AND DRY UTILITIES ARE IN 20TH LANE

OWNER

DOROTHY M HALLOCK
2050 W SOUTH MOUNTAIN AVE
PHOENIX AZ. 85041
PHONE#: 480-720-6854

CONSULTANT

JOHN FOX
WILLIAM SEYMOUR CO. INC.
428 E. THUNDERBIRD RD. #234
PHOENIX AZ. 85022
PHONE#: 602-573-2895
WSCING@COX.NET

PROJECT NUMBERS
KIVA# 24-140
ZPA 4-24
QS# 01-24
PAPP# 2400620

CITY OF PHOENIX
APR 23 2024
Planning & Development Department

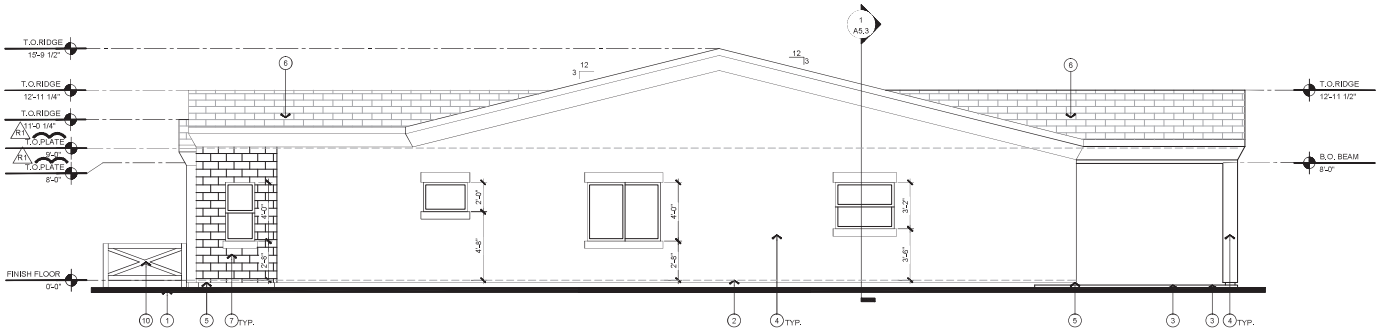
Scale 1" = 30'

WILLIAM SEYMOUR CO, INC
JOHN K. FOX
428 E. THUNDERBIRD RD. #234
PHOENIX, ARIZONA 85022
PHONE: (602) 573-2895

SOUTH MOUNTAIN MODERN
2050 SOUTH MOUNTAIN NORTH
PHOENIX, MARICOPA COUNTY, AZ

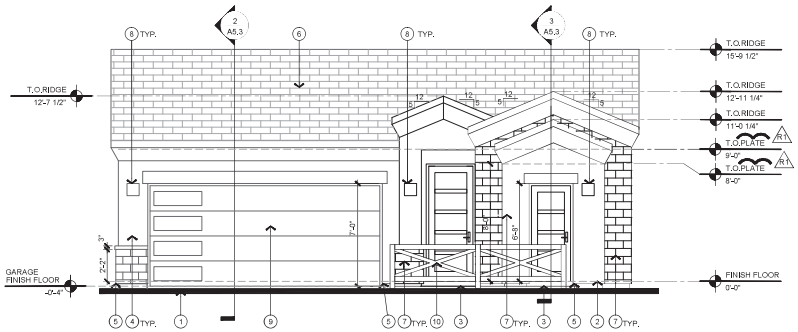
No.	DATE	APP.	DESCRIPTION
			REVISIONS

DESIGNED:
DRAWN:
CHECKED:
DATE: MARCH 2024
SCALE: 1"=30'
PROJECT
FILE NAME
SHT: SP2



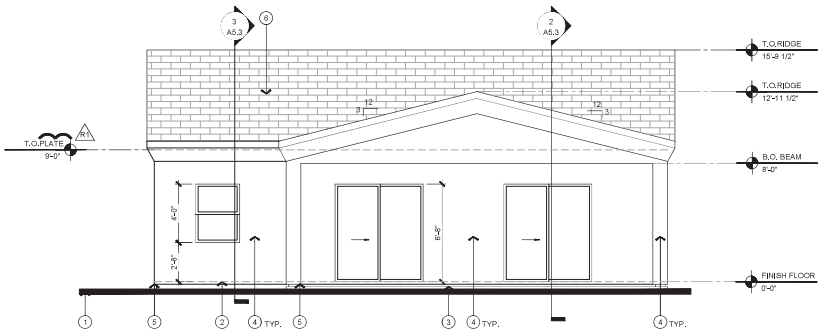
RIGHT ELEVATION

SCALE : 1/4" = 1'-0"



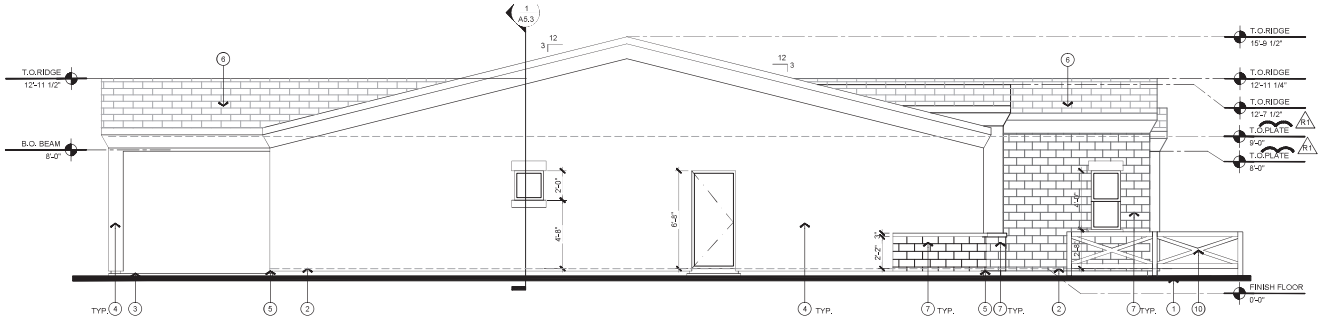
FRONT ELEVATION

SCALE : 1/4" = 1'-0"



REAR ELEVATION

SCALE : 1/4" = 1'-0"



LEFT ELEVATION

SCALE : 1/4" = 1'-0"

KEYNOTES

1. FINISH GRADE.
2. FINISH FLOOR.
3. CONCRETE SLAB OR STEP - REFER TO FOUNDATION PLAN.
4. TYP. STUCCO SYSTEM - REFER TO GENERAL ELEVATION NOTES
5. CONT. 26 GA. G.I. WEEP SCREED AT +4" A.F.G.
6. FLAT CONCRETE ROOF TILE (ICC-ESR 1647).
7. STONE VENEER.
8. LIGHT FIXTURES.
9. 16'-0" X 7'-0" SECTIONAL GARAGE DOOR.
10. 36" HIGH WOOD PENCE.

GENERAL ELEVATION NOTES

A. STUCCO SYSTEM SHALL BE 3/8" ONE OR TWO COAT(S) OF CEMENT, LIME, SAND MIX, WESTERN ONE KOTE STUCCO SYSTEM (ICC-ESR 1471) ON PAPER BACKED K-LATH (ICC-ESR 1471), ON 1-1/2" P.C.F. DENSITY, TYPE II, T&G E.P.S. INSULATION BOARD (ICC-ESR 1471). PROVIDE WEATHER RESISTIVE BARRIER OVER ALL WOOD FRAMING - (2) LAYERS OF GRADE "D" KRAFT PAPER OR 15# FELT.

B. MAG ONE-COAT STUCCO COMPLIANCE PROGRAM. ALL ONE-COAT STUCCO SYSTEMS SHALL BE APPLIED BY MANUFACTURER APPROVED INSTALLERS. AN APPROVED WEATHER-RESISTIVE BARRIER SHALL BE INSTALLED OVER ALL FRAMING AND WOOD BASED SHEATHING.

C. PROVIDE (2) LAYER 30# FELT AS FLASHING AT ALL HEADS, JAMBS, AND SILLS OF WINDOWS AND DOOR OPENINGS.

D. PROVIDE CONTINUOUS SEALANT BEAD WHERE STUCCO ABUTS WINDOW AND DOOR FRAMES SO AS TO PROVIDE A WEATHER RESISTIVE BARRIER.

E. MECHANICAL EQUIPMENT TO BE SCREENED BY A WALL +1'-0" ABOVE HIGHEST MECHANICAL EQUIPMENT.

T = DENOTES TEMPERED GLASS LOCATION

CITY OF PHOENIX
APR 23 2024
Planning & Development Department

e project
6615 N Scottsdale Rd #215
Scottsdale, AZ 85250
phone: 480/626-8648
e-mail: info@eprojectinternational.com

Rev.	Date	Submittal
R1	11-17-2023	Revision 1 1st Plan Review

REGISTERED ARCHITECT
43178
EDMIR
DZUDZA
ARIZONA, U.S.A.

EXPIRATION DATE: 09/30/2026
SIGNED AND SEALED ELECTRONICALLY 11-17-2023

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e-project 2022-2023
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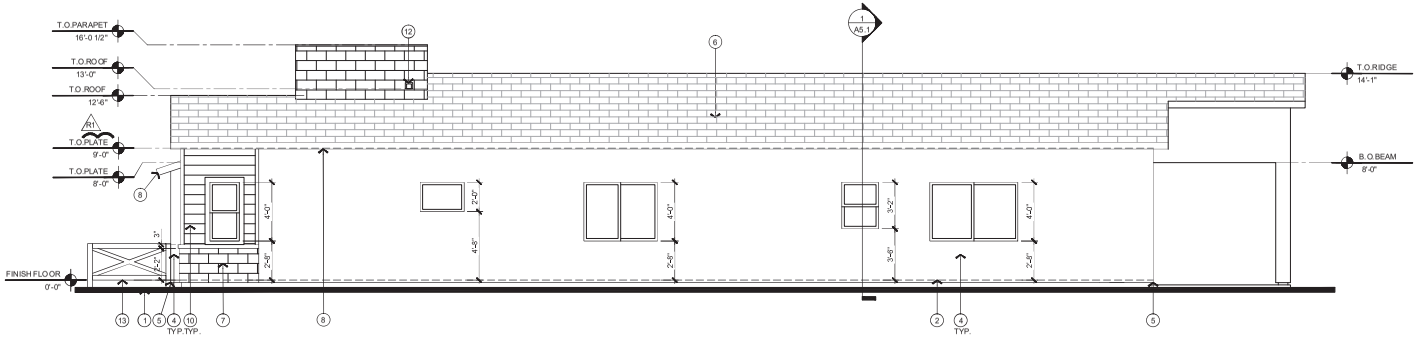
Plan 1500

Elevations
Modern
Mediterranean

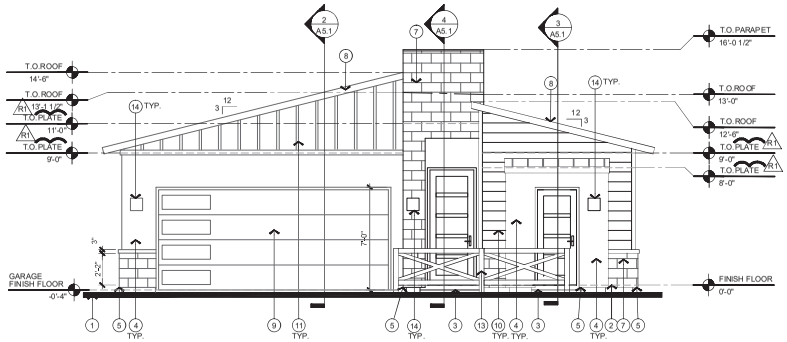
Date:	11-17-2023
Project No.	0421-2
Drawn By:	MM,KV
Checked By:	ED
Approved By:	ED
Scale:	1/4"=1'-0"

A4.3



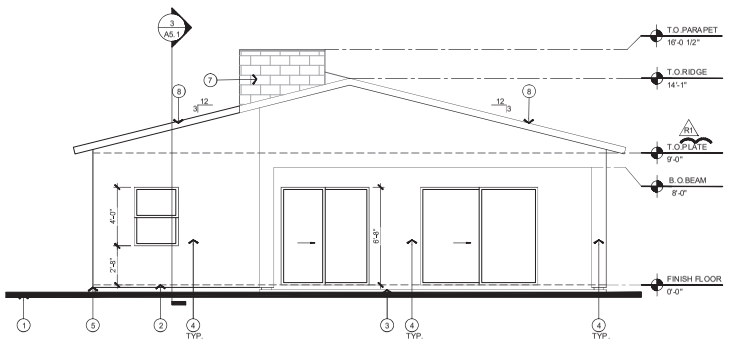
RIGHT ELEVATION

SCALE : 1/4" = 1'-0"



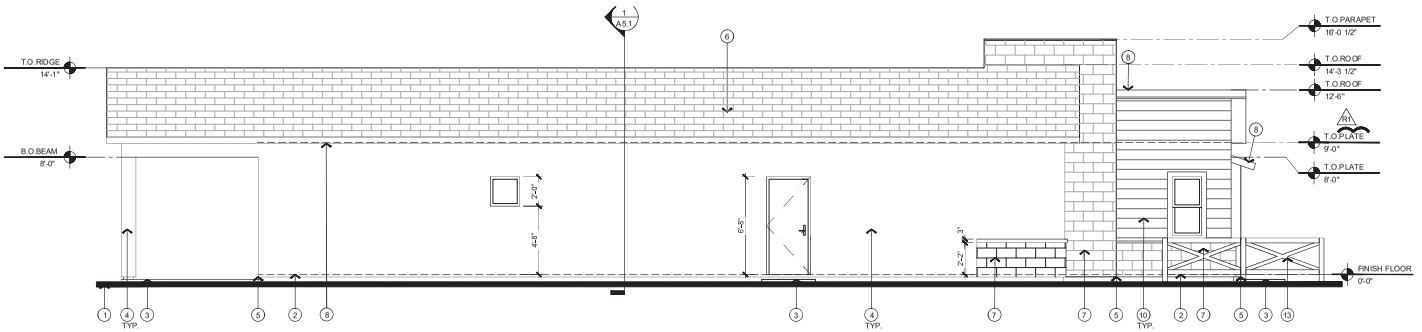
FRONT ELEVATION

SCALE : 1/4" = 1'-0"



REAR ELEVATION

SCALE : 1/4" = 1'-0"



LEFT ELEVATION

SCALE : 1/4" = 1'-0"

CITY OF PHOENIX

APR 23 2024

Planning & Development Department

KEYNOTES

1. FINISH GRADE.
2. FINISH FLOOR.
3. CONCRETE SLAB OR STEP - REFER TO FOUNDATION PLAN.
4. TYP. STUCCO SYSTEM - REFER TO GENERAL ELEVATION NOTES.
5. CONT. 26 GA. G.I. WEEP SCREED AT +4" A.F.G.
6. FLAT CONCRETE ROOF TILE (ICC-ESR 1647).
7. STONE VENEER.
8. WOOD FASCIA, PAINTED.
9. 16'-0" X 7'-0" SECTIONAL GARAGE DOOR.
10. TYP. 8" WOOD SIDING.
11. TYP. BOARD AND BATTEN.
12. SCUPPER, REFER TO DETAILS.
13. 36" HIGH WOOD FENCE.
14. LIGHT FIXTURES.

GENERAL ELEVATION NOTES

A. STUCCO SYSTEM SHALL BE 3/8" ONE OR TWO COAT(S) OF CEMENT, LIME, SAND MIX, WESTERN ONE KOTE STUCCO SYSTEM (ICC-ESR 1471) ON PAPER BACKED K-LATH (ICC-ESR 1471), ON 1-1/2" P.C.F. DENSITY, TYPE II, T&G E.P.S. INSULATION BOARD (ICC-ESR 1471). PROVIDE WEATHER RESISTIVE BARRIER OVER ALL WOOD FRAMING - (2) LAYERS OF GRADE "D" KRAFT PAPER OR 15# FELT.

B. MAG ONE-COAT STUCCO COMPLIANCE PROGRAM, ALL ONE-COAT STUCCO SYSTEMS SHALL BE APPLIED BY MANUFACTURER APPROVED INSTALLERS. AN APPROVED WEATHER-RESISTIVE BARRIER SHALL BE INSTALLED OVER ALL FRAMING AND WOOD BASED SHEATHING.

C. PROVIDE (2) LAYER 30# FELT AS FLASHING AT ALL HEADS, JAMBS, AND SILLS OF WINDOWS AND DOOR OPENINGS.

D. PROVIDE CONTINUOUS SEALANT BEAD WHERE STUCCO ABUTS WINDOW AND DOOR FRAMES SO AS TO PROVIDE A WEATHER RESISTIVE BARRIER.

E. MECHANICAL EQUIPMENT TO BE SCREENED BY A WALL +1'-0" ABOVE HIGHEST MECHANICAL EQUIPMENT.

T = DENOTES TEMPERED GLASS LOCATION

e project

6615 N Scottsdale Rd #215
Scottsdale, AZ 85250
phone: 480/626-3648
e-mail: info@e-projectinternational.com

Rev.	Date	Submittal
R1	11-17-2023	Revision 1 1st Plan Review

REGISTERED ARCHITECT
43178
EDMIR
DZUDZA
11-17-2023
ARIZONA, U.S.A.

EXPIRATION DATE: 09/30/2026
SIGNED AND SEALED
ELECTRONICALLY 11-07-2023

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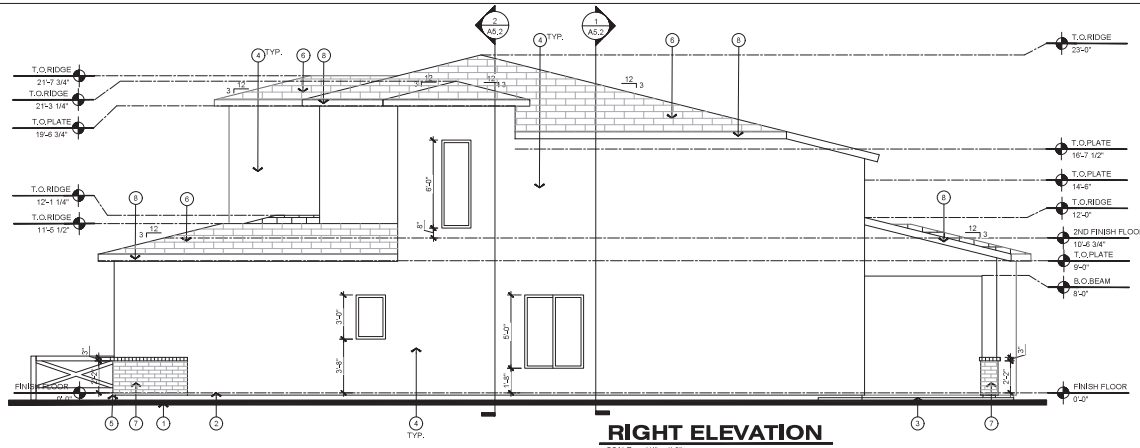
Plan 1700

Elevations
Modern Craftsman

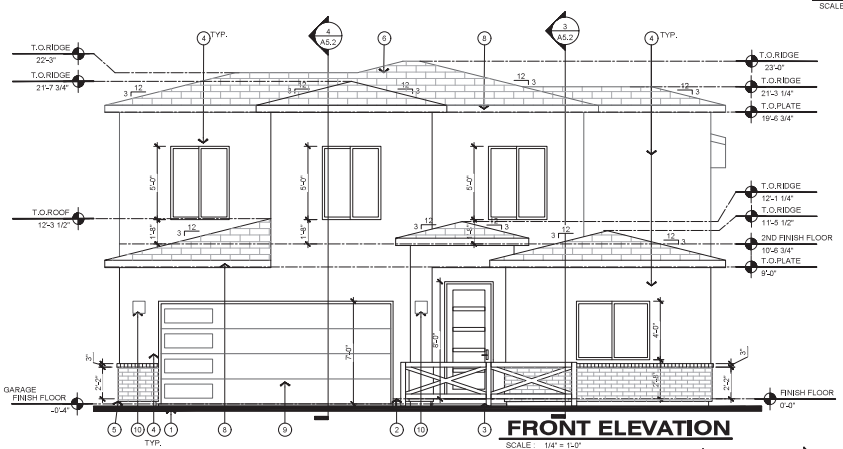
Date:	11-17-2023
Project No.	0421-2
Drawn By:	MM,KV
Checked By:	ED
Approved By:	ED
Scale:	1/4"=1'-0"

A4.1



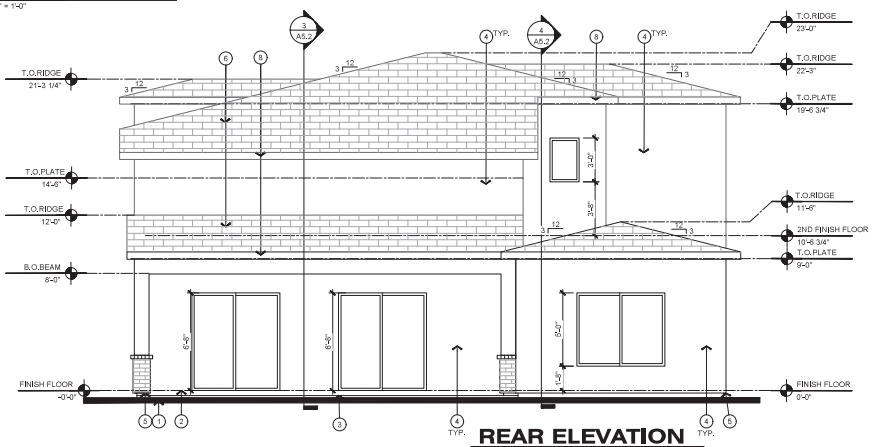
RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



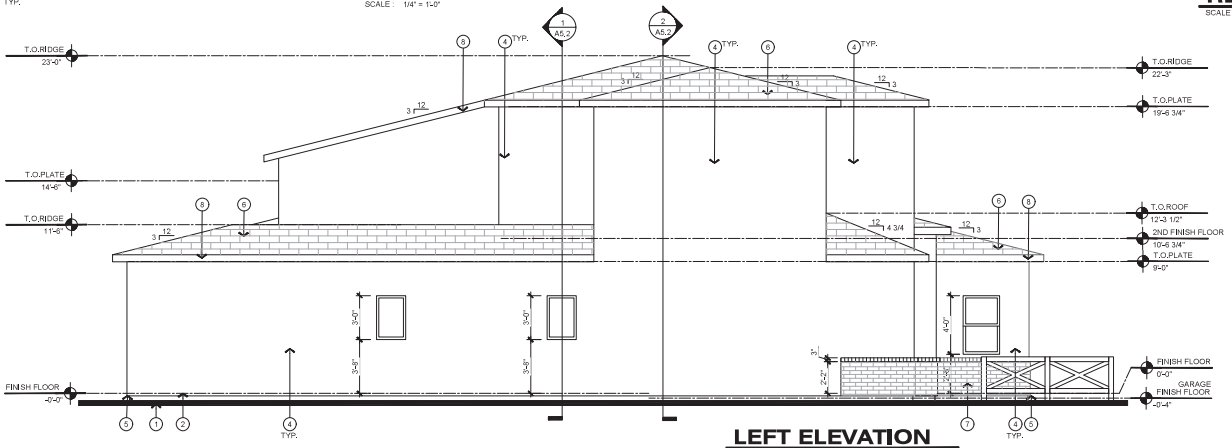
FRONT ELEVATION

SCALE: 1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"



LEFT ELEVATION

SCALE: 1/4" = 1'-0"

KEYNOTES

1. FINISH GRADE.
2. FINISH FLOOR.
3. CONCRETE SLAB OR STEP - REFER TO FOUNDATION PLAN.
4. TYP. STUCCO SYSTEM - REFER TO GENERAL ELEVATION NOTES.
5. CONT. 26 GA. G.I. WEEP SCREED AT +4" A.F.G.
6. FLAT CONCRETE ROOF TILE (ICC-ESR 1647).
7. BRICK VENEER.
8. FASCIA.
9. 16'-0" X 7'-0" SECTIONAL GARAGE DOOR.
10. LIGHT FIXTURE TYP.

GENERAL ELEVATION NOTES

A. STUCCO SYSTEM SHALL BE 3/8" ONE OR TWO COAT(S) OF CEMENT, LIME, SAND MIX, WESTERN ONE KOTE STUCCO SYSTEM (ICC-ESR 1471) ON PAPER BACKED K-LATH (ICC-ESR 1471), ON 1-1/2" P.C.F. DENSITY, TYPE II, T&G E.P.S. INSULATION BOARD (ICC-ESR 1471). PROVIDE WEATHER RESISTIVE BARRIER OVER ALL WOOD FRAMING - (2) LAYERS OF GRADE "D" KRAFT PAPER OR 15# FELT.

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D. PROVIDE CONTINUOUS SEALANT BEAD WHERE STUCCO ABUTS WINDOW AND DOOR FRAMES SO AS TO PROVIDE A WEATHER RESISTIVE BARRIER.

E. MECHANICAL EQUIPMENT TO BE SCREENED BY A WALL +1'-0" ABOVE HIGHEST MECHANICAL EQUIPMENT.

T = DENOTES TEMPERED GLASS LOCATION

CITY OF PHOENIX
APR 23 2024
Planning & Development Department

e project
6615 N Scottsdale Rd #215
Scottsdale, AZ 85250
phone: 480w2fw8648 fax: 480/359-1407
e-mail: info@e-projectinternational.com

Rev.	Date	Submittal
1	11-17-2023	Revision 1 1st Plan Review

REGISTERED ARCHITECT
43178
EDMIR
DZUDZA
ARIZONA, U.S.A.

EXPIRATION DATE: 09/30/2026
SIGNED AND SEALED
ELECTRONICALLY 11-17-2023

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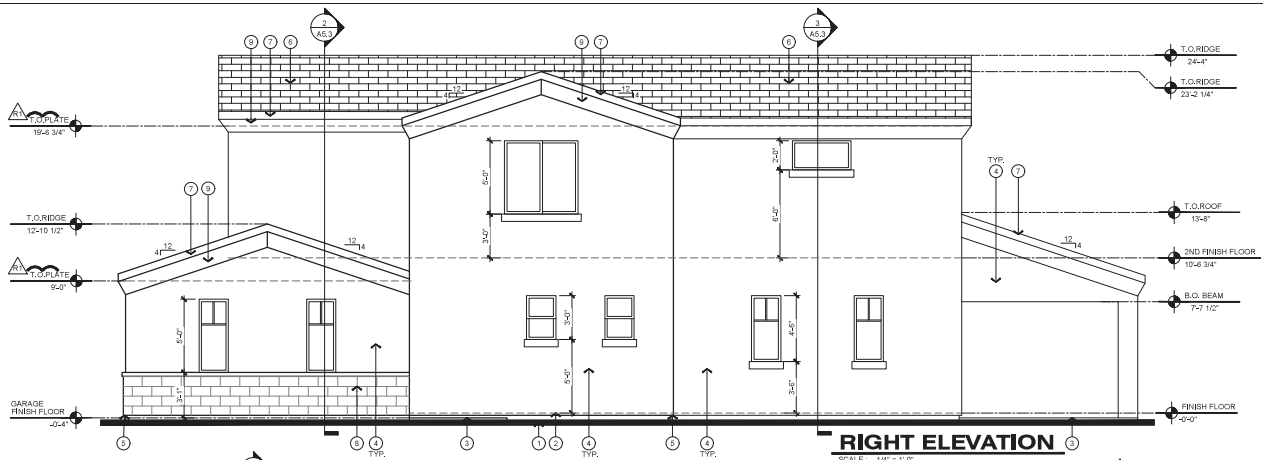
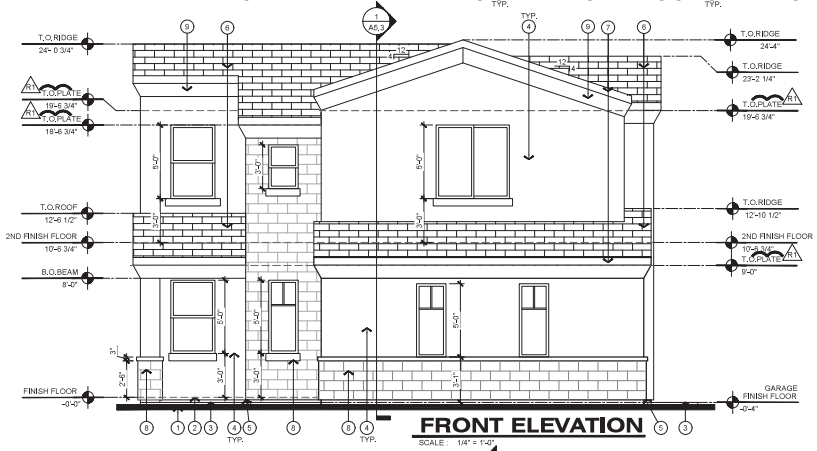
Plan 2100

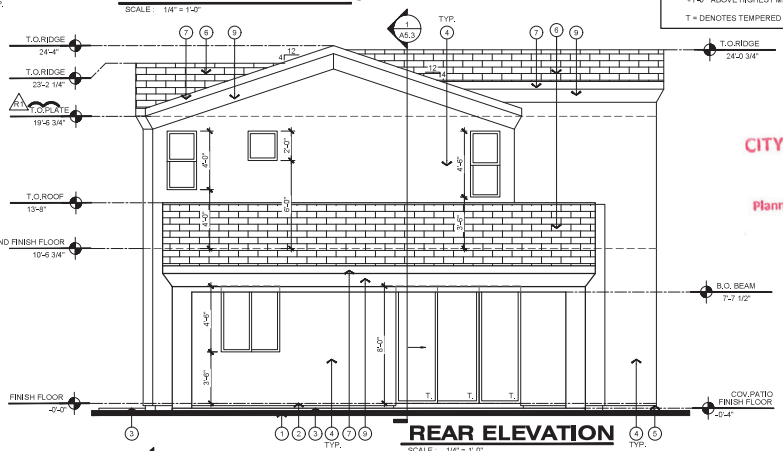
Elevations
Modern Ranch

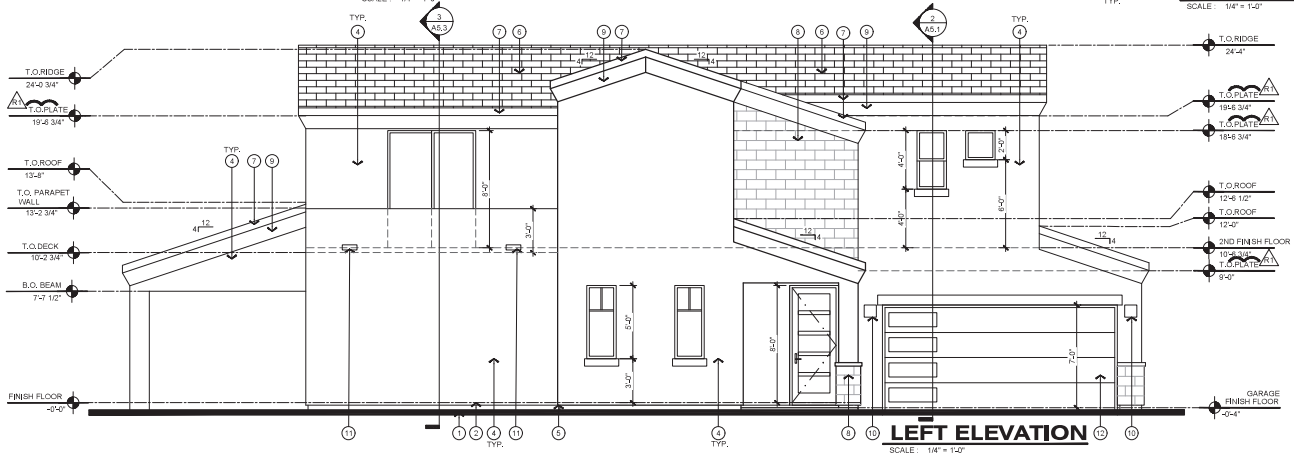
Date:	11-17-2023
Project No.	0421-2
Drawn By:	MM&KV
Checked By:	ED
Approved By:	ED
Scale:	1/4"=1'-0"

A4.2









KEYNOTES

1. FINISH GRADE.
2. FINISH FLOOR.
3. CONCRETE SLAB OR STEP - REFER TO FOUNDATION PLAN.
4. TYP. STUCCO SYSTEM - REFER TO GENERAL ELEVATION NOTES.
5. CONT. 26 GA. G.I. WEEP SCREED AT +4" A.F.G.
6. FLAT CONCRETE ROOF TILE (ICC-ESR 1647).
7. FASCIA.
8. STONE VENEER.
9. STUCCO CORNICE.
10. LIGHT FIXTURES
11. SCUPPER.
12. 16'-0" X 7'-0" SECTIONAL GARAGE DOOR.

GENERAL ELEVATION NOTES

A. STUCCO SYSTEM SHALL BE 3/8" ONE OR TWO COAT(S) OF CEMENT, LIME, SAND MIX. WESTERN ONE KOTE STUCCO SYSTEM (ICC-ESR 1471) ON PAPER BACKED K-LATH (ICC-ESR 1471), ON 1-1/2" P.C.F. DENSITY, TYPE III, T&G E.P.S. INSULATION BOARD (ICC-ESR 1471), PROVIDE WEATHER RESISTIVE BARRIER OVER ALL WOOD FRAMING - (2) LAYERS OF GRADE "D" KRAFT PAPER OR ITS# FELT.

B. MAG ONE-COAT STUCCO COMPLIANCE PROGRAM. ALL ONE-COAT STUCCO SYSTEMS SHALL BE APPLIED BY MANUFACTURER APPROVED INSTALLERS. AN APPROVED WEATHER-RESISTIVE BARRIER SHALL BE INSTALLED OVER ALL FRAMING AND WOOD BASED SHEATHING.

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T = DENOTES TEMPERED GLASS LOCATION

CITY OF PHOENIX
APR 23 2024
Planning & Development Department

e project
6615 N Scottsdale Rd #215
Scottsdale, AZ 85250
phone: 480/429-9648 fax: 480/359-4497
e-mail: info@e-projectinternational.com

Rev.	Date	Submittal
R1	11-17-2023	Revision 1 1st Plan Review

REGISTERED ARCHITECT 43178 EDMIR DZUDZA ARIZONA, U.S.A.

EXPIRATION DATE: 09/30/2026
SIGNED AND SEALED ELECTRONICALLY 11-17-2023

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Plan 2300

Elevations Modern Mediterranean

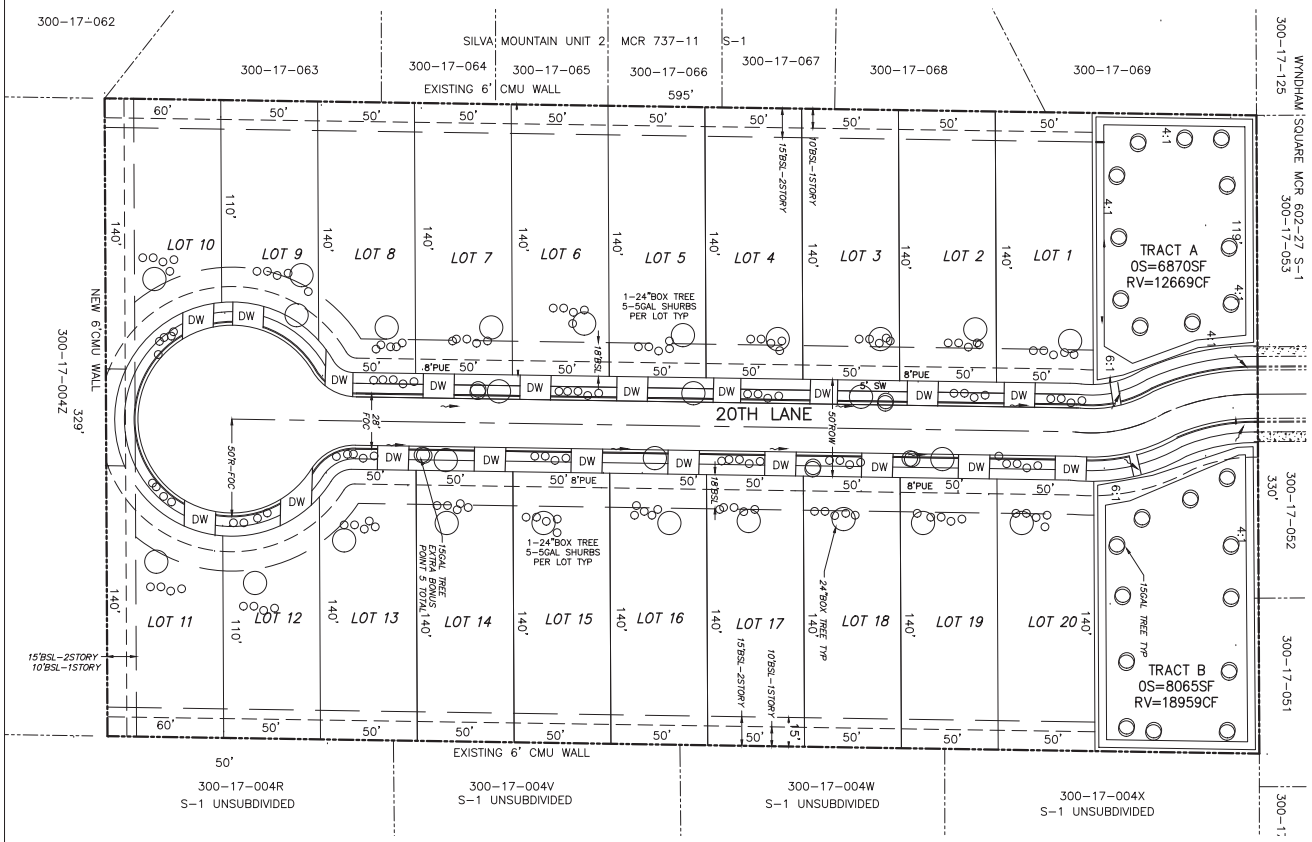
Date:	11-17-2023
Project No.	0421-2
Drawn By:	BJ&KN
Checked By:	ED
Approved By:	ED
Scale:	1/4"=1'-0"

A4.3

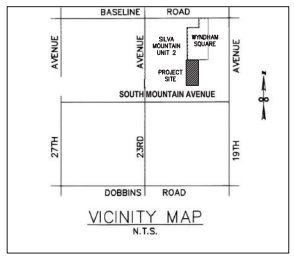
CITY OF PHOENIX
APR 23 2024
Planning & Development
Department

CITY OF PHOENIX
APR 23 2024
Planning & Development
Department

PRELIMINARY LANDSCAPE AND DENSITY BONUS PLAN
SOUTH MOUNTAIN MODERN
RI-I0 PRD TABLE-A PLANNED RESIDENTIAL DEVELOPMENT



SITE PLAN



VICINITY MAP
N.T.S.

OWNER

DOROTHY M HALLOCK
2050 W SOUTH MOUNTAIN AVE
PHOENIX AZ. 85041
PHONE#: 480-720-6854

CONSULTANT

JOHN FOX
WILLIAM SEYMOUR CO. INC.
428 E. THUNDERBIRD RD. #234
PHOENIX AZ. 85022
PHONE#: 602-573-2895
WSCING@COX.NET

NOTES

SOUTH MOUNTAIN MODERN
BONUS POINTS TABLE 608.I.2.A

STREETSCAPE
1. 20 POINTS -DETACHED SIDEWALK WITH PLANTING: 1 24"-BOX TREE OR 5-5 GAL SHRUBS/PER LOT
2. 10 POINTS -LANDSCAPE IRRIGATION FRONT YARDS 1-24" BOX TREE, 5- 5 GAL SHRUBS, GROUND COVER

2A. 25 POINTS -5 ADDITIONAL 15 GAL TREE

4. 10 POINTS -PARTIAL TREATMENT OF PAVING SURFACES

OPEN SPACE / RECREATION

1. 10 POINTS- ADDITIONAL OPEN SPACE
OPEN SPACE REQUIRED 4.5AC*43560SF/AC*5%=9801ST
1% OPENS SPACE INCREASE =980SF
1% INCREASE IN OPEN SPACE = 2PTS
OPEN SPACE SHOWN = 14,935SF
EXTRA OPEN SPACE = 5134 SF
EXTRA OPEN SPACE POINTS = 5143/980= 5.2% *2PTS = 10 PTS

ARCHITECTURAL DESIGN
2. 25 POINTS-PROVIDE HOUSE PLANS WHICH DEMONSTRATE AN ENHANCED LEVEL OF ARCHITECTURAL DESIGN AS APPROVED BY THE DESIGN ADVISOR.

BONUS POINTS REQUIRED = 99
BONUS POINTS PROVIDE = 100

MINIMUM LANDSCAPE REQUIREMENTS PERIMETER OF COMMON AREA SPACE 1-15 GAL TREE EVERY 20-30'

CITY OF PHOENIX
APR 23 2024
Planning & Development Department

PROJECT NUMBERS
KIVA# 24-140
ZPA 4-24
QS# 01-24
PAPP# 2400620

30 0 30 60
Scale 1" = 30'

WILLIAM SEYMOUR CO, INC
JOHN K. FOX
428 E. THUNDERBIRD RD. #234
PHOENIX, ARIZONA 85022
PHONE: (602) 573-2895

SOUTH MOUNTAIN MODERN
2050 SOUTH MOUNTAIN NORTH
PHOENIX, MARICOPA COUNTY, AZ

No.	DATE	APP.	DESCRIPTION
			REVISIONS

DESIGNED:
DRAWN:
CHECKED:
DATE: APRIL 2024
SCALE 1"=30'
PROJECT
FILE NAME
SHT: SP2

Contact Arizona 811 at least two full working days before you begin excavation
Arizona
Call 811 or visit Arizona811.com

Sarah Stockham

From: Carlo <charles.carbaj@gmail.com>
Sent: Tuesday, June 18, 2024 1:57 PM
To: Samuel S Rogers; PDD Long Range Planning
Subject: Case Z-58-24 : Opposition to Proposed Zoning Development Near Wyndham Square HOA

CAUTION: This email originated outside of the City of Phoenix.

Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Dear Members of the Phoenix Planning and Development Department,

I am writing on behalf of the Wyndham Square HOA community, located near Baseline Rd and 20th Ln in ZIP code 85041, to express our strong opposition to the proposed development of 20 houses on the empty land adjacent to our community. As residents deeply invested in the well-being and safety of our neighborhood, we have several serious concerns regarding this development.

1. Increased Traffic Congestion:
Our community already faces significant congestion issues, particularly at the single exit onto Baseline Rd. The addition of 20 houses, each potentially contributing an average of 2-3 cars, would introduce approximately 50-60 more vehicles to this already congested exit. This substantial increase in traffic volume would exacerbate existing delays, increase the risk of accidents, and create a hazardous environment for both drivers and pedestrians.

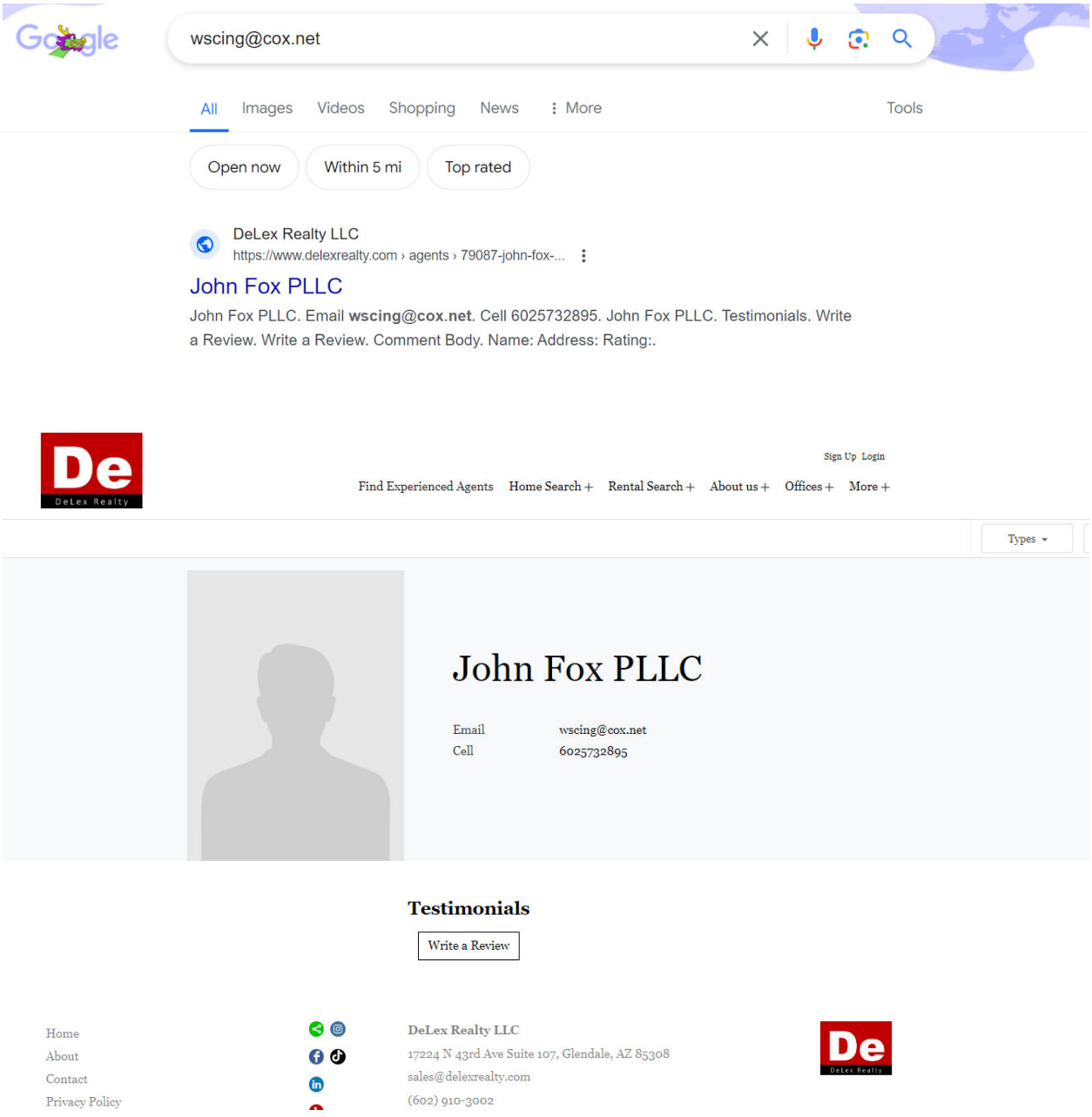
2. Developer's Credibility:
The developer assigned to this project, DeLex Realty LLC, is not accredited by the Better Business Bureau (BBB) and currently holds an "F" rating. This poor rating raises serious concerns about the reliability and integrity of the developer, and their ability to responsibly manage a project of this scale. We question their capacity to meet the community's standards and to follow through on commitments to mitigate negative impacts on our neighborhood.

Evidence for #2:

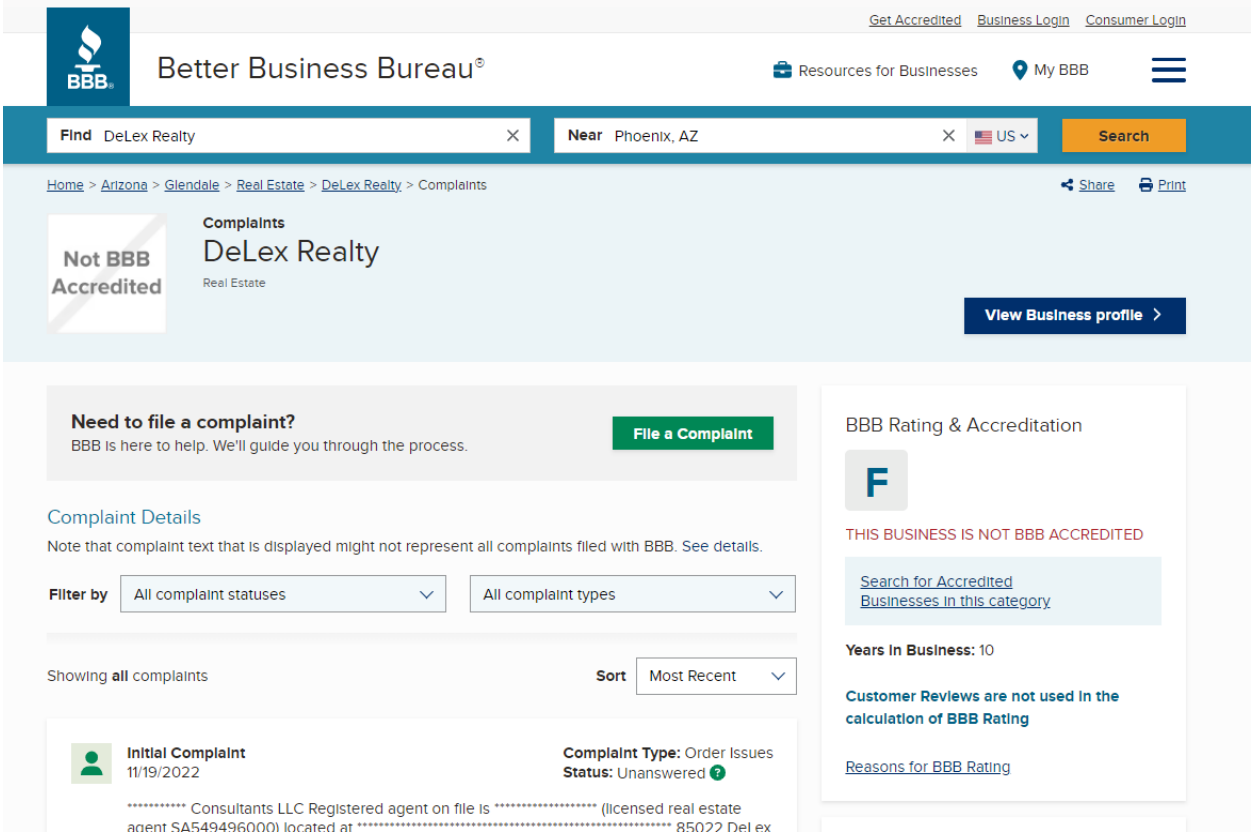
The applicant for the zoning is "John Fox", with an email of "wscing@cox.net"

A simple google search on "wscing@cox.net", reveals that "DeLex Realty LLC" is the real estate broker.

https://www.delexrealty.com/agents/79087-john-fox-pllc [delexrealty.com]



BBB rating of “F” with multiple complaints.
https://www.bbb.org/us/az/glendale/profile/real-estate/delex-realty-1126-1000047946 [bbb.org]



3. Impact on Community Character and Quality of Life:
The proposed development threatens to alter the character of our close-knit community. Our neighborhood values open spaces and the tranquility that comes with lower housing density. The introduction of 20 additional houses will not only strain our infrastructure but also detract from the peaceful environment that our residents cherish. Increased noise, reduced privacy, and potential overcrowding are all significant concerns that have not been adequately addressed.

4. Environmental and Infrastructure Strain:
The proposed development will likely put additional strain on our local infrastructure, including water supply, sewage systems, and public services. Without significant upgrades to these systems, which have not been outlined by the developer, the quality of service for current residents could deteriorate. Furthermore, we are concerned about the environmental impact, including increased runoff and potential flooding issues, due to the reduction of permeable land.

Given these substantial concerns, we urge the City of Phoenix Planning and Development Department to reconsider the approval of this zoning plan. The long-term welfare and safety of our community depend on responsible and sustainable development practices. We strongly believe that this proposed development does not align with these principles and would negatively impact our neighborhood.

We appreciate your attention to our concerns and look forward to your thoughtful consideration of our position. Please feel free to contact me at **charles.carbaj@gmail.com** or 480-326-1981.

Sincerely,

Carlos Carbajal

Owner of :
2017 W. Harwell Rd
Phoenix, AZ 85041

480-326-1981

Questions and comments concerning rezoning case Z-58-24 and the proposed development

H. Jewel Clark <hjewelclark@fastmail.com>

Mon 6/24/2024 9:55 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Mike Josic <mijosic@fastmail.fm>

1 attachments (3 MB)

20th and South Mountain 24-4-18-SITE (6).pdf;

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Hello Samuel,

My name is Jewel Clark. I am writing regarding rezoning case number Z-58-24. My husband (cc'd on this email) and I own property at 2020 W. South Mountain Ave (APN # 300-17-004S). Attached you will find what we received from the applicant for your convenience and cross-reference.

The application for rezoning and development centers on a 4.5 acre parcel which we are adjacent to. While these plans were received and stamped by the planning department in November of 2023, the first meeting request the surrounding neighbors received concerning this proposal was May 17. May 17, which was a Friday, notified us of a meeting to be held by the developers on May 18. One day's notice. The letter was postmarked May 13, which was Monday. I was unable to attend because of a standing appointment that Saturday but my husband went. The developer had picked a pizza parlor for the meeting. Approximately 50 concerned neighbors attended but according to my husband it was practically impossible to hear (this was not in a reserved room away from the rest of the guests) and it was difficult for everyone to get close to the posters of the proposal for details. However, the neighbors were able to communicate opposition to key elements of the proposal: increased traffic, density and multiple stories.

Approximately 1 month later, the weekend of June 15, the developer, Mr. John Fox, held another meeting with the neighbors. We received that letter on the 10th. It was postmarked 6-4-24. Two of our neighbors whose properties are adjacent to this proposed development had not received a letter notifying them of the meeting. These neighbors are very concerned about how this proposal could affect their properties and would have been there had they known about it.

Some questions are:

1. Is there a minimum notification time for developers to alert neighbors within the 600 ft minimum for these kinds of meetings?
2. How is the 600' notification zone measured for developers to build their contact list?
3. Should the ADU's have been shown on the drawings they provided? They were not.
4. I may be misreading the plans attached but on the lot diagram page under Project Description, it appears they list R1-10 density as 3.5-5 DU/AC. My understanding is that R1-10 is 3-3.5, 4.5 with bonus. Do the submitted plans have to be correct or corrected to be allowed to move forward?
5. Should there be updated plans at this point that are not designated "pre-application"? If so, the neighbors have not seen anything different from the attachment enclosed.
6. Will this application also require a general plan amendment application?
7. My husband said the developers told the neighbors that approval for developments/rezoning no longer went through the city council. According to what I could find on the city website, rezoning requests, either opposed or unopposed were still heard by the city council as the final arbiters. Is this incorrect?

I'd also like to let you know that according to my husband, the plan had not changed at all in the month the developer had to incorporate neighbor concerns. They showed up with exactly the same designs/plans. So, on two fronts, they don't appear to be listening to or trying to work with any of the surrounding neighbors who would be affected by this development, and they said they are planning on presenting this proposal to the South Mountain Village Planning Committee at the next meeting on July 9.

Since the neighbors confronted them with the fact that nothing had changed, they said they would look into making changes and call another meeting before the SMVPC meeting but I'm concerned that yet again, the neighbors may not be notified in a timely enough fashion to attend whatever meeting is scheduled.

So to recap the timeline:

1. Application submitted Nov. '23
2. First notice to neighbors mailed May 13, 2024 for a May 18 meeting. We got our letter the day before and so did many others. Developers heard from approx. 50 people that density was too high, 2 story designs were opposed and concern about increased traffic in an existing development with only one entrance/egress point onto Baseline were paramount, among other concerns.
3. One month later, June 15, developer held another meeting. Notification letter postmarked 6-4, received on 6-10, at least by us. Some neighbors confirmed they did not receive their letters by the meeting date and missed the meeting. Plans had not changed at all. Neighbors reiterated concerns.
4. Developers said they would look at some changes and call another meeting but said they were still planning on moving the application through to the SMVPC July 9 meeting.

The main issues: density, traffic for the north neighborhood, multiple stories

The current plan is requesting a density of approximately 4.5, which means they are requesting a bonus designation and I do not see where they are calling out enhancements per city requirements to justify or earn the points for such density. In addition, this parcel is fully bordered on the east by S-1 acre+ homes, which would be a tremendously incongruous jump in density if approved. As well, there are no developments surrounding that are more than 3.5 R1-10 in density, making 4.5 units per acre unprecedented for the immediate area.

This new development would be an extension of an existing development to the north with only 1 entrance/exit onto Baseline Rd for an already existing 54 houses. There is no way for this addition to have another entrance/exit onto a different street because it is surrounded by already developed land. There is no light at Baseline for the current neighborhood and the residents say that getting in and out of their neighborhood is already extremely difficult. Are there any safety requirements for the number of houses in a development to the number of entrance/exits? It seems like this ratio should be a concern for the city in case of evacuation or other emergencies.

The neighborhood around this parcel has been very active in working to keep housing height to one story, per Rio Montana guidelines, which takes into account view obstruction to South Mountain for existing neighbors. This is a priority for the northbound neighborhood and the east-bordering homes who don't want 2-story houses right up on their property line looking into their backyards. The precedent for all surrounding construction we have been involved with for single family homes has been overwhelmingly single story and that is what all the neighbors want.

Any information, clarification, links to specific city web pages, etc. you can provide is most appreciated. Thank you!

Sincerely,
Jewel Clark

--

H. Jewel Clark
hjewelclark@fastmail.com

South Mountain
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-58-24-8

Date of VPC Meeting	July 9, 2024
Request From	S-1
Request To	R1-10
Proposal	Single-family residential
Location	Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue
VPC Recommendation	Continuance to August 13, 2024
VPC Vote	11-3

Tremikus Muhammad left the meeting bringing quorum to 14 members (ten needed for a quorum).

Nine members of the public registered to speak in opposition to this item and 19 members of the public registered in opposition but did not wish to speak. Four members of the public donated their time to Jewel Clark, five members of the public donated their time to Jai Goudeau, and two members of the public donated their time to Julian Galindo.

STAFF PRESENTATION

Samuel Rogers, staff, presented the request, the location of the subject site, the surrounding context, the General Plan Land Use Map designation, the site plan, proposed elevations, the staff recommendation, the staff findings, and concluded by presenting the proposed stipulations.

APPLICANT PRESENTATION

John Fox, representing the applicant with William Seymour Co., presented the subject site, the proposal, the surrounding zoning, alignment with the General Plan, Rio Montaña Area Plan, and other policy plans, the existing conditions, the proposed landscape plan, elevations, and site plan, project benefits, and the public outreach.

PUBLIC COMMENT

Jewel Clark expressed concerns about the proposed development, stated concerns about the two-story homes, and stated that the high density of the project is out of character with the area. Ms. Clark stated that there was no mention of Accessory Dwelling Units (ADUs) in the applicant presentation and raised concerns about an additional 200 trips that the development would generate. Ms. Clark emphasized that the

area currently has an open feel which would be lost, leading to an increase in heat due to reduced open space. Ms. Clark questioned whether the homes would be for rent or sale and noted that many other homes are already being introduced into the area. Ms. Clark stated that the developer has not had good conversations with the neighbors.

Jai Goudeau highlighted several issues, starting with the difficulty of turning left onto Baseline Road, which can take up to 15 minutes. Mr. Goudeau noted that the existing homes average 11,000 square feet, compared to the proposed 7,000 square feet. Mr. Goudeau stated he is not opposed to development with fewer homes and criticized the applicant for being unresponsive to working with the neighbors. Mr. Goudeau stated that large vehicles would struggle to maneuver and stated that the first meeting was too small, prompting him to request a second meeting. Mr. Goudeau explained that he reserved the room for the second neighborhood meeting. Mr. Goudeau also expressed concerns about the traffic circle eliminating street parking and mentioned that there are other places where such developments would make more sense.

Jewel Clark stated that there is no guarantee that Dorothy, the property owner to the south, will move. Ms. Clark stated that the neighborhood is healthy and diverse and does not need this development. Ms. Clark pointed out that the first notification was not received within the required 10-day notice period, and no solutions were provided.

Julian Galindo shared his experience as a resident for 15 years and expressed pride in the neighborhood. Mr. Galindo compared a traffic letter with a full traffic study and voiced opposition to the proposal. Mr. Galindo raised concerns about foot traffic, the safety of children, and the long-term issues related to extra traffic.

Nicole Sordello stated she never received notice and suggested that there wouldn't be an empty chair in the room if the notification had been proper. Ms. Sordello expressed concerns about the impact of two-story homes on her privacy, noting that several lots will back up to her property. Ms. Sordello stated the project has multiple unknowns regarding rentals and HOA prohibitions on short-term rentals.

Joe Hernandez stated there is already heavy traffic near his residence at the entrance of the subdivision to the north and stated that the proposal would make traffic worse. Mr. Hernandez questioned how construction crews would maneuver, stated that the neighborhood has been seeking to add an entry breezeway for the Wyndham Square neighborhood, and expressed disappointment that new subdivision name may end up on the breezeway too.

Mike Josic stated that the applicant does not own the property, and the sale is contingent on the rezoning being approved. Mr. Josic mentioned the lack of discussion on ADUs, which could result in about 40 households, and raised traffic concerns. Mr. Josic argued that two-story buildings are inappropriate and stated that 20th Lane would not likely connect to South Mountain Avenue in the near future because Dorothy, the

property owner to the south, is not likely to move soon. Mr. Josic urged the committee to reject the request and stated that the proposal is the wrong project in the wrong place.

Funyung Mon stated concerns about increases traffic, expressed frustration with the already terrible traffic, and noted that her insurance quote increased by 20% due to the area's high accident rate.

Monica Garcia stated she is a housing lawyer, stated the neighborhood had endured half-built houses being built and flooding issues. Ms. Garcia stated traffic concerns, stated that the homes are small, stated that insurance premiums will keep going up, and asked the VPC to oppose to the project.

Candice McDonald Ramsey stated she works for Corporate America, clarified that she is not trying to hinder the City's progress and understands the need for homeownership. Ms. Ramsey expressed a willingness to compromise and highlighted the potential upside for existing homeowners. Ms. Ramsey acknowledged that small homes could be a good product but considered them inferior to existing homes. Ms. Ramsey stated concerns about construction vehicle presence, stated she appreciated the VPC hearing the community, and stated she feels that the applicant was not listening to their voices.

Jacques Phelps spoke about the diversity in the area, mentioning that he had just closed on a home. Mr. Phelps expressed concern that the project would adversely impact home values and the recent investment, negatively affecting his family and what he has built.

Chair Trent Marchuk noted for the record that 29 cards had been submitted in opposition to the proposed development, with 0 cards in support. Chair Marchuk also reported that a petition opposing the development had gathered 63 signatures, 31 letters of opposition were received, and explained that of the 52 homes in the Wyndham Square neighborhood, 29 residents were in opposition to the proposal.

APPLICANT RESPONSE

Mr. Fox stated that South Mountain is a large area where R1-10 zoning is appropriate and explained that the size of the lots is based on the Planned Residential Development (PRD) option for R1-10. Mr. Fox emphasized that the project is designed to prevent water from flowing into the neighborhood to the north. Mr. Fox acknowledged concerns about the presence of two-story homes but stated that there are two-story homes in the subdivision to the north. Mr. Fox clarified that the project has never been intended as a rental community or proposed to include Accessory Dwelling Units (ADUs). Mr. Fox expressed frustration, suggesting that the opposition indicates a reluctance to be good neighbors. Mr. Fox affirmed that the development would consist of quality homes and foster good neighborly relations.

Mr. Goudeau responded by acknowledging the presence of two-story homes in the area. Mr. Goudeau expressed concerns that the proposed retention measures might create issues for existing homes.

QUESTIONS FROM THE COMMITTEE

Committee Member Busching asked if the applicant is interested in continuing the case to allow more time to work with the community. **Mr. Fox** stated that he does not think he can go through the process another time.

Committee Member Darlene Jackson remarked that Phoenix is growing and emphasized the goal of building a healthy and connected city. Committee Member Jackson inquired whether the project would contribute to building a healthy community. **Mr. Fox** stated that the project includes connected sidewalks and open space and stated that detached sidewalks could be removed to widen the street. Committee Member Jackson questioned if it is fair to take away something to give something. Mr. Fox stated that when the neighborhood to the north bought their homes Baseline Road was already there.

Committee Member Kay Shepard asked why a Traffic Statement was used instead of a Traffic Impact Analysis (TIA). **Mr. Rogers** explained that a Traffic Statement is appropriate for smaller developments, but not for larger ones. Committee Member Shepard asked what the current width of 20th Lane is. **Mr. Fox** explained that the current street is 28 feet wide. Committee Member Shepard stated that the development should not include two-story homes.

Committee Member Edward Aldama stated that the original question was about walkability and questioned why the conversation had shifted to needing wider street that do not help with walkability. Committee Member Aldama stated that detached sidewalks would improve walkability and that people generally avoid cul-de-sacs. Aldama advocated for the future residents and stated that he believes the proposed walkability would be adequate and traffic would not have a significant impact.

Committee Member Kassandra Alvarez stated that the South Mountain VPC has high standards for community engagement, asked what issues were encountered while working with the community, and inquired about the timeframe for connecting to South Mountain Avenue. **Mr. Fox** indicated that the Wallace Group is building high-end products in the area and stated that the timeframe for the project is to move forward as soon as possible, aiming to start around the beginning of next year. Committee Member Alvarez further asked about the timeframe for connecting to South Mountain Avenue. Mr. Fox stated that the connection to South Mountain Avenue is not an empty promise, stated that the timing of Dorothy's move is uncertain, and noted that the City of Phoenix requires 20th Lane to be built for an eventual connection to South Mountain Avenue. Mr. Fox acknowledged difficulties in working with neighborhoods, stated that his team is not

willing to change the proposed density, and stated that his team is open to adjusting lot sizes.

Committee Member Gene Holmerud stated that the proposal will add 20 residences to the existing 52 residences that access the neighborhood via Baseline Road and asked how the access compares other developments over the past ten years. **Chair Marchuk** asked how many homes accessed Baseline Road on the self-storage special permit case on 41st Street and Baseline Road. **Mr. Rogers** stated that over 100 homes access Baseline Road via 41st Street and stated that he does not have statistics on access. **Committee Member Tamala Daniels** stated that the VPC had approved subdivisions with limited access in the past. **Committee Member Emma Viera** argued that precedent should not dictate future decisions and emphasized the importance of unity within the community. Committee Member Viera expressed a desire for the developer to be invested in working with the community. **Mr. Fox** stated that if the neighborhood would work with him, he would reciprocate and stated that both two-story and one-story homes are planned.

Chair Marchuk asked the development team if they are open to stipulating a ratio of the homes be one-story. **Mr. Fox** stated that the ratio could be stipulated and stated that the mix of heights is determined by the builder.

Committee Member T. Daniels stated that the site to the north is also zoned R1-10 but has different dimensions. **Mr. Fox** explained the proposal is utilizing the Planned Residential Development option. **Committee Member T. Daniels** highlighted that surrounding sites are R1-10, expressed that people seem unhappy with the access being through the development, and asked if there is any stipulation requiring that the proposed subdivision eventually connect to South Mountain Avenue. **Mr. Rogers** explained that, per Stipulation No. 12, the City is requiring a temporary turn around at the terminus of 20th Lane that would eventually connect to South Mountain Avenue. Committee Member Busching asked for clarification on Stipulation No. 12. Mr. Rogers explained Stipulation No. 12 and explained the City would require 20th Lane to connect to South Mountain Avenue if the property to the south develops with a use such as a subdivision, but not if a use such as a single-family home is proposed.

Committee Member Busching inquired about the owner of the property to the south and asked if an access easement across the property to the south is a possibility. **Mr. Fox** stated that the subject site is owned by the same owner of the property to the south and explained that an access easement would be a burden on the property owner to the south. **Committee Member T. Daniels** asked why the property owner to the south would put an easement on a home she currently lives in. Committee Member Busching explained that the property owner to the south could sell an access easement at the same time she sells the subject site.

Committee Member T. Daniels stated that when the development to the north was rezoned, there were likely complaints from S-1 property owners in the area, explained

there is always resistance to smaller housing products, and stated that it is unfair to prohibit two-story homes when the neighboring area has two-story structures. **Vice Chair Arthur Greathouse III** proposed stipulating that no two-story homes be placed next to each other. Committee Member T. Daniels stated that it could be stipulated that no two-story home can be next to each other if the developer is willing to offer the concession.

Committee Member T. Daniels asked about using flood maps to address retention issues. **Mr. Fox** responded that the proposed retention basins will maintain any onsite water, stated that flows would be monitored by the City of Phoenix, and explained that the development team was required to overlay the flood maps during their assessment. Mr. Fox stated that he is willing to work with the neighborhood on anything other than reducing the proposed density.

Committee Member Aldama asked if the development would improve flooding issues in the immediate area. **Mr. Fox** confirmed the retention basins would improve water issues.

Committee Member Jackson expressed concerns about the number of proposed units and stated that traffic concerns are not being addressed.

Committee Member Holmerud stated that there was a question about requiring a ratio of single-story and two-story homes, stated that in the past the VPC had stipulated that two-story homes be in the center of the development, and stated that the stipulation will not work on the proposed development because of the small site size.

Chair Marchuk explained that the proposal is technically R1-10, but the housing product is more similar to an R1-6 product, stated that the density in the area ranges from 2.5 to 3.5 units per acre, and stated that proposed 4 units per acre seems aggressive. Chair Marchuk stressed the importance of community engagement and proposed taking a month-long break to continue the case to allow more time to work with the community. **Mr. Fox** agreed to continue the case and suggested that a mediator be present at the next neighborhood meeting.

Committee Member T. Daniels asked if information on the Rio Montaña Area Plan could be distributed to the applicant and asked for clarification on the proposed density bonus. **Mr. Rogers** explained that additionally amenities can be provided in exchange for a higher allowed density. Committee Member T. Daniels asked if the proposal had been reviewed to ensure the proposed bonus points would allow the proposed density. Mr. Rogers explained that the final assessment of bonus points would be determined through the development review process. **Chair Marchuk** ask what the proposed density is. Mr. Rogers explained the proposed density is 4.4 units per acre. Committee Member T. Daniels asked about the proposal's compliance with development standards such as setbacks. Mr. Rogers explained that a site plan showing home locations was not provided.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

MOTION

Committee Member Kay Shepard made a motion to continue Z-58-24-8 to the August 13, 2024 South Mountain Village Planning Committee Meeting. **Committee Member George Brooks** seconded the motion.

VOTE

11-3, motion to recommend a continuance of Z-58-24-8 passes with with Committee Members Aldama, Alvarez, Brooks, Busching, F. Daniels, T. Daniels, Holmerud, Jackson, Shepard, Greathouse, and Chair Marchuk in favor and Falcon, F. Muhammed Roque, Viera opposed.

Committee Member Alvarez expressed hope that the relationship with the community could be repaired.

Committee Member Petra Falcon mentioned that the community had not been treated well and stated the community has said this project is not suitable for the location.

Committee Member Holmerud stated that stipulating a percentage of two-story homes will not work in the location.

Committee Member Jackson advocated for fewer homes and more open space.

Vice Chair Greathouse III encouraged collaboration. **Chair Marchuk** echoed Vice Chair Greathouse and encouraged collaboration from the applicant and the neighborhood.

Committee Member Falcon observed that community members left the meeting and did not get to hear the results.

Committee Member T. Daniels explained that if the vote were to reject the project, it would not stop the development process and stated that Arizona has various housing formations. Committee Member T. Daniels mentioned the skyrocketing housing market, the developer's agreement to return, and the importance of creating a win-win situation. Committee Member T. Daniels encouraged everyone to bring a positive attitude to the discussion

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

South Mountain
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-58-24-8

Date of VPC Meeting	August 13, 2024
Request From	S-1
Request To	R1-10
Proposal	Single-family residential
Location	Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue
VPC Recommendation	Continuance to September 10, 2024
VPC Vote	12-0

Committee Member Tamala Daniels joined the meeting bringing quorum to 12 members (ten needed for a quorum).

Six members of the public registered to speak in opposition to this item and 12 members of the public registered in opposition but did not wish to speak. Four members of the public donated their time to Jewel Clark and three members of the public donated their time to Jai Goudeau.

Chair Trent Marchuk explained that the applicant for case Z-58-24 reached out to request a continuance to the September 10, 2024 South Mountain Village Planning Committee meeting. Chair Marchuk stated that a continuance was granted in the last meeting and noted that the applicant has been working with the community but that progress still needs to be made. Chair Marchuk stated the applicant is hopeful that another month will yield the necessary progress, thanked the community members for attending the meeting, and asked staff for clarification on the process.

Samuel Rogers, staff, explained that a motion to continue the case could be made.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

MOTION
Committee Member Kay Shepard made a motion to continue Z-58-24-8 to the September 10, 2024 South Mountain Village Planning Committee Meeting. **Committee Member George Brooks** seconded the motion.

VOTE
12-0, motion to recommend a continuance of Z-58-24-8 passes with with Committee Members Aldama, Beehler, Brooks, Brownell, Busching, T. Daniels, Holmerud, Jackson, Shepard, Viera, Vice Chair Greathouse, and Chair Marchuk in favor.

Chair Trent Marchuk stated for the record that 17 comment cards had been received in opposition to the project and thanked the community for attending.

Committee Member Marcia Busching emphasized the importance of ensuring that people in attendance are aware of the ongoing negotiations and are able to participate. **Chair Marchuk** stated his understanding that two individuals were appointed by the community to be their representatives in the negotiations and added that others are welcome to participate. Chair Marchuk asked about the process for people to get involved. **Mr. Rogers** informed the committee that community members could reach out to himself, the Chair, or the applicant to get involved.

Committee Member Brooks asked why there are still so many people in attendance who are in opposition if progress is being made. **Chair Marchuk** stated that the need for continued negotiation is the reason the applicant requested a continuance.

Committee Member Tamala Daniels inquired about the requirement for community notification when a continuance is going to be requested. **Committee Member Brooks** suggested that there should be a timeline to ensure people are informed when a continuance is going to be requested. **Chair Marchuk** stated that the community representatives were informed about the continuance as soon as he had heard. **Committee Member Greg Brownell** commented that the community representatives are not the only people who represent the community given the number of people in attendance. **Committee Member Gene Holmerud** stated that the issue could be resolved with a real-time website but acknowledged that this would be a significant undertaking.

Committee Member T. Daniels asked how long prior to the meeting applicants are required to inform the committee that a continuance is planned to be requested. **Mr. Rogers** stated that applicants are allowed to request continuances up to the meeting itself. Mr. Rogers explained that while it would be prudent to inform the community earlier, there is no regulation requiring this. **Committee Member Brooks** asked what the process would be to implement a new rule requiring earlier notification for continuances. Mr. Rogers stated that he would have to follow up on the topic.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

South Mountain
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-58-24-8

Date of VPC Meeting	September 10, 2024
Request From	S-1
Request To	R1-10
Proposal	Single-family residential
Location	Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue
VPC Recommendation	Approval, per the staff recommendation with additional stipulations
VPC Vote	7-5

12 members of the public registered to speak in opposition to this item and 10 members of the public registered in opposition but did not wish to speak. Four members of the public donated their time to Jewel Clark and four members of the public donated their time to Jai Goudeau.

STAFF PRESENTATION

Samuel Rogers, staff, presented the request, the location of the subject site, the surrounding context, the General Plan Land Use Map designation, the site plan, proposed elevations, the staff recommendation, the staff findings, and concluded by presenting the proposed stipulations.

APPLICANT PRESENTATION

John Fox, representing the applicant, presented the history of the rezoning process, including his attendance at two previous Village Planning Committee (VPC) meetings. Mr. Fox stated that the City is recommending approval of the rezoning request, explained that his team had provided a site plan to the neighbors that reduced the number of units from 20 to 18, explained that he had received additional stipulations from neighborhood representatives asking for a 16-unit proposal, explained he thought his team and the neighbors could meet in the middle with an 18-unit proposal, and explained that his team is now proposing a 20-unit development.

PUBLIC COMMENT

Chair Trent Marchuk noted that there were 22 cards in opposition to the project, with no cards in support and explained that five cards were submitted to Jai Goudeau, five to Jewel Clark, and one card to Mike Josic.

Jewel Clark explained where she lives and stated that she has consistently opposed an 18-unit development. Ms. Clark asked Mr. Fox about compliance with the Rio Montaña Plan, expressed concerns about preserving the character of the area, and referenced City of Phoenix policy plans that emphasize compatibility. Ms. Clark explained that she is not opposed to a development but wants a development that fits the neighborhood. Ms. Clark explained that she would support the proposal if it included stipulations provided by the neighborhood representatives. **Committee Member Marcia Busching** asked how the proposed neighborhood stipulations were developed and if they came from City of Phoenix policy plans or previous cases. Ms. Clark explained that many of the neighborhood requested stipulations came from the Rio Montaña Plan and other rezoning cases in the area.

Julian Galindo explained he attended the meeting with the developer and that the neighborhood had been against an 18-unit proposal, explained he is a civil engineer, and stated that he has concerns about stormwater management and the project's density. **Committee Member Busching** asked a question regarding the retaining wall. Mr. Galindo confirmed that he advocated for the stipulation regarding the retaining wall and explained that the retaining wall will help to mitigate flooding concerns. Committee Member Busching asked whether Mr. Fox was in opposition to the stipulation. Mr. Galindo responded that the stipulation had been discussed but not agreed to.

Committee Member Greg Brownell inquired about the project's floodplain review. **Mr. Rogers** explained that the project had gone through a preliminary floodplain review, but a full grading and drainage review will occur when the development comes in for permitting. **Chair Marchuk** stated that the existing homes to the north are four feet lower than the proposed development, explained that the retaining wall will mitigate flooding issues, and explained that Mr. Fox had agreed to the retaining wall in concept.

Kara Moreno echoed other neighbors' concerns regarding the proposed development and explained concerns about the impact of the development if additional street access is not provided. Ms. Moreno emphasized the potential safety risks associated with construction activities, including traffic and car safety. Ms. Moreno also raised concerns about the increased length of the street, which she believed could encourage faster driving, potentially leading to safety hazards due to speeding vehicles.

Jai Goudeau explained that he owns the first home built in the neighborhood to the north, highlighted ongoing flooding issues, and stated traffic accidents occur every 2.5 days at 19th Avenue and Baseline Road. Mr. Goudeau expressed concerns about the proposed street length and the temporary turnaround in the development, noting potential difficulties for large trucks navigating the roundabout. Mr. Goudeau explained that the community proposed several design alternatives and stated the developer backed out of negotiations at the last minute. Mr. Goudeau expressed concerns about the meeting noticing, stated that the HOA failed to send timely notices, and stated more neighbors would be in attendance if they had been properly noticed. Mr. Goudeau stated that he is

not opposed to building a community, emphasized that all traffic from the new development would flow through Wyndham Square, and explained the development would effectively an extension of the Wyndham Square neighborhood.

Mike Josic voiced his understanding of the housing crisis but argued that reducing the number of homes by four would not significantly impact the crisis. Mr. Josic emphasized that the proposed development feels unfair to current residents and urged the committee to vote against it.

APPLICANT RESPONSE

Mr. Fox provided examples of other developments in the area that were not held to the same requirements the neighborhood is asking his team to comply with. Mr. Fox explained that the neighborhood's stipulations were received too late and that the staff is already stipulating that the site plan, elevations, and landscape plan be reviewed by the Planning Hearing Officer (PHO) and the South Mountain VPC. Mr. Fox explained that the Rio Montaña plan is an older plan and explained that he disagrees with some of the stipulations but stated that he is open to compromise on others.

QUESTIONS FROM THE COMMITTEE

Committee Member Coleman asked when other subdivisions Mr. Fox referenced were built. **Mr. Fox** explained that they were constructed within the last 15 to 20 years.

Committee Member Beehler asked if Mr. Fox was the purchaser or the owner of the property, who owns the parcel to the south, and asked about a potential access easement across the parcel to the south. **Mr. Fox** explained that he is in escrow for the purchase of the subject site, explained that the property owner also owns the parcel to the south, and stated the owner is not open to an access easement across the property to the south.

Chair Marchuk asked staff to explain the City's perspective on the street termination. **Mr. Rogers** explained that the proposed street must be designed to accommodate a future connection to the parcel to the south and stated that most potential uses for the southern parcel, aside from a single-family home, would require this connection to the subject site.

Committee Member Busching asked if Mr. Fox was amenable to any of the neighborhood's stipulations. **Mr. Fox** explained which stipulations his team is not okay with and others he is willing to accept.

Committee Member Coleman asked if Mr. Fox was willing to comply with a retaining wall if approved by grading and drainage standards. **Mr. Fox** affirmed that he would comply if necessary.

Chair Marchuk mentioned that although the stipulation language was new, the content had been received on Sunday.

Committee Member Petra Falcon asked if the current plan was the one that the Planning Commission would see. **Mr. Rogers** explained that the stipulations are written so that the plans will come back in front of the VPC through the PHO process and explained that Mr. Fox may provide updated plans for the Planning Commission hearing.

Committee Kay Shepard asked about the VPC's ability to stipulate to a specific site plan. **Mr. Rogers** confirmed that the VPC can stipulate conformance to a site plan. **Committee Member Busching** asked if there was an updated site plan. Mr. Rogers confirmed that the applicant had submitted an updated site plan date stamped September 5, 2024 and stated the site plan was included in the slide deck he had sent to the VPC.

Committee Member Greg Brownell expressed concerns about denying the case and it getting approved at the next hearing body without the VPC's input. Committee Member Brownell emphasized the need for more discussion, stated that an old plan does not imply a weaker plan, and clarified that the overlay is not law but guidance. Committee Member Brownell explained that if the committee opposes this, they are essentially out of the discussion, expressed a preference to keep the case at the committee level, explained that both citizens and the builder will need to compromise, and explained he would like the development team to return with a proposal that the committee can vote on.

Committee Member Beehler stated that the VPC should deny the project, stated the proposal does not adequately address key access issues to Baseline Road. expressed a belief that the property owner is selling prematurely, and explained that the owner should sell the entire property.

Committee Member Holmerud stated that most arguments against the development focus on perceived shortcomings and explained that the fact previous developments were not held to the same standards should not prevent negotiations on the proposed project.

Committee Member Brownell stated that the committee should not decline the proposal and recommended continuing the case and explained that declining the project would result in losing the opportunity for the VPC to impact the development.

Committee Member Beehler expressed that this project is unsuitable for the site at this time and reiterated the recommendation to decline.

Committee Member Busching mentioned her usual support for the neighborhood but expressed a different perspective due to the relatively small community. Committee Member Busching explained that people have the right to buy and develop land and

referenced that the Wyndham Square builder had constructed the development with a stub road intended to connect to the adjacent parcel to the south. Committee Member Busching acknowledged the hard work of the neighbors and the VPC and stated she would like to make a motion to approve the rezoning request with additional stipulations.

Committee Member Holmerud questioned the financial viability of a project with 16 lots. **Chair Marchuk** stated that his understanding is that 18 lots is the minimum acceptable for the development.

Chair Marchuk echoed Committee Member Busching, explained that VPC members, the applicant, and community representatives had been meeting weekly since the previous month's continuance of the case, and explained that the applicant declined to attend the final meeting. Chair Marchuk explained that the site plan had been extensively reviewed and explained that the layout makes the most sense with the current parcel dimensions. Chair Marchuk stated that negotiations were going well until the neighborhood provided a list of stipulations they would like considered, stated there was not adequate time to vet the neighborhood stipulations, stated there is still an opportunity for negotiation, and stated it may be premature to pass the project in its current form.

Committee Member Shepard stated that 18 lots are the bottom line for the developer, while 16 lots are the maximum for the community and expressed skepticism about any potential movement by either party on the proposal.

Committee Member Beehler explained there are ongoing access issues and expressed concern about burdening neighbors with additional traffic.

Committee Member Shepard inquired about the traffic generated by an 18-lot subdivision per day. **Mr. Fox** stated that traffic was analyzed by peak hour trips, not per day.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

MOTION
Committee Member Mark Beehler made a motion to deny Z-58-24-8. **Committee Member Gene Holmerud** seconded the motion.

VOTE
4-8, motion to recommend denial of Z-58-24-8 fails with Committee Members Beehler, Coleman, F. Daniels, and Holmerud in favor and Committee Members Brooks, Brownell, Busching, Falcon, T. Muhammad, Shepard, Greathouse, and Marchuk in opposition.

MOTION
Committee Member Marcia Busching made a motion to approve Z-58-24-8 with additional stipulations. **Committee Member Lee Coleman** seconded the motion.

VOTE

7-5, motion to recommend approval of Z-58-24-8 with additional stipulations passed with Committee Members Committee Members Busching, Coleman, Falcon, Holmerud T. Muhammad, Shepard, and Greathouse in favor and Committee Members Beehler, Brooks, Brownell, F. Daniels, and Marchuk and in opposition.

Vice Chair Greathouse explained that he had been a part of the process, including multiple iterations of the site plan, and stated it is unfortunate to have reached this point. Vice Chair Greathouse explained that good collaboration had been happening but was lost along the way. Vice Chair Greathouse stated that this is the most logical and feasible plan and wished there was more support, as a lot of work had gone into reaching this point. Vice Chair Greathouse emphasized that nobody was going to win everything or concede on every negotiation point and stated his support for the project.

Chair Marchuk stated that he would be voting in opposition to the motion to approve and explained there are several unresolved questions that should have been addressed and still have the potential to be resolved.

VPC recommended stipulations:

1. The conceptual site plan and landscape plan for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to preliminary site plan approval. 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.

2. The conceptual elevations for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to final site plan approval. 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.

3. Prior to preliminary plat approval, documentation shall be provided that demonstrates participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, as approved by the Planning and Development and Water Services departments.

4. A WaterSense inspection report from a third-party verifier shall be submitted that demonstrates successful participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, prior to

certificate of occupancy, as approved by the Planning and Development Department.

5. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized in the common areas and within the front yards of individual residential lots, as approved or modified by the Planning and Development Department.

6. Natural turf shall only be utilized on individual single-family lots (behind the front yard); required retention areas (bottom of basin); and functional turf areas within common areas, as approved by the Planning and Development Department.

7. Pressure regulating sprinkler heads and/or drip lines shall be utilized in any turf areas to reduce water waste.

8. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low-Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.

9. Participation in the City of Phoenix Homeowner's Association Water Efficiency Program shall be incorporated into to Covenants, Conditions, and Restrictions for the subdivision, prior to final site plan approval.

10. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.

11. A minimum 50 feet of right-of-way shall be dedicated and constructed for the full width of 20th Lane for the full length of the subject site, connecting to the southern adjacent parcel.

12. A minimum 50-foot radius easement shall be dedicated and a minimum 45-foot radius temporary turnaround shall be constructed at the southern terminus of 20th Lane. Alternatively, a permanent turn around design may be considered and shall include a center landscaped island, designed to City of Phoenix standards, as approved by the Street Transportation Department.

13. 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.

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

15. 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.

16. Prior to final 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.

17. THE DEVELOPMENT SHALL BE LIMITED TO A MAXIMUM OF 18 UNITS.

18. A MINIMUM OF 30% OF BUILDING ELEVATIONS SHALL INCLUDE COVERED PORCHES IN THE FRONT YARD AND REAR YARD AT A MINIMUM OF SIXTY SQUARE FEET EACH AND AT A DEPTH OF AT LEAST SIX FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

19. THE MAXIMUM BUILDING HEIGHT FOR 80% OF THE LOTS SHALL BE LIMITED TO ONE STORY AND 26 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

20. THE MAXIMUM BUILDING HEIGHT SHALL BE TWO-STORIES AND 32 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

21. A MINIMUM OF 8% OF THE GROSS PROJECT AREA SHALL BE RETAINED AS COMMON AREA, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

22. BUILDING ELEVATIONS SHALL CONTAIN MULTIPLE COLORS, EXTERIOR ACCENT MATERIALS AND TEXTURAL CHANGES THAT EXHIBIT QUALITY AND DURABILITY SUCH AS BRICK, STONE, COLORED TEXTURED CONCRETE OR STUCCO, OR OTHER MATERIALS TO PROVIDE A DECORATIVE AND AESTHETIC TREATMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

23. **ALL STREET-FACING GARAGE DOORS LENGTHS SHALL BE LESS THAN 50% OF THE TOTAL WIDTH OF THE FAÇADE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

24. **FRONT SETBACKS FOR COVERED BUILDING ELEMENTS SHALL BE STAGGERED BY A MINIMUM OF 5 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT**

25. **LOT WIDTHS SHALL VARY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

26. **THE SOUTHERN END OF THE STREET SHALL HAVE LANDSCAPING AND ROD IRON VIEW FENCING TO ENHANCE THE VIEW OF SOUTH MOUNTAIN, UNTIL 20TH LANE IS CONSTRUCTED TO THE SOUTH OF THE PROPERTY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

27. **A RETAINING WALL SHALL BE PROVIDED ALONG THE NORTHERN BOUNDARY OF TRACT A, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

28. **THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED SEPTEMBER 5, 2024, AS MODIFIED BY THE ABOVE STIPULATIONS AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Staff recommends that Stipulation No. 20 be deleted, as it seeks to limit the height of the development to 32 feet. The maximum height permitted with the R1-10 Zoning District is two stories and 30 feet and cannot be exceeded via a rezoning stipulation. Since the maximum height requirement of 30 feet will apply, a stipulation limiting the height to 30 feet is extraneous.

ATTACHMENT D

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

To: City of Phoenix Planning Commission **Date:** October 7, 2024

From: Racelle Escolar, AICP
Principal Planner

Subject: ITEM NO. 6 (Z-58-24-8) - APPROXIMATELY 710 FEET NORTH AND 305 FEET WEST OF THE NORTHWEST CORNER OF 20TH AVENUE AND SOUTH MOUNTAIN AVENUE

The purpose of this memo is to recommend the removal a stipulation in response to the South Mountain Village Planning Committee (VPC) recommendation and to convey additional opposition correspondence that has been received regarding this rezoning request.

Rezoning Case No. Z-58-24-8 is a request to rezone 4.54 acres located approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue from S-1 (Ranch or Farm Residence) to R1-10 (Single-Family Residence District) to allow a single-family residential subdivision.

The South Mountain VPC heard this request on September 10, 2024, and recommended approval, per the staff recommendation, with additional stipulations by a vote of 7-5.

Staff recommends that Stipulation No. 20 be deleted, as it seeks to limit the height of the development to 32 feet. The maximum height permitted with the R1-10 Zoning District is two stories and 30 feet and cannot be exceeded via a rezoning stipulation. Since the maximum height requirement of 30 feet will apply, a stipulation limiting the height to 30 feet is not appropriate.

Staff recommends approval, per the modified stipulations in **bold** font below:

1. The conceptual site plan and landscape plan for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to preliminary site plan approval. 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.

2. The conceptual elevations for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to final site plan approval. 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.

3. Prior to preliminary plat approval, documentation shall be provided that demonstrates participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, as approved by the Planning and Development and Water Services departments.

4. A WaterSense inspection report from a third-party verifier shall be submitted that demonstrates successful participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, prior to certificate of occupancy, as approved by the Planning and Development Department.

5. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized in the common areas and within the front yards of individual residential lots, as approved or modified by the Planning and Development Department.

6. Natural turf shall only be utilized on individual single-family lots (behind the front yard); required retention areas (bottom of basin); and functional turf areas within common areas, as approved by the Planning and Development Department.

7. Pressure regulating sprinkler heads and/or drip lines shall be utilized in any turf areas to reduce water waste.

8. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low-Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.

9. Participation in the City of Phoenix Homeowner's Association Water Efficiency Program shall be incorporated into to Covenants, Conditions, and Restrictions for the subdivision, prior to final site plan approval.

10. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.

11. A minimum 50 feet of right-of-way shall be dedicated and constructed for the full width of 20th Lane for the full length of the subject site, connecting to the southern adjacent parcel.

12. A minimum 50-foot radius easement shall be dedicated and a minimum 45-foot radius temporary turnaround shall be constructed at the southern terminus of 20th Lane. Alternatively, a permanent turn around design may be considered

and shall include a center landscaped island, designed to City of Phoenix standards, as approved by the Street Transportation Department.

13. 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.

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

15. 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.

16. Prior to final 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.

17. THE DEVELOPMENT SHALL BE LIMITED TO A MAXIMUM OF 18 UNITS.

18. A MINIMUM OF 30% OF BUILDING ELEVATIONS SHALL INCLUDE COVERED PORCHES IN THE FRONT YARD AND REAR YARD AT A MINIMUM OF 60 FEET EACH AND AT A DEPTH OF AT LEAST 6 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

19. THE MAXIMUM BUILDING HEIGHT FOR 80% OF THE LOTS SHALL BE LIMITED TO ONE STORY AND 26 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~**20. THE MAXIMUM BUILDING HEIGHT SHALL BE TWO-STORIES AND 32 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**~~

~~**21.**~~ **20.** A MINIMUM OF 8% OF THE GROSS PROJECT AREA SHALL BE RETAINED AS COMMON AREA, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~**22.**~~ **21.** BUILDING ELEVATIONS SHALL CONTAIN MULTIPLE COLORS, EXTERIOR ACCENT MATERIALS AND TEXTURAL CHANGES THAT EXHIBIT QUALITY AND DURABILITY SUCH AS BRICK, STONE, COLORED TEXTURED

CONCRETE OR STUCCO, OR OTHER MATERIALS TO PROVIDE A DECORATIVE AND AESTHETIC TREATMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

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~~**24.**~~ **23.** FRONT SETBACKS FOR COVERED BUILDING ELEMENTS SHALL BE STAGGERED BY A MINIMUM OF 5 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT

~~**25.**~~ **24.** LOT WIDTHS SHALL VARY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~**26.**~~ **25.** THE SOUTHERN END OF THE STREET SHALL HAVE LANDSCAPING AND WROUGHT IRON VIEW FENCING TO ENHANCE THE VIEW OF SOUTH MOUNTAIN, UNTIL 20TH LANE IS CONSTRUCTED TO THE SOUTH OF THE PROPERTY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~**27.**~~ **26.** A RETAINING WALL SHALL BE PROVIDED ALONG THE NORTHERN BOUNDARY OF TRACT A, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~**28.**~~ **27.** THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED SEPTEMBER 5, 2024, AS MODIFIED BY THE ABOVE STIPULATIONS AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

Enclosure
Opposition correspondence (236 pages)

July 1, 2024

My name is Constance Box and I live at 7719 S. 20th Dr. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

Density- solutions

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

Traffic- problems

- In relation to inappropriate density, the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Rd. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.
- No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning.
- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

Traffic- solutions

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulated before any approvals for rezoning/development.

Housing design- problems

- The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

Housing design- solutions

- Limit construction to single-story (most important).
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

Heat island/climate, trees/shade- problems

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

Heat island/climate, trees/shade - solutions

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity and high SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

Lastly, as of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.

At the second meeting, a month later, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend. He told the neighbors who were able to attend that he would go back and see what he could do

to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
Constance Box

7719 S 20th Drive
Phoenix, AZ 85041

July 1st, 2024

My name is David Key and I live at 2006 West Branham Lane, Phoenix Az 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

Density- solutions

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

Traffic- problems

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    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. That will increase traffic to an already bottle necked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.
- No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning.
- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

Traffic- solutions

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
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- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

Housing design- solutions

- Limit construction to single-story (most important).
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- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

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- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
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Lastly, as of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.

At the second meeting, a month later, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend.

He told the neighbors who were able to attend that he would go back and see what he could do to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,

David Key and Niki Key
2006 West Branham Lane
Phoenix Az 85041

Opposition to Rezoning Case Z-58-24-8

James Betterment <jamesbetterment@gmail.com>

Mon 7/8/2024 4:50 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (22 KB)

Opposition-letter_Z-58-24-8_8008-S-20th-Ave_James-Betterment.docx;

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Please see attached for my opposition to rezoning case Z-58-24-8.

July 4th 2024

My name is James Betterment and I live at 8008 S 20th Ave, Phoenix AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

Loss of Privacy:

- The proposed development would result in four properties directly abutting the back of my property, significantly reducing the privacy that my family and I currently enjoy. The inclusion of two-story houses is particularly concerning, as these structures would have direct sightlines into my backyard and potentially into my home, severely compromising our privacy.

Inadequate Notice and Community Input:

- I have not received any notices of this development request and had to be informed by neighbors the day before the meetings.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 properties at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

Density- solutions

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits including mitigating heat and preserving local character to the surrounding communities.

Traffic- problems

- In relation to inappropriate density, the only entrance/exit is through Wyndham Square, a 52-home neighborhood to the north onto Baseline Rd. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while

also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.
- No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning and does nothing to alleviate immediate problems.
- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

Traffic- solutions

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulated before any approvals for rezoning/development.

Housing design- problems

- The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

Housing design- solutions

- Limit construction to single-story (most important).
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

Heat island/climate, trees/shade- problems

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

Heat island/climate, trees/shade - solutions

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity and high SRI roofing materials.

- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

This proposal has apparently been planned since last year since the elevations are dated September 2023 and the first plan review was scheduled for November 2023. Yet Mr. Fox sent out the first meeting notice to the neighbors for May 18, 2024. As of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.
At the second meeting, on June 15, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend. His colleague told the neighbors who were able to attend that he would go back and see what he could do to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
James Betterment

8008 S 20th Ave, Phoenix AZ 85041

July 8th, 2024

My name is Jose Angel Perea and I live at 8004 S 20th Ave. Phoenix, AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 properties at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
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Density- solutions

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits including mitigating heat and preserving local character to the surrounding communities.

Traffic- problems

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- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

Traffic- solutions

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
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Housing design- problems

- The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
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Housing design- solutions

- Limit construction to single-story (most important).
- Require deep front porches.
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- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

Heat island/climate, trees/shade - solutions

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity and high SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
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He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
Jose Angel Perea

8004 S 20th Ave.
Phoenix, AZ 85041

07-09-2024

My name is Miguel Rubio and I live at 8020 s. 20th Ave Phoenix, AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 properties at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

Density- solutions

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Respectfully,
Miguel Rubio

8020 s. 20th Ave Phoenix, AZ 85041

Opposition to Rezoning Case Z-58-24-8

Nicki Sordello <nickisordello@yahoo.com>

Mon 7/8/2024 7:02 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (22 KB)

Opposition-letter_Z-58-24-8_8008-S-20th-Ave_Nicole.Sordello.docx;

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Good evening,

Please see the attached letter in opposition to the rezoning proposal Z-58-24-8. If you have any questions or request further information, please let me know.

Thank you for your time and consideration.

Best regards,

Nicole Sordello

July 8th 2024

To whom it may concern,

My name is Nicole Sordello, and I live at 8008 S 20th Ave, Phoenix AZ 85041. I am writing this letter in strong opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10.

I am opposed to this rezoning proposal for multiple reasons:

Loss of Privacy:

- The proposed development would result in four properties directly abutting the back of my property, significantly reducing the privacy that my family and I currently enjoy. The inclusion of two-story houses is particularly concerning, as these structures would have direct sightlines into my backyard and potentially into my home, severely compromising our privacy.

Inadequate Notice and Community Input:

- I have not received any notices of this development request and had to be informed by neighbors the day before the meetings.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 properties at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
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Traffic- problems

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Respectfully,

Nicole Sordello

8008 S. 20th Ave, Phoenix AZ 85041

Z-58-24-8

Andrew Maifield <andrewmaifield@yahoo.com>

Tue 7/2/2024 12:38 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Samuel Rogers

I Andrew Maifield am a resident of the Windham square housing community. Homeowner. I am sending this email to the city of Phoenix to dispute The rezoning allowing housing developers using windham square as the main entrance and exit of the new housing community. The rezoning will negatively affect my family my home value and the quiet good-hearted small community we live in. Rezoning for 20 homes on 4.5 acres is unrealistic. Small cramped homes like that would reduce the values of neighboring homes and especially my home value. The large amount of traffic will be a burden on my small children and our family. I would like to request the city block Windham squares access to that lot for good. Permanently block and wall that access point. The veterans retired city workers current city workers hardworking tax paying citizens that live in this community do not want to change it please respect our request. Thank you Samuel for helping with this matter.

Sent from Yahoo Mail on Android [go.onelink.me]

Opposition letter- Case Number Z-58-24-8

D. Fong <dpfong@hotmail.com>

Tue 7/2/2024 3:20 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (19 KB)

Opposition letter- Z-58-24-8.docx;

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Mr. Samuel Rogers,

Please see my opposition letter attachment relating to Case Number: Z-58-24-8 to be included in the file for the Village Planning Committee meeting on Tuesday, July 9, 2024.

Regards,
David Fong
2004 W. Harwell Rd - Wyndham Square neighborhood

July 2, 2024

My name is David Fong and I live at 2004 W. Harwell Rd. I am writing in opposition to the application for development and rezoning case number Z-58-24-8submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
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He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
David Fong

2004 W. Harwell Rd.

Z-58-24-8

Eduardo Camacho <lalocamacho@cox.net>

Tue 7/2/2024 8:16 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (21 KB)

Opposition letter- Z-58-24-8 (2).docx;

CAUTION: This email originated outside of the City of Phoenix.
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Report Suspicious

Hello Samuel,

please see attached letter of opposition

thank you,
Eduardo Camacho

July 2, 2024

My name is Eduardo Camacho and I live at 2015 W Branham Lane Phoenix AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

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Respectfully,
Eduardo Camacho

2015 W Branham Lane
Phoenix AZ 85041

July 2, 2024

My name is Forrest Box and I live at 7719 S. 20th Drive. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

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At the second meeting, a month later, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend. He told the neighbors who were able to attend that he would go back and see what he could do

to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
Forrest Box

7719 S. 20th Dr.
Phoenix, AZ 85041

Z-58-24-8

Jai Goudeau <jaigoudeau@gmail.com>

Tue 7/2/2024 1:51 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (2 MB)

My letter of opposition.docx;

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

My name is Jai Goudeau and I live at 2013 W. Harwell Road Phoenix, 85041. I am writing in opposition to the Rezoning request filed for approximately 4.5 acres site located at 700' feet north and 305' feet west of the northwest corner of South Mountain Ave and 20th Ave, rezoning case number **Z-58-24** to change zoning from **S1** to **R1-10.**

Attached is my letter of opposition.

To whom it may concern,

My name is Jai Goudeau and I live at 2013 W. Harwell Road Phoenix, 85041. I am writing in opposition to the Rezoning request filed for approximately 4.5 acres site located at 700' feet north and 305' feet west of the northwest corner of South Mountain Ave and 20th Ave, rezoning case number **Z-58-24** to change zoning from **S1** to **R1-10.**

I am President of the Board for the Wyndham Square Neighborhood Homeowners Association and resident. I am opposed to rezoning due to the increased traffic impact it would have in our community. Our neighborhood only has one road into it on 20th drive from Baseline Rd with Branham Ln and Harwell Rd connecting to 20th Ln which dead ends south of Harwell Rd. (see Fig 1 attached). 20th Dr is a standard road with a traffic circle mid-block. Our community already struggles to pull out onto Baseline Rd during peak hours, often having to wait long times, especially if making a left-hand turn in the mornings due to people entering the businesses on the north side.

I am concerned about the layout of the proposed development only having one road in and if it has sufficient space for construction vehicles, emergency vehicles and deliveries to turn around. I believe it is most likely that those vehicles would end up backing all the way up to Harwell Rd to exit the development.

When we purchased our home in 2003, we paid a premium to have a view of the mountains and if the proposed development were to continue with two story homes built, it would obstruct our view of the mountains ruining our investment.

The developer proposes adding retention areas against the properties on the north side of the development. A major concern that we have is that when our homes were built, they had to have their own water retention area in the yard. This puts our homes way below the property's elevation to the south where the proposed development will be. The property sits approximately 4 feet higher than our property. Attached are images showing the elevation below the fence line (see fig2 attached) (ladder is 6feet for reference) and an overview of the elevation of the two properties (see fig3 attached). In the past we have had problems with our yards flooding due to heavy rainfall and the water entering our yard through tunnels left by wildlife. We see this currently with the residence at 2009 W Harwell Rd when the resident to the south put up a block wall around their property causing their yard to flood every time it rains. This problem will be prevalent for my property as well as the property of 2017 W Harwell and 7828 S. 20th Ln.

Mr Fox has not made an effort to work with the neighborhood regarding these concerns and I believe he has not acted in good faith to address the community and involve us in the process based on the following:

In the first meeting he arranged at a Barro's Pizza parlor on a Saturday afternoon in which I received notice 4 days prior and some did not receive notice at all. There was loud music playing and very few people could hear his presentation or respond. I requested that we have another meeting in a more suitable location so I reserved a

meeting room at Caesar Chavez Library on May 28th for June 15th and he said he would send out notices.

At the second meeting on June 15th, John Fox was in attendance with Mike Haer. In the meeting several attendees addressed their concerns as well as I and Mike Haer said he wanted to take this information and address his team and he and John Fox agreed to have another meeting to discuss their findings prior to the hearing.

I contacted John Fox as I saw a survey crew doing measurements on 06/18/24. I asked John if he was still having another community meeting as he requested or if he was moving forward with the Village Planning Committee meeting to which he replied that he was not going to have another neighborhood meeting because he wanted to have a constructive meeting and was tired of getting beaten up. I reminded him that he and Mike requested that we have another meeting and he told me that he had not spoken to Mike and that Mike would be out of town during the Village Planning Committee Meeting. I then requested that John send me a copy of his mailing list that he has been using to notify the neighborhoods because there have been so many residents saying that they are not receiving them. He told me that he sent the notices out to the residents within 600 feet of the property boundary and that he would send me the mailing list that he used.
Upon evaluation of the mailing list, I discovered that the 600 feet covered only approximately half of the neighborhood.

I believe that a developer acting in good faith would have sent out notices to the entire neighborhood being affected in this situation. It was determined that approximately 23 of 52 homes were not notified of the meetings by John Fox.

Fig 1

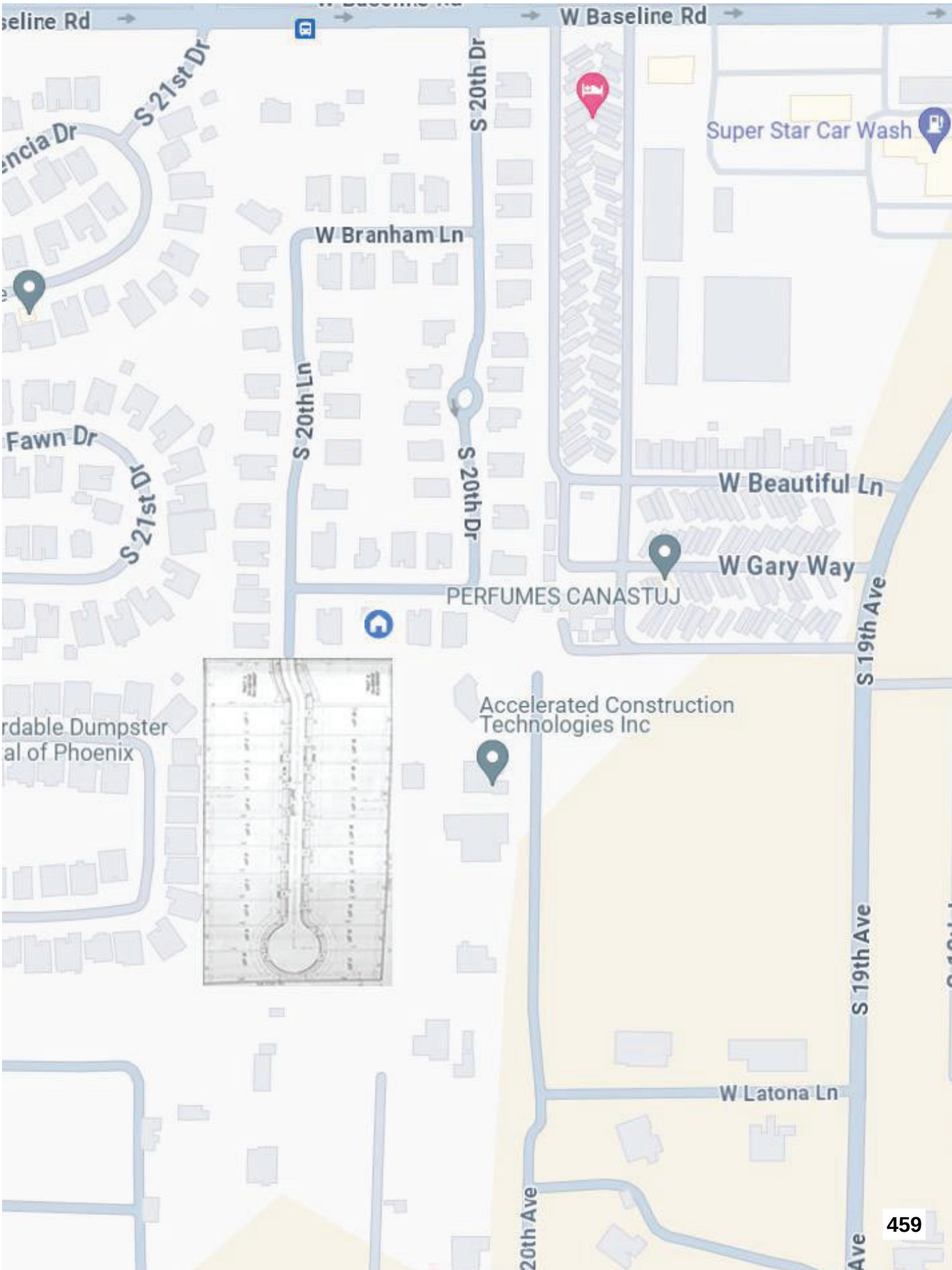
W Baseline Rd
S 21st Dr
S 20th Dr
Super Star Car Wash
W Branham Ln
S 20th Ln
Fawn Dr
W Beautiful Ln
W Gary Way
PERFUMES CANASTUJ
S 19th Ave
Accelerated Construction Technologies Inc
W Latona Ln

Fig2

Fig3

Zoning case number Z-58-24-8

Lori <ernlor639@cox.net>

Tue 7/2/2024 3:14 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

2 attachments (910 KB)

Lori_0001.jpg; Lori_0002.jpg;

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

July 2, 2024

My name is Lori Coscarelli and I live at 2008 W Harwell Road, Phoenix, AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development based on the following information provided by our neighbors.

Density - problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional<=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas.

Density – solutions

- Appropriate density transition between S-1 and R-10 is R-18 or approximately 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

Traffic – problems

- In relation to inappropriate density, the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Road. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.
- No southbound exit/entrance can be counted on because the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning.
- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacing safety, property, and health

Traffic – solutions

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulated before any approvals for rezoning/development.

Housing design – problems

- The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pages 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.

Housing design – solutions

- Limit construction to single-story (most important).
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

Heat islands/climate, trees/shade – problems

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

Heat island/climate, trees/shade – solutions

- Require lower density zoning and more open spaces.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity and SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

I did not attend the first meeting and was out of town for the second meeting, however, I hope to be able to attend the upcoming meetings.

This application should not move forward.

Respectfully,

Lori Coscarelli
2008 W Harwell Road, Phoenix, AZ 85041

Z-58-24-8

Joe Hernandez <cndymnrotc@gmail.com>

Tue 7/2/2024 10:34 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>;Jaigoudeau@gmail.com <Jaigoudeau@gmail.com>

1 attachments (3 MB)

Z-58-24-8 SIGNED HERNANDEZ N PG 1.zip;

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Greetings
As Requested
Nadine Hernandez

02 JUL 2024

My name is NADINE HERNANDEZ and I live at 7706 S 20TH DR. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
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Density- solutions

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

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- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

Housing design- solutions

- Limit construction to single-story (most important).
- Require deep front porches.
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Lastly, as of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.

At the second meeting, a month later, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend. He told the neighbors who were able to attend that he would go back and see what he could do

to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,

NADINE HERNANDEZ
7706 S 20TH DR
PHOENIX, AZ 85041

Case # Z-58-24-8

Natividad Tapia <natytapia54@gmail.com>

Tue 7/2/2024 8:05 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (21 KB)

Opposition letter- Z-58-24-8.docx;

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Hello Samuel,

Please see the attached letter of opposition.

Thank you,
Natividad

07/02/2024

My name is Natividad Tapia and I live at 2015 W Branham Lane Phoenix AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
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Density- solutions

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- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

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- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

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Respectfully,

Natividad Tapia
Natividad Tapia
2015 W Branham Lane Phoenix AZ 85041

Z-58-24-8

D D <del2034848@gmail.com>

Wed 7/3/2024 5:06 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (83 KB)

DD Opposition letter- Z-58-24-8.pdf;

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Report Suspicious

Hi Samuel,

Here is my opposition letter. Also, I wanted to include that a lot of people are continuously doing turn arounds on our driveway and it is getting very annoying.

Thank you.
Delilah Delgai

07/03/2024,

My name is Delilah Delgai and I live at 7711 S. 20th Drive Phoenix AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

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Respectfully,
Delilah Delgai

7711 S. 20th Drive
Phoenix AZ, 85041

CITY OF PHOENIX

JUL 03 2024

Planning & Development
Department

02 JUL 2024

My name is JOSEPH A HERNANDEZ and I live at 7706 S 20TH DR. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

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Respectfully,

JOSEPH A. HERNANDEZ
7706 S 20TH DR
PHOENIX, AZ 85041

Z-58-24-8

Lorenzo Gonzales <guad6604@outlook.com>

Wed 7/3/2024 1:37 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (6 KB)

Opposition letter- Z-58-24-8[8370].docx;

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Sent from Mail [go.microsoft.com] for Windows

7/3/24

My name is Lorenzo Gonzales] and I live at 7815 S 20th Dr. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
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Density- solutions

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

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Traffic- solutions

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Housing design- solutions

- Limit construction to single-story (most important).
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- Require some designs to incorporate garages that do not face the street.
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Heat island/climate, trees/shade- problems

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

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Respectfully,
Lorenzo Gonzales

7815 S 20th Dr. Phx AZ 85041

CITY OF PHOENIX

JUL 03 2024

Planning & Development
Department

02 JUL 2024

My name is MARCIA D. FUENTES and I live at 7706 S 20TH DR. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

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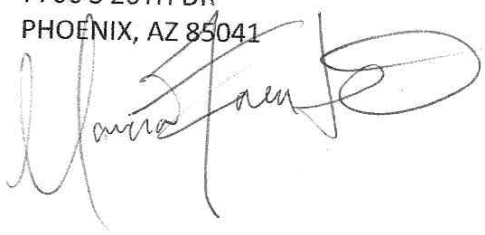
MARCIA D. FUENTES
7706 S 20TH DR
PHOENIX, AZ 85041



Wyndham SQ: Rezoning Hearing

Melissa Sunia <joeysparents@msn.com>

Wed 7/3/2024 3:28 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Michelle Teodoro <michelle.teodoro@associaarizona.com>

1 attachments (21 KB)

Opposition letter- Z-58-24-8_MS.docx;

CAUTION: This email originated outside of the City of Phoenix.
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Report Suspicious

Please see the attached letter.

R,
Melissa Sunia

2022 West Branham Lane
Phoenix, AZ 85041

7/3/24

My name is Melissa Sunia and I live at 2022 West Branham Lane. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

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Respectfully,
Melissa Sunia

2022 West Branham Lane

CITY OF PHOENIX

JUL 03 2024

Planning & Development
Department

02 JUL 2024

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Respectfully,

OSCAR FUENTES
7706 S 20TH DR
PHOENIX, AZ 85041

07/03/2024,

My name is Shangel Castillo and I live at 7711 S. 20th Drive Phoenix AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

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7711 S. 20th Drive
Phoenix AZ, 85041

07/05/2024

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Respectfully,
Dawn Smith

7816 S 20th Ln
Phoenix, Az 85041

Oppose the Zoning Change Filed by John Fox - Case # Z-58-24-8

Fy M <fym2429@gmail.com>

Thu 7/4/2024 4:57 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (19 KB)

Oppose Zoning Change,-case # Z-58-24-8.docx;

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Good morning Samuel Rogers,

Please see attached for the opposition letter.
I, Funyung Mon, the resident and homeowner at 8115 S 21st Drive, Phoenix, AZ 85041. I missed the past two meetings because the meeting notice was mailed out very late. When I received the notice, the meeting date was already past.

Respectfully,
Funyung Mon,
8115 S 21st Dr, Phoenix, AZ 85041

07-04-24

My name is Funyung Mon and I live at 8115 S 21st Dr, Phoenix, AZ 85041 for more than 15 years. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

Density- solutions

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

Traffic- problems

- In relation to inappropriate density, the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Rd. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.
- No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning.
- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

Traffic- solutions

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulated before any approvals for rezoning/development.

Housing design- problems

- The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

Housing design- solutions

- Limit construction to single-story (most important).
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

Heat island/climate, trees/shade- problems

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

Heat island/climate, trees/shade - solutions

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity and high SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

Lastly, as of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.

At the second meeting, a month later, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend. He told the neighbors who were able to attend that he would go back and see what he could do

to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,

Funyung Mon
The homeowner/resident at 8115 S 21st Drive, Phoenix, AZ 85041

Gabriel Betancourt

7823 S. 20th drive

Phoenix. AZ 85041

For: City of Phoenix Planning and Development Department, Samuel Rogers, John Fox

In regard to zoning change application #Z-58-24-8

My name is Gabriel Betancourt, I am the property owner at 7823 S. 20th drive and have been here since June of 2009. Please accept this letter as testimony of concern against the rezoning proposal near the Wyndham Square community. The is a small, semiprivate neighborhood that is only accessible through a private cul-de-sac street. This is one of the main reasons that attracted me to purchase my home. I know many families in the neighborhood and keep an eye out for each other. I understand local traffic patterns, events and community attitude towards our small neighborhood. Approval of the rezoning application will allow entrance to a new residential development via **OUR** neighborhood and disrupt our peace of mind tremendously. We can anticipate two years of construction, an increase in traffic during and after. Deliveries, school buses, city services, and emergency response time will increase, and the peace/love of our little neighborhood will decrease. The Wyndham Square community should not carry the burden and aftermath for a landlocked development project. We should not give up the reason why we chose to live here and why we stay.

Please feel free to reach me anytime at betancourtfamily@yahoo.com

CITY OF PHOENIX

JUL 0 8 2024

Planning & Development Department

Opposition letter for case Z-58-24-8 to be heard at SMVPC meeting July 9

H. Jewel Clark <hjewelclark@fastmail.com>

Sat 7/6/2024 1:42 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

July 5, 2024

To the SMVPC,

My name is Jewel Clark and my husband and I live at 2020 W. South Mountain Ave. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R1-10 properties at no more than standard 3.5 or less density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
  - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all eastern and southern neighbors with homes on S-1 property.
  - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)
  - Allowing such inappropriate density is unprecedented for all approved single-family development in the immediate area.

Density- solutions

- Appropriate density transition between S-1 and R1-10 is R1-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits including mitigating heat and preserving local character for the surrounding communities.

Traffic- problems

- In relation to inappropriate density, the only entrance/exit is through Wyndham Square, a 52-home neighborhood to the north onto Baseline Rd. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual [maricopa.gov] references the ITE report as its guideline), a single-family house generates 10 trips per day on average. That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.
- No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning and does nothing to alleviate immediate problems.
- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

Traffic- solutions

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulated before any approvals for rezoning/development.

Housing design- problems

- The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pgs. 22-23) and are inconsistent with the majority of the surrounding homes, which are single-story. All single-family homes approved in the surrounding area since 2018 have stipulated single-story with the exception of Larkey Estates, which was originally approved in 2004. That said, all homes along 20th Ave. adjacent to the proposed project are single story, as are other established developments such as the nearby Silva Estates and Magdelana Estates.
- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

Housing design- solutions

- Limit construction to single-story (most important).
- Require deep front and back porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

Heat island/climate, trees/shade- problems

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

Heat island/climate, trees/shade - solutions

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity [en.wikipedia.org] and high SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

This proposal has apparently been planned since last year since the elevations are dated September 2023 and the first plan review was scheduled for November 2023. Yet Mr. Fox sent out the first meeting notice, with less than the 10 days required lead time, to the neighbors for May 18, 2024. As of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.

At the second neighborhood meeting on June 15, the plan had not changed and there were several neighbors who later confirmed they did not receive a second meeting notice letter in time to attend. His colleague told the neighbors who were able to attend that he would go back and see what he could do to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
Jewel Clark

2020 W. South Mountain Ave.
Phoenix, AZ 85041

--

H. Jewel Clark
hjewelclark@fastmail.com

07-04-24

My name is Lucille Heine and I live at 2115 W. Harwell Rd Phoenix, AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

Density- solutions

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

Traffic- problems

- In relation to inappropriate density, the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Rd. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.
- No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning.
- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

Traffic- solutions

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulated before any approvals for rezoning/development.

Housing design- problems

- The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

Housing design- solutions

- Limit construction to single-story (most important).
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

Heat island/climate, trees/shade- problems

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

Heat island/climate, trees/shade - solutions

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity and high SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

Lastly, as of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.

At the second meeting, a month later, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend. He told the neighbors who were able to attend that he would go back and see what he could do

to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
Lucille Heine

2115 W. Harwell Rd

Phoenix, AZ 85041

Z-58-24

Jai Goudeau <jaigoudeau@gmail.com>

Sat 7/6/2024 12:20 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (739 KB)

Petition of opposition.pdf;

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Report Suspicious

PETITION IN OPPOSITION TO CASE Z-58-24-8

The undersigned are opposed to the development and rezoning proposal, case Z-58-24-8, a single-family residential development approximately 710 feet north and 305 feet west of the northwest corner of 20th Ave and South Mountain Ave. for primary but not exclusive reasons of excessive density incompatible with adjacent neighborhoods, exacerbation of existing traffic congestion, and/or architectural proposals for 2-story homes. This application is incompatible with and will adversely impact current surrounding established homes and neighborhoods.

Signature	Printed name	Address	Date
	Celeste R.	2009 W Harwell Rd	7-2-2024
	Royal H.	2009 W Harwell Rd	7-2-2024
	Jaidin Goodeau	2013 W Harwell RD	7-2-2024
Alma Tonche	ALMA TONCHE	2005 W. Harwell Rd	7-3-2024
Oscar Tonche	OSCAR TONCHÉ	2005 W Harwell	7/3/2024
Dustin Ray	Dustin Ray	8311 S 21st Dr	7/3/24
	Amanda Kreppert	8311 S 21st Dr	7/3/24
	Isabel Naranjo	8225 S. 28st Dr	7/3/2024
Karla Garay	Karla Garay	8225 S. 21st Dr.	7/3/2024
Catherine Johnson	Catherine Johnson	2119 W. Harwell Rd	7/3/24
Tee Walker	Tee Walker	7815 S 20th Dr	7/3/24
	Titus Nguyen	2010 W BRANHAM LN	7/3/24
Butch Box	Butch Box	7719 S. 20th Dr	7/3/24
eBox	Connie Box	7719 S. 20th Dr	7/3/24
Niki K	Niki Key	2006 W Branham Ln	7/3/24
	DAVID KEY	2006 W BRANHAM LN	7/3/24
	Dylan Key	2006 W Branham Ln	7/3/2024
Marissa K	MARISSA KEY	2006 W. BRANHAM LN	7/3/24

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Signature	Printed name	Address	Date
	Andrew Maifield	7805 S 20th Lane	07-01-2024
	Lisa Allen	7805 S. 20th LANE	01 JUL 2024
	Henry Maifield	7805 S. 20th LANE	01 JUL 2024
	Liam Maifield	7805 S. 20th LANE	01 JUL 2024
ANDRES ANDRESEN	Andres Andresen	7707 S. 20TH	07.01.24
	Joseph Hellmer	7706 S 20TH DR	01 JUL 2024
	[illegible]	2012 W Harwell Rd	7/1/24
	Nidia McDonald-Hansen	2012 W. Harwell Rd	7/1/24
	Carlos Carbajal	2017 W. Harwell Rd	1 July 2024
	Andrea L. Sproul	2017 W. Harwell Rd	7/01/2024
	Jorge Carbajal	2017 W. Harwell Rd	7-1-2024
	Bobby Sadd	7807 S 20th Dr.	7/2/24
	Jacques Phelps	7818 S 20th Dr	7/2/24
	Carla Soberanes	7818 S 20th Dr.	7/2/24
Gabriel Phelps	Gabriel Phelps	7818 S 20th Dr.	7/2/24
	Kenneth Soberanes	7818 S 20th Dr.	7/2/24
	STEVE HERNANDEZ	7009 W HARWELL RD.	7.2.24
	Renée Carrillo	2009 W. Harwell Rd	7.2.24

PETITION IN OPPOSITION TO CASE Z-58-24-8

The undersigned are opposed to the development and rezoning proposal, case Z-58-24-8, a single-family residential development approximately 710 feet north and 305 feet west of the northwest corner of 20th Ave and South Mountain Ave. for primary but not exclusive reasons of excessive density incompatible with adjacent neighborhoods, exacerbation of existing traffic congestion, and/or architectural proposals for 2-story homes. This application is incompatible with and will adversely impact current surrounding established homes and neighborhoods.

Signature	Printed name	Address	Date
	Drew K Garvin	2016 West HARWELL RD Phoenix AZ	7/1/2024
	Gavin Hardy	2016 W Harwell Rd Phoenix AZ	7/1/2024
	Anthony Castillo	7817 S 20th Lane Phx Az	7-1-24
	GRACIA FIGUEROA	7817 S 20 LANE-P. AZ	7-1-24
	RClugia Luzania	7817 S 20th Ln Phx, AZ	7 1 24
Ricardo X Romero	Ricardo X Romero	7817 S 20th Ln Phx, AZ	7-1-24
Joanne Castillo	JoAnne Castillo	7817 S 20th Ln Phx, Az	7-1-24
Virginia Waititu		7812 S 20th LN Phx, AZ	7-1-24
Edna Wangui		7812 S 20th LN PHX, AZ	7-1-24
	Tracy Njoroge	7812 S 20th LN Phx, AZ	7-1-24
Ernji & Lori Gloria	Ernji & Lori Gloria	7813 S 20 Ln	7-1-24
Julian Galindo		7808 S. 20TH Lane, Phx AZ	7-1-24
Carlos Parra	Carlos Parra	2013 W Harwell Rd Phx Az	7-1-24
	Amelia Gaudeau	2013 W. HARWELL RD PHOENIX	7/1/24
	Gabriel Betancourt	7803 S 20th dr Phx, AZ	7-2-24
	Lorenzo M Gonzales	7815 S. 20th Ln Phx AZ	7-2-24
Elvira M Gonzales	Elvira M Gonzales	7815 S 20TH Dr Phx Az	7-2-24
	JAI GAUDEAU	2013 W. HARWELL RD PHX AZ	7-2-24

PETITION IN OPPOSITION TO CASE Z-58-24-8

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Signature	Printed name	Address	Date
	Ana Laura Serna	2018 W Branham Ln.	7/2/24
	Natividad Tapia	2015 W. Branham Ln	7/2/24
	Eduardo Camacho	2015 W. Branham Ln	7/2/24
	CARLOS LANDA	2011 W. BRANHAM LN	7/21/24
	LUZ NUÑEZ	7730 S. 20th Dr Phoenix, Az	7/2/24
	Bibby Sadler	7807 S 20th Dr.	7/2/24
	Julian Galindo	7808 S. 20TH Lane	7/2/24
	Michelle Galindo	7808 S. 20th Lane	7-2-24
	Dawn Smith	7816 S 20th Ln Phoenix Az	7-3-24

Letter of opposition to zoning case Z-58-24-8

ameliagoudeau@gmail.com <ameliagoudeau@gmail.com>

Mon 7/8/2024 10:45 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (149 KB)

Opposition letter- Z-58-24-8.pdf;

CAUTION: This email originated outside of the City of Phoenix.
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Report Suspicious

Mr. Samuel Rogers,
Please find the attached letter of opposition for zoning case number Z-58-24-8.

~Amelia Goudeau~
602-460-5545

The mind is everything, what you think you become!

July 8, 2024

My name is Amelia Goudeau and I live at 2013 W. Harwell Rd Phoenix, Az 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

Density- solutions

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

Traffic- problems

- In relation to inappropriate density, the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Rd. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.
- No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning.
- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

Traffic- solutions

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulated before any approvals for rezoning/development.

Housing design- problems

- The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

Housing design- solutions

- Limit construction to single-story (most important).
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

Heat island/climate, trees/shade- problems

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

Heat island/climate, trees/shade - solutions

- Require lower density zoning and more open space.
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- Require high emissivity and high SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

Lastly, as of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.

At the second meeting, a month later, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend.

He told the neighbors who were able to attend that he would go back and see what he could do to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
Amelia Goudeau

2013 W. Harwell Rd Phoenix, Az 85041

Opposition to Z-58-24-8

Mike Josic <mikejosic@gmail.com>

Mon 7/8/2024 1:12 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (62 KB)

Mike Josic Opposition letter- Z-58-24-8.pdf;

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Dear Mr. Rodgers,

Please add my letter and voice to oppose the proposed development and zoning change for case number Z-58-24-8.
Please contact me if you have any questions or wish to discuss this matter.

Thank you,

Mike Josic
2020 W. South Mountain Ave.
Phoenix, AZ 85041
480-967-6644

7-5-2024

To Whom it May Concern,

My name is Michael Josic and I own the property and live at 2020 W. South Mountain Ave, Phoenix, AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed for multiple reasons to this proposed development.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 properties at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

Density- solutions

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits including mitigating heat and preserving local character to the surrounding communities.

Traffic- problems

- In relation to inappropriate density, the only entrance/exit is through Wyndham Square, a 52-home neighborhood to the north onto Baseline Rd. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.
- No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning and does nothing to alleviate immediate problems.
- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

Traffic- solutions

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulated before any approvals for rezoning/development.

Housing design- problems

- The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

Housing design- solutions

- Limit construction to single-story (most important).
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

Heat island/climate, trees/shade- problems

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

Heat island/climate, trees/shade - solutions

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity and high SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

This proposal has apparently been planned since last year since the elevations are dated September 2023 and the first plan review was scheduled for November 2023. Yet Mr. Fox sent out the first meeting notice to the neighbors for May 18, 2024. As of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC. At the second meeting, on June 15, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend. His colleague told the neighbors who were able to attend that he would go back and see what he could do to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
Mike Josic
2020 W. South Mountain Ave, Phoenix, AZ 85041

Z-58-24-8

Ravi Sharma <ravi6161sharma@gmail.com>

Mon 7/8/2024 2:57 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Ravi Sharma <ravi6161sharma@gmail.com>;H. Jewel Clark <hjewelclark@fastmail.com>

1 attachments (20 KB)

Opposition letter- Z-58-24-8 (1).docx;

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Dear Mr. Rogers,

We are attaching a letter to register opposition to the proposed development being discussed tomorrow in case number Z-58-24-8.

Regards,

Ravi & Snigdha Sharma

July 8, 2024

Our names are Ravi & Snigdha Sharma and we live at 8012 S 20th Ave. Phoenix, AZ 85041. We are writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

We are opposed to multiple issues with this proposed development.

Density - problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 properties at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - This density is inconsistent with the surrounding developed land (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - It is not aligned with the Rio Montana Plan which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

Density - solutions

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits including mitigating heat and preserving local character to the surrounding communities.

Traffic- problems

- In relation to inappropriate density, the only entrance/exit is through Wyndham Square, a 52-home neighborhood to the north onto Baseline Rd. The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.
- No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning and does nothing to alleviate immediate problems.
- Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health.

Traffic - solutions

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- Traffic impact study and recommendations stipulated before any approvals for rezoning/development.

Housing design - problems

- The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs.

Housing design - solutions

- Limit construction to single-story (most important).
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

Heat island/climate, trees/shade - problems

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

Heat island/climate, trees/shade - solutions

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity and high SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

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above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.
At the second meeting, on June 15, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend. His colleague told the neighbors who were able to attend that he would go back and see what he could do to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,

Ravi & Snigdha Sharma

8012 S 20th Ave.
Phoenix, AZ, 85041

07-09-2024

My name is Stephanie Bell and I live at 8020 s. 20th Ave Phoenix, AZ 85041. I am writing in opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am opposed to multiple issues with this proposed development.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 properties at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
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Traffic- problems

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Housing design- solutions

- Limit construction to single-story (most important).
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He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not move forward.

Respectfully,
Stephanie Bell

8020 s 20th Ave Phoenix, AZ 85041

Zoning Case Z-58-24-8

LM <directbridge@yahoo.com>

Tue 7/23/2024 8:55 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (3 MB)

Opposition letter Z58248_LM.pdf;

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Hello,
Please see my attached full letter regarding Zoning Case z-58-24-8

Lynnette Myers
7828 S 20th Lane
Phoenix, AZ 85041

July 2024

My name is Lynnette Myers and I live at 7828 S. 20th Lane, Phoenix, AZ 85041-7716 I am writing in stern opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am absolutely opposed to multiple issues with this proposed development.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - **This density is inconsistent with the surrounding developed land** (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - **It is not aligned with the Rio Montana Plan** which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

Density- solutions

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

Traffic- problems

- In relation to inappropriate density, **the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Rd.** The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. **That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.**
- **No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning.**
- **Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health**.

Traffic- solutions

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- **Traffic impact study and recommendations stipulated before any approvals for rezoning/development.**

Housing design- problems

- **The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain** (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- **The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs**.

Housing design- solutions

- **Limit construction to single-story (most important).**
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

Heat island/climate, trees/shade- problems

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

Heat island/climate, trees/shade - solutions

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- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

Lastly, as of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.

At the second meeting, a month later, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend. He told the neighbors who were able to attend that he would go back and see

what he could do to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not in anyway move forward.

ADDITIONAL PERSONAL PERSPECTIVES & CONCERNS

I absolutely have major concern about this matter since my home will be impacted the most!!!

The existing pasture that is undeveloped land to the south of our subdivision has been this way since prior to our subdivision was build back in 2003. This pasture was absolutely influential in my dissension and others to purchase in Wydham Sq in the first place. We were all looking for a small quite neighborhood where we could live and actually know our neighbors. My choice in which lot I purchased was 100% influenced by the undeveloped land and all the good that comes from that and the views that I enjoy daily to the south mountains.

If the owner of this undeveloped land has sold to a developer to rezone and build they are entitled within the appropriate guidelines of the Rio Mountain Plan; but they need to have their own access to that development – NOT THROUGH OUR NEIGHBORHOOD!! They should have arranged with the seller access off of S 19th Ave or off W South Mountain Ave. This option of our neighborhood should NOT even be a possibility!!

This development as is would dramatically change the safety of our neighborhood and my home! Regardless of random drivers not realizing that the neighborhood has no outlet we have come together to make things as safe as possible with signs, cameras and communication to help one another in our neighborhood. I have suffered both a home burglary and a stolen car – I know these kind of crimes will only increase dramatically for all of us with the proposed access through our community into another community behind us.

This MUST NOT HAPPEN!!

I have always pushed for our community to become a gated community and I thing that matter needs to be on the table again regardless of the rezoning and proposed development to the south of us. IF somehow this matter moves forward despite our entire neighborhood that are 100% opposed then I believe it should become mandatory that our community have entrance gates installed to help keep us all safe!!

Respectfully,
Lynnette Myers
7828 S. 20th Lane, Phoenix, AZ 85041-7716

(No subject)

Butch Box <butchbox@gmail.com>

Wed 8/7/2024 4:44 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

My name is Constance Box and I live at 7719 S. 20th Dr .

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Constance Box

Opposition to Z-58-24-8

Butch Box <butchbox@gmail.com>

Wed 8/7/2024 4:43 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

My name is Forrest Box and I live at 7719 S 20th Dr.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Forrest Box

Opposition to Z-58-24-8

Marylou Scadden <mscadden2006@gmail.com>

Wed 8/7/2024 3:03 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Opposition to Z-58-24-8

My name is MaryLou Scadden and I live at 7807 S 20th Dr, Phoenix AZ 85041.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Best regards,

MaryLou Scadden

Z-58-24-8

Andrew Maifield <andrewmaifield@yahoo.com>

Thu 8/8/2024 6:24 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Opposition to rezoning Z-58-24-8. The new house will disproportionately effect the families lyin the neighboring communities. I would like the city to leave some S1 property in south Phoenix. That's part of the rich and diverse history of our community. Thank you.

Sent from Yahoo Mail on Android [go.onelink.me]

Opposition to Z-58-24-8

Carlo <charles.carbaj@gmail.com>

Thu 8/8/2024 1:58 PM

To:PDD Long Range Planning <pdd.longrange@phoenix.gov>;Samuel S Rogers <samuel.rogers@phoenix.gov>

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

My name is Carlos Carbajal and I live at 2017 W. Harwell Rd, Phoenix AZ, 85041.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development.
I remain opposed to this development in its current form.

Thanks,
Carlos

Opposition to Z-58-24-8

CESAR TRUJILLO <ctrujillo15@ymail.com>
Thu 8/8/2024 9:37 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

My name is Cesar Trujillo and I live at 7819 S 20th Dr, Phoenix AZ 85041.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Sincerely

Cesar Trujillo

Opposition to Z-58-24-8

D. Fong <dpfong@hotmail.com>
Thu 8/8/2024 3:13 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Mr. Samuel Rogers,

My name is David Fong and I live at 2004 W. Harwell Rd. in the Wyndham Square neighborhood.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development.

I remain opposed to this development in its current form.

Regards,

David Fong

Opposition to Z-58-24-8

Lori <ernlor639@cox.net>
Thu 8/8/2024 6:32 AM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

My name is Ernest Coscarelli and I live at 2008 W Harwell Road, Phoenix, AZ 85041.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Thank you.

Opposition to Z-58-24-8

Lorraine Gloria <lorigloria@cox.net>

Thu 8/8/2024 2:10 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Our names are Ernie and Lorraine Gloria and we live at 7813 S. 20th Ln., Phoenix, AZ 85041. The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of this development. We remain opposed to this development in its current form.
Sent from my iPhone

Opposition to Z-58-24-8

Lori <ernlor639@cox.net>
Thu 8/8/2024 6:33 AM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

My name is Lori Coscarelli and I live at 2008 W Harwell Road, Phoenix, AZ 85041.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Thank you.

Opposition to Z-58-24-8

Melissa Sunia <joeysparents@msn.com>

Thu 8/8/2024 1:45 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Michelle Teodoro <michelle.teodoro@associaarizona.com>

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Report Suspicious

My name is Melissa Sunia and I live at 2022 West Branham Lane Phoenix, AZ 85041.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

R,
Melissa Sunia
Sent from my iPhone

Opposition to Z-58-24-8

Natividad Tapia <natytapia54@gmail.com>
Thu 8/8/2024 5:33 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

Hello,

My name is Natividad Tapia and I live at 2015 W Branham Lane Phoenix AZ 85041.
The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Thank you,

Natividad Tapia

Opposition to Z-58-24-8

Alicia Sainz <aliciaemily2003@yahoo.com>

Fri 8/9/2024 8:24 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:hjewelclark@fastmail.com <hjewelclark@fastmail.com>

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Report Suspicious

To the SMVPC,

My name is Alicia Sainz and I live at 8250 S 20th Ave, Phoenix, AZ 85041. I am writing in opposition to the proposed development Z-58-24-8.
This broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to vote no.

Thank you very much,

Alicia Sainz
623-329-3606

Apposition Z-58-24-8.

Carlos Ruiz <carlosviviana2003@gmail.com>

Fri 8/9/2024 8:39 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:hjewelclark@fastmail.com <hjewelclark@fastmail.com>

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Report Suspicious

Hello Samuel,

My name is Carlos Ruiz and I live at 8250 S 20th Ave, Phoenix AZ 85041 . I am writing in opposition to the proposed development Z-58-24-8. This broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan. I respectfully urge you to vote no.

Sincerely,
Carlos Ruiz
623-329-3606

Opposition to Z-58-24-8

Christian Griepenstroh <cgriepenstroh94@gmail.com>

Fri 8/9/2024 11:50 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Jaigoudeau@gmail.com <Jaigoudeau@gmail.com>;Michelle Teodoro <Michelle.Teodoro@associaarizona.com>

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Report Suspicious

Hello Samuel,

My name is Christian Griepenstroh and I live at 7710 S 20th Drive, Phoenix AZ, 85041.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

I am unable to attend next Tuesday's meeting due to a work event so I would like to donate my time to Michelle and Jai to speak on our behalf on this item.

Have a great weekend,

Christian G.

Opposition to Z-58-24-8

D D <del2034848@gmail.com>

Fri 8/9/2024 6:25 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

8/9/2024,

Good morning,

My name is Delilah Delgai and I live at 7711 S. 20th Drive Phoenix AZ 85041 .

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Sincerely,

Delilah Delgai

Opposition to Z-58-24-8

Eduardo Camacho <lalocamacho@cox.net>
Fri 8/9/2024 3:22 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

Hello Samuel,

My name is Eduardo Camacho and I live at 2015 W Branham Lane Phoenix AZ 85041.

The neighbors have not seen that the developer had made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Thank you,
Eduardo Camacho

OPPOSITION TO Z-58-24-8

LM <directbridge@yahoo.com>

Fri 8/9/2024 7:08 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is Lynnette Myers and I live at 7828 S 20th Lane, Phoenix AZ 85041

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

L Myers

"Everything you've wanted is on the other side of fear" –George Addair

Sent from my iPhone

Opposition to Z-58-24-8

S.C <scastillox79@gmail.com>
Fri 8/9/2024 6:48 AM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

8/9/2024,

Good morning,

My name is Shangel Castillo and I live at 7711 S. 20th Drive Phoenix AZ 85041 .

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Sincerely,

Shangel Castillo

Opposition to Z-58-24-8

Dawn Smith <dawn.smith2@hotmail.com>

Sat 8/10/2024 4:18 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Jaigoudeau@gmail.com <Jaigoudeau@gmail.com>;Michelle Teodoro <Michelle.Teodoro@associaarizona.com>

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Report Suspicious

My name is Dawn Smith, and I live at 7816 S 20th Ln Phoenix AZ 85041.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Sent via the Samsung Galaxy S20 FE 5G, an AT&T 5G smartphone
Get Outlook for Android [aka.ms]

Opposition to Rezoning Case Z-58-24-8

Michael Jordan <Michael.d.jordan2@hotmail.com>

Sat 8/10/2024 6:51 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

Dear Members of the Planning and Zoning Department,

I am writing to oppose rezoning case Z-58-24-8 due to the serious impact it will have on traffic and access to Baseline Road. Baseline Road is already heavily congested, and during the day, it's nearly impossible to make a left turn, just waiting for 1 car to gain access to baseline during the busy times could add up to 10 minutes to a commute, even if they are taking a right turn. The proposed rezoning will only worsen this issue, making it even harder for residents to safely and efficiently use this vital road.

In addition, this rezoning will increase residential traffic in front of my house by 200 percent, further disrupting our community. There have been no significant changes to the rezoning plans to address these concerns. The added traffic and accessibility challenges are too severe to ignore, and they threaten the quality of life in our neighborhood.

Please reject this rezoning proposal to protect our neighborhood's safety, accessibility, and quality of life.

Thank you for your consideration.

Sincerely,

Michael Jordan
7804 s. 20th ln,
Phoenix, AZ , 85041
Michael.d.jordan2@hotmail.com
480-248-5261
10 August 2024

Opposition to Z-58-24-8

Ronald Thompson <rthom82144@aol.com>

Sat 8/10/2024 8:37 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is Ronald Thompson and I live at 7728 S 20th Lane, Phoenix, AZ 85041 (Lot 26 of the

Wyndham Square Association) .

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Opposition to Z-58-24-8

Amelia Goudeau <ameliagoudeau@gmail.com>

Sun 8/11/2024 4:21 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

Hello Samuel,

My name is Amelia Goudeau and I live at 203 W. Harwell Rd Phoenix, Az 85041 .

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Thank you,
~Amelia Goudeau~
#602-460-5545
The mind is everything, what you think you will become.

Opposition to Z-58-24-8

David Key <anykeysys@gmail.com>

Sun 8/11/2024 6:15 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is David Key and I live at 2006 W. Branham Lane Phoenix, AZ 85041 [google.com] in Wyndham Square. The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of this development. I remain opposed to this development in its current form.

Thank you for your consideration in this matter.

Rezoning Case No. Z-58-24

Jai Goudeau <jaigoudeau@gmail.com>
Sun 8/11/2024 4:16 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

08/11/2024

Re: **Rezoning Case No. Z-58-24**

To: Samuel Rogers, City of Phoenix Village Planner
Joshua Bednarek, City of Phoenix Planning and Development Director
South Mountain Village Planning Committee
City of Phoenix Planning and Zoning Department

Dear Mr. Bednarek, Committee and Department Members,

I am writing to express my concerns related to the S-1 to R1-10 rezoning for the proposed development of land owned by Dorothy M. Hallock for the benefit of John Fox and William Seymour Co, Inc., referenced in the case number cited above. My family and neighbors are concerned the necessary thresholds for rezoning approval, and ongoing neighborhood concerns about the proposed development, have not been satisfactorily addressed by the developer and existing landowner. This proposal is not compatible with the scale and character of the neighborhood and adjacent residential uses. It is also not in keeping with the Rio Montana Area Plan in several respects. There are unique challenges presented in this area related to existing properties including livestock, infrastructure, and a history of flooding on this site and adjacent properties.

In addition, the proposal does not meet the requirements of R1-10 for lot coverage, rear and side set-back distances, and minimum common space areas. In fact, they are not even defined for review by the City, the Village Planning Commission, or the neighborhood stakeholders. **We do not agree that this rezoning should be completed as a Planned Residential Development case, which allows the petitioner to overcome the standard zoning requirements without variances.** PRDs are typically reserved for larger subdivisions. The standard zoning requirements, including the lot coverage, rear and side setbacks, and common space area requirements, are there to protect the community from significant changes in the character of the community. It appears it will be necessary to not only rezone the Subject site, but to obtain variances from the City for a number of the required zoning elements in order to develop it as proposed.

The developer has entered into an agreement to purchase the land from Ms. Hallock, contingent upon the success of this change in zoning from S-1 to R1-10. The sale will not take place unless the rezoning is completed, which is a self-imposed condition created by the property owner. Please note:

- There are no provisions of the S-1 zoning which create a hardship for the current property owner.
- There are no special circumstances or conditions applying to this land or its current use, which do not also apply to other properties in the community.
- The rezoning and what appear to be the need for extensive variances is not necessary for the preservation or enjoyment of the owner's property rights.

Our neighbors and family have determined that the approval of this rezoning application will be detrimental to people living and working in the vicinity, to the adjacent property owners, and to the welfare of the public in general.

Traffic Concerns: The development of the subject site, as proposed, will cause a significant increase in vehicular traffic in adjacent residential areas, including on extremely tight and narrow streets which were not originally designed to accommodate another development. Studies should be undertaken to determine if it is appropriate to bring the traffic into this proposed development from the north, or from the property owner's adjoining lot to the south, where there is a higher capacity and wider city street close to a main arterial (19th Avenue). This is an option available to the property owner and developer, and it is possible to design an entry to the Subject site in this way. We do not know why Ms. Hallock has previously objected to providing an easement for this purpose, which makes it another self-imposed condition.

Flooding Concerns: There are unknown impacts this development may cause to the surrounding properties including drainage from flooding. The Subject site already has a history of flooding, and the prior flooding has detrimentally impacted properties to the north. Further decreasing the ability of the land to accommodate flooding, or raising it out of the current 500-year floodplain level, will negatively impact the surrounding properties. Because civil engineering drawings and finished floor or street elevations are not available for review, it is impossible to know how much the development will further impact the surrounding properties. Many of the neighbors abutting the Subject site have septic systems designed to flow toward this property which could be impacted by diversion of any drainage onto their properties. As designed, the proposed development has virtually no open space or common areas, the lot coverage appears to be greater than what is allowed by R1-10 zoning, and given the history of flooding this is a significant concern to the community. A hydrology, floodplain and drainage study, as well as civil engineering drawings detailing how the drainage will be addressed, should be reviewed and evaluated prior to approval of this rezoning proposal, to determine if rezoning of this site is suitable for the surrounding community.

Infrastructure: There are also infrastructure concerns for this type of higher density infill development related to water connection capacity, sewer connections and wastewater capacity. It is unknown whether a water and sewer connection to the north in a 20+ year old development, designed to meet the needs of the number of houses there, would accommodate the additional homes proposed due to its age and previous design. A further study and report should be required to determine if additional sewer capacity, modification of the current wastewater system, a lift station and possibly changes to easement distances will be necessary in the existing surrounding neighborhoods in order to meet the latest 2021 wastewater design standards for a new development. The Planning and Development Department at the City of Phoenix should provide a technical review to the Village Planning Commission and affected neighborhood stakeholders.

Rio Montana Area Plan: The Subject rezoning proposal conflicts with numerous elements cited in the Rio Montana Area Plan. It is not in conformance with the vision of the area or what we have seen from other area developments which encourage pedestrian and equestrian activity. It does not achieve a density transition from north to south in a decreasing manner, and is in opposition to the General Plan and Land Use Map for the area which indicates a maximum density of 3.5. There is no explanation of how the developer intends to reach the 90 "bonus points" needed for density greater than 3.5 du/acre or why the proposed density meets the requirements of R1-10 zoning. Bonus points are also typically applied in much larger subdivision PRD cases, not in sites as small as this one, in these types of infill locations.

The zoning application indicates that the proposal is consistent with the General Plan and Land Use Map, but it exceeds it. The ability to achieve bonus points and a breakdo100wn of how they are applied to this proposal should be available for review and consideration by the Village Planning Committee and the neighborhood stakeholders. Many developments in this area have setbacks for horse trails or pedestrian trails. They also contain perimeter walls with landscape features to prevent one long slab of concrete block facing into neighboring areas. The Rio Montana Area Plan also encourages variety in lot width, staggered setbacks, rear loaded garages, roof line and building façade variety and limited privacy fencing – none of which appears to be included in the proposed development design. In many respects, the designs shown as elements to be avoided in the Rio Montana plan (Figures 82, 83, 84, 87), are actually included in the plan for the project as designed.

Based on the issues raised above, this rezoning application should come in with a full preliminary plat, in conformance with standard R1-10 zoning and without the many variances which appear to be required to develop the site.

Our family and neighbors are not opposed to residential development as long as it does not negatively impact the community in favor of one property owner. We recognize that a range of housing options is necessary to continue the economic viability of the community. However, in this case, it appears to present a significant detrimental impact as designed, and no benefit to the community surrounding the Subject site. It appears this rezoning will only benefit Ms. Hallock and the broker seeking to rezone the property, which is not in keeping with the Core Values stated in the City's General Plan. We urge the South Mountain Village Planning Commission, the Phoenix Planning and Zoning Department and the City of Phoenix Planning and Development Director to consider the above concerns, address them if possible, and work with the community stakeholders to create a development which will meet the needs of the community.

Sincerely,

Jai Goudeau

2013 W. Harwell Road

Phoenix AZ 85041

Opposition to Z-58-24-8

chevera trillo <cheveratrillo@gmail.com>

Sun 8/11/2024 6:32 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Ntonyt <NtonyT@aol.com>

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Report Suspicious

To the SMVPC,
This communication is to go on record for voicing our strong opposition to the proposed development Z-58-24-8.
We live at 23rd Ave/Dobbins and continue to be very concerned with over development in the area that creates unsafe traffic and increased congestion in areas that are not designed for the volume of additional traffic this proposed development would create.
The proposed plans, in the current form, are not only bad for the surrounding neighbors, but the broker has not made changes that can be supported by the neighborhood or listened to the concerns of the neighborhood.

We stand in opposition with our neighbors in this development's current form.
As has been the position of ourselves and the neighbors in this area we request SMVPC support development that is compatible with the density allowed in the Rio Montana Plan.

We respectfully encourage you to vote no and support responsible development - this proposed plan is not responsible.

Nick & Chevera Torrez
602.315.9774
2311 W. Dobbins Road
Phx 85041

***

Opposition to Z-58-24-8

Niki Key <nkey30@gmail.com>

Sun 8/11/2024 6:02 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is Niki Key and I live at 2006 W. Branham Lane Phoenix, AZ 85041 in Wyndham Square.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of this development. I remain opposed to this development in its current form.

Thank you for your consideration in this matter.
Niki Key

Proposed Development Z-58-24-8.

Ravi Sharma <ravi6161sharma@gmail.com>

Sun 8/11/2024 6:30 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:H. Jewel Clark <hjewelclark@fastmail.com>;Ravi Sharma <ravi6161sharma@gmail.com>

1 attachments (28 KB)

To the SMVPC -1.doc;

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Report Suspicious

Dear Mr. Roger,

Attached please find my letter of opposition to Proposed Development Z-58-24-8. Let me know if you have any questions.

Thank you,

Dr. Ravi Sharma

To the SMVPC,

My name is Dr. Ravi Sharma and I live at 8012 S 20th Ave., Phoenix, AZ 85041.
I am writing in opposition to the proposed development Z-58-24-8.
This broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to vote no.

Thank you,

Dr. Ravi Sharma

Proposed Development Z-58-24-8.

Snigdha Sharma <ushma58@gmail.com>

Sun 8/11/2024 6:37 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:H. Jewel Clark <hjewelclark@fastmail.com>;Snigdha Sharma <ushma58@gmail.com>

1 attachments (27 KB)

To the SMVPC -2.doc;

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Report Suspicious

Dear Mr. Roger,

Attached please find my letter of opposition to Proposed Development Z-58-24-8. Let me know if you have any questions.

Thank you,

Mrs. Snigdha Sharma

To the SMVPC,

My name is Mrs. Snigdha Sharma and I live at 8012 S 20th Ave., Phoenix, AZ 85041.
I am writing in opposition to the proposed development Z-58-24-8.
This broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to vote no.

Thank you,

Mrs Snigdha Sharma

Opposition to Z-58-24-8

Alexis Mesquita <alexismesquita2005@gmail.com>
Mon 8/12/2024 4:31 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Alexis Mesquita and I live at 8020 s 20th ave Phoenix Az, 85041. I am writing in opposition to the proposed development Z-58-24-8.
This broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to vote no.

Opposition letter for Z-58-24-8

H. Jewel Clark <hjewelclark@fastmail.com>

Mon 8/12/2024 3:00 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Jewel Clark, and my home is at 2020 W. South Mountain Ave., Phoenix, AZ, 85041. I am writing in continued opposition to zoning case Z-58-24-8. The broker, Mr. John Fox, has still not worked with us to create a compatible proposal that the community could support.

The first meeting notice from Mr. Fox was sent to neighbors less than the 10 days required by the city. Our letter was postmarked June 10 for a June 15 meeting. We received it June 14. The location for the meeting was a pizza parlor where no one could hear the presentation or see the plans. Mr. Fox did not have adequate answers for neighbor concerns and was uninterested in any changes to his proposal. Mr. Fox agreed to another meeting but never made any attempt to have one. Mr. Jai Goudeau, president of the Wyndham Square neighborhood to the north, made a room reservation at Cesar Chavez Library and called Mr. Fox to see if he would meet after having not heard from him for over a week after the first meeting. At that meeting, he still did not have answers to address neighbor concerns, and he had made no changes to his plans. At the first SMVPC meeting, he again had no interest in trying to work with the neighbors or alter his plans. After the SMVPC voted for a continuance with the instructions that he should try to work with the neighbors, he made no effort to contact any of us to arrange to talk. It was only when concerned members of the SMVPC took time out of their busy schedules to try and help and arranged a meeting the week before August 13, that he came to the table with no change in his plan except to modify the widths of the lots slightly, so they weren't all the same size and to move the storm basin/retention to a slightly different area. At that meeting, he said he would prepare a new plan with 2 less houses, which we said was still too high, and to stagger the lots so the property lines wouldn't line up with each other across the street. This is not working with the neighbors. This is not meaningful change. No one in the community has seen what he plans to present at the August 13 meeting. There is no neighbor we know of that supports even what little we know of this new plan and no one supported the original one.

The density is not compatible with the surrounding developments, plain and simple. The core goals and vision for the Rio Montana Plan is to preserve rural character, open space, and promote balanced, high-quality development with higher densities in the northern portion.

The Rio Montana Site Plan Design emphasizes that a new development should consider the larger context in which a proposed site is located. The parcel in question is sandwiched between low density R1-10 homes and acre+ lot homes. Mr. Fox has completely disregarded the context of the area he wants to rezone for a bonus density of at least 18 homes on 4.54 acres when there is no density around it greater than 3.23 du/ac and the majority is lower.

Just because Mr. Fox can request more density doesn't mean it's appropriate for the area and it doesn't mean he should be rewarded with any bonus for not doing the right thing in the first place: proposing a reasonable plan and working with the neighbors to refine it for everyone's benefit. There is no precedent for it in the area for good reason: it is simply incompatible with the communities already established.

Wording about compatibility and context for surrounding areas in the Rio Montana Plan and the Phoenix General Plan are there to provide governing bodies like the SMVPC the power and oversight to curb one-size-fits-all zoning. This situation calls for the use of that power.

Mr. Fox's plan is so bare bones (at least what was submitted for the staff report and what the neighbors have seen) that it is nearly impossible to know if he even understands and is incorporating key design elements from the Site Plan Design and the Single-Family design criteria such as including:

- Deep overhangs and deep porches.
- Planting trees on the east and west of buildings.
- Planting windbreak perimeter trees.
- Using deep green, wide-leafed trees for shade such as the Chinese Pistache.
- Limiting the use of 2-story buildings.
- Creating terminal vistas.
- Allowing for adequate non-straight driveways and side-load/rear-load garages. No more than 40% of driveways should be straight.
- Varieties in roofing materials and facades.
- Changing façade designs, roofing materials and roof ridge orientation at least every third house.
- Staggered housing setbacks.
- Angled housing orientation on lots.
- Truly varied lot widths of at least 10' or more.
- Meaningful open space.

Mr. Fox has not addressed neighbor concerns about flood mitigation for both communities to the east and west nor has he addressed traffic concerns for the Wyndham Square neighborhood to the north which is the only access to Baseline Rd. and any entrance/exit to the proposed development.

All 52 homes in Wyndham Square have on-lot retention in addition to the storm basins at the entrance. Mr. Fox has only proposed storm basins, which do not appear to be appreciably bigger than Wyndham Square's and no on-lot retention. This property is subject to the same runoff patterns as Wyndham Square. There is no hydrology report that confirms his planned runoff mitigation is sufficient and does not pose a danger to either the acre+ lots on the east or Wyndham Square to the north.

Since Wyndham Square was built in approx. 2003, traffic on Baseline has increased by nearly 500%. There is only one in/out and that is onto Baseline. Neighbors report that it is extremely difficult to get in and out of the neighborhood. An additional 18 or more homes will add 180-200 more car trips per house per day into this neighborhood, dramatically exacerbating an already difficult situation.

Do we think a density of 3.5 du/ac or approx. 15-16 houses is truly appropriate? No. R1-18 or at least no more of a density than is present in Wyndham Square, which is 3 du/ac would be appropriate. Lowering the density to no more than 3.5 du/ac is a compromise. Does any lowering of density help ameliorate traffic for Wyndham Square? Yes, some. Does lower density help with flood mitigation? Yes, because there can be more open space allotted for additional retention. Does lower density help provide room to incorporate the design and site plan elements of the Rio Montana Plan? Yes.

Rio Montana calls out a step density of 2-3.5 on pg. 17. There's no allowance for more than that. If we are going to hold developers accountable to design criteria, we should hold them to the other elements in the Plan as well. Make context a criterion and hold developers accountable when they don't do it themselves. I respectfully urge you to help us create a plan that keeps density to no more than 3.5 du/ac as our compromise and as consistent with the Rio Montana Plan. Help us create a plan that incorporates the well-considered design and site plan elements the Rio Montana Plan calls for. If this broker doesn't want to follow the rules and work with the community, please vote no.

Sincerely,
Jewel Clark

--

H. Jewel Clark
hjewelclark@fastmail.com

In regards to the rezoning hearing Z-58-24-8

Joe and Ana Laura Serna <jals426@gmail.com>

Mon 8/12/2024 1:58 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

I am Joe Serna.
My Wife Ana and I live in Wyndham Square,
at
2018 West Branham Lane
Phoenix, AZ 85041.

Neither my Neighbors of Wyndham Square,
nor I,
have seen that the developer has made any significant changes to the plans, that would warrant our support of his development.
I remain opposed to this development in its current form!
Respectfully,
CDR Joe Serna MD
(Ret) US Public Health Service

Opposition to Z-58-24-8

julian galindo <julian.galindo64@gmail.com>

Mon 8/12/2024 11:02 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

Hello,

My name is Julian Galindo and I live at 7808 S. 20th Lane with my wife and (3) kids who are under the age of 11.

We have not had any progression towards a resolution for the newly planned development directly south of Wyndham Square. The developer has not made any concessions per the request of the board and the community from the July meeting. I remain opposed to the development in its current form.

Sincerely,
Julian Galindo
602-413-7791

Opposition to Z-58-24-8

Mike Josic <mikejosic@gmail.com>
Mon 8/12/2024 3:07 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

To the SMVPC,

My name is Mike Josic and I live at 2020 W. South Mountain Ave. Phoenix, AZ 85041.
I am writing in opposition to the proposed development Z-58-24-8.
There is no reason why this development should not conform to the Rio Montana plan other than greater financial gain for this broker. This broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area I would support. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to support the existing neighbors and vote no.
Sincerely,

Mike Josic

OPPOSITION to Z-58-24-8

Selena Leon <selenanomas@gmail.com>

Mon 8/12/2024 5:18 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is Selena Leon and I live at 2009 W. Harwell Rd Phoenix, AZ 85041. The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Opposition to Z-58-24-8

stephanie rubio <stephrubio23@hotmail.com>
Mon 8/12/2024 3:15 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Stephanie Bell, and I live at 8020 S 20th Ave Phoenix Az, 85041. I am writing in opposition to the proposed development Z-58-24-8.
This broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to vote no.

Sent from my T-Mobile 5G Device

Subject: Opposition to Z-58-24-8

Candace McDonald-Ramsey <candacedramsey@gmail.com>

Tue 8/13/2024 4:00 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

CAUTION: This email originated outside of the City of Phoenix.
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Report Suspicious

Dear Mr. Rogers and Committee Members,

My name is Candace McDonald Ramsey, and I reside at 2012 W. Harwell Rd; Phoenix AZ 85041. I am writing to express my strong opposition to the proposed development under case number Z-58-24-8.

Despite ongoing discussions, it is clear that the developer has not made any significant changes to the plans that would address the concerns of the community or justify our support for this project. The current proposal does not adequately consider the impact on our neighborhood, including potential issues related to traffic, infrastructure, and overall quality of life.

As a resident invested in the well-being and future of our community, I urge you to reject this development in its current form. We need a plan that truly reflects the needs and interests of the residents, rather than one that prioritizes external interests at our expense.

Thank you for your attention to this matter.

Sincerely,
Candace McDonald Ramsey

Opposition to Z-58-24-8

Elizabeth Franco <nfranco246@gmail.com>

Tue 8/13/2024 5:58 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

Good afternoon,

I hope this email finds you well. My name is Elizabeth Hintze Franco and I live at 7820 S 20th Ln, Phoenix, AZ 85041. The neighbors along with my family have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I am unfortunately not able to make it to the hearing today, but I am still opposed to this development in its current form and would like for it to be taken into consideration.

Kindest regards,
Elizabeth Hintze Franco
602-515-8842

Opposition to Z-58-24-8

James Betterment <jamesbetterment@gmail.com>
Tue 8/13/2024 7:49 AM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is James Betterment and I live at 8008 S 20th Ave. Phoenix AZ 85041.

I am writing in opposition to the proposed development Z-58-24-8. The broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to vote no.

Opposition to Z-58-24-8

Joe Hernandez <cndymnrotc@gmail.com>

Tue 8/13/2024 10:17 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>;Jai Goudeau <Jaigoudeau@gmail.com>

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Report Suspicious

Opposition to Z-58-24-8

My name is Joseph Hernandez and I live at __7706 S 20th DR, PHX, AZ 85041_____ .

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Opposition to Z-58-24-8

leticia gonzalez <leticiaglez07@gmail.com>

Tue 8/13/2024 8:41 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is leticia gonzalez and I live at 7723 S 20th Dr.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Fwd: Opposition to Z-58-24-8

Joe Hernandez <cndymnrotc@gmail.com>

Tue 8/13/2024 10:24 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>;Jai Goudeau <Jaigoudeau@gmail.com>

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Report Suspicious

---------- Forwarded message ---------
From: **Joe Hernandez** <cndymnrotc@gmail.com>
Date: Tue, Aug 13, 2024 at 10:17 AM
Subject: Opposition to Z-58-24-8
To: Samuel S Rogers <samuel.rogers@phoenix.gov>, Jai Goudeau <Jaigoudeau@gmail.com>

Opposition to Z-58-24-8

My name is Nadine Hernandez Wife of Joseph and I live at __7706 S 20th DR, PHX, AZ 85041_____ .

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Opposition to Z-58-24-8

Nicki Sordello <nickisordello@yahoo.com>
Tue 8/13/2024 8:14 AM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (14 KB)
Opposition-letter2 _Z-58-24-8_8008-S-20th-Ave_Nicole.Sordello.docx;

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Good morning,

My name is Nicole Sordello, and I live at 8008 S 20th Ave. Phoenix AZ 85041.

I am writing in opposition to the proposed development Z-58-24-8. The broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to vote no.

Thank you for your time and consideration,

Nicole Sordello

Opposition to Z-58-24-8

Tyler Hintze <tylerbill97@gmail.com>

Tue 8/13/2024 7:54 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is Tyler Hintze and I live at 7820 S 20th Ln, Phoenix, AZ 85041.
The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in it's current form.

Opposition to Z-58-24-8

leticia gonzalez <leticiaglez07@gmail.com>

Fri 9/6/2024 2:13 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is Humberto González and I live at 7723 S 20th Dr.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Opposition to Z-58-24-8

leticia gonzalez <leticiaglez07@gmail.com>

Fri 9/6/2024 2:10 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is Mauricio González and I live at 7723 S 20th Dr .

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Opposition to zoning case Z-58-24-8

CESAR TRUJILLO <ctrujillo15@ymail.com>

Sat 9/7/2024 9:47 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Jai Goudeau <jaigoudeau@gmail.com>

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Report Suspicious

To the SMVPC,

My name is Cesar Trujillo and I live at 7819 S 20th Dr, Phoenix AZ 85041.

I'm opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria, and we were not in favor of the cul-de-sac design for practical reasons. We welcome development in our area, but we want development to be compatible with existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix general plan, and the real Montana plan.

We support a maximum density of 16 houses to allow for more elements of the real Montana criteria to be implemented.

Limiting two-story homes to no more than 20% of the total.

Inclusion of the stipulations submitted to the SMVPC chair by Jewel Clark and Jai Goudeau.

Thank you.

If you have questions or one more information, email Jewel Clark at hjewelclark@fastmail.com or Jai Goudeau at jaigoudeau@gmail.com
Sent from my iPhone

Opposition to zoning case Z-58-24-8

Carla Soberanes <carlasoberanes@gmail.com>

Sun 9/8/2024 9:49 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

To the SMVPC,

My name is Carla Soberanes and I live at 7818 S 20th Drive, Phoenix AZ 85041
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.

Carla Soberanes

Sent from my iPhone

FW: Development update and opposition letter to use

cndymnrotc <cndymnrotc@gmail.com>

Sun 9/8/2024 5:42 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:H. Jewel Clark <hjewelclark@fastmail.com>;Jai Goudeau <jaigoudeau@gmail.com>

1 attachments (4 MB)

Final-site-plan-from-Fox---20th-and-South-Mountain.jpg;

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Report Suspicious

My contributions to the disapproval of the new proposed development. We all agree in our household that Wyndham Square shouldn't be used as a launch pad for construction traffic and potential flooding if and when it goes through. The South Mountain road is ideal!!!

Sent from my T-Mobile 5G Device

-------- Original message --------
From: "H. Jewel Clark" <hjewelclark@fastmail.com>
Date: 9/7/24 21:58 (GMT-06:00)
To: Jewel Clark <hjewelclark@fastmail.com>, Jai Goudeau <jaigoudeau@gmail.com>
Cc: Adolfo Mauritsia Coronado <jacoronado@msn.com>, Alicia and Carlos <aliciaemily2003@yahoo.com>, Alma Tonche <ad.tonche@gmail.com>, Alyssa Kerns <Alyssam.kerns@gmail.com>, Andrew Maifield <andrewmaifield@yahoo.com>, bobbyscadden@yahoo.com, Butch Box <butchbox@gmail.com>, Candace McDonald-Ramsey <Candacedramsey@gmail.com>, Carlos Carbajal <Carbajal17@hotmail.com>, Cesar Trujillo <ctrujillo15@ymail.com>, Christian Griepenstroh <Cgriepenstroh94@gmail.com>, David Key <anykeysys@gmail.com>, Dawn Smith <Dawn.Smith2@gmail.com>, Dorothy Hernandez <1dhernan@tempeschools.org>, Drewkgarvin@gmail.com, Eduardo Camacho <Lalocamacho@cox.net>, Erika Bowman <Bowman.Erika@gmail.com>, Frank Hernandez <fhernandez6310@gmail.com>, Franko Hernandez <franko1885@gmail.com>, Funyung Mon <Fym2429@gmail.com>, Gabriel Betancourt <Betancourtfamily@yahoo.com>, Gheine@cox.net, "H. Jewel Clark" <hjewelclark@fastmail.com>, Irene Navarro <Sunshinesonirene@yahoo.com>, ISH326 <imoreu326@gmail.com>, James Betterment <Jamesbetterment@gmail.com>, Jock <jocksteady01@icloud.com>, Joe Hernandez <Cndymnrotc@gmail.com>, Joe Serna <jals426@gmail.com>, Jose Perea <jpe.landscaping@gmail.com>, josphatwatitu@yahoo.com, Julian Galindo <Julian.galindo64@gmail.com>, Justin Intolubbe <Justin.Intolubbe@associaarizona.com>, Kagiovan@hotmail.com, Linda Laneback

<llanebac@tempeschools.org>, Lisa Cullen <Cullen_A_Lisa@yahoo.com>, LM <Directbridge@yahoo.com>, Lorenzo Gonzales <guad6604@outlook.com>, Lori <ernlor639@cox.net>, Mark <msouders1@cox.net>, MaryLou Scadden <Mscadden2006@gmail.com>, Michael Jordan <Michael.d.jordan@gmail.com>, Michael Josic <mikejosic@gmail.com>, Michelleandjuliangalindo@gmail.com, Miguel Rubio <rb_contracting1lc@outlook.com>, Moe Lathgani <Lathganimoe@yahoo.com>, Monica Garcia <azattymo@aol.com>, Mustafa Mostofo <sammostofo@gmail.com>, Natividad Tapia <Natytapia@cox.net>, Niki Key <nkey30@gmail.com>, Ravi Sharma <ravi6161sharma@gmail.com>, Roberto Branch <rcb1enterprise@gmail.com>, Snigdha Sharma <ushma58@gmail.com>, Steven Hernandez <Sj-hernandez@hotmail.com>, Susan Knight <roosie2roosie@gmail.com>, Virginia Waititu <Virginiawaititu@gmail.com>, Alexis Mesquita <alexismesquita2005@gmail.com>, stephrubio23@hotmail.com
Subject: Development update and opposition letter to use

The vote on the development adjoining our neighborhood is coming up!

Rezoning case Z-58-24-8 will be voted on Tuesday September 10th at 6 p.m. at the **South Mountain Community Library, 7050 S. 24th St.**

[phoenixpubliclibrary.org]

We need you to do 2 things:

- Write an opposition email to register your opposition.
- Come to the meeting Tuesday, September 10 at 6 p.m. at the South Mountain Library to show the SMVPC we stand united.

Write your own or send the letter below via email to samuel.rogers@phoenix.gov

---

Subject line: Opposition to zoning case Z-58-24-8

To the SMVPC,

My name is Joe and Nadine Hernandez and I live at 7706 S 20th DR.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.
- Lastly, a plan that shows the developers contributions to the environmental and traffic concerns.

Thank you.

If you still have questions or want more information, email Jewel Clark at hjewelclark@fastmail.com or Jai Goudeau at jaigoudeau@gmail.com.

We have power in numbers! Thank you for your continued efforts and support!

Sincerely,
Jewel Clark and Jai Goudeau

Dear South Mountain Village Planning Committee,

David Key <anykeysys@gmail.com>

Sun 9/8/2024 9:29 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

My name is David Key and I live at 2006 W Branham Ln, Phoenix, AZ 85041 [google.com].

I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and I am not in favor of the cul-de-sac design for practical reasons.

Our community welcomes development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.

Limiting 2-story homes to no more than 20% of the total.

Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.

David M Key Jr

Opposition to zoning case Z-58-24-8

Eduardo Camacho <lalocamacho@cox.net>

Sun 9/8/2024 9:16 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

To the SMVPC,

My name is Eduardo Camacho and I live at 2015 W Branham Lane Phoenix AZ 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria, and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

- We support a maximum density of 16 houses to allow for more elements of the Rio Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC chair by Jewel Clark and Jai Goudeau.

Thank you,
Eduardo Camacho

Opposition to zoning case Z-58-24-8

Lori Coscarelli <ernlor639@cox.net>
Sun 9/8/2024 9:53 AM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

To the SMVPC,

My name is Ernest Coscarelli and I live at 2008 W Harwell Road, Phoenix, AZ.

I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank You,
Ernie

Opposition to zoning case Z-58-24-8

Fy M <fym2429@gmail.com>
Sun 9/8/2024 3:46 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Funyung Mon and I live at 8115 S 21st Drive, Phoenix, AZ 85041.

I oppose Z-58-24-8. It does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons. We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.

Sincerely,
Funyung Mon, Homeowner at 8115 S 21st Dr, Phoenix, AZ 85041

Opposition to zoning case Z-58-24-8

Jacques Phelps <jocksteady01@icloud.com>
Sun 9/8/2024 9:52 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

To the SMVPC,

My name is Jacques Phelps Jr and I live at 7818 S 20th Dr, Phoenix AZ 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.
Jacques Phelps Jr
Sent from my iPhone

Opposition to zoning case Z58- 24:8

Joe and Ana Laura Serna <jals426@gmail.com>
Sun 9/8/2024 11:04 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

I am Joe Serna and live in Wyndham Square, at 2018 West Branham Lane (Phx.AZ).

I am opposed to Z-58-24-8.
The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, and to uphold the requirements for zoning as per the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.

Opposition to zoning case Z-58-24-8

Marylou Scadden <mscadden2006@gmail.com>

Sun 9/8/2024 8:13 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

To the SMVPC,

My name is MaryLou Scadden and I live at 7807 S 20th Dr, Phoenix AZ 85041 .
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.

Opposition to zoning case Z-58-24-8

Natividad Tapia <natytapia54@gmail.com>
Sun 9/8/2024 7:48 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Natividad Tapia and I live at 2015 W Branham Lane Phoenix AZ 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria, and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

- We support a maximum density of 16 houses to allow for more elements of the Rio Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC chair by Jewel Clark and Jai Goudeau.

Thank you,
Natividad Tapia

Opposition to zoning case Z-58-24-8

Niki Key <nkey30@gmail.com>
Sun 9/8/2024 9:26 AM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:David Key <anykeysys@gmail.com>

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Report Suspicious

Dear South Mountain Village Planning Committee,

My name is Niki Key and I live at 2006 W Branham Ln, Phoenix, AZ 85041.

I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and I am not in favor of the cul-de-sac design for practical reasons.

Our community welcomes development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.
Niki Key

opposition to zoning to zoning case Z-58-24-8

Alexis Mesquita <alexismesquita2005@gmail.com>

Mon 9/9/2024 5:28 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Alexis Mesquita and I live at 8020 S 20th Ave.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.

Opposition to zoning case Z-58-24-8

Alicia Sainz <aliciaemily2003@yahoo.com>

Mon 9/9/2024 4:59 PM

To:hjewelclark@fastmail.com <hjewelclark@fastmail.com>;Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Alicia Sainz and I live at 8250 S 20th Ave, Phoenix AZ 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.

Alicia Sainz
623 329 3606

Opposition to zoning case Z-58-24-8

Amelia Goudeau <ameliagoudeau@gmail.com>

Mon 9/9/2024 2:16 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Amelia Goudeau and I live at 2013 W. Harwell Rd Phoenix Az 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and there has been no consideration for the existing community and the direct inpact on the neighborhood. I am NOT in favor of, any of the proposed plans by the builder or John Fox.

~Amelia Goudeau~
#602-460-5545

Opposition to zoning case Z-58-24-8

Ana Laura Serna <als3363@gmail.com>

Mon 9/9/2024 8:19 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Ana Laura Serna I live at 2018 W Branham Lane at Wyndham Square. I am opposed to the current plan of Z-58-24-8. The plan does not comply with Rio Montana criteria, also not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but want development to be compatible with the existing character and quality of the existing neighborhoods: uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan. I believe the tranquility and safety of my neighborhood will be compromised with the additional traffic going through it.

We support:

. A maximum density os 16 houses to allow for more elements of the Rio Montana criteria to be implemented.
. Limiting 2-story homes to no more than 20% of the total.
. Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the Zoning application.

Regards

Ana Laura Serna

Sent from my iPad

Opposition to zoning case Z-58-24-

Candace McDonald-Ramsey <candacedramsey@gmail.com>

Mon 9/9/2024 8:20 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is Candace McDonald-Ramsey and I live at 2012 W Harwell Rd, Phoenix, AZ 85041. I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:
A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
Limiting 2-story homes to no more than 20% of the total.

Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you,

Candace McDonald-Ramsey

Opposition to zoning case Z-58-24-8

Carlo <charles.carbaj@gmail.com>

Mon 9/9/2024 1:04 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>;PDD Long Range Planning <pdd.longrange@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Carlos Carbajal and I live at 2017 W Harwell Rd, Phoenix AZ, 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.
Carlos

On Thu, Sep 5, 2024 at 11:58 AM Carlo <charles.carbaj@gmail.com> wrote:

> Hello once again,
>
> Just re-affirming my opposition.
>
> My name is Carlos Carbajal and I live at 2017 W. Harwell Rd, Phoenix AZ, 85041.
>
> The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development.
> I remain opposed to this development in its current form.

Thanks,
Carlos C.

On Fri, Aug 9, 2024 at 10:19 AM Samuel S Rogers <samuel.rogers@phoenix.gov> wrote:

Good morning,

Thank you for your letter. I will add it to the official file and forward it to the applicant and the members of the South Mountain Village Planning Committee.

Thank you,

Samuel Rogers, AICP
Village Planner II*
City of Phoenix Planning and Development Department
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003
Samuel.Rogers@phoenix.gov
602-534-4010

PLANNING & DEVELOPMENT
PRESERVE
SHAPE
BUILD

From: Carlo <charles.carbaj@gmail.com>
Sent: Thursday, August 8, 2024 1:58 PM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>; Samuel S Rogers <samuel.rogers@phoenix.gov>
Subject: Opposition to Z-58-24-8

My name is Carlos Carbajal and I live at 2017 W. Harwell Rd, Phoenix AZ, 85041.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development.
I remain opposed to this development in its current form.

Thanks,
Carlos

Opposition to zoning case Z-58-24-8

Butch Box <butchbox@gmail.com>

Mon 9/9/2024 4:33 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Constance Box and I live at 7719 S 20th Drive.

I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:
A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
Limiting 2-story homes to no more than 20% of the total.
Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.
Thank you
Constance Box

Opposition to Z-58-24-8

D. Fong <dpfong@hotmail.com>
Mon 9/9/2024 2:44 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

Mr. Samuel Rogers,

My name is David Fong and I reside at 2004 W. Harwell Rd. in the Wyndham Square neighborhood.

My neighbors and the Community Management representatives still have major concerns that the Broker, Mr. John Fox, has not made any serious or significant changes to the proposed design plans that would warrant our decision to support this development.

I remain opposed to this development and urge that this application not be approved to move forward.

Regards,
David Fong

Virus-free.www.avg.com [avg.com]
[avg.com]

Opposition to zoning case Z-58-24-8

Butch Box <butchbox@gmail.com>
Mon 9/9/2024 4:29 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is To the SMVPC,

My name is Forrest Box and I live at 7719 S 20th Drive.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:
A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
Limiting 2-story homes to no more than 20% of the total.
Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.
Thank you. and I live at 7719 S 20th Drive.

My name is [your name] and I live at [your address].
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:
A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
Limiting 2-story homes to no more than 20% of the total.
Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the

zoning application.

Thank you.

Forrest Box

Re: Oppose the Zoning Change Filed by John Fox - Case # Z-58-24-8

Fy M <fym2429@gmail.com>
Mon 9/9/2024 12:31 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

Good afternoon Samuel Rogers,

Regarding the opposition to the Case # Z-58-24-8, there is a voting process in tomorrow (9/10) meeting at South Mountain Community Library.
May I cast the vote through this email to oppose the case because I am still out of town by then? Or, could I pass the voting right to others?
Your response is appreciated. Thanks.

Sincerely,

Funyung Mon,
Home owner at 8115 S 21st Dr, Phoenix, AZ 85041

On Thu, Jul 4, 2024, 4:54 PM Fy M <fym2429@gmail.com> wrote:

> Good morning Samuel Rogers,
>
> Please see attached for the opposition letter.
> I, Funyung Mon, the resident and homeowner at 8115 S 21st Drive, Phoenix, AZ 85041. I missed the past two meetings because the meeting notice was mailed out very late. When I received the notice, the meeting date was already past.
>
> Respectfully,
> Funyung Mon,
> 8115 S 21st Dr, Phoenix, AZ 85041

Opposition to Z-58-24-8

Jai Goudeau <jaigoudeau@gmail.com>

Mon 9/9/2024 10:34 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Jai Goudeau <jaigoudeau@gmail.com>;H. Jewel Clark <hjewelclark@fastmail.com>

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Report Suspicious

My name is Jai Goudeau and I live at 2013 W. Harwell Road Phoenix, 85041. I am writing in opposition to the Rezoning request as it has been currently filed for approximately 4.5 acres site located at 700' feet north and 305' feet west of the northwest corner of South Mountain Ave and 20th Ave, rezoning case number **Z-58-24** to change zoning from **S1** to **R1-10.**

Mr. Fox has not made a genuine effort to work with the community regarding our concerns and I believe he has not acted in good faith to address the community and involve us in the process.

In the first meeting he arranged at a Barro's Pizza parlor on a Saturday afternoon in which I received notice 4 days prior and some did not receive notice at all. There was loud music playing and very few people could hear his presentation or respond. I requested that we have another meeting in a more suitable location so I reserved a meeting room at Caesar Chavez Library on May 28th for June 15th and he said he would send out notices.

At the second meeting on June 15th, John Fox was in attendance with Mike Haer. In the meeting several attendees addressed their concerns as well as I and Mike Haer said he wanted to take this information and address his team and he and John Fox agreed to have another meeting to discuss their findings prior to the hearing.

I contacted John Fox as I saw a survey crew doing measurements on 06/18/24. I asked John if he was still having another community meeting as he requested or if he was moving forward with the Village Planning Committee meeting to which he replied that he was not going to have another neighborhood meeting because he wanted to have a constructive meeting and was tired of getting beaten up. I reminded him that he and Mike requested that we have another meeting and he told me that he had not spoken to Mike and that Mike would be out of town during the Village Planning Committee Meeting.

Mr. Fox repeatedly stated during the meeting that he would not work with us five times before finally agreeing after continual requests from the Village Planning Committee members. Mr. Fox would not initially set up the meetings, so he requested that the committee chairman set up the meetings and mediate the meetings.

We met with Mr. Fox and we tried to have him incorporate elements of the Rio Montana guidelines to the plans to which he made very few changes. Mr. Fox did not show up to the Village planning meeting but told the chairman that he wanted a continuance to the next Village Planning Meeting over the phone.

We set up meetings every week for the next month with Mr. Fox and members of the Village Planning Committee to work together to come up with a plan to which Mr. Fox would make some changes, then come up with excuses to change them back at the last minute. At the last meeting Mr. Fox did not show up and refused to continue working with us.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for

zoning, the Phoenix General Plan, and the Rio Montana Plan. The neighborhood, and not the Planning Office exclusively, should be involved in crafting beneficial development since we understand the complexities and needs of our area best.

We feel that because the development can only be entered through our community that it would be seen as an extension of our development and it should have the same rural feel.

As the plan currently is applied **It is not** “sensitive to the scale and character of the surrounding neighborhoods.” The proposed development is bordered by S-1 established homes on the east and south (which is currently a horse farm) and R1-10 neighborhoods with densities no higher than 3.27 DU/AC on the north and east. This development would have a density of 4.4 DU/AC in the middle of established low-density neighborhoods.

It does not “protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance.” This plan, in its current form, fails the most basic tenets of the above requirements and should not move forward.

Thank you

Opposition to zoning application Z-58-24-8

H. Jewel Clark <hjewelclark@fastmail.com>

Mon 9/9/2024 10:39 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the Committee Members of the SMVPC,

My name is Jewel Clark, and my address is 2020 W. South Mountain Ave., Phoenix, AZ and I remain opposed to Z-58-24-8.

Jai Goudeau, HOA president of Wyndham Square to the immediate north of the proposed development, and I have been involved in multiple meetings with the broker, Mr. Fox, and members of the SMVPC to try and find some common ground on his proposal. After 2 continuances and multiple meetings, it appeared on Monday that Mr. Fox intends to move forward with his original 20 house plan and has rejected any changes that would incorporate the Rio Montana Area plan, get community support, and result in a better development.

I have consistently stressed to Mr. Fox how inappropriate the density proposed is based on my knowledge of our area and what I've been told by neighbors, not only for compatibility to the surrounding communities on multiple levels, but also in how that density prevents meaningful inclusion of Rio Montana Area Plan criteria.

The community is united in opposition, albeit on different levels. Some neighbors don't want any development until a street can punch through to W. South Mountain Ave. but everyone I have talked to agrees that significantly fewer houses would be better for our community overall to create a transition density between the established S-1 homes on the east and the low density R1-10 homes to the north and west and would allow for better traffic relief for Wyndham Square and again, inclusion of Rio Montana criteria.

In an attempt at reasonable compromise, the conversations I have had with neighbors and have conveyed at our meetings is that a max of 16 houses is something we could live with in addition to including other Rio Montana criteria.

While I would prefer a lower number of houses, I can support:

- Max 16 houses.
- Limiting 2 story houses to 20% of the total and to the western side of the development.
- Inclusion of the stipulations proposed by the community submitted to the SMVPC.

We have tried to work with Mr. Fox and our requests have been aligned with our village plan, what our community feels is appropriate, and a sincere desire to see a quality development built. Mr. Fox's plan has been exclusively focused on getting as many lots on the property as possible. He stated more than once that the city said he "could have" 20 lots and it seems he thinks that's all the approval he needs. Mr. Fox appears to have only financial justifications for his rejection of Rio Montana criteria and has not listened to the communities impacted by his application. We are not opposed to development, but we want development to follow our area plan and provide reasonable compatibility with our existing neighborhoods.

Please add the stipulations proposed by the community to the application or vote no.
Thank you for your time and consideration.

Sincerely,
Jewel Clark
2020 W. South Mountain Ave.
Phoenix, AZ 85041

--

H. Jewel Clark
hjewelclark@fastmail.com

Opposition to zoning case Z-58-24-8

Julie Willcox <jwillcox1227@gmail.com>

Mon 9/9/2024 7:37 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Julie Willcox and I live at 9050 S 23rd Ave, Phoenix, AZ 85041.
I am opposed to the rezoning application Z-58-24-8. The current plan does not comply with Rio Montana criteria and is opposed by the majority of the surrounding community.

We welcome development in our area, but we want development to be compatible with the character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We would support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you,
Julie

Opposition to zoning case Z-58-24-8

stephanie rubio <stephrubio23@hotmail.com>

Mon 9/9/2024 5:23 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Miguel Rubio and I live at 8020 S. 20th Ave Phoenix AZ, 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.

Sent from my T-Mobile 5G Device

Opposition to zoning case Z-58-24-8

Mike Josic <mikejosic@gmail.com>

Mon 9/9/2024 10:58 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Mike Josic and I live at 2020 W. South Mountain Ave, Phoenix, AZ 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and this criteria must take precedence over one person's pursuit of profit at the expense of the many current residents. The applicant does not and will not live there and would flip the property to another developer, extract his profit and leave the current residents with a completely incompatible development in their backyards.

I welcome development in our area, but I want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

I support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total exclusively on the west side to preserve the privacy of the existing acre lots on the east side.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.
Mike Josic

Opposition to zoning case Z-58-24-8

chevera trillo <cheveratrillo@gmail.com>

Mon 9/9/2024 11:19 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Ntonyt <NtonyT@aol.com>

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Report Suspicious

TO: SMVPC
VIA: Samuel Rogers:

Our names are Nick and Chevera Torrez.
We live at 2311 West Dobbins Road.

We are writing to state our opposition to the rezoning application Z-58-24-8.
No different than the last submission, which we also opposed, that was subsequently withdrawn from the August 13th SMVP meeting, this current plan does not comply with Rio Montana criteria and is opposed by the majority of the surrounding community.

As has been the recurring voice within the community, we do welcome responsible development in our area that adheres to the spirit and intent of the Phoenix General Plan and the Rio Montana Plan. We continue to ask that SMVPC be respectful of the community's voices and input and vote no to Z-58-24-8.
We join the neighbors of this proposed development and support the following:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you for your time and attention,

Regards,

Nick & Chevera Torrez
2311 West Dobbins Road
Phx, AZ 85041

***

Opposition to zoning case Z-58-24-8

Robert Branch <branch25rob@yahoo.com>

Mon 9/9/2024 8:21 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Robert and I live at 2012 w harwell rd, Phoenix 85041.

I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you,
RCB

Opposition to zoning case Z-58-24-8

stephanie rubio <stephrubio23@hotmail.com>

Mon 9/9/2024 5:21 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

CAUTION: This email originated outside of the City of Phoenix.
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Report Suspicious

o the SMVPC,

My name is Stephanie BellI live at 8020 S. 20th Ave Phoenix AZ, 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.

Sent from my T-Mobile 5G Device

Opposition to zoning case Z-58-24-8

Andrew Maifield <andrewmaifield@yahoo.com>

Tue 9/10/2024 2:10 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

I Andrew Maifield opposed the zoning. Density to high for the area. The property should be left as s1 property. S1 property is the sole of South Phoenix and should remain that way.

Sent from Yahoo Mail on Android [go.onelink.me]

Opposition to zoning case Z-58-24-8

Rubio, Arlene <arlene_rubio@uhc.com>

Tue 9/10/2024 4:32 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:mikejosic@gmail.com <mikejosic@gmail.com>;Arlene Rubio <josejr_arlene@yahoo.com>

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Report Suspicious

To the SMVPC,

My name is Arlene Rubio and I live at 8230 S. 20th Ave Phoenix, AZ 85042.

I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you,

Arlene Rubio

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Opposition to zoning case Z-58-24-8

Ceasar Acedo <ceasar_acedo88@yahoo.com>

Tue 9/10/2024 4:48 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:Mike Josic <mikejosic@gmail.com>

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Report Suspicious

To the SMVPC,

My name is Ceasar Acedo and I live at 8230 S. 20th Ave Phoenix, AZ 85042.

I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you,

Ceasar Acedo

To the SMVPC,

My name is Ravinder Sharma and I live at 8012 S 20th Avenue, Phoenix, AZ 85041.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you,

Ravinder Sharma

CITY OF PHOENIX

SEP 10 2024

Planning & Development Department

Opposition to zoning case Z-58-24-8

Lorraine Gloria <lorigloria@cox.net>

Tue 9/10/2024 12:09 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPc,

Our name is Ernie and Lori Gloria and we live at 7813 S. 20th Ln., Phoenix, AZ 85041.
We are both opposed to Z-58-24-8. The current plan does not comply with Rio, Montana criteria, and we are not in favor of the cul-de-sac design for practical reasons.
We welcome development in our area, but we want development to be compatible with the existing and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix general plan, and the real Montana plan.
We support the maximum density of 16 houses to allow for more elements of the real Montana criteria to be implemented.
Limiting two-story homes to no more than 20% of the total.
Inclusion of the stipulations submitted to the SMVPC chair by jewel Clark and Jai Goodeaux.

Thank you

Ernie and Lori Gloria
Sent from my iPhone

Re: Opposition to Z-58-24-8

James Betterment <jamesbetterment@gmail.com>

Tue 9/10/2024 1:04 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

My name is James Betterment and I live at 8008 S 20th Ave. Phoenix AZ 85041.

I am writing in opposition to the proposed development Z-58-24-8. The broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to vote no.

On Tue, Aug 13, 2024 at 8:48 AM Samuel S Rogers <samuel.rogers@phoenix.gov> wrote:

> Good morning,
>
> Thank you for your letter. I will add it to the official file and forward it to the applicant and the members of the South Mountain Village Planning Committee.
>
> Thank you,
>
> Samuel Rogers, AICP
> Village Planner II*
> City of Phoenix Planning and Development Department
> 200 West Washington Street, 3rd Floor
> Phoenix, Arizona 85003
> Samuel.Rogers@phoenix.gov
> 602-534-4010
>
> PLANNING & DEVELOPMENT
> PRESERVE
> SHAPE
> BUILD
>
> ---
>
> **From:** James Betterment <jamesbetterment@gmail.com>
> **Sent:** Tuesday, August 13, 2024 7:48 AM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

Subject: Opposition to Z-58-24-8

My name is James Betterment and I live at 8008 S 20th Ave. Phoenix AZ 85041.

I am writing in opposition to the proposed development Z-58-24-8. The broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to vote no.

Outlook

Re: Presentation for SMVPC meeting, case Z-58-24-8 - Jewel Clark

From H. Jewel Clark <hjewelclark@gmail.com>
Date Tue 9/10/2024 10:59 AM
To Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (7 MB)
Z-58-24-8 opposition presentation Sept 10 2024.pptx;

CAUTION: This email originated outside of the City of Phoenix.
Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

Okay, updated presentation, as best I could do with things changing so much! Ack!
Thanks!
Sincerely,
Jewel

On Tue, Sep 10, 2024 at 10:19 AM H. Jewel Clark <hjewelclark@gmail.com> wrote:

> Oh my, that's not the information we had yesterday. I will need to update everyone and my slides. I'll resend ASAP.
>
> On Tue, Sep 10, 2024, 9:58 AM Samuel S Rogers <samuel.rogers@phoenix.gov> wrote:
>
> > Good morning,
> >
> > Received, thanks for sending this over. The latest site plan I have looks like it was included as slide No. 11 in your presentation.
> >
> > Thank you,
> >
> > Samuel Rogers, AICP
> > Village Planner II*
> > City of Phoenix Planning and Development Department
> > 200 West Washington Street, 3rd Floor [google.com]
> > Phoenix, Arizona 85003 [google.com]
> > Samuel.Rogers@phoenix.gov
> > 602-534-4010

From: H. Jewel Clark <hjewelclark@gmail.com>
Sent: Tuesday, September 10, 2024 9:52 AM
To: Samuel S Rogers <samuel.rogers@phoenix.gov>
Subject: Presentation for SMVPC meeting, case Z-58-24-8 - Jewel Clark

Hi Samuel,

This may be a duplicate. I tried replying with my presentation to our thread and I'm not seeing my reply in my sent box. Trying again.

This presentation has been prepared based on the information provided yesterday that Mr. Fox has not submitted any new site plan or made any changes to his original application. If that information is incorrect, would you please let me know so I can quickly amend my presentation to reflect those changes? If it is more convenient to call me, my number is 480.664.9436 or if there is a good time to call you today to check in I am happy to do that. If you have time, I would also really appreciate any heads up if he submits a presentation. I'll make a records request regardless, just to check, but I can make it earlier if I know when it's submitted.

I've got supplemental slides on the end that with some blanks in between that I don't plan to show but are there in case it would help to project an image not readily available in another presentation should a committee member have specific questions where a slide would be helpful.

Thank you!
Jewel Clark

Z-58-24-8

Neighborhood Opposition

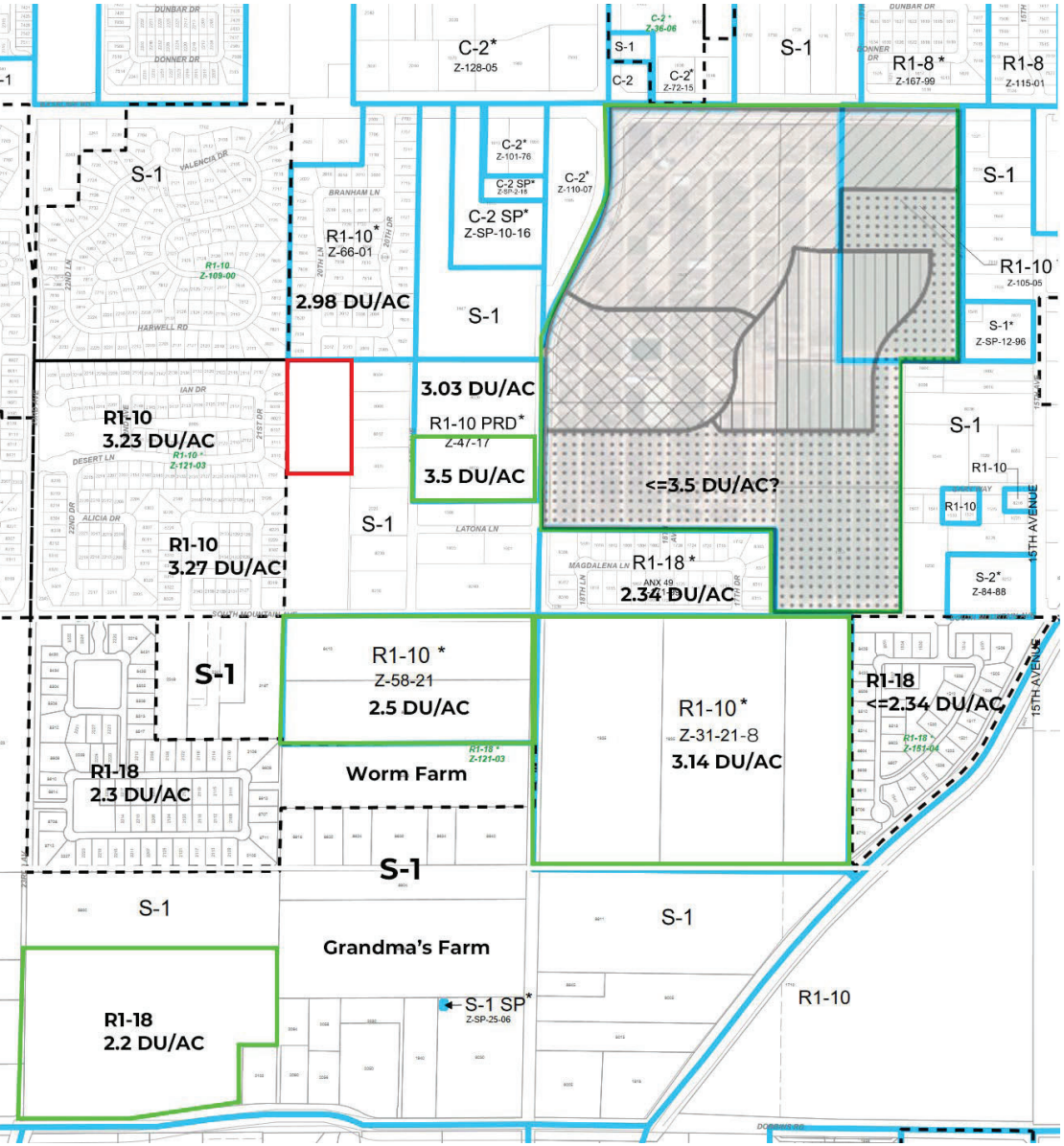
SMVPC

Sept. 10, 2024

Latest conceptual site plan/proposal:

- 18 homes on 4.54 acres (reduced from 20 to accommodate central open space).
- Density not compatible per Rio Montana Community Vision, Land Use Plan, PHX General Plan (Certainty & Character).
- Rio Montana criteria still not met- no justification other than financial and no sincere efforts to incorporate them.
- Community remains opposed for the above and other reasons.

Any development that happens should follow the Rio Montana area plan and have community support. Neither should be ignored or be an afterthought.



Certainty & Character

- Green borders represent approved development since approx. 2021.
- Densities in the surrounding area do not exceed 3.5 DU/AC for R1-10.
- Approved developments include Rio Montana criteria.

The community deserves a level of certainty on what they can rely on in terms of compatible development and to have their input listened to.

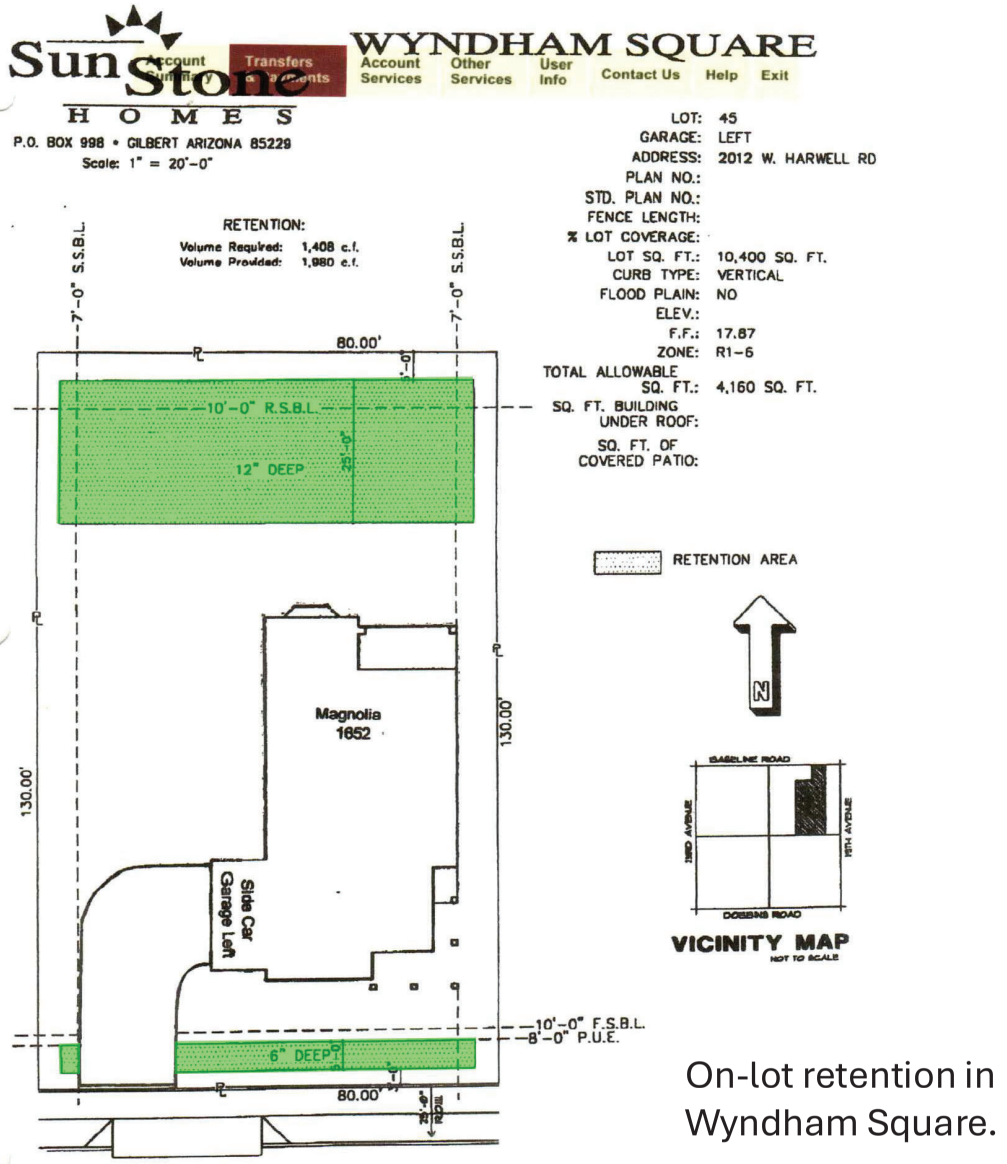
We have to live with what gets built.

If development is going to happen with this application, let's make it something the community can live with that is better quality and aligned with our area plan:

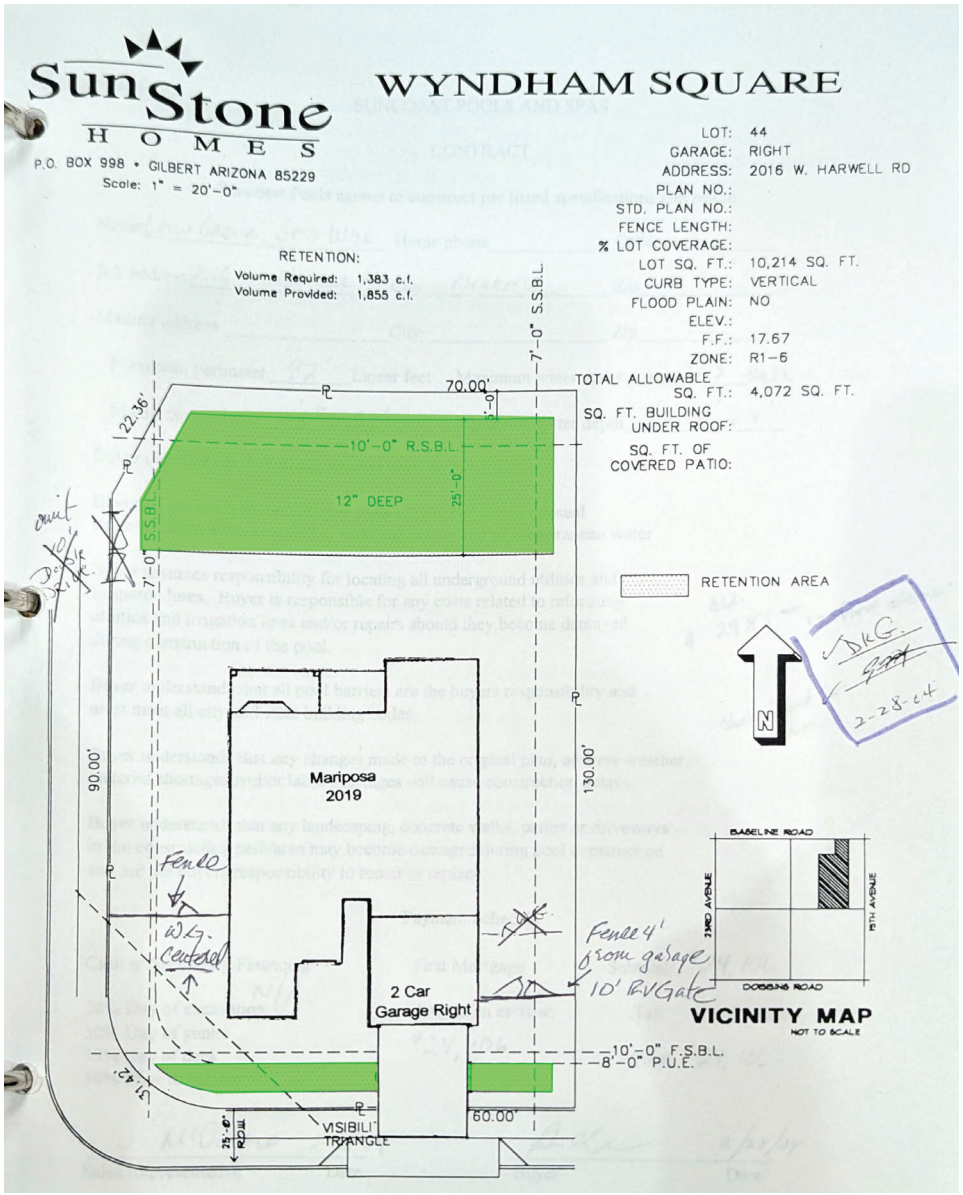
- Limit the density to a more appropriate 16 homes (3.5 du/ac).
- Limit 2-story homes to 20%, aligning with the Rio Montana plan and surrounding communities.
- Adopt the stipulations (inc. density and housing height) submitted by the community to address Rio Montana criteria, which will result in a better-quality development and more community support.
- Otherwise, please vote no.

We want compatible and quality development with Rio Montana criteria and community support. The applicant's plan still fails on both counts.

Additional slides for reference.

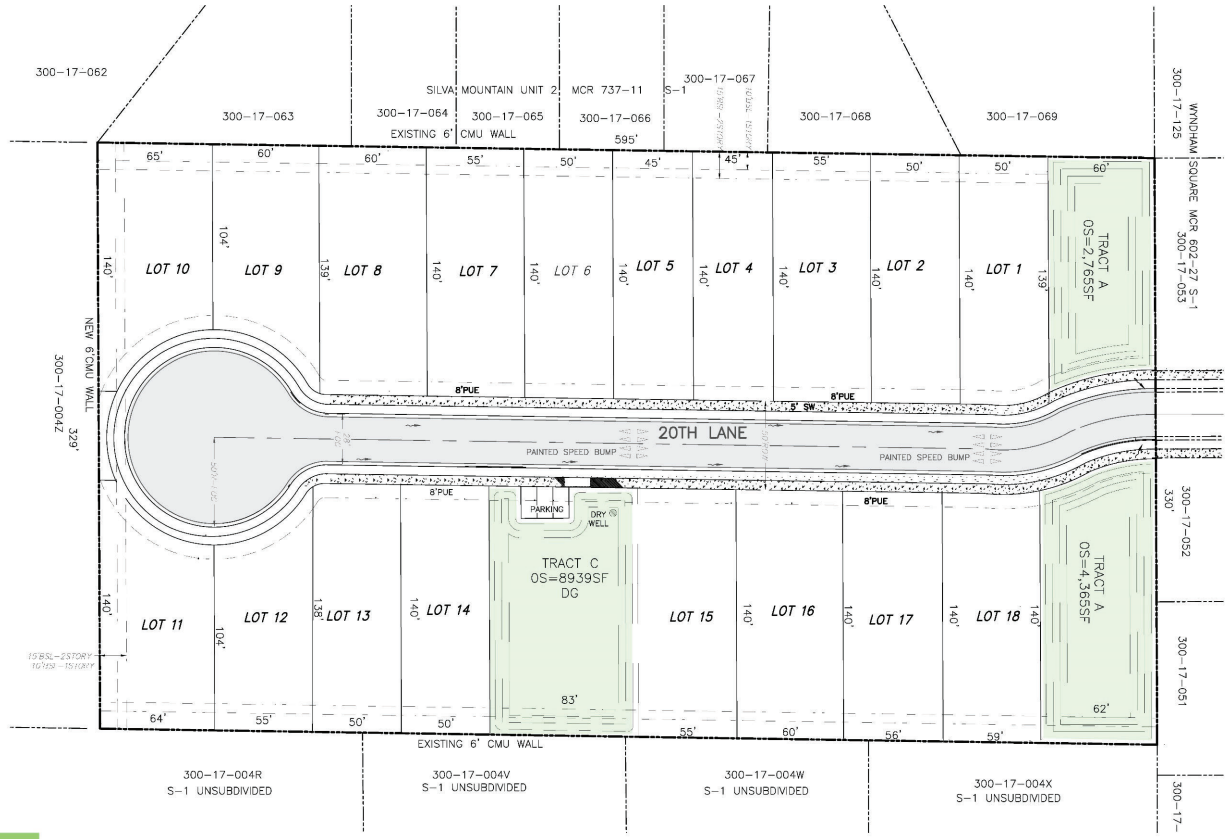


On-lot retention in Wyndham Square.



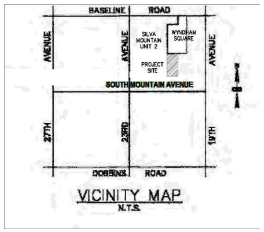
Satellite view of the area
Proposed development in red border.

SITE PLAN
SOUTH MOUNTAIN MODERN
18 LOT SINGLE FAMILY HOME DEVELOPMENT
RI-10 PRD TABLE-A PLANNED RESIDENTIAL DEVELOPMENT



Retention/open space

SITE PLAN



PROJECT DESCRIPTION

THIS APPLICATION IS FOR THE REZONING OF THE PROPERTY FROM S-1 TO RI-10 TABLE A PLANNED RESIDENTIAL DEVELOPMENT.
PROPOSED DEVELOPMENT A 18 SINGLE FAMILY LOT SUBDIVISION, WITH ACCESSORY DWELLING UNIT ADU PROPOSED ON EACH LOT.

THE PROJECT CONSISTS OF 4.9 ACRES, NORTH OF SOUTH MOUNTAIN ROAD
ZONING CONTIGUOUS NORTH RI-10, SOUTH, EAST & WEST S-1
GROSS PLAN IS 3.5 = 5.0 DU/AC

IN ADDITION TO THE 18 SFD LOTS, AN EXTENSION OF WYNDHAM SQUARE SUBDIVISION TO THE NORTH.
A SIDEWALK INDICATION IS PROPOSED WITH 5' DETACH SIDEWALKS CONSISTENT WITH WYNDHAM SQUARE.
WATER AND SEWER AND UNDERGROUND UTILITIES ARE IN 20 H LANE

OWNER

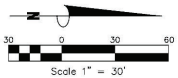
DOROTHY M HALLOCK
2050 E SOUTH MOUNTAIN AVE
PHOENIX AZ 85041
PHONE: 480-720-8864

CONSULTANT

JOHN K. FOX
WILLIAM SEYMOUR CO. INC.
428 E. THUNDERBIRD RD #234
PHOENIX AZ. 85022
PHONE: 602-573-2895
WSCING@COX.NET

PROJECT NUMBERS

KIVA# 24-140
ZPA 4-24
QS# 01-24
PAPP# 2400620



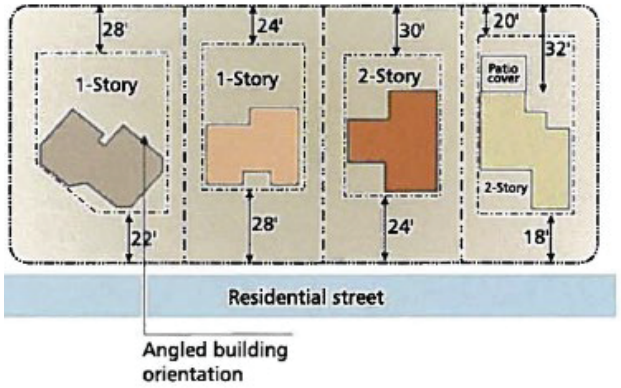
WILLIAM SEYMOUR CO, INC
JOHN K. FOX
428 E THUNDERBIRD RD #234
PHOENIX, ARIZONA 85022
PHONE: (602) 573-2895
E-MAIL: WSCING@COX.NET

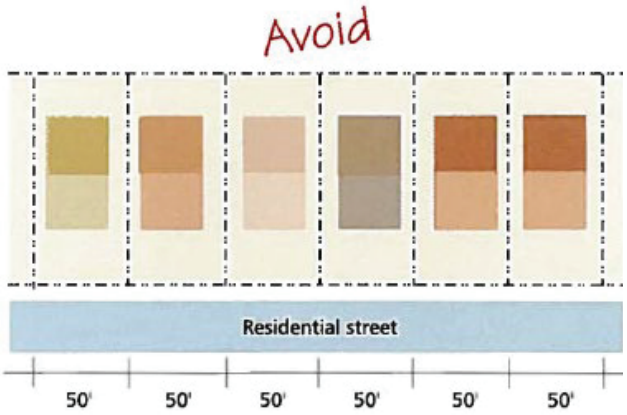
SOUTH MOUNTAIN MODERN
2050 SOUTH MOUNTAIN NORTH
PHOENIX, MARICOPA COUNTY, AZ

REVISIONS

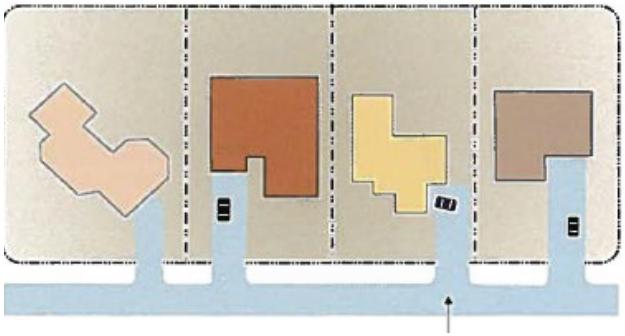
No.	DATE	APP.	DESCRIPTION

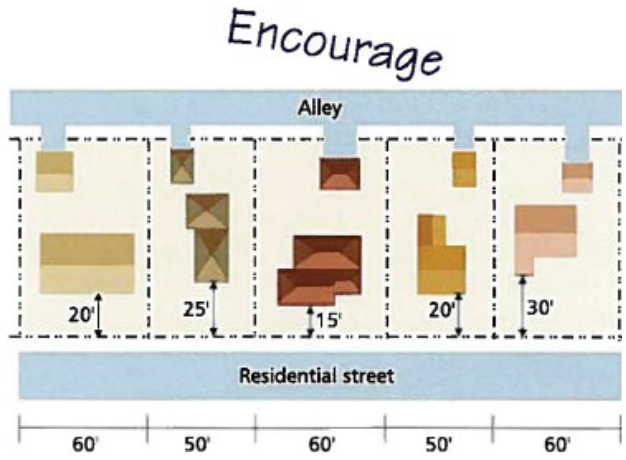
DESIGNED:
DRAWN:
CHECKED:
DATE: AUG 2024
SCALE 1"=30'
PROJECT
FILE NAME
SHT: SP2

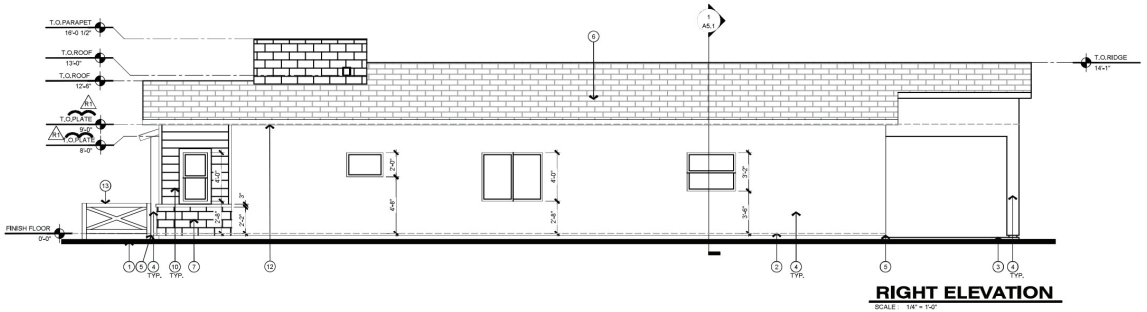




Promote streetscape diversity by providing a mix of driveway orientations, e. g. elbow, circular, or angled and side entry on common lots. No more than 40% of all driveways should be straight.

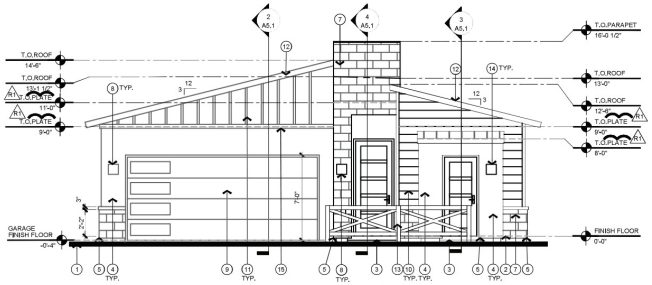






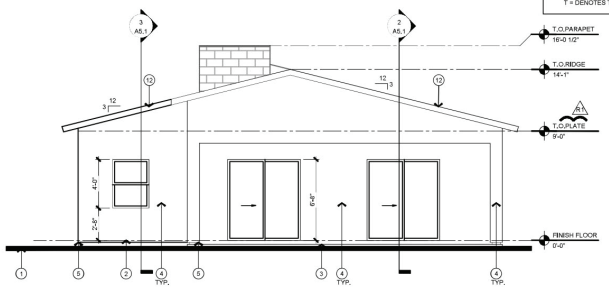
RIGHT ELEVATION

SCALE : 1/4" = 1'-0"



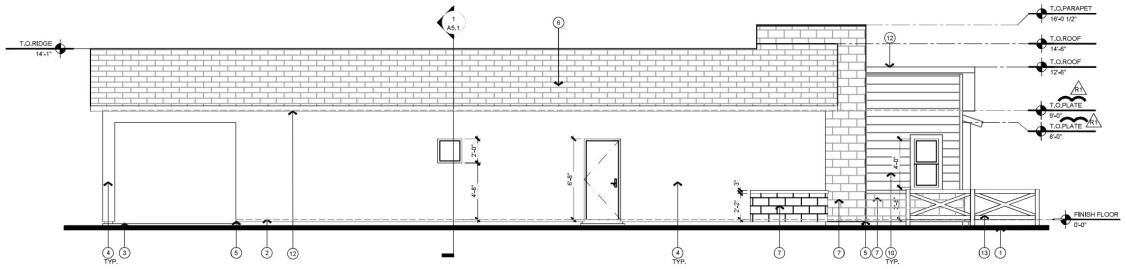
FRONT ELEVATION

SCALE : 1/4" = 1'-0"



REAR ELEVATION

SCALE : 1/4" = 1'-0"



LEFT ELEVATION

SCALE : 1/4" = 1'-0"

KEYNOTES

1. FINISH GRADE.
2. FINISH FLOOR.
3. CONCRETE SLAB OR STEP - REFER TO FOUNDATION PLAN.
4. TYP. STUCCO SYSTEM - REFER TO GENERAL ELEVATION NOTES.
5. CONT. 26 GA. G.I. WEEP SCREED AT +4" A.F.G.
6. FLAT CONCRETE ROOF TILE (ICC-ESR 1647).
7. STONE VENEER.
8. LIGHT FIXTURES.
9. 16'-0" X 7'-0" SECTIONAL GARAGE DOOR.
10. TYP. 8" WOOD SIDING.
11. TYP. BOARD AND BATTEN.
12. FASCIA.
13. 36" HIGH WOOD FENCE.

GENERAL ELEVATION NOTES

A. STUCCO SYSTEM SHALL BE 3/8" ONE OR TWO COAT(S) OF CEMENT, LIME, SAND MIX. WESTERN ONE NOTE STUCCO SYSTEM (ICC-ESR 1471) ON PAPER BACKED K-LATH (ICC-ESR 1471), ON 1-1/2" P.C.F. DENSITY, TYPE II T&G E.P.S. INSULATION BOARD (ICC-ESR 1471). PROVIDE WEATHER RESISTIVE BARRIER OVER ALL WOOD FRAMING - (2) LAYERS OF GRADE "D" KRAFT PAPER OR 15# FELT.

B. MAG ONE-COAT STUCCO COMPLIANCE PROGRAM. ALL ONE-COAT STUCCO SYSTEMS SHALL BE APPLIED BY MANUFACTURER APPROVED INSTALLERS, AN APPROVED WEATHER-RESISTIVE BARRIER SHALL BE INSTALLED OVER ALL FRAMING AND WOOD BASED SHEATHING.

C. PROVIDE (2) LAYER 30# FELT AS FLASHING AT ALL HEADS, JAMBS, AND SILLS OF WINDOWS AND DOOR OPENINGS.

D. PROVIDE CONTINUOUS SEALANT BEAD WHERE STUCCO ABUTS WINDOW AND DOOR FRAMES SO AS TO PROVIDE A WEATHER RESISTIVE BARRIER.

E. MECHANICAL EQUIPMENT TO BE SCREENED BY A WALL +1-0" ABOVE HIGHEST MECHANICAL EQUIPMENT.

T = DENOTES TEMPERED GLASS LOCATION

e project
8615 N Scottsdale Rd #215
Scottsdale, AZ 85253
phone: 480/626-4644
e-mail: info@e-projectinternational.com

Rev.	Date	Submittal
1	11-17-2023	Revision 1 1st Plan Review

REGISTERED ARCHITECT
43178
EDMIR
DZUDZA
ARIZONA, U.S.A.

EXPIRATION DATE: 09/30/2026
SIGNED AND SEALED
ELECTRONICALLY 11-17-2023

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e-project 2022-2023
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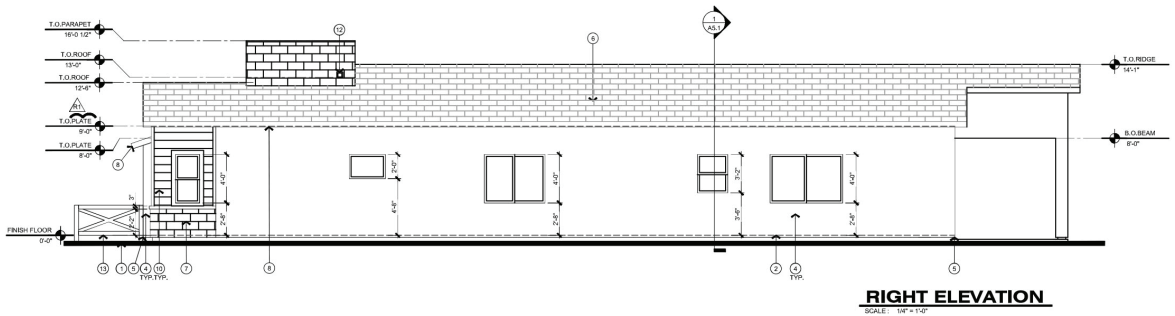
Plan 1500

Elevations
Modern Craftsman

Date:	11-17-2023
Project No.	0421-2
Drawn By:	MM, KV
Checked By:	ED
Approved By:	ED
Scale:	1/4"=1'-0"

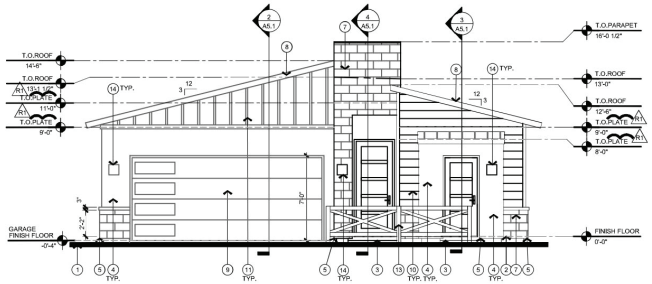
A4.1

642



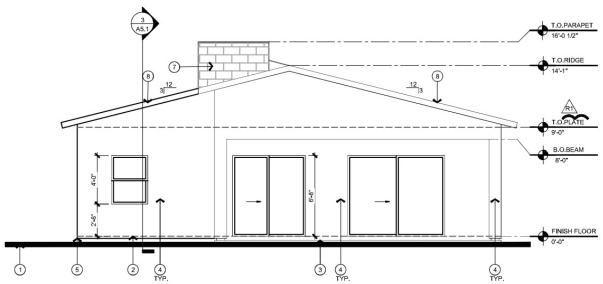
RIGHT ELEVATION

SCALE : 1/4" = 1'-0"



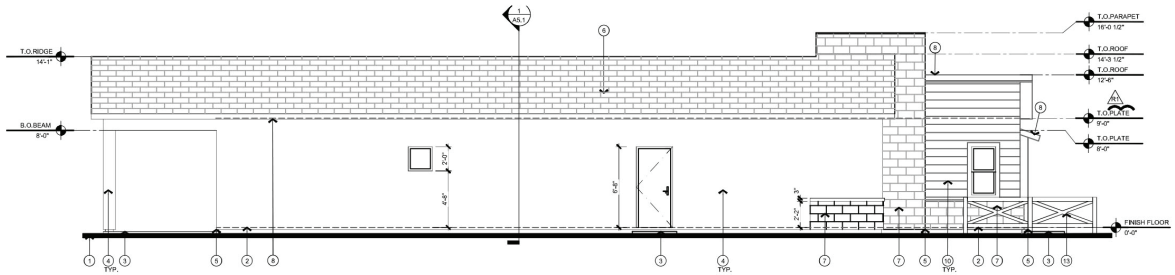
FRONT ELEVATION

SCALE : 1/4" = 1'-0"



REAR ELEVATION

SCALE : 1/4" = 1'-0"



LEFT ELEVATION

SCALE : 1/4" = 1'-0"

KEYNOTES

1. FINISH GRADE.
2. FINISH FLOOR.
3. CONCRETE SLAB OR STEP - REFER TO FOUNDATION PLAN.
4. TYP. STUCCO SYSTEM - REFER TO GENERAL ELEVATION NOTES.
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7. STONE VENEER.
8. WOOD FASCIA, PAINTED.
9. 16'-0" X 7'-0" SECTIONAL GARAGE DOOR.
10. TYP. 8" WOOD SIDING.
11. TYP. BOARD AND BATTEN.
12. SCUPPER, REFER TO DETAILS.
13. 36" HIGH WOOD FENCE.
14. LIGHT FIXTURES.

GENERAL ELEVATION NOTES

A. STUCCO SYSTEM SHALL BE 3/8" ONE OR TWO COAT(S) OF CEMENT, LIME, SAND MIX, WESTERN ONE KOTE STUCCO SYSTEM (ICC-ESR 1471) ON PAPER BACKED K-LATH (ICC-ESR 1471), ON 1-1/2" P.C.F. DENSITY, TYPE II, T&G E.P.S. INSULATION BOARD (ICC-ESR 1471). PROVIDE WEATHER RESISTIVE BARRIER OVER ALL WOOD FRAMING - (2) LAYERS OF GRADE "D" KRAFT PAPER OR 15# FELT.

B. MAG ONE-COAT STUCCO COMPLIANCE PROGRAM. ALL ONE-COAT STUCCO SYSTEMS SHALL BE APPLIED BY MANUFACTURER APPROVED INSTALLERS. AN APPROVED WEATHER-RESISTIVE BARRIER SHALL BE INSTALLED OVER ALL FRAMING AND WOOD BASED SHEATHING.

C. PROVIDE (2) LAYER 30# FELT AS FLASHING AT ALL HEADS, JAMBS, AND SILLS OF WINDOWS AND DOOR OPENINGS.

D. PROVIDE CONTINUOUS SEALANT BEAD WHERE STUCCO ABUTS WINDOW AND DOOR FRAMES SO AS TO PROVIDE A WEATHER RESISTIVE BARRIER.

E. MECHANICAL EQUIPMENT TO BE SCREENED BY A WALL +1'-0" ABOVE HIGHEST MECHANICAL EQUIPMENT.

T = DENOTES TEMPERED GLASS LOCATION

e project

6615 N Scottsdale Rd #215
Scottsdale, AZ 85250
phone: 480-626-4646
e-mail: info@e-projectinternational.com

Rev.	Date	Submittal
1	11-17-2023	Revision 1 1st Plan Review

REGISTERED ARCHITECT
43178
EDMIR
DZUDZA
ARIZONA, U.S.A.

EXPIRATION DATE: 09/30/2026
SIGNED AND SEALED
ELECTRONICALLY 11-01-2023

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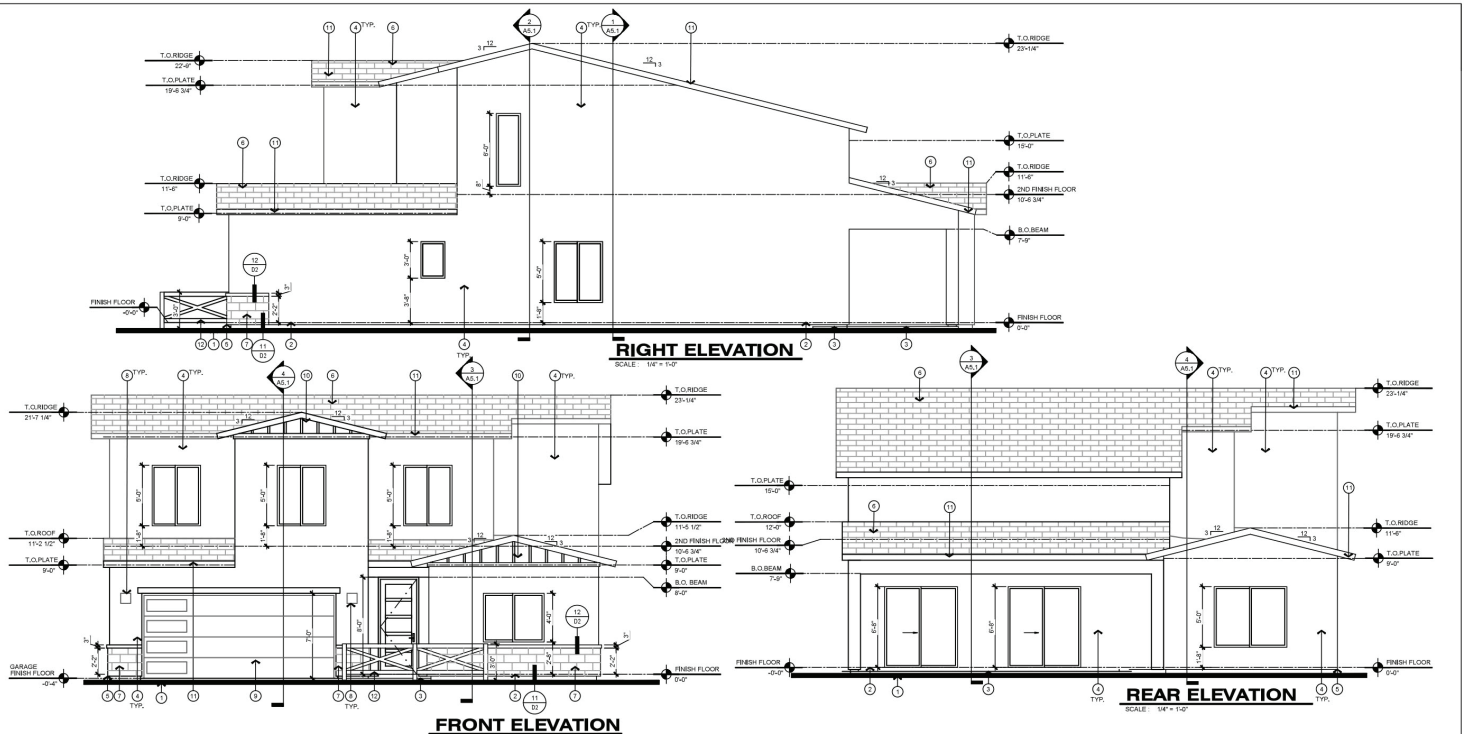
Plan 1700

Elevations
Modern Craftsman

Date:	11-17-2023
Project No.	0421-2
Drawn By:	MM.KV
Checked By:	ED
Approved By:	ED
Scale:	1/4"=1'-0"

A4.1



KEYNOTES

1. FINISH GRADE.
2. FINISH FLOOR.
3. CONCRETE SLAB OR STEP - REFER TO FOUNDATION PLAN.
4. TYP. STUCCO SYSTEM - REFER TO GENERAL ELEVATION NOTES.
5. CONT. 26 GA. GL MEEP SCREED AT +4" A.F.G.
6. FLAT CONCRETE ROOF TILE (ICC-ESR 1647).
7. STONE VENEER.
8. LIGHT FIXTURES.
9. 16'-0" X 7'-0" SECTIONAL GARAGE DOOR.
10. TYP. BOARD AND BATTEN.
11. FASCIA.
12. 36" HIGH WOOD FENCE.

GENERAL ELEVATION NOTES

A. STUCCO SYSTEM SHALL BE 3/8" ONE OR TWO COAT(S) OF CEMENT, LIME, SAND MIX, WESTERN ONE KOTE STUCCO SYSTEM (ICC-ESR 1471) ON PAPER BACKED K-LATH (ICC-ESR 1471), ON 1-1/2" P.C.F. DENSITY, TYPE II, T&G E.P.S. INSULATION BOARD (ICC-ESR 1471). PROVIDE WEATHER RESISTIVE BARRIER OVER ALL WOOD FRAMING - (2) LAYERS OF GRADE "D" KRAFT PAPER OR 15# FELT.

B. MAG ONE-COAT STUCCO COMPLIANCE PROGRAM. ALL ONE-COAT STUCCO SYSTEMS SHALL BE APPLIED BY MANUFACTURER APPROVED INSTALLERS. AN APPROVED WEATHER-RESISTIVE BARRIER SHALL BE INSTALLED OVER ALL FRAMING AND WOOD BASED SHEATHING.

C. PROVIDE (2) LAYER 30# FELT AS FLASHING AT ALL HEADS, JAMBS, AND SILLS OF WINDOWS AND DOOR OPENINGS.

D. PROVIDE CONTINUOUS SEALANT BEAD WHERE STUCCO ABUTS WINDOW AND DOOR FRAMES SO AS TO PROVIDE A WEATHER RESISTIVE BARRIER.

E. MECHANICAL EQUIPMENT TO BE SCREENED BY A WALL +1'-0" ABOVE HIGHEST MECHANICAL EQUIPMENT.

T = DENOTES TEMPERED GLASS LOCATION

e project
8615 N Scottsdale Rd #215
Scottsdale, AZ 85253
phone: 480-626-9668 fax: 480/338-4407
e-mail: info@e-projectinternational.com

Rev.	Date	Submittal
1	11-17-2023	Revision 1 1st Plan Review

REGISTERED ARCHITECT 43178 EDWIN DZUDZA ARIZONA, U.S.A.

EXPIRATION DATE: 09/30/2026
SIGNED AND SEALED ELECTRONICALLY 11-17-2023

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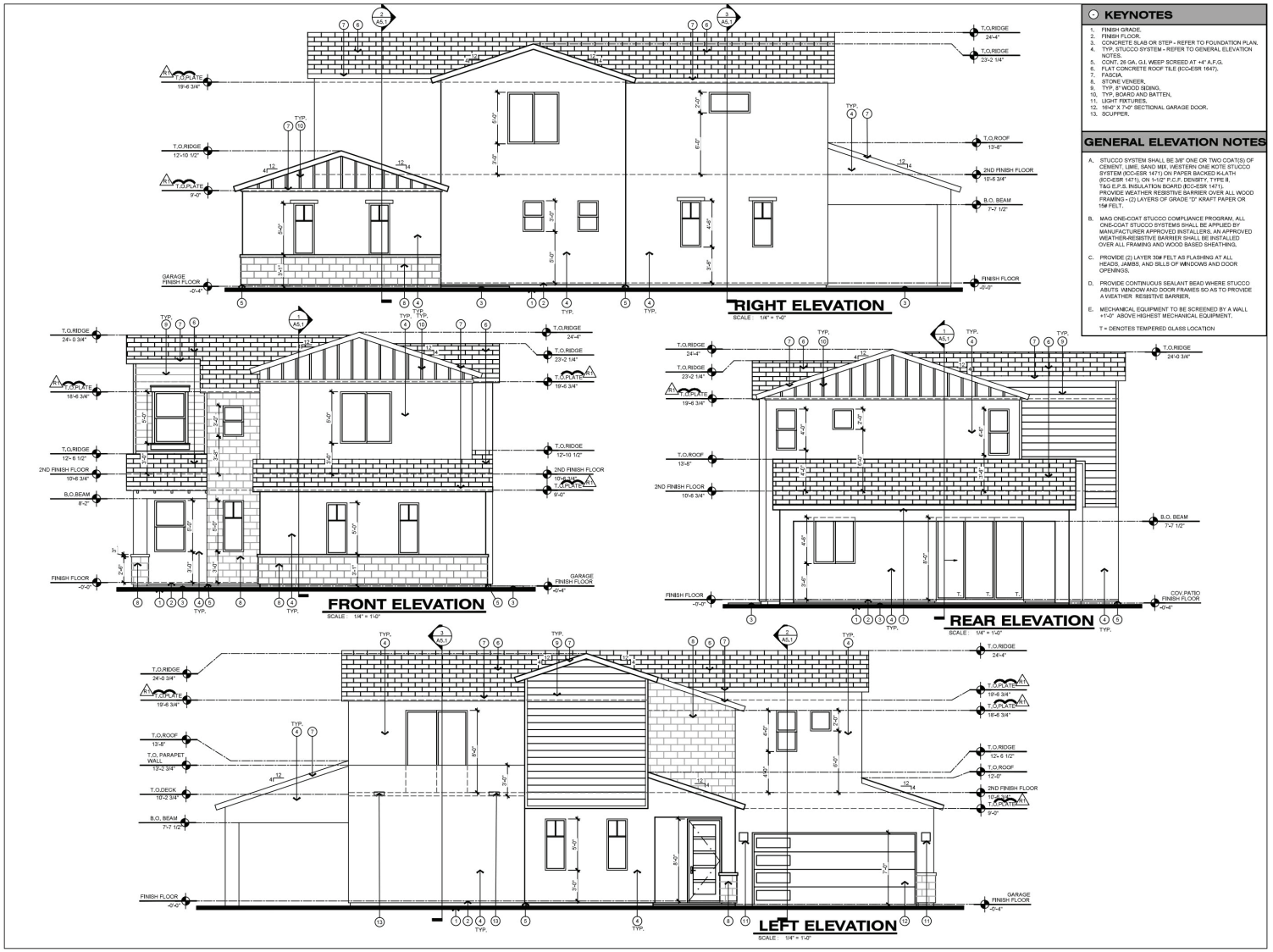
Plan 2100

Elevations
Modern Craftsman

Date:	11-17-2023
Project No.	0421-2
Drawn By:	MM&KV
Checked By:	ED
Approved By:	ED

Scale: 1/4"=1'-0"

A4.1



KEYNOTES

1. FINISH GRADE.
2. FINISH FLOOR.
3. CONCRETE SLAB OR STEP - REFER TO FOUNDATION PLAN.
4. TYP. STUCCO SYSTEM - REFER TO GENERAL ELEVATION NOTES.
5. CONT. 26 GA. G.I. WEEP SCREED AT +4" A.F.G.
6. FLAT CONCRETE ROOF TILE (ICC-ESR 1647).
7. FASCIA.
8. STONE VENEER.
9. TYP. 8" WOOD SIDING.
10. TYP. BOARD AND BATTEN.
11. LIGHT FIXTURES.
12. 16'-0" X 7'-0" SECTIONAL GARAGE DOOR.
13. SCUPPER.

GENERAL ELEVATION NOTES

A. STUCCO SYSTEM SHALL BE 3/8" ONE OR TWO COAT(S) OF CEMENT, LIME, SAND MIX, WESTERN ONE KOTE STUCCO SYSTEM (ICC-ESR 1471) ON PAPER BACKED K-LATH (ICC-ESR 1471), ON 1-1/2" P.C.F. DENSITY, TYPE II, T&G E.P.S. INSULATION BOARD (ICC-ESR 1471). PROVIDE WEATHER RESISTIVE BARRIER OVER ALL WOOD FRAMING - (2) LAYERS OF GRADE "D" KRAFT PAPER OR 15# FELT.

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T = DENOTES TEMPERED GLASS LOCATION

e project
6915 N Scottsdale Rd #215
Scottsdale, AZ 85250
phone: 480-435-8568 fax: 480-359-4407
email: info@eprojectinternational.com

Rev.	Date	Submittal
1	11-17-2023	Revision 1 1st Plan Review

REGISTERED ARCHITECT 43178 EDMIR DZUDZA ARIZONA, U.S.A.

EXPIRATION DATE: 09/30/2026
SIGNED AND SEALED ELECTRONICALLY 11-17-2023

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Plan 2300

Elevations
Modern Craftsman

Date:	11-17-2023
Project No.	0421-2
Drawn By:	BJ&KN
Checked By:	ED
Approved By:	ED

Scale: 1/4"=1'-0"

A4.1

PlanPHX 2025 Certainty & Character (pg. 90)

Land use	New development and expansion or redevelopment of existing development in or near residential areas should be **compatible with existing uses and consistent with adopted plans**.
Design	Create new development or redevelopment that is **sensitive to the scale and character of the surrounding neighborhoods** and incorporates adequate development standards to prevent negative impact(s) on the residential properties.
Design	Protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is **compatible in scale, design, and appearance**.
Design	Promote neighborhood identity through planning that reinforces the existing landscaping and character of the area. Each new development should contribute to the character identified for the village.
Design	Require appropriate transitions/buffers between neighborhoods and adjacent uses.
Land use	**Protect residential areas from concentrations of incompatible land uses that could change their character or destabilize land values.**

Contextualism matters. Our area plan matters.

City zoning is a one-size fits all across the valley.

Language in the General Plan and the Rio Montana Plan like, "***compatible in scale, design and appearance***", exist to protect communities from inappropriate development.

Just because someone can apply for something like bonus density doesn't mean it's right for that area.

Developers should not be rewarded when they ignore the community or our area plan.

Opposition to zoning case Z-58-24-8

Jose Perea <jpe.landscaping@gmail.com>
Tue 9/10/2024 7:07 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

CAUTION: This email originated outside of the City of Phoenix.
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Report Suspicious

To the SMVPC,

My name is Jose Angel Perea and I live at 8004 S 20th Ave, Phoenix, AZ 85041.

I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:
A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
Limiting 2-story homes to no more than 20% of the total.
Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.
Jose Angel Perea

Opposition to Zoning case Z-58-24-8

julian galindo <julian.galindo64@gmail.com>
Tue 9/10/2024 5:26 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Julian Galindo and I live at 7808 S 20th Lane.
I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Sincerely,
Julian Galindo
602-413-7791

Opposition to zoning case Z-58-24-8

Kara Moreu <kagiovan@hotmail.com>

Tue 9/10/2024 3:19 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:ISH326 <imoreu326@gmail.com>

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Report Suspicious

To the SMVPC,

My name is Kara Moreu and I live at 7824 S. 20th Lane Phoenix, AZ 85041.

My husband, Ismael Moreu and I are opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We support:

- A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.
- Limiting 2-story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC by Jewel Clark and Jai Goudeau to the zoning application.

Thank you.

Kara Moreu

Rezoning case Z-58-24-8

Lisa Cullen <cullen_a_lisa@yahoo.com>

Tue 9/10/2024 4:07 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To whom it may concern,

I am writing to express my concerns with the possibility of the construction in our neighborhood. We have lived in this neighborhood since 2011 and have loved the quiet, welcoming and safe area. We have built a community that not only knows each other but is aware of our surroundings and if anything is out of place. There are many children in this neighborhood that are able to comfortably play 'anywhere'.

Knowing that the possibility of construction for up to two years or more and the additional homes and traffic that will bring is going to be a huge safety issue. We have one entry point into our subdivision and that entry point has a "calming circle" which means cars will be flying down 20th Lane. The congestion entering and exiting baseline is also a safety hazard that will only get worse.

I don't see why it's such a hurry to develop in this location with it being such a small space. What's the benefit to you besides money. I know I can speak on the whole community that we ask that you see it from our point of view that this is not a good idea. Having an additional 20 homes with lots half the size of what's existing doesn't create a positive environment. I urge you to reconsider until the current property owner sells the other half of the property or allows for another option for entry into what you're trying to build.

A concerned neighbor, mother, advocate
/R
Lisa Cullen

Yahoo Mail: Search, Organize, Conquer [mail.onelink.me]

Date Sept 9, 2024

To the SMVPC,

My name is Lynnette Myers and I live at 7828 S 20th Lane, Phoenix, AZ 85041.

I am ABSOLUTY 100% opposed to Z-58-24-8.
The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We could possibly support:
A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - **This density is inconsistent with the surrounding developed land** (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - **It is not aligned with the Rio Montana Plan** which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

Traffic- problems

- In relation to inappropriate density, **the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Rd.** The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. **That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.**
- **No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning.**

- **Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health**.

Housing design- problems

- **The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain** (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- **The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs**.

Housing design- solutions

- **Limit construction to single-story (most important).**
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

Eliminate 2-story homes, I like others on the south side of our community picked our lots for the wonderful views to South Mountain – putting 2-story homes anywhere destroys that completely!!

There is also no information regarding my wall on the south side of my front yard. What is the plan – I need to understand this specify as my home is most affected to the design of this possible neighborhood.

If the owner of this undeveloped land has sold to a developer to rezone and build they are entitled within the appropriate guidelines of the Rio Mountain Plan; but they need to have their own access to that development – NOT THROUGH OUR NEIGHBORHOOD!! They should have arranged with the seller access off of S 19th Ave or off W South Mountain Ave. This option of our neighborhood should NOT even be a possibility!!
This development as is would dramatically change the safety of our neighborhood and my home! Regardless of random drivers not realizing that the neighborhood has no outlet we have come together to make things as safe as possible with signs, cameras and communication to help one another in our neighborhood. I have suffered both a home burglary and a stolen car – I know these kind of crimes will only increase dramatically for all of us with the proposed access through our community into another community behind us.
This MUST NOT HAPPEN!!

Thank you,
Lynnette Myers
HOME OWNER SINCE 2005
7828 S 20th Lane, Phoenix AZ 85041

Opposition to Z-58-24-8

Melissa Sunia <joeysparents@msn.com>

Tue 9/10/2024 6:02 PM

To:Melissa Sunia <joeysparents@msn.com>
Cc:Samuel S Rogers <samuel.rogers@phoenix.gov>;Michelle Teodoro <Michelle.Teodoro@associaarizona.com>

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Report Suspicious

My name is Melissa Sunia and I live at 2022 West Branham Lane Phoenix, AZ 85041.

The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

R,
Melissa Sunia
Sent from my iPhone

Opposition to Z-58-24-8

Nicki Sordello <nickisordello@yahoo.com>

Tue 9/10/2024 7:48 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

1 attachments (14 KB)

Opposition-letter2 _Z-58-24-8_8008-S-20th-Ave_Nicole.Sordello 9.10.24.docx;

CAUTION: This email originated outside of the City of Phoenix.
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Report Suspicious

Good morning,

My name is Nicole Sordello, and I live at 8008 S 20th Ave. Phoenix AZ 85041.

I am writing again in strong opposition to the proposed development Z-58-24-8. The broker has not made changes to his plans that the neighbors can support. I remain opposed to this development in its current form. Development that is compatible with the density allowed in the Rio Montana Plan and the design elements and goals that govern our area is welcome. This plan is not it.

The broker has provided no reasons beyond his financial gain to lower the density to a compatible level or include other meaningful criteria in the Rio Montana Plan.

I respectfully urge you to vote no.

Thank you for your time and consideration,

Nicole Sordello

OPPOSITION to Z-58-24-8

Selena Leon <selenanomas@gmail.com>

Tue 9/10/2024 2:17 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

> My name is Selena Leon and I live at 2009 W. Harwell Rd Phoenix, AZ 85041. The neighbors have not seen that the developer has made any significant changes to the plans that would warrant our support of his development. I remain opposed to this development in its current form.

Opposition to Z-58-24-8 From 2009 W. Harwell Road

Jai Goudeau <jaigoudeau@gmail.com>
Tue 9/10/2024 2:58 PM
To:Samuel S Rogers <samuel.rogers@phoenix.gov>

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Report Suspicious

To the SMVPC,

My name is Steven Hernandez, I live at 2009 W Harwell Rd. I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons. I would support:
- A maximum density of 16 houses to allow for more elements of Rio Montana criteria to be implemented.
- Limiting 2 story homes to no more than 20% of the total.
- Inclusion of the stipulations submitted to the SMVPC chair by Jewel Clark and Jai Goudeau.

Thank you.

To SMVP,

My name is Susan Knight and I live at 7729 S 20th Ln.

I am opposed to Z-58-24-8. The current plan does not comply with Rio Montana criteria and we are not in favor of the cul-de-sac design for practical reasons. We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning , the Phoenix General Plan, and the Rio Montana Plan.

We support A maximum density of 16 houses to allow for more elements of the Rio Montana criteria to be implemented.

Limiting 2-Story homes to no more than 20% of the total.

inclusion of the stipulations submitted to the SMVPC chair by Jewel Clark and Jai Goudeau .

Thank you.

CITY OF PHOENIX

SEP 10 2024

Planning & Development Department

Outlook

Application Z-58-24-8

From Gregg Holscher <gregg.holscher@gmail.com>
Date Wed 10/2/2024 8:56 PM
To Samuel S Rogers <samuel.rogers@phoenix.gov>

CAUTION: This email originated outside of the City of Phoenix.
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Report Suspicious

HI Samuel:

I'm writing to you today to express my feelings about the zoning change from 4 to 20 per acre density, for a new subdivision 710 feet west of the northwest corner of 20th Ave & South Mountain.

I strongly oppose this zoning change!

The developer has not provided any plans for what will be on the site with the new zoning. Previously, they provided illustrations of homes and the layout of the lots on the property. The developer should be required to submit the same type of information.

Secondly, this is not compatible with the Wyndham Square subdivision. This will create substantial traffic through the subdivision. It will worsen egress at 20 Dr and Baseline, the only way in or out.

This is not an appropriate zoning change for this area. Please reject it.

Gregg Holscher

Gregg Holscher
2021 W Maldonado Rd
Phoenix, AZ 85041
Mobile: 602 903 9600

ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION
October 10, 2024

ITEM NO: 6	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-58-24-8 (Continued from September 5, 2024)
Location:	Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue
From:	S-1
To:	R1-10
Acreage:	4.54
Proposal:	Single-family residential
Applicant:	John Fox
Owner:	Dorothy M. Hallock
Representative:	John Fox

ACTIONS:

Staff Recommendation: Approval, subject to stipulations (per the staff memo dated October 7, 2024).

Village Planning Committee (VPC) Recommendation:
South Mountain 7/9/2024 Continuance to August 13, 2024. Vote: 11-3.
South Mountain 8/13/2024 Continuance to September 10, 2024. Vote 12-0.
South Mountain 9/10/2024 Approval, per the staff recommendation, with additional stipulations. Vote: 7-5.

Planning Commission Recommendation: Approval, per the staff memo dated October 7, 2024 with a modification.

Motion Discussion:

Commissioner Matthews proposed a stipulation that would restrict two story homes in the proposed development to the southern half of the subject site, and asked staff for guidance on how to phrase that stipulation to be location specific.

Ms. Escolar stated that could be stipulated in a variety of ways. Stipulation No. 19 limits building height and can be modified to limit where the two-story homes are located.

Motion details: Vice-Chairperson Busching made a MOTION to approve Z-58-24-8, per the staff memo dated October 7, 2024, with a modification to Stipulation No. 19 to add language that would state that two-story lots shall be south of lots 5 and 15, as shown on the site plan date stamped September 5, 2024.

Maker: Vice-Chairperson Busching
Second: Hu
Vote: 7-2 (Gorraiz, Matthews)
Absent: None
Opposition Present: Yes

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation, the Rio Montaña Area Plan, and with the character of the surrounding area.

2. The requested R1-10 zoning district is consistent with surrounding zoning and development patterns in the general area.

3. The proposal will offer additional housing options within the area, contributing to the mix of housing types in the vicinity, and aiding in alleviating the housing shortage in Phoenix.

Stipulations:

1. The conceptual site plan and landscape plan for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to preliminary site plan approval. 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.

2. The conceptual elevations for future development of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the South Mountain Village Planning Committee, for stipulation modification prior to final site plan approval. 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.

3. Prior to preliminary plat approval, documentation shall be provided that demonstrates participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, as approved by the Planning and Development and Water Services departments.

4. A WaterSense inspection report from a third-party verifier shall be submitted that demonstrates successful participation in the Environmental Protection Agency's WaterSense certification program, or an equivalent program, prior to certificate of occupancy, as approved by the Planning and Development Department.

5. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized in the common areas and within the front yards of individual residential lots, as approved or modified by the Planning and Development Department.

6. Natural turf shall only be utilized on individual single-family lots (behind the front yard); required retention areas (bottom of basin); and functional turf areas within common areas, as approved by the Planning and Development Department.

7. Pressure regulating sprinkler heads and/or drip lines shall be utilized in any turf areas to reduce water waste.

8. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low-Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.

9. Participation in the City of Phoenix Homeowner's Association Water Efficiency Program shall be incorporated into to Covenants, Conditions, and Restrictions for the subdivision, prior to final site plan approval.

10. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.

11. A minimum 50 feet of right-of-way shall be dedicated and constructed for the full width of 20th Lane for the full length of the subject site, connecting to the southern adjacent parcel.

12. A minimum 50-foot radius easement shall be dedicated and a minimum 45-foot radius temporary turnaround shall be constructed at the southern terminus of 20th Lane. Alternatively, a permanent turn around design may be considered and shall include a center landscaped island, designed to City of Phoenix standards, as approved by the Street Transportation Department.

13. 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.

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

15. 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.

16. Prior to final 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.

17. THE DEVELOPMENT SHALL BE LIMITED TO A MAXIMUM OF 18 UNITS.

18. A MINIMUM OF 30% OF BUILDING ELEVATIONS SHALL INCLUDE COVERED PORCHES IN THE FRONT YARD AND REAR YARD AT A MINIMUM OF 60 FEET EACH AND AT A DEPTH OF AT LEAST 6 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

19. THE MAXIMUM BUILDING HEIGHT FOR 80% OF THE LOTS SHALL BE LIMITED TO ONE STORY AND 26 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. **TWO-STORY LOTS SHALL BE SOUTH OF LOTS 5 AND 15, AS SHOWN ON THE SITE PLAN DATE STAMPED SEPTEMBER 5, 2024.**

~~20. THE MAXIMUM BUILDING HEIGHT SHALL BE TWO-STORIES AND 32 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.~~

~~21.~~ 20. A MINIMUM OF 8% OF THE GROSS PROJECT AREA SHALL BE RETAINED AS COMMON AREA, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~22.~~ 21. BUILDING ELEVATIONS SHALL CONTAIN MULTIPLE COLORS, EXTERIOR ACCENT MATERIALS AND TEXTURAL CHANGES THAT EXHIBIT QUALITY AND DURABILITY SUCH AS BRICK, STONE, COLORED TEXTURED CONCRETE OR STUCCO, OR OTHER MATERIALS TO PROVIDE A DECORATIVE AND AESTHETIC TREATMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~23.~~ 22. ALL STREET-FACING GARAGE DOORS LENGTHS SHALL BE LESS THAN 50% OF THE TOTAL WIDTH OF THE FAÇADE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~24.~~ 23. FRONT SETBACKS FOR COVERED BUILDING ELEMENTS SHALL BE STAGGERED BY A MINIMUM OF 5 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT

~~25.~~ 24. LOT WIDTHS SHALL VARY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

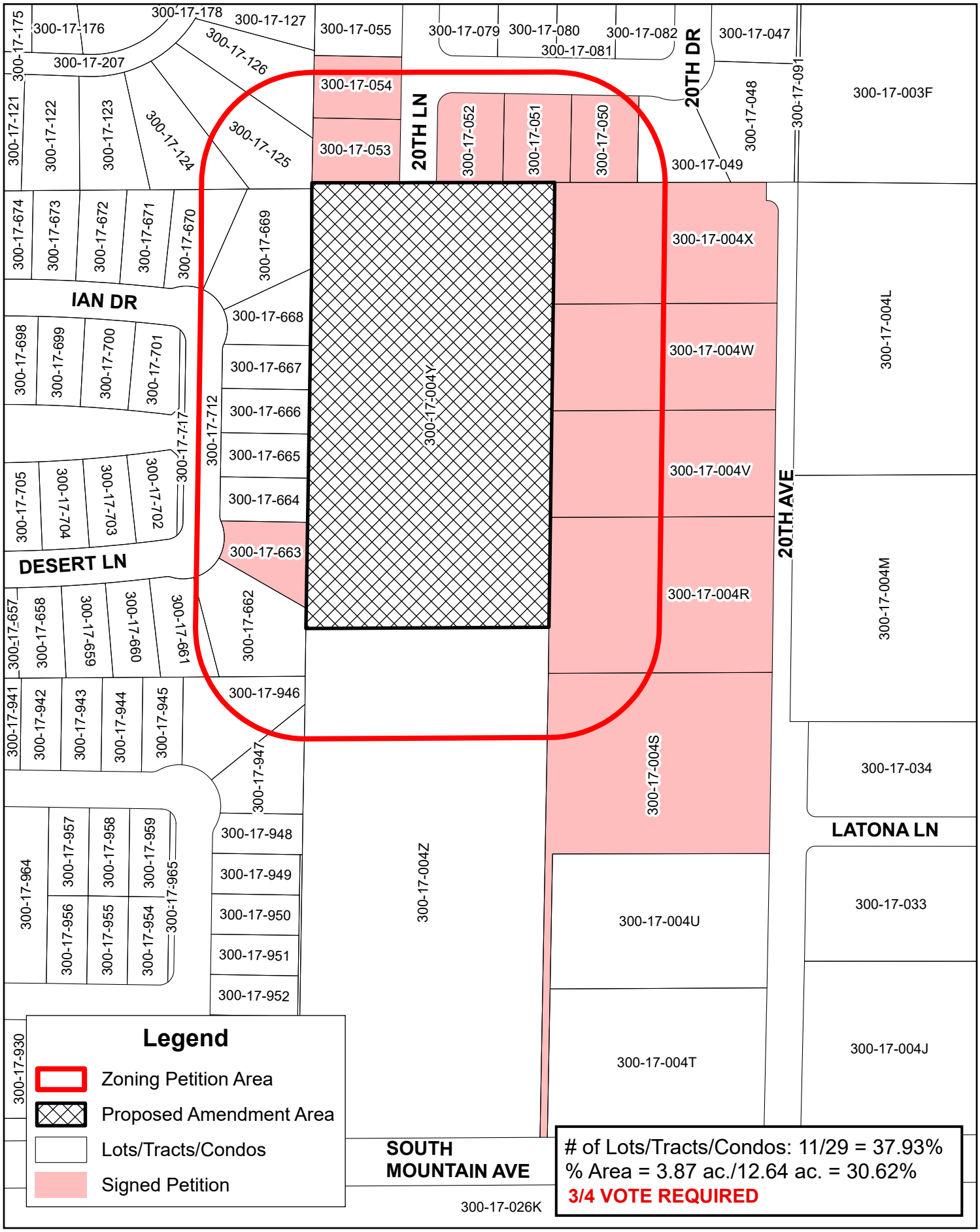
~~26.~~ 25. THE SOUTHERN END OF THE STREET SHALL HAVE LANDSCAPING AND WROUGHT IRON VIEW FENCING TO ENHANCE THE VIEW OF SOUTH MOUNTAIN, UNTIL 20TH LANE IS CONSTRUCTED TO THE SOUTH OF THE PROPERTY, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~27.~~ 26. A RETAINING WALL SHALL BE PROVIDED ALONG THE NORTHERN BOUNDARY OF TRACT A, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~28.~~ THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE
27. SITE PLAN DATE STAMPED SEPTEMBER 5, 2024, AS MODIFIED BY THE ABOVE STIPULATIONS AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

This publication can be made available in alternate format upon request. Please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov, TTY: Use 7-1-1.

ATTACHMENT F



Petition Verification Map for Z-58-24-8

0 100 200 Feet

Map prepared by City of Phoenix, Planning & Development Services Dept. 10/17/2

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC **I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:**					
APPLICATION NO/ LOCATION	**Z-58-24-8 (Continued from September 5, 2024)** Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
APPEALED FROM:	PC 10/10/2024	2020 West South Mountain Avenue Phoenix, AZ 85041			
	PC DATE	*STREET/ADDRESS/CITY/STATE/ZIP*			
TO PC/CC HEARING	CC 11/13/2024	**Jewel Clark, et al.** 480-664-9436 hjewelclark@fastmail.com			
	CC DATE	*NAME / PHONE / EMAIL*			
REASON FOR REQUEST: **<u>Request for 3/4 vote</u>:** Application is opposed for density, traffic, and flood concerns.					
RECEIVED BY:	Dom Amodio	**RECEIVED ON:**		Tuesday, 10/15/2024	

Joshua Bednarek
Tricia Gomes
Racelle Escolar
Sarah Stockham
Adam Stranieri
Stephanie Vasquez
Heather Klotz

Camryn Thompson
Daniel Inglese (Attorney)
GIS
Byron Easton (for PHO appeals only)
Village Planner
Applicant

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

CITY OF PHOENIX
OCT 15 2024
Planning & Development Department

The **PLANNING COMMISSION** agenda for **October 10, 2024** is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

   There is a $630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **October 17, 2024**.

   Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. **October 17, 2024.**

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

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3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an $830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. **October 24, 2024.**

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-58-24-8
APPLICATION NO.

Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue
LOCATION OF APPLICATION SITE

10/10/24
DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

H. Jewel Clark
PRINTED NAME OF PERSON APPEALING

H. Jewel Clark
SIGNATURE

2020 W. South Mtn. Ave.
STREET ADDRESS

10/11/24
DATE OF SIGNATURE

Phx AZ 85041
CITY, STATE & ZIP CODE

480.664.9436
TELEPHONE NO.

hjewelclark@fastmail.com
EMAIL ADDRESS

REASON FOR REQUEST:

Application is opposed for density, traffic & flood concerns.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

CITY OF PHOENIX

OCT 15 2024

Planning & Development Department

City of Phoenix

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☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Josi A. Perea
PRINTED NAME OF PERSON APPEALING

Josi A. Perea
SIGNATURE

8004 S. 20th Ave
STREET ADDRESS

10/12/24
DATE OF SIGNATURE

Phoenix AZ 85041
CITY, STATE & ZIP CODE

602 323 6623
TELEPHONE NO.

JPe.Landscaping@gmail.com
EMAIL ADDRESS

REASON FOR REQUEST:

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

CITY OF PHOENIX

OCT 15 2024

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☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Miguel Rubio
PRINTED NAME OF PERSON APPEALING

Miguel Rubio
SIGNATURE

8020 South 20th Ave
STREET ADDRESS

10/12/24
DATE OF SIGNATURE

Phoenix, Az 85041
CITY, STATE & ZIP CODE

602 366 9334
TELEPHONE NO.

RB-Contracting LLC@Outlook.com
EMAIL ADDRESS

REASON FOR REQUEST:

Traffic and flooding concerns.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

CITY OF PHOENIX

OCT 15 2024

Planning & Development Department

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☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Stephanie A. Bell
PRINTED NAME OF PERSON APPEALING

SIGNATURE

8020 S. 20th Ave
STREET ADDRESS

10-12-24
DATE OF SIGNATURE

Phx AZ 85041
CITY, STATE & ZIP CODE

602-435-7299
TELEPHONE NO.

Stephrubio23@hotmail.com
EMAIL ADDRESS

REASON FOR REQUEST:

Traffic, Flooding Conserns, Crowding, views

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

CITY OF PHOENIX

OCT 15 2024

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DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

STEVEN HERNANDEZ
PRINTED NAME OF PERSON APPEALING

SIGNATURE

20021 W HADWELL RD
STREET ADDRESS

10 · 12 · 2024
DATE OF SIGNATURE

PHOENIX AZ 85041
CITY, STATE & ZIP CODE

480. 489 · 0084
TELEPHONE NO.

SJ-HERNANDEZ@HOTMAIL.COM
EMAIL ADDRESS

REASON FOR REQUEST:

TRAFFIC & FLOODING CONCERNS. CROWDING.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

CITY OF PHOENIX

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☒ OPPOSITION
☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

FunYung Mon
PRINTED NAME OF PERSON APPEALING

FY Mon
SIGNATURE

8115 S. 21st Drive
STREET ADDRESS

10-12-2024
DATE OF SIGNATURE

Phoenix, AZ. 85041
CITY, STATE & ZIP CODE

602-526-2762
TELEPHONE NO.

FYM2429@gmail.com
EMAIL ADDRESS

REASON FOR REQUEST:

Application is opposed to too many houses to build. Eighteen houses are still too many 672.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

CITY OF PHOENIX
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(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Jai Goudeau
PRINTED NAME OF PERSON APPEALING

Jai Goudeau
SIGNATURE

2013 W. HARWELL ROAD
STREET ADDRESS

10-12-24
DATE OF SIGNATURE

PHOENIX AZ 85041
CITY, STATE & ZIP CODE

602-460-5535
TELEPHONE NO.

Jai.Goudeau@GMAIL.COM
EMAIL ADDRESS

REASON FOR REQUEST:

OPPOSITION

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

CITY OF PHOENIX

OCT 15 2024

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FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-58-24-8
APPLICATION NO.

Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue
LOCATION OF APPLICATION SITE

10/10/24
DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Carlos Carbajal
PRINTED NAME OF PERSON APPEALING

SIGNATURE

2017 W. Harwell Rd
STREET ADDRESS

12-Oct-2024
DATE OF SIGNATURE

Phoenix, AZ 85041
CITY, STATE & ZIP CODE

480-326-1981
TELEPHONE NO.

Carbajal17@hotmail.com
EMAIL ADDRESS

REASON FOR REQUEST:

Application is opposed for density, traffic & flood concerns

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

CITY OF PHOENIX

OCT 15 2024

Planning & Development Department

City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

The **PLANNING COMMISSION** agenda for **October 10, 2024** is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

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10/10/24 DATE APPEALED FROM	☒ OPPOSITION ☐ APPLICANT	PLANNER (PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

James Betterment PRINTED NAME OF PERSON APPEALING	[signature] SIGNATURE
8008 S 20th Ave STREET ADDRESS	10/14/2024 DATE OF SIGNATURE
Phoenix, AZ 85041 CITY, STATE & ZIP CODE	623 202 2297 TELEPHONE NO.
jamesbetterment@gmail.com EMAIL ADDRESS	

REASON FOR REQUEST:

We're opposing this application. The housing plan is too dense and doesn't fit the surrounding community

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

CITY OF PHOENIX

OCT 15 2024

Planning & Development Department

City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

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DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Nicole Sordello
PRINTED NAME OF PERSON APPEALING

SIGNATURE

8008 S. 20th Ave
STREET ADDRESS

10/14/2024
DATE OF SIGNATURE

Phoenix, AZ 85041
CITY, STATE & ZIP CODE

408-313-4482
TELEPHONE NO.

nickisordello@yahoo.com
EMAIL ADDRESS

REASON FOR REQUEST:

We're opposing this application. The housing plan is too dense and doesn't fit the surrounding community.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

CITY OF PHOENIX
OCT 15 2024
Planning & Development Department

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☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Michael Josic
PRINTED NAME OF PERSON APPEALING

SIGNATURE

2020 W. South Mountain Ave
STREET ADDRESS

10/12/24
DATE OF SIGNATURE

Phoenix AZ 85041
CITY, STATE & ZIP CODE

480-987-6644
TELEPHONE NO.

mikejosic@gmail.com
EMAIL ADDRESS

REASON FOR REQUEST:

Opposed to density greater than 3.5/Ac. and not following the Rio Montana Plan.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

CITY OF PHOENIX
OCT 15 2024
Planning & Development Department

City of Phoenix

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☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Renee Carrillo
PRINTED NAME OF PERSON APPEALING

SIGNATURE

2029 W. Harwell Rd
STREET ADDRESS

10/12/24
DATE OF SIGNATURE

PHX AZ 85041
CITY, STATE & ZIP CODE

602.361.6869
TELEPHONE NO.

lovemiaren@gmail.com
EMAIL ADDRESS

REASON FOR REQUEST:

traffic & flooding Concerns

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

CITY OF PHOENIX
OCT 15 2024
Planning & Development Department

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☒ OPPOSITION
☐ APPLICANT

PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

KARA MORELL
PRINTED NAME OF PERSON APPEALING

Kara Morell
SIGNATURE

7824 S 20TH LN
STREET ADDRESS

10/15/24
DATE OF SIGNATURE

PHOENIX AZ 85041
CITY, STATE & ZIP CODE

(602) 214-5459
TELEPHONE NO.

KAGVION@HOTMAIL.COM
EMAIL ADDRESS

REASON FOR REQUEST:

OPPOSITION

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

CITY OF PHOENIX
OCT 15 2024
Planning & Development
Development

Petition for THREE-FOURTHS (3/4) Vote by City Council
For
REZONING APPLICATION **#Z-58-24-8**
Request: **S-1 to R1-10**
Location: **Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue.**

We the undersigned are OWNERS of property within the area of the proposed amendment or the area within 150-feet of the proposed amendment, including all rights-of-way, opposing the rezoning action. We request that the City Council be required to pass this rezoning application by a three-fourths (3/4) vote.

Date	SIGNATURE	Print Name	ADDRESS	APN
10-12-24		Funyung Mon	8115 S 21ST DR PHOENIX 85041	300-17-663
		Kara Anne Moreu	7824 S 20TH LN PHOENIX 85041	300-17-054
10-12-2024		Carlos Carbajal	2017 W HARWELL RD PHOENIX 85041	300-17-052
10-12-24		Jai Goudeau	2013 W HARWELL RD PHOENIX 85041	300-17-051
10/12/24		Amelia Goudeau	2013 W HARWELL RD PHOENIX 85041	300-17-051
10.12.24		Steven Hernandez	2009 W HARWELL RD PHOENIX 85041	300-17-050
10/12/24		Renee Carrillo	2009 W HARWELL RD PHOENIX 85041	300-17-050
10/12/24		Jose Perea	8004 S 20TH AVE PHOENIX 85041	300-17-004X
		Elvia Guevara	8004 S 20TH AVE PHOENIX 85041	300-17-004X
10/14/24		James Betterment	8008 S 20TH AVE PHOENIX 85041	300-17-004W
10/14/24		Nicole Sordello	8008 S 20TH AVE PHOENIX 85041	300-17-004W
10/12/24		Miguel Rubio	8020 S 20TH AVE PHOENIX 85041	300-17-004R
10-12-24		Stephanie Bell	8020 S 20TH AVE PHOENIX 85041	300-17-004R
10/12/24		Michael Josic	2020 W SOUTH MOUNTAIN AVE PHOENIX 85041	300-17-004S
10/12/24		Helen Jewel Clark	2020 W SOUTH MOUNTAIN AVE PHOENIX 85041	300-17-004S

Petition for THREE-FOURTHS (3/4) Vote by City Council
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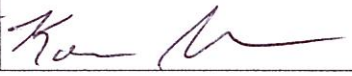
Date	SIGNATURE	Print Name	ADDRESS	APN
10/15		Kara Anne Moreu	7824 S 20TH LN PHOENIX 85041	300-17-054

CITY OF PHOENIX
OCT 15 2024
Planning & Development Department

Petition for THREE-FOURTHS (3/4) Vote by City Council
For
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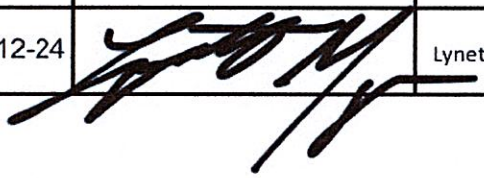
Date	SIGNATURE	Print Name	ADDRESS	APN
10-12-24		Lynette M Myers	7828 S 20TH LN PHOENIX 85041	300-17-053

CITY OF PHOENIX

OCT 15 2024

Planning & Development Department

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Date	SIGNATURE	Print Name	ADDRESS	APN
10/14/24		James Betterment	8008 S 20TH AVE PHOENIX 85041	300-17-004W
10/14/2024		Nicole Sordello	8008 S 20TH AVE PHOENIX 85041	300-17-004W

CITY OF PHOENIX
OCT 15 2024
Planning & Development Department

Petition for THREE-FOURTHS (3/4) Vote by City Council
For
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Date	SIGNATURE	Print Name	ADDRESS	APN
10/15/2024	Ravinder K Sharma	Snigdha Ravinder Sharma Family Trust	8012 S 20TH AVE PHOENIX 85041	300-17-004V
10/15/24		Snigdha Ravinder Sharma Family Trust	8012 S 20TH AVE PHOENIX 85041	300-17-004V

CITY OF PHOENIX
OCT 15 2024
Planning & Development Department

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION TO AMEND ZONING ORDINANCE
APPLICATION NO: APZ-35-24

PROPERTY LOCATION: Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue
PROPOSED USE: Single-family residential

LEGAL DESCRIPTION:

TO BE CHANGED:
FROM: S-1
TO: R1-10

Ordinance #:
Ordinance Date:
CASE TYPE: Rezoning
DSD #: 2/27/24
CASE STATUS: Received

GROSS ACREAGE: 4.54
VILLAGE: South Mountain
COUNCIL DISTRICT: 8

DATE FILED: 10/15/2024

Contact Information

Name		Address	Phone	Fax	Email
Jewel Clark	Applicant	2020 West South Mountain Avenue	4806649436		hjewelclark@fastmail.com

An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7131 (option 6), email zoning@phoenix.gov or visit our website at https://www.phoenix.gov/pdd/licensing-time-frames

I declare that all information submitted is true and correct to the best of my knowledge and belief. I acknowledge that any error in my application may be cause for changing its normal scheduling.

SIGNATURE: Jewel Clark DATE: 10/15/24

POST APPLICATION MEETING DATE: PM

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION TO AMEND ZONING ORDINANCE
APPLICATION NO: Z-58-24-8

PROPERTY LOCATION: Approximately 710 feet north and 305 feet west of the northwest corner of 20th Avenue and South Mountain Avenue
PROPOSED USE: Single-family residential

LEGAL DESCRIPTION:

TO BE CHANGED:
FROM: S-1
TO: R1-10

Ordinance #:
CASE TYPE: Rezoning
Ordinance Date:
DSD #:
February 27, 2024
CASE STATUS: Under Appeal

GROSS ACREAGE: 4.54
VILLAGE: South Mountain
COUNCIL DISTRICT: 8

DATE FILED: 04/23/2024

ZONING MAP:
D7
Q.S. MAP:
Q01-24
APN
300-17-004Y

Contact Information

Name		Address	Phone	Fax	Email
John Fox	Applicant	428 East Thunderbird Road	602-573-2895		wscing@cox.net
Dorothy M. Hallock	Owner	2050 West South Mountain Avenue, Phoenix AZ. 85041			
John Fox	Representative	248 East Thunderbird Road, Suite 234, Phoenix AZ. 85022			
Jewel Clark	Appellant	2020 West South Mountain Avenue Phoenix AZ 85041	4806649436		hjewelclark@fastmail.com

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SIGNATURE: /s/ Jewel Clark DATE: 10/15/24

POST APPLICATION MEETING DATE: 05/28/2024 3:00 PM

Fee Information

Fee	Fee Waived	Fee Date	Purpose
2,190.00	$0.0	04/23/2024	

ATTACHMENT G

From: CESAR TRUJILLO <ctrujillo15@ymail.com>
Sent: Friday, October 4, 2024 12:30 AM
To: PDD Planning Commission
Subject: Opposition letter

CAUTION: This email originated outside of the City of Phoenix.

Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

My name is Cesar Trujillo and I live at 7819 S 20th Dr, Phoenix AZ 85041. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully, Cesar Trujillo
Sent from my iPhone

From: D. Fong <dpfong@hotmail.com>
Sent: Sunday, October 6, 2024 1:11 PM
To: PDD Planning Commission
Subject: Rezoning Case Z-58-24-8

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Report Suspicious

To the Phoenix Planning Commission,

My name is David Fong and I live at 2004 W. Harwell Rd. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,
David Fong

From: Dawn Smith <dawn.smith2@hotmail.com>
Sent: Monday, October 7, 2024 9:01 AM
To: PDD Planning Commission
Cc: Michelle Teodoro; Jaigoudeau@gmail.com
Subject: Opposition rezoning Letter case Z-58-24-8

Importance: High

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Report Suspicious

To the Phoenix Planning Commission,

My name is Dawn Smith and I live at 7816 S 20th Ln Phoenix Az 85041. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic were entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully, Dawn Smith

From: Fy M <fym2429@gmail.com>
Sent: Monday, October 7, 2024 6:38 PM
To: PDD Planning Commission
Subject: Oppose rezoning case Z-58-24-8.

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Report Suspicious

To the Phoenix Planning Commission,

My name is Funyung Mon and I live at 8115 S 21st Drive, Phoenix, AZ 85041. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,

Funyung Mon

From: Mike Josic <mikejosic@gmail.com>
Sent: Tuesday, October 8, 2024 2:07 PM
To: PDD Planning Commission
Subject: Rezoning case Z-58-24-8.
Attachments: Opposition letter Z-58-24-8 October 2024.docx

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Report Suspicious

To the Phoenix Planning Commission,

My name is Mike Josic and I live at 2020 W. South Mountain Ave. Phoenix, AZ 85041. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,
Mike Josic

From: Niki Key <nkey30@gmail.com>
Sent: Wednesday, October 9, 2024 8:07 PM
To: PDD Planning Commission
Subject: Opposition to Z-58-24-8

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Report Suspicious

Dear Phoenix Planning Commission,

Our names are David and Niki Key and we live at 2006 W Branham Lane Phoenix, AZ 85041. We purchased our home in the Wyndham Square Community to become part of a small community with one way in and one way out. We purchased a home within our means that was safe to raise our children in. We checked the area and specifically the neighborhood that existed just to the south of us and saw that at some point it may cut through our neighborhood. The way it is zoned now we would not have the number of people coming and going through our community as Mr. Fox is proposing. We never even considered that someone could go in and rezone that property for multiple homes. We have lived in Phoenix our entire lives and feel someone like Mr. Fox who has no vested interest in Phoenix as his community doesn't really care about us and how much money each of us has invested in our properties. He's a developer coming from Scottsdale changing our community and moving on to the next investment property without considering the problems he's leaving behind. At several of these public meetings we have attended, Mr. Fox has referred the people that live in our community as "those people". He has been very rude and not kind to us. We work hard for what we have and we don't think Mr. Fox has respect for any of us. Please consider the 50 plus families that are being inconvenienced when the person selling the property could easily just grant Mr. Fox an easement to South Mountain Ave. Then the plan would not have to cut through our development. One person could be inconvenienced rather than 50+ households. Unfortunately, due to previous commitments we are unable to attend tomorrow's meeting, but wanted to ensure you have our opinion on the matter.

We are opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the

neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,
David and Niki Key

From: Jai Goudeau <jaigoudeau@gmail.com>
Sent: Wednesday, October 9, 2024 7:40 PM
To: PDD Planning Commission
Subject: Opposition to Z-58-24-8

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Report Suspicious

My name is Jai Goudeau, and I live at 2013 W. Harwell Road, Phoenix, AZ 85041. My home is located directly against the northern edge of the proposed development, just east of 20th Lane. I am writing to express my opposition to the rezoning case for the following reasons:

1. Impact on Neighborhood Traffic and Access: The development is being planned without adequate consideration for the current 20-year-old neighborhood that will be significantly impacted. Specifically, the developer has not explored using an access easement through the property owner's remaining 5 acres, which could serve as access to the development. Instead, the proposal uses the Wyndham Square Neighborhood as the sole access point. This will impose a heavy burden on our community, as there is currently only one ingress/egress road into and out of the neighborhood.

This road is adjacent to a major commercial shopping center driveway, which already experiences high levels of consumer traffic. The businesses in this area include Starbucks, Lowe's, Goodwill, Wells Fargo Bank, UPS, Burger King, CVS, and others. Adding additional traffic from construction and the eventual new homes is not only unfair but also unsafe. The community would bear the brunt of this increased traffic, while the property owner stands to profit without addressing the long-term consequences.

2. Lack of Comprehensive Traffic Study: There has not been a thorough traffic study conducted that accurately reflects the traffic conditions and issues. The developer submitted a traffic statement that does not capture the reality of the impact on our streets. A full traffic study is essential before any decisions are made, as the current analysis fails to represent the true extent of the problem.

3. Incompatible Density with Surrounding Areas: The proposed development is not "sensitive to the scale and character of the surrounding neighborhoods." It is bordered by S-1 zoned homes to the east and south (with the southern property currently functioning as a horse farm) and R1-10 neighborhoods to the north and west, which have a maximum density of 3.27 dwelling units per acre (DU/AC). In contrast, the proposed development would have a density of 4.1 DU/AC, which is incompatible with the established low-density neighborhoods surrounding it. This increase in density is not appropriate and disrupts the character of our community.

4. Flooding Concerns: There is a history of flooding in the area, including the property in question and the surrounding homes. The elevation differences cause water to permeate the soil and flood the yards

of houses on the northern end of the proposed development. While it was initially suggested that a retention barrier be buried between the development and the existing homes to address this issue, the current stipulations incorrectly describe this as a retaining wall. This error needs to be clarified, and the appropriate flood prevention measures should be included in the plan.

5. Developer's Misrepresentation of Previous Developments: The developer has claimed that they are being treated unfairly by having to incorporate the Rio Montana plan and argued that other developments did not follow the same guidelines. However, the developments used as examples were zoned at higher densities (R-6) and did not face the same access limitations as Wyndham Square. The comparison is misleading, and the developer should not be exempt from meeting the appropriate standards for this specific area.

6. Preservation of Neighborhood Character: This development, as currently proposed, fails to "protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance." The proposed density and access plans do not meet these basic requirements and will degrade the quality of life in our community. The plan should not proceed in its current form.

Conclusion: For the reasons outlined above, I urge the Phoenix Planning Commission to reject the proposed rezoning or, at the very least, require the developer to address these significant concerns before moving forward. A more thoughtful, balanced approach that prioritizes the well-being of the current residents is essential.

Thank you for your time and consideration.

Sincerely,
Jai Goudeau
2013 W. Harwell Road
Phoenix, AZ 85041

From: H. Jewel Clark <hjewelclark@fastmail.com>
Sent: Wednesday, October 9, 2024 8:25 PM
To: PDD Planning Commission
Subject: Opposition to case Z-58-24-8

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Report Suspicious

To the Planning Commission,

My name is Jewel Clark and our house is at 2020 W. South Mountain Ave., Phx, AZ 85041. We are just half a lot south of the proposed development on the east side. I am opposed to the rezoning case Z-58-24-8 that you will hear on Oct. 10, 2024.

While I am very, very grateful for the hard work of the SMVPC, esp. the members who volunteered their time trying to help facilitate, as neutral parties, negotiations with Mr. Fox, and for the additional stipulations the SMVPC put into the application which are beneficial improvements, I remain opposed to Mr. Fox's plan for multiple reasons.

Compatibility
The density of the proposed plan is simply incompatible with the surrounding communities, half of which are S-1 with established homes on acre+ lots, which are not getting redeveloped into anything denser, and low density R1-10 (3.23 and 2.98) to the north and west that have been there over 20 years. The Phoenix General Plan and the Rio Montana Area Plan, which this area governs, both state that new development should be sensitive to the existing neighborhoods and preserve "certainty & character." The city codes for design review speak to contextualism to the surrounding environment. This development is more dense than any surrounding R1-10 single family communities in the area, even those that have been recently approved within the last few years and there is still active agriculture and S-1 established homes throughout, indicating that a lower density development is still appropriate.

Flooding
There are unknown flood mitigation issues for residents on all sides. The area is prone to flooding due to runoff from South Mountain Park. The residents of Wyndham Square experience street flooding from the runoff that doesn't get absorbed by the land currently being proposed for development. Every lot in Wyndham Square was designed with on-lot retention. Each lot is approximately 10,000 sq ft or more and the homes take up approx. 40% of the lot as designed which allows for additional open land to absorb rain. The S-1 properties have enough open space to absorb most of the runoff which comes down 19th Ave and banks to the northwest across our properties and the proposed development parcel behind us but if there were block walls with houses there, we don't know what would happen to our properties or those new homes Mr. Fox's proposal would have 50 to 60% of each lot filled with the house footprint and no on-lot retention. He has proposed 3 retention basins calculated, he says, to whatever the city says he should do, but this area has historically been affected by under spec'd flood plans and despite numerous requests to see his data or talk to his engineer, the neighborhood has received no assurance that a development won't make issues worse. A comprehensive flood study should be performed to ensure the current mitigation plans for this development are sufficient.

Traffic

Traffic is an issue that most impacts the Wyndham Square neighborhood to the north. Their 52-home community, built in 2003, is the only in/out onto Baseline Rd. for this proposed development. Their entrance is just west of the busy intersection of 19th Ave. and Baseline and directly across from one of the entrances to a large shopping center, including a Starbucks which uses that access point in particular. The residents already report extreme difficulty entering and exiting their neighborhood and the addition of 18 houses, generating an ITE (Institute of Traffic Engineers) estimate of approx. 10 trips per day per home will dramatically exacerbate the problem. The traffic statement Mr. Fox submitted only accounted for 1 hour of peak time for morning and night using publicly "Google-able" ITE data for attached family housing. This far under-represents the actual traffic impact. A comprehensive traffic study should be conducted.

While the planning department has reserved an easement on the south end for a punch through to W. South Mountain Ave. when the southern property of approx. 5 acres sells this punch through is only enforceable if the property sells to be developed. There is no guarantee that anyone who buys that property will actually develop it. It is currently a working horse farm and the current owner, who is our neighbor and a good friend, has no current plans to leave and the property is well-positioned to sell to someone who would continue to use it for raising horses. This leaves the residents of Wyndham Square indefinitely burdened with an already untenable traffic problem.

It seems premature to develop this parcel but if development has to happen now, lowering the density to no more than 16 houses to reduce the traffic impact and create more open space, along with the stipulations approved by the SMVPC, would be more bearable. Would I be thrilled? No. Would anyone in the neighborhood be thrilled? Probably not. A maximum of 10 houses (R1-18) would be more in keeping with a transitional density between S-1 and R1-10, but at least 16 houses is in keeping with other recently approved R1-10 and so maintains a standard for the area. It would also allow for more Rio Montana design elements to be implemented.

I would personally also like to see additional heat mitigation like pavers instead of concrete and deep overhangs and porches on all east/west facades along with more robust construction like under-roof insulation, blown-in insulation and a higher R factor requirement all around. Climate change is here and it's too late to stop it. We might as well build to make our homes as tolerable as possible.

This community cares about what gets built here. My husband and I have owned our property since 2009, and since 2018, we have been involved in numerous negotiations with developers who wanted to build in our area. Mr. Fox's application is the thinnest, least developed of any application I have seen so far. This community wants to be involved and see a holistic plan we can support. We are uniquely positioned to advise on what *should* go into the neighborhood based on our experience and genuine desire to create positive impact for the area rather than what *can* go into the neighborhood as long as the broker checks all the right boxes. This plan still needs work and it needs community support. It is not ready to move forward. Thank you for your time and consideration.

Sincerely,
Jewel Clark
2020 W. South Mountain Ave.
Phoenix, AZ 85041
480.664.9436

--
H. Jewel Clark
hjewelclark@fastmail.com

CITY OF PHOENIX

OCT 09 2024

Planning & Development Department

To the Phoenix Planning Commission,

My name is ___Joseph Hernandez_____ and I live at __7706 S 20th DR, PHX AZ 85041_____. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Finally, Mr. Fox nor anyone concerning this development plan has indicated any responsibility for damages occurring the development if the property should go forward. Heavy equipment will have a difficult time maneuvering daily. Also he has not indicated how our streets will be kept clean during the rainy season, when trucks are trekking through the neighborhood. Opening the south end off of South Mountain Road is ideal if and when the property owners are prepared to sell... But Keep Wyndham Square Alone!

The committee should spend a morning here, and see the amount of traffic on baseline, and also rush hour.

School Busses will make our children late everyday when residents, construction and other vehicles clog up 20th Dr. We haven't even talked about the new construction on 19th Ave and Baseline!

Respectfully,

Joseph Hernandez

From: LM <directbridge@yahoo.com>
Sent: Wednesday, October 9, 2024 5:26 PM
To: PDD Planning Commission
Cc: Jai Goudeau; Michelle Teodoro
Subject: Opposition to Z-58-24-8 - October 2024
Attachments: Opposition letter Z58248_LM_Oct 9, 2024.pdf; Opposition letter Z58248_LM_Sept 9, 2024.pdf; Opposition letter Z58248_LM July 2024.pdf

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Report Suspicious

Please see the attached letters
I AM STILL 100% OPPED TO THIS DEVELOPMENT
NO REAL CONSIDERATION HAS BEEN PROPERLY GIVEN TO US THE HOME OWNERS & OUT ENTIRE COMMUNITY HAS ONLY BEEN TREATED AS AN AFTER THOUGHT

L Myers
7828 S 20th Lane, Phoenix, AZ 85041

Date Oct 9, 2024

To the SMVPC,

My name is Lynnette Myers and I live at 7828 S 20th Lane, Phoenix, AZ 85041.

I am ABSOLUTY 100% opposed to the rezoning case Z-58-24-8.

The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan.
The traffic statement alone submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, which will in facet bear the sole burden of increased traffic. My home that sits at the end of our neighborhood in cul-de-sac on 20th Lane, I am drastically affected by all of this.

Entering and exiting the neighborhood onto Baseline is already extremely hazardous. There are accidents at the entrance area to our neighborhood regularly.

Additionally after repeated requests, Mr. Fox has never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We could possibly support:
A maximum density of 16 single story houses, to allow for more elements of the RIo Montana criteria to be implemented.

Even at 16 house it is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods.

We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Plus there is still no tangible information regarding my wall on the south side of my front yard. What is the plan – I need to understand this specify as my home is most affected to the design of this possible neighborhood.

This development as is would dramatically change the safety of our neighborhood and my home! Regardless of random drivers not realizing that the neighborhood has no outlet we have come together to make things as safe as possible with signs, cameras and communication to help one another in our neighborhood. I have suffered both a home burglary and a stolen car – I know these kind of crimes will only increase dramatically for all of us with the proposed access through our community into another community behind us.

This MUST NOT HAPPEN!!

Respectfully,

Thank you,
Lynnette Myers
HOME OWNER SINCE 2005
7828 S 20th Lane, Phoenix AZ 85041

Date Sept 9, 2024

To the SMVPC,

My name is Lynnette Myers and I live at 7828 S 20th Lane, Phoenix, AZ 85041.

I am ABSOLUTY 100% opposed to Z-58-24-8.
The current plan does not comply with Rio Montana criteria and we were not in favor of the cul-de-sac design for practical reasons.

We welcome development in our area, but we want development to be compatible with the existing character and quality of the existing neighborhoods, uphold the requirements for zoning, the Phoenix General Plan, and the Rio Montana Plan.

We could possibly support:
A maximum density of 16 houses to allow for more elements of the RIo Montana criteria to be implemented.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - **This density is inconsistent with the surrounding developed land** (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - **It is not aligned with the Rio Montana Plan** which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

Traffic- problems

- In relation to inappropriate density, **the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Rd.** The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. **That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.**
- **No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning.**

- **Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health**.

Housing design- problems

- **The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain** (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- **The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs**.

Housing design- solutions

- **Limit construction to single-story (most important).**
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

Eliminate 2-story homes, I like others on the south side of our community picked our lots for the wonderful views to South Mountain – putting 2-story homes anywhere destroys that completely!!

There is also no information regarding my wall on the south side of my front yard. What is the plan – I need to understand this specify as my home is most affected to the design of this possible neighborhood.

If the owner of this undeveloped land has sold to a developer to rezone and build they are entitled within the appropriate guidelines of the Rio Mountain Plan; but they need to have their own access to that development – NOT THROUGH OUR NEIGHBORHOOD!! They should have arranged with the seller access off of S 19th Ave or off W South Mountain Ave. This option of our neighborhood should NOT even be a possibility!!
This development as is would dramatically change the safety of our neighborhood and my home! Regardless of random drivers not realizing that the neighborhood has no outlet we have come together to make things as safe as possible with signs, cameras and communication to help one another in our neighborhood. I have suffered both a home burglary and a stolen car – I know these kind of crimes will only increase dramatically for all of us with the proposed access through our community into another community behind us.
This MUST NOT HAPPEN!!

Thank you,
Lynnette Myers
HOME OWNER SINCE 2005
7828 S 20th Lane, Phoenix AZ 85041

July 2024

My name is Lynnette Myers and I live at 7828 S. 20th Lane, Phoenix, AZ 85041-7716 I am writing in stern opposition to the application for development and rezoning case number Z-58-24-8 submitted by John Fox, which proposes to rezone 4.5 acres of currently S-1 property to the maximum density allowed for R-10, which is 4.5 (bonus).

I am absolutely opposed to multiple issues with this proposed development.

Density- problems

- This property is bordered on 2 sides (east and south) by established homes on S-1 properties. The north and west sides are bordered by homes on R-10 property at no more than standard 3.5 density. This development proposes a bonus density of 4.5 (20 homes) in addition to ADUs.
    - **This density is inconsistent with the surrounding developed land** (at traditional <=3.5) and an inappropriate transition density for all east and southern neighbors with homes on S-1 property.
    - **It is not aligned with the Rio Montana Plan** which recommends lower densities towards South Mount Park and gradual density steps between lower and higher density areas. (Rio Montana Plan, pg. 17)

Density- solutions

- Appropriate density transition between S-1 and R-10 is R-18 or approx. 2 houses per acre or 2.34 with bonus. Allowing construction but with appropriate accommodations for the environment and surrounding neighborhoods will still further the city's housing goals and provide additional benefits to the surrounding communities as outlined below.

Traffic- problems

- In relation to inappropriate density, **the only entrance/exit is through a 52-home neighborhood to the north onto Baseline Rd.** The neighborhood already suffers severely from difficult entrance/exit due to the heavy traffic on Baseline while also directly across from a commercial shopping center entrance/exit, which sees greater traffic than a neighborhood.
    - According to the ITE Trip Generation Report 10th Edition (Maricopa's Traffic Impact Study Manual references the ITE report as its guideline), a single-family house generates 10 trips per day on average. **That will increase traffic to an already bottlenecked neighborhood by 200 trips per day on average, not including traffic potentially generated by ADU residents.**
- **No southbound exit/entrance can be counted on b/c the land is currently being lived on for the foreseeable future and waiting to see if that will eventually become an option to alleviate traffic issues is not good planning.**
- **Fire and emergency vehicles will be subject to the same traffic congestion potentially impacting safety, property, and health**.

Traffic- solutions

- R-18 density (10 homes) to reduce the overall impact on traffic for the existing neighborhood.
- **Traffic impact study and recommendations stipulated before any approvals for rezoning/development.**

Housing design- problems

- **The development proposes an unknown number of 2-story homes, which are not compatible with the recommendations of the Rio Montana Plan to preserve views to South Mountain** (Rio Montana Plan, pgs. 22-23) and are inconsistent with the vast majority of the surrounding homes, which are single-story.
- **The designers have not incorporated porches, non-street-facing garage entrances or other signature elements recommended by the Rio Montana Plan in their conceptual designs**.

Housing design- solutions

- **Limit construction to single-story (most important).**
- Require deep front porches.
- Require some designs to incorporate garages that do not face the street.
- Require more architectural variety and placement/orientation on lots.

Heat island/climate, trees/shade- problems

- The current stipulations list trees on either side of concrete sidewalks to comply with the current tree and shade master plan, however, allowing up to a 60% housing footprint on each lot does nothing to mitigate the heat island effect that will be exacerbated from that much roof area absorbing and radiating heat.

Heat island/climate, trees/shade - solutions

- Require lower density zoning and more open space.
- Require use of available SRP flood irrigation to provide added cooling.
- Require high emissivity and high SRI roofing materials.
- Stipulate the most conservation-forward building practices for housing insulation and heat island mitigation currently within the city codes and aligned with the city's 2021 Climate Action Plan. We don't have time for "business as usual" to curb climate change.
- Require shade trees on the east, south and west sides of all properties to help keep the sun off the building walls and shade the ground.
- Require deep set front and back porches (which appear predominantly east/west facing based on the lot orientation) to also keep the sun off building walls.

Lastly, as of this writing, Mr. Fox has made absolutely no effort to work with any of the neighbors and address the concerns listed above, which he has heard in person at the only 2 meetings he called to present this plan to the surrounding property owners before having it appear before the SMVPC.

At the second meeting, a month later, the plan had not changed and there were several neighbors who confirmed they did not receive a second meeting notice letter in time to attend. He told the neighbors who were able to attend that he would go back and see

what he could do to incorporate these concerns before the July 9 SMVPC meeting, but no such meeting has been called.

He has not listened to, much less acted on, any of the neighbor's concerns. His development plan is completely incompatible and insensitive to the surrounding neighbors. This application should not in anyway move forward.

ADDITIONAL PERSONAL PERSPECTIVES & CONCERNS

I absolutely have major concern about this matter since my home will be impacted the most!!!

The existing pasture that is undeveloped land to the south of our subdivision has been this way since prior to our subdivision was build back in 2003. This pasture was absolutely influential in my dissension and others to purchase in Wydham Sq in the first place. We were all looking for a small quite neighborhood where we could live and actually know our neighbors. My choice in which lot I purchased was 100% influenced by the undeveloped land and all the good that comes from that and the views that I enjoy daily to the south mountains.

If the owner of this undeveloped land has sold to a developer to rezone and build they are entitled within the appropriate guidelines of the Rio Mountain Plan; but they need to have their own access to that development – NOT THROUGH OUR NEIGHBORHOOD!! They should have arranged with the seller access off of S 19th Ave or off W South Mountain Ave. This option of our neighborhood should NOT even be a possibility!!

This development as is would dramatically change the safety of our neighborhood and my home! Regardless of random drivers not realizing that the neighborhood has no outlet we have come together to make things as safe as possible with signs, cameras and communication to help one another in our neighborhood. I have suffered both a home burglary and a stolen car – I know these kind of crimes will only increase dramatically for all of us with the proposed access through our community into another community behind us.

This MUST NOT HAPPEN!!

I have always pushed for our community to become a gated community and I thing that matter needs to be on the table again regardless of the rezoning and proposed development to the south of us. IF somehow this matter moves forward despite our entire neighborhood that are 100% opposed then I believe it should become mandatory that our community have entrance gates installed to help keep us all safe!!

Respectfully,
Lynnette Myers
7828 S. 20th Lane, Phoenix, AZ 85041-7716

From: PDD Planning Commission
Subject: FW: Regarding Agenda item #6, Z-58-24-8

From: Mark Beehler <mmbeehler@gmail.com>
Sent: Wednesday, October 9, 2024 2:54 PM
To: PDD Planning Commission <pdd.planningcomm@phoenix.gov>
Subject: Regarding Agenda item #6, Z-58-24-8

Dear Members of the City of Phoenix Planning Commission,

I'd like to comment on Zoning Case Z-58-24-8 which appears as Agenda Item #6 in your upcoming meeting.

I am a member of the South Mountain Village Planning Committee and wanted to present the dissenting opinion of the SMVPC's narrow 7-5 approval of this case.

My first point concerns how the process seems to be interpreted in the SMVPC. This case faced considerable public opposition and we asked that the public meet with the developer to see if they could resolve their issues. They were unable to do so and the local homeowners reported that they felt the developer was not cooperative in their meetings. At our hearing we received 100% opposition to the approval of the case. Unfortunately it seems that my committee feels that when the public enters into negotiation with a developer they have informally agreed to binding arbitration and a negotiated compromise must be reached. Thus the SMVPC tends to approve the zoning because both parties participated in discussion even if no satisfaction was found. The public remained 100% in opposition and the end of our vote. This should not be the case and the public should not be penalized for participating in the prescribed process.

My second point is that this case represents bad development of a landlocked parcel with all of the benefit accruing to the landowner and all of the burden falling on the neighborhood and the city. Because this landowner is electing to only develop the back half of the approximately 10 acre parcel, they are unable to provide for the completion of S. 20th Lane connecting it to South Mountain Blvd. This connection is crucial to the traffic relief that the development of this land requires. In addition to the daily traffic caused by 18 new homes being added to the one entrance/egress onto Baseline Road once the development is complete, there will be a complete nightmare of traffic jams within the existing community caused by construction equipment unable to safely access the site and navigate the narrow entrance. It is unfair for the city to require the existing homeowners to accept this harm when there is no future benefit for them to be derived.

This 10 acre parcel should be developed as one whole when the traffic issue can be addressed, the development cost spread out over a larger number of home improving affordability, and a more cohesive design can be achieved. This site could be a great connector that brings this neighborhood together.

Please consider denying this zoning case so that a better fit can be found for the community in the future.

Respectfully,
Mark Beehler
South Mountain Village Planning Committee
842 E Buist Ave
Phoenix, AZ 85042

CITY OF PHOENIX

OCT 09 2024

Planning & Development
Department

To the Phoenix Planning Commission,

My name is Steven Hernandez and I live at @009 W. Harwell Rd. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,

From: PDD Planning Commission
Subject: Opposition to Z-58-24-8

From: Butch Box <butchbox@gmail.com>
Sent: Thursday, October 10, 2024 6:22 AM
To: PDD Planning Commission <pdd.planningcomm@phoenix.gov>
Subject: Opposition to Z-58-24-8

To the Phoenix Planning Commission,

My name is _____ and I live at _____. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

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Respectfully,

From: Candace McDonald-Ramsey <candacedramsey@gmail.com>
Sent: Thursday, October 10, 2024 4:24 PM
To: PDD Planning Commission
Subject: (Opposition to Z-58-24-8)

CAUTION: This email originated outside of the City of Phoenix.

Do not click links or open attachments unless you know the sender and were expecting this email.

Report Suspicious

To the Phoenix Planning Commission,

My name is Candace McDonald-Ramsey and I live at 2012 w. Harwell rd Phoenix,AZ. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,
Candace

CITY OF PHOENIX

OCT 10 2024

Planning & Development Department

To the Phoenix Planning Commission,

My name is Ernest Coscarelli and I live at 2008 W Harwell Road, Phoenix, AZ 85041. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montan plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sold burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods, We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,

Ernest Coscarelli

From: ISH326 <imoreu326@gmail.com>
Sent: Thursday, October 10, 2024 3:10 PM
To: PDD Planning Commission
Subject: Opposition to Z-58-24-8

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Report Suspicious

To the Phoenix Planning Commission,

My name is Ismael Moreu and I live at 7824 S 20th Lane, Phoenix Az 85041. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

Having lived in our home for 18 years I can attest to the fact that the impact on the traffic and safety of the current and potential future residents is not being taken into consideration by the current zoning plan. The plan by not providing another viable means of entry/exit into the subdivision puts undue risk and burden on the current community (including those outside our subdivision). To overlook this would be a detriment to the future viability of the entire subdivision. The addition traffic and congestion that would be added to Baseline Road needs additional consideration before any plans are approved.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations wit the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We

also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,
Ismael Moreu

From: als3363@gmail.com
Sent: Thursday, October 10, 2024 3:59 PM
To: PDD Planning Commission
Subject: Opposition to Zoning Z-58-24-8

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Report Suspicious

We are not opposed to the development of South Phoenix as we have lived here for most of our lives. At Wyndham Square we have found a great neighborhood and hoped to continue living in this peaceful and friendly community. We now feel this is threatened with the Z-58-24-8 project.
The sole burden of increased traffic will be on Wyndham Square increasing the already hazardous traffic trying to enter and exit on Baseline. We could be on board with the development if it had its own access on 19th Ave or South Mountain Ave.
We also request a comprehensive flood and traffic assessment before any rezoning development plans are approved.
Respectfully
Joe and Ana Serna
Sent from my iPhone

From: Melissa Sunia <joeysparents@msn.com>
Sent: Thursday, October 10, 2024 1:43 PM
To: PDD Planning Commission
Cc: Michelle Teodoro
Subject: Opposed - case Z-58-24-8

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Report Suspicious

To the Phoenix Planning Commission,

My name is Melissa Sunia and I live at 2022 West Branham Lane. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,
John & Melissa Sunia
Sent from my iPhone

From: julian galindo <julian.galindo64@gmail.com>
Sent: Thursday, October 10, 2024 3:15 PM
To: PDD Planning Commission
Subject: Opposition Z-58-24-8

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Report Suspicious

To the Phoenix Planning Commission, My name is Julian Galindo and I live at 7808 S. 20th Lane. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes. We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved. Respectfully,

Julian Galindo
Principal Civil Engineer
602-413-7791

From: Kara Moreu <kagiovan@hotmail.com>
Sent: Thursday, October 10, 2024 2:55 PM
To: PDD Planning Commission
Subject: Opposition to Z-58-24-8

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Report Suspicious

To the Phoenix Planning Commission,

My name is Kara Moreu and I live at 7824 S 20th Lane, Phoenix Az 85041. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

The impact of the traffic congestion on Baseline as designed is a burden that is too grave to overlook. Most family in the subdivision including ours have been involved in accidents along Baseline as it is one of the most dangerous roads in Phoenix. The current plan will add hundreds more opportunities for incidents daily. This will have a trickle down effect as civil departments have to deal with these situations. It is in the best interest of the community and the potential homeowners to look out for their best interest and ensure their safety by opposing rezoning case Z-58-24-8.

We support compatible development with existing lower density communities in the South Mountain area south of Baseline as indicated in the Rio Montana plan guidelines. We support the majority of the current stipulations with the following changes: a site plan retaining the current open space but a maximum density of 16 houses, which is still more dense than the surrounding homes, but more compatible with our area and which will help to alleviate some of the traffic burden for Wyndham Square, incorporation of more Rio Montana design guidelines such as a set percentage of side-load/angled entry garages, and additional heat mitigation such as porches and deep overhangs on all homes, pavers instead of concrete and other beneficial design elements that will complement and enhance new development and the surrounding neighborhoods. We also request a comprehensive flood assessment and traffic study before any rezoning/development is approved.

Respectfully,
Kara Moreu

CITY OF PHOENIX

OCT 10 2024

Planning & Development
Department

To the Phoenix Planning Commission,

My name is Lori Coscarelli and I live at 2008 W Harwell Road, Phoenix, AZ 85041. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montan plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sold burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

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Respectfully,

Lori Coscarelli

From: M. Garcia <azattymo@aol.com>
Sent: Thursday, October 10, 2024 12:19 PM
To: PDD Planning Commission
Subject: Opposition to new project behind Wyndam Square

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Report Suspicious

Good afternoon,
I would like to have the committee note my opposition to the project being built behind the Wyndham Square community. This project will cause a traffic issue as well as overload the existing narrow roads in the community.

I have attended meetings and all governmental entities are not being mindful of a traffic study. The baseline is extremely congested, and the roads can not handle the current housing being built in the same area. The city should be concerned about how the constituents will get to work and community events if it permits more homes than roads to support the growth.

The developer is not acting in good faith in communication, but that is being ignored. Additionally, the homes are not affordable so an alternative roadway should be considered. Density is another issue that is being ignored. The planning communities are not being consistent with their prior density rulings.

With all of this strongly oppose the project

Monica Garcia
Lot 9 Wyndham

From: Selena Leon <selenanomas@gmail.com>
Sent: Thursday, October 10, 2024 9:02 AM
To: PDD Planning Commission
Subject: OPPOSITION to Z-25-24-8

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Report Suspicious

To the Phoenix Planning Commission,

My name is Selena Leon and I live at 2009 W Harwell Rd, Phoenix AZ 85041. I am opposed to the rezoning case Z-58-24-8. The density at 18 homes is not compatible with surrounding development and does not allow adequate room to incorporate important elements of the Rio Montana plan. The traffic statement submitted by Mr. Fox does not represent the true impact of these additional homes on the Wyndham Square neighborhood, who will bear the sole burden of increased traffic where entering and exiting the neighborhood onto Baseline is already extremely hazardous. In addition, Mr. Fox, after repeated requests, never fulfilled his promise to provide more information on how his current flood mitigation efforts for this new development would not negatively impact the surrounding homes.

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Respectfully,

Selena M Leon

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** *75

ADDITIONAL INFORMATION (SEE ATTACHED MEMO) Public Hearing - Amend City Code - Ordinance Adoption - Accessory Dwelling Units - Z-TA-2-24-Y (Ordinance G-7317) - Citywide

Request to hold a public hearing on a proposed text amendment Z-TA-2-24-Y and to request City Council approval per the Planning Commission recommendation which amends the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add new definitions and revise existing definitions regarding Accessory Dwelling Units and related residential terms; amend Chapter 6, Section 603 (Suburban S-1 District-Ranch or Farm Residence) and Section 604 (Suburban S-2 District-Ranch or Farm Commercial) to comply with HB 2720; amend Section 605 (Residential Estate RE-43 District-One-Family Residence), Section 606 (Residential Estate RE-24 District-One-Family Residence), and Section 607 (Residential R1-14 District-One-Family Residence) to comply with HB 2720 and increase permitted lot coverage; amend Section 608 (Residential Districts) to comply with HB 2720; amend Section 609 (RE-35 Single-Family Residence District) to increase permitted lot coverage; amend Chapter 7, Section 701.A.3 (Projections) to comply with HB 2720; amend Section 703.B (Landscaping and Open Areas In Multiple-Family Development) to differentiate the addition of ADUs from multi-family developments; and amend Section 706 (Accessory Uses and Structures) to clarify wordings and comply with HB 2720.

Summary

The proposed text amendment includes three main components: 1) new and revised definitions; 2) revision of existing City of Phoenix ADU regulations to comply with HB 2720, and 3) revision of lot coverage permissions for certain districts in order to comply with HB 2720 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-2-24-Y as shown in Exhibit A of the Staff Report (**Attachment B**).
PC Info: The Planning Commission heard this item on October 10, 2024, for information only.
PC Action: The Planning Commission is scheduled to hear this item on November 7,

2024.

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: November 8, 2024

From: Joshua Bednarek
Planning and Development Director

Subject: ITEM 75 ON THE NOVEMBER 13, 2024, FORMAL AGENDA – PUBLIC HEARING - AMEND CITY CODE - ORDINANCE ADOPTION - ACCESSORY DWELLING UNITS - Z-TA-2-24-Y (ORDINANCE G-7317) - CITYWIDE

Item 75, is a request to hold a public hearing on a proposed text amendment Z-TA-2-24-Y and to request City Council approval per the Planning Commission recommendation which amends the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add new definitions and revise existing definitions regarding Accessory Dwelling Units and related residential terms; amend Chapter 6, Section 603 (Suburban S-1 District-Ranch or Farm Residence) and Section 604 (Suburban S-2 District-Ranch or Farm Commercial) to comply with HB 2720; amend Section 605 (Residential Estate RE-43 District-One-Family Residence), Section 606 (Residential Estate RE-24 District-One-Family Residence), and Section 607 (Residential R1-14 District-One-Family Residence) to comply with HB 2720 and increase permitted lot coverage; amend Section 608 (Residential Districts) to comply with HB 2720; amend Section 609 (RE-35 Single-Family Residence District) to increase permitted lot coverage; amend Chapter 7, Section 701.A.3 (Projections) to comply with HB 2720; amend Section 703.B (Landscaping and Open Areas In Multiple-Family Development) to differentiate the addition of ADUs from multi-family developments; and amend Section 706 (Accessory Uses and Structures) to clarify wordings and comply with HB 2720.

The Planning Commission heard the case on November 7, 2024, and recommended approval, per the staff recommendation with a modification by a vote of 9-0.

The language in this proposed text amendment has been updated to reference the revision to the "Accessory Dwelling Unit, Attached" definition. This revision from "common" to "shared" is to avoid confusion with the term "common wall" which is generally related to the construction of townhomes and would not be applicable to the construction of an attached ADU. Below is an update to the text amendment which is denoted as **BOLD/UNDERLINED**.

ACCESSORY DWELLING UNIT, ATTACHED: AN ADU WHICH IS CONSTRUCTED HAVING A ~~COMMON~~ **SHARED** WALL AND ATTACHED FOUNDATIONS WITH THE PRIMARY DWELLING UNIT. AN ADU CONNECTED TO THE PRIMARY DWELLING UNIT IN ANY OTHER MANNER SHALL NOT BE CONSIDERED AN ATTACHED ADU.

Staff recommends approval of Z-TA-2-24-Y as shown in the proposed text, per the Planning Commission recommendation.

***

Accessory Dwelling Unit (ADU): A dwelling unit, as defined in this section, subordinate to the primary dwelling unit and situated on the same lot ~~and used for a residential accessory use~~. ADUs, where permitted, do not count towards calculations of gross density.

ACCESSORY DWELLING UNIT, ATTACHED: AN ADU WHICH IS CONSTRUCTED HAVING A ~~COMMON~~ **SHARED** WALL AND ATTACHED FOUNDATIONS WITH THE PRIMARY DWELLING UNIT. AN ADU CONNECTED TO THE PRIMARY DWELLING UNIT IN ANY OTHER MANNER SHALL NOT BE CONSIDERED AN ATTACHED ADU.

ACCESSORY DWELLING UNIT, DETACHED: AN ADU WHICH IS CONSTRUCTED WITH NO CONNECTION TO THE PRIMARY DWELLING UNIT, EXCEPT AS MAY BE EXPLICITLY PERMITTED WITHIN THE ZONING ORDINANCE. A DETACHED ADU MAY INCLUDE AN INTEGRATED GARAGE, CARPORT, OR PORCH. TWO ADUS ATTACHED TO EACH OTHER, BUT NOT TO THE PRIMARY DWELLING UNIT, SHALL EACH BE CONSIDERED AS A DETACHED ADU.

***

Multi-Family/Multiple-Family: A lot or parcel where two or more dwelling units are provided, not including ~~a~~ permitted accessory dwelling unitS.

***

SECTION 2: That Chapter 6, Section 603 (Suburban S-1 District—Ranch or Farm Residence), is amended to read as follows:

***

A. **Permitted Uses.**

1. Dwelling Units. Each lot may have the following:

   a. One primary dwelling unit.

   b. ~~One~~ TWO accessory dwelling unitS, and

   c. For each additional 10 acres provided above the minimum lot size, one additional accessory dwelling unit for use by on-site laborers may be provided.

   d. IN ADDITION TO THE ABOVE, ONE ADDITIONAL ACCESSORY DWELLING UNIT (ADU) MAY BE PERMITTED ONLY WHEN AT LEAST ONE ADU QUALIFIES AS AFFORDABLE HOUSING.

***

B. **Yard, Height and Area Requirements.**

1. Each lot shall have a net area of not less than one acre.

2. ~~For all dwelling units:~~ SETBACK REQUIREMENTS:

   a. The minimum front setback is 40 feet.

   b. The minimum side setback is 30 feet, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   c. The minimum rear setback is 30 feet, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

***

6. Accessory dwelling units are subject to the additional ~~provisions~~ DEVELOPMENT REGULATIONS of Section 706.A.

***

SECTION 3: That Chapter 6, Section 604 (Suburban S-2 District—Ranch or Farm Commercial), is amended to read as follows:

***

B. **Yard, height and area requirements.**

1. Each lot shall have a net area of not less than three acres.

2. ~~For all dwelling units:~~ SETBACK REQUIREMENTS:

   a. The minimum front setback is 40 feet.

   b. The minimum side setback is 30 feet, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   c. The minimum rear setback is 30 feet, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

***

6. Accessory dwelling units are subject to the additional ~~provisions~~ DEVELOPMENT REGULATIONS of Section 706.A.

***

SECTION 4: That Chapter 6, Section 605 (Residential Estate RE-43 District—One-Family Residence), is amended to read as follows:

The provisions of this section shall apply only to land zoned RE-43 prior to September 13, 1981.

The RE-43, One-Family Residence DISTRICT, is a district of single-family homes designed to maintain, protect and preserve a character of development on lots with a minimum area of 43,560 square feet, and with not more than one dwelling unit and customary accessory buildings upon one lot.

A. **Permitted Uses.**

1. Dwelling units. Each lot may have the following:

   a. One primary dwelling unit.

   b. ~~One~~ TWO accessory dwelling unitS. A THIRD ADU IS PERMITTED ONLY WHEN AT LEAST ONE ADU QUALIFIES AS AFFORDABLE HOUSING AND THE NET LOT SIZE IS A MINIMUM OF 43,560 SQUARE FEET.

   c. Model homes are permitted subject to the provisions of Section 608.E.19.

***

5. RESERVED. ~~Model homes and/or subdivision sales offices when located in model homes subject to approval of the Planning and Development Department, and subject to the following conditions:~~

   ~~a. Such model home and/or subdivision sales offices shall be located in a subdivision which is owned by or held in trust for the subdivision developer proposing to erect the model homes and/or proposing to operate the sales office.~~

   ~~b. Subdivision sales offices and/or model homes shall be permitted for a period not to exceed 36 months from the date of approval for the sales offices and/or model homes.~~

   ~~c. The time limit allowed in Section 605.A.5.b for an additional 36 months shall be extended only upon securing a use permit.~~

   ~~d. The subdivision sales office shall be removed and the model homes shall be discontinued as model homes on or before the termination~~

~~date set forth in Section 605.A.5.b or upon expiration of the extension granted by the Zoning Administrator pursuant to Section 605.A.5.c, or after six months following sale or occupancy of all lots in the subdivision other than the model homes, whichever occurs first. Notwithstanding these provisions, the model home complex shall, subject to obtaining a use permit in accordance with the provisions of Section 307, be able to be used as off-site models after sale of 75 percent of the lots in the subdivision; provided, that the model home complex is within four hundred feet of an arterial or collector street and that the use as off-site models shall not exceed, in combination with the use as on-site models, a total of 72 months.~~

~~e. For the purposes of Sections 605.A.5.a and d, the term "subdivision" shall mean all the land included within the preliminary plat submitted to Planning and Development Department.~~

~~f. Subdivision sales offices in buildings other than model homes may be permitted subject to the following standards to be reviewed and approved by the Planning and Development Department:~~

~~(1) One trailer per subdivision;~~

~~(2) Trailer shall be removed upon occupancy of first model home or within six months of approval (whichever occurs first);~~

~~(3) Signs shall not exceed six square feet;~~

~~(4) Subject to all provisions listed in Section 605.C.1.~~

~~g. More than one model home complex in a subdivision shall be permitted subject to the above standards and the following standards:~~

~~(1) A maximum of either six percent of the lots in the development or two lots, whichever is greater, may be used for model homes.~~

~~(2) The model home complexes shall be within four hundred feet of an arterial or collector street.~~

~~(3) Temporary street closures and temporary fences over the public right-of-way shall be approved by the Street Transportation Department.~~

~~(4) Off-street parking and circulation shall be dustproofed.~~

~~(5) Lighting shall be limited to security lighting of the model home complex.~~

~~If these standards cannot be met, the additional model home complex shall be subject to obtaining a use permit in accordance with the provisions of Section 307.~~

***

B. **Yard, height and area requirements.** Except as required by Section 710, the following yard, height, and area provisions shall be required for this district.

~~1. There shall be a lot area of not less than 43,560 square feet. No lot shall hereafter be subdivided to provide less than 43,560 square feet of lot area, nor to have a width of less than 165 feet, nor to have a lot depth of less than 175 feet.~~

~~2. There shall be a front yard having a depth not less than that established by an existing main building on the nearest lot within one hundred feet, provided, however, that on a lot between two lots each within one hundred feet, which lots have established [front yards, then the minimum front yard shall be that established] by a line joining the nearest front corner of the main building on one lot and the nearest front corner of the main building on the other lot. Nothing in this section shall require that a front yard be more than fifty feet in depth nor to permit a front yard of less than forty feet in depth. On a lot that is not within one hundred feet of a lot with an established front yard, the front yard shall be not less than forty feet.~~

~~In a tract development, construction of which is substantially contemporaneous, the above rules shall not apply at the discretion of the builder providing he follow an approved plot plan of the tract development and providing the front yards of all lots be not less than forty feet.~~

~~3. There shall be two side yards each having a width of thirty feet.~~

~~4. There shall be a rear yard having a depth of not less than forty feet, which depth may be measured from the centerline of an existing sixteen foot or wider rear alley where only a one-half or partial alley exists.~~

1. EACH LOT SHALL HAVE A NET AREA OF NOT LESS THAN 43,560 SQUARE FEET.

2. EACH LOT SHALL HAVE A MINIMUM WIDTH OF 165 FEET.

3. EACH LOT SHALL HAVE A MINIMUM DEPTH OF 175 FEET.

4. SETBACK REQUIREMENTS:

   a. THE MINIMUM FRONT SETBACK IS 40 FEET.

b. THE MINIMUM SIDE SETBACK IS 30 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

c. THE MINIMUM REAR SETBACK IS 30 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

5. The main building and all accessory buildings on a lot shall not occupy more than 20 percent of the net lot area, except if all structures are less than 20 feet and one story in height then a maximum of ~~30~~ 40 percent lot coverage is allowed.

6. No building shall exceed the height of two stories, not to exceed thirty feet, and no dwelling shall be erected to a height of less than one story.

7. ~~Yards for~~ aAccessory ~~d~~Dwelling ~~u~~Units and other accessory structures ~~shall be provided in accordance with the provisions~~ ARE SUBJECT TO THE ADDITIONAL DEVELOPMENT REGULATIONS of Section 706.

8. OPEN ~~P~~projections into the required side yards, per the provisions of Section 701.a.3.a (1)(b), are not permitted.

***

SECTION 5: That Chapter 6, Section 606 (Residential Estate RE-24 District—One-Family Residence), is amended to read as follows:

The provisions of this section shall apply only to land zoned RE-24 prior to September 13, 1981.

The RE-24, One Family Residence District, is a district of single-family homes designed to maintain, protect and preserve a character of development on lots with a minimum area of 24,000 square feet and with not more than one dwelling unit and customary accessory buildings upon one lot.

A. **Permitted Uses.**

1. *Dwelling Units.* Each lot may have the following:

a. One primary dwelling unit.

b. ~~One~~ TWO accessory dwelling unitS. A THIRD ADU IS PERMITTED ONLY WHEN AT LEAST ONE ADU QUALIFIES AS AFFORDABLE HOUSING AND THE NET LOT SIZE IS A MINIMUM OF 43,560 SQUARE FEET.

c. Model homes are permitted subject to the provisions of Section 608.E.19.

***

5. RESERVED. ~~Model homes and/or subdivision sales offices when located in model homes subject to approval of the Planning and Development Department, and subject to the following conditions:~~

~~a. Such model home and/or subdivision sales offices shall be located in a subdivision which is owned by or held in trust for the subdivision developer proposing to erect the model homes and/or proposing to operate the sales office.~~

~~b. Subdivision sales offices and/or model homes shall be permitted for a period not to exceed 36 months from the date of approval for the sales offices and/or model homes.~~

~~c. The time limit allowed in Section 606.A.5.b for an additional 36 months shall be extended only upon securing a use permit.~~

~~d. The subdivision sales office shall be removed and the model homes shall be discontinued as model homes on or before the termination date set forth in Section 606.A.5.b or upon expiration of the extension granted by the Zoning Administrator pursuant to Section 606.A.5.c, or after six months following sale or occupancy of all lots in the subdivision other than the model homes, whichever occurs first. Notwithstanding these provisions, the model home complex shall, subject to obtaining a use permit in accordance with the provisions of Section 307, be able to be used as off-site models after sale of 75 percent of the lots in the subdivision; provided, that the model home complex is within four hundred feet of an arterial or collector street and that the use as off-site models shall not exceed, in combination with the use as on-site models, a total of 72 months.~~

~~e. For the purposes of Sections 606.A.5.a and d, the term "subdivision" shall mean all the land included within the preliminary plat submitted to Planning and Development Department.~~

~~f. Subdivision sales offices in buildings other than model homes may be permitted subject to the following standards to be reviewed and approved by the Planning and Development Department:~~

~~(1) One trailer per subdivision;~~

~~(2) Trailer shall be removed upon occupancy of first model home or within six months of approval (whichever occurs first);~~

~~(3) Signs shall not exceed six square feet;~~

(4) Subject to all provisions listed in Section 606.A.1.

g. More than one model home complex in a subdivision shall be permitted subject to the above standards and the following standards:

(1) A maximum of either six percent of the lots in the development or two lots, whichever is greater, may be used for model homes.

(2) The model home complexes shall be within four hundred feet of an arterial or collector street.

(3) Temporary street closures and temporary fences over the public right-of-way shall be approved by the Street Transportation Department.

(4) Off-street parking and circulation shall be dustproofed.

(5) Lighting shall be limited to security lighting of the model home complex.

If these standards cannot be met, the additional model home complex shall be subject to obtaining a use permit in accordance with the provisions of Section 307.

***

B. **Yard, height and area requirements.** Except as required by Section 710, the following yard, height, and area provisions shall be required for this district.

1. There shall be a lot area of not less than 24,000 square feet. No lot shall hereafter be subdivided to provide less than 24,000 thousand square feet of lot area nor to have a width of less than 130 feet nor a lot depth of less than 120 feet.

2. There shall be a front yard having a depth not less than that established by an existing main building on the nearest lot within one hundred feet, provided, however, that on a lot between two lots each within one hundred feet, which lots have established front yards, then the minimum front yard shall be that established by a line joining the nearest front corner of the main building on one lot and the nearest front corner of the main building on the other lot. Nothing in this section shall require that a front yard be more than forty feet in depth nor to permit a front yard of less than feet thirty in depth. On a lot that is not within one hundred feet of a lot with an established front yard, the front yard shall be not less than thirty feet.

~~In a tract development, construction of which is substantially contemporaneous, the above rules shall not apply at the discretion of the builder providing he follows an approved lot plan of the tract development and providing the front yards of all lots be not less than thirty feet.~~

~~3. There shall be two side yards which shall have the following minimum widths:~~

~~a. Fifteen feet on the street side of a corner lot.~~

~~b. Ten feet on an interior side yard.~~

~~4. There shall be a rear yard having a depth of not less than thirty feet, which depth may be measured from the centerline of an existing sixteen foot or wider rear alley or from what would be the centerline of a full sixteen foot or wider rear alley where only a one half or partial alley exists.~~

1. EACH LOT SHALL HAVE A NET AREA OF NOT LESS THAN 24,000 SQUARE FEET.

2. EACH LOT SHALL HAVE A MINIMUM WIDTH OF 130 FEET.

3. EACH LOT SHALL HAVE A MINIMUM DEPTH OF 120 FEET.

4. *SETBACK REQUIREMENTS:*

   a. THE MINIMUM FRONT SETBACK IS 30 FEET.

   b. THE MINIMUM STREET SIDE SETBACK IS 15 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   c. THE MINIMUM INTERIOR SIDE SETBACK IS 10 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   d. THE MINIMUM REAR SETBACK IS 20 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

5. The main building and all accessory buildings on a lot shall not occupy more than 25 percent of the net lot area, except if all structures are less than 20 feet and one story in height then a maximum of ~~30~~ 40 percent lot coverage is allowed.

6. No building shall exceed the height of two stories, not to exceed thirty feet, and no dwelling structure shall be erected to a height of less than one story.

7. ~~Yards for~~ aAccessory ~~d~~Dwelling ~~u~~Units and other accessory structures ~~shall be provided in accordance with the provisions~~ ARE SUBJECT TO THE ADDITIONAL DEVELOPMENT REGULATIONS of Section 706.

8. OPEN ~~P~~projections into the required side yards, per the provisions of section 701.A.3.a(1)(b), are not permitted.

***

SECTION 6: That Chapter 6, Section 607 (Residential R1-14 District—One-Family Residence), is amended to read as follows:

The provisions of this section shall apply only to land zoned R1-14 prior to September 13, 1981.

The R1-14, One-Family ~~Resident~~ RESIDENCE District, is a district of single-family homes designed to maintain, protect, and preserve a character of development on lots with minimum area of 14,000 square feet and with not more than one dwelling unit and customary accessory building upon one lot. Dwelling groups shall also be allowed in the districts on certain lots of excessive size, then developed consistent with the character of adjacent residential uses in the district.

***

B. **Yard, height and area requirements.** Except as required by Section 710, the following yard, height, and area provisions shall be required for this district.

~~1. There shall be a lot area of not less than 14,000 square feet. No lot shall hereafter be subdivided to provide less than 14,000 thousand square feet of lot area nor to have a width of less than 110 feet nor a lot depth of less than 120 feet.~~

~~2. Front yard requirements shall be the same as for RE-24.~~

~~3. Side yard requirements shall be the same as for RE-24.~~

~~4. Rear yard requirements shall be the same as for RE-24.~~

1. EACH LOT SHALL HAVE A NET AREA OF NOT LESS THAN 14,000 SQUARE FEET.

2. EACH LOT SHALL HAVE A MINIMUM WIDTH OF 110 FEET.

3. EACH LOT SHALL HAVE A MINIMUM DEPTH OF 120 FEET.

4. SETBACK REQUIREMENTS:

a. THE MINIMUM FRONT SETBACK IS 30 FEET.

b. THE MINIMUM STREET SIDE SETBACK IS 15 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

c. THE MINIMUM INTERIOR SIDE SETBACK IS 10 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

d. THE MINIMUM REAR SETBACK IS 20 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

5. The main building and all accessory buildings on a lot shall not occupy more than 25 percent of the net lot area, except if all structures are less than 20 feet and one story in height then a maximum of ~~30~~ 40 percent lot coverage is allowed.

6. No building shall exceed the height of two stories, not to exceed thirty feet, and no dwelling structure shall be erected to a height of less than one story.

7. ~~Yards for~~ aAccessory ~~d~~Dwelling ~~u~~Units and other accessory structures ~~shall be provided in accordance with the provisions~~ ARE SUBJECT TO THE ADDITIONAL DEVELOPMENT REGULATIONS of Section 706.

8. OPEN ~~P~~projections into the required side yards, per the provisions of section 701.A.3.a(1)(b), are not permitted.

***

SECTION 7: That Chapter 6, Section 608 (Residential Districts), is amended to read as follows:

***

E. **Land Use Conditions.**

1. **Single-Family Detached Dwelling Unit.** Each single-family lot is permitted one single-family detached primary dwelling unit and no additional dwelling units, unless otherwise permitted elsewhere in this section.

2. **Accessory Dwelling Unit (ADU).**

a. ~~Each single-family detached lot is permitted one accessory dwelling unit in addition to the primary dwelling unit, except that lots having a duplex or triplex may not have an ADU.~~
WHEN A LOT HAS NO MORE THAN ONE SINGLE-FAMILY DETACHED PRIMARY DWELLING, TWO ADUS ARE PERMITTED IN ADDITION TO THE PRIMARY DWELLING UNIT. A THIRD ADU MAY BE PERMITTED WHEN AT LEAST ONE OF THE ADUS QUALIFIES AS AFFORDABLE HOUSING, AND THE NET LOT SIZE IS A MINIMUM 43,560 SQUARE FEET. HOWEVER, LOTS HAVING A DUPLEX OR TRIPLEX, SINGLE-FAMILY ATTACHED UNITS, OR ANY MULTI-FAMILY DWELLING UNITS ARE NOT PERMITTED ANY ADUS.

b. An ADU is subject to the development regulations of Section 706.A.

***

SECTION 8: That Chapter 6, Section 609 (RE-35 Single-Family Residence District), is amended to read as follows:

***

TABLE 609.A
RE-35 Development Options

Standards	***(a) Subdivision***	***(b) Average Lot***	***(c) Planned Residential Development***
***	***	***	***
Lot coverage	25%, except if all structures are less than 20' and 1 story in height then a maximum of ~~30~~ 40% lot coverage is allowed.	30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40%	30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40%
***	***	***	***

***

SECTION 9: That Chapter 7, Section 701.A.3 (Projections), is amended to read as follows:

***

A. **Lots.**

***

3. **Projections.**

a. The following provisions apply to development in Sections 604 through 607 and Section 619 and in the subdivision option of Sections 609 through 618:

***

(2) Closed Projections.

***

(d) The main building (which may include an attached ADU) may project into the required rear OR SIDE yard, SUBJECT TO THE FOLLOWING: ~~when no portion of the projection exceeds 15 feet in height; the projection is no closer to the rear property line than three feet, and the projection is no closer to a side property line than allowed by the district; unless a use permit is obtained in accordance with the provisions of Section 307.~~

(i) THE PROJECTION IS NO CLOSER TO A SIDE PROPERTY LINE THAN FIVE FEET;

(ii) THE PROJECTION IS NO CLOSER TO A REAR PROPERTY LINE THAN THREE FEET; AND

(iii) THE PROJECTION DOES NOT EXCEED 15 FEET IN HEIGHT, UNLESS GREATER HEIGHT IS PERMITTED BY OBTAINING A USE PERMIT PER SECTION 307.

***

SECTION 10: That Chapter 7, Section 703.B (Landscaping and Open Areas In Multiple-Family Development), is amended to read as follows:

***

B. 2. Landscaping and open space areas shall be provided as follows at the time of initial development and shall be maintained in a living condition on any lot subject to residential district standards with ~~four~~ FIVE or more dwelling units.

***

SECTION 11: That Chapter 7, Section 706 (Accessory Uses and Structures), is amended to read as follows:

A. **Accessory Dwelling Units (ADU)**

1. ~~In zoning districts where accessory dwelling units are a permitted use, one ADU is permitted per lot when a single-family detached primary dwelling unit is also provided, unless otherwise permitted by the zoning district.~~ THIS SECTION APPLIES TO ACCESSORY DWELLING UNITS WHEN A LOT HAVING NO MORE THAN ONE SINGLE-FAMILY DWELLING UNIT IS PERMITTED ONE OR MORE ADUS PER THE UNDERLYING ZONING DISTRICT.

2. ~~An ADU is not permitted on a lot with a single-family attached dwelling unit, a duplex, triplex, or multifamily dwelling units, unless otherwise permitted by the zoning district.~~ AN ADU MAY BE EITHER ATTACHED TO OR DETACHED FROM THE PRIMARY DWELLING UNIT, SUBJECT TO THE FOLLOWING:

   a. A MAXIMUM OF ONE ATTACHED ADU MAY BE PROVIDED PER LOT.

   b. A MAXIMUM OF ONE DETACHED ADU MAY BE CONNECTED TO THE PRIMARY DWELLING UNIT BY A PORCH, DECK, COVERED PATIO, CARPORT, BREEZEWAY, OR SIMILAR.

3. ~~An~~ ADUS ~~may be either attached to or detached from the primary dwelling unit,~~ ARE subject to the following design guidelines:

   a. An attached ADU shall be integrated into the design of the primary dwelling unit so that it appears to be part of one single family home, rather than a duplex. This guideline does not prohibit the provision of separate entry features. (P)

   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,~~ SHOULD HAVE A RESIDENTIAL APPEARANCE IN NATURE AND DESIGN, or as may be approved by Historic Preservation for HP zoned or designated properties. (P)

Rationale: ADUs are intended be subordinate to the primary single-family home and should visually appear as such. ~~An ADU which looks like a second duplex unit, or a second detached primary dwelling unit, does not meet this intent.~~ MATERIALS MORE COMMONLY ASSOCIATED WITH COMMERCIAL STRUCTURES SHOULD BE AVOIDED. HOWEVER, THESE DESIGN GUIDELINES DO NOT REQUIRE THAT AN ADU MATCHES THE EXTERIOR DESIGN, ROOF PITCH, OR FINISHING MATERIALS OF THE PRIMARY DWELLING UNIT.

4. A detached ADU ~~may be located within the required rear yard,~~ IS subject to the following:

   a. A DETACHED ADU MAY BE LOCATED WITHIN THE REQUIRED REAR OR SIDE YARD(S), AND/OR WITHIN A REQUIRED ON-LOT PERIMETER SETBACK WHICH IS NOT ALSO THE FRONT YARD.

   ~~a.~~ b. Setbacks.

      (1) Minimum ~~ten~~ FIVE feet from a street side property line.

      (2) Minimum three feet from an interior SIDE OR REAR property line.

      (3) No setback is required adjacent to a fully dedicated alley.

      (4) FRONT SETBACKS APPLY AS STATED FOR THE ZONING DISTRICT.

   ~~b.~~ c. PERMITTED Height. ~~Maximum 15 feet unless use permit approval for a greater height is obtained per Section 307.~~

      (1) WHEN LOCATED WITHIN THE REQUIRED REAR OR SIDE YARDS: MAXIMUM 15 FEET, UNLESS USE PERMIT APPROVAL FOR A GREATER HEIGHT IS OBTAINED PER SECTION 307.

      (2) WHEN NOT LOCATED WITHIN ANY REQUIRED YARD: THE SAME HEIGHT AS PERMITTED FOR THE PRIMARY DWELLING UNIT.

~~5.~~ ~~A detached ADU not located within the required rear yard and compliant with the same setbacks required for the primary dwelling unit is subject to the same height regulations as the primary dwelling unit.~~

~~6.~~ 5. WHEN IN COMPLIANCE WITH THE MINIMUM REQUIRED FRONT SETBACK, Aa detached ADU may not be located between the primary dwelling unit and the front property line unless use permit approval is obtained per Section 307.

~~7.~~ 6. An attached ADU shall comply with same height regulations and setbacks (including permitted projections per Section 701.A.3) required for the primary dwelling unit~~.~~

~~8.~~ 7. AnY ADU shall comply with the lot coverage requirements applicable to the property.

~~9.~~ 8. AnY ADU shall not have a gross floor area which exceeds 75% of the gross floor area of the primary dwelling unit, and:

a. For lots up to 10,000 square feet in net area: 1,000 square feet.

b. For lots over 10,000 square feet in net area: the lesser of 3,000 square feet or 10% of the net lot area.

For the purposes of these calculations, any garage, ATTACHED SHADE STRUCTURE, or attached carport constructed as part of a detached ADU shall NOT count toward the gross floor area of the ADU. ~~Any attached shade structures shall count towards lot coverage, but not gross floor area.~~

~~10. Notwithstanding any other provision, using the ADU for an activity requiring a permit under Chapter 10, Article XVI of the City Code is prohibited.~~

B. **Single-Family Residential Accessory Structures.** The following regulations apply to accessory structures which are not accessory dwelling units, and located on lots having only single-family residential uses:

1. Accessory structures are not permitted within the required front yard. Accessory structures located behind the required front setback but between the primary dwelling unit and the front property line are not permitted unless use permit approval is obtained per Section 307.

2. SETBACKS.

a. MINIMUM THREE FEET FROM A SIDE OR REAR PROPERTY LINE.

b. NO SETBACK IS REQUIRED ADJACENT TO A FULLY DEDICATED ALLEY, UNLESS NEEDED FOR REQUIRED VEHICULAR MANUEVERING.

~~2.~~ 3. Permitted Heights.

a. WHEN LOCATED WITHIN A REQUIRED REAR OR SIDE YARD, A ~~M~~maximum height of eight feet IS PERMITTED when located ~~within ten~~ LESS THAN FIVE feet ~~of~~ FROM a street side property line, AND A MAXIMUM HEIGHT OF ~~or~~ 15 feet IS PERMITTED when located FIVE FEET OR MORE FROM A STREET SIDE PROPERTY LINE ~~elsewhere within the required rear or side yard~~.

b. Heights in excess of 15 feet, when ~~not~~ located ~~within ten~~ FIVE feet ~~of~~ OR MORE FROM a street side property line, may be approved through a use permit obtained per Section 307.

c. An accessory structure not located within the required rear or side yard and compliant with the same setbacks required for the primary dwelling unit is subject to the same height regulations as the primary dwelling unit.

~~3.~~ ~~Setbacks. Accessory structures shall maintain a minimum setback of three feet adjacent to a rear or side property line, except that no setback is required adjacent to a fully dedicated alley.~~

***

Approved: _____
Alan Stephenson, Deputy City Manager

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING 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); CHAPTER 6, SECTION 603 (SUBURBAN S-1 DISTRICT—RANCH OR FARM RESIDENCE), SECTION 604 (SUBURBAN S-2 DISTRICT—RANCH OR FARM COMMERCIAL), SECTION 605 (RESIDENTIAL ESTATE RE-43 DISTRICT—ONE-FAMILY RESIDENCE), SECTION 606 (RESIDENTIAL ESTATE RE-24 DISTRICT—ONE-FAMILY RESIDENCE), SECTION 607 (RESIDENTIAL R1-14 DISTRICT—ONE-FAMILY RESIDENCE), SECTION 608 (RESIDENTIAL DISTRICTS), SECTION 609 (RE-35 SINGLE-FAMILY RESIDENCE DISTRICT); CHAPTER 7, SECTION 701.A.3 (PROJECTIONS), SECTION 703.B (LANDSCAPING AND OPEN AREAS IN MULTIPLE-FAMILY DEVELOPMENT), AND SECTION 706 (ACCESSORY USES AND STRUCTURES), TO MODIFY PROVISIONS RELATED TO ACCESSORY DWELLING UNITS.

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

SECTION 1: That Chapter 2, Section 202 (Definitions), is amended to add new definitions and revise existing as follows:

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Accessory Dwelling Unit (ADU): A dwelling unit, as defined in this section, subordinate to the primary dwelling unit and situated on the same lot ~~and used for a residential~~

~~accessory use~~. ADUs, where permitted, do not count towards calculations of gross density.

ACCESSORY DWELLING UNIT, ATTACHED: AN ADU WHICH IS CONSTRUCTED HAVING A COMMON WALL AND ATTACHED FOUNDATIONS WITH THE PRIMARY DWELLING UNIT. AN ADU CONNECTED TO THE PRIMARY DWELLING UNIT IN ANY OTHER MANNER SHALL NOT BE CONSIDERED AN ATTACHED ADU.

ACCESSORY DWELLING UNIT, DETACHED: AN ADU WHICH IS CONSTRUCTED WITH NO CONNECTION TO THE PRIMARY DWELLING UNIT, EXCEPT AS MAY BE EXPLICITLY PERMITTED WITHIN THE ZONING ORDINANCE. A DETACHED ADU MAY INCLUDE AN INTEGRATED GARAGE, CARPORT, OR PORCH. TWO ADUS ATTACHED TO EACH OTHER, BUT NOT TO THE PRIMARY DWELLING UNIT, SHALL EACH BE CONSIDERED AS A DETACHED ADU.

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Multi-Family/Multiple-Family: A lot or parcel where two or more dwelling units are provided, not including ~~a~~ permitted accessory dwelling unitS.

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SECTION 2: That Chapter 6, Section 603 (Suburban S-1 District—Ranch or Farm Residence), is amended to read as follows:

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A. **Permitted Uses.**

1. Dwelling Units. Each lot may have the following:

   a. One primary dwelling unit.

   b. ~~One~~ TWO accessory dwelling unitS, and

   c. For each additional 10 acres provided above the minimum lot size, one additional accessory dwelling unit for use by on-site laborers may be provided.

   d. IN ADDITION TO THE ABOVE, ONE ADDITIONAL ACCESSORY DWELLING UNIT (ADU) MAY BE PERMITTED ONLY WHEN AT LEAST ONE ADU QUALIFIES AS AFFORDABLE HOUSING.

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B. **Yard, Height and Area Requirements.**

1. Each lot shall have a net area of not less than one acre.

2. ~~For all dwelling units:~~ SETBACK REQUIREMENTS:

   a. The minimum front setback is 40 feet.

   b. The minimum side setback is 30 feet, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   c. The minimum rear setback is 30 feet, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

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6. Accessory dwelling units are subject to the additional ~~provisions~~ DEVELOPMENT REGULATIONS of Section 706.A.

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SECTION 3: That Chapter 6, Section 604 (Suburban S-2 District—Ranch or Farm Commercial), is amended to read as follows:

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B. **Yard, height and area requirements.**

1. Each lot shall have a net area of not less than three acres.

2. ~~For all dwelling units:~~ SETBACK REQUIREMENTS:

   a. The minimum front setback is 40 feet.

   b. The minimum side setback is 30 feet, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   c. The minimum rear setback is 30 feet, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

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6. Accessory dwelling units are subject to the additional ~~provisions~~ DEVELOPMENT REGULATIONS of Section 706.A.

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SECTION 4: That Chapter 6, Section 605 (Residential Estate RE-43 District—One-Family Residence), is amended to read as follows:

The provisions of this section shall apply only to land zoned RE-43 prior to September 13, 1981.

The RE-43, One-Family Residence DISTRICT, is a district of single-family homes designed to maintain, protect and preserve a character of development on lots with a minimum area of 43,560 square feet, and with not more than one dwelling unit and customary accessory buildings upon one lot.

A. **Permitted Uses.**

1. Dwelling units. Each lot may have the following:

   a. One primary dwelling unit.

   b. ~~One~~ TWO accessory dwelling unitS. A THIRD ADU IS PERMITTED ONLY WHEN AT LEAST ONE ADU QUALIFIES AS AFFORDABLE HOUSING AND THE NET LOT SIZE IS A MINIMUM OF 43,560 SQUARE FEET.

   c. Model homes are permitted subject to the provisions of Section 608.E.19.

***

5. RESERVED. ~~Model homes and/or subdivision sales offices when located in model homes subject to approval of the Planning and Development Department, and subject to the following conditions:~~

   ~~a.~~ ~~Such model home and/or subdivision sales offices shall be located in a subdivision which is owned by or held in trust for the subdivision developer proposing to erect the model homes and/or proposing to operate the sales office.~~

b. Subdivision sales offices and/or model homes shall be permitted for a period not to exceed 36 months from the date of approval for the sales offices and/or model homes.

c. The time limit allowed in Section 605.A.5.b for an additional 36 months shall be extended only upon securing a use permit.

d. The subdivision sales office shall be removed and the model homes shall be discontinued as model homes on or before the termination date set forth in Section 605.A.5.b or upon expiration of the extension granted by the Zoning Administrator pursuant to Section 605.A.5.c, or after six months following sale or occupancy of all lots in the subdivision other than the model homes, whichever occurs first. Notwithstanding these provisions, the model home complex shall, subject to obtaining a use permit in accordance with the provisions of Section 307, be able to be used as off-site models after sale of 75 percent of the lots in the subdivision; provided, that the model home complex is within four hundred feet of an arterial or collector street and that the use as off-site models shall not exceed, in combination with the use as on-site models, a total of 72 months.

e. For the purposes of Sections 605.A.5.a and d, the term "subdivision" shall mean all the land included within the preliminary plat submitted to Planning and Development Department.

f. Subdivision sales offices in buildings other than model homes may be permitted subject to the following standards to be reviewed and approved by the Planning and Development Department:

(1) One trailer per subdivision;

(2) Trailer shall be removed upon occupancy of first model home or within six months of approval (whichever occurs first);

(3) Signs shall not exceed six square feet;

(4) Subject to all provisions listed in Section 605.C.1.

g. More than one model home complex in a subdivision shall be permitted subject to the above standards and the following standards:

(1) A maximum of either six percent of the lots in the development or two lots, whichever is greater, may be used for model homes.

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~~(2) The model home complexes shall be within four hundred feet of an arterial or collector street.~~

~~(3) Temporary street closures and temporary fences over the public right-of-way shall be approved by the Street Transportation Department.~~

~~(4) Off-street parking and circulation shall be dustproofed.~~

~~(5) Lighting shall be limited to security lighting of the model home complex.~~

~~If these standards cannot be met, the additional model home complex shall be subject to obtaining a use permit in accordance with the provisions of Section 307.~~

***

B. **Yard, height and area requirements.** Except as required by Section 710, the following yard, height, and area provisions shall be required for this district.

~~1. There shall be a lot area of not less than 43,560 square feet. No lot shall hereafter be subdivided to provide less than 43,560 square feet of lot area, nor to have a width of less than 165 feet, nor to have a lot depth of less than 175 feet.~~

~~2. There shall be a front yard having a depth not less than that established by an existing main building on the nearest lot within one hundred feet, provided, however, that on a lot between two lots each within one hundred feet, which lots have established [front yards, then the minimum front yard shall be that established] by a line joining the nearest front corner of the main building on one lot and the nearest front corner of the main building on the other lot. Nothing in this section shall require that a front yard be more than fifty feet in depth nor to permit a front yard of less than forty feet in depth. On a lot that is not within one hundred feet of a lot with an established front yard, the front yard shall be not less than forty feet.~~

~~In a tract development, construction of which is substantially contemporaneous, the above rules shall not apply at the discretion of the builder providing he follow an approved plot plan of the tract development and providing the front yards of all lots be not less than forty feet.~~

~~3. There shall be two side yards each having a width of thirty feet.~~

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~~4. There shall be a rear yard having a depth of not less than forty feet, which depth may be measured from the centerline of an existing sixteen-foot or wider rear alley where only a one-half or partial alley exists.~~

1. EACH LOT SHALL HAVE A NET AREA OF NOT LESS THAN 43,560 SQUARE FEET.

2. EACH LOT SHALL HAVE A MINIMUM WIDTH OF 165 FEET.

3. EACH LOT SHALL HAVE A MINIMUM DEPTH OF 175 FEET.

4. SETBACK REQUIREMENTS:

   a. THE MINIMUM FRONT SETBACK IS 40 FEET.

   b. THE MINIMUM SIDE SETBACK IS 30 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   c. THE MINIMUM REAR SETBACK IS 30 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

5. The main building and all accessory buildings on a lot shall not occupy more than 20 percent of the net lot area, except if all structures are less than 20 feet and one story in height then a maximum of ~~30~~ 40 percent lot coverage is allowed.

6. No building shall exceed the height of two stories, not to exceed thirty feet, and no dwelling shall be erected to a height of less than one story.

7. ~~Yards for~~ aAccessory ~~d~~Dwelling ~~u~~Units and other accessory structures ~~shall be provided in accordance with the provisions~~ ARE SUBJECT TO THE ADDITIONAL DEVELOPMENT REGULATIONS of Section 706.

8. OPEN ~~P~~projections into the required side yards, per the provisions of Section 701.a.3.a (1)(b), are not permitted.

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SECTION 5: That Chapter 6, Section 606 (Residential Estate RE-24 District—

One-Family Residence), is amended to read as follows:

The provisions of this section shall apply only to land zoned RE-24 prior to September 13, 1981.

The RE-24, One Family Residence District, is a district of single-family homes designed to maintain, protect and preserve a character of development on lots with a minimum area of 24,000 square feet and with not more than one dwelling unit and customary accessory buildings upon one lot.

A. **Permitted Uses.**

1. *Dwelling Units.* Each lot may have the following:

   a. One primary dwelling unit.

   b. ~~One~~ TWO accessory dwelling unitS. A THIRD ADU IS PERMITTED ONLY WHEN AT LEAST ONE ADU QUALIFIES AS AFFORDABLE HOUSING AND THE NET LOT SIZE IS A MINIMUM OF 43,560 SQUARE FEET.

   c. Model homes are permitted subject to the provisions of Section 608.E.19.

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5. RESERVED. ~~Model homes and/or subdivision sales offices when located in model homes subject to approval of the Planning and Development Department, and subject to the following conditions:~~

   ~~a. Such model home and/or subdivision sales offices shall be located in a subdivision which is owned by or held in trust for the subdivision developer proposing to erect the model homes and/or proposing to operate the sales office.~~

   ~~b. Subdivision sales offices and/or model homes shall be permitted for a period not to exceed 36 months from the date of approval for the sales offices and/or model homes.~~

   ~~c. The time limit allowed in Section 606.A.5.b for an additional 36 months shall be extended only upon securing a use permit.~~

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d. The subdivision sales office shall be removed and the model homes shall be discontinued as model homes on or before the termination date set forth in Section 606.A.5.b or upon expiration of the extension granted by the Zoning Administrator pursuant to Section 606.A.5.c, or after six months following sale or occupancy of all lots in the subdivision other than the model homes, whichever occurs first. Notwithstanding these provisions, the model home complex shall, subject to obtaining a use permit in accordance with the provisions of Section 307, be able to be used as off-site models after sale of 75 percent of the lots in the subdivision; provided, that the model home complex is within four hundred feet of an arterial or collector street and that the use as off-site models shall not exceed, in combination with the use as on-site models, a total of 72 months.

e. For the purposes of Sections 606.A.5.a and d, the term "subdivision" shall mean all the land included within the preliminary plat submitted to Planning and Development Department.

f. Subdivision sales offices in buildings other than model homes may be permitted subject to the following standards to be reviewed and approved by the Planning and Development Department:

(1) One trailer per subdivision;

(2) Trailer shall be removed upon occupancy of first model home or within six months of approval (whichever occurs first);

(3) Signs shall not exceed six square feet;

(4) Subject to all provisions listed in Section 606.A.1.

g. More than one model home complex in a subdivision shall be permitted subject to the above standards and the following standards:

(1) A maximum of either six percent of the lots in the development or two lots, whichever is greater, may be used for model homes.

(2) The model home complexes shall be within four hundred feet of an arterial or collector street.

(3) Temporary street closures and temporary fences over the public right-of-way shall be approved by the Street Transportation Department.

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(4) ~~Off-street parking and circulation shall be dustproofed.~~

(5) ~~Lighting shall be limited to security lighting of the model home complex.~~

~~If these standards cannot be met, the additional model home complex shall be subject to obtaining a use permit in accordance with the provisions of Section 307.~~

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B. **Yard, height and area requirements.** Except as required by Section 710, the following yard, height, and area provisions shall be required for this district.

~~1.~~ ~~There shall be a lot area of not less than 24,000 square feet. No lot shall hereafter be subdivided to provide less than 24,000 thousand square feet of lot area nor to have a width of less than 130 feet nor a lot depth of less than 120 feet.~~

~~2.~~ ~~There shall be a front yard having a depth not less than that established by an existing main building on the nearest lot within one hundred feet, provided, however, that on a lot between two lots each within one hundred feet, which lots have established front yards, then the minimum front yard shall be that established by a line joining the nearest front corner of the main building on one lot and the nearest front corner of the main building on the other lot. Nothing in this section shall require that a front yard be more than forty feet in depth nor to permit a front yard of less than feet thirty in depth. On a lot that is not within one hundred feet of a lot with an established front yard, the front yard shall be not less than thirty feet.~~

~~In a tract development, construction of which is substantially contemporaneous, the above rules shall not apply at the discretion of the builder providing he follows an approved lot plan of the tract development and providing the front yards of all lots be not less than thirty feet.~~

~~3.~~ ~~There shall be two side yards which shall have the following minimum widths:~~

~~a.~~ ~~Fifteen feet on the street side of a corner lot.~~

~~b.~~ ~~Ten feet on an interior side yard.~~

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~~4. There shall be a rear yard having a depth of not less than thirty feet, which depth may be measured from the centerline of an existing sixteen-foot or wider rear alley or from what would be the centerline of a full sixteen-foot or wider rear alley where only a one-half or partial alley exists.~~

1. EACH LOT SHALL HAVE A NET AREA OF NOT LESS THAN 24,000 SQUARE FEET.

2. EACH LOT SHALL HAVE A MINIMUM WIDTH OF 130 FEET.

3. EACH LOT SHALL HAVE A MINIMUM DEPTH OF 120 FEET.

4. *SETBACK REQUIREMENTS:*

   a. THE MINIMUM FRONT SETBACK IS 30 FEET.

   b. THE MINIMUM STREET SIDE SETBACK IS 15 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   c. THE MINIMUM INTERIOR SIDE SETBACK IS 10 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   d. THE MINIMUM REAR SETBACK IS 20 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

5. The main building and all accessory buildings on a lot shall not occupy more than 25 percent of the net lot area, except if all structures are less than 20 feet and one story in height then a maximum of ~~30~~ 40 percent lot coverage is allowed.

6. No building shall exceed the height of two stories, not to exceed thirty feet, and no dwelling structure shall be erected to a height of less than one story.

7. ~~Yards for~~ aAccessory ~~d~~Dwelling ~~u~~Units and other accessory structures ~~shall be provided in accordance with the provisions~~ ARE SUBJECT TO THE ADDITIONAL DEVELOPMENT REGULATIONS of Section 706.

8. OPEN ~~P~~projections into the required side yards, per the provisions of section 701.A.3.a(1)(b), are not permitted.

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SECTION 6: That Chapter 6, Section 607 (Residential R1-14 District—One-Family Residence), is amended to read as follows:

The provisions of this section shall apply only to land zoned R1-14 prior to September 13, 1981.

The R1-14, One-Family ~~Resident~~ RESIDENCE District, is a district of single-family homes designed to maintain, protect, and preserve a character of development on lots with minimum area of 14,000 square feet and with not more than one dwelling unit and customary accessory building upon one lot. Dwelling groups shall also be allowed in the districts on certain lots of excessive size, then developed consistent with the character of adjacent residential uses in the district.

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B. **Yard, height and area requirements.** Except as required by Section 710, the following yard, height, and area provisions shall be required for this district.

~~1. There shall be a lot area of not less than 14,000 square feet. No lot shall hereafter be subdivided to provide less than 14,000 thousand square feet of lot area nor to have a width of less than 110 feet nor a lot depth of less than 120 feet.~~

~~2. Front yard requirements shall be the same as for RE-24.~~

~~3. Side yard requirements shall be the same as for RE-24.~~

~~4. Rear yard requirements shall be the same as for RE-24.~~

1. EACH LOT SHALL HAVE A NET AREA OF NOT LESS THAN 14,000 SQUARE FEET.

2. EACH LOT SHALL HAVE A MINIMUM WIDTH OF 110 FEET.

3. EACH LOT SHALL HAVE A MINIMUM DEPTH OF 120 FEET.

4. SETBACK REQUIREMENTS:

    a. THE MINIMUM FRONT SETBACK IS 30 FEET.

b. THE MINIMUM STREET SIDE SETBACK IS 15 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

c. THE MINIMUM INTERIOR SIDE SETBACK IS 10 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

d. THE MINIMUM REAR SETBACK IS 20 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

5. The main building and all accessory buildings on a lot shall not occupy more than 25 percent of the net lot area, except if all structures are less than 20 feet and one story in height then a maximum of ~~30~~ 40 percent lot coverage is allowed.

6. No building shall exceed the height of two stories, not to exceed thirty feet, and no dwelling structure shall be erected to a height of less than one story.

7. ~~Yards for~~ aAccessory ~~d~~Dwelling ~~u~~Units and other accessory structures ~~shall be provided in accordance with the provisions~~ ARE SUBJECT TO THE ADDITIONAL DEVELOPMENT REGULATIONS of Section 706.

8. OPEN ~~P~~projections into the required side yards, per the provisions of section 701.A.3.a(1)(b), are not permitted.

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SECTION 7: That Chapter 6, Section 608 (Residential Districts), is amended to read as follows:

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E. **Land Use Conditions.**

1. **Single-Family Detached Dwelling Unit.** Each single-family lot is permitted one single-family detached primary dwelling unit and no additional dwelling units, unless otherwise permitted elsewhere in this section.

2. **Accessory Dwelling Unit (ADU).**

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a. ~~Each single-family detached lot is permitted one accessory dwelling unit in addition to the primary dwelling unit, except that lots having a duplex or triplex may not have an ADU.~~
WHEN A LOT HAS NO MORE THAN ONE SINGLE-FAMILY DETACHED PRIMARY DWELLING, TWO ADUS ARE PERMITTED IN ADDITION TO THE PRIMARY DWELLING UNIT. A THIRD ADU MAY BE PERMITTED WHEN AT LEAST ONE OF THE ADUS QUALIFIES AS AFFORDABLE HOUSING, AND THE NET LOT SIZE IS A MINIMUM 43,560 SQUARE FEET. HOWEVER, LOTS HAVING A DUPLEX OR TRIPLEX, SINGLE-FAMILY ATTACHED UNITS, OR ANY MULTI-FAMILY DWELLING UNITS ARE NOT PERMITTED ANY ADUS.

b. An ADU is subject to the development regulations of Section 706.A.

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SECTION 8: That Chapter 6, Section 609 (RE-35 Single-Family Residence District), is amended to read as follows:

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TABLE 609.A RE-35 Development Options			
Standards	***(a) Subdivision***	***(b) Average Lot***	***(c) Planned Residential Development***
***	***	***	***
Lot coverage	25%, except if all structures are less than 20' and 1 story in height then a maximum of ~~30~~ 40% lot coverage is allowed.	30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40%	30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40%
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SECTION 9: That Chapter 7, Section 701.A.3 (Projections), is amended to read as follows:

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A. **Lots.**

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3. **Projections.**

a. The following provisions apply to development in Sections 604 through 607 and Section 619 and in the subdivision option of Sections 609 through 618:

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(2) Closed Projections.

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(d) The main building (which may include an attached ADU) may project into the required rear OR SIDE yard, SUBJECT TO THE FOLLOWING: ~~when no portion of the projection exceeds 15 feet in height; the projection is no closer to the rear property line than three feet, and the projection is no closer to a side property line than allowed by the district; unless a use permit is obtained in accordance with the provisions of Section 307.~~

(i) THE PROJECTION IS NO CLOSER TO A SIDE PROPERTY LINE THAN FIVE FEET;

(ii) THE PROJECTION IS NO CLOSER TO A REAR PROPERTY LINE THAN THREE FEET; AND

(iii) THE PROJECTION DOES NOT EXCEED 15 FEET IN HEIGHT, UNLESS GREATER HEIGHT IS PERMITTED BY OBTAINING A USE PERMIT PER SECTION 307.

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SECTION 10: That Chapter 7, Section 703.B (Landscaping and Open Areas In Multiple-Family Development), is amended to read as follows:

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B. 2. Landscaping and open space areas shall be provided as follows at the time of initial development and shall be maintained in a living condition on any lot subject to residential district standards with ~~four~~ FIVE or more dwelling units.

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SECTION 11: That Chapter 7, Section 706 (Accessory Uses and Structures), is amended to read as follows:

A. **Accessory Dwelling Units (ADU)**

1. ~~In zoning districts where accessory dwelling units are a permitted use, one ADU is permitted per lot when a single-family detached primary dwelling unit is also provided, unless otherwise permitted by the zoning district.~~ THIS SECTION APPLIES TO ACCESSORY DWELLING UNITS WHEN A LOT HAVING NO MORE THAN ONE SINGLE-FAMILY DWELLING UNIT IS PERMITTED ONE OR MORE ADUS PER THE UNDERLYING ZONING DISTRICT.

2. ~~An ADU is not permitted on a lot with a single-family attached dwelling unit, a duplex, triplex, or multifamily dwelling units, unless otherwise permitted by the zoning district.~~ AN ADU MAY BE EITHER ATTACHED TO OR DETACHED FROM THE PRIMARY DWELLING UNIT, SUBJECT TO THE FOLLOWING:

   a. A MAXIMUM OF ONE ATTACHED ADU MAY BE PROVIDED PER LOT.

   b. A MAXIMUM OF ONE DETACHED ADU MAY BE CONNECTED TO THE PRIMARY DWELLING UNIT BY A PORCH, DECK, COVERED PATIO, CARPORT, BREEZEWAY, OR SIMILAR.

3. ~~An~~ ADUS ~~may be either attached to or detached from the primary dwelling unit,~~ ARE subject to the following design guidelines:

a. An attached ADU shall be integrated into the design of the primary dwelling unit so that it appears to be part of one single family home, rather than a duplex. This guideline does not prohibit the provision of separate entry features. (P)

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,~~ SHOULD HAVE A RESIDENTIAL APPEARANCE IN NATURE AND DESIGN, or as may be approved by Historic Preservation for HP zoned or designated properties. (P)

Rationale: ADUs are intended be subordinate to the primary single-family home and should visually appear as such. ~~An ADU which looks like a second duplex unit, or a second detached primary dwelling unit, does not meet this intent.~~ MATERIALS MORE COMMONLY ASSOCIATED WITH COMMERCIAL STRUCTURES SHOULD BE AVOIDED. HOWEVER, THESE DESIGN GUIDELINES DO NOT REQUIRE THAT AN ADU MATCHES THE EXTERIOR DESIGN, ROOF PITCH, OR FINISHING MATERIALS OF THE PRIMARY DWELLING UNIT.

4. A detached ADU ~~may be located within the required rear yard,~~ IS subject to the following:

<u>a.</u> A DETACHED ADU MAY BE LOCATED WITHIN THE REQUIRED REAR OR SIDE YARD(S), AND/OR WITHIN A REQUIRED ON-LOT PERIMETER SETBACK WHICH IS NOT ALSO THE FRONT YARD.

~~a.~~ <u>b.</u> Setbacks.

(1) Minimum ~~ten~~ FIVE feet from a street side property line.

(2) Minimum three feet from an interior SIDE OR REAR property line.

(3) No setback is required adjacent to a fully dedicated alley.

<u>(4)</u> FRONT SETBACKS APPLY AS STATED FOR THE ZONING DISTRICT.

~~b.~~ <u>c.</u> PERMITTED Height. ~~Maximum 15 feet unless use permit approval for a greater height is obtained per Section 307.~~

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(1) WHEN LOCATED WITHIN THE REQUIRED REAR OR SIDE YARDS: MAXIMUM 15 FEET, UNLESS USE PERMIT APPROVAL FOR A GREATER HEIGHT IS OBTAINED PER SECTION 307.

(2) WHEN NOT LOCATED WITHIN ANY REQUIRED YARD: THE SAME HEIGHT AS PERMITTED FOR THE PRIMARY DWELLING UNIT.

~~5. A detached ADU not located within the required rear yard and compliant with the same setbacks required for the primary dwelling unit is subject to the same height regulations as the primary dwelling unit.~~

~~6.~~ 5. WHEN IN COMPLIANCE WITH THE MINIMUM REQUIRED FRONT SETBACK, ~~A~~a detached ADU may not be located between the primary dwelling unit and the front property line unless use permit approval is obtained per Section 307.

~~7.~~ 6. An attached ADU shall comply with same height regulations and setbacks (including permitted projections per Section 701.A.3) required for the primary dwelling unit~~.~~

~~8.~~ 7. AnY ADU shall comply with the lot coverage requirements applicable to the property.

~~9.~~ 8. AnY ADU shall not have a gross floor area which exceeds 75% of the gross floor area of the primary dwelling unit, and:

a. For lots up to 10,000 square feet in net area: 1,000 square feet.

b. For lots over 10,000 square feet in net area: the lesser of 3,000 square feet or 10% of the net lot area.

For the purposes of these calculations, any garage, ATTACHED SHADE STRUCTURE, or attached carport constructed as part of a detached ADU shall NOT count toward the gross floor area of the ADU. ~~Any attached shade structures shall count towards lot coverage, but not gross floor area.~~

~~10. Notwithstanding any other provision, using the ADU for an activity requiring a permit under Chapter 10, Article XVI of the City Code is prohibited.~~

B. **Single-Family Residential Accessory Structures.** The following regulations apply to accessory structures which are not accessory dwelling units, and located on lots having only single-family residential uses:

1. Accessory structures are not permitted within the required front yard. Accessory structures located behind the required front setback but between the primary dwelling unit and the front property line are not permitted unless use permit approval is obtained per Section 307.

2. SETBACKS.

   a. MINIMUM THREE FEET FROM A SIDE OR REAR PROPERTY LINE.

   b. NO SETBACK IS REQUIRED ADJACENT TO A FULLY DEDICATED ALLEY, UNLESS NEEDED FOR REQUIRED VEHICULAR MANUEVERING.

~~2.~~ 3. Permitted Heights.

   a. WHEN LOCATED WITHIN A REQUIRED REAR OR SIDE YARD, A ~~M~~maximum height of eight feet IS PERMITTED when located ~~within ten~~ LESS THAN FIVE feet ~~of~~ FROM a street side property line, AND A MAXIMUM HEIGHT OF ~~or~~ 15 feet IS PERMITTED when located FIVE FEET OR MORE FROM A STREET SIDE PROPERTY LINE ~~elsewhere within the required rear or side yard~~.

   b. Heights in excess of 15 feet, when ~~not~~ located ~~within ten~~ FIVE feet ~~of~~ OR MORE FROM a street side property line, may be approved through a use permit obtained per Section 307.

   c. An accessory structure not located within the required rear or side yard and compliant with the same setbacks required for the primary dwelling unit is subject to the same height regulations as the primary dwelling unit.

~~3. Setbacks. Accessory structures shall maintain a minimum setback of three feet adjacent to a rear or side property line, except that no setback is required adjacent to a fully dedicated alley.~~

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DRAFT

PASSED by the Council of the City of Phoenix this 13th day of November, 2024.

_____

MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

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

By:
_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

DRAFT

ATTACHMENT B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report
Zoning Ordinance Text Amendment
Z-TA-2-24-Y
September 30, 2024

Application No. Z-TA-2-24-Y: Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to add new definitions and revise existing definitions regarding Accessory Dwelling Units and related residential terms; amend Chapter 6, Section 603 (Suburban S-1 District—Ranch or Farm Residence) and Section 604 (Suburban S-2 District—Ranch or Farm Commercial) to comply with HB 2720; amend Section 605 (Residential Estate RE-43 District—One-Family Residence), Section 606 (Residential Estate RE-24 District—One-Family Residence), and Section 607 (Residential R1-14 District—One-Family Residence) to comply with HB 2720 and increase permitted lot coverage; amend Section 608 (Residential Districts) to comply with HB 2720; amend Section 609 (RE-35 Single-Family Residence District) to increase permitted lot coverage; amend Chapter 7, Section 701.A.3 (Projections) to comply with HB 2720; amend Section 703.B (Landscaping and Open Areas In Multiple-Family Development) to differentiate the addition of ADUs from multi-family developments; and amend Section 706 (Accessory Uses and Structures) to clarify wordings and comply with HB 2720.

Staff recommendation: Staff recommends approval of Z-TA-2-24-Y as shown in the proposed text in Exhibit A.

BACKGROUND AND PURPOSE

This text amendment is a response to House Bill 2720, approved by the Fifty-Sixth Legislature, Second Session (2024) which modified the Arizona Revised Statutes to require municipalities to allow Accessory Dwelling Units (ADU) on single-family lots. The City of Phoenix currently complies with some of the provisions of HB 2720, but not all of them. This text amendment will bring City of Phoenix zoning regulations in compliance with the new State regulations regarding ADUs.

HB 2720 includes a clause which prohibits cities from regulating ADUs in any manner if regulations compliant with the bill are not adopted and effective by January 1, 2025.

PROPOSAL
Staff recommend changes to existing sections of the zoning ordinance to comply with all provisions of HB 2720. Staff also recommend increasing the permitted lot coverage in certain zoning districts, since the new State regulations require a minimum of two ADUs be permitted per lot with a single-family home.

DESCRIPTION OF THE PROPOSED TEXT
The proposed text amendment includes three main components: 1) new and revised definitions; 2) revision of existing City of Phoenix ADU regulations to comply with HB 2720, and 3) revision of lot coverage permissions for certain districts in order to comply with HB 2720.

1. New and Revised Definitions

HB 2720 requires that the City allow a minimum of one attached and one detached Accessory Dwelling Unit per lot with a single-family home. Definitions for the following have been added:

- Accessory Dwelling Unit, Attached
- Accessory Dwelling Unit, Detached

The definition of "Accessory Dwelling Unit" has also been revised slightly to comply with HB 2720.

2. Revision of Existing ADU Development Standards

The following regulations have been revised to comply with the requirements of HB 2720, as follows:

- The number of ADUs permitted is being increased from one to two ADUs per lot having a single-family home.
- A third ADU is also permitted per lot when the minimum lot size is one acre, and at least one of the ADUs is considered "Affordable Housing" (requiring a deed or other restrictions on the property).
- Design review of ADUs no longer require that an ADU match the exterior design, roof pitch or finishing materials of the single-family dwelling.
- Setbacks for both attached and detached ADUs have been reduced to 5 feet where adjacent to a side property line.

Short-Term Rentals in ADUs

This text amendment proposes to remove the current City prohibition of using an ADU as a Short-Term Rental (STR). Arizona Revised Statutes §9-500.39.B provides a limited list of items related to STRs which municipalities are permitted to regulate, and prohibiting use of an ADU as an STR is not included. Perhaps more

importantly, HB 2720 includes a new item specifically regarding how a municipality may require an owner to reside on the property if more than one ADU on a property is licensed for use as an STR. This provision will be addressed separately as part of the licensing requirements outlined in City Code, Chapter 10, Article XVI – Short Term Vacation Rental to comply with HB 2720.

3. Increase of Lot Coverage Permissions in the RE-43, RE-24, R1-14, and RE-35 Zoning Districts

In the City's first amendment to allow ADUs in 2023 (Z-TA-5-23-Y), certain districts did not have lot coverage increases provided, since those districts had historically been allowed "guesthouses". However, with the new requirement to allow two ADUs per lot (and possibly three), the lot coverage maximums in the RE-43, RE-24, R1-14, and RE-35 districts have been proposed to be increased by 10%. The one-story height limitation for all buildings on the lot, required to achieve increased lot coverage, remains in place. The revised lot coverage permissions are as follows:

- RE-43 lot coverage increases from 20%/30% if all structures one-story, to 20%/40% if all structures are one-story.
- RE-24 lot coverage increases from 25%/30% if all structures one-story, to 25%/40% if all structures are one-story.
- R1-14 lot coverage increases from 25%/30% if all structures one-story, to 25%/40% if all structures are one-story.
- RE-35 (Subdivision Option) lot coverage increases from 25%/30% if all structures one-story, to 25%/40% if all are structures one-story.

CONCLUSION
The proposed amendment to the Zoning Ordinance, provided in Exhibit A, will bring the City into compliance with the requirements of HB 2720.

Staff recommends approval of the changes to the Zoning Ordinance as proposed in Exhibit A.

Writer
C. DePerro
September 30, 2024

Exhibit

A. Proposed Language

Exhibit A

Staff proposed language that may be modified during the public hearing process is as follows:

Amend Chapter 2, Section 202 (Definitions) to add new definitions and revise existing definitions regarding Accessory Dwelling Units and related residential terms.

***

Accessory Dwelling Unit (ADU): A dwelling unit, as defined in this section, subordinate to the primary dwelling unit and situated on the same lot ~~and used for a residential accessory use~~. ADUs, where permitted, do not count towards calculations of gross density.

ACCESSORY DWELLING UNIT, ATTACHED: AN ADU WHICH IS CONSTRUCTED HAVING A COMMON WALL AND ATTACHED FOUNDATIONS WITH THE PRIMARY DWELLING UNIT. AN ADU CONNECTED TO THE PRIMARY DWELLING UNIT IN ANY OTHER MANNER SHALL NOT BE CONSIDERED AN ATTACHED ADU.

ACCESSORY DWELLING UNIT, DETACHED: AN ADU WHICH IS CONSTRUCTED WITH NO CONNECTION TO THE PRIMARY DWELLING UNIT, EXCEPT AS MAY BE EXPLICITLY PERMITTED WITHIN THE ZONING ORDINANCE. A DETACHED ADU MAY INCLUDE AN INTEGRATED GARAGE, CARPORT, OR PORCH. TWO ADUS ATTACHED TO EACH OTHER, BUT NOT TO THE PRIMARY DWELLING UNIT, SHALL EACH BE CONSIDERED AS A DETACHED ADU.

***

Multi-Family/Multiple-Family: A lot or parcel where two or more dwelling units are provided, not including ~~a~~ permitted accessory dwelling unitS.

***

Amend Chapter 6, Section 603 (Suburban S-1 District—Ranch or Farm Residence) to read as follows:

Section 603. Suburban S-1 District—Ranch or Farm Residence.

***

A. **Permitted Uses.**

1. Dwelling Units. Each lot may have the following:

a. One primary dwelling unit.

b. ~~One~~ TWO accessory dwelling unitS, and

c. For each additional 10 acres provided above the minimum lot size, one additional accessory dwelling unit for use by on-site laborers may be provided.

d. IN ADDITION TO THE ABOVE, ONE ADDITIONAL ACCESSORY DWELLING UNIT (ADU) MAY BE PERMITTED ONLY WHEN AT LEAST ONE ADU QUALIFIES AS AFFORDABLE HOUSING.

***

B. **Yard, Height and Area Requirements.**

1. Each lot shall have a net area of not less than one acre.

2. ~~For all dwelling units:~~ SETBACK REQUIREMENTS:

a. The minimum front setback is 40 feet.

b. The minimum side setback is 30 feet, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

c. The minimum rear setback is 30 feet, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

***

6. Accessory dwelling units are subject to the additional ~~provisions~~ DEVELOPMENT REGULATIONS of Section 706.A.

***

Amend Chapter 6, Section 604 (Suburban S-2 District—Ranch or Farm Commercial) to read as follows:

Section 604. Suburban S-2 District—Ranch or Farm Commercial

***

B. **Yard, height and area requirements.**

1. Each lot shall have a net area of not less than three acres.

2. ~~For all dwelling units:~~ SETBACK REQUIREMENTS:

   a. The minimum front setback is 40 feet.

   b. The minimum side setback is 30 feet, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   c. The minimum rear setback is 30 feet, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

***

6. Accessory dwelling units are subject to the additional ~~provisions~~ DEVELOPMENT REGULATIONS of Section 706.A.

***

Amend Chapter 6, Section 605 (Residential Estate RE-43 District—One-Family Residence) to read as follows:

Section 605. Residential Estate RE-43 District—One-Family Residence.

The provisions of this section shall apply only to land zoned RE-43 prior to September 13, 1981.

The RE-43, One-Family Residence DISTRICT, is a district of single-family homes designed to maintain, protect and preserve a character of development on lots with a minimum area of 43,560 square feet, and with not more than one dwelling unit and customary accessory buildings upon one lot.

A. **Permitted Uses.**

1. Dwelling units. Each lot may have the following:

   a. One primary dwelling unit.

   b. ~~One~~ TWO accessory dwelling unitS. A THIRD ADU IS PERMITTED ONLY WHEN AT LEAST ONE ADU QUALIFIES AS AFFORDABLE HOUSING AND THE NET LOT SIZE IS A MINIMUM OF 43,560 SQUARE FEET.

   c. Model homes are permitted subject to the provisions of Section 608.E.19.

***

5. RESERVED. ~~Model homes and/or subdivision sales offices when located in model homes subject to approval of the Planning and Development Department, and subject to the following conditions:~~

   ~~a. Such model home and/or subdivision sales offices shall be located in a subdivision which is owned by or held in trust for the subdivision developer proposing to erect the model homes and/or proposing to operate the sales office.~~

   ~~b. Subdivision sales offices and/or model homes shall be permitted for a period not to exceed 36 months from the date of approval for the sales offices and/or model homes.~~

   ~~c. The time limit allowed in Section 605.A.5.b for an additional 36 months shall be extended only upon securing a use permit.~~

   ~~d. The subdivision sales office shall be removed and the model homes shall be discontinued as model homes on or before the termination date set forth in Section 605.A.5.b or upon expiration of the extension granted by the Zoning Administrator pursuant to Section 605.A.5.c, or after six months following sale or occupancy of all lots in the subdivision other than the model homes, whichever occurs first. Notwithstanding these provisions, the model home complex shall, subject to obtaining a use permit in accordance with the provisions of Section 307, be able to be used as off-site models after sale of 75 percent of the lots in the subdivision; provided, that the model home complex is within four hundred feet of an arterial or collector street and that the use as off-site models shall not exceed, in combination with the use as on-site models, a total of 72 months.~~

   ~~e. For the purposes of Sections 605.A.5.a and d, the term "subdivision" shall mean all the land included within the preliminary plat submitted to Planning and Development Department.~~

   ~~f. Subdivision sales offices in buildings other than model homes may be permitted subject to the following standards to be reviewed and approved by the Planning and Development Department:~~

      ~~(1) One trailer per subdivision;~~

      ~~(2) Trailer shall be removed upon occupancy of first model home or within six months of approval (whichever occurs first);~~

~~(3) Signs shall not exceed six square feet;~~

~~(4) Subject to all provisions listed in Section 605.C.1.~~

~~g. More than one model home complex in a subdivision shall be permitted subject to the above standards and the following standards:~~

~~(1) A maximum of either six percent of the lots in the development or two lots, whichever is greater, may be used for model homes.~~

~~(2) The model home complexes shall be within four hundred feet of an arterial or collector street.~~

~~(3) Temporary street closures and temporary fences over the public right-of-way shall be approved by the Street Transportation Department.~~

~~(4) Off-street parking and circulation shall be dustproofed.~~

~~(5) Lighting shall be limited to security lighting of the model home complex.~~

~~If these standards cannot be met, the additional model home complex shall be subject to obtaining a use permit in accordance with the provisions of Section 307.~~

***

B. **Yard, height and area requirements.** Except as required by Section 710, the following yard, height, and area provisions shall be required for this district.

~~1. There shall be a lot area of not less than 43,560 square feet. No lot shall hereafter be subdivided to provide less than 43,560 square feet of lot area, nor to have a width of less than 165 feet, nor to have a lot depth of less than 175 feet.~~

~~2. There shall be a front yard having a depth not less than that established by an existing main building on the nearest lot within one hundred feet, provided, however, that on a lot between two lots each within one hundred feet, which lots have established [front yards, then the minimum front yard shall be that established] by a line joining the nearest front corner of the main building on one lot and the nearest front corner of the main building on the other lot. Nothing in this section shall require that a front yard be more than fifty feet in depth nor to permit a front yard of less than forty feet in~~

~~depth. On a lot that is not within one hundred feet of a lot with an established front yard, the front yard shall be not less than forty feet.~~

~~In a tract development, construction of which is substantially contemporaneous, the above rules shall not apply at the discretion of the builder providing he follow an approved plot plan of the tract development and providing the front yards of all lots be not less than forty feet.~~

~~3. There shall be two side yards each having a width of thirty feet.~~

~~4. There shall be a rear yard having a depth of not less than forty feet, which depth may be measured from the centerline of an existing sixteen-foot or wider rear alley where only a one-half or partial alley exists.~~

1. EACH LOT SHALL HAVE A NET AREA OF NOT LESS THAN 43,560 SQUARE FEET.

2. EACH LOT SHALL HAVE A MINIMUM WIDTH OF 165 FEET.

3. EACH LOT SHALL HAVE A MINIMUM DEPTH OF 175 FEET.

4. SETBACK REQUIREMENTS:

   a. THE MINIMUM FRONT SETBACK IS 40 FEET.

   b. THE MINIMUM SIDE SETBACK IS 30 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   c. THE MINIMUM REAR SETBACK IS 30 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

5. The main building and all accessory buildings on a lot shall not occupy more than 20 percent of the net lot area, except if all structures are less than 20 feet and one story in height then a maximum of ~~30~~ 40 percent lot coverage is allowed.

6. No building shall exceed the height of two stories, not to exceed thirty feet, and no dwelling shall be erected to a height of less than one story.

7. ~~Yards for~~ aAccessory ~~d~~Dwelling ~~u~~Units and other accessory structures ~~shall be provided in accordance with the provisions~~ ARE SUBJECT TO THE ADDITIONAL DEVELOPMENT REGULATIONS of Section 706.

8. OPEN ~~P~~projections into the required side yards, per the provisions of Section 701.a.3.a (1)(b), are not permitted.

***

Amend Chapter 6, Section 606 (Residential Estate RE-24 District—One-Family Residence) to read as follows:

Section 606. Residential Estate RE-24 District—One-Family Residence.

The provisions of this section shall apply only to land zoned RE-24 prior to September 13, 1981.

The RE-24, One Family Residence District, is a district of single-family homes designed to maintain, protect and preserve a character of development on lots with a minimum area of 24,000 square feet and with not more than one dwelling unit and customary accessory buildings upon one lot.

A. **Permitted Uses.**

1. *Dwelling Units.* Each lot may have the following:

   a. One primary dwelling unit.

   b. ~~One~~ TWO accessory dwelling unitS. A THIRD ADU IS PERMITTED ONLY WHEN AT LEAST ONE ADU QUALIFIES AS AFFORDABLE HOUSING AND THE NET LOT SIZE IS A MINIMUM OF 43,560 SQUARE FEET.

   c. Model homes are permitted subject to the provisions of Section 608.E.19.

***

5. RESERVED. ~~Model homes and/or subdivision sales offices when located in model homes subject to approval of the Planning and Development Department, and subject to the following conditions:~~

   ~~a.~~ ~~Such model home and/or subdivision sales offices shall be located in a subdivision which is owned by or held in trust for the subdivision developer proposing to erect the model homes and/or proposing to operate the sales office.~~

~~b. Subdivision sales offices and/or model homes shall be permitted for a period not to exceed 36 months from the date of approval for the sales offices and/or model homes.~~

~~c. The time limit allowed in Section 606.A.5.b for an additional 36 months shall be extended only upon securing a use permit.~~

~~d. The subdivision sales office shall be removed and the model homes shall be discontinued as model homes on or before the termination date set forth in Section 606.A.5.b or upon expiration of the extension granted by the Zoning Administrator pursuant to Section 606.A.5.c, or after six months following sale or occupancy of all lots in the subdivision other than the model homes, whichever occurs first. Notwithstanding these provisions, the model home complex shall, subject to obtaining a use permit in accordance with the provisions of Section 307, be able to be used as off-site models after sale of 75 percent of the lots in the subdivision; provided, that the model home complex is within four hundred feet of an arterial or collector street and that the use as off-site models shall not exceed, in combination with the use as on-site models, a total of 72 months.~~

~~e. For the purposes of Sections 606.A.5.a and d, the term "subdivision" shall mean all the land included within the preliminary plat submitted to Planning and Development Department.~~

~~f. Subdivision sales offices in buildings other than model homes may be permitted subject to the following standards to be reviewed and approved by the Planning and Development Department:~~

~~(1) One trailer per subdivision;~~

~~(2) Trailer shall be removed upon occupancy of first model home or within six months of approval (whichever occurs first);~~

~~(3) Signs shall not exceed six square feet;~~

~~(4) Subject to all provisions listed in Section 606.A.1.~~

~~g. More than one model home complex in a subdivision shall be permitted subject to the above standards and the following standards:~~

~~(1) A maximum of either six percent of the lots in the development or two lots, whichever is greater, may be used for model homes.~~

~~(2) The model home complexes shall be within four hundred feet of an arterial or collector street.~~

~~(3) Temporary street closures and temporary fences over the public right-of-way shall be approved by the Street Transportation Department.~~

~~(4) Off-street parking and circulation shall be dustproofed.~~

~~(5) Lighting shall be limited to security lighting of the model home complex.~~

~~If these standards cannot be met, the additional model home complex shall be subject to obtaining a use permit in accordance with the provisions of Section 307.~~

***

B. **Yard, height and area requirements.** Except as required by Section 710, the following yard, height, and area provisions shall be required for this district.

~~1. There shall be a lot area of not less than 24,000 square feet. No lot shall hereafter be subdivided to provide less than 24,000 thousand square feet of lot area nor to have a width of less than 130 feet nor a lot depth of less than 120 feet.~~

~~2. There shall be a front yard having a depth not less than that established by an existing main building on the nearest lot within one hundred feet, provided, however, that on a lot between two lots each within one hundred feet, which lots have established front yards, then the minimum front yard shall be that established by a line joining the nearest front corner of the main building on one lot and the nearest front corner of the main building on the other lot. Nothing in this section shall require that a front yard be more than forty feet in depth nor to permit a front yard of less than feet thirty in depth. On a lot that is not within one hundred feet of a lot with an established front yard, the front yard shall be not less than thirty feet.~~

~~In a tract development, construction of which is substantially contemporaneous, the above rules shall not apply at the discretion of the builder providing he follows an approved lot plan of the tract development and providing the front yards of all lots be not less than thirty feet.~~

~~3. There shall be two side yards which shall have the following minimum widths:~~

~~a. Fifteen feet on the street side of a corner lot.~~

~~b. Ten feet on an interior side yard.~~

~~4. There shall be a rear yard having a depth of not less than thirty feet, which depth may be measured from the centerline of an existing sixteen-foot or wider rear alley or from what would be the centerline of a full sixteen-foot or wider rear alley where only a one-half or partial alley exists.~~

1. EACH LOT SHALL HAVE A NET AREA OF NOT LESS THAN 24,000 SQUARE FEET.

2. EACH LOT SHALL HAVE A MINIMUM WIDTH OF 130 FEET.

3. EACH LOT SHALL HAVE A MINIMUM DEPTH OF 120 FEET.

4. *SETBACK REQUIREMENTS:*

   a. THE MINIMUM FRONT SETBACK IS 30 FEET.

   b. THE MINIMUM STREET SIDE SETBACK IS 15 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   c. THE MINIMUM INTERIOR SIDE SETBACK IS 10 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   d. THE MINIMUM REAR SETBACK IS 20 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

5. The main building and all accessory buildings on a lot shall not occupy more than 25 percent of the net lot area, except if all structures are less than 20 feet and one story in height then a maximum of ~~30~~ 40 percent lot coverage is allowed.

6. No building shall exceed the height of two stories, not to exceed thirty feet, and no dwelling structure shall be erected to a height of less than one story.

7. ~~Yards for~~ aAccessory ~~d~~Dwelling ~~u~~Units and other accessory structures ~~shall be provided in accordance with the provisions~~ ARE SUBJECT TO THE ADDITIONAL DEVELOPMENT REGULATIONS of Section 706.

8. OPEN ~~P~~projections into the required side yards, per the provisions of section 701.A.3.a(1)(b), are not permitted.

***

Amend Chapter 6, Section 607 (Residential R1-14 District—One-Family Residence) to read as follows:

Section 607. Residential R1-14 District—One-Family Residence.

The provisions of this section shall apply only to land zoned R1-14 prior to September 13, 1981.

The R1-14, One-Family ~~Resident~~ RESIDENCE District, is a district of single-family homes designed to maintain, protect, and preserve a character of development on lots with minimum area of 14,000 square feet and with not more than one dwelling unit and customary accessory building upon one lot. Dwelling groups shall also be allowed in the districts on certain lots of excessive size, then developed consistent with the character of adjacent residential uses in the district.

***

B. **Yard, height and area requirements.** Except as required by Section 710, the following yard, height, and area provisions shall be required for this district.

***

~~1. There shall be a lot area of not less than 14,000 square feet. No lot shall hereafter be subdivided to provide less than 14,000 thousand square feet of lot area nor to have a width of less than 110 feet nor a lot depth of less than 120 feet.~~

~~2. Front yard requirements shall be the same as for RE-24.~~

~~3. Side yard requirements shall be the same as for RE-24.~~

~~4. Rear yard requirements shall be the same as for RE-24.~~

1. EACH LOT SHALL HAVE A NET AREA OF NOT LESS THAN 14,000 SQUARE FEET.

2. EACH LOT SHALL HAVE A MINIMUM WIDTH OF 110 FEET.

3. EACH LOT SHALL HAVE A MINIMUM DEPTH OF 120 FEET.

4. SETBACK REQUIREMENTS:

   a. THE MINIMUM FRONT SETBACK IS 30 FEET.

   b. THE MINIMUM STREET SIDE SETBACK IS 15 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   c. THE MINIMUM INTERIOR SIDE SETBACK IS 10 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

   d. THE MINIMUM REAR SETBACK IS 20 FEET, EXCEPT THAT ADUS ARE SUBJECT TO THE SETBACK PROVISIONS OF SECTION 706.A.

5. The main building and all accessory buildings on a lot shall not occupy more than 25 percent of the net lot area, except if all structures are less than 20 feet and one story in height then a maximum of ~~30~~ 40 percent lot coverage is allowed.

6. No building shall exceed the height of two stories, not to exceed thirty feet, and no dwelling structure shall be erected to a height of less than one story.

7. ~~Yards for~~ aAccessory ~~d~~Dwelling ~~u~~Units and other accessory structures ~~shall be provided in accordance with the provisions~~ ARE SUBJECT TO THE ADDITIONAL DEVELOPMENT REGULATIONS of Section 706.

8. OPEN ~~P~~projections into the required side yards, per the provisions of section 701.A.3.a(1)(b), are not permitted.

***

Amend Chapter 6, Section 608 (Residential Districts) to read as follows:

Section 608. Residential Districts.

***

E. **Land Use Conditions.**

1. **Single-Family Detached Dwelling Unit.** Each single-family lot is permitted one single-family detached primary dwelling unit and no additional dwelling units, unless otherwise permitted elsewhere in this section.

2. **Accessory Dwelling Unit (ADU).**

a. ~~Each single-family detached lot is permitted one accessory dwelling unit in addition to the primary dwelling unit, except that lots having a duplex or triplex may not have an ADU.~~
WHEN A LOT HAS NO MORE THAN ONE SINGLE-FAMILY DETACHED PRIMARY DWELLING, TWO ADUS ARE PERMITTED IN ADDITION TO THE PRIMARY DWELLING UNIT. A THIRD ADU MAY BE PERMITTED WHEN AT LEAST ONE OF THE ADUS QUALIFIES AS AFFORDABLE HOUSING, AND THE NET LOT SIZE IS A MINIMUM 43,560 SQUARE FEET. HOWEVER, LOTS HAVING A DUPLEX OR TRIPLEX, SINGLE-FAMILY ATTACHED UNITS, OR ANY MULTI-FAMILY DWELLING UNITS ARE NOT PERMITTED ANY ADUS.

b. An ADU is subject to the development regulations of Section 706.A.

***

Amend Chapter 6, Section 609 (RE-35 Single-Family Residence District) to read as follows:

Section 609. RE-35 Single-Family Residence District

***

TABLE 609.A RE-35 Development Options			
Standards	***(a) Subdivision***	***(b) Average Lot***	***(c) Planned Residential Development***
***	***	***	***
Lot coverage	25%, except if all structures are less than 20' and 1 story in height then a maximum of ~~30~~ 40% lot coverage is allowed.	30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40%	30%, PLUS AN ADDITIONAL 10% FOR AN ADU AND/OR ATTACHED SHADE STRUCTURES. TOTAL: 40%
***	***	***	***

***

Amend Chapter 7, Section 701.A.3 (Projections) to read as follows:

***

A. **Lots.**

***

3. **Projections.**

a. The following provisions apply to development in Sections 604 through 607 and Section 619 and in the subdivision option of Sections 609 through 618:

***

(2) Closed Projections.

***

(d) The main building (which may include an attached ADU) may project into the required rear OR SIDE yard, SUBJECT TO THE FOLLOWING: ~~when no portion of the projection exceeds 15 feet in height; the projection is no closer to the rear property line than three feet, and the projection is no closer to a side property line than allowed by the district; unless a use permit is obtained in accordance with the provisions of Section 307.~~

(i) THE PROJECTION IS NO CLOSER TO A SIDE PROPERTY LINE THAN FIVE FEET;

(ii) THE PROJECTION IS NO CLOSER TO A REAR PROPERTY LINE THAN THREE FEET; AND

(iii) THE PROJECTION DOES NOT EXCEED 15 FEET IN HEIGHT, UNLESS GREATER HEIGHT IS PERMITTED BY OBTAINING A USE PERMIT PER SECTION 307.

***

Amend Chapter 7, Section 703.B (Landscaping and Open Areas In Multiple-Family Development) to read as follows:

***

B. 2. Landscaping and open space areas shall be provided as follows at the time of initial development and shall be maintained in a living condition on any lot subject to residential district standards with ~~four~~ FIVE or more dwelling units.

***

Amend Chapter 7, Section 706 (Accessory Uses and Structures) to revise language regarding Accessory Dwelling Units, as follows:

Section 706. Accessory Uses and Structures.

A. **Accessory Dwelling Units (ADU)**

1. ~~In zoning districts where accessory dwelling units are a permitted use, one ADU is permitted per lot when a single-family detached primary dwelling unit is also provided, unless otherwise permitted by the zoning district.~~ THIS SECTION APPLIES TO ACCESSORY DWELLING UNITS WHEN A LOT HAVING NO MORE THAN ONE SINGLE-FAMILY DWELLING UNIT IS PERMITTED ONE OR MORE ADUS PER THE UNDERLYING ZONING DISTRICT.

2. ~~An ADU is not permitted on a lot with a single-family attached dwelling unit, a duplex, triplex, or multifamily dwelling units, unless otherwise permitted by the zoning district.~~ AN ADU MAY BE EITHER ATTACHED TO OR DETACHED FROM THE PRIMARY DWELLING UNIT, SUBJECT TO THE FOLLOWING:

   a. A MAXIMUM OF ONE ATTACHED ADU MAY BE PROVIDED PER LOT.

   b. A MAXIMUM OF ONE DETACHED ADU MAY BE CONNECTED TO THE PRIMARY DWELLING UNIT BY A PORCH, DECK, COVERED PATIO, CARPORT, BREEZEWAY, OR SIMILAR.

3. ~~An~~ ADUS ~~may be either attached to or detached from the primary dwelling unit,~~ ARE subject to the following design guidelines:

   a. An attached ADU shall be integrated into the design of the primary dwelling unit so that it appears to be part of one single family home, rather than a duplex. This guideline does not prohibit the provision of separate entry features. (P)

   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 uni~~t, SHOULD HAVE A RESIDENTIAL APPEARANCE IN NATURE AND DESIGN, or as may be approved by Historic Preservation for HP zoned or designated properties. (P)

   Rationale: ADUs are intended be subordinate to the primary single-family home and should visually appear as such. ~~An ADU which looks like a second duplex unit, or a second detached primary dwelling unit, does not meet this intent.~~ MATERIALS MORE COMMONLY ASSOCIATED WITH COMMERCIAL STRUCTURES SHOULD BE AVOIDED. HOWEVER, THESE DESIGN GUIDELINES DO NOT REQUIRE THAT AN ADU MATCHES THE EXTERIOR DESIGN, ROOF PITCH, OR FINISHING MATERIALS OF THE PRIMARY DWELLING UNIT.

4. A detached ADU ~~may be located within the required rear yard,~~ IS subject to the following:

   a. A DETACHED ADU MAY BE LOCATED WITHIN THE REQUIRED REAR OR SIDE YARD(S), AND/OR WITHIN A REQUIRED ON-LOT PERIMETER SETBACK WHICH IS NOT ALSO THE FRONT YARD.

   ~~a.~~ b. Setbacks.

      (1) Minimum ~~ten~~ FIVE feet from a street side property line.

      (2) Minimum three feet from an interior SIDE OR REAR property line.

      (3) No setback is required adjacent to a fully dedicated alley.

      (4) FRONT SETBACKS APPLY AS STATED FOR THE ZONING DISTRICT.

   ~~b.~~ c. PERMITTED Height. ~~Maximum 15 feet unless use permit approval for a greater height is obtained per Section 307.~~

      (1) WHEN LOCATED WITHIN THE REQUIRED REAR OR SIDE YARDS: MAXIMUM 15 FEET, UNLESS USE PERMIT APPROVAL FOR A GREATER HEIGHT IS OBTAINED PER SECTION 307.

      (2) WHEN NOT LOCATED WITHIN ANY REQUIRED YARD: THE SAME HEIGHT AS PERMITTED FOR THE PRIMARY DWELLING UNIT.

~~5. A detached ADU not located within the required rear yard and compliant with the same setbacks required for the primary dwelling unit is subject to the same height regulations as the primary dwelling unit.~~

~~6.~~ 5. WHEN IN COMPLIANCE WITH THE MINIMUM REQUIRED FRONT SETBACK, ~~A~~a detached ADU may not be located between the primary dwelling unit and the front property line unless use permit approval is obtained per Section 307.

~~7.~~ 6. An attached ADU shall comply with same height regulations and setbacks (including permitted projections per Section 701.A.3) required for the primary dwelling unit~~.~~

~~8.~~ 7. AnY ADU shall comply with the lot coverage requirements applicable to the property.

~~9.~~ 8. AnY ADU shall not have a gross floor area which exceeds 75% of the gross floor area of the primary dwelling unit, and:

a. For lots up to 10,000 square feet in net area: 1,000 square feet.

b. For lots over 10,000 square feet in net area: the lesser of 3,000 square feet or 10% of the net lot area.

For the purposes of these calculations, any garage, ATTACHED SHADE STRUCTURE, or attached carport constructed as part of a detached ADU shall NOT count toward the gross floor area of the ADU. ~~Any attached shade structures shall count towards lot coverage, but not gross floor area.~~

~~10. Notwithstanding any other provision, using the ADU for an activity requiring a permit under Chapter 10, Article XVI of the City Code is prohibited.~~

B. **Single-Family Residential Accessory Structures.** The following regulations apply to accessory structures which are not accessory dwelling units, and located on lots having only single-family residential uses:

1. Accessory structures are not permitted within the required front yard. Accessory structures located behind the required front setback but between the primary dwelling unit and the front property line are not permitted unless use permit approval is obtained per Section 307.

2. SETBACKS.

a. MINIMUM THREE FEET FROM A SIDE OR REAR PROPERTY LINE.

b. NO SETBACK IS REQUIRED ADJACENT TO A FULLY DEDICATED ALLEY, UNLESS NEEDED FOR REQUIRED VEHICULAR MANUEVERING.

~~2.~~ 3. Permitted Heights.

a. WHEN LOCATED WITHIN A REQUIRED REAR OR SIDE YARD, A ~~M~~maximum height of eight feet IS PERMITTED when located ~~within ten~~ LESS THAN FIVE feet ~~of~~ FROM a street side property line, AND A MAXIMUM HEIGHT OF ~~or~~ 15 feet IS PERMITTED WHEN LOCATED FIVE FEET OR MORE FROM A STREET SIDE PROPERTY LINE. ~~elsewhere within the required rear or side yard~~.

b. Heights in excess of 15 feet, when ~~not~~ located ~~within ten~~ FIVE feet ~~of~~ OR MORE FROM a street side property line, may be approved through a use permit obtained per Section 307.

c. An accessory structure not located within the required rear or side yard and compliant with the same setbacks required for the primary dwelling unit is subject to the same height regulations as the primary dwelling unit.

~~3. Setbacks. Accessory structures shall maintain a minimum setback of three feet adjacent to a rear or side property line, except that no setback is required adjacent to a fully dedicated alley.~~

***

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** 76

Public Hearing - Amend Phoenix City Code - Ordinance Adoption - Chapter 10, Article XVI - Short-Term Vacation Rental (Ordinance G-7323) - Citywide

Request to hold a public hearing on a proposed amendment to the City Code sections 10-197 and 10-204 to Chapter 10, Article XVI related to Short-Term Vacation Rentals to incorporate Arizona Revised Statute (A.R.S.) 9-500.39 requirements for obtaining a Short-Term Rental (STR) Permit.

Summary

In 2016, the Arizona Legislature removed the ability of local jurisdictions to regulate short-term rental units and required that the use be treated the same as any long-term residential use of a property. Due to significant negative impacts based upon the experience of residents living around these short-term rental uses, the Arizona Legislature enacted A.R.S. 9-500.39 authorizing municipalities to create provisions for registrations of short-term vacation rentals. The City of Phoenix adopted Short-Term Vacation Rental Ordinance (G-6653) to implement the requirement for STR owners, or designees, to register each STR rental property with the City of Phoenix, so that responsible party contact information was available if there were problems resulting from a particular short-term rental unit.

In 2022, the Arizona Legislature approved Senate Bill 1168 (SB1168) amending A.R.S. 9-500.39, which authorized cities and towns to create a very limited permit/license process to help gather better data regarding short-term rentals with minimal modifications to the ability to regulate these types of uses. The City of Phoenix adopted an amendment to the Short-Term Vacation Rental Ordinance (G-7156) to implement the requirement for STR owners, or designees, to apply for a STR permit and meet specific operating requirements prior to the issuance of a permit as a condition for operating a short-term rental property.

In 2024, the Arizona Legislature approved House Bill 2720 (HB2720) amending A.R.S. 9-500.39, which authorized cities and towns to require the owner of a property where an accessory dwelling unit is used as an short term rental to reside on the property but only if the accessory dwelling unit was built after September 14, 2024, and either the owner did not previously have the right to build an accessory

dwelling unit on their property or the three-year A.R.S. 12-1134 statute of limitations has passed.

Staff recommends approval of the proposed amendment to the City Code sections 10-197 and 10-204 to Chapter 10, Article XVI related to Short-Term Vacation Rentals to incorporate Arizona Revised Statute (A.R.S.) 9-500.39(B)(9) requirements for obtaining a STR Permit.

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 CODE OF THE CITY OF PHOENIX, ARIZONA, CHAPTER 10, ARTICLE XVI -- SHORT-TERM VACATION RENTAL.

_____

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

SECTION 1: That Chapter 10, Article XVI -- Short-Term Vacation Rental is amended to read as follows:

***

Sec. 10-197. Short-term rental permit applications; content

A. Each applicant for a short-term rental permit shall submit, as applicable, the following:

1. The physical address of the residential property proposed to be used as a short-term rental.

2. The name, address, telephone number, and email address of the owner for which the short-term rental registration certificate is to be issued.

3. The name, address, telephone number, and email address of the owner's designee.

4. The name, address, 24-hour telephone number, and email address of the individual who will serve as the emergency point of contact.

5. Proof of valid transaction privilege tax license.

6. Evidence of liability insurance appropriate to cover the short-term rental in the aggregate of at least $500,000.00 or evidence that each short-term rental

transaction will be provided through a platform that provides equal or greater primary liability insurance coverage for the short-term rental.

7. Evidence that the short-term rental is registered with the Maricopa County Assessor's Office in accordance with Section 33-1902, Arizona Revised Statutes.

8. A signed agreement to comply with all applicable laws, regulations, and ordinances, including paying all fees and fines imposed by the City.

9. If the applicant is an individual, proof of lawful presence in the United States.

10. A written description or map showing the locations of the smoke detector, carbon monoxide detector, fire extinguisher, and other required safety equipment.

11. IF THE APPLICATION IS FOR OPERATION OF A SHORT-TERM RENTAL IN AN ACCESSORY DWELLING UNIT (ADU) ON A PROPERTY WHERE MORE THAN ONE ADU EXISTS, A SIGNED ATTESTATION THAT THE PROPERTY OWNER WILL RESIDE ON THE PROPERTY WHEN MORE THAN ONE ADU IS BEING OPERATED AS A SHORT-TERM RENTAL.

~~11.~~ 12. Any other information as the Planning and Development Department may require to verify information provided by the applicant.

B. A~~n~~ SEPARATE application must be filed for each DWELLING UNIT ON A single-family property, each dwelling unit in a one-to-four family house, and each individual unit in a multi-family property such as a condominium or cooperative.

***

Sec. 10-204. Short-term rental; prohibited uses.

A. Renting, or offering for rent, a short-term rental for the following uses is prohibited:

1. A nonresidential use;

2. Holding a special event that requires a permit or license pursuant to a City or Town ordinance or State law or rule;

3. Operating a retail business, restaurant, banquet hall, or similar use;

4. Knowingly housing registered sex offenders, or allowing registered sex offenders to occupy the short-term rental;

5. Operating or maintaining a sober living home;

6. Selling liquor, illegal drugs, or pornography;

7. Operating nude or topless dancing;

8. Obscenity;

9. Adult-oriented business;

10. An event center; OR

~~11. Use or occupying any portion of an accessory dwelling unit; or~~

~~12~~ 11. Any other use prohibited by Section 9-500.39, Arizona Revised Statutes.
***

SECTION 2: This Ordinance shall become effective on January 1, 2025.

PASSED by the Council of the City of Phoenix this 13th day of November, 2024.

_____
MAYOR

_____
Date

ATTEST:

_____
Denise Archibald, City Clerk

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

By:_____

_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

DRAFT

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** *77

ADDITIONAL INFORMATION (SEE ATTACHED MEMO) Public Hearing - Amend City Code - Ordinance Adoption - Adaptive Reuse and Multi-Family (ARM) ARM Overlay District - Z-TA-3-24-Y (Ordinance G-7318) - Citywide

Request to hold a public hearing on a proposed text amendment Z-TA-3-24-Y and to request City Council approval per the Planning Commission recommendation which amends the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District - High-Rise and High Density District) and establish a new Adaptive Reuse and Multi-family (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts. This is a companion case to Z-136-24-Y and should be heard first, followed by Z-136-24-Y.

Summary

The proposed text amendment includes three main components: 1) new and revised definitions; 2) creation of a new Section 632, Adaptive Reuse and Multi-Family (ARM) Overlay District, and 3) revision of the overlapping TOD-1 and TOD-2 Overlay District requirements so as not to conflict with the new regulations 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-3-24-Y as shown in Exhibit A of the revised Staff Report (**Attachment B**).
VPC Info: Eight Village Planning Committees heard this item for information only throughout September, as reflected in **Attachment C**.
VPC Action: Eight Village Planning Committees considered the request. Four VPCs recommended approval, per the staff recommendation; One VPC recommended approval, per the staff recommendation, with direction; One VPC recommended denial and Two VPCs did not have quorum, as reflected in **Attachment C**.

PC Info: The Planning Commission heard this item on October 10, 2024, for information only.
PC Action: The Planning Commission is scheduled to hear this item on November 7, 2024.

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: November 8, 2024

From: Joshua Bednarek JB
Planning and Development Director

Subject: ITEM 77 ON THE NOVEMBER 13, 2024, FORMAL AGENDA – PUBLIC HEARING - AMEND CITY CODE - ORDINANCE ADOPTION - ADAPTIVE REUSE AND MULTI-FAMILY (ARM) ARM OVERLAY DISTRICT - Z-TA-3-24-Y (ORDINANCE G-7318) - CITYWIDE

Item 77, is a request to hold a public hearing on a proposed text amendment Z-TA-3-24-Y and to request City Council approval per the Planning Commission recommendation which amends the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District - High-Rise and High Density District) and establish a new Adaptive Reuse and Multi-family (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts.

The Planning Commission heard the case on November 7, 2024, and recommended approval, per the staff recommendation, by a vote of 9-0.

Staff recommends approval of Z-TA-3-24-Y as shown in the proposed text, per Planning Commission recommendation:

***

ECONOMICALLY AND FUNCTIONALLY OBSOLETE: COMMERCIAL OR MIXED USE BUILDING(S) ON A SITE THAT ARE IN A STATE OF DISREPAIR OR HAVE A FIFTY PERCENT VACANCY IN THE TOTAL LEASABLE SQUARE FOOTAGE, IN ACCORDANCE WITH A.R.S. §9-462.10.

***

~~*Affordable*~~ *Housing, AFFORDABLE:* Residential or mixed-use development providing HUD or other assisted low-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~~.

HOUSING, WORKFORCE: RESIDENTIAL OR MIXED-USE DEVELOPMENT PROVIDING HUD OR OTHER ASSISTED 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 OF AT LEAST 80 PERCENT AND UP TO 120 PERCENT OF THE AREA MEDIAN INCOME, AS DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

***

SECTION 2: That Chapter 6, Section 632 (High-Rise H-R1 District—High-Rise and High Density District), is amended to strike everything and replace with the following text:

SECTION 632. ADAPTIVE REUSE AND MULTI-FAMILY (ARM) OVERLAY DISTRICT

A. **PURPOSE.** THE PURPOSE OF THIS OVERLAY IS TO ESTABLISH ZONING REGULATIONS WHICH ACHIEVE COMPLIANCE WITH A.R.S. §9-462.10, AS FOLLOWS:

1. PROVIDE ALTERNATIVE DEVELOPMENT STANDARDS FOR THE NON-RESIDENTIAL ADAPTIVE REUSE OF EXISTING COMMERCIAL BUILDINGS.

2. ALLOW MULTI-FAMILY DEVELOPMENT BY RIGHT ON EXISTING COMMERCIAL PROPERTIES, SUBJECT TO CERTAIN DEVELOPMENT STANDARDS ALSO PROVIDED WITHIN THIS SECTION.

B. **APPLICABILITY.** THIS OVERLAY APPLIES TO ALL LAND WITHIN THE ADOPTED TRANSIT ORIENTED COMMUNITIES (TOC), PER THE MAP PROVIDED BELOW, WITH THE FOLLOWING EXCEPTIONS:

1. NOT APPLICABLE TO ANY PROPERTY WITH HISTORIC DESIGNATION, AS FOLLOWS:

   a. PROPERTIES DESIGNATED HP OR HP-L.

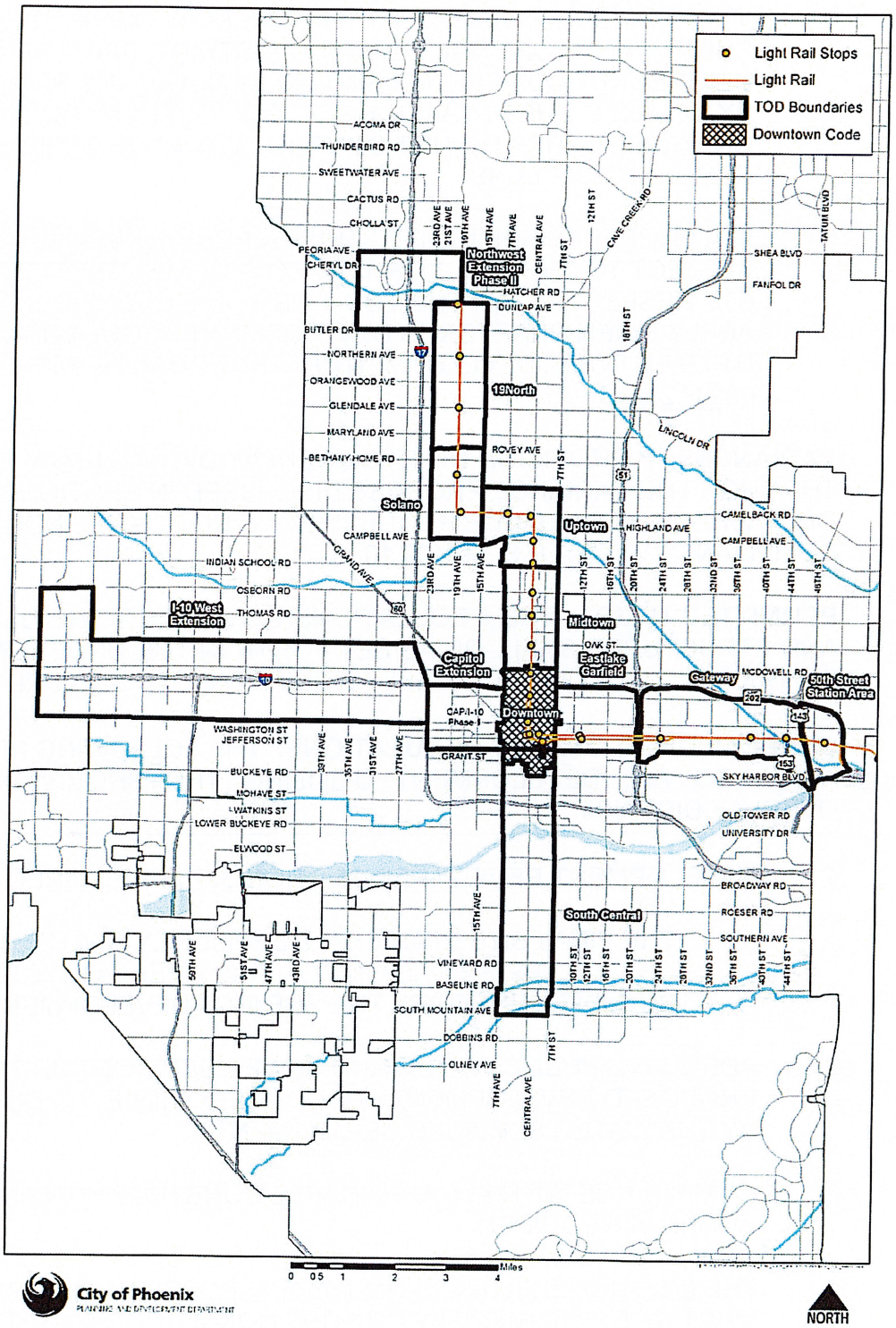
   b. PROPERTIES DESIGNATED AS HISTORIC ON THE NATIONAL REGISTER OF HISTORIC PLACES.

2. NOT APPLICABLE TO PROPERTIES LOCATED WITHIN EITHER THE GATEWAY TOC OR THE 50TH STREET STATION AREA.

3. NOT APPLICABLE TO PROPERTIES ZONED DOWNTOWN CODE PER CHAPTER 12.

4. NOT APPLICABLE TO PROPERTIES ZONED WALKABLE URBAN CODE PER CHAPTER 13.

Transit Oriented Communities



C. **CONFLICTS.**

1. IF A PROPERTY SUBJECT TO THIS OVERLAY DISTRICT IS ALSO SUBJECT TO A SPECIAL PLANNING DISTRICT, SPECIFIC PLAN, NEIGHBORHOOD PLAN, OR SIMILAR REGULATORY PLAN ADOPTED BY COUNCIL, THE PROVISIONS OF THIS OVERLAY DISTRICT APPLY ONLY WHEN THEY DO NOT CONFLICT WITH THE OTHER ADOPTED REGULATORY PLANS.

2. IF A PROPERTY SUBJECT TO THIS OVERLAY DISTRICT IS ALSO SUBJECT TO THE TOD-1 OR TOD-2 OVERLAYS (SECTIONS 662 AND 663, RESPECTIVELY), THE TOD-1 OR TOD-2 OVERLAYS DO NOT APPLY WHEN CHAPTER 13 DEVELOPMENT REGULATIONS ARE UTILIZED FOR A DEVELOPMENT IN ACCORDANCE WITH SECTION 632.H.2.b.

D. **VARIANCES.** A PROVISION OF THIS OVERLAY DISTRICT MAY BE MODIFIED THROUGH THE VARIANCE PROCESS DISCUSSED IN SECTION 307, BUT ONLY WHEN THE VARIANCE REQUEST DOES NOT CAUSE NON-COMPLIANCE WITH A.R.S. §9-462.10.

E. **PERMITTED USES.** THE REGULATIONS GOVERNING THE USES OF LAND AND STRUCTURES SHALL BE AS SET FORTH IN THE UNDERLYING ZONING DISTRICTS EXCEPT AS EXPRESSLY MODIFIED BY THIS OVERLAY DISTRICT.

F. **GENERAL DEVELOPMENT REGULATIONS.** THE FOLLOWING REGULATIONS APPLY TO ALL DEVELOPMENT UTILIZING THE PROVISIONS OF THIS OVERLAY DISTRICT:

1. DEVELOPMENT REVIEW PER SECTION 507 IS REQUIRED.

   a. THE FINAL SITE PLAN SHALL EXPLICITLY STATE WHICH, IF ANY, OF THE PROVISIONS OF THIS OVERLAY DISTRICT ARE TO BE IMPLEMENTED BY THE SUBJECT DEVELOPMENT.

2. ADEQUATE PUBLIC WATER AND SEWER SERVICE FOR THE ENTIRE PROPOSED DEVELOPMENT SHALL BE PROVIDED, AS DETERMINED BY THE WATER SERVICES DEPARTMENT.

3. COMPLIANCE WITH ALL APPLICABLE CONSTRUCTION AND FIRE CODES IS REQUIRED.

4. THE EXISTING BUILDINGS ON THE PROPOSED DEVELOPMENT SITE MUST BE ECONOMICALLY OR FUNCTIONALLY OBSOLETE, AS DEMONSTRATED TO AND APPROVED BY PDD.

5. THE EXISTING BUILDINGS MUST BE LOCATED WITHIN A UNIFIED DEVELOPMENT (APPROVED TOGETHER ON ONE SITE PLAN), AND THE AREA INCLUDED WITHIN THE UNIFIED DEVELOPMENT IS AT LEAST ONE NET ACRE BUT DOES NOT EXCEED 20 NET ACRES.

G. **DEVELOPMENT REGULATIONS—ADAPTIVE REUSE.** THE FOLLOWING REGULATIONS MAY BE APPLIED TO NON-RESIDENTIAL ADAPTIVE REUSE OF EXISTING COMMERCIAL, OFFICE, OR MIXED USE BUILDINGS WITHIN THIS OVERLAY DISTRICT, WHEN ALSO IN COMPLIANCE WITH SUBSECTION F, AS FOLLOWS:

1. AUTOMOBILE PARKING SHALL BE PROVIDED AS REQUIRED BY THE UNDERLYING ZONING DISTRICT.

2. SETBACKS SHALL BE AS REQUIRED BY THE UNDERLYING ZONING DISTRICT, WITH THE FOLLOWING MODIFICATIONS:

   a. IF THE MINIMUM SETBACK FOR THE PROPOSED USE IS GREATER THAN THAT OF THE EXISTING BUILDING, THE PROPOSED USE MAY BE PROVIDED AT THE EXISTING SETBACK SO LONG AS THE PROPOSED USE IS PERMITTED BY RIGHT WITHIN THE UNDERLYING ZONING.

   b. IF THE PROPOSED USE HAS SPACING OR SEPARATION REQUIREMENTS REQUIRED BY THE UNDERLYING ZONING, THOSE PROVISIONS STILL APPLY.

3. MAXIMUM BUILDING HEIGHT SHALL BE AS REQUIRED BY THE UNDERLYING ZONING, WITH THE FOLLOWING MODIFICATIONS:

   a. IF THE MAXIMUM HEIGHT FOR THE PROPOSED USE IS LESS THAN THAT OF THE EXISTING BUILDING, THE PROPOSED USE MAY BE PROVIDED AT ANY HEIGHT WITHIN THE EXISTING BUILDING SO LONG AS THE PROPOSED USE IS A USE PERMITTED BY RIGHT WITHIN THE UNDERLYING ZONING DISTRICT.

   b. ANY NEW BUILDINGS SHALL COMPLY WITH THE HEIGHT PROVISIONS OF THE UNDERLYING ZONING DISTRICT.

H. **DEVELOPMENT REGULATIONS—MULTI-FAMILY AND MIXED USE DEVELOPMENT.** THE FOLLOWING REGULATIONS APPLY TO MULTIFAMILY AND MIXED USE DEVELOPMENT WITHIN THIS OVERLAY DISTRICT, WHEN ALSO IN COMPLIANCE WITH SUBSECTION F, AS FOLLOWS:

1. THE PROPOSED DEVELOPMENT SITE SHALL HAVE AN UNDERLYING ZONING CLASSIFICATION OF R-5 (SECTION 618), R-4A (SECTION 619), C-1 (SECTION 622), C-2 (SECTION 623), OR C-3 (SECTION 624).

2. MULTI-FAMILY DEVELOPMENT SHALL COMPLY WITH ONLY ONE OF THE FOLLOWING (a OR b):

   a. ALL DEVELOPMENT REGULATIONS APPLICABLE TO MULTI-FAMILY DEVELOPMENT IN THE UNDERLYING ZONING DISTRICT, OR

   b. ALL DEVELOPMENT REGULATIONS APPLICABLE TO MULTI-FAMILY DEVELOPMENT SUBJECT TO CHAPTER 13, WALKABLE URBAN CODE, TRANSECT T5:5, WITH THE FOLLOWING MODIFICATIONS:

      (1) DENSITY IS NOT RESTRICTED.

      (2) HEIGHT IS RESTRICTED TO FIVE STORIES AND 56 FEET IN HEIGHT, EXCEPT THAT FOR BUILDINGS LOCATED WITHIN 100 FEET OF A SINGLE-FAMILY ZONING DISTRICT, THE MAXIMUM HEIGHT SHALL BE RESTRICTED TO TWO STORIES AND 30 FEET.

      (3) A MINIMUM OF TEN PERCENT OF THE TOTAL NUMBER OF DWELLING UNITS PROVIDED SHALL BE AFFORDABLE AND/OR WORKFORCE HOUSING FOR A MINIMUM TERM OF TWENTY YEARS AFTER THE INITIAL OCCUPATION OF THE PROPOSED DEVELOPMENT, AS APPROVED BY THE CITY'S HOUSING DEPARTMENT.

3. MIXED USE DEVELOPMENT (RESIDENTIAL AND NON-RESIDENTIAL USES) SHALL COMPLY WITH THE MULTI-FAMILY DEVELOPMENT REGULATIONS STATED IN THIS SECTION, IN ADDITION TO ALL NON-RESIDENTIAL USE REGULATIONS APPLICABLE TO SUCH USES WITHIN THE T5:5 TRANSECT. HOWEVER, NON-RESIDENTIAL USES ARE ONLY PERMITTED IN MIXED USED DEVELOPMENT WHEN THE UNDERLYING ZONING ALSO PERMITS THE PROPOSED NON-RESIDENTIAL USES.

I. **DEVELOPMENT REGULATIONS—OTHER.** A PROPOSED DEVELOPMENT NOT SUBJECT TO EITHER SUBSECTION G OR SUBSECTION H ABOVE MUST COMPLY WITH ALL APPLICABLE DEVELOPMENT REGULATIONS OF THE UNDERLYING ZONING FOR THE SITE.

***

SECTION 3: That Chapter 6, Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)), is amended to read as follows:

***

B. **Applicability.** The City of Phoenix' Transit-Oriented Development Overlay District (TOD-1) shall apply to lands delineated on the City's Official Supplementary Zoning Map 1086 as adopted on November 19, 2003, AS AMENDED. All land uses and development including, but not limited to buildings, drives, parking areas, landscaping, streets, alleys, greenways, and pedestrian/bicycle ways designated to be within this district, shall be located and developed in accordance with the following provisions:

***

C. **Inconsistencies of Underlying Districts.** In the event that the underlying zoning district standards, or other ordinance or regulations are inconsistent with these overlay Zoning Ordinance standards or any other provisions herein, the standards of the TOD-1 shall apply~~.~~, WITH THE FOLLOWING EXCEPTION:

1. PROPERTIES SUBJECT TO SECTION 632, ADAPTIVE REUSE AND MULTI-FAMILY (ARM) OVERLAY DISTRICT, ARE NOT SUBJECT TO TOD-1 DEVELOPMENT STANDARDS WHEN THE DEVELOPMENT IS CONSTRUCTED IN COMPLIANCE WITH THE DEVELOPMENT STANDARDS OF CHAPTER 13. HOWEVER, ALL USE REGULATIONS OF TOD-1 (BOTH PERMISSIONS AND PROHIBITIONS) SHALL STILL APPLY TO SUCH PROPERTIES.

***

SECTION 4: That Chapter 6, Section 663 (Interim Transit-Oriented Zoning Overlay District Two (TOD-2)), is amended to read as follows:

***

B. **Applicability.** The City of Phoenix' Transit-Oriented Development Overlay District (TOD-2) shall apply to lands delineated on the City's Official Supplementary Zoning Map 1086 as adopted on November 19, 2003, AS AMENDED. All land uses and development including, but not limited to buildings, drives, parking areas, landscaping, streets, alleys, greenways, and pedestrian/bicycle ways designated to be within this district, shall be located and developed in accordance with the following provisions:

***

C. **Inconsistencies of Underlying Districts.** In the event that the underlying zoning district standards, or other ordinance or regulations are inconsistent with these overlay Zoning Ordinance standards or any other provisions herein, the standards of the TOD-2 shall apply~~.~~, WITH THE FOLLOWING EXCEPTION:

1. PROPERTIES SUBJECT TO SECTION 632, ADAPTIVE REUSE AND MULTI-FAMILY (ARM) OVERLAY DISTRICT, ARE NOT SUBJECT TO TOD-2 DEVELOPMENT STANDARDS WHEN THE DEVELOPMENT IS CONSTRUCTED IN COMPLIANCE WITH THE DEVELOPMENT STANDARDS OF CHAPTER 13. HOWEVER, ALL USE REGULATIONS OF TOD-2 (BOTH PERMISSIONS AND PROHIBITIONS) SHALL STILL APPLY TO SUCH PROPERTIES.

***

Approved: _____
Alan Stephenson, Deputy City Manager

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING 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 REVISE AND CLARIFY DEFINITIONS REGARDING AFFORDABLE HOUSING AND RELATED ITEMS; REPLACE CHAPTER 6, SECTION 632 (HIGH-RISE H-R1 DISTRICT – HIGH-RISE AND HIGH DENSITY DISTRICT) AND ESTABLISH A NEW ADAPTIVE REUSE AND MULTI-FAMILY (ARM) OVERLAY DISTRICT; AND AMEND SECTION 662 (INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE (TOD-1)) AND SECTION 663 (TRANSIT-ORIENTED ZONING OVERLAY DISTRICT TWO (TOD-2)) TO CLARIFY HOW THE NEW SECTION 632 INTERACTS WITH THE PROVISION OF THE TOD-1 AND TOD-2 OVERLAY DISTRICTS.

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

SECTION 1: That Chapter 2, Section 202 (Definitions), is amended to revise existing definitions and add new definitions, as follows:

***

ECONOMICALLY AND FUNCTIONALLY OBSOLETE: COMMERCIAL OR MIXED USE BUILDING(S) ON A SITE THAT ARE IN A STATE OF DISREPAIR OR HAVE A FIFTY PERCENT VACANCY IN THE TOTAL LEASABLE SQUARE FOOTAGE, IN ACCORDANCE WITH A.R.S. §9-462.10.

***

~~*Affordable*~~ *Housing, AFFORDABLE:* Residential or mixed-use development providing HUD or other assisted low-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~~.

HOUSING, WORKFORCE: RESIDENTIAL OR MIXED-USE DEVELOPMENT PROVIDING HUD OR OTHER ASSISTED 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 OF AT LEAST 80 PERCENT AND UP TO 120 PERCENT OF THE AREA MEDIAN INCOME, AS DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

***

SECTION 2: That Chapter 6, Section 632 (High-Rise H-R1 District—High-Rise and High Density District), is amended to strike everything and replace with the following text:

SECTION 632. ADAPTIVE REUSE AND MULTI-FAMILY (ARM) OVERLAY DISTRICT

A. **PURPOSE.** THE PURPOSE OF THIS OVERLAY IS TO ESTABLISH ZONING REGULATIONS WHICH ACHIEVE COMPLIANCE WITH A.R.S. §9-462.10, AS FOLLOWS:

1. PROVIDE ALTERNATIVE DEVELOPMENT STANDARDS FOR THE NON-RESIDENTIAL ADAPTIVE REUSE OF EXISTING COMMERCIAL BUILDINGS.

2. ALLOW MULTI-FAMILY DEVELOPMENT BY RIGHT ON EXISTING COMMERCIAL PROPERTIES, SUBJECT TO CERTAIN DEVELOPMENT STANDARDS ALSO PROVIDED WITHIN THIS SECTION.

B. **APPLICABILITY.** THIS OVERLAY APPLIES TO ALL LAND WITHIN THE ADOPTED TRANSIT ORIENTED COMMUNITIES (TOC), PER THE MAP PROVIDED BELOW, WITH THE FOLLOWING EXCEPTIONS:

1. NOT APPLICABLE TO ANY PROPERTY WITH HISTORIC DESIGNATION, AS FOLLOWS:

<u>a.</u> PROPERTIES DESIGNATED HP OR HP-L.

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b. PROPERTIES DESIGNATED AS HISTORIC ON THE NATIONAL REGISTER OF HISTORIC PLACES.

2. NOT APPLICABLE TO PROPERTIES LOCATED WITHIN EITHER THE GATEWAY TOC OR THE 50TH STREET STATION AREA.

3. NOT APPLICABLE TO PROPERTIES ZONED DOWNTOWN CODE PER CHAPTER 12.

4. NOT APPLICABLE TO PROPERTIES ZONED WALKABLE URBAN CODE PER CHAPTER 13.

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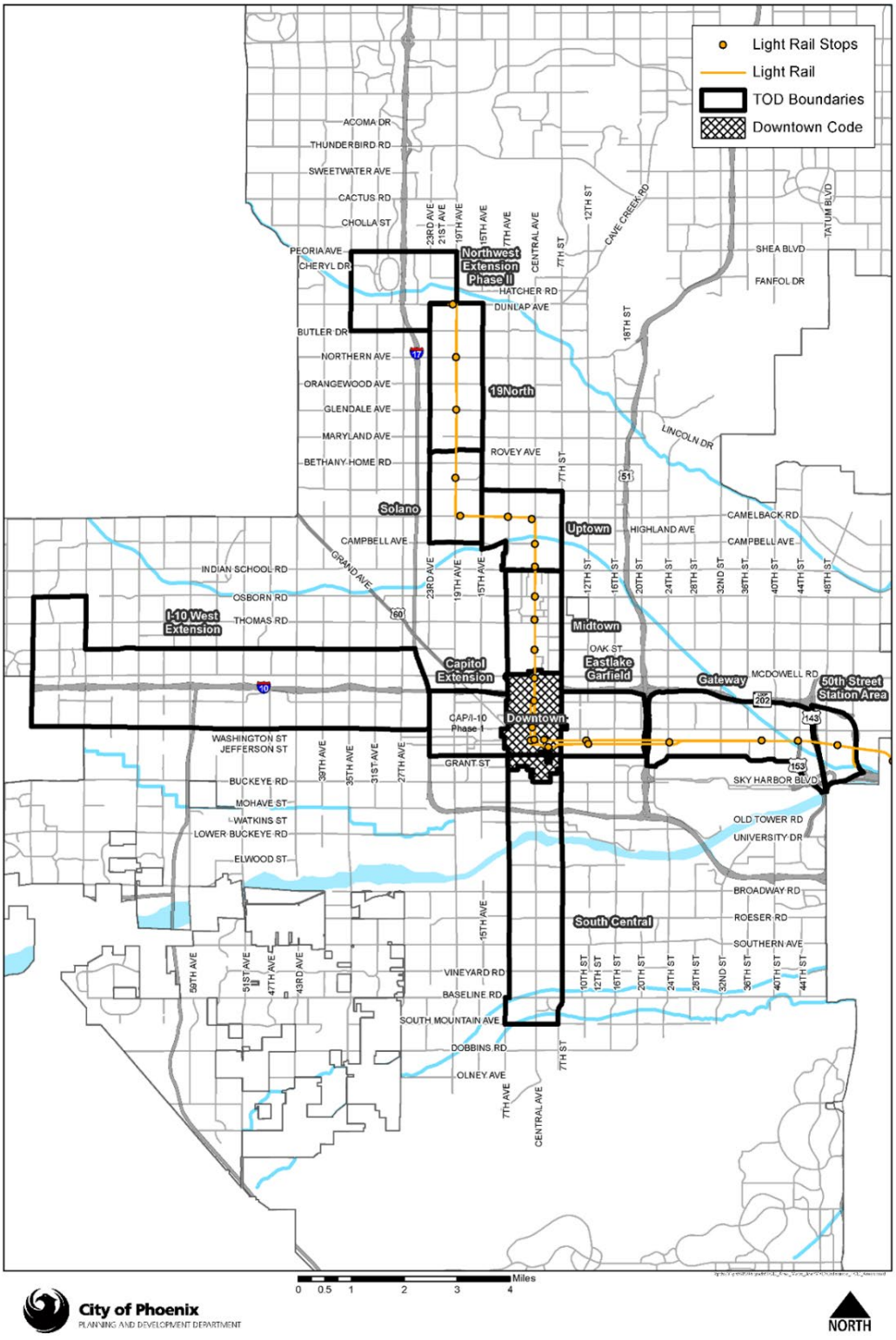
Transit Oriented Communities



C. **CONFLICTS.**

1. IF A PROPERTY SUBJECT TO THIS OVERLAY DISTRICT IS ALSO SUBJECT TO A SPECIAL PLANNING DISTRICT, SPECIFIC PLAN, NEIGHBORHOOD PLAN, OR SIMILAR REGULATORY PLAN ADOPTED BY COUNCIL, THE PROVISIONS OF THIS OVERLAY DISTRICT APPLY ONLY WHEN THEY DO NOT CONFLICT WITH THE OTHER ADOPTED REGULATORY PLANS.

2. IF A PROPERTY SUBJECT TO THIS OVERLAY DISTRICT IS ALSO SUBJECT TO THE TOD-1 OR TOD-2 OVERLAYS (SECTIONS 662 AND 663, RESPECTIVELY), THE TOD-1 OR TOD-2 OVERLAYS DO NOT APPLY WHEN CHAPTER 13 DEVELOPMENT REGULATIONS ARE UTILIZED FOR A DEVELOPMENT IN ACCORDANCE WITH SECTION 632.H.2.b.

D. **VARIANCES.** A PROVISION OF THIS OVERLAY DISTRICT MAY BE MODIFIED THROUGH THE VARIANCE PROCESS DISCUSSED IN SECTION 307, BUT ONLY WHEN THE VARIANCE REQUEST DOES NOT CAUSE NON-COMPLIANCE WITH A.R.S. §9-462.10.

E. **PERMITTED USES.** THE REGULATIONS GOVERNING THE USES OF LAND AND STRUCTURES SHALL BE AS SET FORTH IN THE UNDERLYING ZONING DISTRICTS EXCEPT AS EXPRESSLY MODIFIED BY THIS OVERLAY DISTRICT.

F. **GENERAL DEVELOPMENT REGULATIONS.** THE FOLLOWING REGULATIONS APPLY TO ALL DEVELOPMENT UTILIZING THE PROVISIONS OF THIS OVERLAY DISTRICT:

1. DEVELOPMENT REVIEW PER SECTION 507 IS REQUIRED.

   a. THE FINAL SITE PLAN SHALL EXPLICITLY STATE WHICH, IF ANY, OF THE PROVISIONS OF THIS OVERLAY DISTRICT ARE TO BE IMPLEMENTED BY THE SUBJECT DEVELOPMENT.

2. ADEQUATE PUBLIC WATER AND SEWER SERVICE FOR THE ENTIRE PROPOSED DEVELOPMENT SHALL BE PROVIDED, AS DETERMINED BY THE WATER SERVICES DEPARTMENT.

3. COMPLIANCE WITH ALL APPLICABLE CONSTRUCTION AND FIRE CODES IS REQUIRED.

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4. THE EXISTING BUILDINGS ON THE PROPOSED DEVELOPMENT SITE MUST BE ECONOMICALLY OR FUNCTIONALLY OBSOLETE, AS DEMONSTRATED TO AND APPROVED BY PDD.

5. THE EXISTING BUILDINGS MUST BE LOCATED WITHIN A UNIFIED DEVELOPMENT (APPROVED TOGETHER ON ONE SITE PLAN), AND THE AREA INCLUDED WITHIN THE UNIFIED DEVELOPMENT IS AT LEAST ONE NET ACRE BUT DOES NOT EXCEED 20 NET ACRES.

G. **DEVELOPMENT REGULATIONS—ADAPTIVE REUSE.** THE FOLLOWING REGULATIONS MAY BE APPLIED TO NON-RESIDENTIAL ADAPTIVE REUSE OF EXISTING COMMERCIAL, OFFICE, OR MIXED USE BUILDINGS WITHIN THIS OVERLAY DISTRICT, WHEN ALSO IN COMPLIANCE WITH SUBSECTION F, AS FOLLOWS:

1. AUTOMOBILE PARKING SHALL BE PROVIDED AS REQUIRED BY THE UNDERLYING ZONING DISTRICT.

2. SETBACKS SHALL BE AS REQUIRED BY THE UNDERLYING ZONING DISTRICT, WITH THE FOLLOWING MODIFICATIONS:

   a. IF THE MINIMUM SETBACK FOR THE PROPOSED USE IS GREATER THAN THAT OF THE EXISTING BUILDING, THE PROPOSED USE MAY BE PROVIDED AT THE EXISTING SETBACK SO LONG AS THE PROPOSED USE IS PERMITTED BY RIGHT WITHIN THE UNDERLYING ZONING.

   b. IF THE PROPOSED USE HAS SPACING OR SEPARATION REQUIREMENTS REQUIRED BY THE UNDERLYING ZONING, THOSE PROVISIONS STILL APPLY.

3. MAXIMUM BUILDING HEIGHT SHALL BE AS REQUIRED BY THE UNDERLYING ZONING, WITH THE FOLLOWING MODIFICATIONS:

   a. IF THE MAXIMUM HEIGHT FOR THE PROPOSED USE IS LESS THAN THAT OF THE EXISTING BUILDING, THE PROPOSED USE MAY BE PROVIDED AT ANY HEIGHT WITHIN THE EXISTING BUILDING SO LONG AS THE PROPOSED USE IS A USE PERMITTED BY RIGHT WITHIN THE UNDERLYING ZONING DISTRICT.

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b. ANY NEW BUILDINGS SHALL COMPLY WITH THE HEIGHT PROVISIONS OF THE UNDERLYING ZONING DISTRICT.

H. **DEVELOPMENT REGULATIONS—MULTI-FAMILY AND MIXED USE DEVELOPMENT.** THE FOLLOWING REGULATIONS APPLY TO MULTIFAMILY AND MIXED USE DEVELOPMENT WITHIN THIS OVERLAY DISTRICT, WHEN ALSO IN COMPLIANCE WITH SUBSECTION F, AS FOLLOWS:

1. THE PROPOSED DEVELOPMENT SITE SHALL HAVE AN UNDERLYING ZONING CLASSIFICATION OF R-5 (SECTION 618), R-4A (SECTION 619), C-1 (SECTION 622), C-2 (SECTION 623), OR C-3 (SECTION 624).

2. MULTI-FAMILY DEVELOPMENT SHALL COMPLY WITH ONLY ONE OF THE FOLLOWING (a OR b):

   a. ALL DEVELOPMENT REGULATIONS APPLICABLE TO MULTI-FAMILY DEVELOPMENT IN THE UNDERLYING ZONING DISTRICT, OR

   b. ALL DEVELOPMENT REGULATIONS APPLICABLE TO MULTI-FAMILY DEVELOPMENT SUBJECT TO CHAPTER 13, WALKABLE URBAN CODE, TRANSECT T5:5, WITH THE FOLLOWING MODIFICATIONS:

      (1) DENSITY IS NOT RESTRICTED.

      (2) HEIGHT IS RESTRICTED TO FIVE STORIES AND 56 FEET IN HEIGHT, EXCEPT THAT FOR BUILDINGS LOCATED WITHIN 100 FEET OF A SINGLE-FAMILY ZONING DISTRICT, THE MAXIMUM HEIGHT SHALL BE RESTRICTED TO TWO STORIES AND 30 FEET.

      (3) A MINIMUM OF TEN PERCENT OF THE TOTAL NUMBER OF DWELLING UNITS PROVIDED SHALL BE AFFORDABLE AND/OR WORKFORCE HOUSING FOR A MINIMUM TERM OF TWENTY YEARS AFTER THE INITIAL OCCUPATION OF THE PROPOSED DEVELOPMENT, AS APPROVED BY THE CITY'S HOUSING DEPARTMENT.

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3. MIXED USE DEVELOPMENT (RESIDENTIAL AND NON-RESIDENTIAL USES) SHALL COMPLY WITH THE MULTI-FAMILY DEVELOPMENT REGULATIONS STATED IN THIS SECTION, IN ADDITION TO ALL NON-RESIDENTIAL USE REGULATIONS APPLICABLE TO SUCH USES WITHIN THE T5:5 TRANSECT. HOWEVER, NON-RESIDENTIAL USES ARE ONLY PERMITTED IN MIXED USED DEVELOPMENT WHEN THE UNDERLYING ZONING ALSO PERMITS THE PROPOSED NON-RESIDENTIAL USES.

I. **DEVELOPMENT REGULATIONS—OTHER.** A PROPOSED DEVELOPMENT NOT SUBJECT TO EITHER SUBSECTION G OR SUBSECTION H ABOVE MUST COMPLY WITH ALL APPLICABLE DEVELOPMENT REGULATIONS OF THE UNDERLYING ZONING FOR THE SITE.

***

SECTION 3: That Chapter 6, Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)), is amended to read as follows:

***

B. **Applicability.** The City of Phoenix' Transit-Oriented Development Overlay District (TOD-1) shall apply to lands delineated on the City's Official Supplementary Zoning Map 1086 as adopted on November 19, 2003, AS AMENDED. All land uses and development including, but not limited to buildings, drives, parking areas, landscaping, streets, alleys, greenways, and pedestrian/bicycle ways designated to be within this district, shall be located and developed in accordance with the following provisions:

***

C. **Inconsistencies of Underlying Districts.** In the event that the underlying zoning district standards, or other ordinance or regulations are inconsistent with these overlay Zoning Ordinance standards or any other provisions herein, the standards of the TOD-1 shall apply~~.~~, WITH THE FOLLOWING EXCEPTION:

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1. PROPERTIES SUBJECT TO SECTION 632, ADAPTIVE REUSE AND MULTI-FAMILY (ARM) OVERLAY DISTRICT, ARE NOT SUBJECT TO TOD-1 DEVELOPMENT STANDARDS WHEN THE DEVELOPMENT IS CONSTRUCTED IN COMPLIANCE WITH THE DEVELOPMENT STANDARDS OF CHAPTER 13. HOWEVER, ALL USE REGULATIONS OF TOD-1 (BOTH PERMISSIONS AND PROHIBITIONS) SHALL STILL APPLY TO SUCH PROPERTIES.

***

SECTION 4: That Chapter 6, Section 663 (Interim Transit-Oriented Zoning Overlay District Two (TOD-2)), is amended to read as follows:

***

B. **Applicability.** The City of Phoenix' Transit-Oriented Development Overlay District (TOD-2) shall apply to lands delineated on the City's Official Supplementary Zoning Map 1086 as adopted on November 19, 2003, AS AMENDED. All land uses and development including, but not limited to buildings, drives, parking areas, landscaping, streets, alleys, greenways, and pedestrian/bicycle ways designated to be within this district, shall be located and developed in accordance with the following provisions:

***

C. **Inconsistencies of Underlying Districts.** In the event that the underlying zoning district standards, or other ordinance or regulations are inconsistent with these overlay Zoning Ordinance standards or any other provisions herein, the standards of the TOD-2 shall apply~~.~~, WITH THE FOLLOWING EXCEPTION:

1. PROPERTIES SUBJECT TO SECTION 632, ADAPTIVE REUSE AND MULTI-FAMILY (ARM) OVERLAY DISTRICT, ARE NOT SUBJECT TO TOD-2 DEVELOPMENT STANDARDS WHEN THE DEVELOPMENT IS CONSTRUCTED IN COMPLIANCE WITH THE DEVELOPMENT STANDARDS OF CHAPTER 13. HOWEVER, ALL USE REGULATIONS OF TOD-2 (BOTH PERMISSIONS AND PROHIBITIONS) SHALL STILL APPLY TO SUCH PROPERTIES.

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PASSED by the Council of the City of Phoenix this 13th day of November, 2024.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

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

By:
_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

DRAFT

ATTACHMENT B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

*REVISED
Staff Report
Zoning Ordinance Text Amendment
Z-TA-3-24-Y *and Z-136-24-Y

September 24, 2024

Application Nos. Z-TA-3-24-Y and Z-136-24-Y: Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District – High-Rise and High Density District) and establish a new Adaptive Reuse and Multi-family (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts; and to establish the boundary of the Adaptive Reuse and Multi-Family (ARM) Overlay District.

Staff recommendation: Staff recommends approval of Z-TA-3-24-Y per the language in Exhibit A, and Z-136-24-Y be approved as shown in Exhibit B.

BACKGROUND

This text amendment is a response to House Bill 2297, approved by the Fifty-Sixth Legislature, Second Session (2024) which modified the Arizona Revised Statutes to require municipalities to allow 1) adaptive reuse of existing, “economically and functionally obsolete” commercial buildings by non-residential uses by right, and 2) multi-family conversion of existing commercial sites by right. Both permissions are required in “not more than 10% of the total existing commercial, office or mixed use buildings within the municipality.” However, in order to qualify for these by-right permissions, a minimum of 10% of the dwelling units provided must be set aside for low-income (“Affordable”) or moderate-income (“Workforce”) housing for a minimum of 20 years after initial occupation, in addition to meeting other criteria outlined in the bill.

The requirements of HB 2297 require that zoning and other regulations be updated to comply no later than January 1, 2025.

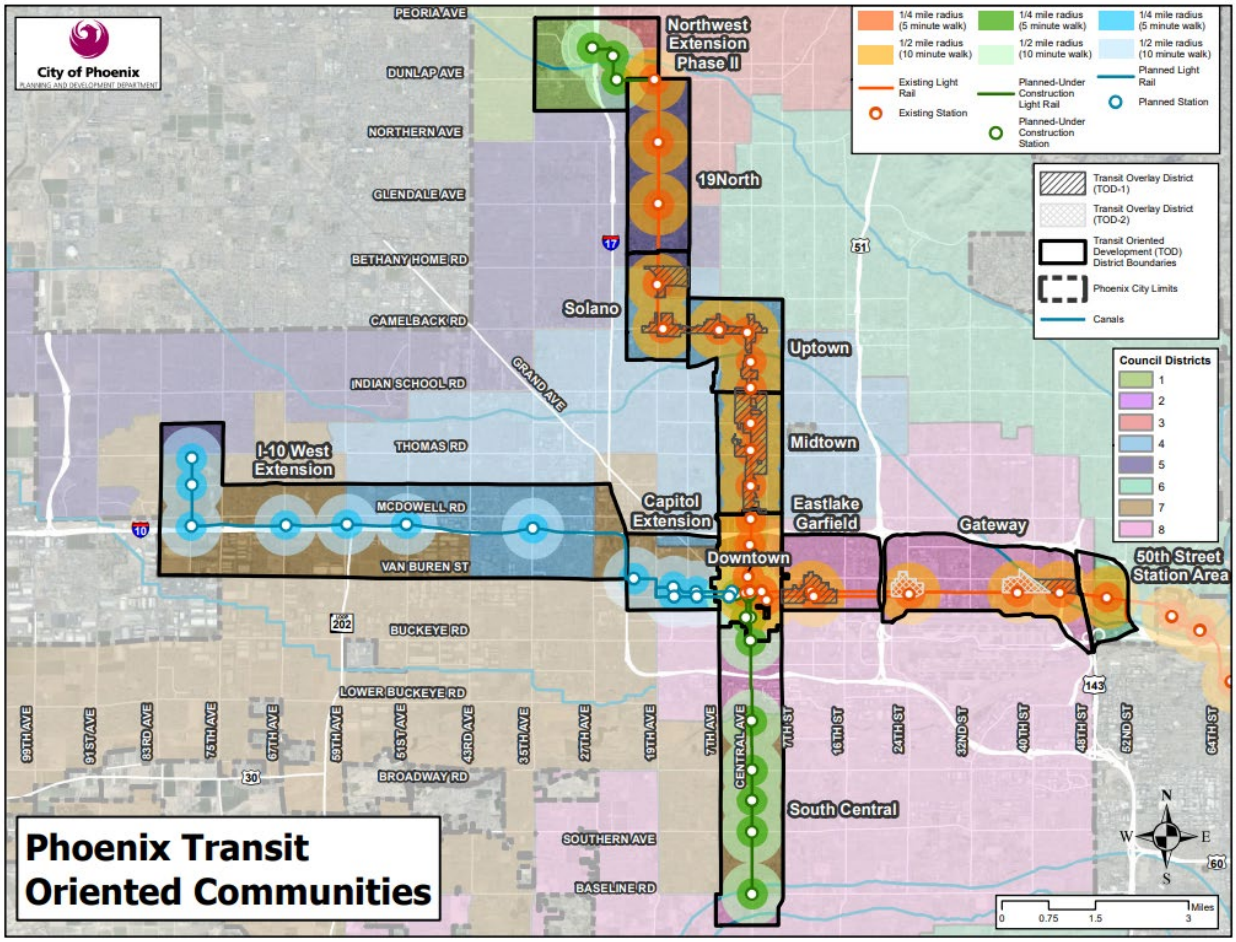
PURPOSE

In terms of non-residential adaptive reuse, the City of Phoenix has an existing robust program, and few changes are required. The City also has existing permissions for conversions of commercially zoned properties to multi-family developments, and

generally it is the development standards (setbacks, height, density, etc.) which require revisions due to HB 2297. In particular, the bill requires greater height and dwelling unit density than currently permitted by the Zoning Ordinance.

PROPOSAL

Staff recommends an overlay district over the Transit-Oriented Communities (TOC) area, with exceptions for Downtown Code and WU Code zoned properties, which already have existing permissions for greater height and density. The TOC area was chosen because it had been identified by prior studies as the area where such height and development density should be encouraged. The Gateway TOC and 50th Street Station Areas have been exempted since the bill does not permit inclusion of areas in close proximity to a commercial airport. A map of the Transit-Oriented Communities is provided below.



DESCRIPTION OF THE PROPOSED TEXT AMENDMENT

The proposed text amendment includes three main components: 1) new and revised definitions; 2) creation of a new Section 632, Adaptive Reuse and Multi-Family (ARM)

Overlay District, and 3) revision of the overlapping TOD-1 and TOD-2 Overlay District requirements so as not to conflict with the new regulations.

1. New and Revised Definitions

HB 2297 requires that any multi-family development which develops under the provisions of the bill provide a minimum of 10% of the dwelling units provided as low- or moderate-income housing. The City of Phoenix typically uses different terms: "Affordable Housing" as low-income housing, which is for residents earning up to 80% of the area median income; and "Workforce Housing", which is for residents earning from 80% to 120% of the area median income. These definitions are proposed to be added to the Zoning Ordinance, although "Affordable Housing" is already existing and is slightly revised for consistency.

HB 2297 also includes a requirement that an existing commercial building be "economically and functionally obsolete" in order to qualify for the provisions regarding adaptive reuse. The bill provides the definition, which in turn is proposed to be added to the Zoning Ordinance.

2. Creation of a new Section 632, Adaptive Reuse and Multi-family (ARM) Overlay District

The existing Section 632, High-Rise H-R1 District – High-Rise and High Density District, applied only to the area long-since rezoned as Downtown Code (Chapter 12 of the Zoning Ordinance) and now is an archaic section of the Zoning Ordinance. This text amendment proposes to remove it and use its place in the Zoning Ordinance for the new ARM Overlay District.

HB 2297 requires that the City designate "not more than 10% of the total existing commercial, office, or mixed use buildings within the municipality" for adaptive reuse and/or multi-family conversion, by right (i.e. no public hearings). However, there are eligibility criteria provided in the bill, which in turn are provided in the standards of Section 632.

Objective Standards

A municipality must require the following objective standards, but no more, to qualify for the by-right permissions of HB 2297:

- An administrative site plan review process.
- Determination of adequate public water and sewer to serve the site.
- Compliance with all applicable building construction and fire codes.
- Determination that any existing on-site building is "economically and functionally obsolete".
- A minimum parcel size of one acre, and a maximum size of 20 acres.

- Requirement that a minimum of 10% of the provided dwelling units are either low- and/or moderate-income housing (affordable and/or workforce housing).

Height and Density
In addition to the Objective Standards, by-right multi-family development has requirements regarding permitted height and density:

- Height may not exceed (but also not be less than) five stories, except where within 100 feet of single-family zoned properties, where the height may be limited to two stories.
- Density shall be equal to the highest allowable density within one mile of the building to be redeveloped.

Exemptions
HB 2297 also includes exemptions for properties adjacent to an FAA-licensed airport, and properties designated as historic. Section 632 is written to exempt HP and HP-L designated properties, and does not include the TOC areas directly to the north and adjacent to Phoenix Sky Harbor Airport.

Implementation within Transit-Oriented Communities
The new Section 632 includes the objective standards, height and density requirements, and exemptions as stated in HB 2297. The height and density provision will be discussed in more detail, as it is these provisions which led staff to suggest an overlay over the City's designated Transit-Oriented Communities.

The height requirement of HB 2297—five stories—is permitted within the Walkable Urban Code, starting with the T5:5 transect. Therefore, staff have proposed that development qualifying for use of the ARM overlay be permitted to developed in accordance with Chapter 13 (WU Code), T5:5 development standards.

The density requirement of HB 2297 is quite permissive, especially since adjacent portions of Downtown and properties zoned Walkable Urban Code have unrestricted (unlimited) density. Since that could lead to properties within a one-mile radius of a site developed under the provisions of HB 2297 also being allowed unlimited density, staff propose to allow unlimited density by right for projects subject to these regulations, but only in areas already identified for unrestricted density and future conversion to Walkable Urban Code—the Transit-Oriented Communities.

Permitted Uses
The ARM Overlay District does not add or prohibit any additional uses; it simply allows multi-family development and adaptive reuse to develop with more density and intensity, by right, within districts which already permit it. The proposed ARM Overlay District would not remove the underlying zoning classifications; rather, it would "overlay" the underlying zoning districts. A property currently zoned "C-2 HRI" would become "C-2 HRI ARMOD" if approved as proposed.

As an example, C-2 already permits multi-family development, but only to a maximum height of four stories, and with a maximum density of approximately 15 dwelling units per acre. A property located within the ARM Overlay District could choose to develop up to 5 stories, with no density limitations, but with the overlay requirement of 10% affordable and/or workforce housing, in addition to the other objective standards for applicability, such as lot size. However, the overlay is proposed to be permissive: a developer could still choose to develop per the existing zoning requirements, but with none of the additional height or density provisions of the ARM Overlay District.

Qualifying Buildings/Sites

As stated earlier, HB 2297 requires that the City allow by-right adaptive reuse and/or multi-family development on "not more than 10% of the total existing commercial, office, or mixed use buildings within the municipality." Staff have proposed an area appropriate for such development, but also with a high concentration of these types of uses and buildings. While the proposed area of the ARM Overlay District comprises 6.1% of the City's total land area, it includes more than 20% of the properties within the City zoned R-5, C-1, C-2, and C-3, which are the primary districts where commercial, office, and mixed use buildings are permitted. The provisions for adaptive reuse may also be applied on additional properties zoned for office park and light industrial uses (Commerce Park, A-1, and A-2) within the ARM Overlay District.

3. TOD-1 and TOD-2 Overlay District and other conflicts with ARM Overlay District requirements.

The Interim Transit-Oriented Zoning Overlay District One (TOD-1) and the Interim Transit-Oriented Zoning Overlay District Two (TOD-2) are existing overlay districts applied along the Valley Metro Light Rail corridor and will overlap with much of the area proposed for the ARM Overlay District. Staff propose that for projects developing under the provisions of the ARM Overlay District—use of Chapter 13, Walkable Urban Code standards—would not also be subject to the development standards of TOD-1 or TOD-2. This is consistent with properties rezoned to Walkable Urban Code, which have the TOD overlay removed when rezoning to WU Code.

The ARM Overlay District development standards would not override any other existing special planning areas having adopted regulatory plans, such as neighborhood plans, Specific Plans, or other overlay districts. Rather, the ARM Overlay District provisions can be applied when they do not conflict with any other regulatory standards of such special planning areas.

***ASSOCIATED REZONING CASE Z-136-24-Y**

Case Z-136-24-Y has been created to officially establish the zoning boundary of the proposed ARM Overlay District over the Transit Oriented Communities, with the exceptions as described above. The map of the proposed boundary is attached as Exhibit B.

CONCLUSION

The proposed Adaptive Reuse and Multi-Family (ARM) Overlay District, comprising a large portion of the City's Transit-Oriented Communities, is the most appropriate location for the by-right adaptive reuse and multi-family redevelopment entitlements required by HB 2297, not only because of the proximity to mass transit and prior studies leading to the designation of the TOC, but also because the area encompasses a large portion of the City's existing commercial, office, and mixed use buildings.

Staff recommends approval of Z-TA-3-24-Y per the language in Exhibit A, and Z-136-24-Y be approved as shown in Exhibit B.

Writer

C. DePerro
September 24, 2024

Exhibits

A. Proposed Language
B. Sketch Map / Proposed Boundary

Exhibit A

Staff proposed language that may be modified during the public hearing process is as follows:

Amend Chapter 2, Section 202 (Definitions) to add and/or modify definitions as follows:

***

ECONOMICALLY AND FUNCTIONALLY OBSOLETE: COMMERCIAL OR MIXED USE BUILDING(S) ON A SITE THAT ARE IN A STATE OF DISREPAIR OR HAVE A FIFTY PERCENT VACANCY IN THE TOTAL LEASABLE SQUARE FOOTAGE, IN ACCORDANCE WITH A.R.S. §9-462.10.

***

~~*Affordable*~~ *Housing, AFFORDABLE:* Residential or mixed-use development providing HUD or other assisted low-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~~.

HOUSING, WORKFORCE: RESIDENTIAL OR MIXED-USE DEVELOPMENT PROVIDING HUD OR OTHER ASSISTED 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 OF AT LEAST 80 PERCENT AND UP TO 120 PERCENT OF THE AREA MEDIAN INCOME, AS DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

***

Amend Chapter 6, Section 632 (High-Rise H-R1 District—High-Rise and High Density District) to strike everything, and replace with the following text:

SECTION 632. ADAPTIVE REUSE AND MULTI-FAMILY (ARM) OVERLAY DISTRICT

A. **PURPOSE.** THE PURPOSE OF THIS OVERLAY IS TO ESTABLISH ZONING REGULATIONS WHICH ACHIEVE COMPLIANCE WITH A.R.S. §9-462.10, AS FOLLOWS:

1. PROVIDE ALTERNATIVE DEVELOPMENT STANDARDS FOR THE NON-RESIDENTIAL ADAPTIVE REUSE OF EXISTING COMMERCIAL BUILDINGS.

2. ALLOW MULTI-FAMILY DEVELOPMENT BY RIGHT ON EXISTING COMMERCIAL PROPERTIES, SUBJECT TO CERTAIN DEVELOPMENT STANDARDS ALSO PROVIDED WITHIN THIS SECTION.

B. **APPLICABILITY.** THIS OVERLAY APPLIES TO ALL LAND WITHIN THE ADOPTED TRANSIT ORIENTED COMMUNITIES, PER THE MAP PROVIDED BELOW, WITH THE FOLLOWING EXCEPTIONS:

1. NOT APPLICABLE TO ANY PROPERTY WITH HISTORIC DESIGNATION, AS FOLLOWS:

   a. PROPERTIES DESIGNATED HP OR HP-L.

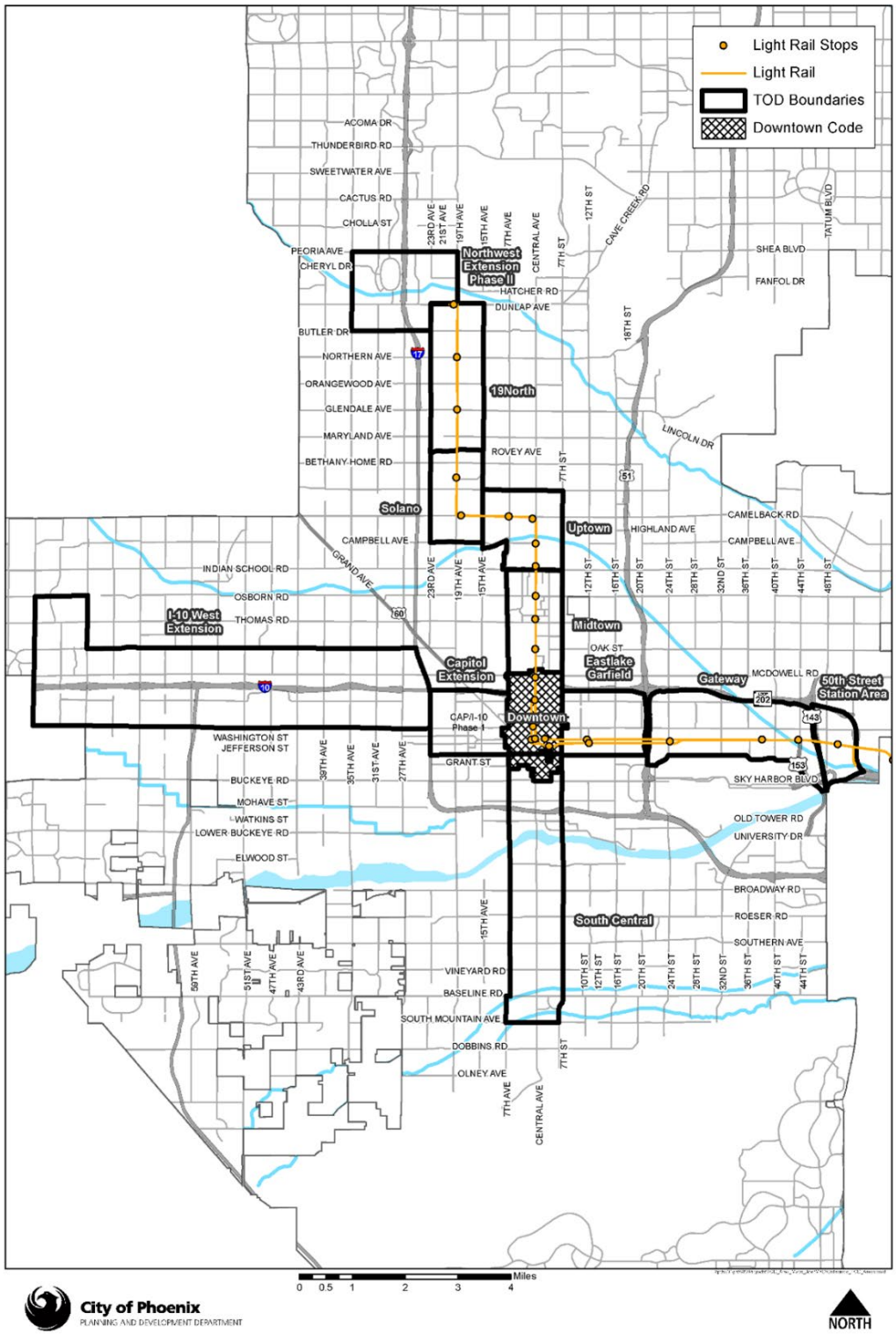
   b. PROPERTIES DESIGNATED AS HISTORIC ON THE NATIONAL REGISTER OF HISTORIC PLACES.

2. NOT APPLICABLE TO PROPERTIES LOCATED WITHIN EITHER THE GATEWAY TOC OR THE 50TH STREET STATION AREA.

3. NOT APPLICABLE TO PROPERTIES ZONED DOWNTOWN CODE PER CHAPTER 12.

4. NOT APPLICABLE TO PROPERTIES ZONED WALKABLE URBAN CODE PER CHAPTER 13.

Transit Oriented Communities



C. **CONFLICTS.**

1. IF A PROPERTY SUBJECT TO THIS OVERLAY DISTRICT IS ALSO SUBJECT TO A SPECIAL PLANNING DISTRICT, SPECIFIC PLAN, NEIGHBORHOOD PLAN, OR SIMILAR REGULATORY PLAN ADOPTED BY COUNCIL, THE PROVISIONS OF THIS OVERLAY DISTRICT APPLY ONLY WHEN THEY DO NOT CONFLICT WITH THE OTHER ADOPTED REGULATORY PLANS.

2. IF A PROPERTY SUBJECT TO THIS OVERLAY DISTRICT IS ALSO SUBJECT TO THE TOD-1 OR TOD-2 OVERLAYS (SECTIONS 662 AND 663, RESPECTIVELY), THE TOD-1 OR TOD-2 OVERLAYS DO NOT APPLY WHEN CHAPTER 13 DEVELOPMENT REGULATIONS ARE UTILIZED FOR A DEVELOPMENT IN ACCORDANCE WITH SECTION 632.H.2.b.

D. **VARIANCES.** A PROVISION OF THIS OVERLAY DISTRICT MAY BE MODIFIED THROUGH THE VARIANCE PROCESS DISCUSSED IN SECTION 307, BUT ONLY WHEN THE VARIANCE REQUEST DOES NOT CAUSE NON-COMPLIANCE WITH A.R.S. §9-462.10.

E. **PERMITTED USES.** THE REGULATIONS GOVERNING THE USES OF LAND AND STRUCTURES SHALL BE AS SET FORTH IN THE UNDERLYING ZONING DISTRICTS EXCEPT AS EXPRESSLY MODIFIED BY THIS OVERLAY DISTRICT.

F. **GENERAL DEVELOPMENT REGULATIONS.** THE FOLLOWING REGULATIONS APPLY TO ALL DEVELOPMENT UTILIZING THE PROVISIONS OF THIS OVERLAY DISTRICT:

1. DEVELOPMENT REVIEW PER SECTION 507 IS REQUIRED.

   a. THE FINAL SITE PLAN SHALL EXPLICITLY STATE WHICH, IF ANY, OF THE PROVISIONS OF THIS OVERLAY DISTRICT ARE TO BE IMPLEMENTED BY THE SUBJECT DEVELOPMENT.

2. ADEQUATE PUBLIC WATER AND SEWER SERVICE FOR THE ENTIRE PROPOSED DEVELOPMENT SHALL BE PROVIDED, AS DETERMINED BY THE WATER SERVICES DEPARTMENT.

3. COMPLIANCE WITH ALL APPLICABLE CONSTRUCTION AND FIRE CODES IS REQUIRED.

4. THE EXISTING BUILDINGS ON THE PROPOSED DEVELOPMENT SITE MUST BE ECONOMICALLY OR FUNCTIONALLY OBSOLETE, AS DEMONSTRATED TO AND APPROVED BY PDD.

5. THE EXISTING BUILDINGS MUST BE LOCATED WITHIN A UNIFIED DEVELOPMENT (APPROVED TOGETHER ON ONE SITE PLAN), AND THE AREA INCLUDED WITHIN THE UNIFIED DEVELOPMENT IS AT LEAST ONE NET ACRE BUT DOES NOT EXCEED 20 NET ACRES.

G. **DEVELOPMENT REGULATIONS—ADAPTIVE REUSE.** THE FOLLOWING REGULATIONS MAY BE APPLIED TO NON-RESIDENTIAL ADAPTIVE REUSE OF EXISTING COMMERCIAL, OFFICE, OR MIXED USE BUILDINGS WITHIN THIS OVERLAY DISTRICT, WHEN ALSO IN COMPLIANCE WITH SUBSECTION F, AS FOLLOWS:

1. AUTOMOBILE PARKING SHALL BE PROVIDED AS REQUIRED BY THE UNDERLYING ZONING DISTRICT.

2. SETBACKS SHALL BE AS REQUIRED BY THE UNDERLYING ZONING DISTRICT, WITH THE FOLLOWING MODIFICATIONS:

   a. IF THE MINIMUM SETBACK FOR THE PROPOSED USE IS GREATER THAN THAT OF THE EXISTING BUILDING, THE PROPOSED USE MAY BE PROVIDED AT THE EXISTING SETBACK SO LONG AS THE PROPOSED USE IS PERMITTED BY RIGHT WITHIN THE UNDERLYING ZONING.

   b. IF THE PROPOSED USE HAS SPACING OR SEPARATION REQUIREMENTS REQUIRED BY THE UNDERLYING ZONING, THOSE PROVISIONS STILL APPLY.

3. MAXIMUM BUILDING HEIGHT SHALL BE AS REQUIRED BY THE UNDERLYING ZONING, WITH THE FOLLOWING MODIFICATIONS:

a. IF THE MAXIMUM HEIGHT FOR THE PROPOSED USE IS LESS THAN THAT OF THE EXISTING BUILDING, THE PROPOSED USE MAY BE PROVIDED AT ANY HEIGHT WITHIN THE EXISTING BUILDING SO LONG AS THE PROPOSED USE IS A USE PERMITTED BY RIGHT WITHIN THE UNDERLYING ZONING DISTRICT.

b. ANY NEW BUILDINGS SHALL COMPLY WITH THE HEIGHT PROVISIONS OF THE UNDERLYING ZONING DISTRICT.

H. **DEVELOPMENT REGULATIONS—MULTI-FAMILY AND MIXED USE DEVELOPMENT.** THE FOLLOWING REGULATIONS APPLY TO MULTIFAMILY AND MIXED USE DEVELOPMENT WITHIN THIS OVERLAY DISTRICT, WHEN ALSO IN COMPLIANCE WITH SUBSECTION F, AS FOLLOWS:

1. THE PROPOSED DEVELOPMENT SITE SHALL HAVE AN UNDERLYING ZONING CLASSIFICATION OF R-5 (SECTION 618), R-4A (SECTION 619), C-1 (SECTION 622), C-2 (SECTION 623), OR C-3 (SECTION 624).

2. MULTI-FAMILY DEVELOPMENT SHALL COMPLY WITH ONLY ONE OF THE FOLLOWING (a OR b):

a. ALL DEVELOPMENT REGULATIONS APPLICABLE TO MULTI-FAMILY DEVELOPMENT IN THE UNDERLYING ZONING DISTRICT, OR

b. ALL DEVELOPMENT REGULATIONS APPLICABLE TO MULTI-FAMILY DEVELOPMENT SUBJECT TO CHAPTER 13, WALKABLE URBAN CODE, TRANSECT T5:5, WITH THE FOLLOWING MODIFICATIONS:

(1) DENSITY IS NOT RESTRICTED.

(2) HEIGHT IS RESTRICTED TO FIVE STORIES AND 56 FEET IN HEIGHT, EXCEPT THAT FOR BUILDINGS LOCATED WITHIN 100 FEET OF A SINGLE-FAMILY ZONING DISTRICT, THE MAXIMUM HEIGHT SHALL BE RESTRICTED TO TWO STORIES AND 30 FEET.

(3) A MINIMUM OF TEN PERCENT OF THE TOTAL NUMBER OF DWELLING UNITS PROVIDED SHALL BE AFFORDABLE AND/OR WORKFORCE HOUSING FOR A MINIMUM TERM OF TWENTY YEARS AFTER THE INITIAL OCCUPATION OF THE PROPOSED DEVELOPMENT, AS APPROVED BY THE CITY'S HOUSING DEPARTMENT.

3. MIXED USE DEVELOPMENT (RESIDENTIAL AND NON-RESIDENTIAL USES) SHALL COMPLY WITH THE MULTI-FAMILY DEVELOPMENT REGULATIONS STATED IN THIS SECTION, IN ADDITION TO ALL NON-RESIDENTIAL USE REGULATIONS APPLICABLE TO SUCH USES WITHIN THE T5:5 TRANSECT. HOWEVER, NON-RESIDENTIAL USES ARE ONLY PERMITTED IN MIXED USED DEVELOPMENT WHEN THE UNDERLYING ZONING ALSO PERMITS THE PROPOSED NON-RESIDENTIAL USES.

I. **DEVELOPMENT REGULATIONS—OTHER.** A PROPOSED DEVELOPMENT NOT SUBJECT TO EITHER SUBSECTION G OR SUBSECTION H ABOVE MUST COMPLY WITH ALL APPLICABLE DEVELOPMENT REGULATIONS OF THE UNDERLYING ZONING FOR THE SITE.

***

Amend Chapter 6, Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) to amend as follows:

Section 662. Interim Transit-Oriented Zoning Overlay District One (TOD-1).

***

B. **Applicability.** The City of Phoenix' Transit-Oriented Development Overlay District (TOD-1) shall apply to lands delineated on the City's Official Supplementary Zoning Map 1086 as adopted on November 19, 2003, AS AMENDED. All land uses and development including, but not limited to buildings, drives, parking areas, landscaping, streets, alleys, greenways, and pedestrian/bicycle ways designated to be within this district, shall be located and developed in accordance with the following provisions:

***

C. **Inconsistencies of Underlying Districts.** In the event that the underlying zoning district standards, or other ordinance or regulations are inconsistent with these overlay Zoning Ordinance standards or any other provisions herein, the standards of the TOD-1 shall apply~~.~~, WITH THE FOLLOWING EXCEPTION:

1. PROPERTIES SUBJECT TO SECTION 632, ADAPTIVE REUSE AND MULTI-FAMILY (ARM) OVERLAY DISTRICT, ARE NOT SUBJECT TO TOD-1 DEVELOPMENT STANDARDS WHEN THE DEVELOPMENT IS CONSTRUCTED IN COMPLIANCE WITH THE DEVELOPMENT STANDARDS OF CHAPTER 13. HOWEVER, ALL USE REGULATIONS OF TOD-1 (BOTH PERMISSIONS AND PROHIBITIONS) SHALL STILL APPLY TO SUCH PROPERTIES.

***

Amend Chapter 6, Section 663 (Interim Transit-Oriented Zoning Overlay District Two (TOD-2)) to amend as follows:

Section 663. Interim Transit-Oriented Zoning Overlay District Two (TOD-2).

***

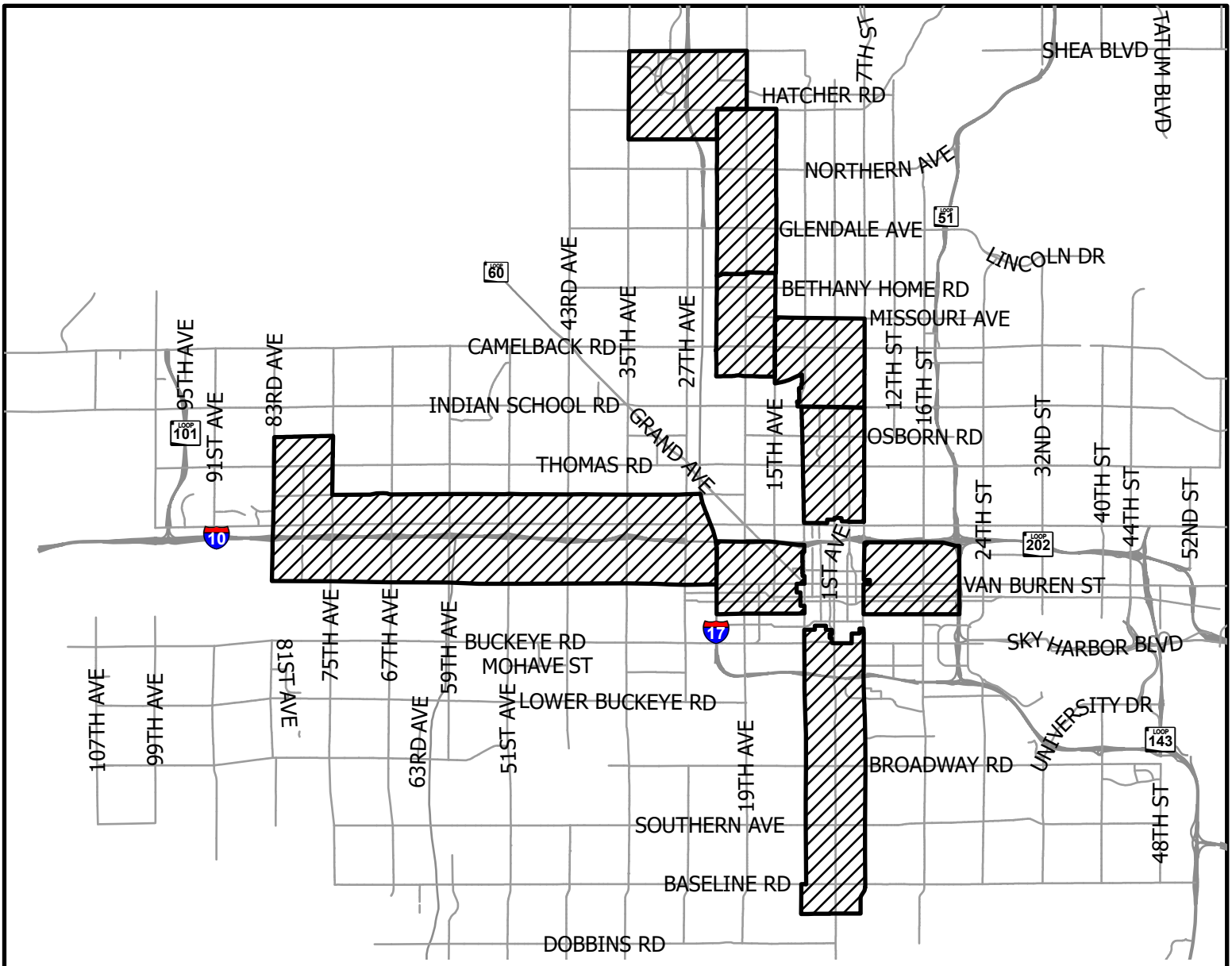
B. **Applicability.** The City of Phoenix' Transit-Oriented Development Overlay District (TOD-2) shall apply to lands delineated on the City's Official Supplementary Zoning Map 1086 as adopted on November 19, 2003, AS AMENDED. All land uses and development including, but not limited to buildings, drives, parking areas, landscaping, streets, alleys, greenways, and pedestrian/bicycle ways designated to be within this district, shall be located and developed in accordance with the following provisions:

***

C. **Inconsistencies of Underlying Districts.** In the event that the underlying zoning district standards, or other ordinance or regulations are inconsistent with these overlay Zoning Ordinance standards or any other provisions herein, the standards of the TOD-2 shall apply~~.~~, WITH THE FOLLOWING EXCEPTION:

1. PROPERTIES SUBJECT TO SECTION 632, ADAPTIVE REUSE AND MULTI-FAMILY (ARM) OVERLAY DISTRICT, ARE NOT SUBJECT TO TOD-2 DEVELOPMENT STANDARDS WHEN THE DEVELOPMENT IS CONSTRUCTED IN COMPLIANCE WITH THE DEVELOPMENT STANDARDS OF CHAPTER 13. HOWEVER, ALL USE REGULATIONS OF TOD-2 (BOTH PERMISSIONS AND PROHIBITIONS) SHALL STILL APPLY TO SUCH PROPERTIES.

***

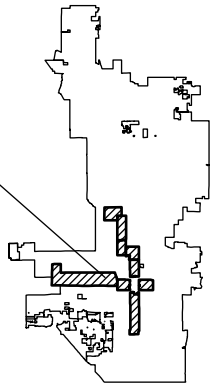


N

0 1.25 2.5 5 Miles

VILLAGE: Various
COUNCIL DISTRICT: Various

Z-136-24



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	City of Phoenix Planning Commission
APPLICATION NO:	Z-136-24
DATE:	9/25/2024
REVISION DATES:	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	20373.69 Acres
AERIAL PHOTO & QUARTER SEC. NO.	Various
ZONING MAP	D8, F3-F9, G3-9,H7-H8, I7, J6-J7, K6-K7

REQUESTED CHANGE:

FROM: Various Zoning Districts

TO: Various Underlying Zoning Districts with the Adaptive Reuse and Multi-Family Overlay District

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D OPTION

* Maximum Units Allowed with P.R.D. Bonus

S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\sketch_maps\2024\Z-136-24\Z-136-24.aprx

ATTACHMENT C

Z-TA-3-24-Y: Adaptive Reuse and Multifamily (ARM) Overlay District
Village Planning Committee Summary Results

Village	Information Only Date	Recommendation Date	Recommendations	Vote
Alhambra	8/27/24	10/22/24	Approval, per the staff recommendation	11-2
Camelback East	9/10/24	10/1/24	Approval, per the staff recommendation	16-0
Central City	9/9/24	10/21/24	Approval, per the staff recommendation	10-0
Encanto	9/9/24	10/7/24	Denial	8-4-1
Estrella	9/17/24	10/15/24	No quorum	n/a
Maryvale	9/11/24	10/9/24	No quorum	n/a
North Mountain	9/18/24	10/16/24	Approval, per the staff recommendation	13-0
South Mountain	9/10/24	10/8/24	Approval, per the staff recommendation, with direction	12-0

Alhambra
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-24-Y
INFORMATION ONLY

Date of VPC Meeting	August 27, 2024
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District – High-Rise and High Density District) and establish a new Adaptive Reuse and Multifamily (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) and to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts.

VPC DISCUSSION:

No members of the public registered to speak on this item.

STAFF PRESENTATION

Samuel Rogers, staff, provided a presentation on the text amendment Z-TA-3-24 regarding the new Adaptive Reuse and Multifamily (ARM) Overlay District. Mr. Rogers explained that the text amendment is in response to HB 2297 which requires that municipalities provide administrative permissions for adaptive reuse of existing commercial structures and the conversation of commercial properties to multifamily uses on up to 10 percent of commercial properties. Mr. Rogers explained that the City of Phoenix is creating the ARM Overlay District which will facilitate adaptive reuse and multifamily development, explained that the allowed height and intensity for multifamily developments within the overlay would be equivalent to the Walkable Urban Code T5:5 district, and explained that the overlay will be located within the designated Transit Oriented Communities (TOC).

QUESTIONS FROM COMMITTEE

Committee Member Keith Ender asked who bears the financial responsibility for the affordable housing. **Mr. Rogers** explained that developers are required to provide 10% of the total number of units built as affordable housing. Mr. Rogers explained that developers bear the costs, but these costs could potentially be passed on to renters.

Committee Member Martin Shultz asked about the purpose of the proposed amendments from Mr. Rogers' perspective. **Mr. Rogers** explained that the text amendment addresses two key components: adaptive reuse and multifamily housing. Mr. Rogers emphasized that these changes are in response to state law, which allows for higher density and height by right, while also requiring affordable housing provisions. Mr. Rogers expressed confidence in how the City responded to the state bill and acknowledged that the proposed amendments might be more contentious in some Transit-Oriented Communities than in others.

Committee Member Shultz expressed interest in receiving more information over time regarding the need for affordable housing. Committee Member Shultz explained that significant investments have been made in Transit-Oriented Communities and related infrastructure improvements, and explained that it makes sense for the City to capitalize on these investments. Committee Member Shultz requested additional information on transit-oriented development (TOD), infill, and the City's plans for developing specific areas.

Committee Member Pamela Fitzgerald expressed frustration, stating that she wishes the state would allow cities more autonomy to manage their own affairs.

Committee Member Shultz explained that the City does not operate in isolation and emphasized that as the City continues to grow, there are defined roles for various levels of government.

Alhambra
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-24-Y

Date of VPC Meeting	October 22, 2024
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District – High-Rise and High Density District) and establish a new Adaptive Reuse and Multifamily (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) and to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts.
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	11-2

VPC DISCUSSION

STAFF PRESENTATION

Samuel Rogers, staff, provided a presentation regarding the proposed text amendment Z-TA-3-24-Y and Z-136-24-Y, highlighting the background of the legislation approved by the Arizona Legislature, the proposed Adaptive Reuse and Multi-Family (ARM) Overlay District, the areas of applicability, the proposed allowances for multifamily development and adaptive reuse, and the timeline for the proposal.

QUESTIONS FROM THE COMMITTEE

Committee Member Charles Jones asked about the mile distance requirement. **Mr. Rogers** explained that state law requires cities to allow 10% of their commercial areas to develop up to five stories with densities equivalent to the highest zoning district within one mile of the subject property. Mr. Rogers stated that the City of Phoenix applied this by allowing sites within existing Transit-Oriented Communities (TOC) to develop according to Walkable Urban (WU) Code T5:5 standards, permitting unlimited density and five-story buildings.

Committee Member Martin Shultz stated that this policy originated from state law and questioned whether cities should control zoning or if state involvement is appropriate. Committee Member Shultz stated that the motivation behind some legislation is to create challenges for transit-oriented development. **Mr. Rogers** discussed the balance of benefits and risks in the relationship between city zoning authority and state regulations. Committee Member Shultz explained that determining zoning jurisdiction is complex and raised the importance of regional planning and described the politics that opposed the Capitol Mall light rail expansion.

Committee Member Quanta Crews expressed support for how Phoenix applied the state law through an overlay, explained she supported the law as a state legislator due to its potential to create affordable housing, and asked about the public engagement process. **Mr. Rogers** clarified that the application of the ARM Overlay will be an administrative process that does not require public hearings, stated that the overlay will not alter existing rezoning procedures, and reiterated that the ARM Overlay applies within established high-intensity policy areas.

Committee Member Marshall Pimentel highlighted the benefit of affordable housing through this process, stated that the overlay is a small but positive step, and explained that Arizona's prohibition on mandatory inclusionary housing presents barriers.

Committee Member David Krietor raised concerns about the proposed five-story allowance, stated that some commercial properties in the ARM Overlay are adjacent to single-family homes, and described previously conflicts over height within the Alhambra Village. **Mr. Rogers** explained that developments within 100 feet of single-family zoning are limited to two stories.

Committee Member Jones requested clarification on the ARM Overlay boundaries. **Mr. Rogers** presented the ARM Overlay boundaries.

Committee Member Jones asked if affordable housing was mandatory for projects utilizing the ARM Overlay and asked about funding. **Mr. Rogers** confirmed that affordable housing is required for multifamily developed under the ARM Overlay, stated that the affordable housing is funded by developers, and explained that developers could choose to rezone if they wish to avoid providing affordable housing.

Committee Member Crews questioned the appropriate distance requirement for the two-story height limitation near single-family zones and whether 300 feet would be more appropriate. **Committee Member Krietor** described Alhambra's support for affordable housing, explained conflicts over height near single-family areas, and stated that overlay may lead to potential disputes regarding height. **Committee Member Jones** explained that step-downs are sometimes required and stated that determining an optimal distance from single family to limit the height is challenging.

Committee Member John Owens asked whether the presentation's reference to 20% of commercial areas being within ARM Overlay included the downtown and airport areas. **Mr. Rogers** explained that he is unsure.

Committee Member Jones inquired about potential consequences if the City did not adopt the ARM Overlay by the deadline and asked about other cities' approaches. **Mr. Rogers** stated that failing to adopt the overlay could expose the City to lawsuits, explained that other cities generally applied the state law city-wide, and stated that Phoenix's approach applied the overlay to existing high-intensity policy areas.

Committee Member Jones asked about potential changes to the state law. **Mr. Rogers** stated he was unaware of any planned changes. **Committee Member Crews** stated that she may try to potentially modify the state law to increase the distance a property must be from single-family homes in order to allow five-story developments.

Committee Member Pimentel stated that the bill was the result of compromise between major cities, developers, and the League of Cities and Towns. **Committee Member Crews** echoed Committee Member Pimentel's comments and added that significant compromise was involved in the bill's development.

Committee Member Keyser asked about the most challenging parts of process up to this point. **Mr. Rogers** noted difficulties in interpreting legislative intent and emphasized the importance of applying the overlay selectively to protect low-intensity areas.

Committee Member Keyser stated that affordable housing materials might be less expensive because affordable units do not require luxury amenities and may be smaller in size.

Committee Member Dina Smith asked for clarification on the state law's requirements. **Mr. Rogers** explained that cities must allow 10% of commercial properties to build up to five stories, with density equivalent to the highest density allowed within one mile of the property.

Committee Member Smith asked about the rationale behind the state law and raised concerns about the cumulative density impact, especially on schools and property values. **Mr. Rogers** explained that the state aims to increase housing availability and address the affordable housing shortage, and stated that limiting the overlay to TOC areas is an effort to manage density impacts. **Committee Member Keyser** discussed the negative consequences of sprawl, including increased infrastructure costs, pollution, and urban heat effects, and highlighted the role of impact fees for new development. Committee Member Smith reiterated concerns about potential over-development impacting property values and local schools.

Committee Member Jak Keyser asked if there is a possibility that the overlay may be amended in the future. **Mr. Rogers** explained that it is possible that the City may revisit

the ARM Overlay and explained that Proposition 207 makes it easier to grant changes than to take them away.

Committee Member Keyser asked about the possibility of tabling the discussion. **Mr. Rogers** explained that the text amendment will be heard by the City Council before the next Alhambra VPC meeting.

Committee Member David Krietor expressed his support and stated that he would second a motion.

Committee Member Crews thanked Committee Member Smith for her comments and emphasized that the goal of the state law is to encourage greater density and provide more housing options for everyone. Committee Member Crews described the urgency of the situation, explained that the City is experiencing a significant population increase and a housing shortage, and expressed appreciation for how the City is implementing the state law through the overlay. Committee Member Crews explained that state laws can change, stated that the current measures are a temporary solution, and emphasizing the need to explore more comprehensive solutions. **Committee Member Smith** cautioned that sometimes temporary solutions can become problematic. Committee Member Crews explained that failing to act will result in more families facing homelessness. Committee Member Smith expressed concern that new housing is too expensive, and that young people are struggling to afford housing. Committee Member Crews explained that unless the government steps in to subsidize housing and increase taxes, negotiations with developers will be necessary to find workable solutions.

PUBLIC COMMENTS

None.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

MOTION
Committee Member Jak Keyser made a motion to recommend approval of Z-TA-3-24-Y per the staff recommendation. **Committee Member David Krietor** seconded the motion.

VOTE
11-2, motion to recommend approval of Z-TA-3-24-Y per the staff recommendation passed with Committee Members Crews, Farina, Harris, Keyser, Krietor, Owens, Pimentel, Sanchez, Shultz, Camp, and DeGraffenreid in favor and Committee Members Jones and Smith opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Staff has no comment.

Camelback East
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-24-Y
INFORMATION ONLY

Date of VPC Meeting	September 10, 2024
Proposal	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District – High-Rise and High Density District) and establish a new Adaptive Reuse and Multifamily (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) and to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts.

VPC DISCUSSION:

No members of the public registered to speak on this item.

STAFF PRESENTATION:

John Roanhorse, staff, provided a summary overview of the proposed text amendment, which is a response to State Bill 2297, which mandates the development of multifamily use in areas previously lacking such opportunities. Mr. Roanhorse stated updating the Zoning Ordinance provides an opportunity to evaluate and enhance the zoning framework, focusing on areas already suited for multifamily development. Mr. Roanhorse expressed that the amendment encourages the redevelopment of existing commercial properties for multifamily purposes where appropriate and not all commercial properties are suitable for multifamily use, so a detailed analysis has been conducted to determine suitability. Mr. Roanhorse summarized the proposed changes in the text amendment which include definitions of affordable housing, replacing the H-R1 Zoning District with a new Adaptive Reuse and Multifamily (ARM) Overlay District, and revisions the TOD-1 and TOD-2 overlay districts. Mr. Roanhorse stated the process will evolve gradually and will primarily impact a specific subset of areas within the city and the focus of the amendment is on adaptive reuse for multifamily development within designated transit-oriented communities. Mr. Roanhorse said the proposed changes are designed to support areas with existing infrastructure for transportation, such as transit systems and established commercial districts. Mr. Roanhorse said the new overlay

areas will affect locations within transit-oriented communities, particularly around Central Avenue and other key transit routes. Mr. Roanhorse stated the Adaptive Reuse Multifamily (ARM) overlay district will be applied to designated commercial districts (R-5, C-1, C-2, and C-3) that already have adaptive reuse programs and will enable the conversion of any nonresidential building within the designated areas into multifamily housing. Mr. Roanhorse displayed a map of the transit-oriented area and noted the intent of these amendments is to enhance the flexibility and effectiveness of zoning regulations in supporting adaptive reuse and multifamily development in transit-oriented areas that will increase in residential density while leveraging existing infrastructure and transit options. Mr. Roanhorse stated the presentation provided is for information only and it will come before the committee next month for action.

QUESTIONS FROM THE COMMITTEE:

Committee Member Williams asked if the areas impacted by the text amendment in Camelback East are just around the airport. **Mr. Roanhorse** responded noting the areas along 50th Street and Van Buren area are exempt due to their proximity to the airport.

Vice Chair Fischbach asked what is the definition of low-income housing and moderate income when it comes to housing. **Committee Member Eichelkraut** responded for low income it is based on federal standards, 80 percent of the area median income (AMI) and for moderate income is approximately from 80 to 120 percent of AMI.

Committee Member Eichelkraut asked how would mixed-use development, such as combining retail on the lower floors with residential units above be addressed with the proposed changes. **Mr. Roanhorse** responded the feasibility of mixed-use development depends on the location and the overlays will allows some flexibility and the Planning and Development Department is open to various approaches, but the success of mixed-use projects will vary. Committee Member Eichelkraut stated it was disappointing the Gateway area and 50th Street areas were excluded because these areas need more housing. Mr. Roanhorse responded that one of the main issues was the proximity to Phoenix Sky Harbor Airport.

Committee Member Paceley asked since the proposed text amendment was driven by changes from the State Legislature does this impact Plan Phoenix which will be on the November ballot. **Mr. Roanhorse** responded that there would be no impacts because the proposed amendments took into consideration the city's current activities. Committee Member Paceley stated the text amendment should be good with the city's residents.

Committee Member Abbott asked about the housing inventory and the deadline to obtain this information and does the county assessor have this information. **Mr. Roanhorse** responded this information is being collected and will be an ongoing process.

PUBLIC COMMENTS:

None.

STAFF RESONSE:

NONE.

FLOOR/PUBLIC DISCUSION CLOSED: COMMITTEE DISCUSSION:

None.

Camelback East
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-24-Y
*REVISED November 1, 2024

Date of VPC Meeting	October 1, 2024
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District – High-Rise and High Density District) and establish a new Adaptive Reuse and Multifamily (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) and to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts.
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	16-0

VPC DISCUSSION:

No members of the public registered to speak on this item.

John Roanhorse, staff, provided a summary on the text amendments and noted there were two distinct items for review and voting, following a previous discussion. Mr. Roanhorse stated that TA-3-24-Y focuses on adaptive reuse, a critical issue for promoting growth in underdeveloped areas and aligns with the state legislative actions encouraging adaptive reuse, creating a streamlined process within the zoning ordinance to facilitate such projects. Mr. Roanhorse discussed TA-136-24-Y noting the focus on the maps to accommodate development, particularly addressing how zoning maps will support adaptive reuse and multifamily developments. Mr. Roanhorse noted previous presentations to the committee that detailed changes to the zoning ordinance aimed at making multifamily and adaptive reuse developments more cohesive. Mr. Roanhorse said one key area of concern involved allowing administrative approvals of certain developments without public input, particularly for commercial and office mixed-use buildings. Mr. Roanhorse stated additionally, the potential for increased height and density in transit-oriented communities was noted as a recurring concern, but the amendments seek to balance these factors with the existing zoning framework.

QUESTIONS FROM THE COMMITTEE:

Committee Member Paceley asked about the 10 percent allocation for affordable and workforce housing and how would requirements for development be implemented. **Mr. Roanhorse** responded that during the review process applicants and developer may access how to include various housing types. Committee Member Paceley asked if the Village Planning Committee will see plans and be able to add stipulations for housing and development. Mr. Roanhorse responded that for rezoning cases that come to the Committee they may review and provide feedback and if practical include stipulations.

Committee Member Augusta asked if parking would change as a result of this proposed text amendment considering the implications of previous parking amendments. **Mr. Roanhorse** responded that proposals would still meet the required parking based on the zoning. **Mr. Cam McCutchen**, staff, responded that with parking requirements, instead of maximums the City utilized minimums to provide allowance for a specific number of parking spaces. Mr. McCutchen stated that in some cases options like the Walkable Urban Code allow flexibility in different transects to incentivize measures to reduce automobile parking.

PUBLIC COMMENTS:

None.

STAFF RESPONSE:

None.

COMMITTEE DISCUSSION:

Committee Member Paceley commented the proposed text amendments are a good idea to include access to light rail and improve multifamily development and it makes good sense.

MOTION

Committee Member Paceley motioned to recommend approval of Z-TA-3-24-Y per the staff recommendation. **Committee Member Sharaby** seconded the motion.

VOTE

16-0; motion to recommend approval of Z-TA-3-24-Y per the staff recommendation passes with Committee members Abbott, Augusta, Baumer, Bayless, Beckerleg Thraen, Garcia, Guevar, Jurayeva, Langmade, Paceley, Schmieder, Sharaby, Whitesell, Williams, Fischbach and Swart in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Central City
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-24-Y
INFORMATION ONLY

Date of VPC Meeting	September 9, 2024
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District – High-Rise and High Density District) and establish a new Adaptive Reuse and Multifamily (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) and to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts.

VPC DISCUSSION:

No members of the public registered to speak on this item.

STAFF PRESENTATION
Christopher DePerro, staff, provided a presentation regarding the proposed text amendment, highlighting the background of the legislation approved by the Arizona Legislature, the areas of applicability, the proposed allowances for multifamily development and adaptive reuse, and the timeline for the proposal.

QUESTIONS FROM COMMITTEE
Committee Member Olivas asked about the requirement for administrative approval with no public hearings. **Mr. DePerro** clarified that it is based on the requirement from state law. **Ms. Olivas** stated a concern about removing public hearings and the opportunity for people to give input. **Mr. DePerro** stated that the allowance is targeted to Transit Oriented Communities.

Committee Member Starks clarified that this is already state law, and the City must designate the areas of applicability.

PUBLIC COMMENTS
None.

Central City
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-24-Y

Date of VPC Meeting	October 21, 2024
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District – High-Rise and High Density District) and establish a new Adaptive Reuse and Multifamily (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) and to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts.
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	10-0

VPC DISCUSSION:

No members of the public registered to speak on this item.

Committee Member Nervis joined the meeting during this item, bringing quorum to 10 members.

STAFF PRESENTATION
Anthony Grande, staff, provided a presentation about the proposed text amendment and companion rezoning case, providing background about HB 2297, a summary of the provisions of the proposed text, and a description of the area included in the initial overlay boundaries.

QUESTIONS FROM COMMITTEE
None.

PUBLIC COMMENTS
None.

MOTION

Vice Chair Gaughan made a motion to recommend approval of Z-TA-3-24-Y, per the staff recommendation. **Darlene Martinez** seconded the motion.

VOTE

10-0; Motion to recommend approval of Z-TA-3-24-Y, per the staff recommendation, passed; Committee Members Ban, Burns, Greenman, Martinez, Nervis, Olivas, Starks, Vargas, Gaughan, and O'Grady in favor.

Encanto
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-24-Y
INFORMATION ONLY

Date of VPC Meeting	September 9, 2024
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District – High-Rise and High Density District) and establish a new Adaptive Reuse and Multifamily (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) and to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts.

VPC DISCUSSION:

No members of the public registered to speak on this item.

STAFF PRESENTATION

John Roanhorse, staff, provided a summary overview of the proposed text amendment, which is a response to State Bill 2297, which mandates the development of multifamily use in areas previously lacking such opportunities. Mr. Roanhorse stated updating the Zoning Ordinance provides an opportunity to evaluate and enhance the zoning framework, focusing on areas already suited for multifamily development. Mr. Roanhorse expressed that the amendment encourages the redevelopment of existing commercial properties for multifamily purposes where appropriate and not all commercial properties are suitable for multifamily use, so a detailed analysis has been conducted to determine suitability. Mr. Roanhorse summarized the proposed changes in the text amendment which include definitions of affordable housing, replacing the H-R1 Zoning District with a new ARM Overlay District, and revisions the TOD-1 and TOD-2 overlay districts. Mr. Roanhorse stated the process will evolve gradually and will primarily impact a specific subset of areas within the city and the focus of the amendment is on adaptive reuse for multifamily development within designated transit-oriented communities. Mr. Roanhorse said the proposed changes are designed to

support areas with existing infrastructure for transportation, such as transit systems and established commercial districts. Mr. Roanhorse said the new overlay areas will affect locations within transit-oriented communities, particularly around Central Avenue and other key transit routes. Mr. Roanhorse stated the ARM overlay district will be applied to designated commercial districts (R-5, C-1, C-2, and C-3) that already have adaptive reuse programs and will enable the conversion of any nonresidential building within the designated areas into multifamily housing. Mr. Roanhorse displayed a map of the transit-oriented area and noted the intent of these amendments is to enhance the flexibility and effectiveness of zoning regulations in supporting adaptive reuse and multifamily development in transit-oriented areas that will increase in residential density while leveraging existing infrastructure and transit options. Mr. Roanhorse said the amendment does not supersede requirements of other overlays or planning districts and it does not eliminate historic preservation approvals, ensuring that historic properties and characteristics remain protected. Mr. Roanhorse stated the Encanto Village Planning Committee will vote on this item and then it will proceed to the Planning Commission in October then to City Council in November.

QUESTIONS FROM THE COMMITTEE

Committee Matthew Jewett asked about the intended height and density and asked if the proposed height may not exceed and may not be less than five stories and does this mean there is a fixed height of exactly five stories. **Mr. Roanhorse** responded that the intent of the height is to maintain a minimum of five stories but allow flexibility depending on the zoning.

Committee Member Warnicke commented that many of the proposed changes are influenced by the WU Code and there is a standard for three-inch caliper trees, but it appears that the amendment will allow two-inch caliper trees. **Mr. Roanhorse** responded that underlying zoning would remain applicable however, if necessary, the committee may recommend stipulations for tree sizes if necessary. Committee Member Warnicke suggested the text amendment should include a requirement for three-inch caliper trees and this would incorporate the intent of the WU Code and create more shade. **Ms. Tricia Gomes**, Planning and Development Department Deputy Director, responded that the proposed change does not impact the WU Code but with the created overlay height and density will be deferred to the allowances of the WU Code. Committee Member Warnicke stated that the text amendment does refer specifically to a caliper size, and this should be uniformly applied to the new overlay district.

Chair Wagner asked if there have been any inventory or analysis done on applicable buildings in the R-5, C-2, and C-3 where the overlay district will be to see how many possible units would be gained. **Ms. Gomes** responded there was not sufficient time to conduct a full assessment within each mapped area and the targeted area would be about 20 percent and the proposal is an opt-in overlay and if there is residential development 10 percent has to be multifamily which allows development standard

flexibility. Chair Wagner asked with this text amendment and future ones planned will they address the missing middle housing, and this may impose a greater impact on density in some limited areas and by estimate approximately 4,000 units have been entitled in the Encanto Village and with this expected growth has there been an environmental impact study conducted and can the infrastructure respond to the growth. Chair Wagner asked about the five-story requirement but if it is within 100 feet of a single-family development it can only be two stories and there are approved multifamily developments in the same area does this still apply. Ms. Gomes responded that there are several bills that will be forthcoming, and some will impact others and from the City the approach has been holistic in responding to each one and for this amendment middle housing is reviewed so it will fit with the current standards and what additional requirements may come up.

PUBLIC COMMENTS

None.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION

None.

Village Planning Committee Meeting Summary
Z-TA-3-24-Y

Date of VPC Meeting	October 7, 2024
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District – High-Rise and High Density District) and establish a new Adaptive Reuse and Multifamily (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) and to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts.
VPC Recommendation	Denial
VPC Vote	8-4-1

VPC DISCUSSION:

No member of the public registered to speak in this item.

STAFF PRESENTATION

John Roanhorse, staff provided a summary on the text amendments and noted there were two distinct items for review and voting. Mr. Roanhorse stated that TA-3-24-Y focuses on adaptive reuse, a critical issue for promoting growth in underdeveloped areas and aligns with the state legislative actions encouraging adaptive reuse, creating a streamlined process within the zoning ordinance to facilitate such projects. Mr. Roanhorse discussed TA-136-24-Y noting the focus on the maps to accommodate development, particularly addressing how zoning maps will support adaptive reuse and multifamily developments. Mr. Roanhorse noted previous presentations to the committee that detailed changes to the zoning ordinance aimed at making multifamily and adaptive reuse developments more cohesive. Mr. Roanhorse said one key area of concern involved allowing administrative approvals of certain developments without public input, particularly for commercial and office mixed-use buildings. Mr. Roanhorse stated additionally, the potential for increased height and density in transit-oriented communities was noted as a recurring concern, but the amendments seek to balance these factors with the existing zoning framework.

QUESTIONS FROM THE COMMITTEE

Chair Wagner commented that House Bill 2297, stipulates that no more than 10 percent of eligible properties within the city can be developed for adaptive reuse. Chair Wagner stated that the current TOC overlay seems to include over 20 percent of commercially zoned properties, exceeding the 10 percent cap. **Mr. Roanhorse** responded that the 10 percent cap does not necessarily apply to every property in the TOC, as the city has mapped areas where adaptive reuse is appropriate. Mr. Roanhorse stated the focus is on working within the existing zoning framework, ensuring consistency with what is already allowed by zoning ordinance. Mr. Roanhorse stated the amendments will streamline adaptive reuse in areas that can accommodate it without increasing zoning entitlements, maintaining balance between development and current zoning laws.

Chair Wagner asked how the City will track commercial properties within the overlay to ensure compliance with the amendments. **Mr. Roanhorse** responded that the City is currently gathering data on the percentage of commercial properties and their square footage and are aware of the need to monitor this information for future development. Mr. Roanhorse stated that in a previous presentation staff explained that exact numbers are still being collected.

Committee Member George asked whether the committee would be notified about specific properties or buildings eligible for development. **Mr. Roanhorse** responded that the committee would be notified of any rezoning cases or changes, and that notices would still be provided for developments that were by-right. Mr. Roanhorse stated that notifications would go to neighborhoods and associations when significant changes or developments were made.

Committee Member Jewett stated there was not clarity regarding height restriction and reiterated that what he understood in the presentation, and it did not align with what he was reading in the legislation. Committee Member Jewett stated concern about buildings being classified as functionally obsolete and noted the potential for manipulation by neglecting repairs or setting rent prices high enough to keep properties vacant. Committee Member Jewett stated that properties may be left to deteriorate intentionally and asked if there were any measures in place to prevent such manipulation and noted the issue of neglected properties in his neighborhood. **Mr. Roanhorse** responded that is a concern and will be a challenging issue and stated the PDD (Planning and Development Department) is focused on fostering development potential rather than driving economic disinvestment. Mr. Roanhorse said that the City can collaborate with departments like Neighborhood Services to address repairs or underused properties and noted that the City's Economic Development Department has measures in place to intervene when necessary and some initiative falls on the private development community. Mr. Roanhorse explained that the text amendment aims to prevent intentional disinvestment and supports development in appropriate areas, particularly near transit corridors.

Chair Wagner expressed frustration that neither the City nor the State have provided clear answers to important questions that were brought up during the review. Chair Wagner said that there is a growing need for accessible workforce housing and noted the limitation of the adaptive reuse program is just 6 percent of the City's land, primarily around 50 TOD areas. Chair Wagner stated that only 18 percent of service workers live in the TOD areas, leaving 88 percent of service workers without affordable housing options near transit locations. Chair Wagner said the City should expand opportunities for adaptive reuse beyond the current limitations, noting that more affordable housing options should be available in other areas like Desert Ridge and Camelback East, rather than restricting it to a small percentage of land near transit areas. Chair Wagner stated disappointment in the current approach and hoped that the City will make adjustments by January to better address the housing needs of Phoenix's workforce. **Mr. Roanhorse** responded that the overlay does promote the creation of affordable housing by requiring that 10 percent of units be dedicated to affordable or workforce housing. Mr. Roanhorse stated the importance of defining affordable and workforce housing, which has been clarified in the amendment. Mr. Roanhorse stated that the multifamily overlay and adaptive reuse provisions encourage development in areas near transit, especially around light rail, while allowing flexibility for developers to adapt projects to the unique characteristics of those zones. Mr. Roanhorse stated that historic preservation remains unaffected by these changes.

Vice Chair Rodriguez said there is concern about the complexity of the proposed changes, particularly in relation to HB 2297, noting that these types of amendments can be difficult to understand. Vice Chair Rodriguez stated that there needs for more accessible and visual presentations, as well as clearer communication from the City to help the public understand the details of proposed changes. Vice Chair Rodriguez stated that staff working on proposals should make them more digestible, particularly for community members unfamiliar with zoning language. Vice Chair Rodriguez stated that while developers are not mandated to use the adaptive reuse and multifamily overlay, they must meet the affordability requirements if they choose to participate. **Mr. Roanhorse** responded that there are challenges in responding to legislative requirements while maintaining practical zoning interaction with the public and despite these challenges public involvement remains crucial, as various committees and organizations are regularly engaged in the planning and review processes.

Vice Chair Rodriguez expressed frustration with the lack of feedback opportunities regarding the TOC presentation. Vice Chair Rodriguez stated she walks, bikes, and uses public transit, and it feel like a dead zone with lack vibrancy around Central Avenue. Vice Chair Rodriguez said there is a need for improvements and the importance of providing workforce housing close to transit corridors. Vice Chair Rodriguez said there are challenges faced by service workers and teachers who deserve to live near where they work but currently do not have sufficient options. **Mr. Roanhorse** responded the challenges in providing affordable housing and workforce opportunities are significant and the City is in the process of expanding opportunities.

Committee Member Doescher stated concern with the current state legislation affecting affordable housing and the pressing need for housing options near

employment centers, particularly for healthcare workers who often face challenges due to irregular hours. Committee Member Doescher stated that while some developments may be located near light rail, this approach does not address the diverse needs of all residents, especially those with limited housing options. Committee Member Doescher said it is frustrating that state laws that do not consider local realities, stating that these mandates could hinder cities' ability to address their unique housing challenges and the concern that developers might prioritize profit over affordable housing.

Committee Member Warnicke expressed concerns about certain properties within the TOD area, stating that some should not be designated for five-story buildings. Committee Member Warnicke said that instead of focusing solely on the light rail corridor for affordable housing, the city should also consider properties along bus routes and mass transit lines and this approach would help protect neighborhoods from changes like large out-of-place buildings and create affordable housing along existing transit routes.

Chair Wagner stated that the state legislation originally intended to apply the TOD statewide, but the City of Phoenix chose to focus on 60 percent of its land area. Chair Wagner said it was disappointing that the City's current approach focuses on expensive properties along the light rail corridor may not become affordable housing. Chair Wagner said there might be an opportunity for small developers to convert underutilized buildings across the entire City, rather than concentrating on a limited area and there is a need for more meaningful progress and that they have until January to reconsider their approach.

Vice Chair Rodriguez stated that when the City initiated the Walkable Urban (WU) Code, it was a citywide proposal. Vice Chair Rodriguez said there were concerns at the time, including the potential for overdevelopment in areas not ready for it, which led to opposition against it. Vice Chair Rodriguez stated there is some confusion about the current situation, where there is now interest in focusing citywide development around transportation, such as the light rail and asked for clarification on the approach now, comparing it to previous concerns about the broader application of the WU Code. **Mr. Klimek** responded that the WU Code was proposed citywide and that it was reviewed by all 15 Village Planning Committees and stated that many projects have successfully utilized the code in various areas of the city. **Mr. Roanhorse** responded that while the WU Code had been applied successfully in some areas, it was not practical everywhere and noted it has been adapted in a few projects, driving innovation in development, particularly in mixed-use areas.

Vice Chair Rodriguez stated there is difficulty in balancing the need for flexibility in development with protecting neighborhoods from rapid development. Vice Chair Rodriguez said there were past concerns about certain developments, such as the Phoenix Country Club, which raised worries about similar projects taking an easier route for approval and there needs to be better understand with the current perspective on expanding development citywide, especially focusing on transit corridors. **Mr. Roanhorse** responded that some areas are better suited for mixed-use or dense

development, while others may need a more specialized approach and there are many challenges for future development.

Committee Member Procaccini asked about the potential for expanding development beyond the current overlay boundaries and whether there are plans or metrics guiding future development areas. **Mr. Roanhorse** responded that the City is planning future text amendments and noted that the City is trying to be more responsive in addressing development needs, particularly around transportation hubs and with a focus on increasing housing options, including single-family and multifamily developments. Mr. Roanhorse referenced the Housing Phoenix Plan as a guide for future residential growth.

PUBLIC COMMENT

None.

STAFF RESPONSE

None.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE.

MOTION 1 FOR Z-TA-3-24-Y:

Vice Chair Rodriguez motioned to recommend approval of Z-TA-3-24-Y per the staff recommendation.
Committee Member Procaccini seconded the motion.

VOTE 1 FOR Z-TA-3-24-Y:

3-8-2; motion to approve Z-TA-3-24-Y per the staff recommendation fails with Committee Members Procaccini, Tedhams and Rodriguez in favor; and Committee Members Doescher, George, Jewett, Mahrle, Perez, Montaño Searles, Warnicke and Wagner opposed; and Cardenas and Kleinman abstaining.

Chair Wagner stated the motion to recommend approval fails with three votes in favor, eight in opposition and two abstentions.

Chair Wagner asked if there were any further motions.

Committee Member Mahrle stated he would prefer to provide a statement on his vote so the Planning Commission would be aware of the Village Committee's intentions. Mr. Roanhorse responded that Committee Members may comment on their vote if that is their preference, and it will be noted in the meeting minutes.

MOTION 2 FOR Z-TA-3-24-Y:

Committee Member Mahrle motioned to recommend denial of Z-TA-3-24-Y.
Committee Member Kleinman seconded the motion.

Committee Member George stated that Committee has discussed the text amendments for an hour and that their vote should count toward an action on the motion. Chair Wagner responded that the Committee's vote does have meaning and a motion to deny the request is before the Committee for action.

Committee Member Doescher stated that access to TOD areas limits access to workforce residential opportunities.

Committee Member Jewett stated there are inconsistencies in the language and there remains to be questions about the text amendment.

Committee Member Tedhams stated that development should not be limited to the area around the light rail and there should be broader opportunities.

Committee Member Warnicke stated that the map may place five story buildings where they do not belong and limits access for workforce housing.

Chair Wagner stated that the action should apply to the entire City not six percent and there are discrepancies between HB 2297 and the text amendment.

VOTE 2 FOR Z-TA-3-24-Y:

8-4-1; motioned recommend denial of Z-TA-3-24-Y passes the with Committee Members Doescher, George, Kleinman, Mahrle, Perez, Montaño Searles, Warnicke and Wagner in favor; and Jewett, Procaccini, Tedhams and Rodriguez in opposition; and Cardenas abstaining.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Estrella
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-24-Y
INFORMATION ONLY

Date of VPC Meeting	September 17, 2024
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District – High-Rise and High Density District) and establish a new Adaptive Reuse and Multifamily (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) and to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts.

VPC DISCUSSION:

No members of the public registered to speak on this item.

Staff Presentation:

Nayeli Sanchez Luna, staff, summarized HB2297 which was approved by the Arizona Legislature. Mrs. Sanchez Luna added that that this would require adaptive reuse of existing commercial structures and would be implemented for 10 percent of the City's existing commercial, office, or mixed-use buildings. Mrs. Sanchez Luna emphasized that the text amendment was in response to the Housing Bill 2297. Mrs. Sanchez Luna noted several issues with the bill included having an inventory of all commercial buildings, difficulty imposing caps and added that all commercial sites are not appropriate for this implementation. Mrs. Sanchez Luna stated that the text amendment would apply to Transit Oriented Community (TOC) areas which had numerous stakeholder input for higher density and height and contained 20 percent of all commercial properties. Mrs. Sanchez Luna noted that Downtown, Gateway, and 50th Street Station TOC areas would not be applicable due to the proximity to the commercial airport. Mrs. Sanchez Luna added that the overlay would apply to districts which already permit multifamily. Mrs. Sanchez Luna noted that these developments would be required to provide 10 percent affordable and workforce housing. Mrs. Sanchez Luna stated that this does not supersede other requirements, doesn't change the zoning classification, does not change permitted uses, and does not eliminate historic preservation sites. Mrs. Sanchez Luna concluded the presentation by displaying the timeline for the text amendment and contact information.

Questions from the Committee:

Chair Perez asked if the Laveen Village would be hearing an information only presentation on the text amendment. **Mrs. Sanchez Luna** noted that the text amendment would not be presented in Laveen because there are no TOC areas in the Village. Mrs. Sanchez Luna displayed the TOC map.

Romona Brown asked if the case is expected to go before City Council in November. **Mrs. Sanchez Luna** confirmed. Mrs. Sanchez Luna noted that the TOC area for Estrella was located south of the freeway and north of Van Buren Street. **Mrs. Brown** noted that she lived within the TOC area. **Mrs. Sanchez Luna** added that it would not be applicable to single-family zoned properties. **Mrs. Brown** noted the large property adjacent to Living Spaces along the freeway. **Mrs. Sanchez Luna** stated that that site is zoned PUD and that includes a narrative with separate development standards. Mrs. Sanchez Luna added that this text amendment would not apply to the PUD.

Chair Perez asked for confirmation that Chris DePerro would be giving the next presentation. **Mrs. Sanchez Luna** noted that she will have to verify. **Chair Perez** asked for the timeline. **Mrs. Sanchez Luna** displayed the timeline. **Chair Perez** request that if the committee had any questions before the hearing to reach out to Nayeli Sanchez Luna and Chris DePerro.

Public Comments:

None.

Staff Response:

None.

Committee Discussion:

None.

Estrella
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-24-Y

Date of VPC Meeting	October 15, 2024
Request:	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District – High-Rise and High Density District) and establish a new Adaptive Reuse and Multifamily (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) and to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts.
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:

No quorum.

Staff comments regarding VPC Recommendation:

None.

Maryvale
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-24-Y
INFORMATION ONLY

Date of VPC Meeting	September 11, 2024
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District – High-Rise and High Density District) and establish a new Adaptive Reuse and Multifamily (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) and to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts.

VPC DISCUSSION:

No members of the public registered to speak on this request.

Staff Presentation:

Matteo Moric, staff, said the State Law, House Bill 2297, came into place because of the need for more housing due to the housing crisis. Mr. Moric stated the House Bill requires certain actions taken prior to January 1, 2025. These include: administrative permissions for adaptive reuse of existing commercial structures and for conversion of commercial properties to multi-family use, implementation on up 10% of the City's existing commercial, office, or mixed-use buildings. Mr. Moric explained the concerns of the House Bill and Phoenix's response to mitigate effects of it and try to mesh it with the City's efforts to manage development within City limits. Mr. Moric displayed the City's Transit Oriented Communities map and noted it does not include the Downtown area and two areas adjacent to the commercial airport. Mr. Moric explained the City has an existing Adaptive Reuse program and is mostly compliant with HB 2297. Mr. Moric stated for the multi-family portion of the House Bill must provide a minimum of 10% of the dwelling units as low-income ("Affordable") and/or moderate-income("Workforce") housing. Mr. Moric indicated we selected WU Code T5:5 development standards, which

has unlimited density (so complies with “highest density within one mile” requirement and 56-foot height provision (so complies with 5-story height provision of the State Law) with the exception not to exceed two stories when within 100 feet of single-family residence district. Mr. Moric added that some properties may not be able to apply some ARM Overlay District provisions if in conflict with HP or other overlay/regulatory plan requirements. Mr. Moric identified the Village Planning Committees for villages included in the ARM Overlay district and noted it would be coming back to the Village in October for a recommendation.

Questions from Committee:

Joe Barba asked if it would apply to all vacant commercial buildings. **Mr. Moric** said the overlay would apply in the Transit Oriented Community (TOC) areas, but not in the airport area or within the Downtown.

Saundra Cole wanted to know the definition of an overlay. Mr. Moric said property would still have its underlying zoning but an overlay in this instance would allow additional height and density by right.

Ms. Cole questioned what is considered affordable. **Mr. Moric** said there are two definitions as part of this overlay text amendment. Mr. Moric stated Affordable housing would include not more than 80% of median income and work force housing would be between 80 to 120% of the median income. **Ms. Cole** wanted to know if it was 80% of the entire State or within Maryvale.

Chris DeMarest said lots of the lower income property include utility fees.

Chair Derie asked if the City would own the land. **Mr. Moric** said this would be mainly for private property.

Ken DuBose had concerns that developers were coming in with the overlay to get more incentives. Mr. Dubose asked about if a 55-year-old community were to come in how the overlay would impact them. **Mr. Moric** responded that zoning does not cover the age groups. **Mr. DeMarest** said probably if have 10% affordable housing you could do it.

Mr. Moric said you can still apply for different standards if the overlay standards would not work for a developer.

Chair Derie asked if a furniture warehouse in a TOD area can turn it into a multifamily project. **Mr. Moric** said you would have to still meet building codes.

Mr. DePascal said south of the river wants to develop multi-level apartment complexes. **Jennifer Fostino** asked if the House Bill allows industrial uses.

Mr. Moric clarified that they wanted to tailor the ARM Overlay towards the light rail areas. **Mr. Barba** said if someone wanted to convert commercial into residential they

would need to meet all the codes and they don't have to, it just gives them the option to do so.

Warren Norgaard said rather than the law apply to the whole city it would only apply to the TOC areas.

Mr. Moric said if they had more questions to forward them to him prior to the next meeting and he provided Chris DePerro's contact information who he said is the staff member who is most familiar with this text amendment.

Mr. Barba asked who the main House Bill writers were as he believed they were Maryvale State Legislators.

Mr. Norgaard asked what the difference is adding the overlay than leaving the law as existing. **Mr. Moric** stated State Law was not so straight forward and there potentially could be 5-story buildings with higher density scattered throughout the city even in areas which they may not be suited. Mr. Moric noted this overlay would direct this type of development in an area which may be more suitable for it.

Public Comments:

None.

Staff Response

None.

Floor/Public Discussion Closed: Committee Discussion

None.

Maryvale
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-24-Y

Date of VPC Meeting	October 9, 2024
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District – High-Rise and High Density District) and establish a new Adaptive Reuse and Multifamily (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) and to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts.
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:

No quorum

Staff comments regarding VPC Recommendation:

None

North Mountain
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-24-Y
INFORMATION ONLY

Date of VPC Meeting	September 18, 2024
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District – High-Rise and High Density District) and establish a new Adaptive Reuse and Multifamily (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) and to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts.

VPC DISCUSSION:

No members of the public registered to speak on this item.

Staff Presentation:

Chase Hales, staff, presented an overview of the proposed text amendment. Mr. Hales explained that the main proposal was to create an overlay that would satisfy the requirements of the recent legislation from the state requiring cities to allow for adaptive reuse of commercial structures. Mr. Hales stated that the text amendment would create the Adaptive Reuse Multifamily (ARM) Overlay District, that would apply to the majority of the pre-existing transit-oriented community districts. Mr. Hales presented a map that showed all the applicable areas and stated that the reasoning behind this choice was to concentrate the majority of adaptive reuse projects in not only places that the City was actively working to increase density, but also because the existing built infrastructure would support the increase is density. Mr. Hales finished by sharing the details of the criteria that projects would need to meet in order to take advantage of the adaptive reuse provisions.

Questions from the Committee:

Committee Member Jaramillo asked that given that the legislation's intent was to create opportunities for more affordable housing, why the City was only applying the overlay to the TOC districts. Committee Member Jaramillo continued stating that he was afraid that if the City did not effectively implement the requested provisions, the State would make even stronger pre-emptive laws. **Chase Hales**, staff, shared that the timeline for implementation was short, so there was limited time to fully research and craft a brand new strategy for implementation. Mr. Hales continued stating that the proposed provisions were also in line with the plans and policies guiding density and intensity to the light rail corridors.

Committee Member Jaramillo stated that there were already incentives such as opportunity zones and low-income tax credits in the TOC districts and felt that the proposal would just put more low-income housing in the same areas that were already building low-income housing. Committee Member Jaramillo stated that the proposal would miss the opportunity to allow other parts of the city to have the transformational change that could bring density to where it is also needed.

Public Comments:

None.

Committee Discussion:

Committee Member Krentz stated that the state of Arizona was behind many other states that required affordable housing to be created with new development. Committee Member Krentz shared frustration that the overlay would only apply in the TOC areas, as he felt that the TOC areas were becoming a catch-all for any new concepts. Committee Member Krentz stated that he still supported the effort and said it was a "good first step." Committee Member Krentz shared that he understood that wide-spread implementation might not be currently palatable but said that in the future he hoped the overlay would be applied in other areas of the city.

Committee Member Jaramillo stated that he agreed with Mike Krentz and shared that the State's legislation was an opportunity for the City to incentivize affordable housing throughout the city, not just in the TOC districts. Committee Member Jaramillo referenced the General Plan, which includes cores throughout the city, and stated that a direction should be made to have staff look into implementing the ARM overlay in areas such as the cores when the Committee made its recommendation. **Chase Hales** stated that there was already work being done by staff to research new potential cores and that it would certainly be feasible to have such a work program implemented.

Committee Member O'Hara stated that there were certainly folks who would fight against the implementation in other parts of the city as a way to fight against diversity in their area, which he disagreed with entirely, but that there were other perspectives to look at housing from, one of them being services. Committee Member O'Hara referred to the State's action to remove rental tax, which effective reduced budget

funds for services. Committee Member O'Hara added that working as a fire fighter, he was familiar with the strain already placed on Phoenix's fire protection system. Committee Member O'Hara shared that he appreciated the slow conservative implementation of the overlay and stated that the broad implementation of the overlay would permit the potential to have concentrations of demand for services pop up, straining the City further.

Committee Member Jaramillo stated that he saw the State legislation as a way for the City to argue against the potential NIMBY (not in my backyard) criticisms, as it will be required of the City to implement the requirements somewhere.

Committee Member Matthews asked if the City Council could publicly identify next steps when they make their action at their Formal Meeting. Mr. Hales stated he was not sure what that would look like but said that the Committee could certainly give direction in their recommendation.

Committee Member Barraza asked how the proposal compared to the actions other cities were taking. Mr. Hales stated that he was not aware of actions being taken by neighboring cities, but that Chris DePerro, the staff member who wrote the staff report, would likely know more.

Committee Member Adams asked if there were any repercussions if the City did not comply with the State's mandate. Vice Chair Matthews stated that the City would likely be open to civil lawsuits for negligence from property owners wanting to take advantage of the State's mandated provisions.

North Mountain
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-24-Y

Date of VPC Meeting	October 16, 2024
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District – High-Rise and High Density District) and establish a new Adaptive Reuse and Multifamily (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) and to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts.
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	13-0

VPC DISCUSSION:

No members of the public registered to speak on this item.

STAFF PRESENTATION

Ms. Stockham, staff, provided a brief presentation regarding the proposed text amendment Z-TA-3-24 and companion case Z-136-24-Y, sharing elements of the legislation (HB 2297) and the proposed Adaptive Reuse and Multi-Family (ARM) Overlay District, the areas of applicability, the proposed Zoning Ordinance revisions, and the hearing schedule for the cases.

QUESTIONS FROM COMMITTEE

None.

PUBLIC COMMENTS

None.

COMMITTEE DISCUSSION

Vice Chair Joshua Matthews shared his understanding of the proposal and the timeline for compliance with state law and shared a desire to recommend approval of the proposal and to expand the applicability to other areas, such as Village Cores, in the future.

Committee Member Gabriel Jaramillo added that this is an opportunity to expand it to other areas now.

Committee Member Arick O'Hara stated that he agreed with Committee Member Jaramillo but not on the deadline to push this through by January. Committee Member O'Hara stated that with a deadline to comply by January, the committee could vote no without direction, and shared that when the committee makes a recommendation with direction, there is a concern that the committee's direction could not be listened to by other hearing bodies. Committee Member O'Hara shared that he does not disagree with the proposal but disagrees with the way it is being done and that he did not want to limit it to an area now and expand it later.

Committee Member Mike Krentz shared that state law will be effective in January, this proposal will serve as a template to expand it to other areas, and reminded the committee of a previous proposal to expand the Walkable Urban Code applicability area citywide which was met with opposition.

Vice Chair Joshua Matthews stated that City Council will take action before January, and that he would also like to add direction regarding tracking and reporting the use of the overlay provisions back to the Village Planning Committees.

Committee Member Joshua Carmona asked if other hearing bodies take into consideration the direction provided by Village Planning Committees.

Vice Chair Joshua Matthews replied that from a Planning Commissioner perspective, he reads the Village Planning Committee recommendations and if, for example, a Village Planning Committee recommended denial of a case unanimously, he will take a close look at the discussion, and that Village Planning Committee recommendations could impact the Planning Commission recommendation.

Committee Member Gabriel Jaramillo stated he would also like to add direction to include Village Cores, along the Bus Rapid Transit (BRT) line, and other major transportation corridors.

MOTION – Z-TA-3-24-Y

Committee Member Mike Krentz motioned to recommend approval of Z-TA-3-24-7 with direction that the applicability area be expanded in the future to include the Bus Rapid Transit line, Village Cores, and other transportation corridors.

Vice Chair Joshua Matthews requested a friendly amendment to include direction that

the Planning and Development Department track how often the overlay provisions are being used and report back to the Village Planning Committees. Vice Chair Matthews also suggested that the direction go on the companion case, Z-136-24-Y, which maps the boundaries of the overlay. Committee Member Krentz accepted the friendly amendment and the suggestion that direction be provided on Z-136-24-Y and restated the motion.

MOTION – Z-TA-3-24-Y

Committee Member Mike Krentz motioned to recommend approval of Z-TA-3-24-Y per the staff recommendation. **Vice Chair Joshua Matthews** seconded the motion.

VOTE – Z-TA-3-24-Y

13-0; Motion to recommend approval of Z-TA-3-24-Y per the staff recommendation passed; with Committee Members Alauria, Carmona, Garbarino, Jaramillo, Krentz, Larson, McBride, Molfetta, O'Hara, Pamperin, Sommacampagna, Matthews and Fogelson in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

South Mountain
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-24-Y
INFORMATION ONLY

Date of VPC Meeting	September 10, 2024
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District – High-Rise and High Density District) and establish a new Adaptive Reuse and Multifamily (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) and to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts.

VPC DISCUSSION:

No members of the public registered to speak on this item.

STAFF PRESENTATION

Samuel Rogers, staff, provided a presentation regarding the proposed text amendment Z-TA-3-24, highlighting the background of the legislation approved by the Arizona Legislature, the areas of applicability, the proposed allowances for multifamily development and adaptive reuse, and the timeline for the proposal.

QUESTIONS FROM THE COMMITTEE

Committee Member Greg Brownell asked about where the provisions of the bill would apply. **Mr. Rogers** stated that the bill is creating an overlay zone over the existing Transit Oriented Communities (TOC) areas and explained how the overlay makes site review more feasible.

Chair Trent Marchuk asked for clarification on whether the text amendment would permit T5:5 transect development standards only within the Affordable Residential Overlay (ARM). **Mr. Rogers** confirmed Chair Marchuk's question.

Vice Chair Arthur Greathouse III inquired about what percentage of the Area Median Income (AMI) qualifies as affordable and workforce housing. **Committee Member**

Marcia Busching stated that affordable housing is considered to be 80% of AMI, while workforce housing is at 120% of AMI.

Chair Marchuk asked whether the text amendment would apply to new builds or only to adaptive reuse. **Mr. Rogers** explained that the bill has two parts regarding adaptive reuse and multifamily developments, stated adaptive reuse must occur within an existing building, and explained multifamily developments can be new builds.

Committee Member Greg Brownell raised concerns about practical applications and asked if adding a second story to R1-6 property or adding an Accessory Dwelling Unit (ADU) would change the process under the new provisions. **Mr. Rogers** stated that if the property is not in the overlay, the provisions do not apply and explained that ADUs are legal throughout the City of Phoenix.

Committee Member Gene Holmerud asked if the utilities in these areas could support the additional development. **Mr. Rogers** explained that TOC areas are designed to support more intense development.

Chair Marchuk asked about the differences between the ARM overlay and the TOC map. **Mr. Rogers** explained that the ARM overlay excludes downtown and the areas near the airport.

Chair Marchuk inquired if all of this would be handled administratively, and whether there would be a reduction in rezoning cases in these areas. **Mr. Rogers** stated that it is a possibility, but some developers may opt not to provide affordable housing. **Committee Member Busching** added that the overlay only allows multifamily development under the T5:5 standards, while other uses would still require going through the rezoning process.

Committee Member Brownell asked if there is a way to track how many multifamily permits are being pulled. **Mr. Rogers** stated that he does not have metrics but explained that the "My Community Map" is available online and displays where permits are being pulled.

South Mountain
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-TA-3-24-Y

Date of VPC Meeting	October 8, 2024
Request	Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District – High-Rise and High Density District) and establish a new Adaptive Reuse and Multifamily (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) and to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts.
VPC Recommendation	Approval, per the staff recommendation, with direction
VPC Vote	12-0

STAFF PRESENTATION

No members of the public registered to speak on this item.

Samuel Rogers, staff, provided a presentation regarding the proposed text amendment Z-TA-3-24 and Z-136-24-Y, highlighting the background of the legislation approved by the Arizona Legislature, the proposed Adaptive Reuse and Multi-Family (ARM) Overlay District, the areas of applicability, the overlay's interaction with other policy plans, the proposed allowances for multifamily development and adaptive reuse, and the timeline for the proposal.

QUESTIONS FROM THE COMMITTEE

Committee Member Tamala Daniels inquired about the locations of the properties presented as examples of sites that could be developed under the ARM Overlay. **Mr. Rogers** stated that the presented example properties are not in South Mountain and explained he does not know the exact locations.

Chair Trent Marchuk asked for clarification on conflicts with the ARM Overlay and the Baseline Area Overlay District (BAOD). **Mr. Rogers** explained that the ARM Overlay allows commercial properties to develop under the Walkable Urban (WU) Code Transect T5:5 standards and explained the T5:5 maximum setback is less that the BAOD minimum setback. Mr. Rogers explained that work had been done on an amendment to the BAOD in the past but had never gone to City Council for approval. **Committee**

Member T. Daniels asked for clarification on why the amendment to the BAOD was not completed in the past and stated that there had been a Text Amendment (TA) to expand the WU Code's applicability area. Mr. Rogers explained that he was not aware of the specific reasons why the BAOD amendment was not completed and explained that the TA to expand the WU Code's applicability area ended up failing.

Committee Member Marcia Busching clarified the boundaries of the BAOD, stated that she initiated the original effort to amend the BAOD, and explained that staff had informed her that other TAs would need to occur before the BAOD text amendment, resulting in the effort being paused. Committee Member Busching stated it is a good idea to include initialization of the BAOD amendment in the motion.

Committee Member T. Daniels expressed confusion and frustration that the Transit-Oriented Development (TOD) plan had been worked on for two years, but the BAOD conflicts had not been addressed, and explained that the City had tried to put forth a separate TA to reduce parking requirements for multifamily developments, but WU Code already addresses reduced parking requirements. **Mr. Rogers** explained that for staff to continue working on the BAOD amendment, the committee would need to include a recommendation to amend the BAOD. Mr. Rogers stated that he does not have information regarding the order in which TAs are brought to the VPC, explained that House Bill 2297 requires municipalities to implement new rules by the beginning of next year, and stated the ARM Overlay brought renewed attention to the conflicts with the BAOD.

Committee Member Greg Brownell asked for clarification on whether resolving the conflicts between the BAOD and the WU Code would require the WU Code to supersede the BAOD. **Committee Member Busching** stated that the BAOD boundaries could be amended to end at 7th Street.

Chair Marchuk asked for clarification on what process would be triggered if the committee recommended amending the BAOD. **Mr. Rogers** explained that such a recommendation would trigger an additional Text Amendment.

Committee Member T. Daniels discussed the area within the South Central TOD Community Plan and the BAOD and asked about the boundaries of the BAOD. **Committee Member Busching** clarified the boundaries of the BAOD. **Mr. Rogers** explained that the City generally supports rezonings to the WU Code only if the site is within a TOD plan area, and clarified that sites governed by the WU Code within the BAOD cannot functionally develop due to conflicting regulations.

Chair Marchuk inquired whether the committee would discuss the matter next month. **Mr. Rogers** stated that he would need to consult with his team to determine a timeline moving forward.

Committee Member Brownell suggested that the committee could also make a motion to modify the ARM Overlay to address the conflicts. **Mr. Rogers** explained that the ARM Overlay is not likely to change much and a modification of the BAOD would likely need to be an amendment to the BAOD. Committee Member Brownell asked for confirmation that, if there was an R1-6 property where a second story was being added, this process would not be impacted. Mr. Rogers confirmed that the ARM Overlay will not change the process of permitting on an R1-6 property.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

MOTION

Committee Member Marcia Busching made a motion to recommend approval of Z-TA-3-24-Y per the staff recommendation with direction for staff to review the conflicts between the Baseline Area Overlay District, the WU Code, and the ARM Overlay district and that the Baseline Overlay District be modified to eliminate any conflicts. **Committee Member Emma Viera** seconded the motion.

VOTE

12-0, motion to recommend approval of motion to approve Z-TA-3-24-Y per the staff recommendation with direction for staff to review the conflicts between the Baseline Area Overlay District, the WU Code, and the ARM Overlay district and that the Baseline Overlay District be modified to eliminate any conflicts passed with Committee Members Alvarez, Beehler, Brooks, Brownell, Busching, Coleman, F. Daniels, T. Daniels, Shepard, Viera, Greathouse, and Marchuk in favor.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** *78

ADDITIONAL INFORMATION (SEE ATTACHED MEMO) Public Hearing and Ordinance Adoption - Rezoning Application Z-136-24-Y - Various Parcels within the Area Generally Bounded by Peoria Avenue on the North, State Route 51 on the East, South Mountain Avenue on the South, and 83rd Avenue on the West (Ordinance G-7321) - Citywide

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-136-24-Y and rezone the area from various underlying zoning districts to various underlying zoning districts with the Adaptive Reuse and Multi-Family Overlay District to map boundaries for the Adaptive Reuse and Multi-Family Overlay District (Z-TA-3-24-Y). This is a companion case and must be heard following Z-TA-3-24-Y.

Summary

Current Zoning: Various Underlying Zoning Districts
Proposed Zoning: Various Underlying Zoning Districts with the Adaptive Reuse and Multi-Family Overlay District
Acreage: 20,373.69
Proposed Use: Map boundaries for the Adaptive Reuse and Multi-Family Overlay District (Z-TA-3-24-Y)

Applicant: City of Phoenix, Planning Commission
Representative: City of Phoenix, Planning and Development Department

Staff Recommendation: Approval (**Attachment B**).
VPC Action: Eight Village Planning Committees (VPCs) considered the request. Four VPCs recommended approval, per the staff recommendation; One VPC recommended approval, per the staff recommendation, with direction; One VPC recommended denial; and Two VPCs did not have quorum, as reflected in **Attachment C**.
PC Info: The Planning Commission heard this item on October 10, 2024, for information only.
PC Action: The Planning Commission is scheduled to hear this item on November

7, 2024.

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: November 8, 2024

From: Joshua Bednarek
Planning and Development Director

Subject: ITEM 78 ON THE NOVEMBER 13, 2024, FORMAL AGENDA – PUBLIC HEARING AND ORDINANCE ADOPTION - REZONING APPLICATION Z-136-24-Y - VARIOUS PARCELS WITHIN THE AREA GENERALLY BOUNDED BY PEORIA AVENUE ON THE NORTH, STATE ROUTE 51 ON THE EAST, SOUTH MOUNTAIN AVENUE ON THE SOUTH, AND 83RD AVENUE ON THE WEST (ORDINANCE G-7321) - CITYWIDE

Item 78, Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-136-24-Y and rezone the area from various underlying zoning districts to various underlying zoning districts with the Adaptive Reuse and Multi-Family Overlay District to map boundaries for the Adaptive Reuse and Multi-Family Overlay District (Z-TA-3-24-Y).

The Planning Commission heard the case on November 7, 2024, and recommended approval per the staff recommendation, by a vote of 9-0.

Staff recommends approval of Z-136-24-Y, per Planning Commission recommendation.

Approved:

Alan Stephenson, Deputy City Manager

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-136-24-Y) TO ADD THE ADAPTIVE REUSE AND MULTI-FAMILY (ARM) OVERLAY DISTRICT.

_____

WHEREAS, on June 6, 2024, the City of Phoenix Planning Commission, in compliance with the requirements of the City of Phoenix Zoning Ordinance, Section 506, initiated a request of approximately 20,373.69 acres generally bounded by Peoria Avenue on the north, State Route 51 on the east, South Mountain Avenue on the south, and 83rd Avenue on the west; and,

WHEREAS, pursuant to A.R.S. § 9-462.04, the Planning Commission, held a public hearing on November 7, 2024, and at this hearing recommended that the City Council approve this rezoning request with the recommended staff conditions, as modified; and,

WHEREAS, the City Council, at their regularly scheduled meeting held on November 13, 2024, has determined that, in accordance with A.R.S. § 9-462.01.F, this rezoning request, with the appropriate site specific requirements provided in Section 2,

DRAFT

is consistent with and conforms to the General Plan, will conserve and promote the public health, safety and general welfare, and should be approved, subject to the conditions herein.

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

SECTION 1: The zoning of those portions generally bounded by Peoria Avenue on the north, State Route 51 on the east, South Mountain Avenue on the south, and 83rd Avenue on the west, is hereby changed from various underlying zoning districts and overlay districts to various underlying zoning districts and overlay districts with Adaptive Reuse and Multi-Family (ARM) Overlay District and that 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 “A”.

SECTION 2: The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-136-24-Y, on file with the Planning and Development Department.

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 13th day of November, 2024.

DRAFT

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

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

By:
_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

Exhibits:
A – Ordinance Location Map (1 Page)

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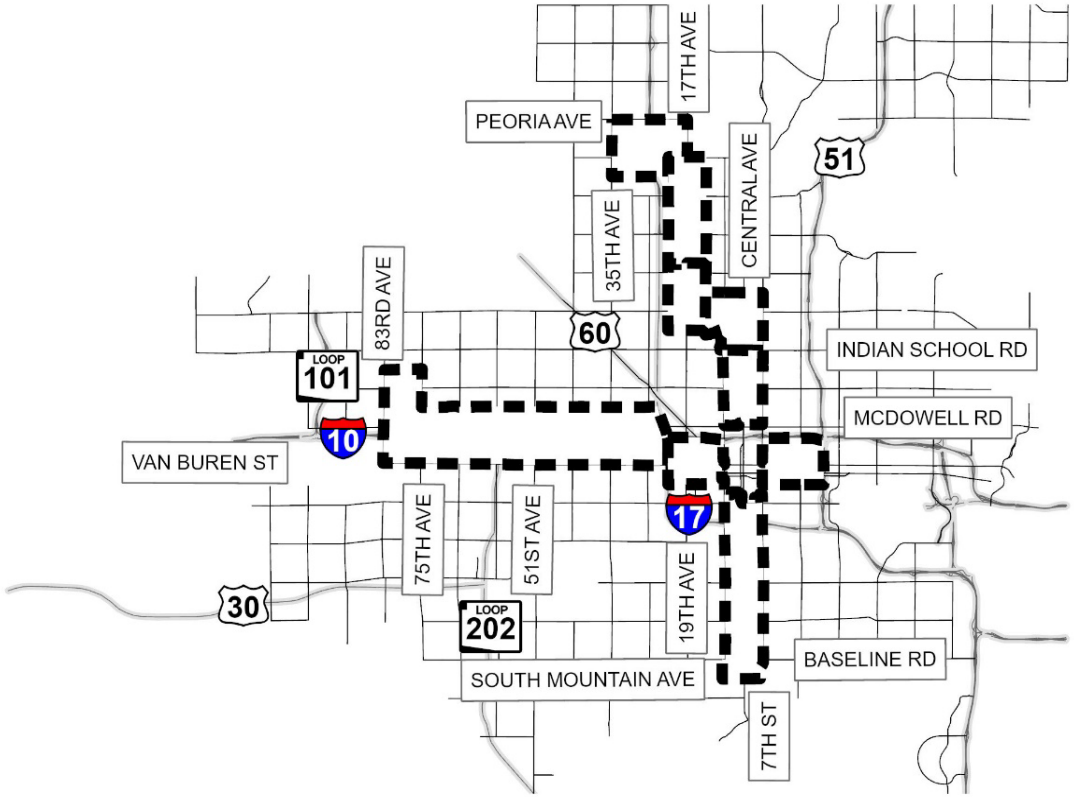
ORDINANCE LOCATION MAP

EXHIBIT A

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA:

Zoning Case Number: Z-136-24-Y
Zoning Overlay: Various Underlying Zoning Districts with the Adaptive Reuse and Multi-Family Overlay District
Planning Villages: Alhambra, Central City, Encanto, Estrella, Maryvale, North Mountain, South Mountain



0 12,500 25,000 50,000 Feet

NOT TO SCALE

N

Drawn Date: 10/21/2024

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ATTACHMENT B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

*REVISED
Staff Report
Zoning Ordinance Text Amendment
Z-TA-3-24-Y *and Z-136-24-Y

September 24, 2024

Application Nos. Z-TA-3-24-Y and Z-136-24-Y: Amend the Phoenix Zoning Ordinance Chapter 2, Section 202 (Definitions) to revise and clarify definitions regarding affordable housing and related items; replace Chapter 6, Section 632 (High-Rise H-R1 District – High-Rise and High Density District) and establish a new Adaptive Reuse and Multi-family (ARM) Overlay District; and amend Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) and Section 663 (Transit-Oriented Zoning Overlay District Two (TOD-2)) to clarify how the new Section 632 interacts with the provision of the TOD-1 and TOD-2 overlay districts; and to establish the boundary of the Adaptive Reuse and Multi-Family (ARM) Overlay District.

Staff recommendation: Staff recommends approval of Z-TA-3-24-Y per the language in Exhibit A, and Z-136-24-Y be approved as shown in Exhibit B.

BACKGROUND

This text amendment is a response to House Bill 2297, approved by the Fifty-Sixth Legislature, Second Session (2024) which modified the Arizona Revised Statutes to require municipalities to allow 1) adaptive reuse of existing, “economically and functionally obsolete” commercial buildings by non-residential uses by right, and 2) multi-family conversion of existing commercial sites by right. Both permissions are required in “not more than 10% of the total existing commercial, office or mixed use buildings within the municipality.” However, in order to qualify for these by-right permissions, a minimum of 10% of the dwelling units provided must be set aside for low-income (“Affordable”) or moderate-income (“Workforce”) housing for a minimum of 20 years after initial occupation, in addition to meeting other criteria outlined in the bill.

The requirements of HB 2297 require that zoning and other regulations be updated to comply no later than January 1, 2025.

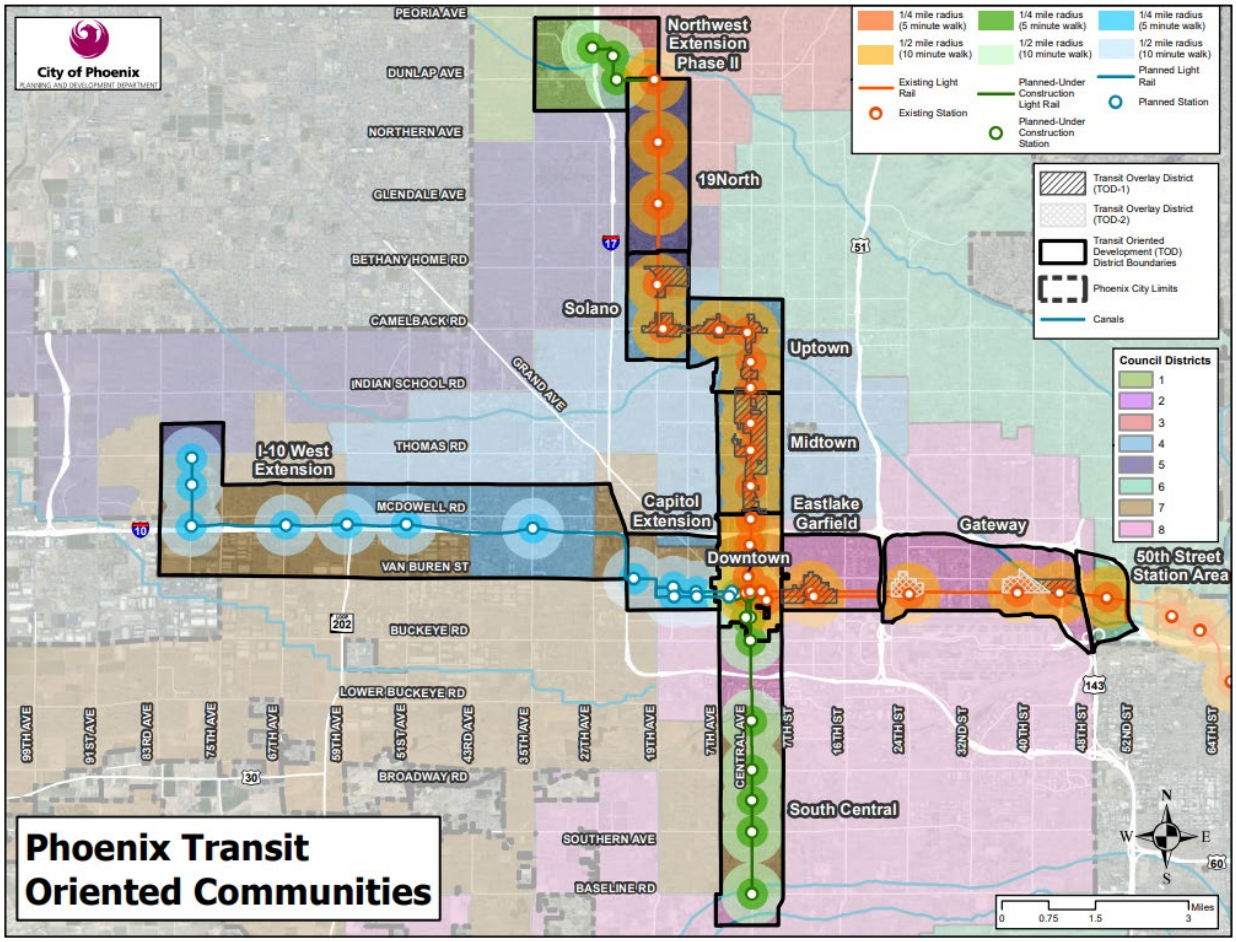
PURPOSE

In terms of non-residential adaptive reuse, the City of Phoenix has an existing robust program, and few changes are required. The City also has existing permissions for conversions of commercially zoned properties to multi-family developments, and

generally it is the development standards (setbacks, height, density, etc.) which require revisions due to HB 2297. In particular, the bill requires greater height and dwelling unit density than currently permitted by the Zoning Ordinance.

PROPOSAL

Staff recommends an overlay district over the Transit-Oriented Communities (TOC) area, with exceptions for Downtown Code and WU Code zoned properties, which already have existing permissions for greater height and density. The TOC area was chosen because it had been identified by prior studies as the area where such height and development density should be encouraged. The Gateway TOC and 50th Street Station Areas have been exempted since the bill does not permit inclusion of areas in close proximity to a commercial airport. A map of the Transit-Oriented Communities is provided below.



DESCRIPTION OF THE PROPOSED TEXT AMENDMENT

The proposed text amendment includes three main components: 1) new and revised definitions; 2) creation of a new Section 632, Adaptive Reuse and Multi-Family (ARM)

Overlay District, and 3) revision of the overlapping TOD-1 and TOD-2 Overlay District requirements so as not to conflict with the new regulations.

1. New and Revised Definitions

HB 2297 requires that any multi-family development which develops under the provisions of the bill provide a minimum of 10% of the dwelling units provided as low- or moderate-income housing. The City of Phoenix typically uses different terms: “Affordable Housing” as low-income housing, which is for residents earning up to 80% of the area median income; and “Workforce Housing”, which is for residents earning from 80% to 120% of the area median income. These definitions are proposed to be added to the Zoning Ordinance, although “Affordable Housing” is already existing and is slightly revised for consistency.

HB 2297 also includes a requirement that an existing commercial building be “economically and functionally obsolete” in order to qualify for the provisions regarding adaptive reuse. The bill provides the definition, which in turn is proposed to be added to the Zoning Ordinance.

2. Creation of a new Section 632, Adaptive Reuse and Multi-family (ARM) Overlay District

The existing Section 632, High-Rise H-R1 District – High-Rise and High Density District, applied only to the area long-since rezoned as Downtown Code (Chapter 12 of the Zoning Ordinance) and now is an archaic section of the Zoning Ordinance. This text amendment proposes to remove it and use its place in the Zoning Ordinance for the new ARM Overlay District.

HB 2297 requires that the City designate “not more than 10% of the total existing commercial, office, or mixed use buildings within the municipality” for adaptive reuse and/or multi-family conversion, by right (i.e. no public hearings). However, there are eligibility criteria provided in the bill, which in turn are provided in the standards of Section 632.

Objective Standards

A municipality must require the following objective standards, but no more, to qualify for the by-right permissions of HB 2297:

- An administrative site plan review process.
- Determination of adequate public water and sewer to serve the site.
- Compliance with all applicable building construction and fire codes.
- Determination that any existing on-site building is “economically and functionally obsolete”.
- A minimum parcel size of one acre, and a maximum size of 20 acres.

- Requirement that a minimum of 10% of the provided dwelling units are either low- and/or moderate-income housing (affordable and/or workforce housing).

Height and Density
In addition to the Objective Standards, by-right multi-family development has requirements regarding permitted height and density:

- Height may not exceed (but also not be less than) five stories, except where within 100 feet of single-family zoned properties, where the height may be limited to two stories.
- Density shall be equal to the highest allowable density within one mile of the building to be redeveloped.

Exemptions
HB 2297 also includes exemptions for properties adjacent to an FAA-licensed airport, and properties designated as historic. Section 632 is written to exempt HP and HP-L designated properties, and does not include the TOC areas directly to the north and adjacent to Phoenix Sky Harbor Airport.

Implementation within Transit-Oriented Communities
The new Section 632 includes the objective standards, height and density requirements, and exemptions as stated in HB 2297. The height and density provision will be discussed in more detail, as it is these provisions which led staff to suggest an overlay over the City's designated Transit-Oriented Communities.

The height requirement of HB 2297—five stories—is permitted within the Walkable Urban Code, starting with the T5:5 transect. Therefore, staff have proposed that development qualifying for use of the ARM overlay be permitted to developed in accordance with Chapter 13 (WU Code), T5:5 development standards.

The density requirement of HB 2297 is quite permissive, especially since adjacent portions of Downtown and properties zoned Walkable Urban Code have unrestricted (unlimited) density. Since that could lead to properties within a one-mile radius of a site developed under the provisions of HB 2297 also being allowed unlimited density, staff propose to allow unlimited density by right for projects subject to these regulations, but only in areas already identified for unrestricted density and future conversion to Walkable Urban Code—the Transit-Oriented Communities.

Permitted Uses
The ARM Overlay District does not add or prohibit any additional uses; it simply allows multi-family development and adaptive reuse to develop with more density and intensity, by right, within districts which already permit it. The proposed ARM Overlay District would not remove the underlying zoning classifications; rather, it would "overlay" the underlying zoning districts. A property currently zoned "C-2 HRI" would become "C-2 HRI ARMOD" if approved as proposed.

As an example, C-2 already permits multi-family development, but only to a maximum height of four stories, and with a maximum density of approximately 15 dwelling units per acre. A property located within the ARM Overlay District could choose to develop up to 5 stories, with no density limitations, but with the overlay requirement of 10% affordable and/or workforce housing, in addition to the other objective standards for applicability, such as lot size. However, the overlay is proposed to be permissive: a developer could still choose to develop per the existing zoning requirements, but with none of the additional height or density provisions of the ARM Overlay District.

Qualifying Buildings/Sites

As stated earlier, HB 2297 requires that the City allow by-right adaptive reuse and/or multi-family development on "not more than 10% of the total existing commercial, office, or mixed use buildings within the municipality." Staff have proposed an area appropriate for such development, but also with a high concentration of these types of uses and buildings. While the proposed area of the ARM Overlay District comprises 6.1% of the City's total land area, it includes more than 20% of the properties within the City zoned R-5, C-1, C-2, and C-3, which are the primary districts where commercial, office, and mixed use buildings are permitted. The provisions for adaptive reuse may also be applied on additional properties zoned for office park and light industrial uses (Commerce Park, A-1, and A-2) within the ARM Overlay District.

3. TOD-1 and TOD-2 Overlay District and other conflicts with ARM Overlay District requirements.

The Interim Transit-Oriented Zoning Overlay District One (TOD-1) and the Interim Transit-Oriented Zoning Overlay District Two (TOD-2) are existing overlay districts applied along the Valley Metro Light Rail corridor and will overlap with much of the area proposed for the ARM Overlay District. Staff propose that for projects developing under the provisions of the ARM Overlay District—use of Chapter 13, Walkable Urban Code standards—would not also be subject to the development standards of TOD-1 or TOD-2. This is consistent with properties rezoned to Walkable Urban Code, which have the TOD overlay removed when rezoning to WU Code.

The ARM Overlay District development standards would not override any other existing special planning areas having adopted regulatory plans, such as neighborhood plans, Specific Plans, or other overlay districts. Rather, the ARM Overlay District provisions can be applied when they do not conflict with any other regulatory standards of such special planning areas.

***ASSOCIATED REZONING CASE Z-136-24-Y**

Case Z-136-24-Y has been created to officially establish the zoning boundary of the proposed ARM Overlay District over the Transit Oriented Communities, with the exceptions as described above. The map of the proposed boundary is attached as Exhibit B.

CONCLUSION

The proposed Adaptive Reuse and Multi-Family (ARM) Overlay District, comprising a large portion of the City's Transit-Oriented Communities, is the most appropriate location for the by-right adaptive reuse and multi-family redevelopment entitlements required by HB 2297, not only because of the proximity to mass transit and prior studies leading to the designation of the TOC, but also because the area encompasses a large portion of the City's existing commercial, office, and mixed use buildings.

Staff recommends approval of Z-TA-3-24-Y per the language in Exhibit A, and Z-136-24-Y be approved as shown in Exhibit B.

Writer

C. DePerro
September 24, 2024

Exhibits

A. Proposed Language
B. Sketch Map / Proposed Boundary

Exhibit A

Staff proposed language that may be modified during the public hearing process is as follows:

Amend Chapter 2, Section 202 (Definitions) to add and/or modify definitions as follows:

***

ECONOMICALLY AND FUNCTIONALLY OBSOLETE: COMMERCIAL OR MIXED USE BUILDING(S) ON A SITE THAT ARE IN A STATE OF DISREPAIR OR HAVE A FIFTY PERCENT VACANCY IN THE TOTAL LEASABLE SQUARE FOOTAGE, IN ACCORDANCE WITH A.R.S. §9-462.10.

***

~~*Affordable*~~ *Housing, AFFORDABLE:* Residential or mixed-use development providing HUD or other assisted low-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~~.

HOUSING, WORKFORCE: RESIDENTIAL OR MIXED-USE DEVELOPMENT PROVIDING HUD OR OTHER ASSISTED 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 OF AT LEAST 80 PERCENT AND UP TO 120 PERCENT OF THE AREA MEDIAN INCOME, AS DEFINED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

***

Amend Chapter 6, Section 632 (High-Rise H-R1 District—High-Rise and High Density District) to strike everything, and replace with the following text:

SECTION 632. ADAPTIVE REUSE AND MULTI-FAMILY (ARM) OVERLAY DISTRICT

A. **PURPOSE.** THE PURPOSE OF THIS OVERLAY IS TO ESTABLISH ZONING REGULATIONS WHICH ACHIEVE COMPLIANCE WITH A.R.S. §9-462.10, AS FOLLOWS:

1. PROVIDE ALTERNATIVE DEVELOPMENT STANDARDS FOR THE NON-RESIDENTIAL ADAPTIVE REUSE OF EXISTING COMMERCIAL BUILDINGS.

2. ALLOW MULTI-FAMILY DEVELOPMENT BY RIGHT ON EXISTING COMMERCIAL PROPERTIES, SUBJECT TO CERTAIN DEVELOPMENT STANDARDS ALSO PROVIDED WITHIN THIS SECTION.

B. **APPLICABILITY.** THIS OVERLAY APPLIES TO ALL LAND WITHIN THE ADOPTED TRANSIT ORIENTED COMMUNITIES, PER THE MAP PROVIDED BELOW, WITH THE FOLLOWING EXCEPTIONS:

1. NOT APPLICABLE TO ANY PROPERTY WITH HISTORIC DESIGNATION, AS FOLLOWS:

   a. PROPERTIES DESIGNATED HP OR HP-L.

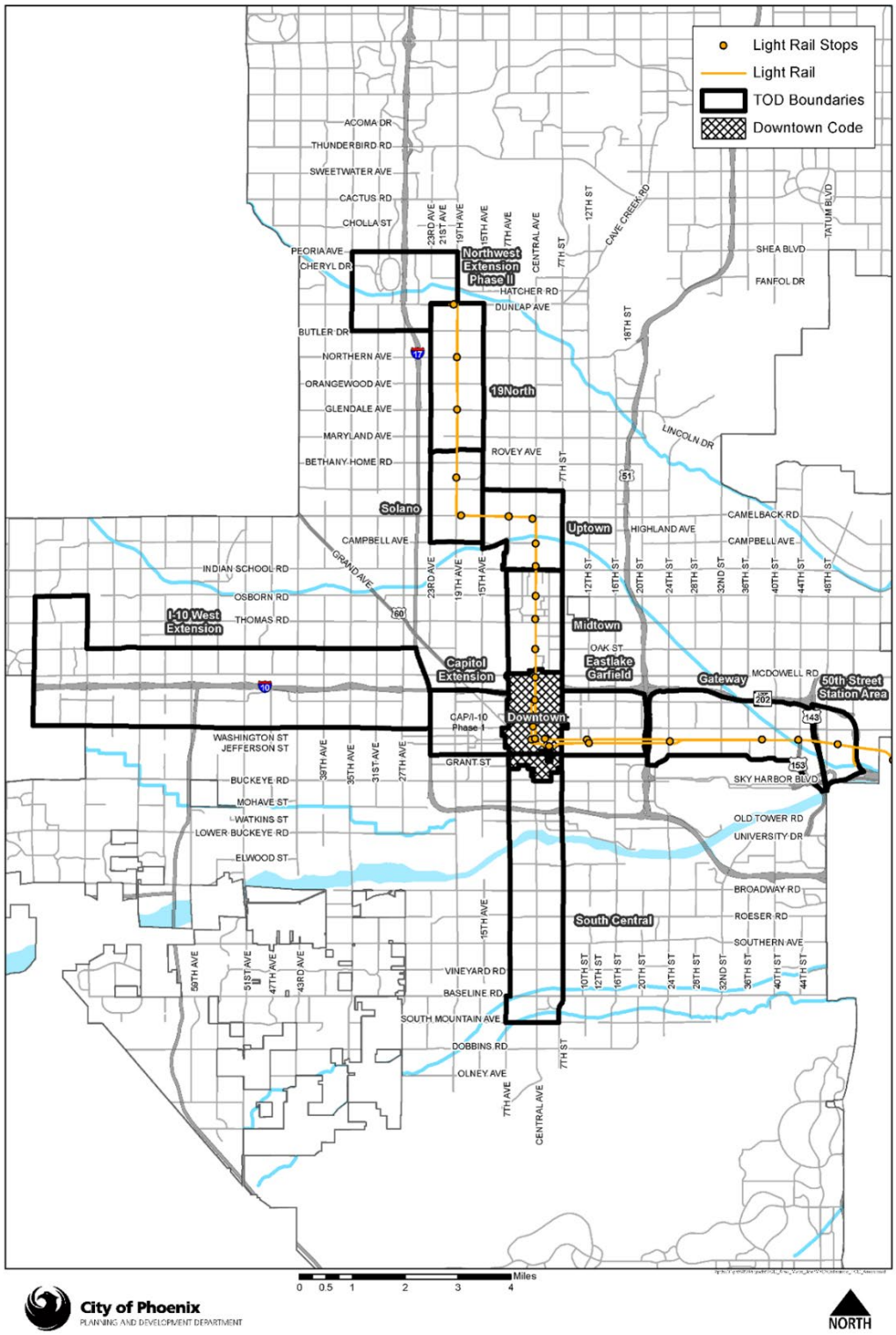
   b. PROPERTIES DESIGNATED AS HISTORIC ON THE NATIONAL REGISTER OF HISTORIC PLACES.

2. NOT APPLICABLE TO PROPERTIES LOCATED WITHIN EITHER THE GATEWAY TOC OR THE 50TH STREET STATION AREA.

3. NOT APPLICABLE TO PROPERTIES ZONED DOWNTOWN CODE PER CHAPTER 12.

4. NOT APPLICABLE TO PROPERTIES ZONED WALKABLE URBAN CODE PER CHAPTER 13.

Transit Oriented Communities



C. **CONFLICTS.**

1. IF A PROPERTY SUBJECT TO THIS OVERLAY DISTRICT IS ALSO SUBJECT TO A SPECIAL PLANNING DISTRICT, SPECIFIC PLAN, NEIGHBORHOOD PLAN, OR SIMILAR REGULATORY PLAN ADOPTED BY COUNCIL, THE PROVISIONS OF THIS OVERLAY DISTRICT APPLY ONLY WHEN THEY DO NOT CONFLICT WITH THE OTHER ADOPTED REGULATORY PLANS.

2. IF A PROPERTY SUBJECT TO THIS OVERLAY DISTRICT IS ALSO SUBJECT TO THE TOD-1 OR TOD-2 OVERLAYS (SECTIONS 662 AND 663, RESPECTIVELY), THE TOD-1 OR TOD-2 OVERLAYS DO NOT APPLY WHEN CHAPTER 13 DEVELOPMENT REGULATIONS ARE UTILIZED FOR A DEVELOPMENT IN ACCORDANCE WITH SECTION 632.H.2.b.

D. **VARIANCES.** A PROVISION OF THIS OVERLAY DISTRICT MAY BE MODIFIED THROUGH THE VARIANCE PROCESS DISCUSSED IN SECTION 307, BUT ONLY WHEN THE VARIANCE REQUEST DOES NOT CAUSE NON-COMPLIANCE WITH A.R.S. §9-462.10.

E. **PERMITTED USES.** THE REGULATIONS GOVERNING THE USES OF LAND AND STRUCTURES SHALL BE AS SET FORTH IN THE UNDERLYING ZONING DISTRICTS EXCEPT AS EXPRESSLY MODIFIED BY THIS OVERLAY DISTRICT.

F. **GENERAL DEVELOPMENT REGULATIONS.** THE FOLLOWING REGULATIONS APPLY TO ALL DEVELOPMENT UTILIZING THE PROVISIONS OF THIS OVERLAY DISTRICT:

1. DEVELOPMENT REVIEW PER SECTION 507 IS REQUIRED.

   a. THE FINAL SITE PLAN SHALL EXPLICITLY STATE WHICH, IF ANY, OF THE PROVISIONS OF THIS OVERLAY DISTRICT ARE TO BE IMPLEMENTED BY THE SUBJECT DEVELOPMENT.

2. ADEQUATE PUBLIC WATER AND SEWER SERVICE FOR THE ENTIRE PROPOSED DEVELOPMENT SHALL BE PROVIDED, AS DETERMINED BY THE WATER SERVICES DEPARTMENT.

3. COMPLIANCE WITH ALL APPLICABLE CONSTRUCTION AND FIRE CODES IS REQUIRED.

4. THE EXISTING BUILDINGS ON THE PROPOSED DEVELOPMENT SITE MUST BE ECONOMICALLY OR FUNCTIONALLY OBSOLETE, AS DEMONSTRATED TO AND APPROVED BY PDD.

5. THE EXISTING BUILDINGS MUST BE LOCATED WITHIN A UNIFIED DEVELOPMENT (APPROVED TOGETHER ON ONE SITE PLAN), AND THE AREA INCLUDED WITHIN THE UNIFIED DEVELOPMENT IS AT LEAST ONE NET ACRE BUT DOES NOT EXCEED 20 NET ACRES.

G. **DEVELOPMENT REGULATIONS—ADAPTIVE REUSE.** THE FOLLOWING REGULATIONS MAY BE APPLIED TO NON-RESIDENTIAL ADAPTIVE REUSE OF EXISTING COMMERCIAL, OFFICE, OR MIXED USE BUILDINGS WITHIN THIS OVERLAY DISTRICT, WHEN ALSO IN COMPLIANCE WITH SUBSECTION F, AS FOLLOWS:

1. AUTOMOBILE PARKING SHALL BE PROVIDED AS REQUIRED BY THE UNDERLYING ZONING DISTRICT.

2. SETBACKS SHALL BE AS REQUIRED BY THE UNDERLYING ZONING DISTRICT, WITH THE FOLLOWING MODIFICATIONS:

   a. IF THE MINIMUM SETBACK FOR THE PROPOSED USE IS GREATER THAN THAT OF THE EXISTING BUILDING, THE PROPOSED USE MAY BE PROVIDED AT THE EXISTING SETBACK SO LONG AS THE PROPOSED USE IS PERMITTED BY RIGHT WITHIN THE UNDERLYING ZONING.

   b. IF THE PROPOSED USE HAS SPACING OR SEPARATION REQUIREMENTS REQUIRED BY THE UNDERLYING ZONING, THOSE PROVISIONS STILL APPLY.

3. MAXIMUM BUILDING HEIGHT SHALL BE AS REQUIRED BY THE UNDERLYING ZONING, WITH THE FOLLOWING MODIFICATIONS:

a. IF THE MAXIMUM HEIGHT FOR THE PROPOSED USE IS LESS THAN THAT OF THE EXISTING BUILDING, THE PROPOSED USE MAY BE PROVIDED AT ANY HEIGHT WITHIN THE EXISTING BUILDING SO LONG AS THE PROPOSED USE IS A USE PERMITTED BY RIGHT WITHIN THE UNDERLYING ZONING DISTRICT.

b. ANY NEW BUILDINGS SHALL COMPLY WITH THE HEIGHT PROVISIONS OF THE UNDERLYING ZONING DISTRICT.

H. **DEVELOPMENT REGULATIONS—MULTI-FAMILY AND MIXED USE DEVELOPMENT.** THE FOLLOWING REGULATIONS APPLY TO MULTIFAMILY AND MIXED USE DEVELOPMENT WITHIN THIS OVERLAY DISTRICT, WHEN ALSO IN COMPLIANCE WITH SUBSECTION F, AS FOLLOWS:

1. THE PROPOSED DEVELOPMENT SITE SHALL HAVE AN UNDERLYING ZONING CLASSIFICATION OF R-5 (SECTION 618), R-4A (SECTION 619), C-1 (SECTION 622), C-2 (SECTION 623), OR C-3 (SECTION 624).

2. MULTI-FAMILY DEVELOPMENT SHALL COMPLY WITH ONLY ONE OF THE FOLLOWING (a OR b):

a. ALL DEVELOPMENT REGULATIONS APPLICABLE TO MULTI-FAMILY DEVELOPMENT IN THE UNDERLYING ZONING DISTRICT, OR

b. ALL DEVELOPMENT REGULATIONS APPLICABLE TO MULTI-FAMILY DEVELOPMENT SUBJECT TO CHAPTER 13, WALKABLE URBAN CODE, TRANSECT T5:5, WITH THE FOLLOWING MODIFICATIONS:

(1) DENSITY IS NOT RESTRICTED.

(2) HEIGHT IS RESTRICTED TO FIVE STORIES AND 56 FEET IN HEIGHT, EXCEPT THAT FOR BUILDINGS LOCATED WITHIN 100 FEET OF A SINGLE-FAMILY ZONING DISTRICT, THE MAXIMUM HEIGHT SHALL BE RESTRICTED TO TWO STORIES AND 30 FEET.

(3) A MINIMUM OF TEN PERCENT OF THE TOTAL NUMBER OF DWELLING UNITS PROVIDED SHALL BE AFFORDABLE AND/OR WORKFORCE HOUSING FOR A MINIMUM TERM OF TWENTY YEARS AFTER THE INITIAL OCCUPATION OF THE PROPOSED DEVELOPMENT, AS APPROVED BY THE CITY'S HOUSING DEPARTMENT.

3. MIXED USE DEVELOPMENT (RESIDENTIAL AND NON-RESIDENTIAL USES) SHALL COMPLY WITH THE MULTI-FAMILY DEVELOPMENT REGULATIONS STATED IN THIS SECTION, IN ADDITION TO ALL NON-RESIDENTIAL USE REGULATIONS APPLICABLE TO SUCH USES WITHIN THE T5:5 TRANSECT. HOWEVER, NON-RESIDENTIAL USES ARE ONLY PERMITTED IN MIXED USED DEVELOPMENT WHEN THE UNDERLYING ZONING ALSO PERMITS THE PROPOSED NON-RESIDENTIAL USES.

I. **DEVELOPMENT REGULATIONS—OTHER.** A PROPOSED DEVELOPMENT NOT SUBJECT TO EITHER SUBSECTION G OR SUBSECTION H ABOVE MUST COMPLY WITH ALL APPLICABLE DEVELOPMENT REGULATIONS OF THE UNDERLYING ZONING FOR THE SITE.

***

Amend Chapter 6, Section 662 (Interim Transit-Oriented Zoning Overlay District One (TOD-1)) to amend as follows:

Section 662. Interim Transit-Oriented Zoning Overlay District One (TOD-1).

***

B. **Applicability.** The City of Phoenix' Transit-Oriented Development Overlay District (TOD-1) shall apply to lands delineated on the City's Official Supplementary Zoning Map 1086 as adopted on November 19, 2003, AS AMENDED. All land uses and development including, but not limited to buildings, drives, parking areas, landscaping, streets, alleys, greenways, and pedestrian/bicycle ways designated to be within this district, shall be located and developed in accordance with the following provisions:

***

C. **Inconsistencies of Underlying Districts.** In the event that the underlying zoning district standards, or other ordinance or regulations are inconsistent with these overlay Zoning Ordinance standards or any other provisions herein, the standards of the TOD-1 shall apply~~.~~, WITH THE FOLLOWING EXCEPTION:

1. PROPERTIES SUBJECT TO SECTION 632, ADAPTIVE REUSE AND MULTI-FAMILY (ARM) OVERLAY DISTRICT, ARE NOT SUBJECT TO TOD-1 DEVELOPMENT STANDARDS WHEN THE DEVELOPMENT IS CONSTRUCTED IN COMPLIANCE WITH THE DEVELOPMENT STANDARDS OF CHAPTER 13. HOWEVER, ALL USE REGULATIONS OF TOD-1 (BOTH PERMISSIONS AND PROHIBITIONS) SHALL STILL APPLY TO SUCH PROPERTIES.

***

Amend Chapter 6, Section 663 (Interim Transit-Oriented Zoning Overlay District Two (TOD-2)) to amend as follows:

Section 663. Interim Transit-Oriented Zoning Overlay District Two (TOD-2).

***

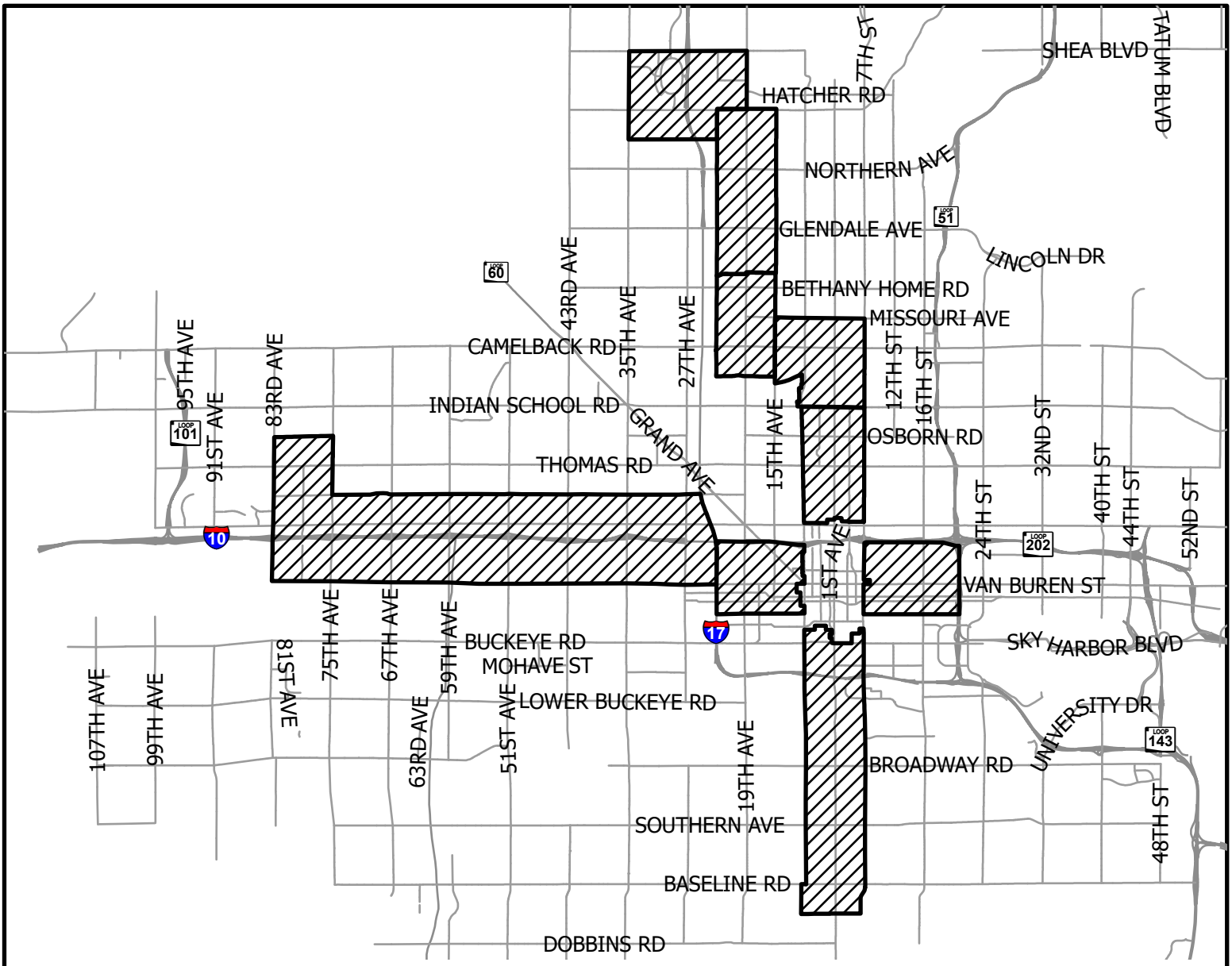
B. **Applicability.** The City of Phoenix' Transit-Oriented Development Overlay District (TOD-2) shall apply to lands delineated on the City's Official Supplementary Zoning Map 1086 as adopted on November 19, 2003, AS AMENDED. All land uses and development including, but not limited to buildings, drives, parking areas, landscaping, streets, alleys, greenways, and pedestrian/bicycle ways designated to be within this district, shall be located and developed in accordance with the following provisions:

***

C. **Inconsistencies of Underlying Districts.** In the event that the underlying zoning district standards, or other ordinance or regulations are inconsistent with these overlay Zoning Ordinance standards or any other provisions herein, the standards of the TOD-2 shall apply~~.~~, WITH THE FOLLOWING EXCEPTION:

1. PROPERTIES SUBJECT TO SECTION 632, ADAPTIVE REUSE AND MULTI-FAMILY (ARM) OVERLAY DISTRICT, ARE NOT SUBJECT TO TOD-2 DEVELOPMENT STANDARDS WHEN THE DEVELOPMENT IS CONSTRUCTED IN COMPLIANCE WITH THE DEVELOPMENT STANDARDS OF CHAPTER 13. HOWEVER, ALL USE REGULATIONS OF TOD-2 (BOTH PERMISSIONS AND PROHIBITIONS) SHALL STILL APPLY TO SUCH PROPERTIES.

***



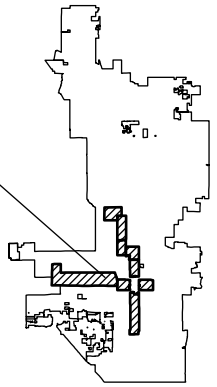
N

0 1.25 2.5 5 Miles

VILLAGE: Various

COUNCIL DISTRICT: Various

Z-136-24



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	City of Phoenix Planning Commission
APPLICATION NO:	Z-136-24
DATE:	9/25/2024
REVISION DATES:	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	20373.69 Acres
AERIAL PHOTO & QUARTER SEC. NO.	Various
ZONING MAP	D8, F3-F9, G3-9,H7-H8, I7, J6-J7, K6-K7

REQUESTED CHANGE:

FROM: Various Zoning Districts

TO: Various Underlying Zoning Districts with the Adaptive Reuse and Multi-Family Overlay District

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D OPTION

* Maximum Units Allowed with P.R.D. Bonus

S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\sketch_maps\2024\Z-136-24\Z-136-24.aprx

ATTACHMENT C

Z-136-24-Y: Adaptive Reuse and Multifamily (ARM) Overlay District
Village Planning Committee Summary Results

Village	Recommendation Date	Recommendations	Vote
Alhambra	10/22/24	Approval, per the staff recommendation	11-2
Camelback East	10/1/24	Approval, per the staff recommendation	16-0
Central City	10/21/24	Approval, per the staff recommendation	10-0
Encanto	10/7/24	Denial	8-4-1
Estrella	10/15/24	No quorum	n/a
Maryvale	10/9/24	No quorum	n/a
North Mountain	10/16/24	Approval, per the staff recommendation, with direction	13-0
South Mountain	10/8/24	Approval, per the staff recommendation	12-0

Village Planning Committee Meeting Summary
Z-136-24-Y

Date of VPC Meeting	October 22, 2024
Request	Map the initial ARM Overlay boundaries within the approved transit-oriented development district boundaries generally bounded by Peoria Avenue on the north, State Route 51 on the east, South Mountain Avenue on the south, and 83rd Avenue on the west.
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	11-2

VPC DISCUSSION

STAFF PRESENTATION

Samuel Rogers, staff, provided a presentation regarding the proposed text amendment Z-TA-3-24-Y and Z-136-24-Y, highlighting the background of the legislation approved by the Arizona Legislature, the proposed Adaptive Reuse and Multi-Family (ARM) Overlay District, the areas of applicability, the proposed allowances for multifamily development and adaptive reuse, and the timeline for the proposal.

QUESTIONS FROM THE COMMITTEE

Committee Member Charles Jones asked about the mile distance requirement. **Mr. Rogers** explained that state law requires cities to allow 10% of their commercial areas to develop up to five stories with densities equivalent to the highest zoning district within one mile of the subject property. Mr. Rogers stated that the City of Phoenix applied this by allowing sites within existing Transit-Oriented Communities (TOC) to develop according to Walkable Urban (WU) Code T5:5 standards, permitting unlimited density and five-story buildings.

Committee Member Martin Shultz stated that this policy originated from state law and questioned whether cities should control zoning or if state involvement is appropriate. Committee Member Shultz stated that the motivation behind some legislation is to create challenges for transit-oriented development. **Mr. Rogers** discussed the balance of benefits and risks in the relationship between city zoning authority and state regulations. Committee Member Shultz explained that determining zoning jurisdiction is complex and raised the importance of regional planning and described the politics that opposed the Capitol Mall light rail expansion.

Committee Member Quanta Crews expressed support for how Phoenix applied the state law through an overlay, explained she supported the law as a state legislator due to its potential to create affordable housing, and asked about the public engagement process. **Mr. Rogers** clarified that the application of the ARM Overlay will be an administrative process that does not require public hearings, stated that the overlay will not alter existing rezoning procedures, and reiterated that the ARM Overlay applies within established high-intensity policy areas.

Committee Member Marshall Pimentel highlighted the benefit of affordable housing through this process, stated that the overlay is a small but positive step, and explained that Arizona's prohibition on mandatory inclusionary housing presents barriers.

Committee Member David Krietor raised concerns about the proposed five-story allowance, stated that some commercial properties in the ARM Overlay are adjacent to single-family homes, and described previously conflicts over height within the Alhambra Village. **Mr. Rogers** explained that developments within 100 feet of single-family zoning are limited to two stories.

Committee Member Jones requested clarification on the ARM Overlay boundaries. **Mr. Rogers** presented the ARM Overlay boundaries.

Committee Member Jones asked if affordable housing was mandatory for projects utilizing the ARM Overlay and asked about funding. **Mr. Rogers** confirmed that affordable housing is required for multifamily developed under the ARM Overlay, stated that the affordable housing is funded by developers, and explained that developers could choose to rezone if they wish to avoid providing affordable housing.

Committee Member Crews questioned the appropriate distance requirement for the two-story height limitation near single-family zones and whether 300 feet would be more appropriate. **Committee Member Krietor** described Alhambra's support for affordable housing, explained conflicts over height near single-family areas, and stated that overlay may lead to potential disputes regarding height. **Committee Member Jones** explained that step-downs are sometimes required and stated that determining an optimal distance from single family to limit the height is challenging.

Committee Member John Owens asked whether the presentation's reference to 20% of commercial areas being within ARM Overlay included the downtown and airport areas. **Mr. Rogers** explained that he is unsure.

Committee Member Jones inquired about potential consequences if the City did not adopt the ARM Overlay by the deadline and asked about other cities' approaches. **Mr. Rogers** stated that failing to adopt the overlay could expose the City to lawsuits, explained that other cities generally applied the state law city-wide, and stated that Phoenix's approach applied the overlay to existing high-intensity policy areas.

Committee Member Jones asked about potential changes to the state law. **Mr. Rogers** stated he was unaware of any planned changes. **Committee Member Crews** stated that she may try to potentially modify the state law to increase the distance a property must be from single-family homes in order to allow five-story developments.

Committee Member Pimentel stated that the bill was the result of compromise between major cities, developers, and the League of Cities and Towns. **Committee Member Crews** echoed Committee Member Pimentel‘s comments and added that significant compromise was involved in the bill’s development.

Committee Member Keyser asked about the most challenging parts of process up to this point. **Mr. Rogers** noted difficulties in interpreting legislative intent and emphasized the importance of applying the overlay selectively to protect low-intensity areas.

Committee Member Keyser stated that affordable housing materials might be less expensive because affordable units do not require luxury amenities and may be smaller in size.

Committee Member Dina Smith asked for clarification on the state law’s requirements. **Mr. Rogers** explained that cities must allow 10% of commercial properties to build up to five stories, with density equivalent to the highest density allowed within one mile of the property.

Committee Member Smith asked about the rationale behind the state law and raised concerns about the cumulative density impact, especially on schools and property values. **Mr. Rogers** explained that the state aims to increase housing availability and address the affordable housing shortage, and stated that limiting the overlay to TOC areas is an effort to manage density impacts. **Committee Member Keyser** discussed the negative consequences of sprawl, including increased infrastructure costs, pollution, and urban heat effects, and highlighted the role of impact fees for new development. Committee Member Smith reiterated concerns about potential over-development impacting property values and local schools.

Committee Member Jak Keyser asked if there is a possibility that the overlay may be amended in the future. **Mr. Rogers** explained that it is possible that the City may revisit the ARM Overlay and explained that Proposition 207 makes it easier to grant changes than to take them away.

Committee Member Keyser asked about the possibility of tabling the discussion. **Mr. Rogers** explained that the text amendment will be heard by the City Council before the next Alhambra VPC meeting.

Committee Member David Krietor expressed his support and stated that he would second a motion.

Committee Member Crews thanked Committee Member Smith for her comments and emphasized that the goal of the state law is to encourage greater density and provide more housing options for everyone. Committee Member Crews described the urgency of the situation, explained that the City is experiencing a significant population increase and a housing shortage, and expressed appreciation for how the City is implementing the state law through the overlay. Committee Member Crews explained that state laws can change, stated that the current measures are a temporary solution, and emphasizing the need to explore more comprehensive solutions. **Committee Member Smith** cautioned that sometimes temporary solutions can become problematic. Committee Member Crews explained that failing to act will result in more families facing homelessness. Committee Member Smith expressed concern that new housing is too expensive, and that young people are struggling to afford housing. Committee Member Crews explained that unless the government steps in to subsidize housing and increase taxes, negotiations with developers will be necessary to find workable solutions.

PUBLIC COMMENTS

None.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

MOTION
Committee Member Jak Keyser made a motion to recommend approval of Z-136-24-Y per the staff recommendation. **Committee Member Elizabeth Sanchez** seconded the motion.

VOTE
11-2, motion to recommend approval of Z-136-24-Y per the staff recommendation passed with Committee Members Crews, Farina, Harris, Keyser, Krietor, Owens, Pimentel, Sanchez, Shultz, Camp, and DeGraffenreid in favor and Committee Members Jones and Smith opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Staff has no comment.

Camelback East
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-136-24-Y
*REVISED November 1, 2024

Date of VPC Meeting	October 1, 2024
Request	Map the initial ARM Overlay boundaries within the approved transit-oriented development district boundaries generally bounded by Peoria Avenue on the north, State Route 51 on the east, South Mountain Avenue on the south, and 83rd Avenue on the west
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	16-0

VPC DISCUSSION:

No members of the public registered to speak on this item.

John Roanhorse, staff, provided a summary on the text amendments and noted there were two distinct items for review and voting, following a previous discussion Mr. Roanhorse stated that TA-3-24-Y focuses on adaptive reuse, a critical issue for promoting growth in underdeveloped areas and aligns with the state legislative actions encouraging adaptive reuse, creating a streamlined process within the zoning ordinance to facilitate such projects. Mr. Roanhorse discussed TA-136-24-Y noting the focus on the maps to accommodate development, particularly addressing how zoning maps will support adaptive reuse and multifamily developments. Mr. Roanhorse noted previous presentations to the committee that detailed changes to the zoning ordinance aimed at making multifamily and adaptive reuse developments more cohesive. Mr. Roanhorse said one key area of concern involved allowing administrative approvals of certain developments without public input, particularly for commercial and office mixed-use buildings. Mr. Roanhorse stated additionally, the potential for increased height and density in transit-oriented communities was noted as a recurring concern, but the amendments seek to balance these factors with the existing zoning framework.

QUESTIONS FROM THE COMMITTEE:

Committee Member Paceley asked about the 10 percent allocation for affordable and workforce housing and how would requirements for development be implemented. **Mr. Roanhorse** responded that during the review process applicants and developer may access how to include various housing types. Committee Member Paceley asked if the

Village Planning Committee will see plans and be able to add stipulations for housing and development. Mr. Roanhorse responded that for rezoning cases that come to the Committee they may review and provide feedback and if practical include stipulations.

Committee Member Augusta asked if parking would change as a result of this proposed text amendment considering the implications of previous parking amendments. **Mr. Roanhorse** responded that proposals would still meet the required parking based on the zoning. **Mr. Cameron McCutchen**, staff, responded that with parking requirements, instead of maximums the City utilized minimums to provide allowance for a specific number of parking spaces. Mr. McCutchen stated that in some cases options like the Walkable Urban Code allow flexibility in different transects to incentivize measures to reduce automobile parking.

PUBLIC COMMENTS:

None.

STAFF RESPONSE:

None.

COMMITTEE DISCUSSION:

Committee Member Paceley commented the proposed text amendments are a good idea to include access to light rail and improve multifamily development and it makes good sense.

MOTION

Committee Member Paceley motioned to recommend approval of Z-136-24-Y per the staff recommendation. **Committee Member Sharaby** seconded the motion.

VOTE

16-0; motion to recommend approval of Z-136-24-Y per the staff recommendation passes with Committee members Abbott, Augusta, Baumer, Bayless, Beckerleg Thraen, Garcia, Guevar, Jurayeva, Langmade, Paceley, Schmieder, Sharaby, Whitesell, Williams, Fischbach and Swart in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Camelback East
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-136-24-Y

Date of VPC Meeting	October 1, 2024
Request	Map the initial ARM Overlay boundaries within the approved transit-oriented development district boundaries generally bounded by Peoria Avenue on the north, State Route 51 on the east, South Mountain Avenue on the south, and 83rd Avenue on the west
VPC Recommendation	Approval per the staff recommendation with modifications passes
VPC Vote	16-0

VPC DISCUSSION:

No members of the public registered to speak on this item.

John Roanhorse, staff, provided a summary on the text amendments and noted there were two distinct items for review and voting, following a previous discussion Mr. Roanhorse stated that TA-3-24-Y focuses on adaptive reuse, a critical issue for promoting growth in underdeveloped areas and aligns with the state legislative actions encouraging adaptive reuse, creating a streamlined process within the zoning ordinance to facilitate such projects. Mr. Roanhorse discussed TA-136-24-Y noting the focus on the maps to accommodate development, particularly addressing how zoning maps will support adaptive reuse and multifamily developments. Mr. Roanhorse noted previous presentations to the committee that detailed changes to the zoning ordinance aimed at making multifamily and adaptive reuse developments more cohesive. Mr. Roanhorse said one key area of concern involved allowing administrative approvals of certain developments without public input, particularly for commercial and office mixed-use buildings. Mr. Roanhorse stated additionally, the potential for increased height and density in transit-oriented communities was noted as a recurring concern, but the amendments seek to balance these factors with the existing zoning framework.

QUESTIONS FROM THE COMMITTEE:

Committee Member Paceley asked about the 10 percent allocation for affordable and workforce housing and how would requirements for development be implemented. Mr. Roanhorse responded that during the review process applicants and developer may access how to include various housing types. Committee Member Paceley asked if the Village Committee will see plans and be able to add stipulations for housing and

development. Mr. Roanhorse responded that for rezoning cases that come to the Committee they may review and provide feedback and if practical include stipulations.

Committee Member Augusta asked if parking would change as a result of this proposed text amendment considering the implications of previous parking amendments. **Mr. Roanhorse** responded that proposals would still meet the required parking based on the zoning. **Mr. Cameron McCutchen**, staff, responded that with parking requirements, instead of maximum the City utilized minimums to provide allowance for a specific number of parking spaces. Mr. McCutchen stated that in some cases options like the Walkable Urban Code allow flexibility in different transects to incentivize measures to reduce automobile parking.

PUBLIC COMMENTS:

None.

STAFF RESPONSE:

None.

COMMITTEE DISCUSSION:

Committee Member Paceley commented the proposed text amendments are a good idea to include access to light rail and improve multifamily development and it makes good sense.

MOTION

Committee Member Paceley motioned to recommend approval of Z-136-24-Y per the staff recommendation. **Committee Member Sharaby** seconded the motion.

VOTE

16-0; motion to recommend approval of Z-136-24-Y per the staff recommendation passes with Committee members Abbott, Augusta, Baumer, Bayless, Beckerleg Thraen, Garcia, Guevar, Jurayeva, Langmade, Paceley, Schmieder, Sharaby, Whitesell, Williams, Fischbach and Swart in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.

Encanto
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary

Z-136-24-Y

Date of VPC Meeting	October 7, 2024
Request	Map the initial ARM Overlay boundaries within the approved transit-oriented development district boundaries generally bounded by Peoria Avenue on the north, State Route 51 on the east, South Mountain Avenue on the south, and 83rd Avenue on the west.
VPC Recommendation	Denial
VPC Vote	8-4-1

VPC DISCUSSION:

No members of the public registered to speak on this item.

STAFF PRESENTATION:

John Roanhorse, staff, provided a summary on the text amendments and noted there were two distinct items for review and voting. Mr. Roanhorse stated that TA-3-24-Y focuses on adaptive reuse, a critical issue for promoting growth in underdeveloped areas and aligns with the state legislative actions encouraging adaptive reuse, creating a streamlined process within the zoning ordinance to facilitate such projects. Mr. Roanhorse discussed TA-136-24-Y noting the focus on the maps to accommodate development, particularly addressing how zoning maps will support adaptive reuse and multifamily developments. Mr. Roanhorse noted previous presentations to the committee that detailed changes to the zoning ordinance aimed at making multifamily and adaptive reuse developments more cohesive. Mr. Roanhorse said one key area of concern involved allowing administrative approvals of certain developments without public input, particularly for commercial and office mixed-use buildings. Mr. Roanhorse stated additionally, the potential for increased height and density in transit-oriented communities was noted as a recurring concern, but the amendments seek to balance these factors with the existing zoning framework.

QUESTIONS FROM THE COMMITTEE:

Chair Wagner commented that House Bill 2297, stipulates that no more than 10 percent of eligible properties within the city can be developed for adaptive reuse. Chair Wagner stated that the current TOC overlay seems to include over 20 percent of commercially zoned properties, exceeding the 10 percent cap. **Mr. Roanhorse** responded that the 10 percent cap does not necessarily apply to every property in the TOC, as the city has mapped areas where adaptive reuse is appropriate. Mr. Roanhorse stated the focus is on working within the existing zoning framework, ensuring consistency with what is already allowed by zoning ordinance. Mr. Roanhorse stated the amendments will streamline adaptive reuse in areas that can accommodate it without increasing zoning entitlements, maintaining balance between development and current zoning laws.

Chair Wagner asked how the City will track commercial properties within the overlay to ensure compliance with the amendments. **Mr. Roanhorse** responded that the City is currently gathering data on the percentage of commercial properties and their square footage and are aware of the need to monitor this information for future development. Mr. Roanhorse stated that in a previous presentation staff explained that exact numbers are still being collected.

Committee Member George asked whether the committee would be notified about specific properties or buildings eligible for development. **Mr. Roanhorse responded** that the committee would be notified of any rezoning cases or changes, and that notices would still be provided for developments that were by-right. Mr. Roanhorse stated that notifications would go to neighborhoods and associations when significant changes or developments were made.

Committee Member Jewett stated there was not clarity regarding height restriction and reiterated that what he understood in the presentation, and it did not align with what he was reading in the legislation. Committee Member Jewett stated concern about buildings being classified as functionally obsolete and noted the potential for manipulation by neglecting repairs or setting rent prices high enough to keep properties vacant. Committee Member Jewett stated that properties may be left to deteriorate intentionally and asked if there were any measures in place to prevent such manipulation and noted the issue of neglected properties in his neighborhood. **Mr. Roanhorse** responded that is a concern and will be a challenging issue and stated the PDD (Planning and Development Department) is focused on fostering development potential rather than driving economic disinvestment. Mr. Roanhorse said that the City can collaborate with departments like Neighborhood Services to address repairs or underused properties and noted that the City's Economic Development Department has measures in place to intervene when necessary and some initiative falls on the private development community. Mr. Roanhorse explained that the text amendment aims to prevent intentional disinvestment and supports development in appropriate areas, particularly near transit corridors.

Chair Wagner expressed frustration that neither the City nor the State have provided clear answers to important questions that were brought up during the review. Chair Wagner said that there is a growing need for accessible workforce housing and noted the limitation of the

adaptive reuse program is just 6 percent of the City's land, primarily around 50 TOD areas. Chair Wagner stated that only 18 percent of service workers live in the TOD areas, leaving 88 percent of service workers without affordable housing options near transit locations. Chair Wagner said the City should expand opportunities for adaptive reuse beyond the current limitations, noting that more affordable housing options should be available in other areas like Desert Ridge and Camelback East, rather than restricting it to a small percentage of land near transit areas. Chair Wagner stated disappointment in the current approach and hoped that the City will make adjustments by January to better address the housing needs of Phoenix's workforce. **Mr. Roanhorse** responded that the overlay does promote the creation of affordable housing by requiring that 10 percent of units be dedicated to affordable or workforce housing. Mr. Roanhorse stated the importance of defining affordable and workforce housing, which has been clarified in the amendment. Mr. Roanhorse stated that the multifamily overlay and adaptive reuse provisions encourage development in areas near transit, especially around light rail, while allowing flexibility for developers to adapt projects to the unique characteristics of those zones. Mr. Roanhorse stated that historic preservation remains unaffected by these changes.

Vice Chair Rodriguez said there is concern about the complexity of the proposed changes, particularly in relation to HB 2297, noting that these types of amendments can be difficult to understand. Vice Chair Rodriguez stated that there needs for more accessible and visual presentations, as well as clearer communication from the City to help the public understand the details of proposed changes. Vice Chair Rodriguez stated that staff working on proposals should make them more digestible, particularly for community members unfamiliar with zoning language. Vice Chair Rodriguez stated that while developers are not mandated to use the adaptive reuse and multifamily overlay, they must meet the affordability requirements if they choose to participate. **Mr. Roanhorse** responded that there are challenges in responding to legislative requirements while maintaining practical zoning interaction with the public and despite these challenges public involvement remains crucial, as various committees and organizations are regularly engaged in the planning and review processes.

Vice Chair Rodriguez expressed frustration with the lack of feedback opportunities regarding the TOC presentation. Vice Chair Rodriguez stated she walks, bikes, and uses public transit, and it feel like a dead zone with lack vibrancy around Central Avenue. Vice Chair Rodriguez said there is a need for improvements and the importance of providing workforce housing close to transit corridors. Vice Chair Rodriguez said there are challenges faced by service workers and teachers who deserve to live near where they work but currently do not have sufficient options. **Mr. Roanhorse** responded the challenges in providing affordable housing and workforce opportunities are significant and the City is in the process of expanding opportunities.

Committee Member Doescher stated concern with the current state legislation affecting affordable housing and the pressing need for housing options near employment centers, particularly for healthcare workers who often face challenges due to irregular hours. Committee Member Doescher stated that while some developments may be located near light rail, this approach does not address the diverse needs of all residents, especially those with limited housing options. Committee Member Doescher said it is frustrating that state laws that do not consider local realities, stating that these mandates could hinder cities' ability to address their

unique housing challenges and the concern that developers might prioritize profit over affordable housing.

Committee Member Warnicke expressed concerns about certain properties within the TOD area, stating that some should not be designated for five-story buildings. Committee Member Warnicke said that instead of focusing solely on the light rail corridor for affordable housing, the city should also consider properties along bus routes and mass transit lines and this approach would help protect neighborhoods from changes like large out-of-place buildings and create affordable housing along existing transit routes.

Chair Wagner stated that the state legislation originally intended to apply the TOD statewide, but the City of Phoenix chose to focus on 60 percent of its land area. Chair Wagner said it was disappointing that the City's current approach focuses on expensive properties along the light rail corridor may not become affordable housing. Chair Wagner said there might be an opportunity for small developers to convert underutilized buildings across the entire City, rather than concentrating on a limited area and there is a need for more meaningful progress and that they have until January to reconsider their approach.

Vice Chair Rodriguez stated that when the City initiated the Walkable Urban (WU) Code, it was a citywide proposal. Vice Chair Rodriguez said there were concerns at the time, including the potential for overdevelopment in areas not ready for it, which led to opposition against it. Vice Chair Rodriguez stated there is some confusion about the current situation, where there is now interest in focusing citywide development around transportation, such as the light rail and asked for clarification on the approach now, comparing it to previous concerns about the broader application of the WU Code. **Mr. Klimek** responded that the WU Code was proposed citywide and that it was reviewed by all 15 Village Planning Committees and stated that many projects have successfully utilized the code in various areas of the city. **Mr. Roanhorse** responded that while the WU Code had been applied successfully in some areas, it was not practical everywhere and noted it has been adapted in a few projects, driving innovation in development, particularly in mixed-use areas.

Vice Chair Rodriguez stated there is difficulty in balancing the need for flexibility in development with protecting neighborhoods from rapid development. Vice Chair Rodriguez said there were past concerns about certain developments, such as the Phoenix Country Club, which raised worries about similar projects taking an easier route for approval and there needs to be better understand with the current perspective on expanding development citywide, especially focusing on transit corridors. **Mr. Roanhorse** responded that some areas are better suited for mixed-use or dense development, while others may need a more specialized approach and there are many challenges for future development.

Committee Member Procaccini asked about the potential for expanding development beyond the current overlay boundaries and whether there are plans or metrics guiding

future development areas. **Mr. Roanhorse** responded that the City is planning future text amendments and noted that the City is trying to be more responsive in addressing development needs, particularly around transportation hubs and with a focus on increasing housing options, including single-family and multifamily developments. Mr. Roanhorse referenced the *Housing Phoenix Plan* as a guide for future residential growth.

PUBLIC COMMENT:

None.

STAFF RESPONSE:

None.

MOTION FOR Z-136-24-Y:

Committee Member George motioned to recommend denial of Z-136-24-Y.
Committee Member Warnicke seconded the motion.

VOTE FOR Z-136-24-Y:

8-4-1; motioned to recommend denial of Z-136-24-Y passes with Committee Members Doescher, George, Kleinman, Mahrle, Perez, Montaño Searles, Warnicke and Wagner in favor; and Jewett, Procaccini, Tedhams and Rodriguez in opposition; and Cardenas abstaining.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

Estrella
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-136-24-Y

Date of VPC Meeting	October 15, 2024
Request	Map the initial ARM Overlay boundaries within the approved transit-oriented development district boundaries generally bounded by Peoria Avenue on the north, State Route 51 on the east, South Mountain Avenue on the south, and 83rd Avenue on the west.
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:

No quorum.

Staff comments regarding VPC Recommendation:

None.

Maryvale
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-136-24-Y

Date of VPC Meeting	October 9, 2024
Request	Map the initial ARM Overlay boundaries within the approved transit-oriented development district boundaries generally bounded by Peoria Avenue on the north, State Route 51 on the east, South Mountain Avenue on the south, and 83rd Avenue on the west.
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:

No quorum.

Staff comments regarding VPC Recommendation:

None.

North Mountain
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-136-24-Y

Date of VPC Meeting	October 16, 2024
Request	Map the initial ARM Overlay boundaries within the approved transit-oriented development district boundaries generally bounded by Peoria Avenue on the north, State Route 51 on the east, South Mountain Avenue on the south, and 83rd Avenue on the west.
VPC Recommendation	Approval, per the staff recommendation, with direction
VPC Vote	13-0

VPC DISCUSSION:

No members of the public registered to speak on this item.

STAFF PRESENTATION

Ms. Stockham, staff, provided a brief presentation regarding the proposed text amendment Z-TA-3-24 and companion case Z-136-24-Y, sharing elements of the legislation (HB 2297) and the proposed Adaptive Reuse and Multi-Family (ARM) Overlay District, the areas of applicability, the proposed Zoning Ordinance revisions, and the hearing schedule for the cases.

QUESTIONS FROM COMMITTEE

None.

PUBLIC COMMENTS

None.

COMMITTEE DISCUSSION

Vice Chair Joshua Matthews shared his understanding of the proposal and the timeline for compliance with state law and shared a desire to recommend approval of the proposal and to expand the applicability to other areas, such as Village Cores, in the future.

Committee Member Gabriel Jaramillo added that this is an opportunity to expand it to other areas now.

Committee Member Arick O'Hara stated that he agreed with Committee Member Jaramillo but not on the deadline to push this through by January. Committee Member O'Hara stated that with a deadline to comply by January, the committee could vote no without direction, and shared that when the committee makes a recommendation with direction, there is a concern that the committee's direction could not be listened to by other hearing bodies. Committee Member O'Hara shared that he does not disagree with the proposal but disagrees with the way it is being done and that he did not want to limit it to an area now and expand it later.

Committee Member Mike Krentz shared that state law will be effective in January, this proposal will serve as a template to expand it to other areas, and reminded the committee of a previous proposal to expand the Walkable Urban Code applicability area citywide which was met with opposition.

Vice Chair Joshua Matthews stated that City Council will take action before January, and that he would also like to add direction regarding tracking and reporting the use of the overlay provisions back to the Village Planning Committees.

Committee Member Joshua Carmona asked if other hearing bodies take into consideration the direction provided by Village Planning Committees.

Vice Chair Joshua Matthews replied that from a Planning Commissioner perspective, he reads the Village Planning Committee recommendations and if, for example, a Village Planning Committee recommended denial of a case unanimously, he will take a close look at the discussion, and that Village Planning Committee recommendations could impact the Planning Commission recommendation.

Committee Member Gabriel Jaramillo stated he would also like to add direction to include Village Cores, along the Bus Rapid Transit (BRT) line, and other major transportation corridors.

MOTION – Z-136-24-Y

Committee Member Mike Krentz motioned to recommend approval of Z-136-24-Y per the staff recommendation with direction that the boundaries be expanded in the future to include other areas in the city such as the Bus Rapid Transit line, Village Cores, and other transportation corridors and that the Planning and Development Department track and report the use of the overlay provisions to the Village Planning Committees. **Vice Chair Joshua Matthews** seconded the motion.

VOTE – Z-136-24-Y

13-0; Motion to recommend approval of Z-136-24-Y per the staff recommendation with direction passed; with Committee Members Alauria, Carmona, Garbarino, Jaramillo, Krentz, Larson, McBride, Molfetta, O'Hara, Pamperin, Sommacampagna, Matthews and Fogelson in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

South Mountain
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-136-24-Y

Date of VPC Meeting	October 8, 2024
Request	Map the initial ARM Overlay boundaries within the approved transit-oriented development district boundaries generally bounded by Peoria Avenue on the north, State Route 51 on the east, South Mountain Avenue on the south, and 83rd Avenue on the west.
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	12-0

VPC DISCUSSION:

No members of the public registered to speak on this item.

STAFF PRESENTATION

Samuel Rogers, staff, provided a presentation regarding the proposed text amendment Z-TA-3-24 and Z-136-24-Y, highlighting the background of the legislation approved by the Arizona Legislature, the proposed Adaptive Reuse and Multi-Family (ARM) Overlay District, the areas of applicability, the overlay's interaction with other policy plans, the proposed allowances for multifamily development and adaptive reuse, and the timeline for the proposal.

QUESTIONS FROM THE COMMITTEE

Committee Member Tamala Daniels inquired about the locations of the properties presented as examples of sites that could be developed under the ARM Overlay. **Mr. Rogers** stated that the presented example properties are not in South Mountain and explained he does not know the exact locations.

Chair Trent Marchuk asked for clarification on conflicts with the ARM Overlay and the Baseline Area Overlay District (BAOD). **Mr. Rogers** explained that the ARM Overlay allows commercial properties to develop under the Walkable Urban (WU) Code Transect T5:5 standards and explained the T5:5 maximum setback is less that the BAOD minimum setback. Mr. Rogers explained that work had been done on an amendment to the BAOD in the past but had never gone to City Council for approval. **Committee Member T. Daniels** asked for clarification on why the amendment to the BAOD was not completed in the past and stated that there had been a Text Amendment (TA) to expand the WU Code's applicability area. Mr. Rogers explained that he was not aware of the specific reasons why the BAOD amendment was not completed and explained that the TA to expand the WU Code's applicability area ended up failing.

Committee Member Marcia Busching clarified the boundaries of the BAOD, stated that she initiated the original effort to amend the BAOD, and explained that staff had informed her that other TAs would need to occur before the BAOD text amendment, resulting in the effort being paused. Committee Member Busching stated it is a good idea to include initialization of the BAOD amendment in the motion.

Committee Member T. Daniels expressed confusion and frustration that the Transit-Oriented Development (TOD) plan had been worked on for two years, but the BAOD conflicts had not been addressed, and explained that the City had tried to put forth a separate TA to reduce parking requirements for multifamily developments, but WU Code already addresses reduced parking requirements. **Mr. Rogers** explained that for staff to continue working on the BAOD amendment, the committee would need to include a recommendation to amend the BAOD. Mr. Rogers stated that he does not have information regarding the order in which TAs are brought to the VPC, explained that House Bill 2297 requires municipalities to implement new rules by the beginning of next year, and stated the ARM Overlay brought renewed attention to the conflicts with the BAOD.

Committee Member Greg Brownell asked for clarification on whether resolving the conflicts between the BAOD and the WU Code would require the WU Code to supersede the BAOD. **Committee Member Busching** stated that the BAOD boundaries could be amended to end at 7th Street.

Chair Marchuk asked for clarification on what process would be triggered if the committee recommended amending the BAOD. **Mr. Rogers** explained that such a recommendation would trigger an additional Text Amendment.

Committee Member T. Daniels discussed the area within the South Central TOD Community Plan and the BAOD and asked about the boundaries of the BAOD. **Committee Member Busching** clarified the boundaries of the BAOD. **Mr. Rogers** explained that the City generally supports rezonings to the WU Code only if the site is within a TOD plan area, and clarified that sites governed by the WU Code within the BAOD cannot functionally develop due to conflicting regulations.

Chair Marchuk inquired whether the committee would discuss the matter next month. **Mr. Rogers** stated that he would need to consult with his team to determine a timeline moving forward.

Committee Member Brownell suggested that the committee could also make a motion to modify the ARM Overlay to address the conflicts. **Mr. Rogers** explained that the ARM Overlay is not likely to change much and a modification of the BAOD would likely need to be an amendment to the BAOD. Committee Member Brownell asked for confirmation that, if there was an R1-6 property where a second story was being added, this process

would not be impacted. Mr. Rogers confirmed that the ARM Overlay will not change the process of permitting on an R1-6 property.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

MOTION

Committee Member Marcia Busching made a motion to recommend approval of Z-136-24-Y per the staff recommendation. **Committee Member Emma Viera** seconded the motion.

VOTE

12-0, motion to recommend approval of Z-136-24-Y per the staff recommendation passed with Committee Members Alvarez, Beehler, Brooks, Brownell, Busching, Coleman, F. Daniels, T. Daniels, Shepard, Viera, Greathouse, and Marchuk in favor.

City of Phoenix

Report

Agenda Date: 11/13/2024, **Item No.** *79

ADDITIONAL INFORMATION (SEE ATTACHED MEMO) Public Hearing - Amend City Code - Ordinance Adoption - Rezoning Application Review Timeframes and Written Protest Petition Exemption - Z-TA-8-24-Y (Ordinance G-7320) - Citywide

Request to hold a public hearing on a proposed text amendment Z-TA-8-24-Y and to request City Council approval per the Planning Commission recommendation which amends Chapter 5, Section 506 (Text Amendments and Rezonings) of the Phoenix Zoning Ordinance to address changes to the Arizona Revised Statutes regarding an exemption for government owned properties when processing written protest petitions for the three-fourths votes and rezoning application review time frames (Senate Bill 1162).

Summary

The proposed text amendment includes two main components, both in Section 506: 1) addition of the exemption for government owned properties as related to written protest petitions, and 2) revision of the rezoning application review process to comply with timeframes mandated by SB 1162 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-8-24-Y as shown in Exhibit A of the Staff Report (**Attachment B**).
PC Info: The Planning Commission heard this item on October 10, 2024, for information only.
PC Action: The Planning Commission is scheduled to hear this item on November 7, 2024.

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: November 8, 2024

From: Joshua Bednarek
Planning and Development Director

Subject: ITEM 79 ON THE NOVEMBER 13, 2024, FORMAL AGENDA – PUBLIC HEARING - AMEND CITY CODE - ORDINANCE ADOPTION - REZONING APPLICATION REVIEW TIMEFRAMES AND WRITTEN PROTEST PETITION EXEMPTION - Z-TA-8-24-Y (ORDINANCE G-7320) - CITYWIDE

Item 79, is a request to hold a public hearing on a proposed text amendment Z-TA-8-24-Y and to request City Council approval per the Planning Commission recommendation which amends Chapter 5, Section 506 (Text Amendments and Rezonings) of the Phoenix Zoning Ordinance to address changes to the Arizona Revised Statutes regarding an exemption for government owned properties when processing written protest petitions for the three-fourths votes and rezoning application review time frames (Senate Bill 1162).

The Planning Commission heard the case on November 7, 2024, and recommended approval, per the staff recommendation, by a vote of 9-0.

Staff recommends approval of Z-TA-8-24-Y as shown in the proposed text, per Planning Commission recommendation:

Section 506. Text amendments and rezonings.

A. **Amendments.**

***

9. In the event that a written protest against a proposed amendment is filed in the office of the City Clerk, or the City Clerk's designee, no later than seven days following Planning Commission action by the owners of 20 percent or more of the property by area and number of lots, tracts and condominium units within the zoning petition area, EXCLUDING GOVERNMENT OWNED PROPERTY, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the City Council of the City of Phoenix. If any members of the City Council are unable to vote on any such amendment because of a conflict of interest, then the required number of votes for passage of such amendment shall be three-fourths of the remaining membership of the City Council; provided, that such required number of votes shall not be less than a majority of the full membership of

the City Council. For the purposes of this section, the percentage of the favorable vote shall be rounded to the nearest whole number.

***

B. **Rezonings.**

***

5. REZONING APPLICATIONS. No application for a change of zone shall be set for public hearing until a formal Planning and Development Department review of the application has taken place. ~~and the applicant has submitted all the following materials in a form acceptable to the Planning and Development Department, unless submission of the specific item is waived by the Planning and Development Department.~~

a. APPLICATION. A REZONING APPLICATION SHALL INCLUDE, BUT NOT BE LIMITED TO, THE ITEMS LISTED BELOW UNLESS WAIVED BY STAFF. ADDITIONAL MATERIALS MAY BE REQUESTED BY STAFF WHEN PERTINENT TO THE REZONING REQUEST:

~~a.~~ (1) Legal description.

~~b.~~ (2) ~~Letter of authorization to file.~~ WRITTEN AUTHORIZATION TO FILE FROM PROPERTY OWNER.

~~c.~~ (3) Filing fee.

~~d.~~ (4) Map OR OTHER DOCUMENTATION to include the following:

~~(1)~~ (a) Parcel identification.

~~(2)~~ (b) Existing zoning and uses on-site and adjacent property.

~~(3)~~ (c) Intensity and/or density proposals.

~~(4)~~ (d) Traffic and parking study, if required by Planning and Development Department.

~~(5)~~ (e) Phasing schedule.

~~(6)~~ (f) Statement on conformance to existing adopted City plans.

~~(7)~~ (g) Ownership map of property owners within three hundred feet or nearest residence in all directions. This shall be the most current ownership information

supplied through the Maricopa County Assessor's office.

~~(8)~~ (h) Infrastructure: existing and proposed.

~~e.~~ (5) Site plan and building elevations.

~~(1)~~ (a) Building configuration and heights.

~~(2)~~ (b) Setbacks.

~~(3)~~ (c) Landscaped areas.

~~(4)~~ (d) Appropriate calculations. e.g., parking, lot coverage.

~~(5)~~ (e) Access points and modifications to existing street improvements.

~~(6)~~ (f) Street names, north point, date, right-of-way.

b. APPLICATION REVIEW PROCESS.

(1) PRIOR TO SUBMITTING AN APPLICATION FOR REZONING, THE APPLICANT SHALL REQUEST AND ATTEND TWO SEPARATE MEETINGS: A REZONING PRE-APPLICATION MEETING, AND A DEVELOPMENT PRE-APPLICATION MEETING, UNLESS WAIVED BY THE PLANNING DIRECTOR.

(2) AFTER COMPLETING ANY REQUIRED PRE-APPLICATION MEETINGS, A REZONING APPLICATION MAY BE SUBMITTED WITH APPROPRIATE FEES AS PROVIDED IN APPENDIX A, ZONING FEE SCHEDULE.

(3) ONCE AN APPLICATION HAS BEEN SUBMITTED, THE ADMINISTRATIVE COMPLETENESS REVIEW PERIOD SHALL BEGIN, WHERE STAFF WILL DETERMINE IF THE APPLICATION INCLUDES ALL REQUIRED INFORMATION.

(4) ONCE AN APPLICATION HAS BEEN DETERMINED TO BE ADMINISTRATIVELY COMPLETE, THE SUBSTANTIVE REVIEW PERIOD SHALL BEGIN, WHERE STAFF EVALUATE THE REZONING REQUEST AND SET PUBLIC HEARING DATES.

(5) FOLLOWING THE SUBSTANTIVE REVIEW PERIOD, PUBLIC HEARINGS, UP TO AND INCLUDING CITY

COUNCIL, SHALL BE CONDUCTED AS PROVIDED IN SECTION 506.

c. ADMINISTRATIVE COMPLETENESS REVIEW.

(1) FOR REZONING APPLICATIONS REQUESTING REZONING TO OR FROM HP, HP-L, OR PUD, OR APPLICATIONS FOR PROPERTIES CURRENTLY DESIGNATED AS HISTORIC ON THE NATIONAL REGISTER OF HISTORIC PLACES, STAFF SHALL REVIEW EACH APPLICATION FOR COMPLETENESS IN THE MANNER OUTLINED IN THE APPLICATION PACKET PUBLISHED ON THE CITY OF PHOENIX WEBSITE.

(2) FOR ALL OTHER REZONING APPLICATIONS, STAFF SHALL CONDUCT AN ADMINISTRATIVE COMPLETENESS REVIEW AS FOLLOWS:

(a) STAFF SHALL CONDUCT THE ADMINISTRATIVE COMPLETENESS REVIEW WITHIN 30 DAYS OF SUBMISSION.

(b) IF AN APPLICATION IS NOT ADMINISTRATIVELY COMPLETE, STAFF SHALL PROVIDE THE APPLICANT WITH A NOTICE THAT INCLUDES A COMPREHENSIVE LIST OF THE SPECIFIC DEFICIENCIES.

(i) ONCE THE NOTICE IS ISSUED, THE APPLICANT SHALL RESUBMIT THE APPLICATION, ADDRESSING ALL DEFICIENCIES. IF NOT RESUBMITTED WITHIN 15 DAYS OF ISSUANCE OF THE NOTICE, THE APPLICATION MAY BE CONSIDERED VOID AND APPLICATION FEES REFUNDED, MINUS AN ADMINISTRATIVE CHARGE.

(ii) FOR A RESUBMITTED APPLICATION, STAFF SHALL CONDUCT ANOTHER ADMINISTRATIVE COMPLETENESS REVIEW WITHIN 15 DAYS OF RECEIPT TO DETERMINE WHETHER ALL DEFICIENCIES HAVE BEEN RESOLVED.

(iii) IF A RESUBMITTED APPLICATION IS STILL NOT ADMINISTRATIVELY COMPLETE, STEPS (i) AND (ii) SHALL BE REPEATED UNTIL THE

APPLICATION IS ADMINISTRATIVELY COMPLETE, OR THE APPLICATION IS WITHDRAWN.

(3) WHEN AN APPLICATION IS DEEMED ADMINISTRATIVELY COMPLETE, THE CITY SHALL ISSUE A NOTICE OF ADMINISTRATIVE COMPLETENESS TO THE APPLICANT.

d. SUBSTANTIVE REVIEW. ALL REZONING APPLICATIONS SHALL BEGIN THE SUBSTANTIVE REVIEW PROCESS ONCE DETERMINED TO BE ADMINISTRATIVELY COMPLETE. THE SUBSTANTIVE REVIEW INCLUDES, BUT IS NOT LIMITED TO, THE FOLLOWING:

(1) STAFF EVALUATION OF THE REQUEST RELATED TO ADOPTED CODES, ORDINANCES, AND POLICIES.

(2) NEIGHBORHOOD MEETINGS, IF REQUIRED.

(3) POST-APPLICATION MEETING WITH STAFF, WHERE THE REQUIRED PUBLIC HEARING DATES ARE SET.

(4) REQUIRED PUBLIC NOTIFICATION.

e. APPLICATION REVIEW TIMEFRAMES.

(1) FOR REZONING APPLICATIONS REQUESTING REZONING TO OR FROM HP, HP-L, OR PUD, OR APPLICATIONS FOR PROPERTIES CURRENTLY DESIGNATED AS HISTORIC ON THE NATIONAL REGISTER OF HISTORIC PLACES, THE SUBSTANTIVE REVIEW AND PUBLIC HEARINGS SHALL BE CONDUCTED PER THE TIMEFRAMES OUTLINED IN THE APPLICATION PACKET PUBLISHED ON THE CITY OF PHOENIX WEBSITE.

(2) FOR ALL OTHER REZONING APPLICATIONS, THE SUBSTANTIVE REVIEW SHALL BEGIN A 180-DAY PERIOD WITHIN WHICH THE SUBSTANTIVE REVIEW AND ALL REQUIRED PUBLIC HEARINGS SHALL BE CONDUCTED. THE CITY COUNCIL MUST APPROVE OR DENY AN APPLICATION BEFORE THE END OF THE 180-DAY PERIOD, WITH THE FOLLOWING EXCEPTIONS:

(a) FOR EXTENUATING CIRCUMSTANCES, THE CITY MAY EXTEND THE REVIEW PERIOD ONCE, FOR NOT MORE THAN 30 DAYS.

(b) AT THE REQUEST OF THE APPLICANT, THE CITY MAY GRANT EXTENSIONS OF THE REVIEW PERIOD IN INCREMENTS OF 30 DAYS.

f. ~~At the applicant's request, the formal Planning and Development Department review may be postponed for up to ninety days from the date the application was filed. In the event the applicant is unable to submit the above-referenced materials within the ninety-day period, the application shall be considered terminated and all fees paid by the applicant shall be forfeited.~~ IN THE EVENT THAT AN APPLICATION IS WITHDRAWN, NO FEES SHALL BE REFUNDED UNLESS OTHERWISE INDICATED BY ADOPTED PLANNING AND DEVELOPMENT DEPARTMENT POLICIES.

***

Approved: _____
Alan Stephenson, Deputy City Manager

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING 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 5, SECTION 506 (TEXT AMENDMENTS AND REZONINGS) TO ADDRESS CHANGES TO THE ARIZONA REVISED STATUTES REGARDING AN EXEMPTION FOR GOVERNMENT OWNED PROPERTIES WHEN PROCESSING WRITTEN PROTEST PETITIONS FOR THE THREE-FOURTHS VOTES AND REZONING APPLICATION REVIEW TIMEFRAMES.

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

SECTION 1: Chapter 5, Section 506 (Text Amendments and Rezonings), is hereby amended to read as follows:

Section 506. Text amendments and rezonings.

A. **Amendments.**

***

9. In the event that a written protest against a proposed amendment is filed in the office of the City Clerk, or the City Clerk's designee, no later than seven days following Planning Commission action by the owners of 20 percent or more of the property by area and number of lots, tracts and condominium units within the zoning petition area, EXCLUDING GOVERNMENT OWNED PROPERTY, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the City Council of the City of Phoenix. If any members of the City Council are unable to vote on any such amendment because of a conflict of interest, then the required number of votes for passage of such amendment shall be three-fourths of

the remaining membership of the City Council; provided, that such required number of votes shall not be less than a majority of the full membership of the City Council. For the purposes of this section, the percentage of the favorable vote shall be rounded to the nearest whole number.

***

B. **Rezonings.**

***

5. REZONING APPLICATIONS. No application for a change of zone shall be set for public hearing until a formal Planning and Development Department review of the application has taken place, ~~and the applicant has submitted all the following materials in a form acceptable to the Planning and Development Department, unless submission of the specific item is waived by the Planning and Development Department.~~

a. APPLICATION. A REZONING APPLICATION SHALL INCLUDE, BUT NOT BE LIMITED TO, THE ITEMS LISTED BELOW UNLESS WAIVED BY STAFF. ADDITIONAL MATERIALS MAY BE REQUESTED BY STAFF WHEN PERTINENT TO THE REZONING REQUEST:

~~a.~~ (1) Legal description.

~~b.~~ (2) ~~Letter of authorization to file.~~ WRITTEN AUTHORIZATION TO FILE FROM PROPERTY OWNER.

~~c.~~ (3) Filing fee.

~~d.~~ (4) Map OR OTHER DOCUMENTATION to include the following:

~~(1)~~ (a) Parcel identification.

~~(2)~~ (b) Existing zoning and uses on-site and adjacent property.

~~(3)~~ (c) Intensity and/or density proposals.

~~(4)~~ (d) Traffic and parking study, if required by Planning and Development Department.

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~~(5)~~ (e) Phasing schedule.

~~(6)~~ (f) Statement on conformance to existing adopted City plans.

~~(7)~~ (g) Ownership map of property owners within three hundred feet or nearest residence in all directions. This shall be the most current ownership information supplied through the Maricopa County Assessor's office.

~~(8)~~ (h) Infrastructure: existing and proposed.

~~e.~~ (5) Site plan and building elevations.

~~(1)~~ (a) Building configuration and heights.

~~(2)~~ (b) Setbacks.

~~(3)~~ (c) Landscaped areas.

~~(4)~~ (d) Appropriate calculations. e.g., parking, lot coverage.

~~(5)~~ (e) Access points and modifications to existing street improvements.

~~(6)~~ (f) Street names, north point, date, right-of-way.

b. APPLICATION REVIEW PROCESS.

(1) PRIOR TO SUBMITTING AN APPLICATION FOR REZONING, THE APPLICANT SHALL REQUEST AND ATTEND TWO SEPARATE MEETINGS: A REZONING PRE-APPLICATION MEETING, AND A DEVELOPMENT PRE-APPLICATION MEETING, UNLESS WAIVED BY THE PLANNING DIRECTOR.

(2) AFTER COMPLETING ANY REQUIRED PRE-APPLICATION MEETINGS, A REZONING APPLICATION MAY BE SUBMITTED WITH APPROPRIATE FEES AS PROVIDED IN APPENDIX A, ZONING FEE SCHEDULE.

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(3) ONCE AN APPLICATION HAS BEEN SUBMITTED, THE ADMINISTRATIVE COMPLETENESS REVIEW PERIOD SHALL BEGIN, WHERE STAFF WILL DETERMINE IF THE APPLICATION INCLUDES ALL REQUIRED INFORMATION.

(4) ONCE AN APPLICATION HAS BEEN DETERMINED TO BE ADMINISTRATIVELY COMPLETE, THE SUBSTANTIVE REVIEW PERIOD SHALL BEGIN, WHERE STAFF EVALUATE THE REZONING REQUEST AND SET PUBLIC HEARING DATES.

(5) FOLLOWING THE SUBSTANTIVE REVIEW PERIOD, PUBLIC HEARINGS, UP TO AND INCLUDING CITY COUNCIL, SHALL BE CONDUCTED AS PROVIDED IN SECTION 506.

c. ADMINISTRATIVE COMPLETENESS REVIEW.

(1) FOR REZONING APPLICATIONS REQUESTING REZONING TO OR FROM HP, HP-L, OR PUD, OR APPLICATIONS FOR PROPERTIES CURRENTLY DESIGNATED AS HISTORIC ON THE NATIONAL REGISTER OF HISTORIC PLACES, STAFF SHALL REVIEW EACH APPLICATION FOR COMPLETENESS IN THE MANNER OUTLINED IN THE APPLICATION PACKET PUBLISHED ON THE CITY OF PHOENIX WEBSITE.

(2) FOR ALL OTHER REZONING APPLICATIONS, STAFF SHALL CONDUCT AN ADMINISTRATIVE COMPLETENESS REVIEW AS FOLLOWS:

(a) STAFF SHALL CONDUCT THE ADMINISTRATIVE COMPLETENESS REVIEW WITHIN 30 DAYS OF SUBMISSION.

(b) IF AN APPLICATION IS NOT ADMINISTRATIVELY COMPLETE, STAFF SHALL PROVIDE THE APPLICANT WITH A NOTICE THAT INCLUDES A COMPREHENSIVE LIST OF THE SPECIFIC DEFICIENCIES.

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(i) ONCE THE NOTICE IS ISSUED, THE APPLICANT SHALL RESUBMIT THE APPLICATION, ADDRESSING ALL DEFICIENCIES. IF NOT RESUBMITTED WITHIN 15 DAYS OF ISSUANCE OF THE NOTICE, THE APPLICATION MAY BE CONSIDERED VOID AND APPLICATION FEES REFUNDED, MINUS AN ADMINISTRATIVE CHARGE.

(ii) FOR A RESUBMITTED APPLICATION, STAFF SHALL CONDUCT ANOTHER ADMINISTRATIVE COMPLETENESS REVIEW WITHIN 15 DAYS OF RECEIPT TO DETERMINE WHETHER ALL DEFICIENCIES HAVE BEEN RESOLVED.

(iii) IF A RESUBMITTED APPLICATION IS STILL NOT ADMINISTRATIVELY COMPLETE, STEPS (i) AND (ii) SHALL BE REPEATED UNTIL THE APPLICATION IS ADMINISTRATIVELY COMPLETE, OR THE APPLICATION IS WITHDRAWN.

(3) WHEN AN APPLICATION IS DEEMED ADMINISTRATIVELY COMPLETE, THE CITY SHALL ISSUE A NOTICE OF ADMINISTRATIVE COMPLETENESS TO THE APPLICANT.

d. SUBSTANTIVE REVIEW. ALL REZONING APPLICATIONS SHALL BEGIN THE SUBSTANTIVE REVIEW PROCESS ONCE DETERMINED TO BE ADMINISTRATIVELY COMPLETE. THE SUBSTANTIVE REVIEW INCLUDES, BUT IS NOT LIMITED TO, THE FOLLOWING:

(1) STAFF EVALUATION OF THE REQUEST RELATED TO ADOPTED CODES, ORDINANCES, AND POLICIES.

(2) NEIGHBORHOOD MEETINGS, IF REQUIRED.

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(3) POST-APPLICATION MEETING WITH STAFF, WHERE THE REQUIRED PUBLIC HEARING DATES ARE SET.

(4) REQUIRED PUBLIC NOTIFICATION.

e. APPLICATION REVIEW TIMEFRAMES.

(1) FOR REZONING APPLICATIONS REQUESTING REZONING TO OR FROM HP, HP-L, OR PUD, OR APPLICATIONS FOR PROPERTIES CURRENTLY DESIGNATED AS HISTORIC ON THE NATIONAL REGISTER OF HISTORIC PLACES, THE SUBSTANTIVE REVIEW AND PUBLIC HEARINGS SHALL BE CONDUCTED PER THE TIMEFRAMES OUTLINED IN THE APPLICATION PACKET PUBLISHED ON THE CITY OF PHOENIX WEBSITE.

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f. ~~At the applicant's request, the formal Planning and Development Department review may be postponed for up to ninety days from the date the application was filed. In the event the applicant is unable to submit the above-referenced materials within the ninety-day period, the application shall be considered terminated and all fees paid by the applicant shall be forfeited.~~ IN THE EVENT THAT AN APPLICATION IS WITHDRAWN, NO FEES SHALL BE REFUNDED UNLESS OTHERWISE INDICATED BY ADOPTED PLANNING AND DEVELOPMENT DEPARTMENT POLICIES.

***

PASSED by the Council of the City of Phoenix this 13th day of November, 2024.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

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

By:
_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

DRAFT

ATTACHMENT B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report
Zoning Ordinance Text Amendment
Z-TA-8-24-Y
September 30, 2024

Application No. Z-TA-8-24-Y: Amend Chapter 5, Section 506 (Text Amendments and Rezonings) of the Phoenix Zoning Ordinance to address changes to the Arizona Revised Statutes regarding an exemption for government owned properties when processing written protest petitions for the three-fourths votes and rezoning application review timeframes (Senate Bill 1162).

Staff recommendation: Staff recommends approval of Z-TA-8-24-Y as shown in the proposed text in Exhibit A.

BACKGROUND AND PURPOSE

This text amendment is a response to Senate Bill 1162, approved by the Fifty-Sixth Legislature, Second Session (2024) which included provisions that modified the Arizona Revised Statutes to require municipalities to add an exemption for government owned properties when processing written protest petitions for the three-fourths voting requirement, and to impose rezoning application review timeframes. This text amendment will bring City of Phoenix zoning regulations in compliance with the modified State regulations.

SB 1162 also requires municipalities to adopt these new provisions on or before January 1, 2025.

PROPOSAL

Staff recommend changes to Chapter 5, Section 506 of the Phoenix Zoning Ordinance to comply with the provisions of SB 1162, together with a few minor formatting changes.

DESCRIPTION OF THE PROPOSED TEXT

The proposed text amendment includes two main components, both in Section 506: 1) addition of the exemption for government owned properties as related to written protest petitions, and 2) revision of the rezoning application review process to comply with timeframes mandated by SB 1162.

1. Government Owned Property Exemption

SB 1162 modified Arizona Revised Statutes §9-462.04 to add a new exemption (shown in capitals) and now reads as follows:

H. If the owners of twenty percent or more of the property by area and number of lots, tracts and condominium units within the zoning area of the affected property, EXCLUDING GOVERNMENT OWNED PROPERTY, file a protest in writing against a proposed amendment, the change shall not become effective except by the favorable vote of three-fourths of all members of the governing body of the municipality.

Section 506.A.9 of the Zoning Ordinance has therefore been updated to match (change shown in capitals):

506.A.9 In the event that a written protest against a proposed amendment is filed in the office of the City Clerk, or the City Clerk's designee, no later than seven days following Planning Commission action by the owners of 20 percent or more of the property by area and number of lots, tracts and condominium units within the zoning petition area, EXCLUDING GOVERNMENT OWNED PROPERTY, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the City Council of the City of Phoenix.

2. <u>Revision of the Rezoning Application Review Process</u>

SB 1162 modified the Arizona Revised Statutes to add a new section §9-462.13, which imposes timeframes for rezoning applications, as follows:

- 30 days for initial Administrative Completeness review;
- 15 days for resubmitted Administrative Completeness review;
- 180 days to either approve or deny application after application deemed Administratively complete.

The modifications by SB 1162 exempt historic districts/properties and Planned Unit Developments (PUD) from these timeframes. The modifications also address extensions to the prescribed timeframes, in a very restricted manner, as follows:

- The City may initiate a single 30-day extension beyond the 180 days, for "extenuating circumstances", which are not defined in the modified statute.
- The applicant may request multiple extensions which may be granted by the City, but each extension is limited to 30 days.

Section 506.B.5 has therefore been revised to comply with the timeframe requirements of SB 1162, as shown in the attached Exhibit A.

CONCLUSION
The proposed amendment to the Zoning Ordinance, provided in Exhibit A, will bring the City into compliance with the requirements of SB 1162.

Staff recommends approval of the changes to the Zoning Ordinance as proposed in Exhibit A.

Writer
C. DePerro
September 30, 2024

Exhibit

A. Proposed Language

Exhibit A

Staff proposed language that may be modified during the public hearing process is as follows:

Amend Chapter 5, Section 506 (Text amendments and rezonings) as follows:

Section 506. Text amendments and rezonings.

A. **Amendments.**

***

9. In the event that a written protest against a proposed amendment is filed in the office of the City Clerk, or the City Clerk's designee, no later than seven days following Planning Commission action by the owners of 20 percent or more of the property by area and number of lots, tracts and condominium units within the zoning petition area, EXCLUDING GOVERNMENT OWNED PROPERTY, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the City Council of the City of Phoenix. If any members of the City Council are unable to vote on any such amendment because of a conflict of interest, then the required number of votes for passage of such amendment shall be three-fourths of the remaining membership of the City Council; provided, that such required number of votes shall not be less than a majority of the full membership of the City Council. For the purposes of this section, the percentage of the favorable vote shall be rounded to the nearest whole number.

***

B. **Rezonings.**

***

5. REZONING APPLICATIONS. No application for a change of zone shall be set for public hearing until a formal Planning and Development Department review of the application has taken place. ~~and the applicant has submitted all the following materials in a form acceptable to the Planning and Development Department, unless submission of the specific item is waived by the Planning and Development Department.~~

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