

City of Phoenix

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



City of Phoenix

Agenda

Monday, July 1, 2024

10:00 AM

phoenix.gov

City Council Formal Meeting

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=e738b8257960ff20cf1b3f69284dd6756>

- 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 2552 180 9781# (for English) or 2555 755 5183# (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 2555 755 5183#. 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 2555 755 5183#). 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

MINUTES OF MEETINGS

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Attachments

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[Attachment C - VPC Summary - GPA-SM 13-23-8.pdf](#)

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- 67 **Public Hearing - Amend Downtown Code - Ordinance Adoption - Text Amendment Application Z-TA-10-23-7 (Ordinance G-7284)** District 7 - Page 344

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[Attachment A - PHO Stipulations - PHO-2-24--Z-86-06-6.docx](#)

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**69 (CONTINUED FROM JUNE 12, 2024) - Public Hearing
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Attachments

[Attachment A - Draft Ordinance - Z-SP-6-23-8.pdf](#)

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[Attachment C - VPC Summaries - Z-SP-6-23-8.pdf](#)

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[Attachment G - Correspondence Link - Z-SP-6-23-8.pdf](#)

[Item 146-Continuance Memo.pdf](#)

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

ADJOURN

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 7/1/2024, Item No. 1

For Approval or Correction, the Minutes of the Formal Meeting on April 20, 2022

Summary

This item transmits the minutes of the Formal Meeting of April 20, 2022, for review, correction and/or approval by the City Council.

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

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 7/1/2024, Item No. 2

For Approval or Correction, the Minutes of the Formal Meeting on May 11, 2022

Summary

This item transmits the minutes of the Formal Meeting of May 11, 2022, for review, correction and/or approval by the City Council.

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

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 7/1/2024, Item No. 3

For Approval or Correction, the Minutes of the Formal Meeting on May 25, 2022

Summary

This item transmits the minutes of the Formal Meeting of May 25, 2022, for review, correction and/or approval by the City Council.

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

Responsible Department

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

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 7/1/2024, Item No. 4

For Approval or Correction, the Minutes of the Formal Meeting on Sept. 20, 2023

Summary

This item transmits the minutes of the Formal Meeting of Sept. 20, 2023, for review, correction and/or approval by the City Council.

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

Responsible Department

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



Report

Agenda Date: 7/1/2024, 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
From: Mayor Kate Gallego

Date: July 1, 2024

Subject: BOARDS AND COMMISSIONS – APPOINTEES

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

Citizens Transportation Commission

Councilman Jim Waring recommends the following for reappointment:

Joan Berry

Ms. Berry will serve her second term to expire June 30, 2027.

Councilman Galindo-Elvira recommends the following for reappointment:

Carolyn Chatman

Ms. Chatman will serve her second term to expire June 30, 2027.

Vice Mayor Debra Stark recommends the following for reappointment:

David Moody

Mr. Moody will serve his second term to expire June 30, 2027.

Councilwoman Ann O'Brien recommends the following for reappointment:

Christina Panaitescu

Ms. Panaitescu will serve her second term to expire June 30, 2027.

Councilwoman Betty Guardado recommends the following for appointment:

Darlene Vallo

Ms. Vallo is a Neighborhood Leader and resident of District 5. She replaces Shannon McBride for a term to expire June 30, 2027.

Civil Service Board

I recommend the following for appointment:

Cris Meyer

Mr. Meyer is a retiree and resident of District 2. He fills a vacancy a for a term to expire July 1, 2027.

Dana Naimark

Ms. Naimark is a Consultant at Wolfe Naimark Policy and Strategy and a resident of District 7. She fills a vacancy for a term to expire July 1, 2027.

Development Advisory Board

I recommend the following for appointment:

Steve Petrie

Mr. Petrie is the Assistant Fire Marshal at the City of Phoenix. He replaces John Mertens as a Fire Department Representative for a term to expire July 1, 2027.

Mayor's Human Trafficking Task Force

Councilman Jim Waring recommends the following for appointment:

Sherrie Cavalari

Ms. Cavalari is the Founder of Red Rover Charity S.O.S. Inc. and a resident of District 6. She fills a vacancy for a term to expire July 1, 2028.

Phoenix Aviation Advisory Board

I recommend the following for appointment:

Dan Brownlee

Mr. Brownlee is the General Manager at Southwest Airlines. He replaces Camilo Hanao as an Airline representative for a term to expire October 7, 2025.

Public Safety Personnel Retirement System Local Fire Pension Board

I recommend the following for appointment:

Brian Saylor

Mr. Saylor was elected to the PSPRS Local Fire Pension Board to serve as a representative of sworn Fire Department employees and is a Fire Engineer with the City of Phoenix Fire Department. He replaces Brian Moore for a term to expire June 30, 2028.

Public Safety Personnel Retirement System Local Police Pension Board

I recommend the following for reappointment:

Mark Schweikert

Mr. Schweikert was re-elected to the PSPRS Local Police Pension Board to serve as a representative of sworn Police Department employees and is a Lieutenant with the City of Phoenix Police Department. He will serve his second term to expire on June 30, 2028.



Liquor License - Special Event - Give 'Em A Break Foundation, Inc. (Nov. 1-3)

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

Summary

Applicant

Patrick Murphy

Location

3901 W. Pioneer Road

Council District: 1

Function

Festival

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

Nov. 1, 2024 - 3 p.m. to 11 p.m. / 1,500 attendees

Nov. 2, 2024 - 3 p.m. to 11 p.m. / 1,500 attendees

Nov. 3, 2024 - 3 p.m. to 11 p.m. / 1,500 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Special Event - Give 'Em A Break Foundation, Inc. (Nov. 7-10)

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

Summary

Applicant

Patrick Murphy

Location

3901 W. Pioneer Road
Council District: 1

Function

Festival

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

Nov. 7, 2024 - 3 p.m. to 11 p.m. / 1,500 attendees
Nov. 8, 2024 - 3 p.m. to 11 p.m. / 1,500 attendees
Nov. 9, 2024 - 3 p.m. to 11 p.m. / 1,500 attendees
Nov. 10, 2024 - 3 p.m. to 11 p.m. / 1,500 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Special Event - Give 'Em A Break Foundation, Inc. (Nov. 14-16)

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

Summary

Applicant

Patrick Murphy

Location

3901 W. Pioneer Road

Council District: 1

Function

Festival

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

Nov. 14, 2024 - 3 p.m. to 11 p.m. / 1,500 attendees

Nov. 15, 2024 - 3 p.m. to 11 p.m. / 1,500 attendees

Nov. 16, 2024 - 3 p.m. to 11 p.m. / 1,500 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Toso's Sports Bar & Grill

Request for a liquor license. Arizona State License Application 296618.

Summary

Applicant

Jeffrey Miller, Agent

License Type

Series 6 - Bar

Location

2401 W. Union Hills Dr.
Zoning Classification: C-1
Council District: 1

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

The 60-day limit for processing this application is July 22, 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:
"Employees are trained in Title 4 liquor law training and meetings to discuss correct practices are mandatory."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Toso's Sports Bar & Grill is a full service bar offering refreshing cocktails, a wide selection of beers and wine along with a full menu of delicious eats to enjoy for dine in or take out."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Attachment - Toso's Sports Bar & Grill - Data

Attachment - Toso's Sports Bar & Grill - Map

Responsible Department

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

Liquor License Data: TOSO'S SPORTS BAR & GRILL

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	133.51	111.46
Violent Crimes	12.31	22.61	17.72

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

Property Violation Data

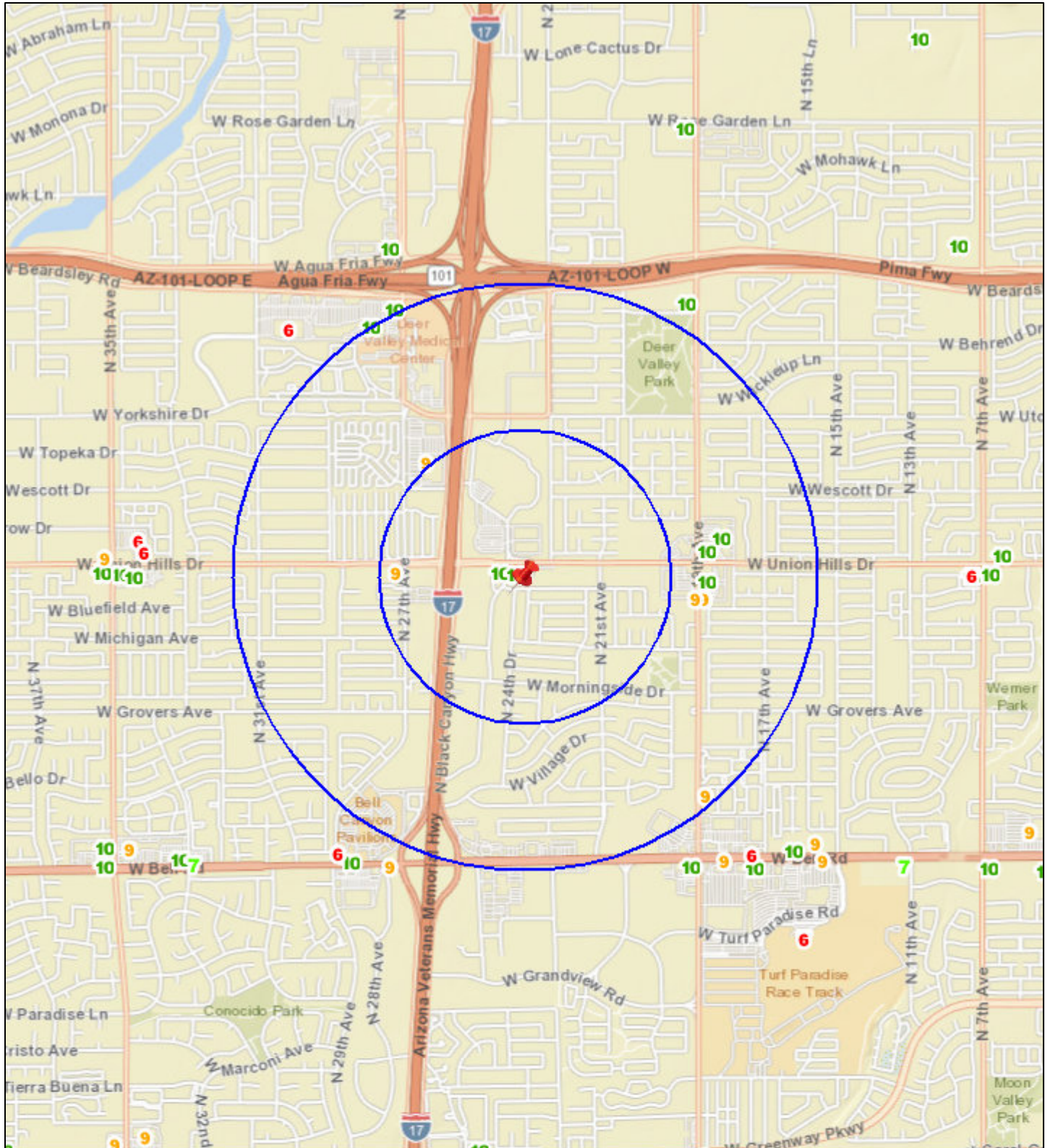
Description	Average	1/2 Mile Average
Parcels w/Violations	44	81
Total Violations	77	130

Census 2010 Data 1/2 Mile Radius

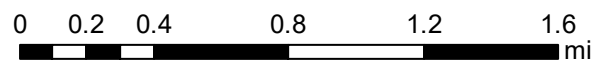
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6164002	731	97	23	9
6164003	2380	0	5	9
6165002	1061	0	34	25
6165003	1763	75	16	5
6184002	1512	69	6	5
6186001	1474	89	8	17
6186002	1570	20	22	43
6186003	1177	89	11	24
Average	0	61	13	19

Liquor License Map: TOSO'S SPORTS BAR & GRILL

2401 W UNION HILLS DR



Date: 6/25/2024





Liquor License - Valle Luna Lunatics Mexican Cantina

Request for a liquor license. Arizona State License Application 294155.

Summary

Applicant

William Riddle III, Agent

License Type

Series 12 - Restaurant

Location

25155 N. 67th Ave., Ste. 134, 136, 138

Zoning Classification: C-2

Council District: 1

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

The 60-day limit for processing this application is July 20, 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.

Valle Luna Mexican Food (Series 12)
3336 W. Bell Road, Phoenix
Calls for police service: 20
Liquor license violations: None

Valle Luna Mexican Food (Series 12)
16048 N. Cave Creek Road, Phoenix
Calls for police service: 22
Liquor license violations: None

Valle Luna Mexican Food Y Cantina (Series 12)
1949 W. Ray Road, Bldg. G-1, Chandler
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "Having been in the business for the past 40 years my success as a business person illustrates my capability and reliability to uphold the standards and moral ethics of all licenses that I currently hold with the State of Arizona, City of Phoenix, City of Chandler, and Maricopa County. I serve on the Board for the Arizona Licensed Beverage Association, as well as, a member of the Chamber of Commerce. Supporter of various non-profits fundraising for their cause and giving back to the community through various youth athletic sponsorships."

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

"Serving the community for more than 40 years, the family owned and managed restaurant will continue to serve its customers with the best quality menu and beverage service resulting in a successful family-style business. All employee staff for

the past 40 years have been trained and certified in alcohol training to ensure that policies and procedures as required by all City, County, & State agencies are fulfilled. This liquor license will enhance the restaurant menu and dining 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 - Valle Luna Lunatics Mexican Cantina - Data

Attachment - Valle Luna Lunatics Mexican Cantina - Map

Responsible Department

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

Liquor License Data: VALLE LUNA LUNATICS MEXICAN CANTINA

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	6.87	17.83
Violent Crimes	12.31	0.87	2.44

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

Property Violation Data

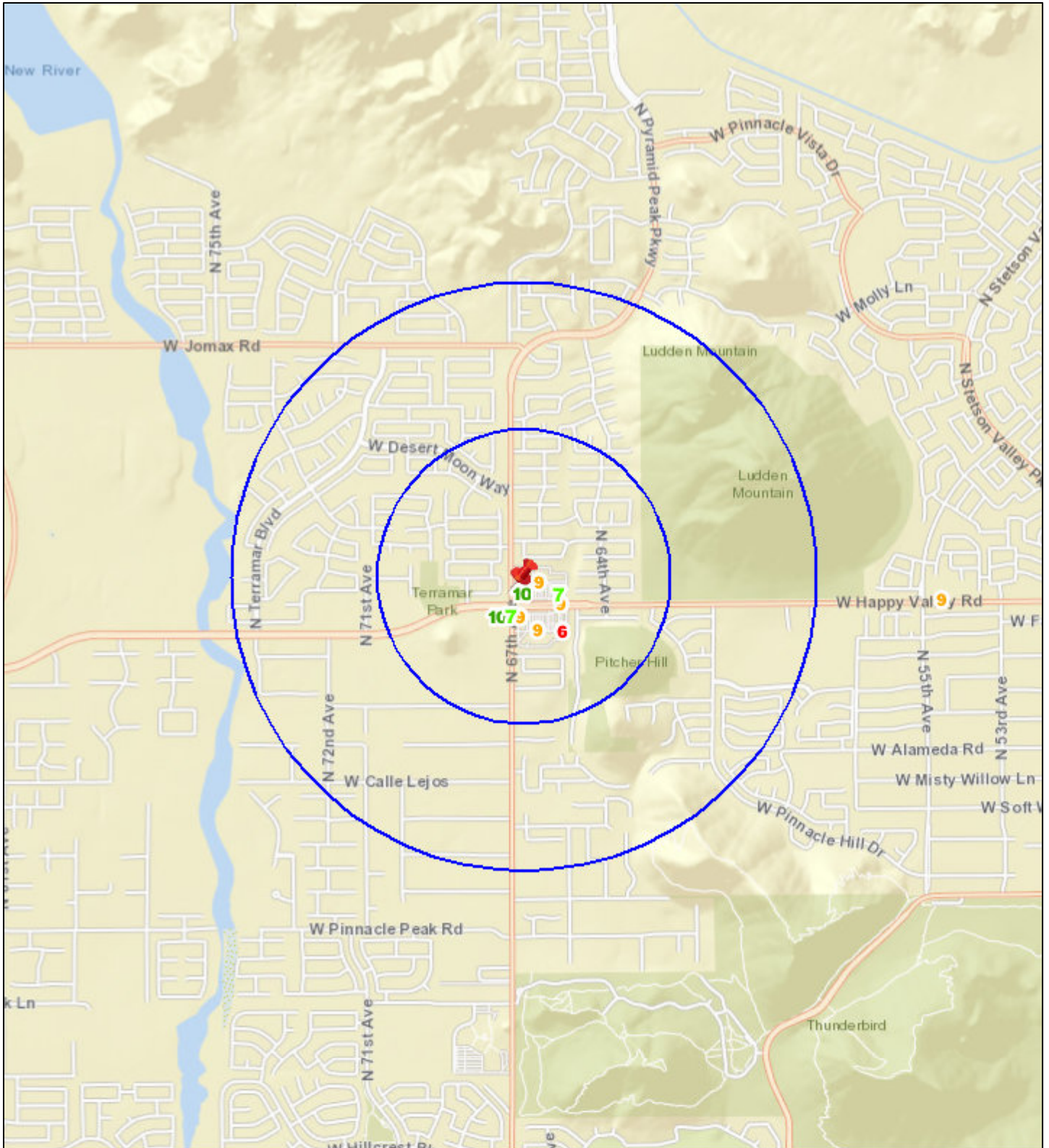
Description	Average	1/2 Mile Average
Parcels w/Violations	44	1
Total Violations	76	1

Census 2010 Data 1/2 Mile Radius

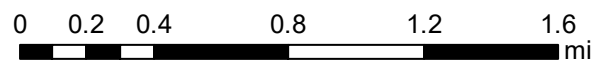
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6112001	2251	86	5	0
6112002	2619	91	4	0
6112003	905	94	0	5
6114001	2131	87	14	0
6114002	1256	81	8	11
6117001	1511	86	0	5
Average	0	61	13	19

Liquor License Map: VALLE LUNA LUNATICS MEXICAN CANTINA

25155 N 67TH AVE



Date: 6/13/2024





Liquor License - Trevor's

Request for a liquor license. Arizona State License Application 296768.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 9 - Liquor Store

Location

7000 E. Mayo Blvd, Bldg. 25
Zoning Classification: PUD PCD
Council District: 2

This request is for a new liquor license for a liquor store. This location is currently licensed for liquor sales with a Series 12 - Restaurant, a Series 7 - Beer and Wine Bar, and a Series 9S - Liquor Store with Sampling Privileges.

The 60-day limit for processing this application is July 29, 2024.

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

Other Active Liquor License Interest in Arizona

This information is not provided due to the multiple ownership interests held by the

applicant in the State of Arizona.

Public Opinion

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

Applicant's Statement

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Trevor's offers a wide-variety of beer, wine and spirits with its active series 9 liquor license. Applicant was awarded a 2nd series 9 lottery license; only one series 9 will be active."

Staff Recommendation

Staff recommends approval of this application.

Attachments

- Attachment - Trevor's - Data
- Attachment - Trevor's - Map

Responsible Department

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

Liquor License Data: TREVOR'S

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	7	5
Beer and Wine Bar	7	1	1
Liquor Store	9	2	2
Hotel	11	1	1
Restaurant	12	26	22

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	22.45	35.35
Violent Crimes	12.31	1.93	1.8

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

Property Violation Data

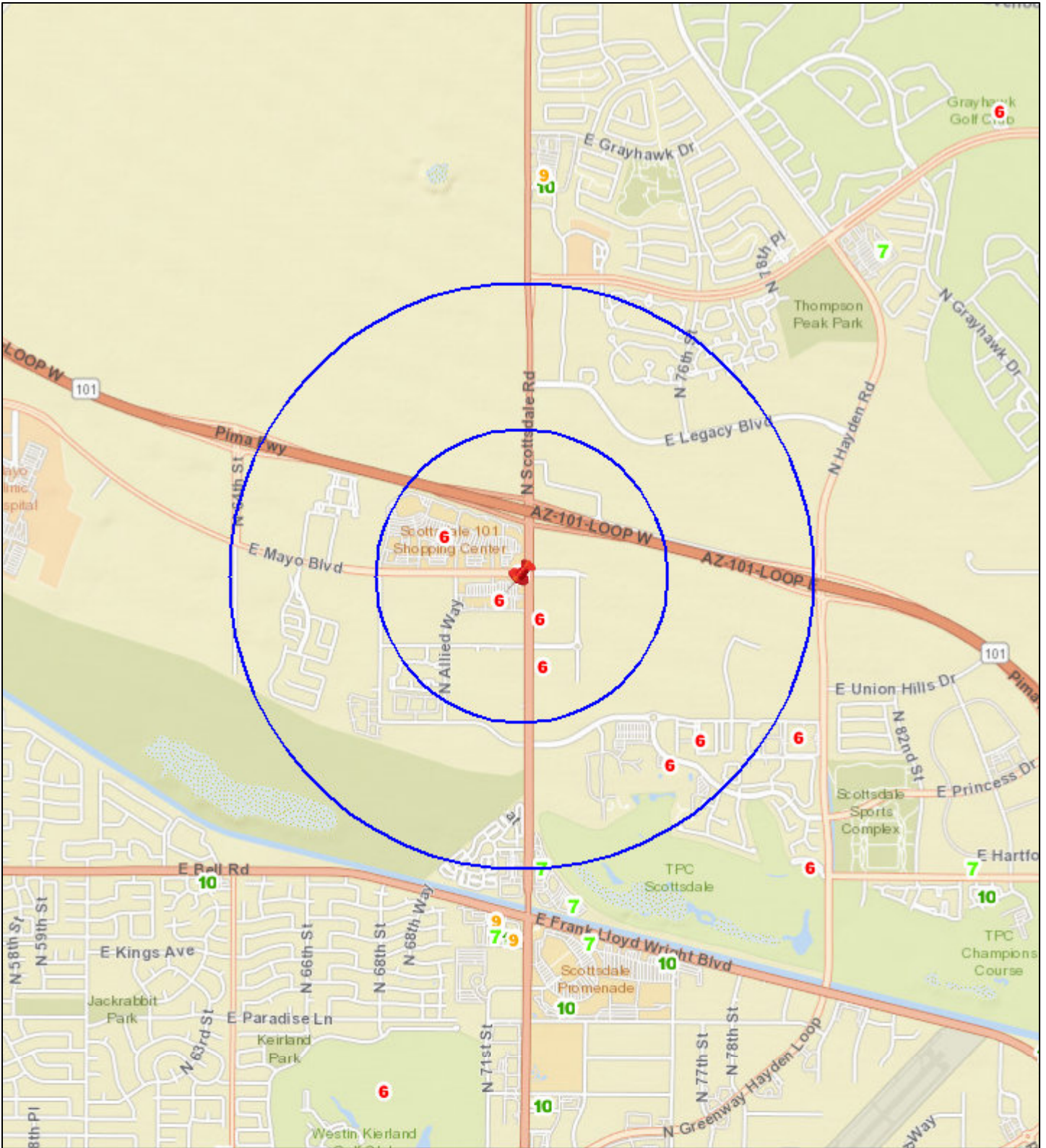
Description	Average	1/2 Mile Average
Parcels w/Violations	44	0
Total Violations	76	0

Census 2010 Data 1/2 Mile Radius

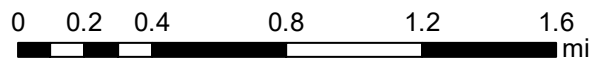
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
2168442	1681	50	43	4
2168452	694	23	38	8
6152001	1993	8	29	12
Average	0	61	13	19

Liquor License Map: TREVOR'S

7000 E MAYO BLVD



Date: 6/17/2024





Liquor License - Walker's Liquor

Request for a liquor license. Arizona State License Application 297299.

Summary

Applicant

Jared Repinski, Agent

License Type

Series 9 - Liquor Store

Location

11009 N. 19th Ave.

Zoning Classification: C-2

Council District: 3

This request is for an ownership transfer for a liquor store. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a variance to allow a drive-thru window for the sale of alcohol.

The 60-day limit for processing this application is Aug. 3, 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: information about any liquor licenses 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.

A-1 Food and Liquor Store (Series 9)
6514 W. Bethany Home Road, Glendale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

A1 Stop (Series 10)
6505 N. 59th Ave., Glendale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because:
"I have 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 economy and liquor licensed establishments (the sales 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 and gas stations) similar to this proposed liquor licensed business, all businesses will prosper."

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 - Walker's Liquor - Data

Attachment - Walker's Liquor - Map

Responsible Department

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

Liquor License Data: WALKER'S LIQUOR

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	122.53	179.29
Violent Crimes	12.31	29.69	45.01

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

Property Violation Data

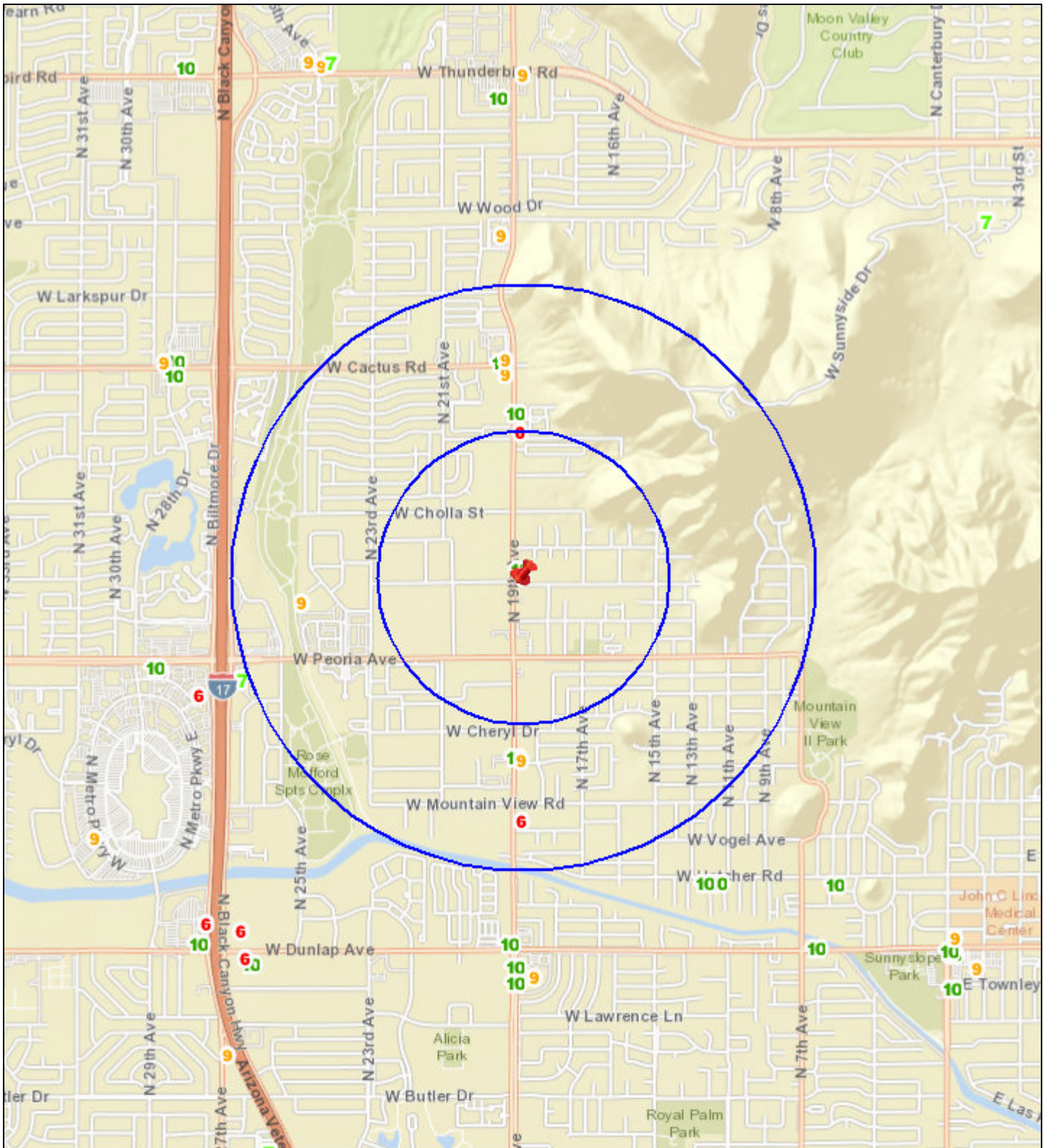
Description	Average	1/2 Mile Average
Parcels w/Violations	44	91
Total Violations	76	155

Census 2010 Data 1/2 Mile Radius

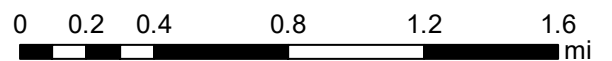
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1036151	906	52	16	12
1036152	1546	25	22	32
1036153	2183	16	25	47
1044011	2363	68	12	12
1044013	684	2	17	22
1044021	2555	24	18	15
1045023	1538	57	20	33
Average	0	61	13	19

Liquor License Map: WALKER'S LIQUOR

11009 N 19TH AVE



Date: 6/5/2024





Liquor License - 5th Avenue Cafe

Request for a liquor license. Arizona State License Application 295682.

Summary

Applicant

Juanita Esparza, Agent

License Type

Series 12 - Restaurant

Location

501 W. Thomas Road

Zoning Classification: C-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.

The 60-day limit for processing this application is July 19, 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:
"The owners of 5th Ave Cafe are committed to upholding the highest standards for it's business practices and employees. They have been trained along with all employees in all techniques of legal and responsibility & have take the Titel IV Liquor Law Training Course. Miss Alvarado Cibrian and Mr. Delgado Arias will operate and oversee all employees & will provide a safe experience for staff and patrons."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The owner's of 5th Avenue Cafe wishes to provide the public with full restaurant dining with the service of alcohol sales at the request of the patron. In addition, Miss. Alvarado Cibrian and Mr. Delgado Arias owners of 5th Avenue Cafe will responsibly adhere to all state, city and county rules and regulations."

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 - 5th Avenue Cafe - Data

Attachment - 5th Avenue Cafe - Map

Responsible Department

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

Liquor License Data: 5TH AVENUE CAFE

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	0
Government	5	2	0
Bar	6	5	2
Beer and Wine Bar	7	5	2
Liquor Store	9	4	1
Beer and Wine Store	10	10	2
Hotel	11	2	1
Restaurant	12	29	18
Club	14	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	158.3	134.71
Violent Crimes	12.31	26.56	30.14

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

Property Violation Data

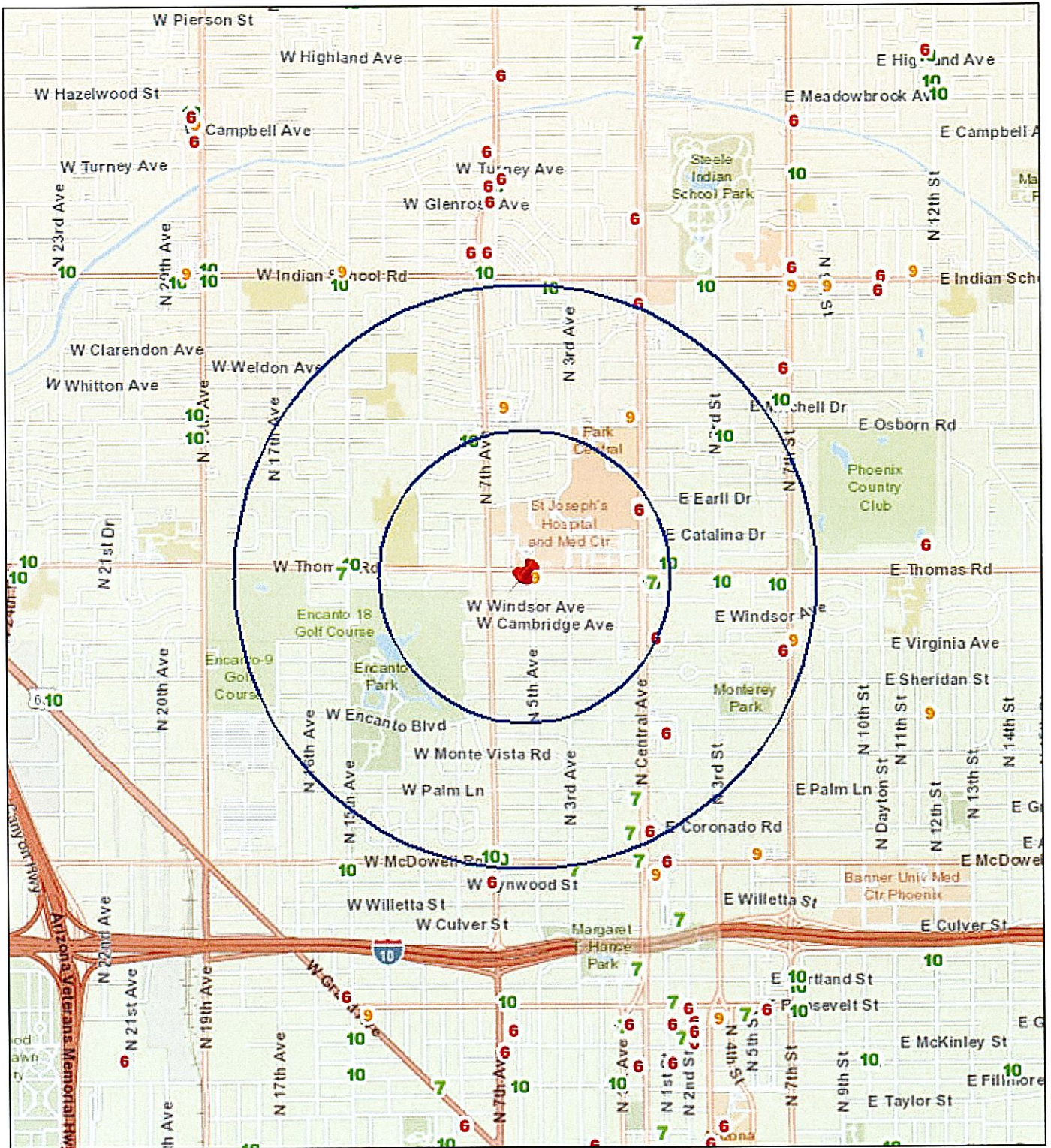
Description	Average	1/2 Mile Average
Parcels w/Violations	44	58
Total Violations	76	86

Census 2010 Data 1/2 Mile Radius

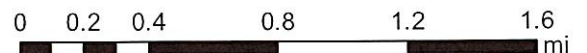
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1104002	778	35	16	12
1105013	824	16	17	40
1105022	1216	28	19	23
1118001	742	44	28	5
1118002	1030	67	9	17
1118003	996	65	15	4
1119001	678	96	8	4
1119002	899	68	5	9
Average	0	61	13	19

Liquor License Map: 5TH AVENUE CAFE

501 W THOMAS RD



Date: 5/24/2024



City Clerk Department



Liquor License - Special Event - Greek Orthodox Church - Holy Trinity

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

Summary

Applicant

Kalliopi Schneider

Location

1973 E. Maryland Ave.

Council District: 6

Function

Cultural Celebration

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

Oct. 11, 2024 - 2 p.m. to 10 p.m. / 1,500 attendees

Oct. 12, 2024 - 11 a.m. to 10 p.m. / 3,000 attendees

Oct. 13, 2024 - 11 a.m. to 8 p.m. / 2,000 attendees

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Luci's at the Orchard Splurge Orchard Tavern Orchard Events & Catering (Series 10)

Request for a liquor license. Arizona State License Application 296326.

Summary

Applicant

Theresa Moore, Agent

License Type

Series 10 - Beer and Wine Store

Location

7100 N. 12th St., Bldg. 2

Zoning Classification: C-1

Council District: 6

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

The 60-day limit for processing this application is July 28, 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 information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion

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

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling,

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

I have the capability, reliability and qualifications to hold a liquor license because: "I am the owner of several liquor licenses and have not violated any liquor laws or city ordinances. The purpose of this application is to add a partner to the existing liquor license location who has been working with me for years. He is now a percentage holder on all six of my liquor licenses. We have attended both Basic and Management Liquor Law training and will schedule Basic training for the staff as soon as possible. Nothing is changing at this location other than adding a partner (member) to fully disclose his interest in the business per State Law. We look forward to continuing to serve the community and operate within the City of Phoenix."

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Luci's At The Orchard Splurge Orchard Tavern Orchard Events & Catering (Series 12)

Request for a liquor license. Arizona State License Application 296326.

Summary

Applicant

Theresa Moore, Agent

License Type

Series 12 - Restaurant

Location

7100 N. 12th St.

Zoning Classification: C-1

Council District: 6

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 July 28, 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 information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion

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

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling,

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

I have the capability, reliability and qualifications to hold a liquor license because: "I am the owner of several liquor licenses and have not violated any liquor laws or city ordinances. The purpose of this application is to add a partner to the existing liquor license location who has been working with me for years. He is now a percentage holder on all six of my liquor licenses. We have attended both Basic and Management Liquor Law training and will schedule Basic training for the staff as soon as possible. Nothing is changing at this location other than adding a partner (member) to fully disclose his interest in the business per State Law. We look forward to continuing to serve the community and operate within the City of Phoenix."

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Luci's Marketplace The Coffee Bar & The Other Bar (Series 7)

Request for a liquor license. Arizona State License Application 296303.

Summary

Applicant

Theresa Morse, Agent

License Type

Series 7 - Beer and Wine Bar

Location

1590 E. Bethany Home Road

Zoning Classification: C-2

Council District: 6

This request is for an ownership and location transfer for a beer and wine bar. This location is currently licensed for liquor sales with a Series 12 - Restaurant and a Series 10 - Beer and Wine Store, liquor license and does not have an interim permit.

The 60-day limit for processing this application is July 21, 2024.

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

Other Active Liquor License Interest in Arizona

This information is not provided due to the multiple ownership interests held by the

applicant in the State of Arizona.

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "I am the owner of several liquor licenses and have not violated any liquor laws or city ordinances. The purpose of this application is to add a partner to the existing liquor license location who has been working with me for years. He is now a percentage holder on all six of my liquor licenses. We have attended both Basic and Management Liquor Law training and will schedule Basic training for the staff as soon as possible. Nothing is changing at this location other than adding a partner (member) to fully disclose his interest in the businesses per State Law. We look forward to continuing to serve the community and operate within the City of Phoenix."

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

"The business operation at this location will be the same with a limited amount (30%) sealed package to go from the series 7 license. The community is currently frequenting this location for dining and sealed package to go beer and wine, The package to go beer and wine sales will be tracked to not exceed 30% per year. The community is pleased to have the ability to purchase sealed beer and wine at this location instead of have to travel to a liquor store for their desired product to take home. Current liquor law has been obtained."

Staff Recommendation

Staff recommends approval of this application.

Attachments

Attachment - Luci's Marketplace The Coffee Bar & The Other Bar - Data

Attachment - Luci's Marketplace The Coffee Bar & The Other Bar - Map

Responsible Department

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

Liquor License Data: LUCI'S MARKETPLACE THE COFFEE BAR & THE OTHER BAR

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	4	2
Beer and Wine Bar	7	4	4
Liquor Store	9	2	0
Beer and Wine Store	10	7	2
Restaurant	12	24	11

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	85.13	93.73
Violent Crimes	12.31	10.42	12.31

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

Property Violation Data

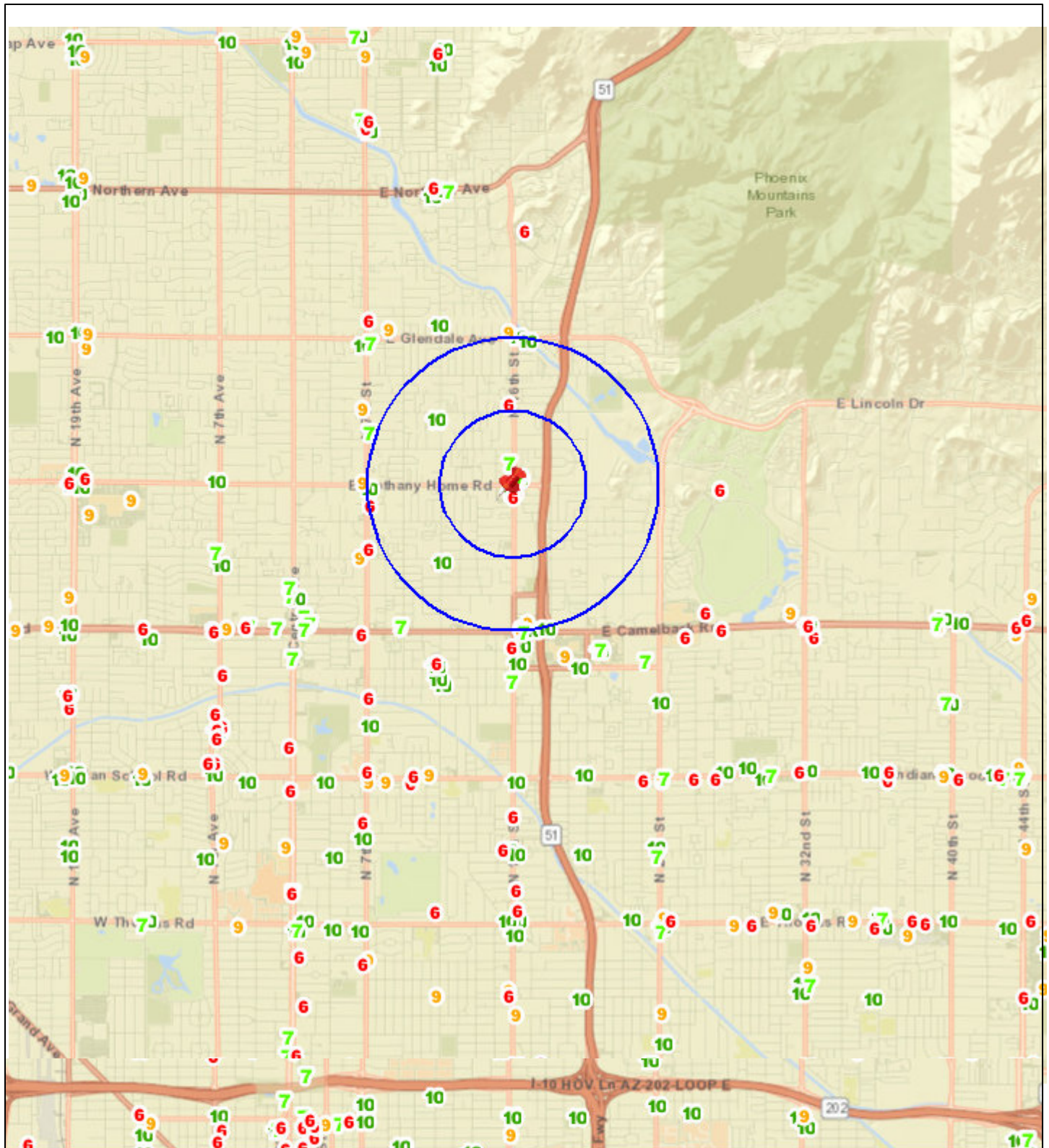
Description	Average	1/2 Mile Average
Parcels w/Violations	44	48
Total Violations	76	70

Census 2010 Data 1/2 Mile Radius

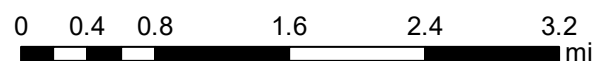
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1064001	715	84	23	9
1064002	2049	31	16	9
1065012	1594	61	18	32
1065021	1383	30	18	43
1065022	1027	85	14	4
1065023	919	56	15	10
1076012	904	38	24	23
1076021	1311	82	0	6
1077001	1222	100	2	3
1077004	526	77	27	21
Average	0	61	13	19

Liquor License Map: Luci's Marketplace The Coffee Bar & The Other Bar

1590 E BETHANY HOME RD



Date: 5/30/2024





Liquor License - Luci's Marketplace The Coffee Bar & The Other Bar (Series 12)

Request for a liquor license. Arizona State License Application 296318.

Summary

Applicant

Theresa Morse, Agent

License Type

Series 12 - Restaurant

Location

1590 E. Bethany Home Road

Zoning Classification: C-2

Council District: 6

This request is for an acquisition of control of an existing liquor license for a restaurant. This location is currently licensed for liquor sales with a Series 12 - Restaurant and a Series 10 - Beer and Wine Store, liquor license and does not have an interim permit.

The 60-day limit for processing this application is July 28, 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 information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion

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

Applicant's Statement

The applicant submitted the following statement in support of this application. Spelling,

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

I have the capability, reliability and qualifications to hold a liquor license because: “I am the owner of several liquor license and have not violated any liquor laws or city ordinances. The purpose of this application is to add a partner to the existing liquor license location who has been working with me for years. He is now a percentage holder on all six of my liquor licenses. We have attended both basic and Management Liquor Law training and will schedule Basic Training for the staff as soon as possible. Nothing is changing at this location other than adding a partner (member) to fully disclose his interest in the businesses per State Law. We look forward to continuing to serve the community and operate within the City of Phoenix .”

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Cactus Cloud Cafe

Request for a liquor license. Arizona State License Application 297220.

Summary

Applicant

Quinlan Hamann, Agent

License Type

Series 12 - Restaurant

Location

111 W. Monroe St., # 121

Zoning Classification: DTC - Business Core

Council District: 7

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

The 60-day limit for processing this application is July 29, 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: "Having worked in the restaurant industry for over a decade and having completed basic and management classes on liquor service and sales, I am capable and qualified to provide this service to the downtown community."

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

"At Cactus Cloud, we take the responsibility of following rules and regulations regarding the sale of alcohol seriously and will strive to create a safe and secure space for the community to gather and enjoy each other. The prior owner promoted safety and community at Hidden Track Cafe (former name) and served the community for many years-- We wish to assume that mantle and continue the legacy of this wonderful cafe."

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 - Cactus Cloud Cafe - Data

Attachment - Cactus Cloud Cafe - Map

Responsible Department

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

Liquor License Data: CACTUS CLOUD CAFE

Liquor License

Description	Series	1 Mile	1/2 Mile
Producer	1	1	0
Microbrewery	3	3	1
Wholesaler	4	1	0
Government	5	7	3
Bar	6	48	33
Beer and Wine Bar	7	13	6
Liquor Store	9	3	2
Beer and Wine Store	10	16	3
Hotel	11	8	7
Restaurant	12	113	54
Club	14	3	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	254.08	375.58
Violent Crimes	12.31	71.47	90.44

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

Property Violation Data

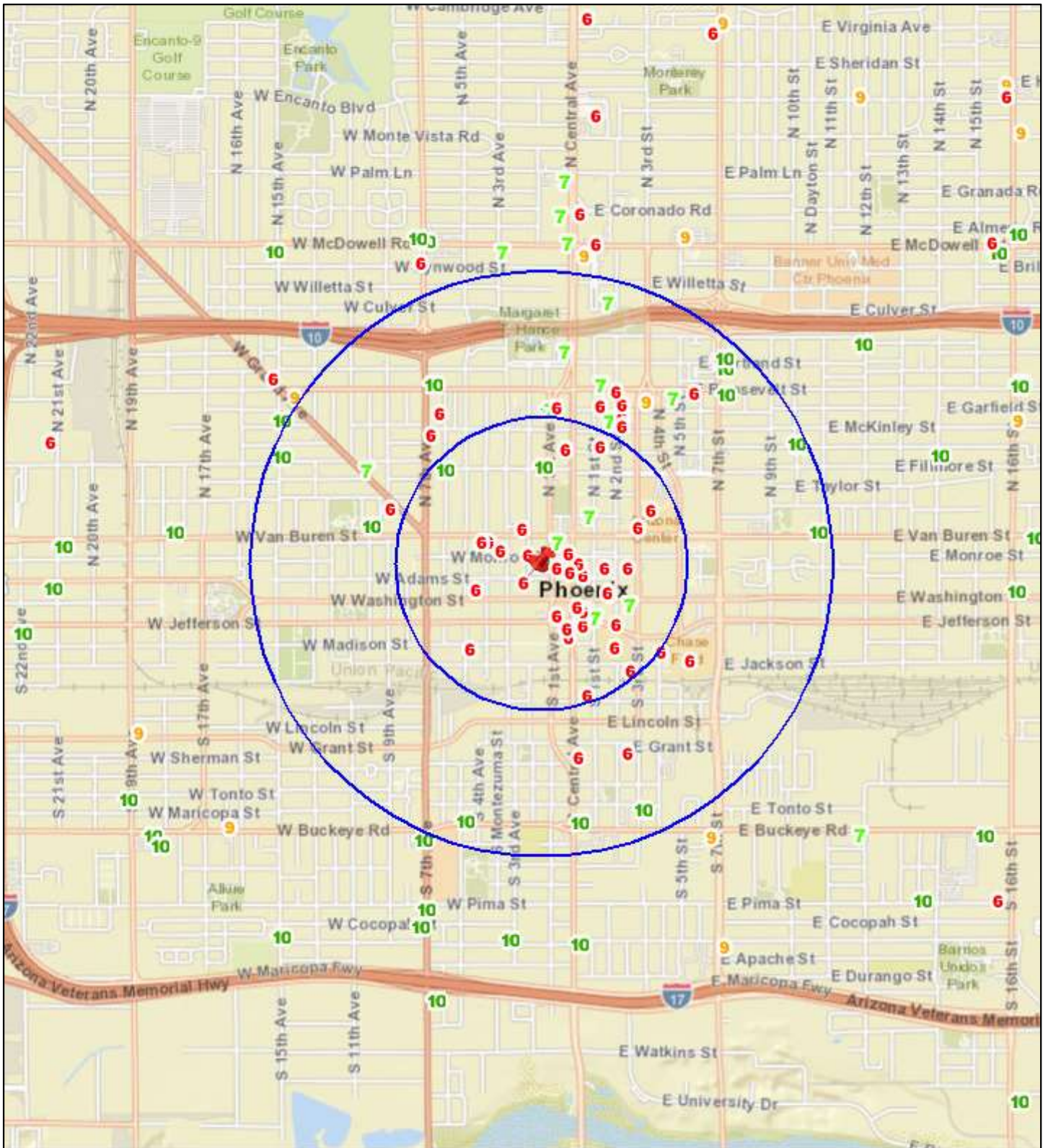
Description	Average	1/2 Mile Average
Parcels w/Violations	44	36
Total Violations	76	55

Census 2010 Data 1/2 Mile Radius

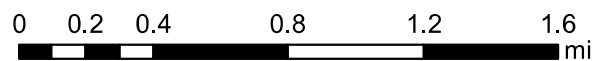
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1129002	815	37	22	24
1129003	1372	4	18	40
1131001	1015	7	8	28
1131002	1242	3	7	33
1141001	2299	16	37	44
1142001	1321	36	22	50
1143011	1389	22	15	57
Average	0	61	13	19

Liquor License Map: CACTUS CLOUD CAFE

111 W MONROE ST



Date: 5/31/2024





Liquor License - FPR Distributing Co. Inc.

Request for a liquor license. Arizona State License Application 295427.

Summary

Applicant

Ryan Anderson, Agent

License Type

Series 4 - Wholesaler

Location

431 N. 47th Ave., #59

Zoning Classification: Industrial Park

Council District: 7

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

The 60-day limit for processing this application is Aug. 3, 2024.

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

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.

FPR Distributing Co. Inc. (Series 4)

10401 W. Van Buren St., Tolleson

Calls for police service: N/A not in Phoenix

Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

I have the capability, reliability and qualifications to hold a liquor license because: "FPR Distributing Co., Inc. ("FPR") is owned by husband and wife Fabrizio Renna and Patricia D'Aquino Renna. Mr. & Mrs. Renna have been importing specialty Italian wines produced by small family-owned vineyards in rural Italy for nearly 30 years. FPR holds wholesaler/distributor licenses throughout the United States and have maintained them in good standing without any liquor violations. Mr. & Mrs. Renna have held a series 4 liquor license in Arizona for more than ten years without any violations or complaints. The current application is required only because FPR could no longer use its current warehouse and had to re-locate to a new one. Other than the location of the warehouse, nothing about the business of FPR has changed since it was last in Arizona (and throughout the United States) establishes that it has the capability, reliability and qualifications to hold a Series 4 liquor license in Arizona."

Staff Recommendation

Staff recommends approval of this application.

Responsible Department

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



Liquor License - Home2 Suites Downtown Phoenix

Request for a liquor license. Arizona State License Application 294746.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 11 - Hotel/Motel

Location

125 E. Jackson St.

Zoning Classification: PUD

Council District: 7

This request is for a new liquor license for a hotel. 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 July 29, 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.

Aloft Tucson University (Series 11)
1900 E. Speedway Blvd., Tucson
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Cardinal Winslow (Series 11)
2206 N. Park Drive, Winslow
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
“Applicant will manage Home2 Suites Downtown Phoenix and would like to continue to offer alcohol beverages.”

Staff Recommendation

Staff recommends approval of this application.

Attachments

Attachment - Home2 Suites Downtown Phoenix - Data
Attachment - Home2 Suites Downtown Phoenix - Map

Responsible Department

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

Liquor License Data: HOME2 SUITES DOWNTOWN PHOENIX

Liquor License

Description	Series	1 Mile	1/2 Mile
Producer	1	1	1
Microbrewery	3	2	0
Wholesaler	4	1	1
Government	5	4	2
Bar	6	46	27
Beer and Wine Bar	7	10	5
Liquor Store	9	4	2
Beer and Wine Store	10	12	2
Hotel	11	8	6
Restaurant	12	91	47
Club	14	3	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	225.9	232.37
Violent Crimes	12.31	66.05	50.63

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

Property Violation Data

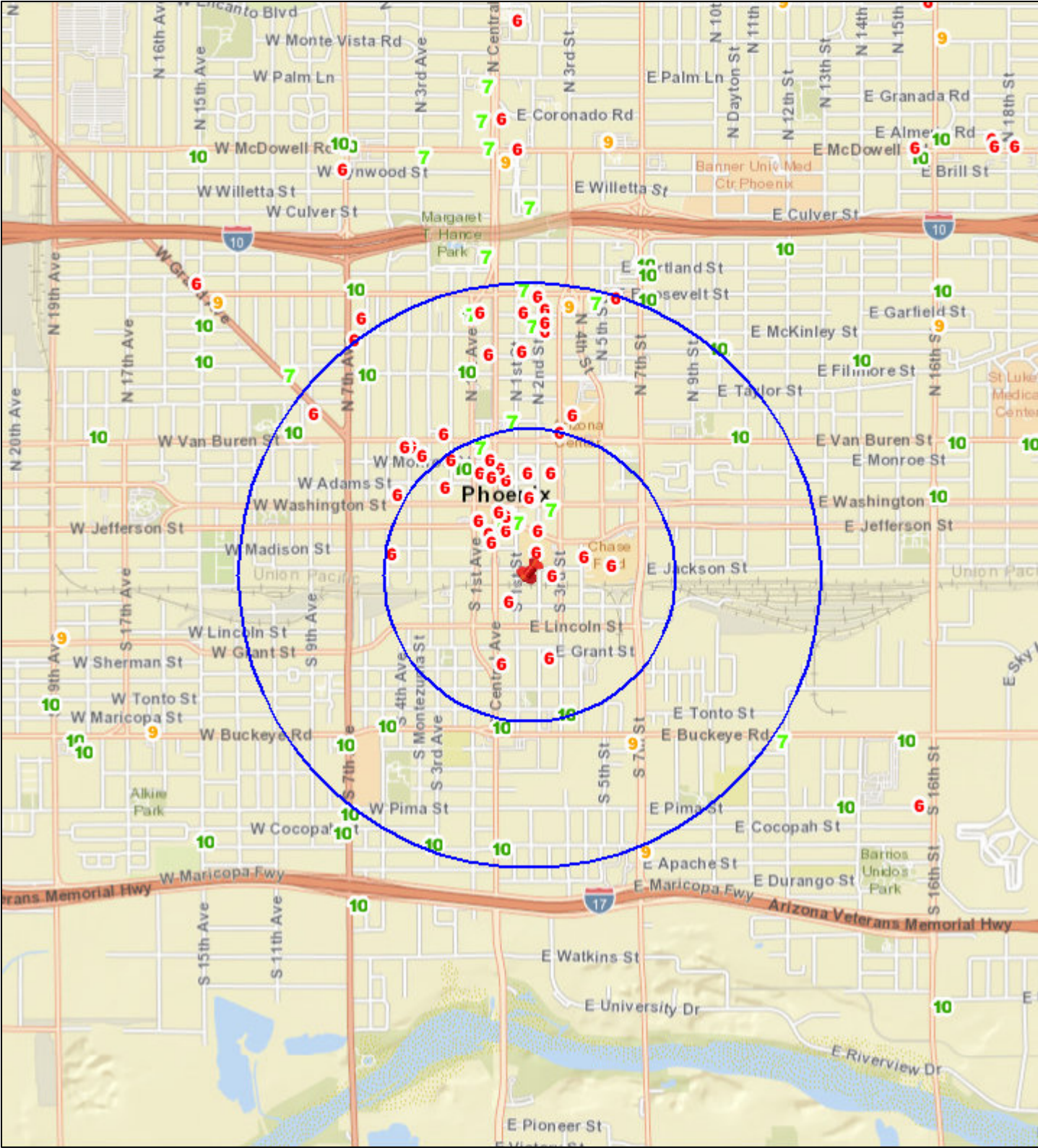
Description	Average	1/2 Mile Average
Parcels w/Violations	44	76
Total Violations	76	123

Census 2010 Data 1/2 Mile Radius

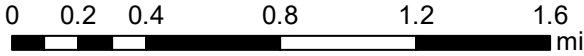
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1131002	1242	3	7	33
1140001	1831	25	20	47
1140002	78	77	0	32
1141001	2299	16	37	44
1142001	1321	36	22	50
Average	0	61	13	19

Liquor License Map: HOME2 SUITES DOWNTOWN PHOENIX

125 E JACKSON ST



Date: 6/25/2024





Liquor License - 7-ELEVEN #42313

Request for a liquor license. Arizona State License Application 296158.

Summary

Applicant

Andrea Lewkowitz, Agent

License Type

Series 10 - Beer and Wine Store

Location

1802 S. 7th St.

Zoning Classification: A-1

Council District: 8

This request is for a new liquor license for a convenience store that does not sell gas. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow package liquor sales. This business is currently under construction with plans to open in January 2025.

The 60-day limit for processing this application is July 20, 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.

7-Eleven #26062H (Series 10)
2401 E. McDowell Road, Phoenix
Calls for police service: 40
Liquor license violations: None

7-Eleven #18117N (Series 10)
2651 W. Glendale Ave., Phoenix
Calls for police service: 120
Liquor license violations: None

Public Opinion

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

Applicant's Statement

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

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

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"7-Eleven is a national convenience store chain with locations throughout Arizona. The stores offer a wide variety of goods, including fresh and ready - to eat foods, home and personal care products, snacks, and drinks. Applicant would like to offer beer and wine to customers 21 and over."

Staff Recommendation

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

Attachments

Liquor License - 7-ELEVEN #42313 - Data

Liquor License - 7-ELEVEN #42313 - Map

Responsible Department

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

Liquor License Data: 7-ELEVEN #42313

Liquor License

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

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	64.2	78.74	105.3
Violent Crimes	12.31	18.73	24.73

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

Property Violation Data

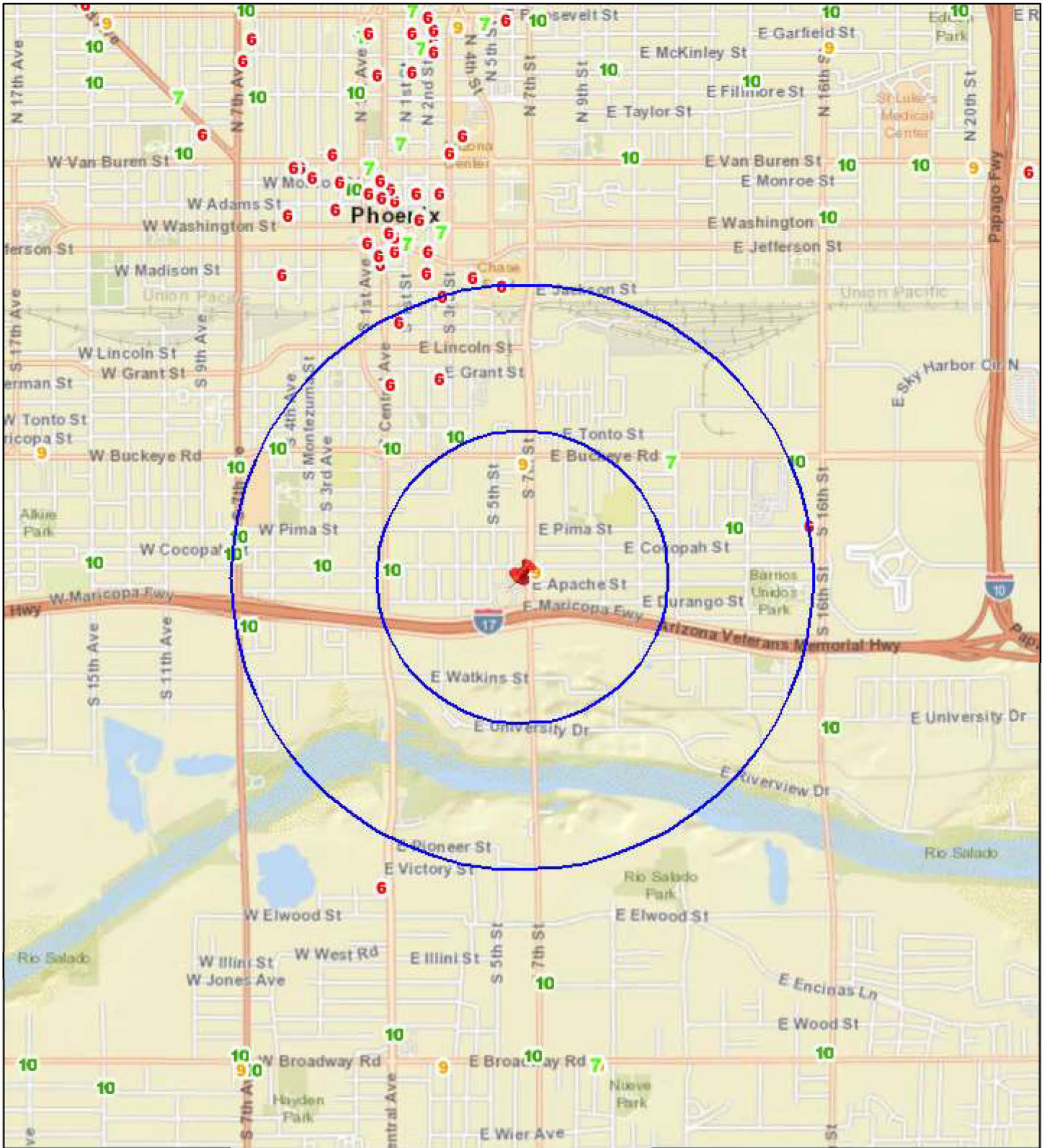
Description	Average	1/2 Mile Average
Parcels w/Violations	44	69
Total Violations	76	112

Census 2010 Data 1/2 Mile Radius

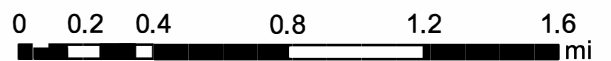
BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1140002	78	77	0	32
1142001	1321	36	22	50
1149001	798	28	13	57
1149002	1742	11	3	68
1172001	823	25	17	70
1172002	851	25	28	20
Average	0	61	13	19

Liquor License Map: 7-ELEVEN #42313

1802 S 7TH ST



Date: 5/23/2024





Report

Agenda Date: 7/1/2024, **Item No.** 23

Settlement of Advantage Holdco, Inc.

To make payment of \$47,500 to Advantage Rent A Car Unsecured Creditor Trust for settlement of Advantage Holdco, Inc., et al., Case No. 20-1159 (Bankr. D. Del. 2020), for the Aviation Department.



Report

Agenda Date: 7/1/2024, Item No. 24

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

To make payment of up to \$57,500 in settlement of claim(s) in *Thinnes v. City of Phoenix*, CV2021-017477, 20-1029-001, GL, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Street Transportation Department that occurred on Nov. 14, 2020.



Public Hearing on Adoption of Property Tax Levy for 2024-25 Fiscal Year

Request the City Council hold a public hearing prior to the adoption of a property tax levy for the City of Phoenix for 2024-25.

Concurrence/Previous Council Action

The proposed 2024-25 property tax levy reflects actions taken by the Council on the budget at the May 21, 2024 Policy meeting, at the May 29, 2024 Formal meeting to adopt the tentative 2024-25 budget, and at the June 12, 2024 Formal meeting to adopt the final 2024-25 budget. At the June 12, 2024 Formal meeting, a public hearing on the proposed primary property tax levy was held in accordance with statutory truth-in-taxation requirements.

Responsible Department

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



Adoption of Property Tax Levy for 2024-25 Fiscal Year (Ordinance S-51149)

An ordinance levying separate amounts to be raised for primary and secondary property tax levies upon each one hundred dollars (\$100.00) of the assessed valuation of the property subject to taxation within the City of Phoenix for the fiscal year ending June 30, 2025.

Summary

The ordinance (**Attachment A**) provides for a primary property tax rate resulting in a levy of \$217,597,043 (a General Fund revenue source) equating to a rate of \$1.2658 per \$100 of assessed valuation, including \$0.08 for maintenance of parks and playgrounds and \$0.2658 for the operation and maintenance of libraries; and an estimated secondary property tax levy of \$139,947,664 (used only for debt service) equating to a rate of \$0.8141 per \$100 of assessed valuation. The total rate of \$2.0799 is lower than the total 2023-24 rate of \$2.0992.

Concurrence/Previous Council Action

The proposed 2024-24 property tax levy reflects actions taken by the Council on the budget at the May 21, 2024 Policy meeting, at the May 29, 2024 Formal meeting to adopt the tentative 2024-25 budget, and at the June 12, 2024 Formal meeting to adopt the final 2024-25 budget. At the June 12, 2024 Formal meeting, a public hearing on the proposed primary property tax levy was held in accordance with statutory truth-in-taxation requirements.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE S-#####

AN ORDINANCE LEVYING SEPARATE AMOUNTS TO BE RAISED FOR PRIMARY AND SECONDARY PROPERTY TAX LEVIES UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF THE ASSESSED VALUATION OF PROPERTY SUBJECT TO TAXATION WITHIN THE CITY OF PHOENIX FOR THE FISCAL YEAR ENDING JUNE 30, 2025.

WHEREAS, by the provisions of the City Charter an ordinance levying taxes for the fiscal year 2024-25 is required to be finally adopted not later than the last regular Council meeting in July of said fiscal year, which date complies with State law requirements; and

WHEREAS, the County of Maricopa is now the tax assessing and collecting authority for the City of Phoenix, the City Clerk is hereby directed to transmit a certified copy of this tax levy ordinance to the Assessor and the Board of Supervisors of Maricopa County, Arizona as required by law.

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

SECTION 1. There is hereby levied on each ONE HUNDRED DOLLARS (\$100.00) of the limited assessed value of all property, real, personal and possessory interest, within the corporate limits of the City of Phoenix, except such property as may

be by law exempt from taxation, a primary property tax rate equating to \$1.2658 which is sufficient to generate a primary property levy of TWO HUNDRED SEVENTEEN MILLION, FIVE HUNDRED NINETY SEVEN THOUSAND, AND FORTY THREE DOLLARS (\$217,597,043), an amount within the maximum allowable primary tax levy under the Arizona Constitution. The primary tax levy is allocated into the following amounts or rates for each of the following purposes:

(a) For the purpose of providing funds for the GENERAL MUNICIPAL AND ADMINISTRATIVE EXPENSES of the City, in accordance with Chapter XVIII - Section 8 of the City Charter, a tax rate of \$1.00 per ONE HUNDRED DOLLARS (\$100.00) of limited assessed valuation of all taxable real, personal and possessory interest property in the City of Phoenix, which includes \$0.08 per ONE HUNDRED DOLLARS (\$100.00) of such limited assessed valuation for the purpose of providing funds for the OPERATION AND MAINTENANCE OF PARKS AND PLAYGROUNDS, in accordance with Chapter XXIII - Section 2 - Subsection 2 of the City Charter.

(b) For the purpose of providing funds for the OPERATION AND MAINTENANCE OF LIBRARIES, in accordance with Chapter XVIII - Section 11 of the City Charter, a tax rate of \$0.2658 per ONE HUNDRED DOLLARS (\$100.00) of limited assessed valuation of all taxable real, personal and possessory interest property in the City of Phoenix.

SECTION 2. In addition to the property tax levy for primary purposes set in Section 1 above, there is hereby levied on each ONE HUNDRED DOLLARS (\$100.00) of the limited assessed value of all property, real, personal and possessory interest, within the corporate limits of the City of Phoenix, except such property as may

by law be exempt from taxation, a secondary tax rate of \$0.8141 for secondary purposes for paying principal of and interest on or redemption charges on general obligation bonds of the City of Phoenix.

SECTION 3. The primary property tax rate as calculated in Section 1 and the secondary tax rate as calculated in Section 2 shall equal a combined tax rate of \$2.0799.

SECTION 4. Failure by the County officials of Maricopa County, Arizona to properly return the delinquent list, any irregularity in assessments or omissions in the same, or any irregularity in any proceedings shall not invalidate such proceedings or invalidate any title conveyed by a tax deed; failure or neglect of any officer or officers to timely perform any of the duties assigned to him or to them shall not invalidate any proceedings or any deed or sale pursuant thereto; the questioned validity of assessment or levy of taxes or of the judgment of sale by which collection of the same may be enforced shall not affect the lien of the City upon such property for the delinquent taxes unpaid thereon; overcharge as to part of the taxes or of costs shall not invalidate any proceedings for the collection of taxes or the foreclosure of the lien therefore or a sale of the property under such foreclosures; and all acts of officers de facto shall be valid as if performed by officers de jure.

PASSED by the Council of the City of Phoenix on this 1st day of July, 2024.

MAYOR

ATTEST:

_____ City Clerk

APPROVED AS TO FORM:

_____ Acting City Attorney

REVIEWED BY:

_____ City Manager

DRAFT

PHOENIX, ARIZONA
 2024-25 LEGAL LIMIT
 PROPERTY TAX LEVY FOR PRIMARY PURPOSES
 A.R.S. § 42-17051, Subsection A

1.	Maximum allowable levy for the prior year	\$ <u>209,025,792</u>
2.	The above figure increased by two percent (2%)	<u>213,206,308</u>
3.	Current Assessed Value of last year's property	<u>16,843,895,692</u>
4.	A. "3" divided by 100	<u>168,438,957</u>
	B. Maximum Allowable Tax Rate equals - "2" divided by "4A" (<u>\$213,206,308 ÷ \$168,438,957</u>)	<u>1.2658</u>
5.	Estimated Current Assessed Value	<u>17,190,475,853</u>
6.	A. Current Assessed Value divided by 100	<u>171,904,759</u>
	B. Levy equals - "4B" multiplied by "6A" (<u>\$1.2658 X \$171,904,759</u>)	<u>217,597,043</u>
	Estimated over collections of the 2023-24 primary property tax levy will reduce this estimate as follows:	
7.	A. Estimated over collections of 2023-24 primary levy	<u>-0-</u>
	B. Maximum Allowable Levy Limit for 2024-25	<u>\$ 217,597,043</u>
8.	Adjusted Allowable Levy Limit and Tax Rate:	
	A. Allowable Levy Limit for 2024-25	<u>\$ 217,597,043</u>
	B. Accepted Torts	<u>-0-</u>
	C. Adjusted Allowable Levy Limit	<u>\$ 217,597,043</u>
	D. Adjusted Allowable Tax Rate - "8C" divided by "6A" (<u>\$217,597,043 ÷ \$171,904,759</u>)	<u>1.2658</u>
	2024-25 Primary Levy	\$ 217,597,043
	2024-25 Primary Tax Rate	1.2658

City Council Formal Meeting



City of Phoenix

Report

Agenda Date: 7/1/2024, **Item No.** 27

Request for City Council to Call to Meet in Executive Session on Monday, Aug. 26, 2024 at 12:00 p.m.

Request for the City Council to call a meeting for the purpose of holding an Executive Session pursuant to Arizona Revised Statute section 38-431.03.A, on Monday, Aug. 26, 2024 at 12:00 p.m. in the Central Conference Room, on the 12th Floor of Phoenix City Hall, located at 200 W. Washington Street.

Public Outreach

The Notice and Agenda for this Executive Session will be posted no later than 24 hours before the scheduled meeting.

Responsible Department

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



Proposed 27th Ave. and Baseline Road Annexation - Authorization to File

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

Summary

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

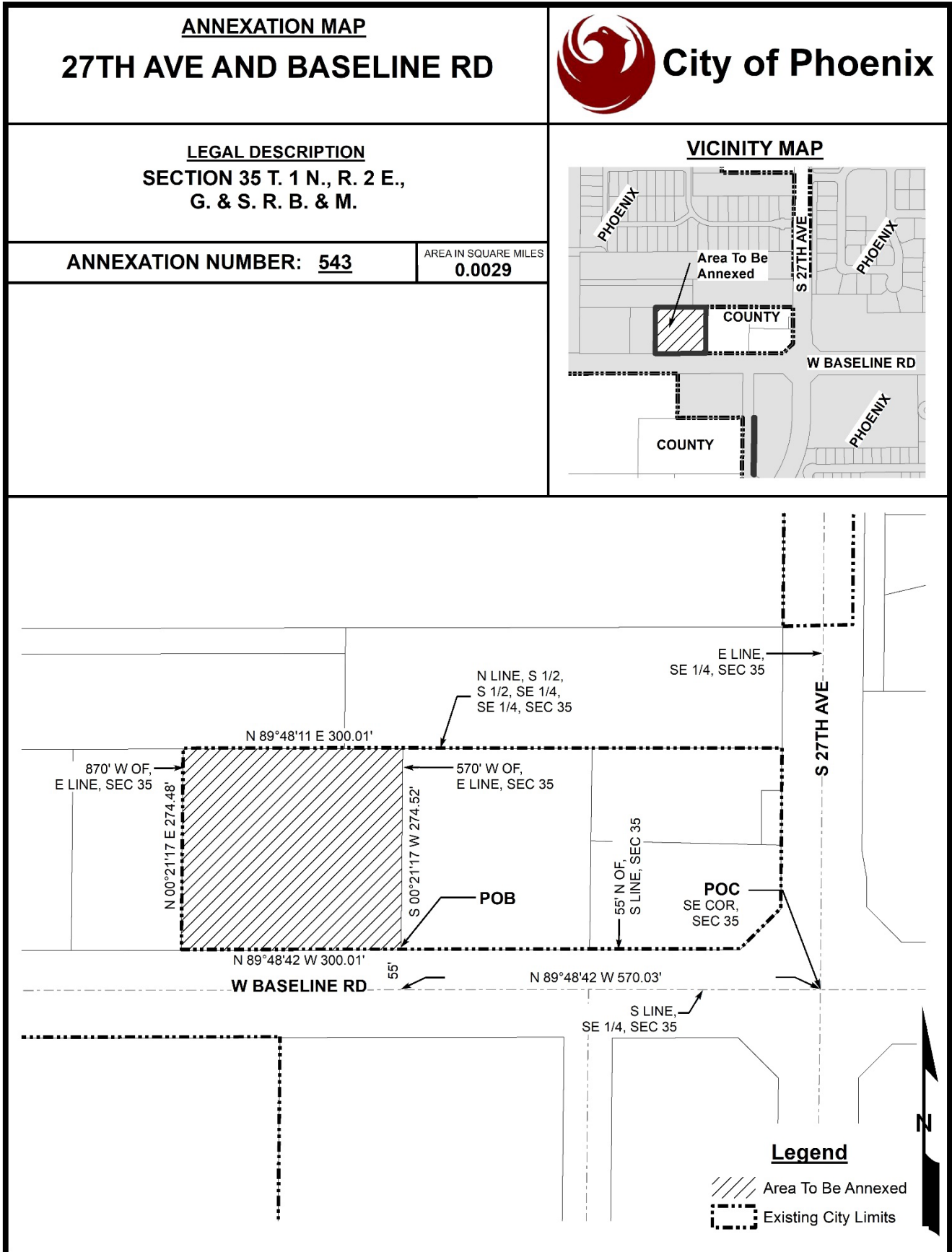
Location

The proposed annexation area includes parcel 105-88-982, located at 27th Ave. and Baseline Road (**Attachment A**). The annexation area is approximately 1.89 acres (0.0029 sq. mi.) and population estimate is zero individuals.

Council District: 8

Responsible Department

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



LEGAL DESCRIPTION

27TH AVENUE AND BASELINE ROAD

A portion of the South half of the Southeast quarter of the Southeast quarter of Section 35, Township 1 North, Range 2 East of the Gila and Salt River and Meridian, Maricopa County, Arizona being more particularly described as follows;

Commencing at the Southeast corner of said Section 35, monumented with a Maricopa County Department of Transportation brass cap in handhole which bears North 89 degrees 48 minutes 42 seconds East 2643.84 feet from the South quarter corner of said Section 35, monumented with a brass cap in handhole;

Thence along the South line of the Southeast quarter of Section 35, South 89 degrees 48 minutes 42 seconds West 570.03 feet to a point on a line 570.00 feet West of, and parallel with, the East line of the Southeast quarter of said Section 35;

Thence, along said parallel line, North 00 degrees 21 minutes 17 seconds East 55.00 feet to a point on a line 55.00 feet North of, and parallel with, the South line of the Southeast quarter of said Section 35, said point being the POINT OF BEGINNING;

Thence, along said parallel line, South 89 degrees 48 minutes 42 seconds West 300.01 feet to a point on a line 870.00 feet West of and parallel with the East line of the Southeast quarter of said Section 35;

Thence, along said parallel line, North 00 degrees 21 minutes 17 seconds East 274.48 feet to a point on the North line of the South half of the South half of the Southeast quarter of the Southeast quarter of said Section 35;

Thence, along said North line, North 89 degrees 48 minutes 11 seconds East 300.01 feet to a point on a line 570.00 feet West of, and parallel with, the East line of the Southeast quarter of said Section 35;

Thence, along said parallel line, South 00 degrees 21 minutes 17 seconds West 274.52 feet to the POINT OF BEGINNING.

Comprising 1.890 acres or 82,350 square feet, subject to all easements of record.



Proposed 53rd Ave. and Broadway Road Annexation - Authorization to File

Request to authorize the City Manager, or his designee, to file with the Maricopa County Recorder's Office a blank petition for a proposed annexation. This annexation was requested by Tim Priebe with Fisher Sand & 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.

Summary

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

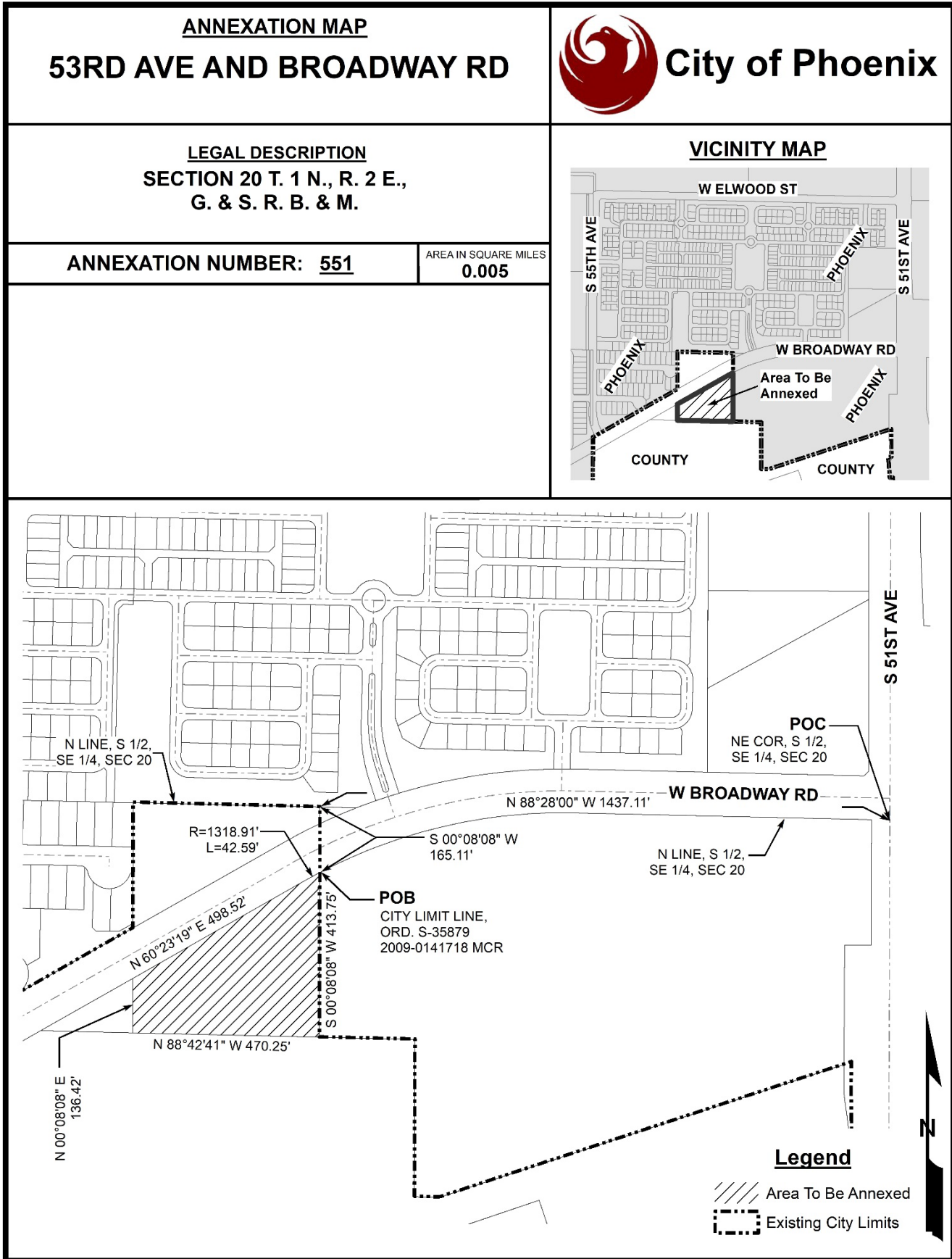
Location

The proposed annexation area includes parcel 104-59-001N, located at 53rd Ave. and Broadway Road (**Attachment A**). The annexation area is approximately 3.2 acres (0.005 sq. mi.) and 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.

Attachment A



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.



Proposed Old 27th Ave. Annexation (Ordinance S-51165)

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 Old 27th Ave. 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 Rasnake with Archicon Architecture & Interiors, L.C., 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 May 29, 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.

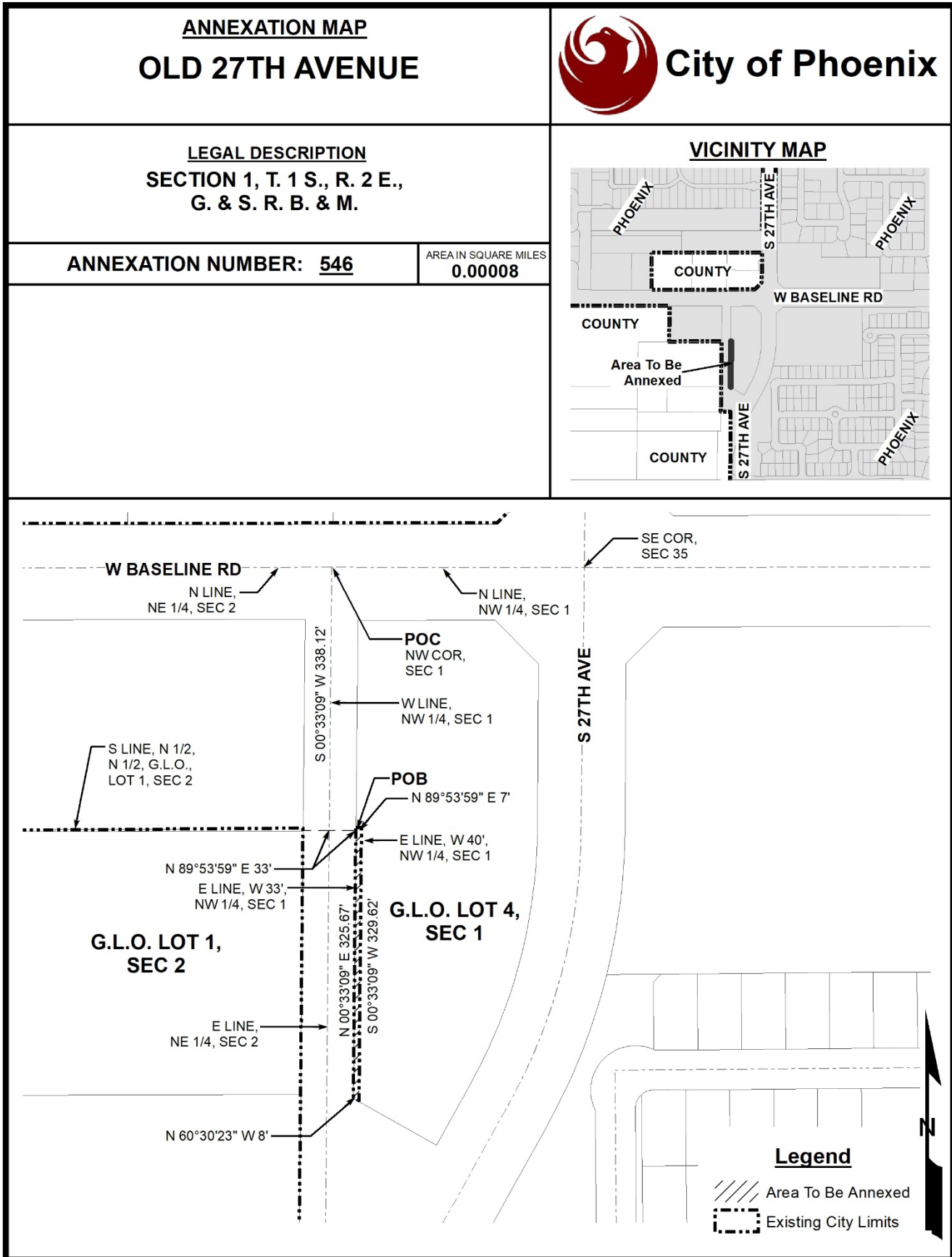
Location

The proposed annexation area includes unincorporated land within Maricopa County Assessor parcel 300-17-002B, located at 27th Ave. and Baseline Road (**Attachment A**). The annexation area is approximately .0527 acres (0.00008 sq. mi.) and the population estimate is zero individuals.

Council District: 8

Responsible Department

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



LEGAL DESCRIPTION

OLD 27TH AVENUE ANNEXATION

A PORTION OF G.L.O. LOT 4 LOCATED IN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3-INCH MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION BRASS CAP IN HANDHOLE MARKING THE NORTHWEST CORNER OF SECTION 1 FROM WHICH A 3-INCH MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION BRASS CAP IN HANDHOLE (0.80' DOWN) MARKING THE WEST QUARTER CORNER OF SAID SECTION 1 BEARS SOUTH 00 DEGREES 33 MINUTES 09 SECONDS WEST 2672.42 FEET. SAID DESCRIBED LINE BEING THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE SOUTH 00 DEGREES 33 MINUTES 09 SECONDS WEST 338.12 FEET ALONG THE WEST LINE OF SAID NORTHWEST QUARTER TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTH HALF OF G.L.O. LOT 1, SECTION 2;

THENCE NORTH 89 DEGREES 53 MINUTES 59 SECONDS EAST 33.00 FEET ALONG THE EASTERLY PROLONGATION OF SAID SOUTH LINE TO THE EAST LINE OF THE WEST 33.00 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 1 AND THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89 DEGREES 53 MINUTES 59 SECONDS EAST 7.00 FEET ALONG SAID EASTERLY PROLONGATION TO THE EAST LINE OF THE WEST 40.00 FEET;

THENCE SOUTH 00 DEGREES 33 MINUTES 09 SECONDS WEST 329.62 FEET ALONG SAID EAST LINE TO A NORTHERLY RIGHT OF WAY LINE RECORDED IN 2001-0086244, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 60 DEGREES 30 MINUTES 23 SECONDS WEST 8.00 FEET ALONG SAID NORTHERLY LINE TO THE EAST LINE OF THE WEST 33.00 FEET;

THENCE NORTH 00 DEGREES 33 MINUTES 09 SECONDS EAST 325.67 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

COMPRISING 2,294 SQUARE FEET MORE OR LESS.



Acceptance and Dedication of Easements and a Deed for Public Utility, Sidewalk and Roadway Purposes (Ordinance S-51152)

Request for the City Council to accept and dedicate easements and a deed for public utility, sidewalk and roadway 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: Rafi Hagopian and Araxie Hagopian; its successor and assigns

Purpose: Public Utility

Location: 8021 N. 14th Place

File: 240043

Council District: 6

Easement (b)

Applicant: Rafi Hagopian and Araxie Hagopian; its successor and assigns

Purpose: Sidewalk

Location: 8021 N. 14th Place

File: 240043

Council District: 6

Deed (c)

Applicant: Haro One, LLC; its successor and assigns

Purpose: Roadway

Location: 1355 N. 22nd Ave.

File: 230069

Council District: 7

Responsible Department

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



USA Fee Land Exchange Between the City of Phoenix and United States Department of the Interior for Irrigation Facilities within Right-of-Way along Osborn Road from 91st to 93rd Avenues (Ordinance S-51151)

Request to authorize the City Manager, or his designee, to convey and accept property rights for a USA fee land exchange between the City of Phoenix and the United States Department of the Interior, Bureau of Reclamation (BOR) for the purpose of relocating irrigation facilities within the Osborn Road right-of-way from 91st to 93rd avenues. Further request to authorize the City Treasurer to accept all funds related to this item.

Summary

The USA fee land exchange is required to relocate existing irrigation facilities within the Osborn Road right-of-way to private property owned by Algodon Center LLLP (Developer) for development of the property at the northwest corner of Osborn Road and 91st Avenue. New irrigation easements will be required within the Osborn Road right-of-way at 91st and 93rd avenues to tie into the relocated irrigation facilities.

The City will convey approximately 2,614 square feet within Osborn Road at 91st and 93rd avenues for USA fee land rights, and the Developer will convey approximately 1,306 square feet of private property along the north side of Osborn Road for USA easement land rights to the BOR. In exchange, the BOR will quit claim approximately 18,384 square feet for the USA fee land rights no longer needed within the Osborn Road right-of-way to the City.

The Developer is paying for all costs related to the easement exchange.

Location

Along Osborn Road from 91st to 93rd avenues.
Council District: 5

Responsible Department

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



In-Building Radio Frequency Coverage Enhancement - IFB ITS 19-101 - Amendment (Ordinance S-51157)

Request to authorize the City Manager, or his designee, to execute amendments to contracts with E.F. Charles, Inc., Contract No. 150516; Engineering Wireless Services, LLC, Contract No. 150515; and Hiller Companies LLC formerly American Fire Equipment, Division of the Hiller Company, Contract No. 150512 to extend the contract term for continued equipment and services to enhance wireless radio frequency coverage for departments Citywide. 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-45825.

Summary

This contract will continue to provide equipment and services that allow enhancements to radio coverage in existing building as well as new constructions and leased space. Services include but are not limited to installation of Distributed Antenna Systems or Bi-Directional Amplifiers. Radio frequency enhancement services help to improve emergency services by first responders as well as security staff within City-owned or leased buildings.

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

Contract Term

Upon approval the contract will be extended through July 10, 2025, with a one-year option to extend.

Financial Impact

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

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- In-Building Radio Frequency Coverage Enhancement contract award, Contracts 150516, 150515, and 150512, Ordinance S-45825, on June 19, 2019.

Responsible Department

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



Aerial Ortho-Photography Imagery - Amendment (Ordinance S-51160)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 150556 with Maricopa County to extend the contract term for continued Geographic Information System (GIS) data and imagery services for Information Technology Services Department and in support of departments citywide. 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-45873.

Summary

This contract will continue to provide GIS data and imagery services, which is critical for departmental mapping applications and business operations, allowing users to zoom-in and identify items without distortion of the images. The images are provided by Maricopa County's Office of Enterprise Technology, who coordinates annually with a third-party vendor to fly and deliver the aerial imagery, making it available for purchase to its partners. Without the purchase of updated aerials, the City's business mapping application base maps would be out of date, requiring staff to go out in the field and manually verify the information.

Contract Term

Upon approval the contract will be extended through June 26, 2025, with a one-year option to extend.

Financial Impact

The aggregate value of the contract will not exceed \$250,000 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Aerial Ortho-Photography Imagery award Contract 150556, Ordinance S-45873 on June 26, 2019.

Responsible Department

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



Wireless Communication Services, Accessories, and Equipment - Amendment (Ordinance S-51161)

Request to authorize the City Manager, or his designee, to execute amendments to contracts with AT&T Mobility National Accounts, LLC, Contract 155219; T-Mobile USA, Inc. and Sprint Solutions, Inc., Contract 155270; and Cellco Partnership dba Verizon Wireless, Contract 155221 to extend the term and allow additional funds for the continued purchase of Wireless Communication Services, Accessories, and Equipment in support of departments citywide. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed \$7.4 million.

Summary

These contracts will continue to allow City departments access to mobile devices, wireless services, equipment, and accessories needed to conduct City business. Existing equipment and services are used by staff to provide critical services to the public in various locations throughout the valley. Currently, the City pays for services for more than 5,000 cellular phones, 6,000 air cards, 6,000 push to talk radios, 470 tablets, and various other services and equipment. Continuation of these agreements is essential to the City, as the agreements allow the City to pay for monthly cellular services and purchase equipment and accessories, as needed while the City adopts the State of Arizona cooperative agreements. These cooperative agreements offer significant cost savings due to the benefit from national government pricing and volume discounts.

Contract Term

Upon approval the contract will be extended through Dec. 31, 2024, with an option to extend through June 30, 2025.

Financial Impact

Upon approval of \$7,400,000 in additional funds, the revised aggregate value of the contract will not exceed \$33,775,000. Funds are available in various Departments' budget.

Concurrence/Previous Council Action

The City Council previously reviewed this request:

- Wireless Communication Services, Accessories, and Equipment award, Contracts 155219, 155270, and 155221, Ordinance S-47458 on April 7, 2021.
- Wireless Communication Services, Accessories, and Equipment extension, Contracts 155219, 155270, and 155221, Ordinance S-48207 on Dec. 15, 2021.
- Wireless Communication Services, Accessories, and Equipment extension, Contracts 155219, 155270, and 155221, Ordinance S-48586 on May 11, 2022.
- Wireless Communication Services, Accessories, and Equipment extension, Contracts 155219, 155270, and 155221, Ordinance S-49956 on June 28, 2023.

Responsible Department

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



Transcription Services Contract - COOP 24-190 Request for Award (Ordinance S-51159)

Request to authorize the City Manager, or his designee, to enter into a contract with eScribers, LLC, to provide Transcription Services for the Law Department, Municipal Court, Public Defender's Office, and other City departments as needed. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed \$150,000.

Summary

This contract will provide transcription services to transcribe court proceedings. The majority of transcripts requested are for cases that are on appeal and sent to Superior Court. Transcripts are required for appeal proceedings and when a court proceeding is over 90 minutes in length. Records of live proceedings are maintained as digital recordings in the Municipal Court and parties to such proceedings are entitled by law to have recordings transcribed for appeals and other purposes.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved Determination Memo based on the following reason: Special Circumstances Alternative Competition. The City has been using eScribers, LLC, since 2019 and retaining eScribers as the vendor for transcription services provides continuity of service. The Courts use For the Record software and Log Notes software to record proceedings, and eScribers are compatible with that software. eScribers transcribes recordings in accordance with the Arizona Supreme Court Manual of Transcript Procedures. This contract was awarded through a process consistent with the City's procurement requirements as set forth in the Phoenix City Code, Chapter 43, and best aligns with the City's needs.

Contract Term

The contract will begin on or about July 1, 2024, through Sept. 20, 2025, with four one-year options to extend.

Financial Impact

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

Funding is available in the various department budgets including Law, Municipal Court and Public Defender's Office.

Responsible Department

This item is submitted by City Manager Jeffrey Barton, Deputy City Manager Gina Montes, and the Law Department, Municipal Court, and Public Defender's Office.



American Rescue Plan Act Phoenix Resilient Food System Programs - Enter into Agreement for Video Production Services (Ordinance S-51164)

Request to authorize the City Manager, or his designee, to enter into an agreement with Jux Media to disburse funds for completion of two documentary videos on the American Rescue Plan Act (ARPA) funded Phoenix Resilient Food Systems Initiative Program. Further request to authorize the City Controller to disburse all funds related to this item. Funding is available through the City's ARPA allocation of federal funding and is in the Phoenix Resilient Food System category of the strategic plan, Gila River Indian Community (GRIC) grant funds, and general funds. The additional aggregate expenditures included will not exceed \$67,710.

Summary

In response to the COVID-19 pandemic, the Office of Environmental Programs (OEP) developed a food assistance plan to address the food needs of vulnerable populations and communities impacted by COVID. The plan provides:

- Access to healthy foods for impacted populations;
- Infrastructure assistance regarding transportation and delivery with a focus on home delivery;
- Support for food banks, food pantries and community agencies;
- Support for increased local food production; and
- Business and employment opportunities throughout the food system spectrum.

The goal of the documentaries is to portray the City of Phoenix's innovative approach to building a resilient food system by highlighting the ARPA-funded Phoenix Resilient Food Systems Initiative and the Phoenix Backyard Garden Program funded by ARPA and GRIC. The documentaries seek to showcase the movement toward a comprehensive and equitable food system in Phoenix, emphasizing accessibility, sustainability, and community engagement. The story will be told through the lens of the City Council approved goal in the 2025 Food Action Plan of creating a sustainable, equitable, thriving local food system with healthy, culturally relevant and affordable food for all.

The project involves the completion of two documentaries as follows:

- ARPA-funded Phoenix Resilient Food System Initiative programs and projects. The documentary will highlight the work in each of the fourteen (14) programs and will include interviews with subrecipients, grantees, and residents. The documentary will showcase the implementation of the programs, including, sustainable urban agriculture, agri-food technology, food waste reduction, workforce development initiatives, and collaboration with nonprofit organizations and small businesses.
- Phoenix Backyard Garden Program (BGP) funded by ARPA and by a grant from GRIC. The BGP has installed free garden systems for 246 City of Phoenix residents with education, maintenance, training, and support for one year. The BGP documentary will showcase the impact of the program through the lens of residents and the impact on the subrecipients managing the program, including a nonprofit and two small businesses.

Procurement Information

Services were procured in accordance with Administrative Regulation 3.10 to implement and administer programs intended to prevent, prepare for, and respond to the COVID-19 pandemic. The winning proposal was selected based on the lowest bid received based on the scope of work prepared by OEP, including the ability to complete the documentaries by Dec. 31, 2024.

Four offerors submitted proposals and were deemed to be responsive and responsible as follows:

- New Angle: \$81,000
- OH Partners & Matter Films: \$70,000
- Skyline: \$70,000
- Jux Media: \$67,710

Based on the lowest cost, Jux Media is recommended for award.

Contract Term

The term of the agreement will begin on or about July 1, 2024, through Dec. 31, 2024.

Financial Impact

The aggregate expenditures of this agreement will not exceed \$67,710. The total project funding available is \$67,710 and is from the following three funding sources:

- \$30,000 - ARPA funds
- \$17,710 - GRIC funds
- \$20,000 - OEP general funds

Concurrence/Previous Council Action

The City Council approved the ARPA Strategic Plan on June 8, 2021, and the ARPA Phoenix Resilient Food System allocation for the second tranche on June 7, 2022.

Responsible Department

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



Edison Impact Hub - Architectural Services - AH20300003 (Ordinance S-51150)

Request to authorize the City Manager, or his designee, to enter into an agreement with Multistudio, Inc. to provide Architectural Services that include construction administration and inspection services for the Edison Impact Hub 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 \$250,000.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services 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 provide the rehabilitation of a vacant commercial structure for the future Edison Impact Hub within the Edison-Eastlake Choice Neighborhood Community.

Multistudio, Inc., formally known as Gould Evans, Inc., has extensive knowledge of this project since they were the firm that developed the building plans, scope of work and specifications through the Architectural On-Call Services 2020-2021 contract. Additionally, Multistudio, Inc. worked with the City's Historic Preservation Office on determining the historic elements that need to be preserved. They've also worked with an artist on the design of art elements that will be incorporated into the project. Due to this in-depth knowledge and experience with this project, Multistudio, Inc. is the best firm to continue on the project to perform the construction administration and inspection services.

Multistudio, Inc.'s, services include, but are not limited to: provide preconstruction observation, art installation support, construction administration, special inspections, prepare record drawings, conduct post-construction warranty site visit and consultation, and other services as needed.

Procurement Information

Multistudio, Inc. was chosen for this project using a Direct Select process set forth in section 34-103 of the Arizona Revised Statutes (A.R.S). The Direct Select process reduces time to procure architectural services as opposed to an advertised selection process, meeting project deadlines, ensuring continuity of services, and the most efficient use of staff and funding resources. This non-competitive procurement is authorized under A.R.S section 34-103.D and 2 CFR 200.320(c)(3).

Contract Term

The term of 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 Multistudio, Inc. will not exceed \$250,000, including all subconsultant and reimbursable costs.

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

Location

1855 E. Garfield St.
Council District: 8

Responsible Department

This item is submitted by Deputy City Managers Gina Montes and Inger Erickson, the Housing Department and the City Engineer.



Video Surveillance System Licensing, Maintenance and Repair Services - IFB 20-017 - Amendment (Ordinance S-51147)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 152132 with Wilson Electrical Service Corp. dba Netsian Technologies Group to allow the Arts and Culture Department to utilize the contract to procure services/goods for the S'edav Va'aki museum. 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-46610 for the contract term.

Summary

This contract provides Video Surveillance System (VSS) licensing, installation, maintenance and repair services to VSS cameras owned and operated by the Aviation, Phoenix Convention Center, Water, and Human Services departments. The contract also provides ongoing licensing of VSS camera software and periodic maintenance to City-owned cameras to ensure continual performance in support of the security operations at City airports and facilities. The cameras maintained by this contract provide video security surveillance in support of aviation and other city facilities.

There are VSS cameras located on the premises owned and operated by the S'edav Va'aki museum which will be part of the Arts and Culture Department effective July 1, 2024. The cameras enhance safety services for visitors and staff of the museum.

Contract Term

The contract term remains unchanged, ending on June 30, 2025.

Financial Impact

The aggregate value of the contract will not exceed \$5,570,000 and no additional funds are needed.

Concurrence/Previous Council Action

The City Council previously reviewed this request: Video Surveillance System Licensing, Maintenance and Repair Services - Contract 152132 (Ordinance S-46610) on May 5, 2020.

The City Council previously reviewed this request: Video Surveillance System

Licensing, Maintenance and Repair Services - Contract 152132 (Ordinance S-48790) on June 15, 2022.

Responsible Department

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



(CONTINUED FROM JUNE 26, 2024) - 91st Avenue Wastewater Treatment Plant Solids Rehabilitation Phase I - Engineering Services Amendment - WS90100111 (Ordinance S-51069)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 152491 with Arcadis U.S., Inc. to provide additional Engineering Services for the 91st Avenue Wastewater Treatment Plant Solids Rehabilitation Phase I project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed \$500,000.

Summary

The purpose of this project is to rehabilitate the facilities and equipment used to treat and process solids at the 91st Avenue Wastewater Treatment Plant (WWTP), including replacement of equipment throughout the solids treatment process.

This amendment is necessary to provide additional design and construction administration and inspection services to replace the dome on Digester 16. This amendment will provide additional funds to the agreement.

The 91st Avenue WWTP is owned by the Sub-Regional Operating Group (SROG) and operated by the City of Phoenix.

Contract Term

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

Financial Impact

- The initial agreement for Engineering Services was approved for an amount not to exceed \$5,430,000, including all subconsultant and reimbursable costs.
- An amendment was approved for an additional \$5,000,000, including all

subconsultant and reimbursable costs, for a new total amount not to exceed \$10,430,000.

- This amendment will increase the agreement by an additional \$500,000 for a new total amount not to exceed \$10,930,000, including all subconsultant and reimbursable costs.

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

Concurrence/Previous Council Action

The SROG Advisors authorized the project on June 10, 2020.

The City Council approved:

- Engineering Services Agreement 152491 (Ordinance S-46821) on July 1, 2020; and
- Engineering Services Agreement 152491 Amendment (Ordinance S-49634) on May 3, 2023.

Location

91st Avenue Wastewater Treatment Plant

Council Districts: 7

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
Street Transportation Department

To: Inger Erickson
Deputy City Manager

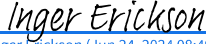
Date: June 24, 2024

From: Eric J. Froberg 
City Engineer

Subject: CONTINUANCE OF ITEM 110 ON THE JUNE 26, 2024, FORMAL AGENDA –
91st Avenue Wastewater Treatment Plant Solids Rehabilitation Phase I -
Engineering Services Amendment - WS90100111 (Ordinance S-51069)

Item 110, Engineering Services Amendment for the 91st Avenue Wastewater Treatment, is a request to continue the item from the June 26th meeting agenda to the July 1, 2024 agenda. The reason for this request is due to the timing necessary to encumber the funds for the new fiscal year.

Staff recommends continuing this item to the July 1, 2024, City Council Formal meeting.

Approved: 
Inger Erickson (Jun 24, 2024 08:49 PDT)
Inger Erickson, Deputy City Manager

Signature: 

Email: eric.froberg@phoenix.gov



Advanced Water Purification Feasibility Study - Professional Services - WS85700103 and WS90700059 (Ordinance S-51146)

Request to authorize the City Manager, or his designee, to enter into separate agreements with three consultants listed below to provide Professional Services that include assessment, study, program management, and project management services for the Advanced Water Purification Feasibility Study project. 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 \$2 million.

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

Summary

The purpose of this project is to proactively search for sustainable measures to secure safe, reliable, and long-term drinking water supplies for its customers.

The Professional consultants services include, but are not limited to: Package 1: Advanced Water Purification Permitting Strategy, Source Water Characterization, and Pilot/Demonstration Facility Planning; Package 2: 91st Avenue Advanced Water Purification Facility Feasibility Study; and Package 3: Hydraulic and Water Quality Modeling and Interconnect Evaluation. The services include, but are not limited to; hold progress meetings and workshops as needed to complete the work, attend other project related progress meetings as needed, actively coordinate and communicate with City staff for all related activities, coordination with other City departments,

municipalities, regulators, or other jurisdictions, prepare a draft report for review, present the recommendations made in the draft report, prepare final report, prepare a final executive summary and assist with the City's public outreach effort as needed.

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. Eight firms submitted proposals and are listed below:

Package 1 Selected Firm

Rank 1: Brown and Caldwell, Inc.

Package 1 Additional Proposers

Rank 2: Carollo Engineers, Inc.

Rank 3: Hazen and Sawyer, P.C.

Rank 4: Stantec Consulting Services, Inc.

Rank 5: Garver LLC

Package 2 Selected Firm

Rank 1: Carollo Engineers, Inc.

Package 2 Additional Proposers

Rank 2: Brown and Caldwell, Inc.

Rank 3: Hazen and Sawyer, P.C.

Rank 4: Stantec Consulting Services, Inc.

Package 3 Selected Firm

Rank 1: Black & Veatch Corporation

Package 3 Additional Proposers

Rank 2: Wilson Engineers LLC

Rank 3: Brown and Caldwell, Inc.

Rank 4: Carollo Engineers, Inc.

Rank 5: HDR Engineering, Inc.

Contract Term

The term of each 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 each of the consultants will not exceed: Package 1 - \$550,000 for Brown and Caldwell, Inc., Package 2 - \$700,000 for Carollo Engineers, Inc. and Package 3 - \$750,000 for Black & Veatch Corporation. The total fee for all services will not exceed \$2 million, including all subconsultant and reimbursable costs.

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

Responsible Department

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



Galvanized Water Service Line Replacements - Engineering Services - WS85504004 (WIFA) (Ordinance S-51148)

Request to authorize the City Manager, or his designee, to enter into an agreement with Entellus, Inc. to provide Engineering Services that include design and construction administration and inspection services for the Galvanized Water Service Line Replacements 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 \$3.5 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 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 replace water service lines from the City of Phoenix side service line from meter to water main and customer-side service lines on private property from meter to the customer spigot with the City of Phoenix water distribution system.

Entellus, Inc.'s services include, but are not limited to: general project administration, construction inspections of water service line repair and replacement, resident engineering services during construction as needed, develop plumbing design drawings for private property, preparation of design documents and details for replacement of either or both customer-side and City-side service lines, track, document and verify information required to comply with federal funding requirements, coordinate and notarize right of entry authorization documents for access to customer

property, coordinate private plumbing permits and inspection with City of Phoenix Planning and Development, daily interaction with contractors to clarify job requirements, provide engineer estimates including bid tabs, and inspection of water service line repairs.

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, including the scoring results, until an agreement is awarded. Three firms submitted proposals and are listed.

Selected Firm

Rank 1: Entellus, Inc.

Additional Proposers

Rank 2: Consor North America, Inc.

Rank 3: Strand Associates, 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 Entellus, Inc. will not exceed \$3.5 million, including all sub consultant and reimbursable costs.

Funding is available in the Water Services Department's Water Infrastructure Finance Authority Grant Funding 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.



Lower Buckeye Road: 27th Avenue to 19th Avenue Major Street Improvements - Engineering Services - ST85100411 (Ordinance S-51153)

Request to authorize the City Manager, or his designee, to enter into an agreement with T.Y. Lin International, Inc. to provide Engineering Services that include design for the Lower Buckeye Road: 27th Avenue to 19th Avenue Major Street Improvements 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 \$200,000.

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 improve roadway pavement, subgrade preparation, aggregate base, install concrete curb and gutter, concrete sidewalk improvements primarily on the north side of the road, install concrete driveways, street lighting improvements, and other miscellaneous work as required for the project.

T.Y. Lin International, Inc.'s services include, but are not limited to: completing design to 100 percent construction documents, including updating the intersection of Lower Buckeye Road and 22nd Avenue based on the Burlington Northern Santa Fe (BNSF) Railway approved option, and updating the project in compliance with the updated City of Phoenix Administrative Procedure 155, Version 2023, and any significant change modifications not identified from the City and BNSF Railway comments from 2020.

Procurement Information

The selection was made using a Direct Select process set forth in section 34-103 of the Arizona Revised Statutes. The Direct Select process will reduce the time to procure engineering services as opposed to an advertised selection process, meeting the project deadline, ensuring continuity of services due to familiarity with the project, and is the most efficient use of staff and funding resources.

Contract Term

The term of the agreement is two 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 T.Y. Lin International, Inc. will not exceed \$200,000, including all subconsultant and reimbursable costs.

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

City Council approved Engineering Services Agreement 147492 (Ordinance S-44598) on May 16, 2018.

Location

This project is located on Lower Buckeye Road from 27th Avenue to 19th Avenue.
Council Districts: 7 and 8

Responsible Department

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



Citywide Engineering On-Call Services Calendar Years 2023-2024 - Amendment (Ordinance S-51154)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 157200 with Carollo Engineers, Inc. for Citywide Engineering On-Call Services Calendar Years 2023-24. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed \$500,000.

Summary

The On-Call consultant will be responsible for providing On-Call Engineering Services that include, but are not limited to: studies, plan review, special inspections, programming, master plans, design, construction document development (plans, specifications and cost estimates), and construction administration and inspection services.

This amendment is necessary for the City to complete an Advanced Purification Water Treatment Pre-Feasibility Study. The pre-feasibility study will characterize potential flows and facility sizing, water quality, source water conveyance, purified water delivery, and water exchange approaches for a regional advanced purified water facility located at the 91st Avenue Wastewater Treatment Plant. This amendment will provide additional funds to the agreement.

Contract Term

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

Financial Impact

- The initial agreement for Engineering Services was approved for an amount not to exceed \$1.2 million, including all subconsultant and reimbursable costs.

- This amendment will increase the agreement by an additional \$500,000, for a new total amount not to exceed \$1.7 million, including all subconsultant and reimbursable costs.

Funding for this amendment 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 the execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The City Council approved Citywide Engineering On-Call Services Calendar Years 2023-24, Agreement 157200, Ordinance S-49068, on Oct. 12, 2022.

Responsible Department

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



South Mountain Activity Complex Renovation - Construction Manager at Risk Services Amendment - PA75200711 (Ordinance S-51155)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 159614 with Valley Rain Construction Corporation to provide Construction Services for the South Mountain Activity Complex Renovation project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed \$5.5 million.

Summary

The purpose of this project is to provide renovation to the South Mountain Activity Complex that includes the demolition of the existing amenities and installation of new amenities which include: parking lot improvements, ramadas, a grand pavilion including a restroom, a shade pavilion including another restroom, hardscape improvements, landscape improvements including a terraced tree bosque and a cactus garden, landscape irrigation, site furniture, lighting improvements, trail improvements, and a small trailhead.

This amendment is necessary to provide construction services. This amendment will provide additional funds to the agreement.

Contract Term

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

Financial Impact

- The initial agreement for Construction Manager at Risk Services was approved for an amount not to exceed \$10 million, including all subcontractor and reimbursable costs.
- This amendment will increase the agreement by an additional \$5.5 million, for a

new total amount not to exceed \$15.5 million, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved Construction Manager at Risk Services Agreement 159614 (Ordinance S-50368) on Dec. 6, 2023.

Location

10919 S. Central Ave.
Council District: 8

Responsible Department

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



Construction Contract Awards During City Council Summer Recess (Ordinance S-51156)

Request to authorize the City Manager, or his designee, to award up to ten contracts in support of critical construction projects during the City Council summer recess. 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.

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 Street Transportation Department has identified the following items as urgent, critical, and requiring contract services for projects that have extremely tight deadlines. The procurements are scheduled to complete selection in late June and July 2024, which will not allow contract awards to occur prior to Council's summer recess. The scope, contract services, and corresponding cost estimates are as follows:

- Item 1: AH10010002 - US Vets Facility Roofing Design-Bid-Build Services. Award to one firm in an amount not to exceed \$500,000. Funding is available through the American Rescue Plan Act. Council District 1.
- Item 2: AH10010002 - US Vets Facility Waste and Vent Upgrades Design-Bid-Build Services. Award to one firm in an amount not to exceed \$1.7 million. Funding is available through the American Rescue Plan Act. Council District 1.

- Item 3: AH20300003 - Edison Impact Hub Design-Bid-Build Services. Award to one firm in an amount not to exceed \$9 million. Funding is available through the American Rescue Plan Act. Council District 8.
- Item 4: AH50100070 - Edison Park Improvements and Linear Park Development Design-Bid-Build Services. Award to one firm in an amount not to exceed \$11,301,050. Funding is available through the American Rescue Plan Act. Council District 8.
- Item 5: ST83140119, ST83140121, ST83140122 and ST83140123 - ARPA Local Drainage Mitigation Package 1 Design-Bid-Build Services. Award to one firm in an amount not to exceed \$3.1 million. Funding is available through the American Rescue Plan Act. Council Districts 3, 4 and 6.
- Item 6: ST83140116, ST83140111, ST83140113, ST83140115, ST83140120 - ARPA Local Drainage Mitigation Package 2 Design-Bid-Build Services. Award to one firm in an amount not to exceed \$4.2 million. Funding is available through the American Rescue Plan Act. Council Districts 4, 6 and 8.
- Item 7: ST87400405 - FY2022 CMAQ Alley Dustproofing Design-Bid-Build Services. Award one firm in an amount not to exceed \$3,846,492. Funding is available through Arizona Highway User Funds and Federal Aid funds. Council Districts Citywide.
- Item 8: FD57100020 - Fire Station 74 Design-Bid-Build Services. Award one firm in an amount not to exceed \$11,286,624. Funding is available through Housing and Urban Development. Council District 6.
- Item 9: LS71100008, 7510111011 - Burton Barr Library Startup PHX and PHXWorks Expansion Design-Bid-Build Services. Award one firm in an amount not to exceed \$600,000. Funding is available through the American Rescue Plan Act. Council District 7.
- Item 10: LS71200110 - Outdoor Digital LED Signage Design-Bid-Build Services. Award one firm in an amount not to exceed \$3 million. Funding is available through the American Rescue Plan Act. Council Districts Citywide.

Procurement Information

The City Engineer and Street Transportation Department recommend the award of contracts by the City Manager during the summer recess to the firms who provide the best value to the City based on price proposals submitted by the firms in response to the City's request for bids for the projects listed above.

Contract Term

Contract terms will vary depending on the scope of services for each project. 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

Capital Improvement Program or Operating budget funding may be utilized. 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 Assistant City Manager Lori Bays, Deputy City Managers Gina Montes and Inger Erickson, and the Housing, Street Transportation, Fire, Parks and Recreation, and Library departments and the City Engineer.



State Route 85 Landfill Excavation - Construction Manager at Risk Services Amendment - PW16810006 (Ordinance S-51162)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 156392 with Rummel Construction, Inc. to provide additional Construction Manager at Risk Construction Services for the State Route 85 Landfill Excavation project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed \$18 million.

Summary

The purpose of this project is to construct Phases Three and Four of State Route 85 Landfill Cell Two. The State Route 85 Landfill Cell Two project contains four phases and includes, but is not limited to: excavation of approximately 4,700,000 cubic yards of soil, sub grade preparation work, installation of screening and safety berms, a leachate collection system, associated drainage collection, and other ancillary features required to complete the project. The contractor will also have the opportunity to provide pricing for the geo-synthetic liner supply and installation services.

This amendment is necessary to complete Phases Three and Four of Cell Two. This amendment will provide additional funds to the agreement.

Contract Term

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

Financial Impact

- The initial agreement for Construction Manager at Risk Services was approved for an amount not to exceed \$16.4 million, including all subcontractor and reimbursable costs.
- This amendment will increase the agreement by an additional \$18 million, for a new

total amount not to exceed \$34.4 million, including all subcontractor and reimbursable costs.

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

Concurrence/Previous Council Action

The City Council approved Construction Manager at Risk Preconstruction and Construction Services Agreement 156392 (Ordinance S-48722) on June 15, 2022.

Location

28361 W. Patterson Road, Buckeye, Ariz.
Council District: Out of City

Responsible Department

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



Grand Canal Phase III - Construction Manager at Risk Construction Services Amendment - ST87600131 (Ordinance S-51163)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 156247 with Hunter Contracting Co. to provide additional Construction Manager at Risk Construction Services for the Grand Canal Phase III project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed \$9 million.

Summary

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

This amendment is necessary because additional construction services are needed to continue with project. This amendment will provide additional funds and time to the agreement.

Contract Term

The term of the agreement amendment is 485 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 initial agreement for Construction Manager at Risk Services was approved for an amount not to exceed \$6,910,700, including all subcontractor and reimbursable costs.
- This amendment will increase the agreement by an additional \$9 million, for a new total amount not to exceed \$15,910,700, including all subcontractor and reimbursable costs.

Funding for this amendment 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 the execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action

The City Council approved:

- Engineering Services Agreement 153853 (Ordinance S-47337) on March 3, 2021;
- Construction Manager at Risk Preconstruction Services Agreement 154118 (Ordinance S-47462) on April 21, 2021; and
- Construction Manager at Risk Construction Services Agreement 156247 (Ordinance S-48574) on May 11, 2022.

Public Outreach

Hunter Contracting Co. will work with the City of Phoenix public outreach firm on public engagement.

Location

Grand Canal between 75th Avenue and 47th Avenue
Council District: 4 and 5

Responsible Department

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



Abandonment of Easements - ABND 230005 - Northeast Corner of Alta Vista Road and 8th Place (Resolution 22231)

Abandonment: 230005

Project: 22-546

Applicant: Jeffrey Williams

Request: To abandon the water easement that runs east to west across parcels; the right-of-way easement, irrigation easement, and public utility easement, also does not appear to be needed. Abandoning these easements would allow for new development on these parcels.

Date of Decision: June 8, 2023

Location

Generally located at the northeast corner of Alta Vista Road and 8th Place

Council District: 8

Financial Impact

None. No fee required as a part of this easement abandonment, although filing fees were paid.

Responsible Department

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



Abandonment of Right-of-Way - ABND 230049 - North of Thomas Road and East of 18th Street (Resolution 22232)

Abandonment: 230049

Project: 22-3544

Applicant: Jennifer K. Boblick

Request: To abandon the cul-de-sac on 18th Place.

Date of Hearing: Oct. 12, 2023

Location

Generally located north of Thomas Road and east of 18th Street

Council District: 4

Financial Impact

An exchange of right-of-way abandonment and dedicated, along with sewer easement dedicated is an equivalent financial exchange.

Responsible Department

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



Approval to Accept and Disburse an Arizona State Parks & Trails Historic Preservation Heritage Fund Grant for Fiscal Year 2024 - State Funding (Ordinance S-51158)

This report requests authorization for the City Manager, or his designee, to accept rehabilitation grant funds for the historically designated Seargeant-Oldaker House located at 649 N 3rd Ave., provided by the Arizona State Parks & Trails Historic Preservation Heritage Fund Grant. Further request authorization for the City Treasurer to accept, and for the City Controller to disburse, all funds related to this item.

Summary

The City of Phoenix was awarded an Arizona State Parks & Trails Historic Preservation Heritage Fund Grant in the amount of \$324,329 to rehabilitate the historic Seargeant-Oldaker House. The house was constructed in 1909 and was listed in the National and Phoenix historic property registers as a significant local example of Craftsman-style architecture and for its association with prominent Phoenician Elizabeth Seargeant-Oldaker. The building, which had previously been slated for demolition, will now be relocated on the property, set on a new foundation, stabilized, and rehabilitated for adaptive reuse as a restaurant. The relocation would allow for new multi-use development on the property and provide for long-term preservation of the building through a conservation easement.

The total estimated project cost is \$1,350,645, with the City to provide \$400,000 in Phil Gordon Threatened Building Grant funds, the Historic Preservation Heritage Fund providing \$324,329, and the applicant, 649 3rd Ave. Partners, LLC, authorized agent of owner Shadley AZ Investments, LLC, paying the \$626,316 balance.

The City applied for the grant since the property is privately owned. Private property owners may not apply directly for Heritage Fund grants but may receive funds as a third party through an eligible third-party applicant.

Financial Impact

The City's costs would not exceed \$400,000 available from the Historic Preservation Office program budget for grants and subsidies under the classification of the Phil Gordon Threatened Building Program.

State grant funding received is available through the State Legislature under Arizona Revised Statutes 41-503 Historic Preservation Heritage Fund Fiscal Year 2024 grant opportunity.

Concurrence/Prior Action

- The City Council approved Resolution 22179 to apply for the grant funding on Jan. 3, 2024.
- The City Council approved use of Phil Gordon Threatened Building grant funding for the Seargeant-Oldaker House (Ordinance S-50560) on Feb. 7, 2024.

Location

649 N. 3rd Ave.
Council District: 7

Responsible Department

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



Remove/Replace Zoning District - 19th Avenue and Park View Lane - Annexation 539 - Approximately 710 Feet East of the Northeast Corner of 19th Avenue and Park View Lane (Ordinance G-7276)

Request to authorize the City Manager, or his designee, to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by removing the Maricopa County RU-43 zoning district and replacing it with the City of Phoenix S-1 DVAO zoning district on property at the location described below, which was annexed into the City of Phoenix on May 1, 2024, by Ordinance S-50829.

Location

Approximately 710 feet east of the northeast corner of 19th Avenue and Park View Lane

Council District: 1

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING 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, BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE ANNEXED PARCEL DESCRIBED HEREIN (19TH AVENUE AND PARK VIEW LANE ANNEXATION, NO. 539) FROM COUNTY RU-43 TO CITY'S S-1 DVAO (RANCH OR FARM RESIDENCE, DEER VALLEY AIRPORT OVERLAY DISTRICT).

WHEREAS, on May 1, 2024, via Ordinance S-50829, the City of Phoenix annexed an approximately 6.39-acre property located approximately 710 feet east of the northeast corner of 19th Avenue and Park View Lane, in a portion of Section 7, Township 4 North, Range 3 East, as described more specifically in "Exhibit A" and incorporated herein by this reference; and,

WHEREAS, as required by A.R.S. § 9-471.L, the City of Phoenix is required to adopt zoning districts on the subject parcel to permit uses and densities no greater than those allowed by the prior County zoning district; and,

WHEREAS, immediately prior to annexation the zoning applicable to this territory was Maricopa County's RU-43 zoning district; and

WHEREAS, the City's S-1 DVAO (Ranch or Farm Residence, Deer Valley Overlay District) zoning district is equivalent to Maricopa County's RU-43 zoning district;

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

SECTION 1. The approximately 6.39-acre property located approximately 710 feet east of the northeast corner of 19th Avenue and Park View Lane, in a portion of Section 7, Township 4 North, Range 3 East, which is described in “Exhibit A” and depicted in “Exhibit B” has been annexed to the City of Phoenix, and the present corporate limits of the City have been extended and increased to include such property.

SECTION 2. Pursuant to A.R.S. §9-471(L), the property depicted in Exhibit B is hereby removed from Maricopa County's RU-43 zoning district and placed into the City's S-1 DVAO (Ranch or Farm Residence, Deer Valley Airport Overlay District) zoning district. This zoning designation shall take effect thirty days after this Ordinance is adopted, without further action by the City Council, and

SECTION 3. The City Clerk shall cause a copy of this Ordinance, together with “Exhibit A” and “Exhibit B” to be filed and recorded in the Records of the Office of the Maricopa County Recorder, and

SECTION 4. 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 5. 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 1st day of July, 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)

19TH AVENUE AND PARK VIEW LANE ANNEXATION

Legal Description

Exhibit A

That part of the Northwest quarter of Section 7, Township 4 North, Range 3 East, G&SRB&M, Maricopa County, Arizona lying adjacent to part of the South and the East boundary of the area previously annexed by the City of Phoenix Ordinance No. G-5000 recorded in Document No. 2007-1144844 in the Office of the County Recorder of said Maricopa County, more particularly described as;

the East half of the Northeast quarter of the Southwest quarter of the Northwest quarter, and the East half of the South half of GLO Lot 10, said Section 7;

EXCEPTING therefrom any area lying within the South 25 feet of said East half of the South half of GLO Lot 10 being the "easement and agreement for highway purposes" as described in Docket 10160, page 223 in the Office of the County Recorder of Maricopa County, Arizona.

Area = 6.386 Acres

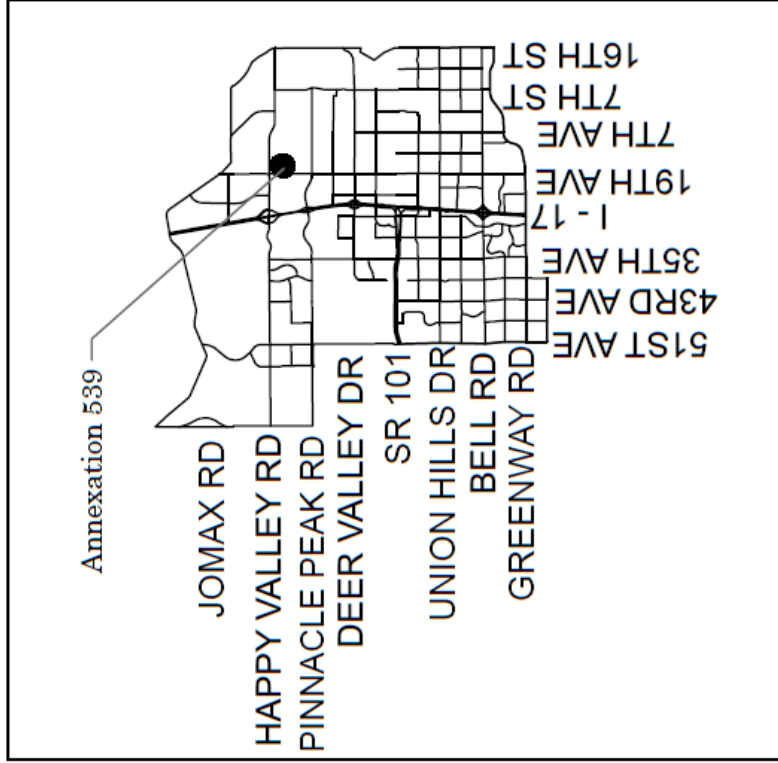
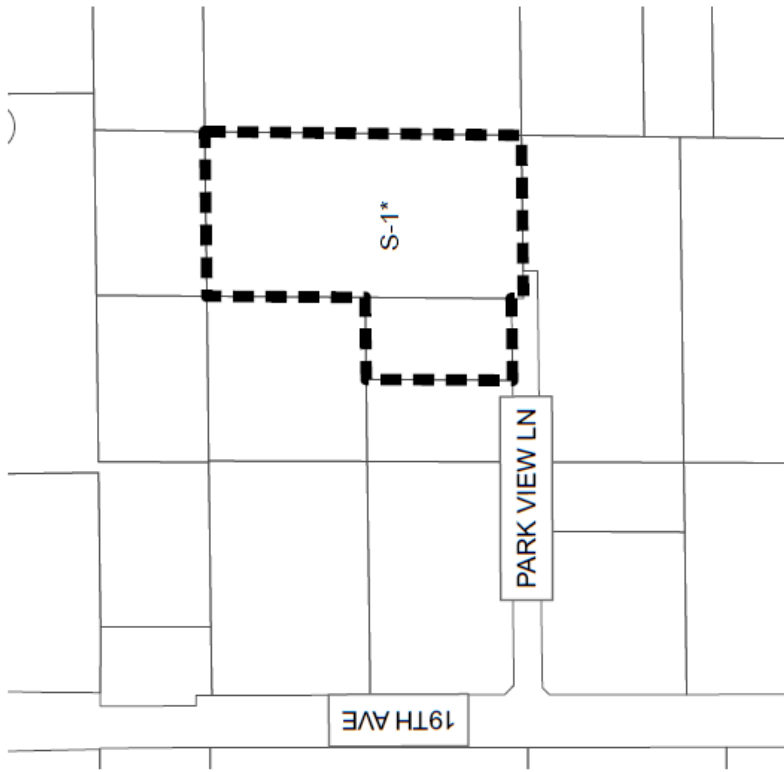
Area = 0.0100 Sq. Miles

DRAFT

EQUIVALENCY ZONING MAP

Annexation Case: Annexation 539
 Zoning Overlay: Deer Valley Airport Overlay District
 Planning Village: Deer Valley

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



NOT TO SCALE



Drawn Date: 6/3/2024



Amend City Code - Ordinance Adoption - Rezoning Application Z-21-24-1 - Northeast Corner of 24th Avenue and Lone Cactus Drive (Ordinance G-7274)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-21-24-1 and rezone the site from R-5 DVAO (Multifamily Residence District, Deer Valley Airport Overlay District) to A-1 DVAO (Light Industrial District, Deer Valley Airport Overlay District) to allow material and equipment storage.

Summary

Current Zoning: R-5 DVAO

Proposed Zoning: A-1 DVAO

Acreage: 1.85

Proposal: Material and equipment storage

Owner: Deer Valley Enterprises, LLC c/o Joseph Kern

Applicant: Francisco Soto Revueltas, Soto Design Studio, LLC

Representative: Kay Shepard

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Deer Valley Village Planning Committee heard this item on May 21, 2024, and recommended approval, per staff recommendation, by a vote of 9-0.

PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the Deer Valley Village Planning Committee recommendation, by a vote of 8-0.

Location

Northeast corner of 24th Avenue and Lone Cactus Drive

Council District: 1

Parcel Address: 21407 and 21421 N. 24th Ave., and 2326 W. Lone Cactus Drive

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-21-24-1) FROM R-5 DVAO (MULTIFAMILY RESIDENCE DISTRICT, DEER VALLEY AIRPORT OVERLAY DISTRICT) TO A-1 DVAO (LIGHT INDUSTRIAL DISTRICT, DEER VALLEY AIRPORT OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 1.85-acre property located at the northeast corner of 24th Avenue and Lone Cactus Drive in a portion of Section 24, Township 4 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "R-5 DVAO" (Multifamily Residence District, Deer Valley Airport Overlay District) to "A-1 DVAO" (Light Industrial District, Deer Valley Airport Overlay District).

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

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

1. The development shall be in general conformance with the site plan date stamped January 31, 2024, and as approved by the Planning and Development Department.
2. The maximum building height shall be 30 feet.
3. Required landscape setbacks shall be planted with minimum 2-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, with five 5-gallon shrubs per tree, as approved by the Planning and Development Department.
4. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.
5. 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.
6. An outdoor employee resting area of no less than 120-square feet shall be provided on site. The required pedestrian area shall include a pedestrian seating bench, constructed of quality and durable materials, and shaded to a minimum of 75% using minimum 2-inch caliper large canopy drought-tolerant shade trees and/or architectural shade, as approved by the Planning and Development Department.
7. A minimum of 10% of the required parking spaces shall include Electric Vehicle (EV) Capable infrastructure, as approved by the Planning and Development Department.
8. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the front office and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

9. A minimum of one 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 minimum 5-foot-wide sidewalk shall be constructed on the east side of 24th Avenue, adjacent to the development.
11. A minimum 6-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape strip located between the back of curb and sidewalk shall be constructed on the north side of Lone Cactus Drive, adjacent to the development, planted to the following standards and maintained with a watering system, 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 with a maximum mature height of two feet to achieve a minimum of 75% live coverage at maturity.

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

12. Replace unused driveways with sidewalk, curb and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
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. Only landscape materials listed in the Phoenix Active Management Area Low Water-Use/Drought-Tolerant Plant List shall be utilized internal to the site, 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 one green infrastructure (GI) technique 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.
18. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the City of Phoenix Business Water Efficiency Program for a minimum of 10 years, or as approved by the Planning and Development Department.
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 1st day of July, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-21-24-1

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

Lots 20 and 23, BLACK CANYON HEIGHTS, according to Book 56 of Maps, Page 14, records of Maricopa County, Arizona;

EXCEPT the East 73 feet of Lot 23 thereof.

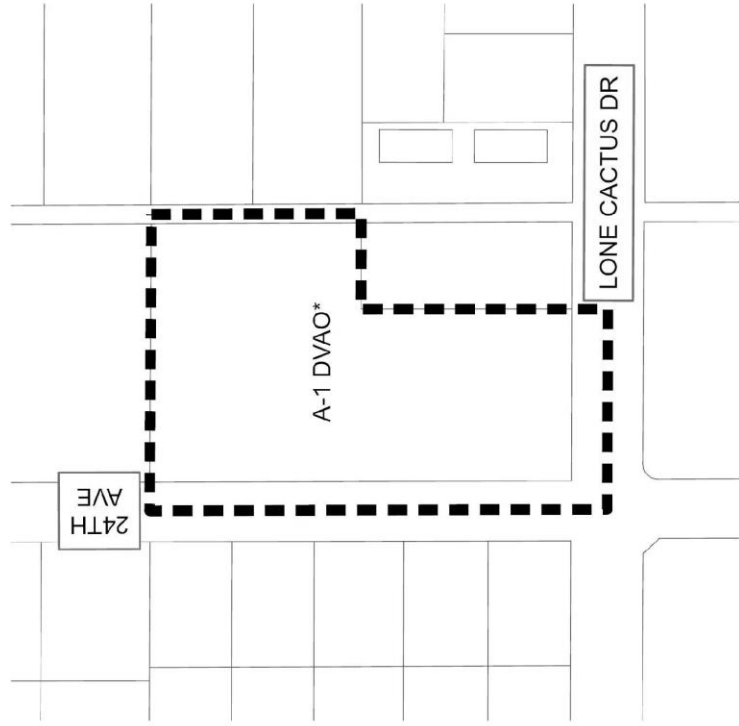
APN: 209-07-020-E

DRAFT

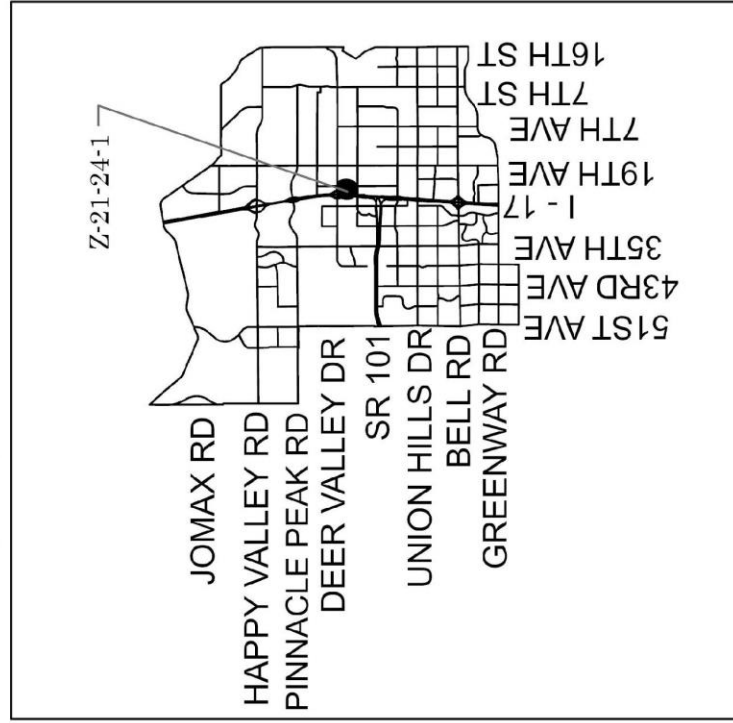
ORDINANCE LOCATION MAP

Zoning Case Number: Z-21-24-1
 Zoning Overlay: Deer Valley Airport Overlay District
 Planning Village: Deer Valley

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



NOT TO SCALE



Drawn Date: 6/4/2024



Amend City Code - Ordinance Adoption - Rezoning Application Z-91-23-2 - Approximately 250 Feet West of the Southwest Corner of Cave Creek Road and Quail Avenue (Ordinance G-7277)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-91-23-2 and rezone the site from S-1 DVAO (Ranch or Farm Residence, Deer Valley Airport Overlay District) to CP/GCP DVAO (Commerce Park District/General Commerce Park Option, Deer Valley Airport Overlay District) to allow storage and light manufacturing.

Summary

Current Zoning: S-1 DVAO

Proposed Zoning: CP/GCP DVAO

Acreage: 2.55

Proposal: Storage and light manufacturing

Owner: Tabarka Properties, LLC c/o Meir Zenati

Applicant/Representative: Kimberly Schroeder, ProSteel STR, LLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Paradise Valley Village Planning Committee heard this item on May 6, 2024, and recommended approval, per the staff recommendation, by a vote of 12-0.

PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the Paradise Valley Village Planning Committee recommendation, by a vote of 8-0.

Location

Approximately 250 feet west of the southwest corner of Cave Creek Road and Quail Avenue

Council District: 2

Parcel Address: 2315 and 2319 E. Quail Ave.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-91-23-2) FROM S-1 DVAO (RANCH OR FARM RESIDENCE, DEER VALLEY AIRPORT OVERLAY DISTRICT) TO CP/GCP DVAO (COMMERCE PARK DISTRICT/GENERAL COMMERCE PARK OPTION, DEER VALLEY AIRPORT OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 2.55-acre property located approximately 250 feet west of the southwest corner of Cave Creek Road and Quail Avenue in a portion of Section 22, Township 4 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "S-1 DVAO" (Ranch or Farm Residence, Deer Valley Airport Overlay District) to "CP/GCP DVAO" (Commerce Park District/General Commerce Park Option, Deer Valley Airport Overlay District).

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

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

1. The development shall be in general conformance with the site plan date stamped April 18, 2024, with specific regard to the landscape areas provided, as modified by the following stipulations, as approved by the Planning and Development Department.
2. The development shall be in general conformance with the elevations date stamped April 18, 2024, as modified by the following stipulations, as approved by the Planning and Development Department.
3. Perimeter landscape areas, as depicted on the site plan date stamped April 18, 2024, shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings, and drought-tolerant shrubs, accents and vegetative groundcovers to achieve a minimum of 50% live coverage, as approved by the Planning and Development Department.
4. A minimum 5-foot-wide landscape strip shall be provided along the north, west, and south sides of the building, except the loading dock, and shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings, and drought-tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 50% live coverage, as approved by the Planning and Development Department.
5. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade, as approved by Planning and Development Department.
6. All bicycle parking spaces and pedestrian pathways, including sidewalks, shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, 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. One outdoor employee resting area of no less than 200 square feet 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 drought-tolerant shade trees and/or architectural shade, as approved by the Planning and Development Department.

9. Bicycle parking spaces shall be provided per the requirements of Section 1307.H of the Phoenix Zoning Ordinance through Inverted U and/or artistic racks located near the office and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
10. 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.
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. 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.
13. Only 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.
14. Natural turf shall only be utilized for required retention areas (at the bottom of the basin, and only allowed on slopes if required for slope stabilization), and functional turf areas, as approved by the Planning and Development Department.
15. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
16. 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.
17. A minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape strip located between the back of curb and sidewalk shall be constructed on the south side of Quail Avenue, adjacent to the development,

planted to the following standards and maintained with a watering system, 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 with a maximum mature height of two feet to achieve a minimum of 50% live coverage.

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

18. 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.
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 1st day of July, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

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

DRAFT

EXHIBIT A

LEGAL DESCRIPTION

PARCEL NO. 1:

THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE EAST 251 FEET THEREOF; AND

EXCEPT THE WEST 71 FEET THEREOF; AND

EXCEPT THE NORTH 25 FEET.

PARCEL NO. 2:

THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILE AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

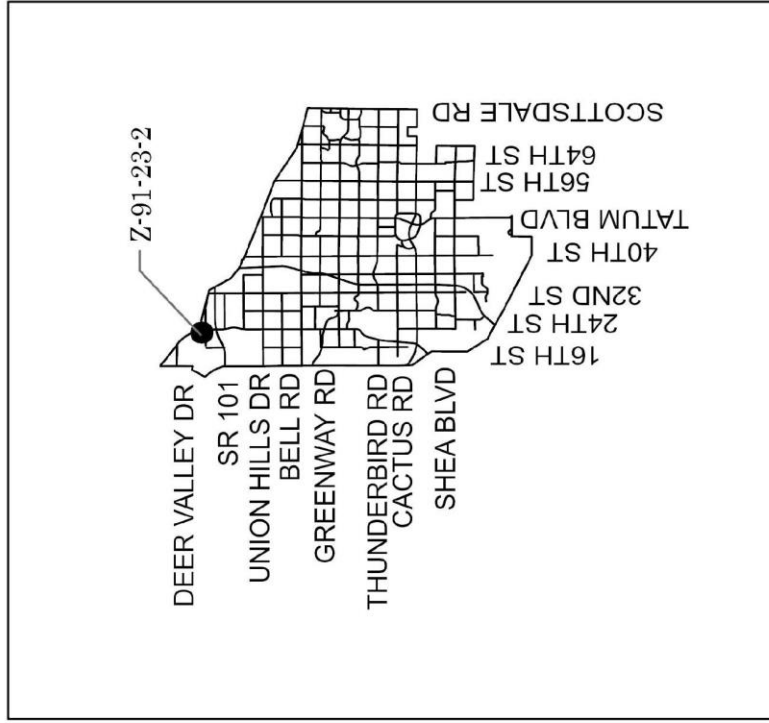
EXCEPT THE EAST 251 FEET THEREOF; AND

EXCEPT THE WEST 71 FEET THEREOF.

ORDINANCE LOCATION MAP

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

Zoning Case Number: Z-91-23-2
Zoning Overlay: Deer Valley Airport Overlay District
Planning Village: Paradise Valley



NOT TO SCALE



Drawn Date: 6/4/2024



PCD Major Amendment - Rezoning Application Z-104-K-75-3 - Approximately 325 Feet South of the Southeast Corner of 21st Avenue and Bell Road

Request to approve Rezoning Application Z-104-K-75-3 and rezone the site from PCD (Approved C-2 PCD) (Planned Community District, Approved Intermediate Commercial, Planned Community District) to A-1 PCD (Light Industrial, Planned Community District) for a major amendment to the Northgate PCD to allow industrial.

Summary

Current Zoning: PCD (Approved C-2 PCD)

Proposed Zoning: A-1 PCD

Acreage: 3.84

Proposal: Industrial

Owner: Sunbelt Bell 17, LP c/o Tyler Smith

Applicant: Andy Jochums, Gilbert Blilie, PLLC

Representative: Jeffrey Blilie, Gilbert Blilie, PLLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Deer Valley Village Planning Committee heard this item on May 21, 2024, and recommended approval, per the staff recommendation, by a vote of 8-1.

PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the Deer Valley Village Planning Committee recommendation, by a vote of 8-0.

Location

Approximately 325 feet south of the southeast corner of 21st Avenue and Bell Road

Council District: 3

Parcel Address: 16801 and 16951 N. 21st Ave., 2020 W. Phelps Road, and 2001 W. Bell Road

Responsible Department

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

ATTACHMENT A
Northgate Planned Community District

Z-104-K-75-3

Planning Commission Approved Stipulations from June 6, 2024:

1. The developer shall update and comply with all applicable master development plans prior to the issuance of the preliminary site plan approval, as approved by the Planning and Development Department.
2. A minimum 6-foot-wide detached sidewalk and a minimum 10-foot-wide landscape area between back of curb and sidewalk shall be constructed on the west side of 19th Avenue, adjacent to the development.
3. A minimum 5-foot-wide detached sidewalk and a minimum 5-foot-wide landscape strip located between curb and sidewalk shall be constructed on the north side of Grandview Road, adjacent to the development.
4. A minimum 5-foot-wide detached sidewalk and a minimum 5-foot-wide landscape strip located between curb and sidewalk on the south side of Phelps Road, adjacent to the development.
5. A minimum 5-foot-wide detached sidewalk and a minimum 5-foot-wide landscape strip located between the back of curb and sidewalk shall be constructed on the west side of 20th Avenue, adjacent to the development.
6. Sidewalk and landscaping improvements within the business park, not adjacent to the development, shall be constructed as approved by the Bell 17 Business Park TIA and Master Phasing Plan.
7. A minimum 40 feet of right-of-way shall be dedicated for the north side of Grandview Road from 19th Avenue to 23rd Avenue.
8. A minimum 65 feet of right-of-way shall be dedicated for the south side of Bell Road.
9. The intersection at 21st Avenue and Grandview Road shall be reconstructed to remove the splitter islands.
10. A traffic signal shall be fully funded and installed at the intersection for 19th Avenue and Grandview Road.
11. The intersection at 19th Avenue and Grandview Road shall be reconstructed, including removal of the splitter island.

12. The existing traffic signal at the Phelps Road and 19th Avenue intersection shall be fully funded and reconstructed to meet City of Phoenix standards, as approved by the Street Transportation Department.
13. A traffic signal shall be fully funded and installed at the intersection 21st Avenue and Bell Road and all associated improvements to the western 21st Ave and Bell traffic signal. The intersection shall be reconstructed to meet City of Phoenix standards, as approved by the Street Transportation Department.
14. Replace unused driveways with sidewalk and curb and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
15. 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.
16. A minimum 20-foot landscape setback shall be provided along 21st Avenue, planted with minimum 2-inch caliper, drought-tolerant shade trees, as approved by the Planning and Development Department.
17. Site lighting shall be provided at building entrances/exits, and in public assembly and parking areas, as approved by the Planning and Development Department.
18. 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.
19. 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 drought-tolerant shade trees and/or architectural shade, as approved by the Planning and Development Department.
20. Bicycle parking shall be provided per the requirements of Section 1307.H. through Inverted U and/or artistic racks and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

21. A minimum of 10% of the provided bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
22. A minimum of 5% of the required parking shall be EV Installed and 5 percent of the required parking shall be EV Capable.
23. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plan List shall be utilized, as approved or modified by the Planning and Development Department.
24. 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.
25. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
26. 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 at maturity, or a combination thereof.
27. A minimum of one green infrastructure (GI) technique 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.
28. 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.
29. 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.

EXHIBIT A

LEGAL DESCRIPTION FOR Z-104-K-75-3

A PORTION LOT 1, OF FINAL PLAT FOR SEC BELL ROAD & 21ST AVENUE AS RECORDED IN BOOK 1760, PAGE 3, MARICOPA COUNTY RECORDERS, BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 1, MARKED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 1, MARKED BY A BRASS CAP IN HANDHOLE BEARS NORTH 89°00'25" EAST, A DISTANCE OF 2646.44 FEET;

THENCE NORTH 89°00'25" EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1, A DISTANCE OF 1323.22 FEET TO A MAG NAIL WITH TAG STAMPED "RLS 27239";

THENCE SOUTH 00°54'08" EAST, ALONG THE CENTERLINE OF 21ST AVENUE, A DISTANCE OF 408.74 FEET;

THENCE NORTH 89°00'25" EAST, A DISTANCE OF 33.58 FEET TO A POINT ON A LINE PARALLEL WITH AND 33.58 FEET EAST OF THE CENTERLINE OF SAID 21ST AVENUE, ALSO BEING THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89°00'25" EAST, A DISTANCE OF 624.98 FEET;

THENCE SOUTH 00°28'28" EAST, A DISTANCE OF 252.26 FEET;

THENCE SOUTH 88°54'26" WEST, A DISTANCE OF 623.10 FEET TO A POINT ON A LINE PARALLEL WITH AND 33.58 FEET EAST OF THE CENTERLINE OF SAID 21ST AVENUE;

THENCE NORTH 00°54'08" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 253.33 FEET, TO THE POINT OF BEGINNING.

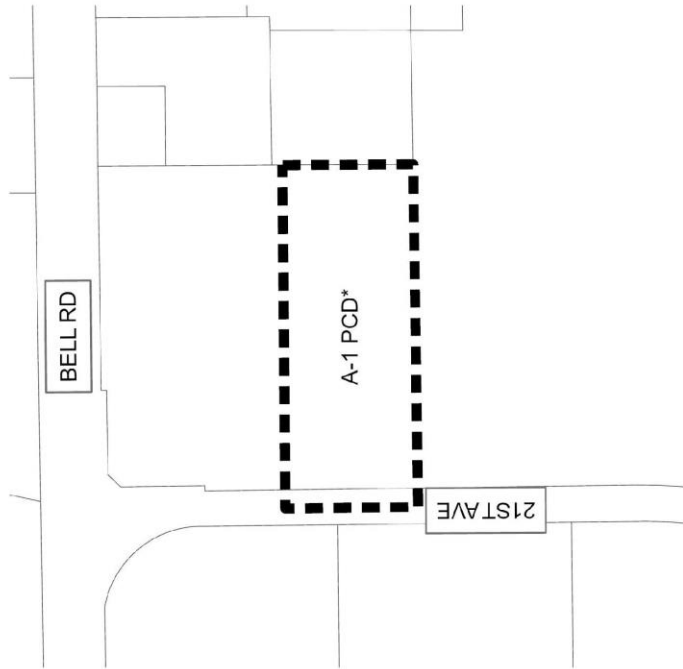
SAID DESCRIPTION CONTAINING 3.62 ACRES ±, 157,687 SQ. FT. ±.

EXHIBIT B

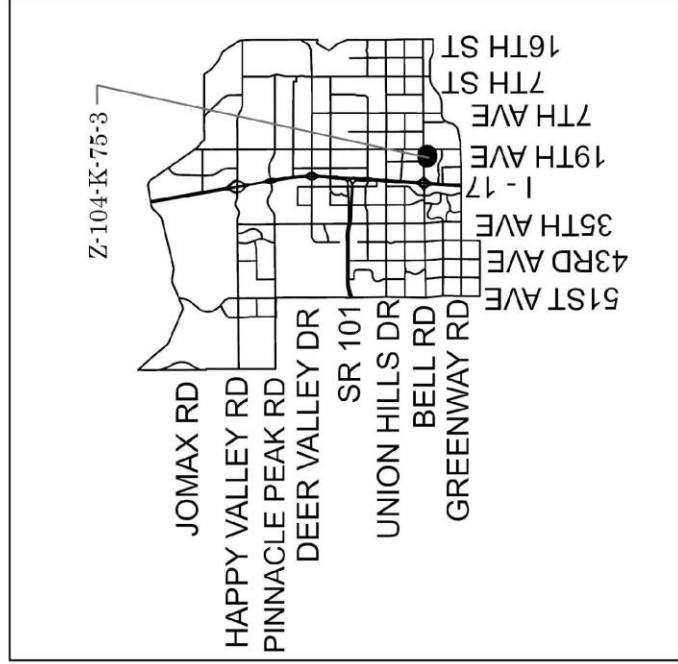
PCD MAJOR AMENDMENT

Zoning Case Number: Z-104-K-75-3
Zoning Overlay: N/A
Planning Village: Deer Valley

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



NOT TO SCALE



Drawn Date: 6/4/2024

\\one\pdr\Shared\Department Share\Information Systems\PLGIS\GIS_Team\GIS_Functions\Zoning\supplaps_CorMap\2024_06\7-1-24\7-1-24_OrdinanceLocationMap.aprx



Amend City Code - Ordinance Adoption - Rezoning Application Z-113-23-3 - Approximately 810 Feet West of the Northwest Corner of 23rd Avenue and Townley Avenue (Ordinance G-7279)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-113-23-3 and rezone the site from C-O (Commercial Office - Restricted Commercial) to WU Code T5:5 (Walkable Urban Code, Transect 5:5 District) to allow multifamily residential.

Summary

Current Zoning: C-O

Proposed Zoning: WU Code T5:5

Acreage: 7.20

Proposal: Multifamily residential

Owner: 2445 West Dunlap, LLC

Applicant/Representative: Taylor Earl, Earl and Curley, P.C.

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The North Mountain Village Planning Committee heard this item on May 15, 2024, and recommended approval, per the staff recommendation, with modifications, a deletion, an additional stipulation, and direction, by a vote of 13-0.

PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the North Mountain Village Planning Committee recommendation, by a vote of 8-0.

Location

Approximately 810 feet west of the northwest corner of 23rd Avenue and Townley Avenue

Council District: 3

Parcel Address: 2445 and 2449 W. Dunlap Ave., and 2530 and 2536 W. Townley Ave.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-113-23-3) FROM C-O (COMMERCIAL OFFICE – RESTRICTED COMMERCIAL) TO WU CODE T5:5 (WALKABLE URBAN CODE, TRANSECT T5:5 DISTRICT).

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

SECTION 1. The zoning of a 7.20-acre site located approximately 810 feet west of the northwest corner of 23rd Avenue and Townley Avenue in a portion of Section 36, Township 3 North, Range, 2 East, as described more specifically in Exhibit “A,” is hereby changed from “C-O” (Commercial Office – Restricted Commercial) to “WU Code T5:5” (Walkable Urban Code, Transect 5:5 District).

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

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

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

1. The site plan and conceptual elevations shall be administratively approved by the Planning Hearing Officer prior to final site plan approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.
 - a. The development shall contain a minimum of one north-south public pedestrian accessway that complies with Section 1304.H. of the Phoenix Zoning Ordinance which shall be located approximately on the 25th Avenue alignment.
 - b. The building elevations along Townley Avenue shall contain a minimum of 10 percent premium materials such as brick, stone, metal, or other comparable materials.
2. A public pedestrian accessway shall be situated approximately (no less than 100 feet from) the 25th Avenue alignment to facilitate pedestrian and bicyclist travel toward the light rail station at 25th Avenue and Dunlap Avenue. The public pedestrian accessway shall be no less than 10 feet in width and comply with the following, as approved or modified by the Planning and Development Department.
 - a. Shall comply with Section 1304.H. of the Phoenix Zoning Ordinance.
 - b. A minimum of one continuous building frontage lining one side of the public pedestrian accessway for no less than 50 percent of the total distance.
 - c. Include no less than 45 percent of the required publicly accessible open space under Section 1304.G of the Phoenix Zoning Ordinance in or adjacent to the accessway.
 - d. Include signage for wayfinding from Townley Avenue to the stipulated paseo within the site.
3. The following ground-level activation shall be provided with some frontage on the 25th Avenue public pedestrian accessway or Townley Avenue, as approved or modified by the Planning and Development Department:
 - a. The ground floor shall include a minimum of 5,000 square feet of non-residential uses. Non-residential uses shall not include lobby, exercise, reception areas, or other similar uses intended for exclusive use by

residents.

- b. Five Live-Work units shall be provided. Live-Work units may be characterized as two-level units that are designed to allow for professional services or sale of goods (inside) Live-Work units shall have a storefront “frontage type” (outside). Live-Work Units shall be designed for small commercial entrepreneurs and/or professional servicers to live and work in their unit.
4. A minimum 6-foot-wide sidewalk detached from the back of curb by a minimum 8-foot-wide landscape area shall be constructed on the north side of Townley Avenue, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.
 - a. Large canopy, single-trunk, drought-tolerant shade trees shall be planted 25 feet on center or in equivalent groupings.
 - b. Drought-tolerant shrubs and vegetative groundcovers shall be maintained at maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
5. Within the sidewalk easement adjacent to the Townley Avenue right of way, there shall be a minimum of one foot candle illumination throughout the easement. Uniform lighting shall be placed along the entire easement to avoid bright high glare areas and low visibility dark areas.
6. A Traffic Impact Study shall be required for this development, and no preliminary approval of plans shall be granted until the City has reviewed and approved the study. The developer shall be responsible for funding and construction of all recommendations of the study.
7. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, curb ramps on all streets and upgrade all off-site improvements to comply current ADA guidelines.
8. 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.
9. Along Townley Avenue, there shall be no continuous frontage type exceeding 200 linear feet. For the purpose of this requirement, “common entry” frontage types do not interrupt the above-referenced measurement because they

provide street access to upper units.

10. A minimum of four building entries shall be provided with the building frontage design along Townley Avenue to provide direct pedestrian access from upper and interior units to adjacent sidewalks, as approved by the Planning and Development Department.
11. Pedestrian pathways shall be provided to connect building entrances, public sidewalks, bus stops, and community amenities, using the most direct route for pedestrians, as approved by the Planning and Development Department.
12. The following bicycle infrastructure shall be provided, and as approved by the Planning and Development Department.
 - a. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.
 - b. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit spaces near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.
 - c. A minimum of one bicycle repair stations (“fix it stations”) shall be provided and maintained along public pedestrian accessway or Townley Avenue.
 - d. Standard electrical receptacles shall be installed for a minimum of 10 percent of the required bicycle parking spaces for electric bicycle charging capabilities.
13. A minimum five percent of the required parking spaces shall be EV capable. A minimum of five of the required parking spaces shall have EV infrastructure installed.
14. 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.
15. A minimum of 25 percent 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 at maturity, or a combination thereof.
16. Only 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.

17. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
18. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize the maintenance and irrigation water consumption for all on and offsite landscape irrigation.
19. Natural turf shall only be utilized for required retention areas (at the bottom of the basin, and only allowed on slopes if required for slope stabilization), and functional turf areas, as approved by the Planning and Development Department.
20. Prior to final site plan approval, the developer shall provide a qualified engineer's report certifying the average annual interior noise exposure for any residential unit or enclosed public assembly area will not exceed 45 decibels, as approved by the Planning and Development Department.
21. 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.
22. A minimum of 10 percent 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.
23. 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 1st day of July, 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)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-113-23-3

THE LAND REFERRED TO HEREIN BELOW IS SITUATED WITHIN A PORTION OF SECTION 36, TOWNSHIP 3 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 2 BANK ONE PLACE, ACCORDING TO BOOK 425 OF MAPS, PAGE 14, RECORDS OF MARICOPA COUNTY, ARIZONA THENCE S 00°21'15" W A DISTANCE OF 242.45 FEET TO THE CENTERLINE OF TOWNLEY AVENUE (60' PUBLIC RIGHT-OF-WAY); THENCE ALONG SAID CENTERLINE N 89°51'33" W A DISTANCE OF 1018.47 FEET; THENCE LEAVING SAID CENTERLINE N 00°20'52" E A DISTANCE OF 335.04 FEET; THENCE S 89°53'32" E A DISTANCE OF 215.01 FEET; THENCE S 00°57'34" W A DISTANCE OF 7.90 FEET; THENCE S 89°51'30" E A DISTANCE OF 321.38 FEET; THENCE N 00°00'07" W A DISTANCE OF 5.12 FEET; THENCE S 89°53'56" E A DISTANCE OF 171.83 FEET; THENCE S 44°50'31" E A DISTANCE OF 127.55 FEET; THENCE S 89°54'11" E A DISTANCE OF 219.89 FEET TO THE POINT OF BEGINNING, HAVING AN AREA OF 313611.40 SQUARE FEET, 7.200 ACRES MORE OR LESS.

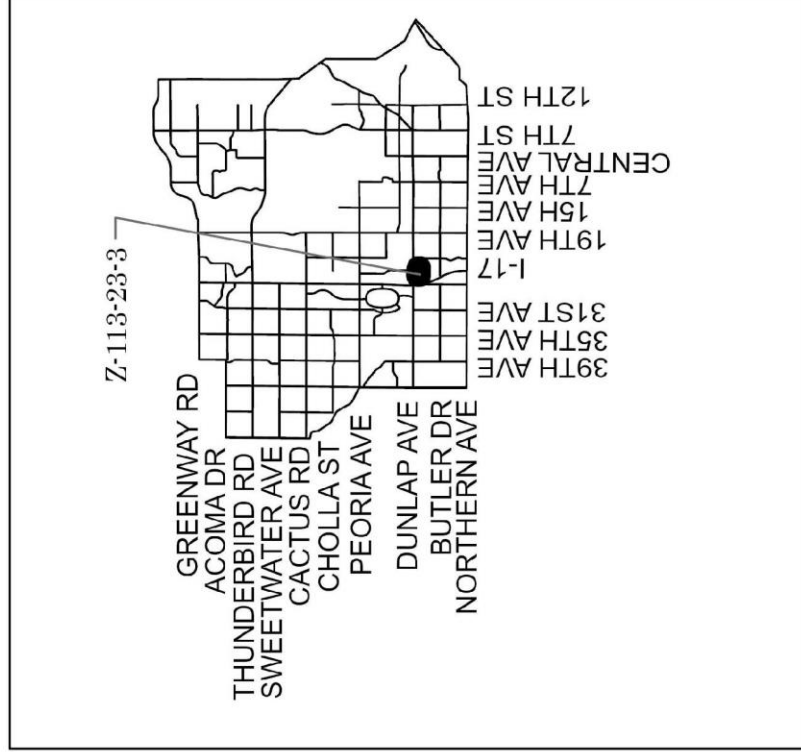
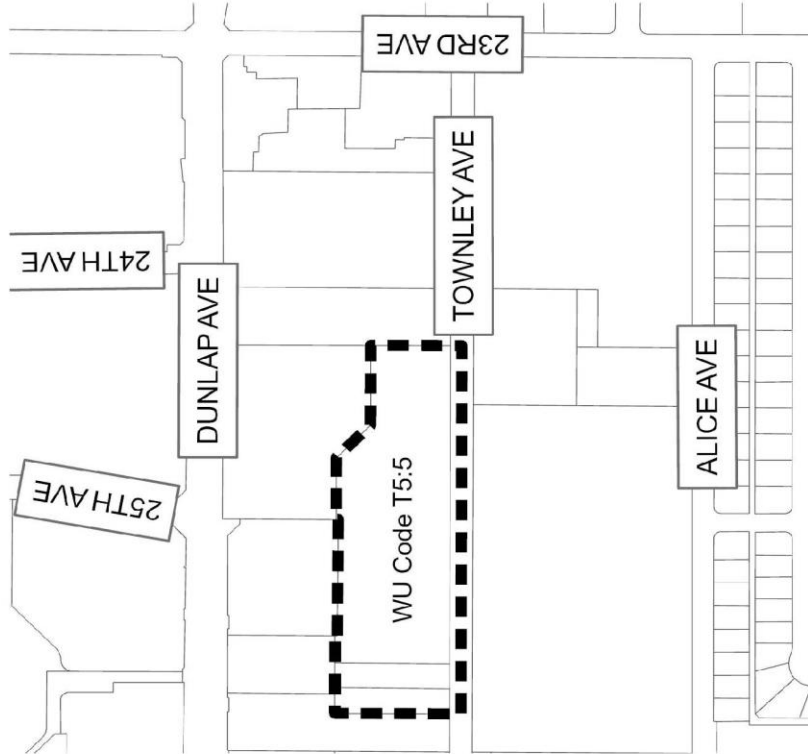
THE DESCRIPTION DERIVED HEREIN WAS PROVIDED AT THE REQUEST OF THE CLIENT TO AID IN REZONING EFFORTS. IT IS MEANT TO PROVIDE THE GROSS ACREAGE OF THE SUBJECT PROPERTY AS DEFINED BY THE CITY OF PHOENIX FOR ZONING BOUNDARIES. IT IS NOT MEANT TO BE CONSTRUED AS A LEGAL BOUNDARY DESCRIPTION TO BE USED FOR CONVEYANCE PURPOSES

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-113-23-3
Zoning Overlay: N/A
Planning Village: North Mountain

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



NOT TO SCALE



Drawn Date: 6/4/2024

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Amend City Code - Ordinance Adoption - Rezoning Application Z-79-23-4 (Wonderview at Highland PUD) - Southwest Corner of 14th Place and Highland Avenue (Ordinance G-7278)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-79-23-4 and rezone the site from R1-6 (Single-Family Residence District) to PUD (Planned Unit Development) to allow mixed use development with office, commercial and multifamily residential.

Summary

Current Zoning: R1-6

Proposed Zoning: PUD

Acreage: 2.49

Proposal: Mixed use development with office, commercial and multifamily residential

Owner: Wonderview Partners, LLC

Applicant: Lorenzo Perez, Venue Projects

Representative: William Allison, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Info: The Camelback East Village Planning Committee heard this item on Feb. 6, 2024, for information only.

VPC Action: The Camelback East Village Planning Committee heard this item on May 7, 2024, and recommended approval, per the staff recommendation, by a vote of 17-0.

PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 8-0.

Location

Southwest corner of 14th Place and Highland Avenue

Council District: 4

Parcel Address: 4600, 4608, 4610 and 4618 N. 14th Place; and 1410 and 1420 E. Meadowbrook Ave.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-79-23-4) FROM R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 2.49-acre site located at the southwest corner of 14th Place and Highland Avenue in a portion of Section 21, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "R1-6" (Single-Family Residence District) to "PUD" (Planned Unit Development).

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

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

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

1. An updated Development Narrative for the Wonderview at Highland PUD reflecting the changes approved through this request shall be submitted to the Planning Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped April 17, 2024, as modified by the following stipulations:
 - a. Front Cover, add “City Council adopted: [Insert Adoption date].”
 - b. Page 11, Landscape Standards Table: Move the Pedestrian Walkways row to the Development Standards table, after the open space requirement.
 - c. Page 23: Revise the legal description to correct the scrivener’s error with the size of the property.
2. A minimum 25 feet of right-of-way shall be dedicated for the west side of 14th Place, adjacent to the development.
3. A minimum 25 feet of right-of-way shall be dedicated for the north side of Meadowbrook Avenue, adjacent to the development.
4. All existing electrical utilities within the public right-of-way shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.
5. 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.
6. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
7. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
8. Prior to 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 1st day of July, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

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

EXHIBIT A

LEGAL DESCRIPTION FOR Z-79-23-4

THAT PORTION OF LOT 18 OF "LINCOLN PLACE" RECORDED IN BOOK 3 OF MAPS, PAGE 65, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA LYING WITHIN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 21 BEING MARKED DOWN BY A 3-INCH CITY OF PHOENIX BRASS CAP IN HANDHOLE (0.60' DOWN), FROM WHICH 3-INCH CITY OF PHOENIX BRASS CAP FLUSH MARKING THE CENTER OF SAID SECTION 21 BEARS NORTH 89 DEGREES 53 MINUTES 07 SECONDS WEST 2662.29 FEET, SAID DESCRIBED LINE BEING THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE NORTH 89 DEGREES 53 MINUTES 07 SECONDS WEST 1331.23 FEET ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER TO A 3-INCH CITY OF PHOENIX BRASS CAP FLUSH MARKING SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21;

THENCE NORTH 00 DEGREES 21 MINUTES 56 SECONDS EAST 659.89 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21 BEING MARKER BY A 3-INCH CITY OF PHOENIX BRASS CAP FLUSH, ALSO BEING THE SOUTH LINE OF SAID LOT 18;

THENCE SOUTH 89 DEGREES 52 MINUTES 24 SECONDS EAST 120.00 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF THE EAST 80.00 FEET OF THE WEST 200.00 FEET OF SAID LOT 18 AND THE POINT OF BEGINNING;
THENCE NORTH 00 DEGREES 21 MINUTES 56 SECONDS EAST 329.93 FEET ALONG SAID WEST LINE TO THE NORTH LINE OF THE SOUTH HALF OF SAID LOT 18;

THENCE SOUTH 89 DEGREES 52 MINUTES 02 SECONDS EAST 86.95 FEET ALONG SAID NORTH LINE TO THE WEST LINE OF THE EAST 126.00 FEET OF THE WEST 112.00 FEET OF THE WEST HALF OF SAID LOT 18;
THENCE NORTH 00 DEGREES 21 MINUTES 39 SECONDS EAST 329.92 FEET ALONG SAID WEST LINE TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21;

THENCE SOUTH 89 DEGREES 51 MINUTES 40 SECONDS EAST 126.00 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF THE WEST HALF OF SAID LOT 18;

THENCE SOUTH 00 DEGREES 21 MINUTES 39 SECONDS WEST 659.82 FEET
ALONG SAID EAST LINE TO THE SOUTH LINE OF SAID LOT 18;

THENCE NORTH 89 DEGREES 52 MINUTES 24 SECONDS WEST 212.98 FEET
ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

COMPRISING 111, 8.32 SQUARE FEET MORE OR LESS.

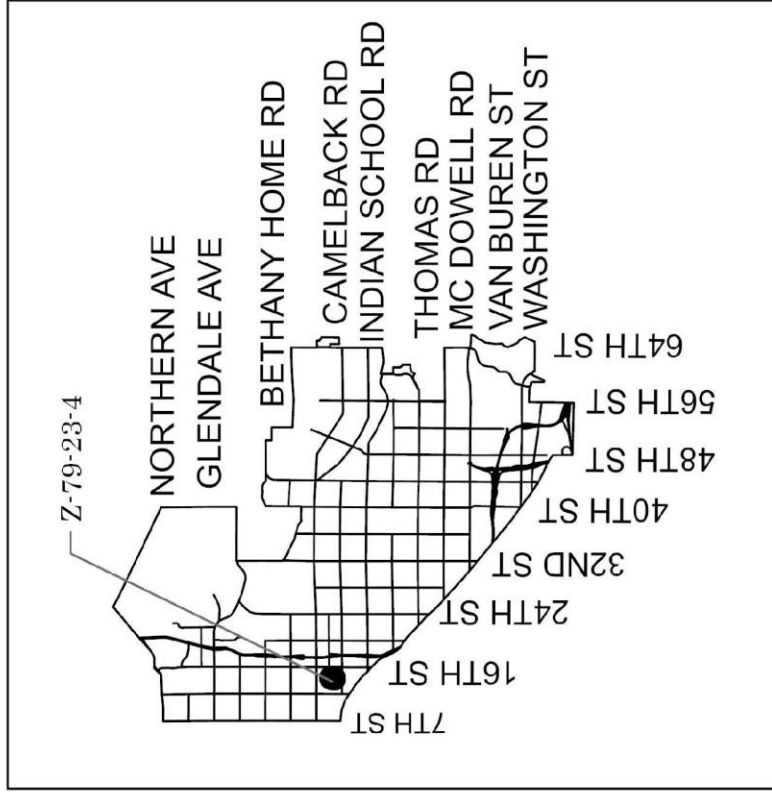
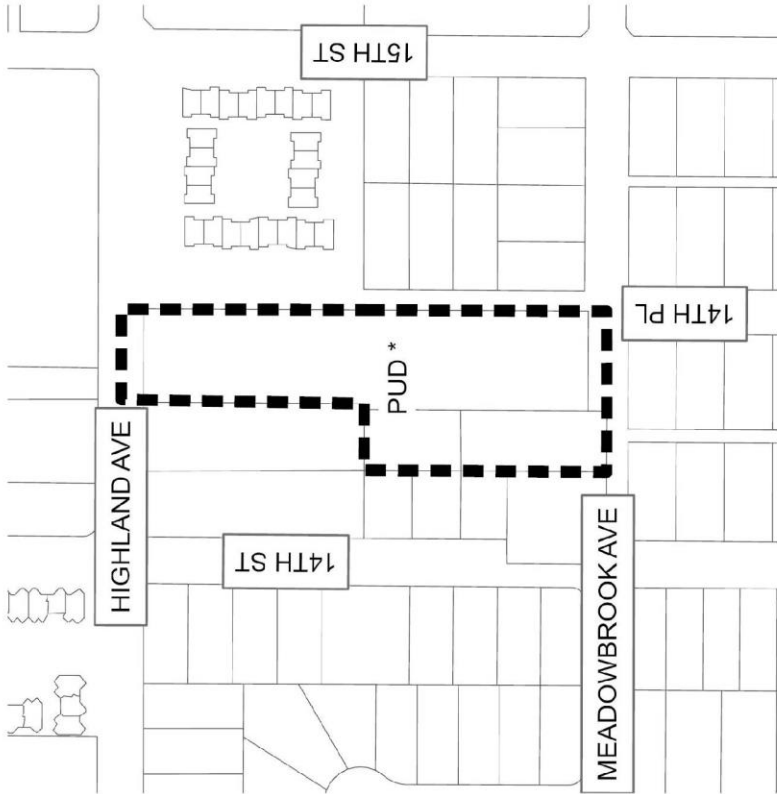
DRAFT

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-79-23-4
Zoning Overlay: N/A
Planning Village: Camelback East

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



NOT TO SCALE



Drawn Date: 6/4/2024

None\pdd\Shared\Department: Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\Supp\Maps_Orc\Mapa\2024_Orc\7-1-24\7-1-24_OrdinanceLocationMaps.aprx



Amend City Code - Ordinance Adoption - Rezoning Application Z-17-23-5 (Zen @ McDowell PUD) - Northwest Corner of 81st Avenue and McDowell Road (Ordinance G-7275)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-17-23-5 and rezone the site from PSC (Planned Shopping Center) to PUD (Planned Unit Development) to allow residential and limited commercial uses per the Walkable Urban Code T4:3 district.

Summary

Current Zoning: PSC

Proposed Zoning: PUD

Acreage: 4.02

Proposal: Residential and limited commercial uses per WU Code T4:3.

Owner: Taras Holding, LLC

Applicant: Zen Investing, LLC

Representative: Adam Baugh, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Info: The Maryvale Village Planning Committee heard this item on March 13, 2024, for information only.

VPC Action: The Maryvale Village Planning Committee was scheduled to hear this item on May 8, 2024, for recommendation; however, there was no quorum.

PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the staff recommendation with modifications, a deletion and an additional stipulation, by a vote of 7-1.

Location

Northwest corner of 81st Avenue and McDowell Road

Council District: 5

Parcel Address: 1616 and 1634 N. 81st Ave.

Responsible Department

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

Development Department.

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-17-23-5) FROM PSC (PLANNED SHOPPING CENTER) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 4.02-acre site located at the northwest corner of 81st Avenue and McDowell Road in a portion of Section 35, Township 2 North, Range 1 East, as described more specifically in Exhibit "A," is hereby changed from "PSC" (Planned Shopping Center) to "PUD" (Planned Unit Development).

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

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

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

1. An updated Development Narrative for the Zen @ McDowell PUD reflecting the changes approved through this request shall be submitted to the Planning Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped April 19, 2024, as modified by the following stipulations:
 - a. Update the cover page with the City Council adoption date.
 - b. Page 11, Development Standards table, Maximum Building Setbacks, Secondary Frontage (81st Avenue): Revise both bullet points to change each instance of "should" to "shall".
 - c. Page 12 - 13, Streetscape Standards table, 81st Avenue: Revise first sentence of the 81st Avenue standard to state "Landscape strip located between back of curb and sidewalk will include a 3-foot landscape strip along 81st Avenue" and revise the second sentence to state "Landscape strip planting standards:"
2. The developer shall modify the median on McDowell Road to accommodate the eastbound to northbound left turn on 81st Avenue, as approved by the Street Transportation Department.
3. The existing streetscape beginning at the back of curb shall be replenished with general landscaping and trees along McDowell Road, as approved by the Planning and Development Department.
4. 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.
5. An enhanced pedestrian connection shall be provided on the western site boundary to allow for direct pedestrian access to the adjacent future commercial development.
6. An enhanced pedestrian connection shall be provided on the southern site boundary to allow for direct pedestrian access to the adjacent transit stop.
7. The development shall be limited to no more than two ingress and two egress vehicular access points to 81st Avenue.

8. The developer shall dedicate right-of-way and construct a bus stop pad on westbound McDowell Road. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The bus stop pad shall be spaced from 81st Avenue according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide 50 percent shade coverage to the bus stop pad.
9. The property owner shall record documents that disclose the existence and operational characteristics of Glendale Municipal 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.
10. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
11. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
12. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
13. Prior to 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.
14. Signage for pedestrian crossings shall be provided at the ingress and egress points along 81st Avenue.

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 1st day of July, 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)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-17-23-5

THE EAST 264.00 FEET OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3-INCH BRASS CAP IN HANDHOLE (0.70' DOWN) MARKING THE SOUTHWEST CORNER OF SAID SECTION 35 FROM WHICH A 3-INCH BRASS CAP IN HANDHOLE (0.70' DOWN) MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 35 BEARS NORTH 88 DEGREES 50 MINUTES 11 SECONDS EAST 2641.17 FEET, SAID LINE BEING THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE NORTH 88 DEGREES 50 MINUTES 11 SECONDS EAST 1056.46 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER TO THE WEST LINE OF THE EAST 264.00 FEET OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SAID SOUTHWEST QUARTER AND THE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 35 MINUTES 59 SECONDS EAST 660.32 FEET ALONG SAID WEST LINE TO THE NORTH LINE OF SAID SOUTH HALF;
THENCE NORTH 88 DEGREES 48 MINUTES 43 SECONDS EAST 264.13 FEET ALONG SAID SOUTH LINE TO THE EAST LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER;

THENCE SOUTH 00 DEGREES 35 MINUTES 59 SECONDS WEST 660.43 FEET ALONG SAID EAST LINE TO THE TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER;

THENCE SOUTH 88 DEGREES 50 MINUTES 11 SECONDS WEST 264.13 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

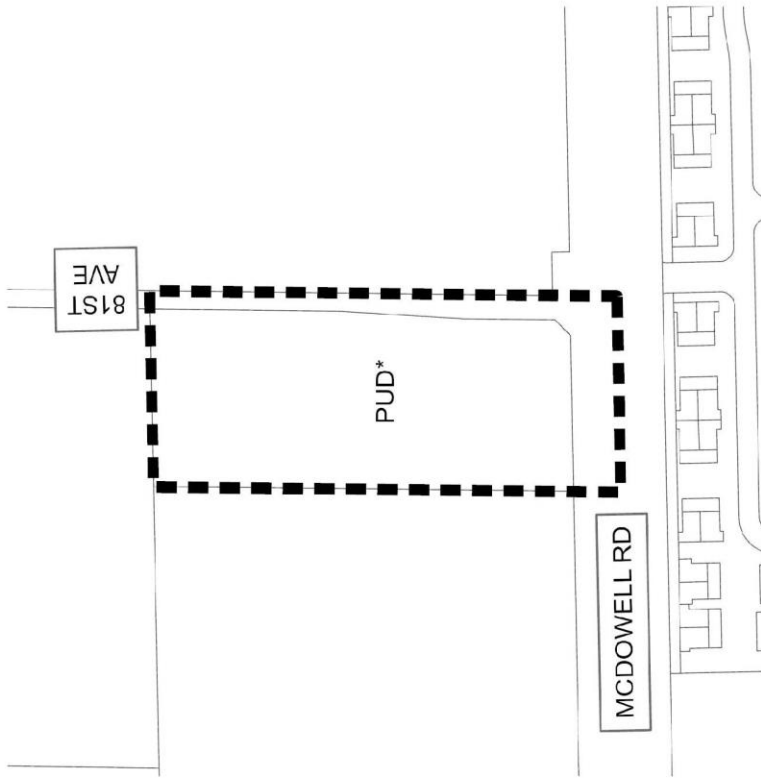
COMPRISING 174,338 SQUARE FEET, MORE OR LESS.

ORDINANCE LOCATION MAP

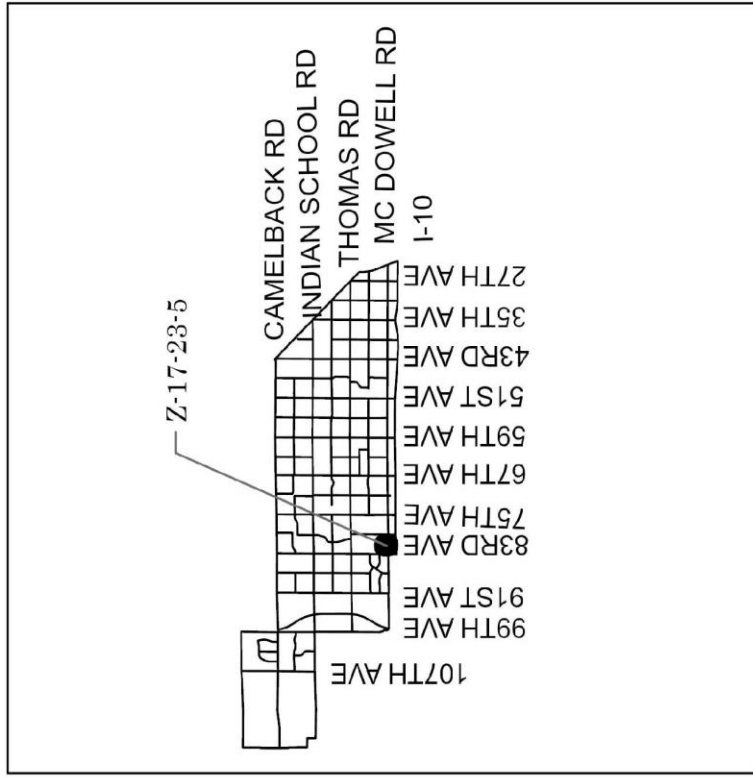
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: - - - - -



Zoning Case Number: Z-17-23-5
 Zoning Overlay: N/A
 Planning Village: Maryvale



NOT TO SCALE



Drawn Date: 6/4/2024

\\one\pdd\Shared\Department_Share\Information_Systems\PL_GIS\GIS_Team\GIS_Functions\Zoning\Supp\Maps_Ord\17-24\1-24_Ordinance_Location\Maps.aprx



Amend City Code - Ordinance Adoption - Rezoning Application Z-26-24-6 - Approximately 210 Feet West of the Southwest Corner of 10th Street and Pasadena Avenue (Ordinance G-7272)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-26-24-6 and rezone the site from C-2 (Intermediate Commercial) and P-1 (Passenger Automobile Parking, Limited) to C-2 (Intermediate Commercial) to allow commercial use. This is a companion case to Z-SP-7-23-6 and should be heard first, followed by Z-SP-7-23-6.

Summary

Current Zoning: C-2 (0.03 acres) and P-1 (0.32 acres)

Proposed Zoning: C-2

Acreage: 0.35

Proposal: Commercial use

Owner: Chapman Automotive Group, LLC c/o David Bower

Applicant: Ali Bull, Burch & Cracchiolo, P.A.

Representative: Ed Bull, Burch & Cracchiolo, P.A.

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Camelback East Village Planning Committee heard this item on May 7, 2024, and recommended approval, per the staff recommendation, with a deletion, by a vote of 19-0.

PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 8-0.

Location

Approximately 210 feet west of the southwest corner of 10th Street and Pasadena Avenue

Council District: 6

Parcel Address: 901 E. Pasadena Ave.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-26-24-6) FROM C-2 (INTERMEDIATE COMMERCIAL) AND P-1 (PASSENGER AUTOMOBILE PARKING, LIMITED) TO C-2 (INTERMEDIATE COMMERCIAL).

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

SECTION 1. The zoning of a 0.35-acre property located approximately 210 feet west of the southwest corner of 10th Street and Pasadena Avenue in a portion of Section 16, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from 0.03-acres of "C-2" (Intermediate Commercial) and 0.32-acres of "P-1" (Passenger Automobile Parking, Limited) to "C-2" (Intermediate Commercial).

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

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

1. The required landscape setback adjacent to the east property line shall be planted with minimum 2-inch caliper trees planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.
2. 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.
3. All streets within and adjacent to the development shall be constructed with paving, curb, gutter and 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.
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. 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.
6. 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.
7. 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.
8. 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.

9. Prior to final site plan approval, the landowner shall execute 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 1st day of July, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-26-24-6

WITHIN A PORTION OF SECTION 16, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT FOUR (4), BLOCK SIX (6), SMITH PLACE, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 20 OF MAPS, PAGE 2.

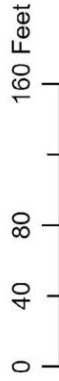
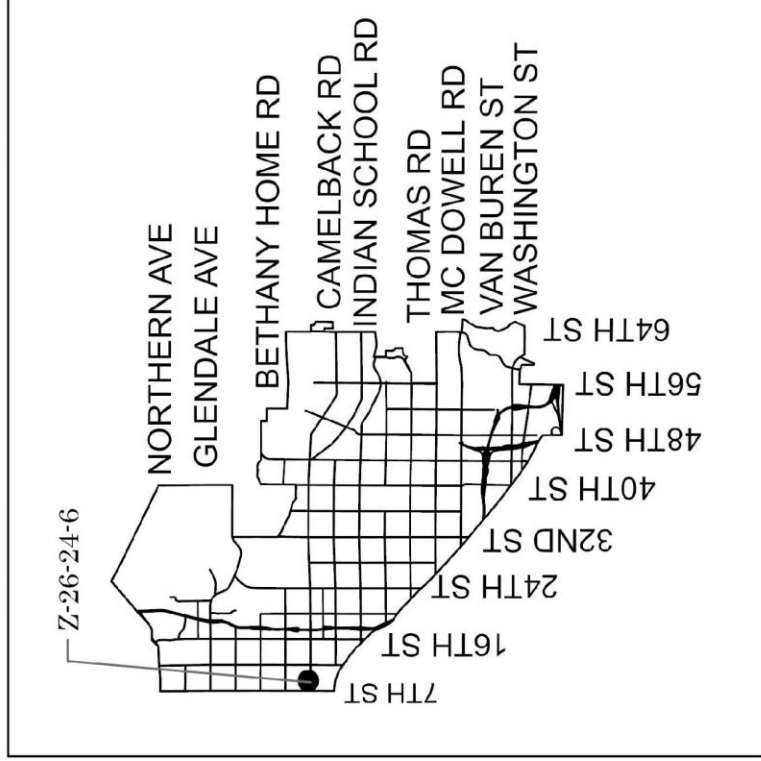
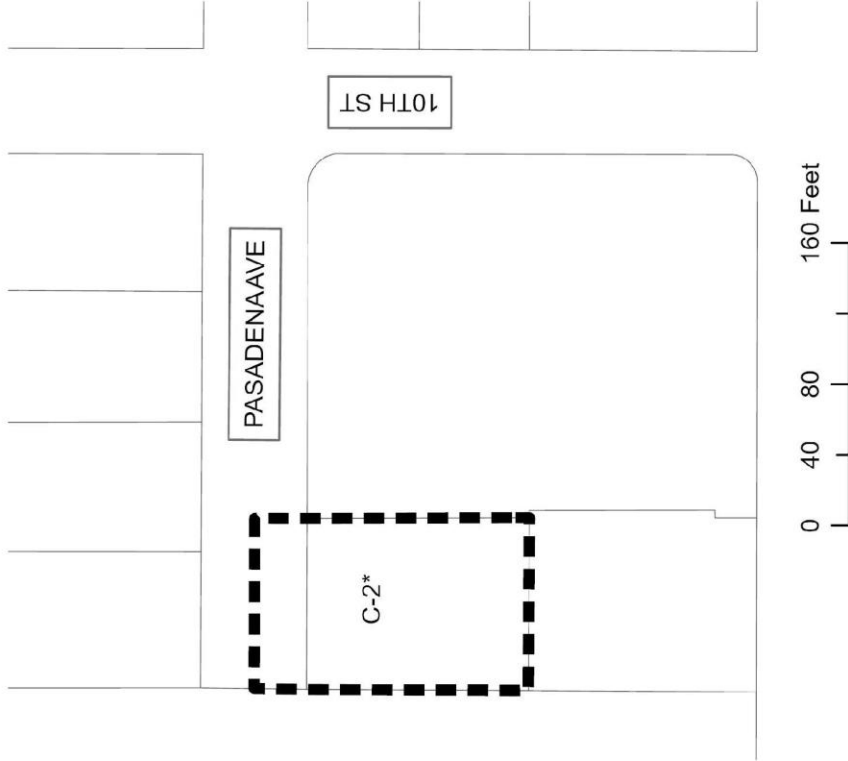
DRAFT

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-26-24-6
 Zoning Overlay: N/A
 Planning Village: Camelback East



NOT TO SCALE



Drawn Date: 6/4/2024



Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-7-23-6 - Approximately 210 Feet West of the Southwest Corner of 10th Street and Pasadena Avenue (Ordinance G-7273)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-7-23-6 and rezone the site from C-2 (Intermediate Commercial) and P-1 (Pending C-2) (Passenger Automobile Parking, Limited, Pending Intermediate Commercial) to C-2 SP (Intermediate Commercial, Special Permit) to allow automobile sales/display and underlying C-2 commercial uses. This is a companion case to Z-26-24-6 and should be heard after Z-26-24-6.

Summary

Current Zoning: C-2 (0.43 acres) and P-1 (Pending C-2) (0.32 acres)

Proposed Zoning: C-2 SP

Acreage: 0.75

Proposed Use: Automobile sales/display and underlying C-2 commercial uses

Owner: Chapman Automotive Group, LLC c/o David Bower

Applicant: Ali Bull, Burch & Cracchiolo, PA

Representative: Ed Bull, Burch & Cracchiolo, PA

Staff Recommendation: Approval, subject to a stipulation.

VPC Action: The Camelback East Village Planning Committee heard this item on May 7, 2024, and recommended approval, per the staff recommendation, with a deletion, by a vote of 19-0.

PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the Camelback East Village Planning Committee recommendation, by a vote of 8-0.

Location

Approximately 210 feet west of the southwest corner of 10th Street and Pasadena Avenue

Council District: 6

Parcel Address: 901 E. Pasadena Ave. and 906 E. Camelback Road

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-SP-7-23-6) FROM C-2 (INTERMEDIATE COMMERCIAL) AND P-1 (PENDING C-2) (PASSENGER AUTOMOBILE PARKING, LIMITED, PENDING INTERMEDIATE COMMERCIAL) TO C-2 SP (INTERMEDIATE COMMERCIAL, SPECIAL PERMIT).

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

SECTION 1. The zoning of a 0.75-acre site located at approximately 210 feet west of the southwest corner of 10th Street and Pasadena Avenue in a portion of Section 16, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from 0.43-acres of "C-2" (Intermediate Commercial) and 0.32-acres of "P-1 (Pending C-2)" (Passenger Automobile Parking, Limited, Pending Intermediate Commercial) to "C-2 SP" (Intermediate Commercial, Special Permit) to allow automobile sales/display and underlying C-2 commercial uses.

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

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

1. The required landscape setback adjacent to the east property line shall be planted with minimum 2-inch caliper trees planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.
2. 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.
3. All streets within and adjacent to the development shall be constructed with paving, curb, gutter and 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.
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. 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.
6. 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.
7. 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.

8. 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.
9. Prior to final site plan approval, the landowner shall execute 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 1st day of July, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-SP-7-23-6

WITHIN A PORTION OF SECTION 16, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

LOT FOUR (4), BLOCK SIX (6), SMITH PLACE, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 20 OF MAPS, PAGE 2.

PARCEL NO. 2:

LOT FIVE (5) AND PART OF LOT SIX (6), SMITH PLACE, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 20 OF MAPS, PAGE 2 DESCRIBED AS FOLLOWS:

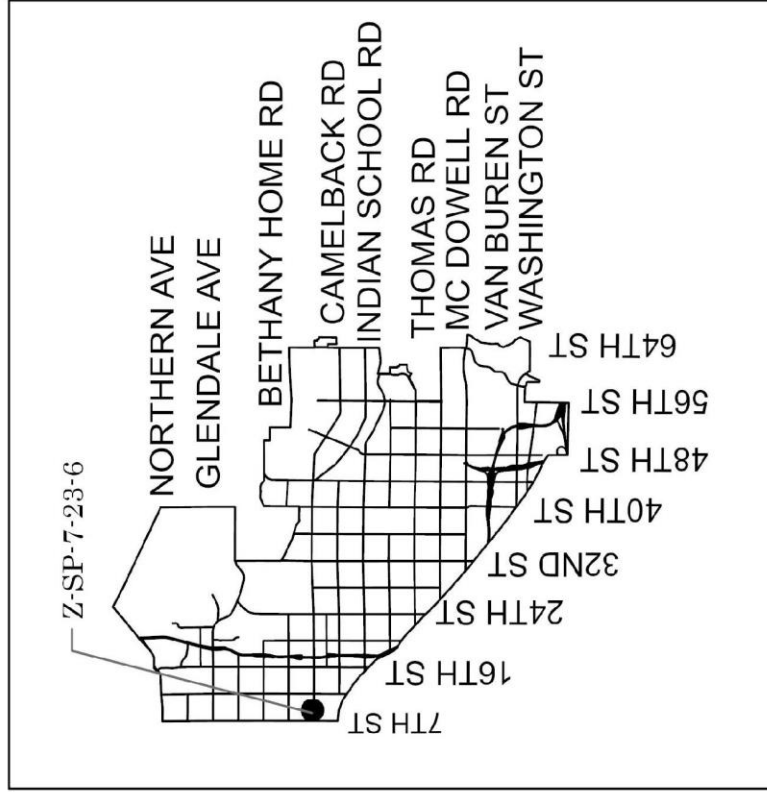
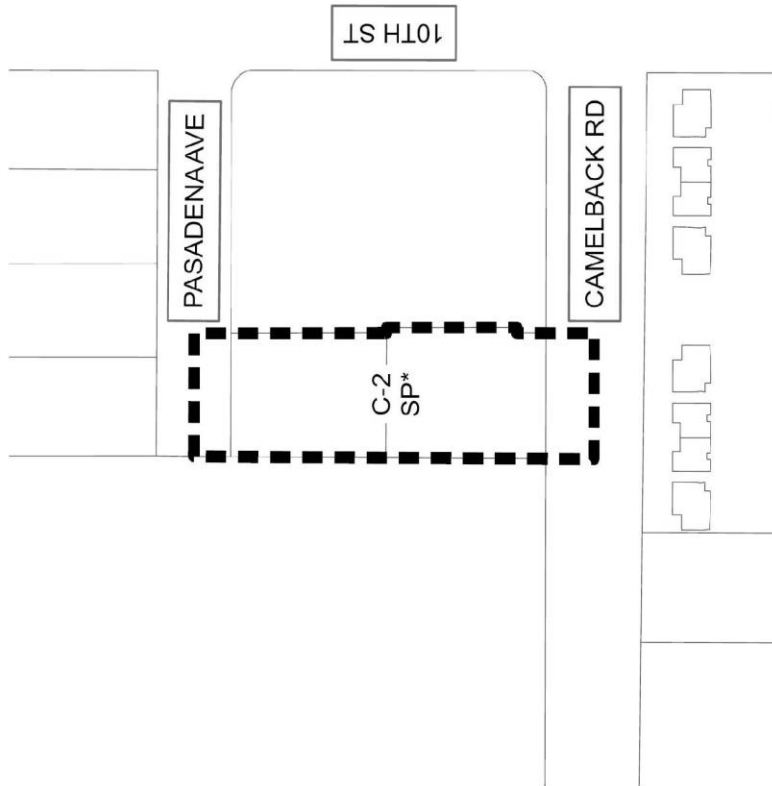
BEGINNING AT THE NORTHWEST CORNER OF LOT 6;
THENCE SOUTH 110.23 FEET;
THENCE EAST PARALLEL TO THE SOUTH LINE OF LOT 6, .35 FEET, MORE OR LESS, TO THE WEST WALL OF EXISTING BUILDING LOCATED ON SAID LOT 6;
THENCE NORTH ALONG THE WEST WALL OF SAID BUILDING AND THE NORTHERLY PROLONGATION THEREOF, 110.23 FEET TO THE NORTH LINE OF LOT 6;
THENCE WEST .35 FEET, MORE OR LESS, TO THE POINT OF BEGINNING;
EXCEPT THE SOUTH 7 FEET OF LOT 5.

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-SP-7-23-6
Zoning Overlay: N/A
Planning Village: Camelback East

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



NOT TO SCALE

Drawn Date: 6/4/2024

None\pdd\Shared\Department_Share\Information_Systems\PL_GIS\IS_Team\Care_Functions\Zoning\Supp\Maps_CoralMaps\2024_Ord\7-1-24\1-24_OrdinanceLocationMaps.aprx



Amend City Code - Ordinance Adoption - Rezoning Application Z-85-22-7 - Approximately 630 Feet South of the Southeast and Southwest Corners of 28th Avenue and Lincoln Street (Ordinance G-7283)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-85-22-7 and rezone the site from R-3 (Multifamily Residence District) and R-5 (Multifamily Residence District) to A-1 (Light Industrial District) to allow industrial uses.

Summary

Current Zoning: R-3 (4.79 acres) and R-5 (2.42 acres)

Proposed Zoning: A-1

Acreage: 7.21

Proposed Use: Industrial uses

Owner: GFA, LLC, Arizona Pallet, LLC, et al.

Applicant/Representative: Taylor C. Earl, Earl & Curley, P.C.

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Estrella Village Planning Committee heard this item on May 21, 2024, and recommended approval, per the staff recommendation, by a vote of 8-0.

PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the Estrella Village Planning Committee recommendation, by a vote of 7-1.

Location

Approximately 630 feet south of the southeast and southwest corners of 28th Avenue and Lincoln Street

Council District: 7

Parcel Address: 651, 770, 775, 815, 816, 821, and 822 S. 28th Ave.; and 803 S. 29th Ave.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-85-22-7) FROM R-3 (MULTIFAMILY RESIDENCE DISTRICT) AND R-5 (MULTIFAMILY RESIDENCE DISTRICT) 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 7.21-acre site located approximately 630 feet south of the southeast and southwest corners of 28th Avenue and Lincoln Street in a portion of Section 11, Township 1 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from 4.79 acres of "R-3" (Multifamily Residence District) and 2.42 acres of "R-5" (Multifamily Residence District) 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, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. Upon site plan approval and permit issuance of any new building(s) or structure(s) on the site not currently shown on the site plan date stamped January 16, 2024, that results in a net increase of more than: 1) 4,500 square feet within Zone A, 2) 500 square feet in Zone B, 3) 500 square feet within Zone C, or 4) 500 square feet within Zone D, as shown on the Development Zone exhibit, dated April 30, 2024, the following shall apply:
 - a. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plan List shall be utilized, as approved or modified by the Planning and Development Department.
 - b. 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.
 - c. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
 - d. 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 at maturity, or a combination thereof.
 - e. 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.
 - f. Bicycle parking shall be provided, consistent with Section 1307.H of the Phoenix Zoning Ordinance.
 - g. A minimum of 5 percent of the required parking shall be EV Capable.
2. A minimum 20-foot landscape setback shall be provided along 28th Avenue and 29th Avenue, except where in conflict with existing structures.

3. A minimum 10-foot landscape setback shall be provided where adjacent to a residential zoning district.
4. All required street landscape setbacks shall be planted with minimum 2-inch caliper, single trunk, drought-tolerant shade trees, as approved by the Planning and Development Department. Where utility conflict exists, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
5. 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.
6. The developer shall dedicate minimum 5 feet of right-of-way totaling 30 feet and construct the east side of 29th Avenue, as approved by the Planning and Development Department.
7. The developer shall dedicate minimum 10 feet of right-of-way totaling 30 feet and construct the west side of 28th Avenue, as approved by the Planning and Development Department.
8. The developer shall dedicate minimum 10 feet of right-of-way, totaling 30 feet and construct the east side of 28th Avenue, as approved by the Planning and Development Department.
9. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
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. 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.
12. Each individual Development Zone, per the Development Zones exhibit date stamped April 30, 2024, shall be treated separately for purposes of satisfying applicable stipulations of approval.

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 1st day of July, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

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

EXHIBIT A

LEGAL DESCRIPTION FOR Z-85-22-7

THAT PROPERTY AS DESCRIBED IN DOCUMENT #2018-0029068, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA AND ALL OF LOTS 15, 16, & 18, THE NORTH HALF OF LOT 31 AND A PORTION OF LOT 17 AND LOT 32 OF WEST ACRES AS RECORDED IN BOOK 10, PAGE 21, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER MERIDIAN.

PART A:

COMMENCING AT A BRASS CAP FLUSH MARKING THE INTERSECTION OF LINCOLN STREET AND 28TH AVENUE, FROM WHICH A BRASS CAP FLUSH MARKING THE INTERSECTION OF LINCOLN STREET AND 27TH AVENUE BEARS SOUTH 88°56'42" EAST, A DISTANCE OF 649.93 FEET AND ALSO FROM WHICH A BRASS CAP FLUSH MARKING THE INTERSECTION OF LINCOLN STREET AND 29TH AVENUE BEARS NORTH 88°56'42" WEST, A DISTANCE OF 650.88 FEET; THENCE SOUTH 01°05'58" EAST, ALONG THE MONUMENT LINE OF 28TH AVENUE, A DISTANCE OF 645.20 FEET TO A BRASS CAP FLUSH MARKING THE NORTH LINE OF SAID WEST ACRES; SAID POINT BEING REFERENCE POINT "A" THENCE SOUTH 89°01'00" EAST, ALONG SAID NORTH LINE, A DISTANCE 20.01 FEET TO THE SOUTHWEST CORNER OF THAT PROPERTY AS DESCRIBED IN SAID DOCUMENT #2018-0029068, AND THE POINT OF BEGINNING; THENCE NORTH 01°05'58" WEST, A DISTANCE OF 74.05 FEET TO THE NORTHWEST CORNER OF SAID DOCUMENT; THENCE SOUTH 89°01'00" EAST, ALONG THE NORTH LINE OF SAID DOCUMENT, A DISTANCE OF 306.25 FEET; THENCE SOUTH 01°13'52" EAST, A DISTANCE OF 74.06 FEET TO THE NORTHEAST CORNER OF LOT 16 OF SAID WEST ACRES; THENCE SOUTH 01°13'03" EAST, ALONG THE EAST LINE OF SAID LOT 16, A DISTANCE OF 161.39 FEET TO THE NORTHEAST CORNER OF LOT 15 OF SAID WEST ACRES; THENCE CONTINUING SOUTH 01°13'03" EAST, ALONG THE EAST LINE OF SAID LOT 15, A DISTANCE OF 161.40 FEET TO THE SOUTHEAST CORNER OF SAID LOT 15; THENCE NORTH 89°02'14" WEST, ALONG THE SOUTH LINE OF SAID LOT 15, A DISTANCE OF 297.24 FEET TO THE SOUTHEAST CORNER OF A 10.00 FEET EXCEPTION AS DESCRIBED IN DOCUMENT # 2012-1182697; THENCE NORTH 01°04'12" WEST, ALONG THE EAST LINE OF SAID DOCUMENT, A DISTANCE OF 80.71 FEET; THENCE NORTH 89°01'55" WEST, ALONG THE NORTH LINE OF SAID EXCEPTION, A DISTANCE OF 10.01 FEET TO THE SOUTHWEST CORNER OF THE NORTH HALF OF SAID LOT 15;

THENCE NORTH 01°04'12" WEST, ALONG THE EAST RIGHT-OF-WAY OF 28TH AVENUE, A DISTANCE OF 80.72 FEET;
THENCE SOUTH 89°01'37" EAST, A DISTANCE OF 10.01 FEET TO THE SOUTHEAST CORNER OF RIGHT-OF-WAY PER DOCKET 3664, PAGE 422, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;
THENCE NORTH 01°04'12" WEST, ALONG THE EAST LINE OF SAID DOCKET, A DISTANCE OF 161.43 FEET;
THENCE NORTH 89°01'00" WEST, A DISTANCE OF 10.01 FEET TO THE POINT OF BEGINNING.
SAID DESCRIPTION CONTAINING 2.737 ACRES± OR 119,236 SQUARE FEET±

PART B:

TOGETHER WITH:

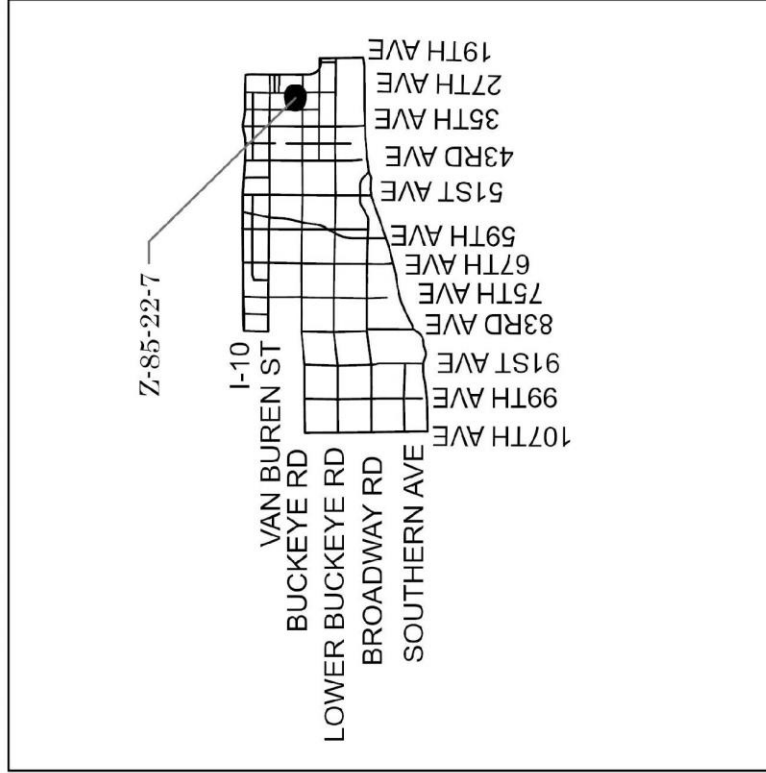
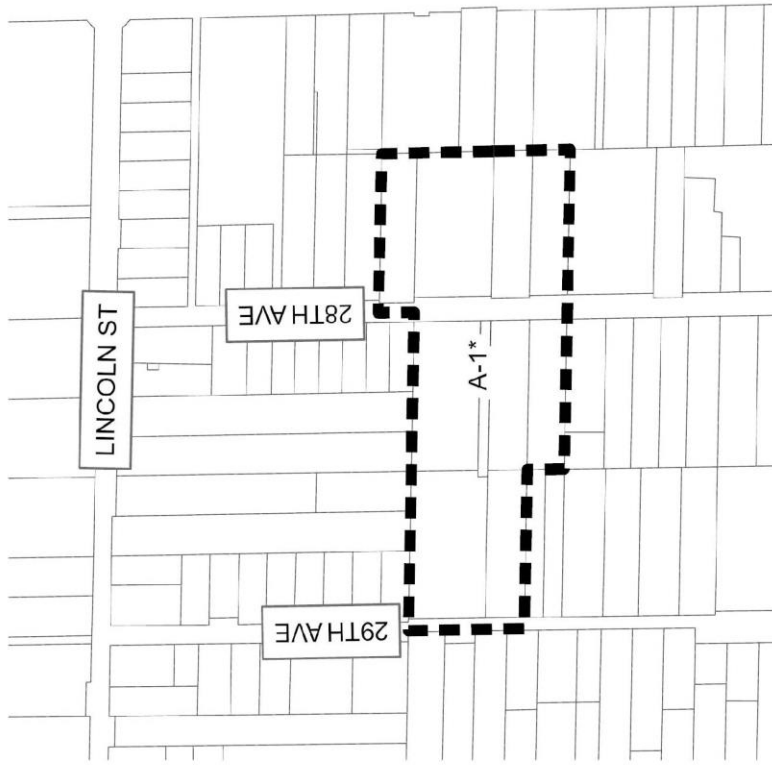
COMMENCING AT REFERENCE POINT "A", THENCE NORTH 89°01'00" WEST, A DISTANCE OF 20.01 FEET TO THE NORTHEAST CORNER OF LOT 17 OF SAID WEST ACRES AND THE POINT OF BEGINNING;
THENCE SOUTH 01°04'12" EAST, ALONG THE EAST LINE OF SAID LOT 17, A DISTANCE OF 161.44 FEET TO THE NORTHEAST CORNER OF LOT 18 OF SAID WEST ACRES;
THENCE SOUTH 01°04'12" EAST, ALONG THE EAST LINE OF SAID LOT 18, A DISTANCE OF 161.44 FEET TO THE SOUTHEAST CORNER OF SAID LOT 18;
THENCE NORTH 89°02'23" WEST, ALONG THE SOUTH LINE OF SAID LOT 18, A DISTANCE OF 307.76 FEET TO THE SOUTHWEST CORNER OF SAID LOT 18;
THENCE NORTH 00°56'30" WEST, A DISTANCE OF 80.75 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF LOT 31 OF SAID WEST ACRES;
THENCE NORTH 89°02'03" WEST, A DISTANCE OF 302.58 FEET TO THE SOUTHWEST CORNER OF THE NORTH HALF OF SAID LOT 31;
THENCE NORTH 00°48'46" WEST, ALONG THE EAST RIGHT-OF-WAY OF 29TH AVENUE, A DISTANCE OF 242.31 FEET TO THE NORTHWEST CORNER OF LOT 32 OF SAID WEST ACRES;
THENCE SOUTH 89°01'00" EAST, ALONG THE NORTH LINE OF SAID WEST ACRES, A DISTANCE OF 609.08 FEET TO THE POINT OF BEGINNING.
SAID DESCRIPTION CONTAINING 3.95 ACRES± OR 172,426 SQUARE FEET±

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-85-22-7
Zoning Overlay: N/A
Planning Village: Estrella

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



NOT TO SCALE

Drawn Date: 6/4/2024

\\one\cdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\Supp\Maps_Ord\Maps\2024_Ord\7-1-24\7-1-24_OrdinanceLocationMaps.aprx



Amend City Code - Ordinance Adoption - Rezoning Application Z-114-23-7 - Southeast Corner of 95th Avenue and Broadway Road (Ordinance G-7281)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-114-23-7 and rezone the site from S-1 (Ranch or Farm Residence) to C-2 (Intermediate Commercial) to allow commercial uses. This is a companion case to Z-SP-9-23-7 and should be heard first, followed by Z-SP-9-23-7.

Summary

Current Zoning: S-1

Proposed Zoning: C-2

Acreage: 9.90

Proposed Use: Commercial uses

Owner: Doug Schreiber, Desert West Storage, LLC

Applicant/Representative: Benjamin Tate, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Estrella Village Planning Committee heard this item on May 21, 2024, and recommended approval, per the staff recommendation, by a vote of 8-0.

PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the Estrella Village Planning Committee recommendation, by a vote of 8-0.

Location

Southeast corner of 95th Avenue and Broadway Road

Council District: 7

Parcel Address: 9349 W. Broadway Road

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-114-23-7) FROM S-1 (RANCH OR FARM RESIDENCE) TO C-2 (INTERMEDIATE COMMERCIAL).

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

SECTION 1. The zoning of a 9.90-acre property located at the southeast corner of 95th Avenue and Broadway Road in a portion of Section 28, Township 1 North, Range 1 East, as described more specifically in Exhibit "A," is hereby changed from "S-1" (Ranch or Farm Residence) to "C-2" (Intermediate Commercial).

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

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

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

1. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies, as approved by the Planning and Development Department.
2. Conceptual site plan and elevations for the future commercial pad as shown on the site plan date stamped March 4, 2024, shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.
3. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards along arterial streets in the Estrella Village, 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 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.
6. A minimum of two bicycle parking spaces per non-storage building shall be provided through Inverted U and/or artistic racks located near the front entrance of the building and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
7. A minimum of 10% of the required parking spaces shall be EV Ready and a minimum of 5% shall be EV Capable.
8. Only landscape materials listed in the Phoenix Active Management Area Low-Water/Drought-Tolerant Plant List shall be utilized within the development, as approved or modified by the Planning and Development Department.

9. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controllers) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
10. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
11. 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.
12. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the City of Phoenix Businesses Water Efficiency Program for a minimum of 10 years, or as approved by the Planning and Development Department.
13. A minimum 55 feet of right-of-way shall be dedicated for the south side of Broadway Road, adjacent to the development.
14. Improvements to the south half of Broadway Road shall be constructed per the Sunset Farms Master Street Plan consisting of a 14-foot raised center median and a minimum 6-foot-wide detached sidewalk separated by a minimum 10-foot-wide landscape area, adjacent to the development.
15. A minimum 30 feet of right-of-way shall be dedicated for the east side of 95th Avenue, per the Sunset Farms Master Street Plan.
16. A minimum 32-foot wide Multi-Use Trail Easement (MUTE) shall be dedicated adjacent to the western property line. Construction of the Multi-Use Trail shall comply with the Estrella Multi-Purpose Trail Plan.
17. Improvements to the east side of the 95th Avenue right-of-way shall be constructed per the Collector cross-section and consist of a minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape area, per the Sunset Farms Master Street Plan.
18. A Self-Service Storage Warehouse use shall deposit 50% of the cost of a HAWK pedestrian crossing at the intersection of 95th Avenue and Broadway Road in an escrow account to the Street Transportation Department, prior to final site plan approval. Should the parcel develop under any other C-2 permitted use, the development shall fully fund and construct the HAWK pedestrian crossing at the intersection of 95th Street and Broadway Road, as approved by the Street Transportation Department. The HAWK placement

within the intersection to be as determined by the Street Transportation Department.

19. An enhanced pedestrian connection shall be provided on the western site boundary, adjacent to the trail, to allow for direct pedestrian access through the site to the trail system.
20. The developer shall submit a Traffic Impact Study for this development. No preliminary approval of plans shall be granted until the study has been reviewed and approved by the City.
21. All existing electrical utility poles within the public right-of-way shall be relocated and undergrounded, per the Sunset Farms Master Street Plan. The developer shall coordinate with the affected utility companies for their review and permitting.
22. 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.
23. 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.
24. A bus stop pad shall be constructed on eastbound Broadway Road, located from 95th Avenue according to City of Phoenix Standard Detail P1258. The pad shall be designed according to City of Phoenix Standard Detail P1260 with a depth of 10 feet.
25. 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.
26. 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.
27. 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.

28. 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 1st day of July, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-114-23-7

That portion of the Northeast quarter of Section 28, Township 1 North, Range 1 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows;

COMMENCING at a found 3" brass cap flush stamped "2019 LS 47373" marking the North quarter corner of said Section 28 from which a calculated point marking the Northeast corner of said Section 28 bears South 89°59'35" East (Basis of Bearings), a distance of 2622.65 feet, said North quarter corner also being the TRUE POINT OF BEGINNING;

Thence South 89°59'35" East, along the North line of the Northeast quarter, a distance of 29.83 feet to a found 3" City of Phoenix brass cap flush;

Thence continuing South 89°59'35" East, along said North line, a distance of 319.20 feet to a found 1/2" rebar with aluminum cap stamped "LS42137";

Thence departing said North line, South 01°41'17" East, a distance of 40.03 feet to the Northeast corner of the property described in Deed 2018-0433669, Official Records of the Maricopa County Recorder;

Thence continuing South 01°41'17" East, along the East line of said property, a distance of 1083.45 feet to a point on the North right of way line of the Arizona Department of Transportation SR303-SR202, recorded under the Special Warranty Deed 2021-1243611, Official Records Maricopa County Recorder;

Thence South 70°57'06" West along said North right of way line, a distance of 382.12 feet to the Northwest corner of said property described in Deed 2018-0433669, Official Records of the Maricopa County Recorder;

Thence North 01°25'13" West, along said North-South mid-section line, a distance of 1208.11 feet;

Thence continuing North 01°25'13" West, a distance of 40.02 feet to the TRUE POINT OF BEGINNING.

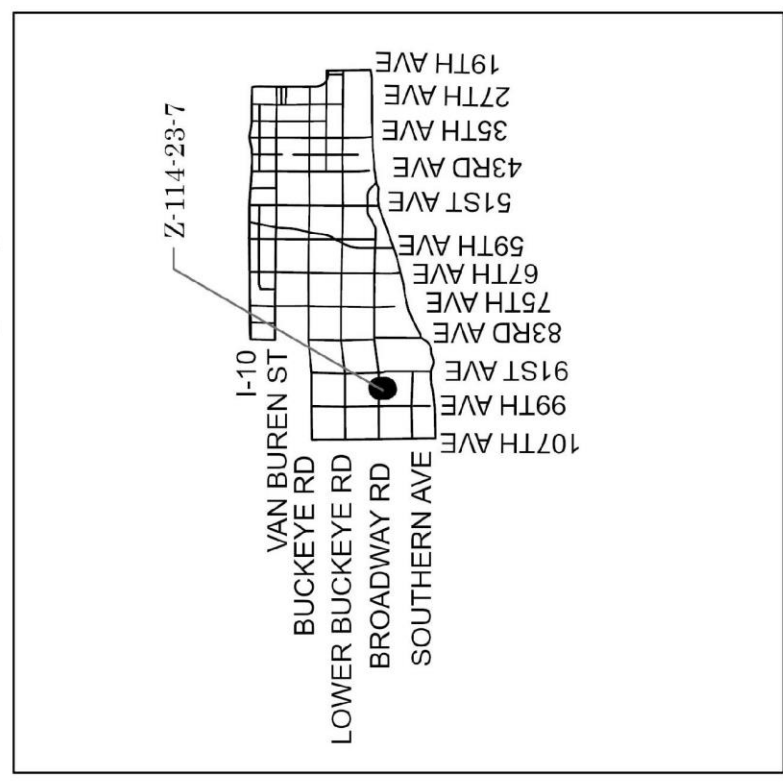
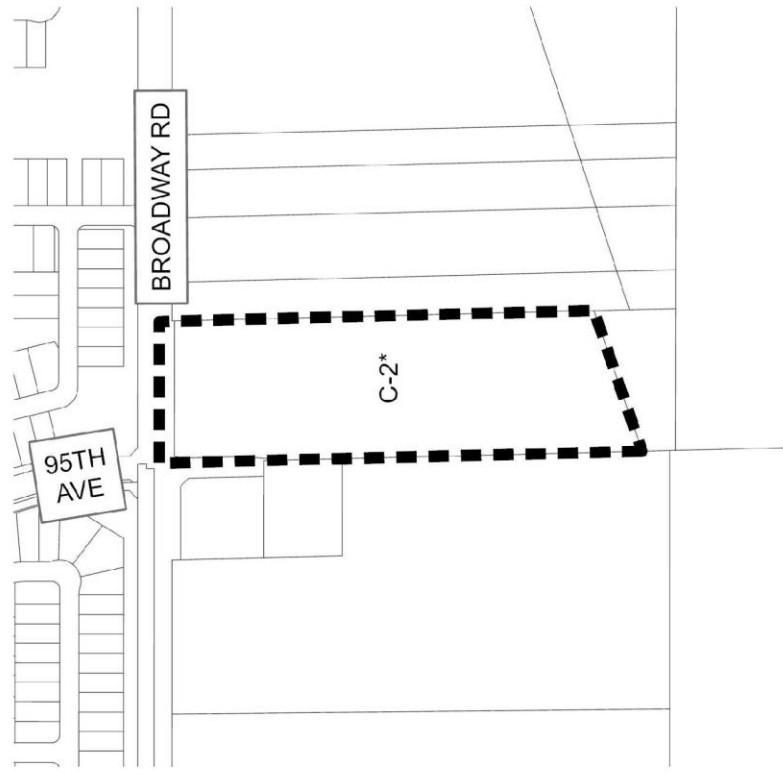
Containing 428,865 square feet, or 9.845 acres of land, more or less.

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-114-23-7
Zoning Overlay: N/A
Planning Village: Estrella

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



NOT TO SCALE



Drawn Date: 6/4/2024

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Amend City Code - Ordinance Adoption - Rezoning Application Z-SP-9-23-7 - Southeast Corner of 95th Avenue and Broadway Road (Ordinance G-7282)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-SP-9-23-7 and rezone the site from S-1 (Pending C-2) (Ranch or Farm Residence, Pending Intermediate Commercial) to C-2 SP (Intermediate Commercial, Special Permit) to allow self-storage and underlying C-2 commercial uses. This is a companion case to Z-114-23-7 and should be heard after Z-114-23-7.

Summary

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

Proposed Zoning: C-2 SP

Acreage: 9.90

Proposed Use: Self-storage and underlying C-2 commercial uses

Owner: Doug Schreiber, Desert West Storage, LLC

Applicant/Representative: Benjamin Tate, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The Estrella Village Planning Committee heard this item on May 21, 2024, and recommended approval, per the staff recommendation, by a vote of 8-0.

PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the Estrella Village Planning Committee recommendation, by a vote of 8-0.

Location

Southeast corner of 95th Avenue and Broadway Road

Council District: 7

Parcel Address: 9349 W. Broadway Road

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-SP-9-23-7) FROM S-1 (PENDING C-2) (RANCH OR FARM RESIDENCE, PENDING INTERMEDIATE COMMERCIAL) TO C-2 SP (INTERMEDIATE COMMERCIAL, SPECIAL PERMIT).

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

SECTION 1. The zoning of a 9.90-acre property located at the southeast corner of 95th Avenue and Broadway Road in a portion of Section 28, Township 1 North, Range 1 East, as described more specifically in Exhibit "A," is hereby changed from "S-1 (Pending C-2)" (Ranch or Farm Residence, Pending Intermediate Commercial) to "C-2 SP" (Intermediate Commercial, Special Permit) to allow self-service storage and all underlying C-2 uses.

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

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

1. The development shall be in general conformance with the elevations date stamped December 7, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
2. Conceptual site plan and elevations for the future commercial pad as shown on the site plan date stamped March 4, 2024, shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.
3. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards along arterial streets in the Estrella Village, 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 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.
6. A minimum of two bicycle parking spaces per non-storage building shall be provided through Inverted U and/or artistic racks located near the front entrance of the building and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
7. A minimum of 10% of the required parking spaces shall be EV Ready and a minimum of 5% shall be EV Capable.
8. Only landscape materials listed in the Phoenix Active Management Area Low-

Water/Drought-Tolerant Plant List shall be utilized within the development, as approved or modified by the Planning and Development Department.

9. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controllers) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
10. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
11. 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.
12. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the City of Phoenix Businesses Water Efficiency Program for a minimum of 10 years, or as approved by the Planning and Development Department.
13. A minimum 55 feet of right-of-way shall be dedicated for the south side of Broadway Road, adjacent to the development.
14. Improvements to the south half of Broadway Road shall be constructed per the Sunset Farms Master Street Plan consisting of a 14-foot raised center median and a minimum 6-foot-wide detached sidewalk separated by a minimum 10-foot-wide landscape area, adjacent to the development.
15. A minimum 30 feet of right-of-way shall be dedicated for the east side of 95th Avenue, per the Sunset Farms Master Street Plan.
16. A minimum 32-foot wide Multi-Use Trail Easement (MUTE) shall be dedicated adjacent to the western property line. Construction of the Multi-Use Trail shall comply with the Estrella Multi-Purpose Trail Plan.
17. Improvements to the east side of the 95th Avenue right-of-way shall be constructed per the Collector cross-section and consist of a minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape area, per the Sunset Farms Master Street Plan.
18. A Self-Service Storage Warehouse use shall deposit 50% of the cost of a HAWK pedestrian crossing at the intersection of 95th Avenue and Broadway Road in an escrow account to the Street Transportation Department, prior to final site plan approval. Should the parcel develop under any other C-2

permitted use, the development shall fully fund and construct the HAWK pedestrian crossing at the intersection of 95th Street and Broadway Road, as approved by the Street Transportation Department. The HAWK placement within the intersection to be as determined by the Street Transportation Department.

19. An enhanced pedestrian connection shall be provided on the western site boundary, adjacent to the trail, to allow for direct pedestrian access through the site to the trail system.
20. The developer shall submit a Traffic Impact Study for this development. No preliminary approval of plans shall be granted until the study has been reviewed and approved by the City.
21. All existing electrical utility poles within the public right-of-way shall be relocated and undergrounded, per the Sunset Farms Master Street Plan. The developer shall coordinate with the affected utility companies for their review and permitting.
22. 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.
23. 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.
24. A bus stop pad shall be constructed on eastbound Broadway Road, located from 95th Avenue according to City of Phoenix Standard Detail P1258. The pad shall be designed according to City of Phoenix Standard Detail P1260 with a depth of 10 feet.
25. 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.
26. 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.
27. 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.

- 28. 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 1st day of July, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-SP-9-23-7

That portion of the Northeast quarter of Section 28, Township 1 North, Range 1 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows;

COMMENCING at a found 3" brass cap flush stamped "2019 LS 47373" marking the North quarter corner of said Section 28 from which a calculated point marking the Northeast corner of said Section 28 bears South 89°59'35" East (Basis of Bearings), a distance of 2622.65 feet, said North quarter corner also being the TRUE POINT OF BEGINNING;

Thence South 89°59'35" East, along the North line of the Northeast quarter, a distance of 29.83 feet to a found 3" City of Phoenix brass cap flush;

Thence continuing South 89°59'35" East, along said North line, a distance of 319.20 feet to a found 1/2" rebar with aluminum cap stamped "LS42137";

Thence departing said North line, South 01°41'17" East, a distance of 40.03 feet to the Northeast corner of the property described in Deed 2018-0433669, Official Records of the Maricopa County Recorder;

Thence continuing South 01°41'17" East, along the East line of said property, a distance of 1083.45 feet to a point on the North right of way line of the Arizona Department of Transportation SR303-SR202, recorded under the Special Warranty Deed 2021-1243611, Official Records Maricopa County Recorder;

Thence South 70°57'06" West along said North right of way line, a distance of 382.12 feet to the Northwest corner of said property described in Deed 2018-0433669, Official Records of the Maricopa County Recorder;

Thence North 01°25'13" West, along said North-South mid-section line, a distance of 1208.11 feet;

Thence continuing North 01°25'13" West, a distance of 40.02 feet to the TRUE POINT OF BEGINNING.

Containing 428,865 square feet, or 9.845 acres of land, more or less.

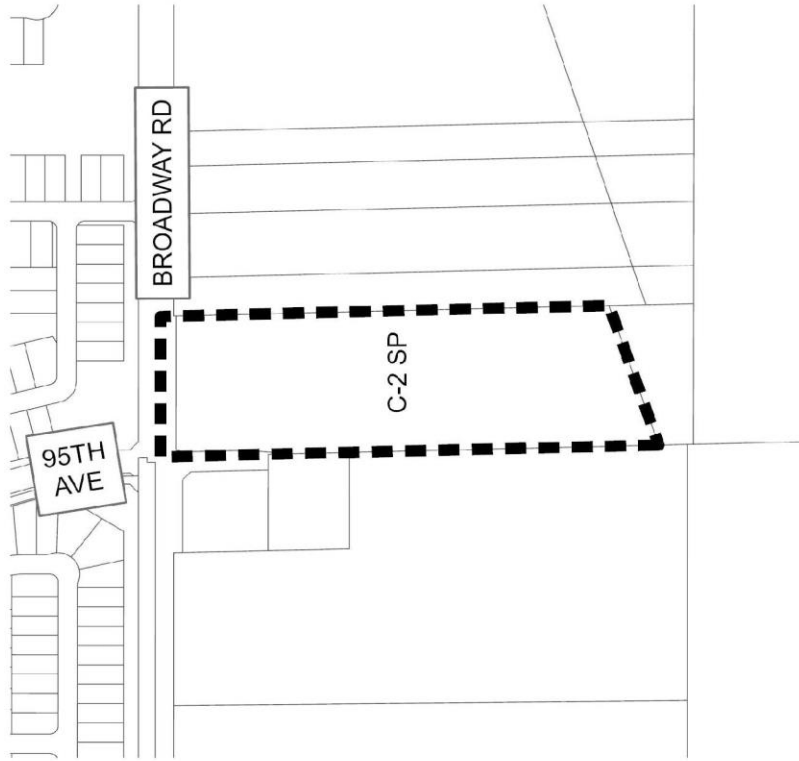
EXHIBIT B

ORDINANCE LOCATION MAP

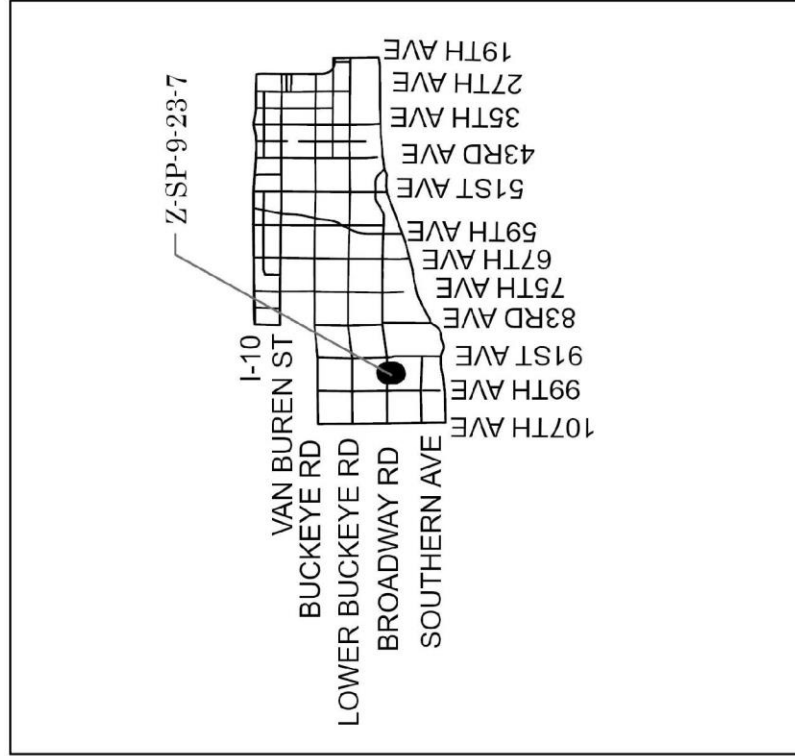
Zoning Case Number: Z-SP-9-23-7
Zoning Overlay: N/A
Planning Village: Estrella

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■■■■■



NOT TO SCALE



Drawn Date: 6/4/2024

\\nwp\old\Shared\Department_Share\Information_Systems\PLGIS\IS_team\GIS_team\GIS_team\GIS_team\Zoning\SuppMaps_Ord\7-1-24\7-1-24_OrdinanceLocationMaps.aprx



Amend City Code - Ordinance Adoption - Rezoning Application Z-76-23-8 - Northeast Corner of 23rd Avenue and Dobbins Road (Ordinance G-7280)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-76-23-8 and rezone the site from S-1 (Ranch or Farm Residence) to R1-18 (Single-Family Residence District) to allow single-family residential.

Summary

Current Zoning: S-1

Proposed Zoning: R1-18

Acreage: 25.71

Proposal: Single-family residential

Owner: Prestige Partners, LLC

Applicant/Representative: Natalie Maikoski, EPS Group, LLC

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The South Mountain Village Planning Committee heard this item on May 14, 2024, and recommended approval, per the staff recommendation, with additional stipulations, by a vote of 12-0-1.

PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per a staff memo, by a vote of 8-0.

Location

Northeast corner of 23rd Avenue and Dobbins Road

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.

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 (Z-76-23-8) FROM S-1 (RANCH OR FARM RESIDENCE) TO R1-18 (SINGLE-FAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 25.71-acre site located at the northeast corner of 23rd Avenue and Dobbins Road 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 "R1-18" (Single-Family Residence District).

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

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

1. The development shall be in general conformance with the site plan date stamped April 22, 2024, as modified by the following stipulations and approved by the Planning and Development Department with specific regard to the following:
 - a. The development shall be limited to a maximum of 58 lots.
 - b. Lots 1-17 and 20-32 shall be a minimum of 70 feet in width. All other lots shall be a minimum of 65 feet in width.
 - c. Lot 22 shall be a minimum of 40 feet from the eastern perimeter property line.
 - d. Lots 15 and 16 shall be a minimum of 60 feet from the eastern perimeter property line.
 - e. Lots 53 through 58 shall be limited to one-story or 25 feet.
2. All landscape setbacks shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant trees, 20 feet on center, or in equivalent groupings, with five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.
3. 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.
4. All lots in the development shall be subject to Single-Family Design Review.
5. 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.
6. Fences and walls shall be in general conformance with the wall plan (wall elevations) date stamped April 22, 2024, as modified by the following stipulations, and approved by the Planning and Development Department:
 - a. Perimeter fencing shall be a minimum of 75% view fencing, except on Lots 23 through 32.

- b. Perimeter walls bounding the rear or side yard property lines of residential lots along 23rd Avenue and Dobbins Road shall include minimum three-foot offsets, and material and textural differences, such as stucco, and/or split face or slump block or a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.
7. A landscaped median of no less than 5 feet in width shall be provided within the primary access drive to the development and landscaped with a mix of ornamental trees and shrubs, as approved by the Planning and Development Department.
8. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized throughout the subdivision including common areas and front yards of individual residential lots. This restriction shall be included in the Covenants, Conditions, and Restrictions for the subdivision.
9. 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.
10. All sidewalks along 23rd Avenue shall be a minimum of 5 feet in width and detached with a minimum 5-foot-wide landscape strip located between the sidewalk and back of curb and planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, that provide shade to a minimum 50%, as approved by the Planning and Development Department.

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

11. All sidewalks along Dobbins Road shall be a minimum of 5 feet in width and detached with a minimum 8-foot-wide landscape strip located between the sidewalk and back of curb 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, that provide shade to a minimum 50%.
 - b. Drought tolerant vegetation to achieve a minimum of 75% live coverage.

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

12. All sidewalks within the development shall be detached with a minimum 5-foot wide landscape strip located between the sidewalk and back of curb and shall include minimum 2-inch caliper, single trunk, shade trees planted at a minimum rate of two trees per lot, or a minimum of 20 feet on center, or equivalent groupings, as modified and approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
13. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the east side of 23rd Avenue, along the west side of the property. 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.
14. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the north side of Dobbins Road, along the south side of the property. 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.
15. A minimum 45 feet of right-of-way shall be dedicated for the north side of Dobbins Road, to be measured from the existing southern property line, adjacent to the development.
16. A minimum 30 feet of right-of-way shall be dedicated for the east side of 23rd Avenue, adjacent to the development.
17. A pedestrian pathway shall be provided on the southern and western site boundary to allow for direct pedestrian access to the adjacent multi-use trails. The developer shall construct an 8-foot-wide shaded pedestrian pathway consisting of decorative material such as brick, pavers or alternative material treatment, as approved by the Planning and Development Department.
18. The developer shall submit an engineer sealed Sight Visibility Analysis in accordance with AASHTO guidelines for departure sight distance at the proposed access points along Dobbins Road to the City. No preliminary approval of plans shall be granted until the study has been reviewed and proposed access is approved by the Street Transportation Department.
19. A Traffic Impact Study (TIS) shall be submitted to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed

and approved by the Street Transportation Department. The TIS shall include signal warrant analysis for 23rd Avenue and Dobbins Road. If the approved TIS determines that a signal is warranted at this intersection, the developer shall be required to fund 100% of the cost and construct the signal, if the TIS does not warrant the signal, the developer shall be required contribute, 25% of traffic signal cost in an escrow account to the Street Transportation Department. If the signal is installed by others, the development shall be responsible for 100% of the cost for signal relocation and/or modifications.

20. Conduit and junction boxes shall be provided at the northeast corner of the 23rd Avenue and Dobbins Road intersection for future traffic signal equipment.
21. All existing electrical utilities within the public right-of-way shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.
22. Existing SRP facilities along Dobbins Road are to be relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate the facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
23. 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.
24. 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.
25. 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.
26. 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.
27. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development the existence and

operational characteristics of agricultural uses. These documents must advise purchasers that, under Section 3-112(E), Arizona Revised Statutes, the City of Phoenix may not declare an agricultural operation conducted on farmland to be a nuisance if the agricultural use is lawful, customary, reasonable, safe and necessary to the agriculture industry. The form and content of such documents shall be reviewed and approved by the City prior to recordation.

28. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development the existence and operational characteristics of the Phoenix Regional Police Academy gun range. The form and content of such documents shall be reviewed by the City prior to recordation.
29. Prior to final site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims forms. 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.
30. The conceptual elevations 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 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.

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 1st day of July, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

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

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-76-23-8

A PORTION OF LAND LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 2 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION, MONUMENTED BY A MARICOPA COUNTY BRASS CAP IN POTHOLE, WHICH LIES AS A BASIS OF BEARING, SOUTH 89 DEGREES 40 MINUTES 07 SECONDS WEST, 2617.93 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION, MONUMENTED BY A MARICOPA COUNTY ALUMINUM CAP IN POTHOLE;

THENCE ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, NORTH 00 DEGREES 47 MINUTES 48 SECONDS EAST, 920.31 FEET;

THENCE DEPARTING SAID WEST LINE, NORTH 89 DEGREES 39 MINUTES 55 SECONDS EAST, 1311.46 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER;

THENCE ALONG SAID EAST LINE, SOUTH 00 DEGREES 57 MINUTES 06 SECONDS WEST, 511.33 FEET;

THENCE DEPARTING SAID EAST LINE AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, SOUTH 89 DEGREES 40 MINUTES 07 SECONDS WEST, 178.04 FEET;

THENCE SOUTH 00 DEGREES 57 MINUTES 06 SECONDS WEST, 409.10 FEET TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER;

THENCE ALONG SAID SOUTH LINE, SOUTH 89 DEGREES 40 MINUTES 07 SECONDS WEST, 1130.92 FEET TO THE **POINT OF BEGINNING**.

SAID PORTION OF LAND CONTAINING 1,132,794 SQUARE FEET, OR 26.0054 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS, AND/OR RIGHTS-OF-WAYS OF RECORD OR OTHERWISE.

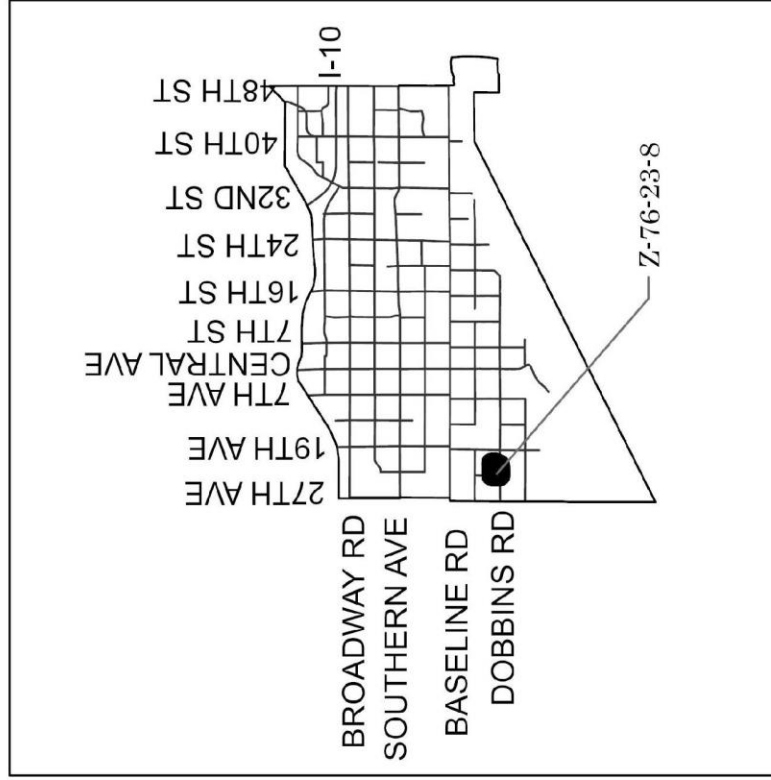
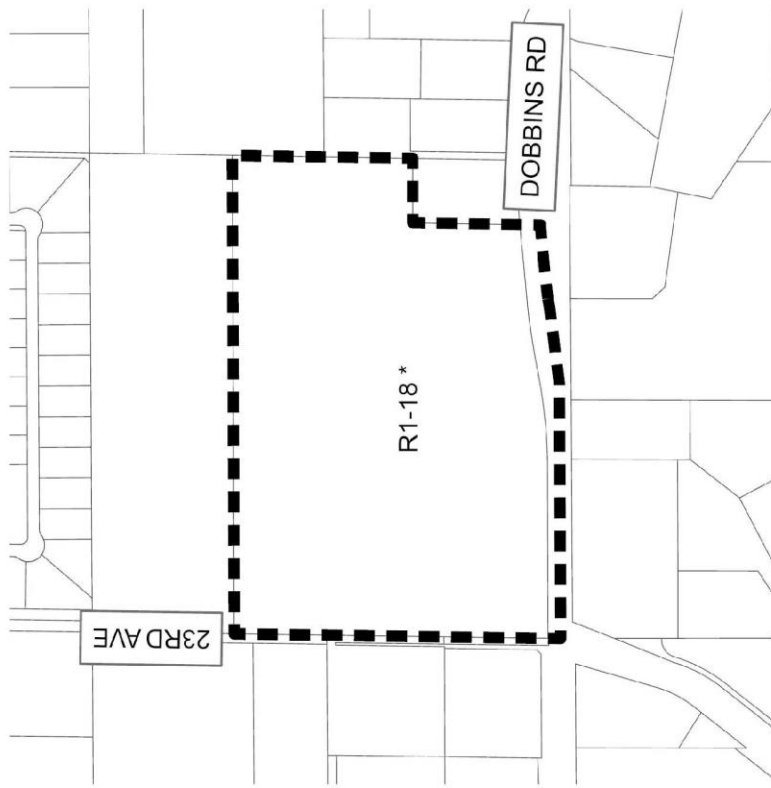
THIS DESCRIPTION SHOWN HEREON IS NOT TO BE USED TO VIOLATE SUBDIVISION REGULATIONS OF THE STATE, COUNTY AND/OR MUNICIPALITY, OR ANY OTHER LAND DIVISION RESTRICTIONS.

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-76-23-8
Zoning Overlay: N/A
Planning Village: South Mountain

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



NOT TO SCALE



Drawn Date: 6/4/2024



Public Hearing and Resolution Adoption - General Plan Amendment GPA-SM-13-23-8 - Southeast Corner of 19th Avenue and Baseline Road (Resolution 22230)

Request to hold a public hearing on a General Plan Amendment for the following item to consider adopting the Planning Commission's recommendation and the related resolution if approved. Request to amend the General Plan Land Use Map designation on 104.99 acres from Residential 1 to 2 dwelling units per acre and Residential 2 to 3.5 dwelling units per acre to Residential 2 to 3.5 dwelling units per acre, Residential 10 to 15 dwelling units per acre, Residential 15+ dwelling units per acre, and Commercial. This item is a companion case to Z-92-23-8 and must be heard first, followed by Z-92-23-8.

Summary

Application: GPA-SM-13-23-8

Current Designation: Residential 1 to 2 dwelling units per acre (76.38 acres) and Residential 2 to 3.5 dwelling units per acre (28.61 acres)

Proposed Plan Designation: Residential 2 to 3.5 dwelling units per acre (38.60 acres), Residential 10 to 15 dwelling units per acre (14.69 acres), Residential 15+ dwelling units per acre (16.67 acres), and Commercial (35.03 acres)

Acreage: 104.99

Proposal: Minor General Plan Amendment to allow for a future mix of uses including commercial, office, multifamily, and single-family residential.

Owner: River View Growers, LLC, et. al.

Applicant/Representative: Natalie Maikoski, EPS Group, Inc.

Staff Recommendation: Approval.

VPC Action: The South Mountain Village Planning Committee heard this item on May 14, 2024, and recommended approval, per the staff recommendation, by a vote of 12-0-1.

PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the South Mountain Village Planning Committee recommendation, by a vote of 8-0.

Location

Southeast corner of 19th Avenue and Baseline Road

Council District: 8

Parcel Address: 1843 and 1775 W. Baseline Road, 1553 W. Gary Way, and 1650 W. South Mountain Ave.

Responsible Department

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

ATTACHMENT A

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

RESOLUTION

A RESOLUTION ADOPTING AN AMENDMENT TO THE 2015
GENERAL PLAN FOR PHOENIX, APPLICATION GPA-SM-13-23-
8, CHANGING THE LAND USE CLASSIFICATION FOR THE
PARCEL DESCRIBED HEREIN.






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

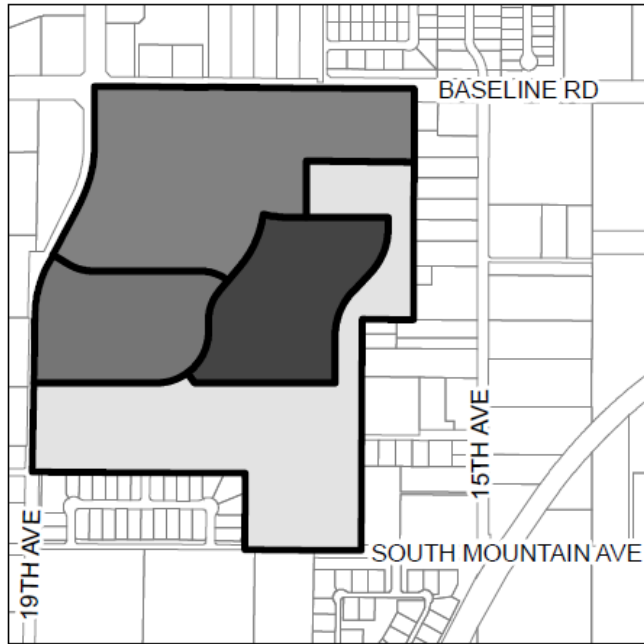
SECTION 1. The 2015 Phoenix General Plan, which was adopted by
Resolution 21307, is hereby amended by adopting GPA-SM-13-23-8. The 104.99-acre
site located at the southeast corner of 19th Avenue and Baseline Road is designated
as 38.60 acres of Residential 2 to 3.5 dwelling units per acre, 14.69 acres of
Residential 10 to 15 dwelling units per acre, 16.67 acres of Residential 15+ dwelling
units per acre, and 35.03 acres of Commercial.

SECTION 2. The Planning and Development Director is instructed to
modify the 2015 Phoenix General Plan to reflect this land use classification change as
shown below:

PROPOSED CHANGE:

- Residential 2 to 3.5 du/ac (38.60 +/- Acres)
- Residential 10 to 15 du/ac (14.69 +/- Acres)
- Residential 15+ du/ac (16.67 +/- Acres)
- Commercial (35.03 +/- Acres)

-  Proposed Change Area
-  Residential 2 to 3.5 du/ac
-  Residential 10 to 15 du/ac
-  Residential 15+ du/ac
-  Commercial



PASSED by the Council of the City of Phoenix this 1st day of July 2024.

MAYOR

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
PLANNING & DEVELOPMENT DEPARTMENT

***REVISED 6/10/24**
GENERAL PLAN AMENDMENT
STAFF ANALYSIS
May 8, 2024

Application: GPA-SM-13-23-8

Owner: River View Growers LLC, et. al.

Representative: Natalie Maikoski, EPS Group Inc.

Location: Southeast corner of 19th Avenue and Baseline Road

Acreage: 104.99 acres

Current Plan Designation: [Residential 1 to 2 dwelling units per acre](#) (76.38 acres) and [Residential 2 to 3.5 dwelling units per acre](#) (28.61 acres)

Requested Plan Designation: [Residential 2 to 3.5 dwelling units per acre](#) (38.60 acres), [Residential 10 to 15 dwelling units per acre](#) (14.69 acres), [Residential 15+ dwelling units per acre](#) (16.67 acres), and [Commercial](#) (35.03 acres)

Reason for Requested Change: Minor General Plan Amendment to allow for a future mix of uses including commercial, office, multifamily and single-family residential uses.

[South Mountain Village Planning Committee Date Meeting Date:](#) May 14, 2024

Staff Recommendation: Approval

FINDINGS:

- 1) The proposed Residential 2 to 3.5 dwelling units per acre land use designation is compatible with adjacent designations to the east and south.
- 2) The proposed Commercial land use designation is appropriate for the site as it is located at the intersection of two arterial streets, 19th Avenue and Baseline Road.

- 3) The companion Rezoning Case Z-92-23-8, as stipulated, includes standards that ensure consistency in design and character with the adjacent residentially zoned properties.

BACKGROUND

The subject site is 104.99 acres located at the southeast corner of 19th Avenue and Baseline Road and is currently agricultural land. The companion rezoning case Z-92-23-8 is requesting to rezone the subject site from S-1 (Ranch or Farm Residence) and R1-10 (Single-Family Residence District) to C-2 (Intermediate Commercial), R-4 (Multifamily Residence District), R-3 (Multifamily Residence District), and R1-10 (Single-Family Residence District) to allow commercial, office, multifamily residential, and single-family residential uses.

The General Plan Land Use Map designation of the subject site is Residential 2 to 3.5 dwelling units per acre and Residential 1 to 2 dwelling units per acre. The proposed General Plan Amendment is to designate the site as Residential 2 to 3.5 dwelling units per acre, Residential 10 to 15 dwelling units per acre, Residential 15+ dwelling units per acre, and Commercial.

SURROUNDING LAND USES

NORTH

North of the subject site, across Baseline Road, are single-family residences and commercial uses zoned S-1 (Ranch or Farm Residence), R1-8 (Single-Family Residence District), and C-2 (Intermediate Commercial). This area is designated as Commercial and Residential 1 to 2 dwelling units acre on the General Plan Land Use map.

SOUTH

South of the subject site is a single-family residential subdivision zoned R1-18 (Single-Family Residence District) and south of the subject site, across South Mountain Avenue, is agricultural land and a single-family residential subdivision zoned R1-10 (Single-Family Residence District), and S-1 (Approved R-18) (Ranch or Farm Residence, Approved Single-Family Residence District). The area to the south, adjacent to the subject site, is designated Residential 1 to 2 dwelling units per acre and the area to the south, across South Mountain Avenue, is designated Residential 2 to 3.5 dwelling units acre and Residential 1 to 2 dwelling units acre on the General Plan Land Use map.

EAST

East of the subject site are single-family residences and vacant land zoned S-1 (Ranch or Farm Residence), S-1 SP (Ranch or Farm Residence, Special Permit), and R1-10 (Single-Family Residence District). This area is designated as Residential 2 to 3.5








dwelling units acre and Residential 1 to 2 dwelling units acre on the General Plan Land Use map.

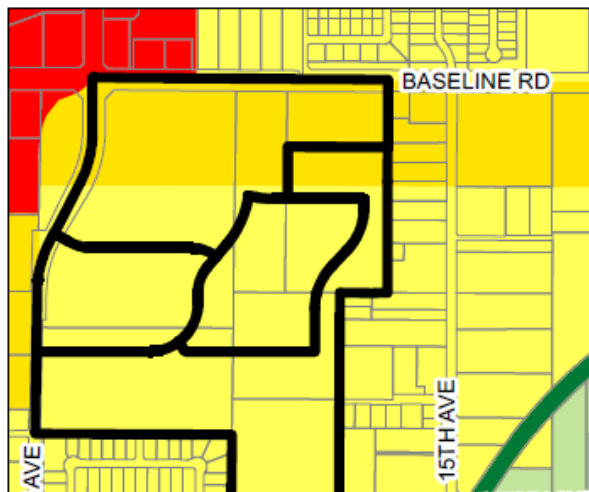
WEST

West of the subject site, across 19th Avenue, is a gas station, vacant land, a mobile home development, and single-family residences zoned C-2 (Intermediate Commercial), S-1 (Ranch or Farm Residence), and R1-10 (Single-Family Residence District). This area is designated as Commercial, Residential 2 to 3.5 dwelling units acre and Residential 1 to 2 dwelling units acre on the General Plan Land Use map.

EXISTING:





Residential 2 to 3.5 du/ac (28.61 +/- Acres)
 Residential 1 to 2 du/ac (76.38 +/- Acres)

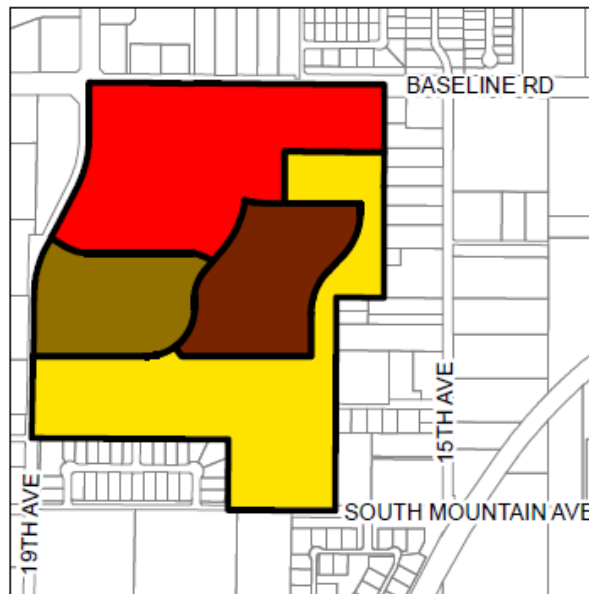
-  Proposed Change Area
-  Residential 1 to 2 du/ac
-  Residential 2 to 3.5 du/ac
-  Commercial
-  Public/Quasi-Public
-  Parks/Open Space - Publicly Owned
-  Mixed Use (Agricultural)



PROPOSED CHANGE:

Residential 2 to 3.5 du/ac (38.60 +/- Acres)
 Residential 10 to 15 du/ac (14.69 +/- Acres)
 Residential 15+ du/ac (16.67 +/- Acres)
 Commercial (35.03 +/- Acres)

-  Proposed Change Area
-  Residential 2 to 3.5 du/ac
-  Residential 10 to 15 du/ac
-  Residential 15+ du/ac
-  Commercial



Existing and Proposed General Plan Land Use Map, Source: City of Phoenix

RELATIONSHIP TO GENERAL PLAN CORE VALUES AND PRINCIPLES

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS

- **HEALTHY NEIGHBORHOODS; DESIGN PRINCIPLE:** Establish design standards and guidelines for parking lots and structures, setback and build-to lines, blank wall space, shade, and other elements affecting pedestrians, to encourage pedestrian activity and identify options for providing pedestrian-oriented design in different types of development.

As stipulated in the companion Rezoning Case Z-92-23-8, the proposal will include design and development standards to encourage walking, bicycling, and transit use. These standards include the provision of shaded bicycle parking, shade throughout the development, and a multi-use trail that connects the development with the existing multi-use trails to the north along Baseline Road and to the south along South Mountain Avenue.

- **DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE:** Communities should consist of a mix of land uses to provide housing, shopping, dining and recreational options for residents.

The proposal will contribute to a mix of land uses by providing a commercial area at the corner of 19th Avenue and Baseline Road, a single-family area along the southern and eastern perimeters of the site, and a multifamily area as a transition between the commercial and single-family areas. As stipulated in the Rezoning Case Z-92-23-8, the proposal will provide enhanced connectivity within the site and to nearby developments by including sidewalk crossings to connect the residential and commercial areas, multi-use trails along Baseline Road and South Mountain Avenue, and shaded and detached sidewalks along Baseline Road, 19th Avenue, and South Mountain Avenue.

CONNECT PEOPLE AND PLACES CORE VALUE

- **BICYCLES; DESIGN PRINCIPLE:** Development should include convenient bicycle parking.

As stipulated in the Rezoning Case Z-92-23-8, the proposal will include shaded bicycle parking to encourage bicycling and transit use by leveraging its proximity to nearby commercial developments, educational institutions, neighborhoods, and the multi-use trails along Baseline Road and South Mountain Road.

BUILD THE SUSTAINABLE DESERT CITY

- **DESIGN PRINCIPLE:** Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The proposal, as stipulated in the Rezoning Case Z-92-23-8, will include detached sidewalks with landscaping along Baseline Road, 19th Avenue, and South Mountain Avenue that will be planted with shade trees; shaded public and private sidewalks; and shaded bicycle and vehicle parking areas. These improvements will create a comfortable pedestrian environment through the development and along Baseline Road, 19th Avenue, and South Mountain Avenue, reduce the urban heat island affect, and make the walk to nearby destinations safer and more comfortable.

CONCLUSION AND RECOMMENDATION

Staff recommends approval of GPA-SM-13-23-8. The proposed General Plan Land Use map designations of Residential 2 to 3.5 dwelling units per acre, Residential 10 to 15 dwelling units per acre, Residential 15+ dwelling units per acre, and Commercial is consistent in scale and character with existing land uses in the surrounding area. The land use map designation, as requested, would further diversify the land uses in this part of the South Mountain Village in a manner consistent with development patterns based on the existing zoning and General Plan Land Use Map designations in the general area. Furthermore, the requested land use map designations provide a transition between the adjacent commercial and single-family residential uses.

As stipulated, the concurrent case Z-92-23-8 will enhance the compatibility with the land use pattern in the surrounding area. Approval of the request, with concurrent case Z-92-23-8, will support the development of this underutilized property with uses that are compatible with the land use designations and zoning districts in the general area.

Writer

Samuel Rogers
May 8, 2024

Team Leader

Racelle Escolar

Exhibits

Sketch Maps (2 pages)








GENERAL PLAN AMENDMENT

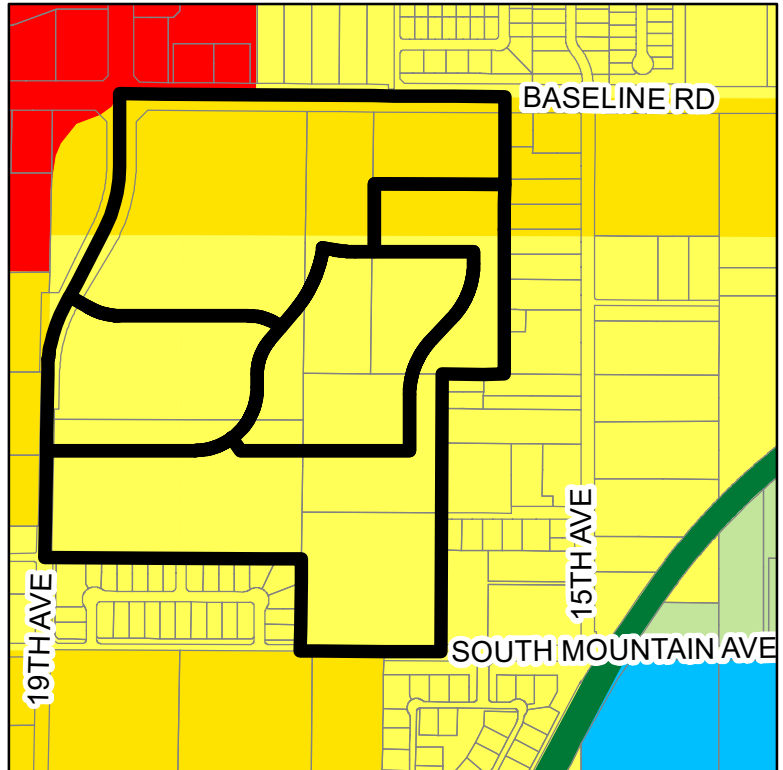
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-SM-13-23	ACRES: 104.99 +/-	REVISION DATE:
VILLAGE: South Mountain	COUNCIL DISTRICT: 8	
APPLICANT: Natalie Maikoski		

EXISTING:






Residential 2 to 3.5 du/ac (28.61 +/- Acres)
 Residential 1 to 2 du/ac (76.38 +/- Acres)

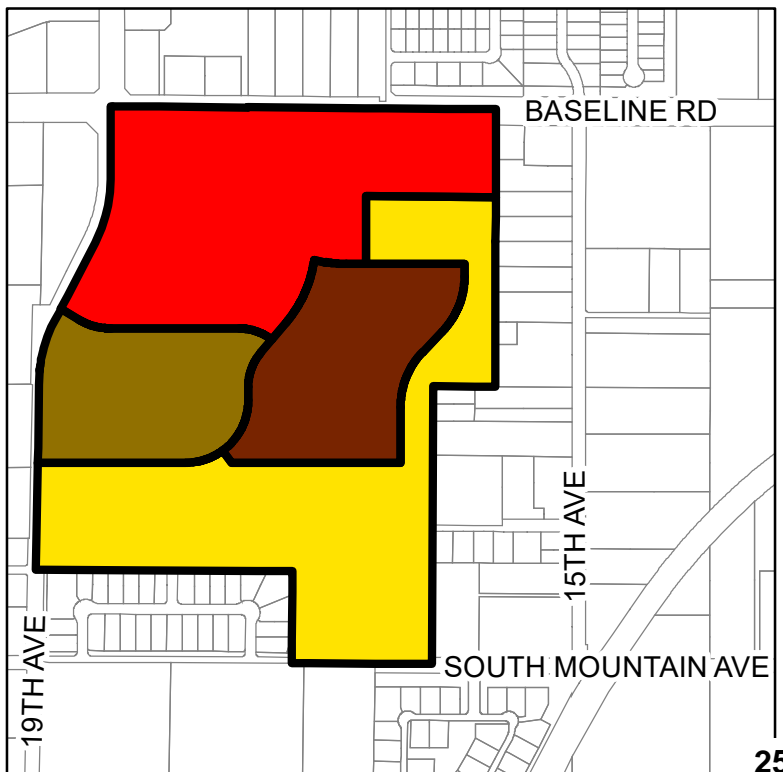
-  Proposed Change Area
-  Residential 1 to 2 du/ac
-  Residential 2 to 3.5 du/ac
-  Commercial
-  Public/Quasi-Public
-  Parks/Open Space - Publicly Owned
-  Mixed Use (Agricultural)



PROPOSED CHANGE:

Residential 2 to 3.5 du/ac (38.60 +/- Acres)
 Residential 10 to 15 du/ac (14.69 +/- Acres)
 Residential 15+ du/ac (16.67 +/- Acres)
 Commercial (35.03 +/- Acres)

-  Proposed Change Area
-  Residential 2 to 3.5 du/ac
-  Residential 10 to 15 du/ac
-  Residential 15+ du/ac
-  Commercial










GENERAL PLAN AMENDMENT

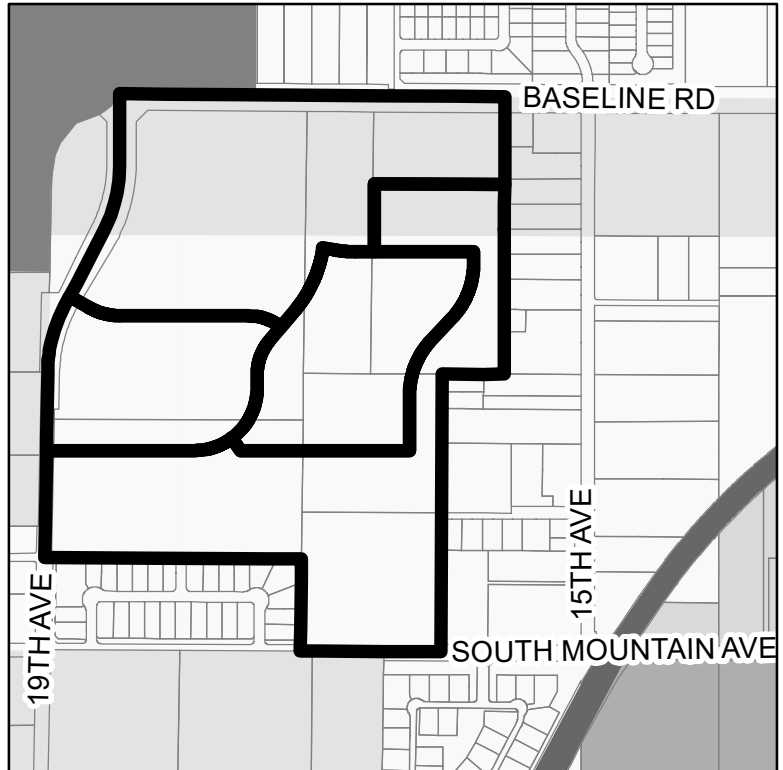
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-SM-13-23	ACRES: 104.99 +/-	REVISION DATE:
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APPLICANT: Natalie Maikoski		

EXISTING:






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 Residential 1 to 2 du/ac (76.38 +/- Acres)

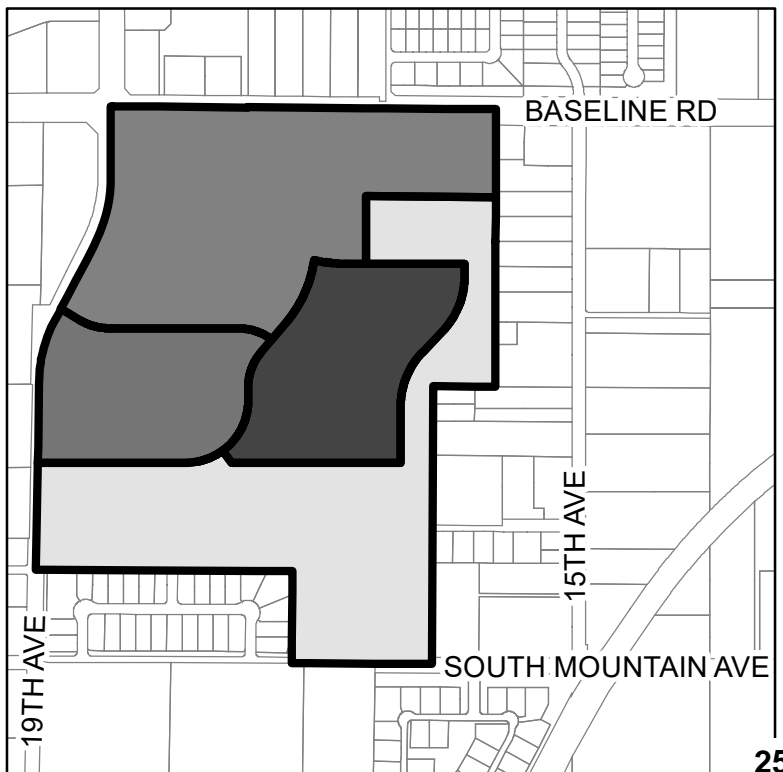
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-  Public/Quasi-Public
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PROPOSED CHANGE:

Residential 2 to 3.5 du/ac (38.60 +/- Acres)
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 Commercial (35.03 +/- Acres)

-  Proposed Change Area
-  Residential 2 to 3.5 du/ac
-  Residential 10 to 15 du/ac
-  Residential 15+ du/ac
-  Commercial





Village Planning Committee Meeting Summary GPA-SM-13-23-8

Date of VPC Meeting	May 14, 2024
Request From	Residential 1 to 2 dwelling units per acre and Residential 2 to 3.5 dwelling units per acre
Request To	Residential 2 to 3.5 dwelling units per acre, Residential 10 to 15 dwelling units per acre, Residential 15+ dwelling units per acre and Commercial
Proposal	To allow for a future mix of uses including commercial, office, multifamily and single-family residential uses
Location	Southeast corner of 19th Avenue and Baseline Road
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	12-0-1

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Item No. 5 (GPA-SM-13-23-8) and Item No. 6 (Z-92-23-8) are companion cases and were heard together.

Three members of the public registered to speak on this item, two in support and one in opposition.

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.

Committee Member Marcia Busching asked why there was a stipulation limiting proposed heights in the R-4 and R1-10 zoning districts, but not in the C-2 and R-3 zoning districts. **Mr. Rogers** stated that the stipulations limiting height were proposed by the applicant and that the question could be better answered by the applicant.

Committee Member Emma Viera stated her appreciation for the proposed stipulations and stated that the stipulations are in alignment with various sustainability plans.

Committee Member Tamala Daniels asked if there had been any stipulations regarding the consideration of the flood zone map. **Mr. Rogers** stated that in a previous case, a similar stipulation had been added by the committee but was ultimately removed

because the floodplain reviewers assess plans according to specific ordinance criteria. Committee Member T. Daniels spoke about a previous case where the committee had pushed for floodplain review to be a part of the rezoning application. Mr. Rogers stated he would be happy to investigate the case Committee Member T. Daniels referenced while the applicant presented.

APPLICANT PRESENTATION

Rick Jellies, representing the applicant with City to City Commercial Real Estate and The Lead Group, introduced himself and the property owners, presented the request, described the public outreach and work with the neighbors, spoke about the importance of the site location to the area and community, spoke about how the project changed and the stipulations that were added in response to community conversations, spoke about concerns with a connection to Gary Way, asked for a stipulation to be added capping the number of units in the R-4 area to 360 units, spoke about pedestrian connectivity, and stated that the streets and park would be built as a part of Phase 1.

PUBLIC COMMENT

JoAnne Jensen introduced herself, stated that she lives in Magdalena Estates, spoke about the applicant team's work with the neighborhood, stated that she has met with the applicant team many times, stated that the applicant team and neighborhood had developed a shared vision of what is best for the subject site, emphasized the importance of remembering that the development is transitioning from nothing to a significant project, acknowledged that changes are inevitable, and expressed that the plan represents the best vision for the area. Ms. Jensen expressed her approval for the inclusion of wide lots in the development plan and voiced her support for the R-3 townhomes, specifically highlighting the two-story design, orientation, open view fencing, and setback considerations. Ms. Jensen also mentioned the hope to avoid undesirable uses within the development through an agreement with the development team and noted that there is not a large contingent from Magdalena Estates opposing the project. Ms. Jensen stated that the team could not have done better with the plan, highlighted concerns with Gary Way, stated that the Gary Way is hardly a road, stated that Gary Way is paved but not striped, and raised concerns that 15th Avenue has not been approved beyond the area near the Charter School. Ms. Jensen emphasized the need to have faith in something, recognized the efforts of the applicant team, and noted that there is considerable support within Magdalena Estates for the project.

Ed Depinto introduced himself, stated he has lived in the area for 20 years, stated that the area is starved for responsible development, commended the proposed buffering to adjacent neighborhoods, stated approval of what the applicant is trying to do in the commercial area, and stated he looks forward to visiting the successful project.

Erin Hegedus stated that she appreciates the work Ms. Jensen does for the neighborhood and stated that she came to support the community and ask for the trees and shade to be maintained. Ms. Hegedus stated that she only attended one meeting with the applicant team and was not aware there were additional meetings. Ms. Hegedus stated that she liked what Ms. Jensen discussed regarding the townhomes but explained that she does not want to act on faith and wants to see real plans.

APPLICANT RESPONSE

Mr. Jellies explained that there is a Zoning Ordinance limit on height in the R-3 zone, so a height limitation was not stipulated, stated that the list of stipulations had been abbreviated and explained that the full stipulations include shading and planting requirements, explained that the applicant team had requested stipulations to be added in response to conversations with the community, stated concerns about Gary Road, and reiterated that he would like to request a stipulation limiting the R-4-zoned area to a maximum of 360 units.

QUESTIONS FROM THE COMMITTEE

Committee Member Busching stated that there was a stipulation regarding the maximum density in the R-3 zone. **Mr. Jellies** stated that there is a maximum density in the R-3 zoning district per the Zoning Ordinance and explained that the applicant team had agreed to stipulate the R-4 density below what is allowed per the Ordinance. Committee Member Busching stated that the R-3 has a max height of 48 feet, stated that the R-4 is stipulated to a maximum height of 30 feet, and asked what the max height in the C-2 district is. **Mr. Rogers** stated that the maximum height in the C-2 zoning district is two stories of 30 feet. **Chair Marchuk** clarified that the R-3 area would be stipulated to two stories or 30 feet and that the R-4 area would be stipulated to a maximum of 360 units. Mr. Jellies confirmed this clarification. Committee Member Busching asked if the highest intensity would be in the center of the development. Mr. Jellies responded that the community was given a choice in the proposed configuration and that the streetscape was more important and noted that the land slopes down from 19th Avenue. Committee Member Busching inquired about how someone would access their home in the northeast area. Mr. Jellies explained the route and stated that while land use restrictions cannot be stipulated, the developer will impose restrictions through other mechanisms.

Mr. Jellies stated that he was familiar with the subdivision that had flooding issues, stated he has been involved in flood issues in the area for 25 years, explained he worked on the Laveen Area Conveyance Channel, stated that a new plan had been put in place that uses retention basins and expands the storm pipe system, stated that rezonings are required to do a drainage study that accounts for the latest plans, and explained that it is in the best financial interest for the developer to properly manage water.

Committee Member T. Daniels stated there was not a stipulation regarding landscaping within the landscape setbacks. **Mr. Rogers** stated that tree size was stipulated in the parking areas and sidewalk detachments, but not within the landscape setbacks and explained that the C-2 district requires enhanced landscape setbacks. Committee Member T. Daniels asked if solar canopies over the parking area were considered. Mr. Jellies stated that they are fans of solar canopies and they are a good idea depending on the government incentives available at the time. Committee Member T. Daniels stated she is a fan of landscaped parking lots so she will not push too hard. Mr. Jellies stated that the stipulation allows for a combination of landscaping and structural shade. Mr. Rogers clarified that the stipulation only allows for landscaping. **Chair Marchuk** asked if solar counts towards the landscaping plan. Mr. Rogers stated that there is no City requirement for solar, so it does not fit into the plans and explained how the stipulation could be modified to allow for structural shade.

Chair Marchuk asked if the floodplain concerns will be handled through the process and if a floodplain stipulation would be appropriate. **Committee Member T. Daniels** explained that she had worked with the City to require that floodplain review be a part of the rezoning process. Chair Marchuk asked for staff's opinion. **Mr. Rogers** explained that he was not a staff member when the process change Committee Member T. Daniels referenced occurred and stated that floodplain team reviews every rezoning case. **Elias Valencia**, staff, stated that the floodplain team reviews rezoning cases for any major concerns, stated that the plans will be required to submit grading and drainage plans during the site review process, stated that he thinks the committee should allow the process to run its course, and stated that the liability is always passed onto the developer. **Mr. Jellies** echoed Mr. Valencia's comments, stated that in the subdivision with flooding problems the review process had failed, but the liability process worked, and stated that an in-depth drainage analysis would be completed on the site and surrounding area. Committee Member T. Daniels inquired about the overlay of flood maps during the review of the proposal and shared an exercise she had participated in involving floodplain analysis. Mr. Jellies stated that any property that touches a floodplain must be reviewed by the City and FEMA and stated that once the project is built the plans get sent to FEMA so they can update their maps. Committee Members T. Daniels stated that she would be more comfortable if a stipulation is added regarding the floodplain. Mr. Jellies expressed concern about the potential misinterpretation of stipulations, emphasized the rationale behind code requirements, elaborated on the necessity for adherence to both state regulations, which provide large-scale requirements, and city-specific criteria, which address detailed specifics. Chair Marchuk asked if any specific stipulations were under consideration. Committee Member T. Daniels emphasized the importance of reviewing updated overflow maps, noting the dynamic nature of flow patterns, stressed that modifications to the design could impact flow dynamics, and emphasized the need to assess potential implications for homes situated within these flow areas. Chair Marchuk suggested collaborating with Mr. Rogers on refining the language of stipulations. Mr. Rogers indicated that he had never added a stipulation regarding floodplain that was not requested by the floodplain

team and explained that when the VPC had added a floodplain stipulation on a previous project it had been removed because floodplain reviewers review specific codified criteria.

Vice Chair Arthur Greathouse III commended the applicant team for their exemplary communication with the VPC, requested further elaboration from the applicant on the intended commercial uses within the area, their compatibility with the residential character, and the potential inclusion of an urgent care facility. Mr. Jellies stated that the development team is looking to develop an urgent care facility, mentioned targeting a Fry's grocery store, and specified the intention to prohibit gas stations at the corner of 19th Avenue and Baseline Road.

Committee Member Darlene Jackson inquired about the responsibility for park maintenance. **Mr. Jellies** indicated that maintenance would likely fall under the purview of the R-4 development team and assured ongoing efforts to ensure proper upkeep of the park. Committee Member Jackson raised concerns about the illumination of the park. Mr. Jellies affirmed plans for adequate lighting, with adherence to any applicable dark sky ordinances.

Chair Marchuk inquired about the readiness of language concerning a floodplain stipulation. **Mr. Rogers** stated that while no language was currently available, it could be researched and potentially added at the Planning Commission stage. **Mr. Valencia** highlighted that a hydrological analysis would be required during the preliminary site plan review, cautioned against duplicating requirements with additional stipulations, and emphasized that preliminary approval meetings are open to the public.

Committee Member Lee Coleman stated that the City of Phoenix requires a grading and drainage plan to be submitted and reviewed.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

MOTION

Vice Chair Arthur Greathouse III made a motion to recommend approval of GPA-SM-13-23-8 per the staff recommendation. **Committee Member Emma Viera** seconded the motion.

VOTE

12-0-1, motion to recommend approval of GPA-SM-13-23-8 per the staff recommendation passed with Committee Members Aldama, Beehler, Brooks, Busching, Coleman, F. Daniels, T. Daniels, Falcon, Holmerud, Jackson, Viera, and Greathouse in favor and Chair Marchuk abstained.

Chair Marchuk explained that he abstained because there was not tie to break.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION June 6, 2024

ITEM NO: 6	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	GPA-SM-13-23-8 (Companion Case Z-92-23-8)
Request:	Map Amendment
Location:	Southeast corner of 19th Avenue and Baseline Road
From:	Residential 2 to 3.5 dwelling units per acre and Residential 1 to 2 dwelling units per acre
To:	Residential 2 to 3.5 dwelling units per acre, Residential 10 to 15 dwelling units per acre, Residential 15+ dwelling units per acre, and Commercial
Acreage:	104.99
Proposal:	Minor General Plan Amendment to allow for a future mix of uses including commercial, office, multifamily, and single-family residential uses
Applicant:	Brennan Maher, EPS Group, Inc.
Owner:	River View Growers, LLC; Raymond Branham Living Trust; Romeo Yacoub Living Trust/Khoshaba Mark/Madeline
Representative:	Natalie Maikoski, EPS Group, Inc.

ACTIONS:

Staff Recommendation: Approval.

Village Planning Committee (VPC) Recommendation:

South Mountain 5/14/2024 Approval, per the staff recommendation. Vote: 12-0-1.

Planning Commission Recommendation: Approval, per the South Mountain Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Vice-Chairperson Busching made a MOTION to approve GPA-SM-13-23-8, per the South Mountain Village Planning Committee recommendation.

Maker: Busching
Second: Jaramillo
Vote: 8-0
Absent: Mangum
Opposition Present: No

Findings:

1. The proposed Residential 2 to 3.5 dwelling units per acre land use designation is compatible with adjacent designations to the east and south.
2. The proposed Commercial land use designation is appropriate for the site as it is located at the intersection of two arterial streets, 19th Avenue and Baseline Road.

3. The companion Rezoning Case Z-92-23-8, as stipulated, includes standards that ensure consistency in design and character with the adjacent residentially zoned properties.

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.

Support Letter - 19th & Baseline

Kent Baker <kbaker@citytocitycre.com>

Tue 5/14/2024 5:44 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

Begin forwarded message:

From: Julie Chaffin <azrealtorjulie@gmail.com>

Date: May 5, 2024 at 3:16:06 PM MST

To: Kent Baker <kbaker@citytocitycre.com>

Subject: Village Planning Committee May 14, 2024 6:00PM

Hi Kent,

I just wanted to reach out in support of this project. I will be out of town when this meeting takes place, but I definitely wanted my support to be noted. I live on 19th Ave and own property in the area and I feel having this SEC develop will be a huge, positive step forward for the local community.

I am also a realtor and I believe this will increase the desire for people to want to live in South Phoenix.

Please reach out with any questions you may have.

Julie Chaffin

--

Julie A. Chaffin

Realty One Group

602-721-8181

Letter of Support - 19th & Baseline

Kent Baker <kbaker@citytocitycre.com>

Tue 5/14/2024 5:45 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

Begin forwarded message:

From: reza mohkami <rmohkami@gmail.com>

Date: May 5, 2024 at 5:23:17 PM MST

To: kbaker@citytocitycre.com

Subject: May 14 Village Planning Meeting

Hi Kent,

I want to express my support for the development plan at the intersection of 19th Ave and Baseline. I have lived in the area since 2012 and have worked in South Phoenix/Laveen for 40 years. I believe this development will be an asset to this area.

Please contact me if you have any questions.

Sincerely,

Reza Mohkami

1830 W Telegraph Pass Rd., Phoenix, AZ 85041

ATTACHMENT F

Z-92-23-8 and GPA-SM-13-23 SEC Baseline and 19th Avenue

joannejensen@cox.net <joannejensen@cox.net>

Tue 3/26/2024 2:37 PM

To:Council District 8 PCC <council.district.8@phoenix.gov>;PDD South Mountain VPC <southmountainvpc@phoenix.gov>; support@phxazdistrict8.zendesk.com <support@phxazdistrict8.zendesk.com>

Cc:Samuel S Rogers <samuel.rogers@phoenix.gov>;Christine Mackay <christine.mackay@phoenix.gov>;'Kent Baker' <kbaker@citycitycre.com>;'Rick Jellies' <rjellies@citycitycre.com>

Hello and good afternoon to all,

My name is JoAnne Jensen and I reside at 8303 S. 17th Drive, Phoenix AZ 85041. Our home is one of 26 in Magdalena Estates, located on the southwest corner of the land under consideration for development under the two case numbers, above. Our cross streets are South Mountain and 19th Avenue.

We have been working with Kent Baker and Rick Jellies, on behalf of the residents living in Magdalena Estates and living on 15th Avenue with respect to their rezoning and general plan amendment proposal.

There has so far, been a single community meeting, although Mr. Jellies has indicated that another will be scheduled soon – ideally, ahead of their presenting at the South Mountain VPC.

At this point, unless they have recently submitted, their proposal is light on the details which would allow a meaningful response from the community. The unfinished stipulations are unavailable for review at this time. Beyond that, there is no site plan, landscape plan, lighting plan, or signage plan. There are no elevations, no sense of the flavor or style of this area. We understand that those plans would, when available, be subject to SMVPC review and PHO approval. However, that does not help us neighbors in the immediate term.

The community is not opposed to development – we are not unrealistic. We also understand that build to rent does not automatically guarantee problem neighbors. We recognize the need for housing here in Phoenix.

We would, though, still like to retain the flavor of our small part of the world in which we are so invested. As a result, the largest concern regards the height of three stories for the multi-family units. One thing about this part of South Mountain is that we enjoy the perception of wide open space. We can continue that perception with building heights that do not exceed two stories. Anyone familiar with Baseline – both north and south – will know that there is no building along the road in this area that is three stories tall. Anything three stories will be completely out of character for this part of Phoenix. (NOTA BENE: As a counter-example, some will point to the three story apartments on Dobbins – which were built under pre-existing entitlements; the proposal never went to the community for discussion or to the Laveen VPC, and it does in no way reflect the spirit of that area.)

This is not an argument against density. Two story attached townhomes, two story apartments – if placed strategically toward the center of the property, with single story and proper setbacks around the perimeter, are very workable and can be quite affordable as well as attractive. We do have concerns about 19th Avenue and the piecemeal development of city streets generally, however, that is not the main issue at this point.

The request is for mindful development that respects history while looking toward the future.

Please consider this a request to meet with everyone involved in this project and its approval.

Thank you.

JoAnne Jensen
480-213-6499



Public Hearing and Ordinance Adoption - Rezoning Application Z-92-23-8 - Southeast Corner of 19th Avenue and Baseline Road (Ordinance G-7285)

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-92-23-8 and rezone the site from S-1 (Ranch or Farm Residence) and R1-10 (Single-Family Residential) to C-2 (Intermediate Commercial), R-4 (Multifamily Residence District), R-3 (Multifamily Residence District), and R1-10 (Single-Family Residence District) to allow commercial, office, multifamily residential, and single-family residential. This is a companion case to GPA-SM-13-23-8 and must be heard following GPA-SM-13-23-8.

Summary

Current Zoning: S-1 (85.75 acres) and R1-10 (19.24 acres)

Proposed Zoning: C-2 (35.03 acres), R-4 (16.67 acres), R-3 (14.69 acres), and R1-10 (38.60 acres)

Acreage: 104.99

Proposal: Commercial, office, multifamily residential, and single-family residential

Owner: River View Growers, LLC, et. al.

Applicant: Brennan Maher, EPS Group, Inc.

Representative: Natalie Maikoski, EPS Group, Inc.

Staff Recommendation: Approval, subject to stipulations.

VPC Action: The South Mountain Village Planning Committee heard this item on May 14, 2024, and recommend approval, per the staff recommendation, with a modification and additional stipulations, by a vote of 12-0-1.

PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the South Mountain Village Planning Committee recommendation, by a vote of 8-0.

Location

Southeast corner of 19th Avenue and Baseline Road

Council District: 8

Parcel Address: 1843 and 1775 W. Baseline Road, 1553 W. Gary Way, and 1650 W. South Mountain Ave.

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-XXXX

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 (Z-92-23-8) FROM S-1 (RANCH OR FARM RESIDENCE) AND R1-10 (SINGLE-FAMILY RESIDENTIAL) TO C-2 (INTERMEDIATE COMMERCIAL), R-4 (MULTIFAMILY RESIDENCE DISTRICT), R-3 (MULTIFAMILY RESIDENCE DISTRICT), AND 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 104.99-acre site located at the southeast corner of 19th Avenue and Baseline Road in a portion of Section 6, Township 1 South, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from 85.75 acres of "S-1" (Ranch or Farm Residence) and 19.24 acres of "R1-10" (Single-Family Residential) to 35.03 acres of "C-2" (Intermediate Commercial), 16.67 acres of "R-4" (Multifamily Residence District), 14.69 acres of "R-3" (Multifamily Residence District), and 38.60 acres of "R1-10" (Single-Family Residence District).

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

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

OVERALL SITE

1. The conceptual site plan, elevations, 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 sidewalk along Baseline Road shall be a minimum of 6 feet in width and detached with a minimum 10-foot-wide landscape strip located between the sidewalk and back of curb 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, that provide shade to a minimum 50.
 - b. Drought tolerant vegetation to achieve a minimum of 75% live coverage.

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

3. The sidewalk along 19th Avenue shall be a minimum of 6 feet in width and detached with a minimum 10-foot-wide landscape strip located between the sidewalk and back of curb 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, that provide shade to a minimum 50 percent.
 - b. Drought tolerant vegetation to achieve a minimum of 75% live coverage.

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

4. The sidewalk along South Mountain Avenue shall be a minimum of 5 feet in width and detached with a minimum 5-foot-wide landscape strip located between the sidewalk and back of curb and planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, that provide shade to a minimum 50%, as approved by the Planning and Development Department.

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

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. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the south side of Baseline 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.
7. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the north side of South Mountain Avenue 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.
8. A minimum of 5.25 acres shall be reserved for open space, as shown on the conceptual landscape plan date stamped November 13, 2023.
9. 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.
10. All perimeter walls visible from street right-of-way shall include material and/or textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.
11. 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.
12. Commercial landscaping and common areas 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. 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 located on properties for uses such as parks and residential common areas, as approved by the Planning and Development Department.
 14. A minimum 50 feet of right-of-way shall be dedicated for the east side of 19th Avenue, adjacent to the development.
 15. A minimum 30 feet of right-of-way shall be dedicated for the north side of South Mountain Avenue, adjacent to the development.
 16. A minimum 50 feet of right-of-way shall be dedicated for the full width of all public local streets, internal to the development.
 17. A minimum 5-foot-wide sidewalk shall be constructed on both sides of all public local streets.
 18. Right-of-way shall be dedicated for the connection of the internal road network to Gary Way on the southeastern boundary of the site.
 19. Crosswalks shall be placed across internal roadways separating residential and commercial land at significant pedestrian crossings, as determined by the Street Transportation Department.
 20. Improvements to Baseline Road shall be consistent with the Arterial CM cross section including the construction of a raised median.
 21. A Traffic Impact Analysis (TIA) shall be submitted to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department. The TIA shall include signal warrant analysis for 19th Avenue and South Mountain Avenue. If the approved TIA determines that a signal is warranted at this intersection, the developer shall be required to fund 100% of the cost and construct the signal. If the TIA does not warrant the signal, the developer shall be required contribute 25% of traffic signal cost in an escrow account to the Street Transportation Department.
 22. All existing electrical utilities within the public right-of-way shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.
 23. Existing SRP facilities along 19th Avenue are to be relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate the facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or

civil plan review approval.

24. 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.
25. 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.
26. 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.
27. 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.
28. 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.

C-2, R-3, AND R-4 ZONED SITES (Commercial and Multifamily)

29. All uncovered surface parking spaces shall be shaded to achieve a minimum 25% shade with either structural shade, minimum 2-inch caliper size, single-trunk, large canopy, drought-tolerant, shade trees, or a combination of the two, as approved by Planning and Development Department.
30. A minimum of 2% of the required parking spaces shall include EV Installed infrastructure. A minimum of 5% of the required parking spaces shall include EV Capable spaces.
31. Site lighting shall be provided at building entrances/exits, and in public assembly and parking areas, as approved by the Planning and Development Department.
32. All public and private pedestrian pathways including sidewalks shall be shaded to a minimum 75%, as approved by the Planning and Development Department.

33. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
34. 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.

C-2 ZONED SITES

35. Drive-through windows adjacent to a perimeter street shall be screened by a minimum four-foot-tall mound, or other comparable screening, as approved by the Planning and Development Department.
36. Bicycle parking spaces shall be provided per the requirements of Section 1307.H of the Phoenix Zoning Ordinance through inverted U and/or artistic racks located near the office and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
37. Bicycle parking spaces shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.
38. A minimum of 5% of the provided bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
39. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Water Efficiency Checkup program for a minimum of 15 years, or as approved by the Planning and Development Department.

R-3 AND R-4 ZONED SITES (Multifamily)

40. Bicycle infrastructure shall be provided as described below, located in open space areas, near entrances of buildings, or in a secure location inside the building and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance. Bicycle parking spaces shall be provided through inverted U and/or artistic racks. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan, as approved by the Planning and Development Department
 - a. The developer shall provide secure bicycle parking per Section 1307 of the Zoning Ordinance.
 - b. Guest bicycle parking shall be provided at a minimum rate of 0.05 spaces per dwelling unit, up to a maximum of 50 spaces required.

- c. A bicycle repair station (“fix it station”) shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station (“fix it station”) shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to:
 - i. Standard repair tools affixed to the station;
 - ii. A tire gauge and pump affixed to the base of the station or the ground;
 - iii. A bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
41. A minimum of 10% of the provided bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.

R-3 ZONED SITES

- 42. Perimeter fencing adjacent to 19th Avenue shall be a minimum of 50% open view fencing, as approved by the Planning and Development Department.
- 43. Buildings adjacent to 19th Avenue shall have units oriented towards 19th Avenue and shall include individual porches or patios.
- 44. The maximum building height shall be limited to two stories or 30 feet.

R-4 ZONED SITES

- 45. The maximum building height shall be limited to two stories or 30 feet.
- 46. The development within the R-4 area shall be limited to a maximum of 360 units.

R1-10 ZONED SITES

- 47. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department:
 - a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment.
 - b. A minimum of 50% of the elevations for each floor plan shall provide a covered front porch in the front yard with a minimum of 60 square feet in

area at a depth of at least 6 feet. No porch shall terminate within the plane of a door or window.

- c. Pitched roofs shall be provided on all building elevations.
48. The maximum building height shall be limited to one story or 24 feet.
49. Lots along the south perimeter shall be a minimum of 160 feet in depth.
50. Lots shall be a minimum of 75 feet in width.
51. 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.
52. 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.
53. 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.
54. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.
55. 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.

R1-10, R-3, AND R-4 ZONED SITES (SINGLE-FAMILY AND MULTIFAMILY)

56. All landscape setbacks shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant trees, 20 feet on center, or in equivalent groupings, with five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

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 1st day of July, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

Date

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

By: _____

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (6 Pages)
B – Ordinance Location Map (1 Page)

EXHIBIT A

Legal Description for Z-92-23-8

C-2 Portion

A portion of the Northwest Quarter of Section 6, Township 1 South, Range 3 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, and more particularly described as follows:

COMMENCING at a brass cap flush at the west quarter corner of said Section 6, from which a brass cap at the northwest corner of said Section 6, bears North 1 degrees 00 minutes 22 seconds East (BASIS OF BEARINGS) 2,654.52feet;

Thence, along the West line of said Northwest Quarter, North 1 degrees 00 minutes 22 seconds East, 1,689.95 feet;

Thence, South 88 Degrees 59 Minutes 38 Seconds East, 96.34 feet, to the POINT OF BEGINNING

Thence, North 28 Degrees 30 Minutes 33 Seconds East, 335.04 feet, to the beginning of a tangent curve, concave to the West, having a radius of 721.78 feet;

Thence, Northerly along said curve, through a central angle of 28 Degrees 30 Minutes 00 Seconds, and an arc length of 359.03 feet to a tangent line;

Thence, North 00 Degrees 00 Minutes 33 Seconds East, 328.03feet;

Thence, South 89 Degrees 32 Minutes 31 Seconds East, 1,832.00 feet;
Thence, South 00 Degrees 02 Minutes 31 Seconds West, 420.10feet;

Thence, North 89 Degrees 32 Minutes 37 Seconds West, 622.47feet;

Thence, South 00 Degrees 00 Minutes 01 Seconds West, 324.37feet;

Thence, North 89 Degrees 59 Minutes 59 Seconds West, 94.46 feet, to the beginning of a tangent curve, concave to the North, having a radius of 580.00 feet;

Thence, Westerly along said curve, through a central angle of 09 Degrees 56 Minutes 25 Seconds, and an arc length of 100.62 feet;

Thence, North 80 Degrees 03 Minutes 35 Seconds West, 54.01 feet, to a non- tangent curve, concave to the West, having a radius of 600.00 feet, the center of which bears North 81 Degrees 39 Minutes 45 Seconds West;

Thence, Southerly along said curve, through a central angle of 31 Degrees 41 Minutes 32 Seconds, and an arc length of 331.88 feet;

Thence, South 40 Degrees 01 Minutes 47 Seconds West, 104.05 feet, to a non- tangent

curve, concave to the South, having a radius of 250.00 feet, the center of which bears South 38 Degrees 05 Minutes 57 Seconds West;

Thence, Westerly along said curve, through a central angle of 38 Degrees 05 Minutes 57 Seconds, and an arc length of 166.24 feet;

Thence, North 90 Degrees 00 Minutes 00 Seconds West, 613.08 feet, to the beginning of a tangent curve, concave to the North, having a radius of 300.00 feet, the center of which bears North 00 Degrees 00 Minutes 00 Seconds East;

Thence, Westerly along said curve, through a central angle of 31 Degrees 04 Minutes 31 Seconds, and an arc length of 162.71 feet;

Thence, North 58 Degrees 55 Minutes 29 Seconds West, 99.89 feet, to the POINT OF BEGINNING.

Said portion of land containing 1,521,483 square feet, or 34.9284 acres, more or less, and being subject to any easements, restrictions, and/or rights-of-ways of record or otherwise.

This description shown hereon is not to be used to violate subdivision regulations of the State, County and/or Municipality, or any other land division restrictions.

R-10 Portion

A portion of the Northwest Quarter of Section 6, Township 1 South, Range 3 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, and more particularly described as follows:

COMMENCING at a brass cap flush at the west quarter corner of said Section 6, from which a brass cap at the northwest corner of said Section 6, bears North 1 degrees 00 minutes 22 seconds East (BASIS OF BEARINGS) 2,654.52 feet;

Thence, along the West line of said Northwest Quarter, North 1 degrees 00 minutes 22 seconds East, 440.94 feet to the POINT OF BEGINNING;

Thence, North 01 Degrees 00 Minutes 22 Seconds East, 510.77 feet;

Thence, North 90 Degrees 00 Minutes 00 Seconds East, 705.12 feet, to the beginning of a tangent curve, concave to the North, having a radius of 300.00 feet;

Thence, Northerly along said curve, through a central angle of 36 Degrees 25 Minutes 32 Seconds, and an arc length of 190.72 feet to a non-tangent line;

Thence, South 36 Degrees 25 Minutes 32 Seconds East, 72.84 feet;

Thence, North 90 Degrees 00 Minutes 00 Seconds East, 462.78 feet;

Thence, South 89 Degrees 59 Minutes 58 Seconds East, 342.81 feet;
Thence, North 00 Degrees 00 Minutes 00 Seconds East, 266.36 feet, to the beginning of a tangent curve, concave to the Southeast, having a radius of 380.00 feet;

Thence, Northerly along said curve, through a central angle of 43 Degrees 51 Minutes 15 Seconds, and an arc length of 290.85 feet to a tangent line;
Thence, North 43 Degrees 51 Minutes 15 Seconds East, 135.80 feet, to the beginning of a tangent curve, concave to the Northwest, having a radius of 380.00 feet;

Thence, Northerly along said curve, through a central angle of 43 Degrees 48 Minutes 44 Seconds, and an arc length of 290.57 feet to a tangent line;

Thence, North 00 Degrees 02 Minutes 31 Seconds East, 58.56feet;

Thence, North 89 Degrees 59 Minutes 59 Seconds West, 472.22feet;

Thence, North 00 Degrees 00 Minutes 01 Seconds East, 324.37 feet;

Thence, South 89 Degrees 32 Minutes 37 Seconds East, 622.47feet;

Thence, South 00 Degrees 02 Minutes 31 Seconds West, 912.13feet;

Thence, North 89 Degrees 31 Minutes 19 Seconds West, 301.06feet;

Thence, South 00 Degrees 09 Minutes 12 Seconds West, 659.90feet;

Thence, South 00 Degrees 18 Minutes 17 Seconds West, 659.95feet;

Thence, North 89 Degrees 43 Minutes 01 Seconds West, 670.37feet;

Thence, North 00 Degrees 27 Minutes 59 Seconds East, 440.32feet;

Thence, North 89 Degrees 41 Minutes 23 Seconds West, 1,223.62 feet, to the POINT OF BEGINNING.

Said portion of land containing 1,685,684 square feet, or 38.6980 acres, more or less, and being subject to any easements, restrictions, and/or rights-of-ways of record or otherwise.

This description shown hereon is not to be used to violate subdivision regulations of the State, County and/or Municipality, or any other land division restrictions.

R-3 Portion

A portion of the Northwest Quarter of Section 6, Township 1 South, Range 3 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, and more particularly described as follows:

COMMENCING at a brass cap flush at the west quarter corner of said Section 6, from

which a brass cap at the northwest corner of said Section 6, bears North 1 degrees 00 minutes 22 seconds East (BASIS OF BEARINGS) 2,654.52 feet;

Thence, along the West line of said Northwest Quarter, North 1 degrees 00 minutes 22 seconds East, 951.71 feet to the POINT OF BEGINNING;

Thence, North 01 Degrees 00 Minutes 22 Seconds East, 436.01 feet, to a non-tangent curve, concave to the Southeast, having a radius of 721.78 feet, the center of which bears South 83 Degrees 49 Minutes 09 Seconds East;

Thence, Northerly along said curve, through a central angle of 22 Degrees 19 Minutes 42 Seconds, and an arc length of 281.28 feet;

Thence, North 28 Degrees 30 Minutes 33 Seconds East, 38.36 feet;

Thence, South 58 Degrees 55 Minutes 29 Seconds East, 99.89 feet, to the beginning of a tangent curve, concave to the North, having a radius of 300.00 feet;

Thence, Easterly along said curve, through a central angle of 31 Degrees 04 Minutes 31 Seconds, and an arc length of 162.71 feet;

Thence, North 90 Degrees 00 Minutes 00 Seconds East, 613.08 feet, to the beginning of a tangent curve, concave to the South, having a radius of 250.00 feet;

Thence, Easterly along said curve, through a central angle of 38 Degrees 05 Minutes 57 Seconds, and an arc length of 166.24 feet, to a non-tangent line;

Thence, South 40 Degrees 01 Minutes 47 Seconds West, 82.93 feet, to the beginning of a tangent curve, concave to the Southeast, having a radius of 250.00 feet;

Thence, Southerly along said curve, through a central angle of 40 Degrees 01 Minutes 47 Seconds, and an arc length of 174.66 feet;

Thence, South 00 Degrees 00 Minutes 00 Seconds East, 64.26 feet, to the beginning of a tangent curve, concave to the Northwest, having a radius of 300.00 feet;

Thence, southwesterly along said curve, through a central angle of 90 Degrees 00 Minutes 00 Seconds, and an arc length of 471.24 feet;

Thence, North 90 Degrees 00 Minutes 00 Seconds West, 705.12 feet, to the POINT OF BEGINNING.

Said portion of land containing 640,271 square feet, or 14.6986 acres, more or less, and being subject to any easements, restrictions, and/or rights-of-ways of record or otherwise.

This description shown hereon is not to be used to violate subdivision regulations of the State, County and/or Municipality, or any other land division restrictions.

R-4 Portion

A portion of the Northwest Quarter of Section 6, Township 1 South, Range 3 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, and more particularly described as follows:

COMMENCING at a brass cap flush at the West Quarter Corner of said Section 6, from which a brass cap at the northwest corner of said Section 6, bears North 1 degrees 00 minutes 22 seconds East (BASIS OF BEARINGS) 2,654.52 feet;

Thence, along the West line of said Northwest Quarter, North 1 degrees 00 minutes 22 seconds East, 1,025.82 feet;

Thence, leaving said West line South 88 Degrees 59 Minutes 38 Seconds East, 882.09 feet, to the POINT OF BEGINNING, also to a non-tangent curve, concave to the West, having a radius of 300.00 feet, the center of which bears North 36 Degrees 25 Minutes 32 Seconds West;

Thence, Northerly along said curve, through a central angle of 53 Degrees 34 Minutes 28 Seconds, and an arc length of 280.51 feet;

Thence, North 00 Degrees 00 Minutes 00 Seconds East, 64.26 feet, to the beginning of a tangent curve, concave to the Southeast, having a radius of 250.00 feet;

Thence, Northerly along said curve, through a central angle of 40 Degrees 01 Minutes 47 Seconds, and an arc length of 174.66 feet;

Thence, North 40 Degrees 01 Minutes 47 Seconds East, 186.98 feet, to the beginning of a tangent curve, concave to the Northwest, having a radius of 600.00 feet;

Thence, Northerly along said curve, through a central angle of 31 Degrees 41 Minutes 32 Seconds, and an arc length of 331.88 feet, to a non-tangent line;

Thence, South 80 Degrees 03 Minutes 35 Seconds East, 54.01 feet, to the beginning of a tangent curve, concave to the North, having a radius of 580.00 feet;

Thence, Easterly along said curve, through a central angle of 09 Degrees 56 Minutes 24 Seconds, and an arc length of 100.62 feet;

Thence, South 89 Degrees 59 Minutes 59 Seconds East, 566.68 feet;

Thence, South 00 Degrees 02 Minutes 31 Seconds West, 58.56 feet, to the beginning of a tangent curve, concave to the West, having a radius of 380.00 feet;

Thence, along said curve, through a central angle of 43 Degrees 48 Minutes 44 Seconds, and an arc length of 290.57 feet;

Thence, South 43 Degrees 51 Minutes 15 Seconds West, 135.80 feet, to the beginning of a tangent curve, concave to the East, having a radius of 380.00 feet;

Thence, Southerly along said curve, through a central angle of 43 Degrees 51 Minutes 15 Seconds, and an arc length of 290.85 feet to a tangent line;

Thence, South 00 Degrees 00 Minutes 00 Seconds East, 266.36 feet;

Thence, North 89 Degrees 59 Minutes 58 Seconds West, 342.81 feet;

Thence, North 90 Degrees 00 Minutes 00 Seconds West, 462.78 feet;

Thence, North 36 Degrees 25 Minutes 32 Seconds West, 72.84 feet, to the POINT OF BEGINNING.

Said portion of land containing 726,250 square feet, or 16.6724 acres, more or less, and being subject to any easements, restrictions, and/or rights-of-ways of record or otherwise.

This description shown hereon is not to be used to violate subdivision regulations of the State, County and/or Municipality, or any other land division restrictions.

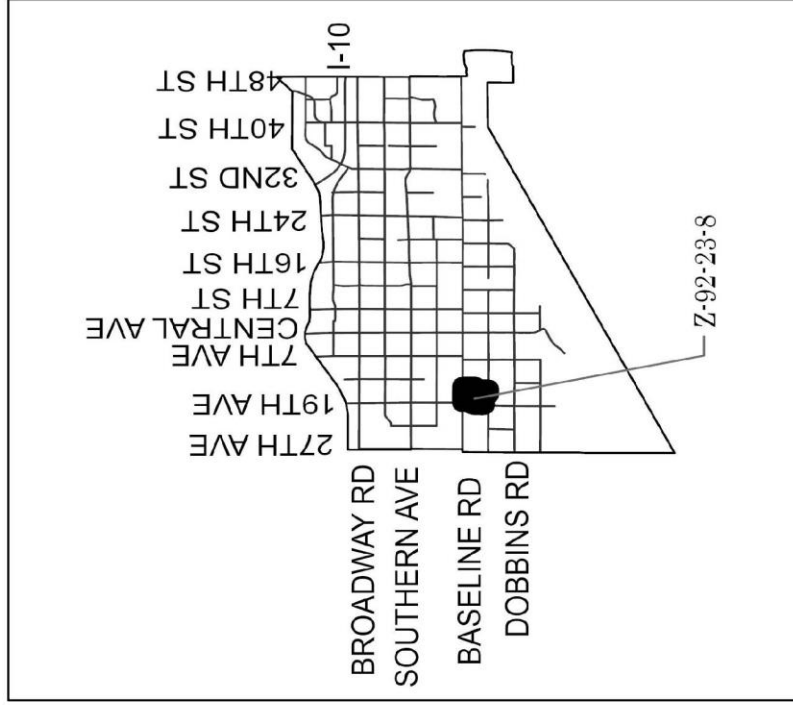
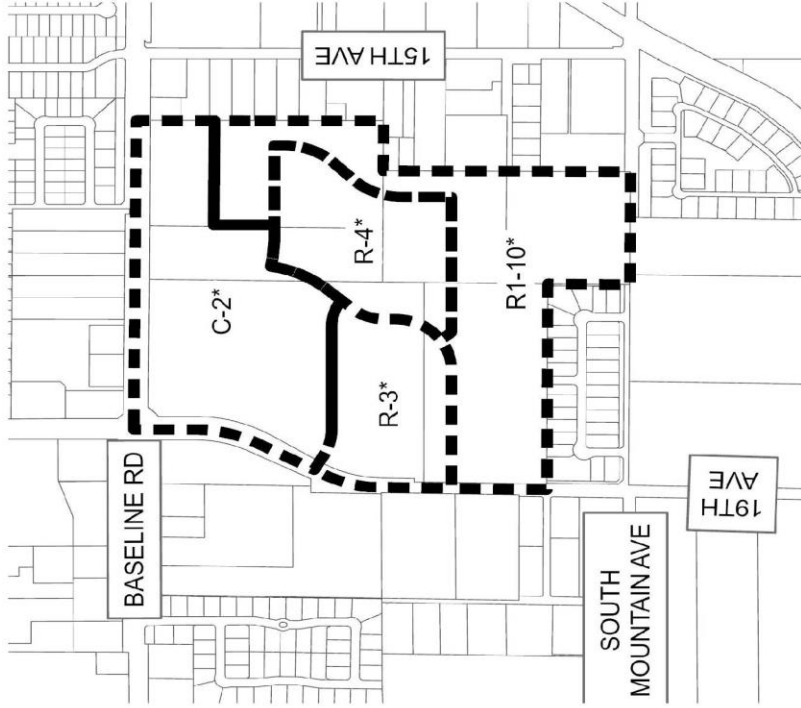
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EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-92-23-8
Zoning Overlay: N/A
Planning Village: South Mountain

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



NOT TO SCALE

Drawn Date: 6/4/2024



City of Phoenix
 PLANNING AND DEVELOPMENT DEPARTMENT

***REVISED**
Staff Report Z-92-23-8
May 8, 2024

South Mountain [Village Planning Committee](#) Meeting Date: May 14, 2024

[Planning Commission](#) Hearing Date: June 6, 2024

Request From: [S-1](#) (Ranch or Farm Residence) (85.75 acres) and [R1-10](#) (Single-Family Residence District) (19.24 acres)

Request To: [C-2](#) (Intermediate Commercial) (35.03 acres), [R-4](#) (Multifamily Residence District) (16.67 acres), [R-3](#) (Multifamily Residence District) (14.69 acres), and [R1-10](#) (Single-Family Residence District) (38.60 acres)

Proposal: Commercial, office, multifamily residential, and single-family residential

Location: Southeast corner of 19th Avenue and Baseline Road

Owner: River View Growers LLC, et. al.

Applicant: Brennan Maher, EPS Group Inc.

Representative: Natalie Maikoski, EPS Group Inc.

Staff Recommendation: Approval, subject to stipulations

General Plan Conformity	
General Plan Land Use Map Designation	<p>Current: Residential 1 to 2 dwelling units per acre (76.38 acres) and Residential 2 to 3.5 dwelling units per acre (28.61 acres)</p> <p>Pending (GPA-SM-13-23-8): Residential 2 to 3.5 dwelling units per acre (38.60 acres), Residential 10 to 15 dwelling units per acre (14.69 acres), Residential 15+ dwelling units per acre (16.67 acres), and Commercial (35.03 acres)</p>

<u>Street Map Classification</u>	Baseline Road	Major Arterial Scenic Drive	75-foot south half street
	19th Avenue	Arterial	33 to +55-foot east half street
	South Mountain Avenue	Local	0 to 14-foot north half street

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; HEALTHY NEIGHBORHOODS; DESIGN PRINCIPLE: Establish design standards and guidelines for parking lots and structures, setback and build-to lines, blank wall space, shade, and other elements affecting pedestrians, to encourage pedestrian activity and identify options for providing pedestrian-oriented design in different types of development.

The proposal, as stipulated, includes design and development standards to encourage walking, bicycling, and transit use. These standards include the provision of shaded bicycle parking, shade throughout the development, and a multi-use trail that connects the development with the existing multi-use trails to the north along Baseline Road and to the south along South Mountain Avenue.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Communities should consist of a mix of land uses to provide housing, shopping, dining and recreational options for residents.

The proposal will contribute to a mix of land uses by providing a commercial area at the corner of 19th Avenue and Baseline Road, a single-family area along the southern and eastern perimeters of the site, and a multifamily area as a transition between the commercial and single-family areas. As stipulated, the proposal will provide enhanced connectivity within the site and to nearby developments by including sidewalk crossings to connect the residential and commercial areas, multi-use trails along Baseline Road and South Mountain Avenue, and shaded and detached sidewalks along Baseline Road, 19th Avenue, and South Mountain Avenue.

CONNECT PEOPLE AND PLACES CORE VALUE; BICYCLES; DESIGN PRINCIPLE: Development should include convenient bicycle parking.

The proposal, as stipulated, includes shaded bicycle parking to encourage bicycling and transit use by leveraging its proximity to nearby commercial developments, educational institutions, neighborhoods, and the multi-use trails along Baseline Road and South Mountain Road.

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, as stipulated, includes a detached sidewalk with landscaping along Baseline Road, 19th Avenue, and South Mountain Avenue that will be planted with

shade trees; shaded public and private sidewalks; and shaded bicycle and vehicle parking areas. These improvements will create a comfortable pedestrian environment through the development and along Baseline Road, 19th Avenue, and South Mountain Avenue, reduce the urban heat island affect, and make the walk to nearby destinations safer and more comfortable.

Applicable Plans, Overlays, and Initiatives
<u>Housing Phoenix Plan</u> : Background Item No. 7.
<u>Tree and Shade Master Plan</u> : Background Item No. 8.
<u>Complete Streets Guidelines</u> : Background Item No. 9.
<u>Transportation Electrification Action Plan</u> : Background Item No. 10.
<u>Zero Waste PHX</u> : Background Item No. 11.
<u>Comprehensive Bicycle Master Plan</u> : Background Item No. 12.
<u>Rio Montaña Area Plan</u> : Background Item No. 13.
<u>Conservation Measures for New Development</u> : Background Item No. 14.
<u>Phoenix Climate Action Plan</u> : Background Item No. 15.
<u>Monarch Butterfly Pledge</u> : Background Item No. 16.

Surrounding Land Uses and Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Agricultural land	S-1 and R1-10
North (across Baseline Road)	Commercial and single-family residences	C-2, S-1, and R1-8
West (across 19th Avenue)	Gas station, mobile home development, single-family residences, and vacant land	C-2, S-1, and R1-10
East	Single-family residences and vacant land	S-1, S-1 SP, and R1-10
South	Single-family residences	R1-18
South (across South	Vacant land and single-family	R1-10 and S-1

Mountain Avenue)	residences	(Approved R1-18)
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C-2 – Intermediate Commercial		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed site Plan</u>
<i>Minimum Building Setbacks</i>		
North (Baseline Road)	Average 25 feet, minimum 20 feet permitted for up to 50% of structure	<i>Not specified</i>
South (adjacent to R-3)	2-story building: 50 feet	<i>Not specified</i>
South (adjacent to R-4)	2-story building: 15 feet	<i>Not specified</i>
South (adjacent to R1-10)	2-story building: 50 feet	
East (adjacent to S-1)	2-story building: 50 feet	<i>Not specified</i>
West (19th Avenue)	Average 25 feet, minimum 20 feet permitted for up to 50% of structure	<i>Not specified</i>
<i>Minimum Landscaped Setbacks</i>		
North (Baseline Road)	Minimum 20 feet for up to 50% of the frontage, Average 25 feet	<i>Not specified</i>
South (Adjacent to a street)	Minimum 20 feet for up to 50% of the frontage, Average 25 feet	<i>Not specified</i>
South (not adjacent to a street)	10 feet	<i>Not specified</i>
East	10 feet	<i>Not specified</i>
West (19th Avenue)	Minimum 20 feet, Average 25 feet for up to 50% of the frontage	<i>Not specified</i>
Maximum Lot Coverage	50 percent	<i>Not specified</i>
Maximum Building Height	2 stories, 30 feet	<i>Not specified</i>
Parking	Varies depending on use	<i>Not specified</i>

R-3 – Multifamily Residence District (Planned Residential Development Option)		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed Site Plan</u>
Gross Acreage	-	14.69 acres
Maximum Number of Units	223; 255 with bonus	<i>Not specified</i>
Maximum Dwelling Unit Density (units/gross acre)	15.23; 17.40 with bonus	<i>Not specified</i>
Maximum Lot Coverage	50 percent, up to 60 percent including attached an ADU and/or attached shade structures	<i>Not specified</i>
Maximum Building Height	2 stories, 30 feet for first 150 feet; 1-foot increase in height for every 5 feet of additional setback up to 48 feet high, 4-story maximum	<i>Not specified</i>
<i>Minimum Building Setbacks</i>		
Adjacent to public street	20 feet	<i>Not specified</i>
Adjacent to property line	15 feet	<i>Not specified</i>
<i>Minimum Landscape Setbacks</i>		
Adjacent to public street	20 feet	<i>Not specified</i>
Interior property lines	5 feet	<i>Not specified</i>
Minimum Open Space	5%	<i>Not specified</i>
Minimum Parking Requirements	1.5 spaces per dwelling unit, a minimum of 50% of the required parking spaces must be provided as unreserved spaces	<i>Not specified</i>

R-4 – Multifamily Residence District (Planned Residential Development Option)		
<u>Standards</u>	<u>Requirements</u>	<u>Proposed</u>
<i>Gross Acreage</i>	-	16.67 acres
Maximum Number of Units	507; 580 with bonus	<i>Not specified</i>
Maximum Density	30.45; 34.80 with bonus	<i>Not specified</i>

R-4 – Multifamily Residence District (Planned Residential Development Option)		
(dwelling units/acre)		
Maximum Lot Coverage	50 percent, up to 60 percent including attached an ADU and/or attached shade structures	<i>Not specified</i>
Maximum Building Height	3 stories or 40 feet for first 150 feet; 1-foot increase in height for every 5 feet of additional setback up to 48 feet, 4-story maximum	<i>Not specified</i>
Minimum Building Setbacks		
Adjacent to Public Street	20 feet	<i>Not specified</i>
Adjacent to Property Line	15 feet	<i>Not specified</i>
Minimum Landscape Setbacks		
Adjacent to Street	20 feet	<i>Not specified</i>
Adjacent to Property Line	5 feet	<i>Not specified</i>
Minimum Common Open Space	5% of gross area	<i>Not specified</i>
Minimum Parking	1.5 spaces per dwelling unit, a minimum of 50% of the required parking spaces must be provided as unreserved spaces	<i>Not specified</i>

R1-10 – Single-Family Residence District (Planned Residential Development Option)		
<u>Standards</u>	<u>R1-10 Requirements</u>	<u>Provisions on the proposed site plan</u>
Gross Acreage	-	38.60
Total Maximum Number of Units	135; 173 with bonus	<i>Not specified</i>
Maximum Density	3.5; 4.5 with bonus	<i>Not specified</i>
Minimum Lot Width	45 feet	75 feet, as stipulated (Met)
Minimum Lot Depth	None, except 110 feet	Lots adjacent to the

	adjacent to freeway or arterial	Magdalena Estates subdivision: 160 feet, as stipulated All other lots: <i>Not specified</i>
Maximum Building Height	2 stories and 30 feet	One story (24 feet), as stipulated (Met)
Maximum Lot Coverage	50 percent, up to 60 percent including attached an ADU and/or attached shade structures	<i>Not specified</i>
Minimum Parking	2 spaces per dwelling unit	<i>Not specified</i>
Minimum Building Setbacks		
Perimeter Streets	15 feet (in addition to landscape setback)	<i>Not specified</i>
Perimeter Property Lines (Side and Rear)	<u>Rear</u> 1-story building: 15 feet 2-story building: 20 feet <u>Side</u> 1-story building: 10 feet 2-story building: 15 feet	Rear: <i>Not specified</i> Side: <i>Not specified</i>
Minimum Landscape Setbacks and Standards		
Common landscaped setback adjacent to perimeter streets	15 feet average, 10 feet minimum	<i>Not specified</i>
Minimum Common Area	5 percent of gross site area	<i>Not specified</i>

Background/Issues/Analysis








SUBJECT SITE

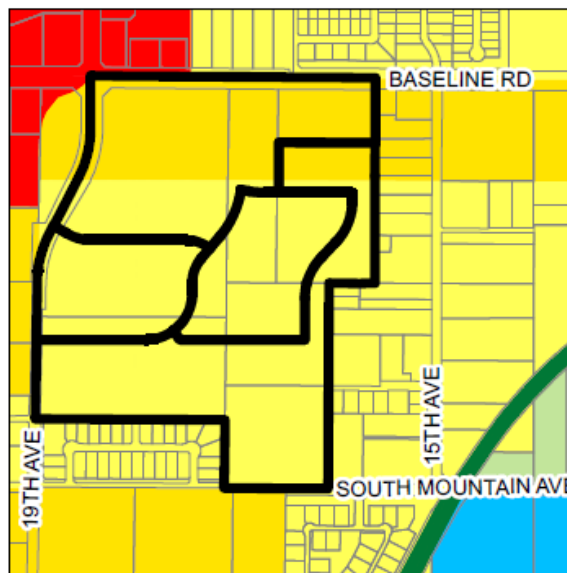
1. This request is to rezone 104.99 acres located on the southeast corner of 19th Avenue and Baseline Road from 85.75 acres of S-1 (Ranch or Farm Residence) and 19.24 acres of R1-10 (Single-Family Residence District) to 35.03 acres of C-2 (Intermediate Commercial), 16.67 acres of R-4 (Multifamily Residence District), 14.69 acres of R-3 (Multifamily Residence District), and 38.60 acres of R1-10 (Single-Family Residence District) for commercial, office, multifamily residential, and single-family residential. The subject site is currently agricultural land.

2. The northern portion of the subject site is designated as Residential 2 to 3.5 dwelling units per acre on the General Plan Land Use Map and the southern portion is designated Residential 1 to 2 dwelling units per acre. The area to the west of the subject site is designated Residential 2 to 3.5 dwelling units acre and Residential 1 to 2 dwelling units acre. The area to the east, across 19th Avenue is designated Residential 2 to 3.5 dwelling units acre, Residential 1 to 2 dwelling units acre, and Commercial. The area to the north is designated Commercial and Residential 1 to 2 dwelling units acre. The area to the south, adjacent to the subject site, is designated Residential 1 to 2 dwelling units acre and the area to the south, across South Mountain Avenue, is designated Residential 2 to 3.5 dwelling units acre and Residential 1 to 2 dwelling units acre. The requested C-2, R-4, and R-3 zoning districts are not consistent with the General Plan Land Use Map designations. To ensure consistency with the General Plan, a concurrent General Plan Land Use Map amendment, GPA-SM-13-23-8, is proposed to change the land use map designation to Residential 2 to 3.5 dwelling units per acre, Residential 10 to 15 dwelling units per acre, Residential 15+ dwelling units per acre, and Commercial. The requested zoning districts are consistent with the proposed General Plan Land Use Map designations.

EXISTING:






Residential 2 to 3.5 du/ac (28.61 +/- Acres)
Residential 1 to 2 du/ac (76.38 +/- Acres)

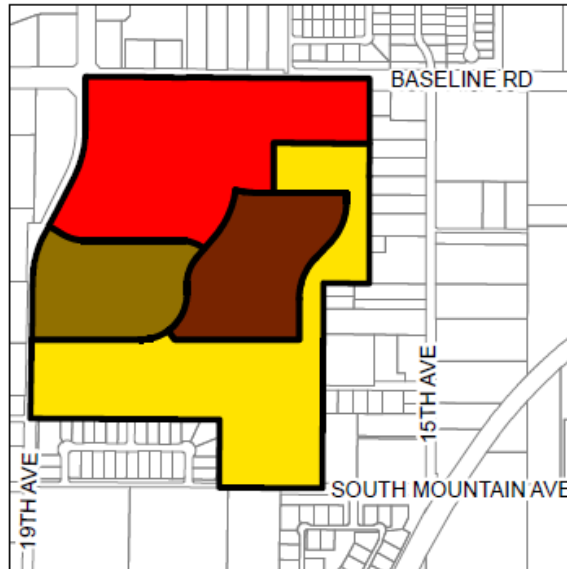
-  Proposed Change Area
-  Residential 1 to 2 du/ac
-  Residential 2 to 3.5 du/ac
-  Commercial
-  Public/Quasi-Public
-  Parks/Open Space - Publicly Owned
-  Mixed Use (Agricultural)



PROPOSED CHANGE:

Residential 2 to 3.5 du/ac (38.60 +/- Acres)
Residential 10 to 15 du/ac (14.69 +/- Acres)
Residential 15+ du/ac (16.67 +/- Acres)
Commercial (35.03 +/- Acres)

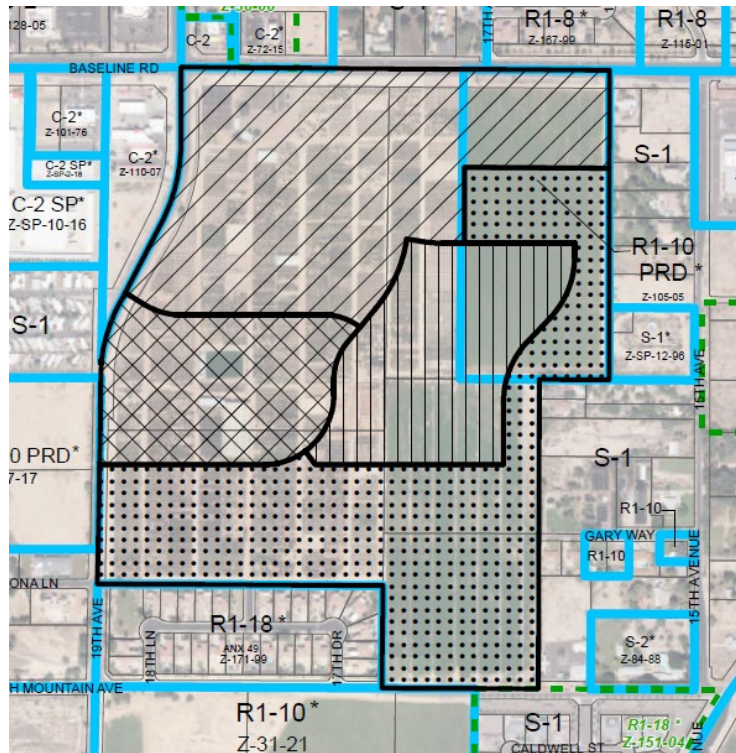
-  Proposed Change Area
-  Residential 2 to 3.5 du/ac
-  Residential 10 to 15 du/ac
-  Residential 15+ du/ac
-  Commercial



General Plan Land Use Map, Source: Planning and Development Department

SURROUNDING LAND USES AND ZONING

3. To the north are single-family residences and commercial uses zoned S-1, R1-8, and C-2; to the east are single-family residences and vacant land zoned S-1, S-1 SP, and R1-10; to the south, adjacent to the subject site, is a single-family residential subdivision zoned R1-18; to the south, across South Mountain Avenue, is vacant land and a single-family residential subdivision zoned R1-10 and S-1 (Approved R1-18); and to the west across 19th Avenue is a gas station, vacant land, a mobile home development, and single-family residences zoned C-2, S-1 and R1-10.

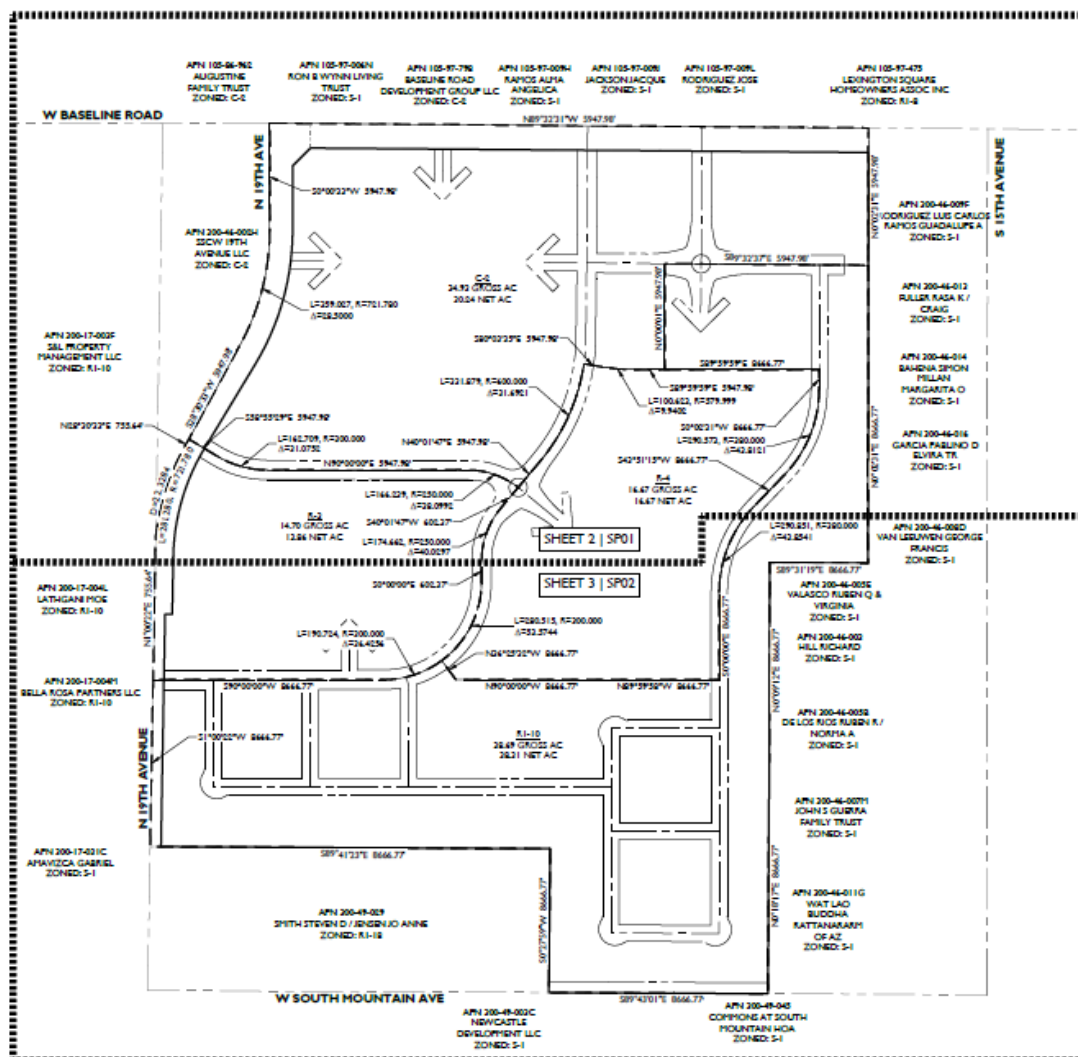


Location Map; Source: Planning and Development Department

PROPOSAL

4. Site Plan

The proposal is for a commercial, multifamily residential, and single-family residential development. The conceptual site plan, attached as an exhibit, depicts the site layout including the location of the commercial, multifamily residential, and single-family residential areas, the internal roadways, and points of ingress/egress on 19th Avenue and Baseline Road.



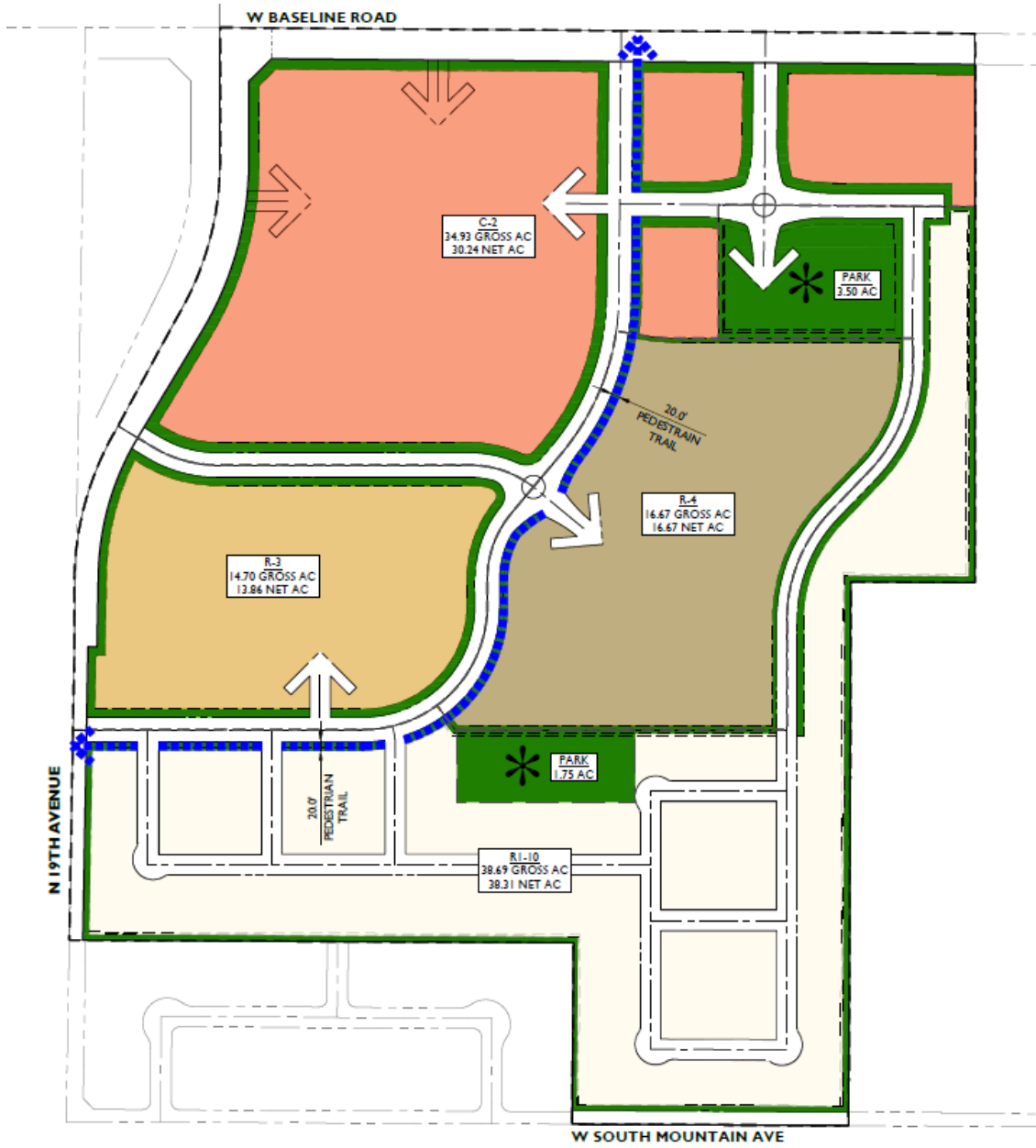
Conceptual Site Plan; Source: EPS Group

Staff recommends Stipulation No. 1 to require that the site plans 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 and Stipulation No. 9 to require pavement treatments that visually contrast parking and drive aisles where pedestrian walkways cross a vehicular path to enhance pedestrian safety. To promote enhanced walking, cycling, and transit-use staff recommends Stipulation Nos. 6 and 7 to require a multi-use trails along Baseline Road and South Mountain Avenue, Stipulation Nos. 36 and 40 require bicycle parking in the commercial and multifamily areas, and Stipulation No. 37 requires that the bicycle parking in the commercial area be shaded. Additionally, Stipulation No. 32 requires that all public and private pedestrian pathways will be shaded to a minimum of 75 percent and Stipulation No. 29 requires that parking lot areas be shaded in the multifamily and commercial areas.

The applicant has requested the addition of Stipulation Nos. 44 and 46 to limit building heights on the R-4 and R1-10 sites, Stipulation Nos. 47 and 48 for minimum lot width and depth of lots in the R1-10 district, and Stipulation No. 43 to require that the units along 19th Avenue in the R-3 district be oriented towards 19th Avenue.

5. Conceptual Landscape Plan

The conceptual Landscape Plan, attached as an exhibit, depicts a pedestrian trail connecting Baseline Road and 19th Avenue and two open space areas labeled as parks. Staff recommends Stipulation No. 8 to require a minimum of 5.25 acres of the site be reserved for open space as shown on the Conceptual Landscape Plan. Stipulation No. 5 requires that 10 percent of shrubs be milkweed or other native nectar species, and Stipulation No. 1 requires that the 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.



Conceptual Landscape Plan; Source: EPS Group

6. Conceptual Building Elevations

The applicant has not submitted conceptual building elevations. To ensure compatibility with the surrounding area staff recommends Stipulation No. 1 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 and Stipulation No. 45 to require enhanced building elevations within the R1-10 zoned area. Additionally, the applicant team requested Stipulation Nos. 44 and 46 to limit building heights on the R-4 and R1-10 sites, Stipulation No. 43 to require that the units along 19th Avenue in the R-3 district be oriented towards 19th Avenue, and Stipulation No. 42 to require the R-3 site provide view fencing on 19th Avenue.

STUDIES AND POLICIES

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. 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, as stipulated, will create a comfortable streetscape environment with shaded and detached sidewalks along Baseline Road, 19th Avenue, and South Mountain Avenue, shaded bicycle parking in the commercial area, shaded walkways, and shaded parking lots in the commercial and multifamily areas. These are addressed in Stipulation Nos. 2 through 4, 29, 32, and 37.

9. Complete Streets Guidelines:

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 proposal, as stipulated, will support walking, bicycling, and transit-use by including bicycle parking on the site, providing a multi-use trail along Baseline Road and South Mountain Avenue, and by constructing shaded and detached sidewalks along Baseline Road, 19th Avenue, and South Mountain Avenue. These are addressed in Stipulation Nos. 2 through 4, 6, and 7.

10. **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. 30, 38, and 41 which require a minimum two percent of the required parking spaces to be EV Installed, a minimum five percent of the required parking spaces to be EV Capable, and outlets for electric bicycle charging be provided in the commercial and multifamily areas.

11. **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.

Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial, and mixed-use developments meeting certain criteria. The applicant indicated that the provision of recycling containers would be determined during the site planning phase of the development. The city provides recycling service for single-family development.

12. **Comprehensive Bicycle Master Plan:**

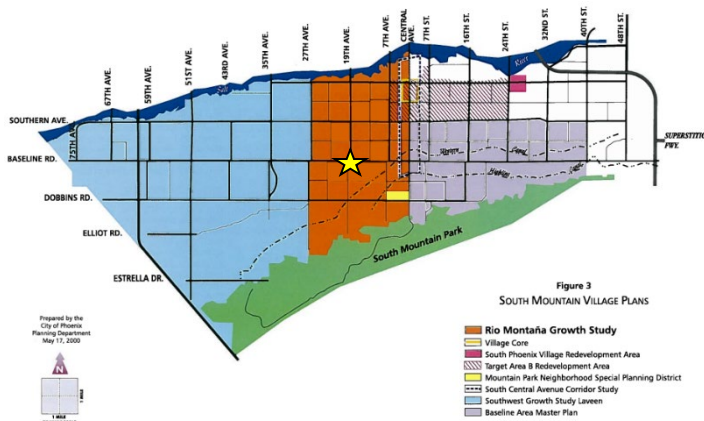
The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its bikeway system and supportive infrastructure. The

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 proposal will provide shaded bicycle parking in the commercial area, electrical bike charging receptacles in the commercial and multifamily areas, and multi-use trails along Baseline Road and South Mountain Avenue. This is addressed in Stipulation Nos. 6, 7, 36, 37, 38, 40, and 41.

13. **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.

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.



Source: Planning and Development Department

This infill site is located in the center of the Rio Montaña Area Plan boundaries in an area with a mix of single-family residential neighborhoods, commercial, and educational uses. Per Stipulation Nos. 2 through 4, the project site will enhance the connectivity and pedestrian comfort in the area by providing street improvements, including sidewalks and landscaping, along Baseline Road, 19th Avenue, and South Mountain Avenue. Similarly, this development will provide a multi-use trails

along Baseline Road and along South Mountain Avenue. This is addressed in Stipulation Nos. 6 and 7.

In terms of design, this project replicates the size and character of the surrounding built environment. Per Stipulation No. 45, the single-family building elevations are required to include multiple colors and materials such as brick and stucco to match the surrounding area and Stipulation No. 10 requires that perimeter walls visible from the street include architectural variation. Additionally, Stipulation No. 35 requires that drive-through windows be screened from streets with a mound, or other comparable screening, as recommended by the Rio Montana Area Plan. To promote Crime Prevention Through Environmental Design (CPTED) principals to enhance neighborhood safety, staff recommends Stipulation No. 31 to require site lighting at building entrances/exits, and in public assembly and parking areas.

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).

14. **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. 11 through 13, 33, 34, 39, and 49 through 53.

15. **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. 11, which requires a minimum of two GI

techniques for stormwater management to be implemented in this development.

16. **Monarch Butterfly Pledge:**

In April 2021, Mayor Kate Gallego signed the [National Wildlife Federation's Mayor's Monarch Pledge](#). This pledge commits the city to take action to support the monarch butterfly population. In the United States, loss of milkweed habitat is a major factor in the decline of the monarchs. Arizona has at least 29 species of milkweed native to the state. Adult monarchs feed on the nectar of many flowers, but they breed only where milkweeds are found. To support the monarch butterfly population, Stipulation No. 5 addresses the planting of milkweed shrubs, or other native nectar plant species, on the subject site.

COMMUNITY CORRESPONDENCE

17. As of the writing of this report one letter of opposition has been received for the request. Concerns raised were regarding the proposal's limited details, public outreach, and heights.

INTERDEPARTMENTAL COMMENTS

18. The Street Transportation Department recommended that right-of-way be dedicated for 19th Avenue, South Mountain Avenue, public local streets, and for a connection to Gary Way, that a detached sidewalk be built on Baseline Road, 19th Avenue, and South Mountain Avenue, that sidewalks be built on both sides of all public streets, that crosswalks be placed at significant crossings within the development, that improvements be made to Baseline Road, that a Traffic Impact Analysis be submitted to determine if a signal is warranted, that all existing utilities be undergrounded and SRP facilities be relocated out of the right-of-way, and that all improvements in the right-of-way with all required elements be constructed and to ADA standards. This is addressed in Stipulation Nos. 2 through 4, and 14 through 25.
19. The City of Phoenix Aviation Department commented that the property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of the Phoenix Sky Harbor Airport to future owners or tenants of the property. This is addressed in Stipulation No. 26.

OTHER

20. The site has not been identified as being archaeologically sensitive. However, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation 27.

21. 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. 28.
22. 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 proposed General Plan Land Use Map designations of Residential 2 to 3.5 dwelling units per acre, Residential 10 to 15 dwelling units per acre, Residential 15+ dwelling units per acre, and Commercial and provides a compatible transition between the commercial uses surrounding the 19th Avenue and Baseline intersection and the adjacent neighborhoods.
2. The proposal, as stipulated, will create a strong pedestrian environment with shaded and detached sidewalks on Baseline Road, 19th Avenue, and South Mountain Avenue and a multi-use trail alignment along Baseline Road and South Mountain Avenue. These pathways will convey individuals safely and comfortably to the nearby commercial developments, educational institutions, and residential neighborhoods.
3. As stipulated, the proposal provides enhanced pedestrian and bicycle amenities consistent with the Comprehensive Bicycle Master Plan, Tree and Shade Master Plan, and the Complete Streets Guiding Principles.

Stipulations:

OVERALL SITE

1. The conceptual site plan, elevations, 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 sidewalk along Baseline Road shall be a minimum of 6 feet in width and detached with a minimum 10-foot wide landscape strip located between the sidewalk and back of curb 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, that provide shade to a minimum 50.
 - b. Drought tolerant vegetation to achieve a minimum of 75% live coverage.

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

3. The sidewalk along 19th Avenue shall be a minimum of 6 feet in width and detached with a minimum 10-foot-wide landscape strip located between the sidewalk and back of curb 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, that provide shade to a minimum 50 percent.
 - b. Drought tolerant vegetation to achieve a minimum of 75% live coverage.

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

4. The sidewalk along South Mountain Avenue shall be a minimum of 5 feet in width and detached with a minimum 5-foot-wide landscape strip located between the sidewalk and back of curb and planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, that provide shade to a minimum 50%, as approved by the Planning and Development Department.

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

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. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the south side of Baseline 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.
7. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the north side of South Mountain Avenue 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.
8. A minimum of 5.25 acres shall be reserved for open space, as shown on the conceptual landscape plan date stamped November 13, 2023.
9. 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.
10. All perimeter walls visible from street right-of-way shall include material and/or textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.
11. 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.
12. Commercial landscaping and common areas 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. 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 located on properties for uses such as parks and residential common areas, as approved by the Planning and Development Department.
14. A minimum 50-feet of right-of-way shall be dedicated for the east side of 19th

Avenue, adjacent to the development.

15. A minimum 30-feet of right-of-way shall be dedicated for the north side of South Mountain Avenue, adjacent to the development.
16. A minimum 50-feet of right-of-way shall be dedicated for the full width of all public local streets, internal to the development.
17. A minimum 5-foot-wide sidewalk shall be constructed on both sides of all public local streets.
18. Right-of-way shall be dedicated for the connection of the internal road network to Gary Way on the southeastern boundary of the site.
19. Crosswalks shall be placed across internal roadways separating residential and commercial land at significant pedestrian crossings, as determined by the Street Transportation Department.
20. Improvements to Baseline Road shall be consistent with the Arterial CM cross section including the construction of a raised median.
21. A Traffic Impact Analysis (TIA) shall be submitted to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department. The TIA shall include signal warrant analysis for 19th Avenue and South Mountain Avenue. If the approved TIA determines that a signal is warranted at this intersection, the developer shall be required to fund 100% of the cost and construct the signal. If the TIA does not warrant the signal, the developer shall be required contribute 25% of traffic signal cost in an escrow account to the Street Transportation Department.
22. All existing electrical utilities within the public right-of-way shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.
23. Existing SRP facilities along 19th Avenue are to be relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate the facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
24. 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.

25. 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.
26. 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.
27. 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.
28. 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.

C-2, R-3, AND R-4 ZONED SITES (Commercial and Multifamily)

29. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper size, single-trunk, large canopy, drought-tolerant, shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade, as approved by Planning and Development Department.
30. A minimum of 2% of the required parking spaces shall include EV Installed infrastructure. A minimum of 5% of the required parking spaces shall include EV Capable spaces.
31. Site lighting shall be provided at building entrances/exits, and in public assembly and parking areas, as approved by the Planning and Development Department.
32. All public and private pedestrian pathways including sidewalks shall be shaded to a minimum 75%, as approved by the Planning and Development Department.
33. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.

34. 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.

C-2 ZONED SITES

35. Drive-through windows adjacent to a perimeter street shall be screened by a minimum four-foot-tall mound, or other comparable screening, as approved by the Planning and Development Department.
36. Bicycle parking spaces shall be provided per the requirements of Section 1307.H of the Phoenix Zoning Ordinance through inverted U and/or artistic racks located near the office and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
37. Bicycle parking spaces shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.
38. A minimum of 5% of the provided bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
39. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Water Efficiency Checkup program for a minimum of 15 years, or as approved by the Planning and Development Department.

R-3 AND R-4 ZONED SITES (Multifamily)

40. Bicycle infrastructure shall be provided as described below, located in open space areas, near entrances of buildings, or in a secure location inside the building and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance. Bicycle parking spaces shall be provided through inverted U and/or artistic racks. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan, as approved by the Planning and Development Department
 - a. The developer shall provide secure bicycle parking per Section 1307 of the Zoning Ordinance.
 - b. Guest bicycle parking shall be provided at a minimum rate of 0.05 spaces per

dwelling unit, up to a maximum of 50 spaces required.

- c. A bicycle repair station (“fix it station”) shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station (“fix it station”) shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to:
 - i. Standard repair tools affixed to the station;
 - ii. A tire gauge and pump affixed to the base of the station or the ground;
 - iii. A bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

41. A minimum of 10% of the provided bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.

R-3 ZONED SITES

42. Perimeter fencing adjacent to 19th Avenue shall be a minimum of 50% open view fencing, as approved by the Planning and Development Department.
43. Buildings adjacent to 19th Avenue shall have units oriented towards 19th Avenue and shall include individual porches or patios.

R-4 ZONED SITES

44. The maximum building height shall be limited to two stories or 30 feet.

R1-10 ZONED SITES

45. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department:
 - a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment.
 - b. A minimum of 50% of the elevations for each floor plan shall provide a covered

front porch in the front yard with a minimum of 60 square feet in area at a depth of at least 6 feet. No porch shall terminate within the plane of a door or window.

- c. Pitched roofs shall be provided on all building elevations.
46. The maximum building height shall be limited to one story or 24 feet.
 47. Lots along the south perimeter shall be a minimum of 160 feet in depth.
 48. Lots shall be a minimum of 75 feet in width.
 49. 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.
 50. 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.
 51. 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.
 52. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.
 53. 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.

Staff Report: Z-92-23-8

May 8, 2024

Page 26 of 26

Writer

Samuel Rogers

May 8, 2024

Team Leader

Racelle Escolar

Exhibits

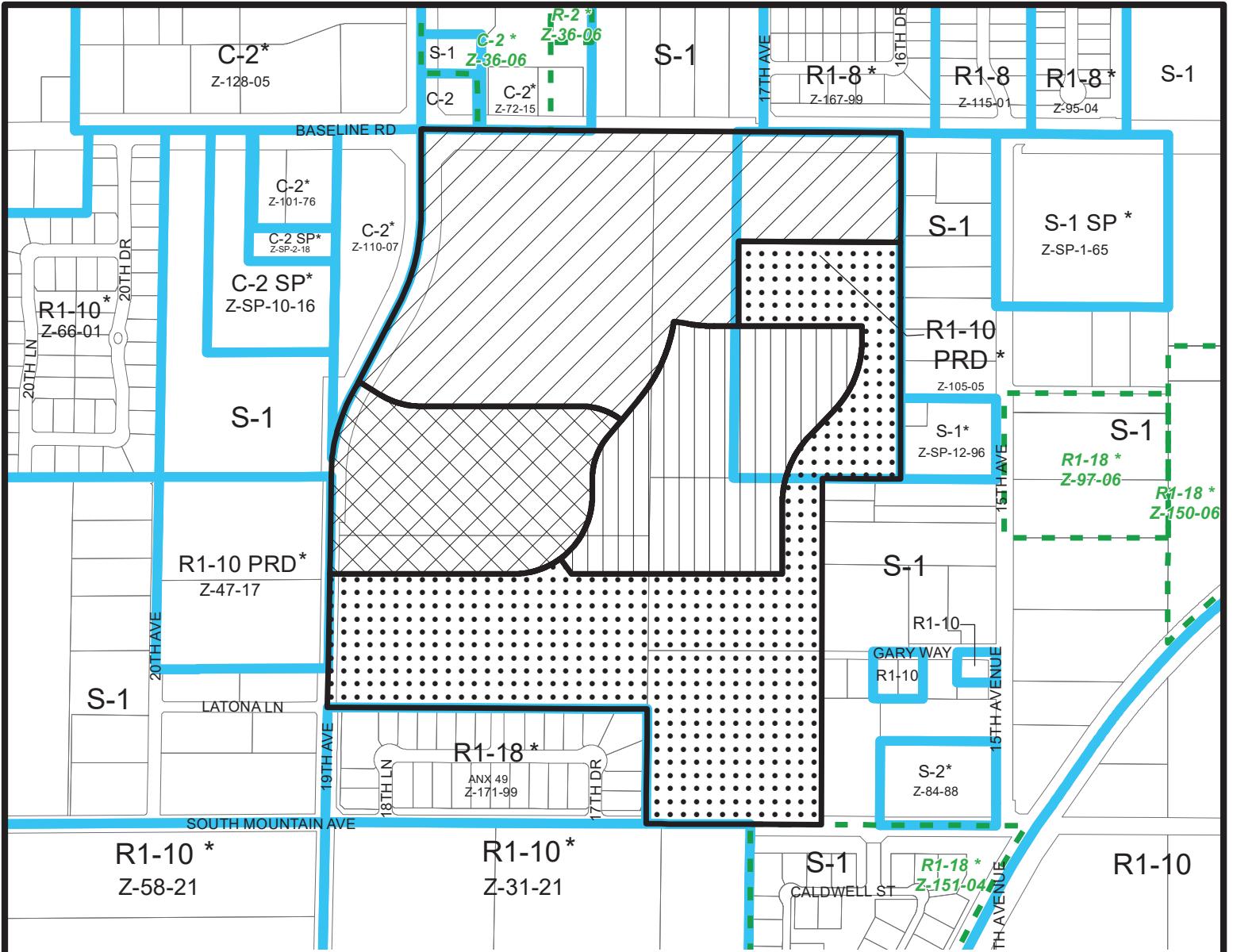
*Zoning sketch map

*Aerial sketch map

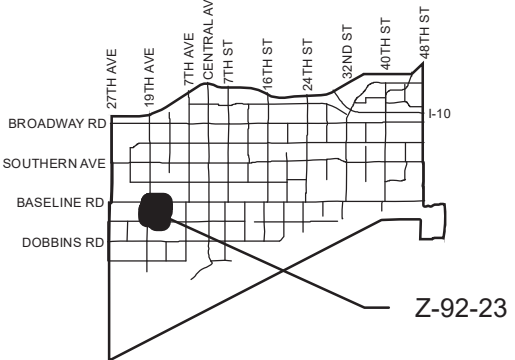
*Conceptual Site Plan date stamped November 13, 2023 (3 pages)

*Conceptual Landscape Plan date stamped November 13, 2023

*Correspondence

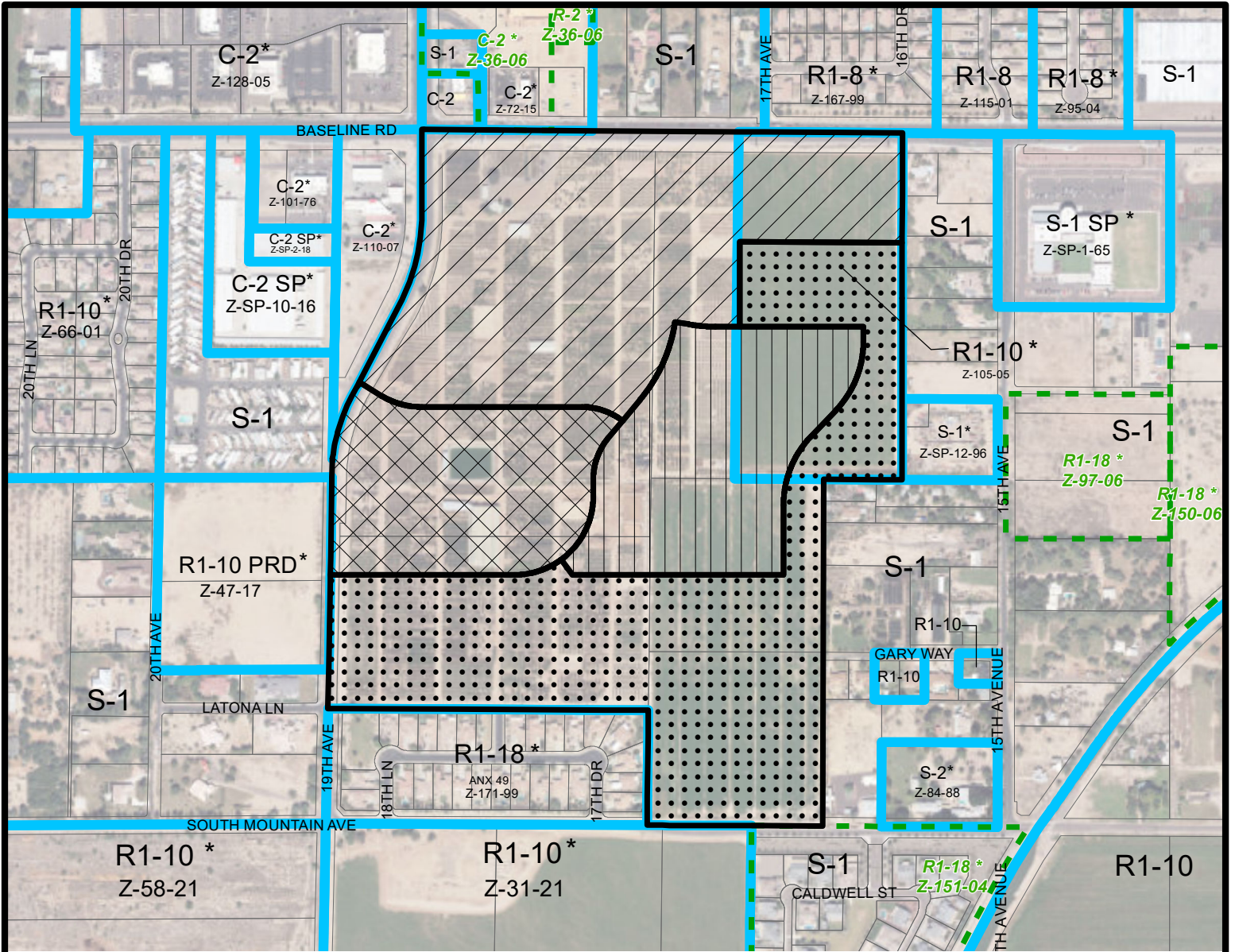


SOUTH MOUNTAIN VILLAGE
CITY COUNCIL DISTRICT: 8



APPLICANT'S NAME: Natalie Maikoski		REQUESTED CHANGE: FROM: S-1 (85.75 a.c.) R1-10 (19.24 a.c.)	
APPLICATION NO. Z-92-23	DATE: 12/22/2023 REVISION DATES:	C-2 (35.03 a.c.) R-4 (16.67 a.c.) TO: R-3 (14.69 a.c.) R1-10 (38.60 a.c.)	
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 104.99 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 01-25 ZONING MAP D-7		
MULTIPLES PERMITTED S-1, R1-10 C-2, R-3, R-4, R1-10	CONVENTIONAL OPTION 85, 67 508, 213, 483, 135	* UNITS P.R.D. OPTION N/A, 86 609, 255, 580, 173	

* Maximum Units Allowed with P.R.D. Bonus



Miles

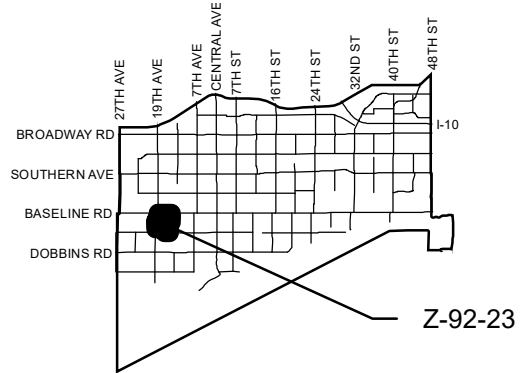
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SOUTH MOUNTAIN VILLAGE

CITY COUNCIL DISTRICT: 8



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME: **Natalie Maikoski**

APPLICATION NO. **Z-92-23**

DATE: **12/22/2023**
REVISION DATES:

GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.

104.99 Acres

AERIAL PHOTO & QUARTER SEC. NO. **QS 01-25**

ZONING MAP **D-7**

REQUESTED CHANGE:

FROM: **S-1 (85.75 a.c.)**
R1-10 (19.24 a.c.)

C-2 (35.03 a.c.)  **R-4 (16.67 a.c.)** 
TO: **R-3 (14.69 a.c.)**  **R1-10 (38.60 a.c.)** 

MULTIPLES PERMITTED

S-1, R1-10
C-2, R-3, R-4, R1-10

CONVENTIONAL OPTION

85, 67
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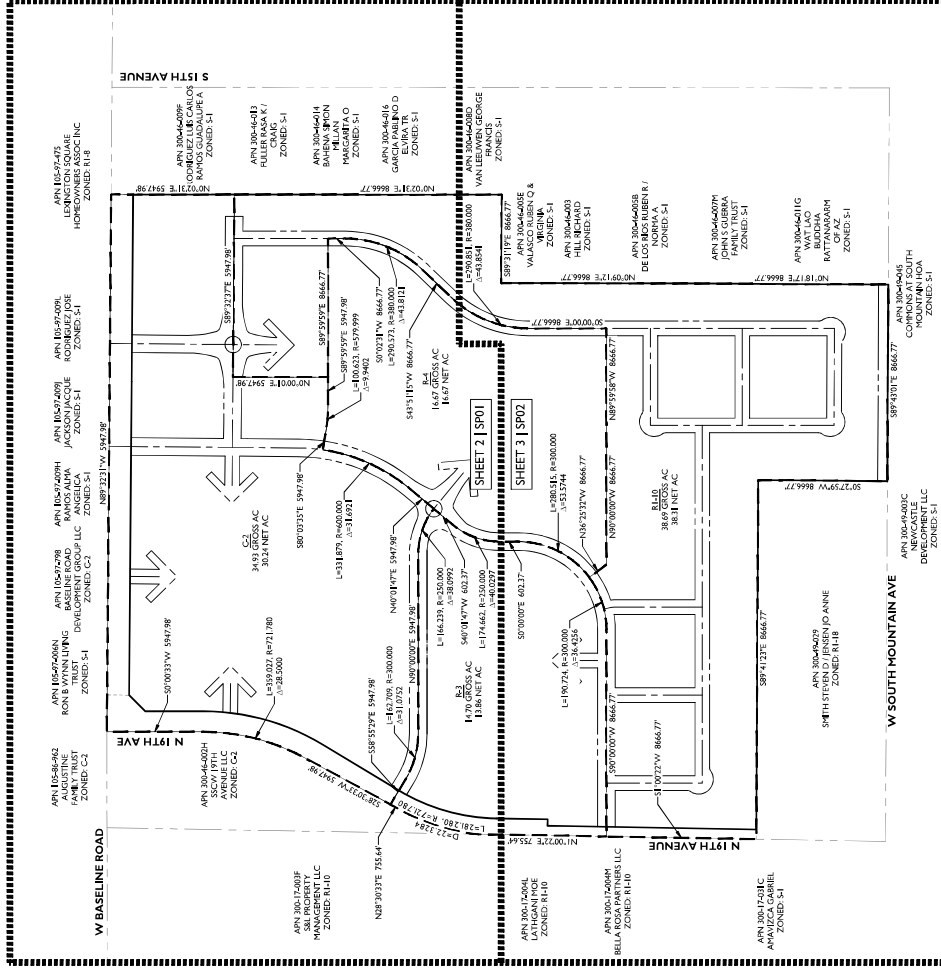
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609, 255, 580, 173

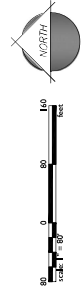
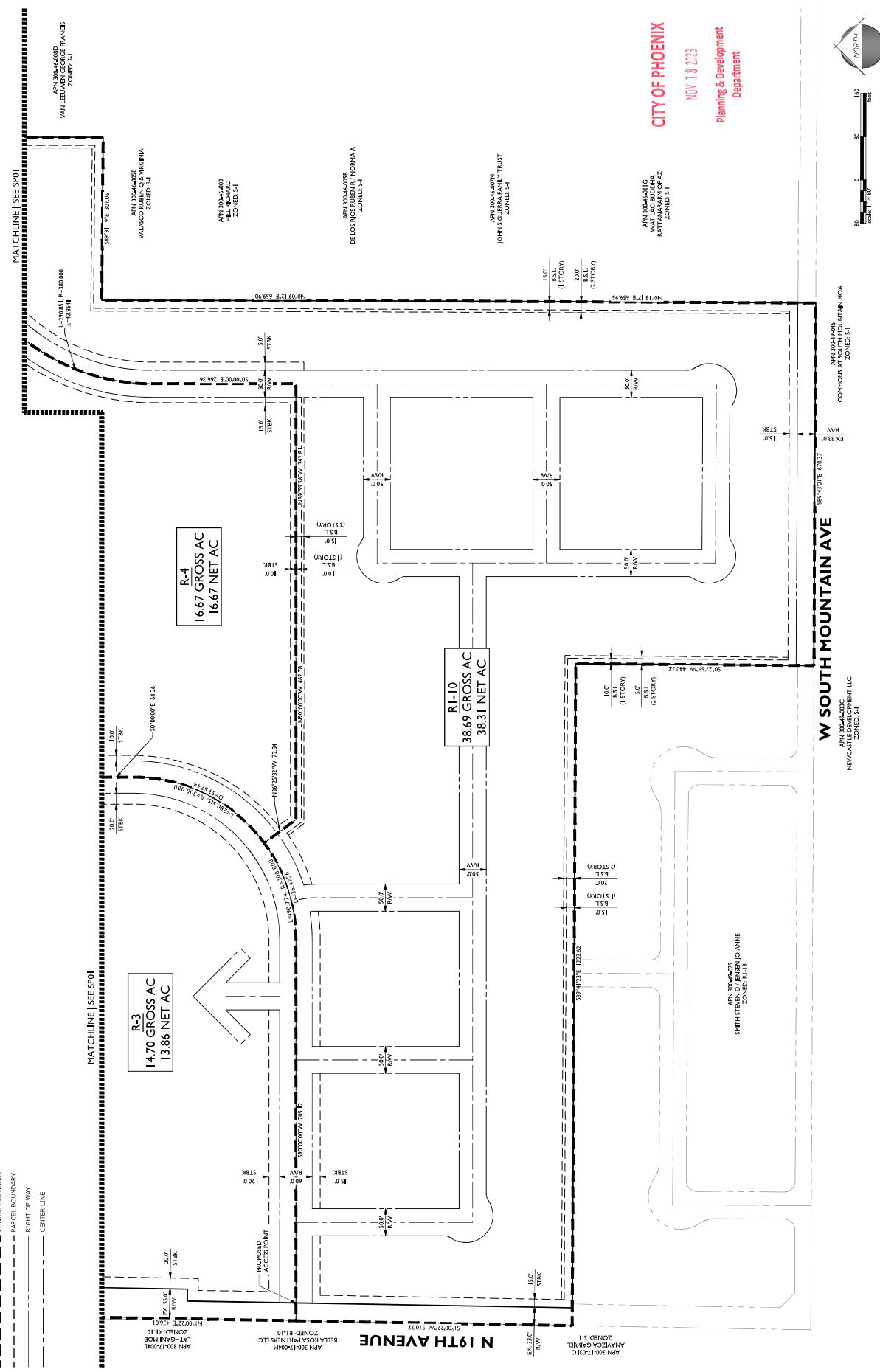
* Maximum Units Allowed with P.R.D. Bonus

19TH AVENUE & BASELINE ROAD REZONE SITE PLAN

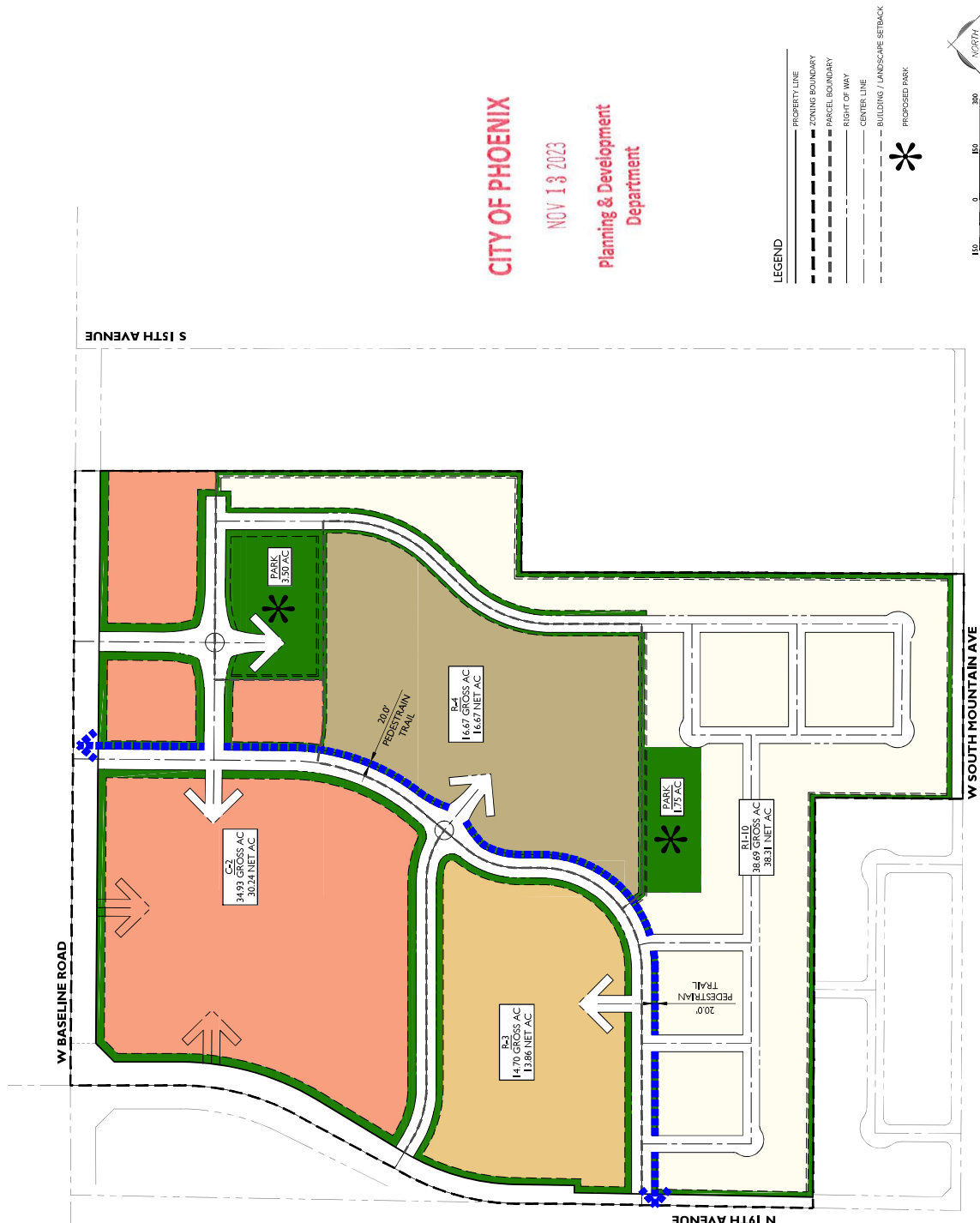
THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 3 EAST OF THE
GILA AND SALT RIVER BASE AND HERNDIAN, MARICOPA COUNTY, ARIZONA.



- LEGEND**
- PROPERTY LINE
 - - - ZONING BOUNDARY
 - - - PARCEL BOUNDARY
 - - - RIGHT OF WAY
 - - - CENTERLINE

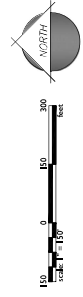


CITY OF PHOENIX
 NOV 18 2023
 Planning & Development
 Department



CITY OF PHOENIX
 NOV 13 2023
 Planning & Development
 Department

- LEGEND**
- PROPERTY LINE
 - - - ZONING BOUNDARY
 - - - PARCEL BOUNDARY
 - - - RIGHT OF WAY
 - - - CENTER LINE
 - - - BUILDING / LANDSCAPE SETBACK
 - * PROPOSED PARK



Z-92-23-8 and GPA-SM-13-23 SEC Baseline and 19th Avenue

joannejensen@cox.net <joannejensen@cox.net>

Tue 3/26/2024 2:37 PM

To: Council District 8 PCC <council.district.8@phoenix.gov>; PDD South Mountain VPC <southmountainvpc@phoenix.gov>; support@phxazdistrict8.zendesk.com <support@phxazdistrict8.zendesk.com>

Cc: Samuel S Rogers <samuel.rogers@phoenix.gov>; Christine Mackay <christine.mackay@phoenix.gov>; 'Kent Baker' <kbaker@citytocitycre.com>; 'Rick Jellies' <rjellies@citytocitycre.com>

Hello and good afternoon to all,

My name is JoAnne Jensen and I reside at 8303 S. 17th Drive, Phoenix AZ 85041. Our home is one of 26 in Magdalena Estates, located on the southwest corner of the land under consideration for development under the two case numbers, above. Our cross streets are South Mountain and 19th Avenue.

We have been working with Kent Baker and Rick Jellies, on behalf of the residents living in Magdalena Estates and living on 15th Avenue with respect to their rezoning and general plan amendment proposal.

There has so far, been a single community meeting, although Mr. Jellies has indicated that another will be scheduled soon – ideally, ahead of their presenting at the South Mountain VPC.

At this point, unless they have recently submitted, their proposal is light on the details which would allow a meaningful response from the community. The unfinished stipulations are unavailable for review at this time. Beyond that, there is no site plan, landscape plan, lighting plan, or signage plan. There are no elevations, no sense of the flavor or style of this area. We understand that those plans would, when available, be subject to SMVPC review and PHO approval. However, that does not help us neighbors in the immediate term.

The community is not opposed to development – we are not unrealistic. We also understand that build to rent does not automatically guarantee problem neighbors. We recognize the need for housing here in Phoenix.

We would, though, still like to retain the flavor of our small part of the world in which we are so invested. As a result, the largest concern regards the height of three stories for the multi-family units. One thing about this part of South Mountain is that we enjoy the perception of wide open space. We can continue that perception with building heights that do not exceed two stories. Anyone familiar with Baseline – both north and south – will know that there is no building along the road in this area that is three stories tall. Anything three stories will be completely out of character for this part of Phoenix. (NOTA BENE: As a counter-example, some will point to the three story apartments on Dobbins – which were built under pre-existing entitlements; the proposal never went to the community for discussion or to the Laveen VPC, and it does in no way reflect the spirit of that area.)

This is not an argument against density. Two story attached townhomes, two story apartments – if placed strategically toward the center of the property, with single story and proper setbacks around the perimeter, are very workable and can be quite affordable as well as attractive. We do have concerns about 19th Avenue and the piecemeal development of city streets generally, however, that is not the main issue at this point.

The request is for mindful development that respects history while looking toward the future.

Please consider this a request to meet with everyone involved in this project and its approval.

Thank you.

JoAnne Jensen
480-213-6499



*REVISED June 6, 2024

Village Planning Committee Meeting Summary

Z-92-23-8

Date of VPC Meeting	May 14, 2024
Request From	S-1 and R1-10
Request To	C-2, R-4, R-3, and R1-10
Proposal	Commercial, office, multifamily residential, and single-family residential
Location	Southeast corner of 19th Avenue and Baseline Road
VPC Recommendation	Approval, per the staff recommendation, with a modification and additional stipulations
VPC Vote	12-0-1

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Item No. 5 (GPA-SM-13-23-8) and Item No. 6 (Z-92-23-8) are companion cases and were heard together.

Three members of the public registered to speak on this item, two in support and one in opposition.

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.

Committee Member Marcia Busching asked why there was a stipulation limiting proposed heights in the R-4 and R1-10 zoning districts, but not in the C-2 and R-3 zoning districts. **Mr. Rogers** stated that the stipulations limiting height were proposed by the applicant and that the question could be better answered by the applicant.

Committee Member Emma Viera stated her appreciation for the proposed stipulations and stated that the stipulations are in alignment with various sustainability plans.

Committee Member Tamala Daniels asked if there had been any stipulations regarding the consideration of the flood zone map. **Mr. Rogers** stated that in a previous case, a similar stipulation had been added by the committee but was ultimately removed because the floodplain reviewers assess plans according to specific ordinance criteria.

Committee Member T. Daniels spoke about a previous case where the committee had pushed for floodplain review to be a part of the rezoning application. Mr. Rogers stated he would be happy to investigate the case Committee Member T. Daniels referenced while the applicant presented.

APPLICANT PRESENTATION

Rick Jellies, representing the applicant with City to City Commercial Real Estate and The Lead Group, introduced himself and the property owners, presented the request, described the public outreach and work with the neighbors, spoke about the importance of the site location to the area and community, spoke about how the project changed and the stipulations that were added in response to community conversations, spoke about concerns with a connection to Gary Way, asked for a stipulation to be added capping the number of units in the R-4 area to 360 units, spoke about pedestrian connectivity, and stated that the streets and park would be built as a part of Phase 1.

PUBLIC COMMENT

JoAnne Jensen introduced herself, stated that she lives in Magdalena Estates, spoke about the applicant team's work with the neighborhood, stated that she has met with the applicant team many times, stated that the applicant team and neighborhood had developed a shared vision of what is best for the subject site, emphasized the importance of remembering that the development is transitioning from nothing to a significant project, acknowledged that changes are inevitable, and expressed that the plan represents the best vision for the area. Ms. Jensen expressed her approval for the inclusion of wide lots in the development plan and voiced her support for the R-3 townhomes, specifically highlighting the two-story design, orientation, open view fencing, and setback considerations. Ms. Jensen also mentioned the hope to avoid undesirable uses within the development through an agreement with the development team and noted that there is not a large contingent from Magdalena Estates opposing the project. Ms. Jensen stated that the team could not have done better with the plan, highlighted concerns with Gary Way, stated that the Gary Way is hardly a road, stated that Gary Way is paved but not striped, and raised concerns that 15th Avenue has not been approved beyond the area near the Charter School. Ms. Jensen emphasized the need to have faith in something, recognized the efforts of the applicant team, and noted that there is considerable support within Magdalena Estates for the project.

Ed Depinto introduced himself, stated he has lived in the area for 20 years, stated that the area is starved for responsible development, commended the proposed buffering to adjacent neighborhoods, stated approval of what the applicant is trying to do in the commercial area, and stated he looks forward to visiting the successful project.

Erin Hegedus stated that she appreciates the work Ms. Jensen does for the neighborhood and stated that she came to support the community and ask for the trees

and shade to be maintained. Ms. Hegedus stated that she only attended one meeting with the applicant team and was not aware there were additional meetings. Ms. Hegedus stated that she liked what Ms. Jensen discussed regarding the townhomes but explained that she does not want to act on faith and wants to see real plans.

APPLICANT RESPONSE

Mr. Jellies explained that there is a Zoning Ordinance limit on height in the R-3 zone, so a height limitation was not stipulated, stated that the list of stipulations had been abbreviated and explained that the full stipulations include shading and planting requirements, explained that the applicant team had requested stipulations to be added in response to conversations with the community, stated concerns about Gary Road, and reiterated that he would like to request a stipulation limiting the R-4-zoned area to a maximum of 360 units.

QUESTIONS FROM THE COMMITTEE

Committee Member Busching stated that there was a stipulation regarding the maximum density in the R-3 zone. **Mr. Jellies** stated that there is a maximum density in the R-3 zoning district per the Zoning Ordinance and explained that the applicant team had agreed to stipulate the R-4 density below what is allowed per the Ordinance. Committee Member Busching stated that the R-3 has a max height of 48 feet, stated that the R-4 is stipulated to a maximum height of 30 feet, and asked what the max height in the C-2 district is. **Mr. Rogers** stated that the maximum height in the C-2 zoning district is two stories of 30 feet. **Chair Marchuk** clarified that the R-3 area would be stipulated to two stories or 30 feet and that the R-4 area would be stipulated to a maximum of 360 units. Mr. Jellies confirmed this clarification. Committee Member Busching asked if the highest intensity would be in the center of the development. Mr. Jellies responded that the community was given a choice in the proposed configuration and that the streetscape was more important and noted that the land slopes down from 19th Avenue. Committee Member Busching inquired about how someone would access their home in the northeast area. Mr. Jellies explained the route and stated that while land use restrictions cannot be stipulated, the developer will impose restrictions through other mechanisms.

Mr. Jellies stated that he was familiar with the subdivision that had flooding issues, stated he has been involved in flood issues in the area for 25 years, explained he worked on the Laveen Area Conveyance Channel, stated that a new plan had been put in place that uses retention basins and expands the storm pipe system, stated that rezonings are required to do a drainage study that accounts for the latest plans, and explained that it is in the best financial interest for the developer to properly manage water.

Committee Member T. Daniels stated there was not a stipulation regarding landscaping within the landscape setbacks. **Mr. Rogers** stated that tree size was stipulated in the parking areas and sidewalk detachments, but not within the landscape setbacks and

explained that the C-2 district requires enhanced landscape setbacks. Committee Member T. Daniels asked if solar canopies over the parking area were considered. Mr. Jellies stated that they are fans of solar canopies and they are a good idea depending on the government incentives available at the time. Committee Member T. Daniels stated she is a fan of landscaped parking lots so she will not push too hard. Mr. Jellies stated that the stipulation allows for a combination of landscaping and structural shade. Mr. Rogers clarified that the stipulation only allows for landscaping. **Chair Marchuk** asked if solar counts towards the landscaping plan. Mr. Rogers stated that there is no City requirement for solar, so it does not fit into the plans and explained how the stipulation could be modified to allow for structural shade.

Chair Marchuk asked if the floodplain concerns will be handled through the process and if a floodplain stipulation would be appropriate. **Committee Member T. Daniels** explained that she had worked with the City to require that floodplain review be a part of the rezoning process. Chair Marchuk asked for staff's opinion. **Mr. Rogers** explained that he was not a staff member when the process change Committee Member T. Daniels referenced occurred and stated that floodplain team reviews every rezoning case. **Elias Valencia**, staff, stated that the floodplain team reviews rezoning cases for any major concerns, stated that the plans will be required to submit grading and drainage plans during the site review process, stated that he thinks the committee should allow the process to run its course, and stated that the liability is always passed onto the developer. **Mr. Jellies** echoed Mr. Valencia's comments, stated that in the subdivision with flooding problems the review process had failed, but the liability process worked, and stated that an in-depth drainage analysis would be completed on the site and surrounding area. Committee Member T. Daniels inquired about the overlay of flood maps during the review of the proposal and shared an exercise she had participated in involving floodplain analysis. Mr. Jellies stated that any property that touches a floodplain must be reviewed by the City and FEMA and stated that once the project is built the plans get sent to FEMA so they can update their maps. Committee Members T. Daniels stated that she would be more comfortable if a stipulation is added regarding the floodplain. Mr. Jellies expressed concern about the potential misinterpretation of stipulations, emphasized the rationale behind code requirements, elaborated on the necessity for adherence to both state regulations, which provide large-scale requirements, and city-specific criteria, which address detailed specifics. Chair Marchuk asked if any specific stipulations were under consideration. Committee Member T. Daniels emphasized the importance of reviewing updated overflow maps, noting the dynamic nature of flow patterns, stressed that modifications to the design could impact flow dynamics, and emphasized the need to assess potential implications for homes situated within these flow areas. Chair Marchuk suggested collaborating with Mr. Rogers on refining the language of stipulations. Mr. Rogers indicated that he had never added a stipulation regarding floodplain that was not requested by the floodplain team and explained that when the VPC had added a floodplain stipulation on a previous project it had been removed because floodplain reviewers review specific codified criteria.

Vice Chair Arthur Greathouse III commended the applicant team for their exemplary communication with the VPC, requested further elaboration from the applicant on the intended commercial uses within the area, their compatibility with the residential character, and the potential inclusion of an urgent care facility. Mr. Jellies stated that the development team is looking to develop an urgent care facility, mentioned targeting a Fry's grocery store, and specified the intention to prohibit gas stations at the corner of 19th Avenue and Baseline Road.

Committee Member Darlene Jackson inquired about the responsibility for park maintenance. **Mr. Jellies** indicated that maintenance would likely fall under the purview of the R-4 development team and assured ongoing efforts to ensure proper upkeep of the park. Committee Member Jackson raised concerns about the illumination of the park. Mr. Jellies affirmed plans for adequate lighting, with adherence to any applicable dark sky ordinances.

Chair Marchuk inquired about the readiness of language concerning a floodplain stipulation. **Mr. Rogers** stated that while no language was currently available, it could be researched and potentially added at the Planning Commission stage. **Mr. Valencia** highlighted that a hydrological analysis would be required during the preliminary site plan review, cautioned against duplicating requirements with additional stipulations, and emphasized that preliminary approval meetings are open to the public.

Committee Member Lee Coleman stated that the City of Phoenix requires a grading and drainage plan to be submitted and reviewed.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

MOTION

Vice Chair Arthur Greathouse III made a motion to recommend approval of Z-92-23-8 per the staff recommendation with a modification and additional stipulations.

Committee Member Emma Viera seconded the motion.

VOTE

12-0-1, motion to recommend approval of Z-92-23-8 per the staff recommendation with a modification and additional stipulations passed with Committee Members Aldama, Beehler, Brooks, Busching, Coleman, F. Daniels, T. Daniels, Falcon, Holmerud, Jackson, Viera, and Greathouse in favor and Chair Marchuk abstained.

Chair Marchuk explained that he abstained because there was not tie to break.

VPC recommended stipulations:

OVERALL SITE

1. The conceptual site plan, elevations, 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 sidewalk along Baseline Road shall be a minimum of 6 feet in width and detached with a minimum 10-foot wide landscape strip located between the sidewalk and back of curb 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, that provide shade to a minimum 50.
 - b. Drought tolerant vegetation to achieve a minimum of 75% live coverage.

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

3. The sidewalk along 19th Avenue shall be a minimum of 6 feet in width and detached with a minimum 10-foot-wide landscape strip located between the sidewalk and back of curb 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, that provide shade to a minimum 50 percent.
 - b. Drought tolerant vegetation to achieve a minimum of 75% live coverage.

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

4. The sidewalk along South Mountain Avenue shall be a minimum of 5 feet in width and detached with a minimum 5-foot-wide landscape strip located between the sidewalk and back of curb and planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, that provide shade to a minimum 50%, as approved by the Planning and Development Department.

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

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. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the south side of Baseline 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.
7. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the north side of South Mountain Avenue 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.
8. A minimum of 5.25 acres shall be reserved for open space, as shown on the conceptual landscape plan date stamped November 13, 2023.
9. 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.
10. All perimeter walls visible from street right-of-way shall include material and/or textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.
11. 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.
12. Commercial landscaping and common areas 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. 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 located

on properties for uses such as parks and residential common areas, as approved by the Planning and Development Department.

14. A minimum 50-feet of right-of-way shall be dedicated for the east side of 19th Avenue, adjacent to the development.
15. A minimum 30-feet of right-of-way shall be dedicated for the north side of South Mountain Avenue, adjacent to the development.
16. A minimum 50-feet of right-of-way shall be dedicated for the full width of all public local streets, internal to the development.
17. A minimum 5-foot-wide sidewalk shall be constructed on both sides of all public local streets.
18. Right-of-way shall be dedicated for the connection of the internal road network to Gary Way on the southeastern boundary of the site.
19. Crosswalks shall be placed across internal roadways separating residential and commercial land at significant pedestrian crossings, as determined by the Street Transportation Department.
20. Improvements to Baseline Road shall be consistent with the Arterial CM cross section including the construction of a raised median.
21. A Traffic Impact Analysis (TIA) shall be submitted to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department. The TIA shall include signal warrant analysis for 19th Avenue and South Mountain Avenue. If the approved TIA determines that a signal is warranted at this intersection, the developer shall be required to fund 100% of the cost and construct the signal. If the TIA does not warrant the signal, the developer shall be required contribute 25% of traffic signal cost in an escrow account to the Street Transportation Department.
22. All existing electrical utilities within the public right-of-way shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.
23. Existing SRP facilities along 19th Avenue are to be relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate the facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.

24. 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.
25. 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.
26. 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.
27. 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.
28. 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.

C-2, R-3, AND R-4 ZONED SITES (Commercial and Multifamily)

29. All uncovered surface parking lot areas shall be landscaped with **SPACES SHALL BE SHADED TO ACHIEVE A MINIMUM 25% SHADE WITH EITHER STRUCTURAL SHADE**, minimum 2-inch caliper size, single-trunk, large canopy, drought-tolerant, shade trees, **OR A COMBINATION OF THE TWO**. Landscaping shall be dispersed throughout the parking area and achieve 25% shade, as approved by Planning and Development Department.
30. A minimum of 2% of the required parking spaces shall include EV Installed infrastructure. A minimum of 5% of the required parking spaces shall include EV Capable spaces.
31. Site lighting shall be provided at building entrances/exits, and in public assembly and parking areas, as approved by the Planning and Development Department.
32. All public and private pedestrian pathways including sidewalks shall be shaded to a minimum 75%, as approved by the Planning and Development Department.

33. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
34. 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.

C-2 ZONED SITES

35. Drive-through windows adjacent to a perimeter street shall be screened by a minimum four-foot-tall mound, or other comparable screening, as approved by the Planning and Development Department.
36. Bicycle parking spaces shall be provided per the requirements of Section 1307.H of the Phoenix Zoning Ordinance through inverted U and/or artistic racks located near the office and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
37. Bicycle parking spaces shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.
38. A minimum of 5% of the provided bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
39. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Water Efficiency Checkup program for a minimum of 15 years, or as approved by the Planning and Development Department.

R-3 AND R-4 ZONED SITES (Multifamily)

40. Bicycle infrastructure shall be provided as described below, located in open space areas, near entrances of buildings, or in a secure location inside the building and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance. Bicycle parking spaces shall be provided through inverted U and/or artistic racks. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan, as approved by the Planning and Development Department
 - a. The developer shall provide secure bicycle parking per Section 1307 of the Zoning Ordinance.

- b. Guest bicycle parking shall be provided at a minimum rate of 0.05 spaces per dwelling unit, up to a maximum of 50 spaces required.
 - c. A bicycle repair station (“fix it station”) shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station (“fix it station”) shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to:
 - i. Standard repair tools affixed to the station;
 - ii. A tire gauge and pump affixed to the base of the station or the ground;
 - iii. A bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
41. A minimum of 10% of the provided bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.

R-3 ZONED SITES

- 42. Perimeter fencing adjacent to 19th Avenue shall be a minimum of 50% open view fencing, as approved by the Planning and Development Department.
- 43. Buildings adjacent to 19th Avenue shall have units oriented towards 19th Avenue and shall include individual porches or patios.
- 44. THE MAXIMUM BUILDING HEIGHT SHALL BE LIMITED TO TWO STORIES OR 30 FEET.**

R-4 ZONED SITES

- 44. The maximum building height shall be limited to two stories or 30 feet.
- 45.
- *46. THE DEVELOPMENT WITHIN THE R-4 AREA SHALL BE LIMITED TO A MAXIMUM OF 360 UNITS.**

R1-10 ZONED SITES

- 45. Building elevations shall be developed to the following standards, as approved by
- 47. the Planning and Development Department:

- a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment.
 - b. A minimum of 50% of the elevations for each floor plan shall provide a covered front porch in the front yard with a minimum of 60 square feet in area at a depth of at least 6 feet. No porch shall terminate within the plane of a door or window.
 - c. Pitched roofs shall be provided on all building elevations.
- ~~46.~~ The maximum building height shall be limited to one story or 24 feet.
~~48.~~
- ~~47.~~ Lots along the south perimeter shall be a minimum of 160 feet in depth.
~~49.~~
- ~~48.~~ Lots shall be a minimum of 75 feet in width.
~~50.~~
- ~~49.~~ Prior to preliminary plat approval, documentation shall be provided that
~~51.~~ 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.
- ~~50.~~ A WaterSense inspection report from a third-party verifier shall be submitted that
~~52.~~ 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.
- ~~51.~~ Participation in the City of Phoenix Homeowner's Association Water Efficiency
~~53.~~ Program shall be incorporated into to Covenants, Conditions, and Restrictions for the subdivision, prior to final site plan approval.
- ~~52.~~ Swimming pools on individual single-family lots shall be limited to 600 square feet in
~~54.~~ size.
- ~~53.~~ Only landscape materials listed in the Phoenix Active Management Area Low-
~~55.~~ 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.

R1-10, R-3, AND R-4 ZONED SITES (SINGLE-FAMILY AND MULTIFAMILY)

- 56. ALL LANDSCAPE SETBACKS SHALL BE PLANTED WITH MINIMUM 2-INCH CALIPER, LARGE CANOPY, DROUGHT-TOLERANT TREES, 20 FEET ON CENTER, OR IN EQUIVALENT GROUPINGS, WITH FIVE 5-GALLON SHRUBS PER TREE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. WHERE UTILITY CONFLICTS EXIST, THE DEVELOPER SHALL WORK WITH THE PLANNING AND DEVELOPMENT DEPARTMENT ON ALTERNATIVE DESIGN SOLUTIONS CONSISTENT WITH A PEDESTRIAN ENVIRONMENT FOR INSTALLING THE REQUIRED PLANTS.**

Staff comments regarding VPC recommendation:

Staff has no comments.

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION June 6, 2024

ITEM NO: 7	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-92-23-8 (Companion Case GPA-SM-13-23-8)
Location:	Southeast corner of 19th Avenue and Baseline Road
From:	S-1 and R1-10
To:	R1-10, R-3, R-4, and C-2
Acreage:	104.99
Proposal:	Commercial, office, multifamily, and single-family residential
Applicant:	Brennan Maher, EPS Group, Inc.
Owner:	River View Growers, LLC; Raymond Branham Living Trust; Romeo Yacoub Living Trust/Khoshaba Mark/Madeline
Representative:	Natalie Maikoski, EPS Group, Inc.

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

South Mountain 5/14/2024 Approval, per the staff recommendation, with a modification and additional stipulations. Vote: 12-0-1.

Planning Commission Recommendation: Approval, per the South Mountain Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Vice-Chairperson Busching made a MOTION to approve Z-92-23-8, per the South Mountain Village Planning Committee recommendation.

Maker: Busching
Second: Jaramillo
Vote: 8-0
Absent: Mangum
Opposition Present: No

Findings:

1. The proposal is consistent with the proposed General Plan Land Use Map designations of Residential 2 to 3.5 dwelling units per acre, Residential 10 to 15 dwelling units per acre, Residential 15+ dwelling units per acre, and Commercial and provides a compatible transition between the commercial uses surrounding the 19th Avenue and Baseline intersection and the adjacent neighborhoods.
2. The proposal, as stipulated, will create a strong pedestrian environment with shaded and detached sidewalks on Baseline Road, 19th Avenue, and South Mountain Avenue and a multi-use trail alignment along Baseline Road and South Mountain Avenue. These pathways will convey individuals safely and comfortably to the nearby commercial developments, educational institutions, and residential neighborhoods.

3. As stipulated, the proposal provides enhanced pedestrian and bicycle amenities consistent with the Comprehensive Bicycle Master Plan, Tree and Shade Master Plan, and the Complete Streets Guiding Principles.

Stipulations:

OVERALL SITE

1. The conceptual site plan, elevations, 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 sidewalk along Baseline Road shall be a minimum of 6 feet in width and detached with a minimum 10-foot wide landscape strip located between the sidewalk and back of curb 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, that provide shade to a minimum 50.
- b. Drought tolerant vegetation to achieve a minimum of 75% live coverage.

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

3. The sidewalk along 19th Avenue shall be a minimum of 6 feet in width and detached with a minimum 10-foot-wide landscape strip located between the sidewalk and back of curb 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, that provide shade to a minimum 50%.
- b. Drought tolerant vegetation to achieve a minimum of 75% live coverage.

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

4. The sidewalk along South Mountain Avenue shall be a minimum of 5 feet in width and detached with a minimum 5-foot-wide landscape strip located between the sidewalk and back of curb and planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, that provide shade to a minimum 50%, as approved by the Planning and Development Department.

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

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. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the south side of Baseline 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.
7. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the north side of South Mountain Avenue 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.
8. A minimum of 5.25 acres shall be reserved for open space, as shown on the conceptual landscape plan date stamped November 13, 2023.
9. 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.
10. All perimeter walls visible from street right-of-way shall include material and/or textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.
11. 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.
12. Commercial landscaping and common areas 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. 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 located on properties for uses such as parks and residential common areas, as approved by the Planning and Development Department.
14. A minimum 50 feet of right-of-way shall be dedicated for the east side of 19th Avenue, adjacent to the development.
15. A minimum 30 feet of right-of-way shall be dedicated for the north side of South Mountain Avenue, adjacent to the development.
16. A minimum 50 feet of right-of-way shall be dedicated for the full width of all public local streets, internal to the development.

17. A minimum 5-foot-wide sidewalk shall be constructed on both sides of all public local streets.
18. Right-of-way shall be dedicated for the connection of the internal road network to Gary Way on the southeastern boundary of the site.
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28. 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.

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29. All uncovered surface parking ~~lot areas shall be landscaped with~~ SPACES SHALL BE SHADED TO ACHIEVE A MINIMUM 25% SHADE WITH EITHER STRUCTURAL SHADE, minimum 2-inch caliper size, single-trunk, large canopy, drought-tolerant, shade trees, OR A COMBINATION OF THE TWO. ~~Landscaping shall be dispersed throughout the parking area and achieve 25% shade,~~ as approved by Planning and Development Department.
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38. A minimum of 5% of the provided bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
39. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Water Efficiency Checkup program for a minimum of 15 years, or as approved by the Planning and Development Department.

R-3 AND R-4 ZONED SITES (Multifamily)

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 - b. Guest bicycle parking shall be provided at a minimum rate of 0.05 spaces per dwelling unit, up to a maximum of 50 spaces required.
 - c. A bicycle repair station (“fix it station”) shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station (“fix it station”) shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to:
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43. Buildings adjacent to 19th Avenue shall have units oriented towards 19th Avenue and shall include individual porches or patios.
44. THE MAXIMUM BUILDING HEIGHT SHALL BE LIMITED TO TWO STORIES OR 30 FEET.

R-4 ZONED SITES

44. The maximum building height shall be limited to two stories or 30 feet.
- 45.
46. THE DEVELOPMENT WITHIN THE R-4 AREA SHALL BE LIMITED TO A MAXIMUM OF 360 LOTS.

R1-10 ZONED SITES

- ~~45.~~ Building elevations shall be developed to the following standards, as approved by the
~~47.~~ Planning and Development Department:
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 - b. A minimum of 50% of the elevations for each floor plan shall provide a covered front porch in the front yard with a minimum of 60 square feet in area at a depth of at least 6 feet. No porch shall terminate within the plane of a door or window.
 - c. Pitched roofs shall be provided on all building elevations.
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- ~~48.~~ Lots shall be a minimum of 75 feet in width.
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- ~~49.~~ 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.
~~51.~~
- ~~50.~~ 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.
~~52.~~
- ~~51.~~ 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.
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- ~~52.~~ Swimming pools on individual single-family lots shall be limited to 600 square feet in size.
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- ~~53.~~ 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.
~~55.~~

R1-10, R-3, AND R-4 ZONED SITES (SINGLE-FAMILY AND MULTIFAMILY)

56. ALL LANDSCAPE SETBACKS SHALL BE PLANTED WITH MINIMUM 2-INCH CALIPER, LARGE CANOPY, DROUGHT-TOLERANT TREES, 20 FEET ON CENTER, OR IN EQUIVALENT GROUPINGS, WITH FIVE 5-GALLON SHRUBS PER TREE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. WHERE UTILITY CONFLICTS EXIST, THE DEVELOPER SHALL WORK WITH THE

PLANNING AND DEVELOPMENT DEPARTMENT ON ALTERNATIVE DESIGN
SOLUTIONS CONSISTENT WITH A PEDESTRIAN ENVIRONMENT FOR
INSTALLING THE REQUIRED PLANTS.

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.

Support Letter - 19th & Baseline

Kent Baker <kbaker@citytocitycre.com>

Tue 5/14/2024 5:44 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

Begin forwarded message:

From: Julie Chaffin <azrealtorjulie@gmail.com>

Date: May 5, 2024 at 3:16:06 PM MST

To: Kent Baker <kbaker@citytocitycre.com>

Subject: Village Planning Committee May 14, 2024 6:00PM

Hi Kent,

I just wanted to reach out in support of this project. I will be out of town when this meeting takes place, but I definitely wanted my support to be noted. I live on 19th Ave and own property in the area and I feel having this SEC develop will be a huge, positive step forward for the local community.

I am also a realtor and I believe this will increase the desire for people to want to live in South Phoenix.

Please reach out with any questions you may have.

Julie Chaffin

--

Julie A. Chaffin

Realty One Group

602-721-8181

Letter of Support - 19th & Baseline

Kent Baker <kbaker@citytocitycre.com>

Tue 5/14/2024 5:45 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

Begin forwarded message:

From: reza mohkami <rmohkami@gmail.com>

Date: May 5, 2024 at 5:23:17 PM MST

To: kbaker@citytocitycre.com

Subject: May 14 Village Planning Meeting

Hi Kent,

I want to express my support for the development plan at the intersection of 19th Ave and Baseline. I have lived in the area since 2012 and have worked in South Phoenix/Laveen for 40 years. I believe this development will be an asset to this area.

Please contact me if you have any questions.

Sincerely,

Reza Mohkami

1830 W Telegraph Pass Rd., Phoenix, AZ 85041



Public Hearing - Amend Downtown Code - Ordinance Adoption - Text Amendment Application Z-TA-10-23-7 (Ordinance G-7284)

Request for a public hearing on a proposed text amendment to the Phoenix Zoning Ordinance, Text Amendment Z-TA-10-23-7 to amend Chapter 12, Section 1212.B (Downtown Gateway, Development Standards) to allow for a height bonus up to 30 percent within the Downtown Gateway Character Area between Portland Street and McKinley Street.

Summary

The intent of the proposed text amendment is to amend Chapter 12, Section 1212.B (Downtown Gateway, Development Standards) to allow for a height bonus up to 30 percent within the Downtown Gateway Character Area between Portland and McKinley streets.

Owner: Kell Duncan, KDCD, LLC
Applicant: Paul Kilgallon, Mainstreet Capital
Representative: Tom Chinnock, Shepley Bulfinch

Staff Recommendation: Approval, as shown in Exhibit A of the Staff Report.
VPC Information Only: The Central City Village Planning Committee was scheduled to hear this item on Feb. 12, 2024, for information only; however, there was no quorum.
DSC Action: The Design Standards Committee heard this item on March 26, 2024, and recommended denial, by a vote of 3-2.
VPC Action: The Central City Village Planning Committee heard this item on May 13, 2024, and recommended approval, per the staff recommendation with modifications, by a vote of 13-1.
PC Action: The Planning Commission heard this item on June 6, 2024, and recommended approval, per the Central City Village Planning Committee recommendation, by a vote of 8-0.

Location

Generally located between the alley east of Central Avenue and the alley west of 1st Avenue, between Portland Street and McKinley Street
Council District: 7

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 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 12, SECTION 1212.B (DOWNTOWN GATEWAY, DEVELOPMENT STANDARDS) TO ALLOW FOR A HEIGHT BONUS UP TO 30 PERCENT WITHIN THE DOWNTOWN GATEWAY CHARACTER AREA BETWEEN MCKINLEY STREET AND PORTLAND STREET.

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

SECTION 1: That Chapter 12, Section 1212.B (Downtown Gateway, Development Standards) is amended to read as follows:

* * *

B. Development Standards.

1. Maximum height.

a. *Main building*: governed by the height map, Section 1202.C.

(1) *Height bonus*: None-, EXCEPT NORTH OF GARFIELD STREET, SOUTH OF ROOSEVELT STREET, AND EAST OF CENTRAL AVENUE: 30% MAXIMUM

* * *

PASSED by the Council of the City of Phoenix this 1st day of July, 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-10-23-7** **May 13, 2024**

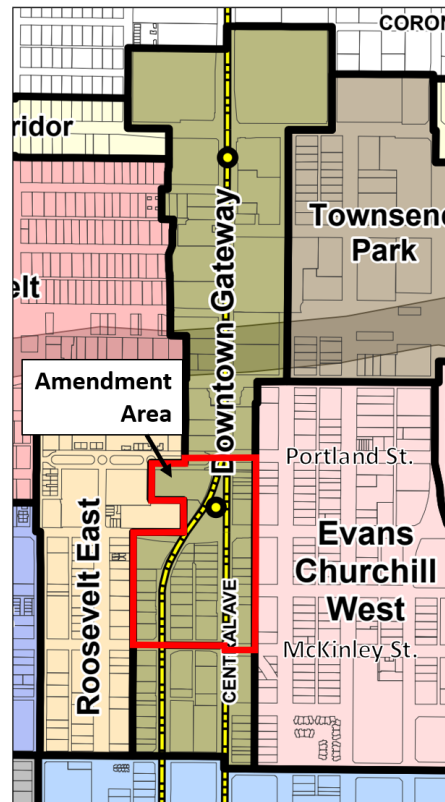
Application No. Z-TA-10-23-7: Amend Section 1212.B (Downtown Gateway, Development Standards) of the Phoenix Zoning Ordinance to allow for a height bonus up to 30 percent within the Downtown Gateway Character Area between McKinley Street and Portland Street.

Staff Recommendation: Staff recommends approval of Z-TA-10-23-7 as shown in the recommended text in Exhibit A.

Background

This request is to amend the Downtown Gateway Character Area standards in the Downtown Code to allow a height bonus up to 30 percent between McKinley Street and Portland Street. The Downtown Gateway Character Area is intended to be a high-density, vibrant corridor with a mix of residential and commercial development designed for transit riders. Restaurants with outdoor dining, and commercial and retail uses should be placed along the street to invite pedestrian exploration. Streetscape improvements throughout the area should be encouraged to make light rail accessible and vibrant.

The area affected by the proposed text amendment is generally bounded by Portland Street to the north, McKinley Street to the south, the alley between Central Avenue and 1st Street to the east, and the alley between 1st Avenue and 2nd Avenue to the west. The area generally contains a mix of land uses, including mid-rise to high-rise multifamily residential buildings, retail uses, offices, vacant land, and surface parking. The light rail runs through the area along Central



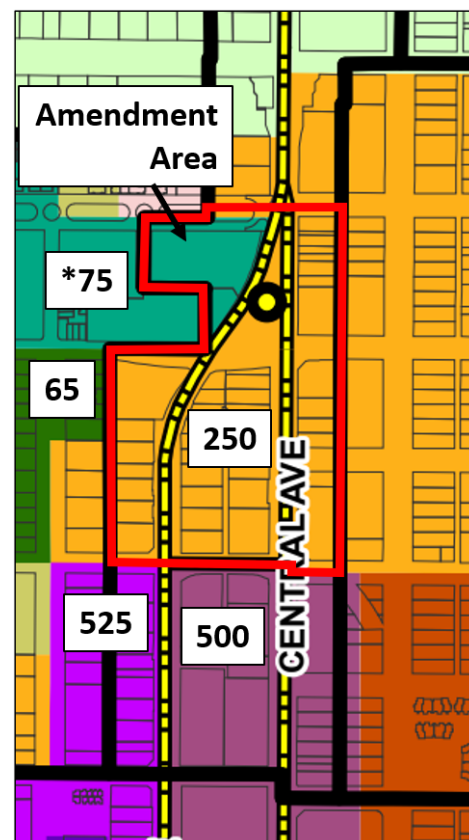
Downtown Code Character Areas Map, Source: Planning and Development Department

Avenue and 1st Avenue with a station between Roosevelt Street and Portland Street.

*The regulating maps of the Downtown Code permit a maximum height of 250 feet for most of the amendment area and a maximum height of 75 feet for a portion in the northwest corner of the area. The permitted density is 218 dwelling units per acre for most of the area and no maximum for a portion of the area. Density may be increased by up to 50 percent with sustainability bonus points. The character area permits 100 percent lot coverage. Currently, the character area does not permit an increase in height using sustainability bonus points. The proposed text amendment would not change the height regulating map, shown below, but would permit a 30 percent increase in height using sustainability bonus points between Portland Street and McKinley Street.



Aerial Map, Source: Planning and Development Department



Downtown Code Permitted Heights Map, Source: Planning and Development Department

The applicant's proposed development is located at the northeast corner of Central Avenue and Garfield Street in the Downtown Gateway Character Area of the Downtown Code. The conceptual site plan, attached as an exhibit, shows a 30-story, 325-foot tall, mixed-use building with 273 multifamily residential units and approximately 8,000 square feet of ground floor commercial space. The applicant proposes to use sustainability bonus points to increase the allowed density from 218 to 297 dwelling units per acre, reduce the parking from 281 spaces to 142 spaces, and increase the allowed height from 250 feet to 325 feet. The proposed density and parking may be achieved through a sustainability bonus. This text amendment is proposed to facilitate the 30 percent increase in height through a sustainability bonus.



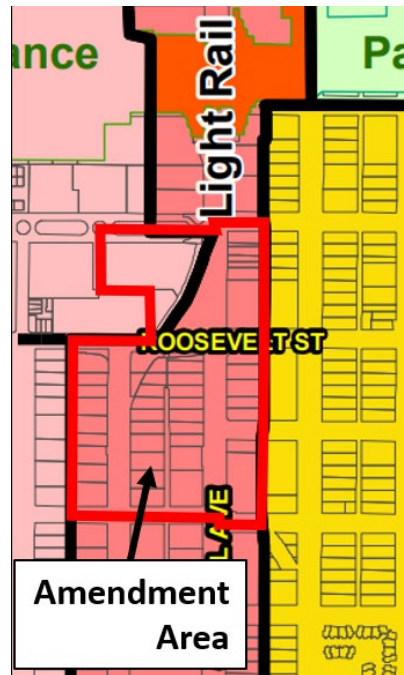
Aerial Map, Source: Planning and Development Department

The sustainability bonus system is an element of the Downtown Code designed to provide projects that exhibit environmentally friendly design and performance elements with additional entitlements. The sustainability bonus system is defined in [Section 1223](#) of the Zoning Ordinance with credits defined for each sustainability feature and a method to translate credits into modifications to the allowed height, density, lot coverage, or parking of a project. This system is only applicable to projects that are located in Character Areas that allow such bonuses.

Background: Urban Form Project and the Downtown Code

The Downtown Urban Form Project was initiated in 2006. The Downtown Phoenix Plan is a product of the Downtown Phoenix Urban Form Project and was prepared to provide direction for implementation of the community vision for an active, pedestrian-oriented and sustainable Downtown. The Downtown Phoenix Plan was adopted by City Council in 2008 and served as a precursor to the Downtown Code, adopted in 2010, which is now Chapter 12 of the Phoenix Zoning Ordinance.

The area affected by the proposed text amendment is mostly within the Light Rail Corridor Character Area in the Downtown Phoenix Plan while a portion in the northwest corner is within the Roosevelt Character Area. The Light Rail Corridor Character Area was renamed to Downtown Gateway when the Downtown Code was adopted, and the boundaries were adjusted to include the entire area affected by the proposed text amendment. The Downtown Phoenix Plan states that the Light Rail Corridor will be a high-density corridor that is a vibrant mix of residential and commercial development catering to a pedestrian and transit-oriented population (pg. 3-12).



Downtown Phoenix Plan Character Area Map, Source: Planning and Development Department

The Downtown Phoenix Plan lists two policies related to height in the Light Rail Corridor Character Area.

- Policy 3-5: Develop urban design standards that will encourage high density development that maximizes commercial and residential activity around transit stations.
- Policy 3-7: Develop height transition and design standards that encourage new development while enhancing the livability of established neighborhoods.

Staff Analysis

*The request does not increase the height allowed in the Downtown Gateway Character Area by right, rather it creates the opportunity for projects to achieve more height by providing community benefits through sustainability bonus points. In the majority of the amendment area, height could be increased from the base 250 feet of height to a maximum of 325 feet of height with bonus points. In the portion of the amendment area that allows 75 feet in height, the maximum height achievable through bonus points is 97 feet. The proposal to increase the allowable height by a sustainability bonus provision is consistent with the Downtown Phoenix Plan policies, provides for a public benefit, and is sensitive to the surrounding area.

The request is consistent with Policy 3-5, as it creates a standard that encourages high density development directly adjacent to the Central Avenue / Roosevelt Avenue light

rail station. This will create more commercial and residential opportunities around the transit station.

The request is consistent with Policy 3-7, as it creates a height transition along the Central Avenue corridor. The allowed heights immediately south of the amended area are 500 and 525 feet and north of the amended area is 250 feet. Allowing developments within the amended area to achieve 325 feet of height through sustainability bonus points provides for an appropriate transition in height along the corridor.

Conclusion

Staff recommends approval of Z-TA-10-23-7 to amend the Downtown Gateway Character Area text shown in Exhibit A of the staff report. The proposal to allow additional height through sustainability bonus points in the area defined in the text is appropriate, given the immediate proximity to transit and the transition to greater heights directly to the south, and offers community benefits through a sustainability bonus in exchange for the option for additional height.

Writer

Anthony Grande

May 13, 2024

Team Leader

Racelle Escolar

Exhibits

Exhibit A: Proposed Language

Exhibit B: Applicant Narrative, Site Plan, and Elevations (5 pages)

Exhibit A

Z-TA-10-23-7: Height Bonus in Downtown Gateway Character Area

Proposed Language:

Amend Section 1212.B (Downtown Gateway, Development Standards) of the Phoenix Zoning Ordinance to allow for a height bonus up to 30 percent within the Downtown Gateway Character Area between McKinley Street and Portland Street as follows:

B. Development Standards.

1. Maximum height.

a. *Main building:* governed by the height map, Section 1202.C.

(1) *Height bonus:* None, **EXCEPT NORTH OF MCKINLEY STREET AND SOUTH OF PORTLAND STREET: 30% MAXIMUM**

* * *

Rezoning Narrative

Client: Mainstreet Capital Arch Project #: 5333.00
Project: 901 N Central
Date: August 1st, 2023

Zoning District: DTC Downtown Gateway
 Arts and Culture Small Business Overlay
Height (1202.C): 250' allowed, 320' proposed – need 28% increase (no bonus allowed)

Density (1202.D): 218 units/acre allowed, 297 units acre proposed – need 36.5% increase (40% increase bonus allowed)

Lot Coverage: 100% allowed
Setbacks: Side: 0' min
 Rear: 0' min
 Front: Per Streetscape Standards (Below)

Parking (1206) 1 space per dwelling unit min/ 2 spaces per dwelling unit max, 273 min required (10% of required parking can be compact), 344* Provided (204 Standard + 133 Compact + 7 ADA – Min. 245 standard stalls required). 1 space per 1,000 sf non res min/ 4 spaces per 1,000 sf non res max, 8 min req'd, 8 provided Loading: 1 bay (10' wide x 30' long) for residential over 160,000sf
 Loading: not required for commercial under 40,000 sf
 *Seeking a 50% parking reduction (1212.B.5) to meet parking requirements for standard stalls.

Streetscape Standards (1212.D)

Garfield to Alley Min Building setback: 0'
 Max Building Setback: 5'
 Building Frontage: Min 50%
 Allowed Frontage: All
 Min Sidewalk Width: 8'*
 Min Streetscape Zone Width: 8'*

*Currently the existing buildings and property along Garfield do not allow for these widths, we are proposing extending the curb line out in order to meet these requirements

Central: Min Building setback: 0'
 Max Building Setback: 5'
 Building Frontage: Min 75%
 Allowed Frontage: Stoop/Door Well (SD), Storefront (S), Gallery/Arcade (GA)
 Min Sidewalk Width: 8'**
 Min Streetscape Zone Width: 8'**

**Currently the existing buildings and property along Central do not allow for these widths. Variance will be required per development pre-application comments.

Sustainability Bonus (1223)

Height Increase: 30% Increase Max (325'-0" Max)

Pts Density Increase: 218 DU/AC Allowed, 297 DU/AC Proposed (36.5% increase) (40% Sustainability Bonus Matrix)

Bonus Points Total: 105



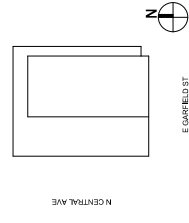
344 North Central Ave. Suite 1800A
Fort Lauderdale, Florida 33309
Tel: 954.576.4411
Fax: 954.576.4400
www.shepleybulfinch.com



MAINSTREET CAPITAL
200 E. BROWARD BLVD.
FORT LAUDERDALE, FLORIDA 33309



Table with 2 columns: NO., DATE, DESCRIPTION



Central and Garfield
901 N. CENTRAL AVE. PHOENIX, AZ 85004
200 N.D. 3303

SITE PLAN

RZ001

2/7/2023 REZONINGSPECIAL PERMIT

PROJECT TEAM

OWNER: MAINSTREET CAPITAL...
ARCHITECT: SHEPLEY BULFINCH...
ENGINEER: CHUCK CHIRKIN...
Landscape Architect: SHEPLEY BULFINCH...
LOT SALES: []

GEN. SITE PLAN NOTES

- 1. THIS PROJECT IS LOCATED IN THE CITY OF PHOENIX...
2. THE PROJECT WILL BE SUBJECT TO THE CITY OF PHOENIX...
3. THE PROJECT WILL BE SUBJECT TO THE CITY OF PHOENIX...
4. THE PROJECT WILL BE SUBJECT TO THE CITY OF PHOENIX...
5. THE PROJECT WILL BE SUBJECT TO THE CITY OF PHOENIX...
6. THE PROJECT WILL BE SUBJECT TO THE CITY OF PHOENIX...
7. THE PROJECT WILL BE SUBJECT TO THE CITY OF PHOENIX...
8. THE PROJECT WILL BE SUBJECT TO THE CITY OF PHOENIX...

UTILITIES

WATER: CITY OF PHOENIX
SEWER: CITY OF PHOENIX
ELECTRICITY: ARIZONA PUBLIC SERVICE CO.
TELEPHONE: ARIZONA PUBLIC SERVICE CO.
CABLE: ARIZONA PUBLIC SERVICE CO.
FIRE: CITY OF PHOENIX

PROJECT DATA

PROJECT ADDRESS: 901 N. CENTRAL AVE. PHOENIX, AZ 85004
LEGAL DESCRIPTION: 0.25 ACRES OF LAND...
RECORDED IN BOOK 1 OF MAPS, PAGES 68, RECORDS OF MARICOPA COUNTY, ARIZONA.
APN: 11-14-020A
RECORD # REQUIRED: 11-14-020
RECORD # PROVIDED: 11-14-020

APPLICABLE REGULATIONS

- 1. 2018 INTERNATIONAL BUILDING CODE (IBC) WITH CITY OF PHOENIX AMENDMENTS (PRO)C
2. 2018 INTERNATIONAL FIRE CODE (IFC) WITH CITY OF PHOENIX AMENDMENTS (PRO)C
3. 2018 INTERNATIONAL PLUMBING CODE (IPC) WITH CITY OF PHOENIX AMENDMENTS (PRO)C
4. 2018 INTERNATIONAL MECHANICAL CODE (IMC) WITH CITY OF PHOENIX AMENDMENTS (PRO)C
5. 2018 INTERNATIONAL ENERGY CONSERVATION CODE (IECC) WITH CITY OF PHOENIX AMENDMENTS (PRO)C
6. 2018 ASHRAE 90.1 ENERGY EFFICIENCY RATING SYSTEM (EER) WITH CITY OF PHOENIX AMENDMENTS (PRO)C

ACCESSIBILITY STANDARDS

- 1. THE PROJECT IS DESIGNED IN ACCORDANCE WITH:
2. ADA (ANSI A117.1) 2003 - ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES
3. ARIZONA REVENUE STATUTES (ARS) - SECTIONS 4-1402 THROUGH 4-1402-12
4. STATE OF ARIZONA ADMINISTRATIVE RULES (ARS) - SECTIONS 18-14-001 THROUGH 18-14-004

PARKING DATA

Table with 2 columns: CATEGORY, VALUE

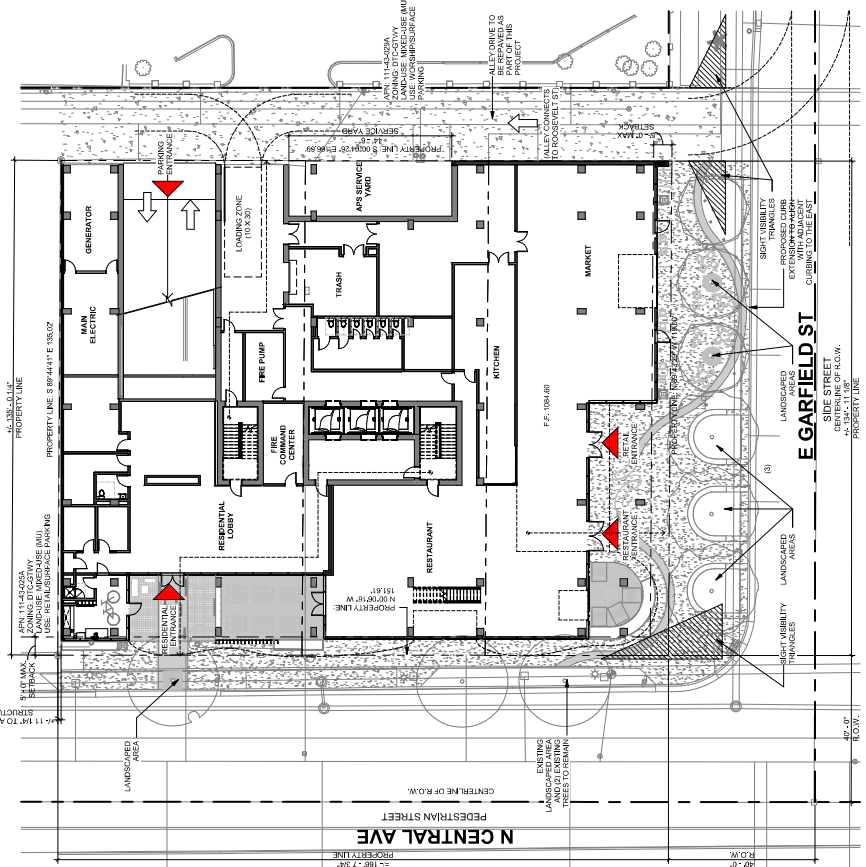
FRONTAGE TYPE

STOREFRONT: 75% MIN GLAZING BETWEEN 3 & 8' ABOVE GRADE
SIDE STREET USE SPACE: 25% MIN GLAZING BETWEEN 3 & 8' ABOVE GRADE
CORNER: 25% MIN GLAZING BETWEEN 3 & 8' ABOVE GRADE

BUILDING STANDARDS

Table with 4 columns: STREET SECTION, MIN. WALKWAY WIDTH, MIN. WALKWAY DEPTH, MIN. WALKWAY HEIGHT

VICINITY MAP



1 SITE PLAN

SCALE: 1/16" = 1'-0"

0 16' 32' 48' 64'

Central and Garfield

KS: Q11-2883
LPRN: 2301046
SDEJ: 2200386
SCMJ: []
FACT: 2206704

CITY OF PHOENIX
August 9, 2023
Planning & Development Department



Village Planning Committee Meeting Summary Z-TA-10-23-7

Date of VPC Meeting	May 13, 2024
Request	Amend Section 1212.B (Downtown Gateway, Development Standards) of the Phoenix Zoning Ordinance to allow for a height bonus up to 30 percent within the Downtown Gateway Character Area between McKinley Street and Portland Street
Location	Generally located between the alley east of Central Avenue and the alley west of 1st Avenue, between Portland Street and McKinley Street
VPC Recommendation	Approval, per the staff recommendation with modifications
VPC Vote	13-1

VPC DISCUSSION:

Six members of the public registered to speak on this item, in opposition.

Committee Member Olivas declared a conflict of interest and left the meeting, bringing quorum to 13 members.

Committee Member Nervis joined the meeting during this item, bringing quorum to 14 members.

STAFF PRESENTATION

Anthony Grande, staff, provided a presentation regarding the proposed text amendment, reviewing the Downtown Code context, existing maximum heights in the area, the proposed text, and the staff recommendation.

APPLICANT PRESENTATION

Tom Chinnock, representing the applicant with Shepley Bulfinch, provided a presentation describing the proposed development, the proposed use of sustainability bonus points for the project, and the surrounding context.

Kell Duncan, representing the applicant with Mainstreet Capital, described the proposed program, including the proposed greenhouse and use of local produce in the market and restaurant component of the project.

QUESTIONS FROM COMMITTEE

Committee Member Burton asked about the levels of parking above the commercial space and the items being saved from the original structure. **Mr. Chinnock** replied with a description of the proposed parking and the history of the building components.

Committee Member Greenman asked for clarification on the amendment area. **Mr. Grande** provided clarification that the east and west boundaries are coterminous with the character area boundaries.

Vice Chair Gaughan asked for clarification on the amendment area in relation to the character area. **Mr. Grande** replied that the amendment area matches the character area boundaries on the east and west but has defined boundaries of Portland Street on the north and McKinley Street on the south.

Committee Member Sonoskey asked if the amendment area boundary could be modified. **Mr. Grande** replied that it could.

Committee Member Martinez asked about the inclusion of bicycle infrastructure in the proposed project. **Mr. Chinnock** noted that some bicycle infrastructure is included in the bonus points program, but they are limited in the improvements they can do on the street.

Committee Member Burns asked about the rationale for the amendment area boundaries recommended by staff. **Mr. Grande** replied with a description of the rationale, highlighting the incorporation of the area around the light rail station.

Committee Member Panetta asked if the proposed development could be accomplished without the text amendment. **Mr. Grande** replied that the text currently does not allow the height.

Committee Member Starks asked if affordable or workforce housing would be provided in the residential component. **Mr. Chinnock** replied that they are not proposing affordable housing at this time, but they are considering it.

Committee Member Rachel Frazier Johnson asked whether variances for similar projects have been granted before and asked where the overflow parking would go. **Mr. Grande** replied that staff could research variances to find other examples. **Mr. Chinnock** replied that the proposal will provide 142 parking spaces, and they were expecting users of the site to take advantage of the downtown location and proximity to transit.

Committee Member Burton asked if the amendment area boundary could be revisited. **Mr. Grande** replied that the boundary could be modified by the committee.

PUBLIC COMMENTS

Joan Kelchner introduced herself as the President of Roosevelt Action Association, and spoke in opposition to the proposal, stating that the organization was not notified of the proposal and that there are sites included in the amendment area that will not take advantage of the height bonus or are historic properties that need to be protected, concluding that this proposal could be a red light to developers in the area.

Andie Abkarian introduced herself as Chair of the Downtown Voices Coalition and spoke in opposition to the proposal, stating that the committee should separate this project from the text amendment being requested, the City needs to be on the ground in the location to understand what's going on, and staff is rewriting the Downtown Code at this time.

Caroline Van Slyke introduced herself as a member of Roosevelt Action Association and spoke in opposition to the proposal, noting that the proposed development is a good project, but the boundary for the text amendment should be changed.

Kate Kunberger spoke in opposition to the proposal, highlighting that other projects have attained height changes specific to their site.

Dorina Bustamante spoke in opposition to the proposal, stating that the proposed project should be left alone with its own text amendment, asking the committee not to make the text change for the other blocks under discussion.

Anna Flaaten spoke in opposition to the proposal, stating that the committee should think about the future of Phoenix and whether it should have more cars or more walkability.

APPLICANT RESPONSE

Mr. Duncan stated that the applicant team doesn't have any issues with the boundary of the text amendment being reduced.

COMMITTEE DISCUSSION

Vice Chair Gaughan stated a concern that there are historic buildings within the boundary.

Committee Member Nervis asked about the mechanics of amending the boundary. **Mr. Grande** replied that the bounding streets could be changed in the proposed text.

Chair O'Grady stated that the project looks like a project in a thriving downtown.

Committee Member Sonoskey stated that the boundary could be revised to be east of Central Avenue, south of Roosevelt Street, and north of Garfield Street in order to accommodate the concerns from the community about the larger amendment area while allowing the proposed project.

Committee Member Burton suggested the boundary could be revised to east of 1st Avenue and south of Roosevelt Street.

Committee Member Burns asked about having a boundary less than a full block. **Mr. Grande** replied with context about existing height bonus areas in the Downtown Code.

MOTION

Ali Nervis made a motion to recommend approval of Z-TA-10-23-7, per the staff recommendation with the modifications that the text be revised to “None, except north of Garfield Street, south of Roosevelt Street, and east of Central Avenue: 30% Maximum.” **Nate Sonoskey** seconded the motion.

Vice Chair Gaughan noted that this was a thoughtful way to proceed.

VOTE

13-1; Motion to recommend approval of Z-TA-10-23-7, per the staff recommendation with modifications, passed; Committee Members Ban, Burns, Burton, Greenman, Johnson, R. Johnson, Martinez, Nervis, Panetta, Sonoskey, Vargas, Gaughan, and O’Grady in favor; Committee Member Starks opposed.

VPC RECOMMENDED TEXT:

B. Development Standards.

1. Maximum height.

a. *Main building*: governed by the height map, Section 1202.C.

(1) *Height bonus*: None., **EXCEPT NORTH OF MCKINLEYGARFIELD STREET, AND SOUTH OF PORTLANDROOSEVELT STREET, AND EAST OF CENTRAL AVENUE: 30% MAXIMUM**

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

The modified text recommended by the Village Planning Committee would limit the amendment area to less than one city block, incorporating the applicant’s development site and one additional site directly to the north. The amendment area recommended by staff incorporates portions of six city blocks, including the light rail station and both sides

of the light rail corridor, and is intended to meet the goals of the Downtown Phoenix Plan by providing a height transition away from the downtown core and promote additional intensity directly adjacent to the transit station. Staff does not recommend the VPC modification, as the modified boundaries do not provide a height transition and do not incorporate the light rail station and therefore do not align with the goals of the Downtown Phoenix Plan.

Village Planning Committee Meeting Summary
Z-TA-10-23-7
INFORMATION ONLY

Date of VPC Meeting February 12, 2024

Request Amend Section 1212.B (Downtown Gateway, Development Standards) of the Phoenix Zoning Ordinance to allow for a height bonus up to 30 percent within the Downtown Gateway Character Area between McKinley Street and Portland Street

Location Generally located between the alley east of Central Avenue and the alley west of 1st Avenue, between Portland Street and McKinley Street

VPC DISCUSSION:

No quorum.

ATTACHMENT D



**Amendment Area,
Per VPC Recommendation**

Portland St.

Roosevelt St.

Garfield St.

McKinley St.

2nd Ave.

1st Ave.

Central Ave.

1st St.

ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION June 6, 2024

ITEM NO: 22	
	DISTRICT NO.: 7
SUBJECT:	
Application #:	Z-TA-10-23-7
Request:	Text Amendment
Location:	Generally located between the alley east of Central Avenue and the alley west of 1st Avenue, between Portland Street and McKinley Street
Proposal:	Amend Section 1212.B (Downtown Gateway, Development Standards) of the Phoenix Zoning Ordinance to allow for a height bonus up to 30 percent within the Downtown Gateway Character Area between Portland Street and McKinley Street
Applicant:	Paul Kilgallon, Mainstreet Capital
Owner:	Kell Duncan, KDCD, LLC
Representative:	Tom Chinnock, Shepley Bulfinch

ACTIONS:

Staff Recommendation: Approval, as shown in the recommended text in Exhibit A of the Staff Report.

Village Planning Committee (VPC) Recommendation:

Central City 2/12/2024 Information only. No quorum.

Central City 5/13/2024 Approval, per the staff recommendation with modifications. Vote: 13-1.

Planning Commission Recommendation: Approval, per the Central City Village Planning Committee recommendation.

Motion Discussion: NA

Motion details: Commissioner Boyd made a MOTION to approve Z-TA-10-23-7 per the Central City Village Planning Committee recommendation.

Maker: Boyd
Second: Hu
Vote: 8-0
Absent: Mangum
Opposition Present: Yes

Findings: The proposal to allow additional height through sustainability bonus points in the area defined in the text is appropriate, given the immediate proximity to transit and the transition to greater heights directly to the south, and offers community benefits through a sustainability bonus in exchange for the option for additional height.

Proposed Language:

Amend Section 1212.B (Downtown Gateway, Development Standards) of the Phoenix Zoning Ordinance to allow for a height bonus up to 30 percent within the Downtown Gateway Character Area between McKinley Street and Portland Street as follows:

B. Development Standards.

1. Maximum height.

a. *Main building:* governed by the height map, Section 1202.C.

(1) *Height bonus:* None., **EXCEPT NORTH OF MCKINLEYGARFIELD STREET, AND SOUTH OF PORTLANDROOSEVELT STREET, AND EAST OF CENTRAL AVENUE: 30% MAXIMUM**

* * *

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

From: [Mark Trahant](#)
To: 901NCentral@mainstreetcapital.com
Cc: [Anthony M Grande](#)
Subject: #Z-TA-10-23-7
Date: Sunday, May 5, 2024 10:15:09 AM

Dear Main Street Capital,

Thank you for your Notification Letter. I do have a few comments for consideration. I am a homeowner on Portland Street NW. I am a senior and plan on giving up driving in the next couple of years. I use light rail and Waymo frequently.

First: I am in favor of increasing residential density in the downtown neighborhoods. I think this is important for Phoenix.

I do, however, have two concerns, access to retail, especially a grocery store west of Central. And parking.

We moved five years ago from Washington, DC. We had zero interest in living in the suburbs. We wanted to be in a walkable neighborhood with restaurants, retail and a grocery alternative. The move here was good — and there is an urban feel that is rather new to Phoenix. Unfortunately it's a long walk to either of our two grocery stores. Given the density downtown I think a high priority ought to market to include a grocery store in any large development package. I am a big fan of Vancouver, BC, and its mix of high density residential and conveniences. In this neighborhood there is not an easy walk to a bank or credit union. The ideal would be a high-rise that includes planning for a grocery store (especially a Trader Joes or Aldi) or a larger department store such as a Target.

There are too few retail options in walking distance.

That said: I love this neighborhood and I am happy with our restaurant choices, even if they are a bit youth focused.

Last note: I know I am out of step in Arizona, but I think downtown parking (even for residents) should be limited and more expensive. This will serve as an incentive to demand better public transit and fewer cars. (Our neighborhood in DC had a free shuttle (now a dollar) that circulated only in our neighborhood.

I know this goes beyond the scope of your zoning notification but I do hope it's part of your business strategy and planning.

Mark Trahant
204 W Portland Street

ATTACHMENT G

From: [Joan Kelchner](#)
To: [Mayor Gallego](#); [Council District 7 PCC](#); [Council District 2 PCC](#); [Council District 3 PCC](#); [Council District 4](#); [Council District 5 PCC](#); [Council District 6 PCC](#); [Council District 8 PCC](#); [Joshua Bednarek](#); [Anthony M Grande](#)
Subject: Re: Text Amendment Z-TA-10-23-7
Date: Friday, May 10, 2024 4:29:42 PM
Attachments: [img20240510_16222428.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](#)

Attached is a letter from the Roosevelt Action Association (RAA) in downtown Phoenix, expressing our opposition to this text amendment. Thank you for your consideration. Joan Kelchner, President, RAA

May 9, 2024

Dear Mayor Gallego and Councilman Galindo-Elvira:

Re: Z-TA-10-23-7

The Board of the Roosevelt Action Association (RAA) voted on May 8, 2024 to oppose this Text Amendment as written. Since 1981, we have been the neighborhood association advocating for issues affecting our historic neighborhood which is bounded by Central Av. to 7th Av. and McDowell to Van Buren.

It is our understanding that the owner of the focus site of this text amendment (Mr. Kell Duncan) requested a height waiver which would allow his building to go up to 325 ft.. The city accommodated this by proposing a text amendment covering not only the initially requested lot, but also land on both sides of Central. On the west, within our Roosevelt neighborhood, the boundary drawn, in fact the whole map, is confusing. The first obvious confusion is that the map presented for the Text Amendment is inaccurate and outdated by several years.

The area in question, as drawn on this old map, extends on the west side of Central from Portland St to McKinley and as far west as the alley between 1st and 2nd Av.s. It encompasses several listed historic properties. One of the primary missions of the RAA, as noted in our bylaws, is advocacy in protecting these historic buildings for the city of Phoenix.

The next question mark is - on the map - a large vacant lot on the west side of 1st Av.. This is the site of a multi-story development which has been under construction for months now. In fact, all the planning, site plan reviews and permitting for the development goes back several years. There is no way that this text amendment could be used here and the developer does not want it.

Then, there is the map's bump out at the northern end of the map. This outlines the Roosevelt Square Apartment building, which also includes Fez Restaurant and Fair Trade Cafe. This whole building, apartments and retail, is very popular and services work force housing for ASU and downtown. Why label it with a new text amendment?

Finally, the reason the city recommended creating this text amendment to address Mr. Duncan's request for more height at just his site is truly confusing. Mr. Duncan told a gathering on May 9 that he and his architect were asking about a zoning variance and were informed that the city was wary of looking like they favored developers too much. Therefore, a text amendment that would allow "bonus points" for an automatic increase in height over a wide swath would be better. In other words, tell the city that you're including certain things in the development and there is no need for further discussion – no more meetings with neighborhoods? How is that for favoring developers?

Again, the RAA Board voted unanimously to oppose this Text Amendment, at least in the area included within our RAA boundaries. If this text amendment does go through,

we would ask that you amend it to remove any parcels on the west side of Central Ave. Or, as Mr. Duncan told the crowd at the Churchill on May 9, just limit it to his property or allow him to apply for a zoning variance.

Sincerely,

Joan L Kelchner, MD

Joan L Kelchner, MD, President RAA

Cc: Joshua.Bednarek, Director Planning Department

Anthony.Grande, Planner III, Central City Village Planning Committee



Public Hearing and Formal Action - Planning Hearing Officer Application PHO-2-24--Z-86-06-6 - Northeast Corner of 24th Street and Camelback Road

Request to hold a public hearing and consider the Planning Commission's recommendation by the City Council on matters heard by the Planning Hearing Officer on April 17, 2024. This item requires formal action only.

Summary

Application: PHO-2-24--Z-86-06-6

Existing Zoning: PSC (Approved C-2 HR) CEPCSP

Acreage: 33.70

Owner: Biltmore Shopping Center Partners

Applicant/Representative: Ed Bull, Burch & Cracchiolo P.A.

Proposal:

1. Request to modify Stipulation 2 regarding review and approval for a tower exceeding 112 feet and proposed building elevations inconsistent with those dated June 23, 2006, through the Planning Hearing Officer process.
2. Technical corrections to Stipulations 7 and 9.

VPC Action: The Camelback East Village Planning Committee chose not to hear this item.

PHO Action: The Planning Hearing Officer heard the item on April 17, 2024, and recommended approval, with modifications and additional stipulations.

PC Action: The Planning Commission heard the item on June 6, 2024, and recommended approval, per the Planning Hearing Officer recommendation, by a vote of 8-0.

The Planning Commission recommendation was appealed by a community member on June 13, 2024.

Location

Northeast corner of 24th Street and Camelback Road

Council District: 6

Parcel Address: 5025 N. 24th St.; 2402, 2410, 2442, 2446, 2450, 2462, 2470, 2502,

2580, 2590, and 2608 E. Camelback Road

Responsible Department

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

ATTACHMENT A

Stipulations: PHO-2-24—86-06-6

Location: Northeast corner of 24th Street and Camelback Road

1. ~~That~~ The development of the two Phase 1 towers with residential or hotel uses up to 165 feet shall be in general conformance with the conceptual site plan and elevations dated June 23, 2006.
2. ~~That~~ The location of future towers beyond Phase 1 shall conform to the Biltmore Fashion Park Building Height Exhibit B, dated August 24, 2006, as set forth in the Camelback East Primary Core Specific Plan, the stipulations of this rezoning case, and the applicable Specific Plan Design Guidelines. For towers seeking bonus building heights above 112 feet, compliance with Specific Plan criteria to achieve such bonus building heights shall be reviewed and approved through the City's Planning Hearing Officer hearing process. ~~Should the building elevations for these future buildings not be generally consistent with the elevations dated June 23, 2006, the applicant shall also be required to process a modification to this stipulation to approve the new building elevations through the City's Planning Hearing Officer hearing process.~~

BUILDING HEIGHTS/DENSITY

3. BUILDING P LOCATED AT THE SOUTHEAST CORNER OF THE SITE SHALL BE DEVELOPED WITH ANY SINGLE USE OR MIX OF USES, INCLUDING BUT NOT LIMITED TO HOTEL, RESIDENTIAL, OFFICE AND/OR RETAIL/COMMERCIAL USES AS PERMITTED IN SECTION 623 OF THE ZONING ORDINANCE AND THE CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN.
 - a. A DEVELOPMENT CONSISTING OF OFFICE AND/OR OTHER COMMERCIAL USES SHALL BE IN GENERAL CONFORMANCE WITH THE OPTION 1 OFFICE SITE PLAN DATE STAMPED DECEMBER 1, 2023 WITH SPECIFIC REGARD TO THE FOLLOWING:
 - i. BUILDING HEIGHT SHALL BE A MAXIMUM OF 140 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
 - b. A DEVELOPMENT CONSISTING OF HOTEL AND/OR RESIDENTIAL WITH OR WITHOUT A COMMERCIAL COMPONENT SHALL BE IN GENERAL CONFORMANCE WITH THE OPTION 2 MIXED USE SITE PLAN DATE STAMPED MARCH 1, 2024 WITH SPECIFIC REGARD TO THE FOLLOWING:
 - i. BUILDING HEIGHT SHALL BE A MAXIMUM OF 165 FEET, AS

APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- ii. THE CONFIGURATION, SIZE, AND LOCATION OF THE BUILDING FOOTPRINT FOR A DEVELOPMENT INCLUSIVE OF A RESIDENTIAL OR HOTEL USE MAY BE ALTERED TO ACCOMMODATE FOR VARIED FORMS AND LOCATIONS OF PORTES-COCHERES, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- 4. A TRAFFIC IMPACT STUDY (TIS) SHALL BE SUBMITTED TO THE CITY FOR BUILDING P. NO PRELIMINARY APPROVAL OF PLANS SHALL BE GRANTED UNTIL THE STUDY IS REVIEWED AND APPROVED BY THE STREET TRANSPORTATION DEPARTMENT. THE TIS SHALL INCLUDE AN OPERATIONS ANALYSIS FOR THE 26TH STREET AND CAMELBACK ROAD INTERSECTION. THE DEVELOPER SHALL BE RESPONSIBLE FOR FUNDING AND CONSTRUCTION OF ALL RECOMMENDATIONS OF THE APPROVED STUDY.

- 5. THE DEVELOPER SHALL RETAIN THE EXISTING BUS PAD AND TRANSIT SHELTER ON WESTBOUND CAMELBACK ROAD ON THE WEST SIDE OF 26TH STREET.

- ~~3.~~ ~~That~~ Building heights shall be developed according to Exhibit 8 (mediated agreement) and that bonus building height of 165 feet shall be permitted only for hotel and residential uses with retail uses (including service retail) required in the first at grade level of such buildings located on the pedestrian spine.

- ~~4.~~ ~~That~~ Buildings achieving a bonus height of 165 feet shall have a maximum of 56 feet (measured from finished grade) which shall be utilized for commercial, office or retail.

- ~~5.~~ ~~That~~ The density on the C-2 HR portion of the site shall be limited to 96.8 dwelling units per acre.

STREETSCAPE AND PEDESTRIAN SPINE | CORE IDENTITY PLAN

- ~~6.~~ ~~That~~ The applicant shall participate in the development of designs for signage, light fixtures, walkway surface patterns and other street furniture elements for the pedestrian spine and architectural and engineering drawings for theming, landscaping and other related improvements for the Camelback Road streetscape through the Camelback East Primary Core Specific Plan area.

- ~~7.~~ ~~That~~ The property shall include an outdoor pedestrian component which will represent the northern terminus of the Pedestrian Spine per the Camelback East Primary Core Specific Plan and that, as part of this component, and as

approved by the PLANNING AND Development Services Department.

- a. The developer shall install a pedestrian walkway from the pedestrian underpass on Camelback Road to the retail/residential structure.
 - b. ~~That~~ A “way finding” theme shall be established for the development to identify the pedestrian spine within the project. The theme may be incorporated into elements such as: the pavement on which the pedestrian spine is routed; into the seating and lighting bollards or other pedestrian lighting, along the spine; as well as into directional signage. The “way finding” devices/mechanisms shall in some manner inform/direct those who enter the site that they can maneuver around the site and they can travel through the site to destinations off-site. The applicant shall present the theme concept to the Camelback East Village Planning Committee Camelback Corridor Subcommittee for review and comment prior to preliminary site plan approval as approved by the PLANNING AND Development Services Department.
- ~~8.~~ ~~That~~ Bicycle racks shall be provided on site and located in a covered and secure area.
11.
- ~~9.~~ ~~That~~ The developer, shall together with other developers and commercial property owners in the immediate area, contribute on a fair and equitable basis to the financing of a rubber wheeled trolley system on the loop road as approved by the Planning AND DEVELOPMENT Department.
12.
- ~~10.~~ ~~That~~ All improvements shall comply with ADA accessibility standards.
13.
14. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

ATTACHMENT B



City of Phoenix

Staff Report: PHO-2-24--Z-86-06-6
*REVISED June 4, 2024

APPLICATION #: PHO-2-24--Z-86-06-6

LOCATION: Northeast corner of 24th Street and Camelback Road

EXISTING ZONING: PSC (Approved C-2 HR) CEPCSP

ACREAGE: 33.70

REQUEST:

- 1) Request to modify Stipulation 2 regarding review and approval for a tower exceeding 112 feet and proposed building elevations inconsistent with those dated June 23, 2006 through the Planning Hearing Officer process.
- 2) Technical Corrections to Stipulations 7 and 9.

APPLICANT: Ed Bull, Burch & Cracchiolo P.A.

OWNER: Biltmore Shopping Center Partners

REPRESENTATIVE: Ed Bull, Burch & Cracchiolo P.A.

STAFF RECOMMENDATION

Approval with modifications and additional stipulations, as recommended by the Planning Hearing Officer.

PLANNING HEARING OFFICER RECOMMENDATION

The Planning Hearing Officer heard the request on April 17, 2024, and recommended approval with modifications and additional stipulations.

***VILLAGE PLANNING COMMITTEE RECOMMENDATION**

The Camelback East Village Planning Committee chose not to hear this case.

BACKGROUND/ANALYSIS

The subject site consists of 33.70 gross acres located at the northeast corner of 24th Street and Camelback Road and is zoned PSC (Approved C-2 HR) CEPCSP (Planned Shopping Center, (Approved Intermediate Commercial, High Rise District), Camelback East Primary Core Specific Plan). The applicant is proposing a new tower (Building P on Exhibit K), located on the southeast portion of the property. The applicant is requesting:

- A modification of Stipulation 2 regarding review and approval for a tower exceeding 112 feet and proposed building elevations inconsistent with those dated June 23, 2006 through the Planning Hearing Officer process. The applicant's narrative (Exhibit C) notes they want to create new stipulations to allow for the possible development of two different options for Building P: a 140-foot tall office with retail and mixed-use commercial at grade (Exhibit K and L, option 1) or a 165-foot tall single use or mixed-use tower including residential, hotel, and/or office, with retail and mixed-use at grade (Exhibit K and L, option 2).
- Technical corrections to Stipulations 7 and 9 are regarding the update to the Planning and Development Department name.

On April 24, 2024 the PHO recommendation was appealed by two community members: Christine DeVelis (Exhibit A) and Robert Marino (Exhibit B). Christine DeVelis argues that the wording of the modified stipulation is overly broad and permissive. Robert Marino argues that the project requires further review from the Camelback East Village Planning Committee, more community engagement and a thorough traffic study before moving forward.

PREVIOUS HISTORY

On November 1, 2006, the Phoenix City Council approved Rezoning Case No. Z-86-06-6, a request to rezone approximately 27.33 acres located on the northeast corner of 24th Street and Camelback Road (Exhibit G). The request was to rezone 27.33 acres from PSC (Planned Shopping Center) to C-2 HR (Intermediate Commercial, High Rise District), subject to stipulations (Exhibit F).

The proposed development was intended to provide a mix of retail, residential, and hotel space. Per the proposed conceptual site plan (Exhibit I), the minimum building setbacks for the site were approximately eight feet along 26th Street (Building K, one-story retail with residential above), approximately 190 feet along Camelback Road (Building I, existing two-story retail/office building), approximately 88 feet along 24th Street (Building A, existing three-story building), and approximately 218 feet along Orange Drive (Building B, existing two-story building). The proposed maximum number of dwelling units was 104.

NEIGHBORHOOD CONCERNS

Public Correspondence

Sixty-four letters of concern/opposition were received regarding the lack of neighborhood outreach regarding this application, a request for another neighborhood meeting to discuss the requests, and a request for the Camelback East Village Planning Committee to hear the case. Two letters of support were received supporting the proposed development.

GENERAL PLAN LAND USE MAP DESIGNATION

Residential 15+ dwelling units / acre
 Commercial

CHARACTER OF SURROUNDING LAND USE

	Zoning	Land Use
On-site:	PSC (Approved C-2 HR) CEPCSP	Biltmore Fashion Park (Commercial retail, restaurants, and services)
North: (Adjacent)	P-2 CEPCSP PAD-14 CEPCSP	Parking Multifamily Residential (Condominiums)
East: (Across 26th Street)	C-2 CEPCSP PSC CEPCSP	Hotel Bank
South: (Across Camelback Road)	C-2 H-R SP CEPCSP	Office Multifamily Residential
West: (Across 24th Street)	RE-35 CEPCSP R-5 CEPCSP C-2 H-R CEPCSP	Single-Family Residential Bank Office

PLANNING HEARING OFFICER FINDINGS

- 1) The request for modification of Stipulation 2 is recommended to be approved with a modification. Staff is recommending the modification of Stipulation 2 to delete the requirement for general conformance to the elevations dated June 23, 2006 and create new stipulations to allow for the possible development of one of two different options with permitted building heights depending on the specific use or mix of uses.

The new stipulation (Stipulation 3) allows the submitted site plans to be applicable only to the proposed tower on Building P for the two building heights for either the 140 feet for an office and/or mixed-use commercial tower (Option 1) or 165 feet for a single use or mixed-use tower including residential, hotel, and/or commercial uses (Option 2). Future developments separate from the Building P tower will be able to submit separate site plans specific to those projects, independent of the plans for Building P.

Staff is also recommending approval for the removal of the June 23, 2006 elevations requirement, as these elevations are outdated and are only applicable to the first phase of development, already completed on the site. Elevations and design review will continue to be reviewed and commented on by the Camelback East Architectural Review Committee for each proposed development. Lastly, the proposed tower complies with the Building Height Exhibit B of the Camelback East Primary Core Specific Plan, dated August 24, 2006, which designates the area with a maximum building height of 165 feet.

- 2) Stipulation 4 has been added as a new stipulation at the request of the Street Transportation Department. The stipulation requires a Traffic Impact Study that will evaluate the magnitude of traffic impact the addition of Building P has on the adjacent intersection and existing infrastructure. The study will help determine if additional infrastructure is needed to ensure the traffic in the area continues to operate safely and efficiently with the new addition.
- 3) The Public Transit Department recommends an additional stipulation requiring the developer to retain the existing bus stop pad and transit shelter adjacent to the site. This additional Stipulation has been added as new Stipulation 5.
- 4) The applicant did not submit a Proposition 207 waiver of claims prior to the Planning Hearing Officer hearing. Submittal of this form is an application requirement. An additional stipulation is recommended to require the applicant to record this form and deliver it to the City to be included in the rezoning application file for record (Stipulation 11).

PLANNING HEARING OFFICER RECOMMENDED STIPULATIONS:

1.	That The development of the two Phase 1 towers with residential or hotel uses up to 165 feet shall be in general conformance with the conceptual site plan and elevations dated June 23, 2006.
2.	That The location of future towers beyond Phase 1 shall conform to the Biltmore Fashion Park Building Height Exhibit B, dated August 24, 2006, as set forth in the Camelback East Primary Core Specific Plan, the stipulations of this rezoning case, and the applicable Specific Plan Design Guidelines. For towers seeking bonus building heights above 112 feet, compliance with Specific Plan criteria to achieve such bonus building heights shall be reviewed

	and approved through the City's Planning Hearing Officer hearing process. Should the building elevations for these future buildings not be generally consistent with the elevations dated June 23, 2006, the applicant shall also be required to process a modification to this stipulation to approve the new building elevations through the City's Planning Hearing Officer hearing process.
BUILDING HEIGHTS/DENSITY	
3.	BUILDING P LOCATED AT THE SOUTHEAST CORNER OF THE SITE SHALL BE DEVELOPED WITH ANY SINGLE USE OR MIX OF USES, INCLUDING BUT NOT LIMITED TO HOTEL, RESIDENTIAL, OFFICE AND/OR RETAIL/COMMERCIAL USES AS PERMITTED IN SECTION 623 OF THE ZONING ORDINANCE AND THE CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN.
a.	A DEVELOPMENT CONSISTING OF OFFICE AND/OR OTHER COMMERCIAL USES SHALL BE IN GENERAL CONFORMANCE WITH THE OPTION 1 OFFICE SITE PLAN DATE STAMPED DECEMBER 1, 2023 WITH SPECIFIC REGARD TO THE FOLLOWING:
i.	BUILDING HEIGHT SHALL BE A MAXIMUM OF 140 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
b.	A DEVELOPMENT CONSISTING OF HOTEL AND/OR RESIDENTIAL WITH OR WITHOUT A COMMERCIAL COMPONENT SHALL BE IN GENERAL CONFORMANCE WITH THE OPTION 2 MIXED USE SITE PLAN DATE STAMPED MARCH 1, 2024 WITH SPECIFIC REGARD TO THE FOLLOWING:
i.	BUILDING HEIGHT SHALL BE A MAXIMUM OF 165 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
ii.	THE CONFIGURATION, SIZE, AND LOCATION OF THE BUILDING FOOTPRINT FOR A DEVELOPMENT INCLUSIVE OF A RESIDENTIAL OR HOTEL USE MAY BE ALTERED TO ACCOMMODATE FOR VARIED FORMS AND LOCATIONS OF PORTES-COCHERES, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
4.	A TRAFFIC IMPACT STUDY (TIS) SHALL BE SUBMITTED TO THE CITY FOR BUILDING P. NO PRELIMINARY APPROVAL OF PLANS SHALL BE GRANTED UNTIL THE STUDY IS REVIEWED AND APPROVED BY THE

	STREET TRANSPORTATION DEPARTMENT. THE TIS SHALL INCLUDE AN OPERATIONS ANALYSIS FOR THE 26TH STREET AND CAMELBACK ROAD INTERSECTION. THE DEVELOPER SHALL BE RESPONSIBLE FOR FUNDING AND CONSTRUCTION OF ALL RECOMMENDATIONS OF THE APPROVED STUDY.
5.	THE DEVELOPER SHALL RETAIN THE EXISTING BUS PAD AND TRANSIT SHELTER ON WESTBOUND CAMELBACK ROAD ON THE WEST SIDE OF 26TH STREET.
3. 6.	That Building heights shall be developed according to Exhibit 8 (mediated agreement) and that bonus building height of 165 feet shall be permitted only for hotel and residential uses with retail uses (including service retail) required in the first at grade level of such buildings located on the pedestrian spine.
4. 7.	That Buildings achieving a bonus height of 165 feet shall have a maximum of 56 feet (measured from finished grade) which shall be utilized for commercial, office or retail.
5. 8.	That The density on the C-2 HR portion of the site shall be limited to 96.8 dwelling units per acre.
STREETSCAPE AND PEDESTRIAN SPINE/CORE IDENTITY PLAN	
6. 9.	That The applicant shall participate in the development of designs for signage, light fixtures, walkway surface patterns and other street furniture elements for the pedestrian spine and architectural and engineering drawings for theming, landscaping and other related improvements for the Camelback Road streetscape through the Camelback East Primary Core Specific Plan area.
7. 10.	That The property shall include an outdoor pedestrian component which will represent the northern terminus of the Pedestrian Spine per the Camelback East Primary Core Specific Plan and that, as part of this component, and as approved by the PLANNING AND Development Services Department.
a.	The developer shall install a pedestrian walkway from the pedestrian underpass on Camelback Road to the retail/residential structure.
b.	That A "way finding" theme shall be established for the development to identify the pedestrian spine within the project. The theme may be incorporated into elements such as: the pavement on which the pedestrian spine is routed; into the seating and lighting bollards or other pedestrian lighting, along the spine; as well as into directional signage. The "way finding" devices/mechanisms shall in some manner inform/direct those who

	enter the site that they can maneuver around the site and they can travel through the site to destinations off-site. The applicant shall present the theme concept to the Camelback East Village Planning Committee Camelback Corridor Subcommittee for review and comment prior to preliminary site plan approval, as approved by the PLANNING AND Development Services Department.
8- 11.	That Bicycle racks shall be provided on site and located in a covered and secure area.
9- 12.	That The developer, shall together with other developers and commercial property owners in the immediate area, contribute on a fair and equitable basis to the financing of a rubber wheeled trolley system on the loop road as approved by the Planning AND DEVELOPMENT Department.
10- 13.	That All improvements shall comply with ADA accessibility standards.
14.	PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

Exhibits:

- A- Appeal Document-Christine DeVelis (1 page)
- B- Appeal Document-Robert Marino (1 page)
- C- Applicant's Narrative date stamped March 1, 2024 (54 pages)
- D- Aerial Map (1 page)
- E- Zoning Map (1 page)
- F- Approval Letter from Rezoning Case No. Z-86-06-6 (3 pages)
- G- Sketch Map from Rezoning Case No. Z-86-06-6 (1 page)
- H- PHO Summary for PHO-2-24—Z-86-06-6 from April 17, 2024 (7 pages)
- I- Conceptual Site Plan, date stamped June 23, 2006 (1 page)
- J- Conceptual Elevations, date stamped June 23, 2006 (1 page)
- K- Conceptual Site Plan, date stamped March 1, 2024 (4 pages)
- L- Conceptual Elevations, date stamped March 1, 2024 (2 pages)
- M- Correspondence (67 pages)

EXHIBIT A



APR 24 2024

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

Planning & Development
Department

The PLANNING HEARING OFFICER agenda for April 17, 2024 is attached.

The City Council May Ratify the Recommendation of the Planning Hearing Officer on May 29, 2024 Without Further Hearing Unless:

- A REQUEST FOR A HEARING BY THE PLANNING COMMISSION is filed by 5:00 p.m. on April 24, 2024. (There is a \$630 fee for hearings requested by the applicant.)

Any member of the public may, within seven (7) days after the Planning Hearing Officer's action, request a hearing by the Planning Commission 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. on April 24, 2024.

APPEAL FORM

I HEREBY REQUEST THAT THE PLANNING COMMISSION HOLD A PUBLIC HEARING ON:

PHO-2-24 E-86-06-6 24th St + Camelback
APPLICATION NO. LOCATION OF APPLICATION PROPERTY

Christine "Crystal" DeVelis OPPOSITION APPLICANT
NAME (PLEASE PRINT)

4351 E. Whitton Ave xtalphx@msn.com
STREET ADDRESS: EMAIL:

Phoenix AZ 85018 480-371-0653
CITY, STATE AND ZIP CODE TELEPHONE NO

BY MY SIGNATURE BELOW, I ACKNOWLEDGE THE SCHEDULED HEARING DATE AS FOLLOWS:

APPEALED FROM April 17, 2024 PHO HEARING TO June 10th 2024 PC HEARING
DATE DATE

SIGNATURE: Christine W. DeVelis DATE: 4/24/24

REASON FOR APPEAL: Wording of modification wording overly broad and permissive. No modification until use is defined

APPEALS MUST BE FILED IN PERSON AT THE 2ND FLOOR ZONING COUNTER, 200 W. WASHINGTON STREET, 602-262-7131, Option 6

PLANNER TAKING APPEAL: Greg Harmon

Copies to: Case File PHO Planner – Teresa Garcia PHO Secretary – Ruth Somoza

EXHIBIT B



APR 24 2024

City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

Planning & Development Department

The PLANNING HEARING OFFICER agenda for April 17, 2024 is attached.

The City Council May Ratify the Recommendation of the Planning Hearing Officer on May 29, 2024 Without Further Hearing Unless:

- A REQUEST FOR A HEARING BY TE PLANNING COMMISSION is filed by 5:00 p.m. on April 24, 2024. (There is a \$630 fee for hearings requested by the applicant.)

Any member of the public may, within seven (7) days after the Planning Hearing Officer's action, request a hearing by the Planning Commission 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. on April 24, 2024.

APPEAL FORM

I HEREBY REQUEST THAT THE PLANNING COMMISSION HOLD A PUBLIC HEARING ON:

PHO - 2--24--Z-86-06-6

2502 E. Camelback Road, Phoenix , AZ 85016

APPLICATION NO.

LOCATION OF APPLICATION PROPERTY

Robert Marino

[X] OPPOSITION

[] APPLICANT

NAME (PLEASE PRINT)

2575 E. Camelback Road

Rmarino@tourmalinecp.com

STREET ADDRESS:

EMAIL:

Phoenix, AZ, 85016

215.867.5870

CITY, STATE AND ZIP CODE

TELEPHONE NO

BY MY SIGNATURE BELOW, I ACKNOWLEDGE THE SCHEDULED HEARING DATE AS FOLLOWS:

APPEALED FROM April 17, 2024 PHO HEARING TO June 6th 2024 PC HEARING

SIGNATURE:

DATE:

REASON FOR APPEAL:

As a representative of Esplanade Owner LLC, a property adjacent to the proposed site, we are formally appealing the decision

of the PHO Hearing on April 17th, we believe a project of this scale requires further review from the Camelback East

Village Planning Committee, more community engagement, as well the completion of a thorough traffic study before moving forward.

APPEALS MUST BE FILED IN PERSON AT THE 2ND FLOOR ZONING COUNTER, 200 W. WASHINGTON STREET, 602-262-7131, Option 6,

PLANNER TAKING APPEAL: JH

Copies to:

Case File

PHO Planner - Teresa Garcia

PHO Secretary - Ruth Somoza

EXHIBIT C



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602.229.5200
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Phoenix
San Diego
St. Louis
Scottsdale
Tampa
Tucson
Washington, D.C.

CITY OF PHOENIX

MAR 01 2024

Planning & Development
Department

Benjamin W. Graff
Direct Dial: (602) 229-5696
E-Mail: Benjamin.Graff@Quarles.com

March 1, 2024

City of Phoenix Planning Hearing Officer: Biltmore Fashion Park

I. Introduction

Quarles & Brady LLP submits this Planning Hearing Officer (“**PHO**”) Stipulation and Site Plan Modification application on behalf of Biltmore Shopping Center Partners LLC c/o The Macerich Company (“**Macerich**” or “**Applicant**”) regarding the roughly 32.8-acre site located at the Northeast Corner of 24th Street and Camelback Road (2502 East Camelback Road, Phoenix, AZ 85016) (the “**Property**”). *See* Aerial & Zoning Maps Attached at **Tab A**. The Applicant plans to develop a tower on Building P consisting of two potential development options. “**Option 1**” is a 140-foot office tower consisting of a mix of lower-level commercial uses. “**Option 2**” is a 165-foot single-use or mixed-use tower including hotel, residential, office, and/or retail. This PHO Application responds to the requirements outlined in the stipulations for Rezoning Case No. Z-86-06 as well as the development standards and design guidelines outlined in the Camelback East Primary Core Specific Plan (“**SP**”). *See* Rezoning Case No. Z-86-08 Approval Letter and Stipulated Plans Attached at **Tab B**.

II. Existing Zoning and General Plan

a. Existing Zoning and General Plan Designation

Per the City of Phoenix Zoning Classification Map, the Property is currently split between two zoning districts with a majority of the southern portion of the Property (25.5 gross acres) zoned as C-2 HR (Intermediate Commercial, High-Rise District)¹ and the northern portion of the Property (7.3 gross acres) zoned as P-2 (Parking). *See* Property Zoning Map Attached at **Tab A**. The proposed tower on Building P will be aligned with the approved C-2 HR Zoning and will be in compliance with the underlying zoning district and Specific Plan. *See* Rezoning Case No. Z-86-08 Approval Letter and Stipulated Plans Attached at **Tab B**.

The City of Phoenix General Plan, which serves as the City’s roadmap for development, designates the Property as “Commercial”. The Property is also located within the Camelback East

¹ The City of Phoenix Zoning Index Map shows the Property as PSC (Planned Shopping Center) with approved C-2 HR (Intermediate Commercial, High-Rise District). However, the map is outdated, and we are working with the City to process an administrative map update to reflect the vested C-2 HR zoning district.

Village Primary Core. The Commercial Land Use Category “accommodates office, retail, service and multi-family development at varying scales and intensity of uses.” The Property and proposed Option 1 or Option 2 development will be in compliance with the General Plan. See the Land Use Map from the General Plan Attached at **Tab A**.

Finally, the Property sits in the Camelback East Primary Core Specific Plan. The SP allows for office and/or mixed-use buildings to be at a height of 140 feet. The SP further allows hotel and/or residential building to be at a height of up to 165 feet. See Camelback East Primary Core Specific Plan Height Map Attached at **Tab C**.

b. Zoning History

The below table provides a concise overview of the Property’s extensive zoning history and development background. For the purposes of the PHO Requests, Rezoning Case No. Z-86-06 and its stipulations are the basis of this request. See Rezoning Case No. Z-86-08 Approval Letter and Stipulated Plans Attached at **Tab B**.

Zoning Case	Zoning	Location	Official Supplementary Zoning Map No.	Date Approved
Z-243-61	PSC	Majority of entire Property	H-7 of Ordinance No. G-449	November 29, 1961
Ordinance No. G-449 (Zoning Ordinance and Zoning Map Update)	PSC	Majority of entire Property	H-7 of Ordinance No. G-449	December 28, 1961
Z-323-63	PSC	400’x600’ area at the Northeast Corner of 24 th St. and Camelback Rd.	46	December 5, 1963
Z-119-C-74	PSC	Northern portion of the Property	493	April 29, 1980
Z-131-79	PSC	35’ strip lying north and east of the Northeast corner of 24 th St. and Camelback Rd.	471	July 9, 1979
Z-148-88	PSC and P-2	Northern portion of the Property	875	November 30, 1988

Z-148-88 PHO	PSC and P-2	Northern portion of the Property	875	January 30, 1991
Z-148-88 PHO	PSC and P-2	Northern portion of the Property	875	February 27, 1991
Z-7-91	PSC and P-2	Northern portion of the Property	875	January 30, 1991
Z-86-06	C-2 HR	Entire Property with the exception of the P-2 portion	Pending	November 1, 2006

III. Stipulation Modification Requests

a. Stipulation No. 2 of Rezoning Case No. Z-86-06 Requires PHO Review for Buildings Exceeding 112 Feet and Requires a Stipulation Modification to Amend the Site Plan.

The existing language for Stipulation No. 2 is as follows:

2. That the location of future towers beyond Phase 1 shall conform to the Biltmore Fashion Park Building Height Exhibit B dated August 24, 2006 as set forth in the Camelback East Primary Core Specific Plan, the stipulations of this rezoning case, and the applicable Specific Plan Design Guidelines. For towers seeking bonus building height above 112 feet compliance with Specific Plan criteria to achieve such bonus building heights shall be reviewed and approved through the City’s Planning Hearing Officer hearing process. Should the building elevations for these future buildings not be generally consistent with the elevations dated June 23, 2006 the applicant shall also be required to process a modification to this stipulation to approve the new building elevations through the City’s Planning Hearing Officer hearing process.

Request #1: Review and Approval of building height for Building P to allow either a building height of 140 feet for an office and/or mixed-use commercial tower or 165 feet for a single-use or mixed-use tower including hotel, residential, and/or commercial uses.

Detailed Rationale: The proposed tower on Building P will be developed at the maximum bonus building height per the Camelback East Primary Core Specific Plan. 140 feet is allowed per the Camelback East Primary Core Specific Plan for an office and/or mixed-use commercial tower, which is Option 1. A maximum bonus building height of 165 feet is allowed per the Camelback East Primary Core Specific Plan for a mixed-use tower with hotel and/or residential, which is Option 2.

Rezoning Case No. Z-86-06 specifically authorized heights exceeding 112 feet up to 140 feet or 165 feet depending on the use, with the review and approval of the PHO. Stipulation No. 2 requires the PHO to review the proposed height and ensure the proposal follows the Specific Plan criteria. See **Section V** below which outlines how both Option1 and Option 2 for the proposed office tower are in compliance with the Specific Plan.

Request #2: Stipulation Modification to update stipulated site plan for the proposed tower on Building P.

Proposed Legislative Edit:

2. That the location of future towers beyond Phase 1 shall conform to the Biltmore Fashion Park Building Height Exhibit B dated August 24, 2006 as set forth in the Camelback East Primary Core Specific Plan, the stipulations of this rezoning case, and the applicable Specific Plan Design Guidelines. For towers seeking bonus building height above 112 feet compliance with Specific Plan criteria to achieve such bonus building heights shall be reviewed and approved through the City's Planning Hearing Officer hearing process. ~~Should the building elevations for these future buildings not be generally consistent with the elevations dated June 23, 2006 the applicant shall also be required to process a modification to this stipulation to approve the new building elevations through the City's Planning Hearing Officer hearing process.~~

3. **BUILDING P LOCATED AT THE SOUTHEAST CORNER OF THE SITE SHALL BE DEVELOPED WITH ANY SINGLE USE OR MIX OF USES, INCLUDING BUT NOT LIMITED TO HOTEL, RESIDENTIAL, OFFICE AND/OR RETAIL/COMMERCIAL USES AS PERMITTED IN SECTION 623 OF THE ZONING ORDINANCE AND CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN.**
 - a. **A DEVELOPMENT CONSISTING OF OFFICE AND/OR OTHER COMMERCIAL USES SHALL BE IN GENERAL CONFORMANCE WITH THE OPTION 1 OFFICE SITE PLAN DATE STAMPED DECEMBER 1, 2023 WITH SPECIFIC REGARD TO THE FOLLOWING:**
 - i. **BUILDING HEIGHT SHALL BE A MAXIMUM OF 140 FEET AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**
 - ii. **THE DEVELOPMENT SHALL BE IN COMPLIANCE WITH THE PARKING REQUIREMENTS OUTLINED IN SECTION 702 OF THE ZONING ORDINANCE AND SHALL BE SUBJECT TO PLANNING AND DEVELOPMENT DEPARTMENT REVIEW.**
 - b. **A DEVELOPMENT CONSISTING OF HOTEL AND/OR RESIDENTIAL WITH OR WITHOUT A COMMERCIAL COMPONENT SHALL BE IN GENERAL CONFORMANCE WITH THE OPTION 2 MIXED USE SITE PLAN DATE STAMPED MARCH 1, 2024 WITH SPECIFIC REGARD TO THE FOLLOWING:**
 - i. **BUILDING HEIGHT SHALL BE A MAXIMUM OF 165 FEET AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**
 - ii. **THE DEVELOPMENT SHALL BE IN COMPLIANCE WITH THE PARKING REQUIREMENTS OUTLINED IN SECTION 702 OF THE**

ZONING ORDINANCE AND SHALL BE SUBJECT TO PLANNING AND DEVELOPMENT DEPARTMENT REVIEW.

- iii. THE CONFIGURATION, SIZE, AND LOCATION OF THE BUILDING FOOTPRINT FOR A DEVELOPMENT INCLUSIVE OF A RESIDENTIAL OR HOTEL USE MAY BE ALTERED TO ACCOMMODATE FOR VARIED FORMS AND LOCATIONS OF PORTES-COCHERES.**

Detailed Rationale: The Applicant requests the modification of Stipulation No. 2 to delete the requirement for general conformance to the elevations dated June 23, 2006 and create new stipulations to allow for the possible development of one of two different options with permitted building heights depending on the specific use or mix of uses. The new stipulation allows the submitted site plans to be applicable only to the proposed tower on Building P for the two building heights for either the 140 feet for an office and/or mixed-use commercial tower (Option 1) or 165 feet for a single use or mixed-use tower including residential, hotel, and/or commercial uses (Option 2). Future developments separate from the Building P tower will be able to submit separate site plans specific to those projects, independent of the plans for Building P. The Applicant has also requested the removal of the June 23, 2006 elevations requirement, as these elevations are outdated and are only applicable to the first phase of development already completed on the Property. Elevations and design review will continue to be reviewed and commented on by the Camelback East Architectural Review Committee for each proposed development. Lastly, the proposed tower complies with the Building Height Exhibit B dated August 24, 2006, which designates the area with a maximum building height of 165 feet. *See Exhibit B Attached at Tab B.*

b. The Proposed Tower on Building P Complies with the Following Additional Stipulations from Rezoning Case No. Z-86-06 and Therefore, the Applicant is not Requesting Modifications to These Stipulations.

The remaining stipulations associated with Rezoning Case No. Z-86-06 have been met and modifications are not needed. The stipulations include:

1. That the development of the two Phase 1 towers with residential or hotel uses up to 165 feet shall be in general conformance with the conceptual site plan and elevations dated June 23, 2006.
3. The building heights shall be developed according to Exhibit B (mediated agreement) and that bonus building height of 165 feet shall be permitted only for hotel and residential uses with retail uses (including service retail) required in the first at grade level of such buildings located on the pedestrian spine.
4. That buildings achieving a bonus height of 165 feet shall have a maximum of 56 feet (measured from finished grade) which shall be utilized for commercial office or retail.
5. That the density of the C-2 HR portion of the site shall be limited to 96.8 dwelling units per acre.
6. That the applicant shall participate in the development of designs for signage, light fixtures, walkway surface patterns and other street furniture elements for the pedestrian spine and

architectural and engineering drawings for theming landscaping and other related improvements for the Camelback Road streetscape through the Camelback East Primary Core Specific Plan area.

7. That the property shall include an outdoor pedestrian component which will represent the northern terminus of the Pedestrian Spine per the Camelback East Primary Core Specific Plan and that as part of this component and as approved by the Development Services Department
 - a. The developer shall install a pedestrian walkway from the pedestrian underpass on Camelback Road to the retail/residential structure
 - b. That a “way finding” theme shall be established for the development to identify the pedestrian spine within the project. The theme may be incorporated into elements such as the pavement on which the pedestrian spine is routed into the seating and lighting bollards or other pedestrian lighting along the spine as well as into directional signage. The “way finding” devices/mechanisms shall in some manner inform/direct those who enter the site that they can maneuver around the site and they can travel through the site to destinations off-site. The applicant shall present the theme concept to the Camelback East Village Planning Committee Camelback Corridor Subcommittee for review and comment prior to preliminary site plan approval as approved by the Development Services Department.
8. That bicycle racks shall be provided on site and located in a covered and secure area.
9. That the developer shall together with the other developers and commercial property owners in the immediate area contribute on a fair and equitable basis to the financing of a rubber wheeled trolley system on the loop road as approved by the Planning Department.
10. That all improvements shall comply with ADA accessibility standards.

IV. Project Background and Detailed Description of the Proposed Tower on Building P

a. Property Overview

Biltmore Fashion Park is Arizona's original outdoor luxury shopping center. The center features lush gardens & relaxing fountains and boasts the states only Saks Fifth Avenue, Ralph Lauren, J. Crew, and Diamond-Level Life Time, along with national retailers such as Anthropologie & BHLDN Weddings, Evereve, Arhaus, Skin Laundry, and delectable dining such as Breakfast Club, The Capital Grille, True Food Kitchen, Ambrogio15, Pomo Pizza, Bisutoro, and Blanco Tacos + Tequila.

The Property is located at the Northeast Corner of 24th Street and Camelback Road, with Camelback Road to the south, 24th Street to the west, Orange Drive to the north and 26th Street to the west. The proposed tower (Option 1 or 2) is situated at the Southeast Corner of the Property and will be placed on the Building P designation which is currently being used as a surface parking lot. The Property consists of individual buildings within the center of the Property with both surface parking along the south, east and west sides and garage parking to the north of the outdoor mall. *See* Proposed Option #1 Site Plan Attached at **Tab D** and Proposed Option #2 Site Plan Attached at **Tab E**.

Please note that while the provided site plan includes future development phases for context, including a future garage and residential tower, this PHO application is limited to the proposed tower located on Building P. Conceptual elevations not intended for any general conformance compliance standards are also attached at **Tab F**.

b. Site Plan Descriptions

In the heart of Phoenix's Biltmore Fashion Park, the potential 140-foot tower consisting of a mix of commercial uses (Option 1) and a potential 165-foot tower consisting of a single use or mix of uses including a hotel and/or residential component (Option 2) are poised to seamlessly blend into the upscale ambiance of the area while offering an exceptional mix of luxury, convenience, and sustainability. The proposed tower enjoys a prime location, nestled at the corner of Camelback Road and 26th Street. This puts it at the crossroads of luxury shopping, gourmet dining, and cultural experiences, making it the ideal choice for businesses seeking to combine work and leisure seamlessly. *See Proposed Option #1 Site Plan Attached at **Tab D** and Proposed Option #2 Site Plan Attached at **Tab E**.*

(i). Option 1 Tower

The ground level of the Option #1 Tower hosts a selection of premium retail spaces, offering tenants and visitors an opportunity to indulge in shopping and dining. Embracing environmental responsibility, the Option #1 Tower incorporates energy-efficient systems, lighting, and an environmentally conscious approach to waste management. This commitment to sustainability not only reduces the carbon footprint but also creates a healthier work environment. Inside, the Option #1 Tower offers a variety of forward-thinking office spaces tailored to the demands of modern businesses. Flexible layouts, cutting-edge technology infrastructure, and abundant natural light create a vibrant and productive atmosphere. To embrace the beauty of the mountains in the northeast, the Option #1 Tower also offers a pavilion and amenity deck on the 10th floor for the luxury of its users to host events with the best views of the valley. *See Proposed Option #1 Site Plan Attached at **Tab D**.*

To meet the parking needs of modern businesses and visitors, the Option #1 Tower includes a below-grade parking level, complete with a dedicated entrance either directly off of 26th Street or from the opposite driveway. Additionally, a future standalone parking structure (not a part of this PHO application) on the Northeast corner of the development ensures ample parking for tenants and guests, guaranteeing a stress-free commute. The Option #1 Tower at Biltmore Fashion Park is poised to redefine office spaces. With its coveted location, mixed-use concept, sustainable features, and a commitment to luxury and convenience, it represents a significant addition to the community and reimagines the office experience in Phoenix. It stands as a testament to the enduring allure of Biltmore Fashion Park and its potential to shape the future of the city.

(ii). Option 2 Tower

Boasting a coveted location, the Option #2 Tower stands as a testament to convenience and accessibility. Positioned at the gateway of Camelback Road and 24th Street, residents will have direct access to high-end retail and gourmet dining. The ground floor of the Option #2 Tower will be dedicated to retail spaces, providing residents/guests with exclusive shopping and dining experiences. This integrated approach extends the Biltmore Fashion Park's renowned elegance to your doorstep. The Option #2 Tower's prime location within the Biltmore Fashion Park and central location in Phoenix makes this a highly desired and unique housing/hotel opportunity for Phoenix residents. This building not only contributes to a more sustainable future but also fosters a healthier and more inviting living environment. The Option #2 Tower at Biltmore Fashion Park is poised to redefine luxury living in Phoenix. With its enviable location, mixed-use concept, commitment to sustainability, and unwavering dedication to luxury and convenience, the Option #2 Tower sets a new standard for the community. See Proposed Option #2 Site Plan Attached at **Tab E**.

Addressing the parking needs of its residents/guests, the Option#2 Tower features below-grade parking with a dedicated entrance, ensuring seamless and secure parking options. Parking will be addressed by a future parking garage in the same manner as described for the Option 1 Tower and will be in compliance with §702 of the City of Phoenix Zoning Ordinance.

V. Both Proposed Tower Options Comply with and Embrace the Goals and Standards of the Camelback East Primary Core Specific Plan, and the Bonus Provisions Required to Utilize the Maximum 165 Foot Height Prescribed by the Specific Plan.

The Property is located in the Camelback East Primary Core Specific Plan (“SP”) which provides additional development standards and design guidelines beyond the base C-2 HR Zoning District. The Specific Plan was originally approved in 1991 with an update in 2006. The Specific Plan designated the Property as “Mixed-Use,” and the Specific Plan includes a two-tiered core form consisting of the Core Center (intense land uses serving the village) and the Core Gradient (area of transition from the core to surrounding single-family areas). The Property is located within the Core Center. Within the two-tiered core form there are subareas identified. The Property is split into the CC3b (Core Center 3b), CC1 (Core Center 1) and CG2 (Core Gradient 2) sub areas. The subareas allow additional incentives for building height and other design guidelines and development standards. See Specific Plan Land Use Plan and Intensity and Density Plan Maps Attached at **Tab A**.

Proposed Tower Option 1 and 2 meet the Specific Plan Design Guidelines and Development Standards as set forth in the applicable sections of the Special Permit. The below table summarizes the development standards required in Section 5.2.4 Table E of the Specific Plan and how the Proposed Tower are meeting those standards. Please note the development standards are taken for the entire Property.

<u>Standard</u>	<u>CC3b: Biltmore Fashion Park</u>		<u>Option #1 Tower</u>	<u>Option #2 Tower</u>
	<u>Base</u>	<u>Bonus</u>		
FAR	1.0	1.38	0.65	0.71
Building Height	8(112')	140' or 165'	140'	165'
Additional Building Height restrictions	<p><u>Commercial and residential:</u> height allowed as per Exhibit A except that building height between 112' and 140' is subject to rezoning approval 112'</p> <p><u>Residential/hotel:</u> as per Exhibit A, 165' subject to rezoning approval. The first 56 feet of height may be used for commercial, office or retail activity</p>		Rezoning approval per Rezoning Case No. Z-86-06 permitted additional height to the bonus maximum, with a PHO required for heights over 112' per Stipulation No. 2. The building height is also in compliance with Exhibit A which designates the portion of the Property at 165 feet.	Rezoning approval per Rezoning Case No. Z-86-06 permitted additional height to the bonus maximum, with a PHO required for heights over 112' per Stipulation No. 2. The building height is also in compliance with Exhibit A which designates the portion of the Property at 165 feet.
Density	96.8 du/acre		N/A	18.6 du/acre
Lot Coverage	Underlying zoning: C-2 Zoning - 50%		32.3%	29.9%
Setbacks	Underlying zoning: C-2 Zoning – Adjacent to Streets (For Structures exceeding two stories and 30') – Average 30'		<p>East (Along 26th St.) – Minimum 28' with an Average of 30'</p> <p>South (Along Camelback Rd.) – Minimum 28' with an Average of 30'</p>	<p>East (Along 26th St.) – Minimum 28' with an Average of 30'</p> <p>South (Along Camelback Rd.) – Minimum 28' with an Average of 30'</p>
Step Back from Single-Family	Per underlying zoning and presumptive design guideline B.2.2		N/A Not located within 150 feet of a single-family residential district (Design Guideline B.2.2)	N/A Not located within 150 feet of a single-family residential district (Design Guideline B.2.2)
Open Space – Total	<u>Commercial Use:</u> 10% of Gross Site Area		Existing Open Space - 23.5%	Existing Open Space - 23.5%
Parking Spaces	<u>Commercial Use:</u> Per Section 702		Required: 3,066 Provided: 3,287	<u>Residential:</u> Required: 2,796 <u>Hotel:</u> Required: 3,006 Provided: 3,148

Section 5.4.4 of the Specific Plan outlines additional Design Guidelines, in addition to the City-Wide Design Review Guidelines, per Section 507. Table A of the Phoenix Zoning Ordinance, that must be met. The below table summarizes the Design Guidelines outlined in Section 5.4.4. of the Specific Plan and how the proposed tower is meeting all guidelines. Please note only the Design Guidelines applicable to the proposed tower are listed.

<u>Design Guideline</u>	<u>(R)</u> <u>(P)</u> <u>(C)</u>	<u>Proposed Tower</u>																													
<u>A. Site Design/Development</u>																															
<u>A.3 Landscape Architecture</u>																															
3.1.1. Materials listed on the Phoenix low-water use plant list should be used within the right-of way. However, the selected plant material should contribute to the Biltmore landscape design theme.	P	The landscape design intent is to preserve the existing palette of material.																													
<p>3.1.2. On private property, the existing "Old Phoenix" or "Arizona Biltmore" landscape theme should be continued and strengthened in the Core Center and Core Gradient through use of plant materials such as:</p> <table border="1" data-bbox="289 1031 816 1409"> <thead> <tr> <th>TREES</th> <th>SHRUBS</th> <th>ACCENTS</th> </tr> </thead> <tbody> <tr> <td>jacaranda</td> <td>oleanders</td> <td>roses</td> </tr> <tr> <td>Palms</td> <td>privet</td> <td>annuals</td> </tr> <tr> <td>olive trees</td> <td>boxwood</td> <td>jasmine</td> </tr> <tr> <td>eucalyptus</td> <td>pyracantha</td> <td>specimen</td> </tr> <tr> <td>pepper</td> <td>catclaw</td> <td>Cacti</td> </tr> <tr> <td>trees</td> <td></td> <td></td> </tr> <tr> <td>juniper</td> <td>bougainvillea</td> <td></td> </tr> <tr> <td>mesquite</td> <td>palo verde</td> <td></td> </tr> </tbody> </table> <table border="1" data-bbox="280 1444 824 1486"> <tr> <td>GROUNDCOVERS</td> <td>turf</td> </tr> </table> <p>These and other "historic" plant materials should be used in combination with native plants and other low-water use landscape materials. This landscape theme features cacti and other native plants as exotics, setting them in a framework of plant materials historically used in the Core area.</p>	TREES	SHRUBS	ACCENTS	jacaranda	oleanders	roses	Palms	privet	annuals	olive trees	boxwood	jasmine	eucalyptus	pyracantha	specimen	pepper	catclaw	Cacti	trees			juniper	bougainvillea		mesquite	palo verde		GROUNDCOVERS	turf	P	The existing palette of materials will be used on the project to continue the richness that exists at Biltmore Fashion Park.
TREES	SHRUBS	ACCENTS																													
jacaranda	oleanders	roses																													
Palms	privet	annuals																													
olive trees	boxwood	jasmine																													
eucalyptus	pyracantha	specimen																													
pepper	catclaw	Cacti																													
trees																															
juniper	bougainvillea																														
mesquite	palo verde																														
GROUNDCOVERS	turf																														
3.4.1. An overall theme should be established for the gateways with public input, by an artist or artist collaboration selected through the Phoenix Arts Commission's public art guidelines and process. An artist	C	The goal is to maintain the presence already established at Biltmore Fashion Park.																													

<p>or artists should be involved in the design and construction of all Core Gateways.</p> <p>A. Core Gateways should be established within the public right-of-way at:</p> <ol style="list-style-type: none"> 1. 26th Street and Camelback Road; 2. 24th Street, south of Colter Avenue; 3. 24th Street at Highland Street; 4. Piestewa Peak Parkway and Camelback Road (for Camelback Road traffic) 5. Piestewa Peak Parkway and Highland 		
<p>B. Developers and other private sector interests should be encouraged to contribute to the development of the Gateways.</p>	C	Acknowledged
<p>C. Highest priority and symbolic importance should be given to the Camelback Road Gateways.</p>	C	Acknowledged
<p>D. Gateways should indicate the boundaries of special Core landscaping and streetscape treatment.</p>	C	Acknowledged
<p>3.4.2. Locate fountains and/or other water features at those points along the pedestrian spine where the highest concentrations of pedestrians are anticipated engage in activities other than walking through the area</p>	P	Acknowledged
<p>3.4.3. Developers should consider planning for and installing public art within their projects or the adjoining right-of-way and provide opportunities for artist/designer collaborations in accordance with the City's "Private Percent for Art Guidelines."</p>	C	Acknowledged
<p>A.4 Open Space/Amenities</p>		
<p>4.1 Shade and street furnishings should be provided for the comfort and convenience of pedestrians especially within and/or adjoining the pedestrian spine, (see Map 8 of Specific Plan). Furnishings should include pedestrian lighting fixtures and one or more of the following:</p> <ul style="list-style-type: none"> • drinking fountains • benches • trash receptacles • information kiosks 	P	Pedestrian amenities will be provided consistent with what is existing at the Biltmore Fashion Park
<p>4.2 The Location of active uses at ground level in high-traffic pedestrian areas with particular emphasis along the pedestrian spine should be encouraged, including one or more of the following uses:</p> <ul style="list-style-type: none"> • Retail • restaurants (food and beverage) • service (includes public, community uses) 	P	Retail will be provided at the ground level

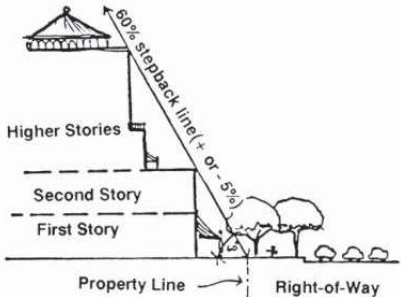
<ul style="list-style-type: none"> • entertainment • outdoor room with eating options • public art with kinetic movement or descriptive interpretation narrative • office space with visual interactive glazing • display windows or shadow boxes 		
4.3. Uses and activities that "spill out" into pedestrian areas, especially those adjoining the pedestrian spine (sidewalk cafes, etc.) should be encouraged. Open space provided in front of a building should be an extension of the public streetscape and act as a transition to the building.	P	Enhanced streetscape providing outdoor seating will be developed further.
4.4. Along the defined pedestrian spine, active, pedestrian outdoor public spaces (a plaza, courtyard, garden, "outdoor room," or a promenade) should be provided within private developments and connected with pedestrian walkways.	P	Will be provided.
A.5 Trails/Pathways/Walkways		
5.1. Continuous sidewalks or other pedestrian walkways linking private developments with sidewalks along public streets should be provided.	P	Will be provided.
5.2. A continuous walkway system shall be as shown on Map 8, pedestrian facilities plan. The pedestrian spine should always be continuous and provide connectivity between pedestrian destinations, even if the alignment is modified.	P	Will be provided.
B. Access via public streets should be provided in the form of a continuous sidewalk connecting all residential areas within or adjacent to the Core Center or Gradient to Camelback Road.	P	Sidewalks and connections are existing.
5.5. Pedestrian spine identity items and way- finding aides shall be provided, including decorative hardscape, medallions, lighting standards and luminaries	P	Will be provided.
A.6 Parking/Circulation		
6.1.2. Within the Core Center, all parking for office uses should meet the following standards. A. If such parking exceeds 50 spaces, 80 percent of the total number of parking spaces required for office use must be within above grade or below grade parking structures.	P	Will be provided.
B. This requirement can be varied by 20 percent subject to approval of a use permit through the Zoning Administrator.	P	Acknowledged

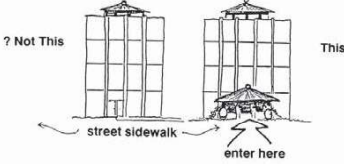
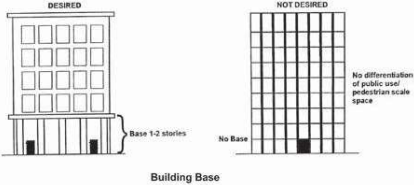
<p>C. These guidelines apply to the review of a development plan for office uses within the Core Center. For development plans which include more than one phase of office construction, the development plan should demonstrate how this requirement will be complied with when office development exceeds 50 spaces. If an existing office development with 50 parking spaces or less proposes to expand and exceed 50 spaces, then the total existing and proposed spaces should comply with these guidelines.</p>	<p>P</p>	<p>Will be provided.</p>
<p>6.3.1. Interruptions to pedestrian circulation along streets e.g., driveways, private streets, garage entrances) should be minimized.</p> <p>A. Driveways within or near bus stop zones should be eliminated to avoid vehicular/pedestrian conflicts and to avoid sight distance constraints around transit structures for vehicles exiting from developments.</p>	<p>P</p>	<p>Will comply</p>
<p>B. Driveways along major streets shall be limited to one per property per street. For properties in excess of 660 feet of frontage along a street, driveways shall be allowed at a minimum separation of 330 feet.</p>	<p>P</p>	<p>We are using the existing street and driveway access points and not creating any new curb cuts.</p>
<p>6.3.2. Bicycle facilities (such as wide curb lanes, bicycle lanes or paths consistent with AASHTO standards) should be provided linking Core developments to adjoining neighborhoods and to the citywide bikeway system.</p>	<p>C</p>	<p>Bicycle facilities are existing</p>
<p>6.4.1. Secure bicycle parking areas must be provided, preferably in supervised enclosures or in bicycle lockers. The provision of bicycle parking may be phased per approval of the Traffic Management Association. However, a minimum of 25% of the required bicycle parking shall be provided at the time of construction.</p> <p>A. Bicycle parking must be located within parking structures or other secure covered areas for employees and within convenient distance of primary commercial and community facility destinations.</p>	<p>C</p>	<p>Will be provided</p>
<p>B. Bicycle parking spaces must be provided at a ratio of one space per 10,000 square feet of retail uses and one space per 15,000 square feet of office or other non-residential uses.</p>	<p>C</p>	<p>Will be provided</p>

<p>C. Bicycle parking spaces must be either within lockers, a secure enclosure or other facility designed for use of high-security locks, for securing both wheels and frame and offering support (per Appendix J, Arizona Bicycle Facilities Planning and Design Guidelines, 1988). A minimum space of two feet by six feet per bicycle should be provided.</p>	<p>C</p>	<p>Will be provided</p>
<p>A.8 Site Lighting</p>		
<p>Citywide lighting standards apply to all light sources in each phase of development.</p>	<p>R</p>	<p>In compliance, site lighting is existing in this area</p>
<p>A.10 Improvement within the Public Right-of-Way</p>		
<p>10.2. Design elements should be provided within the public right-of-way that contributes to creating a lively and interesting street environment. (This guideline refers to elements that go beyond the merely functional. They can include art, water features, AND gathering places for people, or entertainment.) A. Public art should be incorporated into the streetscape as a part of the City's "Percent for the Arts" program.</p>	<p>C</p>	<p>Will be considered.</p>
<p>B. A diversity of overall streetscape elements should be provided within a consistent framework.</p>	<p>C</p>	<p>We want to be consistent with what is existing and already improved along this portion of Camelback Road at the Biltmore Fashion Park.</p>


<p>10.3. For development site frontage within the Core and adjoining Camelback Road, 24th Street, 22nd Street, 20th Street, 16th Street (east side), and Highland Avenue, ten-foot (10) wide sidewalks should be provided and separated from the roadway with a six-foot (minimum width) landscaped area to achieve the following benefits:</p> <ul style="list-style-type: none"> • Increased aesthetic quality • Increased safety • Increased incentive to walk • Decreased noise • Decreased fumes • Decreased dirt • Decreased heat <p>Separation of sidewalks from the roadway is required except at bus stops and pedestrian street crossings or where access to the curb is necessary, or on the north side of Camelback, between 24th and 26th streets, to maintain the established, mature olive tree theme. If a transit shelter is provided, the distance between curb and right-of-way line shall be increased by the width of the transit shelter if the shelter is placed between curb and sidewalk. (See also Design Guideline A.10.10)</p>	<p>P</p>	<p>It is our intent to maintain the existing mature landscape along the North side of Camelback Road.</p>
<p>10.5. Transit waiting areas should be of a design, consistent with the Core's design theme. They should be designed to meet or exceed City standards for shelter, information, location and convenience</p>	<p>C</p>	<p>We are intending to keep the existing waiting area.</p>
<p>10.7. Views from the roadway of Piestewa Peak and Camelback Mountain should be framed with a formal, double row of trees, spaced approximately 25 feet on center. The double row of street trees shall be planted along 24th Street, Camelback Road, Highland Avenue, 20th Street and 22nd Street.</p> <p>C. One theme tree shall be adopted for each of the following streets as follows:</p> <ul style="list-style-type: none"> • Camelback Road - Native Mesquite, Medjool Date Palm and Swanhill Olive • Highland Street - Native Mesquite, and Swanhill Olive • 24th Street - Palo Brea, Swanhill Olive (adjacent to Biltmore Fashion Park) • 20th Street - Palo Brea • 22nd Street - Palo Brea 	<p>P</p>	<p>Both Mejool Date Palm and Swanhill Olive are existing on Camelback Road.</p>

<p>The outer (street side) row of trees will be exclusively of the "theme" variety; and the inner row shall use the theme tree to supplement existing trees along the sidewalk. The intention is not to remove existing, mature trees to create the "inner row" if such trees are located in the way of the formal street trees but to use the "theme" trees to finish out the row and create a strong landscape transition.</p>		
<p>D. A continuous streetscape theme should be established based on the "Arizona Biltmore Hotel" style utilizing street trees, street and pedestrian scaled light standards, street furniture, and street medians as primary elements. An artist or artists shall be included in the development of this theme and in the design and construction of appropriate streetscape elements. This streetscape treatment should be used on Camelback Road from 26th Street to the Piestewa Peak Parkway, on Highland Avenue from 24th Street to the Piestewa Peak Parkway, on 20th Street from Highland Avenue to the post office, on 22nd Street from Highland Avenue to Camelback Road and on 24th Street from Highland Avenue to the north boundary of Biltmore Fashion Park.</p>	<p>P</p>	<p>We will enhance the new landscape to be based on the Arizona Biltmore Hotel from the back of sidewalk to the building edge.</p>
<p><u>B. Building Design/Construction</u></p>		
<p>B.1 Placement/Orientation</p>		
<p>1.1. A strong and relatively continuous building frontage adjacent to public streets and the pedestrian spine should be provided. A minimum 30% of the lot frontage should include buildings at the setback line of each lot* along the defined pedestrian spine, with the exception of intersecting walkways and outdoor rooms, the frontage should be continuous along at least one side of the defined pedestrian spine. On the Colonnade (CCI) site this is most important along 20th Street. * "lot" means the project development lot for zoning.</p>	<p>P</p>	<p>Will be provided.</p>
<p>1.2. Use streetscape elements (landscaping, art, special paving) to provide visual interest where buildings are not at the setback line to provide continuity.</p>	<p>P</p>	<p>Will be provided.</p>
<p>1.3. Development proposals should analyze and illustrate on the shading plan the impacts of summer and winter sun</p>	<p>C</p>	<p>The project will provide shading on the North side of</p>

<p>and shade of pedestrian spaces (plazas, walkways, public sidewalks, etc.) and on adjoining neighborhoods.</p> <p>A. Projects should minimize negative microclimatological impacts on adjacent residences and pedestrian areas.</p>		<p>the project, minimizing the southern exposure.</p>
<p>B.2 Height, Bulk and Area</p>		
<p>2.1. Buildings should be designed so they do not extend closer to the street than a line drawn at 60 degrees from the front property line (plus or minus 5% or 3 degrees) on Camelback Road, 24th Street, 20th Street, 22nd Street and Highland Avenue.</p> 	<p>P</p>	<p>The Proposed Tower will be articulated and will have step back at the second floor with the stepback slope of +/- 75 degrees.</p>
<p>B.3 Architecture</p>		
<p>3.2. Architectural design and site planning should be considered that incorporate a design theme that is compatible with a strong regional, cultural and environmental awareness.</p>	<p>C</p>	<p>The architectural expression for this building will be a welcome addition to the East Camelback Core area and will strengthen the Biltmore Fashion Park area.</p>
<p>B.4 Articulation</p>		
<p>4.1. Design elements at ground level, especially along the pedestrian spine, should be created with sufficient variety and detail to be of interest to pedestrians by providing three or more of the following:</p> <ul style="list-style-type: none"> A. Architectural details and articulation B. Visual links to open spaces within developments. C. Ground level building facades that incorporate a substantial portion of their frontage as transparent elements. D. People-active areas and uses (balconies, terraces, patios, etc.). E. Intersections/movement options for pedestrians should be frequent, avoiding long, blank walls. 	<p>P</p>	<p>The ground plane will have multiple retail tenant opportunities that will anchor the existing paseo between LifeTime and ground level retail to the East.</p>

<p>4.2. Highly visible and direct pedestrian access to buildings, transit waiting areas and businesses should be provided from the public streets, the pedestrian spine, and internal plazas.</p> <ul style="list-style-type: none"> A. Building entries should be architecturally prominent. B. Ground floor retail and service businesses located within 50 feet of a public street should have direct access from the public street. C. Barriers such as walls and hedges between buildings and bus stops should be avoided. D. Provide at least one building or site entrance per block per public street or 300 feet whichever is less.  <ul style="list-style-type: none"> E. All buildings over four stories in height should be designed with a building base that is differentiated from the remainder of the building in order to relate to a pedestrian scale.  <ul style="list-style-type: none"> F. Walls without windows or shadow boxes shall not exceed thirty percent of the area of the first 12 feet of the height of the building within 100 feet facing a street or designated G. pedestrian spine or outdoor room. 	<p>P</p>	<p>Will be provided.</p>
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<p>B.7 Screening</p>		
<p>7.1. Loading and storage areas, mechanical and electrical equipment and refuse areas should face away from public streets.</p>	<p>P</p>	<p>Will be provided, the Proposed Tower is very tight and loading areas will be screened and architecturally treated to minimize its visual impact</p>

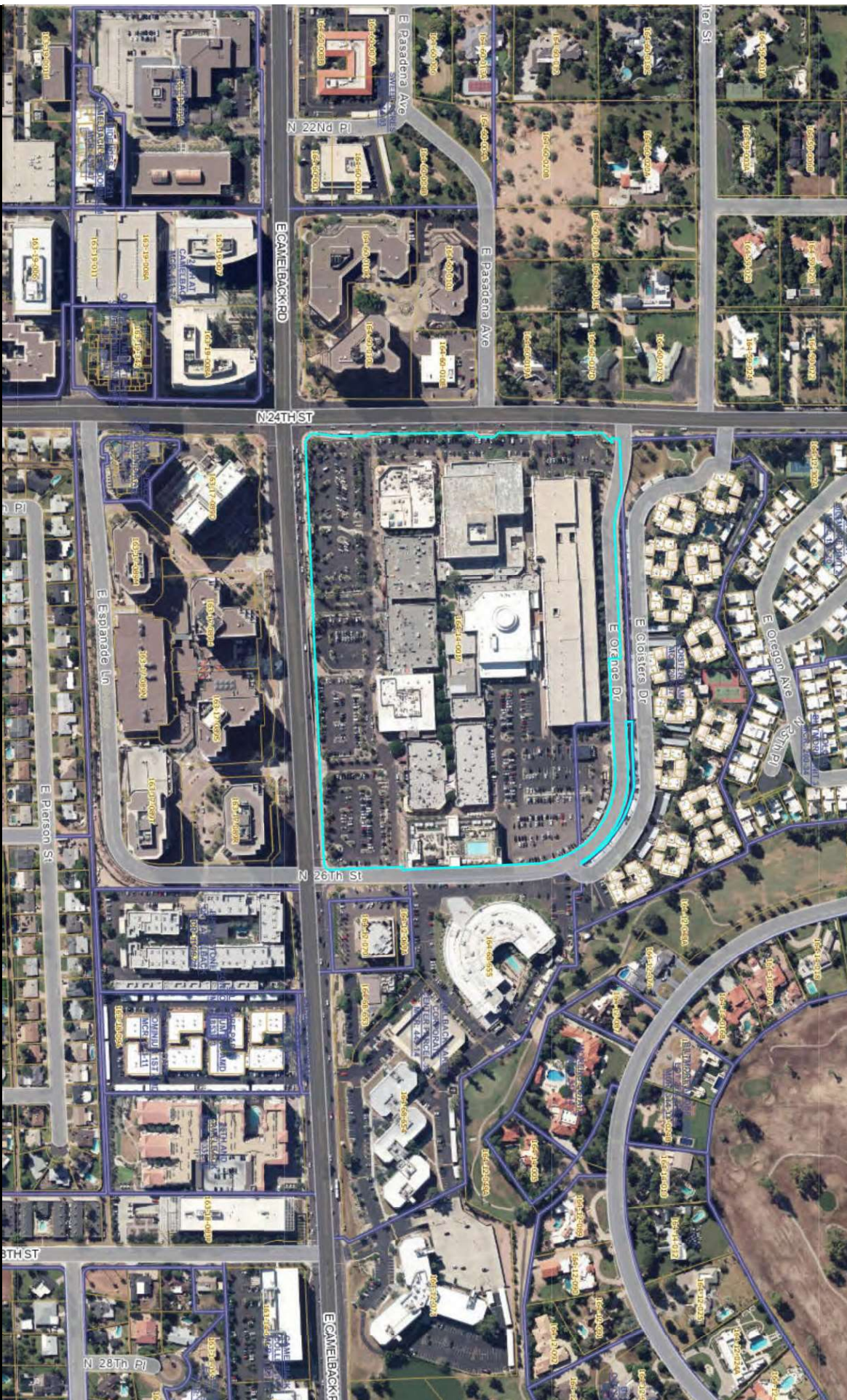
 <p>Refuse areas to be either o inside building (preferable) o screened with (min.) 6 foot solid masonry wall and gates o screen wall finish to match the building</p>		
<p>D. Specialized Uses</p>		
<p>D.4. Signs</p>		
<p>4.1.1. Quality, durable materials, compatible with site and building design, should be incorporated in the sign design and construction. Materials such as masonry, concrete, stainless steel, natural rock or stone should be incorporated. Unless compatible with the building design, visible aluminum should be used on a minimal basis. Internally illuminated panels are discouraged. Routed or individual letters are preferred. There shall be consistency in the quality and durability of materials between the panels used on the sign.</p>	<p>P</p>	<p>All signage will be consistent in quality and conform to the CSP for The Biltmore Fashion Park</p>
<p>4.2.1. Where a sign is blocked by an abutting building a building identification sign shall be placed at the lowest possible height that will provide visibility from of the abutting arterial or collector street, while the street address numerals, if used, may be placed no higher than the story immediately above the building identification sign.</p>	<p>R</p>	<p>Signage will conform to the Biltmore Fashion Park CSP.</p>
<p>4.2.2. Retail buildings shall have no wall signs above a height of 56 feet.</p>	<p>R</p>	<p>Will comply</p>
<p>4.2.3. The maximum sign height of a ground sign in the Core allowable after design review and/or by a comprehensive sign plan shall be twenty (20) feet.</p>	<p>R</p>	<p>Will comply</p>
<p>4.2.4. Multifamily residential buildings, hotels and parking structures shall have wall signs no higher than the tope of the second story. Hotels may have wall signs up to a height of 56 feet.</p>	<p>R</p>	<p>Will comply</p>
<p>4.2.5. Unless otherwise regulated by the fire code, office buildings, including banks, of more than two stories shall have wall signs no higher than the top of the second story, except for street address numerals which may be located on the first or second story.</p>	<p>R</p>	<p>Signage will be allowed to be located above the second floor consistent with the approved Biltmore CSP.</p>
<p>4.2.7. No roof signs or roof-mounted signs shall be allowed in the Core. The horizontal surface of sidewalks, pedestrian areas, landscaped areas, private street surfaces and similar surfaces shall not be used for signs.</p>	<p>R</p>	<p>Will comply</p>

VI. Conclusion

The Applicant plans to develop a tower on Building P under one of two options: Option 1, a potential 140-foot tower with various commercial uses, and Option 2, a potential 165-foot tower with a single use or mix of uses including hotel, residential and/or commercial. This PHO Application seeks the City's review and approval for building height and modification to Stipulation No. 2 to ensure consistency with underlying zoning stipulations, the Specific Plan, and the proposed tower. We look forward to working with the City on the PHO application and hearing process.

TAB A

AERIAL MAP



APN: 164-14-001Y

2502 E CAMELBACK RD PHOENIX, AZ 85016

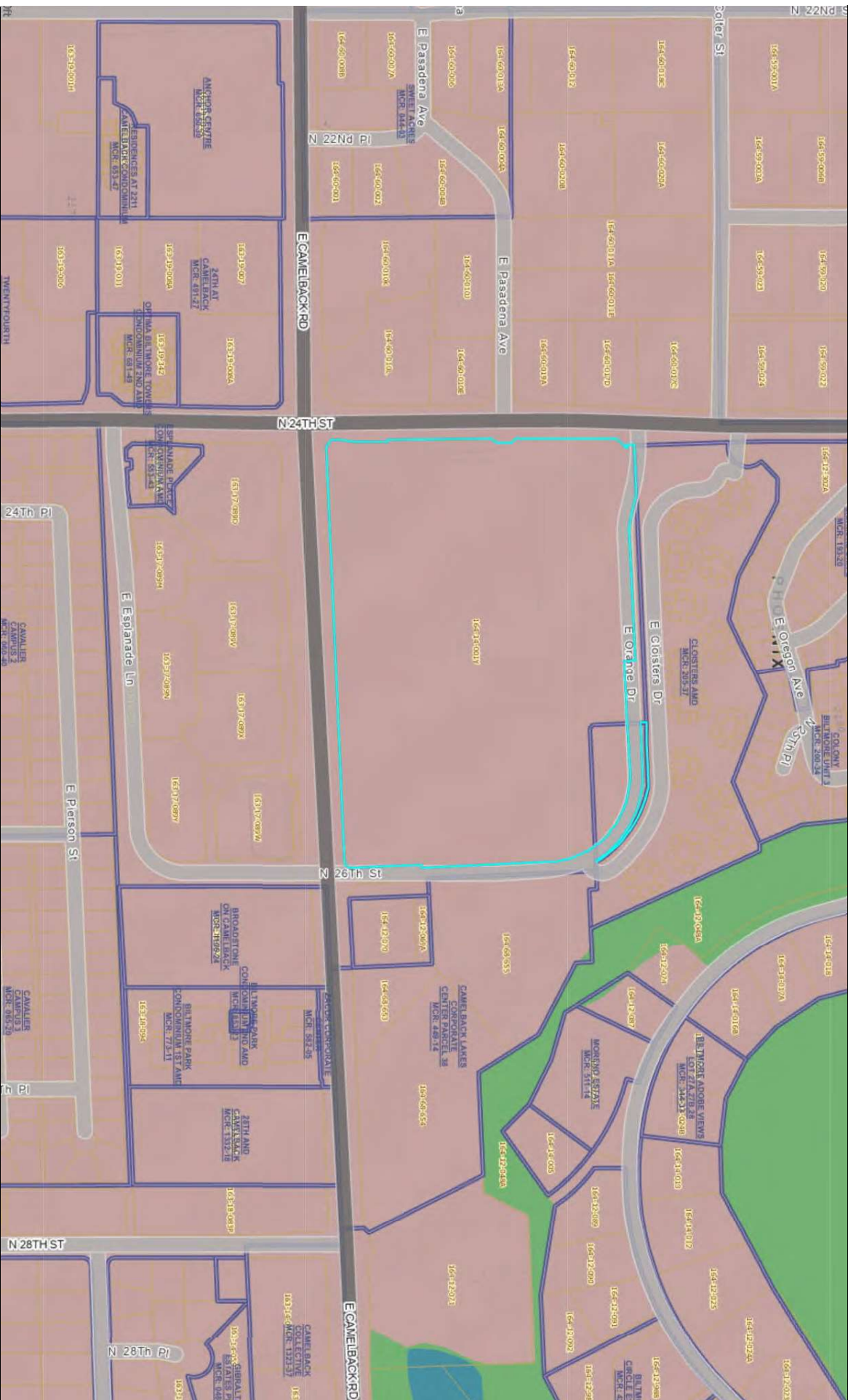


AERIAL MAP



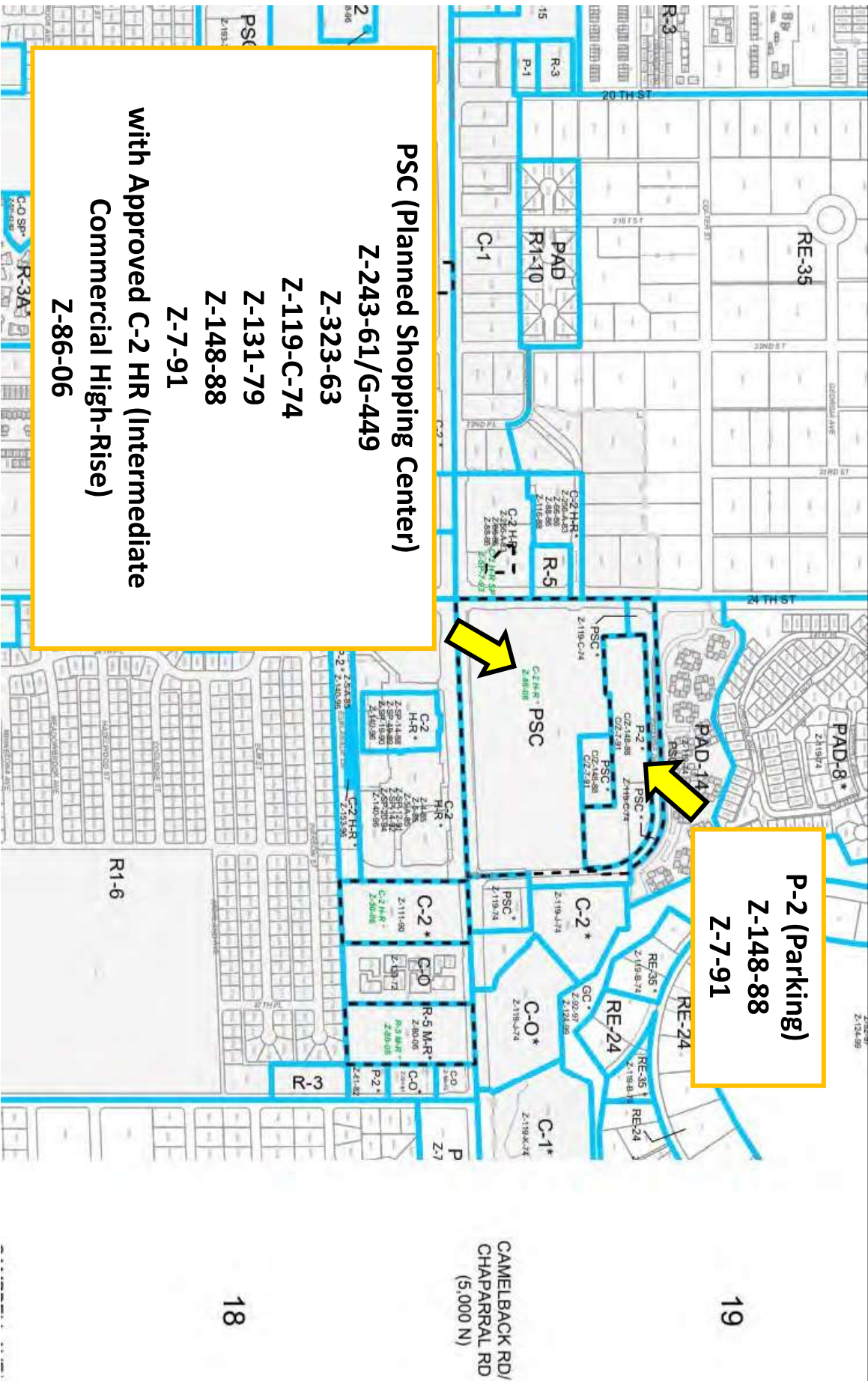
APN: 164-14-001Y
2502 E CAMELBACK RD PHOENIX, AZ 85016

PARCEL MAP



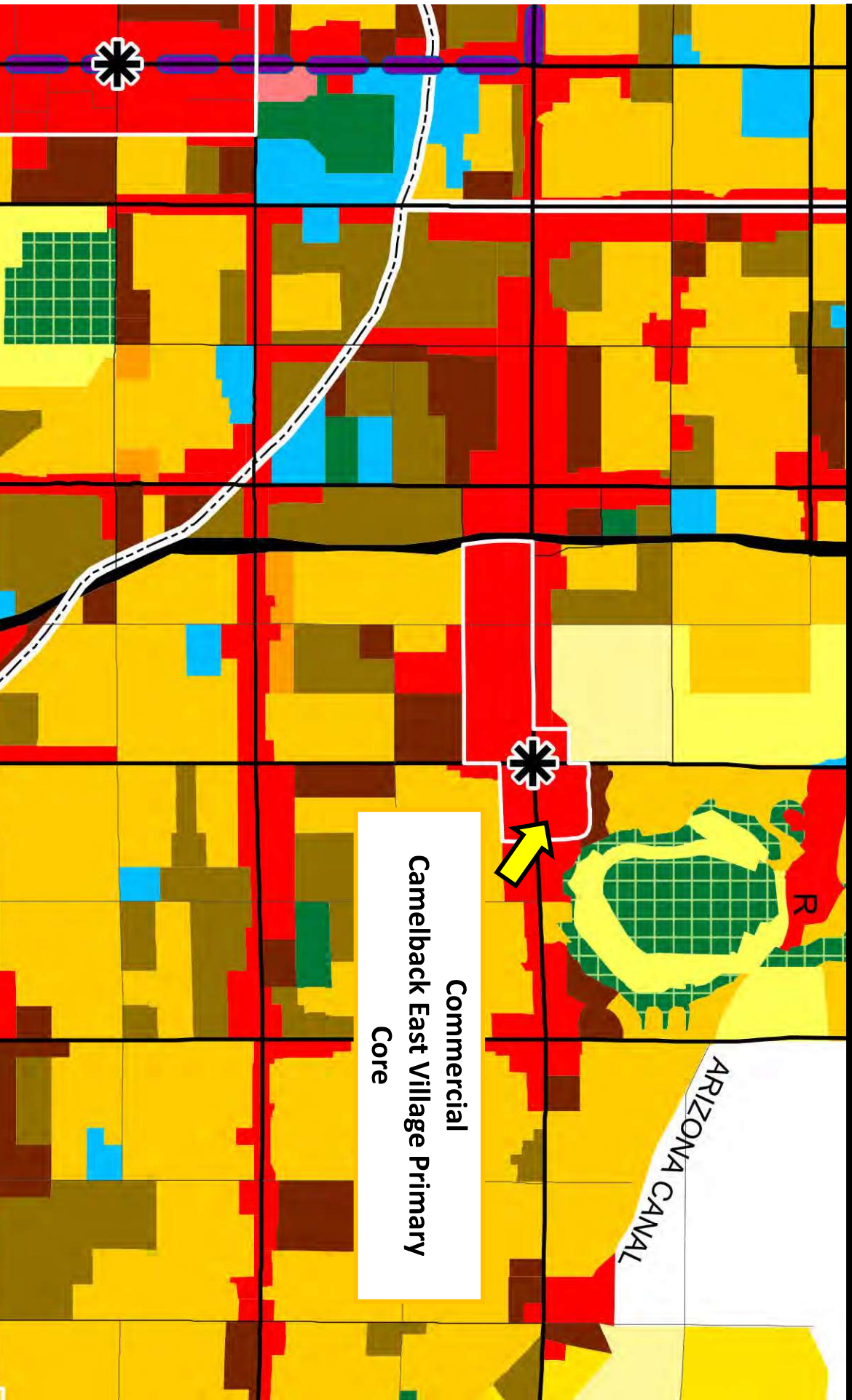
APN: 164-14-001Y
2502 E CAMELBACK RD PHOENIX, AZ 85016

ZONING MAP



APN: 164-14-001Y
2502 E CAMELBACK RD PHOENIX, AZ 85016

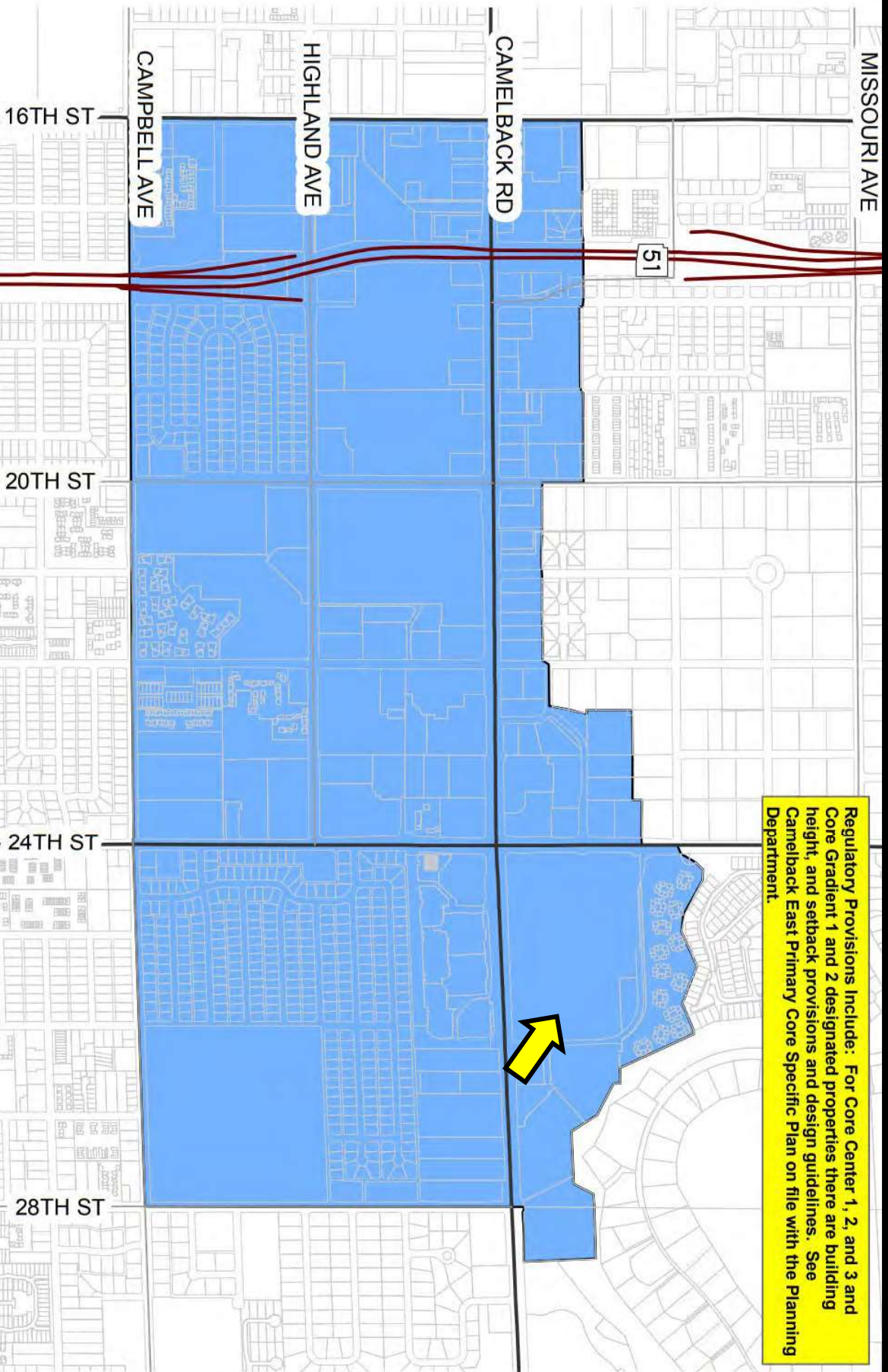
GENERAL PLAN LAND USE MAP



Commercial
Camelback East Village Primary
Core

ARIZONA CANAL

CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN

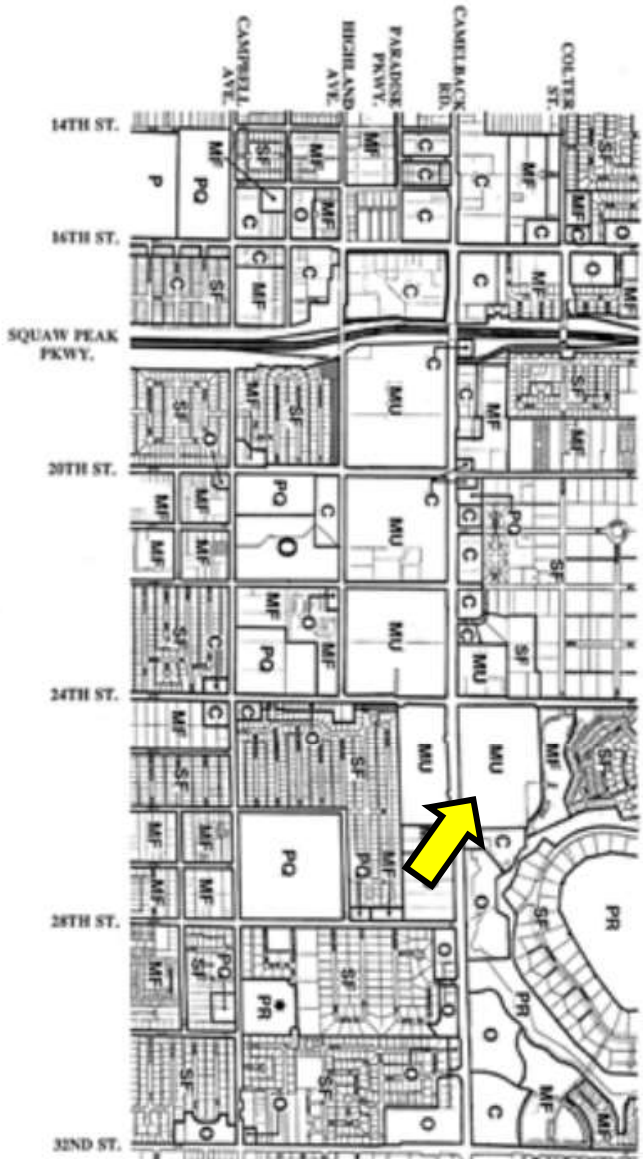


CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN - LAND USE PLAN



PRIMARY CORE SPECIFIC PLAN

MAP 6



- Land Use Plan**
(2008 Specific Plan Amendment)
- LEGEND**
- SF** Single-Family Residential
 - MF** Multi-Family Residential
 - O** Office
 - C** Commercial
 - NR** Neighborhood Retail
 - MU** Mixed Use
 - PO** Public/Quasi-Public
 - P** Public Park/Open Space
 - PR** Private Park/Open Space/Recreation
 - PA** Potential Public Park Acquisition
 - GE** Potential Gateway Enhancement Acquisition



CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN - INTENSITY AND DENSITY PLAN



PRIMARY CORE SPECIFIC PLAN

INTENSITY AND DENSITY PLAN
Map 4
CORE CENTER AND CORE GRADIENT
(2006 Specific Plan Amendment)

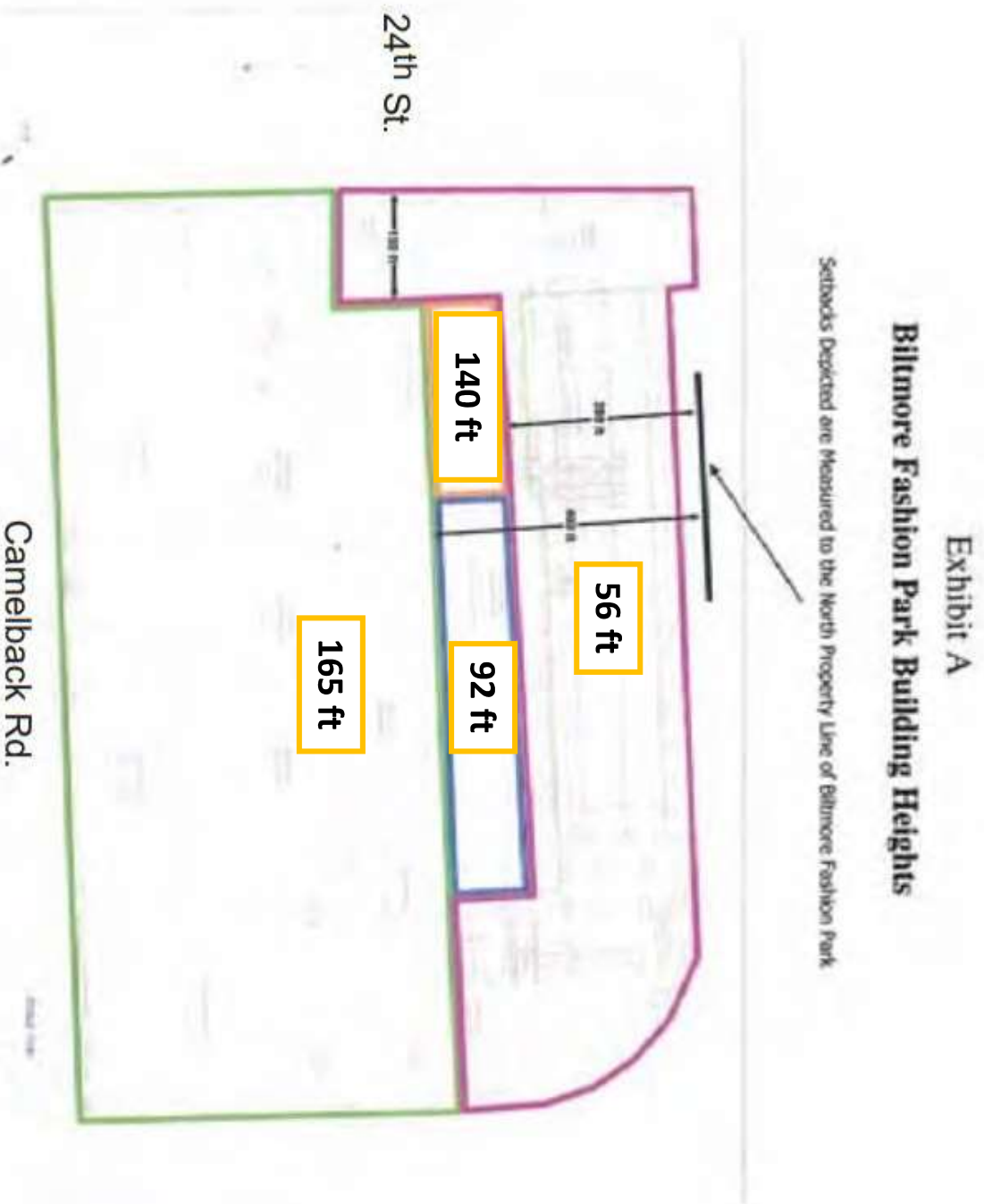
LEGEND

COMMERCIAL INTENSITY	F.A.R.
CG1	25-90
CG2	25-50
CG1	50-75
CG2	75-1.0
CC3	1.0 - 1.28

RESIDENTIAL DENSITY	D.U./A.C.
RL	0-10
RM	10-25
RH	25+



CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN – BUILDING HEIGHT PLAN



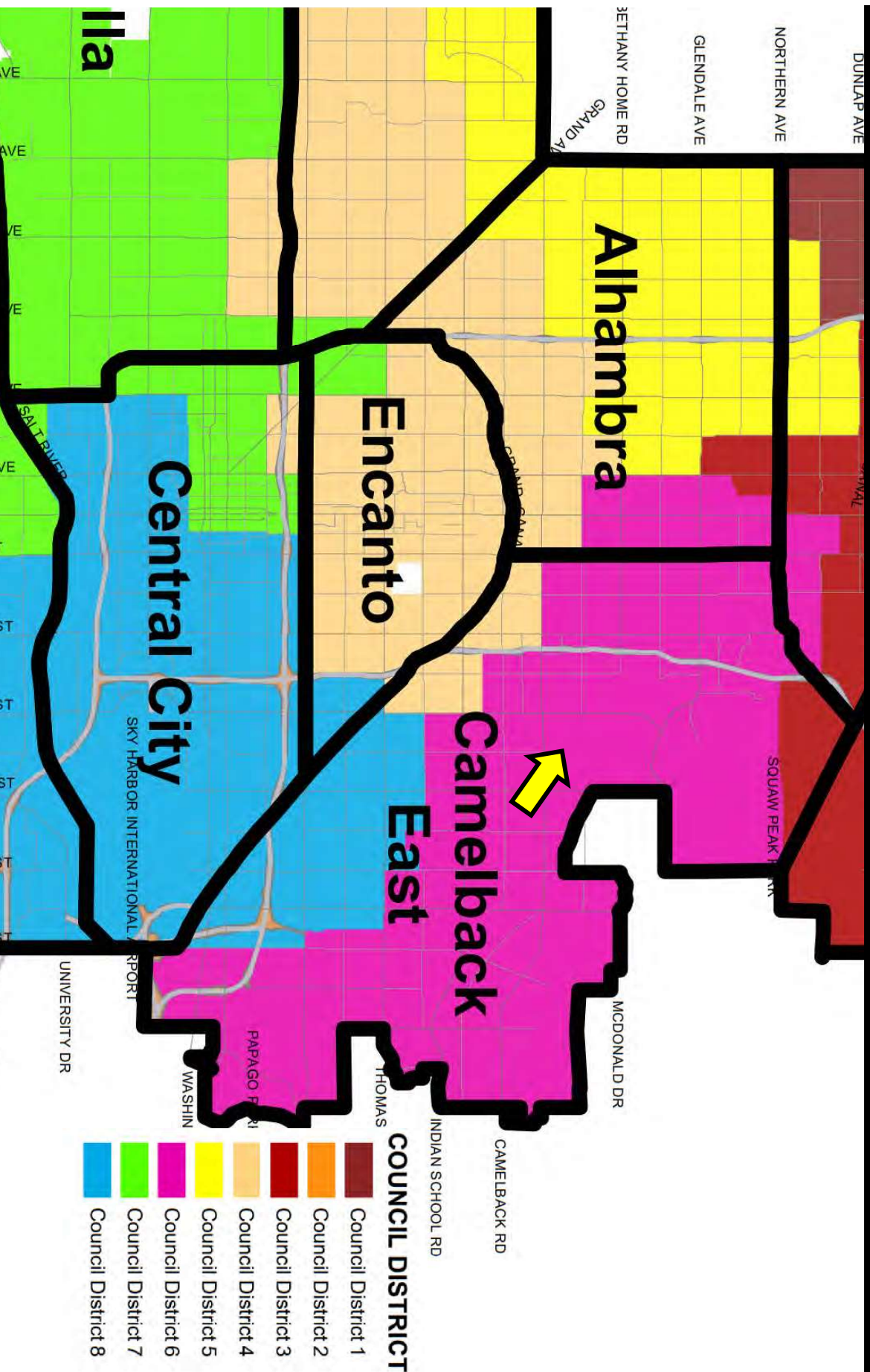
CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN – PEDESTRIAN SPINE

Map 8
Pedestrian Facilities Plan
(2006 Specific Plan Amendment)



Quarles
 APN: 164-14-001Y
 2502 E CAMELBACK RD PHOENIX, AZ 85016

CAMELBACK EAST VILLAGE PLANNING COMMITTEE – COUNCIL DISTRICT #6 KEVIN ROBINSON

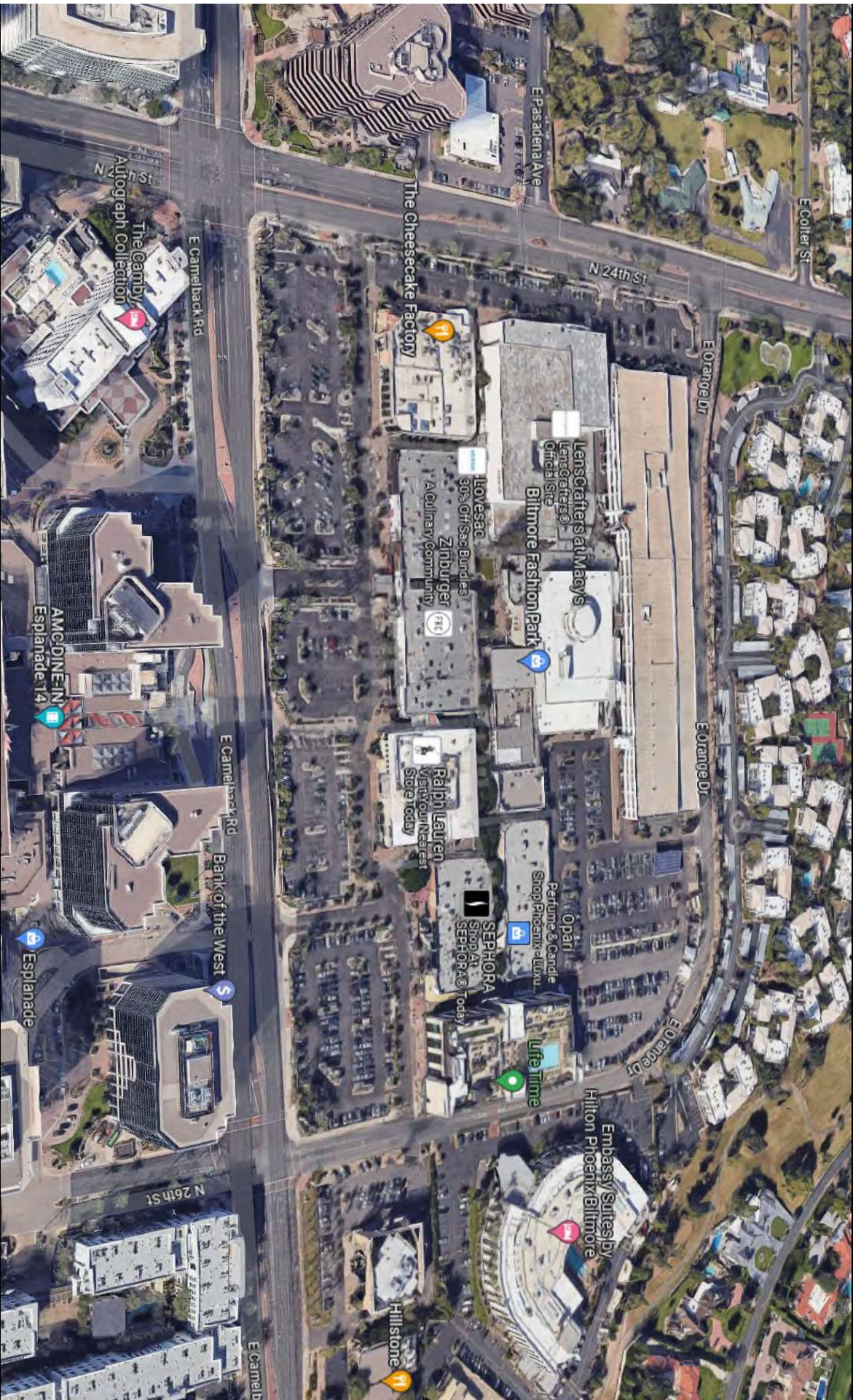


- COUNCIL DISTRICT**
- Council District 1
 - Council District 2
 - Council District 3
 - Council District 4
 - Council District 5
 - Council District 6
 - Council District 7
 - Council District 8



APN: 164-14-001Y
 2502 E CAMELBACK RD PHOENIX, AZ 85016

PHOTOGRAPHIC ELEVATIONS



Quarles

APN: 164-14-001Y
2502 E CAMELBACK RD PHOENIX, AZ 85016

TAB B



City of Phoenix
PLANNING DEPARTMENT

w/ Exhibits - Key

November 2 2006

Earl, Curley & Lagarde - Steve Earl
3101 North Central Avenue Suite 1000
Phoenix AZ 85012

Dear Applicant

RE **Z-86-06 6** Northeast corner of 24th Street and Camelback Road

Please be advised that the Phoenix City Council in accordance with the provisions of Section 506 B 4 of the Zoning Ordinance as amended has on November 1 2006 concurred with the recommendation of the Planning Commission and has ratified application Z-86 06-6 to C-2 HR on approximately 27 33 acres subject to the following stipulations

STIPULATIONS

- 1 That the development of the two Phase 1 towers with residential or hotel uses up to 165 feet shall be in general conformance with the conceptual site plan and elevations dated June 23 2006
- 2 That the location of future towers beyond Phase 1 shall conform to the Biltmore Fashion Park Building Height Exhibit B dated August 24, 2006 as set forth in the Camelback East Primary Core Specific Plan the stipulations of this rezoning case, and the applicable Specific Plan Design Guidelines For towers seeking bonus building heights above 112 feet compliance with Specific Plan criteria to achieve such bonus building heights shall be reviewed and approved through the City's Planning Hearing Officer hearing process Should the building elevations for these future buildings not be generally consistent with the elevations dated June 23 2006 the applicant shall also be required to process a modification to this stipulation to approve the new building elevations through the City's Planning Hearing Officer hearing process

BUILDING HEIGHTS/DENSITY

- 3 That building heights shall be developed according to Exhibit B (mediated agreement) and that bonus building height of 165 feet shall be permitted only for hotel and residential uses with retail uses (including service retail) required in the first at grade level of such buildings located on the pedestrian spine

- 4 That buildings achieving a bonus height of 165 feet shall have a maximum of 56 feet (measured from finished grade) which shall be utilized for commercial office or retail
- 5 That the density on the C-2 HR portion of the site shall be limited to 96.8 dwelling units per acre

STREETSCAPE AND PEDESTRIAN SPINE/CORE IDENTITY PLAN

- 6 That the applicant shall participate in the development of designs for signage, light fixtures, walkway surface patterns and other street furniture elements for the pedestrian spine and architectural and engineering drawings for theming, landscaping and other related improvements for the Camelback Road streetscape through the Camelback East Primary Core Specific Plan area
- 7 That the property shall include an outdoor pedestrian component which will represent the northern terminus of the Pedestrian Spine per the Camelback East Primary Core Specific Plan and that, as part of this component and as approved by the Development Services Department
 - a The developer shall install a pedestrian walkway from the pedestrian underpass on Camelback Road to the retail/residential structure
 - b That a "way finding" theme shall be established for the development to identify the pedestrian spine within the project. The theme may be incorporated into elements such as the pavement on which the pedestrian spine is routed, into the seating and lighting bollards or other pedestrian lighting along the spine, as well as into directional signage. The "way finding" devices/mechanisms shall in some manner inform/direct those who enter the site that they can maneuver around the site and they can travel through the site to destinations off-site. The applicant shall present the theme concept to the Camelback East Village Planning Committee, Camelback Corridor Subcommittee for review and comment prior to preliminary site plan approval, as approved by the Development Services Department
- 8 That bicycle racks shall be provided on site and located in a covered and secure area
- 9 That the developer shall, together with other developers and commercial property owners in the immediate area, contribute on a fair and equitable basis to the financing of a rubber wheeled trolley system on the loop road, as approved by the Planning Department

10 That all improvements shall comply with ADA accessibility standards

Development and use of the site is subject to compliance with all applicable codes and ordinances

Sincerely

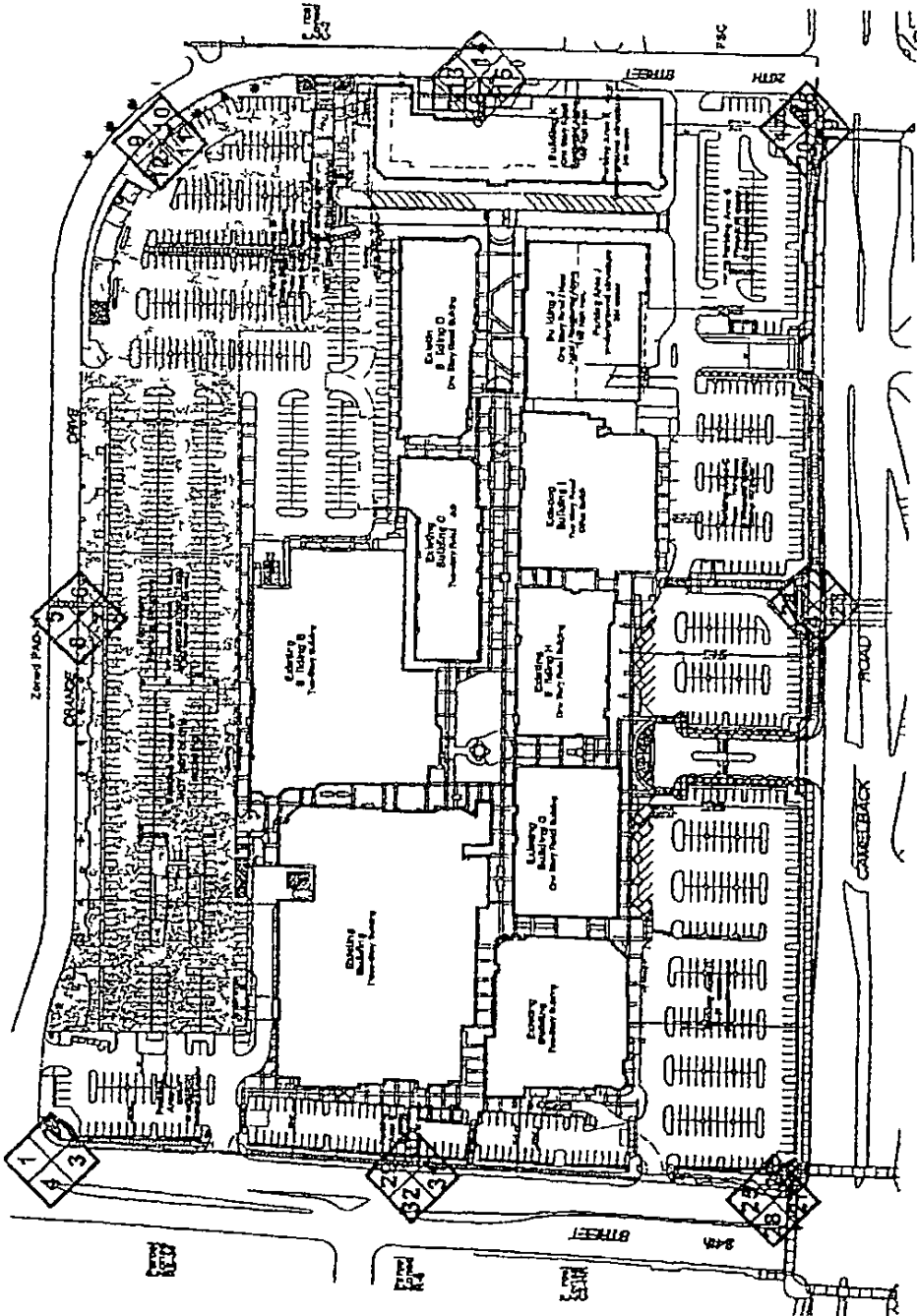


Carol Johnson AICP
Principal Planner

c Book Jay Neville (sent electronically)
Files Racelle Escobar (sent electronically)
Kelly Walker (sent electronically) Dave Barner DSD (sent electronically)
E J Hyncik Public Transit (sent elec) Tricia Gomes (sent electronically)
Lynn West (sent electronically)
Westcor 11411 North Tatum Boulevard Phoenix AZ 85028
Nelsen Architects Inc 15044 North Scottsdale Rd Suite 200 Scottsdale AZ 85254

Biltmore Fashion Park Phase 2

Prepared by: **WCS/BOF**
 Checked by: **WCS/BOF**
 Date: **06/23/06**
 Project: **Biltmore Fashion Park Phase 2**
 Location: **Phoenix, AZ**
 Client: **WCS/BOF**
 Drawing No.: **02**
 Scale: **AS SHOWN**
 Notes: **See notes on sheet 01 for details.**
1. All dimensions are to face unless otherwise noted.
2. All areas are to be finished as shown.
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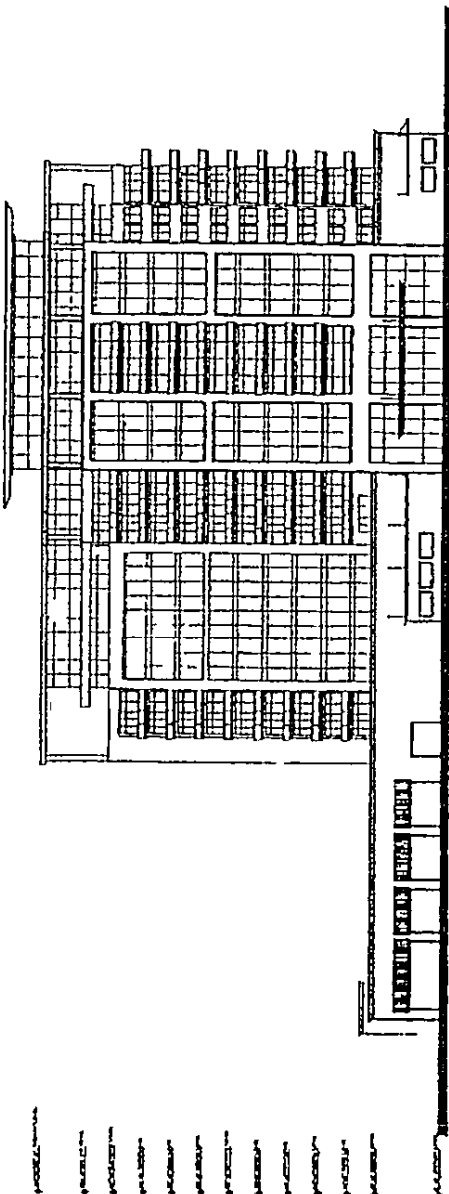
Biltmore Fashion Park Rezoning Application
 Phoenix, Arizona
 22 June 06
 WCS/BOF



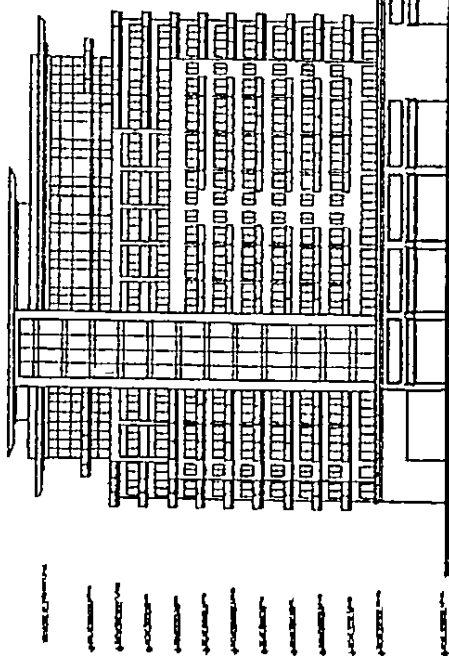
WCS/BOF
 1500 N. 19TH AVENUE
 PHOENIX, AZ 85016

CITY OF PHOENIX

JUN 23 2006



Building K East Elevation



Building J South Elevation

Conceptual Elevations

Biltmore Fashion Park

23 June 06

Phoenix Arizona

Scale 1/32" = 1'-0"

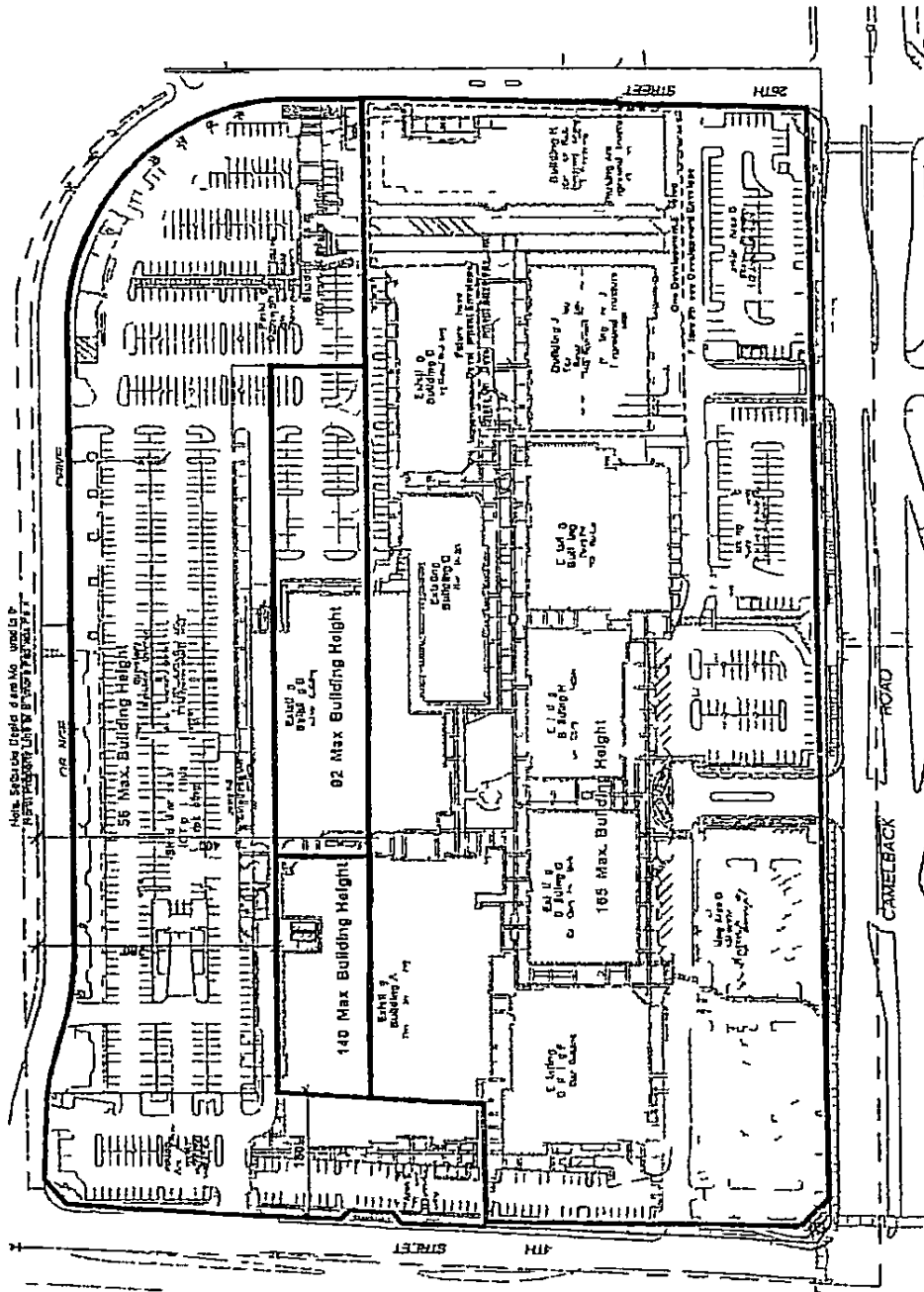
WESTCOF

CITY OF PHOENIX

JUN 23 2006

PLANNING DEPT
PUBLIC AFFAIRS

Exhibit B



Notes: See above display for all info. under 10' height. See above display for all info. under 10' height.

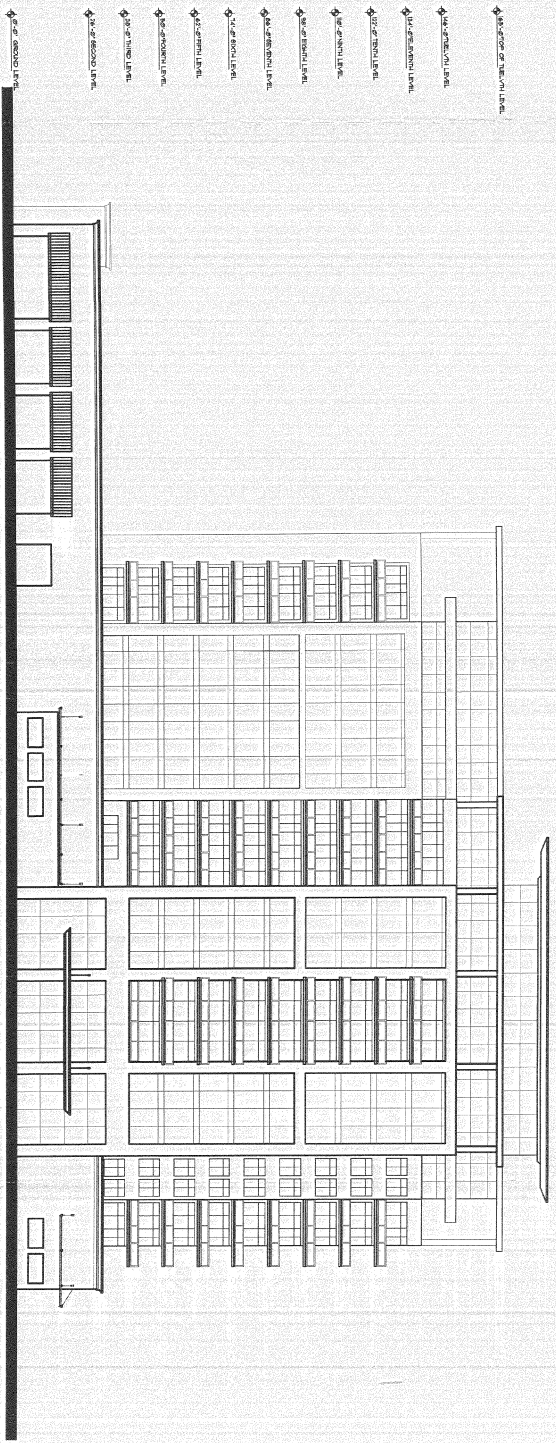
WCSIOR
 Building Height Exhibit
 Phoenix Arizona

Scale: 1" = 60'-0"
 1" = 120'

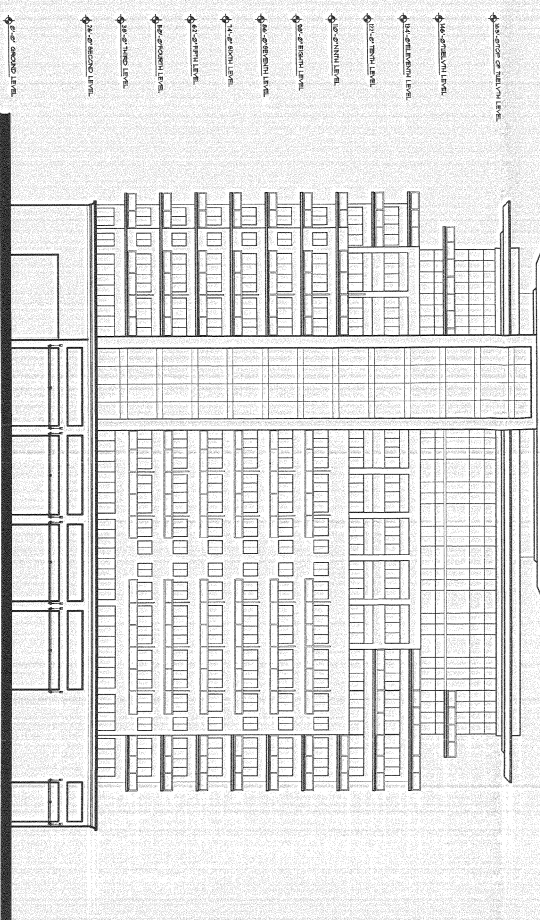
Building Height Exhibit
 Phoenix Arizona

Biltmore Fashion Park
 24 August 06
 10:30 AM

robertson architects



Building K - East Elevation



Building J - South Elevation

Conceptual Elevations

Biltmore Fashion Park

Phoenix, Arizona

22 June 06

proj#: 36396

Scale: 1" = 20'-0"

0 10 20 40 60 80

Westcoor
A Subsidiary of The Moseley Company

nelsen architects
INC
CITY OF PHOENIX

Z-86-06-6
JUN 9 2005
PLANNING DEPT
2nd FLOOR

Kiva #: 99-38815A22
SDEV#: 0100413

Biltmore Fashion Park - Phase 2

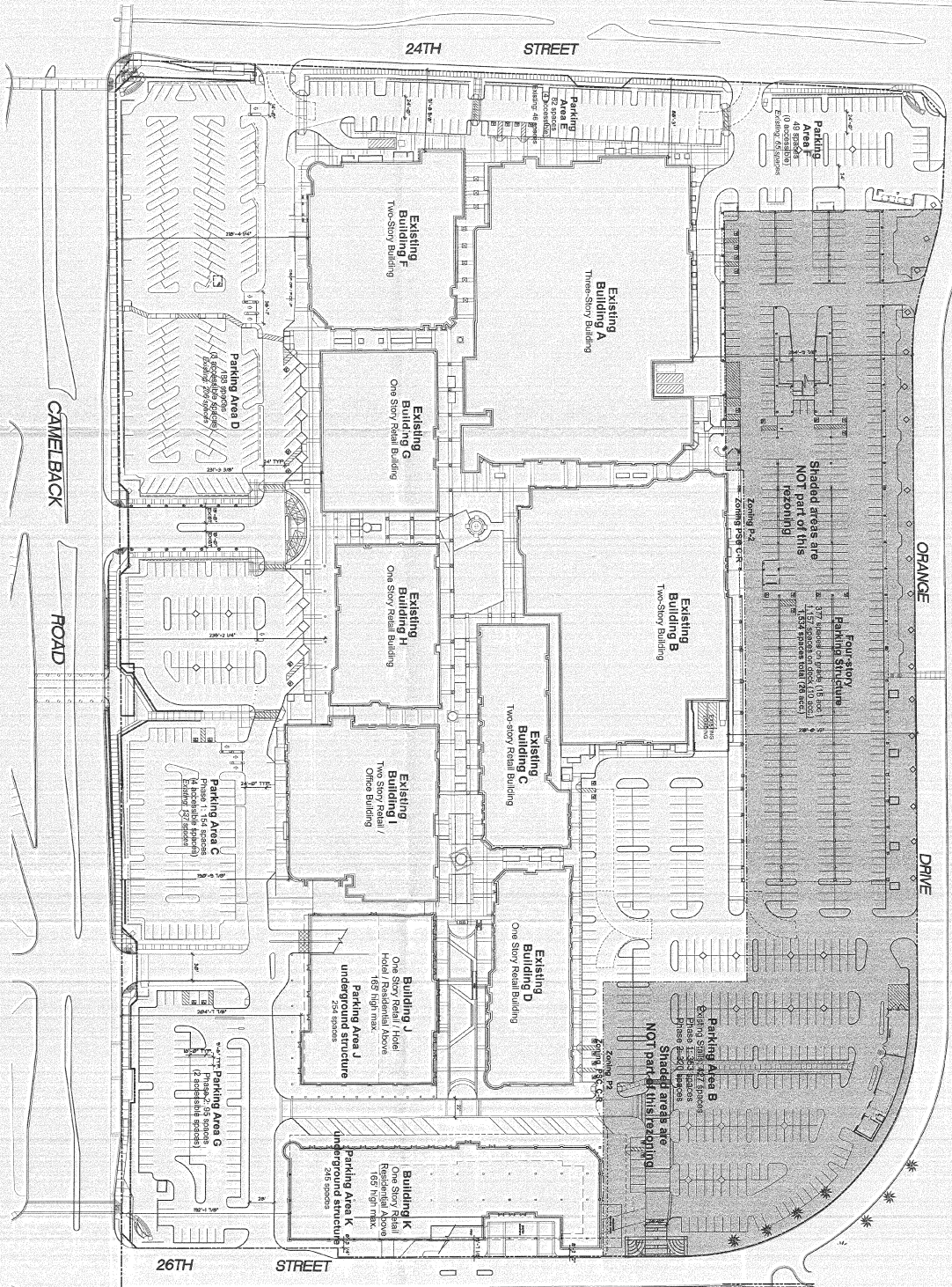
Total Gross Site Area	1,488,952 sf
34.18 acres	
Total Net Site Area	1,286,387 sf
29.38 acres	
Rezoning Site Area	957,524 sf
21.98 acres	

Buildings	Total Bldg Square Footage
Building A	219,413 sf
Building B	174,574 sf
Building C	22,425 sf
Building D	30,963 sf
Building E	24,908 sf
Building F	24,422 sf
Building G	187,039 sf
Building H	263,420 sf
Building I	977,488 sf
Building J	531,853 sf
Building K	46,095 sf
Building L	17,767 sf
Building M	289,460 sf
Building N	105,090 sf
Total	977,488 sf

Parking Required	2,561 spaces
Retail/Residential	144 spaces
Hotel/Residential	208 spaces
Total Parking Required	2,973 spaces

Parking on Grade	1,265 spaces
Existing Structure	1,182 spaces
New Structure Provided	489 spaces
Total Parking Provided	2,936 spaces
Over/Under Required Parking	+37 spaces

Net Rezoning Total Building Area	977,488 sf
1,010 F.A.R.	
Net Lot Coverage (Rezoning Area)	38.7 %
Net Open Space (Rezoning Area)	191,671 sf
20.0 %	



Scale: 1" = 60'-0"

0 30' 60' 120' 240'

Westcor
A Subsidiary of The Macquart Company

nelsen architects
INC. - Scottsdale

JUN 3 2005

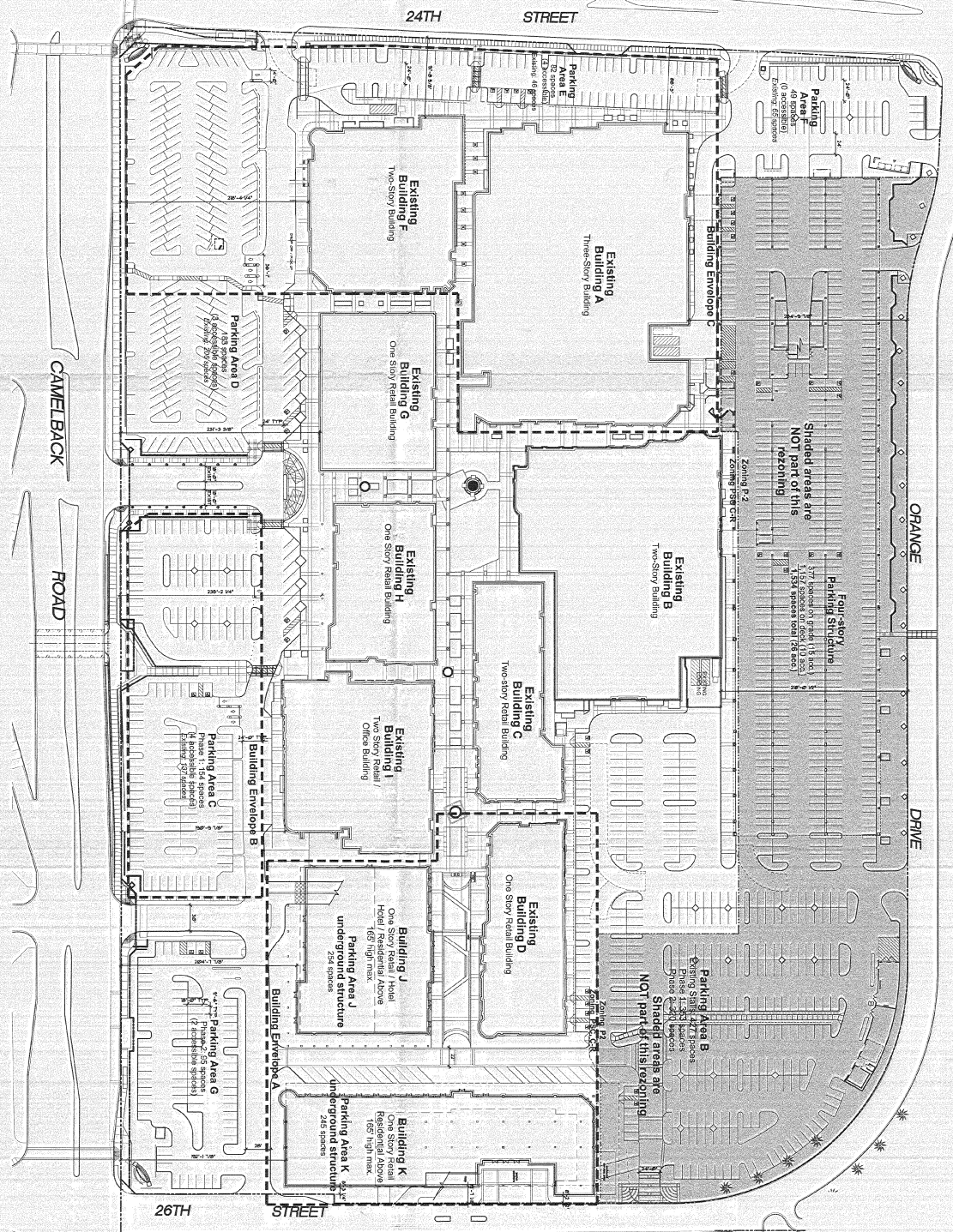
Rezoning Application
Phoenix, Arizona

Biltmore Fashion Park

22 June 06
Project: 38250

Z-86-06-6

CITY OF PHOENIX



Kiva #: 99-38815A22
SDEV#: 0100413

Bitmore Fashion Park - Phase 2

Total Gross Site Area	1,489,952 sf 34.18 acres
Total Net Site Area	1,286,387 sf 29.38 acres
Rezoning Gross Site Area	1,199,495 sf 27.35 acres
Rezoning Site Area	957,524 sf 21.98 acres

Buildings	Total Bldg Square Footage
Building A	218,413 sf
Building B	114,736 sf
Building C	224,514 sf
Building D	22,425 sf
Building E	30,983 sf
Building F	24,422 sf
Building G	60,659 sf
Building H	187,630 sf
Building I	971,438 sf
Building J	531,853 sf
Building K	46,995 sf
Building L	286,160 sf
Hotel	105,090 sf
Total	971,438 sf

Parking Required	2,561 spaces
Retail/Residential	144 spaces
Hotel/Residential	208 spaces
Total	2,913 spaces

Parking on Grade	1,265 spaces
Existing Structure	1,453 spaces
New Structured Parking	469 spaces
Total Parking Provided	2,976 spaces
Over/Under Required Parking	+43 spaces

Maximum Density	27.28 acres x 8.64 units 2,645 units
Net Rezoning Total Building Area	971,438 sf / 977,524 sf 1,010 F.A.R.
Net Lot Coverage (Rezoning Area)	215,191 sf / 977,524 sf 38.7 %
Net Open Space (Rezoning Area)	191,671 sf 20.0 %



Scale: 1" = 60'-0"

0 30' 60' 120' 240'

Westcor
A Subsidiary of The Michaels Company

nelsen architects
INC
Allen S. Schindler

Bitmore Fashion Park
Rezoning Application
Phoenix, Arizona

10 August 06

prof #: 38396

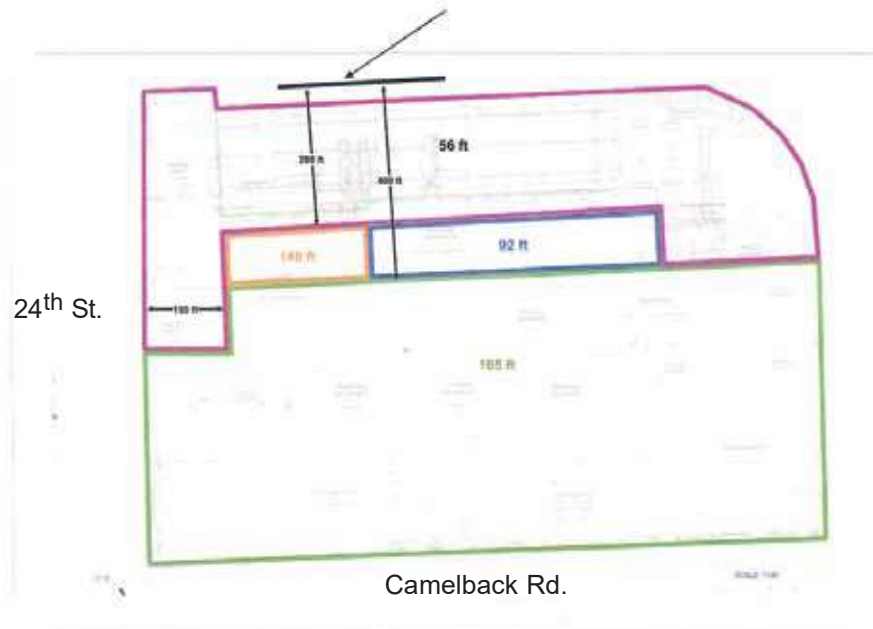
AUG 11 2005
CITY OF PHOENIX
PLANNING DEPT.
DATE RECEIVED

TAB C

Exhibit A

Biltmore Fashion Park Building Heights

Setbacks Depicted are Measured to the North Property Line of Biltmore Fashion Park



5.2.5 Pedestrian Spine

All development along the Pedestrian Spine shall provide a pedestrian pathway easement a minimum of 20 feet wide, of which twelve (12) feet of the width shall always be kept completely free of any and all impediments to pedestrian travel including poles, bollards, signs benches, tables, chairs, easels, stalls, space heaters, etc, while the remaining eight (8) feet may be used for such pedestrian friendly uses such as restaurant seating, vendors' stalls, artists' displays, etc.

5.2.6 Rubber Wheel Trolley

Rubber wheeled trolleys or other means of public conveyance shall not travel upon the surface of the pedestrian spine, although they may travel over or under it, or parallel to it.

5.2.7 Defined Terms

This section is intended to supplement and supersede standards of general applicability provided by Phoenix Zoning Ordinance Chapter 2 (Definitions). Each of these Ordinance provisions is modified as provided below:

Open Space, Private: Outdoor space defined on an approved Final Site Plan which is not accessible to the general public and is typically accessible only through a private residence. Private open space is typically affiliated with residential uses only and could include exterior space defined by a patio or balcony. This type of space contributes to social activity while providing "eyes on the street" along the pedestrian spine and outdoor rooms.

Open Space, Public: Outdoor space defined by legal description and presented as an easement granted to the City of Phoenix as necessary to maintain pedestrian access for the general public. Public open space is affiliated with the development and function of the Camelback East Primary Core Pedestrian Spine as defined by Map 8 (Pedestrian Facilities Plan).

Open Space, Semi-Public: Outdoor space defined on an approved Final Site Plan which is typically accessible to the general public but is not defined by an easement of dedication to the public. This space is managed and controlled by a property management company or property owners association with the control of use and access being managed by the

TAB D

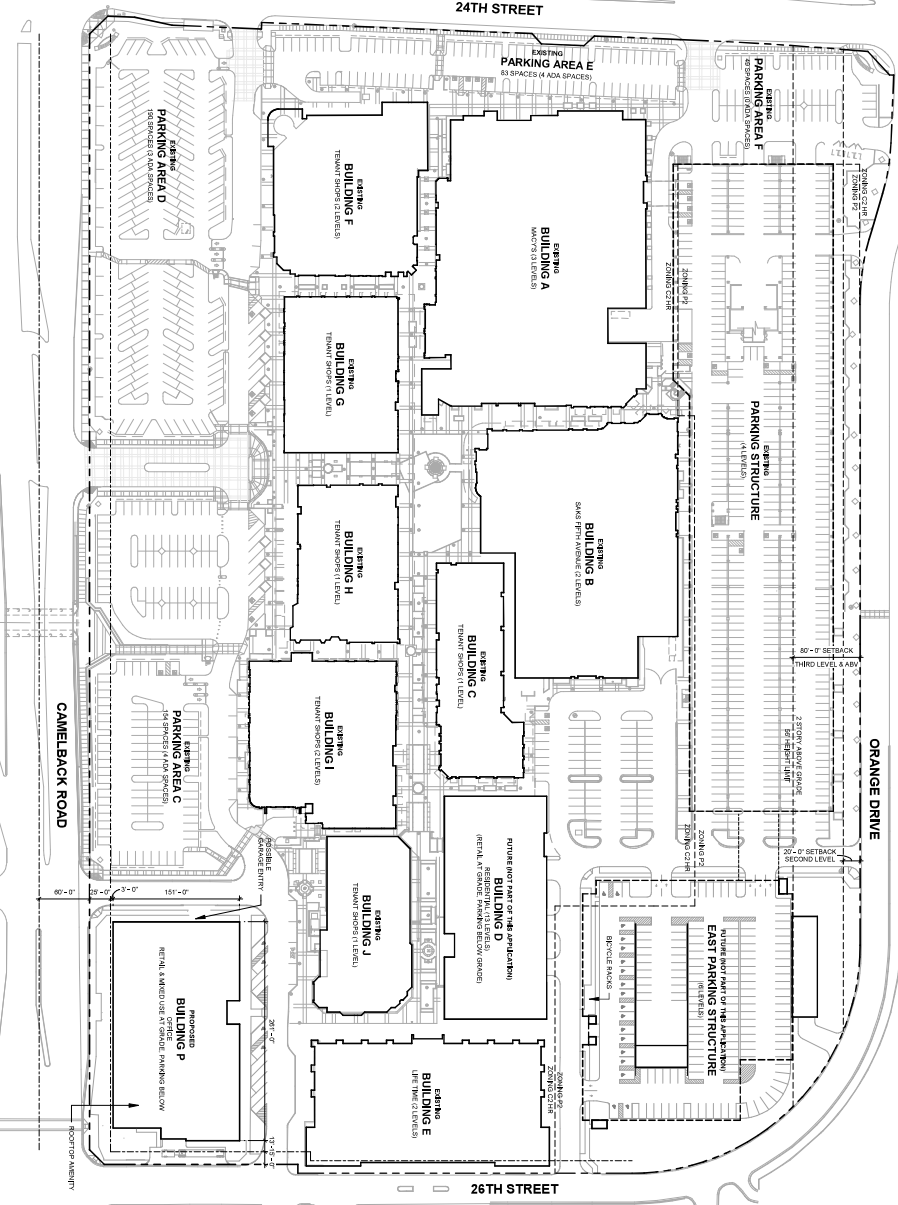


VICINITY MAP

PROJECT INFORMATION

PROJECT NAME: BILTMORE FASHION PARK
 PROJECT ADDRESS: 2502 EAST CAMELBACK ROAD, PHOENIX, ARIZONA 85016
 PROJECT NUMBER: CAMELBACK EAST
 DRAWING NUMBER: PH-2502
 INTERDISCIPLINARY CONSULTANTS: VENTURE PARTNERS

BILTMORE FASHION PARK
RED DEVELOPMENT
2502 EAST CAMELBACK ROAD
PHOENIX, ARIZONA 85016



CITY OF PHX PROJECT NUMBERS

PROJECT NAME	STATUS	DATE
BUILDING A	ALLOWED	12/20/2023
BUILDING B	ALLOWED	12/20/2023
BUILDING C	ALLOWED	12/20/2023
BUILDING D	ALLOWED	12/20/2023
BUILDING E	ALLOWED	12/20/2023
BUILDING F	ALLOWED	12/20/2023
BUILDING G	ALLOWED	12/20/2023
BUILDING H	ALLOWED	12/20/2023
BUILDING I	ALLOWED	12/20/2023
BUILDING J	ALLOWED	12/20/2023
BUILDING K	ALLOWED	12/20/2023
BUILDING L	ALLOWED	12/20/2023
BUILDING M	ALLOWED	12/20/2023
BUILDING N	ALLOWED	12/20/2023
BUILDING O	ALLOWED	12/20/2023
BUILDING P	ALLOWED	12/20/2023

01 OVERALL SITE PLAN - OPTION 1 OFFICE
SCALE: 1" = 80'-0"

PH100.1
OVERALL SITE PLAN

TAB E



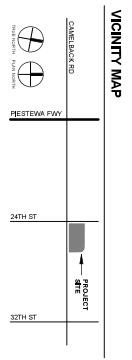
BILTMORE FASHION PARK
RED DEVELOPMENT
2502 EAST CAMELBACK ROAD
PHOENIX, ARIZONA 85016

DATE: MARCH 01, 2024
REVISIONS:

CONCEPTUAL DEVELOPMENT
PROPOSED DEVELOPMENT BUILDING CHANGE
CHANGE THE PROJECT TO

Project No. 23079
© 2024 NELSONPARTNERS, INC.

PH100.2
OVERALL SITE PLAN



PROJECT INFORMATION

PROJECT NAME: BILTMORE FASHION PARK
PROJECT ADDRESS: 2502 EAST CAMELBACK ROAD, PHOENIX, ARIZONA 85016
PROJECT NUMBER: BILTMORE FASHION PARK
OWNER: CDM
DESIGNER: NELSON PARTNERS
INTERIOR DESIGNER: VISION BY RBZ

PROJECT DESCRIPTION
PROPOSED FOR REDEVELOPMENT OF EXISTING BILTMORE FASHION PARK SITE. THE PROPOSED DEVELOPMENT WILL CONSIST OF 10 BUILDINGS, 100,000 SQ. FT. OF GROSS FLOOR AREA, 100,000 SQ. FT. OF GROSS LEASED AREA, AND 100,000 SQ. FT. OF GROSS RETAIL AREA. THE PROPOSED DEVELOPMENT WILL BE A MIXED-USE DEVELOPMENT WITH OFFICE, RETAIL, AND RESIDENTIAL USES. THE PROPOSED DEVELOPMENT WILL BE A MIXED-USE DEVELOPMENT WITH OFFICE, RETAIL, AND RESIDENTIAL USES. THE PROPOSED DEVELOPMENT WILL BE A MIXED-USE DEVELOPMENT WITH OFFICE, RETAIL, AND RESIDENTIAL USES.

AREA DATA

AREA	AREA	AREA
NET AREA	1,301,131 SF (267.4 AC)	
NET AREA	906,444 SF (207.4 AC)	
NET AREA	302,674 SF (6.9 AC)	
NET AREA	302,674 SF (6.9 AC)	

BUILDING AREAS

BUILDING	AREA	AREA
BUILDING A	21,700 SF	
BUILDING B	21,700 SF	
BUILDING C	21,700 SF	
BUILDING D	21,700 SF	
BUILDING E	21,700 SF	
BUILDING F	21,700 SF	
BUILDING G	21,700 SF	
BUILDING H	21,700 SF	
BUILDING I	21,700 SF	
BUILDING J	21,700 SF	
BUILDING P	21,700 SF	
BUILDING TOTAL	217,000 SF	

TOTAL BUILDING AREAS

USE	AREA	AREA
OFFICE	1,301,131 SF	
RETAIL	1,301,131 SF	
RESIDENTIAL	1,301,131 SF	
OTHER	1,301,131 SF	

LOT COVERAGE

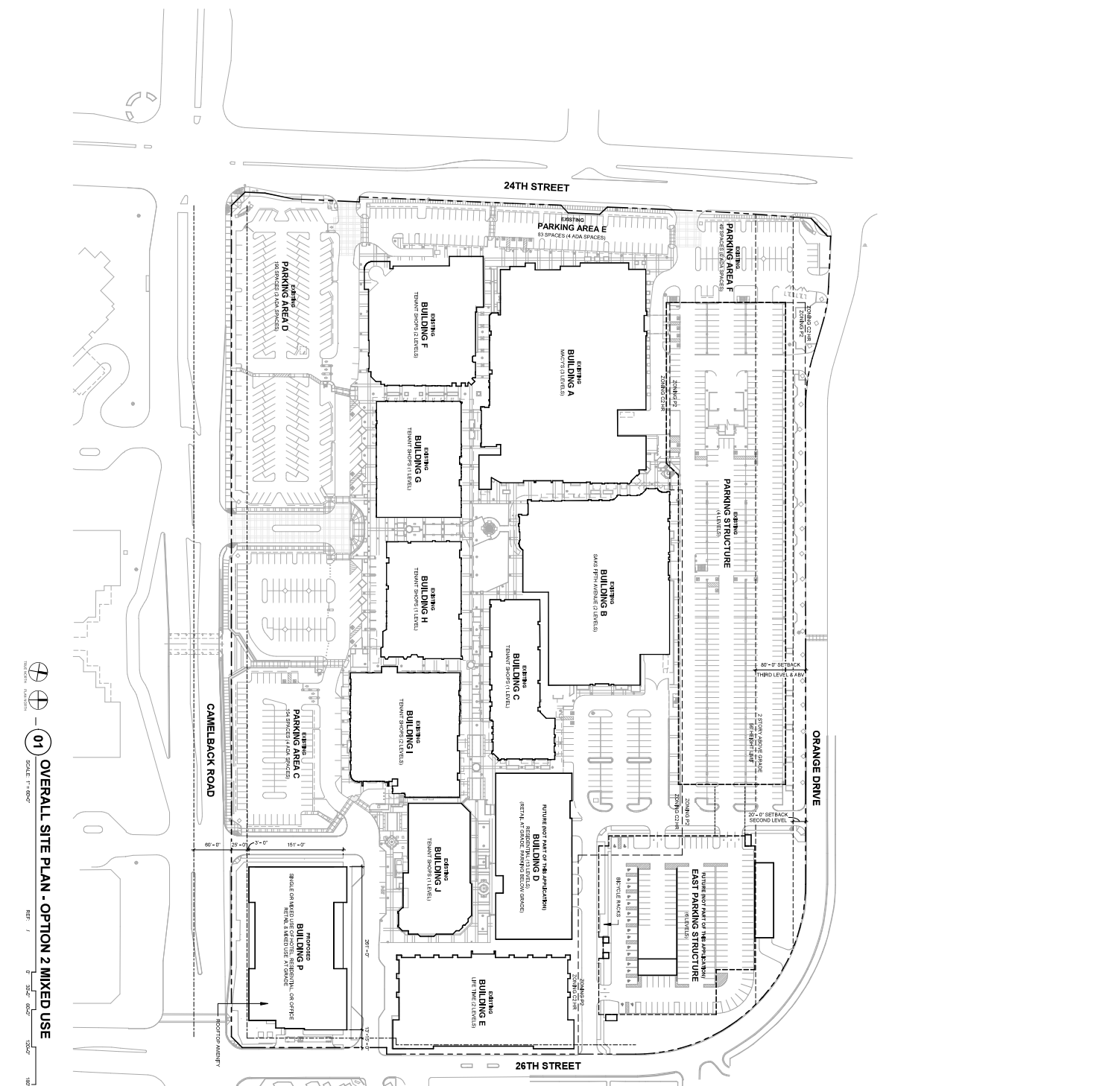
LOT	COVERAGE	COVERAGE
LOT 1	100%	
LOT 2	100%	
LOT 3	100%	
LOT 4	100%	
LOT 5	100%	
LOT 6	100%	
LOT 7	100%	
LOT 8	100%	
LOT 9	100%	
LOT 10	100%	

ADJACENT AREAS

ADJACENT AREA	ADJACENT AREA
EXISTING PARKING AREA E	EXISTING PARKING AREA E
EXISTING PARKING AREA F	EXISTING PARKING AREA F
EXISTING PARKING AREA G	EXISTING PARKING AREA G
EXISTING PARKING AREA H	EXISTING PARKING AREA H
EXISTING PARKING AREA I	EXISTING PARKING AREA I
EXISTING PARKING AREA J	EXISTING PARKING AREA J
EXISTING PARKING AREA K	EXISTING PARKING AREA K
EXISTING PARKING AREA L	EXISTING PARKING AREA L
EXISTING PARKING AREA M	EXISTING PARKING AREA M
EXISTING PARKING AREA N	EXISTING PARKING AREA N
EXISTING PARKING AREA O	EXISTING PARKING AREA O
EXISTING PARKING AREA P	EXISTING PARKING AREA P

CITY OF PHX PROJECT NUMBERS

PROJECT NUMBER	PROJECT NUMBER
PHX 100.2	PHX 100.2
PHX 100.3	PHX 100.3
PHX 100.4	PHX 100.4
PHX 100.5	PHX 100.5
PHX 100.6	PHX 100.6
PHX 100.7	PHX 100.7
PHX 100.8	PHX 100.8
PHX 100.9	PHX 100.9
PHX 100.10	PHX 100.10

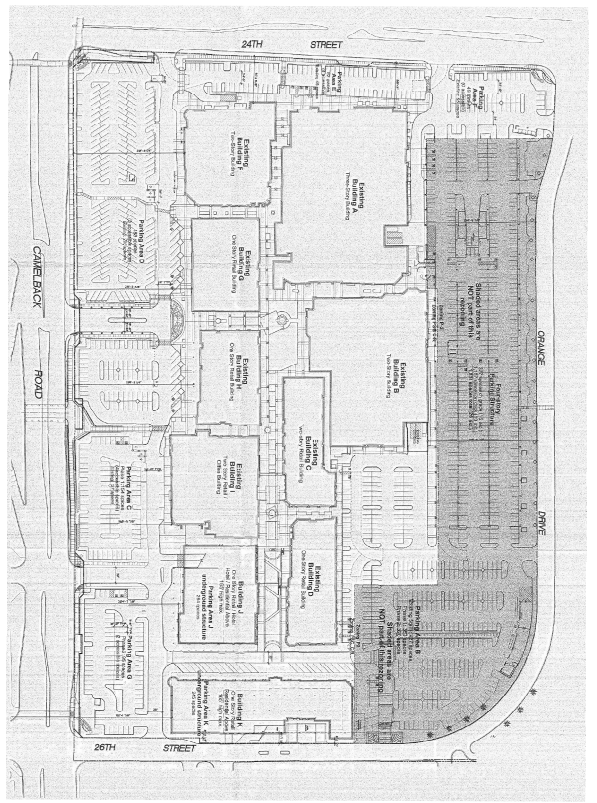


SCALE: 1" = 60'-0"
DATE: 03/01/2024
PROJECT: BILTMORE FASHION PARK

Nelson Partners, Inc.
Austin | Scottsdale
15110 North Scottsdale Road
Scottsdale, Arizona 85254
P: 480.949.8800
www.nelsonpartners.com



BILTMORE FASHION PARK
RED DEVELOPMENT
2502 EAST CAMELBACK ROAD
PHOENIX, ARIZONA 85016

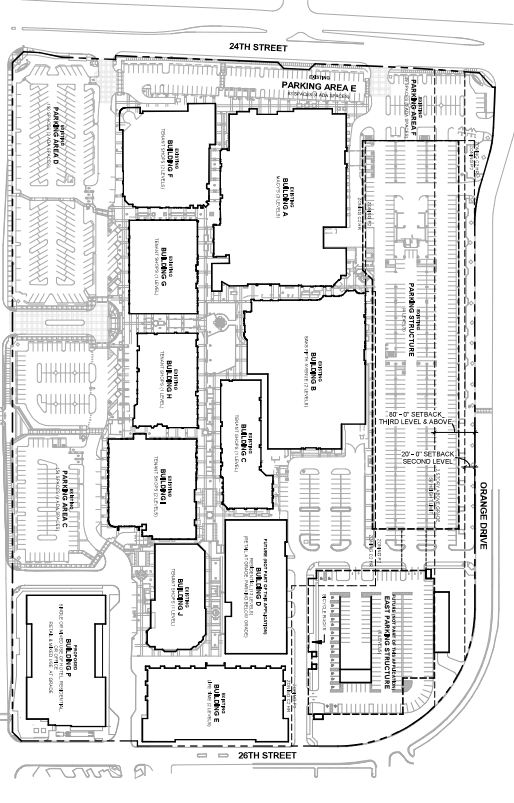


02 OVERALL SITE PLAN - CASE NUMBER Z-86-06

King # 39-38815A22
SDEV# 0100413

Biltmore Fashion Park - Phase 2

Parcel Number	Area (sq ft)	Area (sq ft)	Area (sq ft)
Parcel 1	1,418,561	1,418,561	1,418,561
Parcel 2	1,283,947	1,283,947	1,283,947
Parcel 3	2,539,894	2,539,894	2,539,894
Parcel 4	2,199,846	2,199,846	2,199,846
Parcel 5	3,672,541	3,672,541	3,672,541
Parcel 6	2,799,896	2,799,896	2,799,896
Parcel 7	1,418,561	1,418,561	1,418,561
Parcel 8	1,283,947	1,283,947	1,283,947
Parcel 9	2,539,894	2,539,894	2,539,894
Parcel 10	2,199,846	2,199,846	2,199,846
Parcel 11	3,672,541	3,672,541	3,672,541
Parcel 12	2,799,896	2,799,896	2,799,896
Parcel 13	1,418,561	1,418,561	1,418,561
Parcel 14	1,283,947	1,283,947	1,283,947
Parcel 15	2,539,894	2,539,894	2,539,894
Parcel 16	2,199,846	2,199,846	2,199,846
Parcel 17	3,672,541	3,672,541	3,672,541
Parcel 18	2,799,896	2,799,896	2,799,896
Parcel 19	1,418,561	1,418,561	1,418,561
Parcel 20	1,283,947	1,283,947	1,283,947
Parcel 21	2,539,894	2,539,894	2,539,894
Parcel 22	2,199,846	2,199,846	2,199,846
Parcel 23	3,672,541	3,672,541	3,672,541
Parcel 24	2,799,896	2,799,896	2,799,896
Parcel 25	1,418,561	1,418,561	1,418,561
Parcel 26	1,283,947	1,283,947	1,283,947
Parcel 27	2,539,894	2,539,894	2,539,894
Parcel 28	2,199,846	2,199,846	2,199,846
Parcel 29	3,672,541	3,672,541	3,672,541
Parcel 30	2,799,896	2,799,896	2,799,896
Parcel 31	1,418,561	1,418,561	1,418,561
Parcel 32	1,283,947	1,283,947	1,283,947
Parcel 33	2,539,894	2,539,894	2,539,894
Parcel 34	2,199,846	2,199,846	2,199,846
Parcel 35	3,672,541	3,672,541	3,672,541
Parcel 36	2,799,896	2,799,896	2,799,896
Parcel 37	1,418,561	1,418,561	1,418,561
Parcel 38	1,283,947	1,283,947	1,283,947
Parcel 39	2,539,894	2,539,894	2,539,894
Parcel 40	2,199,846	2,199,846	2,199,846
Parcel 41	3,672,541	3,672,541	3,672,541
Parcel 42	2,799,896	2,799,896	2,799,896
Parcel 43	1,418,561	1,418,561	1,418,561
Parcel 44	1,283,947	1,283,947	1,283,947
Parcel 45	2,539,894	2,539,894	2,539,894
Parcel 46	2,199,846	2,199,846	2,199,846
Parcel 47	3,672,541	3,672,541	3,672,541
Parcel 48	2,799,896	2,799,896	2,799,896
Parcel 49	1,418,561	1,418,561	1,418,561
Parcel 50	1,283,947	1,283,947	1,283,947
Parcel 51	2,539,894	2,539,894	2,539,894
Parcel 52	2,199,846	2,199,846	2,199,846
Parcel 53	3,672,541	3,672,541	3,672,541
Parcel 54	2,799,896	2,799,896	2,799,896
Parcel 55	1,418,561	1,418,561	1,418,561
Parcel 56	1,283,947	1,283,947	1,283,947
Parcel 57	2,539,894	2,539,894	2,539,894
Parcel 58	2,199,846	2,199,846	2,199,846
Parcel 59	3,672,541	3,672,541	3,672,541
Parcel 60	2,799,896	2,799,896	2,799,896
Parcel 61	1,418,561	1,418,561	1,418,561
Parcel 62	1,283,947	1,283,947	1,283,947
Parcel 63	2,539,894	2,539,894	2,539,894
Parcel 64	2,199,846	2,199,846	2,199,846
Parcel 65	3,672,541	3,672,541	3,672,541
Parcel 66	2,799,896	2,799,896	2,799,896
Parcel 67	1,418,561	1,418,561	1,418,561
Parcel 68	1,283,947	1,283,947	1,283,947
Parcel 69	2,539,894	2,539,894	2,539,894
Parcel 70	2,199,846	2,199,846	2,199,846
Parcel 71	3,672,541	3,672,541	3,672,541
Parcel 72	2,799,896	2,799,896	2,799,896
Parcel 73	1,418,561	1,418,561	1,418,561
Parcel 74	1,283,947	1,283,947	1,283,947
Parcel 75	2,539,894	2,539,894	2,539,894
Parcel 76	2,199,846	2,199,846	2,199,846
Parcel 77	3,672,541	3,672,541	3,672,541
Parcel 78	2,799,896	2,799,896	2,799,896
Parcel 79	1,418,561	1,418,561	1,418,561
Parcel 80	1,283,947	1,283,947	1,283,947
Parcel 81	2,539,894	2,539,894	2,539,894
Parcel 82	2,199,846	2,199,846	2,199,846
Parcel 83	3,672,541	3,672,541	3,672,541
Parcel 84	2,799,896	2,799,896	2,799,896
Parcel 85	1,418,561	1,418,561	1,418,561
Parcel 86	1,283,947	1,283,947	1,283,947
Parcel 87	2,539,894	2,539,894	2,539,894
Parcel 88	2,199,846	2,199,846	2,199,846
Parcel 89	3,672,541	3,672,541	3,672,541
Parcel 90	2,799,896	2,799,896	2,799,896
Parcel 91	1,418,561	1,418,561	1,418,561
Parcel 92	1,283,947	1,283,947	1,283,947
Parcel 93	2,539,894	2,539,894	2,539,894
Parcel 94	2,199,846	2,199,846	2,199,846
Parcel 95	3,672,541	3,672,541	3,672,541
Parcel 96	2,799,896	2,799,896	2,799,896
Parcel 97	1,418,561	1,418,561	1,418,561
Parcel 98	1,283,947	1,283,947	1,283,947
Parcel 99	2,539,894	2,539,894	2,539,894
Parcel 100	2,199,846	2,199,846	2,199,846



01 OVERALL SITE PLAN - OPTION 2 MIXED USE

PROJECT INFORMATION

PROJECT NAME: BILTMORE FASHION PARK
PROPERTY ADDRESS: 2502 EAST CAMELBACK ROAD, PHOENIX, ARIZONA 85016
PARCEL NUMBER: 164-14-100
LAND: CAMELBACK EAST
ZONING DISTRICT: C-18
PERMITTING: COMMERCIAL HIGH-RISE

PROJECT DESCRIPTION: PHASE 2 OF THE BILTMORE FASHION PARK DEVELOPMENT. THIS PROJECT IS A MIXED-USE DEVELOPMENT THAT WILL INCLUDE OFFICE, RETAIL, AND RESIDENTIAL SPACE. THE DEVELOPMENT IS SCHEDULED TO BE COMPLETED BY Q4 2024. THE PROJECT IS A MIXED-USE DEVELOPMENT THAT WILL INCLUDE OFFICE, RETAIL, AND RESIDENTIAL SPACE. THE DEVELOPMENT IS SCHEDULED TO BE COMPLETED BY Q4 2024.

SITE AREA: OVERALL: 1,283,947 SQ FT; 29.5 AC
NET AREA: 1,283,947 SQ FT; 29.5 AC
USE: COMMERCIAL HIGH-RISE
PERMITTING: COMMERCIAL HIGH-RISE
DATE: MARCH 01, 2024

BUILDING AREAS: BUILDING A: 1,283,947 SQ FT; 29.5 AC
BUILDING B: 1,283,947 SQ FT; 29.5 AC
BUILDING C: 1,283,947 SQ FT; 29.5 AC
BUILDING D: 1,283,947 SQ FT; 29.5 AC
BUILDING E: 1,283,947 SQ FT; 29.5 AC
BUILDING F: 1,283,947 SQ FT; 29.5 AC
BUILDING G: 1,283,947 SQ FT; 29.5 AC
BUILDING H: 1,283,947 SQ FT; 29.5 AC
BUILDING I: 1,283,947 SQ FT; 29.5 AC
BUILDING J: 1,283,947 SQ FT; 29.5 AC
BUILDING K: 1,283,947 SQ FT; 29.5 AC
BUILDING L: 1,283,947 SQ FT; 29.5 AC
BUILDING M: 1,283,947 SQ FT; 29.5 AC
BUILDING N: 1,283,947 SQ FT; 29.5 AC
BUILDING O: 1,283,947 SQ FT; 29.5 AC
BUILDING P: 1,283,947 SQ FT; 29.5 AC
BUILDING Q: 1,283,947 SQ FT; 29.5 AC
BUILDING R: 1,283,947 SQ FT; 29.5 AC
BUILDING S: 1,283,947 SQ FT; 29.5 AC
BUILDING T: 1,283,947 SQ FT; 29.5 AC
BUILDING U: 1,283,947 SQ FT; 29.5 AC
BUILDING V: 1,283,947 SQ FT; 29.5 AC
BUILDING W: 1,283,947 SQ FT; 29.5 AC
BUILDING X: 1,283,947 SQ FT; 29.5 AC
BUILDING Y: 1,283,947 SQ FT; 29.5 AC
BUILDING Z: 1,283,947 SQ FT; 29.5 AC

FLOOR AREA AND PROPOSED: FLOOR AREA: 1,283,947 SQ FT; 29.5 AC
PROPOSED: 1,283,947 SQ FT; 29.5 AC
ON-SITE USES: OFFICE, RETAIL, RESIDENTIAL
PERMITTING: COMMERCIAL HIGH-RISE
DATE: MARCH 01, 2024

ADJACENT AREAS: ADJACENT AREAS: 1,283,947 SQ FT; 29.5 AC
PROPOSED: 1,283,947 SQ FT; 29.5 AC
PERMITTING: COMMERCIAL HIGH-RISE
DATE: MARCH 01, 2024

ADJACENT AREAS: ADJACENT AREAS: 1,283,947 SQ FT; 29.5 AC
PROPOSED: 1,283,947 SQ FT; 29.5 AC
PERMITTING: COMMERCIAL HIGH-RISE
DATE: MARCH 01, 2024

ADJACENT AREAS: ADJACENT AREAS: 1,283,947 SQ FT; 29.5 AC
PROPOSED: 1,283,947 SQ FT; 29.5 AC
PERMITTING: COMMERCIAL HIGH-RISE
DATE: MARCH 01, 2024

ADJACENT AREAS: ADJACENT AREAS: 1,283,947 SQ FT; 29.5 AC
PROPOSED: 1,283,947 SQ FT; 29.5 AC
PERMITTING: COMMERCIAL HIGH-RISE
DATE: MARCH 01, 2024

PHOTO1.2
OVERALL SITE PLAN
COMPARISON

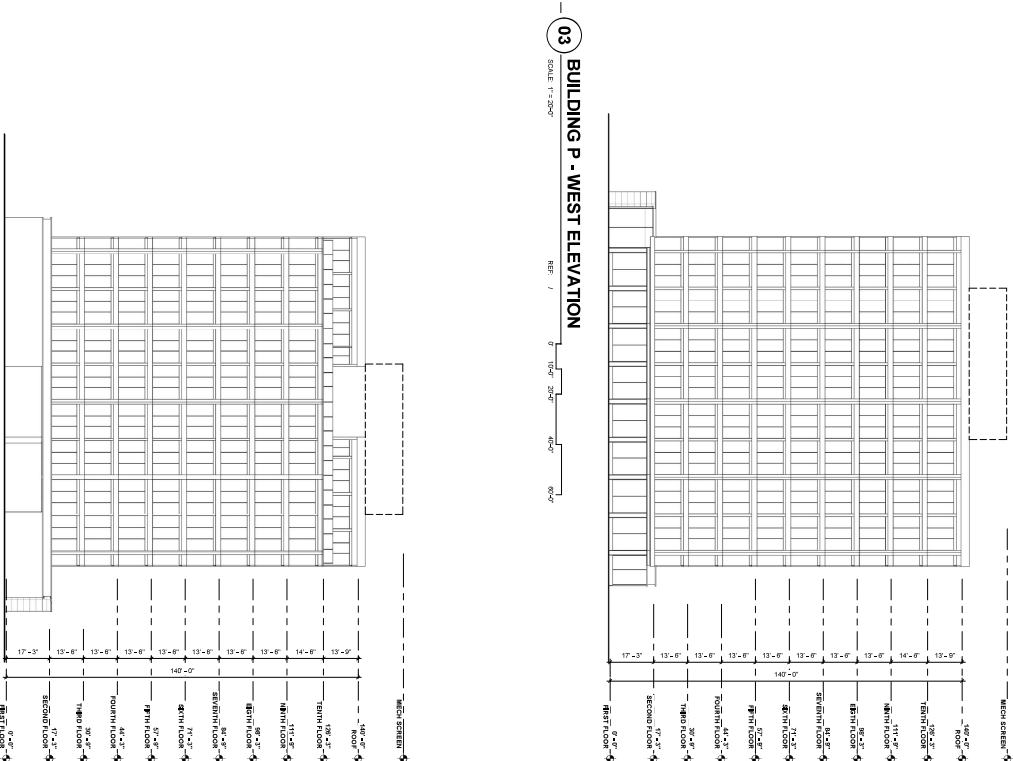
TAB F

Nelson Partners, Inc.
 Austin | Scottsdale
 15210 North Scottsdale Road
 Scottsdale, Arizona 85254
 P: 480.949.8800
 F: 480.949.8801
 www.nelsonpartners.com



BILTMORE FASHION PARK
RED DEVELOPMENT
 2502 EAST CAMELBACK ROAD
 PHOENIX, ARIZONA 85016

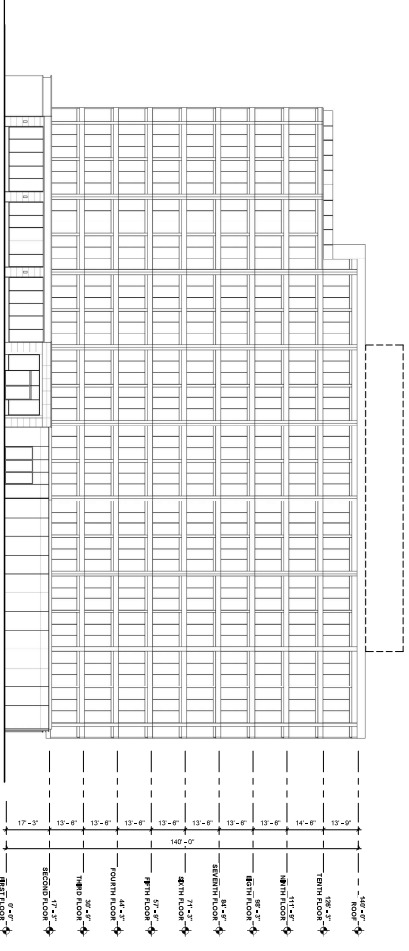
DATE: MARCH 01, 2024
 REVISIONS:



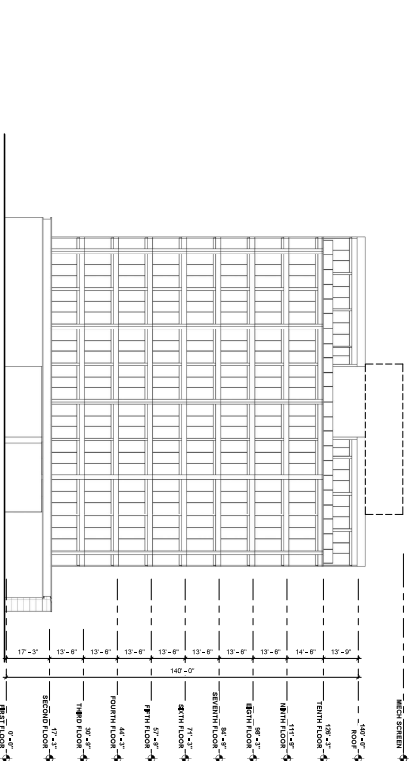
03 BUILDING P - WEST ELEVATION
 SCALE: 1/32\"/>



04 BUILDING P - SOUTH ELEVATION
 SCALE: 1/32\"/>



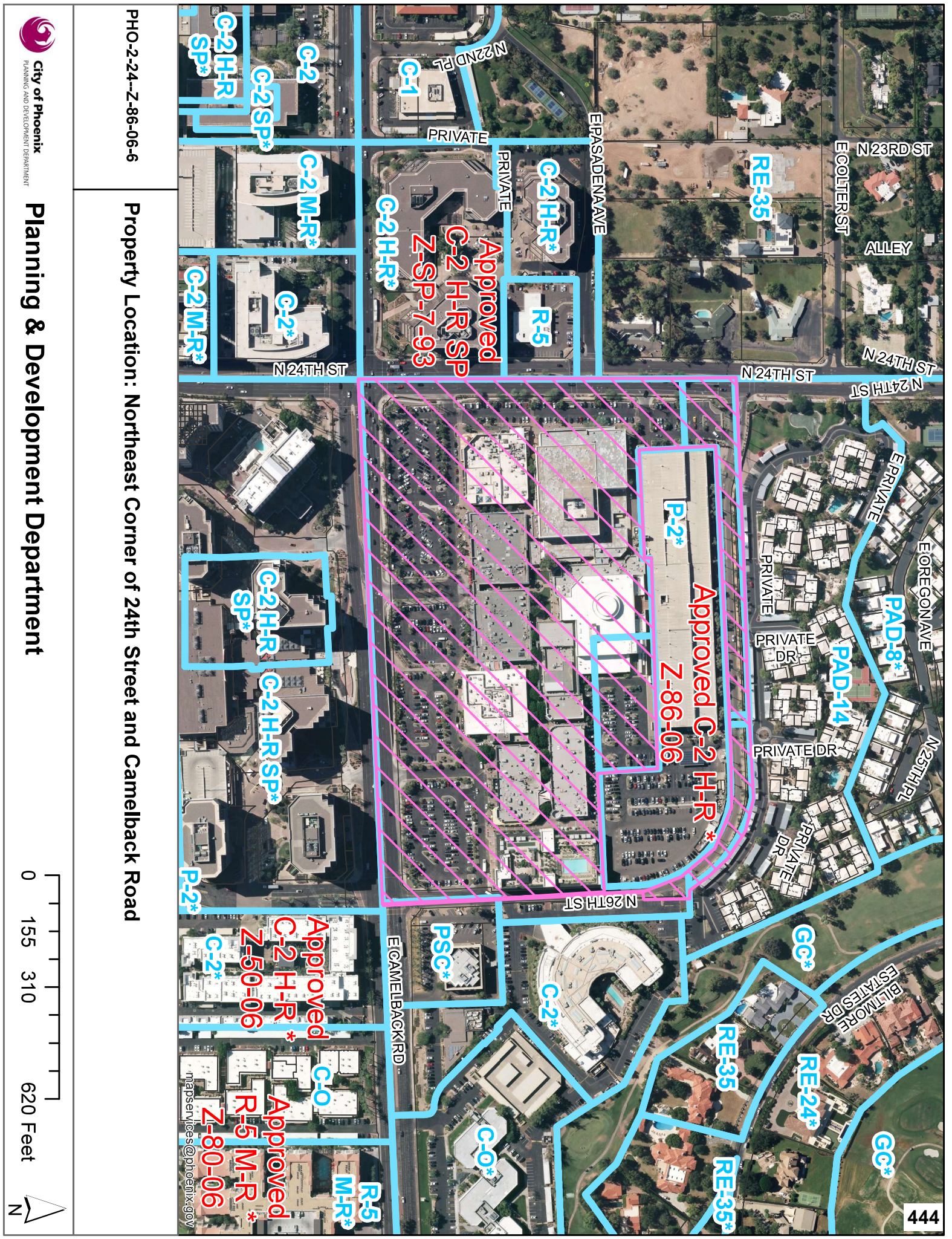
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01 BUILDING P - EAST ELEVATION
 SCALE: 1/32\"/>

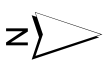
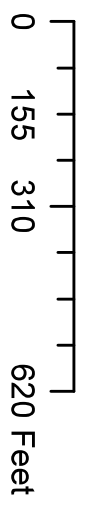
PHO201.1
 CONSTRUCTION ELEVATIONS - BUILDING P
 Project No.: 23079
 Nelson Partners, Inc.

EXHIBIT D



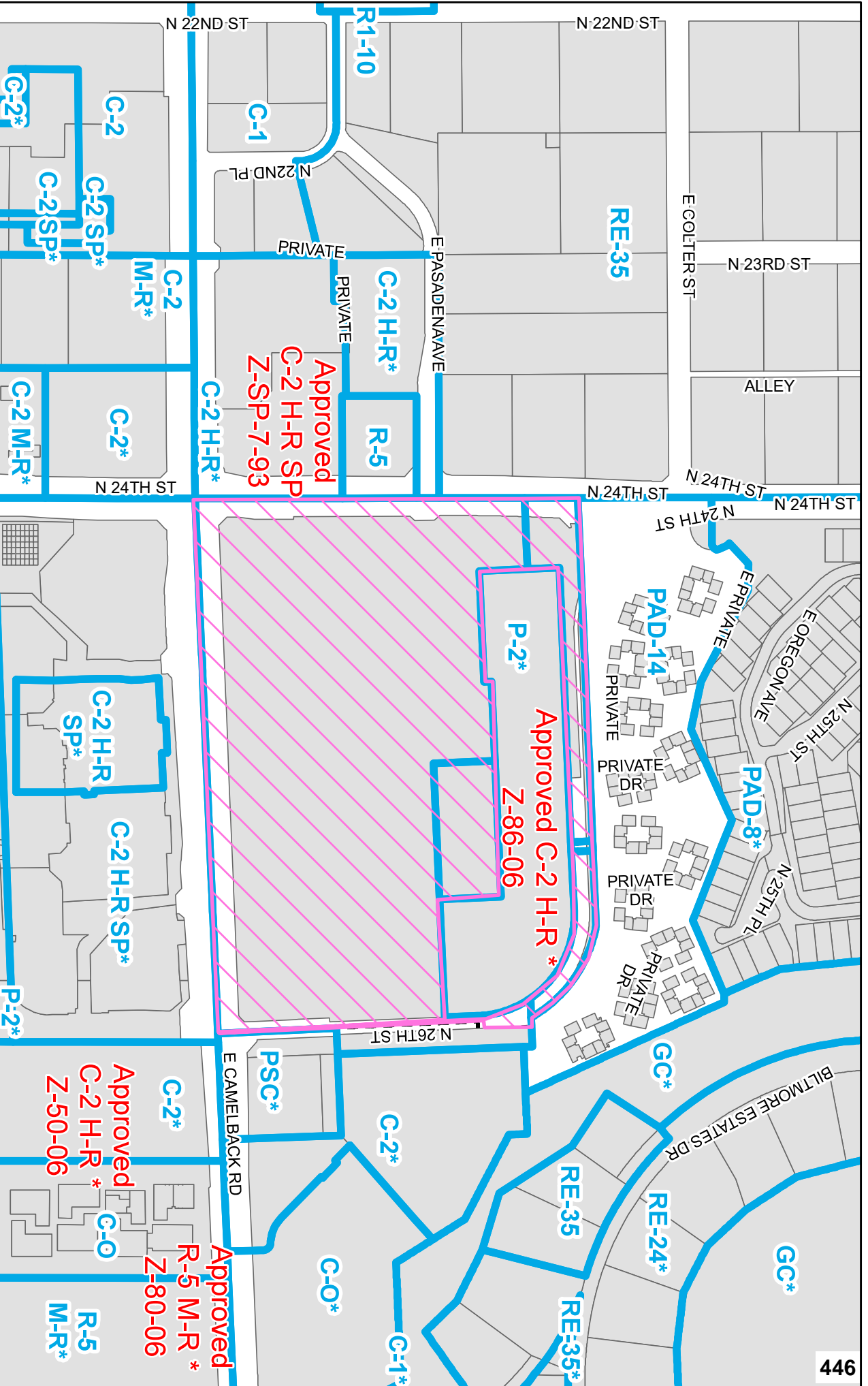
PHO-2-24--Z-86-06-6

Property Location: Northeast Corner of 24th Street and Camelback Road



mapservices@phoenix.gov

EXHIBIT E



PHO-2-24--Z-86-06-6

Property Location: Northeast Corner of 24th Street and Camelback Road



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development Department

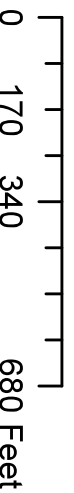


EXHIBIT F



City of Phoenix
PLANNING DEPARTMENT

November 2 2006

Earl Curley & Lagarde - Steve Earl
3101 North Central Avenue Suite 1000
Phoenix AZ 85012

Dear Applicant

RE Z 86-06-6 Northeast corner of 24th Street and Camelback Road

Please be advised that the Phoenix City Council in accordance with the provisions of Section 506 B 4 of the Zoning Ordinance as amended has on November 1 2006 concurred with the recommendation of the Planning Commission and has ratified application Z-86-06 6 to C-2 HR on approximately 27 33 acres subject to the following stipulations

STIPULATIONS

1 That the development of the two Phase 1 towers with residential or hotel uses up to 165 feet shall be in general conformance with the conceptual site plan and elevations dated June 23 2006

Mod 2 That the location of future towers beyond Phase 1 shall conform to the Biltmore Fashion Park Building Height Exhibit B dated August 24 2006 as set forth in the Camelback East Primary Core Specific Plan the stipulations of this rezoning case and the applicable Specific Plan Design Guidelines For towers seeking bonus building heights above 112 feet compliance with Specific Plan criteria to achieve such bonus building heights shall be reviewed and approved through the City's Planning Hearing Officer hearing process Should the building elevations for these future buildings not be generally consistent with the elevations dated June 23, 2006 the applicant shall also be required to process a modification to this stipulation to approve the new building elevations through the City's Planning Hearing Officer hearing process

BUILDING HEIGHTS/DENSITY

3 That building heights shall be developed according to Exhibit B (mediated agreement) and that bonus building height of 165 feet shall be permitted only for hotel and residential uses with retail uses (including service retail) required in the first at grade level of such buildings located on the pedestrian spine

- 4 That buildings achieving a bonus height of 165 feet shall have a maximum of 56 feet (measured from finished grade) which shall be utilized for commercial office or retail
- 5 That the density on the C-2 HR portion of the site shall be limited to 96.8 dwelling units per acre

STREETSCAPE AND PEDESTRIAN SPINE/CORE IDENTITY PLAN

- 6 That the applicant shall participate in the development of designs for signage, light fixtures, walkway surface patterns and other street furniture elements for the pedestrian spine and architectural and engineering drawings for theming, landscaping and other related improvements for the Camelback Road streetscape through the Camelback East Primary Core Specific Plan area
- TC 7 That the property shall include an outdoor pedestrian component which will represent the northern terminus of the Pedestrian Spine per the Camelback East Primary Core Specific Plan and that, as part of this component and as approved by the Development Services Department
 - a The developer shall install a pedestrian walkway from the pedestrian underpass on Camelback Road to the retail/residential structure
 - b That a way finding theme shall be established for the development to identify the pedestrian spine within the project. The theme may be incorporated into elements such as the pavement on which the pedestrian spine is routed, into the seating and lighting bollards or other pedestrian lighting along the spine, as well as into directional signage. The 'way finding' devices/mechanisms shall in some manner inform/direct those who enter the site that they can maneuver around the site and they can travel through the site to destinations off-site. The applicant shall present the theme concept to the Camelback East Village Planning Committee, Camelback Corridor Subcommittee for review and comment prior to preliminary site plan approval, as approved by the Development Services Department
- 8 That bicycle racks shall be provided on site and located in a covered and secure area
- TC 9 That the developer shall, together with other developers and commercial property owners in the immediate area, contribute on a fair and equitable basis to the financing of a rubber wheeled trolley system on the loop road, as approved by the Planning Department

10 That all improvements shall comply with ADA accessibility standards

Development and use of the site is subject to compliance with all applicable codes and ordinances

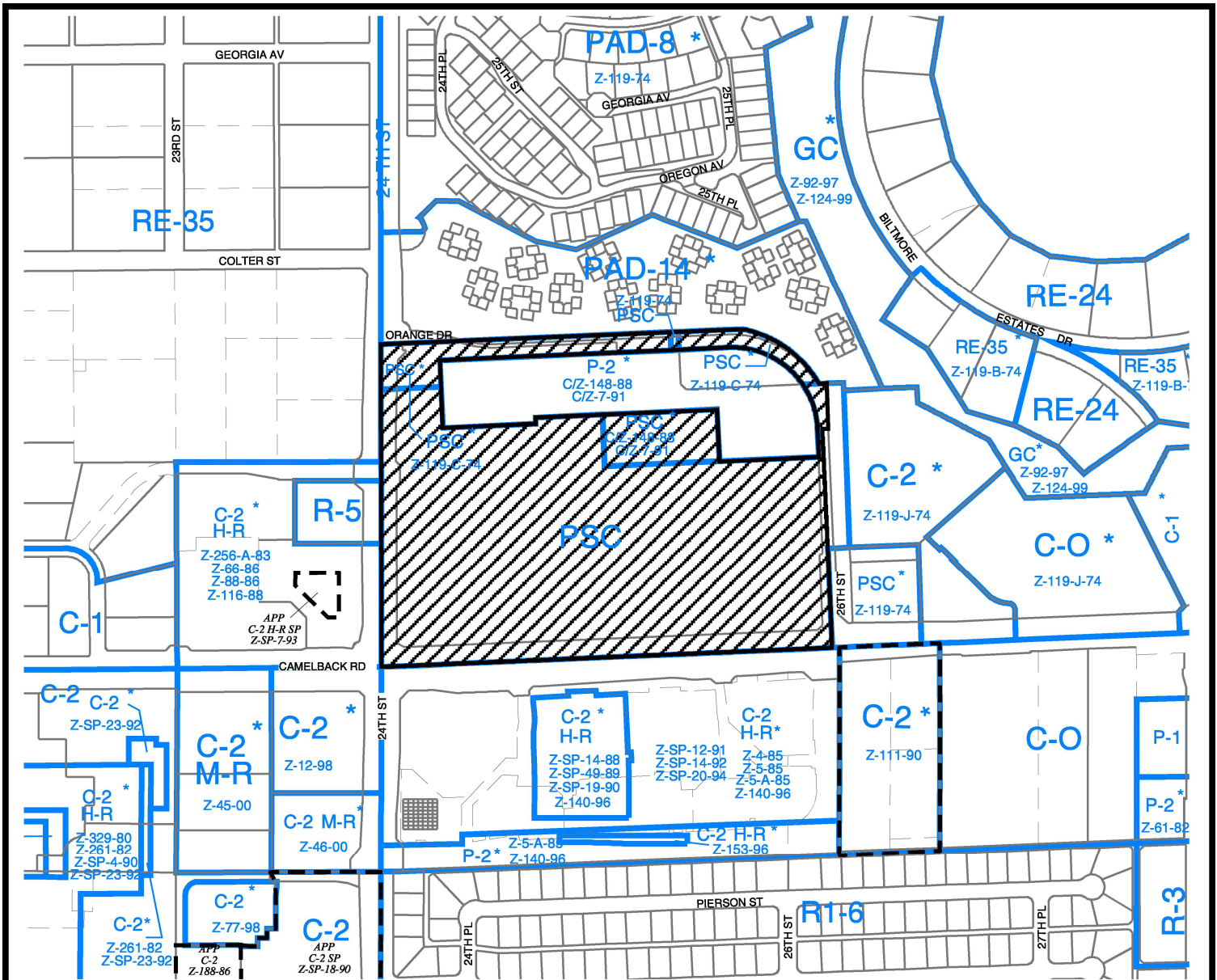
Sincerely



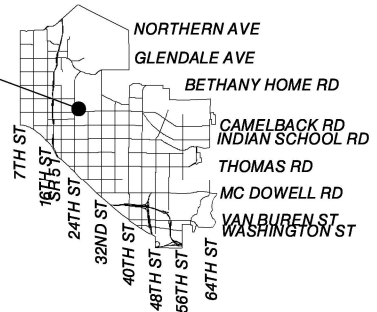
Carol Johnson AICP
Principal Planner

c Book Jay Neville (sent electronically)
Files Racelle Escolar (sent electronically)
Kelly Walker (sent electronically) Dave Barrier DSD (sent electronically)
E J Hyncik Public Transit (sent elec) Tricia Gomes (sent electronically)
Lynn West (sent electronically)
Westcor 11411 North Tatum Boulevard Phoenix AZ 85028
Nelsen Architects Inc 15044 North Scottsdale Rd Suite 200 Scottsdale AZ 85254

EXHIBIT G



Z-86-06



CITY OF PHOENIX PLANNING DEPARTMENT

Camelback East Village

CITY COUNCIL DISTRICT: 6

APPLICANT'S NAME: Earl, Curley & Lagarde - Steve Earl		REQUESTED CHANGE: FROM: PSC TO: C-2 H-R	
APPLICATION NO. Z-86-06	DATE: 8-1-2006 REVISION DATES: 8-3-2006		
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 27.33 Acres	AERIAL PHOTO & QUARTER SEC. NO. Q19-33	ZONING MAP H9	
MULTIPLES PERMITTED PSC C-2 H-R	CONVENTIONAL OPTION N/A 2,645		* UNITS P.R.D. OPTION N/A N/A

* Maximum Units Allowed with P.R.D. Bonus

EXHIBIT H

REPORT OF PLANNING HEARING OFFICER ACTION
 Byron Easton, Planner III, Hearing Officer
 Teresa Garcia, Planner I, Assisting

April 17, 2024

ITEM NO: 4	
	DISTRICT NO. 6
SUBJECT:	
Application #:	PHO-2-24--Z-86-06-6
Location:	Northeast Corner of 24th Street and Camelback Road
Zoning:	PSC (Approved C-2 HR) CEPCSP
Acreage:	27.33
Request:	1) Request to modify Stipulation 2 regarding review and approval for a tower exceeding 112 feet and proposed building elevations inconsistent with those dated June 23, 2006, through the Planning Hearing Officer process. 2) Technical Corrections to Stipulations 7 and 9.
Applicant:	Ed Bull, Burch & Cracchiolo P.A.
Owner:	Biltmore Shopping Center Partners
Representative:	Ed Bull, Burch & Cracchiolo P.A.

ACTIONS:

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with modifications and additional stipulations.

Village Planning Committee (VPC) Recommendation: The Camelback East Village Planning Committee chose not to review the application.

DISCUSSION:

Ed Bull gave an overview of the proposed development. He stated the proposed development (Building P) is approximately 800 feet away from the nearest residential properties to the northeast and south and 1,200 feet away from the nearest residential property to the northwest. He stated the development has approved H-R (High-Rise) zoning and is situated in Area 3 of the Camelback East Primary Core Specific Plan, indicating the proposed density was appropriate for the area. He stated no development standards or design guidelines were being modified in the application. He stated they performed the necessary outreach, including to the members of the community who were in opposition of the withdrawn PHO case. He stated a website and flyer were created to help notify the neighbors of the case. He stated the residents beyond 600 feet from the perimeter of Biltmore Fashion Park were notified, exceeding the required notification buffer.

Rana Lashgari, executive director for the Arizona Biltmore Neighborhood Association, stated she submitted a letter on behalf of the association asking for a continuance until a neighborhood meeting can be held. She stated that they did not find out about this case through neighborhood outreach and some neighbors were concerned about the request with the limited information they received. She stated neighbors were concerned about the design and traffic impact the development will create. She asked if a site evaluation has occurred or if the proposed site plan and elevations will change at final site plan approval, as there are concerns about the building height. She asked what future public engagement will look like if the project looks different than what is proposed now. She stated she understands neighborhood meetings are not a requirement for the PHO hearing process, but previous projects have had several meetings prior to council approval and a neighborhood meeting will provide neighbors a chance to voice their concerns and questions.

Mr. Bull stated Ms. Lashgari contacted him earlier in the week and regarding the neighborhood's concerns with the case and agreed to hold a neighborhood meeting the following week. He reiterated they exceeded the notification requirements for the PHO but were happy to host a neighborhood meeting to address the neighborhood's concerns. He stated any alternatives to the proposed site plan would be based on design guidelines and different development standards. He believes a preliminary site plan review occurred last fall but was not part of the team who attended the meeting. He stated the Streets Department wants to see a traffic impact analysis of the intersection and they have no issue with submitting one.

Robert Marino, representative of Esplanade Owner LLC, stated they welcome the additional investment and development. He stated responsible development when executed thoughtfully within the context of the community can benefit all parties. He stated historically it is a sensitive area and a successful citizens referendum resulted in the revocation of the City Council Ordinance permitting additional height in the area. He stated they submitted a similar correspondence letter back in February for the first PHO application for this case. He stated the concerns in the letter have not been addresses and have increased since the 2nd PHO application was submitted to the city. He stated the applicant contacted them less than a week before the April 17th hearing and they requested the applicant to continue the application to allow more time for neighborhood meetings and transparency. He requested that the applicant provide additional information regarding the proposed parking as it involves eliminating numerous parking spaces. He asked Mr. Easton to send this application to the Camelback East Village Planning Committee for review.

Mr. Easton stated the case was sent to the Camelback East Village Planning Committee and they chose not to hear the case.

Mr. Bull stated they provided notice to Esplanade Owner LLC on April 2nd, which was part of the notification requirement for the PHO application. He stated during his conversation with Mr. Marino and his team, he would answer questions he knew the answer to and those he did not, he would get back to them after reviewing with his clients. He stated they are willing to abide by comments and stipulations given by the city to move forward with the development. He stated he understands Mr. Marino's concerns with the surface parking, but they are not going to deviate from Section 702 of the Zoning Ordinance. He stated the Camelback East Primary Core Specific Plan encourages the reduction of asphalt surface parking lots and they intend on having underground parking under proposed Building P.

Joseph Long, a representative of the Camby Hotel, requested a traffic impact study and appreciated Mr. Bull's comments. He asked if the Camelback East Village Planning Committee can be contacted again so this case can be presented.

Mr. Easton stated the original request language was to remove the final sentence from Stipulation 2 regarding the building elevations. He stated Mr. Bull would like to add Stipulation 3 clarifying the different development options. He stated there was good communication made between the applicant and neighborhood. He stated his review is to ensure the stipulation modifications are appropriate and if the development fits in with what is already entitled on the site. He reiterated the applicant did their required outreach and a neighborhood meeting is not required. He stated the entitlements are in place and the Camelback East Primary Core Specific Plan is being honored. He recommended approval with modifications to Stipulation 2, regarding review and approval for a tower exceeding 112 feet and proposed building elevations dated June 23, 2006. He recommended approval with a modification to the new Stipulation 3.

FINDINGS:

- 1) The request for modification of Stipulation 2 is recommended to be approved with a modification. Staff is recommending the modification of Stipulation 2 to delete the requirement for general conformance to the elevations dated June 23, 2006 and create new stipulations to allow for the possible development of one of two different options with permitted building heights depending on the specific use or mix of uses.

The new stipulation (Stipulation 3) allows the submitted site plans to be applicable only to the proposed tower on Building P for the two building heights for either the 140 feet for an office and/or mixed-use commercial tower (Option 1) or 165 feet for a single use or mixed-use tower including residential, hotel, and/or commercial uses (Option 2). Future developments separate from the Building P tower will be able to submit

separate site plans specific to those projects, independent of the plans for Building P.

Staff is also recommending approval for the removal of the June 23, 2006 elevations requirement, as these elevations are outdated and are only applicable to the first phase of development, already completed on the site. Elevations and design review will continue to be reviewed and commented on by the Camelback East Architectural Review Committee for each proposed development. Lastly, the proposed tower complies with the Building Height Exhibit B of the Camelback East Primary Core Specific Plan, dated August 24, 2006, which designates the area with a maximum building height of 165 feet.

- 2) Stipulation 4 has been added as a new stipulation at the request of the Streets Transportation Department. The stipulation requires a Traffic Impact Study that will evaluate the magnitude of traffic impact the addition of Building P has on the adjacent intersection and existing infrastructure. The study will help determine if additional infrastructure is needed to ensure the traffic in the area continues to operate safely and efficiently with the new addition.
- 3) The Public Transit Department recommends an additional stipulation requiring the developer to retain the existing bus stop pad and transit shelter adjacent to the site. This additional Stipulation has been added as new Stipulation 5.
- 4) The applicant did not submit a Proposition 207 waiver of claims prior to the Planning Hearing Officer hearing. Submittal of this form is an application requirement. An additional stipulation is recommended to require the applicant to record this form and deliver it to the City to be included in the rezoning application file for record (Stipulation 11).

STIPULATIONS:

1.	That The development of the two Phase 1 towers with residential or hotel uses up to 165 feet shall be in general conformance with the conceptual site plan and elevations dated June 23, 2006.
2.	That The location of future towers beyond Phase 1 shall conform to the Biltmore Fashion Park Building Height Exhibit B, dated August 24, 2006, as set forth in the Camelback East Primary Core Specific Plan, the stipulations of this rezoning case, and the applicable Specific Plan Design Guidelines. For towers seeking bonus building heights above 112 feet, compliance with Specific Plan criteria to achieve such bonus building heights shall be reviewed and approved through the City's Planning Hearing Officer hearing process. Should the building elevations for these

	future buildings not be generally consistent with the elevations dated June 23, 2006, the applicant shall also be required to process a modification to this stipulation to approve the new building elevations through the City's Planning Hearing Officer hearing process.	
	BUILDING HEIGHTS/DENSITY	
3.	BUILDING P LOCATED AT THE SOUTHEAST CORNER OF THE SITE SHALL BE DEVELOPED WITH ANY SINGLE USE OR MIX OF USES, INCLUDING BUT NOT LIMITED TO HOTEL, RESIDENTIAL, OFFICE AND/OR RETAIL/COMMERCIAL USES AS PERMITTED IN SECTION 623 OF THE ZONING ORDINANCE AND THE CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN.	
	a.	A DEVELOPMENT CONSISTING OF OFFICE AND/OR OTHER COMMERCIAL USES SHALL BE IN GENERAL CONFORMANCE WITH THE OPTION 1 OFFICE SITE PLAN DATE STAMPED DECEMBER 1, 2023 WITH SPECIFIC REGARD TO THE FOLLOWING
	i.	BUILDING HEIGHT SHALL BE A MAXIMUM OF 140 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
	b.	A DEVELOPMENT CONSISTING OF HOTEL AND/OR RESIDENTIAL WITH OR WITHOUT A COMMERCIAL COMPONENT SHALL BE IN GENERAL CONFORMANCE WITH THE OPTION 2 MIXED USE SITE PLAN DATE STAMPED MARCH 1, 2024 WITH SPECIFIC REGARD TO THE FOLLOWING:
	i.	BUILDING HEIGHT SHALL BE A MAXIMUM OF 165 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
	ii.	THE CONFIGURATION, SIZE, AND LOCATION OF THE BUILDING FOOTPRINT FOR A DEVELOPMENT INCLUSIVE OF A RESIDENTIAL OR HOTEL USE MAY BE ALTERED TO ACCOMMODATE FOR VARIED FORMS AND LOCATIONS OF PORTES-COCHERES, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
4.	A TRAFFIC IMPACT STUDY (TIS) SHALL BE SUBMITTED TO THE CITY FOR BUILDING P. NO PRELIMINARY APPROVAL OF PLANS SHALL BE GRANTED UNTIL THE STUDY IS REVIEWED AND APPROVED BY THE STREET TRANSPORTATION DEPARTMENT. THE TIS SHALL INCLUDE AN OPERATIONS ANALYSIS FOR THE 26TH STREET AND	

	CAMELBACK ROAD INTERSECTION. THE DEVELOPER SHALL BE RESPONSIBLE FOR FUNDING AND CONSTRUCTION OF ALL RECOMMENDATIONS OF THE APPROVED STUDY.
5.	THE DEVELOPER SHALL RETAIN THE EXISTING BUS PAD AND TRANSIT SHELTER ON WESTBOUND CAMELBACK ROAD ON THE WEST SIDE OF 26TH STREET.
3. 6.	That Building heights shall be developed according to Exhibit 8 (mediated agreement) and that bonus building height of 165 feet shall be permitted only for hotel and residential uses with retail uses (including service retail) required in the first at grade level of such buildings located on the pedestrian spine.
4. 7.	That Buildings achieving a bonus height of 165 feet shall have a maximum of 56 feet (measured from finished grade) which shall be utilized for commercial, office or retail.
5. 8.	That The density on the C-2 HR portion of the site shall be limited to 96 8 dwelling units per acre.
STREETSCAPE AND PEDESTRIAN SPINEICORE IDENTITY PLAN	
6. 9.	That The applicant shall participate in the development of designs for signage, light fixtures, walkway surface patterns and other street furniture elements for the pedestrian spine and architectural and engineering drawings for theming, landscaping and other related improvements for the Camelback Road streetscape through the Camelback East Primary Core Specific Plan area.
7. 10	That The property shall include an outdoor pedestrian component which will represent the northern terminus of the Pedestrian Spine per the Camelback East Primary Core Specific Plan and that, as part of this component, and as approved by the PLANNING AND Development Services Department.
a.	The developer shall install a pedestrian walkway from the pedestrian underpass on Camelback Road to the retail/residential structure.
b.	That A "way finding" theme shall be established for the development to identify the pedestrian spine within the project. The theme may be incorporated into elements such as: the pavement on which the pedestrian spine is routed; into the seating and lighting bollards or other pedestrian lighting, along the spine; as well as into directional signage. The "way finding" devices/mechanisms shall in some manner

	inform/direct those who enter the site that they can maneuver around the site and they can travel through the site to destinations off-site. The applicant shall present the theme concept to the Camelback East Village Planning Committee Camelback Corridor Subcommittee for review and comment prior to preliminary site plan approval, as approved by the PLANNING AND Development Services Department.
8-11	That Bicycle racks shall be provided on site and located in a covered and secure area.
9-12	That The developer, shall together with other developers and commercial property owners in the immediate area, contribute on a fair and equitable basis to the financing of a rubber wheeled trolley system on the loop road as approved by the Planning AND DEVELOPMENT Department.
10-13	That All improvements shall comply with ADA accessibility standards.
14	PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

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

EXHIBIT I

Kiva #: 99-38815A22
SDEV#: 0100413

Bitmore Fashion Park - Phase 2

Total Gross Site Area	1,488,952 sf
	34.18 acres
Total Net Site Area	1,286,367 sf
	29.38 acres
Rezoning Site Area	937,524 sf
	21.38 acres

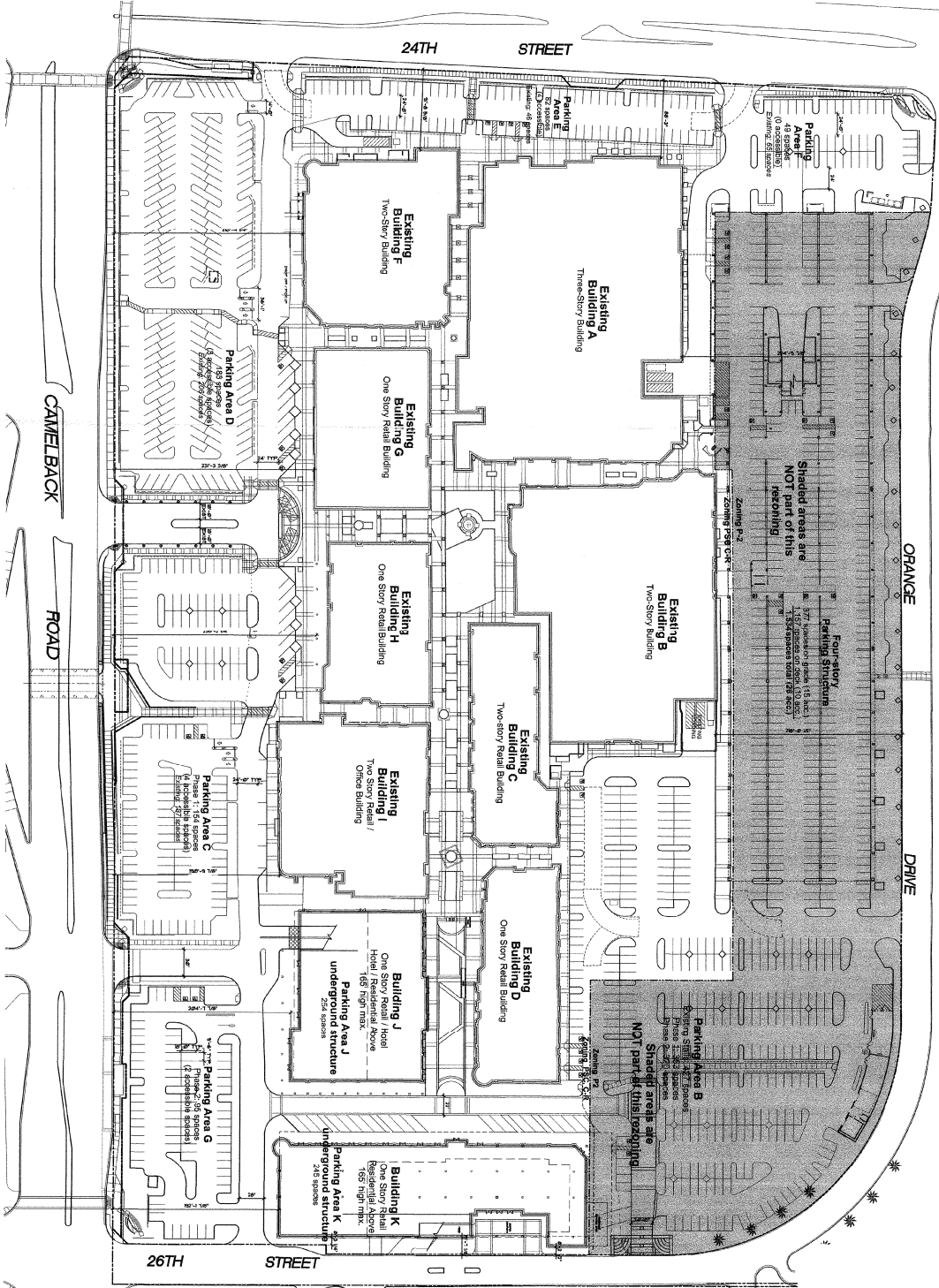
Buildings	Total Bldg
	Square Footage
Building A	216,413 sf
Building B	114,736 sf
Building C	24,574 sf
Building D	22,422 sf
Building E	30,983 sf
Building F	24,908 sf
Building G	24,422 sf
Building H	60,089 sf
Building I	151,429 sf
Building J	253,420 sf
Building K	977,488 sf
Total	531,853 sf

Retail	531,853 sf
Restaurant	46,095 sf
Office	17,747 sf
Residential	286,460 sf
Hotel	105,090 sf
Total	977,488 sf

Parking Required	2,561 spaces
Retail, Restaurant, Office, Hotel, & Residential	144 spaces
Hotel Parking	144 spaces
Residential Parking	208 spaces
Total Parking Required	2,913 spaces

Parking on Grade	1,255 spaces
New Structured Parking	1,162 spaces
Total Parking Provided	2,916 spaces
Over/Under Required Parking	43 spaces

Net Rezoning Total Building Area	977,488 sf / 1,022,244 sf
	1,510 F.A.R.
Net Lot Coverage (Rezoning Area)	308,141 sf / 1,022,244 sf
	30.7%
Net Open Space (Rezoning Area)	191,571 sf
	20.0%



Bitmore Fashion Park
Rezoning Application
Phoenix, Arizona

22 June 06
proj#: 36396



Scale: 1" = 60'-0"

0 30' 60' 120' 240'

WESTCOT
A Subsidiary of The Westcott Company
nelsen architects
INC.
Architects
CITY OF PHOENIX

PHO-2-24-Z-86-06-6

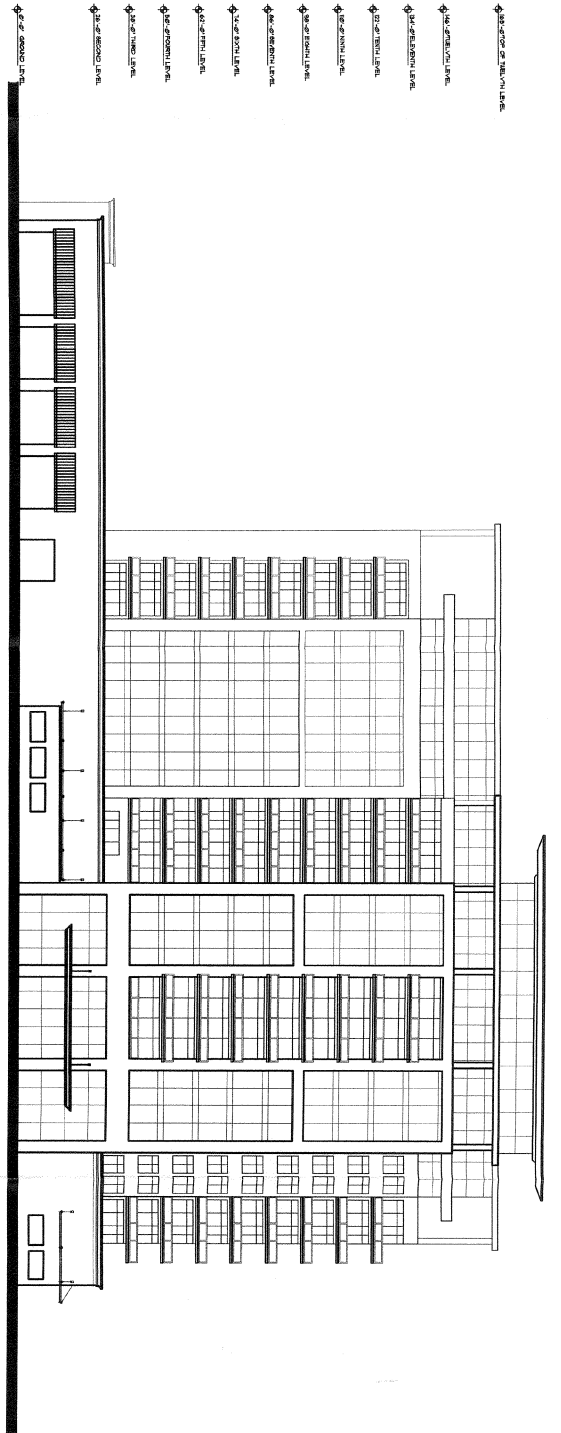
Stipulated Site Plan (Per Stipulation 1 - provided for context)

Z-86-06-6

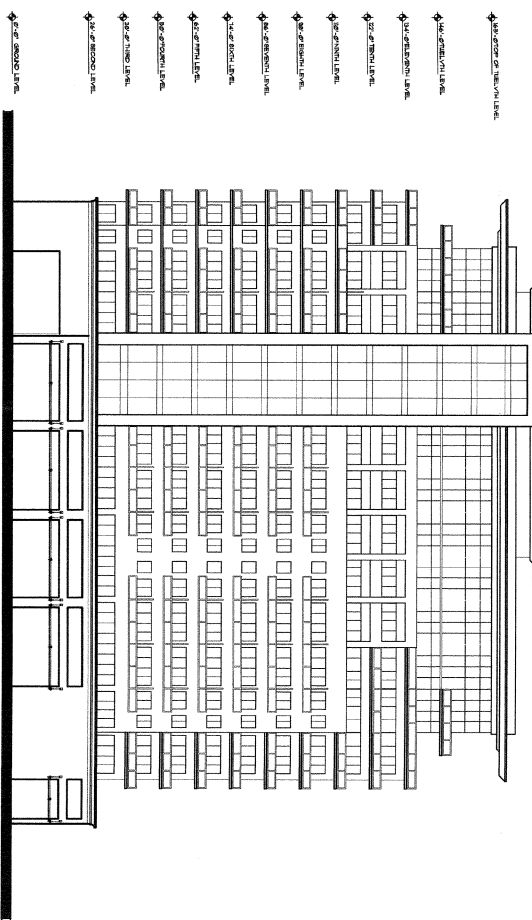
Hearing Date: April 17, 2024

JUN 3 3 2006
PLANNING DEPT.
202 TILGNERWAY

EXHIBIT J



Building K - East Elevation



Building J - South Elevation

Biltmore Fashion Park

Phoenix, Arizona

22 June 06
Proj# - 36396

Scale: 1" = 20'-0"

0 10' 20' 40' 80'

WESTCOT
A Subsidiary of The Mueser Company

nelsen architects
INC.
Austin, Somerville

CITY OF PHOENIX

JUN 23 2005
RAYMOND LOTT
500 N. CENTRAL AVENUE

PHO-2-24--Z-86-06-6

Stipulated Elevations (Per Stipulation 2)

Z-86-06-6
Hearing Date: April 17, 2024

EXHIBIT K

Nelson Partners, Inc.
 Austin | Scottsdale
 15310 North Scottsdale Road
 Scottsdale, Arizona 85254
 T: 480.999.8800
 F: 480.999.8800
 www.nelsonpartners.com



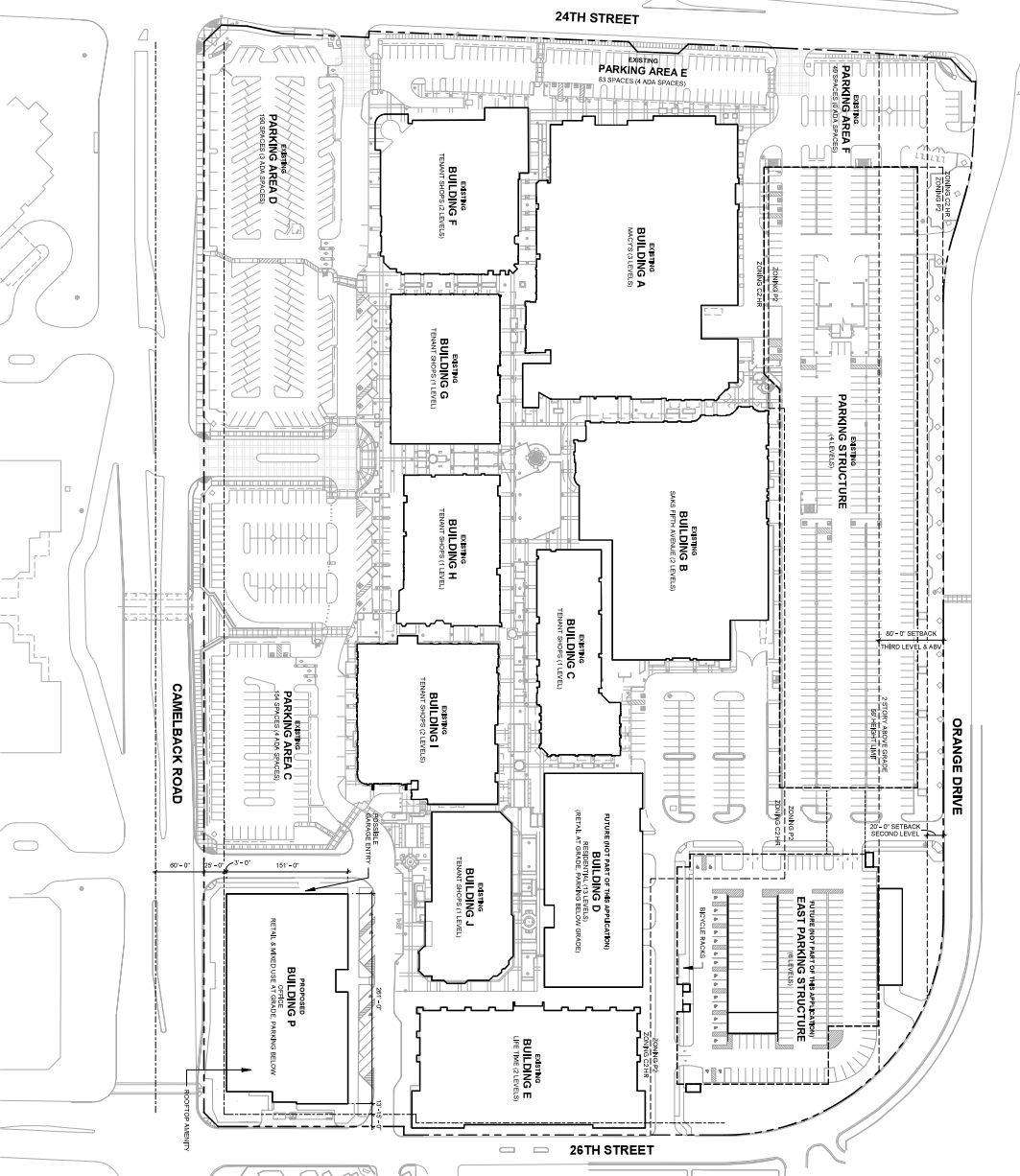
**BILTMORE FASHION PARK
 RED DEVELOPMENT**
 2502 EAST CAMELBACK ROAD
 PHOENIX, ARIZONA 85016

VICINITY MAP

CAMELBACK RD
 24TH ST
 26TH ST
 ORANGE DRIVE
 EAST PARKING STRUCTURE
 PROJECT

PROJECT INFORMATION

PROJECT NAME: BILTMORE FASHION PARK
 PROJECT ADDRESS: 2502 EAST CAMELBACK ROAD, PHOENIX, ARIZONA 85016
 PROJECT NUMBER: 23079
 DRAWING NUMBER: 01
 DRAWING TITLE: OVERALL SITE PLAN - OPTION 1 OFFICE
 PROJECT DESCRIPTION: PROPOSED FOR REDEVELOPMENT OFFICE AND RETAIL DEVELOPMENT SITE. THE PROJECT IS LOCATED AT THE CORNER OF 25TH STREET AND CAMELBACK ROAD. THE PROJECT IS A MIXED-USE DEVELOPMENT INCLUDING OFFICE AND RETAIL DEVELOPMENT. THE PROJECT IS A MIXED-USE DEVELOPMENT INCLUDING OFFICE AND RETAIL DEVELOPMENT.



CITY OF PHX PROJECT NUMBERS

PROJECT NUMBER	STATUS
23079	PROPOSED
23078	PROPOSED
23077	PROPOSED
23076	PROPOSED
23075	PROPOSED
23074	PROPOSED
23073	PROPOSED
23072	PROPOSED
23071	PROPOSED
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23005	PROPOSED
23004	PROPOSED
23003	PROPOSED
23002	PROPOSED
23001	PROPOSED

CITY OF PHOENIX
 MAY 01 2024
 Planning & Development
 Department



**BILTMORE FASHION PARK
RED DEVELOPMENT**
2502 EAST CAMELBACK ROAD
PHOENIX, ARIZONA 85016



PROJECT INFORMATION

PROJECT NAME: BILTMORE FASHION PARK
PROJECT ADDRESS: 2502 EAST CAMELBACK ROAD, PHOENIX, ARIZONA 85016
PROJECT NUMBER: 2502CAM-2023-001
DATE: 02/28/2024
PROJECT DESCRIPTION: PROPOSED FOR MAJOR RENOVATION AND OFFICE RECONFIGURATION OF THE BILTMORE FASHION PARK (FORMERLY BILTMORE CENTER) AT THE INTERSECTION OF 25TH STREET AND CAMELBACK ROAD. THE RENOVATION WILL INCLUDE THE DEMOLITION OF THE EXISTING BUILDINGS AND THE CONSTRUCTION OF NEW BUILDINGS AND PARKING STRUCTURES. THE PROPOSED DEVELOPMENT WILL CONSIST OF TEN NEW BUILDINGS AND TWO PARKING STRUCTURES. THE TOTAL DEVELOPMENT WILL BE APPROXIMATELY 2,000,000 SQUARE FEET OF GROSS FLOOR AREA AND 4,000 PARKING SPACES.

BUILDING AREAS

BUILDING AREA	TYPE	AREA (SQ FT)	AREA (SQ YD)
BUILDING A	OFFICE	231,705 SF	26,747 SQ YD
BUILDING B	OFFICE	201,000 SF	23,211 SQ YD
BUILDING C	OFFICE	265,000 SF	30,556 SQ YD
BUILDING D	OFFICE	38,000 SF	4,381 SQ YD
BUILDING E	OFFICE	241,100 SF	27,835 SQ YD
BUILDING F	OFFICE	241,100 SF	27,835 SQ YD
BUILDING G	OFFICE	241,100 SF	27,835 SQ YD
BUILDING H	OFFICE	241,100 SF	27,835 SQ YD
BUILDING I	OFFICE	241,100 SF	27,835 SQ YD
BUILDING J	OFFICE	241,100 SF	27,835 SQ YD
BUILDING P	OFFICE	241,100 SF	27,835 SQ YD
PARKING STRUCTURE 1	PARKING	47,275 SF	5,458 SQ YD
PARKING STRUCTURE 2	PARKING	47,275 SF	5,458 SQ YD
TOTAL DEVELOPMENT		2,000,000 SF	230,375 SQ YD

LOT COVERAGE

LOT COVERAGE	TYPE	AREA (SQ FT)	AREA (SQ YD)
LOT 1	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 2	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 3	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 4	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 5	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 6	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 7	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 8	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 9	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 10	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 11	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 12	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 13	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 14	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 15	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 16	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 17	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 18	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 19	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 20	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 21	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 22	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 23	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 24	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 25	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 26	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 27	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 28	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 29	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 30	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 31	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 32	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 33	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 34	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 35	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 36	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 37	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 38	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 39	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 40	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 41	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 42	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 43	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 44	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 45	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 46	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 47	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 48	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 49	ALLOWED	2,000,000 SF	230,375 SQ YD
LOT 50	ALLOWED	2,000,000 SF	230,375 SQ YD

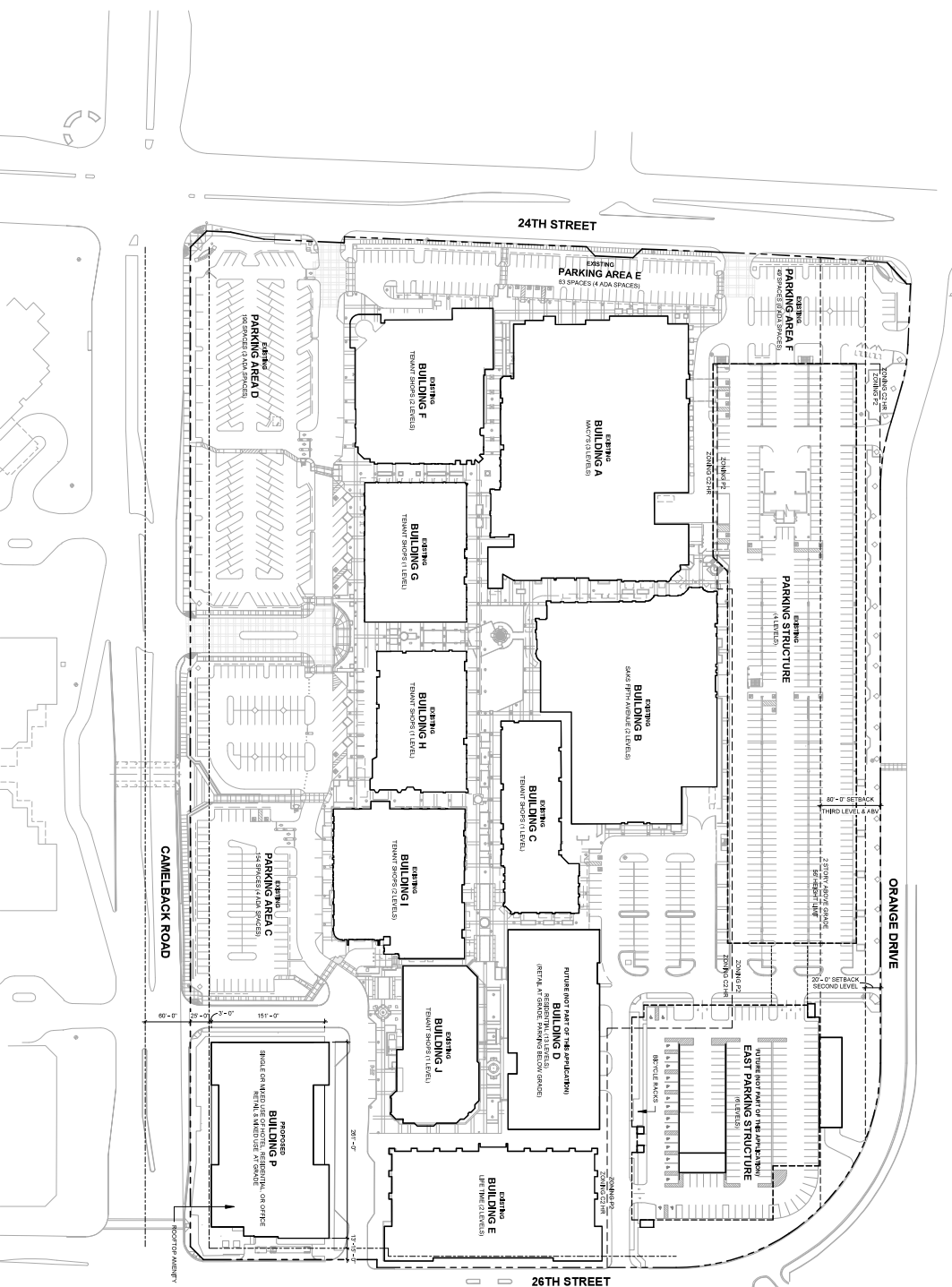
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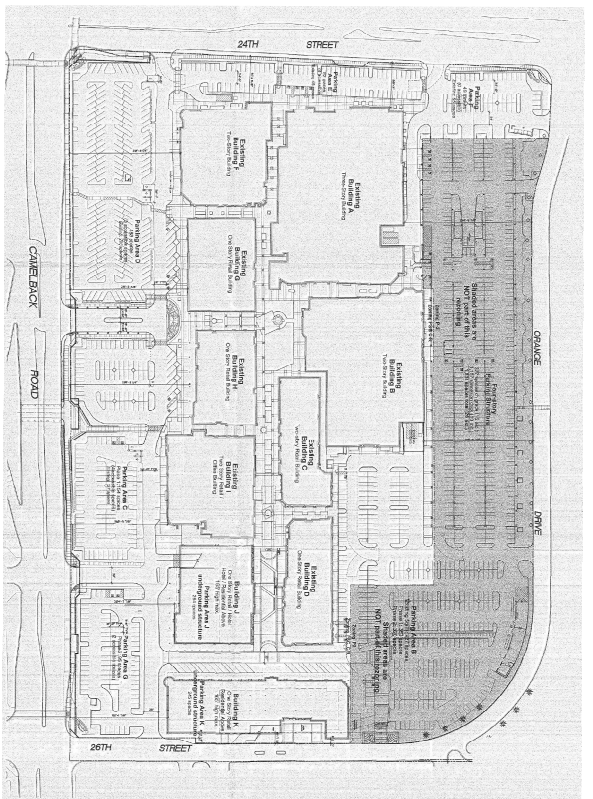
PHASE	TYPE	AREA (SQ FT)	AREA (SQ YD)
PHASE 1	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 2	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 3	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 4	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 5	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 6	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 7	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 8	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 9	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 10	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 11	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 12	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 13	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 14	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 15	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 16	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 17	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 18	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 19	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 20	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 21	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 22	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 23	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 24	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 25	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 26	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 27	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 28	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 29	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 30	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 31	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 32	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 33	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 34	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 35	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 36	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 37	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 38	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 39	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 40	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 41	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 42	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 43	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 44	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 45	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 46	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 47	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 48	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 49	PROPOSED	2,000,000 SF	230,375 SQ YD
PHASE 50	PROPOSED	2,000,000 SF	230,375 SQ YD

CITY OF PHX PROJECT NUMBERS

PROJECT NUMBER	TYPE	AREA (SQ FT)	AREA (SQ YD)
2502CAM-2023-001	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-002	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-003	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-004	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-005	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-006	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-007	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-008	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-009	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-010	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-011	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-012	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-013	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-014	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-015	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-016	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-017	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-018	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-019	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-020	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-021	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-022	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-023	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-024	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-025	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-026	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-027	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-028	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-029	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-030	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-031	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-032	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-033	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-034	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-035	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-036	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-037	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-038	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-039	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-040	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-041	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-042	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-043	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-044	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-045	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-046	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-047	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-048	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-049	PROPOSED	2,000,000 SF	230,375 SQ YD
2502CAM-2023-050	PROPOSED	2,000,000 SF	230,375 SQ YD

CITY OF PHOENIX
 MAR 01 2024
 Planning & Development
 Department





02 OVERALL SITE PLAN - CASE NUMBER Z-86-06

King # 39-38815A22
SDEV#: 0100413

Biltmore Fashion Park - Phase 2

Parcel Number	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)
24th Street Area	1,418,504	1,418,504		
Parcel 1	1,250,000	1,250,000		
Parcel 2	1,668,000	1,668,000		
Parcel 3	2,239,000	2,239,000		
Parcel 4	2,799,000	2,799,000		
Parcel 5	3,359,000	3,359,000		
Parcel 6	3,919,000	3,919,000		
Parcel 7	4,479,000	4,479,000		
Parcel 8	5,039,000	5,039,000		
Parcel 9	5,599,000	5,599,000		
Parcel 10	6,159,000	6,159,000		
Parcel 11	6,719,000	6,719,000		
Parcel 12	7,279,000	7,279,000		
Parcel 13	7,839,000	7,839,000		
Parcel 14	8,399,000	8,399,000		
Parcel 15	8,959,000	8,959,000		
Parcel 16	9,519,000	9,519,000		
Parcel 17	10,079,000	10,079,000		
Parcel 18	10,639,000	10,639,000		
Parcel 19	11,199,000	11,199,000		
Parcel 20	11,759,000	11,759,000		
Parcel 21	12,319,000	12,319,000		
Parcel 22	12,879,000	12,879,000		
Parcel 23	13,439,000	13,439,000		
Parcel 24	13,999,000	13,999,000		
Parcel 25	14,559,000	14,559,000		
Parcel 26	15,119,000	15,119,000		
Parcel 27	15,679,000	15,679,000		
Parcel 28	16,239,000	16,239,000		
Parcel 29	16,799,000	16,799,000		
Parcel 30	17,359,000	17,359,000		
Parcel 31	17,919,000	17,919,000		
Parcel 32	18,479,000	18,479,000		
Parcel 33	19,039,000	19,039,000		
Parcel 34	19,599,000	19,599,000		
Parcel 35	20,159,000	20,159,000		
Parcel 36	20,719,000	20,719,000		
Parcel 37	21,279,000	21,279,000		
Parcel 38	21,839,000	21,839,000		
Parcel 39	22,399,000	22,399,000		
Parcel 40	22,959,000	22,959,000		
Parcel 41	23,519,000	23,519,000		
Parcel 42	24,079,000	24,079,000		
Parcel 43	24,639,000	24,639,000		
Parcel 44	25,199,000	25,199,000		
Parcel 45	25,759,000	25,759,000		
Parcel 46	26,319,000	26,319,000		
Parcel 47	26,879,000	26,879,000		
Parcel 48	27,439,000	27,439,000		
Parcel 49	27,999,000	27,999,000		
Parcel 50	28,559,000	28,559,000		
Parcel 51	29,119,000	29,119,000		
Parcel 52	29,679,000	29,679,000		
Parcel 53	30,239,000	30,239,000		
Parcel 54	30,799,000	30,799,000		
Parcel 55	31,359,000	31,359,000		
Parcel 56	31,919,000	31,919,000		
Parcel 57	32,479,000	32,479,000		
Parcel 58	33,039,000	33,039,000		
Parcel 59	33,599,000	33,599,000		
Parcel 60	34,159,000	34,159,000		
Parcel 61	34,719,000	34,719,000		
Parcel 62	35,279,000	35,279,000		
Parcel 63	35,839,000	35,839,000		
Parcel 64	36,399,000	36,399,000		
Parcel 65	36,959,000	36,959,000		
Parcel 66	37,519,000	37,519,000		
Parcel 67	38,079,000	38,079,000		
Parcel 68	38,639,000	38,639,000		
Parcel 69	39,199,000	39,199,000		
Parcel 70	39,759,000	39,759,000		
Parcel 71	40,319,000	40,319,000		
Parcel 72	40,879,000	40,879,000		
Parcel 73	41,439,000	41,439,000		
Parcel 74	41,999,000	41,999,000		
Parcel 75	42,559,000	42,559,000		
Parcel 76	43,119,000	43,119,000		
Parcel 77	43,679,000	43,679,000		
Parcel 78	44,239,000	44,239,000		
Parcel 79	44,799,000	44,799,000		
Parcel 80	45,359,000	45,359,000		
Parcel 81	45,919,000	45,919,000		
Parcel 82	46,479,000	46,479,000		
Parcel 83	47,039,000	47,039,000		
Parcel 84	47,599,000	47,599,000		
Parcel 85	48,159,000	48,159,000		
Parcel 86	48,719,000	48,719,000		
Parcel 87	49,279,000	49,279,000		
Parcel 88	49,839,000	49,839,000		
Parcel 89	50,399,000	50,399,000		
Parcel 90	50,959,000	50,959,000		
Parcel 91	51,519,000	51,519,000		
Parcel 92	52,079,000	52,079,000		
Parcel 93	52,639,000	52,639,000		
Parcel 94	53,199,000	53,199,000		
Parcel 95	53,759,000	53,759,000		
Parcel 96	54,319,000	54,319,000		
Parcel 97	54,879,000	54,879,000		
Parcel 98	55,439,000	55,439,000		
Parcel 99	55,999,000	55,999,000		
Parcel 100	56,559,000	56,559,000		
Parcel 101	57,119,000	57,119,000		
Parcel 102	57,679,000	57,679,000		
Parcel 103	58,239,000	58,239,000		
Parcel 104	58,799,000	58,799,000		
Parcel 105	59,359,000	59,359,000		
Parcel 106	59,919,000	59,919,000		
Parcel 107	60,479,000	60,479,000		
Parcel 108	61,039,000	61,039,000		
Parcel 109	61,599,000	61,599,000		
Parcel 110	62,159,000	62,159,000		
Parcel 111	62,719,000	62,719,000		
Parcel 112	63,279,000	63,279,000		
Parcel 113	63,839,000	63,839,000		
Parcel 114	64,399,000	64,399,000		
Parcel 115	64,959,000	64,959,000		
Parcel 116	65,519,000	65,519,000		
Parcel 117	66,079,000	66,079,000		
Parcel 118	66,639,000	66,639,000		
Parcel 119	67,199,000	67,199,000		
Parcel 120	67,759,000	67,759,000		
Parcel 121	68,319,000	68,319,000		
Parcel 122	68,879,000	68,879,000		
Parcel 123	69,439,000	69,439,000		
Parcel 124	69,999,000	69,999,000		
Parcel 125	70,559,000	70,559,000		
Parcel 126	71,119,000	71,119,000		
Parcel 127	71,679,000	71,679,000		
Parcel 128	72,239,000	72,239,000		
Parcel 129	72,799,000	72,799,000		
Parcel 130	73,359,000	73,359,000		
Parcel 131	73,919,000	73,919,000		
Parcel 132	74,479,000	74,479,000		
Parcel 133	75,039,000	75,039,000		
Parcel 134	75,599,000	75,599,000		
Parcel 135	76,159,000	76,159,000		
Parcel 136	76,719,000	76,719,000		
Parcel 137	77,279,000	77,279,000		
Parcel 138	77,839,000	77,839,000		
Parcel 139	78,399,000	78,399,000		
Parcel 140	78,959,000	78,959,000		
Parcel 141	79,519,000	79,519,000		
Parcel 142	80,079,000	80,079,000		
Parcel 143	80,639,000	80,639,000		
Parcel 144	81,199,000	81,199,000		
Parcel 145	81,759,000	81,759,000		
Parcel 146	82,319,000	82,319,000		
Parcel 147	82,879,000	82,879,000		
Parcel 148	83,439,000	83,439,000		
Parcel 149	83,999,000	83,999,000		
Parcel 150	84,559,000	84,559,000		
Parcel 151	85,119,000	85,119,000		
Parcel 152	85,679,000	85,679,000		
Parcel 153	86,239,000	86,239,000		
Parcel 154	86,799,000	86,799,000		
Parcel 155	87,359,000	87,359,000		
Parcel 156	87,919,000	87,919,000		
Parcel 157	88,479,000	88,479,000		
Parcel 158	89,039,000	89,039,000		
Parcel 159	89,599,000	89,599,000		
Parcel 160	90,159,000	90,159,000		
Parcel 161	90,719,000	90,719,000		
Parcel 162	91,279,000	91,279,000		
Parcel 163	91,839,000	91,839,000		
Parcel 164	92,399,000	92,399,000		
Parcel 165	92,959,000	92,959,000		
Parcel 166	93,519,000	93,519,000		
Parcel 167	94,079,000	94,079,000		
Parcel 168	94,639,000	94,639,000		
Parcel 169	95,199,000	95,199,000		
Parcel 170	95,759,000	95,759,000		
Parcel 171	96,319,000	96,319,000		
Parcel 172	96,879,000	96,879,000		
Parcel 173	97,439,000	97,439,000		
Parcel 174	97,999,000	97,999,000		
Parcel 175	98,559,000	98,559,000		
Parcel 176	99,119,000	99,119,000		
Parcel 177	99,679,000	99,679,000		
Parcel 178	100,239,000	100,239,000		
Parcel 179	100,799,000	100,799,000		
Parcel 180	101,359,000	101,359,000		
Parcel 181	101,919,000	101,919,000		
Parcel 182	102,479,000	102,479,000		
Parcel 183	103,039,000	103,039,000		
Parcel 184	103,599,000	103,599,000		
Parcel 185	104,159,000	104,159,000		
Parcel 186	104,719,000	104,719,000		
Parcel 187	105,279,000	105,279,000		
Parcel 188	105,839,000	105,839,000		
Parcel 189	106,399,000	106,399,000		
Parcel 190	106,959,000	106,959,000		
Parcel 191	107,519,000	107,519,000		
Parcel 192	108,079,000	108,079,000		
Parcel 193	108,639,000	108,639,000		
Parcel 194	109,199,000	109,199,000		
Parcel 195	109,759,000	109,759,000		
Parcel 196	110,319,000	110,319,000		
Parcel 197	110,879,000	110,879,000		
Parcel 198	111,439,000	111,439,000		
Parcel 199	111,999,000	111,999,000		
Parcel 200	112,559,000	112,559,000		

EXHIBIT L

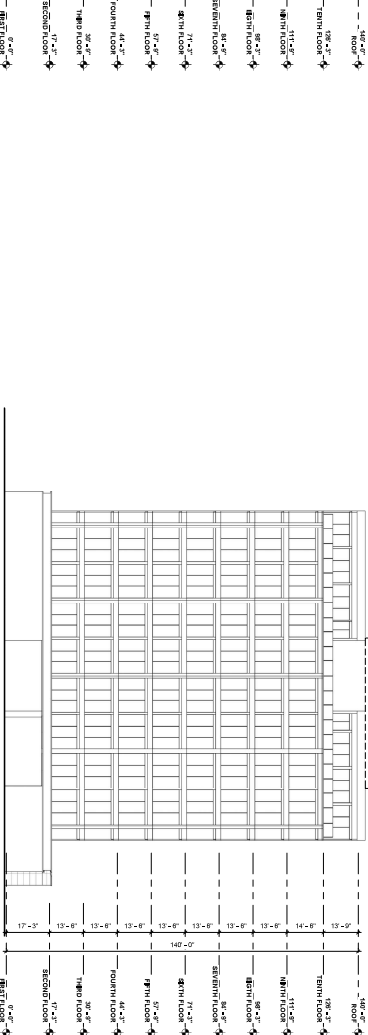
CITY OF PHOENIX
 MAR 01 2024
 Planning & Development
 Department

Nelson Partners, Inc.
 Austin | Scottsdale
 15210 North Scottsdale Road
 Scottsdale, Arizona 85254
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 F: 480.949.8801
 www.nelsonpartners.com



BILTMORE FASHION PARK
RED DEVELOPMENT
 2502 EAST CAMELBACK ROAD
 PHOENIX, ARIZONA 85016

DATE: MARCH 01, 2024
 REVISIONS:



02 BUILDING P - NORTH ELEVATION

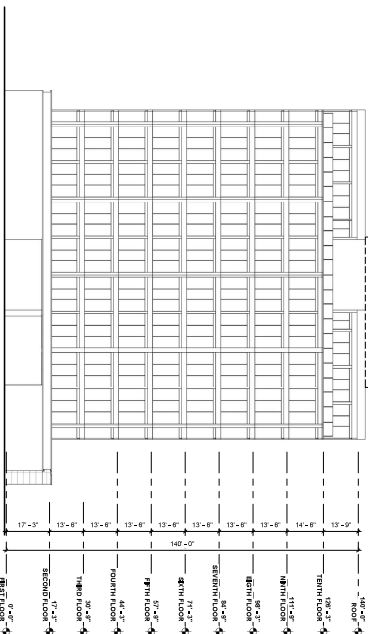
SCALE: 1"=20'-0"
 REF: 1
 0' 10'-0" 20'-0" 40'-0" 60'-0"

PHO-24-2-86-066

Proposed Conceptual Elevations

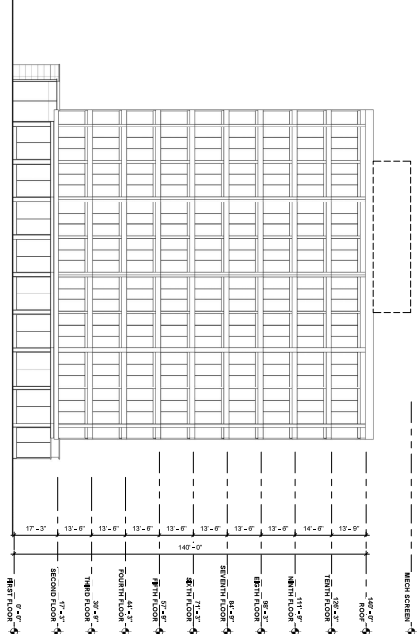
01 BUILDING P - EAST ELEVATION

SCALE: 1"=20'-0"
 REF: 1
 0' 10'-0" 20'-0" 40'-0" 60'-0"



03 BUILDING P - WEST ELEVATION

SCALE: 1"=20'-0"
 REF: 1
 0' 10'-0" 20'-0" 40'-0" 60'-0"



PHO201.1
 CONCEPTUAL
 ELEVATIONS - BUILDING
 Hearing Date: April 17, 2024

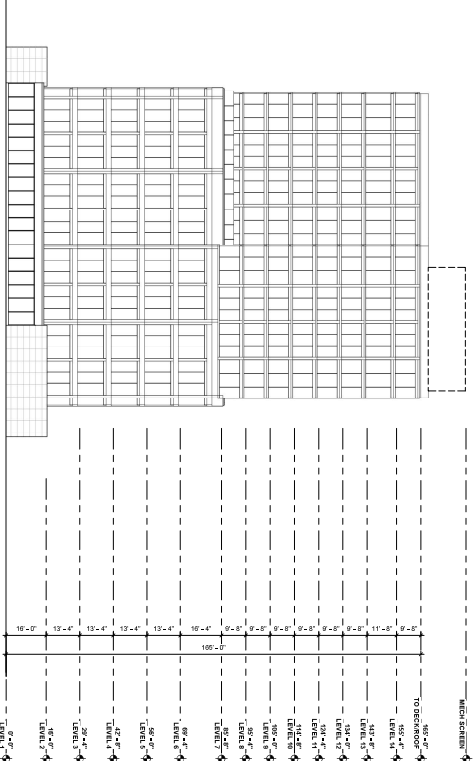


BILTMORE FASHION PARK
RED DEVELOPMENT
2502 EAST CAMELBACK ROAD
PHOENIX, ARIZONA 85016

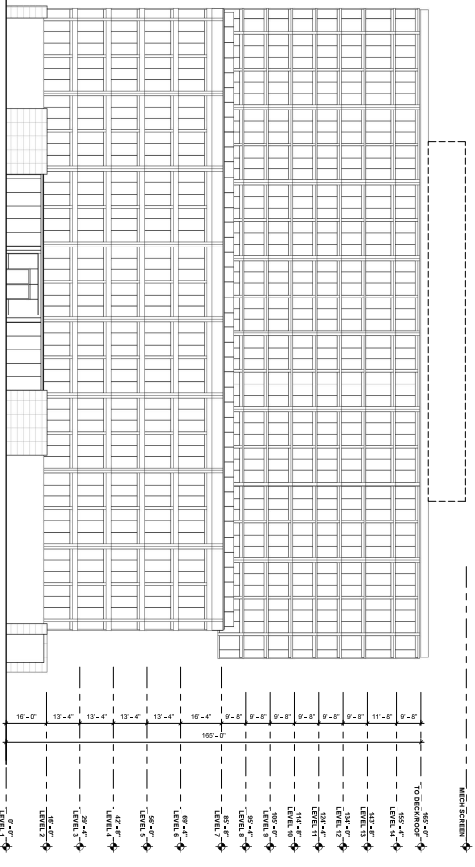
DATE: MARCH 01, 2024
REVISIONS:

CONCEPTUAL ELEVATIONS
THESE ELEVATIONS ARE SUBJECT TO CHANGE WITHOUT NOTICE. THE CLIENT'S RESPONSIBILITY IS TO OBTAIN ALL NECESSARY PERMITS AND COMPLIANCE WITH ALL APPLICABLE REGULATIONS AND CODES. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE ARCHITECT'S SERVICES ARE LIMITED TO THE DESIGN AND DOCUMENTATION OF CONCEPTUAL ELEVATIONS. THE ARCHITECT DOES NOT PROVIDE ENGINEERING, SURVEYING, OR OTHER PROFESSIONAL SERVICES UNLESS SPECIFICALLY NOTED OTHERWISE. PROJECT NO.: 23079

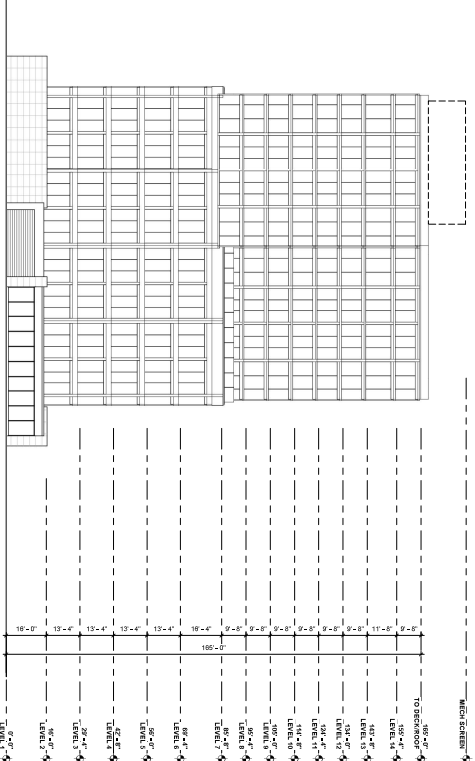
PHO201.2
CONCEPTUAL ELEVATIONS - BUILDING
Hearing Date: April 17, 2024



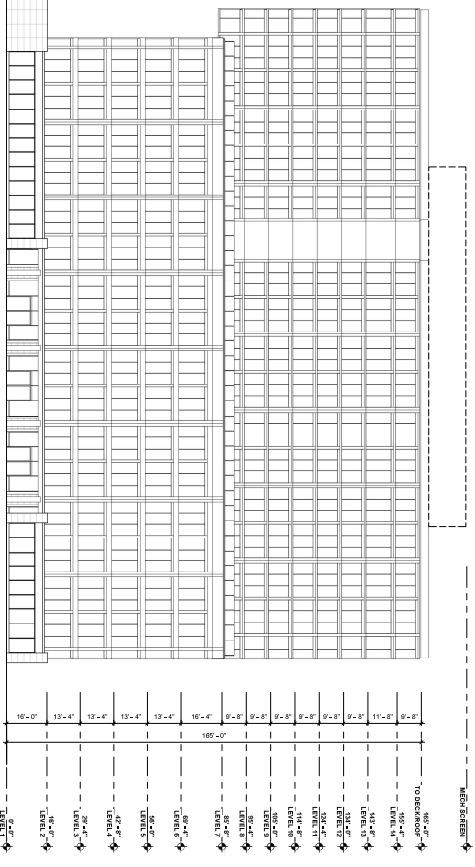
03 BUILDING P - WEST ELEVATION
SCALE: 1" = 20'-0"



04 BUILDING P - SOUTH ELEVATION
SCALE: 1" = 20'-0"



01 BUILDING P - EAST ELEVATION
SCALE: 1" = 20'-0"



02 BUILDING P - NORTH ELEVATION
SCALE: 1" = 20'-0"

EXHIBIT M



April 14, 2024

Planning Hearing Office
Planning Department
City of Phoenix
200 W. Washington St.
Phoenix AZ 85003

RE: Biltmore Fashion Park PHO-1-24--Z-86-06-6

Dear Hearing Officer:

I am reaching out to you on behalf of the Arizona Biltmore Neighborhood Association, an organization dedicated to protecting and preserving the residential character of the Biltmore area. Our association represents almost 400 homeowners in neighborhood communities spanning from 24th Street to 32nd Street, between Lincoln Drive and Camelback Road, and is deeply committed to advocating for our residents.

The proposed development project located within Biltmore Fashion Park has raised significant questions from our residents, primarily due to a lack of communication and information. Our confusion was exacerbated by the various options outlined within the request, leaving us uncertain on how each potential project would impact Biltmore area residents and the Camelback Core. While we have many outstanding questions, we know for certain that a potential 140 foot to 165 foot office, residential, commercial, retail and/or hotel tower will have a huge impact on the surrounding businesses and community.

I would have hoped that with a project of this size and wildly varying impact, efforts had been made by the applicant's representatives to communicate with or provide notice to the community. It is my understanding that no neighborhood meetings have occurred nor was this project heard by the Camelback East Village. I also understand that a new attorney recently assumed representation and am hopeful that his engagement will lead to more communication and transparency about the proposal.

In a recent survey, our residents listed traffic, development, and safety as their top concerns. For those reasons, we would like the opportunity to learn more about this project before any formal decisions are made. It is clear from all the recent similar PHO cases across the city that community engagement and public outreach, while not required, are customary and ultimately result in better outcomes for all involved.

We would like to formally request a continuance of the hearing this week in order for a neighborhood meeting to occur to address some of the outstanding ambiguities. Such a forum would provide an invaluable opportunity to address questions left unanswered in the filing and afford stakeholders a proper platform to articulate their concerns.

Thank you for taking the time to consider the concerns of our residents. You should have recently received over 45 emails from our members requesting a continuance and a neighborhood meeting. We hope meaningful communication and engagement with the community will be made and are looking forward to your direction on this matter.

Sincerely,

Rana Lashgari
Arizona Biltmore Neighborhood Association
www.azbna.com

Teresa R Garcia

From: Judy Goldston <outlook_F07DC29DC2C6E882@outlook.com> on behalf of Judy Goldston <jandsgoldston@cox.net>
Sent: Tuesday, April 16, 2024 2:16 PM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Sent from [Mail \[go.microsoft.com\]](mailto:mailto:go.microsoft.com) for Windows

S.R. Goldston
2570 E Georgia Ave
Phoenix AZ 85016

Teresa R Garcia

From: Kaavya Reddy <kaavyanreddy@gmail.com>
Sent: Friday, April 12, 2024 5:37 PM
To: PDD PHO
Cc: Jennifer Wingenroth; Cody Kellogg
Subject: PHO-1-24--Z-86-06-6 Concerns and Continuance Request

To whom it may concern:

I am writing to express my concerns regarding the significant project that is reportedly underway in our neighborhood. My practice is located at 2801 E. Camelback Rd. I recently learned that the Biltmore Fashion Park has submitted a request (**PHO-1-24--Z-86-06-6**) to build a 110 ft. or 140 ft. or 165 ft. tower on Camelback Road. I'm even more surprised to learn that this proposal is being considered next week, when absolutely no effort has been made to contact any nearby neighbors. Given the proximity of our office to the proposed site, we have several outstanding questions about the impact of this project on our immediate area.

I have reviewed the applicant's proposal, but still have significant questions about the project. What is the parking plan? There is already a shortage of parking on that property. What is the expected traffic impact of the multiple variations of the building that the applicant proposes? This area on Camelback Road is already congested- what is the applicant's plan for maintaining traffic flow and mitigating congestion? How does the applicant intend to preserve view corridors and maintain pedestrian connectivity?

I am most alarmed by the fact that this project has been allowed to advance to a PHO hearing without ANY neighborhood meetings, neighborhood outreach, Village hearing or any community involvement. I can think of several recent high profile PHO cases that went through significant community engagement through both neighborhood meetings and multiple Village hearings before arriving at the PHO stage.

Why has this project, with an unusual dual tower option and such vague details, been given a fast track pass? I urge you to prioritize transparency and community engagement throughout the planning process to ensure that the concerns and voices of residents are heard and considered. Open dialogue and collaboration between all of us are essential for achieving a development that conforms with the character of our office corridor.

Thank you for your attention to this matter. I look forward to receiving information about the neighborhood meeting and proposed project. Until then, I request a continuation of the PHO hearing currently scheduled for Wednesday.
Sincerely,

Kaavya Matatova

Teresa R Garcia

From: Kevin Berry <kberry24@mac.com>
Sent: Friday, April 12, 2024 6:37 PM
To: PDD PHO
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4 / Application #: PHO-2-24--Z-86-06-6. I live very close to this project and have received no information about the proposal. I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Regards -
Kevin Berry

Teresa R Garcia

From: sbkennedy <sbkennedy@cox.net>
Sent: Sunday, April 14, 2024 12:09 PM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Teresa R Garcia

From: Dell Vance <dellvance@hotmail.com>
Sent: Sunday, April 14, 2024 10:17 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Sent from my iPhone

Teresa R Garcia

From: chandlermhl@aol.com
Sent: Saturday, April 13, 2024 5:01 PM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6. I live very close to this project and have received no information about the proposal. I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Teresa R Garcia

From: Marti Nathan <smash3@cox.net>
Sent: Saturday, April 13, 2024 1:59 PM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Marti Nathan
Biltmore Villas II

Teresa R Garcia

From: D R <davgeoren@gmail.com>
Sent: Saturday, April 13, 2024 1:29 PM
To: PDD PHO
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4 / Application #: PHO-2-24--Z-86-06-6. I live very close to this project and have received no information about the proposal. I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Teresa R Garcia

From: d renner <dgrenner@gmail.com>
Sent: Saturday, April 13, 2024 1:29 PM
To: PDD PHO
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4 / Application #: PHO-2-24--Z-86-06-6. I live very close to this project and have received no information about the proposal. I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Teresa R Garcia

From: Kurt MacHale <kurtmachale@gmail.com>
Sent: Saturday, April 13, 2024 1:27 PM
To: PDD PHO
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4 / Application #: PHO-2-24--Z-86-06-6. I live very close to this project and have received no information about the proposal. I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Kurt MacHale

Teresa R Garcia

From: Gary Kertson <lizard1735@gmail.com>
Sent: Saturday, April 13, 2024 1:06 PM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Sent from my iPhone

Teresa R Garcia

From: Megan MacHale <meganmachale@gmail.com>
Sent: Saturday, April 13, 2024 12:51 PM
To: PDD PHO
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4 / Application #: PHO-2-24--Z-86-06-6. I live very close to this project and have received no information about the proposal. I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Megan MacHale
2501 E. Pierson St
Phoenix, AZ 85016
480-202-0495

Teresa R Garcia

From: gayley@mothergeek.com
Sent: Saturday, April 13, 2024 12:47 PM
To: PDD PHO; Rana Lashgari
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Gayley and Paul Knight
2 Biltmore Estates Drive, Phoenix

Teresa R Garcia

From: Donna Lachner <dlachner@cox.net>
Sent: Saturday, April 13, 2024 12:30 PM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Sent from my iPhone

Teresa R Garcia

From: Lynne Lagarde <lynbob94@gmail.com>
Sent: Saturday, April 13, 2024 12:29 PM
To: info@azbna.com; PDD PHO
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6. I live very close to this project and have received no information about the proposal. I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Teresa R Garcia

From: Joyce Clarke <joyceclarke@gmail.com>
Sent: Saturday, April 13, 2024 11:53 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

For the neighborhood not to be notified of these plans in a timely manner, and for the developer to neglect sharing these plans and addressing questions about them is highly disrespectful. Please allow the time necessary for the neighbors' questions to be answered.

Thank you,
Joyce Clarke

Teresa R Garcia

From: dominic sft-sdb.com <dominic@sft-sdb.com>
Sent: Saturday, April 13, 2024 11:48 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Sent from my iPhone

Regards, Dominic

Teresa R Garcia

From: Ann Engle <fabricengle@gmail.com>
Sent: Saturday, April 13, 2024 11:46 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Sent from my iPhone

Teresa R Garcia

From: Dave <dr_hinkle@yahoo.com>
Sent: Saturday, April 13, 2024 11:20 AM
To: PDD PHO
Cc: info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6. I live close to this project and have received no information about the proposal. I have many outstanding questions and request that the developer continue (postpone) the hearing in order to allow time to hold a neighborhood meeting before any decisions are made on this case.

Sincerely,
David Hinkle
1818 E Campbell Ave.
Phoenix, AZ 85016

Teresa R Garcia

From: Peggy Wolfe <peggy.wolfe@cox.net>
Sent: Saturday, April 13, 2024 9:41 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Sent from my iPhone

Teresa R Garcia

From: Phil Lovell <phillovell1947@gmail.com>
Sent: Saturday, April 13, 2024 10:43 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Thanks,

Phil Lovell

Teresa R Garcia

From: Gary E Bell <gebell@cox.net>
Sent: Saturday, April 13, 2024 9:06 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Sent from my iPad

Teresa R Garcia

From: kathleen kathleenmould.com <kathleen@kathleenmould.com>
Sent: Saturday, April 13, 2024 10:08 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Thank you.

Kathleen Mould

Teresa R Garcia

From: pjcoyote@cox.net
Sent: Saturday, April 13, 2024 10:08 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Teresa R Garcia

From: Amy Cavers <amy.cavers@yahoo.com>
Sent: Saturday, April 13, 2024 10:03 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Amy and Mike Cavers
2737 E Arizona Biltmore Circle
Unit 28
Phoenix, AZ 85016

Amy - 617-584-2802

Teresa R Garcia

From: Tim O'Donovan <odonovti@comcast.net>
Sent: Saturday, April 13, 2024 10:02 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Tim & Karen O'Donovan
8 Biltmore Estates Dr., Unit #222
Phoenix, AZ 85016

Teresa R Garcia

From: Cheryl Hintzen <missbiltmore@gmail.com>
Sent: Saturday, April 13, 2024 9:24 AM
To: PDD PHO; Rana Lashgari
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case. Ira Gaines

Teresa R Garcia

From: Cheryl Hintzen <missbiltmore@gmail.com>
Sent: Saturday, April 13, 2024 9:24 AM
To: PDD PHO; Rana Lashgari
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case. CHERYL HINTZEN

Teresa R Garcia

From: Marcia Scialli LCSW <marciascialli@gmail.com>
Sent: Saturday, April 13, 2024 9:13 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Cordially,

Marcia Reman Scialli

Teresa R Garcia

From: Joe Russoniello <joerussoniello41@gmail.com>
Sent: Saturday, April 13, 2024 8:51 AM
To: PDD PHO; Rana Lashgari
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Teresa R Garcia

From: Larry Erickson <larryerickson51@gmail.com>
Sent: Saturday, April 13, 2024 8:28 AM
To: PDD PHO; info@azbna.com
Cc: Erickson Suzy
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Larry & Suzy Erickson
6110 North 31st Way
Phoenix, AZ 85016
Tel. 602-509-5379

Sent from my iPhone

Teresa R Garcia

From: Michelle Kinney <MKinney@tsh-spa.com>
Sent: Saturday, April 13, 2024 8:21 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Michelle L. Kinney
Chief Operating Officer
Trilogy Spa Holdings

Teresa R Garcia

From: M Kinney <mkinney.trilogy@cox.net>
Sent: Saturday, April 13, 2024 8:18 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Sent from my iPhone

Teresa R Garcia

From: Ina Manaster <mrs@themanasters.com>
Sent: Saturday, April 13, 2024 8:17 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Ina Manaster
53 Biltmore Estates
Phoenix, Arizona 85016

Teresa R Garcia

From: William Mc Intosh <wgmac54@gmail.com>
Sent: Saturday, April 13, 2024 8:13 AM
To: PDD PHO; Rana Lashgari
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Teresa R Garcia

From: Emily Burns <eburns9@cox.net>
Sent: Saturday, April 13, 2024 8:12 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Sent from my iPhone

Teresa R Garcia

From: louannlovell@gmail.com
Sent: Saturday, April 13, 2024 8:12 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

It is imperative more Information be forthcoming on this development. A building of that height will destroy the ambiance of the entire area.

Lou Ann Lovell

Sent from my iPhone

Teresa R Garcia

From: SANDRA AVILES <asaviles@aol.com>
Sent: Saturday, April 13, 2024 8:10 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Sent from my iPhone

Teresa R Garcia

From: Scott Malkoff <smalkoff66@gmail.com>
Sent: Saturday, April 13, 2024 8:03 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Teresa R Garcia

From: Tess Farrington <azlund@gmail.com>
Sent: Saturday, April 13, 2024 7:56 AM
To: PDD PHO; Rana Lashgari
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Ann T Farrington

Teresa R Garcia

From: bruceblumberg <bruceblumberg@ymail.com>
Sent: Saturday, April 13, 2024 7:54 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Bruce E. Blumberg

Sent from my Verizon, Samsung Galaxy smartphone

Teresa R Garcia

From: JOAN COTTON <jkcotton@aol.com>
Sent: Saturday, April 13, 2024 7:53 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Sent from my iPad

Teresa R Garcia

From: E TUCKER HORNE <tuckerhorne@mac.com>
Sent: Saturday, April 13, 2024 7:50 AM
To: PDD PHO; Arizona Biltmore Neighborhood Association
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6, a tower up to 165 feet in height .

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Teresa R Garcia

From: Nick <nh86505@yahoo.com>
Sent: Saturday, April 13, 2024 7:44 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Sent from my iPhone

Teresa R Garcia

From: John Scialli <johnscialli@gmail.com>
Sent: Saturday, April 13, 2024 7:38 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

John V Scialli MD DLFAACAP DLFAPA
4647 N 32nd St Ste 260
Phoenix AZ 85018-3344
602-224-9888 vox
602-224-5304 fax

Teresa R Garcia

From: MARK LETENDRE <mlbcharro@aol.com>
Sent: Saturday, April 13, 2024 7:37 AM
To: PDD PHO
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Mark A. Letendre ATC
2626 E. Arizona Biltmore Cr.
#12
Phoenix, AZ 85016

Please excuse brevity and typos.
Sent from my iPhone

Teresa R Garcia

From: MARK LETENDRE <mlbcharro@aol.com>
Sent: Saturday, April 13, 2024 7:37 AM
To: PDD PHO
Cc: Rana Lashgari
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Mark A. Letendre ATC
2626 E. Arizona Biltmore Cr.
#12
Phoenix, AZ 85016

Please excuse brevity and typos.
Sent from my iPhone

Teresa R Garcia

From: Patricia Magrath <pmagrath21@gmail.com>
Sent: Saturday, April 13, 2024 7:36 AM
To: info@azbna.com; PDD PHO
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6. I live very close to this project and have received no information about the proposal. I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Teresa R Garcia

From: Cherie Malkoff <cheriemalkoff@gmail.com>
Sent: Saturday, April 13, 2024 7:33 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Teresa R Garcia

From: Gene Hechler <ghechler@outlook.com>
Sent: Saturday, April 13, 2024 7:24 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Regards,
Gene Hechler
Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android \[aka.ms\]](#)

Teresa R Garcia

From: Mike Ahearn <mike.ahearn@truenorthvp.com>
Sent: Saturday, April 13, 2024 7:18 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Sent from my iPad

Teresa R Garcia

From: Elliot Pearlman <elliot.pearlman@centurioncontainer.com>
Sent: Saturday, April 13, 2024 7:07 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Elliot Pearlman

Sent from my iPhone

Teresa R Garcia

From: Brenda Midyette <bamidyette@aol.com>
Sent: Saturday, April 13, 2024 7:03 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Sent from my iPhone

Teresa R Garcia

From: Gail Bryan <gailbryan@me.com>
Sent: Saturday, April 13, 2024 7:03 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Gail Bryan
22 Biltmore Estates
Phoenix Az 85016
Sent from my iPad

Teresa R Garcia

From: gahearn@theahearns.net
Sent: Saturday, April 13, 2024 7:03 AM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Sent from my iPhone

Teresa R Garcia

From: Kevin Berry <kberry24@mac.com>
Sent: Friday, April 12, 2024 6:37 PM
To: PDD PHO
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4 / Application #: PHO-2-24--Z-86-06-6. I live very close to this project and have received no information about the proposal. I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Regards -
Kevin Berry

Teresa R Garcia

From: Marti Nathan <smash3@cox.net>
Sent: Monday, April 15, 2024 8:00 AM
To: PDD PHO
Subject: ITEM # 4/pho-2-24--z-86-06-6

I would vote against allowing the height of the tower to 165 feet. Little by little the character of the Biltmore neighborhood is being whittled away. If this is allowed then there is a precedent for other towers in the Biltmore area, such as 24th and Arizona Biltmore Circle. It used to be that if it impeded seeing the mountains north of 24th Street and Lincoln, it was too tall. Allowing higher and higher buildings will just be the start of taking away this ambiance.

Stephen Nathan
Biltmore Villas II

Teresa R Garcia

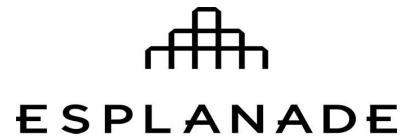
From: Pete Rich <bigoldpete@cox.net>
Sent: Monday, April 15, 2024 12:24 PM
To: PDD PHO; info@azbna.com
Subject: OPPOSITION to Item 4 PHO-2-24--Z-86-06-6

I would like to register my opposition to Item 4/Application #: PHO-2-24--Z-86-06-6.

I live very close to this project and have received no information about the proposal.

I have many outstanding questions and request that the developer continue the hearing in order to hold a neighborhood meeting before any decisions are made on this case.

Sent from my iPhone



2501 E. Camelback Rd.
Suite 107
Phoenix, AZ 85016

April 15th, 2024

Planning Hearing Officer
City of Phoenix
Planning & Development Department – Zoning Section
200 W. Washington Street, 2nd Floor
Phoenix, Arizona 85003

RE: PHO-2-24--Z-86-06-6

To Whom It May Concern:

I am a representative of the property owner Esplanade Owner LLC located at the southeast corner of 24th Street and Camelback Road, directly across from the Biltmore Fashion Park. As an organization we are proponents of development and investment in this area, a fact supported by the \$45 million renovation currently underway at the Esplanade.

We welcome additional investment and development in the core and wish to be a supportive neighbor of the ultimate development. We know responsible development, when executed thoughtfully within the context of the community, can benefit all parties. That said, we have concerns as adjacent property owners that we would like to formally express. Historically, we know this is a sensitive area as evidenced by the successful citizen's referendum at this very intersection which resulted in the revocation of the City Council ordinance permitting additional height in this area. Given this context, we hope that communication and engagement will guide the path forward. In February of 2024, when a previous version of this proposal was brought to the Planning Hearing Office, we provided a similar letter identifying a variety of concerns with this proposal. Enclosed at the end of this letter is the previous communication submitted dated February 16th, 2024.

These concerns have not been addressed and have only increased with the new proposal before the Planning Hearing Office this week. Despite having submitted our letter in the previous hearing, we were only contacted by the applicant less than a week before the new April 17th Hearing. During this discussion we requested the applicant ask for a continuance to this hearing and use the additional time to host meetings where stakeholders in the neighborhood, including residents, property owners, local businesses, and others, could attend to better understand the proposed project and to express their concerns.

As of the date of this letter, this request has not been granted. While we understand that neighborhood notice, neighborhood meetings, or a Village hearing are not required, we also recognize the absence of these elements is highly unusual for a case of this magnitude. In just the last few months, we observed several similar PHO cases undergo numerous community meetings and informational Village hearings before reaching this stage. We would appreciate if the applicant provided more transparency and community engagement in this process given the impact of the proposal to the neighborhood.

This is a legislative process, and although the zoning may already be in place to permit the use, the intensity, design, circulation and parking are all new impacts on this already busy urban core. As such, this is a significant process whereby the PHO's decision must be colored by the input of surrounding property owners, stakeholders and neighbors. We caution that anything less than a thorough evaluation may set a dangerous precedent for this process and this property.

To that end, during our discussion with the applicant, we requested additional information to understand the net addition of parking on the site, as both options in the current proposal involve the elimination of numerous surface parking spaces. We also raised concerns of the traffic impact at the intersection of 26th Street and East Camelback Road, as we believe a project of this magnitude should have a traffic study produced by a qualified third party to understand the potential impact to residents and businesses alike.

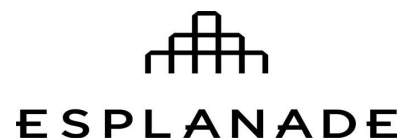
Furthermore, the updated proposal now sets forth multiple options including an increase in height of either 140' or 165'. We find that this approach is less akin to the spirit of the original 2006 Agreement and may in essence be providing the applicant a rezoning of the site, as opposed to the opportunity to gain bonus height by meeting the specific criteria outlined in the permitted bonus provisions. The approach seems both atypical and not in line with the spirit of the 2006 Agreement.

In conclusion, we appreciate your consideration of this matter and would request that the Planning Hearing Officer grant a continuance to this Hearing. Additionally, we would request that the Planning Hearing Officer send this application to the Camelback East Village Planning Committee to receive the proper review a project of this scope and scale deserves; a request which is in line with the 2006 Agreement, where it was stated that any modifications of the plan would be reviewed by the Village Planning Committee.

Sincerely,

Robert Marino

Robert Marino
Senior Vice President
Esplanade Owner, LLC



2501 E. Camelback Rd.
Suite 107
Phoenix, AZ 85016

February 16, 2024

Planning Hearing Officer
City of Phoenix
Planning & Development Department – Zoning Section
200 W. Washington Street, 2nd Floor
Phoenix, Arizona 85003

RE: PHO-1-24--Z-86-06-6

To Whom It May Concern:

I am a representative of the property owner Esplanade Owner LLC located at the southeast corner of 24th Street and Camelback Road, directly across from the Biltmore Fashion Park. As an organization we are proponents of development and investment in this area, a fact supported by the \$45 Million renovation currently underway at the Esplanade. We believe responsible development, when executed thoughtfully within the context of the community, can benefit all parties. That said, we have concerns as adjacent property owners that we would like to formally express.

One of our greatest concerns relates to the process by which this major change is being accomplished. While we understand that technically the change is to modify a stipulation from a 2006 zoning case, the change proposed is inconsistent with the Camelback East Primary Core Specific Plan related to height. Heights in excess of 112' are only permitted with bonus provisions, and we do not see any evidence in this submittal about the applicant's bonus standards set forth in Section 5.34 of the Camelback East Primary Core Specific Plan. This PHO request does not contain a bonus request but is rather only to modify a stipulation.

The Camelback East Primary Core Specific Plan notes that buildings utilizing a bonus height up to 140' must be set back 250' from Camelback Road. The building here appears to be located directly adjacent to Camelback Road without this required setback.

Furthermore, Stipulation 3 limits the buildings achieving bonus heights to hotel and residential buildings only – not to office buildings. It reads: "The building heights shall be developed according to Exhibit B (mediated agreement) and that bonus building height of 165 feet shall be permitted only for hotel and residential uses with retail uses (including service retail) required in the first at grade level of such buildings located on the pedestrian spine." Steven Earl discussed the desire for these two buildings based on the 2006 Camelback East Village Planning Committee minutes and noted they were specifically for residential and hotel, and it was these two buildings that would receive the ability to achieve 165' because those uses were necessary to support the retail environment.

Additionally, Stipulation 4 limits office use to a maximum of 56 feet within buildings achieving bonus height. It reads: "That buildings achieving a bonus height of 165 feet shall have a maximum of 56 feet (measured from finished grade) which shall be utilized for commercial office or retail." Office uses appear to be limited only to a small portion of overheight buildings.

We also have significant concerns about parking. The location of the proposed office building was intended to be a parking area and functions that way today. The site plan does not provide a breakdown of the parking counts so we are unable to understand how the calculations were achieved. Furthermore, the site plan identifies a future parking garage but notes it is not a part of this application. The application does not note how many spaces will be lost by the addition of this building, nor how many spaces are planned in the below grade portion.

Lastly, we would like to raise concerns about the process and question why this application was not heard by the Camelback East Village Planning Committee. It seems like the type of significant change that deserves greater community input and study. Steven Earl told the Camelback East Village Planning Committee in 2006, according to the meeting minutes provided by the applicant, that they would return to the Village for plans that deviated from the 2006 plans.

We believe that the application is deficient in that it does not address bonus requirements, is not in compliance with other stipulations from the same zoning case, and did not go back to the Village Planning Committee as was promised at the 2006 rezoning case. Based on these reasons, we believe this application needs additional time to be made complete and possibly be amended due to its deficiencies as well as go back to the Village Planning Committee.

We appreciate your consideration to this matter.

Sincerely,

Robert Marino

Robert Marino
Senior Vice President
Esplanade Owner, LLC

From: Crystal DeVelis <xtalphx@msn.com>
Sent: Sunday, June 2, 2024 5:38 AM
To: PDD Planning Commission
Subject: June 6 meeting, agenda item 21 PHO-2-24—Z-86-06-6 - NE corner of 24th St.

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 Reader.

Please note my opposition to the above stipulation modifications. Please read into the record my statement below.

Without a specific use and plan presented, it is premature for a Planning Hearing Officer to make modifications to the existing stipulations. The implications are quite different depending on the use. No modification to existing stipulations should be made until the developer presents a specific use and plan. It is not the role of PP&D to take the risk out of real estate development,

Thank you.

-- Crystal DeVelis
4351 E. Whitton Ave.
Phoenix, AZ 85018

From: Susan Doria <susan@susandoria.com>
Sent: Saturday, June 1, 2024 11:19 AM
To: PDD Planning Commission
Cc: Richard Doria
Subject: Biltmore Tower application at June 6th Meeting

CAUTION: This email originated outside of the City of Phoenix.

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[Report Suspicious](#)

Dear Commissioners,

I am writing to express our concerns about PHO Application Number **PHO-2-24--Z-86-06-6, Council District 6**. This is the **tower planned for the Biltmore Fashion Park**. The developer owners are seeking City of Phoenix approval. Although the application lacks much needed detail, it is clear that a 165 foot tower does not conform to the character of the area, would obstruct our views of the surrounding mountains, and would create a traffic nightmare.

For these reasons, we ask that the Planning Commission **deny the applicant's request** and send the case back to the Village so the community has a meaningful opportunity to have their questions answered.

Thank you,
Susan and Richard Doria
Biltmore Area Residents
6203 N 30th Way
Phoenix AZ 85016
602-625-5155

Teresa R Garcia

From: Andrew Call <andrewscall@outlook.com>
Sent: Tuesday, June 4, 2024 8:40 AM
To: PDD PHO
Subject: PHO-2-24--Z-86-06-6 Camelback Biltmore

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[Report Suspicious](#)

I work at 24th & Camelback and live around 20th and Missouri. I support the building of the 165' tower. Although it will increase traffic, this area is a great place to continue to develop and provide vertical options for housing and other uses for the area.

Please add me to the notification list as this project progresses.

Andy Call
623-523-3943

From: Pete Zrioka <petezrioka@gmail.com>
Sent: Thursday, May 30, 2024 10:34 AM
To: PDD Planning Commission
Subject: Writing in support of PHO-2-24—Z-86-06-6

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,

I will be unable to attend the Planning Commission meeting on June 6 but I wanted to write in support of PHO-2-24—Z-86-06-6, especially option 2, which includes residential.

Adding more density to this corner is a net win for the community and I believe will infuse more life into this already lively area.

Thank you!

--

Pete Zrioka

ATTACHMENT C

REPORT OF PLANNING COMMISSION ACTION June 6, 2024

ITEM NO: 21	
	DISTRICT NO.: 6
SUBJECT:	
Application #:	PHO-2-24—Z-86-06-6
Location:	Northeast Corner of 24th Street and Camelback Road
Existing Zoning:	PSC (Approved C-2 HR) CEPCSP
Acreage:	33.70
Proposal:	1) Request to modify Stipulation 2 regarding review and approval for a tower exceeding 112 feet and proposed building elevations inconsistent with those dated June 23, 2006 through the Planning Hearing Officer process. 2) Technical Corrections to Stipulations 7 and 9.
Applicant:	Ed Bull, Burch & Cracchiolo, P.A.
Owner:	Biltmore Shopping Center Partners
Representative:	Ed Bull, Burch & Cracchiolo, P.A.

ACTIONS:

Village Planning Committee (VPC) Recommendation:
Camelback East No recommendation.

Planning Hearing Officer (PHO) Recommendation: The Planning Hearing Officer heard the request on April 17, 2024, and recommended approval, with modifications and additional stipulations.

Staff Recommendation: Approval, with modifications and additional stipulations, as recommended by the Planning Hearing Officer.

Planning Commission Recommendation: Approval, per the Planning Hearing Officer recommendation.

Motion Discussion: N/A

Motion details: Commissioner Matthews made a MOTION to approve PHO-2-24—Z-86-06-6, per the Planning Hearing Officer recommendation.

Maker: Matthews
Second: Jaramillo
Vote: 8-0
Absent: Mangum
Opposition Present: Yes

Findings:

1. The request for modification of Stipulation 2 is recommended to be approved with a modification. Staff is recommending the modification of Stipulation 2 to delete the requirement for general conformance to the elevations dated June 23, 2006 and create new stipulations to allow for the possible development of one of two different options with permitted building heights depending on the specific use or mix of uses.

The new stipulation (Stipulation 3) allows the submitted site plans to be applicable only to the proposed tower on Building P for the two building heights for either the 140 feet for an office and/or mixed-use commercial tower (Option 1) or 165 feet for a single use or mixed-use tower including residential, hotel, and/or commercial uses (Option 2). Future developments separate from the Building P tower will be able to submit separate site plans specific to those projects, independent of the plans for Building P.

Staff is also recommending approval for the removal of the June 23, 2006 elevations requirement, as these elevations are outdated and are only applicable to the first phase of development, already completed on the site. Elevations and design review will continue to be reviewed and commented on by the Camelback East Architectural Review Committee for each proposed development. Lastly, the proposed tower complies with the Building Height Exhibit B of the Camelback East Primary Core Specific Plan, dated August 24, 2006, which designates the area with a maximum building height of 165 feet.

2. Stipulation 4 has been added as a new stipulation at the request of the Street Transportation Department. The stipulation requires a Traffic Impact Study that will evaluate the magnitude of traffic impact the addition of Building P has on the adjacent intersection and existing infrastructure. The study will help determine if additional infrastructure is needed to ensure the traffic in the area continues to operate safely and efficiently with the new addition.
3. The Public Transit Department recommends an additional stipulation requiring the developer to retain the existing bus stop pad and transit shelter adjacent to the site. This additional Stipulation has been added as new Stipulation 5.
4. The applicant did not submit a Proposition 207 waiver of claims prior to the Planning Hearing Officer hearing. Submittal of this form is an application requirement. An additional stipulation is recommended to require the applicant to record this form and deliver it to the City to be included in the rezoning application file for record (Stipulation 11).

Stipulations:

1. ~~That~~ The development of the two Phase 1 towers with residential or hotel uses up to 165 feet shall be in general conformance with the conceptual site plan and elevations dated June 23, 2006.
2. ~~That~~ The location of future towers beyond Phase 1 shall conform to the Biltmore Fashion Park Building Height Exhibit B, dated August 24, 2006, as set forth in the Camelback East Primary Core Specific Plan, the stipulations of this rezoning case, and the applicable Specific Plan Design Guidelines. For towers seeking bonus building heights above 112 feet, compliance with Specific Plan criteria to achieve such bonus building heights shall be reviewed and approved through the City's Planning Hearing Officer hearing process. ~~Should the building elevations for these future buildings not be generally consistent with the elevations dated June 23, 2006, the applicant shall also be required to process a modification to this stipulation to approve the new building elevations through the City's Planning Hearing Officer hearing process.~~

BUILDING HEIGHTS/DENSITY

3. BUILDING P LOCATED AT THE SOUTHEAST CORNER OF THE SITE SHALL BE DEVELOPED WITH ANY SINGLE USE OR MIX OF USES, INCLUDING BUT NOT LIMITED TO HOTEL, RESIDENTIAL, OFFICE AND/OR RETAIL/COMMERCIAL USES AS PERMITTED IN SECTION 623 OF THE ZONING ORDINANCE AND THE CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN.
 - a. A DEVELOPMENT CONSISTING OF OFFICE AND/OR OTHER COMMERCIAL USES SHALL BE IN GENERAL CONFORMANCE WITH THE OPTION 1 OFFICE SITE PLAN DATE STAMPED DECEMBER 1, 2023 WITH SPECIFIC REGARD TO THE FOLLOWING:
 - i. BUILDING HEIGHT SHALL BE A MAXIMUM OF 140 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
 - b. A DEVELOPMENT CONSISTING OF HOTEL AND/OR RESIDENTIAL WITH OR WITHOUT A COMMERCIAL COMPONENT SHALL BE IN GENERAL CONFORMANCE WITH THE OPTION 2 MIXED USE SITE PLAN DATE STAMPED MARCH 1, 2024 WITH SPECIFIC REGARD TO THE FOLLOWING:
 - i. BUILDING HEIGHT SHALL BE A MAXIMUM OF 165 FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
 - ii. THE CONFIGURATION, SIZE, AND LOCATION OF THE BUILDING FOOTPRINT FOR A DEVELOPMENT INCLUSIVE OF A RESIDENTIAL OR HOTEL USE MAY BE ALTERED TO ACCOMMODATE FOR VARIED FORMS AND LOCATIONS OF PORTES-COCHERES, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
4. A TRAFFIC IMPACT STUDY (TIS) SHALL BE SUBMITTED TO THE CITY FOR BUILDING P. NO PRELIMINARY APPROVAL OF PLANS SHALL BE GRANTED UNTIL THE STUDY IS REVIEWED AND APPROVED BY THE STREET TRANSPORTATION DEPARTMENT. THE TIS SHALL INCLUDE AN OPERATIONS ANALYSIS FOR THE 26TH STREET AND CAMELBACK ROAD INTERSECTION. THE DEVELOPER SHALL BE RESPONSIBLE FOR FUNDING AND CONSTRUCTION OF ALL RECOMMENDATIONS OF THE APPROVED STUDY.
5. THE DEVELOPER SHALL RETAIN THE EXISTING BUS PAD AND TRANSIT SHELTER ON WESTBOUND CAMELBACK ROAD ON THE WEST SIDE OF 26TH STREET.
- ~~3.~~ That Building heights shall be developed according to Exhibit 8 (mediated agreement)
6. and that bonus building height of 165 feet shall be permitted only for hotel and residential uses with retail uses (including service retail) required in the first at grade level of such buildings located on the pedestrian spine.
- ~~4.~~ That Buildings achieving a bonus height of 165 feet shall have a maximum of 56 feet
7. (measured from finished grade) which shall be utilized for commercial, office or retail.
- ~~5.~~ That The density on the C-2 HR portion of the site shall be limited to 96.8 dwelling units
8. per acre.

STREETSCAPE AND PEDESTRIAN SPINE I CORE IDENTITY PLAN

- ~~6.~~ ~~That~~ The applicant shall participate in the development of designs for signage, light fixtures, walkway surface patterns and other street furniture elements for the pedestrian spine and architectural and engineering drawings for theming, landscaping and other related improvements for the Camelback Road streetscape through the Camelback East Primary Core Specific Plan area.
- 9.
- ~~7.~~ ~~That~~ The property shall include an outdoor pedestrian component which will represent the northern terminus of the Pedestrian Spine per the Camelback East Primary Core Specific Plan and that, as part of this component, and as approved by the PLANNING AND Development ~~Services~~ Department.
10.
 - a. The developer shall install a pedestrian walkway from the pedestrian underpass on Camelback Road to the retail/residential structure.
 - b. ~~That~~ A “way finding” theme shall be established for the development to identify the pedestrian spine within the project. The theme may be incorporated into elements such as: the pavement on which the pedestrian spine is routed; into the seating and lighting bollards or other pedestrian lighting, along the spine; as well as into directional signage. The "way finding" devices/mechanisms shall in some manner inform/direct those who enter the site that they can maneuver around the site and they can travel through the site to destinations off-site. The applicant shall present the theme concept to the Camelback East Village Planning Committee Camelback Corridor Subcommittee for review and comment prior to preliminary site plan approval, as approved by the PLANNING AND Development ~~Services~~ Department.
- ~~8.~~ ~~That~~ Bicycle racks shall be provided on site and located in a covered and secure area.
- 11.
- ~~9.~~ ~~That~~ The developer, shall together with other developers and commercial property owners in the immediate area, contribute on a fair and equitable basis to the financing of a rubber wheeled trolley system on the loop road as approved by the Planning AND DEVELOPMENT Department.
- 12.
- ~~10.~~ ~~That~~ All improvements shall comply with ADA accessibility standards.
- 13.
14. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

This publication can be made available in alternate format upon request. Please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov, TTY: Use 7-1-1.

ATTACHMENT D

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	PHO-2-24—Z-86-06-6 2502 E. Camelback Road	(SIGNATURE ON ORIGINAL IN FILE)	
		opposition	x
APPEALED FROM:	PC 6/6/2024	2555 E. Camelback Road Phoenix, AZ 85016	
	<i>PC DATE</i>	<i>STREET/ADDRESS/CITY/STATE/ZIP</i>	
TO PC/CC HEARING	CC 7/1/2024	Robert Marino 215-867-5870 rmarino@tourmalinecp.com	
	<i>CC DATE</i>	<i>NAME / PHONE / EMAIL</i>	
REASON FOR REQUEST:			
As a representative of Esplanade Owner LLC, a property adjacent to the proposed site, we are formally appealing the decision of the PHO Hearing on April 17th. We believe a project of this scale requires further review from the Camelback East Village Planning Committee, more community engagement, as well as the completion of a thorough traffic study before moving forward.			
RECEIVED BY:	Natasha Hughes	RECEIVED ON:	6/13/2024

Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Sarah Stockham
Stephanie Vasquez
Heather Klotz

Camryn Thompson
Paul M. Li
GIS
Byron Easton (for PHO Appeals only)
Vikki Cipolla-Murillo
Village Planner – Teresa Garcia
Applicant



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

CITY OF PHOENIX

JUN 13 2024

Planning & Development Department

The PLANNING COMMISSION agenda for June 6, 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. June 13, 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. June 13, 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. June 13, 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. June 20, 2024.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

PHO - 2--24--Z-86-06-6

APPLICATION NO.

June 6, 2024

DATE APPEALED FROM

- [X] OPPOSITION
[] APPLICANT

2502 E. Camelback Road, Phoenix, AZ 85016

LOCATION OF APPLICATION SITE

Handwritten signature: Natasha Hughes

PLANNER

(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Robert Marino

PRINTED NAME OF PERSON APPEALING

2555 E. Camelback Road

STREET ADDRESS

Phoenix, AZ 85016

CITY, STATE & ZIP CODE

rmarino@tourmalinecp.com

EMAIL ADDRESS

Handwritten signature: Robert Marino

SIGNATURE

06/13/2024

DATE OF SIGNATURE

215.867.5870

TELEPHONE NO.

REASON FOR REQUEST:

As a representative of Esplanade Owner LLC, a property adjacent to the proposed site, we are formally appealing the decision of the PHO Hearing on April 17th, we believe a project of this scale requires further review from the Camelback East Village Planning Committee, more community engagement, as well the completion of a thorough traffic study before moving forward.

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

ATTACHMENT E

From: Dennis Clifford Jr. <djcjr@comcast.net>
Sent: Tuesday, June 4, 2024 3:11 PM
To: PDD Planning Commission
Subject: Case#21 PHO-2-24--Z-86-06-6

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 afternoon,

I am in complete support of the proposed tower. The proposed site center has been dying on the vine for over a decade and suffering a very slow death. I believe that this structure would add the economic sustainability both in the short term and controlled density health in the long term.

I am in favor of the project.

Dennis Clifford
2 Biltmore Est unit 311
Phoenix AZ 85016
520.403.1001

Subject:

FW: PHO-2-24—Z-86-06-6 Biltmore Fashion Park

From: Wesley Balmer <wbalmer@bag-inc.com>**Sent:** Wednesday, June 5, 2024 3:38 PM**To:** josh.bednarek@phoenix.gov; Tricia Gomes <tricia.gomes@phoenix.gov>; Racelle Escolar <racelle.escolar@phoenix.gov>**Subject:** PHO-2-24—Z-86-06-6 Biltmore Fashion Park

Josh

I can not attend the PHO meeting tomorrow pm, so I am sending this email in support of the project, pending final design detail yet to be published.

I am on the ABEVA Board, but support the density of the proposed Project as a homeowner in the Biltmore. I have lived in the Biltmore Community for 12 years. My office has been in the Esplanade at 2425 East Camelback for 20 years (boy, where did that time go !). I designed both the Best Western Headquarters and the JDM building at 24th and Arizona Biltmore Circle when most of the Biltmore was desert.

However, my support is more attributed to my Architectural and Planning experience and with experiencing the deterioration of Biltmore Fashion Square over the years. Since Scottsdale Fashion Square expanded years ago, and again, more recently, the Biltmore has had serious attrition. I have been concerned the existing tenants are on life support augmented by the Lifetime Gym development. The only way to resuscitate the Biltmore core is with mixed use density, and this Project would support that need.

JDM has recently completed a major renovation of the Biltmore Golf Course, The Biltmore Hotel recently completed over \$100 million renovation, and ABEVA is in process of a \$2 million upgrade to three major entries. All this investment is founded on the premise that the Biltmore Core is a special asset to the City of Phoenix that should be viewed with vigor to vitalize its presence in the Metro Community.

As an aside, I have received biased correspondence from the opposition (that does not respond to my queries), which is normal, however, the text email soliciting support that has a preprogramed, non-changeable, misleading statement if you respond is not what I believe to be proper use of Social Media.

Thanks

Wes Balmer

WESLEY R. BALMER
WBALMER@BAG-INC.COM
2425 E CAMELBACK
SUITE 1150
PHOENIX AZ 85016
TEL 602 954 6718
CELL 602 315 6505



ATTACHMENT F

Opposition correspondence received after the Staff Report can be viewed here:

[PHO-2-24--Z-86-06-6 Opposition Correspondence](#)



(CONTINUED FROM JUNE 12, 2024) - Public Hearing and Ordinance Adoption - Rezoning Application Z-SP-6-23-8 - Southeast Corner of 41st Street and Baseline Road (Ordinance G-7270)

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-SP-6-23-8 and rezone the site from C-2 (Intermediate Commercial) to C-2 SP (Intermediate Commercial, Special Permit) to allow a self-service storage facility and underlying C-2 uses.

Summary

Current Zoning: C-2

Proposed Zoning: C-2 SP

Acreage: 3.84

Proposal: Self-service storage facility and underlying C-2 uses

Owner: Highline Investment, LLC

Applicant: SAFStor Real Estate Co, LLC

Representative: Mike Maerowitz, Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations.

VPC Info: The South Mountain Village Planning Committee heard this item for information only on March 12, 2024.

VPC Action: The South Mountain Village Planning Committee heard this item on April 9, 2024, and recommended denial, by a vote of 10-0-1.

PC Action: The Planning Commission heard this item on May 2, 2024, and recommended approval, per the staff memo dated May 1, 2024, by a vote of 5-4.

The Planning Commission recommendation was appealed by a community member on May 9, 2024.

Location

Southeast corner of 41st Street and Baseline Road

Council District: 8

Parcel Address: 4115, 4119, 4125, 4155, and 4175 E. Baseline Road

Responsible Department

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

ATTACHMENT A

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

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-SP-6-23-8) FROM C-2 (INTERMEDIATE COMMERCIAL) TO C-2 SP (INTERMEDIATE COMMERCIAL, SPECIAL PERMIT).

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

SECTION 1. The zoning of a 3.84-acre property located at the southeast corner of 41st Street and Baseline Road in a portion of Section 6, Township 1 South, Range 4 East, as described more specifically in Exhibit "A," is hereby changed from "C-2" (Intermediate Commercial) to "C-2 SP" (Intermediate Commercial, Special Permit) to allow self-service storage facility and underlying C-2 uses.

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

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

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

1. The development shall be in general conformance with the elevations date stamped April 26, 2024, as approved by the Planning and Development Department.
2. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
3. A minimum of one 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.
4. A minimum of 10% of the required parking spaces shall be EV capable.
5. A minimum of one of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department
6. Four bicycle spaces shall be provided on the site through Inverted U and/or artistic racks located near the building entrances or in a secure location inside the building and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
7. Bicycle parking spaces shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.
8. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper, drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade, as approved by Planning and Development Department.
9. All public and private pedestrian pathways including sidewalks shall be shaded to a minimum 75%, as approved by the Planning and Development Department.
10. In addition to the landscape materials listed in the Baseline Area Master Plan Plant List, *Cercidium Hybrid (Desert Museum Palo Verde)*, *Quercus Virginiana*

(Live Oak), and Pistacia X 'Red-Push (Red Push Pistache), may be permitted as approved by Planning and Development Department and shall be utilized, as approved or modified by the Planning and Development Department.

11. 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.
12. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Water Efficiency Checkup program for a minimum of 15 years, or as approved by the Planning and Development Department.
13. The developer shall dedicate right-of-way and construct a bus stop pad on eastbound Baseline Road. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The bus stop pad shall be spaced from 41st Street according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide minimum 50% shade coverage to bus stop pad.
14. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the south side of Baseline 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.
15. A minimum 70-feet of right-of-way shall be dedicated for the south half of Baseline Road, adjacent to the development.
16. The sidewalk along Baseline Road shall be a minimum of 6 feet in width and detached with a minimum 8-foot-wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved or modified 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 vegetation to achieve a minimum of 75 percent live coverage.

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

17. A minimum 5-foot-wide sidewalk shall be constructed on the north side of

Highline Lane, adjacent to the development.

18. A minimum 5-foot-wide sidewalk shall be constructed on the east side of 41st Street, adjacent to the development.
19. A minimum 5-foot-wide sidewalk shall be constructed on the west side of 42nd Place, adjacent to the development.
20. Existing streetscape beginning at back of curb and median islands shall be replenished with the approved landscaping and trees along Baseline Road, as approved by the Planning and Development Department.
21. 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.
22. 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.
23. 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.
24. 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.
25. 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 12th day of June,
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)

EXHIBIT A

Within a portion of Section 6, Township 1 South, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Lot 1, HIGHLINE SHOPPES, according to Book 935 of Maps, Page 29, records of Maricopa County, Arizona. Exempt per ARS 11-1134 B9

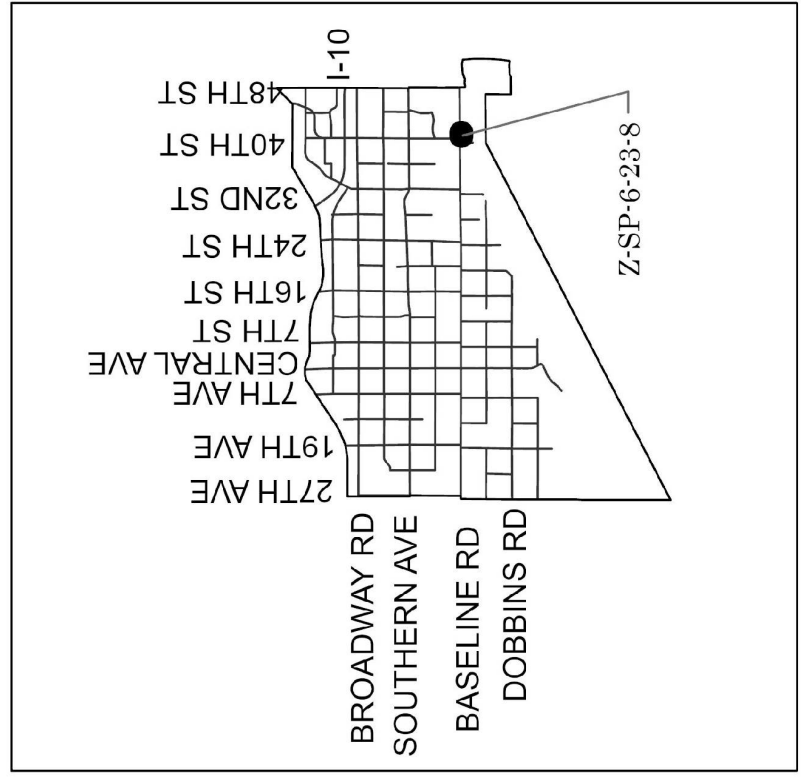
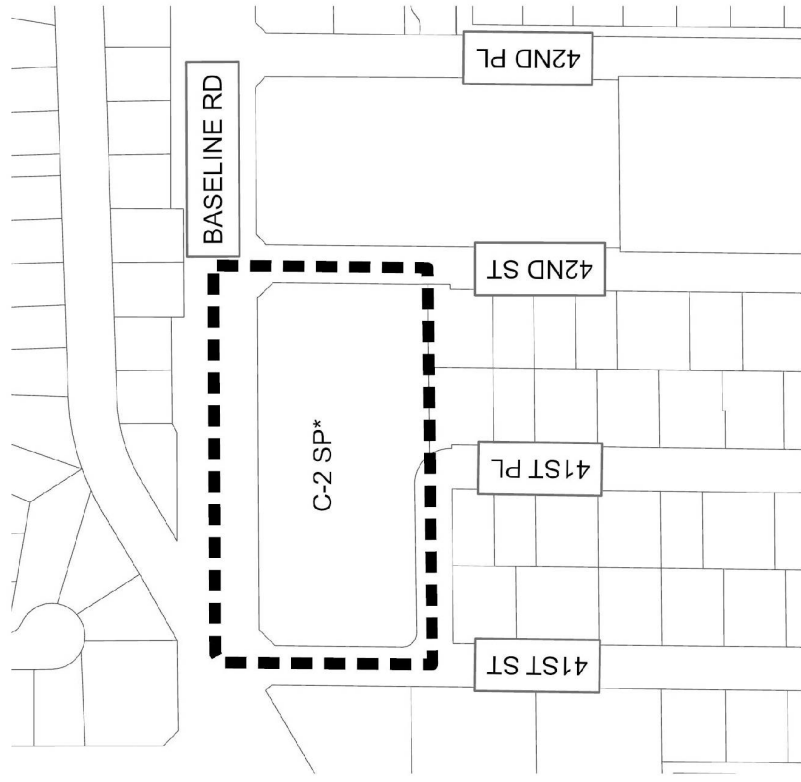
DRAFT

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-SP-6-23-8
 Zoning Overlay: N/A
 Planning Village: South Mountain

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



NOT TO SCALE

Drawn Date: 5/8/2024

\\nc\pdt\Shared\Department Share\Information Systems\PL GIS\GIS_Team\Core_Functions\Zoning\SuppMaps\2024 Ord\6-15-24\6-15-24.aprx

ATTACHMENT B



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-SP-6-23-8
March 30, 2024

South Mountain [Village Planning Committee](#) Meeting Date: April 9, 2024

[Planning Commission](#) Hearing Date: May 2, 2024

Request From: [C-2](#) (Intermediate Commercial) (3.84 acres)

Request To: [C-2 SP](#) (Intermediate Commercial, Special Permit) (3.84 acres)

Proposal: Self-service storage facility and underlying C-2 uses

Location: Southeast corner of 41st Street and Baseline Road

Owner: Highline Investment, LLC

Applicant: SAFStor Real Estate Co, LLC

Representative: Mike Maerowitz, Snell & Wilmer, LLP

Staff Recommendation: Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Commercial	
Street Map Classification	Baseline Road	Major Arterial	60-foot south half street
	41st Street	Local	25-foot east half street
	42nd Street	Local	25-foot west half street
	Highline Lane	Local	20-foot north half street
<p>CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; HEALTHY NEIGHBORHOODS; DESIGN PRINCIPLE: Establish design standards and guidelines for parking lots and structures, setback and build-to lines, blank wall space, shade, and other elements affecting pedestrians, to encourage pedestrian activity and identify options for providing pedestrian-oriented design in different types of development.</p> <p>The proposal, as stipulated, includes design features to encourage walking, bicycling,</p>			

and transit use. These features include the provision of shaded sidewalks, bicycle parking, shade within surface parking lots, and a multi-use trail that connects the development with the existing multi-use trail along Baseline Road.

CONNECT PEOPLE AND PLACES CORE VALUE; BICYCLES; DESIGN PRINCIPLE: *Development should include convenient bicycle parking.*

The proposal, as stipulated, includes shaded bicycle parking to encourage bicycling and transit use by leveraging its proximity to commercial developments, neighborhoods, schools, and the multi-use trail along Baseline Road.

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, as stipulated, includes a detached sidewalk with landscape area along Baseline Road that will be planted with shade trees, shaded public and private sidewalks, and shaded bicycle and vehicle parking areas. These improvements will create a comfortable pedestrian environment along Baseline Road, reduce the urban heat island affect, and make the walk to nearby destinations safer and more comfortable.

Applicable Plans, Overlays, and Initiatives

[Tree and Shade Master Plan](#): Background Item No. 7.

[Complete Streets Guidelines](#): Background Item No. 8.

[Transportation Electrification Action Plan](#): Background Item No. 9.

[Zero Waste PHX](#): Background Item No. 10.

[Comprehensive Bicycle Master Plan](#): Background Item No. 11.

[Phoenix Climate Action Plan](#): Background Item No. 12.

[Conservation Measures for New Development](#): Background Item No. 13

Surrounding Land Uses and Zoning		
	<u>Land Use</u>	<u>Zoning</u>
On Site	Vacant	C-2
North (across Baseline Road)	Vacant, commercial, single-family residences, and the Highline Canal	C-1, C-2, and R1-6
West (across 41st Street)	Vacant and the Highline Canal	R1-6
East (across 42nd Street)	Water facility and fire station	C-2
South (across Highline Lane)	Single-family residences	R1-6
South	Single-family residences	R1-6

C-2 (Intermediate Commercial)		
<u>Standards</u>	<u>Requirements</u>	<u>Met or Not Met</u>
<i>Minimum Building Setbacks</i>		
North (adjacent to Baseline Road)	Average 25 feet, minimum 20 feet permitted for up to 50% of structure	25 feet (Met)
West (adjacent to 41st Street)	Average 25 feet, minimum 20 feet permitted for up to 50% of structure	25 feet (Met)
East (adjacent to 42nd Street)	Average 25 feet, minimum 20 feet permitted for up to 50% of structure	25 feet (Met)
South (adjacent to Highline Lane)	Average 25 feet, minimum 20 feet permitted for up to 50% of structure	25 feet (Met)
South (adjacent to R1-6)	50 feet	50 feet (Met)
<i>Minimum Landscaped Setbacks</i>		
North (adjacent to Baseline Road)	Average 25 feet, minimum 20 feet permitted for up to 50% of frontage	25 feet (Met)
West (adjacent to 41st Street)	Average 25 feet, minimum 20 feet permitted for up to 50% of frontage	25 feet (Met)

East (adjacent to 42nd Street)	Average 25 feet, minimum 20 feet permitted for up to 50% of frontage	25 feet (Met)
South (adjacent to Highline Lane)	Average 25 feet, minimum 20 feet permitted for up to 50% of frontage	25 feet (Met)
South (adjacent to R1-6)	10 feet	10 feet (Met)
Maximum Lot Coverage	50 percent	45.5% (Met)
Maximum Building Height	2 stories and 30 feet	24 feet, 8 inches (Met)
Minimum Parking	<p>Mini-warehouses: 1 space per 35 storage units</p> <p>Office: 1 space per 300 sf</p> <p>734 units = 21 spaces 900 sf office = 3 spaces</p> <p>24 parking spaces required</p>	19 parking spaces (Not met)*

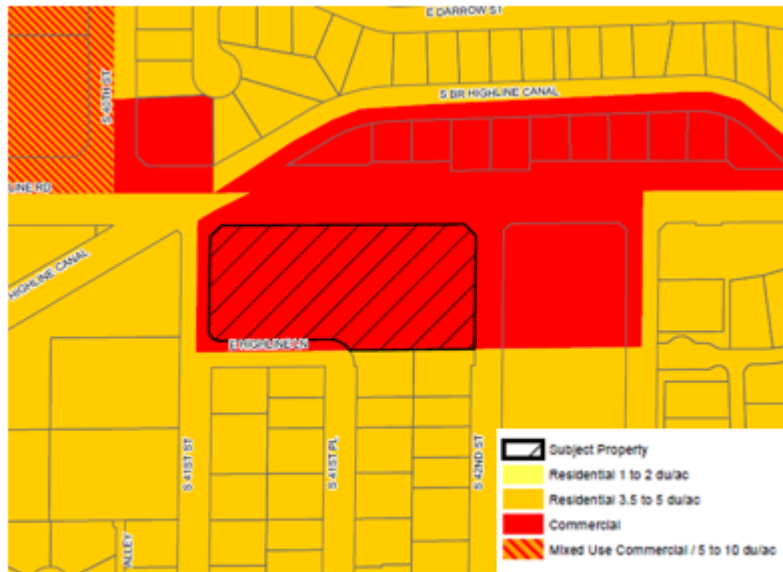
**Site plan revision or variance required*

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 3.84 acres located on the southeast corner of 41st Street and Baseline Road from C-2 (Intermediate Commercial) to C-2 SP (Intermediate Commercial, Special Permit) for a self-service storage facility and underlying C-2 uses. The subject site is currently vacant.

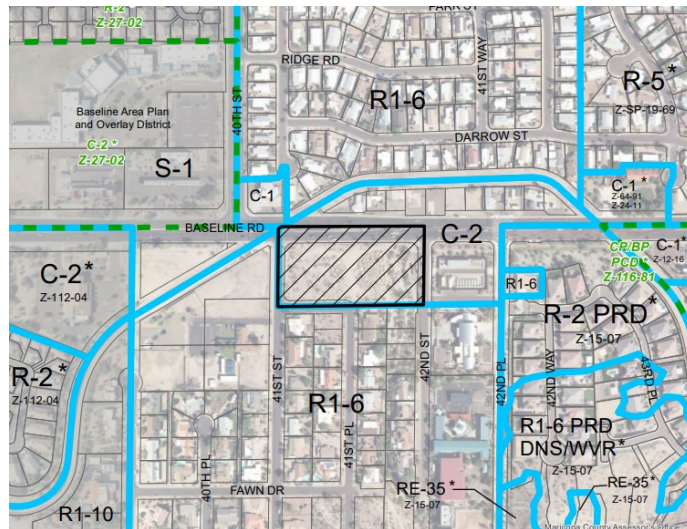
2. The subject site is designated as Commercial on the General Plan Land Use Map. The areas to the west of the subject site across 41st Street and to the south are designated Residential 3.5 to 5 dwelling units acre and the area to the east across 42nd Street is designated Commercial. The area to the north is designated Commercial and Residential 3.5 to 5 dwelling units acre. The requested C-2 SP zoning district is consistent with the General Plan Land Use Map designation of Commercial.



General Plan Land Use Map; Source: Planning and Development Department

SURROUNDING LAND USE AND ZONING

3. To the north across Baseline Road is vacant land, commercial, single-family residences, and the Highline Canal zoned C-1 (Neighborhood Retail), C-2 (Intermediate Commercial), and R1-6 (Single-Family Residence District); to the west across 41st Street is vacant land and the Highline Canal zoned R1-6 (Single-Family Residence District); to the south across Highline Lane and immediately adjacent to the site are single-family residences zoned R1-6 (Single-Family Residence District); and to the east across 42nd Street is city owned property developed with a water facility and a fire station zoned C-2 (Intermediate Commercial) and R1-6 (Single-Family Residence District)



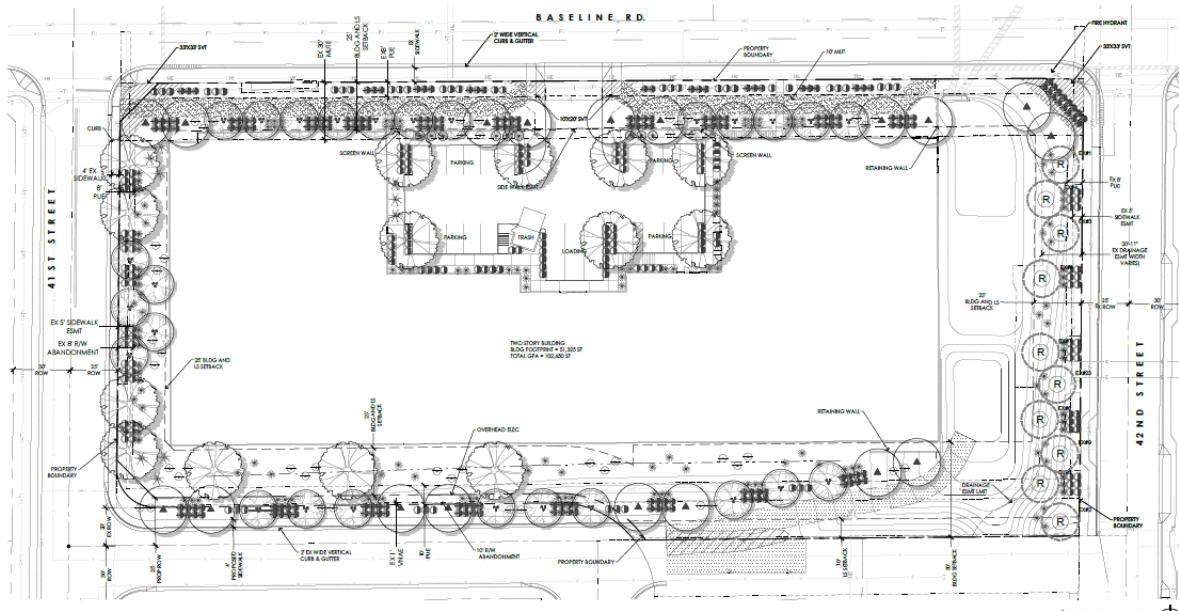
Location Map; Source: Planning and Development Department

to the southeast.

PROPOSAL

4. Site Plan

The proposal is for a self-service storage use with storage units accessed from the interior of the building. The conceptual site plan, attached as an exhibit, depicts the site layout including the location of the building, parking area, trash enclosure, drainage easement along the east portion of the site, and multi-use trail along Baseline Road. The site will have one point of ingress/egress on Baseline Road. The applicant proposes to request a variance to reduce the required parking on the site from 24 to 19 spaces, therefore staff does not recommend general conformance to the site plan.



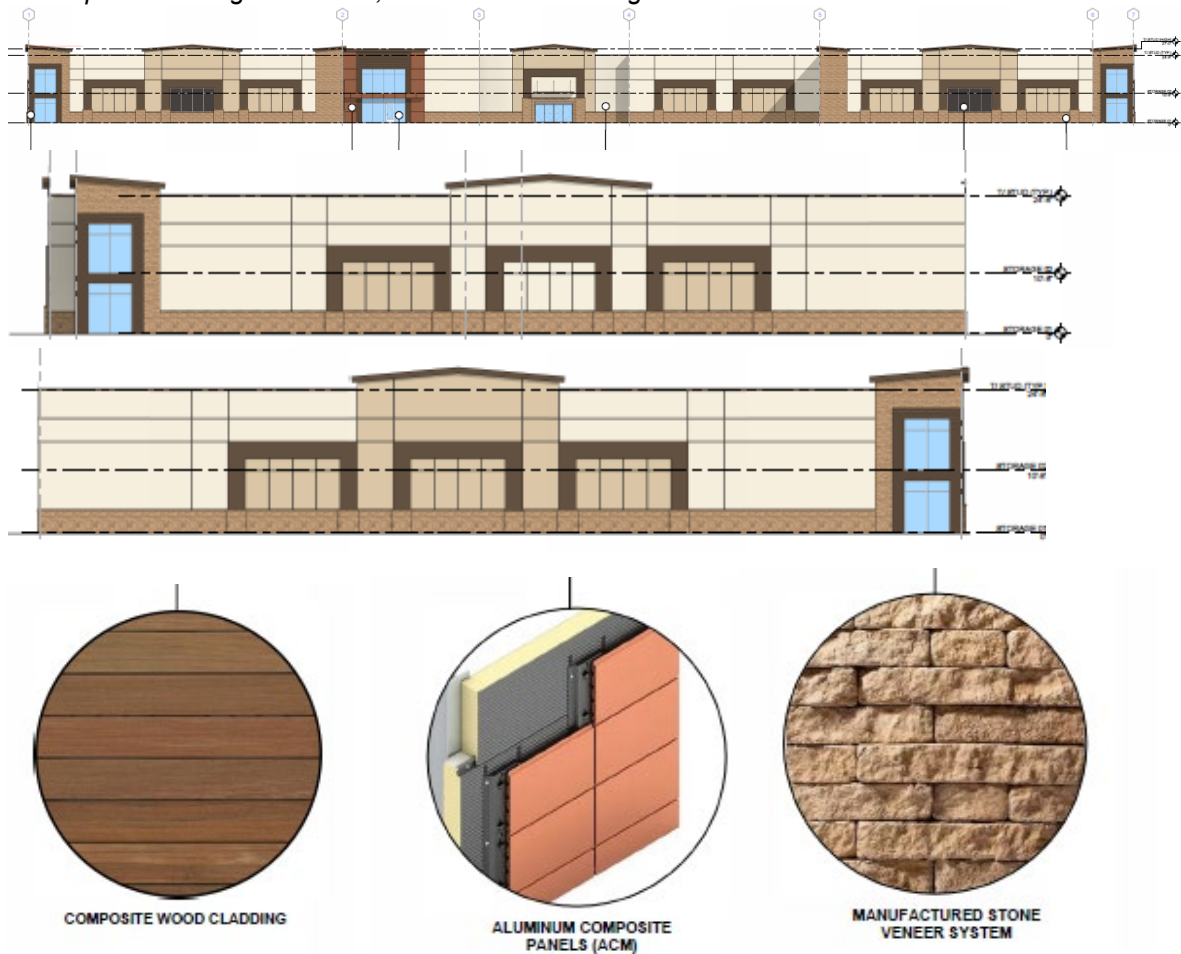
Conceptual Site Plan; Source: Scapegoat Design Studios

Staff recommends Stipulation No. 2 to require pavement treatment that visually contrast with parking and drive aisles where pedestrian walkways cross a vehicular path to improve pedestrian safety. To promote enhanced walking, cycling, and transit-use staff recommends Stipulation No. 14 to require a multi-use trail along Baseline Road, and Stipulation Nos. 5 through 7 to require shaded bicycle parking and electric bicycle charging. Additionally, Stipulation No. 9 requires that all public and private pedestrian pathways will be shaded to a minimum of 75 percent. Stipulation No. 10 requires the use of plants listed in the Baseline Area Master Plan Plant List, alongside three additional tree species, to maintain consistency with nearby developments and in consideration of the subject site's proximity to the Baseline Area Overlay District.

5. Conceptual Building Elevations

The conceptual building elevations, attached as an exhibit, depict four-sided architecture on the building with stone veneer, wood cladding, aluminum panels, materials consistent with structures in the area, and glazing along the building frontages. Staff recommends Stipulation No. 1 to require general conformance to the conceptual elevations date stamped March 15, 2024, so the design of the development is consistent with what is proposed and with the surrounding area.

Conceptual Building Elevations; Source: ARCO Design/Build



6. Special Permit

Self-service storage facilities are allowed in the C-2 district with a Special Permit (Section 647.A.2.i), subject to the following conditions:

- a) All storage shall be within a closed building except that within the grounds of a self-service storage warehouse where trailers and motor vehicles may be

placed in outdoor storage areas which are separate from view from adjacent streets and property by walls, fences or landscaping. Outdoor storage areas shall not exceed ten percent of the gross site area and shall not count toward meeting parking requirements.

- b) No auctions, sales, service or repair activities or anything other than dead storage and the rental and supervision of storage units and such additional uses permitted in the C-2 district that are specified through special permit approval shall be conducted on the premises.
- c) There shall be no storage [or] use of hazardous or dangerous materials on the premises.
- d) The premises shall abut or have direct access to a freeway or arterial street, as designated on the street classification map.
- e) Screening the perimeter of the premises of a self-service storage warehouse may be required. All parts of the perimeter which are adjacent to a residential zone shall be screened by a fence or wall with a landscaped area at least ten feet wide, additional setback and the reorientation of buildings may be required to ensure compatibility with surrounding properties.
- f) A self-storage warehouse may be combined with a household moving center.

The proposal meets the above conditions by proposing solely indoor storage on the site, and it does not propose to store any hazardous or dangerous materials on the premises. Access is provided via Baseline Road, which is a major arterial street.

STUDIES AND POLICIES

7. 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 development proposal, as stipulated, will create a comfortable streetscape environment with detached sidewalks along Baseline Road, shaded bicycle parking, shaded walkways, and shaded surface parking areas. These are addressed in Stipulation Nos. 7, 8, 9, and 16.

8. Complete Streets Guidelines:

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 shaded bicycle parking on the site, electric bicycle parking, a multi-use trail along Baseline

Road, and by constructing a detached sidewalk along Baseline Road. These are addressed in Stipulation Nos. 5, 6, 7, 14, and 16.

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. 4 and 5 which require a minimum of one electric bicycle charging receptacles and a minimum 10 percent of the required parking spaces to be EV Capable.

10. **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.

Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial, and mixed-use developments meeting certain criteria. The applicant's submittal states that recycling shall be provided.

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 shaded bicycle parking, two electrical bike charging receptacles, and a multi-use trail along Baseline Road. This is addressed in Stipulation Nos. 5 through 7, and 14.

12. **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. 3, which requires a minimum of two GI techniques for stormwater management to be implemented in this development.

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. 10 through 12.

COMMUNITY CORRESPONDENCE

14. As of the writing of this report 25 letters of opposition have been received for the request. Concerns raised were regarding the proposal's architecture, impacts on adjacent home values, the number of existing self-service storage uses in the area, impacts on traffic, and the obstruction of views. Two letters of support has been received for the request.

INTERDEPARTMENTAL COMMENTS

15. The Street Transportation Department recommended that right-of-way be dedicated for Baseline Road, that a detached sidewalk be built on Baseline Road, and that attached sidewalks be built along Highline Lane, 41st Street, and 42nd Street. This is addressed in Stipulation Nos. 15 through 19. The Street Transportation Department also required the developer to replenish landscaping within the right-of-way and construct all improvements in the right-of-way with all required elements and to ADA standards. This is addressed in Stipulation Nos. 20 and 21.
16. The Public Transit Department required that a bus stop be constructed on

eastbound Baseline Road. This is addressed in Stipulation No. 13.

OTHER

17. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. These are addressed in Stipulation Nos. 22 through 24.
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. 25.
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 consistent with the General Plan Land Use Map designation of Commercial.
2. The proposal, as stipulated, will create a strong pedestrian environment along Baseline Road with detached sidewalks and a multi-use trail. These pathways will convey individuals safely and comfortably to the nearby educational uses, commercial uses, and residential neighborhoods.
3. The site is appropriately located along a major arterial roadway, and as stipulated will be compatible with surrounding uses..

Stipulations:

1. The development shall be in general conformance with the elevations date stamped March 15, 2024, as approved by the Planning and Development Department.
2. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
3. A minimum of one 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.
4. A minimum of 10% of the required parking spaces shall be EV capable.
5. A minimum of one of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department
6. Four bicycle spaces shall be provided on the site through Inverted U and/or artistic racks located near the building entrances or in a secure location inside the building and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
7. Bicycle parking spaces shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.
8. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper, drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade, as approved by Planning and Development Department.
9. All public and private pedestrian pathways including sidewalks shall be shaded to a minimum 75%, as approved by the Planning and Development Department.
10. In addition to the landscape materials listed in the Baseline Area Master Plan Plant List, *Cercidium Hybrid* (Desert Museum Palo Verde), *Quercus Virginiana*

(Live Oak), and Pistacia X 'Red-Push (Red Push Pistache), may be permitted as approved by Planning and Development Department and shall be utilized, as approved or modified by the Planning and Development Department.

11. 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.
12. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Water Efficiency Checkup program for a minimum of 15 years, or as approved by the Planning and Development Department.
13. The developer shall dedicate right-of-way and construct a bus stop pad on eastbound Baseline Road. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The bus stop pad shall be spaced from 41st Street according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide minimum 50% shade coverage to bus stop pad.
14. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the south side of Baseline 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.
15. A minimum 70-feet of right-of-way shall be dedicated for the south half of Baseline Road, adjacent to the development.
16. The sidewalk along Baseline Road shall be a minimum of 6 feet in width and detached with a minimum 8-foot-wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved or modified 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 vegetation to achieve a minimum of 75 percent live coverage.

Where utility conflicts exist, the developer shall work with the Planning and

Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

17. A minimum 5-foot-wide sidewalk shall be constructed on the north side of Highline Lane, adjacent to the development.
18. A minimum 5-foot-wide sidewalk shall be constructed on the east side of 41st Street, adjacent to the development.
19. A minimum 5-foot-wide sidewalk shall be constructed on the west side of 42nd Place, adjacent to the development.
20. Existing streetscape beginning at back of curb and median islands shall be replenished with the approved landscaping and trees along Baseline Road, as approved by the Planning and Development Department.
21. 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.
22. 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.
23. 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.
24. 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.
25. 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.

Staff Report: Z-SP-6-23-8

March 28, 2024

Page 15 of 15

Writer

Samuel Rogers

March 28, 2024

Team Leader

Racelle Escolar

Exhibits

Zoning sketch map

Aerial sketch map

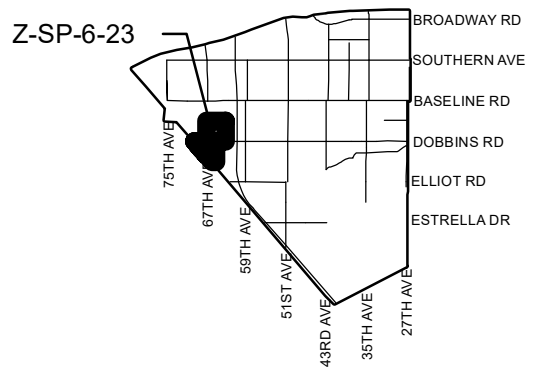
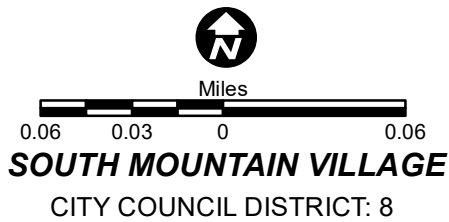
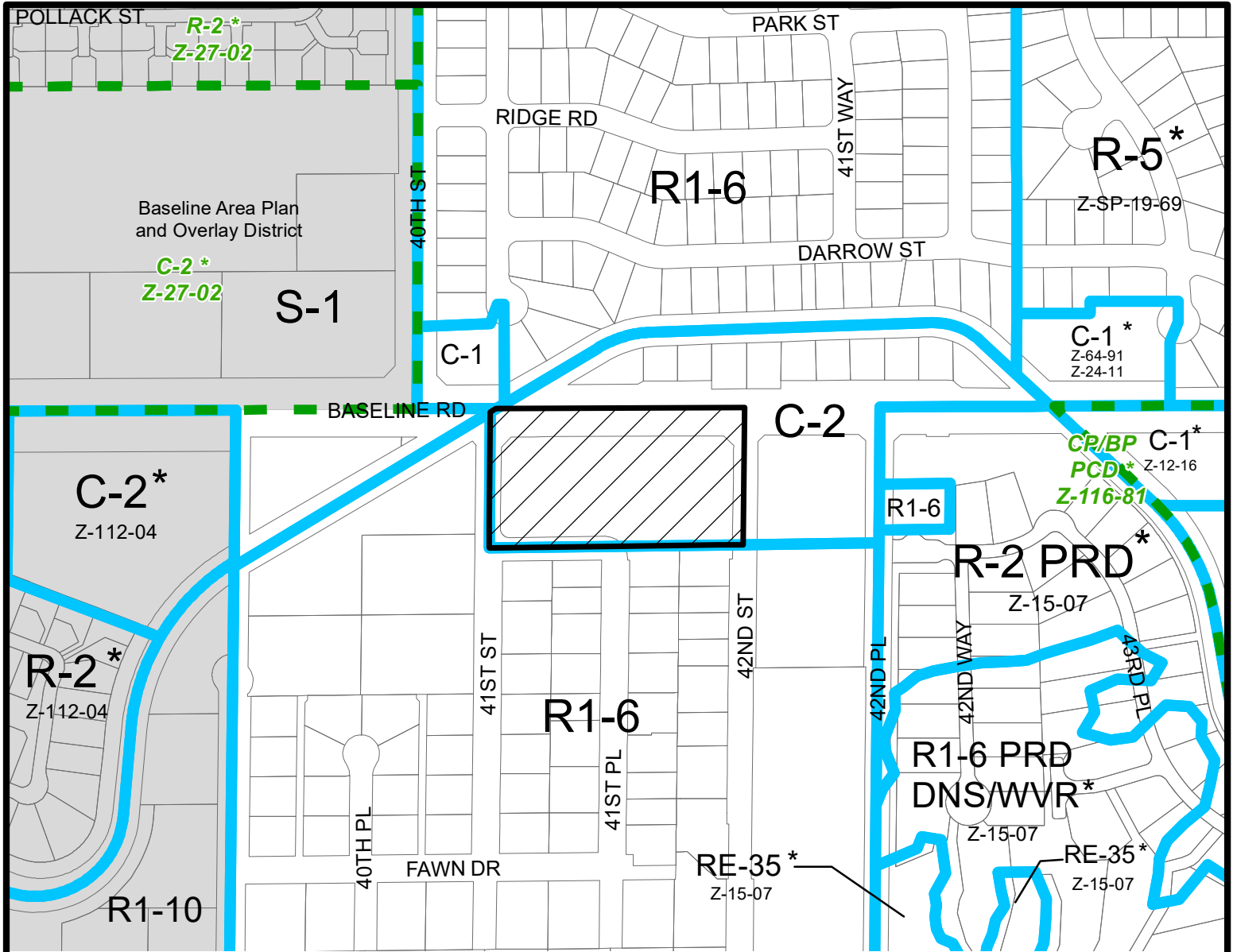
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Conceptual Building Elevations date stamped March 15, 2024

Conceptual Renderings date stamped March 15, 2024 (2 pages)

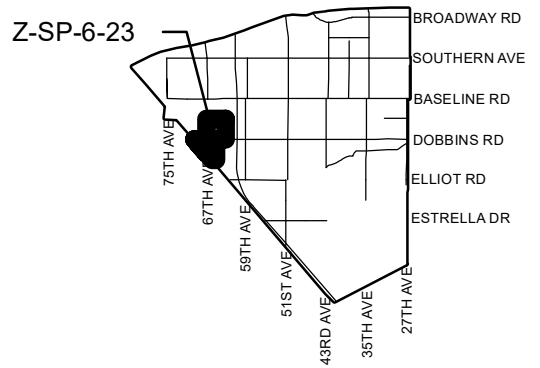
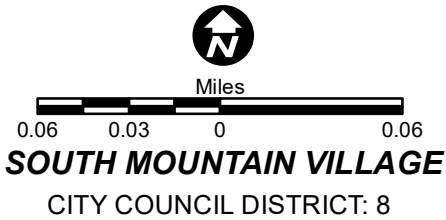
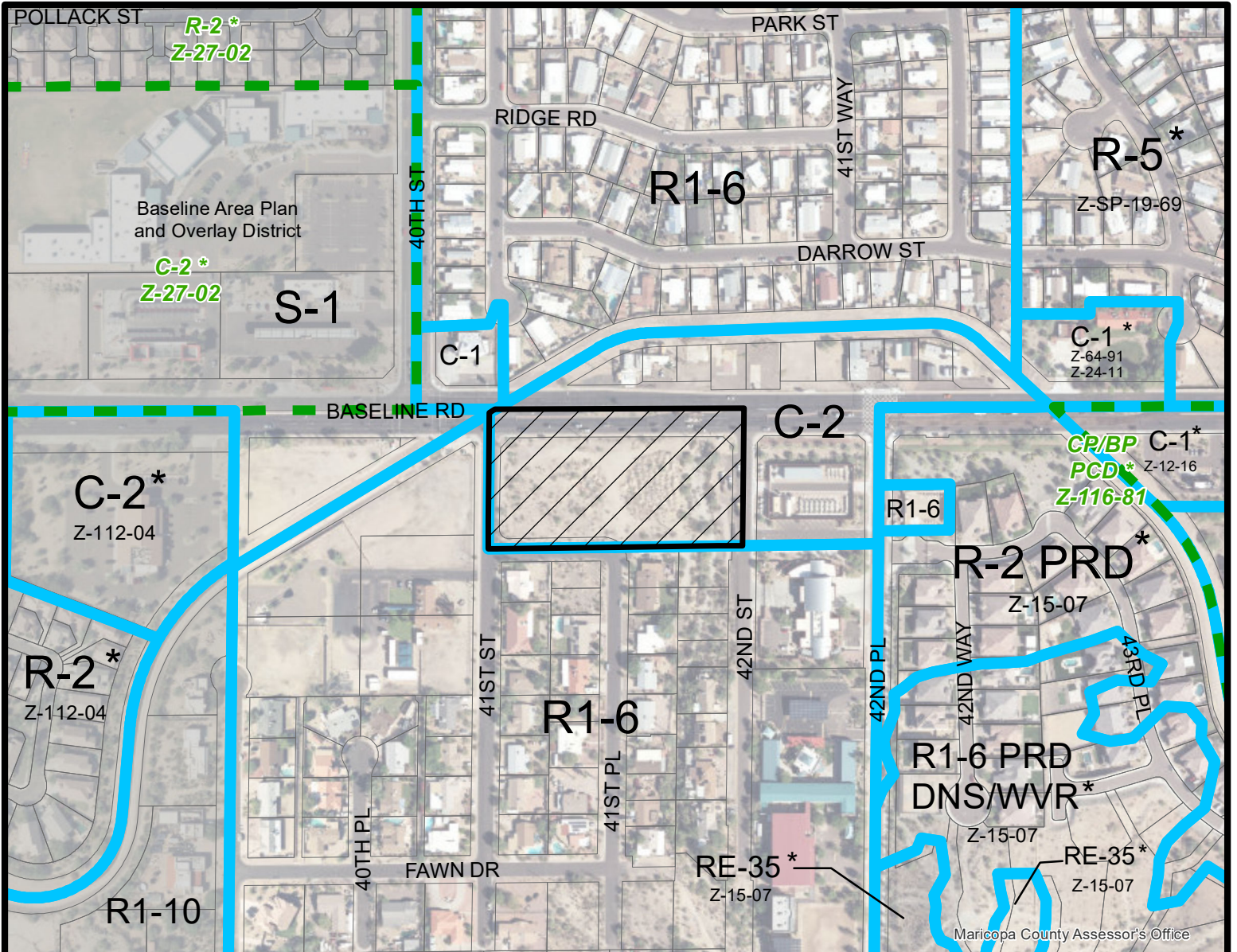
Conceptual Landscape Plan date stamped March 15, 2024

Correspondence (66 pages)



APPLICANT'S NAME: SAFStor Real Estate Co, LLC		REQUESTED CHANGE:	
APPLICATION NO. Z-SP-6-23		FROM: C-2 (3.84 a.c.)	
DATE: 9/14/2023 <small>REVISION DATES:</small>		TO: C-2 SP (3.84 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 3.84 Acres		<small>AERIAL PHOTO & QUARTER SEC. NO.</small> QS 01-37	<small>ZONING MAP</small> D-10
MULTIPLES PERMITTED		* UNITS P.R.D. OPTION	
C-2		67	
C-2 SP		67	
CONVENTIONAL OPTION			
55			
55			

* Maximum Units Allowed with P.R.D. Bonus



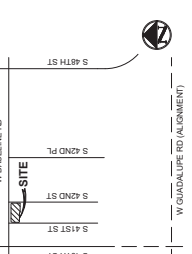
APPLICANT'S NAME: SAFStor Real Estate Co, LLC		REQUESTED CHANGE:	
APPLICATION NO. Z-SP-6-23		FROM: C-2 (3.84 a.c.)	
DATE: 9/14/2023 <small>REVISION DATES:</small>		TO: C-2 SP (3.84 a.c.)	
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> 3.84 Acres		<small>AERIAL PHOTO & QUARTER SEC. NO.</small> QS 01-37	
<small>ZONING MAP</small> D-10		<small>* UNITS P.R.D. OPTION</small>	
MULTIPLES PERMITTED C-2 C-2 SP		CONVENTIONAL OPTION 55 55	
		67 67	

* Maximum Units Allowed with P.R.D. Bonus

CONCEPTUAL SITE PLAN FOR SAFStor SELF-STORAGE

4125 E BASELINE RD
PHOENIX, AZ 85042

A PORTION OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 4 EAST, GILA
AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.



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EMAIL: SKOSIUS@TERRASCOPE.US

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CONTACT: CHRIS RUSS, P.E.
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SCAPEGOAT DESIGN STUDIO
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PHOENIX, AZ 85012
CONTACT: STEVE VOORHEES, RLA
PHONE: (480) 454-8015
EMAIL: SVOORHEES@SCAPEGOATSDS.COM

SITE DATA
JURISDICTION: CITY OF PHOENIX
ADDRESS: 4125 E BASELINE RD
APNW: 301-19-108
EXISTING ZONING: C-2
PROPOSED ZONING: VACANT
PROPOSED LAND USE: COMMERCIAL
NET AREA: 2.89 AC (125,396 SF)
GROSS AREA (TO CL): 3.88 AC (168,243 SF)

SAFStor SELF-STORAGE
4125 E BASELINE RD
PHOENIX, AZ 85042

CONCEPTUAL SITE PLAN

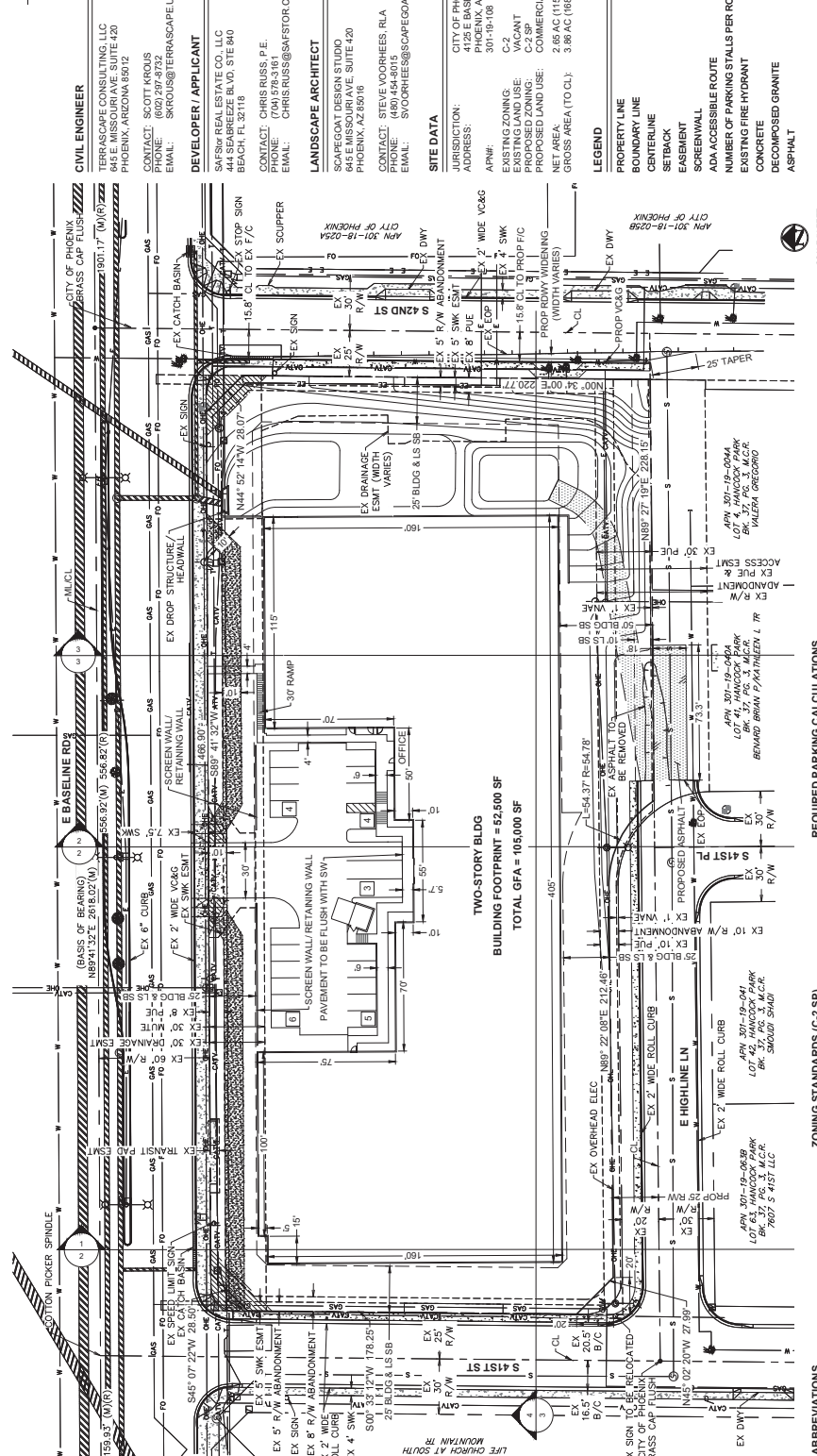
SAFStor
444 SEABREEZE BLVD,
STE 840
BEACH, FL 32118

DATE	DESCRIPTION
08/22/23	1ST ZONING SUBMITTAL
07/19/24	2ND ZONING SUBMITTAL
03/04/24	3RD ZONING SUBMITTAL

CHECKED BY: SKW
DRAWN BY: CDB

TITLE: CONCEPTUAL SITE PLAN

SHEET No. 1 of 3
PROJECT No. 1815



RECORD SPACES
STANDARD PARKING CALCULATION: 21
784 STORAGE IN (1 SPACE/300 SF)
800 SF OFFICE SPACE (1 SPACE/300 SF)
ADA PARKING CALCULATION: 3
STANDARD (1 TO 25 TOTAL SPACES): 24
TOTAL REQUIRED PARKING: 24

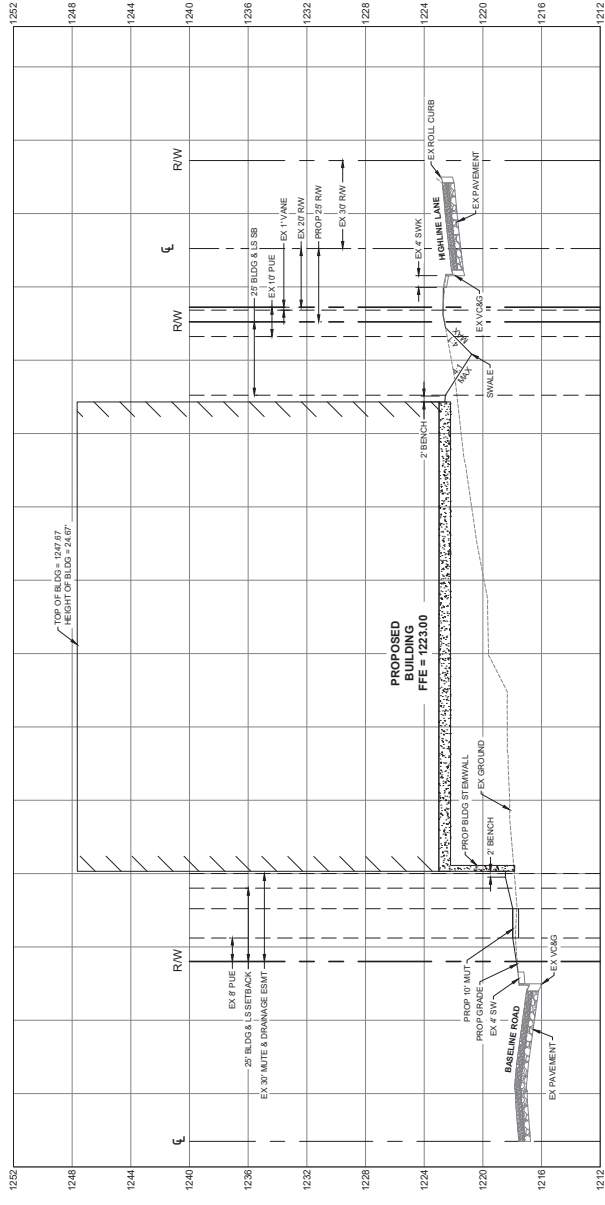
PROVIDED PARKING CALCULATION
STANDARD VEHICLE PARKING (8'x18')
ADA PARKING (11'x18' W/5' AISLE): 1
TOTAL PROVIDED PARKING: 19**

LOADING REQUIREMENTS
REQUIRED NUMBER OF LOADING SPACES IS BASED OFF TOTAL GROSS FLOOR AREA PER TABLE A, SECTION 782(R)1(a) OF THE CITY OF PHOENIX ZONING CODE.
LOADING SUMMARY: 3 RECD, 3 PROVIDED

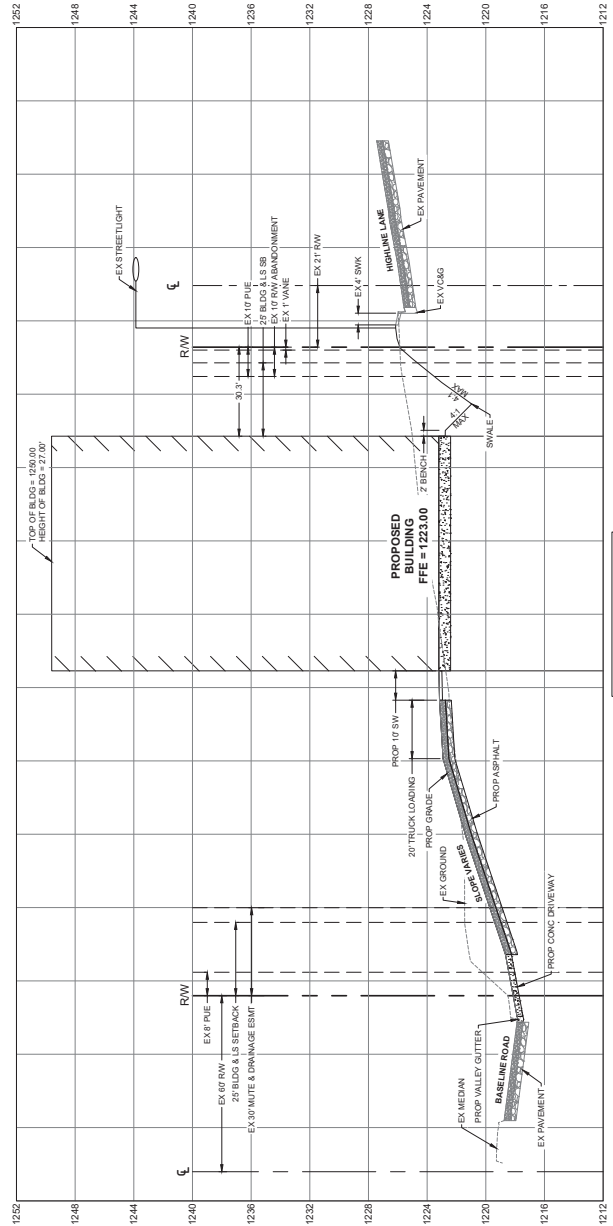
ABBREVIATIONS
AVG: AVERAGE
B/C: BACK OF CURB
BLDG: BUILDING
CB: CATCH BASIN
CL: CENTERLINE
COMM: COMMUNICATION
COP: CITY OF PHOENIX
D/WY: DRIVEWAY
ELEC: ELECTRICAL PERMIT
ESMT: EASEMENT
EX: EXISTING
FIC: FIRE HYDRANT
GFA: GROSS FLOOR AREA
L/S: LANDSCAPE
ML: MONUMENT LINE

DATE	DESCRIPTION
08/22/2023	1ST ZONING SUBMITTAL
07/19/2024	2ND ZONING SUBMITTAL
03/04/2024	3RD ZONING SUBMITTAL

CHECKED BY:	SMK
DRAWN BY:	CSB
TITLE:	CONCEPTUAL SITE PLAN
SHEET No.	2 of 3
PROJECT No.	1615



SECTION 1
 H SCALE 1"=20' V SCALE 1"=4' V



SECTION 2
 H SCALE 1"=20' V SCALE 1"=4' V

SAFStor
SELF-STORAGE
 4125 E BASELINE RD
 PHOENIX, AZ 85042

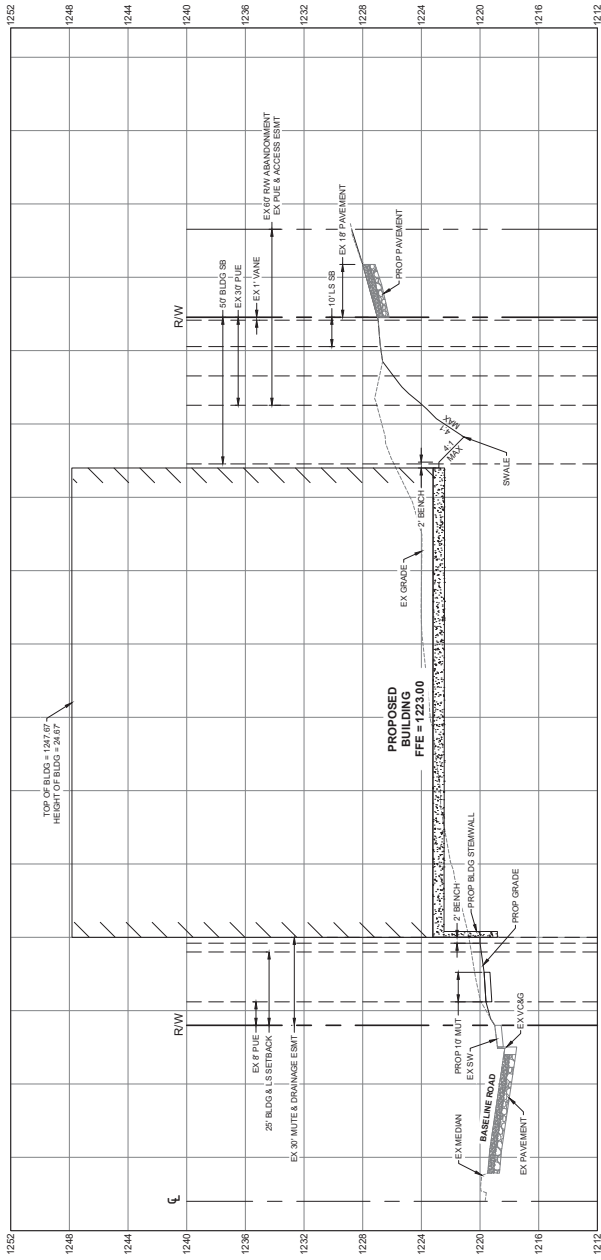
CONCEPTUAL SITE PLAN

SAFStor
 444 SE ARIZONA BLVD.
 PHOENIX, AZ 85042
 BEACH, FL 32118

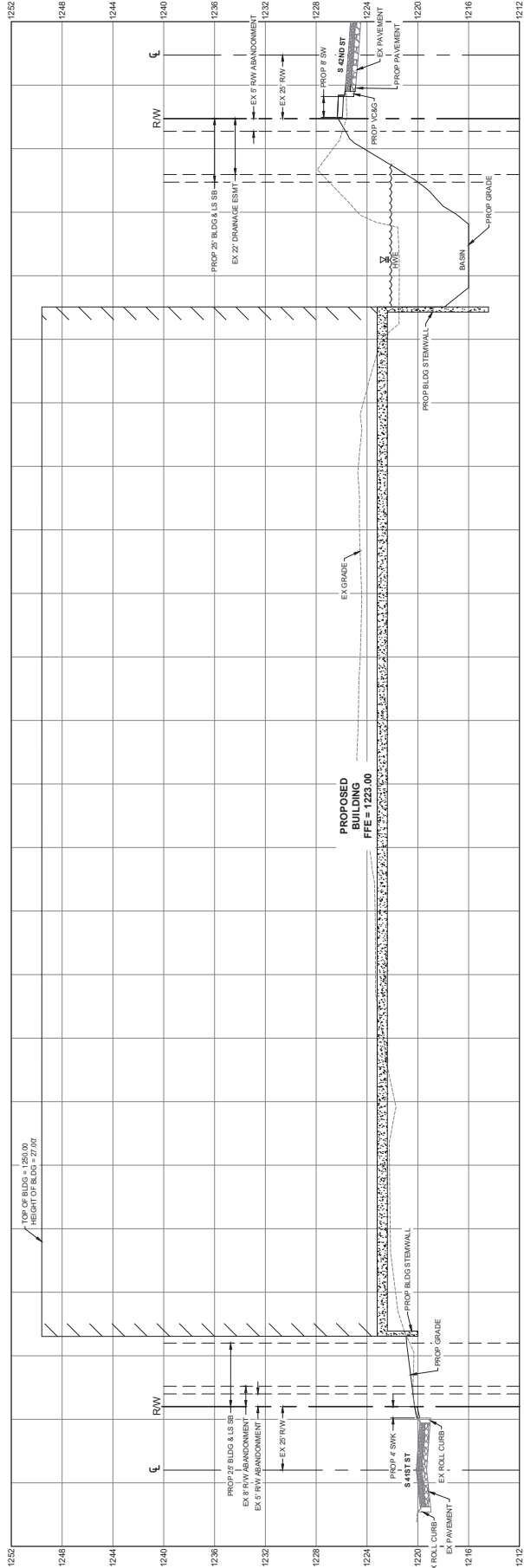


DATE	DESCRIPTION
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07/19/24	2ND ZONING SUBMITTAL
03/04/24	3RD ZONING SUBMITTAL

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 DRAWN BY: UCS
TITLE: CONCEPTUAL SITE PLAN
 SHEET No. 3 of 3
 PROJECT No. 1615

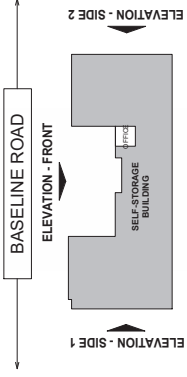


SECTION 3
 HORIZONTAL SECTION 1"=40' V SCALE 1"=4' V

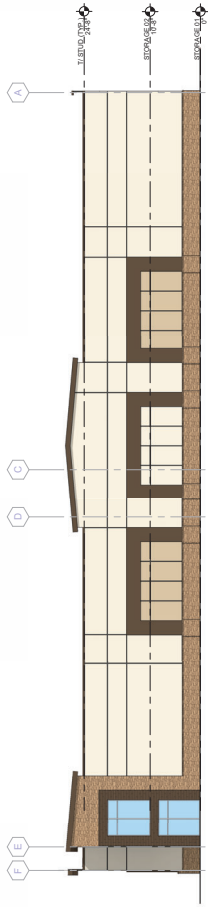


SECTION 4
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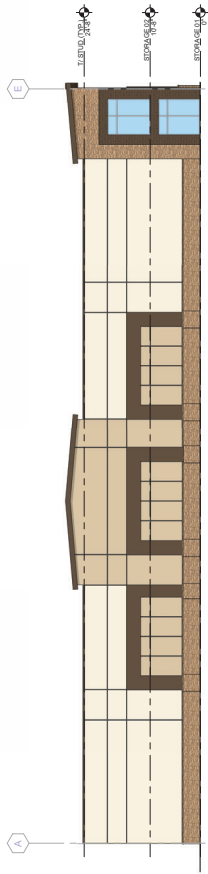
SAFSTOR BASELINE COLOR SCHEME



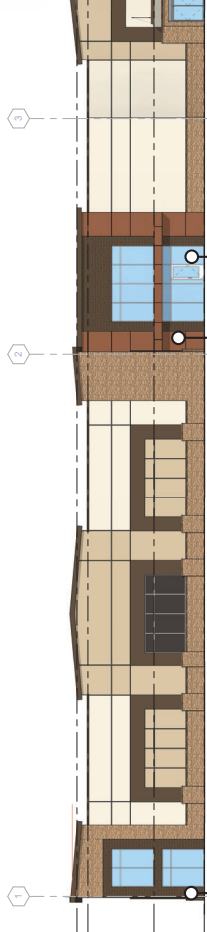
4 KEY PLAN
SCALE: 1" = 80'-0"



3 ELEVATION - SIDE 1
SCALE: 3/8" = 1'-0"



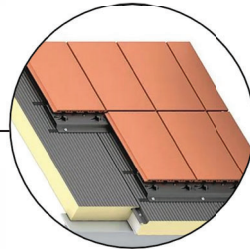
2 ELEVATION - SIDE 2
SCALE: 3/8" = 1'-0"



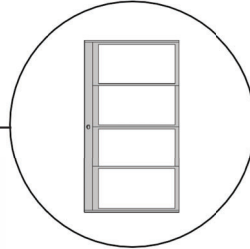
1 ELEVATION - FRONT
SCALE: 3/8" = 1'-0"



COMPOSITE WOOD CLADDING



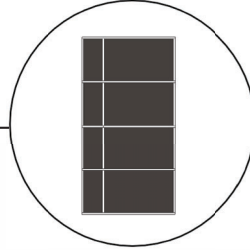
ALUMINUM COMPOSITE PANELS (ACM)



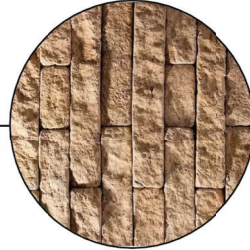
LOW ENERGY INSULATED GLAZING SYSTEM



EXTERIOR INSULATED FINISHING SYSTEM (EIFS)



FAUX GLAZING SYSTEM WITH SPANDEREL COATING



MANUFACTURED STONE VENEER SYSTEM



ARCO
DESIGN/BUILD

SÄFSTOR

CITY OF PHOENIX
MAR 15 2024
Planning & Development
Department



CITY OF PHOENIX
MAR 15 2024
Planning & Development
Department



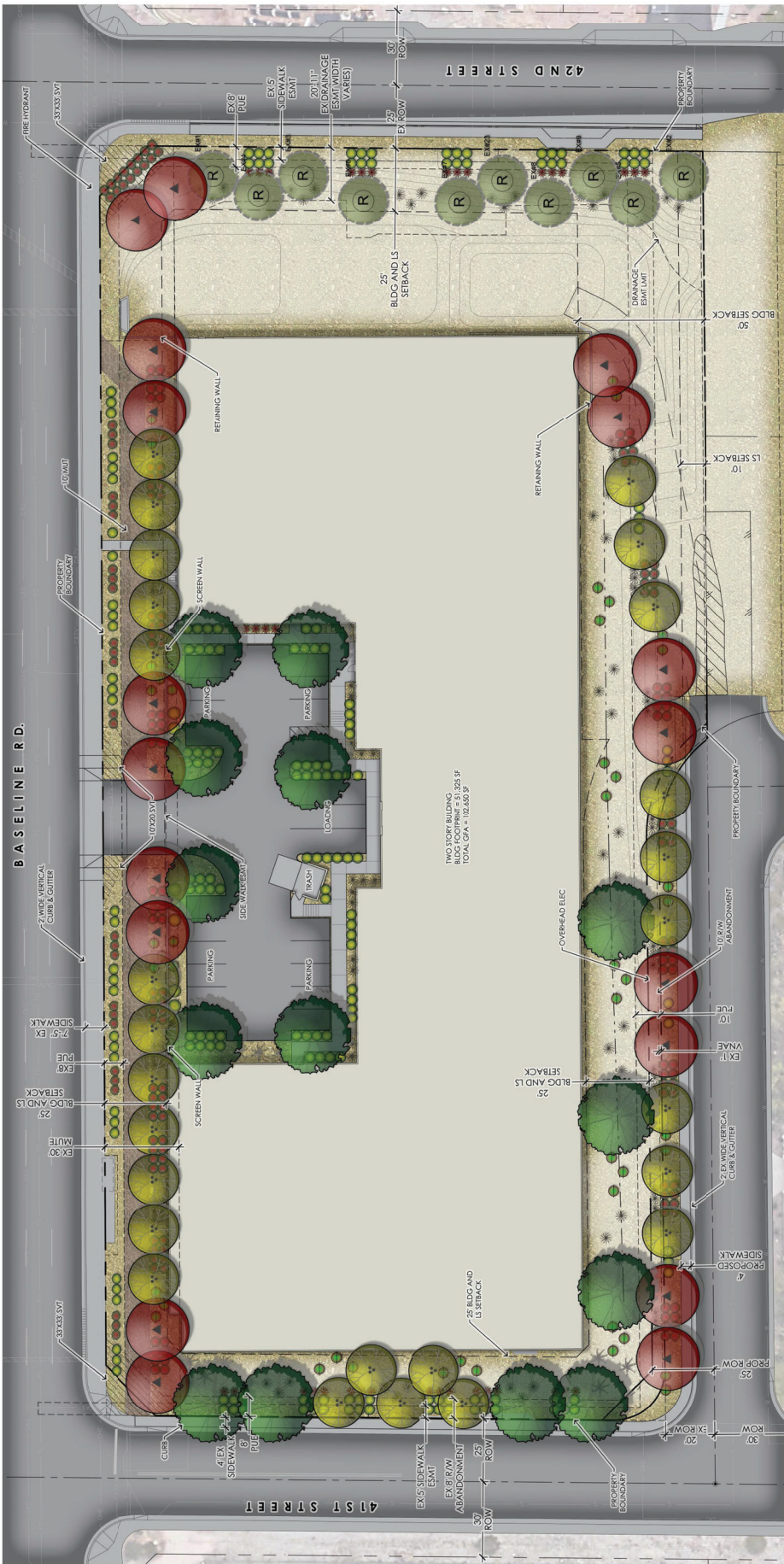
ARGO
DESIGN/BUILD



DATE	DESCRIPTION
10/17/2023	REVISION
01/12/2024	2ND REVISION
02/27/2024	3RD REVISION

CHECKED BY: SY
DRAWN BY: CL
TITLE: TREE PLAN

SHEET NO. 1.1.1
PROJECT NO. 1515
01 of 01



SCALE 1" = 20'-0"

TREE PLAN

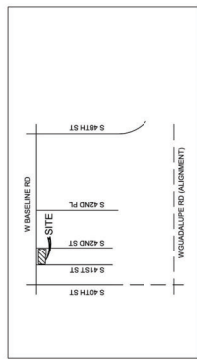
CITY OF PHOENIX LANDSCAPE REQUIREMENTS

PROVIDE A MIX OF PLANT MATERIAL SIZES CONSISTING OF SIXTY PERCENT (60%) TREES WITH TWO INCH (2") MINIMUM CALIPER AND FORTY PERCENT (40%) WITH ONE INCH (1") MINIMUM CALIPER IN ALL LANDSCAPE AREAS. ALL PLANT MATERIAL SHALL BE SPECIFIED BY TRADE NAME AND COMMON NAME. ZONING ORDINANCES ONLY CALIPER SIZES WILL BE REVIEWED AND APPROVED.

STREET FRONTAGE: 1 TREE AND 5 SHRUBS PER 25 LINEAR FEET
FIFTY PERCENT (50%) LIVE COVERAGE IN ALL LANDSCAPE AREA

REQUIREMENT	QUANTITY
NORTH 50' LINEAR FEET	
TREES/SHRUBS REQUIRED	= 21 TREES / 102 SHRUBS
PROVIDED	= 51 TREES / 177 SHRUBS
EXCESS TREES/SHRUBS PROVIDED	= 30 TREES / 75 SHRUBS
WEST 24' LINEAR FEET	
TREES/SHRUBS REQUIRED	= 9 TREES / 45 SHRUBS
PROVIDED	= 9 TREES / 45 SHRUBS
EXCESS TREES/SHRUBS PROVIDED	= 0 TREES / 0 SHRUBS
EAST 24' LINEAR FEET	
TREES/SHRUBS REQUIRED	= 20 TREES / 100 SHRUBS
PROVIDED	= 20 TREES / 113 SHRUBS
EXCESS TREES/SHRUBS PROVIDED	= 0 TREES / 13 SHRUBS
SOUTH 50' LINEAR FEET	
TREES/SHRUBS REQUIRED	= 21 TREES / 102 SHRUBS
PROVIDED	= 51 TREES / 177 SHRUBS
EXCESS TREES/SHRUBS PROVIDED	= 30 TREES / 75 SHRUBS
TOTAL LANDSCAPE AREA	= 48,682.98 SF
50% LANDSCAPE AREA	= 24,341.49 SF
54% TOTAL COVERAGE	= 26,556.34 SF
TOTAL SURFACE PARKING AREA	= 2,769.97 SF
100% LANDSCAPE AREA REQUIRED	= 275.9 SF
21% LANDSCAPE AREA PROVIDED	= 400.47 SF

TOTAL SURFACE PARKING AREA = 2,769.97 SF
100% LANDSCAPE AREA REQUIRED = 275.9 SF
21% LANDSCAPE AREA PROVIDED = 400.47 SF



PROJECT NUMBERS

PLAN	23010294
SCHEMATIC	23010293
PAPP (OPTION 1)	23010294

SYMBOL	BOTANICAL NAME	COMMON NAME	CAL.	QTY.	SPECIFY (LxW)
(Tree Symbol)	PARKINSONIA hybrid 'Desert Monument'	Desert Monument Palo Verde	2'-0" - 6'0"	26	14x8
(Tree Symbol)	PISTACHIA 'Red Puff'	Red Puff Pistachio	2'-0" - 6'0"	18	9'x4'
(Tree Symbol)	QUERCUS virginiana	White Oak	2'-0" - 6'0"	14	9'x4'
(Tree Symbol)	VARIES	VARIES	VARIES	10	VARIES
(Tree Symbol)	VARIES (PALM RELOCATE)	VARIES	VARIES	10	VARIES
(Shrub Symbol)	RED BIRD OF PARADISE	RED BIRD OF PARADISE	5 GAL.	47	8" x 10"
(Shrub Symbol)	ULMUS PARVIFOLIA	Little Leaf Elm	5 GAL.	108	3" x 3"
(Shrub Symbol)	GOLD STAR ESPERANZA	Gold Star Esperanza	5 GAL.	38	5" x 5"
(Shrub Symbol)	RED LANTANA	Red Lantana	5 GAL.	81	8" x 10"
(Shrub Symbol)	RED LANTANA	Red Lantana	5 GAL.	9	5" x 7"
(Shrub Symbol)	RED LANTANA	Red Lantana	5 GAL.	170	2" x 4"
(Shrub Symbol)	GOLD MOUND LANTANA	GOLD MOUND LANTANA	5 GAL.	185	2" x 4"
(Shrub Symbol)	VARIES	VARIES	VARIES	341	VARIES
(Shrub Symbol)	VARIES	VARIES	VARIES	341	VARIES

SYMBOL	BOTANICAL NAME	COMMON NAME	CAL.	QTY.	SPECIFY (LxW)
(Tree Symbol)	PARKINSONIA hybrid 'Desert Monument'	Desert Monument Palo Verde	2'-0" - 6'0"	26	14x8
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(Tree Symbol)	VARIES	VARIES	VARIES	10	VARIES
(Tree Symbol)	VARIES (PALM RELOCATE)	VARIES	VARIES	10	VARIES

Z-SP-6-23**Mike Davis** <davismi34@hotmail.com>

Thu 9/28/2023 4:59 PM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

Hi Samuel,

I hope this email finds you well. I would like to share some comments about a proposed development (Z-SP-6-23) of a self-service storage warehouse in a C-2 zoned property near my house. The notice I received from the developer's attorney lists you as the City of Phoenix contact person.

The proposed vehicular access is not compatible with the adjacent residential district. Vehicular access is proposed via 41st Street which is adjacent to the residential district to the west. 647.A.2.i.5 states that "All parts of the perimeter which are adjacent to a residential zone shall be screened by a fence or wall with a landscaped area at least ten feet wide, additional setback and the reorientation of buildings may be required to ensure compatibility with surrounding properties." Adjacent property to the south and west are zoned R1-6 and developer is obligated to screen the perimeter in these directions. The current plan includes unscreened driveway to the west. Furthermore, 41st street is a local street (i.e. not designated an arterial or collector road on the Street Classification Map). A better choice will be to utilize access from Baseline Road which is designated a Major Arterial street

Also, access via 41st is problematic from a safety standpoint. The intersection at 41st Street and Baseline is in close proximity to a unique intersection of 40th St and Baseline. 40th St and Baseline is unique because it is a T-intersection of two major arterial streets, and the light patterns are non-standard. Access to my neighborhood is via 41st St and I know this intersection well. I always warn guests/new neighbors that the non-standard light patterns can give a false sense of when it is safe to turn on/off Baseline Rd. There will be serious accidents involving moving trucks driven by inexperienced drivers at this intersection unless the access plan is changed.

Finally, the notice did not include any details about the location of industrial equipment (e.g. chiller system for climate control) and I am concerned about the possibility of a large noise source in the neighborhood. I would like assurances that no such noise source will exist. The Zoning Code gives a metric that applies all the way up to A-2 Industrial Districts that I think makes sense to include as a stipulation. This stipulation has also been added to other Special Permit uses. Please stipulate "The average noise level, measured at the property line, shall not exceed fifty-five dB (l dn) when measured on an "A weighted" sound level meter and according to the procedures of the Environmental Protection Agency."

Thanks,
Mike Davis

Comments on Case # Z-SP-6-23 Storage facility at 41st Street and Baseline Rd.

Laurie Pheil <creativebenefitcommunications@gmail.com>

Tue 10/3/2023 4:05 PM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

Hi Samuel,

Thanks for taking the time to talk to me about this project today. I am a spokesperson for the Baseline Area Resident's Association.

After a careful review of the packet sent to by Snell and Wilmer, here are my concerns about the project as it stands now.

1. There are already several storage buildings in the area. There are 2 structures at 48th Street and Baseline already and I was surprised to hear that they are at almost 90 percent capacity, plus an additional one on 15th Street and Baseline. Do we really need yet another storage facility in our neighborhood?
2. Traffic coming in and out of their facility at 41st Street is sure to cause back ups and accidents on Baseline. New people visiting our neighborhood don't realize that the lights at 40th Street and Baseline are not timed the same, so when the west-bound traffic is stopped, east-bound traffic is still coming, usually over 50 MPH. This will cause accidents in the beginning, especially as people move in and out of a new storage facility. I would appreciate it if you could ask the developer why they're not using Baseline as the access point. Probably because it would reduce their building footprint to do so or interfere with the wash on the east end of the property.
3. Additional traffic congestion will come from people wanting to turn left from 41st Street onto Baseline Rd. This is usually not possible during normal business hours, so as residents, we turn right and make a U-turn at 42nd Street. They won't necessarily know that, so they will most likely sit and wait for traffic to clear, or pull out and block people trying to turn into our community from Baseline.
4. The building height is 24 feet which will definitely block the mountain views, as shown by their own illustration. There are no other 2 story buildings in the area, especially not something with such a big footprint.
5. There is minimal landscaping. It's all gravel with a few trees. There's a small wash on the east side at 42nd Street that they are just going to put in gravel, so it doesn't look like they're going to deal with the water run off from their own building as far as I can see.
6. The vision for the Baseline Corridor Master Plan was to promote community gathering. This type of commercial use will not do that at all. Some possible alternative uses could be a bookstore/coffee shop or a vet clinic, or even a bakery might be a good use for this site. They could be a little more creative than just constructing a huge windowless building that does nothing more for the community than a place to stash their un-used stuff!

If you have any questions for me, please feel free to contact me by email or the phone number below.

Thanks!

Laurie

Laurie Pheil
Creative Benefit Communications
Phone: 602-696-3800
E-mail: creativebenefitcommunications@gmail.com

Special Permit for 2 story Storage facility on Baseline and 41st Street

Cynthia Standage-Beier <standagebeier@gmail.com>

Wed 10/4/2023 12:10 PM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

Cc: Laurie Pheil <LAdesign@fastq.com>

Cynthia Standage-Beier
3633 E Highline Canal Road
Phoenix, Az 85042

City of Phoenix
Planning and Development Department
(submitted via email) Samuel.rogers@phoenix.gov

Dear Mr. Rogers

No Application number listed-

The "Special Permit for 2 story Storage facility on Baseline and 41st Street" is proposed at the only entrance to our foothills neighborhoods.

Here are my initial observations-

This proposal is immediately next to a many stable foothills neighborhoods. The neighborhood immediately south has been deed restricted to one story (and enforced) for many years.

The proposal is along the south side of Baseline Road at the eastern edge of the overlay district. All development in the immediate area both residential and commercial including the City of Phoenix Fire station are low profile. The proposal for an approximately 400 ft long 24 ft high two story warehouse is not consistent with the character of our area.

Many of my neighbors (South mountain residents) have represented this area for decades to ensure we were not overrun by warehouses. It would be an unfortunate failing of long range planning for one of the final remaining infill parcels to be approved for the very land use that so many have worked to prevent.

This proposal utilizes queuing on 41st to operate. The proposed warehouse creates access and exit problems on a residential street for the residents that rely on 41st as their only access. Additionally, the site plan shows an additional access point on Highline Lane further in the neighborhood. Traffic accessing Baseline Road is already a challenge with the closeness of 41st to the 40th st and Baseline intersection with a traffic light.

There is no way this application for a Special Permit is compatible with the surrounding area.

My family and I are opposed to this proposal at this location.

Sincerely,

Cynthia Standage-Beier
Standage-beier@gmail.com

Fwd: Special Permit

Olga Klem <olga.klem56@gmail.com>

Wed 10/4/2023 1:15 PM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

Sent from my iPhone

Begin forwarded message:

Date: October 4, 2023 at 12:24:09 PM MST
To: samuel.rogers@phoenix.gov
Cc: JEFF KLEM <JEFFKLEM00@msn.com>
Subject: Special Permit

To: Mr. Samuel Rogers

After a more careful review of the packet, here are our concerns about the project as well as it stands now.

1. There are already several storage buildings in the area. There are 2 structures at 48th Street being at almost 90 percent capacity, plus an additional one on 15th Street and Baseline. Having another storage facility in our neighborhood would be overkill.
2. Traffic coming in and out of their facility at 41st Street will cause back ups and accidents on Baseline. New people visiting our neighborhood don't realize that the lights at 40th Street and Baseline are not timed the same, so when the west-bound traffic is stopped, east-bound traffic is coming, usually over 50 MPH. This will cause accidents in the beginning, especially as people move in and out of a new storage facility. Will Baseline be used as the access point? Does this reduce their building footprint to do so?
3. Safety! Additional traffic congestion will come from people wanting to turn left from 41st Street onto Baseline Rd. This is usually not possible during normal business hours, so as residents, we turn right and make a U-turn. They won't necessarily know that, so they will most likely sit and wait for traffic to clear, or pull out and block people trying to turn into our community from Baseline.

4. The building height is 24 feet which will definitely block the mountain views. There are no other 2 story buildings in the area, especially not something with such a big footprint.
5. The landscaping is gravel and littered. It's all gravel with a few trees. There's a small wash on the east side at 42nd Street that they are just going to put in gravel, so it doesn't look like they're going to deal with the water run off from their own building as far as I can see.
6. The vision of the Baseline Corridor Master Plan is to promote community gathering. How about a bookstore/coffee shop or a vet clinic, or even a bakery might be a good use for this site.


Sent from my iPhone

Case number Z-SP-6-23

Ron Bruce <rontron5@gmail.com>

Sun 10/22/2023 8:17 PM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

 1 attachments (278 KB)

StorageBldng.jpg;

To: Mr. Samuel Rogers

Fm: Ron Bruce

I was playing around a little with my idea of mirror imaging the building. I don't have the dimensions to make an accurate representation and the wash on the east side presents a bit of a problem. At the meeting, I asked about installing a culvert and I was told the city objects because it would increase the flow rate due to the smoothness. I assume they were proposing it for the full width of the property. I don't think that is necessary. I would suggest just bridging about a 20ft width with abutments on each end and using double tee concrete beams of maybe 50ft. They could install a retaining wall along the sides of the wash if needed. This would eliminate the primary objection most people have to using 41st St. for access and avoiding 40th St. traffic control in that when west bound Baseline traffic gets a red light, east bound is still green. Another problem is left turn traffic from south bound 40th St. often switch lanes to the outside Baseline lane within the turn along with some red arrow violators. Also the right lane east bound traffic on Baseline view is partially blocked by the canal arch, especially for people with a long hood if you use the stop line. Most days Baseline traffic speed is above 45 mph. See attached.

Case number Z-SP-6-23

Jason Edwards <jedwards1019@gmail.com>

Tue 10/24/2023 2:34 PM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

Hello Mr. Rogers,

I understand that there is a review of a potential storage facility near 41st and Baseline Road. I am concerned about this for a couple of reasons, however, the most important reason is that it is proposed to have entry from 41st st.

This is a very hard location to get out onto Baseline from and even harder to get to west bound Baseline. It's already a dangerous intersection due to the proximity to 40th St where there is a stop light. Increasing traffic coming in and out of that spot is going to cause congestion and likely many more accidents (some of which will be fatal).

Please take this all into consideration before approving any business for that particular location.

Regards,

Jason Edwards

8243 S. 40th st

Phoenix, AZ 85042

RE: Proposed development at 41st and Baseline

Eric Buskirk <eric.buskirk@phoenix.gov>

Wed 12/13/2023 3:03 PM

To:Streets P STR <streetsp@phoenix.gov>

Cc:Samuel S Rogers <samuel.rogers@phoenix.gov>;Maja Brkovic <maja.brkovic@phoenix.gov>;Joshua A Rogers <joshua.rogers@phoenix.gov>

Sam,

I'm not sure if this is related to a zoning case or not around 41st St & Baseline, so wanted to make you aware. Please see the resident's comments below.

*Eric Buskirk
Special Projects Administrator
Street Transportation Department
City of Phoenix
602.262.7580 (o)
480.915.4585 (c)*



Please be advised I have taken a new role in the Street Transportation Department. David Goodman will assume Team Leader responsibility for all projects I am previously assigned. Please include David, at david.goodman@phoenix.gov, on all future correspondence as part of the transition.

From: Streets P STR <streetsp@phoenix.gov>
Sent: Wednesday, December 13, 2023 2:47 PM
To: Eric Buskirk <eric.buskirk@phoenix.gov>
Subject: FW: Proposed development at 41st and Baseline

Good afternoon,

Is this something that Streets handles or should this go to PDD?

Thank you,
Toni Dueñas
Administrative Secretary
602-262-6136



-----Original Message-----

From: Laurie Iosue <laurieiosue@gmail.com>

Sent: Monday, December 11, 2023 4:31 PM

To: Streets P STR <streetsp@phoenix.gov>

Subject: Proposed development at 41st and Baseline

I'm writing to say my husband and I oppose the Safe Store storage facility making their ingress and regress on 41st Street. This is the only access to 80 plus families who live in this area. Please suggest that developers make the ingress and regress on Baseline Road, with a bus storage lane to avoid the congestion. Too many accidents are happening now with just the traffic on Baseline. We can almost never turn west on Baseline, and instead have to make a u-turn. This will be much worse with so much more traffic.

Thank you,

Laurie Iosue

Sent from my iPad

FW: emdist8 - Form Submission

Council District 8 PCC <council.district.8@phoenix.gov>

Fri 12/8/2023 2:53 PM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

Hi Sam,

I wanted to share this constituent comment and recommendation with you because I think this item is on the agenda for the VPC meeting on 12/12.

Have a great weekend!

Sincerely,

Kalea Moore
Constituent Services Manager
Office of Councilwoman Kesha Hodge Washington
Phoenix City Council District 8
Main Office: 602-262-7493

From: no-reply@phoenix.gov <no-reply@phoenix.gov>
Date: Thursday, December 7, 2023 at 6:46 PM
To: Council District 8 PCC <council.district.8@phoenix.gov>
Subject: emdist8 - Form Submission

FROM : Laurie losue

SUBJECT : Zoning exception for land at Baseline Road & 41st Street

MESSAGE : Dear Ms. Hodge-Washington,

I would like to state my disapproval of the 2 story zoning exception for the storage facility to be built at 41st and Baseline Roads. Also, and more importantly, I would like to request that the builder provide ingress/regress on Baseline Road, which would include removing part of the divider in order to keep people from making u-turns in front of 41st Street. This is the only access that our neighborhood has and there are many accidents in this intersection. The current plan is ingress/regress on 41st Street, and there is no benefit to this other than to reduce costs for the developer/builder. If the 41st Street plan goes forward, it's imperative that the developer add a 3rd lane on their property. There will be moving trucks on the street daily, which will add to road congestion for homeowners. Please keep our South Mountain Village a safe and beautiful place to live.

Best regards,
Laurie losue

Email : fiveofnine@cox.net

AREA : 480

PHONE : 2052396

ADDRESS : 8035 S 38th Way

CITY : Phoenix

STATE : AZ

ZIP : 85042

Submission ID: 6328bb4adc45401a91a9fb0fa8fca456

Form Submission On : 12/7/2023 6:46:56 PM

Referer: <https://phoenix.gov/district8/contact-district-8>

This is Not Spam - This message is sent on behalf of the City of Phoenix.
Please handle appropriately.

FW: emdist8 - Form Submission- Z-SP-6-23

Council District 8 PCC <council.district.8@phoenix.gov>

Thu 12/28/2023 10:02 AM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

Hi Sam,

I just wanted to forward this email to you to add to the case file regarding zoning case Z-SP-6-23, as I know this one is coming up at VPC.

Happy New Year!

Sincerely,

Kalea Moore
Constituent Services Manager
Office of Councilwoman Kesha Hodge Washington
Phoenix City Council District 8
Main Office: 602-262-7493

From: no-reply@phoenix.gov <no-reply@phoenix.gov>
Date: Wednesday, December 27, 2023 at 9:40 AM
To: Council District 8 PCC <council.district.8@phoenix.gov>
Subject: emdist8 - Form Submission

FROM : Chris Calacci

SUBJECT : Lot on 41st St. south of Baseline- zoning exemption

MESSAGE : Dear Honorable Councilman Washington,

My wife and I live on E. Pollock St., Phoenix, AZ 85042. Living a block north of baseline and 40th St. we often travel to Highline Canal and the Hancock Park neighborhood which is just south of Baseline off of 41st. street.

A law firm representing developers of the lot at 41st St. and baseline have proposed building a huge storage facility on the lot. It would have no entrance off of Baseline. They propose entering a it would have no entrance off of Baseline. They propose entering and exiting on 41st St. very near baseline. The business would average at least 11 cars an hour entering and exiting this neighborhood/church street, just south of baseline.

I fear this develop that would further adversely effect the safety of the intersection of 40th St. and Baseline which is already a very dangerous intersection. It has more than its share of fatalities and crashes potentially injuring children (Skyline School Traffic) and adult pedestrians and motorists. This is a messed up intersection that on a school day has a lot of chaotic traffic. I've asked the street department for the number of fatalities around the intersection of 40th and Baseline.

If you need to exit 41st street onto baseline west your life is in danger as the traffic lights you see exiting appear red but on the other side (to oncoming speeders) are green and the traffic is going 55-60 miles an hour.

Besides the concern of traffic safety, the Hancock park neighborhood character would be greatly changed negatively and their views to the south significantly blocked.

In contacting the south mountain village planning group yesterday, 12/26/23, I received a response from one of the board members a Trent Marchuck, suggesting my vigorous opposition of this development wasn't in line with my neighbors or the group working with the developers on a "compromise". I didn't hear a lot of copper guys in the meetings I went to, so I'm a little confused.

Since there's been no meeting on this matter by the Neighborhood group since before Christmas and the December meeting of the South Mountain Village Planning Group was canceled. I'm not sure what's going on. In the two meeting I went to there was strong and vocal opposition to this development. Yet it's implied there's a deal being struck.. Why? There's been no update to the email list by the group coordinator Catherine Napoli in this time.

There is this notion that the owner has a "right to develop" and a right to some sort of exemption or compromise. No. This is not the case. The current zoning expressly prohibits storage facilities and ought not be changed. The end.

Why are the laws for normal citizen put aside when big firms like these guys come into push us around. They want to make our existence more perilous and negatively affect our property values and neighborhood.

Please look into this matter. There's a meeting of the SMVP coming up that should be very well attended.

Thank you for your representation and service to the community, Chris Calacci

Ps the traffic on baseline is too fast can we ever get it lowered to 40 from 45. A reduction to 40 mph would save lives on baseline.

Email : chris.p.calacci@gmail.com

AREA : 480

PHONE : 5402652

ADDRESS : 3903 E Pollack St

CITY : Phoenix

STATE : AZ

ZIP : 85042

Submission ID: 9557779a6d3e45b2b3c2cf57643883f0

Form Submission On : 12/27/2023 9:40:39 AM

Referer: <https://phoenix.gov/district8/contact-district-8>

This is Not Spam - This message is sent on behalf of the City of Phoenix.
Please handle appropriately.

Recap of meeting 2/12/24

Catherine Napoli <catherine9196@gmail.com>

Fri 2/16/2024 1:34 PM

To: Brian Harvey <contact_me@brianjamesharvey.com>; Laurie Pheil <creativebenefitcommunications@gmail.com>; trentchristopher@gmail.com <trentchristopher@gmail.com>; mmaerowitz@swlaw.com <mmaerowitz@swlaw.com>; mdellow@swlaw.com <mdellow@swlaw.com>; support@phxazdistrict8.zendesk.com <support@phxazdistrict8.zendesk.com>
Cc: Sina Matthes <sina.matthes@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Samuel S Rogers <samuel.rogers@phoenix.gov>; PDD South Mountain VPC <southmountainvpc@phoenix.gov>

Present at Meeting:

Marcia Busching, Michael Maerowitz, Maggie Dellow, Christopher Russ, Trent Marchuk, David Soltysik, Scott Krous, Catherine Napoli, Laurie Pheil

Thank you members of SMVPC, Snell & Wilmer, and SafStor for meeting with Laurie and I as the representatives of the neighborhood south of the proposed storage facility.

Working together, the building proposal has come a long way to fitting into our established, historical, unique neighborhood. However, there are still several points that the neighbors feel must be addressed and solutions be found before we are fully behind the project.

We want to acknowledge the positive changes to the original plan.

The new color palette and materials, including the wood and stone, are more in keeping with the feel of the area. The palo verde trees are native and a better choice than the pines on the original plan. Also, Trent Marchuk mentioned there are an additional 5 tree species that are native and very drought resistant. We look forward to seeing how they will be incorporated into the design.

The entrance and exit on Baseline Road is one thing the neighbors really wanted and we are glad that worked out. We thank you for getting with City of Phoenix Streets Department to clarify our misunderstanding about the left turn lane on the westbound side of Baseline Road onto 41st Street. We also confirmed that lane will remain.

Because of no longer needing to add traffic to 41st Street, there is no reason the developer should restripe 41st Street to create 3 lanes. As discussed, making the southbound lane narrower onto 41st Street will cause additional problems because the turn is sharp and most people end up going a bit far over the line currently.

Per David Soltysik, the wash on the east side of the property will be dug out to provide a deeper wash and better water flow to Baseline Road. Because of this, we understand the finished floor elevation (FFE) as measured on the SE corner of the property will be 2 foot lower than the current elevation. As per the comment by Trent Marchuk, lower would be even better, bringing it as close as possible to the elevation against Baseline Road.

We applaud the re-use of the current sidewalk along Baseline Road with the added feature of a mixed use trail that meanders away from Baseline, giving people a choice where to walk.

The change of the entrance and exit onto Baseline Road brought its own issues. And we are still wanting resolution on the views from Baseline Road up to the mountain and vice versa, specific to 41st Place.

The new layout of the building, with entrance/exit and parking on Baseline Road has brought the building far to the west side of the property. This adds a new area of views blocked for everyone on 41st Street and for the entire neighborhood because our only way in and out of the area is on 41st Street. We request that the building move as far east as possible to preserve the views looking both north by the neighborhood and looking south toward the mountain from Baseline Road. Moving the building east preserves the views along the Baseline Scenic Route by not blocking the views up 41st Street.

While the original request of the neighbors was that the building be only a single story throughout, we understand that is not economically feasible for the developer. We do request that the second story be taken out of the area just behind the south end of the parking lot. That area, with some shifting, lines up with 42nd Place. Lining up a view corridor of a single story, moving the units to the east end of the building, preserves views of the neighborhood looking north and preserves the views from Baseline Road looking south. At the time of the Baseline Area Master Plan and subsequent revisions, Baseline Road was designated a view corridor. Moving the building east away from 41st Street and eliminating the second story from the area adjacent to 41st Place will preserve the views.

These adjustments will also add interest to the building, breaking it up in the middle.

As a side note, in an earlier conversation, the possibility of a third story was brought up as a way to capture some of the lost units if the second story was eliminated from part of the building. The neighborhood wants to be extremely clear on this, under no circumstances will we accept a third story. That sentiment has been echoed by numerous officials and volunteers.

We thank you for working with the neighbors and for the improvements already made.

We look forward to the last 2 updates that will correct a problem created (moving the building east) and address the very first concern brought by the neighbors (the second story).

Thank you,
Catherine Napoli for the neighborhood

NOTE - I didn't have everyone's email address. Please forward as needed.

Fwd: FW: Storage Facility in North Phoenix

Catherine Napoli <catherine9196@gmail.com>

Wed 2/28/2024 12:12 PM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

Shane had your email address incorrect. I am including my response back to Shane below.

Catherine Napoli
602-295-3411

----- Forwarded message -----

From: **Shane Gore** <shane@futurephx.org>

Date: Wed, Feb 28, 2024 at 11:35 AM

Subject: Re: FW: Storage Facility in North Phoenix

To: <catherine9196@gmail.com>, <sam.rogers@phoenix.gov>, <sarah.stockham@phoenix.gov>, Josh Bednarek <joshua.bednarek@phoenix.gov>Cc: <creativebenefitcommunications@gmail.com>, <contact_me@brianjamesharvey.com>, Nick Klimek <nick.klimek@phoenix.gov>, <contact@strongtownsphx.org>**Hi Catherine—**

I'm following up on my previous email to see if you had any updates on your community's feedback and position overall on this project. I look forward to speaking with you!

Sam, Sarah, Josh—

Generally, I think self storage is already overbuilt in the city and this project would be a poor use of the site. I've compiled the below map which shows existing storage facilities with red dots, with the subject property indicated with a red X. The circles around the X represent 1, 3 and 5 mile radii around the subject property.

Moreover, I have a few concerns about this project which I'll discuss in detail below.

Complete Streets

Reviewing the site plan for Z-SP-6-23 and looking at the existing streetscape, I noticed that accommodations in the site plan for the existing bus stop on the south side of Baseline Road, just east of 41st Street are essentially the bare minimum—maintaining the existing stop, but without any special improvements or consideration for Complete Streets. The existing bus stop appears in the renderings of the building, but is represented with what looks like the existing shade canopy and bench structure.

It's also worth noting—though this may be a minor discrepancy due to limitations of rendering software—that the renderings do not indicate separated sidewalks or appropriate shade cover and heat mitigation for sidewalk users. This point should be clarified and included as a stipulation in the staff report for the project.

In reviewing the [Adopted Complete Streets Policy Dated June 28, 2017](#), I believe there's a strong argument to be made that the private developer has a responsibility to contribute much more significantly to a true "Complete Street" adjacent to their project—especially when the project is a not-especially-desirable commercial use such as self storage:

ROLES AND RESPONSIBILITIES

- (A) While the Street Transportation Department will lead implementation of Complete Streets for projects, transformation of the Phoenix street environment to be more inclusive of pedestrians, cyclists, and transit-users will require coordination with and support of many City departments and adjacent landowners. These departments may include, but are not limited to: Public Transit, Planning and Development, Neighborhood Services, Water Services, Police, Fire, and Community and Economic Development.
- (B) The Planning and Development Department will provide guidance for privately funded projects to implement the Policy, and will encourage coordination and support of private landowners, developers, builders, city departments, and other stakeholders.
- (C) The City will continue efforts to coordinate with adjacent municipalities and agencies to encourage interjurisdictional connectivity.
- (D) The City will work with builders, developers, utilities, and industry trade associations to encourage the use of the Policy for privately funded projects and all relevant partners for publicly funded projects.

Likewise, the [Complete Streets Principles Ordinance S-41094](#) makes clear that projects should contribute to Complete Streets by—among other things:

WHEREAS, transportation improvements will include an array of integral facilities that contribute to Complete Streets, including, but not limited to: street and sidewalk lighting; pedestrian and bicycle safety improvements; accommodations for freight; access improvements including compliance with the Americans with Disabilities Act; public transit facilities accommodation including, but not limited to, pedestrian and bicycle access improvements to transit stops and stations; landscaping; drainage; and street amenities like street furniture and shade accommodations;

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

SECTION 1. City streets will be planned, designed, constructed, and maintained to support and encourage walking, bicycling and transit use while promoting safe and effective operations for all users in accordance with current design standards, to be supplemented by the Complete Streets Design Manual upon adoption.

SECTION 4. The City will coordinate with persons over which Phoenix has permitting authority to facilitate compliance with this Ordinance.

Should this rezoning application be granted, this property owner should be encouraged—if not compelled—to create a more thoughtful transit stop that is consistent with the Complete Streets objectives of creating safe, comfortable, and convenient transit access for pedestrians and cyclists. This could include:

- additional trees to provide heat mitigation and shade to the transit stop
- bicycle lockers for transit users who may bike to the bus stop and wish to secure their bicycle there before using bus transit to reach their destination
- appropriate types and quantities of seating to accommodate bus transit users

This is something that seems to be a commonly overlooked item in many proposed projects—more emphasis needs to be placed on expecting private developers to "do their part" for complete streets. **Separated sidewalks with a landscape strip is not sufficient.**

Building Design

While I recognize that the renderings could be limited in their ability to accurately illustrate the final appearance of the building—I would point out that although the application cover letter states that storage units will only be accessible from inside the building and that no warehouse or bay doors will be visible to the outside—the architectural treatments of the "front" elevation facing Baseline Road includes tall gray rectangles that look like two-story high warehouse doors. This feature should be modified as necessary to eliminate this appearance.

Building Height

The building's proposed height is likely to have the effect of negatively impacting views and vistas of South Mountain Park to the south of the subject property for the existing residential properties on the north side of Baseline Road. A two-story mini warehouse does not provide adequate "step down" to the adjacent residential land uses. It is not clear how the proposed project would be compatible with the adjacent land uses.

Traffic

The developer's traffic and parking statement indicates that the facility could generate 160 or more trips per weekday, all of which will ingress and egress from 41st Street. It is important to note that

residential properties south and west of the project have only one ingress and egress point for their neighborhood, which is likely to be substantially impacted by the trips generated into the proposed project.

Due to the proximity of a traffic signal at 40th Street, it's unlikely that another traffic signal at 41st Street would be feasible or recommended, which raises important questions about how traffic to the proposed project as well as existing residents to the south and west will safely enter and exit the neighborhood.

Parking

The developer's traffic and parking statement indicates that on weekdays, the project will be "underparked" by 1 space or 4%. This raises important questions about where potential overflow traffic will park to visit the site or to load/unload, given the potential for "peak" days and the limited possibility for the parking needs to "average out" onto non-peak days.

Conclusion

Based on my review of the available documents, I'm not sure this project is ready for the "prime time" of being presented at the VPC on March 12. I believe my concerns above should be strongly represented in the Staff Report, and communicated to the applicant so that the applicant isn't blindsided by what will likely be substantial public opposition to their project.

Thank you and I look forward to your feedback.

Shane Gore (he/him)

FUTURE PHX

(602) 315-2734

shane@futurephx.org

www.futurephx.org [futurephx.org]

The People Shape The Future.



Catherine Napoli <catherine9196@gmail.com>

11:51 AM (19 minutes)

to Shane, sam.rogers, sarah.stockham, Josh, creativebenefitcommunications, contact_me, Nickagocontact



Shane -

Thank you so much for all this information and research. I am including the information in an email to the neighbors as we speak. I added you to the email list and as soon as all this is complete, go ahead and unsubscribe.

There are so many things the developer can do that would make the property more appealing without destroying completely the views of 2 blocks of houses and the views from Baseline Road, a Scenic Corridor, up toward South Mountain.

I am including the links you sent to me in the email to the neighbors. Brian Harvey, one of three neighborhood residents asked to represent us (Laurie Pheil, myself, Catherine Napoli, and Brian) designs building and spaces for a

living. He has created a beautiful design that preserves views, gives the developer all the units they want, and gives character to the building.

Some of the changes we requested have been made, specifically taking the entrance off the residential street and putting it on to Baseline Road. However, the redesign of the building blocks even more views! And again, Brian created an amazing solution for the developer.

You are absolutely correct, the developer is doing nothing to improve the lot when it comes to the bus stop. We do not know if the City is requiring a cut out for the bus stop. We hope they do.

I will look over the new information you sent and include it in my newsletter as appropriate. We have another meeting with the attorneys for the developer on Friday.

Thank you again for all your hard work on our project.

Catherine Napoli
602-295-3411

On Sat, Feb 24, 2024 at 10:58AM Shane Gore <shane@shawbuttephx.org> wrote:

Hi Catherine,

I am so glad you reached out to Nick and that Nick was able to connect us! I am not at all keen on self storage in general, and it is especially upsetting when it is proposed in a location that has so many other potential uses that can offer more to the neighborhood and strengthen our communities.

Z-SP-6-23

I don't see that Planning has published a staff report yet for this proposed rezoning, so I went ahead and filed a public records request for the application and any supporting or related documents so I can get more information on what the developer is planning to do, and how they are framing it to the village planning committee. I also googled SafStor and found on their website that they tend to look at a 1, 3, and 5 mile radius around locations in their analysis—so I've put together a map that begins looking at the area around their site.

- Within 1 mile there are zero self storage facilities
- Within 3 miles there are 8 self storage facilities
- Within 5 miles there are 22 self storage facilities

Link to Map: [https://www.google.com/maps/d/u/3/edit?mid=1H8sjDEli230opXVqCnmzD9H1F0w1MV8&usp=sharing.\[google.com\]](https://www.google.com/maps/d/u/3/edit?mid=1H8sjDEli230opXVqCnmzD9H1F0w1MV8&usp=sharing.[google.com])

Z-32-23

In the case of the self storage that I opposed in North Mountain Village, the proposed rezoning was from R1-10 to C-3. We were able to argue that potential land for housing shouldn't be repurposed for commercial use, and that C-3 was much too broad and would allow the property owner to pull a "bait and switch" and build any number of undesirable things on the parcel if given the C-3 zoning.

In my research for this proposed storage in my area, I looked at a 1, 5, and 10 mile radius:

- Within 1 mile there are 4 self storage facilities
- Within 5 miles there are 42 self storage facilities
- Within 10 miles there are 169 self storage facilities

This strengthened our argument against self storage because the area is already so saturated with them.

Here is some of the written documentation I put together when opposing the facility in North Mountain Village:

- Fact Sheet: https://www.dropbox.com/scl/fi/7nmszzdbe9s1pbnz9lnhw/FPHX_flier-case-against-self-storage.pdf?rlkey=uhvx1dukawar81atkc03ttomt&dl=0 [dropbox.com]
- Policy Paper: https://www.dropbox.com/scl/fi/euzco4jau4y26rn8yb7ug/Policy-Paper-2-Self-Storage-2023_reducedfilesize.pdf?rlkey=2rho05oxe4rnbree7hbm8rtzo&dl=0 [dropbox.com]
- Policy Paper Addendum: <https://www.dropbox.com/scl/fi/bukh8adsuvkjxxldc6cr8/Policy-Paper-2-Addendum-1-Additional-Background-Analysis-Commentary.pdf?rlkey=voaupsc0f5rfxfmmvbjaz8k92&dl=0> [dropbox.com]

Your Goals

I would love to hear more about your thoughts on the proposed project on Baseline and what your desire would be for the site instead of self-storage. The map link I shared above has toggles for different layers including grocery, apartments, and restaurants to get an idea of what's in the area around the project site and what might be lacking.

Admittedly I do not know the area very well myself, so I don't have a feel for what might be a good use for it instead—generally, I think many of our communities need more density (housing) in order to support quality restaurants, public schools, and grocery stores in the area.

Let's talk more about what you want for the area - how I can help you oppose this project. I would be happy to put together a similar policy paper or fact sheet with infographics, and I can help connect you with other civic activists who might be able to help show up at the village and speak in opposition to the SafStor project.

Keep me posted on your neighborhood meeting and I'll try to be in attendance to share my experience and give you guys whatever support I'm able to.

Shane Gore (*he/him*)

CO-CHAIR

SHAW BUTTE NEIGHBORHOOD ALLIANCE

(602) 315-2734

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linktr.ee/shawbuttephx [linktr.ee]

CIVIC PRIDE • PUBLIC SAFETY • COMMUNITY INVOLVEMENT • INFRASTRUCTURE IMPROVEMENT

On Fri, Feb 23, 2024 at 10:12 AM Nick Klimek <nick.klimek@phoenix.gov> wrote:

Hi Shane,

FYI – See the below correspondence between some neighborhood leaders and me. I passed along your email address. I hope that's ok.

And thanks for the message a few weeks ago about the PV VPC meeting! I shared your kind words with Adrian Zambrano.

Nick

Nick Klimek, AICP
Acting Planner III – Transit Oriented Communities
Growth, Infrastructure, & Special Projects Division

Office: 602-534-7696

E-mail: nick.klimek@phoenix.gov

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Planning & Development Department

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Phoenix, AZ 85003

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Shape PHX Portal:

<https://shapephx.phoenix.gov/s/>

From: Nick Klimek

Sent: Friday, February 23, 2024 8:50 AM

To: Catherine Napoli <catherine9196@gmail.com>

Cc: Laurie Pheil <creativebenefitcommunications@gmail.com>; Brian Harvey <contact_me@brianjamesharvey.com>; Chase Hales <chase.hales@phoenix.gov>

Subject: RE: Storage Facility in North Phoenix

Good morning, Catherine –

Thanks for reaching out. I've cc'd my colleague and the current North Mountain Village Planner, Chase Hales, to loop him in on the conversation.

I assume you are referring to Z-32-23-3 near Mescal Avenue and Cave Creek Road. This project was recommended for denial by the Planning Commission in the face of public opposition. At this time, the applicant has not submitted a new site plan or requested to proceed back to the City Council.

You may be interested in talking with North Mountain VPC Member Shane Gore. Shane was the primary contact for the opposition, and I bet he'd be willing to chat.

- shane@shawbuttephx.org

The South Mountain Village Planner is my colleague, Samuel Rogers. If you and/or your neighbors wish to provide written testimony in opposition to the proposal, I suggest you email samuel.rogers@phoenix.gov and speak at the VPC Meeting.

Kind regards,

Nick

Nick Klimek, AICP
Acting Planner III – Transit Oriented Communities
Growth, Infrastructure, & Special Projects Division

Office: 602-534-7696

E-mail: nick.klimek@phoenix.gov

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Phoenix, AZ 85003

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Shape PHX Portal:

<https://shapephx.phoenix.gov/s/>

From: Catherine Napoli <catherine9196@gmail.com>
Sent: Thursday, February 22, 2024 8:17 PM
To: Nick Klimek <nick.klimek@phoenix.gov>; Laurie Pheil <creativebenefitcommunications@gmail.com>; Brian Harvey <contact_me@brianjamesharvey.com>
Subject: Storage Facility in North Phoenix

Nick -

My neighbors and I are faced with the prospect of a huge storage facility being built at the entrance of our older (my home was built in 1949 and is not the oldest home in the

neighborhood) mixed, residential neighborhood at the base of South Mountain Park on the corner of 41st Street and East Baseline Road.

As the representatives chosen by our 85 home, one-way-in, one-way-out neighborhood (the facility is at the corner of our only entrance to our neighborhood) we have been petitioning the South Mountain Village Planning Committee, our Councilwoman, the attorneys for the developer, Snell and Wilmer, and the developer, SafStor.

Of the four main things the neighborhood has been asking for, they gave us one, which created a new problem, did a slight remodel on the look of the building so it isn't as warehouse looking. However they have blocked a majority of the views from the residents by putting in a 2 story building. Working tirelessly trying to reach a compromise, they have not given in at all, ruining the views both from the mountain and from Baseline Road, a scenic corridor according to the City.

Laurie and Brian met with Grading and Drainage at the City of Phoenix today to get some understanding of what can and cannot be done. It is there they learned North Valley denied the application to put the building in a residential neighborhood.

Could you explain the resident's concerns and why the planning commission denied the storage facility its application? A phone call or Zoom would be greatly appreciated so we can understand how this process went.

Do you know if the developer is going to resubmit a revised site plan to the commission and when so we can follow the progress.

This goes to Village Planning March 12. We are organizing a meeting the Monday or Tuesday before to update the neighbors and create our position. Would it be possible for you to meet with the three of us before our neighborhood meeting?

Feel free to call me or "reply all."

Thank you so much!

Catherine Napoli

602-295-3411

Analysis & Commentary in Opposition to Self Storage

Z-SP-6-23 SafStor 41st St & Baseline Rd



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Introduction

The purpose of this policy paper is discussion and analysis of broad self storage industry trends to inform neighborhood leaders and residents about development trends that affect our communities. This paper also discusses and responds to a specific proposal for new self storage being proposed at 41st Street & Baseline Road in Phoenix.

Executive Summary

Self storage companies have been on a record growth streak for more than five years, occupying key parcels throughout the city—which for all practical purposes permanently precludes the possibility that those parcels might be developed into other land uses that contribute to vibrant, livable neighborhoods.

Self storage isn't something most people think about every day, but the presence of these often benign-looking facilities in our city can have far-reaching consequences to the fabric of our communities.

In terms of vibrancy and vitality in cities, one of the most critical issues is the vacuum that self storage creates, where people and activity are—by design—low volume. Most facilities have few employees, operate primarily during daytime hours, and “self-serve” systems are gaining popularity with operators—leading to some facilities being completely unstaffed 24 hours a day. While these facilities generally enjoy tall fences and security systems for their property, the activity vacuums they create have ripple effects for the surrounding properties and neighborhoods.

An often overlooked aspect of growth in the self storage industry are troubling lease terms and a regulatory structure which allows facility operators wide latitude in the disposition of a defaulting tenant's personal property—leading to property loss. Operators can dispose of a defaulting tenants' medical or tax records, family ashes, heirlooms, etc. the same way they would chairs or a bookshelf. People experiencing housing insecurity, or facing hurdles like medical emergencies, job loss, or other financial hardship are among the most likely storage users to default.

Lastly, while it's not the most pressing neighborhood concern, we should be honest with ourselves about the carbon footprint of an industry built almost exclusively from steel and concrete—two of the most carbon-intensive building materials—and which is designed to exploit the growing mountains of mass produced “stuff” which fills our homes.

Relentless Growth

The self storage industry has experienced significant growth across the U.S. and in Phoenix since at least 2018. New self storage facilities are being built in close proximity to each other, and to existing facilities—regardless of need or the presence of competitors.

For major self storage companies the purpose of overdeveloping new facilities is to capture market share for the purpose of reporting positive growth metrics to their boards and shareholders. Like many industries—they are flush with cash and morally bankrupt—so they continue developing new facilities regardless of the impact to the neighborhood and local community. They believe if they can only grow fast enough and large enough, they can eliminate the competition.

As a result of the way “Big Self Storage” has pursued non-stop development of new facilities, market research companies continue to breathlessly report record growth in the industry, which has also drawn in “mom and pop” investors who may not be sophisticated enough to independently evaluate market conditions and the need for additional new facilities. The big self storage companies have no moral qualms about watching people sink their life savings into expensive new facilities, because they know their companies have the power and leverage to buy up any struggling independent self storage facilities in the future.

Housing Displacement

Due to relatively low overhead and the recent growth of the industry, self storage facilities continue to proliferate in the city by buying up and developing any available piece of land—regardless of location or the other potential uses a parcel could sustain.

Traditionally, self storage has been developed on unique, odd-shaped and/or physically constrained parcels. The industry’s boom of the last five years has led major storage companies to seek and obtain large or more traditionally shaped parcels for new facility development.

Big Storage also buys up and develops long-vacant parcels into self storage facilities, betting that neighborhoods typically won’t object to self storage uses because they are desperate for any development that will convert a long-vacant parcel in their community to any productive use.

Land in cities is a finite resource—self storage concerns itself with physical property, and profits above all else. In the self storage arms race to capture market share—housing developers—including affordable housing developers—are forced to compete with well-capitalized storage behemoths who can pay virtually any price for properties they want.

Perhaps not legally—but morally, this is an outright theft from the city’s residents—thrift of housing units, theft of neighborhood density, and theft of the conditions necessary for vibrant, livable cities.

Permanence of Physical Infrastructure

Self storage buildings are typically constructed primarily from steel and concrete—making these buildings effectively permanent fixtures in our neighborhoods. While it can be useful and convenient to have that reliable storage, the permanence of construction methods should be a key consideration in the regulatory approval of self storage facility locations.

These facilities lack design features like sufficient utilities, windows, and other architectural elements that make them largely incompatible with most common commercial building uses,

and because the design and materials are so permanent in nature—self storage facilities are almost always poorly suited for future creative re-use or adaptation of the structure.

Effect on Neighborhood Density

Self storage facilities are typically low intensity industrial or commercial uses without substantial second-order economic effects to nearby businesses or residences. They don't provide a significant number of jobs, or manufacture a physical product, or generate a significant amount of vehicle or pedestrian traffic. They have minimal marketing needs and few other opportunities to engage the local economy. And perhaps most detrimentally, they contribute to lower densities in our neighborhoods which starves our communities of their most important resource: the people.

Economics of Self Storage

The economic structure of a self-storage facility is variable, but due to low overhead facilities can withstand significant economic pressures by varying the rates they charge for storage—either to induce more customers, or to extract additional revenue from existing customers.

Self storage companies know that the cost and effort barrier to a customer moving their belongings from one self storage facility to another is prohibitive, and they can often take advantage of that fact with significant and arbitrary price increases to their existing customers with short notice.

Across the board, self storage companies are generating enormous profits, in part due to the shortage of affordable housing units. The leading seven publicly traded firms listed below earned more than \$4B (billion with a B) in net operating income.

STOCK SYMBOL	NAME	2022 ANNUAL REVENUE	2022 NET OPERATING INCOME	2022 NOI MARGIN
NYSE:PSA	Public Storage	\$3,946,000,000	\$2,077,673,000	52.65%
NYSE:EXR	Extra Space Storage Inc.	\$1,924,170,000	\$921,156,000	47.87%
NYSE:CUBE	CubeSmart	\$1,009,624,000	\$291,263,000	28.85%
NYSE:UHAL	U-Haul (self storage revenues)	\$617,120,000	\$168,492,900	27.30%
NYSE:LSI	Life Storage, Inc.	\$917,100,000	\$358,128,000	39.05%
NYSE:NSA	National Storage Affiliates Trust	\$801,569,000	\$183,765,000	22.93%
NASDAQ:SELF	Global Self Storage, Inc.	\$11,944,850	\$3,527,190	29.53%
		\$9,227,527,850	\$4,004,005,090	

\$4,004,005,090 is equal to—

53,687 people earning 2022 Real median household income **\$74,580**

11,503 homes at the 2022 average U.S. home price **\$348,079**

18,366,995 square feet of multi-family housing at the Phoenix multi-family average construction cost of **\$218 per square foot**

Conclusion

Self storage is a parasitic land use that preys on our collective obsession with *stuff*. It does not provide substantial or meaningful employment. It does not contribute to active and walkable communities. And it occupies key sites throughout the city and the purpose-built building design and construction all-but makes them permanent fixtures which are unable to adapt to changing cultural or economic conditions.

Even when a site or community is open to the possibility of self storage being developed, the companies and their representatives frequently claim that the community's desire for appropriate building designs, necessary infrastructure improvements for pedestrians and members of the community, and changes in size or scale of the facilities is simply not economically viable—while these companies enjoy outsized returns that accrue and accumulate significant wealth outside the community where the facilities are located.

Cities should carefully consider whether the net benefit of zoning changes or use permits to allow self storage are worth the enormous costs that are borne by the communities where these developments are allowed.

Appendix: Citations

1. *Market Trends & Sector Outlook U.S. Self Storage H1 2023* - **Cushman & Wakefield**
https://melestoragegroup.com/wp-content/uploads/2023/08/CWSSAG_Self-Storage-Performance-Quarterly-Overview-2023-H1_WEB.pdf
2. *Four Property Wrongs of Self-Storage Law* - **Jeffrey Douglas Jones - Associate Professor of Law, Lewis & Clark Law School; J.D., The University of Michigan Law School-Ann Arbor; Ph.D. Philosophy, The University of Wisconsin-Madison**
<https://www.pnrc.net/wp-content/uploads/2011/08/Four-Property-Wrongs-of-Self-Storage.pdf>
3. *Phoenix Self Storage Market Statistics: Rent Prices, Local Inventory and Development Trends (June 2023)* - **StorageCafe**
<https://www.storagecafe.com/self-storage-industry-statistics/us/az/phoenix/>
4. *“Pawtucket looks to put limits on self-storage”* - **Ethan Shorey - Valley Breeze**
https://www.valleybreeze.com/news/pawtucket-looks-to-put-limits-on-self-storage/article_3cc43784-4b0d-11ee-bd69-835222c2a2b6.html
5. *“Too many things to keep for the future?”* - **Sharon Macdonald, Jennie Morgan and Harald Fredheim**
<https://www.jstor.org/stable/j.ctv13xps9m.16>
6. *“Self-storage Market Revenues to Reach USD 72.15 billion by 2028 - Market Size, Share, Forecasts, & Trends Analysis Report”* - **Mordor Intelligence - 07/26/2023**
<https://finance.yahoo.com/news/self-storage-market-revenues-reach-133000991.html>
7. *“The Fate of Oversupplied Self-Storage Markets and How to Pull Back From the Brink”* - **Frank DeSalvo, David Perllishi, Inside Self-Storage November 15, 2023**
<https://www.insideselfstorage.com/self-storage-investing-real-estate/the-fate-of-oversupplied-self-storage-markets-and-how-to-pull-back-from-the-brink>
8. *2022 Annual reports of Public Storage, Extra Space Storage Inc., CubeSmart, U-Haul (self storage division), Life Storage, Inc., National Storage Affiliates Trust, & Global Self Storage, Inc.*

Concerned resident - Baseline/40th St.

Clea M. Edwards <cleasenneville@gmail.com>

Thu 2/29/2024 4:48 AM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

Dear Mr. Rogers,

As a resident and property owner in the neighborhood south of the proposed **SAFStor Building, Z-SP-6-23**, I am concerned with the damage this building, as proposed by the developer, will do to my neighborhood. Specifically, the **extremely dangerous area around the intersection at Baseline and 40th to 41st Sts.**

Also, the building height has destroyed all views from my home to the city lights. And it has destroyed all the views from Baseline Road up to South Mountain. Baseline Road is designated as a Scenic View Corridor. In destroying the views, my property values go down immediately. This does not serve the residents or the City of Phoenix and State of Arizona, who will lose revenue with lowered values.

In working with our neighbors, SAFStor has made some changes to their original plan. We commend SAFStor on changes to the look of the building and on moving the entry from 41st Street, a residential street, to Baseline Road.

However, our biggest concern, our property value reduction based on the destruction of our views, has not only never been addressed, in changing the entrance of the parking lot, views on an additional street have also been completely blocked.

Right now, there are far too many storage facilities in Phoenix and specifically our area.

Within 1 mile there are zero self storage facilities

Within 3 miles there are 8 self storage facilities

Within 5 miles there are 22 self storage facilities

Link to Map: [https://www.google.com/maps/d/u/3/edit?mid=1H8sjDEli230opXVqCnmzD9H1F0w1MV8&usp=sharing_\[google.com\]](https://www.google.com/maps/d/u/3/edit?mid=1H8sjDEli230opXVqCnmzD9H1F0w1MV8&usp=sharing_[google.com]). This map clearly shows there are many storage facilities in the area already.

In addition, most storage units in the area are single story. On average, 85% of storage facilities build a level as a basement. Yet SAFStor is looking for a 2 story building completely above ground with a profile that will destroy all views for the neighborhood.

City light views are not just a "nice bonus." Our property values include our homes being on view properties. Destroy the views, destroy the values, destroy the income to the City of Phoenix, Maricopa County, and the State of Arizona. Building on this land as the developer has currently proposed will NOT increase revenue in the form of taxes. It will decrease revenue because of lowered property values.

Shane Gore of the Shaw Butte Neighborhood Alliance helped his neighborhood to get the City to deny a zoning change that would allow an unneeded, property-value-decreasing storage facility in his neighborhood. Mr. Gore was kind enough to review the case in our neighborhood and offered input which has been forwarded to the City of Phoenix.

The neighbors of the South Mountain Gateway Residents Association are not asking for this building to be built somewhere else. We are requesting that it be built in a way that does not destroy our homes and property values.

Brian Harvey, a homeowner in my neighborhood, created a floor plan that includes some basement units, bringing most of the building to only 1 story above ground. This plan would solve the biggest issue still on the table, the destruction of our views and property values.

Accepting the development as it currently stands will be a detriment to our neighborhood and the City of Phoenix. Keeping the building to one story above the ground/above grade by building a basement level allows the development to come into our neighborhood without destroying our neighborhood.

With respect,
Clea Edwards

SAFStor Building Z-SP-6-23 Baseline and 40th St, Phoenix

Alberto Rodriguez <2015silver@cox.net>

Thu 3/7/2024 6:13 PM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

Sam Rogers, City Planner

Dear Sir,

I reside and I am property owner at 7649 S 41st Place, Phoenix, AZ 85042 south of the proposed building. I am concerned with the damage this building will do to my neighborhood as proposed by the developer.

- 1) Views will be destroyed...I will no longer be able to appreciate the historical views from the airport as planes are landing or taking off. Not longer will I be able to see the Presidential planes arriving or departing as well as other planes.
- 2) The property values in our homes will go down.
- 3) City of Phoenix and State of Arizona will lose revenue due to property values declining and residents will be expected to accomodate any future tax increases.
- 4) As it stands today, too many automobile accidents have been experienced in this Baseline and 40th St corridor. The traffic we will encounter will create undesirable negative impact added to what is presently in statistics.
- 5) Right now, there are far too many storage facilities in the Baseline Corridor. One more will take away from our "Flower Garden", previously where we used to drive to admire the various flower stores.

Do you in your respective situation, if you had a home in this area, will allow a developer to come in and affect negatively your castle (home). Please, reconsider not allowing and not accepting this project to go forward as proposed by the developer.

You depend on our vote, and we truly respect your positive endeavor in this matter.

Respectfully,

Carmen L. Rodriguez
7649 S. 41st Place
Phoenix, AZ 85042
602-510-3367

safestor building Z-SP-6-23

cynthia harvey <harvey.cin@gmail.com>

Thu 3/7/2024 12:47 PM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

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Please make note of my point of view about this development,

--

Cynthia Harvey

Input to proposed SafStor project: Z-SP-6-23

MARIE MITCHEL <mtbkmem@aol.com>

Sat 3/9/2024 5:38 PM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

Emails and Calls

Send emails or letter to the following representatives. A sample letter is provided below. Be sure to write to every person on this list and show up at every meeting. Only when we show up in numbers and we write our concerns will our voices be heard.

Sam Rogers, City Planner
Phone: [602-534-4010](tel:602-534-4010)
Email: samuel.rogers@phoenix.gov

Members of the South Mountain Village Planning
Committee Email: SouthMountainVPC@phoenix.gov

Councilwoman Kesha Hodge Washington
Phone: 602.262.7493
Email: council.district.8@phoenix.gov

Mayor Kate Gallego
Phone: [602-262-7111](tel:602-262-7111)
Email: mayor.gallego@phoenix.gov

Michael Maerowitz, Attorney for the developer at Snell & Wilmer
Email: mmaerowitz@swlaw.com

To express your opinion, voice concern, or any comments on the case, use email or go to Phoenix.gov and fill in the online form.

SAMPLE LETTER FOR Z-SP-6-23:

As a resident and property owner in the neighborhood south of the proposed SAFStor Building, Z-SP-6-23, I am concerned with the damage this building, as proposed by the developer, will do to my neighborhood. Specifically, the building height has destroyed all views from my home to the city lights. And it has destroyed all the views from Baseline Road up to South Mountain. Baseline Road is designated as a Scenic View Corridor. In destroying the views, my property values go down immediately. This does not serve the residents or the City of Phoenix and State of Arizona, who will lose revenue with lowered values.

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Accepting the development as it currently stands will be a detriment to our neighborhood and the City of Phoenix. Keeping the building to one story above the ground/above grade by building a basement level allows the development to come in to our neighborhood without destroying our neighborhood.

Sent from my iPad

Re: Z-SP-6-23. Urgent Appeal: Please Preserve Our Neighborhood's Character and Property Values

Patrick McGrorty <pj.mcgrorty@gmail.com>

Sun 3/10/2024 3:20 PM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

Dear Samuel Rogers,

As longtime residents of Hancock Park, we are writing to express our deep concern regarding the proposed construction of a large storage unit building in our community. This development threatens to irreversibly alter the character of our neighborhood and significantly diminish property values for current residents.

One of the most cherished aspects of living in Hancock Park is the breathtaking scenic views of the city and surrounding mountains that we enjoy from our homes. These views are not only aesthetically pleasing but also contribute to the overall sense of tranquility and well-being that residents have come to appreciate. The construction of a towering commercial building would effectively block these views, robbing us of one of the key features that attracted many of us to this neighborhood in the first place.

Furthermore, the proposed development poses a serious threat to our property values. Studies have consistently shown that the presence of commercial and industrial structures, such as this proposed building, can have a detrimental impact on nearby residential property values. Potential buyers are likely to be deterred by the sight of a large storage unit building looming over the neighborhood, leading to a decrease in demand for homes in the area and a subsequent significant decline in the value of our property.

We urge you to carefully consider the long-term consequences of allowing this development to proceed. Our neighborhood is more than just a collection of houses; it is a community where families have put down roots and invested their hard-earned resources. The current plans also encroach upon a protected wash, which not only channels water from the mountain, but also acts as a travel corridor for wildlife. Allowing this SAFStor building to be built here, as currently designed, would undermine the sense of community that we have worked so hard to cultivate and would have far-reaching negative effects on the quality of life for residents and native animals alike.

In light of these concerns, unless SAFStor is willing to compromise on the building height by placing the first story underground, we respectfully request that you deny the permits needed for the construction of the storage unit building in our neighborhood. Instead, we urge you to

explore alternative development options that are more compatible with the character of our community and that will not jeopardize property values or the scenic beauty of our surroundings.

Thank you for taking the time to consider our perspective on this important issue. We trust that you will make the decision that is in the best interests of our neighborhood and its residents.

Sincerely,

Patrick and Lorina McGroarty

7635 South 41st Place

Phoenix, Az 85042

(480) 628-8911

pj.mcgroraty@gmail.com

41st and Baseline proposed storage units for March 12 meeting

Renee Lufkin <renee3854@outlook.com>

Sun 3/10/2024 2:02 PM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>; council.district.8@phoenix.gov mayor.
<council.district.8@phoenix.gov.mayor>; Mayor Gallego <mayor.gallego@phoenix.gov>
Cc: c.lufkin@outlook.com <c.lufkin@outlook.com>

Dear Mr. Rogers,

I have been a resident of Phoenix for 65 years and love this city. I'm a second-generation Phoenician. However, I would like to express my frustration and concern about the storage building proposed for Baseline and 41 St. I am aware that eventually something will go at that location. We need a turn lane on baseline for the business and a bus turnout at the least. If the one-story structure could be lower ground level so the view isn't restricted. There are so many accidents and fatalities at the corner of Baseline and 40th St. We can't have more congestion in this location.

Because Phoenix is continuing to grow, I can understand why this storage business would want this corner, I feel this suggestion would be helpful. It should push the building south so when we pull out of the homes and Church, we can see the traffic coming from the east.

I will be attending the March 12 meeting at South Mountain Junior College.

Thank you for your time.

Renee Lufkin
3854 E. Vineyard Rd.
Phoenix, Arizona
85042

602-799-8101

Re: Opposition statements to Z-SP-6-23 Self Storage Facility

Debra McPeters <debmceters@msn.com>

Mon 3/11/2024 6:36 PM

To:Laurie Pheil <creativebenefitcommunications@gmail.com>;PDD South Mountain VPC <southmountainvpc@phoenix.gov>; Samuel S Rogers <samuel.rogers@phoenix.gov>

Cc:Brian Harvey <contact_me@brianjamesharvey.com>;catherine9196@gmail.com <catherine9196@gmail.com>;Joshua Bednarek <joshua.bednarek@phoenix.gov>;Nick Klimek <nick.klimek@phoenix.gov>

Very well spoken. We agree with you 100%.

Debra and Bill McPeters

Highline Canyon

Get [Outlook for iOS \[aka.ms\]](#)

From: Laurie Pheil <creativebenefitcommunications@gmail.com>

Sent: Monday, March 11, 2024 5:02:57 PM

To: SouthMountainVPC@phoenix.gov <SouthMountainVPC@phoenix.gov>; samuel.rogers@phoenix.gov <samuel.rogers@phoenix.gov>

Cc: Brian Harvey <contact_me@brianjamesharvey.com>; catherine9196@gmail.com <catherine9196@gmail.com>; Debra McPeters <debmceters@msn.com>; joshua.bednarek@phoenix.gov <joshua.bednarek@phoenix.gov>; nick.klimek@phoenix.gov <nick.klimek@phoenix.gov>

Subject: Opposition statements to Z-SP-6-23 Self Storage Facility

Chair Marchuk, members of the committee and planning department:

We have made an earnest attempt to meet with Snell and Wilmer, to give them educated input and solid proposals for how they could modify their development to gain support from the surrounding neighborhood. After many weeks and countless hours of our volunteered efforts, we have come to an impasse on improving safety and preserving views for the area residents.

We are now withdrawing our support for this development and recommending the Village Planning Committee deny their rezoning application Z-SP-6-23 for a self storage facility at 41st Street and Baseline Road.

Attached are some of the talking points that I will be sharing with the committee on Tuesday. When you finish hearing their informative presentation, as a neighborhood, we hope that you will ask the developer the following questions...

- Have done all they can to ensure that surrounding property values are maintained?
- Have they improved the lives of the residents in the village with improvements to infrastructure regarding traffic, the multi-use trail or maintenance of city and mountain views?
- Will they connect our village with access to jobs, services or arts and culture?
- Have they taken the connectivity to the environment seriously in order to preserve natural open space, view corridors, or low environmental impact for the future?
- Have they even tried to incorporate the South Mountain Village Character Plan, or the new Phoenix General Plan being approved in the next few months?

We hope you will consider all of these neighborhood concerns, read over our documented talking points and let the applicants know that there's still work to be done on this project before anyone can get behind it.

Thank you for your time and attention!

Laurie Pheil

Representative of the South Mountain Gateway Residents Association

Laurie Pheil

South Mountain Gateway Residents Association

Phone: 602-696-3800

E-mail: creativebenefitcommunications@gmail.com

SAFStor Building

Diego Munoz <40blockdesign@gmail.com>

Mon 3/11/2024 9:38 PM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

Mr. Rogers

As a resident and property owner in the neighborhood south of the proposed SAFStor Building, Z-SP-6-23, I am concerned with the damage this building, as proposed by the developer, will do to my neighborhood. Specifically, the building height has destroyed all views from my home to the city lights. And it has destroyed all the views from Baseline Road up to South Mountain. Baseline Road is designated as a Scenic View Corridor. In destroying the views, my property values go down immediately. This does not serve the residents or the City of Phoenix and State of Arizona, who will lose revenue with lowered values.

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In addition, most storage units in the area are single story. About 75% to 80% of all storage facilities here in Phoenix build a level as a basement. Yet SAFStor is looking for a 2 story building completely above ground with a profile that will destroy all views for the neighborhood.

City light views are not just a "nice bonus." Our property values include our homes being on view properties. Destroy the views, destroy the values, destroy the income to the City of Phoenix, Maricopa County, and the State of Arizona. Building on this land as the developer has currently proposed will NOT increase revenue in the form of taxes. It will decrease revenue because of lowered property values.

Shane Gore of the Shaw Butte Neighborhood Alliance helped his neighborhood to get the City to deny a zoning change that would allow an unneeded, property-value-decreasing storage facility in his neighborhood. Mr. Gore was kind enough to review the case in our neighborhood and offered input which has been forwarded to the City of Phoenix.

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Brian Harvey, a homeowner in my neighborhood, took time out of his busy schedule as a designer, to create a floor plan that includes some basement units, bringing most of the building to only 1 story above ground. This plan would solve the biggest issue still on the table, the destruction of our views and property values.

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Regards,
Diego Munoz


Opposing Z-SP-6-23 Self Storage

Shane Gore <shane@futurephx.org>

Mon 3/11/2024 11:48 AM

To:PDD South Mountain VPC <southmountainvpc@phoenix.gov>

Cc:Brian Harvey <contact_me@brianjamesharvey.com>;Catherine Napoli <catherine9196@gmail.com>;Joshua Bednarek <joshua.bednarek@phoenix.gov>;Laurie Pheil <creativebenefitcommunications@gmail.com>;Samuel S Rogers <samuel.rogers@phoenix.gov>

 1 attachments (175 KB)

Z-SP-6-23%20Analysis%20&%20Commentary%20Self%20Storage%2041st%20&%20Baseline.pdf.pdf;

Chair Marchuk and members of the committee:

Please vote to recommend denial of rezoning application Z-SP-6-23 for self storage at 41st St and Baseline Road.

Self storage represents a terrible land use that is contrary to virtually every part of the South Mountain Village Character Plan and the City of Phoenix General Plan.

Attached is additional analysis and commentary for your review.

Thank you for your support in opposing this project.

Shane Gore (*he/him*)

FUTURE PHX

(602) 315-2734

shane@futurephx.org

www.futurephx.org [futurephx.org]

The People Shape The Future.

SAFStor Building

Aaron Bernard <aaronabernard@gmail.com>

Tue 3/12/2024 4:34 PM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

Dear Samuel,

As a resident and property owner in the neighborhood south of the proposed SAFStor Building, Z-SP-6-23, I am OPPOSED to this project. After the neighbors and neighborhood representatives met with the developer and attorneys, the developer refuses to address the biggest areas of concern. These concerns impact the beauty, property values, and safety of our neighborhood.

I am concerned with the damage this building, as proposed by the developer, will do to my neighborhood. Specifically, the building height has destroyed all views from my home to the city lights. And it has destroyed all the views from Baseline Road up to South Mountain. Baseline Road is designated as a Scenic View Corridor. In destroying the views, my property values go down immediately. This does not serve the residents or the City of Phoenix and State of Arizona, who will lose revenue with lowered values.

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Accepting the development as it currently stands will be a detriment to our neighborhood and the City of Phoenix. We believe this proposal should be rejected in its entirety.

Aaron Bernard

Safe Storage Z-SP-6-23 - Letter of Opposition

Alberto Rodriguez <2015silver@cox.net>

Tue 3/12/2024 3:26 PM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>; Council District 8 PCC <council.district.8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; Council District 3 PCC <council.district.3@phoenix.gov>; mmaerowitz@swlaw.com <mmaerowitz@swlaw.com>; support@phxazdistrict3.zendesk.com <support@phxazdistrict3.zendesk.com>

 1 attachments (140 KB)

3.12.24 Baseline opposition points.pdf;

Z-SP-6-23 Self Storage - 41st St & Baseline Neighborhood Concerns

- We are able to acknowledge that Snell and Wilmer did meet with the neighbors on two occasions to present their proposed vision for their project.
- The tone of their presentation and in all future negotiations made it quite clear to the residents that this building could be 30' tall by right and if we didn't get on board with their project, something a whole lot worse would be placed there.
- Well, a 2-story warehouse style storage facility cannot be built there by right, no matter what its height. Which is why they are requesting your approval of their special permit application.
- Both the City of Phoenix and the South Mountain Village have approved and implemented their vision for the future character of our neighborhood. This village has indicated that it values the rich agricultural heritage of the area as well as bordering on the nation's largest municipal park. The City of Phoenix has classified Baseline Road as a Scenic Drive.
- Furthermore, the Village embraces modern development that harmonizes with the character of its open spaces and connected neighborhoods. This development falls short of being compatible in scale, design and appearance.
- Since this property is adjacent to, but not included in the Baseline Area Master Plan, the Village has requested that the developer include those recommendations when presenting their proposal. Michael indicated that they did include a sloping roof, some additional landscaping setbacks to the south and the continuation of the multi-use trail in their development. However, the multi-use trail abruptly stops with a retaining wall at the wash on the east side of the property and does nothing to improve bicycle and pedestrian safety along Baseline Road.
- One of the most important requirements of the BAMP is to protect views of both South Mountain and the City for those living on the south side of Baseline Road. This project will block views for neighborhood residents.
- The revised masterplan for the City of Phoenix that is scheduled to be approved by the City Council in April talks about "Planning Equity" which relates to ensuring that urban and regional planning processes and outcomes are fair, just and inclusive, to provide all of us with equal access to resources within our community.
- Connectivity to retail, services, recreation and natural open space is outlined over and over again in the revised plan for our city. This project does nothing to add neighborhood retail, healthy restaurants or healthcare facilities which are the number one challenges for the South Mountain Village.
- Goals setting a strategic path to growth, preservation and investment supports development that enhances neighborhood retail and restaurants while maintaining walking and biking as access to these amenities. This project does not facilitate employment generating uses for our village or promote outdoor recreation like walking, hiking or biking.
- This storage facility will most likely not be accessed by the surrounding neighborhood since most of the properties to the south of are larger lots with the potential of having their own onsite storage, or not be economically viable to the other residents in close proximity.

Z-SP-6-23 Self Storage - 41st St & Baseline Neighborhood Concerns

- We have repeatedly asked the developer to include a few small things that would support the traffic congestion that the residents are currently dealing with. We've asked them to notch a small corner of their building to allow for 41st Street to be widened enough to include a dedicated right turn lane that will greatly improve traffic flow in and out of our neighborhood. We've also requested a deceleration lane leading into their parking area to reduce back up on Baseline. We can see how valuable that has been at the Lins restaurant just to the west of their proposed development.
- Because the access to their property is right in and right out only, there is a very good possibility that people wishing to access their site will first turn into our only neighborhood access point on 41st Street, then either try to make a U-turn or turn around at Highline Lane, further blocking ingress and egress to our neighborhood. Bicyclists along the sidewalk in front of their development will have limited views of cars leaving the neighborhood or those making a quick U-turn to enter the storage facility, furthering the potential for serious or fatal accidents along Baseline Road.
- There is already an overabundance of storage facilities within a three-mile radius of their proposed project, including 2 existing facilities less than a mile to the east. Over time, once a development no longer meets their profit margins, most buildings can be repurposed to better fit the needs of the local community. However, this project with its very defined interior storage units will forever be a storage facility with even the possibility of a vacant storage facility in the future should there no longer be a need for this type of retail.
- We realize that this particular property poses some unique development challenges, but the residents feel that it's better to wait for a more appropriate development that meets the criteria of the City's vision of The Connected Oasis that enhances our neighborhood instead of diminishing its value.

So, in closing, the residents would like you to consider the future of our neighborhood and the South Mountain Village and ask the developer if they have done all they can to ensure that surrounding property values are maintained? Have they improved the lives of the residents in the village with improvements to infrastructure regarding traffic or maintenance of city and mountain views? Will they connect our village with access to jobs, services or arts and culture? Have they taken the connectivity to the environment seriously in order to preserve natural open space, view corridors, or low environmental impact for the future?

Speaking on behalf of the residents, we feel that this is not the best commercial use for this property and wholeheartedly oppose their special permit request.

To learn more about the "Connected Oasis" in the Phoenix General Plan Update, visit

https://www.phoenix.gov/pdds/121823_60-Day%20Draft%20PlanPHX%202025%20Update_8.5x11.pdf

Re: SAFStor Building, Z-SP-6-23 OBJECTION

aw50 <aw50@cox.net>

Tue 3/12/2024 4:45 PM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

Anthony White

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Samuel S Rogers <samuel.rogers@phoenix.gov>

Date: 3/12/24 3:03 PM (GMT-07:00)

To: aw50@cox.net

Subject: Re: SAFStor Building, Z-SP-6-23 OBJECTION

Good afternoon,

Thank you for the letter, can you please provide your name for my records?

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



From: aw50@cox.net <aw50@cox.net>

Sent: Monday, March 11, 2024 10:07 PM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

Subject: SAFStor Building, Z-SP-6-23 OBJECTION

Thx,

LETTER FOR SAFStor Building, Z-SP-6-23 **OBJECTION**

As a resident and property owner in the neighborhood south of the proposed SAFStor Building, Z-SP-6-23, I am concerned with the damage this building, as proposed by the developer, will do to my neighborhood. Specifically, the building height has destroyed all views from my home to the city lights. And it has destroyed all the views from Baseline Road up to South Mountain. Baseline Road is designated as a Scenic View Corridor. In destroying the views, my property values go down immediately. This does not serve the residents or the City of Phoenix and State of Arizona, who will lose revenue with lowered values.

In working with our neighbors, SAFStor has made some changes to their original plan. We commend SAFStor on changes to the look of the building and on moving the entry from 41st Street, a residential street, to Baseline Road.

However, our biggest concern, our property value reduction based on the destruction of our views, has not only never been addressed, in changing the entrance of the parking lot, views on an additional street have also been completely blocked.

Right now, there are far too many storage facilities in Phoenix and specifically our area.

Within 1 mile there are zero self storage facilities

Within 3 miles there are 8 self storage facilities

Within 5 miles there are 22 self storage facilities

Link to

Map: <https://www.google.com/maps/d/u/3/edit?mid=1H8sjDEli230opXVqCnmzD9H1F0w1MV8&usp=sharing>. This map clearly shows there are many storage facilities in the area already.

In addition, most storage units in the area are single story. About 75% to 80% of all storage facilities here in Phoenix build a level as a basement. Yet SAFStor is looking for a 2 story building completely above ground with a profile that will destroy all views for the neighborhood.

City light views are not just a "nice bonus." Our property values include our homes being on view properties. Destroy the views, destroy the values, destroy the income to the City of Phoenix, Maricopa County, and the State of Arizona. Building on this land as the developer has currently proposed will NOT increase revenue in the form of taxes. It will decrease revenue because of lowered property values.

Shane Gore of the Shaw Butte Neighborhood Alliance helped his neighborhood to get the City to deny a zoning change that would allow an unneeded, property-value-decreasing storage facility in his neighborhood. Mr. Gore was kind enough to review the case in our neighborhood and offered input which has been forwarded to the City of Phoenix.

The neighbors of the South Mountain Gateway Residents Association are not asking for this building to be built somewhere else. We are demanding that it be built in a way that does not destroy our homes and property values.

Brian Harvey, a homeowner in my neighborhood, took time out of his busy schedule as a designer, to create a floor plan that includes some basement units, bringing most of the building to only 1 story above ground. This plan would solve the biggest issue still on the table, the destruction of our views and property values.

Accepting the development as it currently stands will be a detriment to our neighborhood and the City of Phoenix. Keeping the building to one story above the ground/above grade by building a basement level allows the development to come in to our neighborhood without destroying our neighborhood.

Storage Facility

Hartman, Chris <chartman@SFGIANTS.com>

Tue 3/12/2024 11:16 AM

To:Samuel S Rogers <samuel.rogers@phoenix.gov>

Subject: Storage Facility

As a resident and property owner in the neighborhood south of the proposed SAFStor Building, Z-SP-6-23, I am NOT in agreement with the proposed site plan as it has been currently presented to us. I have deep concerns with the damage this building will bring to our historic neighborhood.

Specifically, the building height has destroyed all views from my home to the city lights. And it has destroyed all the views from Baseline Road up to South Mountain. Baseline Road is designated as a Scenic View Corridor. In destroying the views, my property values go down immediately. This does not serve the residents or the City of Phoenix and State of Arizona, who will lose revenue with lowered values.

Our property value reduction based on the destruction of our views, has not been acknowledged or addressed by the development team and Right now, there are already too many storage facilities in Phoenix and specifically our area.

In addition to the views, the site development as is currently proposed adds a further danger to the inflow/outflow of our street as it blocks the sightline to pedestrians and bicycles that currently use the sidewalk traveling against traffic to access canal entrance and bus stop.

In summary, I do not believe this development is a value add to our community and as such I do not support nor want this proposed development.


Sincerely,
Christopher Hartman
7647 South 41st Place
Phoenix, AZ 85042
cmhemail@icloud.com
chartman@sfgiants.com
602-670-9555
Sent from my iPhone

FW: emdist8 - Form Submission- Z-SP-6-23

Council District 8 PCC <council.district.8@phoenix.gov>

Tue 3/12/2024 1:32 PM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

 2 attachments (29 KB)

Storage Facility.eml; emdist8 - Form Submission.eml;

Hi Sam,

Below is another email regarding Z-SP-6-23 and we received 2 more which I have also attached to this email.

Sincerely,

Kalea Moore
Constituent Services Manager
Office of Councilwoman Kesha Hodge Washington
Phoenix City Council District 8
Main Office: 602-262-7493

From: no-reply@phoenix.gov <no-reply@phoenix.gov>
Date: Tuesday, March 12, 2024 at 12:32 PM
To: Council District 8 PCC <council.district.8@phoenix.gov>
Subject: emdist8 - Form Submission

FROM : Jesus Diaz

SUBJECT : Proposed Storage Facility (Baseline/41st St)

MESSAGE : Dear Ms Washington,

With regards to the proposed storage facility, while the building height and location will not affect any of our views in Highline Canyon, our neighbors on 41st Street and the next street will be affected as their views will be obstructed or eliminated. Being that an action by the city of Phoenix would be to allow such a structure that is outside the zoning, it probably would open the City to an Inverse Eminent Domaine action by those whose property values are affected. Should the homeowners take such an action and are awarded damages, the cost of these damages are shared by all residents of the city. I am not certain that all members of the planning and zoning or city counsel are aware, but their approval of this project could expose the city to substantial monetary damages.

It is my understanding that the developer has made changes to ingress and egress so that is attained off of Baseline Road instead of 41st street. If that is the case, the only other issue to resolve is the height of the building. I think if the developer would keep it's height to single story, they would resolve most of the issues most homeowners have. This could be accomplished by putting one level below ground instead of building 2 stories. Seems to me that should be a reasonable compromise. Otherwise, I'm sure there will be attorney's salivating over creating an action on behalf of the homeowners most affected.

Inverse eminent domain is a legal concept and cause of action used by property owners when a governmental entity takes an action which damages or decreases the value of private property without

obtaining ownership of the property through the use of eminent domain. Inverse condemnation is initiated by the property owner when the government exacts a taking without following the eminent domain procedures. This is often a land-use dispute in which a property owner challenges development restrictions.

I sure hope this can be resolved to everyone's satisfaction and all can live in harmony as they have over the years. Looking forward to meet you in person some day and look forward to doing so.

Best Regards,
Jesus & Gracie Diaz

Email : jesus.a.diaz@outlook.com

AREA : 480

PHONE : 467-9505

ADDRESS : 8020 S 38th Way

CITY : Phoenix

STATE : AZ

ZIP : 85042

Submission ID: 8b778bf8c19245b6b37e1237abf06170

Form Submission On : 3/12/2024 12:32:44 PM

Referer: <https://phoenix.gov/district8/contact-district-8>

**This is Not Spam - This message is sent on behalf of the City of Phoenix.
Please handle appropriately.**

SAFStor Building opinion

patricia ragbir <givinaunder@hotmail.com>

Tue 3/19/2024 1:54 PM

To:mmaerowitz@swlaw.com <mmaerowitz@swlaw.com>;Mayor Gallego <mayor.gallego@phoenix.gov>;Council District 8 PCC <council.district.8@phoenix.gov>;PDD South Mountain VPC <southmountainvpc@phoenix.gov>;Samuel S Rogers <samuel.rogers@phoenix.gov>
Cc:dassa2009mama@gmail.com <dassa2009mama@gmail.com>

My name is Patricia Ragbir and I am the owner of 7634 S 41st place Phoenix, Az 85042

As a resident and property owner in the neighborhood south of the proposed SAFStor Building, Z-SP-6_23, I am OPPOSED to this project. After the neighbors and neighborhood representatives met with the developer and attorneys, the developer refuses to address the biggest areas of concern. These concerns impact the beauty, property values, and safety of our neighborhood.

I am concerned with the damage this building, as proposed by the developer, will do to my neighborhood. Specifically, the building height has destroyed all views from my home to the city lights, and it has destroyed all the views from Baseline Road up to South Mountain. Baseline Road is designated as a Scenic View Corridor. In destroying the views, my property values go down immediately. This does not serve the residents or the city of Phoenix and the State of Arizona, who will lose revenue with lowered values.

In working with our neighbors, SAFStor has made some changes to their original plan. We commend SAFStor on changes to the look of the building and on moving with entry with 41st Street, a residential street to Baseline Road.

However, our biggest concern, our property value reduction based on the destruction of our views, has not only never addressed, in changing the entrance of the parking lot, views on an additional street have also been completely blocked. Right now, there are too many storage facilities in Phoenix and specifically our area.

Within 1 mile there are zero self storage facilities

Within 3 miles there are 8 self storage facilities

Within 5 miles there are 22 self storage facilities

Link to map:

[https://www.google.com/maps/search/storage+unit/@33.3853397,-112.0426803,13z/data=!4m2!2m1!6e6?entry=ttu.\[google.com\]](https://www.google.com/maps/search/storage+unit/@33.3853397,-112.0426803,13z/data=!4m2!2m1!6e6?entry=ttu.[google.com])

This ma5p clearly shows there are many storage facilities in the area already.

In addition, most storage units in the area are single story. On average, 85% of storage facilities build a level as a basement. Yet SAFStor is looking for a 2 story building completely above ground with a profile that will destroy all views for the neighborhood.

City light views are not just a "nice bonus." Our property values include our homes being on view properties. Destroy the views, destroy the values, destroy the income to the City of Phoenix, Maricopa County, and the State of Arizona. Building on this land as the developer has currently proposed will NOT increase revenue in the form of taxes. It will decrease revenue because of lowered property values.

Shane Gore of the Shaw Butte Neighborhood Alliance helped his neighborhood to the City to deny a zoning change that would allow an unneeded property-value-decreasing storage facility in his neighborhood.

Mr. Gore was kind enough to review the case in our neighborhood and offered input which has been forwarded to the City of Phoenix.

The neighbors of the South Mountain Gateway Residents Association are not asking for this building to be built somewhere else. We are demanding that it be built in a way that does not destroy our homes and property values.

Brian Harvey, a homeowner in my neighborhood, took time out of his busy schedule as a designer, to create a floor plan that includes some basement units, bringing most the building to only 1 story above ground. This plan would solve the biggest issue still on the table, the destruction of our views and property values.

Accepting the development as it currently stands will be a detriment to our neighborhood and the City of Phoenix. We believe this proposal should be rejected in its entirety.

Sincerely Patricia Ragbir



Village Planning Committee Meeting Summary

Z-SP-6-23-8

INFORMATION ONLY

Date of VPC Meeting	March 12, 2024
Request From	C-2
Request To	C-2 SP
Proposal	Self-service storage warehouse and underlying C-2 uses
Location	Southeast corner of 41st Street and Baseline Road

VPC DISCUSSION:

Committee Members Fatima Muhammad Roque and George Brooks joined the meeting during this item bringing quorum to nine members (nine needed for a quorum).

27 members of the public registered to speak in opposition to this item, 16 members of the public registered in opposition but did not wish to speak, and one member of the public registered to speak in favor of this item. Seven members of the public donated their time to Brian Harvey and three members of the public donated their time to Alberto Rodriguez.

APPLICANT PRESENTATION

Mike Maerowitz, representing the applicant with Snell & Wilmer, LLP, presented the proposal, outreach, subject site location, examples of by-right uses allowed in the C-2 zoning district, C-2 development standards, benefits of self-storage, and changes to the proposal based on community feedback.

PUBLIC COMMENT

Darcy Thomas stated that she supports the project and stated the self-storage does not produce much traffic.

Cynthia Standage-Beyer asked if the VPC had quorum. **Chair Trent Marchuk** explained that the VPC needs one more member to reach quorum and stated that he is hopeful another member will make it to the meeting.

Paul Sapio stated that he is opposed to the project, stated the neighborhood deals with other uses, stated that the Baseline Corridor is nice but ends at 40th Street, stated concerns about traffic, and stated that a child recently died on Baseline Road.

Bill McPeters stated that he is opposed to the project, stated that the project does not provide benefits to the community, echoed Paul Sapio's concerns about traffic safety and the recent fatality, stated that there was an accident at 41st and Baseline earlier that day, stated that Baseline Road has no traffic control at the intersection, stated people will have to do U-Turns to access the property, stated that a nearby café built a deceleration lane, stated that turning left onto Baseline Road is dangerous, that the proposal does not address the dangerous left turns, and that the proposal makes turning onto Baseline Road more dangerous.

Luis Enriquez stated that he is opposed to the project, stated he has been in area since 1947, stated Baseline used to be two lanes and flowers, groves, farmland, and citrus, explained he purchased a home in South Phoenix and stayed, explained that he bought one of the first homes in the area, explained that District 8 has turned into beautiful place, stated that District 8 used to be the a ghetto and where all the dumps were placed, stated that the area has maintained the country architecture of homes, stated that there will be four self-storage facilities in the area, and stated that another self-storage facility is not needed.

Brian Harvey introduced himself, explained that he has 30 years of architectural design, stated that he was asked by neighbors to speak about architecture, stated that progress has been made on the refining the proposal's traffic, safety, and design, but explained that the preservation of view corridors had not been addressed, stated that the proposal is massively out of scale, stated that the building positioning creates safety risks, stated that the architecture does not reflect the history of area, stated that the alternative designs from the community have been dismissed by the applicant team without consideration, stated that he is in opposition to the project until the preservation of view corridors is addressed, stated it feels like a large business rather than a local business, and stated that other C-2 uses would offer the community amenities.

Laurie Pheil stated appreciation that the applicant team had met with her three times, stated the applicant team's tone in the meetings was always that things could be worse if a by-right development comes to build, stated that the self-storage use is not allowed to be 30 feet tall by-right, stated that building's scale is not compatible with the neighborhood, stated that the VPC requested incorporation of the Baseline Area Overlay District (BAOD) and Mixed-Use Agricultural District design elements, stated that the proposed Multi-Use Trail abruptly stops when it hits the wash, stated that the proposal does not preserve view corridors like the BAOD requires, stated that Brian Harvey produced drawings to build a basement while lowering the height, stated that the applicant team has not given up any square footage of space since the initial presentation, stated that City of Phoenix General Plan includes planning equity policies, and stated that residents purchased properties with the belief that the BAOD would protect property values and enhance the area.

Catherine Napoli explained that she has been a resident in the area since 1997, stated that residents were told by the developer that the community should accept the proposal

because the elevations had been updated and the ingress/egress had been moved to Baseline Road, stated that the building's proposed location will limit sight view triangles when people are trying to turn onto Baseline Road, stated a U-turn will be required to go westbound out of the development, stated that the development team refuses to bring the height down, and stated that the development will create a potentially deadly scenario.

Alberto Rodriguez explained his history in the area and background, stated that he is opposed to the project, stated that other uses would support the Connect Oasis General Plan Core Value, stated that the Circle K across Baseline is the only retail use that the school to the north has access to, stated that an amenity that students could use would be beneficial, stated that a proper crossing at 40th Street is needed, stated a need to slow down traffic on Baseline Road, stated that self-storage will only employ two or three people, echoed concerns about recent traffic accidents, and stated that the development will make things more dangerous.

Julia Taggart explained that she had been through the same process in Sunnyslope, stated that a HAWK costs \$250,000 and requires a six month survey, stated that self-storage did not help the community in Sunnyslope, stated that her community had been dealing with traffic safety issues, stated that Cave Creek Road was approved for a HAWK but it will not be built for 10 years, stated that law suits will happen, and encouraged the community to attend the Planning Commission and City Council hearings on the case.

Chair Marchuk stated that there had been some confusion on the role of the VPC and asked staff to explain who the VPC members are and what they do. **Mr. Rogers** explained that the VPC is voluntary committee made up of residents and workers in South Mountain that are meant to represent the needs and wants of the South Mountain community.

Brian Harvey explained some proposed design changes he had developed to provide a more compatible and safer development, explained that 1/3 of the building could be a basement and explained that he had sought out a quote for excavation, stated that building setbacks will improve the design, stated that he had won a Tempe beautification award on industrial building, stated that the development team had given up zero square footage, stated that the development team needs to consider moving somewhere else or changing the design massing, stated that when the building comes in a whole block will have views blocked, and stated that the out-of-state developer is unwilling to modify the design.

Shane Gore asked how the development will comply with the South Mountain Village Character Plan and the General Plan, asked about the envisioned benefits for the community, and stated that the top self-storage companies each made approximately 4 billion in profit and can afford to build a HAWK.

Patrick McGroarty stated he has been in the area since 2005, stated that the building is out of character with the area, stated that the building should be one story, stated that other C-2 uses would generally be one story, stated that he lives just south of the subject site, stated the project will block his views and inhibit him from sitting with his daughter to watch planes land, and stated that the notched building elevation is the least he is willing to compromise on.

APPLICANT RESPONSE

Mr. Maerowitz stated that in his experience you cannot please everyone, stated that what is important is to invite the neighbors into the discussion, and stated that the proposed self-storage use is low traffic generating use. Mr. Maerowitz explained that, in response to community concerns, the development team had altered the proposal by moving the ingress/egress to Baseline Road, spoke to the Street Transportation Department to help with the timing of the intersection, changed the proposed building materials and colors, changed the rooflines, and changed the landscaping. Mr. Maerowitz explained that community outreach process is a negotiation, stated that everyone needs to be reasonable, and stated that building a basement is not a reasonable request because it is cost prohibitive. Mr. Maerowitz explained that self-storage uses can benefit communities by providing extra space for storage, stated it is a low traffic generating use, stated that there are no back-of-house functions that are disruptive, stated that the proposal will provide certainty for the property, and explained that the development team is planning to come back with a proposal that shows a dedicated turn lane.

QUESTIONS FROM THE COMMITTEE

Committee Member Fatima Muhammad Roque asked for more information on the traffic analysis conducted for this project and how many units are proposed. **Mr. Maerowitz** explained that the applicant team had investigated the peak trip generation and stated that during weekdays there will be approximately nine trips and on weekends there will be approximately 20 trips, explained that the applicant team had worked with the Street Transportation Department to fix the traffic light timing, explained that the proposal is for 726 units, and explained that units are smaller interior units.

Committee Member Kay Shepard stated concerns about the building's aesthetics. **Mr. Maerowitz** stated that the development team aims to create the most attractive self-storage building possible and clarified that although the subject site is not within the BAOD, the proposal has incorporated BOAD design elements such as the inclusion of wood, stone veneer, and sloping roofs. Committee Member Shepard stated that the design project aligns with a parking garage, stated that just because the proposal is more attractive than most self-storage uses does not mean the proposal is desirable, and stated that the development will block views. Mr. Maerowitz explained that the building is lower than the maximum height allowed and stated that the City of Phoenix says that view corridors are not protected.

Committee Member Darlene Jackson questioned the use of words like "give", brought attention to the history of South Phoenix, highlighted issues such as drugs, crime, and family member deaths, emphasized the importance of community engagement, stated that community outreach should be engaging rather than telling, stated disappointment in not seeing the humanity in the project, stated the need to connect with the community, stated that suggestions are not being considered, questioned whether the project is useful for the community, and expressed a desire to hear more about the human side of the project. **Mr. Maerowitz** stated that he hopes it does not sound like the development team are brushing off the community, mentioned significant changes made in response to community feedback, particularly regarding traffic, design, and landscaping, explained that the proposed building aligns with what is expected to be seen in Baseline areas, and highlighted the human side of the project, mentioning that four units would be reserved free of charge for the community.

Committee Member Lee Coleman inquired about the zoning that allows self-storage by right. **Mr. Rogers** responded that self-storage facilities are allowed in C-3 and above zoning districts.

Committee Member Tremikus Muhammad asked why the company wasn't considering the alternatives the neighborhood has offered. **Mr. Maerowitz** explained that the team made a lot of requested changes, emphasized the need for reasonable requests, mentioned that they looked into building a basement, but it was cost-prohibitive, and discussed dedicated right-in/right-out options to move traffic off of 41st Street. Committee Member Muhammad asked if it is reasonable for the community to accept a drop in property value. Mr. Maerowitz explained that being adjacent to a vacant C-2 property negatively impacts home values and stated that the proposal for self-storage will improve values by removing the possibility of a use that includes loading and other nuisances.

Committee Member Greg Brownell emphasized the importance of the community standing firm against threats of "something worse," highlighted the community's courage in risking something else rather than approving something they do not like, and stressed the importance of not being afraid of something unknown.

Vice Chair Arthur Greathouse III asked about the context behind the building's height being lower than 30ft. **Mr. Maerowitz** explained that a higher building wouldn't be a huge benefit and wouldn't impact views unnecessarily, while still being economically sound.

Committee Member Muhammad Roque asked about the number of jobs and rental rates and stated that four out of 726 units had been allocated to the community.

Mr. Maerowitz provided details on employment opportunities, rental rates, and community units and explained that four units will be reserved for the community

because Safestor will continue to own the property and wants to provide benefits for the community. Committee Member Muhammad Roque asked about the standard occupancy. **Christopher Russ**, with the applicant team, stated that the development is expected to be 90% leased within two years. Committee Member Muhammad Roque clarified that the vacancy rate would be around 10% and stated the four units reserved for the community is much less than 10%.

Committee Member Coleman asked about due diligence in site selection and asked why a C-3 site wasn't found. **Mr. Maerowitz** explained that if a suitable C-3 zoned property were available, the applicant team would pursue it, and stated the benefits of the site being next to residences. Committee Member Coleman stated that there are C-3 zoned sites all over South Mountain.

Committee Member Brownell questioned the philosophy of picking a site with opposition rather than settling for a site zoned C-3 and questioned the logic that the self-storage use will be good for a neighborhood that opposes it. **Mr. Maerowitz** stated that it is important that self-storage is close to residences and discussed the benefits of the Special Permit process in showcasing the development to the community.

Committee Member Jackson summarized the discussion, emphasized the economic benefits of further investing in the community, asked why they had not taken the hit and invested in the community, and stated she believes the community is worth more than just four units.

Committee Member Coleman commented on the need for the product but not in the specific area and suggested that locating near a multifamily development would be more beneficial than near an established single-family residential community.

Dr. Brooks asked for clarification that no decisions were to be made at the meeting. **Chair Marchuk** stated that the meeting is for informational purposes only, emphasized the importance of hearing the community and VPC perspectives, stated that more than 36 comment cards had been received, summarized various responsibilities outlined in the Village Handbook, encouraged residents to not be afraid of the unknown, stated residents should understand the risk, stated that the VPC are representatives of the community, and stated that the process has multiple steps.

Village Planning Committee Meeting Summary
Z-SP-6-23-8

Date of VPC Meeting	April 9, 2024
Request From	C-2
Request To	C-2 SP
Proposal	Self-service storage warehouse and underlying C-2 uses
Location	Southeast corner of 41st Street and Baseline Road
VPC Recommendation	Denial
VPC Vote	10-0-1

VPC DISCUSSION:

50 members of the public registered to speak in opposition to this item, five members of the public registered in opposition but did not wish to speak, two members of the public registered to speak in favor of this item, and one member of the public registered in favor but did not wish to speak. Seven members of the public donated their time to Brian Harvey and three members of the public donated their time to Alberto Rodriguez.

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.

Mike Maerowitz, representing the applicant with Snell & Wilmer, LLP, requested a continuance to provided time to prepare plans that address community concerns.

Chair Trent Marchuk stated that in order to consider the continuance request there is a need to consider the appropriateness of the proposed use. **Mr. Maerowitz** explained that a development’s impact on a neighborhood is a function of the design, clarified the difference between requesting a Special Permit and a C-3 designation, and stated that one purpose of the Special Permit process is to address community design concerns.

Committee Member Greg Brownell stated that the request for the continuance needs to be addressed before discussing the case. **Chair Marchuk** asked staff for clarification on the process. **Mr. Rogers** stated that discussion of the land use is germane to the continuance request. Chair Marchuk stated that the committee should discuss the land use and continuance request.

Committee Member Kay Shepard stated that if the motion to continue fails the VPC will hear the presentation and make a recommendation on the case. **Committee Member Emma Viera** stated that it is important to consider the case's issues today out of respect to the people attending the meeting. Chair Marchuk stated that if the land use is not acceptable it is not necessary for the applicant to revise their plans.

Chair Marchuk discussed public comment, asked the community members to raise their hands if they wanted to deny the continuance request, and stated the community wants to deny the continuance request.

MOTION

Committee Member Kay Shepard made a motion to deny the continuance of Z-SP-6-23-8. **Committee Member Emma Viera** seconded the motion.

VOTE

5-6, motion to deny the continuance of Z-SP-6-23-8 failed with Committee Members Brooks, Shepard, Smith, Viera, Marchuk in favor and Committee Members Brownell, F. Daniels, T. Daniels, Falcon, Jackson, and Greathouse opposed.

APPLICANT PRESENTATION

Mike Maerowitz, representing the applicant with Snell & Wilmer, LLP, presented the proposal, outreach, subject site location, examples of by-right uses allowed in the C-2 zoning district, C-2 development standards, benefits of self-storage, and changes to the proposal based on community feedback.

PUBLIC COMMENT

Darcy Thomas expressed her support for the project, stated that the project had been improved through negotiation with the neighborhood, stated that the project would be the best look large box retail store in the neighborhood, emphasized the importance of quiet uses and expressed a preference for a lower building, and stated that some neighbors support the project, but explained she had difficulty in rallying them to attend the meeting.

Brian Harvey shared his recent interactions with the community, highlighting discussions at a budget committee meeting where advocates for marginalized voices were heartening. Mr. Harvey questioned the benefits of a C-3 use for the community and raised concerns about the proposed design, likening it to a massive industrial warehouse. Mr. Harvey also discussed alternative design proposals and the importance of considering design aspects such as view corridors and stepped design.

Laurie Pheil provided a summary of work with the development team, stated most residents do not want self-storage, stated that the neighborhood was told that building a basement was not financially viable, but now a basement is proposed, stated that self-

storage will always be a warehouse type building and the neighborhood prefers a commercial development, and stated it is better to wait for something more appropriate.

Cynthia Standage-Beyer stated that she sat through two hearing on this case, stated that she used to serve on the VPC, and expressed concerns about the project's alignment with long-range planning goals.

Catherine Napoli stated that the proposal will be the 12th self-storage use in the area, stated that self-storage is an inappropriate use for this site, stated the proposal does not align with the South Mountain Character Plan, raised safety concerns, stated that the Village needs neighborhood retail, and asked VPC members to recommend denial.

Shane Gore criticized the project's design, stated that land is the Village's most valuable resource, and stated that the applicant team cannot get the design right because the use is not appropriate for the subject site.

Mike Davis raised concerns about parking requirements, noting the need for a variance and the additional parking spaces storage units would necessitate.

Bill McPeters expressed concerns about access to Baseline Road and the potential impact of a large warehouse on property values and the neighborhood's aesthetic.

Carmen Rodriguez, explained her experience working in HR at a jail, likened the project's design to a jail, and urged against its approval.

APPLICANT RESPONSE

Mr. Maerowitz emphasized the importance of community dialogue in zoning cases, stated that the applicant has addressed all concerns raised by neighbors prior to the meeting, highlighted alternative uses for the site would result in higher traffic volumes, stated that the applicant team moved access onto Baseline Road and proposed dedicated turn lanes on 41st Street in response to community concerns, stated that the applicant team had added materials and updated the design in response to community concerns, and highlighted the shifting perspectives on design and land use, noting that despite efforts to address concerns, some community members now express opposition to the proposed use. Mr. Maerowitz clarified that if the application is approved, the specific proposal would be the only permitted project and highlighted community benefits in landscaping, design, and traffic management that would accompany the project.

QUESTIONS FROM THE COMMITTEE

Chair Marchuk noted the substantial opposition with 56 cards against and only two in support.

Committee Member Tamala Daniels stated that the distributed map shows other C-2 and C-3 zoned properties and stated that it is disappointing to hear that other communities deserve this use. **Ms. Pheil** explained that many of the listed sites already host industrial and multifamily properties, making them more appropriate for storage facilities. Committee Member T. Daniels emphasized the importance of considering the entire village and avoiding the implication that some areas are less valuable.

Committee Member Emma Viera stated that she is in opposition to the development because it lacks service to the community.

Committee Member Shelly Smith inquired about the variance on parking requirements. **Mr. Maerowitz** explained that the Phoenix's parking ratio system is based on the number of units, stated that the proposal includes very small units, and explained that the development will not need total number of required parking spaces.

Committee Member Darlene Jackson urged unity among the community and reiterated the need to focus on the request.

Committee Member Greg Brownell stated that the project should go on a C-3 zoned property and stated that there are a lot of appropriate places in the Village for the proposed use.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

MOTION

Committee Member Greg Brownell made a motion to recommend denial of Z-SP-6-23-8. **Committee Member Kay Shepard** seconded the motion.

VOTE

10-0-1, motion to recommend denial of Z-SP-6-23-8 passed with Brooks, Brownell, F. Daniels, T. Daniels, Falcon, Jackson, Shepard, Smith, Viera, and Greathouse in favor and Chair Marchuk abstained.

Chair Marchuk explained that he abstained because there was not tie to break.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

ATTACHMENT D



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

To: City of Phoenix Planning Commission **Date:** May 1, 2024

From: Racelle Escolar, AICP
Principal Planner

Subject: ITEM NO. 7 (Z-SP-6-23-8) – SOUTHEAST CORNER OF 41ST STREET AND BASELINE ROAD

The purpose of this memo is to update a stipulation to reference updated elevations submitted by the applicant on April 26, 2024, and to convey additional updated plans and correspondence that has been received regarding this rezoning request.

Rezoning Case No. Z-SP-6-23-8 is a request to rezone 3.84 acres located at the southeast corner of 41st Street and Baseline Road from C-2 (Intermediate Commercial) to C-2 SP (Intermediate Commercial, Special Permit) to allow a self-service storage facility and underlying C-2 uses.

The South Mountain VPC heard this request on April 9, 2024, and recommended denial by a vote of 10-0-1.

Staff recommends updating Stipulation No. 1, regarding general conformance to the elevations, to reference the updated elevations date stamped April 26, 2024.

Enclosed with this memo are updated plans submitted by the applicant, a letter of support, and a petition and letters of opposition received after the publication of the Staff Report. The letters cite concerns with the proposed use, height, limited job creation, building design, property values, crime, number of self-storage uses in already in the area, obstruction of view corridors, compatibility with the surrounding area, and the proposal's misalignment with the South Mountain Character Plan and the City of Phoenix General Plan.

The updated plans submitted by the applicant reflect changes made based on community input. Updates include the following:

- Notched building design at the northwest corner of the site to improve site view triangles;
- The center of the building was reduced to one story to preserve view corridors (a basement is proposed to keep the unit count the same);
- Additional architectural variation and building materials; and
- Modification of the roof line.

Staff recommends approval, per the modified stipulations in **bold** font below:

1. The development shall be in general conformance with the elevations date stamped ~~March 15, 2024~~ **APRIL 26, 2024**, as approved by the Planning and Development Department.
2. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
3. A minimum of one 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.
4. A minimum of 10% of the required parking spaces shall be EV capable.
5. A minimum of one of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department
6. Four bicycle spaces shall be provided on the site through Inverted U and/or artistic racks located near the building entrances or in a secure location inside the building and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
7. Bicycle parking spaces shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.
8. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper, drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade, as approved by Planning and Development Department.
9. All public and private pedestrian pathways including sidewalks shall be shaded to a minimum 75%, as approved by the Planning and Development Department.
10. In addition to the landscape materials listed in the Baseline Area Master Plan Plant List, *Cercidium Hybrid* (Desert Museum Palo Verde), *Quercus Virginiana* (Live Oak), and *Pistacia X 'Red-Push* (Red Push Pistache), may be permitted as approved by Planning and Development Department and shall be utilized, as approved or modified by the Planning and Development Department.

11. 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.
12. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Water Efficiency Checkup program for a minimum of 15 years, or as approved by the Planning and Development Department.
13. The developer shall dedicate right-of-way and construct a bus stop pad on eastbound Baseline Road. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The bus stop pad shall be spaced from 41st Street according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide minimum 50% shade coverage to bus stop pad.
14. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the south side of Baseline 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.
15. A minimum 70-feet of right-of-way shall be dedicated for the south half of Baseline Road, adjacent to the development.
16. The sidewalk along Baseline Road shall be a minimum of 6 feet in width and detached with a minimum 8-foot-wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved or modified 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 vegetation to achieve a minimum of 75 percent live coverage.

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

17. A minimum 5-foot-wide sidewalk shall be constructed on the north side of Highline Lane, adjacent to the development.
18. A minimum 5-foot-wide sidewalk shall be constructed on the east side of 41st Street, adjacent to the development.

19. A minimum 5-foot-wide sidewalk shall be constructed on the west side of 42nd Place, adjacent to the development.
20. Existing streetscape beginning at back of curb and median islands shall be replenished with the approved landscaping and trees along Baseline Road, as approved by the Planning and Development Department.
21. 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.
22. 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.
23. 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.
24. 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.
25. 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.

Attachments

Conceptual Site Plan date stamped April 26, 2024 (3 pages)

Conceptual Landscape Plan date stamped April 26, 2024 (2 pages)

Conceptual Building Elevations date stamped April 26, 2024 (2 pages)

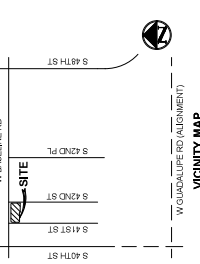
Conceptual Rendering date stamped April 26, 2024 (2 pages)

Correspondence (143 pages)

CONCEPTUAL SITE PLAN FOR SAFStor SELF-STORAGE

4125 E BASELINE RD
PHOENIX, AZ 85042

A PORTION OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 4 EAST, GILA
AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.



ARCHITECT
TERESA SCAPOTTA CONSULTING, LLC
645 E MISSOURI AVE, SUITE 420
PHOENIX, ARIZONA 85012
CONTACT: TERESA SCAPOTTA
PHONE: (602) 297-9732
EMAIL: TSCAPOTTA@TERRASCAPE.US

PROPERTY OWNER
HIGHLINE INVESTMENT, LLC
4111 N 39TH ST
PHOENIX, AZ 85018
CONTACT: CHRIS RUSS, P.E.
PHONE: (704) 979-2161
EMAIL: CHRIS.RUSS@SAFSTOR.COM

DEVELOPER/APPLICANT
SAFStor REAL ESTATE CO., LLC
444 SEABREEZE BLVD, STE 840
BEACH, FL 32118
CONTACT: CHRIS RUSS, P.E.
PHONE: (704) 979-2161
EMAIL: CHRIS.RUSS@SAFSTOR.COM

LANDSCAPE ARCHITECT
SCAPEGOAT DESIGN STUDIO
645 E MISSOURI AVE, SUITE 420
PHOENIX, AZ 85016
CONTACT: STEVE VOORHEES, RLA
PHONE: (480) 654-8015
EMAIL: SVOORHEES@SCAPEGOATSDS.COM

SITE DATA
JURISDICTION: CITY OF PHOENIX
ADDRESS: 4125 E BASELINE RD
APN#: 301-18-0254
EXISTING ZONING: C-2
EXISTING LAND USE: VACANT
PROPOSED ZONING: C-2 SP
PROPOSED LAND USE: COMMERCIAL
NET AREA: 2.69 AC (116,396 SF)
GROSS AREA (TO CL): 328,742 (168,124 SF)

SAFStor SELF-STORAGE
4125 E BASELINE RD
PHOENIX, AZ 85042

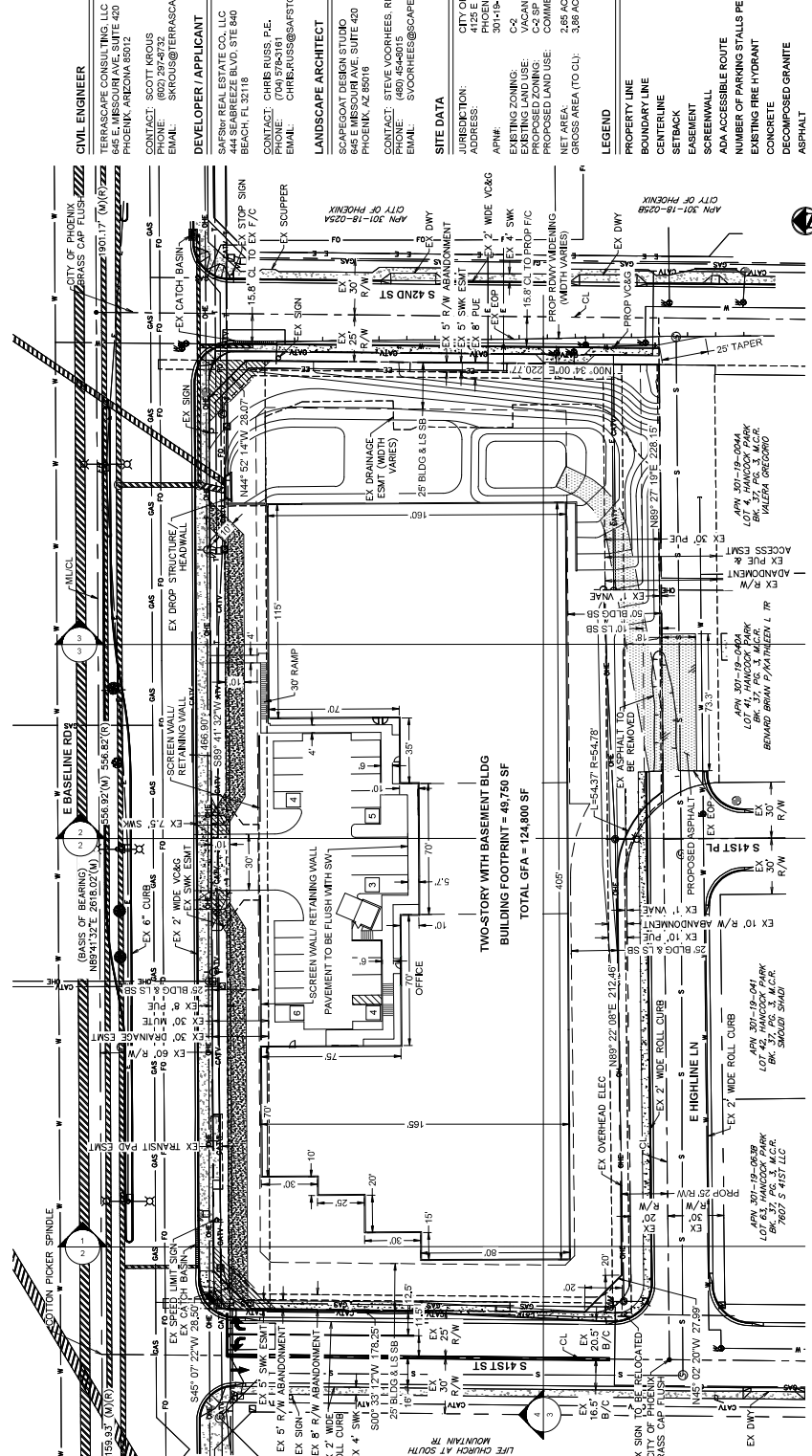
CONCEPTUAL SITE PLAN

SAFSTOR
444 SEABREEZE BLVD.
BEACH, FL 32118



DATE	DESCRIPTION
03/22/23	1ST ZONING SUBMITTAL
07/19/24	2ND ZONING SUBMITTAL
03/06/24	3RD ZONING SUBMITTAL
04/26/24	REVISIONS

CHECKED BY: SAK
DRAWN BY: JES
TITLE: CONCEPTUAL SITE PLAN
SHEET No. 1 OF 3
PROJECT No. 1415



RECORDED PARKING CALCULATIONS

STANDARD PARKING CALCULATION	RECORD SPACES
888 STORAGE (IN 1 SPACES/300 SF)	3
800 SF OFFICE SPACE (1 SPACE/300 SF)	3
ADA PARKING CALCULATION	2
STANDARD (65 TO 75 TOTAL SPACES)	2
TOTAL REQUIRED PARKING	29

* NUMBER OF ACCESSIBLE PARKING SPACES PERTAINABLE TO SECTION 7802.1(a) OF THE CITY OF PHOENIX ZONING CODE

PROVIDED PARKING CALCULATION

STANDARD PARKING CALCULATION	PROVIDED SPACES
STANDARD VEHICLE PARKING (65 (48'))	1
ADA PARKING (11'X18' W/ 5' ABLE)	1
TOTAL PROVIDED PARKING	19**

** TOTAL STALL LENGTH OF 19' INCLUDES A 2.5' OVERHANG FROM THE P.C. A PARKING VARIANCE WILL BE REQUIRED TO MEET PARKING REQUIREMENTS AS OUTLINED IN SECTION 7802(C) OF THE CITY OF PHOENIX ZONING CODE.

ZONING STANDARDS (C-2 SP)

MIN BLDG SETBACKS	RECD	PROVD
ADJACENT STREET	25' AVG	50'
ADJACENT SINGLE-FAMILY	25' AVG	50'

MIN LOTS SETBACKS

ADJACENT STREET	RECD	PROVD
ADJACENT SINGLE-FAMILY	25' AVG	10'
MAX BLDG HEIGHT	30' (2 STORIES)	30' (2 STORIES)
LOT COVERAGE	50%	45.5%

LOADING REQUIREMENTS

REQUIRED NUMBER OF LOADING SPACES IS BASED OFF TOTAL GROSS FLOOR AREA PER TABLE A, SECTION 7802.1(a) OF THE CITY OF PHOENIX ZONING CODE.	RECD	PROVD
LOADING SUMMARY	3	3
105,000 GFA		

ABBREVIATIONS

AVG	AVERAGE	MUTE	MULTIUSE TRAIL
B/C	BACK OF CURB	PUE	PUBLIC UTILITY ESMT
BLDG	BUILDING	PROVD	PROVIDED
CB	CATCH BASIN	RDWY	ROADWAY
CL	CENTERLINE	SB	SEWER
COMM	COMMUNICATION	SETBACK	SETBACK
COP	CITY OF PHOENIX	SD	STORM DRAIN
DWY	DRIVEWAY	SF	SQUARE FEET
ELEC	ELECTRICAL	SF	SQUARE FEET
ESMT	EASEMENT	SS	SANITARY SEWER
ESMT	EASEMENT	SWK	SIDEWALK
EX	EXISTING	SVT	STREET VALVE
EX	EXISTING	TYP	TYPICAL
FH	FIRE HYDRANT	UN	UNIT
GFA	GROSS FLOOR AREA	VCAG	VEHICLE CATCH BASIN & GUTTER
LS	LANDSCAPE		
ML	MONUMENT LINE		

PROPERTY LINE
BOUNDARY LINE
CENTERLINE
SETBACK
EASEMENT
SCREEN WALL
ADA ACCESSIBLE ROUTE
NUMBER OF PARKING STALLS PER ROW
EXISTING FIRE HYDRANT
CONCRETE
DECOMPOSED GRANITE
ASPHALT

PROPERTY LINE
BOUNDARY LINE
CENTERLINE
SETBACK
EASEMENT
SCREEN WALL
ADA ACCESSIBLE ROUTE
NUMBER OF PARKING STALLS PER ROW
EXISTING FIRE HYDRANT
CONCRETE
DECOMPOSED GRANITE
ASPHALT

PROPERTY LINE
BOUNDARY LINE
CENTERLINE
SETBACK
EASEMENT
SCREEN WALL
ADA ACCESSIBLE ROUTE
NUMBER OF PARKING STALLS PER ROW
EXISTING FIRE HYDRANT
CONCRETE
DECOMPOSED GRANITE
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PROPERTY LINE
BOUNDARY LINE
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PROPERTY LINE
BOUNDARY LINE
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NUMBER OF PARKING STALLS PER ROW
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CONCRETE
DECOMPOSED GRANITE
ASPHALT

CITY OF PHOENIX
APR 26 2024
Planning & Development Department

444 SEABREEZE BLVD.
BEACH, FL 32118

SAFSTOR

CONCEPTUAL SITE PLAN

1 OF 3

PROJECT No. 1415

CITY OF PHOENIX
 APR 26 2024
 Planning & Development
 Department

SAFStor
 SELF-STORAGE
 4125 E BASELINE RD
 PHOENIX, AZ 85042

SAFStor
 444 SE ARIZONA BLVD.
 STE 400
 BEACH, FL 32118

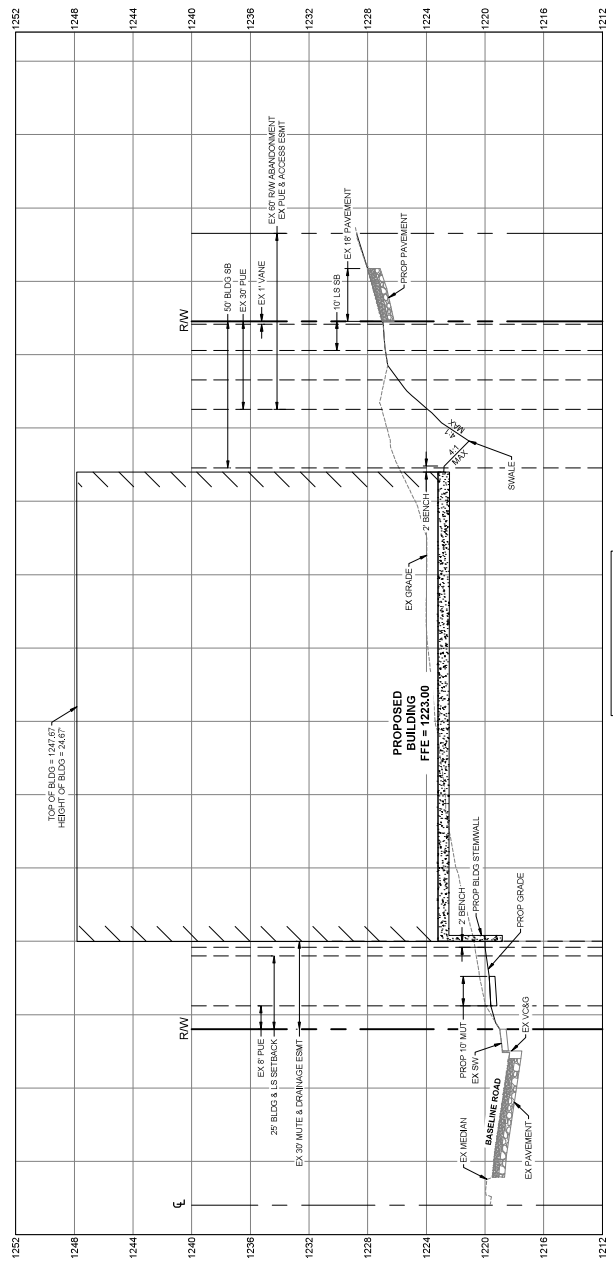


DATE	DESCRIPTION
03/22/23	1ST ZONING SUBMITTAL
07/18/24	2ND ZONING SUBMITTAL
03/04/24	3RD ZONING SUBMITTAL
04/09/24	RESUBMIT

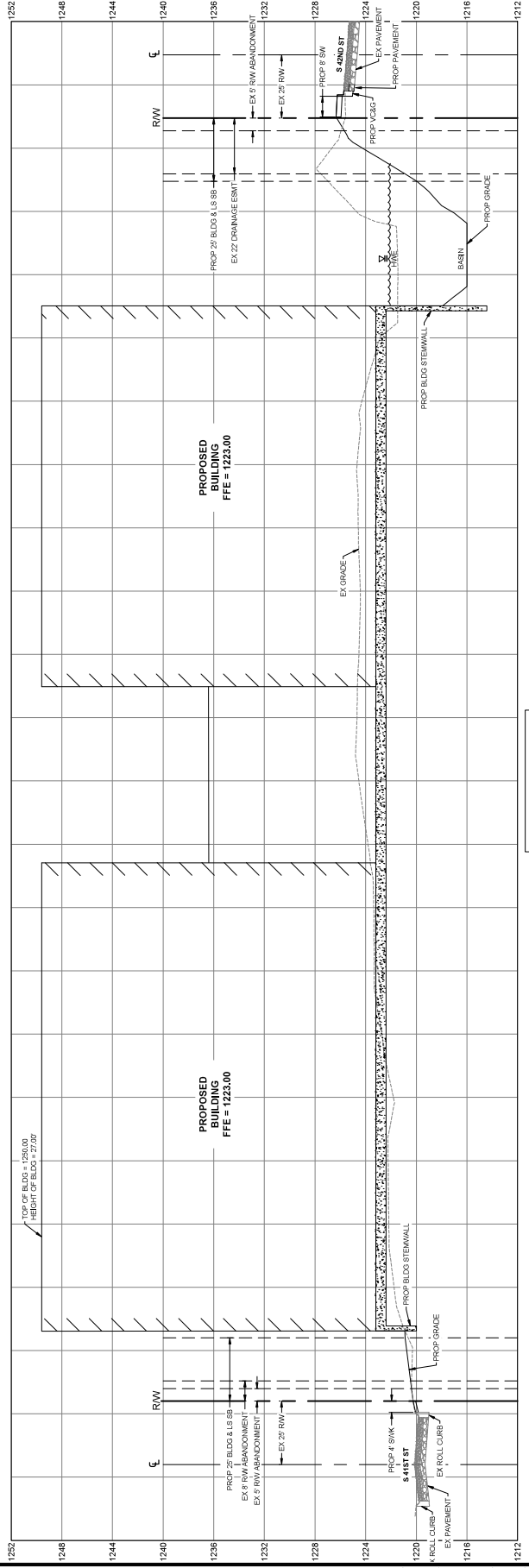
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TITLE:
**CONCEPTUAL
 SITE PLAN**

SHEET No.
 3 of 3
 PROJECT No.
 1615



SECTION 3
 H SCALE 1"=20' V SCALE 1"=4' V



SECTION 4
 H SCALE 1"=20' V SCALE 1"=4' V

SAFSTOR SELF-STORAGE
 CONCEPTUAL LANDSCAPING

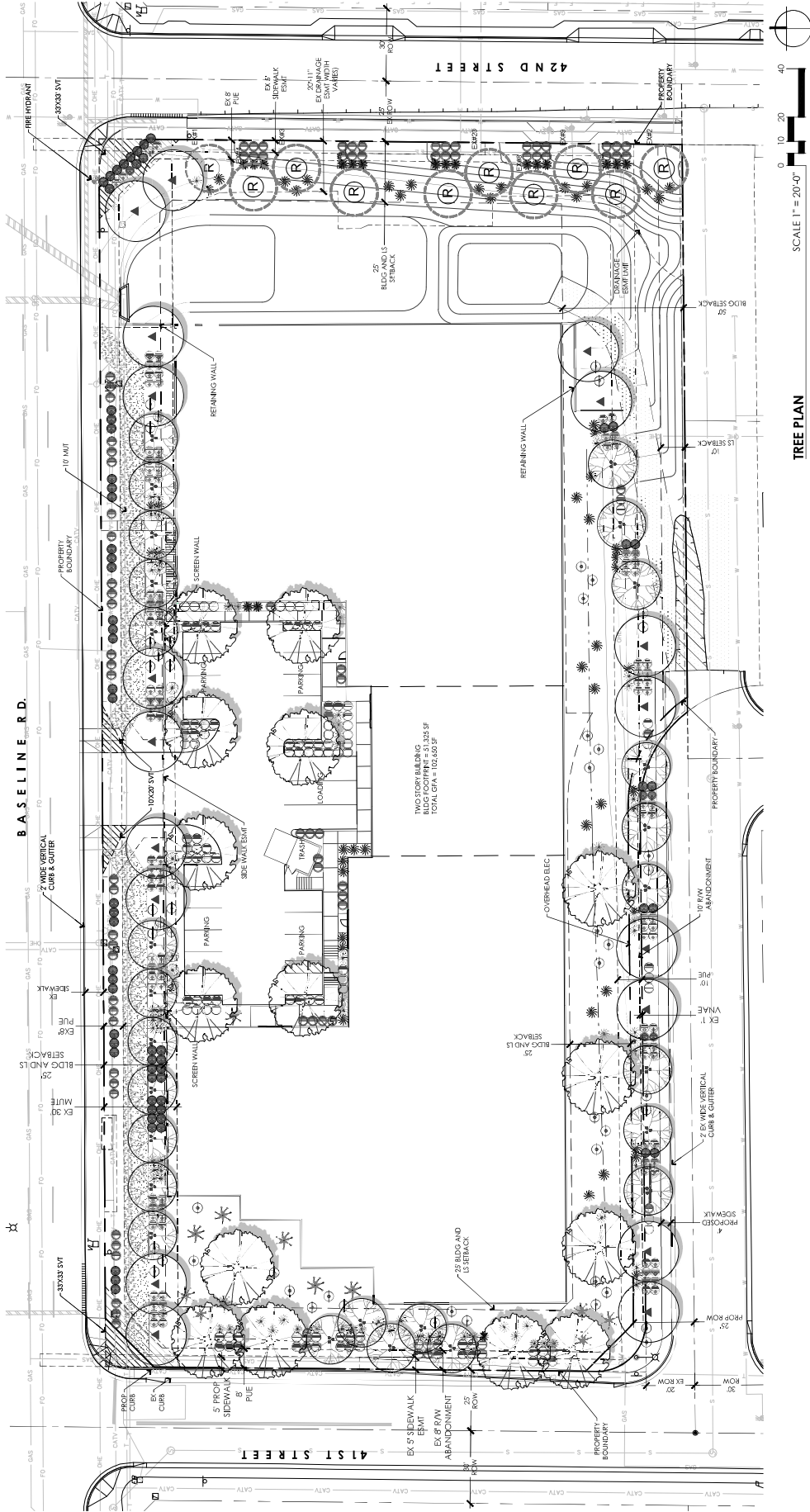
4152 E BASELINE RD
 PHOENIX, AZ 85042



DATE	DESCRIPTION
10/17/2023	REVISION
01/12/2024	2ND REVISION
02/27/2024	3RD REVISION
04/05/2024	4TH REVISION

CHECKED BY: SV
 DRAWN BY: CL
 TITLE: TREE PLAN

SHEET NO: 1.1 of 01
 PROJECT NO: 23010224
 1515



TREE PLAN

SCALE 1" = 20'-0"

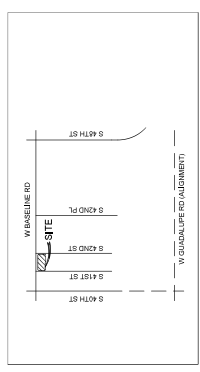
CITY OF PHOENIX LANDSCAPE REQUIREMENTS

PROVIDE A MIX OF PLANT MATERIALS CONSISTING OF SIXTY PERCENT (60%) TREES WITH TWO INCH (2") MINIMUM CALIPER AND FORTY PERCENT (40%) WITH ONE INCH (1") MINIMUM CALIPER IN ZONING ORDINANCES. ONLY CALIPER SIZES WILL BE REVIEWED AND APPROVED.

STREET FRONTAGE: 1 TREE AND 5 SHRUBS PER 25 LINEAR FEET
 SIXTY PERCENT (60%) LIVE COVERAGE IN ALL LANDSCAPE AREA

NORTH 507' IN GAR FEET	= 21 TREES / 102 SHRUBS
WEST 241' IN GAR FEET	= 13 TREES / 65 SHRUBS
EAST 241' IN GAR FEET	= 12 TREES / 60 SHRUBS
SOUTH 507' IN GAR FEET	= 20 TREES / 100 SHRUBS
TOTAL LANDSCAPE AREA	= 48,482.93 SF
50% LANDSCAPE AREA	= 24,241.47 SF
50% TOTAL COVERAGE	= 26,556.43 SF
TOTAL SURFACE PARKING AREA	= 2,793.95 SF
100% LANDSCAPE AREA REQUIRED	= 2793.95 SF
21% LANDSCAPE AREA PROVIDED	= 6034.7 SF

VICINITY MAP



PROJECT NUMBERS

SSV: 23000703
 SSV: 23000703
 PAPP (OPTION 1): 23010224

CITY OF PHOENIX

APR 26 2024

Planning & Development
 Department

SYMBOL	BOTANICAL NAME	COMMON NAME	CAL.	QTY.	SIZES (X)
(Tree Symbol)	ADONISIA HYBRID DESERT MUMMUM	Desert Mammum Hybrid Desert Mammum	2754-400"	26	14x8
(Tree Symbol)	ADONISIA "RED FLAME"	Red Flame Adonis	2754-400"	18	9x4
(Tree Symbol)	ADONISIA "VIGOROUS"	Vigorous Adonis	2754-400"	15	9x4
TREES TOTAL: 59					
(Shrub Symbol)	ADONISIA	Adonis	2754-400"	10	VARIES
TREES (GROSSING) TOTAL: 10					

SYMBOL	BOTANICAL NAME	COMMON NAME	CAL.	QTY.	SIZES (X)
(Shrub Symbol)	CASALINIA PULCHERRIMA	Red Bird of Paradise	5 GAL	51	8 1/4 x 10 1/2
(Shrub Symbol)	CORDIA PANICOLATA	White Leaf Cordia	5 GAL	107	30 x 30
(Shrub Symbol)	CORDIA ALLODORA	Golden Star Cordia	5 GAL	38	20 x 20
(Shrub Symbol)	CORDIA	Red Cordia	5 GAL	12	8 1/4 x 10 1/2
(Shrub Symbol)	CORDIA	Blue Bird of Paradise	5 GAL	7	20 x 20
SHRUBS TOTAL: 217					
(Shrub Symbol)	CORDIA	Red Cordia	5 GAL	186	20 x 20
(Shrub Symbol)	CORDIA	White Leaf Cordia	5 GAL	195	20 x 20
GROUND COVERS TOTAL: 381					

DECOMPOSED GRANITE 2" DEPTH OF 1/2" SCREENED APACHE GOLD



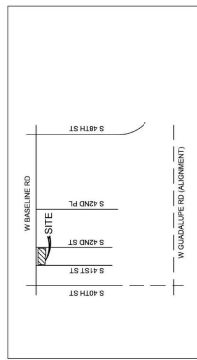
SAFSTOR SELF-STORAGE



TREE PLAN

CITY OF PHOENIX LANDSCAPE REQUIREMENTS
PROVIDE A MIX OF PLANT MATERIAL SIZE CONSISTING OF SIXTY PERCENT (60%) TREES WITH TWO INCH (2") MINIMUM CALIPER AND FORTY PERCENT (40%) WITH ONE INCH (1") MINIMUM CALIPER IN ALL PLANTING AREAS. ALL PLANTING SHALL BE PERFORMED IN ACCORDANCE WITH CITY OF PHOENIX ZONING ORDINANCES. ONLY CALIPER SIZES WILL BE REVIEWED AND APPROVED.
STREET FRONTAGE: TREE AND SHRUBS PER 25 LINEAR FEET
FIFTY PERCENT (50%) LIVE COVERAGE IN ALL LANDSCAPE AREA

NORTH 50' LINEAR FEET	= 21 TREES / 102 SHRUBS
EAST 241' LINEAR FEET	= 51 TREES / 465 SHRUBS
SOUTH 50' LINEAR FEET	= 12 TREES / 75 SHRUBS
WEST 217' LINEAR FEET	= 9 TREES / 44 SHRUBS
TOTAL TREES AND SHRUBS PROVIDED	= 9 TREES / 49 SHRUBS
TOTAL TREES AND SHRUBS REQUIRED	= 20 TREES / 100 SHRUBS
TOTAL LANDSCAPE AREA	= 46,802.98 SF
50% LANDSCAPE AREA	= 24,541.49 SF
TOTAL SURFACE PARKING AREA	= 2,795 SF
100% LANDSCAPE AREA REQUIRED	= 2795 SF
21% LANDSCAPE AREA PROVIDED	= 600.47 SF



VICINITY MAP

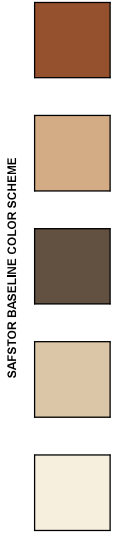
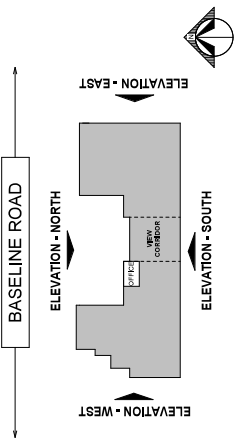
N.T.S.
PROJECT NUMBERS
SHEET NO. 1.1.1
SHEET TOTAL 01
PROJECT NO. 1515
DATE 2/20/2024
APP (OPTION 1): 2501024

SYMBOL	BOTANICAL NAME	COMMON NAME	CAL.	QTY.	SHEETS (X)Y	Tree	Shrub
(Symbol)	ARIZONISMA hybrid 'Desert Museum'	Desert Museum Palo Verde	27.56'-80"	26	1438	1438	0
(Symbol)	ARIZONISMA hybrid 'Red Push'	Red Push Palo Verde	27.08'-80"	18	974	974	0
(Symbol)	QUERCUS virginiana	White Oak	27.08'-80"	15	974	0	974
TREES TOTAL				59			
(Symbol)	ARIZONISMA hybrid 'Desert Museum'	Desert Museum Palo Verde	27.56'-80"	26	1438	1438	0
(Symbol)	ARIZONISMA hybrid 'Red Push'	Red Push Palo Verde	27.08'-80"	18	974	974	0
(Symbol)	QUERCUS virginiana	White Oak	27.08'-80"	15	974	0	974
TREES TOTAL				59			
(Symbol)	ARIZONISMA hybrid 'Desert Museum'	Desert Museum Palo Verde	27.56'-80"	26	1438	1438	0
(Symbol)	ARIZONISMA hybrid 'Red Push'	Red Push Palo Verde	27.08'-80"	18	974	974	0
(Symbol)	QUERCUS virginiana	White Oak	27.08'-80"	15	974	0	974
TREES TOTAL				59			
(Symbol)	ARIZONISMA hybrid 'Desert Museum'	Desert Museum Palo Verde	27.56'-80"	26	1438	1438	0
(Symbol)	ARIZONISMA hybrid 'Red Push'	Red Push Palo Verde	27.08'-80"	18	974	974	0
(Symbol)	QUERCUS virginiana	White Oak	27.08'-80"	15	974	0	974
TREES TOTAL				59			
(Symbol)	ARIZONISMA hybrid 'Desert Museum'	Desert Museum Palo Verde	27.56'-80"	26	1438	1438	0
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TREES TOTAL				59			
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(Symbol)	QUERCUS virginiana	White Oak	27.08'-80"	15	974	0	974
TREES TOTAL				59			

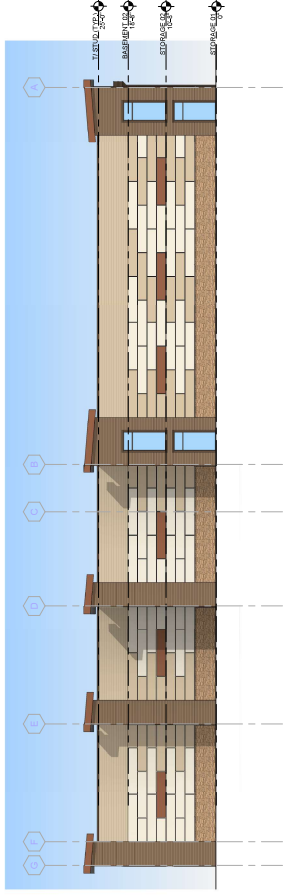
CITY OF PHOENIX
APR 26 2024
Planning & Development Department

SYMBOL	BOTANICAL NAME	COMMON NAME	CAL.	QTY.	SHEETS (X)Y	Tree	Shrub
(Symbol)	ARIZONISMA hybrid 'Desert Museum'	Desert Museum Palo Verde	27.56'-80"	26	1438	1438	0
(Symbol)	ARIZONISMA hybrid 'Red Push'	Red Push Palo Verde	27.08'-80"	18	974	974	0
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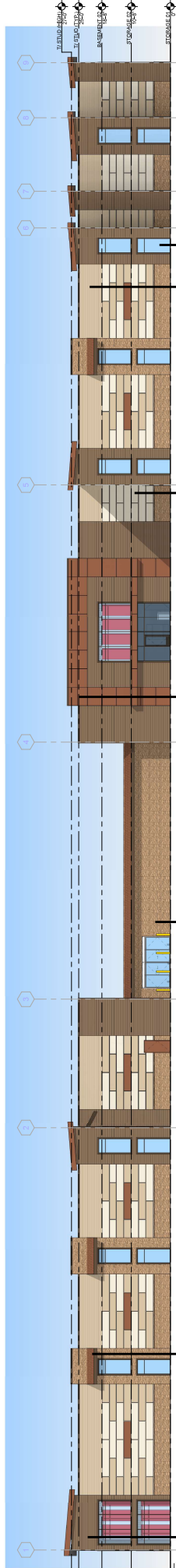
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3D - BUILDING MODEL
SCALE

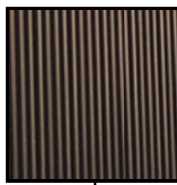


ELEVATION - WEST
SCALE 3/32" = 1'-0"

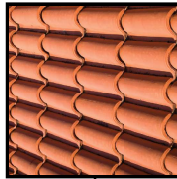


ELEVATION - NORTH
SCALE 3/32" = 1'-0"

CORRUGATED METAL PANEL



TERRA COTTA AWNINGS



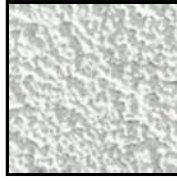
MANUFACTURED STONE VENEER



ALUMINUM COMPOSITE PANEL



EXTERIOR INSULATING FINISH SYSTEM (EIFS)

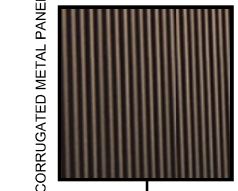
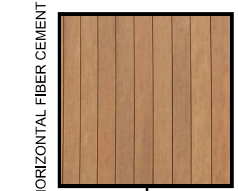
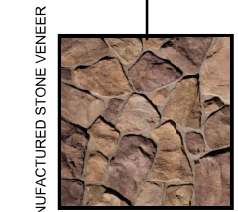
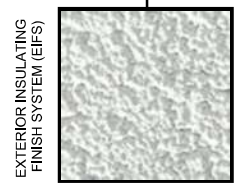
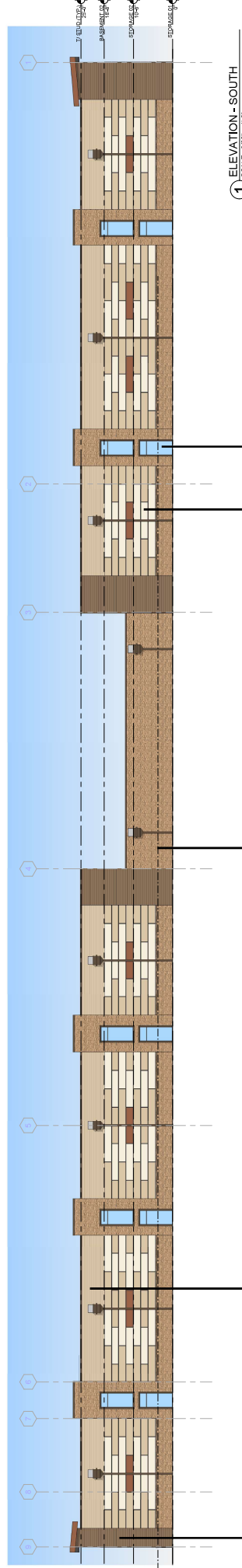
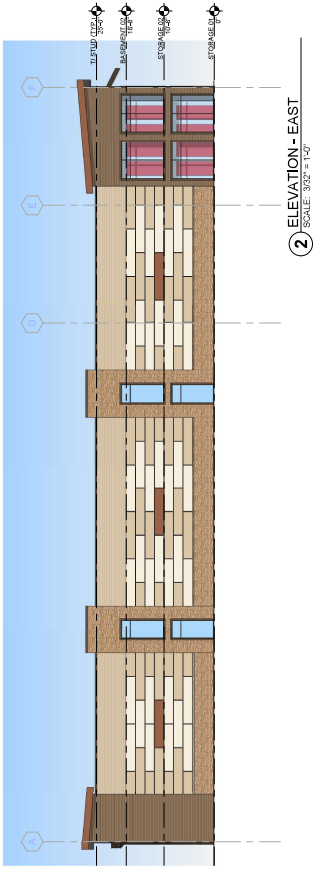


HORIZONTAL FIBER CEMENT



TINTED GLAZING WITH BRONZE MULLIONS





CITY OF PHOENIX
APR 26 2024
Planning & Development
Department

SAFSTOR BASELINE
CONCEPT DESIGN

BASELINE ROAD
PHOENIX, AZ



ONE FOUR TWO
DESIGN GROUP
3501 Paradise North Pkwy, SE Atlanta, GA 30329
770.424.1128



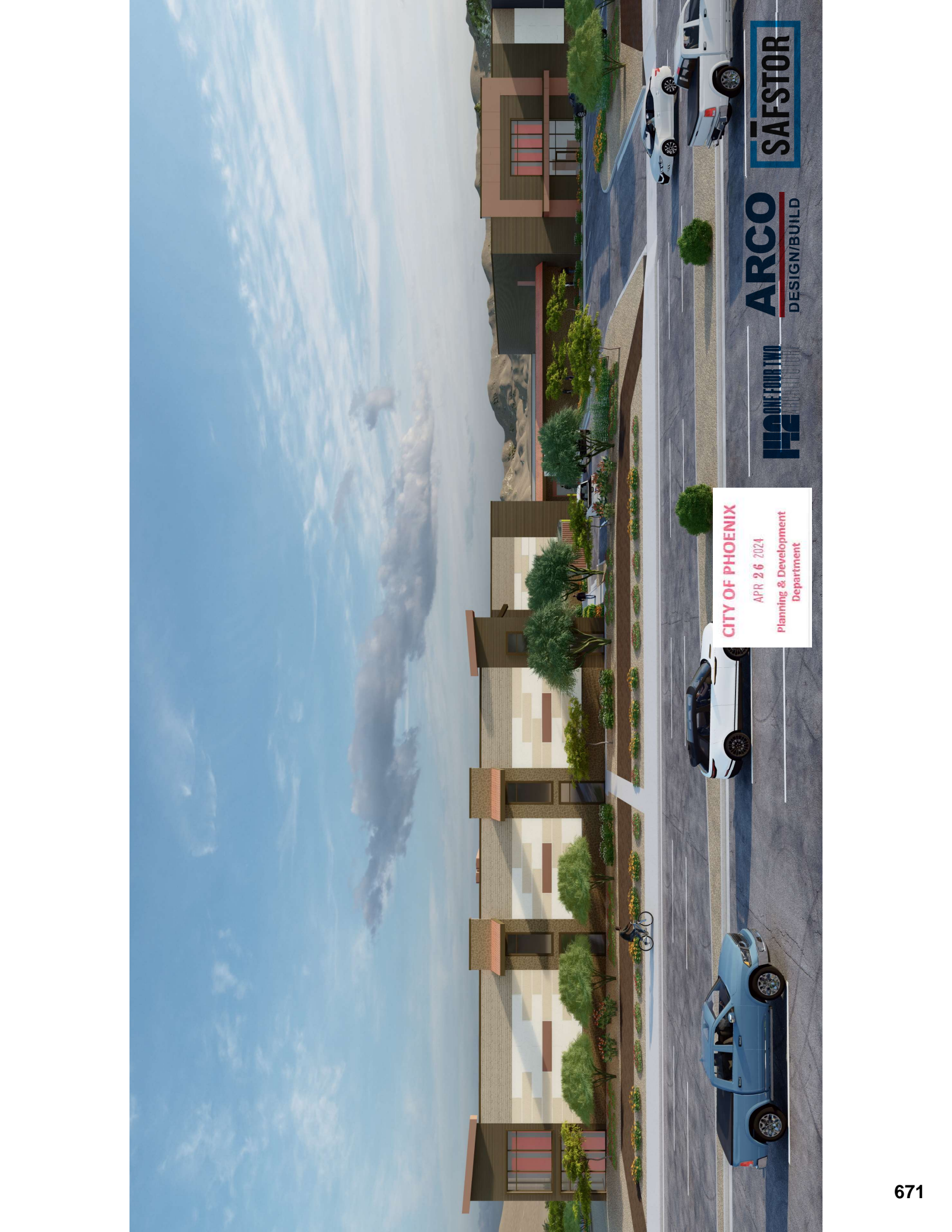
CITY OF PHOENIX
APR 26 2024
Planning & Development
Department



ARCO
DESIGN/BUILD

H2 ONE FOUR TWO

SAFSTOR



CITY OF PHOENIX
APR 26 2024
Planning & Development
Department



SUPPORT

From: Darcy Thomas <darcyluhu4@gmail.com>
Sent: Tuesday, April 30, 2024 6:00 PM
To: PDD Planning Commission
Subject: Safe Stor z-SP 6-23-8

I am Darcy Thomas. I live at 7636 S 41st in Phoenix AZ.

I am in favor of the Safstor unit being built on the corner of 41st and Baseline. Safstor has made many changes requested by the neighborhood. I definitely approve of their final plans for this corner.

The entrance being moved to Baseline was very important to keep traffic out of the neighborhood. There will be little traffic or noise added to the neighborhood. There might even be less noise from Baseline since it will block traffic noise.

I am pleased with the changes Safstor made to accommodate the neighborhood concerns.

I do not want retail shops on that corner. Traffic, trash, noise, strangers in the neighborhood.

Darcy Thomas

OPPOSITION

South Mountain Gateway Residents Association - Presentation

Our neighbourhood members have voted to withdraw our support for Special Permit Application Z-SP-6-23 at this time.

We may be inclined to reverse our decision should the developer choose to resolve Item 2 of the following stipulations:

1. Traffic – 90% resolved
 - a. Move entrance off 41st Street
 - b. Addition of dedicated right turn lane on 41st Street
 - c. Building setbacks to improve safety sight lines for bicycle and pedestrian traffic from 41st Street
2. **View Corridors – UNRESOLVED**
 - a. Deference to 41st Street and 41st Place view corridors**
 - b. Building setbacks and knock-outs to improve view corridors on 41st Street and 41st Place
 - c. Reduces massing of 2nd level of building to improve views on Baseline Road
3. Building Aesthetics – 80% resolved
 - a. Improve building aesthetics
 - b. Improve west and south building elevations using set backs, knock-out and architectural detailing
 - c. Minimize branding and signage on west elevation to reduce visual pollution from adjacent church and residential areas

SMG - Residents Association - Item 2 Recommendations

Our members have retained industry experts, civil engineers and architectural design professionals who have provided the following analysis

1. Traffic
 - a. **Add notch at northwest corner of building to improve sight lines for pedestrian and bicycle traffic**
 - b. Addition of dedicated right turn lane on 41st Street
 - c. Add motion sensor flashing amber “Pedestrian Crossing” light at 41st Street intersection
 - d. Add pedestrian bridge over existing wash to link Highline Canal Pathway from 42nd Street to 41st Street along Highline Lane
2. View Corridors
 - a. **Add basement to approximately 30% of western building block to provide additional rental square footage**
 - b. **Net positive +3250 square feet of rentable area and +32 additional rental units (average 10’ x 10’ unit)**
 - c. Building setbacks and knock-outs to improve view corridors on 41st Street and 41st Place
 - d. Reduces massing of 2nd level of building to improve views on Baseline Road
3. Building Aesthetics
 - a. **In general the building is massively out of scale with all surrounding commercial, retail and residential buildings**
 - b. Reducing the volume of the 2nd floor will improve visual massing and soften the buildings “Industrial Warehouse” appearance
 - c. Building set backs, knock-outs and architectural detailing can help disguise the building to look more like a cluster of smaller buildings
 - d. Minimizing branding and signage will help the building look more like an office building instead of a warehouse

Proposed building is grossly out of scale for surrounding residential area and all other adjacent commercial buildings.



SAFStor Proposed Site Plan

Blocks views of South Mountain to the South and Valley views to the North.



SAFStor Proposed Site Plan

Adding step backs provides opportunity to create dedicated right turn lane - Improving existing 41st ingress and egress.



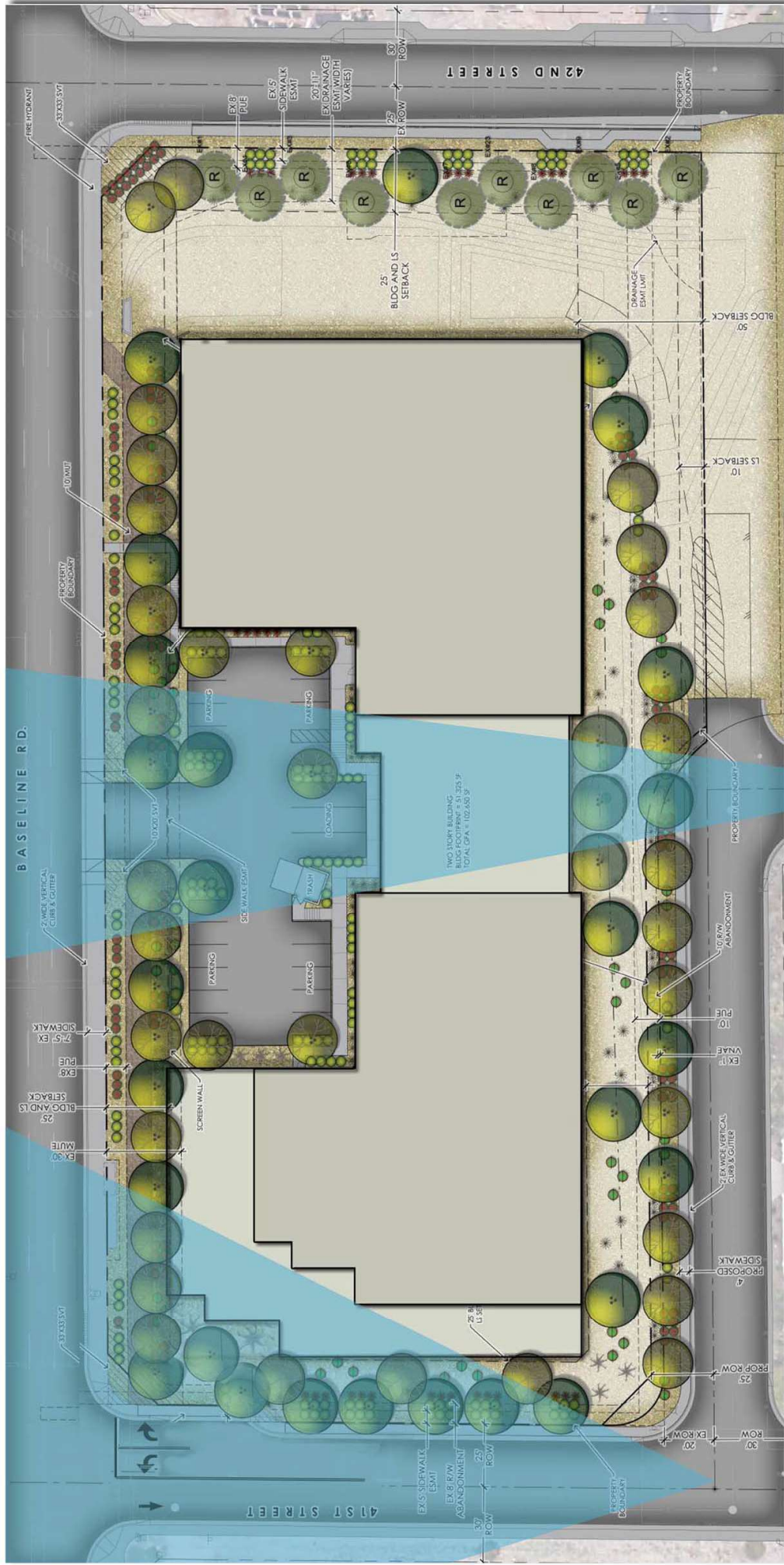
Hancock Neighbourhood Proposed Building Modifications

Adding step backs - Improves 41st Valley views.



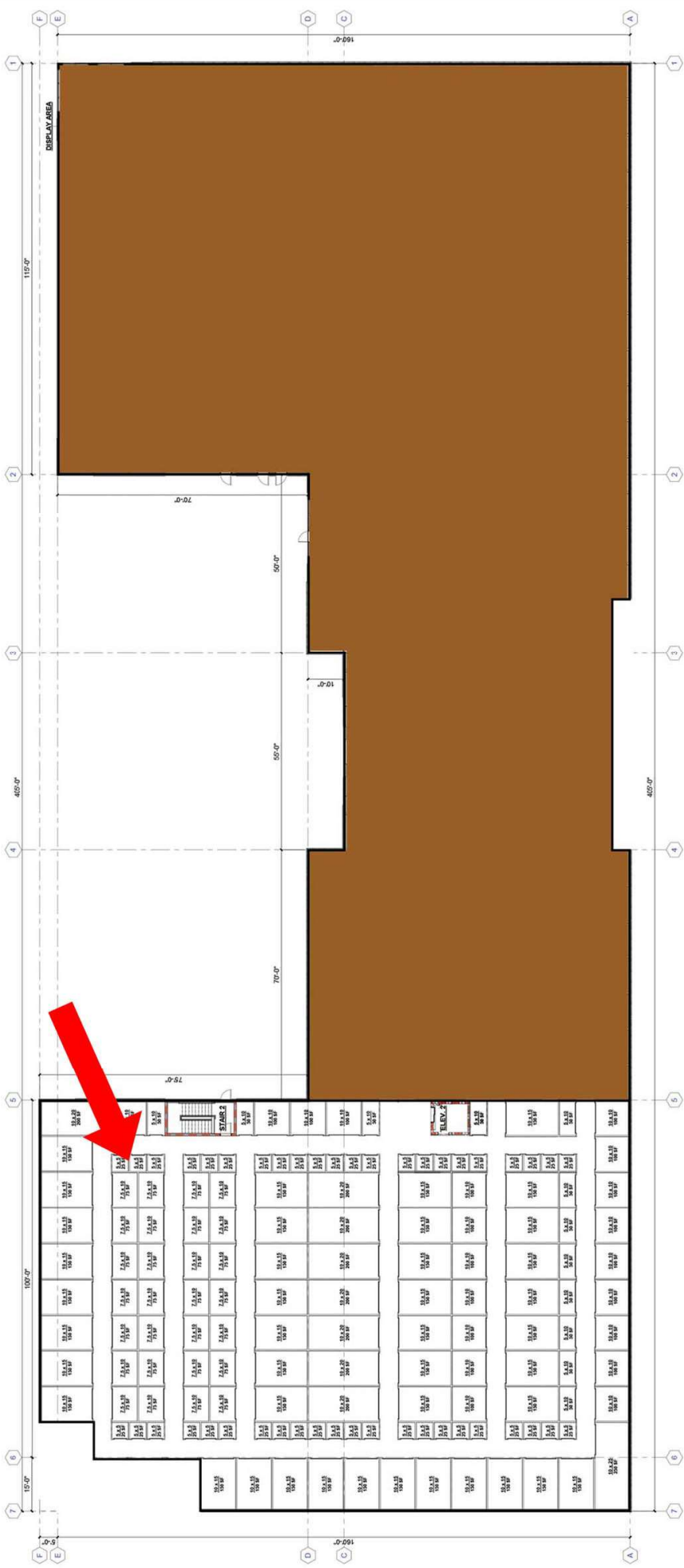
Hancock Neighbourhood Proposed Building Modifications

Adding step backs and cutouts to Second floor improves building North Valley views - Maintaining residential property values.



Hancock Neighbourhood Proposed Building Modifications

Adding Basement provides additional 16,000 square feet of rentable building area for proposed step backs and cutouts on Second floor.



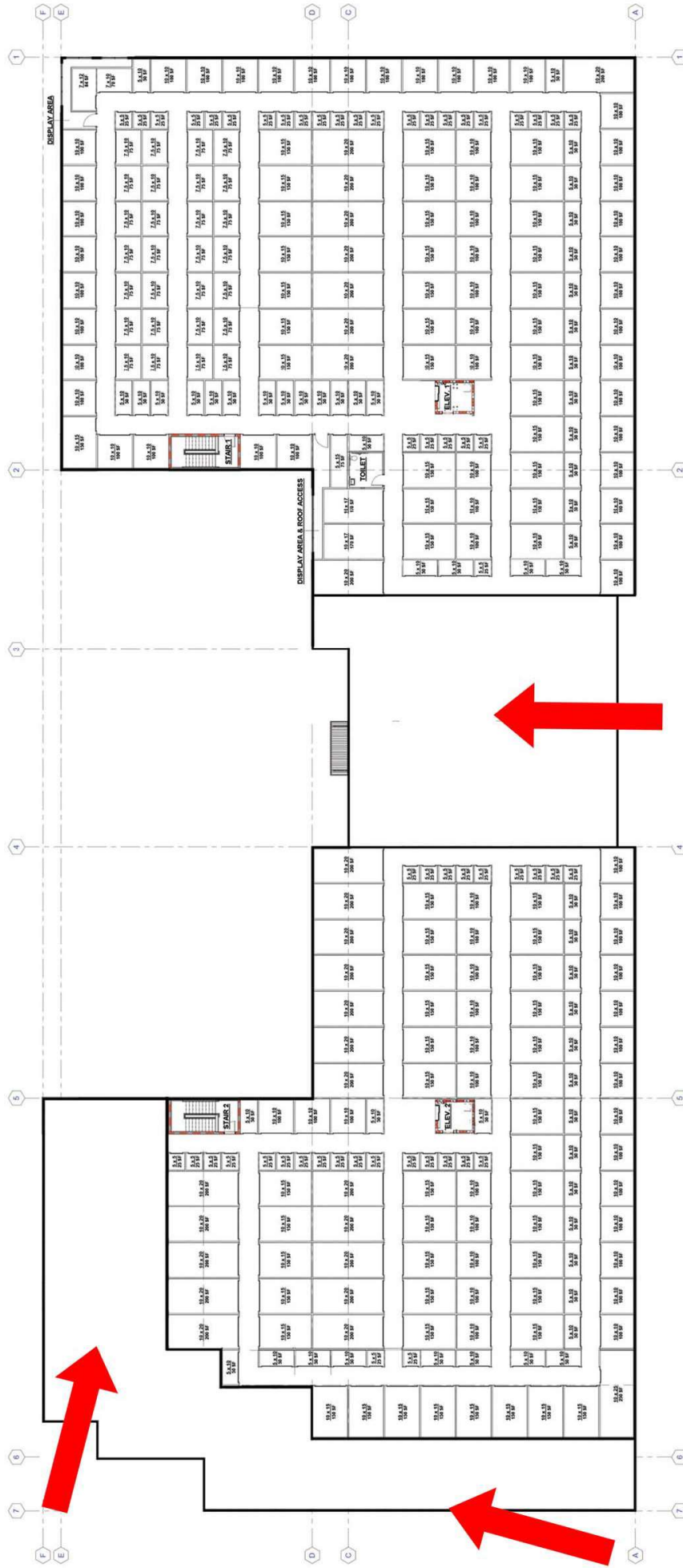
Hancock Neighbourhood Proposed Building Modifications

Proposed step backs and cutouts on Ground floor to improve building massing.



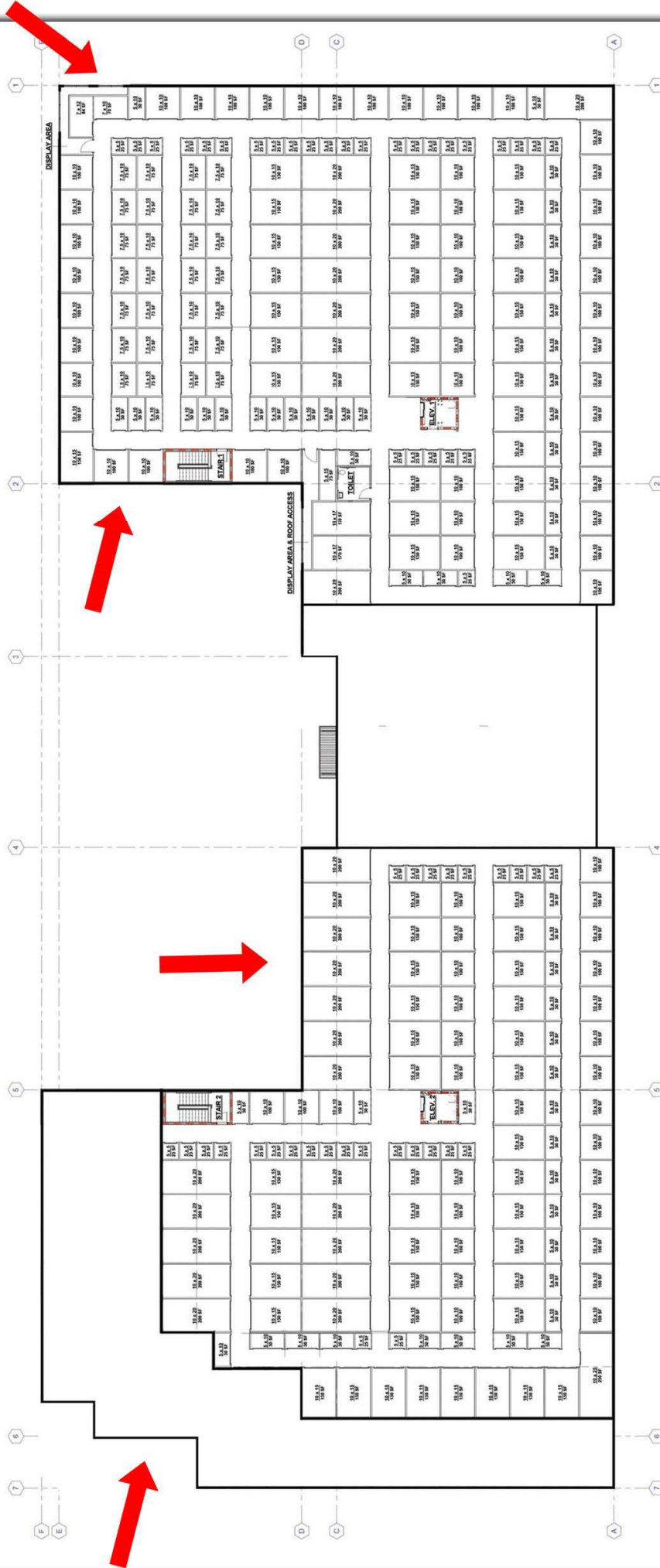
Hancock Neighbourhood Proposed Building Modifications

Proposed step backs and cutouts on Second floor to improve building massing and Valley views.



Hancock Neighbourhood Proposed Building Modifications

Proposed signage locations.



Hancock Neighbourhood Proposed Building Modifications

South Mountain Village Planning Committee - SAFStore Informational meeting - 3/12/24

South Mountain Gateway Residents Association - Closing Comments

Our neighbourhood members may be inclined to support Special Permit Application Z-SP-6-23 with resolution to the following stipulations:

1. Traffic

Improve sight lines for pedestrian traffic on Baseline Road

2. View Corridors

Reduce 2nd Story massing to preserve 41st Street & 41st Place view corridors

3. Building Aesthetics

Reduce volume of 2nd Story to soften “Industrial Warehouse” appearance

From: Catherine Napoli <catherine9196@gmail.com>
Sent: Monday, April 1, 2024 6:36 PM
To: PDD Planning Commission
Subject: Z-SP-6-23 No more self storage facilities in South Mountain Village
Attachments: Self storage in the area.docx; 27th Ave to 48th St.jpg

Members of the Planning Commission -

As a resident and property owner in the neighborhood south of the proposed SAFStor Building, Z-SP-6-23, I am concerned with the damage this building, as proposed by the developer, will do to my neighborhood. Specifically, the building height has destroyed all views from my home to the city lights. And it has destroyed all the views from Baseline Road up to South Mountain. Baseline Road is designated as a Scenic View Corridor. In destroying the views, my property values go down immediately. This does not serve the residents or the City of Phoenix and State of Arizona, who will lose revenue with lowered values.

In working with our neighbors, SAFStor has made some changes to their original plan. We commend SAFStor on changes to the look of the building and on moving the entry from 41st Street, a residential street, to Baseline Road.

However, our biggest concern, our property value reduction based on the destruction of our views, has not only never been addressed, in changing the entrance of the parking lot, views on an additional street have also been completely blocked.

Right now, there are far too many storage facilities in Phoenix and specifically our area. There are a total of 11 self-storage facilities from 48th Street to 19th Avenue in the South Mountain Village area. There are an additional 3 facilities north of the river and south of the airport.

From 19th Avenue west to the 202 (Laveen) there are 5 self-storage facilities. This makes our neighborhood the "Self-Storage Facility Capital of the World!"

In addition, most storage units in the area are single story. On average, 85% of storage facilities build a level as a basement. Yet SAFStor is looking for a 2 story building completely above ground with a profile that will make entering and leaving our neighborhood at 41st Street, our ONLY WAY in and out, dangerous.

City light views are not just a "nice bonus." Our property values include our homes being on view properties. Destroy the views, destroy the values, destroy the income to the City of Phoenix, Maricopa County, and the State of Arizona. Building on this land as the developer has currently

proposed will NOT increase revenue in the form of taxes. It will decrease revenue because of lowered property values.

This neighborhood and South Mountain Village are in desperate need of real retail. Another unneeded self-storage facility brings one or two jobs and no needed retail.

Neighborhood representatives have been meeting with representatives of Snell & Wilmer and SafStor in an effort to create something that would enhance the neighborhood. Brian Harvey, a designer, has even created an entire plan that would preserve views, give SafStor additional units, and preserve the views. SafStor has not budged beyond changing the color of the building and moving the entrance to Baseline Road.

The neighbors of the South Mountain Gateway Residents Association were not asking for this building to be built somewhere else. We demanded that it be built in a way that does not destroy our homes and property values.

However - SafStor will not compromise. We now want the City of Phoenix to deny this petition so that real retail that will enhance our neighborhood and the Village can come in.

Accepting the special use permit and allowing self-storage facility #12 to come into South Mountain Village will be a detriment to our neighborhood and the City of Phoenix.

Bring real retail into our neighborhood, NOT another box that will attract crime and be a blight to our RESIDENTIAL community.

Catherine Napoli
Resident since 1996 & Neighborhood Representative
3928 E. Beverly Road
Phoenix, AZ 85042
602-295-3411

There are 11 Self Storage Facilities in the South Mountain Village from 48th Street to 27th Avenue, River to the north and South Mountain Park to the south:

SmartStop Self Storage at 4715 E. Baseline Road, drive up self-storage.

SmartStop Self Storage at 4730 E. Baseline Road, indoor self-storage.

Self-Storage at U-Haul at 3525 S. 40th Street.

Arizona Storage Inns at 1620 E. Baseline Road.

SmartStop Self Storage at 1500 E. Baseline Road.

Simon Storage at 1725 E. Broadway Road.

U-Haul Moving & Storage at 340 E. Baseline Road.

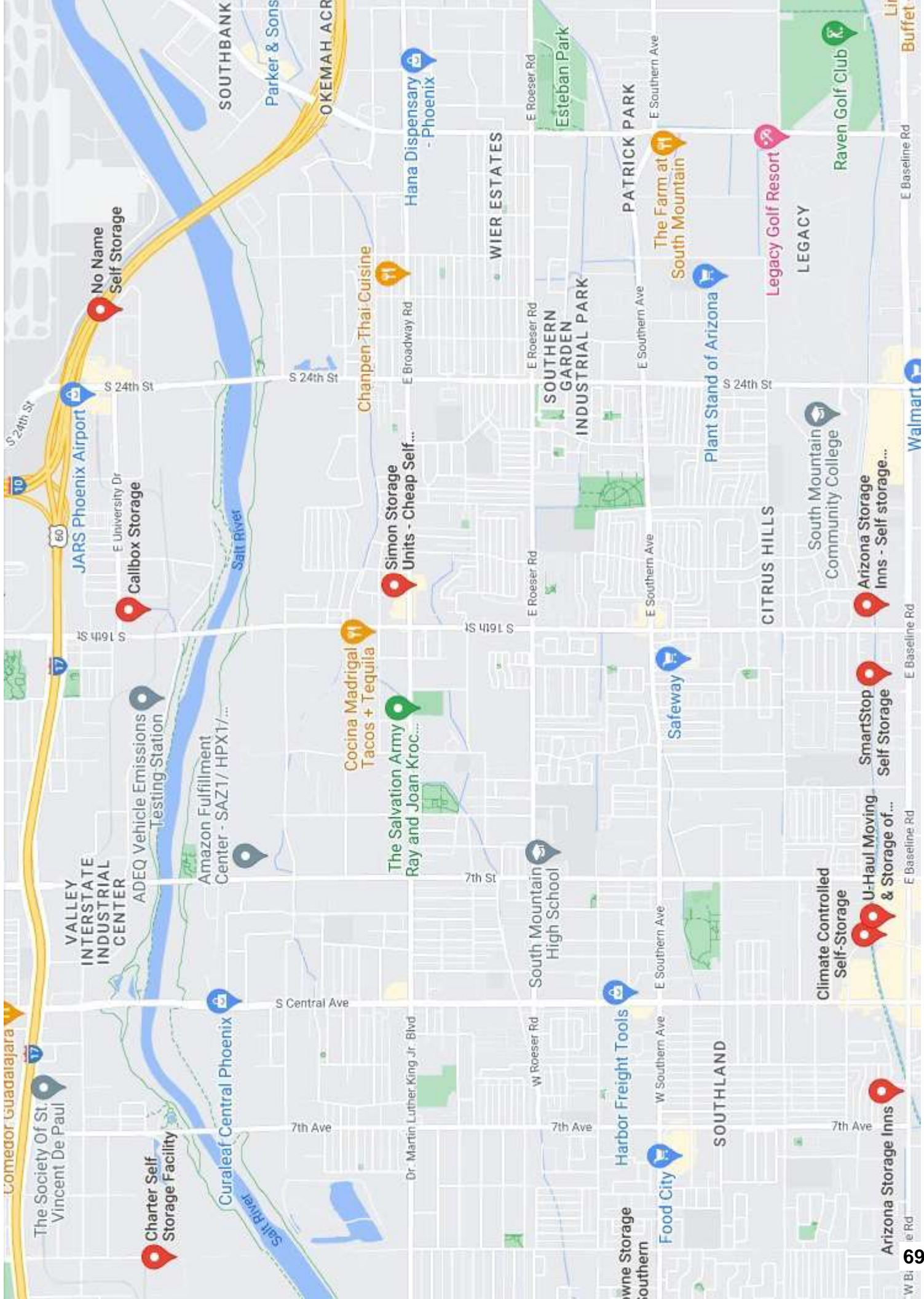
U-Haul Moving & Storage near 340 E. Baseline. This is a new self-storage building.

Arizona Storage Inns at 502 W. Baseline Road.

Towne Storage – Southern at 1706 W. Southern Avenue.

StorAmerica Self Storage at 1935 W. Baseline Road.

Callbox Storage, Charter Self-Storage Facility, and No Name Self-Storage are north of the river, south of I-17. Going west into Laveen, there are an additional 5 self-storage units between 27th Avenue and the 202, south of the river.



Re: Z-SP-6-23 and the South Mountain Village Character Plan

contact_me@brianjamesharvey.com <contact_me@brianjamesharvey.com>

Fri 4/5/2024 6:10 PM

To:Catherine Napoli <catherine9196@gmail.com>;support@phxazdistrict8.zendesk.com

<support@phxazdistrict8.zendesk.com>

Cc:Samuel S Rogers <samuel.rogers@phoenix.gov>;PDD South Mountain VPC <southmountainvpc@phoenix.gov>;Council

District 8 PCC <council.district.8@phoenix.gov>;Mayor Gallego <mayor.gallego@phoenix.gov>

I 100% agree with this letter. Well said Catherine.

Brian Harvey

Hancock resident

On Apr 5, 2024 5:02 PM, Catherine Napoli <catherine9196@gmail.com> wrote:

Members of the South Mountain Village Planning Committee -

Last month, Snell & Wilmer presented a proposal for SAFStor to build a huge self storage facility about a mile from two facilities to the east at 48th Street and Baseline Road and several more to the west including two at 16th Street and Baseline Road. In fact, South Mountain Village currently has ELEVEN self storage facilities, most on Baseline Road. There are three more self storage facilities adjacent to SMV between the river and I-17 and 5 in Laveen between 19th Avenue and the 202. (Red pins are self storage facilities between 48th Street and 19th Avenue.)



Since the last meeting, representatives of the neighborhood, Brian Harvey, Laurie Pheil, and Catherine Napoli, met with the applicant and their representatives numerous times, including a meeting at the offices of Snell & Wilmer. Brian Harvey, an architectural industrial designer by trade, and a resident of Hancock Park, the neighborhood directly south of this site, created in-depth renderings for SafSTOR. These renderings reflected not only the desires of the neighborhood to protect views and have an aesthetically pleasing building in our neighborhood, it also answered the questions from you, the Village Planning Committee, posed to the applicant last month. Further, the renderings created by Mr. Harvey were in keeping with the South Mountain Village Character Plan.

The designers for SAFStor took few ideas from these plans and never created anything in keeping with the Character Plan.

Over and over, residents of South Mountain Village have been promised real neighborhood retail by our elected officials. SMVPC is the first line of defense for the residents. We were promised for decades, when the rooftops were built, our elected officials would work to bring retail. So what are we presented with? Another monolithic box with zero value to the neighborhood.

Attached is a document created as a result of meetings with our neighbors, meetings with the applicant, research of the area, and careful review of the South Mountain Village Character Plan. This document clearly shows why this special permit **should not** be granted. The other uses, permitted under current zoning, could bring us the neighborhood retail we so desperately need, we were promised, and we never got. Included in the packet are renderings of what could be if you, the

members of the Village Planning Committee vote NO on this special permit and task our appointed and elected officials on Planning Commission and City Council to do the same.

South Mountain Village can do better. We deserve better!

Brian Harvey, Laurie Pheil, and Catherine Napoli for the residents of Hancock Park, Highline Canyon, Beverly Highlands, neighbors south of this project.

Z-SP-6-23

Debra McPeters <debmceters@msn.com>

Mon 4/8/2024 12:59 PM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>; PDD South Mountain VPC <southmountainvpc@phoenix.gov>; council.district8@phoenix.gov <council.district8@phoenix.gov>; Mayor Gallego <mayor.gallego@phoenix.gov>; mmaerowitz@swlaw.com <mmaerowitz@swlaw.com>

As a resident and property owner in the neighborhood south of the proposed SAFStor Building, A-SP-6-23 we are concerned with the damage this building as proposed by the developer will do our neighborhood. Specifically, the building height will destroy all the views from Baseline Road up to South Mountain. Baseline Road is designated as a Scenic View Corridor. In destroying the views, our property values will go down immediately. This does not serve the residents or the City of Phoenix and State of Arizona who will lose revenue with lowered values.

In working with our neighbors, SAFStor has made some changes to their original plan. We commend SAFStor on changes to the look of the building and on moving the entry from 41st Street, a residential street to Baseline Road.

However, our biggest concern, our property value reduction based on the destruction of our views, has not only never been addressed, in changing the entrance of the parking lot, views on an additional street have also been completely blocked.

Right now, there are far too many storage facilities in Phoenix and specifically our area. There are a total of 11 self-storage facilities from 48th Street to 19th Avenue in the South Mountain Village area. There are an additional 3 facilities north of the river and south of the airport.

From 19th Avenue west to the 202 (Laveen) there are 5 self-storage facilities. This makes our neighborhood the "Self-Storage Facility Capital of the World!"

In addition, most storage units in the area are single story. On average 85% of storage facilities build a level as a basement, saving the facilities money on their electric bills. Yet SAFStor is looking for a 2-story building completely above ground with a profile that will make entering and leaving our neighborhood at 41st Street our ONLY WAY in and out more dangerous than it already is. There have been at several major car accidents (one with fatalities) at 41st Street and Baseline in the past couple months alone. The SAFStor facility will block our view of traffic and make entering Baseline even more dangerous. Also, there is a bus stop on the corner of 41st Street on Baseline already restricting our entering onto Baseline and making it more dangerous.

City light views are not just a "nice bonus". Our property values include our homes being on view properties. Destroy the views, destroy the values. Building on this land as the developer has currently proposed will NOT increase revenue in the form of taxes. It will decrease revenue because of lowered property values.

The neighborhood and South Mountain Village are in desperate need of real retail. Another unneeded self-storage facility brings one or two jobs and no needed retail. Many of the homes in the immediate area are on half to one acre lots and are not in need of another self-storage facility.

Neighborhood representatives have been meeting with the representatives of Snell & Wilmer and SAFStor in an effort to create something that would enhance the neighborhood. Brian Harvey, a

designer, has even created an entire plan that would preserve views, give SAFStor additional units and preserve our views. SAFStor has not budged beyond changing the color of the building and moving the entrance to Baseline Road.

The neighbors of the South Mountain Gateway Residents Association were not asking for this building to be built somewhere else. We demanded that it be built in a way that does not destroy our homes and property values and stick to the Baseline Master Plan that was designed years ago. This storage facility will also take away the walking path used by walkers and bicyclists that frequently use this path.

However - SAFStor will not compromise. We now ask the City of Phoenix to deny this petition so that real retail that will enhance our neighborhood and the Village can come in.

Accepting the special use permit and allowing self-storage facility #12 to come into South mountain Village will be a detriment to our neighborhood and the City of Phoenix.

Sincerely,

Debra and Bill McPeters

8040 S. 38th Way


(residents in the area for over 25 years)

RE: Z-SP-6-23SP SAFStor - Hancock Neighborhood Rep. Brian Harvey Presentation 4.9.24

Brian Harvey <contact_me@brianjamesharvey.com>

Tue 4/9/2024 12:04 PM

To: 'Brian Harvey' <contact_me@brianjamesharvey.com>; Samuel S Rogers <samuel.rogers@phoenix.gov>

 1 attachments (3 MB)

FINAL SAFStor Neighborhood Feedback REVISED II 4.9.24.pdf;

Sam,

Here is the revised presentation per our call this morning.

Thank you for your continued help.

Brian
602.228.5003

From: Brian Harvey [mailto:contact_me@brianjamesharvey.com]
Sent: Tuesday, April 09, 2024 6:18 AM
To: 'Samuel S Rogers'
Subject: RE: Z-SP-6-23SP SAFStor - Hancock Neighborhood Rep. Brian Harvey Presentation 4.9.24

Sam,

Can you please delete the previous presentation I sent yesterday. I had to cut down on my time, so I have attached a revised presentation and it would be very helpful if you could have this queued up for me to present.

Many thanks,

Brian
602.228.5003

From: Brian Harvey [mailto:contact_me@brianjamesharvey.com]
Sent: Monday, April 08, 2024 6:12 PM
To: 'Samuel S Rogers'
Subject: Z-SP-6-23SP SAFStor - Hancock Neighborhood Rep. Brian Harvey Presentation 4.9.24

Sam,

Please see the attached PDF I am hoping to present to the Village Committee for Z-SP-6-23 SAFStor meeting tomorrow (Tuesday 4/9 at 6pm). It would be very helpful if you could have this on the Laptop as you did for me last time as I don't any other means to share on the screen.

I appreciate you help, please confirm we are good to go.

Thank you,

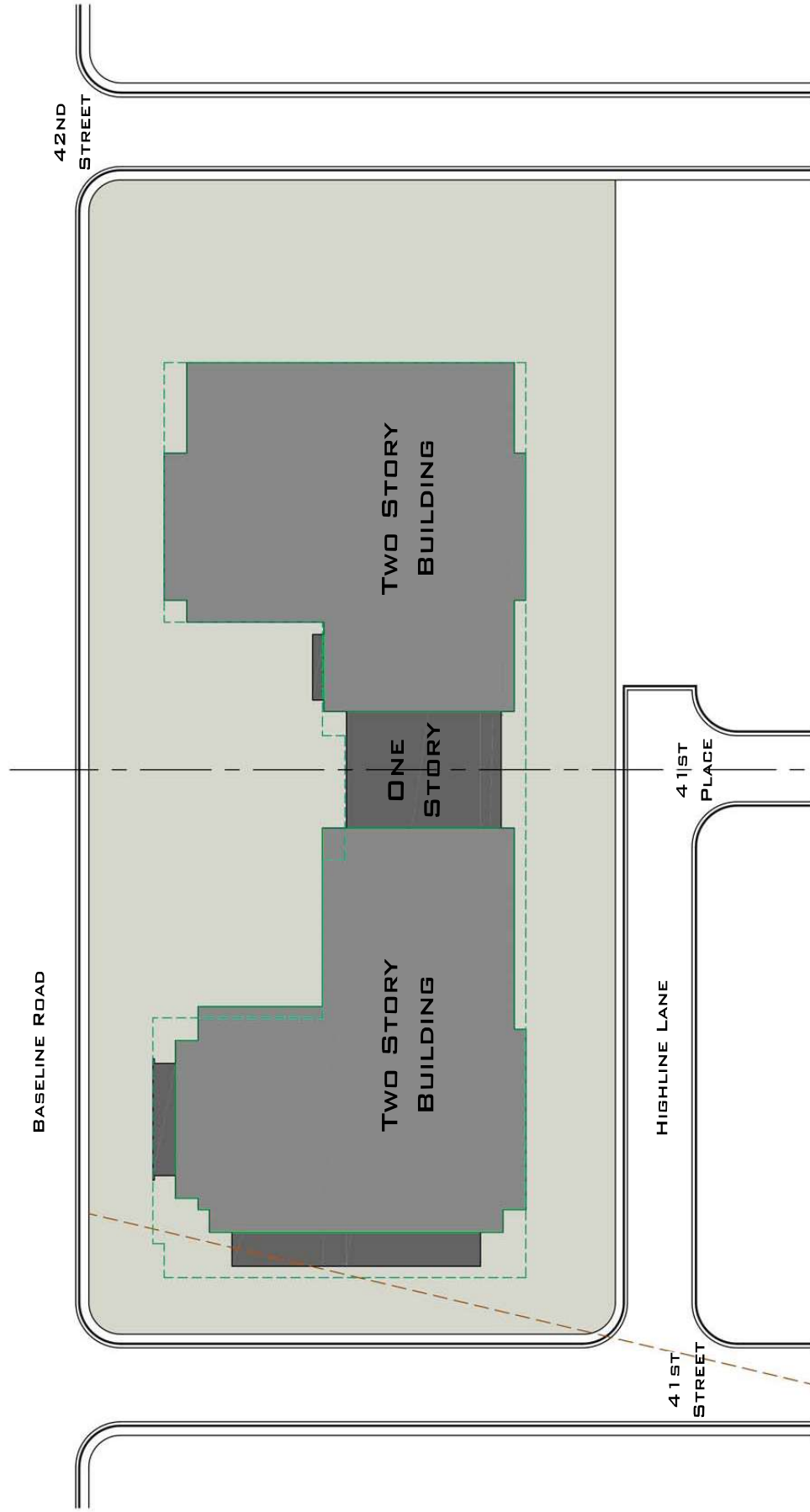
Brian

South Mountain Character Plan - Key Points

Agricultural Heritage	Neighborhood Retail Shopping	Sensitivity to Residential Areas
Agrarian Character	Healthy Restaurants	Beautify the Built Environment
Open Spaces	Employment-Generating Uses	Preserve Unique History
Connected Neighborhoods	Land Use Promoting Health	Avoid Generic, Cookie-Cutter Design
Unique Area Landscape	Protect & Enhance Character Neighborhoods	Positive Neighborhood Impact
Agricultural & Equestrian	Compatible in Scale, Design & Appearance	Pedestrian, Biking & Equestrian Infrastructure
Gathering Places	Protect Neighborhood Views	Enhance Retail, Restaurant, Health Sectors
Public Art Installations	Promote Neighborhood Identity	Promote Connectivity Between Communities
Mixed-Use Developments	Integrate Design Character	Access to Parks, Multi-use Trails & Bike Paths
City-Wide Views	Encourage Bicycle & Pedestrian Amenities	Create Neighborhood Cohesion
Live-Work-Play	Drought-Tolerant Native Vegetation	Preserve Village Unique History
Baseline Area Plan	Abundance of Shade	Support Diverse Activities
Baseline Overlay District	Multi-Use Trails.	Enhance Village Positive Reputation

Let's Build With Character

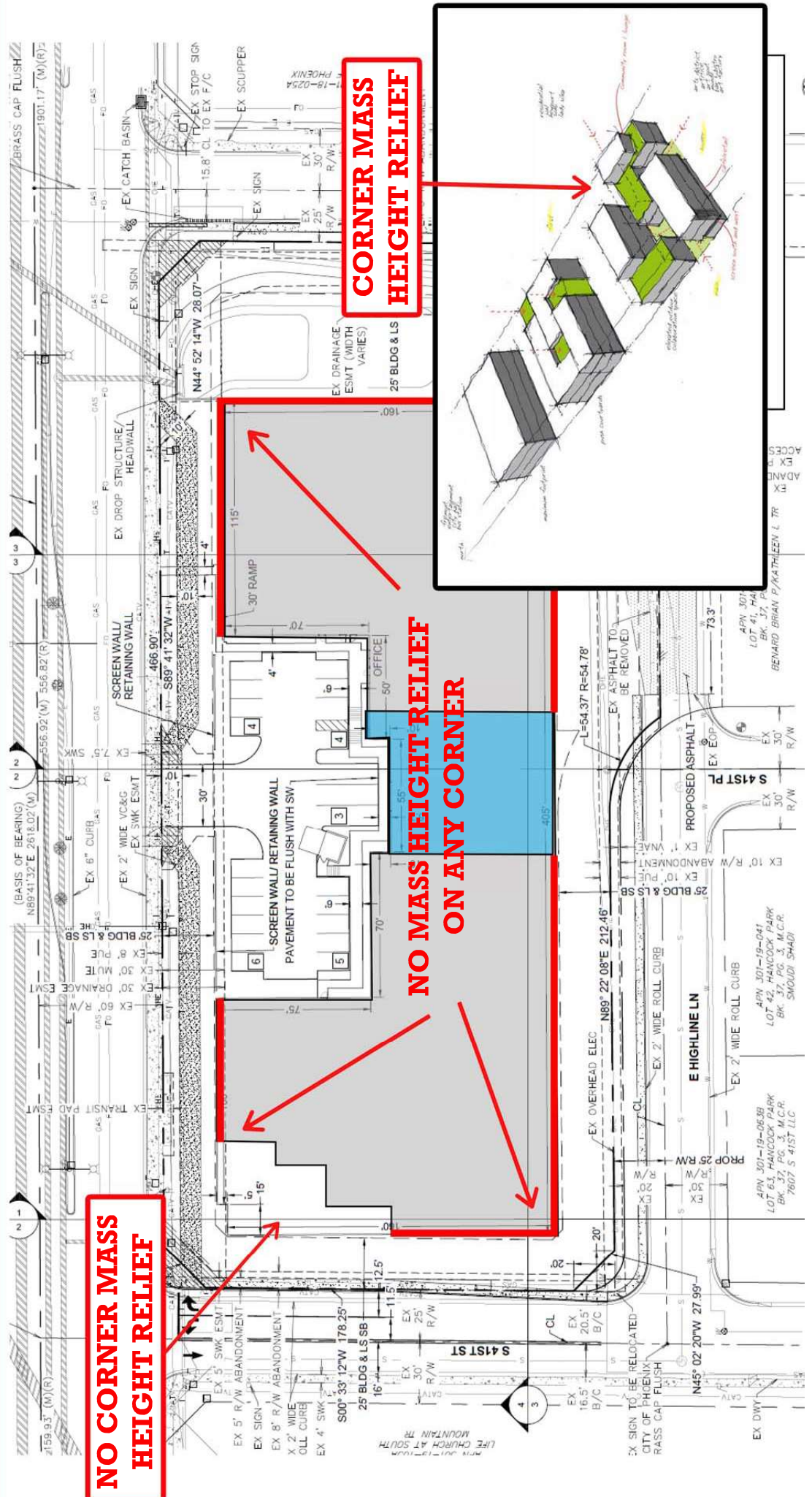
South Mountain Character Plan - Design Inspiration



South Mountain Character Plan - Design Inspiration



South Mountain - SAFStore Latest Site Plan

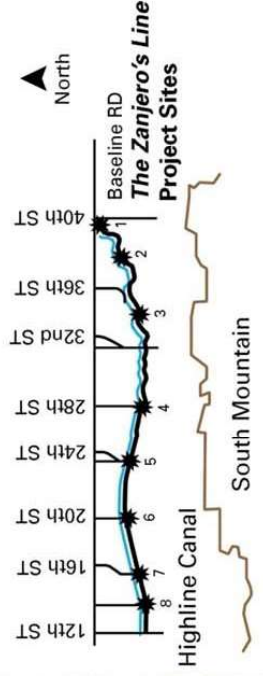
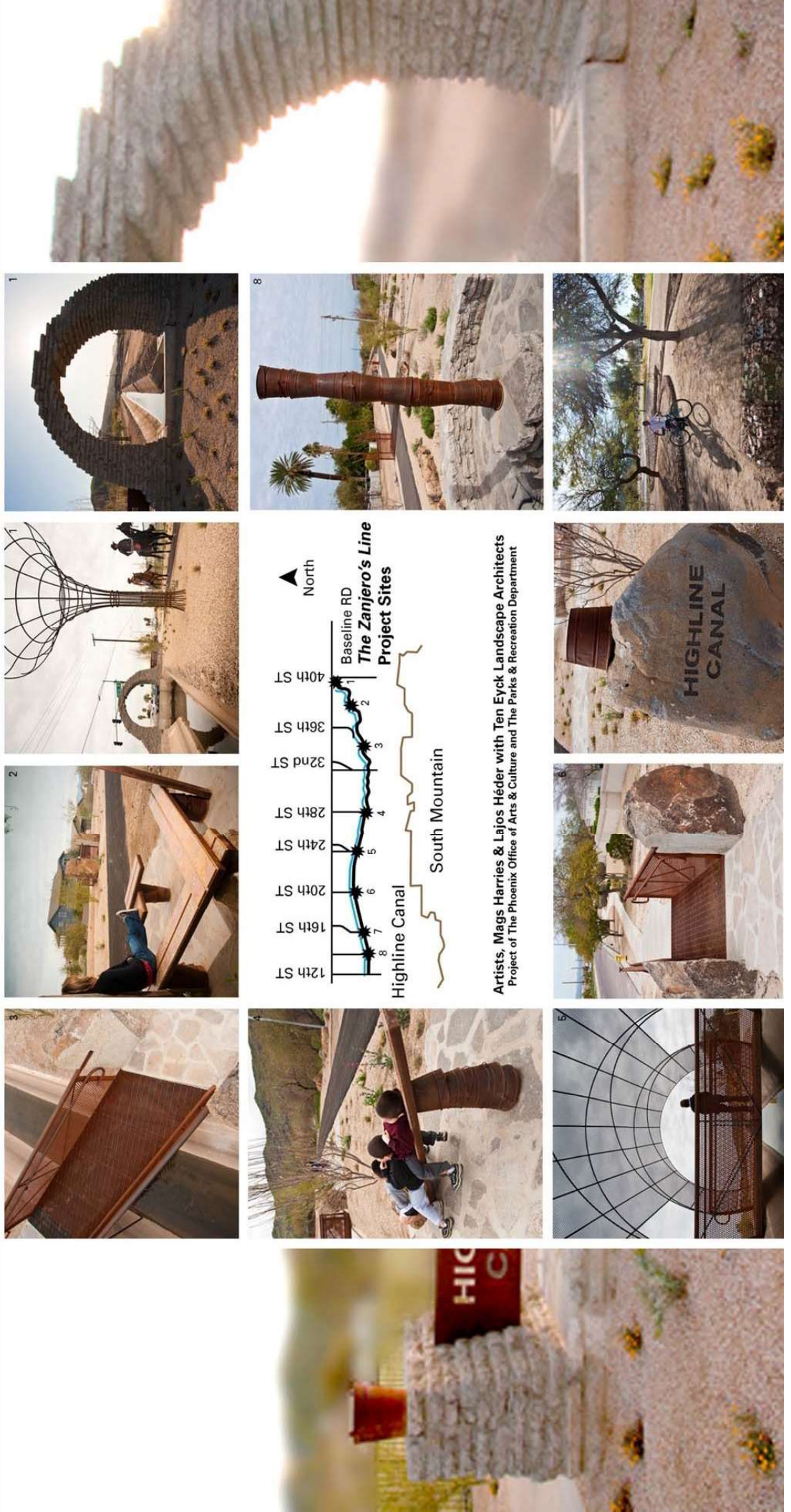


South Mountain Character Plan - Key Points

Agricultural Heritage	Neighborhood Retail Shopping	Sensitivity to Residential Areas
Agrarian Character	Healthy Restaurants	Beautify the Built Environment
Open Spaces	Employment-Generating Uses	Preserve Unique History
Connected Neighborhoods	Land Use Promoting Health	Avoid Generic, Cookie-Cutter Design
Unique Area Landscape	Protect & Enhance Character Neighborhoods	Positive Neighborhood Impact
Agricultural & Equestrian	Compatible in Scale, Design & Appearance	Pedestrian, Biking & Equestrian Infrastructure
Gathering Places	Protect Neighborhood Views	Enhance Retail, Restaurant, Health Sectors
Public Art Installations	Promote Neighborhood Identity	Promote Connectivity Between Communities
Mixed-Use Developments	Integrate Design Character	Access to Parks, Multi-use Trails & Bike Paths
City-Wide Views	Encourage Bicycle & Pedestrian Amenities	Create Neighborhood Cohesion
Live-Work-Play	Drought-Tolerant Native Vegetation	Preserve Village Unique History
Baseline Area Plan	Abundance of Shade	Support Diverse Activities
Baseline Overlay District	Multi-Use Trails.	Enhance Village Positive Reputation

Let's Build With Character

South Mountain Character Plan - Highline Vision



Artists, Mags Harries & Lajos Héder with Ten Eyck Landscape Architects
Project of The Phoenix Office of Arts & Culture and The Parks & Recreation Department

South Mountain Character Plan - Retail Vision

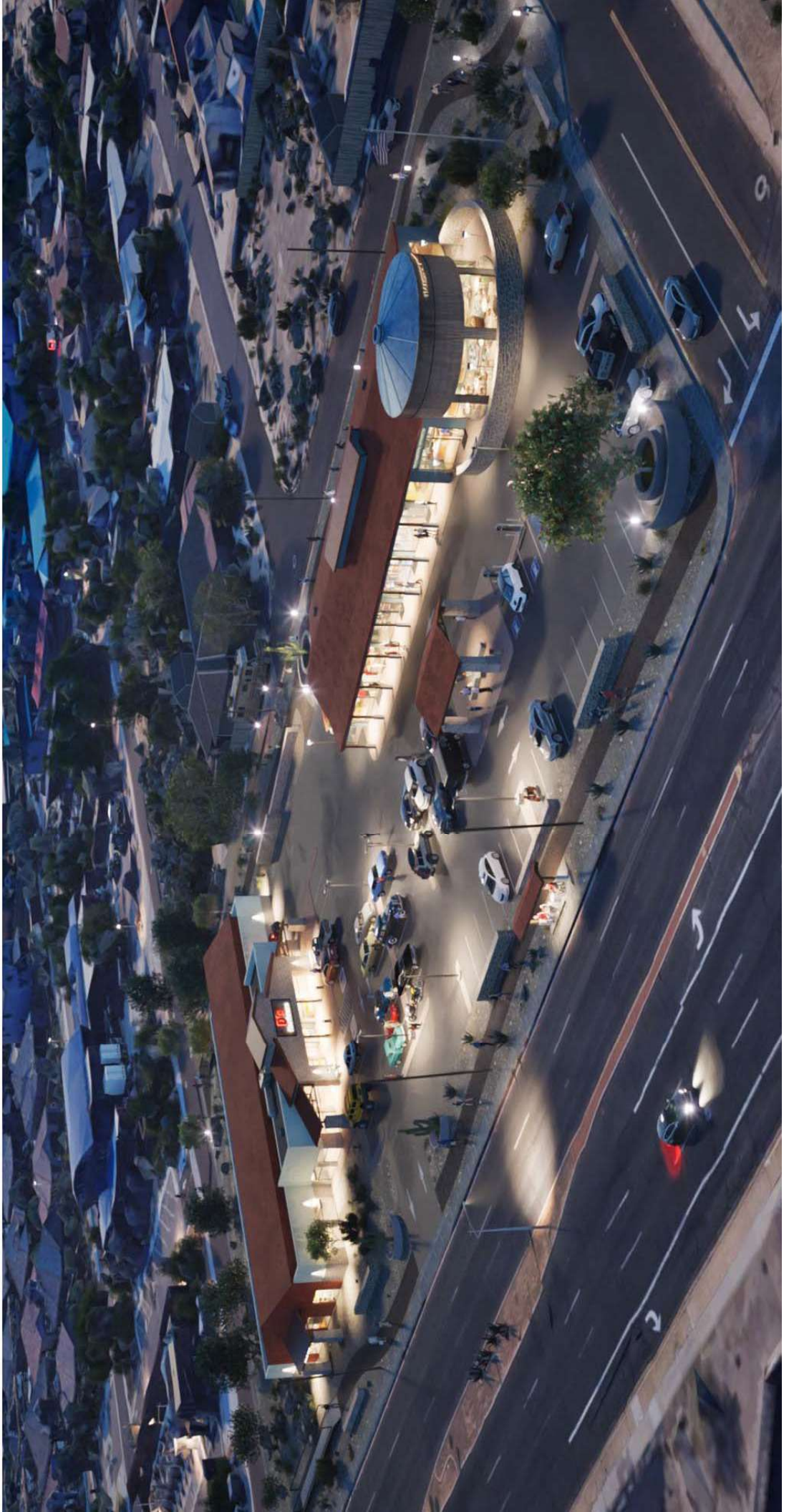


Most Shade Trees Removed for clarity

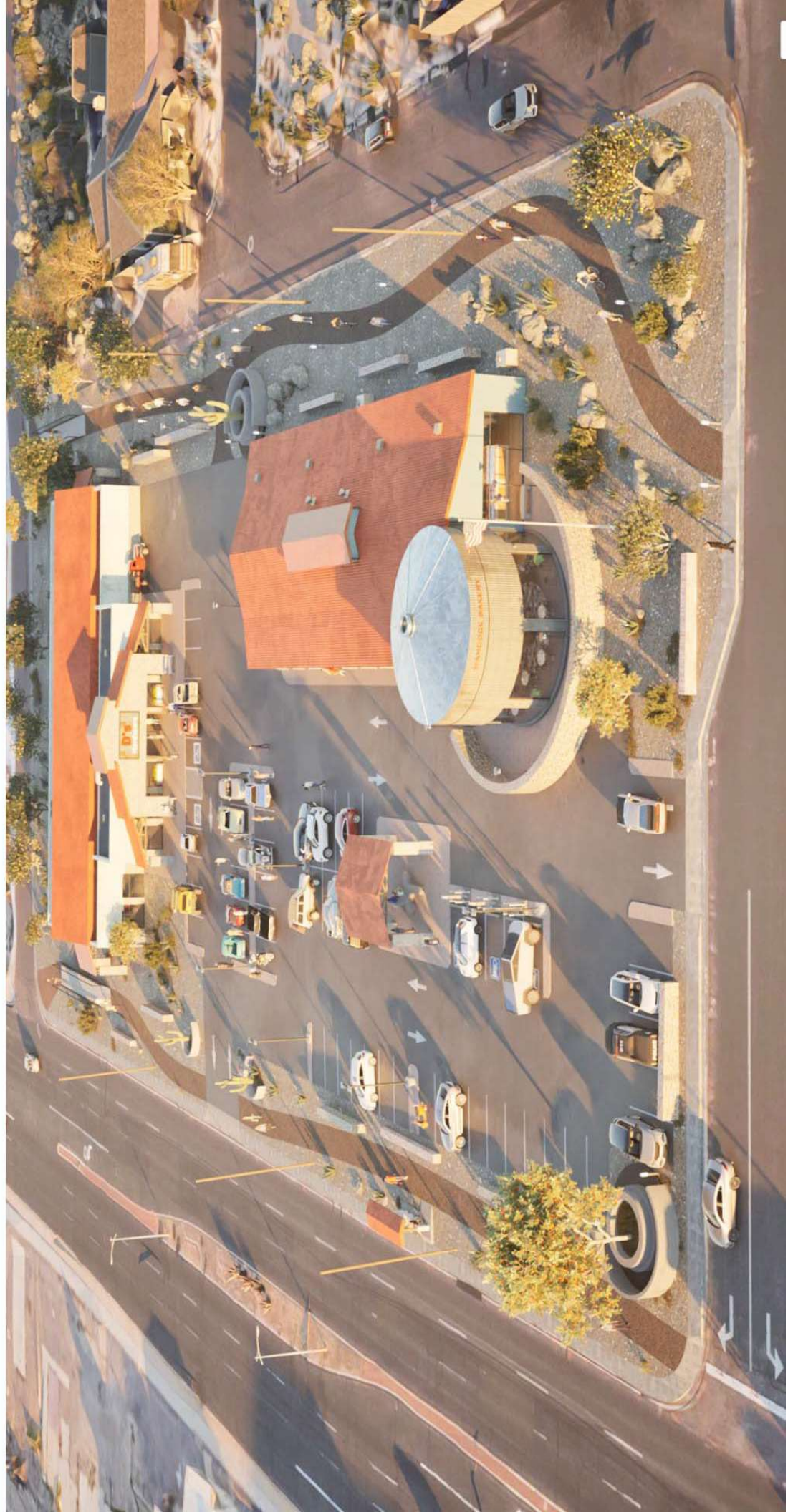
South Mountain Character Plan - Retail Vision



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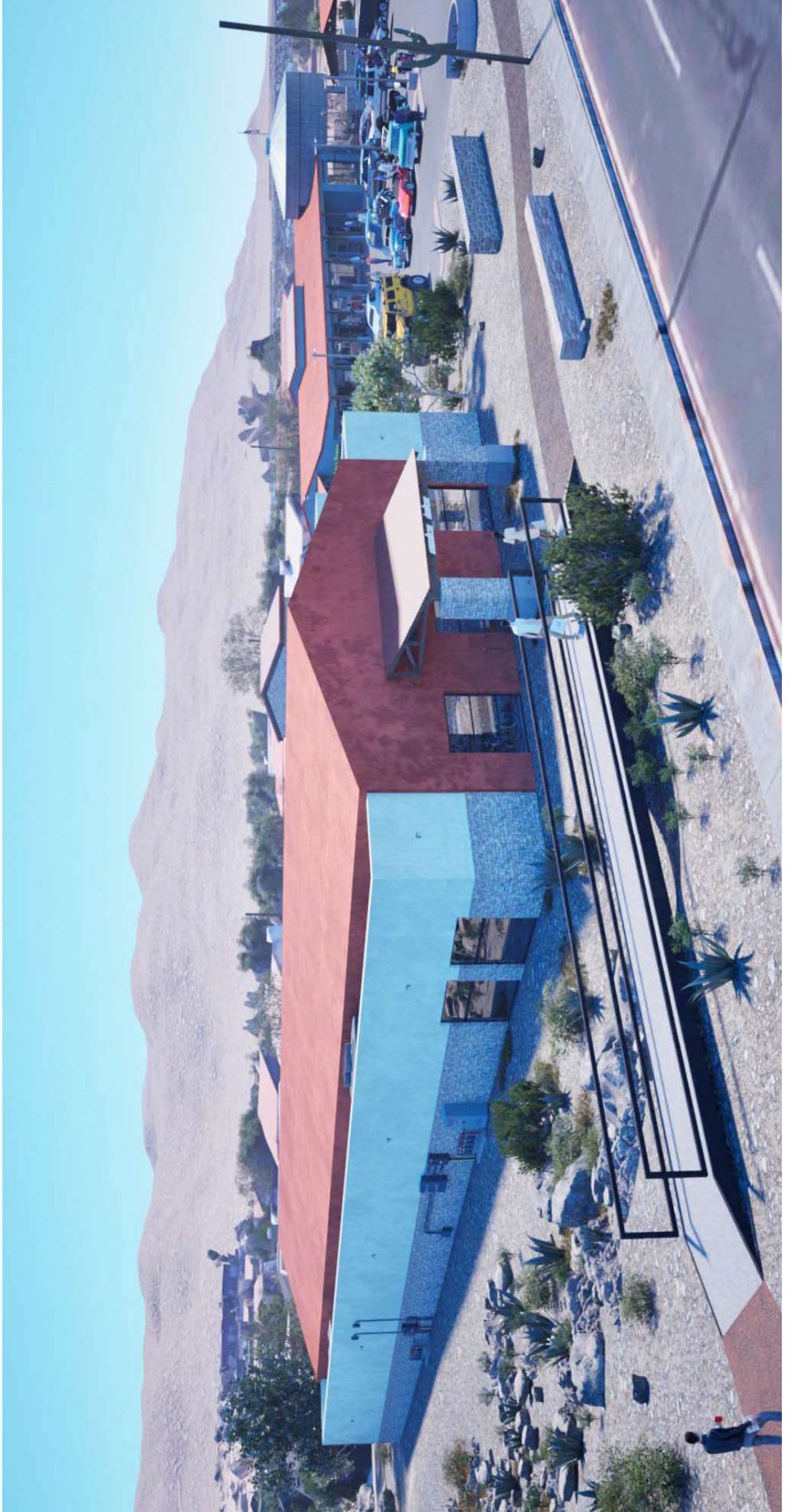
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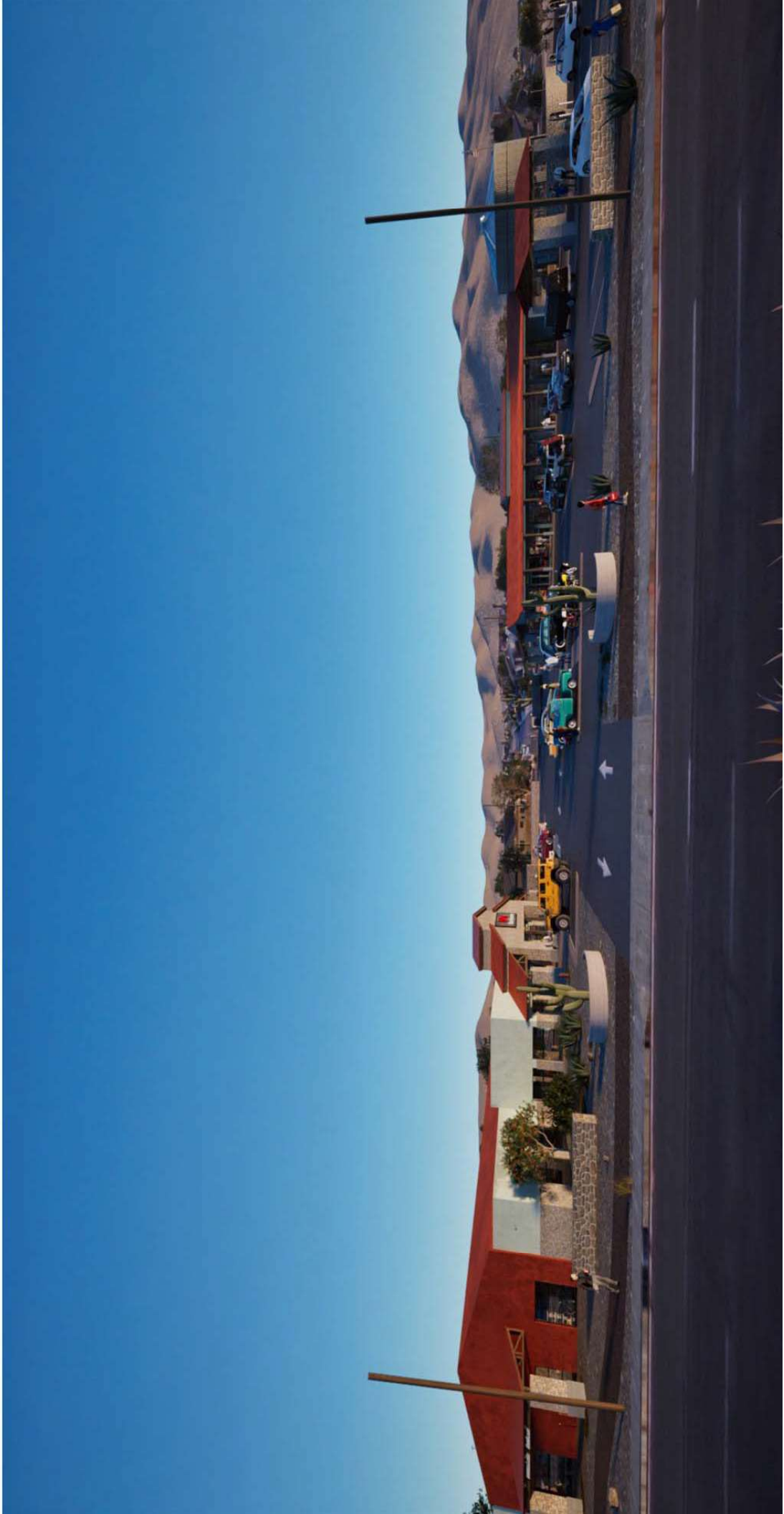
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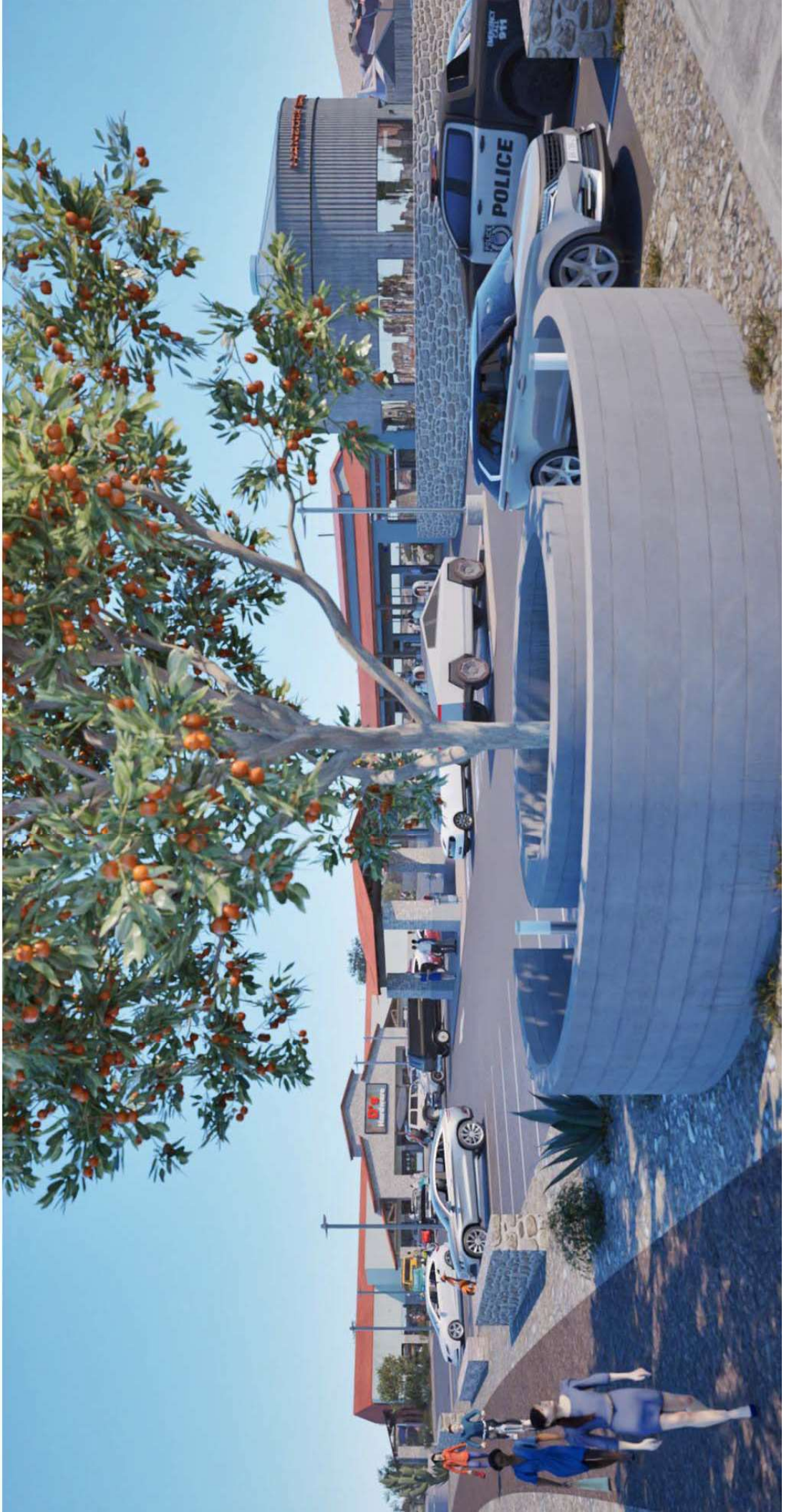
South Mountain Character Plan - Retail Vision



South Mountain Character Plan - Retail Vision



South Mountain Village - Let's Build With Character



Stop SAFstor

CMH <cmhemail@icloud.com>

Tue 4/9/2024 2:47 PM

To: Samuel S Rogers <samuel.rogers@phoenix.gov>

Mr Rogers,

As a resident and property owner in the neighborhood south of the proposed SAFStor Building, Z-SP-6-23, I am concerned with the damage this building, as proposed by the developer, will do to my neighborhood. Specifically, the building height has destroyed all views from my home to the city lights. And it has destroyed all the views from Baseline Road up to South Mountain. Baseline Road is designated as a Scenic View Corridor. In destroying the views, my property values go down immediately. This does not serve the residents or the City of Phoenix and State of Arizona, who will lose revenue with lowered values.

In working with our neighbors, SAFStor has made some changes to their original plan. We commend SAFStor on changes to the look of the building and on moving the entry from 41st Street, a residential street, to Baseline Road.

However, our biggest concern, our property value reduction based on the destruction of our views, has not only never been addressed, in changing the entrance of the parking lot, views on an additional street have also been completely blocked.

Right now, there are far too many storage facilities in Phoenix and specifically our area. There are a total of 11 self-storage facilities from 48th Street to 19th Avenue in the South Mountain Village area. There are an additional 3 facilities north of the river and south of the airport.

From 19th Avenue west to the 202 (Laveen) there are 5 self-storage facilities. This makes our neighborhood the "Self-Storage Facility Capital of the World!"

In addition, most storage units in the area are single story. On average, 85% of storage facilities build a level as a basement. Yet SAFStor is looking for a 2 story building completely above ground with a profile that will make entering and leaving our neighborhood at 41st Street, our ONLY WAY in and out, dangerous.

City light views are not just a "nice bonus." Our property values include our homes being on view properties. Destroy the views, destroy the values, destroy the income to the City of Phoenix, Maricopa County, and the State of Arizona. Building on this land as the developer has currently proposed will NOT increase revenue in the form of taxes. It will decrease revenue because of lowered property values.

This neighborhood and South Mountain Village are in desperate need of real retail. Another unneeded self-storage facility brings one or two jobs and no needed retail.

Neighborhood representatives have been meeting with representatives of Snell & Wilmer and SafStor in an effort to create something that would enhance the neighborhood. Brian Harvey, a designer, has even created an entire plan that would preserve views, give SafStor additional units, and preserve the views. SafStor has not budged beyond changing the color of the building and moving the entrance to Baseline Road.

The neighbors of the South Mountain Gateway Residents Association were not asking for this building to be built somewhere else. We demanded that it be built in a way that does not destroy our homes and property values.

However - SafStor will not compromise. We now want the City of Phoenix to deny this petition so that real retail that will enhance our neighborhood and the Village can come in.

Accepting the special use permit and allowing self-storage facility #12 to come into South Mountain Village will be a detriment to our neighborhood and the City of Phoenix.

Sent from my iPhone

As a resident of South Mountain Village in Phoenix, I am concerned with the damage this building, the proposed SAFStor Building, Z-SP-6-23, will do to my neighborhood. This design is NOT in keeping with the South Mountain Village Character Plan. In addition, this type of business, contrary to what the developer wants us to believe, does not serve our community in any way.

We were promised for decades, when the rooftops were built, our elected officials would work to bring retail. So, what are we presented with? Another monolithic box with zero value to the neighborhood.

This is a Special Permit REQUEST. That does not mean it must be accepted out-of-hand. We are asking you to do what will benefit the neighborhood you serve, not the out of state developers. This special permit should not be granted.

Signature	First Name	Last Name	Address	City	State	Zip	Date
	Lynn	TINKER	1715 E. South Ave	PHX	AZ	85042	4/6/24
	Carmen	Rodriguez	2649 S. 41st Pl	PHX	AZ	85042	4/6/24
	Alberto Rodriguez	Rodriguez	2649 S. 41st Pl	PHX	AZ	85042	4/6/24
	Cristina	BUESCHER	7029 S. 40th St	PHX	AZ	85042	4/6/24
	Bobby	BUESCHER	7029 S. 40th St	PHX	AZ	85042	4/6/24
	Kathleen	Johnson	1338 cells	Tempe	AZ	85282	4/6/24
	PETER	COOKE	7639 S. 40th Pl	PHX	AZ	85042	4/6/24
	Jan	Edwards	8243 S. 40th St	PHX	AZ	85042	4/6/24
	Barbara	Cook	7639 S. 40th Pl	PHX	AZ	85042	4/6/24
	MARCESSES	MUNDY	407 E. FAWCETT	PHX	AZ	85042	4/6/24
	Julie	Hardy	7619 S. 40th Pl	PHX	AZ	85042	4/6/24
	Laurie	PHEIL	3940 E. BEVERLY RD	PHX	AZ	85042	4/6/24
	oliver	pheil	3940 E BEVERLY RD	PHX	AZ	85042	4/6/2024
	ROSS	Pheil	3940 E Beverly Rd	PHX	AZ	85042	4/6/2024

APR 09 2024

Planning & Development
Department

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Signature	First Name	Last Name	Address	City	State	Zip	Date
	Edith	Lopez	7607 S. 41 st St	Phoenix	AZ	85042	04/16/24
	Karen	Marshall	7830 S. 40 th St	Phoenix	AZ	85048	4/6/24
	Jessica	Sapio	7620 S. 40 th St	Phx	AZ	85048	4/6/24

Diego Muñoz

Name

4007 E. FAWN DR. Phoenix, AZ 85042

Address

602-920-8694 mdmunozpub@yahoo.com

Phone

Email

April 6, 2024

Re: Z-SP-6-23

Sam Rogers, City Planner

Members of the South Mountain Village Planning Committee

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Planning & Development

APR 09 2024

717
OF PHOENIX

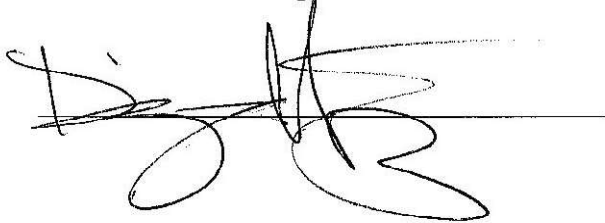
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A handwritten signature in black ink, appearing to be 'D. J. ...', written over a horizontal line.

NIER/CI/SE S M U. 002
Name

4027 E. PAWN DR Phoenix, AZ 85042
Address

480 280 4800 catvet@7@yahoo.com
Phone Email

April 6, 2024
Re: Z-SP-6-23
Sam Rogers, City Planner
Members of the South Mountain Village Planning Committee

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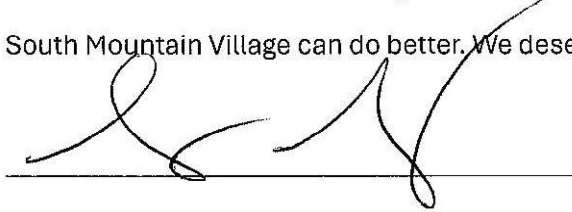
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A handwritten signature in black ink, appearing to be "L. M.", is written over a horizontal line. The signature is fluid and cursive.

Kathleen Johnston

Name

1338 e ellis dr

Phoenix, AZ 85042

Address

480 300 2814

Phone

katedarling21@yahoo.com

Email

April 6, 2024

Re: Z-SP-6-23

Sam Rogers, City Planner

Members of the South Mountain Village Planning Committee

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Justin Johnston
Name

1338 E. Ellis Dr. Phoenix, AZ 85042
Address

602 523 6765 Kathy Blum@gmail.com
Phone Email

April 6, 2024

Re: Z-SP-6-23

Sam Rogers, City Planner

Members of the South Mountain Village Planning Committee

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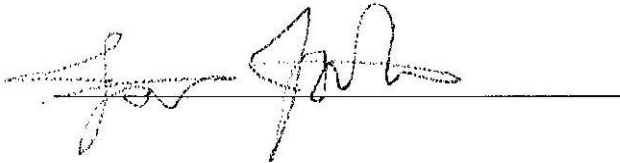
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A handwritten signature in black ink, appearing to be "Joe Smith", written over a horizontal line.

CARMEN L. Rodriguez
Name

7649 S. 41st Place Phoenix, AZ 85042
Address

607
510-3367 3015silver@cox.net
Phone Email

April 6, 2024
Re: Z-SP-6-23
Sam Rogers, City Planner
Members of the South Mountain Village Planning Committee

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Garmen L. Rodriguez

Vincent Bailey
Name

11628 S 40th PL Phoenix, AZ 85042
Address

480-227-11627 verbailey@cox.net
Phone Email

April 6, 2024

Re: Z-SP-6-23

Sam Rogers, City Planner

Members of the South Mountain Village Planning Committee

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Vincent Bailey

Ellen Bailey

Name

7628 S 40th Pl

Phoenix, AZ 85042

Address

480-203-0000

verbailey@cox.net

Phone

Email

April 6, 2024

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South Mountain Village can do better. We deserve better!



Ross Pheil

Name

3940 E. Beverly Rd. Phoenix, AZ 85042

Address

602-244-1924 rosspheil@cox.net

Phone

Email

April 6, 2024

Re: Z-SP-6-23

Sam Rogers, City Planner

Members of the South Mountain Village Planning Committee

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Jessica Spio
Name

7620 S. 40th Pl. ~~PH~~ Phoenix, AZ 85042
Address

480 343-4918
Phone Email

April 6, 2024

Re: Z-SP-6-23

Sam Rogers, City Planner

Members of the South Mountain Village Planning Committee

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A handwritten signature in black ink, reading "Jim Sapiro", is written over a horizontal line. The signature is cursive and fluid.

Bobby Buescher
Name

7229 S. 40th St. Phoenix, AZ 85042
Address

(480) 710-5288 ~~XXXXXXXXXXXX~~
Phone Email Contact@thebueschers.com

April 6, 2024
Re: Z-SP-6-23
Sam Rogers, City Planner
Members of the South Mountain Village Planning Committee

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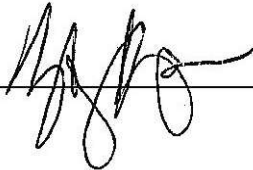
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 04/06/24

JASON EDWARDS

Name

8243 S. 40th ST

Phoenix, AZ 85042

Address

602-321-8505 jedwards1019@gmail.com

Phone

Email

April 6, 2024

Re: Z-SP-6-23

Sam Rogers, City Planner

Members of the South Mountain Village Planning Committee

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A handwritten signature in black ink, appearing to be 'J. L. ...', is written over a horizontal line. The signature is stylized and somewhat cursive.

Edith Lopez

Name

7607 S. 41st St

Phoenix, AZ 85042

Address

602-802-6579 Atemoha0915@gmail.com

Phone

Email

April 6, 2024

Re: Z-SP-6-23

Sam Rogers, City Planner

Members of the South Mountain Village Planning Committee

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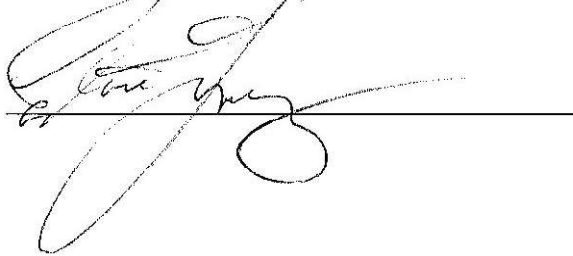
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A handwritten signature in black ink, written over a horizontal line. The signature is stylized and appears to be "Steve King".

Oliver Peil

Name

3940 E Beverly Rd. Phoenix, AZ 85042

Address

480-282-0420 oliver.peil@gmail.com

Phone

Email

April 6, 2024

Re: Z-SP-6-23

Sam Rogers, City Planner

Members of the South Mountain Village Planning Committee

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~~Alden Alden Saffo~~
Name

7620 S 40th Pl Phoenix, AZ 85042
Address

480.708.9250
Phone Email

April 6, 2024
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Sam Rogers, City Planner
Members of the South Mountain Village Planning Committee

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 _____

Cristina Buescher

Name

7629 S. 40th St. Phoenix, AZ 85042

Address

(480) 300 1399 Cristinabuescher@gmail.com

Phone

Email

April 6, 2024

Re: Z-SP-6-23

Sam Rogers, City Planner

Members of the South Mountain Village Planning Committee

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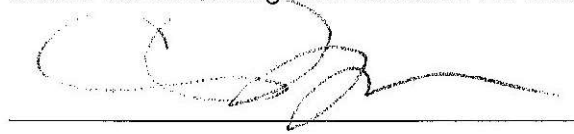
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A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right. The signature is written over a horizontal line.

04/04/24

LAURIE PHEIL

Name

3940 E. BEVERLY RD Phoenix, AZ 85042

Address

602-696-3800 creativebenefitcommunications@gmail.com

Phone

Email

April 6, 2024

Re: Z-SP-6-23

Sam Rogers, City Planner

Members of the South Mountain Village Planning Committee

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A handwritten signature in cursive script, reading "Laurie Heep", is written over a horizontal line.

Lynne Tinker
Name

115E South Mtn. Ave Phoenix, AZ 85042
Address

602 743 3626 Lynne@lynetinker.com
Phone Email

April 6, 2024

Re: Z-SP-6-23

Sam Rogers, City Planner

Members of the South Mountain Village Planning Committee

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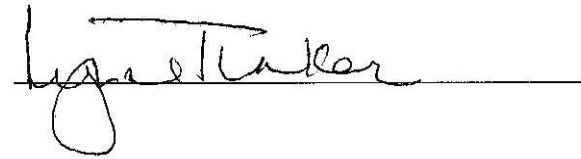
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Barbara Cooke
Name

7634 S. 40th Pl Phoenix, AZ 85042
Address

480-277-4201 BarbCooke@gmail.com
Phone Email

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Fustene E. Derr

Name

7636 S. 41st Place Phoenix, AZ 85042

Address

602-99-7533 on-point@cox.net

Phone

Email

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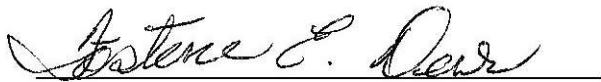
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Eric Bruce

Name

3928 E Beverly Rd Phoenix, AZ 85042

Address

207 495 6514 eric.bruce001@gmail.com

Phone

Email

April 6, 2024

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CITY OF PHOENIX

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Planning & Development 755
Department

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April 9, 2024

Sam Rogers, City Planner, Planning & Development Department, City of Phoenix
Members of the South Mountain Village Planning Committee, City of Phoenix
Council Woman Kesha Hodge Washington, City of Phoenix
Mayor Kate Gallego, City of Phoenix
Michel Maerowitz, Attorney for the developer at Snell & Wilmer

RE: Letter in opposition to SAFStor Building Z-SP-6-23 Proposal to modify zoning for self storage facility

I write to express my opposition to rezoning application Z-SP-6-23; to request your support in opposing the application; and your vote to recommend denial of the application.

As a native Phoenician I have seen this city grow from a beautiful oasis in the desert with a multitude of palm trees, citrus orchids, beautiful Japanese flower gardens that lined Baseline Road along the north and south from 40th street to the west towards the town of Laveen. A swimming pool that was surrounded by palm trees that to us looked like a real oasis. The pool was located near 7th street and Baseline where a golf course now sits and operates. The Mystery Castle, that I and my neighborhood school mates visited many times while hiking south mountain to play at hidden valley. Additionally, a Boy Scout training camp operates to teach scouts to place into effect those tasks taught in the hand book.

I grew up in deep south Phoenix near 20th street and south of the existing railroad tracks. As a child my brothers and I picked cotton and potatoes in Phoenix and Queen Creek. After the airport purchased our home for future growth, which I have always supported, we moved to 20th street and Southern and I obtained a 360-paper delivery route, attended Sierra Vista Grammer school, now closed. South Mountain was very visible then as it is now, and Barry Goldwater farm was our neighbor.

The parcel proposed for the development is a prime location for neighborhood retail-oriented commercial use—specifically active, low-intensity uses like: breakfast cafes, sandwich shops, wine bars, brewpubs, or small retail such as a UPS Store franchise.

Any of the uses above would provide useful services to the community while supporting the General Plan's vision of Phoenix as a connected oasis and creating a sense of place with the opportunity for people to connect. E.g., The school which is currently located directly north of the Circle K and gas station at 40th street and Baseline Road is the only retail store providing convenient access to students for their daily needs. A group of small convenient stores would provide students and staff from a group of stores with their school related needs within a short distance of the need to drive several miles for food and school supplies. If Self storage is approved, employment opportunity is increased by only a few employees as opposed to ten plus employees at numerous retail shops.

Vehicular safety must be a major factor in this rezoning consideration. First, 40th street and Baseline Road is now experiencing extremely high-speed vehicular movement. From my neighborhood, we are bombarded 24 hours daily by extremely loud muscle cars and motorcycles racing and displaying how loud and fast they can go from 48th street to Central Avenue. A recent accident resulting in the death of a young teenage child is evidence enough that this corner is a dangerous location. Second, consider those numerous school students and faculty crossing the intersection during heavy traffic hours and heavily loaded trucks turning in and out from the proposed entrance Self storage facility.

Self storage is the wrong scale and character of commercial development for this parcel, especially with the property's proximity to the Highline Canal's multi-use trails and the city's South Mountain Park.

Please, protect the character of our community, and preserve our cherished city views from the south of the site, and our treasured views of South Mountain from the north.

Thank you for your support.

Cordially,

Alberto Rodriguez
Home Owner
7649 S 41st Place
Phoenix, AZ 85042

Mr. Chairman and Members of Committee:

from Rebecca Rodriguez Barranca ^{a community member}

I am a 4th generation Phoenician and I do oppose the SAF Stor application.

I feel that this project will not:

- improve already dangerous vehicle traffic issues ~~at~~ the intersection, and

It will increase concerns about crime.

- The project will remove and/or decrease both skyline views for local neighbors and for all travelers on Baseline Road.

- The project does nothing to benefit elderly residents in the neighborhood

- I do not see that the project does anything to honor the fact that this area is ancient Native land as well as historical Phoenix areas

- The idea of putting a large storage building on ~~the~~ the proposed site is truly saddening to me and would prefer that it be placed in a more industrial area.

Sincerely, Rebecca Barranca

From: Catherine Napoli <catherine9196@gmail.com>
Sent: Tuesday, April 9, 2024 2:46 PM
To: Samuel S Rogers; PDD Planning Commission; Mayor Gallego; PDD South Mountain VPC; Council District 8 PCC
Subject: Letters against Z-SP-6-23
Attachments: Comment Card.pdf; Letter 1.pdf; Letter 1A.pdf; Letter 2.pdf; Letter 2A.pdf; Letter 3A.pdf; Letter 4.pdf; Letter 4A.pdf; Letter 3.pdf; Letter 5.pdf; Letter 5A.pdf; Letter 6A.pdf; Letter 6.pdf; Letter 7A.pdf; Letter 7.pdf; Letter 8.pdf; Letter 9.pdf; Letter 9A.pdf; Letter 8A.pdf; Letter 10.pdf; Letter 10A.pdf; Letter 11 A.pdf; Letter 11.pdf; Letter 12.pdf; Letter 12A.pdf; Letter 13.pdf; Letter 13A.pdf; Letter 14A.pdf; Letter 14.pdf; Letter 15 A.pdf; Letter 15.pdf; Letter 16 A.pdf; Letter 17.pdf; Letter 16.pdf; Letter 17A.pdf; Letter 18 A.pdf; Letter 18.pdf; Petition.pdf

Village Planning, Sam Rogers, Planning Commission, Councilwoman Hodge Washington, Mayor Gallego -

At a recent neighborhood block party, a number of neighbors signed letters and a petition asking all of you to vote against Z-SP-6-23 and instead work on getting real retail, neighborhood retail, retail promised us over the last years, retail that never happened.

I submit these letters on behalf of my neighbors and I will bring the originals to the South Mountain Village Planning Committee meeting tonight.

Respectfully submitted
Catherine Napoli

Date:

City of Phoenix

Item #:

April 9, '21

SPEAKER COMMENT CARD

4

Please fill out completely and return to staff.

(ONE CARD PER ITEM)

Village: South Mountain

I am in favor of this item.

I am opposed to this item.

I wish to speak.

Your name here

Name / Company or Organization

Your address

Phoenix 85042

Address

your phone

City

Zip Code

Phone: 602 295 3411

E-mail: you@youreemail.com

PLEASE NOTE: This card, including any street address, phone number or e-mail address provided, is a public record open to public viewing pursuant to Arizona public records law. This information will be used for the meeting minutes and may be used by staff for follow-up.

70-5.2D Rev. 1/19

Barbara Cooke

Name

7634 S. 40th Pl

Phoenix, AZ 85042

Address

480-277-4201 BarbCooke@gmail.com

Phone

Email

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Lynne Tinker
Name

1715 E. South Mtn. Ave Phoenix, AZ 85042
Address

602 743 3626 Phone Lynne@lynnetinker.com Email

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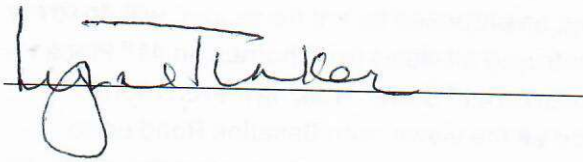
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LAURIE PHEIL

Name

3940 E. BEVERLY RD Phoenix, AZ 85042

Address

602-696-3800 creativebenefitcommunications@gmail.com

Phone

Email

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Ross Pheil

Name

3940 E. Beverly Rd. Phoenix, AZ 85042

Address

602-244-1924 rosspheil@cox.net

Phone

Email

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South Mountain Village can do better. We deserve better!



Cristina Buescher

Name

7629 S. 40th St. Phoenix, AZ 85042

Address

(480) 300 1399 Cristinabuescher@gmail.com

Phone

Email

April 6, 2024

Re: Z-SP-6-23

Sam Rogers, City Planner

Members of the South Mountain Village Planning Committee

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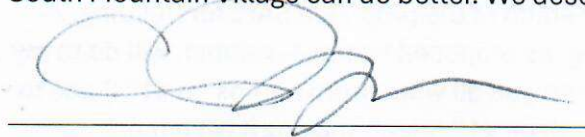
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A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke at the end.

04/04/24

~~Alda~~ Alda Scurto

Name

7620 S 40th Pl Phoenix, AZ 85042

Address

480.708.9250

Phone

Email

April 6, 2024
Re: Z-SP-6-23
Sam Rogers, City Planner
Members of the South Mountain Village Planning Committee

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Oliver Peil
Name

3940 E Beverly Rd. Phoenix, AZ 85042
Address

480-282-0420 oliver.peil@gmail.com
Phone Email

April 6, 2024

Re: Z-SP-6-23

Sam Rogers, City Planner

Members of the South Mountain Village Planning Committee

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Edith Lopez

Name

7607 S. 41st St

Phoenix, AZ 85042

Address

602-802-6579 Atemoha0915@gmail.com

Phone

Email

April 6, 2024

Re: Z-SP-6-23

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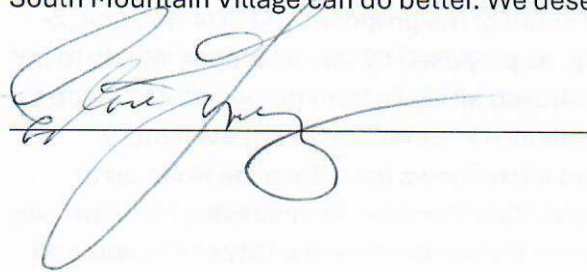
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JASON EDWARDS

Name

8243 S. 40th ST Phoenix, AZ 85042

Address

602-321-8505 jedwards1019@gmail.com

Phone

Email

April 6, 2024

Re: Z-SP-6-23

Sam Rogers, City Planner

Members of the South Mountain Village Planning Committee

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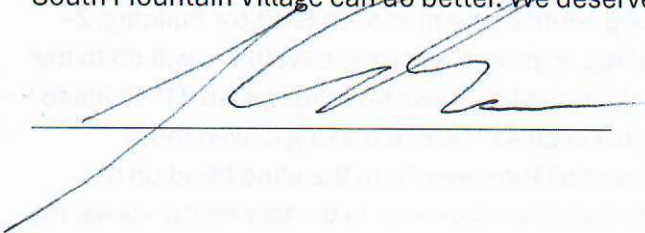
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A handwritten signature in black ink, appearing to be 'A. G. ...', is written over a horizontal line. The signature is fluid and cursive.

Bobby Buescher
Name

7029.S. 40th St. Phoenix, AZ 85042
Address

(480) 710-5288 ~~XXXXXXXXXXXX~~
Phone Email Contact@thebueschers.com

April 6, 2024
Re: Z-SP-6-23
Sam Rogers, City Planner
Members of the South Mountain Village Planning Committee

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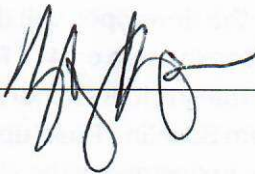
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04/06/24

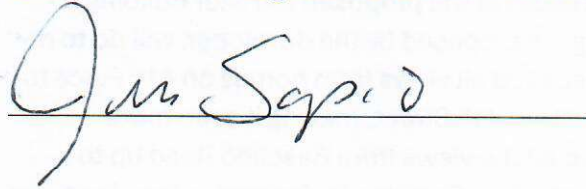
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A handwritten signature in black ink, reading "Jim Sapido", is written over a horizontal line. The signature is cursive and appears to be written with a pen or marker.

Jessica Spio
Name

7620 S. 40th Pl. ~~PK~~ Phoenix, AZ 85042
Address

~~8~~ 480 343-4910
Phone Email

April 6, 2024

Re: Z-SP-6-23

Sam Rogers, City Planner

Members of the South Mountain Village Planning Committee

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Ellen Bailey
Name

7628 S 40th Pl Phoenix, AZ 85042
Address

480-203-0000 verbailey@cox.net
Phone Email

April 6, 2024

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Members of the South Mountain Village Planning Committee

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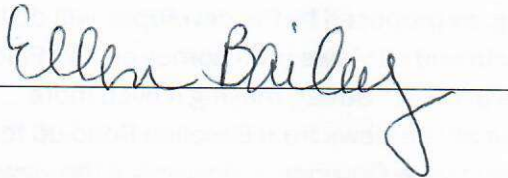
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Vincent Bailey
Name

11628 S 40th PL Phoenix, AZ 85042
Address

480-227-1627 verbailey@cox.net
Phone Email

April 6, 2024

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Vincent Bailey

CARMEN L. Rodriguez
Name

7649 S. 41st Place Phoenix, AZ 85042
Address

607
510-3367 2015silver@cox.net
Phone Email

April 6, 2024

Re: Z-SP-6-23

Sam Rogers, City Planner

Members of the South Mountain Village Planning Committee

As a resident and property owner in the neighborhood south of the proposed SAFStor Building, Z-SP-6-23, I am concerned with the damage this building, as proposed by the developer, will do to my neighborhood. Specifically, the building height has destroyed all views from homes on 41st Place to the city lights. It has destroyed view corridors going north on 41st Street, making it even more dangerous to enter Baseline Road. And it has destroyed all the views from Baseline Road up to South Mountain. Baseline Road is designated as a Scenic View Corridor. In destroying the views, my property values go down immediately. This does not serve the residents or the City of Phoenix and State of Arizona, who will lose revenue with lowered values.

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G. Carmen L. Rodriguez

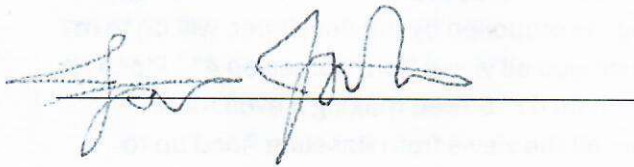
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A handwritten signature in blue ink, appearing to read "John Smith", is written over a horizontal line.

Justin Johnston
Name

1338 E. Ellis Dr. Phoenix, AZ 85042
Address

602 523 6765 Kathy Brown@gmail.com
Phone Email

April 6, 2024

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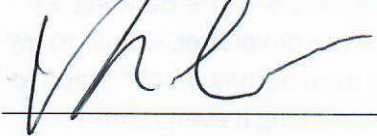
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Kathleen Johnston

Name

1338 e Ellis Dr Phoenix, AZ 85042

Address

480 3002814 katie.darling21@yahoo.com

Phone

Email

April 6, 2024

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MERCEDES MUNOZ
Name

4007 E. FAWN DR Phoenix, AZ 85042
Address

480 280 4800 catvet@yahoo.com
Phone Email

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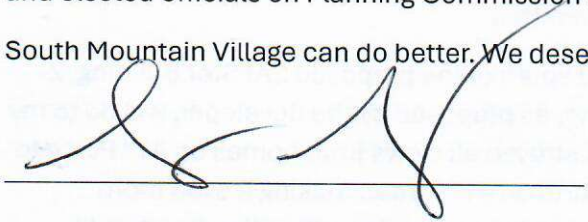
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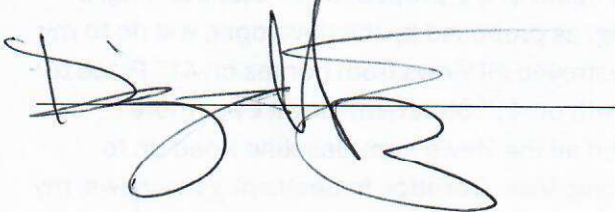
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Diego Muñoz

Name

4007 E. FAWN DR. Phoenix, AZ 85042

Address

602-920-8694 mdmunozpub@yahoo.com

Phone

Email

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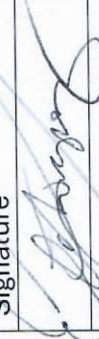


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Signature	First Name	Last Name	Address	City	State	Zip	Date
	Lynne	TINKER	1715 E. South Ave	PHX	AZ	85042	4/6/24
	Carmen	Rodriguez	7649 S. 41st Pl	PHX	AZ	85042	4/6/24
	Alberto Rodriguez	Rodriguez	7649 S. 41st Ave	PHX	AZ	85042	4/6/24
	Krishna	Buescher	7629 S. 40th St	PHX	AZ	85042	4/6/24
	Bobby	Buescher	7629 S. 40th St	PHX	AZ	85042	4/6/24
	Kathleen	Johnston	1338 e ellis	Tempe	AZ	85222	4/6/24
	PETER	COOKE	7639 S 40th Pl	PHX	AZ	85042	4/6/24
	Jan	EDWARDS	8243 S. 40th St	PHX	AZ	85042	4/6/24
	Barbara	Cooke	7634 S. 40th Pl	PHX	AZ	85042	4/6/24
	MERCESSES	MUNDY	4007 E. FANNING	PHX	AZ	85042	4/6/24
	Julie	Hardy	7619 S. 40th Pl	PHX	AZ	85042	4/6/24
	LAURIE	PHEIL	3940 E BEVERLY RD	PHX	AZ	85042	4/6/24
	oliver	pheil	3940 E Beverly Rd.	PHX	AZ	85042	4/6/2024
	Ross	Pheil	3940 E Beverly Rd	PHX	AZ	85042	4/6/2024

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	Edith	Lopez	7607 S. 41 st St	Phoenix	AZ	85042	04/06/24
	Karen	Marshall	7830 S. 40 th St	Phoenix	AZ	85008	4/6/24
	Jessica	Sapio	7620 S. 40 th St. Phx	Phoenix	AZ	85048	4/6/24

Eric Bruce

Name

3928 E Beverly Rd Phoenix, AZ 85042

Address

207 495 6514 eric.bruce001@gmail.com

Phone

Email

April 6, 2024

Re: Z-SP-6-23

Sam Rogers, City Planner

Members of the South Mountain Village Planning Committee

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CITY OF PHOENIX

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Planning & Development 799
Department

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From: Catherine Napoli <catherine9196@gmail.com>
Sent: Wednesday, April 24, 2024 12:56 PM
To: PDD Planning Commission; Mayor Gallego; Council District 8 PCC; Racelle Escolar; Samuel S Rogers; support@phxazdistrict8.zendesk.com
Subject: Z-SP-6-23

Members of Planning Commission -

SAFStor is requesting a Special Permit to allow a C3 use, specifically for the building of a self-storage facility, on a C2 zoned property (Z-SP-6-23). As a resident of the small neighborhood south of Baseline Road located to the south and west of this self-storage facility, there are a number of reasons to vote no on this special use permit. However, the most compelling fact to vote no, in accordance with the South Mountain Village Planning Committee with a vote of 10 to 0, is that this is not an appropriate use for this parcel.

From the beginning of this special permit request I, and the majority of my neighbors, have been against having a self-storage facility at the corner of 41st Street and Baseline Road. Their proposal of a two story building blocking both the views of my neighbors, that will result in bringing down property values and well as the view up the mountain from Baseline Road, identified by the City as a Scenic View Corridor. The look of their building, which is a massive box and, while changes have been made, it is still a massive box at the gateway of South Mountain Village.

Even though I and other neighbors are very opposed, we listened to what the developer had to say. In fact, we asked three neighbors, Laurie Pheil, Catherine Napoli, and Brian Harvey, to bring our concerns and requests to the developer. We felt if we had to have this shoved into our neighborhood, we could hopefully make it as non-offensive as possible.

Over the course of the past 5 months, the developer would say that our requests were impossible and then create a slight variation of the request in the hope that it would appear as if they were listening to our concerns. Our representatives engaged in good faith conversations, meeting with the developer and their attorney firm for many hours.

The fact is, a special permit, essentially a C3 use in a C2 zone that is adjacent to a residential neighborhood is not an appropriate land use for this site. The Baseline Area Character Plan, created by the residents of South Mountain Village, with the City of Phoenix, set guidelines for what is needed in our Village. Strategic tools, in the form of plans and codes, were created to guide the growth of this unique area. The Baseline Area Master Plan and Baseline Area Overlay are in place to ensure we get what is so needed in our neighborhood. The PhxCAN plan looks at creating Connected Active Neighborhoods. This special permit request fits none of these guidelines.

Specific to the Character Plan, retail, something this area desperately needs is identified in the existing land use. Retail that has long been promised the residents of South Mountain Village. As "South Phoenix," we were told retail was not coming in until rooftops came here. We have the rooftops. We have a diverse mix of culture, housing, socio-economics. Where is the retail? Allowing this special permit takes away yet another area slated for neighborhood retail.

Jobs are needed in our Village. Other actual C2 uses that are permitted by right, including neighborhood retail, would bring jobs. A self-storage facility may bring 2 to 3 jobs at most.

The aesthetics of building in the Village calls for an agrarian feel that protects views. creates a gathering place for neighbors, and is sensitive to the residents. Protecting views both to the north and south of any new development is part of the plan.

The types of businesses that can be built by right are far more appropriate land uses than a self storage facility that needs you to approve a special permit.

Does this change positively affect the neighbors and area? No. Does it have a majority of the 39 points in the South Mountain Village Character Map? No.

Is this special permit use going to bring more money and more jobs into the Village than what can currently be built by right? No.

The recommendation by the Village Planner for South Mountain Village looks at this parcel in a vacuum. The neighborhood's needs are not taken into account. The local opposition by the residents has not been considered. The Character Plan, the Baseline Area Master Plan and Overlay are not considered. And the PhxCAN plan is ignored. South Mountain Village Planning knows what the neighborhood needs. What can be built there by right is far more in keeping with the City's own plans than a facility that requires a special permit. As a concerned resident, I am asking you not to allow this special permit to pass.

Thank you for your consideration,

Catherine P. Napoli-Cohen
Resident since 1997 in a 75 year old house (built in 1949)
3928 E. Beverly Road, Phoenix 85042
602-295-3411

From: Alberto Rodriguez <2015silver@cox.net>
Sent: Thursday, April 25, 2024 12:41 PM
To: PDD Planning Commission; Racelle Escolar; Council District 8 PCC; Mayor Gallego; support@phxazdistrict8.zendesk.com
Subject: From Carmen L. Rodriguez Re: SAFStor-Request to Deny Special Permit Z-SP-6-23 from Carmen L. Rodriguez

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The types of businesses that can be built by right are far more appropriate land uses than a self storage facility that needs you to approve a special permit.

Does this change positively affect the neighbors and area? No. Does it have a majority of the 39 points in the South Mountain Village Character Map? No.

Is this special permit use going to bring more money and more jobs into the Village than what can currently be built by right? No.

The recommendation by the Village Planner for South Mountain Village looks at this parcel in a vacuum. The neighborhood's needs are not taken into account. The local opposition by the residents has not been considered. The Character Plan, the Baseline Area Master Plan and Overlay are not considered. And the PhxCAN plan is ignored. South Mountain Village Planning knows what the neighborhood needs. What can be built there by right is far more in keeping with the City's own plans than a facility that requires a special permit. As a concerned resident, I am asking you not to allow this special permit to pass

Respectfully,

Carmen L. Rodriguez
7649 S. 41st Place
Phoenix, AZ 85042

From: Alberto Rodriguez <2015silver@cox.net>
Sent: Saturday, April 27, 2024 8:21 PM
To: PDD Planning Commission; Racelle Escolar; Council District 8 PCC; Mayor Gallego; support@phxazdistrict8.zendesk.com
Subject: SAF Stor Z-SP-6-23-8 Request to not allow the special permit to pass

Phoenix Planning Commission - pdd.planningcomm@phoenix.gov
Racelle Escolar with Planning Commission - racelle.escolar@phoenix.gov
Councilwoman Kesha Hodge Washington - council.district.8@phoenix.gov
Mayor Kate Gallego - mayor.gallego@phoenix.gov

Members of Planning Commission -

SAFStor is requesting a Special Permit to allow a C3 use, specifically for the building of a self-storage facility, on a C2 zoned property (Z-SP-6-23 / Z-SP-6-23-8 Agenda Item 7). As a resident of the small neighborhood south of Baseline Road located to the south and west of this self-storage facility, there are a number of reasons to vote no on this special use permit. However, the most compelling fact to vote no, in accordance with the South Mountain Village Planning Committee with a vote of 10 to 0, is that this is not an appropriate use for this parcel.

From the beginning of this special permit request I, and the majority of my neighbors, have been against having a self-storage facility at the corner of 41st Street and Baseline Road. Their proposal of a two story building blocking both the views of my neighbors, that will result in bringing down property values and well as the view up the mountain from Baseline Road, identified by the City as a Scenic View Corridor. The look of their building, which is a massive box and, while changes have been made, it is still a massive box at the gateway of South Mountain Village.

Even though I and other neighbors are very opposed, we listened to what the developer had to say. In fact, we asked three neighbors, Laurie Pheil, Catherine Napoli, and Brian Harvey, to bring our concerns and requests to the developer. We felt if we had to have this shoved into our neighborhood, we could hopefully make it as non-offensive as possible.

Over the course of the past 5 months, the developer would say that our requests were impossible and then create a slight variation of the request in the hope that it would appear as if they were listening to our concerns. Our representatives engaged in good faith conversations, meeting with the developer and their attorney firm for many hours.

The fact is, a special permit, essentially a C3 use in a C2 zone that is adjacent to a residential neighborhood is not an appropriate land use for this site. The Baseline Area Character Plan, created by the residents of South Mountain Village, with the City of Phoenix, set guidelines for what is needed in our Village. Strategic tools, in the form of plans and codes, were created to guide the growth of this unique area. The Baseline Area Master Plan and Baseline Area Overlay are in place to ensure we get what is so needed in our neighborhood. The PhxCAN plan looks at creating Connected Active Neighborhoods. This special permit request fits none of these guidelines.

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Alberto Rodriguez
7649 S. 41st Place
Phoenix, AZ 85042
602 882-9271

From: Alberto Rodriguez <2015silver@cox.net>
Sent: Saturday, April 27, 2024 8:28 PM
To: PDD Planning Commission; Racelle Escolar; Council District 8 PCC; Mayor Gallego; support@phxazdistrict8.zendesk.com
Subject: SAF-Stor Z-SP-6-23-8 Request not to allow this special permit to pass.

Phoenix Planning Commission - pdd.planningcomm@phoenix.gov
Racelle Escolar with Planning Commission - racelle.escolar@phoenix.gov
Councilwoman Kesha Hodge Washington - council.district.8@phoenix.gov
Mayor Kate Gallego - mayor.gallego@phoenix.gov

Members of Planning Commission -

SAFStor is requesting a Special Permit to allow a C3 use, specifically for the building of a self-storage facility, on a C2 zoned property (Z-SP-6-23 / Z-SP-6-23-8 Agenda Item 7). As a resident of the small neighborhood south of Baseline Road located to the south and west of this self-storage facility, there are a number of reasons to vote no on this special use permit. However, the most compelling fact to vote no, in accordance with the South Mountain Village Planning Committee with a vote of 10 to 0, is that this is not an appropriate use for this parcel.

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Carmen L. Rodriguez (Resident and Wife to Alberto Rodriguez)
7649 S. 41st Place
Phoenix, AZ 85042
602 510 3367

From: cynthia harvey <harvey.cin@gmail.com>
Sent: Saturday, April 27, 2024 12:45 PM
To: Racelle Escolar
Subject: SafeStor Special permit application

Members of Planning Commission -

SAFStor is requesting a Special Permit to allow a C3 use, specifically for the building of a self-storage facility, on a C2 zoned property (Z-SP-6-23 / Z-SP-6-23-8 Agenda Item 7). As a resident of the small neighborhood south of Baseline Road located to the south and west of this self-storage facility, there are a number of reasons to vote no on this special use permit. However, the most compelling fact to vote no, in accordance with the South Mountain Village Planning Committee with a vote of 10 to 0, is that this is not an appropriate use for this parcel.

From the beginning of this special permit request I, and the majority of my neighbors, have been against having a self-storage facility at the corner of 41st Street and Baseline Road. Their proposal of a two story building blocking both the views of my neighbors, that will result in bringing down property values and well as the view up the mountain from Baseline Road, identified by the City as a Scenic View Corridor. The look of their building, which is a massive box and, while changes have been made, it is still a massive box at the gateway of South Mountain Village.

Even though I and other neighbors are very opposed, we listened to what the developer had to say. In fact, we asked three neighbors, Laurie Pheil, Catherine Napoli, and Brian Harvey, to bring our concerns and requests to the developer. We felt if we had to have this shoved into our neighborhood, we could hopefully make it as non-offensive as possible.

Over the course of the past 5 months, the developer would say that our requests were impossible and then create a slight variation of the request in the hope that it would appear as if they were listening to our concerns. Our representatives engaged in good faith conversations, meeting with the developer and their attorney firm for many hours.

The fact is, a special permit, essentially a C3 use in a C2 zone that is adjacent to a residential neighborhood is not an appropriate land use for this site. The Baseline Area Character Plan, created by the residents of South Mountain Village, with the City of Phoenix, set guidelines for what is needed in our Village. Strategic tools, in the form of plans and codes, were created to guide the growth of this unique area. The Baseline Area Master Plan and Baseline Area Overlay are in place to ensure we get what is so needed in our neighborhood. The PhxCAN plan looks at creating Connected Active Neighborhoods. This special permit request fits none of these guidelines. Specific to the Character Plan, retail, something this area desperately needs is identified in the existing land use. Retail that has long been promised the residents of South Mountain Village. As "South Phoenix," we were told retail was not coming in until rooftops came here. We have the rooftops. We have a diverse mix of culture, housing, socio-economics. Where is the retail? Allowing this special permit takes away yet another area slated for neighborhood retail.

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The types of businesses that can be built by right are far more appropriate land uses than a self storage facility that needs you to approve a special permit.

Does this change positively affect the neighbors and area? No. Does it have a majority of the 39 points in the South Mountain Village Character Map? No.

Is this special permit use going to bring more money and more jobs into the Village than what can currently be built by right? No.

The recommendation by the Village Planner for South Mountain Village looks at this parcel in a vacuum. The neighborhood's needs are not taken into account. The local opposition by the residents has not been considered. The Character Plan, the Baseline Area Master Plan and Overlay are not considered. And the PhxCAN plan is ignored. South Mountain Village Planning knows what the neighborhood needs. What can be built there by right is far more in keeping with the City's own plans than a facility that requires a special permit. As a concerned resident, I am asking you not to allow this special permit to pass.

Regards,

Cynthia Harvey
816.868.3829

From: Paul Sapio <jessapio@gmail.com>
Sent: Saturday, April 27, 2024 8:48 PM
To: Racelle Escolar
Subject: Save our neighbor

Members of Planning Commission -

SAFStor is requesting a Special Permit to allow a C3 use, specifically for the building of a self-storage facility, on a C2 zoned property (Z-SP-6-23 / Z-SP-6-23-8 Agenda Item 7). As a resident of the small neighborhood south of Baseline Road located to the south and west of this self-storage facility, there are a number of reasons to vote no on this special use permit. However, the most compelling fact to vote no, in accordance with the South Mountain Village Planning Committee with a vote of 10 to 0, is that this is not an appropriate use for this parcel.

From the beginning of this special permit request I, and the majority of my neighbors, have been against having a self-storage facility at the corner of 41st Street and Baseline Road. Their proposal of a two story building blocking both the views of my neighbors, that will result in bringing down property values and well as the view up the mountain from Baseline Road, identified by the City as a Scenic View Corridor. The look of their building, which is a massive box and, while changes have been made, it is still a massive box at the gateway of South Mountain Village.

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Over the course of the past 5 months, the developer would say that our requests were impossible and then create a slight variation of the request in the hope that it would appear as if they were listening to our concerns. Our representatives engaged in good faith conversations, meeting with the developer and their attorney firm for many hours.

The fact is, a special permit, essentially a C3 use in a C2 zone that is adjacent to a residential neighborhood is not an appropriate land use for this site. The Baseline Area Character Plan, created by the residents of South Mountain Village, with the City of Phoenix, set guidelines for what is needed in our Village. Strategic tools, in the form of plans and codes, were created to guide the growth of this unique area. The Baseline Area Master Plan and Baseline Area Overlay are in place to ensure we get what is so needed in our neighborhood. The PhxCAN plan looks at creating Connected Active Neighborhoods. This special permit request fits none of these guidelines.

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Does this change positively affect the neighbors and area? No. Does it have a majority of the 39 points in the South Mountain Village Character Map? No.

Is this special permit use going to bring more money and more jobs into the Village than what can currently be built by right? No.

The recommendation by the Village Planner for South Mountain Village looks at this parcel in a vacuum. The neighborhood's needs are not taken into account. The local opposition by the residents has not been considered. The Character Plan, the Baseline Area Master Plan and Overlay are not considered. And the PhxCAN plan is ignored. South Mountain Village Planning knows what the neighborhood needs. What can be built there by right is far more in keeping with the City's own plans than a facility that requires a special permit. As a concerned resident, I am asking you not to allow this special permit to pass.

Sent from
Paul Sapio
7620 s 40th pl Phoenix 85042

From: Debra McPeters <debmceters@msn.com>
Sent: Monday, April 29, 2024 10:54 AM
To: Council District 8 PCC; Mayor Gallego; PDD Planning Commission; racell.escolar@phoenix.gov; support@phxazdistrict8.zendesk.com
Subject: Z-SP-6-23

Members of the Planning Commission,

SAFStor is requesting a Special permit to allow a C3 use, specifically for the building of a self-storage facility on a C2 zoned property (**Z-SP-6-23**). As residents of the small neighborhood south of Baseline Road located to the south and west of this proposed facility, there a number of reasons to vote NO on this special use permit. However, the most compelling fact to vote NO, in accordance with the South Mountain Village Planning Committee with a vote of 10 to 0, is that this is not an appropriate use for this parcel.

From the beginning of this special permit request we, and the majority of our neighbors have been against having a self-storage facility at the corner of 41st Street and Baseline Road. Their proposal of a two story building blocking both the views of my neighbors, that will result in bringing down property values as well as blocking the view up the mountain from Baseline Road, identified by the City as a Scenic View Corridor. The look of their building, which is a massive box and, while changes have been made, it is still a massive box at the gateway of South Mountain Village.

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This change negatively affects the neighbors and area. It also not not have a majority of the 39 points in the South Mountain Village Character Map.

Is this special permit use going to bring more money and more jobs into the Village than what can currently be built by right? NO

The baseline Area Master Plan and Overlay are not being considered. South Mountain Village Planning knows what the neighborhood needs. What can be built there by right is far more in keeping with the City's own plans than a facility that requires a special permit. As concerned residents in the neighborhood for over 25 years, we are asking you not to allow this special permit to pass.

Thank You,

Debra & Bill McPeters
8040 S. 38th Way
Phoenix, AZ 85042
Highline Canyon Residents

From: mike iosue <mjiosue@gmail.com>
Sent: Monday, April 29, 2024 1:29 PM
To: Racelle Escolar
Subject: Z-SP-6-23

Ms. Escolar,

I am your constituent residing at 8035 S 38th Way, Phoenix 85042. I am writing in opposition to the subject zoning variance for the property at 41st St. and Baseline which will allow a Big Box storage facility to be built on this site. I oppose the variance for many reasons:

- **Economic Impact** - though this facility may provide some bump in tax revenue it does not provide a significant positive impact on our community and will only employ a few people to operate the facility. Further any short term gain in tax revenue will likely be lost as property values in the surrounding neighborhood will very likely be driven down by the presence of this facility.
- **No need within the community.** There are existing storage facilities in the baseline corridor at 16th St. and 48th St. we don't need another.
- **Crime.** A quick internet search reveals that these types of facilities are crime hotbeds in communities across the nation. I have first-hand experience with this effect having stored an RV at the 16th and Baseline Smart Store facility which my RV was vandalized and broken into twice during the 1 year period thar I soered it there.
- **We should be encouraging the property owners to pursue development thar is consistent with the current zoning requirements and that will provide jobs and enhance the community such as a restaurant or retail sales.**

Please consider the negative impact to our community when addressing this zoning waiver and stand with us in opposition to this effort.

Thank you,

Michael iosue

From: Lorina McGrorty <lorina_hiatt@yahoo.com>
Sent: Monday, April 29, 2024 11:48 AM
To: Racelle Escolar
Subject: Z-SP-6-23. Urgent Appeal: Please Preserve Our Neighborhood's Character and Property Values

Dear Racelle Escolar,

As longtime residents of Hancock Park, we are writing to express our deep concern regarding the proposed construction of a large storage unit building in our community. This development threatens to irreversibly alter the character of our neighborhood and significantly diminish property values for current residents.

One of the most cherished aspects of living in Hancock Park is the breathtaking scenic views of the city and surrounding mountains that we enjoy from our homes. These views are not only aesthetically pleasing but also contribute to the overall sense of tranquility and well-being that residents have come to appreciate. The construction of a towering commercial building would effectively block these views, robbing us of one of the key features that attracted many of us to this neighborhood in the first place.

Furthermore, the proposed development poses a serious threat to our property values. Studies have consistently shown that the presence of commercial and industrial structures, such as this proposed building, can have a detrimental impact on nearby residential property values. Potential buyers are likely to be deterred by the sight of a large storage unit building looming over the neighborhood, leading to a decrease in demand for homes in the area and a subsequent significant decline in the value of our property.

We urge you to carefully consider the long-term consequences of allowing this development to proceed. Our neighborhood is more than just a collection of houses; it is a community where families have put down roots and invested their hard-earned resources. The current plans also encroach upon a protected wash, which not only channels water from the mountain, but also acts as a travel corridor for wildlife. Allowing this SAFStor building to be built here, as currently designed, would undermine the sense of community that we have worked so hard to cultivate and would have far-reaching negative effects on the quality of life for residents and native animals alike.

In light of these concerns, unless SAFStor is willing to compromise on the building height by placing the first story underground, we respectfully request that you deny the permits needed for the construction of the storage unit building in our neighborhood. Instead, we urge you to explore

alternative development options that are more compatible with the character of our community and that will not jeopardize property values or the scenic beauty of our surroundings.

Thank you for taking the time to consider our perspective on this important issue. We trust that you will make the decision that is in the best interests of our neighborhood and its residents.

Sincerely,

Patrick and Lorina McGrorty

7635 South 41st Place

Phoenix, Az 85042

(480) 628-8911

From: PDD Planning Commission
Subject: FW: Phoenix Planning Commission Agenda Item 7: Z-SP-6-23-8

From: Laurie Pheil <creativebenefitcommunications@gmail.com>
Sent: Tuesday, April 30, 2024 12:27 PM
To: PDD Planning Commission <pdd.planningcomm@phoenix.gov>
Subject: Phoenix Planning Commission Agenda Item 7: Z-SP-6-23-8

To the Planning Commission,

My name is Laurie Pheil and I am requesting a recommendation of denial for case number Z-SP-6-23-8.

This Special Permit requests is for a C3 or Industrial Use on a C2 zoned property. It is surrounded by a Church, two schools, a Fire station, some small neighborhood retail and lots and lots of housing.

A warehouse style storage facility does not fit into the local area in many ways. Based on their last presentation to the Village Planning Committee in April of this year where the Village Committee voted unanimously to deny their land use, their request falls short in several ways...

- It does not preserve views for the adjacent neighborhood
- The architecture does not reflect the area's agricultural heritage
- It does not provide a good employment source for the Village for generations to come
- Plus, it all but ignores the standards outlined in the **Plan Phoenix** General Plan for Connectivity, Enhancing Neighborhood Retail, Healthy restaurants, or being a place where neighbors can meet to have a cold drink, plan a hike or hike ride, or perhaps get a bike tire repaired.

Thank you for your consideration!
Laurie

Laurie Pheil
Creative Benefit Communications
Phone: 602-696-3800
E-mail: creativebenefitcommunications@gmail.com

ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION May 2, 2024

ITEM NO: 7

DISTRICT NO.: 8

SUBJECT:

Application #: Z-SP-6-23-8
Location: Southeast corner of 41st Street and Baseline Road
From: C-2
To: C-2 SP
Acreage: 3.84
Proposal: Self-service storage facility and underlying C-2 uses
Applicant: SAFStor Real Estate Company, LLC
Owner: Highline Investment, LLC
Representative: Mike Maerowitz, Snell & Wilmer, LLP

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

South Mountain 3/12/2024 Information only.

South Mountain 4/9/2024 Denial. Vote 10-0 (1 abstained).

Planning Commission Recommendation: Approval, per the staff memo dated May 1, 2024.

Motion Discussion: N/A

Motion details: Commissioner Mangum made a MOTION to approve Z-SP-6-23-8, per the staff memo dated May 1, 2024.

Maker: Mangum

Second: Gorraiz

Vote: 5-4 (Vice-Chairperson Busching, Boyd, Jaramillo, Matthews)

Absent: N/A

Opposition Present: Yes

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation of Commercial.
2. The proposal, as stipulated, will create a strong pedestrian environment along Baseline Road with detached sidewalks and a multi-use trail. These pathways will convey individuals safely and comfortably to the nearby educational uses, commercial uses, and residential neighborhoods.
3. The site is appropriately located along a major arterial roadway, and as stipulated will be compatible with surrounding uses.

Stipulations:

1. The development shall be in general conformance with the elevations date stamped ~~March 15, 2024~~ APRIL 26, 2024, as approved by the Planning and Development Department.
2. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
3. A minimum of one 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.
4. A minimum of 10% of the required parking spaces shall be EV capable.
5. A minimum of one of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department
6. Four bicycle spaces shall be provided on the site through Inverted U and/or artistic racks located near the building entrances or in a secure location inside the building and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
7. Bicycle parking spaces shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.
8. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper, drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade, as approved by Planning and Development Department.
9. All public and private pedestrian pathways including sidewalks shall be shaded to a minimum 75%, as approved by the Planning and Development Department.
10. In addition to the landscape materials listed in the Baseline Area Master Plan Plant List, Cercidium Hybrid (Desert Museum Palo Verde), Quercus Virginiana (Live Oak), and Pistacia X 'Red-Push (Red Push Pistache), may be permitted as approved by Planning and Development Department and shall be utilized, as approved or modified by the Planning and Development Department.
11. 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.
12. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Water Efficiency Checkup program for a minimum of 15 years, or as approved by the Planning and Development Department.

13. The developer shall dedicate right-of-way and construct a bus stop pad on eastbound Baseline Road. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The bus stop pad shall be spaced from 41st Street according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide minimum 50% shade coverage to bus stop pad.
14. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the south side of Baseline 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.
15. A minimum 70-feet of right-of-way shall be dedicated for the south half of Baseline Road, adjacent to the development.
16. The sidewalk along Baseline Road shall be a minimum of 6 feet in width and detached with a minimum 8-foot-wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved or modified 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 vegetation to achieve a minimum of 75 percent live coverage.

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

17. A minimum 5-foot-wide sidewalk shall be constructed on the north side of Highline Lane, adjacent to the development.
18. A minimum 5-foot-wide sidewalk shall be constructed on the east side of 41st Street, adjacent to the development.
19. A minimum 5-foot-wide sidewalk shall be constructed on the west side of 42nd Place, adjacent to the development.
20. Existing streetscape beginning at back of curb and median islands shall be replenished with the approved landscaping and trees along Baseline Road, as approved by the Planning and Development Department.
21. 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.
22. 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.
23. 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.

24. 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.
25. 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

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-SP-6-23-8 Southeast corner of 41st Street and Baseline Road	(SIGNATURE ON ORIGINAL IN FILE)	
		opposition	x
APPEALED FROM:	PC May 2, 2024	3940 East Beverly Road Phoenix, AZ 85042	
	<i>PC DATE</i>	<i>STREET/ADDRESS/CITY/STATE/ZIP</i>	
TO PC/CC HEARING	CC June 12, 2024	Laurie Pheil (602) 696-3800 creativebenefitcommunications@gmail.com	
	<i>CC DATE</i>	<i>NAME / PHONE / EMAIL</i>	
REASON FOR REQUEST:			
Opposition to the special permit land use on this property.			
RECEIVED BY:	Greg Harmon	RECEIVED ON:	5/9/2024

Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Sarah Stockham
Stephanie Vasquez
Heather Klotz

Camryn Thompson
Paul M. Li
GIS
Byron Easton (for PHO Appeals only)
Vikki Cipolla-Murillo
Village Planner
Applicant



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development Department

The PLANNING COMMISSION agenda for May 2, 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. May 9, 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. May 9, 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. May 9, 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. May 16, 2024.

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-SP-6-23-8 APPLICATION NO.

Southeast corner of 41st Street & Baseline Road LOCATION OF APPLICATION SITE

MAY 2, 2024 DATE APPEALED FROM

[X] OPPOSITION [] APPLICANT

Cres Harmon PLANNER (PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

Laurie Pheil PRINTED NAME OF PERSON APPEALING

Laurie Pheil SIGNATURE

3940 E. BEVERLY RD. STREET ADDRESS

5/3/24 DATE OF SIGNATURE

PHOENIX, AZ 85042 CITY, STATE & ZIP CODE

602-696-3800 TELEPHONE NO.

creativebenefitcommunications@gmail.com EMAIL ADDRESS

REASON FOR REQUEST:

OPPOSITION TO THE SPECIAL PERMIT LAND USE ON THIS PROPERTY

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

ATTACHMENT G

For additional correspondence, please see Z-SP-6-23-8 on the following website:

<https://www.phoenix.gov/pdd/planning-zoning/pzservices/pzstaff-reports>




City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: June 10, 2024

From: Joshua Bednarek 
Planning and Development Director


Subject: CONTINUANCE OF ITEM 146 ON THE JUNE 12, 2024, PUBLIC HEARING AND ORDINANCE ADOPTION - REZONING APPLICATION Z-SP-6-23-8 – SOUTHEAST CORNER OF 41ST STREET AND BASELINE ROAD (ORDINANCE G-7270)

Item 146, rezoning application Z-SP-6-23-8 is a request to rezone 3.84 acres located at the southeast corner of 41st Street and Baseline Road from C-2 (Intermediate Commercial) to C-2 SP (Intermediate Commercial, Special Permit) to allow self-service storage facility and underlying C-2 uses.

Staff has received correspondence from the applicant requesting a continuance.

Staff recommends continuing this item to the July 1, 2024, City Council Formal meeting.

Approved: _____



Alan Stephenson
Deputy City Manager

Attachment:
Exhibit A – Applicant's request for continuance

Snell & Wilmer

ONE EAST WASHINGTON STREET
SUITE 2700
PHOENIX, ARIZONA 85004-2556
602.382.6000 P
602.382.6070 F

Michael Maerowitz
(602) 382-6494
mmaerowitz@swlaw.com

June 10, 2024

Mayor and City Council
City of Phoenix
200 West Washington Street
Phoenix, Arizona 85003

Re: Z-SP-6-23 (the “Application”) — Request for Continuance

Dear Mayor and City Council:

Our firm represents SAFStor Real Estate Co., LLC (the “Applicant”) with respect to the Application referenced above. The Application request is for approval of a Special Permit to allow a self-storage facility within the existing Commercial C-2 District--Intermediate Commercial (“C-2”) zoning district. The Application is currently scheduled to be heard at the City Council meeting on June 12, 2024. Specifically, the Application is agenda Item 146.

On behalf of the Applicant, please accept this letter as our formal request for a continuance of the Application to the July 1, 2024 City Council agenda.

Respectfully submitted,

Snell & Wilmer

Michael Maerowitz

Michael Maerowitz